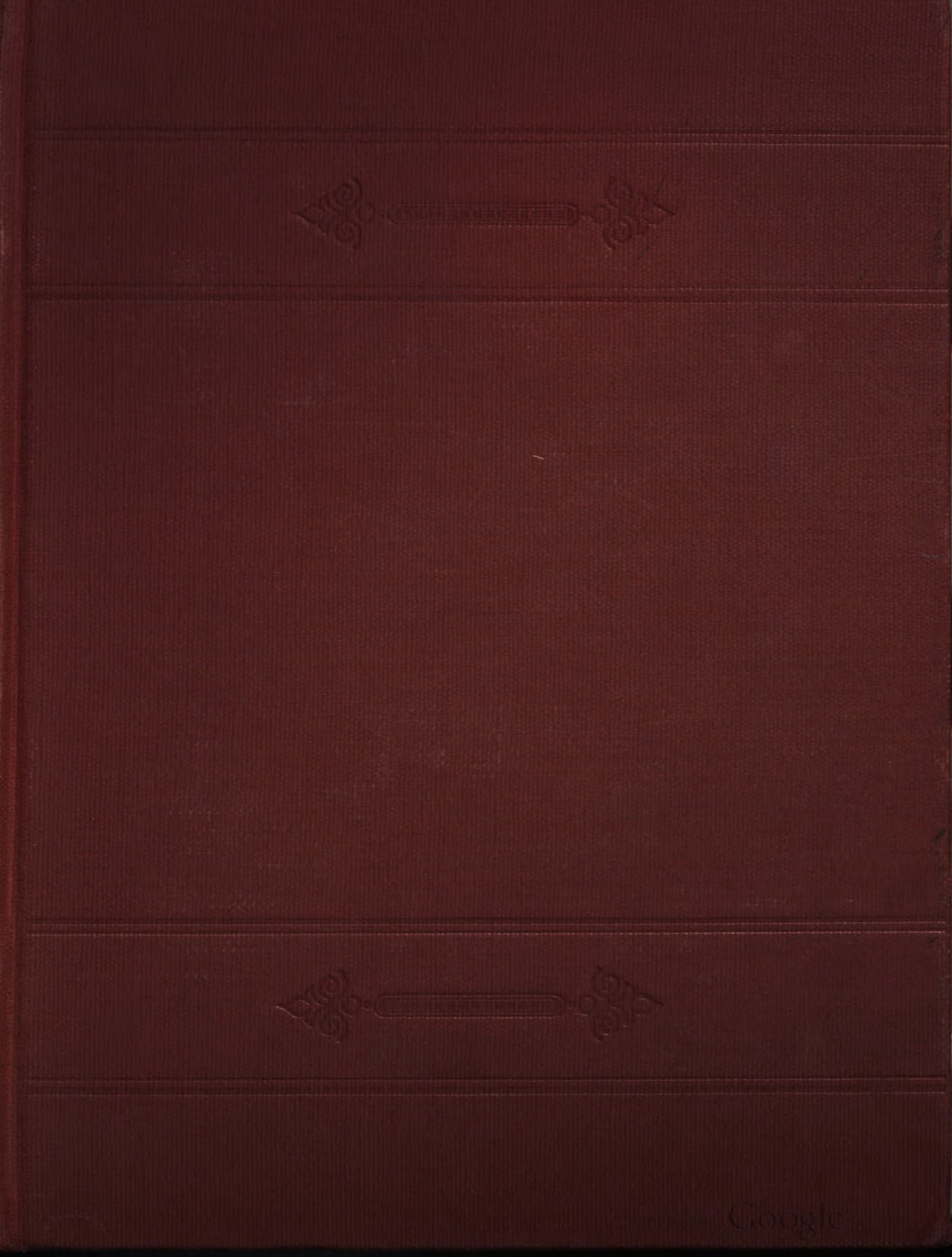

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PROCEEDINGS AND DEBATES OF THE 85th CONGRESS, FIRST SESSION

SENATE

THURSDAY, AUGUST 22, 1957

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

Dear Lord and Father of mankind, grappling with problems which confound us in a world which could be so fair, but which by human folly has been made so ugly, we ask that Thou wilt forgive our foolish ways, and that where we have erred in our judgments, Thou wilt reclothe us in our rightful mind. May the coolness of Thy balm breathe through the heats of our desires.

Drop Thy still dews of quietness
  Till all our strivings cease;
Take from our souls the strain and stress,
And let our ordered lives confess
  The beauty of Thy peace.

We ask it in the name of the Prince of Peace, who says, "My peace I give unto you." Amen.

THE JOURNAL

On request of Mr. SMATHERS, and by unanimous consent, the Journal of the proceedings of Wednesday, August 21, 1957, was approved, and its reading was dispensed with.

ENROLLED BILLS SIGNED

The **PRESIDENT** pro tempore announced that on today, August 22, 1957, the Vice President had signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

H. R. 993. An act to provide for the conveyance of certain land by the United States to the Cape Flattery School District in the State of Washington;

H. R. 1259. An act to clear the title to certain Indian land;

H. R. 1349. An act for the relief of John J. Fedor;

H. R. 1365. An act for the relief of Elmer L. Henderson;

H. R. 1424. An act for the relief of Sylvia Ottila Tenyi;

H. R. 1595. An act for the relief of Vanja Stipcic;

H. R. 1636. An act for the relief of George D. LaMont;

H. R. 1826. An act to authorize the sale of certain lands of the United States in Wyoming to Bud E. Burnaugh;

H. R. 1851. An act for the relief of Dezrin Boswell (also known as Dezrin Boswell Johnson);

H. R. 1953. An act to provide that checks for benefits provided by laws administered by the Administrator of Veterans' Affairs may be forwarded to the addressee in certain cases;

H. R. 2224. An act providing for payment to the State of Washington by the United States for the cost of replacing and relocating a portion of secondary highway of such State which was condemned and taken by the United States;

H. R. 2973. An act for the relief of the estate of William V. Stepp, Jr.;

H. R. 3025. An act to authorize the Secretary of the Navy to surrender and convey to the city of New York certain rights of access in and to Marshall, John, and Little Streets adjacent to the New York Naval Shipyard, Brooklyn, N. Y., and for other purposes;

H. R. 3184. An act for the relief of Gordon Broderick;

H. R. 3280. An act for the relief of Mrs. Grace C. Hill;

H. R. 3818. An act to provide for the maintenance of a roster of retired judges available for special judicial duty and for their assignment to such duty by the Chief Justice of the United States;

H. R. 3819. An act to amend section 331 of title 28, United States Code, to provide representation of district judges on the Judicial Conference of the United States;

H. R. 4098. An act to provide for the conveyance to the State of California a portion of the property known as Veterans' Administration Center Reservation, Los Angeles, Calif., to be used for National Guard purposes;

H. R. 4230. An act for the relief of W. C. Shepherd, trading as W. C. Shepherd Co.;

H. R. 4344. An act for the relief of Malone Hsia;

H. R. 4447. An act for the relief of W. R. Zanes & Company, of Louisiana, Inc.;

H. R. 5288. An act for the relief of Orville G. Everett and Mrs. Agnes H. Everett;

H. R. 5894. An act to amend the laws relating to the endorsement of masters on vessel documents and to provide certain additional penalties for failure to exhibit vessel documents or other papers when required by enforcement officers;

H. R. 5924. An act relating to the International Convention To Facilitate the Importation of Commercial Samples and Advertising Matter;

H. R. 6080. An act to provide for the conveyance of certain property of the United States in Gulfport, Miss., to the Gulfport Municipal Separate School District;

H. R. 6709. An act to implement a treaty and agreement with the Republic of Panama, and for other purposes;

H. R. 7051. An act to stimulate industrial development near Indian reservations;

H. R. 7914. An act to amend the Career Compensation Act of 1949 to provide incentive pay for human subjects;

H. R. 8076. An act to provide for the termination of the Veterans' Education Appeals Board established to review certain determinations and actions of the Administrator of Veterans' Affairs in connection with education and training for World War II veterans;

H. R. 8531. An act to provide interim system for appointment of cadets to the United States Air Force Academy for an additional period of 4 years;

H. R. 8705. An act to permit articles imported from *foreign countries* for the purpose of exhibition at the St. Lawrence Seaway celebration, to be held at Chicago, Ill., to be admitted without payment of tariff, and for other purposes; and

H. R. 8821. An act to amend title II of the Social Security Act to facilitate the provision of social security coverage for State and local employees under certain retirement systems.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 807) for the relief of Jackson School Township, Ind., with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 1944) to amend title II of the Social Security Act so as to make inapplicable, in the case of the survivors of certain members of the Armed Forces, the provisions which presently prevent the payment of benefits to aliens who are outside the United States.

The message further announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 2842. An act to amend the Tariff Act of 1930 to provide for the temporary free importation of certain tanning extracts;

H. R. 8753. An act to amend title II of the Social Security Act to include California, Connecticut, and Rhode Island among the States which are permitted to divide their retirement systems into two parts so as to obtain social security coverage, under State agreement, for only those State and local employees who desire such coverage;

H. R. 8755. An act to amend title II of the Social Security Act to permit any instrumentality of two or more States to obtain social security coverage under its agreement separately for those of its employees who are covered by a retirement system and who desire such coverage; and

H. R. 8892. An act to amend the Internal Revenue Code of 1954 to extend the time within which a minister may elect coverage as a self-employed individual for social-security purposes, and for other purposes.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 7900. An act to permit the Secretary of Agriculture to sell to individuals land in Ottawa County, Mich., which was acquired pursuant to the provisions of title III of the Bankhead-Jones Farm Tenant Act; and

H. R. 9379. An act making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H. R. 7900. An act to permit the Secretary of Agriculture to sell to individuals land in Ottawa County, Mich., which was acquired pursuant to the provisions of title III of the Bankhead-Jones Farm Tenant Act; to the Committee on Agriculture and Forestry.

H. R. 9379. An act making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes; to the Committee on Appropriations.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Smathers, and by unanimous consent, the following committees or subcommittees were authorized to meet today during the session of the Senate:

The Subcommittee on Public Lands of the Committee on Interior and Insular Affairs.

The Committee on Armed Services.

TRANSACTION OF ROUTINE BUSINESS

Mr. SMATHERS. Mr. President, under the rule, there is the usual morning hour today. On yesterday an order was entered that during the transaction of routine business in the morning hour, statements by Senators be limited to 3 minutes.

The PRESIDENT pro tempore. That is correct.

EXECUTIVE COMMUNICATIONS, ETC.

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

Reports on Overallotment of Appropriations

A letter from the Secretary of Defense, transmitting, pursuant to law, reports on overallotment of appropriations within the Department of Defense (with accompanying papers); to the Committee on Appropriations.

Report on Federal Contributions, Civil Defense Administration

A letter from the Administrator, Federal Civil Defense Administration, Battle Creek, Mich., transmitting, pursuant to law, a report on the Federal contributions program, for the quarter ended June 30, 1957; to the Committee on Armed Services.

Report of International Boundary and Water Commission, United States and Mexico

A letter from the Secretary of State, transmitting, pursuant to law, a report of the International Boundary and Water Commission, United States and Mexico, relative to a preliminary examination and survey report on the feasibility of channel control dams on the lower Rio Grande River (with an accompanying report); to the Committee on Foreign Relations.

Report of Maritime Administration, Department of Commerce

A letter from the Acting Secretary of Commerce, transmitting, pursuant to law, a report of the Maritime Administration of the Department of Commerce on its operation under the Merchant Ship Sales Act of 1946, for the period March 31, through June 30, 1957 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

Construction of a U. S. S. "Arizona" Memorial at Pearl Harbor

A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation to authorize construction of a U. S. S. *Arizona* memorial at Pearl Harbor (with an accompanying paper); to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

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

By the PRESIDENT pro tempore:

The petition of George Washington Williams, of Baltimore, Md., relating to immigration; to the Committee on the Judiciary.

The petition of Carolyn Jones, of Chicago, Ill., relating to the proposed civil-rights legislation; ordered to lie on the table.

DEVELOPMENT OF BETHEL AIR BASE, MINN.—RESOLUTION

Mr. HUMPHREY. Mr. President, the citizens of Minnesota have a great interest and concern in the earliest possible development of the Bethel Air Base for military operations.

On August 9, 1957, the city council of Minneapolis adopted a resolution urging early completion of this project. I ask unanimous consent that the resolution be printed in the Record, and appropriately referred.

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

Resolution Relating to the Importance of Developing of Bethel Air Base Without Delay

Whereas the City Council of the City of Minneapolis has on a number of occasions urged Federal and State authorities to take all steps necessary to remove military operations from the commercial Wold-Chamberlain Airport; and

Whereas the hazards and specific incidents connected with military flying at Wold-Chamberlain have amply demonstrated the justification of the city council's position; and

Whereas the Minnesota State Legislature in its 1957 session provided for financing the acquisition of lands suitable for a military airport in the vicinity of the Twin City area; and

Whereas the expense of such land acquisition is a relatively small part of the total governmental expenditure required for the development of this military facility; and

Whereas the major consideration of the Bethel Airport project is its earliest possible completion so as to remove conflicts and improve safety in both military and civilian air traffic around the Twin Cities; and

Whereas controversy over the matter of financing acquisition may be used to delay the completion of this most important military airport project: Now, therefore, be it

Resolved by the City Council of the City of Minneapolis:

1. That we reaffirm our position that military flying should be completely separated from commercial flying at Wold-Chamberlain Airport.

2. That the relatively small portion of the total financing required for land acquisition should not be allowed to develop to a controversy endangering the main objective of separating military and civilian airport operations.

3. That the city council urge Congress of the United States and Federal agencies involved in the Bethel project to take all steps necessary for the earliest possible completion of the project without unnecessary controversy.

4. That a copy of this resolution be transmitted to the Members of Congress from the State of Minnesota and to the Governor of the State of Minnesota.

Passed August 9, 1957.

Geo. W. Martens,
President of the Council.

Not approved by the mayor.

Attest:

Leonard A. Johnson,
City Clerk.

REVISION OF FEDERAL FIREARMS REGULATIONS—RESOLUTIONS

My HUMPHREY. Mr. President, on August 18, 1957, the Minnesota Conservation Federation at its fifth annual State assembly at Minneapolis, Minn., adopted resolutions opposing the proposed revision of the Federal Firearms Regulations.

I ask unanimous consent that the resolutions be printed in the Record.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

Minnesota Conservation Federation,
Hopkins, Minn., August 19, 1957.

Hon. Hubert H. Humphrey,
United States Senate,
Washington, D. C.

Dear Senator: I am instructed to transmit to you the following resolutions adopted by the Minnesota Conservation Federation at its fifth annual State assembly at Minneapolis, Minn., on August 18, 1957, referring to the Internal Revenue Code:

We oppose section 177.50, Identification of Firearms, because:

(a) It will add expense to the manufacture of firearms, which expense will be passed on to the consumer;

(b) It will raise questions as to the status of the thousands of sporting weapons now on dealers' shelves and in private hands and which carry no such serial number as that proposed; and

(c) Its imposition, where collectors' guns are concerned, designed for import into this country, stamping of serial numbers, as proposed, will materially reduce their market and historical value.

We oppose section 177.51, Firearms Records, because:

(a) It will impose a hardship on many dealers; and

(b) It will create for them a tremendous record-storage problem.

We oppose section 177.52, Ammunition Records, because:

(a) It imposes another intolerable burden upon dealers in that it requires them to keep and maintain voluminous records; and

(b) It accomplishes no useful purpose in crime prevention or deterrence.

We oppose section 177.54, Over the Counter Sales to Individuals, because it violates what appears to have been the will of Congress in the Federal Firearms Act of 1938, since Congress did not and probably could not legally have written into the act such a provision in view of the constitutional guaranties of individual liberty and State sovereignty.

We oppose section 177.55, Authority to Examine Records, because:

(a) It is arbitrary and capricious and could be used to deny constitutional guaranties against unreasonable search; and

(b) Search seems neither reasonable nor necessary to carry out a law requiring only importation, shipment and disposal records to be kept.

The Director of Alcohol and Tobacco Tax Division of the Internal Revenue Service has also been notified of this action.

Sincerely yours,

AGNES L. NELSON, *Secretary.*

RESOLUTION OF PUBLIC SERVICE COMMISSION OF NORTH DAKOTA

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the Record a resolution adopted by the Public Service Commission of North Dakota, protesting against the enactment of legislation to prohibit nonlawyer practitioners before the Interstate Commerce Commission.

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

Whereas there have been introduced in Congress H. R. 3350, H. R. 3349, H. R. 7006, and S. 932 which were prepared by the special committee on legal services and procedure of the American Bar Association, and which would practically prohibit any nonlawyer practitioner now licensed by the Interstate Commerce Commission from representing any party to a hearing before such agency; and

Whereas the utility section of the American Bar Association, composed of attorneys who practice before administrative bodies and who appreciate the value of nonlawyer practitioners in practice before such bodies, have opposed legislation of this type; and

Whereas the Interstate Commerce Commission is also opposed to this legislation because it recognizes the value of the technical knowledge possessed by the nonlawyers in assisting them in arriving at a proper solution to matters under consideration; and

Whereas eminent attorneys experienced and skilled in procedure before the Interstate Commerce Commission also are opposed to this type of legislation; and

Whereas it has been the experience of this Commission that nonlawyer practitioners experienced and skilled in matters coming before us, have assisted this Commission immeasurably in bringing facts to our attention and can and usually do represent the people as ably as most attorneys, if not more so, in the technical aspects of certain types of cases; and

Whereas the passage of this legislation would require the sending of an attorney, along with our director of traffic in all cases participated in by this Commission, even though it usually is not necessary, particularly in matters being considered by the Interstate Commerce Commission, said director of traffic being now admitted to practice by the Interstate Commerce Commission; and

Whereas this would lead to greater expense and inconvenience and be wholly unnecessary and inadvisable: Therefore, be it

Resolved, That this Commission go on record as being opposed to all legislation of this type, and that we urge our Senators and Congressmen to not only oppose the passage of this legislation but aggressively work for its defeat.

Dated at Bismarck, N. Dak., this 12th day of August 1957.

By the Commission:

ELMER OLSON, *Secretary.*

REDUCTION OF VETERANS' COMPENSATION ROLLS—LETTER

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the Record a letter I wrote to the Honorable Ralph H. Stone, Chief of Benefits Division, the Veterans' Administration, relating to the reduction in veterans' compensation rolls.

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

AUGUST 16, 1957.

Hon. RALPH H. STONE,
Chief of Benefits Division,
Veterans' Administration,
Washington, D. C.

DEAR MR. STONE: This is in reference to the resolution adopted by the Disabled American Veterans of Ohio, alleging, among other things, that due to new rating regulations, more than 40,000 service-connected veterans have either been taken off the compensation rolls entirely or have been drastically reduced.

I am very gravely concerned over this matter and consider it of sufficient importance to be brought to the attention of all my colleagues, so I introduced it into the CONGRESSIONAL RECORD of August 15, and suggest that you see page 14819.

Now in line with what seems to be the Veterans' Administration's new policy of elimination and reduction, I have just received a report from your Wichita office on the case of Mr. Robert R. Morford, C–803393, of Topeka, Kans., copy of which I am enclosing. As you will see from this report, this veteran since 1941 has had a condition of deafness, held to be service connected. In February of 1953, he was deemed to be 40 percent disabled and awarded compensation at the rate of $66 per month. Yet in October of 1956, it was determined he was only 20 percent disabled and his compensation reduced to $33 per month.

It may be that new miracle drugs have caused this miraculous partial recovery. I should be very grateful if you will cause a further review to be made of this case and advise me just what did cause this change in rating.

With kindest regards, I am

Sincerely,

WILLIAM LANGER.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HAYDEN, from the Committee on Appropriations, with amendments:

H. R. 9379. An act making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 1080).

By Mr. KERR, from the Committee on Public Works, without amendment:

S. 2535. A bill to amend the Alaska Public Works Act (63 Stat. 627; 48 U. S. C. 486, and the following) to clarify the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works (Rept. No. 1084);

S. 2603. A bill to amend the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 3, 1896 (Rept. No. 1089);

S. 2676. A bill to authorize the Secretary of the Army to make a survey of a water route from Albany, N. Y., into Lake Champlain, N. Y. and Vt., with ultimate connection with the St. Lawrence River (Rept. No. 1085);

H. R. 2580. An act to increase the storage capacity of the Whitney Dam and Reservoir and to make available 50,000 acre-feet of water from the reservoir for domestic and industrial use (Rept. No. 1087); and

H. R. 6363. An act to amend the act of May 24, 1928, providing for a bridge across Bear Creek at or near Lovel Point, Baltimore County, Md., to provide for the construction of another bridge, and for other purposes (Rept. No. 1088).

By Mr. KERR, from the Committee on Public Works, with an amendment:

S. 1587. A bill authorizing the construction of protective measures in the city of New Bedford and the town of Fairhaven, Mass., to afford hurricane tidal flood protection for New Bedford, Fairhaven, and Acushnet, Mass. (Rept. No. 1081); and

S. 2531. A bill to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes (Rept. No. 1083).

By Mr. KERR, from the Committee on Public Works, with amendments:

S. 1726. A bill authorizing certain construction for the protection of the Narragansett Bay area against hurricane tidal flooding (Rept. No. 1082); and

S. J. Res. 50. Joint resolution to provide for the relocation of the Ferry County, State of Washington, highway by the Department of the Interior (Rept. No. 1086).

By Mr. STENNIS, from the Committee on Armed Services, without amendment:

H. R. 4609. An act to further amend the act entitled "An act to authorize the conveyance of a portion of the United States military reservation at Fort Schuyler, N. Y., to the State of New York for use as a maritime school, and for other purposes", approved September 5, 1950, as amended (Rept. No. 1108).

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

S. 628. A bill to direct the Secretary of the Army to convey certain property located at Boston Neck, Narragansett, Washington County, R. I., to the State of Rhode Island (Rept. No. 1109).

By Mr. JACKSON, from the Committee on Armed Services, without amendment:

H. R. 230. An act to require the Secretary of the Army to convey to the county of Los Angeles, Calif., all right, title, and interest of the United States in and to certain portions of a tract of land heretofore conditionally conveyed to such county (Rept. No. 1107); and

H. R. 1214. An act to authorize the President to award the Medal of Honor to the unknown American who lost his life while serving overseas in the Armed Forces of the United States during the Korean conflict (Rept. No. 1106).

By Mr. BEALL, from the Committee on the District of Columbia; with an amendment:

S. 1040. A bill to amend the acts known as the Life Insurance Act, approved June 19, 1934, and the Fire and Casualty Act, approved October 9, 1940 (Rept. No. 1110).

By Mr. DIRKSEN, from the Committee on the Judiciary, with an amendment:

H. R. 3468. An act for the relief of J. A. Ross & Co. (Rept. No. 1090).

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

S. 1224. A bill to provide for the appointment of a district judge for the district of Massachusetts (Rept. No. 1091);

S. 2832. A bill to provide for the appointment of one additional district judge for the northern district of Ohio and one additional district judge for the southern district of Ohio (Rept. No. 1092);

H. R. 110. An act to amend section 372 of title 28, United States Code (Rept. No. 1094);

H. R. 1318. An act for the relief of Thomas P. Quigley (Rept. No. 1095);

H. R. 2136. An act to amend section 124 (c) of title 28 of the United States Code so as to transfer Shelby County from the Beaumont to the Tyler division of the eastern district of Texas (Rept. No. 1096);

H. R. 4992. An act for the relief of Michael D. Ovens (Rept. No. 1097);

H. R. 5811. An act to amend subdivision b of section 14—Discharges, when granted—of the Bankruptcy Act, as amended, and subdivision b of section 58—Notices—the Bankruptcy Act, as amended (Rept. No. 1098);

H. R. 6868. An act for the relief of the estate of Agnes Moulton Cannon and for the relief of Clifton L. Cannon, Sr. (Rept. No. 1099); and

H. J. Res. 230. Joint resolution to suspend the application of certain Federal laws with respect to personnel employed by the House Committee on Ways and Means in connection with the investigations ordered by H. Res. 104, 85th Congress (Rept. No. 1093).

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

H. R. 2904. An act for the relief of the Knox Corp. of Thomson, Ga. (Rept. No. 1100).

By Mr. O'MAHONEY, from the Committee on the Judiciary, without amendment:

H. R. 5061. An act for the relief of Harry V. Shoop, Frederick J. Richardson, Joseph D. Rosenlieb, Joseph E. P. McCann, and Junior K. Schoolcraft (Rept. No. 1104);

H. R. 5810. An act to provide reimbursement to the tribal council of the Cheyenne River Sioux Reservation in accordance with the act of September 3, 1954 (Rept. No. 1105);

S. J. Res. 98. Joint resolution to establish a commission for the commemoration of the 150th anniversary of the birth of Abraham Lincoln (Rept. No. 1102); and

H. J. Res. 313. Joint resolution designating the week of November 22-28, 1957, as National Farm-City Week (Rept. No. 1103).

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

H. R. 7654. An act for the relief of Richard M. Taylor and Lydia Taylor (Rept. No. 1101).

By Mr. MANSFIELD (for Mr. Hennings), from the Committee on Rules and Administration:

H. Con. Res. 215. Concurrent resolution authorizing the printing of additional copies of certain public hearings; without amendment.

BILLS INTRODUCED

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

By Mr. HILL (for himself and Mr. Smith of New Jersey):

S. 2835. A bill to amend the laws relating to St. Elizabeths Hospital so as to fix the salaries of the Superintendent, Assistant Superintendent, and first assistant physician of the hospital, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. GREEN:

S. 2836. A bill for the relief of the town of Portsmouth, R. I.; to the Committee on the Judiciary.

By Mr. WATKINS:

S. 2837. A bill to provide for the termination of Federal supervision over the property of Indian tribes, bands, and groups, and individual Indians in Michigan, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KERR:

S. 2838. A bill for the relief of Tamae Koonce; to the Committee on the Judiciary.

By Mr. MALONE:

S. 2839. A bill for the relief of Felipe Uriondo; to the Committee on the Judiciary.

By Mr. KNOWLAND (for himself and Mr. Kuchel):

S. 2840. A bill to create a new and separate judicial district in California and to create a new division for the northern district in said State; to the Committee on the Judiciary.

NATIONAL YOUTH WEEK

Mr. JAVITS. Mr. President, the indictment this week in New York City of 7 teen-agers for first degree murder in the fatal stabbing of a crippled boy and the indictment of 7 others for first degree manslaughter starkly emphasize the importance of making an all-out national attack on juvenile delinquency and youth crime. It is symptomatic of what is going on in other cities.

In that connection, Mr. President, I ask unanimous consent to have printed as a part of my remarks, excerpts from the report on this subject contained in the August 19 issue of Newsweek, detailing the situation in other cities.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Why the Young Kill: Prowling the Juvenile Jungles of the Big Cities

The man considered the greatest judicial authority on delinquent children in Massachusetts is Judge John J. Connelly of the Boston juvenile court. Judge Connelly said last week:

"If we could get the same public cooperation that the Salk vaccine got, we'd lick the problem. At the time that the vaccine was introduced, we had 7,000 cases of polio in the country, but we had 700,000 cases of juvenile delinquency."

In 1940, Judge Connelly's court handled 450 cases; in 1956, 1,030 (including 407 girls, whose chief offenses were stealing cosmetics, tight sweaters, and toreador pants from local stores). "Juvenile delinquency is growing four times faster than the juvenile population," Connelly said grimly.

In Seattle, which prides itself on its handling of delinquency, crimes involving juveniles have nevertheless quadrupled since 1939.

In Detroit, police reported that in the first 6 months of this year, juveniles committed 6 killings, compared with 3 in the same period in 1956; 50 rapes compared with 33; 247 robberies compared with 186.

In Los Angeles, 4,174 youths were arrested in 1941; in 1946 there were 8,051; in the past year there were 14,392.

Though the FBI reports that juvenile crime is on an alarming upswing in rural areas (due largely to the automobile), the problem is at its worst, and most uncontrollable, in cities of more than 100,000. Here occur most of the serious crimes of murder, rape, robbery, theft, and vandalism—and for them, the sociologists blame what they term another major flaw in American society today: The breakdown of authority.

"The parents, the community, the courts, the police, the moral standards of mankind itself, fail to give these children the thing they need most," said one noted sociologist, "and that is guidance. There is no authority to tell them what to do, to show them. In their world, no one is minding the store. There isn't enough tax money in the world to pay professional social workers to supply this guidance. The parents don't supply it. It's a miracle the problem isn't 10 times worse than it is."

Mr. JAVITS. Mr. President, the problem is national in scope. Earlier this summer, for example, a teen gang in Chicago brutally beat to death an honor student who had just won a college scholarship. The vicious senselessness of this is highlighted by the fact that the group did not even know the victim.

Mr. President, this is a subject with which I dealt as the attorney general of the State of New York when, during my incumbency, we strengthened the New York Youth Commission and allowed the New York State courts to cope more effectively with juvenile offenders. I believe the continuing serious nature of the situation also shows the need for some Federal Government cooperation to assist the States in developing countermeasures.

Mr. President, I have said that the problem is national in scope. The latest uniform crime report issued by the FBI shows that the juvenile crime rate in 1956 soared to still another record. According to this survey, covering more than 1,500 cities of over 2,500 population, arrests of juveniles under 18 years old rose 17 percent over 1955, although in terms of total population, the juvenile-age group increased by only 3 percent.

Therefore, the rate of juvenile crime increased more than five times the relationship of the increase in juvenile population. Last year, about 46 percent of all persons arrested for major crimes—or nearly one out of every two—were under 18. Juveniles arrested on charges of criminal homicide also increased and today almost one out of every ten persons arrested for murder is under 18.

We must, in dealing with this problem, think in terms of the enormous percentage of youth—the 98 percent—who are unaffected by juvenile delinquency and yet who suffer under the cloud cast by the lawless and irresponsible among them.

I say 98 percent, Mr. President, because 47.4 million Americans, representing 34 percent of the population are under 18 years of age. It is estimated that 1 million will this year in some way come to the attention of the police.

Mr. President, I have three suggestions in this regard. First, I suggest a national awakening to the seriousness of the problem.

Second, I suggest attention to the administration bill pending before the Committee on Labor and Public Welfare, offered by the senior Senator from Wisconsin [Mr. Wiley], of which I have the honor to be a cosponsor, with my senior colleague [Mr. Ives] and the Senator from Minnesota [Mr. Thye].

This bill would strengthen and improve State and local programs with Federal allotments to demonstrate and develop improved methods for the control of juvenile delinquency, train personnel therefor, and help finance State and local youth programs. I call this to the attention of the Senate at this time in the belief that we should turn our thoughts to this vitally serious problem, that hearings should be scheduled on this measure. Also major attention should be given to the work and hearings of the Subcommittee on Juvenile Delinquency of the Judiciary Committee, under the chairmanship of the distinguished Senator from Tennessee [Mr. Kefauver], with participation by the Senator from Missouri [Mr. Hennings] and other members.

My third suggestion, Mr. President, is a concurrent resolution which I am submitting today, with the cosponsorship of my colleague the senior Senator from

New York [Mr. Ives], the Senator from Minnesota [Mr. Thye], and the Senator from Wisconsin [Mr. Wiley], calling upon the President to proclaim the second week in January as National Youth Week, to mobilize the resources of the United States to fight against juvenile delinquency.

Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER (Mr. Holland in the chair). Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, in this regard, I invite attention to the terms of the concurrent resolution, which calls upon our people to have a National Youth Week so as to recognize and acknowledge the constructive achievements of the overwhelming majority of American youth as good citizens today, and to encourage them to prepare for a future of even better citizenship; second, to mobilize the spiritual and material resources of all the people of the United States in the struggle against juvenile delinquency and youth crime in individual American communities; and, third, to grant recognition to and strengthen the voluntary organizations—civic, fraternal, religious, veterans, service, and the instrumentalities of Federal, State, and local governments—which are working for the full development of the youth in the national interest.

Mr. President, speaking for myself and from my experience in New York, I favor two methods of attack, which are mainly community methods, but which can use a great deal of Federal help.

The first is the establishment of community centers, staffed with personnel trained in youth work. Indeed, the schools in our large cities need to be kept open the year around to furnish physical plants for such centers.

Second, Mr. President, on the corrective side, I favor taking the aggravated cases of delinquency out of their environment and into minimum security centers, like the CCC camps of the 1930's where the work of rehabilitation can be predominant. I am proud to say that in my home State of New York we are proceeding along that line at the present time.

In conclusion, Mr. President, let me say the importance of taking a broad scale, coordinated national attack on this problem cannot be overemphasized, for we are dealing with our most precious resource, our youth, the generation to whom we shall turn over the destiny of our country, indeed the destiny of the whole Free World. We will hand them a tremendous burden, Mr. President, and therefore it is our duty to do everything within our power to equip them mentally, morally, and physically to carry it through, successfully. We cannot allow them to get a bad name or to get into grave difficulties, such as are indicated.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 48) to request the President to proclaim the second week in January, beginning in 1958, as "National Youth Week," submitted by Mr. Javits (for himself, Mr. Ives, Mr. Thye, and Mr. Wiley), was referred to the Committee on the Judiciary, as follows:

> Whereas some 47.4 millions of all Americans comprising 24 percent of the population are under 18 years of age; and
>
> Whereas the overwhelming majority of American youth lead constructive lives making their full contribution to the improvement of their communities and the security of the Nation; and
>
> Whereas, 18 States and the District of Columbia and some 10 cities have special Commissions or other bodies dealing with problems of youth; and
>
> Whereas, the marshaling of the national resources to deal with the problems of youth is essential in the national interest: Therefore be it
>
> *Resolved by the Senate (The House of Representatives concurring)*, That the President is requested to issue a proclamation designating the second week in January, beginning in 1958, as "National Youth Week" and calling upon the people of the United States to observe such week by—
>
> (1) recognizing and acknowledging the constructive achievements of the overwhelming majority of American youth as good citizens today and preparing for a future of even better citizenship tomorrow;
>
> (2) mobilizing the spiritual and material resources of all the people of the United States in the struggle against juvenile delinquency and youth crime in individual American communities; and
>
> (3) granting recognition to and strengthening the voluntary organizations, civic, fraternal, religious, veteran and service, and the instrumentalities of the Federal, State and local governments working for the full development of youth in the national interest.

RULE TO GOVERN CORRECTIONS OF THE REPORTERS' TRANSCRIPT OF SENATE DEBATES

Mr. NEUBERGER. Mr. President, in the course of the debate on July 16, 1957, on the question of changes in the Congressional Record, I stated that I would prepare and submit a resolution which would propose a Senate rule to govern corrections of the reporters' transcript of Senate debate. The Senator from Colorado [Mr. Allott], who participated in that debate, agreed that there ought to be a precise standard governing the practice of editing the transcript, if one could be drafted. In preparing my resolution, therefore, I have taken account of suggestions of the Senator from Colorado, and he has agreed to cosponsor it. I send the resolution to the desk and ask that it be printed in the Congressional Record at this point in my remarks.

There being no objection, the resolution (S. Res. 193) was ordered to be printed in the Record, as follows:

> *Resolved*, That the Standing Rules of the Senate are amended by adding at the end thereof the following new rule:
>
> "RULE XLI
>
> "*Reporting of proceedings in the Senate in the Congressional Record*
>
> "Except as provided herein, the remarks of Senators in proceedings of the Senate shall be recorded in the Congressional Record as actually made. Changes in the recording of such remarks shall be permissible only to correct grammar and syntax, and to correct actual errors made in the reporting of such remarks. No changes of a substantive nature or changes concerning remarks of another Senator made in the proceedings shall be permitted."

Mr. NEUBERGER. Mr. President, Senators will remember that the matter arose on July 16 when the Senator from Indiana [Mr. Capehart] took the Senator from Oklahoma [Mr. Kerr] to task for adding the word fiscal to the transcript of certain remarks he had made in the Senate on July 15 concerning President Eisenhower's understanding of monetary affairs. The Senator from Indiana challenged the propriety of this addition to the transcript made by the Senator from Oklahoma on the ground that it affected the significance of the colloquy which had taken place between them.

When this matter was discussed on July 16, I called to the attention of the Senate the fact that the editing, by Senators or their staffs, of the transcript made by the official reporters has been a common practice in the Senate, and that many of these changes are often very extensive and even involve substantial additions to what has in fact been said and taken down by the reporters. I said that it was hardly fair to single out the Senator from Oklahoma for adding one single adjective to the transcript of remarks he had made on the preceding day, when every day Senators add, change, or remove whole sentences in the transcript made by the official reporters.

Surprising and disturbing as this practice has seemed to me ever since I came to the Senate 2½ years ago, we know that it has been the universal custom. It is unfair and prejudicial to make an issue of it and to criticize one particular Senator for one instance of adding a single adjective, when year in and year out Senators rewrite whole sentences and paragraphs in the Record for the purpose of conveying their thoughts more accurately or elegantly than they actually expressed them in the heat of debate.

Mr. President, my own view is that if there is to be a rule for one there should be a rule for all. I believe it is in the interest of the integrity of Senate debate, and in the interest of historical accuracy, that the Congressional Record should be what it purports to be—a record of congressional debates as they in fact take place. This would be the purport of the Senate rule I propose. Our official Senate reporters do a remarkable job of reporting the debates on the Senate floor, often under conditions which must be very difficult and tiring. The transcript is well edited for grammar, continuity, and syntax, by the official reporters of debates. I am quite willing to trust my grammatical reputation to the able and impartial Mr. James Murphy and the other official reporters. If occasionally a word or a phrase is actually misunderstood by a reporter or some error creeps into the transcript, my proposed rule would permit its correction. The text of the rule plainly shows that only substantive changes would be excluded.

Mr. President, I believe the Senate should adopt such a rule, or else Senators should refrain from criticizing one of their colleagues when they do not happen to like some specific word which that particular colleague may have added or subtracted in the transcript.

In closing, I want to mention that, in accordance with my remarks on July 16, I wrote the Senator from Indiana on July 19, to offer him an opportunity to join the Senator from Colorado and me in introducing this proposal. I have not heard from the Senator from Indiana about this, but I ask unanimous consent that my letter to him of July 19, 1957, be printed in the Record at the conclusion of my remarks.

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

July 19, 1957.

Hon. Homer E. Capehart,
United States Senate,
Washington, D. C.

Dear Senator Capehart: You will recall that in the debate on July 16 concerning editing of the Congressional Record by Senators or their staffs, I discussed with Senator Allott the need for a Senate rule which will define what changes may or may not be made.

I have now had prepared the following draft rule, which I intend to introduce in the Senate:

"*Resolved, etc.*—

"RULE XLI

"*Reporting of proceedings in the Senate in the Congressional Record*

"Except as provided herein, the remarks of Senators in proceedings of the Senate shall be recorded in the Congressional Record as actually made. Changes in the recording of such remarks shall be permissible only to correct grammar and syntax, or to correct actual errors made in the reporting of such remarks. No changes of a substantive nature or which affect the remarks of other Senators made in the proceedings shall be permitted."

I have asked Senator Allott to join me in introducing this proposal, and I should be very pleased if you should decide also to join as a cosponsor of it. I believe that this proposed text leaves plenty of room for the kind of corrections in grammar or in the accuracy of reporting which may be necessary for clarity in the Congressional Record while avoiding any changes in substance which might possibly give rise to subsequent controversy over what was said or not said in the Senate.

If you should decide to cosponsor this resolution, I hope that you will have someone on your staff call my office by Monday morning, July 22.

Sincerely,

Richard L. Neuberger.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 193) was received and referred to the Committee on Rules and Administration.

REVISION OF BASIC COMPENSATION SCHEDULES OF CLASSIFICATION ACT OF 1949—AMENDMENT

Mr. JOHNSTON of South Carolina submitted an amendment, intended to be proposed by him to the bill (S. 734) to revise the basic compensation schedules of the Classification Act of 1949, as amended, and for other purposes, which was ordered to lie on the table and to be printed.

PRODUCTION OF STATEMENTS AND REPORTS OF WITNESSES—AMENDMENT

Mr. COOPER submitted an amendment, intended to be proposed by him, to the amendment in the nature of a substitute, intended to be proposed by Mr. O'Mahoney, to the bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses, which was ordered to lie on the table and to be printed.

Mr. O'MAHONEY submitted an amendment in the nature of a substitute, intended to be proposed by him to the bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses, which was ordered to lie on the table and to be printed.

AMENDMENT OF INTERNAL REVENUE CODE OF 1939, RELATING TO CREDIT FOR PAYMENT OF CERTAIN ESTATE TAXES—AMENDMENTS

Mr. MARTIN of Pennsylvania (for Mr. Capehart) submitted amendments, intended to be proposed by Mr. Capehart to the bill (H. R. 8887) to amend the Internal Revenue Code of 1939 to provide a credit against the estate tax for Federal estate taxes paid on certain prior transfers in the case of decedents dying after December 31, 1947, which were referred to the Committee on Finance, and ordered to be printed.

USE OF INFORMATION MEDIUMS GUARANTY PROGRAM FUNDS IN ISRAEL

Mr. IVES. Mr. President, the supplemental appropriation bill which the Senate passed on August 19, provided funds for educational, scientific, and cultural purposes in Israel under the informational mediums guaranty program. The importance to the United States of these prospective expenditures in Israel is underscored in two letters to Mr. Bernard Katzen, a distinguished New York attorney who went to Israel, as the representative of the Secretary of State, to determine the best uses of this money. These letters to Mr. Katzen are signed, respectively, by our Ambassador to Israel and the United States representative to the United Nations. I ask unanimous consent that the letters be printed in the Record, at this point in my remarks.

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

The Foreign Service of the
United States of America,
Tel Aviv, Israel, April 17, 1956.

Mr. Bernard Katzen,
Special Consultant, Department of State, Washington, D. C.

Dear Mr. Katzen: Thank you very much for your letter of March 30. I was delighted to learn of the progress you are making in planning constructive uses of the accrued information mediums guaranty funds and hope that all will continue to go smoothly in the Washington phase of the work.

As I told you before your departure from Israel, the work on which you were engaged here I regard of the greatest importance for the furtherance of closer relations and broader understanding between the United States and Israel. At a time when so much public emphasis has been placed on political and military matters, I think it very beneficial that your mission demonstrated our great and tangible interest in the cultural and educational aspects of the national life of Israel. I am confident, furthermore, that the very remarkable, and to my knowledge wholly favorable, public response to your visit was due in no small part to the high order of negotiating skill and public relations ability you brought to the task.

Your work here has left a lasting impact, and in these difficult times has made my own burden much lighter. I wish you every success in bringing your mission to a speedy conclusion and join you in hoping that you will soon return to Israel and see for yourself some of the results of the allocated grants.

Sincerely yours,

Edward B. Lawson,
Ambassador.

United States Representative
to the United Nations,
New York, N. Y., February 21, 1957.

Bernard Katzen, Esq.,
New York, N. Y.

Dear Mr. Katzen: Many thanks for your letter of February 18 enclosing a copy of your report on your mission to Israel.

I am much impressed by the creative contribution to future relations between the United States and Israel which you have made, and which this report so clearly summarizes. At this time when the news is so full of conflict, it is a pleasure to read of these brighter prospects, and I congratulate you on what you are doing. I am sure that, as you say, your experience will have value as well for our cultural relations with other foreign countries.

With kind regards,

Sincerely yours,

Henry Cabot Lodge, Jr.

THE NATIONAL WILDERNESS PRESERVATION SYSTEM

Mr. THYE. Mr. President, I am in receipt of a letter from the Jugoslav National Home, Inc., of Ely, Minn. The letter was signed by Mr. Andrew Pirtz, secretary; and he enclosed a resolution passed by this organization.

I ask unanimous consent that the letter and resolution be printed in the Record.

There being no objection, the letter and resolution were ordered to be printed in the Record, as follows:

Jugoslav National Home, Inc.,
Ely, Minn., August 19, 1957.

Hon. Edward J. Thye,
United States Senator,
Washington, D. C.:

Enclosed find a resolution passed by Jugoslav National Home, Inc., at our July meeting.

Yours truly,

Andrew Pirtz,
Secretary.

Whereas a bill known as S. 1176 has been introduced in the Senate of the 85th Congress and also in the House of Representatives which is titled, and known as the wilderness preservation bill; and

Whereas provisions in the said S. 1176, particularly in section 3, subdivision B, would permanently and completely restrict the further development and use of our natural resources of our Nation contained within the limits of the National Wilderness Preservation System to the grave detriment of large segments of our population dependent upon development of such use, which restriction is without reference to the proper conservation practices which recognize the conservation of natural resources for continued use, benefit, and enjoyment of all the people; and

Whereas provision of the said bill S. 1176 relating to future administration of the Superior National Forest through a proposed National Wilderness Preservation Council is such that it usurps and restricts rights of citizens to effect improvements by giving such council too much power where anything the said council may propose, even if it be detrimental to public good, may be approved by Congress through default; and

Whereas present regulations governing the Superior National Forest are such that new legislation calling for further restrictions is not necessary: Now, therefore, be it

Resolved, That the Jugoslav National Home meeting in its building this 28th day of July 1957, does hereby go on record that the proposed legislation known as S. 1176 and its companion bill in the House of Representatives, be withdrawn from all consideration because such legislation is too restrictive in its application and is not consistent with good conservation practices to do benefit from our natural resources for the majority of our people.

Dated this 14th day of August 1957.

JUGOSLAV NATIONAL HOME, INC.,
JOHN MEHLE, *President*.
ANDREW PIRTZ, *Secretary*.

THE IMMIGRATION BILL

Mr. SMITH of New Jersey. Mr. President, as a cosponsor of the administration's immigration bill this year, which was introduced by the Senator from Utah [Mr. WATKINS], I was very much gratified, as were others, by the vote last night of 65 to 4, by which the revised immigration bill was passed by the Senate.

While many of us who wanted to see the President's recommendations enacted into law were disappointed by the limited coverage of the bill as passed, nevertheless I feel that the bill is a worthwhile step ahead, and will help us in the development of a really just and sound immigration policy.

One omission from the bill which was passed last night was, in my judgment, particularly serious. The bill failed to alleviate the plight of the Hungarian refugees who have come to this country because of the Communist cruelties, and who have been admitted on parole. The total number is in the neighborhood of 27,000; and the uncertain status of these courageous people is a source of great concern to many of us. I realize full well there may be dangers of Communist infiltration through this route. However, the great bulk of these visitors are obviously brave Hungarians who risked their all to oppose the outrageous situation in Hungary which had been brought about by the Soviet cruelties, and who ultimately were able to break away and come to the United States, to enjoy the freedoms of our country.

I hope this omission will soon be corrected by legislative means, so the status of these people can be firmly established once and for all.

My warm congratulations go to the members of our Judiciary Committee, and especially to the distinguished Senator from Utah [Mr. WATKINS], whose leadership in this cause has been outstanding.

Mr. President——

The PRESIDING OFFICER. The Senator from New Jersey.

DECOMMISSIONING OF THE BATTLESHIP "NEW JERSEY"

Mr. SMITH of New Jersey. Mr. President, for over 14 years the citizens of New Jersey have been proud of the gallant 45,000-ton battleship which has borne the name of our State in the service of our country. Yesterday, at the Bayonne, N. J., Naval Supply Depot, this mighty ship was decommissioned, and was placed in mothballs, to stand in readiness for any future call to our defense.

The battleship *New Jersey* has served the country with distinction and great effectiveness. During the Second World War, she won nine battle stars in the Pacific theater. Following the end of the Second World War, she was decommissioned, only to be called forth to join in the support of our forces and the United Nations in the Korean war. She was the flagship in the siege of Wonsan Harbor.

Mr. President, the *New Jersey* is now temporarily at rest in her native State, standing by for whatever contingency may necessitate her reactivation. The citizens of New Jersey are proud to have her back home and are more secure in the knowledge that she will be ever ready to come to our defense, if need be.

JOHN TATSEY, OF THE GLACIER REPORTER

Mr. MANSFIELD. Mr. President, as we come to the end of the session, I think there is time for a little humor.

Washington, D. C., undoubtedly has the largest and most varied collection of newspaper reporters in the world. The Fourth Estate is represented in the Nation's Capital by internationally known reporters and columnists, who are preoccupied with news and events of national and international importance. Many of them are known for their individual and distinctive styles and techniques.

Their news stories and features are read by millions in cities and towns, large and small; but I doubt that any are read with such avid interest as are the local news columns in the small weekly newspapers.

The news writers for the small weekly papers also have their own individual styles, and these reporters are depended upon by the community residents as the source of news about their friends and neighbors.

One of the most unique news reporters anywhere is the man who writes the Heart Butte news for the Glacier Reporter, in Browning, Mont. John Tatsey, a Blackfoot Indian service policeman, gathers interesting bits of news about his Indian friends in the community, and prepares, without a doubt, the most unusual weekly news column of its kind.

He makes light of incidents in the lives of these people, as do the syndicated columnists who touch on the incidents in the lives of Government officials and noted personages. So far as John Tatsey is concerned, his friends are of no less importance than any national celebrity.

The weekly news column from Heart Butte, on the Blackfoot Reservation, may discuss items ranging from the most recent inmates in the local jail to a man who motored to a Canadian Blackfoot settlement and returned with a bride.

For example, the following are a few excerpts from John Tatsey's column published on August 9, 1957.

> Sam Horn and his wife went to Browning last week. There Sam got orders from his wife not to cross the street from Yegen Hotel. Somehow he managed to stop at the Legion Club to get a bottle opener for some pop, so there he downed 3 bottles of beer in 3 minutes. Might be a record.

Here is another one:

> Joe Running Crane is having rather a hard time by not having a car. He left his car in Dupuyer to have it overhauled. He cannot walk.

Here is another:

> Stoles Head Carrier has quit his job at Valier and has been home. His wife left. She was afraid of drunks, so she landed in Dupuyer where she would be safe.

The following are excerpts from John Tatsey's column published on August 16:

> Styles is out this week. Just wait.

Here is another one:

> John Mittens has been hanging around town since his wife got in jail. He is trying hard to get in there too.

Here is another:

> Pete Day Rider has been home from the county jail in Conrad and had a party, and his wife broke even on him by putting a gash on his head.

Here is another:

> Mrs. Richard Wild Gun has been missing for 2 weeks. She went to town to get some groceries. She was heard of at Starr School. One boy has not been to work from Starr School since she has been there.

Mr. President, the Washington Post may have its George Dixon; the New York Herald Tribune, its Art Buchwald; and the Washington Evening Star may have its Fletcher Knebel; but the Glacier Reporter and the Hungry Horse News have John Tatsey. He is another Will Rogers.

Mr. President, I ask unanimous consent that two of John Tatsey's news columns, reprinted in the Hungry Horse News, of Columbia Falls, Mont., be printed at this point in the RECORD.

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

[From the Columbia Falls (Mont.) Hungry Horse News of August 9, 1957]

HORNE DOWNS BOTTLE A MINUTE

(John Tatsey, Indian Service policeman, writes the Heart Butte news for the Glacier Reporter, Browning newspaper. Here is his column.)

Sam Horne and his wife went to Browning last week. There Sam got orders from his wife not to cross the street from Yegen Hotel. Somehow he managed to stop at the Legion Club to get a bottle opener for some pop, so there he downed 3 bottles of beer in 3 minutes. Might be a record.

Father Mallman has returned from New York after spending his vacation there with his aged mother.

Mr. and Mrs. John Tatsey motored to Deer Lodge last Sunday where they spent the afternoon with Abe Racine.

Thomas Many Guns was over to the Canadian Blackfeet early part of July and returned home with a bride.

Joe Running Crane is rather having a hard time by not having a car. He left his car in Dupuyer to have it overhauled. He cannot walk.

Stoles Head Carrier has quit his job at Valier and has been home. His wife left. She was afraid of drunks so she landed in Dupuyer where she would be safe.

Gerald Bauttier came home from Greenland where he was stationed. He will be home until September 1 and then go west to Spokane.

[From the Columbia Falls (Mont.) Hungry Horse News of August 16, 1957]

IN, OUT OF JAIL AT HEART BUTTE

(John Tatsey, Indiana service policeman, writes the Heart Butte news for the Glacier Reporter, Browning newspaper. Here is last week's column.)

John Mittens has been hanging around town since his wife got in jail. He is trying hard to get in there, too.

Pete Day Rider has been home from the county jail in Conrad and had a party and his wife broke even on him by putting a gash on his head.

Louie Red Head is serving a time in the county jail in Conrad. When they are in jail off the reservation they wish they were in James Walters place.

Alvin Mountain Chief was picked up for not paying an old fine and a notice was sent to Indian Police Tatsey for being a. w. o. l. and was taken by Air Force police from Great Falls last Monday. He got in a little trouble by running over a child with a car.

James H. Walters was around Heart Butte Sunday with his family.

The news the reporter gets from Heart Butte is true with a little joking mixed up with it.

Tom Williamson and Ted Spotted Eagle were in Havre last week where they attended a drivers' school. They are going to transport schoolchildren from Swims Under and Mad Plum Schools.

Stoles is out this week. Just wait.

Sunday was a very nice day at Heart Butte. Church was well attended and afternoon the boys had their regular stick game.

Mervin Brave Rock from Canada was here where his wife was confined to the hospital.

George Comes At Night pulled a stunt when he hid from his wife in town. When she left he showed up at Jack Miles Pool Hall. Tatsey was sitting in car outside. Every 10 or 15 minutes he would go across the street.

Mr. and Mrs. Roy Doore were at the Tatsey place and had a picnic at Big Badger Canyon, where John cooked some steak on campfire. Maybe Joe Running Crane will try a trip like this.

Some of the boys are getting back from haying jobs. One guy lost his wife. Some white guy took off with her.

Mrs. Richard Wild Gun has been missing for 2 weeks. She went to town to get some groceries. She was heard of at Starr School. One boy has not been to work from Starr School since she has been there.

EXPOSURE OF IMPROPER PRACTICES IN THE LABOR AND MANAGEMENT FIELD

Mr. GOLDWATER. Mr. President, I ask unanimous consent that I may proceed at this time for approximately 6 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, the Senator from Arizona may proceed.

Mr. GOLDWATER. Mr. President, the current investigation into improper practices in the relationship of labor and management has brought to light astounding acts of some corrupt leaders of labor and management that are shocking the Nation. These revelations have come as a surprise to the American people; yet this should not be the case, because diligent members of the American press have for many years been pointing out the practices of some of these unscrupulous leaders. An examination of the past articles by Westbrook Pegler, of the Hearst publications; the articles by Carl R. Baldwin, James A. Kearns, and Charles Marselak, of the St. Louis Post Dispatch; the complete, detailed stories by Clark Mollenhoff, appearing in newspapers of the Middle West; the disclosures in the Port Huron Times-Herald editorials of Louis Weil, Sr.; the daily columns by Victor Riesel; the disclosures of Edward J. Donohue in the Scranton Times, along with similar stories by J. Harold Brislin appearing in the Scrantonian and the Scranton Tribune; the complete exposé by Wallace Turner and William Lambert that led to the downfall of Beck, as published in the Oregonian; and the equally excellent articles by Ed Guthman, of the Seattle Times, show that the American public was long ago forewarned of the perversions taking place in the labor field. Today, the finger of guilt is being pointed by the McClellan committee at these discredits to labor, many of whom were described in the earlier articles written by these newspapermen.

The list I have read and shall discuss is not by any means a complete one; but I feel that it is typical of the work that has been done in this area, which to many is a never-never land, a field which some believe should never be covered by the alert and courageous newspaper reporter.

The dean of newspapermen covering irregularities in labor activity is Westbrook Pegler. For more years than I care to remember, I have been following the activities of this amazing man as he has courageously exposed racketeers in the labor movement, from Willie Bioff to James Hoffa. Back in the 1940's, Pegler exposed Joe Fay, long before the labor leader was convicted of extortion. The late-September revelations that Fay had been holding a court in Sing Sing, with State and city officials and labor leaders beating a path to his cell, was not news to Pegler's readers. On September 4, 1940, Pegler had written:

> Sing Sing is a very convenient prison for Fay * * * and he has had the privilege of many visits from persons who are not eligible by the rules applying to other prisoners. John V. Kenny, the mayor of Jersey City, was one of these visitors, on a mission to negotiate a deal about crime on the waterfront.

After World War I, Pegler became markets editor of the United News, in New York. He also held the positions of sports editor, cable editor, fashion editor, society editor, and editor, until he was hired by the Chicago Tribune Syndicate, in 1925, to cover sports. This phase ended in 1933, when he went to work for Roy Howard. Thereafter, Pegler spent a good deal of his time in Washington. From 1944 until the present, Pegler has written a daily column for King Features.

In 1942 Pegler received the Pulitzer prize for distinguished reporting. He has received an honorary degree of doctor of laws from Knox College, and twice he has won the National Headliners Club annual award. He has also received the American Legion award for Americanism.

In 1954, he received the Silver Lady award for being "the outstanding reporter and columnist of the year," from the Banshees, a New York luncheon club composed of editors, writers, artists, and others in the creative trades. At the same luncheon, a remarkable and unique tribute was paid him by 25 winners of the Congressional Medal of Honor, who presented him with a special citation for Americanism.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD as a part of my remarks, samples of Pegler's articles which illustrate the scope of his pioneering in the labor racketeering field.

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

THREAT TO BOYCOTT TWO STATES PORTRAYS UNION "PATRIOTISM"

(By Westbrook Pegler)

I am so bright I sometimes wonder how I stand it, but I just go on giving myself day after day and today I thought I would tell you something about the obligations and restrictions imposed on so many millions of our people by Mr. Roosevelt's high-minded friends of the union racket, including, of course, the thieves and gorillas who formerly had to use their wits to get by but now rely on the Wagner Act, the War Labor Board and good old Professor Weenie of the Supreme Court.

I led myself into this subject a few days ago when I tossed off a learned essay on Joe Padway's threat to call a sort of general strike of the AFL against the States of Florida and Arkansas because their citizens, by popular vote in the recent election, adopted constitutional amendments affirming a man's right to work though he should refuse to join a union.

This imported American doesn't like the constitutions of these two States of our glorious Union and would punish the people thereof for daring to flout his will. Naturally we want to know what sort of constitutions he does like, for which information we turn to my little library of constitutions, some of which incidentally are very hard to get even if a fellow happens to be a member.

For example, I was talking the other day to a poor working stiff, a common man, as Henry Wallace, a very uncommon man himself, would call the guy, who had just had his ears kicked off by the president of his local for protesting against a speed-up arranged by the mob in command. When I read his union book and saw some mention of sick benefits and a burial fund I asked:

"What are these sick and burial funds?"

"Huh?" the guy said. "I dunno. I never heard of them. They don't leave us see the constitution."

Oh, before I go any further, I want to show you how Padway and Mr. Big team up in this thing. Roosevelt sent Padway over to Europe last year in company with old Dan Tobin as a representative of American labor. That shows you how he stands with the boss.

Well, here is the oath that an American sailor has to take when Mr. Big's political henchmen drive him into the national maritime union:

"I solemnly swear to be true and loyal to the union and the labor cause and to obey all rules the union may adopt."

That means the sailor obligates himself in advance, to follow the Communist Party line when the union follows the line, as it has done pretty consistently from the beginning, even though he may sincerely believe the union has adopted rules inimical to the United States.

This one is in the constitution of the boilermakers' union:

"If a member be so indiscreet as to buy or cause to be bought goods without the union label or patronize an unfair shop or restaurant, he shall be tried and, if found guilty, fined not less than $5 nor more than $10."

This clause invites the ruling clique to blacklist any shop, restaurant or product and divert the patronage of the members to rivals in trade who might be willing to lay a little something on the line in return for the favor.

In the same constitution it is written that the hundreds of thousands of members must buy life insurance under a group policy negotiated by the son of the union's president, now emeritus, who gets a commission on every dollar of the premiums.

If they don't keep up their insurance payments so that the old man's son can collect his share, they can't work, even in the Kaiser shipyards, and no matter how desperate the labor shortage.

Here is a hot one from the constitution of the old Browne-Bioff racket in the movie and theatrical trades for which Padway was general counsel:

"I solemnly pledge my word of honor as a man to abide by the constitution and bylaws of local 225 and abide by its rules without resort to a court of law."

These two filthy gangsters were two of the most vicious criminals in the whole union racket at the very time when Padway was drawing pay for representing the outfit and yet the constitution forbade the stiffs to appeal to the public courts for their rights. And, in accordance with the hammy Ku Klux tradition which still prevails in many of these subgovernments, the new brother being initiated was required to "take your fellow brother by the right hand, place your left hand over your heart, and repeat your obligation."

The president's welcoming address to the new joiners leads off by saying that nothing in the vow conflicts with any civil or religious beliefs, and two paragraphs later denies him access to the courts and the system of justice esablished by centuries of struggle.

To Padway this seems to have been all right. It seems O. K. to him, too, that the constitution of the Musicians' Union, for which he now is counsel, delivers the members into utter slavery by means of a clause granting Jimmy Petrillo the power to suspend the whole constitution at will and rule as absolute dictator.

And the constitution of the teamsters, as you may remember, grants to old Dan Tobin, Roosevelt's pal, the most luxurious and elaborate scale of free living at the members' expense, in addition to his salary of $30,000 a year, with a provision that this goes for Dan only and not for any successor.

It is like the British arrangements for the maintenance of the royal family. And there is, moreover, a special article which makes it a much more serious offense to take a poke at old Dan or any other member of the royal class than to make a pass at some commoner or lesser official. It is less majestic and no kidding to throw a hook at Old Dan, and this special protection for his august person certainly sounds kind of funny against the old fourflusher's stories of the terrible fights he used to have and what a hero he has been in labor's struggle over the years.

Padway, of course, is Tobin's general counsel, too.

There is a lot more, but I don't want to overload my pupils with homework.

Just absorb this and remember that Padway is the guy who says these outfits will boycott two of our States because their people decided that a man didn't necessarily have to submit to such violations of his human and civil rights.

Professor Weenie, Senator Wagner, the old Tammany gang politician and labor faker, and Padway. We certainly did draw some honey from Europe, didn't we?

Fascistic Phase of Hillman's PAC Shown in Election

(By Westbrook Pegler)

We have just seen an alarming demonstration of the fascistic phase of unionism in the operations of Sidney Hillman's political action committee and in the campaign activities of other politicians of the union movement.

Some of labor, apparently a majority of the union members, either did not realize that they were voting for fascism or realized it and went along, anyway, sacrificing freedom for immediate pay, as Italian labor did under Mussolini.

On the surface it may seem inconsistent of me to say that the political action committee is dominated by Communists and then to say that the immediate effect of this program is Fascist. The explanation is that fascism and communism are alike in all important elements and that the Communists, as they demonstrated in Germany when they voted for Hitler, are willing to go through fascism to arrive at communism.

After all, Mussolini improvised fascism out of communism and, like President Roosevelt, he won the so-called common man by giving him vacations with pay, baby bonuses and other illusory benefits.

To enable the employers to meet these costs, Mussolini subsidized them, too, so that the expense was met out of the public treasury, which meant that the people paid for their own raises through taxes. Moreover, Mussolini thus, by subsidizing industry, got control of industry, as now is happening here.

Under Mussolini, the unions were not actually abolished, as the anti-Fascist, but pro-Communist, propagandists in this country would have Americans believe. Instead, he absorbed them into the Fascist movement, as unionism here is now almost wholly absorbed into the Roosevelt party, and made their treasuries available to himself for his political purposes.

It must be apparent to American labor that in this campaign most of the union treasuries were made available to Roosevelt's party. Not only did unions contribute enormously to the campaign, in some cases by minority decisions, in others by executive decision of the officials, but many of them levied special political assessments.

We discovered cases in which workers were fired for refusing to pay the political assessments or goaded and terrorized into quitting their jobs.

We had one specific case in which a man was convicted of un-union-like activity and dismissed by the union from an important semi-military war job because he declared that if he had to pay a dollar to Roosevelt's campaign fund he would give $5 to Dewey's fund. Other cases could have been authenticated, but, as in the courts, samples suffice to prove the charge.

Often, in criminal prosecutions, a defendant is convicted and sentenced on only one particular count of, say, grand larceny, when dozens could be proved, the idea being that even if he were convicted on each separate count, the sentences would run concurrently.

We have seen in operation many of the methods by which the Roosevelt regime has driven millions of workers into the unions, including the device called maintenance of membership, whereby men and women of the highest skill in war plants must be fired and their effort subtracted from the war effort, if they drop out of membership or violate union discipline, which includes a deferential respect for a Communist union official or an underworld racketeer.

The union's interests come before those of the fighting men, and maintenance of membership, on its face, is an admission by the union that it cannot keep its members on the rolls without Government coercion.

Nevertheless, Roosevelt, in one of his most important and persuasive speeches, called this free collective bargaining.

Another trick by which men and women are driven into the unions which, in turn, support their great political idol, called Il Duce in Italy, is the work of Jimmy Byrnes, formerly of the Supreme Court, who resigned to become Roosevelt's political odd-job man.

This is how it works:

George Spelvin, American, works in an unorganized or nonunion occupation. He is, let us say, a clerk. He has earned a raise and his employer wants to reward him and to help him meet the increased cost of living. But he can't give Spelvin a raise.

Then a union comes along and, incidentally, the most aggressive and successful of the office workers' unions is one which consistently follows the Communist Party line and whose president goes under an assumed name and has received cordial greetings from President Roosevelt.

The union can get Spelvin that raise through the War Labor Board if he and a sufficient number of his fellow-workers will consent to join. But in that case the employer must raise not only Spelvin, who has earned his increase, but dozens or hundreds of others, regardless of their merit or ability and including the undeserving.

So, instead of holding the line against inflation, up go the wages of all hands and up goes the prestige of the union, which, naturally, contributes generously to Roosevelt. And, of course, in most cases, since American industry went almost wholly to war, those raises are paid out of the workers' own taxes because the Treasury has subsidized the company and is meeting the payrolls.

Whether the workers who voted for this system understood what they were doing and realized that this was Mussolini's way and pure fascism, we can't know. It is bad enough that they did vote for it. The prospect is dark for that free America which so many million men and women entrusted to the conscience and intelligence of the voters at home when they went overseas to fight fascism.

Union Bosses Vote Selves Big Rakeoff, Freeze Out Widows

(By Westbrook Pegler)

Although the funny business occurred last April in Chicago, it still may be news to you that the mob who run the International Union of Operating Engineers of the A. F. of L. did very well for themselves and neatly waltzed around if they did not crash right through the Government's verboten on wage and salary increases which limits the earnings of that pathetic object in more or less human form whom the bleeding hearts fondly refer to as the common man.

This is the outfit of which Joe Fay is a vice president, he being also a hoodlum and racketeer of the Frank Hague satrapy of the New Deal and at present under indictment in New York charged with a shakedown of $703,000 on the Delaware Aqueduct job. He has been indicted before, to be sure, but this time he may wind up in Sing Sing after all these years.

The mob got together at the big Stevens Hotel in Chicago which, by interesting coincidence, was knocked down by the Government to a big Chicago construction contractor and politician who had a piece of the Aqueduct job and happens to be very friendly with the union's president, William E. Maloney.

Maloney is a very frugal fellow, indeed, for, on a salary of $8,000 a year from the union, or racket, he has managed to save enough to buy a great farm in Illinois and a winter home in Miami Beach, Fla., for which he paid $22,500 and maintain a stable of racing steeds and ship them around the country for the horse meets.

Fay, too, for that matter, has done very well on even less salary for he has two homes in the North and one in Sarasota, Fla., and is quite a clubman in both New York and Newark. However, he is also a contractor, leasing heavy equipment to construction contractors on jobs on which his union subjects are employed and, moreover, he is a Hague politician of the hoodlum branch of the New Deal party, which is no amateur activity.

Well, they had a big time in Chicago. Ed Kelly, the mayor, addressed the gang one day and William Green, the president of the A. F. of L., also showed up and sounded off with that set piece of his to the effect that "American workers will stand together, come what may, through thick and thin, unflinchingly, until victory is won over the foul forces of oppression."

There were two propositions before the convention which made an interesting contrast.

One provided that the general executive board, meaning Maloney, Fay and the rest of the tight little corporation of bosses, could vote themselves perpetual pensions in case they should slip politically and be heaved out. The pensions are to be irrevocable and there is no limit on the amount.

One fellow named Stoner, who seems to have been a working stiff, had the nerve to say that the high-rollers of the ruling mob ought to struggle along like the rank and file on the regular Federal social security after the age of 65.

"We are giving the general executive board a great deal of leeway when we say that they may establish pensions for those that they deem worthy," he said, but Brother Thomas F. McGraw, of Albany, N. Y., and a leading member of the O'Connell branch of the party of humanity, got up and said he believed in pensions for the big shots in addition to their social security.

Brother McGraw was fined $10,000 in the Federal court a couple of years back for shaking down working stiffs for job fees on a big war-construction project at Voorheesville, so he knows something about the occupational hazards and embarrassments which beset the defenders of labor's gains as in the present charges against Brother Fay.

Brother Fay also spoke a piece but he might have been plastered at the time because his remarks, as stated in the record, don't make much sense. He said he hoped the thing would go through because "I feel that the integrity and honesty and sincerity has been well performed and should be to the satisfaction of every delegate here."

Maybe you can figure that out. Anyway, the pension thing went sailing through and now the boys can get together any time and vote themselves, say $20,000 a year or whatever the the treasury will stand, in sincere appreciation of their own services to the workingman.

Well, then they came to a proposition which would have raised the maximum death insurance to the widow of a stiff in good standing for 10 years from $250, as at present, to $500 and hiked the benefits for members of inferior classes to $75 and $200, respectively.

At that, however, the opposition went to work. The resolution frankly said the money in the death benefit fund had increased enormously, but nevertheless, the general secretary and others spoke in great alarm about quick depletion of the kitty if this increase went through and the tragedy of widows who then would get no insurance at all. So this one was licked and the maximum remains at $250, even for a 10-year man.

But you ain't heard it all, yet.

Finally, the boys put through a resolution which blew not only the ceiling but the roof off the pay of worthy President William Maloney, with his farm and winter estate and racing stable and all, and of worthy Secretary-Treasurer F. A. Fitzgerald, of Washington. This one authorized the mob to raise these two salaries without any limit whatever up to the total of the entire treasury and provided only that Maloney's pay should not be less than $15,000 and Fitzgerald's not less than $10,000.

But don't let it run up your blood pressure. These boys are good, solid, down-the-line Roosevelt unioneers, like old Dan Tobin, and you certainly aren't naive enough to think they are subject to the same laws that rule the lives of the common man, are you?

Freeing Willie Bioff and Browne Is Payoff in Odorous Bargain

(By Westbrook Pegler)

The release from prison of George Browne and Willie Bioff is the fulfillment of a routine bargain between public prosecutors and criminals who squeal on their partners in crime. They, in their turn, had been betrayed by their old friend, Joseph Schenck, the Hollywood moving picture magnate, who also received lenity for this service to the community.

The 6 Chicago underworld gangsters and 1 member of the Hague New Jersey mob who were sent to prison by the testimony of Browne and Bioff would appear to be the ultimate losers as there seems to be nobody whom they can turn in. They lost their appeals only last week.

With these two recent developments it might seem to the casual reader that a very bad situation in labor organization had been reformed.

That is not so, however, for men who tolerated these two particular crooks still are powerful in the American Federation of Labor and in the Roosevelt party and are allowed to pose as leaders and defenders of the American worker. And every attempt to enact Federal law correcting defects in labor administration which made possible their perfidies has been obstructed by the Roosevelt following in the Senate.

William Green, president of the American Federation of Labor, used the power of his office to uphold Browne against a group of legitimate workmen in an evil St. Louis case. He sat with Browne in the executive council, or cabinet, of the A. F. of L. long after Browne had been made notorious by independent newspaper investigation.

Dan Tobin, President Roosevelt's particular friend, who was host to Roosevelt at the scandalous episode in Washington in October when the President made his flippant campaign oration and two young naval officers were beaten up, also sat with Browne in the executive council.

I am able to say flatly that Tobin knew Browne's union was a dirty racket and that, like any Tammany or Hague or Kelly politician, he refrained from exposing or opposing Browne in a spirit of live and let live. He let Browne alone because he anticipated that if he molested him, Browne would call attention to some similar characters and evils in Tobin's union of the teamsters.

Browne's general counsel for the union was Joseph Padway who similarly serves Tobin's union and the bartenders' and waiters' union, among others. Padway also is a friend of Roosevelt and has been honored by him.

That he could have been unaware of the character of Browne and Bioff, who was, from his youth, a common underworld bum, thief, and white slaver, is an assumption which belittles his intelligence. Some lawyers discovered long ago, however, that union law is a rich field of practice and Browne, through his union, was a juicy client.

Padway praised Browne lavishly at a national convention of this racket at a time when Bioff, acknowledged as Browne's personal representative, had been sent to jail to finish a term of 6 months for operating a brothel. Incidentally, his status in the jail was aristocratic and he held business conferences with other criminals and with Hollywood businessmen in a special room with a tub of bottled beer cooling in the corner.

About the same time, many faithless bosses of California unions were sending Bioff telegrams of sympathy and expressions of faith in his conduct and character. And Padway's praise of Browne went into the record of the proceedings along with Browne's own praise and defense of Bioff.

Another union lawyer who was receiving large fees at the time and who attended the same convention without raising his voice against the frightful betrayal of labor and exploitation of the workers for loot by an underworld gang, was Matthew Levy, of New York. Nevertheless, 2 years ago, another group of professional New Deal union operators and politicians handpicked Levy as a candidate for the supreme court and had the effrontery to present him as a labor candidate.

Here again, as in the case of Padway, to excuse Levy's association and his failure to utter some slight reproof of criminality and underworld power in unionism, would be no compliment to the acumen of the man.

The presentation in court of the detailed evidence on which Browne and Bioff were convicted and sentenced to 8 and 10 years, respectively, for extortion, had not yet occurred, it is true. But Padway, Levy, and Green all certainly had been put on warning that there was corruption in the union and the situation was one in which any man pretending to the title of leader or friend of American labor had a moral duty to disassociate himself if not to take the initiative and campaign for reform.

The discouraging fact is that not a single leader or boss of the American union movement took the initiative or any action against these men. Green, on the contrary, selected Browne to investigate racketeering.

And when, finally, there could no longer be any pretense that Browne was a victim of punishment without trial, the A. F. of L. did not have the decency to throw him out of the executive council by positive action but eased him out by abolishing the vice-presidency which he held.

Many remedial laws have been proposed, none of which, by any stretch of the imagination, could be said by any honest man to threaten any right or interest of the rank-and-file worker. Some of them would, however, impair the powers and stop the graft of union bosses and might curtail the fees of union lawyers who pose as labor leaders and spokesmen for the workers.

Everyone has been defeated by the Roosevelt element in Congress although two reform bills did pass the House of Representatives.

Browne and Bioff are low things who will now be on probation under Judge John C. Knox, a shrewd and strict man who knows them thoroughly and doubtless would throw them back into prison should they resume their racketeering. With the other gangsters safely put away, then, it might seem probable that conditions would improve.

Unfortunately, however, there are other crooks just as evil still operating notoriously in the A. F. of L. All to the detriment of the rank and file and the whole labor movement. And there has been no sign that decency has dawned in the higher councils.

Mr. GOLDWATER. Clark Mollenhoff of the Des Moines Register, whose columns are carried by other midwestern newspapers, represents admirably the present-day writer interested in the wrongdoings of certain labor leaders. The fact that his ability and crusading heart are recognized is evidenced by his having been awarded a Niemann Fellowship at Harvard, the Sigma Delta Chi award in 1953 and 1955, the Heywood Broun award in 1956, and the Ray Clapper award in 1956. It was my pleasure to have inserted in the CONGRESSIONAL RECORD back in 1956 several columns written by this man, covering the misdoings of James Hoffa, and so that my colleagues may have the opportunity to refresh their memories on Hoffa's activities, I ask that this material be printed in the RECORD, at this point in my remarks.

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

The Motor Carrier Industry

Mr. GOLDWATER. Mr. President, recently there were concluded hearings, directed at competition, regulation, and the public interest in the motor carrier industry, before the Select Committee on Small Business of the United States Senate. At the end of the report of that select committee, under "Recommendations," the paragraph No. 5 reads as follows:

"Although your committee was primarily studying the role of the ICC in motor trucking, several witnesses testified and submitted statements alleging that the International Brotherhood of Teamsters was playing a trade-restraining role in the industry. It is recommended that the Committee on Labor and Public Welfare and the Committee on Interstate and Foreign Commerce review those complaints to determine if more extensive inquiries should be conducted."

It is with that in mind that I ask unanimous consent that there may be printed in the RECORD a series of nine articles by Mr. Clark Mollenhoff, of the Cowles publications in Minneapolis and Des Moines, outlining in complete detail the dangers that were pointed out in testimony during the hearings.

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

"Beck's Aid Casts Long Shadow—Is Hoffa Top Man in Teamsters?

"(By Clark Mollenhoff)

"WASHINGTON.—As chairman of the central States conference of teamsters, James R. (Jimmy) Hoffa casts a long shadow over the highway transportation of the Nation.

"The influence of the young, dynamic vice president of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America extends from the Atlantic Ocean to the Rocky Mountains.

"Although he is only 42, Hoffa has been a labor organizer for more than 25 years. Today his title is ninth vice president of the International Teamsters, but the 5-foot-5 inch teamster official is regarded as the No. 2 man in the Nation's biggest union.

"There are some indications that Hoffa would rank above President Dave Beck if he wanted to press his claim with the 1,500,000 rank-and-file members.

"The free-wheeling Detroit labor leader is a political independent, who wields his personal influence and the union treasury for favorite candidates in local elections.

"He has paid fines of $1,000 and $500 for violating the labor laws but he has bounded back to become even more important in the teamsters' union.

"The highly critical reports written by Congressional committees haven't disturbed him except to bring his shouted threats to take care of those who gave information unfavorable to him.

"Hoffa was in a number of joint business enterprises with the group that was awarded the multimillion dollar annual contract for insurance for the Central States conference of teamsters.

"Hoffa's wife, Josephine, and the wife of Owen Bert Brennan, Hoffa's top aid, drew $65,000 in dividends from a truck-leasing firm set up for them by a large trucking firm that hired members of the teamsters union in Detroit, Mich.

"Two years ago, Hoffa told Congressional investigators he owed $38,000 in unpaid loans to persons who hired teamsters union members and to business agents of the teamsters union.

"Hoffa told the Congressional subcommittee he had put up no collateral on those loans and that no notes or other documents were involved in the transaction. It was just his word that he would repay.

"Teamster President Beck told a television audience he didn't know about the labor law violations by Hoffa, but declared that he would not criticize any transaction Hoffa has been involved in that he knows about.

"A study at Princeton University has ranked Hoffa as having one of the highest I. Q.'s among the Nation's labor leaders, despite the fact that his education was cut off in the eighth grade.

"Hoffa's Central States area include Michigan, Ohio, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas, and the Louisville area in Kentucky.

"But those 13 States do not end the extent of his influence. As a key figure in the handling of health and welfare plans for the teamsters' union, he has extended his jurisdiction to 12 other States from Texas and Oklahoma and Arkansas east to the Atlantic coast.

"Hoffa says he has been directed by Beck to cooperate in managing teamsters' affairs in those areas.

"Hoffa had what he considered to be a legitimate reason for moving south. 'Trucks from those areas were running into the Central States conference and they were breaking down our wage scale,' Hoffa says.

"This was justification for moving in to help jack up the wage scale in the southern areas, he says.

"Hoffa was also troubleshooter for the teamsters when there were contract troubles in New Jersey, New York, and the New England area.

"Hoffa is likely to show up almost any place in the country from Florida to North Dakota to show local teamsters' union officials how to deal effectively with employers. Hoffa says he acts only on general directions from Beck.

"'Beck knows how to delegate authority,' Hoffa explains. 'That is what I like about Dave. He is a good administrator. He gives you a job to do and lets you do it.'

"Hoffa's personal fortunes have swelled as he has climbed to a position of dominance in the teamsters' union, but he won't say how much.

"'I won't tell the Internal Revenue Service, so I'd be a damned fool to tell you,' Hoffa commented.

"The records brought out in various Congressional committees show his outside business investments include oil leases, a farm, a brewery, a small interest in a race track, and a share of a girls' camp at Eagle River, Wis.

"In addition, his wife owns a truck-leasing firm that hires no members of the teamsters' union but merely leases the equipment to a firm that hires teamsters' union members.

"The last time he went on record before a Congressional committee, Hoffa was drawing a salary of $21,000 from local 299 of the teamsters' union in Detroit and from the international union. In addition, he had an unlimited expense account on the million-dollar treasury of the Detroit local.

"Hoffa was born on St. Valentine's Day in 1913 in Brazil, Ind. He is of Dutch and Irish extraction. When he was 4, his father died, and his mother was left to support 4 small children. He was next to the youngest.

"They moved to Clinton, Ind., and when he was 9 the family moved to Detroit and his mother went to work in a factory.

"Family financial problems forced Hoffa to drop out of school at 14 and go to work. He had just finished the eighth grade, but work wasn't new to him. He had worked in a grocery store, sold newspapers and peddled bills.

"He was working in a warehouse for the Kroger Co. in Detroit at 16 when he started working as a labor organizer. His success in the rough and tough struggle to organize an independent union gave Hoffa his first boost. In 1932, when he was only 19, he took his independent union into the International Teamsters. He's been there ever since.

"Hoffa works 12 to 16 hours a day on a 6- or 7-day week on affairs of the Teamsters International. He's home only about 2 days a week as he keeps up close contact with local teamsters from Baltimore, Md., to Bismarck, N. Dak.

"He neither smokes nor drinks, and he exercises to keep in shape by swinging an ax in the woods of northern Michigan. Six weeks a year he vacations—2 weeks in Canada, 2 weeks at Iron River, Mich., and 2 weeks in Florida."

"Expense Account Unlimited—Hoffa Gains Power in Michigan Politics

"(By Clark Mollenhoff)

"WASHINGTON.—Backed by the million-dollar treasury of local 299 of the teamsters union in Detroit, Mich., James R. (Jimmy) Hoffa has become a power in Michigan politics.

"The 42-year-old chairman of the Central States Conference of Teamsters calls himself a political independent. The labels of Republican and Democrat mean nothing to him. He backs the people he thinks will be best for Hoffa and Hoffa's boys.

"In 1952, Hoffa threw his support to the late Senator Blair Moody, one of the most liberal Democrats in the Senate.

"In 1954, Hoffa was lined up with Senator Homer Ferguson, a Republican with a conservative voting record.

"In supporting Ferguson, Hoffa passed over the Democratic candidate who had been selected out of labor's ranks. Senator PATRICK MCNAMARA, a former A. F. of L. labor leader, defeated Ferguson despite the fact that Hoffa accompanied Ferguson to numerous meetings, and introduced the Republican as the man he wanted to win.

"Hoffa's record of losing with Moody in 1952 and losing with Ferguson in 1954 would not appear to indicate any strength at the polls. However, every time an election comes around, Hoffa gets the local union to pass a motion to allow him to spend whatever moneys he thinks necessary in the forthcoming local's elections.

"He pours this money into the campaign funds of persons seeking election as judges in Michigan. He knows the value of a friendly judiciary, from experience with judges who were not necessarily sympathetic to his pleas.

"Hoffa avoids putting any of the money from the union treasury in the campaign funds of candidates for the United States Senate or for the House of Representatives.

"However, Hoffa knows how to raise a political action fund in a hurry. In 1952, Moody needed money and Hoffa ordered his business agents to turn up $100 personal contributions. A fund totaling several thousand dollars was raised in a few days.

"Hoffa and his organization also distributed campaign literature for Moody. One of Moody's associates explained that placards and other printed material were given to the teamsters union; and that within a day truckdrivers had blanketed the State with signs.

"Ferguson accepted Hoffa's support and personal endorsement in 1954 despite the fact that two committees of the House had written scorching reports on Hoffa and his top aid, Owen Bert Brennan.

" 'Hoffa is a dominant figure in the teamsters union and virtually a dictator in certain areas, despite the fact that he has been found guilty and convicted of violation of the Michigan State labor law and the Federal antitrust laws,' commented the joint subcommittee of the home labor and government operations committees.

"The report labeled Hoffa as 'the brains between this shakedown (in the jukebox industry) and power grab by (William) Bufalino.'

" 'Bufalino could not have succeeded in gaining monopolistic control of the coin-vending business in Detroit without the cognizance and approval of Hoffa,' the report said.

"Another House subcommittee report criticized Hoffa's handling of the health and welfare funds of the central States teamsters' conference, and his wife's business connections with persons employing members of the teamsters union.

"Hoffa has a reputation for never asking a candidate for anything.

" 'All Jimmy wants is to be left alone,' commented one man who was closely associated with the Moody campaign in 1952.

"Hoffa enters into politics to get the most friendly atmosphere possible for his activities.

" 'We are getting along O. K.,' Hoffa explains. 'We don't need any help.'

"Congressional investigators found that on the union income-tax returns for 1948, Hoffa had listed 'State political contributions in the amount of $15,487.50.' In 1950, the 'State political contributions' had totaled $13,410.30.

"Hoffa also told the subcommittee that the union had sponsored television shows 'for the best interests of trucking concerns and our members, and we used a couple of those shows to introduce some judges that were running for office.'

"But, when the Congressional investigators sought to learn how Hoffa used money allocated to 'State political contributions,' Hoffa said he couldn't remember any details. He also told the subcommittee that it would be impossible to produce records since he had approved a policy under which the union destroyed its records each year.

"All that was left for Congressional investigators to examine were the worksheets from which the Federal income-tax returns were prepared.

"Chief Counsel William McKenna read Hoffa the Treasury Department Decision 5381 which states:

" 'The books of record required by this section shall be kept at all times available for inspection by internal-revenue officers and shall be retained so long as the contents thereof may become material in the ministration of the internal-revenue law."

" 'Have you had any advice from the Bureau of Internal Revenue that the contents of those books are not material in the administration of the internal revenue law?' McKenna asked.

" 'I have not consulted with internal revenue,' Hoffa answered. 'Neither have they talked to me. I don't know if they have talked to our lawyers or not.'

"Hoffa told the subcommittee that local 299 of the teamsters has a million-dollar treasury, and that it has been the practice of the members to vote unanimously to let him use whatever funds he feels are necessary for organizational work, for expenses, or for politics.

"So far, Hoffa's political influence has been confined to his home State of Michigan even though his influence in the teamsters union extends from the Rocky Mountains to the Atlantic Ocean."

"WIFE PUT ON UNION PAYROLL—HOFFA $1,000 NETS 200 PERCENT AND CLAIM ON GOLDEN ERA

"(By Clark Mollenhoff)

"WASHINGTON.—The wife of James R. (Jimmy) Hoffa was on the payroll of the racket-ridden jukebox local of the Detroit teamsters union at $100 a week, but she never went near the office.

"The payment of $3,000 to the wife of the Detroit teamster boss was represented as being repayment of a loan from Hoffa with 200 percent interest.

"Eugene C. (Jimmy) James, former head of jukebox union 985, testified the payments were made to Mrs. Hoffa because union rules would have prevented Hoffa from drawing money from the local while he was drawing a salary as the top official of Teamsters Union 299 in Detroit.

"James told a one-man grand jury in Detroit that Hoffa, an international vice president of the teamsters, and Owen Bert Brennan, Hoffa's top aid, had each loaned him $1,000 to start the jukebox union.

"To repay the $2,000, the wives of Hoffa and Brennan were put on the payroll of the jukebox union at $100 a week each. By the time a one-man grand jury started its operations in 1946, a total of $6,000 had been paid to Mrs. Hoffa and Mrs. Brennan.

"Judge George B. Murphy, who was sitting as the one-man grand jury, pointed out that repayment of $6,000 on a $2,000 loan was a repayment by 800 percent.

" 'That was quite a difference; about $4,000. Did you consider that interest on the loan?' Judge Murphy asked James.

" 'Yes,' James answered, and the judge continued:

" 'Or was it a payoff to them?'

" 'It was no payoff, judge,' James answered. 'I gave it to them out of the graciousness of my heart.'

" 'But the money belonged to the union,' Judge Murphy commented.

" 'The union gave me the right to spend it.'

" 'The county gives me $100,000 to spend on this grand jury,' Judge Murphy replied. 'But, out of the graciousness of my heart I can't be throwing the money around.'

" 'I didn't figure I wasted the money,' James said. 'I figured it was well spent.'

" 'Why do you figure the money is well spent?' Murphy asked.

" 'Because they (Hoffa and Brennan) are big men, they could help me a lot.'

" 'Did they ever help you?' the judge asked.

" 'No, I never had to call on them. Just luck enough I never needed them,' James said.

"Not long after the grand jury investigation, James left Detroit for Chicago. He continued to receive a salary from the Detroit jukebox union for several years, but his major interest switched to the health and welfare funds of the laundry workers.

"Within the last 6 months, a Senate labor subcommittee has charged that James and a New Jersey insurance broker embezzled approximately $1 million from the Laundry Workers International health and welfare funds.

"Back in 1951, the Kefauver crime committee reported 'evidence of strong-arm methods in the jukebox distributing business in Chicago, Kansas City, Mo., and Detroit.'

"That subcommittee said it was 'the more refined method of shakedown and extortion' that was found in Detroit.

" 'Here a union was used as a front by underworld characters to extort money from jukebox distributors,' it said. 'These distributors were forced to join the union as "honorary members" and pay initiation fees and dues or risk having lines thrown around their locations.'

"In 1953 Phillip Berman, a jukebox serviceman, told the labor subcommittee that he was forced out of business as a jukebox operator.

"Acid was poured in his jukeboxes after he testified before the Kefauver crime committee, Berman told the House committee.

"When James went to Chicago, William E. Bufalino became president and principal operating official of union 985.

"Picket lines, bombing threats and acid plagued those who tried to operate machines that did not carry the union label of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America.

"Bufalino and six associates were indicted in Wayne County, Mich., on a 7-count indictment charging conspiracy to extort money from jukebox operators and to use terrorism and teamster pickets as a weapon.

"A House labor racket investigating subcommittee charged that Bufalino was the 'principal offender and perpetrator of racketeering extortion and gangsterism' which involved the jukebox union.

" 'Bufalino and the executive board of union 985 conspired and confederated to obtain this monopoly and used the union, not to advance the interest of labor, nor to protect labor in genuine labor disputes, but the interest of a favored few jukebox owners and operators at the expense of other owners and union members,' the House report stated.

"It stated that Bufalino's brother-in-law, Vincent A. Meli, headed Melton Music Co.—a jukebox distributor whom witnesses testified received favored treatment.

"Union members were forced out of the union by Bufalino, business places were bombed, and union dues of $20 a month per member were characterized as a tribute because the union did nothing for the members, the report said.

"The House report stated that 'Hoffa is a dominant figure in the teamsters union and virtually a dictator' in the Detroit area through his position as president of Teamsters Union 299, president of the teamsters joint council 43, and president of the Michigan conference of teamsters.

"Hoffa 'has been described as the brains between this shakedown and power grab by Bufalino and his Teamsters Union 985,' the report said.

"In any event, Bufalino could not have succeeded in gaining monopolistic control of the coin-vending business in Detroit without the cognizance and approval of Hoffa.

"Hoffa's faith in Bufalino and the State courts were rewarded when Bufalino was acquitted. Several of Bufalino's associates had entered pleas of guilty and were fined.

"General President Dave Beck, of the International Teamsters Union, contends that the teamsters have jurisdiction over jukeboxes because these machines are hauled on trucks. He states it is ridiculous for electrical workers to claim jurisdiction just because a little plug is put in the wall to operate the machine.

"When Hoffa appeared before a House subcommittee the jukebox union had between 400 and 450 members with dues running $20 a month per man.

"It was admitted that more than $6,000 a month flowed into the union treasury from dues, but the subcommittee was never able to determine how this money was spent.

"Under authority from Hoffa as president of Teamsters Joint Council 43, Bufalino's jukebox union was destroying its records every year 'to conserve space.'

"In the era of automation that is dawning, the jukebox local has great potential for expansion. In the Detroit area, the wash racks and service station organization has been claimed for this union in addition to any automats or other coin-operated machines.

"When Jimmy Hoffa made a $1,000 investment in the jukebox local he proved he is a labor leader with a good deal of foresight in claiming teamster jurisdiction in the field of coin-operated devices."

"OWNERSHIP CAMOUFLAGES—UNION DRIVERS LOSE PAY, JOBS TO MRS. HOFFA'S FIRM

"(By Clark Mollenhoff)

"WASHINGTON.—Members of the teamsters union lost part of their income when a Detroit trucking firm set up a truck-leasing corporation for the wife of Detroit teamster union boss James R. (Jimmy) Hoffa.

"Teamster union members who previously had leased their equipment to Commercial Carrier, Inc., saw their business handled by the new firm of Test Fleet, Inc. They also saw their personal income cut as much as $1,500 to $2,000 a year.

"Meanwhile, Mrs. Hoffa and the wife of another Detroit teamster official drew $65,000 from Test Fleet, Inc., in a 4-year period.

"Teamster union members in Detroit didn't know that the wives of two teamster officials were receiving the earnings of Test Fleet until a House labor subcommittee went into Detroit late in 1953.

"Ownership of the Test Fleet was well camouflaged. The firm was set up for Mrs. Hoffa and the wife of Owen Bert Brennan, Hoffa's top aid in Detroit. However, the maiden names of Mrs. Hoffa and Mrs. Brennan—Josephine Poszywak and Alice Johnson—were used on the record.

"Even these names did not appear when the firm was incorporated in Tennessee by attorney James W. Wrape of Memphis. Wrape and some of his office employees were listed as officers.

"Neither Mrs. Hoffa nor Mrs. Brennan took any part in setting up the corporation, or in running it, according to a House subcommittee report.

"Test Fleet came into being in 1949 when B. B. Beveridge, one of the owners of Commercial Carriers, called Elliot R. Beidler, vice president of Commercial Carriers, and said:

"'I am going to put some friends of mine in business and I want you to handle the account.'

"The friends turned out to be Mrs. Hoffa and Mrs. Brennan, wives of the teamsters officials who negotiated union contracts with Beidler.

"Beidler and Wrape handled the details. The $4,000 invested by Mrs. Hoffa and Mrs. Brennan wasn't enough to finance payment on the 10 tractors that Commercial Carriers had purchased for Test Fleet.

"Commercial Carriers carried the additional $5,000 on an open account for a month until Test Fleet had made enough from Commercial Carriers to pay it off.

"Test Fleet had no employees, and Beidler ran it for Mrs. Hoffa and Mrs. Brennan along with his duties as a vice president of Commercial Carriers.

"Periodically, Mrs. Hoffa or Mrs. Brennan would call and ask to have a dividend declared. On at least one occasion no dividend amount was stated and it was suggested that the dividend be as much as the corporation could stand out of its earnings.

"In that 4-year period the net earnings were $145,800 which went to pay for the equipment and the $65,000 in dividends.

"Two of the teamster union members who lost part of their income appeared before a House subcommittee to testify how the organization of Test Fleet had hurt them.

"Paul L. Smith, a veteran Flint, Mich., truckdriver with a long accident-free record, said his income was cut from $6,000 a year to about $4,500. Smith had his own equipment and was able to supplement his regular drivers pay before Test Fleet came into existence.

"Harold Herbert Cross, Flint, Mich, was another truckdriver who lost part of his income when Test Fleet was organized.

"Smith and Cross were among drivers who became involved in contract difficulties with Commercial Carriers, and struck contrary to the wishes of teamster chief Hoffa, the House report said.

"When the strike was over, Cross and Smith were blackballed by the teamsters union.

"'He (Cross) lost his equipment because he could not meet the payments, was forced to sell his house, and now finds the work he once did for Commercial Carriers is being done by the Hoffa-Brennan Test Fleet Corp.,' the House subcommittee officially reported.

"After he lost his equipment, Cross was once more permitted to go to work—this time as a driver at a sharply cut income.

"The report of the House Labor Subcommittee stated that Frank Fitzsimmons, another Detroit teamster official, under Hoffa's jurisdiction, became a dominant partner and later gained full control of a film-delivery business originally owned by a man with whom the union had recurring labor troubles.

"Howard C. Craven, Ann Arbor, Mich., was operating a film-delivery and paper-delivery business that brought in about $30,000 to $40,000 a year gross. It was a prosperous business until teamsters union members started striking. Teamster boss Fitzsimmons said he didn't know why.

"As a result of these strikes, a teamsters union steward in Fitzsimmons' union started taking over Craven's paper-hauling operations, Craven testified.

"As Craven's income diminished, he was approached by Fitzsimmons who suggested he could get Craven a contract for exclusive rights of hauling the paper in Detroit and suburbs, and all revenue.

"'He [Fitzsimmons] was to collect 90 percent of the revenue,' Craven testified.

"Craven testified he thought this was a good contract for increasing his business, but that he was forced to pay $9,000 to Fitzsimmons in the first year in checks made out to cash.

"Not satisfied with the $9,000, Fitzsimmons called him down to the teamsters union offices with the books to make sure he was getting his share, and had insisted that Craven produce another $600 to pay the income tax on the $9,000.

"The elderly truckline operator said the payments to Fitzsimmons made him go broke, and he took a job as a school janitor at $50 a week.

"House subcommittee investigators said a similar story was related by Gustave E. Leveque who sold his film trucking service firms. His firms were swallowed by a combined firm in which Mrs. Hoffa showed up as one of the directors under the name of Josephine Poszywak.

"Hoffa says he would never own a trucking firm that hired members of the teamsters union, because this would be against his principles as a union official.

"However, he has allowed his wife to keep her interest in the lucrative Test Fleet Corp. He justifies this arrangement on grounds that it is his wife's business enterprise, that he has no connection with it, and because Test Fleet hires no employees.

"'If Test Fleet hired union members I might make her drop it, but it is just an equipment leasing firm that happens to lease to a trucking firm,' Hoffa explains.

"'It is just an investment,' Hoffa declares. 'There is nothing wrong with legitimate investments. She has nothing to do with the operations.'

"The House Labor Subcommittee commented that 'we seriously question the ethics of the various business arrangements which we recount here.'

"'It should be pointed out that your subcommittee does not deny the free right of any American to engage in the business or profession of his choice,' the House report states.

"'However, we deny the right of anyone to take improper or unfair or unlawful advantage of anyone else. It is in this context that we raise the issue we do now.

"'Congress has decreed that employees may be represented by unions in dealing with their employers. The facts of business and economic life are such that through unions, employees enjoy considerable power and can bargain with an authority they could never have as individuals. Congress intended that this be so.'

"The report stated that if an employer, for good and proper reason, seeks to resist the demands of a union, the law does not prohibit him from doing so.

"'But suppose the same union, or its officers, operates a competitor business,' the report said. 'The employer may well have no choice but to yield to the union's demands. This is obviously not the type of collective bargaining which Federal statutes should compel. It is not the type of collective bargaining that Congress should condone. Yet implicit in this hearing record is the suggestion that such bargaining may soon be commonplace.'"

"CONSPIRACY LEADS TO $1,000 FINE—HOFFA BACKS LAWBREAKING AID

"(By Clark Mollenhoff)

"WASHINGTON.—Two convictions of labor law violations have made James R. (Jimmy) Hoffa tolerant of minor officials of the teamsters union who run afoul of the law.

"Hoffa blames his own arrests on 'anti-union police' and regards his convictions on Federal and State labor law violations as purely 'technical.'

"The case of Gerald P. Connelly, Minneapolis, is an indication that Hoffa will have a big voice in determining whether persons indicted and convicted of labor racketeering will continue to be influential in the teamsters.

"Connelly entered a plea of guilty to violation of the Taft-Hartley law by accepting money from an employer and was ousted from Teamsters Union 548 in Minneapolis.

"However, a three-man committee including Hoffa, Einar Mohn, Washington, 10th vice president, and John T. O'Brien, Chicago, 4th vice president, recommended that Connelly be reinstated in local 548.

"Hoffa said he considered Connelly's law violation to be 'technical,' and that he wouldn't let Connelly down because it reminded him of his own 'technical' convictions.

"It was back in November 1940 that the first so-called 'technical' indictment was returned against Hoffa in the Federal District Court for the Eastern District of Michigan.

"Hoffa, his chief aid, Owen Bert Brennan, Teamsters Union 337, and four wastepaper concerns were indicted on charges of having 'knowingly engaged in a combination and conspiracy unreasonably to prevent' other firms from selling wastepaper for shipment from Detroit to other States and to Canada.

"The indictment set out that the union followed the trucks of other firms, picketed railroads that hauled the wastepaper handled by other firms, and that a bomb was thrown into the home of Charles Ginns, a wholesaler of wastepaper.

"Hoffa admitted that he entered a plea of nolo contendere to the charge, paid a $1,000 fine, and had a permanent injunction against continuation of this activity in the wastepaper industry.

"Hoffa told a House subcommittee that his plea of nolo contendere amounted to admission of the facts, but that it was not the same as a guilty plea, because he contended he felt the things that were done were legal.

"Samuel L. Travis, a former special assistant to the attorney general of Michigan, explained the incident to a House labor-racket investigating subcommittee in 1947.

"He said that the teamsters union was only in its swaddling clothes in Detroit at that time, but that it was extremely powerful even then.

"At that time, they (Brennan and Hoffa) joined together with a group of wastepaper wholesalers to create a monopoly in Detroit of the wastepaper industry.

"No one but employees of the four concerns involved were permitted into union membership. The employees of the companies on the outside were not permitted to join the union, and then because of the fact that these companies were so-called nonunion companies and their employees were not members, they were not permitted to do business.

"Hoffa's second technical conviction arose out of efforts of the teamsters union to organize more than 6,000 independent grocers and meat dealers in Detroit in 1945.

"Hoffa and 17 associates were indicted for violation of the State labor laws. Hoffa entered a plea of nolo contendere and paid a $500 fine.

"The Detroit teamster boss explained that the charge was reduced from a felony to a misdemeanor. He said he entered a plea on the advice of his attorneys, and on the theory 'You don't go to court for a $25 fine.'

" 'When they reduced it to a misdemeanor, I entered a plea. A lot of big corporations do it. There is no sense in spending a lot of union money fighting under the circumstances even if you might win if you took it all the way to the Supreme Court.

" 'I would have fought that one, but there were so many involved that we decided it would cause less stink and cost a lot less money if we just entered a plea.'

"Hoffa said a plea of nolo contendere 'is nothing against a man,' 'Even General Motors has pleaded nolo,' he said.

"Circuit Judge George B. Murphy, of Michigan, wasn't so charitable about Hoffa's activity when he appeared before a House labor racket investigating subcommittee in 1947 to relate the story of the organizing of the so-called mamma-and-papa shops.

"Judge Murphy sat as a one-man grand jury to investigate the pattern used by Hoffa's union in organizing these independent grocers and meat dealers.

"He explained that Hoffa, as president of the Teamsters Joint Council 43, and Owen Bert Brennan, president of Teamsters Local 299, were the key figures in the organization drive.

" 'Prior to that the teamsters union successfully unionized the packers and wholesale meat dealers and distributors,' Judge Murphy testified. 'An attempt was made to sew up the food industry in Detroit.

" 'It was contended that more jobs ought to be created for returning soldiers, and more trucks should be put on the road, and that no one should be permitted to pick up his meat (from the wholesaler) unless and until he joined the teamsters union or bought a permit which would cost $5 and be good for 30 days.'

"Murphy said that many of the small groceries operated by a husband and wife had made it a practice of picking up their meat in a truck or car.

"However, pamphlets were passed out by the teamsters union that no meat was to be delivered by wholesalers of the packinghouse unless the teamsters union permit was presented.

"A great many paid the $5 a month for a permit under protest prior to the time that the grand jury started operating.

"Murphy said the union contended that it was creating more jobs, and that it wanted the meat hauled in sanitary trucks as a health measure.

" 'However, when some fellow had a broken-down Ford, or even a passenger car, he was permitted to take the meat in that truck regardless of whether it was sanitary or otherwise, provided he had paid the $5 for a permit.' Murphy said.

"In all, from 300 to 400 witnesses were called before the grand jury before indictments were handed down charging Hoffa, Brennan, and their associates with extortion of the $5 on permits, and for attempting to force employers to join a union against their will, Judge Murphy said.

"Hoffa said that those indictments were dismissed, and he entered his plea of guilty to a charge of violating the State labor law by improper organizing activity.

"Hoffa said his local union paid his $500 fine 'with full and complete acceptance of the membership.' Under court order the union also refunded $7,617 collected illegally from the mamma-and-papa stores in permit payments."

"YOU SHOULDA SEEN OTHER GUYS—BLACK EYE IN STREET FIGHT CAUSES HOFFA TO BOAST

"(By Clark Mollenhoff)

"WASHINGTON.—Two carloads of police broke up a brawl on the streets of Charlotte, N. C., September 3, and James R. (Jimmy) Hoffa was charged with being engaged in an affray.

"The 42-year-old chairman of the Central States Conference of Teamsters was 1 of 7 persons arrested.

"The fist fighting broke out in a longstanding dispute between members of local 71 of the teamsters union and officials of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America.

" 'Our men didn't like the way the contract was rammed down our throats,' said Sam Ewing, a steward in the local union.

"However, Hoffa, Thomas E. Flynn, Bethesda, Md., and Richard Kavner, St. Louis, Mo., regarded the contract as in line with the pattern the international union seeks.

"Although Hoffa got the contract approved on a 590 to 40 vote on a head-count procedure, this did not end the criticism. Fighting broke out as Hoffa and local union members bickered outside the Fox theater.

"A crowd of several hundred gathered to watch before two carloads of police arrested Hoffa, Flynn, Kavner, and four local truckdrivers.

"Hoffa, Flynn, and Kavner posted $50 bond each and were released. City Prosecutor James E. Walker stated that they did not appear for the September 20 trial, and forfeited the cash bond. The four truckdrivers were found guilty and paid $13 court costs each.

"The operation in North Carolina was merely one of a number of cases where Hoffa has been active on the east coast. He's been in New York, New England, and Maryland, bringing his talents to contract negotiations.

"Hoffa, as chairman of the Central States Conference of Teamsters, rules a 13-State region.

"In addition, Hoffa says that teamsters General President Dave Beck has given him supervisory authority over the 9-State Southern Conference of Teamsters which include Texas, Oklahoma, Arkansas, Louisiana, Tennessee, Mississippi, Alabama, Georgia, and Florida.

"When an investigator for a Congressional committee kidded Hoffa about the black eye he received in the fight at Charlotte, Hoffa quipped:

" 'I took care of myself okay. You should have seen the other guys—two of them went to the hospital.'

"Police said one of the truckers injured his arm quite badly, and one suffered a bloody nose, but that they had taken none to the hospital.

"Hoffa was proud that he had taken care of himself with his fists, but he says he is opposed to using such physical force in settling disputes with other labor officials or with employers.

"He blames 'antiunion police' for the numerous arrests in connection with assault, and points out that he has only one conviction for assault and battery.

"Detroit police department file No. 59,527 shows that Hoffa was arrested for investigation of assault charges three times before his first conviction on February 4, 1938. Hoffa paid a $10 fine on the assault and battery charge.

"On March 30, 1938, he was arrested on a charge of disturbing the peace but it was dismissed in April 1938.

"In June 1938, a special investigation squad arrested Hoffa but he was discharged the same day.

"On February 16, 1939, Hoffa was arrested on a charge of molesting and disturbing workmen at work, but 11 days later this charge was dismissed.

"Hoffa was arrested November 2, 1939, on a charge of molesting a truck driver, but was discharged immediately.

"On February 10, 1940, Hoffa was arrested in the investigation of a shooting, but he was discharged on a writ of habeas corpus February 13, 1940.

"In 1942, Hoffa entered a plea of nolo contendere to a charge of violating the Federal antitrust laws, paid a $1,000 fine, and was put under a permanent injunction.

"The indictment and injunction involved the teamsters union agreements with four wastepaper firms which it was contended created a monopoly.

"In 1947, Hoffa and 17 associates were indicted on charges of violating the labor laws of Michigan by extorting $5 fees for permits for grocery and meat dealers to use to pick up meat at various packing houses and wholesale establishments.

"Again Hoffa entered a plea of nolo contendere, when the charge was reduced to a misdemeanor, and paid a $500 fine.

"Hoffa's police record was barren from 1947 until the Charlotte affair.

"The troubles between local 71 and the International Teamsters Union had started about a year ago when an election in the local upset the previous leadership. Bud Jenkins defeated A. L. Gunter for president.

"The international union removed Jenkins, put the local union in trusteeship, and named Gunter a district trustee with headquarters in Charlotte. Many local union members considered this to be a high-handed action by the international union.

"Hoffa went to Charlotte in September to work out details of contracts with employers. The negotiations had taken about 5 weeks, and local union members contended that they were not apprised of contents of the contract until time for a vote.

"Union Steward Ewing complained that Hoffa and others 'approved the contract without knowing anything about working conditions here.'

"He also declared that, although the membership heard rumors about the contract provisions, it wasn't until the day of the altercation that they learned the details. It was read to them.

"Instead of the locals' usual secret ballot, Hoffa, Flynn, and Kavner took a public head count.

"In general, the local drivers complained that a one-half cent per mile increase annually for the next 3 years was nullified by contract provisions increasing the layover time from 12 to 13 hours for over-the-road drivers.

"Under the previous contract, the employer had to start paying the driver after a 12-hour layover even if he wasn't driving.

"The contract negotiated by Hoffa provided increases of 35 cents an hour for dock workers and warehousemen and pickup and delivery drivers with a minimum of 45 hours a week.

"This brought the pickup and delivery drivers pay to $1.68 an hour, and the weekly minimum to $75.60. The pay of dock workers and warehousemen was boosted to $1.53 an hour with $68.85 weekly minimum.

"International headquarters of the teamsters' union said the altercation was a result of a misunderstanding. Some members of local 71 hadn't understood the contract Hoffa had negotiated for them, it was explained."

"Hoffa's Friends Draw Millions From Union Insurance Fund Deals

"(By Clark Mollenhoff)

"Washington.—Teamsters' union insurance premiums of more than $9 million were paid a year ago to an insurance firm operated by friends of James R. (Jimmy) Hoffa, chairman of the Central States Conference of Teamsters.

"The teamsters' union official admits that he used his influence to throw the health and welfare insurance for a 22-State area to an insurance firm operated by the wife and son of a Chicago labor leader, Paul (Red) Dorfman.

"'I think it was the best insurance we could get,' Hoffa said. 'I still think so. Our insurance fund is clean—one of the best in the country. None of these investigations has been able to show that one dime is missing.'

"Two Congressional inquiries have been made into the teamsters' health and welfare insurance fund paid to Union Casualty & Life Insurance Co., of Mount Vernon, N. Y.

"Some of the employer trustees objected to having the insurance placed with Union Casualty & Life, headed by Dr. Leo Perlman, executive vice president.

"However, Hoffa convinced employer representatives the insurance program should be placed with Union Casualty in 1949, and he's kept it there in the face of Congressional investigations and criticisms.

"In 1953, a House labor subcommittee brought out the fact that Allen Dorfman, then 30, and his mother, Rose Dorfman, had cleaned up more than a million dollars in commissions in the period from 1949 through June 1953.

"Investigators testified that $101,000 was missing from the Dorfman insurance agency. Allen Dorfman declined to testify on this missing $101,000 on grounds that he might incriminate himself. Hoffa testified he received none of the missing money.

"At present, a Senate labor investigating subcommittee headed by Senator Douglas, Democrat, of Illinois, is taking another look at the operations.

"There has been no criticism of theft or loss of money from the funds while held by the trustees.

"However, there has been considerable criticism of the huge commissions that have flowed to Hoffa's friends. The hearings also pointed out that Hoffa has been engaged in lucrative joint business enterprises with friends who received these huge commissions.

"Hoffa contends members of the teamsters' union in the 22 States are getting the best possible coverage at the best price.

"Hoffa's friends—Mrs. Dorfman, Allen Dorfman, and Perlman—have drawn millions in profits from the Union insurance agency in Illinois operated by the Dorfmans, and from Union Casualty & Life.

"At the same time, Hoffa has entered into joint business operations with the Dorfmans and Perlman, including oil leases in North Dakota and Jack-o'-Lantern Lodge, a camp near Eagle River, Wis.

"Hoffa testified his partners in the Jack-o-Lantern Lodge were Allen Dorfman, Rose Dorfman, Owen Bert Brennan, and Phil Goodman, a Chicago lawyer. Brennan is another Detroit teamsters' union official and is regarded as Hoffa's top aid in the union.

"Hoffa says he is in a partnership with Brennan, Allen Dorfman, Mrs. Dorfman, and Perlman in Northwestern Oil Co., Bismarck, N. Dak. According to Hoffa, each of the partners put up $10,000 for that venture in oil leasing.

"The 42-year-old vice president of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America says he finds no conflict of interest in using his influence to place insurance with his business associates and friends.

"'I've got a right to make legitimate investments,' Hoffa declares. 'I've got a right to have these people for my friends. Paul Dorfman was my friend years before this insurance deal came up.'

"To this date Hoffa has received no criticism from the teamsters general president, Dave Beck, a fellow whose own private investments have made him a millionaire.

"Hoffa points to this lack of criticism from Beck as a sort of endorsement for the way the teamster health and welfare funds are being handled.

"Hoffa has been a key figure in bringing together the central State conference of teamsters welfare fund with the States of the southern conference of teamsters and steering them to Union Casualty.

"The Michigan conference of teamsters operates from a separate fund, but the insurance is placed with the same company.

"Under the contract signed for the over-the-road drivers for the period from February 1, 1956, to January 31, 1961, employers must contribute $2.25 a week for each employee. A pension plan has been added in the contract calling for an additional $2 a week contribution for each employee.

"Under the Taft-Hartley labor law, these multi-million-dollar funds are jointly administered by an equal number of representatives of labor and of management.

"Congressional committees have stated that in practice, the management trustees often disregard their responsibility and try to curry favor with the labor union officials who are trustees.

"Hoffa has been a long-time friend of Red Dorfman, head of local 20467 of the AFL Waste Material Handlers Union in Chicago.

"Perlman, as operating head of Union Casualty & Life, cultivated labor leaders such as Hoffa, Brennan, Dorfman, and Frank Darling, head of local 1031 of the Brotherhood of Electrical Workers in Chicago.

"A House committee investigative report states that the direct premium payments to Perlman's firm jumped from $1,460,000 in 1948, to $8,900,000 in 1952. Nearly 77 percent of the 1952 premiums came from the teamsters' union and Darling's electrical workers.

"In the last year, the total premium payments to Perlman's firm have soared to more than $11 million. More than $9 million of this comes from the huge 22-State teamsters bloc dominated by Hoffa. Another $1,500,000 comes from health and welfare insurance premiums for the 35,000 to 37,000 members in Darling's Electrical Workers Union.

"Hoffa contends that the contract with Perlman has been mutually beneficial, since it has enabled the Michigan conference of teamsters to buy a $250,000 bloc of preferred stock in Union Casualty & Life.

"This made the Michigan teamsters the largest holder of preferred stock. With the payment of $40 a share—another $250,000—this stock can be converted to common stock with voting privileges on an option that must be exercised before January 1, 1956.

"Congressional investigators have pointed to the problem involved if union ownership in an insurance company is such that union officials have an interest in curbing the claim rate of members of other unions insured by the company."

"Fear of Reprisals Cited—Hoffa Nearly Wrecks Career of Truck Official

"(By Clark Mollenhoff)

"Washington.—A number of disputes with James R. (Jimmy) Hoffa have nearly wrecked the career of a Des Moines man as a representative of the trucking industry.

"Willis J. McCarthy, an attorney who represented the Midwest Operators Association, told Congressional investigators that when he disagreed with Central States teamsters chief Hoffa, his clients were harassed with labor grievances.

"One employer had as many as 60 grievances filed against him in 1 month, with only a few of the grievances justified, McCarthy said.

"McCarthy said Hoffa had forced a Des Moines transportation firm to rehire 8 truck-drivers, 5 of whom admitted that they had made illegal charges for second-story deliveries and were pocketing the money.

"Hoffa boasted he would break McCarthy's clients, laughed at him for his futility in fighting the teamsters, and after having defeated McCarthy called him to chide him, McCarthy testified.

"McCarthy was one of the employer representatives in 1949 when Hoffa prevailed upon the trustees to place the multimillion-dollar health and welfare insurance policy with Union Casualty and Life, Mount Vernon, N. Y., bringing big commissions to Hoffa's friends.

"McCarthy said the employee representatives gave in to avoid 'reprisals (by the teamsters) against their companies.'

"As an example, McCarthy testified that when contract negotiations broke down in a local cartage driver's contract in Kansas City, Mo., the teamsters shut down operations of the trucking concern at such distant points as Denver, Colo., Des Moines, Iowa, Omaha, Nebr., St. Paul, Minn., South Bend, Ind., and Detroit, Mich.

"'In these distant cities they had local cartage contracts that were fully in effect and an over-the-road contract that was fully in effect, and that should not be affected by anything that occurred in Kansas City,' McCarthy told Congressional investigators.

"'Did Hoffa ever tell you what would happen to your clients because you were representing them?' asked Chief Counsel William M. McKenna, of the House Labor Investigating Subcommittee.

"'Hoffa told me that I should make an effort to get along with him; and if I didn't, that grievances would be filed against the carriers, and they would be struck as a result,' McCarthy testified.

"McCarthy said that in the case of drivers making extra charges for second-story deliveries the union contended that the charges were tips and that no dishonesty was involved. Forty city drivers and 50 road drivers went on strike, and teamsters' union members in Kansas City, St. Louis, and St. Paul picketed the company.

"McCarthy said the firm was faced with 'giving up or going broke, so we gave up.'

"McCarthy related that when a committee met to settle the case there were dissenting votes.

" 'I asked the committee be polled to get the result of the vote,' McCarthy said. 'Hoffa said, "If you want the committee polled, we will shut you down, and you will stay shut down forever. Now, if you want the committee polled, that is your answer." '

"McCarthy said he asked for a recess to consult with the president of the company, and that the company president said:

" 'I can't afford another strike. If I have another strike, it will mean we are broke.'

"The eight drivers were put back and were paid somewhere between $3,000 and $4,000 back pay without requesting a poll of the committee, McCarthy said.

"McCarthy said Hoffa called him on the telephone to ask, 'Do you want to keep on fighting, or do you want to give up?'

"Months later, McCarthy was in Washington seeking further Congressional inquiry into the actions of Hoffa in the Midwest.

"However, he was a cautious man. It was obvious that trucking interests were backing McCarthy, but as he called on Congressmen and investigators he carefully avoided naming his employer. He told Congressmen that he did not want his employer revealed because of the danger of reprisals.

"Teamsters President Dave Beck has ignored the request of the New York City anticrime committee that Hoffa be kept out of New York.

"Hoffa was the subject of a scathing report by the New York anticrime committee which was presented by Chairman Spruille Braden this year.

"Hoffa was characterized as a friend and associate of several major figures in the ranks of gangsterdom, and the public was warned that the regional organization of the teamsters union will facilitate the efforts of racketeers to dominate the trucking industry in this area.

"According to Braden's report, even big, tough New York City had reason to tremble at the invasion of the dynamic little labor leader from Detroit.

" 'His (Hoffa's) activities, though well publicized, have not as yet developed in Beck any visible will to take action,' the report said.

"Hoffa's invasions of other areas have been accomplished without the handicap of such organized resistance.

"Hoffa is president of local 299 of the teamsters in Detroit, president of Joint Teamsters Council 43 in Detroit, president of the Michigan conference of teamsters, chairman of the 12-State central conference of teamsters, and is ninth vice president of the International Brotherhood of Teamsters.

"He has been trustee of a dozen local unions throughout the Midwest, and through arrangements with Beck has had some supervisory authority over the nine-State southern conference of teamsters.

"The New York anticrime committee viewed with alarm the fact that the teamsters union is stamping out the autonomy of local unions.

"The report stated that until recently the racketeers have not been too successful in getting control of the trucking industry in New York.

" 'A major barrier has been the virtual autonomy of the locals in the International Brotherhood of Teamsters,' the report said. 'The result has been that here in New York a few bona fide honest labor leaders have, through the control of their locals, been able to withstand the onslaught of the racketeers and to preserve the hard core of honest trade unionism.'

"The report stated that at the present time 'an intensive effort is being made to break down that autonomy and to gain control over the teamster locals.'

" 'Regional organizations are being used to accomplish this end,' the report said. 'The resultant centralization of control, in the opinion of experts, will facilitate the efforts of racketeers to dominate the trucking industry in any area, provided they are able to get control of the regional office of that union.'

"The report pointed out that in recent city-wide strikes in New York 'the accepted spokesman for the trucking unions was replaced by order of Hoffa.'

" 'Hoffa put in as spokesman a man who has been a lifelong associate of the worst gangster in this city. The strike was settled on terms dictated by Hoffa.'

"The report then pointed out that Hoffa was 'the same man whose activities in the field of union welfare funds was the subject of disclosures by this committee and later by Congressional committees.

" 'He, himself, is a friend of several major figures in the ranks of gangsterdom,' the report said.

"The anticrime committee said the rise of Hoffa to a position of prominence in the teamsters union was due in large measure to the backing of a few nationwide trucking firms who have purposely played into his hands.

" 'Hoffa's plans for New York City, though not publicized by him, have been uncovered by your committee's investigation,' the report stated.

" 'Any trucking firm desirous of favored treatment can easily get it by retaining one of a few select labor-relations firms and by going along with suggestions as to what insurance agencies will handle the union welfare and insurance funds.'

"The report warned that 'certain leaders in the New York City trucking industry have already been approached with this proposition.'

"The report stated that there is much indecision in the trucking industry as to whether to go along with Hoffa's plan.

" 'They are bothered by the realization that one major weapon of Hoffa's is a plan which will ultimately relegate the local trucker to a very minor status in the industry,' the report said.

"The report stated that other leaders in the trucking industry 'have decided to combine their efforts in order to fight Hoffa and his racketeering allies.'

" 'These men, unlike their colleagues, realize the truth of the statement that "you employ the racketeer on Monday—he is your partner by Wednesday—and your employer by Friday." '

"The grand juries' indictments and Congressional committees that had criticized Hoffa over the years had never hit him any harder that the New York Anticrime Committee. The crime committee continued to gather information on Hoffa's contacts with Johnny Dio, a convicted extortionist who operates a labor relations firm.

"But, as if in defiance to the anticrime group, Hoffa continued to visit New York for the teamsters union. He said it was on authority from General President Beck."

"TEAMSTER BOSS EYES BECK POST—HOFFA SYMBOL OF DEFIANCE OF CONGRESSIONAL PROBERS

"(By Clark Mollenhoff)

"WASHINGTON.—James R. (Jimmy) Hoffa stands as a symbol of the teamsters union's successful defiance of Congressional investigators in the past few years.

"This little Napoleon of the drivers union is a shrewd, fearless, and aggressive warrior in the battles to expand the jurisdiction of the teamsters, to solidify it, and to defend his allies against those who attack them.

"He appears to be in no hurry to seize the crown from General President Dave Beck. He is merely moving to make alliances that will put him in line for the top post when Beck bows out.

"Throughout the central States conference of teamsters, local teamsters officials have been under the fire of Congressional investigators and grand juries.

"Hoffa has stood his ground when he has been under fire personally in Michigan. He has consistently backed those in his area who have been scorched by Congressional committees, indicted, or convicted.

"As chairman of the central States conference of teamsters, the 42-year-old Detroit man has been the bulwark of the teamster defense against Congressional committees that have conducted investigations in Minneapolis, Minn., Kansas City and St. Louis, Mo., Chicago, Cleveland and Akron, Ohio, and Detroit, Mich.

"Lack of records and lack of access to union records hampered investigators throughout 3 years of investigation. When Hoffa was called to explain the lack of records in his Michigan area, he testified he had approved the destruction of financial records to conserve space.

"Congressional committees and grand juries have plagued his career as a labor leader almost from the outset, but Jimmy said he has learned that all these things blow over. There are no indications that Hoffa's policy has hurt him at this stage.

In July 1953, the New York Anticrime Commission was critical of Hoffa as a lifelong associate of the worst gangsters in this city, and Chairman Spruille Braden asked that President Beck keep Hoffa out of New York.

"Beck declined to move against Hoffa, and in a nationwide television show asserted that he found nothing in Hoffa's operations to criticize.

"The various teamsters union members and officials who gathered in Washington for dedication of the $5 million teamsters building certainly didn't indicate any disenchantment with Hoffa.

"Minor officials made him the center of attention with an effusive greeting.

"Although he strutted with the carriage of one who expected this as his due, he had the names of all on the tip of his tongue and a quick comment that made it apparent he remembered them.

"His table gets a constant stream of minor teamsters officials. Some want to thank him for help in cutting redtape to settle administrative problems, or problems with employers. Others want to ask him to contact the heads of large organizations to iron out difficulties that local officials have found impossible to handle with regular labor-relations representatives of the firm.

"Beck can visit the White House and walk with kings, but Jimmy Hoffa is working 14 to 16 hours a day on the contacts that make him the No. 2 power in the 1,500,000-member International Brotherhood of Teamsters.

"Hoffa has two telephones in his home in Detroit. The number of the upstairs phone is known to business agents and other officials of the teamsters union.

"Hoffa says he is available 24 hours a day to hear the problems of any of the teamsters in his 22-State area.

"Hoffa also will take up the problems of local labor leaders in New York, New Jersey, Maryland, or North Carolina. Jimmy says this activity is not an encroachment on Thomas E. Flynn, head of the eastern conference of teamsters.

"Flynn is not an international vice president of the teamsters union, and Hoffa says that Beck had authorized him to go in and settle problems in those areas.

"Hoffa has continued to branch out in the East, and make plans for further organization drives in the Middle West despite the upsetting influence of indictments in the last 2 years of top teamster officials in St. Louis, Kansas City, Detroit, Chicago, and Minneapolis.

"Hoffa and his lawyers have listened to the problems of indicted teamster officials with a sympathetic ear. They had then set about giving what they consider to be sound advice for beating the rap, or copping a plea.

"When Gerald P. Connelly, former official of local 548 in Minneapolis, copped a plea of guilty to violation of the Taft-Hartley labor law he was acting on the advice of Hoffa.

"Hoffa said he listened to the story behind the charge that Connelly had illegally accepted $300 from an employer in violation of the Taft-Hartley law.

"In Hoffa's opinion it was a technical violation but there were so many problems involved in trying to beat the case that Hoffa advised Connelly to enter a plea of guilty and was fined $500.

"Later, when an effort was made to oust Connelly as a convicted labor racketeer, Hoffa was on the three-man committee that studied the case and recommended to Beck that Connelly be reinstated.

"Hoffa is equally critical of the indictments returned against Harold Gibbons, St. Louis teamster official; Orville Ring, teamster boss in Kansas City, and William Presser, Cleveland, chairman of the Ohio conference of teamsters.

"Presser paid a $1,500 fine after pleading nolo contendere (no contest) to a charge of conspiracy to create a monopoly in the distribution of candy and tobacco products in Ohio. Neither Gibbons nor Ring was convicted.

"Connelly and Hoffa had been friends for 20 years, and Hoffa stuck with a friend while he was in trouble.

"In the teamsters union, Hoffa is regarded as a man of his word whether he says he will back you, or whether he says he will get you.

"In November 1943, Hoffa paced back and forth outside of the door of an eight-floor courtroom of the Federal Building in Detroit. A Congressional hearing was in progress that was aimed at Hoffa. A committee ruling forced Hoffa to stay on the outside.

"He was the center of attention as he moved back and forth shouting his dislikes for Chairman Wint Smith, Republican, of Kansas, and his archenemy, Representative Clare Hoffman, Republican, of Michigan, who were conducting the hearings.

"On one occasion he cursed a personal representative of Teamster President Beck, and accused Beck of instigating the Congressional inquiry to get him. The representative of Beck said there was nothing to such reports, but he carefully avoided denouncing Hoffa for making such an accusation.

"Hoffa says he likes to run a union so that any member 'can come up and tell me I'm wrong.'

"I like to be able to sit down across the table and argue things out, and when it is all over with I like to forget it," Hoffa said.

"'I've had some tough battles with employers, but I've never seen an employer yet that I couldn't get along with afterward,' Hoffa said. 'I can go out right afterward and have a cup of coffee with them and get along just as if nothing had happened.'

"Part of the reason that Jimmy can be so cheerful after a battle is that he hasn't lost many.

"What is Hoffa's secret of success?

"'You gotta use your pressure, and make sure you got everything stopped off,' Hoffa explains. 'I've turned down a lot of strikes because I knew they (the local union) weren't ready. I won't sanction a strike when I'm not sure they have everything stopped off so they'll win.'

"Hoffa says that when local officials come in with just a feeling they can win a strike, he sends them back for the facts.

"'They have to show me,' he said. 'It must be done on a scientific basis. When you put the screws on you're sure they'll have to come your way.'

"Hoffa doesn't try to give the impression that he has never had any abortive attempts to organize, but he has considered those only temporary difficulties.

"At present, Hoffa is making big plans to organize the service stations, grease racks, and parking lots all over the area from the Appalachian Mountains to the Rocky Mountains.

"Hoffa says he's made some exploratory moves in his home territory around Detroit, and has concluded that it is not yet time for the big move.

"The teamster's action in Detroit was in part successful, but some of the big service stations just closed up and went home. The big oil companies then cut gasoline prices on the outskirts of the affected area, and this drew customers enough to keep the total gallonage up, Hoffa said.

"'It proved we've got to go at this in a wider area to really make it hurt,' Hoffa said. 'They think they have us stopped, but we've been doing some planning recently that will set these big oil companies up for a big surprise.'

"Hoffa asserts that the teamsters should have a right to organize small firms in which a man runs his own business and has no employees outside of his family.

"He cites the organization of the independent juke-box owner as essential, and each of these independent juke-box operators 'is a threat to the teamsters, and to organized labor as a whole.'

"Hoffa cites the case of the unorganized musicians who might work as independent entertainers if it were not for the tight musicians union.

"'Look at the way Petrillo has things sewed up,' Hoffa says. 'There is no reason why the teamsters shouldn't have it the same way.'

"If Jimmy Hoffa has it his way, he's going to have highway transportation, and everything else in teamsters jurisdiction, sewed up as tight as the musicians union."

Mr. GOLDWATER. Mr. President, carrying on in spite of almost insurmountable handicap of being blind, a blindness caused by the enemies he sought to drive from labor, Mr. Victor Riesel, practically born into the labor movement and raised among many of its leaders, writes a syndicated column that probes deeply into the evils now being exposed by the McClellan committee. Typical of his daily efforts is the column which I ask to have printed at this point in my remarks, touching in a broad way on the New York end of the investigation now underway.

There being no objection, the column was ordered to be printed in the Record, as follows:

Inside Labor

(By Victor Riesel)

The rackets will bust inaudibly in the Senate hearing room when Counselor Bob Kennedy puts the New York show on the boards knowing that virtually all of his witnesses will be silent men slipping on and off the stand.

If anybody but the interrogators talk as Senator John McClellan conducts what he considers his most vital hearing, it will be the summer audience. For this time, the committee will face the real pros. Deadly men tell no tales about each other.

What has gone before, in the words of one committee member, is "penny ante stuff." In the other cities, looting was a sideline. In New York it is "an art"—not for art's sake—but a multimillion-dollar-a-year business which Bob Kennedy discovered took in parts of 12 national unions.

In the Big Town he found that over the past 6 or 7 years the mob moved in to increase its other income by buying and selling unions or setting them up as they would bawdy houses or speakeasies in the old days. These unions also became the outlets for deserving young hoods who had to be placed in some lucrative steady jobs to help keep the combine intact.

For almost 18 months Bob Kennedy's men had dug into the labor-crime pattern in New York. If they found one witness willing to talk from the inside, it is a secret that hasn't leaked. East is East, and this probe was tougher and grimmer than digging into the western teamsters.

There were many men who dealt with Dave Beck and Frank Brewster, head of the Western Conference of Teamsters, who were willing to talk of their business relations with those saviors of the proletariat. But in New York it soon was obvious that silence was golden and lack of it could be leaden.

Not one teamster here talked. Not one employer really opened up. Obviously they preferred to be shaken down. The mobsters did not battle each other here as they did in Portland.

Compared to the big city's big-timers, the westerners were amateurs. Kennedy's man found it easy to trace their travels, their expenditures, and their phone calls. The New Yorkers, long accustomed to underworld fashions, always used public phones, not only so they couldn't be easily tapped, but because there would be no traceable record of the numbers reached or the persons talked to that way.

Almost always the eastern crowd traveled incognito and used false registrations on airlines and in hotels. Unlike the western looters, the boys from down east seldom used checks. They dealt in cash, kept no books, and lived quiet, circumspect lives.

They trusted no one. They had a counterintelligence system which could match the Army's G–2. They tapped wires. They infiltrated other groups. They communicated daily, sometimes hourly, with each other across the network of major cities.

They knew each other's business and how much each made from the sale of labor peace or the sale of a new union charter, and what the "take" was from dues and special assessment of unions covering new territories.

They managed themselves well and were organized in a sort of shadow association, for this was a type of business. There was no central high command, and there doesn't seem to be any now. But while all seemed equal, some were more equal than others—depending on their ties to other forces and how many favors they could deliver to the others.

The man who could deliver new union charters, or order picket lines lifted, or throw one up most frequently was, therefore, the most sought after.

Bob Kennedy's men found that this combine was as much a group of labor leaders as Khrushchev's "people's republics" are free nations. Some 50 Senate investigators found that many of these unions never signed a real contract and never legitimately negotiated wages, hours, or working conditions.

Slowly the probers pieced the story together and subpenas have been going out. The final ones were delivered on July 1.

They were handed to colleagues of one Johnny Dio, accused of so many legal and ethical breaches it would serve naught but the acid bitterness of frustration to list them here. The subpenas call on the witnesses to be ready to testify in Washington on July 15.

These hearings will run until Congress adjourns. Then the committee will recess for a month. Perhaps they will be resumed in the fall. It all depends on how much of a story the racket busting committee can tell the world through its questions. There will be no answers.

There will only be a pocketful of "fifths."

Mr. GOLDWATER. While these brief remarks are recognized as not covering by any means all the men actively engaged in the reporting of union misdoings, we must recognize that none of these reporters could be successful without the cooperation of either their syndicates or the newspapers for whom they write. Among the larger newspapers of the country none has done a more outstanding job in exposing labor racketeering than the St. Louis Post-Dispatch. In 1954, the Pulitzer Publishing Co. of St. Louis produced a brochure outlining the story of this newspaper, and I am sure they will excuse me if I quote directly from the pages of this interesting booklet, which describes how this prominent midwestern newspaper led in the fight against racketeering and misconduct in the labor unions of the St. Louis area.

I ask unanimous consent that the quotation be printed at this point in my remarks.

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

Beginning also in 1951, the Post-Dispatch carried out an investigation of phases of the construction industry, in which extortion, infiltration of labor by organized crime, and improper monopolistic alliances were found. It started with a seemingly limited inquiry into exorbitant costs of emergency defense construction at Scott Air Force Base, near Belleview. In time, the results were felt across the country in the construction industry. Material for a succession of news articles that brought this about was gathered and written by Carl R. Baldwin of the paper's staff. The stories gave names, dates and amounts in cases of oppressive extortion; showed how some contractors were forced out of business, and disclosed that millions of dollars had been lost on Government construction jobs because of labor strife that appeared to serve no legitimate purpose.

The evidence was made available by the paper to any law enforcement agency that cared to use it, but there was no immediate action. The Senate Labor Committee in Washington, which may have feared political repercussions, took a look at the evidence but did nothing. Then Reporter Baldwin and Reporter Link were sent to the capital, where they explained the situation to the House Labor Committee. They turned over to that group a mass of evidence, and made the same information available to the Department of Justice and the Federal Bureau of Investigation.

Meanwhile, the paper continued to publish showings of unsavory deals and evidence of unrest in the industry. As an incident of developments, a faction of the Democratic Party in St. Louis, led by labor men whose names had been linked with the rackets situation, was defeated in the 1952 primary election. In April 1953, a St. Louis Federal grand jury, making full use of the information obtained by the Post-Dispatch and further developed by the FBI, began an extensive inquiry into labor racketeering. Three months later, the grand jury returned indictments charging 15 well-known labor leaders with extortion in violation of Federal law.

When in the autumn of 1953 it appeared that the Federal investigation had bogged down, the Post-Dispatch waged a heated news, editorial, and cartoon campaign to get action. Public opinion was so aroused that the Department of Justice launched a new grand jury investigation that went far beyond the scope of the earlier one. A top specialist in this field was assigned to the work of the Department. Meanwhile, another Federal grand jury in East St. Louis—also using leads supplied by the Post-Dispatch—undertook investigation of similar rackets in southern Illinois. One of the first results there was an indictment charging two widely known labor bosses with an attempt to extort $1,030,000 from a contractor on a strike-plagued multimillion-dollar atomic energy power facility at Joppa, Ill. Another Federal grand jury inquiry into the rackets was carried out at Springfield, Ill.

By spring of 1954, 38 men were indicted in the various inquiries. Thirty-three of them were charged under a Federal antiracketeering act which carries severe penalties on conviction; the others with miscellaneous crimes. The first 3 cases tried in St. Louis resulted in conviction of 6 union business agents, who were sentenced to prison terms.

A decade earlier, the Post-Dispatch had shown that Orville Golden, an official of the hod carriers' and common laborers' union, had admitted that he and 3 associates embezzled large sums from the union. News of this was turned up by James A. Kearns, Jr., of the paper's staff and he and Reporter Link afterward found material for a series of exclusive articles on affairs of this union. Golden was sent to prison on a charge of taking more than $151,000 of the union's funds.

Racketeering practices of John P. Nick, a big boss of the St. Louis theatrical unions, were exposed by the Post-Dispatch, leading ultimately to the conviction of Nick and an associate, Clyde Weston, and their commitment to Federal prisons under 5-year sentences for violation of the Federal antiracketeering statute. The late Charles W. Marsalek handled the exposé by the paper, aided by Theodore P. Wagner and Theodore C. Link. An earlier and unsuccessful trial of Nick in the State courts, for extortion, resulted in a contempt case against the Post-Dispatch and responsible staff members, which attracted nationwide attention, and was terminated in 1941 by a unanimous decision by the Supreme Court of Missouri upholding the newspaper's right of comment on court action.

Nick obtained $10,000 from theater owners in 1936 and $6,500 in 1937, while the movie operators' demand for increased wages went virtually unsatisfied. State Representative Edward M. (Putty Nose) Brady collected the $10,000 for Nick, and was indicted with him in the State case. Nick went to trial in 1940, and his lawyers pleaded that Brady got the money, as shown by testimony, and that Nick's connection was not proved. Circuit Judge Thomas J. Rowe threw the case out of court on a demurrer. At Brady's trial, the same defense lawyers appeared, but were spared the necessity of making a defense when Judge Rowe advised Circuit Attorney Franklin Miller to dismiss the case for lack of evidence. Miller did so. In the civil division of the circuit court, next day, Judge Ernest F. Oakley adjudged Nick liable to the union for the money collected through Brady. The Post-Dispatch printed an editorial on the Nick-Brady case March 5, titled, "A Burlesque on Justice"; its editorial of March 6 was headed: "Judge Rowe: Turn 'Em Loose; Judge Oakey: These Men Are Guilty." A cartoon, "Burlesque House in Rat Alley," accompanied the latter editorial.

Judge Rowe ordered the issuance of contempt citations; and on April 8 he sentenced Ralph Coghlan, then editorial page editor, to 20 days in jail to pay a $200 fine; Daniel R. Ritzpatrick, editorial cartoonist, to 10 days and a $100 fine, and the Pulitzer Publishing Co., a $2,000 fine. The contempt charge as to a news executive, Ben H. Reese, then managing editor, was dismissed, on a showing he was not responsible for contents of the editorial page. The judgment was reversed and all the defendants discharged by vote of all seven members of the Supreme Court of Missouri en banc, June 10, 1941. To uphold Judge Rowe's charge, the Supreme Court held, "would be to narrow the limits of permissible criticism so greatly that the right to criticise would cease to have practical value."

By implication, the Supreme Court discarded a part of the Shepherd case, long one of the controlling legal precedents in Missouri contempt proceedings. That case, decided in 1903, was strongly relied on by the prosecution in the Post-Dispatch case. The majority opinion in the latter case said: "The elaborate argument in the Shepherd case to prove that a publication scandalizing the court was punishable as in contempt was based upon a misunderstanding of legal history." The decision in the Post-Dispatch case broadened the right of newspapers and others to criticize the official conduct of a judge in connection with a concluded case. The Supreme Court said: "The great weight of judicial authority now supports the proposition that a publication, however scandalous, concerning a case which has been closed is not punishable as a contempt."

Mr. GOLDWATER. Mr. President, the Seattle Times, of Seattle, Wash., located in the heartland of Dave Beck's operations, has, through the work of its labor reporters, Paul Staples and Ed Guthman, long been engaged in exposing the peculiar operations of Dave, the "fifth's," teamsters union. Typical of the columns that helped to break this case is one of December 21, 1954, which I ask be printed in the RECORD at this point in my remarks.

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

[From the Seattle Times of December 21, 1954]

TEAMSTER INSURANCE COMMISSIONS NET SEATTLE MAN $259,470 IN 1953

(The health-and-welfare plan of the teamsters union has provoked considerable discussion, both pro and con. This is the sixth in a series of articles on union health-and-welfare plans in the Northwest, and the first of two on the teamsters' program.)

(By Ed Guthman)

Teamster officials in Seattle submit to investigation of the union's health-and-welfare plan these days with hardly a murmur of protest.

The teamsters' health-and-welfare programs here and elsewhere are being investigated from all sides. Two committees of Congress, the Internal Revenue Service, the Federal Bureau of Investigation, and the press have become curious here.

The big question centers on commissions paid George Newell, Seattle insurance executive, who, with his wife, netted $259,470 from teamster group-insurance policies last year.

In the East and Midwest, State insurance commissions and grand juries have started probing.

TEAMSTERS ANNOYED

The teamsters here are annoyed that their program has come under suspicion. They insist that welfare plans covering more than 100,000 teamsters and their families in Washington and 10 other Western States are strictly on the up-and-up.

Dave Beck, teamster president, says the union has developed a model system in the West—open to investigation from any quarter.

Other persons connected with the teamster plans told the Times they welcomed the investigations and hoped the air would be cleared.

As for teamster plans outside the West, the teamsters here officially take the position they will not pass judgment until all the evidence is in.

Since it has become open season on teamster health-and-welfare plans, some of the finger pointing doubtlessly is being carried on by persons with longstanding grievances against the union.

DIFFERENT ELSEWHERE

Unquestionably, the teamsters here are also being tarred by disclosures of dubious dealings in teamster funds in New York, Minneapolis, Kansas City, Detroit, and St. Louis.

Two examples: A New York local's fund went broke after imprudently spending most its income to develop a vacation resort for union members; a Minneapolis business agent, who doubles as administrator of a pension plan, received a $10,000 advance from the fund to help him open a bar and a cafe.

By comparison, the teamster funds operating in Washington appear to be brimming with virtue.

Financial reports made available to the Times showed that the bulk of the money—an average of 85.5 cents of every dollar contributed—goes for benefits.

The teamster's benefits stand up well in comparison with those offered by other plans. Administration costs do not appear to be excessive.

Reserve totaled $283,206 August 31. The reserve is frozen at that figure, which is relatively low. It looks even lower when stacked against the $1 million in welfare funds which James Hoffa, the teamsters' strong man in the Midwest, could spare to invest last week in Montgomery Ward stock.

NEWELL UNDISTURBED

In the rumpus over Newell's commission, Newell remains undisturbed. He expressed the opinion that he is being criticized unfairly just because he has made a good deal of money.

Newell is the broker of record for all of the teamsters' 164 health and welfare trusts in the 11 Western States. His commission is a flat 2 percent of the premiums.

For the year ending February 28, Newell's gross income from teamster health and welfare and insurance business amounted to $459,268.61, of which $332,091.56 was profit.

Under a partnership setup, Newell and his wife received $129,735 each. The City of Hope Hospital in Los Angeles received $69,020.

Newell said he volunteered to help Beck raise $1,000,000 for the City of Hope by giving the hospital a 25 percent interest in his teamster business. Beck agreed and appointed Samuel B. Bassett, attorney for the teamsters for many years, and George Cavano, president of Teamsters' Local 174, as trustees.

In 6 months ending August 31, Newell's gross income from the teamster premiums amounted to $268,047.

MIXED EMOTIONS

Rival insurance brokers regard Newell's commission with mixed emotions. It's nice if you can get it, they say with a trace of wistfulness.

The competitive rate for brokers' commissions on health and welfare plans in this area is 1 percent or less.

Some employer trustees and some teamster officials grumble about Newell's commission.

One employer trustee said Newell's commission was the damndest gravy train in the West.

Another employer trustee told the Times: "I'm not so sure Newell's commission isn't too high, but what can I do about it?"

A few second-line teamster officials questioned whether Newell's commission wasn't out of line. They asserted that the broker's main work is over, once a plan is established and functioning smoothly.

Newell's commission does not violate any standard insurance practices. He points out that, in addition to health and welfare policies, he will write about $1,000,000 in other types of insurance, not connected with teamsters, on which the commissions are much higher.

BRANCH OFFICES OPENED

Newell also justifies his commission on the grounds that he devotes considerable time to the program and has established branch offices in San Francisco and Los Angeles to service it.

Because Newell is the teamsters' broker and the union will brook no argument about it, he has no competition from other brokers—many of whom say they would write the teamsters' health-and-welfare business for less than 2 percent.

To put Newell's relationship with the teamsters into perspective, some background is essential.

Newell is the first to admit that he is reaping profits beyond his highest hopes and that he is cashing in on the brainchild of his former partner, the late Arthur Morgenstern.

Insurance executives, employers, and union officials pay tribute to Morgenstern as a genius in the group-insurance field. He devised a life-insurance plan which the teamsters bought in 1948. It provided each teamster with a $1,000 policy at the then unheard of rate of 84 cents a month—regardless of age.

A year later, when the teamsters got ready to move for health and welfare, they again turned to Morgenstern and Newell.

NEW TYPE OF PLAN

At that time the multiple employer negotiated type plan was new and again Morgenstern and Newell demonstrated to the teamsters a great amount of ability.

In 1950, the brewery workers negotiated 5 cents an hour for health and welfare and the first teamster plan was established in this area.

At the same time brewery workers in California negotiated a health-and-welfare plan in which the employers purchased the benefits.

The plan which Morgenstern and Newell obtained for the teamsters here proved to be much better than those in California. Accordingly, the teamsters made Morgenstern and Newell brokers of record for the 11 Western States.

Employers didn't like it, but the teamsters made it stick.

In the West, the teamsters always have operated under highly centralized authority, and this principle was extended to the health-and-welfare programs. It is another reason why all the union's business is placed through one broker.

Walter H. Briem, of Seattle, chairman of the statistical and welfare division of the Western Conference of Teamsters, has general supervision of the plans throughout the West. His salary does not come out of welfare funds.

The union has administrative offices in Portland, San Francisco, Los Angeles, Phoenix, and Denver. Briem doubles as administrator for teamster plans in Washington, part of Idaho, and Alaska.

HANDLING BACKED

Centralized handling of the plans results in more efficient administration, the teamsters say. An obvious byproduct is that it also keeps some local secretary from handling a fund in a way that might embarrass the union.

This thinking was reflected in Beck's unsuccessful effort earlier this year to have his international office screen teamster plans throughout the Nation.

Except for Newell's commissions, the House Labor Committee has given the teamster plans in the West a clean bill of health, the Times learned.

Newell's dealings with Frank Brewster, president of the Western Conference of Teamsters, still are being probed.

The House Labor Committee disclosed at a hearing in Los Angeles in September that Newell had given Brewster 1,000 blocks of stock in an investment trust in 1951, 1952, and 1953.

"COMMISSIONS" LISTED

Committee investigators testified that Newell had told them the payments were in connection with a race-horse stable which Brewster and Newell operate, but pointed out that Newell's income-tax returns listed the payments as "commissions" paid out of Teamster welfare-account profits.

The inference was that Newell and Brewster were financing their stable with welfare money. Both denied it indignantly. They asserted that the money came from Newell's pocket.

Neither Newell nor Brewster was called to testify, though Brewster was attending a convention in Los Angeles at the time. He has stated he wants to testify before the committee and a committee source told the Times he undoubtedly will have the opportunity.

Mr. GOLDWATER. At the very outset of the current hearings on labor racketeering, the names of two Portland men were prominently identified with the original attempts to expose racketeering and political influence in certain labor unions. These two men are Wallace Turner and William Lambert, of the Oregonian, published in Portland, Oreg.

Mr. Lambert went directly from high school into the Army, and after service in the South Pacific he returned and went to work for the Oregon City Banner-Courier, and by 1950 was news editor of the Enterprise Courier, a small daily in Oregon City. He left that organization in 1951 to become associated with the Oregonian. For his efforts in the teamster case, he has been awarded the Pulitzer prize, the Heywood Broun award, and the Sigma Delta Chi award.

His associate in this work, Mr. Turner, is a native of Florida, but he graduated from the University of Missouri School of Journalism in 1943. After the war, he worked for the Springfield, Mo., Daily News, until he joined the Oregonian in late 1943. For his assistance in cleaning up a gambling ring in Oregon, he received honorable mention in the American Newspaper Guild's Heywood Broun competition and received the Press Club of Oregon's award in 1951. He received another Heywood Broun award for disclosing land-fraud operations in 1952, and has recently been awarded, along with Mr. Lambert, the Pulitzer prize, the Heywood Broun award, and the Sigma Delta Chi award.

Instead of attempting to have printed in the RECORD columns which would indicate the scope and intensity of the efforts of these two men, I am offering instead a manuscript which these two gentlemen have prepared for the Quill, a magazine published for Sigma Delta Chi, a national journalism fraternity. This article will appear in the September issue, but I am certain the fraternity will not object to its being printed in the CONGRESSIONAL RECORD just prior to that date. I ask unanimous consent that the article be printed in the RECORD at this point in my remarks.

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

(By Wallace Turner and William Lambert)

A district attorney has been found guilt of failure to do his duty and has been removed from office, a labor leader has been acquitted on the first of 8 indictments against him, some 39 other defendants are in a mad scramble to organize defense on some 100 counts and capitalize on any available breaks.

On the national scene, Dave Beck has become embattled on many fronts in and out of the teamsters union. Jimmy Hoffa has beaten the rap of a bribery charge and leaders of other unions are scurrying for cover as exposure has followed exposure in the Senate labor rackets hearings.

The first series of events is the direct fruit of an exposé published by the Oregonian 15 months ago and only now is finding its belated way through the courts.

The second series makes up a national drama, which threatens to plunge Beck from his throne as head of organized labor's strongest union and perhaps to rend the ranks of the AFL–CIO. It was to this extravaganza that the Portland story served as a prologue.

In the months since April 1956, the Oregonian—one of the Nation's most famous newspapers—has been engaged in the hardest fight of its 106 years. When circuit court resumes in September after a summer recess, other indictments will come on for trial involving those accused by the Oregonian in its exposé series.

Two months of investigation preceded publication of a 12-part series of articles which linked together teamsters union officials, mobsters and Portland's district attorney in a conspiracy to expand vice activities in Portland and metropolitan Multnomah County.

A series of grand jury investigations followed publication of this series. The Oregonian's disclosures also were a key factor in the decision of United States Senate leaders to investigate labor-management rackets. The story told by the Oregonian in the spring of 1956 was unfolded a year later to a national audience in the opening hearing of the newly created Senate Select Committee on Improper Practices in the Labor or Management Field.

As a result of the series, the Oregonian won the public service award of Sigma Delta Chi. The writers, who had been the first witnesses before the Senate labor-management racketeering hearing, won the Pulitzer prize and the Heywood Broun award.

The grand jury investigations had produced more than 100 indictments, some of them against persons accused in the Oregonian's series, others the result of related but independent investigation by the grand jury, the Oregon State Police and the office of the Oregon attorney general. The attorney general was named almost immediately to supersede the Multnomah County district attorney, one of those officials under fire.

Among those indicted who had been accused by the Oregonian were these: William M. Langley, district attorney, convicted on one count and out of office, but with other indictments still to be tried; Clyde C. Crosby, international organizer for Oregon for the teamsters' union, found not guilty on 1 charge, and with 3 left to be tried; Joseph P. McLaughlin, Seattle bookie, and Thomas E. Maloney, Spokane-Seattle hoodlum, intimates of the district attorney and Crosby, as yet untried.

A great many other indictments also were voted. Among those were a dozen or more against James B. Elkins, Portland racketeer who was one of the chief sources from which the Oregonian gained information about details of the conspiracy it alleged. None of the indictments against Elkins, nor those against his employee, Raymond F. Clark, a former policeman, has been tried in the State court. But both Elkins and Clark stand convicted in Federal court of violation of the Federal wiretapping statute.

Meantime, Portland's new mayor, former Sheriff Terry D. Schrunk, last spring was indicted on the charge of taking a bribe and of lying about it to a grand jury. The perjury indictment was tried first and Schrunk was found not guilty. The attorney general has said he will dismiss the bribery charge.

A reporter for the rival Oregon Journal is named on another indictment against Mayor Schrunk. This one charges violation of the State wiretapping statute. Teamster Boss Crosby also is a defendant. The indictment stems from an illegal raid staged by District Attorney Langley, Schrunk, and the Journal's vice investigator, Arthur Bradley Williams, on the home of Clark, the former policeman who worked for Racketeer Elkins

Five tape recordings allegedly containing telephone taps were seized in the raid. The tape recordings, not among the room conversations which Elkins furnished to the Oregonian, were the basis of indictments in both State and Federal courts against Elkins and Clark. Williams, Schrunk, and Teamster Boss Crosby were indicted for copying them, and this indictment named executives of the Journal as coconspirators in alleged setting up of the illegal raid and misusing the evidence so obtained.

It should be noted that recording room conversations is regarded legally as eavesdropping but interception of telephone conversations is wiretapping.

Even 16 months after publication of the Oregonian's series, there has been no letup in the counterattack launched by those accused. Teamster Boss Crosby has filed about $2 million worth of libel suits. Former District Attorney Langley dismissed a $2 million damage action against the Oregonian rather than answer questions in a deposition.

The Oregonian initiated this crusade as a byproduct of another investigation. There had been rumors of teamsters' union connections with racketeers, but nothing to validate the stories until one of the writers, Turner, chanced on it. Turner was assigned to do a research job on an obscure businessman who suddenly blossomed as a leader in the battle of a group of Portland citizens to locate a proposed $8 million coliseum on a site in the eastern section of the city. The businessman also had been involved in a fight against the city's antipinball ordinance.

It was the businessman's pinball activities that caused Turner to go to Elkins, who in addition to his backing of gambling and bootlegging places had operated a pinball "string."

Turner hadn't seen Elkins for many months and was surprised that the 56-year-old racketeer looked so haggard. Questioned by Turner, Elkins offered this explanation: He had been in a fight with the teamsters. Pressed for details, Elkins said he had made some recordings of room conversations which he could produce as evidence to support his story. He produced them and the magnitude of the job became obvious.

Robert C. Notson, managing editor of the Oregonian, assigned another reporter, Lambert, to work with Turner. Lambert had had extensive investigative reporting experience and the two had collaborated on other investigations, reporting their findings under joint bylines.

For 2 months we worked quietly at the job of documenting Elkins' story which we had pried from him a piece at a time. Operating in such secrecy that even other members of the news staff were unaware of the nature of our assignment, we checked documents and interviewed witnesses in Seattle, San Francisco, and Reno.

In Portland, we worked in hotel rooms, switching hotels frequently to avoid detection and the possibility that someone might try to bug our room with a hidden microphone. We rode in rented automobiles which we switched frequently.

Eventually, we reached the point where the bulk of Elkins' account had been corroborated. We had stacks of documentary evidence and affidavits of witnesses. In a safe deposit box were tape recordings, some 70 hours of them of conversations indicating that key teamsters' union officials, District Attorney Langley and various racketeers were involved in a plot to open the town to vice operations.

During the progress of the investigation, Managing Editor Notson and Publisher M. J. Frey had been kept apprised of developments. Few others knew what was afoot, but information began to leak that the Oregonian was investigating the teamsters. We wrote and polished on our series which was then carefully edited. Came the day when it was necessary to decide whether to print. The 2 months of work had been costly. Every prospect was for more expense. So for Frey and Notson, the decision was not an easy one.

The Oregonian was about to stick out its corporate neck and engage in battle with a powerful enemy. Here was an enemy with a powerful economic weapon. The conspirators also could count on the assistance of the district attorney, one of their number, and the district attorney is the most powerful of the local law-enforcement officers.

There was no question that the independent Republican Oregonian would be falsely accused of going into the exposé for political reasons, since many of the accused were Democrats. We also were to be accused of antilabor bias, we knew. Further, it would be known that much of our information came from Racketeer Elkins, long a leading figure in some underworld activities in our town. His background would be used in an attempt to weaken his evidence, we knew.

Then there was the matter of more cost. No one could forecast how long the crusade would continue, or how costly would be legal fees to defend against libel suits we were certain would be filed.

On the other side of the ledger was the opportunity to fulfill the public service obligation of a great newspaper. Financially the Oregonian stood to lose. No crusade could in any way bring in revenue to compensate for the costs of the job that faced us.

The fact that Frey and Notson decided to go into print was a tribute to their courage and determination. They pulled no punches. They told the whole story, not attempting to avoid libel suits by leaving out important elements, or by picking on only the most vulnerable conspirators.

In its first edition of April 19, 1956, the Oregonian began its disclosures. The stories shocked the city and set in motion a counterattack that was just as vicious as the newspaper's executives had envisioned.

District Attorney Langley struck back immediately. He called a grand jury into session and subpenaed three Oregonian staffers, Herbert Lundy, editor of the editorial page, and Turner and Lambert. But the Oregonian's attorneys stifled this by successfully arguing to the court that Langley had no right to investigate—and whitewash—charges against himself. Then Gov. Elmo Smith ordered the attorney general to supersede Langley.

But the district attorney had no intention of being stopped so easily. Within less than a month Langley obtained a search warrant, later held to have been obtained through fraud, and used it to break into the home of Clark, the ex-policeman employed by Elkins. There raiders seized the five tape recordings with wiretaps on them. These were used by Langley to get indictments against Elkins and Clark. They later were used in the successful prosecution of the two in Federal court.

The Oregon Journal published Langley's defensive statements, including a three-part life story in which the soon-to-be discredited district attorney claimed he was the victim of an unwarranted attack by the Oregonian and underworld elements. The Oregon Teamster, weekly publication of the Oregon Joint Council of Teamsters, began a campaign of vilification of the Oregonian, its reporters, editors, and owners.

Both the teamster paper and the Oregon Journal attacked the Oregonian and Elkins. As we had forecast, Elkins' background was cited as a reason not to believe the charges. The attorney general, Robert Y. Thornton, also was repeatedly attacked. Eventually, Kennedy and the Senate Rackets Committee also were assailed.

Thornton's grand jury sat for about 2 months and returned at the end of July with a stack of 38 indictments, more than a dozen of them against Elkins for a variety of things. He was indicted for his bootlegging and gambling activities; he was indicted for having conspired with Crosby, the teamster boss, to control the pinball racket, and for having plotted to profit from the location of the Coliseum. Crosby was a member of the unpaid city commission which was to select the Coliseum's site. Langley was indicted on several counts.

Then began a series of maneuvers by Langley and his deputies. Witnesses named on the chief conspiracy indictment against Langley were subjected to raids by the district attorney's office and sheriff's deputies. Legal attacks were made on the indictments by all the defendants, and a disquieting story began to emerge: Many of the indictments were technically faulty. They were ordered resubmitted to the grand jury.

In the fall, the situation quieted. But in November, Robert F. Kennedy, then chief counsel of the Senate Investigating Subcommittee, came to town. He examined the Oregonian's evidence and began interviewing witnesses. At first Elkins, the most-indicted man in town, was reluctant. But he cooperated and was the star witness when Kennedy opened his presentation for the new labor-management racketeering committee in late February 1957.

We were the first witnesses and acquainted the committee with the general nature of what the Oregonian had done. Then came Elkins and a horde of witnesses produced by Kennedy's investigators. Eventually came Langley's turn. He took the fifth amendment about 100 times.

Then Langley came home and was tried on a neglect-of-office charge, convicted, and removed from office.

Meantime, Kennedy continued to pursue the top teamsters. He had Crosby on and Crosby denied any connection with Elkins, controverting the evidence to show he had known Elkins well and had been associated with him. He had on Frank W. Brewster, top teamster in the West, and Brewster eventually had to admit he had misused union money but planned to pay it back. He had Dave Beck, the most bellicose, bellowing teamster of them all. And Beck took the fifth amendment.

The Oregonian, aided by the national attention of the Senate hearings, continued vigorously the battle to clear the city of an undesirable alliance between certain leaders of a powerful union and the underworld.

Mr. GOLDWATER. The city of Scranton, Pa., has produced two outstanding examples of newspapers and newsmen working for the best interests of their community against the machinations of a union organization bent on terrorizing the city. The chief associate editor of the Scranton Times, Thomas F. Murphy, doggedly pursued the hoodlums who were in control of the local teamsters union to the end that police action finally came and the entire matter was exposed to public view. In recognition of this work, the University of Scranton, at its June commencement this year, conferred upon Mr. Murphy an honorary degree of doctor of laws for his contributions to the American way of life, notably his writings on matters of labor and the welfare of labor. Mr. Edward J. Donohoe, the city editor of this newspaper, has written an exceedingly interesting article on Mr. Murphy and his fight against hoodlumism which I ask to have printed in the Record at this point in my remarks.

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

Tom Murphy Versus Dynamiters: Long Campaign Was Not Against Unionism, but for Fair Play

(By Edward J. Donohoe)

Let me tell you about a fellow named Tom Murphy.

He happens to be a newspaperman.

But more than that, he is a citizen who believes in the American way of life, in orderly process, human dignity, in fair play, and in moderation.

Tom Murphy is a quiet man, but he is a fighter, too.

His rugged Irish face, disarming smile, and gentle voice do not betray the intensity of the burning, hereditary love of freedom that has been his trademark over some 60 eventful years as reporter and editor of the Scranton Times.

He is no Johnny-come-lately in the defense of human rights. And nowhere in the vibrant editorials which fill the pages of Tom Murphy's long journalistic lifetime has it been written that he ever chose expediency over the dictates of his conscience.

In what kind of community does Tom Murphy live and work? What did he do to safeguard those principles of fair play and moderation upon which the American tradition is based?

Not, necessarily, the ancient traditions that bulwark powerful, articulate rights such as free press, free speech and freedom of worship, but the newer brand that guarantees to the lowliest or most ordinary citizen, under the law, the fullest privileges of thought, decision, and action.

And even more, in this complex age, a guaranty of the modern application of fair play, assuring complete, uninhibited protection, also under the law, from vandals who, by unlawful acts, would wantonly seek to deprive any American of his rights.

I give you this example:

Scranton, Pa., where Tom Murphy has labored long as associate editor of the Times, is known as a union town.

Here, John Mitchell organized the coal miners, and as president of the United Mine Workers of America, led them through one of the most violent eras of this Nation's industrial life.

Tom Murphy and John Mitchell were friends.

Here, in Scranton's Cathedral Cemetery, John Mitchell lies at rest. Here, on Scranton's Courthouse Square stands an imposing granite likeness of frock-coated John Mitchell. It is America's first such memorial to a labor leader, built by public subscription.

Tom Murphy has written many editorials on the significance of Mitchell Day (October 29) when hard-coal miners suspend their labors and place floral wreaths at Mitchell's feet.

MINERS ONCE MARCHED

In Tom Murphy's time as a Times reporter, tens of thousands of miners marched around Courthouse Square in celebration of economic gains won for them by John Mitchell.

Yes, and in Scranton, even before John Mitchell, lived Terrence V. Powderly, Grand Master Workman of the Knights of Labor, the secret labor union which was the forerunner of the American Federation of Labor.

Tom Murphy came to know Terrence V. Powderly, too. A colorful and controversial union figure, TV was thrice-elected mayor of the city of Scranton, the first labor mayor on the American scene.

And what about Tom Murphy's own personal participation and contributions to the cause of organized labor?

Before the turn of the century, Scranton had become known as a newspaper graveyard. It was said a good reporter worked only long enough on some publications to earn the price of a train ticket out of town. Tom Murphy helped organize Scranton Newswriters Union No. 3 which brought that unpleasant era to an end.

CHARTER MEMBER TWICE

Labor union charters were obtained by Scranton newspapermen in 1904 and again in 1907. Tom Murphy was one of the incorporators both times. He planned and worked in behalf of the union with other visionaries of that day: John F. Sullivan of the Boston Globe, noted labor writer of his time; John P. O'Connor, brother of the famous Tay Pay O'Connor of England, and many more.

That union and its successor, the American Newspaper Guild, have had more than a half century of uninterrupted contractual relationships with Tom Murphy's publishers. Within the same newspaper framework are a variety of other unions, each with its own history of amicable, gainful and mutually beneficial dealings with the Times management.

Greatness, circulation, and affluence came to Tom Murphy's newspaper as over the years it championed the rights of labor. It defended the miners through the dark days when feudal coal barons were invoking their "divine right" to do what they pleased with a God-given natural resource. Tom Murphy's editorials contributed much to this success and prestige.

Editorially, under his aegis and in the news columns, all labor disputes were treated on their merit, equity, and relation to the public interest. Always there was constant awareness of the fact that there are two sides to every controversy and that any given situation can generate contradictory interpretations. As Tom Murphy often observed, "It all depends on which side of the street you're walking."

In this favorable climate, unionism in Scranton has flourished for more than a half century.

Indeed, it is a union town.

And Tom Murphy, union charter member, likes unions. He couldn't feel otherwise.

But, let's not forget, Tom Murphy believes, above all, in the American way of life, in fair play, and in moderation.

Andrew Ruby, a middle-class dental technician, decided to build a home for his family. He chose a plot of ground only about 2 miles from the central city business district.

Wage rates of building tradesmen are high in Scranton. It is a union town. The only construction work that isn't union falls into the do-it-yourself category.

Andrew Ruby decided to utilize nonunion labor, or, in any event, he elected to deal with a contractor who wasn't union. He had a right to do so, if he felt like it. There's no law against it.

His builder, Edward Pozusek, began the job. Shortly he had visitors. There was some tough talk about somebody "getting ulcers" if union labor wasn't employed.

Edward Pozusek, who lives some 16 miles from Scranton, was not persuaded to go along. He kept his men working.

Some time after midnight on May 1, 1954, a charge of dynamite was set off in the basement of Andrew Ruby's partly completed home.

Police were called. Damage was not extensive; in fact, it was quite minor. But the technique of the goon squad was unmistakable. Tom Murphy's newspaper gave the story a pretty good play in the news columns; others paid little or no attention.

Forty-eight hours passed. The investigation lagged. No one seemed overly interested. Perhaps it was cynicism, probably it was simple public apathy. That might be par for the course in a union town. When good wage scales are threatened, not many unions stand idly by. But there are effective legal pressures, too.

Here, however, was a clear, open challenge to the principles in which Tom Murphy believes above all, in the American way of life, in fair play, and in moderation—20th century style.

On the second day after the dynamiting—there was an intervening weekend—Tom Murphy sat down and wrote an editorial: Get the Dynamiters. It was calm, mild, and reasonable. But those who knew Tom Murphy recognized his hallmark. He had enlisted for the duration.

This was the first of many editorials.

Police statements to reporters that the dynamiting baffled them, left Tom Murphy unimpressed. His first editorial had pointed out that the identity of the visitors to Andrew Ruby's home was no mystery. From the beginning he urged that Scranton police, if they find themselves stymied, should avail themselves of the crime detection facilities of the Pennsylvania State Police.

WRITES PROVOCATIVE EDITORIAL

Weeks passed and nothing developed. Tom Murphy's seventh editorial was a provocative one: Are the Dynamiters Laughing? There had been no apparent change in the earlier disinterest of townspeople. Perhaps their attitude had by this time resolved to cynicism.

Union circles, generally, swung to the view that Tom Murphy, friend of long standing, had launched a persecution of organized labor per se. To them it seemed out of focus. Were not the police professing complete bafflement? Other newspapers had yet to publish a single line of editorial opinion on the dynamiting. No one but Tom Murphy, really, seemed to care whether arrests were made. Why not forget about the whole thing? Nobody was hurt, much.

During the first 10 weeks following the dynamiting, Tom Murphy wrote 11 editorials, repeatedly demanding that the city investigation be broadened. It was after the 11th editorial that the district attorney's office entered the probe, along with crack men from the Pennsylvania State Police.

On October 8, 1954, 5 months after the dynamiting, the augmented police detail arrested one Paul Bradshaw, a minor union figure, an ex-prizefighter, reputed to be a "strong-arm guy." Subsequent events were to show, after the roof fell in, that he wasn't so tough, at all.

Bradshaw pleaded innocent but a criminal court jury did not believe him. He was convicted on Saturday, February 5, 1955. On Monday, February 7, his first publishing day following the conviction, Tom Murphy told colleagues: "Watch things happen from here in."

Then Tom Murphy wrote another editorial: Now Get the Others.

Thereupon ensued feverish activity back of the scenes.

Bradshaw, sweating out the prospect of a long penitentiary imprisonment, called a conference in the apartment of his sharp-witted girl friend.

The room was bugged for a hidden tape recorder. Everybody had lots to say about the Ruby job, including the invited guests who didn't know, of course, that a concealed microphone was recording the discussions.

MUSIC STARTS GOING 'ROUND

Not long after, Bradshaw decided that he was not going to take the rap alone. He sang. The first perjured lyrics—there were variations as time went on—implicated four accomplices, smalltime hoods like himself.

They pleaded guilty in criminal court.

Now there were reports that the case was ended with the hoods behind bars and Bradshaw, referred to flatteringly by his accomplices as the mastermind, awaiting sentence. These reports were given widest currency in union circles.

Tom Murphy just kept writing editorials: "What About the Others?"

Then, suddenly, came a grand jury probe, ordered by the president judge of Lackawanna County.

Six topflight officials of four big unions in the building and transportation fields were indicted on September 23, 1955.

These men were prominent in community politics, civic activities, etc. They occupied positions of power and influence in areas beyond their union jurisdictions.

The sweeping indictments—felonious use of dyanmite, conspiracy, malicious mischief—in varying combinations of defendants, embraced additional figures.

GOODBYE, GOON SQUAD

The grand jury too. had dug into instances of goon squad hoodlumism that had gone into the records as unsolved. Perhaps this was due to someone's misinterpretation of a union town.

But at the top of the list were those Tom Murphy had repeatedly referred to over the period of his unrelenting editorial campaign as the others.

For the first time in 16 months, Tom Murphy rested at his editorial labors. Younger colleagues were asked to finish the job.

The top defendants went on trial. When a criminal court jury deadlocked, 11 for conviction and 1 for acquittal, and was discharged, Tom Murphy came forward with the benefit of his long newspaper experience.

The district attorney immediatly launched investigation into rumored jury fixing. One juror was arrested on a morals charge.

The second trial was as lengthy and hard-fought as the first. But this time the verdict was conclusive: Guilty as charged.

Tom Murphy wrote all but a few of the 26 editorials appearing in his newspaper between the time Andrew Ruby's home was dynamited on May 1, 1954, and the conviction of the top union leaders on October 23, 1956. He directed the writing of the several he didn't do personally.

The 27th editorial was written October 24, 1956. It was captioned: Justice Is Served.

The **PRESIDING OFFICER**. The time of the Senator from Arizona has expired. Does the Senator have another item?

Mr. **GOLDWATER**. I have two more items. I ask unanimous consent that I may continue for not more than 2 minutes.

The **PRESIDING OFFICER**. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. **GOLDWATER**. The other newspaper in Scranton, the Scrantonian, has on its staff a writer by the name of J. Harold Brislin, who has been recognized by Time magazine and Westbrook Pegler as one of the outstanding men in the field of labor today. He comes from a newspaper family and has been cited many times for his work in investigative reporting. He, like many other men in the newspaper profession, is also a union member, having been president of Local No. 177 of the American Newspaper Guild. This, however, has not prevented him from recognizing that goons and hoodlums, racketeers and crooks, infest a part of the movement he so loyally embraces, and he has directed his brilliance and ability to exposing these people. I ask unanimous consent that several columns from this newspaper written by and about Mr. Brislin be inserted at this point in my remarks.

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

[From the Scrantonian of October 24, 1956]

TRIBUNE-SCRANTONIAN UPHELD IN PUSHING PROBE OF BLAST

Enterprise and determination of the Tribune and the Scrantonian in pressing the investigation of a North Scranton dynamiting case to a logical conclusion were largely responsible for the series of dramatic developments which followed the conviction of Paul Bradshaw in February 1955.

When Bradshaw was convicted the probe subsided and to all practical purposes appeared to have stopped—despite the fact that the general public was not satisfied that Bradshaw was alone in the commission of the crime.

Yesterday's conviction of four top labor leaders—as well as the earlier confessions by four members of Local 229, General Drivers Union—demonstrated that the public had ample justification for its opinion.

In his closing address to the jury, District Attorney Carlon M. O'Malley delivered ringing words of praise for the accomplishments of the Tribune and the Scrantonian, adding that Bradshaw, through the two newspapers, "handed on a silver platter" the statement which brought about the indictment of the four men.

In may 1955, after more than 3 months had passed since the conviction of Bradshaw without disclosure of further progress in the case, Bradshaw approached J. Harold Brislin, reporter for the Tribune and Scrantonian, on the street and indicated a willingness to talk—and to back up his talk with evidence in the form of tape recordings.

Bradshaw asserted that he and Miss Helen Canfield had secretly secured tape recordings of conversations with two of the four local 229 members who subsequently pleaded guilty to participating in the dynamiting of a nonunion home project in North Scranton on May 1, 1954.

Those recordings, of discussions with George Murphy and William Munley, gave the impression Bradshaw was innocent of the bombing, despite the fact he actually was involved, because he argued against the use of explosives.

The tapes also tended to free labor leaders of responsibility because repeatedly it was stressed that they didn't want a dynamiting. Bradshaw from the outset has maintained the position that the labor leaders opposed dynamite, while insisting they did desire the nonunion job sabotaged.

Bradshaw and Miss Canfield produced the tape recordings. Duplicate copies were made and retained by the Scrantonian and the Tribune. The originals were turned over to District Attorney O'Malley, together with sworn affidavits by Bradshaw and Miss Canfield.

Things happened fast after that delivery took place.

District Attorney O'Malley called in his county detectives, city detectives John J. "Sparky" Owens and officers from the Blakely barracks of the State police. Those named by Bradshaw—Robert X. Hubshmann, Murphy, Munley, and Joseph Malloy—were rounded up in a matter of hours.

After initial interrogation at the district attorney's office they were transported to the Blakely barracks where the grilling continued for several days—ending finally with the confessions of all four.

However, they refuted part of Bradshaw's first story to the Scrantonian and the Tribune—that the ex-steward for Local 229, General Drivers Union, was not involved. Rather they asserted, correctly as subsequent developments showed, that Bradshaw was an active participant in the plot to damage the property being built at 1045 North Main Avenue by a nonunion contractor.

District Attorney O'Malley, in addition to arresting Hubshmann, Murphy, Munley, and Malloy for felonious use of dynamite, placed fresh charges of perjury and conspiracy to obstruct justice against Bradshaw and also booked Miss Canfield for conspiracy to obstruct justice.

Then District Attorney O'Malley was quoted in the evening paper as labeling as a hoax the sensational developments which broke the case the police had not been able to crack.

And to the further amazement of the public, the district attorney also was quoted in the evening paper as classifying the dynamiting case as completely solved with no top labor leaders being involved.

While the case was being labeled a hoax and completely solved, the Scrantonian and the Tribune were busy obtaining additional and even more sensational information from Bradshaw—who had been tagged the mastermind of the dynamiting.

That additional information, much of it incorporated in a second statement by Bradshaw and the balance verbally passed along to authorities by Bradshaw and this reporter, involved the labor leaders who were found guilty of criminal conspiracy yesterday.

When the second statement and additional information was turned over to authorities it touched off renewed activity, climaxed by a special grand jury investigation and the indictment of six labor leaders, including the four convicted yesterday in connection with the dynamiting.

Also indicted, in connection with another alleged sabotage job on a nonunion contractor, were Robert Malloy and Joseph McHugh, business agents of local 229. Two of the quartet found guilty yesterday, Philip Brady and Joseph Bartell, also were indicted as participants in the second sabotage job—at the Denny property on the East Mountain.

John Durkin and Anthony Bonacuse, the other two labor leaders convicted in the dynamiting conspiracy case, are not among the defendants in the Denny case which is still to come to trial. The first conspiracy trial, last February, ended with the jury deadlocked 11 to 1 for conviction.

Public officials and police officers working on the investigation and prosecution of the accused men included:

District Attorney O'Malley and First Assistant District Attorney William J. Kearney who handled both conspiracy trials of the four labor leaders; City Detective Owens, First Sgt. John J. Tama and Trooper Leo McDonnell of the State Police, and County Detectives Thomas "Tim" Vellela and Adam Wojchiechowski.

[From the Scrantonian of May 1, 1957]

MAJOR NEWS BREAKS CREDITED TO BRISLIN

The biggest news breaks in the Scanton labor racketeering scandal are credited to Scranton Tribune reporter J. Harold Brislin in this week's Time magazine, which hits the newsstands tomorrow. Time calls him tough, aggressive.

Leading off its The Press section, the news magazine said:

"When Teamster Steward Paul Bradshaw went on trial for the dynamiting in 1955, a tough, aggressive Tribune reported named J. Harold Brislin interviewed him and wrote a story after his conviction asking: 'Will Bradshaw talk?'

"Four months later, out on bail and embittered by the way his union pals had let him take the rap, Paul Bradshaw decided at last to talk—to Harold Brislin."

The magazine article continued:

"In a series of surreptitious midnight conferences at Brislin's house, Bradshaw and girl friend sang out the story of the dynamiting and allowed the newsman to copy tape-recorded conversations by the four other goons who had done the job. With affidavits from Bradshaw and girl friend in hand, Brislin turned his story into the Tribune city desk and handed over his evidence to the district attorney.

"Within 3 days all four dynamiters had confessed.

"Brislin's continuing exclusive series in the Tribune * * * led to grand jury indictments against six local union leaders and four of their goons. Later Brislin turned over his files to McClellan committee investigators and even accompanied Witness Bradshaw to Washington.

"Convinced that the committee and the press have 'still only scratched the surface' in Scranton, Newsman Brislin (whose city editor says he has vinegar in his blood) last week was digging deeper into the story that he has followed for 25 months."

Leading off its article, Time magazine said:

"In a society as complex as the United States, it takes more than one man, or one newspaper, or one committee to focus the national attention on a serious problem. While the United States Senate's McClellan committee has produced the national headlines on labor racketeering, it was vigilant newsmen from Des Moines to Portland, Oreg., and back to Scranton, Pa., who sparked the Senate investigation and provided the scattered local fragments that fell into a nationwide kaleidoscope of corruption and violence. The pattern of partnership showed sharply this week as Senator JOHN MCCLELLAN's men wound up their hearings on union terrorism in Scranton."

The magazine article observed that "In a few cities have union bullyboys faced a more obdurate press than in Scranton."

The article commented on sensitive white-haired Thomas F. Murphy, editorial page editor of the Democratic Evening Times. It said:

"A Times man for 60 of his 77 years, fighting Tom Murphy is a stanch unionist; in 1904 he helped found the Newswriters Union, a forerunner of the American Newspaper Guild. But in recent years, as labor goons and commissars pushed their thumbs deeper into Scranton's economic windpipe, old Tom hammered tirelessly at union despotism."

[From the Scrantonian of May 3, 1957]

PEGLER LAUDS BRISLIN FOR BEST REPORTING

Columnist Westbrook Pegler who often aims his typewriter at labor racketeering today hails Tribune Reporter J. Harold Brislin's work on the Scranton labor situation as the best job of reporting among all newsmen credited with ventilating labor scandals stretching to Oregon.

In his column this morning on the Tribune's editorial page, Mr. Pegler described Brislin's job as a great job of old-style reporting.

For the second time in 48 hours Tribune Reporter Brislin received national acclaim first through Time magazine which capsuled Brislin's job of exposing behind-the-scenery conspiracy, and today through the Pegler column which is nationally syndicated.

Time hailed Brislin's reportorial work as tough, aggressive, and said he is still digging deeper after 25 months of investigation.

On previous occasions Pegler praised Brislin's work. Today however, he places the Tribune reporter's efforts as the No. 1 job among all newsmen involved in digging up facts leading to Senate probing of labor scandals.

Pegler charges the Kennedy brothers, John and Robert, the former the Senator, the latter the Senate committee's chief, with taking bows for work done by Brislin and other reporters.

Mr. GOLDWATER. Next I present a brief résumé of how a daily newspaper put a halt to teamster labor recruiting in a community of 35,000 persons by exposing the strong-arm tactics of tough union organizers, arousing the community with front-page editorials and news stories into virtually running the labor racketeers out of town.

The year was 1943, a time when the United States was at war.

The community was Port Huron, Mich., which is 65 miles north of Detroit.

The newspaper was the Port Huron Times Herald.

The publisher of the newspaper was Louis A. Weil, Sr.

A teamster goon squad from Detroit, led by Maurice Coleman, a chief lieutenant of James R. Hoffa, and who had a long police record of violence, moved into Port Huron in early March of 1943, to organize the truck drivers of Port Huron's dairies. There had been no request on the part of the drivers for unionization; nor were there any complaints of bad working conditions or low pay.

Coleman was aided by 10 organizers from Detroit—who also were reported to have long police records—and the late Lester "Cuts" Burde, an ex-prizefighter and bartender, who was the local teamster business agent.

Coleman and his goons were armed with baseball bats, tire chains, and an assortment of other makeshift weapons. They drove new automobiles and had C gasoline-ration stamps, which gave them unlimited motor fuel for their cars.

There was no meeting between Coleman and the milk truck drivers of Port Huron. Nor was there any contact made by him or his organizers with the dairy employees to form a local union chapter.

Coleman, instead, went to the dairy owners and told them to organize their workers and pay their dues, or else. Despite the fact that there was not one employee who belonged to the union in all the dairies, the teamster goons struck the plants by setting up picket lines, warning the workers that there would be violence if they crossed the picket lines.

The strike action strangled Port Huron's milk supply.

A team of two Times Herald reporters dug up the facts and the newspaper published them on page 1.

The publisher, Louis Weil, wheeled into action with hardhitting, two-column, front-page editorials while the reporters continued to get the facts, the background record of the goons, and kept a constant vigilance in tracing the movements of the teamster organizers.

Owners of the dairies came forward with their stories. One of them was Mrs. Ada Wurzel, a civic leader who devoted her spare time to Red Cross activities in the war effort. The day she was approached by Coleman was the same day that she and other Red Cross workers accompanied 175 draftees to Fort Custer.

The exposure of the tactics of the teamsters by the newspapers aroused the community. Money was raised to help the milk truck drivers who were thrown out of work.

The junior chamber of commerce and other groups held public meetings, and the wrath of the community came to the boiling point. There was open talk of tar and feather parties for the organizers. The police had to stand by, because there was no open violence, and the courts were powerless to act.

The editorials and news stories continued, despite anonymous telephone calls to the publisher. The unknown callers threatened to bomb the newspaper plant. The news reporters also got threatening telephone calls. As tension mounted, the community became more and more aroused. Groups of citizens formed where the organizers were housed, despite the fact that they moved quarters several times.

The teamster organizers quit under pressure. They moved back to Detroit. The milk strike was over. The truckdrivers went back to work. No one wanted to belong to the union.

Mr. President, I ask unanimous consent that articles from the Times Herald be printed at this point in my remarks.

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

[From the Port Huron Times Herald of March 16, 1943]

DRIVE OUT THESE OUTLAWS

The people of Port Huron today are being made the victims of as fine a bunch of pirates as ever scuttled a ship.

Babies are being deprived of milk and sick persons are suffering because a lot of racketeers have this city's milk supply shut off.

It is an intolerable situation and one which demands prompt and decisive action from State and Federal authorities.

Milk drivers of Port Huron, refusing to be forced into a union against their will, have asserted their Americanism and rebelled against as rotten an attempt to invade their sacred rights as has ever been witnessed in this or any other American community.

This is not a question of whether a union is a good thing, or whether it isn't.

It is not a question of employers standing in the way of their employees to organize a union.

It is not a question of wages, hours, or anything else of that kind.

This is simply and solely a question of whether a crowd of highbinders, led by a few outlaws, are going to be able to cram down the throats of good decent Americans a union contract upon which the racketeers can take a rakeoff for themselves.

It is an unthinkable thing, the sort of thing that Adolf Hitler has tried to force upon free men and women all over the world.

It is something which should never for a minute have been allowed to go as far as it has already gone without someone being placed behind prison bars.

Employers, protesting that they have no control over whether their men may consent to join a union, have been laughed at and told to get busy, or they would be put out of business.

Their customers have been taken away from them, or picketed by as frowsy and lousy individuals as could possibly be obtained.

They have been plainly and brazenly told to go ahead and organize their men and that the so-called labor leaders were only out for the dough.

"Come across or else," they have said in just those words.

Decent labor leaders in this community have been shocked by the tactics employed and have so informed this newspaper.

If this sort of thing can go on in this country without any interference from State or Federal authorities there is little use trying to fight a war for freedom.

Why should our sons be spilling their blood all over the world, while a lot of bandits are being permitted to ply their dirty trade at home?

The Times Herald believes the milk drivers are doing exactly the right thing and that they have only done what every decent American would do under the circumstances.

They are not antiunion, or anything of the kind.

They are simply demanding the right, which they are entitled to under the law, to vote themselves on whether they should unionize and, if so, what union they should join.

Their employers would be in direct violation of the Federal law if they attempted to force an organization on them.

The time has come for a showdown.

Drive out these outlaws.

[From the Port Huron Times Herald of March 17, 1943]

WHY NOT A GRAND JURY?

Here are a few facts concerning the manner in which the racketeers, who are responsible for failure of babies, sick persons, and others to get milk, have plied their rotten trade in Port Huron.

Morris Coleman, their so-called international agent, approaches an employer and says, "We want to organize your men into a union."

The employer replies that it is all right with him and for them to talk with the men and see if they want to join.

That's the last the employer hears of them for some time.

Then he gets a letter telling him that, unless he proceeds to organize his men into a union (regardless of whether they want to join and regardless of the fact that it is illegal for him to form a union) they will picket his place and his customers.

They proceed to boycott him.

They also tell the employer that they "Don't give a damn about the men—all they want is the dues."

They state that "these teamsters are an ignorant lot—any man can drive a truck" and that all they are concerned with is getting them "organized" in any way they can.

They want the money.

These are facts.

There are statements that have been made to the Times Herald by responsible men and which we stand ready to prove.

These are the methods of racketeers and not decent and responsible labor leaders.

A grand jury investigation in Port Huron might put some of these racketeers right where they belong.

This is not a question of unionism.

The Times Herald is a union shop and it wouldn't have anything else.

For more than a third of a century we have had union contracts wherever men wanted them and we have as fine men as ever worked anywhere—men of the very highest type and standing in this community.

They are not racketeers.

They are real Americans.

Why not a grand jury to reveal to the public the methods of the persons responsible for the facts that babies and invalids and sick persons, as well as the general public are being deprived of their daily supply of milk?

Why not?

[From the Port Huron Times Herald of March 18, 1943]

HOW DO YOU LIKE THIS?

The Times Herald wants to thank the hundreds and hundreds of persons who have called or written us during the past few days in commendation of the attitude of this paper with regard to the milk situation here.

We greatly appreciate the confidence expressed in this newspaper, but the fact of the matter is the Times Herald is simply doing its plain duty as an American newspaper published in an American community.

When a lot of gorillas and racketeers get a community by its throat and attempt to take over, there is nothing a self-respecting American citizen can do but to fight to the limit of his ability.

We sent our sons to Africa, to the Pacific, to Iceland, and all over the world to die, if necessary, on the battlefields and ships that we might be free over here and the very least we can do is to try to protect their wives and babies at home while they are fighting for us.

God knows if we don't do that we are lost.

This newspaper is a firm believer in the right of organization and collective bargaining, if employees so desire. But to force them against their will into a union through illegal pressure on their employers is a racket not indulged in by honest union leaders.

The degree of patriotism possessed by these scavengers in the guise of labor representatives is best illustrated by what took place in a meeting of the milk wagon drivers with Lester (Cuts) Burde, former bootlegger and prizefighter, now business agent of the bartenders union.

Frank Houk, one of the drivers, prompted by a remark by Burde said: "In other words you and your organization are taking away the right of independence that is given to every American citizen."

At this point Houk was interrupted by Burde who exclaimed,

"Aw, don't give us that American s———." (Too filthy to print.)

Attesting to the absolute accuracy of this statement are Houk, Clarence R. Smith, William Duncanson, Alger Ashley, Clarence Ogden, Thomas Odom, and Walter Harris, all good American citizens and drivers of milk trucks.

Do you wonder that decent men of this type object to being ruled and lorded over by such filth?

What do you American Legion boys, who fought for their country in the last world war, think of this?

Do you believe decent union men and responsible union leaders will stand for this sort of talk, with their own sons fighting for America today?

Burde is the man responsible for the boycott declared against restaurants and others who sell milk delivered by nonunion teamsters.

Burde is the man responsible for picketing.

There was a time in the United States of America when they didn't fool with people of this type, but things seem somewhat different today.

Surely there is some way under the law to deal with the Burdes and Colemans and other racketeers and surely our law enforcement officials cannot, in all decency, permit this sort of thing to go on.

If we do, we have lost the war before our boys come back and they will return ashamed of their fathers and brothers and everyone else.

Why not a grand jury?

[From the Port Huron Times Herald of March 20, 1943]

AND THIS IS THE UNITED STATES OF AMERICA

This is the fifth of a series of page one editorials revealing to the public the tactics of the labor racketeers in plying their filthy trade.

Lester "Cuts" Burde, exbootlegger and prize fighter and, of all things, ex-strikebreaker himself, the so-called business agent of the bartenders' union and the restaurant employees, walked into the cafeteria of Mueller's a few days ago.

Here is the conversation as related to us by one of the girls (we have her name and address) who was employed there, but who quit rather than be forced to pay tribute to Burde.

"Why don't you get your employees organized here?" demanded Burde of the proprietor. "Didn't I tell you to get busy?"

The proprietor said he just didn't happen to have the time.

"Well," exclaimed Burde, "we'll have no more fooling. You get this place organized or else ——."

As a parting shot Burde declared:

"I don't want you to wait longer than Monday or Tuesday, do you understand?"

The proprietor meekly said he did.

Incidentally Burde informed this young lady that, having once before been a member of the union, she would have to pay $8.25 to rejoin if she wanted to hold her job, and in addition she would have to pay $1.75 a month dues.

The girls who do not belong to the union must pay $5 to join and $1.75 a month thereafter. Occasionally they are fined by Burde to the extent of $5.

They have nothing to say about whether they wanted to join this union or any other union. They were to be organized by their proprietor and all Burde wanted was "the dough."

This is what has been going on in Port Huron, where this former bootlegger has been strutting about the streets, threatening and boycotting businessmen and taking blood-money from a lot of helpless working girls.

This is the sort of thing which brought on the refusal of the milk drivers to give up their sacred American rights and be forced to join a union which frankly tells them they will do nothing for them and that they don't give a damn about them.

This is the sort of thing which started our forefathers in the flight for American freedom and finally resulted in the Boston Tea Party.

And yet there are a few individuals so lacking in patriotism and so selfish and concerned with their own comfort, that they wonder why the drivers quit their jobs rather than give up their sacred freedom.

Thank God from the great majority there has come a response to the action of the milk drivers which shows that the heart of America is still sound.

There is a way, under the law, to organize a union.

That way is to go to the employees and get them to join of their own free will and accord.

No employer may, under penalty of the law, interfere with this.

The purpose of a union is to improve the working conditions and to seek fair wages and other rights and privileges for the workers.

The purpose of the racketeers is to get a soft living by shaking down a hard-working man or woman.

There are people who ask, "Why don't they go to the courts for protection?"

We are ashamed to say there is no protection from the courts.

This same outfit which has plied its filthy trade here recently said "to hell with that injunction" which had been issued by the court in behalf of a local concern.

And that's their attitude and the courts find themselves helpless.

These are things the public should know.

These are facts which the rotten racketeers cannot refute.

Our soldier boys who are fighting for their country in far-off lands while Burde and Coleman are holding up their fathers and mothers and interfering with the delivery of milk to their babies at home will be interested in this.

If they haven't already heard about it we shall tell them when they get back, and we doubt if Port Huron will be a very healthy place for these slimy individuals.

When the cowardly Coleman came here he called Ada Wurzel on the phone.

"Why haven't you organized your men?" he asked Mrs. Wurzel.

Mrs. Wurzel told him her husband was handling the matter and that the men told Mr. Wurzel they wouldn't join a union.

"I'll tell you something," this bully said to Mrs. Wurzel, "you will organize these men or else——."

And this is the United States of America.

[From the Port Huron Times Herald of March 21, 1943]

WE WANT PUBLIC TO KNOW

This morning the Times Herald had a telephone call—among hundreds of other good citizens who are fighting mad—from Mrs. William DeMars, of Lakeport, president of the parent-teacher association of that community.

Yesterday Mrs. DeMars' son, Wilbert, left for Fort Custer with 170 other Port Huron and St. Clair County boys to fight for his country.

Now Mrs. DeMars wants to know why her son should be taken to some foreign land to fight Japs and Germans in order to preserve our freedom, when we are losing it at home.

Frankly, Mrs. DeMars we find it difficult to answer your question.

We don't know what good it is going to do to send our sons to far-off foreign lands to fight for us, if we are going to permit the leeches and racketeers of the kind who are now operating in this community to take away our rights as American citizens.

Coleman and Burde and their dirty gang are not interested in this American s———, and Burde has plainly said so to the milk wagon drivers.

All they want is a rakeoff on the pay of a lot of working men and girls—$2 or more a month.

Coleman came to Port Huron in a big new Buick car with a "C" license and so have his associates.

An honest workingman couldn't get a "C" license to save his neck, but a labor racketeer can get one simply by asking for it.

Nice situation, isn't it, Mrs. DeMars?

Bet your husband who probably works hard for his living every day, can't get one.

Coleman didn't go to the milk-wagon drivers and ask them to join a union—not that racketeer.

That isn't his way of working.

He went to the employers, driving up in his big new car, and told them to get busy organizing their men or else.

Those were his words, not in one particular place, but in many places he visited.

He said he "didn't give a damn" about the drivers, but was simply a businessman interested in getting "the dough."

The drivers, he said, are an "ignorant lot and anybody can drive a truck."

He didn't promise any better wages, working hours, or conditions, or anything else to the men. He didn't even talk to them and said "to hell with that."

The Times Herald has Mr. Coleman on record and we haven't yet completed the publication of the record.

The whole purpose of these editorials is to make clear to the people of this community and the readers of the Times Herald everywhere what is really going on in this good old United States of America which we all love so well.

We want the public to know something of the methods of labor racketeers, to whom we have referred on many occasions, as distinguished from decent, responsible labor leaders, who are really trying to improve working conditions among working people.

As we have said before, the Times Herald has had a union and a closed shop for a third of a century, and we would have nothing else today under any circumstances.

But we deal and work with honest, responsible, fine Americans who are not out to take pennies from a dead man's eyes.

We don't have any "Cuts" Burdes or Morris Coleman's around our shop, ready to grab off part of the wages of hard-working girls who only get a living.

We want a showdown and we want the authorities in high and low places to help us get it.

We want to put some of these gorillas where they belong and we're not going to be "shushed" by anybody.

We're still free, thank God, and we're going to keep right on fighting to maintain that freedom as long as we live.

Mr. GOLDWATER. Mr. President, my colleagues will wonder why I have used the time of the Senate today and have asked for this large amount of space in the CONGRESSIONAL RECORD, and I believe an explanation is due them. It is often said that the American people do not read the editorial pages of their newspapers, and, from the expressions of surprise at the exposés being made by the McClellan committee, I am inclined to agree. The situations that are being unfolded are not new; they have existed for years, and many eminent newspapermen and newspapers have been discussing them daily in their editorials and on their editorial pages through the medium of columns.

That we have had our Fays, our Becks, our Johnny Dios, our James Hoffas, our Willie Bioffs, our Frank Brewsters, should not come as a surprise to anyone, but the fact that it does causes me today to make available to my colleagues and to those who read the RECORD some interesting background and material which I hope will show the extent to which these misdoings have been covered for many years.

I also wish to point out at this time the great results which real investigative reporting can accomplish for the protection of our institutions and our way of life. Reporters who are willing to go after the facts, to dig them out, to analyze them and to present them in an honest fashion to their readers, will forever be a credit to their profession and a guaranty that the freedom of the press will continue, and with it the freedom of all Americans.

Mr. President, we are indebted to the men and to the newspapers I have mentioned today, but we are also indebted to many others, who for lack of time and lack of space, I have not mentioned.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House insisted upon its disagreement to the amendments of the Senate numbered 6 and 54 to the bill (H. R. 9131) making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes; agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CANNON, Mr. ROONEY, and Mr. TABER were appointed managers on the part of the House at the further conference.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 6508) to modify the Code of Law for the District of Columbia to provide for a uniform succession of real and personal property in case of intestacy, to abolish dower and curtesy, and to grant unto a surviving spouse a statutory share in the other's real estate owned at time of death, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 959. An act to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes;

S. 1866. An act to amend the act entitled "An act to require the inspection and certification of certain vessels carrying passengers," approved May 10, 1956, in order to provide adequate time for the formulation and consideration of rules and regulations to be prescribed under such act;

S. 2431. An act granting the consent of Congress to the Klamath River Basin compact between the States of California and Oregon, and for other purposes;

H. R. 787. An act to authorize the exchange of certain lands between the United States of America and the State of California;

H. R. 1944. An act to amend title II of the Social Security Act so as to make inapplicable, in the case of the survivors of certain members of the Armed Forces, the provisions which presently prevent the payment of benefits to aliens who are outside the United States;

H. R. 2741. An act to authorize and direct the Administrator of Veterans' Affairs to convey certain lands of the United States to the Hermann Hospital Estate, Houston, Tex.;

H. R. 2842. An act to amend the Tariff Act of 1930 to provide for the temporary free importation of certain tanning extracts, and to amend the Internal Revenue Code of 1954 to suspend temporarily the tax on the processing of coconut oil;

H. R. 2979. An act for the relief of Mary Hummel;

H. R. 3246. An act to authorize the exchange of lands at the United States Naval Station, San Juan, Puerto Rico, between the Commonwealth of Puerto Rico and the United States of America;

H. R. 3583. An act for the relief of Chandler R. Scott;

H. R. 4602. An act to encourage new residential construction for veterans' housing in rural areas and small cities and towns by raising the maximum amount in which direct loans may be made from $10,000 to $13,500, to authorize advance financing commitments, to extend the direct-loan program for veterans, and for other purposes;

H. R. 6166. An act for the relief of Michael S. Tilimon;

H. R. 6456. An act to amend section 304 (d) of the Federal Food, Drug, and Cosmetic Act, with respect to the disposition of certain imported articles which have been seized and condemned;

H. R. 7467. An act to amend the act of March 3, 1901, with respect to the citizenship and residence qualifications of the directors or trustees of certain companies in the District of Columbia;

H. R. 8005. An act to provide for the conveyance of interests of the United States in and to fissionable materials in certain tracts of land situated in Cook County, Ill., and in Buffalo County, Nebr.;

H. R. 8079. An act to amend the act of June 20, 1910, by deleting therefrom certain provisions relating to the establishment, deposit, and investment of funds derived from land grants to the States of New Mexico and Arizona;

H. R. 8240. An act to authorize certain construction at military installations, and for other purposes;

H. R. 8753. An act to amend title II of the Social Security Act to include California, Connecticut, Minnesota, and Rhode Island among the States which are permitted to divide their retirement systems into two parts so as to obtain social-security coverage, under State agreement, for only those State and local employees who desire such coverage; and

H. R. 8929. An act to amend the act of August 27, 1935, as amended, to permit the disposal of lands and interests in lands by the Secretary of State to aliens.

SUPPLEMENTAL APPROPRIATIONS, 1958—CONFERENCE REPORT

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9131) making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes. I ask unanimous consent for the present consideration of the report.

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

The legislative clerk read the report.

(For conference report, see House proceedings of August 21, 1957, pp. 15508–15509, CONGRESSIONAL RECORD.)

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

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

Mr. HAYDEN. Mr. President, by way of explanation, I will say the conference committee reached an agreement on all of the Senate amendments except No. 6, which deals with an additional Washington airport. However, because of a parliamentary entanglement on the floor of the other body during the consideration of the conference report, amendment No. 54, which involves funds for construction by the Corps of Engineers, will have to go back to conference.

After the conference report and the amendments in disagreement on which the conferees have now reached an agreement have been disposed of, I intend to make a motion that the Senate insist on its amendments Nos. 6 and 54, and request a further conference with the House thereon.

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

The conference report, with the exception of amendments Nos. 6 and 54, was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 9131, which was read as follows:

IN THE HOUSE OF
REPRESENTATIVES, U. S.,
August 21, 1957.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 8, 15, 33, 34, 43, 45, 47, 49, 50, 57, 58, 64, 69, 70, 72, and 75 to the bill (H. R. 9131) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes," and concur therein.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and concur therein with an amendment, as follows: In lieu of the sum proposed in said amendment, insert "$1,300,000."

That the House recede from its disagreement to the amendment of the Senate numbered 4, and concur therein with an amendment, as follows: In lieu of the sum proposed in said amendment, insert "$20,000,000."

That the House recede from its disagreement to the amendment of the Senate numbered 7, and concur therein with an amendment, as follows: In lieu of the sum proposed in said amendment, insert "$2,400,000."

That the House recede from its disagreement to the amendment of the Senate numbered 10, and concur therein with an amendment, as follows: In lieu of the sum proposed in said amendment, insert "$750,000."

That the House recede from its disagreement to the amendment of the Senate numbered 12, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert:

"ADVISORY COMMITTEE ON WEATHER CONTROL

"To complete its final report to the President and the Congress as provided by law, $100,000: *Provided*, That the committee shall complete its report and terminate its activities by December 31, 1957."

That the House recede from its disagreement to the amendment of the Senate numbered 14, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert:

"SALARIES AND EXPENSES

"For necessary expenses, not otherwise provided for, of the Small Business Administration, including expenses of attendance at meetings concerned with the purposes of this appropriation and hire of passenger-motor vehicles, $2,235,000; and in addition there may be transferred to this appropriation not to exceed $6,877,000 from the revolving fund, Small Business Administration, and not to exceed $490,000 from the fund for liquidation of Reconstruction Finance Corporation Disaster Loans, Small Business Administration, for administrative expenses in connection with activities financed under said funds: *Provided*, That the amount authorized for transfer from the revolving fund, Small Business Administration, may be increased, with the approval of the Bureau of the Budget, by such amount as may be required to finance administrative expenses incurred in the making of disaster loans: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate shall be notified in advance of such increases in transfers from the revolving fund."

That the House recede from its disagreement to the amendment of the Senate numbered 32, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert:

"SEC. 312. The Secretary of Defense in his discretion, is hereby authorized to transfer to the "Air Force industrial fund" not to exceed $75 million from appropriations to the Department of the Air Force available for obligation during the fiscal year 1958."

That the House recede from its disagreement to the amendment of the Senate numbered 38, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert:

"CONSTRUCTION OF POWER SYSTEMS, RYUKYU ISLANDS

"For necessary expenses of construction, installation, and equipment of electric power systems in the Ryukyu Islands, which shall be operated by the Ryukyu Electric Power Corporation, an instrumentality of the United States Civil Administration of the Ryukyu Islands; services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), at rates not in excess of $50 a day for individuals; $1,513,000, to remain available until expended, without regard to sections 355 and 3734 of the Revised Statutes, as amended, and title 10, United States Code, section 4774."

That the House recede from its disagreement to the amendment of the Senate numbered 40, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert:

"HOSPITAL FACILITIES IN THE DISTRICT OF COLUMBIA

"For an additional amount for expenses necessary in carrying out the provisions of the act of August 7, 1946 (60 Stat. 896), as amended, authorizing the establishment of a hospital center in the District of Columbia, including grants to private agencies for hospital facilities in said District, $500,000, to remain available until expended: *Provided*, That the limitation under this head in the act of July 15, 1952 (66 Stat. 644), as amended, on the total amount to be provided for completion of grant projects, is increased from $13,010,000 to $13,300,000: *Provided further*, That the limitation on the total amount for completion of the hospital center is increased from $23,200,000 to $23,413,000."

That the House recede from its disagreement to the amendment of the Senate numbered 61, and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment insert the following:

"For an additional amount for the 'President's special international program', including uniforms or allowances therefor, as authorized by law (5 U. S. C. 2131), $2,745,000, to remain available until expended: *Provided*, That the amount made available under this head in the Departments of State and Justice, the Judiciary, and Related Agencies Appropriation Act, 1958, for United States participation in the Universal and International Exhibition of Brussels, 1958, is increased from '$6,500,000' to '$7,045,000'."

That the House insist upon its disagreement to the amendments of the Senate numbered 6 and 54.

Mr. HAYDEN. Mr. President, I move that the Senate concur in the amendments of the House to the Senate amendments numbered 3, 4, 7, 10, 12, 14, 32, 38, 40, and 61.

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

The motion was agreed to.

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

Mr. HAYDEN. I yield.

Mr. JAVITS. May I ask the Senator from Arizona what disposition was made of the amendment affecting the matter of counterpart funds in relation to Israeli towns?

Mr. HAYDEN. That was agreed to as passed by the Senate.

Mr. President, I move that the Senate insist on its amendments numbered 6 and 54, request a further conference with the House of Representatives on the disagreeing votes of the two Houses thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HAYDEN, Mr. RUSSELL, Mr. CHAVEZ, Mr. ELLENDER, Mr. HILL, Mr. HOLLAND, Mr. STENNIS, Mr. SALTONSTALL, Mr. YOUNG, Mr. KNOWLAND, Mr. THYE, Mr. MUNDT, and Mrs. SMITH of Maine conferees on the part of the Senate.

THE POSTAL RATE INCREASE BILL

Mr. MORTON. Mr. President, the other body recently passed a bill in connection with the postal rate increase, which is now before the Senate Committee on Post Office and Civil Service and on which bill hearings are underway.

I sincerely hope the committee will report the bill to the Senate, and that action can be obtained at this session of Congress. The amount involved is $2 million a day—$2 million a day more which will come into the Federal Treasury, if we pass the postal-rate bill.

We all know how dangerously close to the debt ceiling the Government's expenditures are running. Probably the situation will deteriorate in the next few months, before the large tax receipts come in early next year. For that reason, also, I hope action can be taken on the postal-rate bill at this session of Congress.

The PRESIDING OFFICER. Is there further morning business?

THE TOWN OF MEDICINE LAKE, MONT.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1103, H. R. 7384.

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

The LEGISLATIVE CLERK. A bill (H. R. 7384) for the relief of the town of Medicine Lake, Mont.

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

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

Mr. MANSFIELD. Mr. President, the water supply of the town of Medicine Lake, Mont., comes from a well located on the western edge of the town. This well is located in what is known as the Little Muddy Valley. This valley is bordered by foothills on its western side and until 1940 any overflow of water from the Muddy River flowed naturally over a 3-mile terrain and no trouble was experienced with floods.

In 1939 and 1940 the Fish and Wildlife Service built a dike and canal which diverted the Muddy River into a lake known as Medicine Lake. The diversion canal and dike extends across the Muddy Valley to a point about 100 feet from the town well. The dike is about 8 to 10 feet high and has the effect of forcing any floodwater into a narrow channel some 30 to 40 feet in width. Prior to its construction it had the full 3-mile width of the valley in which to flow. The mayor of the city has stated that the result has been that the area around the well has been flooded and the well and its pumping equipment has been inundated so as to deprive the city of its water for as long as 24 hours at a time. In the face of flood threats, the city has on occasion been required to remove its pumping equipment and warn its residents to boil all water.

The Montana State Board of Health has taken cognizance of this situation.

The Department of the Interior indicates it has no objection to the enactment of the bill. It observes that the reports of the Department of Health of the State of Montana indicate that the contamination of the town's water supply has become progressively more serious since the completion of the diversion of the creek. On the basis of the material in the files and the facts outlined, the Committee on the Judiciary recommends that the bill be considered favorably.

Mr. President, I ask unanimous consent that the statement of purpose and the letter from D. Otis Beasley, administrative Assistant Secretary of the Interior, be printed in the RECORD in connection with the consideration of the bill.

There being no objection, the statement of purpose and letter were ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to provide payment for the town of Medicine Lake, Mont., in the sum of $12,000 in full settlement of all claims of the town for damages to their municipal water supply resulting from developments of the Fish and Wildlife Service.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., August 2, 1957.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary, House of Representatives, Washington, D. C.

DEAR MR. CELLER: Your committee has requested a report on H. R. 7384, a bill for the relief of the town of Medicine Lake, Mont. This bill would authorize the payment of $12,000 to the town of Medicine Lake, Mont., in settlement of its claim for damages to its municipal water-supply system. The Federal activity to which this bill refers, the establishment of the Medicine Lake National Wildlife Refuge, which provides the basis for this claim, occurred in 1935.

Because of the circumstances in the case, we would have no objection to the favorable consideration of this measure if your committee finds that such favorable consideration is warranted.

The establishment in 1935 of the Medicine Lake National Wildlife Refuge below the town of Medicine Lake, Mont., required the diversion of a local water supply, Muddy Creek, from the new channel of the creek to its former channel. The city reservoir is located on the edge of the old channel of the creek, however, and we understand that there been some contamination of the town water supply, possibly as a result of the diversion. Our reports on this matter are inconclusive that the establishment of the refuge and diversion of the creek was alone responsible for the subsequent condition of the town water supply.

In any event, we are informed by reports of the Montana Department of Public Health that contamination of the town water supply, while not entirely absent before such diversion of the creek, became progressively more serious after completion of such diversion. Contamination may have occurred, of course, from some other source or in some other manner.

The Bureau of the Budget has advised us that there would be no objection to the submission of this report to your committee.

Sincerely yours,

D. Otis Beasley,
Administrative Assistant Secretary of the Interior.

Mr. MANSFIELD. Mr. President, I ask for favorable consideration of the bill at this time.

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

The bill (H. R. 7384) was ordered to a third reading, read the third time, and passed.

POLICE JURISDICTION OVER THE BLACKFEET HIGHWAY, MONTANA

Mr. SMATHERS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 1086, Senate bill 1828.

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

The Legislative Clerk. A bill (S. 1828) to retrocede to the State of Montana concurrent police jurisdiction over the Blackfeet Highway and its connections with the Glacier National Park road system, and for other purposes.

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

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record at this point as a part of my remarks a statement from the committee report concerning the purpose of the bill, together with a letter dated August 7, 1957, from Roger Ernst, Assistant Secretary of the Interior, to the senior Senator from Montana [Mr. Murray].

There being no objection, the statement from the report (No. 1063) and letter were ordered to be printed in the Record, as follows:

Purpose of the Bill

The Blackfeet Highway was constructed originally to serve visitors to the Glacier National Park. The United States initially assumed responsibility for maintaining the highway and concurrently with the State, has exercised police jurisdiction over it. Due to shifts in the volume and nature of the traffic over the highway, an agreement was entered into with the State of Montana by which the State will maintain the highway. Retrocession would bring about a change in the jurisdiction over the Blackfeet Highway which would be in keeping with its changed use and the State's assumption of responsibility for its maintenance.

The Department of Interior's favorable report on S. 1828 is set forth below.

Department of the Interior,
Office of the Secretary,
Washington, D. C., August 7, 1957.

Hon. James E. Murray,
Chairman, Committee on Interior and Insular Affairs, United States Senate, Washington, D. C.

Dear Senator Murray: Your committee has requested a report on S. 1828, a bill to retrocede to the State of Montana concurrent police jurisdiction over the Blackfeet Highway and its connections with the Glacier National Park road system, and for other purposes.

We recommend the enactment of this bill.

The Blackfeet Highway, to which this bill refers, extends from East Glacier Park, Mont., to the Canadian boundary at Carway, a distance of 52.7 miles. The highway was constructed initially by the State with Federal funds in order to serve visitors to the park as well as to provide for various administrative needs of the park. The United States assumed initial responsibility for maintenance of the highway. Also, concurrently with the State, the United States has exercised police jurisdiction over the highway as a result of State and Federal enactments.

In recent years, however, the highway has been subject to heavy use for commercial and international traffic. Therefore, it has lost much of its identity as a road serving the park. The policy of this Department is to relieve the United States from the maintenance of roads outside park boundaries wherever possible; and we entered into an agreement with the State of Montana on April 1, 1956, by which the State has assumed responsibility for maintaining the highway.

In these circumstances, we consider that a retrocession by the United States of police jurisdiction over the Blackfeet Highway, and its connections with the park road system, would be a logical implementation of the State's newly acquired maintenance responsibility.

The Bureau of the Budget has advised us that there would be no objection to the submission of this report to your committee.

Sincerely yours,

Roger Ernst,
Assistant Secretary of the Interior.

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

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That there is hereby retroceded to the State of Montana such concurrent police jurisdiction as has been ceded to the United States of America over the rights-of-way of the Blackfeet Highway, including the highway itself, and over the rights-of-way of its connections with the Glacier National Park road system on the Blackfeet Indian Reservation, including the highways themselves, the same being the jurisdiction ceded by the act of the Legislature of Montana, approved February 27, 1929 (Laws of Montana, 1929, p. 63), and accepted by act of Congress approved May 2, 1932 (47 Stat. 144).

Sec. 2. Following acceptance by the State of Montana of the retrocession provided herein, the laws and regulations of the United States pertaining to Glacier National Park shall cease to apply to the territory of said rights-of-way and highways.

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

AMENDMENT OF SECTION 22 OF THE INTERSTATE COMMERCE ACT—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 939) to amend section 22 of the Interstate Commerce Act, as amended.

Mr. SMATHERS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. SMATHERS. What is the pending question?

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Tennessee [Mr. Kefauver] to postpone, until January 30, 1958, at 2 o'clock p. m., further consideration of the conference report.

Mr. SMATHERS. Mr. President, I ask unanimous consent that there be a quorum call, and that the time utilized in making the call be not deducted from the time of either side.

The PRESIDENT pro tempore. A quorum call is in order without any unanimous consent request.

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

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

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. Neuberger in the chair). Without objection, it is so ordered.

The question is on agreeing to the motion of the Senator from Tennessee [Mr. Kefauver] to postpone, until January 30, 1958, at 2 o'clock p. m., further consideration of the conference report.

Mr. KEFAUVER. Mr. President, I yield myself 10 minutes.

The prime purpose of the House amendment pushed upon the Senate conferees, to which some Members of the Senate on the conference committee did not agree and which others accepted reluctantly, is to enable certain railroad companies to win a decision in a lawsuit which was brought in the District Court for the District of Columbia, and which is now pending on appeal in the circuit court of appeals.

An additional purpose of the amendment which was placed in the conference report, without a hearing, is to remove the injunction by the district court which was granted certain small airlines against certain railroad companies. A further purpose is to try to prevent the collection of damages in the amount of several million dollars because of alleged violations of the antitrust laws on the part of these railroads which were found to have been committed by the district court.

Mr. President, this is an unholy purpose. It is a purpose for which the Congress should not be used. Litigants in a case ought to try the case in the courts. They have no business coming to Congress to try to get themselves out of a judgment entered against them. They have no business to come to Congress to try to remove the restrictions of an injunction issued by the district court. They have no business to try to use the Senate or Congress to immunize themselves from a possible monetary judgment of many million dollars.

I wish to develop a little further the point that this is the primary purpose of this provision of the conference report.

The bill the Senate passed merely provided that the transportation companies under the jurisdiction of the Interstate Commerce Commission in the case of section 22 rates would file with the Commission a report, the purpose of which would be to enable a statistical study to be made of section 22 rates. The Interstate Commerce Commission was not given any jurisdiction over those rates. The Commission has never had jurisdiction over section 22 rates, according to the court decision and according to the Chairman of the Interstate Commerce Commission itself, Mr. Clarke. So the bill the Senate passed had a good purpose.

Then the bill went to the House of Representatives. The House committee reported the bill to the House of Representatives, and recommended adoption of the Senate provision regarding the filing of reports. At about that time the district court in the District of Columbia decided, in a case against the railroads, that they had been guilty of a violation of the antitrust laws. The court issued an injunction. The suit was also for damages in the amount of $45 million. The case is now on appeal to the court of appeals.

At that point, without any hearings whatsoever, without giving the parties to the suit an opportunity to be heard, there was offered on the floor of the House of Representatives—and the matter was treated as a more or less routine one—an amendment to change the position of the parties to that lawsuit by eliminating the injunction, and including the words which would take away the substantive right of the parties plaintiff for damages. All that was done without the holding of any hearings whatsoever. All that was done without giving the parties plaintiff in the suit—the small airlines—an opportunity to appear before the appropriate Congressional committees.

I realize that toward the end of page 2 of the conference report the following appears:

> *Provided*, That nothing in this paragraph shall affect any liability or cause of action which may have accrued prior to the date on which this paragraph takes effect.

I know that language was offered by Representative DINGELL, in the conference, and was adopted.

The original sponsors of the bill and the railroad lobby that is pushing it tried to have the bill passed without having that provision included. But, as I understand, it was added by Representative DINGELL in the conference.

Mr. President, the bill is cleverly drawn. The protection which is alleged to be given by means of this provision in the case of the lawsuit, in my opinion is practically no protection at all; and I wish to demonstrate why that is true.

In the first place, if the conference report is agreed to, the injunction will be meaningless, because in that case the railroad companies will be permitted, by statute, to do exactly what the injunction has said they cannot do; and, of course, the statute will supersede, and will give the railroads the right to do it, and will take away any protection afforded by the injunction. An injunction against a lawful act cannot stand. So long as there is a violation of the antitrust laws, the injunction is valid. But when the companies are exempted by statute from the antitrust laws, the injunction becomes meaningless, because an injunction cannot stand against a legal law enacted by the Congress.

As to the substantative right, Mr. President, this measure is the most skillfully worded measure I have ever seen. It is really a "slicker." I wish to pay my compliments to the clever lawyers who devised the language appearing on page 2, in order to try to avoid the burden of the millions of dollars which the railroad companies may be owing to these airlines, under the decision of the district court, which has decided in favor of the small airlines.

Let us just for a moment examine the language. How any Member of Congress can fall for this strange proposal, I do not know. I begin to read on page 1 of the amendment; the bill would be amended by inserting the following at the end of the section:

> 2. All quotations or tenders of rates, fares, or charges under paragraph 1 of this section for transportation, storage, or handling of property or the transportation of persons free or at reduced rates for the United States or any agency or department thereof, including quotations or tenders for retroactive application, whether negotiated or renegotiated. After the service has been performed.

Mr. President, the intent there is, of course, is to permit the railroads to file retroactively their tariffs and their applications with the Interstate Commerce Commission, under section 5 (a) of the Transportation Act—that is to say, the Reed-Bulwinkle Act.

If the tariffs or applications are approved by the Interstate Commerce Commission, then, of course, the entire cause of action of the small airlines will vanish immediately. Mr. President, that is not right. It is not fair to take away, by means of such clever, slick language, anyone's rights in connection with a lawsuit.

So, Mr. President, regardless of the clause appearing at the end, if the conference report is agreed to, the suit of the small airlines—which they won in the district court—against the railroads, which were charged with violating the antitrust laws, will become meaningless, and the injunction which has been issued will become meaningless, because the action taken by the railroads in violating the antitrust laws will then have been made legal. Furthermore, the cause of action of the small airlines for damages will have been destroyed, because the effort in connection with this measure is to try to obtain retroactive approval by the Interstate Commerce Commission of what the railroads have done in violation of the antitrust laws.

Furthermore, of course, any protection which the small airlines may have had, or any opportunity they may have had to compete with the railroads, in the future will not exist, if this measure is enacted into law, because in that event the law will have been changed.

I have heard it said that the enactment of this measure will do nothing more than apply the Reed-Bulwinkle law to section 22 cases. In the first place, Mr. President, the Reed-Bulwinkle bill—for which I did not vote, but for which many of the present Members of the Senate and Members of the House of Representatives did vote—was passed only after long hearings before the House committee and the Senate committee. After the bill was passed, it was vetoed by the President. Thereafter, the bill was passed over the Presidential veto. The matter was a most highly controverted one. So, even if we accept the statement of those who say this measure is nothing but an extension of the Reed-Bulwinkle Act to section 22 transportation cases, it is strange that the law should be extended to so large an item of business. After all, the Government is one of the largest shippers of both freight and passengers. So it is very strange that such a change would be made without holding any committee hearings at all, and without having the matter receive any consideration by any Congressional committee.

In the case of the Reed-Bulwinkle bill, the committee hearings lasted for months and months. The bill was highly controversial. But the present effort is to extend the application of that act to the largest segment of freight and passenger traffic in the United States, and a very large part of the business of the railroads. And it is proposed that that change be made without having had any committee hearings whatever.

Mr. President, it is important to note that the conference report does more than extend the Reed-Bulwinkle Act to section 22 cases. Under the Reed-Bulwinkle Act, bad as it is, the railroads could draw up a tariff, when taking action in concert. The tariff would have to be filed with the Interstate Commerce Commission, and would have to be publicly advertised, and notice of it would have to be given, and there would have to be an opportunity for objections to be filed to the proposed tariff or rate, and there would have to be an opportunity to have a hearing held before the Interstate Commerce Commission. Thereafter, the Interstate Commerce Commission, acting in a quasi-judicial capacity, and after having given full notice, could approve the tariff, in which case it would be applicable in the future.

Mr. President, all Senators should read the language of the proposed change. None of those safeguards or standards is included in the monstrosity which is before the Senate at this time. Under this proposal, once the railroad companies negotiate for the business, they are entitled to make application to the Interstate Commerce Commission to have the tariff or rates applied retroactively—after they have the business, after they have acted. Then, if they find the negotiated rate is not satisfactory to them, they can renegotiate it, after the service has been performed. There will be no notice, there will be no opportunity for anyone to object, there will be no hearings, because the act will already have taken place.

The PRESIDING OFFICER (Mr. Clark in the chair.) The time the Senator from Tennessee has yielded to himself has expired. Does he desire to yield himself additional time?

Mr. KEFAUVER. Mr. President, I yield myself 2 additional minutes.

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

Mr. KEFAUVER. So, Mr. President, the pending proposal is not only for an extension of the Reed-Bulwinkle Act to section 22 cases, but it would also take away all the existing safeguards. And that would be done without the holding of any hearings whatsoever.

Mr. President, the opinion of Judge McGarraghy appears in the Congressional Record of yesterday, beginning at page 15485. The Record also includes the orders which have been issued. The court's opinion represents months of study, litigation, and presentations to the court. The small airlines have a vested interest in the order the court has issued. So I cannot understand how any Member of Congress can in good conscience vote for a measure which would take away those rights of the small airlines and would deprive them of what they have won after a long and difficult presentation in court, and without at least giving them an opportunity to appear at a hearing before a Congressional committee.

Mr. President, no harm will be done by postponing action on this conference report until January 30, 1958. That will give the committees a chance to have hearings and give the parties who are interested an opportunity to have their day in court.

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

Mr. KEFAUVER. That is all my motion seeks to do.

I reserve the remainder of my time, Mr. President.

I assume the Senator from Florida desires to yield some time on the other side.

Mr. SMATHERS. Mr. President, I wish to say that the conferees have made their statement. They feel it stands unrefuted. We are ready to vote.

Mr. MORSE. Mr. President, I wonder if the Senator from Tennessee will yield me some time so that I may address some questions to the Senator from Florida?

Mr. KEFAUVER. How much time does the Senator wish?

Mr. MORSE. Ten minutes.

Mr. KEFAUVER. I yield the Senator from Oregon 10 minutes.

Mr. MORSE. First I wish to say that I agree with the Senator from Florida when he said, if I understood him correctly, about everything on the bill that could be said was said last night. I do not know what else I could say in opposition to taking up the conference report at this time, but I shall summarize what I said after I put a few questions to the Senator from Florida, for the Record, in order to make legislative history.

Did the Senate conferees examine General Lasher when he made the flat statement that unless the Harris amendment is agreed to it will cost the Government $100 million?

Mr. SMATHERS. That is correct. That letter was written to us by General Lasher in his capacity as Executive Director of the Military Traffic Management Agency of the Department of Defense. We made that letter a part of the record.

Mr. MORSE. Did the conferees examine him about the letter?

Mr. SMATHERS. We had him before the conference committee, and did examine him with respect to the letter.

Mr. MORSE. Did he tell the conferees what the $100 million consisted of, by way of a breakdown?

Mr. SMATHERS. He indicated to us it was broken down somewhat as follows. If I may, I should like to put into the Record his own language.

Mr. MORSE. Yes.

Mr. SMATHERS. This is his statement:

> The monetary savings on the Department of Defense transportation bill for 1956 resulting from tenders under section 22 was $140 million—$12 million on household goods and $128 million on other freight and on passenger traffic (H. Rept. 677, 85th Cong.). Restrictions against carriers jointly submitting, or through concerted action, quotations, would nullify most of these savings under section 22.

That is a part of his argument. We will strike out the argument—

> As a vast majority of Government movements must, for practical purposes, result from joint consideration and action by carriers. This is particularly so on joint passenger movements, annual passenger agreements, area, territorial, and interterritorial freight adjustments. It is the informed judgment of the traffic people in the Department of Defense that approximately 75 percent of the savings under section 22 result from quotations concertedly arrived at, or better than $100 million.

We gathered from questioning him that approximately 85 percent of the Defense Department's expense with respect to transporting its goods had to do solely with freight, and that the remainder of it had to do with carrying passengers. In addition, I had him prepare a chart for us pertaining to traffic obtained by the supplemental air carriers, which Senators can see at the rear of the Chamber, and which I shall be glad to have the Senator from Oregon consult if he cares to do so.

General Lasher further pointed out that in 1952, when the nonscheduled airlines began to receive a part of the business, the railroads received about 65 percent of the total passenger business. That business has now been changed to the point where the railroads receive about 38 percent of the total passenger business of the Defense Department under the program in 1956. Of the group passenger travel of Defense, railroads, motor carriers, and water carriers receive much less than do the four nonscheduled airlines. That was, generally, the information we gathered.

Mr. MORSE. Would the Senator from Florida say the hearing which the conferees held, if it could be called a hearing, with General Lasher was comparable to the type of hearing which would have taken place had the Harris amendment, for example, gone back to the Committee on Interstate and Foreign Commerce, and those in favor and those opposed to it had been given an opportunity to appear before the committee and testify upon it?

Mr. SMATHERS. I would say it was not that type of hearing; but I would say the conferees, who have the same desire to save the taxpayers money as other Senators have, and the same desire, certainly in the case of the junior Senator from Florida—and I see present the Senator from Ohio [Mr. Lausche]—to preserve the protection of the antitrust laws, as has any other Senator on the floor, felt that under the circumstances in which we found ourselves, this was the most practical thing we could do.

Mr. MORSE. I understand. The Senator from Florida understands that if we differ, we differ only over the matter of procedure. I happen to be of the opinion that when the Senate receives a conference report which involves really a rewriting of the bill which left the floor of the Senate and went to conference—a rewriting in the sense that an amendment was added on the floor of the House, on which there has been no hearing so far as the Senate is concerned—the burden of proof is on the conferees to show that any great harm would result from our waiting until January, when we could get the whole matter sent back to the Committee on Interstate and Foreign Commerce for hearing on the Harris amendment. That is the position which the Senator from Oregon takes.

Mr. SMATHERS. I could not disagree greatly with the Senator from Oregon except in this respect: I believe we as legislators have a duty to represent the Government of the United States and the taxpayers, just as we have a duty of representing four nonscheduled airlines.

Mr. MORSE. That is right.

Mr. SMATHERS. In this instance we felt that unless we took this action it would cost the Federal Government an extra $100 million in fiscal 1958. That amount of money would not go to anybody that I know of except the railroads. So, in effect, we believed the most practical thing to do was to attempt to keep the situation as it has existed since 1948, at least until such time next year when perhaps the Senator from Tennessee or the Senator from Oregon, or perhaps I, could introduce a bill amending the Interstate Commerce Act and repealing outright the Bulwinkle provisions.

Mr. MORSE. The only difficulty I have with respect to the amount of $100 million is that I am not inclined to accept it without a record that makes it possible for adverse witnesses to rebut it.

Mr. SMATHERS. Information has been given to various Senators by lobbyists—and I do not use that term unkindly, because all groups must have lobbyists—to the effect that the figure $100 million probably is not correct.

Mr. MORSE. The reception room is full of lobbyists.

Mr. SMATHERS. As a Senator goes from the Chamber to the elevator he is importuned and buttonholed and has information stuck into his pockets and put in his ear that the figure is inaccurate. The best proof of the fact that it would cost the Government a great deal of money—I do not know if it would amount to $100 million—is that the Atomic Energy Commission has stated it would cost $4 million and the General Services Administration has indicated it would cost approximately $13 million.

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

Mr. SMATHERS. I shall be glad to yield the Senator 5 minutes, and more, if he needs it.

Mr. MORSE. I am not going to be long. I made my long speech last night.

Mr. SMATHERS. I would say the best proof of the fact that the Government is realizing some benefit from the section 22 rate quotations made by the railroads is that in the complaint which was filed in the District Court it was alleged that the railroads were quoting rates 50 percent below the published rates. We find that is the first point in the decision of the court—that the railroads were quoting to the Government rates 50 percent below the published rates. It seems to me on the face of that allegation it would at least have to be admitted that the Government was getting some benefit from section 22.

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

Mr. MORSE. I yield to the Senator from Ohio.

Mr. LAUSCHE. I wish to invite attention to the question whether the members of the committee had any knowledge of what savings the Government would make except those as declared by General Lasher. Pending before the Committee on Interstate and Foreign Commerce was Senate bill 939, which is the bill now before the Senate, asking that there be a repeal of section 22. The main subject of inquiry was whether it would be to the interest of the Government to reject Senate bill 939 or repeal section 22, which permitted the railroads to charge lesser rates to the Government. Inquiries were made of the witnesses as to whether it should or should not be repealed. The Defense Department appeared and fought against the repeal of section 22.

I should like to read to the Senator from Oregon, because he possibly did not hear it, what I said yesterday:

> On page 101 of the hearings on the bill, S. 939, we find the testimony of Mr. Smith, the Director for Transportation and Petroleum Logistics, of the Office of the Assistant Secretary of Defense, at the Pentagon, Washington, D. C. He was questioned by the Senator from Florida [Mr. SMATHERS]. I read the following from the hearings:
>
> How much would it cost the Government if section 22 were repealed or changed, as has been recommended in Senate bill 939?

That is what is before us.

> How much additional expense would it cost the Government?
>
> Mr. SMITH. At the time I testified before the House committee last year, based on the then freight bills of the military departments, I estimated it would cost, if section 22 were eliminated, and all the rates went back to the tariff basis, the cost to the Government would be $215 million per year. Based on the present freight bill, I testified before the House just a few days ago that the cost would be $128 million per year.

I may say that that statement of Mr. Smith was challenged. Questions were put to him about studies which showed that the Government would make no saving. When we were through with our hearing, there was unanimous judgment that section 22 should not be repealed, because the loss to the Government would be $215 million a year.

Mr. MORSE. I thank the Senator. I should like to have the Senator from Ohio or the Senator from Florida tell me whether the conferees considered the other alternatives by way of transportation available to the Government. It would seem to me that if the railroads raised the rates, then the Department of Defense would have to make a choice between and among alternatives, such as the use of trucks, buses, air and water facilities. Did the conferees go into that problem?

Mr. SMATHERS. I will say to the Senator from Oregon that of course when we talk about railroads the whole question of transportation is involved, and at the same time we are talking about motor trucks and water carriers and everything but air carriers, because they all come under the same provisions of section 22. Naturally we did consider that feature.

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

Mr. MORSE. I yield.

Mr. SMATHERS. Mr. President, I yield 5 additional minutes to the Senator from Oregon, so that we may continue the discussion.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 5 additional minutes.

Mr. COOPER. My question is addressed either to the Senator from Ohio [Mr. LAUSCHE], to the Senator from Florida [Mr. SMATHERS], or to the Senator from Oregon [Mr. MORSE].

Night before last, when the conference report came before the Senate for debate, I asked a question. Perhaps in the debate that question has been discussed. If so, I have missed the discussion in my reading of the RECORD.

My question was addressed to the opinion of those who have charge of this bill as to what the legal effect would be on the proceedings which were initiated in court. My own judgment was that if the Harris amendment became the law, and there was no ambiguity in the law, then the discussion on the floor or in the committee report could not change the legal effect of the law.

Mr. MORSE. The Senator is one question ahead of me.

Mr. COOPER. The case is before the court. I know there are great lawyers considering the question in the Senate. I should like to have their judgment on that issue.

I think the Senator will remember that in 1947 when the portal-to-portal pay bill was enacted there was a problem involved. I know something about that legislation, because I was a member of the subcommittee which had charge of the measure then pending. In that bill, it was specifically provided that all prior claims or subsequent claims dealing with the area covered by the bill, outside the field of the Fair Labor Standards Act, which had previously been considered an area for compensable activities, should be invalid. There was written into the law a specific provision about the effect of that legislation upon such proceedings. There was a proceeding at that time which had been initiated in a Federal district court and was in the process of appeal. What is the judgment of the Senators who are in charge of this bill and those Senators who are opposing the bill as to the legal effect of the amendment, so far as further court proceedings are concerned?

Mr. MORSE. I think it is only fair that I give my judgment first, for whatever it may be worth. Then I should like to have the opinion of the conferees.

I think we owe it to them to tell them what our doubts are about the language of the conference report.

It is my judgment that we cannot write anything into the conference report, including the Harris amendment, which could have any possible effect on the case in the court, unless the court found first that the Harris amendment was ambiguous. If the Harris amendment is clear and unambiguous, it is the law.

In the conference report, I understand there is certain language which would seem to have been written by the conferees on the assumption that it sets forth reservations and qualifications about the Harris amendment. In my judgment, that is not worth the paper it is written on, if the court, picking up the Harris amendment, says that the law with the Harris amendment added to it has no ambiguity. The determination of whether there is an ambiguity cannot be made on the floor of the Senate. That determination has to be made in the courtroom, with able counsel representing the parties litigant. The court will have to decide whether there is an ambiguity.

If the court decides there is no ambiguity, then the conference report will not get into evidence. That is my legal opinion. I should be glad to ascertain whether the conferees are proceeding on the assumption that the Harris amendment is ambiguous. If that is so, that is all the more reason why we should wait until January, to get the matter cleared up.

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

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

Mr. SMATHERS. I am happy to yield the Senator an additional 5 minutes. However, I do not wish to yield all of my time. I believe I have yielded 15 minutes thus far. Is that correct?

The PRESIDING OFFICER. The Senator has yielded 13 minutes thus far.

Mr. SMATHERS. I yield an additional 5 minutes to the Senator from Oregon.

The PRESIDING OFFICER. The Senator is recognized for an additional 5 minutes.

Mr. MORSE. I yield to the Senator from Ohio.

Mr. LAUSCHE. It is my understanding of the law that the court, when interpreting the language, must declare the language to mean what it says, unless there is ambiguity. If there is ambiguity, the court can search for ulterior surrounding circumstances to determine what was intended.

In my judgment, there can be no question about the clarity of the language. It reads:

> That nothing in this paragraph shall affect any liability or cause of action which may have accrued prior to the date on which this paragraph takes effect.

Now, the challenge is made that the preceding language may create an ambiguity. I do not think it does. The preceding language says that there shall continue the right to file, under the law, joint and concert rates. That is the only purpose of that language, I think we agree.

Mr. MORSE. I wish to say to my friend the Senator from Ohio that I think we agree on the rule of law as to legislative interpretation; but I want to say to my friend the Senator from Kentucky that the Senator from Ohio has convinced me all the more, when he has talked about the present status of the bill, how wise it would be to let the report go over until January. All the circumstances could be considered de novo before the Committee on Interstate and Foreign Commerce. We could start all over.

In the meantime, the decision of Judge McGarraghy would go to the appellate courts for a determination.

That causes me to reiterate what I said last night, on the basis of the cost to the taxpayers. We should not forget that we are dealing here with a question involving the antitrust laws. I do not know what is more valuable to the American taxpayers than to keep the antitrust laws without any breach in them.

This dispute has arisen over the rider which was put on the bill in the House. I stress the argument I made last night, which was supported by the Senator from Illinois [Mr. DOUGLAS], who first described this amendment as a rider. The Harris amendment is a rider. If we did such a thing on the floor of the Senate, I think it would be subject to the long standing judgment of the Senate that in the Senate we do not pass legislation containing riders. What we are discussing is a rider. I do not think it has any place in the legislation which left the floor of the Senate, at least without a Senate hearing and without consideration of a legislative committee.

The legislative committees and not the conferees, under the procedure of the Senate, should make the decision with regard to bills which are to have the approval of the Senate. So in this instance it is rather like having the buggy before the horse. We really have a new bill within a bill that is brought back to us from the conferees, and the new bill was inserted in the Senate bill by way of an amendment in the House. If that were my only protest I would say wait until January, but I have the other objections which I have also raised.

I think the Senator from Ohio has very accurately stated what the law is as to the rule of legislative interpretation, but I believe the discussion also points out that we have a first class lawsuit coming along if we agree to the Harris amendment. Certainly counsel will try to have it set aside on some basis, if possible.

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

Mr. MORSE. I yield.

Mr. LAUSCHE. I wish to offer this further suggestion to the Senator from Kentucky. If the language is clear, as I contend it is, then there can be no question that the rights now existing are preserved. But if there is ambiguity, and the court must look further to determine what the Congress intended, I now call attention to page 5 of the conference report:

> However, it is the understanding of the conferees, in accepting the language which the House added to S. 939 as to the applicability of the Reed-Bulwinkle amendment to section 22 rates, that nothing therein adopted and agreed to herein would vitiate or in any way affect the order of the court in the Air Coach case or similar litigation now pending.

Mr. MORSE. Mr. President, I shall not ask for any more time. If my friend from Florida will permit me, I will close with this further brief statement:

I do not think the language which the Senator from Ohio has just read would have any standing whatsoever in a court of law in litigation involving the McGarraghy decision, which will go up on appeal. I think what is proposed, in effect, by way of a rider on this particular piece of proposed legislation, would at least crack the antitrust wall, if not blast some stones out of it and cause a real breach.

I say to my friend from Florida that I do not consider it to be an issue of railroad versus air coach line. I am not approaching it from that standpoint. I am approaching it from the standpoint of what will best protect the shippers and consumers of the country. I do not think the Harris amendment would do that.

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

Mr. SMATHERS. I yield the Senator from Oregon 3 more minutes.

Mr. MORSE. I ask my friend from Florida to think with me for a moment as to the effect on the "nonskeds." The nonskeds are pretty important in a great many States which are discriminated against in freight rates, such as my section of the country, and, very important, in the Senator's section of the country. Some of the nonsked air coach lines which have been put out of business have their bases in Florida. They are Florida companies. They have made a great contribution to the transportation system of Florida, just as they are making a great contribution to the transportation system of the Western States. So I say, give them their day in court. They are in court. The case is going "upstairs."

Now it is proposed to adopt the Harris amendment, which undoubtedly applies to the nonskeds. It will be to the disadvantage of the air coach lines. We are doing it, as I said last night, under a "wrinkle" whereby all the railroads have to do, after their concerted action, is to file their reports on rates, whereas under the Reed-Bulwinkle Act, at least the Interstate Commerce Commission has the legal authority, if it wishes to exercise it, to require hearings, and to approve or disapprove.

As I read the bill and the conference report—I think I am right; but, as I said last night, if not, I wish to be corrected—if we adopt the conference report, the Interstate Commerce Commission will have no authority to disapprove the rates. We would make the Interstate Commerce Commission only the receptacle for the filing of rates.

Mr. President, that is dangerous, if we want to protect the antitrust laws of the country.

I close with this observation: This is a proposal to substitute delegation of authority for regulation. It would delegate to the railroads the power to act in concert, and then simply file with the Interstate Commerce Commission, as a receptacle, their new rates without the Interstate Commerce Commission having any power to disapprove them, however disadvantageous they might be to other transportation systems.

What justification do we hear offered most often? It is said that we might save the taxpayers some money in regard to certain shipments from military installations. So says General Lasher, of the Pentagon Building. I would like to see him before a committee, under examination, before accepting his figures.

But let us take his assumption for a moment. Let me tell the Senate what I consider more valuable to the consumers of America than $100 million. It is the importance of keeping protected, without any break, the great protective wall of antitrust authority, which is so vital to America's businessmen and consumers.

Mr. President, I rest my case.

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

Mr. SMATHERS. Mr. President, will the Senator withhold his suggestion of the absence of a quorum for a moment?

Mr. KEFAUVER. Certainly.

Mr. SMATHERS. I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. SMATHERS. Mr. President, I think it is important that the Senator from Oregon and everyone else understand that when the Reed-Bulwinkle bill was passed, which became section 5 (a) of the act, it exempted railroads, motor carriers, water carriers, and freight forwarders from prosecution on the charge of acting in collusion or concert in making rates, first, to commercial houses and to commercial shippers. That was the understanding. That is what everyone thought could happen.

The question arose as to what is meant by rates. The word was interpreted by the Interstate Commerce Commission in a letter sent to me, which I have placed in the RECORD. It is a recent letter, more recent than any evidence which I heard quoted the other day, which I do not believe is to the point. In its letter to me the Commission stated that it had always understood that this protection was given to the railroads, motor carriers, and other carriers subject to the Interstate Commerce Act in dealing with the Government on section 22 rates, as well as in dealing with commercial houses.

Judge McGarraghy said, "I am going to let the railroads get together in concert and make certain rates to commercial houses. But we will not let them do that with respect to section 22 rates."

It is not a question of whether we like the Reed-Bulwinkle Act or dislike it. Some of us voted for it, and some of us voted against it. It was passed by a two-thirds vote in the House and Senate in 1948. I believe that a reasonable interpretation at that time was that naturally the act applied to all rates. It was never dreamed that a judge would come along and say, "Wait a minute; it does not apply to the Government, but we are going to apply it with respect to everyone else."

A case was filed in New Mexico in which the district court judge threw out this kind of claim made on the same point. So we have two district court judges disagreeing as to what was meant by the Congress.

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

Mr. SMATHERS. I yield.

Mr. MORSE. That is why I think it is so important that the case be decided "upstairs". We ought to wait until the judicial process has been completed.

The Reed-Bulwinkle Act, although it gave the railroads power to act in concert, did not provide that they might fix any rate they wished. The rates were subject to the approval of the Interstate Commerce Commission.

Mr. SMATHERS. That was a very difficult point for me to understand, too. I labored with the Interstate Commerce Commission to try to find out the meaning of the law.

Section 22 provides that the railroads can even give free rates, or anything below published rates; and the Interstate Commerce Commission, as such, could not approve or disapprove of such rates. That has been the law with respect to section 22 since 1887.

Initially the Government entered into an agreement with the railroads. It said, "We are not going to pay these published rates. We are a big shipper. We want you to give us the best rates you can." The Government could bargain with the railroads, up and down the scale. What the railroads had to do, first, was to submit to the Interstate Commerce Commission an agreement. Railroad A, railroad B, and railroad C, would get together in a certain area, either the Southwest, the Southeast, or the Senator's area, the Northwest, and establish a procedure which they would follow in fixing rates. The approval of the Interstate Commerce Commission is required if the agreement is to protect the carriers. The agreement, or the methodology, had to be approved, but not the specific rate itself, with respect to section 22 quotations.

It may be that the entire section ought to be stricken.

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

Mr. SMATHERS. I yield myself 2 additional minutes.

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

Mr. SMATHERS. I yield.

Mr. MORSE. I say good naturedly that this proves to me that action on the conference report ought to wait until January.

Mr. SMATHERS. We have had one hearing already this year on the question as to whether section 22 should be eliminated. The Senate finally passed on that bill on June 12. We agreed not to eliminate it, because it would cost the Government such an enormous amount of money.

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

Mr. SMATHERS. I yield to the Senator from Tennessee.

Mr. KEFAUVER. The bill was not presented for the purpose of eliminating section 22. The bill as it came from the committee contained only a provision for filing. The committee was not presented with the choice as to whether or not to eliminate section 22.

Mr. SMATHERS. The Interstate Commerce Commission sent to us a bill proposing to strike out section 22.

Mr. KEFAUVER. But that was not presented to the Senate.

Mr. SMATHERS. It was presented to our committee. As I told the Senator last night, I do not recall his being present. We held hearings for about a week and a half.

Mr. KEFAUVER. I have to attend a great many committee meetings, and I did not know a thing about it.

Mr. SMATHERS. I understand. As I said to the "nonsked" airlines, "Where were you? We would have liked to hear from you."

The Senator from Ohio and I indicated at the start that we believed section 22 should be eliminated. It was only after we heard the testimony of the Government as to the $650 million traffic cost it had every year and that it would cost them in the neighborhood of $215 million extra if we knocked out section 22, that we finally decided we were wrong, and we, therefore, changed our minds. So we reported the amended bill to the Senate, and it was passed by the Senate.

The PRESIDING OFFICER. The time of the Senator from Florida has again expired.

Mr. SMATHERS. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 35 minutes remaining.

Mr. SMATHERS. I yield myself an additional 3 minutes.

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

Mr. SMATHERS. I yield.

Mr. PASTORE. Am I correct in understanding the Senator to say that under existing law the railroads can agree to act in concert with reference to the establishment of rates which affect commercial and private shippers, without violating the antitrust laws?

Mr. SMATHERS. The Senator is correct.

Mr. PASTORE. But in the case of the Government, as a shipper, the railroads cannot act in concert in establishing freight rates without violating the antitrust laws?

Mr. SMATHERS. That is what the district court decision has just held. That has been held for the first time.

Mr. PASTORE. All that the bill before the Senate would do, if I am correct, is actually to put the Government, as a shipper, in the precise position a private shipper finds himself in today under existing law. Is that correct?

Mr. SMATHERS. The Senator is absolutely correct.

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

Mr. SMATHERS. I am happy to yield.

Mr. KEFAUVER. Under the Reed-Bulwinkle law, as it applies to shippers generally, certain standards have to be followed; that is, a tariff is set and filed with the Interstate Commerce Commission and then complaints can be filed, and notice must be given. Under the bill a different rule is applied to the Government, because under it the contract is made and it is carried out, and it then provides retroactive application, whether negotiated or renegotiated, after the service has been performed. Therefore, there is no advance proposal, which is provided for in the Reed-Bulwinkle Act.

Mr. SMATHERS. Since I am speaking on my own time, I will say once again to the Senator from Tennessee that there is a difference between agreements and the rates resulting from agreements. There is that difference, as the Senator suggests and has put his finger on it, but has not said it in so many words. In the case of a commercial shipper, as the Senator from Rhode Island has pointed out, not only do the railroads get together to make quotations of rates, but the rates must first be approved by the ICC; but when they file the rates with respect to commercial shippers, they have to publish the rates. Under section 22, once they have filed the agreement, and the methodology and procedure has been approved—and section 22 has been in existence since 1887—they can make any rate—reduced or free—to the Government or for other reasons, and the ICC says on that particular type of rate the agreement is all right, and the railroads can make any kind of reduced rate.

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

Mr. SMATHERS. I yield.

Mr. PASTORE. What is disturbing the junior Senator from Rhode Island—and I say this in all sincerity—is that I am one of those who believe that we ought to do very little to disturb the antitrust laws. I feel that the laws are for the common good and for the benefit of the people generally, and we ought not to take any steps which would weaken that philosophy and that system of law enforcement.

Mr. SMATHERS. I share the sentiments of the Senator from Rhode Island.

Mr. PASTORE. The situation, as I understand it now, is that today a private shipper can with immunity send his goods under a freight rate fixed by concert on the part of the railroads; but, when it comes to the Government, it would be a violation of the antitrust laws to do that. In other words, an individual is being placed in a better position than the Government itself.

Mr. SMATHERS. Under the decision of the district court, the Senator is correct.

The PRESIDING OFFICER. The time of the Senator from Florida has again expired.

Mr. SMATHERS. I yield myself an additional 3 minutes.

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

Mr. SMATHERS. I yield.

Mr. JACKSON. In the House I voted against the Reed-Bulwinkle bill because I felt it was a weakening of the antitrust laws. If I understand the court's decision, the effect of it is to put the Government at a disadvantage so far as rates are concerned, as compared with private, commercial shippers. Am I correct?

Mr. SMATHERS. The Senator is correct; yes; under the court's interpretation.

Mr. JACKSON. The court decided, in effect, that, when Congress passed the Reed-Bulwinkle Act, it did not intend to include the Government with commercial shippers in the right on the part of the railroads to fix rates. Is that correct?

Mr. SMATHERS. That is what the court said.

Mr. JACKSON. I mean that is what the district court said.

Mr. SMATHERS. The district court; yes. That is the effect of the ruling. The effect is that the immunity from concert of action will apply with respect to rates for commercial shippers, but will not apply with respect to rates for the Government.

Mr. JACKSON. All I can say is that if shippers are to receive the benefits—if there are benefits, and I am not sure that there are many—from the provisions of the law, then I cannot understand on what basis we are going to permit the shippers to discriminate against the Government in the matter of freight charges.

Mr. SMATHERS. I can say to the Senator that there is only one basis——

Mr. JACKSON. I mean other than by repeal of the law.

Mr. SMATHERS. There is only one basis and that is the question whether we want to affect the suit of the nonscheduled airlines in the district court. The Senator is absolutely correct with respect to the equity of the matter.

Mr. JACKSON. So long as the law is on the books, it would occur to me it ought to be administered uniformly.

Mr. SMATHERS. The ICC thought so. The Defense Department thought so. The Members of the House and of the Senate who participated in the enactment of the Reed-Bulwinkle Act thought so. One district court also thought so. Another district court, however, has not thought so.

Mr. JACKSON. I should like to hear what the other side has to say.

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

Mr. SMATHERS. I yield.

Mr. PASTORE. From a practical point of view, am I to understand that if this procedure is sanctified by the enactment of the proposed legislation now before the Senate, making the position of the United States Government analogous to that of a private shipper, the result will be reduced rates in favor of the Government, which would inure to the benefit of the taxpayers of the country? Is that correct? In other words, is this procedure being inaugurated to lower freight rates on behalf of the United States Government, or to raise them?

Mr. SMATHERS. Does the Senator refer to the procedure we are discussing here?

Mr. PASTORE. Yes; under the pending bill, or under the conference report.

Mr. SMATHERS. What we are endeavoring to do is to reestablish the condition which existed prior to the decision of the district court. I will answer the question by saying "Yes."

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

Mr. SMATHERS. I yield myself an additional 2 minutes. The Defense Department says, "We must have this procedure reestablished as it existed from 1948 to date, or it will cost us $100 million." There may be some question about the exact figure, but they say it will cost them a considerable amount of money if we do not take the action here proposed. The Atomic Energy Commission has sent us a letter saying, "If you do not reestablish the procedure, it will cost us about $4 million."

The General Services Administration has told us it would cost them about $13 million. It would cost the TVA $2 million, we have been told. And so it goes.

The only thing we can do is to accept the word of those agencies that we should reestablish the situation which existed prior to the decision of the district court. The only way we can do it is by the method the conference report proposes. In that way we would save the Government a considerable amount of money.

Mr. PASTORE. Without regard to whether there is involved a violation of the antitrust laws, is it not correct to say that the procedure in any event, whether it involves the United States Government or whether it involves a private shipper, is being instituted for the reason that the concerted action on the part of the various railroads will result in lower freight rates?

Mr. SMATHERS. To a certain extent. As I once again say, the Defense Department says it will. The Atomic Energy Commission says it will. The other agencies say it will. That is the only testimony we have to go on.

Mr. PASTORE. Does the Senator know of any instance where the concerted action on the part of the railroads has resulted in higher freight rates?

Mr. SMATHERS. Not with respect to the Government, because section 22, which allows the carriers to deal with the Government, says that the carriers can offer to the Government free or reduced rates, meaning below published rates which go to the ordinary commercial shipper.

Mr. PASTORE. May I ask one further question?

Mr. SMATHERS. I yield.

Mr. PASTORE. Is the grievance or the objection to the proposed legislation chiefly the fact that we are permitting a violation of the antitrust laws, or is this to protect competition on the part of nonscheduled airlines?

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

Mr. SMATHERS. I yield myself an additional 2 minutes.

I wish to say in all candor, as I said before, and as I said this to the Senator from Minnesota last night, that we want to keep the nonscheduled airlines in this business, if we can, because naturally where there is one method of transportation competing with another method of transportation for Government business, the result will be a lower price for the Government.

What we want to do, as we agreed last night and in the other discussions we have had, is to try to put the nonscheduled airlines, at the beginning of next year, in the same competitive position with respect to getting Government business that the railroads and motor carriers occupy today. The reason we could not do it in the pending bill is that the bill proposes to amend the Interstate Commerce Act, whereas the nonscheduled airlines come under the Civil Aeronautics Act, as the Senator knows.

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

Mr. SMATHERS. I am happy to yield to the Senator from Ohio.

Mr. LAUSCHE. The Senator from Ohio desires to point out that shippers and the Interstate Commerce Commission support the passage of S. 939, as introduced, which would repeal section 22. That section, which is involved in this debate, provides for the Government lower rates on the same basis as that of the rates given to private shippers. The argument in favor of section 22—which, according to Mr. Smith, saved the Government $215 million 2 years ago—was as follows: The railroads are charging so little to the Government, that the Government has been saved $215 million; and to the extent that the income to the railroads has thus been reduced, other shippers have to make up for it.

We did not accept that argument as a sound basis for repealing section 22. But the court decision substantially repeals it; and this measure contemplates an avoidance of that repeal.

Mr. PASTORE. Mr. President, will the Senator from Florida yield, so that I may ask a question of the Senator from Ohio?

Mr. SMATHERS. I am glad to yield.

Mr. PASTORE. Then I understand from the distinguished Senator from Ohio that there is absolutely no question in his mind that by permitting the railroads to act in concert with reference to the establishment of their rates, when the Government is a shipper, the result has been reduced rates to the Government and a saving to the taxpayers of the country.

The PRESIDING OFFICER (Mr. MONRONEY in the chair). The time the Senator from Florida has yielded to himself has expired.

Mr. SMATHERS. Mr. President, I yield myself 1 more minute.

The PRESIDING OFFICER. The Senator from Florida is recognized for 1 additional minute.

Mr. SMATHERS. I yield further to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I would answer the question of the Senator from Rhode Island by asking him to ask each member of the Interstate Commerce Commission, and especially those, on the small committee, what their conclusion is. The conclusion is that if section 22 is repealed, so that the Government is removed from that protective position, the result will be an additional cost to the Government, not of $100 million, but of more than $200 million.

Mr. PASTORE. Mr. President, the Senator from Ohio has answered my question.

Mr. HUMPHREY. Mr. President, will the Senator from Florida yield to me?

Mr. SMATHERS. I am happy to yield to the Senator from Minnesota.

Mr. HUMPHREY. I wish to know why it is that the American Association of Railroads is so anxious to lose money.

The PRESIDING OFFICER. The additional time the Senator from Florida has yielded to himself has expired.

Mr. SMATHERS. Mr. President, I yield to myself 5 additional minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 additional minutes.

Mr. SMATHERS. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Florida has 22 minutes remaining.

Mr. HUMPHREY. Mr. President, I pose the question again to the Senator from Florida, in light of the colloquy which has just occurred. The American Association of Railroads indicated in a letter which was printed in the CONGRESSIONAL RECORD on yesterday—a letter signed by the vice president and general counsel of the association, that following Judge McGarraghy's decision, they would refuse to submit section 22 quotations or bids to the Department of Defense; and they are insisting that section 22 be maintained.

My question is this: If it be true that the railroads give so much lower rates under section 22, and if it is true that that saves the Government so much money, why are the railroads so anxious to have section 22, which makes the reduced rates possible, retained? The Government has to ship troops and commodities, regardless of the rates which apply. So why are the railroads so anxious to have the Government have the benefit of low rates?

Mr. SMATHERS. I asked them that question. I asked them, "Are you ever forced to accept this business?"

They replied, "No; we are not."

Then I asked, "Would you ever accept business would result in a loss to you?"

They replied, "Well, in some cases we would—if it resulted in our taking our equipment across the country, where we would be able to have a profitable haul back."

Mr. PASTORE. Mr. President, will the Senator from Florida yield to me?

Mr. SMATHERS. I yield.

Mr. PASTORE. I am very much impressed with that argument, and surely the junior Senator from Rhode Island is not a protagonist of the railroads. But let me ask this question: Must we not rely on the statement which was made by the representative of the Department of Defense and the statement which was made by the representative of the Atomic Energy Commission, and the statements which have been made by the representatives of the other Government agencies which have shipping business? They have said to the committee, "Unless this measure is enacted, our transportation bill will be much higher." Does that not impress the Senator from Minnesota?

Mr. HUMPHREY. Yes. As I said yesterday, I was primarily seeking information which had not been obtainable from any hearings, because there were no hearings on the Harris amendment, inasmuch as the Harris amendment was tacked on in the House of Representatives, and was railroaded through—to use the proper terminology—in the conference.

But here there is a conflict of evidence. The Bureau of Transportation Economics and Statistics, of the Interstate Commerce Commission, points out that the Government pays more under section 22 rates. That statement is included in the record of the House committee hearings of the 84th Congress.

Mr. SMATHERS. That is correct; there is no doubt about it.

Mr. HUMPHREY. The chairman of the Interstate Commerce Commission says that is not true. But I recall that at one time, when the committee was dealing with postal rates, and when a representative of the Interstate Commerce Commission was before the committee, when the committee was dealing with the so-called round-trip provisions in the case of the Post Office Department, wherein the Government of the United States was compelled to pay as much for the transportation of an empty railroad car as it was for the transportation of a full railroad car, there were 45 railroad attorneys against one post-office attorney, a gentleman from Chicago, Mr. Delany, a very able man——

Mr. SMATHERS. Mr. President, the Senator from Minnesota is speaking in my time.

Mr. HUMPHREY. Very well; I shall suspend. I appreciate the courtesy of the Senator from Florida in permitting me to speak this long.

Mr. SMATHERS. Mr. President, the principal allegation made was that the railroads were taking action in concert in order to offer rates as much as 50 percent below the published rates; and the district court found that to be the case. So, Mr. President, if they were trying to offer rates as much as 50 percent below the published rates, the Government was bound to be benefiting by such lower rates.

Mr. HUMPHREY. But the point is that those rates were 50 percent below the published rates, in a situation in which there was competition. Certainly all that is involved in this matter is the old skin game, which is known to anyone who has ever run a corner drugstore, namely, if you have competition, cut your rates sharply, and cut them enough, and cut them long enough, until you can drive all your competition out of business. Then, when all your competition has vanished, you can raise your rates enough to make up for the cuts you made in the preceding period.

The PRESIDING OFFICER. The additional time the Senator from Florida has yielded to himself has expired.

Mr. SMATHERS. Mr. President, I yield myself 1 more minute.

The PRESIDING OFFICER. The Senator from Florida is recognized for 1 additional minute.

Mr. SMATHERS. Mr. President, the Senator from Minnesota and I agree that, ordinarily, when there is no competition, the railroads quote a passenger rate only 10 percent below the published rates; but when there is competition, they reduce their rates as much as 50 percent below the published rates.

On the other hand, why have a situation in which the railroads cannot establish reduced rates for the Government?

Mr. PASTORE. Mr. President, will the Senator from Florida yield to me?

Mr. SMATHERS. I yield.

Mr. PASTORE. Will the Senator from Florida yield, so that I may ask another question of the Senator from Minnesota?

The PRESIDING OFFICER. The additional time yielded by the Senator from Florida to himself has expired.

Mr. SMATHERS. Mr. President, I yield myself 2 additional minutes.

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

Mr. HUMPHREY. Perhaps the Senator from Tennessee will yield time at this point.

Mr. KEFAUVER. Mr. President, let me inquire how much time remains under my control?

The PRESIDING OFFICER. The Senator from Tennessee has 33 minutes remaining under his control.

Mr. KEFAUVER. Mr. President, in that case I yield 5 minutes to the Senator from Minnesota [Mr. HUMPHREY].

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 5 minutes.

Mr. PASTORE. Mr. President——

Mr. HUMPHREY. I yield.

Mr. PASTORE. The Senator from Minnesota makes a rather good argument. What disturbs me is that this situation does not apply to a private shipper, whereas all we are trying to do is give the United States Government the same advantages a private shipper has.

If action taken in concert actually, in the long run, hurts the United States, as a shipper, then does not the Senator think the law should be changed, so there would be a violation of the antitrust laws, without regard to whether the shipper was a private person or was the United States Government?

Mr. HUMPHREY. To be frank about the matter, my answer is "Yes." What the Senator from Rhode Island is saying is that the Reed-Bulwinkle Act is the source of the evil—and I agree—and that what we should do is, instead of scratching, perform major surgery.

However, we are not now in the operating room; we are only in the bandaging room. In short, what we have before us is the report of the conference committee.

Mr. PASTORE. If the Senator from Minnesota will today submit a bill to amend that, I will go along with him, and I will vote for the amendment.

Mr. HUMPHREY. But the point is that we cannot amend a conference report.

Mr. SMATHERS. But we could act on such an amendment in January of next year.

Mr. HUMPHREY. The Congress will be on the job then, I trust. In fact, we may not leave here before then. I say that because I want everyone to have a bad day. [Laughter.]

Mr. MORSE. Mr. President, will the Senator from Tennessee yield 5 minutes to me?

Mr. KEFAUVER. I yield 5 minutes to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 5 minutes.

Mr. MORSE. Mr. President, I desire to have the attention of the Senator from Washington [Mr. JACKSON] and the Senator from Rhode Island [Mr. PASTORE]. This is not the place to try a lawsuit; but I wish to say that I completely disagree with my friend, the Senator from Florida [Mr. SMATHERS] in regard to what the Reed-Bulwinkle Act provides. The act itself reads as follows:

> (3) CHANGE IN RATES, FARES, ETC.; NOTICE REQUIRED; SIMPLIFICATION OF SCHEDULES
>
> No change shall be made in the rates, fares, and charges or joint rates, fares, and charges which have been filed and published by any common carrier in compliance with the requirements of this section, except after 30 days' notice to the Commission and to the public published as aforesaid, which shall plainly state the changes proposed to be made in the schedule then in force and the time when the changed rates, fares, or charges will go into effect; and the proposed changes shall be shown by printing new schedules, or shall be plainly indicated upon the schedules in force at the time and kept open to public inspection: *Provided*, That the Commission may, in its discretion and for good cause shown, allow changes upon less than the notice herein specified, or modify the requirements of this section in respect to publishing, posting, and filing of tariffs, either in particular instances or by a general order applicable to special or peculiar circumstances or conditions: *Provided further*, That the Commission is authorized to make suitable rules and regulations for the simplification of schedules of rates, fares, charges, and classifications and to permit in such rules and regulations the filing of an amendment of, or change in, any rate, fare, charge, or classification without filing complete schedules covering rates, fares, charges, or classifications not changed if, in its judgment, not inconsistent with the public interest.

So I dispute the contention of the Senator from Florida that under the Reed-Bulwinkle Act, fare changes and rate changes do not have to be approved by the Interstate Commerce Commission.

The distinguished Senator from Washington [Mr. JACKSON] and I discussed this matter at great length on yesterday. We think the Commission is subject to severe criticism, and we think it should be thoroughly investigated, as we said on yesterday, on the floor of the Senate. The Commission has been accepting these changes without itself making any alterations in them. But under the statute, the Commission has the clear, mandatory duty, in my opinion, to see to it that any rate proposed as a result of action taken in concert meets with the approval of the Commission.

Mr. SMATHERS. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. First, Mr. President, I wish to say that in the present instance, the attempt being made is to breach the antitrust law. The present attempt is to make the Interstate Commerce Commission the receptacle of notices of rate changes, rather than to have the Interstate Commerce Commission make the railroads come before it and put the proposed new rates on top of the table, in advance of initiating them.

Consider the measure which is before us, particularly the language at the top of page 2, as follows:

> At reduced rates for the United States Government, or any agency or department thereof, including quotations or tenders for retroactive application—

That is the jigger, that is the gimmick, in this particular bill—

> for retroactive application whether negotiated or unnegotiated after the services have been performed, shall be in writing or confirmed in writing and a copy or copies thereof shall be submitted to the Commission by the carrier or carriers offering such tenders or quotations.

There is nothing the Interstate Commerce Commission can do, under that provision. It will just have to receive the copies or file them.

I am saying, let us wait until January. Let the McGarraghy decision go to the court of appeals. In my judgment, Judge McGarraghy found, in effect, that what railroads are doing is using traffic from military installations, Government business, to undercut other forms of transportation, in order to break the competition, and then they will be in a position, when the field is wide open, after breaking competing lines, to raise the rates, which the taxpayers would have to pay.

So what Judge McGarraghy is saying—and I am not so sure it is not a very wise statement; at least we should wait until the Supreme Court has a look at it—is that he is not going to sit still and let the railroads use the Pentagon and the Atomic Energy Commission and other Government agencies as a device for a cutrate program for shipment of goods in order to break other shippers who are serving the businessmen and commercial houses of America.

It makes a good argument to say we are going to save the taxpayers some money by shipping Government goods in that manner. What the judge is pointing out is that the railroads are using traffic from Government installations for cutting rates in order to put competition out of business. Then watch how high the rates will go after the competition has ended.

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

Mr. MORSE. I yield.

Mr. JACKSON. I voted against the Reed-Bulwinkle bill, because I felt that breaking the antitrust laws was bad and that in the end competition would be lessened; but is it not true that the same argument which the distinguished senior Senator from Oregon has just made, which is an able argument, applies with equal force where such rates are made for private commercial handlers?

Mr. MORSE. It surely does. Under the bill, with the Harris amendment in it, the Interstate Commerce Commission, if it is not holding hearings, is not approving of these rates and is not carrying out the language of the Reed-Bulwinkle provisions.

Mr. JACKSON. One reason why I voted against the Reed-Bulwinkle bill was that private commercial shippers could do the very thing the Senator has mentioned. What disturbs me is that the provision has been interpreted to apply to commercial shippers, but not to the Government. I am against the whole procedure. How can one justify discrimination against the Government in the matter of lower rates?

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

Mr. KEFAUVER. I yield the Senator from Oregon 3 minutes more.

Mr. JACKSON. How can one justify discrimination against the Government, with all the accompanying bad practices, when Congress has legalized the action as to private commercial shippers? I am against the Reed-Bulwinkle Act. I voted against the bill. What disturbs me is that the Government has a disadvantage so far as actual dollars are concerned.

Mr. MORSE. My reply is that we ought to wait until the higher courts have acted upon the decision of the district court. Then we could have hearings on the Harris amendment, which we have not had, and get testimony before the Committee on Interstate and Foreign Commerce, of which the Senator from Rhode Island is a member. Hearings could be held in January, and then we could decide whether or not it is desired to rewrite the whole bill. I do not know why we should, on the floor of the Senate, pass on a rider which has been added to the Senate bill by the House of Representatives.

Mr. PASTORE. I agree with the Senator. If there were something we could do to suspend the whole action until January, that would be all right, but I suppose we are going to vote the report up or down. When the question comes on a motion to recommit, I shall vote for it. I think discrimination ought to be removed entirely. I believe the law ought to apply as equally to the private shipper as it does to the Government.

Mr. MORSE. I shall vote against repeal of section 22 in January, if I get a chance to do so.

Mr. PASTORE. I shall, too, but when the motion to recommit is put, I shall vote for it. If there is to be an up-or-down vote, I shall vote to give the United States Government the same kind of an advantage private shippers have.

Mr. MORSE. The question before the Senate is the Kefauver motion, which proposes to postpone action on the conference report until January.

Mr. PASTORE. I shall vote for it.

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

Mr. MORSE. I have made my case, so far as I am concerned.

Mr. KEFAUVER. I yield 3 minutes to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, the argument which has been relentlessly pursued in this case—and it is a moving appeal to the citizenry—is that we are going to save the Government money. The answer to that argument is that we may temporarily chalk up or add up an economic saving, but at the expense, No. 1, of basic public statutes, the antitrust laws, which protect the free enterprise system ultimately at the expense of the users of transportation, because the history of this kind of activity is that when there are loss leaders, which is exactly what section 22 deals with, they drive competition from the marketplace. For every dollar the Government saves, the taxpayer ultimately pays far more in increased prices or rates.

If what is sought were permitted, it would be a violation of the Robinson-Patman Act, because it would legalize loss leaders, since that is what is contemplated, and in one sense there would not be competition in good faith, because there would be competition only in the areas where there was an attempt to destroy competition.

It is on that basis that I think the Senator from Tennessee has made a motion which is worthy of our favorable consideration. The Senator from Tennessee is not saying we should kill the conference report. The Senator from Tennessee is saying we should delay final action on it until the committees designated by Congress to undertake an investigation into this very complex field have an opportunity to do so. The complexities of the transportation laws are almost beyond human comprehension. The Senator from Tennessee has said, "Look, here comes a House provision on a conference report," and he is asking only that the Senate of the United States take enough time, until January next year, next session, so that we can really look into the question. As the Senator from Rhode Island has said, he would have serious doubts about voting nay on the conference report, which I think all of us would have, because after we return home people might say, "You voted to have the taxpayers pay $100 million more."

By the way, I remind Senators that the conference report contains retroactive provisions. Therefore, even if we should delay action until January, nothing will be lost even if the conference report should then be agreed to. In the meantime, Members of the Senate will know what they are doing.

I say to my colleagues that when we literally drive a bulldozer through the antitrust laws in the name of the Federal Government, and in the name of departments and agencies whose representatives appeared before Congress, with a letter as their testimony, then we are taking a pretty serious step. I am frank to tell my colleagues I am in doubt about many points in the conference report. It is not ironbound.

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

Mr. PURTELL. I wonder if the Senator will yield to me.

Mr. SMATHERS. I think I have yielded to the Senator from Tennessee and the Senator from Oregon about 10 minutes in order to argue the proponent's case. I think the Senator naturally would like to see that action reciprocated.

Mr. PURTELL. I understood the Senator from Oregon to state he quoted from the Reed-Bulwinkle bill. Do I correctly understand that the Senator from Oregon quoted from a law which he said was the Reed-Bulwinkle bill?

Mr. MORSE. Yes.

Mr. PURTELL. As I understand section 7, that is not the Reed-Bulwinkle bill. The section is section 5 (a).

Mr. MORSE. I quoted section 6.

Mr. PURTELL. The Reed-Bulwinkle part is section 5 (a).

Mr. MORSE. I may say to the Senator from Connecticut, counsel advises me that I quoted from the rate section of the Reed-Bulwinkle bill.

Mr. SMATHERS. Counsel is incorrect.

Mr. PURTELL. Counsel is not correct. The Reed-Bulwinkle part is section 5 (a).

Mr. MORSE. I may say to the Senator from Connecticut I quoted section 6 of the Interstate Commerce Act, of which the Reed-Bulwinkle bill is a part, and the rate part applies to the section of the act that includes the Reed-Bulwinkle bill. I have quoted the ratemaking section of the Interstate Commerce Act, of which the Reed-Bulwinkle bill is a part, and it is equally applicable to the procedures under the Reed-Bulwinkle section.

Mr. PURTELL. Of course, every part of the act is a part of the whole, as is the Reed-Bulwinkle bill, but the Reed-Bulwinkle bill specifically treats of this matter under paragraph 9, affecting immunity under the antitrust law. That is what the Reed-Bulwinkle bill provides, and it is not provided in section 6.

Mr. MORSE. It has nothing to do with the duty of the Commission to pass upon any rates.

Mr. PURTELL. That is correct.

Mr. MORSE. That is what section 6 provides. It is the only rate-making section.

Mr. PURTELL. Mr. President, may I have another minute?

Mr. KEFAUVER. I yield the Senator 1 minute.

Mr. PURTELL. I suggest that we have a letter from the chairman of the Interstate Commerce Commission which also points out that this not only covers rates, as one might interpret what rate means, but also agreements under section 5 (a).

Mr. MORSE. My question is, So what? The Chairman of the Interstate Commerce Commission cannot change the law. I read the law to the Senator.

Mr. PURTELL. No, the Senator did not read section 5 (a). The Senator read section 6.

Mr. MORSE. I read the rate section, which applies to the Reed-Bulwinkle act.

Mr. PURTELL. That is correct, but that does not apply to section 22, I will say to the Senator.

Mr. MORSE. It applies to any rate any railroad may make, under the Interstate Commerce Act, unless we pass the bill and the situation which is set up under it. Under the Interstate Commerce Act, the railroads cannot establish rates without getting approval of the Interstate Commerce Commission.

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

Mr. PURTELL. Mr. President, will the Senator yield me 1 more minute?

Mr. KEFAUVER. I yield an additional minute to the Senator from Connecticut.

Mr. PURTELL. May I read section 22?

Mr. MORSE. Certainly.

Mr. PURTELL. Section 22 provides:

> That nothing in this part shall prevent the carriage, storage, or handling of property free or at reduced rates for the United States, State, or municipal governments, or for charitable purposes——

Mr. MORSE. For charitable purposes. Section 22 does not mean that in the absence of the legislation such as it is proposed we pass today the railroads can fix any rate they want to and not follow the regulations prescribed in section 6.

Mr. PURTELL. The regulations in section 5.

Mr. MORSE. That is why I suggest we ought to have a thorough investigation of what we are doing.

Mr. PURTELL. They can follow the regulations prescribed in section 5. If the agreement is entered into and approved by the Interstate Commerce Commission, the Commission can grant to the railroad authority to charge the rate. They have been doing that since 1948.

Mr. MORSE. That is what I am talking about. They ought to get approval. The Senator has used those words himself.

Mr. PURTELL. They do get approval, I will say to the Senator.

Mr. MORSE. I was answering the argument that they did not have to get approval, and the Senator said that they did. I am glad the Senator is on my side.

Mr. PURTELL. I beg the Senator's pardon. I should like to be on the Senator's side, but I am not, because if I were I would be on the wrong side.

Mr. MORSE. Do they get approval, or do they not?

Mr. PURTELL. They get an approval of the right to agree, but not of the rates, as stated in section 5 (a).

Mr. MORSE. We cannot escape the language of section 6, which is applicable to section 5 (a).

Mr. PURTELL. I am not trying to escape the language of section 5 (a). I refer to the language of section 5 (a) and section 22.

Mr. MORSE. That is further evidence that we had better wait until January to find out about many things.

Mr. PURTELL. We have a clear understanding of it.

Mr. MORSE. The Senator thinks he does, but he had better wait until the courts get through with it.

Mr. KEFAUVER. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Tennessee has 16 minutes remaining.

Mr. KEFAUVER. Does the Senator from Florida desire to yield some time now?

Mr. SMATHERS. I have less time remaining than has the Senator from Tennessee.

Mr. KEFAUVER. Mr. President, I yield myself 6 minutes.

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

Mr. KEFAUVER. I yield to the Senator from Rhode Island for a question.

Mr. PASTORE. I ask the distinguished Senator from Tennessee this question: In the event that action is postponed on the conference report, will the result be that the Government will be able to proceed as it has proceeded heretofore, before the case was brought in the district court, or will the Government be prejudiced in any way, in view of the decision rendered by the court?

Mr. KEFAUVER. There is no prohibition against the Government proceeding, under section 22, to enter into any contract with any carrier for the hauling of goods at a reduced rate. It can continue to proceed in that manner. The only thing which the carriers could not do would be joining together for the purpose of getting Government business. That is what is covered by Judge McGarraghy's opinion. The carriers could proceed to reduce the rates and make any rate they wanted to for the purpose of getting Government business, so long as they did not act in a conspiracy in violation of the antitrust laws.

Mr. PASTORE. I understand that the decision has been appealed.

Mr. KEFAUVER. The decision has been appealed to the court of appeals. The court of appeals will decide the case this fall.

Mr. PASTORE. Does the judgment of the district court stand as the law until the appeal is heard, or does the appeal automatically vacate the opinion of the court pending the appeal?

Mr. KEFAUVER. As the matter now stands, the railroads, if they entered into a conspiracy, would be taking a chance of violating the antitrust laws. Whether they are willing to take the chance, I do not know. Personally, I think they are in direct violation of the antitrust laws in what they have done, under the McGarraghy opinion.

Mr. PASTORE. I hope the Senator from Tennessee realizes what the problem of the Senator from Rhode Island is. I have already indicated that I should like to see action on the conference report postponed. Now I understand from the remarks of the distinguished Senator from Tennessee that we cannot postpone it, because in the meantime, from now until we take action in the Congress, the decision handed down by Judge McGarraghy will be in effect. Is that correct, or incorrect? I should like to know the answer.

Mr. MORSE. Mr. President, will the Senator from Tennessee yield to me for a half minute, with regard to the question which has been asked?

Mr. KEFAUVER. I yield.

Mr. MORSE. I should like to have the attention of counsel. Counsel cannot speak, but he can speak through me.

It is my understanding that at the present time there is no injunction in effect. The court of appeals has stayed the injunction. The appeal will be heard on September 9.

Counsel advises me that that is the correct understanding. The appeal will be heard September 9.

Mr. PASTORE. Therefore, as the matter now stands, we can proceed, and go along as we did before the case was taken to the district court, under the law as it was understood at the time.

Mr. MORSE. That is my understanding.

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

Mr. KEFAUVER. While the injunction has not taken effect, if the court of appeals and the Supreme Court finally decide as Judge McGarraghy decided, in my opinion the small air companies, in the absence of the proposed legislation, would be able to win the judgment against the railroads. But if Judge McGarraghy is overruled, they would not be able to.

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

Mr. KEFAUVER. I yield first to the Senator from Minnesota [Mr. HUMPHREY].

Mr. HUMPHREY. It seems to me the point which needs to be clarified, insofar as the law which is under discussion is concerned, is the exact interpretation relating to section 5 (a) and section 22. We keep kicking these two sections around. I should like to see if I have a proper understanding of them.

Section 5 (a) is in fact the Reed-Bulwinkle Act.

Mr. SMATHERS. The Senator is correct.

Mr. HUMPHREY. Section 5 (a) provides for concerted ratemaking, but subject to the plenary jurisdiction of the Interstate Commerce Commission.

Mr. KEFAUVER. Section 5 (a) provides for concerted ratemaking, but the carriers have to file a notice for 30 days and make an appearance.

Mr. HUMPHREY. That is correct.

Mr. KEFAUVER. And anybody can file an objection.

Mr. PURTELL. It is simply necessary to get approval.

Mr. KEFAUVER. It is necessary to get approval.

Mr. HUMPHREY. That matter is subject to the jurisdiction of the ICC.

Mr. KEFAUVER. The Senator is correct.

Mr. HUMPHREY. In other words, the rates must ultimately be subject to ICC authority.

Mr. KEFAUVER. That is correct.

Mr. HUMPHREY. That is my understanding. Section 22 does not refer to rates, but refers to reduced rates.

Mr. KEFAUVER. Or contracts for charges.

Mr. HUMPHREY. But the phrase reduced rates is used.

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

Mr. KEFAUVER. How much time do I have remaining, Mr. President?

The PRESIDING OFFICER. The Senator has 10 minutes remaining.

Mr. KEFAUVER. I yield myself 3 more minutes.

Mr. HUMPHREY. As I understand the reduced rates, as defined in section 22, are not subject to ICC jurisdiction.

Mr. KEFAUVER. That is correct.

Mr. HUMPHREY. So on the one hand, while the procedure the Senate has cited may be the practice where rates are agreed to in concert under section 5 (a), the Reed-Bulwinkle Act, at least the theoretical authority is within the Interstate Commerce Commission to adjust those rates, to hold them within minimums and maximums, as the ICC Act states, and, therefore, the matter is under the plenary jurisdiction of the Interstate Commerce Commission. Section 22, since it refers to reduced rates, does not come under the ICC jurisdiction. In other words, those rates are immune from any regulation.

Mr. KEFAUVER. And if the conference report bill shall be enacted the standards of the Reed-Bulwinkle Act will not apply to Government business. It will be possible to contract, and then—after the fact—retroactively file the papers with the Interstate Commerce Commission.

Mr. HUMPHREY. Exactly.

Mr. KEFAUVER. And there would be no standard of regulation by the Interstate Commerce Commission, as is ordinarily the case.

Mr. HUMPHREY. The Interstate Commerce Commission becomes a depository.

Mr. KEFAUVER. The Senator is correct.

Mr. HUMPHREY. Or an archive, so to speak, for action which is about to take place or has taken place.

I invite to the attention of my colleagues a reference which was brought to my attention as of yesterday, which I did not mention.

In the 79th Congress, I believe it was, there was an investigation made of Government payments to railroads for the shipment of war goods, materiel, and personnel. Those payments were made under the reduced rate schedules within the confines or the purview of section 22. It was discovered at that time, demonstrated by the testimony of the ICC itself, that the Government was in a helpless position insofar as the ICC was concerned, in order to obtain any kind of relief or action on the part of the Interstate Commerce Commission as to overcharging under section 22.

Mr. KEFAUVER. The Senator is correct.

Mr. HUMPHREY. So it seems to me that the history relating to section 22, the economic history insofar as the Government is concerned, is not one of reduced rates which are meaningful in terms of real cost, but rather one of excess charges, where the Government makes payments of excess charges and is unable to recoup that which even its own instrumentality of Government says it deserves.

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

Mr. PURTELL. Will the Senator yield to me, to allow me to ask a question?

Mr. KEFAUVER. I wanted to save the remaining time.

Mr. HUMPHREY. I will conclude on that note, because it appears to me, Mr. President, that what we are doing here, if we are not very careful, is standardizing, and really making it possible to do under the law what has been an abuse of practice in the past.

Mr. PURTELL. Mr. President, will the Senator allow me 1 minute to refer to the remarks of the Senator from Minnesota?

Mr. KEFAUVER. Yes.

Mr. PURTELL. Is the Senator from Minnesota clear in his recollection as to the information he received, that the matter discussed in the 79th Congress referred to section 22?

Mr. HUMPHREY. Yes; that is correct.

Mr. PURTELL. That is correct?

Mr. HUMPHREY. That is my understanding.

Mr. PURTELL. I suggest to the Senator that he might wish to check his source of information.

Mr. HUMPHREY. My information, if the Senator will permit me to reply, is that there were Senate hearings on House bill 2536 in the 79th Congress, when evidence was presented by the Justice Department, on the part of the Government, seeking to obtain some relief. The United States Government had been demonstrated to have been the victim of concerted action under section 22 practices.

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

Mr. KEFAUVER. Mr. President, what time is left on our side?

The PRESIDING OFFICER. The Senator from Tennessee has 7 minutes, and the Senator from Florida has 14 minutes.

Mr. KEFAUVER. The Senator from Florida has more time remaining than I have. Does he wish to yield any time?

Mr. CLARK. Mr. President, I wonder if the Senator from Florida would be willing to answer a couple of questions.

Mr. SMATHERS. I shall be happy to try to answer them.

Will the Chair stop me at the end of 3 minutes?

Mr. CLARK. Am I correct in saying that before the lower court decision the procedure under the Reed-Bulwinkle Act had been operating smoothly for almost 9 years, and the railroads had been making arrangements with the Government for the transportation of people and goods, and that there was no controversy over the procedure?

Mr. SMATHERS. The Senator is correct.

Mr. CLARK. Is it not also true that during that period the nonscheduled airlines very much increased their share of the transportation of this kind of Government traffic, as compared with the share which they had at the beginning of that period?

Mr. SMATHERS. The Senator is correct. The chart behind the Senator will show the history and the percentages for the past 3 years.

Mr. CLARK. Is it not true that all the conference agreement purports to do is to continue the status quo before the lower court decision?

Mr. SMATHERS. The Senator is correct.

Mr. CLARK. So no drastic change in existing law is proposed. This is not a situation in which we are violating the antitrust laws and getting into something brandnew. It is proposed merely to continue the situation which has been the law for 9 years.

Mr. SMATHERS. As it was understood by all the Government agencies, including the Interstate Commerce Commission, and the railroads.

Mr. CLARK. Is it not also true that the conference report protects the right of appeal of the nonscheduled airlines, by reason of the proviso in the amendment?

Mr. SMATHERS. We attempt to do so in every way. That is a matter of legal interpretation. We have tried to protect them, and I think we have.

Mr. PURTELL. Mr. President, will the Senator yield 3 minutes to me?

Mr. SMATHERS. I yield 3 minutes to the Senator from Connecticut.

Mr. PURTELL. An answer was given to the Senator from Rhode Island [Mr. PASTORE] as to what effect the action taken by the conference committee might have upon the carrying of Government goods.

The information we have indicates that the railroads would be very reluctant to operate under section 22, fearful that ultimately they might find themselves in violation of the law. Therefore they will not grant the low rates to the Government at this time or until such time as action is taken by the court or by the Congress.

I wish to make it clear that I have no interest in the railroads or the nonscheduled airlines. Nor am I trying legislatively to displace a court decision.

We have heard a great deal about section 5 (a) and section 22. What do these sections provide? Section 5 (a) provides as follows:

> Any carrier party to an agreement between or among two or more carriers relating to rates, fares, classifications, divisions, allowances, or charges (including charges between carriers and compensation paid or received for the use of facilities and equipment), or rules or regulations pertaining thereto, or procedures for the joint consideration, initiation, or establishment thereof, may, under such rules and regulations as the Commission may prescribe, apply to the Commission for approval of the agreement, and the Commission shall by order approve any such agreement (if approval thereof is not prohibited by paragraph (4), (5), or (6) if it finds that, by reason of the furtherance of the national transportation policy declared in this act, the relief provided in paragraph (9) should apply with respect to the making and carrying out of such agreement.

Paragraph (9) is the one which affects the entire area we are discussing. It reads as follows:

> Parties to any agreement approved by the Commission under this section and other persons are, if the approval of such agreement is not prohibited by paragraph (4), (5), or (6), hereby relieved from the operation of the antitrust laws with respect to the making of such agreement, and with respect to the carrying out of such agreement in conformity with its provisions and in conformity with the terms and conditions prescribed by the Commission.

That means, as I read it, that any agreement which has been approved by the Commission, to the extent that the agreement points out what it is for, would be free of the antitrust laws. But it certainly does not mean that any operation by the railroads or any other carriers outside the aggreement approved by the Commission would not be in violation of the antitrust laws.

Let me point out one thing further with respect to section 5 (a), which we have been discussing.

Paragraph (7) of section 5 (a) reads as follows:

> (7) The Commission is authorized, upon complaint or upon its own initiative without complaint, to investigate and determine whether any agreement previously approved by it under this section, or terms and conditions upon which such approval was granted, is not or are not in conformity with the standard set forth in paragraph (2), or whether any such terms and conditions are not necessary for purposes of conformity with such standard, and, after such investigation, the Commission shall by order terminate or modify its approval of such agreement if it finds such action necessary to insure conformity with such standard, and shall modify the terms and conditions upon which such approval was granted to the extent it finds necessary to insure conformity with such standard or to the extent to which it finds such terms and conditions not necessary to insure such conformity. The effective date of any order terminating or modifying approval, or modifying terms and conditions, shall be postponed for such period

as the Commission determines to be reasonably necessary to avoid undue hardship.

What I am trying to point out is that it is felt that relief was provided in that such agreements had to be approved by the Interstate Commerce Commission, covering section 22 rates. It was felt that there was recourse to the Commission, and that complaint could be made. I do not know that any such complaints have been made. My understanding is that no complaints of that nature have been registered.

That is the situation under the Reed-Bulwinkle Act. What we are trying to do is not to determine what the courts should do, and not to act upon what the court has done. My study has convinced me beyond question that section 22 was covered by section 5 (a). I want to see the status quo maintained until court decisions may indicate otherwise. I do not wish to see any change at this time by way of legislation.

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

Mr. PURTELL. I yield.

Mr. CLARK. Does the Senator agree with the Senator from Florida that the bill protects the right of appeal of the nonscheduled airlines in a pending case?

Mr. PURTELL. I am not interested in the nonscheduled airlines. I am not interested in the railroads. Frankly, what they have done under the antitrust laws is something for the court to decide.

Mr. KEFAUVER. Mr. President, I yield myself the remaining time on my side.

The PRESIDING OFFICER. The Senator from Tennessee has 7 minutes.

Mr. KEFAUVER. Mr. President, the discussion in the Senate today is a most eloquent argument in favor of the motion I have made to postpone consideration of the conference report until January 30, 1958, at 2 o'clock p. m.

We are dealing with one of the most intricate and complicated subjects of legislation. It is highly technical. There have been arguments back and forth as to the meaning of section 5 (a) and section 22. There have been arguments back and forth as to whether the Government will lose money or make money, and as to the merits of section 22.

The very confusion which exists here today is ample reason why we should have some committee guidance and direction on this very complicated subject. The reason we are not getting committee guidance and instruction is that a bill providing merely for a report to the Interstate Commerce Commission was passed by the Senate. That was what was presented to the House. The railroad company lost its lawsuit, and, as railroads have done so frequently, it comes to Congress and tries to have a law enacted, in order to win its lawsuit before the legislative body, when it should fight it out in the courts.

Let us talk about some of the issues in dispute.

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

Mr. KEFAUVER. I yield.

Mr. PURTELL. The Senator has said that the railroads have come to Congress for relief. Is it not a fact, as has already been indicated, that it was the Defense Department which came to Congress and complained? It was the Defense Department which asked for some relief.

Mr. KEFAUVER. If the Senator does not know that the railroad lobby is working, he has not been around to see about it.

Mr. PURTELL. Lobbies are active on both sides.

Mr. KEFAUVER. The Senator says that lobbies are active on both sides. I presume he is correct.

It has been stated that section 22 has always been considered to be covered by the Reed-Bulwinkle law. That is not true. Even in April, before the Interstate and Foreign Commerce Committee, when the Senator from Ohio [Mr. Lausche] and the Senator from Florida [Mr. Smathers] were present, Mr. Clarke, the Chairman of the Interstate Commerce Commission, made this statement:

> The Commission has no power or authority at the present time to interfere in any way with the section 22 rate. We can't compel it to be raised or lowered. It is outside our jurisdiction entirely.

I invite attention to the history of the debates. I ask unanimous consent to have excerpts from the debates printed in the Record at this point as a part of my remarks.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

> The hearings held by the Committee on Interstate Commerce have never been printed. They are not available to Members of the Senate. The bill was passed in the House on December 10, 1945, came to the Senate, and was referred to the Committee on Interstate Commerce. The committee held some hearings during the spring. I do not know why they have not been printed and are not available to the Members of the Senate, but they are not. No one outside the few members of the committee who were present at the time knows what the testimony was. Frequently, when bills have been brought up in the Senate, Senators have even objected to their consideration until the hearings could become available, and no one seriously questioned the propriety of such a request for postponement.
>
> Mr. Russell. I appreciate the Senator from Kentucky making this point very clear. Here we have a very highly controversial bill, involving one of the most complicated subjects in the entire American economy, that of freight rates, on which hearings were held for several weeks, and we are asked to take up the bill and consider it without having been able to secure a copy of the hearings and read them. The members of the Committee on Interstate Commerce may have had the hearings available, and may have had an opportunity to hear the witnesses themselves. The Senator from Kansas [Mr. Reed] is familiar with these subjects by virtue of his long background in dealing with public-utility matters.
>
> Mr. President, this bill affects my State. It affects litigation which the Supreme Court of the United States has permitted my State to file in that Court, and which has been referred to a master for determination. In view of the fact that I have not been able even to secure copies of the hearings, to see what the witnesses submitted in behalf of my State, I certainly feel justified in using any means at my command which are legal to see that the bill is not passed by the Senate, or taken up for consideration, in view of the fact that we have had no opportunity whatever to read the hearings. I appreciate the fact that the Senator from Kentucky has made that point clear.
>
> I ask the Senate in all seriousness, how often and to what extent are we to constitute ourselves into a supreme court in order to take away from the court litigation which has gone there properly under the law, in order that we may cut the ground out from under the Supreme Court in determining what is the law in regard to these situations? That is what this bill attempts to do.
>
> Mr. Barkley. Yes; very similar. The introduction of such bills seems to have become a habit here. If someone brings a lawsuit in the Federal court, and it gets to the Supreme Court, or does not get to the Supreme Court, a case which involves an interpretation of the laws which Congress has passed to protect the American people, instead of fighting the question out in the courts and allowing the courts to exercise their jurisdiction, Congress is asked to enact a law passing upon the question in advance of the courts having an opportunity to pass upon it. I think it is a vicious practice; I think it is a vicious habit; it ought never to have been indulged in.
>
> It seems to me that for the Congress to start out on the career of undertaking to nullify lawsuits, undertaking to set itself up an a master in chancery in the Supreme Court to determine what are the rights of these litigants, is an unjustified invasion of the jurisdiction of the court.
>
> Mr. Hill. And the Senate at this moment does not even have the hearings, does not even have the testimony, does not even have the evidence on this bill available to it for study.
>
> I know that investigation of the subject was made. Under this bill the Department of Justice would have no occasion to make such an investigation to determine the facts, because we are proposing to say to the Government of the United States, to the Department of Justice, and to the Federal courts, "The railroads are to be put on an island of safety, beyond the reach of the antitrust laws."
>
> Mr. Ferguson. As I read that provision, the bill would not interfere with the litigation before the Supreme Court. If certain railroads have violated the antitrust laws, they certainly should be punished. The last thing I would wish to do would be to interfere with a suit for the punishment of such railroads.
>
> Mr. Russell. The State of Georgia sought injunctive relief against the railroads from the conspiracy which was alleged, a conspiracy to combine to fix rates which were detrimental to the State of Georgia. If we pass this bill it will permit the railroads to get together and fix rates. The very heart will be cut out of the case of the State of Georgia which seeks to enjoin the conspiracy to discriminate against the State of Georgia and other States similarly situated.
>
> Mr. Barkley. I respectfully submit that it would do the State of Georgia, or any other State in the United States, no good simply to obtain a decision of the Supreme Court holding that what the railroads did at the time stated in the complaint was unlawful, when we are proposing to make it lawful hereafter for the railroads to do the same things which are involved in the lawsuit in the Supreme Court. The decision would be moot. It would not grant any relief. There would be no particular efficacy in having the Supreme Court decide that something which happened a year or two ago was unlawful then, and to have the Congress say that from now on it shall be lawful to do the same thing.
>
> Mr. Fulbright. This matter is as important to Arkansas as it is to Georgia. I cannot understand why there is any urgency that the bill be considered. It seems to me that it would be wholly inappropriate to have

the Senate consider the bill at this time. The hearings have not been printed, and it is obvious that the subject matter of the bill is controversial.

Mr. KEFAUVER. Representatives Bulwinkle, Reed, and others stated that the Reed-Bulwinkle bill applied only to rates which were under the jurisdiction of the Interstate Commerce Commission; that the section 22 rates, being reduced rates or special rates for Government service, were not under the jurisdiction of the Interstate Commerce Commission. That is what Mr. Clarke said. That is what the sponsors of the bill said. That is what Judge McGarraghy has said. There may have been some statements to the contrary, but I have read the statement of the Chairman of the Interstate Commerce Commission.

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

Mr. KEFAUVER. I yield.

Mr. CLARK. Is it the position of the Senator from Tennessee that ever since 1948 the railroads and the Government were, in effect, violating the antitrust laws, without any escape clause?

Mr. KEFAUVER. The railroads, if they have been conspiring and working together to get Government business, have, in my opinion, violated the antitrust laws.

Mr. CLARK. And that has been going on for how long?

Mr. KEFAUVER. I do not know how long it has been going on. There is nothing to prevent a railroad from going to the Defense Department and saying, "We will move this camp for so much." That is what section 22 provides. However, when the railroads act together, they violate the antitrust laws.

Mr. CLARK. Then is it the view of the Senator from Tennessee that for the first time the law was properly established by Judge McGarraghy?

Mr. KEFAUVER. No; it has been the law right along. The sponsors of the bill want these things put under the jurisdiction of the Interstate Commerce Commission. Section 22 is not under its jurisdiction, and it never has been.

Mr. CLARK. As I understand, these agreements have been made by the railroads for the past 10 years.

Mr. KEFAUVER. I assume some of them have been. I do not know whether the railroads have been conspiring. If they have been conspiring, they have been violating the law.

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

Mr. KEFAUVER. I cannot yield at this time. I should like to finish this point. The Reed-Bulwinkle Act does not apply to the specific end products. The conference report does more than merely bring section 22 under the Bulwinkle Act. The Bulwinkle Act prescribes standards. The bill also has retroactive application. It applies to something that was done prior to the effective date of this paragraph. Therefore, under the bill the railroads can get their price after the contract has been performed. Retroactively, after it has been negotiated, they can get their price, without public notice, and without any of the standards set forth in the Reed-Bulwinkle Act. All they do is simply file with the ICC what they have done, and they are immunized from the application of the antitrust laws.

On the question of whether the Government will lose any money, I should like to say that, in the first place, the Interstate Commerce Commission itself has said that for the years 1950 to 1954, section 22 rates were 13 percent higher than the regular commercial rates. Mr. Earl B. Smith, the Director for Transportation and Petroleum Logistics of the Defense Department, testified to that effect on April 16, 1957.

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

Mr. KEFAUVER. He said that the regular commercial rates were lower than section 22 rates.

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

Mr. KEFAUVER. Do I have any time remaining?

The PRESIDING OFFICER. All time of the Senator from Tennessee has expired.

Mr. SMATHERS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Florida has 5 minutes remaining.

Mr. SMATHERS. In essence what we are endeavoring to do, as we have repeatedly said, is to reestablish the status quo as it has existed since the passage of the Reed-Bulwinkle Act, since 1948. We are not arguing the merits of the Reed-Bulwinkle Act. Perhaps we should. The fact is that Congress passed that act in 1948 by a two-thirds vote of both Houses. There is no doubt in the mind of most people, certainly not in the mind of the Interstate Commerce Commission, and certainly not in the mind of the Defense Department or the Atomic Energy Commission, that the protection given by the Reed-Bulwinkle Act applies not merely to commercial shippers and people in ordinary business, but to Government rates under section 22 as well.

The first time we ever had an idea that there was any question about such immunity was when, on July 5 of this year, the District Court of the District of Columbia entered its order.

In view of that order, we must take some action. Why must we do so? If we do not do it, the railroads and the motor carriers and the water carriers can say, "We can no longer do business with the Government under section 22. If we do, we will be subjecting ourselves to further lawsuits."

The only thing we are trying to achieve is to put ourselves back in the status quo until such time, possibly, as some Senators who are so much interested in fighting monopoly introduce a bill to hit directly the question of the repeal of the Reed-Bulwinkle Act.

I ask the Senator from Tennessee to give me his attention on this point, because I wish to say to him that he has inferred we are carrying the banner of the railroads. I would respectfully point out to him that we are not carrying the banner of the railroads, but that, unwittingly, he is carrying the banner of the railroads. Who gains if we fail to act in this situation?

Mr. KEFAUVER. Mr. President, will the Senator yield to me? He has mentioned my name.

Mr. SMATHERS. I do not have the time to yield.

Mr. KEFAUVER. The Senator has referred to me in the debate.

Mr. SMATHERS. If we do not act, it will cost the Defense Department $100 million, the Atomic Energy Commission $4 million, and the General Services Administration $13 million. If we do not act, the nonscheduled airlines will get a judgment of $45 million. They will get that money from the railroads, but the railroads will get even more money from the Government. By a little arithmetic, we can see that the railroads will get about $120 million. Taking $45 million from that, leaves the railroads with about $75 million net. Not only that, but when the lawsuit is over, they get another cool $120 million. Who gets it? The railroads get it. That is why for many years they have wanted section 22 stricken out.

Mr. KEFAUVER. Mr. President, the Senator has mentioned my name. Will he yield to me?

Mr. SMATHERS. The Senator has mentioned my name many times. I refer to a letter written to us by the Defense Department. They say that what worries them about the situation is that if the court decision stands there will be claims made against the Defense Department for having used below-published rates, and the railroads can come forward and demand from the Defense Department, as the Department puts it, an incalculable amount. How much? We know it will be $120 million for 1956. It will be $120 million for 1955. It will be $120 million for 1954. Consider the Korean war, it will be $200 million or $300 million. Eventually the claims will amount to almost a billion dollars.

Who will get that money? The railroads will. Therefore I submit that the only practical thing we can do is not to open this little door so that the railroads can make themselves rich. They have not been lobbying. They have been playing it cozy. They know that whichever way this goes, they are bound to win. If we fail to do anything about it, then obviously they can come forward and say that the district court decision holds they have been giving the Government below-published rates, and they are therefore entitled to get that money back. I submit that this amounts to a billion dollars.

Mr. SMATHERS subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks, just prior to the vote on the Kefauver motion, a letter written to me by General Lasher which is self-explanatory, including an attached memorandum.

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

HEADQUARTERS,
MILITARY TRAFFIC MANAGEMENT AGENCY,
UNITED STATES ARMY,
Washington, D. C., August 22, 1957.
HON. GEORGE A. SMATHERS,
United States Senate.

DEAR SENATOR SMATHERS: In response to your telephone request, I am inclosing a memorandum as to the legal requirements of a carrier to collect tariff rates.

I am happy for the opportunity of assembling this information and hope that it may be of assistance to you.

Sincerely yours,

E. C. R. LASHER,
Major General, United States Army,
Executive Director.

MEMORANDUM

Section 6 (7) of the Interstate Commerce Act provides that no carrier shall charge or demand or collect or receive a greater or less or different compensation for the transportation of passengers or property or for any service in connection therewith between the points named in such tariffs than the rates, fares, and charges which are specified in the tariff filed and in effect at the time. The only exception to this is that provided in section 22 which permits carriers to transport persons and property free or at reduced rates for the United States Government and for others specifically named in that section.

As stated by the United States Supreme Court in *Pennsylavnia R. Co.* v. *International Coal Min. Co.* (230 U. S. 184), "The statute required the carrier to abide absolutely by the tariff. It did not permit the company to decide that it had charged too much and then make a corresponding rebate; nor could it claim that it had charged too little, and insist upon a larger sum being paid by the shipper. * * * The tariff, so long as it was of force, was, in this respect, to be treated as though it had been a statute, binding as such upon railroad and shipper alike." The United States Supreme Court in *Lowden* v. *Simonds, Etc., Grain Co.* (306 U. S. 516), stated: "Until changed, tariffs bind both carriers and shippers with the force of law. Under section 6 of the Interstate Commerce Act the carrier cannot deviate from the rate specified in the tariff for any service in connection with the transportation of property. That section forbids the carrier from giving a voluntary rebate in any shape or form."

Therefore, if, as found by Judge McGarraghy in United States District Court for the District of Columbia, Civil Action 875-57, "1. The antitrust immunity conferred by section 5a of the Interstate Commerce Act does not apply to concerted section 22 quotations made to the United States Government." * * * and "4. The concerted section 22 quotations of defendants are illegal per se under the antitrust laws.", there is good argument to support a legal requirement upon the carriers to file claims against the United States Government for the difference between the section 22 rate found "illegal" and the tariff or legal rate.

Mr. NEUBERGER subsequently said: Mr. President, for the information of the Senate, I ask unanimous consent that there may appear in the RECORD, prior to the yea-and-nay vote on this issue, telegrams and other messages which I have received from representative leaders of the various railroad brotherhoods in the State of Oregon, as well as telegrams from some of the national officers of the same organizations of railroad labor.

The messages all bear upon the question which is before the Senate, and I believe my colleagues will be interested in studying or perusing them.

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

KLAMATH FALLS, OREG.,
August 14, 1957.
Hon. RICHARD L. NEUBERGER,
United States Senator,
Senate Office Building,
Washington, D. C.:

We railroad employees are very much interested in the passage of House bill 3233, regarding nonscheduled airlines. Our passenger trains are cut to the limit, which is affecting our economy. This will cost the taxpayers approximately $1,500,000. We are looking forward to your favorable support.

ALFRED F. CONDREY,
Chairman, Railroad Employees
Committee of Klamath County.

BAKER, OREG., *August 13, 1957.*
Senator RICHARD NEUBERGER,
Washington, D. C.

DEAR SENATOR: Relative to H. R. 3233 I am asking your support for the conference committee reporting, including the Harris amendment. Unless this is adopted the nonscheduled airlines will automatically receive preference over the railroad which will contribute to railroad unemployment. According to my information H. R. 3233, as amended, will also save the taxpayers about $140 million. Best wishes.

PAT DAVIS,
The Railroad Employees Association.

PORTLAND, OREG., *August 13, 1957.*
Senator RICHARD NEUBERGER,
Senate Office Building,
Washington, D. C.:

Respectfully request favorable consideration H. R. 3233, including Harris amendment. This would protect employment railroad personnel, prevent giving this business to nonscheduled air flights, saving Government $140 million.

F. W. MADDEN,
Secretary-Treasurer, Railroad Brotherhoods Legislative League of Oregon.

SALEM, OREG., *August 14, 1957.*
Senator RICHARD NEUBERGER,
United States Senate,
Washington, D. C.:

Our understanding H. R. 3233, as amended, still permits ICC to control rates. Strongly urge adoption House version in order to prevent the transfer of business from the railroads to nonscheduled airlines. Railroad employment and taxpayers would otherwise suffer.

R. C. MCCORMICK,
Chairman, Railway Employees Committee.

PORTLAND, OREG., *August 14, 1957.*
Senator RICHARD NEUBERGER,
United States Senate Office Building,
Washington, D. C.:

I understand that the conference committee has reported out H. R. 3233. This bill includes the Harris amendment which allows the railroads to keep the business they have had rather than give it to the nonscheduled airlines. This bill is important to us for three reasons. 1. It protects our employment, 2. is supported by the Department of Defense, and 3. saves the taxpayers approximately $140 million. We, the Portland Redcaps, respectfully solicit your support of this measure.

Redcap JASON C. DANCEY.

CLEVELAND, OHIO, *August 15, 1957.*
Hon. Senator RICHARD LEWIS NEUBERGER,
Senate Office Building,
Washington, D. C.:

I urge your support of conference committee report on S. 939 to amend section 22 of Interstate Commerce Act. Carriers should be permitted to work together when it means reduced charges to Federal Government for transportation, and railroads should not be penalized for cooperating in this effort. No single line can accomplish this by itself. I seek your help in having conference committee report adopted this session.

H. E. GILBERT,
President, Brotherhood of Locomotive Firemen and Enginemen.

CLEVELAND, OHIO, *August 15, 1957.*
Hon. RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

We urge your support of conference committee report on S. 939 to amend section 22 of Interstate Commerce Act. Carriers should be permitted to work together when it means reduced charges to Federal Government for transportation, and railroads should not be penalized for cooperating in this effort. No single line can accomplish this by itself. We seek your help in having conference committee report adopted this session.

W. P. KENNEDY,
President, Brotherhood of Railroad Trainmen.

WASHINGTON, D. C., *August 16, 1957.*
Hon. RICHARD L. NEUBERGER,
United States Senate,
Washington, D. C.:

On behalf of the Order of Railway Conductors and Brakemen, I respectfully urge your support of conference committee report on S. 939 to amend section 22 of Interstate Commerce Act. Railroads should be permitted to work together to provide reduced charges to Federal Government for transportation and should not be penalized for cooperating to that end. No single railroad can accomplish this by itself. Therefore, your help in having conference committee report adopted this session will mean much to the taxpayers, railroads, and employees.

R. O. HUGHES, *President.*

CLEVELAND, OHIO, *August 14, 1957.*
Hon. RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

On behalf of more than 70,000 members of the Brotherhood of Locomotive Engineers manning the locomotives on the Nation's railroads, I urge you to support the conference committee report on S. 939 and assist in having it adopted at this session. We believe the railroads should be encouraged to work together in reducing charges to the Federal Government covering transportation of both troops and freight without becoming subject to antitrust penalties.

GUY L. BROWN,
Grand Chief Engineer, Brotherhood of Locomotive Engineers.

The PRESIDING OFFICER. The time of the Senator from Florida has expired. All time for debate has expired. The question is on agreeing to the motion of the Senator from Tennessee [Mr. KEFAUVER] to postpone, until January 30, 1958, at 2 o'clock p. m., further consideration of the conference report.

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SCOTT in the chair). Without objection, it is so ordered.

The question is on agreeing to the motion of the Senator from Tennessee [Mr. KEFAUVER] to postpone the further consideration of the conference report until January 30, 1958, at 2 p. m.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

Mr. MORTON. Mr. President, a parliamentary inquiry.

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

Mr. MORTON. On this question, a vote "nay" will be in favor of sustaining the position taken by the conferees, will it?

The PRESIDING OFFICER. A vote "nay" will be in favor of having the Senate proceed at this time with further consideration of the conference report.

Mr. KEFAUVER. Mr. President, a parliamentary inquiry.

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

Mr. KEFAUVER. Is it not correct that a vote "yea" on the pending question will be in favor of postponing the further consideration of the conference report until January 30, 1958, at 2 p. m.; and a vote "nay" will be in opposition to the taking of that course?

The PRESIDING OFFICER. That is correct.

Mr. SMATHERS. Mr. President, a parliamentary inquiry.

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

Mr. SMATHERS. A vote "nay" will be to sustain the position taken by the conferees, will it not?

Mr. KEFAUVER. The vote is being taken on my motion.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee [Mr. KEFAUVER] to postpone the further consideration of the conference report until January 30, 1958, at 2 p. m.

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Louisiana [Mr. ELLENDER], the Senator from Massachusetts [Mr. KENNEDY], the Senator from West Virginia [Mr. NEELY], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

The Senator from Idaho [Mr. CHURCH] is absent on official business attending the Economic Conference of the Organization of American States at Buenos Aires.

The Senator from Missouri [Mr. HENNINGS] is absent by leave of the Senate because of illness.

On this vote, the Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from Massachusetts [Mr. KENNEDY]. If present and voting the Senator from New Mexico would vote "nay" and the Senator from Massachusetts would vote "yea."

The Senator from Louisiana [Mr. ELLENDER] is paired with the Senator from West Virginia [Mr. NEELY]. If present and voting, the Senator from Louisiana would vote "nay" and the Senator from West Virginia would vote "yea."

The Senator from Missouri [Mr. HENNINGS] is paired with the Senator from Maryland [Mr. BUTLER]. If present and voting, the Senator from Missouri would vote "yea" and the Senator from Maryland would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Maryland [Mr. BUTLER], and the Senator from South Dakota [Mr. CASE] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from Maine [Mr. PAYNE] are absent because of illness.

Then Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate, in order to represent the Senate at the Latin American Economic Conference in Buenos Aires.

If present and voting, the Senator from Vermont [Mr. AIKEN], the Senator from Indiana [Mr. CAPEHART], and the Senator from Maine [Mr. PAYNE] would each vote "nay."

The Senator from Maryland [Mr. BUTLER] is paired with the Senator from Missouri [Mr. HENNINGS]. If present and voting, the Senator from Maryland would vote "nay," and the Senator from Missouri would vote "yea."

The result was announced—yeas 19, nays 62, as follows:

YEAS—19

Carroll
Cooper
Douglas
Gore
Green
Hill
Humphrey
Javits
Kefauver
Langer
McNamara
Morse
Murray
O'Mahoney
Pastore
Russell
Scott
Sparkman
Wiley

NAYS—62

Allott
Anderson
Barrett
Beall
Bennett
Bible
Bricker
Bush
Carlson
Case, N. J.
Clark
Cotton
Curtis
Dirksen
Dworshak
Eastland
Ervin
Flanders
Frear
Fulbright
Goldwater
Hayden
Hickenlooper
Holland
Hruska
Ives
Jackson
Jenner
Johnson, Tex.
Johnston, S. C.
Kerr
Knowland
Kuchel
Lausche
Long
Magnuson
Malone
Mansfield
Martin, Iowa
Martin, Pa.
McClellan
Monroney
Morton
Mundt
Neuberger
Potter
Purtell
Revercomb
Robertson
Saltonstall
Schoeppel
Smathers
Smith, Maine
Smith, N. J.
Stennis
Symington
Talmadge
Thurmond
Thye
Watkins
Williams
Young

NOT VOTING—14

Aiken
Bridges
Butler
Byrd
Capehart
Case, S. Dak.
Chavez
Church
Ellender
Hennings
Kennedy
Neely
Payne
Yarborough

So the motion was rejected.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the motion was rejected be reconsidered.

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

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, if it is agreeable, I shall yield back my time on condition that the minority leader will do likewise, and the Senate can adopt the conference report and then proceed to other business. If Senators will let us do that, they can then proceed with routine business.

Mr. KNOWLAND. Mr. President, I wonder if there is any request for time on this side of the aisle on either side of the question. If not, I am prepared to yield back my time, and I do so.

Mr. JOHNSON of Texas. I yield back the time remaining to me.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the conference report.

The report was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

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

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

EXTENSION OF AUTHORITY TO MAKE CERTAIN PAYMENTS TO BERNALILLO COUNTY, N. MEX.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 9023) to amend the act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, N. Mex., for furnishing hospital care to certain Indians, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

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

The motion was agreed to; and the Presiding Officer appointed Mr. HILL, Mr. MURRAY, Mr. KENNEDY, Mr. PURTELL, and Mr. COOPER conferees on the part of the Senate.

ORDER FOR CONSIDERATION OF ATOMIC ENERGY APPROPRIATION BILL ON TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that it may be in order to consider the atomic energy appropriation bill tomorrow.

I should like to announce that I am informed by the chairman and the ranking minority member of the Appropriations Committee that there is no controversy over the bill, that the amount provided in the bill is below that provided by the House and below the budget estimates, that it is important that the Senate consider the measure, and I should like to have it considered tomorrow. It is agreeable to the minority leader and members of the committee, and I hope it will be agreeable to the Senate. Therefore I ask that it be in order to consider the bill tomorrow.

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

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. JOHNSON of Texas. I yield.

Mr. LANGER. What time will the Senate convene tomorrow?

Mr. JOHNSON of Texas. That has not been agreed upon, but I think, at the moment, it will be 12 o'clock. I want to discuss it with the minority leader.

MUNICIPAL YIELD INDEX CLIMBS

Mr. HUMPHREY. Mr. President, for the fifth straight week the Dow-Jones municipal yield index shows a rise. The latest figure is 3.58 percent, an increase of 4 points over last week and the highest yield recorded since September of 1935. Interest rates, even on tax-exempt bonds, continued to rise.

I ask unanimous consent that an article on rising municipal bond yields, from the Wall Street Journal of August 19, be printed at this point in the RECORD.

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

[From the Wall Street Journal of August 19, 1957]

MUNICIPAL YIELD INDEX CLIMBS 4 BASIS POINTS, HITS NEW 22-YEAR HIGH

The steady attrition of municipal bond prices continued last week, and the Dow-Jones yield index on tax exempts today registers 3.58 percent, the highest level since September 1935, and an increase of 4 basis points over last Monday's 3.54 percent figure, the previous 22-year record.

The Dow-Jones index, comprised of 20 representative 20-year bonds, moves inversely to municipal security prices.

Main reason given by dealers for the dwindling value of their wares was the continued high volume of municipal securities coming to market. This swollen money demand, acting in conjunction with the Federal Government's anti-inflationary, tight-money practices, has beaten down bond prices and forced yields up to heights not seen since the midthirties, they note.

With municipal bond yields greater than those realized on many stocks and carrying their tax-free attraction besides, municipal traders discerned a mild swing from stock to bond purchases by individual investors. These investors from the stock market sought primarily short-term maturity bonds and were lured by yields from municipal bonds actually more attractive than those of the thirties. Corporate and income taxes were far less weighty 20 years ago than now.

Confronted with the possibility of a further drop in bond prices, dealers evaluated issues last week with an eye to rapid movement. Reception by investors at retail varied from good to so-so. The $44 million Los Angeles school districts issue was last week's biggest success, reporting a sellout soon after the reoffering. On the other hand, by late Friday only a little over half of New York City's $40 million securities were reported sold. Nearly a third of the $35 million Connecticut issue of 2 weeks ago was still unsold. And realistic price cuts reportedly were anticipated.

Some dealers in municipals felt the prices quoted last week were close to rock bottom. Most other dealers, however, could see no basic change in the conditions that were depressing the bond market; i. e., tight money policies of the Federal Reserve System and the heavy demand of municipalities for money they felt prices would continue to dwindle until those conditions were changed.

The visible 30-day supply of tax-exempt bonds coming to market now stands at $318,153,019, up from last Monday's figure of $304,329,614, according to the Daily Bond Buyer. The blue list total of unsold municipal and housing bonds held by dealers today of $175,318,100, also increased from last Monday's $167,086,000.

Larger issues coming up for sale this week are $21,002,000 Nassau County, N. Y., bonds today, and $19,600,000 Kansas Turnpike Authority bonds and $19 million Massachusetts obligations on Tuesday.

A NEW ISOLATIONISM—RIPPLES OR TIDE?

Mr. CARROLL. Mr. President, I ask unanimous consent to have printed in the RECORD an article which appeared in the New York Times magazine for August 18, 1957, entitled "A New Isolationism—Ripples or Tide?" written by the distinguished Senator from Illinois [Mr. DOUGLAS]. It is a very fine article, which stimulates thinking on a problem which we in this Congress and in future Congresses will have to meet. I recommend its reading.

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

[From the New York Times Magazine of August 18, 1957]

A NEW ISOLATIONISM—RIPPLES OR TIDE?—ITS SIGNIFICANCE CANNOT YET BE RECKONED, BUT, AS SENATOR DOUGLAS SEES IT, THERE IS MOUNTING OPPOSITION TO OUR FOREIGN AID AND TRADE PROGRAMS—HERE HE DISCUSSES ITS CAUSES

(By PAUL H. DOUGLAS)

WASHINGTON.—Now that Congress is considering the various measures proposed by the administration, I am offering the following personal comments for what they may be worth:

"I think the United States should get out of the United Nations, and get the United Nations out of the United States.

"Isn't it time to call a halt on all this foreign aid? What has it bought for us so far?

"I can see no difference in this administration's foreign policy and that of previous Democratic administrations.

"Can't John Foster Dulles stay home for a while?"

Thus writes one of the many thousands of my Illinois constituents who have vehemently protested against the administration's foreign policies. Many of my colleagues tell me that their mail is substantially similar.

Because of this and because of numerous manifestations in Congress, many have concluded that a new tide of isolationism is rising in the country. These people point for example to the strong opposition to the foreign-aid program of the administration, to the deep indifference, or worse, regarding a more liberal immigration policy and to widespread enmity toward the General Agreement on Tariffs and Trade (GATT) and hostility against the Organization for Trade Cooperation (OTC).

Thoughtful students of public affairs are asking themselves: How significant are these tendencies? Are they, for example, deeply rooted or adroitly manufactured by business and isolationist groups? What are the basic emotions and what are the philosophies which cause them? It would take more than a Senator to consider these questions fully, but perhaps I can make a beginning.

As to whether the opposition is spontaneous or organized, it is my impression that the outburst started with voluntary protests. But 2 weeks after Secretary Humphrey appealed for a big cut in his own administration's budget, the protesting letters swelled into an organized torrent. From then on they gave the impression of being largely stimulated by corporations, both big and small, and by many, although not all, of the various chambers of commerce.

In analyzing my own mail, I find that the largest number come from the western, northwestern, and northern suburbs of Chicago. These areas are overwhelmingly Republican and populated chiefly by junior and senior executives of the big corporations which increasingly dominate the industrial scene. These people are members of the group described by William F. Whyte in his book The Organization Man. They, and indeed most of the small- and medium-sized so-called independent businessmen, are followers of what C. Wright Mills terms "the power elite." After reading such letters carefully, I have concluded that the protests of these men and women on foreign aid are primarily a business revolt against the high cost of government.

Some of the opposition to our foreign policy is countrywide and more or less universal, while other elements are regional and cultural.

In the first place, it should be frankly recognized that it is hard for any nation to be constantly helpful and cooperative in foreign affairs for long periods of time. It has now been 12 years since World War II ended. One emergency has followed another and the American public has risen to each. We saved Europe from starvation with our support of UNRRA, then came the French and British loans, then the Marshall plan, then NATO and following that, Korea. We have been forced to build up huge armaments, send again hundreds of thousands of young men overseas, spend no less than $60 billion on overseas aid of one form or another and increase our own national budget to $70 billion a year.

It is indeed a source of wonder that the American people have done so well under these strains. Probably no other nation in human history has ever exerted itself so intelligently to preserve its own safety or to be so helpful to others. But it is natural for even the most tireless and far-sighted advocates of international cooperation to grow weary as year follows year and no respite appears.

Just as liberals became "tired" in the twenties, so there are clear signs that the internationalists are tiring rapidly now. For example, when I recently tried to rally some low-tariff economists to defend the principles which they had always espoused, I found no response. They had retired from the struggle. The resistance to isolationism is therefore being greatly weakened by this emotional and intellectual fatigue. Moreover, a period of relative prosperity, such as the present, makes most men and women complacent and reluctant to think deeply about issues.

But what about the positive forces making for isolationism? Here it may be helpful to consider this in terms of the four major sections of the United States, namely, the Middle West, the Northeast, the Far West and the South. Let me start with my own region, the Middle West, which is naturally the one I know best.

The German-American elements in our area, for example, have been subjected to severe emotional strains during the last 40 years. Feeling themselves to be loyal Americans, they have nevertheless found our country ranging itself twice against the beloved land whence they and their ancestors sprang. It is but natural therefore that these groups should, in the main, have resented our involvement in foreign affairs and have desired that we isolate ourselves from Europe so that we would not be tempted to go to war again.

But while this feeling is still strong amongst the German-Americans, it is much less so than it was during the hectic days of 1938–41. This is due to the increasing amalgamation of the German stock with other elements of the population, to honest revulsion over the crimes committed by Hitler, and to increasing awareness that the United

States is the strongest protection of West Germany against communism and the best friend of Chancellor Adenauer.

There is also a strong degree of isolationist sentiment among many other nationality groups in the Middle West. This is partially caused by the age-old distrust of Great Britain and by the belief that in foreign affairs we ultimately play the game of that nation. It is the fashion of British writers and eastern editors to belittle this distrust as false and improper. However, it stems in part from the justified resentment aroused by the superiority complex shown by both Englishmen and the New England stock toward the other residents of the Middle West.

I well remember how, in the heyday of Big Bill Thompson in Chicago, that worthy suddenly shouted at an election rally that, if he were elected mayor, he "would bust King George on the snoot." The answering roar of applause showed that he had touched a raw nerve. This human resentment at being treated as inferior is still a powerful force in midwestern isolationism. This feeling also arises in part from memories of the Revolutionary War and the War of 1812 and of the way in which Great Britain favored the South in the Civil War. Such memories are raised to greater intensity by justified resentment over the abuses practiced by the British against the Irish from the days of Cromwell to those of the Sinn Fein Rebellion. The policy of certain midwestern papers has in turn both reflected and intensified this anti-British sentiment.

And yet this feeling for isolationism, reinforced as it was by geographical remoteness and a deep revulsion against foreign wars, was never as strong as many eastern pundits represented it. William Allen White, after all, came from Emporia, Kans. This conclusion is reinforced by my own personal experience. When I first ran for the United States Senate in 1948, I campaigned for active participation by the United States in the struggle against communism and in support of the United Nations and the Marshall plan. Although I was fought bitterly by nearly the entire press of the State—including, of course, the Chicago Tribune—I nevertheless was elected by a majority of 408,000, the second highest in the history of Illinois. Again, in 1954, I waged my campaign on the same general lines and, despite the fact that I faced both my usual opposition and that of the Eisenhower administration, which threw its full strength against me, I again won—in an off year and with a lowered turnout—by no less than 241,000.

My general conclusion about the Middle West, therefore, is that while isolationism is still strong in the great heartland of America—and has been recently reinforced by business desires for lower expenditures and a tax cut—it is basically not as strong as it once was. What, then, about sentiment in the three other main sections of the country, namely, the Northeast, the Far West, and the South?

The northeast coast, stretching from Lubec, Maine, to Washington, because of its close cultural and economic ties with Europe, has since 1916 been predominantly internationalist and interventionist. Most of the suburbanites and exurbanites who dwell along the Atlantic coast have different opinions on these matters from those of their midwestern cousins. The labor movement in these areas, notably in the clothing trades, has also realized the need for international cooperation.

The Far West has been somewhat isolationist, so far as Europe is concerned, but the coast States have been intensely interested in Asia and in the control of the Pacific. This tendency has been shown by the 1954 senatorial victory in Oregon of the able and well-informed RICHARD L. NEUBERGER. The election of Senators CHURCH from Idaho and CARROLL from Colorado, together with various Congressional elections in those same States, suggests that isolationist sentiment is also abating in the Rocky Mountain area. This region, despite its geographical distance from both Europe and Asia, seems increasingly aware of international realities even though on grounds of economy it may want some reduction in foreign aid.

Far more serious than the continuing isolationist feeling centered in the Middle West, however, has been the rapid change of sentiment in this direction in the South. Formerly, the South was a strong force for both interventionism and internationalism. This was partially caused by the strength of the military tradition and by the almost total absence of pacifist sentiment. Every southern hamlet had its highly honored officers and noncommissioned officers in the Navy, Army, Air Force, and Marines.

Furthermore, since the prosperity of the South was largely built upon the export of raw cotton and tobacco to Europe, southerners naturally desired low tariffs at home and a free and democratic market to which they could sell abroad. We Democratic liberals of the North and West who believed in the principles of international cooperation in support of democracy, and who defended our position against bitter and unrelenting opposition, found this southern attitude a strong support. We might differ with the southerners on domestic policies, but we were united on foreign policy. We took pride in the good work done by Senators Connally, George, and Fulbright.

It is different now. The first signs of the change came when the Reciprocal Trade Act was up for renewal in 1955. In the House of Representatives, virtually every Congressman from the Piedmont region, stretching from Danville, Va., to Birmingham, Ala., joined the Republican protectionists against this measure and failed by only one vote to defeat it. In the Senate, the defection of the hitherto low-tariff southern Senators led to a critical weakening of the bill which almost emasculated it.

This shift of opinion was due to the fact that the textile industry—cotton, woolens and synthetics—has virtually withdrawn from New England and has moved into the foothills of the South. In the process, the industries have brought with them their protectionist prejudices. Just as New Englanders—despite the economic teachings of their colleges—used to be predominantly protectionists, so the entire Piedmont area is now rapidly moving in the same direction.

In the last year, still another factor has appeared. As economic aid has been liquidated in Europe, the demand for possible future work has shifted to the Middle East and to Asia. But the development of the great river valleys of the Nile, the Jordan, the Tigris and Euphrates, and the Ganges, and the use of these waters for irrigation, will inevitably lead to the production of more raw cotton. The cotton planters of our coastal plains and of the Mississippi delta believe, with some reason, that this will decrease the market for southern cotton. Hence, they look with bilious eyes upon proposals to grant large sums of money to these countries. "Why," they ask, "should we be taxed in order to subsidize our rivals?"

This new fear is affecting our foreign policy. There was, therefore, more than a casual connection between the rough treatment which the Senate Appropriations Committee gave to Mr. Dulles' foreign-aid program last year and the decisive and brusque manner in which he almost immediately afterward discontinued our support of the Aswan Dam project. As we all know, Mr. Dulles' action then triggered off Colonel Nasser's seizure of the Suez Canal a week afterward and his defiance of the Western World.

These same forces are currently operating against any long-term economic commitments in the Middle East and India. For such commitments would inevitably move us out from the county-agent type of technical aid, which was the original core of the point 4 program, into the economic development of the river valleys and the better utilization of that desperately scarce resource of the East, namely, water. The cottongrowers dislike all this. Thus the majority of southern Senators were recorded against the mutual-security bill. In addition, the same fear of Japanese textiles is holding back our joining the OTC and ratifying GATT. It is also causing many groups to want closer trade relations between Japan and Red China in order to divert Japanese exports from this country.

There is, therefore, a very strong prospect that the alliance between the conservative Republicans of the Midwest and the southern conservatives, which has dominated Congress for the last 20 years, will be revived once the current civil-rights fight has subsided. Both groups agree on opposition to further foreign aid, advocate a return to protection, and support a less cooperative attitude on foreign affairs.

Unless a countervailing movement sets in, the foreign policy of this country may therefore grow increasingly in the direction of isolation. Such a countervailing force may lie, of course, in the growing awareness both of the international danger of Communist aggression and the earth-destroying nature of atomic and hydrogen warfare.

But perhaps we should not try to base our case for foreign aid exclusively on the grounds of national security or direct economic interest. These are real and powerful considerations, and they should not be muted. But why should we be ashamed of wanting to be friends to other people and seeking to help them? For it is just this type of friendliness which the world needs most.

It is, of course, hard to persevere in well-doing after a decade of intense and superficially unappreciated service. But if we reach down to the ethical bases for our action, and not merely weigh prudent economic and security factors, we can tap new sources of strength. We need not shrink from being scornfully branded as do-gooders by the isolationist press. For is not the greatest do-gooder of all time the very one who in our hearts we most honor and would most like to resemble?

We should not let the zeal of the professional public relations men who now largely determine our foreign policy obscure the fact that the only real way to make a friend is to be a friend. In the long run, effective mutual help, rather than words, is the best creator of friendship and of peace. As we create better relations and raise the standard of living elsewhere, we shall build bastions of freedom where democracy can thrive.

And if we hesitate over such a decision, we should let the spirit of the Galilean enter our worldly and power-obsessed hearts, and remember His words: "Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me also."

Perhaps we might then realize that the neighbors whom He told us we should love as we do ourselves are those who anywhere are in need of aid and friendship.

EFFECTIVE DATES OF COMPENSATION INCREASES TO WAGE BOARD EMPLOYEES

The PRESIDING OFFICER. Senate bill 25 is open to amendment.

Mr. JOHNSON of Texas. Mr. President, is the pending business Calendar No. 389?

The PRESIDING OFFICER. The pending business is Calendar No. 389, which will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 25) relating to effective date of increases in compensation granted to Wage Board employees.

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

The PRESIDING OFFICER. The Clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. JOHNSON of Texas. Mr. President, I ask that the Senator from Nevada be recognized.

CONSTRUCTION OF A STADIUM IN THE DISTRICT OF COLUMBIA—CONFERENCE REPORT

Mr. BIBLE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1937) to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes. I ask unanimous consent for the present consideration of the report.

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

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1937) to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1 and 2.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same.

ALAN BIBLE,
J. ALLEN FREAR, Jr.,
J. GLENN BEALL,
Managers on the Part of the Senate.
JOHN L. MCMILLAN,
OREN HARRIS,
OLIN E. TEAGUE,
SID SIMPSON,
JOS. P. O'HARA,
Managers on the Part of the House.

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

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

Mr. BIBLE. Mr. President, I move that the Senate agree to the conference report.

The PRESIDING OFFICER. The question is on the motion of the Senator from Nevada.

The motion was agreed to.

CORNELIA S. ROBERTS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 714, a private bill, H. R. 4240, for the relief of Cornelia S. Roberts.

I ask the distinguished Senator from South Carolina [Mr. JOHNSTON] to give a brief explanation of the bill.

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

The CHIEF CLERK. A bill (H. R. 4240) for the relief of Cornelia S. Roberts.

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

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

Mr. JOHNSTON of South Carolina. Mr. President, the purpose of the proposed legislation is to pay the sum of $3,500 to Cornelia S. Roberts, of Bowie, Md., for her erroneous overpayment of Federal income taxes for the year 1945.

Mr. President, I can explain the bill further if any Senator so desires.

I ask unanimous consent, Mr. President, to have printed in the RECORD a brief statement relating to the bill, for the information of the Senate.

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

STATEMENT

The records of the Bureau of Internal Revenue show that, in filing her income-tax return for 1945, Mrs. Roberts reported as a credit against her tax liability payments of estimated taxes amounting to $19,122.80, whereas, payments actually had been made amounting to $22,622.80. No claim for refund was filed within the applicable 3-year period of limitation for such claims following the due date of her return. Accordingly, when the claimant subsequently sought to have either a refund or a credit for the amount of overpayment, her requests were denied, pursuant to section 322 (b) of the Internal Revenue Code of 1939. The report of the Treasury Department states:

"No audit was made of the taxpayer's return for the year 1945, as it is not the policy of the Internal Revenue Service to conduct audits of returns on which adjustments are clearly barred by the statute of limitations."

Further, in 1946, a similar mistake, also in the amount of $3,500, was made but, unlike the return of 1945, an overpayment of $433.74 was indicated. Although the error of $3,500 in stating the payments of estimated taxes was not discovered until after the expiration of the statute of limitations, the Internal Revenue Service held that the return for 1946 should be considered as a claim for refund of this $3.500. Similar administrative action with respect to the claimant's 1945 return was not believed to be justified, however, since the 1945 return did not indicate any overpayment.

The claimant states that during these periods her tax accounts were handled by a bookkeeper employed by her and that the error made by the bookkeeper was not discovered until after the running of the statute of limitations for both returns.

The Treasury Department does not favor enactment of the instant bill.

The committee has been informed that the factual situation, under which the mistake took place, is simple. Claimant was making quarterly payments which were paid every 3 months. After the third payment the claimant filed her formal return for the year (1945) including a check to make up the difference between the amount paid in first 3 quarterly installments and the amount due. When the time came for the fourth installment claimant received a bill from the collector and the fourth installment was paid by check in due course by claimant's secretary. The secretary sent the check thinking that, inasmuch as the Bureau had sent a notice or bill, the amount was due. This is borne out by photostats of the checks in question in the committee files. In other words, the Bureau received a tax return from the claimant showing the amount due to be $19.122.80 and received checks in the amount of $22,622.80. The Treasury Department admits the added $3.500 was not due, and was a windfall to the Government, but objects to the bill on the grounds of the running of the statute of limitations.

The committee has been informed that an attorney has rendered substantial services in connection with this claim and the attorney's fee provision has been retained.

After careful consideration of the above facts the committee feels that in all equity the claimant is entitled to the return of her money and accordingly recommends that the bill be favorably considered.

Attached hereto and made a part hereof is the report of the Treasury Department on a similar bill of the 84th Congress, together with other pertinent documents.

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

The bill was ordered to a third reading, read the third time, and passed.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like to inform the Senate that it is our purpose to consider today and tomorrow Calendar No. 389, S. 25, relating to effective dates of increases in compensation granted to Wage Board employees; Calendar No. 1054, S. 2205, to amend section 116 (4) of chapter 10 of the Federal Bankruptcy Act; Calendar No. 577, S. 2377, to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses; Calendar No. 706, S. 1356, to amend the antitrust laws by vesting in the Federal Trade Commission jurisdiction to prevent monopolistic acts by certain persons engaged in commerce in meat and meat products, and for other purposes; and Calendar No. 814, S. 2672, to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes.

I wonder if my friend, the Senator from Florida, or my friend, the Senator from Washington, can give me the calendar number for the bill relating to rights of vessels, which we had up the other evening.

Mr. MAGNUSON. That is Calendar No. 861.

Mr. JOHNSON of Texas. I thank my friend, the Senator from Washington, the distinguished chairman of the committee.

I should like to inform the Senator from Washington and the other Members of the Senate that we expect to motion up Calendar No. 861, S. 1483, to amend the act of August 27, 1954, relating to the rights of vessels of the United States on the high seas and in the territorial waters of foreign countries, but we shall not do so today. We hope to be able to do that tomorrow.

In addition, we will take up for consideration the Atomic Energy Appropriation Act tomorrow, as well as any conference reports which may be available.

I do not intend, unless some emergency develops of which I am unaware at the moment, to have a session on Saturday. I hope Senators will realize that this is the latter part of the session and that it may be necessary next week to have some evening sessions.

I hope that the chairmen of the committees will again review all measures pending before each committee, in the hope that proper consideration can be given to them, particularly measures embodying recommendations of the Executive. If they can be approved, I hope they will be approved and reported to the Senate, because they will be considered if they reach the calendar. If they cannot be reported, I hope that hearings will be announced and plans will be made to consider them either later in this session or early in the next session. If it is found in the wisdom of the committees that certain measures should be rejected, I hope they will be rejected, so that the departments will be on notice.

Mr. President, I yield the floor.

Mr. JOHNSON of Texas subsequently said:

Mr. President, I call the attention of the Senate to the fact that I expect to move to have the Senate proceed to the consideration of Order No. 1078, S. 314, to assist the United States cotton textile industry in regaining its equitable share of the world market.

I wish to add that bill to the list of measures I previously announced which we may possibly consider this week.

I should also like to give notice of the possibility of proceeding to the consideration of Order No. 892, S. 2363, to authorize the erection of a national monument symbolizing the ideals of democracy.

CONVEYANCE OF CERTAIN PUBLIC LANDS TO COLORADO RIVER COMMISSION OF NEVADA

Mr. BIBLE. Mr. President, there is at the desk a message from the House of Representatives regarding an amendment made by the House of Representatives to Senate bill 1568. I ask that the Presiding Officer lay the amendment before the Senate.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1568) to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada acting for the State of Nevada, which was to strike out all after the enacting clause and insert:

"That, as used in this act—

"(a) The term 'Secretary' shall mean the Secretary of the Interior.

"(b) The term 'Commission' shall mean the Colorado River Commission of the State of Nevada.

"(c) The term 'State' shall mean the State of Nevada.

"(d) The term 'transfer area' shall mean all lands or interests in lands owned by the United States and located within the exterior boundaries of the area described in section 2 of this act.

"SEC. 2. The Secretary is hereby authorized and directed to segregate from all forms of entry under the public land laws of the United States, during a period of 5 years from and after the effective date of this act, the following described lands, situated in the State of Nevada and comprising approximately 126,775 acres:

"(1) All of south half, township 23 south, range 63 east, with the exception of the following areas: east half section 22; four 5-acre tracts located in section 26 and described as follows: south half southeast quarter northwest quarter northwest quarter, north half northeast quarter southwest quarter northwest quarter, north half southwest quarter northeast quarter northwest quarter and south half southwest quarter northwest quarter northwest quarter; and those portions of the northeast quarter section 23, and north half section 24, within the Lake Mead national recreation area.

"(2) Fractional sections 25 and 36, township 23 south, range 63½ east.

"(3) All of sections 27, 28, 29, 30, 31, 32, 33, and 34, township 23 south, range 64 east.

"(4) Fractional sections 31, 32, 33, 34, and 35, township 23½ south, range 64 east.

"(5) All of southeast quarter of township 24 south, range 62 east.

"(6) All of township 24 south, range 63 east.

"(7) All of township 24 south, range 64 east, except sections 1, 12, 13, 24, 25, and 36.

"(8) All of township 25 south, range 62 east.

"(9) All of township 25 south, range 63 east.

"(10) All of sections 1, 2, 3, 4, 5, and 6, township 25 south, range 64 east.

"(11) All of sections 1, 2, 11, 12, 13, and 14, township 26 south, range 62 east.

"(12) All of northwest quarter, township 26 south, range 63 east.

"All range references contained in the foregoing refer to the Mount Diablo base and meridian.

"SEC. 3. The Commission, acting on behalf of the State, is hereby given the option, after compliance with all of the provisions of this act and any regulations promulgated hereunder, of having patented to the State by the Secretary all or portions of the lands within the transfer area. Such option may be exercised at any time during the 5-year period of segregation established in section 2, but the filing of any application for the conveyance of title to any lands within the transfer area, if received by the Secretary from the Commission prior to the expiration of such period, shall have the effect of extending the period of segregation of such lands from all forms of entry under the public land laws until such application is finally disposed of by the Secretary.

"SEC. 4. Prior to conveying any lands or interests in lands of the United States to the State, the Commission and the Secretary shall comply with the requirements set out following:

"(a) The Commission, within 1 year after the effective date of this act, shall submit to the Secretary a proposed plan of development for the entire transfer area, which plan shall include but need not be limited to the general terms and conditions under which individuals, governmental agencies or subdivisions, corporations, associations or other legal entities may acquire rights, title, or interests in and to lands within the transfer area.

"(b) At any time after submission of a proposed plan for the entire transfer area, as required by the preceding subsection, the Commission may select for transfer from Federal to State ownership such land units within the transfer area as contain not less than 18 sections of land in reasonably compact tracts, taking into account the situation and potential uses of the land involved. All applications for transfer of title to any such land unit shall be made to the Secretary and shall be accompanied by a development and acquisition planning report containing such information relative to any proposed development and acquisition payment plan as may by regulation be required by the Secretary. No acquisition payment plan shall be considered by the Secretary unless such plan provides for payment by the State into the Treasury of the United States, within 5 years of the delivery of patent to the Commission, of an amount equal to the appraised fair market value of the lands conveyed.

"(c) Upon receipt of any application for transfer of title to any land unit the Secretary shall cause an appraisal to be made of the fair market value of the lands within the unit proposed to be transferred, including mineral and material values if any, but in arriving at such value the Secretary shall not include factors reflecting enhancement of the value of the lands within the unit involved by reason of development or improvement of other lands within the transfer area which have previously been patented to the State.

"(d) As soon as a proposed unit development and acquisition planning report is found by the Secretary to comply with the provisions of this act and with such regulations as the Secretary may prescribe as to the contents thereof, the Secretary is hereby authorized and directed to negotiate a contract of sale with the Commission and to prepare appropriate conveyancing instruments for the lands involved.

"Thereafter, the Secretary shall submit to the Congress, for reference to the appropriate committees of the House of Representatives and the Senate, copies of the Commission application, proposed unit development and acquisition planning report, and proposed contract of sale and conveyancing instruments, together with his comments and recommendations, if any.

"(e) No contract of sale or instrument of conveyance shall be executed by the Secretary with respect to any lands applied for by the Commission prior to 60 calendar days (which 60 days, however, shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than 3 calendar days to a day certain) from the day on which the Secretary makes the submissions required by the preceding subsection unless the Congress, prior to the expiration of said 60 days, approves the execution of such contract of sale and instrument of conveyance.

"SEC. 5. The conveyance or conveyances authorized by this act shall be made subject to any existing valid rights pertaining to the lands included within the transfer area.

"SEC. 6. If the State selects and purchases under this act any lands which are subject on the date the purchase by the State becomes effective to a lease, permit, license, or contract issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437), as amended (39 U. S. C. 181 and the following), the State shall be required to purchase all the lands subject to that lease, permit, license, or contract which are included within the boundaries of the transfer area. The purchase of lands subject to a lease, permit, license, or contract shall neither affect the validity nor modify the terms of the lease, permit, license, or contract in any way, or affect any rights thereunder, except that the State shall assume the position of the United States thereunder, including any right to rental, royalties, and other payments accruing on or after the date on which the purchase by the State becomes effective, and any right to modify the terms or conditions of such leases, permits, licenses, or contracts.

"SEC. 7. The Secretary is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary or proper in carrying out the provisions of this act. He shall give particular attention in so doing to including in any conveyancing instruments executed under the authority of this act such provisions as will in his judgment protect existing or future uses by the United States of lands within the transfer area, including, but not limited to, provision for reversion of title therein to the United States upon failure of the State or its successors in interest to strictly comply with the terms and conditions of any such conveyancing instrument. In establishing any future Federal easements, however, no lands shall be included upon which substantial improvements have been placed by the State or its successor in interest."

Mr. BIBLE. Mr. President, I am directed by the Committee on Interior and Insular Affairs to recommend that the Senate disagree to the amendment adopted by the House of Representatives, and to move that the Senate request a conference thereon, and that the Chair appoint the conferees on the part of the Senate.

Mr. President, I so move.

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

The motion was agreed to; and the Presiding Officer appointed Mr. ANDERSON, Mr. BIBLE, and Mr. MALONE the conferees on the part of the Senate.

JACKSON SCHOOL TOWNSHIP, IND.

Mr. JENNER. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives relating to Senate bill 807, for the relief of Jackson School Township, Ind.; and I desire to move, when that is done, that the Senate concur in the House amendment.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 807) for the relief of Jackson School Township, Ind., which was, on page 1, line 6, strike out "$275,000" and insert "$193,352."

Mr. JENNER. Mr. President, I move that the Senate concur in the House amendment. As the bill passed the Senate, it authorized a payment of $275,000 to the township for the loss of its school property. The House has reduced the amount to $193,352, and the authors of the bill are willing to accept this amendment. I move that the Senate concur in the House amendment.

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

The motion was agreed to.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, the distinguished minority leader, in his usual diligent fashion, has urged the majority leader to move to consider some nominations on the executive calendar. We have considered about 43,000 nominations this year, and there are only a few nominations left on the executive calendar.

Mr. President, I move that the Senate proceed to the consideration of executive business.

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

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

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

John S. Hastings, of Indiana, to be United States circuit judge, seventh circuit, vice J. Earl Major, retired;

W. Lynn Parkinson, of Indiana, to be United States circuit judge, seventh circuit, vice H. Nathan Swaim, deceased; and

Robert A. Grant, of Indiana, to be United States district judge for the northern district of Indiana, vice W. Lynn Parkinson, elevated.

By Mr. O'MAHONEY, from the Committee on the Judiciary:

Peter T. Dracopoulos, of Maryland, to be an examiner in chief in the Patent Office of the Department of Commerce, vice Mark Taylor, resigned; and

Harry Surle, of Maryland, to be an examiner in chief in the Patent Office of the Department of Commerce, vice Eugene W. Geniesse, resigned.

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

Richard Jackson, of Massachusetts, to be Assistant Secretary of the Navy; and

Brig. Gen. Theron Baldwin Herndon, and sundry other officers for appointment as Reserve commissioned officers in the United States Air Force.

The PRESIDING OFFICER (Mr. SCOTT in the chair). If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

UNITED NATIONS

The legislative clerk read the nomination of Henry Cabot Lodge to be a representative of the United States of America to the 12th session of the General Assembly of the United Nations, to serve no longer than December 31, 1957.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of A. S. J. CARNAHAN to be a representative of the United States of America to the 12th session of the General Assembly of the United Nations, to serve no longer than December 31, 1957.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of WALTER H. JUDD to be a representative of the United States of America to the 12th session of the General Assembly of the United Nations, to serve no longer than December 31, 1957.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of George Meany to be a representative of the United States of America to the 12th session of the General Assembly of the United Nations, to serve no longer than December 31, 1957.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Herman B. Wells to be a representative of the United States of America to the 12th session of the General Assembly of the United Nations, to serve no longer than December 31, 1957.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of James J. Wadsworth to be an alternate representative of the United States of America to the 12th session of the General Assembly of the United Nations to serve no longer than December 31, 1957.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Miss Irene Dunne to be an alternate representative of the United States of America to the 12th session of the General Assembly of the United Nations, to serve no longer than December 31, 1957.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I should like to make an observation at this time. I shall not raise any objection to the nominations of the alternates to the United Nations. The State Department has made the recommendations and the President has submitted the nominations. I understand that at least three or four of the alternates are members of one political party. I am informed that that is not unusual, and that it has happened in the past under Democratic administrations. I wish to express the hope, however, that it not become a strictly Republican United Nations, and that we will try to balance the nominations as nearly as possible. Even though my own administration may have erred in that regard in the past, I hope this administration will not continue in that error and load the United States representation with nominees from its own party.

Mr. President, I ask unanimous consent that the remaining nominations of alternate representatives to the U. N. be considered and confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

IN THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the nominations in the Army be considered and confirmed en bloc.

The PRESIDING OFFICER. Without objections the nominations in the Army are confirmed en bloc.

IN THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the nominations in the Navy be considered and confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Navy are confirmed en bloc.

COLLECTORS OF CUSTOMS

The legislative clerk proceeded to read sundry nominations of collectors of customs.

Mr. JOHNSON of Texas. Mr. President, I make the same request.

The PRESIDING OFFICER. Without objection, the nominations of collectors of customs are confirmed en bloc.

SURVEYOR OF CUSTOMS

The legislative clerk read the nomination of Harry Edwards to be Surveyor of Customs for customs collection district No. 10.

The PRESIDING OFFICER. Without objection the nomination is confirmed.

BOARD OF PAROLE

The legislative clerk read the nomination of Harvey G. Straub to be a member of the Board of Parole.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES DISTRICT JUDGES

The legislative clerk proceeded to read sundry nominations of United States district judges.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

UNITED STATES ATTORNEYS

The legislative clerk proceeded to read sundry nominations of United States attorneys.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

UNITED STATES MARSHAL

The legislative clerk read the nomination of Thomas H. Trent to be United States marshal for the southern district of Florida.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

NOMINATIONS PLACED ON THE VICE PRESIDENT'S DESK

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the nominations placed on the Vice President's desk, referred to at the bottom of page 5 of today's Executive Calendar, be considered and confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

UNITED STATES DISTRICT JUDGES

Mr. JOHNSON of Texas. Mr. President, the distinguished minority leader calls my attention to the nominations of three judges, which have been unanimously reported by the Committee on the Judiciary, but which have not been printed on the calendar. Since there is no objection to the nominations, I have agreed that they be considered now, as a courtesy to the Senator from Indiana [Mr. JENNER].

The PRESIDING OFFICER. The clerk will state the nominations.

The Chief Clerk read the nomination of W. Lynn Parkinson to be United States circuit judge, seventh circuit.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Robert A. Grant to be United States district judge for the northern district of Indiana.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of John S. Hastings to be United States circuit judge, seventh circuit.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

EXAMINERS IN THE PATENT OFFICE

Mr. JOHNSON of Texas. Mr. President, are there any other nominations which have been reported but which have not been placed on the Executive Calendar?

The PRESIDING OFFICER. There are two nominations of chief examiners in the Patent Office.

Mr. JOHNSON of Texas. They have been reported by the Judiciary Committee. I ask unanimous consent that they may be considered at this time.

The PRESIDING OFFICER. The clerk will state the nomination.

The Chief Clerk read the nomination of Harry Surle to be an examiner in chief in the Patent Office of the Department of Commerce.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Peter T. Dracopoulos to be an examiner in chief in the Patent Office of the Department of Commerce.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be notified of the nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be so notified.

Mr. JOHNSON of Texas. I hope this notification reaches the President himself. We have confirmed more than 3,000 nominations this year. I know the Senator from California is aware of the problems we have had, but it should be noted that in the closing days of the session we do not have one nomination remaining on the Executive Calendar. Some persons may be disappointed, but I hope that is not true in the case of the distinguished minority leader.

Mr. KNOWLAND. Mr. President, I wish to express to the distinguished senior Senator from Texas [Mr. JOHNSON], the majority leader, and I say this both on behalf of the President of the United States, who has sent the nominations to the Senate, and in my own behalf, as minority leader, our deep appreciation of the way in which the majority leader, with whom I have frequently consulted, has accelerated the handling of these matters in the Senate.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to state that within the next day or two the Committee on Post Office and Civil Service will report approximately 100 or more post office nominations.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Maurer, one of its reading clerks, announced that the House had agreed to a concurrent resolution (H. Con. Res. 215) authorizing the printing of additional copies of certain public hearings, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 293. An act to authorize settlement for certain inequitable losses in pay sustained by officers of the commissioned services under the emergency economy legislation, and for other purposes;

H. R. 3658. An act to liberalize certain criteria for determining eligibility of widows for benefits;

H. R. 6952. An act to authorize the transfer of naval vessels to friendly foreign countries;

H. R. 7458. An act to amend the Fair Labor Standards Act of 1938, as amended, to restrict its application in certain overseas areas, and for other purposes;

H. R. 7697. An act to provide additional facilities necessary for the administration and training of units of the Reserve components of the Armed Forces of the United States;

H. R. 8755. An act to amend title II of the Social Security Act to permit any instrumentality of two or more States to obtain social-security coverage, under its agreement, separately for those of its employees who are covered by a retirement system and who desire such coverage, to include Alabama, Georgia, New York, and Tennessee among the States which may obtain social-security coverage for policemen and firemen in positions covered by a retirement system on the same basis as other State and local employees, and to extend the period during which State agreements for social-security coverage of State and local employees may be made retroactive; and

H. R. 8892. An act to amend the Internal Revenue Code of 1954 to extend the time within which a minister may elect coverage as a self-employed individual for social-security purposes and to permit such a minister to include, for social-security purposes, the value of meals and lodging furnished him for the convenience of his employer and the rental value of the parsonage furnished to him, and for other purposes.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 215) authorizing the printing of additional copies of certain public hearings, was referred to the Committee on Rules and Administration.

PROGRESS IN RURAL ELECTRIFICATION

Mr. BARRETT. Mr. President, without a question of a doubt, history will record that the first half of this century marked the golden age of rural electrification. Bringing electricity to the farms and ranches throughout the length and breadth of our country is one of the outstanding social and economic developments of this generation.

In the first 35 years of this century a small but persistent group endeavored by every means at their disposal to promote interest in farm electrification. Strange as it may seem, their movement was referred to with letters somewhat similar to our own REA. It was called CREA, the abbreviation for Committee on the Relationship of Electricity to Agriculture.

The purpose of their organization was to investigate the application of electricity to farm needs and to devise plans for promoting farm electrification. Despite the efforts of these groups, rural electrification made slow progress.

The rural electrification program was brought into being by an executive order in 1935 under conditions which made it a part of the Federal Government's general program for relief of unemployment. The immediate task of REA was to promote rural electrification in such a way as to get funds rapidly into channels of commerce and thereby stimulate employment. At least 25 percent of the funds were required to be spent directly for labor, with the further provision that 90 percent of the labor would be obtained from the relief rolls. The pattern in the use of relief funds had been grants, loans, and other forms of subsidy. However, this temporary organization was unable to discover ways and means of employing grants and it was unable to develop a satisfactory plan for utilizing unskilled labor from relief rolls for construction of rural power systems.

Through the executive order issued in May 1935, the President established REA as a lending agency charged with responsibility of promoting rural electrification through a program of interest-bearing self-liquidating loans.

When the Rural Electrification Administration was first created in 1935, only 10.9 percent of the farms of our country had central station electric service. Generally speaking, these farms were adjacent to urban areas such as dairy farms or irrigated farms that required electric power in large quantities. In most areas of the country very few farms were hooked up to power lines because the cost of the connection was higher than farmers generally could afford.

In May, 1936, the Congress passed the Rural Electrification Act, which gave REA statutory authority for the promotion of rural electrification. In the first year of operation the Rural Electrification Administration worked with established electric companies, as that appeared to be the most expeditious way to use the funds made available by the Congress for the program.

Various reasons have been cited for the failure of the electric companies to take the initiative in the rural electrification program. Whatever the reasons may have been, the fact is that few electric companies submitted loan applications. A study was also made of the possibility of using municipal systems as an instrumentality for extending electric service to the farms, but likewise few cities or towns were interested. It shortly became apparent that the rural electric cooperative was the most promising vehicle to develop a nationwide program of rural electrification.

The task of developing the program in the formative years through rural electric cooperatives was not easy. The cooperatives had to be locally organized and incorporated under State law. In many States enabling legislation was required. The cooperatives had to develop a plan for their electric distribution plant which had to be soundly engineered and capable of serving the members' needs. They had to demonstrate that the system would operate successfully and repay the loan. They had to arrange for wholesale power at reasonable cost. On many occasions these and other difficulties appeared insurmountable to the organizers. There was no precedent to serve as a guide. It is apparent now that from the beginning the strength of the rural electrification program has been the intense desire of farm and other rural people to obtain for themselves dependable electric service at reasonable cost.

Considering the overwhelming obstacles these groups were obliged to overcome, it is fair to state that over the years the accomplishments of the rural electrification program have been little short of phenomenal.

From Maine to California, from Texas to the Canadian border, this splendid self-liquidating loan program is providing a vital and essential utility service to the rural people of our great land. The REA program has meant so much to the farmers of America that it is exceedingly difficult to measure its immense contribution to the general welfare and economy of our country. The story of rural electrification is a story of people. It cannot be told in terms of the vast sums invested or measured by the millions of consumers served. The people in the farming communities in every section of our country will gladly testify to the solid worth of the program. Power has released the farm wife from drudgery of the washboard. It has lightened her home chores and has given her more leisure time for family activities and participation in civic affairs. Rural folks who got city lights for the first time nearly a quarter century ago were understandably grateful. For some it meant an end to pumping and carrying water or to emptying the drip pan under the icebox.

It is only recently that our farmers have begun to move into this wondrous electrical age. This is clearly indicated by the upsurging in kilowatt-hour sales and in the growing number of new all-electric farm homes, as well as by the revolution in dairy farming. Electricity is truly the modern, efficient, low-cost miracle worker for the farmer. Electricity makes living and working conditions in the country more attractive to farm youth; and, as a result, the rural areas are keeping more of their ambitious, capable young people at home. They have all the advantages and home comforts of city living—radio, TV, lighted schoolrooms with instruction opportunities provided by electric equipment, shop and household appliances.

Unlike the days of long ago, the farm home of today compares quite favorably with the city home for comfort and convenience. The electrification of the farm water systems has made it possible to protect the family against many causes of ill health, and refrigeration safeguards the family food supply.

The primary objective of the program is to provide a means whereby our farm people can obtain for themselves the indispensable utility service so necessary for improved living conditions and for efficient farm operations. Service, rather than profit, is the fundamental concept of the program.

Along with farm mechanization, as symbolized by the tractor, rural electrification has brought about almost revolutionary changes in both rural living and productive capacity on our farms and in rural areas. In the years ahead when the history of this era is written, rural electrification may well go down as the greatest of all federally sponsored farm programs.

The REA was originally set up as an independent agency, but since 1939 it has been a part of the Department of Agriculture. The Rural Electrification Act empowers the REA to make self-liquidating loans to qualified borrowers, with preference to nonprofit and cooperative organizations, for the construction of power facilities to persons in rural areas without central station service and for financing the purchase of electrical appliances and equipment by rural consumers.

Since 1949, under an amendment to the Act, the REA has been empowered to make loans for the purpose of extending and improving telephone service in rural areas.

The Federal loan program for rural electrification today serves the electric power requirements of more than 4 million rural consumers. At this time it is expanding at top speed to keep pace with the increasing use of power in every section of the country. It is in splendid financial condition. There are 978 active borrowers, with facilities in more than 2,600 of the Nation's 3,000 counties.

In the telephone program there are 540 borrowers, whose plans call for new or improved dial service to about 845,000 rural subscribers in 44 States. This program also is moving ahead at the greatest possible speed.

During the 6 years preceding World War II the number of electrified farms tripled. Working with newly organized rural electric cooperatives, REA succeeded in reducing construction costs. This was achieved through the application of mass construction techniques and through the development of new and lower-cost construction designs adapted to rural service needs. When World War II ended, the rural electric cooperatives and the power companies quickly resumed their efforts to connect the remaining unserved farms; and today about 95 percent of the farms are served with electricity compared to 10.9 percent in 1935.

Mr. President, the tremendous growth in rural electrification in the past 22 years is clearly evident in a table which I ask to have printed in the RECORD. It indicates by States the total number of farms in 1935 and in 1954 and the number and percentage of such farms electrified in 1935 as compared with the number and percentage electrified in 1956.

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

Number and Percentage of Farms Electrified with Central Station Service, by States, 1935 and 1956

Area	Farms Jan. 1, 1935 (number) [1]	Farms receiving central station electric service Dec. 31, 1934		Farms November 1954 (number) [3]	Farms receiving central station electric service June 30, 1956	
		Number[2]	Percent		Number[4]	Percent
United States	6,812,350	743,954	10.9	4,782,393	4,507,050	94.2
Alabama	273,455	11,053	4.0	176,956	162,500	91.8
Arizona	18,824	5,577	29.6	9,321	8,150	87.4
Arkansas	253,013	2,943	1.2	145,075	136,950	94.4
California	150,360	81,093	53.9	123,074	119,050	96.7
Colorado	63,644	7,145	11.2	40,749	36,150	88.7
Connecticut	32,157	10,138	31.5	12,753	12,600	98.8
Delaware	10,381	1,791	17.3	6,297	6,050	96.1
Florida	72,857	5,700	7.8	57,543	52,200	90.7
Georgia	250,544	6,956	2.8	165,524	157,250	95.0
Idaho	45,113	13,433	29.8	38,735	37,550	96.9
Illinois	231,312	28,379	12.3	175,543	170,050	96.9
Indiana	200,835	23,476	11.7	153,593	151,100	98.4
Iowa	221,986	32,047	14.4	192,933	189,300	98.1
Kansas	174,589	13,224	7.6	120,167	109,050	90.7
Kentucky	278,298	8,480	3.0	193,487	178,750	92.4
Louisiana	170,216	2,826	1.7	111,127	106,750	96.1
Maine	41,907	13,959	33.3	23,368	21,950	94.0
Maryland	44,501	6,791	15.3	32,500	30,650	94.3
Massachusetts	35,094	14,494	41.3	17,361	17,100	98.5
Michigan	196,517	42,152	21.4	138,922	136,100	98.0
Minnesota	203,302	13,783	6.8	165,225	157,300	95.2
Mississippi	311,683	2,802	.9	215,915	188,250	87.2
Missouri	278,454	17,893	6.4	201,614	191,050	94.8
Montana	50,564	2,768	5.5	33,059	28,450	86.1
Nebraska	133,616	9,544	7.1	100,846	94,850	94.1
Nevada	3,696	946	25.6	2,857	2,100	73.5
New Hampshire	17,695	9,495	53.7	10,411	10,200	98.0
New Jersey	29,375	15,162	51.6	22,686	22,500	99.2
New Mexico	41,369	1,350	3.3	21,070	17,600	83.5
New York	177,025	57,825	32.7	105,714	103,500	97.9
North Carolina	300,967	9,672	3.2	267,906	257,500	96.1
North Dakota	84,606	1,968	2.3	61,939	52,300	84.4
Ohio	255,146	48,048	18.8	177,074	172,500	97.4
Oklahoma	213,325	5,648	2.6	118,979	108,100	90.9
Oregon	64,826	17,839	27.5	54,442	52,950	97.3
Pennsylvania	191,284	45,182	23.6	128,876	124,400	96.5
Rhode Island	4,327	1,975	45.6	2,004	1,950	97.5
South Carolina	165,504	3,796	2.3	124,203	113,100	91.1
South Dakota	83,303	2,939	3.5	62,520	54,200	86.7
Tennessee	273,783	9,727	3.6	203,149	191,550	94.3
Texas	501,017	11,466	2.3	292,946	272,650	93.1
Utah	30,695	16,130	52.5	22,825	22,150	97.0
Vermont	27,061	7,945	29.4	15,981	15,700	98.2
Virginia	197,632	14,954	7.6	136,416	126,850	93.0
Washington	84,381	40,060	47.5	65,175	64,150	98.4
West Virginia	104,747	3,647	3.5	68,583	63,750	93.0
Wisconsin	199,877	39,206	19.6	153,558	148,550	96.7
Wyoming	17,487	527	3.0	11,392	9,650	84.7

[1] United States Census of Agriculture, 1935, 1940, and 1950.
[2] Edison Electric Institute.
[3] United States Census of Agriculture, 1954, preliminary.
[4] REA estimate.

Mr. BARRETT. According to the census record, 275,000 farms do not now receive central station electric service. Half of that total are farms in the States of Alabama, Kansas, Kentucky, Mississippi, Missouri, North Carolina, South Carolina, Oklahoma, Tennessee, and Texas. A table which I now ask to have printed in the RECORD shows the number of farms by States together with the percentage of the total number of farms in the country not presently receiving central station electric service.

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

	Farms without central station electric service June 30, 1956	Percent of total
United States	275,250	100
Alabama	14,450	5.2
Arizona	1,150	.4
Arkansas	8,150	3.0
California	4,000	1.4
Colorado	4,600	1.7
Connecticut	150	.1
Delaware	250	.1
Florida	5,350	2.0
Georgia	8,250	3.0
Idaho	1,200	.4
Illinois	5,500	2.0
Indiana	2,500	.9
Iowa	3,650	1.3
Kansas	11,100	4.0
Kentucky	14,750	5.4
Louisiana	4,400	1.6
Maine	1,400	.5
Maryland	1,850	.7
Massachusetts	250	.1
Michigan	2,800	1.0
Minnesota	7,900	2.9
Mississippi	27,650	10.0
Missouri	10,550	3.8
Montana	4,600	1.7
Nebraska	6,000	2.2
Nevada	750	.3
New Hampshire	200	.1
New Jersey	200	.1
New Mexico	3,450	1.2
New York	2,200	.8
North Carolina	10,400	3.8
North Dakota	9,650	3.5
Ohio	4,550	1.6
Oklahoma	10,900	4.0
Oregon	1,500	.5
Pennsylvania	4,500	1.6
Rhode Island	50	0
South Carolina	11,100	4.0
South Dakota	8,300	3.0
Tennessee	11,600	4.2
Texas	20,300	7.4
Utah	700	.2
Vermont	300	.1
Virginia	9,550	3.5
Washington	1,000	.4
West Virginia	4,850	1.8
Wisconsin	5,000	1.8
Wyoming	1,750	.6

Mr. BARRETT. About 55 percent of all the electrified farms of America are served through loans of the Rural Electrification Administration. Only Connecticut and Rhode Island do not have facilities financed by REA. It should also be noted that REA borrowers are serving Alaska and Puerto Rico. During the past 10 years more farms have been connected to REA lines than by all other electric systems combined. The constantly increasing percentage of electrified farms served by REA borrowers from 1935 to date is apparent from a table which I ask to have printed in the RECORD.

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

Percent of Electrified Farms Served by REA Borrowers

1935	0
1940	23.6
1944	34.7
1947	39.6
1950	50.5
1953	53.8
1956	54.5

Mr. BARRETT. At the present time REA borrowers are connecting new consumers at the rate of about 100,000 per year. It is reasonable to assume that in the years that lie ahead these rural systems will continue to add new consumers. Our constantly growing population and the trend toward country living contribute in a major way to the increasing number of consumers served by REA-financed systems. At the end of 1956 the REA borrowers were serving about 4,361,000, although the average for that year was 4,229,000 consumers. A table, which I ask to have printed in the RECORD, shows that in 1956 about 58 percent of these consumers were farms, 34 percent were rural residential consumers located in small towns and in the country, and the remaining 8 percent were mostly commercial, industrial, public buildings and irrigation loads.

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

Consumers Served by REA Borrowers, by Class of Consumer, 1956

Farm	2,431,795
Residential (town)	281,701
Residential (nonfarm, rural)	1,074,261
Residential (seasonal)	85,381
Schools, churches, public buildings	85,715
Small commercial and industrial	228,691
Large commercial and industrial	9,172
Pump irrigation	26,346
Public street and highway lighting	3,497
Other utilities	120
Other electric service	2,485
Other REA borrowers	45
Total	4,229,209

Mr. BARRETT. From the very beginning the Rural Electrification Administration endeavored to encourage rural electric service in all sections of the country. The rural electric cooperatives are committed to the principle of serving all those without electric service within their service areas who can be served without impairing their financial status. Their area coverage resolutions generally provide that service will be extended at no expense to the applicant except a nominal fee, usually $5, for membership in the cooperative. The area coverage principle has made it possible for the rural electric cooperatives to construct at one time all of the plants required to serve all consumers in sections of their service area and thus realize the economies of large-scale mass construction. The area coverage principle has also operated to avoid unserved "pockets" within service areas.

A total of 1,078 electric systems have obtained loans from the REA, and 88 of these borrowers have paid off their entire indebtedness.

The loan agreements between REA and its borrowers provide for the repayment of principal on an installment basis. Interest on the amount of principal outstanding is also due and payable with each payment on the principal.

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

Mr. BARRETT. I yield to the distinguished Senator from Minnesota.

Mr. THYE. I wish to commend the distinguished Senator from Wyoming for having so clearly given this excellent report on the status and accomplishments of the REA. No law ever enacted by Congress has been so beneficial to the rural population as the REA Act. Nothing has brought greater comfort and safety to the farm home than electricity has brought. No longer are the farmer and his family dependent on the old-fashioned lamp, which was such a fire hazard. The same thing is true of the lantern in the stable. No longer are farm homes without running water and all the conveniences which electricity brings to the home. Today the farm child has the same opportunities in the farm home that his city cousins had in the years of yesterday.

I commend the distinguished Senator for having brought to us such a clear outline of the achievements of the REA and what it has meant to the American farmers.

Mr. BARRETT. I thank the Senator for his splendid contribution. For a good long time he has been a consistent and loyal supporter of the REA.

Mr. COOPER. Mr. President, my State, like the State of the Senator from Wyoming, is largely a rural and agricultural State.

Mr. BARRETT. The distinguished Senator from Kentucky is correct.

Mr. COOPER. Kentucky has 1 large city, Louisville, and 3 or 4 other cities of less than 100,000 population, and many small communities; but it is essentially an agricultural State. I am very much interested in what the Senator is saying about REA. Years ago I was a county judge in Kentucky, in a rural county. Prior to that time I spent all my life in a rural section of Kentucky. I can say that no Government agency or cooperative has reached more farm people and brought greater advantages to farm people than the REA.

I should like to ask the Senator if he knows of any other agency which through the cooperatives has brought into the business of management and operation more people who live in the rural sections of the country than has REA.

Mr. BARRETT. I know of no other agency. I believe I can say, without any possibility of doubt, that the REA has proved to be the most popular governmental program in the history of our country. It has brought more benefits to people on the local level than any other agency. Certainly the people can take credit for it, because they operate and manage the cooperatives themselves, and they have done a very good job of it.

Mr. COOPER. One aspect of the program which interests me particularly is that the management of REA cooperatives has drawn its people from farms and small communities. They manage their property as well as any group of people anywhere else in the United States.

Mr. BARRETT. I am sure that is true of Kentucky, and I know it is true in my State.

Mr. COOPER. I am speaking of the whole record throughout the United States.

Mr. BARRETT. Yes.

Mr. COOPER. Is it not correct to say that the rate of loss on loans is phenomenally small, if there is any loss?

Mr. BARRETT. It is very, very small. I will touch on that point in a moment. There is hardly any loss at all. It is so small that it amounts to very little, indeed.

Mr. COOPER. Many cooperatives are far in advance in the payment of their loans. Is that not correct?

Mr. BARRETT. That is true. As a whole, they are in splendid financial condition. There is no reason why that condition should not continue in the years ahead.

Mr. COOPER. In my short service in the Senate I have been impressed by the great interest the Senator from Wyoming has shown in REA and the way he has worked for it. I am happy that he is making his presentation today.

Mr. BARRETT. I thank the Senator. I know he has been a vigorous supporter of REA on all occasions. As a matter of fact, the Republican Party has consistently supported the REA program.

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

Mr. BARRETT. I yield.

Mr. ALLOTT. I hope I am not anticipating some of the Senator's remarks. However, is he going to insert in the RECORD, at a later point in his remarks, some of the percentages and amounts of repayments of REA loans?

Mr. BARRETT. I shall do that, if the Senator will bear with me.

Mr. ALLOTT. I do not want to anticipate anything. In the meantime I wish to associate myself with the remarks of the Senator from Wyoming. He has been a very strong and ardent supporter of REA. As he well knows, most of the States in the West have taken a great lead in REA, even though the distances are great, in bringing electricity to their ranches and farms through the medium of nonprofit organizations which are commonly called REA's, but are, in fact, cooperators.

Mr. BARRETT. I may say to the distinguished Senator from Colorado that my State is probably in worse shape in that regard than his own, because of the tremendous distances between farms and ranches in Wyoming. However, Colorado and Wyoming, and other Western States, have been able to overcome that difficulty. We have established a splendid record of bringing electricity to the ranches and farms in the West.

Mr. ALLOTT. I am sure that is true. I know that in the State of Colorado the percentage was 87 percent a year ago, and in a little less than a year that percentage has gone up seven-tenths of 1 percent, which brings it to about the national average.

Mr. BARRETT. I think that is a little better than the national average. I know the Senator's great interest in this program, and that he has taken the floor during the past week to defend the administration of REA by his fellow citizen from Colorado, Dave Hamil, who is doing a wonderful job. I hope the Senator will bear with me for a while, so that I may get to the point in my remarks where I discuss the record of Mr. Hamil.

Mr. ALLOTT. I shall be most happy to do so.

Mr. BARRETT. Repayment of long-term debt on an installment basis is unusual in the utility business. The long-term debt of utility companies is generally in the form of bonds due on a certain date. In most cases they are replaced at maturity by another issue of long-term debt. This is in contrast to the practice of REA borrowers of repaying the principal of each loan during the loan period.

During the fiscal year 1957 the amount of payments on principal was $71,259,516 and on interest was $39,342,578. On June 30, 1957, the total amount repaid on the principal of loans was $468,533,673 and the total interest paid was $285,471,883.

In addition to the scheduled payments, REA borrowers have made payments in advance of the due date. These advance payments are generally referred to as a "cushion of credit." Advance payments may be used at the option of the borrower to meet scheduled payments of interest or principal, or to pay a note in full. As of June 30, 1957, 756 borrowers had a "cushion of credit" amounting to a total of $109 million. This was an increase of approximately $13 million over the amount of "cushion of credit" which had been built on June 30, 1956.

At that time for the electric program as a whole, $200,602.29 in principal and interest was overdue more than 30 days. This figure represents less than one-thirtieth of 1 percent of the principal and interest payments due. This also is a decrease from the amount of $233,-

872.22 which was overdue more than 30 days as of December 31, 1956.

In any loan program it is expected that some loans will go sour; and the REA is no exception to that rule. During its lifetime, the REA has foreclosed two loans, on which a total loss of $44,478.13 was incurred. Mr. President, that is less than two one-thousandths of 1 percent of the total funds advanced to borrowers. One loss amounted to $7,248.08, in the case of a borrower which was never able effectively to commence construction; and the other amounted to $37,230.05, in the case of a borrower which suffered severe storm damages which decreased the revenue of the company to the point where it could not meet its obligations to the Government.

There are 988 active borrowers, of which 927 are cooperatives, 42 are public power districts, 15 are municipal corporations, and 4 are power companies. I have before me, Mr. President, a table which shows the type of borrowers of the REA, active and repaid. I ask unanimous consent to have the table printed at this point in the RECORD.

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

REA Borrowers

Type of borrower	Total	Cooperatives	Public power districts	Other public bodies	Power companies
All borrowers	1,078	978	49	27	24
Active, total	988	927	42	15	4
Distribution type	949	893	40	13	3
Power type	37	32	2	2	1
Refrigeration type	2	2	0	0	0
Loan repaid, total	88	50	7	12	19
Distribution type	55	18	7	11	19
Power type	3	2	0	1	0
Refrigeration type	30	30	0	0	0

Mr. BARRETT. Mr. President, the REA is presently serving about 52 percent of the total number of farms while other suppliers serve about 43 percent and 5 percent are not electrified. REA borrowers have energized almost 1.4 million miles of line, including more than 32,000 miles of transmission line. They have installed more than one million kilowatts of generating capacity. Over $3.5 billion in loans had been placed under contract to electrification borrowers as of June 30 last. I have before me, Mr. President, a table which shows the growth in net electrification and telephone loans since inception of the two programs. I ask unanimous consent to have the table printed at this point in the RECORD.

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

Fiscal year	Electrification	Telephone
1936	$13,903,412	----------
1937	45,032,806	----------
1938	29,236,219	----------
1939	139,064,513	----------
1940	41,736,000	----------
1941	100,054,672	----------
1942	91,152,724	----------
1943	6,700,978	----------
1944	31,930,124	----------
1945	25,731,055	----------
1946	$289,372,488	----------
1947	254,521,172	----------
1948	313,023,099	----------
1949	448,859,597	----------
1950	375,151,456	$3,426,500
1951	221,733,800	37,828,500
1952	165,425,811	41,005,718
1953	137,379,160	35,883,500
1954	155,923,014	66,434,324
1955	164,187,315	49,602,000
1956	188,131,345	78,211,000
1957	298,791,669	78,748,000
Total	$3,536,955,428	$391,139,542

Mr. BARRETT. Mr. President, the greatest growth in electrification loans occurred during the 5 years following World War II, when construction material, equipment, and manpower again became available for civilian undertakings. The second 5-year postwar period witnessed a leveling off in electrification loans. The trend in the past 2 years has been upward, reflecting the substantial increase in energy consumption by rural consumers and for the attendant need for increasing and heavying up service facilities. REA has geared its operations to meeting promptly all legitimate loan needs of its borrowers.

During the initial year in which electrification loans were made the interest rate to borrowers was set at 3 percent by administrative determination. The loan funds which REA used in its fiscal 1936 lending operations were provided without interest charge to REA by the Emergency Relief Appropriation Act of 1935.

Now under the Rural Electrification Act of 1936, the interest rate to borrowers from fiscal year 1937 to September 21, 1944, was established by a formula based on the average rate of interest payable by the United Sates on its obligations having a maturity of 10 or more years. The interest rate so determined ranged from 2.46 to 2.88 percent during this period.

The loan funds used by REA during this period were obtained from the Reconstruction Finance Corporation at a cost of 3 percent, and from the Treasury by direct appropriation without interest.

The Department of Agriculture Organic Act of 1944 fixed the rate for past and future loans by REA at 2 percent and prescribed a rate of 1.75 percent for REA borrowing from the Reconstruction Finance Corporation. The Act also authorized extension of the term for all loans from 25 to 35 years. The objective of the 1944 amendments was to make it possible to extend electric service on an area coverage basis when materials again became available while complying with the statutory requirement that the loans be self-liquidating.

The Agriculture Department Appropriation Act for the fiscal year 1948 amended the Rural Electrification Act by substituting the Treasury for the RFC as the source of REA loan funds. The Act transferred to the Secretary of the Treasury all REA obligations to RFC and authorized the Secretary of the Treasury to furnish loan funds to REA either without interest or at a rate of interest per annum not to exceed the rate provided for REA loans to borrowers. The 2 percent rate fixed in 1944 for REA loans to its borrowers was not affected by this Act. By administrative agreement the rate of interest paid by REA to the Treasury was to be determined by the computed average rate payable by the Government on its outstanding marketable public-debt obligations at the close of the preceding fiscal year, adjusted to the nearest one-eighth but not to exceed 2 percent. From the fiscal year 1949 to date the range of interest rates paid to the Treasury by REA was from 1.75 to 2 percent.

The computed average interest rates paid by the United States on all marketable public-debt obligations were used in REA loan transactions only as a means of determining the interest rate to be paid to the Treasury by REA from 1948 on. Prior to that year the rate paid to RFC was fixed by law and bore no relationship to the cost of money to RFC or to the Treasury. During the period of RFC financing of the REA lending program, the source of RFC funds was relatively short-term public borrowing or borrowing of special funds from the Treasury at interest rates substantially below those paid by REA. No interest was paid to the Treasury by REA on loan funds which were made available to it by direct appropriations. However, at all times all interest received by REA in excess of amounts required to be paid by REA was deposited with the Treasury. The interest rate charged by REA to its borrowers exceeded the computed average rate paid by the Treasury on its marketable issues in all but 7 of the 19 years in which the Treasury rate is determinable. However, this spread is not a valid measure of monetary profit or loss to the Government from REA lending operations, since the source of funds advanced to REA by the Treasury was not identified.

Mr. President, I have before me a table which shows the interest rates paid by the REA for the funds advanced from Government sources and also the rates charged REA borrowers as well as the computed annual interest rates paid by the United States Treasury on interest bearing marketable securities from 1936 to date. I ask unanimous consent to have the table printed at this point in the RECORD.

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

Fiscal year	Source of loan funds	Interest rate paid by REA	Interest rate charged by REA on new loans	Computed annual interest rate on marketable Treasury issues
1936	ERA	None	3.00	(3)
1937	RFC	3.00	2.77	(3)
1938	REA [1]	None	2.88	(3)
1939	REA RFC	None 3.00	2.73 2.73	2.525
1940	REA	None	2.69	2.492
1941	RFC	3.00	2.46	2.413
1942	RFC	3.00	2.48	2.225
1943	RFC	3.00	2.57	1.822
1944	REA	None	2.67	1.725
1945	RFC	1.75	2.00 [2]	1.718
1946	RFC	1.75	2.00	1.773
1947	RFC	1.75	2.00	1.871

[1] Direct appropriation.

[2] During the period July 1–Sept. 20, 1944, REA charged 2.49 percent on new borrowings and paid RFC 3 percent.

[3] Comparable data for years 1936–38 are not available.

Fiscal year	Source of loan funds	Interest rate paid by REA	Interest rate charged by REA on new loans	Computed annual interest rate on marketable Treasury issues
1948	Treasury	1.75	2.00	1.942
1949	do	1.875	2.00	2.001
1950	do	2.00	2.00	1.958
1951	do	1.875	2.00	1.981
1952	do	1.875	2.00	2.051
1953	do	2.00	2.00	2.207
1954	do	2.00	2.00	2.043
1955	do	2.00	2.00	2.079
1956	do	2.00	2.00	2.427
1957	do	2.00	2.00	2.707

Source: Computed annual interest rate on marketable issues, Treasury Bulletins, U. S. Treasury Department. Interest rates charged by REA obtained from records of the Agency.

Mr. BARRETT. Mr. President, it is clear that for some years at least the Rural Electrification Administration paid more in interest to the Treasury than it cost the United States to hire money for the same period of years. It seems to me that it would be a bit unfair to take advantage of that situation, and then, when the cost of money to the Treasury increases, immediately to call upon the REA to increase the interest due on its loans. Because I thought it was eminently unfair to increase the interest rate for the REA's, I submitted a Senate resolution some time ago expressing the conviction that the interest rate to the REA should be maintained at 2 percent.

Mr. MUNDT. Mr. President, will the Senator from Wyoming yield to me?

Mr. BARRETT. I am glad to yield to my distinguished colleague, the senior Senator from South Dakota.

Mr. MUNDT. Mr. President, the distinguished Senator from Wyoming is making a most informative and interesting speech. I have told him privately that I support the resolution he has submitted, to continue the REA loans at the present rate of interest, although I see no indication that any administrative recommendation has been made to do anything other than that which has been provided in his resolution.

Mr. BARRETT. Mr. President, I may say to the distinguished Senator from South Dakota that David Hamil, the Administrator of REA, and the Secretary of Agriculture, Mr. Benson, both have recommended that the interest rate for REA loans be maintained at 2 percent. I cannot believe, and do not believe, that the Administration will recommend an increase in the interest rate for the REA, and I am equally certain that if it did so that the Congress would not enact any such legislation.

Mr. MUNDT. I know that to be correct; I also have conferred with them. Even so, I have told the Senator from Wyoming that if there are in the country persons who are worried about the matter, and if it would tend to give them peace of mind, and if it would tend to establish this as even more definitely the policy—and I have told the Senator from Wyoming this in private conversation—I would support the resolution he has submitted; and I take this opportunity to say so publicly, on the record.

Mr. BARRETT. Mr. President, I wish to say that the distinguished Senator from South Dakota has been a very strong and ardent supporter of the REA; and I am sure that in the Committee on Agriculture and Forestry of which he is a member, he has given powerful help to the REA in maintaining the 2 percent interest rate. I cannot believe, and do not believe, that the Administration will recommend an increase in the interest rate.

Mr. MUNDT. Let me say that as a member of the Senate Appropriations Committee's subcommittee which deals with REA appropriations, it has been my pleasure not only to vote for, but also in many instances to initiate by motion, the necessary funds required by the REA in order to continue its steady and constructive program of expansion.

I want to commend the Senator from Wyoming for pointing out, as he has done, from his statistical study, that there have been periods of time over quite a few years when the Federal Government actually has made a profit from the interest which the borrowers of REA have paid to the Federal Government. Consequently, while we are at the moment in a period of comparatively higher interest rates, which may be of long or short duration, at this time there is no justification, immediately when interest rates get a little higher, to try to put a penalty on the REA by virtue of the fact that they have established, as it were, credit in the bank during the years when they were paying higher interest rates than would have been called for ordinarily.

Mr. BARRETT. I thank the Senator.

Mr. MUNDT. I can say, as a member of the Appropriations Committee, and as a member of the subcommittee which deals with REA funds, and as a member of the Committee on Agriculture and Forestry, nobody in the administration has suggested to me, directly or indirectly, that an effort is to be made to increase the interest rates of REA.

Mr. BARRETT. I thank the Senator.

Let me call attention to the fact that power requirements of REA-financed electric systems are expected to more than triple in the next 10 years. These projections are based on the actual input of the systems and are a part of a study of future power needs and resources of REA borrowers. In the past power needs of REA-financed electric systems have doubled almost every 4 years. This rapid growth was due in part to increased consumption by existing consumers and in part to new consumers coming on the lines. With 95 percent of the Nation's farms now electrified, greater usage by present consumers is expected to be the principal factor in the increased demand for power in the future. According to the Edison Electric Institute, "during the next decade it is estimated that about 124 million kilowatts of net generating capacity will be added."

REA borrowers' proportionate needs are expected to parallel or even exceed those of industry, primarily as a result of the continuing sharp increase in average consumption by their consumers.

Since inception of the REA program, wholesale power has been purchased from commercial power companies, municipal electric systems, TVA, Federal power marketing agencies, and REA-financed generation and transmission cooperatives. The following table, Mr. President, indicates the quantity of energy purchased by REA borrowers by type of supplier during selected fiscal years 1940 to 1956 inclusive.

I ask unanimous consent that the table be printed in the Record at this point.

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

	Total kilowatt-hours purchased	Power companies	Municipal systems	Public bodies	TVA	Federal agencies	REA co-op borrowers
		Percent	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
1940	406,530,264	53	16	3	23	1	4
1942	1,086,221,222	50	14	4	25	2	5
1944	1,988,266,708	42	11	5	19	18	5
1946	2,367,780,748	52	11	4	20	7	6
1948	4,151,635,089	57	8	5	19	6	5
1950	7,138,326,685	57	5	5	20	6	7
1951	8,974,458,974	54	4	5	21	8	8
1952	10,764,660,930	54	3	5	20	10	8
1953	12,458,469,815	52	2	6	20	11	9
1954	14,309,755,359	49	2	7	19	13	10
1955	16,216,442,800	46	2	7	19	14	12
1956	18,373,165,900	44	2	7	19	18	10

Mr. BARRETT. Mr. President, REA borrowers are interested in getting a dependable supply of power at the lowest cost for their consumers. There are some who believe that private and public power are completely incompatible, that we must have all of one and none of the other. To my way of thinking that position is completely unwarranted.

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

Mr. BARRETT. I yield.

Mr. MUNDT. I agree with what the Senator has said, that there is room in this country for both private and public power. In those areas where private power is unable to provide, at proper economical rates, the power required by the people, those are the places in which public power should function. In those areas where private enterprise—which pays taxes—is able economically to generate and distribute power at reasonable rates which people can afford to pay, then it seems to me that is where private enterprise of the country should function and where public power should not be interjected. Does the Senator agree with that statement?

Mr. BARRETT. The Senator is entirely correct. Certainly it is entirely consistent for a person to be a rather firm supporter of REA and still be opposed to public power where private industry is ready, willing, and able to undertake construction of a power project.

Mr. MUNDT. May I say to the Senator in that regard that, in my opinion, as I understand REA and as I have advocated REA on the floor of Congress and in committee rooms, I consider REA to be private power, cooperatively owned——

Mr. BARRETT. There is no question about that.

Mr. MUNDT. REA is private power owned by the farmers who comprise the co-op. I do not think REA is public power at all, and those who identify REA as public power render a great disservice to REA, because it is no more public power than the local farmers' and merchants' oil company in my hometown is a public-ownership filling station. It is a co-op, organized under the cooperative laws of the State and the Nation, owned by the farmers. The profits go to the farmers and are paid to them in the nature of patronage dividends.

Mr. BARRETT. A co-op is private enterprise in the strictest sense of the word. The Senator is correct.

Mr. MUNDT. I think we should keep clearly in mind the distinction. Public power, which we think of in terms of Federal power, is owned by the Federal Government, operated by the Federal Government, with profits, if any, which may accrue, going to the Federal Government, and with losses, if any, being paid by the taxpayers of the entire country. The persons who would be running REA's today, if they were public power, would be politicians in a bureaucracy in Washington, rather than the farmers elected by the patrons of REA in various cooperative districts of the country as is presently the program. Is that statement not correct?

Mr. BARRETT. That is correct.

Mr. MUNDT. In the long run, I think there is a greater danger to our farmer-owned, farmer-operated REA co-ops in this country from Federal power, from national, socialized power, than there is from private power. There is a greater danger that the farmer-owned and farmer-operated co-ops will be snuffed out by a great flood of public-power enthusiasts and public-power legislation than that they are ever going to be snuffed out by private utilities.

It must be remembered that the co-ops are operated by the farmers and owned by the farmers and they borrow money from the Government as they might from banks and pay that money back with interest. I see no way in the world that a privately owned cooperative can fall into the hands of a private utility unless the board of directors some night goes out on a grand and glorious drunk and votes to sell it to a private utility. A private utility cannot take away from the farmers the co-op which the farmers own. But Congress could. Public-power enthusiasts could. People with a glint in their eyes about public power could. People who would socialize and nationalize all industry could. Congress could pass a law which could compel the farmer-owned, farmer-operated co-ops to divest themselves of their ownership. We could absorb their loans. We could take over their liabilities. We could require them to sell out to the Government. We could run the co-ops from a bureaucracy, from the center. We could operate them as nationalized institutions, the way the power facilities in Russia are operated today under communism. We could—but I sincerely hope we never do.

I call to the attention of the farmers of this country that they must protect their vested interest in farmer-owned and farmer-operated co-ops. Certainly they must protect them against letting a greedy private utility buy them out or bribe their boards of directors to sell out to them. They must also be protected against misinformed and ill-advised enthusiasts and political leaders and ideologists who would like to flood this country with a great wave of national Federal power, public power in its genuine sense, and thereby have legislation enacted divesting farmers of ownership which they rightfully have in the co-ops, of which they are members and of which they are a part. REA power is privately operated; our REA's are privately owned. They must be on guard equally against socialistically inclined public power lobbyists and private utility magnates.

Does the Senator agree?

Mr. BARRETT. The Senator is eminently correct. I am quite certain the persons who have organized and operated the REA's, at least those in the western part of the country, are fully aware of the problem, and they know full well their interests are not identical at all with those who want to have Federal projects constructed at Government cost of hundreds of millions of dollars and operated for the benefit of certain areas to the disadvantage of other areas in the West when the projects can be built by private industry. They know that their best interests are going to be served by working for the REA's entirely and not by identifying the rural electric cooperatives with public power.

Mr. MUNDT. I am mighty happy to have the Senator say that. I am glad to have that confirmation in the RECORD as I was sure we would have it. May I say that if this colloquy this afternoon does nothing else, I hope it buttons down for all time the fact that REA's are privately owned and privately operated, as any other co-op is; that they are not public power, and that those both inside and outside REA who try to delude the farmer owners and operators of REA by endeavoring to make them feel that they are part of a big public ownership socialized segment of our economy are either ill informed or ill intentioned. Such public power enthusiasts are mischief-makers who are doing a disservice to our farmers and to REA which would deprive them of the very existence of REA. Farmers desirous of maintaining this fine rural electrification program, which has been proved so wonderful for so long, and which has been supported by Democrats and Republicans in the administrative and executive branches, would do well to look with a jaundiced eye on visitors in their midsts who would make them believe they are part of a public power combine. America's farmers are private enterprisers. They believe in private ownership. They practice it in their personal lives and they practice it in REA. They do well, therefore, to examine the motives, the financial backing, and the personal or political ambitions of any who write, or speak, or campaign in an effort to identify REA with public power rather than with private, cooperatively managed, ownership.

If REA owner-patrons ever fall for that kind of a fallacy, they may wind up entirely out of the REA, with the politicians down in Washington running it, owning it, and operating it. Then we will have destroyed one of the great grassroots developments of this country which, in partnership with the Federal Government as a loaning agency, is bringing not only light but telephone communications to the farm homes all over America.

Mr. CURTIS and Mr. GOLDWATER addressed the Chair.

Mr. BARRETT. I yield first to the Senator from Nebraska.

Mr. CURTIS. I thank the distinguished Senator.

The Senator from Wyoming is making an excellent speech tracing the record and accomplishments of the rural electrification program.

The other Senators have made a material contribution toward clearing the air in the thinking about the REA program and what it means to rural America.

I have some very definite feelings about Federal public power. What I am about to state as my feeling on the subject is a position I have declared through the years, publicly and privately, at home and in Washington. That feeling is this: Whenever the Federal taxpayers are called upon to build, and it seems wise to build, a conservation project, such as an irrigation project or a flood-control project, and it is expedient and necessary that the Federal Government do so, then in that case Federal money should be spent to develop the public power in order to lower the cost of the multiple-purpose project.

Mr. BARRETT. Or, I may say to my distinguished colleague, to operate the project.

Mr. CURTIS. Yes.

Mr. BARRETT. To use the power for operation of the project or for the farmers on the project.

Mr. CURTIS. I would go further. I would say in order to lower the cost of an irrigation project or a flood-control project, which are Federal functions, it is wise and expedient to firm up the power with steam or other means in order to make it marketable to the best advantage. Within reason that should be done. I would say that powerlines should be built to market the power to the best advantage for all concerned.

That is the program I have consistently supported as a Member of the Senate and as a Member of the House. I have declared that position publicly and privately, at home and here in Washington.

However, when we are considering a different type of project, a project which in the main is not for the purpose of expanding irrigation or for the purpose of providing necessary flood control, but involves purely and simply taxing the Federal taxpayers in order to generate power, in the main for power in order to socialize the power industry, I have not favored such projects. I do not believe they are in the public interest.

Mr. BARRETT. Certainly not, when private industry is ready, willing, and able to undertake the construction of the project and to furnish the power which the people of the particular area need.

Mr. CURTIS. I agree. If the projects are not a part of the overall development, certainly the Federal Government should not undertake to construct them. If private sources can do the work, or if the local people can do it themselves, through municipalities or otherwise, the Government should not do so.

Mr. BARRETT. I think the Senator from Nebraska is eminently correct. I invite his attention to the fact that the Commissioner of Reclamation made the statement in Colorado the other day that the first use of Federal funds for the development of our water resources should be to apply the water to the land.

Mr. CURTIS. Yes.

Mr. BARRETT. And that if hundreds of millions of dollars are appropriated by the Congress for the purpose of building power projects, when private industry is willing and able to undertake their construction, then necessarily the amount of money which will be made available for the construction of reclamation projects and the bringing of water to the parched lands of the West will be restricted and limited by the same amount.

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

Mr. BARRETT. I am glad to yield to my friend from Nebraska.

Mr. CURTIS. The rural electrification program is so well accepted all over the United States that it is the one program which has had unanimous support in the Congress. I cannot remember ever hearing a speech made in the Congress of the United States against the REA. I have never known of that being done.

Mr. BARRETT. I have never heard of one, either.

Mr. CURTIS. The authorization legislation is carried in the agricultural bills. The appropriations are made annually. While there may at times be some disagreement as to how much money should be spent in a given period of time, the program has been unanimously supported.

I think the farmers and others who are interested in REA have been misinformed and misguided by being advised that certain groups and individuals are fighting REA, when there is not a thing on the record to indicate that anybody is opposing this fine program. I cannot imagine anyone suggesting that we abandon electricity and go back to the lighting and power devices which were used before this program developed.

Mr. BARRETT. Mr. President, in my State the private power people have worked hand in hand with public power for more than a quarter of a century. Only recently private power has started construction on a large 100,000-kilowatt steam plant that will help relieve the power shortage in our State. We need both public and private power working together to supply the needs of our State if we are to develop our natural resources and bring new industries into our State.

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

Mr. BARRETT. I yield.

Mr. GOLDWATER. Mr. President, I wish to compliment the distinguished Senator from Wyoming for the remarks he is making today. I feel they are long overdue. I believe they will help to clear up a condition which has been muddied by political interference and by the operations of a group in Washington who, I feel, do not have at heart the best interests of the people we have in mind.

I should like to ask the distinguished Senator from Wyoming if he knows of any diminution of activity in the REA field since January of 1953.

Mr. BARRETT. Of course not. The program has gone ahead by leaps and bounds since 1953. Greater progress has been made during the last year than was made for a long time, with the exception of the years immediately following the war when there was a large backlog to be picked up, and a Republican Congress took care of that need at that time in a splendid way.

Mr. GOLDWATER. I should like to ask the Senator another question. Is the Senator aware of any large Federal electric projects having been completed since January of 1953?

Mr. BARRETT. Not any large ones.

Mr. GOLDWATER. There have not been any large ones completed. That leads me to the next question, which I think the distinguished Senator from South Dakota [Mr. MUNDT] was discussing with my friend from Wyoming. Is there any connection at all between REA and public power?

Mr. BARRETT. Not in the least. The REA's are free enterprises, working at the local level for the benefit of the people, managed by the people, and operated by the people. The REA is certainly an operation in connection with which the only interest of the Federal Government is in the nature of providing loans permitting the REA's to construct their lines.

Mr. GOLDWATER. Mr. President, I should like to remind the Senate of what the Republican platform had to say on this question in 1952, because I wish to bring out that the administration, by allowing the free-enterprise system to operate in a freer manner than it has operated since 1932, has actually provided more power for the REA's. The Republican Party said in its platform in 1952:

> We support the principle of bona fide farmer-owned, farmer-operated cooperatives and urge the further development of rural electrification and communication, with federally assisted production of power and facilities for distribution when these are not adequately available through private enterprise at fair rates.

Mr. BARRETT. I may say that we have carried out that plank.

Mr. GOLDWATER. That is what I wanted to point out to my colleagues. The Republican administration has carried out that plank, and has, without spending the taxpayers' dollars on large Federal power projects, enabled more and more farmers to enjoy electricity, as a result of private enterprise entering the field and moving ahead.

Mr. BARRETT. I thank the Senator.

Mr. GOLDWATER. Mr. President, I should like to ask the Senator to yield further.

Mr. BARRETT. I am glad to yield.

Mr. GOLDWATER. I should like to develop a point with which I feel not many people are acquainted.

Mr. BARRETT. I am glad to yield.

Mr. GOLDWATER. Is the Senator acquainted with the National Rural Electric Cooperative Association?

Mr. BARRETT. I have heard of the organization. I get the magazine. I have had occasion to read their articles from time to time.

Mr. GOLDWATER. Let me remind the Senator and the Senate that the National Rural Electric Cooperative Association describes itself as a nonpartisan, nonprofit organization of rural electric cooperative public power districts and public utility districts in the United States and Territories, an entirely independent private cooperative service organization in no way affiliated with the Rural Electrification Administration.

I desire to point out that this association describes itself as a nonpartisan organization. If this organization is nonpartisan, why do the Members of the Senate and the Members of the House of Representatives receive copious quantities of mail when such projects as Hells Canyon, TVA, and atomic power come up?

Mr. BARRETT. I may say to my colleague, the Senator from Arizona, that I think the Senator from South Dakota [Mr. MUNDT] and the Senator from Nebraska [Mr. CURTIS] made it abundantly clear a few moments ago that the interests of the REA cooperatives are not identical with the interests of those who advocate public power and attempted to exploit it in the proposed Hells Canyon legislation. It seems to me that REA cooperatives have been ill advised and there are those who attempt to lead them to believe that their interests are identical with the interests of those who want to construct big power projects at public expense.

Mr. GOLDWATER. Yet every time Hells Canyon comes to the floor of the Senate, or TVA comes to the floor of the Senate, I hear from my constituents in Arizona that I should vote for Hells Canyon or for TVA. I believe the Senator from Wyoming will say that he has had the same experience.

Mr. BARRETT. I certainly have; and I think every other Senator can say the same thing. A barrage of propaganda has been fired at the farmers of America in an effort to convince them that they are obliged to support the public power program when their cooperatives, as the Senator has well pointed out, are private-enterprise systems in the true sense of the word.

Mr. CURTIS. Mr. President, will the Senator yield to me in order that I may ask the Senator from Arizona a question?

Mr. BARRETT. I am delighted to yield.

Mr. CURTIS. Did the Senator from Arizona say that the National Association of REA Cooperatives is a nonpartisan organization?

Mr. GOLDWATER. I read from their current description of themselves:

> A nonpartisan, nonprofit organization of rural electric cooperatives—

and so forth.

Mr. CURTIS. It has been my observation that in election year after election year they have been in partisan politics. One of their principal officers, Mr. Ellis, arrived in my State—I assume at the expense of that group—last fall, prior to the presidential election, and he attacked the present administration of the REA. He charged the administration with attempting to destroy the REA. A few months before that, in my own State of Nebraska, the largest REA loan in history had been granted, to build a steam plant; yet Mr. Ellis came there and delivered a partisan blast as soon as he got off the airplane, obviously for the purpose of playing politics.

The voting charts and other material which they distribute at election time are directed toward the same end. In order to make this account entirely impersonal, our late beloved friend, Senator Hugh Butler, was a leader in this body for REA. He went all the way for it. Yet when election time came, and one read the charts, he would find Hugh Butler pictured as an enemy of REA. I am astounded at the claim of the National Rural Electric Cooperative Association that it is nonpartisan.

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

Mr. BARRETT. I yield to the distinguished Senator from Arizona.

Mr. GOLDWATER. Why are Senators and Members of the House pictured as enemies of the REA? Because they vote against public power. I know that the farmers in my State, users of REA service, do not believe in public power. Yet when public power projects come before this body, they are incited by Mr. Ellis and his organization to telegraph me and my colleagues to vote for public power.

Mr. CURTIS. It goes further than that. I think they are opposed because of their party affiliation.

Mr. GOLDWATER. I think there is no question about that.

Mr. CURTIS. Where do they get the money with which to operate?

Mr. GOLDWATER. I shall be very happy to explain that. The Association has a system of dues. The NRECA dues structure varies with the type of member organization. A nonprofit rural electric distribution system pays an initial membership fee of $10, and annual dues of between 10 and 12½ cents per connected customer. The dues vary.

Mr. Ellis reported, at the 1957 annual meeting, that the dues income had increased sevenfold since 1943, to 1946, or to a total of $400,000.

Why should the people of Arizona who enjoy REA power—and I believe our farms are 96 or 97 percent electrified—pay dues to an organization in Washington which is solely for public power? I do not believe the farmers of my State believe in public power. Yet Mr. Ellis, the general manager, with $400,000 a year at his beck and call, can spread false propaganda. He can speak over the radio; he can go to my town or the town of the Senator from Nebraska, or the town of the Senator from Wyoming, and say, "These Senators are no good." Why? Because I voted against Hells Canyon, which is about 2,000 miles from Arizona; and because I voted against TVA, which is about the same distance from Arizona.

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

Mr. BARRETT. I yield.

Mr. ALLOTT. Is the Senator from Arizona aware that the source of funds he has mentioned is not the only source of funds with which the association carries on its propaganda campaigns? Is he aware that twice in the past 2 years a national campaign has been organized to solicit REA's for propagandizing public power, and that many REA local cooperatives, under the mistaken apprehension that public power was a part of their purpose, because of the constant propagandizing, contributed money as a result of the two campaigns in addition to their annual dues to the NRECA?

Mr. GOLDWATER. Mr. President, will the Senator from Wyoming yield to me so that I may answer the question of the Senator from Colorado?

Mr. BARRETT. I am very happy to yield.

Mr. GOLDWATER. I am glad the Senator from Colorado brought up that question.

Two years ago, during the debate on the Hells Canyon bill, I placed in the RECORD a list of contributors to the Hells Canyon Association. Let me read the list of contributors:

Northwest Public Power Association, $2,000.

Montana REA, $200.

Montana is close to Idaho, but not close enough to get electricity from it.

Southwestern Washington Public Utilities District Commissioners Association, $1,030.

Eastern Washington Public Utilities District Commissioners Association, $500.

Idaho REA, $500.

Wasco Electric Cooperative, $425.

NRECA, with headquarters here in Washington, $2,000.

Oregon REA, $2,000.

Water and power users of Santa Clara County, $27.

APPA, $1,750.

Washington REA, $200.

Cooperative League of the United States, $25.

Individual REA's, $19,266.70.

These contributions aggregate $29,925.70, of the total kitty of more than $100,000 which was raised.

These moneys come from people who have been told that if dams like Hells Canyon are not built, or if TVA is not expanded, or if atomic power is not developed by the Government, the REA will fall on its face.

I am surprised at Mr. Ellis spreading such propaganda, in view of the evidence that in this administration the REA, operating with power produced by private sources, has shown the greatest increase in its history, except for the years immediately after the war, when the demand was heaviest.

Mr. BARRETT. I thank my colleague.

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

Mr. BARRETT. I yield.

Mr. CURTIS. I have no objection to anyone being for or against public power if it is not connected with multipurpose dams. I have no objection to individuals raising money to get their side of the story across, if they are for public power, but I think it should be done forthrightly and honestly, and it should not be confused with the rural electrification program.

Mr. BARRETT. I agree with the Senator 100 percent.

Mr. CURTIS. Money should not be collected from farmers, making the cost of their local unit more expensive, under the pretense that it is necessary to maintain a lobby in Washington in order to get the REA program over, when the money is used for other purposes. I certainly condemn the action of an organization which misrepresents the voting record of Members of the Congress with respect to the support of authorizations for the rural electrification program. I am convinced that some of the leaders in the national association to whom reference has been made have been doing that for some time.

Mr. BARRETT. I thank the Senator.

I was one of the organizers of the Niobrara Rural Electric Association at Lusk 17 years ago and I yield to no man in my support of REA, but, at the same time, I realize the need and importance of encouraging private enterprise to do its full part in providing the power that we will need in the years ahead. There is a place today and tomorrow for both private and public power with REA-financed systems maintaining their proper place as a growing and influential part of private power. Both private and public power are needed to do the Nation's power job. Each can serve to keep the other member of the power team on its toes.

Where power generated by Federal agencies is available under the statutory preference clauses of the Flood Control Act, REA-financed cooperatives, municipalities, public power districts and other political subdivisions should have access to such power. Many REA borrowers serve sections of the country where area coverage is possible only through the availability of low-cost power generated by Federal agencies.

During the early years of the program REA borrowers found it necessary to purchase or generate their electric power at costs ranging from 1.5 cents to 2.5 cents per kilowatt-hour. Due to increase in the consumers' usage, improved efficiency, better understanding of the program, and cooperation from the electric industry, the average cost of wholesale power purchased has been reduced from 1.09 cents per kilowatt-hour in 1940 to .72 cents in 1956.

A table, which I ask to have printed in the RECORD, shows the quantity and the cost of energy purchased by REA borrowers during selected fiscal years 1940 to 1956 inclusive.

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

Fiscal year ending June 30—	Kilowatt-hours purchased	Cost of energy purchased	Average cost per kilowatt-hour
			Cents
1940	406,530,264	$4,426,643	1.09
1942	1,086,221,222	10,192,747	.94
1944	1,988,266,708	16,656,009	.84
1946	2,367,780,748	20,760,680	.88
1948	4,151,635,089	37,014,736	.89
1950	7,138,326,685	61,505,793	.86
1951	8,974,458,974	73,604,738	.82
1952	10,764,660,930	85,569,592	.79
1953	12,458,469,815	97,215,856	.78
1954	14,309,755,359	108,979,050	.76
1955	16,216,442,800	119,806,774	.74
1956	18,373,165,900	132,403,246	.72

Mr. **BARRETT**. Electricity has brought much more business to our rural communities than was anticipated by its most optimistic friends.

Expenditures by rural consumers for electric equipment and wiring is already estimated in the billions. Farm sales of power equipment continue to increase. In addition, availability of power is attracting new residents from the cities and is bringing new industry to the country. Electricity is driving the wheels of progress in rural America. Electricity is enabling the farmers of America to meet successfully competitive postwar conditions.

Electricity has moved factory efficiency to the farm, increasing production with less labor. Electric equipment has improved the quality of farm products. Sterilization and refrigeration equipment has meant higher-grade milk for the protection of the consumer. Electric brooding equipment has saved chicks and pigs. Losses due to spoilage have been greatly reduced by electric refrigerators, food freezers, and hay and grain dryers.

The growth of rural electric usage has exceeded even the rosiest expectations. Recent developments indicate that the increase will continue. Air conditioning, electric house heating, water pumping for irrigation, and crop drying are just beginning to appear in farm areas but already give evidence of their usefulness and popularity with rural consumers. Electric heating, for example, can add 10,000 to 15,000 kilowatt-hours to the average annual consumption per residence. This figure now is about 2,500 kilowatt-hours. Experience with irrigation as a load builder in Western States indicates that farm loads will increase spectacularly with wider adoption of this practice.

This achievement has been accomplished by the rural people, the electric industry, and the Government working together within the framework of our free enterprise system. One of the strong points of the program and one which receives full endorsement of the Republican Party is its private enterprise nature.

The rural electric cooperatives are private enterprise in the strictest sense. They are incorporated under the laws of their respective States. They are owned and controlled by their member-consumers. Their relationship with REA is that of a borrower to a lender. As long as they are current in their payments of principal and interest, the REA exercises over the cooperatives the minimum control essential to the security of the loans. REA expresses policy on matters relating to loan security but refrains from interference with the management of the systems. The cooperatives' purpose is to render dependable electric service to their members at the lowest cost consistent with sound management of the system. They operate under the control of their boards of directors who are elected by the members and who determine the objectives, establish the policies, and hire the personnel required to carry on the management and administrative functions of the organization. Margins in excess of expenses realized through operations by the cooperative belong to the members.

It is a matter of record that the Republican Party has consistently supported the rural electrification program. The late Senator George W. Norris, Republican, of Nebraska, was coauthor of the Rural Electrification Act. He was fighting for rural electrification long before the Act was adopted. The lights that burn in the farm homes of the Nation symbolize his interest and leadership in helping establish the rural electrification program. The Republican Party down through the years has stood firmly for a sound rural electrification program—one that would be expanded to meet the needs of our rural people. In fiscal years 1943 and 1949, when rural electric construction was at a peak, a Republican Congress voted the largest appropriation on record for the program.

Mr. **HRUSKA**. Mr. President, will the Senator yield?

Mr. **BARRETT**. I am very glad to yield to the distinguished senior Senator from Nebraska.

Mr. **HRUSKA**. First of all, I should like to associate myself with the remarks of the Senators who have expressed appreciation to the Senator from Wyoming for outlining the history and achievement of REA. With reference to my State of Nebraska, I believe the Senator from Wyoming will be interested to know that during the past 22 years, since REA began operations, more than $125 million has been advanced to cooperatives, which embrace an area of some 60,000 square miles, and serve approximately 95,000 farms. The cooperatives have paid since that time approximately $11 million in interest and approximately $14 million in principal on the loans made to them. Their payments are well ahead of schedule.

Indicative of the fine fashion in which the respective cooperatives have been managed, their payments are approximately $4½ million ahead of schedule. As of July 1 this year not one account was more than 30 days in arrears, indicating a perfect record of payment.

Mr. **BARRETT**. The State of Nebraska is entitled to be commended on that achievement and to take great credit for that splendid record.

Mr. **HRUSKA**. I believe that is a record which is not much different from the record of many other States. I am confident that the record of our neighboring State to the west, so ably represented, in part, by the Senator from Wyoming, is undoubtedly equally as up to date and as far along in the program.

Mr. **BARRETT**. My own State also has a very splendid record.

Mr. **HRUSKA**. If the Senator will yield further, I should like to say it was with some interest that I listened to the colloquy between the Senator from Arizona and the Senator from Wyoming with reference to some of the activities of NRECA. I could not help being reminded in that connection of instances of the association having gone into questions involving public power, and issues such as the Hells Canyon Dam proposal.

Not long ago there came before the Senate the Niagara Power Authority bill. In that instance, as in other instances, there was an injection of the public-power issue into a proposition in which no Federal funds were involved. In the development of the Niagara Falls, there was involved the New York State Power Authority, which will resort to no Federal funds. Yet REA local cooperatives throughout the Nation were circularized and asked to contact Members of Congress for the purpose of inducing them to support a Federal preference clause in the Niagara power bill. In that project no Federal money was involved, and no Federal loan was involved. It was totally a State-developed project. Yet the effort was made to inject the public-power philosophy into the consideration of that project.

It seems to me that that is another instance of an attempt by NRECA to lend political and public-power color to the Niagara project. NRECA has received some financial support from REA's which, as has been so ably pointed out by the Senator from South Dakota and by the Senator from Wyoming, are truly privately owned, rather than public-power institutions.

Mr. **BARRETT**. I thank the Senator for his splendid contribution. I hope the statement made by the distinguished senior Senator from Nebraska and the statements by many other Senators on the floor today will show the members of REA throughout the length and breadth of the land that they are truly private entrepreneurs and that their interests are not in any sense identical with public power.

Mr. **HRUSKA**. There would be no direct influence on the REA's of either the State of Nebraska or the State of Wyoming even if the preference clause were or were not attached to the Niagara Falls situation. I have the idea that we would function just as happily and as successfully with or without it.

Mr. **BARRETT**. I am sure we would. I thank the Senator.

As the Senator from Arizona [Mr. GOLDWATER] so well pointed out a few moments ago, the Republican Party had a very strong plank in its 1952 platform supporting rural electrification.

We had a similar declaration in the 1956 platform.

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

Mr. BARRETT. I yield.

Mr. COOPER. I am interested in the Senator's statement that in 1948 and 1949 the 80th Republican Congress made available the largest appropriation in the history of our country for the Rural Electrification Administration. That is a fact, is it not?

Mr. BARRETT. Indeed it is.

Mr. COOPER. I know that it is correct, yet it is a fact hardly every stated. There are very few farmers, I believe, who know it. Those who want to make a partisan issue of REA, against the Republican Party, certainly conceal that fact. I am glad the distinguished Senator from Wyoming has stated it. I am glad that our party, when it was in power in the 80th Congress in 1947 and 1948, made the largest appropriation to REA on record.

Mr. BARRETT. I think it is only fair to say that the Republican Party has stood foursquare for REA at all times. That is true, any statement to the contrary notwithstanding. I am sure that every Republican Member of the Senate and of the House has supported REA on all occasions.

Mr. COOPER. I was called out of the Chamber for a few moments. I do not know whether the Senator has yet discussed the fact that during the last 4 years the backlog of applications for REA funds has been greatly reduced under the leadership of both Mr. Nelsen, the former REA Administrator, and the present Administrator, and at a faster rate than during the preceding administration.

Mr. BARRETT. That is Mr. Hamil. The Senator is anticipating me a bit. I will develop that point a little later in my remarks. But that is certainly the record, one of which we are very proud. It shows again that the Republican Administration is doing everything it can to promote the best interests of the REA program.

Mr. COOPER. Will the Senator from Wyoming yield, to permit me to refer to an experience had in Kentucky, in the last few years, in regard to the REA?

Mr. BARRETT. I shall be delighted to have the Senator from Kentucky do so.

Mr. COOPER. In 1940, an application was made by a distributing cooperative in Kentucky, called the Eastern Kentucky Rural Electric Cooperative, for funds with which to build a steam plant to generate power to be furnished to a number of cooperatives in Kentucky, and to reach approximately 90 counties. I want to be fair. Of course, World War II came along; and during the war years it was impossible to make the loan available, chiefly because it was impossible to obtain the necessary supplies and equipment. But after the war ended, the years passed, but the REA made no loans to that cooperative.

In 1953, when President Eisenhower's administration came into power and when Mr. Nelsen became the Administrator, the Eastern Kentucky Rural Electric Cooperative renewed its application. Mr. Nelsen was very careful in making the review; at times it was even charged in Kentucky, in some quarters, that he was not giving the matter fair consideration. But the important thing was that after a fair consideration, the loan was made. I do not remember the exact amount of the loan, but it was approximately $22 million. The application had been pending for 13 years; but under this administration, under Mr. Nelsen, the loan was made.

Mr. BARRETT. Under the Republican administration the job was done.

Mr. COOPER. Yes.

Last fall, the same cooperative made application for an additional $12 million or $13 million, as I recall. Mr. Hamil took the application under consideration; and within a period of 4 or 5 months he had thoroughly reviewed the application and had made the loan.

I have never received any complaint of any delay in connection with the loans, or to the effect that loans were not made, when properly applied for, to any cooperative in Kentucky under Mr. Nelsen or Mr. Hamil.

Mr. BARRETT. I venture to state that, strange to say, in Kentucky there are persons who will say that this administration is opposed to the REA, despite that splendid record.

Mr. COOPER. No; to the contrary the director of our cooperative and members are very much pleased with the treatment they have received and with the expeditious way in which their requests have been handled. Again I commend the Senator from Wyoming [Mr. BARRETT] for his great support and work for REA.

Mr. BARRETT. I am very glad to hear that.

Mr. President, a moment ago I referred to the statement contained in the Republican Party's platform.

With this statement as a guideline, the administration under President Eisenhower moved forward with an expanded and businesslike program. The overall policy was to give the program the best possible service at the least cost to the taxpayer. Under this administration the Rural Electrification Administration speeded up the process of making loans. The volume of loans to meet legitimate needs started an upward trend. In the fiscal year 1954, the first full year of operation under the Eisenhower administration, REA loans increased nearly $2.5 million over those in the previous year. They increased again in 1955 and 1956. In 1957 the gross loans reached $300.5 million, the fourth largest loan-year in the 22-year history of REA.

More than 600,000 rural consumers will get service for the first time as a result of these loans, hundred of thousands of people on the lines will get better service through system improvements, and all will get power at the lowest rate in REA history. In the fiscal year 1956 that rate averaged 7.2 mills per kilowatt-hour, a reduction of 7.5 percent under the 1953 rate. In addition, it should be noted that the average retail rate to consumers on the lines of the rural cooperatives dropped to an all-time low of 2.8 cents.

Since World War II the average kilowatt-hour consumption per farm consumer served by REA borrowers has tripled—from 90 kilowatt-hours monthly in 1946 to 270 kilowatt-hours last year. The total input of REA financed systems has increased even more spectacularly—from less than 2.5 billion kilowatt-hours in the fiscal year 1946 to 21 billion kilowatt-hours in the fiscal year 1957, an 840-percent increase.

In 1956 the Republican Party's platform not only declared its support of the rural electrification program, but also recognized the growing power needs of our rural areas and the necessity of doing something about them. It made this pledge to rural people: "To expand rural electrification through REA loans for generation and transmission." That pledge has been kept.

It should be made clear, Mr. President, that the REA makes loans to finance the construction of generation and transmission facilities only where no adequate and dependable source of power is available to meet the consumers' needs. From the standpoint of the Nation's farmers, it is indeed fortunate that the REA has the right to finance generation and transmission systems, even though it is unnecessary to exercise that right. That in itself gives the REA's strong bargaining power. There have been cases in which such loans have made it possible for REA borrowers to proceed with area-coverage programs.

Of course, Federal appropriations should be used in the first place to bring basic electric service wherever feasible to the few rural areas which are still without it. In the second place, Federal funds should be used to increase the load on rural lines in order to provide adequate power for those already receiving service from cooperatives.

Where private industry is ready, willing, and able to provide generating capacity, it should be permitted to do so and thereby relieve the Federal Treasury from that obligation. I can see no good reason, Mr. President, why private and public power should not work together wherever private industry is unable or unwilling to undertake projects necessary for the general welfare of our people. Then, of course, the Congress is amply justified in authorizing the construction of such projects. On the other hand, the budgetary requirements of the Federal Government make it imperative that we encourage free enterprise to assume its share of the construction and operation of these projects.

In the fiscal year 1957 over $120 million was loaned to finance new generation and transmission facilities. A total of 740,000 kilowatts of new generating capacity has been approved under this Administration. As of June 30 of this year the REA has made loans to 40 generation and transmission borrowers. It has loaned to these borrowers $744,832,130 for the construction of generation and transmission facilities.

I have before me a table which shows the generation and transmission facilities provided by REA loans during the fiscal years 1953 to 1957 inclusive. Mr. President, I ask unanimous consent to have the table printed at this point in the RECORD.

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

Fiscal year	Miles transmission line	Kilowatt generating capacity
1953	1,337	30,205
1954	1,659	73,240
1955	1,724	98,940
1956	2,677	188,834
1957	2,245	379,466

Mr. BARRETT. Mr. President, it should be pointed out that the rural electrification program has developed a significant wholesale power market for electric utilities. The volume of power-company sales to cooperatives over recent years is shown in a table which I ask unanimous consent to have printed at this point in the RECORD.

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

Fiscal year	[In millions of dollars]
1956	64.3
1955	59.4
1954	57.0
1953	54.1
1952	49.3
1951	43.2
1950	37.6
1949	30.7

Mr. BARRETT. Mr. President, the continuing success of the rural electrification program has been due largely to the selection of two outstanding REA Administrators by President Eisenhower. His appointment of Ancher Nelsen in 1953 and of David A. Hamil in 1956 placed the REA lending operations in the hands of experienced businessmen who had already demonstrated competence and integrity. Both men were born and reared on farms in our great agricultural West. From their farm and ranch experience they brought to the REA a deep appreciation of the rural need for top-quality electric service at reasonable cost.

Both Administrators had helped sign up their neighbors for electric service from cooperatives, and both had served as directors of their local rural systems. They came to Washington strong believers in the REA loan program and completely dedicated to extending its benefits.

It is to their credit that both of these fine Administrators chose to use with a minimum of change the existing staff of civil-service employees already familiar with the work at the REA. Both contributed vigorous leadership and brought about more efficient procedures in the organization, and they developed in the REA a new and meaningful concept of the relationship between the Government and the citizens it serves.

Mr. ALLOTT. Mr. President, will the Senator from Wyoming yield to me?

Mr. BARRETT. I am delighted to yield to my distinguished colleague, the Senator from Colorado.

Mr. ALLOTT. I am sure the efforts of the distinguished senior Senator from Wyoming will bring a warm glow in the hearts of the members of the rural electric cooperatives all over the country. The record which Ancher Nelsen and his successor, Mr. Hamil, as Administrators of the REA, have made is well known.

The other day I had occasion to comment, on the floor of the Senate, on the great backlog of loans which existed when Ancher Nelsen took office. I am very happy to state that during the subsequent administration of Dave Hamil that backlog has been constantly whittled down, and the loans made by the REA to the cooperatives have expanded each year.

As a Coloradan, I wish to extend, for both my fellow Coloradan, Mr. Hamil, and myself, our very deep appreciation of the remarks the distinguished Senator from Wyoming has made.

Mr. BARRETT. I thank the Senator from Colorado. I wish to say to him that I consider Dave Hamil to be one of the outstanding administrators in the entire Government service. He is doing a magnificent job for the rural electrification program. The Senator from Colorado has anticipated the statement I am about to make about Mr. Hamil's record. I shall discuss that in a few minutes, and I hope the Senator from Colorado will make some comments in that connection.

Mr. ALLOTT. I shall be very happy to do so.

Mr. BARRETT. Mr. President, the cooperatives and other borrowers of REA funds have been given increasing opportunity under the present administration to develop their operations as local, independent business enterprises, free from unnecessary controls and restraints from Washington. This is in keeping with our best traditions and goes far in assuring continued freedom for the individual in these days when the tendency is to center power and authority in the Federal Government.

To the credit of this administration and of these fine Administrators, Nelsen and Hamil, it must be said that the program has been managed and operated wholly and completely on a nonpartisan basis. This is as it should be, for the REA program is a program of the people, not of any one political party or of any one group of people. I would be the first to voice strenuous objection to partisan operation.

Under the leadership of these men rural electric cooperatives today find themselves in the strongest financial position in the entire 21-year history of the REA. Their loan needs have been met with record promptness. In the past 4 years processing time for loan applications has been reduced in some cases up to 50 percent, with resultant savings to taxpayers of millions of dollars annually in administrative costs.

When this administration came into power there was a backlog of $192 million in electric loan applications, as the distinguished Senator from Colorado so well pointed out. But by the adoption of streamlined business procedures that backlog was reduced to $90 million by the end of last year.

In the last full year of the Truman administration the gross electric loans totaled $165 million. This compares with gross loans of $190 million in 1956 and $300.5 million in 1957.

Marked improvement in administrative and operating efficiency in the Rural Electrification Administration in recent years has saved millions of dollars in tax money. In 1952 it cost $6,630,000 to administer the electric program. Today the administrative costs of the electric program are about $4,500,000, with no reduction in essential services and with a marked advancement in helpfulness to borrowers. Under this administration electric program administrative costs have been reduced by nearly $10 million.

Under this administration REA has worked closely and diligently with rural electric cooperatives to improve their financial position.

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

Mr. BARRETT. I am glad to yield.

Mr. ALLOTT. I should like to make a comment, rather than ask a question, on the improvement in administration which has taken place in the past 5 years. I believe that in many programs which are formulated for the purpose of helping our citizens, one of the most frustrating aspects is the seemingly endless lapse of time between the time citizens organize to take care of a need or a program and the time they actually receive the benefits of the program.

I hope the Senator will agree with me that in the ending of that frustration and the instillation of confidence in the people who use these programs, the two administrators who have been mentioned have accomplished a most constructive purpose, which is the essence of the program, namely, that of letting persons know that when they apply and proceed along the lines the law sets forth, they are going to get positive and quick action on their applications.

Mr. BARRETT. The record shows that both Administrators have done a remarkable job.

From the beginning of fiscal year 1954 to the end of fiscal year 1957 their gross revenues jumped more than 60 percent, and their net worth went up by more than 50 percent. During this same period the borrowers were able to pay REA nearly $432 million in principal and interest on their loans. This compares to a total of $431 million paid in the entire period from 1935 to 1954. They have increased their payments ahead of due dates to a record high of a total of $109 million. At the beginning of fiscal year 1954 the records show that 34 rural electric systems were delinquent in their payments to REA, whereas today improved economic strength and greater attention to correcting weaknesses of the cooperatives has resulted in a reduction of the number of delinquents to 9.

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

Mr. BARRETT. I am delighted to yield to the distinguished Senator from Kansas.

Mr. CARLSON. First, I wish to express my appreciation to the distinguished Senator from Wyoming for the splendid statement which he is making with regard to REA and its benefits to the farmers and the people of the Nation. Secondly, I want to join with him in commending the administration for two outstanding men in the REA program, Ancher Nelsen, who was placed in charge of the REA in 1953, and, later, David Hamil, of Colorado, who is the present Administrator.

I have received a telegram from Harry Miller, executive director of the Kansas REA, in which he states that he not only has great faith in the ability and the efforts of David Hamil, but the organization in our State is supporting him wholeheartedly in the fine program he is carrying out.

Again, I want to say to the Senator from Wyoming he has rendered a real service to the Nation and to the REA by the speech he has made on the Senate floor.

Mr. BARRETT. I thank the Senator from Kansas for his kind remarks. I say to him I could not agree with him more completely than I do, that Ancher Nelsen and David Hamil have done a wonderful job for the REA during the past 5 years of this administration.

In order that the loan needs of rural electric systems could be estimated to the Congress with a maximum of accuracy, the REA instituted in 1954 an annual survey of the construction and financial plans of borrowers. To meet loan needs during fiscal years 1954, 1955, and 1956, the REA had loan funds on hand totaling $556 million which, by the way, was $32 million more than was required to meet needs totaling $524 million.

With loan approvals clearing through REA in record time, rural electric cooperatives had to their credit on June 30 of this year an aggregate of $595.7 million in loan funds approved but not drawn down. These funds were available to them on requisition.

The charge has been made, Mr. President, that Secretary Benson has removed from the hands of the Administrator of the Rural Electrification Administration the authority to approve loans in excess of $500,000 and delegated that authority to a member of his immediate staff. The fact is that the Administrator of the REA has the full and complete authority to make the decision on loans. It is true that he does seek the counsel and advice of Kenneth Scott, the Director of the Agricultural Credit Services of the Department of Agriculture, on certain loans, but the fact remains that no one, not even the Secretary of Agriculture, exercises any veto power of any kind over the Director of the REA on the matter of granting of loans by that agency. I submit, Mr. President, that the loan-making authority of the REA is being administered strictly in accordance with the expressed will and direction of the Congress. There are budgetary problems, Mr. President, and a member of the Cabinet has obligations not only to the President, but to the Congress as well, that make it necessary that he be concerned with major expenditures in his department. The Administrator of the REA is appointed on the recommendation of the Secretary of Agriculture, and so I submit, Mr. President, that it is ridiculous to charge that the law is being circumvented merely because the Administrator counsels and advises with the Secretary or his Chief of Credit Services.

In recent years it has become increasingly evident that the job of rural electrification is a continuing task which must take account of the service responsibilities of these rural systems. Borrowers are making inventories of the remaining unserved units in their areas preparatory to connecting those desiring service wherever possible. They are taking a greater interest in the development of the economy of their service areas. They are laying plans for the years to come, with proper attention to the affairs of their cooperative.

The consumers served by these systems are dependent on them for electric service. Service responsibility of these systems include planned growth of the system in order that they can meet their consumers' growing needs on a financially sound basis.

Service from the rural electric cooperatives is high-quality service. The dependence of rural consumers on electric energy for family living and for farm production requires that energy be available in adequate quantities, at dependable voltages, and with service outages held to the lowest possible frequency and duration. The cooperatives have established an excellent service record, and they have moved ahead in recent years with improvements in their systems aimed at assuring even better service for the ever-increasing rural loads. As the need is established by periodic engineering surveys, the capacity of distribution plants is being increased. Loop feeds providing double access to the source of supply are being built to reduce further the incidence and duration of service outages. Generation and transmission facilities are being constructed in record volume to provide the additional power supply needed. Most borrowers have installed radio communications systems to speed up action on service calls.

The success of the rural electrification program is a tribute to the hard work and vision of untold thousands of rural men and women who were determined to find the way to get electricity to the farms of our country. At all times since the program began in 1935 the grassroots support of the rural electrification program has been these same farm people who joined together to do the organizing, to conduct the member signup campaigns, and serve on the boards of their cooperatives. These cooperatives exemplify local private enterprise at its best and are rendering a vital service to the community, State, and Nation. The members are justly proud of their cooperatives' accomplishments. They can be expected to control and direct their cooperatives in the future with the same degree of vigor and reason which has characterized them to date. The farmers of this country are sound and conservative people. Historically, they have arrived at sound conclusions and decided on effective courses of action when they have been given the full facts.

These characteristics are a reassuring factor with respect to the future of the rural electrification program.

Mr. President, of course the REA will continue to serve fully and effectively the financing needs of rural electrification. We shall make available adequate loan funds. We shall continue to operate the programs with the measure of economy and honesty that all of us as taxpayers have come to expect. We shall extend to the cooperatives and other borrowers the assistance they require, and we shall do it with a minimum of regulations and supervision. In this way, rural people and their Government can continue to work hand-in-hand in order to achieve greater productivity and higher levels of living for the farmers of our country.

This, Mr. President, is no partisan matter. We have a splendid record of support for the rural electrification program over the years. By our actions, now and in the future, let us show the farmers and ranchers of America that their friends on both sides of the aisle, in both the Senate and House, stand ready to support REA effectively and courageously.

Mr. President, I yield the floor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 336. An act for the relief of Angela Ferrini;

S. 397. An act for the relief of Willem Woeras;

S. 398. An act for the relief of Benjamin Wachtfogel;

S. 441. An act for the relief of Jose Ramirez-Moreno;

S. 463. An act for the relief of Pedro Ampo;

S. 465. An act for the relief of Maria Concetta Di Turi;

S. 485. An act for the relief of Luigi Lino Turel;

S. 499. An act for the relief of Daniela Renata Patricia Zei;

S. 524. An act for the relief of Robert F. Gross;

S. 562. An act for the relief of Hideko Takiguchi Pulaski;

S. 567. An act for the relief of Vida Djenich;

S. 660. An act for the relief of Ursula Rosa Pazdro;

S. 662. An act for the relief of Howard I. Buchbinder;

S. 796. An act for the relief of Zacharoula Papoulia Matsa;

S. 976. An act for the relief of Charles A. Sidawi;

S. 1035. An act for the relief of Alice Eiri Schaer (Mi On Lee);

S. 1050. An act for the relief of Hrygory (Harry) Mydlak;

S. 1153. An act for the relief of Zdenka Sneler;

S. 1167. An act for the relief of John Nicholas Christodoulias;

S. 1175. An act for the relief of Helene Cordery Hall;

S. 1241. An act for the relief of Edward Martin Hinsberger;

S. 1290. An act for the relief of Lee-Ana Roberts;

S. 1293. An act for the relief of Elthaniahu (Eton) Yellin;

S. 1306. An act for the relief of Pao-Wei Yung;

S. 1307. An act for the relief of Toribia Basterrechea (Arrola);

S. 1308. An act for the relief of Carmen Jeanne Launois Johnson;

S. 1335. An act for the relief of Sandra Ann Scott;

S. 1370. An act for the relief of Wanda Wawrzyczek;

S. 1387. An act for the relief of Rebecca Jean Lundy (Helen Choy);

S. 1421. An act for the relief of Ansis Luiz Darzins;

S. 1496. An act for the relief of Nicoleta P. Pantelakis;

S. 1685. An act for the relief of Sic Gun Chau (Tse) and Hing Man Chau;

S. 1736. An act for the relief of Rosa Sigl;

S. 1767. An act for the relief of Eileen Sheila Dhanda;

S. 1783. An act for the relief of Randolph Stephan Walker;

S. 1804. An act for the relief of Marjeta Winkle Brown;

S. 1815. An act for the relief of Nicholas Dilles;

S. 1817. An act for the relief of John Panagiotou;

S. 1838. An act for the relief of Charles Douglas;

S. 1848. An act for the relief of Michelle Patricia Hill (Patricia Adachi);

S. 1896. An act for the relief of Maria West;

S. 1902. An act for the relief of Belia Rodriguez Ternoir;

S. 1910. An act for the relief of Salvatore Salerno;

S. 1962. An act to authorize the Secretary of Agriculture to convey a certain tract of land owned by the United States to the Perkins Chapel Methodist Church, Bowie, Md.;

S. 2003. An act for the relief of Jozice Matana Koulis and Davorko Matana Koulis;

S. 2063. An act for the relief of Guy H. Davant;

S. 2095. An act for the relief of Vaclav Uhlik, Marta Uhlik, Vaclav Uhlik, Jr., and Eva Uhlik;

S. 2165. An act for the relief of Gertrud Mezger; and

S. 2434. An act to amend the act entitled "An act to provide books for the adult blind."

The message also announced that the House had agreed to the following concurrent resolutions of the Senate:

S. Con. Res. 31. Concurrent resolution favoring the fulfillment of the program recommended by the National Historical Publications Commission for the publication of certain documents; and

S. Con. Res. 39. Concurrent resolution providing for the printing as a Senate document and for additional copies of the report of the Commission on Government Security.

The message further announced that the House had severally agreed to the amendment of the Senate to the following bills and joint resolution of the House:

H. R. 1558. An act for the relief of Phillis Guyadeen;

H. R. 1678. An act to provide for the quitclaiming of the title of the United States to the real property known as the Barcelona Lighthouse Site, Portland, N. Y.;

H. R. 1741. An act for the relief of Ikuko Morooka Mahoney;

H. R. 1868. An act for the relief of Donald Adamson;

H. R. 4854. An act for the relief of Victoria Galea;

H. R. 8284. An act for the relief of Innocenza Guarascio; and

H. J. Res. 368. Joint resolution for the relief of certain aliens.

The message also announced that the House had severally agreed to the amendments of the Senate to the following joint resolutions of the House:

H. J. Res. 338. Joint resolution for the relief of certain aliens;

H. J. Res. 340. Joint resolution to facilitate the admission into the United States of certain aliens;

H. J. Res. 373. Joint resolution to facilitate the admission into the United States of certain aliens;

H. J. Res. 387. Joint resolution for the relief of certain spouses and minor children of citizens of the United States;

H. J. Res. 392. Joint resolution for the relief of certain aliens;

H. J. Res. 409. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; and

H. J. Res. 411. Joint resolution for the relief of certain aliens.

The message further announced that the House had agreed to the amendments of the Senate to the concurrent resolution (H. Con. Res. 194) granting permanent residence to certain aliens.

INCREASE IN COMPENSATION GRANTED TO WAGE BOARD EMPLOYEES

The Senate resumed the consideration of the bill (S. 25) relating to effective dates of increases in compensation granted to wage board employees.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. MANSFIELD. Mr. President, what is the unfinished business?

The PRESIDING OFFICER. The clerk will state the unfinished business by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 25) relating to effective dates of increases in compensation granted to wage board employees.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. JOHNSTON of South Carolina. Mr. President, this bill relates to effective dates of increases in compensation granted to wage-board employees. It could also affect decreases. It happens that in the past everything has been going up, as we all know, but it could go the other way.

Mr. President, the pay of Federal employees in recognized trades or crafts or in unskilled, semiskilled, or skilled manual-labor occupations is fixed and adjusted from time to time in accordance with prevailing rates in private industry.

There are some 650,000 such employees.

Congress in granting agencies the authority to fix the pay of these employees assumed there would be a close relationship between the pay of employees in industry and those in Government. However, that is not always the case.

Here is why.

Pay increases are granted by industry. At some later date, employees of Government whose pay is supposed to be related to that of employees in industry petitions their agency for a wage survey. The agency considers the petition, makes a preliminary examination to determine that increases have been granted by industry, and finally an official survey is ordered.

The data collected in the survey is then analyzed and eventually a new pay scale developed.

This process has on occasion taken up to 6 to 8 months.

The net result is that, although the Government is presumed to be paying its blue-collar workers in accordance with prevailing rates in private industry, they are not doing so during this long intervening period.

Public hearings were held by the Senate Post Office and Civil Service Committee on similar legislation last year.

Following the hearings, the committee unanimously reported S. 3465, which was approved unanimously in the Senate July 16, 1956. That bill was identical to this bill S. 25.

S. 25 provides that the effective date of increases shall be not later than the beginning of the first pay period which begins on or after 30 days following the start of the survey. This allows agencies reasonable time in which to conduct adequate surveys.

The committee believes that if agencies plan their work well there will be little, if any, occasion for the payment of retroactive wage increases.

The committee believes that the bill is amply liberal from the standpoint of the time allowed agencies to conduct wage surveys and develop new pay schedules.

The committee believes further that there is no justification for long delay in making the adjustments that should be made under existing law. I dislike to say it, but it seems that some agencies string the process out in order to keep from putting into effect the increase to which the workers are clearly entitled.

I believe that explains the bill.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. CARLSON. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. It is proposed, in line 2 on page 2 of the bill, to strike out the words "ordered to be made" and insert the word "completed" in lieu thereof.

In line 13 and in line 22 on page 2 of the bill, strike out the word "ordered" and insert the word "completed" in lieu thereof.

Mr. CARLSON. Mr. President, the Senator from South Carolina has accurately described the action taken by the Senate Committee on Post Office and Civil Service, which was unanimous in reporting the bill. However, after the bill had been reported I was advised that the Department of Defense was opposed to the bill. For the record, I should like to read a statement which has been submitted to me.

I wish to state, Mr. President, that this report was not available—or at least we did not have it—at the time the committee considered the bill.

The statement from the Defense Department reads:

> The position of the Department of Defense with respect to possible amendments to the bill is that the Department is opposed to any legislation that would provide any retroactivity whatsoever for wage increases, but if Congress feels that some legislation of this type should be enacted the least opposition would be to legislation that would provide retroactivity to the first pay period that begins more than 30 days from the date of completion of the survey, as would be provided by H. R. 5273. The amendments that we favor are attached to this note.

That is the amendment, Mr. President, that I have offered.

Under present procedures, if a new schedule of wage-board rates is made effective, retroactive to the first pay period beginning 30 days after the start of a survey, that will add an increased average added time period of 10 weeks. Assuming an average increase of 12½ cents an hour per employee, or $50 per employee for the 10-week period, the additional increased payroll cost would be approximately $15 million for the Army and the Air Force and $11½ million for the Navy, for a total additional cost of approximately $26½ million for the 10-week period. The Defense Department contends that it will take them 4 weeks to conduct this survey; it will take 4 weeks to analyze the survey; and that to put the new rates into effect will take an additional 2 weeks.

It was for this reason that I offered the amendment, which the Defense Department had submitted.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kansas.

Mr. JOHNSTON of South Carolina. Mr. President, may the amendment be stated?

The PRESIDING OFFICER. The amendment will be stated.

The Chief Clerk. On page 2, line 2, it is proposed to strike out "ordered to be made" and insert "completed"; and on page 2, line 22, to strike out the word "ordered" and insert the word "completed."

Mr. JOHNSTON of South Carolina. Mr. President, in my opinion this amendment would make the law much worse than it is at the present time. Personally, I believe that if the Department can make its survey in 4 weeks, which is less than 30 days, that would leave approximately 15 days in which to analyze its report. If the Department cannot analyze its own report in 15 days, something is wrong. Our own bill would take away from the workers about 45 days additional pay, if there is to be an increase. It would not go into effect until after about 45 days. I do not think that is the intention of the law at the present time.

Mr. CARLSON. Mr. President, do I correctly understand that the Senator is suggesting that the 30-day provision be left in the bill, adding such additional language as would require the time used in making the surveys not to include Saturdays and Sundays, making a total of 45 days?

Mr. JOHNSTON of South Carolina. I will say to the Senator from Kansas that I have no authority to speak for the committee. I have not consulted with the committee, and I could not agree to any amendment to the committee bill. We discussed the question in the committee thoroughly, and we held hearings on the subject last year. Last year the committee was unanimous. This year the committee was unanimous. Last year the Senate passed the bill with practically no discussion. So we think that 30 days is sufficient.

Mr. CARLSON. Would the chairman be willing, if I should withdraw the amendment which I have offered, to permit me to offer an amendment which would insert the words "exclusive of Saturdays and Sundays" in lines 1, 12, and 21, on page 2?

Mr. JOHNSTON of South Carolina. Rather than quibble over a few days, naturally I would not object; but, as the Senator knows, the committee decided upon 30 days as the proper time. We did not say whether Saturdays and Sundays should be counted or not, but I would not argue that particular question.

Mr. CARLSON. Mr. President, I withdraw the amendment which I have offered, and offer the amendment which I send to the desk and ask to have stated, in its place.

The PRESIDING OFFICER. The amendment offered by the Senator from Kansas will be stated.

The Legislative Clerk. On page 2, lines 1, 12, and 21, following the word "day" it is proposed to insert the words "exclusive of Saturdays and Sundays."

Mr. CARLSON. I sincerely hope the chairman will accept that amendment.

Mr. JOHNSTON of South Carolina. I will not object to that amendment, under the circumstances.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kansas [Mr. Carlson].

The amendment was agreed to.

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

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

> *Be it enacted, etc.*, That whenever, pursuant to a wage survey, an increase in rates of basic compensation is granted to any employees of the Federal Government or of the municipal government of the District of Columbia, whose compensation is fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates under authority of section 202 (7) of the Classification Act of 1949, as amended, such increase shall be made effective not later than the first day of the first pay period which begins on or after the 30th day, exclusive of Saturdays and Sundays, following the date on which such survey was ordered to be made.
>
> Sec. 2. (a) Retroactive compensation shall be paid under this act only in the case of an individual in the service of the United States (including service in the Armed Forces of the United States) or the municipal government of the District of Columbia on the first day of the first pay period which begins on or after the date on which the increase is granted, except that such retroactive compensation shall be payable (1) to an officer or employee who retired during the period beginning on the first day of the first pay period which begins on or after the 30th day, exclusive of Saturdays and Sundays, following the date on which the survey was ordered and ending on the first day of the first pay period which begins on or after the date on which the increase was granted, for services performed during such period, and (2) in accordance with the provisions of the act of August 3, 1950 (Public Law 636, 81st Congress), as amended, for services rendered during the period beginning on the first day of the first pay period which begins on or after the 30th day, exclusive of Saturdays and Sundays, following the date on which the survey was ordered and ending on the first day of the first pay period which begins on or after the date on which the increase was granted, by an officer or employee who dies during such period.
>
> (b) For the purposes of this section, service in the Armed Forces of the United States, in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service shall include the period provided by law for the mandatory restoration of such individual to a position in or under the Federal Government or the municipal government of the District of Columbia.
>
> (c) For the purpose of determining the amount of insurance for which an individual is eligible under the Federal Employees' Group Life Insurance Act of 1954, such increase shall be considered to have taken effect prior to the first day of the first pay period which begins on or after the date on which the increase was granted.

AMENDMENT OF FEDERAL BANKRUPTCY ACT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1054, Senate bill 2205, a bill to amend the Federal Bankruptcy Act.

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

The Legislative Clerk. A bill (S. 2205) to amend section 116 (4) of chapter 10 of the Federal Bankruptcy Act.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments.

Mr. DIRKSEN. Mr. President, this bill was introduced by the distinguished Senator from Maryland [Mr. Butler], and it was reported from the Judiciary Committee. As I understand, it was unanimously approved by both the subcommittee and the full committee.

The purpose of the amendments reported by the committee is to make the bill conform to the recommendations of the Administrative Office of the United States Courts. The amendments have the effect of providing that the exemption is with respect to chapter 10 of the

Bankruptcy Act, rather than the entire act.

There was rather distinguished testimony on the subject, and, so far as I recall, although I was not a member of that particular subcommittee, no objection was raised.

The PRESIDING OFFICER. The Chair is advised that there is on the calendar a companion House bill, Calendar No. 1079, House bill 7671.

Mr. MANSFIELD. Mr. President, I ask unanimous consent for the present consideration of House bill 7671, as a substitute for Senate bill 2205.

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

The LEGISLATIVE CLERK. A bill (H. R. 7671) to amend section 116 of chapter X of the Federal Bankruptcy Act, to make certain equipment trust provisions applicable to aircraft and aircraft equipment of air carriers.

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 7671?

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

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

The bill was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2205 is indefinitely postponed.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954

Mr. MANSFIELD. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 814, Senate bill 2672.

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

The LEGISLATIVE CLERK. A bill (S. 2672) to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes.

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

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

ORDER FOR RECESS TO TOMORROW

Mr. MANSFIELD. Mr. President, has an order been previously entered concerning the time of meeting tomorrow?

The PRESIDING OFFICER. No previous order has been entered.

Mr. MANSFIELD. I ask unanimous consent that when the Senate completes its business tonight, it stand in recess until 12 o'clock noon tomorrow.

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

ORDER FOR TRANSACTION OF ROUTINE BUSINESS TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be the usual morning hour tomorrow, for the transaction of routine business, and that under the heading of "Morning Business" speeches be limited to not to exceed 3 minutes.

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

PRINTING AS A SENATE DOCUMENT OF STUDY ENTITLED "THE INTERNATIONAL PATENT SYSTEM AND FOREIGN POLICY" (S. DOC. NO. 63)

Mr. O'MAHONEY. Mr. President, a study of the international patent system and foreign policy was written for the Subcommittee on Patents, Trademarks, and Copyrights of the Senate Judiciary Committee by Raymond Vernon, who served as Chief of the International Business Practices Division and as Acting Chief of the Office of Economic Defense and Trade Policy of the State Department for several years. At the present time he is directing a study of the economic life of the New York metropolitan region, under the auspices of Harvard University and the Regional Planning Association.

While the study was made under the authority of the Subcommittee on Patents, Trademarks, and Copyrights, it is not to be regarded as a statement of the committee or of any member of the committee.

It has, however, been in substantial demand, both at the office of the subcommittee and at the Office of the Superintendent of Documents of the Government Printing Office. As of today, I am advised by the Office of the Superintendent of Documents that 1,287 copies of this document have been sold at 20 cents a copy. Demands for additional copies are being received daily by the committee. After consultation with the members of the Subcommittee on Patents, Trademarks, and Copyrights, and with the distinguished Senator from Mississippi [Mr. EASTLAND], chairman of the Judiciary Committee, I am authorized to request that this committee print be issued as a Senate document.

I should like to add that to date the Superintendent of Documents has sold 17,921 copies of the 5 regional studies which have been published by our subcommittee.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a report of sales by the office of the Superintendent of Documents with respect to these five studies, as of July 30, 1957.

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

Report of sales by the Superintendent of Public Documents, Government Printing Office, of the Research Studies, July 30, 1957

	Copies sold
Study No. 1: Proposals for Improving the Patent System (Bush)	6,962
Study No. 2: The Patent System and the Modern Economy (Frost)	3,416
Study No. 3: Distribution of Patents to Corporations (Federico)	3,539
Study No. 4: Opposition and Revocation Proceedings in Patent Cases (Federico)	3,075
Study No. 5: The International Patent System and Foreign Policy (Vernon)	1,129
Total sold	17,921

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

JURISDICTION OVER WHOLESALING ACTIVITIES OF MEATPACKERS

Mr. WATKINS. Mr. President, there appeared in the Washington Post of this morning a letter to the editor by Mr. Aled P. Davies, who identifies himself as director of the department of livestock of the American Meat Institute. Mr. Davies' letter took issue with a Washington Post editorial of August 19, 1957, written in support of Senate bill 1356. This bill would return to the Federal Trade Commission jurisdiction of the wholesaling activities of meatpackers.

I ask unanimous consent that my comment on the editorial and Mr. Davies' reply letter be printed in the RECORD at this point as a part of my remarks.

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

COMMENT BY SENATOR WATKINS

There appeared in the Washington Post, this morning, a letter to the editor from Mr. Aled P. Davies, who identifies himself as director, department of livestock, American Meat Institute. Mr. Davies' letter took issue with a Washington Post editorial of August 19, 1957, written in support of S. 1356. As you know, this bill would return to the FTC jurisdiction over the wholesaling activities of meatpackers.

Since S. 1356 shortly will be before the Senate for debate, I feel it incumbent upon me, as one of the sponsors of the bill, to point out to the Senate the many misstatements of fact which this letter contains, as well as other liberties the AMI has taken with the facts in an attempt to defeat this bill.

It is to be expected that the big national packers, who seem to dominate the American Meat Institute, since the big 4 packers provide 55 percent of the dues, would keep up a constant volley of rebuttal against S. 1356. It cannot be disputed that these 4, and 6 other packers, dominate the meat industry, since, although there are about 2,000 packers engaged in interstate commerce, 10 meatpacking firms market 66.1 percent of the meat slaughtered and eligible for shipment in interstate commerce. When these 10, and perhaps a few other large packers are suddenly faced with the prospect that jurisdiction over their trade practices may suddenly be shifted from the USDA to the FTC, an effective and specialized enforcement agency, human nature being what it is, their reaction to S. 1356 through the AMI is understandable, even if not commendable.

I do not believe that the bulk of the packers are opposed to S. 1356, simply because testimony given to the Senate Subcommittee on Antitrust & Monopoly seems to indicate just the opposite: The AMI told the subcommittee that it had 435 members (hearings, S. 1356, p. 247); however, the Western States Meat Packers Association, which supports S. 1356, indicated that 462 firms, mostly small businesses, comprise its membership (hearings, S. 1356, p. 96). The answers of these small independent packers, as well as some 28 other organizations representing all phases of the livestock and food industry, to the questions and observations posed by Mr. Davies' letter are given in the pamphlet What's So Different About Meat?, which can be obtained from the Western States Meat Packers Association, room 704, 917 15th Street N. W., Washington 5, D. C.

S. 1356, as the following analysis of Mr. Davies' letter to the editor indicates, was not born of false or faulty allegations, as alleged, but rather of 36 years of noneffective USDA administration of title II of the Packers & Stockyards Act, and a genuine bipartisan concern to remedy this situation.

1. Challenged AMI Davies statement: "The first sentence of the editorial implies what a bit later is stated to be a fact—that there has not been effective policing of monopolisic or unfair trade practices in the meatpacking industry."

Answer: The Packers and Stockyards Act vests the Secretary of Agriculture with authority to issue cease and desist orders with respect to packers who engage in unfair trade practices under title II. While a small number of such cease and desist orders, in and of itself, obviously is not a good indicator of whether title II has been and is being enforced, a small number of cease and desist orders, however, do indicate nonenforcement in my judgment, when coupled with these facts: (1) USDA has never asked for sufficient funds to enforce the act; (2) the packers and stockyards branch, since the early 1920's has been understaffed and spread too thin to do the job title II requires; and (3) the growing volume of complaints of unfair trade practices by packers which the USDA has done little or nothing about.

No, to say the least, it is unlikely that the small number of cease and desist orders—32 since 1921—is attributed to any other fact than noninterest and nonconcern on the part of the USDA since the early 1930's. Since 1921, 18 of these 32 cease and desist orders have been issued to packers under title II for refusal to pay for or accept livestock.

In the past 36 years the USDA has issued but six cease and desist orders involving weight and grade frauds in the buying and selling of livestock. The remaining eight cease and desist orders issued to packers involved actual unfair trade practices in the form of restraints, preferences, price fixing, and discriminations. Seven of these cease and desist orders were issued against packers involving restraints, preferences, price fixing, and discriminations in the wholesaling of meat. But it is important to note that in the last 18 years the USDA has issued only one such order. Not since the mid-1930's has the Department evidenced any concern in this area. More significant still is the fact that the USDA has never issued a cease and desist order against a packer which involved the wholesaling or retailing of nonmeat food products or nonfood products.

2. Challenged AMI Davies statement: "To support this contention, the supporters of the O'Mahoney-Watkins bill say that not many cases alleging such practices have been brought by the Secretary of Agriculture and the Department of Agriculture does not have sufficient personnel to police the industry."

On July 6, 1956, I introduced S. 4177 in the Senate. The Senate Agriculture Committee to which it was referred requested a report from the USDA on July 10, 1956. In the meantime, the USDA's 1958 fiscal year budget request went to the Bureau of the Budget. Its request for new obligatory authority to administer the Packers and Stockyards Act amounted to $178,000 which was for the purpose of posting additional stockyards under title III of the Packers and Stockyards Act. Not $1 of new obligatory authority appears to have been requested by the USDA for expansion of its enforcement activities under title II of that act for the 1958 fiscal year, although the packers and stockyards branch requested $200,000 of additional new funds for title II enforcement, which the USDA itself turned down.

Notwithstanding this background the USDA on December 21, after the Department's 1958 fiscal year request had gone to the Bureau of the Budget, rendered a report recommending against enactment of S. 4177.

By contrast with the vigorous activities in earlier years under title II, as described by Mr. Millard J. Cook, head of the Packers and Stockyards Branch from 1945 to 1955, in testimony presented to the subcommittee in June 1956, responsibility for prevention of unfair trade practices by meatpackers today not only under title II but under title III as well as here in Washington, D. C., is vested in the Trade Practices Section of the Packers and Stockyards Branch of the Livestock Division of the Agricultural Marketing Service. This Trade Practice Section was staffed by two marketing specialists and a stenographer at the time S. 1356 was introduced, and I presume the section is still so staffed, since I have not received information to the contrary.

Neither one of these two marketing specialists, nor a single employee in any of the 20 understaffed field offices maintained by the Packers and Stockyards Branch, is engaged full time in title II enforcement. A review of the USDA's April 4, 1957, self-appraisal report on the Packers and Stockyards Act administration indicates, as does the Department's appropriation request, that nearly 90 percent of the work of this section and the Packers and Stockyards Branch itself is spent in title III enforcement; any action taken under title II being incidental to its title III activities relating to operation of stockyards.

This self-appraisal report alluded to by Mr. Davies in his letter does state that "the organization that is maintained in administering the Packers and Stockyards Act permits a high degree of flexibility in planning and conducting major investigations and in meeting the fluctuating demands of different district offices. This is because the entire field force may be actively utilized in such an investigation whenever necessary" (p. 8).

This statement appears to be a self-directed gratuity rather than a fact, as is revealed by examination of Mr. Earl Butz, Assistant Secretary of Agriculture, and Mr. D. M. Pettus, Acting Director, Livestock Division, Agricultural Marketing Service, before the Senate subcommittee. Consider the following colloquy between these gentlemen and myself:

"Senator Watkins. Mr. Secretary * * * is it not true that in the Ogden, Utah, area you have 2 marketing specialists and 1 clerk—3 people to regulate 26 packers in 3 States, 12 of them in Utah, 13 in Idaho, and also 1 in Oregon?

"Mr. Pettus. Those are the people permanently assigned to that location. When we have an investigation underway, we frequently bring in people from other markets and from our Washington area and add to our staff.

"Senator Watkins. If they do not have any bigger staff in other areas than in this, what would you have to enforce the law where you are moving them from?

"Mr. Pettus. We leave a reduced staff.

"Senator Watkins. For instance, in Billings, Mont., you have 1 marketing specialist and 1 half-time clerk, as I get it, to regulate 5 packers in Utah, 3 in Idaho, 2 in Wyoming, and 11 in Montana—21 altogether. How in the world can you take anybody from that area to help somewhere else such as the Ogden, Utah, area if the others are manned in the same way?" (transcript, p. 695–6). At this point Mr. Butz asked Acting Director Pettus to explain how a case 2 years ago in the Ogden, Utah, area was handled. In part Mr. Pettus replied:

"Mr. Pettus. I cannot recall at the moment how many people we had looking into the particular transaction, but we try to operate it with as few people as possible because we are spread so thin, Senator" (transcript, p. 697).

To which I replied, with the colloquy continuing as follows:

"Senator Watkins. I recognize you are spread thin, and that is our complaint—that you do not have enough force to do the job in title II.

"Mr. Pettus. We agree with you, and I think that is pointed out.

"Senator Watkins. You have not had for nearly 36 years.

"Mr. Pettus. I agree with you, sir.

"Senator Watkins. We think that is a long enough trial period. * * * With all the problems that have been handed to Agriculture, we thought we would certainly find someone who would be glad to get rid of this matter of law enforcement in the field in which the FTC has a special interest by reason of the act of Congress creating it as an independent regulatory agency—a special arm of the Congress.

"Mr. Butz. It is quite true for 26 years it has not been adequately enforced, but don't you think when the sinner confesses and resolves to do better he should be given a chance?" (Transcript, p. 697–8)

Under these circumstances, what reasonably prudent person would not conclude that responsibility for prevention of unfair trade practices involving meat packers should be returned to the Federal Trade Commission, where it was before passage of the Packers and Stockyard Act of 1921? Is not 25 or 30 years of inadequate enforcement a long enough trial period?

3. Challenged AMI-Davies statement: "Actually, one would think that if the situation is serious enough in the meat industry to call for legislation the supporters of the transfer bills would be able to come up with at least one authenticated case of unlawful trade practices which have been uncorrected by the Secretary of Agriculture."

I am most happy to oblige Mr. Davies. But let me say this: It is not the job of the Senate Judiciary Committee to decide whether a complaint is or is not valid. Our job was to determine whether the USDA has been in the habit of (1) investigating complaints, and (2) taking proper action.

Countless witnesses told the committee of taking complaints to the USDA, about which the USDA did nothing. Complaints which the USDA did not ever attempt to investigate. Consider the following statement of Mr. Harold O. Smith, Jr., executive vice president, United States Wholesale Grocers' Association, given in testimony to the subcommittee:

"Here are some practices currently engaged in by meatpackers, as reported to us by our members and apparently about which nothing effective can be done in the present state of the law and enforcement jurisdiction:

"1. Discriminating in price between competing buyers. We happen to have supporting invoices on that, although they are confidential.

"2. Giving kickbacks to supervisors of a retail distributing company.

"Incidentally, most of these have been applied apparently for the purpose of incurring favor, in order to sell more of the fresh meats of these packers.

"Senator Kefauver. You mean, the packers gave kickbacks?

"Mr. Smith. Yes; that is right; either the packers or the salesman or the agent of the packer, to the supervisors, in order to get more fresh meat business, or so they have reported to us.

"3. Subsidizing certain customers to the disadvantage of their competitors.

"4. Selling evaporated milk in five-case lots to some outlets cheaper than the wholesaler can buy evaporated milk in carload lots.

"5. Favoring some retailers under the guise of advertising and promotional allowances and even selling to them at prices cheaper than to the wholesaler.

"6. Selling to some retail buyers from branch houses below wholesale prices temporarily, to make up monthly branch-house tonnage quota. Of course, that is fresh-meat tonnage quotas.

"7. Packers salesmen telling wholesale grocers' retail customers the prices they have charged the wholesaler for purchase of packer merchandise, and in some cases, telling the retailer to buy up the wholesaler's stock of an item on which the price has advanced before the wholesaler learns of that advance" (hearings, p. 168).

But more disturbing, Mr. President, is the refusal of the Department of Agriculture at the policy level to take action against a packer even when the Packers and Stockyards Branch's Trade Practice Section has developed adequate information to warrant full-scale investigation and perhaps formal charges. Such a recent case, as Mr. Davies full well knows, involved certain alleged unfair trade practices prohibited by title II of the Packers and Stockyards Act on the part of Safeway Stores, which, if sustained would be violations of that act. The following colloquy between the Senate Subcommittee Counsel, Mr. McHugh, Mr. Pettus, and Mr. Lee D. Sinclair, Chief, Packers and Stockyards Branch, clearly develops this fact. Mr. Sinclair stated that he had recommended to his superiors "that the case be fully investigated and that we attempt to get sufficient funds to carry out that investigation." The colloquy then continued as follows:

"Mr. McHugh. You were overruled in this recommendation?

"Mr. Sinclair. In effect there was an overruling, yes.

"Mr. McHugh. Was the matter considered again after it was returned to you with this notation for conducting a study?

"Mr. Sinclair. Well, I brought it up again about January of this year with Mr. Reed, the director of the Livestock Branch, Mr. Reed told me later that he had taken it up again and that we should not investigate it.

"Mr. McHugh. Well, what did that mean to you? With whom?

"Mr. Sinclair. Well, I understand it to mean his superiors, who would be Mr. Lennartson, Mr. Wells, and Mr. Butz.

"Mr. McHugh. After that, did you concur in the decision that was made not to go forward with this investigation, but to conduct this research study?

"Mr. Sinclair. Well, we weren't asked about that.

"Mr. McHugh. Did your opinion as to the best manner of handling this problem change any?

"Mr. Sinclair. No."

I am not critical of the decision to undertake a broad economic study of the practice involved in the Safeway case. However, I am critical of the lack of action to stop such a practice when preliminary investigation by the Trade Practice Section seemed to verify a violation of title II. Both actions could and should have been undertaken.

Many witnesses who appeared before the Senate subcommittee listed dozens of similar instances involving practices carried on by packers which the USDA has not even bothered to investigate. The USDA witnesses did not refute them.

4. Challenged AMI-Davies statement: "Since the Packers and Stockyards Act was passed in 1921, there has not been a single conviction we know about in the industry for antitrust law violation, despite numerous sweeping investigations by the Department of Justice, which over the last 15 years actually brought 11 major criminal and civil cases involving packers of all sizes, all of which were dropped, dismissed or lost on trial."

It is true that the Department of Justice has authority to enforce the antitrust laws, involving conspiracy to monopolize, such as the Sherman Act of 1890 and the Clayton Act of 1914. But this is beside the point at issue, since the Department of Justice does not have authority to prevent unfair trade practices under title II of the Packers and Stockyards Act, which falls short of Sherman Act violations. In addition, section 404 of the Packers and Stockyards Act provides that the Secretary of Agriculture "may report any violation of this act to the Attorney General of the United States, who shall cause appropriate proceedings to be commenced and prosecuted in the proper courts of the United States without delay." The only difficulty, however, is that Secretaries of Agriculture have not used this authority apparently, for title II has never been litigated in the courts, either by the USDA or the Department of Justice.

Although the Justice Department, under the Sherman Act now has authority to proceed against meat packers for conspiracies in restraint of trade, the big packers who dominate the meat industry know, in light of the 1948 case against Armour and Col, et al., that it is very unlikely, at least in the near future, that they will ever be effectively proceeded against under the Sherman Act. Why? Mr. Victor R. Hansen, head of the Justice Department's Antitrust Division, in a letter to me dated July 11, 1957, put it this way: "In the Department's 1948 proceeding against the four major meat packers the Government had charged a continuing conspiracy commencing in 1893. After the case was filed the Court ordered that no evidence offered by the Government that related to the defendants' activities before 1930 would be received in evidence. This order of the Court eliminated from the Government's case its best evidence of conspiratorial acts. Thus the Court's "1930 cut-off date" drastically affected the ability of the Government to prove its case. For these reasons, this Department dismissed in 1954 its 1948 proceedings."

Thus, the only way to prevent continued concentration in the meat packing industry it seems at present, is to prevent that type of trade practice which falls short of a Sherman Act violation by returning to the FTC jurisdiction over packers' trade practices. This is provided by S. 1356.

5. Challenged AMI-Davis statement: The fact that meat packers submit reports to the Department of Agriculture has no bearing on enforcement activities, as the editorial implies."

Mr. President, it most certainly has a bearing. As I pointed out in my testimony to the House Antitrust and Commerce and Finance Subcommittees in support of H. R. 5282, a companion bill to S. 1356:

"USDA DOES NOT ATTEMPT TO OBTAIN DATA ESSENTIAL TO DETERMINATION OF TITLE II VIOLATIONS

"During the course of the Senate subcommittee's hearings on S. 1356, Mr. Butz, the major spokesman for the USDA, indicated that the Department, while willing to give the FTC jurisdiction over the wholesaling and retailing of meat, nonmeat food, and nonfood products of a firm not principally engaged in meat packaging and processing, nevertheless would not voluntarily give up jurisdiction over such activities by a firm principally engaged in meat packing because '* * * in that case it is necessary to have general supervision over that because sometimes, as has been alleged, they may use profits in their nonmeat activities, you see, to engage in discriminatory pricing practices on meat' (transcript, p. 751).

"But in fact, does the USDA obtain such data from meat packers? No, Mr. President, on a regular basis they do not, nor does the USDA even require packers to report their losses or profits on their meat operations or any nonmeat food product or nonfood product operation. As one witness summarized this administrative shortcoming to the Senate subcommittee last summer:

"'Under the Packers and Stockyards Act every company doing an interstate meat business has to report a financial statement as of the end of each year but never have the packers and stockyards administration required the national packers to submit a statement of their meat operations separately from their total operations. That has been one of the failures of properly administering that Packers and Stockyards Act, in that you cannot get the definite information' (transcript, June 21, 1956, p. 21).

"The statement of this witness is substantiated by the USDA's Packers and Stockyards Administration self-appraisal report of April 4, 1957, to which I have already made reference, as I shall point out shortly.

"When asked during the Senate hearings on S. 1356 a few days ago whether the USDA was continuing to investigate charges of market sharing by packers, since the Department of Justice dropped its major suit in 1953 against several national packers based on this practice, Mr. Pettus, Acting Director, Livestock Branch, Agricultural Marketing Service replied:

"'Not as a specific followup of that overall case, but in our various types of records that we get on packers, the reports that we get each year, and our observations, we have continued to look over the entire question of sharing' (transcript, p. 664).

"Great stress was placed by Mr. Pettus upon information contained in packer reports, or as he put it information 'that we get ourselves directly from the packers, under the act' (transcript, p. 665).

"Now, what does the self-appraisal report say about the content and use made of reports submitted annually by packers to the Packers & Stockyards Branch? Namely this:

"'The annual reports of meatpackers are received by the 20 district offices that are maintained by the packers and stockyards branch. * * * Information contained in these reports is primarily concerned with ownership, organization, and financial conditions. * * * The annual reports of the top four packers are forwarded to the Washington office of the branch where they are retained in a permanent file.

"'Although the annual reports of packers are received, there is no tabulation or statistical analysis made of the information contained in them for the purpose of determining industry trends, problems, or conditions' (p. 14).

"Might one not logically ask, as a result: Why, in fact, are these reports not reviewed for the purpose of determining industry trends, problems, or conditions? Why even require reports in the first place unless they are reviewed in order to further the carrying out of specific objectives of the Packers and Stockyards Act?

"Insofar as title II is concerned, the Department is charged with the responsibility of preventing unfair trade practices by meatpackers, yet these reports do not even require packers to show losses on their meat, nonmeat food products, and non-food-product operations. Such information, however, is essential to determine whether a firm is absorbing losses in one area or line of operation in order to eliminate competitors, but making up the loss in other areas and lines of operation where its position is better established in the market. If none but the reports of the 'top four packers' are sent to Washington, how could the Department ever detect various market-sharing arrangements which limit competition for livestock and mean lower prices to producers? The odds are that it could not make such a detection, let alone produce evidence sustainable in a court of law.

"The self-appraisal report confirms these observations by correctly suggesting that 'effective administration and prompt enforcement of any regulatory measure such as the Packers and Stockyards Act are highly dependent upon the availability of adequate information and the use made of this information in the job that must be done. Packers and others subject to the act are now required to file annual reports. In the past, the Department of Agriculture has consistently adhered to a policy of requesting from those subject to this act a minimum of information in their reports.

"'This raises the question as to whether both the timeliness and the content of these reports from packers might be improved and whether the information supplied should be in more pertinent detail for analysis and interpretation. Such reports would help pinpoint industry or individual problems and assist in bringing about more effective and economical administration of the act. This is so, particularly in view of the information such reports can reveal relating to trends, shifts, emphasis, degree of concentration in the industry, etc.'" (pp. 20-21).

6. Challenged AMI-Davies statement: "* * * we felt the logical solution is to adopt the approach suggested by the Dirksen amendment to the O'Mahoney-Watkins bill."

I am sure the AMI feels this way. I am equally sure the American people do not.

Proposals made to the Subcommittee on Antitrust and Monopoly by (1) the American Meat Institute, lobbyist for the big national packers who oppose S. 1356, and (2) the United States Department of Agriculture, as embodied in the Dirksen amendments, would give to the Federal Trade Commission jurisdiction only over the wholesaling and retailing activities of a firm not principally engaged in meat packing or processing.

On the other hand, the great majority of the groups which testified before the Antitrust and Monopoly Subcommittee or filed statements with the subcommittee, or who have otherwise indicated approval of S. 1356, urged the Senate to give the FTC such authority over the wholesaling and retailing activities of all firms.

The group includes:

National Federation of Independent Business, Inc.

National Retail Dry Goods Association.

National Association of Retail Grocers.

National Fisheries Institute.

United States Wholesale Grocers' Association, Inc.

National Farmers Union.

National Food Brokers Association.

Cooperative League of the United States.

National Wool Growers Association.

National Milk Producers Federation.

American National Livestock Auction Association.

Idaho Wool Growers Association.

Utah Wool Growers Association.

Wyoming Wool Growers Association.

Utah Cattlemen's Association.

Western States Meat Packers Association, Inc.

National Renderers Association.

National American Wholesale Grocers Association.

National Institutional Wholesale Grocers Association.

National Candy Wholesalers Association, Inc.

Wyoming Stock Growers Association.

National Preservers Association.

Montana Cattlemen's Association.

Iowa Swine Producers Association.

Georgia Dairy Association.

Pure Milk Association.

Kansas Ice Cream and Milk Institute.

Why? Because the firms these spokesmen represent must compete with the packers in the wholesaling and retailing of meat, of nonmeat food products, and of nonfood products. Yet, as they pointed out to the subcommittee while they are subject to the effective enforcement of the Federal Trade Commission Act, as were the big 5 packers before 1921, these packers and others as well are subject to the Packers and Stockyards Act under title II of which they enjoy comparative freedom due to nonenforcement by the USDA.

The AMI and the USDA proposals, as embodied in the proposed Dirksen amendments to S. 1356, thus would continue the present system of two sets of trade practice rules: One for the big packers which is not effectively enforced by the USDA, and one set for their competitors which is effectively enforced by the FTC. As the Senator from Wyoming (Mr. O'MAHONEY) remarked during the testimony of the Department of Agriculture officials: "* * * you are proposing to throw the food chains to the wolves in the Federal Trade Commission while shielding the packers behind the Department of Agriculture" (hearings, S. 1356, p. 394).

These witnesses and the firms they represent are concerned in the light of this situation, because 3 of the biggest packers, represented by the AMI, were 1920 consent decree signers who recently have petitioned the courts to set aside those portions of that order which would permit these packers to process and sell 140 food and nonfood products, own and operate retail meat markets, sell fresh milk and cream, and operate distribution facilities for handling these products in direct competition with wholesale and retail food stores.

Should this petition be granted, these firms fear, and rightly so, the ramifications continued USDA noninterest in the enforcement of the unfair trade practices of title II would have upon their businesses, since to all intent and purpose these 3 of the biggest 10 packers would be free, as other packers now are, to expand into every segment of the food industry, and nonfood industries as well.

But whether the consent decree modification is granted or not, the activities of these packers outside the area prohibited by the consent decree are so extensive that their competitors—food firms, nonfood firms, and small packers—are likely to be hurt unless the big national packers are required to operate under the same set of trade practice rules under which they must operate. In this respect, it should be noted that in 1950 one or more of the four largest packers shipped 21 classes of food products in interstate commerce and 58 classes of nonfood products. Nonmeat food products comprised 6.6 percent of their total shipments. Nonfood products, exclusive of the byproducts of their meat operations, constituted 6.7 percent of their total shipments in interstate commerce, and nonfood byproducts shipped accounted for an additional 4.9 percent. Thus, 18.2 percent of their total shipments comprised nonmeat food and nonfood products.

Yet, these packer-owned operations now are not subject to the FTC, but their competitors are subject to the jurisdiction of that more effective agency. Nor under the proposed Dirksen amendments to S. 1356 would these big packers be subject to the FTC. The present situation without doubt gives, and these proposals would continue to give in the future, an unfair competitive advantage to packer-owned enterprises. Under these circumstances who, as a competitor of Swift & Co., wouldn't be concerned about this situation when in 1955 that firm, for example, produced 4 percent of the Nation's butter; 8 percent of the cheese; 9 percent of the margarine; 19 percent of the salad and cooking oil; and 15 percent of the shortening?

Why, these witnesses ask, and rightly so in my opinion, should the trade practices of a firm like Wilson Sporting Goods, selling nonfood products, be under USDA while its competitors like Spaulding, as it would under the USDA and AMI proposal, continue to be subject to the FTC? Why they ask, should Swift and Armour in the wholesaling of nonmeat food products such as cheese, canned milk, eggs, soups, etc., be under the USDA and their competitors like Campbell Soup Co. and Safeway Stores continue to be under the FTC, as the USDA and the AMI propose?

[From the Washington Post of August 22, 1957]

PACKERS AND THE FTC

The editorial in your August 19 edition entitled "Packers and the FTC" repeats in substance the contentions which have been made by proponents of S. 1356 and the companion bills in the House to transfer jurisdiction over the meatpacking industry from the Secretary of Agriculture to the Federal Trade Commission.

The first sentence of the editorial implies what a bit later is stated to be a fact—that there has not been effective policing of monopolistic or unfair trade practices in the meatpacking industry. To prove this contention, the supporters of the O'Mahoney-Watkins bill say that not many cases alleging such practices have been brought by the Secretary of Agriculture and the Department of Agriculture does not have sufficient personnel to police the industry.

Actually, one would think that if the situation is serious enough in the meat industry to call for legislation, the supporters of the transfer bills would be able to come up with at least one authenticated case of unlawful trade practices which have been uncorrected by the Secretary of Agriculture.

So far this has not been done. Chairman COOLEY of the House Committee on Agriculture called attention to this glaring deficiency, after hearing many witnesses testify before his committee and after having asked for concrete examples of complaints.

The fact is that the meatpacking industry is a clean industry and the small number of cases proves it. Since the Packers and Stockyards Act was passed in 1921, there has not been a single conviction we know about in the industry for antitrust law violation, despite numerous sweeping investigations by the Department of Justice, which, over the last 15 years actually brought 11 major criminal and civil cases involving packers of all sizes, all of which were dropped, dismissed or lost on trial. Several of these cases involved various trade practices and in all of them the industry's activities were under the most detailed scrutiny and study.

Those who advocate the passage of this legislation claim that only three persons are available for enforcement. The Department of Agriculture, however, points out that it has 78 full-time employees who may be utilized in investigations whenever necessary.

The editorial states that the Department has neither the specialists nor the experience for effective enforcement of the law against unfair trade practices. Actually, the Agricultural personnel which have the responsibility in this field are much more expert than anyone available to the FTC, which this week may be investigating some phase of the food business and next week may be looking into automobile batteries.

The fact that meatpackers submit reports to the Department of Agriculture has no bearing on enforcement activities, as the editorial implies. The reports are required by law. Other businesses submit reports to the FTC. We fail to see how this fact can be taken as a persuasive argument for legislation.

However, if legislation is needed to regulate more effectively someone who is claiming to be a backer when his principal business is in other fields, then we feel the logical solution is to adopt the approach suggested by the Dirksen amendment to the O'Mahoney-Watkins bill.

This amendment would keep those whose principal business is meatpacking under the Secretary of Agriculture and give the FTC jurisdiction over all activities of others except such meatpacking operations as they may choose to operate.

Aled P. Davies,
Director, Department of Livestock, American Meat Institute.
Chicago.

ATOMIC ENERGY COMMISSION APPROPRIATIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business, Calendar No. 814, Senate bill 2672, be placed back on the calendar, and that the Senate proceed to the consideration of House bill 9379.

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

The Legislative Clerk. A bill (H. R. 9379) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

RECESS TO TOMORROW

Mr. MANSFIELD. Mr. President, in accordance with the order previously entered, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 48 minutes p. m.) the Senate took a recess, the recess being under the order previously entered, until tomorrow, Friday, August 23, 1957, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 22, 1957:

United Nations

To be representatives of the United States of America to the 12th session of the General Assembly of the United Nations, to serve no longer than December 31, 1957

Henry Cabot Lodge, of Massachusetts.

A. S. J. Carnahan, United States Representative from the State of Missouri.

Walter H. Judd, United States Representative from the State of Minnesota.

George Meany, of Maryland.

Herman B. Wells, of Indiana.

To be alternate representatives of the United States of America to the 12th session of the General Assembly of the United Nations, to serve no longer than December 31, 1957

James J. Wadsworth, of New York.

Miss Irene Dunne, of California.

Philip M. Klutznick, of Illinois.

Mrs. Oswald B. Lord, of New York.

Genoa S. Washington, of Illinois.

Department of Commerce

The following-named persons to be examiners in chief in the Patent Office of the Department of Commerce:

Harry Sure, of Maryland.

Peter T. Dracopoulos, of Maryland.

Board of Parole

Harvey G. Straub, of Ohio, to be a member of the Board of Parole for the term expiring September 30, 1962.

Collectors of Customs

Robert W. Dill, of New York, to be collector of customs for the customs collection district No. 10, with headquarters at New York, N. Y.

W. Rae Dempsey, Jr., of Maryland, to be collector of customs for the customs collection district No. 13, with headquarters at Baltimore, Md.

James P. Winne, of Hawaii, to be collector of customs for the customs collection district No. 32, with headquarters at Honolulu, T. H.

Surveyor of Customs

Harry Edwards, of New York, to be surveyor of customs, customs collection district No. 10, with headquarters at New York, N. Y.

United States Circuit Judges

John S. Hastings, of Indiana, to be United States circuit judge, seventh circuit.

W. Lynn Parkinson, of Indiana, to be United States circuit judge, seventh circuit.

United States District Judges

Robert A. Grant, of Indiana, to be United States district judge, northern district of Indiana.

Edward T. Gignoux, of Maine, to be United States district judge, for the district of Maine.

Thomas C. Egan, of Pennsylvania, to be United States district judge, for the eastern district of Pennsylvania.

United States Attorneys

James A. Borland, of New Mexico, to be United States attorney for the district of New Mexico, for a term of 4 years.

T. Fitzhugh Wilson, of Louisiana, to be United States attorney for the western district of Louisiana, for a term of 4 years.

William M. Steger, of Texas, to be United States attorney for the eastern district of Texas, for a term of 4 years.

United States Marshal

Thomas H. Trent, of Florida, to be United States marshal for the southern district of Florida, for a term of 4 years.

In the Army

The following-named officers for appointment in the Regular Army of the United States to the grade indicated, under the provisions of title 10, United States Code, sections 3284 and 3307:

To be major generals

Maj. Gen. Ira Kenneth Evans O16215.
Maj. Gen. William Preston Corderman O16387.
Maj. Gen. Harry Purnell Storke O16468.
Maj. Gen. Herbert Butler Powell O16684.
Maj. Gen. Frank Sayles Bowen, Jr., O16434.
Maj. Gen. James Francis Collins O16819.
Maj. Gen. Conrad Stanton Babcock O16104.
Maj. Gen. Henry Randolph Westphalinger O16130.
Maj. Gen. William Clyde Baker, Jr., O16371.
Maj. Gen. Keith Richard Barney O16377.
Maj. Gen. Clerin Rodney Smith O16388.
Maj. Gen. Ralph Morris Osborne O16399.
Maj. Gen. Lewis Sherrill Griffing O16413.
Maj. Gen. Holger Nelson Toftoy O16422.
Maj. Gen. William Peirce Ennis, Jr., O16436.
Maj. Gen. John Lawrence Ryan, Jr., O16451.
Maj. Gen. Edward Harold McDaniel O16497.
Maj. Gen. John Gibson Van Houten O16669.
Maj. Gen. Max Sherred Johnson O16745.
Maj. Gen. Frederic Joseph Brown O16761.
Maj. Gen. Willis Small Matthews O16932.

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major generals

Brig. Gen. Lloyd Roosevelt Moses O29362.
Brig. Gen. Archibald William Stuart O18130.

To be brigadier generals

Col. Thomas James Hartford O18330, Medical Corps, United States Army.
Col. Austin Wortham Betts O19373.

The officers named herein for promotion as Reserve commissioned officers of the Army, to the grade indicated, under the provisions of the Reserve Officer Personnel Act of 1954, Public Law 773, 83d Congress:

To be major general

Brig. Gen. Robert Ernest Frankland O277098.

To be brigadier general

Col. Clarence Birnie Johnson, Jr., O268791.

In the Navy

Rear Adm. Thomas G. W. Settle, United States Navy, when retired, to be placed on the retired list with the rank of vice admiral in accordance with the provisions of title 10, United States Code, section 5233.

The following-named captains of the line of the Navy for temporary promotion to the grade indicated, subject to qualification therefor as provided by law:

To be rear admirals

James M. Farrin, Jr.
George H. Wales
Edward J. O'Donnell
James H. Flatley, Jr.
Andrew M. Jackson, Jr.
Kleber S. Masterson
Marshall E. Dornin
Robert L. Moore, Jr.
Frank L. Johnson
Lot Ensey
Denys W. Knoll
John W. Ailes III
Jefferson R. Dennis
Robert J. Stroh
James W. Davis
Paul P. Blackburn, Jr.
Joseph C. Clifton
Allan L. Reed
Ernest C. Holtzworth
Ray C. Needham
Robert M. Reynolds
Lloyd M. Mustin
Francis D. Foley
Ignatius J. Galantin
Thomas H. Moorer

Regular Air Force

The nominations of John P. Darby, Jr., and 7 other officers, and the nominations of Richard T. Durkee, and 778 other officers, for appointment in the Regular Air Force, which were confirmed today, were received by the Senate on August 5, 1957, and may be found in the Senate Proceedings of the Congressional Record for that date, under the caption "Nominations," beginning with the name of John P. Darby, Jr., which appears on page 14086, and ending with the name of Richard A. Zuegel, which is shown on page 14089.

HOUSE OF REPRESENTATIVES

Thursday, August 22, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou who art the source of every good and perfect gift, inspire us in our moments of prayer with lofty ideals and aspirations and with the wisdom and the will to fulfill them.

May we be grateful for the hallowed memories of the past and mindful of our eternal destiny as the children of Thy love and care.

Grant that we may be humble in our estimate of ourselves, never relying upon our own human ingenuity and seeking our own glory.

Make us faithful and diligent in performing the duties of our high vocation, discharging all our appointed tasks without thought of praise or reward.

Constrain us to be honorable in all our dealings with our fellow men and may our honesty never be only a matter of policy but of principle.

To Thy name we ascribe all the glory. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McBride, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 491. An act for the relief of Joanne Lea (Buffington) Lybarger;

S. 864. An act to provide for the transfer of certain lands to the State of Minnesota;

S. 2460. An act to authorize the transfer of certain housing projects to the city of Decatur, Ill., or to the Decatur Housing Authority; and

S. 2792. An act to amend the Immigration and Nationality Act, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 1937) entitled "An act to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Bible, Mr. Frear, and Mr. Beall to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9131) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to Senate amendments Nos. 3, 4, 7, 10, 12, 14, 32, 38, 40, and 61.

The message also announced that the Senate further insists upon its amendments Nos. 6 and 54 to the above-entitled bill, asks a further conference with the House on the disagreeing votes of the two Houses thereon, and has appointed the following conferees: Mr. Hayden, Mr. Russell, Mr. Chavez, Mr. Ellender, Mr. Hill, Mr. Holland, Mr. Stennis, Mr. Saltonstall, Mr. Young, Mr. Knowland, Mr. Thye, Mr. Mundt, and Mrs. Smith of Maine.

CONVEYANCE TO THE CITY OF WARNER ROBINS, GA., OF CERTAIN LANDS

Mr. VINSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7972) to provide for the conveyance to the city of Warner Robins, Ga., of certain lands located in such city.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. MARTIN. Mr. Speaker, reserving the right to object, will the gentleman explain this bill?

Mr. VINSON. Mr. Speaker, the total area involved in this bill is 5.78 acres. It formerly constituted a portion of Robins Air Force Base. It has now been determined by the Air Force that there is no further requirement for this land, and they have declared it excess to their needs.

I want to draw particular attention to the fact that the city of Warner Robins will pay the fair market value for this property, whatever that may turn out to be. It is my understanding that the value will approximate $35,000.

Warner Robins is a growing community and has established a requirement for these two small parcels of land for use for municipal purposes.

I cannot visualize any objection to this measure in view of the obvious need of the city for the land and their willingness to pay the fair market value for the property.

The Department of the Air Force and the Bureau of the Budget have no objection to this measure.

Mr. MARTIN. I understand this has been unanimously approved by the gentleman's committee.

Mr. VINSON. The gentleman is correct and it has been approved by the Budget and the Air Force.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Air Force is directed to convey to the city of Warner Robins, at the fair market value, all the right, title, and interest of the United States in and to 2 parcels of land aggregating 5.78 acres, within the city of Warner Robins, Ga., and more particularly described as follows:

Parcel 1: Commencing at a point being the common corner of land lots numbered 199, 200, 217, and 218 in the fifth district of Houston County, Warner Robins, Georgia, at the intersection of Watson Boulevard and Davis Drive, run south 89 degrees 30 minutes east for 40.01 feet; thence north 2 degrees east along the eastern right-of-way of North Davis Drive for 1,129.69 feet, thence south 88 degrees 41 minutes and 16 seconds east for 349.79 feet to the point of beginning, thence continue south 88 degrees 41 minutes 16 seconds east for 1,480.89 feet to a point on the western right-of-way on Myrtle Street; thence north 1 degree 26 minutes west for 141.10 feet, thence north 88 degrees 41 minutes 16 seconds west for 1,474.13 feet to the eastern right-of-way of a proposed drive; thence south 1 degree 18 minutes and 44 seconds west for 141.00 feet to the point of beginning. Said above described parcel contains 4.781 acres more or less situated entirely in land lot numbered 217 of the fifth district, Houston County, Warner Robins, Georgia.

Parcel 2: Commencing at a point being the common corner of land lots numbered 199, 200, 217, and 218 in the fifth district of Houston County, Warner Robins, Georgia, at the intersection of Watson Boulevard and Davis drive, run south 89 degrees 30 minutes east for 40.01 feet; thence north 2 degrees east along the eastern right-of-way of North Davis Drive for 1,129.69 feet to the point of beginning; thence south 88 degrees 41 minutes and 16 seconds east for a distance of 309.79 feet to a proposed drive, thence north 1 degree 18 minutes and 44 seconds east along the western right-of-way of said drive for 141.00 feet to a point on the proposed extension of Young Avenue; thence north 88 degrees 41 minutes and 16 seconds west for 308.10 feet more or less to a point at the eastern right-of-way of North Davis Drive; thence south 2 degrees west along said right-of-way for 141.01 feet to the point of beginning. Said described parcel contains 1 acre more or less situated in land lot numbered 217 at the fifth district of Houston County and Warner Robins, Georgia.

With the following committee amendment:

Page 1, line 7, after "acres," insert: "and any improvements located thereon."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

The title was amended to read as follows: "A bill to provide for the conveyance to the city of Warner Robins, Ga., of certain lands and any improvements located thereon in such city."

A motion to reconsider was laid on the table.

SUPPLEMENTAL APPROPRIATION BILL, 1948

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9131) making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. Cannon, Rooney, and Taber.

THE LATE HONORABLE HARRY LUTHER GANDY

The SPEAKER. The Chair recognizes the gentleman from South Dakota [Mr. Berry].

Mr. BERRY. Mr. Speaker, I have asked for this time to advise the House of the funeral services today of one of my predecessors in the Congress from the Second District of South Dakota, the Honorable Harry Luther Gandy.

The Honorable Harry L. Gandy, who served in the House of Representatives from March 4, 1915, to March 3, 1921, died last week at his home in Los Gatos, Calif., at the age of 76. His body was returned to Rapid City, S. Dak., for burial in his home State.

Mr. Gandy was born August 13, 1881, in Churubusco, Ind. He was graduated from Tri-State College, Angolo, Ind., in 1901, and moved to Rapid City, S. Dak., in 1907 where he engaged in newspaper work. He operated the Wasta, S. Dak., Gazette from 1910 to 1918.

He began a career of public service as United States Commissioner at Wasta from 1910 to 1913. He was elected to the South Dakota State Senate in 1911. In 1914, he was elected to the United States House of Representatives where he served 3 terms. He was the first Democratic candidate ever to be elected from that district.

Since serving in Congress, he continued operating a ranch near Wasta until 1945, and from 1923 to 1930 was executive secretary of the National Coal Association of Washington, D. C. During this time, he assisted in the negotiations during a series of bitter and controversial mine strikes. He was connected with the Pittston Co. from 1930 to 1937, and from 1937 to 1940 was chairman, Bituminous Coal Producers Board, Cincinnati, Ohio. From 1944 until his retirement, he was assistant to the president, Elk River Coal & Lumber Co., and Buffalo Creek & Gauley Railroad Co., Widen, W. Va. It was my privilege to visit with him on several occasions when he was a Washington visitor, and at all times he was an ardent booster of western South Dakota.

Harry Gandy lived a long and successful life, marked with outstanding service to his State and country. I know my colleagues in the House join me in extending our sincere sympathy to his family.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. BERRY. I yield to the gentleman from West Virginia.

Mr. BAILEY. Mr. Speaker, I join the distinguished gentleman from South Dakota in paying tribute to the memory of Mr. Gandy. Some 10 or 12 years ago, Mr. Gandy came to West Virginia and located in my Congressional District. He was elected vice president and manager of the Elk River Coal and Lumber Co. He became widely known in West Virginia. He was among the prominent coal operators of the State, operating one of the largest coal enterprises within the State. I join the gentleman in adding my word of praise of Mr. Gandy and extend my sincere sympathy to the family of this distinguished South Dakotan.

Mr. BERRY. I thank the gentleman.

Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks in the Record on the life and services of the Honorable Harry Luther Gandy.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McGOVERN. Mr. Speaker, I would like to join with my distinguished colleague from South Dakota [Mr. Berry] in paying tribute to our respected former Member, the Honorable Harry L. Gandy, who has recently passed away at his home in California.

Mr. Gandy was a most effective and conscientious Member of the Congress from 1915 to 1921. He has the distinction of being the first Democratic Congressional candidate elected from the western district of South Dakota. As such he has perpetuated the worthy cause of two-party government in a State that has traditionally leaned heavily on the side of the opposition party.

I want to salute our departed colleague for his political courage, his concept of public service and his dedication to the common good. My deepest sympathies are extended to his family and friends.

NARCOTICS MANUFACTURING ACT OF 1957

Mr. COOPER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 9028) to discharge more effectively obligations of the United States under certain conventions and protocols relating to the institution of controls over the manufacture of narcotic drugs, and for other purposes, which was reported unanimously favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc.—

SHORT TITLE

Section 1. This act may be cited as the "Narcotics Manufacturing Act of 1957."

NECESSITY FOR LEGISLATION

Sec. 2. The enactment of this act is necessary for the following reasons:

(1) The Congress has long recognized that the manufacture, distribution, and use of narcotic drugs for nonmedical and nonscientific purposes endangers the health of the American people and threatens the general welfare. The Congress has enacted laws and the Senate has approved international conventions designed to establish effective control over domestic and international traffic in narcotic drugs.

(2) Until recently, most narcotic drugs were made from natural raw materials such as the opium poppy and the coca leaf, produced in limited areas of the world. In practice, control over the production of narcotic drugs could therefore be achieved by national and international restrictions over the production and shipment of these raw materials and their use to manufacture narcotic drugs.

(3) In recent years, however, technological advances have resulted in the development of new types of narcotic drugs, produced synthetically from a variety of generally available raw materials. As a result, controls over the production of narcotic drugs can no longer be maintained solely by controls relating to the opium poppy and the coca leaf.

(4) The United States has joined with other nations in executing international conventions intended to establish suitable controls over production, shipment, and use of all narcotic drugs. These conventions are not self-executing, and the obligations of the United States thereunder must be performed pursuant to appropriate legislation.

(5) In order (a) to discharge more effectively the international obligations of the United States, (b) to promote the public health, safety, and welfare, (c) to regulate interstate and foreign commerce in narcotic drugs, and (d) to safeguard the revenue derived from taxation of narcotic drugs, the Congress finds it necessary to enact a statute for the licensing and control of the manufacture of all narcotic drugs.

DEFINITIONS

Sec. 3. For the purposes of this act—

(a) The term "1931 convention" means the Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, concluded at Geneva, July 13, 1931, and entered into force with respect to the United States of America July 9, 1933, as amended by the protocol signed at Lake Success on December 11, 1946.

(b) The term "1948 protocol" means the protocol bringing under international control drugs outside the scope of the convention of July 13, 1931, for limiting the manufacture and regulating the distribution of narcotic drugs (as amended by the protocol signed at Lake Success on December 11, 1946), signed at Paris, November 19, 1948, and entered into force with respect to the United States of America, September 11, 1950.

(c) The term "Secretary or his delegate" means the Secretary of the Treasury, or any officer, employee, or agency of the Treasury Department duly authorized by the Secretary (directly or indirectly by one or more redelegations of authority) to perform the function mentioned or described in the context.

(d) The term "person" includes an individual, partnership, corporation, association, trust, or other institution or entity.

(e) The term "narcotic drug" means narcotic drug as defined in section 4731 (a) of the Internal Revenue Code of 1954, as amended by section 4 of this act.

(f) The term "manufacture" means the production of a narcotic drug, either directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis.

(g) The term "basic class of narcotic drug" means any one of the following classes of narcotic drugs and any additional class or classes of narcotic drugs (other than crude opium or coca leaves), by whatever trade name designated, as may be defined from time to time by the Secretary or his delegate in accordance with section 6 of this act:

1. Opium, powdered, granulated, or deodorized, or tinctures or extracts of opium.
2. Mixed alkaloids of opium and their salts.
3. Morphine and its salts.
4. Codeine and its salts.
5. Thebaine and its salts.
6. Marcotine and its salts.
7. Papaverine and its salts.
8. Cotarnine and its salts.
9. Marceine and its salts.
10. Ethylmorphine and its salts.
11. Apomorphine and its salts.
12. Nalorphine (N-allylnormorphine) and its salts.
13. Hydromorphone (dihydromorphinone) and its salts.
14. Metopon (methyldihydromorphinone) and its salts.
15. Dihydrocodeine and its salts.
16. Hydrocodone (dihydrocodeinone) and its salts.
17. Oxycodone (dihydrohydroxycodeinone) and its salts.
18. Cocaine and its salts.
19. Ecgonine and its salts.
20. Pethidine (meperidine, isonipecaine) (1-methyl-4-phenylpiperidine-4-carboxylic acid ethyl ester) and its salts.
21. Alphaprodine (alpha-1, 3-dimethyl-4-phenyl-4-propionoxypiperidine) and its salts.
22. Methadone (amidone) (6-dimethylamino-4, 4-diphenyl-3-heptanone) and its salts.
23. Isomethadone (isoamidone) (6-dimethylamino-5-methyl-4, 4-diphenyl-3-hexanone) and its salts.
24. Levorphan and racemorphan (3-hydroxy-N-methlymorphinan) and their salts.
25. Levomethorphan and racemethorphan, (3-methoxy-N-methylmorphinan) and their salts.
26. Anileridine (ethyl 1-[2-(p-amino phenyl)-ethyl]-4-phenyl piperidine-4-carboxylate) and its salts.

(h) The term "net disposal" means the quantity of a basic class of narcotic drug, sold, exchanged, given away, used in the production of another basic class of nar-

cotic drug for which the manufacturer is licensed, or otherwise disposed of (as such or contained in or combined with other drugs compounded by the manufacturer of such basic class) by the manufacturer during a stated period, less the quantity of any such basic class of narcotic drug returned to the manufacturer by a customer and any quantity sold or transferred to another licensed manufacturer of the same basic class of narcotic drug.

(l) The term "narcotic precursor" means a substance other than a narcotic drug which the Secretary or his delegate has found, after due notice and opportunity for public hearing—

(1) is an immediate chemical precursor of a narcotic drug;

(2) is produced primarily for use in the manufacture of a narcotic drug; and

(3) is used, or is likely to be used, in the manufacture of a narcotic drug by persons other than persons licensed to manufacture such narcotic drug.

AMENDMENTS TO INTERNAL REVENUE CODE OF 1954

SEC. 4. (a) Subsection (a) of section 4731 of the Internal Revenue Code of 1954 is amended to read as follows:

"(a) Narcotic drugs: The words 'narcotic drugs' as used in this part shall mean any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

"(1) Opium, isonipecaine, coca leaves, and opiate;

"(2) Any compound, manufacture, salt, derivative, or preparation of opium, isonipecaine, coca leaves, or opiate;

"(3) Any substance (and any compound, manufacture, salt, derivative, or preparation thereof) which is chemically identical with any of the substances referred to in clauses (1) and (2);

except that the words 'narcotic drugs' as used in this part shall not include decocainized coca leaves or extracts of coca leaves, which extracts do not contain cocaine or ecgonine."

(b) Subsection (g) of section 4731 of the Internal Revenue Code of 1954 is amended to read as follows:

"(g) Opiate: The word 'opiate' as used in this part shall mean any drug (as defined in the Federal Food, Drug, and Cosmetic Act (52 Stat. 1041, sec. 201 (g); 21 U. S. C. 321)) or other substance found by the Secretary or his delegate and proclaimed by the Secretary or his delegate to have been so found in the Federal Register, after due notice and opportunity for public hearing, to have an addiction-forming or addiction-sustaining liability similar to morphine or cocaine or to be capable of conversion into a drug having such addiction-forming or addiction-sustaining liability, where in the judgment of the Secretary or his delegate, the relative technical simplicity and degree of yield of such conversion create a risk of improper use of the drug. The Secretary or his delegate is authorized to issue necessary rules and regulations for carrying out the provisions of this subsection, and to confer or impose upon any officer or employee of the Treasury Department whom he shall designate or appoint, the duty of conducting any hearing authorized hereunder. The Secretary or his delegate is authorized to withdraw any previous finding that a drug or other substance is an 'opiate' whenever he determines that such previous finding was erroneous, and upon publication of such determination in the Federal Register, the particular drug or other substance shall cease to be an opiate. For purposes of the foregoing provision the Secretary or his delegate may consider any action taken pursuant to article 3 of the 1948 protocol.

NOTIFICATIONS, FINDINGS, AND DECISIONS UNDER THE 1948 PROTOCOL

SEC. 5. (a) Before a notification may be sent on behalf of the United States to the Secretary General of the United Nations, under article 1 of the 1948 protocol, that a drug is considered liable to the same kind of abuse and productive of the same kind of harmful effects as the drugs specified in article 1, paragraph 2, of the 1931 convention, such drug shall have been found by the Secretary or his delegate to be an "opiate", as defined in section 4731 (g) of the Internal Revenue Code of 1954, as amended by section 4 (b) of this act, and so proclaimed in accordance with the procedure prescribed by section 4731 (g) as amended.

(b) Upon receipt by the United States of a finding or decision made pursuant to article 1 or article 2 of the 1948 protocol that a certain drug is capable of producing addiction or conversion into a drug capable of producing addiction and that the appropriate provisions of the 1931 convention shall apply to such drug, such finding or decision shall be transmitted to the Secretary or his delegate. The Secretary or his delegate shall cause such finding or decision to be published in the Federal Register unless such drug has already been determined to be an opiate under the procedure prescribed by section 4731 (g) of the Internal Revenue Code of 1954, as amended by section 4 of this act. From the time of such publication, such drug shall be an opiate to the same extent as if the procedure prescribed by section 4731 (g) of the Internal Revenue Code of 1954, as amended by section 4 of this act, had been followed with respect to such drug.

(c) If the finding or decision so received and published in the Federal Register relates to a drug which has not previously been determined to be an opiate under the procedure prescribed by section 4731 (g) of the Internal Revenue Code of 1954, as amended by section 4 of this act, any person in the United States interested in the domestic manufacture and distribution of such drug for medical and scientific purposes may submit to the Secretary or his delegate written data, views, and argument opposed to such finding or decision. Such written data, views, and argument shall be transmitted to the Secretary General of the United Nations for consideration by the World Health Organization or the Commission on Narcotic Drugs of the United Nations, as the case may be, under article 3 of the 1948 protocol. If thereafter the United States receives a revised finding or decision, under article 3 of the 1948 protocol, that such a drug is not capable of producing addiction or conversion into a drug capable of producing addiction and that the provisions of the 1931 convention shall not apply to such drug, such revised finding or decision shall be transmitted to the Secretary or his delegate, who shall cause such revised finding or decision to be published in the Federal Register within 90 days of receipt thereof by the Secretary or his delegate. From the time of such publication, such drug shall cease to be an opiate, unless the Secretary or his delegate has theretofore initiated an opiate procedure under section 4731 (g) of the Internal Revenue Code of 1954, as amended by section 4 of this act.

(d) Upon receipt by the United States of a revised finding or decision under article 3 of the 1948 protocol (except a revised finding or decision to which subsection (c) applies) that a drug (theretofore subject to the Federal narcotic laws as an opiate) is not capable of producing addiction or conversion into a drug capable of producing addiction and that the provisions of the 1931 convention shall not apply to such drug, the revised finding or decision shall be transmitted to the Secretary or his delegate. The Secretary or his delegate may, in his discretion, publish the revised finding or decision in the Federal Register and, from the time of such publication, such drug shall cease to be an opiate. If the revised finding or decision is not so published in the Federal Register, the said drug shall continue to be an opiate.

MODIFICATION OF LIST OF BASIC NARCOTIC DRUGS

SEC. 6. The Secretary or his delegate, upon his initiative or upon the petition of any interested person shall have the power by rule made on the record after opportunity for hearing, to alter classifications set forth in section 3 (g) by adding to, subtracting from, or further defining such classifications or any one or more of them, on the basis of their chemical structure and content and addiction liability or convertibility into an addicting drug. No new basic class shall be added unless with respect to any drug or drugs falling within such class the Secretary or his delegate shall have determined that such drug is a narcotic drug as defined by section 4731 of the Internal Revenue Code of 1954, as amended by section 4 of this act, or has caused a finding or decision to be published in the Federal Register pursuant to section 5 of this act. For purposes of this subsection, the Secretary or his delegate may consider changes in classification established by the World Health Organization or its successor in function.

RESTRICTIONS ON THE MANUFACTURE OF NARCOTIC DRUGS

SEC. 7. (a) Except as otherwise provided in this act, it shall be unlawful for any person to manufacture any narcotic drug unless—

(1) such narcotic drug falls within a basic class of narcotic drugs established by or pursuant to this act, and

(2) such person holds a currently effective license and manufacturing quota with respect to such basic class of narcotic drug issued pursuant to section 8 of this act.

The omission of a narcotic drug from the classification established pursuant to section 3 (g) shall not be construed to permit the manufacture of such narcotic drug, the intent of this act being to limit the manufacture of narcotic drugs in the United States to those narcotic drugs established under this act as a basic class of narcotic drugs or as a member of a basic class of narcotic drugs. The fact that the Secretary or his delegate shall have—

(A) determined that a drug is a narcotic drug as defined by section 4731 of the Internal Revenue Code of 1954, as amended by section 4 of this act, or

(B) caused a finding or decision with respect to any drug or other substance to be published in the Federal Register pursuant to section 5 of this act, shall not require the Secretary or his delegate to add such narcotic drug to the classifications set forth in paragraph (1) or to grant a manufacturing quota for such narcotic drug, if the Secretary or his delegate shall determine that it is contrary to the public health and safety to permit the manufacture of such drug within the United States.

(b) It shall be unlawful for any person (1) to manufacture or attempt to manufacture any narcotic drug, or (2) to knowingly permit the manufacture of any narcotic drug, in or upon any place owned, leased, occupied, used or controlled by him unless he (or the lessee, tenant, or other occupant as the case may be) is the holder of a license and quota for the manufacture during the period in question of such narcotic drug in accordance with the provisions of sections 3 (g), 8, and 11 of this act; and it shall be unlawful for the holder of any such quota to manufacture during the period for which the quota is applicable any quantity of such narcotic drug in excess of the amount authorized by such quota.

LICENSES TO MANUFACTURE NARCOTIC DRUGS

Sec. 8. (a) Every person who manufactures a basic class or classes of narcotic drug shall, on or before January 1, 1958, if then already engaged in such manufacture, or otherwise before engaging in such manufacture, obtain from the Secretary or his delegate a license or licenses for the appropriate basic class or classes of narcotic drug. There shall be a separate license for the manufacture of each basic class of narcotic drug. In determining whether to issue a license for a particular basic class of narcotic drug to a particular applicant, the Secretary or his delegate shall be governed by the following factors—

(1) maintenance of effective controls against the diversion of the particular basic class of narcotic drug and of narcotic drugs compounded therefrom into other than legitimate medical and scientific channels through limitation of manufacture of the particular basic class of narcotic drug to the smallest number of establishments which will produce an adequate and uninterrupted supply of narcotic drugs of or derived from such basic class of narcotic drugs for medical and scientific purposes, consistent with the public interest; and

(2) compliance with the obligations undertaken by the United States pursuant to the 1931 convention and the 1948 protocol; and

(3) promotion of technical advances in the art of manufacturing narcotic drugs and the development of new narcotic drug products; and

(4) the applicant's education, moral character and reputation, the applicant's past drug manufacturing experience and the quality of his products, his technical competence, the existence in the applicant's establishment of adequate safeguards against diversion of narcotic drugs into other than legitimate medical and scientific channels; and

(5) such other factors as may be relevant to and consistent with the public interest.

(b) Registration pursuant to section 4722 of the Internal Revenue Code of 1954, shall be a prerequisite to the issuance of any license under this section. Licenses shall be in such form as the Secretary or his delegate shall prescribe and shall continue in effect subject only to annual renewal of registration unless revoked pursuant to section 9 of this act or voluntarily surrendered. Issuance of a license pursuant to this section shall not entitle the licensee to perform any act with respect to narcotic drugs as to which the consent or approval of the Secretary or his delegate is required by the provisions of this or any other act.

(c) Issuance of a license for the manufacture of any one basic class of narcotic drug shall not entitle the holder thereof to manufacture for sale, distribution, or other use any other basic class of narcotic drug.

(d) Notwithstanding the foregoing provisions of this section, the Secretary or his delegate shall authorize any person registered as a manufacturer or as a person engaged in research under section 4722 of the Internal Revenue Code of 1954, who meets the standards for licensing under subsection (a) (4) of this section 8, whether or not such person actually holds a license under subsection (a), to produce such limited quantities as the Secretary or his delegate may specify of any narcotic drug, except crude opium or coca leaves, whether or not a basic class for such drug has been established under section 3 (g) of this act, exclusively for research in the development of manufacturing processes for the drug, or for chemical, pharmacological or medical testing of such drugs, for fitness for medical or scientific use and for determination of its suitability for general manufacture and distribution for medical or scientific use. Such person shall make such reports as the Secretary or his delegate may require relating to the quantities of narcotic drug manufactured and to use and disposal of such quantities of such narcotic drug. Such quantities of such narcotic drug may be disposed of only in accordance with the regulations of the Secretary or his delegate. Any authorization made under this subsection (d) shall be subject to revocation or suspension in accordance with the procedure set forth in section 8 of this act.

(e) In issuing or refusing to issue manufacturing licenses pursuant to this section, the Secretary or his delegate shall act in conformity with the procedure prescribed by section 5 of the Administrative Procedure Act and the Secretary or his delegate shall be deemed to constitute "the agency" for purposes of compliance with sections 7 and 8 of such act. Each licensee of the basic class of narcotic drug with respect to which a license is sought to be obtained shall be deemed a person entitled to notice within the meaning of section 5 (a) of the Administrative Procedure Act.

REVOCATION OR SUSPENSION OF LICENSES

Sec. 9. (a) Any license issued pursuant to section 8 of this act may be revoked by the Secretary or his delegate if the licensee—

(1) has been convicted of violating or conspiring to violate any law of the United States or of any State where the offense involves any activity or transaction with respect to narcotic drugs; or

(2) has violated or failed to comply with any duly promulgated regulation of the Secretary or his delegate relating to narcotic drugs, and such violation or failure to comply reflected adversely on the licensee's reliability and integrity with respect to narcotic drugs.

In the case of a licensee holding more than one license issued pursuant to section 8 of this act, revocation may be in the discretion of the Secretary or his delegate extended to all licenses held by such licensee.

(b) Before revoking any license pursuant to subsection (a), the Secretary or his delegate shall serve upon the licensee an order to show cause why an order of revocation should not be issued. Any such order to show cause shall contain a statement of the basis thereof, and shall call upon such licensee to appear before the Secretary or his delegate at a time and place stated in the order, but in no event less than 30 days after the date of receipt of such order, and give evidence upon the matter specified therein. The Secretary or his delegate may in his discretion suspend any license simultaneously with the issuance of an order to show cause, in cases where he finds that the public health, safety, or interest require such suspension. Such suspension shall continue in effect until the conclusion of any revocation proceeding, including judicial review thereof, unless sooner withdrawn by the Secretary or his delegate, or dissolved by a court of competent jurisdiction. Every hearing held pursuant to this section shall be conducted in accordance with section 5 of the Administrative Procedure Act and the Secretary or his delegate shall be deemed to constitute "the agency" for purposes of compliance with sections 7 and 8 of such act. If after hearing, default, or waiver thereof by the licensee, the Secretary or his delegate determines that an order of revocation should issue, he shall issue such order, which shall include a statement of his findings and the grounds and reasons therefor and shall specify the effective date of the order, and he shall cause such order to be served on the licensee. In any case where a hearing is conducted pursuant to the provisions of this section both the burden of proceeding with the introduction of evidence and the burden of proof shall be upon the Secretary or his delegate. Proceedings under this section shall be independent of, and not in lieu of, criminal prosecution or other proceedings under this act or any other law of the United States.

AUTHORITY TO SEIZE NARCOTIC DRUGS, ORDER FORMS, AND TAX STAMPS

Sec. 10. In the event of the suspension or revocation of a license obtained under section 8, all narcotic drugs owned or possessed by such person at the time of suspension or at the effective date of the revocation order, as the case may be, whether or not taxes have been paid on such narcotic drugs, together with all unused order forms or narcotic tax stamps owned or possessed by such person, may at the discretion of the Secretary or his delegate be placed under seal and no disposition made until the time for taking an appeal has elapsed or until all appeals have been concluded. Upon a suspension or revocation order becoming final all narcotic drugs, tax stamps, and order forms shall be forfeited to the Government.

MANUFACTURING QUOTAS FOR BASIC CLASSES OF NARCOTIC DRUGS

Sec. 11. (a) For the purpose of fixing manufacturing quotas under this section and in order to carry out the treaty obligations of the United States, the Secretary or his delegate shall make determinations of the total quantity of each basic class of narcotic drug necessary to be manufactured during each calendar year to provide for the estimated medical and scientific needs of the United States, for lawful export requirements, and for establishment and maintenance of reserve stocks.

(b) In fixing individual manufacturing quotas for any basic class of narcotic drug for a calendar year pursuant to this section, or at any time after fixing such individual quotas, the Secretary or his delegate shall limit or reduce such individual quotas to the extent necessary to prevent the aggregate of such individual quotas from exceeding the amount of the determination of the Secretary or his delegate under subsection (a). In any such limitation or reduction pursuant to this subsection the quota of each licensed manufacturer of such basic class of drug shall be limited or reduced in the same proportion as the limitation or reduction of the aggregate of such quotas. However, if any licensee, before the issuance of a limitation or reduction in quota, has manufactured in excess of his quota so limited or reduced, the amount of such excess shall be subtracted from such licensee's manufacturing quota for the following year.

(c) On or before June 1 of each year, upon application therefor by a person having a license to manufacture a basic class of narcotic drug, the Secretary or his delegate shall fix a manufacturing quota for such calendar year for such basic class of narcotic drug for such person. Subject to the provisions of subsections (a) and (b), such quota shall be sufficient to cover the applicant's estimated disposal, inventory, and other requirements for the calendar year as determined by the Secretary or his delegate, who shall take into account the applicant's current disposal rate, the trend of such disposal rate during the preceding calendar year, the applicant's production cycle and inventory position, the economic availability of raw materials, yield and stability problems, emergencies such as strikes and fires, and other factors. Subject to the provisions of subsections (a) and (b), such quota shall not be less than the sum of—

(1) such licensed manufacturer's net disposal of such basic class of narcotic drug during the immediately preceding calendar year or the average of the three immediately preceding calendar years in which such manufacturer produced such basic class of narcotic drug, whichever is greater; and

(2) one-half of such manufacturer's net disposal of such basic class of narcotic drug

during the immediately preceding calendar year;

less such manufacturer's inventory of such basic class of narcotic drug on December 31 of the preceding calendar year.

(d) During the period from January 1 until a manufacturing quota for such calendar year is fixed pursuant to subsection (c), any licensed manufacturer entitled to receive a quota for any basic class of narcotic drug under subsection (c) may manufacture a provisional quota of not more than 75 percent of whichever of the following is greater—

(1) such manufacturer's net disposal of such basic class of narcotic drug during the 12 months immediately preceding September 30 of the preceding calendar year; or

(2) twelve times such manufacturer's average monthly net disposal of such basic class of narcotic drug for the 33 months immediately preceding September 30 of the preceding calendar year;

or such higher or lower percentage as the Secretary or his delegate may from time to time for good cause direct. Any higher or lower percentage so directed shall apply to the provisional quotas of all licensed manufacturers for such basic class of narcotic drug.

(e) The Secretary or his delegate shall, on application therefor, and subject to the provisions of subsections (a) and (b), fix a quota for any licensed manufacturer of a basic class of narcotic drug who has not manufactured such basic class of narcotic drug during one or more of the three immediately preceding calendar years, in an amount adequate to cover such manufacturer's reasonably anticipated requirements for the current calendar year.

(f) At any time during the calendar year any licensed manufacturer who has applied for or received a manufacturing quota for a basic class of narcotic drug may apply for an increase in such quota, to meet his estimated disposal, inventory, and other requirements during the remainder of such calendar year. In passing upon such application the Secretary or his delegate shall take into consideration any occurrences since the filing of such manufacturer's initial quota application that may require an increased manufacturing rate by such manufacturer during the balance of such calendar year. In passing upon such application the Secretary or his delegate may also take into consideration the amount, if any, by which the determination of the Secretary or his delegate under subsection (a) exceeds the aggregate of the quotas of all manufacturers under this section, and the equitable distribution of such excess among other manufacturers.

EXCEPTION FROM APPLICABILITY OF LICENSE AND QUOTA PROVISIONS

Sec. 12. Notwithstanding any other provisions of this act—

(1) no license or quota shall be required for the manufacture of such quantities of narcotic drugs as incidentally but necessarily result from the manufacturing process used for the manufacture of a basic class of narcotic drug duly licensed under this act; and

(2) no license or quota shall be required for the manufacture of such quantities of narcotic drugs as incidentally but necessarily result from the manufacture of any substance which is not a narcotic drug.

Unless such incidentally but necessarily resulting narcotic drug shall have been determined to be nonaddicting by the Secretary or his delegate, it may (apart from being used in the process of producing a narcotic drug for which license and quota are held) be retained or disposed of only in such manner as may be prescribed or authorized by the Secretary or his delegate.

REGULATION WITH RESPECT TO PERSONS WHO MANUFACTURE NARCOTIC PRECURSORS

Sec. 13. Persons who manufacture, compound, package, sell, deal in, or give away any narcotic precursor shall keep such records and make such reports with respect to such narcotic precursor as the Secretary or his delegate shall by regulation prescribe. The Secretary or his delegate may advise the Congress whether in his opinion the manufacture and distribution of narcotic precursors threaten to result in the diversion of narcotic drugs into other than legitimate medical and scientific channels and whether in his judgment further legislation with respect to narcotic precursors is necessary or desirable.

CERTAIN PROCEDURES FOR JUDICIAL REVIEW

Sec. 14. Every final decision of the Secretary or his delegate under sections 3 (i), 6, 8, 9, 11 (c), 11 (e), or 11 (f) of this act shall be subject to judicial review as provided by and in the manner prescribed in Public Law 901, 81st Congress, approved December 29, 1950.

AMENDMENT TO LAW WITH RESPECT TO EXPORTATION OF NARCOTIC DRUGS

Sec. 15. Section 6 of the act entitled "An act to prohibit the importation and use of opium for other than medicinal purposes," approved February 9, 1909, as amended (21 U. S. C. 182), is amended to read as follows:

"Sec. 6. (a) No person subject to the jurisdiction of the United States Government shall export or cause to be exported from the United States, or from territory under its control or jurisdiction, any narcotic drug to any other country except—

"(1) to a country which has ratified and become a party to the International Opium Convention of 1912 for the Suppression of the Abuses of Opium, Morphine, Cocaine, and Derivative Drugs, or to the International Opium Convention signed at Geneva on February 19, 1925, any narcotic drugs derived directly or indirectly from crude opium or coca leaves; or

"(2) to a country which has ratified and become a party to the Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs concluded at Geneva July 13, 1931, and entered into force with respect to the United States of America July 9, 1933, as amended by the protocol signed at Lake Success on December 11, 1946, and the protocol bringing under international control drugs outside the scope of the convention of July 13, 1931, for limiting the manufacture and regulating the distribution of narcotic drugs (as amended by the protocol signed at Lake Success on December 11, 1946) signed at Paris November 19, 1948, and entered into force with respect to the United States of America September 11, 1950, any narcotic drugs not derived directly or indirectly from crude opium or coca leaves; and in the instance of (1) and (2) then only if—

"(1) such country has instituted and maintains, in conformity with the respective conventions, a system which the Secretary of the Treasury or his delegate deems adequate, for the control of imports of narcotic drugs;

"(2) the narcotic drug is consigned to a holder of such permits or licenses as may be required under the laws of the country of import; and

"(3) there is furnished to the Secretary or his delegate proof deemed adequate by him that the narcotic drug is to be applied exclusively to medical and scientific uses within the country to which exported, that it will not be reexported from such country, and that there is an actual need for the narcotic drug for medical and scientific uses within such country.

"(b) The exceptions contained in subsection (a) shall not apply to smoking opium or opium prepared for smoking, the exportation of which is absolutely prohibited.

"(c) Notwithstanding the provisions of subsection (a), the Secretary or his delegate may authorize the exportation of any narcotic drug (including crude opium and coca leaves) to a country which has ratified and become a party either to the 1912 convention, the 1925 convention, or the 1931 convention and supplementing protocols of 1946 and 1948, if the particular drug is to be applied to a special scientific purpose in the country of destination and the authorities of such country will permit the importation of the particular drug for such purpose.

"(d) The Secretary of State shall request all foreign governments to communicate through the diplomatic channels copies of the laws and regulations promulgated in their respective countries which prohibit or regulate the importation and shipment in transit of any narcotic drug and, when received, shall advise the Secretary or his delegate thereof."

AUTHORIZING IMPORTATION OF NARCOTIC DRUGS AS TO CERTAIN PERSONS

Sec. 16. Notwithstanding the provisions of this act or any other law, the Secretary or his delegate may in his discretion authorize the importation of any narcotic drug or drugs (including crude opium or coca leaves) for delivery to officials of the United Nations, of the Government of the United States, or of any of the several States, or to any person licensed or qualified to be licensed under section 7 of this act, for scientific purposes only.

ENFORCEMENT AND AUTHORITY TO DELEGATE FUNCTIONS

Sec. 17. It shall be the duty of the Secretary or his delegate to enforce the provisions of this act, and he is hereby authorized to make, prescribe, and publish all necessary rules and regulations for carrying out its provisions, including but not limited to rules and regulations for the prevention of unlawful diversion of narcotic drugs, and to confer or impose any of the rights, privileges, powers, and duties conferred or imposed upon him by this act upon such officers or employees of the Treasury Department as he shall designate or appoint.

PENAL PROVISIONS

Sec. 18. (a) Any person who violates any of the provisions of this act shall be guilty of a felony, and, upon conviction thereof, shall be fined not more than $10,000 or imprisoned not more than 5 years, or both.

(b) Any person who willfully makes, aids, or assists in the making of, or procures, counsels, or advises in the preparation or presentation of, a false or fraudulent statement in any application made pursuant to this act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than $2,000 or imprisoned for not more than 1 year, or both.

PROCEDURE AND PRESUMPTIONS

Sec. 19. It shall not be necessary to negative any exemptions set forth in this act in any complaint, information, indictment, or other writ or proceeding laid or brought under this act and the burden of proof of any such exemption shall be upon the person claiming its benefit. In the absence of proof by such person that he is the duly authorized holder of an appropriate license or quota issued under this act, he shall be presumed not to be the holder of such license or quota and the burden of proof shall be upon him to rebut such presumption.

APPLICABILITY OF ACT

Sec. 20. The provisions of this act shall apply to the several States, the District of Columbia, the Territory of Alaska, the Territory of Hawaii, the Canal Zone, the Commonwealth of Puerto Rico, the Trust Territory of the Pacific Islands, and the other insular territories and possessions of the United States.

SEPARABILITY OF INVALID PROVISIONS

SEC. 21. If any provision of this act, or the application of such provision to any circumstances, shall be held invalid, the validity of the remainder of the act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

With the following committee amendments:

Page 14, lines 2 and 3, strike out "paragraph (1)" and insert "section 3 (g)."

Page 17, line 21, strike out "8" and insert "9."

Page 29, line 17, strike out "7" and insert "8."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD on the bill just passed, and that following my remarks the gentleman from New York [Mr. REED] may extend his remarks on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, the purpose of H. R. 9028, which was introduced by our colleague, the gentleman from Missouri [Mr. KARSTEN] is to implement and give full effect to treaty obligations of the United States to limit exclusively to medical and scientific purposes the manufacture of narcotic drugs and to require that such manufacture be restricted to persons and premises that have been licensed for the purpose. As is pointed out in the committee report, the bill is also designed to amend the Narcotic Drugs Import and Export Act to bring the regulation of exports into conformity with current treaty obligations, and to permit the importation and exportation of certain narcotic drugs for scientific research purposes.

The bill provides a system of licenses and manufacturing quotas for all manufacturers, with appropriate safeguards, with respect to the manufacture of the basic classes of narcotic drugs, both natural and synthetic, for medical and scientific purposes. This will enable the United States Government to discharge its treaty obligations and to provide for and promote the general health and welfare of our citizens.

This bill is strongly supported by the Bureau of Narcotics and has been carefully considered over a period of time by the Committee on Ways and Means.

The bill was unanimously reported by the Committee on Ways and Means.

Mr. REED. Mr. Speaker, this legislation has as its meritorious purpose the amendment of our Federal laws relating to narcotic drugs so as to give full effect to the treaty obligations of the United States to limit the manufacture of such drugs to purposes that are exclusively for medical and scientific uses and also provide that such manufacture would be restricted to persons and premises that have been licensed for that purpose. In addition the legislation would restrict exports and imports of narcotics to purposes that are limited by and specified in applicable treaties. This legislation was unanimously approved by the Committee on Ways and Means and should receive the favorable consideration of the Congress so as to strengthen our narcotic laws and the enforcement thereof.

U. S. S. "ARIZONA" MEMORIAL AT PEARL HARBOR

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, since the passage by the House of H. R. 5809, authorizing the construction of a U. S. S. *Arizona* memorial at Pearl Harbor, I have received many letters commending our action. This reflects an interest that is nationwide. I wish to commend the able and distinguished gentleman from Hawaii, the Honorable JOHN A. BURNS, on the masterful manner in which he has handled a legislative proposal that appeals so strongly to the sentiment of the American people.

On the morning of the day H. R. 5809 was on the calendar for a vote I received a letter from Delegate BURNS. It read, in part:

> The U. S. S. *Arizona* is the tomb of 1,102 of the Navy's finest. Enclosed herewith is a list of those from your area or district shown by Navy records to have been aboard and to have died on December 7, 1941, on the U. S. S. *Arizona*. The *Arizona* is their tomb. I know that we can count on your support that this memorial to your constitutents will be as fine as it can be made.

I judge from conversations with my colleagues that a similar letter was received by each and every Member of the House, each letter transmitting a list of the men from the recipient's district or area whose tomb is the U. S. S. *Arizona*. It must have required a tremendous lot of work to furnish more than 400 Members of this body the *Arizona*'s honor roll broken down by Congressional districts.

The memory of all the men who died at Pearl Harbor that black day of December 7, 1941, is sacred to all Americans. There is no distinction on the lines of local geography, of race, religion or station. But in reminding us that among the heroes of the Nation whose memory we were perpetuating were some who had been our own constituents, the gentleman from Hawaii gave us the added personal sense that in supporting H. R. 5809 we were aiding in building a memorial tomb not only for our countrymen personally unknown to us but also for the members of our own community families.

I wish to join my colleagues in an expression of thanks to the distinguished gentleman from Hawaii. He has brought home to us a new realization of how closely knit together are all of us in our great United States of America. I feel that I am expressing the sentiment of all my colleagues in congratulating the people of Hawaii on the fine representation they have in the Congress of the United States.

MARTIN'S MOUSE

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, while the important work of this session of Congress was all but completed, and while the membership strained to wind it up this weekend, we were stalled by the Republican leadership of the House which fails to recognize, apparently, that all legislation is the result of compromise.

Rumors were heard that the Republican leadership was coming up with a brand new plan for civil rights, a genuine inspiration, something the President could sign, something nobody, apparently, had thought of before. There was a great air of expectancy yesterday as the time for the revelation neared. At length the moment arrived. The heavens darkened, the mountain quivered, and finally a ray of light broke through the clouds, and there, in all its majesty, stood the plan—a mouse, the usual timid and confused creature.

We have a new concept in the law, a bargain-basement contempt of court.

Mr. MARTIN proposes a Saks Fifth Avenue and Macy's basement contempt and, believe it or not, he is serious about it. Take your choice, Mr. MARTIN says, be $300 worth of contemptuous without a jury—the Macy rate, or go all out at the Saks Fifth Avenue rate—over $300 and a trial by jury.

CENSORSHIP BY THE MAJOR NETWORKS OF THE SONGS OF STEPHEN C. FOSTER

Mr. DORN of South Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN of South Carolina. Mr. Speaker, there is mounting resentment throughout America against the shocking censorship by the major networks of the songs of Stephen C. Foster. Our people will be further shocked and alarmed when they learn that many music books taught in the public schools have already been censored, one in the Washington, D. C., area having left out entirely one of Stephen Foster's best and most familiar songs—Old Black Joe. When the news of this unwarranted action of publishing houses and broadcasters gets through to the American people in every one of our States, they will be resentful.

Our people gave their sons to fight for freedom against the Fascists, Nazis, and Communists. They gave their sons to fight this very type of censorship and rewriting of history. I never dreamed when in the Armed Forces that I would live to see the day when censorship of this type would be practiced in America. It strikes at the very fundamentals of our American philosophy—freedom of speech, freedom of religion, and freedom of the press.

I am today joining some of my colleagues in introducing a bill which would prohibit unwarranted censorship by broadcasting, television, telephone, telegraph, and similar companies without the permission of the author. In case the author is deceased before his songs or publications can be censored, a hearing must be held before the Federal Communications Commission, and the names of those requesting such censorship be exposed to the sunlight of public opinion.

This bill will provide for punishment of such censorship and it shall be a misdemeanor for any person or company to practice such un-American censorship. The bill provides for fines and imprisonment.

I do hope the House will pass this bill and protect our basic American freedoms.

Also, Mr. Speaker, I have requested of the distinguished chairman of the Interstate and Foreign Commerce Committee to have his great committee investigate the reasons behind such censorship here in free America.

GRADUATES OF UNITED STATES SERVICE ACADEMIES

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I have today introduced legislation which would require graduates of United States service academies to serve at least 10 years on active duty.

This 10-year requirement would apply to cadets and midshipmen accepted for admission to the academies after the date of enactment of the bill.

Under present law, graduates of the Military, Naval, and Air Force Academies are required to serve only 3 years on active duty. Coast Guard Academy graduates must serve only 4 years.

Only this week the Air Force announced extension of the obligated service of pilot trainee reservists from 3 to 5 years. Here we have the almost incredible situation of a young man who has graduated from a college or university at his own expense being required to give 5 years of obligated service to the Military Establishment while another young man, after obtaining his education at Government expense, can throw up his contract at the end of 3 years.

It seems to me that after the Government invests some $40,000 in the education of a young man in one of the service academies the individual should be required to serve a longer period on active duty than is now the case. After all, the purpose of the academies is to prepare young men for lifetime careers as professional military leaders.

While it is of course too late for action to be taken on the bill during the present session, I hope it will receive favorable consideration early next year.

CIVIL RIGHTS

Mr. GUBSER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GUBSER. Mr. Speaker, I do not like to take a partisan approach to any matter, but day in and day out I have listened to the hatchetmen from the Democratic side use printer's ink and space in the CONGRESSIONAL RECORD to ridicule the Republican Party. Today I feel constrained to get out my own hatchet and be a little partisan. Perhaps it will not be quite as shiny and sharp as Democratic hatchets but I hope it will cut just as deeply.

There is a great deal of talk about civil rights legislation. Today on this floor we have heard ridicule of the Republican attempt at honest compromise. The truth of the matter is that the Democratic Party is bitterly divided on the civil rights issue, yet it has always posed as the champion of civil rights. They are so divided that they want to get rid of it this year so that they will not face it next year in an election year.

There is no Federal election that will be held before next year. No Negro will be deprived of his right to vote between now and January. We have plenty of time to work this out in January and pass a real bill instead of a sham. We Republicans are not afraid of it being an issue in an election year. Our skirts are clean. So let us go home, and settle it in January.

SPECIAL ORDER TRANSFERRED

Mr. HESELTON. Mr. Speaker, I ask unanimous consent that the special order which I have for today may be vacated and transferred to Monday next.

The SPEAKER. Is there objection?

There was no objection.

PRIVATE CALENDAR

The SPEAKER. This is the day set for the call of the Private Calendar.

The Clerk will call the first bill on the calendar.

ROCHESTER IRON & METAL CO.

The Clerk called the bill (H. R. 7115) for the relief of the Rochester Iron & Metal Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of money in the Treasury not otherwise appropriated, to the Rochester Iron & Metal Co., 335 St. Paul Street, Rochester, N. Y., the sum of $117,913.20. The payment of such sum shall be in full settlement of all claims of the said Rochester Iron & Metal Co. against the United States arising from the failure of the Government to deliver 1,940 net tons of steel as a part of a purchase of 3 lots of steel billets by the Rochester Iron & Metal Co. from the Philadelphia Ordnance District in accordance with an invitation to bid issued April 27, 1953.

With the following committee amendments:

Page 1, line 11, strike out "three" and insert in lieu thereof "two."

Page 2, at the end of line 3, strike out the period and add the following: ": *Provided*, That no part of the amount appropriated in this Act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FACILITATING THE ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 429) to facilitate the admission into the United States of certain aliens.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Sarah Reiko Tochman, shall be held and considered to be the natural-born alien child of Mrs. Stella M. Tochman, a citizen of the United States.

SEC. 2. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Margherita Alongi, shall be held and considered to be the natural-born alien child of Dominic and Josephine Alongi, citizens of the United States.

SEC. 3. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Mary Derzay and Anton Derzay, shall be held and considered to be the natural-born alien children of Mr. and Mrs. Anton Derzay, citizens of the United States.

SEC. 4. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Antonio Quijano, Lilia Quijano, and Aurora Quijano, shall be held and considered to be the minor alien children of Teodolfo Quijano, a citizen of the United States.

SEC. 5. In the administration of the Immigration and Nationality Act, section 202 (a) (5) and (b) of such act shall not apply in the case of Mrs. Yio Gik Him (nee Guadalupe Reyes Chip).

SEC. 6. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Kenichi Sugahara, shall be held and considered to be the natural-born alien child of M. Sgt. and Mrs. Fred W. Baars, citizens of the United States.

SEC. 7. For the purposes of sections 203 (a) (3) and 205 of the Immigration and Nationality Act, Teresa Pecchia and Mauro Pecchia shall be held and considered to be the minor alien children of Mrs. Giuseppina

Pecchia, a lawful resident of the United States.

Sec. 8. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Myra Joyce Carroll and Sheila Jeanne Carroll, shall be held and considered to be the natural-born alien children of Sgt. and Mrs. Herbert G. Carroll, citizens of the United States.

With the following committee amendment:

On page 2, line 15, after the words "Nationality Act," insert the following: "section 201 (a) and."

The committee amendment was agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE APPOINTMENT OF ADM. ARTHUR W. RADFORD

The Clerk called the bill (H. R. 8763) to authorize the appointment of Adm. Arthur W. Radford, United States Navy, to the permanent grade of admiral in the Navy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, because of the many distinguished services that Adm. Arthur W. Radford, United States Navy, has rendered to his country during more than 45 years of service, including World War II, later service as Commander in Chief Pacific and United States Pacific Fleet during the Korean hostilities, and most recent service as Chairman of the Joint Chiefs of Staff for 2 terms during a most critical period, the President is authorized to appoint Adm. Arthur W. Radford, United States Navy, to the permanent grade of admiral in the Navy, with the active duty pay and allowances provided by law for an officer in such grade serving as Chairman of the Joint Chiefs of Staff. Upon retirement Adm. Arthur W. Radford shall be entitled to have his name placed on the retired list with the highest grade or rank held by him while on the active list and shall be entitled to the same pay and allowances while on the retired list as authorized by law for an officer on the active list serving in the grade of admiral and holding the office of Chairman of the Joint Chiefs of Staff.

Sec. 2. In the event Admiral Radford is transferred to the retired list before the approval of this Act, the President is authorized to appoint him to the permanent grade of admiral on the retired list with the pay and allowances provided in section 1 of this Act.

With the following committee amendments:

On page 2, lines 3 and 4, strike "in such grade serving as Chairman of the Joint Chiefs of Staff." and insert "in the grade of rear admiral (upper half)."

On page 2, lines 10 and 11, strike "admiral and holding the office of Chairman of the Joint Chiefs of Staff." and insert "rear admiral (upper half)."

The committee amendments were agreed to.

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

The title of the bill was amended to read: "A bill to authorize the appointment of Adm. Arthur W. Radford, United States Navy, to the permanent grade of admiral in the Navy and to provide for increased retired pay."

A motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN LANDS WITHIN HICKORY LOCK AND DAM PROJECT TO MIDDLE TENNESSEE COUNCIL, INC., BOY SCOUTS OF AMERICA

The Clerk called the bill (H. R. 8576) to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subject to section 2 and without monetary consideration, the Secretary of the Army is authorized and directed to convey to the Middle Tennessee Council, Inc., Boy Scouts of America, all right, title, and interest of the United States in and to the following lands within the Old Hickory lock and dam project:

Two certain parcels of land situate on the waters of Spencer Creek and the Cumberland River, in the Fourth Civil District of Wilson County, Tennessee, containing in aggregate 525.80 acres, more or less, and more particularly described as follows:

PARCEL 1

Beginning at a corner common to lands now or formerly owned by Zac Burford and others and the lands of the United States, said corner being in a line of lands now or formerly owned by Henry Louis Bloodworth and Frank W. Bloodworth; thence, with the division line between the United States and said Burford as follows: south, 03 degrees 00 minutes west 635 feet, south 8 degrees 30 minutes west 680 feet, north 76 degrees 00 minutes west 690 feet, south 01 degrees 00 minutes east 390 feet, south 80 degrees 00 minutes east 1,300 feet, and south 04 degrees 00 minutes west, 1,690 feet to a corner of lands now or formerly owned by Will Walker and others; thence, with the division line between the United States and said Walker south 04 degrees 00 minutes west 985 feet to a point in a line of lands now or formerly owned by Hughlette Katherine Purnell; thence, with the division line between the United States and said Purnell north 87 degrees 00 minutes west 960 feet; thence, leaving Purnell's line, through the lands of the United States north 87 degrees 00 minutes west 120 feet to a point in the 451 foot contour line above mean sea level; thence continuing through the lands of the United States; following the 451 foot contour line as it meanders in a general westerly, northerly, and easterly direction along the northeasterly shore line of the Spencer Creek Embayment, upstream along the easterly shore line of Cumberland River, a distance of 20,200 feet, more or less, to a point in the north line of the lands of said Bloodworth; thence with the division line between said Bloodworth and the United States south 58 degrees 00 minutes west 1,425 feet, to the point of beginning, containing 367.6 acres, more or less.

PARCEL 2

Beginning at a corner common to lands now or formerly owned by C. B. and Louise Tubbs Northern and the lands of the United States, said corner being in a line of lands now or formerly owned by Hughlette Katherine Purnell; thence, with the division line between said Purnell and the United States north 03 degrees 00 minutes east 1,240 feet to a corner of lands now or formerly owned by Will Walker and others; thence, with the division line between said Walker and the United States as follows: North 03 degrees 00 minutes east 500 feet, south 79 degrees 30 minutes east 1,085 feet, north 190 feet and north 78 degrees 00 minutes west 170 feet to a corner of lands now or formerly owned by Zac Burford and others; thence, with the division line between said Burford and the United States as follows: North 26 degrees 00 minutes west 670 feet and south 88 degrees 00 minutes east 110 feet to a corner of lands now or formerly owned by D. E. and Janie Greer Bloodworth, said corner being in the center of a road; thence, with the division line between said Bloodworth and the United States along the center of said road south 88 degrees 00 minutes east 640 feet to a corner of lands now or formerly owned by F. W. Bloodworth and wife; thence, with the division line between said F. W. Bloodworth and wife and the United States and continuing along the center of said road south 88 degrees 00 minutes east at 585 feet passing a corner of said Bloodworth, continuing in all 640 feet to a corner of lands now or formerly owned by Henry and Susie Tyree; thence, leaving said road along the division line between said Tyree and the subject owner as follows: South 05 degrees 00 minutes west 280 feet, north 64 degrees 00 minutes east 125 feet, south 04 degrees 00 minutes east 160 feet, south 57 degrees 00 minutes west 210 feet, south 18 degrees 00 minutes west 410 feet, north 89 degrees 00 minutes east 340 feet, and south 42 degrees 30 minutes east 335 feet to a corner of lands now or formerly owned by Lula Mae Davis; thence, with the division line between said Davis and the United States as follows: North 70 degrees 00 minutes east 315 feet and south 01 degree 00 minutes east 155 feet to a corner of lands now or formerly owned by Talmadge and Novella Collier; thence, with the division line between said Collier and the United States as follows: South 01 degree 00 minutes east 50 feet, south 73 degrees 00 minutes west 350 feet, north 85 degrees 00 minutes west 215 feet, south 12 degrees 00 minutes west 310 feet, south 88 degrees 00 minutes east 250 feet, north 50 degrees 00 minutes east 260 feet, south 41 degrees 30 minutes east 235 feet, south 88 degrees 00 minutes east 90 feet, and south 05 degrees 00 minutes east 90 feet to a corner of lands now or formerly owned by Dwight Manners; thence, with the division line between said Manners and the United States south 45 degrees 00 minutes west 350 feet to a corner of lands now or formerly owned by D. E. and Janie Greer Bloodworth; thence, with the division line between said Bloodworth and the United States as follows: South 10 degrees 30 minutes west 150 feet, north 72 degrees 00 minutes east 250 feet, south 50 degrees 00 minutes east 250 feet, and south 15 degrees 30 minutes west 285 feet to a point in a line of lands now or formerly owned by O. A. Purnell; thence, with the division line between said Purnell and the United States as follows: North 84 degrees 00 minutes west 100 feet, south 1,280 feet, north 86 degrees 00 minutes east 345 feet, and south 05 degrees 00 minutes east 215 feet to a corner of lands now or formerly owned by H. B. Manners, in the center of a road; thence, leaving said road with the division line between said Manners and the United States as follows: South 86 degrees 25 minutes west 450.4 feet, south 36 degrees 06 minutes west 318 feet, north 73 degrees 21 minutes west 151.4 feet, south 35 degrees 57 minutes west 249.7 feet, north 09 degrees 07 minutes west 504 feet, and north 84 degrees 48 minutes west 80 feet to a corner of said Northern in the center of a road; thence, leaving said road with the division line between said Northern and the United States as follows: North 05 degrees 00 minutes east 350 feet, south 51 degrees 00 minutes west 290 feet, north 38 degrees 30 minutes west 265 feet, north 03 degrees 00 minutes east 215 feet, south 35 degrees 30 minutes east 240 feet, north 45 degrees 30 minutes east 225 feet, north 08 degrees 30 minutes west 540 feet, south 25 degrees 00 minutes west 460 feet, north 30 degrees 00 minutes west 630 feet, north 72 degrees 00 minutes west 645 feet, north 08 degrees 00 minutes east 81.6 feet, and west 933 feet, to the point of beginning, containing 158.2 acres, more or less.

The above-described parcels of land are a part of the same lands, the fee title to which was vested in the United States by reason of the following deeds of record in the Office of the Register of Wilson County, Tennessee, and/or by the filing of Declaration of Takings in Civil Actions pending in the United States District Court for the Middle District of Tennessee, Nashville Division, namely:

Tract No.	Vendor	Date of deed and/or declarations of takings	Deed book	Page	Declarations of takings No.	Civil action No.
	PARCEL 1					
G-703	E. L. Gaston, trustee, and others	Oct. 28, 1953			1	1723
G-707	Mildred Armstrong and others	do			1	1723
G-708	Jim Bailey and wife	June 17, 1953	137	580		
G-709	William O. Barry	Jan. 15, 1954	138	680		
G-723-1 (part)	Katherine H. Purnell	June 1, 1953	137	482		
Lock and dam No. 4 (part):						
(a)	James Harvey Davis and others	Jan. 3, 1894	52	163		(1)
(b)	Samuel Howerth and others	do	52	159		(2)
	PARCEL 2					
G-713	Zac Burford and others	Mar. 24, 1954			1	1837
G-716	Hargrove Jenkins and wife	Sept. 4, 1953	138	197		
G-717	Willie Thompson and others	Oct. 28, 1953			1	1723
G-718	Henry Tyree and wife	June 30, 1953	137	640		
G-719	Lula Mae Davis and others	May 12, 1954			1	1862
G-720-1-2	Talmadge Collier and wife	May 21, 1953	137	428		
G-721	Dwight Manners and wife	July 11, 1953	137	680		
G-722	D. E. Bloodworth and wife	July 7, 1953	137	696		
G-725	C. E. Northern and wife	May 20, 1953	137	419		
G-726	O. A. Purnell and wife	July 24, 1953	138	36		
G-731-2	Dwight Manners and others	July 6, 1954			2	1723

[1] Judgment No. 851.
[2] Judgment No. 850.

SEC. 2. Title to property authorized to be conveyed by this Act shall revert to the United States, which shall have the right of immediate entry thereon, if the Middle Tennessee Council, Inc., Boy Scouts of America—

(1) has not commenced the development of such property for recreation and camping purposes within the 3-year period beginning on the date of enactment of this Act; or

(2) shall ever cease to use such property for recreation and camping purposes.

SEC. 3. The Secretary of the Army is authorized to grant to the Middle Tennessee Council, Inc., Boy Scouts of America, such rights-of-way for public access and utility lines across any property of the United States as may be necessary to facilitate the development and use of the property conveyed under authority of this Act for recreation and camping purposes.

SEC. 4. The conveyance of the property herein authorized shall be subject to the right to flood due to the fluctuation of the water level of the Old Hickory lock and dam project and to such other conditions, reservations, and restrictions as the Secretary of the Army may determine to be necessary for the management and operation of said Old Hickory lock and dam project.

SEC. 5. The cost of any surveys necessary as an incident of the conveyance authorized herein shall be borne by the Middle Tennessee Council, Inc., Boy Scouts of America.

With the following committee amendment:

Strike out all of section 1 and insert in lieu thereof the following: "That the Secretary of the Army is authorized and directed to convey to the Middle Tennessee Council, Inc., Boy Scouts of America, without monetary consideration therefor, but subject to the conditions of this Act, the area or areas he determines to be available for conveyance within the 609.2 acres of land leased to the said Boy Scouts Council at the Old Hickory lock and dam, Cumberland River, Tenn., under lease granted July 12, 1955, No. DA-40-058-CIVENG-56-8."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. EVINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS. Mr. Speaker, this bill, H. R. 8576, to authorize the conveyance of certain lands within the Old Hickory Reservoir area on the Cumberland River in Tennessee to the Middle Tennessee Council, Inc., Boy Scouts of America, is a worthy measure which will serve a valued and useful purpose in aiding in the building of citizenship for our country.

This bill by our esteemed colleague, Congressman LOSER, is similar to a bill which I was pleased to introduce for this purpose. Also our other colleague from middle Tennessee, Congressman BASS, has likewise introduced a companion bill to the one which the House has considered and has just passed.

The Corps of Engineers has recommended the conveyance of this land to the Middle Tennessee Boy Scout Council in order that a camp may be developed and used by the Boy Scouts of middle Tennessee. The land is situated in Wilson County, in the district which I have the honor to represent. The full development of this Boy Scout camp will mean much to the youth of this area by providing a permanent encampment for recreation, sports, and training in leadership. The passage of this act will mean a great contribution to the building of character and good citizenship.

The Boy Scout Council has already expended more than $25,000 in developments in this area and it is anticipated that the organization will expend another $750,000 for permanent shelters, utilities, road development, and equipment to make the camp suitable for Boy Scouts and one of the most outstanding such developments.

There have been many leaders in this movement to bring about this accomplishment. Among the foremost of our outstanding civic-minded citizens spearheading this drive has been Mr. E. B. Stahlman, publisher of the Nashville Banner. The Governor of Tennessee, Hon. Frank G. Clement, has also expressed his interest in this legislation, as well as have many other officials and public spirited citizens. These include county judges, mayors of municipalities in middle Tennessee, chamber of commerce officials, business and industrial leaders, Boy Scout officials, and others.

I cite these facts to point out for the record that there is certainly a great public interest in this legislation. I am pleased that the Corps of Engineers has recommended this action and that the House Public Works Committee has favorably reported the bills introduced for this purpose.

I want to commend my colleagues, Congressmen LOSER and BASS, and also our colleagues, Congressman DAVIS of Tennessee and Congressman JONES of Alabama, members of the Public Works Committee, as well as Chairman BUCKLEY of the House Public Works Committee, for their diligence and assistance in securing favorable action on this legislation.

This project, when fully developed, will contribute immeasurably to the training of our youth, building character, good citizens, and leaders for our country. The passage of this legislation is in the public interest and will mean a significant contribution in this direction.

IRENE MONTOYA

The Clerk called the bill (S. 493) for the relief of Irene Montoya.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Irene Montoya, Belen, N. Mex., in addition to the sum paid to such legal guardian under the provisions of Private Law 699, 79th Congress, the further sum of $3,500, in full satisfaction of her claim against the United States for compensation for expenses incident to the provision of artificial limbs and other expenses arising as a result of the loss of a leg in the explosion of a bomb which had been dropped and left unprotected in a field by the United States Army near Belen, N. Mex., on August 12, 1945: *Provided*, That no part of the amount appropriated in this Act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 8, strike out the figures "$3,500", and insert in lieu thereof the figures "$7,500."

Page 2, lines 4 and 5, strike out "in excess of 10 percent thereof."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERT F. GROSS

The Clerk called the bill (S. 524) for the relief of Robert F. Gross.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Robert F. Gross of Harrisburg, Pa., is hereby relieved of all liability to refund to the United States the sum of $1,047.42, representing the amount of the overpayment received by him at the time of his final separation from employment with the Department of Labor as compensation for unused annual leave.

SEC. 2. All disbursing officers, or other responsible officers, who made or authorized the overpayment referred to in the first section of this Act, are relieved of all liability for such overpayment and their accounts shall be credited with the amount of such overpayment.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KARL L. LARSON

The Clerk called the bill (H. R. 1392) for the relief of Karl L. Larson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Karl L. Larson, Mount Shasta, Calif., the sum of $503.25. The payment of such sum shall be in full settlement of all claims of such person against the United States for compensation for personal property destroyed by fire on July 20, 1955, while employed by the Forest Service on the Shasta-Trinity National Forest, Calif.: *Provided*, That no part of the amount appropriated in this Act for the payment of any one claim in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALFRED HANZAL

The Clerk called the bill (H. R. 1495) for the relief of Alfred Hanzal.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alfred Hanzal, San Antonio, Tex., the sum of $322.67. The payment of such sum shall be in full settlement of all claims of the said Alfred Hanzal against the United States for refund of taxes which he erroneously paid under the Federal Insurance Contributions Act with respect to his remuneration (as owner of the Milam Building Barber Shop, San Antonio) during the period beginning January 1, 1947, and ending March 31, 1947, and which cannot now be refunded to him by the Internal Revenue Service because of the expiration of the applicable period of limitation: *Provided*, That no part of the amount appropriated in this Act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, lines 5 and 6: Strike the words "in excess of 10 percent thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LT. PERCY HAMILTON HEBERT

The Clerk called the bill (H. R. 1638) for the relief of Lt. Percy Hamilton Hebert.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That 1st Lt. Percy Hamilton Hebert, Air Force of the United States, retired, serial No. AO–888402, is hereby relieved of all liability to pay to the United States the sum of $2,238. Such sum represents certain amounts erroneously paid to the said Percy Hamilton Hebert during the period between November 19, 1944, and June 30, 1950, inclusive, as a result of errors made in the computation of his retired pay.

The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Percy Hamilton Hebert an amount equal to the aggregate of amounts paid by him, or which have been withheld from sums otherwise due him, in complete or partial satisfaction of such claim of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MARGOT M. DRAUGHON

The Clerk called the bill (H. R. 1692) for the relief of Mrs. Margot M. Draughon.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Mrs. Margot M. Draughon is hereby relieved of all liability to refund to the United States the sum of $2,625. Such sum represents the amount of class E allotment payments which were erroneously made to Mrs. Margot M. Draughon, the wife of Charles R. Draughon, Army serial No. 6971596, during the period October 1, 1942, through August 31, 1945, after the said Charles R. Draughon had discontinued such allotment. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Margot M. Draughon any amount refunded by her to the United States on account of these erroneous payments of class E allotment. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. Nothing in this Act shall be construed to relieve Charles R. Draughon, Army serial No. 6971596, of any liability to refund to the United States any amounts which have been determined to be erroneous payments as the result of his authorizing a class E allotment to Mrs. Margot M. Draughon during the period August 1, 1942, through August 31, 1945.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF MRS. FRANK C. GREGG

The Clerk called the bill (H. R. 1829) for the relief of the estate of Mrs. Frank C. Gregg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purpose of determining the individual liability for income taxes for the taxable year 1951 of Mrs. Frank C. Gregg, the election of the said Mrs. Frank C. Gregg, a stockholder in the Scott & Gregg Real Estate Co., which was liquidated pursuant to a plan of complete liquidation adopted on June 21, 1951, to have the benefits of section 112 (b) (7) of the Internal Revenue Code of 1939, shall be considered to have been filed within 30 days after the date of adoption of such plan, such benefits having been denied Mrs. Frank C. Gregg because the filing of such election was delayed, due to the unavailability of the prescribed forms for filing such election and the serious illness of the said Mrs. Frank C. Gregg, until after the 30 days allowed for filing such election had expired.

With the following committee amendment:

On page 1, line 10, strike out "considered to have been filed within 30 days after the date of adoption of such plan" and insert "held and considered fully effective."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN R. COOK

The Clerk called the bill (H. R. 3567) for the relief of John R. Cook.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John R. Cook, Alameda, Calif., the sum of $1,000. The payment of such sum shall be in full settlement of all claims of John R. Cook against the United States on account of expenses incurred by him in successfully defending himself against a criminal prosecution brought by the United States, based on acts alleged to have been committed by him in the performance of his duties as an employee of the Post Office Department. Such prosecution was dismissed on February 21, 1956, and the

Post Office Department has since determined that he should not have been removed from his position with the Department and has reinstated him with back pay for the period of his suspension: *Provided*, That no part of the amount appropriated in this Act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 7, strike out: "in excess of 10 per centum thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARTHUR J. DETTMERS, JR.

The Clerk called the bill (H. R. 4543) for the relief of Arthur J. Dettmers, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $15,000 to Arthur J. Dettmers, Jr., in full settlement of all claims against the United States. Such sum represents compensation for personal injuries and all expenses incident thereto sustained as the result of an accident involving the crash of a United States Air Force airplane at Middletown Air Depot, Harrisburg, Pa., on August 14, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out "$15,000" and insert "$7,776.03."

Page 1, line 10, strike out lines 10 and 11 and insert the following: "crash of a United States Army airplane at Olmsted Field, Middletown, Pa., on August 14, 1944."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOREST H. BYROADE

The Clerk called the bill (H. R. 5163) for the relief of Forest H. Byroade.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,688.34 to Forest H. Byroade, of 13 Kinship Road, Dundalk, Baltimore County, Md., in full settlement of all claims against the United States for personal injuries, medical and other expenses incurred as the result of an accident on January 30, 1952, involving a United States Navy vehicle on U. S. Highway No. 1, Guilford, Howard County, Md., 250 feet north of the intersection of U. S. Highway No. 1 and Maryland State Route No. 32. Such claim is not cognizable under the Federal Tort Claims Act of 1946: *Provided*, That no part of the amount appropriated in this Act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COL. JACK C. JEFFREY

The Clerk called the bill (H. R. 6069) for the relief of Col. Jack C. Jeffrey.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of Col. Jack C. Jeffrey, of APO 343, care postmaster, San Francisco, Calif., in the sum of $435.64. Such credit is for excess shipping weight allowances for household goods shipped from Fort Monroe, Va., to San Antonio, Tex., and to other locations in the United States during November and December 1947.

With the following committee amendment:

Page 1, strike out all after the enacting clause and insert the following: "That the Secretary of the Treasury is authorized and directed to pay, out of money in the Treasury not otherwise appropriated, to Col. Jack C. Jeffrey, of APO 343, care postmaster, San Francisco, Calif., the sum of $435.63, as a refund of excess costs collected from Col. Jack C. Jeffrey on shipments of household effects to Madison, Wis., from overseas and from certain locations in the United States, during April, May, and August, 1950: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FAMILY OF JOSEPH A. MORGAN

The Clerk called the bill (H. R. 6824) for the relief of the family of Joseph A. Morgan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to determine the persons who would have been entitled upon the death of Joseph A. Morgan (Veterans' Administration claim No. XC-1336540) to the United States series E and G bonds, the proceeds of which were donated to the United States by the said Joseph A. Morgan in 1951 while he was of unsound mind, if such bonds had not been redeemed by the said Joseph A. Morgan, and to pay to such persons, out of any money in the Treasury not otherwise appropriated, the amounts which they would have been entitled to receive if such bonds had been redeemed as of the day after the date of death of the said Joseph A. Morgan: *Provided*, That no part of any sum paid under this Act to any person in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, strike out all after the enacting clause and insert the following: "That the Secretary of the Treasury is authorized and directed to determine the persons who would have been entitled upon the death of Joseph A. Morgan (Veterans' Administration claim No. XC-1336540) to the United States series E and G bonds, the proceeds of which were donated to the United States by the said Joseph A. Morgan in 1951, if such bonds had not been redeemed by the said Joseph A. Morgan, and to pay to such persons, out of any money in the Treasury not otherwise appropriated, the amounts which were deposited in the Treasury as the redemption value of the bonds to which they are found to be entitled: *Provided*, That no part of any sum paid under this act to any person shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOR THE RELIEF OF THE ESTATE OF ISA HAJIME

The Clerk called the bill (H. R. 7200) for the relief of the estate of Isa Hajime.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Isa Hajime, deceased, formerly of Yontan, Okinawa, the sum of $2,000, in full satisfaction of all claims against the United States for compensation for the death of Isa Hajime, sustained on September 4, 1949, as a result of a criminal assault by an enlisted man of the United States Air Force at Yontan, Okinawa: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOR THE RELIEF OF ANTON N. NYERGES

The Clerk called the bill (H. R. 7591) for the relief of Anton N. Nyerges.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Anton N. Nyerges, the sum of $3,600. The payment of such sum shall be in full satisfaction of any and all claims against the United States for compensation for reasonable and necessary personal property lost while in the course of his duties as Foreign Service officer at the American Legation, Budapest, Hungary, on November 4, 1956, as a result of a revolution: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HENRY M. LEDNICKY

The Clerk called the bill (H. R. 8618) for the relief of Henry M. Lednicky.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Henry M. Lednicky, West, Tex., the sum of $317.25, which represents payment for janitor service performed by Mr. Lednicky while he was in charge of the local post office at the request of the Post Office Department.

With the following committee amendment:

Page 1, line 9, after "Department" insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GLADYS ARBUTUS JOEL

The Clerk called the bill (H. R. 5222) for the relief of Gladys Arbutus Joel.

Mr. WALTER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

VIRGINIA RAY POTTS

The Clerk called the bill (H. R. 8374) for the relief of Virginia Ray Potts.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Virginia Ray Potts, who lost United States citizenship under the provisions of section 401 (f) of the Nationality Act of 1940, may be naturalized by taking prior to 1 year after the effective date of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of said act. From and after naturalization under this act, the said Virginia Ray Potts shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WAIVING CERTAIN PROVISIONS IN BEHALF OF CERTAIN ALIENS

The Clerk called the joint resolution (H. J. Res. 437) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That, notwithstanding the provisions of section 212 (a) (9) and (19) of the Immigration and Nationality Act, Mrs. Maria Concepcion Delgado Mendez, and Pedro Diaz (Ramirez) may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 2. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Filippo Vitale, Joseph Juda Teuchberg, Eleonore Maria Elizabeth Rambo, Rosario Pollina, Mirca Bruna Gesiotto Gordon, and Francesco DeMarco, may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 3. Notwithstanding the provision of section 212 (a) (19) of the Immigration and Nationality Act, Manuel Sanchez Miranda may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 4. Notwithstanding the provisions of section 212 (a) (9) and (17) of the Immigration and Nationality Act, Ciro (Jerry) Barile may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 5. Notwithstanding the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, Marie Fratoni Zimmerman may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

SEC. 6. Notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Maria Domenica D'Angelo Padovani may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare may deem necessary to impose: *Provided*, That, unless the beneficiary is entitled to care under the Dependents' Medical Care Act, a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

SEC. 7. Notwithstanding the provision of section 212 (a) (4) of the Immigration and Nationality Act, Jose Domingo Quintanar may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 8. The exemptions provided for in this act shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

With the following committee amendments:

On page 1, line 5, after the name "Mendez," strike out the word "and."

On page 1, line 6, after the name "(Ramirez)" insert the following: "and Adolphe C. Verheyn."

On page 3, after line 8, insert new sections 7 and 8 to read as follows:

"SEC. 7. Notwithstanding the provision of section 212 (a) (1) of the Immigration and Nationality Act, Miss Vova Rubin may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

"SEC. 8. Notwithstanding the provisions of section 212 (a) (4) and (9) of the Immigration and Nationality Act, Bruno Lagomarsino may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act."

On page 3, line 9, strike out "SEC. 7." and substitute "SEC. 9."

On page 3, after line 16, insert new sections 10 and 11 to read as follows:

"SEC. 10. In the administration of the Immigration and Nationality Act, Margaret Weydmann, the fiance of Sgt. William R. Casey, a citizen of the United States, and her minor child, Billi, shall be eligible for visas as nonimmigrant temporary visitors for a period of three months: *Provided*, That the administrative authorities find that the said Margaret Weydmann is coming to the United States with a bona fide intention of being married to the said Sgt. William R. Casey and that they are found otherwise admissible under the provisions of that act, except that section 212 (a) (9) of that act shall not be applicable in the case of the said Margaret Weydmann. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Margaret Weydmann and her minor child, Billi, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within three months after the entry of the said Margaret Weydmann and her minor son, Billi, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Margaret Weydmann and her minor son, Billi, as of the date of the payment by them of the required visa fees.

"SEC. 11. Notwithstanding the provision of section 212 (a) (10) of the Immigration and Nationality Act, Colin Noyes Clinch-Jones may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act."

On page 3, line 17, renumber "SEC. 8." to read "SEC. 12."

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANGELA FERRINI

The Clerk called the bill (S. 336) for the relief of Angela Ferrini.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 101 (b) of the Immigration and Nationality Act, Angela Ferrini shall be held and considered to be within the purview of section 101 (a) (27) (A) of the said act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLEM WOERAS

The Clerk called the bill (S. 397) for the relief of Willem Woeras.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Willem Woeras shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BENJAMIN WACHTFOGEL

The Clerk called the bill (S. 398) for the relief of Benjamin Wachtfogel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Benjamin Wachtfogel shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSE RAMIREZ-MORENO

The Clerk called the bill (S. 441) for the relief of Jose Ramirez-Moreno.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding order and warrant of deportation, warrant of arrest, and bond, which may have been issued in the case of Jose Ramirez-Moreno. From and after the date of enactment of this act, the said Jose Ramirez-Moreno shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and order have issued.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PEDRO AMPO

The Clerk called the bill (S. 463) for the relief of Pedro Ampo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Pedro Ampo, shall be held and considered to be the natural-born alien child of Diosdado D. Aba, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA CONCETTA DI TURI

The Clerk called the bill (S. 465) for the relief of Maria Concetta Di Turi.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Maria Concetta Di Turi, shall be held and considered to be the natural-born alien child of Leonardo Di Turi, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LUIGI LINO TUREL

The Clerk called the bill (S. 485) for the relief of Luigi Lino Turel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Luigi Lino Turel shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DANIELA RENATA PATRICIA ZEI

The Clerk called the bill (S. 499) for the relief of Daniela Renata Patricia Zei.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Daniela Renata Patricia Zei, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Patrick N. Dinon, citizens of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HIDEKO TAKIGUCHI PULASKI

The Clerk called the bill (S. 562) for the relief of Hideko Takiguchi Pulaski.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child Hideko Takiguchi Pulaski, shall be held and considered to be the natural-born alien child of Sfc. John Pulaski, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VIDA DJENICH

The Clerk called the bill (S. 567) for the relief of Vida Djenich.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Vida Djenich shall be held and considered to be the minor alien child of Cvetko Djenich, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

URSULA ROSA PAZDRO

The Clerk called the bill (S. 660) for the relief of Ursula Rosa Pazdro.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act, Ursula Rosa Pazdro may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOWARD I. BUCHBINDER

The Clerk called the bill (S. 662) for the relief of Howard I. Buchbinder.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Howard I. Buchbinder shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ZACHAROULA PAPOULIA MATSA

The Clerk called the bill (S. 796) for the relief of Zacharoula Papoulia Matsa.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purposes of the Immigration and Nationality Act, Zacharoula Papoulia Matsa shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES A. SIDAWI

The Clerk called the bill (S. 976) for the relief of Charles A. Sidawi.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Charles A. Sidawi shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALICE EIRL SCHAER (MI ON LEE)

The Clerk called the bill (S. 1035) for the relief of Alice Eirl Schaer (Mi On Lee).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Alice Eirl Schaer (Mi On Lee), shall be held and considered to be the natural-born alien child of Mr. and Mrs. Walter Paul Schaer, citizens of the United States, and notwithstanding the provisions of section 212 (a) (6) of the said act, the said Alice Eirl Schaer (Mi On Lee) may be issued a visa and be admitted to the United States under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare may deem necessary to impose: *Provided*, That if the said Alice Eirl Schaer (Mi On Lee) is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *And provided further*, That the exemption provided herein shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. AHSAPET GAMITYAN

The Clerk called the bill (S. 1049) for the relief of Mrs. Ahsapet Gamityan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Mrs. Ahsapet Gamityan shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, the Attorney General is authorized and directed to cancel any outstanding order and warrant of deportation, warrants of arrest, and bonds, which may have issued in the case of Mrs. Ahsapet Gamityan. From and after the date of the enactment of this act, the said Mrs. Ahsapet Gamityan shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HRYGORY (HARRY) MYDLAK

The Clerk called the bill (S. 1050) for the relief of Hrygory (Harry) Mydlak.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Hrygory (Harry) Mydlak shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ZDENKA SNELER

The Clerk called the bill (S. 1153) for the relief of Zdenka Sneler.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Zdenka Sneler shall be held and considered to be the natural-born minor alien child of Mr. and Mrs. John Grisnik, citizens of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN NICHOLAS CHRISTODOULIAS

The Clerk called the bill (S. 1167) for the relief of John Nicholas Christodoulias.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, John Nicholas Christodoulias shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HELENE CORDERY HALL

The Clerk called the bill (S. 1175) for the relief of Helene Cordery Hall.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purpose of the Immigration and Nationality Act, Helene Cordery Hall shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to this alien as provided for in this act, if such alien was classifiable as a quota immigrant at the time of the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWARD MARTIN HINSBERGER

The Clerk called the bill (S. 1241) for the relief of Edward Martin Hinsberger.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Edward Martin Hinsberger, who lost United States citizenship under the provisions of section 401 (e) of the Nationality Act of 1940, may be naturalized by taking, prior to one year after the date of the enactment of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, an oath as prescribed by section 337 of such act. From and after naturalization under this act, the said Edward Martin Hinsberger shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DANIEL ALCIDE CHARLEBOIS

The Clerk called the bill (S. 1271) for the relief of Daniel Alcide Charlebois.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Daniel Alcide Charlebois shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, the Attorney General is authorized and directed to cancel any outstanding order and warrant of deportation, warrants of arrest, and bonds, which may have issued in the case of Daniel Alcide Charlebois. From and after the date of the enactment of this act, the said Daniel Alcide Charlebois shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEE-ANA ROBERTS

The Clerk called the bill (S. 1290) for the relief of Lee-Ana Roberts.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Lee-Ana Roberts shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EITHANIAHU (ETON) YELLIN

The Clerk called the bill (S. 1293) for the relief of Eithaniahu (Eton) Yellin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Eithaniahu (Eton) Yellin, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAO-WEI YUNG

The Clerk called the bill (S. 1306) for the relief of Pao-Wei Yung.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Pao-Wei Yung shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TORIBIA BASTERRECHEA (ARROLA)

The Clerk called the bill (S. 1307) for the relief of Toribia Basterrechea (Arrola).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Toribia Basterrechea (Arrola) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CARMEN JEANNE LAUNOIS JOHNSON

The Clerk called the bill (S. 1308) for the relief of Carmen Jeanne Launois Johnson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (12) of section 212 (a) of the Immigration and Nationality Act, Carmen Jeanne Launois Johnson may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SANDRA ANN SCOTT

The Clerk called the bill (S. 1335) for the relief of Sandra Ann Scott.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Sandra Ann Scott, shall be held and considered to be the natural-born alien child of David W. Scott, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WANDA WAWRZYCZEK

The Clerk called the bill (S. 1370) for the relief of Wanda Wawrzyczek.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Wanda Wawrzyczek shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REBECCA JEAN LUNDY (HELEN CHOY)

The Clerk called the bill (S. 1387) for the relief of Rebecca Jean Lundy (Helen Choy).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Rebecca Jean Lundy (Helen Choy) may, if she is found to be otherwise admissible under the provisions of such act, be issued a visa and be admitted to the United States for permanent residence, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, deems necessary to impose: *Provided,* That a suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Rebecca Jean Lundy (Helen Choy) in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act: *Provided further,* That this act shall apply only to grounds for exclusions under paragraph (6) of section 212 (a) of such act known to the Secretary of State or to the Attorney General prior to the date of enactment of this act.

SEC. 2. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Rebecca Jean Lundy (Helen Choy), shall be held and considered to be the natural-born alien child of Mr. and Mrs. Eli Lundy, citizens of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WOLFGANG JOCHIM HERMAN SCHMIEDCHEN

The Clerk called the bill (S. 1414) for the relief of Wolfgang Jochim Herman Schmiedchen.

The SPEAKER pro tempore (Mr. COOPER). Is there objection?

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ANSIS LUIZ DARZINS

The Clerk called the bill (S. 1421) for the relief of Ansis Luiz Darzins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Ansis Luiz Darzins shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NICOLETA P. PANTELAKIS

The Clerk called the bill (S. 1496) for the relief of Nicoleta P. Pantelakis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Nicoleta P. Pantelakis, shall be held and considered to be the natural-born alien child of Mr. and Mrs. S. L. Lamprose, citizens of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SIC GUN CHAU (TSE) AND HING MAN CHAU

The Clerk called the bill (S. 1685) for the relief of Sic Gun Chau (Tse) and Hing Man Chau.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Sic Gun Chau (Tse) and Hing Man Chau may, if they are found to be otherwise admissible under the provisions of such act, be issued visas and be admitted to the United States for permanent residence, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, deems necessary to impose. A suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Sic Gun Chau (Tse) and Hing Man Chau in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act. This act shall apply only to grounds for exclusion under paragraph (6) of section 212 (a) of such act known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROSA SIGL

The Clerk called the bill (S. 1736) for the relief of Rosa Sigl.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Rosa Sigl may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act: *And provided further*, That the marriage to her United States citizen fiance, Sgt. Dewey Kocherhans, shall occur not later than six months following the date of the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EILEEN SHEILA DHANDA

The Clerk called the bill (S. 1767) for the relief of Eileen Sheila Dhanda.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Eileen Sheila Dhanda shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee: *Provided*, That, if applicable, the conditions required by section 247 (b) of the Immigration and Nationality Act are complied with. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RANDOLPH STEPHAN WALKER

The Clerk called the bill (S. 1783) for the relief of Randolph Stephan Walker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Randolph Stephan Walker, shall be held and considered to be the natural-born alien child of Robert and Charlotte Ann Walker, citizens of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARJETA WINKLE BROWN

The Clerk called the bill (S. 1804) for the relief of Marjeta Winkle Brown.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Marjeta Winkle Brown, shall be held and considered to be the natural-born alien child of Harold Darrel Brown, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NICHOLAS DILLES

The Clerk called the bill (S. 1815) for the relief of Nicholas Dilles.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Nicholas Dilles shall be held and considered to be the natural-born alien son of Mr. and Mrs. Louis Dilles, citizens of the United States.

The bill was ordered read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN PANAGIOTOU

The Clerk called the bill (S. 1817) for the relief of John Panagiotou.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Alexander John Panagiotou shall be held and considered to be the natural-born alien child of Nick J. Dennery, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES DOUGLAS

The Clerk called the bill (S. 1833) for the relief of Charles Douglas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Charles Douglas, shall be held and considered to be the natural-born alien child of Comdr. Lloyd Benson, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MICHELLE PATRICIA HILL (PATRICIA ADACHI)

The Clerk called the bill (S. 1848) for the relief of Michelle Patricia Hill (Patricia Adachi).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Michelle Patricia Hill (Patricia Adachi), shall be held and considered to be the natural-born alien child of Sergeant Carl Leroy Hill and Loretta Hill, citizens of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a moton to reconsider was laid on the table.

MARIA WEST

The Clerk called the bill (S. 1896) for the relief of Maria West.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Maria West, shall be held and considered to be the natural-born alien child of Victor L. West, Jr., and Callie S. West, citizens of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BELIA RODRIGUEZ TERNOIR

The Clerk called the bill (S. 1902) for the relief of Belia Rodriguez Ternoir.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (12) of the Immigration and Nationality Act, Belia Rodriguez Ternoir, wife of an American citizen, may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided,* That the exemption provided for in this act shall apply only to the grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALVATORE SALERNO

The Clerk called the bill (S. 1910) for the relief of Salvatore Salerno.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of section 212 (a) (4) of the Immigration and Nationality Act, Salvatore Salerno may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *And provided further,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LETIZIA MARIA ARINI

The Clerk called the bill (S. 1972) for the relief of Letizia Maria Arini.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (12) of section 212 (a) of the Immigration and Nationality Act, Letizia Maria Arini may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

With the following committee amendments:

One page 1, line 3, strike out the word "paragraph" and substitute in lieu thereof "paragraphs (9) and."

On page 1, line 9, strike out the word "paragraph" and substitute in lieu thereof "paragraphs."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOZICE MATANA KOULIS AND DAVORKO MATANA KOULIS

The Clerk called the bill (S. 2003) for the relief of Jozice Matana Koulis and Davorko Matana Koulis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Jozice Matana Koulis and Davorko Matana Koulis, shall be held and considered to be the natural-born alien children of Pauline Roduj Koulis, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VACLAV UHLIK ET AL.

The Clerk called the bill (S. 2095) for the relief of Vaclav Uhlik, Marta Uhlik, Vaclav Uhlik, Jr., and Eva Uhlik.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Vaclav Uhlik, Marta Uhlik, Vaclav Uhlik, Jr., and Eva Uhlik shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GERTRUD MEZGER

The Clerk called the bill (S. 2165) for the relief of Gertrud Mezger.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Gertrud Mezger, the fiancée of Albert Lee Klingelhofer, a citizen of the United States and an honorably discharged veteran of the Armed Forces, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided,* That the administrative authorities find that the said Gertrud Mezger is coming to the United States with a bona fide intention of being married to the said Albert Lee Klingelhofer and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Gertrud Mezger, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Gertrud Mezger, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Gertrud Mezger as of the date of the payment by her of the required visa fee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN CASES IN WHICH THE ATTORNEY GENERAL HAS SUSPENDED DEPORTATION

The Clerk called Senate Concurrent Resolution 40.

There being no objection, the Senate concurrent resolution was read as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months:

A-1750750, Ali, Mohamid.
A-6678456, Alvear, Leonica Garcia De.
A-9764546, Baizer, Herbert Paul.
A-5554927, Bliznakoff, Vasil.
A-3124105, Cassimis, John.
A-5886946, Cho, Tse.
A-8057140, Chu, Lek.
A-10255258, Chu, Li Yih Ai.
A-5993801, Li, Sue Ling.
A-10255250, Li, Sue Loo.
A-10255047, Li, Ruth Wu.
A-5531810, Dartmanin, John.
A-6921218, Epstein, Zofia.
A-6958010, Escobar-Gonzales, Victor Manuel.
A-9527785, Fong, Wong.
A-3049549, Gama-Reyes, Manuel.
A-4590908, Glick, Adolf.
A-1432407, Hahn, Soon Kyo.
0900-57150, Hahn, Tai Chin.
A-4359142, Herrara-Jiminez, Samuel.
A-9726671, Hidick, Massoad Abdul.
A-7356652, Hroncich, Leonardo.
A-2678095, Hsu, Rose Fung.
A-3667758, Kepraios, Stavros Stelianos.
A-1551550, Khan, Ali.
A-10255537, Kwan, Kwang Pei.
A-3209149, Lee, Poo.
A-8259493, Liadis, Panagiotis Dimitriou.
A-8189299, Liu, Tsong Won.
A-5449221, Lottrup, Jorgen S.
A-9770877, Mahmoud, Mohamed.
A-4043565, Maillet, Andre Pierre.
A-5148487, Mann, Mina.
A-1121179, Messina, Stellario G.
A-9709248, Nam, Tsu Hau.
A-4421186, Napoli, Michael.
A-9511407, On, Lee.
A-6242520, Ortiz-Zamorano, Rosendo.
A-4067578, Papagiarnis, John.
A-10139255, Rodriguez, Camelia Dreyfous.
A-10255544, Rodriguez, Manuel Joaquim.
A-4543718, Aurin, Dietrich.
A-7544210, Chu, Chen-Fu.
A-5970130, Contreras, Pablo.
A-7301220, Epstein, Zalman.
A-7866953, Herrera-Melquiades, Adalberto.

A-4962216, Gonzales, Eluteria.
A-9647371, Jung, Kai.
A-9654171, Lefas, Zacharias.
A-1961443, Roknich, Daniel.
A-9777001, Ryan, Michael.
A-6062026, Salazar-Gallegos, Roberto.
A-3429897, Sanchez-Poveda, Candido.
A-1177218, Secondo, Michele.
A-5877615, Sztulman, Berek.
A-9777191, Trillo, Manuel.
A-6033837, Tsai, Juin-Ping.
A-10139010, Tsai, Shuenn, Jeou.
A-8890267, Vasquez, Carlos.
A-10060080, Way, Tow.
A-10236971, Wing, Chin.
A-6708345, Wood, Jim Varley.
A-7388556, Yong, Sun Chin.
A-6817533, Greenhalgh, Richard James.
A-1239918, Kouyios Nikitas.
A-6733979, Gerber, Golda.

With the following committee amendment:

On page 4, strike out all of line 8.

The Senate concurrent resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JANE FROMAN AND GYPSY MARKOFF

The Clerk called the bill (H. R. 1633) for the relief of Jane Froman and Gypsy Markoff.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jane Froman the sum of $398,000 and to Gypsy Markoff the sum of $118,000.

The payment of such sums shall be in full satisfaction of all claims of the said Jane Froman and the said Gypsy Markoff against the United States for compensation for injuries incurred by them on or about the 22d day of February 1943 in the performance of a military assignment for the United States while said persons were passengers in the Pan American Airways seaplane *Yankee Clipper* which crashed in the Tagus River in the Port of Lisbon, Portugal: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to, or received by, any agent or attorney on account of services rendered in connection with the claims referred to herein, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out "$398,000" and insert "$138,205."

Page 1, line 6, strike out "$118,000" and insert "$33,236."

Page 1, line 11, strike out "in the performance of a military assignment for the United States" and insert "while en route to entertain members of the United States Armed Forces."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

The Clerk called House Joint Resolution 435 for the relief of certain aliens.

There being no objection, the Clerk read the House joint resolution, as follows:

Resolved, etc., That, for the purposes of the Immigration and Nationality Act, Lisa El Aneed, Alfred El Aneed, and Maria Gounaris Stephenson shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General be deposited as prescribed by section 213 of the said act in the case of Alfred El Aneed.

SEC. 2. The Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bonds, which may have issued in the cases of Joseph (Josip) Torbar, Ludmilla Jungbauer, and Albert Charles Jolly. From and after the date of the enactment of this act, the said persons shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

SEC. 3. For the purposes of the Immigration and Nationality Act, Eugenia Dlugopolska and May Ping Lee shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to each alien as provided for in this section of this act, if such alien was classifiable as a quota immigrant at the time of the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

With the following committee amendments:

On page 1, line 4, after the name "Alfred El Aneed," strike out the word "and", as it appears before the words "and Maria."

On page 2, line 9, after the word "issued", change the period to a colon and add the following: "*Provided*, That, unless Ludmilla Jungbauer is entitled to care under the Dependents' Medical Care Act, a suitable and proper bond or undertaking, approved by the Attorney General, to be deposited as prescribed by section 213 of the Immigration and Nationality Act, and the provisions of this section of this act shall be applicable in her case upon compliance with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose."

On page 2, line 11, after the word "act," insert the following name: "Nicola Parente."

The committee amendments were agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SGT. AND MRS. DONALD D. COLEMAN

The Clerk called the bill (S. 1007) for the relief of Sgt. Donald D. Coleman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sgt. Donald D. Coleman (SN-NG 25259543) and Martha S. Coleman, his wife, the sum of $15,000, in full satisfaction of their claim against the United States for compensation for the loss of their 6-month-old daughter, DeLayne Duke Coleman, who died in Munich, Germany, on March 31, 1955, after failure by military medical personnel, because of inadequate medical treatment facilities and/or error in judgment, to admit the said child to a hospital, to provide her with ambulance service, or to otherwise provide her with proper medical services or attention, although the said child's mother made every effort to secure medical attention for her, the father of the said child, the said Sgt. Donald D. Coleman, being away on field maneuvers at the time of the said child's death: *Provided*, That no part of the amount appropriated in this act in excess of $500 shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, strike out "$15,000" and insert "$8,000."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACME BAG & BURLAP CO. AND OTHERS

The Clerk called the bill (S. 1805) for the relief of persons and firms for the direct expenses incurred by them for fumigation of premises in the control and eradication of the khapra beetle.

Mr. VAN PELT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

GUY H. DAVANT

The Clerk called the bill (S. 2063) for the relief of Guy H. Davant.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $156.55, to Guy H. Davant, of 1014 East Fortification Street, Jackson, Miss., in full settlement of all claims of said Guy H. Davant against the United States, such sum being the amount of his return transportation ticket from the Panama Canal Zone for which he paid prior to the cancellation of his employment there by the Bureau of Public Roads: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HAROLD WILLIAM ABBOTT AND OTHERS

The Clerk called House Resolution 323.

There being no objection, the Clerk read the House resolution, as follows:

Resolved, That the bill, H. R. 8758, entitled "A bill for the relief of Harold William Abbott and others," together with all accompanying papers, is hereby referred to the United States Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and said court shall proceed expeditiously with the same in accordance with the provisions of said sections, and report to the House of Representatives at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand, as a claim legal or equitable, against the United States, and the amount, if any, legally or equitably owing by the United States to the claimants, the statute of limitations to the contrary notwithstanding.

The House resolution was agreed to.

A motion to reconsider was laid on the table.

FAWICK CORP.

The Clerk called House Resolution 385.

There being no objection, the Clerk read the House resolution, as follows:

Resolved, That the bill (H. R. 8500) entitled, "A bill for the relief of the Fawick Corp.," together with all accompanying papers, is hereby referred to United States Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and said court shall proceed expeditiously with the same in accordance with the provisions of said sections, and report to the House of Representatives at the earliest practicable date, giving findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand, as a claim legal or equitable against the United States, and the amount, if any, legally or equitably owing by the United States to the claimant.

The House resolution was agreed to.

A motion to reconsider was laid on the table.

MRS. BOYD DINEHART AND RICHARD REAMS

The Clerk called the bill (H. R. 1803) for the relief of Mrs. Boyd Dinehart and Richard Reams.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the Northern District of California to hear, determine, and render judgment upon the claims of Mrs. Boyd Dinehart for the death of her minor son, James Reams, and of Richard Reams for injuries sustained by him, on April 1, 1943, when the said James Reams was killed and Richard Reams injured by the explosion of a shell at Fort Ord, Calif.

SEC. 2. Suit upon such claims may be instituted at any time within 1 year after the date of enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, appeals therefrom, and payment of any judgments thereon, shall be in the same manner as in cases over which such court has jurisdiction under section 1346 (b) of title 28 of the United States Code. Nothing in this act shall be construed as an implication of liability on the part of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN C. MATLON

The Clerk called the bill (H. R. 1857) for the relief of John C. Matlon.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John C. Matlon, of Forest Lake, Minn., the sum of $731.99. The payment of such sum shall be in full settlement of all claims of the said John C. Matlon against the United States for reimbursement of expenses incurred in the travel of his wife and two sons and the transportation of his household and personal effects from Augusta, Ga., to St. Paul, Minn., in September 1955. Payment of this claim has been denied by the Department of the Army on the ground that such expenses were incurred for personal reasons although the said John C. Matlon would have been entitled to such travel and transportation allowances at the time of his separation from active duty on January 31, 1956: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 7, strike the words "in excess of 10 percent thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWARD J. BOLGER

The Clerk called the bill (H. R. 7177) for the relief of Edward J. Bolger.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward J. Bolger, Neptune, N. J., the sum of $250. Such sum represents the amount of the judgment for which the said Edward J. Bolger was held liable in the courts of the State of New Jersey, as the result of an accident which occurred on July 26, 1954, and which involved a Government vehicle being driven by the said Edward J. Bolger in the course of his duties as an employee of the United States Post Office Department, Asbury Park, N. J. Such sum shall be paid only on condition that the said Edward J. Bolger shall use such sum to pay such judgment and costs in full: *Provided*, That no part of the amount appropriated in this act shall be delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM F. KEMPE

The Clerk called the bill (H. R. 2705) for the relief of William F. Kempe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 15 to 20, inclusive, of the Federal Employees' Compensation Act are hereby waived in favor of William F. Kempe, La Porte, Ind., and his claim for compensation for disability sustained by him as a result of disease alleged to have been contracted prior to May 14, 1951, while he was employed at the Kingsbury Ordnance Plant, La Porte, Ind., shall be acted upon under the remaining provisions of such act if he files such claim with the Bureau of Employees' Compensation, Department of Labor, within 60 days after the date of the enactment of this act: *Provided*, That no benefits shall accrue by reason of the enactment of this act for any period prior to its enactment, except in the case of medical or hospitalization expenditures which may be deemed reimbursable.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RALPH H. WEEKS

The Clerk called the bill (H. R. 2901) for the relief of Ralph H. Weeks.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ralph H. Weeks, the sum of $1,998.70. The payment of such sum shall be in full settlement of all claims of such person against the United States for payment for damages to his personal effects, alleged to have been sustained while being shipped on the steamship *Alaska* at Government expense, as an employee of the Department of the Interior, on February 2, 1947, on which date said ship was wrecked: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

CONTINENTAL HOSIERY MILLS, INC.

The Clerk called the bill (H. R. 4229) for the relief of Continental Hosiery Mills, Inc., of Henderson, N. C., successor to Continental Hosiery Co., of Henderson, N. C.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $18,319.20 with interest thereon from the 19th day of April 1947 to Continental Hosiery Mills, Inc., of Henderson, N. C., successor to Continental Hosiery Co., of Henderson, N. C., in full settlement of all claims against the United States, representing a refund of income tax erroneously collected from said corporation on April 19, 1947, by the Bureau of Internal Revenue: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A. W. YOUNG

The Clerk called the bill (H. R. 4469) for the relief of A. W. Young.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $541.92 to A. W. Young, of Butler, Ohio, in full settlement of all claims against the United States. Such sum represents the amount paid by the said A. W. Young to the Post Office Department for registered jacket No. 137, March 7, 1919, as the result of losses from a railroad accident of certain money orders, bonds, and cash, for which he was held accountable: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 2, strike out "in excess of 10 percent thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ABRAHAM A. RUBIN

The Clerk called the bill (H. R. 4866) for the relief of Abraham A. Rubin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Abraham A. Rubin of Forest Hills, N. Y., the sum of $500. The payment of such sum shall be in full settlement of all claims of said Abraham A. Rubin against the United States for refund of the amount which he posted as a student bond in the case of Israel Rubin, an alien admitted to the United States on November 6, 1957, as a student under section 4 (e) of the Immigration Act of 1924: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any amount not exceeding $1,000.

With the following committee amendments:

Page 1, line 11: Strike "1957" and insert "1947" in lieu thereof.

Page 2, line 2: Strike the words "in excess of 10 percent thereof."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MATTIE JANE LAWSON

The Clerk called the bill (H. R. 5851) for the relief of Mrs. Mattie Jane Lawson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $15,000, to Mrs. Mattie Jane Lawson, of Jasper, Ala., in full settlement of all claims against the United States for personal injuries sustained as a result of an accident involving a United States post-office vehicle on March 20, 1943, at the intersection of Fourth Avenue and Third Street, Jasper, Ala.

With the following committee amendment:

Page 1, line 11, strike the period and insert "*Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

Mr. LANE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

On page 1, line 6, after the word "to" insert "the legal guardian of."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read: "A bill for the relief of the legal guardian of Mrs. Mattie Jane Lawson."

A motion to reconsider was laid on the table.

HARRY J. MADENBERG

The Clerk called the bill (H. R. 7508) for the relief of Harry J. Madenberg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Harry J. Madenberg of Chicago, Ill., a city letter carrier, is relieved of all liability to pay to the United States any unpaid portion of the $666.91, for which he has been held liable on account of the theft from his custody on December 22, 1955, of nine registered letters.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry J. Madenberg an amount equal to all amounts which he has paid to the United States on account of the theft of registered letters referred to in the first section of this act.

With the following committee amendment:

Page 1, line 13, strike the period and insert "*Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARGIE C. STEWART

The Clerk called the bill (H. R. 8038), for the relief of Margie C. Stewart.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Margie C. Stewart, of Cedarville, Ohio, the sum of $5,616, in full satisfaction of her claim against the United States for salary for the period of May 4, 1955, to May 28, 1957, during which time she was erroneously separated from her position with the General Services Administration in the Knott Building at Dayton, Ohio.

With the following committee amendments:

Page 1, line 6, strike out the figures and insert in lieu thereof "$3,417."

Page 1, line 7, strike the remainder of the bill and insert in lieu thereof "for payment of compensation during the period of erroneous removal from General Services Administration dating from June 8, 1955, to April 15, 1957, such compensation to be paid at the rate received on the date of removal less any amounts earned by her through other employment during such period or paid to her as unemployment compensation: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

WILLIAM V. DOBBINS

The Clerk called the bill (H. R. 9015) for the relief of William V. Dobbins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William V. Dobbins, Jersey City, N. J., the sum of $217.30. Such sum represents the amount of the judgment and costs for which the said William V. Dobbins was held liable on September 30, 1953, in a civil action in the Hudson County District Court, part V, of Kearney, N. J., as the result of an accident which occurred on December 18, 1951, and which involved a United States mail truck being driven by the said William V. Dobbins, a letter carrier in the United States Post Office, Jersey City, N. J. Such sum shall be paid only on condition that the said William V. Dobbins shall use such sum, or so much thereof as may be necessary, to pay such judgment and costs in full: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 7, strike out "in excess of 10 percent thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FACILITATING THE ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 436) to facilitate the admission into the United States of certain aliens.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Florentina Laurente shall be held and considered to be the minor alien child of Anselmo Laurente, a citizen of the United States.

Sec. 2. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Joon Wong Choi, shall be held and considered to be the natural-born alien child of Chaplain (Captain) Albert L. Gamble, a citizen of the United States.

Sec. 3. Notwithstanding the provision of section 202 (c) of the Immigration and Nationality Act, Carolyn Foster shall be held to be chargeable to the quota of Great Britain.

Sec. 4. For the purposes of sections 203 (a) (3) and 205 of the Immigration and Nationality Act, Elio Rotondo shall be held and considered to be the natural-born minor alien child of Giovanni and Elisa Rotondo, lawfully resident aliens in the United States.

Sec. 5. For the purposes of the Immigration and Nationality Act, Mrs. Toy Shee Moy (Choy Sen Yuet) shall be deemed to be a nonquota immigrant.

Sec. 6. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Lee Tai Chon, shall be held and considered to be the natural-born alien child of Donald Nichols, a citizen of the United States.

Sec. 7. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Javier Rojo Barcena, shall be held and considered to be the natural-born alien child of William Bruce Sutherland, a citizen of the United States.

With the following committee amendments:

On page 2, line 4, after the word "Britain", strike out the period and add the following: "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act."

At the end of the joint resolution add new sections 8, 9, and 10 to read as follows:

"Sec. 8. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Rosario Nunez Basante, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Francisco Basante dos Santos, citizens of the United States.

"Sec. 9. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Slobodan Galeb, shall be held and considered to be the natural-born alien child of Mr. and Mrs. B. T. Galeb, citizens of the United States.

"Sec. 10. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Lilian Magdalena Morris, shall be held and considered to be the natural-born alien child of Robert W. Morris, a citizen of the United States."

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

G. H. LITTS

The Clerk called the bill (H. R. 4351) for the relief of G. H. Litts.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $19,000 to G. H. Litts, of East Stroudsburg, Pa., in full settlement of all claims again the United States for losses sustained under contract No. DA-36-109-CIV-ENG-56-100, with the Corps of Engineers, for removal of debris in East Stroudsburg, Pa., following the Eastern States flood of August 18, 19, 1955: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike out "$19,000" and insert "$13,766.21."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REMOVAL OF CLOUD ON TITLE TO PROPERTY IN ILLINOIS

The Clerk called the bill (H. R. 7081) to provide for the removal of a cloud on the title to certain real property located in the State of Illinois.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of General Services shall convey, by quitclaim deed and without consideration, all of the right, title, and interest of the United States in and to the following tracts of real property lying within the east half of section 24, township 1 north, range 3 west of the third principal meridian, Clinton County, Ill., as provided in the following paragraphs:

(1) To Daniel H. Meyer, the west 16½ feet and the south 16½ feet of the southwest quarter southeast quarter of section 24.

(2) To Richard Brinkman and Florence Brinkman, the southwest quarter southeast quarter of section 24, except 16½ feet off of the south side and except 16½ feet off of the west side.

(3) To Lee A. Friend, southeast quarter southeast quarter of section 24.

(4) To William F. Weihe, north half southeast quarter of section 24.

(5) To Lawrence M. Dame and Villa Dame, as joint tenants, beginning at the northwest corner of the northwest quarter northeast quarter of section 24, thence east 59 rods, thence south 44 rods, thence west 59 rods, thence north 44 rods to the place of beginning.

(6) To Gene W. Spears, commencing 59 rods east of the northwest corner of the northeast quarter of section 24, thence east to the northeast corner of the said northeast quarter, thence south 24 rods, thence west 101 rods to a point due south of the point of beginning, thence north 24 rods to the place of beginning.

(7) To William F. Weihe, northeast quarter of section 24, except a tract described as beginning at the northwest corner thereof, thence east 59 rods, thence south 44 rods, thence west 59 rods, thence north 44 rods, to the place of beginning; and also except a tract described as beginning 59 rods east of the northwest corner of said northeast quarter, thence east to the northeast corner thereof, thence south 24 rods, thence west 101 rods, thence north to the place of beginning.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That the United States hereby releases, remises, and quitclaims all right, title, and interest in and to '200 acres, part of east one-half section 24, township 1 north, range 3 north,' Clinton County, Ill., which the United States may have by virtue of a deed made to the United States on August 24, 1868, by the United States marshal for the southern district of Illinois, recorded in book 3 of deeds at page 116, records of Clinton County, Ill., to the person or persons who would, except for any claim of right, title, and interest in and to such land on the part of the United States by virtue of said deed, be entitled to said land under the laws of the State of Illinois."

Mr. BROOKS of Texas. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. BROOKS of Texas: Page 3, line 8, strike the last word and insert in lieu thereof "west."

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAND CONVEYANCE AT BOWIE, MD.

The Clerk called the bill (S. 1962) to authorize the Secretary of Agriculture to convey a certain tract of land owned by the United States to the Perkins Chapel Methodist Church, Bowie, Md.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is authorized and directed to convey by quitclaim deed to the Perkins Chapel Methodist Church, Bowie, Md., any right, title, and interest of the United States in and to a certain tract of land situated in Bowie, Md., Prince Georges County, described as follows:

Beginning at an iron pipe set on the south side of Fairland-Springfield Road, formerly known as the Springfield Hill Road, being at the northeast corner of the land now owned by the Perkins Chapel Methodist Church, running south 36 degrees 30 minutes west 328.75 feet; thence south 53 degrees 30 minutes east to the north boundary of Telegraph Road; thence northeasterly to the intersection of the north side of Telegraph Road and the south side of Fairland-Springfield Road; thence continuing in a northwesterly direction following the south side of Fairland-Springfield Road to the point of beginning, containing 5.5 acres more or less.

SEC. 2. The conveyance authorized by this act shall be subject to the condition that the Perkins Chapel Methodist Church pay to the Secretary of Agriculture as consideration for the land conveyed the fair market value of such land as determined by the Secretary after appraisal of such land.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FAVORING THE SUSPENSION OF DEPORTATION IN THE CASE OF CERTAIN ALIENS

The Clerk called the concurrent resolution (S. Con. Res. 41) favoring the suspension of deportation in the case of certain aliens.

There being no objection, the Clerk read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation pursuant to the provisions of section 244 (a) (5) of the Immigration and Nationality Act (66 Stat. 214; 8 U. S. C. 1254 (c)):

A-4158392, Adelkis, Stanley Michael.
A-2385127, Aksomaitis, Vincas.
A-5396880, Asano, Katsu.
A-5026507, Beltran, Adolfo.
A-2830514, Beltran, David.
A-5342432, Berezovsky, Philip.
A-10249801, Berger, Hyman.
A-3996193, Cardozo, Manuel Soares.
A-5126546, Castaneda-Cardozo, Alfonso.
A-5453601, Collazos-Gomez, Ernesto.
A-4322851, Cuilla, Serafano.
A-2375195, Ding-Gomez, Loreto.
A-2368529, Fiori, Francesco.
A-3279005, Freiman, John.
A-4621249, Genco, Salvatore.
A-5740870, Gergieff, Mogomet.
A-3607034, Giardina, John.
A-10519582, Gonzalez-Rodriguez, Jose Guadalupe.
A-3234931, Hagig, Jurius Bahounes.
A-3092077, Hanna, Asef.
A-2753717, Hernandez, Raymond.
A-5457310, Holm, Henning.
A-5817785, Imbelli, Joseph.
A-8890652, Johnson, John Christian.
A-2369307, Kaplan, Anna.
A-4493473, Kessler, Max.
A-501438, Kymczak, Wojciech.
A-5405700, Kotchkowsky, Anthony.
A-3569890, Kozlowski, Edward.
A-2836648, Kubiejewski, John.
A-5974494, Mannert, Anna.
A-8979815, Martinez-Torres, Juan.
A-3299593, Mellin, Otto Hammes.
A-10116646, Milwood, Orville.
A-5140141, Mirarchi, Rosario Joseph.
A-3245080, Nevarrez-Garcia, Manuel Angelo.
A-8938342, Palacio, Manuel.
A-3584143, Aldana, Sara Barbosa De.
A-4195208, Carlozzi, James.
A-3692261, D'Elena, Celeste.
A-5156681, Dicroff, Robert Ernst.
A-1899752, Elashik, Sava.
A-5622659, Favorito, Thomas Vincent.
A-4619627, Kagan, Irving.
A-5949135, Kaminski, Leon.
A-5547409, Kognoski, Peter.
A-5158358, Latina, Salvatore.
A-3166512, Lewandowski, Felix.
A-3331252, Parillo, Pasquale.
A-10421865, Pawlak, Stanley.
A-5231537, Pecoraro, Girolamo.
A-5768942, Peltz, Max.
A-4893229, Perez, Regina Escobar.
A-8862238, Pidalo, Barbara.
A-2772408, Pilaia, Sam.
A-8582019, Radke, Victor John.
A-3810815, Romanovich, John.
A-2397876, Sabolovich, Mike.
A-3524451, Salazar-Ruiz, Andres.
A-5643343, Saledonis, Joseph John.
A-4146663, Schwartz, Isadore.
A-4571662, Siuba, Antonette.
A-3212351, Spear, Max.
A-5655850, Storz, Siegfried Herman.
A-4492568, Takeda, Shiro.
A-3490481, Tepper, Joseph Bernard.
A-2777783, Vallone, Felice.
A-2231701, Varela, Guadalupe Alvarez De.
A-5733817, Vargo, John.
A-3838689, Vega, Ramon.
A-5437973, Videll, Carl Ragnar Frederick.
A-2582384, Villagomez-Anguiano, Jose.
A-2675965, Woo, Nye Yen.
A-4566433, Zalaski, Myron Stanley.
A-2720389, Bielick, Lukian.
A-3290571, Do Souto, Jose.
A-7089013, Limon Acosta, Felix.
A-1582711, Lutsky, Isadore.
A-4446802, Ptasienski, Joseph.
A-2705430, De Hernandez, Manuela Triana.

With the following committee amendments:

On page 3, strike out all of line 4.

On page 4, strike out all of lines 5, 12, 15, and 22.

The committee amendments were agreed to.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

PAUL BERNSTEIN

Mr. KEOGH. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 1488) for the relief of Paul Bernstein.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Paul Bernstein, of Brooklyn, N. Y., the sum of $797.78. The payment of such sum shall be in full settlement of all claims of the said Paul Bernstein against the United States arising out of services rendered by him to the United States between June 30, 1936, and November 1, 1939, as an employee of the Federal Works Agency, Works Projects Administration, New York City. Such sum is the amount due the said Paul Bernstein for sick leave and annual leave, earned but not taken by him before a retroactive transfer to an agency under a different leave system. Similar payments may now be made under the subsequently enacted provisions of the Act approved December 21, 1944 (U. S. C., 1946 edition, supp. V, title 5, sec. 61d): *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUPPLEMENTAL APPROPRIATIONS FOR 1958

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report on the bill (H. R. 9131) making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

STADIUM IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN submitted a conference report and statement on the bill (H. R. 1937) to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes.

DECEDENT ESTATES LAW

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6508) to modify the Code of Law for the District of Columbia to provide for a uniform succession of real and personal property in case of intestacy, to abolish dower and curtesy, and to grant unto a surviving spouse a statutory share in the other's real estate owned at time of death, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 17, after "Sec. 3." insert (a).

Page 3, after line 6, insert:

"(b) The intestate share as provided by section 940 of the act entitled 'An act to establish a Code of Law for the District of Columbia,' approved March 3, 1901, shall attach to all real property owned by husband or wife during coverture: *Provided,* That neither husband nor wife hereafter shall have the right to convey, transfer, or encumber his or her real property free of the surviving spouse's interest in case of intestacy, as provided in this act, without joinder of the other spouse."

Page 6, line 17, strike out "Married" and insert "Subject to the provisions of subsection (b) of section 3 of this act, married."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ST. THOMAS' LITERARY SOCIETY

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9285) to amend the charter of St. Thomas' Literary Society and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. KEATING. Mr. Speaker, reserving the right to object, has the gentleman from South Carolina cleared this bill with the ranking Member on this side?

Mr. McMILLAN. Yes, it has been cleared.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the first section of the act entitled "An act to incorporate St. Thomas' Literary Society in the District of Columbia," approved June 2, 1856 (11 Stat. 448), is amended by striking out "purposes of charity and education" and inserting in lieu thereof "purposes of religion, charity, and education"; and by striking out "not exceeding in value the sum of $500,000 at any one time,".

Sec. 2. Such act is further amended by striking out section 4 thereof, and redesignating section 5 as section 4.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RESERVISTS' PENSIONS

Mr. HARDY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 1140) to amend Public Law 314, 78th Congress, to provide that retired reservists may waive receipt of a portion of their retired pay.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. KEATING. Mr. Speaker, reserving the right to object, I assume the gentleman from Virginia has cleared this matter with the ranking Member on this side?

Mr. HARDY. That is correct. It has been cleared with the gentleman from Illinois [Mr. ARENDS], the ranking member on the committee, and also the gentleman from Massachusetts [Mr. MARTIN].

Mr. GROSS. Mr. Speaker, further reserving the right to object, will the gentleman give us a brief explanation of this bill?

Mr. HARDY. Mr. Speaker, this bill was on the Consent Calendar and it was requested to be passed over by the gentleman from Michigan [Mr. FORD] who has withdrawn his objection. The bill simply permits the reservists to waive a portion of their retirement in order to receive the equivalent in compensation when they have been retired for disability. That provision now is available to the regulars in the military, but not to the reservists and equalizes the conditions between the regulars and the reservists.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to provide for payment of pensions and compensation to certain persons who are receiving retired pay," approved May 27, 1944 (38 U. S. C. 26c), is amended to read as follows: "That any person who is receiving retired or retirement pay pursuant to any provision of law relating to the granting of retired or retirement pay to persons in the Army, Navy, Marine Corps, Air Force, Coast Guard, Coast and Geodetic Survey, and Public Health Service (including the Reserve components thereof), and who would be eligible to receive pension or compensation under the laws administered by the Veterans' Administration if he were not receiving such retired or retirement pay, shall be entitled to receive such pension or compensation upon the filing by such person with the department by which such retired or retirement pay is paid of a waiver of so much of his retired or retirement pay as is equal in amount to such pension or compensation. To prevent duplication of payments, the department with which any such waiver is filed shall notify the Veterans' Administration of the receipt of such waiver, the amount waived, and the effective date of the reduction in retired or retirement pay."

Sec. 2. Section 4 of the act entitled "An act to provide for the discharge of retirement of enlisted men of the Regular Army and the Philippine Scouts in certain cases," approved June 30, 1941 (38 U. S. C. 26b), is repealed.

Sec. 3. This act shall become effective upon the date of its enactment.

With the following committee amendment:

Strike out all after the enacting clause and insert "That section 1005 of Public Law 85–56, approved June 17, 1957 (71 Stat. 123), is amended to read as follows:

"'Sec. 1005. Any person who is receiving retired or retirement pay under any provision of law providing retired or retirement pay to persons in any of the components of the Army, Navy, Marine Corps, Air Force, Coast Guard, Coast and Geodetic Survey, or Public Health Service, and who would be eligible to receive pension or compensation under the laws administered by the Veterans' Administration if he were not receiving such retired or retirement pay, shall be entitled to receive such pension or compensation upon the filing by such person with the department by which such retired or retirement pay is paid of a waiver of so much of this retired or retirement pay as is equal in amount to such pension or compensation. To prevent duplication of payments, the department with which any such waiver is filed shall notify the Veterans' Administration of the receipt of such waiver, the amount waived, and the effective date of the reduction in retired or retirement pay.'

"Sec. 2. This act shall take effect on January 1, 1958, or the first day of the month following enactment, whichever is later."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend Public Law 85-56 to permit persons receiving retired pay for nonregular service to waive receipt of a portion of that pay to receive pensions or compensation under laws administered by the Veterans' Administration."

A motion to reconsider was laid on the table.

POSTAL ALLOWANCES FOR MEMBERS OF CONGRESS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up a privileged resolution (H. Res. 399) to increase the postage allowances of Members of the House of Representatives, and for other purposes, and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That (a), in addition to amounts otherwise authorized by law, the Clerk of the House of Representatives is authorized and directed to procure and furnish—

(1) to each Representative and Delegate and the Resident Commissioner of Puerto Rico, upon request by such person, United States airmail and special delivery postage stamps in an amount not exceeding $100, for the fiscal year beginning July 1, 1957, and each succeeding fiscal year, for the mailing of postal matters arising in connection with his official business; and

(2) to each standing committee of the House of Representatives, upon request of the chairman thereof United States airmail and special delivery postage stamps in an amount not exceeding $100, for the fiscal year beginning July 1, 1957, and each succeeding fiscal year, for official business of each such committee.

(b) The Clerk of the House of Representatives is authorized and directed to pay, out of the contingent fund of the House of Representatives, until otherwise provided by law, such sums as may be necessary to carry out this resolution.

Mr. LeCOMPTE. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield.

Mr. LeCOMPTE. Mr. Speaker, will the gentleman explain the resolution.

Mr. FRIEDEL. At the present time the Members of Congress receive an allotment for the purchase of stamps. Special delivery stamps have gone up from 20 cents to 30 cents and this allowance is increased in proportion.

Mr. LeCOMPTE. Does it also provide for an increase in airmail stamps?

Mr. FRIEDEL. This increases your overall stamp allowance from $200 to $300. The subject came up because of the increase in special delivery stamps by the Postmaster General.

Mr. WILSON of Indiana. Mr. Speaker, reserving the right to object, is this an authorizing resolution or is it a resolution which provides that these funds come out of the contingent fund of the House or what is it?

Mr. FRIEDEL. It provides that the money comes out of the contingent fund of the House.

Mr. WILSON of Indiana. What is the necessity or need for this at this time, other than the fact that it has been increased? We are in the process of adjourning almost. In my opinion, most Members will be returning to their districts, so what necessitates that increase in postage at this time?

Mr. FRIEDEL. Well, there have been quite a few requests from Members. This is in line with the increase in the cost of special delivery stamps.

Mr. WILSON of Indiana. Does the gentleman think at all in terms of bringing in a resolution increasing the secretarial allowance?

Mr. FRIEDEL. No, I have not.

Mr. WILSON of Indiana. Why have you not brought in such a bill?

Mr. FRIEDEL. Because we do not have many requests from Members for such an increase.

Mr. WILSON of Indiana. How do you get a bill for this?

Mr. FRIEDEL. Because of requests from many Members.

Mr. WILSON of Indiana. But you have not had a request from Members for an increase in secretarial allowance?

Mr. FRIEDEL. Only a few. I have a list of Members who have paid out of their own pockets for telephone and telegraph and stationery allowances every month. Many Members have to pay these expenses out of their own pockets in order to answer their constituents' mail. The resolution was passed by our committee by unanimous vote.

Mr. WILSON of Indiana. I understand that. But further reserving the right to object, it has been customary in the past when we have an extended session which necessitates additional office work and office equipment and materials to keep the office going, to have an additional fund allocated for stationery and also for secretarial allowance. We have gone beyond the normal adjournment date by about 2 months. Many of us have used up our allowance, and some of us have to go on our own. I just wondered why that has not been given some consideration by the committee.

Mr. FRIEDEL. I agree with the gentleman. That will be one of the bills considered the first of January next year.

Mr. WILSON of Indiana. The first of January you will be asking for an appropriation for next year, but that will not answer the purpose now.

Mr. FRIEDEL. It is too late to have another committee meeting on that now before adjournment.

Mr. BURLESON. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield.

Mr. BURLESON. If I may say to the gentleman from Indiana, who is a member of the Appropriations Committee, that committee in the past, when they thought the circumstances justified it, did appropriate to Members of the House additional stationery allowances. If the Appropriations Committee, of which the gentleman is a member, should see fit to do that in these closing days, there will be many of us who would be willing to accept it.

Mr. WILSON of Indiana. There have been appropriations made directly by the Appropriations Committee, and there have been resolutions authorizing transfer from the contingent fund of the House to that fund.

I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore [Mr. Boggs]. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADDITIONAL OFFICE SPACE IN HOME DISTRICTS OF CONGRESSMEN, DELEGATES, AND RESIDENT COMMISSIONERS

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 9282) to provide additional office space in home districts of Congressmen, Delegates, and Resident Commissioners.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland [Mr. Friedel]?

Mr. GROSS. Reserving the right to object, Mr. Speaker, I think we ought to have an explanation of this bill.

Mr. LeCOMPTE. The gentleman will explain the bill?

Mr. FRIEDEL. I will explain it.

Under the law today, Members who do not have office space available in a Federal Building in their home district, and are forced to rent private office space, are allowed $75 a month for this purpose. This bill provides for an increase from $75 a month to $100 a month for private office space. In many areas it is difficult to find office space for $75 a month.

Mr. FRIEDEL. This is in conformity with the Senate practice.

Mr. LeCOMPTE. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield.

Mr. LeCOMPTE. Does not the bill also provide that Members may have an office in two different cities, the total rent not to exceed $100 a month?

Mr. FRIEDEL. Yes. It provides that they may have two offices in their district, but they cannot spend more than $100 a month rent overall for both offices.

Mr. LeCOMPTE. This, of course, is on a year-round basis.

Mr. FRIEDEL. This is on a year-round basis. This rent is not paid by the Members. The landlord is paid by the Clerk of the House.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection the Clerk read the bill as follows:

Be it enacted, etc., That the 18th paragraph under the subheading "Contingent Expenses of the House" under the heading "House of Representatives" in the Legislative Appropriation Act, 1955 (2 U. S. C. 122; 68 Stat. 396), is amended to read as follows:

"Each Member shall be entitled to office space suitable for his use in the district he represents, at not more than two places designated by him in such district. The Sergeant at Arms shall secure office space satisfactory to the Member in the post offices or other Federal buildings if such space is available. Office space to which a Member is entitled under this paragraph which is not secured by the Sergeant at Arms, may be secured by the Member, and the Clerk shall approve for payment from the contingent fund of the House of Representatives vouchers covering bona fide statements of amounts due for such office space not exceeding $1,200 per annum. As used in this paragraph the term 'Member' means each Member of the House of Representatives, the Delegate from Alaska, the Delegate from Hawaii, and the Resident Commissioner from Puerto Rico; the term 'district' means each Congressional district, Alaska, Hawaii, Puerto Rico, and, in the case of a Representative at Large, a State; and the term 'Clerk' means the Clerk of the House of Representatives."

Sec. 2. The amendment made by the first section of this act shall take effect as of August 1, 1957.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHANGE OF TITLE OF CERTAIN POSITIONS

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 405, authorizing the titles of the "Chief Janitor" and "Assistant Chief Janitor (Minority)," office of the Doorkeeper, be changed to "Custodian" and "Assistant Custodian (Minority)," respectively.

The Clerk read the resolution as follows:

Resolved, That, effective September 1, 1957, until otherwise provided by law, the title of the positions "Chief Janitor," and "Assistant Chief Janitor (Minority)," office of the Doorkeeper, be changed to "Custodian" and "Assistant Custodian (Minority)," respectively.

Mr. LeCOMPTE. Mr. Speaker, reserving the right to object, will the gentleman explain the resolution?

Mr. FRIEDEL. This is a very simple resolution. There is no money involved. It just changes the title from Chief Janitor to Custodian and from Assistant Chief Janitor to Assistant Custodian.

Mr. MARTIN. Is it recommended by the leadership?

Mr. FRIEDEL. I cleared this with both sides of the aisle.

Mr. MARTIN. Will this change the duties of the individuals at all?

Mr. FRIEDEL. They have a lot of work other than that of being janitor and we thought it fitting that they have more appropriate titles.

Mr. MARTIN. It is probably paving the way for a salary increase, is it not?

Mr. FRIEDEL. No, no salary increase.

Mr. MARTIN. Not this year, but next.

Mr. FRIEDEL. I do not know.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The resolution was agreed to, and a motion to reconsider was laid on the table.

BIENNIAL BASIS FOR COMPUTING CERTAIN ALLOWANCES FOR MEMBERS

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill H. R. 9406 to amend the act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a biennial rather than an annual basis.

Mr. LECOMPTE. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. FRIEDEL. Mr. Speaker, in explaining this bill may I say that it provides that instead of the Member receiving his telephone and telegraph allotment on a yearly basis, he will receive it for the entire term. If the Member overdraws in the first session it will go over to the second; and if there is a surplus in the first sesson it may be used in the second. It does not increase the amount in any way.

Mr. LECOMPTE. There have been a good many requests for this legislation.

Mr. FRIEDEL. Yes; and quite a number of Members have overdrawn already.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, section 2 of the act entited "An act relating to telephone and telegraph service and clerk hire for Members of the House of Representatives," approved June 23, 1949, as amended (2 U. S. C. 46g), is amended to read as follows:

"SEC. 2. In the case of any Member of the House of Representatives other than the Speaker, the majority leader, the minority leader, the majority whip, and the minority whip, there shall be paid under the first section of this act—

"(1) toll charges on strictly official long-distance telephone calls made by or on behalf of the Member, aggregating not more than 6,000 minutes during a term, except that if a Member is elected for a portion of a term, the aggregate number of minutes with respect to which toll charges may be paid under the first section for such portion of a term shall be reduced to a number which is the same percentage of 6,000 as the number of days of his service in such portion of a term is of the total number of days in a term; and

"(2) charges on strictly official telegrams, cablegrams, and radiograms sent by or on behalf of the Member aggregating during a term not more than 40,000 words of which not more than 4,000 may be in telegrams, cablegrams, and radiograms sent to or from a point outside the United States, or its Territories or possessions, except that if a Member is elected for a portion of a term the aggregate number of words with respect to which charges may be paid under the first section for such portion of a term shall be reduced to a number which is the same percentage of 40,000 as the number of days of his service in such portion of a term is of the total number of days in a term.

For the purposes of this section, the word 'term' means the period beginning at noon on January 3 of an odd-numbered calendar year and ending at noon on January 3 of the next succeeding odd-numbered calendar years."

SEC. 2. The amendment made by the first section of this act shall take effect as of noon, January 3, 1957.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INVESTIGATIONS BY COMMITTEE ON VETERANS' AFFAIRS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration I call up the resolution, House Resolution 279, and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the further expenses of the investigation and study authorized by House Resolution 64 of the 85th Congress incurred by the Committee on Veterans' Affairs, acting as a whole or by subcommittee, and the expenses of the investigation and study to be conducted pursuant to House Resolution 65 of the 85th Congress incurred by the Committee on Veterans' Affairs, acting as a whole or by subcommittee, not to exceed $25,000, for the purposes of both investigations, additional to that authorized by House Resolution 143 of the 85th Congress, including expenditures for the employment of experts, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof and approved by the Committee on House Administration.

SEC. 2. The official stenographers to committees may be used at all hearings held in the District of Columbia unless otherwise officially engaged.

Mr. MARTIN. Mr. Speaker, would the gentleman explain just what is expected to be accomplished through this $25,000 expenditure?

Mr. FRIEDEL. This authorizes the Committee on Veterans' Affairs to conduct an investigation of appeals for charitable contributions made in the name of veterans. Our subcommittee received testimony that a lot of promoters used the names of veterans' groups for their own benefit, while the veterans' organizations received little or nothing. In one instance the promoters raised $1 million but all the veterans received was $100,000. The Veterans' Affairs Committee intends to go into the State laws and see if the State laws can be amended to correct the situation. The Committee will review State laws and they will review Federal laws. There is a lot of detailed work involved. That is one of the abuses we ought to correct.

Mr. MARTIN. That may well be, but would not the gentleman think that the Veterans of Foreign Wars and other veterans' organizations would be aware of this abuse? They are not exactly powerless and they might bring pressure upon the legislatures to have the situation corrected.

Mr. FRIEDEL. These major organizations are the ones who are supporting this legislation. They are powerless because they cannot revoke the charters of the small local chapters.

Mr. MARTIN. Who granted them the charter?

Mr. FRIEDEL. The Federal Government. The veterans' organizations are chartered by the United States Government.

Mr. MARTIN. Yes; but the gentleman is not accusing them.

Mr. FRIEDEL. They have these local chapters.

Mr. MARTIN. The gentleman is not accusing them, is he?

Mr. FRIEDEL. No, but they do not have supervision of a lot of the local chapters who, in turn, are misled by these promoters. If we can get proper legislation through this investigation, it will save the taxpayers of our country millions and millions of dollars.

Mr. MARTIN. If there is anything that is going to save the taxpayers some money I do not know but what I could agree with the gentleman, but I am not convinced that you will save very much money here.

Mr. FRIEDEL. We have a very able chairman of the Committee on Veterans' Affairs. If he does not spend all of this money it will go back to the Treasury. He will not waste it. He has been conservative.

Mr. MARTIN. I am not criticizing him. This is the Veterans' Affairs Committee?

Mr. FRIEDEL. Yes.

Mr. MARTIN. I am not criticizing the committee at all, but it does look to me as if $25,000 is a lot of money. The way to find out information is to send a few letters around to the Legion posts and they will tell you quickly enough what the trouble is.

Mr. FRIEDEL. The committee will have to study the State laws and Federal laws. These local chapters get their charters from the national group.

Mr. MARTIN. How many people will be on the payroll?

Mr. FRIEDEL. This provides a salary for one full-time counsel, travel for the committee, reporters' services, and miscellaneous expenses, total $25,000.

Mr. MARTIN. I am not going to object.

Mr. WIER. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Minnesota.

Mr. WIER. Is it not true that 2 years ago the Congress had a committee set up that called in all of the veterans' organizations and they put their finger on these units or other organizations that were receiving funds on the basis it affected veterans? I think there is a tremendous volume of information on it.

Mr. FRIEDEL. The information we received is that the veterans' organizations are in favor of this legislation.

Mr. WIER. I know, but it has been done once.

Mr. FRIEDEL. Not that I know of.

Mr. WIER. I am pointing it out to the gentleman.

Mr. LeCOMPTE. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Iowa.

Mr. LeCOMPTE. Of course, I was not a member of the gentleman's subcommittee, but I understood that members of the Committee on Veterans' Affairs came before the gentleman's committee for hearing and justified this resolution?

Mr. FRIEDEL. Yes, they came and justified it and it was passed unanimously by our subcommittee.

Mr. LeCOMPTE. By vote of Members on both sides of the aisle?

Mr. FRIEDEL. Yes.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to and a motion to reconsider was laid on table.

COMMITTEE ON HOUSE ADMINISTRATION

Mr. ASHMORE. Mr. Speaker, by direction of the Committee on House Administration I call up for immediate consideration House Resolution 406.

The Clerk read the House resolution, as follows:

Resolved, That the Committee on House Administration, or any subcommittee thereof, may make investigations and studies into matters within its jurisdiction including the following:

(1) The operation and enforcement of the Act to Prevent Pernicious Political Activities, approved August 2, 1939 (53 Stat. 1147), as amended, to determine what changes therein are necessary in order to grant the greatest possible freedom of political activity to the greatest possible number of persons whose political activities are now restricted under that act and amendments thereto, consistent with the preservation of governmental efficiency and impartiality.

(2) The operation and enforcement of any act of Congress, rule, regulation, order, understanding or precedent now obtaining in the legislative, executive, or judicial branches of the Government of the United States restricting the rights of officers or employees of the United States or of any State or local subdivision thereof to take an active part in the political life of the Nation.

(3) The operation and effect of any act of Congress, including the Federal Corrupt Practices Act (43 Stat. 1070), as amended, restricting the right of any Senator, or Representative in, or Delegate or Resident Commissioner to or candidate for Congress, or individual elected as Senator, Representative, Delegate, or Resident Commissioner, to take an active part in the political life of the Nation.

For the purposes of such investigations and studies the committee, or any subcommittee thereof, may sit and act during the present Congress at such times and places within or outside the United States, whether the House has recessed or has adjourned, may hold such hearings, and may require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee may report to the House at any time during the present Congress the results of any investigation or study made under authority of this resolution, together with such recommendations at it deems appropriate. Any such report shall be filed with the Clerk of the House if the House is not in session.

SEC. 2. The expenses incurred in carrying out the purposes of this resolution, not to exceed $50,000, shall be paid out of the contingent fund of the House of Representatives upon vouchers authorized and approved by the Committee on House Administration, and signed by the chairman of such committee.

Mr. LeCOMPTE. Mr. Speaker, will the gentleman from South Carolina kindly explain this resolution?

Mr. ASHMORE. Mr. Speaker, this resolution calls for an investigation of what is commonly known as the Hatch Act and other acts, statutes and Executive orders that are related to matters covered by the Hatch Act. There has been a great deal of confusion and there is still much confusion in the enforcement of the so-called Hatch Act. Various administrative officers of the Government do not agree on what the act means and do not agree on its enforcement.

The enforcement officer for the Civil Service Commission has recommended that some amendments be made. Various Members of the Congress have introduced bills requesting that a study be made and amendments made to the law. Particularly the Members of Congress who are in the Washington area introduced bills and testified—several of them did—before our committee when we had two hearings on these bills. The further we go into the matter the more complex we find it and the greater need we find for a thorough investigation and some relief by means of amendments to the law. We believe that it cannot be done in the proper manner unless a thorough investigation and study is made. That is the reason why we are asking for this investigation at this time. It is thought best that we begin this work during the recess of Congress to have more time to put on it. That is the reason it is being requested now.

Mr. LeCOMPTE. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from Iowa.

Mr. LeCOMPTE. Is it contemplated that the gentleman's commitee might to some extent take over part of the functions of the Special Elections Subcommittee which we usually have each year about the time the campaign opens?

Mr. ASHMORE. I do not know that that has been considered by the committee, but the investigation, I presume, will be made by the Elections Committee and we will, of course, study all matters pertaining to all questions of enforcement of the Hatch Act.

Mr. LeCOMPTE. The gentleman from Texas recalls that we undertook to do something about that on one occasion. Is that not right?

Mr. BURLESON. That would be the inference, that the Subcommittee on Elections of the Committee on House Administration would conduct this inquiry.

If the gentleman will yield further, I am not definite myself, but as far as I know there has never been an investigation into the entire so-called Hatch Act.

Mr. ASHMORE. There has not.

Mr. BURLESON. There has developed over the years the question of the applicability of the law. Now any Federal employee receiving any portion of his salary from the Federal Government is subject to the law. As we are all aware, the number of Federal employees has increased tremendously. I think it is denying the right of many people who are paid in part—I use the word "part" for lack of a better one—by Federal funds to take part in many matters locally which are not strictly political as we ordinarily think of them.

As many Members will recall, last year the gentleman from Indiana [Mr. BEAMER] introduced a bill which would exempt State employees from the Hatch Act, so-called, that is, those who receive a small part of their pay from the Federal Government but who are actually State employees. That passed this body and went over to the other body, where it did not pass. As a result that provision is still in force. I just mention that as an example of the fact that many Members have asked the committee to look into this matter to reappraise its applicability. I think that would sum up the purpose of it, as I understand it.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from Massachusetts.

Mr. MARTIN. May I ask the chairman of the committee if there was not a similar investigation over in the Senate, and they have proposed legislation? It seems to me I read of that in the newspapers.

Mr. BURLESON. I think the Rules Committee of the Senate looked into various facets of the Hatch Act, but, as far as I know, there has never been a complete or whole investigation of the applicability of the law.

Mr. MARTIN. I do not know how completely the other body looked up the legislation, but another question I also should like to inquire about: The gentleman made the statement that this would probably take the place of the regular Elections Committee. Has this been taken up with the Democratic leadership of the House?

Mr. BURLESON. I think the minority leader perhaps misunderstood that. It does not take the place of the so-called Elections Committee which is appointed in an election year, but the work, if the House approves the bill, will be conducted by the standing Subcommittee on Elections of the Committee on House Administration.

Mr. MARTIN. I have no objection to the membership of the committee, but I do not think anybody in the House on the gentleman's side or my side would want two committees trying to supervise an election.

Mr. BURLESON. I believe the minority leader still may misunderstand me. That is just the point. We are not creating a new committee. This is not a select committee. We propose that the regular Subcommittee on Elections, the same members of the Committee on House Administration, serving on the Subcommittee on Elections, would conduct the investigation. There are bills pending, I think from both sides of the aisle, which suggest that a committee be appointed to look into this matter. The committee considered those bills. The gentleman from Maryland [Mr. LANKFORD] and I think the gentleman from Virginia [Mr. BROYHILL] and others suggested that this special commission be set up to look into this matter. Personally, I am a little allergic to commissions. The committee felt likewise, that if there is a need for this work the Subcommittee on Elections of the Committee on House Administration was able and willing, and if given the authority and the money, we could do an adequate job of it.

Mr. ASHMORE. I would like to say to the minority leader that there will be no confusion or misunderstanding between the work of the regularly established Subcommittee on Elections and this committee. The Subcommittee on Elections considers only contested election cases. This resolution does not go into that.

Mr. MARTIN. The special committee has to do with campaigns. It supervises elections. We do not want to have two campaign committees directing us as to how our campaigns are to be conducted. They might be in conflict.

Mr. ASHMORE. That will not happen because the regular Committee on Elections does not go into those matters unless there is a contested election which is brought to our attention.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. ROOSEVELT. Could the gentleman tell us whether it is the plan of the committee to hold hearings or just to conduct a staff investigation?

Mr. ASHMORE. It is the plan of the committee to hold hearings.

Mr. ROOSEVELT. That is on specific bills, for instance, the bill introduced by the gentleman from Maryland [Mr. LANKFORD] and others as well.

Mr. ASHMORE. That is correct, and to go into the matter thoroughly. That is the reason we asked for the money so that we will be able to go to these places where we have been requested to go.

Mr. ROOSEVELT. Will the Members of Congress be given the opportunity to come back after the recess because, obviously, it will be rather difficult for some Members to come before the committee during the interim period?

Mr. ASHMORE. Yes; they will, either during the recess or after.

Mr. LeCOMPTE. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. LeCOMPTE. I wish to ask the gentleman from South Carolina, Why do we need the provision in the resolution for holding hearings within or outside of the United States? It seems to me that election matters would be held in the United States.

Mr. ASHMORE. I think the reason for that language, I will say to the gentleman, is that there may be a need to go to Panama or Alaska or someplace like that. It makes no particular difference to the committee whether it is included or not, but that is generally the language used.

Mr. LeCOMPTE. I thank the gentleman.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. KEATING. Mr. Speaker, whatever the House desires to do with this resolution is, of course, their business, but I want to disabuse the minds of the gentleman from South Carolina, the gentleman from Texas and the other Members of any impression that the special committee that is appointed for 2 years does not go into such matters as this. I have served on this committee for several Congresses, and always the resolution setting up the special committee is very broad in its language and authorizes them to go into general matters relating to elections and would be broad enough, in my judgment, to encompass the suggestion here. We have on many occasions filed reports where general investigations have taken place. The gentleman from Tennessee [Mr. DAVIS] was the chairman last year and the gentleman from Louisiana [Mr. BOGGS] has also served as chairman. We went into a great many things other than specific Members' seats. I think, perhaps, the gentleman from Texas and the gentleman from South Carolina were not aware of that.

Mr. BURLESON. Mr. Speaker, if the gentleman will yield. Yes, I am aware of that. It is just a matter of misunderstanding of the nature of the subcommittee which proposes to do this work. I think the gentleman will agree that the principal mission of the special elections committee is to determine what violations have occurred during an election. In other words, violations of the Hatch Act as they might have affected the results of an election. But, aside from that, the gentleman, I am sure, is aware that the report made by the special elections committee ends up with the Committee on House Administration.

Mr. KEATING. Oh, yes, that is true.

Mr. BURLESON. I think we understand each other.

Mr. SCOTT of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. SCOTT of Pennsylvania. Is there anything in this resolution which covers the rest of the field the gentleman has been referring to? We mentioned the Hatch Act. Does this authorize investigation into the Corrupt Practices Act as well?

Mr. ASHMORE. It does.

Mr. SCOTT of Pennsylvania. May I inquire how the committee has jurisdiction, rather than the Committee on the Judiciary, of investigations of the Hatch Act and the Corrupt Practices Act?

Mr. ASHMORE. By virtue of the Reorganization Act, I am informed. We looked into that.

Mr. SCOTT of Pennsylvania. It is my understanding that when resolutions include the right of travel abroad, some reason is given. I know when they appear before the Committee on Rules it is customary to cite some reason for that. I am wondering whether the gentleman is authorized to go beyond the United States, Territories, and possessions. Why should you have to investigate elections in Japan, Panama, or Peru?

Mr. ASHMORE. We have no intention of going beyond the territory of the United States, but there was some confusion as to whether or not the language "within the United States" covers Territories and possessions.

Mr. SCOTT of Pennsylvania. I thought it might be well to bring that out. The committee has no such intention?

Mr. ASHMORE. That is true.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. GROSS. If the committee is going abroad, I wish it would look into the new currency that is floating around and subject to redemption with our dollars. I came into possession of some of it today.

Mr. ASHMORE. That is not Confederate money, is it?

Mr. GROSS. It might turn out to be. It is UNESCO money. You have heard the expression: "as phoney as a 3-dollar bill." I have one of them here. This is a UNESCO 3-dollar bill. This particular one is in payment for—if the gentleman's committee is going abroad, I would like to have it——

Mr. ASHMORE. We have no intention of going abroad, but I am glad to know about it.

Mr. GROSS. This $3 bill is supposed to be in payment for books for a Japanese. I have here a publication put out by UNESCO which lists the products foreigners can buy with this paper money. Here are some of the items: Optical equipment, books, periodicals, electrical measuring instruments, blowers, vacuum pumps and gages, radio parts, small workshop tools, film, and other photographic equipment. A foreigner sends his order and UNESCO money to the supplier in this country and the supplier ships the merchandise. Then the supplier apparently takes this UNESCO money to a bank in the United States and gets his dollars. The bank, in turn, apparently sends the UNESCO note over to Paris, to international headquarters of UNESCO and is reimbursed through one, Luther B. Evans, who is known as Directeur General of UNESCO. I just thought if the committee was going abroad it might want to look into this funny money that is in circulation.

Mr. ASHMORE. It will not be necessary, because the committee is not going abroad.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I yield.

Mrs. ROGERS of Massachusetts. Does not the gentleman feel it very important to caution the House in these investigations not to have too many? As ranking member of the Committee on Veterans' Affairs, I did not know of the hearings before the gentleman's committee on the investigation to be conducted by them. I voted for the investigation, but I did it with the feeling that we must be very careful not to hurt any veterans' organizations or any committee of the House.

I believe the gentleman will agree with me as to the importance of these investigations. They can be used as punitive measures and cause great harm and great unhappiness unjustifiably to the Members of Congress and also Federal employees.

Mr. ASHMORE. I am glad to have the gentlewoman's contribution; however, that is a matter over which this committee does not have jurisdiction. I believe the gentlewoman has reference to another resolution.

Mrs. ROGERS of Massachusetts. I hope committees conducting other investigations will bear this in mind too.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL HISTORICAL PUBLICATIONS COMMISSION

Mr. JONES of Missouri. Mr. Speaker, by direction of the Committee on House Administration I call up the resolution (S. Con. Res. 31) favoring the fulfillment of the program recommended by the National Historical Publications Commission for the publication of certain documents, and ask for its immediate consideration.

The Clerk read the title of the resolution.

Mr. LECOMPTE. Mr. Speaker, reserving the right to object, this is a Senate resolution and it is merely for the use of the Senate. There is no provision in this resolution for any material for the House, is there?

Mr. JONES of Missouri. This resolution apparently is not going to cost the Government any money. It says that the Congress of the United States respectfully urges the governors and legislatures of the several States and the State historical commissions and achival agencies as well as appropriate libraries, historical societies, colleges, and universities, business corporations, foundations, civic and other nonprofit organizations, and individuals to cooperate with the National Historical Publications Commission in the fulfillment of the said program. It just urges them to support it. I think it is a harmless bill.

Mr. LECOMPTE. Without expense to the Federal Government.

Mr. JONES of Missouri. Without any expense to the Federal Government.

Mr. LECOMPTE. I thank the gentleman and withdraw my reservation of objection.

The clerk read the resolution, as follows:

Whereas the National Historical Publications Commission is charged by the Congress with responsibility for cooperating with and encouraging "Federal, State, and local agencies and nongovernmental institutions, societies, and individuals" in collecting, preserving, and publishing documents that are important for understanding the history of the United States; and

Whereas the said Commission in the discharge of these responsibilities has recommended a national program to encourage the publication of the basic source materials of American history through the cooperative efforts of both public and private organizations; and

Whereas the President of the United States has approved the national program for the publication of historical documents, as set forth in the Commission's published report to him (and summarized in the CONGRESSIONAL RECORD, vol. 101, pt. 7, p. 9310, for July 22, 1955); and

Whereas it is important that the people of the United States understand the history of their country and of its relationship to the rest of the world; and

Whereas the publication of such source materials as letters, diaries, journals, sermons, speeches, reports, and other documents—the firsthand evidence of the initiative, courage, and spiritual qualities of the men and women who have helped to shape our country's destiny—would contribute to a better understanding of the history of the United States in all of its manifold aspects, and would thereby strengthen the defense of our country against its enemies: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress of the United States that the fulfillment of the program recommended by the National Historical Publications Commission in its report entitled "A National Program for the Publication of Historical Documents" would be of lasting benefit to the Government and citizens of the United States; and be it further

Resolved, That the Congress of the United States respectfully urges the governors and legislatures of the several States and the State historical commissions and archival agencies, as well as appropriate libraries, historical societies, colleges and universities, business corporations, foundations, civic and other nonprofit organizations, and individuals to cooperate with the National Historical Publications Commission in the fulfillment of the said program.

The concurrent resolution was agreed to and a motion to reconsider was laid on the table.

BOOKS FOR THE ADULT BLIND

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2434) to amend the act entitled "An act to provide books for the adult blind."

The Clerk read the title of the bill.

Mr. LECOMPTE. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. JONES of Missouri. I shall be pleased to.

This is a bill pased by the other body which removes the limitation on the authorization of appropriations for books and records for the blind. In other words, as the law now stands the Committee on Appropriations each year determines the request which is limited by an authorization. With the passage of this bill there will be no limitation. At the present time I understand the limitation is $125,000 a year.

Mr. LECOMPTE. I thank the gentleman and withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc. That section 1 of the act entitled "An act to provide books for the adult blind", approved March 3, 1931, as amended, is amended to read as follows:

"That there is authorized to be appropriated annually to the Library of Congress, in addition to appropriations otherwise made to said Library, such sums for expenditure under the direction of the Librarian of Congress as may be necessary to provide books published either in raised characters, on sound-reproduction recordings, or in any other form, and for the purchase, maintenance, and replacement of reproducers for such sound-reproduction recordings, for the use of the blind residents of the United States, including the several States, Territories, insular possessions, and the District of Columbia, all of which books, recordings, and reproducers will remain the property of the Library of Congress but will be loaned to blind readers under regulations prescribed by the Librarian of Congress for this service. In the purchase of books in either raised characters or in sound-reproduction recordings the Librarian of Congress, without reference to the provisions of section 3709 of the Revised Statutes of the United States (41 U. S. C. 5), as amended, shall give preference to non-profit-making institutions or agencies whose activities are primarily concerned with the blind, in all cases where the prices or bids submitted by such institutions or agencies are, by said Librarian, under all the circumstances and needs involved, determined to be fair and reasonable."

SEC. 2. This act shall be applicable with respect to the fiscal year ending June 30, 1958, and for each fiscal year thereafter.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (H. Res. 392) authorizing the printing of certain proceedings in the Committee on Merchant Marine and Fisheries, as a House document.

The Clerk read the title of the resolution.

Mr. LECOMPTE. Mr. Speaker, reserving the right to object, will the gentleman explain the resolution?

Mr. JONES of Missouri. Mr. Speaker, in explanation I may say that this is in conformity with a practice carried on in the House in other committees and relates to proceedings in the House Committee on Merchant Marine and Fisheries.

I believe there is no objection to the resolution.

Mr. LECOMPTE. I thank the gentleman and withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the resolution, as follows:

***Resolved*, That the transcript of the proceedings in the Committee on Merchant**

Marine and Fisheries of Thursday, May 16, 1957, incident to the presentation of a portrait of Chairman HERBERT C. BONNER to the Committee on Merchant Marine and Fisheries be printed as a House document with suitable binding.

The resolution was agreed to and a motion to reconsider was laid on the table.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 401 authorizing the printing as a House document of the historical data regarding the creation and jurisdiction of the Committee on Interstate and Foreign Commerce and providing for additional copies.

The Clerk read the title of the resolution.

Mr. LECOMPTE. Mr. Speaker, reserving the right to object, will the gentleman explain the resolution?

Mr. JONES of Missouri. Certainly.

Mr. Speaker, I might say that this is more or less a document showing the creation and the jurisdiction of this committee. It is a very small printing bill. The estimated cost of printing is $291.

I believe there is no objection to it.

Mr. LECOMPTE. I thank the gentleman and withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the resolution, as follows:

> *Resolved*, That there be printed as a House document the historical data regarding the creation and jurisdiction of the Committee on Interstate and Foreign Commerce, House of Representatives; and that 1,500 additional copies be printed for the use of the Committee on Interstate and Foreign Commerce.

The resolution was agreed to and a motion to reconsider was laid on the table.

ADDITIONAL COPIES OF HOUSE DOCUMENT NO. 232, 84TH CONGRESS, WITH EMENDATIONS

Mr. JONES of Missouri. Mr. Speaker, by direction of the Committee on House Administration I ask for the immediate consideration of House Concurrent Resolution No. 17.

The Clerk read the House concurrent resolution, as follows:

> *Resolved by the House of Representatives (the Senate concurring)*, That there shall be printed for the use of the House of Representatives 500,000 additional copies of House Document No. 232, 84th Congress, with emendations.

Mr. LECOMPTE. Mr. Speaker, is the gentleman going to explain this resolution, inasmuch as it involves a sizable amount? It concerns every Member of the House.

Mr. JONES of Missouri. I will be glad to do that. This resolution has to do with the reprint of a House document known as The Capitol. I think most of the Members are familiar with it. There will be certain changes made. This resolution provides for the printing of 500,000 additional copies and I think I should say, Mr. Speaker, that I did not support this resolution in the committee. I am bringing it here at the direction of the committee. It is up to the Members of the House to decide what they want to do.

Mr. LECOMPTE. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Iowa.

Mr. LECOMPTE. I think it would be fair to say to the House that the gentleman from Missouri and myself more or less consented that the resolution come before the House but we did not support it in the committee.

Mr. IKARD. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Texas.

Mr. IKARD. I would like to say with reference to the document that this is one, I am informed, of few that has ever shown a profit to the Government Printing Office. There have been some $7,400 made. I am informed that as of the 22d of this month there were some 1,500 orders unfilled because they are out of the document. I may say to the House, and I know that everyone here must understand I cannot make a definite statement, that I have been informed and advised by responsible Members of the other body it is their desire, if this resolution is adopted, that the publication they have be not reprinted and that a section of this document would be devoted to the Senate. Of course, certainly, I cannot say definitely that that will happen, but I understand and have been informed, as I say, by responsible people on the other side of the building that that is their intention and their plan. Of course, if that should come to pass it would mean a substantial saving as far as printing is concerned, in that there would be one document rather than the currently two.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Massachusetts.

Mr. MARTIN. We have heard a great deal about economy this year. Here is a matter involving over $100,000 that we are going to spend on ourselves to see if we can popularize the Members at home. I think if we are going to have economy—and I have not seen too many signs of it this year, only in 1 or 2 spots—why not start with ourselves. I feel so strongly about this that I was surprised at the gentleman from Texas's statement the Government had made a profit. I would therefore suggest that he withdraw the resolution so that we can look into that statement. If this is going to cost $100,000 as a "give away" to Members of the Congress to popularize themselves, I am going to ask for a rollcall vote. **This extravagance should not be undertaken in a year we have been obliged to reject worthier proposals. I have observed with alarm the constant increase of our legislative authority.**

Mr. BURLESON. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Texas, the chairman of our committee.

Mr. BURLESON. I cannot agree with the minority leader that this is a service to ourselves or a particular favor to ourselves. There is a great public demand for this publication.

Mr. MARTIN. Why the $100,000 then?

Mr. BURLESON. I am not too sure that the gentleman from Texas mentioned it, but we do know there are now on file with the Government Printing Office requests for more than 1,500 copies. Those are requests. We do not know how many books may be included in any one request. We know there are more than 1,500.

Mr. MARTIN. Does the gentleman not think we should have that information before we vote on it?

Mr. BURLESON. We have it, as near as we can get it. We did not ask the people in the Printing Office to go through and count the number which may be included in each order, but they tell us it is over 1,500.

Mr. IKARD. I may say to the gentleman from Massachusetts that on the 22d of this month I talked to the Government Printing Office and received the following information:

By way of explanation, I hope I have made myself clear that I was not implying that the copies that went to Members did not cost anything. They certainly did. But I was saying that the copies that went to the Government Printing Office and were sold, were sold at a profit. I was informed on the 22d day of this month that the profit was $7,380. I was also informed at the same time by the Office of the Superintendent of Documents that they had received approximately 1,500 requests from individuals for copies of this publication. These were now on file. They were cash customers and represented orders that were unfilled.

Mr. MARTIN. Does the gentleman think he could stay in business by getting $7,000 of cash sales and giving $100,000 of these publications away to Members of Congress?

Mr. IKARD. Mr. Speaker, this publication has made a profit on those that were sold. We frequently print documents here for our own use. As has been pointed out by the chairman of the Committee on House Administration [Mr. BURLESON] this is an effort on the part of this body to impress upon the people who get these publications something of the responsibility, of the function and purpose of representative Government. We have been very careful in our efforts not to build up any one Member or to put out a document that promotes any individual. We have tried as best we could to present objectively to the public the purpose, the function and the responsibility of the membership of the House of Representatives.

Mr. MARTIN. I cannot agree with the gentleman. I think it is a violation of our economy drive and I am certainly going to ask for a rollcall on the resolution.

Mr. JONES of Missouri. Mr. Speaker, I might say for the benefit of the distinguished minority leader that this committee has brought about some economies in printing. While I was not in support of this particular resolution in the committee, I do know that each copy that has been printed has been distributed and there are no more copies available. We do print each year millions of copies of documents, reports, and so forth, that are not ever sent out and which clutter up our storerooms. This committee has carried over several resolutions which were before it, which we did not present to the House. I should like to say that in defense of the committee. We have some others here today that I think will result in cluttering up our storerooms, but I do not think this one will ever lodge in our storerooms. It will be distributed.

Mr. MARTIN. Will the gentleman kindly explain why he voted against the resolution in the committee? He has always been a sound member of the committee and stood for economy.

Mr. JONES of Missouri. I have voted against many resolutions. I have been in the minority many times, voting for economy. I would forego this one as a matter of economy. However, I have been outvoted many times. I have presented other resolutions here that I think we could have done without and I did not support them in the committee; and I will say that I was successful in preventing others from coming out of the committee which saved more money than the one before us would cost.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman.

Mr. HOSMER. Is the document in question the Life magazine type picture book of the Capitol?

Mr. JONES of Missouri. This is it.

Mr. HOSMER. Of which Members of the House and of the other body received some 550 copies last year for free distribution?

Mr. JONES of Missouri. That is the one.

Mr. HOSMER. Does this resolution propose to give the Members another supply of that document for the same purpose?

Mr. JONES of Missouri. It does.

Mr. HOSMER. It seems to me if there is anything to the argument that this is a means of informing and enthusing the people of the country about Congress as an institution we either have to print enough for everybody in the country or not print any at all, because if you limit them to some 550 per Member it is obviously then nothing more than a public relations gimmick for the Members themselves. I do not think that as responsible elected officials we have any right to devote $100,000 of the taxpayers' money to improving our relations with constituents.

Mr. JONES of Missouri. As to the cost of printing, the figure of $100,000 has been used. The estimated cost is between $90,000 and $95,000.

Mr. CORBETT. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Pennsylvania.

Mr. CORBETT. I want to associate myself with the remarks of the gentleman as regards the fact that I believe the Subcommittee on Printing has probably turned down more requests for printing in the past year than it has in the previous 7 or 8 years. The resolutions that have been brought up here today are in most cases the survivors of a pretty thorough scrutiny. I commend the gentleman on his efforts in that regard.

With regard to this particular publication, certainly there can be some objections to it. On the other hand, I believe it is increasingly true that practically every library in the United States has or is about to receive copies of this. There are lots of publications, I may say to the gentleman who has just spoken, and we do not have to put one in every home in America. However, as folks come here in increasing tens of thousands to visit this Capitol, to have some publication of this kind available as an item augmenting their pleasure and information, I think is a good thing. Perhaps we have too elaborate a publication there for that purpose, but certainly I think it makes a fine memento for our visitors here to take back home. I tend to regard it, and I am not objecting to anybody else's remarks, as something we give to the people, not to the Members of Congress.

Mr. LONG. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Louisiana.

Mr. LONG. I am a member of the Committee on Printing. I think that, if any of the members had been present at the last meeting, they would realize that we really do not just pass every bill because it is requested. We cut off a lot more than we approve. I believe this one document "The Capitol" we are discussing comes more nearly meeting the approval of everybody that knows about it. More people are asking for them. Although they are given to the Members of Congress themselves, they are distributed to the voters, the taxpayers, who want to know something about their Capitol and something about their Government. I have helped to cut off many a document that I felt would remain in the storeroom, but this one I know will not. I am sure the people who know about it will approve.

Mr. TEWES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. TEWES. Mr. Speaker, this is the kind of legislation which puts us to the test of deciding between that which is desirable in Government and that which is absolutely necessary. Those of us who for reasons of economy hold sturdily to the latter theory believe that in this resolution the issue is clear-cut.

The publication in question is a handsome picture book printed at Government expense and used by Congressmen as gifts to visiting constituents. The document has merit. Its makeup is attractive, and the information concerning the workings of Government is a valuable reference. My own visitors are invariably pleased with this booklet as a memento of their trip to see their Congressman. I, of course, am not unmindful of the fact that my name is stamped on a prominent place on this addition to my constituent's library.

However, since this is my first opportunity to vote on whether this is a wise use of the taxpayers' money, I feel compelled to say that it is not. While we need to encourage interest in the affairs of Government, it is questionable whether this objective in all truth is not secondary to the book's value in the reelection of the constituents' current Congressman.

If the book is of general worth as a guide to civics, as has been said here on the floor, and if Congressmen are the best means of distribution, I believe we should urge this viewpoint on charitable foundations which make grants for educational purposes.

During the course of this session many of us have voted against programs with laudable motives because we believe the test of absolute "necessity" is better than the test of "desirability." We should apply the same standards to those proposals in which we as individuals are, if not the primary, then the secondary beneficiaries. On such a basis this appropriation for nearly $100,000 cannot be justified, and I hope the resolution will be defeated.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. MARTIN) there were—ayes 72, noes 45.

Mr. MARTIN. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 183, nays 129, not voting 120, as follows:

[Roll No. 205]

YEAS—183

Addonizio
Albert
Allen, Calif.
Anderson, Mont.
Andrews
Ashley
Ashmore
Aspinall
Ayres
Bailey
Barden
Baring
Bass, Tenn.
Beckworth
Bennett, Fla.
Bennett, Mich.
Blatnik
Boggs
Boland
Bolling
Bonner
Boykin
Boyle
Breeding
Brooks, La.
Brooks, Tex.
Brown, Ga.
Brown, Mo.
Broyhill
Burleson
Byrd
Byrne Pa.
Cannon
Celler
Christopher
Chudoff
Clark
Colmer
Corbett
Cramer
Cunningham, Iowa
Davis, Tenn.
Delaney
Dempsey
Denton
Dingell
Dollinger
Dorn, S. C.
Durham
Eberharter
Edmondson
Elliott
Engle
Evins
Fallon
Farbstein
Fascell
Feighan
Fisher
Fogarty
Forand
Forrester
Fountain
Friedel
Fulton
Gary
Granahan
Grant
Green, Oreg.
Green, Pa.
Gregory
Griffiths
Hagen
Haley
Hardy
Harris
Harrison, Va.
Hébert
Hemphill
Herlong
Hillings
Holland
Horan
Huddleston
Hull
Hyde
Ikard
Jarman
Jennings
Johnson
Jones, Ala.
Karsten
Kearns
Kelley, Pa.
Kelly, N. Y.
Keogh
Kirwan
Kitchin
Kuczynski
Knutson

Lanham
Lankford
Lennon
Lesinski
Long
McFall
McGovern
Machrowicz
Mack, Ill.
Marshall
Merrow
Metcalf
Mills
Montoya
Morgan
Morris
Moss
Moulder
Multer
Natcher
Norrell
O'Brien, Ill.
O'Hara, Ill.
O'Hara, Minn.
O'Konski
Passman
Patman
Patterson
Perkins
Pfost
Poage
Polk
Porter
Price
Prouty
Rabaut
Rains
Ray
Reuss
Rhodes, Pa.
Riley
Roberts
Robeson, Va.
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney
Roosevelt
Rutherford
Santangelo
Saund
Schenck
Schwengel
Scott, N. C.
Selden
Sheppard
Shuford
Sisk
Smith, Miss.
Smith, Va.
Staggers
Steed
Sullivan
Teller
Thompson, La.
Thompson, N. J.
Thompson, Tex.
Thornberry
Trimble
Tuck
Ullman
Vanik
Vinson
Walter
Watts
Westland
Whitener
Wier
Willis
Withrow
Wright
Young

NAYS—129

Abernethy
Adair
Allen, Ill.
Andersen, H. Carl
Andresen, August H.
Auchincloss
Avery
Baker
Baldwin
Bates
Belcher
Berry
Betts
Bolton
Bosch
Bow
Broomfield
Brown, Ohio
Byrne, Ill.
Byrnes, Wis.
Canfield
Cederberg
Chamberlain
Chenoweth
Chiperfield
Church
Coffin
Collier
Cooper
Cunningham, Nebr.
Curtin
Dague
Davis, Ga.
Derounian
Devereux
Dixon
Dowdy
Dwyer
Fenton
Fino
Ford
Frazier
Gathings
Gavin
Griffin
Gross
Gubser
Gwinn
Hale
Harden
Harrison, Nebr.
Haskell
Henderson
Heselton
Hill
Holmes
Holt
Hosmer
James
Jenkins
Jensen
Johansen
Jonas
Jones, Mo.
Judd
Keating
Kilgore
Knox
Lane
LeCompte
Lipscomb
Loser
McConnell
McCulloch
McDonough
McIntire
McIntosh
McVey
Mack, Wash.
Martin
Matthews
Miller, Md.
Miller, Nebr.
Moore
Mumma
Murray
Neal
Nicholson
Nimtz
Osmers
Pelly
Pillion
Poff
Radwan
Reece, Tenn.
Reed
Rees, Kans.
Rogers, Mass.
St. George
Saylor
Scott, Pa.
Scudder
Siler
Simpson, Ill.
Smith, Calif.
Smith, Kans.
Smith, Wis.
Springer
Stauffer
Taber
Talle
Teague, Calif.
Tewes
Thomson, Wyo.
Tollefson
Utt
Van Pelt
Van Zandt
Vorys
Weaver
Wharton
Whitten
Wigglesworth
Williams, Miss.
Williams, N. Y.
Wilson, Calif.
Wilson, Ind.
Winstead
Younger

NOT VOTING—120

Abbitt
Alexander
Alger
Anfuso
Arends
Barrett
Bass, N. H.
Baumhart
Beamer
Becker
Bentley
Blitch
Bray
Brownson
Buckley
Budge
Burdick
Bush
Carnahan
Carrigg
Chelf
Clevenger
Coad
Cole
Cooley
Coudert
Cretella
Curtis, Mass.
Curtis, Mo.
Dawson, Ill.
Dawson, Utah
Dellay
Dennison
Dies
Diggs
Donohue
Dooley
Dorn, N. Y.
Doyle
Flood
Flynt
Frelinghuysen
Garmatz
George
Gordon
Gray
Halleck
Harvey
Hays, Ark.
Hays, Ohio
Healey
Hess
Hiestand
Hoeven
Hoffman
Holifield
Holtzman
Jackson
Kean
Kearney
Kee
Keeney
Kilburn
Kilday
King
Krueger
Laird
Landrum
Latham
McCarthy
McCormack
McGregor
McMillan
Macdonald
Madden
Magnuson
Mahon
Mailliard
Mason
May
Meader
Michel
Miller, Calif.
Miller, N. Y.
Minshall
Morano
Morrison
Norblad
O'Brien, N. Y.
O'Neill
Ostertag
Philbin
Pilcher
Powell
Preston
Rhodes, Ariz.
Riehlman
Rivers
Robsion, Ky.
Sadlak
Scherer
Scrivner
Seely-Brown
Sheehan
Shelley
Sieminski
Sikes
Simpson, Pa.
Spence
Taylor
Teague, Tex.
Thomas
Udall
Vursell
Wainwright
Widnall
Wolverton
Yates
Zablocki
Zelenko

So the concurrent resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. McCormack for, with Mr. Alger against.

Mr. Buckley for, with Mr. Beamer against.

Mr. Udall for, with Mr. Baumhart against.

Mr. Hays of Ohio for, with Mr. Wolverton against.

Mr. Anfuso for, with Mr. Hiestand against.

Mr. Holtzman for, with Mr. Kean against.

Mr. Healey for, with Mr. Taylor against.

Mr. Gordon for, with Mr. May against.

Mr. Dawson of Illinois for, with Mr. Minshall against.

Mr. Carnahan for, with Mr. Mahon against.

Mr. Coad for, with Mr. Simpson of Pennsylvania against.

Mr. Powell for, with Mr. Frelinghuysen against.

Mr. Garmatz for, with Mr. Arends against.

Mr. Hays of Arkansas for, with Mr. Bass of New Hampshire against.

Mr. Alexander for, with Mr. Clevenger against.

Mr. Barrett for, with Mr. Coudert against.

Mr. King of California for, with Mr. Cretella against.

Mr. McCarthy for, with Mr. Dellay against.

Mr. Macdonald for, with Mr. Riehlman against.

Mr. Morrison for, with Mr. Sadlak against.

Mr. O'Brien of New York for, with Mr. Harvey against.

Mr. Yates for, with Mr. Bray against.

Mr. Zablocki for, with Mr. Brownson against.

Mr. Zelenko for, with Mr. Becker against.

Mr. Madden for, with Mr. Keeney against.

Mr. Doyle for, with Mr. Michel against.

Mr. Miller of California for, with Mr. May against.

Mr. Flood for, with Mr. Carrigg against.

Mr. O'Neill for, with Mr. Widnall against.

Mr. Donohue for, with Mr. Krueger against.

Mr. Philbin for, with Mr. McGregor against.

Mr. Holifield for, with Mr. Hoffman against.

Mr. Diggs for, with Mr. Dooley against.

Mr. Magnuson for, with Mr. Hess against.

Mrs. Kee for, with Mr. Hoeven against.

Mr. Shelley for, with Mr. Morano against.

Mr. Sieminski for, with Mr. Jackson against.

Mr. Gray for, with Mr. Scherer against.

Mr. Abbitt for with Mr. Latham against.

Mr. Cooley for, with Mr. Sheehan against.

Mr. Sikes for, with Mr. Seely-Brown against.

Until further notice:

Mr. Preston with Mr. Bentley.

Mr. Landrum with Mr. Norblad.

Mr. Pilcher with Mr. Cole.

Mrs. Blitch with Mr. Mailliard.

Mr. Kilday with Mr. Bush.

Mr. Dies with Mr. Dorn of New York.

Mr. Flynt with Mr. Halleck.

Mr. Thomas with Mr. Kearney.

Mr. Teague of Texas with Mr. Kilburn.

Mr. Spence with Mr. Hoffman.

Mr. McMillan with Mr. Miller of New York.

Mr. SCUDDER and Mr. JUDD changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PRINTING OF CERTAIN MATERIAL RELATING TO THE CENTRAL VALLEY PROJECT OF CALIFORNIA

Mr. JONES of Missouri. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 176 and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed as a House document part II of Central Valley project documents comprising project operating documents, and that there be printed for the use of the Committee on Interior and Insular Affairs 1,200 additional copies, 600 of which shall be bound in cloth and 600 bound in paper.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

SELECT COMMITTEE ON SMALL BUSINESS

Mr. JONES of Missouri. Mr. Speaker, by direction of the Committee on House Administration, I call up the concurrent resolution (H. Con. Res. 188) authorizing the printing as a House document of the document entitled "Congress and the Monopoly Problem; Fifty-six Years of Antitrust Development, 1900–1956".

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the document entitled "Congress and the Monopoly Problem: 56 Years of Antitrust Development, 1900–1956," which was prepared by the Legislative Reference Service of the Library of Congress at the instance and under the direction of the chairman of the Select Committee on Small Business, House of Representatives, 84th Congress, shall be printed as a House document.

Sec. 2. In addition to the usual number, there shall be printed for the use of the House of Representatives 4,500 copies of such House document, of which 3,500 copies shall be for the use of the Select Committee on Small Business of the House of Representatives and 1,000 copies shall be for the use of the House Document Room.

With the following committee amendments:

Page 1, line 11, strike out "four" and insert "one", and strike out "five hundred."

Page 1, line 12, strike out all of line 12 and the remainder of the concurrent resolution and insert in lieu thereof the following: "which shall be for the use of the Select Committee on Small Business of the House of Representatives."

Mr. LeCOMPTE. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Iowa.

Mr. LeCOMPTE. Is it not correct that House Concurrent Resolution 188 is one that the Select Committee on Small Business is seeking?

Mr. JONES of Missouri. Yes; it is a document that has already been printed, as I understand.

Mr. LeCOMPTE. It has been represented to us as a document in the interest of the small business of the United States.

Mr. JONES of Missouri. The document is entitled, "Congress and the Monopoly Problem; 56 Years of Antitrust Development, 1900–1956." It would now be printed as a House document, and the committee amendment would change the concurrent resolution so that all of the copies, 1,000, would be for the use of the Select Committee on Small Business.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from California.

Mr. HOSMER. Would the gentleman say what the Committee on Small Business told his committee they wanted to use this document for? I had not heard of this until today. I should like to know why the document is being sought, for what purpose the committee seeks it.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from Texas.

Mr. PATMAN. This document has been very popular with the libraries, judges, lawyers, and other people who are interested in antitrust legislation, including the different agencies of our Government. I do not recall that the committee asked that we have control of the distribution of them. It is all right, but we have requests now for 1,000 copies. This number was reduced from what the concurrent resolution stated. I am not going to ask that it be increased, but I assure the gentleman that there is a real need, and there are actual requests for these documents now. It was carefully prepared. It is the only document of its kind that is in existence. No private publisher has ever published a document like this. It is right up-to-date, and it serves a good purpose. The fact that they have been designated for distribution by our committee is all right, because we have requests for that number of copies now.

Mr. HOSMER. From what committee does this document originally come?

Mr. PATMAN. It came from the House Committee on Small Business.

Mr. HOSMER. Is there any question with respect to the jurisdiction of this matter as between the Committee on Small Business and a standing committee of the House?

Mr. PATMAN. No one has ever questioned it; in fact, we have been praised for having it prepared. It was prepared under the direction of the Committee on Small Business. We have had not one word of criticism but many words of praise.

Mr. HOSMER. I would hope that in the future the Small Business Committee at large be informed of these requests before they are made to the Committee on House Administration.

Mr. PATMAN. This happens to be a reprint. Since there has never been any objection, it was presumed that there would be no objection to a reprint.

Mr. HOSMER. I understand that, but I think the amount, $3,557.72, would justify a discussion of this matter by the committee.

Mr. PATMAN. That was for the original request, which we think was justified, but the committee cut that down about one-third.

Mr. HOSMER. As I understand, the resolution provides for the sum that I just mentioned. Is that correct?

Mr. LECOMPTE. If the gentleman will yield, that is correct. I think the original estimate was something over $6,000. Is that not right?

Mr. JONES of Missouri. I do not have those figures before me; I could not say.

Mr. LECOMPTE. The committee did cut it more than in half, in total number of copies and approximately half in cost. Is this not correct?

Mr. PATMAN. We did not have an opportunity to present this to the committee because we were engaged in other activities of other committees and we could not be there at the time to present this to the committee. However, it is just a reprint, and the books are well worthwhile. They are highly regarded and very much needed. Whatever the cost is, it is a cost to the Government. I do not know what it is, but it is a cost to the Government.

Mr. HOSMER. I would like to inquire of the gentleman if there has been any consideration in the committee of a procedure whereby documents such as this one and others, which the committee from time to time orders be printed, can be reprinted by the Government Printing Office for the purpose of sale rather than have free distribution through the channels of either the Members or the various standing and select committees of the Congress.

Mr. JONES of Missouri. The gentleman is asking if the Government Printing Office should print these for sale?

Mr. HOSMER. I am asking if the committee has ever considered the adoption of any procedure whereby this could be done and thereby save the recurrent printing costs and enable the people to purchase these documents at least at cost.

Mr. JONES of Missouri. The subcommittee on printing is now considering that. On that basis, we did not report several resolutions which were offered. I might say it has been the opinion of the gentleman from Missouri that many publications which have been printed for free distribution could be sold, and that there would be a ready market from the Government Printing Office. Our committee is working on that. I think by the early part of next session, we will bring in some recommendations to the House along that line.

Mr. HOSMER. I would hope that the committee would do that before too many more of these resolutions appropriating specific sums for this purpose come in again.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from West Virginia.

Mr. BAILEY. Could the distinguished chairman of the committee explain why the resolution, which I sponsored, to provide for the publication of some additional copies of Job Outlook Opportunities, a publication by the Bureau of Labor Statistics of the Department of Labor, which was reported by your committee unanimously, was not reported out? The number of requests for reprints were, I believe, 6,000, and that was the suggestion of the committee at the time they acted on it.

Mr. JONES of Missouri. That was one of several resolutions which was carried over. It was not turned down by the committee, but it was carried over until the next session until we can look into the practice of having these books sold. There are some of them for sale at the Government Printing Office. The Department of Labor also has some of these books.

Mr. BAILEY. I think the publication is a worthwhile one in this period of juvenile delinquency when the high schools and colleges are trying all over the country to steer the youth of the country into satisfactory jobs. It was at their request that I introduced the resolution, at the request of high school libraries and college libraries who wanted some information that they could use in their instruction courses in this field. I think it is a very worthwhile publication.

Mr. JONES of Missouri. I agree with the gentleman that it is a very worthwhile publication. I also want to remind the gentleman that I am only one member of this committee.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution was agreed to and a motion to reconsider was laid on the table.

RADIOACTIVE FALLOUT

Mr. JONES of Missouri. Mr. Speaker, by direction of the Committee on House Administration, I call up the concurrent resolution (H. Con. Res. 215) authorizing the printing of additional copies of certain public hearings, and ask for its immediate consideration.

The Clerk read the concurrent resolution as follows:

> *Resolved by the House of Representatives (the Senate concurring)*, That the Joint Committee on Atomic Energy be authorized to have printed for its use 20,000 copies of the public hearings on "The Nature of Radio-Active Fallout and Its Effects on Man," held by the Special Subcommittee on Radiation during the 85th Congress, 1st session; and be it further
>
> *Resolved*, That the Joint Committee be authorized to have printed 20,000 copies of a brief analysis of the above hearings.

Mr. JONES of Missouri. Mr. Speaker, I would like to yield to the gentleman from North Carolina who introduced this resolution. I do not think there is any controversy about it, however, I want to explain that it is for printing the hearings on the nature of radioactive fallout and its effect on man.

I now yield to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Speaker, this resolution concerns the hearings held by the Joint Committee on the problem of fallout and radiation hazards. We based our hearings entirely on scientific data presented by the foremost scientists in

America. I doubt whether any hearings have ever been held here on Capitol Hill which are better evaluated on a purely scientific basis.

The hearings have created widespread interest not only in this country but in many other countries. Requests have been received from colleges and universities, scientific organizations, and from practically all of the civil defense installations in the country.

I wrote a letter to every Member of the House and of the Senate, asking them to indicate the number of copies of the hearings they would require. Many Members began receiving requests from constituents long before the hearings were completed, and at the present time the requests for copies from the Members of Congress filed with the Joint Committee total more than 12,000 copies.

I believe the document will be of great benefit to our schools and colleges throughout the country. There have been confusing statements and so much misinformation printed about this subject that the committee felt it could render a real service to the country in holding and printing these hearings, and I believe a good job has been done. I hope the House will go along with this resolution.

The SPEAKER. The question is on the resolution.

The House concurrent resolution was agreed to and a motion to reconsider was laid on the table.

PRINTING ADDITIONAL COPIES OF REPORT OF THE COMMISSION ON GOVERNMENT SECURITY

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (S. Con Res. 39) providing for the printing as a Senate document and for additional copies of the report of the Commission on Government Security.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the resolution as follows:

Resolved by the Senate (the House of Representatives concurring), That there shall be printed as a Senate document the report of the Commission on Government Security, submitted to the Congress June 21, 1957, pursuant to Public Law 304 of the Eighty-fourth Congress, as amended; and that there shall be printed 5,000 additional copies, of which 2,500 shall be for the use of the Senate and 2,500 for the use of the House.

The SPEAKER. The question is on the resolution.

The Senate concurrent resolution was agreed to and a motion to reconsider was laid on the table.

PHILLIS GUYADEEN

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1558) for the relief of Phillis Guyadeen, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That, in the administration of the Immigration and Nationality Act, sections 202 (a) (5) and 202 (b) (4) of that act shall not be applicable in connection with the application for an immigrant visa by Phillis Guyadeen."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. WALTER]?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

IKUKO MOROOKA MAHONEY

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1741) for the relief of Ikuko Morooka Mahoney, with a Senate amendment and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That, for the purposes of the Immigration and Nationality Act, Ikuko Morooka Mahoney, the widow of a United States citizen, shall be deemed to be a nonquota immigrant."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

DANIEL ADAMSON

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1868) for the relief of Daniel Adamson, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That, for the purposes of the Immigration and Nationality Act, Daniel Adamson shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. BROWN of Ohio. Mr. Speaker, reserving the right to object, may I ask the gentleman if these amendments have been cleared with the minority side?

Mr. WALTER. These amendments have been cleared. They in no way affect the legislation. They are technical, with the exception of two resolutions where the Senate struck the name from the resolution.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. WALTER]?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

VICTORIA GALEA

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4854) for the relief of Victoria Galea, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That, in the administration of the Immigration and Nationality Act, section 202 (c) (1) shall not be applicable in connection with the application for an immigrant visa by Victoria Galea."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. WALTER]?

Mr. KEATING. Mr. Speaker, reserving the right to object, I want to inquire of the gentleman, both with regard to this bill, and others which I understand he is about to present, if he could give us just a general statement on these amendments which have been adopted by the Senate and in which we are being asked to concur.

Mr. WALTER. For the most part, the amendments are technical. In one case the beneficiary has died, but in two resolutions the Senate struck the names from the resolutions as they left the House.

Mr. KEATING. There are some instances where the names were stricken out of the House bills?

Mr. WALTER. That is correct.

Mr. KEATING. I withdraw my reservation of objection, Mr. Speaker.

Mr. McCULLOCH. Reserving the right to object, Mr. Speaker, can the gentleman tell me why the names of the persons who were in the bill when it went to the Senate have now been stricken?

Mr. WALTER. The name deleted from the first, House Joint Resolution 338, there was a preference that became available; in other words, this alien had applied for a quota number; there was none available. Subsequently the preference became available, so the alien could be admitted as a first-preference alien without the need of private legislation.

In the second case the beneficiary is a student of nursing. She has student status and cannot be deported. When she completes her education she will then become a skilled specialist within the meaning of the law and be entitled to a first preference in a quota which is wide open.

Mr. McCULLOCH. If I may interrupt further, I would like to ask a question which might save time. Is the gentleman from Pennsylvania in accord with the action of the Senate in striking these various names which have been mentioned.

Mr. WALTER. Yes, I am quite certain that in each instance they followed the proper course.

Mr. McCULLOCH. And it was in accordance with the unanimous agreement in the Senate committee that these names were stricken, I presume.

Mr. WALTER. I doubt if the language employed in some of the changes improved the language carried in the measure as it passed the House; but their technicians did change the language, and rather than get into a prolonged discussion and conference the members of the subcommittee felt it was easier to concur in the Senate amendments.

Mr. McCULLOCH. One further question, and then I shall be through: This action of the Senate was in accord, then, with the unanimous agreement of the subcommittee of the House?

Mr. WALTER. In each case well-known policies were followed.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

INNOCENZA GUARASCIO

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8284) for the relief of Innocenza Guarascio, with a Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That, in the administration of the Immigration and Nationality Act, Innocenza Guarascio may be issued a nonquota immigrant visa and may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act. Upon the issuance of such nonquota immigrant visa, the Secretary of State shall reduce by one the total number of nonquota visas authorized and not issued under the Refugee Relief Act of 1953, as amended."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the resolution (H. J. Res. 338) for the relief of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the resolution.

The Clerk read the Senate amendments, as follows:

Page 1, lines 4 and 5, strike out "Sister Emmanuel (Miss Margarete Fu).".

Page 1, line 5, strike out "Jael Mercades,".

Page 1, lines 8 and 9, strike out "Mosche Davidovitz,".

Page 1, line 9, strike out "Frieda Davidovitz,".

Page 1, line 11, strike out "Lino Aguilon Reyes,".

Page 2, lines 14 and 15, strike out "Vartuhi Parsejian de Carpenter (also known as Rosa Carpenter)".

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the resolution (H. J. Res. 340) to facilitate the admission into the United States of certain aliens, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the resolution.

The Clerk read the Senate amendment, as follows:

Page 4, strike out lines 5, 6, and 7.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the resolution (H. J. Res. 368) for the relief of certain aliens, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the resolution.

The Clerk read the Senate amendment, as follows:

Page 2, line 15, strike out "Purificacion de Peralta,".

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the resolution (H. J. Res. 392) for the relief of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the resolution.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, strike out "Kam Man Leung."

Page 1, line 6, strike out "Ellen Yuin-Shang Chung Au."

Page 1, line 7, strike out "Shao-Run" and insert "Shao-Ru."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FACILITATING THE ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 373 to facilitate the admission into the United States of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 4, strike out "Clelia Cusano Puglia."

Page 1, strike out lines 7, 8, and 9.

Page 1, after line 9, insert:

"Sec. 2. For the purposes of the Immigration and Nationality Act, Clelia Cusano Puglia shall be deemed to be within the purview of section 203 (a) (2) of that act, and a petition in behalf of the said Clelia Cusano Puglia under section 205 of the said act may be filed by her minor daughter, Chiarina Puglia, a United States citizen."

Page 1, after line 9, insert:

"Sec. 3. For the purposes of the Immigration and Nationality Act, Yotsu Yusawa Heim, the widow of a United States citizen, shall be deemed to be a nonquota immigrant."

Page 1, line 10, strike out "3" and insert "4."

Page 2, line 3, strike out "4" and insert "5."

Page 2, line 24, strike out "5" and insert "6."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN SPOUSES AND MINOR CHILDREN OF CITIZENS OF THE UNITED STATES

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 387 for the relief of certain spouses and minor children of citizens of the United States, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 15, strike out "Maria A. Grammatica."

Page 2, line 19, strike out "Giovannina Del S. Kennedy."

Page 3, line 11, strike out "and."

Page 3, line 11, after "Riccardi" insert "Hiroko Bergano, Lina Nagel Cassady, Chan Han Fong, Satsuko Yoda Murphy, Maria Angelina Eugenia Bravo de Staniszewski, Mrs. Ichiko Shibata Crazy Bear, Mrs. Giuseppina de Duonni, Mr. Giovanni D'Emilia, Mrs. Maria Begonia Dymsza, Mrs. Kazue Tomoyama Elliot, Mr. Mendel Lindenfeld, Mrs. Rose Bagnato Marciano, Mrs. Shimako Maston, Mrs. Chun Mun, and Mrs. Chieko Rainboldt."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

WAIVING CERTAIN PROVISIONS OF SECTION 212 (A) OF THE IMMIGRATION AND NATIONALITY ACT

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 409 to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, strike out "Josephine Braun Rice."

Page 2, strike out lines 5 to 10, inclusive, and insert:

"Sec. 3. Notwithstanding the provisions of section 212 (a) (9), (17), and (19) of the Immigration and Nationality Act, Maitland McKinley Joseph may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act."

Page 2, line 13, after "Fomenko" insert "Mrs. Valerie Horsakova and Moses Kuperschmidt."

Page 2, line 13, strike out "a visa" and insert "visas."

Page 2, line 14, strike out "he is" and insert "they are."

Page 2, line 20, strike out "beneficiary is" and insert "beneficiaries are."

Page 2, line 23, after "deposited" insert "in each case."

Page 3, line 2, strike out "Pietro Pipitone."

Page 5, after line 4, insert:

"Sec. 11. For the purposes of the Immigration and Nationality Act, Pietro Pipitone, the widower of a United States citizen, shall be deemed to be a nonquota immigrant, and he may be issued a visa and be admitted to the United States for permanent residence notwithstanding the provision of section 212 (a) (9) of the said act."

Page 5, line 5, strike out "11" and insert "12."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 411 for the relief of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 4, strike out "Wickham Courtney Anderson."

Page 1, line 4, strike out "Pilar A. Centeno."

Page 1, lines 8 and 9, strike out "Yang Sin Djen Dao."

Page 1, line 9, strike out "Jen-Hung (Carlos Joseph) Chao."

Page 2, line 3, strike out all after "visa" down to and including line 13 and insert "fees."

Page 3, line 8, strike out "case" and insert "cases."

Page 3, line 8, after "of" insert "Rosa Grunbaum and."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

GRANTING PERMANENT RESIDENCE TO CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Concurrent Resolution 194 granting permanent residence to certain aliens with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, strike out line 6.
Page 13, after line 12, insert:
"A–6511104, Chun, Shu Gar.
"A–7767904, Chiu, Cheng Chia.
"A–6197692, Kuo, Hsiao-Lan.
"0200–86579, Kuo, Hsiao-Mei (nee Yen).
"A–5928235, Lum, Yip.
"A–10489388, Peiker, Konstantin.
"A–9729590, Wee, Wah Kei."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

BARCELONA LIGHTHOUSE SITE, PORTLAND, N. Y.

Mr. BONNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1678) to provide for the quitclaiming of the title of the United States to the real property known as the Barcelona Lighthouse site, Portland, N. Y., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 9, after "Administrator.", insert "Such conveyance shall be conditional upon payment being made for such real property in an amount equal to its fair market value (excluding the value of any improvements) as determined by the Administrator after appraisal."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

Mr. REED. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED. Mr. Speaker, it is a source of great satisfaction to have H. R. 1678 pass the House of Representatives and the Senate of the United States, because this legislation will clear the title to six-tenths of an acre of land upon which stands a lighthouse that was abandoned by the Government in 1859. This abandoned and deserted lighthouse was sold in 1872 and later restored as a dwelling. It has been in the hands of a very prominent family, the Crandalls, for many years. Mr. G. Patterson Crandall and Mrs. Nellie B. Crandall, his wife, had every right to assume that they had full title not only to the lighthouse, which was purchased from the Government, but also the site of six-tenths of an acre on which it stood. It was only recently that the United States Government claimed any title to the land. There was little value in the property, both land and tower, because it sold for $102 in 1872. Whatever value has developed in the property is due to the improvements made in it by Mr. and Mrs. Crandall. I introduced a bill to clear this title, which bill has just passed the House of Representatives with a Senate amendment; the amendment having been placed upon the bill by Senator Wayne Morse of Oregon. This amendment requires, in order to clear the title to the six-tenths of 1 acre on which the lighthouse stands, according to the General Services Administration the payment of the market value without the value of improvements to the property. The good faith of the Crandalls in believing they had the title to the real estate is indicated by the fact that they have paid the taxes on this real estate since 1910.

The Government has never spent 1 cent on this property for the last 100 years. I cannot help but feel the irony of requiring these people to pay the present fair market value to the Federal Government to clear the title when billions of dollars are appropriated and sent to every imaginable boondoggling project abroad.

I am gratified, however, that the title can be cleared by the enactment of this bill and its ultimate signature by the President of the United States.

FISHING OPERATIONS IN THE TERRITORY OF ALASKA

Mr. BONNER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 9280) to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the bill, as follows:

> *Be it enacted, etc.,* That in order to facilitate the conduct of fishing operations in the Territory of Alaska and to promote the conservation of fishery resources thereof section 2 of the act approved June 6, 1924 (43 Stat. 464, 465; 48 U. S. C., 1952 edition, 225), relating to the escapement in certain instances of a portion of the salmon run in the waters of Alaska, is hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

Mr. TOLLEFSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. TOLLEFSON. Mr. Speaker, I introduced H. R. 9230 at the request of representatives of the Department of Interior, Department of State, the fishing industry, and of the North Pacific Fisheries Commission. The bill seeks to amend the White Act of 1924 so as to give the Secretary of Interior greater discretion with respect to fixing the percentage of salmon runs which should be permitted for spawning purposes. The White Act provides that not less than 50 percent of salmon run must be permitted to escape for spawning purposes. The remainder may be taken by fishermen. The experiences under this provision of law have proved to be unscientific. Better conservation results can be had under my bill in those cases where salmon runs are so large that a 50 percent escapement would permit more fish to go upstream for spawning purposes than the stream could handle. The results in such case are wasteful. Less than a 50 percent escapement would produce better results.

While it is true that at the present time more than 50 percent escapement is required by the Secretary of Interior in most streams in Alaska, he is powerless under present law to permit a smaller than 50 percent escapement in those cases where it would be beneficial and scientific to do so.

Furthermore, Japanese fishermen have abstained from taking Alaska salmon in waters adjacent to Alaska simply because of a treaty provision which requires the United States to make full utilization of Alaska salmon resources and to follow sound conservation practices. If we fail to fulfill the treaty requirement there is no assurance that Japanese fishermen will continue to abstain from taking our salmon. My bill provides for sound conservation practices and also makes possible a full utilization of our Alaska salmon resource.

A CHALLENGE TO SECRETARY MITCHELL

Mr. ROOSEVET. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, this session of Congress has seen a demand for leadership from the administration that has been unprecedently bipartisan. And just as unprecedented has been the administration's abdication of its responsibility for leadership.

Congress and the American people have suffered from an incredible display of equivocation, of hollow promises and lip service. The administration has been consistent only in its inconsistency. It has taken a stand, then retreated, made pronouncements, then renounced them, backed and filled until it has become clear that Republican policy could only be construed in the most charitable light as being no policy.

Notable among the examples of Republican issue-dodging is the stand of the administration and the Department of Labor on the Taft-Hartley Act and its application to right-to-work laws. Again, shifts in position, contradictory statements and an obvious intent to stay on the fence have denied to great segments of American labor the right that it asks and deserves to union security through union-shop agreements. Secretary Mitchell has spent the tenure of his office wooing the support of labor, but never offering a program that reflects a small part of his pious words. The time has come to demand that he make good on the principles that he purports to embrace.

Let us look at the record. In 1954, before the 16th Annual Convention of the CIO in Los Angeles, Secretary Mitchell said that laws that make it illegal for workers and employers to enter into union-shop agreements "do more harm than good."

> In the first place—

He continued—

> they do not create jobs at all. In the second place they result in undesirable and unnecessary limitations upon the freedom of working men and women and their employers to bargain collectively and agree upon conditions of work. Thirdly, they restrict union security and thereby undermine the basic strength of the labor organization.[1]

In recognizing the justice of freedom in collective bargaining, why did Secretary Mitchell thus condemn right-to-work laws? For very good reasons, well known to him in 1954, and every bit as valid in 1957. The so-called right-to-work law, contrary to its connotations of freedom for all, is actually a tightening vise around unions. It provides no rights—it only denies rights.

The Taft-Hartley Act now provides minimum union security. It is minimum security because under the act, States may put on the books "right to work" statutes that restrict union activity more severely than the act provides. Seventeen States now have such laws. The act itself, however, prohibits the States from relieving Taft-Hartley restrictions. And those more restrictive State laws, which can outlaw the union shop and maintenance of membership agreements, both acceptable under Taft-Hartley, have precedence over the act. In other words, in those 17 States, wage earners and employers are prohibited from sitting around the collective bargaining table. They are prohibited from coming to mutually acceptable agreements on wages, hours and working conditions. And they are prohibited from engaging in this union activity even if both the worker and the employer desire to do so.

Secretary Mitchell was well aware in 1954 of the patent unfairness of laws that make agreements between labor and management illegal. He was aware, I am sure, that in the national picture these laws tend to undermine the stability of the national economy. It is obviously impossible to maintain a strong economy and a healthy labor market as a whole, if within that whole are islands of economic weakness and labor insecurity. This is a national problem and can only be handled on the national level by invalidating the priority given to right-to-work laws.

Yet listen to Secretary Mitchell's comments in 1957 on a bill that would place statute priority in the Taft-Hartley Act. He writes:

> On March 14, 1957, I transmitted to the Speaker of the House of Representatives three administration proposals for amendment of the Labor-Management Relations Act, 1947, as amended, primarily as it relates to the building and construction industry. These were introduced in the House as H. R. 6857. At the present time, I am not prepared to recommend any proposals for amendment of this act other than those provided in H. R. 6857.

The bill to which he refers does indeed make some needed corrections in the act. It removes restrictions on the building trades industry that have been unnecessary and well nigh impossible to meet, it allows employers to contribute to funds that would be used to train skilled workers, and it allows employers to group together for collective bargaining. My approval of these worthy aims is wholehearted. But this bill, which is as far as Secretary Mitchell is willing to venture along the road that he has implied is the right road, will have no effect on unfair, restrictive right-to-work laws which he has said "do more harm than good."

Now Secretary Mitchell's position is conceded to be one of hope that no more States will enact right-to-work laws. He is evidently willing to work in the interests of American labor by crossing his fingers. Is this action? Is it policy? If he in truth hopes that no new right-to-work laws are enacted, we might reasonably assume that his position is still one of disapproval of those laws, and that his disapproval might well be based on the very reasons that he announced in 1954. Why then, when presented with a bill that would remedy the situation that he deplores, does he refuse to take a stand?

And this is the same man who has recently berated Walter Reuther, president of the United Auto Workers, and a number of liberal organizations for compromising their position on the civil-rights bill. He says:

> They give as a reason something is better than nothing. All I can say to them is that this is not the philosophy that made our country what it is today.[2]

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[1] New York Times, December 8, 1954.

[2] Daily Labor Report, August 16, 1957.

Let Secretary Mitchell condemn others for what he might construe to be an abandonment of principles when he can show the American people that he is willing to back his principles up with action. We have seen, for instance his Department's opposition to a fair minimum wage. Let him fight for the rights that labor deserves just as the advocates of civil-rights legislation have fought for the protection of the rights of the people. Then we will appreciate his words when he talks about philosophies that made our country what it is today.

I, for one, intend to give him every opportunity to make good on his words. His support of fair labor legislation is the minimum requirement. If, however, his support of the kind of revisions of Taft-Hartley that he has deemed right in the past is not forthcoming, then it is up to Congress in the next session to give such legislation priority without the blessing of the Department of Labor.

Mr. Mitchell, we are waiting.

LEGISLATIVE PROGRAM FOR THE BALANCE OF THE WEEK

Mr. KEATING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, I take this time for the purpose of asking the acting majority leader if he can tell us about the program for tomorrow.

Mr. ALBERT. The gentleman from Pennsylvania [Mr. WALTER] will present some privileged resolutions from the Committee on Un-American Activities having to do with contempt citations.

Mr. KEATING. I suppose it is to be expected that there might be some rollcalls on those resolutions?

Mr. ALBERT. It is a possibility.

Mr. KEATING. Are there any conference reports coming up that the gentleman can inform us about?

Mr. ALBERT. Not that I know of at this time, but under our general reservation conference reports may be brought up at any time.

Mr. KEATING. There will not be any other business tomorrow in addition to the resolutions the gentleman has referred to or perhaps some conference reports?

Mr. ALBERT. Or action under unanimous consent.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield to the gentleman.

Mr. SMITH of Virginia. Mr. Speaker, I would like to inquire of the acting majority leader if he knows whether there will be a session on Saturday or whether we may have the weekend off.

Mr. ALBERT. It is not planned at this time to have a session on Saturday.

Mr. KEATING. Mr. Speaker, may I ask the acting majority leader this question? Personally I expect to be here, but there are some Members who have made some plans and I wondered if it has been discussed whether it would be possible to put over any rollcall votes until Monday?

Mr. ALBERT. That has not been determined, and at this time I am not able to give the gentleman that assurance.

The SPEAKER. The Chair would think that if a conference report on an appropriation bill were brought up tomorrow, in order to expedite it, we would have a rollcall.

Mr. KEATING. I thank the Speaker.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield to the gentleman.

Mr. JONES of Missouri. Mr. Speaker, I just wanted to inquire if any plans have been made for introducing a resolution to adjourn sine die? It seems to be the opinion of many people that if we had such a resolution to adjourn by Saturday night, it might speed up a great many matters, and some things could happen this week that will happen next week.

Mr. ALBERT. There are no plans of that kind pending at this time, to my knowledge.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 4240. An act for the relief of Cornelia S. Roberts; and

H. R. 7384. An act for the relief of the town of Medicine Lake, Mont.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1937) entitled "An act to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 939) entitled "An act to amend section 22 of the Interstate Commerce Act, as amended."

The message also announced that the Senate further insists upon its amendments to the bill (H. R. 9023) entitled "An act to amend the act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, N. Mex., for furnishing hospital care to certain Indians," disagreed to by the House; requests a further conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HILL, Mr. MURRAY, Mr. KENNEDY, Mr. PURTELL, and Mr. COOPER to be the conferees on the part of the Senate.

CIVIL-RIGHTS LEGISLATION

Mr. KEATING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, H. R. 6127, as passed by the House of Representatives, was a moderate civil-rights bill which would nonetheless have been effective in providing more adequate protection for individual rights guaranteed by the Constitution of the United States. I believe that the enactment into law of the bill, as passed by the House, would unquestionably have been in the national interest.

The bill that has now been returned to the House by the other body still bears the same number, H. R. 6127. However, in what were its most important provisions, it is no longer the same bill. Those Members of the House who supported its passage in its original form may now well wonder whether its enactment would still be in the national interest.

Part III of the bill, which would have authorized the Attorney General to bring civil proceedings in Federal courts for injunctions and other preventive relief to secure for individuals the equal protection of the laws, has been deleted. Thus, the bill would now provide a civil remedy to the Attorney General only in cases involving violation of the right to vote.

If this were the only result of the amendments made in the other body, enactment of the bill would still represent a significant step forward, even though it fell far short of what the true friends of civil rights had hoped for. A provision for an effective remedy solely in voting cases would be preferable to no civil-rights legislation at all. But even in this limited field the bill returned by the other body is not the same as the bill which was passed by the House.

The bill which the House passed would have authorized the Attorney General to follow the usual procedure in equity cases to prevent interference with the right to vote. The bill did not introduce any novel proceedings nor depart from the usual and traditional procedures for the enforcement of court orders. The other body, while concurring in the determination of the House that the Attorney General should be authorized to seek equity relief for the protection of voting rights, took the occasion to change in a vital respect the rules of procedure traditionally followed in the enforcement of equity decrees.

A court order can be of no more effect than the means available for its enforcement. The power of a court to punish disobedience of its orders by means of speedy, summary procedure without using a jury has long been recognized. It is conceded that the constitutional guaranty of jury trial does not relate to such proceedings. Nonetheless the other body, in order to meet danger imagined to exist in voting right cases, adopted a sweeping, radical, and ill-considered amendment applicable to the whole field of equity jurisprudence and to the enforcement of every court order in every case. This amendment cannot but seriously weaken and impair the authority of the Federal courts if enacted into law. The amendment provided that no Federal court could punish for contempt of its orders without first affording the contemnor a jury trial. Under this provision even a person who deliberately disobeyed a subpena to appear in court would be entitled to a jury trial before he could be punished for his flouting of the court's authority.

On the floor of the other body it was argued that this drastic weakening of the authority of Federal judges was not intended to discriminate against the enforcement of the right to vote but that it was a desirable change in equity procedure generally. That is why, it was said, a jury trial should be a matter of right in all criminal-contempt cases. Now, however, the disastrous effect of this proposal on the Federal courts is very generally perceived and acknowledged even by some of its sponsors in the other body. It is now conceded that the amendment providing jury trials in criminal-contempt cases should be limited to contempts arising in voting-right cases only. What is this if not discrimination against the right to vote? On what legitimate basis can it be claimed that the enforcement procedures available to the courts in cases involving the right to vote should be weaker, slower, and more cumbersome than for the enforcement of any other right guaranteed by Federal law?

Surely, it cannot be asserted that in voting-right cases as distinguished from any other type of litigation Federal judges will tend more to be arbitrary and unjust toward those alleged to have violated the court's orders. The Federal judges who would hear and decide these cases are not foreign to the people of their soil nor to the areas in which they sit. They are ordinarily natives of their communities and share the social traditions and customs of those communities. At the same time, experience has shown they will be fearless in their duty, will apply the law without favor, and will uphold it with utmost integrity.

If we must now accept this weakening and unfair amendment as applied to voting right cases, let us at least make its provisions consistent with the use of trial juries in criminal cases generally. The Constitution and the laws do not require juries in all criminal cases. It has long been recognized that with respect to less serious offenses where the permissible punishment is not great, the right to jury trial does not apply. The right to jury trial in criminal contempt cases, created by this ill-advised amendment, should certainly extend no further than it now exists in criminal cases. With this in mind, it has been proposed that the first paragraph of the amendment to part V advanced by the chairman of the Judiciary Committee be itself amended to add the following proviso:

> *Provided, however,* That the court in which such criminal contempt proceeding is pending may, in its sole discretion, order that the accused shall not be entitled to trial by a jury, and if such an order is entered by the court the accused shall if convicted by the court without a jury be punished by fine which shall not exceed the sum of $300 or by imprisonment not exceeding the term of 90 days, or both.

The amendment proposed by the chairman of the Judiciary Committee would restrict the novel introduction of jury trial in cases of criminal contempt to disobedience of orders made in voting right cases. The further amendment which I now propose would follow the policy of not requiring juries where the possible punishment is not great.

In this connection, it is interesting to note legislation previously enacted by the Congress relating to jury trial for offenses committed in the District of Columbia. Section 11–616 of the District of Columbia Code, enacted by Congress, contains the following provision:

> In all prosecutions within the jurisdiction of said court in which, according to the Constitution of the United States, the accused would be entitled to a jury trial, the trial shall be by jury * * *.
>
> In all cases where the accused would not by force of the Constitution of the United States be entitled to a trial by jury, the trial shall be by the court without a jury, unless * * * the fine or penalty may be more than $300, or imprisonment as punishment for the offense may be more than 90 days.

Pursuant to this provision, there is no jury trial in the District of Columbia for disorderly conduct or for unlawful assembly, each of which offenses involves a maximum punishment of $250 or 90 days imprisonment. Likewise, there is no provision for jury trial in connection with the offenses of indecent exposure not before a minor, of vagrancy, of sale of unwholesome food, of violating industrial safety regulations or of speeding, all of which involve maximum penalties of a $300 fine or 90 days in jail or both. There is, likewise, no provision for jury trial for the offense of hit-and-run driving involving damage to property, a first violation of which carries a maximum penalty of $100 or 30 days and the second violation a maximum penalty of $300 or 90 days. These examples illustrate a public policy even in criminal offenses of not requiring jury trial where the offense is of a less serious nature and the maximum penalty is relatively slight.

The amendment I have proposed would, if adopted, relieve the fears expressed in the other body of harsh and excessive punishment imposed without a jury trial. It would, however, preserve to the court its right to enforce its orders in the traditional speedy and effective manner without jury trial where the punishment is limited. While I consider it just as unwise to interpose a jury in the enforcement of court orders arising in voting right cases as it is in equity proceedings generally, the present proposal will at least permit the simple and speedy procedures of enforcement that are usual in equity cases to be followed in those instances where the court considers that the fine should not exceed $300 or the imprisonment 90 days.

This proposal is advanced with great reluctance since any jury trial amendment seriously weakens the protection of the right to vote. But it at least puts some baby teeth in the ineffective and unworkable provisions of the amendment proposed by the chairman of the Judiciary Committee. The proper way to resolve all the differences between the two bodies is by the normal and accepted practice of a House-Senate conference. But, due to the adamant position taken by the leadership controling this Congress and the insistence that the Congress shall at most pass only a weak and diluted imitation of a civil-right bill, the adoption of the amendment I propose would at least salvage something from the wreck wrought by the other body.

THE FARM SITUATION

Mr. HILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HILL. Mr. Speaker, to those Members of this House who have been constantly emphasizing serious difficulties in which the farm producers find themselves, it might be well to remind them that once in a while the sun does shine through the gloom. It is not all bad regardless of the weeping and wailing of the do-gooders and especially those who would brace farm income by extending the arm of support to the extent of placing the farmers in a straitjacket under a farm pension compensatory payment plan . To my way of thinking this policy is an extremely socialistic approach.

To illustrate that everything about the farm program is not as bad as our wailing colleagues indicate, I quote from the Washington Farm Reporter, dated August 17, 1957, written by what I consider an excellent, understanding, agricultural writer, Fred Bailey:

> Prices farmers receive have turned the corner—and have been above the year-earlier figure for more than 12 months. And this has been accomplished with lower—rather than higher—price supports.
>
> Farm income is headed up for the first time in a peacetime year since 1947. Figured on a per farm basis, the increase from 1955 to 1956 was 7 percent. Also regarding the economic position of farmers: Assets are at an all-time high and average 8 times debt. Only 1 of 3 farms has a mortgage, with farm ownership being a record high.
>
> Exports are larger than ever before measured in both quantity and value. Much of the credit is due 480 export program and competitive pricing of cotton and wheat.
>
> Surplus holdings of CCC are being drawn down by roughly one-sixth during the most recent 16 months. Stocks of wheat, cotton, rice, and dairy products all are on the decline. And USDA expects further reductions during the 1957–58 marketing area.
>
> Other programs: Rural development (underway in 24 States), Soil Conservation Service (a 37 percent increase in farmers participating), Farmers' Home Administration (a 50-percent increase in loans), and ACP (a gain in practices undertaken).

When we close the books on this session of Congress we will have to conclude that no major farm legislation will have been enacted by the 1st session of the 85th Congress. However the Committee on Agriculture, on which I have the honor to serve, has done a world of work in committee and many hearings have been held and much testimony has been heard on major agricultural problems, and certainly during the 2d session of the 85th Congress this House will have an opportunity to consider fundamental changes in the approach toward the solution of our agricultural difficulties. It is not an easy task.

The rewriting of our basic agricultural legislation is long past due and nothing will be gained by delaying action.

REVOLUTION IN LATIN AMERICA?

Mr. REECE of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. REECE of Tennessee. Mr. Speaker, my attention has been called to a United Press dispatch of July 31 from San Juan, Puerto Rico, which reads as follows:

> Nicholas Silfa, representative of the Dominican Revolutionary Party in New York, left today for Habana after 3 days of conferences of unity with the Dominican exile leaders, especially Angel Morales, president of the United Front.
>
> Yesterday afternoon Silfa, accompanied by Morales, visited briefly Gov. Luis Muñoz-Marin at his residence.
>
> Silfa is in the last phases of a trip of 1 month to Mexico, Cuba, Puerto Rico, and other places not revealed in order to unite the anti-Trujillo forces for the final step of the struggle against the dictator.

I am informed that the Nicholas Silfa referred to in the above press dispatch is an American citizen, and in fact, the same individual who at one time, on the basis of information whose source he claimed to be unable to reveal, charged that Galindez had been thrown alive into the boiler of a Dominican ship. This story was checked by the New York City police, with the full cooperation of the Dominican Government, and disproved. Even Mr. Silfa admits his allegation was incorrect, although it received wide publicity at the time, on his authority.

What concerns me most, Mr. Speaker, is the spectacle of an American citizen traveling throughout Latin America, and conferring with the governor of an American territory, for the open and avowed purpose of overthrowing the government of a friendly Latin American country. I do not understand, in the first place, how an American citizen can be a member of a foreign political party. Neither do I understand how our State Department can permit and provide passports for American citizens to travel abroad for such purposes. Even less can I understand the propriety of the governor of an American territory participating in conference with such an individual. Surely nothing but evil and danger for the United States can result from it.

During the last 3 years, President Remon of Panama, President Somoza of Nicaragua, and President Castillo Armas of Guatemala, have all been assassinated. The one thing that all three of these leaders had in common was their unswerving opposition to the infiltration of their countries by Communist elements. That the assassinations of Presidents Somoza and Castillo Armas was the result of subversive activities, there is not the slightest doubt. President Somoza's death was greeted with ill-concealed pleasure by Romulo Betancourt, the Venezuelan exile who is a close friend and mentor of President Figueres of Costa Rica. Betancourt works closely with Governor Muñoz-Marín of Puerto Rico. Figueres invited Representative PORTER to Costa Rica. All are outspoken enemies of Trujillo in the Dominican Republic and Perez Jimenez in Venezuela. All have conferred with Mr. Silfa.

This picture seems to me frighteningly clear. The former Red officials of Guatemala, now living in Uruguay and Chile, called Castillo Armas' assassin a hero. They were intimate friends of Figueres and Betancourt. Figueres and Betancourt are attempting to get Trujillo. It is inconceivable that their plans do not call for more assassinations and more "heroes." Should this happen, the United States must assume its share of the blame for permitting activities of this nature by Silfa, an American citizen; by Betancourt, a Venezuelan who spends much of his time on American soil, who organized the Bogotá riot which almost cost the life of Gen. George Marshall; by Muñoz-Marín, Governor of an American territory, and Representative PORTER, an American Congressman.

Indeed, it seems to me that the United States has gone further than merely permitting this activity. We have given the greatest publicity and sympathy to charges by men like Silfa, Representative Porter, Betancourt and Governor Muñoz-Marín, which so far have been either disproven or unproven, and condemned their opponents without further thought. We have undertaken and are now undertaking extensive investigations of their charges, and of the Dominican Republic, for example, without investigating the people who are making the charges and why they are making them. One thing is certain, however, the assassinations of the leaders of friendly anti-Communist countries must stop, and they will not be stopped by investigating Trujillo.

THE FUTURE OF THE LEAD AND ZINC INDUSTRY

The SPEAKER. Under special order of the House, the gentleman from Missouri [Mr. BROWN] is recognized for 15 minutes.

Mr. BROWN of Missouri. Mr. Speaker, I should like to talk a little bit about some people down in the tristate area of Missouri, Kansas, and Oklahoma who have about lost all faith in their Govment.

They are miners—lead and zinc miners. They have some real problems. But their personal problems are small, indeed, compared to the Nation's problem and the national interest in the future of the lead and zinc industry.

And that is what I want to bring to your attention today—the story of how an intelligent country willfully or negligently is maneuvering itself into an unwise and precarious dependence on foreign sources for too much of its vital lead and zinc ores.

First, let us orient ourselves with the facts of life about the world we live in, August 22, 1957.

Two powerful forces in the world, the force for freedom and the force for communism, are locked in a life-and-death struggle for survival or supremacy.

The arsenal for freedom's forces is the United States of America. The arsenal for communism is the U. S. S. R. Whatever the perimeter forces might be and however they might shift around, the real last-ditch stronghold of freedom is the United States of America and the last-ditch stronghold of communism is the U. S. S. R.

Just how long this struggle will go on nobody knows. You can get opinions that the two philosophies can coexist for the next hundred years without open warfare. You can also get opinions that an incident in Syria or Taiwan could ignite the spark overnight. The truth is, nobody knows, and anybody's opinion is just as good as anybody else's.

But this much we do know. The potential for conflict is present. The forces are powerful and getting more powerful all the time. The commitments on both sides are firming up constantly; and the conflict is basic. We hope and pray that it will not erupt in war. We are trying to prevent it. But to say that war is not a very real possibility in an explosive situation of this kind is to turn one's back on every lesson of history. We must work for peace, but constantly be vigilant.

In such an abnormal era it is essential to pay special attention to the sources of vital raw materials required for the national security.

Mr. Gordon Gray, the Director of the Office of Defense Mobilization, told the House Ways and Means Committee recently:

> A healthy mining industry is important not only in time of peace but also in time of national emergency.

He went on to say:

> Complete reliance on nearby foreign production—

Get that; even nearby foreign production—

> in time of emergency would subject us to contingencies which could endanger the security of the country.

He further said:

> Availability of foreign metals could be dependent to a large degree on willingness to pay inflated and even exhorbitant prices.

He wound up by saying:

> Domestic production provides a somewhat greater degree of national security.

But while Mr. Gray stated the truths very well, just plain commonsense tells us that lead and zinc production capacity is essential to the security of the United States—freedom's arsenal.

In these particularly explosive times, no thinking nation should under any circumstances maneuver itself into a position where it is needlessly dependent on a precarious source of supply for a large amount of vital raw material. It is unthinkable shortsightedness. But that is exactly what this Nation is doing. Lead and zinc imports have gradually become so far out of balance with domestic production, so utterly disproportionate, that foreign metals are now almost our primary source of supply, and it is getting worse.

Why would a supposedly intelligent nation take a calculated risk like that? Oh, there are a thousand reasons and excuses. It is said that imports are essential in the fight against inflation. It is said that we have to do it to help our allies. Still others say it really is not a risk at all because many of the mines are owned by American companies, anyway, and the sources are nearby friendly governments.

These reasons scarcely take into account, of course, that governments change sometimes, that arbitrary confiscation of private property has occurred many times in many countries, that, while we are hoping for the day when trade will move freely among peoples of the world, that day is not yet here.

To depend upon even nearby foreign production for a vital ore involves a certain element of risk.

Why take the risk until you have to take it?

The truth is that somebody wants it that way so we are doing it that way. The Nation is willfully encouraging even more dependence on foreign sources of two vital metals by permitting and sanctioning more and more imports.

Here at home we are closing down our own mines, letting them fill up with water and letting the miners disperse to other occupations. We are literally knocking a big part of an entire industry in the head because somebody somewhere wants to do it that way. Now the mystery is—who is the somebody and where is this key thinking?

Certainly, it is not the Congress because the Congress is vitally interested in this problem. The congressionally established agency of the Congress, the Tariff Commission, which was created to adjust tariffs in detail in accordance with the Congressional policy told the executive to slow down on this import business a little bit and they told them that in 1954. They asked the President to raise the tariffs to the maximum limit under existing authority so that we could get a better balance of imports and domestic production. But, apparently, when the Tariff Commission was talking in one ear of the President, somebody else was talking in the other ear. The President did not do it; and again there were plenty of excuses for not doing it.

As a substitute, the Nation started stockpiling lead and zinc supplies on top of the ground. Understand that is the hard way, that is the expensive way to store any substantial quantities of ore or petroleum. The cheap way is to keep it in the ground in its natural state. But, there were good reasons for stockpiling some lead and zinc for quick, ready emergency stockpile purposes. We did it and that was fine, but still it did not solve the whole problem. What happens after the stockpile is exhausted?

Remember—the Office of Defense Mobilization says that a healthy mining industry is essential for national security. The only way to get a guaranty adequate stores of lead and zinc for the Nation is a healthy domestic mining industry in the United States. The situation has gone from bad to worse as situations of this kind generally do.

We were about to pass the point of no turning back in our national lead and zinc policy, and just about everybody recognizes it as a mistake. That is the strange thing about this whole lead and zinc industry situation. Everybody seems to want to correct a bad situation; but nobody does anything.

Now, the President has the authority to do it. Let us not kid ourselves about that. Under section 7 (b) of the Reciprocal Trade Agreements program, the President can raise tariffs to any amount that he wants to. He can impose quotas or anything else that he wants to do to preserve an industry essential to the Nation's defense requirements. The process is a simple one. The President tells the Office of Defense Mobilization to conduct a study of the lead and zinc situation. The ODM reports its findings and the President then takes whatever action is justified with almost no limitation on what the President can do. In a press conference yesterday the President explained why he had not followed this procedure with lead and zinc. He said, "The condition was represented to me as being so critical as not to allow time for such an investigation, which usually involves many months."

In other words, from that statement the President wanted faster action than that study. So they figured out at the White House the thing to do to get fast action was to get a bill through the Congress. Now if there is any slower slow-boat-to-China way of getting tariff relief for a specific product, than by trying to pass a bill through the Congress. I do not know what it could be. Passing an act of Congress takes time. Everybody in Washington knows that. Certainly, the Department of Interior and the other agencies of the executive branch acting for the President knew it, because the very bill they sent to Capitol Hill carried an effective date of January 1958. No relief was even intended before 1958.

I submit that thinking people will all agree with this obvious passing of the "hot potato" from one branch of the Government to the other, the national interest in lead and zinc in an era of potential international explosions got bogged down in the Washington bureaucracy maze. Now what happened?

Lead and zinc are essential to the national security. Both the Executive and Congress will admit that. The Tariff Commission long ago recommended to the President that something must be done to get some relief for the lead and zinc miners of America so that our domestic industry can survive. But the recommendation received a Presidential veto. The Office of Defense Mobilization says lead and zinc are essential to national security. All the President has to do is call for a study and then adjust imports to proper balance. Why does something not happen?

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Missouri. Yes, I yield. I would like to get the gentleman's theory.

Mr. BYRNES of Wisconsin. I think the gentleman knows there is pending in the Congress a bill to provide protection for the lead and zinc industry. Hearings have been held on that legislation by the Senate Finance Committee and hearings have been held in the Ways and Means Committee of the House of Representatives on that legislation. The Committee on Ways and Means could have met at any time in the last several weeks and reported that bill out. I assure the gentleman that, at least on the Republican side, I am advised they were requested to report the bill out immediately.

Where is the responsibility for not reporting that bill out? It is on the Democratic-controlled Ways and Means Committee of the House, and there is no doubt about it.

Mr. BROWN of Missouri. Now, that is one of the basic problems right there. The gentleman brings politics into the Nation's security. The politicians keep trying to make some sort of an issue out of this nonpolitical matter.

Now I do not believe the President wants to play politics with it. I believe he genuinely wants to correct the situation. But someone keeps saying, make Congress take the responsibility, even though there is ample legislative authority now.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Under previous order of the House the gentleman from Montana [Mr. METCALF] is recognized for 15 minutes.

Mr. METCALF. Mr. Speaker, I will be glad to yield to the gentleman from Missouri [Mr. BROWN] if he wants to continue his colloquy.

Mr. BROWN of Missouri. If I could continue briefly, I would appreciate it.

You do not pass legislation to do something that the Executive is already authorized to do in the first place unless you just reach a total impasse where the Executive just under no circumstances will carry out the will of Congress. Even then, you have no assurance that the President will sign it. The President refused to sign the Tariff Commission recommendation of 1954. The President has, up to now, refused to make adjustments under section 7 B. Merely passing a bill is no guaranty that the bill would become law.

What we have to do is find out who it is, and why, someone, somewhere, is so opposed to a better balance of lead and zinc imports with domestic production. Who is it that keeps bottling up Executive action?

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield at that point?

Mr. METCALF. I yield.

Mr. EDMONDSON. The gentleman from Missouri in his remarks a few moments ago referred to the statement made by the President in his press conference yesterday. I wonder if the gentleman is also familiar with the last two sentences of the statement in his press conference, in which he said the following:

> I actually believe the best way in the long run to handle these things is through the established method which is to put it into the Tariff Commission and allow the study

> to be made, and then for the President to act on it in accordance with existing law.
>
> I understand that the industry itself seems now to prefer that method.

Mr. BROWN of Missouri. I thank the gentleman. I was just looking for my copy of the President's statement. That is the key point. Surely, the gentleman from Wisconsin recognizes that the President himself has the authority when the President himself says so, and feels now that Executive action is the proper course to take.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. METCALF. I yield.

Mr. BYRNES of Wisconsin. I am not going to argue the question as to whether or not there is authority down in the White House to take some action.

Mr. BROWN of Missouri. Excuse me, but the gentleman was arguing that a moment ago.

Mr. BYRNES of Wisconsin. No; I was not. I am trying to make the point here, and I suggest that the gentleman study the matter a little further—I am suggesting to the gentleman that the Congress has the power to do something. The President may also have power but that does not excuse us, I say to the gentleman, from doing what we ourselves can do; and certainly we can do it quicker, having held the hearings, knowing the facts, and not having to wait until the Tariff Commission or some other commission makes a finding on the subject. We should face up to our own responsibility.

Mr. BROWN of Missouri. Well now, I am sure the gentleman recognizes realities. Congress is nearing the end of the session and will not be in session again until January. The President can, and should, and he admits he can, do something about it. I am sure that he wants to do the right thing.

I am just hoping that no one will get to his ear before he actually gets down to doing it and stop it again this time, because the Nation's security is involved.

Further, how disgusting it must be to people back in the mining areas to see this Alphonse-Gaston act or buckpassing argument. They do not care whether the Congress has the authority, the President has the authority, whether Joe Smith or Joe Jones has the authority; what they want is that something be done, and the people who look down the road and think about the national interest want something done, too.

Mr. BREEDING. Mr. Speaker, will the gentleman yield?

Mr. METCALF. I yield.

Mr. BREEDING. I want to compliment my colleague from Missouri for the effort he has made and the statement he is making. My State of Kansas is affected by this problem. I hope we can work something out before long that will help not only my State but also the gentleman's State, and Oklahoma.

Mr. BROWN of Missouri. I certainly thank the gentleman from Kansas who has been vitally concerned about this problem from the beginning.

Mr. DORN of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. METCALF. I yield.

Mr. DORN of South Carolina. I compliment the gentleman. The gentleman has made a distinct contribution to the solution of this problem. We have no lead or zinc probem in South Carolina, but it is easy for me to realize that lead and zinc are essential to the national defense, not only of this country but also of the world; and it is essential that we have lead and zinc in the United States that we can tap.

Syria was our friend yesterday; she is our enemy today. We cannot depend on so-called friends all over the world to keep the heart and core of the Free World on a self-sustaining basis.

Again I compliment the gentleman for his splendid statement.

Mr. BROWN of Missouri. I thank the gentleman from South Carolina. He has epitomized it well.

Every thinking person in the Congress wants to see this situation corrected, because it is vital to the very core of our national defense. Why take one single risk we do not have to take?

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. METCALF. I am going to continue the discussion of this very subject and I will be glad to yield to the gentleman from Wisconsin a little later.

Mr. Speaker, I, too, am concerned about lead and zinc. The State of Montana I represent, and the district I represent is first in the production of zinc in the United States. We are fifth in the production of lead in the United States.

In the last 90 days in Montana more than 1,500 miners have lost their jobs. Since the first of the year in the State of Montana as a result of this depression in lead and zinc 2,500 of the 5,000 miners are unemployed as the result of the closing of the lead and zinc mines and smelters in the State of Montana. You can hardly pick up a paper in the West without reading that such-and-such a mine is closing. Sometimes you read that they are pulling the pumps out of the mines, or they are knocking the pillars out. Sometimes you read there is going to be a skeleton crew put in there to keep the pumps going. When they pull the pumps out, and when the pillars are knocked out, that mine is finished, that resource is gone. Sometimes the ore bodies are still there, but it would take a prohibitive sum to bring such a mine back into production in the event we would need it in a national emergency such as we had in World War II or in the Korean war. So we have the admitted fact, as the gentleman from Missouri has pointed out, that lead and zinc are metals necessary and vital to the security of this Nation. It is an industry with thousands of men employed. Everyone admits that the industry is in a critical situation.

In 1953 when a similar crisis arose I felt that the leaders of the lead and zinc industry under existing legislation should go to the Tariff Commission, where hearings would be held, and relief secured under the escape clause. They did that. They went to the Commission, hearings were held, and, as was pointed out in the letter of the chairman of the Committee on Ways and Means, a recommendation to give them the fullest relief was made to the President. Instead of that the President chose to embark upon the stockpiling program. The stockpiling program, while lead and zinc are necessary for the national defense and national security, was only going to give temporary relief until we had a full stockpile. The President recognized there was going to be some difficulty about the control of imports because he sent a letter to the Secretary of State directing him to tell the foreign producers that this was for the relief of the domestic industry and not to increase foreign production.

On August 20, 1954, the President said:

> In addition, I am directing the Secretary of State to seek recognition by the foreign countries which are principal suppliers of lead and zinc that this increased stockpile buying is designed to help domestic production and they will not themselves seek to take any unfair advantage of it.

Those foreign producers paid as much attention to that as the steel producers paid to the President's directive asking them to hold down the price of steel. They continued to ship lead and zinc into this country, so that the stockpile was just another subsidy for foreign producers.

I have voted for these reciprocal trade agreements, I have voted for all the extensions to the Tariff Acts, I believe in them. I believe in them if there is a way in which to control the safety valve and take care of a seriously and critically injured domestic industry. But such relief must be a part of any act. The President is doing a disservice to the Reciprocal Trade Act when he comes to the Congress to ask for legislation to cure a situation that he has the power to cure under existing law.

I am glad that the chairman of the Committee on Ways and Means has pointed out to the President that there is ample power and authority under existing law to give the lead and zinc industry the relief it needs. I am glad that yesterday in the news conference that the gentleman from Missouri mentioned, the President said that he believes the best way to handle these things is through the established method, which is to put it into the hands of the Tariff Commission, allow a study to be made, and then have the President act in accordance with law.

The chairman of the Ways and Means Committee has told the President he has the authority, the President has admitted he has the authority, there is established an obvious way to take care of this situation.

Now, as we come to the closing days of Congress, it is up to the President to take the established method to protect the Reciprocal Trade Act in which he believes, or in which he purports to believe, and go the regular administrative route in trying to give relief to this industry.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. METCALF. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. I cannot understand how the gentleman and those who preceded him, as Members of this Congress feel that they can carry out their responsibility to the lead and zinc industry by trying to shift this monkey on to the back of the President. They know, and does not the gentleman agree, that the Congress can take action on this matter? There is nothing at all that prohibits it; is not that correct?

Mr. METCALF. Congress could repeal the Reciprocal Trade Act and it could change the tariff. We can do anything we are empowered to do under the Constitution.

Mr. BYRNES of Wisconsin. I want to be reasonable with the gentleman.

Mr. METCALF. But within the framework of the act, in order to carry out the provisions of the act, this Congress should require the administrative agencies to exhaust the administrative remedies.

Mr. BYRNES of Wisconsin. Even within the framework of the Trade Agreements Act, does not the gentleman agree that we could pass the bill that is now pending before the Committee on Ways and Means of the House and the Finance Committee of the other body, and that that would be perfectly consistent with the Trade Agreements Act as such and not inconsistent with it? Otherwise the gentleman is saying that Congress might just as well cease to function in any matter relating to trade or tariffs.

Mr. METCALF. I do not say that Congress should cease to function. I do say, however, that it would be inconsistent with the framework of the present Trade Agreements Act for us to pass this special legislation to take care of the lead and zinc industry when the administrative agencies have not exhausted the administrative remedies that were written into the law to take care of this very situation. If we have a hearing before the Tariff Commission and we find that the relief granted by the present act is not adequate, I believe Congress should reappraise, reevaluate the whole tariff program so that we can take care of sick industries or industries in a critical situation.

Mr. BYRNES of Wisconsin. I will agree that our Trade Agreements Act needs some reevaluation, and so forth. But what disturbs me is this, because I am interested in this problem of the lead and zinc people, too. We have some in Wisconsin and they are in very serious difficulty. I want to see something done. But also I want to see something done that would be dependable and frankly, amongst those of us who are discussing this matter may I say that any action by the President under the administrative procedures cannot have the same certainty of continuation, because what the President can do he can also undo. I would much rather, therefore, that it be put in the hands of Congress, put on the statute books, so that there would be some degree of certainty to the industry.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. METCALF. I yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Speaker, I may say that I am very pleased to know that the gentleman and his colleagues on that side of the aisle are taking such an active interest in this matter. As the gentleman knows, his party for years recommended low tariffs, or, in fact, no tariffs at all. That was about the only difference between the Republican Party and the Democratic Party until about 25 years ago. It is not only the lead and zinc industry that is in trouble because of the low tariffs that exist. Many other industries are in trouble. The tungsten industry is in trouble. It is going to continue to be in trouble as long as we have the kind of tariff we have today. Now we have the escape clause.

The SPEAKER pro tempore (Mr. MILLS). The time of the gentleman from Montana [Mr. METCALF] has expired.

Mr. BROWN of Missouri. Mr. Speaker, I ask unanimous consent that the gentleman from Montana may proceed for an additional 5 minutes.

The SPEAKER pro tempore. Is that agreeable to the gentleman from Oklahoma [Mr. EDMONDSON] who has a special order to follow that of the gentleman from Montana?

Mr. EDMONDSON. That is agreeable to me, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JENSEN. We have the escape clause in our Reciprocal Trade Agreements Act which, as the gentleman says, the President has the power to impose.

But if he would impose that escape clause for lead and zinc, you can imagine what would happen to the President. The House would come down on his head because almost every industry in America that is in trouble today because of low tariffs would insist on the very same thing. If they could induce the President to impose the escape clause for every industry that is in trouble today because of low tariffs, then I would be happy, and I hope the gentleman and his party and all those who are interested in this matter are successful in getting him to do just that. But this problem of lead and zinc and these other things just did not occur today or yesterday. They have been happening and growing for many years. This Congress should have absolutely taken a position and passed a law that would relieve this terrible situation that exists.

Mr. BROWN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. METCALF. May I give a short response to the gentleman from Iowa, then I shall be glad to yield all the time I have to the gentleman from Missouri.

I will say to the gentleman from Iowa that we have a law. Congress, as I see it, does not have to pass any additional law. It is written into that escape clause that whenever a case is made before the Tariff Commission where it is demonstrated that a domestic industry is critically injured as a result of the tariff, and it does not make any difference whether it is the lead and zinc or the ceramics or the tungsten industry or anything else, when the case is made before that Tariff Commission that there is a critical situation in a domestic industry, then the President should grant relief. If too many cases are made, or there are too many instances where relief should be granted, then is the time to come back to the Congress and say, "Well, we have to have some reshaping or reevaluation."

Mr. JENSEN. The gentleman knows there are hundreds of industries in trouble today because of that.

Mr. BROWN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. METCALF. I now yield to the gentleman from Missouri.

Mr. BROWN of Missouri. I hope that the gentleman from Iowa is not overlooking the basic point involved in this whole thing—the national security. We should not be talking about escape clauses, reciprocal trade versus rigid tariffs, or differences of trade philosophy. Here we have vital ores, essential to the national security. The gentleman talks effectively about hundreds of different items that are in similar trouble as lead and zinc, are they essential to national security? If so, let's make sure we husband those supplies and their production capacity too.

Are imports as far out of balance in those other industries as in lead and zinc? Are imports such a disproportionate percentage of the total product consumption in the United States?

This is no trade ideology matter. I would not stand on this floor and ask rigid high level protections for industry. The lead and zinc people are not asking their government to shut off imports. They are interested in getting a better balance of imports with domestic production. If lead and zinc are essential to national security, if there is a situation internationally which requires vigilant attention to sources for critical materials, the case proves itself on its merits.

Under section 7 (b) the President has the authority. He says he has the authority. There is no point in getting into any argument about which came first, the chicken or the egg. What difference does it make whether the Congress or the President should act. The President says he has the authority to do it now. Let us get some action.

Mr. JENSEN. I do not miss the point at all. I know exactly what the trouble is and I hope it can be resolved.

Mt. METCALF. The case right now comes down to this. The President admits he has the authority. He says the proper way to proceed is through the Tariff Commission. The point today is that we have an industry that is in trouble and the President should act quickly. Anyone who reads the hearings before the House Committee on Ways and Means or the Senate Finance Committee will be convinced that there is a case for relief under section 7 of the Trade Agreements Act. Everyone who has studied this question has admitted that there is a need for relief of the lead and zinc industry.

Today all I want to ask is that the President on the basis of the evidence before him and on the basis of the power and authority granted to him act quickly for the relief of this industry so that if there is a need for additional legislation, we, in Congress, can know about it and have time to enact such legislation.

LEAD AND ZINC IMPORTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Oklahoma [Mr. EDMONDSON] is recognized for 15 minutes.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I would like to make a statement and then I will be glad to yield to the gentleman. I would like for just a minute to comment on some of the statements that have been previously made by my good friend, the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. I would like to ask the gentleman one thing at this point before he starts his speech, that he also might address some of his remarks to the chairman of the Committee on Ways and Means who is present instead of addressing all of our remarks to the President of the United States.

Mr. EDMONDSON. I hope I am addressing my remarks to all of the people who are gathered here in this Hall at this moment. I appreciate very much the presence of the distinguished chairman of the Committee on Ways and Means, the gentleman from Tennessee [Mr. COOPER], for whom I have very high regard and very great respect. On the question of where the responsibility for failure to act in this situation should be placed, I think it would be a great tragedy if we become involved at great length in debating and counterdebating that question while thousands of lead and zinc miners all over the United States go hungry and their families go without clothing for the school term, which will begin in a very few weeks.

Mr. Speaker, there is no doubt about the fact and I will not in anyway question the statement of my good friend, the gentleman from Wisconsin, that Congress does have the power to meet this situation. I do not think the gentleman from Wisconsin will question either that the President of the United States also has the power to meet the situation. What we, who represent the districts where the mines are located and where the men are out of work—what we hope is that speedily we will have a recognition of this responsibility by either the Congress or the President and that we will have substantial and speedy action to meet this problem and get the mines of our country operating once again and the payrolls in operation once again for our miners.

Mr. BYRNES of Wisconsin. Mr. Speaker, if the gentleman will yield at this point, I want to tell him I agree with what he has said one hundred percent. May I suggest to him that then the approach to this should be—let us have the Congress proceed and let us have the President proceed and whichever arrives there first, so much the better because we will get some action. But let us not sit back in the background to wait and see what happens downtown.

Mr. EDMONDSON. The gentleman knows, of course, that I appeared before the House Committee on Ways and Means to urge that it act on this legislation. I introduced the legislation along with Members of the House on the Republican side of the aisle. It was sent to the Congress by the White House and by the Secretary of the Interior. By the same token, I also went before the Tariff Commission in 1954 when we had this emergency situation at that time to urge relief be afforded to this industry under the Reciprocal Trade Agreements Act. The gentleman from Montana and I have supported the Reciprocal Trade Agreements Act in the past and have voted for its extension. But, I have also urged when I voted for its extension that the Tariff Commission and the President of the United States act more expeditiously and more effectively in the future to carry out the escape clause and the peril point provisions of the Reciprocal Trade Agreements Act because if we do not implement those sections, if we do not give to our American industry the protection which it has been given by law and if we do not afford that protection as we carry out the Reciprocal Trade Agreements Act, it is going to become increasingly difficult for those of us across the country who represent these impacted areas to go along with this legislation in the future. I venture to say unless we see in the near future action by the Tariff Commission and by the President on the problems of some of these terribly hit industries in this country under the escape clause or under Section 7 (b), you are not going to see in this House the majorities for the extension of the Reciprocal Trade Agreements Act in the future that you have seen in the past. On the contrary, you may very likely see a defeat of this very useful legislation.

Mr. METCALF. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. METCALF. Unless this reciprocal trade agreement program is made to work, many of us who have favored the program over the years may have to vote against it and vote for some other method of relief than this escape clause as it is presently administered. But, no matter what action is taken, the President is the man who has the ultimate decision to make. In his letter to the President, the chairman of the Ways and Means Committee said:

> I am confident that you would not want to see the Congress by-pass and undermine your present authority under trade agreements legislation by acting on individual items.

If the President would decide, after we had passed legislation in accordance with the Secretary's recommendation that he did not want his authority undermined, he would veto that legislation. If he decided he wanted to continue this authority on the broad program, he would have to go to the Tariff Commission anyway. So the President is the man who has to make the final decision.

Mr. EDMONDSON. That is reinforced by the letter which the chairman of the Ways and Means Committee sent to the President on August 15, 1957, when he said:

> I sincerely urge you to personally review the situation in the lead and zinc industries and the proposal submitted to the Congress. Upon such a review, I am sure you will be convinced as I am that you do have ample authority to provide such relief as you deem necessary in the national interest to the lead and zinc industries. I am also confident that you will agree that to by-pass the existing provisions of our trade agreements law will undermine the trade agreements program.

The gentleman from Tennessee [Mr. COOPER] has very well forecast in this letter the difficulties that lie ahead for support of this program if we continue to see the administrative implementation of it that does not respect the escape clause and the peril point provisions and other protective features that have been written into the law by the Congress.

Mr. BROWN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. BROWN of Missouri. Too often, we forget that the Tariff Commission was established by the Congress to act for the Congress in carrying out the detailed adjustments in overall Congressional programs on tariffs. Created by the Congress, an agent of the Congress, its recommendations to the President of the United States are, in fact, if not in name, the same as presenting the President with an act of Congress for the President's signature or veto. Does the gentleman feel that that is being forgotten too many times?

Mr. EDMONDSON. I think the gentleman has made a very good point. The Tariff Commission's recommendations should receive more weight at the White House than they have received. They have failed to receive the weight to which they are entitled, both in Republican and Democratic administrations. I think that is a very unfortunate situation.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I would like to make one more statement, then I will yield.

Mr. Speaker, this is not a local problem. This is not a problem of three States in the tristate district or some Northwestern States. The lead and zinc industry spreads all over this country from the State of New York to the State of California. There are 27 States in this Union where lead and zinc are produced by the mining industry and by miners who rely upon healthy mining conditions for their livelihood.

Mr. Speaker, I would like to ask unanimous consent at this time to insert this list of the 27 States.

The SPEAKER. Is there objection?

There was no objection.

(The list referred to follows:)

THE LEAD AND ZINC MINING INDUSTRY IN THE UNITED STATES

Where is the industry located? In 27 States of the Union from New York to California: Alabama, Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Kansas, Kentucky, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, Oklahoma, Oregon, Pennsylvania, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, and Wisconsin.

Mr. EDMONDSON. Mr. Speaker, I would also like to ask unanimous consent at this time to insert the testimony of Mr. Tom Kiser, vice president of the Tri-State Zinc and Lead Ore Producers Association, before the House Ways and Means Committee on August 1, 1957.

The SPEAKER. Is there objection?

There was no objection.

(The matter referred to follows:)

STATEMENT OF TOM KISER, VICE PRESIDENT OF THE TRI-STATE ZINC AND LEAD ORE PRODUCERS ASSOCIATION, BEFORE THE HOUSE WAYS AND MEANS COMMITTEE ON ADMINISTRATION BILL, TRANSMITTED TO CONGRESS ON JUNE 19 BY SECRETARY SEATON

I am Tom Kiser, vice president, Tri-State Ore Producers Association. I am here to represent the association, small miners, retail merchants, civic organizations, schools, and anyone else affected by our economy.

The tristate district, comprised of Oklahoma, Kansas, and Missouri, covers an area of approximately 100 square miles. There are approximately 85,000 American taxpayers in this area whose economy is very much affected by the drastic reductions in the price of lead and zinc—I might add that even though our trucks and tractors, drill steel, blasting powder, and many other supplies are jobbed locally, they are manufactured elsewhere, mostly in the East.

We of the tristate district want to thank the Interior Department for establishing the peril points at 14.5 for zinc and 17.0 for lead. We feel that at that price we can operate at a fair and reasonable profit and do some development work.

No doubt you gentlemen are aware that we have been operating on 16-cent lead and 13.5 zinc until May of this year. When the price broke to 14-cent lead and 10-cent zinc, it was brought about by ever-increasing foreign imports, no doubt encouraged by our liberal foreign-aid policies, developing and equipping foreign mines.

While many tristate mines and other mines in the United States have suspended operations, others have cut back or curtailed production, hoping for some emergency action that will enable them to survive the crisis. However, if something isn't done soon the situation will grow continually worse. It seems to be a process of elimination, eventually every mine in the tristate district is most likely to be forced out of business because of foreign imports.

Along with them will go the various supply houses, retail merchants and the whole economy of our area.

The tristate district has produced well during three major wars and will do so again if called upon, provided it has a fair price to maintain it now.

Therefore, I want to urge you gentlemen on this committee to give us your support in establishing these peril points the Interior Department has recommended. However, due to the very recent increases in the cost of electric power, blasting powder, workmen compensation insurance and steel, and the fact zinc has dropped to 10 cents and lead 14 cents, which I am sure is much lower than the Department ever anticipated.

We of the tristate district would like to have some assurance the peril points will be maintained. There is possibly a million American taxpayers in all the combined lead and zinc districts of the United States who are directly concerned or in sympathy with lead and zinc miners, who would also like to see some assurance of the peril points being maintained.

To do this we are going along with the Emergency Lead and Zinc Committee in asking for amendments which should assure the peril points are maintained.

On behalf of my association and all those affected by this crisis in our area, I thank you for the opportunity to bring our problem before you.

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to insert at this time the letter of the gentleman from Tennessee [Mr. COOPER] to the President of the United States on August 16, 1957, dealing with this particular problem.

The SPEAKER. Is there objection?

There was no objection.

(The letter referred to follows:)

AUGUST 16, 1957.

The PRESIDENT,
The White House.

MY DEAR MR. PRESIDENT: I am writing to you in connection with the proposal of the Honorable Fred A. Seaton, Secretary of the Interior, on behalf of the administration, for the enactment of sliding-scale import excise taxes on lead and zinc.

Although the communication from Secretary Seaton on this subject was not received by the Committee on Ways and Means until June 19, 1957, at a time when the session was far advanced and the committee was diligently following an agenda previously determined by it, due to the importance of the subject and due to conditions in the lead and zinc industry as depicted by the communication of the Secretary, the committee broke into its agenda and conducted hearings on August 1 and 2, 1957.

I have now had time to carefully review and study the testimony which was presented to the committee at the public hearing on this important subject. It is my sincere conviction that you already have authority, previously delegated to you by the Congress in the trade agreements legislation, to afford relief to domestic industries from import competition in appropriate cases. The testimony of your representatives at the public hearings, in conjunction with the written recommendation of the Secretary of the Interior, indicates that the lead and zinc industries properly constitute such a case in the opinion of the administration. The testimony further shows that your present authority is adequate to afford the relief which you have recommended to the Congress.

As you will recall, one of the principal purposes of the so-called escape clause provision (section 7 of the Trade Agreements Extension Act of 1951) and the national security amendment (section 7 of the Trade Agreements Extension Act of 1955) was to afford you an avenue under which you can provide relief from import competition to domestic industries according to the procedures and standards set forth therein. As may further be recalled, the committees of the Congress and the Congress in past years have devoted much time, thought, and attention to providing you with these powers so that our domestic industries can be afforded protection in appropriate cases and so that the national interest can be served by Presidential action without resort to further legislation.

It is clear that in this instance you have not made recourse to existing administrative procedures which are available to provide relief to these industries. In addition, you have not advised the Congress that your existing authority under the escape clause and the national security amendment is inadequate in these matters generally, although a subcommittee of the Committee on Ways and Means last fall specifically called upon the administration for any recommendations which it might have for modifying or strengthening these provisions of existing legislation.

The testimony presented to the Committee on Ways and Means during the course of the public hearings on August 1 and 2, 1957, indicated that the proposal for a sliding-scale import excise tax on lead and zinc is almost identical in major respects with the recommendations of the Tariff Commission made to you under the lead and zinc escape clause proceeding in 1954. You rejected this recommendation, stating among other things, that the proposed relief did not meet the needs of these industries. The testimony of your representatives further indicated that the situation today in the lead and zinc industries is substantially the same as it was at the time of the escape-clause investigation by the Tariff Commission and your rejection of the unanimous finding of the Tariff Commission.

The testimony at the public hearings also clearly showed that the proposal which the Secretary of the Interior now recommends on behalf of the administration is almost identical in effect to a proposal that was before the Committee on Ways and Means in 1953 and on which a strongly adverse report was submitted by the State Department. The State Department set forth 10 reasons why this proposal was inadvisable and contrary to the national interest. This report was made a part of the recent public hearings.

The proposal which the administration has now recommended would not become effective, in event of its enactment, until January 1, 1958. Yet, under the national security amendment any relief found appropriate could be put into effect by you almost immediately. Also, under the escape clause I see no reason why you cannot direct the Tariff Commission to report to you within a stated time as to measures which it may deem appropriate for relief of these industries, and I see no reason why you could not have done so on June 19, the date of the proposal, or even earlier for that matter. It is clear from the testimony presented to our committee, aside from the merits of the proposal, that relief can be afforded by you much more speedily than would be the case even with enactment of the proposal.

As you of course know, I have been a strong and consistent supporter of the reciprocal trade agreements program since the inception of the program in 1934. I have consistently supported and worked for proposals which you have made to continue our foreign-trade policies, including, for example, your proposal during the last Congress and in this Congress for approval by the Congress for membership in OTC.

You have gone on record strongly supporting the reciprocal trade agreements program. At your request the Congress has provided three extensions of your authority during your administration. An important consideration of the Congress in providing these extensions was the fact that should trade agreements concessions result in such import competition that domestic industries are injured or are threatened with injury you would have the authority where it is in the national interest to relieve domestic industries of such injury.

I cannot refrain from expressing to you my very great concern as to the impact of a proposal such as the one which your administration has made concerning lead and zinc on the whole structure of the trade agreements program. In stating this, I do not intend to imply that the lead and zinc industries may not need relief. My concern is due to the fact that this proposal would completely bypass existing authority given you in present trade agreements legislation. You are asking the Congress to do that which you already have ample authority to do. The authority which you have is not selective, but broad and general, and applies to any and all industries which are injured or threatened with injury as a result of trade agreements concessions. I am sure you are aware of the fact that there are many other industries that are asking for relief from import competition. Among these are textiles, velveteen and ginghams, tuna fish, hardwood-plywood, stainless steel flatware, fluorspar, natural gas, petroleum, and many others. There are numerous bills now pending before the Committee on Ways and

> Means which would provide relief from import competition on the above specified items and many additional ones. I am confident that you would not want to see the Congress bypass and undermine your present authority under trade agreements legislation by acting on individual items.
>
> I sincerely urge you to personally review the situation in the lead and zinc industries and the proposal submitted to the Congress. Upon such a review, I am sure you will be convinced as I am that you do have ample authority to provide such relief as you deem necessary in the national interest to the lead and zinc industries. I am also confident that you will agree that to bypass the existing provisions of our trade agreements law will undermine the trade agreements program.
>
> I can only observe in closing that there is considerable sentiment that, in the absence of your exercising such authority as you may have for an expansion of our foreign trade and the protection of domestic industries, the Congress will be forced to study again the delegation of authority made to you under the trade agreements legislation. This is an eventuality which neither you nor I would contemplate with equanimity.
>
> The other 14 Democratic members of the Committee on Ways and Means concur with me in this letter.
>
> Very cordially yours,
>
> Jere Cooper,
> *Chairman, Committee on Ways and Means.*

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. BOW. I thank the gentleman for yielding at this time. I simply wanted to make this observation. We have discussed this matter before. I have all sympathy for the people in this mining industry. I hope that either the Congress or the President does something about it, and does it promptly. But is it not a fact that under the Constitution of the United States it is the duty of the Congress to levy tariffs?

Mr. EDMONDSON. It is a fact. It is the duty of the Congress to levy tariffs.

Mr. BOW. And the Congress has in the past delegated that constitutional authority to the Executive?

Mr. EDMONDSON. That is correct also.

Mr. BOW. Would the gentleman agree that perhaps it is time that the Congress got back its constitutional duties and authority in these matters?

Mr. EDMONDSON. I think we are approaching a joint and collective state of mind on that question which we are very likely to see become a prevailing state of mind unless this delegated authority is exercised with proper regard for the rights and interests of American industry and American workers.

Mr. BOW. Mr. Speaker, will the gentleman yield for one further question?

Mr. EDMONDSON. I yield.

Mr. BOW. I wanted to say that at no time do I believe we should ever delegate our constitutional duties and authorities.

The gentleman from Missouri a few moments ago said that no industry had been hurt as badly as lead. I would like to point out to the gentleman the pottery industry in the State of Ohio. This industry has been practically destroyed. And we have other industries in the State, the glass industry. The gentleman from West Virginia has some industries in his State. He also is in the position of being hurt by these things.

I think it is time that we reestablished our constitutional authority and took effective action in the Congress to meet these problems.

Mr. EDMONDSON. I think the gentleman from Ohio will agree with me that we are very likely to have another week of Congressional activity here at least, and I am sure the gentleman from Ohio and the gentleman from Wisconsin are genuinely sympathetic toward the problems of the lead and zinc industry as are the gentleman from Montana, the gentleman from Missouri, and the gentleman from Oklahoma. I hope these gentlemen will join us in calling upon the President of the United States to make clear at once what his intentions are with regard to action under the Reciprocal Trade Agreements Extension Act, upon the lead and zinc problem.

Mr. HORAN. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Washington.

Mr. HORAN. I just want to join my colleagues on this problem because we have some rather important lead and zinc production in my district. I understand, of course, that part of the trouble is that some of the mine owners in this country also own mines abroad. Would the gentleman comment on that; if they do, is not that the cause of some of our unemployment in this country?

Mr. EDMONDSON. I think it is undoubtedly. I think we have some American ownership of foreign mines that affect our own production problems.

Mr. HORAN. If that be true, I think the Tariff Commission ought to take into consideration that fact, for it means unemployment in this country.

Mr. EDMONDSON. I agree with the gentleman.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield further?

Mr. EDMONDSON. I yield.

Mr. BYRNES of Wisconsin. I believe we all recognize that this is going to be a long-range problem and more or less of a permanent problem affecting the domestic lead and zinc industry in this country.

Mr. EDMONDSON. I think that is true.

Mr. BYRNES of Wisconsin. We are always going to be dependent to some extent, possibly, on imports of lead and zinc to meet all of our needs.

Mr. EDMONDSON. I believe that is correct.

Mr. BYRNES of Wisconsin. But the domestic producer finds himself caught in a price competition because of these foreign imports.

Mr. EDMONDSON. I think that is correct.

Mr. BYRNES of Wisconsin. The result is that our domestic market is open to these imports that make it difficult for the domestic miner to meet the price and still stay in business. He cannot operate at a loss indefinitely. That I think really is the crux of the problem facing the domestic lead and zinc industry. Is that correct?

Mr. EDMONDSON. The cheap labor situation, lower taxes, lower land values in many of these foreign producing areas are all factors that affect our domestic production.

Mr. BYRNES of Wisconsin. And that this is really going to be a long-range problem; it is not just a temporary emergency that faces the industry.

Mr. EDMONDSON. I think it is going to be a problem of fluctuating seriousness as it has been in the last 10 years. This is the third instance in the last 10 years in which this crisis has arisen with the lead and zinc industry of the country.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. BYRNES of Wisconsin. I wish to follow this thought with the gentleman, because I think he recognizes that I am desirous as he is or any other Member of this House to have an environment in which our domestic lead and zinc industry can exist and continue to operate and where we will not become wholly dependent upon foreign sources.

I think it is a long-range problem as well as a temporary one which we must face.

I ask the gentleman this: Does he not feel that, being a long-range problem, it would be much better as a long-range solution to have the protection written into the statutes and on the statute books rather than being dependent upon an Executive order which can be changed at will by any President?

Mr. EDMONDSON. I see advantages and disadvantages in the gentleman's approach. I see the disadvantage that a tariff level established by the law might prove in a few years with a different price situation or continued inflation to be entirely inadequate and we might once again face the same legislative problem.

THE FEDERAL RESERVE SYSTEM

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. Patman] is recognized for 30 minutes.

MONETARY PROBLEMS

Mr. PATMAN. Mr. Speaker, evidently this session will come to an end pretty soon. As evidence of the fact that Members are thinking about going home, about 125, according to the last rollcall, have probably already gone home. We certainly expect to get through within the next week or two.

The object of taking this time is to invite the attention of the Members to a subject about which there is a lot of misinformation over the country; that is a subject that involves not only our economy, our progress, taxation, inflation, high prices, high costs, but all other economic problems. I do not have a prepared statement and will not use notes but I do expect to cover certain points I believe are important.

VALUE OF MONEY

I refer to the power and authority of an agency that has the power and authority delegated to it by the Congress of the United States. Prices are determined by many factors, but one factor has more to do with the question of prices than any other one particular factor. That is the value and the cost of money. The Constitution is very plain that Congress shall have all power over money, but, obviously, Congress cannot administer that power. So Congress has delegated it to the Federal Reserve System, which is all right if properly administered.

REPEAL OR CHANGE ONE PART

I am for the Federal Reserve System. I think it is a fine System, a great System, and I have no desire to offer any suggestion that would lead to the repeal of a substantial part of it, except one.

That is to have the Government and Government officials carry out this important function of regulating the value of money; in other words, to determine the supply of money, the cost of money including interest rates. It is a subject that we cannot dramatize. There is not enough interest in it. But yet it is the most important subject that the Members of Congress have to deal with. Members of Congress do not pay sufficient attention to it because they are not equipped to keep up with the different bills that come before Congress and at the same time study these economic problems affecting this particular power.

MISINFORMATION

Two days ago in the other body, a Member of that body inserted in the CONGRESSIONAL RECORD, commencing at page 15283, a statement that was made by Mr. Martin, Chairman of the Board of Governors of the Federal Reserve System before the Senate Committee on Finance on August 13. The reason I mention that statement is that it gives evidence of misinformation that is misleading information. Such information is passed from one person to another, from one Member of Congress to another; it is disseminated in different ways, and it is published in many newspapers of the country without opposition. Yet, at the same time, if you closely read Mr. Martin's statement you have the facts, the proof, right there.

Mr. Martin says that the "Federal Reserve bank has a board of nine directors, of whom six are elected by the member banks. Of these, three are bankers. Three more must not be bankers, but must be engaged in some nonbanking business. The other three members are appointed by the Board of Governors in Washington."

The point that Mr. Martin does not fully explain is that out of the 12 Federal Reserve districts in the United States, the private commercial banks select the directors representing two-thirds of each bank; in other words, they run each Federal Reserve bank and the 24 branches. Mr. Martin says here that there are three bankers and three in nonbanking business. He fails to bring out a point that I have often made with Mr. Martin when I have interrogated him before different committees of the House in the past, that these other three selected by the banks, a majority of them are also holders of bank stock. Therefore, that gives the bankers a majority in interest. Of course, others are interested, too, because they are selected by the banks. But a majority are interested in stock ownership in the banks.

That is a serious problem. That means that we have delegated power to people who have a private interest in regulating the supply of money, in their own interest. And we must recognize that the private enterprise system itself is self-interest. People work for themselves. You cannot get that out of human beings. It is not possible to do it. It would not be right to do it. That is expected. We expect self-interest to be there in an individual or in a corporation that is conducted by individuals.

That self-interest would dictate that they would like to have high interest if high interest would cause them to have a more profitable business. That is exactly what they have been doing, having so much power and control over the Federal Reserve banking system that the Congress has delegated the power to, and two-thirds of each board of directors of each of the 12 banks selected by the bankers themselves having a private interest and a selfish interest in having the supply of money as short as possible and the interest rate as high as possible. That is what has happened in this country the last 18 months, at least.

AN ABOUT FACE

Commencing in January 1953, a long step was made in that same direction, but they made the step so quickly and so suddenly that it almost threw the country into a recession or a depression and they had to take an about-face. On May 11, 1953, they commenced to go the other way and let interest rates go down and the supply of money become greater. But after that was over they commenced the hard money, high interest in 1955, the latter part, to really put on hard money and high interest in this country.

HIGH INTEREST CAUSES LESS FEDERAL TAXES

The taxpayers are interested in this. A large part of the national income, a substantial part, is payment of interest, and a large part of the interest that is paid is paid by large concerns, large corporations. The more interest that they pay the less taxes they are paying. So that affects your budget. It is a tax-deductible item, therefore, the higher the interest rate is and the more interest the corporations pay the less taxes they pay into the Federal Treasury. So it affects all taxpayers and reduces the amount that is collected in revenue. It is an important question.

MEMBER BANKS DO NOT OWN FEDERAL RESERVE BANKS

But there is another question that I want to address myself to, and really what I wanted to invite your attention to for your consideration. I have said myself, which was a true statement, on the floor of this House many times in years gone by that all the stock that is owned in the 12 Federal Reserve banks is owned by the private commercial banks, the members of the System. That is absolutely true. At one time I even offered a bill to the effect that we should have the Government buy that stock, recognizing that it was stock that was owned by the commercial banks. But since that time we have had an investigation and study by the Joint Economic Committee composed of Members of the House and Senate. In 1952 I happened to be chairman of that committee, and we went into this question thoroughly and discovered that what they call stock in the Federal Reserve System is not stock at all. It is not stock. They call it stock, and they still claim that they own the System because they own that $330 million in stock. It is not true at all. It is a misnomer. That is misinformation. It is a hoax. It is not true.

What does the proof show? The proof shows that every bank that is a member of the System makes an involuntary investment into the Federal Reserve bank in the district in which it is located of 3 percent of its capital and surplus. As this capital and surplus goes up they have more invested. As it goes down they have less invested. Is it stock? It carries no proprietary interest. That is the test of real stock, genuine stock, stock that is worth something, that you can do something with. So it carries no proprietary interest, not at all. The bank that holds that stock cannot sell it. The bank that holds that stock cannot hypothecate it. The only thing that stock amounts to is that the bank collects 6 percent every year as a dividend on it. That stock serves no purpose whatsoever. Imagine $330 million in so-called stock having any real worth in the Federal Reserve banking system, that owns $23 billion worth of bonds, for instance, and has assets of tens of billions of dollars. It serves no useful purpose, should be returned to the member banks and the taxpayers saved $20 million a year.

The 12 Federal Reserve banks have a surplus of $745 million. It really belongs to the Government. We could use $330 million of this surplus fund to pay the banks for their so-called stock and there would remain $410 million, in these surplus funds which is not needed and for that reason we could consider paying it into the Treasury and save the taxpayers that much.

I have over the last two decades interrogated the heads of the Federal Reserve banking system, Mr. Eccles, Mr. McCabe, Mr. Martin, the Open Market Committee composed of 12 members who really run the show, and many others. This you can put down as the absolute fact—that the Federal Reserve banking system is not owned by the private banks. It is owned by the Government of the United States.

FEDERAL RESERVE INDEPENDENCE

Before 1951, the Federal Reserve Board had been looking for an opportunity to declare its independence from the executive and at a time when the then executive was at a low point in popularity, we will call it, the Federal Reserve Board defied the President of the United States and said, "We are not going any longer to support the price of Government bonds at par and above par. We are just going to let the bonds go down, down, and down." So, Mr. Truman, the President of the United States, called the Federal Reserve Board and the Open Market Committee into the Executive offices of the President at the White House and he told them how terrible that would be and that it would be greatly destructive to the public interest. The President got a promise from them that they would not do it. There are letters to that effect. They are in the RECORD. I put them in the RECORD in 1952. So, Mr. Truman resisted it. They promised then that they would not do it. But, after they left the White House, notwithstanding their promise, they defied the President of the United States and on March 4, 1951, they quit supporting the prices of Government bonds. But their wings were short and they did not yet have a feeling of security in that new power of defiance and secession so they went rather slow and easy in 1951 and 1952. They did not do much about it. But, when the present President came in and said, "We are going to recognize the independence of the Federal Reserve Board," that gave them real independence. That is what they had been waiting for and they did not have it until this administration gave it to them. They do not have it now so far as the Congress is concerned because they are agents and servants of the Congress of the United States. They are obligated to carry out the will and wishes of the Congress of the United States. They are not independent of the Congress. Let me read you another statement that Mr. Martin made in this statement of August 13 that proves the point I made about the stock:

> The stock of each Federal Reserve bank is held by the member banks of its district. This stock does not have the normal attributes of corporate stock.

From whom does this come? It comes from the Chairman of the Federal Reserve Board. He says this stock does not have the normal attributes of corporate stock. He said further:

> Rather it represents a required subscription to the capital of the Reserve bank and the dividend being fixed by law at 6 percent, the residual interest and the surplus of the Federal Reserve banks belong to the United States Government not to the bank stockholders.

Now that is the Chairman of the Federal Reserve Board speaking to the Senate Committee on Finance on August 13.

Mr. DORN of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. DORN of South Carolina. The gentleman from Texas is making a splendid statement and there should be more Members here to listen to him. Is it not a fact that these banks which the gentleman mentions are getting 6 percent on money that is not used? Is that not a correct statement?

Mr. PATMAN. Well, the credit is there but the money is not used. The other day when Mr. Martin was on the witness stand—and over the years I have interrogated him to the extent that I know the questions that I can ask him and get short answers to—so I asked Mr. Martin, "Is it not a fact that whenever the Federal Reserve banks buy United States Government bonds that they take the money from the Bureau of Engraving and Printing which does not cost the Federal Reserve bank anything and trade that money for Government bonds and then keep the Government bonds and charge the Government interest on those bonds?"

He admitted that it was true. There was nothing else for him to do because I know it is true and the records show it is true. Now, then, the Federal Reserve banking system is collecting each year in that way $600 million in money—interest on these Government bonds that they have bought with Government money; money that is collected from the taxpayers each year.

They use that money for any purpose that they want to use it for. Then after they have used all they want and for whatever purpose they want to use it, 90 percent of it goes into the Treasury. But there is no audit of their books. Remember this—it is a startling and a shocking statement—although the Federal Reserve banks have issued and distributed hundreds of billions of dollars in United States Federal Reserve notes, yet no audit has ever been made by the Government of the United States. Do not forget that. The only audit that has ever been made is a self audit, where they have appointed their own auditors who have made their own investigation and their own report to them. That is the only audit that has ever been made.

On this stock I asked another question of Mr. Martin. "Is it a fact, Mr. Martin, that buying these Government bonds you do not use this stock of the member banks?" He had to answer that he did not. I said, "Is it not a fact that you do not use the reserves of the member banks to buy those bonds?" He had to answer that he did not. He had to reply that these $23 billion of bonds held by the 12 banks were all bought on the credit of the United States, without using anything that belonged to the member banks.

All right. Where do we go from there? We know that is not good business. Suppose the gentleman from South Carolina [Mr. DORN] should have a mortgage of a thousand dollars against his home, and he gave me out of his pocket $1,000 and said, "Mr. PATMAN, take this money and pay it to the man who holds that $1,000 mortgage." He says, "I want to pay off my mortgage."

I take Mr. Dorn's $1,000, and I carry it to the man who holds the mortgage. I pay him the $1,000, and I ask him to transfer the mortgage to me, not to Mr. Dorn, transfer to me that mortgage, and I hold that mortgage and continue to charge Mr. Dorn interest every year. That would not make any sense, neither commonsense, book sense, or horsesense. That is exactly what we permit to be done in the Federal Reserve System. The Federal Reserve takes money from the Bureau of Engraving: Federal Reserve notes. Who promises to pay these notes? The United States Government. Such a note is exactly the same as a bond. The only difference is it does not bear interest. It carries the same obligation to pay. The United States Government promises to pay, on demand, so many dollars. They take those notes and trade them for United States Government bonds, just like I would trade that $1,000 for the mortgage. Then they keep those bonds in a lock box, in the New York Federal Reserve Bank, and they collect interest on those bonds. Does that make sense? No, it does not. But it is going on all the time.

Suppose the Congress should say, "Well, instead of having appropriations each year from the Congress, we are going to authorize the Secretary of the Treasury to have printed so many billions of dollars worth of Government bonds drawing 3 percent interest and turn them over to the Clerk of the House and the clerk of the Senate and let them draw the interest on them every year and make no accounting to anybody; have no Government audits, no supervisors, no investigations, as we would have our own money." That would be a comparable situation if we took Federal Reserve notes from the Bureau of Engraving and Printing to pay for them.

That is what the Federal Reserve is doing. Maybe that would not be so bad if the Federal Reserve were being used solely in the public interest, but I do not believe it is. I am not charging any corruption, I am not saying that they are evil men, I am just saying that the System is not being operated in what I consider to be or what I believe to be in the public interest.

All right. Now, Mr. Martin, in making these declarations in these statements has also made some concessions. You have got to read the fine print in order to find out the concessions. Remember this, the Federal Reserve banking system does not belong to the banks of this country, but the banks of the country select a majority of the directors of each Federal Reserve bank and, therefore, they have a lot of control over the System, sufficient control and influence that they have gotten what they wanted. The greatest power 12 men ever had is in the Federal Open Market Committee.

MONEY SCARCE—INTEREST RATES HIGH

The bankers want money scarce and they want interest rates high. Why do they want money scarce? Because they, the commercial banks, have the exclusive privilege of issuing money, exclusive privilege except what is created by the 12 Federal Reserve banks. That is the only way we can expand in this country, that is by debt. The only way you can have more money is to have more debt. That is the capitalistic system. I am not condemning it; I am for it if it is worked in the public interest and not against the public interest. That is what is happening.

BONDS FORCED DOWN

We have $160 billion in marketable bonds, the bonds that are sold in the markets every day, open markets, $160 billion worth. If they were liquid the people could turn their bonds in and get their money. If a neighbor wanted to build a house and could not get the financing you would probably sell your bonds and let him have your money and you would draw more interest on it. But if the bonds are run down in price to where you would be taking a loss, you would not want to turn them in and get cash on your bonds, your bonds would be immobilized and taken out of competition with the bankers. The bankers and the moneylenders know that when they run the price of bonds down to 95, 90, or down to 85, they immobilize all of that money and take it out of competition with the banks, while the banks can create and lend $6 for every $1 of reserves they have. So the demand would be much greater for the scarce money; naturally it would be; and the demand being much greater for the scarce money interest rates go up.

I just want to put these facts before you, my friends, so that during this recess you will possibly give them some consideration. I know this is a rambling speech, without preparation, but I do hope Members will study these problems.

We have the finest commercial banking system in the world if it is operated as banks are organized to operate. We have a fine Federal Reserve banking system. If you will just take the bankers off the policy-making boards, if you will just say, as Woodrow Wilson said when he asked for the passage of the Federal Reserve Act, that bankers not be given the privilege of being on a board that would determine the volume of money or the rates of interest. President Wilson said it would be just as reasonable to put railroad owners on the Interstate Commerce Commission to fix freight rates as to put bankers on the Federal Reserve Board to fix interest rates and determine the supply of money.

When Woodrow Wilson got the Federal Reserve Act through in 1913 there were no bankers on the Federal Reserve Board. But all that has been changed; it has become a central banking system. We have a central bank now where we had a system of regional banks, each bank autonomous, 12 regions. It has been changed into one system. There was no central bank before 1935. It is different now. It is not the same system at all; it is entirely different. It was completely changed in 1935. The Federal Open Market Committee that now has the real power to control money and interest rates is composed of the seven members of the Board and five presidents of Federal Reserve banks who are selected by boards of directors, a majority of whom (two-thirds to be exact) are elected by the private commercial banks.

The local Federal Reserve banks have little power themselves now. The power is centered in Washington and New York. Most of the power is in the New York Federal Reserve Bank. An employee of this bank buys and sells Government bonds by the millions of dollars each year for all 12 Federal Reserve banks.

You take the Federal Reserve Board of seven members, do you know how many people help them perform their duties? Twelve bankers, one from each Federal Reserve district, and 12 presidents of Federal Reserve banks; 5 of them can vote on the Open Market Committee. So they are right around this board of seven. Do you think the public has much of a chance of getting any sympathy in a case like that where there are 7 members of a board to represent the public, surrounded by 24 bankers and people who are selected by representatives of the banks to represent them? In other words, three to one. Suppose the law required each Member of Congress to confer with and advise with three bankers before casting a vote? Suppose the law permitted 1,800 bankers to surround the 435 Representatives and 96 United States Senators in all their deliberations and actually allowed 400 or more of them to vote? What chance would the people have?

So I ask that these questions be considered, Mr. Speaker, and let us do something about it at the next session of the Congress.

LATIN AMERICAN POLICY

Mr. PORTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, these remarks are by way of comment and correction on the speech made Tuesday, August 20, 1957—Record, pages 15404–15406—by the distinguished gentleman from Wisconsin [Mr. Withrow] and entitled "Foreign Policy." With much of what the gentleman says I heartily concur.

I make these comments because much of what the gentleman says appears to be directed against the policies I have been advocating to make our fight against international communism in Latin America more effective.

The gentleman does not mention, much less meet head on, my recommendations that we differentiate between the dictatorships and the democracies and frame our policies accordingly by cutting off all financial aid to the dictatorships, by instructing our ambassadors not to appear to be warmly intimate with the dictators and to help the democracies in every way possible.

Instead he states:

> Just a few words today from the President, the Secretary of State, or even the Secretary of Defense actually, would bring an end to the mysterious and ridiculous attack on the Dominican Republic.

I gather from what the gentleman later states about his confidence that the Joint Chiefs of Staffs "will support the fact that the Dominican Republic is vital to us," that the gentleman believes this to be true and controlling. He wants the "attack" on the so-called Dominican Republic to stop because of its presumed great military importance, because the Jews there are enthusiastic about the Government and because the archbishop there apparently will certify that everything is just fine.

The gentleman is in error in characterizing the attack on the so-called Dominican Republic as "mysterious and ridiculous." There is no mystery about opposition to a ruthless dictator and there is nothing ridiculous about the murder of Gerry Murphy, the young son of two of my constituents in Eugene, Oreg.

It was my privilege to testify yesterday before the Federal grand jury considering the Murphy-Galindez cases. I urged them to indict Trujillo for the murder of Gerry Murphy. The evidence is overwhelming and most of it appears in notes from our State Department. We rejected the official Dominican explanation for the death of Gerry Murphy. We asked twice, in our most formal and urgent manner, that General Espaillat, formerly consul general in New York, be "amenable for the usual processes of investigation and trial." This was refused.

Gerry told his fiance just before he disappeared that he had to go to the dictator's palace. He had earlier told her that he believed he had flown Galindez from the United States. The elaborate explanation built around the de la Maza suicide shows guilt by Trujillo. Refusal to make Espaillat available shows guilt. The chain of circumstances is strong and unbroken.

Murder of Gerry at Trujillo's order fits the pattern of this dictator's way of life. One murder has no moral meaning to a man who ordered thousands of Haitians slaughtered in 1937. The decisive factor then, as now, was his estimate that he could get away with it.

As for the military importance of that unhappy land, I say show me, please, how it can be of any substantial importance in case of an attack by the Soviet Union. By Latin American standards they have a formidable military force, but compared to the forces of a great power they have nothing.

The real danger from international communism in Latin America, and especially in dictatorships like Trujillo's, is from within, since totalitarianism prepares "a climate for the growth of communism," as a notable editorial in the New York Times, August 21, 1957, puts it.

This editorial also is an apt reply to the gentleman's recommendation that we ought to give the so-called Dominican Republic credit, a pat on the back, encouragement and so on. The editorial in its entirety is as follows:

A Problem in Policy

The Kingmaker of the Caribbean, Generalissimo Rafael L. Trujillo, has just had his brother Hector crowned as President of the Dominican Republic for another 5 years. President Trujillo is a weak, amiable, agreeable person who will continue to act as the formal front for his formidable brother, the military dictator of the last 27 years. One thinks in terms of a coronation because the Generalissimo is certainly trying to establish a dynasty to carry on the family rule after he dies.

The ceremony last week was a reminder of the curious anomaly in American foreign policy, one that creates a great deal of critical discussion, especially in Latin America, although not exclusively there. This is the extent to which American policy concentrates on anticommunism to the exclusion of antifascism or—in this case—antimilitarism and dictatorship. During the 1930's the danger to the Free World of fascism was clear, so clear that we ended up fighting against fascism in the greatest of all wars, with communism as our ally.

Having defeated the Axis we found that the other Janus-face of totalitarianism—communism—was the present danger. As a result, we have taken the line in the cold war that whoever fights communism is therefore our ally. When Guatemala threatened to go Communist we intervened to overthrow the Arbenz regime. On the other hand, our

> relations were notably friendly with Peron of Argentina, Perez Jimenez of Venezuela, Somoza of Nicaragua, Batista of Cuba, Trujillo of the Dominican Republic, Franco of Spain.
>
> Yet it is surely as clear today as it ever was that the enemy of liberal democracy is not just communism but totalitarianism in any form. It should not be sufficient for a military dictator such as Generalissimo Trujillo to say that he is anti-Communist to win American support and encouragement, and yet this is what has happened everywhere in these postwar years. One weakness of the policy is that these dictators in reality prepare a climate for the growth of communism and most of them, Trujillo included, have dealt with the Communists when it suited their purpose.
>
> Anticommunism covers a multitude of sins for the American State Department. So does a rug when the dirt is swept under it.

Several other corrections need to be made. The gentleman says he does not "carry a pistol around the Congress as evidence of my crusade and willingness to work for my constituents." I do not, either. When I do carry a gun, I do so because many responsible and informed persons, including the Washington police, have urged that I do so.

Would the gentleman advise I ignore this advice?

I never carry a gun around the Congress. The Dominican effrontery is immense, but I doubt that it would include an attack on these premises.

After reciting a press report that I favor trading with Red China as a boon to the Oregon economy, the gentleman asks, "Just who does the House think we fought a war with in Korea?" I remind the gentleman we also fought a war with Japan and with Germany and today we trade with them.

I also remind the gentleman that such trade would be in nonstrategic goods and that we, in return, would obtain many items which would strengthen our economy.

The gentleman's reference to the "millions and billions we might vote out of the Treasury to get a 20th century crusade going against so-called dictators" is, to say the least, obscure. I have made no such proposal. I do believe in stopping foreign aid to Latin American dictators because we get nothing in return for the taxpayers' dollars. And, I want to add, they are not so-called. The dictators are real dictators and even our State Department, if pressed, will admit it.

Latin America offers tremendous opportunities for private and public investment. Our military and economic aid, however, should be restricted to those instances where our national security is enhanced accordingly.

I was astonished and disgusted by the letter to the gentleman from the President of the House of Deputies of the so-called Dominican Republic and which the gentleman sets forth in full in his speech.

It vilifies Governor Muñoz-Marín of Puerto Rico, who is an outstanding democratic leader in Latin America, as one who has "dedicated himself to favoring the agents of international communism." It also libels the FBI. I cannot understand why the gentleman consented to be a party to such smears.

For myself, I care not what any harlot parliamentarian of the so-called Dominican Republic says. I know his lips speak his master's words. But I am amazed that the gentleman from Wisconsin would give such a statement any weight at all. The gentleman must know that the legislative body there does what Rafael Trujillo says, just as do the President and the other officers. It is more a prison than a republic.

In closing, let me say that I am grateful for the gentleman's interest in Latin America and in our fight against international communism there. I wish more Members would undertake to inform themselves on these subjects.

It is clear that our aims are identical. We do disagree with regard to the value of dictatorships as allies in the struggle against international communism. This is a matter for further consideration by Congressional committees and in the Halls of Congress. Certainly how we resolve this issue could well decide the ultimate battle between the forces of freedom and tyranny.

COMMITTEE ON AGRICULTURE

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file a report on the bill H. R. 8490.

The SPEAKER pro tempore (Mr. Metcalf). Is there objection to the request of the gentleman from Oregon?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. Allen of California, for 30 days, beginning on August 23, 1957, on account of personal and official business.

To Mrs. Harden (at the request of Mr. Dawson of Illinois), indefinitely, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Davis of Georgia, for 45 minutes, on Monday next.

Mr. Brooks of Louisiana, for 15 minutes, on tomorrow.

Mr. Patman, for 30 minutes on tomorrow.

Mrs. Rogers of Massachusetts, for 5 minutes, on tomorrow.

Mr. Schwengel (at the request of Mr. Canfield), on Tuesday next, his subject being One Hundred Years in This Chamber.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Record, or to revise and extend remarks, was granted to:

Mr. Long.

Mr. Brooks of Louisiana and to include extraneous matter.

Mr. Hill and to include extraneous matter.

Mr. Sadlak (at the request of Mr. Martin) and to include extraneous matter.

Mr. Neal.

Mr. Gubser.

Mr. Reece of Tennessee.

Mr. Holland (at the request of Mr. Roosevelt) and to include extraneous matter.

Mr. Tuck (at the request of Mr. Ullman) and to include a speech by Mr. Davis of Georgia.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 491. An act for the relief of Joanne Lea (Buffington) Lybarger; to the Committee on the Judiciary.

S. 864. An act to provide for the transfer of certain lands to the State of Minnesota; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 293. An act to authorize settlement for certain inequitable losses in pay sustained by officers of the commissioned services under the emergency economy legislation, and for other purposes;

H. R. 787. An act to authorize the exchange of certain lands between the United States of America and the State of California;

H. R. 1944. An act to amend title II of the Social Security Act so as to make inapplicable, in the case of the survivors of certain members of the Armed Forces, the provisions which presently prevent the payment of benefits to aliens who are outside the United States;

H. R. 2741. An act to authorize and direct the Administrator of Veterans' Affairs to convey certain lands of the United States to the Hermann Hospital Estate, Houston, Tex.;

H. R. 2842. An act to amend the Tariff Act of 1930 to provide for the temporary free importation of certain tanning extracts, and to amend the Internal Revenue Code of 1954 to suspend temporarily the tax on the processing of coconut oil;

H. R. 2979. An act for the relief of Mary Hummel;

H. R. 3246. An act to authorize the exchange of lands at the United States Naval Station, San Juan, Puerto Rico, between the Commonwealth of Puerto Rico and the United States of America;

H. R. 3583. An act for the relief of Chandler R. Scott;

H. R. 3658. An act to liberalize certain criteria for determining eligibility of widows for benefits;

H. R. 4602. An act to encourage new residential construction for veterans' housing in rural areas and small cities and towns by raising the maximum amount in which direct loans may be made from $10,000 to $13,500, to authorize advance financing commitments, to extend the direct loan program for veterans, and for other purposes;

H. R. 6166. An act for the relief of Michael S. Tillimon;

H. R. 6456. An act to amend section 304 (d) of the Federal Food, Drug, and Cosmetic Act, with respect to the disposition of certain imported articles which have been seized and condemned;

H. R. 6952. An act to authorize the transfer of naval vessels to friendly foreign countries;

H. R. 7458. An act to amend the Fair Labor Standards Act of 1938, as amended, to restrict its application in certain overseas areas, and for other purposes;

H. R. 7467. An act to amend the act of March 3, 1901, with respect to the citizenship and residence qualifications of the directors or trustees of certain companies in the District of Columbia;

H. R. 7697. An act to provide additional facilities necessary for the administration and training of units of the Reserve components of the Armed Forces of the United States;

H. R. 8005. An act to provide for the conveyance of interests of the United States in and to fissionable materials in certain tracts of land situated in Cook County, Ill., and in Buffalo County, Nebr.;

H. R. 8079. An act to amend the act of June 20, 1910, by deleting therefrom certain provisions relating to the establishment, deposit, and investment of funds derived from land grants to the State of New Mexico and Arizona;

H. R. 8240. An act to authorize certain construction at military installations, and for other purposes;

H. R. 8753. An act to amend title II of the Social Security Act to include California, Connecticut, Minnesota, and Rhode Island among the States which are permitted to divide their retirement systems into two parts so as to obtain social-security coverage, under State agreement, for only those State and local employees who desire such coverage;

H. R. 8755. An act to amend title II of the Social Security Act to permit any instrumentality of two or more States to obtain social-security coverage, under its agreement, separately for those of its employees who are covered by a retirement system and who desire such coverage, to include Alabama, Georgia, New York, and Tennessee among the States which may obtain social-security coverage for policemen and firemen in positions covered by a retirement system on the same basis as other State and local employees, and to extend the period during which State agreements for social-security coverage of State and local employees may be made retroactive;

H. R. 8892. An act to amend the Internal Revenue Code of 1954 to extend the time within which a minister may elect coverage as a self-employed individual for social-security purposes and to permit such a minister to include, for social-security purposes, the value of meals and lodging furnished him for the convenience of his employer and the rental value of the parsonage furnished to him, and for other purposes;

H. R. 8929. An act to amend the act of August 27, 1935, as amended, to permit the disposal of lands and interests in lands by the Secretary of State to aliens.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 959. An act to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes;

S. 1866. An act to amend the act entitled "An act to require the inspection and certification of certain vessels carrying passengers," approved May 10, 1956, in order to provide adequate time for the formulation and consideration of rules and regulations to be prescribed under such act; and

S. 2431. An act granting the consent of Congress to the Klamath River Basin compact between the States of California and Oregon, and for other purposes.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 1652. An act for the relief of Rajka Markovic and Krunoslav Markovic;

H. R. 1797. An act for the relief of Maria Sausa and Gregorie Sausa;

H. R. 2058. An act for the relief of the Franklin Institute of the State of Pennsylvania;

H. R. 2237. An act authorizing the transfer of certain property of the Veterans' Administration (in Johnson City, Tenn.) to Johnson City National Farm Loan Association and the East Tennessee Production Credit Association, local units of the Farm Credit Administration;

H. R. 2354. An act for the relief of the estate of Leatha Horn;

H. R. 2816. An act to provide for the conveyance of Esler Field, La., to the parish of Rapides in the State of Louisiana, and for other purposes;

H. R. 5757. An act to increase the maximum amount payable by the Veterans' Administration for mailing or shipping charges of personal property left by any deceased veteran on Veterans' Administration property;

H. R. 5807. An act to amend further and make permanent the Missing Persons Act, as amended;

H. R. 6521. An act to modify section 3 of the act of June 30, 1945 (59 Stat. 265);

H. R. 7383. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes;

H. R. 7825. An act to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation, in the District of Columbia;

H. R. 8429. An act to amend the Vocational Rehabilitation Act;

H. R. 8586. An act for the relief of Pasquale Pratola;

H. R. 9188. An act to amend the act to authorize the Secretary of the Navy to transfer to the Commonwealth of Massachusetts certain lands and improvements comprising the Castle Island terminal facility at South Boston in exchange for certain other lands;

H. J. Res. 354. Joint resolution to authorize the designation of October 19, 1957, as National Olympic Day;

H. J. Res. 367. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 370. Joint resolution to extend the time limit for the Secretary of Commerce to sell certain war-built vessels for utilization on essential trade routes 3 and 4;

H. J. Res. 393. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain persons;

H. J. Res. 404. Joint resolution providing for the recognition and endorsement of the second World Metallurgical Congress;

H. J. Res. 408. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the St. Lawrence Seaway celebration to be held in Chicago, Ill., from January 1, 1959, to December 31, 1959; and

H. J. Res. 410. Joint resolution to facilitate the admission into the United States of certain aliens.

ADJOURNMENT

Mr. DORN of South Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 13 minutes p. m.), the House adjourned until tomorrow, Friday, August 23, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1153. A communication from the President of the United States, transmitting an amendment to the budget for the fiscal year 1958, involving an increase of $114,625,000, for the Atomic Energy Commission (H. Doc. No. 229); to the Committee on Appropriations and ordered to be printed.

1154. A letter from the Secretary of Defense, transmitting 30 reports covering 43 violations of section 3679, Revised Statutes and Department of Defense Directive 7200.1, entitled "Administrative Control of Appropriations within the Department of Defense," pursuant to section 3679 (i) (2), Revised Statutes; to the Committee on Appropriations.

1155. A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation entitled "A bill to authorize construction of a U. S. S. *Arizona* memorial at Pearl Harbor"; to the Committee on Armed Services.

1156. A letter from the Administrator, Federal Civil Defense Administration, transmitting the quarterly report of Federal contributions for the quarter ending June 30, 1957, pursuant to the Federal Civil Defense Act of 1950; to the Committee on Armed Services.

1157. A letter from the Comptroller General of the United States, transmitting a report on the audit of the custodianship functions of the Office of the Treasurer of the United States, Treasury Department, for the fiscal year ended June 30, 1956, pursuant to the Budget and Accounting Act, 1921 (31 U. S. C. 53), and the Accounting and Auditing Act of 1950 (31 U. S. C. 67); to the Committee on Government Operations.

1158. A letter from the Acting Secretary of Commerce, transmitting the quarterly report of the Maritime Administration of this Department on the activities and transactions of the Administration for the period March 31, 1957, through June 30, 1957, pursuant to the Merchant Ship Sales Act of 1946; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McMILLAN: Committee of conference. H. R. 1937. A bill to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes (Rept. No. 1220). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 399. Resolution to increase the postage allowances of Members of the House of Representatives, and for other purposes; without amendment (Rept. No. 1221). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. H. R. 9282. A bill to provide additional office space in home districts of

Congressmen, Delegates, and Resident Commissioners; without amendment (Rept. No. 1222). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 401. Resolution authorizing the printing as a House document of the historical data regarding the creation and jurisdiction of the Committee on Interstate and Foreign Commerce and providing for additional copies; without amendment (Rept. No. 1223). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. H. R. 9406. A bill to amend the act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a biennial rather than an annual basis; without amendment (Rept. No. 1224). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 279. Resolution to provide funds for the investigations and studies made by the Committee on Veterans' Affairs pursuant to House Resolution 64 and House Resolution 65; without amendment (Rept. No. 1225). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. House Concurrent Resolution 188. Concurrent resolution authorizing the printing as a House document of the document entitled "Congress and the Monopoly Problem; 56 Years of Antitrust Development, 1900-1956"; with amendment (Rept. No. 1226). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. Senate Concurrent Resolution 31. Concurrent resolution favoring the fulfillment of the program recommended by the National Historical Publications Commission for the publication of certain documents; without amendment (Rept. No. 1227). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. S. 2434. A bill to amend the act entitled "An act to provide books for the adult blind"; without amendment (Rept. No. 1228). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. House Resolution 392. Resolution authorizing the printing of certain proceedings in the Committee on Merchant Marine and Fisheries, as a House document; without amendment (Rept. No. 1229). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. House Resolution 401. Resolution authorizing the printing as a House document of the historical data regarding the creation and jurisdiction of the Committee on Interstate and Foreign Commerce and providing for additional copies; without amendment (Rept. No. 1230). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. House Concurrent Resolution 17. Concurrent resolution authorizing the printing of additional copies of House Document No. 232, 84th Congress; without amendment (Rept. No. 1231). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. House Concurrent Resolution 176. Concurrent resolution authorizing the printing as a House document of certain material relating to the Central Valley project of California, and providing for additional copies; without amendment (Rept. No. 1232). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. House Concurrent Resolution 215. Concurrent resolution authorizing the printing of additional copies of certain public hearings; without amendment (Rept. No. 1233). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. Senate Concurrent Resolution 39. Concurrent resolution providing for the printing as a Senate document and for additional copies of the report of the Commission on Government Security; without amendment (Rept. No. 1234). Ordered to be printed.

Mr. CANNON: Committee of conference. H. R. 9131. A bill making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 1235). Ordered to be printed.

Mr. COOLEY: Committee on Agriculture. H. R. 8490. A bill to amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments; without amendment (Rept. No. 1236). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FRIEDEL:

H. R. 9406. A bill to amend the act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a biennial rather than an annual basis.

By Mr. BROYHILL:

H. R. 9407. A bill to provide additional opportunity for certain Government employees to obtain career-conditional and career appointments in the competitive civil service; to the Committee on Post Office and Civil Service.

By Mr. DORN of South Carolina:

H. R. 9408. A bill to prevent the unauthorized censorship by broadcasting, television, telephone, telegraph, and all similar companies, or networks, of songs, tunes, words, lyrics, and other material and things; and providing certain procedure to be followed in such cases, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GROSS:

H. R. 9409. A bill to amend titles 10 and 14 of the United States Code to provide that cadets and midshipmen entering the service academies hereafter shall agree to serve 10 years on duty after graduation; to the Committee on Armed Services.

By Mr. O'BRIEN of New York (by request):

H. R. 9410. A bill to authorize and direct the transfer and conveyance of certain property in the Virgin Islands to the government of the Virgin Islands; to the Committee on Interior and Insular Affairs.

By Mr. PORTER:

H. R. 9411. A bill to prohibit the inclusion of certain matter on envelopes and like wrappers containing mail matter; to the Committee on the Judiciary.

By Mr. REUSS:

H. R. 9412. A bill to provide that the income derived from the rental of living accommodations, where the owner of the property provides services in connection with such rental, shall constitute net earnings from self-employment for purposes of the old-age, survivors, and disability insurance program; to the Committee on Ways and Means.

H. R. 9413. A bill to establish a program of national scholarship loans for undergraduate and graduate study in institutions of higher education; to the Committee on Education and Labor.

By Mr. SCHWENGEL:

H. R. 9414. A bill to amend the Internal Revenue Code of 1954 to provide an income tax deduction for certain expenses of attending colleges and universities; to the Committee on Ways and Means.

By Mr. SCOTT of Pennsylvania:

H. R. 9415. A bill to amend the Internal Revenue Code of 1954 so as to provide for scheduled personal and corporate income tax reductions and for other purposes; to the Committee on Ways and Means.

By Mr. WAINWRIGHT:

H. R. 9416. A bill to amend the laws relating to St. Elizabeths Hospital so as to fix the salaries of the Superintendent, Assistant Superintendent, and first assistant physician of the hospital, and for other purposes; to the Committee on Education and Labor.

By Mr. MILLER of Maryland:

H. R. 9417. A bill to permit a taxpayer who has attained the age of 65 and is disabled, or whose spouse has attained the age of 65 and is disabled, to deduct up to $20,000 of medical expenses incurred in any year; to the Committee on Ways and Means:

By Mr. DOWDY:

H. J. Res. 447. Joint resolution proposing an amendment to the Constitution with respect to the admission of new States as sovereign States of the United States; to the Committee on the Judiciary.

By Mr. SHUFORD:

H. J. Res. 448. Joint resolution proposing an amendment to the Constitution with respect to the admission of new States as sovereign States of the United States; to the Committee on the Judiciary.

By Mr. SMITH of Virginia:

H. J. Res. 449. Joint resolution proposing an amendment to the Constitution with respect to the admission of new States as sovereign States of the United States; to the Committee on the Judiciary.

By Mr. ASPINALL:

H. Con. Res. 227. Concurrent resolution expressing the sense of the Congress with respect to the promulgation by the Secretary of the Treasury of certain Federal firearms regulations; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LIPSCOMB:

H. R. 9418. A bill for the relief of Ming Sang Quon (Quon Ming Sang); to the Committee on the Judiciary.

By Mr. MARTIN:

H. R. 9419. A bill for the relief of Lily Li; to the Committee on the Judiciary.

By Mr. NEAL:

H. R. 9420. A bill for the relief of Giorgio Felisini; to the Committee on the Judiciary.

By Mr. PATTERSON:

H. R. 9421. A bill to provide for Federal grants to the Blinded Veterans Association, Inc., to aid in the establishment of a program of assistance for blinded veterans of the Armed Forces of the United States; to the Committee on Veterans' Affairs.

By Mr. WALTER:

H. R. 9422. A bill for the relief of John (Giovanne) Tiberio; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

335. By Mr. **MARTIN**: Petition of Wilfred A. Kenney, Sr., and sundry citizens of Durham, N. C., opposing jury-trial amendment in civil-rights legislation; to the Committee on the Judiciary.

336. By the **SPEAKER**: Petition of Mrs. Clema Bingham, Norwalk, Calif., requesting a thorough Congressional investigation of the Food and Drug Administration to correct abuses and restrain this branch of Government from trying to destroy the Hoxsey treatment for cancer; to the Committee on Interstate and Foreign Commerce.

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308 (b), which provides as follows:

> (b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

QUARTERLY REPORTS

The following reports for the first calendar quarter of 1957 were received after April 20, 1957, too late to be included in the published reports for that quarter:

A. Active-Retired Lighthouse Service Employees Association, Post Office Box 2169, South Portland, Maine.
D. (6) $458. E. (9) $431.14.

A. Air Transport Association of America, 1107 16th Street NW., Washington, D. C.
D. (6) $9,858.83. E. (9) $9,858.83.

A. American Cancer Society, 521 West 57th Street, New York, N. Y.
E. (9) $6,876.22.

A. American Dental Association, 222 East Superior Street, Chicago, Ill.
D. (6) $10,778. E. (9) $10,778.

A. American Heritage Publishing Co., Inc., 551 Fifth Avenue, New York, N. Y.

A. American Legion, National Headquarters, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $50,736.13. E. (9) $23,935.93.

A. American Merchant Marine Institute, Inc., 11 Broadway, New York, N. Y.
E. (9) $5,846.10.

A. American Veterinary Medical Association, 600 South Michigan Avenue, Chicago, Ill.
E. (9) $473.27.

A. American Vocational Association, Inc., 1010 Vermont Avenue NW., Washington, D. C.

A. Gene R. Arnold, 7424 Wisconsin Avenue, Bethesda, Md.
B. Reserve Equalization Committee, care of Floyd Oles, 1018 South 60th Street, Tacoma 8, Wash.
E. (9) $44.71.

A. Arthritis and Rheumatism Foundation, 23 West 45th Street, New York, N. Y.
E. (9) $1,237.73.

A. Beghtol, Mason, Knudsen and Dickeson, 714 Stuart Building, Lincoln, Nebr.
B. Roberts Dairy Co., 4469 Farnam Street, Omaha, Nebr.
E. (9) $25.33.

A. J. A. Beirne, 1808 Adams Mills Road NW., Washington, D. C.
B. Communications Workers of America, 1808 Adams Mill Road NW., Washington, D. C.

A. Helen Berthelot, 1808 Adams Mill Road NW., Washington, D. C.
B. Communications Workers of America, 1808 Adams Mill Road NW., Washington, D. C.
D. (6) $2,654.48. E. (9) $2,654.48.

A. Charles B. Blankenship, 1808 Adams Mill Road NW., Washington, D. C.
B. Communications Workers of America, 1808 Adams Mill Road NW., Washington, D. C.
D. (6) $2,850.87. E. (9) $2,850.87.

A. Roland Boyd, 202 Central National Bank Building, McKinney, Tex.
B. Hub Hill, 2121 North Field Street, Dallas, Tex.
D. (6) $800. E. (9) $708.76.

A. Roland Boyd, 202 Central National Bank Building, McKinney, Tex.
B. North Texas Municipal Water District, Wylie, Tex.
D. (6) $1,400. E. (9) $402.81.

A. Roland Boyd, 202 Central National Bank Building, McKinney, Tex.
B. Wherry Housing Association, 1737 E Street NW., Washington, D. C.
D. (6) $3,500.

A. Boykin & DeFrancis, Shoreham Building, Washington, D. C.
B. Mrs. Claire Hugo Stinnes, Sr., Grossenbaumerstrasse 253, Mulheim-Ruhr, Germany.
E. (9) $127.94.

A. Boykin & DeFrancis, Shoreham Building, Washington, D. C.
B. Studiengesellschaft für Privatrechtlichte Auslandsinteressen, e. V. Contrescarpe 46, Germany.
E. (9) $290.05.

A. Homer L. Brinkley, 744 Jackson Place NW., Washington, D. C.
B. National Council of Farmer Coopertives, 744 Jackson Place NW., Washington, D. C.
D. (6) $6,249.99. E. (9) $242.55.

A. Brotherhood of Locomotive Engineers, 1122 Engineers Building, Cleveland, Ohio.

A. Mrs. Rollin Brown, 700 North Rush Street, Chicago, Ill.
B. National Congress of Parents and Teachers.

A. Bernard N. Burnstine, 900 F Street NW., Washington, D. C.
B. Jewelry Industry Tax Committee, Inc., 50 Broadway, New York, N. Y.

A. Butler & McKinney, 1624 I Street NW., Washington, D. C.
B. Richard Haster and wife, and A. E. Arnold, 2435 West First Street, Santa Ana, Calif.
D. (6) $500. E. (9) $101.33.

A. George P. Byrne, Jr., 53 Park Place, New York, N. Y.
B. United States Wood Screw Service Bureau, 53 Park Place, New York, N. Y.

A. Canal Zone Central Labor Union, Metal Trades Council, AFL–CIO, Box 471, Balboa Heights, C. Z.
D. (6) $3,909.40. E. (9) $2,702.50.

A. John L. Carey, 270 Madison Avenue, New York, N. Y.
B. American Institute of Accountants, 270 Madison Avenue, New York, N. Y.
D. (6) $1,000.

A. Cliff D. Carpenter, 59 East Madison Street, Chicago, Ill.
B. Institute of American Poultry Industries, 59 East Madison Street, Chicago, Ill.
D. (6) $625. E. (9) $149.87.

A. Chamber of Commerce of the United States of America, 1615 H Street NW., Washington, D. C.

A. Frankie Childers, 300 New Jersey Avenue SE., Washington, D. C.
B. National Institute of Social Welfare, 1031 South Grand Avenue, Los Angeles, Calif.
D. (6) $1,232. E. (9) $780.

A. Citizens Committee on the Fair Labor Standards Act, National Consumers League, 718 Jackson Place NW., Washington, D. C.
D. (6) $2,750. E. (9) $1,794.55.

A. Citizens Committee on Natural Resources, 2140 P Street NW., Washington, D. C.
D. (6) $6,412.41. E. (9) $5,131.04.

A. Clarence F. Cockrell, 501 Patrick Street, Portsmouth, Va.
B. Active-Retired Lighthouse Service Employees Association, South Portland, Maine.
D. (6) $75. E. (9) $84.64.

A. Committee for Return of Confiscated German and Japanese Property, 926 National Press Building, Washington, D. C.
D. (6) $200. E. (9) $100.

A. Communications Workers of America, 1808 Adams Mill Road NW., Washington, D. C.
D. (6) $1,325,983.10. E. (9) $5,505.35.

A. Arthur D. Condon, 1000 Vermont Avenue NW., Washington, D. C.
B. Independent Advisory Committee to the Trucking Industry, Inc.

A. Conference of Local Airlines, 800 World Center Building, Washington, D. C.

A. Bernard J. Conway, 222 East Superior Street, Chicago, Ill.
B. American Dental Association, 222 East Superior Street, Chicago, Ill.
D. (6) $3,000.

A. Cooperative Health Federation of America, 343 South Dearborn Street, Chicago, Ill.
D. (6) $300. E. (9) $217.

A. Robert W. Coyne, 1501 Broadway, New York, N. Y.
B. Council of Motion Picture Organizations, Inc., 1501 Broadway, New York, N. Y.
D. (6) $623.29. E. (9) $310.51.

A. Dairy Industry Committee, 1028 Barr Building, Washington, D. C.
D. (6) $4,050.

A. Paul J. Daugherty, 820 Huntington Bank Building, Columbus, Ohio.
B. Ohio Chamber of Commerce, 820 Huntington Bank Building, Columbus, Ohio.
D. (6) $700.

A. Joffre C. David, 4401 East Colonial Drive, Orlando, Fla.

B. Florida Fruit and Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.

D. (6) $145.81. E. (9) $211.56.

A. S. P. Deas, 520 National Bank of Commerce Building, New Orleans, La.

B. Southern Pine Industry Committee, 520 National Bank of Commerce Building, New Orleans, La.

E. (9) $64.60.

A. Richard A. Dell, 2000 Florida Avenue NW., Washington, D. C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.

D. (6) $824.99.

A. Dorothea de Schweinitz, 718 Jackson Place NW., Washington, D. C.

B. Citizens Committee on the Fair Labor Standards Act of the National Consumer's League, 438 Engineers Building, Cleveland, Ohio.

D. (6) $1,120. E. (9) $85.73.

A. Ralph B. Dewey, 1625 K Street NW., Washington, D. C.

B. Pacific American Steamship Association, 16 California Street, San Francisco, Calif.

D. (6) $750. E. (9) $1,200.17.

A. William M. Dunn, 1808 Adams Mill Road NW., Washington, D. C.

B. Communications Workers of America, 1808 Adams Mill Road NW., Washington, D. C.

A. Dwight, Royall, Harris, Koegel & Caskey, Wire Building, Washington, D. C.

B. National Tax Equality Association, 231 South LaSalle Street, Chicago, Ill.

D. (6) $638. E. (9) $76.75.

A. Dwight, Royall, Harris, Koegel & Caskey, Wire Building, Washington, D. C.

B. Rayon Staple Fiber Producers Association, Room 7319, Empire State Building, New York, N. Y.

D. (6) $2,109.05. E. (9) $495.53.

A. Otis H. Ellis, 1001 Connecticut Avenue NW., Washington, D. C.

B. National Oil Jobbers Council, 1001 Connecticut Avenue NW., Washington, D. C.

D. (6) $4,000.

A. John W. Emeigh, 1040 Warner Building, Washington, D. C.

B. The National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D. C.

D. (6) $515.50. E. (9) $11.

A. Mrs. Albert E. Farwell, Box 188, Route 2, Vienna, Va.

B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. James Finucane, 926 National Press Building, Washington, D. C.

B. Committee for Return of Confiscated German and Japanese Property, 926 National Press Building, Washington, D. C.

D. (6) $100.

A. John F. Floberg, 800 World Center Building, Washington, D. C.

B. Automatic Phonograph Manufacturers Association, 1603 Orrington Avenue, Evanston, Ill.

A. Florida Fruit and Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.

D. (6) $641.62. E. (9) $641.62.

A. Clyde L. Flynn, Jr., Elizabethtown, Ill.

B. Independent Fluorspar Producers Association, Attention, J. Blecheisen, Rosiclare, Ill.

D. (6) $4,750. E. (9) $4,292.23.

A. Wallace H. Fulton, 1625 K Street NW., Washington, D. C.

B. National Association of Securities Dealers, Inc.

A. General Federation of Women's Clubs, 1734 N Street NW., Washington, D. C.

A. Leo Goodman, 718 Jackson Place NW., Washington, D. C.

B. International Union, United Automobile, Aircraft & Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich.

D. (6) $ 1,080. E. (9) $354.33.

A. Cassius B. Gravitt, Jr., 1110 F Street NW., Washington, D. C.

B. National League of Postmasters of the United States, 1110 F Street NW., Washington, D. C.

D. (6) $1,500. E. (9) $200.

A. L. James Harmanson, Jr., 744 Jackson Place NW., Washington, D. C.

B. National Council of Farmer Cooperatives, 744 Jackson Place NW., Washington, D. C.

D. (6) $3,024.96. E. (9) $114.35.

A. Robert E. Harper, 1413 K Street NW., Washington, D. C.

B. National Business Publications, Inc., 1413 K Street NW., Washington, D. C.

A. Kit H. Haynes, 744 Jackson Place NW., Washington, D. C.

B. National Council of Farmers Cooperatives, 744 Jackson Place NW., Washington, D. C.

D. (6) $2,625. E. (9) $88.68.

A. Joseph D. Henderson, 431 Balter Building, New Orleans, La.

B. American Association of Small Business, Inc., 431 Balter Building, New Orleans, La.

D. (6) $1,500.

A. William B. Henderson, 925 15th Street NW., Washington, D. C.

B. Parcel Post Association, 925 15th Street NW., Washington, D. C.

D. (6) $3,466. E. (9) $3,385.

A. Richard C. Holmquist, 777 14th Street NW., Washington, D. C.

B. General Electric Co., 570 Lexington Avenue, New York, N. Y.

E. (9) $147.38.

A. Mrs. Jency Price Houser, 1420 New York Avenue NW., Washington, D. C.

D. (6) $1,514.29. E. (9) $1,514.29.

A. Housewives United, 2915 Foxhall Road NW., Washington, D. C.

D. (6) $115. E. (9) $27.44.

A. Ray L. Hulick, 1040 Warner Building, Washington, D. C.

B. The National Rural Letter Carriers' Association, 1040 Warner Building, Washington, D. C.

D. (6) $515.50. E. (9) $16.

A. B. A. Hungerford, 53 Park Place, New York, N Y.

B. George P. Byrne, 53 Park Place, New York, N. Y.

A. Independent Advisory Committee to the Trucking Industry, Inc., 1000 Vermont Avenue NW., Washington, D. C.

A. Institute of American Poultry Industries, 59 East Madison Street, Chicago, Ill.

D. (6) $2,467.10. E. (9) $2,467.10.

A. Institute of Scrap Iron and Steel, Inc., 1729 H Street NW., Washington, D. C.

D. (6) $300.

A. International Association of Machinists, Machinists Building, Washington, D. C.

E. (9) $1,892.50.

A. The Jewelry Industry Tax Committee, Inc., 820 Highland Avenue, Newark, N. J.

D. (6) $10. E. (9) $4,714.50.

A. Orrin G. Judd, 655 Madison Avenue, New York, N. Y.

B. Dr. Ching-Lin Hsia and wife, Wai Tsung Hsia, 21 Park Place, Great Neck, N. Y.

E. (9) $1.21.

A. Franklin R. Kepner, Berwick Bank Building, Berwick, Pa.

B. Associated Railroads of Pennsylvania, Room 1022 Transportation Center, Philadelphia, Pa.

A. Thomas R. Kingsley, 16th and P Streets NW., Washington, D. C.

B. Movers Conference of America, 16th and P. Streets NW., Washington, D. C.

D. (6) $150.

A. King & Noble, 1028 Connecticut Avenue NW., Washington, D. C.

E. (9) $1,146.23.

A. Kominers & Fort, 529 Tower Building, Washington, D. C.

B. Marine Transport Lines, Inc., 11 Broadway, New York City, N. Y.

D. (6) $2,500.

A. John Lawler, 270 Madison Avenue, New York, N. Y.

B. American Institute of Accountants, 270 Madison Avenue, New York, N. Y.

D. (6) $755. E. (9) $175.

A. Dillard B. Lasseter, Post Office Box 381, Washington, D. C.

B. Organization of Professional Employees of the United States Department of Agriculture, Post Office Box 381, Washington, D. C.

D. (6) $450.

A. Rose Leibbrand, Dupont Circle Building, Washington, D. C.

B. National Federation of Business and Professional Women's Clubs, Inc., Dupont Circle Building, Washington, D. C.

D. (6) $23,390.85. E. (9) $2,109.93.

A. John W. Lindsey, 1625 K Street NW., Washington, D. C.

B. National Association of Securities Dealers, Inc.

A. Linen Supply Association of America, 22 West Monroe Street, Chicago, Ill.

A. Charles E. McCarthy, 1501 Broadway, New York, N. Y.

B. Council of Motion Picture Organizations, Inc., 1501 Broadway, New York, N. Y.

D. (6) $390. E. (9) $138.62.

A. William A. McClintock, Jr., 7447 Skokie Boulevard, Skokie, Ill.

B. The National Committee for Insurance Taxation, The Hay-Adams House, Washington, D. C.

A. MacLeish, Spray, Price & Underwood, 134 North La Salle Street, Chicago, Ill.
B. National Committee for Insurance Taxation, 221 North La Salle Street, Chicago, Ill.
D. (6) $2,500. E. (9) $504.85.

A. Harry B. Madsen, 1559 North McKinley Road, Lake Forest, Ill.
B. The National Committee for Insurance Taxation, The Hay-Adams House, Washington, D. C.
D. (6) $2,175. E. (9) $418.09.

A. Marks & Trowbridge, Ring Building, Washington, D. C.
B. Basic Industries Power Committee, 400 Erie County Savings Bank Building, Buffalo, N. Y.
E. $46.16.

A. P. H. Mathews, 929 Transportation Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.
D. (6) $5,617.50. E. (9) $752.40.

A. Arnold Mayer, 100 Indiana Avenue NW., Washington, D. C.
B. Amalgamated Meat Cutters and Butcher Workmen of North America, 2800 North Sheridan Road, Chicago, Ill.
D. (6) $825. E (9) $2,349.59.

A. Kenneth A. Meiklejohn, 1908 Q Street NW., Washington, D. C.
B. International Ladies' Garment Workers' Union, 1710 Broadway, New York, N. Y.
D. (6) $1,152.

A. Kenneth A. Meiklejohn, 1908 Q Street NW., Washington, D. C.
B. Retail, Wholesale and Department Store Union, 132 West 43d Street, New York, N. Y.
D. (6) $675.

A. Ross A. Messer, Post Office Box 1611, Washington, D. C.
B. National Association of Post Office and General Service Maintenance Employees, Post Office Box 1611, Washington, D. C.
D. (6) $700. E. (9) $84.45.

A. M. D. Mobley, 1010 Vermont Avenue, NW., Washington, D. C.
B. American Vocational Association, Inc.

A. Moot, Sprague, Marcy & Gulick, 400 Erie County Savings Bank Building, Buffalo, N. Y.
B. Basic Industries Power Committee, 400 Erie County Savings Bank Building, Buffalo, N. Y.
E. (9) $146.51.

A. Kenneth R. Morefield, 4401 East Colonial Drive, Orlando, Fla.
B. Florida Fruit and Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.
D. (6) $62.49. E. (9) $105.14.

A. Movers Conference of America, 16th and P Streets NW., Washington, D. C.
D. (6) $257.70. E. (9) $257.70.

A. John H. Myers, 1224 Cleveland Street, Wilmette, Ill.
B. National Committee for Insurance Taxation, Hay-Adams House, Washington, D. C.

A. National Association of Alcohol and Tobacco Tax Field Officers, 402 Fourth Avenue, New Kensington, Pa.
D. (6) $1,066.10. D. (9) $412.03.

A. National Association of Post Office and General Services Maintenance Employees, Post Office Box 1611, Washington, D. C.
D. (6) $14,014.09. E. (9) $1,192.52.

A. National Association of Travel Organizations, 1424 K Street NW., Washington, D. C.
D. (6) $18,894.63. E. (9) $682.50.

A. National Committee for Insurance Taxation, the Hay-Adams House, Washington, D. C.
D. (6) $19,050. E. (9) $17,845.75.

A. National Business Publications, Inc., 1413 K Street NW., Washington, D. C.

A. National Congress of Petroleum Retailers, Inc., 325 Farwell Building, Detroit, Mich.
D. (6) $832.34. E. (9) $1,923.16.

A. National Council Against Conscription, Box 170, Nyack, N. Y.
D. (6) $1,562.16. E. (9) $1,020.87.

A. National Council of Farmer Cooperatives, 744 Jackson Place NW., Washington, D. C.
D. (6) $7,197.50. E. (9) $5,500.

A. National Council of Salemen's Organizations, Inc., 80 West 40th Street, New York, N. Y.
E. (9) $107.38.

A. National Federation of Independent Business, Inc., 740 Washington Building, Washington, D. C.
D. (6) $7,375.11. E. (9) $7,375.11.

A. National Multiple Sclerosis Society, 257 Fourth Avenue, New York, N. Y.
E. (9) $825.15.

A. National Postal Committee for Books, 24 West 40th Street, New York, N. Y.
D. (6) $17,475. E. (9) $15,498.75.

A. The National Rural Letter Carrier's Association, 1040 Warner Building, Washington, D. C.
D. (6) $5,692.25. E. (9) $5,879.91.

A. National Tax Equality Association, 231 South LaSalle Street, Chicago, Ill.
D. (6) $13,838.16. E. (9) $13,144.20.

A. George R. Nelson, Machinists Building, Washington, D. C.
B. International Association of Machinists, Machinists Building, Washington, D. C.
D. (6) $1,500. E. (9) $392.50.

A. John W. Nerlinger, 325 Farwell Building, Detroit, Mich.
B. National Congress of Petroleum Retailers, Inc., 325 Farwell Building, Detroit, Mich.
D. (6) $125. E. (9) $136.

A. Robert H. North, 1105 Barr Building, Washington, D. C.
B. International Association of Ice Cream Manufacturers, 1105 Barr Building, Washington, D. C.
E. (9) $834.40.

A. Robert J. O'Donnell, Majestic Theater Building, Dallas, Tex.
B. Council of Motion Picture Organizations, Inc., 1501 Broadway, New York, N. Y.

A. Mrs. Theodor Oxholm, 19 East 92d Street, New York, N. Y.
E. (9) $32.52.

A. Charles A. Parker, 1346 Connecticut Avenue NW., Washington, D. C.
B. National Aviation Trades Association, 1346 Connecticut Avenue NW., Washington D. C.
D. (6) $737. E. (9) $787.30.

A. Joseph O. Parker, 531 Washington Building, Washington, D. C.
B. Florida Fruit and Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.
E. (9) $28.02.

A. Joseph O. Parker, 531 Washington Building, Washington, D. C.
B. Institute of American Poultry Industries, 59 East Madison Street, Chicago, Ill.
D. (6) $562.50. E. (9) $136.37.

A. Joseph O. Parker, 531 Washington Building, Washington, D. C.
B. The National Grange, 744 Jackson Place NW., Washington, D. C.
E. (9) $37.70.

A. George F. Parrish, Post Office Box 7, Charleston, W. Va.
B. West Virginia Railroad Association, Post Office Box 7, Charleston, W. Va.
D. (6) $4,249.98. E. (9) $141.35.

A. Organization of Professional Employees of the United States Department of Agriculture, Post Office Box 381, Washington, D. C.
D. (6) $3,939.18. E. (9) $1,010.73.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 575 Madison Avenue, New York, N. Y.
B. American Heritage Publishing Co., Inc., 551 Fifth Avenue, New York, N. Y.
E. (9) $23.55.

A. Peoples Lobby, Inc., 1337 21st Street NW., Washington, D. C.
D. (6) $70.

A. Homer V. Prater, 900 F Street NW., Washington, D. C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D. C.
D. (6) $1,712.28.

A. Mrs. R. I. C. Prout, 1734 N Street NW., Washington, D. C.

A. William A. Quinlan, 1317 F Street NW., Washington, D. C.
D. (6) $3,600. E. (9) $95.74.

A. Luke C. Quinn, Jr., 1001 Connecticut Avenue NW., Washington, D. C.
B. American Cancer Society, New York, N. Y.; Arthritis and Rheumatism Foundation, New York; United Cerebral Palsy Associations, New York, N. Y.
D. (6) $7,499.97. E. (9) $5,639.44.

A. Mrs. Richard G. Radue, 3406 Quebec Street NW., Washington, D. C.
B. National Congress of Parents and Teachers, 700 North Rush, Chicago, Ill.

A. Otie M. Reed, 1107 19th Street NW., Washington, D. C.
B. National Creameries Association, 817 New York Building, St. Paul, Minn.
D. (6) $1,875. E. (9) $1,044.83.

A. George L. Reid, Jr., Post Office Box 381, Washington, D. C.
B. Organization of Professional Employees of the United States Department of Agriculture, Post Office Box 381, Washington, D. C.
D. (6) $200.

A. Rice & King, Southern Building, Washington, D. C.
B. D. Gottlieb & Co., 1140 North Kostner Avenue, Chicago, Ill.
D. (6) $4,000.

A. John J. Riggle, 744 Jackson Place NW., Washington, D. C.
B. National Council of Farmer Cooperatives, 744 Jackson Place NW., Washington, D. C.
D. (6) $3,024.96. E. (9) $32.70.

A. Roberts Dairy Co., 4469 Farnam Street, Omaha, Nebr.
E. (9) $19.40.

A. Charles A. Robinson, Jr., 2000 Florida Avenue NW., Washington, D. C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.
D. (6) $100.

A. Horace Russell, 221 North La Salle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $4,375. E. (9) $268.68.

A. Stuart T. Saunders, 8 North Jefferson Street, Roanoke, Va.
B. Norfolk & Western Railway Co., 8–108 North Jefferson Street, Roanoke, Va.

A. Rosario Scibilia, 1975 West Sixth Street, Brooklyn, N. Y.
B. Catholic War Veterans of U. S. A., 1012 14th Street NW., Washington, D. C.
E. (9) $325.

A. Selvage & Lee, Inc., 1625 I Street NW., Washington, D. C.
B. Carpet Institute, Empire State Building, New York, N. Y.
D. (6) $3,000. E. (9) $286.99.

A. Selvage & Lee, Inc., 1625 I Street NW., Washington, D. C.
B. Mobile Homes Manufactures Association, 20 North Wacker Drive, Chicago, Ill.
D. (6) $1,249.98. E. (9) $48.17.

A. Selvage & Lee, Inc., 1625 I Street NW., Washington, D. C.
B. New York Coffee and Sugar Exchange, 113 Pearl Street, New York, N. Y.
D. (6) $1,200. E. (9) $202.65.

A. P. L. Shackelford, 4545 Connecticut Avenue, Washington, D. C.
B. Sheet Metal Workers International Association, 642 Transportation Building, Washington, D. C.
D. (6) $200.

A. Paul Sifton, 718 Jackson Place NW., Washington, D. C.
B. United Automobile, Aircraft, Agricultural Implement Workers of America.
D. (6) $1,740. E. (9) $1,291.70.

A. R. S. Smethurst, 1511 K Street NW., Washington, D. C.
B. National Association of Manufacturers, 2 East 48th Street, New York, N. Y.

A. Dr. Spencer M. Smith, Jr., 1709 North Glebe Road, Arlington, Va.
B. Citizens Committee on Natural Resources, 2140 P Street NW., Washington, D. C.
D. (6) $1,309.80.

A. William D. Snow, 970 Spitzer Building, Toledo, Ohio.
B. National Congress of Petroleum Retailers, Inc., 325 Farwell Building, Detroit, Mich.
D. (6) $250. E. (9) $93.26.

A. Southern Pine Industry Committee, 520 National Bank of Commerce Building, New Orleans, La.
D. (6) $4,482.39. E. (9) $4,130.90.

A. Spokesmen for Children, Inc., 19 East 92d Street, New York, N. Y.
D. (6) $340.12. E. (9) $148.28.

A. W. S. Story, 1729 H Street NW., Washington, D. C.
B. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D. C.
D. (6) $300.

A. Mrs. Ada Barnett Stough, 132 Third Street SE., Washington, D. C.
B. American Parents Committee, Inc., 132 Third Street, Washington, D. C.
D. (6) $175.86. E. (9) $175.86.

A. Eugene C. Struckhoff, 93 North Main Street, Concord, N. H.
B. Boston and Maine Railroad, 150 Causeway Street, Boston, Mass.
D. (6) $875. E. (9) $1,096.44.

A. United Cerebral Palsy Associations, Inc., 369 Lexington Avenue, New York, N. Y.
E. (9) $1,375.25.

A. Bailey Walsh, 1025 Connecticut Avenue NW., Washington, D. C.
B. International Nickel Co., Inc., 67 Wall Street, New York, N. Y.

A. Bailey Walsh, 1025 Connecticut Avenue NW., Washington, D. C.
B. Lion Manufacturing Co., 2640 Belmont Avenue, Chicago, Ill.
D. (6) $600.

A. Bailey Walsh, 1025 Connecticut Avenue NW., Washington, D. C.
B. United Manufacturing Co., 3401 North California Avenue, Chicago, Ill.
D. (6) $900. E. (9) $21.

A. Herbert F. Walton, 7447 Skokie Boulevard, Skokie, Ill.
B. The National Committee for Insurance Taxation, The Hay-Adams House, Washington, D. C.

A. Glenn E. Watts, 1808 Adams Mill Road NW., Washington, D. C.
B. Communications Workers of America, 1808 Adams Mill Road NW., Washington, D. C.

A. Weaver & Glassie, 1225 19th Street NW., Washington, D. C.
B. National Electrical Contractors Association and the Council of Mechanical Specialty Contracting Industries, Inc., Ring Building, Washington, D. C.
D. (6) $12,000. E. (9) $526.82.

A. Bernard Weitzer, 1712 New Hampshire Avenue NW., Washington, D. C.
B. Jewish War Veterans of the United States of America, 1712 New Hampshire Avenue NW., Washington, D. C.
D. (6) $2,499.96. E. (9) $383.22.

A. Roger J. Whitford, 815 15th Street NW., Washington, D. C.
B. Marian Diane Dalphine Sachs, Beekman Hotel, New York, N. Y., and Arthur Sachs, care of Moses & Singer, 29 Broadway, New York, N. Y.
D. (6) $250.

A. Frank G. Wollney, 59 East Madison Street, Chicago, Ill.
B. Institute of American Poulty Industries, 59 East Madison Street, Chicago, Ill.
D. (6) $225. E. (9) $179.95.

A. William Zimmerman, Jr., 1700 K Street NW., Washington, D. C.
B. Association on American Indian Affairs, Inc., 48 East 86th Street, New York, N. Y.
D. (6) $125. E. (9) $65.64.

QUARTERLY REPORTS

The following quarterly reports were submitted for the ~~first~~ 2nd calendar quarter 1957:

NOTE.—The form used for reports is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed and are indicated by their respective letter and number.)

File two copies with the Secretary of the Senate and file three copies with the Clerk of the House of Representatives.
This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.
Place an "X" below the appropriate letter or figure in the box at the right of the "Report" heading below:

"PRELIMINARY" REPORT ("Registration"): To "register" place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reportingrequirements of the Act.

Year: 19......

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) In General: This "Report" form may be used by either an organization or an individual, as follows:

(i) "EMPLOYEE".—To file as an "employee," state in Item "B" the name, address, and nature of business of the "employer." (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee.")

(ii) "Employer".—To file as an "employer," write "None" as answer to Item "B."

(b) Separate Reports.—An agent or employee should not attempt to combine his Report with the employer's Report.

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING.—(1) State name, address, and nature of business; (2) if this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employees; except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat oflegislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—Section 302 (e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, place ☐ an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed, in connection with legislative interests, set forth: (*a*) description; (*b*) quantity distributed; (*c*) date of distribution; (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed.)

4. *If* this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. *If this is a "Quarterly" Report, disregard this Item "C 4" and fill out Items "D" and "E" on the back of this page.* Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarter ly" Report.

AFFIDAVIT

[Omitted in printing]

PAGE 1

Note on Item "D".—(*a*) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302 (a) of the Lobbying Act.

(*b*) **If This Report is for an Employer.**—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expand except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(*c*) **If This Report is for an Agent or Employee.**—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. Receipts (Including Contributions and Loans):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $--------Dues and assessments
2. $--------Gifts of money or anything of value
3. $--------Printed or duplicated matter received as a gift
4. $--------Receipts from sale of printed or duplicated matter
5. $--------Received for services (e. g., salary, fee, etc.)
6. $--------Total for this Quarter (Add items "1" through "5")
7. $--------Received during previous Quarters of calendar year
8. $--------Total from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302 (a).

9. $--------Total owed to others on account of loans
10. $--------Borrowed from others during this Quarter
11. $--------Repaid to others during the Quarter

12. $--------"Expense money" and Reimbursements received this Quarter

Contributors of $500 or more
(from Jan. 1 through this Quarter)

13. Have there been such contributors?
Please answer "yes" or "no": --------

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor*
	("*Period*" from Jan. 1 through------------------, 19----)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N. Y.
$1,785.00	The Doe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	Total

Note on Item "E".—(*a*) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302 (b) of the Lobbying Act.

(*b*) **If This Report is for an Agent or Employee.** In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6"), and travel, food, lodging, and entertainment (Item "E 7").

E. Expenditures (Including Loans) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Expenditures (other than loans)

1. $--------Public relations and advertising services
2. $--------Wages, salaries, fees, commissions (other than item "1")
3. $--------Gifts or contributions made during Quarter
4. $--------Printed or duplicated matter, including distribution cost
5. $--------Office overhead (rent, supplies, utilities, etc.)
6. $--------Telephone and telegraph
7. $--------Travel, food, lodging, and entertainment
8. $--------All other expenditures

9. $--------Total for this Quarter (Add "1" through "8")
10. $--------Expended during previous Quarters of calendar year

11. $--------Total from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302 (b).

12. $--------Total now owed to person filing
13. $--------Lent to others during this Quarter
14. $--------Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11 Doe Printing Co., 3214 Blank Ave., St. Louis, Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blatten, 3127 Gremlin Bldg., Washington, D. C.—Public relations service at $800.00 per month.
$4,150.00	Total

PAGE 2

A. Claris Adams, 1701 K Street NW., Washington, D. C.
B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.
D. (6) $272.50.

A. Arthur F. Aebersold, 900 F Street NW., Washington, D. C.
B. Retirement Federation of Civil Service Employees of the U. S. Government, 900 F Street NW., Washington, D. C.
D. (6) $1,362.98. E. (9) $25.

A. J. Carson Adkerson, 976 National Press Building, Washington, D. C.
E. (9) $31.25.

A. AFL-CIO Maritime Committee, 132 Third Street SE., Washington, D. C.
D. (6) $10,301.50. E. (9) $10,438.77.

A. Aircraft Industries Association of America, Inc., 610 Shoreham Building, Washington, D. C.
D. (6) $6,420.66. E. (9) $6,420.66.

A. Louis J. Allen, 1121 Nashville Trust Building, Nashville, Tenn.
B. Class I Railroads in Tennessee.

A. W. L. Allen, 8605 Cameron Street, Silver Spring, Md.
B. The Commercial Telegraphers' Union, International, 8605 Cameron Street, Silver Spring, Md.

A. William B. Allen, 917 Fifteenth Street NW., Washington, D. C.
B. United Rubber, Cork, Linoleum and Plastic Workers of America, High at Mill Street, Akron, Ohio.
D. (6) $2,080. E. (9) $364.15.

A. Thomas H. Alphin, M. D., 1523 L Street NW., Washington, D. C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $925. E. (9) 426.16.

A. Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, 5025 Wisconsin Avenue NW., Washington, D. C.

A. American Cotton Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N. C.
D. (6) $6,400.70. E. (9) $6,400.70.

A. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill., and 425 13th Street NW., Washington, D. C.
D. (6) $25,374. E. (9) $25,374.

A. American Federation of Labor and Congress of Industrial Organizations, AFL-CIO Building, Washington, D. C.
E. (9) $32,584.61.

A. American Federation of Musicians, 425 Park Avenue, New York, N. Y.
D. (6) $6,965. E. (9) $11,013.68.

A. American Federation of the Physically Handicapped, 1370 National Press Building, Washington, D. C.
E. (9) $594.75.

A. American Heritage Publishing Co., Inc., 551 Fifth Avenue, New York, N. Y.

A. American Hospital Association, 18 East Division Street, Chicago, Ill.
D. (6) $13,899.08. E. (9) $11,289.08.

A. American Hotel Association, 221 West 57th Street, New York, N. Y.
D. (6) $156,188.29.

A. American Humane Association, 806 Pennsylvania Street, Denver, Colo.
E. (9) $1,836.40.

A. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.
D. (6) $838.34. E. (9) $903.89.

A. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $15,000. E. (9) $12,244.03.

A. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
D. (6) $26,475.43. E. (9) $3,670.59.

A. American Nurses' Association, Inc., 2 Park Avenue, New York, N. Y.
D. (6) $334,964.87. E. (9) $3,233.44.

A. American Optometric Association, Inc. (Development Fund-Legislative), care of Dr. H. Ward Ewalt, Jr., 8001 Jenkins Arcade, Pittsburgh, Pa.
D. (6) $2,593. E. (9) $500.

A. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.
D. (6) $482.37. E. (9) $482.37.

A. American Petroleum Institute, 50 West 50th Street, New York, N. Y.
D. (6) $2,262. E. (9) $8,510.

A. American Paper & Pulp Association, 122 East 42d Street, New York, N. Y.

A. American Parents Committee, Inc., 132 Third Street SE., Washington, D. C., and 52 Vanderbilt Avenue, New York, N. Y.
D. (6) $1,841.56. E. (9) $1,879.32.

A. American Pulpwood Association, 220 East 42d Street, New York, N. Y.

A. American Retail Federation, 1145 19th Street NW., Washington, D. C.
D. (6) $86,201.29. E. (9) $9,301.74.

A. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D. C.
D. (6) $2,470.15. E. (9) $2,430.15.

A. American Tariff League, Inc., 19 West 44th Street, New York, N. Y.

A. American Textile Machinery Association, 60 Batterymarch Street, Boston, Mass.
D. (6) $1.24.

A. American Tramp Shipowners Association, Inc., 11 Broadway, New York, N. Y.
D. (6) $17,000. E. (9) $4,708.57.

A. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $10,290.06. E. (9) $8,749.08.

A. American Veterans Committee, Inc., 1830 Jefferson Place NW., Washington, D. C.
D. (6) $4,120.66. E. (9) $2,105.86.

A. American Veterans World War II, 1710 Rhode Island Avenue NW., Washington, D. C.
E. (9) $1,562.50.

A. American Vocational Association, Inc., 1010 Vermont Avenue NW., Washington, D. C.

A. American Warehousemen's Association, 222 West Adams Street, Chicago, Ill.

A. American Zionist Committee for Public Affairs, 1737 H Street NW., Washington, D. C.
D. (6) $1,338. E. (9) $2,301.16.

A. America's Wage Earners' Protective Conference, 815 15th Street NW., Washington, D. C.
D. (6) $1,560. E. (9) $1,620.10.

A. Samuel W. Anderson, 1700 K Street NW., Washington, D. C.
B. American Watch Association, Inc., 1700 K Street NW., Washington, D. C.
D. (6) $6,249.99.

A. Walter M. Anderson, Jr., Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $119. E. (9) $491.92.

A. Area Employment Expansion Committee, 1144 Pennsylvania Building, Washington, D. C.
D. (6) $87. E. (9) $1,174.40.

A. Hector M. Aring, 826 Woodward Building, Washington, D. C.
B. Johns-Manville Corp., 22 East 40th Street, New York, N. Y.
D. (6) $1,250. E. (9) $434.45.

A. Arkansas Railroad Committee, 1115 Boyle Building, Little Rock, Ark.
B. Class I Railroads Operating in the State of Arkansas.
D. (6) $3,750. E. (9) $2,368.99.

A. Arnold, Fortas & Porter, 1229 19th Street, Washington, D. C.
B. Simon & Shuster, 630 Fifth Avenue, New York, N. Y.

A. W. C. Arnold, 200 Colman Building, Seattle, Wash.
B. Alaska Salmon Industry, Inc., 200 Colman Building, Seattle, Wash.

A. Associated General Contractors of America, Inc., Munsey Building, Washington, D. C.

A. Association of American Physicians and Surgeons, Inc., 185 North Wabash Avenue, Chicago, Ill.
D. (6) $1,500. E. (9) $1,500.

A. Association of American Railroads, 929 Transportation Building, Washington, D. C.
D. (6) $20,540.45. E. (9) $20,540.45.

A. Association of American Ship Owners, 76 Beaver Street, New York, N. Y.

A. Association of Casualty and Surety Companies, 60 John Street, New York, N. Y.
D. (6) $2,076.96. E. (9) $2,076.96.

A. Association of Western Railways, 474 Union Station Building, Chicago, Ill.
D. (6) $2,863.56. E. (9) $2,863.56.

A. Edward Atkins, 51 East 42d Street, New York, N. Y.
B. National Association of Shoe Chain Stores, Inc., 51 East 42d Street, New York, N. Y.
D. (6) $250. E. (9) $250.

A. Charles E. Babcock, Route 2, Box 406, Vienna, Va.
B. National Council, Junior Order United American Mechanics, 3027 North Broad Street, Philadelphia, Pa.
D. (6) $150. E. (9) $2.25.

A. Harry S. Baer, Jr., 1115 17th Street NW., Washington, D. C.
B. Aeronautical Training Society, 1115 17th Street NW., Washington, D. C.
D. (6) $2,000.

A. George P. Baker, 16 Eliot Street, Cambridge, Mass.
B. Transportation Association of America, 6 North Michigan Avenue, Chicago, Ill.

A. John A. Baker.
B. The Farmers' Educational and Co-Operative Union of America, 1404 New York Avenue NW., Washington, D. C.
D. (6) $3,015.49. E. (9) $250.22.

A. Baker, McKensie & Hightower, 901 Barr Building, Washington, D. C.
B. Club Managers Association of America, 1028 Connecticut Avenue, Washington, D. C.
E. (9) $5.95.

A. Baker, McKensie & Hightower, 901 Barr Building, Washington, D. C.
B. Roberts Dairy Co., 4469 Farnam Street, Omaha, Nebr.
E. (9) $37.78.

A. J. H. Ballew, Nashville, Tenn.
B. Southern States Industrial Council, Nashville, Tenn.
D. (6) $2,400.

A. Hartman Barber, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $2,125. E. (9) $984.92.

A. Robert C. Barnard, 224 Southern Building, Washington, D. C.
B. Cleary, Gottlieb, Friendly & Ball, 224 Southern Building, Washington, D. C.

A. James M. Barnes, 1025 Connecticut Avenue, NW., Washington, D. C.
B. Reciprocal Inter-Insurers Federal Tax Committee, United Artists Building, Detroit, Mich.
D. (6) $3,000.

A. James M. Barnes and Thurman Hill, 1025 Connecticut Avenue NW., Washington, D. C.
B. National Association of Retired Civil Employees, 1625 Connecticut Avenue, Washington, D. C.
D. (6) $1,500.

A. Arthur R. Barnett, 1200 18th Street NW., Washington, D. C.
B. National Association of Electric Co.'s, 1200 18th Street NW., Washington, D .C.
D. (6) $700. E. (9) $87.67.

A. Irvin L. Barney, 401 Third Street NW., Washington, D. C.
B. Brotherhood Railway Carmen of America, 4929 Main Street, Kansas City, Mo.
D. (6) $2,625.

A. William J. Barnhard, 1108 16th Street NW., Washington, D. C.
B. Imported Hardwood Plywood Association, Inc., San Francisco, Calif.; Plywood Group, National Council of American Importers, New York, N. Y.; American Association of Hardwood Plywood Users, Washington, D. C.

A. William G. Barr, 711 14th Street NW., Washington, D. C.
B. National Parking Association, Inc., 711 14th Street NW., Washington, D. C.

A. Ralph E. Becker, 1700 K Street NW., Washington, D. C.
B. American National Theatre and Academy, 1545 Broadway, New York, N. Y.
E. (9) $154.88.

A. Ralph E. Becker, 1700 K Street NW., Washington, D. C.
B. Comision de Defensa del Azucar y Fomento de la Cana, Ciudad Trujillo, Dominican Republic.
D. (6) $1,000.

A. Ralph E. Becker, 1700 K Street NW., Washington, D. C.
B. The League of New York Theatres, Inc., and the National Association of the Legitimate Theatre, Inc., 137 West 48th Street, New York, N. Y.
E. (9) $101.92.

A. Ralph E. Becker, 1700 K Street NW., Washington, D. C.
B. National Association of Concert Managers, 30 Lafayette Avenue, Brooklyn, N. Y.
E. (9) $156.77.

A. Bert Bell, 1 Bala Avenue, Bala-Cynwyd, Pa.
B. National Football League, 1 Bala Avenue, Bala-Cynwyd, Pa.
E. (9) $2,362.04.

A. Frederick J. Bell, 2000 K Street NW., Washington, D. C.
B. National Automobile Dealers Association, 2000 K Street NW., Washington, D. C.
D. (6) $2,307.44.

A. Julia D. Bennett, Hotel Congressional, Washington, D. C.
B. American Library Association, 50 East Huron Street, Chicago, Ill.
E. (9) $1,854.75.

A. Ernest H. Benson, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $4,500.

A. Bergson & Borkland, 918 16th Street NW., Washington, D. C.
B. Freeport Sulphur Co., 161 East 42d Street, New York, N. Y.
E. (9) $3.25.

A. Sam B. Berrong, 5025 Wisconsin Avenue NW., Washington, D. C.
B. Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, 5025 Wisconsin Avenue NW., Washington, D. C.

A. J. Raymond Berry, 85 John Street, New York, N. Y.
B. National Board of Fire Underwriters, 85 John Street, New York, N. Y.
D. (6) $240. E. (9) $116.

A. Andrew J. Biemiller, 815 16th Street NW., Washington, D. C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D. C.
D. (6) $3,302. E. (6) $674.74.

A. Walter J. Bierwagen, 900 F Street NW., Washington, D. C.
B. Division 689, Amalgamated Association of Street, Electric Railway, and Motor Coach Employees of America, 900 F Street NW., Washington, D. C.

A. Hudson Biery, 1012 Federal Reserve Bank Building, Cincinnati, Ohio.
B. Ohio Valley Improvement Association, Inc., 1012 Federal Reserve Bank Building, Cincinnati, Ohio.

A. Bigham, Englar, Jones & Houston, 99 John Street, New York, N. Y., and 839 Shoreham Building, Washington, D. C.
B. The American Institute of Marine Underwriters, the Association of Marine Underwriters of the United States, American Cargo War Risk Reinsurance Exchange, and American Hull Insurance Syndicate.
E. (9) $105.

A. Robert J. Bird, 731 Washington Building, Washington, D. C.
B. Massachusetts Protective Association, Worcester, Mass.

A. Robert J. Bird, 731 Washington Building, Washington, D. C.
B. Paul Revere Life Insurance Co., Worcester, Mass.

A. Kenneth M. Birkhead, 1830 Jefferson Place NW., Washington, D. C.
B. American Veterans' Committee, 1830 Jefferson Place NW., Washington, D. C.
D. (6) $1,249.95. E. (9) $38.45.

A. John H. Bivins, 50 West 50th Street, New York, N. Y.
B. American Petroleum Institute, 50 West 50th Street, New York, N. Y.
D. (6) $487.50.

A. James C. Black, 1625 K Street NW., Washington, D. C.
B. Republic Steel Corporation, Republic Building, Cleveland, Ohio.
D. (6) $600. E. (9) $500.

A. Thomas D. Blake, 4664 Reservoir Road, Washington, D. C.
B. Sharp & Bogan, 1108 16th Street NW., Washington, D. C.

A. William Rhea Blake, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, P. O. Box 9905, Memphis, Tenn.
D. (6) $86.52. E. (9) $41.84.

A. Mrs. Paul Blanshard, 408 A Street NE., Washington, D. C.
B. Unitarian Fellowship for Social Justice.
D. (6) $249. E. (9) $90.

A. Blum, Lindsey & Powell, 1741 K Street NW., Washington, D. C.
D. (6) $1,475. E. (9) $131.72.

A. Eugene F. Bogan, 1108 16th Street NW., Washington, D. C.
B. National Association of Investment Companies, 61 Broadway, New York, N. Y.
D. (6) $1,250. E. (9) $141.04.

A. Hyman Bookbinder, 815 16th Street NW., Washington, D. C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D. C.
D. (6) $2,899. E. (9) $454.20.

A. Joseph L. Borda, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D. C.

A. Lyle H. Boren, Seminole, Okla.
B. The Association of Western Railways, 474 Union Station Building, Chicago, Ill.
D. (6) $2,863.56.

A. Robert T. Borth, 777 14th Street NW., Washington, D. C.
B. General Electric Co., 570 Lexington Avenue, New York, N. Y.
D. (6) $375. E. (9) $423.24.

A. Boston & Maine Railroad, 150 Causeway Street, Boston, Mass.

A. G. Stewart Boswell, 1832 M Street NW., Washington, D. C.
B. National Cotton Council of America, P. O. Box 9905, Memphis, Tenn.
D. (6) $90. E. (9) $2.78.

A. R. B. Bowden, 600 Folger Building, Washington, D. C.
B. Grain and Feed Dealers National Association, 100 Merchants Exchange Building, St. Louis, Mo.
D. (6) $12.50. E. (9) $4.05.

A. Joseph E. Brady, 2347 Vine Street, Cincinnati, Ohio.
B. International Union of United Brewery, Flour, Cereal, Soft Drink and Distillery Workers of America, 2347 Vine Street, Cincinnati, Ohio.

A. Harold P. Braman, 907 Ring Building, Washington, D. C.
B. National Savings and Loan League, 907 Ring Building, Washington, D. C.
D. (6) $1,800.

A. Harry R. Brashear, 610 Shoreham Building, Washington, D. C.
B. Aircraft Industries Association of America, Inc., 610 Shoreham Building, Washington, D. C.

A. Frank P. Brennan, Avoca, Iowa.
B. Iowa Power & Light Co., Des Moines, Iowa.
E. (9) $26.35.

A. William A. Bresnahan, 1424 16th Street, NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.

A. Clark L. Brody, 4000 North Grand River Avenue, Lansing, Mich.
B. Michigan Farm Bureau, 400 North Grand River Avenue, Lansing, Mich.
D. (6) $207.69. E. (9) $16.53.

A. W. S. Bromley, 122 East 42d Street, New York, N. Y.
B. American Pulpwood Association, 220 East 42d Street, New York, N. Y.

A. Milton E. Brooding, 215 Fremont Street, San Francisco, Calif.
B. California Packing Corp., 215 Fremont Street, San Francisco, Calif.
D. (6) $750. E. (9) $100.

A. Derek Brooks, 1028 Connecticut Avenue, NW., Washington, D. C.
B. National Retail Furniture Association, 666 Lake Shore Drive, Chicago, Ill.
D. (6) $600. E. (9) $490.68.

A. Brotherhood of Locomotive Engineers, 1122 Engineers Building, Cleveland, Ohio.

A. Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $7,995.71. E. (9) $7,995.71.

A. C. R. Brown, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $2,445.80.

A. J. D. Brown, 1025 Connecticut Avenue NW., Washington, D. C.
B. American Public Power Association, 1025 Connecticut Avenue NW., Washington, D. C.
D. (6) $150.

A. Brown, Lund & Fitzgerald, Cafritz Building, Washington, D. C.
B. American and Foreign Power Co., Inc., 2 Rector Street, New York, N. Y.
D. (6) $545. E. (9) $94.26.

A. Brown, Lund & Fitzgerald, 1625 Eye Street, NW., Washington, D. C.
B. National Association of Electric Companies, Ring Building, Washington, D. C.
D. (6) $1,425. E. (9) $1,383.76.

A. George S. Buck, Jr., 1832 M Street NW., Washington, D. C.
B. National Cotton Council of America, P. O. Box 9905, Memphis, Tenn.
D. (6) $168.75.

A. Henry H. Buckman, 54 Buckman Building, Jacksonville, Fla.
B. Florida Inland Navigation District, Citizens Bank Building, Bunnell, Fla.
D. (6) 1,350. E. (9) $20.36.

A. Henry H. Buckman, 54 Buckman Building, Jacksonville, Fla.
B. The Florida Ship Canal Navigation District, 720 Florida Title Building, Jacksonville, Fla.
(D) (6) $1,350.

A. George J. Burger, 740 Washington Building, Washington, D. C.
B. Burger Tire Consultant Service, 250 West 57th Street, New York, N. Y., and National Federation of Independent Business, 740 Washington Building, Washington, D. C.

A. John J. Burke, 1062 West Platinum, Butte, Mont.
B. Pacific Northwest Power Co., Post Office Box 1335, Spokane, Wash.
E. (9) $600.

A. Thomas Burke, 718 Jackson Place NW., Washington, D. C.
B. United Automobile, Aircraft, Agricultural Implement Workers of America, Solidarity House, 8000 East Jefferson Avenue, Detroit, Mich.
D. (6) $1,091. E. (9) $395.

A. Burley and Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
D. (6) $11,724.98. E. (9) $205.56.

A. George B. Burnham, 132 Third Street SE., Washington, D. C.
B. Numerous stockholders of the Burnham Chemical Co., 132 Third Street SE., Washington, D. C.
D. (6) $110. E. (9) $110.

A. F. Hugh Burns, 821 Cafritz Building, Washington, D. C.
B. Great Lakes-St. Lawrence Association, 821 Cafritz Building, Washington, D. C.
D. (6) $2,700. E. (9) $70.14.

A. William J. Burns, 1424 16th Street NW., Washington, D. C.
B. Munitions Carriers Conference, 1424 16th Street NW., Washington, D. C.
D. (6) $250. E. (9) $90.

A. Robert M. Burr, 101 Park Avenue, New York, N. Y.
B. National Electrical Manufacturers Association, 155 East 44th Street, New York, N. Y.

A. Orrin A. Burrows, 1200 15th Street NW., Washington, D. C.
B. International Brotherhood of Electrical Workers, 1200 15th Street NW., Washington, D. C.
D. (6) $2,874.99.

A. Clint Bush, 8233 South Peoria Street, Chicago, Ill.
B. Brotherhood of Locomotive Firemen and Enginemen, 318 Keith Building, Cleveland, Ohio.
D. (6) $300.

A. Charles C. Butler, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $270. E. (9) $3.17.

A. Butler & McKinney, 1624 I Street NW., Washington, D. C.
B. Richard Haster and wife, and A. E. Arnold, 2435 West First Street, Santa Ana, Calif.
D. (6) $1,000. E. (9) $83.14.

A. Lawrence V. Byrnes, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Locomotive Engineers, B. of L. E. Building, Cleveland, Ohio.
D. (6) $3,313.50.

A. C. G. Caffrey, 1145 19th Street NW., Washington, D. C.
B. American Cotton Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N. C.
D. (6) $760.20. E. (9) $62.

A. Leonard J. Calhoun, 410 Washington Building, Washington, D. C.
B. Public Information Committee of the Cotton Industries, 410 Washington Building, Washington, D. C.
D. (6) $3,600.

A. Gordon L. Calvert, 425 13th Street NW., Washington, D. C.
B. Investment Bankers Association of America, 425 13th Street NW., Washington, D. C.
D. (6) $300. E. (9) $340.81.

A. Campaign for the 48 States, 312 Cotton Exchange Building, Memphis, Tenn.
D. (6) $4,165.44. E. (9) $18,489.69.

A. Carl C. Campbell, 1832 M Street NW., Washington, D. C.
B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.

A. James A. Campbell, 900 F Street NW., Washington, D. C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D. C.
D. (6) $2,961.56. E. (9) $296.16.

A. John L. Carey, 270 Madison Avenue, New York, N. Y.
B. American Institute of Certified Public Accountants, 270 Madison Avenue, New York, N. Y.
D. (6) $1,000.

A. Cliff D. Carpenter, 59 East Madison Street, Chicago, Ill.
B. Institute of American Poultry Industries, 59 East Madison Street, Chicago, Ill.
D. (6) $625. E. (9) $18.77.

A. Robert S. Carr, 1220 Pennsylvania Building, Washington, D. C.
B. Hiram Walker & Sons, Inc., Penobscot Building, Detroit, Mich.

A. T. C. Carroll, 12050 Woodward Avenue, Detroit, Mich.

A. Henderson H. Carson, 600 First National Bank Building, Canton 2, Ohio, and 744 Pennsylvania Building, Washington, D. C.
B. East Ohio Gas Co., 1405 East Sixth Street, Cleveland, Ohio.
D. (6) $2,000. E. (9) $1,352.

A. Albert E. Carter, 1026 16th Street NW., Washington, D. C.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $3,000. E. (9) $1,732.19.

A. Benjamin F. Castle, 1145 19th Street NW., Washington, D. C.
B. Milk Industry Foundation, 1145 19th Street NW., Washington, D. C.

A. Larry Cates, 1143 National Press Building, Washington, D. C.
B. Air Line Pilots Association, 55th Street and Cicero Avenue, Chicago, Ill.

A. Francis R. Cawley, 1101 Vermont Avenue NW., Washington, D. C.
B. Magazine Publishers Association, Inc., 232 Madison Avenue, New York, N. Y.
D. (6) $2,345. E. (9) $159.48.

A. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D. C.

A. Justice N. Chambers, 2521 Connecticut Avenue NW., Washington, D. C.
B. M. Colodetz & Co., 120 Wall Street, New York, N. Y.
D. (6) $2,500.

A. Justice M. Chambers, 2521 Connecticut Avenue NW., Washington, D. C.
B. The Great Eastern Shipping Co., Ltd., 14 Jumshedji Tata Road, Bombay, India.
D. (6) $200.

A. Justice M. Chambers, 2521 Connecticut Avenue NW., Washington, D. C.
B. Reserve Officers Association of the United States, 2517 Connecticut Avenue NW., Washington, D. C.
D. (6) $900.

A. Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.
D. (6) $6,654.79. E. (9) $4,593.28.

A. Earl W. Clark, 132 Third Street SE., Washington, D. C.
B. Labor-Management Maritime Committee, 132 Third Street SE., Washington, D. C.
D. (6) $825. E. (9) $179.69.

A. Omer W. Clark, 1701 18th Street NW., Washington, D. C.
B. Disabled American Veterans, 5555 Ridge Avenue, Cincinnati, Ohio.
E. (9) $2,769.24.

A. Robert M. Clark, 525 Shoreham Building, Washington, D. C.
B. The Atchison, Topeka & Santa Fe Railway Co., 80 East Jackson Boulevard, Chicago, Ill.

A. Clear Channel Broadcasting Service, 532 Shoreham Building, Washington, D. C.

A. Cleary, Gottlieb, Friendly & Ball, 224 Southern Building, Washington, D. C.
B. Papermakers' Felt Association, 1215 Unity Street, Philadelphia, Pa.
E. (9) $41.50.

A. Clarence E. Cleveland, Montpelier, Vt.
B. Vermont State Railroads Association, Montpelier, Vt.

A. Herman Clott, 711 14th Street NW., Washington, D. C.
B. International Union of Mine, Mill, and Smelter Workers, Tabor Building, Denver, Colo.
D. (6) $1,287. E. (9) $692.

A. Coles & Goertner, 813 Washington Building, Washington, D. C.
B. The American Tramp Shipowners Association, Inc., 11 Broadway, New York, N. Y.
E. (9) $235.54.

A. Don C. Collins, Kit Carson, Colo.
B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.

A. Colorado Railroad Legislative Committee, 615 C. A. Johnson Building, Denver, Colo.
E. (9) $1,478.94.

A. Committee for Collective Security, 90 John Street, New York, N. Y.
D. (6) $135. E. (9) $448.51.

A. Committee on Laws, National Board of Fire Underwriters, 85 John Street, New York, N. Y.
D. (6) $2,972. E. (9) $4,104.

A. Committee for Oil Pipe Lines, 418 Munsey Building, Washington, D. C.
E. (9) $325.

A. Committee for Return of Confiscated German and Japanese Property, 926 National Press Building, Washington, D. C.
D. (6) $200. E. (9) $100.

A. Committee for Study of Revenue Bond Financing, 9 South William Street, New York, N. Y.
D. (6) $2,825. E. (9) $7,112.75.

A. Lawrence R. Condon, 165 Broadway, New York, N. Y.
B. Estate of Mary Clark DeBrabant and Katherine C. Williams, 120 Broadway, New York, N. Y.

A. John C. Cone, 815 15th Street NW., Washington, D. C.
B. Pan American World Airways System, 815 15th Street NW., Washington, D. C.

A. Conference of Local Airlines, 800 World Center Building, Washington, D. C.

A. Julian D. Conover, Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington, D. C.
D. (6) $2,500. E. (9) $67.53.

A. Orval R. Cook, 610 Shoreham Building, Washington, D. C.
B. Aircraft Industries Association of America, Inc., 610 Shoreham Building, Washington, D. C.

A. J. Milton Cooper, 1100 Bowen Building, Washington, D. C.
B. National Coal Association, 15th and H Streets NW., Washington, D. C.

A. J. Milton Cooper, 1100 Bowen Building, Washington, D. C.
B. New York Stock Exchange, 11 Wall Street, New York, N. Y.

A. J. Milton Cooper, 1100 Bowen Building, Washington, D. C.
B. R. J. Reynolds Tobacco Co., Winston-Salem, N. C.

A. Cooper & Silverstein, 1100 Bowen Building, Washington, D. C.
B. American Council of Life Underwriters, 208 South La Salle Street Building, Chicago, Ill.

A. Cooper & Silverstein, 1100 Bowen Building, Washington, D. C.
B. Fountain Pen and Mechanical Pencil Manufacturers' Association, Inc., 1426 G Street NW., Washington, D. C.

A. Wilmer A. Cooper, 104 C Street NE., Washington, D. C.
B. Friends Committee on National Legislation, 104 C Street NE., Washington, D. C.
D. (6) $150.

A. Cordage Legislative Committee, 350 Madison Avenue, New York, N. Y.
D. (6) $150.

A. Edward J. Coughlin, 900 F Street NW., Washington, D. C.
B. American Federation of Technical Engineers, 900 F Street NW., Washington, D. C.
D. (6) $195. E. (9) $20.

A. Council of Mechanical Specialty Contracting Industries, Inc., 610 Ring Building, Washington, D. C.
B. The Council of Mechanical Specialty Contracting Industrials, Inc., 610 Ring Building, Washington, D. C.
D. (6) $1,070. E. (9) $16,159.08.

A. Council of State Chambers of Commerce, 1025 Connecticut Avenue, Washington, D. C.
D. (6) $805.76. E. (9) $805.76.

A. Edsall Lee Couplin, 441 East Jefferson Avenue, Detroit, Mich.
B. Michigan Hospital Service, 441 East Jefferson Avenue, Detroit, Mich.
D. (6) $1,200. E. (9) $36.15.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. Chicago and North Western Railway System, 400 West Madison Street, Chicago, Ill.
E. (9) $8.31.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. Club Managers Association of America, 408 Olive Street, St. Louis, Mo.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. Committee on Joint Resolution 1955 Legislature, Post Office Box 3170, Honolulu, T. H., United States of America.
E. (9) $17.92.

A. Covington & Building, 701 Union Trust Building, Washington, D. C.
B. Embassy of Denmark, 2374 Massachusetts Avenue NW., Washington, D. C.
E. (9) $99.98.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. International Nickel Co., Inc., 67 Wall Street, New York, N. Y.
E. (9) $70.77.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. National Machine Tool Builders' Association, 2071 East 102d Street, Cleveland, Ohio.

A. Covington & Burling, 701 Union Trust Building, Washington, D. C.
B. Roberts Dairy Co., 4469 Farnam Street, Omaha, Nebr.

A. Gilbert Cox., Elliston, Va.
B. National Association of Soil Conservation Districts, League City, Tex.
D. (6) $177.80. E. (9) $177.80.

A. A. M. Crawford, 704 Title & Trust Building, Phoenix, Ariz.
B. Southern Pacific Co., 65 Market Street, San Francisco, Calif., and the Atchison, Topeka and Santa Fe Railway, 121 East Sixth Street, Los Angeles, Calif.
E. (9) $330.51.

A. Edward B. Crosland, 195 Broadway, New York, N. Y., and 1001 Connecticut Avenue NW., Washington, D. C.

B. American Telephone and Telegraph Co., 195 Broadway, New York, N. Y.

D. (6) $4,999.99.

A. Leo J. Crowley, 540 Equitable Building, Denver, Colo.

B. Colorado Railroad Legislative Committee, 615 C. A. Johnson Building, Denver, Colo.

D. (6) $1,478.94. E. (9) $1,478.94.

A. Arthur J. Cunningham, 401 Third Street NW., Washington, D. C.

B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.

D. (6) $2250.65.

A. Paul Cunningham, 575 Madison Avenue, New York, N. Y.

B. American Society of Composers, Authors and Publishers, 575 Madison Avenue, New York, N. Y.

A. Ralph E. Curtiss, 917 15th Street NW., Washington, D. C.

B. National Licensed Beverage Association, 420 Seventh Street, Racine, Wis.

D. (6) $675.

A. Bernard Cushman, 1001 Connecticut Avenue NW., Washington, D. C.

B. O. David Zimring, 1001 Connecticut Avenue NW., Washington, D. C., and 11 South La Salle Street, Chicago, Ill.

A. Charles L. Cusumano, 42 Broadway, New York, N. Y.

B. Vincenzo Buttaro, 64 Nelson Street, Brooklyn, N. Y., and Miss Domenica Buttaro, Via Zuccarino No. 76, Mola di Bari, Province of Bari, Italy.

D. (6) $500. E. (9) $30.50.

A. Charles L. Cusumano, 42 Broadway, New York, N. Y.

B. Dr. Kuo York Chynn, Columbus Hospital, Great Falls, Mont.

D. (6) $500. E. (9) $48.

A. Dairy Industry Committee, 1028 Barr Building, Washington, D. C.

D. (6) $4,050.

A. Louis S. Damiani, Post Office Box 54, Gatun, C. Z.

B. Canal Zone Central Labor Union & Metal Trades Council, Post Office Box 471, Balboa Heights, C. Z.

D. (6) $1,995. E. (9) $2,512.

A. R. Harvey Dastrup, 425 13th Street NW., Washington, D. C.

B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.

D. (6) $312.50. E. (9) $10.50.

A. John C. Datt, 425 13th Street NW., Washington, D. C.

B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.

D. (6) $1,062.50. E. (9) $11.30.

A. Paul J. Daugherty, Ohio Chamber of Commerce, Columbus, Ohio.

B. Ohio Chamber of Commerce, 820 Huntington Bank Building, Columbus, Ohio.

D. (6) $700. E. (9) $286.25.

A. Joffre C. David, 4401 East Colonial Drive, Orlando, Fla.

B. Florida Fruit and Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.

D. (6) $249.96. E. (9) $330.83.

A. Alan P. Davies, 59 East Van Buren Street, Chicago, Ill.

B. American Meat Institute, 59 East Van Buren Street, Chicago, Ill.

D. (6) $2,989.39. E. (9) $6,911.02.

A. Bertram G. Davis, 1608 K Street NW., Washington, D. C.

B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.

D. (6) $1,710.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.

B. Ontario Land Co., 807 Lonsdale Building, Duluth, Minn.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.

B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

E. (9) $269.99.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.

B. The Singer Manufacturing Co., 149 Broadway, New York, N. Y.

E. (9) $1,304.25.

A. Joseph E. Davis, M. D., 1523 L Street NW., Washington, D. C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $400. E. (9) $28.65.

A. Donald S. Dawson, 731 Washington Building, Washington, D. C.

B. Schenley Industries, Inc., Empire State Building, New York, N. Y.

A. Donald S. Dawson and Robert J. Bird, 731 Washington Building, Washington, D. C.

B. Hilton Hotels Corp., 720 South Michigan Avenue, Chicago, Ill.

A. Michael B. Deane, 1700 K Street NW., Washington, D. C.

B. American Watch Association, Inc., 1700 K Street NW., Washington, D. C.

D. (6) $4,250.22.

A. John D. deButts, 195 Broadway, New York, N. Y., and 1001 Connecticut Avenue NW., Washington, D. C.

B. American Telephone & Telegraph Co., 195 Broadway, New York, N. Y.

D. (6) $3,125.01.

A. Tony T. Dechant.

B. The Farmers' Educational and Co-Operative Union of America, 1404 New York Avenue NW., Washington, D. C., and 1575 Sherman Street, Denver, Colo.

A. Richard A. Dell, 2000 Florida Avenue NW., Washington, D. C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.

D. (6) $824.99.

A. Dorothea de Schweinitz, 718 Jackson Place NW., Washington, D. C.

B. Citizens Committee on the Fair Labor Standards Act of the National Consumers League, 718 Jackson Place NW., Washington, D. C.

D. (6) $1,440. E. (9) $18.55.

A. Mary S. Deuel, 3026 Cambridge Place NW., Washington, D. C.

B. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D. C.

A. Philip M. DeVany, 1109 Ring Building, Washington, D. C.

B. American Mining Congress, Ring Building, Washington, D. C.

D. (6) $700. E. (9) $5.

A. R. T. DeVany.

B. National Association of Manufacturers of the U. S. A., 918 16th Street NW., Washington, D. C.

A. George J. Dietz, 425 13th Street NW., Washington, D. C.

B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.

D. (6) $900. E. (9) $23.46.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D. C.

B. Sacramento-Yolo Port District, California Fruit Building, Sacramento, Calif.

D. (6) $2,731.75. E. (9) $106.75.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D. C.

B. Westlands Water District, Post Office Box 4006, Fresno, Calif.

D. (6) $3,126.84. E. (9) $126.84.

A. Disabled American Veterans, 5555 Ridge Avenue, Cincinnati, Ohio.

E. (9) $4,269.24.

A. Disabled Officers Association, 1604 K Street NW., Washington, D. C.

E. (9) $3,125.

A. District Lodge No. 44, International Association of Machinists, 303 Medical Science Building, Washington, D. C.

D. (6) $13,820.68. E. (9) $16,177.72.

A. Division of Legislation and Federal Relations of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.

E. (9) $18,794.32.

A. Division 689, Amalgamated Association of Street, Electric Railway, and Motor Coach Employees of America, 900 F Street NW., Washington, D. C.

A. Paul R. M. Donelan, 1523 L Street NW., Washington, D. C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $462.50. E. (9) $41.19.

A. James L. Donnelly, 39 South La Salle Street, Chicago, Ill.

B. Illinois Manufacturers Association, 39 South La Salle Street, Chicago, Ill.

A. Robert F. Donoghue, 239 Wyatt Building, Washington, D. C.

B. Pacific American Tankship Association, 25 California Street, San Francisco, Calif.

D. (6) $1,624.99.

A. Thomas J. Donovan, 155 East 44th Street, New York, N. Y.

A. J. Dewey Dorsett, 60 John Street, New York, N. Y.

B. Association of Casualty and Surety Companies, 60 John Street, New York, N. Y.

D. (6) $118.75.

A. G. L. Dorson, 900 F Street NW., Washington, D. C.

B. Retirement Federation of Civil Service Employees of the U. S. Government, 900 F Street NW., Washington, D. C.

D. (6) $1,352.18. E. (9) $107.

A. Robert E. Dougherty, 1145 19th Street NW., Washington, D. C.

B. Hardwood Plywood Manufacturers Committee, 1145 19th Street NW., Washington, D. C.

D. (6) $2,499.96. E. (9) $392.55.

A. James W. Douthat, 918 16th Street NW., Washington, D. C.

B. National Association of Manufacturers, 918 16th Street NW., Washington, D. C.

A. W. A. Dosler, Jr., 17 Molton Building, Montgomery, Ala.

B. Medical Association of the State of Alabama, 17 Molton Building, Montgomery, Ala.

D. (6) $2,500. E. (9) $225.

A. Ben DuBois.

B. Independent Bankers Association, Sauk Centre, Minn.

D. (6) $3,300.

A. Stephen M. DuBrul, 11-134 General Motors Building, Detroit, Mich.

B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. Donald H. Dunham, 2000 Florida Avenue NW., Washington, D. C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.

A. J. R. Dunkerley, 12 East 36th Street, New York, N. Y.

B. American Bankers Association, 12 East 36th Street, New York, N. Y.

D. (6) $500. E. (9) $150.

A. Read P. Dunn, Jr., 1832 M Street NW., Washington, D. C.

B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.

D. (6) $232.50. E. (9) $5.49.

A. William E. Dunn, Munsey Building, Washington, D. C.

B. The Associated General Contractors of America, Inc., Munsey Building, Washington, D. C.

A. Dwight, Royall, Harris, Koegel & Caskey, Wire Building, Washington, D. C.

B. National Tax Equality Association, 231 South La Salle Street, Chicago, Ill.

D. (6) $2,139.69. E. (9) $842.64.

A. Dwight, Royall, Harris, Koegel & Caskey, 500 Wire Building, Washington, D. C.

B. Rayon Staple Fiber Producers Association, Room 7319, Empire State Building, New York, N. Y.

D. (6) $3,919.25. E. (9) $904.73.

A. Henry I. Dworshak, 1102 Ring Building, Washington, D. C.

B. American Mining Congress, Ring Building, Washington, D. C.

D. (6) $1,200.

A. Eastern Meat Packers Association, Inc., Statler Hotel, New York, N. Y., and 740 11th Street NW., Washington, D. C.

D. (6) $55.72. E. (9) $44.87.

A. Herman Edelsberg, 1003 K Street NW., Washington, D. C.

B. Anti-Defamation League of B'nai B'rith, 515 Madison Avenue, New York, N. Y.

A. Harold Edwards, 1001 Connecticut Avenue NW., Washington, D. C.

B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.

D. (6) $3,304.85. E. (9) $500.

A. Bernard H. Ehrlich, 1002 Ring Building, Washington, D. C.

B. National Association and Council of Business Schools, 601 13th Street NW., Washington, D. C.

A. John Doyle Elliott, 808 North Capitol Street, Washington, D. C.

B. Townsend Plan, Inc., 808 North Capitol Street, Washington, D. C.

D. (6) $1,170. E. (9) $71.29.

A. John M. Elliott, 5025 Wisconsin Avenue NW., Washington, D. C.

B. Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, 5025 Wisconsin Avenue NW., Washington, D. C.

A. Otis H. Ellis, 1001 Connecticut Avenue NW., Washington, D. C.

B. National Oil Jobbers Council, 1001 Connecticut Avenue NW., Washington, D. C.

D. (6) $8,000.

A. Ely, McCarty & Duncan, 1200 Tower Building, Washington, D. C.

B. American Public Power Association, 1025 Connecticut Avenue NW., Washington, D. C.

D. (6) $2,000.

A. Ely, McCarty & Duncan, 1200 Tower Building, Washington, D. C.

B. Department of Water and Power of the City of Los Angeles, 207 South Broadway, Los Angeles, Calif.

D. (6) $1,500.

A. Ely, McCarty & Duncan, 1200 Tower Building, Washington, D. C.

B. Department of Water Resources, State of California, Sacramento, Calif.

D. (6) $2,437.50.

A. Ely, McCarty & Duncan, 1200 Tower Building, Washington, D. C.

B. East Bay Municipal Utility District, 2130 Adeline Street, Oakland, Calif.

D. (6) $1,200. E. (9) $22.16.

A. Ely, McCarty & Duncan, 1200 Tower Building, Washington, D. C.

B. Imperial Irrigation District, El Centro, Calif.

D. (6) $2,100.

A. Ely, McCarty & Duncan, 1200 Tower Building, Washington, D. C.

B. Six Agency Committee and Colorado River Board of California, 909 South Broadway, Los Angeles, Calif.

D. (6) $7,250. E. (9) $55.10.

A. K. Blyth Emmons, 801 19th Street Building, Washington, D. C.

B. National Small Business Men's Association, 801 19th Street Building, Washington, D. C.

A. Myles W. English, 966 National Press Building, Washington, D. C.

B. National Highway Users Conference, Inc., 966 National Press Building, Washington, D. C.

A. Lawrence E. Ernst, 301 East Capitol Street, Washington, D. C.

B. National Star Route Mail Carriers Association, 301 East Capitol Street Washington, D. C.

E. (9) $315.44.

A. Ethanol Institute, 624 Associates Building, South Bend, Ind.

E. (9) $541.83.

A. Farmers' Educational and Cooperative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D. C.

D. (6) $55,112.16. E. (9) $21,249.35.

A. Joseph G. Feeney, 201 World Center Building, Washington, D. C.

B. Association of American Railroads, Transportation Building, Washington, D. C.

D. (6) $3,000. E. (9) $150.

A. Harold E. Fellows, 1771 N Street NW., Washington, D. C.

B. National Association of Radio and Television Broadcasters, 1771 N Street NW., Washington, D. C.

A. John A. Ferguson, 918 16th Street NW., Washington, D. C.

B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D. C.

A. Josiah Ferris, 510 Union Trust Building, Washington, D. C.

B. American Sugar Cane League of the United States of America, New Orleans, La.; United States Sugar Corp., Clewiston, Fla.; Fellsmere Sugar Producers Association, Fellsmere, Fla.; Okeelanta Sugar Refinery, Inc., South Bay, Fla.

D. (6) $5,850.

A. Maurice W. Fillius, 703 National Press Building, Washington, D. C.

B. National Association of Alcoholic Beverage Importers, Inc.

D. (6) $500.

A. Financial General Corp., 103 Park Avenue, New York, N. Y.

A. James Finucane, 926 National Press Building, Washington, D. C.

B. Committee for Return of Confiscated German and Japanese Property, 926 National Press Building, Washington, D. C.

D. (6) $100.

A. Joel H. Fisher, 1001 Connecticut Avenue NW., Washington, D. C.

B. Civil Aviation Medical Association, 150 East 71st Street, New York, N. Y.

D. (6) $225. E. (9) $78.

A. John B. Fisher, Pennsylvania Building, Washington, D. C.

B. American Coal Shipping, Inc., 17 State Street, New York, N. Y.

D. (6) $3,750.

A. John B. Fisher, Pennsylvania Building, Washington, D. C.

B. Bangor and Aroostock Railroad, 84 Harlow Street, Bangor, Main.

D. (6) $3,750.

A. John B. Fisher, Pennsylvania Building, Washington, D. C.

B. C. H. Sprague & Son Co., 10 Post Office Square, Boston, Mass.

D. (6) $2,500.

A. Norman A. Flaningam, 425 13th Street NW., Washington, D. C.

B. Consolidated Natural Gas Co., 30 Rockefeller Plaza, New York, N. Y.

A. Roger Fleming, 425 13th Street NW., Washington, D. C.

B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.

D. (6) $1,250. E. (9) $11.39.

A. John F. Floberg, 800 World Center Building, Washington, D. C.

B. Automatic Phonograph Manufacturers Association, 1608 Orington Avenue, Evanston, Ill.

A. John F. Floberg, 800 World Center Building, Washington, D. C.

B. Conference of Local Airlines, 800 World Center Building, Washington, D. C.

A. Florida Citrus Mutual (legislative fund), Lakeland, Fla.
E. (9) $1,867.33.

A. Florida Fruit and Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.
D. (6) $697.01. E. (9) $697.01.

A. Florida Inland Navigation District, Citizens Bank Building, Bunnell, Fla.
E. (9) $1,370.36.

A. Florida Ship Canal Navigation District, 720 Florida Title Building, Jacksonville, Fla.
E. (9) $1,350.

A. Mrs. J. A. Ford, 808 North Capitol Street NW., Washington, D. C.
B. Townsend Plan, Inc., 808 North Capitol Street NW., Washington, D. C.

A. Forest Farmers Association, Post Office Box 7284, Station C, Atlanta, Ga.
E. (9) $134.39.

A. James W. Foristel, 1523 L Street NW., Washington, D. C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $725. E. (9) $45.87.

A. James F. Fort, 1424 16th Street NW., Washington, D. C.
B. American Trucking Association, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $300. E. (9) $85.50.

A. Ronald J. Foulis, 195 Broadway, New York, N. Y. and 1001 Connecticut Avenue NW., Washington, D. C.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N. Y.
D. (6) $2,250.

A. Fowler, Leva, Hawes & Symington, 1701 K Street NW., Washington, D. C.
B. Bulova Watch Co., Inc., Bulova Park, Flushing, N. Y.
D. (6) $120.

A. Fowler, Leva, Hawes & Symington, 1701 K Street NW., Washington, D. C.
B. Waterways Council Opposed to Regulation Extension, 21 West Street, New York, N. Y.
E. (9) $9.64.

A. L. S. Franklin, 2309 Pine Croft Road, Greensboro, N. C.
D. (6) $535. E. (9) $535.

A. Robert W. Frase, 812 17th Street NW., Washington, D. C.
B. American Book Publishers Council, Inc., 24 West 40th Street, New York, N. Y.
D. (6) $783.75. E. (9) $589.50.

A. Robert W. Frase, 812 17th Street NW., Washington, D. C.
B. National Postal Committee for Books, 24 West 40th Street, New York, N. Y.
D. (6) $979.69. E. (9) $740.27.

A. George H. Frates, 1163 National Press Building, Washington, D. C.
B. National Association of Retail Druggists.
D. (6) $3,900. E. (9) $1,124.

A. Allie Frechette, Neopit, Wis.
B. Menominee Tribe of Indians, Menominee Indian Agency, Keshena, Wis.

A. James G. Frechette, Keshena, Wis.
B. Menominee Tribe of Indians, Menominee Indian Agency, Keshena, Wis.

A. Walter Freedman, 829 Washington Building, Washington, D. C.
B. Patchogue-Plymouth Corp., 261 Madison Avenue, New York, N. Y.
E. (9) $23.01.

A. Elmer M. Freudenberger, 1701 18th Street NW., Washington, D. C.
B. Disabled American Veterans, 5555 Ridge Avenue, Cincinnati, Ohio.
E. (9) $1,500.

A. Philip P. Friedlander, Jr., 1012 14th Street NW., Washington, D. C.
B. National Tire Dealers & Retreaders Association, Inc., 1012 14th Street NW., Washington, D. C.
D. (6) $36. E. (9) $4.50.

A. Friends Committee on National Legislation, 104 C Street NE., Washington, D. C.
D. (6) $18,822.21. E. (9) $5,285.33.

A. George Milan Fuller, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D. C.

A. Wallace H. Fulton, 1625 K Street NW., Washington, D. C.
B. National Association of Securities Dealers, Inc.

A. Henry T. Gage, 1100 National Press Building, Washington, D. C.
B. Wine Institute, 717 Market Street, San Francisco, Calif.

A. Lawrence H. Gall, 918 16th Street NW., Washington, D. C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D. C.

A. M. J. Galvin, 207 Union Depot Building, St. Paul, Minn.
B. Minnesota Railroads.
D. (6) $500. E. (9) $261.39.

A. Earl H. Gammons, 1735 De Sales Street NW., Washington, D. C.
E. (9) $5.

A. Marion R. Garstang, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
D. (6) $200. E. (9) $3.75.

A. Gas Appliance Manufacturers Association, Inc., 60 East 42d Street, New York, N. Y.
D. (6) $1,866.02. E. (9) $1,500.

A. Gus F. Geissler.
B. The Farmers' Educational and Co-Operative Union of America, 1404 New York Avenue NW., Washington, D. C., and 1575 Sherman Street, Denver, Colo.

A. J. M. George, 165 Center Street, Winona, Minn.
B. The Inter-State Manufacturers Associations, 163–165 Center Street, Winona, Minn.
D. (6) $1,500.

A. J. M. George, 165 Center Street, Winona, Minn.
B. National Association of Direct Selling Companies, 163–165 Center Street, Winona, Minn.
D.(6) $3,000.

A. Ernest Giddings, 1201 16th Street NW., Washington, D. C.
B. Division of Legislation and Federal Relations of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.
D. (6) $1,867.50. E. (9) $146.20.

A. Joseph S. Gill, 16 East Broad Street, Columbus, Ohio.
B. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
D. (6) $550. E. (9) $574.29.

A. Leif Gilstad, 1001 Connecticut Avenue NW., Washington, D. C.
B. Transportation Association of America, 6 North Michigan Avenue, Chicago, Ill.

A. Ginsburg, Leventhal, & Brown, 1632 K Street NW., Washington, D. C.
B. North German Lloyd, Bremen, Germany.
E. (9) $25.

A. Ginsburg, Leventhal & Brown, 1632 K Street NW., Washington, D. C.
B. Society To Study Private Property Interests in Foreign Countries, Contrescarpe 46, Bremen, Germany.
D. (6) $3,000. E. (9) $475.

A. Henry W. Goodall, 28 East Jackson Boulevard, Chicago, Ill.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.
D. (6) $1,875.

A. Nathaniel H. Goodrich, 1625 I Street NW., Washington, D. C.
B. American Jewish Committee, 386 Fourth Avenue, New York, N. Y.
D. (6) $162.49. E. (9) $6.

A. John A. Gosnell, 801 19th Street Building NW., Washington, D. C.
B. National Small Business Men's Association, 801 19th Street Building, NW., Washington, D. C.
D. (6) $500.

A. Lawrence L. Gourley, 1757 K Street NW., Washington, D. C.
B. Washington Osteopathic Association, 212 East Ohio Street, Chicago, Ill.
D. (6) $375.

A. Government Employees' Council, 100 Indiana Avenue NW., Washington, D. C.
D. (6) $7,605.83. E. (9) $7,280.76.

A. Government Relations Committee of the Office Equipment Manufacturers Institute, 777 14th Street NW., Washington, D. C.

A. James L. Grahl, 1025 Connecticut Avenue NW., Washington, D. C.
B. American Public Power Association, 1025 Connecticut Avenue NW., Washington, D. C.
D. (6) $88.

A. Grain and Feed Dealers National Association, 100 Merchants Exchange Building, St. Louis, Mo.
D. (6) $300. E. (9) $81.80.

A. Grand Lodge of the Brotherhood of Locomotive Firemen and Enginemen, 318–418 Keith Building Cleveland, Ohio.
D. (6) $18,950.20. E. (9) $11,997.97.

A. Robert A. Grant, 624 Associates Building, South Bend, Ind.
B. The Ethanol Institute, 624 Associates Building, South Bend, Ind.
D. (6) $300. E. (9) $241.83.

A. Mrs. Edward R. Gray, 3501 Williamsburg Lane NW., Washington, D. C.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. Mrs. Virginia M. Gray, 3501 Williamsburg Lane NW., Washington, D. C.
B. Citizens Committee for UNICEF, 132 Third Street SE., Washington, D. C.
D. (6) $465. E. (9) $16.05.

A. Jerry N. Griffin, 731 Washington Building, Washington, D. C.
B. National Coal Association, Southern Building, Washington, D. C.
D. (6) $1,875.

A. Warren Griffiths, 104 C Street NE., Washington, D. C.
B. Friends Committee on National Legislation, 104 C Street NE., Washington, D. C.
D. (6) $846.16. E. (9) $3.40.

A. Weston B. Grimes, 1001 Bowen Building, Washington, D. C.
B. Cargill, Inc., 200 Grain Exchange, Minneapolis, Minn.
D. (6) $6,000. E. (9) $25.

A. I. J. Gromfine, 1001 Connecticut Avenue NW., Washington, D. C.
B. O. David Zimring, 1001 Connecticut Avenue NW., Washington, D. C., and 11 South La Salle Street, Chicago, Ill.

A. Clair P. Guess, Jr., League City, Tex.
B. National Association of Soil Conservation Districts, League City, Tex.
D. (6) $478.01. E. (9) $478.01.

A. John J. Gunther, 1341 Connecticut Avenue NW., Washington, D. C.
B. Americans for Democratic Action, 1341 Connecticut Avenue NW., Washington, D. C.
D. (6) $1,519.96. E. (9) $478.68.

A. Mrs. Violet M. Gunther, 1341 Connecticut Avenue NW., Washington, D. C.
B. Americans for Democratic Action, 1341 Connecticut Avenue NW., Washington, D. C.
D. (6) $1,669.98. E. (9) $190.45.

A. Frank E. Haas, 280 Union Station Building, Chicago, Ill.
B. The Association of Western Railways, 474 Union Station Building, Chicago, Ill.

A. Hoyt S. Haddock, 132 Third Street SE., Washington, D. C.
B. AFL–CIO Maritime Committee, 132 Third Street SE., Washington, D. C.
D. (6) $1,560. E. (9) $134.

A. Hoyt S. Haddock, 132 Third Street SE., Washington, D. C.
B. Labor-Management Maritime Committee, 132 Third Street SE., Washington, D. C.
D. (6) $825. E. (9) $235.88.

A. Hal H. Hale, 423 Transportation Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.

A. Harold T. Halfpenny, 111 West Washington Street, Chicago, Ill.

A. Hugh F. Hall, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $725. E. (9) $5.42.

A. Radford Hall, 801 East 17th Avenue, Denver, Colo.
B. American National Cattlemen's Association, 801 East 17th Avenue, Denver, Colo.
D. (6) $3,000. E. (9) $670.59.

A. E. C. Hallbeck, 711 14th Street NW., Washington, D. C.
B. National Federation of Post Office Clerks, 711 14th Street NW., Washington, D. C.
D. (6) $2,875.12. E. (9) $726.28.

A. Harold F. Hammond, 1001 Connecticut Avenue NW., Washington, D. C.
B. Transportation Association of America, 6 North Michigan Avenue, Chicago, Ill.

A. William A. Hanscom, 1126 16th Street NW., Washington, D. C.
B. Oil, Chemical and Atomic Workers International Union, 1840 California Street, Denver, Colo.
D. (6) $1,287.50. E. (9) $225.

A. Hardwood Plywood Manufacturers Committee, 1145 19th Street NW., Washington, D. C.
D. (6) $5,322.50. E. (9) $11,687.45.

A. Eugene J. Hardy, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D. C.

A. Conrad P. Harness, 1117 Barr Building, Washington, D. C.

A. Herbert E. Harris II, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $666.66. E. (9) $29.10.

A. Winder R. Harris, 441 Washington Building, Washington, D. C.
B. Shipbuilders Council of America, 21 West Street, New York, N. Y.

A. Merwin K. Hart, 7501 Empire State Building, New York, N. Y.
B. National Economic Council, 7501 Empire State Building, New York, N. Y.
D. (6) $500.

A. Stephen H. Hart, 520 Equitable Building, Denver, Colo.
B. National Live Stock Tax Committee, 801 East 17th Avenue, Denver, Colo.
D. (6) $3,225.

A. Douglas L. Hatch, 715 Cafritz Building, Washington, D. C.
B. Tungsten Mining Corp., Henderson, N. C.
E. (9) $32.18.

A. Robert N. Hawes, 601 Associations Building, Washington, D. C.
B. Hardwood Plywood Institute, 600 South Michigan Avenue, Chicago, Ill.

A. Robert N. Hawes, 1145 19th Street NW., Washington, D. C.
B. Hardwood Plywood Manufacturers Committee, 1145 19th Street NW., Washington, D. C.
D. (6) $1,599.99. E. (9) $3,441.14.

A. Robert N. Hawes, 601 Associations Building, Washington, D. C.
B. U. S. Plywood Corp., 55 West 44th Street, New York, N. Y.

A. Paul M. Hawkins, 1701 K Street NW., Washington, D. C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D. C.
D. (6) $283.22. E. (9) $35.14.

A. Joseph H. Hays, 280 Union Station Building, Chicago, Ill.
B. The Association of Western Railways, 474 Union Station Building, Chicago, Ill.

A. John C. Hazen, 801 Sheraton Building, Washington, D. C.
B. National Retail Dry Goods Association, 100 West 31st Street, New York, N. Y.
E. (9) $139.25.

A. Health Insurance Association of America, 1701 K Street NW., Washington, D. C.
E. (9) $318.36.

A. Patrick B. Healy, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
D. (6) $300.

A. George J. Hecht, 52 Vanderbilt Avenue, New York, N. Y., and 132 Third Street SE., Washington, D. C.
B. American Parents Committee, Inc., 132 Third Street SE., Washington, D. C.

A. Robert B. Heiney, 1133 20th Street NW., Washington, D. C.
B. National Canners Association, 1133 20th Street NW., Washington, D. C.
D. (6) $875. E. (9) $328.40.

A. Kenneth G. Heisler, 907 Ring Building, Washington, D. C.
B. National Savings & Loan League, 907 Ring Building, Washington, D. C.
D. (6) $1,600.

A. Charles H. Heltzel, 606 Commerce Building, Washington, D. C.
B. Pacific Power & Light Co., Public Service Building, Portland, Oreg.
D. (6) $175. E. (9) $175.

A. Joseph D. Henderson, 431 Balter Building, New Orleans, La.
B. American Association of Small Business, Inc., 431 Balter Building, New Orleans, La.
D. (6) $1,500.

A. Edmund P. Hennelly, 150 East 42d Street, New York, N. Y.
B. Socony Mobil Oil Co., Inc., 150 East 42d Street, New York, N. Y.
D. (6) $2,699.29. E. (9) $1,574.29.

A. Maurice G. Herndon, 1002 Washington Loan and Trust Building, Washington, D. C.
B. National Association of Insurance Agents, 96 Fulton Street, New York, N. Y. and 1002 Washington Loan and Trust Building, Washington, D. C.
D. (6) $239.10. E. (9) $239.10.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D. C.
B. Boston Wool Trade Association, 263 Summer Street, Boston, Mass.
D. (6) $600. E. (9) $34.25.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D. C.
B. National Association of Hot House Vegetable Growers, Post Office Box 659, Terre Haute, Ind.

A. Clinton M. Hester, Shoreham Building, Washington, D. C.
B. National Football League, 1 Bala Avenue, Bala Cynwyd, Pa.
E. (9) $1,616.04.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D. C.
B. United States Brewers Foundation, 535 Fifth Avenue, New York, N. Y.
D. (6) $5,000. E. (9) $63.07.

A. Robert C. Hibben, 1105 Barr Building, Washington, D. C.
B. International Association of Ice Cream Manufacturers, 1105 Barr Building, Washington, D. C.

A. W. J. Hickley, 2000 Massachusetts Avenue NW., Washington, D. C.
B. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D. C.
D. (6) $196.88.

A. Ray C. Hinman, 150 East 42d Street, New York, N. Y.
B. Socony Mobil Oil Co., Inc., 150 East 42d Street, New York, N. Y.
D. (6) $1,587.52. E. (9) $337.52.

A. Claude E. Hobbs, 1625 I Street NW., Washington, D. C.
B. Manufacturing Chemists' Association, Inc., 1625 I Street NW., Washington, D. C.

A. Frank N. Hoffmann, 1001 Connecticut Avenue NW., Washington, D. C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $4,000. E. (9) $3,200.

A. John R. Holden, 1710 Rhode Island Avenue NW., Washington, D. C.
B. American Veterans World War II, 1710 Rhode Island Avenue NW., Washington, D. C.
D. (6) $1,000. E. (9) $75.

A. Winfield M. Homer, 1001 Connecticut Avenue NW., Washington, D. C.
B. G. David Zimring, 1001 Connecticut Avenue NW., Washington, D. C., and 11 South LaSalle Street, Chicago, Ill.

A. Homestake Mining Co., Lead, S. Dak.
E. (9) $531.36.

A. J. M. Hood, 2000 Massachusetts Avenue NW., Washington, D. C.
B. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D. C.
D. (6) $300.

A. Victor Hood, 4200 Clagett Road, Hyattsville, Md.
B. Journeyman Barbers, Hairdressers, Cosmetologists International Union, Indianapolis, Ind.
D. (6) $3,220.65. E. (9) $1,450.65.

A. Samuel H. Horne, Munsey Building, Washington, D. C.
B. The Singer Manufacturing Co., 149 Broadway, New York, N. Y.
E. (9) $1,304.25.

A. Donald E. Horton, 222 West Adams Street, Chicago, Ill.
B. American Warehousemen's Association, 222 West Adams Street, Chicago, Ill.

A. J. Cline House, 711 14th Street NW., Washington, D. C.
D. (6) $3,000. E. (9) $54.

A. Harold A. Houser, 1616 I Street NW., Washington, D. C.
B. Retired Officers Association, 1616 I Street NW., Washington, D. C.
D. (6) $1,725.

A. Vernon F. Hovey, 101 Nott Terrace, Schenectady, N. Y.
B. National Dairy Products Corp., 260 Madison Avenue, New York, N. Y.
D. (6) $3,000. E. (9) $499.38.

A. S. H. Howard, 1414 Evergreen Avenue, Millvale, Pittsburgh, Pa.
B. Brotherhood of Railroad Signalmen of America, 503 Wellington Avenue, Chicago, Ill.
D. (6) $300.

A. Harold K. Howe, Mills Building, Washington, D. C.
B. American Institute of Laundering, Box 1187, Joliet, Ill.
D. (6) $2,649.99. E. (9) $1,507.73.

A. Harold K. Howe, 307 Mills Building, Washington, D. C.
B. The Lawn Mower Institute, Inc., 307 Mills Building, Washington, D. C.
D. (6) $2,400.

A. Erma D. Hubbard, Route 4, Box 235, Annapolis, Md.
B. Military Survivors, Inc., Route 4, Box 235, Annapolis, Md.

A. Raymond E. Hughes, 85 John Street, New York, N. Y.
B. National Board of Fire Underwriters, 85 John Street, New York, N. Y.
D. (6) $30. E. (9) $18.

A. C. E. Huntley, 2000 Massachusetts Avenue NW., Washington, D. C.
B. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D. C.
D. (6) $275.

A. W. J. Hynes, 611 Idaho Building, Boise, Idaho.
B. Union Pacific Railroad Co., 1416 Dodge Street, Omaha, Nebr.

A. Illinois Railroad Association, 33 South Clark Street, Chicago, Ill.
E. (9) $1,090.30.

A. Bernard J. Imming, 777 14th Street NW., Washington, D. C.
B. United Fresh Fruit and Vegetable Association, 777 14th Street NW., Washington, D. C.

A. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D. C.
D. (6) $17,347.16.

A. John L. Ingoldsby, Jr., 201 World Center Building, Washington, D. C.
B. Societe Commerciale Antoine Vloeberghs, S. A., 209 Avenue D'Italie, Anvers, Belgium.

A. Institute of American Poultry Industries, 59 East Madison Street, Chicago, Ill.
D. (6) $1,967.72. E. (9) $1,967.72.

A. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D. C.
D. (6) $300. E. (9) $113.54.

A. International Association of Machinists, Machinists' Building, Washington, D. C.
E. (9) $2,339.

A. International Union of Electrical, Radio, and Machine Workers, 1126 16th Street NW., Washington, D. C.
E. (9) $1,107.

A. Inter-State Manufacturers' Association, 163-165 Center Street, Winona, Minn.
D. (6) $3,000. E. (9) $3.22.

A. Iron Ore Lessors' Association, Inc., W-1481 First National Bank Building, St. Paul, Minn.
E. (9) $1,058.47.

A. Nelson P. Jackson, 777 14th Street NW., Washington, D. C.
B. Atomic Products Division, General Electric Co., Schenectady, N. Y.
E. (9) $37.75.

A. Robert C. Jackson, 1145 19th Street NW., Washington, D. C.
B. American Cotton Manufacturers' Institute, Inc., 1501 Johnston Building, Charlotte, N. C.
D. (6) $1,866.66. E. (9) $145.52.

A. Japanese American Citizens' League, 1759 Sutter Street, San Francisco, Calif.
D. (6) $400. E. (9) $375.

A. Daniel Jaspan, P. O. Box 2013, Washington, D. C.
B. National Association of Postal Supervisors, P. O. Box 2013, Washington, D. C.
D. (6) $2,487.50. E. (9) $79.

A. Ray L. Jenkins, 700 Washington Building, Washington, D. C.
B. Societe Internationale, Pour Participations Industrialles Et Commerciales, S. A., Peter Merianstr 19, Basle, Switzerland.

A. Peter D. Joers, 810 Whittington Avenue, Hot Springs, Ark.
B. Dierks Forests, Inc., 810 Whittington Avenue, Hot Springs, Ark.

A. Johns-Manville Corp., 22 East 40th Street, New York, N. Y.
E. (9) $1,684.45.

A. Gilbert R. Johnson, 1208 Terminal Tower, Cleveland, Ohio.
B. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. J. P. Johnson, 1806 Overlook Lane, Santa Barbara, Calif.
B. National Association of Refrigerated Warehouses, Inc., 1210 Tower Building, Washington, D. C.

A. Reuben Lee Johnson, Denver, Colo.
B. The Farmers' Educational and Co-Operative Union of America, 1404 New York Avenue NW., Washington, D. C.
D. (6) $1,979.04. E. (9) $44.

A. W. D. Johnson, 401 Third Street NW., Washington, D. C.
B. Order of Railway Conductors and Brakemen, O. R. C. & B. Building, Cedar Rapids, Iowa.

A. Cullen B. Jones, Jr., 1028 Connecticut Avenue, Washington, D. C.
B. Veterans of World War I of the U. S. A., Inc., 44 G Street NW., Washington, D. C.
D. (6) $1,500. E. (9) $122.46.

A. George Bliss Jones, Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.
D. (6) $150.00. E. (9) $448.37.

A. L. Dan Jones, 1110 Ring Building, Washington, D. C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D. C.
E. (9) $28.25.

A. Lyle W. Jones, 501 13th Street NW., Washington, D. C.
B. The United States Potters Association, East Liverpool, Ohio.
D. (6) $2,500. E. (9) $457.86.

A. Rowland Jones, Jr., 1145 19th Street NW., Washington, D. C.
B. American Retail Federation, 1145 19th Street NW., Washington, D. C.
D. (6) $3,750. E. (9) $512.69.

A. Journeyman Barbers, Hairdressers, and Cosmetologists International Union, 1141 North Delaware Street, Indianapolis, Ind.
E. (9) $3,220.65.

A. Orrin G. Judd, 655 Madison Avenue, New York, N. Y.
B. Dr. Ching-Lin Hsia and wife, Wai Tsung Hsia, 21 Park Place, Great Neck, N. Y.
E. (9) $18.75.

A. Max M. Kampelman, 1700 K Street NW., Washington, D. C.
B. Lipschultz, Altman, Geraghty & Mulally, 530 Minnesota Building, St. Paul, Minn.

A. Kenneth C. Kellar, Lead, S. Dak.
B. Homestake Mining Co., Lead, S. Dak.
E. (9) $531.36.

A. James C. Kelley, 1900 Arch Street, Philadelphia, Pa.
B. American Machine Tool Distributors' Association, 1900 Arch Street, Philadelphia, Pa.

A. William Edward Kelly, 9532 Justine Drive, Falls Church, Va.

B. The Mosaic Tile Co., Zanesville, Ohio.

A. James P. Kem, 1625 K Street NW., Washington, D. C.

B. National Committee for Insurance Taxation, The Hay-Adams House, Washington, D. C.

D. (6) $6,000.

A. Miss Elizabeth A. Kendall, 2310 Connecticut Avenue, Washington, D. C.

A. T. L. Kenen, 1737 H Street NW., Washington, D. C.

B. American Zionist Committee for Public Affairs, 1737 H Street NW., Washington, D. C.

D. (6) $1,272.27. E. (9) $184.80.

A. William J. Kennard, M. D., 1523 L Street NW., Washington, D. C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $687.50. E. (9) $134.85.

A. Harold L. Kennedy, 420 Cafritz Building, Washington, D. C.

B. The Ohio Oil Co., Findlay, Ohio.

D. (6) $500. E. (9) $281.95.

A. Miles D. Kennedy, 1608 K Street NW., Washington, D. C.

B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.

D. (6) $3,375. E. (9) $181.05.

A. Ronald M. Ketcham, Post Office Box 351, Los Angeles, Calif.

B. Southern California Edison Co., Post Office Box 351, Los Angeles, Calif.

D. (6) $376.64. E. (9) $805.94.

A. Omar B. Ketchum, 1000 Vermont Avenue NW., Washington, D. C.

B. Veterans of Foreign Wars of the United States, 1000 Vermont Avenue NW., Washington, D. C.

D. (6) $3,275. E. (9) $265.

A. W. A. Key, 401 North Hays Avenue, Jackson, Tenn.

B. Order of Railway Conductors and Brakemen, Cedar Rapids, Iowa.

D. (6) $1,075.

A. Jeff Kibre, 1341 G Street NW., Washington, D. C.

B. International Longshoremen's and Warehousemen's Union, 150 Golden Gate Avenue, San Francisco, Calif.

D. (6) $1,399.62. E. (9) $1,309.60.

A. John A. Killick, 740 11th Street NW., Washington, D. C.

B. Eastern Meat Packers Association, Inc., 740 11th Street NW., Washington, D. C., and Statler Hotel, New York, N. Y.

D. (6) $10. E. (9) $2.92.

A. John A. Killick, 740 11th Street NW., Washington, D. C.

B. The National Independent Meat Packers Association, 740 11th Street NW., Washington, D. C.

D. (6) $215. (D) $90.24.

A. H. Cecil Kilpatrick, 912 American Security Building, Washington, D. C.

B. Minot, DeBlois & Maddison, 294 Washington Street, Boston, Mass.

E. (9) $315.40.

A. Kenneth L. Kimble, 1701 K Street NW., Washington, D. C.

B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.

D. (6) $283.12. E. (9) $2.85.

A. Ludlow King, 2071 East 102d Street, Cleveland, Ohio.

B. National Machine Tool Builders' Association, 2071 East 102d, Cleveland, Ohio.

A. T. Bert King, 812 Pennsylvania Building, Washington, D. C.

B. United States Savings and Loan League, 221 North LaSalle Street, Chicago, Ill.

D. (6) $2,400. E. (9) $6.50.

A. Clifton Kirkpatrick, 1918 N. Parkway, Memphis, Tenn.

B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.

D. (6) $390. E. (9) $49.24.

A. Rowland F. Kirks, 2000 K Street NW., Washington, D. C.

B. National Automobile Dealers Association, 2000 K Street NW., Washington, D. C.

D. (6) $3,807.66. E. (9) $467.05.

A. C. W. Kitchen, 777 14th Street NW., Washington, D. C.

B. United Fresh Fruit and Vegetable Association, 777 14th Street NW., Washington, D. C.

A. W. H. Kittrell, Commercial Building, Dallas, Tex.

B. A. B. Wintershall, Kassel, Germany, and A. G. Salzdetfurth, Bad Salzdetfurth, Germany.

D. (6) $3,000. E. (9) $1,809.

A. Clarence C. Klocksin, 2649 North Hackett Avenue, Milwaukee, Wis.

B. National Board of Fire Underwriters, 85 John Street, New York, N. Y.

D. (6) $3,000. E. (9) $450.

A. James F. Kmetz, 1435 K Street NW., Washington, D. C.

B. United Mine Workers of America, 903 15th Street NW., Washington, D. C.

D. (6) $2,046.

A. Burt L. Knowles, Munsey Building, Washington, D. C.

B. The Associated General Contractors of America, Inc., Munsey Building, Washington, D. C.

A. Robert M. Koch, 1015 12th Street NW., Washington, D. C.

B. National Agricultural Limestone Institute, Inc., 1015 12th Street NW., Washington, D. C.

E. (9) $35.

A. Robert M. Koch, 1015 12th Street NW., Washington, D. C.

B. National Crushed Limestone Institute, Inc., 1015 12th Street NW., Washington, D. C.

E. (9) $15.

A. Herman C. Kruse, 245 Market Street, San Francisco, Calif.

B. Pacific Gas and Electric Co., 245 Market Street, San Francisco, Calif.

D. (6) $5,700. E. (9) $6,926.01.

A. Frank W. Kuehl, 1523 L Street NW., Washington, D. C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $575. E. (9) $47.62.

A. Catherine G. Kuhne, Dupont Circle Building, Washington, D. C.

B. National Federation of Business and Professional Women's Clubs, Inc., Dupont Circle Building, Washington, D. C.

A. Labor-Management Maritime Committee, 132 Third Street SE., Washington, D. C.

D. (6) $5,372.50. E. (9) $4,372.08.

A. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. James W. Lamberton, 224 Southern Building, Washington, D. C.

B. Cleary, Gottlieb, Friendly & Ball, 224 Southern Building, Washington, D. C.

A. A. M. Lampley, 401 Third Street NW., Washington, D. C.

B. Brotherhood of Locomotive Firemen and Enginemen, 318 Keith Building, Cleveland, Ohio.

D. (6) $2,750.

A. Russell A. Langdon, 20th Street at New Hampshire NW., Washington, D. C.

B. Fleet Reserve Association, 20th Street at New Hampshire NW., Washington, D. C.

A. Fritz G. Lanham, 2737 Devonshir Place NW., Washington, D. C.

B. American Fair Trade Council, 1434 West 11th Avenue, Gary, Ind.

D. (6) $249.96.

A. Fritz G. Lanham, 2737 Devonshire Place NW., Washington, D. C.

B. National Patent Council, Inc., 1434 West 11th Avenue., Gary, Ind.

D. (6) $999.96

A. Fritz G. Lanham, 2737 Devonshire Place NW., Washington, D. C.

B. Trinity Improvement Association, Inc., 718 Insurance Building, Fort Worth, Tex.

D. (6) $1,275.

A. Dillard B. Lasseter, 1424 16th Street NW., Washington, D. C.

B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.

D. (6) $1,000.

A. J. Austin Latimer, 1001 Connecticut Avenue NW., Washington, D. C.

D. (6) $850.

A. John Lawler, 270 Madison Avenue, New York, N. Y.

B. American Institute of Certified Public Accountants, 270 Madison Avenue, New York, N. Y.

D. (6) $755. E. (9) $200.

A. John V. Lawrence, 1424 16th Street NW., Washington, D. C.

B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.

D. (6) $927.50. E. (9) $3.90.

A. John M. Laxalt, 3636 16th Street NW., Washington, D. C.

B. Transportes Maritimos Mexicanos, S. A., Insurgentes 432, Mexico, D. F.

D. (6) $1,000.

A. Randall J. Le Boeuf, Jr., 15 Broad Street, New York, N. Y.

B. Consolidated Edison Company of New York, Inc., 4 Irving Place, New York, N. Y.

D. (6) $5,000. E. (9) $511.97.

A. Ivy Lee and T. J. Ross, 405 Lexington Avenue, New York, N. Y.

D. (6) $4,500. E. (9) $6,038.06.

A. James R. Lee, 605 Albee Building, Washington, D. C.

B. Water Heater Division, Gas Appliance Manufacturers Association, 60 East 42d Street, New York, N. Y., and Product Section, National Electrical Manufacturers Association, 155 East 44th Street, New York, N. Y.

D. (6) $1,500. E. (9) $213.20.

A. G. E. Leighty, 401 Third Street NW., Washington, D. C.

A. Hal Leyshon, 122 East 42d Street, New York, N. Y.
B. American Federation of Musicians, 425 Park Avenue, New York, N. Y.
D. (6) $4,999.98. E. (9) $6,850.80.

A. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y., and 1701 K Street, Washington, D. C.
D. (6) $8,234.89. E. (9) $8,234.89.

A. L. Blaine Liljenquist, 917 15th Street NW., Washington, D. C.
B. Western States Meat Packers Association, Inc., 604 Mission Street, San Francisco, Calif.
D. (6) $3,125. E. (9) $422.78.

A. Lester W. Lindow, 1735 DeSales Street NW., Washington, D. C.
D. (6) $70.25. E. (9) $12.08.

A. John W. Lindsey, 1625 K Street NW., Washington, D. C.
B. National Association of Securities Dealers, Inc.

A. Charles B. Lipsen and Associates, 261 Constitution Avenue NW., Washington, D. C.
B. Direct Mail Advertising Association.
D. (6) $1,500. E. (9) $214.

A. Robert G. Litschert, 1200 18th Street NW., Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
D. (6) $600. E. (9) $92.82.

A. John M. Littlepage, 840 Investment Building, Washington, D. C.
B. The American Tobacco Co., Inc., 150 East 42d Street, New York, N. Y.

A. Arthur Y. Lloyd, 1025 Connecticut Avenue NW., Washington, D. C.
B. Burley and Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.
D. (6) $165. E. (9) $15.40.

A. Gordon C. Locke, 418 Munsey Building, Washington, D. C.
B. Committee for Oil Pipe Lines, 418 Munsey Building, Washington, D. C.
E. (9) $325.

A. Charles E. Lofgren, 20th Street at New Hampshire NW., Washington, D. C.
B. Fleet Reserve Association, 20th Street at New Hampshire NW., Washington, D. C.
D. (6) $2,000.

A. Leonard Lopez, 1029 Vermont Avenue NW., Washington, D. C.
B. District Lodge No. 44, International Association of Machinists, 1029 Vermont Avenue NW., Washington, D. C.
D. (6) $1,749.93. E. (9) $15.

A. Joe T. Lovett, 1145 19th Street NW., Washington, D. C.
B. American Retail Federation, 1145 19th Street NW., Washington, D. C.

A. Harold O. Lovre, 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $720. E. (9) $96.98.

A. Harold O. Lovre, Bowen Building, Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
D. (6) $200. E. (9) $140.75.

A. Otto Lowe, Cape Charles, Va.
B. National Canners Association, 1133 20th Street, Washington, D. C.
D. (6) $750.

A. Lowenstein, Pitcher, Spence, Hotchkiss, Amann & Parr, 25 Broad Street, New York, N. Y.
B. Aircraft Industries Association of America, Inc., 610 Shoreham Building, Washington, D. C.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Acacia Mutual Life Insurance Co., Washington, D. C.
D. (6) $450.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. American Finance Conference, 176 West Adams Street, Chicago, Ill.
D. (6) $1,250.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Bicycle Manufacturers Association of America, 122 East 42d Street, New York, N. Y.
D. (6) $750.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Emmco Insurance Co., South Bend, Ind.
D. (6) $500.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Mobile Homes Manufacturers Association, 20 North Wacker Drive, Chicago, Ill.
D. (6) $1,000.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Regular Common Carrier Conference, 1424 16th Street NW., Washington, D. C.
D. (6) $1,250.

A. Scott W. Lucas, 1025 Connecticut Avenue N. W., Washington, D. C.
B. Republic of Panama, Panama, Panama.
D. (6) $500.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Roadside Business Association, 646 North Michigan Avenue, Chicago, Ill.
D. (6) $500.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Marian Diane Delphine Sachs, Beekman Hotel, New York, N. Y., and Arthur Sachs, c/o Moses & Singer, 29 Broadway, New York, N. Y.
D. (6) $250.

A. Scott W. Lucas, 1025 Connecticut Avenue, Washington, D. C.
B. Western Medical Corp., 415–23 West Pershing Road, Chicago, Ill.
D. (6) $1,000.

A. Lucas & Thomas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Adolph von Zedlitz, 60 Sutton Place, South, New York, N. Y.

A. Milton F. Lunch, 2029 K Street NW., Washington, D. C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D. C.
D. (6) $750.

A. Powers Luse, North Baltimore, Ohio.
B. Pennsylvania-Ohio-New York Committee on Low Cost Niagara-St. Lawrence Power, Box 187, North Baltimore, Ohio.
D. (6) $300. E. (9) $430.23.

A. John C. Lynn, 425 13th Street NW., Washington, D. C.
B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.
D. (6) $1,962.50. E. (9) $42.87.

A. A. E. Lyon, 401 Third Street NW., Washington, D. C.
B. Railway Labor Executives' Association.
D. (6) $750.

A. LeRoy E. Lyon, Jr., 530 West Sixth Street, Los Angeles, Calif.
B. California Railroad Association, 215 Market Street, San Francisco, Calif.
D. (6) $1,313.50. E. (9) $1,313.12.

A. Robert J. McBride, 1424 16th Street NW., Washington, D. C.
B. Regular Common Carrier Conference of American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $2,750.

A. William C. McCamant, 1145 19th Street NW., Washington, D. C.
B. American Retail Federation, 1145 19th Street NW., Washington, D. C.
D. (6) $1,000.

A. John A. McCart, 900 F Street NW., Washington, D. C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D. C.
D. (6) $2,014.20. E. (9) $39.

A. Frank J. McCarthy, 1223 Pennsylvania Building, Washington, D. C.
B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. J. L. McCaskill, 1201 16th Street NW., Washington, D. C.
B. Division of Legislation and Federal Relations of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.
D. (6) $1,210. E. (9) $110.45.

A. Angus McDonald.
B. The Farmers' Educational and Co-Operative Union of America, 1404 New York Avenue NW., Washington, D. C.
D. (6) $1,899.97. E. (9) $261.42.

A. Joseph J. McDonald, 1001 Connecticut Avenue NW., Washington, D. C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $3,304.85. E. (9) $500.

A. Joseph T. McDonnell, 425 13th Street NW., Washington, D. C.
B. National Association of Electric Companies, 1920 16th Street NW., Washington, D. C.

A. Robert P. McElroy, 801 Sheraton Building, Washington, D. C.
B. National Retail Dry Goods Association, 100 West 31st Street, New York, N. Y.
E. (9) $117.23.

A. Joseph A. McElwain, 500 Main Street, Deer Lodge, Mont.
B. The Montana Power Co., Butte, Mont.
D. (6) $781.26. E. (9) $1,491.65.

A. Rev. A. J. McFarland, 126 North Eighth Street, Sterling, Kans.
B. Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.
D. (6) $900. E. (9) $250.

A. Thomas Edward McGrath, 4012 14th Street NW., Washington, D. C.
B. Taxpayers, U. S. A., 4012 14th Street NW., Washington, D. C.
D. (6) $180. E. (9) $180.

A. James H. McKenzie, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $3,000.13.

A. J. V. McLaughlin, 929 Transportation Building, Washington, D. C.

B. Association of American Railroads, Transportation Building, Washington, D. C.

D. (6) $354.21. E. (9) $687.78.

A. William H. McLin, 1201 16th Street NW., Washington, D. C.

B. Division of Legislation and Federal Relations of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.

D. (6) $1,698.75. E. (9) $11.60.

A. W. H. McMains, 1132 Pennsylvania Building, Washington, D. C.

B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D. C.

A. Ralph J. McNair, 1701 K Street NW., Washington, D. C.

B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.

D. (6) $675. E. (9) $17.19.

A. Francis J. McNamara, 610 Wire Building, 1000 Vermont Avenue NW., Washington, D. C.

B. Veterans of Foreign Wars of the United States.

D. (6) $2,062.50. E. (9) $16.85.

A. Charles R. McNeill, 730 15th Street NW., Washington, D. C.

B. American Bankers Association, 12 East 36th Street, New York, N. Y.

D. (6) $425. E. (9) $23.40.

A. Joseph P. McSparron, 320 North Hopkins Street, Sayre, Pa.

B. International Association of Machinists, Machinists Building, Washington, D. C.

D. (6) $237.50. E. (9) $217.50.

A. William P. MacCracken, Jr., 1152 National Press Building, Washington, D. C.

B. American Optometric Association, Inc., Development Fund (Legislative), care Dr. H. Ward Ewalt, Jr., 8001 Jenkins Arcade, Pittsburgh, Pa.

E. (9) $61.61.

A. William P. MacCracken, Jr., 1152 National Press Building, Washington, D. C.

B. Frankel Brothers, 521 Fifth Avenue, New York, N. Y.

E. (9) $1.25.

A. John G. Macfarlan, 1503 H Street NW., Washington, D. C.

B. Railway Express Agency, Inc., 1503 H Street NW., Washington, D. C.

D. (6) $1,417.50. E. (9) $417.47.

A. James E. Mack, 1028 Connecticut Avenue NW., Washington, D. C.

B. National Confectioners' Association, 221 North La Salle Street, Chicago, Ill.

D. (6) $3,000.

A. Maclay, Morgan & Williams, 76 Beaver Street, New York, N. Y.

B. Association of American Ship Owners, 76 Beaver Street, New York, N. Y.

A. W. Bruce Macnamee, 1701 K Street NW., Washington, D. C., and 11 Broadway, New York, N. Y.

B. American Merchant Marine Institute, Inc., 1701 K Street NW., Washington, D. C., and 11 Broadway, New York, N. Y.

D. (6) $925.50. E. (9) $456.19.

A. James B. Madaris, 401 Third Street NW., Washington, D. C.

B. Brotherhood Railway Carmen of America, 4929 Main Street, Kansas City, Mo.

D. (6) $2,625.

A. Don Mahon, P. O. Box 959, Ben Franklin Station, Washington, D. C.

E. (9) $343.51.

A. William J. Mahon, 1 Broadway, New York, N. Y.

B. Associated Railroads of New York State.

A. Carter Manasco, 4201 Chesterbrook Road, Falls Church, Va.

B. National Business Publications, Inc., 1413 K Street NW., Washington, D. C.

D. (6) $1,800.

A. Carter Manasco, 4201 Chesterbrook Road, Falls Church, Va.

B. National Coal Association, Southern Building, Washington, D. C.

D. (6) $3,000. E. (9) $197.30.

A. Carter Manasco, 4201 Chesterbrook Road, Falls Church, Va.

B. Southern Pine Industry Committee, P. O. Box 1170, New Orleans, La.

D. (6) $250.

A. MacArthur H. Manchester, 2517 Connecticut Avenue NW., Washington, D. C.

B. Reserve Officers Association of the United States, 2517 Connecticut Avenue NW., Washington, D. C.

A. Manufacturing Chemists' Association, Inc., 1625 I Street NW., Washington, D. C.

D. (6) $2,375. E. (9) $2,375.

A. Mrs. Olya Margolin, 1637 Massachusetts Avenue NW., Washington, D. C.

B. National Council of Jewish Women, Inc., 1 West 47th Street, New York, N. Y.

D. (6) $1,625.78. E. (9) $91.74.

A. James Mark, Jr., 1435 K Street NW., Washington, D. C.

B. United Mine Workers of America, 900 15th Street NW., Washington, D. C.

D. (6) $3,796.

A. Rodney W. Markley, Jr., Wyatt Building, Washington, D. C.

B. Ford Motor Co., Dearborn, Mich.

D. (6) $4,200. E. (9) $1,870.

A. John J. Marr, 401 Third Street NW., Washington, D. C.

B. The Order of Railroad Telegraphers, 3860 Lindell Boulevard, St. Louis, Mo.

D. (6) $630.

A. Edwin E. Marsh, 414 Crandall Building, Salt Lake City, Utah.

B. National Wool Growers Association, 414 Crandall Building, Salt Lake City, Utah.

D. (6) $2,499.99. E. (9) $1,246.77.

A. Winston W. Marsh, 1012 14th Street NW., Washington, D. C.

B. National Tire Dealers and Retreaders Association, Inc., 1012 14th Street NW., Washington, D. C.

D. (6) $129.36. E. (9) $6.50.

A. Fred T. Marshall, 1112-18 19th Street NW., Washington, D. C.

B. The B. F. Goodrich Co., 500 South Main Street, Akron, Ohio.

A. Edwin G. Martin, 717 National Press Building, Washington, D. C.

B. A. & H. Shillman Co., Inc., 106 Hopkins Place, Baltimore, Md.

D. (6) $1,000. E. (9) $22.83.

A. Mike M. Masaoka, 1217 Hurley-Wright Building, Washington, D. C.

B. Japanese American Citizens League, 1759 Sutter Street, San Francisco, Calif.

D. (6) $200. E. (9) $185.

A. Walter J. Mason, 815 16th Street NW., Washington, D. C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D. C.

D. (6) $2,899. E. (9) $590.08.

A. David Mathews, Jr., 345 Fourth Avenue, Pittsburgh, Pa.

B. The Pittsburgh Coal Exchange, 345 Fourth Avenue, Pittsburgh Pa., and Mechanical Contractors Association of Pittsburgh, Inc., 345 Fourth Avenue Pittsburgh, Pa.

E. (9) $884.45.

A. P. H. Mathews, 926 Transportation Building, Washington, D. C.

B. Association of American Railroads, Transportation Building, Washington, D. C.

D. (6) $5,617.50. E. (9) $2,685.56.

A. C. V. & R. V. Maudlin, 1111 E Street NW., Washington, D. C.

B. National Association of Waste Material Dealers, Inc., 271 Madison Avenue, New York, N. Y.

D. (6) $150. E. (9) $4.10.

A. Cyrus H. Maxwell, M. D., 1523 L Street NW., Washington, D. C.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $700. E. (9) $101.77.

A. Arnold Mayer, 100 Indiana Avenue NW., Washington, D. C.

B. Amalgamated Meat Cutters and Butcher Workmen of North America, 2800 North Sheridan Road, Chicago, Ill.

D. (6) $1,040. E. (9) $2,241.27.

A. Medical Association of the State of Alabama, 17 Molton Building, Montgomery, Ala.

D. (6) $83,220. E. (9) $2,725.

A. The Medical Society of the District of Columbia, 1718 M Street NW., Washington, D. C.

A. Ellis E. Meredith, 635 Southern Building, Washington, D. C.

B. American Association of Nurserymen, 635 Southern Building, Washington, D. C.

E. (9) $3.

A. Ross A. Messer, 724 9th Street NW., Washington, D. C.

B. National Association of Post Office and General Services Maintenance Employees, Post Office Box 1611, Washington, D. C.

D. (6) $700. E. (9) $140.09.

A. J. T. Metcalf, 1002 L. & N. Building, Louisville, Ky.

E. (9) $475.83.

A. James G. Michaux, 1145 19th Street NW., Washington, D. C.

B. American Retail Federation, 1145 19th Street NW., Washington, D. C.

D. (6) $2,000. E. (9) $153.43.

A. Michigan Hospital Service, 441 East Jefferson Avenue, Detroit, Mich.

E. (9) $1,281.71.

A. Clarence R. Miles, 1615 H Street NW., Washington, D. C.

B. Chamber of Commerce of the United States of America.

A. John R. Miles, 1615 H Street NW., Washington, D. C.

B. Chamber of Commerce of the United States, 1615 H Street NW., Washington, D. C.

A. Military Survivors, Inc., Route 4, Box 235, Annapolis, Md.

D. (6) $266. E. (9) $525.55.

A. Dale Miller, Mayflower Hotel, Washington, D. C.
B. Dallas (Tex.) Chamber of Commerce.
D. (6) $1,500.

A. Dale Miller, Mayflower Hotel, Washington, D. C.
B. Intracoastal Canal Association of Louisiana and Texas, 1028 Electric Building, Houston, Tex.
D. (6) $1,625.

A. Dale Miller, Mayflower Hotel, Washington, D. C.
B. Texas Gulf Sulphur Co., Newgulf, Tex., and New York, N. Y.
D. (6) $2,250.

A. Edwin Reid Miller, 1004 Farnam Street, Omaha, Nebr.
B. Nebraska Railroads Legislative Committee, 1004 Farnam Street, Omaha, Nebr.
D. (6) $2,337.

A. Harold C. Miller, 1001 Connecticut Avenue NW., Washington, D. C.
B. World-Wide Broadcasting System, Inc., New York City, NW.
D. (6) $750. E. (9) $129.85.

A. Joseph L. Miller, 1025 Connecticut Avenue, Washington, D. C.
B. Northern Textile Association, Quinebaug-French River Manufacturers Association, and Maytag Co.
D. (6) $2,650. E. (9) $571.16.

A. Milk Industry Foundation, 1145 19th Street NW., Washington, D. C.

A. Claude Minard, 215 Market Street, San Francisco, Calif.
B. California Railroad Association, 215 Market Street, San Francisco, Calif.

A. Seymour S. Mintz, 810 Colorado Building, Washington, D. C.
B. Republic Steel Corp., Cleveland, Ohio.

A. Seymour S. Mintz, 810 Colorado Building, Washington, D. C.
B. Tennessee Products and Chemical Corp., Nashville, Tenn.

A. Seymour S. Mintz, William T. Plumb, Jr., Robert K. Eifler, and Richard A. Mullens, 810 Colorado Building, Washington, D. C.
B. Hughes Tool Co., Houston, Tex.
E. (9) $13.22.

A. Clarence Mitchell, 100 Massachusetts Avenue NW., Washington, D. C.
B. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N. Y.
D. (6) $2,000. E. (9) $35.

A. Mobilehome Dealers National Association, 39 South La Salle Street, Chicago, Ill.
E. (9) $1,710.05.

A. H. D. Mobley, 1010 Vermont Avenue NW., Washington, D. C.
B. American Vocational Association, Inc.

A. Harry L. Moffett, 1102 Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington, D. C.
D. (6) $1,650. E. (9) $28.25.

A. Marion S. Monk, Jr., Batchelor, La.
B. National Association of Soil Conservation Districts, League City, Tex.
D. (6) $379.85. E. (9) $379.85.

A. Donald Montgomery, 777 14th Street NW., Washington, D. C.
B. American Hotel Association, 221 West 57th Street, New York, N. Y.
D. (6) $2,600. E. (9) $158.90.

A. Walter H. Moorman, 4650 East-West Highway, Bethesda, Md.
B. Maryland Railroad Association, 2 North Charles Street, Baltimore, Md.
D. (6) $2,500.

A. Kenneth R. Morefield, 4401 East Colonial Drive, Orlando, Fla.
B. Florida Fruit and Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.

A. Silas A. Morehouse, Post Office Box 4085, Jefferson Manor, Alexandria, Va.
B. Gordin-Mensh Realty Corp., 1915 Richmond Highway, Alexandria, Va.

A. Silas A. Morehouse, Post Office Box 4085, Jefferson Manor, Alexandria, Va.
B. Silok, Inc., Post Office Box 4085, Jefferson Manor, Alexandria, Va.

A. Jo V. Morgan, Jr., 815 15th Street NW., Washington, D. C.
B. Whiteford, Hart, Carmody & Wilson, 815 15th Street NW., Washington, D. C.
D. (6) $1,249.98.

A. Morison, Murphy, Clapp & Abrams, 1144 Pennsylvania Building, Washington, D. C.

A. Morison, Murphy, Clapp & Abrams, The Pennsylvania Building, Washington, D. C.
B. Area Employment Expansion Committee, 1144 Pennsylvania Building, Washington, D. C.
D. (6) $1,000. E. (9) $80.40.

A. Morison, Murphy, Clapp & Abrams, 1144 Pennsylvania Building, Washington, D. C.
B. Brewers' Association of America, 188 West Randolph Street, Chicago, Ill.
E. (9) $61.44.

A. Morison, Murphy, Clapp & Abrams, The Pennsylvania Building, Washington, D. C.
B. Ford Motor Co., 3000 Schaefer Road, Dearborn, Mich.

A. Morison, Murphy, Clapp & Abrams, The Pennsylvania Building, Washington, D. C.
B. Salyer Water District, Post Office Box 488, Corcoran, Calif.

A. Morison, Murphy, Clapp & Abrams, The Pennsylvania Building, Washington, D. C.
B. The Sperry & Hutchinson Co., 114 Fifth Avenue, New York, N. Y.

A. Morison, Murphy, Clapp & Abrams, 1144 Pennsylvania Building, Washington, D. C.
B. West Coast Pipeline Co., Mercantile Bank Building, Dallas, Tex.

A. Giles Morrow, 1111 E Street NW., Washington, D. C.
B. Freight Forwarders Institute, 1111 E Street NW., Washington, D. C.
D. (6) $4,374.99. E. (9) $90.32.

A. H. S. Mosebrook, 220 East 42d Street, New York, N. Y.
B. American Pulpwood Association, 220 East 42d Street, New York, N. Y.

A. Harold G. Mosier, 610 Shoreham Building, Washington, D. C.
B. Aircraft Industries Association of America, Inc., 610 Shoreham Building, Washington, D. C.
D. (6) $3,750. B. (9) $659.19.

A. William J. Mougey, Washington, D. C.
B. General Motors Corporation, 3044 West Grand Boulevard, Detroit, Mich.

A. T. H. Mullen, 711 14th Street NW., Washington, D. C.
B. American Paper and Pulp Association, 122 East 42d Street, New York, N. Y.

A. T. H. Mullen, 711 14th Street NW., Washington, D. C.
B. American Pulpwood Association, 220 East 42d Street, New York, N. Y.

A. Walter J. Nunro, Hotel Washington, Washington, D. C.
B. Brotherhood of Railroad Trainmen.

A. Dr. Emmett J. Murphy, 5737 13th Street NW., Washington, D. C.
B. National Chiropractic Insurance Co., National Building, Webster City, Iowa.
D. (6) $300. E. (9) $300.

A. Ray Murphy, 60 John Street, New York, N. Y.
B. Association of Casualty and Surety Companies, 60 John Street, New York, N. Y.
D. (6) $118.75.

A. J. Walter Myers, Jr., P. O. Box 7284, Station C, Atlanta, Ga.
B. Forest Farmers Association Co-op., P. O. Box 7284, Station C, Atlanta, Ga.
E. (9) $134.39.

A. Paul A. Nagle, 1300 Connecticut Avenue NW., Washington, D. C.
B. National Postal Transport Association, 1300 Connecticut Avenue NW., Washington, D. C.
D. (6) $3,000.

A. National Agricultural Limestone Institute, Inc., 1015 12th Street NW., Washington, D. C.
D. (6) $2,193.15. E. (9) $2,193.15.

A. National Associated Businessmen, Inc., 910 17th Street NW., Washington, D. C.
D. (6) $2,503.78. E. (9) $1,037.72.

A. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N. Y.

A. National Association and Council of Business Schools, 601 13th Street NW., Washington, D. C.

A. National Association of Direct Selling Companies, 163–165 Center Street, Winona, Minn.
D. (6) $14,218.75. E. (9) $24.60.

A. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
D. (6) $2,396.30. E. (9) $10,230.25.

A. National Association of Frozen Food Packers, 1415 K Street NW., Washington, D. C.

A. National Association of Insurance Agents, 96 Fulton Street, New York, N. Y.
D. (6) $3,160. E. (9) $6,137.18.

A. National Association of Margarine Manufacturers, Munsey Building, Washington, D. C.

A. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N. Y.
D. (6) $147.18. E. (9) $147.18.

A. National Association of Post Office and General Services Maintenance Employees, 724 Ninth Street NW., Washington, D. C.
D. (6) $11,645.46. E. (9) $1,346.05.

A. National Association of Postal Supervisors, Post Office Box 2013, Washington, D. C.
D. (6) $9,500. E. (9) $5,384.61.

A. National Association of Refrigerated Warehouses, Inc., 1210 Tower Building, Washington, D. C.

A. National Association of Social Workers, Inc., 95 Madison Avenue, New York, N. Y., and 1346 Connecticut Avenue NW., Washington, D. C.

D. (6) $1,766.50. E. (9) $1,766.50.

A. National Association of Soil Conservation Districts, League City, Tex.

D. (6) $1,061.17. E. (9) $1,854.32.

A. National Association of Travel Organizations, 1424 K Street NW., Washington, D. C.

D. (6) $15,112.06. E. (9) $682.50.

A. National Association of Wheat Growers, Imperial, Nebr.

D. (6) $860.17. E. (9) $860.17.

A. National Automobile Dealers Association, 2000 K Street NW., Washington, D. C.

E. (9) $2,422.28.

A. National Canners Association, 1133 20th Street NW., Washington, D. C.

D. (6) $400,682.17. E. (9) $5,469.94.

A. National Coal Association, 802 Southern Building, Washington, D. C.

A. National Committee on Parcel Post Size and Weight Limitations, 1625 I Street NW., Washington, D. C.

E. (9) $22.86.

A. National Conference for Repeal of Taxes on Transportation, 1001 Connecticut Avenue NW., Washington, D. C.

D. (6) $4,918.40. E. (9) $2,012.59.

A. National Cotton Compress and Cotton Warehouse Association, 1085 Shrine Building, Memphis, Tenn.

A. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.

D. (6) $4,471.84. E. (9) $4,471.84.

A. National Council on Business Mail, Inc., 1028 Connecticut Avenue NW., Washington, D. C.

D. (6) $158.39. E. (9) $620.95.

A. National Council, Junior Order United American Mechanics, 3027 North Broad Street, Philadelphia, Pa.

E. (9) $200.16.

A. National Council of Salesmen's Organizations, Inc., 80 West 40th Street, New York, N. Y.

A. National Crushed Limestone Institute, Inc., 1015 12th Street NW., Washington, D. C.

D. (6) $565.30. E. (9) $565.30.

A. National Economic Council, Inc., 7501 Empire State Building, New York, N. Y.

D. (6) $1,870.24. E. (9) $2,036.36.

A. National Electrical Contractors Association, Inc., 1200 18th Street NW., Washington, D. C.

A. National Electrical Manufacturers Association, 155 East 44th Street, New York, N. Y.

D. (6) $86.74. E. (9) $86.74.

A. National Federation of Federal Employees, 1729 G Street NW., Washington, D. C.

D. (6) $107,401.14. E. (9) $12,434.59.

A. National Federation of Independent Business, Inc., 740 Washington Building, Washington, D. C.

D. (6) $6,923.53. E. (9) $6,923.53.

A. National Federation of Post Office Clerks, 711 14th Street NW., Washington, D. C.

D. (6) $171,161.38. E. (9) $26,880.41.

A. National Food Brokers Association, 1916 M Street NW., Washington, D. C.

D. (6) $1,254. E. (9) $1,254.

A. National Housing Conference, Inc., 1025 Connecticut Avenue NW., Washington, D. C.

D. (6) $27,946.42. E. (9) $21,641.46.

A. National Independent Meat Packers Association, 740 11th Street NW., Washington, D. C.

D. (6) $4,499.07. E. (9) $1,843.71.

A. National Live Stock Tax Committee, 801 East 17th Avenue, Denver, Colo.

D. (6) $3,225.

A. National Lumber Manufacturers Association, 1319 18th Street NW., Washington, D. C.

D. (6) $1,446.39. E. (9) $1,886.33.

A. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.

D. (6) $4,065.26. E. (9) $4,065.26.

A. National Parking Association, Inc., 711 14th Street NW., Washington, D. C.

A. National Postal Transport Association, 1300 Connecticut Avenue NW., Washington, D. C.

D. (6) $10,609.59. E. (9) $10,609.59.

A. National Retail Dry Goods Association, 100 West 31st Street, New York, N. Y.

D. (6) $4,125. E. (9) $5,452.04.

A. National Retail Furniture Association, 666 Lake Shore Drive, Chicago, Ill.

A. National Rivers and Harbors Congress, 1720 M Street NW., Washington, D. C.

D. (6) $10,346.25. E. (9) $11,657.45.

A. National Savings and Loan League, 907 Ring Building NW., Washington, D. C.

D. (6) $9,598.72. E. (9) $3,647.53.

A. National Small Business Men's Association, 801 19th Street Building NW., Washington, D. C.

D. (6) $5,000. E. (9) $4,186.23.

A. National Society of Professional Engineers, 2029 K Street NW., Washington, D. C.

D. (6) $102,153.42. E. (9) $1,461.85.

A. National Tire Dealers and Retreaders Association, Inc., 1012 14th Street NW., Washington, D. C.

D. (6) $379.86. E. (9) $379.86.

A. National Wool Growers Association, 414 Crandall Building, Salt Lake City, Utah.

D. (6) $2,736. E. (9) $3,746.76.

A. A Nation-Wide Committee of Industry, Agriculture, and Labor on Import-Export Policy, 815 15th Street NW., Washington, D. C.

D. (6) $1,812.50. E. (9) $9,534.89.

A. Robert R. Neal, 1701 K Street NW., Washington, D. C.

B. Health Insurance Association of America, 1701 K Street NW., Washington, D. C.

A. William S. Neal.

B. National Association of Manufacturers of the U. S. A., 918 16th Street NW., Washington, D. C.

A. Samuel E. Neel, 1001 15th Street NW., Washington, D. C.

B. Mortgage Bankers Association of America, 111 West Washington Street, Chicago, Ill.

D. (6) $4,249.98. E. (9) $2,522.32.

A. A. Z. Nelson, 1319 18th Street NW., Washington, D. C.

B. National Lumber Manufacturers Association, 1319 18th Street NW., Washington, D. C.

E. (9) $19.20.

A. George R. Nelson, Machinists Building, Washington, D. C.

B. International Association of Machinists, Machinists Building, Washington, D. C.

D. (6) $1,500. E. (9) $384.

A. Otis E. Nelson, Hamilton Building, Wichita Falls, Tex.

B. Dr. P. K. Smith, et al., 1300 Eighth Street, Wichita Falls, Tex.

E. (9) $4.50.

A. George S. Newcomer, 1000 Maryland Trust Building, Baltimore, Md.

B. The Peoples Water Service Co., 1607 Mercantile Trust Building, Baltimore, Md.

A. New York and New Jersey Dry Dock Association, 161 William Street, New York City.

D. (6) $4,250. E. (9) $4,154.25.

A. New York Stock Exchange, 11 Wall Street, New York, N. Y.

E. (9) $3,000.

A. Russ Nixon, 930 F Street NW., Washington, D. C.

B. United Electrical, Radio and Machine Workers of America, 11 East 51st Street, New York, N. Y.

D. (6) $1,495.02. E. (9) $521.97.

A. Henry G. Nolda, 1729 G Street NW., Washington, D. C.

B. National Federation of Federal Employees, 1729 G Street NW., Washington, D. C.

D. (6) $2,307.72. E. (9) $52.06.

A. Nordlinger, Riegelman, Benetar & Chaney, 420 Lexington Avenue, New York, N. Y.

B. Han Hong Wang, 157-16 20th Road, Whitestone, Long Island, N. Y.

E. (9) $2.99.

A. O. L. Norman, 1200 18th Street NW., Washington, D. C.

B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.

D. (6) $656.25. E. (9) $78.40.

A. Robert H. North, 1105 Barr Building, Washington, D. C.

B. International Association of Ice Cream Manufacturers, 1105 Barr Building, Washington, D. C.

E. (9) $1,051.07.

A. Harry E. Northam, 185 North Wabash Avenue, Chicago, Ill.

B. Association of American Physicians and Surgeons, Inc., 185 North Wabash Avenue, Chicago, Ill.

A. Northern Hemlock and Hardwood Manufacturers Association, Washington Building, Oshkosh, Wis.

D. (6) $100.

A. E. M. Norton, 1731 I Street NW., Washington, D. C.

B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.

D. (6) $300. E. (9) $93.50.

A. George J. O'Brien, 225 Bush Street, San Francisco, Calif.
B. Standard Oil Company of California, 225 Bush Street, San Francisco, Calif.

A. E. H. O'Connor, 176 West Adams Street, Chicago, Ill.
B. Insurance Economics Society of America, 176 West Adams Street, Chicago, Ill.
D. (6) $10,993.50.

A. R. E. O'Connor, 122 East 42d Street, New York, N. Y.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N. Y.

A. Herbert R. O'Conor, 1701 K Street NW., Washington, D. C.
B. American Merchant Marine Institute, Inc., 1701 K Street NW., Washington, D. C., and 11 Broadway, New York, N. Y.

A. Herbert R. O'Conor, Jr., 10 Light Street, Baltimore, Md.
B. McCabe-Powers Auto Body Co., 5900 North Broadway, St. Louis, Mo.
E. (9) $89.94.

A. Herbert R. O'Conor, Jr., 10 Light Street, Baltimore, Md.
B. National Automobile Dealers Association, 2000 K Street NW., Washington, D. C.
D. (6) $625.

A. John A. O'Donnell, 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $900. E. (9) $141.50.

A. Eugene O'Dunne, Jr., Southern Building, Washington, D. C.
B. The Associated Business Publications, 205 East 42d Street, New York, N. Y.
D. (6) $2,000. E. (9) $239.61.

A. Eugene O'Dunne, Jr., Southern Building, Washington, D. C.
B. National Association of Wool Manufacturers, 386 Fourth Avenue, New York, N. Y.
D. (6) $2,500. E. (9) $122.63.

A. Eugene O'Dunne, Jr., Southern Building, Washington, D. C.
B. Textile Fibres Institute and Wool Stock Institute, 271 Madison Avenue, New York, N. Y.
D. (6) $4,500. E. (9) $117.47.

A. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
E. (9) $574.29.

A. Alvin E. Oliver, 600 Folger Building, Washington, D. C.
B. Grain & Feed Dealers National Association, 100 Merchants' Exchange Building, St. Louis, Mo.
D. (6) $2,308. E. (9, $2.

A. E. L. Oliver, 1001 Connecticut Avenue NW., Washington, D. C.
B. Labor Bureau of Middle West, 1001 Connecticut Avenue NW., Washington, D. C., and 11 South La Salle Street, Chicago, Ill.

A. Fred N. Oliver, 110 East 42d Street, New York, N. Y., and Investment Building, Washington, D. C.
B. National Association of Mutual Savings Bank, 60 East 42d Street, New York, N. Y.

A. Robert Oliver, 1026 17th Street NW., Washington, D. C.
B. Morison, Murphy, Clapp & Abrams, 1144 Pennsylvania Building, Washington, D. C.

A. Clarence H. Olson, 1608 K Street NW., Washington, D. C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $2,370. E. (9) $11.31.

A. Samuel Omasta, 1015 12th Street NW., Washington, D. C.
B. National Agricultural Limestone Institute, Inc., 1015 12th Street NW., Washington, D. C.
E. (9) $15.

A. Order of Railway Conductors and Brakemen, O. R. C. & B. Building, Cedar Rapids, Iowa.
E. (9) $3,991.13.

A. Clayton L. Orn, 539 South Main Street, Findlay, Ohio.
B. The Ohio Oil Company, Findlay, Ohio.
E. (9) $2,462.81.

A. Morris E. Osborn, Central Trust Building, Jefferson City, Mo.
B. Missouri Railroad Committee.
E. (9) $245.27.

A. Vaux Owen, 1729 G Street NW., Washington, D. C.
B. National Federation of Federal Employees, 1729 G Street NW., Washington, D. C.
D. (6) $2,884.62. E. (9) $29.30.

A. Mrs. Theodor Oxholm, 19 East 92d Street, New York, N. Y.
E. (9) $25.43.

A. Pacific American Tankship Association, 25 California Street, San Francisco, Calif.
D. (6) $200. E. (9) $1,624.99.

A. Joseph O. Parker, 531 Washington Building, Washington, D. C.
B. Florida Fruit and Vegetable Association, 4401 East Colonial Drive, Orlando, Fla.
E. (9) $19.

A. Joseph O. Parker, 531 Washington Building, Washington, D. C.
B. Institute of American Poultry Industries, 59 East Madison Street, Chicago, Ill.
D. (6) $562.50. E. (9) $99.27.

A. Joseph O. Parker, 531 Washington Building, Washington, D. C.
B. The National Grange, 744 Jackson Place NW., Washington, D. C.
E. (9) $47.50.

A. Lovell H. Parker, 611 Colorado Building, Washington, D. C.
B. Maryland Electronic Manufacturing Co., College Park, Md.; W. A. Shaeffer Pen Co., Fort Madison, Iowa; and Record Industry Association of America, Inc., New York, N. Y.
D. (6) $1,200.

A. A. Lee Parsons, 1145 19th Street NW., Washington, D. C.
B. Cotton Manufacturers Institute, 1501 Johnston Building, Charlotte, N. C.
D. (6) $332.50. E. (9) $41.93.

A. Patent Equity Association, Inc., 540 West 58th Street, New York, N. Y.
D. (6) $1,950. E. (9) $3,120.65.

A. James G. Patton, 1575 Sherman Street, Denver, Colo.
B. The Farmers' Educational and Co-Operative Union of America, 1575 Sherman Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D. C.

A. Robert T. Patton, 1008 West Sixth Street, Los Angeles, Calif.
B. Shell Oil Co., 1008 West Sixth Street, Los Angeles, Calif.
D. (6) $3,318.40. E. (9) $2,562.76.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 575 Madison Avenue, New York, N. Y.
B. American Heritage Publishing Co., Inc., 551 Fifth Avenue, New York, N. Y.
E. (9) $184.38.

A. Edmund W. Pavenstedt, care of White & Case, 14 Wall Street, New York, N. Y.

A. Albert A. Payne, 1300 Connecticut Avenue NW., Washington, D. C.
B. National Association of Real Estate Boards, 1300 Connecticut Avenue NW., Washington, D. C.
D. (6) $1,916.66. E. (9) $375.05.

A. Peoples Water Service Co., 1607 Mercantile Trust Building, Baltimore, Md.
E. (9) $24.97.

A. Iris V. Peterson, 4201 Massachusetts Avenue NW., Washington, D. C.
B. Air Line Stewards and Stewardesses Association International, 55th and Cicero Avenue, Chicago, Ill.

A. J. Hardin Peterson, 208 South Tennessee, Lakeland, Fla.
B. Florida Citrus Mutual (Legislative Fund), Lakeland, Fla.
D. (6) $1,500. E. (9) $207.33.

A. J. Hardin Peterson, 208 South Tennessee, Lakeland, Fla.
B. Peoples Lobby, Inc., 1337 21st Street NW., Washington, D. C.
E. (9) $8.41.

A. J. Hardin Peterson, 208 South Tennessee, Lakeland, Fla.
B. West Coast Inland Navigation District, Courthouse, Bradenton, Fla.
D. (6) $600. E. (9) $29.45.

A. Kenneth Peterson, 1126 16th Street NW., Washington, D. C.
B. International Union of Electrical, Radio, and Machine Workers, 1126 16th Street NW., Washington, D. C.
D. (6) $1,031.

A. J. E. Phillips, 225 Bush Street, San Francisco, Calif.
B. Standard Oil Company of California, 225 Bush Street, San Francisco, Calif.
D. (6) $750. E. (9) $500.

A. Albert T. Pierson, 54 Meadow Street, New Haven, Conn.
B. The New York, New Haven & Hartford Railroad Co., 54 Meadow Street, New Haven, Conn.
D. (6) $142.64. E. (9) $210.

A. Albert Pike, Jr., 488 Madison Avenue, New York, N. Y.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.
D. (6) $65.

A. James F. Pinkney, 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $1,000. E. (9) $61.90.

A. T. E. Pinkston, 101 East High Street, Lexington, Ky.
B. Kentucky Railroad Association, Lexington, Ky.
E. (9) $82.46.

A. Piper & Marbury, 1000 Maryland Trust Building, Baltimore, Md.
B. The Peoples Water Service Co., 1607 Mercantile Trust Building, Baltimore, Md.
E. (9) $12.54.

A. Plains Cotton Growers, Inc., 220-221 Lubbock National Building, Lubbock, Tex.
D. (6) $3,135.86. E. (9) $3,700.

A. J. Francis Pohlhaus, 100 Massachusetts Avenue NW., Washington, D. C.
B. National Association for the Advancement of Colored People, 20 West 40th Street, New York, N. Y.
D. (6) $1,417. E. (9) $20.

A. Pope Ballard & Loos, 707 Munsey Building, Washington, D. C.
B. Admiral Corp., 3800 Courtland Street, Chicago, Ill.
E. (9) $5.46.

A. Pope Ballard & Loos, 707 Munsey Building, Washington, D. C.
B. Sunkist Growers, Inc., and Diamond Walnut Growers, Inc., Los Angeles, Calif.; Northwest Nut Growers, and Oregon Filbert Commission, Portland, Oreg.; and California Almond Growers Exchange, Sacramento, Calif.
D. (6) $438. E. (9) $27.96.

A. Frank M. Porter, 50 West 50th Street, New York, N. Y.
B. American Petroleum Institute, 50 West 50th Street, New York, N. Y.

A. Stanley I. Posner, 1002 Ring Building, Washington, D. C.
B. Linen Supply Association, 22 West Monroe Street, Chicago, Ill.

A. Nelson J. Post, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
D. (6) $200. E. (9) $20.17.

A. William I. Powell, Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington, D. C.
D. (6) $1,500. E. (9) $4.30.

A. Prefabricated Home Manufacturers' Institute, 910 17th Street NW., Washington, D. C.
D. (6) $102,255.

A. William H. Press, 1616 K Street NW., Washington, D. C.
B. Washington Board of Trade, 1616 K Street NW., Washington, D. C.
D. (6) $4,800.

A. Herman P. Pressler, Post Office Box 2180, Houston, Tex.
B. Humble Oil and Refining Co., Post Office Box 2180, Houston, Tex.
E. (9) $2,255.64.

A. Allen I. Pretzman, 50 West Broad Street, Columbus, Ohio.
B. Scioto-Sandusky Conservancy District, 50 West Broad Street, Columbus, Ohio.
D. (6) $586.65. E. (9) $236.90.

A. Harry E. Proctor, 1110 Investment Building, Washington, D. C.
B. National Association of Mutual Savings Banks, 60 East 42d Street, New York City, N. Y.
D. (6) $54. E. (9) $3.

A. Public Information Committee of the Cotton Industries, Washington Building, Washington, D. C.

A. Ganson Purcell, 910 17th Street NW., Washington, D. C.
B. Insular Lumber Co., 1406 Locust Street, Philadelphia, Pa.

A. Alexander Purdon, 1701 K Street NW., Washington, D. C.
B. Committee of American Steamship Lines, 1701 K Street NW., Washington, D. C.
D. (6) $937.50. E. (9) $194.92.

A. C. J. Putt, 920 Jackson Street, Topeka, Kans.
B. The Atchison, Topeka & Santa Fe Railway Co., 920 Jackson Street, Topeka, Kans.
E. (9) $791.24.

A. William A. Quinlan, 1317 F Street NW., Washington, D. C.
D. (6) $2,400. E. (9) $50.90.

A. Alex Radin, 1025 Connecticut Avenue NW., Washington, D. C.
B. American Public Power Association, 1025 Connecticut Avenue NW., Washington, D. C.
D. (6) $180.

A. Railway Labor Executives' Association, 401 Third Street NW., Washington, D. C.

A. Alan T. Rains, 777 14th Street NW., Washington, D. C.
B. United Fresh Fruit and Vegetable Association, 777 14th Street NW., Washington, D. C.
E. (9) $261.04.

A. DeWitt C. Ramsey, 610 Shoreham Building, Washington, D. C.
B. Aircraft Industries Association of America, Inc., 610 Shoreham Building, Washington, D. C.

A. Donald J. Ramsey, 1612 I Street NW., Washington, D. C.
B. Silver Users Association, 1612 I Street NW., Washington, D. C.
D. (6) $4,250. E. (9) $540.37.

A. Sydney C. Reagan, 3840 Greenbrier, Dallas, Tex.
B. Southwestern Peanut Shellers Association, Box 48, Durant, Okla.
D. (6) $150.

A. Stanley Rector, Washington Hotel Suite 506, Washington, D. C.
B. Unemployment Benefit Advisors, Inc.
D. (6) $1,000.

A. Regular Common Carrier Conference of American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $11,021.73. E. (9) $11,021.73.

A. George L. Reid, Jr., 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $600. E. (9) $71.85.

A. George L. Reid, Jr., 1010 Vermont Avenue, Washington, D. C.
B. National Association of Wheat Growers, Imperial, Nebr.
D. (6) $750. E. (9) $110.17.

A. James Francis Reilly, 1625 K Street NW., Washington, D. C.
B. Potomac Electric Power Co., 929 E Street NW., Washington, D. C.
D. (6) $10,500. E. (9) $2,754.12.

A. Reserve Officers Association of the U. S., 2517 Connecticut Avenue NW., Washington, D. C.

A. Retired Officers Association, 1616 I Street NW., Washington, D. C.
D. (6) $39,795.05.

A. Retirement Federation of Civil Service Employees of the U. S. Government, 900 F Street NW., Washington, D. C.
D. (6) $8,301.80. E. (9) $7,403.28.

A. Thomas E. Rhodes, 219 Southern Building, Washington, D. C.
B. Sigfried Olsen, trading as Sigfried Olsen Shipping Co., 1 Drum Street, San Francisco, Calif.

A. Roland Rice, 618 Perpetual Building, Washington, D. C.
B. Regular Common Carrier Conference of American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $2,040.

A. Harry H. Rieck, Preston, Md.
B. National Association of Soil Conservation Districts, League City, Tex.
D. (6) $77.95. E. (9) $77.95.

A. Siert F. Riepma, Munsey Building, Washington, D. C.
B. National Association of Margarine Manufacturers, Munsey Building, Washington, D. C.

A. C. E. Rightor, 3300 Rolling Road, Chevy Chase, Md.
D. (6) $1,250.01. E. (9) $653.77.

A. George D. Riley, 815 16th Street NW., Washington, D. C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D. C.
D. (6) $2,899. E. (9) $722.76.

A. H. J. Ripp, 811 North 22d Street, Milwaukee, Wis.
B. Brotherhood of Railway and Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $1,506. E. (9) $1,213.65.

A. E. W. Rising, 1028 Connecticut Avenue NW., Washington, D. C.
B. Western Beet Growers Association, Post Office Box 742, Great Falls, Mont.
D. (6) $300. E. (9) $237.94.

A. William Neale Roach, 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $900.

A. Paul H. Robbins, 2029 K Street NW., Washington, D. C.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D. C.
D. (6) $250.

A. Frank L. Roberts, 1700 K Street NW., Washington, D. C.
B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.
D. (6) $250. E. (9) $100.

A. Charles A. Robinson, Jr., 2000 Florida Avenue NW., Washington, D. C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D. C.
D. (6) $100.

A. Edward O. Rodgers, 1107 16th Street NW., Washington, D. C.
B. Air Transport Association of America, 1107 16th Street NW., Washington, D. C.
D. (6) $1,250. E. (9) $167.40.

A. Philip J. Rodgers, 917 15th Street NW., Washington, D. C.

B. Western States Meat Packers' Association, Inc., 604 Mission Street, San Francisco, Calif.

D. (6) $2,500. E. (9) $260.80.

A. Frank W. Rogers, 1701 K Street NW., Washington, D. C.

B. Western Oil and Gas Association, 609 South Grand Avenue, Los Angeles, Calif.

D. (6) $4,201.75.

A. Watson Rogers, 1916 M Street NW., Washington, D. C.

B. National Food Brokers' Association, 1916 M Street NW., Washington, D. C.

D. (6) $1,000.

A. George B. Roscoe, 1200 18th Street NW., Washington, D. C.

B. National Electrical Contractors' Association, 1200 18th Street NW., Washington, D. C.

A. Roland H. Rowe, 409 Investment Building, Washington, D. C.

B. United States Wholesale Grocers' Association, Inc., 400 Investment Building, Washington, D. C.

A. Gerald E. Rowley, 466 Lexington Avenue, New York, N. Y.

B. Associated Railroads of New York State, 466 Lexington Avenue, New York, N. Y.

E. (9) $645.50.

A. Robert M. Ruddick, 738 Shoreham Building, Washington, D. C.

B. United Air Lines, 5959 South Cicero Avenue, Chicago, Ill.

A. Albert R. Russell, 1918 North Parkway, Memphis, Tenn.

B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.

D. (6) $195. E. (9) $444.68.

A. Francis M. Russell, 1625 K Street NW., Washington, D. C.

B. National Broadcasting Co., Inc., 1625 K Street NW., Washington, D. C., and affiliated companies.

A. Horace Russell, 221 North La Salle Street, Chicago, Ill.

B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.

D. (6) $4,375.

A. M. O. Ryan, 777 14th Street NW., Washington, D. C.

B. American Hotel Association, 221 West 57th Street, New York, N. Y.

D. (6) $3,750. E. (9) $274.05.

A. William H. Ryan, 1029 Vermont Avenue NW., Washington, D. C.

B. District Lodge, No. 44, International Association of Machinists, 1029 Vermont Avenue NW., Washington, D. C.

D. (6) $2,249.91. E. (9) $60.

A. Francis J. Ryley, 519 Title & Trust Building, Phoenix, Ariz.

B. General Petroleum Corp., Los Angeles; Richfield Oil Corp., Los Angeles; Shell Oil Co., San Francisco; Standard Oil Company of California, San Francisco; Tidewater Oil Co., San Francisco; Union Oil Co., Los Angeles.

A. Robert A. Saltzstein, 511 Wyatt Building, Washington, D. C.

B. Associated Business Publications, 205 East 42d Street, New York, N. Y.

D. (6) $4,250. E. (9) $430.39.

A. Robert A. Saltzstein, 511 Wyatt Building, Washington, D. C.

B. Smaller Magazines Postal Committee, Post Office Box 975, New Canaan, Conn.

D. (6) $1,250. E. (9) $208.73.

A. L. R. Sanford, 21 West Street, New York, N. Y.

B. Shipbuilders Council of America, 21 West Street, New York, N. Y.

A. Harrison Sasscer, 1201 16th Street NW., Washington, D. C.

B. Division of Legislation and Federal Relations of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.

D. (6) $527.50.

A. Satterlee, Warfield & Stephens, 460 Park Avenue, New York, N. Y.

B. American Nurses' Association, 2 Park Avenue, New York, N. Y.

D. (6) $2,000. E. (9) $142.73.

A. O. H. Saunders, 1616 I Street NW., Washington, D. C.

B. Retired Officers Association, 1616 I Street NW., Washington, D. C.

D. (6) $1,275.

A. R. E. Schanzer, Inc., 608-612 South Peters Street, New Orleans, La.

A. Schoene and Kramer, 1625 K Street NW., Washington, D. C.

B. Railway Labor Executives' Association, 401 Third Street NW., Washington, D. C.

E. (9) $1.

A. Durward Seals, 777 14th Street NW., Washington, D. C.

B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D. C.

A. Hollis M. Seavey, 532 Shoreham Building, Washington, D. C.

B. Clear Channel Broadcasting Service, 532 Shoreham Building, Washington, D. C.

A. James D. Secrest, 1721 De Sales Street NW., Washington, D. C.

B. Radio-Electronics-Television Manufacturers Association, 1721 De Sales Street NW., Washington, D. C.

A. Harry See, 401 Third Street NW., Washington, D. C.

B. Brotherhood of Railroad Trainmen.

E. (9) $94.41.

A. Leo Seybold, 1107 16th Street NW., Washington, D. C.

B. Air Transport Association of America, 1107 16th Street NW., Washington, D. C.

D. (6) $2,250. E. (9) $47.15.

A. P. L. Shackelford, 4545 Connecticut Avenue, Washington, D. C.

B. Sheet Metal Workers International Association, 642 Transportation Building, Washington, D. C.

D. (6) $600.

A. Alvin Shapiro, 1701 K Street NW., Washington, D. C.

B. American Merchant Marine Institute, Inc., 1701 K Street NW., Washington, D. C., and 11 Broadway, New York, N. Y.

D. (6) $1,068.75. E. (9) $253.89.

A. John H. Sharon, 224 Southern Building, Washington, D. C.

B. Cleary, Gottlieb, Friendly & Ball, 224 Southern Building, Washington, D. C.

A. Sharp & Bogan, 1108 16th Street NW., Washington, D. C.

B. Imported Hardwood Plywood Association, Inc., San Francisco, Calif.; Plywood Group, National Council of American Importers, New York, N. Y.; American Association of Hardwood Plywood Users, Washington, D. C.

D. (6) $1,500. E. (9) $1,603.47.

A. James R. Sharp, 1108 16th Street NW., Washington, D. C.

B. Imported Hardwood Plywood Association, Inc., San Francisco, Calif.; Plywood Group, National Council of American Importers, New York, N. Y.; American Association of Hardwood Plywood Users, Washington, D. C.

A. A. Manning Shaw, 1625 I Street NW., Washington, D. C.

B. Brown, Lund & Fitzgerald, 1625 I Street NW., Washington, D. C.

D. (6) $893.

A. Leander I. Shelley, 30 Broad Street, New York, N. Y.

B. American Association of Port Authorities, Washington, D. C., and Airport Operators Council, Washington, D. C.

D. (6) $1,633.33. E. (9) $263.08.

A. Bruce E. Shepherd, 488 Madison Avenue, New York, N. Y.

B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.

D. (6) $137.50.

A. W. Lee Shield, 1701 K Street NW., Washington, D. C.

B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.

D. (6) $460.24. E. (9) $10.75.

A. Richard C. Shipman.

B. The Farmers' Educational and Cooperation Union of America, 1404 New York Avenue NW., Washington, D. C.

D. (6) $720.80. E. (9) $71.35.

A. Robert L. Shortle, 801 International Building, New Orleans, La.

B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.

D. (6) $2,500. E. (9) $243.16.

A. Charles B. Shuman, Merchandise Mart Plaza, Chicago, Ill.

B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.

D. (6) $625.

A. Silver Users Association, 1612 I Street NW., Washington, D. C.

D. (6) $100. E. (9) $7,638.35.

A. Leonard L. Silverstein, 1100 Bowen Building, Washington, D. C.

B. National Association of Women's and Children's Apparel Salesmen, Inc., Atlanta, Ga.

A. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.

D. (6) $3,100. E. (9) $4,980.10.

A. W. E. Skinner, 401 Third Street NW., Washington, D. C.

B. Brotherhood of Railroad Trainmen.

A. Stephen Slipher, 812 Pennsylvania Building, Washington, D. C.

B. United States Savings and Loan League, 221 North La Salle Street, Chicago, Ill.

D. (6) $2,600. E. (9) $19.

A. Smaller Magazines Postal Committee, Post Office Box 975, New Canaan, Conn.

D. (6) $2,280. E. (9) $2,688.21.

A. **Elizabeth A. Smart**, 144 Constitution Avenue NE., Washington, D. C.
B. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
D. (6) $606.12. E. (9) $135.41.

A. T. W. Smiley, 1150 La Salle Hotel, Chicago, Ill.
B. Illinois Railroad Association, 33 South Clark Street, Chicago, Ill.
E. (9) $265.30.

A. Harold O. Smith, Jr., 400 Investment Building, Washington, D. C.
B. United States Wholesale Grocers' Association, Inc., 400 Investment Building, Washington, D. C.

A. James R. Smith, 719 Omaha National Bank Building, Omaha, Nebr.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.
D. (6) $3,750.

A. Lloyd W. Smith, 416 Shoreham Building, Washington, D. C.
B. Chicago, Burlington & Quincy Railroad Co., 547 West Jackson Boulevard, Chicago, Ill., and Great Northern Railway Co., 175 East Fourth Street, St. Paul, Minn.
D. (6) $3,962.

A. Wallace M. Smith, Pennsylvania Building, Washington, D. C.
B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.

A. Edward F. Snyder, 104 C Street NE., Washington, D. C.
B. Friends Committee on National Legislation, 104 C Street NE., Washington, D. C.
D. (6) $1,038.47.

A. J. D. Snyder, Room 1150, La Salle Hotel, Chicago, Ill.
B. Illinois Railroad Association, 33 South Clark Street, Chicago, Ill.
D. (6) $825.

A. Marvin J. Sonosky, 1028 Connecticut Avenue, NW., Washington, D. C.

A. J. Taylor Soop, 401 Third Street NW., Washington, D. C.
B. International Brotherhood of Electrical Workers, 330 South Wells Street, Chicago, Ill.
D. (6) $2,157.82.

A. W. Byron Sorrell, 1028 Connecticut Avenue, Washington, D. C.
B. Mobilehome Dealers National Association, 39 South La Salle Street, Chicago, Ill.
E. (9) $210.05.

A. Southern States Industrial Council, 1103 Stahlman Building, Nashville, Tenn.
D. (6) $18,293.18. E. (9) $24,725.82.

A. W. W. Spear, 214 Fremont National Bank Building, Fremont, Nebr.
B. Standard Oil Company, 910 South Michigan Avenue, Chicago, Ill.
D. (6) $4,000. E. (9) $1,800.38.

A. Lyndon Spencer, 305 Rockefeller Building, Cleveland, Ohio.
B. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. Spokesmen for Children, Inc., 19 East 92d Street, New York, N. Y.
D. (6) $316. E. (9) $184.

A. Thomas G. Stack, 1104 West 104th Place, Chicago, Ill.
B. National Railroad Pension Forum, Inc., 1104 West 104th Place, Chicago, Ill.
D. (6) $1,800. E. (9) $4,935.73.

A. Howard M. Starling, 837 Washington Building, Washington, D. C.
B. Association of Casualty and Surety Companies, 60 John Street, New York, N. Y.
D. (6) $150. E. (9) $18.75.

A. Mrs. Nell F. Stephens, Post Office Box 6234 Northwest Station, Washington, D. C.

A. Russell M. Stephens, 900 F Street NW., Washington, D. C.
B. American Federation of Technical Engineers, 900 F Street NW., Washington, D. C.
D. (6) $240. E. (9) $20.

A. Herman Sternstein, 1001 Connecticut Avenue NW., Washington, D. C.
B. O. David Zimring, 1001 Connecticut Avenue NW., Washington, D. C., and 11 South La Salle Street, Chicago 3, Ill.

A. B. H. Steuerwald, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Railroad Signalmen of America, 503 Wellington Avenue, Chicago, Ill.
D. (6) $230.

A. Stevenson, Paul, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. The American Textbook Publishers Institute, One Madison Avenue, New York, N. Y.
D. (6) $1,200. E. (9) $27.93.

A. Stevenson, Paul, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. Ampex Corp., Redwood City, Calif.
E. (9) $60.89.

A. Stevenson, Paul, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. N. R. Caine and Co., 40 Exchange Place, New York, N. Y.
E. (9) $56.96.

A. Stevenson, Paul, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. Howard F. Knipp, 3401 South Hanover Street, Baltimore, Md.

A. Stevenson, Paul, Rifkind, Wharton & Garrison, 1614 Eye Street NW., Washington, D. C.
B. National Committee for Insurance Taxation, The Hay-Adams House, Washington, D. C.
E. (9) $18.81.

A. Mrs. Alexander Stewart, 214 Second Street NE., Washington, D. C.
B. Women's International League for Peace and Freedom, 214 Second Street NE., Washington, D. C.
D. (6) $14,712.25. E. (9) $15,572.82.

A. Charles T. Stewart, 1300 Connecticut Avenue NW., Washington, D. C.
B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill.
D. (6) $1,450.

A. Erskine Stewart, 1028 Connecticut Avenue NW., Washington, D. C.
B. National Council on Business Mail, Inc., 1028 Connecticut Avenue NW., Washington, D. C.
E. (9) $20.95.

A. Edwin L. Stoll, 1300 Connecticut Avenue NW., Washington, D. C.
B. National Association of Real Estate Boards, 36 South Wabash Avenue, Chicago, Ill.
D. (6) $1,033.

A. H. A. Stoner, 224 Main Street, Osawatomie, Kans.
B. Brotherhood of Locomotive Firemen and Enginemen, 318 Keith Building, Cleveland, Ohio.
D. (6) $510.

A. W. S. Story, 1729 H Street NW., Washington, D. C.
B. Institute of Scrap Iron and Steel, Inc., 1729 H Street NW., Washington, D. C.
D. (6) $300. E. (9) $13.40.

A. Sterling F. Stoudenmire, Jr., 61 Saint Joseph Street, Mobile, Ala.
B. Waterman Steamship Corp., 61 Saint Joseph Street, Mobile, Ala.
D. (6) $1,250. E. (9) $223.46.

A. Francis W. Stover, 1000 Vermont Avenue NW., Washington, D. C.
B. Veterans of Foreign Wars of the United States.
D. (6) $1,437.50. E. (9) $59.50.

A. Paul A. Strachan, 1370 National Press Building, Washington, D. C.
B. American Federation of the Physically Handicapped, Inc., 1370 National Press Building, Washington, D. C.
E. (9) $25.

A. O. R. Strackbein, 815 15th Street NW., Washington, D. C.
B. America's Wage Earners' Protective Conference, 815 15th Street NW., Washington, D. C.
D. (6) $1,615.38.

A. O. R. Strackbein, Box 728, Indianapolis, Ind.
B. International Printing Trades Association, Box 728, Indianapolis, Ind.
D. (6) $625.

A. O. R. Strackbein, 815 15th Street NW., Washington, D. C.
B. Nation-Wide Committee of Industry, Agriculture, and Labor on Import-Export Policy, 815 15th Street NW., Washington, D. C.
D. (6) $5,000.

A. Strasser, Spiegelberg, Fried & Frank, 1700 K Street NW., Washington, D. C.
B. Blackfeet Tribe, Browning, Mont.

A. Strasser, Spiegelberg, Fried & Frank, 1700 K Street NW., Washington, D. C.
B. The Hualapai Tribe of the Hualapai Reservation, Peach Springs, Ariz.

A. Strasser, Spiegelberg, Fried & Frank, 1700 K Street NW., Washington, D. C.
B. The Nez Perce Tribe, Lapwai, Idaho.

A. Strasser, Spiegelberg, Fried & Frank, 1700 K Street NW., Washington, D. C.
B. The Oglala Sioux Tribe of the Pine Ridge Reservation, Pine Ridge, S. Dak.

A. Strasser, Spiegelberg, Fried & Frank, 1700 K Street NW., Washington, D. C.
B. Pueblo of Laguna, Laguna, N. Mex.

A. Strasser, Spiegelberg, Fried & Frank, 1700 K Street NW., Washington, D. C.
B. The San Carlos Apache Tribe, San Carlos, Ariz.

A. Norman Strunk, 221 North La Salle Street, Chicago, Ill.
B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
D. (6) $1,250.

A. Arthur Sturgis, Jr., 1145 19th Street NW., Washington, D. C.
B. American Retail Federation, 1145 19th Street NW., Washington, D. C.

A. J. B. Sturrock, Post Office Box 2084, Capitol Station, Austin, Tex.

B. Texas Water Conservation Association, Post Office Box 2084, Capitol Station, Austin, Tex.

D. (6) $1,800. E. (9) $1,166.52.

A. Joseph Monroe Sullivan, 1701 K Street NW., Washington, D. C.

B. Committee of American Steamship Lines, 1701 K Street NW., Washington, D. C.

D. (6) $450. E. (9) $83.48.

A. Frank L. Sundstrom, 350 Fifth Avenue, New York, N. Y.

B. Schenley Industries, Inc., 350 Fifth Avenue, New York City, N. Y.

A. Noble J. Swearingen, 1790 Broadway, New York, N. Y.

B. National Tuberculosis Association, 1790 Broadway, New York, N. Y.

D. (6) $200. E. (9) $170.36.

A. Glenn J. Talbott, 1575 Sherman Street, Denver, Colo.

B. The Farmers' Educational and Co-Operative Union of America, 1404 New York Avenue NW., Washington, D. C., and 1575 Sherman Street, Denver, Colo.

A. Dwight D. Taylor, Jr., 918 16th Street NW., Washington, D. C.

B. American Airlines, Inc., 918 16th Street NW., Washington, D. C.

D. (6) $3,000. E. (9) $524.18.

A. Edward D. Taylor, 777 14th Street NW., Washington, D. C.

B. Office Equipment Manufacturers' Institute, 777 14th Street NW., Washington, D. C.

A. Texas Water Conservation Association, 207 West 15th Street, Austin, Tex.

D. (6) $5,430. E. (9) $6,644.03.

A. J. Woodrow Thomas, 806 Connecticut Avenue NW., Washington, D. C.

B. Trans World Airlines, Inc., 10 Richards Road, Kansas City, Mo.

D. (6) $1,500. E. (9) $242.58.

A. Oliver A. Thomas, 125 North Center Street, Reno, Nev.

B. Nevada Railroad Association, 125 North Center Street, Reno, Nev.

D. (6) $350. E. (9) $1,179.95.

A. Chester C. Thompson, 1025 Connecticut Avenue NW., Washington, D. C.

B. The American Waterways Operators, Inc., 1025 Connecticut Avenue NW., Washington, D. C.

D. (6) $4,333.33. E. (9) $292.80.

A. Julia C. Thompson, 711 14th Street NW., Washington, D. C.

B. American Nurses' Association, Inc., 2 Park Avenue, New York, N. Y.

D. (6) $1,817.27.

A. Eugene M. Thoré, 1701 K Street NW., Washington, D. C.

B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.

D. (6) $2,296.25. E. (9) $28.09.

A. Richard A. Tilden, 441 Lexington Avenue, New York, N. Y.

B. R. E. Schanzer, Inc., 608-612 South Peters Street, New Orleans, La.

A. G. D. Tilghman, 1604 K Street NW., Washington, D. C.

B. Disabled Officers Association, 1604 K Street NW., Washington, D. C.

D. (6) $3,125.

A. E. W. Tinker, 122 East 42d Street, New York, N. Y.

B. American Paper and Pulp Association, 122 East 42d Street, New York, N. Y.

A. William H. Tinney, 1223 Pennsylvania Building, Washington, D. C.

B. The Pennsylvania Railroad Co., 6 Penn Center Plaza, Philadelphia, Pa.

A. M. S. Tisdale, 4200 Cathedral Avenue, Washington, D. C.

B. Armed Services Committee, Chamber of Commerce, Vallejo, Solano County, Calif.

D. (6) $295. E. (9) $255.43.

A. H. Willis Tobler, 1731 I Street NW., Washington, D. C.

B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.

D. (6) $2,418.75. E. (9) $188.34.

A. John H. Todd, 1085 Shrine Building, Memphis, Tenn.

B. National Cotton Compress and Cotton Warehouse Association, 1085 Shrine Building, Memphis, Tenn.

A. Harry L. Towe, 241 Main Street, Hackensack, N. J.

B. Associated Railroads of New Jersey, Pennsylvania Station, New York, N. Y.

D. (6) $3,000. E. (9) $335.15.

A. F. Gerald Toye, 777 14th Street NW., Washington, D. C.

B. General Electric Co., 570 Lexington Avenue, New York, N. Y.

D. (6) $770. E. (9) $272.05.

A. Transportation Association of America, 6 North Michigan Avenue, Chicago, Ill.

A. Matt Triggs, 425 13th Street NW., Washington, D. C.

B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.

D. (6) $1,500. E. (9) $59.22.

A. Glenwood S. Troop, Jr., 812 Pennsylvania Building, Washington, D. C.

B. United States Savings and Loan League, 221 North La Salle Street, Chicago, Ill.

D. (6) $1,250. E. (9) $16.

A. Paul T. Truitt, 1700 K Street NW., Washington, D. C.

B. National Plant Food Institute, 1700 K Street NW., Washington, D. C.

E. (9) $8.88.

A. Harold J. Turner, Henry Building, Portland, Oreg.

B. Spokane, Portland and Seattle Railway Co.; Southern Pacific Co.; Union Pacific Railroad Co., Henry Building, Portland, Oreg.

A. William S. Tyson, 736 Bowen Building, Washington, D. C.

B. Local No. 30, Canal Zone Pilots, Post Office Box 601, Balboa, C. Z.

D. (6) $4,000. E. (9) $217.10.

A. Union Producing Co., 1525 Fairfield Avenue, Shreveport, La., and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.

E. (9) $1,693.98.

A. United States Citizens' Association, Canal Zone, Box 354, Balboa, C. Z.

D. (6) $2,080. E. (9) $2,753.87.

A. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.

E. (9) $43,228.49.

A. L. R. Van Bibber, 1404 Walnut Street, Marysville, Kans.

B. Brotherhood of Locomotive Engineers, BLE Building, Cleveland, Ohio.

D. (6) $525.

A. Richard E. Vernor, 1701 K Street NW., Washington, D. C.

B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.

D. (6) $105.60. E. (9) $12.60.

A. Vegetable Growers Association of America, Inc., 528 Mills Building, Washington, D. C.

E. (9) $28.05.

A. Veterans of World War I of the U. S. A., Inc., 44 G Street NE., Washington, D. C.

E. (9) $1,622.46.

A. R. K. Vinson, 1346 Connecticut Avenue NW., Washington, D. C.

B. Machinery Dealers National Association, 1346 Connecticut Avenue NW., Washington, D. C.

A. Paul H. Walker, 1701 K Street NW., Washington, D. C.

B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.

D. (6) $162.50. E. (9) $1.45.

A. Woollen H. Walshe, 2800 Woodley Road NW., Washington, D. C.

B. Standard Oil Company of California, 1700 K Street NW., Washington, D. C.

D. (6) $518.16. E. (9) $178.85.

A. Stephen M. Walter, 1200 18th Street NW., Washington, D. C.

B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.

D. (6) $239.

A. Thomas G. Walters, 100 Indiana Avenue NW., Washington, D. C.

B. Government Employees' Council, 100 Indiana Avenue NW., Washington, D. C.

D. (6) $2,625.

A. Han Hong Wang, 157-16 20th Road, Whitestone, Long Island, N. Y.

A. Washington Board of Trade, 1616 K Street NW., Washington, D. C.

A. Washington Home Rule Committee, Inc., 924 14th Street NW., Washington, D. C.

D. (6) $2,899. E. (9) $2,778.89.

A. Vincent T. Wasilewski, 1771 N Street NW., Washington, D. C.

B. National Association of Radio and Television Broadcasters, 1771 N Street NW., Washington, D. C.

A. Waterways Council Opposed to Regulation Extension, 21 West Street, New York, N. Y.

D. (6) $2,126.25. E. (9) $97.04.

A. J. R. Watson, 1 I. C. R. R. Passenger Station, Jackson, Miss.

B. Mississippi Railroad Association, 1 I. C. R. R. Passenger Station, Jackson, Miss.

E. (9) $548.53.

A. Watters & Donovan, 161 William Street, New York City, N. Y.

B. New York and New Jersey Dry Dock Association, 161 William Street, New York City, N. Y.

D. (6) $3,750.

A. Hilary Waukau, Box 82, Neopit, Wis.

B. Menominee Tribe of Indians, Menominee Indian Agency, Keshena, Wis.

A. Lloyd W. Weaver, 401 Third Street NW., Washington, D. C.

B. Brotherhood of Railway Carmen of America, 4929 Main Street, Kansas City, Mo.

D. (9) $750.

A. William H. Webb, 1720 M Street NW., Washington, D. C.

B. National Rivers and Harbors Congress, 1720 M Street NW., Washington, D. C.

D. (6) $1,844.95. E. (9) $443.15.

A. E. E. Webster, 401 Third Street NW., Washington, D. C.

B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.

D. (6) $3,304.38.

A. Bernard Weitzer, 1712 New Hampshire Avenue NW., Washington, D. C.

B. Jewish War Veterans of the U. S. A., 1712 New Hampshire Avenue NW., Washington, D. C.

D. (6) $2,499.96. E. (9) $403.07.

A. Edward M. Welliver, 1424 16th Street NW., Washington, D. C.

B. American Trucking Association, Inc., 1424 16th Street NW., Washington, D. C.

D. (6) $1,140. E. (9) $125.

A. West Coast Inland Navigation District, Courthouse, Bradenton, Fla.

E. (9) $629.45.

A. Joseph T. West, 1 Salem Street, Houlton, Maine.

B. Brotherhood of Locomotive Firemen and Enginemen, 318 Keith Building, Cleveland, Ohio.

D. (6) $735.

A. Robert V. Westfall, 401 Third Street NW., Washington, D. C.

B. Brotherhood of Railroad Trainmen.

A. George Y. Wheeler II, 1625 K Street NW., Washington, D. C.

B. Radio Corporation of America, 1625 K Street NW., Washington, D. C.

A. Wheeler & Wheeler, 704 Southern Building, Washington, D. C.

B. Montana Power Co., Electric Building, Butte, Mont.

E. (9) $2.41.

A. Wheeler & Wheeler, 704 Southern Building, Washington, D. C.

B. Pacific Power & Light Co., Public Service Building, Portland, Oreg.

E. (9) $2.43.

A. Wheeler & Wheeler, 704 Southern Building, Washington, D. C.

B. Washington Water Power Co., Spokane, Wash.

E. (9) $2.41.

A. Wherry Housing Association, 1737 H Street NW., Washington, D. C.

B. Wherry Housing Association, 1737 H Street NW., Washington, D. C.

E. (9) $1,500.

A. Richard P. White, 635 Southern Building, Washington, D. C.

B. American Association of Nurserymen, 635 Southern Building, Washington, D. C.

D. (6) $3,375. E. (9) $82.78.

A. Whiteford, Hart, Carmody & Wilson, 815 15th Street NW., Washington, D. C.

B. The American Humane Association.

D. (6) $1,249.98.

A. Roger J. Whiteford, 815 15th Street NW., Washington, D. C.

B. Marian Diane Dalphine Sachs, Beckman Hotel, New York, N. Y., and Arthur Sachs, care of Moses & Singer, 29 Broadway, New York, N. Y.

D. (6) $250.

A. H. Leigh Whitelaw, 60 East 42d Street, New York, N. Y.

B. Gas Appliance Manufacturers Association, Inc., 60 East 42d Street, New York, N. Y.

A. Louis E. Whyte, 918 16th Street NW., Washington, D. C.

B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D. C.

A. Warren E. Whyte, 535 North Dearborn Street, Chicago, Ill.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (6) $1,125. E. (6) $38.59.

A. Claude C. Wild, Jr., 1625 K Street NW., Washington, D. C.

B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.

D. (6) $450. E. (9) $25.

A. Albert E. Wilkinson, 417 Investment Building, Washington, D. C.

B. The Anaconda Co., 616 Hennessy Building, Butte, Mont.

D. (6) $2,250.

A. Franz O. Willenbucher, 1616 I Street NW., Washington, D. C.

B. Retired Officers Association, 1616 I Street NW., Washington, D. C.

D. (6) $2,100.

A. Leon W. Williams, 2 Gouverneur Place, Bronx, New York, N. Y.

E. (9) $1.89.

A. John C. Williamson, 1300 Connecticut Avenue NW., Washington, D. C.

B. National Association of Real Estate Boards, 1300 Connecticut Avenue NW., Washington, D. C.

D. (6) $3,200. E. (9) $459.67.

A. Kenneth Williamson, Mills Building, Washington, D. C.

B. American Hospital Association, 18 East Division Street, Chicago, Ill.

D. (6) $2,568.87. E. (9) $293.26.

A. James L. Wilmeth, 3027 North Broad Street, Philadelphia, Pa.

B. The National Council of the Junior Order of United American Mechanics of the United States of North America.

D. (6) $50.16. E. (9) $50.16.

A. John J. Wilson, 815 15th Street NW., Washington, D. C.

B. Whiteford, Hart, Carmody & Wilson, 815 15th Street NW., Washington, D. C.

D. (6) $1,249.98.

A. W. E. Wilson, 1525 Fairfield Avenue, Shreveport, La.

B. Union Producing Co., 1525 Fairfield Avenue, Shreveport, La., and United Gas Pipe Line Co., 1525 Fairfield Avenue, Shreveport, La.

D. (6) $600. E. (9) $1,093.98.

A. Everett T. Winter, 1978 Railway Exchange Building, St. Louis, Mo.

B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.

D. (6) $4,125. E. (9) $495.47.

A. Theodore Wiprud, 1718 M Street NW., Washington, D. C.

B. The Medical Society of the District of Columbia, 1718 M Street NW., Washington, D. C.

A. Frank G. Wollney, 59 East Madison Street, Chicago, Ill.

B. Institute of American Poultry Industries, 59 East Madison Street, Chicago, Ill.

D. (6) $225.

A. Walter F. Woodul, 1828 Bank of Southwest Building, Houston, Tex.

B. Angelina & Neches River Railroad Co., Keltys, Tex., et al.

D. (6) $6,250.42. E. (9) $1,626.86.

A. Walter F. Woodul, 1828 Bank of Southwest Building, Houston, Tex.

B. Humble Oil & Refining Co., Houston, Tex.

D. (6) $1,805.91. E. (9) $2,079.54.

A. Albert Young Woodward, 1625 I Street NW., Washington, D. C.

B. Signal Oil & Gas Co., 811 West 7th Street, Los Angeles, Calif.

A. Frank K. Woolley, 425 13th Street NW., Washington, D. C.

B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.

D. (6) $1,662.50. E. (9) $49.38.

A. Edward W. Wootton, 1100 National Press Building, Washington, D. C.

B. Wine Institute, 717 Market Street, San Francisco, Calif.

A. Robert D. Yeomans, West 2301 Pacific Avenue, Spokane, Wash.

B. Washington Water Power Co., P. O. Box 1445, Spokane, Wash.

E. (9) $157.85.

A. Donald A. Young, 1615 H Street NW., Washington, D. C.

B. Chamber of Commerce of the U. S. A., 1615 H Street NW., Washington, D. C.

A. J. Banks Young, 1832 M Street NW., Washington, D. C.

B. National Cotton Council of America, Post Office Box 9905, Memphis, Tenn.

D. (6) $1,170. E. (9) $78.12.

A. William Zimmerman, Jr., 1700 K Street, NW., Washington, D. C.

B. Association on American Indian Affairs, Inc., 48 East 86th Street, New York, N. Y.

D. (6) $125. E. (9) $62.44.

A. O. David Zimring, 11 South LaSalle Street, Chicago, Ill., and 1001 Connecticut Avenue, NW., Washington, D. C.

B. Amalgamated Association of Street, Electric Railway and Motor Coach Employes of America.

REGISTRATIONS

The following registrations were submitted for the second calendar quarter 1957:

(NOTE.—The form used for registration is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE TWO COPIES WITH THE SECRETARY OF THE SENATE AND FILE THREE COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3" and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19______ ◀

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th

(Mark one square only)

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report.

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (a) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (b) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(a) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302 (e).

(b) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(c) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (a) Short titles of statutes and bills; (b) House and Senate numbers of bills, where known; (c) citations of statutes, where known; (d) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (a) Description, (b) quantity distributed; (c) date of distribution, (d) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed.)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report disregard this item "C 4" and fill out items "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◀

AFFIDAVIT

[Omitted in printing]

PAGE 1◀

A. Joseph P. Adams, Wyatt Building, Washington, D. C.

B. Association of Local and Territorial Airlines.

A. Howard R. Alexander, 106 North Main Street, Fon du Lac, Wis.

A. Association for the Best Use of Florida Lands, Inc., 614 Aledo Avenue, Coral Gables, Fla.

A. Association of Petroleum Re-Refiners, 1500 North Quincy Street, Arlington, Va.

A. Baker, McKenzie & Hightower, 901 Barr Building, Washington, D. C.

B. Club Managers' Association of America, 1028 Connecticut Avenue NW., Washington, D. C.

A. N. C. Banfield, 110 Seward Street, Juneau, Alaska.

B. Klukwan Iron Ore Corp., 110 Seward Street, Juneau, Alaska.

A. Richard B. Barker and Jay W. Glasmann, 306 Southern Building, Washington, D. C.

B. William Dzus, Box 185, Babylon, N. Y.

A. Rex M. S. Beach, 3900 16th Street NW., Washington, D. C.

B. Committee for Freedom of North Africa, Cairo, Egypt.

A. John J. Boland, 40 Wall Street, New York City, N. Y.

B. Merrill Lynch, Pierce, Fenner & Beane, 70 Pine Street, New York City, N. Y.

A. Fleming Bomar and Joseph E. McAndrews, 306 Southern Building, Washington, D. C.

B. American Automobile Association.

A. Wallace Mason Bradley, 1735 DeSales Street NW., Washington, D. C.

B. Committee for Competitive Television, 1735 DeSales Street NW., Washington, D. C.

A. Charles Bragman, 838 National Press Building, Washington, D. C.

B. M. F. Comer Bridge & Foundation Co., Care of T. D. Gray II, 901 Northwest 14th Court, Miami, Fla.

A. C. B. Brown, 401 Third Street NW., Washington, D. C.

B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.

A. Gordon L. Calvert, 425 13th Street NW., Washington, D. C.

B. Investment Bankers Association of America, 425 13th Street NW., Washington, D. C.

A. John T. Carlton, Fort Hunt Road, Box 217, R. F. D. 1, Alexandria, Va.

B. Reserve Officers Association of the United States, 2517 Connecticut Avenue NW., Washington, D. C.

A. Braxton B. Carr, 1025 Connecticut Avenue NW., Washington, D. C.

B. American Waterways Operators, Inc., 1025 Connecticut Avenue NW., Washington, D. C.

A. William L. Carter, 1105 Barr Building, Washington, D. C.

B. International Association of Ice Cream Manufacturers, 1105 Barr Building, Washington, D. C.

A. Justice N. Chambers, 2521 Connecticut Avenue NW., Washington, D. C.

B. The Great Eastern Shipping Co., Ltd., 14 Jumskedji Tata Road, Bombay, India.

A. Ernest W. Clausen, 401 Third Street NW., Washington, D. C.

B. Brotherhood of Locomotive Firemen and Enginemen, 318 Keith Building, Cleveland, Ohio.

A. Joseph Coakley, 815 16th Street NW., Washington, D. C.

B. Building Service Employees International Union, 155 North Wacker Drive, Chicago, Ill.

A. Coles & Goertner, 813 Washington Building, Washington, D. C.

B. Detroit Atlantic Navigation Corp., 3050 Guardian Building, Detroit, Mich.

A. M. F. Comer Bridge & Foundation Co., care of T. D. Gray II, 901 NW. 14th Court, Miami, Fla.

A. Bernard J. Conway, 222 East Superior Street, Chicago, Ill.

B. American Dental Association.

A. Arthur J. Cunningham, 401 Third Street NW., Washington, D. C.

B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.

A. John T. Curran, 815 16th Street NW., Washington, D. C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D. C.

A. Charles L. Cusumano, 42 Broadway, New York, N. Y.

B. Vincenzo Buttaro, 64 Nelson Street, Brooklyn, N. Y., and Miss Domenica Buttaro, Via Zuccharino No. 76, Mola de Bari, Province of Bari, Italy.

A. Charles L. Cusumano, 42 Broadway, New York, N. Y.

B. Dr. Kuo-York Chynn, 235 West 75th Street, New York, N. Y.

A. Josephus Daniels, 261 Constitution Avenue NW., Washington, D. C.

B. United World Federalists, Inc., 179 Allyn Street, Hartford, Conn.

A. John C. Datt, 425 13th Street NW., Washington, D. C.

B. American Farm Bureau Federation, 2300 Merchandise Mart, Chicago, Ill.

A. Mrs. Opal D. David, 718 Jackson Place NW., Washington, D. C.

B. Citizens Committee on the Fair Labor Standards Act of the National Consumers League, 718 Jackson Place NW., Washington, D. C.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.

B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. Joseph B. Davis, M. D., 1523 L Street NW., Washington, D. C.

B. American Medical Association, 535 Dearborn Street, Chicago, Ill.

A. Detroit Atlantic Navigation Corp., 3050 Guardian Building, Detroit, Mich.

A. Stephen F. Dunn, 918 16th Street NW., Washington, D. C.

B. National Association of Manufacturers, 2 East 48th Street, New York, N. Y.

A. Dwight, Royall, Harris, Koegel & Caskey, Wire Building, Washington, D. C.

B. Monsanto Chemical Co., World Center Building, Washington, D. C.

A. Joseph L. Dwyer, 5863 Chevy Chase Parkway, Washington, D. C.

B. Contract Carriers Conference, American Trucking Association, 1424 16th Street NW., Washington, D. C.

A. Joseph W. Dye, 527 Madison Avenue, New York, N. Y.

B. Renault, Inc., 425 Park Avenue, New York, N. Y.

A. Walter E. Doherty, Jr., 1 State Street, Boston, Mass.

B. Carpet Institute, Inc., Empire State Building, New York, N. Y.

A. Mortimer B. Doyle, 1319 18th Street NW., Washington, D. C.

B. National Lumber Manufacturers Association, 1319 18th Street NW., Washington, D. C.

A. John H. Eisenhart, Jr., 1025 Connecticut Avenue NW., Washington, D. C.

B. American Waterways Operators, Inc., 1025 Connecticut Avenue NW., Washington, D. C.

A. Harold E. Fellows, 1771 N Street NW., Washington, D. C.

B. National Association of Radio and Television Broadcasters, 1771 N Street NW., Washington, D. C.

A. First United Corp., 80 Wall Street, New York, N. Y.

A. Clyde L. Flynn, Jr., Elizabethtown, Ill.

B. Independent Fluorspar Producers Association, Rosiclare, Ill.

A. W. Robert Fokes, 400–402 Midyette-Moor Building, Tallahassee, Fla.

B. Florida Railroad Association, 400–402 Midyette-Moor Building, Tallahassee, Fla.

A. Allie Frechette, Neopit, Wis.

B. Menominee Tribe of Indians, Menominee Indian Agency, Keshena, Wis.

A. James G. Frechette, Keshena, Shawano County, Wis.

B. Menominee Tribe of Indians, Menominee Indian Agency, Keshena, Wis.

A. Gordon H. Garland, 300 Montgomery Street, Sacramento, Calif.

B. Westhaven Farmers Association, J. G. Boswell Co., Salyer Land Co., Salyer Grain & Milling Co., Salyer Irrigation District, Corcoran, Calif.

A. General Federation of Women's Clubs, 1734 N Street NW., Washington, D. C.

A. Douglas L. Hatch, 715 Cafritz Building, Washington, D. C.

B. Tungsten Mining Corp., Henderson, N. C.

A. Alan S. Hays, 527 Madison Avenue, New York, N. Y.

B. Renault, Inc., 425 Park Avenue, New York, N. Y.

A. Hedrick & Lane, 1001 Connecticut Avenue NW., Washington, D. C.

B. Boston & Maine Railroad Co., 150 Causeway Street, Boston, Mass.

A. Hedrick & Lane, 1001 Connecticut Avenue NW., Washington, D. C.

B. Motorola, Inc., 4545 Augusta Boulevard, Chicago, Ill.

A. Charles H. Heltzel, 1700 K Street NW., Washington, D. C.

B. Pacific Power & Light Co., Public Service Building, Portland, Oreg.

A. Harry B. Hollins III, 1040 Park Avenue, New York, N. Y.
B. United World Federalists, Inc., 179 Allya Street, Hartford, Conn.

A. Richard C. Holmquist, 777 14th Street NW., Washington, D. C.
B. General Electric Co., 570 Lexington Avenue, New York, N. Y.

A. C. N. Hope, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Railroad Trainmen.

A. Lawrence W. Horning, 1010 Pennsylvania Building, Washington, D. C.
B. New York Central Railroad Co., 466 Lexington Avenue, New York, N. Y.

A. S. H. Howard, 1414 Evergreen Avenue, Millvale, Pittsburgh, Pa.
B. Brotherhood of Railroad Signalmen of America, 503 Wellington Avenue, Chicago, Ill.

A. Suzanne Hughes, 1607 West Exchange Street, Akron, Ohio.

A. William J. Hull, 1625 I Street NW., Washington, D. C.
B. Ashland Oil & Refining Co., 1409 Winchester Avenue, Ashland, Ky.

A. William J. Hull, 1625 I Street NW., Washington, D. C.
B. Ohio Valley Improvement Association, Inc.

A. John L. Ingoldsby, Jr., 201 World Center Building, Washington, D. C.
B. Societe Commerciale Antoine Vloeberghs, S. A., 209 Avenue D'Italie, Anvers, Belgium.

A. Edwin C. Johnson, 1135 Grant Street, Denver, Colo.
B. Committee for Oil Shale Development, 1036 Grant Street, Denver, Colo.

A. Max M. Kampelman, 1700 K Street NW., Washington, D. C.
B. Lipschultz, Altman, Geraghty & Mulally, 530 Minnesota Building, St. Paul, Minn.

A. Kimon T. Karabatsos, 1145 19th Street NW., Washington, D. C.
B. National Agricultural Chemicals Association, 1145 19th Street NW., Washington, D. C.

A. Kenneth C. Kellar, Lead, S. Dak.
B. Homestake Mining Co., Lead, S. Dak.

A. W. A. Key, 401 North Hayes Avenue, Jackson, Tenn.
B. Order of Railway Conductors and Brakemen, Cedar Rapids, Iowa.

A. Harry L. Kingman, 200 C Street SE., Washington, D. C.

A. Richard S. Kitchen, 320 Equitable Building, Denver, Colo.
B. Committee for Oil Shale Development, 1036 Grant Street, Denver, Colo.

A. W. H. Kittrell, Commercial Building, Dallas, Tex.
B. Wintershall A. G., Kassell, Germany, and Salzdetfurth A. G., Bad Salzdetfurth, Germany.

A. Julius Klein Public Relations, 1039 National Press Building, Washington, D. C.
B. Schenley Industries, Inc., 350 Fifth Avenue, New York, N. Y.

A. Klukwan Iron Ore Corp., 110 Seward Street, Juneau, Alaska.

A. Randall J. Le Boeuf, Jr., 15 Broad Street, New York, N. Y.
B. Consolidated Edison Company of New York., Inc., 4 Irving Place, New York, N. Y.

A. Charles B. Lipsen, 261 Constitution Avenue NW., Washington, D. C.
B. Direct Mail Advertising Association, 3 East 57th Street, New York, N. Y.

A. Walter J. Little, 944 Transportation Building, Washington, D. C.
B. Association of American Railroads, 944 Transportation Building, Washington, D. C.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Regular Common Carrier Conference, 1424 16th Street NW., Washington, D. C.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Republic of Panama, Panamá, Panama.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Joseph E. Seagram & Sons, Inc., 405 Lexington Avenue, New York, N. Y.

A. Scott W. Lucas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Western Medical Corp., 415–423 West Pershing Road, Chicago, Ill.

A. Charlton H. Lyons, Sr., 1500 Beck Building, Shreveport, La.

A. William D. McAdams, 1121 Arlington Boulevard, Arlington, Va.
B. American Meat Institute, 59 East Van Buren Street, Chicago, Ill.

A. J. A. McCallam, 1507 M Street NW., Washington, D. C.
B. American Veterinary Medical Association.

A. Clarence A. McGillen, Jr., 8654 Piney Branch Road, Silver Spring, Md.
B. Parcel Post Association, 925 15th Street NW., Washington, D. C.

A. Robert H. McNeill, 815 15th Street NW., Washington, D. C.
B. Western Tax Council, Inc., 38 South Dearborn Street, Chicago, Ill.

A. John H. Mahoney, 80 Broad Street, New York, N. Y.
B. Seaboard & Western Airlines, Inc., 80 Broad Street, New York, N. Y.

A. MacArthur H. Manchester, 2517 Connecticut Avenue NW., Washington, D. C.
B. Reserve Officers Association of the United States, 2517 Connecticut Avenue NW., Washington, D. C.

A. John J. Marr, 401 Third Street NW., Washington, D. C.
B. The Order of Railroad Telegraphers, 3860 Lindell Boulevard, St. Louis, Mo.

A. J. Paull Marshall, 944 Transportation Building, Washington, D. C.
B. Association of American Railroads, 944 Transportation Building, Washington, D. C.

A. David Mathews, Jr., 345 Fourth Avenue, Pittsburgh, Pa.
B. The Pittsburgh Coal Exchange, 345 Fourth Avenue, Pittsburgh, Pa.

A. Metropolitan Businessmen's Association, 1511 K Street NW., Washington, D. C.

A. Louis J. Michot, Jr., 1107 16th Street NW., Washington, D. C.
B. Air Transport Association of America, 1107 16th Street NW., Washington, D. C.

A. Miller & Chevalier, 1001 Connecticut Avenue, Washington, D. C.
B. Amherst College, Amherst, Mass., and Deerfield Academy, Deerfield, Mass.

A. Harold C. Miller, 1001 Connecticut Avenue NW., Washington, D. C.
B. American Society Composers, Authors, and Publishers, 575 Madison Avenue, New York City, N. Y.

A. Harold C. Miller, 1001 Connecticut Avenue NW., Washington, D. C.
B. World-Wide Broadcasting System, Inc., New York City, N. Y.

A Seymour S. Mintz, 810 Colorado Building, Washington, D. C.
B. Tennessee Products and Chemical Corporation, Nashville, Tenn.

A. Morison, Murphy, Clapp & Abrams, the Pennsylvania Building, Washington, D. C.
B. Lewis, Field, DeGoff and Stein, DeYoung Building, San Francisco, Calif.

A. H. S. Mosebrook, 220 East 42d Street, New York, N. Y.
B. American Pulpwood Association, 220 East 42d Street, New York, N. Y.

A. Clarence S. Moses, 1900 Euclid Building, Cleveland, Ohio.
B. National Optical Association, 1900 Euclid Building, Cleveland, Ohio.

A. National Counsel Associates, 211 Wyatt Building, Washington, D. C.
B. Indpendent Airlines Association, Washington, D. C.; city of Philadelphia, Philadelphia, Pa.; Association of First Class Mailers, New York, N. Y.

A. Joseph A. Noone, 1145 19th Street NW., Washington, D. C.
B. National Agricultural Chemicals Association, 1145 19th Street NW., Washington, D. C.

A. N. C. Northcutt, 110 Highland Road, Fort Mitchell, Covington, Ky.
B. Brotherhood of Locomotive Firemen and Enginemen, 318 Keith Building, Cleveland, Ohio.

A. Novins & Novins, 10 Washington Street, Toms River, N. J.
B. United States Poultry and Egg Association.

A. R. E. O'Connor, 122 East 42d Street, New York, N. Y.
B. American Paper and Pulp Association, 122 East 42d Street, New York, N. Y.

A. John A. O'Donnell, 1025 Connecticut Avenue NW., Washington, D. C.
B. Lineas Tres M., Vallarta 1, Mexico, D. F.

A. Eugene O'Dunne, Jr., Southern Building, Washington, D. C.
B. Renault, Inc., 425 Park Avenue, New York, N. Y.

A. Edwin F. Padberg, 1223 Pennsylvania Building, Washington, D. C.
B. The Pennsylvania Railroad Co., Six Penn Center Plaza, Philadelphia, Pa.

A. Everett L. Palmer, 901 Hamilton Street, Allentown, Pa.
B. Pennsylvania Power & Light Co., 901 Hamilton Street, Allentown, Pa.

A. Iris V. Peterson, 4201 Massachusetts Avenue NW., Washington, D. C.
B. Air Line Stewards and Stewardesses Association, 55th and Cicero Avenue, Chicago, Ill.

A. Rufus G. Poole, Simms Building, Albuquerque, N. Mex.

A. George L. Reid, Jr., Post Office Box 381, Washington, D. C.
B. Organization of Professional Employees of the United States Department of Agriculture, Post Office Box 381, Washington, D. C.

A. John Arthur Reynolds, 653 Cortland, Fresno, Calif.
B. Western Cotton Growers Association, 2201 F Street, Bakersfield, Calif.

A. James W. Robinson, 173 West Madison Street, Chicago, Ill.
B. American Corn Millers Federation, 173 West Madison Street, Chicago, Ill.

A. Maurice Rosenblatt, 316 A Street NE., Washington, D. C.
B. National Counsel Associates, 211 Wyatt Building, Washington, D. C.

A. Harry N. Rosenfield, 1735 DeSales Street NW., Washington, D. C.
B. American Society of Safety Engineers, 425 North Michigan Avenue, Chicago, Ill.

A. Francis J. Ryley, 519 Title and Trust Building, Phoenix, Ariz.
B. General Petroleum Corp., Los Angeles; Richfield Oil Corp., Los Angeles; Shell Oil Co., San Francisco; Standard Oil Company of California, San Francisco; Tidewater Oil Co., San Francisco; Union Oil Co., Los Angeles, Calif.

A. John L. Schroeder, 1511 K Street NW., Washington, D. C.
B. Metropolitan Business Men's Association, 1511 K Street NW., Washington, D. C.

A. Hilliard Schulberg, 211 Southern Building, Washington, D. C.
B. Washington, D. C., Retail Liquor Dealers Association, Inc., 211 Southern Building, Washington, D. C.

A. C. E. Schwab, Box 29, Kellogg, Idaho.
B. Emergency Lead-Zinc Committee, Shoreham Hotel, Washington, D. C.

A. Stephen M. Schwebel, 14 Wall Street, New York, N. Y.
B. Denbel Realty & Construction Co., Inc., 1790 Broadway, New York, N. Y.

A. Seaboard & Western Airlines, Inc., 80 Broad Street, New York, N. Y.

A. Donald H. Sharp, 195 Broadway, New York, N. Y., and 1001 Connecticut Avenue NW., Washington, D. C.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N. Y.

A. M. Q. Sharpe, Kennebec, S. Dak.
B. Crow Creek Sioux Tribe of Indians, Pierre Agency, Pierre, S. Dak.; Standing Rock Sioux Tribe of Indians, Fort Yates, N. Dak.

A. George T. Slocum, 815 16th Street NW., Washington, D. C.
B. International Association of Fire Fighters, 815 16th Street NW., Washington, D. C.

A. Verne W. Smith, 401 Third Street NW., Washington, D. C.
B. Railroad Yardmasters of America, 537 South Dearborn, Chicago, Ill.

A. Stevenson, Paul, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. Howard F. Knipp, 3401 South Hanover Street, Baltimore, Md.

A. H. A. Stoner, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Locomotive Firemen and Enginemen, 318 Keith Building, Cleveland, Ohio.

A. William L. Sturdevant, Jr., 8300 Burdette Road, Bethesda, Md.
B. National Counsel Associates, 211 Wyatt Building, Washington, D. C.

A. Clarence D. Todd, 1825 Jefferson Place NW., Washington, D. C.
B. Contract Carrier Conference, American Trucking Association, 1424 16th Street NW., Washington, D. C.

A. Trustees for Conservation, 251 Kearney Street, San Francisco, Calif.

A. Warren L. Turner, First National Bank Building, Grand Junction, Colo.
B. Committee for Oil Shale Development, 1036 Grant Street, Denver, Colo.

A. United World Federalists, Inc., 125 Broad Street, New York, N. Y.

A. Universal Research & Consultants, Inc., 221 Dupont Circle Building, Washington, D. C.
B. Republic of Cuba, Post Office Box 1383, Habana, Cuba; Embassy of Venezuela, 2445 Massachusetts Avenue, NW., Washington, D. C.; Arab States Delegation, 120 East 56th Street, New York, N. Y.

A. L. R. Van Bibber, 401 Third Street NW., Washington, D. C.
B. Brotherhood of Locomotive Engineers, Engineers' Building, Cleveland, Ohio.

A. Charles A. Washer, 1145 19th Street NW., Washington, D. C.
B. American Retail Federation, 1145 19th Street NW., Washington, D. C.

A. Hilary Waukau, Box 82, Neopit, Wis.
B. Menominee Tribe of Indians, Menominee Indian Agency, Keshena, Wis.

A. Weaver & Glassie, 1225 19th Street NW., Washington, D. C.
B. Eastern Meat Packers Association, Statler Hotel, New York, N. Y.

A. Weaver & Glassie, 1225 19th Street, NW., Washington, D. C.
B. The National Independent Meat Packers Association, 740 11th Street NW., Washington, D. C.

A. Gene T. West, 1424 16th Street NW., Washington, D. C.
B. Munitions Carriers Conference, 1424 16th Street NW., Washington, D. C.

A. W. F. Wimberly, 873 Spring Street NW., Atlanta, Ga.
B. Pure Oil Co., 35 East Wacker Drive, Chicago, Ill.

A. Marjorie M. Wise, 1310 Leyden Street, Denver, Colo.
B. Committee for Oil Shale Development, 1036 Grant Street, Denver, Colo.

A. V. T. Worthington, 1500 North Quincy Street, Arlington, Va.
B. Association of Petroleum Re-Refiners, 1500 North Quincy Street, Arlington, Va.

A. Howard Zahniser, 6222 43d Avenue, Hyattsville, Md.
B. Trustees for Conservation, 251 Kearney Street, San Francisco, Calif.

EXTENSIONS OF REMARKS

A Word of Appreciation to Army Legislative Liaison

EXTENSION OF REMARKS
OF
HON. ELMER J. HOLLAND
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 22, 1957

Mr. HOLLAND. Mr. Speaker, as this first session of the 85th Congress draws to a close, it is only fitting and proper that we look about and thank those agencies and persons in the Government who have helped us discharge our obligations and responsibilities, as Members of Congress, to our individual constituents, to our districts, and to the Nation.

In the forefront of these alert and responsive people are the personnel of the Army legislation liaison, under the able leadership of Maj. Gen. J. H. "Mike" Michaelis and Col. Donald "Sandy" MacGrain. They have with them as fine a staff of intelligent and cooperative young men, as, I am sure, the Army can assemble. The results are self-evident. We, the Members of Congress, can call for Army liaison no matter what the situation and be assured of a correct, prompt, and courteous response. If we need an officer by our side to meet with visitors to our office, we can be sure they will be there and tide us over smoothly and smartly.

Many of my colleagues have expressed these same sentiments on many occasions. I feel that they should be officially and properly reflected in the RECORD before we adjourn so that there will be some tangible evidence of our appreciation for Army liaison's fine work in behalf of us all.

Equal Rights Amendment

EXTENSION OF REMARKS
OF
HON. CHARLES S. GUBSER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 22, 1957

Mr. GUBSER. Mr. Speaker, on July 19 several Members spoke in favor of the equal-rights amendment. I regret that

I was unable to participate in the discussion at that time and under leave to express my remarks would like to again reiterate my unqualified support for an equal-rights amendment.

One argument against the equal-rights amendment on which great stress is laid by opponents is that the passage of the amendment would cause endless confusion and litigation. Our whole history refutes such fear.

We have always believed that a bad law should be changed in the interest of freedom, liberty, and democracy. The equal-rights amendment to the Constitution would not be accomplished in a day, and every State would have time to amend her own laws before the amendment actually went into effect.

Of course there would be litigation, for every new law is subjected to litigation necessary to establish its constitutionality, interpretation, and application to our lives. Why should fear of changing laws prevent passage of the equal-rights amendment granting full citizenship to more than half our population?

I sincerely hope that Congress will recognize its responsibility and cause early passage of the equal-rights amendment.

Do-Nothing Congress

EXTENSION OF REMARKS

OF

HON. WILL E. NEAL

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 22, 1957

Mr. NEAL. Mr. Speaker, if the 1st session of the 85th Congress deserves this sobriquet, it can be construed to mean the public will be the principal beneficiary.

It is true that the main efforts of this session have been directed toward making appropriations for domestic activities, Defense Establishment, and various programs of aid to foreign nations. Aside from attention to civil rights, no other major legislation of far-reaching effect on the national economy has been approved. This is a good omen. Congress for many years has been besieged by minority groups seeking legislation designed to relieve or materially benefit their special problems, resulting in added administrative agencies and a maze of Government intrusion into the affairs of helpless citizens.

The immediate result has been big government, heavy taxation, overgrown budgets, and inflation, to say nothing of the tendency to encourage evasions and dishonesty on the part of many citizens.

The average citizen no longer enjoys the freedom to engage in any enterprise without first employing an attorney to explore the possibilities of defeat or failure through the application of some public law. The prohibitions imposed by laws enacted and presently on the statute books are contributing more and more to discourage initiative, not only individual, but corporate. There is just too much law interfering with the proverbial freedom of progressive minded individuals and groups who up to now have succeeded in making America the outstanding creative Nation of the world.

Reviewing our international relations during the past decade reveals less than satisfactory success in challenging Communist influence in many parts of the Old World. It approaches the point of alarm when we see the trends in areas of our own hemisphere, the Caribbean, Central and South America, becoming more and more tolerant to the guiles of communism. Congress and the administration should manifest more direct concern for the stabilization of governments in these areas where our influence offers more assurance of creating and maintaining democratic strength to oppose the Communist threat through our back doors. The Old World has been the seat of power struggle during all history and we see no visible reason to expect anything different in the future. It is not to be expected that in the usual course of human experience, Russian communism can succeed in holding so many divisive peoples under her yoke for long.

The spirit of national freedom initiated in our Declaration of Independence and frequently enunciated through all our international contacts, has become altogether too strong among the smaller free nations to permit foreign domination and mass enslavement.

American democracy can be the instrument through which Communist philosophy will cease to appeal to civilized people, provided we discard our fears of Russian strength, unite and solidify the forces of our continental neighbors, and return to a national policy of economy, thrift, less exorbitant taxation, and a sound dollar of consistent value. A strong America of determined people need entertain no fear of Old World supremacy.

A Visit to the Dominican Republic, the Land Columbus Loved

EXTENSION OF REMARKS

OF

HON. GEORGE S. LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 22, 1957

Mr. LONG. Mr. Speaker, I have just returned from a week's visit to the Dominican Republic on the island of Hispaniola, in the Caribbean Sea.

Mrs. Long and I had a delightful visit to the Dominican Republic, where we attended the festivities in celebration of the inauguration of Gen. Hector Trujillo Molina as President. We returned from 6 days in the island Republic, filled with pleasant impressions of the graciousness of the people and the beauty of the country.

We were welcomed at the General Andrews Airport by Dr. Alvaro Logrono Batlle, Minister and Assistant Chief of the Protocol Division; United States Ambassador Joseph S. Farland, Otto Vega, official in the President's chancery, and by Deputies Marino Caceres, Wenceslao Troncoso Sanchez, and Arturo Caventy, accompanied by their wives Isabel Troncoso de Caceras, Rosa de Troncoso, and Marisa Thomen de Calventy. We enjoyed our reservations at the Ambassador Hotel, and have only praise for its comforts and superb service.

At the inaugural parade, we were privileged to have a seat along with delegates from 42 other countries. The parade itself was colorful and entertaining. The generalissimo wore a cream-colored uniform with a dark blue cap and neckband, braided with gold. Major units in the parade were drawn from the army, navy, air force, and national guard. For 3 hours we watched the well-trained and equipped units display their precision marching, and the air force put on an outstanding performance with Vampire jets.

Ciudad Trujillo is a lovely place. It is extremely clean and is dotted with magnificently landscaped parks. Avenida George Washington, named for our own first President, extends for miles along the seacoast and is lined with tall graceful palms, making it one of the most beautiful drives in the world. The obelisk in its path is reminiscent of our own Washington Monument.

Mrs. Long and I visited stores and found that they were well stocked and people were shopping much as they do here in the United States. We also visited many offices and businesses.

Outside the city, it was our pleasure to view several of the nicely kept sugar plantations and fruit farms. We saw the people industriously at work in their fields and around the sugar refineries, which were preparing to be opened for the new season.

The climax of our visit came on Friday night at a dance at the national palace, honoring the generalissimo and his brother, the President. It was most inspiring to see how the people who assembled there loved their officers, and to see the high regard these officers have for the people.

Both the generalissimo and President Hector Trujillo remained until the dance was over—in fact, I am sure the generalissimo remained until 1:30 in the morning. It was really admirable to see the way in which he remained as friendly and gracious at the end of the dance as he had been at the beginning of the ceremonies, although he had had more than 6 days' strenuous activity, attending dances, receptions, reviewing the Army, Navy, and Air Force.

Everyone with whom we had contact voted the officials of the Dominican Republic most gracious hosts. I would like to add my own and Mrs. Long's vote of thanks for the many Dominican kindnesses that made our visit to the land Columbus loved so memorable an occasion, and to extend our best wishes for the continued well-being and prosperity of the Dominican people under the skillful administration of President Trujillo.

I felt that my friends will be glad to have this report of my visit to the Dominican Republic.

Henceforth when I have occasion to speak about our great friend and ally, the Christian Dominican Republic, I can assure my colleagues that I will be able to speak with the authority gained from first-hand investigation—not from facts gained by hearsay, or even upon the advice of the experts on the Caribbean who are always available to me.

Memorial for Those Lost on U. S. S. Arizona

EXTENSION OF REMARKS
OF

HON. OVERTON BROOKS

OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 22, 1957

Mr. BROOKS of Louisiana. Mr. Speaker, on August 19, 1957, H. R. 5809 came before the House and was passed by unanimous consent. This is a measure introduced by my able colleague, the delegate from Hawaii, Mr. Burns, and has for its purpose the construction of a memorial to the memory of those who lost their lives on December 7, 1941, in the sinking of the U. S. S. *Arizona*. I am proud of the fact that I was chairman of the subcommittee which heard testimony on this measure and which piloted it through the Congress. I am honored that I was permitted to help shepherd the measure through the House on August 19, 1957.

Mr. Speaker, on December 7, 1941, there were 1,473 men and officers serving aboard the U. S. S. *Arizona*. Of this total complement, 1,157 were declared dead or missing as a result of this most treacherous attack on December 7, 1941, which day President Roosevelt declared to be a day dedicated to infamy. One hundred and sixty-one bodies were accounted for following the dastardly attack on Pearl Harbor; but, today, the final remains of 996 American boys are still entombed in the hull of the U. S. S. *Arizona*. This ship, by decree of this Government, is the final resting place of almost 1,000 American men wearing the uniform of the United States Navy; and if there is a hallowed place on earth, this surely is the place.

My home State of Louisiana paid a fearful price when the losses of that black December day are added up. My State lost 24 young men who came from all parts of the State, one of them being from my home city of Shreveport; and the bodies of these men lie today entombed in this sunken ship. Their names and home addresses are: Achilles Arnaud, Arnaudville, La.; Claude Duran Arnold, Jr., Lake Charles, La.; Wilburn James Ashmore, Elizabeth, La.; Miller Xavier Aydell, French Settlement, La.; Malcolm Clark, Pollock, La.; John Quitman Davis, Tangipahoa, La.; Louis Felix Ducrest, Broussard, La.; Charles Donald Frederick, Albeville, La.; Ivan Joseph Huval, Folsom, La.; Floyd Baxter Jones, Shreveport, La.; Joseph McNeil Legros, Norse, La.; Jessie Huall Murphy, New Orleans, La.; "J" "D" Naylor, DeRidder, La.; Amos Paul Pace, Robert Leo Pritchett, Jr., New Orleans, La.; Wilburn Carle Roberts, Pollock, La.; William Edison Stoddard, Vinton, La.; Robert Tyson, Oak Grove, La.; John William Whitaker, Jr., Pollock, La.; Adrian Delton Williams, Gonzales, La.; Robert Kenneth Willis, Jr., Pineville, La.; Vernon Wesley Woods, Springhill, La.; Thomas Raymond Jones, Tallulah, La.; Walter Samuel Savage, Jr., Monroe, La.

A number of years ago, Mr. Speaker, I had the privilege of visiting Pearl Harbor and going by harbor boat to the wooden tramway which at that time connected with the superstructure which was the portion of the U. S. S. *Arizona* which remained above water several hundred yards offshore in the Pearl Harbor. This ship is located in an arm of the Pearl Harbor. It is about 400 feet from shore; and lies on the bottom in between 36 and 38 feet of water. Within recent years, the ship seems to have settled somewhat and now about the only portions of it above water are a few funnels of air vents, forming a part of the upper portion of the ship. It is awe inspiring to be able to stand on the steel deck of what remains above water of that great battlewagon. It is impressive to be able to uncover one's head and watch Old Glory, flying from the original mast and waving in the breeze. It brings one nearer to God as he ponders prayerfully on the lives of those 1,000 Americans who peacefully slept that Sunday morning safely, so they thought, within the steel sides of this great ship.

The American people have not forgotten those brave Americans. Although 17 years have passed since then, I believe it is yet the proper time to provide by popular subscription a memorial, either on this ship or adjacent to it, befitting the rare courage and pristine patriotism of those 1,000 Americans who sleep now and forever in the waters of the Pearl Harbor of Hawaii.

Campaign Against Certain Latin American Republics

EXTENSION OF REMARKS
OF

HON. B. CARROLL REECE

OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 22, 1957

Mr. REECE of Tennessee. Mr. Speaker, the New York Times on Thursday, August 22, calls our attention to another interesting chapter in the unprecedented campaign of the gentleman from Oregon against the sovereign governments of certain allied Latin American Republics. The gentleman's latest exploit entailed his unusual appearance before a Federal grand jury in Washington. This particular grand jury was impaneled on December 27, 1956, and is reportedly investigating the disappearance of Dr. Jesus de Galindez and Gerald Murphy. One would gather from reading the Times that this story was published as a result of a press release from the gentleman's own office in the House of Representatives. There can be no doubt that the gentleman's espousal of the revolutionary cause of certain Latin American exiles has brought him publicity not usually attendant to the office of a freshman Congressman. The fact that he was asked to appear on the Meet the Press program is indicative of the attention his activities have aroused. While there are very few, if any, of us who do not enjoy the favors of press coverage of our activities, there should be some restraints on the methods of procuring public recognition.

The grand jury is an institution basic to the fundamentals of Anglo-American jurisprudence. It was originally conceived and continues to be regarded as the only practical method by which a free society could bring to justice its enemies. In proceedings before the grand jury one is not protected by the normal safeguards of justice such as are available in open court. The availability of such safeguards would necessarily hamper and probably completely thwart the scope of investigation of the grand jury. Substituted for these basic safeguards is the historical secrecy of grand jury proceedings. Without such confidence, names and reputations of many innocent persons would be destroyed. The grand jury is one of those inviolate institutions of American justice which has gained the admiration and respect of peoples throughout the world. It is for this reason that I am amazed to see a Member of this body utilizing a Federal grand jury as a vehicle for promoting his own political well-being. What other reason could the gentleman have for making public statements from his office in the House of Representatives to the effect that he had made an hour appearance before this jury?

Not only did the gentleman announce that he had made such an appearance, but according to the New York Times, he volunteered the contents of some of his testimony. According to his press release, the gentleman from Oregon made two specific suggestions. One was that the grand jury indict Trujillo himself, and the other was that the grand jury call the Dominican Ambassador to the United States as a witness. The fact that the gentleman made public these suggestions is not nearly as amazing as the fact that he, a lawyer, seriously made such proposals to a Federal grand jury. Aside from the propriety of a Member of this body suggesting American legal action against the sovereign of an allied country and its duly accredited representative to the United States, the gentleman as a graduate lawyer must be aware of the traditional rules of international law in this regard.

In 1812 the great Chief Justice of the Supreme Court, John Marshall, who more than any other jurist was responsible for the development of American law, had occasion to address himself to the subject of American regard for the sovereign rights of other nations. Chief Justice Marshall made the following wise and prudent comments:

> One sovereign being in no respect amenable to another; and being bound by obligations of the highest not to degrade the dignity of his nation, by placing himself or

> its sovereign rights within the jurisdiction of another, can be supposed to enter a foreign territory only under an express license, or in the confidence that the immunities belonging to his independent sovereign station, though not expressly stipulated, are reserved by implication, and will be extended to him.
>
> * * * A foreign sovereign is not understood as intending to subject himself to a jurisdiction incompatible with his dignity, and the dignity of his nation.
>
> The assent of the sovereign to the very important and extensive exemptions from territorial jurisdiction which are admitted to attach to foreign ministers, is implied from the considerations that, without such exemption, every sovereign would hazard his own dignity by employing a public minister abroad. His minister would owe temporary and local allegiance to a foreign prince, and would be less competent to the objects of his mission. A sovereign committing the interests of his nation with a foreign power, to the care of a person whom he has selected for that purpose, cannot intend to subject his minister in any degree to that power; and, therefore, a consent to receive him, implies a consent that he shall possess those privileges which his principal intended he should retain—privileges which are essential to the dignity of his sovereign, and to the duties he is bound to perform.

Throughout our history, learned justices and statesmen and private citizens have restated in words far more meaningful than mine, the absolute precept of equality of sovereigns and the inviolability of their actions to the jurisdiction and judgment of the courts of other lands. The principle that the conduct of one independent government cannot be questioned in the courts of another rests upon the highest considerations of international comity and expediency. As Mr. Justice Clarke of the Supreme Court said in 1917, to do otherwise would "imperil the amicable relations between governments and vex the peace of nations." The very fact that an American grand jury, under principles of American and international law, has no jurisdiction over Generalissimo Trujillo or Ambassador De Moya makes more reprehensible the suggestions of the gentleman from Oregon. Since there could be no such indictment or summons process issue from this grand jury, the gentleman's suggestions can only serve the purpose of prejudicing grand-jury deliberations and promoting the gentleman's own political ambitions.

I cannot understand why the gentleman from Oregon was called to testify before this grand jury and thus allow him to use this sacrosanct institution as a political sounding board. The gentleman's anti-Dominican campaign has no place in grand-jury deliberations. From his previous statements both on the floor and to the press, the gentleman has not indicated knowledge of any concrete evidence which could be of benefit to this grand jury.

I trust that in the future, the grand jury will exercise more restraint in calling witnesses and confine itself to the detection and prosecution of citizens and residents who may be guilty of some violation of law. An intrusion into the delicate field of international relations by a Federal grand jury is unprecedented.

Surplus Disposal Program

EXTENSION OF REMARKS

OF

HON. WILLIAM S. HILL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 22, 1957

Mr. HILL. Mr. Speaker, in the surplus-disposal program by the United States Department of Agriculture, the Marketing Service Food Distribution Division has been doing a first-rate job.

I have always felt that in the disposition of surplus agricultural commodities to our friends in foreign countries we should at all times be definitely certain that the surpluses reach the people in desperate need of food and wherever possible it should be distributed in such a way so those who receive it are informed in a positive way who is supplying or donating the food.

Of course the ideal way to distribute food to areas of the world suffering seriously for want of food supplies should be through charitable organizations with a properly developed method of distributing the food.

In these remarks I am placing in the RECORD I find a most encouraging sign of following out the ideas I have expressed for many years and I include the list of the agencies approved for participation in the foreign distribution of surplus commodities under the Agricultural Act of 1949, as amended.

It is a wonderful thing to know we have these religious and semireligious organizations that are in a position to distribute food directly to the families in want throughout the world. Surplus farm commodities distributed in this manner, in my personal opinion, contributes greatly to the proper attitude that we wish the rank and file of the population in every area of the world to have toward our Republic. This is a positive way to "win friends and influence people." When friends are made through this source of distributing our farm surpluses they are friends indeed. The list is as follows:

AGENCIES APPROVED FOR PARTICIPATION IN THE FOREIGN DISTRIBUTION OF SURPLUS COMMODITIES UNDER SECTION 416 OF THE AGRICULTURAL ACT OF 1949, AS AMENDED

American Friends of Austrian Children, Inc., 202 East 19th Street, ninth floor, New York, N. Y.[1]

American Friends Service Committee, Inc., 20 South 12th Street, Philadelphia, Pa.[1]

American Fund for Czechoslovak Refugees, Inc., 1775 Broadway, New York, N. Y.

American Jewish Joint Distribution Committee, Inc., 3 East 54th Street, New York, N. Y.[1]

American Korean Foundation, 345 East 46th Street, New York, N. Y.[1]

American Middle East Relief, Inc., 350 Fifth Avenue, New York, N. Y.[1]

American Mission to Greeks, Inc., 233 West 42d Street, Post Office Box 423, New York, N. Y.[1]

American National Red Cross, Washington, D. C.[1]

Assemblies of God—Foreign Service Committee, 160 Fifth Avenue, New York, N. Y.[1]

Catholic Relief Services—NCWC, 451 Madison Avenue, New York, N. Y.[1]

Christian Children's Fund, China Building, Richmond, Va.

Church World Service, Inc., 215 Fourth Avenue, New York, N. Y.[1]

Congregational Christian Service Committee, 110 East 29th Street, New York, N. Y.

Cooperative for American Remittances to Everywhere, Inc. (CARE), 660 First Avenue, New York, N. Y.[1]

First Aid for Hungary, Inc., 6 East 65th Street, New York, N. Y.

Foster Parents' Plan, Inc., 352 Fourth Avenue, New York, N. Y.[1]

Hadassah, Inc., 3 Thomas Circle, Washington, D. C.; 65 East 52d Street, New York, N. Y.[1]

International Rescue Committee, Inc., 62 West 45th Street, New York, N. Y.[1]

Iran Foundation, Inc., 6807 Empire State Building, 350 Fifth Avenue, New York, N. Y.[1]

Lutheran World Relief, Inc., 50 Madison Avenue, New York, N. Y.[1]

Mennonite Central Committee, Inc., Akron, Pa.[1]

National Council of Young Israel, 3 West 16th Street, New York, N. Y.

Pestalozzi Foundation of America, Inc., 41 East 57th Street, New York, N. Y.

Romanian Welfare, Inc., 22 East 60th Street, New York, N. Y.[1]

Save the Children Federation, Inc., 345 East 46th Street, New York, N. Y.[1]

Tolstoy Foundation, Inc., 989 8th Avenue, New York, N. Y.[1]

Unitarian Service Committee, Inc., 345 East 46th Street, New York, N. Y.[1]

United Lithuanian Relief Fund of America, Inc., 105 Grand Street, Brooklyn, N. Y.[1]

United Nations International Children's Emergency Fund (UNICEF), United Nations Plaza, New York, N. Y.[1]

United Ukranian American Relief Committee, Inc., 866 North Seventh Street, Philadelphia, Pa.[1]

Volunteer Border Relief, Inc., Post Office Box 981, Harlingen, Tex.[1]

World Relief Commission of the National Association of Evangelicals, 12–19 Jackson Avenue, Long Island City, N. Y.[1]

Mr. Speaker, in addition to this very substantial list of organizations participating in our distribution of surplus products abroad, I include other information on the disposal of our surplus commodities at home:

DISTRIBUTION OF SURPLUS COMMODITIES

Food donations by the United States Department of Agriculture reached a record high in the fiscal year ended June 30, under an active Department effort to dispose of surpluses. A total of 2,818,400,000 pounds of food was donated during the year to recipients here and abroad through the direct distribution program conducted by USDA's Agricultural Marketing Service.

Distribution domestically was increased to 1,043 million pounds, up 32 percent over the total for fiscal year 1956. Foreign distribution rose to 1,775,400,000 pounds, an increase of 45 percent over the same period a year ago.

In this country, the biggest increases were made in distribution of surplus commodities for use in school lunch programs. A total of 426,300,000 pounds of food was distributed for this purpose during the year, an increase of 61 percent over the previous year. Distribution to institutions totaled 148,600,000 pounds, a gain of 14 percent. Distribution to needy persons in family units accounted for the largest quantity of food distributed domestically, with the total of 468,100,000 pounds up 18 percent over a year ago.

In addition to these uses, large quantities of surplus foods were used during the fiscal year in the relief of victims of natural disasters. Top priority on foods available for distribution is given to such use. For example, nearly 24 million pounds of food was

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[1] Participating agencies as of July 1, 1956.

[1] Participating agencies as of July 1, 1956.

distributed for immediate relief of last August's hurricane victims in Puerto Rico. Subsequently, Puerto Rico entered the continuing program of distribution to needy persons, to aid in long-term rehabilitation after completion of the emergency feeding. Large quantities of foods were also used in emergency feeding when spring floods, tornadoes, and hurricane struck Louisiana, Kentucky, and Virginia, driving persons from their homes and forcing them temporarily to rely on community feeding.

In addition, surplus foods were rushed to the aid of refugees from Hungary, following the October revolution. Thirty million pounds of food was made available to aid refugees in camps established in Austria. In addition, some 175,000 pounds of food was used to aid Hungarian refugees after they arrived in this country, in centers such as Camp Kilmer in New Jersey.

Foods donated under the direct distribution program are currently being used by over 12 million school children taking part in school-lunch programs, and about 1.4 million persons in charitable institutions. In addition, about 3 million needy persons in family units are currently receiving donated commodities.

Distribution of surplus commodities to schools and institutions is made in all 48 States, the District of Columbia and 5 Territories. A total of 39 States and Puerto Rico are currently taking part in distribution of surplus foods to needy persons, with 949 counties and 80 additional cities participating in those States.

The number of agencies taking part in the foreign donations program increased to 24 during the year, and the number of countries in which food was distributed to needy persons increased to 88. Distribution of surplus foods in these foreign countries is made by voluntary United States agencies, with commodities donated to them after provision has been made for the needs of all eligible recipients in this country.

In view of these statistics, it is clear that the Department of Agriculture has moved a tremendous quantity of surplus foods into consumption, foreign and domestic. In fact, the reduction of inventories through donations and other disposal programs has been so substantial for most items that eligible outlets could readily absorb larger quantities than are available on a continuing basis. For example, at one time the Commodity Credit Corporation held sufficient quantities of butter to permit donation to the school-lunch program, welfare and institutional distribution programs and to foreign outlets as well. Since January, stocks and acquisitions of butter by CCC have permitted distribution only to the school-lunch program. Similarly in the case of salad oil and shortening, donation to foreign outlets had to be eliminated during the past fiscal year for lack of availability.

Donation of dry beans to foreign outlets also had to be stopped in the third and fourth quarters of fiscal 1957 and the quantities of nonfat dry milk for donation abroad had to be reduced for lack of adequate supplies in Government hands. At the present time, donations of rice for foreign relief are limited to broken kernel or brewer's rice.

Tax-Reform Plan

EXTENSION OF REMARKS
OF
HON. ANTONI N. SADLAK
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 22, 1957

Mr. SADLAK. Mr. Speaker, under leave to extend my remarks, I wish to list a number of organizations that have indicated their support of my tax-reform plan, H. R. 6452. This list, Mr. Speaker, is not confined to organizations in my home State of Connecticut which I have the honor to represent as the Congressman at Large, and in that capacity, represent the largest constituency on the Republican side of this House, but the organizations, which have volunteered their endorsement to H. R. 6452 as their basis for individual and corporate relief from our present confiscatory taxes, are nationwide.

May I once again stress the fact, Mr. Speaker, that the largest beneficial effect of the provisions of my bill will fall to those taxpayers in the $6,000 bracket and under. The total relief to individuals will approximate $10.6 billion over the 5-year forward scheduling and approximately $4.2 billion relief to businesses.

The list is as follows:

Optimist Club, Springfield, Ill.

Michigan Manufacturers' Association, Detroit, Mich.

Associated Industries of Rhode Island, Inc., Providence, R. I.

Chamber of Commerce, Bowling Green, Ohio.

Connecticut Farmers' Cooperative Association, East Hartford, Conn.

Associated Industries of Kentucky, Louisville, Ky.

Manufacturers' Association of Lackawanna County, Scranton, Pa.

Manufacturers Association, Inc., Syracuse, N. Y.

Economic Club of Southwestern Michigan, St. Joseph, Mich.

Connecticut Petroleum Association, New Britain, Conn.

Scientific Apparatus Makers Association, Chicago, Ill.

Jersey City Chamber of Commerce, Jersey City, N. J.

Automotive Electric Association, Detroit, Mich.

Associated Industries of Oshkosh, Inc., Oshkosh, Wis.

Connecticut Motor Club, New Haven, Conn.

The Valve Manufacturers Association, New York, N. Y.

The Connecticut Chamber of Commerce, Inc., Hartford, Conn.

Coated and Processed Paper Association, Providence, R. I.

Chicago Association of Commerce and Industry, Chicago, Ill.

Manufacturers' Association of Lancaster, Pa., Lancaster, Pa.

Connecticut Public Expenditure Council, Inc., Hartford, Conn.

Furniture Manufacturers Association, Grand Rapids, Mich.

Bangor Executives Club, Bangor, Maine.

National Tool and Die Manufacturers Association, Cleveland, Ohio.

Manufacturerers Association of Connecticut, Inc., West Hartford, Conn.

Manufacturers Association of Racine, Racine, Wis.

Americans for Tax Reduction, Rockford, Ill.

Screen Actors Guild (AFL–CIO), Hollywood, Calif.

Metal Treating Institute, New Rochelle, N. Y.

"99" Luncheon Club of Los Angeles, Los Angeles, Calif.

The Cotton Trade Journal, Memphis, Tenn.

Florida Taxpayers Association, Inc., Tampa, Fla.

Executives' Association, Long Beach, Calif.

Phoenix Association of Home Builders, Phoenix, Ariz.

Lumbermen's Industrial Relations Committee, Inc., Portland, Oreg.

Wyoming Taxpayers Association, Cheyenne, Wyo.

Investors League, Inc., New York, N. Y.

Chamber of Commerce of the Attleboros, Attleboro, Mass.

Pennsylvania Manufacturers' Association, Philadelphia, Pa.

Greater Tampa Chamber of Commerce, Tampa, Fla.

Idaho State Chamber of Commerce, Boise, Idaho.

The Printing Industry of Connecticut, Inc., New Haven, Conn.

Westlake Lions Club, Los Angeles, Calif.

Lorain County Industrial Association, Elyria, Ohio.

Associated Industries of Alabama, Birmingham, Ala.

Texas Manufacturers Association, Houston, Tex.

Alton District Manufacturers' Association, Alton, Ill.

Kern County Property Owners Association, Bakersfield, Calif.

Manufacturers' Association of Berks County, Reading, Pa.

Defiance Chamber of Commerce, Defiance, Ohio.

Brookline Kiwanis Club of Pittsburgh, Pittsburgh, Pa.

Citizens Public Expenditure Survey, Inc., Albany, N. Y.

Connecticut State Grange, Litchfield, Conn.

Vinyl Fabrics Institute, New York, N. Y.

New London County Rural Letter Carriers Association, Old Lyme, Conn.

Pontiac Manufacturers' Association, Pontiac, Mich.

The Mid-Hudson Industrial Association, Poughkeepsie, N. Y.

Associated Industries of Arkansas, Inc., Little Rock, Ark.

Newark Chamber of Commerce, Newark, N. Y.

Nevada Citizens Committee, Las Vegas, Nev.

Defiance Manufacturers' Association, Defiance, Ohio.

Middletown Chamber of Commerce, Middletown, N. Y.

Michigan Retailers' Association, Lansing, Mich.

Hagerstown Chamber of Commerce, Inc., Hagerstown, Md.

Salt Producers Association, Chicago, Ill.

Tulsa Chamber of Commerce, Tulsa, Okla.

Manufacturers Association of Hartford County, Hartford, Conn.

National Truck Tank and Trailer Tank Institute, Chicago, Ill.

The Associated Cooperage Industries of America, Inc., St. Louis, Mo.

The Naugatuck Valley Industrial Council, Inc., Waterbury, Conn.

Northeast Wisconsin Industrial Association, Manitowoc, Wis.

West Coast Lumbermen's Association, Portland, Oreg.

Hague Chamber of Commerce, Hague, N. Y.

Macon Chamber of Commerce, Macon, Ga.

Manufacturers' Association of Delaware County, Chester, Pa.

Central Virginia Industries, Inc., Lynchburg, Va.

Long Beach Chamber of Commerce, Long Beach, Calif.

Marshall Chamber of Commerce, Marshall, Ill.

Bangor Chamber of Commerce, Bangor, Maine.

Council of State Chambers of Commerce, Washington, D. C.

Virginia State Chamber of Commerce, Richmond, Va.

Stamford-Greenwich Manufacturers Council, Stamford, Conn.

Gray Iron Founders' Society, Inc., Cleveland, Ohio.

High Point Chamber of Commerce, High Point, N. C.

Conference of American Small Business Organizations, Chicago, Ill.

Associated Industries of Maine, Augusta, Maine.

California Fish Canners Association, Inc., Terminal Island, Calif.

Bremerton Chamber of Commerce, Bremerton, Wash.

Suburban Management Council, Elmhurst, Ill.

Columbia Empire Industries, Inc., Associated Employers, Inc., San Antonio, Tex.

Optimist Club of Downey, Downey, Calif.

Greater Trenton Chamber of Commerce, Trenton, N. J.

Southern Farm Equipment Manufacturers, Inc., Montgomery County Chamber of Commerce, Montgomery, Ind.

Fort Worth Chamber of Commerce, Fort Worth, Tex.

McAllen Chamber of Commerce, McAllen, Tex.

Altoona Chamber of Commerce, Altoona, Pa.

North Wichita Optimist Club, Wichita, Kans.

Graphic Arts Association of St. Louis, St. Louis, Mo.

Kiwanis Club of Baltimore City, Baltimore City, Mo.

Florida State Chamber of Commerce, Jacksonville, Fla.

Jacksonville Chamber of Commerce, Jacksonville, Fla.

Yakima Chamber of Commerce, Yakima, Wash.

Pacific Coast Paper Box Manufacturers Association, Los Angeles, Calif.

Hagerstown Manufacturers Association, Hagerstown, Md.

Columbia Manufacturers Association, Columbia, Pa.

West Branch Manufacturers Association, Williamsport, Pa.

Lancaster Chamber of Commerce, Lancaster, Pa.

Independent Business Executives Association, Chicago, Ill.

Manufacturers Association of York, York, Pa.

Midway Optimists Club of St. Paul, St. Paul, Minn.

Tulsa Retail Merchants Association, Tulsa, Okla.

Shreveport Chamber of Commerce, Shreveport, La.

Bossier City Chamber of Commerce, Bossier City, La.

Mississippi Manufacturers Association, Jackson, Miss.

Alabama State Chamber of Commerce, Montgomery, Ala.

Birmingham Chamber of Commerce, Birmingham, Ala.

Seattle Chamber of Commerce, Seattle, Wash.

Spokane Chamber of Commerce, Spokane, Wash.

Furniture Manufacturers Association of South California.

Southeast Los Angeles Press Association, Los Angeles, Calif.

Lawndale Chamber of Commerce, Lawndale, Calif.

Woburn Chamber of Commerce, Woburn, Mass.

Salisbury Chamber of Commerce, Salisbury, Mo.

New Bedford Chamber of Commerce, New Bedford, Mass.

Dallas Chamber of Commerce, Dallas, Tex.

Brockton Chamber of Commerce, Brockton, Mass.

Maine State Chamber of Commerce, Augusta, Maine.

Downtown Pittsburgh Chamber of Commerce, Pittsburgh, Pa.

Swissvale Chamber of Commerce, Swissvale, Pa.

Pittsfield Chamber of Commerce, Pittsfield, Mass.

Address by the Honorable James C. Davis, of Georgia

EXTENSION OF REMARKS

OF

HON. WILLIAM M. TUCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 22, 1957

Mr. TUCK. Mr. Speaker, under leave heretofore granted me to extend my remarks in the CONGRESSIONAL RECORD, I am glad to include a most able and timely address delivered by our distinguished colleague from Georgia, Representative JAMES C. DAVIS, before the Tennessee Federation of Constitutional Government, at Nashville, Tenn., on August 16, 1957. The address is as follows:

SPEECH OF REPRESENTATIVE JAMES C. DAVIS TO THE TENNESSEE FEDERATION OF CONSTITUTIONAL GOVERNMENT, NASHVILLE, TENN., AUGUST 16, 1957

It is a privilege for me to accept the invitation to speak to this group of Tennesseans. You are striving to preserve a right which belongs to us, a possession which is precious to us, which is at this moment in great danger of destruction—namely, constitutional government. The Government in Washington is stretching its long arm into your State and community, through the Federal courts, to strike down State sovereignty, to destroy local self-government, to deprive you and your legally chosen school authorities of the power to operate your public schools as you have been operating them and as you want to continue to operate them. It proposes to substitute instead control by court orders and edicts fashioned upon a new philosophy which stalks through our land, and which we are told we must accept whether we like it or not.

It is demanded of us that we cast aside our beliefs, that we surrender our convictions, that we give up customs under which we were reared and to which we subscribe. Meek obedience is demanded. Resistance is threatened with dire consequences and penalties.

The situation, indeed, is critical; the times are perilous.

Why have we come suddenly face to face with this unbelievable situation? It stems from a wrongful and fraudulent usurpation of authority and power by the United States Supreme Court, a usurpation of power which amounts to tyranny.

In every section of America today earnest protests are being voiced against the arbitrary, dictatorial action of the Federal Supreme Court, and its wrongful usurpation of powers it does not possess. Americans have always been quick to recognize and to protest injustice in the courts. It is significant that when the Colonies revolted against the injustice and tyranny of George III, the Declaration of Independence complained of judges who were dependent on the will of the King alone for the tenure of their offices, the amount and payment of their salaries, and that the administration of justice was obstructed by the sovereign power. These acts of tyranny and oppression were intolerable then to a free and liberty-loving people just as similar acts are intolerable now.

We are facing today, I believe, the most critical period which America has faced since 1776, when that small group of men met in Philadelphia to choose between security and peace on the one hand, which could be purchased at the price of continued submission to tyrannical oppression, or revolution and war with the world's greatest power on the other hand. With the certain knowledge that years of misery and suffering lay ahead, that they would fight against heavy odds, and that defeat and death might be the portion of everyone who participated, they believed in their hearts that free government was worth the price they had to pay. They threw their all into the balance as they fought for it. Our Government of liberty, freedom, and opportunity today is the result of that choice and of the fight which they made.

Freedom was not just a topic of idle conversation with them. "Integrity" was more than a word in the dictionary. Benjamin Franklin, Thomas Jefferson, their associates, and their followers preached the doctrine that resistance to tyranny is obedience to God. They had the courage to practice what they preached.

When victory finally came to our forefathers they set up not a centralized government with unlimited powers, but a republic of sovereign States. And this was done for the purpose of guaranteeing local self-government to the citizen. They provided that the Federal Government should function as three coequal departments, each of the three to be separate from and independent of the others. The foundation of this free Government was a written Constitution. It was put in writing so that its lasting principles would not be subject to passing whims or fancies. They provided a specific way to amend the document, if changing times and conditions ever required it. All of us are familiar with that method of amending. Nothing less than a vote of two-thirds of the Congress to be ratified by three-fourths of the States will serve to change it. Without such concurrent action by those overwhelming majorities not a sentence or a word of the Constitution can legally be changed. Both those who wrote it and those who adopted that Constitution knew the need for reciprocal checks and balances in maintaining free government. George Washington, the Father of our Country, the greatest general, patriot, and statesman, knew that freedom and liberty would be preserved if these reciprocal checks and balances were maintained. He knew these checks and balances would be maintained if the Constitution were respected and followed, and if it were amended only in the manner provided by the instrument itself. Warning against any other method of change, he said in his farewell address on September 17, 1796:

"If, in the opinion of the people, the distribution or modification of the constitutional powers be, in any particular wrong, let it be corrected by an amendment, in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed."

Thomas Jefferson feared, as George Washington did, wrongful usurpation of power by the Supreme Court. Jefferson expressed himself far more vigorously on the subject than did Washington. On this subject Jefferson said:

"The judiciary of the United States is a subtle corps of sappers and miners constantly working underground to undermine the foundations of our confederated fabric. They are construing our Constitution from a coordination of general and special governments to a general and supreme one alone. * * * Having found from experience that impeachment is an impractical thing, a mere scarecrow, they consider themselves secure for life; they skulk from responsibility to public opinion * * * an opinion is huddled up in a conclave, perhaps by a majority of one, delivered as if unanimous, and with the silent acquiescence of lazy or timid associates, by a crafty Chief Judge, who sophisticates the law to his mind, by the turn of his own reasoning."

Jefferson, that stanch believer in individual liberty, that fine advocate of States rights and local self-government said this about the provisions in the 10th amendment:

"I consider the foundation of the Constitution as laid on this ground: that 'all powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States or to the people.' To take a single step beyond the boundaries thus specially drawn around the powers of Congress is to take possession of a boundless field of power, no longer susceptible of any definition."

Today our free Government is face to face with the danger of destruction which George Washington and Thomas Jefferson feared, and against which they warned us in the words I have just repeated. That Court, with a brazeness and boldness almost unbelievable is undertaking to amend the Constitution and make statutory law through so-called judicial decisions and court opinions. In the school segregation cases the Court has arrogated unto itself, first, the functions of Congress and the States to change the Constitution; second, the function of Congress to make enforcement law, and third, the functions of the Executive Department to carry out such enforcement. This is rank usurpation of authority the Court does not possess.

In the structure of our Government there is no fact more certain than this; the nine Justices of the Supreme Court cannot change our Constitution.

The Congress with its 531 Members of the House and Senate cannot change it.

The President of the United States, with all his power, cannot change it.

Neither one of these alone can amend the Constitution. All three together cannot amend it.

It can be changed only by an amendment voted for by two-thirds of the House and Senate, and by three-fourths of the sovereign States of the Union.

Any attempt to change our Constitution in any other manner is a fraud—a gross fraud which it is the duty of all patriotic citizens to expose and to prevent. Again I am reminded of the philosophy of Jefferson and Franklin, that resistance to tyranny is obedience to God.

The principle involved here goes far beyond our right to operate our schools, although that in itself is a valued right, and a right we are not called upon to surrender merely because the Supreme Court undertakes to usurp power it does not possess.

The real issue is: Shall we permit the Supreme Court, one Department of Government, whose powers are defined and limited by the Constitution, to successfully assert the power to change that precious document, by reading into it language it does not contain, and which those who wrote the Constitution and its amendments, never intended it should contain?

The question is, if changing conditions require a change in the Constitution, shall it be changed as the Constitution says, by drawing an amendment with definite and specific language which shall receive the people's overwhelming stamp of approval through a vote of two-thirds of the Congress, plus three-fourths of the States? This is the legal way.

Or, shall it be amended by the arbitrary act of nine men, to whom this authority has not been given, who are not elected, and who can in no sense of the word be said to represent the will and wishes of the people regarding amendments to the Constitution?

We have amended the Constitution 22 times in the past by following legal and regular procedure. The 22d amendment was proposed in 1947 and certified in 1951. What has happened that we no longer must submit amendments to the Congress for a two-thirds vote and to the States for a three-fourths vote?

We have not yet lost this right to have a voice in adopting amendments to the Constitution, or in rejecting them. But this Supreme Court decision of May 17, 1954, is a brazen effort to destroy this right.

Can the Court today strike down the accepted and declared meaning of the Constitution? Can it nullify a construction on the exact point involved, which has been followed and approved in dozens of instances, by the Supreme Court itself and courts of many other jurisdictions, and in doing so rely upon nothing but its own arbitrary will, to support the decision, and read into the Constitution language which is not there? If it can do this today, then it can tomorrow or next month strike down any other provision which does not conform to its sociological beliefs. While it may be Georgia or Tennessee which suffers today from such wrongful usurpation of authority, next year it may be Oregon, Maine, or Illinois.

While the subject today is schools, its next usurpation may involve taxes, or criminal law, or the right to own property. Once the precedent is established—once we have acknowledged the right of the Supreme Court to trifle with the Constitution, there is no limit to its possibilities.

Those of us who support local self-government and States rights have been slow to believe that we could lose these precious rights. We know now that we can lose them. We know now that if we are going to keep them we must arouse ourselves. We must throw off apathy and indifference.

The right to be segregated goes back for thousands of years before our Government was established. That right never was challenged until this present Supreme Court decided to make new law on the subject. Yet the Court is not a lawmaking body. Congress alone has the right to legislate and introduce new matter into the body of our law. Congress, in the proper exercise of its function, has time and time again refused to make new law on this subject. There is no question about the fact that Congress alone can change the law and that the Court cannot.

For the nine men who sit upon the Supreme Court to usurp these powers which do not belong to them, but which belong exclusively to Congress and to the States, is a monumental fraud which is shocking, outrageous, and reprehensible.

Such fraudulent conduct imposes no obligation upon the States to acquiesce, or upon the people to bow the neck to this new form of tyranny.

Let me say to you, as we counsel together, do not be concerned about what is said by the Communists, the pinkos, the radicals, the NAACP, the ADA, the one-worlders, and all that motley group of crackpots who are clamoring for desegregation and mongrelization. These groups of organized minorities are chanting a chorus that opposition to the fraudulent order of the Supreme Court is defiance of law. Of course that is not true. The decision of May 17, 1954, is not law. It is an attempt to make law where none existed before, by a nonlawmaking body. The defiance of law comes from the other side of this dispute. It is an arrogant defiance of law for the Supreme Court to usurp authority which it does not possess.

This claim that opposition to, and criticism of, the fraudulent Supreme Court decision is defiance of law is a sham. It is intended to draw attention away from the truth in this matter. That truth is that the Supreme Court is boldly and brazenly attempting to change the form of our Government.

A stock contention of the integrationists and mongrelizers is that a Court decision is the last word in the law, and must be accepted; that the Court's function is to expound the law.

As long as the Court sticks to the law its decisions will be accepted. When it flies in the face of the law, as the Court has done in this instance, it commits a wrong. It perpetrates a fraud upon the people. It commits as grievous a wrong as a tax collector commits when he demands more than just taxes from a taxpayer. It commits a wrong as grievous as a warden of a penitentiary commits who would seek to imprison a convict beyond the limits of his legal term. It commits as grievous a wrong as any other public official commits who seeks to assert authority which he does not possess, or to exceed the authority which he does possess. No right-thinking citizen can acquiesce in brazen usurpation of authority by any public official.

Free Americans are under no obligation whatever to permit any public official to take from them that which is theirs merely because that public official occupies a seat of authority, if he attempts either through ignorance or malfeasance to go beyond the bounds of that authority.

We owe allegiance to the Constitution of the United States. That instrument is the bedrock upon which our structure of government is built. It is our guaranty of liberty. But the allegiance we owe is to the Constitution itself, which was drafted by the Constitutional Convention and ratified by the sovereign States, and to such amendments thereto as have been legally proposed by two-thirds of the Congress and ratified by three-fourths of the States, and no one can dispute that solemn truth.

There are some who say that the Constitution means what the judges say it means. But that is not true. The Constitution itself proclaims its meaning. No court or judge possesses any authority to change the language or meaning of any phrase or word of the Constitution in the slightest degree. It is only when the wording of the Constitution is ambiguous or needs interpretation that the judicial department of the Government has authority to go into the question of what it means. And the judicial department never has had—it does not have now—authority to add anything new or take anything old from the instrument. That can only be done by amendment.

So the Constitution is not, as some would have us believe, what the judges say it is. It has no such unstable or uncertain meaning. The Constitution, and all of its amendments, is the compact of the sovereign States who consented to its operation. It is the document under which we live—which we understand, and which the courts have understood for years and generations. Its meaning has been proclaimed again and again. It is the document which every public official is sworn to uphold, and to which the loyalty of every public official is due. And let us never lose sight of this fact—that our loyalty is to the Constitution itself—not to a perverted opinion of nine men who happen for the moment to be occupying seats in the Supreme Court, and who seek because of that fact to change that true meaning, the established and accepted meaning, of our Constitution. That authority does not belong to these nine men. It belongs to two-thirds of the membership of Congress and to three-fourths of the States, joining in concurrent action.

The members of the Supreme Court have also sworn to uphold the Constitution. They owe the same loyalty to the Constitution that every other citizen does. The Constitution does not mean one thing yesterday, another thing today and something else tomorrow, and they have no right to so hold.

If the logic or reasoning employed by the Supreme Court in order to reach this decision is allowed to become standard practice;

if the Constitution means one thing today and something entirely different tomorrow, then actually we have no Constitution at all.

And when anyone, whether he be President, legislator, or judge, deals with the Constitution unlawfully, it is the part of patriotism and in keeping with loyalty to the Constitution, to protest and oppose such unwarranted action. The preservation of our Government depends upon it. Our Government cannot survive in any different climate.

Now it is not only on the segregation issue that the Court is following this pattern of usurpation. In other fields also it is following a pattern of consistent and continuous usurpation of legislative functions—a pattern of stealthy erosion of the Constitution without resort to legal amendment as provided for in that document.

The segregation question is only a part of this pattern of usurpation.

In such recent decisions as the Steve Nelson and Slochower cases, the Court has rendered the States and our cities powerless to protect themselves against communism. On April 2, 1956, in the Steve Nelson case,[1] the Supreme Court said that the State of Pennsylvania cannot punish Communists for knowingly advocating the overthrow of the Government of the United States. The flimsy excuse given by the Court was that Congress had passed a law on the subject and when the Federal Government occupies the field on this vital subject, no room is left for the States to act.

One week later on April 9, 1956, the same Court in the Slochower case[2] declared a section of the charter of the city of New York unconstitutional because it permitted the city to dismiss a teacher in a college operated by the city when the teacher refused to state whether or not he was a Communist.

In the Yates case,[3] the Smith Act was rendered useless. In this case, decided on June 17 of this year, the Supreme Court reversed 14 convictions of conspiracy (a) for advocating and teaching the duty and necessity of overthrowing the Government of the United States by force and violence, and (b) for organizing a society of persons who so advocated and taught—all with the intent of causing the overthrow of the Government by force and violence. In this decision, the Court was actually legislating by writing into the Smith Act the intent of Congress—an intent undreamed of by the Congress when passing the act.

Earlier, on April 30, 1956, in *Communist Party* v. *Subversive Activities Control Board*,[4] the Supreme Court had rendered useless the Subversive Activities Control Act and nullified the action of the Subversive Activities Control Board in its efforts to require known Communists to register.

In the Jencks case,[5] the Court put shackles and handcuffs on the Federal Bureau of Investigation. In the Mallory case,[6] by turning a self-confessed convicted rapist scot-free, the Court tied the hands of police, sheriffs, and law-enforcement agencies. In the cases of *Konigsberg* v. *the State Bar of California*[7] and *Schware* v. *the Board of Bar Examiners of New Mexico*,[8] the Court told State courts and bar associations that they cannot make their own regulations on admission to the bar; that they had no power to protect themselves against Communists; and that it is unconstitutional to deny a Communist admission to the bar.

The Watkins[9] decision struck a mortal blow at effective machinery for exposing Communists through Congressional inquiry. Under this newly declared philosophy, Communists may now thumb their noses at Congressional and senatorial investigating committees. There are other similar decisions which time does not permit me to take up.

But I do not come tonight to discuss in detail these shocking and outrageous decisions which amount to the making of new laws to free Communists and criminals, to tie the hands of State legislatures, State courts, police officers, and Congressional investigating committees. I shall talk about these in other times and at other places and in due time I shall join with what I believe will be a great majority of my colleagues in Congress to enact laws to correct the evils of this pattern of usurpation, and to reestablish the security of our people and of this country, both nationally and locally. I want to give you tonight, from firsthand knowledge, some of the evils which follow this philosophy of integrated schools; this Court-made law which is being pushed and promoted so vigorously by the power-usurping Supreme Court of the United States and the radicals of this country.

On May 17, 1954, the Supreme Court made public its opinion in the school segregation cases. On June 18, 1953, in the case of *District of Columbia* v. *Thompson's Restaurant*, the Court had already made some more new laws to the effect that it was illegal in the District of Columbia for the owner of a restaurant to operate it on a segregated basis.

Although the Court in its May 17, 1954 opinion deferred any further action on the school cases until the October term, so as to give the legal representatives of the States an opportunity to present further argument, the radicals and the social equality advocates were champing at the bit and straining at the leash. They could not wait. Following a statement by the President of the United States that the Washington schools should serve as a model of integrated schools to be copied by the rest of the country, they proceeded full speed ahead to transform an orderly, effective school system into what later proved to be a veritable nightmare by ordering the schools to be integrated at the September term that year. On May 25, 1954, just 8 days after the Supreme Court ruling, the District of Columbia Board of Education, by a 6-to-3 vote, ordered the schools opened on an integrated basis in September.

Boundaries for each school were established with compulsory attendance of each pupil required at such school. A rule was made that records should not be kept or information given out on the basis of race.

If there is any place in the United States where integration could be expected to succeed, that place is Washington, D. C. For many years Washington has had no segregation in transportation or residence. For many years it has had Negro policemen on an unsegregated basis. For many years it has had Negro firemen and by official order the Fire Department was placed on an unsegregated basis in 1954. Since 1953, segregation has been unlawful in restaurants and hotels. Long before that, segregation was abolished in theaters, ball parks, motion pictures, and so forth. For many years there have been Negro judges, prosecutors, and court officials there.

Thousands of Negroes work on an unsegregated basis in all of the Government agencies in Washington. The Negro per capita income in the District of Columbia is higher than the white income in some areas of the Nation. All publicly owned swimming pools have been open to Negroes for years, as well as tennis courts, playgrounds, and parks.

All the public facilities of the Nation's Capital are, and have been, available to them for years, such as libraries and auditoriums. Here is the Nation's Capital, the people of the District of Columbia enjoy more cultural advantages than the people of any other city of America. The District of Columbia Negroes have had school facilities superior to most other school districts in the Nation. Washington has been spending $307.80 per child per year in its public-school system, as compared with $269.70 in Baltimore, $260.80 in Montgomery County, Md., adjoining Washington, $240.73 in Prince Georges County, Md., and as compared with $138.60 per pupil per year in Memphis, Tenn.

In June 1956, after 2 years' experience with integrated schools in the District of Columbia, the Legislative Committee on the District of Columbia in the House of Representatives created a subcommittee and ordered it to make an investigation of the public-school system in the District of Columbia. The subcommittee was strictly nonpartisan. It was composed of six members, three Democrats and three Republicans. I was named chairman of that subcommittee. For its counsel, the subcommittee selected, by unanimous vote, an able lawyer from your own State, Mr. William Gerber, of Memphis.

Those who had promoted the mixing of white and Negro children in schools uttered loud protests against this investigation. The radical organization, the National Association for the Advancement of Colored People, held a mass meeting in Washington to protest it. They sent telegrams to President Eisenhower, to Presidential Candidate Adlai Stevenson, to Chairman Leonard Hall of the Republican National Committee, to Chairman Paul Butler of the Democratic National Committee, to Speaker of the House Sam Rayburn, to Democratic Floor Leader John McCormack, to Republican Floor Leader Joe Martin, to Chairman John McMillan of the House District of Columbia Committee, and to each member of that committee, urging them to prevent the subcommittee from carrying out the function it was created to perform. The Washington Post, one of the most ardent advocates of mixing the races, began to carry editorials charging that the committee was stacked, that it was biased and prejudiced, and that its investigation would not result in a true picture of the school system. Frantic efforts were made to prevent the committee from beginning its work, and to prevent a continuance of the investigation after it began. In the 11 years I have served in Congress, I have never seen as much effort put forth to prevent a duly constituted committee of Congress from performing its work. When witnesses began to testify regarding the sordid facts and deplorable conditions of the schools, one of the Negro school board members issued a public statement containing a veiled threat to the effect that the school superintendent, Dr. Corning, "should reexamine the competency of some of the principals" who had testified at the hearings, and who, he said, had "made severe admissions of inadequacy." Our counsel and staff interviewed hundreds of teachers, principals, and school officials. Some of them were afraid to testify and told the staff they could not because they "had to live and eat."

Be it said to their credit, however, a majority of the witnesses, who were teachers, principals, or school officials, came voluntarily and testified. Not a subpena was issued by

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[1] *Pennsylvania* v. *Nelson* (1956) 350 U. S. 497).

[2] *Slochower* v. *Board of Education* ((1956) 350 U. S. 551).

[3] *Yates* v. *U. S.* ((1957) 25 Law Week 4475 on the Smith Act (18 U. S. C. 2385)).

[4] ((1956), 351 U. S. 15.)

[5] Decided June 3, 1957 (*Jencks* v. *U. S.* (25 Law Week 4365)).

[6] Decided June 24, 1957 (*Mallory* v. *U. S.* (25 Law Week 4560)).

[7] Decided May 6, 1957 (*Konigsberg* v. *State Bar of Cal. and the Committee of Bar Examiners of the State Bar of Cal.* (25 Law Week 4281)).

[8] Decided May 6, 1957 (*Schware* v. *Board of Bar Examiners of New Mexico* (25 Law Week 4277)).

[9] Decided June 17, 1957. *Watkins* v. *U. S.* (25 Law Week 4510).

the committee to compel a single witness to appear, and witnesses consisted of both white and Negro teachers, and those who favored integration as well as those who did not.

In spite of all the roadblocks thrown in its path, the subcommittee made a thorough investigation and the hearings consisted of 512 printed pages of testimony.

We learned in this investigation that Negroes are moving into Washington in increasing numbers, and the white people are moving out. This exodus of white people from the District of Columbia began when the first steps of race mixing began in public housing and other fields. It increased as the agitation for integration increased. When the Supreme Court decision was rendered resulting in the integration of the schools, there was a marked and noticeable increase in the number of white people moving from Washington into Maryland and Virginia. This movement continues. Many formerly all-white areas have changed into all-colored areas. Many all-white schools have changed almost completely.

Twelve of the elementary schools which were all white in 1953 now have 92 percent Negro and 8 percent white pupils. Typical of the change is Wheatley Elementary School which was all white in 1953. In 1954, it had 589 white pupils and 139 Negro pupils. By 1956, the whites had dwindled to 24 and the colored had increased to 576.

Just a few years ago the school population in Washington was two-thirds white and one-third Negro, but the school census showed that in October 1956 white students were 32 percent of the school population and Negro students 68 percent. The rate of decline of white pupils is rapidly increasing year by year. In 1953 this rate of decline was 2.7 percent; in 1954, 7.8 percent; in 1955, 6.3, and in 1956, 10.4 percent. The percentage decline of white pupils from 1949 to 1956 was 28.6 percent. This trend of whites moving out of Washington and Negroes moving in, and the rate of changeover, justifies the prediction that in just a few years the District of Columbia will be a predominately Negro community.

Before integration white and Negro pupils had equal opportunity in the schools. The same amount of money was spent per pupil. A white teachers college and a colored teachers college were provided. Although there were about twice as many white pupils as Negro pupils, there were 60 white elementary schools and 61 colored elementary schools. There were six white senior high schools and four colored. The same equipment was provided for each and the same amount per pupil was spent.

Prior to integration, the integrationists claimed that the maintenance of one school system instead of two would mean substantial economy in operating expenses. Yet no economy has resulted. On the contrary operating costs have increased greatly. Information furnished me on August 12 this year by the District of Columbia school department, shows that operating expenses jumped from $26,700,000 in 1953 to $35,600,000 in 1957, with an estimate of $37½ million for 1958.

The committee had testimony that so much extra time is required for coaching Negro pupils that the teachers are unable to devote proper attention to the white pupils, who consequently suffer under this new system.

The Supreme Court and the NAACP have created strife and turmoil where no strife and turmoil existed before. Their joint action has increased tension between the races, and has caused hatred and hostility where before there was good will and harmony. This strife is chargeable to, and responsibility for it must rest with, the Court and the radical NAACP, which has been encouraged by the Court's action to stir up hostility between the races.

I have been talking to you about the Constitution and the legal phase of this question. I want to say something now about the human side, and the moral justification we have for insisting upon segregation.

Much false propaganda has been spread within recent years, and much effort has been made to brainwash the public with the utterly false doctrine that there is no difference between whites and blacks. It is time to look behind this brainwashing propaganda, and have a straight look at the facts.

There are obvious and well-known differences between whites and blacks which no amount of glossing over and covering up by subversive so-called anthropologists and pseudoscientists can hide.

Let's look at some facts from the record which have a direct bearing on the question of desirability or undesirability of integrated schools, aside from the legal aspect of the problem.

Among the many other reasons why the white people object to their children having this close association with Negro children are health, the Negroes' high crime rate, and disrespect for law, the lower mentality level, and the high rate of illegitimacy among Negroes.

It is well-known that the crime rate among Negroes far exceeds that of whites. This is true in Washington, D. C., although Negroes have every advantage they could ask for. The schools and colleges are open to them; also hotels, restaurants, theaters, parks, swimming pools, tennis courts. They buy property and live in any section they choose. The President and his appointed city commissioners apparently want to make a second Harlem out of Washington, and they boast that Washington is a model example of a nonsegregated city.

But Washington is noted for the great number of serious crimes committed in its limits. Its crimes of violence are more than twice those committed in Boston, a city of comparable size, more than twice those of Milwaukee, and nearly twice as many as New Orleans, La.

Negroes are responsible for this high crime rate. Crime statistics show that throughout the years the Negroes in Washington have committed the bulk of the crimes of violence, although until recently they have constituted about one-third of the population. In 1955, out of 11,072 crimes of violence, 9,056 were by Negroes. This is 82 percent of the total, and the percentage for the last 3 months of 1955 was 88 percent of the total.

Let's look at the District of Columbia health records. A report for the year 1955 made by the District of Columbia Department of Public Health of venereal diseases in children of school age and under, showed 834 Negro children, 17 years and under, treated for gonorrhea, as compared with 20 white children. Of the 834 Negro children, 10 were under 6 years of age. The total cases of gonorrhea of all ages, children and adults, for 1955 were Negro, 10,243, or 97.5 percent of the total; white, 271, or 2.5 percent.

These are repulsive statistics, but they show some of the impelling reasons for segregated schools, and what a tragedy it is for white children to have integration forced upon them.

From the standpoint of mentality, the Negroes have not been able to keep pace with the white children of the District of Columbia. This has resulted in lowering of educational standards.

The tragic consequences of throwing white and Negro children together in the public schools of Washington, D. C., were brought to light by the subcommittee investigation conducted by us of the integrated school system in the Nation's Capital which was supposed to be a model for the entire Nation to follow in setting up integrated schools.

One of the first steps taken when white and Negro children were thrown together in the Washington schools was the adoption of the rule which prohibits the keeping of records according to race. Failure to keep records by race prevents comparison of scholastic achievements, and mental capacity between white and Negro pupils.

The subcommittee was able, however, by careful and detailed investigation of the school records, to gather sufficient information to make comparisons in a number of schools of the scholastic achievements, mental capacity and intelligence quotient between the white and Negro students.

At the time of the hearings, there were still some schools in Washington which were nearly 100 percent colored; some still 100 percent white, and some nearly 100 percent white.

Accurate comparisons based upon recognized achievement tests, known as the Iowa achievement test, Stanford achievement tests, and I. Q. tests, showed that there was a very wide difference in scholastic achievement and mental ability between white and Negro pupils.

To illustrate, we found that in Cardoza High School, which had only six white pupils and 1,694 colored pupils, there were 512 pupils in the 10th grade; of the 512, 230 were able to read only from fourth grade to seventh grade level; more than 300 were able to work arithmetic only at seventh grade level or below, and 283 of the 512, which is 55 percent, were classified as being in a category which would never be able to achieve beyond the sixth grade level.

One teacher in Roosevelt High School, with a class about 75 percent colored, said she had more failures in 1 year on integrated teaching than she had in 10 years of teaching in a segregated school.

The assistant superintendent in charge of all senior high schools testified that in four high schools, having a total of eight white students and 5,011 colored students, these four colored high schools, tested under the Iowa achievement test, rated or scored in the lowest 5 percent in the Nation of schools taking this test. He testified that in three high schools having a total of 3,030 white students and 99 colored, these three predominantly white schools, under the same test, rated or scored in the top 5 percent of the Nation.

In a group of 11 junior high schools with a total of 10,304 Negro students and only 205 whites, 2,991 were given a test on "reading and paragraph meaning"; 2,161 achieved at the level of sixth grade or lower. Of these, 676 were at fourth grade level and 385 at third grade level.

Testimony of many of the teachers showed that the Negro pupils, because of low achievement and mental ability, required so much time and attention that the white pupils had to be neglected, and failed to receive the time and attention they would have had otherwise.

All of these facts had been concealed behind an iron curtain in Washington. The NAACP and the other sponsors of integrated schools wanted desperately to keep the facts concealed, and they were concealed until our investigation brought them to light.

I have given you a few examples of testimony concerning scholastic achievement and mental ability of Negro pupils in the Washington schools. This testimony is typical of the bulk of testimony we took for 9 days from school officials, principals, and teachers.

We asked about personal relations between white and colored pupils both as to pupils of the same sex and pupils of the opposite sex.

Practically without exception, the testimony was that dances, plays, senior proms, picnics, and similar social functions were discontinued when the schools were integrated.

At Roosevelt High School, where white and colored were about equally divided, it was necessary to discontinue girl cheerleaders and use only male cheerleaders because of remarks and incidents which occurred at the basketball games.

Negro girls were antagonistic to white girls, and did such things as stepping on their heels in the halls, sticking pins in them; a Negro girl will stand in the aisle and dare a white girl to pass her. A group of Negro girls will attack a white girl on the way home from school and inflict personal injuries upon her.

Similar personal antagonism exists between Negro boys and white boys. At McKinley High School a group of Negro boys attacked two white boys who had been circulating a petition opposing an integrated prom. They beat them and left one of the boys unconscious on the sidewalk. Fourteen stitches were required to sew the wounds inflicted inside this boy's mouth. His father brought him to the Capitol so that I could see the serious injuries he received.

There were numerous fights, beatings, stabbings, and so forth. The principal of McFarland Junior High School testified that, although it was never necessary to call for police assistance when operating segregated schools in the last year in his integrated school, he had to call for police assistance approximately 50 times to prevent fights and keep order.

Many of the witnesses testified as to obscene remarks, obscene literature, indecent proposals, indecent handling and indecent approaches of Negro boys to white girls.

The principal of Roosevelt High School testified that she had two cases of Negro boys approaching white girls in her school the same week she was testifying as a witness. She said she had this trouble last year and the year before, which was the entire period of integrated schools.

The former principal of Eastern High School swore that he retired last year because of ill health brought on by conditions resulting from integrating the schools. He stated it was necessary to require last year that all teachers leave their desks when the bells rang to keep order in the corridors.

He said he heard colored girls at times use language that was far worse than any he had ever heard, even in the Marine Corps.

He said that fighting, including several knifings, went on continuously—that such incidents became more or less commonplace following integration; that there were more thefts in his school in 2 years of integration than he had known in all his 30-odd years of experience before; that there were many sex problems following integration; that colored boys wrote notes to white girls giving their telephone numbers and asking for the girls' telephone numbers; that colored boys touched white girls in a suggestive manner when passing them in the halls, and made obscene remarks about them.

He stated that one white girl was surrounded by a group of colored students after leaving school one afternoon; that a colored boy put a knife to her back, forcing her down an alley and against a wall, and while they were debating making her take her clothes off, she broke away and ran home.

This principal stated that a dozen or more colored girl students became pregnant at his school during his last school year.

The principal of Jefferson Junior High School testified to 27 pregnancies in his school during last year, two white and 25 colored.

The number of pregnancies among the Negro girl pupils has created a serious problem in the high schools and junior high schools.

Mr. Howard West of the District of Columbia Department of Public Health testified that in 1955 there were 996 illegitimate babies born to girls of school age in Washington—that is, ages 18 and under. Of these 926 were colored and 70 whites; 86 of them were born to girls under 15 years of age, five white and 81 colored.

There were 3,533 illegitimate births of all ages in Washington in 1955, of which 382 were white and 3,151 colored.

All white births in Washington in 1955 totaled 8,556, of which 382 were illegitimate. The illegitimate white births were approximately 4.4 percent. All colored births in Washington in 1955 totaled 11,404, of which 3,151 or 27 percent were illegitimate.

He testified that it is a close estimate to say that one out of every four colored schoolchildren in the District of Columbia public schools is an illegitimate child, and this statement is based on the birth records in his department.

So, if you were the parent of a school-age daughter in Washington, D. C., and sent her to one of the model integrated schools, these are the surroundings and this is the atmosphere in which she would be educated and trained, and in which her life's philosophy would be formed.

We thought the testimony regarding illegitimate children before our committee was shocking almost beyond comprehension. However, it has grown much worse since this testimony was given. Illegitimate pregnancies have increased to such an alarming degree in the junior high schools of Washington that on June 21 Dr. John R. Pate, of the Southwest Health Center, made public a report on this disgraceful condition. In his report Dr. Pate said that Washington faces an "enormous moral and economic catastrophe," and that the District could no longer ignore the problem. His report was based on detailed records of children from 13 of the city's 23 junior high schools, who reported to the Southwest Health Center for confirmation of their pregnancies, in order to be excused from school. I have with me Dr. Pate's report, which consists of 25 mimeographed pages. I cannot begin to give you in the time allotted to me tonight but a small part of the shocking facts contained in this report, which for want of a better name was entitled "Junior Mothers."

Dr. Pate reported that a rise of over 1,000 percent in the number of pregnancies among this early teen-age group had occurred in comparison with the 1948–49 school year. He stated that in 1948–49 there were only seven illegitimate pregnancies in this junior high school group that came to the attention of the health center clinic.

In the first paragraph of his report he states that during the current school year there has been an alarming increase in the number of pregnant girls in the seventh, eighth, and ninth grades of the junior high schools of Washington coming to the Southwest Health Center to have completed and properly signed physician's certificates of pupils inability to attend school. It gives the details of a number of these cases in his report. It is full of such cases as that of a girl 14 years of age, herself one of six illegitimate children, having the second child by the same 17-year-old boy. A typical case is that of a 14-year-old girl, one of eight illegitimate children whose twin sister is also pregnant, both of them being on public assistance.

Dr. Pate says in the same paragraph that this problem has been increasing over the last 2 to 3 years (which is the period of integrated schools) more than was noted in several years prior to 1954. His report says:

"The fact is that during the current school year our records show an increase of approximately 1,000 percent in the number of illegitimate pregnancies as compared to the 1948–49 school year in this age group."

He also says that:

"In practically every school the report is not completely accurate, falling short of the total number of pregnancies for several reasons."

He also says:

"Further, many of these children being born out of wedlock are dependent solely upon public assistance funds for their support. This economic burden merely adds another complication to the emotional and moral one in the community."

He also says:

"On the question of public assistance to these children, it might be assumed that it will be the responsibility of the taxpayer for many years."

A shocking feature of this report is that the age of these school girls range from 11 to 15 years, one of them having become pregnant when she was 10 years old.

This report shows that in the elementary schools of a total of eight such cases all were colored, in the junior high schools of a total of 129, 119 were colored, 10 white. In the high schools of a total of 44, 43 were colored and 1 white. In a total of 190 such cases throughout the school system 178 were colored and 12 white.

Dr. Pate says in his report regarding one of these mothers of illegitimates, that their support and hers is from funds provided by the Department of Welfare. He says, "she readily admits the more children she has, the more income she expects to receive from this course and does not anticipate changing her pattern of living." He says that this pattern is repeated time and time again.

Dr. Pate's report compares conditions in Washington with those in Baltimore, a city which integrated its public schools at the same time Washington did. He states that in Baltimore of the total illegitimate babies, 50 percent occur among girls 18 years of age and lower, and that in 1954, the first year of integration, 36 percent of the total number of live births among the nonwhite were illegitimate, which was an increase of 6 percent over 1953 figures. He said that there was no noticeable increase in illegitimacy among white teen-agers in Baltimore during that same period.

One of the Washington cases was an eighth grade girl who was a close personal friend of another girl who had a baby. The junior mother kept showing pictures of her offspring to the eighth grade student, which created a strong desire in the eighth grader to duplicate the feat of her friend. After having intercourse with a number of young males and not getting pregnant, she has developed a definite psychosis.

Another portion of the report states that in the early part of the 1956–57 school year one southwest Washington school reported that more than one-half of the children enrolled were illegitimate.

Getting back to our investigation, Mr. Howard West, of the District of Columbia Department of Health told the committee that in 1955 the total number of cases of venereal disease reported to the Department age 17 and under was 854. Of that number, 20 were whites, seven male and 13 female; 834 were colored, 263 male and 571 female. There were 11 cases under six years of age, one white and 10 colored.

In the short time I have to talk to you tonight, I can only give you a few of the specific facts which our investigation has uncovered and brought out into the light. We held hearings for 9 days, and the testimony fills 512 printed pages.

The hearings show that instead of being a model integrated school system, the District of Columbia schools have been turned into a nightmare of chaos, indecency, lack of discipline, and inability to learn. It is causing white people to move out of Washington so rapidly that the school population which before integration was approximately two-thirds white and one-third colored, is now, according to the latest estimate, approximately 68 percent colored and 32 percent white, with the percentage of colored pupils constantly increasing and white pupils decreasing in a corresponding degree.

These are some of the many valid reasons why white people are justified in the position taken regarding segregation.

I have given you these facts about the situation in Washington because in the wake of the Supreme Court decision to integrate schools, the President declared that Washington would be an example of how good integration would be. The present sickening conditions of the Washington schools are mute testimony to this example.

Not only have mixed schools been a scholastic failure but as an experiment in human relations it has been a nightmare.

In December 1955, principals in high schools and junior high schools found it necessary to hold "shake-down" inspections of their students in compliance with numerous complaints that students were carrying knives.

Two cases of attempted assault by Negro boys on white girls were reported in 1 day at one junior high school. These cases involved language and action so vile and so sordid that it staggers the imagination.

We cannot afford to subject our children to such a malignant experiment. The same integrationists and mongrelizers have stated that they only want equal rights and opportunities for the Negro. Yet the radical NAACP has repeatedly declared that their ultimate goal is intermarriage and complete mongrelization of the American people. The fact that this is also the identical aim of the Communist Party of the United States is more than just coincidental. If they are successful in cramming this school decision down our throats, they will follow it with a decision invalidating our marriage laws, and that will be the end.

The time to end this judicial usurpation is now. The time to restore the Constitution to the people is now.

I have given you tonight, in brief, a picture of the deplorable situation in Washington. I have seen there the tragic results which come from the breakdown of segregation and substitution of an integrated public-school system.

This same thing can happen here and will happen to you if the people meekly accept wrongful usurpation of power, and a Supreme Court dictatorship, as they did in Washington.

It is not inevitable. It does not have to happen. The attitude that we cannot prevent it and that we must accept it is unworthy of a people with our heritage. There are many legal ways in which we can prevent such a catastrophe. The one thing which is needed is a determined attitude and a willingness to do whatever may be found necessary to preserve these precious rights.

I can say to you that we in Georgia are determined, and will not accept these fraudulent efforts to take from us our constitutional rights.

It need not happen here or elsewhere, and it will not happen, if we as free, liberty-loving Americans band together to retain our constitutional rights.

By organization at home, you can give inspiration to your public officials who must lead in this fight—to your governor, legislators, public-school officials, all those who must lead in this fight here at home, and to your Senators and Representatives in Washington. We must signify our determination to fight this battle to a successful conclusion. You have a most important part to play. It is your individual struggle, and your neighbor's individual struggle. Let me urge you to accept your responsibility, and to do your part. Urge your neighbor to do his part. This is a time when it is true, as never before, that "united we stand, divided we fall." This is a fight which can be won, and I pray that it is the will of Almighty God that it will be won. But it will not be won by default.

Shakespeare said, "He is thrice armed who hath his quarrel just." Never was there any people with more just reason to prevail than we in this struggle.

Let us not lose sight of this truth in these critical times. Let us remember that the fight is ahead of us—not behind us.

SENATE

FRIDAY, AUGUST 23, 1957

Legislative day of Thursday, August 22, 1955

The Senate met at 12 o'clock meridian, on the expiration of the recess.

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

Our Father, God, in the fierce heat and burden of these testing days, save us from being embittered by the ingratitude and pettiness of those who comprehend not the vastness of issues free men are now facing. Deliver us from all cowardly expediency. May the voice of the past warn us of paths which lead to national disaster. May the voice of the present call us to be inspiring prophets of good will. May the voice of the future challenge us to march on to a golden day when earth's dismal deserts shall blossom into gladsome gardens. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Thursday, August 22, 1957, was approved, and its reading was dispensed with.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, has an order previously been entered for the transaction of routine business, during the morning hour, at this time?

The VICE PRESIDENT. The order was made yesterday.

THE MUTUAL SECURITY BILL

Mr. JOHNSON of Texas. Mr. President, I should like to make a brief statement on the mutual security bill.

My position on the mutual security bill is that it is very important to the country to obtain the best measure we can. As the Members of the Senate are aware, we passed the authorization bill, and we passed it in an amount substantially higher than that which was finally resolved in the conference. I voted for the measure when it originally passed the Senate. I voted for the conference report which provided authorizations of $3,300,000,000. That meant that I thought that sum was a reasonable one. I have not changed my position.

In my opinion, not enough votes are available to obtain the full amount. But I am going to vote for a substantial increase, and I am going to do everything possible to strengthen the measure to the fullest possible extent.

This year the mutual security bill has assumed what I believe to be a new and very promising direction. I believe that the Members of the Senate should do everything possible to give it a chance.

Mr. President, I turn now to another subject.

The VICE PRESIDENT. The Senator from Texas is recognized.

THE CIVIL-RIGHTS BILL

Mr. JOHNSON of Texas. Mr. President, it seems to me that before the Congress adjourns, we should be able to complete action on an adequate civil-rights bill—a right-to-vote bill—at this session. The Senate voted by a substantial majority for the jury-trial amendment, after careful consideration and thorough debate. Now the distinguished Republican leader of the House of Representatives appears to have accepted the principle. The remaining question appears to be one of degree.

In my opinion, the amendment adopted by the Senate is by far the best one yet proposed. It maintains the principle of jury trial, and at the same time offers the maximum possibility of enforcement.

Mr. President, the Senate is composed of reasonable Members; and we are willing to accept reasonable proposals. We never took the position, when the House version of the bill was before us, that it was untouchable. We will not take the position, after the House acts, that what the House does must be destroyed. I think that if all of us work together in the spirit of mutual trust and in the spirit of good faith, rather than bad politics, we can achieve a reasonable, workable, meaningful bill, and that this will truly be a year of advancement for America.

Mr. President——

The VICE PRESIDENT. The Senator from Texas.

ACHIEVEMENTS AND DISAPPOINTMENTS

Mr. JOHNSON of Texas. Mr. President, 2 days ago the President of the United States said that the record of this Congress is tremendously disappointing to him. I do not know how he anticipated it completely, because the Congress is still in session; and has not concluded its work.

There is no point in taking the time of the Senate to engage in an argument which may properly belong in the campaign year 1958. The majority leader does not intend to do so.

The record of this Congress will speak for itself; and I have no disposition to have the Congress start passing on the President's performance in the first 6 months of this term, either.

However, I believe that even some of the President's strongest supporters are tremendously disappointed in the efforts of his advisers to anticipate a campaign year. There is a place for politics, and there is a place for legislation. This is neither the time nor the place to confuse the two.

Therefore, Mr. President, I ask unanimous consent that an editorial entitled, "Disappointments," which was published today in the influential Baltimore Sun, be printed in the RECORD as a part of my remarks.

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

[From the Baltimore Sun of August 23, 1957]

DISAPPOINTMENTS

The President said in his Wednesday press conference that he was "tremendously disappointed" with the way Congress had handled the administration's legislative program. But we are pleased to see that he did not ascribe the failure of Congress to follow through on his recommendations to raw politics exclusively. Politics has had a big part in this, of course. And yet it is important to remember that there is room for honest differences of opinion among those who in general have steadily supported what might be called the Eisenhower point of view. The Eisenhower point of view has to be distinguished from specific acts whether in individual legislative recommendations or in administration. The running comment of this newspaper, which supported Mr. Eisenhower twice and would do it over again could the clock be turned back, illustrates this point. Many times during the past 8 months we have criticized on their merits acts and recommendations of this administration. Examples:

1. The Middle East doctrine: Though sound in concept this proposal to Congress was badly managed and lost much of its impact because the groundwork for its announcement was not well laid. There was some political stalling in Congress, to be sure, but the real difficulty lay in the fact that, when it was announced, no one really knew what it meant.

2. The budget: There had been every reason to expect, and the public we think was ready for, a sterner overhauling of Government costs than the budget reflected. This threw the problem of budget cutting into the lap of Congress, with the result that Congress tended to bear down in the wrong places because they are so often the politically easiest places, i. e., the mutual security or foreign-aid program.

3. Federal aid to schools: The motive behind this program was good, since everyone knows that the country is in a school-building crisis. But the administration was never really able to show that this crisis cannot be handled individually by the States if they will summon the will to do so.

4. Civil rights: The administration deserves praise for having evolved a promising method of combating illegal denial of voting rights and for driving it hard in Congress. Yet the administration's bill was by no means free of flaws, and the debate in the Senate, which as it happens was dominated by Democrats, and Southern Democrats at that, not only brought out these flaws but produced in the end a superior bill, now needing only minor adjustment. Yet the administration, which might better have accepted the improved bill with cheers, has turned obstructive during these past few weeks. One need not be inspired by partisan motives to criticize this curious dog-in-the-manger behavior.

Here, then, are four issues on which one newspaper that has generally favored the administration had occasion to disagree. If the record of this Congress is disappointing to the President, it is not entirely because the Democratic Party is playing politics for all it is worth; it is in part because some of the administration's acts have at times been disappointing.

A NEW RECORD HIGH IN THE COST OF LIVING

Mr. JOHNSON of Texas. Mr. President, yesterday was truly a sad day for America. For the 11th straight month, the cost of living went up to a new record high. The facts and figures available offer no cause for comfort.

There are two conditions which can bring misery to our people. One is when they do not have money with which to buy food, clothing, and shelter for themselves and their families. The other is when they have money, but when prices are simply too high.

Mr. President, no one knows precisely when prices become too high as a general proposition. But the individual knows, because he is bearing the brunt of the squeeze on his pocketbook.

Today the situation is one which affects more than the consumer alone. Of all the rising prices, one of the most important is the constant and continual rise in the price of money itself.

Important Congressional committees are inquiring into the facts of these problems, and are attempting to evolve recommendations. And it is entirely safe to predict that within the uncertain months which lie ahead, the high cost of living may well become the dominant issue on the American scene.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as part of my remarks, an article entitled, "Prices in July Set Record—Food Highest Since 1952." The article was written by Richard E. Mooney, and was published today in the New York Times.

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

[From the New York Times of August 23, 1957]

PRICES IN JULY SET RECORD—FOOD HIGHEST SINCE 1952

(By Richard E. Mooney)

WASHINGTON, August 22.—Consumer prices rose in July for the 11th straight month, setting another record. The increase was one-half of 1 percent, and represented a 3.2 percent rise over July of last year. Food prices, a major factor in the upward swing, went above the peak reached in August 1952.

The Bureau of Labor Statistics reported today that its Consumer Price Index registered 120.8 in mid-July. It used the 1947–48 average as a comparison base of 100.

The increase was the same as in June. It was one of the largest monthly rises since the current wave of inflation began last year. It was not an unusual gain for July, however.

The price of food rose 1 percent; that of all other consumer items showed an average increase of one-fifth of 1 percent.

CIGARETTES A FACTOR

Higher prices for cigarettes were another major factor in the overall increase. Consumer costs in housing held steady for the first time in more than a year, as declining prices for some major household appliances offset the continued rise in rents and maintenance costs.

Clothing prices were down one-tenth of 1 percent, but costs were higher for transportation, medical care, personal care, reading and recreation, and other goods and services.

If the pattern of recent years holds, food prices may be expected to turn downward in August, led by a sharp decline in fruit and vegetable prices.

H. E. Riley, Chief of the Bureau's Division of Prices and Cost of Living, said the outlook was for little change in the food price average this month, however. He did not predict how the overall consumer price average would move in August or the months ahead. He noted the current "softness" of appliance prices, such as refrigerators and washing machines, but pointed to mixed trends that could be expected in the fall—higher prices on 1958 model cars, lower meat prices, and higher clothing prices.

The price index has risen in 10 of the last 16 Augusts.

The July rise in the index means 1 to 6 cents pay increases September 1 for 1,300,000 factory workers' wages are tied to the index by so-called escalator clauses in their contracts. Most will get a 3-cent increase. Included are 70,000 auto workers, 120,000 at the Westinghouse Electric Corp., farm machinery workers, and smaller groups in local transit, metalworking, and trucking.

James B. Carey, president of the International Union of Electrical Workers, which represents almost 80,000 of the affected workers, used the occasion to denounce the Government's anti-inflation policies.

He said cost-of-living pay increases gave IUE members some protection against inflation, but that is no excuse for the criminal blundering of the Eisenhower administration.

The Bureau reported that factory workers' take-home pay rose slightly in July, but that this had been more than offset by the rise in prices. As a result, buying power declined slightly.

Harlow H. Curtice, president of the General Motors Corp., also referred to rising prices in a letter released today. He rejected a union proposal that the company cut prices on 1958 models. He commented that the costs of most goods and services bought by General Motors Corp., including wage rates, had gone up appreciably, "yet we have not increased the prices of our automobiles."

The auto industry's debate with the union is the same as the steel price debate that has been going on before the Senate Antitrust Subcommittee.

UNION ECONOMIST TESTIFIES

In the latter, Otis Brubaker, economist for the United Steel Workers, testified today that the industry's wage costs rose by $1.28 a ton in the first half of the year, but that this had been more than offset by a $6.32 a ton decrease in the cost of other services and materials.

These figures may not hold through the second half if the rate of production declines as much as the United States Steel Corp. has predicted.

Mr. Brubaker's point, in 3 days of testimony, has been that the steel industry did not need the $6 a ton price increase announced July 1, and that steelworkers had not received their proper share of postwar gains in profits or productivity.

Auto and steel producers are raising prices on the ground that they are being forced up by higher costs, particularly wages. The price increases will appear as small plus factors among the many elements that make up the Consumer Price Index.

Taxicab fares in Washington are going up, too. The Public Utilities Commission approved an increase today.

CITY SHOWS RECORD

Consumer prices in New York City rose to a high in July, marking the seventh consecutive month of increases. The July index at 118.4 reflected a 0.4-percent gain over June and a total increase this year of 2.4 percent.

Robert R. Behlow, regional director of the Federal Bureau of Labor Statistics, observed that the increase since July 1956 was 3.3 percent.

Last month's advance was caused almost entirely by food prices. There were minor increases in medical and personal care, reading and recreation and miscellaneous goods and services.

Slight declines occurred in housing, apparel and transportation.

The rise in food prices was concentrated mainly in meats, dairy products and eggs. Bacon was up 4 cents a pound, round steak 4 cents and frying chickens 2 cents. Eggs rose 11 cents a dozen, while fresh milk edged up fractionally. Lower prices were effected for tomatoes, onions, and watermelons.

ORDER FOR ADJOURNMENT TO MONDAY AT NOON

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until Monday, at 12 o'clock noon. I make this request now, so all Senators may have notice that they will have the weekend off.

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

TRANSACTION OF ROUTINE BUSINESS ON MONDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate convenes on Monday, with the usual morning hour for the transaction of routine business, there be a 3-minute limitation on statements.

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

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like to announce that every bill on the calendar may be brought up by motion at some time between now and adjournment. I should like to have all Senators be on notice. We have developed an unfortunate procedure: We give notice of bills which may be considered; and then individual Senators feel that they are entitled to telephone and say, "I should like to have this one postponed for a week"—or for 2 weeks or 3 weeks. Under those circumstances, Mr. President, we have to rearrange completely our schedule, in an attempt to accommodate our colleagues.

The majority leader and the minority leader are very anxious to accommodate all Members for as much of the time as possible. But in the concluding days of the session, we wish to clear up the nominations on the Executive Calendar, and we also wish to clear up the bills and other measures on the Legislative Calendar. So I wish each Senator to be on notice that any bill may be brought up by motion at any time.

I announce that the following measures have been determined to be available today, and may be brought up by motion on today or on Monday:

Calendar 1105, Senate bill 1764, to amend the District of Columbia Public Food Services Act.

Calendar 1106, Senate bill 1849, to provide for a more effective administration of public assistance in the District of Columbia; to make certain relatives responsible for support of needy persons, and for other purposes.

Calendar 1110, Senate bill 1726, authorizing certain construction for the protection of the Narragansett Bay area against hurricane tidal flooding.

Calendar 1065, Senate Joint Resolution 94, directing that the financial reports and other information filed with the Secretary of Labor pursuant to subsections (f) and (g) of section 9 of the National Labor Relations Act, as amended, be made available to the public.

Calendar 1076, House bill 8679, to provide a 1-year extension of the programs of financial assistance in the construction of schools in areas affected by Federal activities under the provisions of Public Law 815, 81st Congress.

Calendar 1081, Senate bill 1889, to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf.

Calendar 1061, House bill 8030, to amend the Agricultural Adjustment Act of 1938, with respect to acreage listing.

Calendar 1063, House bill 8508, to provide that there shall be two county committees elected under the Soil Conservation and Domestic Allotment Act for certain counties.

Calendar 1039, House 4191, to amend section 633 of title 28, United States Code, prescribing fees of United States Commissioners.

Calendar 1069, House bill 3367, to amend section 1867 of title 28 of the United States Code to authorize the use of certified mail in summoning jurors.

Calendar 1070, House 4193, to amend section 1716 of title 18, United States Code, so as to conform to the act of July 14, 1956—seventieth United States Statutes at Large, pages 538–540.

Calendar 1122, House bill 110, to amend section 372 of title 28, United States Code.

Calendar 1124, House bill 2136, to amend section 124 (c) of title 28 of the United States Code so as to transfer Shelby County from the Beaumont to the Tyler division of the eastern district of Texas.

And Calendar 1126, House bill 5811, to amend subdivision b of section 14—Discharge when granted—of the Bankruptcy Act, as amended and subdivision b of section 58—Notices—the Bankruptcy Act, as amended.

All those bills may be brought up by motion during the day, together with the measures previously announced, and together with any others which may be cleared with the minority committee.

Let me say for the benefit of the information of the Senate that I do not plan to bring up any measure by motion except in the case of advance notice given.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 493. A bill for the relief of Irene Montoya; and

S. 1972. A bill for the relief of Letizia Maria Arini.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which is requested the concurrence of the Senate:

S. 1007. An act for the relief of Sgt. Donald D. Coleman;

S. 1049. An act for the relief of Mrs. Ahsapet Gamityan; and

S. 1271. An act for the relief of Daniel Alcide Charlebois.

The message further announced that the House had agreed to the concurrent resolution (S. Con. Res. 40) favoring the suspension of deportation in the cases of certain aliens, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 41) favoring the suspension of deportation in the case of certain aliens, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 1140. An act to amend Public Law 85–56 to permit persons receiving retired pay for nonregular service to waive receipt of a portion of that pay to receive pensions or compensation under laws administered by the Veterans' Administration;

H. R. 1638. An act for the relief of Lt. Percy Hamilton Hebert;

H. R. 2901. An act for the relief of Ralph H. Weeks;

H. R. 7115. An act for the relief of the Rochester Iron & Metal Co.;

H. R. 7200. An act for the relief of the estate of Isa Hajime;

H. R. 7508. An act for the relief of Harry J. Madenberg;

H. R. 7972. An act to provide for the conveyance to the city of Warner Robins, Ga., of certain lands and any improvements located thereon in such city;

H. R. 8038. An act for the relief of Margie C. Stewart;

H. R. 8374. An act for the relief of Virginia Ray Potts;

H. R. 8618. An act for the relief of Henry M. Lednicky;

H. R. 9015. An act for the relief of William V. Dobbins;

H. R. 9028. An act to discharge more effectively obligations of the United States under certain conventions and protocols relating to the institution of controls over the manufacture of narcotic drugs, and for other purposes;

H. R. 9282. An act to provide additional office space in home districts of Congressmen, Delegates, and Resident Commissioners;

H. R. 9285. An act to amend the charter of St. Thomas' Literary Society;

H. R. 9406. An act to amend the act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a biennial rather than an annual basis;

H. J. Res. 429. Joint resolution to facilitate the admission into the United States of certain aliens;

H. J. Res. 435. Joint resolution for the relief of certain aliens;

H. J. Res. 436. Joint resolution to facilitate the admission into the United States of certain aliens; and

H. J. Res. 437. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

The message also announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 176. Concurrent resolution authorizing the printing as a House document of certain material relating to the Central Valley project of California, and providing for additional copies; and

H. Con. Res. 188. Concurrent resolution authorizing the printing as a House document of the document entitled "Congress and the Monopoly Problems: 56 Years of Antitrust Development, 1900–1956."

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated:

H. R. 1140. An act to amend Public Law 85–56 to permit persons receiving retired pay for nonregular service to waive receipt of a portion of that pay to receive pensions or compensation under laws administered by the Veterans' Administration; and

H. R. 7972. An act to provide for the conveyance to the city of Warner Robins, Ga., of certain lands and any improvements located thereon in such city; to the Committee on Armed Services.

H. R. 1638. An act for the relief of Lt. Percy Hamilton Hebert;

H. R. 2901. An act for the relief of Ralph H. Weeks;

H. R. 7115. An act for the relief of the Rochester Iron & Metal Co.;

H. R. 7200. An act for the relief of the estate of Isa Hajime;

H. R. 7508. An act for the relief of Harry J. Madenberg;

H. R. 8038. An act for the relief of Margie C. Stewart;

H. R. 8374. An act for the relief of Virginia Ray Potts;

H. R. 8618. An act for the relief of Henry M. Lednicky;

H. R. 9015. An act for the relief of William V. Dobbins;

H. J. Res. 429. Joint resolution to facilitate the admission into the United States of certain aliens;

H. J. Res. 435. Joint resolution for the relief of certain aliens;

H. J. Res. 436. Joint resolution to facilitate the admission into the United States of certain aliens;

H. J. Res. 437. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; to the Committee on the Judiciary.

H. R. 9028. An act to discharge more effectively obligations of the United States under certain conventions and protocols relating to the institution of controls over the manufacture of narcotic drugs, and for other purposes; to the Committee on Finance.

H. R. 9282. An act to provide additional office space in home districts of Congressmen, Delegates, and Resident Commissioners; and

H. R. 9406. An act to amend the act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a biennial rather than an annual basis; to the Committee on Rules and Administration.

H. R. 9285. An act to amend the charter of St. Thomas' Literary Society; to the Committee on the District of Columbia.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolutions were referred to the Committee on Rules and Administration:

H. Con. Res. 176. Concurrent resolution authorizing the printing as a House document of certain material relating to the Central Valley project of California, and providing for additional copies; and

H. Con. Res. 188. Concurrent resolution authorizing the printing as a House document of the document entitled "Congress and the Monopoly Problems: 56 Years of Antitrust Development, 1900–1956."

TRANSACTION OF MORNING BUSINESS

The VICE PRESIDENT. Morning business is now in order.

EXECUTIVE COMMUNICATIONS, ETC.

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

Audit Report on Custodianship Functions, Office of the Treasurer, Treasury Department

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the custodianship functions, Office of the Treasurer of the United States, Treasury Department, for the fiscal year ended June 30, 1956 (with an accompanying report); to the Committee on Government Operations.

Report on Tort Claims Paid by Department of the Army

A letter from the Acting Secretary of the Army, transmitting, pursuant to law, a report on tort claims paid by the Department of the Army, for the fiscal year 1957 (with an accompanying report); to the Committee on the Judiciary.

Disposition of Executive Papers

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

The VICE PRESIDENT appointed Mr. Johnston of South Carolina and Mr. Carlson members of the committee on the part of the Senate.

RESOLUTIONS OF WESTERN ASSOCIATION OF STATE HIGHWAY OFFICIALS

Mr. THYE. Mr. President, I ask unanimous consent to have printed in the body of the Record a letter I received from L. P. Zimmerman, the Commissioner of Highways of the State of Minnesota. Commissioner Zimmerman refers to resolutions adopted by the Western Association of State Highway Officials during the annual conference at Houston, Tex., June 11–14, 1957.

There being no objection, the letter and resolutions were ordered to be printed in the Record, as follows:

State of Minnesota,
Department of Highways,
St. Paul, August 21, 1957.

Hon. Edward J. Thye,
United States Senator, Senate Office Building, Washington, D. C.

Dear Senator: We are taking the privilege of sending you herewith a copy of resolutions Nos. 2, 4, and 5 which were adopted by the Western Association of State Highway Officials during its annual conference at Houston, Tex., June 11–14, 1957.

Resolution No. 2 expresses opposition to any current or proposed legislation which would expand the mileage of the National System of Interstate Highways until such time as funds have been made available.

Resolution No. 4 requests the Congress of the United States to take necessary action to provide funds for the construction of access roads for the development of natural resources.

Resolution No. 5 approves the enactment of H. R. 6849 or other appropriate legislation to assure that conveyances of private property to State highway departments for highway purposes be exempted from the Internal Revenue documentary stamp tax.

We respectfully request that you give support to the passage of these resolutions.

Transmitted herewith also for your information is Resolution No. 1, adopted at the same meeting, which requests that the Congress of the United States be petitioned to enact proper legislation to prohibit the payment or reimbursement from Federal aid highway funds of any portion of the costs for moving, removing, or adjusting the facilities of utilities when such facilities are located upon the publicly owned rights-of-way of a public highway.

Respectfully yours,
L. P. Zimmerman,
Commissioner of Highways.

Resolution 1

Whereas, there is a concerted nationwide movement by utility companies to cause legislation to be enacted in the respective States having for its purpose the mandatory payment from public funds of the costs of removing or adjusting the facilities of such companies located upon public highway rights-of-way, when it is necessary that such relocations or adjustments be effected in order to provide for Federal aid highway or State construction; and

Whereas it is unfair to require the payment from public funds for the relocations or adjustments of utilities where such utilities have been occupying publicly acquired rights-of-way without the utility having paid any part of the costs of such public highway right-of-way; and

Whereas such legislation would be detrimental to the entire Federal aid highway program because it would be diverting public funds and would be decreasing very considerably the funds to be available for highway construction and would greatly delay the completion of the Federal aid highway systems thereby depriving the public of the highways needed in the national defense, for the economic development of the entire Nation, and for the safety and convenience of the motoring public: Therefore, be it hereby

Resolved by the Western Association of State Highway Officials assembled at Houston, Tex., this 13th day of June 1957, That such association vigorously oppose such legislation in the respective States, and that the Congress of the United States be hereby petitioned, for the reasons hereinabove set forth, to enact proper legislation to prohibit the payment or reimbursement from Federal aid highway funds of any portion of the costs for moving, removing, or adjusting the facilities of utilities when such facilities are located upon the publicly owned rights-of-way of a public highway; and be it further

Resolved, That a copy of this resolution be submitted to each Member of the Congress of the United States.

RESOLUTION 2

Whereas the executives and member delegates of the 36th annual conference of the Western Association of State Highway Officials are aware of the current status of the expanded highway program, as it applies to the National System of Interstate and Defense Highways, having been so appraised of the progress made thereupon, by Federal Highway Administrator Bertram D. Tallamy; and

Whereas the membership of this organization is also fully cognizant of the many serious obstacles confronting the orderly completion of the interstate program within the time allotted by the Congress of the United States, even though progress to date has been satisfactory and on schedule; and

Whereas it is the general feeling of the membership of the Western Association of State Highway Officials that completion of the currently established 41,000 miles of the interstate network will test the capabilities of the several State highway departments and the United States Bureau of Public Roads: Now, therefore, be it

Resolved, That the Western Association of State Highway Officials, in conference at Houston, Tex., on June 13, 1957, does hereby record its opposition to any current or proposed legislation which would expand the mileage of the National System of Interstate Highways, until such time as funds have been made available to assure the completion of the existing mileage, in accordance with established standards of design and construction.

RESOLUTION 4

Whereas there is increasing need for the construction of access roads for the development of our natural resources, to stimulate the mining of vital strategic minerals, and leading to Federal installations; and

Whereas such access roads will provide recreation opportunities to great numbers of our people; and

Whereas the Nation will receive much benefit from the supply of these strategic minerals so necessary for the defense of our country; and

Whereas the resulting industrial growth will provide economic benefit to the entire Nation; and

Whereas State and local governments are unable to provide for financing such access roads: Now, therefore, be it

Resolved, That the Western Association of State Highway Officials in convention assembled at Houston, Tex., on June 13, 1957, urgently requests the Congress of the United States to take the necesary action to provide funds for the construction of such access roads, and that copies of this resolution be sent to Members of Congress of the Western States and to members of the appropriate committees.

RESOLUTION 5

Whereas under present rulings of the United States Bureau of Internal Revenue conveyances of private property to public agencies for public use are subject to the imposition of the Internal Revenue documentary stamp tax; and

Whereas while technical legal liability for such stamp tax rests upon the private property owner, in fact the cost thereof must frequently be borne by the public agencies in order to avoid condemnation proceedings and to that extent, imposition of the stamp tax upon such conveyances constitutes an unreasonable interference with and burden upon necessary State governmental functions; and

Whereas H. R. 6849, presently being considered by the Congress of the United States, would eliminate such unreasonable interference and burden by exempting conveyances of private property to public agencies from said documentary stamp tax: Now, therefore, be it

Resolved, That the Western Association of State Highway Officials in annual convention assembled in Houston, Tex., this 13th day of June, 1957, instructs its president and executive committee to actively seek enactment of H. R. 6849 or other appropriate legislation to assure that conveyances of private property to State highway departments for highway purposes be exempted from the Internal Revenue documentary stamp tax.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ERVIN, from the Committee on Armed Services, with an amendment:

H. R. 3028. An act to provide for the relief of certain female members of the Air Force, and for other purposes (Rept. No. 1112).

By Mr. JOHNSON of Texas, from the Committee on Armed Services, without amendment:

H. R. 4144. A bill to provide that the commanding general of the militia of the District of Columbia shall hold the rank of brigadier general or major general (Rept. No. 1114).

By Mr. JOHNSON of Texas, from the Committee on Armed Services, with amendments:

S. 41. A bill to direct the Secretary of the Navy or his designee to convey a two thousand four hundred seventy-seven and forty-three one hundredths acre tract of land, avigation and sewer easements, in Tarrant and Wise Counties, Tex., situated about 20 miles northwest of the city of Fort Worth, Tex., to the State of Texas (Rept. No. 1113).

By Mr. SYMINGTON, from the Committee on Armed Services, without amendment:

H. R. 896. An act to amend title 10, United States Code, to authorize the Secretary of the Army to furnish heraldic services (Rept. No. 1115).

By Mr. NEUBERGER, from the Committee on Interior and Insular Affairs, with an amendment:

H. R. 6322. An act to provide that the dates for submission of plan for future control of property and transfer of the property of the Menominee Tribe shall be delayed (Rept. No. 1116).

REPORT ENTITLED "GOVERNMENT PROCUREMENT, 1957; CASE STUDIES IN GOVERNMENT PROCUREMENT" (S. REPT. NO. 1111)

Mr. SPARKMAN. Mr. President, as chairman of the Select Committee on Small Business, and on behalf of the Senator from Florida [Mr. SMATHERS], chairman of the committee's Government Procurement Subcommittee, I submit a report entitled "Government Procurement, 1957; Case Studies in Government Procurement," and ask that it be printed.

The VICE PRESIDENT. The report will be received and printed, as requested by the Senator from Alabama.

REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation three lists of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted reports thereon, pursuant to law.

BILLS INTRODUCED

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

By Mr. DIRKSEN (by request):

S. 2841. A bill for the relief of Karl Weinheimer; to the Committee on the Judiciary.

By Mr. SYMINGTON:

S. 2842. A bill to provide equitable treatment for producers participating in the acreage reserve program on the basis of incorrect information furnished by the Government; to the Committee on Agriculture and Forestry.

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

By Mr. MURRAY:

S. 2843. A bill to prohibit Government agencies from acquiring or using the National Grange headquarters site without specific congressional approval, to provide for renovation of the old State Department Building, and for other purposes; to the Committee on Public Works.

By Mr. THURMOND:

S. 2844. A bill for the relief of J. Paul Adams; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 2845. A bill to provide for reimbursement of the Treasury by the Panama Canal Company for the annuity paid to the Republic of Panama; to the Committee on Interstate and Foreign Commerce.

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

By Mr. MAGNUSON:

S. 2846. A bill to provide for a separate session of Congress each year for the consideration of appropriation bills, to establish the calendar year as the fiscal year of the Government, and for other purposes; to the Committee on the Judiciary.

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

By Mr. MAGNUSON (for himself, Mr. CHURCH, Mr. JACKSON, Mr. MANSFIELD, Mr. MORSE, Mr. MURRAY, and Mr. NEUBERGER):

S. 2847. A bill to amend the Federal Power Act, as amended, to require that the Federal Power Commission shall license only those projects which are best adapted to improving or developing the water resources of a river basin in order to obtain by integrated operation the maximum amount of net public benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. JACKSON:

S. 2848. A bill to amend section 73 (q) of the Hawaiian Organic Act; to approve and ratify Joint Resolution 32, Session Laws of Hawaii, 1957, authorizing the issuance of $14 million in aviation revenue bonds; to authorize certain land exchanges at Honolulu, Oahu, T. H., for the development of the Honolulu airport complex; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ERVIN:

S. 2849. A bill for the relief of Pog Moon Jung and Moo Wah Jung; to the Committee on the Judiciary.

By Mr. CARROLL:

S. 2850. A bill for the relief of Maria Pontillo; to the Committee on the Judiciary.

By Mr. KUCHEL:

S. 2851. A bill to amend section 203 of the Federal Property and Administrative Services Act of 1949 to authorize the sale and conveyance of certain surplus property of the United States situated in the county of Orange, State of California, to the former owners thereof, Richard Haster and Esther Haster, his wife, or their legal representatives; to the Committee on Government Operations.

NATIONAL LIBRARY WEEK

Mr. HILL. Mr. President, on behalf of myself and Senators CHURCH, DOUGLAS, HENNINGS, MURRAY, MORSE, JOHNSTON of South Carolina, PASTORE, FULBRIGHT, AIKEN, THYE, ALLOTT, COOPER, CASE of New Jersey, WATKINS, MANSFIELD, CARLSON, and MCNAMARA, I submit, for appropriate reference, a concurrent resolution requesting the President to designate the week of March 16–22, 1958, as National Library Week. The concurrent resolution carries the endorsement of the American Library Association, the National Book Committee, and numerous other professional organizations and voluntary citizens' associations.

Last year Congress gave recognition and tangible support to the important educational and cultural functions of public libraries by the enactment of the Library Services Act. That act authorized a 5-year program of Federal matching grants to enable the States to provide public library services in rural areas of the country which have no library service or inadequate service, and in which approximately 27 million of our people live.

In passing the Library Services Act, Congress took a necessary step to alleviate the obvious and critical needs of this important educational service. There remains, however, the need to build the financial support and material resources of all libraries and make these resources available to our people in the most effective way possible. These needs will be provided by State and local governments, voluntary associations and private effort and initiative. National Library Week is intended to focus public attention on these problems and to stimulate public interest in their solution. State and local committees throughout the Nation will be at work during National Library Week emphasizing the resources of libraries and the part the printed word contributes to our education, self-development, cultural advancement, recreation, civic improvement, and our national well-being.

My fellow sponsors and I commend the National Book Committee, the American Library Association and the other supporters of National Library Week for their initiative in developing this program; and we are hopeful that Congress will adopt the concurrent resolution, and bring National Library Week to the attention of our people.

Mr. President, I ask unanimous consent that the concurrent resolution be printed in the RECORD.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 49) was referred to the Committee on the Judiciary, as follows:

Whereas the Congress of the United States has recognized the vital educational and cultural role of libraries by the enactment of the Library Services Act of 1956; and

Whereas the Library Services Act is now in operation in 43 of the 48 States as a means of finding ways of bringing adequate public library service to some 27 million Americans, largely in rural areas, hitherto without such service or with totally inadequate service; and

Whereas State and local governments, professional associations, and citizens' groups recognize that much remains to be done to improve the availability of the full resources of the printed word to all of our people for education, self-improvement, cultural advancement, and fulfilling the responsibilities of citizens in a democracy; and

Whereas the National Book Committee and the American Library Association in cooperation with numerous other citizens' organizations, business and professional groups, and voluntary associations, have designated the week of March 16–22, 1958, as the first National Library Week; and

Whereas National Library Week will increase support for libraries from the highest levels of leadership in the civic, economic, professional, and cultural life of the country; will expose the need for the extension and improvement of school and public library services; will offer opportunities for librarians to work more closely with newspaper, magazine, and advertising executives in broadening the use of printed materials; will attract wider public attention to library services through features in national media; and will promote prestige for reading itself by showing the vital role the printed word can play in the pleasure of reading aloud in the family, the rewards of reading as a leisure time activity and the contribution of reading to career advancement: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the President is requested to issue a proclamation designating the week beginning on the 16th day and ending on the 22d day of March 1958 as National Library Week, and calling upon the people of the United States to observe such week with appropriate ceremonies.

CONSTRUCTION AND SALE OF A PASSENGER VESSEL FOR USE IN TRANSPACIFIC TRADE

Mr. MAGNUSON. Mr. President, I submit, for appropriate reference, a concurrent resolution favoring the construction and equipment of a passenger vessel of certain requirements for sale to American President Lines, Limited, for use in the trans-Pacific trade. I ask unanimous consent that a statement, prepared by me, relating to the concurrent resolution, may be printed in the RECORD.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 50) was referred to the Committee on Interstate and Foreign Commerce, as follows:

Whereas it is the policy of the United States, as declared in section 101 of the Merchant Marine Act, 1936 (46 U. S. C. 1101), to foster the development and encourage the maintenance of a merchant marine "(a) sufficient to carry its domestic waterborne commerce and a substantial portion of the waterborne export and import foreign commerce of the United States and to provide shipping service on all routes essential for maintaining the flow of such domestic and foreign waterborne commerce at all times, (b) capable of serving as a naval and military auxiliary in time of war or national emergency, (c) owned and operated under the United States flag by citizens of the United States insofar as may be practicable and (d) composed of the best equipped, safest, and most suitable types of vessels, constructed in the United States and manned with trained and efficient citizen personnel"; and

Whereas a new passenger vessel adequate in size and speed to meet the requirements of our foreign commerce and national defense is needed in the Pacific area to insure carriage of a substantial portion of the waterborne export and import foreign commerce of the United States in the transpacific trades by the United States merchant marine; and

Whereas the Department of Defense has stated that a majority of the passenger vessels now in the United States merchant marine and capable of serving as troop transports in time of war or national emergency are deficient in speed and that the construction of new passenger vessels is required in the interests of national defense; and

Whereas the capital investment required for a vessel of the necessary size and speed exceeds the financial resources of any qualified operator in the United States merchant marine; and

Whereas the Department of Commerce, Maritime Administration, is authorized by section 502 of the Merchant Marine Act, 1936 (46 U. S. C. 1152), to contract for the construction, outfitting and equipment of new vessels in United States shipyards and to sell such vessels at foreign cost to citizens of the United States for use on essential trade routes, services on lines in the foreign commerce of the United States under contracts requiring a downpayment of 25 percent of the sales price and payment of the balance of said sales price in twenty equal annual installments with interest at 3½ percent per annum: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That, it is the sense of Congress that the Department of Commerce proceed as authorized by section 502 of the Merchant Marine Act, 1936, to construct, outfit and equip a new passenger vessel with a passenger capacity of approximately 1,400 and a speed of 26 knots, at an estimated domestic cost of $73 million ($45 million for 23-knot vessel) and an estimated foreign cost of $41 million ($25 million for 23-knot vessel), and to sell said vessel to American President Lines, Ltd., a citizen of the United States and an experienced and qualified steamship operator, for use on essential trade routes, services or lines in the trans-Pacific trade.

The statement presented by Mr. MAGNUSON is as follows:

STATEMENT BY SENATOR MAGNUSON

Seldom in the administration of the affairs of our Government do as many of the broad interests, needs and requirements of our Nation converge to support a single program as they do in respect to the American Merchant Marine. From the first years of our Republic, this body, the Congress of the United States, has enacted legislation designed to encourage shipbuilding and the maintenance of an adequate fleet of merchant vessels under our own flag.

The existence of an American Merchant Marine industry in being, with its constituent parts of trained personnel, safe and modern vessels, equipment, shipyards, repair facilities, suppliers and customers, has, in our generation, been a life and death matter at three separate periods. The First and Second World Wars and the Korean engagement all demonstrated clearly that the defense of America and the defeat of aggression aimed at our country cannot proceed without an American-flag merchant marine to support it.

The latest in the long line of declarations of national policy to encourage such a native American fleet of merchant vessels was the Merchant Marine Act of 1936. The able administration of this law has greatly strengthened our Government over the last twenty-one years. The basic policy expressed in that law of developing a merchant marine capable of providing shipping service on all routes essential to our foreign water-borne commerce, of serving as a naval and military auxiliary in time of war and composed of the best equipped, safest and most suitable types of vessels has proven sound. I could present reams of testimony in proof of this. Perhaps as effective evidence of the soundness of this legislation as any I know is the fact that in those twenty-one years, no Member of this body has, to my knowledge, opposed this principle or questioned its validity. There may have been disagreements as to details of administration or the pace at which the merchant marine program should advance, but none as to the need for maintaining an American Merchant Marine.

With the vessels built during the World War II, supplemented by the mariner vessels laid down during the Korean war, our merchant marine has, in recent years, been reasonably well-equipped to carry out the purposes of the Merchant Marine Act of 1936. Today, however, we are facing a critical problem in one segment of our merchant marine. We are not replacing the large passenger vessels which are absolutely vital if we are to have an adequate supply of troop transports in any future national emergency. We cannot replace them in today's high cost, high interest rate economy unless we give specific and careful attention to their problems.

Large passenger ships are high speed, specialized types of ocean-going equipment designed and used in a particular trade. They are not susceptible of mass treatment as are the tankers and freighters which are relatively interchangeable between foreign and domestic trades and between the various foreign trade routes.

In the discharge of its responsibilities, under the Merchant Marine Act, the Federal Maritime Board has determined that a new large passenger ship is now required in the Atlantic and one in the Pacific, each as replacements for a similar vessel soon to be obsolete.

It has required, by formal contract, the steamship companies operating the two old passenger ships to enter into contracts for new ships. The two companies have accepted their responsibilities under their contracts, and have agreed to build replacement pasesnger vessels of a size and speed and with national defense features satisfactory to our Government.

Legislation has been introduced to provide for construction of a replacement vessel for the SS *America* for the trans-Atlantic service of the United States Line. Today, I submit a concurrent resolution which would express the will of Congress that a fast modern passenger liner should be built for the trans-Pacific service of American President Lines.

Our Nation needs such a vessel in the Pacific. At present, the entire American-flag passenger ship operation in the Pacific Ocean, including services to Australia and New Zealand, to the Orient, to Hawaii and around the world, comprises ten vessels, with a total passenger capacity of less than 5,000, an average age of 15 years, and a designed speed in no case above 20½ knots.

Our Secretary of the Navy has recently testified before a committee of Congress that "Defense is definitely interested in the construction of a new passenger ship" because of the deficiency in speed of our present troop lift potential.

To build such a ship in the United States for the Pacific run will cost $73 million, exclusive of financing costs. Even with the operator paying but the foreign cost of construction, the investment on the part of the operator will exceed its present total net worth. Furthermore, the high interest rates required today will reduce the probable return on the investment well below what a prudent businessman would be willing to undertake.

Thus, the situation created is simple:

1. The country needs a trans-Pacific passenger ship.
2. The Maritime Administration has, in its contract with American President Lines, required the construction of such a ship.
3. The cost of financing such a ship, if the operator must borrow privately, will make it virtually impossible to build.
4. Until the last few years, ships built under the provisions of the Merchant Marine Act of 1936 were financed with Government mortgages at 3½ per cent. This provision is still in law and is still sound.
5. With a Government mortgage at a reasonable interest rate and a national defense allowance as determined by the Federal Maritime Board for actual national defense features, the economics of constructing the passenger liner became sound for American President Lines and the Government.
6. Actually, the savings to the United States in the use of the Government mortgage are very substantial over the costs to the United States involved in private financing of a merchant ship. It has been estimated that the Government could save as much as $8 million with a Government mortgage over what it would cost the Government if the vessel were privately financed at current interest rates.

With these facts before me, I have submitted a concurrent resolution expressing the sense of the Congress that we proceed to authorize construction of this ship by the United States and sale to American President Lines in accordance with the long established and sound terms of the Merchant Marine Act of 1936. It is my intention to schedule hearings on this resolution early in the next session before the Senate Committee on Interstate and Foreign Commerce.

EQUITABLE TREATMENT OF PRODUCERS PARTICIPATING IN ACREAGE RESERVE PROGRAM

Mr. SYMINGTON. Mr. President, I introduce for appropriate reference a bill to give relief to those farmers who signed and lived up to acreage reserve agreements under the Soil Bank Act, but who, through no fault of their own, received no compensation, or less compensation that their contracts provided. These farmers were shortchanged by their Government because of errors by agents or employees of the Department of Agriculture acting for the Secretary.

In some of these cases, Department officials agree that the result is unfair, but state that Department rules and regulations prevent the payments. The Comptroller General supports this position on the ground that the rules and regulations are in accord with the law.

As an example of this type of injustice, I present the case of a Carrollton, Missouri, farmer, who acted in good faith, signed an acreage reserve contract on July 26, 1956, expecting to be compensated under the Soil Bank, only to learn months later, after his crop was lost, that the local ASC office had given him erroneous information and, therefore, his contract was not binding on the Government.

Mr. President, I ask unanimous consent to have the following documents inserted in the RECORD at this point:

Copy of contract dated July 26, 1956, signed by Mr. Ralph Brock, of Carrollton, Mo., and the Carroll County ASC Committeeman, Mr. Buel Ogden.

Memorandum dated December 4, 1956, from Missouri ASC Committee to the Soil Bank Division, USDA, Washington, D. C.

Letter dated June 17, 1957, from Mr. Dwight W. Meyer, Acting Director, Soil Bank Division.

Letter dated July 12, 1957, from Mr. Howard J. Doggett, Director, Soil Bank Division, and a copy of notice issued by the USDA setting forth a ruling by the Comptroller General.

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

SOIL BANK ACREAGE RESERVE AGREEMENT, 1956

Acres in farm: 120.
State: Missouri.
County: Carroll.
Cropland acres: 97.
Code and farm No. 19–239.
Agreement No.: 530.

I

1. Location of farm: 5 miles southwest of Bogard.

2. Name and address of operator: Ralph Brock.

II

Crop (a): Corn.
Acreage (b): 15.
Field identification (c): A.

III

Acreage placed in acreage reserve (as shown in pt. II above) (corn): 15.
Farm rate per acre: $27.30.
Maximum compensation: $409.50.

IV

Name:
Ralph Brock.
Division of compensation, corn, 100 percent: $409.50.

V

RALPH BROCK, *Owner*.
Date: July 26, 1956.
SECRETARY OF AGRICULTURE,
By BUELL OGDEN,
ASC County Committeeman.
Date: July 26, 1956.

DECEMBER 4, 1956.

1956 Acreage Reserve Program—Complaint of Mr. and Mrs. Ralph Brock, Rural Route 3, Carrollton, Mo.

DWIGHT MYERS,
Deputy Director, Soil Bank Division, Commodity Stabilization Service, United States Department of Agriculture, Washington, D. C.

The State committee has received a complaint by way of a personal visit from the above producers relative to a 1956 corn acreage reserve agreement.

The Brocks stated that they had signed an agreement for 15 acres, but had not been paid.

Information obtained from the Brocks and from the Carroll County ASC office reveals that this is 1 of 10 such cases in the county. All 10 cases are actually missed farms, on which the county signed agreements on the assumption that the acres would be available out of the State reserve. It developed, however, that the acres in the State reserve was exhausted, and, consequently, these allotments could not be granted.

The county then attempted to pro rate the acres left in the county reserve among all 10 farms with the result that they offered Brock 3 acres instead of the 15 he originally signed for.

Brock's contention is that he lost 15 acres of hay which he otherwise would have cut and as a result he has suffered financial loss.

We fully realize that compliance with, and reduction from, acreage allotments is a requisite of the acreage reserve program, but it is our earnest opinion that in such cases as this, in which the error apparently rests with the county office, an attempt should be made to pay the producers involved.

For that reason, we are submitting this case and we would appreciate your consideration and advice.

MISSOURI STATE ASC COMMITTEE,
State Office, Columbia, Mo.

UNITED STATES
DEPARTMENT OF AGRICULTURE,
COMMODITY STABILIZATION SERVICE,
Washington, D. C. June 17, 1957.
Hon. STUART SYMINGTON,
United States Senate.

DEAR SENATOR SYMINGTON: This is in further reply to your letter of May 23, 1957, in regard to your constituent, Mr. Ralph Brock, Rural Route No. 3, Carrollton, Mo.

Your letter and all of the attachments were referred to the Office of General Counsel requesting that they determine the farm allotment that could have been established for Mr. Brock in 1956. Thus, establishing the acreage that was eligible to be placed under a 1956 acreage reserve agreement. The following report was received from the Office of General Counsel on June 13, 1957.

"The facts appear to be as follows: Mr. Brock's farm was 1 of 10 missed farms in Carroll County, Mo., and no official allotment was issued. An agreement was filed by Mr. Brock placing 15 acres in corn acreage reserve and he set aside a field of hay which he could otherwise have harvested. There is no record of Mr. Brock's having been told that his agreement depended on the availability of acres in the allotment reserve. Later, it was determined that the allotment reserve in Carroll County was only 10 acres. Subsequent to this determination, several other missed farms were reported and the 10 acres were prorated among them, the prorated allotment for Mr. Brock being established at only 3 acres. The county committee does not recall signing Mr. Brock's agreement, but Mr. Brock has submitted a photostatic copy of his agreement showing the signature of Buell Ogden, a member of the county committee. We therefore assume that the agreement was signed by Mr. Ogden.

"As you know, the Secretary has recently requested the Comptroller General's decision as to whether the 1956 acreage reserve regulations may be amended to provide that in any case where a producer is given erroneous information as to his acreage allotment or measured acreage of the commodity and, in good faith, acted in reliance on such information, the acreage allotment or measured acreage on which the producer was so advised shall be the official allotment or measured acreage for purposes of the 1956 acreage reserve program.

"If the Comptroller General approves the Department's proposed action and the regulations are so amended, Mr. Brock may be paid compensation on the 15 acres which he placed in the acreage reserve."

You will be advised as to the decision rendered by the Comptroller General. If we can be of further service to you, please feel free to call upon us.

Sincerely yours,
DWIGHT W. MEYER,
Acting Director, Soil Bank Division.

UNITED STATES DEPARTMENT
OF AGRICULTURE,
COMMODITY STABILIZATION SERVICE,
Washington, D. C., July 12, 1957.
Hon. STUART SYMINGTON,
United States Senate.

DEAR SENATOR SYMINGTON: This is in further reply to your inquiry in regard to your constituent Mr. Ralph Brock, Rural Route No. 3, Carrollton, Mo.

We advised you that the Secretary of Agriculture had requested the Comptroller General for his decision as to whether, legally, the regulations governing the 1956 acreage reserve program could be amended to make payment in cases such as this. The Department proposed to amend the 1956 regulations to provide that, in any case where a producer was given erroneous information as to his acreage allotment or measured acreage of the commodity and, in good faith, acted in reliance on such information, the acreage allotment or measured acreage of which the producer was so advised shall be the official allotment or measured acreage for purposes of the 1956 acreage reserve program. In the Secretary's letter it was pointed out that, in numerous cases, producers had voluntarily performed their acreage reserve agreements regarding land designated as the acreage reserve and have received greatly reduced, and in some instances no, compensation as a result of relying on erroneous or misleading information concerning their allotments or measured acreage.

The following is the Comptroller General's ruling: "Your proposed amendment to the 1956 regulations would authorize the compensation of producers for acreages in excess of their actual farm acreage allotments or farm base acreage, whichever is applicable. Since the compensation of producers on that basis would not be authorized by the Soil Bank Act, our opinion is that the issuance of the proposed amendment to the 1956 regulations legally would not be proper."

We regret that the Comptroller General's ruling makes it impossible for the Division to authorize payments on acreage reserve agreements such as Mr. Brock's.

Sincerely yours,
HOWARD J. DOGGETT,
Director, Soil Bank Division.

UNITED STATES DEPARTMENT
OF AGRICULTURE,
COMMODITY STABILIZATION SERVICE,
Washington, D. C.

Action by ASC State and county offices.

REQUESTS FOR WAIVER OF REGULATIONS—CLAIMS FOR ADDITIONAL COMPENSATION—1956 ACREAGE RESERVE AGREEMENTS

Approved:
CHAS. M. COX,
Acting Deputy Administrator, Production Adjustment.

1. Purpose: To transmit to State and county committees for their information and guidance the contents of a ruling by the Comptroller General of the United States. The ruling states that compensation may not be paid producers for acreages in excess of their actual reduction below the farm acreage allotments or farm-base acreage, whichever is applicable.

2. Background: During the past months, several of the ASC State committees have requested waivers involving cases where, as a result of incorrect information as to acreage allotments or measured acreages, producers in good faith acted in reliance on such information and destroyed acreages in excess of their actual farm allotments or farm-base acreage, whichever is applicable. Pursuant to these requests the office of the general counsel requested a ruling from the Comptroller General of the United States as to whether the 1956 acreage reserve regulations could legally be amended to permit the producers in such cases to be compensated for such destruction.

3. Ruling: The ruling of the Comptroller General is quoted below:

"Letter of June 10, 1957, from the Acting Secretary of Agriculture, requests our decision whether you legally may amend the regulations governing the 1956 acreage reserve part of the soil-bank program as stated below.

"Section 485.114 of the regulations governing the 1956 acreage reserve program (21 F. R. 4383) provides as follows:

"'§ 485.114 Amount of compensation: The amount of compensation for each commodity shall be determined by multiplying the rate of compensation per acre for the commodity, determined in accordance with § 485.115, by the smallest of (a) the number of acres in the acreage reserve, (b) the acreage by which the commodity is reduced below the allotment, or in the case of corn, the soil bank corn base, or (c) the number of acres which the producer agrees to place in the acreage reserve: *Provided*, That no compensation will be paid for the particular commodity if the acreage so determined is below the minimum acreage which may be placed in the acreage reserve.'

"The Acting Secretary's letter states that, in numerous cases, producers who have fully performed their acreage reserve agreements regarding land designated as the acreage reserve have received greatly reduced, and in some instances no, compensation as a result of relying on erroneous or misleading information concerning their allotments or acreage measurements. The following two examples are set out as typical of existing cases:

"'1. The producer is informed that he has a 50-acre wheat allotment and, acting in good faith on the basis of such information, places 10 acres of wheat in the acreage reserve and harvests 40 acres of wheat. In performing his acreage reserve agreement the producer destroys a crop, other than wheat, on the 10 acres designated as the acreage reserve. The producer is not notified of his correct 40-acre wheat allotment in time to permit him to destroy the excess acreage of wheat. The result is that there has been no reduction in wheat acreage below the final corrected wheat allotment, although the producer has destroyed a crop on the 10 acres in the acreage reserve in order to comply with the terms of the agreement which he signed.

"'2. The producer has a corn base acreage of 55 acres and is informed that his measured acreage of corn is 40 acres. On this basis, in good faith, the producer places 15 acres of corn in the acreage reserve and designates a 15-acre tract, on which he destroys a growing crop, as the acreage reserve.

"'The producer is not notified that the correct corn measurement is 50 acres instead of 40 acres in time to permit him to destroy the excess acreage of corn. The result is that there has been a reduction of only 5 acres below the corn base although the producer has destroyed a crop on the 15 acres in the acreage reserve in order to comply with the terms of the agreement which he signed.'

"The letter further states that under the existing regulations the producer in the first example can be paid no compensation, and in the second example he can be compensated only for 5 acres even though the failure in each case to reduce below the allotment or corn base to the extent of the acreage placed in the reserve is due to no fault of the producer, since the establishment of an allotment or a corn base, the measuremen of the acreage of a crop on the farm, and the furnishing of such information to the producer are administrative acts performed by employees of the Government. Therefore, your Department proposes to amend the 1956 regulations to provide that, in any case where a producer is given erroneous information as to his acreage allotment or measured acreage of the commodity, and, in good faith, acted in reliance on such information, the acreage allotment or measured acreage of which the producer was so advised shall be the official allotment or measured acreage for purposes of the 1956 acreage-reserve program.

"Section 103 (a) of the Soil Bank Act, Public Law 540, approved May 28, 1956, 70 Stat. 188, authorizes and directs the Secretary of Agriculture to formulate and carry out an acreage reserve 'under which producers shall be compensated for reducing their acreages of the commodity below their farm acreage allotments or their farm base acreages, whichever may be applicable' and provides further that to be eligible for such compensation 'the producer (1) shall reduce his acreage of the commodity below his farm acreage allotment or farm base acreage, whichever may be applicable, within such limits as the Secretary may prescribe.' This language clearly authorizes the compensation of producers solely for the reduction of their acreages of the commodity below their farm acreage allotments or their farm base acreages and any compensation based upon acreage in excess of such reduction in acreage is not authorized by the Soil Bank Act.

"Your proposed amendment to the 1956 regulations would authorize the compensation of producers for acreages in excess of their actual farm acreage allotments or farm base acreage, whichever is applicable. Since the compensation of producers on that basis would not be authorized by the Soil Bank Act, our opinion is that the issuance of the proposed amendment to the 1956 regulations legally would not be proper."

4. Action by ASC State and county offices: Pending the ruling from the Comptroller General, we attempted to advise all States involved that their requests for waivers on this type of case would be retained in this office until such time as the Comptroller General rendered a ruling. Upon receipt of this ruling, we attempted to reply to each request made by the respective States. However, it is possible in the rush of handling waiver cases and other matters in the office that some of the requests may have been overlooked. Therefore, in view of the ruling of the Comptroller General, a waiver may not be granted in this type of case. State and county committees can be governed accordingly in any case coming within the purview of the ruling of the Comptroller General.

Mr. SYMINGTON. Mr. President, based on these documents, a farmer does not know that his contract will be kept by the Government, even though he has signed and complied with it in good faith, and it is accepted by the USDA agents.

Inasmuch as the Comptroller General has ruled that the Department of Agriculture is prohibited from revising its rules and regulations in order to compensate farmers in such cases, I believe that Congress should take action to see that the Soil Bank Act is amended to remedy the injustice done.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

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

The bill (S. 2842) to provide equitable treatment for producers participating in the acreage reserve program on the basis of incorrect information furnished by the Government, introduced by Mr. SYMINGTON, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 103 of the Soil Bank Act is amended, effective as of the date of enactment of the Soil Bank Act, by adding at the end thereof the following additional subsection:

"(c) In any case in which a producer in good faith enters into an acreage reserve contract in reliance on information furnished to him by the Secretary as to his acreage allotment, base acreage, measured acreage of the commodity, or other fact, such information shall be regarded as true for the purpose of this title."

REIMBURSEMENT BY PANAMA CANAL COMPANY FOR ANNUITY PAID TO REPUBLIC OF PANAMA

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to provide for reimbursement of the Treasury by the Panama Canal Company for the annuity paid to the Republic of Panama. I ask unanimous consent that a statement prepared by me, relating to the bill, be printed in the RECORD, together with a letter from the secretary of the Panama Canal Company, requesting the proposed legislation.

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

The bill (S. 2845) to provide for reimbursement of the Treasury by the Panama Canal Company for the annuity paid to the Republic of Panama, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The statement presented by Mr. MAGNUSON is as follows:

STATEMENT BY SENATOR MAGNUSON

The Panama treaty implementation bill (H. R. 6709), recently approved by both Senate and House of Representatives, authorized conveyance of certain property and facilities to the Republic of Panama, and provided that the property and facilities conveyed should be credited to the Panama Canal Company account in the Treasury, at their market value.

Included in the bill as introduced, but deleted before passage, were provisions authorizing the additional $1,500,000 in annuity payments to the Republic of Panama stipulated in the treaty, and directing that the additional payments as well as the previously agreed annuity payment of $430,000 be reimbursed to the Treasury by the Panama Canal Company.

These provisions were eliminated from the bill because of the feeling by various members of both the Senate and House committees considering the bill, that more information should be forthcoming from the Department of State as to the circumstances attendant upon the granting of the annuity increase and the determination of the amount involved. Only thus, it was felt, could it be decided reasonably whether the additional payment was of such nature as to be a proper charge against the Canal Company, to be paid from tolls collected from vessels transiting the canal, or whether, as some contended, it was an extraordinary expenditure, based on a directive stemming from national policy and not directly connected with the operation of the canal.

Accordingly it was deemed best to defer consideration and approval of the increased payment, and of the fiscal handling of the additional amount, until the desired information on the matter was obtained. I, therefore, am reintroducing, by request, as a separate bill, the sections dealing with the authorization and fiscal handling of the increased annuity payment involved, for hearings and consideration in the 1958 session.

The letter presented by Mr. MAGNUSON is as follows:

PANAMA CANAL COMPANY,
Washington, D. C., August 21, 1957.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce, United States Senate.

DEAR SENATOR MAGNUSON: Enclosed is a draft bill "To amend the provisions of paragraph (e) of section 246 of title 2 of the Canal Zone Code relating to reimbursement of the Treasury for the annuity paid to the Republic of Panama."

Article 1 of the 1955 treaty between the United States and Panama provides for an increase of $1,500,000, from $430,000 to $1,930,000, in the annuity payable by the United States to Panama under the 1903 convention (33 Stat. 2234) between the United States and Panama, as amended by article VII of the 1936 treaty between the two countries (53 Stat. 1807).

Section 246 (e) of title 2 of the Canal Zone Code, as amended by the act of September 26, 1950 (64 Stat. 1041) obligates the Panama Canal Company to reimburse the Treasury for the annuity payments required by article XIV of the 1903 convention, as amended by article VII of the 1936 treaty. The draft bill would amend this provision so as to obligate the Panama Canal Company to reimburse the Treasury for the amount of the increase in the annuity effected by the 1955 treaty.

A provision to require the Panama Canal Company to reimburse the Treasury for the full amount of the annuity as increased by the 1955 treaty was included in draft legislation submitted by the Bureau of the Budget to implement the various provisions of the 1955 treaty.

S. 1730, introduced by you on March 27, 1957, incorporated the provisions of the draft recommended by the Bureau of the Budget providing for transfer of certain lands to the Republic of Panama; reduction of the interest-bearing investment in the Panama Canal Company by the book value of the lands so transferred which belonged to the Company prior to the transfer; and reimbursement of the Treasury for the full amount of the annuity paid to Panama. S. 1730 passed the Senate with an amendment providing for reduction of the interest-bearing investment by the market value rather than book value of the transferred lands, and the text of the Senate bill as so amended, was substituted for the language of H. R. 6709 previously passed by the House of Representatives on the same subject.

In conference, the conference committee agreed to omit the section of H. R. 6709, as amended by the Senate, requiring the Panama Canal Company to reimburse the Treasury for the full amount of the annuity paid to Panama including the increase of $1,500,000 provided by the 1955 treaty. The conference report states that "it was agreed at the conference that this matter of internal accounting as between the Treasury and the Panama Canal Company should more properly be the subject of a separate bill."

The enclosed draft will provide a basis for consideration of this matter in separate legislation as contemplated by the conference committee.

Sincerely,

MERRILL WHITMAN,
Secretary.

PROPOSED FISCAL ACT OF 1957

Mr. MAGNUSON. Mr. President, inflation is one of the major problems facing the country today. Federal spending is a major factor in the trend toward rising costs, since the National Government collects and spends around 20 percent of the gross national income. It is not only important, but also necessary, that Congress be in a better position to judge our national fiscal policies, to eliminate waste, and to provide for necessary spending, on the most economic basis possible.

With this in mind, I am introducing a bill which would make possible the achievement of these objectives. Under the current system in which Congress must deal with measures like civil rights one week, and an appropriation bill the next, it is impossible for an adequate job to be accomplished. Moreover, toward the end of a session like this one, Congress is pressed by the departments to get "something passed" so that salaries and Government obligations can be met.

Mine is a threefold bill which will: First, provide for a regular annual fiscal session to be separate from the session on all legislative matters; second, establish the calendar year as the Government's fiscal year; and third, provide Federal accounting procedures which would insure a businesslike appraisal of the Government's fiscal position in the light of the President's annual budget.

In the fiscal session of Congress, beginning annually on the second Monday of November and extending until December 31, committees other than appropriations committees in either House might still meet, hold hearings, or conduct studies and investigations of matters under their respective jurisdictions, but ordinarily the only measures which would be introduced, reported upon, or enacted, would be money bills.

On the other hand, the present regular sessions of Congress beginning on January 3, and any special sessions, would ordinarily be confined to consideration of all nonfiscal measures. These would be known as legislative sessions.

Treaties, nominations, or other matters whose consideration during a fiscal session is requested by the President as being in the national interest, would provide certain necessary exceptions to the division of Congressional business between legislative and fiscal sessions. Action also might be taken on required deficiency appropriations during a legislative session.

I view inauguration of fiscal sessions the logical and most practical solution to the ever-increasing problem of thorough and timely action by Congress on appropriation bills. We in Congress are as responsible to the Nation as the executive branch for the wise and prudent disposition of public funds.

Sandwiching work on money bills into ordinary legislative business makes it almost impossible to meet that national responsibility. By contrast, the fiscal session plan will permit Congress periodically to devote its entire energies to these important matters without the pressure, haste, and confusion which have become too often associated with the consideration of money measures.

Title I of the bill sets up the fiscal session and establishes the difference between this and the legislative session.

Title II of the bill amends title 5, section 256 of the United States Code, and other related statutes, to establish the calendar year as the Government's fiscal year, thus putting the Federal accounting cycle in step with universal business practice. The bill provides that the first calendar-fiscal year will be 1960, commencing immediately after the first fiscal session, in November and December of 1959. Appropriations only for the period July 1 to December 31, 1959, would be made during the session of Congress beginning January 3, 1959.

Title III effects changes in the time of submission and content of the President's budget, amending section 201 of the Budget and Accounting Act of 1921. Beginning in 1959 the budget for the succeeding fiscal year would be required to be submitted on or before July 15 or approximately 4 months prior to the beginning of the fiscal session during which it will be passed upon. The benefits of having the budget published and on record well in advance of its consideration by Congress are obvious.

In order that the fiscal position of the Government be reflected in a more businesslike manner, this title requires the annual budget to incorporate two features not now required by law: First a showing of the amount of proposed appropriations and expenditures which are reimbursable to the Treasury; and second, a report on the total capital assets of the Government and their value, as of the end of the last completed fiscal year.

These items are essential to give Congress and the American people a true picture of the Federal financial position. The effect of the size of the budget as a whole cannot be properly analyzed unless some overall differentiation is made between absolute and reimbursable expenses. Even more important is the long-overdue requirement that some accounting be kept of our Government's capital assets.

It is almost impossible to make an intelligent appraisal of the Nation's solvency in terms of debt alone for the same reason that the indebtedness of a business or of an individual means nothing unless we also know something of their assets. The Federal Government today has the ownership of billions upon billions of dollars of lands, minerals, buildings, capital goods, supplies, and equipment. Inconceivable as it may seem to an outsider, no official accounting has ever been required to show the current value of this property, against which to measure the amount of our national debt. Surely this reform is now, more than ever, demanded.

The measure I am introducing is sincerely recommended for approval by the Senate.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2846) to provide for a separate session of Congress each year for the consideration of appropriation bills, to establish the calendar year as the fiscal year of the Government, and for other purposes, introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF ANTITRUST LAWS, RELATING TO MONOPOLISTIC ACTS OR PRACTICES BY CERTAIN PERSONS ENGAGED IN COMMERCE—AMENDMENTS

Mr. YOUNG submitted amendments, intended to be proposed by him to the bill (S. 1356) to amend the antitrust laws by vesting in the Federal Trade Commission jurisdiction to prevent monopolistic acts or practices and other unlawful restraints in commerce by certain persons engaged in commerce in meat and meat products, and for other purposes, which were ordered to lie on the table and to be printed.

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

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

By Mr. JOHNSON of Texas:

Statement summarizing the activities of the National Security Training Commission.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar, so we may make a complete and thorough record there.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. FULBRIGHT, from the Committee on Banking and Currency:

Robert B. Anderson, of New York, to be United States Governor of the International Monetary Fund and the International Bank for Reconstruction and Development.

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

DEPARTMENT OF THE NAVY

The Chief Clerk read the nomination of Richard Jackson, of Massachusetts, to be Assistant Secretary of the Navy.

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

UNITED STATES AIR FORCE

The Chief Clerk proceeded to read sundry nominations in the United States Air Force.

Mr. JOHNSON of Texas. Mr. President, I should like to make a brief statement on the Air Force nominations.

First of all, Brig. Gen. Robert James Smith, whose nomination is included in the list, for a long time has been an outstanding citizen of my State, and has had quite a distinguished career, having served in both wars. He is a very able citizen, who has dedicated his life largely to public service. I am very happy that he has been nominated to be a major general in our Air Force Reserve. I have great confidence in him. I am happy that the committee recommended the confirmation of his nomination.

Mr. President, I ask unanimous consent that the Air Force nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the Air Force nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. JOHNSON of Texas. Mr. President, I am very happy that the nomination of Brig. Gen. Robert James Smith to be major general has been confirmed. I wish to express my hearty congratulations to General Smith.

Mrs. SMITH of Maine. Mr. President, I opposed the Montgomery and Stewart nominations but I did not oppose any of the other nominations because I did not feel that it was fair to block nominees Herndon and Bradshaw who had excellent records of long participation in the Air Force Reserve. I am certainly not enthusiastic about the Reserve participation records of nominees Henebry, Smith, Alison, Larson, Stiles, Potts, and DeBrier. But their records were not to be put in the same class with those of Montgomery and Stewart. And I could not conclude that they, too, should be rejected merely because Montgomery and Stewart had been.

The member of the committee who opposed me in this matter expressed his feeling that fairness to all parties concerned required that my statement to the committee should be printed and made public. I am happy to comply with his expressed feeling and desire in this regard, and so I now submit the text of my statement made yesterday morning to the committee, and ask that it be printed in the RECORD.

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

Mr. Chairman, I have gone into these nominations very deeply and were I to make a full presentation of the objectionable matters about them it would take 3 hours of the time of the committee. I shall not impose upon the committee, but rather limit my statement to a few minutes. If the committee should want my full statement on any of the nominees I shall be happy to give it.

To set these nominations in proper perspective, we must first look at the record of the Air Force itself on these nominations. It is a record of repeated and direct misrepresentations to the committee, a record of extensive false testimony on these nominations, a record of attempts to make a wholesale rewriting of the transcript of the hearing before it was printed.

General O'Donnell sought to change his answers on 62 of the 83 pages of his testimony—on 43 of the 49 he gave in answers to my questions. General O'Donnell gave false testimony with respect to the J. B. Montgomery nomination; General O'Donnell gave false testimony with respect to the James Stewart nomination; General O'Donnell gave false testimony with respect to the Robert Smith nomination; General O'Donnell gave false testimony with respect to the John R. Alison nomination; General O'Donnell gave false testimony on the John Henebry nomination; General O'Donnell gave false information on the Jess Larson nomination.

For example, at page 34 of the hearing record General O'Donnell gave false testimony in challenging my observation that after Montgomery resigned from the Regular Air Force he would not have been eligible for any retirement benefits if he had not then been commissioned in the Reserve. He interrupted me with the flat statement of "That is incorrect, Senator." Yet later at page 79 the Air oFrce retracted this misrepresentation made by General O'Donnell and admitted that my statement was true and accurate.

At page 45 in connection with the Stewart nomination I asked if it were not true that an overwhelming number of rated Reserve Air Force generals were either command pilots or senior pilots instead of having the lowest rating of just pilot like Stewart. General O'Donnell's answer was an unequivocal and vigorous "Oh, no. Definitely not." Yet later General O'Donnell tried to have the transcript changed so that his answer would read "Yes" instead of "Oh, no. Definitely not." And the Air Force so requested that change in its letter of correction at page 80 of the hearing in the appendix. Information subsequently submitted by the Air Force revealed that there are 21 rated Air Force Reserve generals and that 19 of that number are either command pilots or senior pilots and that only 2 hold the lowest rating of mere pilot (see p. 46).

At page 28 of the hearing when I observed that Brig. Gen. Robert J. Smith at that time had had no 15-day active duty training tour since 1950, General O'Donnell gave directly false testimony to the committee and challenged my observation by stating flatly that General Smith served on duty from the 10th to the 31st of December 1956. When I said that the record did not show that, General O'Donnell repeated and persisted in this false testimony and misrepresentation to the committee. Yet, the truth is that my observation was truthful and accurate. The Air Force records show that General Smith was not on duty at any time during the period of December 10 to 31 of 1956—and that he had not performed, at the time of the hearing, a 15-day tour since 1950. Later General O'Donnell sought to have stricken from the printed hearing record this false testimony that he had given. The correction was later made in the Air Force letter of correction in the appendix of the hearing at page 79.

At pages 51 and 52 Senator STENNIS asked for the names of the nominees who had served more than the annual minimum of 15 days since 1954 and on page 52 General O'Donnell submitted a list stating "The following officers who are up for promotion have had more than the 15 days' active duty per year since 1954"; and included in that list was Colonel Alison. Again in this instance General O'Donnell gave false testimony and information to the committee for Colonel Alison did not have 15 days' active duty in 1954 but rather had only 3 partial days in 1954 and actually was in the inactive Reserve until May 15, 1955 (see p. 24 of the hearing).

At page 60 of the hearing General O'Donnell testified that no waivers had been granted to any of the nominees. Yet, although General Henebry's training category "A" requires not only an annual 15-day tour of active training but also a minimum of 48 inactive duty training periods annually. General Henebry did not get in 48 inactive duty training periods in any year—in fact, he didn't get in any such inactive duty training periods in the fiscal year 1957 just ended. Yet, at page 59 of the hearing General O'Donnell testified that all nominees had met the minimum requirements. Obviously, his testimony with respect to General Henebry in this regard was false.

At page 20 of the hearing the Air Force, through General O'Donnell, represented that Col. Jess Larson had a training category "A". Because I knew that this could not be true since Colonel Larson is not a pilot or rated officer, I asked pointedly at page 54 about this. Air Force representatives failed to correct this false information when I asked about it and they were content to leave the committee with the false impression that Colonel Larson did have a training category "A" assignment when he did not. They did not correct this false information until over 3 weeks after the hearing and only after I had pressed the point (see pp. 55 and 56).

Mr. Chairman, there are several other misrepresentations made by the Air Force and its representatives in this matter. I shall not burden the committee with a recital of them for I feel they would be merely cumulative in effect and I think that these enumerated should sufficiently and impressively demonstrate that the Air Force record in this matter before the committee has clearly been one of disregard for truth, disregard for accuracy, and disregard for encouragement of active participation in the Air Force Reserve.

I now turn to the specific nominations. First, I say that the records of nominees Herndon and Bradshaw are excellent and that their nominations should be approved without hesitancy by the committee.

But from that point on there are substantial questions in increasingly serious degree about the rest of the nominees. Colonel Larson was in the Air Force Reserve less than 5 years before he was nominated for brigadier general. Colonels DeBrier, Potts, and Stiles have deficiencies in their records of Reserve participation. General Henebry failed to perform a 15-day tour in retention years 1953, 1954, and 1956—and failed to meet his training category "A" requirement of 48 inactive duty training periods in retention year 1957—not only not getting in the required number but failing to get a single period of inactive duty training. General Smith failed to perform a 15-day tour from 1950 until the very last minute of retention year 1957, just barely getting in under the deadline for that year. Colonel Alison earned only 6 points in 9 years from 1946 to May 1955 and became active in the Air Force Reserve only when given an assignment that carried the authorized rank of brigadier general.

The worst 2 cases of the 11 nominations are those of Colonel Montgomery and Colonel Stewart.

There has been much false publicity about Colonel Stewart and the qualifications claimed for him. It has been claimed that he has trained actively with the Reserve every year. That claim was proved false at page 44 of the hearing. It has been claimed that he is the first pilot of a B–52. That claim was proved false at page 45 of the hearing. It has been claimed that he could fly a B–52 anywhere in the world. That claim was proved false at the hearing.

In fact, the real truth was established at the hearing—that Colonel Stewart is not current or qualified on any military aircraft (see p. 45). Instead of being a command pilot or senior pilot as the overwhelming number of rated Air Force Reserve generals are, he has the lowest rating of mere pilot.

Instead of having trained actively every year with the Reserve, he didn't start training until a year ago in July—the first time that he did a 15-day tour since the end of World War II—the first time in 11 years. In fact, his participation record in the Reserve until last year was only 9 days in 11 years.

What's more, even though his mobilization assignment is Deputy Director of Operations of the Strategic Air Command—literally the No. 3 job in SAC importance if war comes—the very bare minimum of participation is to be required of him in the future—the minimum of only 15 days—nothing else.

For he has a training category "D" in this most important mobilization assignment. Now what is the basis for such a low minimum training category "D"? The Air Force provided the answer to this at pages 54 and 71 of the hearing with the statement of: "These individuals are considered proficient in their Air Force specialty by virtue of their recent release from active military service or maintain their proficiency through their normal civilian pursuits."

Stewart was released from active military service in 1945—12 years ago. Obviously that is not a recent release.

Stewart's normal civilian pursuit is that of motion-picture actor. Obviously he can't maintain his proficiency for Deputy Director of Operations of the Strategic Air Command by being a motion-picture actor.

Past national presidents of the Reserve Officers Association have complained bitterly to me that the Stewart nomination was destructive to the morale of the Air Force Reserve.

The worst case in my opinion is that of the John B. Montgomery nomination, for here is a record of a nominee showing practically no interest in the Reserve—a nominee who for nearly 16 months after he was commissioned in the Reserve did not lift his finger for participation in the Reserve—a nominee, who in over 2 years, in over 26 months, has put in a total of only 15 days in the Air Force Reserve—a nominee with the least participation of all of the nominees in the Air Force Reserve—a nominee who has been in the Air Force Reserve only a little over 2 years.

Here is a case where a regular officer used the Air Force Reserve to get what he couldn't get in the regular establishment—who left the Regular Air Force, after being refused retirement as a regular major general, to take a high paying civilian job—but who, by taking advantage of a slip and loophole in the law, will be able to get just as much retirement pay as his contemporaries who stay in the Regular Air Force on duty 365 days a year while Montgomery is not on duty in some years a single day in the year—a nominee who is having his cake in the form of abandonment of the Regular Air Force for a plush job in private industry but who is also eating his cake by using the Air Force Reserve to get, at the age of 53, the maximum retirement pay of 75 percent of the base pay of a major general on a shocking minimum of participation in Reserve training duty with the Air Force.

The Montgomery case has become not only a symbolic case of a destructive blow to Air Force reservists who see in it a way for regulars to use the Reserve to their personal advantage—but also to the regulars themselves who see one of their contemporaries abandon the Regular Air Force for a plush job in industry and still get just as much retirement pay as those contemporaries who remain faithful to the Air Force and stay on the job 365 days a year for 30 years. I know because I have had 1- and 2-star Regular generals who served under and with Montgomery come to me and complain about the Montgomery nomination. They say that the Montgomery nomination is literally an invitation to all Regular Air Force generals to resign from the Regular Air Force to accept high-paying civilian jobs and then be commissioned in the Air Force Reserve and use it for minimum participation and the easy way to get the maximum retirement pay with the least possible service.

In fact, the Montgomery case is so bad that in an unguarded moment even General O'Donnell at page 39 of the hearing stated: "* * * I have been in the personnel business for 4 years over there, and that is the first time an action like this has been taken, and I don't anticipate any in the future because of this."

Mr. Chairman and members of the committee, I say that the committee should make sure of this—that the committee should serve notice on the Air Force and all Regular Air Force generals that the Montgomery nomination is not an invitation for them to abandon the Air Force for plush civilian jobs and use the Air Force Reserve to get the most retirement pay for the least service—by rejecting the Montgomery nomination now and serving notice on the Air Force and Colonel Montgomery that if he is to be made a general in the Air Force Reserve he is going to have to give a little more of his time—that there is no justification for making him a general in the Air Force Reserve on only 15 days activity in the Air Force Reserve.

Mr. SMITH of New Jersey subsequently said: I am very happy, indeed, that the nomination of Col. Daniel DeBrier, who is a constituent of mine, to be a brigadier general in the Air Force, has been confirmed. I congratulate General DeBrier.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

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

LEGISLATIVE SESSION

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

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

MUTUAL-SECURITY PROGRAM

Mr. SMITH of New Jersey. Mr. President, during the discussion of the appropriation for the mutual-security program for fiscal 1958, various assertions have been made with regard to the availability of funds of various kinds. An overall assertion has been made that upward of $12 billion is available and, therefore, a very small current appropriation is necessary. I am endeavoring to get a breakdown of the alleged available $12 billion, and will present it at a later date.

On Tuesday last, August 20, the distinguished Senator from Virginia [Mr. BYRD] made the assertion that we have available in foreign currencies in various countries of the world, for fiscal 1958, a total of approximately $2.6 billion. The remarks of the Senator from Virginia appear on pages 15337–15338 of the RECORD.

At my request, the International Cooperation Administration and other departments of the Government have assisted my staff in preparing a statement explaining the situation with regard to these asserted available foreign currencies.

I ask unanimous consent that this statement, which I believe to be accurate, be inserted in full in the body of the RECORD at this point in my remarks.

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

STATEMENT BY SENATOR SMITH OF NEW JERSEY

THE PROBLEM OF THE USE OF FOREIGN CURRENCIES—THEIR AVAILABILITY FOR THE MUTUAL-SECURITY PROGRAM IN FISCAL 1958

I

The first category of these foreign currencies consists of so-called counterpart funds. The amount involved in this category is approximately $1.1 billion. These are produced under section 142 of the Mutual Security Act which formerly required that whenever commodities were shipped abroad as grants under defense-support or development-assistance titles of the act and sold by the recipient nations, the latter had to establish a special account in local currency equal to the agreed value of the commodities. Ten percent of the moneys in such accounts was to be for the use of the United States and the remaining 90 percent was to be placed in projects for purposes advancing mutual security in the recipient country. Such projects are usually agreed upon by the United States and the local country before the commodities are shipped; but, since the recipient country owns the funds, the United States actually possesses only a veto over their use.

Under the authorization provisions of S. 2130 as adopted by the conference, counterpart funds will be primarily generated from defense support shipments hereafter.

There are almost $1.1 billion of these counterpart funds in existence which have been generated under section 142 from shipments of defense-support and development-assistance goods appropriated for in 1955, 1956, and 1957.

But, these counterpart currencies (1) cannot be used as a substitute for fiscal 1958 appropriations, nor (2) do they form part of any outstanding kitty of supposedly available mutual-security funds, for the following reasons:

1. They do not exist as a free, unattached fund of $1,100,000,000. They are, in fact, 28 different currencies in 28 different countries, ranging for example from 1,199,700 Burmese kyats to 7,109,100,000 Grecian drachmas. The Burmese kayats cannot be used in Turkey, nor the Grecian drachmas in Siam, etc.

2. One-half of these counterpart currencies are actually only borrowing by governments from their central banks. To use them for any purpose but to repay the banks might lead to dangerous inflation.

3. One-fourth of these currencies are held in countries in which we do not now have economic programs for which their use would be possible.

4. Therefore, only one-fourth of these currencies are open to discussion at all.

5. Of this one-fourth essentially all are inconvertible currencies and cannot be exchanged for dollars in order that needed commodities for use in the recipient countries can be acquired.

6. As a result, they have, in any case, a limited function in the mutual security program in obtaining military assistance and economic aid. These currencies cannot be used to buy from industrialized nations, tanks or tractors, school equipment, or generators, the goods which are needed locally in these underdeveloped countries and which cannot be produced there.

7. To the extent that any of these currencies are usable in mutual security programs they have already been taken into ac-

count in the mutual security programs of 1955, 1956, and 1957, and none remain for consideration as part of the fiscal year 1958 program.

8. To attempt to cut the appropriation for 1958 because of the existence of these currencies would constitute double accounting of currencies either unusable, or already committed to useful purposes in past years.

II

The second category is composed of local currencies generated from sales of surplus agricultural commodities under title I of Public Law 480. The amount approximately involved from these sales is $2 billion.

Section 104 of that act sets forth 10 uses of these funds and only four of them are related to mutual security purposes. These four are: (1) Military procurement (troop pay, cost of barracks, etc.); (2) purchase of goods for other countries; (3) grants for multilateral trade and economic development; and (4) loans for multilateral trade and economic development.

Of the amounts in sales since the inception of the program in 1954, some $1.5 billion in local currencies has been set aside for these four mutual security purposes.

The remaining six uses are for purposes unrelated to the mutual security program and total about $500 million.

The currencies, which in this case the United States owns, from all sales of commodities made under the act, are deposited in local accounts. Public Law 480 requires that a portion be earmarked for United States use and in some instances these reserves are very substantial. The balances remaining are then granted or loaned (mostly loaned) under agreements worked out with the local countries.

Of the available currencies only a part, therefore, can be considered in connection with mutual security appropriations in fiscal 1958. They do not constitute a free available fund which can be substituted for mutual security appropriated dollars, however, because:

1. They are comprised of 31 different currencies from some 31 variant countries and essentially all are inconvertible.

2. Public Law 480 agreements have been made with 12 countries which do not participate in the mutual security program at all. Funds represented by sales to these nations are included within the $1.5 billion noted above, which is allocated to the four designated uses. Since these nations are in no way accounted for in the mutual security appropriation for 1958 except for a small amount of technical assistance funds, the currencies in the agreements with these nations cannot serve as any substitute for mutual security appropriations.

The result is as follows:

Total under consideration as stated above	$1,500,000,000
Deducting amounts involved with the 12 countries not in the mutual security program (possibly more)	470,000,000
Balance	1,030,000,000

3. Of the $1.03 billion remaining, $75 million must be deducted because (1) part has already been spent, and (2) part will not be available for use until after June 30, 1958.

This leaves a net supposedly available balance of $955 million.

4. These $955 million in local currencies are supposedly available but they are inconvertible local currencies and are subject to the same limitations as surround the use of counterpart funds described before. Consequently, only a part of them can actually be taken into consideration in the preparation of the fiscal 1958 mutual security appropriation.

5. Finally, because of the limited use of these inconvertible funds and the difficulties of ascertaining whether they will be used in nations which are participating in the mutual security program, only about $550 million of the remaining $955 million was estimated to be available as a substitute for mutual security appropriated dollars in fiscal 1958. This figure was definitely taken into consideration in preparing the mutual security budget for fiscal 1958 and dollar requests were eliminated to this extent before the President sent his budget request to the Congress.

III

In conclusion, therefore, we find that—

(1) Of the total of some $2.6 billion in local currencies involved in both categories in this memorandum, which includes the $1.1 billion in counterpart currencies and $1.5 billion in Public Law 480 currencies, asserted to be available for the mutual security program for fiscal year 1958, it is apparent that only about $550 million could be substituted for 1958 appropriations, and

(2) The availability of these currencies actually has been fully taken into account in preparing the 1958 budget and the budget request was reduced by this amount before it was sent to the Congress.

For all practical purposes then, none of this $2.6 billion of local currencies can be available for use for the mutual security fiscal year 1958 program in substitution for any of the dollars which the President has advised the Congress are needed.

SECOND AIRPORT FOR DISTRICT OF COLUMBIA AREA

Mr. BEALL. Mr. President, the question of a second airport for the District of Columbia area is with us again. As is well known, many of us feel that the answer lies in the immediate utilization of Friendship International Airport, and that any investigation of the problem which is not slanted by the CAB will support our beliefs. I personally would welcome an objective, impartial study of the matter, and therefore I am inclined to go along with the proposal advanced yesterday that such an investigation be conducted at the President's request prior to next January 15. However, there are two important points I wish to make at this time. In the first place, I want the legislative history of the appropriate section of the supplemental appropriations bill—and I ask unanimous consent that the section be inserted at the end of my remarks—to show that nothing in the amendment shall indicate in any manner or form that the study shall exclude consideration of Friendship International Airport or that Friendship might not eventually be found to be the additional Washington airport therein mentioned. My second point, Mr. President, is that the planned study should not deter the CAB from following the explicit orders of this Congress in respect to the prompt utilization of Friendship International Airport for additional flights into and out of the Nation's Capital.

The VICE PRESIDENT. Is there objection to the request of the Senator from Maryland?

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

CIVIL AERONAUTICS ADMINISTRATION: CONSTRUCTION AND DEVELOPMENT, ADDITIONAL WASHINGTON AIRPORT

For necessary expenses for the construction and development of a public airport in the vicinity of the District of Columbia, as authorized by the act of September 7, 1950 (64 Stat. 770), including acquisition of land, $12,500,000, to remain available until expended: *Provided*, That not to exceed a total of $250,000 may be advanced from this appropriation to the applicable appropriations of the Civil Aeronautics Administration for necessary administrative expenses: *Provided further*, That such sums as may be necessary but not to exceed $100,000 shall be transferred from this appropriation to the President for expenses necessary for the investigation of alternate sites for said airport: *Provided further*, That no funds shall be expended for construction and development of said airport until the President shall make a report to the Congress with a recommendation as to the site, said report to be submitted not later than January 15, 1953.

FLOOD CONTROL STORAGE IN COLUMBIA RIVER BASIN

Mr. DWORSHAK. Mr. President, there is widespread interest throughout the Columbia River Basin on the desirability of flood control storage in the upper watershed to firm downstream generation. Recently the Portland Oregonian published an editorial emphasizing the importance of such developments, and particularly calling attention to the desirability of constructing Bruces Eddy Dam on the north fork of the Clearwater River in Idaho. I ask unanimous consent that the editorial may be published at this point in the RECORD.

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

STORAGE OR BLACKOUTS

Although the Pacific Northwest is gratified that Congress has approved a small but firm start of construction on John Day Dam in the Columbia, it must be regretted that Congress and the administration continue to shove into the future the presently imperative need for upstream storage for flood control, power, and navigation.

The failure to develop upstream storage in the United States section of the Columbia Basin not only imperils the economy but weakens the United States position in negotiations with Canada for mutually beneficial storage projects in Canada's part of the basin. The more storage we can develop, the less dependent we will be on Canada, and the less costly to us will be the storage eventually obtained in Canada.

Thus, the House of Representatives refusal to go along with the Senate, which added $500,000 to the budget for planning of the Bruces Eddy flood-control and power dam on the North Fork of the Clearwater River in Idaho, is bad news for the Northwest. It is in a pattern with the failure of a Federal Power Commission examiner to propose a higher dam, for more storage, at the Pleasant Valley site in the Snake River.

Bruces Eddy Dam would have one of the highest benefits-to-cost ratios of the Columbia control system, 2.14 to 1, on the basis of preliminary Army engineers' estimates. This 570-foot-high rock- and earth-filled dam would store 2,460,000 acre-feet of water of which 1,433,000 acre-feet would be usable to reduce the costly flooding of the Clearwater and Columbia Basins and for downstream power generation. Dependable at-site power capacity would be 240,000 kilowatts and downstream power addition would be almost half that figure.

Northwesterners, generally speaking, are little aware of their present dependence on limited upstream storage for their kilowatts in the low-water periods of late summer and especially in winter when runoff is stopped by freezing in the Rockies. In a letter of protest to the Federal Power Commission from Howard Morgan, Oregon public utilities commissioner, this dependence and this danger were emphasized in relation to Snake River projects.

Mr. Morgan enclosed streamflow figures of last winter, which was not a particularly bad water year. In that cold period when peak power demand and lowest flow coincide, "the actual flow of the Columbia River dropped to a point at which it was capable of generating only 2,000,000 kilowatts out of a total demand of 5,500,000 kilowatts." This left a margin of 3,500,000 kilowatts, or more than three-fifths of total demand, which was attributable to downstream generation made possible by the release of upstream storage, principally from Grand Coulee and Hungry Horse Dams.

"It is easy to imagine the calamity which could have befallen this area if the period of cold weather had persisted for only the few weeks which would have been necessary in order completely to exhaust the limited upstream storage behind those two dams," Mr. Morgan wrote to FPC.

The observation applies as well to Bruces Eddy and other postponed storage projects as to Pleasant Valley. If the Northwest does not get some big storage projects in Idaho, Montana, or Canada, the Northwest one of these winters is going to have a power blackout which, as ex-Treasury Secretary Humphrey said about another phase of the economy, "will make your hair curl."

COST OF LIVING

Mr. WILEY. Mr. President, we hear a great deal about the increased cost of living, but, as someone has said, nobody is doing anything about it. We have in this country a tremendous impact upon what we produce by an income of $350 billion. We are producing a product of about $440 billion.

We have read that the steel manufacturers have increased prices $6 a ton. We have seen that labor in many places is increasing its demands. All such factors increase buying power.

Correspondents have said in letters to me, "Why does not the Legislature do something about it?" We are looking for the wise man to tell us what should be done about it, and that is the nubbin of the whole problem. There can be no question about that.

Some persons say the increased interest rate has something to do with the high cost of living. The fact of the matter is that in small communities in Wisconsin where plants have closed, there have not been such price increases, because the demand is not there. In other words, the purchasing power is not there. Consequently, we must take a bird's-eye view of the whole picture, and not consider it from a pessimist's viewpoint, but from an optimist's viewpoint. We have got to see that up ahead lies great prosperity if we can regulate the forces which may operate against it. We have got to ask the manufacturers to use sense. We have got to ask labor to use sense. As someone has suggested to me, if each one of us would reduce our own spending by 10 percent, we would see that the accelerated pace of increased prices would stop.

Mr. President, I merely drop this little idea in the bucket to try to see if any wise man on the floor of the Senate or on the floor of the House can give us the answer legislativewise.

PROBLEMS OF METROPOLITAN AREAS

Mr. CLARK. Mr. President, on the 3d of January of this year, the day when I had the honor to be inducted as a Member of the United States Senate, I spoke before the Women's National Press Club about the plight and problems of our great cities and metropolitan areas. As this first session of this Congress draws to a close, I am reminded of the fact that very little has been done to help the plight of our cities.

I ask unanimous consent that at this point in the Record there may be printed an excerpt from the comments I made at the Women's National Press Club on January 3.

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

Remarks by Senator Joseph S. Clark, of Pennsylvania, at Dinner, Women's National Press Club, January 3, 1957

I would like to outline an area in which, in my view, the Federal Government must act, and quickly: the problems faced by our cities. Three-fifths of all Americans live in 173 metropolitan areas. This concentration of population in a relatively small geographic area, spilling across city, county, and even State boundaries, with its jurisdictional limitations, areawide service and control deficiencies, and economic and human inequalities, has resulted in a crisis for our cities which is endangering their very existence, and indeed the cultural way of life they historically engender.

Increasing demands for adequate and efficient services, coupled with constantly shrinking sources of revenue, are making it impossible for the city to deal with the special problems of blighted housing, urban redevelopment, congested traffic, inadequate parking facilities, deficient mass transit, water and air pollution control, airports, civil defense, and a dozen other vital needs and services which these huge metropolitan complexes require. Local governmental structure is not properly organized to solve these problems; the areas themselves crisscross State boundaries, and antiquated State constitutions often make possible solutions prohibitive. But most important of all, our municipalities simply don't have the money. And as the Kestnbaum (Commission on Intergovernmental Relations) report made clear, the Federal Government is not likely to relinquish any of the vast, entrenched taxing abilities which have dried up the city's sources of revenue.

The Federal Government is already playing a large role in the fields of housing, highways, river-valley development, civil defense—to mention only a few—which directly affect our cities; and, in some ways, contribute to their difficulties. Overlapping and duplication of services, the competition for personnel, many separate and independent governmental units, the increased demand for local expenditures, and plain red tape are by no means uncommon in existing relations between the local and Federal Governments.

What we need, then, is not just more of the same, but a whole new concept dealing with the problems of the metropolitan area. A new approach and a new policy of intergovernmental relations which recognizes the metropolitan area as reality not determined by artificial political boundaries, and the life of the metropolis as the central hub in a way of life that must not be allowed to wither and die. The Federal Government must provide the financial help which is available no other way. I believe that the Federal Government must also recognize this responsibility through the establishment of an appropriate agency to coordinate its activities in this program, perhaps at the cabinet level.

We are proud, in Pennsylvania, of what our cities have accomplished in recent years in their struggle to survive. But we know that we must have help, and have it now, if we are to turn that struggle into a victory.

Mr. CLARK. Mr. President, the problems of our large cities and municipal areas are serious and continuing, and they will continue until some combined form of governmental action at the local, State, and national level is taken. I deplore the efforts made at the conference of governors and the President and his administrators to try to work out methods of turning back certain functions to the States. In my judgment, that would take us down the long and irrelevant road to even less consideration of the serious problems of our cities.

In the Sunday Philadelphia Bulletin of August 18, there appeared an article entitled "Plight of the Cities: Revenue Can't Keep Up With Need for Service," written by John Mosedale, of the North American Newspaper Alliance. I ask unanimous consent that the article may be printed in the Record at this point in my remarks.

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

Plight of the Cities: Revenue Can't Keep Up With Need for Service

(Editor's Note.—Philadelphia's taxpayers and their suburban neighbors aren't the only ones caught between the need for more municipal services and the problem of paying for them. This survey by the North American Newspaper Alliance points up the marked similarity between Philadelphia problems and those of other cities, large and small.)

(By John Mosedale)

Several months ago, Mayor Ben West, of Nashville, Tenn., head of the American Municipal Association, said that unless adequate financial aid is promptly extended to cities "the Nation will be in a whale of a mess."

It's as simple as this: Cities are spending more than they are earning. Old sources of revenue are going dry. The search for new sources—necessarily at the taxpayers' expense—never catches up with needs, and at the same time, new demands on the local treasury are continually being made.

One expert estimates that the bursting of our cities has only begun, that by the most conservative estimate, our central cities can now house only 17 million of a population increase estimated at 55 million over the next 20 years.

This means two-thirds of the population growth will live outside today's central cities but will make work and play demands on them offering further financial strains. Now let's look at the present situation in some key cities:

BOSTON

Despite lopsided taxes, now at an alltime high, the city is deep in the red. In operating expenses alone, the city has spent nearly $19 million more than it has taken in during the past 10 years.

Boston's tax rate last year was $78.70 per $1,000. The 1957 rate, to be announced soon, is expected to be $87. By comparison, the 1931 tax rate was $31.50.

Mayor John B. Hynes said: "Business firms expect to pay about 3 percent of their gross income on local taxes. Here they are paying 7, 8, even 9 percent. How long can such a situation continue?"

"I dislike the sales tax as much as anyone," he continued, "but frankly, I do not see any present alternative * * * Without some kind of tax relief, Boston will shortly be facing a crisis—the worst in its history * * * less police, fire, and health protection * * * If we could check the rising tax rate here, Boston would be entering on a period of expansion, building, and rebuilding. * * *"

Boston, whose crooked streets are traffic-clogged, has found difficulty in trying to get what it considers a fair share of the State revenue dollar.

Officials have been unsuccessful in attempting to lighten the city's share of supporting a deficit-burdened transit system which serves 14 municipalities. Similarly, they have been unable to bring about reapportionment on the financing of metropolitan area parks and boulevards.

LOS ANGELES

The county's general operating budget will be in excess of $415 million next year * * * plus an additional $110 million in special district taxes. Residents of Los Angeles will have to pay more taxes next year. Property taxes are going up too.

Because of tax rises, there will be gripes. But they won't be too loud, for this is the most prosperous period in California's history. And Los Angeles and the rest of southern California lead the boom.

Industry is expanding.

This city spends big. It is spending $60 million for sewers and another $60 million to enlarge its municipal airport. The county is building a new courthouse and two other buildings downtown which will cost a total of $45 million.

Los Angeles is exceptional.

KANSAS CITY

City Manager L. P. Cookingham warns: "Cities do not stand still. They either go forward or backward. It is evident now that we're up against it. We are cutting services and stretching manpower. City employees haven't had a salary or wage increase in almost 4 years."

Mayor H. Roe Bartle put it bluntly: "I keep asking the finance director for money, and he keeps telling me the money ain't there."

As officials cut at their budget, they do so in the midst of protests from department heads, commissions, committees and citizens' groups. The residents want more services, not fewer services. They want community centers with paid staffs to combat delinquency; more street lights, more traffic signals, a trash collection service.

"Being the central city of a large metropolitan area," says Cookingham, "we are caught in the middle. We have only about half of the one million residents in the area, but we must perform services for all of them. Our revenues aren't keeping pace with the growth of the area, and we find ourselves unable to provide * * * urban renewal projects necessary for a progressive city."

Yet a proposal for a 1 percent earnings tax was defeated by a vote of four to one last March. It would have added $7 million a year to the city's revenue.

WASHINGTON

Although the average family here is relatively well off, there are slums in the shadow of the Capitol as bad as any in the country. Washington has no integrated transportation system. Private automobiles jam the streets.

Washington is now in the midst of a projected $500 million slum clearance program. But its basic municipal problem is beyond reach of its residents.

Says David Barnett, head of the NANA bureau in Washington:

"This is the only city in the world where the ultimate center of power is in the hands of persons who consider governing a municipality a passing nuisance."

Furthermore, "Congress won't permit the city to sell bonds or borrow money. More than half its 70 square miles is tax-free land. It has no heavy industry to provide tax revenue."

SAN FRANCISCO

The city spent $73 million in 1947 and just over $150 million in 1956. More than $44 million of that difference is accounted for in schools, public safety, preventive medicine and hospitals.

But the city's population hasn't increased appreciably. Business carries the load in the form of taxes.

Residents aren't satisfied with what they're getting for their city taxes. A prime target for bellyaching is the municipally owned bus, trolley and cable car system which the city took over at the end of World War II and has completely modernized with bond money and taxes.

Service is excellent, fast and frequent, but the system has lost riders and money every year.

For the overall picture, one city official puts it succinctly: "Pray for prosperity. Otherwise, we'll fall flat on our face."

People want more and better services, and the question is: Can they pay for it?

Harry Ross, the city's controller, thinks they can. With all the problems, San Francisco's credit remains excellent, its bonds selling at 2.24 percent—substantially lower than most municipal bonds.

ROCHESTER

For the future, higher and higher costs are the only prospect. Nonproperty taxes and other revenues, plus substantial financial help from county, State, and Federal Government, are counted on.

Estimated city budget for 1957–58 is nearly $32 million, up 11 percent from 2 years ago. School costs have jumped even more sharply.

Booming city costs here are caused not only by pay boosts but also by expanded police and fire forces, by rising prices on things the city purchases, and by various expanded activities.

Snowballing programs to sharpen municipal operations and build major new capital construction projects are being pushed by city fathers.

So far, taxpayers have borne the rising costs of these programs without concerted protest, and city leaders are hoping new municipal benefits will cause citizens to continue to overlook steadily increasing tax bills.

BIRMINGHAM

Howard H. Houk, Alabama State building director, says the survival of the city with its central market place is threatened. He takes a dim view of the many shopping centers that are spreading on the outskirts of many major cities.

"Cities are becoming loosely knit, quasi-federations with sprawling developments financed by Tom, Dick, and Harry," he said. "Many are jerry-built for quick returns on the builders' investment and are doomed to become the slums of tomorrow."

A drive is underway to enlist the aid of downtown property owners in a concerted campaign to revive what to many appears an economically sick area.

The demand is for more services, with no one coming forth with concrete plans for more financing.

Those wanting more help from the Government characteristically are the ones who yelp quickest when a tax bite is applied.

NEW YORK

On the surface, the city would seem so busy it could easily support its colossal costs. Major buildings rise almost weekly. But there are those who argue that prosperity here is more shadow than substance.

With the city spending $5.3 million a day, New Yorkers face the probability of a local income tax by 1961, according to the New York City-New York State Commission on Fiscal Relations.

If the population has not boomed, demands have. LaGuardia Airport, obsolete almost since its 1939 completion, faces a $30 million improvement program, and the money won't be forthcoming until new contracts are negotiated.

Bellevue Hospital, once regarded as unique in the world in offering communitywide services and opportunities for medical study, has been criticised by one of its own Nobel-prize winning directors, Dr. Dickinson Richards. He says it's no longer able to give patients that quality of medical care to which they are entitled.

PITTSBURGH

Pittsburgh is one of the bright spots in a dark picture. But after spending more than $2 billion on urban renewal, the city still has a glaring problem, and it will mean even more expenditure. The problem is transportation.

The mass transit system here is in desperate straits, with 15 private bus lines in the central city and 21 other companies in the suburbs. Traffic is hopelessly snarled.

Otherwise, the entire metropolitan area has been revitalized. Repair and renovation of the Golden Triangle alone—where the Monongahela and Allegheny meet to form the Ohio River—increased assessed valuation in the downtown district by 21 percent in 7 years.

Since 1946, some 44 new buildings have sprung up in the triangle, 10 of them regarded as major skyscrapers, rising against a backdrop of green and rugged mountains.

This was made possible by State, county, city, and Federal Government and private enterprise, along with gifts. But the citizens have pledged their credit for decades to come.

Yet Pittsburgh as a city can only hope to hold its own. The real expansion is in the suburbs. The city has virtually no industrial sites remaining and some plants, squeezed for space, have pulled out.

SUBURBS, SMALL TOWNS

The suburbs—those of Pittsburgh and many other cities—are overcrowded, too. So they're struggling along on patchwork economics, hoping for help from somebody—the State, the county, Uncle Sam.

While the pressure is on the suburbs as the villain of the piece, what is not generally considered is that the suburbs themselves grew because of urban inadequacies, and that they themselves are in trouble.

A University of Connecticut team reported that smalltown finances are being hit the hardest by rapid growth.

The team's survey, covering municipalities ranging in population from 3,032 to 34,116, showed that over an 8-year period, local taxes climbed from a minimum of 0.03 percent to 58 percent. The maximum increase occurred in the smallest town.

The United States Census Bureau says that the largest rise in the number of municipal employees—53 percent—over the past decade has occurred in cities of from 10,000 to 25,000. The same communities had the biggest local government payroll hike, too—a staggering 157 percent.

A survey of 4 towns in the Hartford fringe area revealed tax increases as high as 58 percent over a 6-year period, taking away any inflation factor.

The report pinpointed the trouble:

"Prior to growth, these towns either did without any public services or relied on volunteer or part-time officials. With growth, they were called on to provide full-time personnel, new equipment, and new services."

Accordingly—

Levittown, Long Island, N. Y., hiked its population from 721 to 55,572 and its tax rate jumped 480.9 percent.

The Jefferson County suburbs of Denver, Colo., more than doubled their population—from 35,079 to 90,000—but taxes increased 69.5 percent.

Parma Heights, a Cleveland, Ohio, suburb, grew from 1,330 to 22,000 and its tax rate went up 92.5 percent.

Milford, Conn., tried to halt growth by refusing to grant building permits. But the State supreme court declared the act unconstitutional.

In its court suit, Milford typically alleged that it was financially unable to provide adequate school, highway, sanitation, police, and other services.

What business can mean to a suburb is clear in the case of Stamford, Conn., outside New York City.

Shortly after World War II, Ridgeway, a $6.7 million shopping center, was constructed there. It became a model for shopping centers across the Nation. Today it pays the city $47,000 a year in taxes. As a residential area, the same site had paid a $2,376 tax bill.

But on one point the experts agree: Before suburbs can attract business and industry on a scale to keep taxpaying pace with the demands made on their treasuries, there will have to be a new kind of suburban planning.

Senator CLARK (Democrat, Pennsylvania), recently suggested that unless local governments are to lean more and more heavily on State and Federal assistance, "a fourth layer of government, one that will correspond geographically to the new community—the metropolitan area," is the only way out of the dilemma.

This reordering of the structure of local government is supported by most authorities in the field.

Prof. William A. Robson, of the London School of Economics and Political Science, sums up their argument by his comment:

"The problems of big cities and their suburbs have become so massive and urgent that city councils should turn over some functions to elected regional councils."

But political boundaries—drawn in the distant past for reasons irrelevant today—immensely complicate the situation.

DADE COUNTY PROBLEM

This was the problem facing Miami and Dade County, Fla. officials.

In sober fact, there was nothing unusual in Miami's situation.

It was typical of the world's richest continent. It contained a conglomeration of communities so unplanned that endless duplication and waste—violently criticized when they occur on the Federal level—are commonly accepted by citizens and even fought for until local tax facts are pointed out.

Dade County officials became deeply concerned and unlike many officials, they took action.

A 12-year campaign toward a fourth level of government was culminated by governmental changes just approved.

What Dade County voters approved—and what other municipalities will be studying with renewed interest—is a metropolitan charter which recognizes that the metropolitan area is a unity.

The "fourth level of government" is being increasingly talked about.

Mr. CLARK. The end result of this article is to point to a dozen of our major cities, most of them large, some of them small, and to point they are overcome with problems the solution of which is essential to a continuation of our urban communities as civilized centers of American life, and that their problems cannot be met with local revenues. Sooner or later we have got to give the same consideration to our cities which I am happy to join in giving to our farm population.

PAY FOR FEDERAL WORKERS—COST OF LIVING

Mr. PASTORE. Mr. President, it has been my conviction all along that Federal employees are the victims, and not the cause, of inflation.

Month after month the cost of living ascends to a new high. Yet, the salaries of Federal employees remain stationary. I do not know how much longer our loyal and efficient postal workers and other Federal employees can continue to survive economically and in decency under such circumstances. The administration appears to be without compassion in the matter. It continues to insist that an adjustment in pay of Federal workers would be inflationary. Yet, we witness increase after increase to other workers in the Nation.

I have in my hand an article by the Associated Press which appeared in today's newspapers, announcing that for the 11th successive month the cost of living rose to a new high.

The article points out further that the pay of more than a million and a half employees in private industry will be increased automatically. This is the 11th time in 11 successive months these employees have received an automatic cost-of-living adjustment in their pay.

By way of contrast, Federal employees have been given only one small increase in 6 years. One of the very real disappointments to me has been the unyielding attitude of the administration toward the serious economic plight of Federal employes.

I fervently hope that the leadership will expedite the consideration of this proposed legislation by the Senate, and that when we have passed it, the President will give it his approval.

Mr. President, I ask unanimous consent that the article of the Associated Press, referred to above, be printed in the RECORD immediately following my remarks.

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

LIVING COSTS UP FOR 11TH MONTH

(By G. K. Hodenfield)

The cost of living rose in July and for the 11th straight month set a record, the Government reported yesterday. The July increase was one-half of 1 percent, raising the Labor Department's Consumer Price Index to 120.8 percent of the 1947–49 level.

A Department spokesman indicated that no great decline was expected for August.

[Washington retail food prices for July jumped 1.6 percent over June prices, exceeding the price index for July 1956, by 3 percent and the August 1952, peak index by 2.8 percent.

[The food price index for July, released yesterday by the Labor Department's Bureau of Labor Statistics, was 119.4 of 1947–49 prices.]

MEATS, PRODUCE HIGHER

[Higher prices for meats and fresh fruits and vegetables were largely responsible for the advance. Meat price increases averaged 3.4 percent over the month, and fruits and vegetables cost 2.1 percent more.

[Bacon prices rose sharply, and costs of pork, beef, and frying chickens were also higher. Fresh fruit prices—up 6.2 percent—accounted largely for the fruit-vegetable increase. The price of eggs increased from 55 to 64 cents a dozen.]

The latest jump means a wage increase for some 1.3 million workers whose salaries are tied to the index. The increases will range from 1 to 6 cents an hour, with the bulk of the workers getting an additional 3 cents.

Most of the workers whose pay will go up are in the auto, farm equipment, and electrical industries. The big three automakers announced an increase of 3 cents for 700,000 hourly workers, and increases for 188,000 salaried workers.

Smaller groups in local transit, metal industries and trucking are due to get raises. About 120,000 are in Westinghouse Electric plants.

SPENDABLE EARNINGS UP

The average spendable earnings of factory production workers went up 15 cents a week in July, the Labor Department said, but the increase was canceled out by price rises.

The July average spendable pay for a worker with 3 dependents was $75.46 and for a worker without dependents $68.05. Considering the price increases, purchasing power of these workers declined by three-tenths of 1 percent as compared with June but was still $1\frac{1}{2}$ percent above a year ago.

The Labor Department pointed to food as the villain in the latest price rise—particularly the breakfast staples; bacon, eggs, and fresh fruit.

Apparel was the only major item that showed a decline over the month. Clothing prices dropped one-tenth of 1 percent because of clearance sales of men's summer suits.

Housing prices remained stable from June to July.

Mr. PASTORE. I might say, by way of rejoinder to the suggestion made by my distinguished friend, the Senator from Wisconsin [Mr. WILEY] that it may be easy and it may be well to say that perhaps each of us should begin to save by spending 10 percent less than his income, but we must realize that there are many, many families in this country which cannot afford to do that, without doing irreparable harm to the family welfare and the education of the children.

I agree that many segments of our society can follow the suggestion made by the distinguished Senator from Wisconsin, but there are millions upon millions of American families who, on their present salaries, hardly have sufficient to sustain life. If they are compelled to save 10 percent, I say again, they can do so only with irreparable harm to their welfare and the welfare of their families.

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

Mr. PASTORE. I yield to the distinguished Senator.

Mr. WILEY. I hope my suggestion was not taken to be meant in an omnibus way. What I was thinking about was a slowing of the economic current which creates the pressure.

I think the Senator will agree with me that in such a respect, where the demand in many instances is greater than the supply, or where people are bidding for articles, there is created, as it were, an inflation in the price level.

There is one other thing I should like to mention while I am on my feet in order to get the Senator's reaction. There are segments of our economy which are not participants in what we call the prosperity wave. For instance, as I have mentioned before on the floor of the Senate, in my own State of Wisconsin—and this is another thing which requires thoughtful consideration—I receive 7 cents for milk which is produced on my farm, and the same day I have to pay 21 cents a quart for it. In other words, the cost of distribution is so high that the man who produces the milk cannot receive the cost of production plus a reasonable return, such as the person in the distribution process is able to get.

The PRESIDING OFFICER. The Chair must point out that the time of the Senator has expired.

Mr. THYE. Mr. President——

Mr. WILEY. Mr. President, I ask unanimous consent that I may be granted an additional 2 minutes.

The PRESIDING OFFICER. The Chair will have to recognize the Senator from Minnesota [Mr. THYE].

Mr. THYE. Mr. President, if the Senator will wait a moment I shall be glad to yield to him. I simply desire to make an insertion in the RECORD.

Mr. WILEY. I did not think Michigan would take me off my feet this way.

Mr. THYE. Michigan has not taken the Senator off his feet. Minnesota has permitted the Senator to stand on his feet.

Mr. WILEY. I could not grant that.

Mr. THYE. Minnesota will permit the Senator from Wisconsin to proceed, but I do not wish to be referred to as coming from the State of Michigan, much as I respect the State and the Senator who now represents the State of Michigan.

Mr. WILEY. I appreciate the lack of tyranny.

The PRESIDING OFFICER. Apparently the Senator from Minnesota yields to the Senator from Wisconsin.

Mr. WILEY. I thank the Senator very much.

I was discussing the discrepancy in the area of prosperity. In doing that, I recognize the fine, balanced mind of the Senator to whom I am making this suggestion. I think it is our business and the business of the appropriate committees to consider these problems as they are related to each other.

One problem is that one segment of our economy does not receive what I would call reasonable wages. The Senator from Rhode Island has mentioned one such segment. Another segment does not receive a reasonable return for what it produces; that is, the cost of production plus a reasonable return.

Then, there is the enormous overall pressure of the tremendous buying power, such as we have never had before in America. When I came to the Senate the United States had a buying power of $60 billion, and now it is $350 billion.

We have to take all of these factors into consideration in our endeavor to find an answer, before the balloon goes up.

I should like to have the Senator's suggestion as to that.

Mr. PASTORE. Mr. President, I do not wish to impose upon the time of the Senator, but may I have a half minute?

Mr. THYE. Mr. President, if I am permitted to do so I shall be happy to yield to the Senator from Rhode Island to make a comment.

Mr. WILEY. First, let me thank the Senator from Minnesota.

Mr. PASTORE. I think the Senator from Wisconsin appreciates the fact that I meant to say nothing in criticism of the suggestion made by him. I have the highest respect for his wisdom and the highest respect for his judgment in many matters, especially those of an economic nature.

It is unfortunate that while perhaps our overall gross income is $350 billion we do have a lopsidedness in some States of the Union. In my own State we have a record rate of unemployment. I am being literally barraged with letters from people who work in the silverware shops, who state that unless something is done about the importation of Japanese flatware they will lose their jobs. Our textile employment faces similar threats.

We have all these problems. It is true that the paradox is that, while we are enjoying the highest level of prosperity overall in this Nation, there are many families which are very hard hit. Their economic plight is desperate.

I have addressed myself today with reference to the postal employees, because I know in many instances in my own State the wives of such employees have to find employment, and frequently the employees themselves have to take outside extra jobs in order to support their families.

I am hopeful that where it lies in our power we may be able to find ways and means to improve a situation in which the people involved have so little chance to work out a fair solution themselves.

SECOND ROUND POWER DEMONSTRATION PROGRAM

Mr. ANDERSON. Mr. President, during the discussion of the atomic-energy bill there was much comment on the problem faced by the REA cooperatives. At that time I tried to point out that the provisions of the bill could jeopardize the very lifeblood of the cooperatives, by putting them into contracts they could not carry out and by harnessing them with the cost of steam they could not bear, and that many things could happen which they could not anticipate.

Without trying to go back and rethresh the same straw, on the 23d of August the Atomic Energy Commission General Manager sent a letter to CARL T. DURHAM, the chairman of the Joint Committee on Atomic Energy, pointing out, with reference to one cooperative plant on which they tried to close the contract, the Wolverine Electric Cooperative in Michigan, that the contract is now in jeopardy because the anticipated total cost of the reactor was $5,472,000, and when the Wolverine Cooperative and the Atomic Energy Commission tried to bring it down to a fixed contract the industrial firm which had been negotiating with the cooperative and had given a price of $5,472,000 notified them that the price would be $14,436,000, and that that would not be the final price, but was on a cost-type basis and might go higher.

I want to say to the able presiding officer, the Senator from Michigan [Mr. McNAMARA], who comes from the great State of Michigan, that this price would have destroyed the cooperative on the basis outlined. The cost of power would have been absolutely prohibitive. It would have cost more than 100 mills, in my opinion, and would have made it absolutely impossible for the cooperative to survive. If the industrial firm had entered into the original contract on the AEC basis it would have lost $9 million, which nobody desires.

If any evidence is needed as to what is required to make these things financially safe, this letter should supply it.

I desire to say, Mr. President, that when the Senate hearing was being conducted on the appropriation bill yesterday, which will come before the Senate for consideration this afternoon, I raised a question with reference to the second round power demonstration program, as is shown on page 38 of the hearings.

SECOND ROUND POWER DEMONSTRATION PROGRAM

Senator ANDERSON. With reference to the second round, Chugach, Elk River, city of Piqua, Ohio, and Wolverine, the Atomic Energy Commission has been negotiating, has it not, with these four on the basis that it would provide funds for them to purchase all the nuclear end of the plant?

Mr. STRAUSS. At one time, Senator, the idea was that they would borrow from the Rural Electrification Administration. If your question is as to whether we have sufficient funds——

Senator ANDERSON. I do not believe there was ever a time when any of them were going to borrow from the Rural Electrification Administration for the nuclear end of the plant.

Mr. STRAUSS. You are correct, Senator.

Senator ANDERSON. Then why can't I have an answer to the previous question? You have been negotiating with these four on the basis that there would be sufficient money to buy the nuclear end of their powerplants?

Mr. STRAUSS. That is right.

Senator ANDERSON. If that is true, have you sufficient money in this bill if it goes through for the Atomic Energy Commission to buy the nuclear end of their plants?

Mr. FIELDS. We have on the basis of the estimates previously submitted.

I call attention to the fact that the estimate jumped from $4 million or $5 million to $14 million. This information must have been in the hands of the Atomic Energy Commission at least in preliminary form when my question was answered. The letter will indicate that they knew then that the particular estimate might have to be substantially increased. However, it is understood that the Commission is not going to request an increase in appropriations at this time, but may shop around for another manufacturer. I know that the AEC, and particularly its field-operations offices, are competent and sharp contract negotiators and administrators. I believe they should be able to come up with a good contractual arrangement with a capable equipment firm on this project.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the letter from the

Atomic Energy Commission, dated August 23, 1957.

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

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., August 23, 1957.
Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. DURHAM: There have been very recent developments with respect to the proposal by the Wolverine Electric Cooperative of such significance that although we have not reached definitive conclusions as to our course of action, we believe it appropriate to inform you of them.

Following advice from Mr. Keen, manager of the Wolverine Electric Cooperative, that Foster Wheeler was withdrawing its previous price quotation to them for reactor development and construction, a meeting of representatives of the Atomic Energy Commission, Wolverine, and Foster Wheeler was held on August 21 to discuss the proposal and its possible modification. In the course of the meeting, the Foster Wheeler representative discussed in considerable detail the numerous circumstances and conditions that led to Foster Wheeler withdrawing its previous ceiling quotation for reactor development and construction. The company now states it is prepared to undertake this work on a cost-reimbursement basis only. It further estimates that the cost would total $14,436,000. You will recall the amount included for this project in the authorization for appropriations was $5,472,000.

The two companies were asked by the AEC representatives to submit in writing to the Commission statements as to their revised positions, and we received such definitive statements on August 21 at about 3 p. m.

In view of this development it will be necessary for the Atomic Energy Commission to reexamine the proposal and reconsider its position. You will be informed promptly of the results of Commission action in this respect.

K. E. FIELDS,
General Manager.

REPORT OF CONFERENCE ON ECONOMIC PROGRESS

Mr. SYMINGTON. Mr. President, during the past week several references have been made on the Senate floor to a report of the Conference on Economic Progress. This report is entitled "Full Prosperity for Agriculture," and contains an excellent analysis of the present farm problem and recommendations to meet this problem.

I am disturbed that anyone who has actually read and studied this report could have misinterpreted any one of the recommendations, or could have isolated any one of the 15 points included in the recommendations.

This is apparently what has happened, because the report and the recommendations include an overall, comprehensive, integrated study.

But nevertheless there has been repeated reference to one point. This was the statement in the report that there are some persons now engaged in agriculture for whom little can be done, in the way of an agricultural program, to improve the level of income or standard of living. The recommendation was that other than agricultural programs or policies are needed to handle this situation and that by 1960 those in this category would find opportunities outside of agriculture.

When the complete report and recommendations are studied, it is obvious that there is a basic difference between the goals and policies of the present leaders of the Department of Agriculture and those contained in the CEP report.

Present policies are specifically designed to force out the marginal farms, the smaller family-size farms, and to replace these foundations of our rural America with huge factory-size—so-called efficient—farms. This is the goal.

The way of accomplishing this, according to the theories of this administration—and the record will so prove—is continually to reduce farm prices and farm income so as to drive out, to squeeze out, to force out, the small family-size farm.

Those who would refer to the report of the Conference on Economic Progress surely must realize that this report does not agree in part or parcel with this approach.

Let us not be like the three blind men describing the elephant. It is not fair to the blind men nor to the elephant.

Nor is it fair to pick out one point in a comprehensive report as an evaluation of that report, while at the same time disregarding other clarifying statements in the report.

VISITS TO COMMUNIST CHINA BY AMERICAN NEWS CORRESPONDENTS

Mr. HUMPHREY. Mr. President, it was refreshing and heartening to me yesterday to learn that the Secretary of State had, at long last, reversed the order which has been in effect in the Department of State, denying passports to American news correspondents who sought to travel in Red China. As the wire services indicated to us late yesterday, and as the morning press carried the story, the State Department announced that it will permit 24 full-time American correspondents to travel in Red China. They will be permitted to travel for 6 months or longer, on an experimental basis.

The news dispatches listed the respective news services and public media, companies, or corporations, which were to be included among the 24 American news organizations which will be permitted to send one reporter each to the Chinese mainland.

Several Senators have been urging this action on the State Department for many months. I view this action as a constructive effort on the part of our Government, late as it is.

I said earlier this week, on Monday, that with some 40 young Americans going into Red China, despite the fact that they went there against the wishes of our Government, the State Department should immediately issue passports to competent American newsmen and reporters to cover the activities of those young Americans. I did not want their activities to be covered by Communist press services or press services of other countries, lest their activities might be distorted, and lest their visit might be used as a Communist propaganda weapon.

These reporters will penetrate the Bamboo Curtain. They will be able to bring to American readers and to the American public in general more objective observations as to what is really going on in China. They will be able to tell us, for example, how close are the political and economic ties between the Soviet Union and China. They will be able, possibly, to tell us how much support the present Communist government in China has among the masses of the people.

This is the kind of information a free people needs. It is good that the State Department has reversed its previous position; but I appeal to our Government to cease being so timid and fearful. We Americans are supposed to symbolize the land of the free and the home of the brave. We cannot be free without freedom of information; and we certainly cannot look very brave if we are afraid to meet face to face with those who resist our ideas and those who may live according to a different pattern of life.

Therefore, let us have no more of this business of closing our eyes to reality, but rather let the American people see the truth, even at times when the truth is ugly. Let the truth be reported by competent, experienced men and women of the news mediums, who have a sensitivity of what is going on, in terms of political and economic forces.

Mr. HUMPHREY subsequently said: Mr. President, in the remarks I made earlier today, I failed to ask unanimous consent to have printed in the RECORD, in connection with my remarks on the action of the State Department in giving passports to American reporters who wish to go to Communist China, two of the editorials to which I referred, namely, an editorial entitled "Reporting Red China," which was published in the New York Times, and the editorial entitled "Hole in the Curtain," which was published in the Washington Post. I ask unanimous consent that the editorials be printed in the body of the RECORD.

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

[From the New York Times]

REPORTING RED CHINA

The State Department has been gradually modifying its attitude toward permitting American newspaper men to live and travel in Red China. Yesterday the Department expressed itself as willing to allow 24 American correspondents to penetrate the Bamboo Curtain with 6-month experimental visas. The only magic in the number permitted to go is that about that many were reporting on China when the mainland was last open to the ordinary comings and goings of the Western press. It may not be enough now.

The New York Times will be permited to send one correspondent under the new policy. We believe this correspondent will render a service not merely to one newspaper but to the readers of that newspaper, and we are confident that a similar service will be rendered by the other members of this new journalistic corps. We have never believed that it was the interests of any newspaper or other medium that were involved in this situation. It is the rights of the reading, listening, and looking public that matter.

This democracy cannot function efficiently in the modern world without being fully, accurately, and continuously informed. It is the function of correspondents to see that our people are so informed. We think the State Department has in the past robbed us of a source of strength to the degree that it has prevented the gathering and dissemination of facts that might have helped in the formation of an intelligent opinion.

We do not believe it is wise at the moment to encourage casual tourist travel in China—least of all the kind of subsidized travel in which 40 young Americans have been indulging at the expense of the Communist Chinese Government. But we do believe that the reporting that can be done by mature and well-trained newspaper men—and women—in Red China may do an infinite amount of good in the democratic nations. We would make this reporting far more extensive than Mr. Dulles now seems willing to do and, if all goes well, put it on a permanent basis. But the policy announced yesterday does represent an advance over the policy of pretending that what we don't know can't hurt us.

[From the Washington Post]

Hole in the Curtain

Mr. Dulles has finally compromised with the inevitable. The authorization for representatives of 24 American newsgathering organizations to report from Communist China on a 6-month experimental basis does not by any means end the absurdities and inconsistencies of American Far Eastern policy—a policy exhibited at its worst in the moralizing to the students who went to Peking. But the concession on information does end an altogether indefensible governmental restraint on the right of the American people to know from firsthand reporting what is going on among one-fourth of the world's population.

The State Department arrangement does not lift the general ban on travel to China, nor does it authorize casual or transient visits by newsmen. It has the advantage over previous suggestions, however, of avoiding governmental favoritism. News media were not requested to choose pool representatives. Instead, the authorization was based on a survey by Assistant Secretary of State Berding of all news media which wanted to station regular correspondents in China. Actually, the survey disclosed (as news executives had maintained from the beginning) that relatively few organizations would undertake the expense. Mr. Berding deserves much credit for the concession.

There is no assurance, of course, that China will admit the American reporters. The Peking government has been strangely silent on the point since its selective invitations last year. Perhaps it now intends to ask that any exchange of reporters be reciprocal (a sore point with the State Department, but one on which no great principle is involved). Or perhaps China is less enthusiastic about additional reporting in view of the indications of economic and political distress and the ideological blight that has fallen upon the 100 flowers that Mao Tse-tung authorized to bloom. At any rate, the State Department has modified its own oriental (news) exclusion act, and for that the news mediums and the American public may be grateful.

MR. REUTHER'S PROPOSAL FOR A REDUCTION IN AUTOMOBILE PRICES

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the body of the Record an editorial entitled "Mr. Reuther's Thrust," published in the Washington Post of August 19, 1957.

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

[From the Washington Post of August 19 1957]

Mr. Reuther's Thrust

Walter P. Reuther's proposal for a $100 cut in the price of 1958 model automobiles is an imaginative thrust at the Nation's most serious domestic problem: inflation. It ought to have a serious and sympathetic review by the big three automakers, to whom it was addressed. For when the president of a big labor union publicly invites employers to bring to forthcoming wage negotiations a powerful argument against any excessive union demands, he has taken a long step toward putting labor's welfare in the broader perspective in which it belongs.

It would be expecting too much, perhaps, for the industry to agree to any such drastic price cut without a firmer idea of how far the United Auto Workers Union means to go in tailoring its contract demands to share any losses. But Mr. Reuther's stated willingness to be guided by arbitration on the effect such a cut would have on the companies' wage-paying abilities seems to indicate that he means business.

A $100 reduction in the price of cars would not, of course, level off the overall price spiral by very much. Moreover, if Mr. Reuther is right in saying that the markdown would result in a sales increase of 1,000,000 cars, there would be no letup in total consumer spending, no diversion of dollars to savings. And of course at bottom, the answer to inflation is buyer restraint. But this aspect of the problem is hardly the burden of Mr. Reuther or of the manufacturers. Their concern is to sell cars.

Recent increases in the price of steel have led to the widespread assumption that the new cars are going to cost more, not less, than 1957 models. Perhaps Mr. Reuther's idea for voluntary cutbacks in end-product prices is therefore only a pipedream, although his own accounting of the manufacturers' financial positions would indicate that a cut is feasible. The companies no doubt will have more to say on this. If the Reuther proposal has only the effect of restraining any price-boosting that may be in the works it will have served a useful purpose. But we think the companies, whatever they may feel they can or cannot afford, would miss a great opportunity to introduce a needed element of public responsibility into their wage contract negotiations if they should fail to examine the Reuther proposition for all it is worth.

Mr. HUMPHREY. I comment only briefly on the editorial. I regret that the great General Motors Corp. rejected the appeal of Mr. Walter Reuther, president of the United Automobile Workers, for a $100 cut in the price of 1958 model automobiles.

Mr. Reuther did not close the door to the possibility of a new wage contract, which would take into consideration a proposed reduction in price.

There has been a great deal of pious talk about checking inflation. For the first time we have a specific proposal directed toward thwarting and checking inflation.

The price of the American automobile is high. It may well be too high. Since great corporations are involved, with massive production facilities and tremendous capital investment, it seems wise and prudent that some effort should be made to stop the inflationary spiral at that point.

I believe Mr. Reuther's suggestion merited more than the casual treatment which it received. I am hopeful that it will be reconsidered.

INDIAN HOSPITALIZATION PAYMENTS TO BERNALILLO COUNTY, N. MEX.—CONFERENCE REPORT

Mr. HILL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9023) to amend the act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, N. Mex., for furnishing hospital care to certain Indians. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. Lausche in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9023) to amend the act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, N. Mex., for furnishing hospital care to certain Indians, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

Lister Hill,
James E. Murray,
John F. Kennedy,
Wm. A. Purtell,
John Sherman Cooper,
Managers on the Part of the Senate.

Oren Harris,
John Bell Williams,
George M. Rhodes,
J. Carlton Loser,
Chas. W. Wolverton,
Alvin Bush,
Will E. Neal,
Managers on the Part of the House.

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

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

Mr. HILL. The conference report is signed by all members of the conference committee on both sides of the aisle, and is reported unanimously.

Mr. DIRKSEN. I understand there is no objection to it.

Mr. JAVITS. Mr. President, may we know with what the conference report deals?

Mr. HILL. The conference report deals with an amendment to a House bill which had been reported by the Committee on Labor and Public Welfare and which gave the Surgeon General of the United States authority to reimburse a county hospital for the treatment of sick Indians.

The amendment added was to exempt homeworkers in the manufacturing or processing of Christmas wreaths from the provisions of the Fair Labor Standards Act.

The House conferees would not accept the Senate amendment. The Senate conferees, therefore, had to recede, and did recede from the amendment.

Therefore, as the bill stands now it is just as it was unanimously reported by the Senate Committee on Labor and Public Welfare, to give the Surgeon General the authority to reimburse a county hospital for services rendered to sick Indians.

Mr. JAVITS. I thank the Senator. Of course I have no objection to the conference report. I merely wish to say that many times we merely sit mute when conference reports are agreed to, simply because the conference report has been unanimously agreed to and reported to the Senate. Many of us have no knowledge of what is contained in such conference reports. I believe that is a very poor way to legislate, certainly in a body which is so small as the Senate. I am grateful to the Senator from Alabama for his explanation.

Mr. HILL. If there is any other information the Senator from New York desires to have, I shall be very glad to try to answer his questions.

Mr. JAVITS. No; I thank the Senator. I do think, however, that we ought to be informed in such cases to the extent of at least a brief statement of the substantive facts involved. I have no objection.

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

The report was agreed to.

PROPOSED 2-YEAR NUCLEAR TEST SUSPENSION

Mr. MONRONEY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial from the Washington Post of August 22, 1957, on the 2-year nuclear test suspension which the United States and its Western allies have proposed at London. I want to add one comment. The Post says it does not press the question of why this was not done a year ago, or at the beginning of the disarmament sessions. I do. I want to know why this suspension was so wrong during the campaign, and so right now.

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

SENSE ON NUCLEAR TESTS

The 2-year nuclear test suspension which the United States and its Western allies have proposed at London is a praiseworthy concession to realism. There is no need to press the question of why this was not done a year ago, or at the beginning of the disarmament sessions. Mr. Stassen has won his point over considerable opposition within the administration and in Britain and France. The Western Powers have now accepted the desirability of a test suspension as an end in itself—subject, of course, to the establishment of an effective inspection system.

This proposal does not mean that the other arms-control items under discussion with the Russians are withdrawn. One condition of continued nuclear test suspension, for example, is that within the 2-year period a plan be concluded for permanent cessation of fissionable materials production for weapons purposes. The virtue of the test suspension, however, is that it would give time to work out other details. Moreover, it is the simplest of possible arms-control agreements, and it would automatically serve as a check against the development of nuclear weapons by so-called fourth nations.

There is another virtue, and that is that the suspension proposal ends the propaganda monopoly which the Soviet Union has enjoyed for altogether too long. The proposal may indeed be a last desperate effort to salvage something from the London talks; in any event, it should be a rockbottom test of Soviet good faith. In light of what has happened in Syria any such exploration may seem futile. In actual fact, however, the need to control nuclear weapons remains urgent irrespective of the problem in Syria; and any practical steps that might stem from a test suspension agreement would be in the interest, not alone of one side or the other, but of the whole world.

Mr. MONRONEY. As I said, Mr. President, I do want to know why the suspension was so wrong during the last campaign, and why it is so right now, when the suggestion is made by Republican representatives at the disarmament conference.

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

Mr. MONRONEY. I yield.

Mr. HUMPHREY. I wish to associate myself with the Senator from Oklahoma in his remarks. First of all, I am very pleased that the Government has advanced its recent disarmament proposals, which had been made known to the members of the disarmament committee some week or 10 days prior to their public announcement, and which I believe give us a psychological advantage for the moment.

As the Senator from Oklahoma has said, when Mr. Stevenson—to bring his name into the debate—made the suggestion, which was surely no more unorthodox than it is now, he was harassed, literally, for toying—it was charged—with our security. The truth is he was not toying with our security. He had imagination. The administration is exhibiting the same kind of imagination now.

NUCLEAR CONFUSION DISTURBING

Mr. MONRONEY. I appreciate what the distinguished Senator has said. I think it comes with poor taste to ridicule and disparage the suggestion of any American merely for the sake of winning an election campaign. This is particularly disturbing when it confuses the people of America on one of the most serious and one of the most important questions before the country today, that of our atomic power.

Certainly in the future, those who anticipate negotiating, as Governor Stevenson proposed to negotiate—not on a unilateral abandonment of the H-bomb tests, but on seeking an agreement with other nations to abandon such tests—should be given a fairer treatment than Mr. Stevenson was given in his patriotic proposal.

The country is worse off today for his having received such criticism of his proposal for suspending nuclear tests. The criticism came from the Chief Executive of the Nation and from those around the Chief Executive. Now, a few months later, we find our own Government proposing the same program or one similar to it, in an effort to seek disarmament in connection with this weapon of terror. It seems to me that it would have been less confusing to Americans and to our foreign policy if there had not been such an adamant refusal to take the proposal seriously at that time.

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

Mr. MONRONEY. I am happy to yield.

Mr. HUMPHREY. In order to make the RECORD perfectly clear, it should be noted that the present disarmament proposals on the limitation of the H-bomb and H-bomb testing do not apply only to the large weapons, but apply to all weapons.

PROPOSAL GOES FURTHER

Mr. MONRONEY. It goes even beyond what Mr. Stevenson proposed.

Mr. HUMPHREY. I am not criticizing the proposals. I want to commend them. In that connection I should like to ask whether it would be agreeable to the Senator from Oklahoma if I asked unanimous consent to have printed, at the conclusion of his remarks a New York Times editorial entitled "Our Arms Offer."

Mr. MONRONEY. I would be happy to have the Senator do so.

Mr. HUMPHREY. The editorial points out that this is a proposal which has genuine merit; that it is a 2-year limitation, with the objective in mind of stopping the production of fissionable materials for weapons purposes, as indeed it is, and gives us a decided advantage in disarmament discussions. As the Senator has said, we could have started on it over a year ago.

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

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

OUR ARMS OFFER

In one more and possibly a final move to break the deadlock in the current London disarmament talks President Eisenhower has made another major concession to Soviet demands. Acting on his personal responsibility and the recommendations of Mr. Stassen, but over the misgivings of his defense advisers and with only the reluctant consent of our allies, he has offered to agree without prior controls to a conditional suspension of hydrogen-bomb tests for 2 years. This is the period on which the Soviets insisted as a minimum, instead of the 10 months previously proposed by the West.

This suspension, which the Soviets have been propagandizing with substantial effect on world opinion, is offered as part of a package deal for an experimental first-stage disarmament effort, and the emphasis is still on the conditions. But this offer, added to the many other concessions already made, is a far cry from the original Western stand for disarmament under a foolproof control system, as illustrated in the Baruch plan, and tied to a peaceful settlement of world problems, as called for by the Geneva directive.

The offer is, however, in keeping with the unilateral and one-sided reduction in manpower and armaments already under way in both the United States and among our allies, to which must be added the crippling Congressional cuts in our mutual-security program. Taken together, these various moves, which affect both conventional and nuclear armaments, raise a serious question as to how long and how far this process can continue without impairing Free-World security.

The irony of the situation is that despite the Western concessions, or perhaps because of them, the Soviets refuse to be appeased and continue to insist on their own program for the unconditional and in practice one-sided disarmament of the West. In line with this program, which offers the West only paper promises of armament reductions and controls, they now seek to evade acceptance of the President's offer by objecting to the conditions attached to it.

These conditions are that an agreement on suspension of hydrogen-bomb tests must be accompanied by further agreements providing for: (1) a cutoff in the production of fissionable material for nuclear weapons in favor of atoms for peace; (2) at least an initial monitoring system to detect violations of the test ban; (3) aerial and ground inspection zones to prevent surprise attack; (4) an initial cutback in manpower and conventional arms; and (5) control of outer-space missile development.

All further disarmament steps would then depend on solution of the most pressing world problems, in particular the reunification of Germany. Even the 2-year suspension period is subject to the condition that satisfactory progress be made during the first 12 months toward installing the monitoring system and cutting off production of fissionable material for military purposes. If that progress is unsatisfactory to the West, due to Soviet bad faith, the tests could be resumed. And only if both the monitoring system and the production cutoff are in full operation would the test ban become permanent.

One objection to this proposal is that it calls only for a Soviet agreement "in principle" to make the test ban effective, and that all the details for both the monitoring system and the production cutoff must still be worked out. This would give the Soviets unlimited opportunities for stalling the West while rushing their own nuclear-weapons production behind their Iron Curtain. The British and French, who are only beginning to develop their own nuclear weapons, look especially askance at this possibility.

There is, however, one thing that can be said for the President's offer. It should convince the world that the West is willing to go to the utmost limit of safety to reach a disarmament agreement and in particular to banish the atomic mushroom cloud that threatens the world with annihilation. It is now up to the Soviets to "put up or shut up," and no propaganda can disguise the choice confronting them.

Mr. **HUMPHREY** subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD, at the point where I was discussing with the Senator from Oklahoma the disarmament negotiations, a memorandum entitled "Analysis of British Reaction to Recent Disarmament Talks," based on press surveys prepared by the British Information Service. I believe the Members of the Senate will be interested in the memorandum because of the relationship of the United States with the United Kingdom. I can say that, in the main, the reaction of the foreign press, particularly the British press, is very favorable to the recent visits by our Secretary of State to London and to the proposals which were made by the Secretary of State on behalf of the Western nations.

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

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
August 8, 1957.

To Senator HUMPHREY.
From Subcommittee on Disarmament.
Subject: Analysis of British reaction to recent disarmament talks, based on press surveys prepared by the British Information Service.

Although some viewed Mr. Dulles' trip to London with skepticism, charging that he was probably more interested in Oman and Cyprus than disarmament, his visit was generally welcomed as a sincere attempt to break the disarmament deadlock. Some British papers had previously been lamenting the lack of complete unity among the Western Powers on arms control issues, and desired to see more initiative from the West.

The Manchester Guardian (Independent, Liberal) hoped that Mr. Dulles would give a fresh momentum to the negotiations by a real concession, such as an unequivocal, though supervised, 18-month suspension of nuclear tests. The Guardian had previously favored attempts to get agreement on cessation of the production of fissionable materials for weapons purposes, at least in principle, along with the test suspension. Later, however, it took the position that the best way of achieving the suspension of production was through a separate agreement on tests, which would produce a favorable climate for working out the detailed agreements necessary for curtailing nuclear production. When Mr. Dulles' August 2 proposal was put forth, the Guardian called it generous, but almost irrelevant, arguing that that plan was so extensive that there was scant chance of agreement on it. The Guardian also argued that long-range aircraft and missiles invalidated the efficiency of mutual aerial and ground inspection.

The Daily Telegraph (Conservative) called the inspection proposal spectacular and praised it as realistic and constructive and a good propaganda move which would put the Russians on the defensive. The Observer (Independent) felt that the Dulles visit was effective for pulling together the ragged edges of inspection proposals, but asserted that nuclear control, not inspection, should be regarded as the core of Western proposals.

The Times also lauded the Western proposal as representing a wide and intricate agreement among many Western delegates, but felt that there was little prospect of agreement with the Soviet Union. The chief differences between the West and the Soviet Union, the Times said, remained the Western insistence on a cutoff of production of fissionable material and the Soviet insistence on an unconditional test ban. The Yorkshire Post (Conservative) and the Scotsman (Independent) also took the view that progress was doubtful in view of the positions on nuclear controls.

A New York Times correspondent from London cabled the following roundup of Western views after the August 2 proposal:

"The feeling here is that there is not the slightest sign of the Russians accepting the Dulles proposals. Since they presented their key proposal on April 30, the Soviet position has hardened daily. It seems clear now that they are not going to disarm or allow us to inspect them."

Throughout the disarmament talks the British papers have showed a general trend downward from hopefulness that progress might be made to doubt that agreement could be reached.

POSTAL PAY AND POSTAL RATE LEGISLATION

Mr. JAVITS. Mr. President, as the end of the session approaches, I rise to express the hope that we will have the opportunity before we adjourn to act on postal-pay legislation.

I take this opportunity, while the distinguished junior Senator from Oregon [Mr. NEUBERGER], who sat on a subcommittee to deal with postal rates, is on the floor, to express my view that both questions are separate and distinguishable. Postal pay needs urgently to be dealt with because the whole postal system is gradually turning toward a two-job idea for the individual postal employee, who must himself have two jobs, or have his wife or some other member of his family work in addition to himself, in order for the family to maintain a decent standard of living.

I ask unanimous consent that I may have printed in the RECORD as a part of my remarks, a few of the many letters I have received on this very important subject, expressing the state of fact to which I have just referred.

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

A postal clerk with 10 years' service at the Syracuse Post Office writes:

"There's just three of us at present, but my take home pay doesn't cover the extra needs of our little son, so I'm employed part time at the Syracuse Card Co. A week ago I put in 15 hours per day—8 at the post office and 7 at the card company—but a man can't keep that up; and looking at it from the Department's view, there was a loss in production being even at Christmas time, there is a 12-hour limit per day. Before our son was born we were able to save a few dollars, but now the savings account had dwindled and I am paying on two outstanding loans. If a raise doesn't come through soon, having not had one in 6 years, hopes for our own home, and a good education for the little fellow and others to follow (we hope) will continue to be just hopes. You might be thinking, 'send your wife to work,' and here I would say that a mother's teaching and care is necessary 24 hours a day for a child to grow up to be a good citizen of the community and Nation. I think that way, that's why I do part-time work. In fact just recently, I gave up a good day-hour job at a station to go back working nights which increased my pay about $9.80 (night differential) for 2 weeks, and made it possible to work days at the card company."

A postal worker in Massapequa, N. Y., has written me:

"A very large percentage of postal employees have part-time employment on a permanent basis. Others have wives who hold down full-time jobs. I suppose that as statistics such income results in a report of good times. I honestly wonder about the relationship between such forced employment and juvenile delinquency. I have three small children whom I believe need and should have all the parental guidance it is possible to give. My wife has a full-time job as homemaker which does not add to our finances but certainly reflects itself in the behavior and appearance of our children. It is for the same reason that I do not have a permanent part-time job. However, much as I do not like it, I am forced from time to time to supplement my income in order to obtain necessities for my family. During these intervals I see my children long enough to say hello or goodbye. I feel very sorry for those men (and their children) who do this every day; does this result in a well-knit family, an asset to the community? I believe not."

A postal clerk in Syracuse writes:

"I am a postal clerk afflicted with a common disease called 'no moola.' If I didn't have a part-time job bringing me $12.00 a week, I or my family wouldn't eat. This is no joke."

I have a letter from a letter carrier. He writes as follows:

"I have two daughters whom I would like to educate and make good citizens of them, but it seems impossible right now. We have no car or telephone. My wife is seeking night employment to help financially."

Mr. JAVITS. Mr. President, postal pay needs to be dealt with fairly and honestly. Congress is the only one which can deal with it. The postal workers cannot strike; they cannot engage in important collective-bargaining negotiations, although they are very ably represented by what is equivalent to unions. It is up to the Members of Congress to do justice to them, and I hope Congress will do so before the adjournment.

As to the postal deficit, Mr. President, it also seems to me that Congress has a responsibility. Those who favor an increase in the pay of postal workers must face the need to end the postal deficit. In the case of the rates charged to the various classes of users of the mails, some are entitled to some subsidy; and others are not, because they should pay their own way. Congress should face that responsibility equally.

But, Mr. President, the handling of one responsibility—the postal workers pay problem—should not be contingent on the handling of the other. Both are the responsibility of Congress, and both are important.

Human urgency is involved in the case of the pay for the postal workers. Equity is involved in the case of the postal rates. I welcome the statement on this subject which was made earlier today by my colleague, the Senator from Rhode Island.

As one Member of the Senate, I face the fact of the urgency of the need to give attention to this matter before Congress adjourns.

ORDER OF BUSINESS

Mr. POTTER obtained the floor.

Mr. JOHNSON of Texas. Mr. President——

Mr. POTTER. I am glad to yield to the Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, the Senator from Michigan [Mr. POTTER] desires to make a statement which I believe will last approximately 15 minutes. I hope that first it will be possible to conclude the transaction of routine business in the morning hour.

Following that, I should like to have the Senate act on a bill which I believe will take only approximately 2 minutes to pass. We wish to have the bill acted on at that time, in order to accommodate a colleague who has another engagement. Thereafter, we should like to have the Senator from Michigan [Mr. POTTER] proceed, if that is agreeable to him.

THE SACCO-VANZETTI CASE AND THE SUPREME COURT'S JENCKS DECISION

Mr. McNAMARA. Mr. President, 30 years ago today, two men were electrocuted for a crime there is grave doubt they ever committed. The men, of course, were Sacco and Vanzetti.

In the Washington Post and Times Herald of today, there appears a very fine editorial, entitled "Victory in Death," on the Sacco-Vanzetti case. In conjunction with the editorial, there appeared a letter to the editor on the same subject. The letter is signed by 12 Americans who, as the Post notes, might agree on little else.

I ask unanimous consent that these two items be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit A.)

Mr. McNAMARA. Mr. President, as one of many Americans who sat on their hands during the Sacco-Vanzetti period, I confess I have something of a guilty conscience even today because I did not lend my voice to protest the hysteria and witch hunting of 30 years ago.

Perhaps that is why today I can see a parallel between the Sacco-Vanzetti case and the current efforts to legislate an interpretation of the Supreme Court's Jencks decision.

The Supreme Court has acted in the cause of individual liberty.

As I have said previously on this floor, I believe the earlier misapprehensions and misunderstandings of the meaning of the Jencks decision are rapidly being cleared away by our Federal judges.

The bill, S. 2377, now before us, has been changed several times since it was reported to the Senate in such haste on July 1. Its proponents apparently have discovered that it was poorly and loosely drafted in the beginning.

I should like to ask this hypothetical question: What would have been the result had the original version been steamrollered through the Senate, as was originally intended?

Again, while I am not an attorney, I have a very strong feeling for the rights of individuals.

The Supreme Court decision, I feel, was a sound one. The interpretation is working itself out.

I see no need for the hasty passage of this bill.

EXHIBIT A

[From the Washington Post of August 23, 1957]

VICTORY IN DEATH

'The headlines screamed that Sacco and Vanzetti had been executed, and men read them with a shiver, and wondered, perhaps, if this thing which had been done with such awful finality were the just desserts of crime or a hideous mistake." So Frederick Lewis Allen recalled in Only Yesterday the fateful early hours of August 23, 1927, when Nicola Sacco, a cobbler, and Bartolomeo Vanzetti, a fishmonger, were electrocuted in Boston for a crime they most likely did not commit. The passions of the hour—which swept around the world—still find their echo 30 years later. It is a mark of the enduring torment over the Sacco-Vanzetti case that a letter on the case elsewhere on this page could be signed by 12 persons who might agree on little else.

Great cases have obscure beginnings, and such was true of what later became this country's most celebrated criminal case. On April 15, 1920, two men were shot to death in a payroll robbery in South Braintree, Mass. Circumstantial evidence pointed to two Italian immigrants who happened to be anarchists, but the court testimony was clouded by contradictions, and the trial judge showed a clear bias against the defendants. As the case dragged through the courts the stoic calm of Sacco and Vanzetti was in ironic contrast to the hysteria which gripped much of this country and a score of world capitals. To be sure, Communists exploited the case, but the source of the outcry lay far deeper than Moscow's attempts at meddling. Men of good will everywhere were shocked when the respectable leaders of Boston lent their prestige to what seemed to be an outrageously rigged trial.

It was not the first time that hysteria prejudiced judgment, nor will it be the last. But one of the glories of a free society is that past errors cannot be scrubbed from the pages of history; they remain instead as a reminder that even the best of institutions is fallible. On May 4 of this year the Massachusetts Legislature gave official recognition to one such folly of the past in clearing the names of the "witches" hung in Salem in 1692. The wheels of history move slowly, but surely the Massachusetts Legislature would win applause if it waited less than 265 years to clear the names of a fishmonger and shoemaker whose trial seemed similarly warped.

THIS LAST HOUR OF AGONY

Three decades have passed since the execution of Sacco and Vanzetti in the first few minutes of August 23, 1927.

Those still living of the multitudes of individuals around the world, noted and unknown, who had become convinced at that time the electrocution of the two Italians was a miscarriage of justice, do not need to be reminded of this 30th anniversary.

That event in Charlestown Prison close by Boston Common and Charles Bullfinch's Massachusetts statehouse was an experience for them they have always kept vivid in their consciousness. Ask any one of them what he was doing the night of the execution. He'll invariably respond instantly and in detail, no matter how many thousands of miles he was away from Boston.

This complete memory recall is a phenomenon born of the personal anguish of those days over the imminent fate of Sacco and Vanzetti and what it meant. Not since that time has there been another effort by so many people in so many places to bring about what they conceived to be justice in a particular case.

Questions present themselves insistently when one reflects on the deep-seated personal commitments engendered by that case on so farflung a front among people of all kinds and conditions. Could similar commitments be again evoked on such a scale by another case embodying factors and elements like those in the Sacco-Vanzetti case? Or have three decades so altered human circumstances that a comparable evocation would be impossible?

There is value for the community in attempts to answer such questions. The potential role in this regard which the two men's tragedy might play was foreseen by Vanzetti.

In one of his final letters from the prison death cell he wrote: "What I wish more than all else in this last hour of agony is that our case and our fate be understood in their real being and serve as a tremendous lesson to the forces of freedom so that our suffering and death will not have been in vain."

Gutzon Borglum cast that sentence prominently on his large bas-relief of the two men. A standing offer of the sculpture was made 10 years ago, on the 20th anniversary, to the governor of Massachusetts and the mayor of Boston by a committee of prominent citizens which included Albert Einstein, CIO President Philip Murray and Mrs. Franklin D. Roosevelt.

From his Princeton home on that occasion Einstein said: "Everything should be done to keep alive the tragic affair of Sacco and Vanzetti in the conscience of mankind. They remind us of the fact that even the most perfectly planned democratic institutions are no better than the people whose instruments they are.

"At that time (during the Sacco-Vanzetti case) the desire for justice was as yet more powerful than it is today, although it did not triumph. Too many horrors have since dulled the human conscience. Therefore the fight for the dignity of man is particularly urgent today. May Sacco and Vanzetti continue to live as symbols in all those who strive for a better morality in public affairs."

We share the faith and hope expressed by Einstein and his associates. We sign this letter on the 30th anniversary of Sacco's and Vanzetti's execution because we believe that special periodic reevaluation of notable past experience in the search for justice helps to revitalize that search from generation to generation.

Arthur M. Schlesinger, Roger N. Baldwin, Gardner Jackson, Aldino Felicani, James M. Landis, John R. Chamberlain, Howard Lindsay, Eugene V. Rostow, Gerald W. Johnson, John Dos Passos, Eugene Lyons, Norman Thomas.

WASHINGTON.

NORTHWEST TECHNICAL INSTITUTE AT TILLAMOOK, OREG., AND AIR FORCE CONTRACT POLICIES

Mr. NEUBERGER. Mr. President, a letter I received yesterday from Hon. James H. Douglas, Secretary of the Air Force, announced a decision that to citizens of Oregon—and especially to the people in the little town of Tillamook, on the Oregon coast—is, indeed, extremely discouraging. The substance of the letter, Mr. President, confirms a recent decision of the Air Force to discontinue at Tillamook any further training of men in the handling of treacherous petroleum fuels. This operation is referred to by the Air Force as POL training, and refers to petroleum, oil, and lubricants. Such training had been carried on ably by the Northwest Technical Institute, at Tillamook, Oreg., for the past 6 years. The school was conducted at the blimp base which had been used during World War II, and thus represented the economic and practical use of a facility which otherwise would probably have remained untenanted. All reports on the operation of the highly technical training at this school have been most commendatory of the training carried on by the private contractor, at the site of the old blimp base, on the Oregon coast. Every report I have heard indicated that, from the standpoint of quality of training, completeness and economy, the Northwest Technical Institute, at Tillamook, Oreg., was doing a superior job for the Air Force.

The Secretary of the Air Force, in his letter of August 22, stressed only the matter of economy as the determining factor in supporting the Air Force decision to conduct this training at the Amarillo Air Force Base, Tex.

Frankly, Mr. President, I cannot agree with the decision of the Secretary of the Air Force when he states that the training may be carried on more economically at Amarillo than at Tillamook, as I told the Secretary in a letter on August 20. My colleague [Mr. MORSE], the Senator from Washington [Mr. JACKSON], and I met on Wednesday, August 14, with representatives of the Air Force and the General Accounting Office for a discussion, moderated by the Senator from Missouri [Mr. SYMINGTON], chairman of the Task Force on Air Training Facilities, which was a subcommittee of the Senate Armed Services Committee. At that meeting it was reported that in July the General Accounting Office had completed an audit of the Northwest Technical Institute. At the meeting, it was also brought out that time was not available for an equally intensive audit of the same type of training the Air Force undertook last year at Amarillo Air Force Base. The preliminary survey, however, pointed toward an actual saving on per-trainee costs at the Tillamook facility. According to one tabulation of costs, which I had an opportunity to see, the total cost per trainee was reported to be $864.55 for Amarillo and $848.93 for Tillamook. However, figured in this tabulation were certain items about which there was still some dispute as to whether they should be included or as to whether they were somewhat inflated.

In view of these circumstances, I urged the Secretary to continue the contractual arrangement with the Tillamook organization. It seemed to me that a suggestion offered in our discussion of Wednesday, August 14, should be considered. That suggestion proposed that the Air Force contract with the Northwest Technical Institute for the training of approximately half the student load, with the other 50 percent to be trained at Amarillo Air Force Base. The General Accounting Office should be assigned to complete an intensive audit, during the course of the year, and determine, based on the figures thus arrived at, whether to continue the arrangement with the contractor, or to set up the entire program at Amarillo.

I am sure no one could question the fairness of such a proposal. I offer these remarks at this time, Mr. President, with several thoughts in mind:

First. The State of Oregon, with the sole exception of the State of Washington, is closer to the soil of unfriendly nations than is any other State.

Second. The long Oregon coastline has no Air Force installation of any sort.

Third. Oregon, by contrast with such other great coastal States as Washington, California, Texas, Louisiana, Alabama, and Florida, is almost completely devoid of any major defense installation.

Fourth. At a time when Oregon's economy is in great trouble because of the depressed lumber industry, the loss to a community such as Tillamook of an operation carried on by the Northwest Technical Institute is a grim blow.

Mr. President, I ask unanimous consent to have printed in the RECORD my letter of August 20 to the Secretary of the Air Force, a letter from him of August 22, to me, and a news release which I issued today.

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

UNITED STATES SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
August 20, 1957.

Hon. JAMES H. DOUGLAS,
Secretary of the Air Force,
Department of Defense,
Washington, D. C.

DEAR MR. SECRETARY: Your attention has been called recently to the problem growing out of the announced termination, June 25, 1957, of the contract between the Air Force and the Northwest Technical Institute, Tillamook, Oreg. As you know, the institute is a contract school which has engaged in POL (Petroleum, Oil, and Lubricants) training since 1951. On Wednesday, August 14, Senator MORSE and I appeared before the Task Force on Air Training Facilities, a subcommittee of the Senate Armed Services Committee, under the chairmanship of Senator STUART SYMINGTON. Senator HENRY JACKSON, a member of the Armed Services Committee was also in attendance at the discussion meeting which heard in addition from Air Force and General Accounting Office personnel as well as Representative WALTER ROGERS of Texas, in whose district Amarillo is located.

It should be noted that representatives of the General Accounting Office completed an audit of the Northwest Technical Institute in July; however, time was not available for an equally intensive audit of the same type training the Air Force undertook last year at Amarillo Air Force Base. On the strength of the audit of the Oregon school and a preliminary survey of the Amarillo program, the General Accounting Office shows that the institute's per-student costs are substantially under the costs estimated by the Air Force for its own similar training introduced last year at Amarillo. There is every indication that the continuation of the contractual arrangement with the Tillamook organization would assure the Air Force of an outstanding training job at a decided economy to the Government.

It seems to me that a suggestion offered in the course of the discussion last Wednesday merits serious consideration. It was proposed to contract with the Northwest Techical Institute for the training of approximately half the student load of 1,300, which is understood to be the annual recurring requirement of the Air Force for personnel in this particular career field. The others would be trained in the other facilities now being operated by the Air Force. The General Accounting Office would be assigned to make an intensive audit during the course of the year and it would be determined on the figures thus arrived at whether to continue the contractual arrangement or to set up the entire program at the Amarillo base.

I am sure such a plan is eminently fair to all concerned, and the decision thus obtained would be supported by unquestionable evidence.

I could present many other facts pertinent to this problem that merit the consideration of the administration in making their determination on this matter. I am sure they have already been called to your attention.

I would emphasize one thing especially that, in view of Oregon's geographic location and present economic difficulties, gives added weight to the above request: Among the

States, Oregon ranks at or near the bottom in any table of Department of Defense expenditures allocated on a State-by-State basis. In marked contrast Texas would, undoubtedly, be at the top in any such listing. What I am saying is this: In the little town of Tillamook, Oreg., loss of the operation carried on by the Northwest Technical Institute would be a severe economic blow to the community. On the other hand, the community pulse of Amarillo would, I am sure, neither be stayed nor quickened by the operation of this program.

Just thumbing through the 141 pages of H. R. 8240, the military construction bill, illustrates my point. On page after page it stands out: Biggs Air Force Base, El Paso, Tex.; Sheppard Air Force Base, Wichita Falls, Tex.; Ellington Air Force Base, Houston, Tex.; Goodfellow Air Force Base, San Angelo, Tex.; Kelly Air Force Base, San Antonio, Tex.—to mention just a few. They are all strategically and properly located, I have no doubt. But the contrast is indeed striking when one searches for Oregon facilities listed in the bill.

In conclusion let me emphasize the fact that since 1951 the Northwest Technical Institute has faithfully and satisfactorily carried out every provision of their contract with the Air Force.

The above suggestions are offered in a desire to promote a careful and objective evaluation that will be consonant with the finest traditions of the Air Force and the Department of Defense.

With kind regards, I am,

Sincerely,

RICHARD L. NEUBERGER,
United States Senator.

DEPARTMENT OF THE AIR FORCE,
Washington, August 22, 1957.

Hon. RICHARD L. NEUBERGER,
United States Senate.

DEAR SENATOR NEUBERGER: I refer to the recent meeting concerning petroleum training at Tillamook, Oreg., and your interest therein.

During the past 2 years I have personally studied this problem and it has also been the subject of special study by the Subcommittee on Real Estate and Military Construction of the Senate Committee on Armed Services. The staff of this subcommittee, after visits to both Tillamook and Amarillo, has agreed with our conclusion that it is in the best interest of the services to conduct this training at Amarillo Air Force Base, Tex. The General Accounting Office in their cost estimates of training at Amarillo and Tillamook also reached the conclusion that it was more economical to accomplish this training at Amarillo.

After considering all of the factors involved, I must reaffirm my previous decision that it is in the best interest of the Air Force to conduct this training at Amarillo Air Force Base, Tex. I regret that my decision in this matter is not more favorable to your expressed position.

Sincerely yours,

JAMES H. DOUGLAS.

Refusal of the administration to continue operation of the Northwest Technical Institute at Tillamook, Oreg., despite its efficient and economical operation under private enterprise, was criticized today by Senator RICHARD L. NEUBERGER, of Oregon, as "another example of favoritism which has concentrated defense installations in a few States."

The Oregon Senator had appeared before a session of the Senate Task Force on Air Training Facilities and objected to the Air Force decision to terminate its contract with the institute which has been training personnel in the handling of petroleum products. NEUBERGER was advised by Air Force Secretary James H. Douglas that the course will be transferred to Amarillo Air Force Base in Texas.

"Among the States, Oregon ranks at or near the bottom in any table of Department of Defense expenditures," NEUBERGER said. "In marked contrast Texas would, undoubtedly, be at the top in any such listing. Loss of the operation would be a severe economic blow to Tillamook, but the community pulse of Amarillo would, I am sure, neither be stayed nor quickened by the operation of this program."

In a letter protesting the action, NEUBERGER told Secretary Douglas that "the Northwest Technical Institute has faithfully and satisfactorily carried out every provision of their contract with the Air Force. Moreover, an audit of the Oregon school and preliminary survey of the Amarillo program by the General Accounting Office shows the institute's per-student costs are substantially under the costs estimated by the Air Force for its own similar training introduced last year at Amarillo.

"There is every indication that continuation of the contractual arrangement with the Tillamook organization would assure the Air Force of an outstanding training job at a decided economy to the Government. The efficiency of its operation is a tribute to Mr. Robert E. Klatt and his associates."

NEUBERGER had urged the Air Force to consider a plan under which Northwest Technical Institute would train approximately half of the 1,300 men assigned annually to study of technical oil and gasoline handling procedures. During a 1-year trial period, the General Accounting Office would make an intensive audit to compare costs between Tillamook and Amarillo Air Base operations. NEUBERGER suggested that these figures be used to make a final determination whether to continue the institute's contract or set up the entire program at the Amarillo base.

The Tillamook training facilities have been operating under private contract with the Air Force by utilizing surplus facilities at the former naval blimp station there.

"There has never been any criticism of the operation of the Tillamook base, which has saved the Government money and has turned out qualified technicians," NEUBERGER said. "It is incredible that the administration would decide to cancel out such an outstanding facility in Oregon—a State which has virtually no defense installations—in favor of adding another military undertaking to the already lengthy list of those based in the State of Texas. The contrast between the consideration given by the Defense Department to the States of Oregon and Texas is indeed disturbing."

PRIORITIES FOR THE ASIATIC INFLUENZA VACCINE

Mr. MONRONEY. Mr. President, with some hesitation, I rise to make a suggestion to the President of the United States.

I realize my own limitations, certainly, and I do not mean to be presumptuous. I simply urge that Mr. Eisenhower begin to think of himself as the Chief Executive officer of this Nation.

One could only praise a man or a President for approaching his problems with all humility. But I suggest that in any assignment of priorities, a leader must understand that the survival of those he leads often is tied to his own survival. I suggest further that President Eisenhower is not an ordinary person in our system of government.

President Eisenhower told his press conference this week, according to press reports, that he would get a shot of the Asian flu vaccine when it becomes available to ordinary people, such as himself.

This disturbs me. More than a month ago, I wrote to the Surgeon General of the United States, asking what preparations the Public Health Service was making for a possible epidemic of this new flu virus. I asked whether the vaccine prepared for it was effective, and, if so, whether or not it will be in sufficient supply by fall to safeguard the entire population. I asked further, if there will not be enough for everybody, has a priority plan been established? I did not receive a reply immediately.

About a week later, Harper's magazine carried a lead article, entitled "The Influenza Epidemic," which urged priorities in vaccine for members of the military service and citizens who provide essential community services, in the event of an epidemic, to prevent serious dislocation of food supplies, or in transportation services, or who protect against dangers to public health. I still had heard no word from the Surgeon General.

On August 2, American morning newspapers carried in large headlines the story that the Public Health Service has alerted the Nation to a very definite probability of a wide outbreak of Asiatic flu this fall. That afternoon I received an answer to my letter of July 18; the answer told me the vaccine was 70 percent effective. No priority plan was outlined, but I was told that the Public Health Service would recommend that particular attention be given to the early vaccination of persons whose services are imperative for the care of the sick and those needed to maintain other essential functions.

I consider the President of the United States and the Commander in Chief one of those needed to maintain essential functions. I hope he will not insist on waiting until every other American is vaccinated, before he takes his turn. That time is not coming, you see. The Public Health Service tells me that on the basis of top production estimates, it obviously will not be possible to manufacture enough vaccine for the entire population before the influenza season.

ONE FARM PROGRAM THAT WORKS

Mr. DIRKSEN. Mr. President, in Time magazine for August 12, there appeared a rather interesting and succinct article on the subject of rural development. This is a program of tremendous importance to the future of America; and I believe the article stresses the great possibilities of what has been done thus far.

I ask unanimous consent that the article be printed in the CONGRESSIONAL RECORD.

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

RURAL DEVELOPMENT: ONE FARM PROGRAM THAT WORKS

In campaigning for billions in price supports, Washington politicos often give the impression that the subsidies benefit all of America's 5,400,000 farm families. Actually, only a minority gets them since only five crops (wheat, corn, cotton, rice, and tobacco) are supported and they are produced by the Nation's most prosperous farmers. Left out almost completely are some 2,500,000 marginal farmers. These underfed and ill-housed families are a farm problem that few Congressmen talk about. Last week Congress grudgingly voted $2,500,000 for their benefit, a cut of $1,500,000 below the amount President Eisenhower urgently requested this year for rural development, the Nation's newest farm program.

Rural development is one of the few farm programs that really work. Yet it gets a cold reception from politicians because it is prompted by an unpleasant fact that they prefer to ignore. The fact too many farmers are trying to scratch out a living on farms that are too small to be profitable. From 1930 to 1954, the average United States farm jumped from 157 to 242 acres. But with the cost of mechanization even that is not enough to support a single family in many areas. And in hundreds of scrubby farming counties the cultivated area per farm averages as little as 8½ acres.

To make the first broad-scale assault ever attempted on this problem, the Agriculture, Interior, Commerce, Labor, and Health, Education, and Welfare Departments, at President Eisenhower's orders, selected 54 counties and 3 multicounty areas in the Southeast, Southwest, New England, along the Ohio River Valley, and in the Great Lakes area as laboratories in which to test a new idea. The big idea: to encourage local farm leaders, businessmen, clergymen, and others to take over and work out their own farm improvement plans, tailored to their own needs, with technical and loan assistance supplied by their State and the Federal Government.

In the test counties, farmers got a choice. If they wanted to keep on farming, they were shown how to farm better, got help in buying more land and equipment. Others were helped in getting jobs in town or industry. Rural development has also persuaded industries to locate plants in distressed rural areas, and has aided farmers in starting their own businesses.

In Price County, Wis., Gordon Johnson, who was a misfit at dairying, last week started work on his first glass-fiber boat in his new company. In Monroe County, Ohio, ministers sparked a countywide poll of the labor force, which helped attract a new Olin Mathieson aluminum plant. In Espanola, N. Mex., fruitgrowers were helped to build a plant to grade and pack their apples and peaches. In Choctaw County, Okla., which was losing population in droves, a new cannery, a glove factory and a feed mill were established.

With the help of rural development, many farmers are learning to be better farmers. In Lewis County, W. Va., rural development last year helped 12 farmers buy 146 western ewes. In one season they made enough from their lambs and wool to pay back the loan, this year will pocket a sizable profit from their almost vertical hillside pastures.

In Tippah County, Miss., farmers were giving up their homesteads at the rate of nearly 100 a year, forced out of business by the cotton acreage cuts. The county was helped by rural development to launch a brand-new dairy industry. Merchants raffled off 27 prize Jersey cows as breeding stock, put up $15,000 to start a processing plant. The plant opened February 1, paid back the loan in full June 1. A similar shift is going on in Chesterfield County, S. C., hard hit by the cutbacks in tobacco acreage, where rural development is encouraging farmers to use tobacco barns no longer needed for curing tobacco to dry out and store sweetpotatoes. For many families rural development means the amenities of living whose lack is incomprehensible to many other Americans. In tiny La Cañada de los Alamos, N. Mex., 13 Spanish-speaking families, thanks to rural development, now have a community well, ending generations of carrying water uphill.

Surveying such accomplishments all brought about in little over a year with a Federal cash outlay of only $2,100,000 (the cost of storing Government price-supported crop surpluses for 2 days), some enthusiasts believe that if rural development were vastly expanded, it would be an answer for the whole farm problem. But most experts point out that the plan's success is due to the fact that it relies on local and State initiative rather than a vast new Federal bureaucracy to dictate to farmers. As Editor F. W. Heath of the Price County (Wis.) weekly Bee put it last week: "At last we are beginning to realize that 'we' are the 'they' we talk about when we want something done."

THE CIVIL-RIGHTS BILL—PUBLISHING OF CERTAIN INFORMATION

Mr. JAVITS. Mr. President, my attention has been called to a column which appeared in one of our great New York City newspapers, the Daily News, bearing date of August 14, which was published August 15, relating to the contemplated alleged punishment of newspapers for publishing information about evidence taken in executive session before the prospective Civil Rights Commission contemplated by the bill. The article states that the provision was "nursed and defended in the Senate by New York's Republican JACOB JAVITS."

Mr. President, the column to which I refer is Capitol Stuff, written by the spirited and widely known and read John O'Donnell, who I am sure, as an outstanding newspaper man, would want the full facts stated of record. We do not mind slings and arrows in comments about those of us who are in public life, but I think we have a right to set the record straight when the facts are exactly opposite to what has been stated, so I take the privilege of doing that now.

I believe I was the first one, during the civil-rights debate, to call to the attention of the Senate my complete opposition to this particular provision which was being questioned by news media as to any possible punishment for reporting on testimony taken in executive session by the proposed Civil Rights Commission. I spoke on August 7 during the debate on the bill and said I was opposed to it, and that if I had the opportunity—the opportunity then having unfortunately expired, which represented an oversight of many of us in the Senate, as well as those in the other body—I would offer an amendment to strike out the provision, with which I thoroughly disagreed. I tried, speaking as a lawyer, to give the language the legislative interpretation that it applied only to the members of the Civil Rights Commission, its staff, and employees, and would not apply to news media generally. Whether that would help or not, nobody knew. Nevertheless, I tried to make that effort; unfortunately its purpose seems to have been misunderstood.

Subsequently, and I hope as a result of the attention I focused on the provision, the Senator from South Dakota [Mr. CASE] made a suggestion which might be adopted by the conferees, if there were to be conferees on the bill. I supported him. We also heard from the distinguished majority leader that a resolution would most likely be introduced to excise that portion of the bill. All of us realized that, having been adopted in the same form by both Houses, it was beyond the power of conferees to deal with the provision as it existed in the bill. I certainly agreed with the majority leader's suggestion of a resolution if it could be done in no other way.

I wish to set the record straight that I thoroughly disapprove of and disagree with the provision, and that it is against the public interest; that I have done, and will continue to do everything I can to excise it.

I hope very much we shall find an effective way to deal with this problem, and remove the provision from the bill, and certainly not consider it as part of the law if passed.

RETURN OF CERTAIN MINERAL INTERESTS TO FORMER OWNERS

Mr. JOHNSON of Texas. Mr. President, the distinguished Senator from New Mexico [Mr. CHAVEZ] has a measure which he desires to bring to the attention of the Senate. As soon as action is taken on his proposal, the Senate will proceed to consider Calendar No. 1110, S. 1726. I understand the Senator from Rhode Island is prepared to make an explanation of the bill.

Mr. PASTORE. I am.

Mr. CHAVEZ. Mr. President, I ask the Chair to lay before the Senate the amendments of the House to S. 268.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 268) to provide that the Secretary of the Army shall return certain mineral interests in land acquired by him for flood-control purposes to the former owners of such land, which were, to strike out all after the enacting clause and insert:

That whenever the Secretary of the Army determines that the exploitation of any mineral interests underlying any lands within, or acquired for the purpose of, the Arkabutla, Sardis, Enid, and Grenada Reservoirs of the Yazoo Basin headwater project in the State of Mississippi will not be incompatible with the development, maintenance, and operation of the reservoir projects, he shall make such interests available for reconveyance to the former owners thereof or, in the case of any such owner who is deceased, to the legal heirs or devisees, if any.

SEC. 2. Upon application filed with the Secretary of the Interior within 3 years after the date of enactment of this act and upon approval of that application by the Secretary of the Army, whose determination shall be final, the Secretary of the Interior shall, upon payment of the fair market value thereof as determined by him, reconvey the mineral interests made available in accordance with this act, subject to the limitations contained in section 3 of this act.

SEC. 3. Each proposed reconveyance of mineral interests under this act shall be subject to the following limitations:

(a) In the event all of the mineral interests of the United States in and to all of the mineral deposits that are subject to any one lease, permit, license, or contract issued under the Mineral Leasing Act for Acquired Lands, approved August 7, 1947 (61 Stat. 913; 30 U. S. C. 1952 edition, secs. 351–359) as amended, are otherwise eligible for conveyance under section 1 of this act to a single grantee, or to several grantees as tenants in common, then such conveyance shall contain an assignment of all right, title, and interest of the United States in and to such lease, permit, license, or contract, including the right to all rentals, royalties, and other payments accruing under such lease, license, or contract after the effective date of such conveyance. Except as provided in the preceding sentence, mineral deposits that are subject to any such lease, permit, license, or contract shall not be eligible during its continuance for conveyance under this act. Nothing contained in this act shall affect the continued validity of any such lease, permit, license, or contract or any rights arising thereunder.

(b) Where mineral interests in the same lands were acquired from more than one owner, no conveyance shall be made unless it is established to the satisfaction of the Secretary of the Interior that the proposed conveyance will operate in a manner which will be fair and just to each person from whom any mineral interest in such lands was acquired by the United States, and will not prejudice the proper conservation and development of the mineral deposits affected by the conveyance. For the purposes of this act former mineral interests, whether or not in the same lands, may be combined or divided in such manner as may be requested by the applicants and approved by the Secretary of the Interior.

(c) No reconveyance shall be made of mineral interests in any lands if it is determined by the Secretary of the Interior that such reconveyance would adversely affect facilities required for the protection and management of migratory birds and fishing resources as provided in the act of August 14, 1946 (60 Stat. 1080), or if the lands are designated by the Secretary of the Army, after consultation with the Secretary of the Interior, as needed for public park or recreation purposes.

(d) The Secretary of the Army may include such reservations and restrictions as he determines to be necessary for the development, maintenance, and operation of the reservoir projects involved and as may otherwise be in the public interest.

Sec. 4. All proceeds from the reconveyance of mineral interests under this act shall be deposited in the Treasury as miscellaneous receipts.

Sec. 5. There are hereby authorized to be appropriated such sums as are necessary to carry out the purpose of this act.

And to amend the title so as to read: "An Act to provide that the United States shall return to the former owners certain mineral interests in lands acquired for the Arkabutla, Sardis, Enid, and Grenada Reservoirs, Miss."

Mr. CHAVEZ. Mr. President, I move that the Senate concur in the amendments of the House of Representatives to S. 268.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico.

The motion was agreed to.

CONSTRUCTION OF PROTECTIVE MEASURES IN NARRAGANSETT BAY AREA

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1110, Senate bill 1726.

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

The Legislative Clerk. A bill (S. 1726) authorizing certain construction for the protection of the Narragansett Bay area against hurricane tidal flooding.

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

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works with amendments on page 1, line 7, after the word "the", to strike out "Division Engineer, New England Division, Corps of Engineers" and insert "Chief of Engineers"; in line 9, after the word "dated", strike out "February 15" and insert "June 26,"; in line 10, after the numerals "1957", strike out "as such may be modified by the Board of Engineers for Rivers and Harbors and the Chief of Engineers,"; on page 2, after line 2, strike out:

> Sec. 2. The project for the general protection of the Narragansett Bay area from hurricane tidal floods by the construction of a series of Lower Bay barriers is authorized substantially in accordance with the recommendations of the Division Engineer, New England Division, Corps of Engineers, United States Army, in his report dated February 15, 1957, as such may be modified by the Board of Engineers for Rivers and Harbors and the Chief of Engineers, at an estimated initial cost to the United States of between $67,000,000 and $105,000,000.

And in line 13, to change the section number from "3" to "2", so as to make the bill read:

> *Be it enacted, etc.*, That the project for the protection of the Providence, Rhode Island, area against hurricane tidal floods by the construction of a barrier at Fox Point on the Providence River is authorized substantially in accordance with the recommendations of the Chief of Engineers, United States Army, in his report dated June 26, 1957, at an estimated initial cost to the United States of $16,180,000.
>
> Sec. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

The amendments were agreed to.

Mr. PASTORE. Mr. President, I rise to speak in support of S. 1726, a bill to authorize the construction of the Fox Point barrier for the protection of the city of Providence, R. I., against the devastating hurricane tidal flooding our city has experienced in the last several years.

The bill, introduced by my colleague, the senior Senator from Rhode Island, [Mr. Green] and myself, is based upon the extensive studies and resulting recommendations of the Corps of Engineers of the United States Army. These studies, covering some 2 years, were authorized by Public Law 71 under date of June 15, 1955.

I shall not attempt to itemize the thorough studies of the engineers. The studies may be summarized by stating that the property damage to the industrial and commercial area of Providence in the 1954 hurricane alone was $41 million. Against such a future calamity the engineers have designed a protecting dam to be built for $16,500,000.

Following the established pattern of Federal and local contributions, the engineers have recommended that the Federal Government participate to the extent of $16,180,000, while local interests will contribute $320,000 of the first cost and assume annual charges for operation and maintenance in the amount of $134,000. The total annual charges will be $732,000, with annual benefits of $1,733,000. This gives a very favorable ratio of benefits to cost at 2.37 to 1.

The situation could be summarized in a single sentence from the engineers' voluminous report:

> The Fox Point barrier is urgently needed and should be constructed immediately.

It is the urgency of this matter, the knowledge that hurricanes do not wait upon our pleasure, that has impelled us to press all the steps that have been necessary with a multitude of Government agencies to bring us to this day when the situation has the attention of the Senate.

It is not my intent to emphasize the anxiety and agony of a community when the navigable waters of a great bay go on a rampage in the terrors of a hurricane. The loss of human life, the paralysis of everyday existence, the mortal blows to small business in the affected areas, the stunting of future growth, and the fears which return with every hurricane season are items outside the estimates of dollar costs. But we are properly concerned with dollar costs, too, and the Army engineers have devised a plan which is financially sound, as well as physically feasible and effective.

To speed this construction as fast and as far as lies in our power is vital to the city of Providence, which is important, too, in the economy of the Nation.

I am deeply indebted to the Senator from Oklahoma [Mr. Kerr] and the members of his committee for their expeditious and thoughtful consideration, and I ask the Senate's favorable action on this most worthy and worthwhile project.

Mr. President, I ask that the Senate pass the bill.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

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

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

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

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

ATOMIC ENERGY COMMISSION APPROPRIATIONS, 1958

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of Calendar No. 1108, H. R. 9379, the Atomic Energy appropriation bill.

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

The LEGISLATIVE CLERK. A bill (H. R. 9379) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes.

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

The motion was agreed to; and the Senate resumed the consideration of the bill, which had been reported from the Committee on Appropriations with amendments.

TOLL TELEVISION

Mr. POTTER. Mr. President, the Congress of the United States owes a vote of thanks to the representatives of the Nation's great mass communications mediums who regularly cover our activities here.

I am thinking especially of the coverage which has been given to the complex civil-rights issue by the daily press, radio, television, and the periodical press. I believe that few here will question that the reports issued by these mediums during the long months when civil rights engaged the attention of the House and Senate have been thorough, accurate, and fair.

Certainly the television newsmen are entitled to a special accolade for their accomplishment. Television, as we all know, is still carving out its precedents in an area of communications which is youngest of all.

I have been reading recently some figures collected by the National Broadcasting Co. with respect to the growth of free television in the United States. These statistics, based upon tabulations brought down from research prepared by the Advertising Research Foundation and Census Bureau surveys, show that there are now in the United States a total of 40 million television homes that can receive the numerous programs offered by our advertising-supported system of free enterprise television broadcasting.

There are few industries in America that have enjoyed such phenomenal growth—for 12 years ago, when television was launched in this Nation, only 8,000 homes boasted TV sets in use. The present saturation represents 80.3 percent of all the homes in America.

It is not necessary for me at this time to recount before this body the blessings of free television; nor would I take the time, for no industry has been more thoroughly explored by Congress to enumerate its shortcomings. On balance, it seems to me that the people themselves have voted resoundingly for this system of home entertainment and education which has been designed along lines that are consistent with our traditional high regard for free media.

It is estimated that it has cost $190 million, invested by hundreds of business organizations and individuals, to construct this nationwide service. More significant than this figure, however, is the fact that the total contribution of American citizens has been $15 billion, and that the citizens have made this investment on the assumption that they were buying an instrument on which they would receive free programs without further assessment other than that required for the maintenance of the sets.

The citizens had every right to that assumption, because it was the Congress which enacted legislation based upon the historic premise that broadcasting would be free and that we would not pursue systems employed in many other nations throughout the world that provide for the regular collection of taxes for the privilege of using a television set.

Now, against the background of this tremendous growth of a medium that has rendered extraordinary service to the American people, we are hearing more and more about various proposals for pay or subscription television—popularly called pay TV. The proposals for pay TV have been subjects of hearings before the Interstate and Foreign Commerce Committees of this legislative body, before the regulatory agency, the Federal Communications Commission, and have caused the proponents of pay TV to launch and sustain one of the most aggressive and calculated publicity campaigns in the history of American industry.

I am referring in these remarks to the systems of pay television which would require the partial use of existing broadcast frequencies in order to operate. As most of us know, these proposals—although they may differ in technique—are parallel in purpose: to broadcast on the air over established frequencies at selected hours of the day special programs that would emanate from the transmitter in a scrambled form requiring the set owner to pay a stipulated amount to unscramble the signal and afford him the benefit of seeing the production. We have over 500 so-called commercial television stations in the United States right now. When the allocation of channels for the development of our system was first discussed a decade ago, many experts predicted that by this time we would have upwards of 2,000 stations on the air. We do not have that many for the simple reason that the experts were wrong in presuming that companion systems, UHF and VHF, would be able to do the job.

There are many things about modern television that other Senators and I would improve. We would step up the quality of some of the productions, for example; we might like to do something about excessive commercialism.

However, further growth of television to its full potential as a medium of vital influence on our republican form of life will depend upon the availability of more space to be allocated to free television if we are to have a fully competitive system. These various proposals for pay television run absolutely counter to this basic theory of the legislation which established America's broadcasting system. They propose, in effect, to usurp some of the limited free time that is now available and supplant it by a sort of domestic slot machine operation which would require the people to pay for something they are now receiving without charge.

The major interest involved, therefore, is the public interest—the public who in a sense own these channels insofar as they constitute a natural resource of the United States. But despite the investment on the part of the individual citizen, and even in consideration of the virtual promise this Government has made to him that broadcasting would be a free service in his home, I see in pay television an even more dangerous possibility.

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

Mr. POTTER. I am delighted to yield to the Senator from Ohio. I know he has a great interest in this very vital problem.

Mr. LAUSCHE. I am very much pleased that the Senator from Michigan has addressed the Senate as he has today, because his remarks deal with a vital subject.

May I pursue the subject of the amount of money which has been invested by the American citizenry in television sets which are now tied into free service? Did I correctly understand the Senator to say that was $15 billion?

Mr. POTTER. Fifteen billion dollars; yes.

Mr. LAUSCHE. If these television sets are converted into pay sets, can the Senator from Michigan tell me to what extent the owners of the present television sets would be able to avail themselves of service without the addition of new equipment and gadgets?

Mr. POTTER. As the Senator well knows, there have been two major techniques proposed as a means of collecting the toll from the viewer. One has been through the telephone system. In other words, if before a major prize fight somebody wished to get the signal and see the fight he could get the broadcast through a card which would go through the telephone system. Of course, that would completely disrupt the entire telephone system of the Nation.

The other means would be through some type of card or coin box affair which would be put on the receiver.

It seems that if the owner of a television set desires to see the so-called super programs, which he would have to pay for, he will have to purchase a coin box, or whatever type of unscrambler is necessary, which would involve a cost additional to the investment he already has in the set. That in itself would add up to several million dollars of additional cost to the viewing public.

Mr. LAUSCHE. We would then have involved two additional costs. One would be the cost for buying the gadgets necessary to unscramble the mixed up waves, or whatever they are.

Mr. POTTER. Yes.

Mr. LAUSCHE. And the second would be the fee for the specific program.

Mr. POTTER. The Senator is absolutely correct. Of course, at the same time, the viewer would be denied the program he would normally receive free over the particular channel involved.

In other words, let us assume that on channel 4 in Washington, D. C., for example, there is to be a program of a football game or a prize fight, or whatever it may be, for which there will be a charge. Unless the person were willing to pay that charge, he would be denied the use of that channel.

Mr. LAUSCHE. The channel would then be tied up only for service of those who were willing to pay the special fee?

Mr. POTTER. The Senator is absolutely right. Of course, in many communities of the country the viewing public does not have a choice between channels as he has here in Washington, but has only one channel. In my home town, for example, there is one channel that comes in well. If we had to pay for TV there during the hours of 8 to 10 in the evening, when there was a prize fight, or 10 to 12 in the evening, for the program being broadcast, those who could afford to put the money in the slot to use the channel could do so if they wanted, but there are thousands of people who could not pay and who thought when they bought the television sets they had an instrument which would be able to use all channels to receive the programs. Those people would be denied the programs for those hours, and would be denied the use of the television sets, in which they had a considerable investment.

Mr. LAUSCHE. Let me ask the Senator one further question. The Senator from Michigan dealt briefly with the air waves as a natural resource owned by the people of the country. I should like to hear the Senator discuss that question further.

Mr. POTTER. The Senator is absolutely right. The air waves have always been construed as belonging to the people. The entire system of broadcasting, both radio and television, has been under the concept that the frequencies belong to the people. If a person wished to use the air waves for commercial reasons, and wished to use certain frequencies either for radio or for television, it was understood that advertising would be used to build up the program, as a means of building up a listening and watching audience, and as a means of selling a product, but that the use of the frequency would be free for the people viewing.

Pay TV would completely reverse the procedure for broadcasting, whereby there is great competition to build up better and better programs by the advertising of a product to reach as many people as possible. This would turn the procedure around, to such a point that advertising would be eliminated, and the program would be developed to sell the program as a commodity to the people.

Mr. LAUSCHE. The net result would be that the pay stations would be given the property right of the public?

Mr. POTTER. The Senator is correct.

Mr. LAUSCHE. And authorized to use the air waves for pay?

Mr. POTTER. The Senator is absolutely right.

Mr. LAUSCHE. I thank the Senator very much.

Mr. POTTER. I appreciate the comments of the distinguished Senator from Ohio.

Those who are interested in promoting this form of TV—and I speak of pay television—for the most part are large, organized sports enterprises in such areas as boxing and baseball, motion-picture producers who visualize a rich return on some of the films that they have stockpiled, and at least 1 or 2 manufacturers of equipment—in other words, the jukebox type of equipment. There have been in this Chamber and in the House various charges made at various times that American broadcasting is centrally controlled through the networks to the point of monopolistic practice. I do not happen to believe this is true, and I am confident that an analysis of the ownership of America's 510 television stations would reveal that they are held by diversified interests covering a wide span of social, political, economic, and religious persuasion.

Conversely, however, any system of subscription TV, closely held and controlled by the purveyors of specified types of box-office programs, could in time develop into the kind of monopolistic practice with which our Department of Justice has had to deal in the past in the field of entertainment.

As to whether these systems then would reduce free television to such a state of economic distress that it could no longer afford to bring into the American home such significant events as our national political conventions, the inauguration, the coverage of public proceedings, and other programs in the public service, one can only hazard a guess. But should that happen the prospect of requiring a citizen to drop money in a slot in order to see and get to know candidates for public office is a dismal one indeed.

The Federal Communications Commission has closed its books on the filing of comments with respect to a public test of subscription television. The Commission has stated that it has jurisdiction in this matter under law and can authorize such a test. Whether or not this is so—and I presume that only the courts finally could decide—the American people certainly have jurisdiction too—and their representation resides in this Congress. The promoters of pay television have told the Commission that tests such as have been proposed are not entirely satisfactory to them—and they have asked for much wider latitude than had been contemplated. They want to include more cities and facilities than originally were conceived; they want to extend the period of such tests from as little as 2 to as much as 10 years. Obviously, in other words, they are seeking a test that would give an opportunity to go into business on a permanent basis.

My own position with respect to pay television that would utilize frequencies allocated for public broadcasting is well known. I am opposed to it. I am opposed also to any utilization of these frequencies for some sort of fanciful trial run that could lead inevitably to a derogation of the public interest.

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

Mr. POTTER. I am delighted to yield to the Senator from Ohio.

Mr. LAUSCHE. Is it not a fact that the studies which have been made thus far concerning the feasibility of establishing pay television have not yet pointed out the feasibility of authorizing it? Am I correct?

Mr. POTTER. The Senator is absolutely correct.

Mr. LAUSCHE. Is it not a fact that the Committee on Interstate and Foreign Commerce, of which the Senator from Michigan and the Senator from Ohio are members, is now in the process of studying the subject?

Mr. POTTER. The Senator is correct. The Committee on Interstate and Foreign Commerce of the Senate has had this problem before it for several years.

It is interesting to note that the strong advocates of pay television are not to be found among the general public. They are, first, the equipment manufacturers; second, the motion-picture industry, which would like to use the great medium of television as a means of replacing theaters, which have been, in the past, the means of showing their films. In other words, our living rooms would be turned into theaters for the exhibition of stockpiled motion pictures.

Mr. LAUSCHE. As I understand, the Senator from Michigan is of the conviction that the test assignments which are contemplated should not be made until a further study is made concerning what the impact might be upon the general public with respect to getting television service.

Mr. POTTER. The Senator from Michigan would even go further than that. The Senator from Michigan feels that, with the information we now have, the Federal Communications Commission should not even make a pilot study of this program, should not even authorize a pilot operation. In the first place, the physical procedure which would be necessary to put into effect a pilot study of pay television, even if it were a limited type of program, would, in itself, be injurious to the public interest. I assume that probably, on a local basis, the manufacturers might pay a part of the cost. I do not know who would pay the people to convert their sets into the money-grabbing machinery which would be necessary. I assume the manufacturers might do it on a trial basis, and turn over the equipment for experimental purposes.

The point I wish to make is that once a pilot study was started, I assume that an exceptionally good program might be furnished for a limited period of time. The Federal Communications Commission and the public might misconstrue that type of pilot study and might assume that such programs would continue after the competition had been removed, and after the programs normally paid for by advertising were eliminated.

Mr. LAUSCHE. I subscribe to what the Senator has said, but I should like to add that in my judgment, if the pilot-test authorization is given, the nose of the camel will be in the tent, and that will be a victory so great that free service of television will be on the way to an end.

Mr. POTTER. I share the concern of the Senator from Ohio.

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

Mr. POTTER. I yield.

Mr. HOLLAND. Has the Senator discussed in his very able presentation, or does he intend to discuss, the very harmful impact on the motion-picture industry of pay television?

Mr. POTTER. The Senator has brought up a key point. If the proponents of this proposal had their way, and were able to reverse our entire procedure of broadcasting and convert it to a system under which the viewers would pay for the programs, it would put out of business every motion-picture theater in the country.

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

Mr. POTTER. I yield.

Mr. HOLLAND. The distinguished Senator remembers, of course, that the impact of the television industry upon the motion-picture industry has already been very severe.

Mr. POTTER. The Senator is correct.

Mr. HOLLAND. Within recent years Congress has twice provided special tax relief in order to try to help the motion-picture industry to survive. Does the distinguished Senator not believe that the installation of pay television would much more than undo what we have attempted to do?

Mr. POTTER. The Senator is absolutely correct.

Mr. HOLLAND. It would practically assure the destruction of most of the motion-picture industry.

Mr. POTTER. The Senator is correct. It would put out of business all the community motion-picture houses, in which we take a great deal of pride. They could not stand this kind of competition. If this type of program became a nationwide pattern, the community motion-picture houses would all have to go out of business. On two occasions, as the Senator has said, Congress lately gave some special tax consideration to the motion-picture industry, and provided certain relief, to enable the industry to meet the competition of television. That effort would be completely undone by the proposed medium of pay television.

Mr. HOLLAND. I commend the distinguished Senator heartily. I think he is proceeding in exactly the right direction I hope he will be successful, and I hope that the Federal Communications Commission will not even seriously consider permitting such a revolution, which I think would be very hurtful to the motion-picture industry, as well as to the people in general in many areas, because of the drying up of sources of communication to many people, by preempting, for private development, some of the few and highly valuable channels which are available for television.

Mr. POTTER. I appreciate the comments of the distinguished Senator from Florida.

I am sure the Senator would also agree with me that at the present time our frequencies are considered a natural resource, a public property. If, by legislative action or by action of the Federal Communications Commission, we allowed a natural resource which belongs to the people of the United States to be used by some promoters, whether they be in the motion-picture industry or otherwise, to build up programs and charge the people for something which is theirs, the public interest would not be served.

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

Mr. POTTER. I yield.

Mr. LAUSCHE. I have several premises which I should like to attach to questions on which I should like to have the Senator's opinion. Is it not a fact, if pay television were established, it would black out free television to a substantial degree?

Mr. POTTER. I do not believe that pay television and free television can live side by side for any length of time.

Mr. LAUSCHE. My second question is this: The argument is made that pay television will not siphon off the best talent and make it available only to those who pay for the television, but that the best television talent will also be available on free stations.

Mr. POTTER. I do not believe that would be so. For example, at the present time there are many programs which are not staged. Let us take for example, political conventions. At the present time it is possible to tune in on any one of the television channels and pick up a national political convention. If we had pay television, and it was necessary to pay to view a political convention, we would not get any better performance at the convention merely because we paid a quarter to see it.

With respect to other programs, the producers would get the topnotch performers and use them on pay television, and they would be the same topnotch performers who are now performing on free television.

Mr. LAUSCHE. In other words, the best talent would finally be monopolized by pay television.

Mr. POTTER. There can be no question about that.

Mr. LAUSCHE. In the third place, it is argued that new types of programs would be generated. The contrary argument is that there will be no new-type programs, because they are now being presented.

Mr. POTTER. The Senator is right. The programs which are presented today are presented because those who promote the program have something to sell to the public, and they want to tell their story to the public. Television is a highly competitive industry today, despite what some people may think. Suppose NBC has a program from 8 to 8:30, and has an advertiser who sponsors that program. The advertiser wants to reach as many people as he can. On another channel is CBS, and on another channel is ABC. They are competing for the same audience. The advertisers want to have as good a program as possible, in order to reach as many people as possible. So I would say to the distinguished Senator that at the present time the situation with respect to competition is such—and of course we can always stand more competition—that it is mandatory upon the advertiser to make his program as good as it is possible to make it, and to reach as many people as it is possible to reach, so as to get the most benefit from the advertising.

People say, "But we would have the opera. We could see opera on television." Mr. President, I am wondering, if there were the mass appeal in the public to demand televising of the opera, whether it would not be televised. I am sure, in fact, that if there were sufficient mass appeal for it, it would be possible to get someone to sponsor the televising of the opera. The fact that it is not done is apparently because advertisers feel that there is not enough popular appeal to opera.

Then it is said, "But with pay TV, people could see opera." Certain people who have an interest in opera could see it, but it would be to the detriment of the people who did not want to pay or could not afford to pay, or had no desire to see opera. In other words, a channel would be used for a select few so that they could see the opera on pay TV.

Mr. LAUSCHE. Is not the probability great that eventually the condition would be that good programs would be available only to those who pay and not to those who cannot pay?

Mr. POTTER. That could happen very easily, I think, if competition were destroyed. As I said before, I do not believe that pay TV and free TV can live side by side for any length of time. After pay TV has knocked out the means of broadcasting we have at the present time, pay TV will be nothing more than a medium for the running of films.

Mr. LAUSCHE. And pay TV will have a monopoly.

Mr. POTTER. It will have a monopoly, and the level of the programing will go down and down and down.

Mr. LAUSCHE. I thank the Senator.

Mr. POTTER. If a sufficient number of people in this Nation wish to convert their homes, which are their castles, into theaters where they will pay for certain types of entertainment, there are ways in which these promoters can devise systems that will perform efficiently and perhaps economically. But there is little justice in the concept that we should take from 40 million families any fractional opportunity they have to receive these same productions of entertainment and information free of charge.

Rather than expend further public funds on seeking a method by which we can limit the time available for free television we should be bending all of our energies to untangling the current allocations problems in order that more facilities will be available to serve more people, to give them greater choice and to enable more advertisers to sell their goods and services at a time when maintaining full production is so vital to our Nation.

Mr. THURMOND subsequently said: Mr. President, I ask unanimous consent that the remarks I am about to make may appear in the RECORD following the address by the senior Senator from Michigan [Mr. POTTER] on the question of toll television or pay television.

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

Mr. THURMOND. Mr. President, I was greatly interested in the remarks made in the Senate earlier today by the senior Senator from Michigan with reference to pay television or, as it is sometimes called, toll television or subscription television.

In my opinion this is a subject which millions of Americans would be much more interested in if they fully realized the implications in the fact that the Federal Communications Commission has been holding hearings to determine whether it shall authorize tests of pay television service. I do not believe that these millions of Americans who own television sets in their homes want to wake up one morning and find that a new expense has been imposed upon them in the form of charges for certain television service which is now free.

I want to commend the able Senator from Michigan for declaring his opposition to pay television and for adding his voice to the growing opposition to subjecting the public to this form of unofficial taxation.

However, I wish to disagree with a statement made by the Senator from Michigan.

He stated that the Federal Communications Commission "has stated that it has jurisdiction in this matter under law and can authorize such a test. Whether or not this is so—and I presume that only the courts finally could decide—the American people certainly have jurisdiction, too—and their representation resides in this Congress."

My disagreement with my colleague is on his comment that "only the courts finally could decide" whether the FCC has judisdiction over pay television proposals.

I do agree with him fully in his next statement that "the American people certainly have jurisdiction, too—and their representation resides in this Congress." The fact that the Senator from Michigan expresses any doubt as to where the jurisdiction in this matter lies is sufficient evidence to me that legislation is needed on the subject of pay television.

On June 11 of this year I introduced a bill, S. 2268, in the Senate to prohibit the charging of a fee to view telecasts in the home. The passage of this bill, which is now pending in the Senate Interstate and Foreign Commerce Committee, would protect the millions of Americans who bought their television sets to see free television, not to pay for the privilege of viewing programs they wished to see.

Mr. President, I do not believe it would be in the public interest for the Federal Communications Commission to approve any pay television test when there is doubt as to where jurisdiction lies in this matter. I do believe it is incumbent on the Congress to take action in this situation and pass legislation which will clearly define the authority of the Commission and to prohibit the charging of a fee to view telecasts in the home.

The American people deserve such protection against the imposition of a continuing expense for the privilege of viewing the television programs of their choice.

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

Mr. THURMOND. I yield.

Mr. POTTER. I wish to commend the Senator for his statement——

Mr. O'MAHONEY. Mr. President, I wish to advise the Senator from Michigan that I yielded to the Senator from South Carolina for an insertion in the RECORD, and not for the beginning of another debate.

Mr. POTTER. I want to assure the Senator from Wyoming that my remarks will be very brief. I merely wish to commend the Senator for his remarks.

The PRESIDING OFFICER. Does the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield for that purpose.

Mr. POTTER. I know the Senator from South Carolina has a bill before the committee which will bring the issue before Congress for its decision. I shall work with the Senator, as a member of that subcommittee, to make sure that hearings are held on that bill next January.

Mr. THURMOND. I wish to thank the Senator for his kind remarks.

INCREASE IN STORAGE CAPACITY OF WHITNEY DAM AND RESERVOIR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1115, H. R. 2580.

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

The LEGISLATIVE CLERK. A bill (H. R. 2580) to increase the storage capacity of the Whitney Dam and Reservoir.

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

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

Mr. JOHNSON of Texas. Mr. President, H. R. 2580, as originally introduced, provided for increasing the storage capacity of Whitney Dam and Reservoir, in my State of Texas, by 50,000 acre-feet. This increase was to provide for the urgent needs of several communities in the area.

The bill was amended in the House, to provide, instead, for a reallocation of 50,000 acre-feet of water storage capacity. This language will permit the Secretary of the Army to make studies of the best economic use of the project, and is entirely acceptable to both the communities and the Army.

The cost of the reallocated water supply storage will be borne by the communities affected, under a contract which will not exceed the economic life of the project or 50 years, whichever is less. There will be no additional cost to the Federal Government.

This legislation is in accord with the full and proper use and conservation of our natural resources. It is essential to the present and future economy of those communities.

Mr. President, I urge the Senate to act favorably on this very worthy measure.

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

The bill was ordered to a third reading, read the third time, and passed.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, there are a number of public works bills which I have discussed with the distinguished minority leader and which have been cleared by him. They are the following measures:

Calendar No. 1109, S. 1587, authorizing the construction of protective measures in the cities of New Bedford and Fairhaven, Mass.

Calendar No. 1110, S. 1726, authorizing certain construction for the protection of the Narragansett Bay area against hurricane tidal flooding.

Calendar No. 1111, S. 2531, to authorize the conveyance of certain lands within Old Hickory lock and dam project, Tennessee, to Middle Tennessee Council, Boy Scouts.

Calendar No. 1112, S. 2535, to amend the Alaska Public Works Act to clarify the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works.

Calendar No. 1113, S. 2676, authorizing the Secretary of the Army to make a survey of a water route from Albany, N. Y., to the St. Lawrence River.

Calendar No. 1114, Senate Joint Resolution 50, to provide for the relocation of the Ferry County, State of Washington, highway by the Department of the Interior.

Calendar No. 1116, H. R. 6363, to amend the act of May 24, 1928, providing for a bridge across Bear Creek, Lovel Point, Baltimore County, Md.

Calendar No. 1117, S. 2603, to amend the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 3, 1896."

Mr. President, we shall attempt to notify all interested Senators when the measures are to be taken up. I should like to have the RECORD show that the distinguished chairman of the Committee on Public Works, the senior Senator from New Mexico [Mr. CHAVEZ], is anxious to have the proposed legislation acted on. The bills were reported on August 22. Today is August 23. If possible, we will attempt to take action on all of them before the end of the day, if we are able to notify the interested Senators.

Mr. CHAVEZ. Mr. President, in order to indicate that the Committee on Public Works is not politically partial, I wish, if it meets with the desires of the Senator from Texas, that Calendar No. 1109, S. 1587, in which the Senators from Massachusetts [Mr. SALTONSTALL and Mr. KENNEDY] are interested, could be taken up at this time.

Mr. JOHNSON of Texas. I will say to the Senator from New Mexico, that the Senator from Texas has informed the minority leader and has informed the Senator from New Mexico, that he is anxious to take up the bill, which has been on the calendar less than 24 hours. He is attempting to reach both Senators from Massachusetts. I should not like to have the Senate consider it, until the Senators from Massachusetts have had an opportunity to be on the floor. I have asked that they be notified. We will proceed to the consideration of the bill if possible, but we are not going to do so until we have concluded the consideration of the appropriation bill.

Mr. CHAVEZ. I thank the Senator for his kindness and tolerance.

ATOMIC ENERGY COMMISSION APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 9379) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes.

The PRESIDING OFFICER. The amendments of the Committee on Appropriations will be stated.

The first amendment of the Committee on Appropriations was, under the subhead "Operating Expenses", on page 2, at the beginning of line 8, to strike out "$22,500" and insert "$30,000."

The amendment was agreed to.

The next amendment was, on page 2, line 13, after the word "exceed", to strike out "$45,000,000" and insert "$46,100,000."

The amendment was agreed to.

The next amendment was, on page 2, line 16, after the word "vehicles", to strike out "$2,196,556,000" and insert "$2,215,470,000."

The amendment was agreed to.

The next amendment was, under the subhead "Plant Acquisition and Construction", on page 4, line 1, after the word "vehicles", to strike out "$103,162,500" and insert "$108,162,500."

The amendment was agreed to.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, the distinguished Senator from Arizona [Mr. HAYDEN] is present. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MORTON in the chair). Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask that the Senator from Arizona be recognized.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. HAYDEN. Mr. President, this bill, H. R. 9379, is a separate bill to provide appropriations for the Atomic Energy Commission for 1958, and is the last of the regular appropriation bills. Normally, these appropriation items would be included in the public works appropriation bill; but they were omitted from that bill, awaiting approval of the authorizations for the construction projects.

Estimates for the operating expenses were included in the original budget submission, in the amount of $2.377 million; and estimates for the projects in plant acquisition and construction, based upon the authorizations in Public Law 85-162, are contained in House Document No. 229, in the amount of $114,625,000.

The amount of the bill as reported to the Senate is $2,323,632,500, which is an increase over the House bill of $23,914,000, and a reduction under the estimates of $167,992,500.

The restorations involved in the Senate committee amendments are fully stated in the report.

The programs of the Atomic Energy Commission necessarily are quite complicated; but in the consideration of their estimates, our committee has been exceedingly fortunate to have had the advice and counsel of Senators with experience in regard to these programs, through their service on the Joint Committee on Atomic Energy.

Mr. DIRKSEN. Mr. President, I can testify to the meticulous attention the bill received in the subcommittee and in the full Appropriations Committee. Every item certainly was gone over thoroughly, and I was not a little astonished to see how carefully and in what great detail the members of the Joint Committee, as well as the members of the Appropriations Committee, examined every item included in the bill as it was received from the House of Representatives.

Mr. President, I hope the bill will be passed.

Mr. HOLLAND. Mr. President, I should like to address some questions about the bill to the distinguished vice chairman of the Joint Committee on Atomic Energy [Mr. ANDERSON].

Of course, I attended the Appropriations Committee session at which the bill was marked up, and I know that several matters with which I was deeply concerned were completely straightened out in the committee. That was largely due to the helpfulness of the distinguished Senator from New Mexico [Mr. ANDERSON].

Mr. President, as a preface to the questions I am about to address to the distinguished Senator from New Mexico, I ask unanimous consent to have printed at this point in the RECORD an excerpt from the hearings, beginning with the headline "Florida Proposal," on page 20, and ending just before the last paragraph on page 21.

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

FLORIDA PROPOSAL

Senator ANDERSON. What is the status of the Florida proposal?

Mr. FIELDS. We have had several conferences with them, but we have not as yet accepted a proposal. We have approved a proposal with the Northern States.

Senator ANDERSON. Did the Northern States start ahead of the Florida group?

Mr. FIELDS. I am not sure whether they started about the same time or not.

Senator ANDERSON. The Florida group was ahead of you in starting negotiations, were they not?

Mr. STRAUSS. Perhaps Dr. Davis could speak to that.

Dr. DAVIS. They submitted a proposal a day or two earlier.

Senator ANDERSON. They cannot get it cleared but the Northern States can. What are the difficulties?

Dr. DAVIS. The Florida proposal is still under discussion; whereas in the case of Northern States, all of the difficulties were cleared up rapidly and the Commission was able to readily approve their proposal as a basis for contract negotiation.

Senator ANDERSON. Could you give us a sample?

Dr. DAVIS. There are questions about who will pay for the research and development if it exceeds the figure that was stated, for example.

Senator ANDERSON. Do you require of the Florida group the same provision you allowed the Northern States to have?

Dr. DAVIS. We would intend to require that they specify a fixed amount for the research and development. This was one of the points we were discussing.

Senator ANDERSON. Are they having comparable treatment or did Northern States get through pretty rapidly and Florida have difficulty?

Dr. DAVIS. Certainly they are not getting the same treatment.

Senator ANDERSON. What has caused the difference in speed?

Mr. FIELDS. Their proposals are different and there are additional conditions we are discussing with the Florida group, such as whether it is an open-ended proposal or not, and the question of whether they can terminate under certain conditions or not. This is why we are having additional conferences with them, sir.

Senator ANDERSON. I hope this $30 million will be restored. The importance of getting on with these various rounds of reactor development programs is tremendous and it would be too bad if the Commission, having gone to the work that it has already gone to in connection with the third round, would now find it is without funds. I think that both proposals are extremely desirable. I think we would accomplish a great deal of good.

As far as I am concerned, I am sure the $30 million would be restored.

Senator ELLENDER. Are they putting up the same kinds of reactors?

Mr. FIELDS. No; they are different types.

Senator ELLENDER. In one case the Government puts up $16 million, and the Florida group puts up $40 million; and in the case of the northern group, the Government puts up $6 million, and the northern group puts up $22 million.

Mr. STRAUSS. The difference is not only in the size of the reactors, Mr. Chairman, but in the fact that they operate on entirely different principles, and the amount of research and development to be done in one case is estimated to be greater than it was in the other.

Senator ELLENDER. Which is greater?

Mr. STRAUSS. The Florida group.

Mr. HOLLAND. Mr. President, first, I wish to express my very grateful appreciation to the Senator from New Mexico for the fact that in the hearings, to which most Senators did not have access, the distinguished Senator went to bat very clearly and very effectively in favor of equal treatment to the so-called Florida group, which is a group of public-utility companies of my State. First, I wish to thank him for the effective way in which he insisted upon equal treatment for that group, along with all others.

Mr. ANDERSON. I thank the distinguished Senator from Florida.

Mr. HOLLAND. Next, I wish to ask the Senator from New Mexico if it is correct, as I understand it to be, that the appropriation item which had been omitted in the House of Representatives, I refer to the appropriation for the Florida group and for another group, both being involved in the construction of a somewhat similar type of private-enterprise program, is now included in the bill upon which the Senate is acting.

Mr. ANDERSON. Yes; it is.

I wish to say to the Senator from Florida that the Senate Appropriations Committee put in the bill an item of $30 million for the so-called third round, which is at the present time primarily for the Northern States group and the Florida group. Other groups may come in at a subsequent time. These will be public-utility companies—or private-utility companies, if one prefers that term—and the Atomic Energy Commission is proceeding with plans to help them in the development of nuclear power.

The $30 million which was deleted by the House committee was restored by the Senate committee, properly so, I thought; and I thought the Senate Appropriations Committee did a fine job in that respect.

Mr. HOLLAND. Would the distinguished Senator from New Mexico mind stating for the RECORD the amount, within the $30 million, that is provided for the Florida group for this year?

Mr. ANDERSON. It will be approximately $16.5 million. Approximately $9,500,000 will be for cash contributions to research, and subsequently there will be a waiver of use charges amounting to approximately $7,500,000.

The amount for the Northern States group is approximately $6 million in funds, and $1 million in waiver of charges.

I recognize that those do not total $30 million. It is hoped that other companies will make application, and I am quite sure they will; and this money will be available to them.

Mr. HOLLAND. I certainly join the distinguished Senator from New Mexico in hoping that other companies will be interested in contributing their funds and experience and skill to this enterprise.

Mr. ANDERSON. The $30 million was left out of the bill as reported to the House. It was subsequently included by the House, by means of a floor amendment. But the language adopted by the House was perhaps a little indefinite in meaning; and, therefore, the Senate committee clearly established that these two groups and such other groups as might come in were to be included in it.

But the only two groups specifically mentioned were the Florida group and the Northern States group; and the amounts for them total approximately $15 million in cash, leaving a substantial amount for other applicants.

Mr. HOLLAND. And the amount for those two groups for this year is included in the bill as passed by the other body and in the bill as it is now being considered by the Senate; is that correct?

Mr. ANDERSON. The Senator from Florida is correct.

Mr. THYE. Mr. President, at this point will the Senator from Florida yield to me?

Mr. HOLLAND. Mr. President, first I wish to ask one more question.

I note what appears to be a mistake in the printing of the excerpt of the hearings which I have requested to have printed in the RECORD. In order that the excerpt may be correctly printed in the RECORD, I wish to ask the distinguished Senator from New Mexico whether it is true that the so-called Northern States group would put up $22 million and the Government would put up $6 million; and the so-called Florida group would put up $40 million, and the Government would put up $16 million, instead of vice versa, as shown in the portion of the hearings which I have pointed out to the Senator from New Mexico.

Mr. ANDERSON. Yes; the Senator from Florida is completely correct. In the hearing room at that time there was a considerable amount of conversation, and apparently the reporter did not correctly understand the distinction.

The Senator from Florida has correctly stated the matter. It is a fact that the Florida group puts up $40 million and receives approximately $16 million, of which approximately $9,500,000 will be cash.

And the Northern States group, which is in the State represented very ably by the senior Senator from Minnesota [Mr. THYE], will be putting up approximately $22 million, and will be receiving approximately $6 million in connection with the research.

Let me say that the difference between the amounts is in some degree attributable to the difference in the type of research and development and operations. The Northern States group will base its operations on a reactor which already is quite well proven, whereas the Florida group will be working with a new type of natural uranium reactor on which there will need to be quite a considerable amount of new research.

Mr. HOLLAND. I am very grateful to the Senator from New Mexico, and I wish to say that there is no competition or anything of the sort between the Florida group and the Northern States group, the latter being represented here by the Senator from Minnesota [Mr. THYE]. We wish them well, as I know they will wish our group well; and we hope that both groups will move forward in making a material contribution to the welfare of the Nation, as private enterprise is given an opportunity to cooperate in connection with the solving of this problem.

Mr. THYE. Mr. President, much of the information I wished to have placed in the RECORD has now been covered by the colloquy between the distinguished Senator from Florida and the distinguished Senator from New Mexico. After the colloquy commenced, I was anxious to make certain that there was no question about the funds for either the Northern States group or the Florida group, for the reason that both of them are engaging in research work which is highly scientific in nature; and that is what I desire. We are endeavoring to get the research under way, so we shall know how to use atomic energy within the commercial field.

The two Senators have very ably covered the point. At the outset, I wished to obtain that expression, because I was not certain that the point would be covered, when I first sought recognition.

Mr. ANDERSON. Mr. President, the able Senator from Minnesota attended the entire session; and he was very helpful to all of us, by his presence there.

Let me say that the amounts of money to which he has referred is included. It is not specifically earmarked for either of these two projects. But I have complete confidence that the Atomic Energy Commission will handle it in the fashion which has been indicated here today, and will proceed rapidly with its contract with the Northern States power group and also with its contract with the Florida group.

Mr. THYE. If the Senator will yield further, I should like to ask him, because of his senior position on the Joint Committee on Atomic Energy, if there is sufficient money provided in the appropriation to carry through the Elk River project.

Mr. ANDERSON. There is.

Mr. THYE. That is another research project in which we are interested.

Mr. ANDERSON. Yes, and I know it is the desire of the Joint Committee on Atomic Energy that that particular project shall be pushed as rapidly as possible. I will say to the Senator from Minnesota that in the final meeting of the Joint Committee I proposed that the Nebraska project and the Elk River project be treated in such a way that they might be quickly completed. Since that time I am glad to say I have been led to believe that the Minnesota project will benefit from provisions with reference to operations. There is no reason why the project should not proceed rapidly. After meeting with the Atomic Energy Commission, I understand work on the Elk River project will proceed expeditiously. I said earlier that there might be difficulty with the Wolverine project because the bid was not firm. I do not think that is the case at all with respect to the Elk River project.

Mr. LANGER. Mr. President, will the Senator from Minnesota yield?

Mr. THYE. I yield.

Mr. LANGER. In connection with the Elk River REA, which we discussed several days ago, has that matter been satisfactorily settled?

Mr. THYE. Yes; because when the Atomic Energy Commission members were before the committee, including Admiral Strauss, Mr. Fields, Mr. Davis, and other administrative officers, that question was discussed at length. Information regarding that will be found in many questions and answers participated in by the various officials of the Atomic Energy Commission, which appear in the report on the Senator's desk. So far as the contract itself between Elk River and the manufacturers is concerned, I am satisfied that there is nothing in the way of the Elk River Cooperative's proceeding other than what might be involved in an increasing cost. Even that should not be a factor, because I understand the contract was agreed to in the winter.

Mr. LANGER. How many million dollars does it involve?

Mr. THYE. I would not be able to answer the question as to the amount involved as well as would the distinguished Senator from New Mexico, because of his senior position on the Joint Committee.

Mr. ANDERSON. If the Senator from Minnesota will permit me, I will say to the Senator from North Dakota that about $98 million is involved in the five projects with the cooperatives and publicly owned organizations, including the Nebraska organization.

Mr. MUNDT. Mr. President, will the Senator from Minnesota yield?

Mr. THYE. I yield to the Senator from South Dakota.

Mr. MUNDT. I should like to address an inquiry to the Senator from New Mexico. A few moments ago the Senator stated that neither the Northern States atomic energy group nor the atomic power group in Florida was mentioned specifically in the bill. That is correct, but they are mentioned specifically in the report. I rise for the purpose of having the Senator from New Mexico affirm, as I know he will, that during our consideration in the Senate Committee on Appropriations of the question of restoring the amounts both of those groups were frequently mentioned in the colloquy leading to the amendment which was finally adopted.

Mr. ANDERSON. Yes; and I wish to say to the Senator from South Dakota that he was most helpful. Both items were discussed, and I am sure it was the clear understanding, in the hearing with the Atomic Energy Commission, in the actions of the committee in executive session, and now as the bill is brought to the floor, that those items would be included. There is provided for the Northern States project about $6 million for research, and about $16 million for the Florida group, of which about $9½ million is to be immediately available in cash. So there is plenty of money available for those two projects. I regard the legislative history to be such that they are clearly approved as though mentioned in the bill, but additional money is to be available for additional projects as the Atomic Energy Commission develops them.

Mr. MUNDT. I wanted the RECORD to be abundantly clear in that regard.

Mr. JACKSON. Mr. President, first I should like to express appreciation to the chairman and to the members of the Appropriations Committee for the effective way in which they have implemented the atomic energy authorization bill which was passed by Congress. One of the important items in the appropriation bill before the Senate is the $2 million figure for special nuclear materials to be used for the development, design, and engineering for a single or dual purpose reactor.

Because it is important to have the complete legislative history of that project, I should like to read into the RECORD a telegram sent to the Chairman of the Joint Committee on Atomic Energy by Mr. F. K. McCune, vice president in charge of atomic equipment for the General Electric Co. The message reads as follows:

> SAN JOSE, CALIF.
>
> Representative CARL DURHAM,
> *Chairman, Joint Committee on Atomic Energy, New House Office Building, Washington, D. C.:*
>
> In response to your telegraphic request for my opinion, believe my testimony previously given on role of dual-purpose reactor still stands. Particularly that in response to question by Senator ANDERSON last year. In 1953 we believed it was then shortest road to substantial power production. Now I believe that if more plutonium is needed over the foreseeable future, lowest capital cost will come from a single purpose production reactor but greatest overall economy will come from a dual-purpose reactor.
>
> F. K. MCCUNE,
> *Vice President, General Electric Co.*

The importance of this telegram is that the General Electric Co. has been doing the design, development, and construction work for the Atomic Energy Commission in connection with production reactors at their Hanford atomic energy works at Richland, Wash.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question now is, Shall the bill pass?

The bill (H. R. 9379) was passed.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1392. An act for the relief of Karl L. Larson;

H. R. 1488. An act for the relief of Paul Bernstein;

H. R. 1495. An act for the relief of Alfred Hanzal;

H. R. 1633. An act for the relief of Jane Froman and Gypsy Markoff;

H. R. 1602. An act for the relief of Mrs. Margot M. Draughon;

H. R. 1803. An act for the relief of Mrs. Boyd Dinehart and Richard Reams;

H. R. 1829. An act for the relief of the estate of Mrs. Frank C. Gregg;

H. R. 1857. An act for the relief of John C. Matlon;

H. R. 2705. An act for the relief of William F. Kempe;

H. R. 3567. An act for the relief of John R. Cook;

H. R. 4229. An act for the relief of Continental Hosiery Mills, Inc., of Henderson, N. C., successor to Continental Hosiery Co., of Henderson, N. C.;

H. R. 4351. An act for the relief of G. H. Litts;

H. R. 4469. An act for the relief of A. W. Young;

H. R. 4543. An act for the relief of Arthur J. Dettmers, Jr.;

H. R. 4866. An act for the relief of Mr. Abraham A. Rubin;

H. R. 5163. An act for the relief of Forest H. Byroade;

H. R. 5851. An act for the relief of the legal guardian of Mrs. Mattie Jane Lawson;

H. R. 6069. An act for the relief of Col. Jack C. Jeffrey;

H. R. 6824. An act for the relief of the family of Joseph A. Morgan;

H. R. 7081. An act to provide for the removal of a cloud on the title to certain real property located in the State of Illinois;

H. R. 7177. An act for the relief of Edward J. Bolger;

H. R. 7591. An act for the relief of Anton N. Nyerges;

H. R. 8576. An act to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes; and

H. R. 8763. An act to authorize the appointment of Adm. Arthur W. Radford, United States Navy, to the permanent grade of admiral in the Navy and to provide for increased retired pay.

The message also announced that the House has agreed to a concurrent resolution (S. Con. Res. 17) authorizing the printing of additional copies of House Document No. 232, 84th Congress, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

S. 999. An act authorizing the Secretary of the Interior to convey certain land to the State of North Dakota for the use and benefit of the North Dakota State School of Science;

S. 1520. An act to amend an act entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways, and for other purposes";

S. 1574. An act to provide for the disposal of certain Federal property in the Coulee Dam and Grand Coulee areas, to provide assistance in the establishment of a municipality incorporated under the laws of Washington, and for other purposes;

H. R. 1558. An act for the relief of Phillis Guyadeen;

H. R. 1678. An act to provide for the quitclaiming of the title of the United States to the real property known as the Barcelona Lighthouse Site, Portland, N. Y.;

H. R. 1741. An act for the relief of Ikuko-Morooka Mahoney;

H. R. 1868. An act for the relief of Daniel Adamson;

H. R. 4240. An act for the relief of Cornelia S. Roberts;

H. R. 4854. An act for the relief of Victoria Galea;

H. R. 7384. An act for the relief of the town of Medicine Lake, Mont.;

H. R. 7671. An act to amend section 116 of chapter X of the Federal Bankruptcy Act, to make certain equipment trust provisions applicable to aircraft and aircraft equipment of air carriers;

H. R. 8284. An act for the relief of Innocenza Guarascio;

S. J. Res. 96. Joint resolution to authorize establishment of the U. S. S. *Enterprise* (CV–6) in the Nation's Capital as a memorial museum;

H. J. Res. 340. Joint resolution to facilitate the admission into the United States of certain aliens;

H. J. Res. 368. Joint resolution for the relief of certain aliens;

H. J. Res. 373. Joint resolution to facilitate the admission into the United States of certain aliens;

H. J. Res. 392. Joint resolution for the relief of certain aliens; and

H. J. Res. 411. Joint resolution for the relief of certain aliens.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles, and referred, or placed on the calendar, as indicated:

H. R. 1392. An act for the relief of Karl L. Larson;

H. R. 1488. An act for the relief of Paul Bernstein;

H. R. 1495. An act for the relief of Alfred Hanzal;

H. R. 1633. An act for the relief of Jane Froman and Gypsy Markoff;

H. R. 1692. An act for the relief of Mrs. Margot M. Draughon;

H. R. 1803. An act for the relief of Mrs. Boyd Dinehart and Richard Reams;

H. R. 1829. An act for the relief of the estate of Mrs. Frank C. Gregg;

H. R. 1857. An act for the relief of John C. Matlon;

H. R. 2705. An act for the relief of William F. Kempe;

H. R. 3567. An act for the relief of John R. Cook;

H. R. 4229. An act for the relief of Continental Hosiery Mills, Inc., of Henderson, N. C., successor to Continental Hosiery Co., of Henderson, N. C.;

H. R. 4351. An act for the relief of G. H. Litts;

H. R. 4469. An act for the relief of A. W. Young;

H. R. 4543. An act for the relief of Arthur J. Dettmers, Jr.;

H. R. 4866. An act for the relief of Mr. Abraham A. Rubin;

H. R. 5163. An act for the relief of Forest H. Byroade;

H. R. 6069. An act for the relief of Col. C. Jeffrey;

H. R. 6824. An act for the relief of the family of Joseph A. Morgan;

H. R. 7177. An act for the relief of Edward J. Bolger; and

H. R. 7591. An act for the relief of Anton N. Nyerges; to the Committee on the Judiciary.

H. R. 5851. An act for the relief of the legal guardian of Mrs. Mattie Jane Lawson; and

H. R. 8576. An act to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes; placed on the calendar.

H. R. 7081. An act to provide for the removal of a cloud on the title to certain real property located in the State of Illinois; to the Committee on Government Operations.

H. R. 8763. An act to authorize the appointment of Adm. Arthur W. Radford, United States Navy, to the permanent grade of admiral in the Navy and to provide for increased retired pay; to the Committee on Armed Services.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 17) authorizing the printing of additional copies of House Document No. 232, 84th Congress, was referred to the Committee on Rules and Administration.

REPORT OF PRESIDENT'S COMMITTEE ON EDUCATION BEYOND THE HIGH SCHOOL

Mr. HUMPHREY. Mr. President, the President's Committee on Education Beyond the High School, a group of outstanding citizens from all over the Nation, including some of our top educators, deserve high praise for their excellent and useful report.

It is interesting to note that the findings and recommendations of this committee are consistent with those made by every other objective study group in the Nation's educational structure. When the White House conference group reached similar conclusions a little more than a year ago regarding our educational needs, it was my earnest hope that the urgent nature of the needs would be met by appropriate Congressional action. I think it most regrettable that such action has not been taken.

As a matter of fact, the Congress has exhibited a massive indifference to these needs to date. It is most unfortunate that the present session will close with not even a feeble start toward a solution.

The Committee's report is an objective and thorough analysis of the educational needs of our Nation, particularly as they relate to college education. Its underlying emphasis is on the immediate need of Federal assistance. I suggest to my colleagues that if any further proof were needed that something must be done right away, or any guidance needed about how it should be done, both could be found in this report of the President's Committee on Education Beyond the High School.

Mr. President, in 10 years the educational problem will very nearly have developed to a point beyond our control. A tidal wave of young people, searching for educational opportunities, is practically on us. Our industry, our national security, our defenses, are crying for skilled manpower. Our educational system is being forced to spread itself so thin that all really effective education runs the danger of being weakened. We cannot, with good conscience, neglect this deteriorating situation. A sound educational system is the basis of real democracy; it is essential to the health and vitality of our economic and social system—an economic and social system that is based upon freedom of choice. When freedom of choice is the guiding principle, it is of the utmost importance that those who make the choices be given the opportunity of the best in education our society can afford.

I hope that this report will give impetus to legislative proposals designed to meet this educational crisis. I should like to draw attention, for example, to certain bills which I introduced in the opening days of the session, which would carry out specific recommendations of the Committee.

I digress to say that many Senators and Members of the other House have introduced bills relating to the Nation's educational needs. The most important thing we can do is to process those bills, refine them, bring them to the point of legislative action, and then take action before our time runs out.

Judged as "the most crucial education problem" by the committee is the preparation of qualified teachers. I have offered a simple and practical means of easing the desperate teacher shortage. In two of the bills I have sponsored, S. 869 and S. 872, loan writeoff provisions are included to encourage graduate students to enter the teaching field. Each year of teaching would serve as repayment for 1 year of academic assistance. Numerous other efforts to augment teacher preparation must be considered, of course, but a good incentive program would certainly be one of the initial steps.

I have heard many of my colleagues talk about the need of qualified people in our armed services. I concur in that sentiment. I have read with considerable interest press reports relating to the study made by Mr. Cordiner with respect to our military manpower. I have heard many Members of the Senate and many prominent lay leaders cite the importance of adequately trained professional people in medicine and science. I suggest that the greatest shortage, the most serious shortage in America, is the shortage of qualified, trained teachers for the young men and women of the families of America.

Unless something is done to alleviate the teacher shortage, the parents of America can make up their minds that their children are to receive a second-grade, second-class education. A college or a school is no better than the teacher who presides or offers instruction.

I pay tribute to the teachers in American education who have carried an almost unbearable burden in recent years. First of all, many of them have been grossly underpaid. Many of them have been called upon to perform civic duties far beyond what is required in their teaching contracts. All the teachers in practically every school of America have been called upon to teach many more students than a sensible and effective teaching program would require.

The teachers of America are the great unheralded heroes of America's free institutions, and they are worthy of much more consideration, both in terms of monetary reward, prestige, and community honor than they have received to date.

Therefore, I urge upon my colleagues, as the 85th Congress goes into its second session next January, that they place high on the list of must legislation all those proposals which have been introduced by many Members of the Senate and Members of the other body relating to education. Unless we meet this educational crisis between now and 1960, the entire educational system of the United States, both in public and private schools, will be threatened with disaster and collapse.

I sound this warning as one who has long been interested in education, and as a former teacher. Every responsible group in America which has studied the educational needs of the Nation is saying to the Congress, to State legislatures, to school boards, saying to the generous philanthropists who contribute to private schools, and saying to our churches, that unless we do something to expand the educational facilities, in terms of physical plant, and unless we do something to recruit more teachers who are qualified, trained, and dedicated to the ethics of the teaching profession, the system of education, as we have known it since the birth of the Republic, is headed for serious trouble and impairment.

I am happy to have this opportunity to sound the appeal for the protection and enhancement of the American educational system.

As I have said, the President's committee regards the preparation of qualified teachers as the most crucial education program. I hope we shall keep that premise in our minds.

The committee further recommends student assistance through loans, scholarships, and tax deductions for tuition payments. Again I have suggested aids which are embodied in titles II—scholarships; III—loans, and V—income-tax credit, of my omnibus youth-opportunity bill, S. 872.

Mr. President, I ask unanimous consent to have printed in the Record at this point as a part of my remarks an analysis of the youth-opportunity programs.

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

Senator Humphrey Introduces Comprehensive Youth-Opportunity Program

Congress was called upon by Senator Hubert H. Humphrey, Democrat, of Minnesota, today to enact a comprehensive youth-opportunity program.

Senator Humphrey introduced three measures in the Senate which he declared were designed to enable our young people to get the start they are entitled to, and need, to make their maximum contribution to a better world of the future.

They included:

1. Student-Aid Act of 1957: Providing scholarships for gifted high-school students unable to attend college because of lack of funds, offer grants to institutions of higher learning accepting such scholarship students to enable them to expand facilities, and providing tax credits to encourage parents to send young people to college, establishing a long-term, low-interest student-loan program to be repaid only after students graduate from college and enter higher earning brackets.

2. Youth Conservation Act of 1957: A two-part bill establishing a pilot program for providing summer or yearlong work opportunities to teen-agers in national parks and forests, and providing grants to States to establish and strengthen programs for control and treatment of juvenile delinquency.

3. School-Construction Act of 1957: Authorizing Federal payments to States to assist in constructing more schools, distributed according to the number of persons 5 to 17 years of age in each State with requirement for State and local matching funds.

"Linked with increased emphasis on other already existing programs for youth, such as vocational education, the school-lunch and milk programs, and public-health care and research, these new measures offer a comprehensive program of preparing American youth for becoming more useful and healthful citizens, with emphasis on the positive, preventive side of eliminating juvenile delinquency rather than just on the more negative, corrective side of coping with the small minority of problem children who are unfortunate byproducts of society's neglect," Senator Humphrey explained.

"Surely, the National Government—which requires so much of our young people in time of national stress—has a distinct responsibility to these young people to help provide them with the opportunities they deserve to better prepare themselves for life in the modern world.

"In a nation as rich as ours, there is no excuse for a situation in which every year 150,000 scholastically topflight youngsters cannot go on to college. It is in the Nation's interest, not only the individual's, to educate these young men and women so they can contribute to the best of their capabilities to our society."

Youth Opportunity Program Sponsored by Senator Hubert H. Humphrey, Democrat, of Minnesota

1. Student Aid Act of 1957:

(a) Federal scholarships of $1,000 a year, administered through State educational authorities by United States Commissioner of Education with advice of a National Council on Student Aid, to minimum of 40,000 needy students annually from top echelons of high school graduating classes.

(b) Grants of not more than $500 per scholarship student to participating colleges and universities to aid in expanding facilities and meet costs of educational services beyond portion covered by tuition fees.

(c) Long-term, low-interest loan program for college students, authorizing insuring up to $25 million in loans each year with maximum of $1,000 to any one student in any academic year and $4,000 total maximum outstanding loan to any one student. Repayment would not begin until 4 years after completion of full-time education, with up to 6 years allowed to repay the loan. Interest fixed at not more than 1 percent above the rate of average Treasury obligations. Special feature would be loan writeoff incentive to encourage graduates to enter the teaching profession, with a specified amount of the college loan to be "forgiven" for each year of teaching.

(d) Income-tax credit for tuition or fees, permitting any individual to charge off 30 percent of the cost of tuition and fees paid for education of himself or any other individual, against his net income tax, such credit not to exceed $450 in any taxable year.

2. Youth Conservation Act of 1957:

(a) Establishing a Youth Conservation Corps Commission made up of Director of National Park Service, Chief of United States Forest Service, Administrator of Soil Conservation Service, and an Assistant Secretary of the Department of Health, Education, and Welfare, with the latter as Chairman.

(b) Commission to make a survey of the current use and adaptability of our natural resources program in federally owned lands with a view to the training and utilization on a continuing basis of a corps of young men performing healthful outdoor work in conservation projects such as forest stand improvement measures, forest insect and disease control, park construction and improvements, wildlife cover improvement, public recreational facilities construction and improvement, and other related occupations in the public interest; and formulating, designing and operating a number of pilot Youth Conservation Corps projects employing a maximum of 500 boys of good character between 16 and 19 in groups of no more than 50, organized in camps or on an individual basis, as models for later expansion into a continuing program. Compensation to be on the basis of no less than $75 per month plus room and board during either summer periods or year-around enrollment.

(c) Commission to submit recommendations to Congress on January 1, 1959, based on survey and experience with pilot projects, including suggestions for cooperation with State agencies for State land projects if deemed feasible, and also including suggestions as to the advisability of linking this program to conservation training in general and recruitment for Federal conservation services in particular. Provides $1 million appropriation to Department of Health, Education, and Welfare for purposes of act during 1958.

(d) Providing grant to States to establish and strengthen programs for control and treatment of juvenile delinquency, beginning with a $5 million total for fiscal 1958 and rising to $10 million annually by fiscal 1960, allotted to States on the basis of number of children, with a minimum allotment of $50,000 annually. Another $5 million set aside for grants to States and colleges and universities for training personnel for juvenile delinquency programs, and $1 million authorized for research grants for developing and demonstrating new techniques in the control of delinquency.

3. School Construction Act of 1957:

Authorizing Federal financial assistance to build schools, but leaving responsibility for actual construction with State and local school authorities acquainted with local needs. Requires State plans to be approved by United States Commissioner of Education to insure Federal funds will go where most needed in each State. Funds to be distributed to States according to number of persons 5 to 17 years of age in each State. States and local school districts would be required to match Federal funds. Open authorization, with annual amount to be determined by Congress.

Mr. HUMPHREY. I have recommended: First. A Federal scholarship program of $1,000 per year grants, administered through State educational authorities by the United States Commissioner of Education with the advice of a National Council of Student Aid to a minimum of 40,000 able and needy high school graduating students annually;

Second. A long-term, low-interest loan program authorizing the insuring of up to $2,500 in loans each year for 4 years;

Third. An income tax credit for tuition and fees, permitting any individual to charge off 30 percent of tuition and fees paid for education of himself or any other individual against his net income tax, not exceeding $450 in any taxable year.

A partial solution to the committee's recommended expansion and diversity of educational opportunities is suggested in the title IV provisions of S. 872, providing grants of not more than $500 per scholarship student to participating colleges and universities to aid in expanding facilities and in meeting cost of educational services beyond the portion covered by tuition fees.

The report to which I have alluded places great emphasis on the scientific manpower shortage and its present particular relation with our national security. Since October of 1955, when I urged the President to establish a Presidential commission to study this critical problem, I have been deeply concerned about the availability of scientists and engineers. It was gratifying that such a commission was appointed 6 months later. During that time, I also carried out my own study and had a special report prepared by the Legislative Reference Service of the Library of Congress. I hope that the recommendations in that report and in the special committee's report will emerge in legislative form. I have also urged the President to call an international conference on scientists and educators to consider ways in which the nations of the free world may educate scientists and engineers to the benefit of all.

I am very favorably impressed with some of the other committee recommendations, particularly for slum clearance land use for educational institutions and low-interest college housing loan programs.

These proposals, and new ones, must be considered priority legislation in the forthcoming session, or we will have permitted the oncoming wave of students to overwhelm us before we find solutions.

Mr. President, I call on my colleagues on both sides of the Chamber to join in a concerted effort to face up to the hard realities of the educational problem and to enact intelligent, effective legislation in the field in the 85th Congress.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks two editorials referring to these serious problems of education, one from the Washington Post and Times Herald of August 19, entitled "Growing Education Dilemma," and the other, entitled "Not Only Specialists," from the Minneapolis Tribune of August 19.

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

[From the Washington Post of August 19, 1957]

GROWING EDUCATION DILEMMA

Whatever complacency still exists in regard to higher education in the United States ought to be shattered by the report of the President's Committee on Education Beyond the High School. The gist of this group's findings is that we are in an "explosive" period—populationwise and in the expansion of knowledge—and that the resources to meet the new demands for education are not at hand.

The magnitude of the problem can be viewed from several different angles. The Committee estimates that the number of students who will be knocking on the doors of colleges and universities in 1970 will be double that of today. Obviously a 3 million increase in students cannot be absorbed in existing institutions.

Most critical of all the deficiencies is the shortage of qualified teachers. Theoretically the number of colleage teachers available could be doubled in the next 10 to 15 years, but this would require a strong attraction to education as a profession. Yet there is no such incentive. The committee finds that faculty salaries must be increased by 75 to 80 percent to make them even competitive with other positions in the professional labor market.

The committee offers numerous suggestions to ease the burden of keeping a vastly increased portion of the population in college. It would give larger tax deductions to parents, students, and others who are paying educational expenses. It would expand public and private credit available to students. It recommends that Congress revise tax laws to encourage larger contributions to education; that college housing loans and other educational programs be continued and that some grants in aid to the States be provided on a matching basis. Unhappily the committee has not specifically indicated how the required threefold increase in college funds can be realized.

Probably its greatest contribution lies in the heightened awareness of the problem it has given. In this connection it severely criticizes the Government for the inadequacy of reports on the status of education. Far more information is offered on the price of potatoes, the number of hogs slaughtered and the status of bank loans than on the education of 40 million young people.

[From the Minneapolis Tribune of August 19, 1957]

NOT ONLY SPECIALISTS

There was a time, not very many years ago, when the college graduate who had majored in the liberal arts had a little difficulty selling his ability to employers whose business was of some technical nature. A general education, with emphasis on such subjects as history, economics, art and philosophy, was often considered not very practical by an industrialist looking for engineers and technicians.

But attitudes are changing. Leading universities and engineering schools have broadened programs so that the student mainly interested in a technical field also has enough courses in quite different fields to know much more about the world when he graduates.

And some leading corporation employers are now saying that the main preparation for a responsible job is mental discipline—learning how to learn and how to think—and the type of information acquired in college is secondary.

Yale university, in a recent study, asked a group of corporation heads their opinion on the question of general, rather than specialized training. One responded that the man who understands history and literature has the kind of mind to cope with the complexities of business. Another said that although technical knowledge might be the best tool in the first few years of a career, later on the broader approach would be needed for advancement. A third said the chief requisite for an administrative job was simply mental ability.

The country needs experts of all kinds, of course. It needs well-trained scientists and engineers and doctors and teachers. But any college student aiming at real accomplishment will gain immeasurably by the perspective and experience of education that reaches beyond the specialty.

Mr. HUMPHREY. The editorial from the Minneapolis Tribune concludes:

> The country needs experts of all kinds, of course. It needs well trained scientists and engineers and doctors and teachers. But any college student aiming at real accomplishment will gain immeasurably by the perspective and experience of education that reaches beyond the specialty.

I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a newspaper article entitled "Report Asks More Aid to Education," written by Jeanne Rogers and published in the Washington Post of August 11, 1957.

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

[From the Washington Post and Times Herald of August 11, 1957]

REPORT ASKS MORE AID TO EDUCATION

(By Jeanne Rogers)

A blue-ribbon citizens committee told President Eisenhower yesterday that the Federal Government must play a bigger role in underwriting the costs of college education.

The President's Committee on Education Beyond the High School submitted its final report and made 47 recommendations on the crises facing colleges and universities.

One recommendation was to give parents of college students an income tax credit. The tax benefit would be slanted toward those least able to pay college expenses.

The Committee also proposed a work-study program similar to the National Youth Administration of the 1930's. Under this plan the Federal Government would subsidize work projects for college students.

WOULD BENEFIT 25,000

The Committee said such a program would enable "25,000 to 30,000 notably able and needy students to go to college every year."

Devereux C. Josephs, chairman of the board of New York Life Insurance Co., headed the Advisory Committee. He told a news conference that the self-help idea was backed by the Committee as more efficient even though most national educational groups put their support behind Federal scholarships.

The Committee asked for more borrowing. It pointed out that although young people can borrow funds for an automobile, credit is not by any means as readily available or as widely sought for their education.

America's most "crucial educational problem, the Committee said, is getting enough qualified teachers to meet the tripled load of college entrants a decade from now.

Salaries must be raised to solve the teacher shortage created by burgeoning birthrate and the increasing demand for education, the Committee wrote. It recommended that teacher wages be doubled in the next 5 to 10 years.

The Committee has worked for 15 months, its 35 members always promoting State conclaves to deal with problems of higher education.

MOUNTING COST CITED

Cost of the college program of tomorrow, which would accommodate about 6 million young people, will treble the present cost of higher education.

Conservatively, this would cost the taxpayer nearly $9 billion a year.

The expansion of American educational institutions, the Committee said, is "an enormous opportunity and challenge * * * and our institutions, despite their remarkable achievements in the past, are in no shape today to meet the challenge."

Stressing the importance of gaining leaders in science and engineering, the Committee pointed to the challenege of the dramatic strides being taken by Russia in post-high education.

"World peace and the survival of mankind may well depend on the way in which we educate the citizens and leaders of tomorrow," the Committee said.

The Committee endorsed the idea of 2-year community or junior colleges as the preferable form of new institutions to handle the influx of students.

It warned that "new community colleges should not be viewed as a panacea for relieving pressures upon 4-year institutions." One reason cited was "they would drain" teachers from regular 4-year schools.

FACTS ARE LACKING

The problems of higher education, Josephs said, are "local * * * with a national importance."

His Committee pointed out that this country is "sadly lacking" in facts about education. It didn't exactly blame the United States Office of Education—but said this agency simply wasn't informing the public properly about the educational need of America.

"There must be more fact-gathering by the Department on current trends and future needs in education," the Committee said.

The Committee said the Federal Government could help education by—

Continuing the low interest college housing loan program for facilities like dormitories and dining halls.

Freeing of slum clearance land for educational institutions.

Setting up a new grant-in-aid program to nonincome facilities such as laboratories.

Paying in full the cost of research programs undertaken for the Government by the colleges and universities.

Said the Committee, should the Government undertake any direct financial aid to colleges, it "should studiously avoid programs and policies which carry the threat either of control or of other adverse effects upon the educational institutions."

Mr. HUMPHREY. The Committee proposes a work-study program, similar to that of the National Youth Administration of the 1930's. Under this plan the Federal Government would subsidize work projects for college students. The Committee states that such a program would enable from twenty-five to thirty thousand high-school graduates annually to go on to college.

I suggest that the Congress of the United States would do well to reexamine the National Youth Administration program, bring it up to date in terms of modern educational needs and the requirements of our universities and colleges, and reenact it, or enact it with amendments which will make it fitting and proper in the light of our present situation.

I conclude with the hope that we will contribute more than mere words. I conclude with the hope that the people of the United States will hold Congress strictly accountable for what I consider to be its most obvious failure, the failure to do a single thing for young men and women, in terms of their educational and physical needs.

Congress can spend many billions of dollars for everything else, but it has not moved ahead a foot in terms of education. I suggest that instead of more Presidential Committee studies, the President should use the power of his office to mobilize support in the Congress and out of the Congress for an educational program which is long overdue.

SURVEY OF WATER ROUTE FROM ALBANY, N. Y., TO THE ST. LAWRENCE RIVER

Mr. JOHNSON of Texas. Mr. President, I move that the Senator proceed to the consideration of Calendar 1113, S. 2676.

The PRESIDING OFFICER (Mr. Morton in the chair). The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (S. 2676) authorizing the Secretary of the Army to make a survey of a water route from Albany, N. Y., to the St. Lawrence River.

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

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, the bill has been unanimously reported by the Committee on Public Works. The purpose of the bill is to authorize the Chief of Engineers, United States Army, under the direction of the Secretary of the Army, to make a survey of a water route from Albany, N. Y., into Lake Champlain, N. Y., and Vermont, with due consideration of ultimate connection with the St. Lawrence River in Canada.

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

The bill was ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted etc., That the Secretary of the Army is hereby authorized and directed to cause a survey to be made, under the direction of the Chief of Engineers, United States Army, of a water route from Albany, N. Y., into Lake Champlain, N. Y. and Vermont, including the advisability of modifying existing Federal and State improvements, with due consideration of ultimate connection with the Saint Lawrence River in Canada.

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

CONSTRUCTION OF PROTECTIVE MEASURES IN NEW BEDFORD AND FAIRHAVEN, MASS.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of S. 1587.

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

The Legislative Clerk. A bill (S. 1587) authorizing the construction of protective measures in the cities of New Bedford and Fairhaven, Mass.

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

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works with an amendment, on page 1, line 6, after the word "the", to strike out "division engineer, New England Division, Corps of Engineers, United States Army, in his report dated February 8, 1957, as such may be modified by the Board of Engineers for Rivers and Harbors and the Chief of Engineers" and insert "Chief of Engineers in Senate Document No. 59, 85th Congress," so as to make the bill read:

Be it enacted, etc., That the project for hurricane tidal flood protection for New Bedford, Fairhaven, and Acushnet, Mass., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 59, 85th Congress, at an estimated cost of $15,490,000: *Provided,* That this authorization shall expire five years from the date on which local interests are notified by the Department of the Army of the requirements of local cooperation, unless said interests shall within said time furnish assurances satisfactory to the Secretary of the Army that the required cooperation will be furnished.

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

Mr. KENNEDY. Mr. President, Senate bill 1587 was introduced by the senior Senator from Massachusetts [Mr. Saltonstall] and myself. It was reported unanimously by the Committee on Public Works. The proposed project will provide protection for the New Bedford-Fair Haven-Acushnet Harbor, which has been subjected to floods as a result of the 1954 hurricane. The proposal is to construct across the harbor, a breakwater, with an entrance at a cost of about $17 million, with an annual carrying charge of $691,000. The annual benefits would run to about $987,000.

The plan, as submitted by the United States Army, provides for adequate local contributions, and it seems to me that the costs to the United States are completely justifiable in terms of the economic benefits which will redound to the community and, indirectly, to the Nation as a whole.

The area has been subjected to periodic difficulties. It has fallen into the surplus economic list of the Secretary of Labor. The local people have made a determined effort to maintain industrial strength in that area and to increase employment. Hanging over them constantly has been the prospect of future hurricanes which, if they came again, as did the hurricane of 1954, might cause substantial industrial migration from the area and an increase in unemployment.

This project is of vital importance, and I am sure it will justify itself economically.

Mr. DIRKSEN. Mr. President, I am authorized to say for the senior Senator from Massachusetts [Mr. Saltonstall] that he is unavoidably absent from the

Chamber, but that he concurs entirely with the views expressed and wishes to associate himself with the remarks of the junior Senator from Massachusetts.

Mr. KENNEDY. Yes; this is a subject on which the senior Senator from Massachusetts has worked with me. He introduced the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

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

RELOCATION OF HIGHWAY, FERRY COUNTY, WASH.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1114, Senate Joint Resolution 50.

The PRESIDING OFFICER. The joint resolution will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (S. J. Res. 50) to provide for the relocation of the Ferry County, State of Washington, highway by the Department of the Interior.

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

The motion was agreed to; and the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Public Works with an amendment to strike out all after the resolving clause, and insert:

> That the Secretary of the Interior and the Secretary of Commerce shall make an investigation and survey to determine which portions of the Ferry County Highway along Lake Franklin D. Roosevelt in Ferry County, Wash., which was relocated by the Federal Government in connection with the building of Grand Coulee Dam, require further relocation, the route over which such portions should be relocated, and the legal and equitable responsibility for relocating such portions. Such Secretaries shall make a report on such investigation and survey to the Congress at the earliest practicable date not later than one year after the date of enactment of this joint resolution.
>
> SEC. 2. (a) The investigation and survey authorized in this joint resolution shall be conditional upon Ferry County, State of Washington, paying 50 per centum of so much of the cost of conducting such investigation and survey as does not exceed $20,000.
>
> (b) The Secretary of the Interior and the Secretary of Commerce are authorized to receive funds required to be paid by Ferry County under the provisions of this section, and to expend such funds in carrying out the investigation and survey authorized in this joint resolution.
>
> SEC. 3. Nothing in this joint resolution shall be deemed to constitute a determination by the Congress with respect to the legal or equitable responsibility of the Federal Government or of Ferry County for the costs of relocating such portions of the Ferry County Highway along Lake Franklin D. Roosevelt as may be determined to require relocation.

Mr. JACKSON. Mr. President, the joint resolution would authorize the Secretary of the Interior and the Secretary of Commerce to make an investigation and survey with respect to the relocation of the Ferry County Highway in the State of Washington, and to report their findings and recommendations to the Congress not later than 1 year from the date of the enactment of the legislation.

A portion of the Ferry County Highway along Lake Roosevelt was relocated at Federal expense in connection with the construction of the Grand Coulee Dam. The purpose of the joint resolution is to make a study to determine which portions of the road should be further relocated. The joint resolution would authorize an expenditure not to exceed the sum of $20,000, one-half of which would be borne by Ferry County, Wash.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

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

The title was amended, so as to read: "Joint resolution to provide for an investigation and survey with respect to the relocation of the Ferry County Highway along Lake Franklin D. Roosevelt in the State of Washington."

The preamble was stricken out.

AVAILABILITY TO PUBLIC OF FINANCIAL REPORTS FILED WITH SECRETARY OF LABOR UNDER NATIONAL LABOR RELATIONS ACT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1065, Senate Joint Resolution 94.

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

The LEGISLATIVE CLERK. A joint resolution (S. J. Res. 94) directing that the financial reports and other information filed with the Secretary of Labor pursuant to subsections (f) and (g) of section 9 of the National Labor Relations Act, as amended, be made available to the public.

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

The motion was agreed to; and the Senate proceeded to consider the joint resolution.

Mr. KENNEDY. Mr. President, section 9 (f) and (g) of the National Labor Relations Act, as amended, requires that certain information relating to the financial statements and the constitutions and bylaws of labor organizations be filed with the Secretary of Labor and made available to the members of the labor organizations. As a result of the investigations of the McClellan committee, the Secretary of Labor has recommended that this information be also made available to the public and to Congress.

The Secretary of Labor, in a statement submitted to the Committee on Labor and Public Welfare, stated:

> I consider that the enactment of Senate Joint Resolution 94 would be in the interest of the public and of the members of labor organizations and I urge that it be given prompt and favorable consideration.

The joint resolution was introduced by the Senator from Arkansas [Mr. McCLELLAN], cosponsored by all the members of the Committee on Labor and Public Welfare. It was reported unanimously to the Senate by the Committee on Labor and Public Welfare. If passed, it would provide a substantial safeguard, although certainly not a sufficient one, by giving increased protection to the funds belonging to members of labor organizations.

It is my hope that during the next session of Congress more substantial safeguards will be provided.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

> *Resolved, etc.*, That the Secretary of Labor shall make available to the public, in accordance with such regulations as he may deem appropriate, the information filed by labor organizations pursuant to subsections (f) and (g) of section 9 of the National Labor Relations Act, as amended.

The preamble was agreed to.

FIRST NATIONAL BANK OF BIRMINGHAM, ALA.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1041, H. R. 4336.

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

The LEGISLATIVE CLERK. A bill (H. R. 4336) for the relief of the First National Bank of Birmingham, Ala.

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

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, the purpose of the proposed legislation is to authorize and direct the Secretary of the Treasury to pay the sum of $6,021.15 to the First National Bank of Birmingham, Ala., in full settlement of all its claims against the United States for repayment of loans made by said bank to the Alabama Aero-Mechanic Institute, division of airplane engineers, in connection with the veterans' training program under the Veterans' Administration.

Mr. WILLIAMS. Mr. President, will the Senator speak louder and slower? I cannot hear what he is saying. I have no objection to the bill, but I was wondering whether the Senator could tell us briefly what is provided by the bill.

Mr. JOHNSON of Texas. The bill would authorize the Secretary of the Treasury to pay the sum of $6,021.15 to the First National Bank of Birmingham, Ala., in full settlement of all its claims against the United States for repayment of loans made by the bank to the Alabama Aero-Mechanic Institute, division of airplane engineers, in connection with the veterans' training program under the Veterans' Administration. The bill would authorize the Secretary of the

Treasury to make full settlement of the claims involved.

Mr. DIRKSEN. The bill was twice considered by the Committee on the Judiciary. It has had a very thorough discussion in committee. There is no objection to the bill.

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

The bill was ordered to a third reading, read the third time, and passed.

Mr. SPARKMAN subsequently said: Mr. President, a short time ago the Senate passed H. R. 4336. I had a statement prepared which I intended to make in connection with that bill. I ask unanimous consent that it may be printed at the point in the RECORD where that bill was considered.

The PRESIDING OFFICER. Is there objection?

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

STATEMENT BY SENATOR SPARKMAN

This bill would pay the First National Bank of Birmingham, Ala., the sum of $6,021.15 in full settlement of all claims against the United States for repayment of loans made by the bank to the Alabama Aero-Mechanic Institute in connection with the veterans' training program under the Veterans' Administration.

The claimant in this case loaned money to the school on security of the school's contracts with the Government and the school assigned to the bank the payments from the Government under the contracts with the Veterans' Administration. An audit of the school records in 1950 disclosed irregularities in billings to the Veterans' Administration. As a result of the audits, the Veterans' Administration found that 13 fraudulent vouchers were submitted by the school prior to March 26, 1950, which was the date on which the bank gave the notice of assignment to the Government pursuant to the Assignment of Claims Act. These 13 fraudulent vouchers aggregated $126.37, on which the Government had paid $74.02. Subsequently thereto, the claimant filed suit under the Tucker Act seeking to recover on unpaid "nonfraudulent" vouchers on which the contractor had rendered the services required. Actually, the fraudulent vouchers had not been handled through claimant's bank. The amount of these vouchers was $12,981.96. The claimant filed suit for $10,000, the jurisdictional limit of the Tucker Act. Thereafter, the Government claimed a setoff in the amount of $26,148.04, which is broken down to a $2,000 penalty for each of the 13 fraudulent vouchers, plus double the amount of actual damages ($74.02) sustained by the Government, which amounts to $26,000 in penalties and $148.04 in double damages. The court found in favor of the Government, stating, however, that it had reached this conclusion "reluctantly because of the apparently unrealistic result reached."

The Veterans' Administration and the Department of Justice are opposed to the enactment of this bill.

After careful consideration, the committee is of the opinion that inasmuch as the Government was only damaged to the extent of $74.02, inasmuch as the use of a setoff (in terms described by the court) was unrealistic in this particular case, and inasmuch as the claimant bank had acted in complete good faith, the claimant should be entitled to some relief. The House committee amended the bill as originally introduced by reducing the amount from $12,981.96, which the claimant had advanced, to one-half that amount, which is the amount of the bill. Since this is in the nature of a gratuity, the committee is constrained to follow the recommendations of the House. The committee does not feel that this bill constitutes a precedent which would tend to deny the Government the use of the setoff in the usual case, since this is a most unusual case. The committee feels that equity would be served by awarding the claimant half of the money it had advanced and, accordingly, recommends that this bill be favorably considered.

The customary attorney's fee has been retained, inasmuch as the committee has been informed that substantial legal services have been rendered in connection with the claim.

MRS. MATTIE JANE LAWSON

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of S. 1704.

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

The LEGISLATIVE CLERK. A bill (S. 1704) for the relief of Mrs. Mattie Jane Lawson.

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

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments.

Mr. SPARKMAN. Mr. President, I understand that there is a similar House bill. It is H. R. 5851, which was messaged over from the House yesterday.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the House bill.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 5851) for the relief of Mrs. Mattie Jane Lawson, which was read twice by its title.

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

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

Mr. SPARKMAN. Mr. President, the bill is for the purpose of compensating Mrs. Mattie Jane Lawson, a lady of advanced age, for a very serious accident which occurred to her by reason of a United States mail truck running into her. The Post Office Department has reported it has no objection to the enactment of the proposed legislation. She suffered a very bad injury. The purpose of the bill is to compensate her for her injuries.

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

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, S. 1704 is indefinitely postponed.

LOAN SERVICE OF CAPTIONED FILMS FOR THE DEAF

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1081, S. 1889.

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

The LEGISLATIVE CLERK. A bill (S. 1889) to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf.

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

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. PURTELL. Mr. President, the bill would provide captioned films for use by State schools for the deaf, and other agencies which the Secretary of Health, Education, and Welfare may deem appropriate.

Educators and others have asked for this type of legislation, to provide films which will be captioned. It is surprising how greatly schools for the deaf rely on films for educational and cultural purposes. Those who are deaf or hard of hearing are deprived of many advantages available to hearing persons. The program would compensate in considerable measure for this lack. There are available today many educational films which are made accessible to schools and other organizations. Since these films are accompanied by a sound track, they are of little, if any, use in schools for the deaf and other such organizations. By captioning the films, they can become of inestimable value to the deaf, and especially to the deaf child by increasing his educational opportunities. Such films would aid also the hard of hearing throughout the country.

Mr. HILL. Mr. President, the bill was unanimously reported by the Committee on Labor and Public Welfare.

Mr. PURTELL. The Senator is correct.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the objectives of this Act are—

(1) to bring to deaf persons understanding and appreciation of those films which play such an important part in the general and cultural advancement of hearing persons;

(2) to provide, through these films, enriched educational and cultural experiences through which deaf persons can be brought into better touch with the realities of their environment; and

(3) to provide a wholesome and rewarding experience which deaf persons may share together.

SEC. 2. As used in this act—

(1) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(2) The term "United States" means the several States, Territories, insular possessions, and the District of Columbia.

(3) The term "deaf person" includes a person whose hearing is severely impaired.

SEC. 3. (a) In order to carry out the objectives of this Act, the Secretary shall establish a loan service of captioned films for the purpose of making such films available for nonprofit purposes to groups of deaf persons in the United States in accordance with regulations promulgated by the Secretary.

(b) In carrying out the provisions of this Act, the Secretary shall have authority to—

(1) Acquire films (or rights thereto) by purchase, lease, or gift.

(2) Provide for the captioning of films.

(3) Provide for distribution of captioned films through State schools for the deaf and such other agencies as the Secretary may deem appropriate to serve as local or regional centers for such distribution.

(4) Make use, consistent with the purposes of this Act, of films made available to the Library of Congress under the copyright laws.

(5) Utilize the facilities and services of other governmental agencies.

(6) Accept gifts, contributions, and voluntary and uncompensated services of individuals and organizations.

Sec. 4. (a) There is hereby established in the Department of Health, Education, and Welfare an Advisory Council on Captioned Films consisting of 12 members to be appointed by the Secretary. At least 3 of the members shall be deaf persons and 3 of the members shall be representatives of the general public. The membership of the Advisory Council shall also include persons selected from the leading organizations of the deaf or working with the deaf, including professional workers with the deaf. The Secretary or a member designated by him shall act as Chairman of the Council.

(b) It shall be the duty of the Advisory Council to advise the Secretary on the establishment of broad criteria for selection of films to be captioned, and to recommend to the Secretary films which it believes would make the greatest contribution to the general, cultural, or recreational advancement of deaf persons.

(c) Members of the Advisory Council shall be paid compensation at the rate of $25 per diem while engaged in the work of the Council, and shall be reimbursed for traveling and other necessary expenses incurred while so engaged.

Sec. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had insisted upon its amendment to the bill (S. 1568) to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada acting for the State of Nevada, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Engle, Mr. Aspinall, Mrs. Pfost, Mr. Berry, and Mr. Hosmers were appointed managers on the part of the House at the conference.

The message informed the Senate that in the consideration upon the bill (H. R. 9131) making supplement appropriations for the fiscal year ending June 30, 1958, and for other purposes, that the House had receded from its disagreement to the amendments of the Senate numbered 6 and 54 to the bill, and concurred therein, each with an amendment, in which it requested the concurrence of the Senate.

SUPPLEMENTAL APPROPRIATIONS, 1958—CONFERENCE REPORT

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

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

The Chief Clerk proceeded to call the roll.

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

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

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 6 and 54 to the bill (H. R. 9131) making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes. I ask unanimous consent for the present consideration of the report.

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

The legislative clerk read the report.

(For conference report, see House proceedings of August 23, 1957, p. 15816, Congressional Record).

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

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

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

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 9131, which was read as follows:

In the House of
Representatives, U. S.,
August 23,1957.

Resolved, That in the consideration upon the bill (H. R. 9131) entitled "An Act making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes," the House has taken the following action;

That the House recede from its disagreement to the amendment of the Senate numbered 6, and concur therein with an amendment, as follows: In lieu of the matter stricken by said amendment, insert:

"CIVIL AERONAUTICS ADMINISTRATION

"Construction and development, additional Washington airport

"For necessary expenses for the construction and development of a public airport in the vicinity of the District of Columbia, as authorized by the Act of September 7, 1950 (64 Stat. 770), including acquisition of land, $12,500,000, to remain available until expended: *Provided*, That not to exceed a total of $250,000 may be advanced from this appropriation to the applicable appropriations of the Civil Aeronautics Administration for necessary administrative expenses: *Provided further*, That such sums as may be necessary but not to exceed $100,000 shall be transferred from this appropriation to the President for expenses necessary for the investigation of alternate sites for said airport: *Provided further*, That no funds shall be expended for construction and development of said airport until the President shall make a report to the Congress with a recommendation as to the site, said report to be submitted not later than January 15, 1958."

That the House recede from its disagreement to the amendment of the Senate numbered 54, and concur therein with an amendment as follows: In lieu of the sum named in said amendment, insert $425,000."

Mr. HAYDEN. Mr. President, I move that the Senate concur in the amendments of the House to amendments Nos. 6 and 54.

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

The motion was agreed to.

Mr. HOLLAND. Mr. President, I should like to make a comment on the conference report, if I may. My comment relates wholly to amendment numbered 6, which deals with the appropriation for an additional airport in the vicinity of Washington, D. C.

This amendment appropriates the amount of $12,500,000, as originally proposed by the other body, and as originally disagreed to by the Senate.

Additional language which has been added provides for the transfer of $100,000 to the President for "expenses necessary for the investigation of alternate sites for said airport."

The investigation contemplated would be made under the direction of Lt. Gen. E. R. Quesada, United States Air Force, retired, the President's special assistant for aviation facilities planning. Language also included prohibits the expenditure of funds for construction and development of the said airport until the President shall make a report to the Congress, with a recommendation as to the site, the report to be submitted not later than January 15, 1958.

The amendment in effect incorporates in the bill the substance of the Senate Committee on Appropriations report, except that the study requested will be made by the President's special assistant for aviation facilities planning, rather than by the Airways Modernization Board, of which he is Chairman.

The investigation of the alternate sites is to be a thorough and complete study of the sites referred to in the course of the hearings on this matter. It would and should include Burke, Chantilly, Belmont Bay, Friendship, and Andrews Air Force Base. It is not intended to be by any means perfunctory, once-over again lightly, or a mere delaying tactic.

In the course of the investigation, full consideration is to be given to the part of section 2 of Public Law 762 of the 81st Congress, approved September 7, 1950, which states:

> *Provided further*, That the choice of the site * * * shall be made only after consultation with the local governing body of the county in which the airport is to be located, with respect to the suitability of the site to be selected, and its possible impact on the vicinity.

Full compliance with this should include, in addition to consultation with the local governing bodies, official attention to the views of nearby residents immediately affected by any proposed location.

In conclusion, there is to be emphasized and repeated again the expression of the Senate Committee on Appropriations, as contained on page 5 of Senate Report No. 980:

> The committee urges the Civil Aeronautics Board and the Civil Aeronautics Administra-

tion in considering how best to route air traffic safely and expeditiously in the metropolitan area of Washington to make the fullest possible use of the Friendship Airport, temporarily, and, if advisable after experience, permanently.

Mr. HAYDEN. Mr. President, I ask unanimous consent to have printed in the RECORD a tabulation giving the budget estimate, the House allowance, the Senate allowance, and the conference allowance for each appropriation in the supplemental appropriation bill.

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

The supplemental appropriation bill for 1958 (H. R. 9131)

Document No.	Department or agency	Budget estimate	House allowance	Senate allowance	Conference allowance
	CH. I				
	DEPARTMENT OF AGRICULTURE				
	AGRICULTURAL RESEARCH SERVICE				
	Plant and animal disease and pest control	(1)	--------	$5, 000, 000	$4, 000, 000
	Emergency conservation measures	(2)	--------	25, 000, 000	20, 000, 000
	AGRICULTURAL MARKETING SERVICE				
	Agricultural Marketing Service	--------	--------	3, 500, 000	1, 300, 000
	Total, ch. I	--------	--------	33, 500, 000	25, 300, 000
	CH. II				
	DEPARTMENT OF COMMERCE				
	CIVIL AERONAUTICS ADMINISTRATION				
214	Construction and development, additional Washington airport	$35, 000, 000	$12, 500, 000	--------	12, 500, 000
	COAST AND GEODETIC SURVEY				
S. 57	Construction of a surveying ship	3, 456, 000	--------	3, 456, 000	2, 400, 000
	BUREAU OF PUBLIC ROADS				
	Public lands highways (liquidation of contract authorization)	--------	--------	1, 533, 000	1, 533, 000
	WEATHER BUREAU				
	Salaries and expenses	--------	--------	372, 100	100, 000
	Total, Department of Commerce	38, 456, 000	12, 500, 000	5, 361, 100	16, 533, 000
	THE PANAMA CANAL				
	PANAMA CANAL COMPANY				
198	Panama Canal Bridge	1, 000, 000	--------	1, 000, 000	750, 000
	INDEPENDENT OFFICES				
	Advisory Committee on Weather Control	--------	--------	175, 000	100, 000
	SMALL BUSINESS ADMINISTRATION				
S. 57	Salaries and expenses [3]	2, 570, 000	--------	2, 570, 000	2, 235, 000
S. 57	Revolving fund	100, 000, 000	--------	100, 000, 000	100, 000, 000
	Total, Small Business Administration	102, 570, 000	--------	102, 570, 000	102, 235, 000
	Total, ch. II	142, 026, 000	12, 500, 000	109, 106, 100	119, 618, 000
	CH. III				
	DEPARTMENT OF DEFENSE—MILITARY FUNCTIONS				
	INTERSERVICE ACTIVITIES				
203	Loran stations	5, 500, 000	5, 500, 000	5, 500, 000	5, 500, 000
198	United States scientific satellite	34, 200, 000	[4] (34, 200, 000)	[4] (34, 200, 000)	[4] (34, 200, 000)
	Total, interservice activities	39, 700, 000	5, 500, 000	5, 500, 000	5, 500, 000
	DEPARTMENT OF THE ARMY				
203	Military construction, Army	325, 000, 000	305, 000, 000	315, 000, 000	310, 000, 000
16	Military construction Army Reserve Forces	55, 000, 000	46, 000, 000	55, 000, 000	55, 000, 000
	Total, Department of the Army	380, 000, 000	351, 000, 000	370, 000, 000	365, 000, 000
	DEPARTMENT OF THE NAVY				
203	Military construction, Navy	335, 000, 000	265, 000, 000	300, 000, 000	265, 000, 000
16	Military construction, Naval Reserve Forces	10, 000, 000	--------	--------	--------
	Total, Department of the Navy	345, 000, 000	265, 000, 000	300, 000, 000	265, 000, 000
	DEPARTMENT OF THE AIR FORCE				
203	Military construction, Air Force	1, 000, 000, 000	900, 000, 000	950, 000, 000	900, 000, 000
	General provisions [3]	--------	--------	--------	--------
	Total, ch. III	1, 764, 700, 000	1, 521, 500, 000	1, 625, 500, 000	1, 535, 500, 000
	CH. IV				
	DEPARTMENT OF DEFENSE				
	DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS				
	FOREIGN OPERATIONS				
16	Administration, Ryukyu Islands	3, 875, 000	2, 410, 000	2, 475, 000	2, 475, 000
16	Construction of power system, Ryukyu Islands	9, 200, 000	--------	1, 513, 000	1, 513, 000
	EXPORT-IMPORT BANK				
16	Administrative expense limitation	(1, 980, 000)	(1, 900, 000)	(1, 900, 000)	(1, 900, 000)
	Total, ch. IV	13, 075, 000	2, 410, 000	3, 988, 000	3, 988, 000

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[1] S. Rept. 415 accompanying H. R. 7441, the annual appropriation bill, 1958, requested the Department to submit a report on plans and fund requirements for eradication of the fire ant and the screwworm.

[2] H. Doc. 48 requested $25,000,000 to make payments to farmers for emergency land treatment measures resulting from wind erosion, floods, hurricanes, and other natural disasters; to be available through June 30, 1958, and of which $4,000,000 was approved in Public Law 85-58, 3d Supplemental Act, 1957.

[3] And transfers from the revolving fund and transfers from the liquidation fund, Reconstruction Finance Corporation disaster loans.

[4] To be derived by transfer from fiscal year 1958 annual appropriations available to the Department of Defense.

The supplemental appropriation bill for 1958 (H. R. 9131)—Continued

Document No.	Department or agency	Budget estimate	House allowance	Senate allowance	Conference allowance
	CH. V				
	INDEPENDENT OFFICES				
	FUNDS APPROPRIATED TO THE PRESIDENT				
198	Disaster relief	$15,000,000	$15,000,000	$15,000,000	$15,000,000
	GENERAL SERVICES ADMINISTRATION				
213	Operating expenses, National Archives and Records Service	35,000	30,000	30,000	30,000
	Hospital facilities in District of Columbia			290,000	500,000
	HOUSING AND HOME FINANCE AGENCY				
213	Office of the Administrator	500,000	450,000	450,000	450,000
	Farm Housing research			150,000	75,000
	VETERANS' ADMINISTRATION				
213	Soldiers' and Sailors' Civil Relief	1,300,000			
	Total, ch. V	16,835,000	15,480,000	15,920,000	16,055,000
	CH. VI				
	DEPARTMENT OF THE INTERIOR				
	BUREAU OF INDIAN AFFAIRS				
198	Resources management	118,000	(Language)	(169,000)	(169,000)
	DEPARTMENT OF AGRICULTURE				
	FOREST SERVICE				
	INDEPENDENT OFFICES				
213	Alaska International Rail and Highway Commission	75,000	60,000	60,000	60,000
213	Commission for a National Cultural Center	(Language)	(Language)	(Language)	(Language)
	Total, ch. VI	193,000	60,000	60,000	60,000
	CH. VII				
	DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE				
	PUBLIC HEALTH SERVICE				
S. 57	Communicable diseases	500,000		800,000	800,000
	Indian health facilities			34,000	34,000
	GENERAL PROVISION				
	Laboratory office building—Food and Drug Administration			(Language)	
	Total, ch. VII	500,000		834,000	834,000
	CH. VIII				
	DEPARTMENT OF DEFENSE—CIVIL FUNCTIONS				
	DEPARTMENT OF THE ARMY				
	Rivers and harbors and flood-control construction, general			475,000	425,000
	PUBLIC WORKS				
16	Tennessee Valley Authority	14,782,000	13,317,000	13,317,000	13,317,000
	Total, ch. VIII	14,782,000	13,317,000	13,792,000	13,742,000
	CH. IX				
	DEPARTMENT OF STATE				
	INTERNATIONAL ORGANIZATIONS AND CONFERENCES				
198	11th World Health Assembly of the World Health Organization	375,000	290,000	375,000	332,500
	Contributions to International Organizations (NATO Conference)		(5)		
	INTERNATIONAL COMMISSIONS				
213	International Fisheries Commissions	80,000	80,000	80,000	80,000
198	Educational, Scientific and Cultural Activities (Israeli pounds)	3,525,000	3,525,000	3,525,000	3,525,000
	Total, Department of State	3,980,000	3,895,000	3,980,000	3,937,500
	THE JUDICIARY				
	COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES				
198	Salaries of referees	(11,500)		(10,000)	(10,000)
198	Expenses of referees	(172,000)	(75,000)	(150,000)	(75,000)
	Total, the Judiciary	(183,500)	(75,000)	(160,000)	(85,000)
	FUNDS APPROPRIATED TO THE PRESIDENT				
198	President's special international program (Moscow exhibition)	2,200,000	2,200,000	} 5,089,000	2,745,000
213	President's special international program (Brussels Fair)	2,889,000			
	Total, ch. IX	9,069,000	6,095,000	9,069,000	6,682,500
	CH. X				
	TREASURY DEPARTMENT				
	COAST GUARD				
198	Acquisition, construction, and improvements [6]	8,100,000	8,100,000	8,100,000	8,100,000

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[5] Language for additional contribution of $5,696 to NATO parliamentary conference from previously appropriated funds. Item out in House on point of order by Mr. Gross, as unauthorized.

[6] Replacement of overage aircraft.

The supplemental appropriation bill for 1958 (H. R. 9131)—Continued

Document No.	Department or agency	Budget estimate	House allowance	Senate allowance	Conference allowance
	CH. XI				
	DISTRICT OF COLUMBIA				
	OPERATING EXPENSES				
198	Compensation and retirement fund expenses, fiscal year 1957	($1,033,000)	(980,000)	($980,000)	($980,000)
213	Office of Corporation Counsel	(75,000)	(40,000)	(40,000)	(40,000)
213	Courts	(98,000)	(73,000)	(73,000)	(73,000)
	Department of Public Health			(Language)	(Language)
213	Department of Licenses and Inspections	(10,000)			
213	National Zoological Park	(49,000)	(49,000)	(49,000)	(49,000)
	CAPITAL OUTLAY				
213	Public buildings construction	(2,731,000)	(2,421,000)	(2,421,000)	(2,421,000)
	MISCELLANEOUS				
198, 213	Settlement of claims and suits	(14,778)	(14,778)	(14,778)	(14,778)
S. 57	Judgments	(44,128)	(15,038)	(44,128)	(44,128)
198, 213	Audited claims	(112,289)	(112,289)	(112,289)	(112,289)
	Total, ch. XI	(4,147,195)	(3,705,105)	(3,734,195)	(3,734,195)
	CH. XII				
	LEGISLATIVE BRANCH				
	HOUSE OF REPRESENTATIVES				
	Gratuity payment to beneficiary of deceased Member		22,500	22,500	22,500
	CAPITOL POLICE				
213	General expenses	2,000	2,000	2,000	2,000
	OFFICE OF THE ARCHITECT OF THE CAPITOL				
	Capitol and Grounds:				
S. 61	Furniture and furnishings, additional Senate Office Building	1,350,000		1,000,000	1,000,000
	Remodeling Senate Office Building	500,000		250,000	250,000
	Total, ch. XII	1,852,000	24,500	1,274,500	1,274,500
	CH. XIII				
S. 60 213	Claims and judgments	2,635,827	2,104,087	2,857,947	2,857,947
	CH. XIV				
198	General provisions	(Language)	(Language)	(Language)	(Language)
	Grand total	1,973,767,827	1,581,590,587	1,824,001,547	1,734,011,947

Mr. NEUBERGER. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. NEUBERGER. I should like to ask the distinguished chairman of the committee a brief question: Does the conference report as it now stands include the item of $425,000 for dredging the upstream navigation channel of the Columbia River between the States of Oregon and Washington?

Mr. HAYDEN. It does.

Mr. NEUBERGER. I thank the Senator from Arizona for the information and for his cooperation.

ASSISTANCE IN CONSTRUCTION OF SCHOOLS

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar 1076, House bill 8679; and I call the attention of the Senator from Alabama [Mr. HILL] and the attention of the Senator from Colorado [Mr. ALLOTT] to this matter.

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

The LEGISLATIVE CLERK. A bill (H. R. 8679) to provide a 1-year extension of the programs of financial assistance in the construction of schools in areas affected by Federal activities under the provisions of Public Law 815, 81st Congress.

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

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. HILL. Mr. President, the bill provides a 1-year extension of Public Law 815, 81st Congress.

It will be recalled that Public Law 815, 81st Congress, authorizes appropriations for the construction of schools in areas affected by Federal activities.

The bill is unanimously reported by the Senate Committee on Labor and Public Welfare.

A 1-year extension is necessary at this time because of the delay in the completion of the Capehart housing program. This law, without the extension authorized in the pending bill, will expire on June 30, 1958, with a carryover appropriation authorization extending to June 30, 1959. Under the existing life of the program, funds may be provided to local school districts only for children living on Federal property on June 30, 1958. Because of the delay in the Capehart housing program, plus the additional housing units authorized by the 85th Congress, the June 30, 1958, expiration date will result in severe hardship.

So, in order to avoid such severe hardship, the committee has reported the bill which has been passed by the House of Representatives; and the bill provides for a 1-year extension.

The committee was informed that 45,302 Capehart housing units, located on 136 military installations in 40 States and three Territories, will be completed between June 30, 1958, the current ending date for Public Law 815, and June 30, 1959. These 45,302 housing units will have approximately 34,000 schoolchildren living in them by June 30, 1959, and none of these children may be counted for entitlement under Public Law 815 as currently in effect. In other words, in order to afford these 34,000 children the benefit of the schools, Congress must extend for 1 year the provisions of Public Law 815.

In this connection I may say that in the State of Colorado there is a perfect illustration of the necessity for enactment of the bill. At this time I shall be very happy to yield to the distinguished Senator from Colorado [Mr. ALLOTT], who also is a member of the Senate Committee on Labor and Public Welfare, in order that he may cite—as stated in the report—the situation confronting the children in Colorado Springs, Colo.

Mr. ALLOTT. Mr. President, I appreciate very much the courtesy of the Senator from Alabama in yielding to me.

The situation at the Air Force Academy is, of course, only one of approximately

150 similar situations which exist in the United States.

Mr. HILL. In other words, it is but an illustration, as the Senator from Colorado has said, of approximately 150 situations which exist in 40 different States of the Nation; is that correct?

Mr. ALLOTT. Yes.

On June 30, 1958, there will be 70 children residing in the school district at the academy. But by next year there will be more than 600 children there; and this situation is repeated—according to the best information we have obtained—at approximately 150 other military installations in the United States.

So the matter is of vital and necessary concern to our military forces.

Mr. HILL. Of course, as the Senator from Colorado knows so well, it is impossible to make plans and work out the details for the schools and for their construction within less than approximately 12 or 15 months.

Mr. ALLOTT. That is correct.

Mr. HILL. And that makes it all the more urgent that the bill be passed at this time, because the plans must be made and the details must be worked, details for the schools and for their construction within less than approximately 12 or 15 months.

Mr. ALLOTT. That is correct.

Mr. President, I would be remiss if I did not express to the chairman of the committee my thanks and the thanks of the people who are affected by this matter, because of the hard work and the careful attention the Senator from Alabama has devoted to this matter.

Mr. HILL. The Senator from Colorado is most kind and generous. I may say no one could have been more diligent than was the Senator from Colorado in pressing the bill so as to make sure that the children are adequately taken care of in the matter of schools. He has certainly worked hard on this matter.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be offered, the question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT OF DISTRICT OF COLUMBIA PUBLIC SCHOOL FOOD SERVICES ACT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1105, S. 1764.

The PRESIDING OFFICER. The clerk will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1764) to amend the District of Columbia Public School Food Services Act.

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

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with an amendment on page 2, line 6, after the word "Act.", to insert:

> Appropriations authorized by this section shall be available for reimbursement of the food service fund in the amount of any agency contributions paid out of such fund pursuant to the provisions of section 4 (a) of the Civil Service Retirement Act.

So as to make the bill read:

> *Be it enacted, etc.,* That section 6 of the District of Columbia Public School Food Services Act (65 Stat. 369; sec. 31-1405, D. C. Code, 1951 edition) is amended by adding before the period the following: "and for reimbursement of the District of Columbia Public School Food Service Fund for lunches served in accordance with section 9 of the National School Lunch Act (60 Stat. 233; title 42, sec. 1758, U. S. C., 1952 edition), to children without cost to such children or at reduced cost. The rate of such reimbursement for such lunches served by the public schools in the District of Columbia shall be the student price of 'type-A lunch' in effect at the time such lunches are served. As used in this section the term 'type-A lunch' means a type-A lunch as defined in regulations promulgated by the Secretary of Agriculture pursuant to authority in the National School Lunch Act. Appropriations authorized by this section shall be available for reimbursement of the food service fund in the amount of any agency contributions paid out of such fund pursuant to the provisions of section 4 (a) of the Civil Service Retirement Act."

Mr. MORSE. Mr. President, the purpose of this bill is to amend the District of Columbia Public School Food Services Act so as to authorize payment from appropriated funds of the cost of free lunches provided for children in the District schools whose cases come within any of the following circumstances:

First. Children of families receiving public assistance.

Second. Children of large families of low or reduced incomes.

Third. Children suffering from malnutrition who may be referred by the school nurse or the school doctor.

The District of Columbia Public School Food Services Act established a Department of Food Services under the direction and control of the Board of Education, and authorized such Department to conduct a centralized system of public-school cafeterias, lunchrooms, and related services. In order to enable the Department of Food Services to function, the act established the District of Columbia public school food services fund. All revenues and receipts derived from the operation of food services in the schools are paid into this fund, and it is used as a permanent revolving fund for the purchase of foods, supplies, and all services and expenditures necessary, including personal services. The only appropriations presently authorized are those for the acquisition, maintenance, and replacement of equipment used or acquired for use in the conduct of the Department of Food Services.

That act also authorizes schools operating thereunder to participate in the functions authorized under the National School Lunch Act, which provides that lunches shall be made available to needy children without cost or at a reduced cost.

The cost of free lunches in the District public schools is currently being absorbed by the food services fund, which means that the pupils who can afford to pay for their lunches are contributing to the cost of the lunches served without charge to needy pupils. In other words, the schoolchildren who have to buy their lunches must pay an additional charge, in order to take care of the cost of the lunches given free to needy children. I think we all agree that is not very fair.

During the 1955–56 school year, 45,964 free lunches were served, the cost of which, approximately $15,500, had to be absorbed by the fund.

The committee amended the bill at the request of the school authorities to prevent the fund from being charged with an estimated $30,000 per annum cost of agency contributions now required under the provisions of the Civil Service Retirement Act. The committee agreed with the school authorities that this amount ought not be added to the amounts paid by children for their school lunches, an action which would otherwise be necessary, unless, as is the case in the current fiscal year, appropriation language should provide relief.

The District Commissioners and the Board of Education favor enactment of this proposed legislation.

The cost of the bill, if enacted, would be approximately $16,500 per annum.

The District of Columbia Committee unanimously recommends passage of the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

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

SUPPORT OF NEEDY PERSONS IN THE DISTRICT OF COLUMBIA

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1106, S. 1849.

The PRESIDING OFFICER. The clerk will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1849) to provide for a more effective administration of public assistance in the District of Columbia; to make certain relatives responsible for support of needy persons, and for other purposes.

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

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with amendments on page 3, line 13, after "Sec. 5", to insert "(a)"; after line 15, to insert:

> (b) Such amount as referred to in subsection (a) of this section shall not be less than the full amount determined as neces-

sary on the basis of the minimum needs of such person as established in accordance with such regulations. No ceiling shall be administratively imposed with respect to the amount of public assistance which any person, or class of persons, may receive.

After line 22, to insert:

(c) The provisions of subsection (b) of this section shall become effective on July 1, 1958.

And on page 15, line 7, after "Sec. 28.", to strike out "This" and insert "Except as otherwise provided in this act, the provisions of this", so as to make the bill read:

Be it enacted, etc., That this act may be cited as the "District of Columbia Public Assistance Act of 1957."

DEFINITIONS

SEC. 2. As used in this act, the word "District" means the District of Columbia; the word "Commissioners" means the Commissioners of the District of Columbia or the agents, agencies, officers, and employees designated by them to perform any function vested in them by this act; the term "public assistance" means payment in or by money, medical care, remedial care, goods or services to, or for the benefit of, needy persons; the word "recipient" means a person to whom or on whose behalf public assistance is granted and the word "State" includes Alaska, Hawaii, Puerto Rico, and the Virgin Islands.

FUNCTIONS OF COMMISSIONERS

SEC. 3. This act shall be administered by the Commissioners, who shall—

(a) establish such categories of public assistance as they deem appropriate;

(b) provide for maximum cooperation with other agencies in maintaining and strengthening family life and in rehabilitating recipients to help them attain self-support or self-care;

(c) establish and enforce such rules and regulations as may be necessary or desirable to carry out the provisions of this act;

(d) cooperate in all necessary respects with agencies of the United States Government in the administration of this act, and accept any funds, goods or services payable to the District for public assistance, and for administering public assistance;

(e) enter into reciprocal agreements with any State relative to the provisions of public assistance to residents and nonresidents; and

(f) promulgate regulations to carry out the purposes of this act.

ELIGIBILITY FOR PUBLIC ASSISTANCE

SEC. 4. Public assistance shall be awarded to or on behalf of any needy individual who either (a) has resided in the District for 1 year immediately preceding the date of filing his application for such assistance; or (b) is otherwise within one of the categories of public assistance established by the Commissioners pursuant to this act.

AMOUNT OF PUBLIC ASSISTANCE

SEC. 5. (a) The amount of public assistance which any person shall receive shall be determined in accordance with regulations approved by the Commissioners.

(b) Such amount as referred to in subsection (a) of this section shall not be less than the full amount determined as necessary on the basis of the minimum needs of such person as established in accordance with such regulations. No ceiling shall be administratively imposed with respect to the amount of public assistance which any person, or class of persons, may receive.

(c) The provisions of subsection (b) of this section shall become effective on July 1, 1958.

APPLICATION FOR PUBLIC ASSISTANCE

SEC. 6. Application for public assistance shall be accepted from, or on behalf of, any person who believes himself eligible for public assistance. Such application shall be made in the manner and form prescribed by the Commissioners, and shall contain such information as the Commissioners shall require.

INVESTIGATION OF APPLICANT

SEC. 7. Whenever the Commissioners shall receive an application for public assistance, they shall promptly make an investigation and record of the circumstances of the applicant in order to ascertain the facts supporting the application and to obtain such other information as they may require.

AWARD AND PAYMENT OF PUBLIC ASSISTANCE

SEC. 8. (a) Upon completion of the investigation, the Commissioners shall determine whether the applicant is eligible for public assistance, the type and amount of public assistance for which he is eligible, and the date from which such public assistance shall begin, and shall furnish public assistance with reasonable promptness to all eligible persons: *Provided,* That such date shall not be prior to the first day of the calendar month in which such determination is made.

(b) Money payments of public assistance shall be made by check. In emergency cases under section 10 of this act money payments of public assistance may be made in cash, and to accomplish such purpose the Commissioners are authorized to make necessary provisions for advancing from time to time to one or more officers or employees of the District such sum or sums as the Commissioners may determine: *Provided,* That no such advance shall be made to any such officer or employee who has not been previously bonded in such amount and form as the Commissioners shall determine.

RECIPIENT INCAPACITATED

SEC. 9. If a recipient is found by the Commissioners to be incapable of taking care of himself, his property, or his money, public assistance payments may be made for his benefit to any responsible person approved by the Commissioners.

EMERGENCY PUBLIC ASSISTANCE

SEC. 10. The Commissioners may grant emergency public assistance pending completion of investigation when eligibility has been established pursuant to section 4 of this act: *Provided,* That such emergency assistance shall not be granted in any case for a period exceeding 60 days.

REDETERMINATION OF GRANTS

SEC. 11. All public assistance grants made under this act shall be reconsidered by the Commissioners as frequently as they may deem necessary. After such further investigations as the Commissioners may deem necessary, the amount of public assistance may be changed, or may be entirely withdrawn, if the Commissioners find that any such grant has been made erroneously, or if they find that the recipient's circumstances have altered sufficiently to warrant such action. If at any time during the continuance of public assistance the recipient thereof becomes possessed of income or resources in excess of the amount previously reported by him, or if other changes should occur in the circumstances previously reported by him which would alter either his need or his eligibility, it shall be his duty to notify the Commissioners of such fact immediately on the receipt or possession of such additional income or resources, or on the change of circumstances.

RECORDS

SEC. 12. (a) The Commissioners are directed to prescribe regulations governing the custody, use, and preservation of the records, papers, files, and communications of the Commissioners relating to public assistance. Except as herein otherwise provided, such regulations shall provide safeguards restricting the use or disclosure of information concerning applicants for, or recipients of, public assistance to purposes directly connected with the administration of public assistance. The Commissioners are authorized, in their discretion, to include in such regulations provisions for the public to have access to the records of disbursement or payment of public assistance made after the effective date of this act.

(b) No person who obtains information by virtue of any regulation made pursuant to subsection (a) of this section shall use such information for commercial or political purposes.

(c) This section and section 13 of this act shall be construed as State legislation conforming to the requirements of section 618 of the Revenue Act of 1951 (Public Law 183, 82d Cong.).

PENALTIES

SEC. 13. Any person violating any regulation made pursuant to this act or any person violating subsection (b) of section 12 of this act shall be punished by a fine of not more than $500, or by imprisonment of not more than 90 days, or by both such fine and imprisonment. Prosecutions for such violations and for violations of section 17 (a) of this act shall be brought to the municipal court for the District of Columbia by the Corporation Counsel or any of his assistants.

FUNERAL EXPENSES

SEC. 14. On the death of a recipient, reasonable funeral expenses may be paid, subject to rules and regulations approved by the Commissioners.

HEARINGS

SEC. 15. An applicant for, or recipient of, public assistance, aggrieved by the action or inaction of the Commissioners shall be entitled to a hearing. Each applicant or recipient shall be notified of his right to a hearing. Upon request for such hearing, reasonable notice of the time and place thereof shall be given to such applicant or recipient. Such hearing shall be conducted in accordance with rules and regulations prescribed by the Commissioners. The findings of the Commissioners on any appeal shall be final.

PUBLIC ASSISTANCE NOT ASSIGNABLE

SEC. 16. Public assistance awarded under this act shall not be transferable or assignable at law or in equity, and none of the money paid or payable under this act shall be subject to execution, levy, attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law.

FRAUD IN OBTAINING PUBLIC ASSISTANCE—REPAYMENT

SEC. 17. (a) Any person who by means of false statement, failure to disclose information, or impersonation, or by other fraudulent device obtains or attempts to obtain (1) any grant or payment of public assistance to which he is not entitled; (2) a larger amount of public assistance than that to which he is entitled; or (3) payment of any forfeited grant of public assistance; or any person who with intent to defraud the District aids or abets in the buying or in any way disposing of the real property of a recipient of public assistance, shall be guilty of a misdemeanor and shall be sentenced to pay a fine of not more than $500, or imprisoned not to exceed 1 year, or both.

(b) Any person who obtains any payment of public assistance to which he is not entitled shall be liable to repay such sum. In any case in which, under this section, a person is liable to repay any sum, such sum may be collected without interest by civil action brought in the name of the District. Any repayment required by this subsection may, in the discretion of the Commissioners, be waived in whole or in part, upon a finding by the Commissioners that such repayment would deprive such person, his spouse, parent, or child of shelter or subsistence needed to enable such person, spouse, parent, or child to maintain a minimum standard of health and well-being.

PROPERTY

SEC. 18. (a) At the death of any person who has received public assistance pursuant to the provisions of this act, or of any act repealed by this act, the District shall have a preferred claim for the amount of any such public assistance against the estate of the deceased recipient. Notwithstanding the provisions of any other law, no statute of limitations shall be deemed applicable as a defense to any claim of the District made pursuant to this section. The Commissioners are authorized to waive any such claim when in their judgment they deem it appropriate to do so.

(b) In addition to the remedy provided by subsection (a) of this section, or by any other provision of law, the Commissioners may file a notice in the office of the Recorder of Deeds in any case where public assistance is granted to any person under this act, and such notice shall constitute and have the effect of a lien in favor of the District against the real property of such person for the amount of the public assistance which theretofore has been granted or which may thereafter be granted to, or on behalf of, such persons. Any such lien may be enforced by a proceeding filed in the United States District Court for the District of Columbia. The Commissioners shall file in the office of the Recorder of Deeds a release of any such real property from the effect of such lien whenever there has been repaid to the District the amount of the public assistance theretofore granted to, or on behalf of, such person. The Commissioners are also authorized to release any such lien when in their judgment they deem it appropriate to do so. Such notices and releases may be filed without payment of fees.

(c) If the District collects from any recipient of public assistance or from his estate, or otherwise, any amount with respect to public assistance furnished him under this act, or under any act repealed by this act, the pro rata share to which the United States is equitably entitled shall be paid to the United States in accordance with the provisions of the Social Security Act, as amended (title 42, U. S. C., secs. 303, 603, 1203, and 1353). The pro rata share due the District shall be deposited as miscellaneous receipts to the credit of the District.

RESPONSIBLE RELATIVES

SEC. 19. (a) The husband, wife, father, mother, or adult child of a recipient of public assistance, or of a person in need thereof, shall, according to his ability to pay, be responsible for the support of such person. Any such recipient of public assistance or person in need thereof or the Commissioners may bring an action to require such husband, wife, father, mother, or adult child to provide such support and the court shall have the power to make orders requiring such husband, wife, father, mother, or adult child to pay to such recipient of public assistance or to such person in need thereof such sum or sums of money in such installments as the court in its discretion may direct and such orders may be enforced in the same manner as orders for alimony.

(b) The Commissioners shall be empowered on behalf of the District to sue such husband, wife, father, mother, or adult child for the amount of public assistance granted under this act or under any act repealed by this act to such recipient or for so much thereof as such husband, wife, father, mother, or adult child is reasonably able to pay.

(c) All suits, actions, and court proceedings under this section shall be brought in the Domestic Relations Branch of the Municipal Court for the District of Columbia. To the extent applicable, the provisions of the act entitled "An act to establish a domestic relations branch in the municipal court for the District of Columbia, and for other purposes," approved April 11, 1956, shall be followed in suits, actions, and proceedings brought pursuant to this section.

PAYMENTS OF EXPENSES

SEC. 20. All necessary expenses incurred by the District in carrying out the provisions of this act shall be disbursed in the same manner as other expenses of the District are disbursed.

RELIEF FROM LIABILITY

SEC. 21. The Comptroller General may, in his discretion, relieve any disbursing, certifying, or approving officer of liability on account of any otherwise proper payment for public assistance made by the District prior to the effective date of Public Law 84, 82d Congress (65 Stat. 124), whenever he finds (1) that the disbursement, certification, or approval was based on official records and the responsible officer did not know, and by reasonable diligence and inquiry could not have ascertained, the actual facts, or (2) that the payment, certification, or approval was made in good faith and that the payment was not contrary to any statutory provision specifically prohibiting payments of the character involved.

DELEGATION OF AUTHORITY

SEC. 22. The Commissioners are authorized to make provisions for delegation and subdelegation of any function vested in them by this act to any agency, officer, or employee of the District.

VOLUNTARY SERVICES

SEC. 23. The Commmissioners are authorized to accept voluntary services in administering the provisions of this act. Such voluntary services shall not create any obligation against the District.

APPROPRIATIONS

SEC. 24. (a) The Commissioners shall include in their annual estimates of appropriations such sums as may be needed to carry out the provisions of this act.

(b) Unobligated balances of appropriations for the Department of Public Welfare are hereby made available for the purposes of this act.

REPEALS

SEC. 25. The following acts are hereby repealed: The act entitled "An act to provide aid to dependent children in the District of Columbia", approved June 14, 1944 (58 Stat. 277); the act entitled "An act to amend the code of laws for the District of Columbia in relation to providing assistance against old-age want," approved August 24, 1935 (49 Stat. 747); and the act entitled "An act to provide aid for needy blind persons of the District of Columbia and authorizing appropriations therefor", approved August 24, 1935 (49 Stat. 744), as amended. Notwithstanding such repeal, all claims of the District of Columbia for recovery of amounts expended for aid or assistance granted under such repealed acts which it now has, or which would have accrued had such acts not been repealed, shall be recoverable in the same manner and to the same extent such claims would be recoverable had such aid or assistance been granted under the provisions of this act.

REORGANIZATION

SEC. 26. Where any provision of this act refers to an office or agency abolished by Reorganization Plan No. 5 of 1952 (66 Stat. 824), such reference shall be deemed to be to the office, agency, or officer now or hereafter exercising the functions of the office or agency so abolished. Nothing contained in this act shall be construed as a limitation on the authority vested in the Commissioners by Reorganization Plan No. 5 of 1952.

VALIDITY

SEC. 27. If any provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

EFFECTIVE DATE

SEC. 28. Except as otherwise provided in this act, the provisions of this act shall take effect on the first day of the second month following the date of enactment.

Mr. MORSE. Mr. President, the purpose of this bill is to incorporate in 1 act all 5 of the public assistance programs administered in the District of Columbia. At present only three of these programs—aid to dependent children, aid to the aged, and aid to the blind—are covered by substantive legislation. The remaining two categories—aid to the disabled and general public assistance—have existed for a number of years by virtue of language contained in the annual appropriation acts.

Enactment of this bill will result in more uniform requirements and procedures for determining eligibility for public assistance, and the amount of assistance granted in terms of the need of the recipient. It will also apply more uniform standards to the reviewing of cases, conducting hearings, and making reinvestigations of eligibility for assistance.

This bill would authorize or accomplish the following actions or objectives which the District Commissioners under existing laws cannot perform:

First. Entering into reciprocal agreements with any State for the provision of public assistance to residents and nonresidents.

Second. Establishing of uniform residence requirements for all categories of assistance.

Third. Granting of emergency cash assistance when residence eligibility has been established and available information indicates the applicant is in need.

Fourth. Establishing of appropriate schedules for reinvestigating eligibility based on case needs.

Fifth. Authorizing the Commissioners, in their discretion, to permit public access to the records of disbursements or payments of public assistance, provided the information is not used for commercial or political purposes.

Sixth. The husband, wife, father, mother, or adult child of a recipient in any category of assistance shall, according to his ability to pay, be responsible for the support of such person. Under existing law, relatives are made responsible only in the old-age assistance and aid-to-the-blind laws. The bill provides that recipients of assistance or a person in need of assistance or the Commissioners may bring legal action to require support from the designated relatives. Existing law provides only that the District of Columbia is empowered to sue responsible relatives.

Seventh. The Commissioners are authorized to accept voluntary services in administering the provisions of the proposed act. There is no such provision in present law.

The committee amended the bill to endeavor to correct and to rectify the existing practice of imposing an arbitrary percentage figure as a ceiling on the grants without regard to the minimum subsistence needs of the welfare recipients, and, in addition, there is prohibited the imposition of a flat dollar amount ceiling without regard to the actual needs of these families. The policy currently being followed by the District Commissioners of permitting only 83 percent of minimum subsistence needs to be given to welfare aid recipients is one that creates great hardship and should be modified. It should be noted in this connection that the food item of the family budget, since the grant is a lump sum payment, is of necessity much less than 83 percent of the minimum subsistence amount. Other items—housing, utilities, clothing, soap—must be paid for at the going market price; hence the deficit of 17 percent for these items can only be made up by a decreased expenditure for food.

The need for this kind of legislation has been evident for many years. This need has been recognized by the Committee on Appropriations of the House of Representatives. It has been studied by agencies of the District of Columbia directly concerned, and meets with their approval.

The estimated maximum annual cost of the proposed legislation as amended by the committee is $2 million. Because the Federal payment to the District of Columbia meets only 13 percent of the District budget, the net charge to the Treasury because of this bill would be approximately $260,000.

The Committee on the District of Columbia urges passage of the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be offered, the question is on the engrossment and third reading of the bill.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

REVISION OF ORGANIC ACT OF THE VIRGIN ISLANDS

Mr. JACKSON. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1085, H. R. 8126.

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

The Legislative Clerk. A bill (H. R. 8126) to amend section 16 (c) of the Revised Organic Act of the Virgin Islands.

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

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JACKSON. Mr. President, the purpose of the bill is to amend section 16 (c) of the Revised Organic Act of the Virgin Islands to confer greater authority on the popularly elected Territorial legislature with respect to the confirmation of the chairman and the members of certain boards, authorities, and commissions of the Virgin Islands government. The bill involves no expenditure of Federal funds, and is still another step forward in self-government for the people of the Virgin Islands.

Simply stated, the bill clarifies a question of controversy which has existed within the Virgin Islands Legislature as to the confirmation of officials appointed by the Governor of the Virgin Islands.

The bill was reported unanimously from the Senate Committee on Interior and Insular Affairs, and has the support of the Department of Interior.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

ESTABLISHMENT OF PUBLIC RECREATIONAL FACILITIES IN ALASKA

Mr. JACKSON. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1059, H. R. 7864.

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

The Legislative Clerk. A bill (H. R. 7864) to amend the act of May 4, 1956 (70 Stat. 130), relating to the establishment of public recreational facilities in Alaska.

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

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JACKSON. Mr. President, the purpose of the bill is to clarify the legislation which the Congress enacted in 1956, authorizing construction and maintenance of facilities for public recreational purposes in Alaska to be turned over to the Territory of Alaska for administration. Apparently the legislation was not clear on the latter point. The purpose of the pending bill, therefore, is to make it clear that upon the completion of these recreational facilities the Department of the Interior shall have authority to turn over to the Territory of Alaska, for operation and maintenance, the facilities provided for in the act passed by the Congress last year.

The bill was reported unanimously from the Committee on Interior and Insular Affairs.

The PRESIDING OFFICER (Mr. Scott in the chair). The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LANDS TO MIDDLE TENNESSEE COUNCIL, BOY SCOUTS

Mr. JACKSON. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1111, S. 2531.

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

The Legislative Clerk. A bill (S. 2531) to authorize the conveyance of certain lands within Old Hickory lock and dam project, Tennessee, to Middle Tennessee Council, Boy Scouts.

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

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works with an amendment.

Mr. CHAVEZ. Mr. President, I know the present Presiding Officer [Mr. Scott in the chair] knows as much about the bill as I do. The only purpose of the bill is to convey some land in Tennessee to the Boy Scouts of America. The Boy Scouts now have a 50-year lease on this piece of property.

The bill proposes that the land on which the Boy Scouts have a lease shall be turned over to the Boy Scouts. If they do not use it in the future for the purposes for which conveyed, the land will revert to the Government.

Mr. President, the House has passed H. R. 8576, which is identical to the Senate bill. There is no objection to the bill. I should like to have the House bill considered instead of the Senate bill, and I ask unanimous consent that the Senate may proceed to the consideration of H. R. 8576.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 8576) to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America for recreation and camping purposes, which was read twice by its title.

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

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

Mr. MORSE. Mr. President, I rise to object.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MORSE. I should like to ask a few questions about the bill. I have not had time to make as much of a study of the bill as I should like, but I find difficulty in differentiating between this bill and bills presented in the past which we have not passed, when it has been sought, in effect, to donate Federal property to 4-H Clubs and other fine social organizations.

I am at a loss to understand why the taxpayers of the United States should donate a piece of property to the Boy Scouts and not donate property to the 4-H Clubs. If we start donating Federal property to all the fine movements in the country, Mr. President, it will show a nice spirit, but I think it will lead to some very bad practices.

I see no reason why the Boy Scouts should not pay a reasonable sum of money for this property. The property belongs to the Government. The Boy Scouts have a lease on it now. I do not know why they should not be required to pay at least 50 percent of whatever the market value is.

Let us think of some other organizations which might want to make such a request. Suppose the Catholic Charities should apply. Would we donate property to them? Suppose the Presbyterian Brotherhood should apply. Would we donate property to them? Suppose the Quakers should apply. Would we donate property to them?

I realize the position I am in, Mr. President, just as I realized the position I was in 2 or 3 years ago. I have asked to have the precedents looked up, and there are many. I remember the Kentucky case, and I recall the 4-H Club case.

I thought it had been pretty well established that we were going to keep these great movements separate from the state. The line becomes pretty indistinguishable sometimes, Mr. President.

I think it is not wise to undertake to set a precedent this afternoon of donating Federal property to very worthwhile movements. I do not know how we are going to draw much of a line of distinction between the Boy Scouts and the church youth movements. The property for these great movements ought to be paid for by donors among the citizenry and not by the Treasury of the United States.

Mr. CHAVEZ. Mr. President, I wonder if my good friend, the Senator from Oregon, will yield to me.

Mr. MORSE. Yes. I am merely outlining to the Senate what is puzzling me. If the Senator from New Mexico can clear it up, that will be fine.

Mr. CHAVEZ. So far as the Senator from New Mexico is concerned, I am as anxious as is the Senator from Oregon to provide for the rights of the organizations which the Senator has in mind, as I am anxious to provide for the Boy Scouts. It happens that in accordance with the statutory authority, 609.2 acres have been made available under a long-term nominal consideration lease to the Middle Tennessee Council, Inc., Boy Scouts of America, at Old Hickory lock and dam on the Cumberland River, Tenn. Since entering upon the leased property approximately 2 years ago, the Boy Scouts Council has made a modest beginning toward the development of extensive camping facilities. Approximately $26,000 has already been spent in order to provide access and minimum improvements for the site. Difficulties in further development occurred, the committee was informed, when the Boy Scouts Council undertook discussions toward the ultimate goal of raising approximately $750,000 to provide adequate and suitable camping facilities.

The money is to be raised by the Boy Scouts, and not by Uncle Sam. If the Boy Scouts are willing to develop this particular area and finance the development to the extent of $750,000, we think there is little that Uncle Sam can do except to donate 700 acres of land to a good organization. The same principle would apply to the Future Farmers of America and any similar organization if they were in the same situation.

The Committee on Public Works, after hearing the testimony on this proposal, unanimously reported the bill.

I assure the Senator from Oregon that I believe I understand his philosophy. Generally speaking, I am in accord with it. There have been very few times when the Senator from Oregon and I have discussed how we intended to vote, but we usually vote the same way. In this instance, however, I think this is a very worthy bill, for a very worthy purpose.

Mr. MORSE. Mr. President, the bill is under consideration as the result of a motion. If the bill had been reached on the call of the calendar, I would have objected.

The bill clearly violates the Morse formula. I do not care in what verbiage the bill is clothed. The fact is that it is proposed that the Federal Government give to the Boy Scouts of America property which belongs to all the taxpayers of America. That is a bad precedent. I shall make my case and take my seat. I wish to make a record on which to stand.

We are asked to establish a most unfortunate precedent. If we do what is asked for the Boy Scouts, we pave the way for doing the same thing for many fine organizations which operate under the auspices of religious orders or churches.

If the Boy Scouts can raise $750,000 to improve this land, it can raise from the citizenry, through a Boy Scout drive for funds, enough money to pay a reasonable price for the property. I see no reason in the world why the taxpayers, through the Congress, should donate property of great value to the Boy Scouts of America.

I realize that politically I should not make this speech, but that fact does not deter me. We are asked to establish a very bad precedent in disposing of property of the Federal taxpayers without getting any return for it, simply because it is for the Boy Scouts. If we do it for the Boy Scouts of America, we could reasonably be asked to do a similar thing for the Future Farmers of America, the 4-H Clubs, and various other groups. We would be asked to start doing the same thing for some very fine youth movements in the great churches.

I happen to believe that there is a line which should separate the state from the activities of various orders, because it is so easy for such activities to move over into the field of religious or quasi-religious activity. I shall vote against the bill, not because I am against the Boy Scouts. My whole record is to the contrary. However, I happen to believe that a very precious principle is involved in protecting the taxpayers of the country. I think they have a right to be protected by a Congress which starts distributing the taxpayers' property to various organizations, when large blocks of our citizens may not be in sympathy with the activities of a certain order. I do not know of any such group opposed to the Boy Scouts, but there may be.

I know enough about public opinion to know that when we start giving Government property to private organizations of this type, we shall find many citizens who will say, "We are not in favor of the program of that particular order or organization, and we do not know why the property we own as Federal taxpayers should be donated to the activities of such a private organization."

I think private organizations, no matter how public spirited, should pay for their property, and the money should be raised from supporters of the Boy Scouts to pay for this property.

Mr. President, I shall vote against the bill.

Mr. GORE. Mr. President, upon most occasions I find myself in support of the so-called Morse formula. This is a question with respect to which the Congress must exercise care. But it is also a matter upon which the Congress can and should exercise discretion.

What are the purposes of these reservoirs? Of course, they are multipurpose projects, including flood control, navigation, power, and recreation.

How better could the Government promote healthful recreation on a small spot of land on this reservoir which has been declared surplus to the needs of the Government, than to permit its development by and for the benefit of the Boy Scouts?

The able senior Senator from Oregon refers to this organization as a private organization. It seems to me that that definition is subject to interpretation, and must be subject to the judgment and discretion of the Congress.

Furthermore, in my opinion, the Government would reap collateral benefits if a tract of land on a reservoir vast in extent were developed well as a recreational center. The adjacent land owned by the Government would become more valuable.

The Boy Scouts propose to spend $750,000 to develop this site as a permanent recreational camp for Boy Scouts. It is not for the private profit of anyone; it is not for the aggrandizement of a private interest. It is to promote the recreation of boys of tender age. The proposal is to put this reservoir to the highest and most beneficial use.

I do not feel that I come to the Senate requesting something that will inure to the benefit of a private organization. I think the Boy Scouts are a public organization—not one sponsored by the Government, but one supported by the public, one which invites all boys to become members, to take the oath, and to receive the benefit of the training and leadership which the Boy Scouts organization provides.

I hope the Senate will pass the bill. The House of Representatives passed it yesterday unanimously.

Heretofore the able Senator from Oregon has recognized the exigencies of certain occasions, and has permitted exceptions to the so-called Morse formula. He has permitted—and I think wisely—bills to be passed when the transfer was to a public agency for recreational purposes. It seems to me that this is no less for public recreational purposes.

There are only a few years during which a boy can be a Boy Scout. Perhaps we deplore the fleeting character of time, but time passes, nevertheless. There are but few years when boys can enjoy and benefit from the experience gained in this great organization. It is at least quasi-public in its nature.

I plead with the Senate to pass the bill.

Mr. MORSE. Mr. President, I shall be very brief in my reply to the Senator from Tennessee, but I have three points to make.

First, I assure the Senator from Tennessee that neither he nor any other Member of the Senate can cite a single exception to the Morse formula which I have ever granted; and I have no intention of granting any exceptions.

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

Mr. MORSE. I yield.

Mr. GORE. One of the exceptions to which I referred was the transfer of an island in Wolf Creek Reservoir to the State of Kentucky for development for recreational purposes. I think the Senator was entirely correct.

Mr. MORSE. There was no exception whatever. If the Senator will read the RECORD for the day on which that bill was discussed—and I recall it as though it were during the past hour—he will find that the RECORD shows that a clear case was made of Federal benefit in the development of that particular island. It was within the entire program of Federal development, with respect to which the Federal Government would have been required, if the development had not been done in the way proposed, to expend great sums of money for recreational development in that very area. The case was made that there would be a saving by the Federal Government because, instead of the Federal Government spending the money for a Federal park, the State of Kentucky would spend the money for a State park, and the park would revert to the Federal Government in case the State of Kentucky did not carry out the park purposes. It was a case in which the Federal Government would otherwise have had to spend money. I discussed it very fully on that day, and I pointed out in the RECORD that it was not an exception to the Morse formula.

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

Mr. MORSE. I yield.

Mr. GORE. I would not attempt to pit my recollection against that of the Senator from Oregon. However, as I recall, the situation was not as the Senator now remembers it. As I recall—and I was on the floor at the time——

Mr. MORSE. Mr. President, I ask to have the CONGRESSIONAL RECORD in the Kentucky case produced for use in the debate.

Mr. JOHNSON of Texas. Mr. President, the bill now under discussion was not scheduled to come up at this time. The majority leader was called out of the Chamber, and he asked the Senator from Washington [Mr. JACKSON] to act for him, and the Senator from Texas gave him a list of bills to be brought up by motion. The bill before the Senate was brought up by motion in my absence. I would like to have it passed, if it can be passed without any difficulty. On the other hand, I have asked a number of Senators to be present because I told them I would bring up the bills in which they were interested. If the bill before the Senate is controversial and will require more time for its consideration, I will ask the staff to make an investigation and provide for its being taken up later in the day, after we have cleared up other matters.

Mr. CHAVEZ. It is true that the bill was reported only yesterday. However, the Senator from Washington did not ask that the bill be brought up. I asked that it be brought up, although the Senator from Washington made the motion. The Senator from Texas was not on the floor. I thought it was a worthy bill. Inasmuch as we were passing bills which were reported yesterday, like Calendar 1109, S. 1587, in which the Senators from Massachusetts were interested, I thought we would consider this worthy bill also.

Mr. JOHNSON of Texas. The Senator asked that S. 1587 be brought up. I am trying to get action on the bills I announced would be taken up, and in connection with which I have notified Senators to be present because they are interested in the bills. I did so in good faith, and I am under an obligation to keep my word. I cannot do that if another bill is brought up by motion, in violation of my agreement. The Senator will get his bill passed before sundown, if he will permit us to continue the normal procedure.

If it is agreeable to the Senator from Tennessee [Mr. GORE] and to the Senator from Oregon [Mr. MORSE], I should like to proceed to the consideration of another bill.

Mr. MORSE. I want to keep the RECORD straight. The Senator from Tennessee, I am sure, has no intention of causing any injury to the Senator from Oregon. However, the statement he has made in the RECORD does cause injury to my record on the Morse formula. I wish to show the Senator from Tennessee that I have never knowingly made any exception to the Morse formula. The first time I do, so far as I am concerned, the Morse formula is dead. I do not believe there is any justification for making any exception to the Morse formula. I will not do it for the Boy Scouts, and I will not do it for the Methodist Church. Some Senators may recall that about 2 years ago the Methodist Church wanted to get a piece of property for nothing. They were on their way to getting it when I objected under the Morse formula.

I shall discuss the pending matter, not at any great length, but I do wish to discuss it. I desire to make a record on it for future reference. Fine as the Boy Scout organization is, it would be a dangerous precedent to start supporting any organization with donations from the Treasury of the United States.

Mr. O'MAHONEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. O'MAHONEY. What is the pending business?

The PRESIDING OFFICER. The pending business is H. R. 8576. The bill is open to amendment.

Mr. MORSE. Mr. President, I shall hold the floor and engage in a discussion until the matters I have asked for are produced. My assistants are now at work on the material. I have some other matters to discuss. I will discuss them, unless the bill can be laid aside.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. O'MAHONEY. Mr. President, I wonder if it would be agreeable to the Senators who are discussing the bill if I should now move that it be temporarily laid aside and that we proceed to the consideration of Calendar——

Mr. JOHNSON of Texas. Mr. President, I hope that the Senator will not do that. The majority leader is trying to control the motions to take up measures. I have made certain agreements with Senators with regard to bills in which they are interested. In the situation now before the Senate the pending bill was taken up when I was temporarily away from the floor. The bill was taken up because there was a misunderstanding between the Senator from Washington [Mr. JACKSON] and the Senator from New Mexico [Mr. CHAVEZ].

Mr. O'MAHONEY. The Senator from Texas is quite justified in attempting to direct the schedule of the Senate. I am trying to help him.

Mr. JOHNSON of Texas. I thank the Senator.

Mr. O'MAHONEY. I am trying to help him so that we may take up a very important bill, which will have a permanent effect upon the enforcement of criminal law in the United States. It is a bill which the Committee on the Judiciary has considered and which undertakes to clarify the meaning of the Supreme Court decision in the Jencks case. I wish to make the record clear that, representing the Committee on the Judiciary in charge of the bill, I wish to have the bill considered this afternoon.

Mr. JOHNSON of Texas. I wish to make the RECORD clear that the Senator from Texas has been willing to take it up for a week. However, conferences on it have taken place, which, as I understand, have just now resolved some of the differences. That does not mean that I can ask that the bill be considered within the next 5 minutes. I shall have to try to live up to the commitments I made with other Members of the Senate. I will do that if Senators will let me.

Mr. O'MAHONEY. I know the Senator from Texas is not interpreting my remarks as a reflection upon his activities. I am asking the Senate that we be given the opportunity, if we wish to take advantage of it, to deal with a very important matter.

Mr. JOHNSON of Texas. The Senator from Texas will see to it that is done before the session is over.

Mr. O'MAHONEY. I will leave myself wholly in the hands of the majority leader, whom I hope to keep the majority leader of this body.

Mr. JOHNSON of Texas. I thank the Senator.

Does the Senator from Oregon wish to continue the discussion?

Mr. MORSE. I intend to accommodate myself to the wishes of the majority leader, and postpone action on the bill for a few minutes.

AUTHORIZATION OF PRINTING OF ADDITIONAL COPIES OF CERTAIN PUBLIC HEARINGS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1139, House Concurrent Resolution 215.

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

The CHIEF CLERK. A concurrent resolution (H. Con. Res. 215) authorizing the printing of additional copies of certain public hearings.

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

The motion was agreed to; and the Senate proceeded to consider the concurrent resolution.

Mr. PASTORE. Mr. President, the concurrent resolution would authorize the printing of 20,000 additional copies of the public hearings on The Nature of Radioactive Fallout and Its Effects on Man, held by the Special Subcommittee on Radiation of the Joint Committee on Atomic Energy during the 85th Congress, 1st session.

I understand that over 10,000 copies have already been requested by Members of Congress alone and substantial numbers of copies have also been requested by the public. It is absolutely necessary that additional copies be printed. The hearings are a compilation of extremely important scientific information on radioactive fallout in which the public is very much interested.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to.

GUARANTY OF PRIVATE LOANS TO CERTAIN AIR CARRIERS—CONFERENCE REPORT

Mr. MONRONEY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2229) to provide for Government guaranty of private loans to certain air carriers for purchase of modern aircraft and equipment, to foster the development and use of modern transport aircraft by such carriers, and for other purposes. I ask unanimous consent for the present consideration of the report.

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

The legislative clerk read the report.

(For conference report, see House proceedings of August 23, 1957, p. 15823, CONGRESSIONAL RECORD.)

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

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

Mr. MONRONEY. Mr. President, the conference report is the unanimous report on the part of the Senate conferees, with the exception of the distinguished junior Senator from Maine [Mr. PAYNE], who was out of the city when the conference committee met. However, the Senator from Maine has been apprised of the contents of the report and of the agreement to the amendment of the House. He has informed us that if he had been present he would also have signed the report.

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

The report was agreed to.

Mr. MONRONEY. Mr. President, I ask unanimous consent to have printed in the RECORD a statement on the conference report.

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

STATEMENT BY SENATOR MONRONEY

Other than some clarifying language inserted by the House in S. 2229, there are only two important changes in the bill from the form in which it passed the Senate.

The Senate bill covered 25 carriers of the feeder-line type but did not include the helicopter carriers. The House bill did. There are three such carriers now—one located in New York, the others in Chicago and Los Angeles. The conferees found a great interest on both sides for these services and have adopted the House inclusion of them in the legislation. It should be borne in mind that the Board has discretion in the authorizing of guaranteed loans and we have been assured by the Board that they will watch this particular segment of the air industry very closely.

The Senate bill limited the loans to aircraft manufactured under a United States type certificate issued after the enactment of this legislation. The effect of this provision would have limited loans on aircraft to 3 planes, only 1 of which is close to production. This is the Fokker-Friendship. Two other aircraft are on the drawing board or in other stages of production. They are the Douglas 1940 and the Frye Safari. The House had stricken this section of the bill. We had testimony on another bill just the other day that pointed out at least one of the feeder lines had been able to improve its economic operation tremendously by the use of Martin planes purchased from a trunk airline. We felt that if such planes could be used to advantage, we should not foreclose them from the operators covered by this bill. Accordingly, this section of the bill was rewritten so as to provide that no guaranty of a loan could be made unless the Board made a finding that the aircraft involved would improve the service and efficiency of the carrier. In other words, if the aircraft desired to be purchased would actually improve the service of the carrier, a loan could be guaranteed.

The Board has informally advised the conferees that the foregoing amendments are satisfactory to it.

I believe the bill, as amended, is a good one and should be approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed without amendment the bill (S. 2460) to authorize the transfer of certain housing projects to the city of Decatur, Ill., or to the Decatur Housing Authority.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2229) to provide for Government guaranty of private loans to certain air carriers for purchase of modern aircraft and equipment, to foster the development and use of modern transport aircraft by such carriers, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9023) to amend the act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, N. Mex., for furnishing hospital care to certain Indians.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9379) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CANNON, Mr. RABAUT, Mr. EVINS, Mr. JENSEN, and Mr. TABER were appointed managers on the part of the House at the conference.

The message further announced that the House had passed a bill (H. R. 9280) to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled joint resolutions, and they were signed by the Vice President:

H. J. Res. 338. Joint resolution for the relief of certain aliens;

H. J. Res. 387. Joint resolution for the relief of certain spouses and minor children of citizens of the United States; and

H. J. Res. 409. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

AMENDMENT OF ACT MAKING APPROPRIATIONS FOR THE CONSTRUCTION, REPAIR, AND PRESERVATION OF CERTAIN PUBLIC WORKS ON RIVERS AND HARBORS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1117, S. 2603.

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

The CHIEF CLERK. A bill (S. 2603) to amend the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 3, 1896."

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

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JAVITS. Mr. President, the bill repeals an old section of law going back to 1896, and would enable the city of New York to undertake a very constructive public work and to spend about $10 million for a pier, warehouse, and other installations. The bill would allow the front of that pier, as it faces the bay, to be 700 feet wide, instead of the old width of 300 feet.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. JAVITS. Certainly.

Mr. LONG. Why is it necessary to amend the law in order to make the pier wider?

Mr. JAVITS. It is an old section of law, which restricts the width to 300 feet. That section of law is out of date.

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

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That chapter 314 of the laws of 1896, entitled, "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved June 3, 1896, is hereby amended by deleting therefrom the following paragraph:

"And in order to meet the demands of the greatly enlarged size of vessels, and of increasing commerce, it is hereby further provided that such piers as may be built between 17th Street, on the south shore of Gowanus Creek, and Fort Hamilton may be constructed so that so much thereof as shall be between the pier and bulkhead lines may be of a linear width not to exceed 300 feet, and, whether of that width or of less width, may be filled with solid materials when an equal tidal prism or space to receive the inflow of the tides is provided in compensation therefor, behind the authorized bulkhead line and adjacent to said piers."

COOPERATIVE FOR AMERICAN REMITTANCES TO EVERYWHERE, INC.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar 1071, House bill 2938.

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

The CHIEF CLERK. A bill (H. R. 2938) for the relief of Cooperative for American Remittances to Everywhere, Inc.

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

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. LONG. Mr. President, may we have an explanation of the bill?

Mr. WILEY. Mr. President, every one knows what CARE is. It is one of the great, humanitarian institutions.

It paid taxes on shipments of sugar. The Government agrees to refund the excise taxes which have been paid in connection with the shipment of CARE packages to many parts of the world.

On a previous occasion the Government took similar action. This measure calls for the refunding of payments which were made, but which should not have been made if at that time the organization had filed the proper documents.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment, the question is on the third reading of the bill.

The bill (H. R. 2938) was ordered to a third reading, read the third time, and passed.

PROPOSED LEGISLATION TO PROHIBIT THE SERVING OR CONSUMPTION OF ALCOHOLIC BEVERAGES ABOARD AIRPLANES

Mr. THURMOND. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I yield to the distinguished Senator from South Carolina; and I thank him for his graciousness and courtesy.

Mr. THURMOND. I thank the Senator from Texas.

Mr. President, I desire to call the attention of the Senate to the extension of remarks of the Honorable THOMAS J. LANE, of Massachusetts, in the CONGRESSIONAL RECORD of August 22, 1957. These remarks contain a letter from Mr. C. N. Sayen, of the Air Line Pilots Association, which was addressed to the distinguished junior Senator from Oklahoma [Mr. MONRONEY], the chairman of the Aviation Subcommittee of the Senate Committee on Interstate and Foreign Commerce, in support of my bill, S. 4. This proposed legislation would prohibit the serving or consumption of alcoholic beverages aboard airplanes.

In his letter, Mr. Sayen listed 23 separate drinking incidents aboard airliners which have seriously endangered the safety of passengers, air crews, and those on the ground below the aircraft, during the past 2 years. The subcommittee had requested Mr. Sayen to present such evidence, so it could determine whether the proposed legislation would be in the interest of air safety.

I hope every Member of the Senate will read the details of these dangerous incidents so they can decide for themselves whether the passage of this measure would be in the interest of air safety. Personally, I am willing to take the recommendation of the approximately 16,000 pilots who are members of the Air Line Pilots Association and who have adopted a resolution calling for the approval of such proposed legislation.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks the following: Two articles which summarize the principal points made by Mr. Sayen in his report to the Aviation Subcommittee; a statement I presented before the Aviation Subcommittee on August 13, 1957, when hearings were held on S. 4 and S. 593; and an editorial which appeared in the Philadelphia Inquirer, dated August 23, 1957, entitled "Drunken Passengers Imperil Planes."

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

[From the Washington Post of August 22, 1957]

DRINK HAZARDS ON PLANES CITED

(By Robert J. Serling)

The Air Line Pilots Association told Congress yesterday that at least 23 airlines in the past 2 years have been seriously endangered by drunken passengers.

The union's charge was contained in a report filed with a Senate transportation subcommittee considering a bill to ban the serving of liquor on commercial flights.

The report cited:

Four instances of drunken passengers forcing their way into the cockpit.

Eight instances of inebriated passengers creating such disturbances in cabins that flight-crew members were forced to leave their cockpit duties to quell them.

Three cases of unscheduled emergency landings in order to remove drunken passengers whose behavior was threatening a plane's safety.

Three instances of intoxicated passengers damaging windows, doors or pressurization devices in flight.

Five cases of drunken passengers creating fire hazards in flight.

The report cited three instances where intoxicated passengers were carrying guns.

One stewardess said:

"A party of four (two couples) boarded in Washington. I took their coats and it was obvious that they had been drinking. During the flight they became increasingly noisy and used vulgar and indecent language much to the embarrassment of the other passengers.

"They could be heard throughout the plane which by then smelled like a brewery. One of the men in particular kept grabbing at us as we went by and propositioning us. We warned them to be quiet. While opening a champagne bottle it splashed on one of the men. I took his coat to hang up to dry and noticed he was carrying a gun under his belt. I said nothing to him but reported it to the captain who came back to the cabin and spoke to him.

"During the beverage service the gun was pointed at the other stewardess as the man asked for his coffee. We fed them lunch and they settled down. As these people deplaned at Dallas one of the women collapsed at the bottom of the ramp. We administered ice packs and ammonia. We notified the head agent that one of the men had a gun. A wheelchair was ordered for the lady."

Under the attempts to enter flight deck category was this item:

"A large man under the influence of liquor started to come up to the cockpit yelling that he was going to kill the captain. * * * A crew member, with other male passengers stopped him at the cockpit door. He put up such a struggle that they had to take his belt off, wrap it around his neck and tie him down."

In a letter accompanying the union report, ALPA president C. N. Sayen said drinks served in flight, "when added to a reduced oxygen pressure and strange environment, may be the final step in causing a normal, well-adjusted individual to become an uncontrollable hazard."

Sayen said the serving of in-flight drinks has weakened regulations against permitting intoxicated passengers to board planes.

NEWS RELEASE FROM NEWS BUREAU, AIR LINE PILOTS ASSOCIATION

WASHINGTON, D. C., August 21, 1957.—The Air Line Pilots Association (AFL–CIO) submitted to the United States Senate Subcommittee on Transportation today a list of incidents caused by intoxicated airline passengers which directly affected the ability of the flight crews to conduct their flights with the highest degree of safety.

The incidents were listed in six categories, namely: (1) Attempts to enter the flight deck and interfere with the operation of the aircraft by the crews; (2) creation of disturbances in the passenger cabin, possibly under critical flight conditions and at the risk of bodily injury; (3) in-flight emergencies requiring unscheduled landings to remove inebriated passengers who are creating disturbances or hazards; (4) inebriated passengers inadvertently actuating or damaging exit and pressurization devices in flight; (5) fire hazards from inebriated passengers and refusal to comply with safety regulations; (6) social and moral problems and effect of alcohol at altitude.

"The obvious hazard to flight safety in this practice is a matter of plain, commonsense," stated C. N. Sayen, president of the Air Line Pilots Association. "We are unable to comprehend the joint position of the Civil Aeronautics Board and the Air Transport Association before the committee * * * that no hazard exists. It is a matter of record that actual incidents have occurred." Sayen stated further, "But even presuming none had happened, it would be a matter of extreme negligence to assume that it is not necessary to take preventative action until after a fatal accident."

The spokesman for the Nation's airline pilots pointed out that while the airline liquor service is presently confined to a limited number of flights of eight carriers, the practice is spreading. "Competitive pressure," stated Sayen, "or the 'one rotten apple in the barrel' will create pressures to spread the practice and related safety hazards to the balance of the airlines in the domestic pattern." As the practice spreads, the number of incidents, with associated hazards, may be expected to increase proportionately.

Sayen pointed out that the House of Representatives, after a study of the problem, had voted to ban liquor service on flights in 1956, and expressed the hope that the problem would be reported by the Senate Interstate and Foreign Commerce Committee to the Senate for similar action shortly.

STATEMENT BY SENATOR STROM THURMOND, DEMOCRAT, OF SOUTH CAROLINA, IN SUPPORT OF S. 4 BEFORE AVIATION SUBCOMMITTEE OF SENATE COMMERCE COMMITTEE, AUGUST 13, 1957

Mr. Chairman and members of the subcommittee, I appreciate the opportunity of appearing this morning to testify in favor of S. 4, a bill which I consider to be one of the most vital safety measures facing the Congress today. This legislation, which I first introduced in the 84th Congress, is designed to prevent the service or consumption of alcoholic beverages aboard commercial passenger aircraft and military aircraft. Since its introduction, S. 4 has accounted for more of my mail than any other topic, including the huge volume of mail I received this year in favor of Government economy and in opposition to the so-called civil-rights bill.

Offers of support for this safety measure have come to me from every section of the country. These offers have come from both drinkers and nondrinkers who are concerned about the dangers which are inherent in the practice of serving cocktails while planes are in flight.

In an effort to kill this legislation, some have charged that this is a prohibition bill which was inspired by temperance and church groups. I want to say, Mr. Chairman, that neither of these groups prompted me to introduce this legislation, nor did the pilots or stewardesses. I saw in this practice an inherent danger that need not exist at all.

There are some dangers, Mr. Chairman, which I admit we must risk and permit to exist. But, I have never found anyone who could give me one reason for permitting this hazard to continue, except for the purpose of meeting competition. And, if the serving or consumption of liquor on planes were outlawed altogether, then there would be no basis for even this flimsy argument. I ask you, Mr. Chairman, how many of our airlines do you believe would go out of business in the event this safety legislation were to be passed?

I did not introduce this legislation as a prohibition measure. I sponsored it for four principal reasons which I shall outline to you now.

First, I believe the unregulated consumption of liquor by airline passengers is a compromise with safety which we can ill afford. It is possible for an intoxicated passenger to seize control of an aircraft while in flight or to so distract the pilots from their duties so as to jeopardize many lives. Mr. Chairman, I need not remind the subcommittee that here we are dealing with an operation taking place several thousand feet above the earth, and generally, a plane crash means sure death for the passengers and those who might be in the path of the falling aircraft.

At this point, Mr. Chairman, I would like to read to the subcommittee an excerpt from an editorial which appeared in the State, of Columbia, S. C., on October 15, 1955. This is one of a number of outstanding newspapers across the country that have taken a stand against the serving of alcoholic beverages abroad airliners. The editorial states:

"We see no reason to turn a plane into a bar or a cocktail lounge. At best the quarters are limited, and the possibility of an unruly passenger is always present if liquor is served. * * * There are enough potential dangers in flying without adding the possibility of the complications of the obnoxious drunk."

My second reason is that the serving of liquor to passengers places an unnecessary burden upon the flight crews who are charged with the safety and comfort of airline passengers. Miss Peterson, the representative of the stewardesses association, has told me of several embarrassing incidents that have occurred on airplanes due to the consumption of liquor by passengers. I shall not go into these incidents here except to remark that I am sure the members of this subcommittee are interested not only in the safety aspect involved here but also in protecting the dignity of the fine young ladies who serve as stewardesses on these aircraft.

As you will hear from the pilots themselves, they do not favor a continuation of this unsafe practice. I agree with an editorial which appeared in the September 12, 1955, issue of the Tribune of South Bend, Ind., which made the following point:

"If the pilots believe a drink ban would reduce the danger of accidents, the Government ought to go along with them. The fliers are, after all, at a disadvantage. A nightclub manager can ask an unruly patron to leave. The crew of airborne liners can't do that."

My third reason is that drinking aboard airplanes creates a social problem in that the drinking passengers may offend or annoy other passengers. I would remind you, Mr. Chairman, that drinking in airplanes cannot be confined to club cars as on trains. In addition, there is the problem of children who accompany their parents and others on air flights. Moral decency impels us to exclude our children from barrooms and liquor stores. By the same token, our children should be protected from the flying saloons which now exist in most of the commercial aircraft now operating in the United States.

My final reason for introducing this legislation stemmed from a firm belief that alcohol and flying do not mix any more than do drinking and driving. It is a fact that the intoxicating effect of alcohol increases considerably as the oxygen in the air decreases and the air becomes thinner. This means, of course, that it takes a smaller quantity of alcohol to intoxicate at a high altitude than it would on the ground or at sea level.

I have heard it said on many occasions that there is a time and place for everything. If this saying is true, then the time and place for consuming alcoholic beverages is certainly not while an aircraft is in flight several thousand feet above the ground.

Those are my principal reasons for proposing this legislation. Since I introduced my previous bill in the 84th Congress and S. 4 in the 85th Congress, I have become more convinced than ever of the vital need for enactment of this legislation into law. As I said previously, I had not talked to the pilots and stewardesses associations when I introduced my first bill. Also, I had not received the hundreds of letters, many of them relating personal experiences of danger in the "flying saloons." Since then, the practice of serving these beverages has become even more widespread.

I hold in my hand, Mr. Chairman, a page from the February 20, 1957, issue of the Washington Post and Times Herald which contains a very large advertisement by United Air Lines on its red carpet service to San Francisco. Included in the red-carpet treatment furnished their passengers, according to the ad, is the choice of cocktails.

Here is how the ad describes the red-carpet service:

"You feel very special walking down the thick carpet to board the world's fastest airliner—the giant DC-7. And each new red-carpet extra adds to that feeling: Your soft, deep-cushioned seat. The choice of cocktails. The special meal that's placed before you—thick, juicy steak or other luxury entree with gourmet trimmings. The club-like lounge. The trays of French pastry and chilled fruit with rare cheeses. All these and more—and all at no extra fare. Enjoy red-carpet service the next time you travel."

Under this arrangement, Mr. Chairman, United Air Lines—and this is not the only airline serving cocktails aloft—is forcing their passengers who do not drink to share the barroom tab for those who do.

Besides that, Mr. Chairman, I have been informed by a spokesman for the Air Transport Association of America that the airlines are not supposed to include mention of alcoholic beverages in their advertisements. I understand that this is a part of the association's two-drink-per-customer voluntary code which was issued shortly after my bill was introduced and shortly after the House approved the Lane bill during the 84th Congress.

I charge here today, Mr. Chairman, that the voluntary code is a fraud and that it was adopted for the purpose of heading off passage of the Lane bill, which was approved by a unanimous vote in the House last year. According to information I have received, the code is not being enforced in other respects. This assertion will be backed up by testimony to be given later in the hearings by flight crews from the various airlines who must bear the stigma of doubling as barmaids and flight stewardesses.

The flight crews have pointed out to me that even if the code were enforced properly there is nothing to prevent the passengers from bringing their own bottles and requesting chasers from the stewardesses. This is exactly the manner in which some passengers have successfully skirted the code in the instances when it was being enforced. My bill would take care of this loophole in the code by prohibiting the serving or consumption of alcohol while in flight.

In closing, I would like to say that this is not a question of whether one condones or condemns drinking. Personally, I do not indulge in the use of intoxicating beverages for my own reasons. The question to be answered here, however, is in terms of safety and the welfare of our citizens who are using the airlines as a mode of transportation in increasing numbers every day. I hope this subcommittee will provide this needed protection as the House of Representatives attempted to do by a unanimous vote in the 84th Congress.

By the way, Mr. Chairman, it is my understanding that the full committee intended to favorably report the House bill during the waning hours of the 84th Congress but was unable to do so because of the last-minute rush to adjourn. I regret that I was temporarily out of the Senate at that time, and I hope that the rush to adjourn this year will not prevent favorable action by the subcommittee, the full committee, and the Senate.

I ask permission to have inserted in the hearings at this point several letters from among the hundreds I have received on this subject.

[From the Philadelphia Inquirer of August 23, 1957]

Drunken Passengers Imperil Planes

It seems a bit thick to us to say that an airline pilot's judgment is, to be trusted on virtually every issue, except whether drunken passengers on planes constitute a safety hazard.

Testifying in opposition to bills prohibiting serving of liquor aboard planes, Stuart G. Tipton, president of the Air Transport Association, declared: "If this legislation were actually justifiable on grounds of safety, there would be no possible argument against it."

Well, the Airline Pilots Association, composed of men who operate the planes and who have the actual responsibility for safety in the air, has told a Senate committee that 23 airliners have been seriously endangered in flight by drunken passengers during the past 2 years.

The pilots' report shows:

Four instances of drunken passengers forcing their way into the cockpit; three instances of emergency landings to remove drunken passengers whose conduct was threatening the plane's safety; eight cases of tipsy passengers creating such a disturbance that flight crew members were forced to leave their jobs in the cockpit to handle the crises; three instances of drunken passengers damaging windows, doors, or pressurizing devices in flight; five cases of drunken passengers creating fire hazards; three cases of drunken passengers carrying guns.

These are actual experiences of pilots and crew members. And the fliers' union comments: "It would be a matter of extreme negligence to assume that it is not necessary to take preventive action until after a fatal accident."

The argument is advanced that there is no recorded instance of a plane crash due to drunken passengers. But many crashes have been unexplained, with no survivors to tell whether the answer to any of them lay with the drunken conduct pilots complain about.

This is not a question of prohibition; it is a question of safety. It is not a question to be decided by polls, but by commonsense, and the light of experience.

The Airline Pilots Association has cited chapter and verse concerning the perils of drunks aloft. We cannot believe these men are qualified to judge every safety factor about airplanes, except the danger of passenger drunkenness. We accept their word. Most thoughtful Americans will, too.

ERECTION OF NATIONAL MONUMENT SYMBOLIZING THE IDEALS OF DEMOCRACY

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar 892, Senate bill 2363.

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

The Chief Clerk. A bill (S. 2363) to authorize the erection of a national monument symbolizing the ideals of democracy.

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

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, line 4, after the word "to," where it appears the second time, to strike out "The" and insert "the", and in line 5, after the word "Foundation", to strike out "Incorporated" and insert "a corporation organized under the laws of the District of Columbia", so as to make the bill read:

Be it enacted, etc., That (a) the Secretary of the Interior is hereby authorized to grant authority to the National Freedom Shrine Foundation, a corporation organized under the laws of the District of Columbia, to erect a national monument as contemplated by the act of August 31, 1954 (68 Stat. 1029), in accordance with plans and designs approved by the National Monument Commission, the National Capital Planning Commission, the Secretary of the Interior, and the National Commission of Fine Arts, and in accordance with all the provisions of such act. The United States shall bear no expense with respect to the erection of such monument.

(b) In the event the construction of such monument has not begun within 5 years from the date of the enactment of this act, the authority granted herein shall terminate and be of no further force or effect.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc; and, without objection, the amendments are agreed to.

Mr. JOHNSON of Texas. Mr. President, the committee has unanimously recommended the passage of this measure.

No expense to the United States will be incurred as a result of the enactment of this bill.

The National Monument Commission, a bipartisan group, was created by the act of August 31, 1954 (68 Stat. 1029), to prepare or secure plans and designs for a monument to the five freedoms to be erected on the so-called Nevius tract adjacent to Arlington Cemetery and directly across the river from the Lincoln Memorial. The plans were to be subject to the approval of the Secretary of the Interior, the National Capital Planning Commission, and the Commission of Fine Arts. The act also required subsequent legislative authorization for the actual construction of the monument.

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

The bill (S. 2363) was ordered to be engrossed for a third reading, read the third time, and passed,

The title was amended, so as to read: "A bill to authorize the erection of a national monument symbolizing the ideals of democracy in the fulfillment of the act of August 31, 1954 (68 Stat. 1029), 'An act to create a National Monument Commission, and for other purposes."

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. ALLOTT. Mr. President, I move that the motion to reconsider be laid on the table.

The PRESIDING OFFICER (Mr. Frear in the chair). The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. ALLOTT. Mr. President, I ask unanimous consent that there may be printed at this point in the Record statements by myself and by the distinguished junior Senator from Oregon [Mr. Neuberger].

There being no objection, the statements were ordered to be printed in the Record, as follows:

Statement by Senator Allott

I speak in total support, and with emotion and personal conviction of the deepest order, asking the confirmation of the great work to be undertaken for the Nation to achieve the purpose of Public Law 742, previously passed by this body, of which S. 2363 is an authorization to proceed.

Educators have complained of the enormous difficulties in finding sparkling, inspirational approaches to interest American youth in the Republic's history through the old classroom techniques of books and lectures. No person is qualified to be entrusted with the management of our times who is unaware of the magnificence of American history. No people in all civilization's history who have been indifferent to these ideals and aspirations have ever survived.

Public Law 742 of the 83d Congress undertook to put in motion an instrument to make American history and the understanding of our Constitution and the Bill of Rights a live, spirited, affirmative experience for every American for all time to come. The National Monument Commission, established by Public Law 742, undertook to perform this great function and set about securing the plans and designs for a useful monument to our Nation which would symbolize our ideals as embodied and spelled out in our Declaration of Independence, and the Constitution in the Bill of Rights. This Commission was instructed by Congress to seek a memorial to our heritage which would be above all partisanship, giving emphasis above every contention of political parties, and above every division of religious thought. Above all things, it was to provide a means for the American people to stand clearly united before the whole world in their dedication to the great aspirations and deeds of our Founding Fathers.

Senator Richard L. Neuberger, Senator John Sherman Cooper, Senator William Kerr Scott, and myself were named to represent this body on that Commission. Congressman Wayne Aspinall, Congressman Robert E. Jones, Congressman Lawrence H. Smith, and Congressman Jack Westland were named by the Speaker of the House. President Eisenhower, under the terms of

Public Law 742, named four eminent Americans: Mr. Spencer T. Olin, Chairman, of East Alton, Ill.; Mr. Don Belding, of Los Angeles, Calif.; Mr. Hugh Comer, of Alabama; and Col. Thomas H. Barton, of Arkansas, as public members. The legislation required comprehensive effort in establishing a Federal commission. Extensive hearings over a period of 3 years have been held by the Commission. There have been many, many meetings in consideration of great volumes of detail. After 2 years of intense study of the monuments of the world, as well as all of those in the United States, and of the methods by which they were planned, financed, and built, the National Monument Commission, a most objective, businesslike, and inspired group, approved the design for this great memorial to be placed on the Virginia side of the Potomac in the area known as the Nevius tract, directly across from the Lincoln Memorial, with the Iwo Jima Marine Memorial as a major flanking asset and adjoining Arlington National Cemetery. After lengthy considerations running into 3 years, the Fine Arts Commission formally approved the Freedom Shrine plan which we had selected. It was also approved by the National Capital Planning Commission after extensive studies and hearings. These two great commissions, whose integrity is unimpeachable, have now as always protected the esthetic integrity of our Nation's Capital, of this great tract of land, and of the citizens of Virginia whose lands approach the Freedom Shrine.

Here are some simple facts which follow the approval of the three Commissions: The approval of the Department of the Interior, the approval of the Bureau of the Budget, and the approval of the President of the United States. I might add that 221 chief and associate justices of State supreme courts throughout the entire land have indicated their approval of this project as a great force for good citizenship and have contributed a token dime at the time they enrolled themselves as a national committee in support of the Freedom Shrine project.

We must keep in mind that at no one spot in America is there such a monument. It has to be viewed piecemeal now at Valley Forge, Williamsburg, Boston, or the Great West. With this national monument, a great review of American history and principle will at last be seen in one place.

Long ago Turgot said: "This people is the hope of the human race." We all know this to be true for atheist world communism has swept 900 million people back of its bloody curtain during the last 8 years. We have seen the great nations of the world fall. We have seen others trapped. We have seen still others who have lost their way because they have lost the guiding faith. Dr. Kenneth D. Wells of the National Freedom Shrine Foundation said: "This bill would seek to undertake the financing for the construction of this freedom memorial. The time has come for the historic strengthening of the United States of America. Principle must rule passion. It is seemly to spell out basic concepts of American events and aspirations so that all ages to come for 1,000 years and more may stand fast with the faith that has made men free. Individuals and nations alike take their greatest inspiration from the continued remembrance of a glorious past. It is essential that American history be permanently rooted in this Republic's quest for freedom and liberty under God."

General of the Army Omar N. Bradley, the man who led the largest land armies in the history of warfare, has accepted the chairmanship of the Board of National Commissioners of the National Freedom Shrine Foundation. He stated: "I feel this monument to freedom will stand as an American symbol of our pledge to the world that we will eternally serve in this cause. The Freedom Shrine project brings noble men and noble ideas together, without thought of personal income or other compensation, to serve our democracy. The Freedom Shrine project will place upon imperishable stone for all to see the mighty concept of freedom and liberty which marks the American way of life. We have here the marriage of the great work of the Freedoms Foundation at Valley Forge through the years and the magnificent vision of the officials of the Hall of our History who sponsor this project, which gives a symbol to the world of the most powerful weapon in this global fight against tyranny, a monument to the principles of freedom. In addition to serving as an arsenal of democracy, we must remember that we are also regarded as the arsenal of hope."

I believe that the lengthy studies, meetings, and research of the National Freedom Shrine Foundation have given us the great gift of prophetically envisioning our patriotic needs for the future. That concept which our commission has approved, and which has also been approved by the Fine Arts Commission, the National Capital Planning Commission, the Department of the Interior, and the President, is deeply needed as a focal point of rededication of men's minds everywhere. This shrine will take the form of a beautiful court, open to the sky, with walls 30 feet thick and 90 feet high, starting with the inscription from the Mayflower compact, "In the name of God, America," and including the great elements of all of America's history done in stone and including for all time the Declaration of Independence and the Constitution cut in stone in words a foot high. This will indeed be a pilgrimage center for freedom fighters from all over the world. I am firmly convinced that with the Freedom Shrine located here it will focus national and world attention on it and will provide the Statue of Liberty of our time, expressing principles and magnitude of the American dream.

This is the American age. We have by the inexorable course of events fallen heir to the responsibility of world leadership. These walls of history will show how people of many countries came to build our land into the wholeness of personal liberty. This American age requires us to set forth our past clearly before the world and establish for all the world to see the ideas by which freemen must live. Here is the place, the time, the substance, where other countries can move from the defensive ideas of containing communism or socialism. We can turn the eyes of our fellow man into affirmative attack for the freedom of the individual away from what has so often been merely condemnation of evil communism. The people of the world watching this game between freedom and tyranny must know that our team, the American team, no longer shouts: "Hold that line," we shout with conviction: "We want a touchdown." We want to see the world aflame for freedom with the reactionary Communist order on the defensive on every square foot of God's world.

The purpose of the Freedom Shrine is to endlessly advocate the dignity of man. President Eisenhower, knowing of the work of Freedom's Foundation at Valley Forge, on November 24, 1952, before his first inauguration said:

"I hereby affirm that I have presented Kenneth D. Wells, president of Freedom's Foundation, Inc., on Saturday, June 28, 1952, one 1942 Liberty dime. This dime was given to open national contributions from Americans, whoever they are and wherever they may be, to implement the purpose of erecting in our National Capital a monument to America's basic beliefs. Thus we will show the world our Nation's fundamental belief in God, our constitutional government designed to serve and not to rule the American people, and our indivisible bundle of personal, political, and economic rights. This symbol of our free dynamic society might bear the faces of Washington, Franklin, Jefferson, and Lincoln. It will give to each oncoming generation a reminder of the price of freedom in the past and present, and of our purpose of living harmoniously together, permitting the creative spirit of man to reach its highest aspirations, to seek its own destiny, and to serve in the cause of freedom for its fellow man."

Congress, by giving wholehearted, vigorous endorsement to this magnificent work, will inspiringly solve the challenging purpose of the Congress of the United States in Public Law 742 of the 83d Congress.

The National Freedom Shrine Foundation, a nonprofit corporation incorporated in the District of Columbia, is independent and affiliated with no sectarian or religious group or political party. It may not lobby, it expresses no viewpoint on any issue, any American may become a member by subscribing financial support. It is organized to perform the will of Congress and it will be dissolved when the National Freedom Shrine is built and properly turned over to the Department of the Interior, as the law provides. The National Freedom Shrine Foundation contains the natural affinity of the two spirited ideas of the Freedom's Foundation at Valley Forge and of the Hall of our History. They have united in patriotic marriage to serve this cause, which will nurture the idea and ideals of the American age.

Here is the organizational structure of the National Freedom Shrine Foundation to perform its task:

Chairman of the board of commissioners, General Omar N. Bradley; vice-chairman, Dr. Arthur Schuck, chief scout executive, Boy Scouts of America; vice-chairman, Mrs. Olive Ann Beech, president, Beech Aircraft Co.; vice-chairman, Charles M. White, chairman of the board, Republic Steel Corp.

National commissioners represent every geographic area in America and every religious and political group of this land and include chief justices of more than 10 States in the country, 15 nationally known educators of scholastic and collegiate life and further include the whole original membership of the National Monument Commission. President Eisenhower has accepted the honorary national chairmanship, and former Presidents Herbert Hoover and Harry S. Truman have been invited to serve as honorary national commissioners.

The board of governors of the National Freedom Shrine Foundation, under the Chairmanship of Spencer T. Olin, includes Vice Chairman Charles F. Palmer of Atlanta, Ga., and Don Belding of Los Angeles, Calif. Dr. Kenneth D. Wells has accepted the Presidency of the National Freedom Shrine Foundation. A remarkable staff of distinguished citizens, withdrawn from their usual duties to serve the Nation, are immediately prepared to start this task. The national board of commissioners and governors will be drawn from such people as General Lucius D. Clay; Dr. John Krout, Provost of Columbia University; the Very Reverend Theodore Hesburg, president of the University of Notre Dame; Dr. Fred Fagg, president of the University of Southern California; Arthur Hays Sulzberger; Dr. Milton S. Eisenhower; Mr. Y. Frank Freeman; Mr. John L. Lewis; Mr. Fred Maytag II; Mr. Robert V. Fleming; Mr. Sid Richardson; Dr. Horace Mann Bond; Chief Justice Carl V. Weygandt, past chairman of the Association of Chief Justices of State Supreme Courts; Mr. George Meany; Mr. Paul Manship; Mr. Horace Albright; Dr. Raymond Allen, chancellor of U. C. L. A., our own Senate Chaplain Frederick Brown Harris; the recently retired Chairman of the Joint Chiefs of Staff, Adm. Arthur W. Radford; and great numbers of others who have put their interest and time and support behind this great concept. Plans are made for a comprehensive total program to raise the $23,950,000 this will require by asking the schoolchildren of this country, the near 45 million of them, to each earn a few nickels, a dime or two, a quarter or more, so that all of them may personally participate in this vast effort that America may remain free. By National Freedom Shrine Foundation and approved by the National Monument Commission, all funds received from children and individuals for the Freedom Shrine will be placed in total in an escrow account usable only for construction costs. The essential overhead staff expenditures—printed materials, publicity, and all operational financial needs will be met by application to the great financial foundations and tax-exempt educational funds of corporations to cover these overhead costs. This guarantees the total integrity of the project, in addition to which all policy officers will be nonsalaried, working as a love's labor. The question has been raised: How do we know that this great project will raise enough money to complete it? The answer is simple. The Department of the Interior, as it has done historically, will, in its contract with the National Freedom Shrine Foundation establish that work will proceed only when the great majority of funds are on hand and officially committed.

My fellow Members of the Senate, I come proudly today to tell you that the eminent architect, Eric Gugler, has been selected to do the supervision of this artistic work, after long consideration with all the Commissions. The historical detail will be accurate and under the full supervision of 12 or more of the Nation's outstanding historians. This vast work will contribute mightily to the value of Federal and private citizens' property values on the Virginia shores of the Potomac. This has the complete approval of the Marine Iwo Jima Memorial group. This will not obstruct the view or property of Virginia citizens, for the top of the great Freedom Shrine wall will not be any higher than the trees on the Nevius tract.

The Chaplain of the Senate said not long ago: "On the significant day of beginning for the Freedom Shrine, our Congress and all American citizens will proclaim the dignity of peoples and individuals throughout the world for America is the beacon of freedom. We must be responsible for bold acts. The Freedom Shrine is a bold act for God and country."

Dr. Milton Eisenhower said: "If we can counter the materialistic Communist ideology and the religious zeal of its adherents with a dynamic faith in God and a clear knowledge of what the free system truly stands for, we will be firmly under way on the road to victory in the moral struggle which today envelops the world."

The New York Times said: "We need reminders in granite and in bronze of the pains endured and the sacrifices made by men and women of flesh no more enduring than our own * * * it should stand forever as human beings measure time, and we may hope that the blank spaces on these walls will be enriched over the generations by new records of human valor and enduring wisdom."

Judge Learned Hand said: "We hope by a fitting portrayal of outstanding instances in which those who have gone before us staked all upon the eventual justification of that belief, that we shall fortify our own acceptance of the risks at which they did not flinch. For, make no mistake, the battle is not won, nor will it ever be won. Each generation must decide how far it will seek refuge in eternal and immutable verities rather than grope its way through the tangle of human passions and human credulity. It is our hope that these walls by their beauty and splendor will reaffirm in those who visit them the faith of their predecessors, and inspire them with a resolve not to prove truant to their example."

The great time is ready; years of work have been done; every consideration has been given.

I call your attention to the fact that this requires no Federal money. It is all America, above partisianship. It will be the teachable center of principles and ideals. I believe it is a heroic deed for leading citizens such as these to come forward voluntarily and invest great sums of money and work in order to prepare this.

This American age is coming alive. Over our rostrum is a motto: "E pluribus unum"—one out of many. Over the east entrance, the sculpture "Patriotism." Others over the west and south entrances tell of this Nation's march to take a bold lead in the American age, casting aside the inconsequential and holding the principles of our Nation above the fog and confusion of these times.

I ask the passage of Senate bill 2363.

Statement by Senator Neuberger

I should like to associate myself with the support voiced by my friend from Colorado [Mr. Allott] in advocating this worthwhile and impressive undertaking. I applaud the patriotic impulses of the Senator from Colorado, which have impelled him to be the principal sponsor of this great Freedom Shrine Monument.

The able Senator from Colorado and I together have the honor of representing the Senate on the National Monument Commission, where we speak respectively for our two parties. That is why we are allied as joint sponsors of the great monument to democracy and freedom, which soon will be erected in the vicinity of the national capital.

I also wish to commend Dr. Kenneth D. Wells, the Director of the Freedom Foundation at Valley Forge, who has provided the principal stimulus for this proposal. Dr. Wells is a man of profound spiritual convictions and great patriotism. He was in my office in furtherance of this project, even after he had just suffered a slight heart attack and when he should have been accepting the counsel of his physicians to rest and to withdraw from such strenuous activity.

The fact that this monument will represent the concerted generosity of schoolchildren and others across our broad land will give it additional significance and meaning. It will not be remote and impersonal. It will be alive and tangible. It will embody what the illustrious Jefferson envisioned, when he foresaw a country enshrining life, liberty, and the pursuit of happiness.

In addition, I wish to commend two members of the Senate Interior and Insular Affairs Committee who have helped to bring this national monument bill before the Senate so promptly—the chairman of the full committee, the distinguished senior Senator from Montana [Mr. Murray] and the able chairman of the Public Lands Subcommittee, the junior Senator from Wyoming [Mr. O'Mahoney] who kindly arranged for a speedy public hearing at the request of Senator Allott and myself, so that a number of constituents of the junior Senator from Virginia [Mr. Robertson] might make their views known regarding the location and prospective financing of the project.

CONVEYANCE OF PORTION OF UNITED STATES MILITARY RESERVATION AT FORT SCHUYLER, N. Y., TO STATE OF NEW YORK

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1136, House bill 4609.

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

The Chief Clerk. A bill (H. R. 4609) to further amend the act entitled "An act to authorize the conveyance of a portion of the United States military reservation at Fort Schuyler, N. Y., to the State of New York."

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

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JAVITS. Mr. President, the purpose of the bill is to authorize and direct the Secretary of the Army to relinquish restrictions on use and modify reserved rights of reentry in an undefined part of the former Fort Schuyler Military Reservation, a portion of which was conveyed to the State of New York pursuant to the act of September 5, 1950, and which is now being used for a maritime academy and for other defense uses.

The bill enables the State of New York and the city of New York to proceed with a new bridge to link the Boroughs of Queens and the Bronx, with some of the supports to be erected on a portion of the Fort Schuyler Reservation, and with the bridge proper to pass over other parts of the installation.

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

The bill (H. R. 4609) was ordered to a third reading, read the third time, and passed.

TARIFF TREATMENT OF ISTLE OR TAMPICO FIBER

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 882, House bill 7096; and I request the attention of the Senator from Ohio [Mr. Lausche] and the Senator from Texas [Mr. Yarborough].

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

The Chief Clerk. A bill (H. R. 7096) to amend paragraph 1684 of the Tariff Act of 1930 with respect to istle or Tampico fiber.

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

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with amendments, on page 1, after line 8, to insert:

Sec. 2. The amendments made by the first section of this act shall apply only in the case of articles entered for consumption, or withdrawn from warehouse for consumption, during the 3-year period beginning on the day following the date of the enactment of this act.

On page 2, after line 2, to insert:

Sec. 3. (a) Except as provided in section 4 of this act, no tariff or customs duty shall apply with respect to a beta-ray spectrometer, complete, consisting of a magnet unit, motor-generator set, and control rack, which is entered or withdrawn from warehouse for consumption by Stanford University, Stanford, Calif., for use at such university in connection with research for the Office of Naval Research and the Alfred P. Sloan Foundation, Inc., New York, N. Y.

(b) Subsection (a) shall apply whether such beta-ray spectrometer is entered, or withdrawn from warehouse, for consumption before, on, or after the date of the enactment of this act. If the liquidation of such entry or withdrawal has become final, such entry or withdrawal may be reliquidated and the appropriate refund of duty may be made.

And, after line 17, to insert:

SEC. 4. Section 3 of this act shall apply only so long as title to the beta-ray spectrometer entered or withdrawn free of duty under such section is vested in Stanford University. In the event that title to such spectrometer becomes vested in any other person after such entry or withdrawal, such spectrometer shall become subject to all duties imposed thereon by the revenue laws in force on the date on which such title becomes so vested. Such duties shall be assessed according to the appraised value on the date on which such title becomes so vested, with due allowance made for depreciation from handling and use.

The amendments were agreed to.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

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

Mr. LAUSCHE. What bill is now before the Senate?

The PRESIDING OFFICER. It is Calendar No. 882, House bill 7096.

Mr. LAUSCHE. Mr. President, that was not the bill the Senator from Texas [Mr. YARBOROUGH] and I have asked to have considered.

CLARIFICATION OF ALASKA PUBLIC WORKS ACT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the pending bill be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 1112, Senate bill 2535.

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

The CHIEF CLERK. A bill (S. 2535) to amend the Alaska Public Works Act to clarify the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works.

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

Mr. CHAVEZ. Mr. President, the Committee on Public Works reported the bill unanimously, but it appears that the House has passed a similar bill, H. R. 8646, so I ask unanimous consent that the Senate proceed to the consideration of H. R. 8646, and that Senate bill be indefinitely postponed.

The PRESIDING OFFICER. Without objection, the Committee on Interior and Insular Affairs is discharged from further consideration of House bill 8646.

Is there objection to the present consideration of House bill 8646?

There being no objection, the bill (H. R. 8646) to amend the Alaska Public Works Act—Sixty-third United States Statutes at Large, page 627; title 48, United States Code, page 486, and the following—to fy the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works, was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2535 is indefinitely postponed.

BEAR CREEK BRIDGE, MARYLAND

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1116, H. R. 6363.

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

The CHIEF CLERK. A bill (H. R. 6363) to amend the act of May 24, 1928, providing for a bridge across Bear Creek, Lovel Point, Baltimore County, Md.

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

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

Mr. CHAVEZ. Mr. President, all this bill does is to permit another bridge to be built in Baltimore County, which will be paid for by the local authorities, and will not cost the Federal Government one cent.

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

The bill was ordered to a third reading, read the third time, and passed.

APPROPRIATIONS FOR THE ATOMIC ENERGY COMMISSION FOR THE FISCAL YEAR ENDING JUNE 30, 1958

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

Mr. YARBOROUGH. I yield to the distinguished Senator from Arizona.

Mr. HAYDEN. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives as to H. R. 9379, the Atomic Energy Commission appropriation bill.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 9379) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

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

The motion was agreed to; and the Presiding Officer appointed Mr. HAYDEN, Mr. HILL, Mr. ANDERSON, and Mr. THYE conferees on the part of the Senate.

RIGHTS OF VESSELS OF THE UNITED STATES IN TERRITORIAL WATERS OF FOREIGN COUNTRIES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 861, S. 1483, and I ask the minority leader to notify the Senator from Delaware [Mr. WILLIAMS], who desires to be heard.

I call to the attention of the Senator from Ohio [Mr. LAUSCHE], and the junior Senator from Texas [Mr. YARBOROUGH] that I am moving that the Senate proceed to the consideration of Calendar No. 861, Senate bill 1483, reported by the Senator from Washington [Mr. MAGNUSON], to amend the act of August 27, 1954, relating to the rights of vessels of the United States on the high seas and in the territorial waters of foreign countries.

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

The LEGISLATIVE CLERK. A bill (S. 1483) to amend the act of August 27, 1954, relating to the rights of vessels of the United States on the high seas and in the territorial waters of foreign countries.

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

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce with amendments, which amendments were agreed to on August 9, 1957 (see CONGRESSIONAL RECORD, p. 14242).

Mr. JOHNSON of Texas. Mr. President, I wonder if the junior Senator from Texas is prepared to explain the bill at this point, or if he would prefer that the absence of a quorum be suggested.

Mr. YARBOROUGH. Whatever is agreeable to the majority leader.

Mr. JOHNSON of Texas. I yield the floor so the junior Senator from Texas may be recognized.

Mr. YARBOROUGH. Mr. President, Senate bill 1483 proposes to amend the existing law, the act of August 27, 1954. In 1954 the United States Congress enacted a law to protect the rights of vessels of the United States on the high seas and in territorial waters of foreign countries. The purpose of the law was to give protection to American fishing boats in the Gulf of Mexico and in the Pacific Ocean which were being seized by foreign countries, sometimes when they were 200 miles from any land, on the claim that the waters on which they were seized belonged to Ecuador, Mexico, or some other country.

The law enacted in 1954 provided for reimbursement of owners of such fishing boats for fines extorted from them by foreign countries. The Secretary of State always negotiated to get the fishing boats released.

The proposed amendment of that law provides protection for seamen shot on such ships and provides for payments to widows of those who are killed.

It further provides that the Secretary of State must determine that any payments made are just. The claimant has no recourse from the decision of the Secretary of State.

The bill also includes a provision, added as a result of action by the committee, that the Secretary of State shall take action to collect money from foreign countries on account of such claims so paid.

Under existing international law, owners of vessels are powerless to protect themselves. The conduct of international diplomacy is in the hands of the State Department. Fishing boats cannot mount their own cannon and engage in warfare. Since the conduct of our foreign affairs is in the State Department and since the Department wisely, I think, pursues a good-neighbor policy, the only way to protect fishermen is for the Federal Government to pay whatever the foreign governments levy against them, whether it be fines or the seizure of fishing gear, or if the lives of fishermen are taken—and then have the State Department take action against the foreign country which has wronged our shipping and fishermen to see that such country makes restitution to this country.

While these incidents have arisen in the Gulf of Mexico and in the Pacific Ocean primarily, passage of the bill would afford protection to any vessel anywhere which was flying the American flag. If Red China seized a ship off Formosa, and we refused to defend it, under this bill it would be the duty of the Government to pay the owner and to present a claim to the country seizing the ship.

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

Mr. YARBOROUGH. I yield.

Mr. LONG. Does the bill seek to take care of the problem which arose in the Gulf of Mexico a short time ago, when ships of the Mexican Government came out beyond the 3-mile limit and seized shrimp fishermen?

Mr. YARBOROUGH. The Mexican ships came out beyond the 3-mile limit or the 12-mile limit.

Mr. LONG. As a matter of fact, in that instance the fishing boats were so far out at sea that they were not even in sight of Mexican land. Is that correct?

Mr. YARBOROUGH. They were so far out in the gulf that they could not be seen from land.

This problem has arisen from time to time. We have an existing law. The bill merely extends the existing law to cover the loss of fishing gear and other matters.

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

Mr. YARBOROUGH. I yield.

Mr. MORTON. Are there safeguards in the bill so the fact as to where the vessel was must be determined?

Mr. YARBOROUGH. Yes.

Mr. MORTON. I ask the question for this reason. If the captain of a ship knows the United States Government is going to pay a fine or whatever else is involved, he is likely to follow a school of shrimp to the beach. I want to be sure it is clear that if a fisherman violates international law the Government is not obliged to bail him out.

Mr. YARBOROUGH. I think the question asked by the Senator from Kentucky is a good one. I point out this language in the bill, which appears on page 2, beginning on line 15:

> The determinations of the Secretary of State and the amounts certified by him under the provisions of this section shall be final and conclusive and not subject to review in any administrative or judicial proceeding.

So under the provisions of the bill, there would be no reimbursement for a fine if a fishing vessel ran in close to the shore of a foreign country and stole shrimp, if it was within the territorial waters of that country. The master of the vessel could not file a suit in court and depend upon the verdict of a jury. The Secretary of State is made the final arbiter. That provision was put in the bill so the Secretary could make the determination, and we know the Secretary of State is not going to claim jurisdiction over territorial waters of foreign countries.

Mr. MORTON. But the Secretary of State would determine the fact as to whether or not the ship was or was not within 3 miles of the shore?

Mr. YARBOROUGH. The Secretary of State would adjudicate that fact.

Mr. MORTON. I thank the Senator.

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

Mr. YARBOROUGH. I yield to the Senator from Ohio.

Mr. LAUSCHE. Is it not a fact that if the bill is passed, the Government of the United States becomes the absolute indemnitor of an American national operating a vessel of any type whatsoever on the high seas when such operator has suffered damage through violation of international law by a foreign government?

Mr. YARBOROUGH. The bill is intended to protect an operator of a vessel when a foreign government itself is responsible for violations. It is not intended to protect operators of vessels against pirate ships or private vessels. The bill provides that there shall be reimbursement for damage as a result of action of a foreign government. It does not protect any American shipper where private parties interfere with his rights. It is intended only to keep our international relations in the hands of the State Department, and give protection only if a foreign government, through its war vessels or official vessels, seizes an American ship.

Mr. LAUSCHE. That is, if an American vessel were seized by a foreign government, our Government, under this bill, would agree to indemnify the operator of the vessel for any losses sustained. That is what the bill provides, as I understand.

Mr. YARBOROUGH. It is substantially that. I would not say all losses. There was stricken from the bill the language appearing on page 1, lines 9 and 10, which provided "all expenses incurred by them as a direct result of." That language was stricken out, but the bill does provide for reimbursement for gear, and so forth.

Mr. LAUSCHE. That is, if the ship is seized, the loss will be indemnified?

Mr. YARBOROUGH. If the ship is seized by a foreign nation.

Mr. LAUSCHE. The Government would idemnify all loss of equipment, fish, and provisions on the ship?

Mr. YARBOROUGH. Yes.

Mr. LAUSCHE. May I put this question? If this principle were carried out further, would not the United States Government be obligated to indemnify the operators of aircraft which are shot down over China and over Russia?

Mr. YARBOROUGH. Not under this proposed law.

Mr. LAUSCHE. I mean if the principle were extended.

Mr. YARBOROUGH. It would have to be extended; not under this principle, because under this principle it would apply only where vessels are lawfully using a highway. American ships have just as much right to be in the middle of the ocean, which is a highway, as a citizen has the right to have his automobile on a highway, because oceans are highways. Flying a plane across the land of another country is not the same as being on a public highway which all nations can use, and a different principle is involved.

Mr. LAUSCHE. My difficulty with this proposition lies in an extension of the very principle which the Senator from Texas has declared. If this principle were applied to damage done to an automobile on a highway, why would not the State be required, through an extension of this principle, to indemnify every citizen who has suffered damage through a violation of a law?

Mr. YARBOROUGH. Because this bill is in the field of international relations and applies only when the act is done by a foreign government. A man might have 40 collisions on the high seas, and might lose his ship each time, and this act would have no application, since it applies only when foreign governments are involved.

I should like to say to the Senate that the testimony from the different governmental agencies showed that the total amount of claim filed from 1950 to the present time does not exceed the amount of $300,000.

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

Mr. YARBOROUGH. I yield to the distinguished Senator from Louisiana.

Mr. LONG. Is this situation not distinguishable from the situation described by the Senator from Ohio [Mr. LAUSCHE], in that it involves an area where the United States affirmatively declares that our seamen have the right of freedom of the seas to go into the area?

Mr. YARBOROUGH. The distinguished Senator from Louisiana is correct.

Mr. LONG. This involves a situation where our seamen, based upon a declaration of our Government that they have a right to go into the area, go into the area, and their ships are seized by a foreign power, in the judgment of our Government completely illegally; and the foreign power refuses to respond to its duty under international law to indemnify our seamen for damages the foreign government does. In that case our State Department and our Government can elect to indemnify our seamen, when they were in an area where the Government has told them they had a right to be.

Mr. YARBOROUGH. The distinguished Senator from Louisiana is eminently correct. It only applies to that limited area where our vessels are operating and as to which our Government has said, "You have a legal right to go there." This refers to the high seas.

Mr. LONG. With reference to the enactment of a bill of this sort, there would be a distinction between the type of situation the Senator from Ohio [Mr. LAUSCHE] described, if such happened on the highways of a State, or with reference to aircraft within the United States, where there is a right for a person to proceed against the Federal Government or against the State government if the Federal Government or the State government is at fault, or to proceed against a private citizen. The reason we need this kind of a law is that the foreign government refuses to make payment for damages for which it is liable under international law, and there is no recourse whatever available to the private citizen of this country.

Mr. YARBOROUGH. Under the amendment to the bill, adopted by the committee, with which the distinguished Senator from Ohio is familiar, this bill would make it the duty of the Secretary of State to present such claims to the foreign government, to pursue collection of whatever amount had been spent in reimbursing the seamen.

Mr. LONG. As a practical matter, with the experience we have had in the Gulf of Mexico, some of those who have owned fishing boats have not had sufficient resources, money, or ability to try to bring pressure upon the Mexican Government, and there has been no way for them to obtain recourse, when that Government has wrongfully seized their vessels. This bill would require the State Department to move in and attempt to obtain satisfaction from the foreign government, and would give the State Department the right to indemnify our seamen in the event that no recourse could be obtained from the foreign government.

Mr. YARBOROUGH. That is the exact situation. The Senator from Louisiana has stated the situation exactly.

Mr. LAUSCHE. Mr. President, I think the question which we shall have to answer, in consideration of the bill, is as follows: Shall the Government of the United States adopt a policy of becoming the guarantor to its citizens for any losses sustained by them due to a transgression by a foreign government of international law?

To answer that question I submit that inquiry first has to be made: Where, if ever, has the Government agreed to indemnify its citizens when their rights have been violated either by a fellow citizen or a national or another government? Are we to adopt the policy that we will guarantee to all vessel operators and all aircraft operators complete indemnity for all losses sustained due to a violation of international law by a foreign government? To me that policy forbodes a tremendous expense and involvement.

The State Department opposes the bill. The Bureau of the Budget opposes the bill.

In a letter addressed to the chairman of the committee, the State Department made this statement:

> The items for which the proposed measures would provide compensation out of public funds are in reality claims against foreign governments. They are but one segment of a countless variety of claims by United States citizens against foreign governments throughout the world. All such claims are based on conduct of the foreign government claimed by this Government to have been improper or illegal. It may be pointed out the cases here invoved are no different, for example, from claims arising out of the shooting down of planes in international airspace over the high seas, in which claims have not been paid out of public funds.

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

Mr. LAUSCHE. I yield to the Senator from Wisconsin.

Mr. WILEY. I have not had occasion to study the bill. I am very much interested in what the Senator says. I desire to ask a question.

Are these carriers engaged in activity for the Government or as agents of the Government, or are they engaged in their own business activities?

Mr. LAUSCHE. The bill contemplates providing full indemnity for every vessel operator under the flag of the United States when the vessel operator's rights have been violated due to a transgression of international law. These operators are not working for our Government, but instead are private operators on the high seas or in the air.

Mr. WILEY. Engaged in their own business?

Mr. LAUSCHE. Engaged in their own business.

Mr. MORSE and Mr. CLARK addressed the Chair.

Mr. LAUSCHE. I yield first to the Senator from Oregon [Mr. MORSE].

Mr. MORSE. I am very much interested in the use by the Senator from Ohio of the word "involvement." I have not had the opportunity to study this bill as carefully as I should like to, though I have been scanning it during the last 10 minutes.

There are some very unstable conditions in the world, in some of the so-called backward areas, with weak governments and corrupt governments. Am I to understand that under the bill if an American shipping company's ship, we will say, goes into a canal in State X, and the shipping company also has holdings in State X, be they rubber plantations or manufacturing plants, and a conflict develops between the shipping company and the government of State X, after which State X seizes the ship in the canal, the taxpayers of the United States will have to pay indemnity?

Mr. LAUSCHE. If it were in an international water it would be construed to be a violation of international law. If it were within the waters of the government seizing the ship, this bill would not cover it. Is that a correct understanding?

Mr. YARBOROUGH. The Senator from Ohio is correct. It would not cover any seizure within the territorial waters of a government. The Secretary of State must certify it to be an incident on the high seas, or the bill would have no application.

Mr. MORSE. Let me take the ship out of the canal.

I happen to be chairman of the subcommittee of the Committee on Foreign Relations which deals with American Republics Affairs. We have been greatly concerned in the past several years about some seizures in South American waters, where there have been disputes over fishing rights and over the boundaries of international waters, and some ships have been seized. Am I to understand that, if we consider the act of seizure violates international law, the fishing fleets will be indemnified?

Mr. LAUSCHE. Exactly. If the Secretary of State determines that the wrong was committed when the vessel was in international waters in violation of international law the people of the United States will indemnify the vessel operator for all losses sustained—for seizure of the ship, for payment of the fine, for detention of the personnel, for confiscation of the fish, and for confiscation of the provisions on the ship. The United States becomes a full indemnitor.

Mr. MORSE. That brings up for consideration again the word the Senator used, "involvement." I can see many possibilities for involvement which selfish interests could help promote, where they could say, "Well, we do not have anything to lose. We are going to be indemnified."

From what committee did the bill come?

Mr. YARBOROUGH. From the Committee on Interstate and Foreign Commerce.

Mr. MORSE. Mr. President, before this debate is over I am going to make a motion to refer the bill to the Committee on Foreign Relations, so that the committee will at least have an opportunity to study the bill, because I think it involves not only foreign commerce but a great many foreign relations problems.

As chairman of the Subcommittee on South American Affairs, I am very much concerned about this bill. We have before our subcommittee at the present time many problems. I am waiting for Mr. Rubottom, the head of the Latin American Desk at the State Department, to return from Buenos Aires, to get some briefing from him on some of the problems before our subcommittee in regard to alleged confiscations in South America.

I am not ready to vote for a bill this afternoon to make this kind of commitment, until the State Department at least has been given an opportunity to testify before the Foreign Relations Committee on the possible effects of the bill on American foreign relations.

Mr. LAUSCHE. Mr. President, no hearings were held on this bill.

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

Mr. LAUSCHE. The bill is retroactive to 1950.

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

Mr. LAUSCHE. I yield.

Mr. YARBOROUGH. I beg the Senator's pardon. Hearings were held before the Interstate and Foreign Commerce Committee. I was not the only Senator who was present when hearings were held.

This principle has been law since 1954. The bill would extend further protection. This is not a new principle in American law. This principle was established when Admiral Decatur defeated the Barbary pirates. We now use the good-neighbor policy, rather than guns. This principle has been the policy of the Government from the beginning. It has been the policy of our Government to protect American shipping on the high seas.

The Senator from Oregon says that selfish interests might be involved. Certainly there is a selfish interest when a ship operator builds a ship, registers it under our flag, and takes it across the sea. He expects to make a profit. It has been the principle of the Government from the very earliest days, from the time when the clippers went around South America to China, in the 1700's, to defend our shipping on the high seas.

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

Mr. LAUSCHE. I yield.

Mr. CLARK. Like the Senator from Oregon, I know very little about the background of the bill, but I do have the privilege of owning some property in the great State of Louisiana. I know that there is many a poor man in that State who owns a small shrimp boat. He goes out into the Gulf of Mexico, hazarding his fortune, to collect shrimp. He comes back and sells the shrimp—and they are excellent shrimp, too—to make a precarious living in a hazardous occupation.

I come from a State which is not directly involved in this situation. I know that those people, at great hazard to their lives, have been picked up on the high seas by the forces of foreign governments, and their fortunes have been destroyed by illegal and improper international action on the high seas, far beyond the territorial waters of Mexico.

I believe very firmly that the Senator from Texas is quite correct in stating the principle that these individuals should be given the support of their Government when they go out in this entirely proper and appropriate way to make a decent and honest living, and their fortunes are taken away from them by the arbitrary action of a foreign government, against which they have no redress.

Mr. LAUSCHE. Mr. President, let me say in answer to the Senator from Pennsylvania and the Senator from Texas that the policy of the State Department until 1954 was to try to negotiate with the foreign governments the payment of the claims of the American vessel operators. It was only in 1954 that the shippers persuaded the Congress to enact a bill indemnifying them for the fines paid.

The camel's nose was thrust into the tent in 1954. Now the purpose is to extend coverage for all losses sustained.

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

Mr. LAUSCHE. I yield to the Senator from Delaware.

Mr. WILLIAMS. I was interested in the statement of the Senator from Texas that hearings had been held. I wonder if the Senator from Ohio will yield to me in order that I may ask unanimous consent that a copy of the hearings be placed on the desk of each Senator, in order that he may read the testimony.

Mr. LAUSCHE. It is my understanding that no hearings were held.

Mr. WILLIAMS. The Senator from Texas, in charge of the bill, stated that hearings were held. If they were, copies of the printed record should be available. I ask unanimous consent that a copy of the hearings be placed on the desk of each Senator at this time.

The PRESIDING OFFICER. Is there objection?

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

Mr. LAUSCHE. I yield.

Mr. YARBOROUGH. The basic hearings of 1954 were on Senate bill 3594.

Mr. WILLIAMS. This is 1957. I am speaking of the hearings on the pending bill. Have hearings been held on this bill and if so are they available?

Mr. YARBOROUGH. This year there were extensive hearings in the House. Documents were submitted to the Senate Committee on Interstate and Foreign Commerce from the various departments. They are printed in the report.

Mr. WILLIAMS. I understood the Senator to say that hearings were held, and that he was present when hearings were held.

Mr. YARBOROUGH. I was present when the letters from the departments were discussed and read. I construed that to be a hearing.

Mr. WILLIAMS. Were there any public hearings?

Mr. YARBOROUGH. The documents are printed in the record.

Mr. WILLIAMS. We do not consider letters from a department as constituting a hearing. Was there any testimony from the State Department representatives before the committee, either in objection to or in support of the bill? Did others testify? If so, where is the record?

Like the Senator from Oregon, I believe that we are dealing with a major policy decision and one which I think should be considered not only by the Committee on Interstate and Foreign Commerce, but also by the Foreign Relations Committee. If there are no printed hearings available, action on this bill should be postponed.

Mr. YARBOROUGH. The House hearings this year were printed.

Mr. WILLIAMS. We are dealing with the recommendation of the Senate committee. Senate committees usually hold their own hearings. I think an excellent point has been made, that Members of the Senate are entitled to examine a copy of the hearings on legislation of this type.

Mr. YARBOROUGH. The question was discussed. Letters were received from the Department of State, the Department of Justice, the Comptroller General, the Treasury Department, and the Department of Commerce. The letters are all dated in March or April. They are printed with the report.

Mr. WILLIAMS. But the letters are against the bill.

Mr. YARBOROUGH. I do not so construe them.

Mr. WILLIAMS. What persuaded the committee to report the bill? There must have been some testimony from some one who was for it?

Mr. YARBOROUGH. I think the basic reason which persuaded the committee to report the bill was that it is a just bill.

Mr. WILLIAMS. But there must have been some testimony from someone to support it. All the letters from the Departments are against it.

Mr. YABOROUGH. There have been hearings since 1954. Additional testimony was taken in the Alaskan fisheries case in 1955. Testimony was also taken relative to tuna and shrimp fishing in the Pacific. Vessels were being seized 200 miles off the coast of Ecuador.

Mr. WILLIAMS. I call attention to the fact that although hearings were held in 1950 and 1955, the Senate took no action based upon those hearings. Evidently it was concluded that action based upon those hearings was not justified.

Yet we are asked today to make this bill retroactive to 1950.

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

The PRESIDING OFFICER. The Senator from Ohio has the floor. Does he yield?

Mr. MAGNUSON. Mr. President, will the Senator from Ohio yield to me for a moment?

Mr. LAUSCHE. I shall be glad to yield in a moment.

The report contains letters written by the Department of State to the chairman of the committee. I know that no testimony was taken from witnesses. The bill was taken up in full committee, and reported to the Senate. I dissented from the general recommendation. It is correct to say that these letters were received by the chairman of the committee.

Mr. MORSE. Mr. President, will the Senator yield to me for one question?

Mr. LAUSCHE. I yield.

Mr. MORSE. Am I to understand that the Department of State has recommended against the bill?

Mr. LAUSCHE. If the Senator will read my statement of individual views, on page 17 of the report, he will find the following:

> In commenting on the measure, which was eventually enacted as Public Law 680, the Department in a communication of July 1, 1954, to the chairman of the Committee on Interstate and Foreign Commerce of the Senate opposed the measure on the ground:
>
> (a) It was believed that the proposed legislation would be provocative;
>
> (b) That it would tend to increase controversies with foreign countries by encouraging American citizens to disregard their laws; and
>
> (c) That its enactment would not be desirable from the standpoint of the foreign relations of the United States.

Mr. MORSE. That was in 1954. Has the Department changed its views?

Mr. LAUSCHE. It has not changed its views.

The Bureau of the Budget sent a letter dated June 7, 1957, before the report was printed. The Bureau of the Budget states:

> The Department of State has now been advised that, for the reasons set out in our report and because of the potential budgetary impact which enactment of this bill (and subsequent legislation which might result from the precedent thus established) could have, the Bureau of the Budget is opposed to the enactment of H. R. 5526.

The State Department is opposed to it. The Bureau of the Budget is opposed to it.

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

Mr. LAUSCHE. I yield to the Senator from Washington.

Mr. MAGNUSON. Mr. President, I do not wish to ask the Senator from Ohio a question. I merely wish to make a very simple statement about the bill.

The State Department has always opposed the bill. When our seamen were seized—as they were—off the coast of Ecuador and in other places, the State Department had the responsibility of dealing with the Government which seized our seamen illegally.

The Senator from Ohio and I agree that that is piracy. But the State Department goes along month after month and does nothing about it.

All the bill would do would be to provide that those who are seized illegally shall have the protection of their Government. There is some question as to whether the high seas are beyond the 10-mile limit or the 200-mile limit. I could cite case after case in which seizure was made more than 200 miles off the coast of South America.

In the meantime, these seamen are seized. I know of one man who is in the hospital in Seattle. In the course of one of these seizures he was shot. That is why the bill is made retroactive in its provisions. I suppose I should introduce a private bill for that man. Perhaps I should. I do not know. At any rate, the State Department does very little about these situations. No one acts. All the bill would do would be to provide that when our people are seized illegally, or when their catch or their boats or their gear or their nets are seized illegally, they can make application to the State Department for reimbursement for their losses. The State Department would pass on the applications, and then the State Department would negotiate with the foreign government involved. That is all the bill amounts to.

Mr. WILLIAMS. Mr. President——

Mr. MAGNUSON. I should like to finish. It may be the wrong procedure to follow. However, the bill has been motivated by the fact that the State Department never does much about it. One of the prominent cases is the *Arctic Maid* case. A man seized on that boat is in the hospital, crippled for life. The State Department has been negotiating with the Government of Ecuador. I do not know how many months it has been negotiating with that government.

We held hearings in Alaska, and we held hearings in Seattle. The Senator from Kansas was present at the hearings. We looked into this whole matter. The House bill, I understand, limits the liability.

Mr. LAUSCHE. The House has a bill——

Mr. MAGNUSON. It limits liability, does it not?

Mr. LAUSCHE. It limits liability and removes the retroactive feature going back 8 years.

Mr. MAGNUSON. I may be wrong in my figure, but I believe there are only 7 or 8 cases that are retroactive, in which the State Department has done nothing.

Mr. LAUSCHE. Does the Senator from Washington not realize the danger of establishing the principle of the United States Government undertaking to guarantee it will indemnify its citizens for losses sustained either through violation of international law, treaty, or otherwise?

Mr. MAGNUSON. No. We say the State Department defines the limits of the high seas. If the State Department says these people were illegally fishing or in illegal waters, the State Department will not consider the case. If they were legally fishing and were in legal waters and were seized, they are entitled to apply to the State Department. We want to give them an opportunity to file their claims.

Mr. LAUSCHE. It provides that they shall be paid.

Mr. MAGNUSON. The Department is to negotiate with the country involved, to indemnify the United States.

Mr. WILLIAMS. Mr. President, I should like to read a paragraph from the State Department's letter.

Mr. MAGNUSON. Mr. President, do I have the floor?

The PRESIDING OFFICER (Mr. Frear in the chair). The Senator from Ohio [Mr. Lausche] has the floor.

Mr. LAUSCHE. I yield to the Senator from Delaware.

Mr. WILLIAMS. If the Senator from Washington has not completed his remarks, I shall be glad to wait.

Mr. MAGNUSON. I thank the Senator. The bill deals with people who have been illegally seized on the high seas. What it amounts to, Mr. President, is piracy. The Mexicans have been going out into the Gulf and seizing Americans. They are doing it, apparently, because we passed the tidelands oil bill, in which we said that we own the water out to 150 miles from shore. The Mexicans say, "That is not correct. We do not agree." So they seize the shrimp boats. Several such incidents have occurred. I believe they are mentioned in the committee report. All we say is that the people who are hurt should have the opportunity to apply to the State Department.

Mr. LAUSCHE. They can apply, but if the State Department finds they have been injured, in violation of international law, the United States Government must reimburse them fully for all losses sustained by them.

Mr. MAGNUSON. The bill does not so provide. The State Department passes on each case.

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

Mr. LAUSCHE. I yield.

Mr. CHAVEZ. Why must the State Department pass on the cases?

Mr. MAGNUSON. Because there is no treaty with Mexico dealing with rights in the gulf waters in connection with the fishing for shrimp.

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

Mr. LAUSCHE. I shall be happy to yield to the Senator from Delaware.

Mr. MAGNUSON. Mr. President, I wish to apologize for coming into the Senate and joining in the debate at this time. I was engaged in conference committee on another matter, and I heard that the bill was under consideration, and that is why I came to the floor. I thank the Senator from Ohio for yielding to me.

Mr. WILLIAMS. The Senator from Washington has said the purpose is to protect the American nationals. I wish to read from the State Department letter, which indicates that the bill goes further. It reads:

> The Department would call your attention to the fact that occasionally one or more foreign nationals are included in the crew of an American fishing vessel, particularly in the case of American shrimp boats operating in the Gulf of Mexico where the seizure problem has been greatest. As now written, S. 1483 makes no distinction between American and foreign crewmen. It would seem inappropriate and not in keeping with what is understood to be the basic aim of this proposed legislation to install a reimbursement plan whereunder the United States might be called upon to bear losses sustained by nationals of another country. Moreover, in its present form, S. 1483 could conceivably lead to a situation where the United States would find itself in the position of underwriting the expenses incurred by, or paying a death benefit with respect to, foreign nationals on account of acts of their own government.

I should like to know whether the committee has corrected the bill in that regard, or whether that provision is still in it?

Mr. MAGNUSON. I believe the junior Senator from Texas could answer the question.

Mr. LAUSCHE. I yield to the Senator from Texas. I believe that has not been corrected. The House has corrected it. However, I yield to the Senator from Texas for the purpose of answering that question.

Mr. YARBOROUGH. I call the attention of the distinguished Senator from Delaware to the star print of the Senate bill, at page 2, lines 5 and 6. That language limits the applicability of the bill to United States citizens. That is in the star print. It applies only to United States citizens.

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

Mr. LAUSCHE. Before I yield further, I should like to submit that if the principle is adopted we will have air carriers coming to Congress asking that they be indemnified. I further submit that there will be probably 10,000 American citizens, whose properties were seized behind the Iron Curtain, coming to Congress for relief. They will be asking the Government to indemnify them for all losses sustained through the violation of treaties, and so forth. I now yield to the Senator from New Mexico.

Mr. CHAVEZ. I thank the Senator for yielding. I may be wrong, but I believe it would be a mistake to adopt this principle. We complain about the satellites of Russia. All the bill would do would be to make economic satellites of the people who live south of the border. I feel that in my heart. I do not care who knows it. That is what the bill would do. We would not send soldiers there. We would simply make economic satellites of those people, and squeeze them. That is what we would do if we passed the bill. I thank the Senator from Ohio.

Mr. LAUSCHE. If we should pass the bill we would be saying to the State Department: "Fire it out on the high seas. Use your battleships to protect American citizens. Unless you do, we will indemnity fully the American citizens whose rights have been violated." I submit that is a dangerous principle to adopt.

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

Mr. LAUSCHE. I yield.

Mr. MORSE. I did not know that the bill would be discussed this afternoon. I am convinced, from what I have heard, that we should have the State Department representatives appear before us in a formal hearing. This is one of the most troublesome problems with which the Committee on Foreign Relations has had to deal in connection with our neighbors in South America. I believe the Committee on Foreign Relations should have an opportunity to look into the subject. I have no desire to take jurisdiction away from the committee headed by the Senator from Washington [Mr. MAGNUSON]. I believe the precedents are clear that the committee of original jurisdiction can hold jurisdiction of a bill, but that another committee with an interest in the matter can also be granted by the Senate the right to look into it from the standpoint of the jurisdiction of that committee.

I see on the floor the Senator from Iowa [Mr. HICKENLOOPER]. He sits on the subcommittee of the Committee on Foreign Relations which deals with South American affairs. I am also a member of that subcommittee. I want him to know that I have suggested that no action be taken on the bill until at least the Committee on Foreign Relations or our subcommittee has an opportunity to call in State Department officials in connection with the problem.

Before the Senator from Iowa came on the floor, I announced that I was waiting for Mr. Rubottom to return from the Buenos Aires conference. We owe it to the Senate and to the Committee on Foreign Relations to make our record before we go along either with passing or rejecting the bill.

I would rather work the matter out on the basis of a gentleman's agreement, instead of making a motion, to postpone action until the Foreign Relations Committee can make an independent investigation. I understand it would be in order to make such a motion, and I shall make it unless we can agree to lay the bill aside until the Committee on Foreign Relations can go into it.

I am not one who is particularly jealous of the jurisdiction of any committee. I insist, however, that I have an obligation to the Senate, particularly when this matter is of such grave importance, and I believe we should look into it before legislation is passed which might be upsetting under the circumstances.

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

Mr. MORSE. I do not have the floor.

Mr. LAUSCHE. Mr. President, I yield first to the Senator from Iowa; then I shall yield to the Senator from Washington.

Mr. HICKENLOOPER. Mr. President, I agree with what the Senator from Oregon has said. The bill involves a policy decision and relations between governments. It seems to me it would be essential for the Committee on Foreign Relations to look into the matter. I know nothing of the details of the bill. I have read about it in the newspapers from time to time. I am frank to say that while I cannot pass on the merits or demerits of the situation, I have been shocked that American boats should be seized on the high seas and confiscated. By the same token, I have seen nothing which has convinced me that the American Government should invite our boats to go into a position of danger and then simply indemnify them. There is a very grave question of freedom of the high seas involved. It is a Foreign Relations matter. I shall not vote for the bill this afternoon, although I may eventually vote for it. Not that the Committee on Interstate and Foreign Commerce does not have an interest in the bill, either; but I certainly think the Foreign Relations Committee should consider the bill and should hold hearings on it.

Therefore, I could not support passage of the bill this afternoon. I would be opposed to its passage, not because of the principles involved in the bill, but because of the procedural situation existing on the floor of the Senate.

Mr. MAGNUSON. Mr. President, will the Senator from Ohio yield to me?

Mr. LAUSCHE. I yield.

Mr. MAGNUSON. I thank the Senator from Ohio for yielding to me.

Mr. President, this matter involves the rights of certain American citizens on the high seas. The State Department has not done what it should in protecting their rights. If the State Department is asked to help them, but the State Department says, "No," then such persons are without means of obtaining their legal rights or making claim for damages, if they have been hurt.

I believe there are eight or nine instances of this sort, and the situation is very serious. As a matter of fact, in 1812 the United States fought a war over a similar matter.

In view of the fact that many Senators, including the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Ohio [Mr. LAUSCHE], who has been very fair about the matter, think action should not be taken on the bill at this time, I am perfectly willing to have the bill go over, in order to see what can be done about it.

Mr. LAUSCHE. I think the bill should go over.

Mr. MAGNUSON. But the situation in the case of the persons who are hurt is every serious, indeed.

As I have said, the United States fought a war over a similar matter in 1812.

All we say is that if a man is fishing on the high seas and is minding his own business—in a part of the world where the State Department says he has a right to be—if he is hurt, he certainly has the right to be indemnified by the United States, if the State Department refuses to take action to have the country which is responsible for the damage to indemnify the person who is hurt or refuse to take action to adjust the matter. For instance, in some of these cases Peru is involved.

Those who have been hurt have been doing what they are entitled to do on the high seas; but the State Department has dragged its feet in connection with having them reimbursed in any way. That is the only reason for the bill.

I agree that the bill involves many questions, some of them international questions. Perhaps the Senator from Texas [Mr. YARBOROUGH]—who has worked very hard on the bill—will tell us about the situation with which he is particularly familiar. For instance, at this very time the situation involves many of the shrimp fishermen in the Gulf of Mexico.

The bill is retroactive. It also involves some tuna fishermen from Puget Sound, who were affected several years ago, while fishing on the high seas off the coast of Ecuador.

One who reads the details of these incidents will find that his hair is almost standing on end. One case involved the confiscation of a ship while it was fishing 250 miles off the coast. The ship was confiscated and the crew of the ship was put in jail.

I understand the concern of other Senators about this matter. Perhaps the bill should be considered by the Foreign Relations Committee; I do not know.

But the Senator from Texas is only trying to protect those who go on the high seas to fish. Is that not correct?

Mr. YARBOROUGH. That is correct.

Mr. MAGNUSON. In 1812, the United States fought a war over a similar situation. We do not want to have the United States have to fight a war over this one.

Mr. YARBOROUGH. Mr. President, will the Senator from Ohio yield to me?

Mr. LAUSCHE. I yield.

Mr. YARBOROUGH. In response to the statements which have been made by the Senator from Ohio and the Senator from Washington, let me say that I have no objection to having the bill go over.

However, I should like to point out that in the case of the shrimp fishermen in the Gulf of Mexico, sometimes the entire crew of a shrimpboat is composed of a captain and the mate. They sail their boat a thousand miles into the Gulf of Mexico, to catch shrimp. The sum total of the catch of all those fishermen in 1 year is $100 million. But when a shrimpboat captain, who has a mortgage on his boat, finds that his boat is seized, he has no power to defend himself, for then his boat is gone, and all he owns is invested in the boat.

On the other hand, the collective value of the shrimp catch is $100 million a year. In addition, there is the tuna fishing on the west coast, where the fishermen operate all the way past the hump of South America.

The total claims in connection with this matter, from 1950 to date—all the claims together, as shown in the report on the bill from the Committee on Interstate and Foreign Commerce—amount to less than $300,000, for 7 years. But an important principle is involved in this case. The question is whether the United States Government will stand behind two shrimpers who operate their boat in the Gulf of Mexico, with the American flag at the masthead.

I agree that the bill may go over.

Mr. LONG. Mr. President, will the Senator from Ohio yield to me?

Mr. LAUSCHE. I yield.

Mr. LONG. I should like to make a point in connection with this matter. This is not the first time that the Government of the United States has been asked to indemnify certain of its citizens who have been involved in international matters. In previous years the Government agreed to forego as much as $500 million owed to this country, on condition that the Government of West Germany would pay with interest, the owners of certain defaulted bonds of pre-World War II German governments and corporations. When the bill in connection with that matter was before the Senate, the Senate voted for it by a majority of approximately four to one.

On various other occasions, citizens of the United States have been indemnified because of the situation existing in connection with certain international matters.

In this case, some of the foreign governments involved have been given warships by the United States, and those ships have had value running into millions of dollars. Those very nations are able to use those warships, which were given to them by the United States, to seize American fishermen and to shoot both their boats and their bodies. Then our Government negotiates with those foreign governments, but the foreign governments do not see fit to do anything about the matter.

Our own State Department makes a fight on behalf of those foreign governments, before the Finance Committee of the Senate, in an effort to have the Congress give to them a considerable part of the sugar market of the United States. The United States also gives economic aid to these countries.

I am not objecting to that. But I say that when the same governments do great injury to American citizens, the United States should at least be willing to make some measure of payment—in this case $300,000—to indemnify the small crew of a shrimpboat or the crew of a tuna-fishing boat or other American citizens who have been injured unlawfully by those countries.

Especially is this just when the countries concerned, which receive enormous assistance from the United States, and this Nation for reasons of foreign policy fails to take strong measures to protect the rights of our citizens.

These countries are the recipients of aid to the extent of hundreds of millions of dollars worth from the United States. In this case, certainly the United States should be willing to devote a few hundred thousand dollars to indemnify some of its own citizens who have been abused illegally. To add insult to injury, we find that our own State Department continues to urge the giving of aid to those countries, but the State Department is not willing to help these injured citizens of the United States.

Mr. President, I am willing to have the bill referred to the Foreign Relations Committee or to any other committee. But I stand 100 percent on the side of these abused citizens; and when our own State Department is not willing to take action to help them obtain the relief to which they are entitled, I certainly shall do everything within my power to see to it that the relief to which they are entitled is made available to them.

Mr. CHAVEZ. Mr. President, will the Senator from Ohio yield to me?

Mr. LAUSCHE. I yield.

Mr. CHAVEZ. Mr. President, it is all very nice to talk about manifest destiny and to talk about the power of might. But I want to see to it that the dignity of the smallest country in Latin America is respected.

All of us are proud to be American citizens, and we are equally interested in seeing that the dignity and respect of the little fellow is observed.

In this particular instance, the persons concerned are those who send their ships perhaps 500 miles, to fish in the waters of some other nation. I think that is extremely unfair.

We talk about how nice the United States is to the countries of Latin America. We also talk about the sorry situation of the satellites of Russia. On the other hand, there seem to be some persons who would have all the countries of the entire Western Hemisphere made satellites.

I believe in maintaining the dignity of this country, and I also believe in maintaining the dignity of all other countries. I want the United States to get along with all her neighbors, and to follow the policy of live and let live.

But this bill would not let the countries south of the border live. So I shall vote against the bill.

Mr. LAUSCHE. Mr. President——

Mr. JOHNSON of Texas. Mr. President, will the Senator from Ohio yield to me?

Mr. LAUSCHE. I yield.

PROCEDURES FOR THE PRODUCTION OF GOVERNMENT RECORDS IN CRIMINAL CASES

Mr. JOHNSON of Texas. Mr. President, in view of the situation which exists in connection with the bill which has been the subject of discussion during the last number of minutes, I believe that the Senate should now proceed to the consideration of Calendar 577, Senate bill 2377; and I so move.

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

The LEGISLATIVE CLERK. A bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses.

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

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with amendments.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments.

APPROPRIATIONS FOR ATOMIC ENERGY COMMISSION, 1958—CONFERENCE REPORT

Mr. O'MAHONEY obtained the floor.

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

Mr. O'MAHONEY. The Senator from Arizona always rises when he has a privileged matter to present. I know he wishes to submit a conference report, and I yield for that purpose.

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9379) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes. I ask unanimous consent for the present consideration of the report.

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

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

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

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

Mr. HAYDEN. Mr. President, I move the adoption of the report.

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

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9379) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H. R. 6508. An act to modify the Code of Law for the District of Columbia to provide for a uniform succession of real and personal property in case of intestacy, to abolish dower and curtesy, and to grant unto a surviving spouse a statutory share in the other's real estate owned at time of death, and for other purposes; and

H. R. 9131. An act making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes.

PROCEDURES FOR THE PRODUCTION OF GOVERNMENT RECORDS IN CRIMINAL CASES

The Senate resumed the consideration of the bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses.

Mr. O'MAHONEY. Mr. President, on the 3d of June 1957, the Supreme Court of the United States handed down a decision in the case of Clinton E. Jencks, petitioner against United States of America. This decision was writted by Mr. Justice Brennan. With him were associated Mr. Justice Black, Mr. Justice Douglas, and Chief Justice Mr. Earl Warren, constituting four members of the Court.

Mr. Justice Whittaker did not participate in the opinion or in the preparation of the decision. Mr. Justice Burton submitted a concurring opinion in which Mr. Justice Harlan joined. This opinion was distinctive, in that it pointed out some criticisms of the reasoning of the majority opinion of the four Justices to whom I have referred.

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

Mr. O'MAHONEY. Finally, Mr. Justice Frankfurter joined the concurring opinion.

I read from the opinion:

> Mr. Justice Frankfurter joins the opinion of the court, but deeming that the questions relating to the instructions to the jury should be dealt with, since a new trial has been directed, he agrees with the respects in which, and the reasons for which, Mr. Justice Burton finds them erroneous.

That was an opinion concurring with the majority.

The Senator from Pennsylvania [Mr. CLARK] I believe had desired to ask a question which was answered by my reference to the participation of Mr. Justice Frankfurter.

Mr. CLARK. I apologize to my friend, the Senator from Wyoming. I merely wished to state there were five judges who joined in the opinion of the Court.

Mr. O'MAHONEY. I thank the Senator.

Immediately after the decision was handed down, from coast to coast in this country there were misinterpretations and misconclusions as to the meaning of the decision. But there was language in the decision which caused many judges and many lawyers to believe that the decision had greatly modified the law with respect to the disclosure of Government files. Several instances of this have come to the attention of the committee, to one of which I should like to refer, because it is so recent. This was detailed in a report to the New York Herald Tribune, from Providence, R. I., dated August 19. I desire to read a few paragraphs:

> Judge Edward W. Day in United States district court, on the basis of the Supreme Court decision in the Jencks case, today invalidated five criminal convictions returned in May by juries, and dismissed the indictments on which the convictions were based.
>
> The Government announced that it will repeal the action. The Jencks decision was handed down June 3.
>
> That decision held that a criminal defendant has the right to examine Government reports relating to prosecution testimony against him and that if the Government does not produce the records for defense examination, then it must dismiss the criminal action.

In the Virginian Pilot, published in Norfolk, Va., August 13, 1957, there was an account of the action of Federal Judge Walter E. Hoffman, in a story written by Mr. Frank Blackford, as follows:

> Federal Judge Walter E. Hoffman said yesterday that he intended getting some instructions from the fourth circuit court of appeals on the application of the Supreme Court ruling in the Jencks decision of June 3.
>
> "I am not going to continue to acquit every defendant who comes into court," he told Assistant United States Attorney William F. Davis and Defense Attorney Philip L. Russo during arguments.
>
> The issue as it has been in many Federal court arguments since the June 3 decision, was just what the Supreme Court meant when it reversed lower court decisions regarding the production of records in the Clinton E. Jencks case.

Suffice it to say that the two quotations which I have given are sufficient to indicate the nature of the conflicting interpretations which have been recorded across the country. I have a file of numerous such decisions. Some of them have taken place in the same district, some in the same State, and some in the same circuit. There is a complete record of confusion as to what the meaning of the decision was.

The Committee on the Judiciary was much perturbed by these reports and misunderstandings and misinterpretations. Believing that it was essential to have prompt action, the committee authorized the Subcommittee on Improvements in the Federal Criminal Code, of which I happen to be chairman, to report a bill, which was drafted by the Department of Justice, and in which the subcommittee made some changes before the bill was reported to the Senate. This was done on the 1st of July. The subcommittee was authorized by the full committee to conduct further conferences with Members of the Senate and with the Department of Justice with respect to the exact language which ought to go into the bill.

On the 8th of July, just a week after the bill had been reported, as chairman of the subcommittee I offered a half dozen or more amendments, and had printed in the RECORD a clean copy of the text of the bill which would result from the adoption of those amendments.

Later we had another conference. Members of the committee, other Senators who were not members of the committee but who had indicated a great deal of interest in the measure, and administrative assistants of Members of the Senate who were unable to be present, were invited to attend the conference, as was true with respect to the Assistant Attorney General, Mr. William Rogers. In any event, after studious consideration of all the suggestions which were made, it was finally agreed, on the part of many of these conferees, that the best solution of the problem left to us was set forth in the proposed substitute amendment which I have had printed and which I shall in a few moments call up for consideration. This amendment is designated "8-22-57-D."

To be quite frank, I must say that before having this amendment printed I communicated with the Department of Justice by telephone, and was under the impression that the amendment was agreeable to the Department of Justice. On the following day, however, I was advised by Mr. Rogers that he was not in accord with that opinion.

Today Mr. Rogers has addressed a letter to the chairman of the Committee on the Judiciary, and, I think, to every member of the Committee on the Judiciary, in which he sets forth his disagreement with the proposed substitute amendment. I shall refer in a moment to the points of disagreement which he mentions.

I may say the amendment contains a reference to the Government agents to whom statements and oral reports by a Government witness may be made. In the text, before this amendment was drafted, the agents were defined as "Federal law officers." That was regarded as being too narrow a definition, and we changed that to "any agent of the Government." The distinguished junior Senator from New York [Mr. JAVITS] at the same time had picked out the same point to suggest an alteration, and he offered an amendment to be included in the first paragraph of the substitute amendment. It was quite acceptable to us, and so on page 2, line 1, of the substitute amendment designated "D" the amendment offered by the Senator from New York [Mr. JAVITS] will be found, referring to an agent of the Government.

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

Mr. O'MAHONEY. I yield to the Senator from New York.

Mr. JAVITS. I am very grateful to the Senator from Wyoming for his statement about this amendment. In a few minutes I hope to discuss the substitute proposal, which I favor. I think we are facing a grave constitutional question, which the substitute successfully resolves.

I thank the Senator.

Mr. O'MAHONEY. I thank the Senator from New York.

In order clearly to understand the issues before us, it might be well for us first to refer to the decision of the majority in the Jencks case, in the first analysis.

The defendant, Mr. Jencks, in April 1950, filed an affidavit of a non-Communist union officer with respect to his position in local 890 of the International Union of Mine, Mill, and Smelter Workers, and was charged with having falsified that affidavit. He was convicted in the trial court in the State of Texas, before Judge Thomason, and when the defendant filed a petition for a new trial the district court rejected the petition. The defense took the case to the court of appeals for the fifth circuit, where the conviction was affirmed.

It appears that during the trial two witnesses were sent by the Government to testify against the defendant. They were Harvey F. Matusow and J. W. Ford. In the language of the Supreme Court decision, they were Communist Party members, paid by the Federal Bureau of Investigation contemporaneously to make oral or written reports of Communist Party activities in which they participated. The Court goes on to say that they made such reports to the FBI of activities allegedly participated in by the petitioner, about which they testified at the trial. Then the Court said:

> Error is asserted in the denial by the trial judge of the petitioner's motions to direct the Government to produce these reports for inspection and use in cross-examining Matuso and Ford.
>
> Error is also alleged in the instructions given to the jury on membership affiliation and the credibility of informant.

The second error is of no importance in the consideration of the measure before us, but the first alleged error is.

It is known to all attorneys, and to all judges, I am sure, as well as to all members of the Judiciary Committees of the Senate and the House, and to the law officers of the Department of Justice, that a Supreme Court decision, or the decision of any other court, can be read and interpreted only in the light of the facts which were presented in the particular case.

So we are dealing here with the alleged error made by the trial judge and approved by the court of appeals in denying the petitioner's motions to direct the Government to produce the reports for inspection and use in cross-examining Matusow and Ford. It is essential, therefore, to remember that the only issue was with respect to the reports made orally to the agents of the Government by the Government witnesses when they were put on the stand by the Government of the United States to testify. The decision, therefore, does not go beyond the consideration of the procedure to be followed in making the reports of witnesses to a Government agent available to the defendant. But as it happens, the language in the decision is so broad that the misinterpretation to which I referred a little while ago has followed.

Let me make it clear that we are dealing here only with reports which witnesses themselves testified they made with respect to the activities which were alleged to have been participated in by the defendant.

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

Mr. O'MAHONEY. I am glad to yield to the Senator from New York.

Mr. JAVITS. I wish to point out that the bill, by virtue of the amendment which I proposed, and which the Senator states has been adopted and is contained in the bill, limits the statements and reports which are referred to in the bill to those which have been made to a Government agent. So the bill does not affect existing law and practice in criminal cases, except as respects such statements and reports.

I believe that this answers a great many of the objections which have been made from many quarters to the bill as it formerly stood, without amendment.

Mr. O'MAHONEY. I thank the Senator for his comment. I think it is in complete harmony with the point of view of myself and others who have participated in presenting the new amendment D. As a matter of fact, in our amended report, which was filed on August 15, we find this paragraph:

> In other words, it is the specific intent of the bill to provide for the production only of written statements previously made by a Government witness in the possession of the United States which are signed by him or otherwise adopted or approved by him, and any transcriptions or recordings of oral statements made by the witness to a Federal law officer—

That was written before the amendment offered by the Senator from New York was adopted—

> relating to the matter as to which the witness has testified. The committee rejects, therefore, any interpretations of the Jencks decision which would provide for the production of entire investigative files, grand jury testimony, or similar materials.

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

Mr. O'MAHONEY. I yield.

Mr. ERVIN. Does the distinguished Senator from Wyoming agree with me in the observation that perhaps much of the misconception of this decision in the country at large has been due to the fact that Mr. Justice Clark, in the dissenting opinion, stated, in substance, that the Court has opened the files to the criminal and thus afforded him a Roman holiday in rummaging through confidential information, as well as vital national secrets? I am of the opinion that much of the misconception about the decision was due to the statement in the dissenting opinion of Mr. Justice Clark.

Mr. O'MAHONEY. I am inclined to believe, with the Senator, that that was one of the factors which lead to this misconception; but I must attribute a part of it to the language of the Court itself.

Mr. ERVIN. I should like to ask the Senator if he agrees with me that when the decision is interpreted aright in its evidential aspect, it lays down the rule requiring the production of the documents by the Government to be applied only where these conditions exist:

First, a witness has taken the stand and testified in behalf of the Government in the prosecution against the defendant; and

Second, that the documents which are to be produced must be made or approved by that particular witness and be relevant to the testimony which that particular witness has given at the trial in the prosecution against the defendant.

Mr. O'MAHONEY. I should like to make it clear by this bill that the documents and the reports, transcriptions, and records which are to be made available are only those records and reports made to the Government, in the possession of the Government, which relate to the testimony given by that witness.

Mr. ERVIN. I think the Senator has done a magnificent job in effecting that object by his proposed substitute. I was very much interested in the decision. After reading and studying it, I was in favor of the objective of the decision. The decision, as I construe it, is essential to the proper administration of justice. In my judgment the Senator from Wyoming, who has done a tremendous amount of work on this subject, has brought forth a substitute which preserves, in subtance, all the rights which the decision gave to defendants in respect to the benefit of relevant documents in the Government's possession, and at the same time makes it impossible for any defendant to engage in a fishing expedition among Government files. The substitute which the Senator has brought forth, as the result of a prodigious amount of labor, makes certain that the only documents to be produced constitute statements for which a Government witness is responsible; and that the only contents of such documents which are to be made available are those contents which are relevant to the testimony which the Government witness has given on the trial in the prosecution against the particular defendant.

Mr. O'MAHONEY. The Senator is quite correct.

Let me state it this way: There are two objectives of the bill which is now before the Senate. The first is to preserve the right of the defendant to due process of law; second, to guard the files of the Government against a fishing expedition, against the examination in the hope of finding something of an impeachable nature against the revelation of matters dealing with other cases, which are not relevant to the case at issue. The bill guards against the revelation to persons who could possibly use such information.

Mr. ERVIN. I think the Senator's substitute accomplishes the two objectives in an admirable way, and it has my wholehearted support.

Mr. O'MAHONEY. I thank the Senator. I am very happy indeed to know that a Senator who has had such an excellent record as a judge joins in support of the proposal.

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

Mr. O'MAHONEY. I yield.

Mr. McNAMARA. Mr. President, I enter this argument with some fear and trembling, because great legal minds in the Senate are now discussing the bill, and I recognize that fact in getting into the argument.

However, it seems to me that many of the judges of the Federal courts of the United States, since the Supreme Court decision, have taken a very reasonable attitude in interpreting the decision. I should like to quote for my friend, the distinguished Senator from Wyoming, a decision by a Federal judge in the sixth district of Michigan, Judge Frank Picard. I am sure the Senator from Wyoming knows the judge. He is quoted as follows:

> I do not believe that the decision is as broad as some attorneys and some courts think it is. It doesn't change the law a great deal, in my opinion.
>
> And certainly doesn't give defense counsel carte blanche to examine all FBI files.

I wish to point out to the distinguished Senator from Wyoming that another judge in the same court has so ruled within the past few weeks.

That is exactly what the bill would do, is it not?

Mr. O'MAHONEY. I wish to call to the attention of the Senator the words which he has just quoted. They are the words of the judge, who said that the Jencks decision does not change the law a great deal.

Mr. McNAMARA. That is correct.

Mr. O'MAHONEY. It is not the business of the court to change the law at all.

Mr. McNAMARA. What court?

Mr. O'MAHONEY. Any court. The law is made by Congress, not by the court. The court may interpret the law. Therefore when the Michigan judge said the decision does not change the law a great deal, he was implying that it does change it to some degree. I want to clarify the decision, to make sure that there is no changing of the law.

Mr. McNAMARA. I, too, agree that I want to correct it, if it needs to be corrected.

Mr. O'MAHONEY. I am sure the Senator does.

Mr. McNAMARA. I submit to the Senator from Wyoming that the argument he made up to this point convinces me that there is much confusion.

Mr. O'MAHONEY. I am glad that I have convinced the Senator on that point.

Mr. McNAMARA. I think it is confusing to the degree, in such an important matter as this, that the bill should be recommitted to the committee and hearings should be held, so that everyone with an interest in the matter would have an opportunity to be heard. The questions involved are so far-reaching and so confusing, as the Senator has pointed out, that judges of the Federal courts are disagreeing. It is a matter on which public hearings should be held in order that we may consider a bill which has some substance to it. The decision of the Supreme Court affects the individual rights of citizens of the United States. We should not act hastily on such a matter. I am in favor of holding public hearings in order to get a good interpretation, if we are attempting to interpret the decisions of the Supreme Court. I question whether that is the role of our legislative body. What I have said is a layman's questioning of the point.

Mr. O'MAHONEY. I say to the Senator from Michigan that the lawmaking power is ours, not that of the Court.

Of course we have the constitutional right, given to us in article III of the Constitution, to authorize the Supreme Court to make rules. So there is no question about our power. The reason I would oppose any attempt to recommit the bill to committee is that, in the first place, the misinterpretation and confusion, to which the Senator has referred, are the result of depriving the FBI of sources of information. I have sat on the Committee on the Judiciary and on other committees of the Senate for a long period of time. I have observed how the files of the FBI are gathered. For example, every person who is nominated to be a judge by the President of the United States, every person who is nominated to be a United States attorney, and every person who is nominated for any important position has his record examined by FBI agents. They go to the persons in the vicinity where the nominee resides and where he is carrying on his business, to find out what his character and reputation are among the people with whom he has been associating.

They always receive information from persons in confidence. It is confidential information. I was telling a newspaper reporter only the other day that it is not unlike a situation which sometimes develops outside in the reception room when a reporter comes to a Senator to obtain some information about pending legislation. The Senator interrogated will say, "Well now, this is what happened. I will tell you off the record, but don't quote me, because I don't want my name used in this connection."

That is the sort of information that is obtained, and it is of the greatest importance. As a result of the Jencks case those sources of information are drying up. The FBI is not getting the information it should have.

In order that the Senator may understand why some of us feel it is very important to act quickly, let me say that in a narcotics case tried in Pittsburgh shortly after the Jencks decision, the defense counsel sought the production and inspection of the entire Narcotics Bureau report after the Government agent had testified. The report covered the entire investigation of the case. The judge ordered the production of the entire report. When the United States attorney declined to produce it, the court summarily dismissed the case.

In such a report there would be evidence or charges or allegations against some other persons, who would not be on trial at all; perhaps there would be allegations against some other person, such as a narcotic agent or peddler of dope, against whom a new case would have to be brought.

Mr. McNAMARA. Will the Senator yield before he goes too far afield?

Mr. O'MAHONEY. That is the sort of information which is revealed. The Government's case is exposed and the prosecution of the vile—I say that advisedly—peddlers of narcotics is brought to a halt. The Senator does not want that to happen.

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

Mr. O'MAHONEY. I yield.

Mr. McNAMARA. The Senator can be sure that I do not want that. I like the example the Senator used previously to express my point. The Senator mentioned the FBI files and the investigation made of people who are to be appointed to public office. Having once been appointed to public office, and having had a Government agency make an investigation of me, in connection with the public office to which I was appointed—and it was a Federal office, I may say—I know they made a very thorough investigation, as the Senator points out. They went up and down the street on which I was living at the time and asked the neighbors whether I was a good citizen, and whether I beat my wife, and such things as that. I got the appointment.

Mr. O'MAHONEY. Does the Senator really mean that? Is not the Senator exaggerating just a little?

Mr. McNAMARA. No; I am not exaggerating.

Mr. O'MAHONEY. Where did he get that information?

Mr. McNAMARA. From the neighbors.

Mr. O'MAHONEY. They asked the Senator's neighbors whether the Senator beat his wife?

Mr. McNAMARA. We are getting away from the point.

Mr. O'MAHONEY. The Senator brought up that point.

Mr. McNAMARA. Let us discuss the bill, if the Senator wishes to discuss it, but let us not lose sight of the statement the Senator made in connection with the procedure he is discussing. That is what my neighbors told me. I have no proof showing that the agents really asked that question. But the people who were my neighbors for 10 years on the street told me so. I have the greatest confidence in those people, and I believe what they told me. Knowing the type of investigators who have come into my office when I held public office, and who have asked me questions, I can easily believe that an investigator might have asked that question. I do not believe the Senator from Wyoming is astonished by this.

Mr. O'MAHONEY. I am astonished.

Mr. McNAMARA. Getting back to the——

Mr. O'MAHONEY. I have known FBI agents for more than 25 years, and I have every confidence in their character and integrity. There may be some who are not all they should be. Some mistakes may be made by them, but I say——

Mr. McNAMARA. We have no disagreement on that point.

Mr. O'MAHONEY. I say of FBI agents what I say of all employees of the Federal Government, that their integrity is very high.

Mr. McNAMARA. I agree.

Mr. O'MAHONEY. I am here defending them.

Mr. McNAMARA. Very well.

Mr. O'MAHONEY. The Senator may attack them if he wishes.

Mr. McNAMARA. The Senator from Wyoming brought on this discussion, not I. I have tried to avoid it.

Mr. O'MAHONEY. Did not the Senator from Michigan ask me to yield to him?

Mr. McNAMARA. Let us get to the point.

Mr. O'MAHONEY. Did not the Senator ask me to yield to him?

Mr. McNAMARA. Yes; I am asking the Senator to yield to me again.

Mr. O'MAHONEY. The Senator brought on the discussion.

Mr. McNAMARA. Very well.

Mr. O'MAHONEY. I yield to the Senator.

Mr. McNAMARA. We might also discuss which came first, the egg or the chicken. I do not propose to do that. The Senator mentioned the example of the FBI investigating someone who is to be appointed to public office. I cannot quote exactly or verbatim what the Senator said on that point, but, in effect, he said that I might give the FBI man some confidential information about a man who is to be appointed to a Federal position, and that I do not want the source revealed. That is the very weakness, it seems to me, of the Senator's argument. I do not believe anyone should be convicted on a statement so poorly supported as that. I say we should recommit the bill to committee, and have a bill reported after hearings. We should not act hastily when we are dealing with a decision of the Supreme Court.

Mr. O'MAHONEY. I cannot let the matter rest, because what the Senator says, assuming that evidence is based on criminal acts, is utterly wrong. I now yield to the Senator from North Carolina.

Mr. ERVIN. Mr. President, will the Senator from Wyoming yield?

The PRESIDING OFFICER (Mr. BIBLE in the chair). Does the Senator from Wyoming yield to the Senator from North Carolina?

Mr. O'MAHONEY. I yield.

Mr. ERVIN. A while ago I pointed out that the Senator's substitute preserves a part of the Jencks' case decision which I think is very sound, namely, that the accused is entitled to the benefit of relevant documents in the possession of the Government.

As I understand, the original decision included the drastic ruling that where the Government elects not to produce a document, in response to the order of the court, the court is to dismiss the prosecution, even though there might be be a multitude of evidence from other witnesses, and even though the evidence contained in the document referred to might be relatively trivial.

As I understand the substitute as finally drafted, in the event the Government elects not to produce the document, in obedience to the order of the court, the court has the right to deprive the Government of the benefit of the testimony of the witness, who is the author of the document, by striking out his testimony.

Mr. O'MAHONEY. The remedies are provided in subsection (c), which, as I now recall, is the draftsmanship of the Senator from Pennsylvania [Mr. CLARK]. Let me read it:

> (c) In the event that the United States elects not to comply with an order of the court under paragraph (b) hereof to deliver to the defendant any statement, transcription, or record, or such portion thereof as the court may direct, the court shall take such action, including but not limited to striking from the record the testimony of the witness, declaring a mistrial, or ordering the dismissal of the indictment, as the interests of justice require.

Mr. ERVIN. In other words, the court has alternatives.

Mr. O'MAHONEY. Yes, there will be three possible courses of action.

Mr. ERVIN. If the Government has substantial evidence, from the testimony of other witnesses, to establish the guilt of the defendant on the charge which has been made, the court can permit the Government to proceed on the basis of the testimony of the other witnesses, but the court could deprive the Government of the benefit of the testimony of the witness who is the author of the document which the Government refused to produce; is that correct?

Mr. O'MAHONEY. That is correct.

Mr. ERVIN. I think the amendment takes care of the Jencks decision in this respect. The Jencks decision went too far in allowing the Government only one course of action, namely, the dismissal of the case, if the Government did not produce the document.

Mr. O'MAHONEY. I thank the Senator from North Carolina.

Mr. THURMOND. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield to the Senator from South Carolina.

Mr. THURMOND. Mr. President, I rise to express my support of the bill, and to commend the able and distinguished Senator from Wyoming for the work he has done in connection with it.

It is my opinion that there should be no delay in the passage of the bill. The interest of the public and the interest of the Nation demand that the bill be passed at this session. I am convinced that we should not postpone action on the bill, but that the Senate should take action forthwith to pass this important bill.

I desire to read an excerpt from a clipping from the Christian Science Monitor of August 14, as follows:

> [From the Christian Science Monitor of August 14, 1957]
>
> NEW FBI FILES TEST COMING
>
> A new court test with respect to FBI files is already underway. Federal Judge Mac Swinford, of Kentucky, hearing a housing-fraud case, has ordered the FBI to produce certain documents in conformity with the Supreme Court decision in the Jencks case, which held that a defendant had a right to see relevant FBI evidence used against him in the prosecution.
>
> Acting on orders from Attorney General Brownell, a Kentucky FBI agent refused to produce the documents asked for by the defense in the case. Thereupon Judge Swinford cited the agent for contempt of court and gave him a suspended fine of $1,000 until October 18. The judge said it was a ruling that he very much hated to make.

Mr. President, unless the Senate acts on the bill at this session, it is my judgment that, in connection with the trial of other cases, it is quite possible, and indeed likely, that similar situations will occur.

Mr. O'MAHONEY. They are occurring every day, and that is one of the reasons why the bill should be passed.

Mr. President, if the bill were to be only 50-percent efficient, it would be 100-percent better than the confusion which has proceeded from the Jencks case decision. Congress will not adjourn forever, when this session comes to an end; Congress will return in January. If the protection provided by this bill, both to due process for the defendant and to preserve the proper secrecy of the Government's files, does not work satisfactorily, it can be reexamined at the next session. But certainly we cannot permit a continuation of the situation which now exists, which breaks down so sadly and so disastrously, in many cases, the ability of the Department of Justice to produce its evidence in an area of criminal action which is steadily growing greater and greater.

Mr. THURMOND. I am in hearty accord with the statement the Senator from Wyoming has made.

In the case to which I have referred, was it not a fact that the Department of Justice considered so important the protection of its files that it even permitted the agent to be fined, rather than to have the files opened up to the defendant in that case?

Mr. O'MAHONEY. That is correct.

Mr. THURMOND. Furthermore, unless that decision is corrected, is it not true that Communists will take advantage of the situation, to gain from the FBI files information which, in the hands of Communists, would be detrimental to the security of the Nation? Is it not also true that criminals will gain information which they really should not have and do not need and are not entitled to, in order to defend their cases? Is it not also true that narcotics peddlers and other violators of law in serious cases will gain an unjust advantage which will not be in the welfare of the public?

Mr. O'MAHONEY. The Senator from South Carolina is quite correct.

Mr. THURMOND. In connection with a bill of this kind, it seems to me we must consider the constitutional protections of the rights of the accused, and must balance them against the welfare and the rights of society. The decision in the Jencks case went entirely too far in one direction, and did not properly protect the rights of society.

As I understand this bill, which the distinguished Senator from Wyoming has brought forward, it will protect the rights of the individual, and at the same time will attempt to protect society. Is that correct?

Mr. O'MAHONEY. The Senator from South Carolina is quite correct—just as the Senator from North Carolina [Mr. ERVIN] was correct, also, in saying that we are trying to preserve what was sound in the Jencks case decision.

Mr. THURMOND. I wish to commend the distinguished Senator from Wyoming for sponsoring the bill and for what he has done in connection with it.

Mr. O'MAHONEY. I appreciate that very much.

Mr. THURMOND. Many Senators feel that the Senator from Wyoming is properly regarded as one of the greatest constitutional lawyers in the Nation.

Mr. O'MAHONEY. Mr. President, the Senator from South Carolina is overly generous.

Mr. COOPER. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, all of us are very grateful to the distinguished Senator from Wyoming for the work he has done in bringing into focus the decision which was rendered in the Jencks case.

It is my intention to support the amendment he offers, if I can be sure the amendment means exactly what it says. But my support will be based upon grounds different from some which have been advanced here thus far. In making that statement, let me say that I have very profound regard for the Senator from South Carolina, who has just spoken.

If I shall support his amendment it will be because I believe it is in conformity with the opinion of the Supreme Court of the United States, and because it does not in any way interfere with due process accorded a defendant.

At this time I should like to ask a few questions, if I may, for the legislative record.

Mr. O'MAHONEY. I shall be glad to have the Senator from Kentucky do so.

Mr. COOPER. First, let me say that I agree with the Senator from Wyoming that the opinion of the Supreme Court in the Jencks case has been misunderstood and misconstrued very widely, by many persons. As does the Senator from Wyoming, I believe that the Jencks case was raised upon a very limited issue. He has described the narrow issue which was before the district court. The subsequent reversal was made upon that narrow issue.

Mr. O'MAHONEY. The trial judge denied the motion of the defendants for the production of the oral statements of the witnesses, which they acknowledged on the stand. The court denied the motion, without stating a reason therefor.

Mr. COOPER. I should like to point out what I believe is one of the misunderstandings which seems to me to have been prevalent in connection with the discussion of the Jencks case. I know the Senator from Wyoming will agree—because he has studied the case more than any of the rest of us—that the issue in the case was limited to the question of the production of the records for one purpose, which was for use upon cross-examination, and to test the credibility of witnesses.

Mr. O'MAHONEY. That is correct.

Mr. COOPER. No demand was made that the Government records be produced in advance of the testimony of an adverse witness, for the purpose of enabling Jencks to help prepare his own case in chief. I think the Senator from Wyoming will agree as to that.

Mr. O'MAHONEY. Yes, I agree completely.

To amplify what the Senator from Kentucky has said, I wish to read from the opinion of the court in that case; and this bears out what the Senator from Kentucky has just said:

> The petitioner moved for an order directing an inspection of the reports of the witness Ford to the Federal Bureau of Investigation dealing with each of the meetings which he said that he attended with the defendant Jencks in the years 1948 and 1949.

It is clear from that statement of the Supreme Court that the petitioner had asked only for that particular kind of statement, and for nothing else.

(At this point Mr. O'MAHONEY yielded to Mr. JOHNSON of Texas for a statement regarding the civil-rights bill and debate ensued, all of which, on request of Mr. O'MAHONEY and by unanimous consent, was ordered to be printed in the RECORD at the conclusion of Mr. O'MAHONEY'S speech.)

Mr. COOPER. Mr. President, I should now like to return to the pending subject, which is of great importance. I should like to resume my discussion of the issues involved in the Jencks case.

I support the proposed amendment to the bill, to be offered by the Senator from Wyoming, because I believe it is in conformity with the basic holdings of the Jencks case, yet at the same time clarifies some of the misconceptions which have arisen.

Mr. O'MAHONEY. It is in conformity with the holding of the majority opinion in the Jencks case.

Mr. COOPER. Yes.

Mr. O'MAHONEY. That a defendant, in facts related to the case, when he moves to have the records of the oral statements of a Government witness made available to him, after he has testified, is acting correctly; but the decision is not correct if it assumes the revelation of these papers must be made to the defendant initially, and not to the court. The amendment makes it clear that when the Government claims the papers are not relevant or competent they must be presented to the court in chambers.

Mr. COOPER. I should like to point out again that as I understand the decision of the court and as I understand the amendment, its procedure is in conformity with the decision of the Supreme Court. The question raised was as to the right of the defendant, upon a proper showing and after laying a proper base, to secure certain prior statements of witnesses—I shall describe them a little bit later—and then only for the purpose of testing the credibility of the witnesses who had testified against him.

Mr. O'MAHONEY. The Senator is quite correct.

Mr. COOPER. I emphasize the issue because I have received a good many letters regarding the matter, which indicate a belief that the decision had a much larger scope. One was from a very well known organization which contains this language:

> There has been no attempt by the Government to comply with the reasonable implications of the Jencks decision. Under this decision the Government could, when it intends to call a witness, make any evidence that such witness has given against the defendant available to the defendant.

I think the Senator will agree with me that there was no such holding in the Jencks case.

Mr. O'MAHONEY. I think that is correct.

Mr. COOPER. In addition, to the limitation of which we have just spoken that records shall be produced only for cross-examination, there is the second limitation that records would be produced only after a witness had testified.

Mr. O'MAHONEY. That is correct.

Mr. COOPER. The third limitation I see in the bill relates to the content of the statements which must be produced. I quote from the holding by the Court:

> We now hold that the petitioner was entitled to an order directing the Government to produce for inspection all reports of Matusow and Ford in its possession, written and, when orally made, as recorded by the FBI, touching the events and activities as to which they testified at the trial.

So, as to the nature of the reports which must be produced when demanded properly and the proper base shown, it would be those reports which touch and relate to the testimony of the witnesses adverse to the defendant.

Mr. O'MAHONEY. "The events and the activities as to which the witness testified at the trial." That is precisely what the court held. It is precisely what we make clear in this bill. No other matters—matters not dealing with the testimony of the witnesses—are included.

Mr. COOPER. I should like to read for the information of Senators rule 26 of the Federal Rules of Criminal Procedure:

> In all trials the testimony of witnesses shall be taken orally in open court, unless otherwise provided by an act of Congress or by these rules. The admissibility of evidence and the competency and privileges of witnesses shall be governed, except when an act of Congress or these rules otherwise provide, by the principles of the common law as they may be interpreted by the courts of the United States in the light of reason and experience.

A few minutes ago the distinguished Senator said that the Congress must make the rules. My interpretation of rule 26 is that if the Congress has not made a rule relating to a specific issue, such as we are now discussing, then, the court, following rule 26, would make its rulings, following the principles of the common law, as the court would interpret such in the light of reason and experience.

Mr. O'MAHONEY. And the courts would make the rule.

Mr. COOPER. Yes.

Mr. O'MAHONEY. It is probably proper to invite attention to the fact that Congress authorized the court to make the rules in the first place. As rule 26 says, it is the court which is trying the case, which decides what evidence will be admissible and what evidence will not be admissible.

Mr. COOPER. I wish now to state to the Senator the problems which have troubled me about the Senator's amendment. I ask his opinion as to these problems. They are three in number.

As I interpret the opinion, when a witness has testified adversely to the defendant, and the defendant desires to test his credibility, and therefore asks for an order directing the production of statements which the witness had made to the FBI or to any other Federal agency prior to the trial, then it is the duty of the United States Government to produce those statements.

Mr. O'MAHONEY. That is my understanding.

Mr. COOPER. Within the limitations we have just discussed.

Mr. O'MAHONEY. Yes.

Mr. COOPER. Within those limitations, does the Senator's bill provide that all of the statements which have been made by the witness prior to his testimony at the trial, if they are in the custody of the Government, shall be produced? That is the first question which concerns me.

Mr. O'MAHONEY. All the statements that have anything to do with the activities concerning which the witness has testified.

Mr. COOPER. We have agreed in our discussion, and it is my belief that the court so stated—that there are limitations upon the statements which must be produced. Recognizing those limitations, does the Senator say that his amendment provides that within those limitations all the prior statements of the witness will be produced?

Mr. O'MAHONEY. I do.

Mr. COOPER. That is my understanding of scope of the Senators amendment.

The second problem which has concerned me is this: If statements are to be produced for the inspection and use of the defendant—which is the holding of the court—within the limitations which we have discussed—I say that such inspection and use must be effective. One trouble about the interpretation of the Jencks case has been that many think it applies only to FBI documents, or only to Communist cases. It applies to any document which the United States Government might hold and to any criminal case. It might be a case in which the defendant was charged with moonshining, and thus depriving the Federal Government of the tax, or a case of transporting stolen goods from one State to another, as well as a case involving the Communist conspiracy.

I repeat that one of the difficulties is that nearly everyone thinks the case deals only with Communists and the FBI files. It is a rule—a holding—which is uniform with respect to every agency of the United States Government.

As the Supreme Court has held, under the limitations we have discussed, a defendant is entitled to inspect prior statements of adverse witnesses for purposes of cross-examination—and that is all—I make the point that if the rule is to be effective, the defendant must have adequate opportunity to inspect them.

Mr. O'MAHONEY. The Senator has had printed an amendment which lies at the desk, which would authorize a court to take a recess in order to allow time for the defense to examine the papers. I am perfectly willing to accept that amendment, because I think the Senator is quite right.

Mr. COOPER. That is the reason I submitted the amendment. In one case the paper sought might be 8 or 10 lines long. On the other hand, in a case such as we have been discussing, the Jencks case, where Matusow and Ford had made statements to the FBI over a period of 2 years, there might be very lengthy and bulky records which would require a reasonable time for inspection. So I believe my amendment should be adopted and it should be made clear in the legislative history, that the court would allow a reasonable time, after a witness has testified, for inspection of the documents.

Mr. O'MAHONEY. I thank the Senator for the questions he has raised. I think they have materially helped to make the legislative history with respect to the amendment which I propose to offer as a substitute, after this discussion has proceeded a little further.

Mr. COOPER. I thank the Senator for his generosity.

I should like to ask a further question. Another problem which has troubled me is the problem of excision of the record by the court.

Mr. CLARK. Mr. President, before the Senator goes to a new point, I ask if the Senator from Wyoming will yield to me in order that I may ask a question about the matter of the recess of the court.

Mr. O'MAHONEY. Certainly.

Mr. CLARK. I hope the Senator from Kentucky will press his amendment. I had the same concern which he did regarding that part of the bill, which amendment I submitted some days ago. I wanted to change the word "after" to "before," at the beginning of paragraph (b) in order to offer the same opportunity to the defense to prepare for cross-examination which amendment of the Senator from Kentucky, in my judgment, does better than my proposed amendment, which the Senator from Wyoming was unwilling to accept.

I yielded to the views of the Senator from Wyoming. Inasmuch as the Senator from Wyoming says he will accept the amendment of the Senator from Kentucky, I hope the Senator from Kentucky will press it.

Mr. O'MAHONEY. The amendment of the Senator from Kentucky does not restore the word "before."

Mr. CLARK. That is correct, but it has the same effect.

Mr. COOPER. I will press the amendment. Mr. President, there is one further point, and that is the question of the excision of the record. The language in the bill is in accord with the decision of the court, when it speaks of relevant records being delivered to the defendant.

Mr. O'MAHONEY. Let us use the word "amendment", so that it will be clear that we are talking about the substitute amendment "D."

Mr. COOPER. The amendment of the Senator from Wyoming provides there shall be delivered to the defendant the entire statements of witnesses when they are entirely relevant to the matters about which the witness has testified, that is within the limitations we have discussed. The document shall be given to the defendant in its entirety. But in the event that the United States claims that portions of prior statements of the witness are not relevant, the court can excise those portions before delivering them to the defendant.

Mr. O'MAHONEY. That is precisely what the amendment provides.

Mr. COOPER. The thought which occurs to me is this: A defendant might say, "From my knowledge of my case, I know more about what is relevant than does the court, I should have an opportunity to look at the excised portion, so I may present and argue the question of relevancy before the court, and make my record."

Perhaps that is too nice a distinction when the Senator's amendment states, as I understand, that everything relevant, shall be delivered to the defendant, and the distinguished Senator in charge of the bill agrees with me that the judge can excise only parts of statements which are not relevant in any sense—that is they have no probative value in the trial of the issues of the case.

Mr. O'MAHONEY. I would rather state it in the positive form than in the negative. The positive statement is that a judge shall excise from the papers which are submitted those portions which are irrelevant, which are incompetent, and which are within a valid exclusionary rule, so that what is left is relevant, competent, and proper, and deals with the case.

Mr. COOPER. The portions excised would have no probative value in the trial of the issues of the case.

Mr. O'MAHONEY. That is correct.

Mr. COOPER. Let me ask one further question. As I understand the decision, the court, when it inspects the record, does not pass upon the admissibility of the evidence in the trial. He would simply turn everything that is relevant over to the defendant, and the defendant can then argue, as can the United States, its admissibility. The court will determine the question of admissibility.

Mr. O'MAHONEY. That, I think, would be the ordinary procedure.

Mr. JAVITS. Mr. President, will the Senator yield at that point? This point is vital to our discussion.

Mr. O'MAHONEY. I am glad to yield.

Mr. JAVITS. I think this is the key to why the Senator's amendment is sound. In the Jencks case we find the following, quoting from the majority opinion:

> The practice of producing Government documents to the trial judge for his determination of relevancy or materiality, without hearing the accused, is disapproved. Relevancy and materiality, for the purposes of production and inspection, with a view to

> use on cross-examination, are established when the reports are shown to relate to the testimony of the witness.

It seems to me that the precise answer to the question of the Senator from Kentucky must be this: The proposal of the Senator from Wyoming is that the judge shall determine relationship, within the words of the decision. After he has determined that the documents relate to the testimony of the witness sought to be impeached, then, and then only, does he cause the papers, or other records, to be delivered to the defendant. Then, when the defendant endeavors to use them to impeach a witness, all the objections based upon relevancy, materiality, and competency may be raised before the judge, and the judge will rule upon such objections.

I think it is important to be precise, because if the judge may, in camera, rule upon relevancy and materiality, it is my opinion that the bill proposed by the Senator from Wyoming would be unconstitutional, as denying due process. But I believe it to be constitutional, because in effect, it applies a rule of court, that the judge may determine relationship, within the terms of the decision, and that the normal due-process objections may be made when the material is offered. This is the crux of our problem. We are dealing with an important constitutional question. That is why I am in favor of the amendment of the Senator from Wyoming.

Mr. O'MAHONEY. I thank the Senator. I think the amendment deals with the exact issue we have before us.

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

Mr. O'MAHONEY. I yield.

Mr. COOPER. I have satisfied myself that, in terms of language, the bill meets the opinion of the Supreme Court. I want to be assured that it is the intention of the committee which wrote the bill, and those who are managing the bill that everything relevant, within the limitation we have previously discussed, shall be made available to the defendant; simply that the defendant shall have the right to all relevant statements.

Mr. O'MAHONEY. Again I say to the Senator from Kentucky that he is talking about amendment "D," the substitute. This is important.

I think the Senator is contributing a very valuable legislative history to govern the interpretation of this amendment when it becomes law, as I am confident it will.

Mr. COOPER. There is a final but essential requirement. There is a constitutional principle that the Executive has the right of privilege. In the Jencks case the Court has said that it must be relinquished in a limited field as the decision requires the relinquishment of the constitutional privilege of the Executive. In my view, it is because of the constitutional right of due process of the defendent. The Senator's amendment must meet this holding. It must fall within due process.

I am satisfied with the Senator's explanation that it is the amendment's purpose, and I intend to support his amendment.

Mr. O'MAHONEY. I am satisfied that if the Senator from Kentucky had been the judge in all the cases which have come to my attention since the Jencks decision was handed down, there would have been no confusion. He has explained the amendment very clearly.

Mr. JOHNSTON of South Carolina. I wish to say that the Senator from Wyoming has worked very hard on this proposal ever since the handing down of the Jencks case. I say that as a member of the Committee on the Judiciary. All of us in the Committee on the Judiciary felt that something should be done in this field, and done immediately. If something is not done, we fear a great deal of harm will result throughout the United States. At the same time that we protect the defendant we must also protect the files of the FBI.

Therefore, we must watch both sides of the street, so to speak. What we are up against, if something is not done, and if the pending bill is not enacted into law, is that Red spies, like Abel, will not be brought to trial at all, because the Department of Justice will not risk giving up its files to the Communist defendant's lawyers. If the amendment, in the nature of a substitute, which the Senator has prepared is passed, it will protect the Government's files and permit the Government to go ahead with the trial of the case. The Abel case is only one case. There are many similar cases pending. These are not only cases dealing with Communists, but all kinds of cases which may be brought into the Federal courts. We must bear that in mind.

For that reason, I am supporting the amendment of the Senator from Wyoming, because it is the only thing to do at this time. If we find it is not strong enough and does not protect the files sufficiently, when we come back in session next year we can act as we see fit, after we have tried what the Senator proposes. We will find, however, that the amendment in the nature of a substitute will take care of the situation in a suitable way.

Mr. O'MAHONEY. The Senator from South Carolina is very kind.

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

Mr. O'MAHONEY. I yield.

Mr. ERVIN. I merely wish to observe that I thought the interpretation placed on the Senator's amendment in the nature of a substitute by the distinguished Senator from Kentucky was as clear and as accurate as any interpretation could be, and I was very much gratified that the Senator from Wyoming agreed that it was a correct interpretation of the amendment in the nature of a substitute.

Mr. O'MAHONEY. I thank the Senator. It may be desirable, in the light of this discussion, to read into the RECORD the full text of the amendment as it is proposed. It reads as follows:

> That chapter 223 of title 18, United States Code, is amended by adding a new section 3500, which shall read as follows:
>
> "SEC. 3500. Demands for production of statements and reports of witnesses.
>
> "(a) In any criminal prosecution brought by the United States, no statement or report of a Government witness or prospective Government witness (other than the defendant) made to an agent of the Government which is in the possession of the United States, shall be the subject of subpena, or inspection, except, if provided in the Federal rules of criminal procedure, or as provided in paragraph (b) of this section."

That provision was drafted with the intent and purpose of protecting the statements of witnesses in the hands of the Government from subpena or inspection unless the circumstances are such that there is some provision in the Federal rules of criminal procedure which make them subject to subpena or except as is provided in paragraph (b), which I am about to read.

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

Mr. O'MAHONEY. I yield.

Mr. CLARK. Do I correctly state the intention of the amendment prepared by the distinguished Senator from Wyoming, when I say it is not intended to make any change whatever in the Federal rules of criminal procedure, but, rather, to leave those rules where we found them before the controversy arose, and to confine ourselves solely and alone to clarify the meaning of the Jencks case opinion in which those rules were not in issue?

Mr. O'MAHONEY. The amendment is designed to clarify the meaning of the decision of the Supreme Court in the Jencks case. It is not an amendment designed to amend the rules which the Supreme Court has already laid down and to which there has been no objection.

Mr. CLARK. I thank the Senator.

Mr. O'MAHONEY. Subsection (b) reads:

> (b) After a witness, called by the United States, has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce any written statements previously made by the witness in the possession of the United States which are signed by the witness or otherwise adopted or approved by him, and any transcriptions or records of oral statements made by the witness to an agent of the Government, relating to the subject matter as to which the witness has testified.

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

Mr. O'MAHONEY. First I should like to make this point. The phrase "relating to the subject matter as to which the witness has testified" defines the very nature of the statement which can be subject to production.

I now yield to the Senator from Ohio.

Mr. LAUSCHE. The language that there shall be submitted to the defendant statements signed by the witness or otherwise adopted or approved by him——

Mr. O'MAHONEY. The Senator has used the words "there shall be submitted."

Mr. LAUSCHE. I interpolated those words.

Mr. O'MAHONEY. They do not belong in the amendment.

Mr. LAUSCHE. No. My inquiry is whether the language "relating to the subject matter as to which the witness has testified" means that there would be made available to him all statements whether signed or not signed?

Mr. O'MAHONEY. The next phrase would govern the statement "not signed."

Mr. LAUSCHE. The language does not confine the right solely to those statements which are signed, but also to other statements which had been adopted or approved by him in his narration to the FBI agent. Is that correct?

Mr. O'MAHONEY. I read from page 2, at line 11 after we have referred to the statement in the possession of the Government signed by the witness or otherwise adopted or approved by him, the amendment reads:

> And any transcriptions or records of oral statements made by the witness to an agent of the Government, relating to the subject matter as to which the witness has testified.

Mr. LAUSCHE. That answers my question.

Mr. O'MAHONEY. Then I wish to refer to the next sentence. I wish to make it as lucid as possible that the records and transcriptions and statements to which we are referring are only those which relate to the subject matter as to which the witness has testified; nothing else is included.

Mr. LAUSCHE. Does not the declaration of that principle conform to the rule of evidence existing in many States, which confine the right to cross-examination strictly to those subjects upon which the witness has testified on direct examination?

Mr. O'MAHONEY. The Senator is absolutely correct. He was a teacher of law and a judge, and I am glad to put him on the stand as my witness in support of the amendment.

Mr. LAUSCHE. I thank the Senator.

Mr. O'MAHONEY. The Senator is getting a great deal of credit. I am thinking particularly of the statement of the majority leader with respect to the civil rights bill. He is entitled to it.

We now proceed to line 14 on page 2.

> If the entire contents of any such statements, transcription, or records relate to the subject matter of the testimony of the witness, the court shall order them delivered directly to the defendant for his examination and use.

The Department of Justice has agreed to the sentences which I have just read, with the exception of expressing some doubt as to the meaning of the word "records," to which I will come in a moment.

However, I wish to make it clear that there is no controversy between the committee and the chairman of the subcommittee with the Department of Justice with respect to the substance of those two sentences.

Now we are on page 2, line 18:

> In the event that the United States claims that any statement, transcription, or record ordered to be produced contains matter which does not relate to the subject matter of the testimony of the witness, the court shall order the United States to deliver such statement, transcription, or record for the inspection of the court in camera. Upon such delivery the court shall excise the portions of said statement, transcription, or record which do not relate to the subject matter of the testimony of the witness.

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

Mr. O'MAHONEY. I yield.

Mr. CLARK. Is it not the thought of the Senator from Wyoming that examination in camera will be without the presence of counsel for the defendant?

Mr. O'MAHONEY. Yes.

Mr. CLARK. Then, as the Senator continues to read the rest of that part of the bill, he will consider, I hope, how he would anticipate protecting the rights of a defendant on appeal with respect to arguing that some of the testimony is relevant, when neither he nor his counsel had an opportunity to see it.

Mr. O'MAHONEY. The section goes on:

> With such material excised, the court shall then direct delivery of such statement, transcription, or record to the defendant for his use. If, pursuant to such procedure, any portion of such statements, transcriptions, or records is withheld from the defendant, and the trial is continued to an adjudication of the guilt of the defendant, the entire text of such statements, transcriptions, and records shall be preserved by the United States and, in the event the defendant shall appeal, shall be made available to the appellate court for the purpose of determining the correctness of the ruling of the trial judge.

Therefore, the answer to the Senator's question is that the entire record—the excised portion, as well as the portion delivered to the defendant—will be preserved and will go to the appellate court.

Mr. CLARK. I agree with the Senator from Wyoming, who himself is a distinguished trial lawyer. I ask him to put himself in the position of counsel for a defendant who wishes to argue that certain testimony to which he has been refused access is relevant, and that the ruling of the trial judge was erroneous, and that—on the appeal—the appellate court should reverse the ruling of the trial judge. How can he make that argument if he does not have access to the testimony?

Mr. O'MAHONEY. I think the answer is to be found in the decision in the Jencks case. The Senator from Pennsylvania will remember that the issue there was that the motion of the defense for the production of the papers was overruled by the trial court, and that overruling was sustained by the appellate court. But the Supreme Court challenged the holding of the appellate court, which explained the matter, which holding was that a sufficient foundation must be laid, but that it was not laid in that case.

The substance of the decision was that the testimony of the witnesses Ford and Matusow, namely, that they had made reports to the FBI, was a sufficient foundation. They had so testified in the court. If they had not so testified in the court, then undoubtedly, under the court of appeals proceeding, the defense would have had to lay a foundation. And it is my judgment that in the case to which the Senator from Pennsylvania refers, the defense would have to show a foundation for that belief, because otherwise the defense could simply make an allegation.

Mr. CLARK. I thank the Senator from Wyoming for the explanation. But my problem is somewhat different, namely, how is the appellate court going to get the benefit of the arguments on both sides as to whether the testimony which the lower court had excised and had not made accessible to the defendant, should have been made accessible to the defendant, and whether the ruling of the lower court was correct.

Of course, the court will hold that the statement shall be preserved and shall go forward to the appellate court, for its consideration. But the ordinary appellate court—as I am sure the Senator from Wyoming will agree—likes to hear arguments on both sides of such a question. But if the evidence forwarded to the court is never made available to counsel for the defendant, counsel for the defendant will never be able to argue to the appellate court that the ruling of the lower court was erroneous. I think that is something we should consider.

Mr. O'MAHONEY. The issue the Senator from Pennsylvania is raising now does not relate to the procedure which should be followed in cases such as the Jencks case. The Senator from Pennsylvania is discussing the question of the propriety of the executive orders which classify documents.

Mr. CLARK. I do not think so. I say in all candor to the Senator from Wyoming that this point did not occur to me until this afternoon, or else I would have previously discussed it in detail with the Senator from Wyoming.

Mr. O'MAHONEY. Let me turn to the case of *Roviaro* v. *United States* (353 U. S. 53), and I shall quote from page 62 of the opinion of the Supreme Court. The Roviaro case is referred to in the opinion in the Jencks case, and also in the concurring opinion:

> No fixed rule with respect to disclosure is justifiable. The problem is one that calls for balancing the public interest in protecting the flow of information against the individual's right to prepare his defense. Whether a proper balance renders nondisclosure erroneous must depend on the particular circumstances of each case, taking into consideration the crime charged, the possible defenses, the possible significance of the informer's testimony, and other relevant factors.

In the decision in the Jencks case the Court said—and now I shall quote from the majority opinion:

> It is unquestionably true that the protection of vital national interests may militate against public disclosure of documents in the Government's possession. This has been recognized in decisions of this Court in civil causes where the Court has considered the statutory authority conferred upon the departments of Government to adopt regulations "not inconsistent with law, for * * * use * * * of the records, papers * * * appertaining to his department. The Attorney General has adopted regulations pursuant to this authority declaring all Justice Department records confidential, and that no disclosure, including disclosure in response to subpena, may be made without his permission.

He was authorized to do so.

Mr. CLARK. Will the Senator from Wyoming please read the next sentence?

Mr. O'MAHONEY. Yes.

I read:

> But this Court has noticed, in *United States* v. *Reynolds* (345 U. S. 1), the hold-

> ings of the Court of Appeals for the Second Circuit that, in criminal causes" * * * the Government can invoke its evidentiary privilege only at the price of letting the defendant go free. The rationale of the criminal cases is that, since the Government which prosecutes an accused also has the duty to see that justice is done, it is unconscionable to allow it to undertake prosecution and then invoke its governmental privileges to deprive the accused of anything which might be material to his defense.

Mr. CLARK. That is what concerns me.

Mr. O'MAHONEY. Yes.

Then I shall read the last portion of the quotation in the Jencks case, from Judge Learned Hand, in the case of United States against Andolschek. He said:

> The Government must choose; either it must leave the transactions in the obscurity from which a trial will draw them, or it must expose them fully.

Mr. CLARK. It is just that which concerns me.

Mr. O'MAHONEY. I read further:

> Nor does it seem to us possible to draw any line between documents whose contents bears directly upon the criminal transactions, and those which may be only indirectly relevant. Not only would such a distinction be extremely difficult to apply in practice, but the same reasons which forbid suppression in one case, forbid it in the other, though not, perhaps, quite so imperatively.

I say without any hesitation that if there is a case where the national security is involved, and where a defendant is accused of subversive activity, and where there are classified documents which are exhibited to the court, the court shall not exhibit them to any defendant who may ask for them. That is why the amendment—of which, I am glad to say, the Senator approves—provides for the submission to the trial court.

Mr. CLARK. My question goes not only to the question of privilege, but also to the question of relevancy or, as the Senator from New York has said, to the question of whether the matter relates to the trial and whether it will be exhibited not only to the court, but also for the benefit of the defendant. That matter gives me—as I have said—a great deal of concern. In view of the excerpts which have been read from the Jencks case decision, I wonder whether it also gives concern to the Senator from Wyoming.

Mr. O'MAHONEY. The answer is to apply the rule which was mentioned in one of the cases in the appellate court which handled the Jencks case, namely, that in order to obtain such material, the defense must lay a foundation.

Mr. CLARK. Mr. President, if the Senator from Wyoming will yield briefly to me——

Mr. O'MAHONEY. Here is where we have this head-on collision between what the Senator from Pennsylvania wants to be the right of a defendant in all cases to obtain classified documents and the opinion expressed approvingly in the Jencks case decision by the majority.

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

Mr. O'MAHONEY. First let me read this——

Mr. CLARK. I am not talking about classified documents. I am talking about relevancy.

Mr. O'MAHONEY. I read further:

> The necessary essentials of a foundation—

That is what the court is talking about—

> emphasized in that opinion—

The reference is to the opinion in the case of *Gordon* v. *United States* (344 U. S. 414)—

> and present here, are that "the demand was for production of * * * specific documents and did not propose any broad or blind fishing expedition among documents possessed by the Government on the chance that something impeaching might turn up. Nor was this a demand for statements taken from persons or informants not offered as witnesses.

There they have finished the quotation from the case of Gordon versus United States.

At that point the majority of the court state:

> We reaffirm and reemphasize these essentials.

Mr. HENNINGS. Mr. President——

Mr. O'MAHONEY. Mr. President, I yield to the distinguished Senator from Missouri. Let me say that I am delighted to see him here, and to see him looking so well.

Mr. HENNINGS. Mr. President, I appreciate very much the courtesy and the kind remarks of the distinguished Senator from Wyoming.

I must, in the first place, plead considerable ignorance, but, in the second place, I want to commend the distinguished Senator from Wyoming, one of the greatest lawyers in this body, for having taken steps to ameliorate something I have thought was a bit harsh in terms of a piece of legislation emanating from this body as it affects defendants. What disturbs me is this, and I ask only for information. We know that in the hands of the Government there may be an enormous body of hearsay testimony in the so-called raw files.

Mr. O'MAHONEY. The Senator is correct.

Mr. HENNINGS. The distinguished Senator from Wyoming himself has seen raw files. I, too, as a member of the Committee on the Judiciary, have seen raw files. We have taken it on ourselves as a matter of honor not to repeat the hearsay gathered from raw files about any person mentioned in them. We know, however, that everything is subject to abuse.

The question I should like to ask my distinguished friend, learned lawyer that he is, for whom I have the greatest respect and affection, having worked with him for many years upon many controversial matters, is this: To what extent, under the terms of the Senator's amendment, may the Government use, by way of innuendo, what may have been said by this, that, or the person and still recorded in the raw files? I was once a district attorney myself, and we used to pull out what we called the pink card, or police report, and we used such documents. If a character witness, for example, took the stand, we would ask the question, "Have you ever heard it said that thus-and-so did thus-and-so?" If a witness takes the stand, may I say to my distinguished friend, everything then is admissible, including hearsay.

Mr. CLARK. Mr. President, will the Senator permit an observation?

Mr. HENNINGS. I shall be very glad to yield for the observation. I may be most deficient in my understanding.

Mr. CLARK. I point out to the Senator the amendment deals only with witnesses for the Government, so character witnesses would not be involved.

Mr. HENNINGS. That is what I wanted to inquire about, and I thank the Senator for his contribution. That was the question which disturbed me, and I thank the distinguished Senator for the information.

Mr. O'MAHONEY. I am grateful to the Senator from Pennsylvania.

Mr. LAUSCHE. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. Yes, I yield to the Senator from Ohio.

Mr. LAUSCHE. I have listened to the questions put by the Senator from Pennsylvania, and he, in a substantial degree at least, suggests that there ought to be added certain language.

I read first from page 3, line 4:

> If, pursuant to such procedure, any portion of such statements, transcriptions, or records is withheld from the defendant, and the trial is continued to an adjudication of the guilt of the defendant, the entire text of such statements, transcriptions, and records shall be preserved by the United States and, in the event the defendant shall appeal, shall be made available to the appellate court for the purpose of determining the correctness of the ruling of the trial judge.

The Senator from Pennsylvania argues that the lawyer for the defendant, unless he is permitted to see those concealed records, is not in a position to present the cause of the defendant to the appellate court. In effect, he says that there should be added to that paragraph the following language:

> And made available to counsel for the accused to enable such counsel to prepare his arguments on the issue involved.

My question is, How is the counsel for the defendant enabled to prepare the argument establishing that the concealed records do contain evidence relative to the subject upon which the direct examination was conducted?

Mr. O'MAHONEY. The attorney for the defendant, and the defendant himself, must be credited with having some knowledge of the alleged crime, and must be assumed to know whether or not there is any possibility that there are hidden or secret files; but there comes a time, in the interpretation of the power of the executive to maintain the privilege of interoffice documents and matters affecting the national security, in conspiracy cases and the like, when it seems to me, it would be utterly at variance with the public interest and the national defense to run the risk of allowing such exclusionary material to be subjected to examination by a defense attorney without a foundation having been laid.

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

Mr. O'MAHONEY. I yield.

Mr. JAVITS. It troubles me, too, but I submit this assumption to the Senator from Ohio and to other Senators who have argued on the point. Suppose one is sitting as a judge, and the defendant comes into court for discovery, under rules of criminal procedure, with a list of 20 items. The Senator and I have seen a judge strike perhaps 10 of those items on the ground that they represent merely a fishing expedition, and it is so shown merely by the identification of the material. For instance, in a mail fraud case which relates to a mail fraud in stock A, the demand may be made for all correspondence on stock B, C, and D, in which case the court will say, "We are not going to let you go on a fishing expedition of the defendant's business. That item is not proper."

What the amendment of the Senator from Wyoming does is require the court to examine the raw material to determine what will represent merely a fishing expedition and does not relate to the subject, and what does. It seems to me at that point there would be some measure of justice under the constitutional provision of due process. The party would produce that which does relate to the issues, and would not have to produce that which does not relate to the issue. The argument that the defendant should have a right to argue that everything relates is answered, it seems to me, by doing the best we can in the interests of justice, under the due-process doctrine.

Mr. CLARK. I should like to point out to the Senator from New York that what is done, in effect, is to change the rule in the Jencks case. I read from page 14 of that decision:

> The Government can invoke its evidentiary privileges only at the price of letting the defendant go free. The rationale of the criminal cases is that, since the Government which prosecutes an accused also has the duty to see that justice is done, it is unconscionable to allow it to undertake prosecution and then invoke its governmental privileges to deprive the accused of anything which might be material to his defense.

That, I think, is what this part of the Senator's amendment does. We should have caught the defect long before this. I have committed myself to support the amendment of the Senator from Wyoming. I intend to keep my commitment, but I hope when the bill passes—and I hope it does—the House has the bill before it for consideration, the House will give serious thought to this provision, which does not assure due process of law.

Mr. JAVITS. I could not agree more with the desire and the hope that, in a more deliberate way, the matter will be taken care of in the other body. We are not raising the question of privilege. I agree that the matter should not be decided on the question of privilege. The Jencks case holds only that if the Government pleads privilege, it cannot proceed in that way. That is the price of pleading privilege.

I am arguing a totally different concept, a concept which entitled the judge in any case to deny to a defendant even the right to look at material which has no relationship, in the judge's view, to the case, which represents a "fishing expedition", so he strikes the item.

I point out again, only to cast all of the light we can upon the subject, and with great deference to the judgment of my colleague, the use of the juxtaposed word "relate" as distinguished from "relevant and material."

I should like to invite attention to some excerpts. The majority opinion cites with approval the decision of Judge Learned Hand in United States against Andolschek. After citing that, with approval—and that decision holds that the Government must choose either to leave the transactions in the obscurity from which a trial will draw them, or it must expose them fully—the Supreme Court then says this, which again I read only to throw light on the subject:

> We hold that the criminal action must be dismissed when the Government, on the ground of privilege, elects not to comply with an order to produce for the accused's inspection and for admission in evidence, relevant statements or reports in its possession of Government witnesses touching the subject matter of their testimony at the trial.

Again I point out the use of the words "touching the subject matter" and, in the other context I read, the use of the word "relate."

It seems to me that does entitle us in good conscience to adopt this provision, within the concept I have discussed, and I thoroughly join in the views of the Senator from Pennsylvania, in stating we hope the matter will be even more carefully examined in the other body.

I thank the Senator.

Mr. O'MAHONEY. May I add to what the Senator from New York has said, by referring to page 10 of the majority opinion in the Jencks case? This is in addition to what I have already read, a little bit earlier.

After quoting from the court of appeals, *Gordon* v. *United States* (344 U. S. 414), the Supreme Court said:

> We reaffirm and reemphasize these essentials.

Then continuing with the quotation:

> For production purposes, it need only appear that the evidence is relevant, competent, and outside of any exclusionary rule.

That is the ruling of the Supreme Court.

I think we do not wish in this amendment and in this proposed legislation to seek to overrule that decision of the Supreme Court.

Mr. JAVITS. Mr. President, before we leave this subject, I think we have perhaps yet another little item which can be of help to us. Will the Senator yield briefly?

Mr. O'MAHONEY. Certainly.

Mr. JAVITS. From Webster's International Dictionary I take the definition of the word relevant:

> Of a nature to afford evidence tending to prove or to disprove the matters in issue.

And the definition of the word "relate":

> To stand in some relation; to have relationship; to pertain.

I submit that there is a real difference, which we believe the courts could follow. I thank the Senator.

Mr. O'MAHONEY. I thank the Senator very much.

Mr. COOPER and Mr. MORSE addressed the Chair.

Mr. O'MAHONEY. I yield to the Senator from Kentucky.

Mr. COOPER. This was the issue I raised when I first had a discussion with the Senator. As I said then, the chief problem which has troubled me about the Senator's amendment is the question of excision.

I should like to quote from the holding of the Court, on page 12:

> The practice of producing Government documents to the trial judge for his determination of relevancy and materiality, without hearing the accused, is disapproved. Relevancy and materiality for the purposes of production and inspection, with a view to use on cross-examination, are established when the reports are shown to relate to the testimony of the witness.

I think the Court was rather unclear in its own holding on this subject. It seems to me there are two ways we can look at this holding. First, if the Court meant that any statement made by the witness relative to the facts about which he testified at the trial had to be produced in court and made available to the defendant, then we could wipe out the whole idea of privilege. Of course in such a case any statement in which the witness' name appeared, or in which he had said anything—even if only a small portion—would have to be turned over to the defendant for examination. I cannot believe the decision means that.

Mr. O'MAHONEY. I agree with the Senator.

Many of us, of course—and myself, at times—have felt a little bit insecure about the rule of executive privilege, but it was first announced by George Washington, the first President. It has not been challenged by legislation all through the years. This is not the time for us to seek to invade that field, as I see it now.

Mr. COOPER. As I have said, this point has troubled me. If the court excises portions of the statement, then the defendant could very well argue, "Well, if I could have seen that part of the statement I have facts with which I could have demonstrated its relevancy, and I have been denied that opportunity because the Court has excised part of the statement." That is the core of the problem.

Mr. O'MAHONEY. Does the Senator not agree that if the defendant could say, "I have facts which would show this is relevant," then he should present those facts to the court? That is what we call laying a foundation.

Mr. COOPER. I think if the amendment means as due process, it has to be made clear in the legislative history that the court has no power at all to pass upon relevancy and materiality, and that any statement which has any probative value on the facts at issue in the case has to be turned over to the defendant in order for him to determine whether he wants to argue that it should be admissible. If the court can be given power it is because there is a question of balancing two constitutional positions. One is the constitutional right of the Executive, by reason of the separation of powers, to withhold documents. The second is the constitutional right of the defendant to have due process. Someone has to pass upon, and balance those two rights. And it seems to me it can only be the court.

I do not have the case at hand, but there is a case in which this problem is discussed. I shall try to find it. I may call it to the attention of the able Senator in a few minutes.

Mr. O'MAHONEY. I shall be very happy to hear it.

Mr. President, I should like to ask unanimous consent that there be printed in the RECORD at this point a letter dated August 22, 1957, addressed to the Honorable JAMES O. EASTLAND, chairman, Committee on the Judiciary, the United States Senate, by William P. Rogers, Acting Attorney General.

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

AUGUST 22, 1957.

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary, United States Senate, Washington, D. C.

DEAR SENATOR EASTLAND: On Wednesday, August 20, Senator O'MAHONEY, chairman of the Subcommittee on Improvements in the Federal Criminal Code of the Committee on the Judiciary, and Assistant Attorney General Olney of the Criminal Division of the Department of Justice discussed over the telephone certain changes in language in S. 2377, which changes I understand originated with Senator CLARK. Having seen these proposed changes in writing and having discussed them with Senator O'MAHONEY and Mr. Olney separately, it seems quite apparent that there has not been a complete understanding of the position of the Department of Justice. The purpose of this letter is to make the position of the Department unmistakably clear.

While the Department has consistently expressed a preference for the language of S. 2377 as originally reported by the committee, the Department in a spirit of compromise would not object, as requested by Senator O'MAHONEY over the telephone today, to the bill with the amendment, in the nature of a substitute, which was read to me by the Senator over the telephone, and a copy of which is attached hereto. However, the Department prefers the bill as reported by the Judiciary Committee of the Senate in Report 981.

The changes in the language of S. 2377 proposed by Senator CLARK and which were the subject of the telephone conversation between Senator O'MAHONEY and Assistant Attorney General Olney are completely unacceptable to the Department of Justice. They are the same reasons which caused the subcommittee and the Department to reject the amendments offered by Senator CLARK on August 16, 1957.

1. The proposed change in the language of section (a) implies that prior statements of Government witnesses can be secured by the defendant in a criminal case through discovery proceedings under the present Federal rules of criminal proceedure. The implication in the suggested language would be bound to cause confusion and might result in a broad and highly undesirable extension of the right of discovery in criminal cases which is not at all intended by the subcommittee or the Congress.

2. The introduction of the word "records" into the language of section (b) might well be construed to include reports and files generally, and, if so, would authorize the very rummaging through Government investigative files that the legislation is intended to prevent. It would appear from the context and from the position being taken by Senators CLARK and MORSE that the use of the word "records" as proposed is intended to include the Government's internal working papers, including memorandums, notes, files, and even grand-jury testimony, all of which can in a sense be denominated as records. The forced delivery of such materials would inevitably reveal the details of investigative techniques employed by Federal law enforcement agencies, disclose information supplied to the Federal Government in confidence, and reveal the identity of informants and complainants.

The Department and the Federal Bureau of Investigation strongly urge that the Senate act favorably upon the bill as reported by the Senate Judiciary Committee.

Sincerely,

WILLIAM P. ROGERS,
Acting Attorney General.

Mr. O'MAHONEY. I understand a copy of this letter has also been sent to me, and is in my office. I do not have it at hand. I think probably every member of the Committee on the Judiciary has received a copy of this letter.

Since I have put the entire text of the letter into the RECORD, perhaps it will be necessary for me now to refer only to the disagreement which the Attorney General has expressed with respect to the amendment D, which I propose to offer. This appears on page 2:

> The proposed change in the language of section (a) implies that prior statements—

In order that the change to which I refer may be clear, let me say that it appears on page 2, beginning in line 3. We have inserted the new language in paragraph (a), as follows:

> If provided in the Federal Rules of Criminal Procedure.

This section was written by the Attorney General first, and it reads as follows:

> In any criminal prosecution brought by the United States, no statement or report of a Government witness or prospective Government witness (other than the defendant) made to an agent of the Government which is in the possession of the United States shall be the subject of subpena, or inspection, except as provided in paragraph (b) of this section.

The Attorney General objects to the insertion which we have made of the phrase "if provided in the Federal Rules of Criminal Procedure."

Returning to Mr. Rogers' letter, he states:

> 1. The proposed change in the language of section (a) implies that prior statements of Government witnesses can be secured by the defendant in a criminal case through discovery proceedings under the present Federal Rules of Criminal Procedure. The implication in the suggested language would be bound to cause confusion and might result in a broad and highly undesirable extension of the right of discovery in criminal cases which is not at all intended by the subcommittee or the Congress.

I point out that the argument is all based upon the assertion that this implies that prior statements of Government witnesses can be secured. I think there is no such implication in the language at all. The language merely says:

> If provided in the Federal Rules of Criminal Procedure.

We inserted that language because we felt that it was not proper action for the Senate at this time, and in this bill, to undertake to rewrite the Rules of Criminal Procedure. To make clear that this is not an implication that there are such possibilities as the Acting Attorney General fears, the word "if" was used, instead of "as." The word "as" was used in line 4 on page 2, in reference to the provisions of paragraph (b). The language is:

> Except, if provided in the Federal Rules of Criminal Procedure, or as a provided in paragraph (b) of this section.

I want the RECORD to show that in reading this language I have stressed the word "if" and the word "as," because, in inserting the word "if" instead of the word "as" with respect to the Federal Rules of Criminal Procedure the object was to say, "If it is there, we are not changing it. If it is not there, no matter." So I do not give much weight to the argument of the Acting Attorney General.

His second exception is this:

> The introduction of the word "records" into the language of section (b) might well be construed to include reports and files generally, and if so, would authorize the very rummaging through Government investigative files that the legislation is intended to prevent.

Let me emphasize here that the Acting Attorney General says "might well be construed." That is mere speculation. Then he says that if the words were so construed, they would "authorize the very rummaging through Government investigative files that the legislation is intended to prevent."

There is no basis whatsoever for this interpretation of the language which is before us, because, as I have already pointed out, we are talking about records, and a particular kind of records—the records which are mentioned in the decision itself, the records which are made by the Government agents of the oral statements of Government witnesses.

But in every instance the word "records," like the word "transcriptions" or the words "written statements signed or approved by the witnesses" are qualified by the phrase—and it appears for the first time in line 13, on page 2 of the amendment:

> Relating to the subject matter as to which the witness has testified.

This phrase makes it absolutely clear that we are dealing only with records which relate to the testimony of the witness. We are not dealing with reports and files of the Government which may contain irrelevant matters.

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

Mr. O'MAHONEY. I am glad to yield.

Mr. MORSE. I am glad the Senator has stressed the point he has just made, because I think there has been great misapprehension as to what the Senator's substitute amendment seeks to encompass. What this language of the substitute amendment really does, in my judgment, is to make perfectly clear what I think the Jencks case decision obviously intended. I think the Senator's language is encompassed, so far as the legal meaning is concerned, in the Jencks decision. But at least the Senator's language removes any doubt as to the rights of the respective parties. I am at a loss to understand why the Acting Attorney General has expressed the great concern which he has expressed over the language the Senator proposes. I want the Senator to know that I highly endorse that part of his amendment.

Mr. O'MAHONEY. I thank the Senator from Oregon. His comment reminds me of the fact that in the civil rights bill which came over from the House, and which the Senate passed, after some modification and sent back to the House, there was in part I a provision for criminal punishment of reporters who released executive hearings.

Some of the newspaper editors immediately jumped to the conclusion that the House language referred to newspaper reporters, and that this provision would be an invasion of the free press. Of course, what the drafter meant—and that was the Attorney General, of course, because the Attorney General drafted the original civil rights bill—was the stenographic reporters who were taking the records of the new Civil Rights Commission hearings.

That is the sort of misunderstanding which frequently arises when words are used. The reason we are using the word "records" is that in the draft of the amendment immediately preceding draft "D" the word was "recordings" and not "records." In the modern world of television and radio the word "recordings" has a specialized meaning, namely, tape recordings. It is well known to everyone who has any experience with making tape recordings that it is perfectly easy to excise statements from a tape recording and paste the tape together again, with the excised material abandoned, thereby creating a complete misconception of the statements made when the tape was run in the first place, for distribution to those who might read the recordings. So we felt that in the interest of accuracy we should use the well-known word "records" instead of "recordings."

With the definition, which is placed throughout the bill, that oral statements must deal with the subject matter as to which the witness has testified, I am of the opinion that the Acting Attorney General is expressing exaggerated and unnecessary fears. If this bill should be defeated now, on the eve of the adjournment of this session, and if this amendment were not adopted merely because we are in the closing days of the session, it would be impossible to obtain approval in the House. Then the Department of Justice, the FBI, and all Government agents and Government agencies would be in a far worse position than if the amendment as now presented were adopted.

It is for that reason that I am very happy to be able to say that the Senator from Pennsylvania [Mr. CLARK], the Senator from Oregon [Mr. MORSE], the Senator from Kentucky [Mr. COOPER], the Senator from New York [Mr. JAVITS], the Senator from South Carolina [Mr. JOHNSTON], and other Senators who have listened patiently to this protracted discussion, have expressed their support of the amendment which is now before us.

So, Mr. President, having covered this subject as carefully as was possible in the time at our disposal, I offer my amendment designated "8-22-57-D" as a substitute for the bill as reported by the committee.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The committee amendments have not yet been disposed of; and until disposition is made of them, the amendment of the Senator from Wyoming is not in order.

Mr. O'MAHONEY. The committee amendments are really to a former draft, which has been corrected, so these amendments are no longer committee amendments. This is the committee amendment which is being offered as a substitute for the amendments contained in the bill as reported.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The committee amendments are still pending, and therefore they must be disposed of in some manner.

Mr. O'MAHONEY. I call the attention of the Presiding Officer to Report No. 981. The amendment reads:

> To strike out all after the enacting clause and insert in lieu thereof the following.

Then there is shown the amendment for which I am now offering the substitute on behalf of the committee.

The PRESIDING OFFICER. The committee report is not effective. If the Senator so proposes, he may withdraw the committee amendments by unanimous consent or by direction of the committee.

Mr. O'MAHONEY. I believe I am doing it on behalf of the committee.

The PRESIDING OFFICER. Does the Senator from Wyoming——

Mr. O'MAHONEY. I shall be very glad to withdraw the amendments shown in Report 981.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN. Mr. President, reserving the right to object, I wish to submit a parliamentary inquiry—and I should like to have the attention of my distinguished friend from Wyoming. I assume the purpose is to ask unanimous consent to withdraw the committee amendments and then to submit substitute D, which is presently pending.

Mr. O'MAHONEY. It is the exact procedure which I discussed with the able Senator from Illinois earlier in the evening.

Mr. DIRKSEN. Certainly I shall not object, but when the substitute is before the Senate, I shall have two amendments to offer to it. I wish now to make sure that the amendments will not be in the third degree.

The PRESIDING OFFICER. The Senator is correct. Without objection, the committee amendments are withdrawn. The clerk will state the amendment offered by the Senator from Wyoming.

Mr. O'MAHONEY. It is identified as 8-22-57-D, and is offered as a substitute.

The PRESIDING OFFICER. Does the Senator from Wyoming desire the amendment to be read in full, or stated briefly?

Mr. O'MAHONEY. If the clerk will read the beginning of amendment D, that will be sufficient, because the text of the amendment has already been printed at length in the RECORD, and has been read.

The PRESIDING OFFICER. The clerk will read the beginning of the amendment.

The LEGISLATIVE CLERK. It is proposed to strike out all after the enacting clause and insert in lieu thereof the amendment identified as 8-22-57-D.

Mr. O'MAHONEY. That amendment is dated August 22, 1957. Is that correct?

The PRESIDING OFFICER. The Senator is correct. The question is on agreeing to the amendment in the nature of a substitute——

Mr. MORSE. Mr. President——

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

Mr. COOPER rose.

Mr. MORSE. Mr. President, does the Senator from Kentucky wish me to yield to him?

Mr. COOPER. I was going to offer my amendment to the substitute.

Mr. O'MAHONEY. I yield the floor at this point. I wanted to make sure that my amendment is now the pending question.

THE CIVIL RIGHTS BILL

During the course of Mr. O'MAHONEY's speech,

Mr. JOHNSON of Texas. Mr. President, will the Senator from Wyoming yield to me for a brief statement of not to exceed 4 minutes, with the understanding that he not lose the floor?

Mr. O'MAHONEY. I yield for that purpose.

The PRESIDING OFFICER. Without objection, the Senator yields with that understanding.

Mr. JOHNSON of Texas. I appreciate the courtesy of the Senator from Wyoming.

Mr. President, I have just returned from a meeting of the leaders of the House and Senate. For the information of my colleagues, I should like to report certain agreements which have been reached in the House on the civil-rights bill.

After due consideration, a compromise has been worked out. It is considered by the House leaders as a workable method of insuring action in the other body, possibly on Tuesday.

The terms of the agreement can be simply stated. The distinction between civil and criminal contempt in the Senate bill would be left intact. The judge would have the right, in criminal contempt cases, to proceed with or without a jury. But if a conviction after a trial without a jury resulted in a sentence greater than a $300 fine or 45 days' imprisonment, the accused would have the absolute right to a new trial with a jury.

Federal judges, in my opinion, will not lightly deny the right to jury trial in criminal contempt cases.

I am pleased that this bill will pass. It is a great step forward in an important and delicate field. The compromise will permit judges to try minor criminal contempts without juries, but will confer an absolute right to jury trial where the penalties imposed are more severe. This seems to be an appropriate middle ground.

Judged on its results—making possible the passage of the first civil-rights bill in 82 years—the compromise is good. Judged on its merits, I am sure it will produce many strong differences of opinion.

I preferred the Senate bill. I am sure that it was reasonable, enforcible, and constitutionally sound.

I hope the compromise will be equally sound.

It was the price of getting a bill this year. I do not think that price was too great.

Mr. President, I ask unanimous consent to insert at this point in the RECORD, as a part of my remarks, the new section, part V, as agreed upon today, and which I believe will be acted upon by the other body early next week, and which I hope may be passed by the Senate before the conclusion of next week.

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

PART V—TO PROVIDE TRIAL BY JURY FOR PROCEEDINGS TO PUNISH CRIMINAL CONTEMPTS OF COURT ARISING OUT OF CIVIL RIGHTS CASES AND TO AMEND THE JUDICIAL CODE RELATING TO FEDERAL JURY QUALIFICATIONS

SEC. 151. In all cases of criminal contempt arising under the provisions of this act, the accused, upon conviction shall be punished by fine or imprisonment or both: *Provided, however,* That in case the accused is a natural person the fine to be paid shall not exceed the sum of $1,000, nor shall imprisonment exceed the term of six months: *Provided, further,* That in any such proceeding for criminal contempt, at the discretion of the judge, the accused may be tried with or without a jury: *Provided further, however,* That in the event such proceeding for criminal contempt be tried before a judge without a jury and the sentence of the court upon conviction is a fine in excess of the $300 or imprisonment in excess of forty-five days, the accused in said proceeding, upon demand therefor, shall be entitled to a trial de novo before a jury, which shall conform as near as may be to the practice in other criminal cases.

This section shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders, or process of the court.

Nor shall anything herein or in any other provision of law be construed to deprive courts of their power, by civil contempt proceedings, without a jury, to secure compliance with or to prevent obstruction of, as distinguished from punishment for violations of, any lawful writ, process, order, rule, decree, or command of the court in accordance with the prevailing usages of law and equity, including the power of detention.

SEC. 152. Section 1861, title 28, of the United States Code is hereby amended to read as follows:

"§ 1861. Qualifications of Federal jurors

"Any citizen of the United States who has attained the age of twenty-one years and who has resided for a period of one year within the judicial district, is competent to serve as a grand or petit juror unless:

"(1) He has been convicted in a State or Federal court of record of a crime punishable by imprisonment for more than 1 year and his civil rights have not been restored by pardon or amnesty.

"(2) He is unable to read, write, speak, and understand the English language.

"(3) He is incapable, by reason of mental or physical infirmities to render efficient jury service."

POSSIBILITY OF SINE DIE ADJOURNMENT BY END OF NEXT WEEK

Mr. JOHNSON of Texas. Mr. President, it is hoped we shall be able to report the mutual security bill from the Appropriations Committee on Monday next. That bill will of necessity go to conference. I hope we may have a conference report and final action on the civil-rights bill, permitting a sine die adjournment by the end of the week.

I thank the Senator from Wyoming for yielding.

Mr. O'MAHONEY. May I say to the majority leader I learned with a great deal of interest that the leadership of the House, which I take to mean the leadership on both sides——

Mr. JOHNSON of Texas. That is correct.

Mr. O'MAHONEY. Has come to an agreement upon this matter, and that the Senator expects that the compromise will be accepted by the House not later than Tuesday.

That is another illustration of the need for prompt action on the measure now before this body. If we do not act on this measure tonight, it stands in great danger of being destroyed and of having the confusion which has followed the Jencks case and the playing of great havoc upon the prosecution of racketeers and law violators throughout the land.

Mr. JAVITS. Mr. President, will the Senator yield so that I may ask the majority leader a question on the statement he has just made?

Mr. O'MAHONEY. I yield for that purpose.

Mr. JAVITS. Will the majority leader inform us whether this compromise relates particularly to the question which has been so much debated, as to the applicability of the jury trial amendment to other statutes, and that it has now been settled, and it is now confined to the civil rights bill?

Mr. JOHNSON of Texas. Nothing has been settled, but it is the belief of the majority leader that when the House acts, the matter will be settled and will be confined to the bill. I hope that the section involving the press, on which the Senator has spoken to me privately, and has spoken publicly on the floor, will also be taken care of in the same amendment.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Wyoming yield to me, so that I may ask the majority leader a question?

Mr. O'MAHONEY. I yield for that purpose.

Mr. JOHNSTON of South Carolina. When the majority leader speaks of a compromise, who worked out the compromise? Who took part in it?

Mr. JOHNSON of Texas. The four leaders—the majority leader of the Senate, the minority leader of the Senate, the Speaker of the House, and the minority leader of the House—met today and agreed that the four of us would support the proposal which I have briefly outlined. I could enumerate all the persons who have been in on the conversations, which included many Senators on both sides of the aisle, but I have no doubt that each individual Senator will express his own viewpoint when the matter reaches here. Suffice it to say now I think the bill will be brought to the floor of the House on Tuesday, if the expectations of the leadership are carried out, and shortly thereafter we will have the matter up in the Senate.

Mr. JOHNSTON of South Carolina. So I understand the majority leader to say the compromise was finally reached between the minority leader and the majority leader of the Senate, and then the party leaders in the House; is that correct?

Mr. JOHNSON of Texas. It is my understanding all four of the individuals the majority leader has named have agreed to support the proposal.

Mr. JOHNSTON of South Carolina. That is, when they met in conference, that is what they finally reached as a compromise?

Mr. JOHNSON of Texas. We conferred with many Senators on both sides of the aisle, and I am sure the leadership in the House conferred with Members on both sides of that body, but the problem was to reach a compromise on a bill that could go to the floor of the House. We have reached an agreement. It is my understanding there is a sufficient number of Republicans and Democrats on the Rules Committee who will vote to send the bill to the floor of the House. The leadership publicly announced earlier in the day that they expected some action on the measure on Tuesday next. It is our expectation that, if the House acts on Tuesday, or Wednesday, or whatever day it may act, we will bring the matter to the Senate once it gets here.

I wanted all Members to have as much advance notice as possible. Any absent Members should be notified this matter may reach us at any time from Tuesday on, so they can expect to be here if they desire to be recorded or make statements.

I thank the Senator from Wyoming for his usual courtesy in permitting me to make the brief statement.

Mr. O'MAHONEY. The Senator from Texas understands, of course, that I hope the bill now before the Senate will be acted upon by the Congress before adjournment. I really feel that I should make a demand that that action be taken, because if it is not taken, great damage will be done.

Mr. JOHNSON of Texas. I will say to the Senator from Wyoming the expression of a wish from him is sufficient to be a demand on the Senator from Texas. When the Senator from Wyoming told me earlier in the day he was prepared to bring up this measure, within a matter of minutes the majority leader made a motion to proceed to its consideration. The majority leader is prepared to keep the Senate in session tonight until 9 or 9:30, in the hope that we can get a vote on the bill. If that is not possible, the bill will be the first order of business on Monday next. The Senator from Wyoming will have the full and complete support of the majority leader in an attempt to get this bill through the Senate and in an attempt to get it enacted into law.

Mr. O'MAHONEY. I thank the Senator.

Mr. JOHNSON of Texas. I thank the Senator from Wyoming for his many acts of helpfulness and courtesy.

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

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

Mr. O'MAHONEY. I yield.

Mr. LAUSCHE. May I ask the Senator from Texas to use his good offices, if the premises permit, to induce the conference committee to limit the trial-by-jury provision to the particular subject involved in the bill, not only because I believe it is right but also because it will, in a measure, approve the amendment which the Senator from Ohio offered 40 minutes before the bill was adopted, and which was shouted down by a voice vote.

Mr. JOHNSON of Texas. I should like to say to my friend, the Senator from Ohio, I am not so sure that there is any political mileage in this bill for either party, but there is one thing I am sure of. This is a great victory for the Senator from Ohio, because although he was not present in the conference, the principles he advocated in this body, which were shouted down, were adopted in the final analysis. I believe it is a great tribute to his persuasive powers.

When the measure comes back from the House, although there will be many things in it with which many Senators will not agree, I think most Senators will agree that the proposal advanced by the Senator from Ohio has been accepted by the Members of the House, and in all probability will be accepted by the Members of the Senate.

Mr. LAUSCHE. My esteem for the Senator from Texas has always been extremely high, but never so high as it is tonight.

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

Mr. O'MAHONEY. I yield further.

ORDER FOR CALL OF THE CALENDAR ON MONDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that on Monday, following the completion of the morning business, there be a call of the unobjected to measures on the calendar, from the beginning, which I anticipate will take only a few minutes.

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

Mr. O'MAHONEY. Mr. President, may I ask the Senator to repeat his request?

Mr. JOHNSON of Texas. I ask unanimous consent that there be a call of the calendar on Monday, following the completion of the morning business.

Mr. O'MAHONEY. Provided consideration of the bill now pending shall be completed?

Mr. JOHNSON of Texas. After the morning business I should like to have a call of the calendar. That will take only a few minutes, then we will be able to resume consideration of the Senator's bill.

Mr. O'MAHONEY. I have no objection.

The PRESIDING OFFICER. There being no objection, the request of the Senator from Texas is agreed to, and it is so ordered.

THE TENNESSEE CONTEMPT TRIAL—ADDRESS BY W. E. MICHAEL

Mr. RUSSELL. Mr. President, I ask unanimous consent to have printed in the RECORD an able address delivered by Hon. W. E. Michael, an attorney of Sweetwater, Tennessee, before the Civitan Club of Knoxville, Tenn., on August 16, 1957.

Mr. Michael is an author on legal subjects, and has recently written a book entitled The Age of Error, which clearly points up the lack of Constitutional basis of the school integration decisions recently handed down by the Supreme Court.

This able address deals with the methods employed by district courts to enforce the monstrous decision in the Brown case. It clearly depicts the perversion of our judicial processes which was sure to follow judicial law based on psychology and the findings of a Swedish socialist rather than the Constitution and established law.

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

A TRAGEDY OF ERRORS

(By W. E. Michael, attorney, Sweetwater, Tenn., author of the Age of Error (Vantage Press, Inc., New York))

In July 1957, in the United States district court at Knoxville, Tenn., a trial was held which could be accurately designated a Tragedy of Errors. Had it not been that basic principles of human freedom were at stake, this trial might well have been named after one of Shakespeare's immortal plays, A Comedy of Errors. Sixteen citizens of Anderson County were first accused of criminal contempt for violating an injunction to which they were not parties. Later they were charged with having conspired with John Kasper to violate the same injunction. All circumstances indicated clearly that they were so joined because that was the only way in which they could possibly be accused, much less convicted, of any crime.

NEW TECHNIQUES

In this trial the new technique of Government by injunction, rather than the ordinary processes of law, made its bow to American jurisprudence.

In this trial was demonstrated the method by which the Supreme Court of the United States evidently intended, through the Department of Justice, to enforce against the South the philosophy of the Supreme Court as expressed in the school-integration cases.

In this contempt trial, for the first time in the memory of any of the lawyers for the defense, newspapers were admitted as evidence of a circumstance to show proof of notice of an injunction.

In this trial, through motion pictures, magazine articles, pictures and snatches of extraneous and unrelated fragments of circumstances, the Government undertook to, and evidently did, to the satisfaction of the jury, make out a case of guilt by association. Guilt by association is repugnant to every concept of American justice. It debases and violates the very fundamental proposition of law that one charged with a crime is presumed to be innocent until proven guilty beyond a reasonable doubt by competent and credible proof.

The 16 Anderson County defendants were represented by more than 12 lawyers from 7 different States (6 from Tennessee), representing an aggregate of more than 300 years' experience, either upon the bench, or at the bar of justice. The fact that six of these defendants were convicted of a crime (conspiracy) which the defense believed had never even been committed, or if committed, certainly never proven by competent evidence, indicates the very grave dangers which we face if these new techniques of modern jurisprudence supplant the time-honored checks and balances of our historical form of government.

NO REFLECTION UPON THE JUDICIARY

I do not intend any reflection upon United States District Judge Robert L. Taylor, a personal friend of mine, an honorable man, and a conscientious judge, nor upon the able district attorney, John Crawford, and his equally able staff. I have the greatest reverence for all of our courts as institutions of government; but when any of these courts impinge upon our constitutional freedoms, it is the privilege of every citizen to disagree with such decisions, and that it is the duty of a lawyer to speak frankly, and forcefully for the purpose of correcting such errors and of preserving those principles of free government which we all cherish.

HISTORY OF CLINTON CASE

On December 5, 1950, a suit, known as the Jo Heather McSwain case, was filed on behalf of a small percentage of the Negro students in Anderson County. This suit was sponsored and prosecuted by the N. A. A. C. P. and its nonresident Negro lawyers. The purpose of this suit was to require the Anderson County School Board to admit these Negro students to the white schools in Anderson County.

When the case came to trial in the United States District Court at Knoxville, Judge Taylor denied the petition for integration. While the case was on appeal, the Supreme Court of the United States in the now famous integration case (*Brown* v. *Topeka*) handed down an opinion on May 17, 1954, holding that the 14th amendment prohibited the operations of segregated public schools by a State, even if school facilities were equal.

As a result of the Supreme Court action, the court of appeals reversed the Anderson County case, and Judge Taylor, on January 4, 1956, entered an order against the Anderson County School Board in which it is said: "It is the opinion of this court that desegregation as to high school students in that county should be effected by a definite date and that a reasonable date should be fixed as one not later than the beginning of the fall term of the present year of 1956." Let us observe in passing that this order was not limited, as we insist that it should have been, to ordering the Anderson County School Board to admit the petitioners under the opinion of the court of appeals, but it went further and ordered the desegregation of all high schools in Anderson County. In other words, all the other colored children were then to be forced to go to the white school whether they wanted to go there or not. In fairness to Judge Taylor the order which he entered appears to be exactly in keeping with what the Supreme Court had in mind in its opinion and orders in the case of *Brown* v. *Topeka*. The objection to it is that the order and the opinion of the Supreme Court were contrary to the law of the land, in violation of the Constitution of the United States and of the constitutions and statutes of the Southern States, to which alone the decision applied.

Ten of the Clinton defendants were either acquitted by the jury, or the charge as to them was dismissed, but not until these citizens, who stand not guilty of all charges, had been terrorized, humiliated and branded as hoodlums. They had been put in irons, kept in jail, paraded in front of television and newsreel cameras, torn from their homes, and their jobs and forced at great sacrifice to attend numerous hearings and to spend many days in court.

Were it possible to do so, the entire record of this contempt case should be written and should be required study in every school in the land. Under the proof introduced by the Government and upon which the conviction of the six Clinton defendants rests, any person present or any person reading, these words could have been convicted had that person simply happened to walk along a street in Clinton, sit in a parked automobile, attend a public meeting, sign a petition, appear before the school board as an interested patron, or do, while in Anderson County, any of the other lawful acts shown to have been done by any of the 16 defendants.

FACTS OF THE CASE

What were the facts in the case? Without leaving out any important matter intentionally, and certainly without misquoting or misconstruing any part of the evidence intentionally, this is in substance what happened. John Frederick Kasper came to Clinton, Tenn., about August 25, 1956, without the knowledge of any of the local defendants. He had been there only 2 or 3 days when an injunction was issued against him and others not now parties to the present contempt proceedings. Pertinent provisions of that injunction are as follows:

> "It is ordered and decreed by the court that the aforementioned persons, their agents, servants, representatives, attorneys, and all other persons who are acting, or may act in concert with them be, and they are, hereby enjoined and prohibited from further hindering, obstructing, or in anywise interfering with the carrying out of the aforesaid order of this court (the desegregation order) or from picketing Clinton High School, either by words, or acts or otherwise."

On the 4th day after his arrival, Kasper was convicted of violating the injunction, at which time he was sentenced to a year in prison.

A White Citizens Council, composed of more than 500 outstanding citizens of Anderson County, was formed for the purpose of trying to prevent mixing of the races in the local schools. Almost 500 citizens and patrons of Anderson County signed a petition to the school board to that effect, several weeks before Kasper's arrival. Local citizens of Anderson County filed at least two suits in the State courts seeking to prevent such integration and some of the defendants were parties to those suits. Others appeared before the school board and requested that the board take legal steps to avoid race mixing. All of these things happened without Kasper's knowledge or participation, according to the evidence. Therefore, he could not have been responsible for them.

The vast majority of people in Anderson County were opposed to integrating the schools and were trying in every peaceful and legitimate manner possible to prevent it. As these efforts failed to produce results, tension began to mount and feelings ran high, until about the latter part of November and the first of December 1956, they reached a crescendo. Newspaper reporters, magazine writers, radio and television cameramen and news photographers descended upon the little city of Clinton. It must be said that a few local people basked in this new sunlight of publicity. The majority of them regretted it, but there was little they could do except to protest. These people knew that something sacred had been violated, but no capable local leadership appeared to correctly inform them as to the law and to assist and advise them in their struggle to protect their fundamental freedoms.

Instead, they were faced with a condition unique in this country. An injunction had issued against certain individuals as already described. No one apparently understood it and some believed that this injunction was against everybody in the county and prohibited everybody from doing anything that would interfere with desegregation. Mr. Sidney Davis, one of the lawyers in the case originally, and one of those who helped to initiate the injunction and contempt proceedings, admitted that he so construed the injunction. Every lawyer knows that there is no authority for issuing a broadside injunction. An injunction must be specific. It must identify the person enjoined, must be served upon them by an authorized person, and must inform the persons involved exactly what they can, or must, or must not, do. None of the 16 defendants was served with the injunction, nor was there any proof that they knew or understood it.

The people were also faced in Anderson County with a rule of home guard. These were certain local persons organized into a sort of makeshift constabulary, armed with a variety of deadly weapons and permitted by the local authorities to go upon the streets breaking up any congregation of people, preventing any public speakings, and in general, suspending in Clinton, Tenn., the constitutional freedoms of speech, of assemblage, of petition, and of seeking redress for grievances. This so-called home guard actually threw tear-gas bombs into peaceful and unarmed groups where old men and women and little children were painfully injured.

WHY WAS KASPER INCLUDED?

When defenses were interposed for these 16 defendants under the attachment of December 5, 1956, it was evident that these defendants could not be prosecuted for violating an injunction to which they were not parties, unless they were either agents, employees, attorneys, or servants of, or acting in concert with, somebody who had been served with the injunction. Kasper was not even in Clinton when the event occurred on December 4, 1956, which precipitated this contempt proceeding, but he was the only one against whom the injunction was being prosecuted at that time. Furthermore, Kasper had received so much unfavorable publicity that most people were willing to convict him on general principles. The bringing of Kasper into this contempt proceeding with the 16 and charging them with having agreed with him in November, or in December, 1956, to violate the injunction, confesses a complete inability on the part of the Government to make out a case against the 16.

There was no evidence of any agreement or conspiracy between Kasper and any of the defendants. The Government did not produce a witness as to any such agreement or conspiracy, except the lawyer witness, Sidney Davis, who said that he helped to get out the petition for attachment against the 16 and while admitting that he had no evidence of a conspiracy between them and Kasper, he said, "I felt in my heart that they were working together." This is every word that the Government had upon which to predicate any proof of an actual agreement or conspiracy. In your mind, as American citizens, is that sufficient evidence upon which to convict and condemn to jail citizens who have done nothing more than to fight for their fundamental rights?

This is not a brief for or against John Kasper. Every concept of freedom requires that he be granted the constitutional guaranties of a fair and impartial trial, freedom of speech, and the presumption of innocence in any criminal case, until proven guilty by competent and credible proof beyond a reasonable doubt. On this basis, the Government's proof gives John Kasper a clean bill of health in this case. Let us look at part of the record briefly.

EVIDENCE AS TO KASPER

This is all the Government proved as to Kasper: he came to Clinton and met and talked to numerous people in their homes and in public places; he made public speeches at one of which a court reporter testified that she was present and recorded his speech, but not one word of it was introduced as evidence; he opened public meetings with prayer; he told members of the School Board of Anderson County that his purpose there was to try to get the Negroes out of the high school and to prevent the mixing of the races in public schools. This is no more than many hundreds of Anderson County parents and citizens told the school board orally and in writing. He did not say, and the Government witnesses did not testify that he said he intended to accomplish this end by any but peaceable and lawful means. The proof further showed that some high school girls approached Kasper and asked him to help them form a teen-age White Citizens Council. He responded that he was under an injunction and that he could not do so, but that he could tell them where to write for a charter. He was arrested and tried in Anderson County for inciting a riot, in which suit he was found not guilty by an Anderson County jury. There is not one word of testimony connecting Kasper with any violence, overt acts, conspiracy or agreement with anybody to violate any injunction.

If Kasper was not proven guilty of such an agreement or conspiracy, then a verdict of guilty could not stand against any of the other six who were convicted. Can anybody believe for a minute that under such proof that there would have been a conviction against any of the 16, had not Kasper been brought in as a defendant in the desperation move?

AS TO TILL

Willard H. Till was shown to have been president of the White Citizens Council. He opened meetings with prayer, and publicly stated that under no circumstances did the White Citizens Council condone violence or illegal methods, but that its purpose was to try to restore to the people of Tennessee the right to have segregated schools in accordance with the laws and the constitution of the State of Tennessee. He presented six requests to the Anderson County School Board on the subject, two of which the board adopted. He was not shown to have been involved in any violence. Neither had he lifted his voice against any person. He was in the courthouse in Anderson County, Tenn., when Kasper was acquitted of inciting a riot. The motion pictures introduced by the Government showed Till walking down the corridor of the courthouse and stopping behind a group which was evidently where some of the witnesses were congregated, at which place he stopped and lightly placed his hand upon the back of a person unknown, but who was not Kasper. Apparently the only basis for convicting Till was the argument that "he didn't have to put his arm around John Kasper." As an American citizen, are you satisfied with another American citizen being convicted and facing a possible jail sentence or fine, or both, for the activities of the man Till, which I have just described? Would it add anything to the evidence against Till if it were shown that he did meet and talk with Kasper on 2 or 3 occasions and that on some other occasions they were in the same public meeting? This is "guilt by association."

AS TO BRANTLEY

Lawrence Brantley was also convicted. The only proof concerning him was that his automobile was parked on a public street near the Clinton School on several occasions and that on December 4, 1956, he was seen standing in a large crowd some distance away from the school house and in front of the school recreation building. At some undisclosed time, Kasper had been seen on several occasions going to and from the home of Brantley. There was no proof that he had ever uttered a word, made any agreement, or performed any act even remotely connected with desegregation at the Clinton schools. Are you satisfied as American citizens that under the true facts which I have just given to you, Lawrence Brantley should be convicted of conspiracy, or criminal contempt and forced to either pay a fine, undergo a jail sentence, or both?

WHY THE CONTEMPT CASE?

The incident which occurred on December 4, 1956, when Kasper was not in town and which apparently occurred on the spur of the moment, and therefore could not have been the result of a conspiracy with Kasper, was a fist fight occuring between one of the defendants, Clyde Cook, and a certain preacher of Clinton, Tenn. Two suits are still pending in the courts of Anderson County against Clyde Cook on account of this fight and that is where the jurisdiction lies and where the question should be decided under our system of government. It had no place in this proceedings. Since a preacher was involved, it could be used, and was used, in the press and by radio and television to inflame the public—used by these forces who are fomenting all of this trouble and who are distorting the true facts to make it falsely appear to the Nation that only hoodlums oppose the integration of public schools in the South. This preacher announced from his pulpit that he was going to escort the Negro children to the Clinton high school. He went to the chief of police who took a dim view of the preacher's announced project. The preacher then went to the superintendent of schools who told him that the school board had complied with the Court's order by opening the high school to the Negro students. The preacher pointed to some automobiles parked along the street and said that the Negroes were afraid to go to school because of those automobiles. He was informed by the superintendent that such was simply a pretext; that the Negroes did not want to go to the white high school and he was not going to be a party to forcing them to go.

By some miraculous means, the Columbia Broadcasting System, Life Magazine and representatives of the press, radio and television, by the score, were on hand the next morning when this preacher started out to do what he called his Christian duty. It is too bad that he could not obey the other admonition not to "parade his good deeds before men." Thus esconced in the sunlight of national publicity, the preacher and others proceeded without obstruction, hindrance or interference to deliver several Negro children to the white high school. There was some heckling the preacher said, but nothing else. The Negroes were taken inside the school and the preacher thereupon returned to the place where several people stood who had tried to remonstrate with him; apparently to rub it in a little. In the course of rubbing it in, he became engaged in a fist fight with Clyde Cook. Apparently the preacher got the best of the fight. He is the one who should have been arrested and charged with creating the difficulties out there. Certainly Kasper was not there, and unless Kasper was one of the parties and unless that fight was a result of a conspiracy between Kasper and some of the defendants to violate the injunction, there could be no conviction in this case. The legal presumption of innocence should have resulted in the dismissal of the charges as to all defendants.

WHY?

You may well ask, "Why did the jury compound the error which began in the Supreme Court and worked its way down to a local situation in Clinton, Tenn.?" Time will not permit a discussion of a multitude of details. Rather we should consider the one overpowering misconception which pervades the subject of school segregation. This great misconception is that there is a law requiring the integration of schools in the Southern States. There is no such law. There is a $10,000 cash reward for any person who can point to a single existing constitutional provision or any statute duly enacted either by the Congress of the United States, or by any of the Southern States requiring or authorizing the integration of the Negro and white children in the public schools of these States.

We are not talking about integration in Illinois. If the people of Chicago and of Illinois want to integrate their schools, that is their business and they have a constitutional right to do so. If we don't want to integrate ours, we have a constitutional right not to do so. Nevertheless, because the Supreme Court of the United States rejected all the known law on that subject and proceeded to order integration in certain of the school cases then before it, the false impression has grown up that desegregation is the law of the land. The Constitution of the United States defines the supreme law of the land to be the Constitution and the treaties made under its authority. The decision of the Supreme Court in the integration cases is the law of the case in each individual instance and is binding upon the lower Federal courts, upon the officers of that court and upon the parties to those lawsuits and those who are working by or through them. It is not yet the law of the land. It will never become the law of the land unless it is legitimized by constitutional amendment and unless it stands the test of time.

This whole case, therefore, was predicated upon the misconception that when anyone did anything to interfere with, obstruct, hinder or oppose the integration of the white and Negro students in the public schools of Tennessee, that that person was a criminal and was in violation of the law.

LAW OF THE LAND OR LAW OF THE CASE

Almost every medium of public information in this country has undertaken to confuse the issue and compound the error by making it appear that there is a valid law or constitutional provision requiring the Southern States to desegregate their schools. It is hard for laymen to distinguish between the law of the land and the law of the case. But when precious liberties are involved, it is necessary to make that additional mental effort and to draw a clear line of demarcation between that which is law and that which is not the law. Every court order is not a law. A valid court order must be obeyed by all properly included within the order, and the question of whether it is a valid order is always subject to review.

Under our Government of checks and balances, the people enact constitutional provisions, or changes. They elect the legislative branch of the Government which is charged with enacting the laws. They elect the executive branch of the Government which is charged with enforcing the law. The judicial branch of Government is charged with interpreting and applying the laws.

In performing its function the judiciary has always felt itself bound by the rule of precedent, or of what we in law call stare decisis. That is the doctrine that when a court of last resort, such as the Supreme Court of the United States, has interpreted a law, or made a decision which is solidly predicated upon constitutional authority, and when that decision is accepted by the other coordinate branches of the Government, and by the people, having stood the test of time, it then becomes what is known as a precedent. When it is written into the records of the law and is cited by lawyers and judges as a part of the body of the law, it may be referred to as the law of the land. Without the guiding hand of legal precedent, our whole system of jurisprudence would be like a ship without a rudder.

Our present Supreme Court in the integration cases abandoned the doctrine of stare decisis and rejected the precedents of many cases throughout many years; giving as its reason for such rejection, its inability to discover, even by independent investigation, the meaning of the 14th amendment to the Constitution at the time of its passage and its doubts as to the amount of psychological knowledge available in the 1890's. Whereupon the Court then proceeded to cite modern authorities, consisting of numerous socialistic textbook writers. In other words, the Supreme Court refused to follow, but boldly rejected all the established law on the subject prior to the time when a majority of that Court came upon the bench. Having taken this first bold step, the Court then proceeded to find that segregated schools "were inherently unequal" and that maintaining such public schools by the States violated the 14th amendment and frustrated the children of the minority group (evidently meaning the Negro children) by "generating a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone." The opinion gives no history for this finding, unless it comes from the textbooks cited, nor does the opinion indicate how frustration could bestow jurisdiction upon a Federal court when it would otherwise have none.

THE CONSTITUTION SAYS

The 10th amendment to the Constitution of the United States specifically provides that all powers not delegated in the Constitution to the Federal Government were reserved to the States and to the people. The exclusive jurisdiction of a State over its schools has been repeatedly reaffirmed by the Supreme Court. No jurisdiction of their schools has ever been given to the Federal Government by the States, or the people.

The 14th amendment says: "No State shall deny to any person within its jurisdiction the equal protection of the laws." There could be no serious doubt as to the meaning of this amendment. It was interpreted many times by jurists and statesmen who were living at the time of its passage. It meant "protection of the laws". It dealt only with political, not social, affairs.

In 1896, the Supreme Court of the United States decided the case of *Plessy* v. *Ferguson* (163 U. S. 537) wherein it declared that in a case involving intrastate commerce, that if the State provided separate but equal facilities for the races, that the plaintiff in that case, a Negro, was not denied any right guaranteed him under the 14th amendment to the Constitution when he was required to ride in the space set apart for his race.

Later, the same question, involving schools, came before the Supreme Court a number of times, as in the case of *Cummings* v. *Board of Education* (175 U. S. 528) and, as late as 1927, in a case involving a Chinese girl, *Gong Lum* v. *Rice* (275 U. S. 78), the question of the constitutionality of the Mississippi constitution was tested in the light of the 14th amendment. In all of these cases the Supreme Court repeatedly held: (1) That the question of whether the public schools of a State should be segregated was purely a question, under the 10th amendment of the Constitution, for the individual States to decide; (2) that the terms employed in the 14th amendment applied to political rights and not to social rights.

In other words, many years ago, the Supreme Court gave the lie to the modern propagandist's device by which he contrives to make it appear that going to school in a desegregated school is a civil right. The Supreme Court has often rejected any such theory in strong language and this rejection had been and was the law of the land.

THE COURT HAS SAID

In *Plessy* v. *Ferguson* the Court said:

"The object of the amendment (14th) was undoubtedly to enforce the absolute equality of the two races before the law but in the nature of things, it could not have been intended to abolish distinctions based upon color, or to enforce social as distinguished from political, equality or commingling of the two races upon terms unsatisfactory to either."

In the Cummings case the Court said:

"Any interference on the part of the Federal authorities with the management of such schools cannot be justified, except in the case of a clear and unmistakable disregard of rights secured by the supreme law of the land."

Let it be remembered that the supreme law of the land is the Constitution of the United States and the treaties made thereunder.

In the Gong Lum case the Court said:

"The right and power of the State to regulate the method providing for the education of its youth at public expense is clear * * *. The decision is within the discretion of the State in regulating its public schools and does not conflict with the 14th amendment."

The decision mentioned was from the Supreme Court in Mississippi, which was affirmed.

In overruling and rejecting the law of the land, and in substituting therefor an unsupported finding that the 14th amendment, contrary to what the Supreme Court had always said, prohibited segregation of the State owned and operated public schools, the Court exercised a legislative function and wrote into the records of this country a new and different statement of the law and one which we believe it had no authority to write. After having written that law, then the Supreme Court ordered its enforcement with all reasonable speed. It was that order that brings us back to the Clinton, Tenn., contempt case. That is the key to the method by which the present Supreme Court evidently undertakes to enforce its legislation. Thus, we have the spectacle of the courts making the law, then interpreting the law, then providing for the enforcement of the law by injunction, then making that injunction effective against everyone by charges of conspiracy in criminal-contempt proceedings. This has the effect of making the courts the lawmakers, the accuser, the prosecutor, and the judge. Such a state of affairs is completely and utterly repugnant to everything that we hold dear in this country.

The problem before us transcends any question of racial integration. It cuts at the very heart of the Republic. Without a rigid adherence to a written Constitution and without the stern guidance of precedent, our law would become a rule of caprice, a Government of men and not of law. We should consider the serious import of the developments just discussed upon the lives of those whom they are ostensibly designed to help—that is, the southern Negro. The southern Negro has been making great progress in the last 25 or 50 years. The South has developed a sort of peaceful coexistence. None are so blind as those who will not see the difference between civil and political rights, and social or personal privileges.

People from the North and East particularly who are pushing integration, are acting only under the guise of friendship for the southern Negro. For the most part, they are spreading the type of unrest that is such a strong weapon of communism. They may be doing it unwittingly, but nevertheless, that is what they are doing. Many integrationists are interested only in who gets the electoral vote in States such as Illinois and New York, where the Negro vote in Chicago and Harlem may mean the difference in winning or losing a presidential election.

The southern Negro is being used as a pawn in the great game of national (or international) politics. He will lose more than any other citizen if his constitutional guaranties are taken away. He may be cajoled into believing that he is receiving some transient advantage by forcing white people to accept him into white schools, but every intelligent southerner must know that it would be against the best interests of the southern Negro and against his better judgment.

The opposition to the Supreme Court's trend of opinions in integration cases, as well as the widespread dissatisfaction of the Court's decision in cases dealing with communism, is predicated not upon racial hatred or bitterness, but upon love of country and of Constitution, and a desire to continue a way of life that has proven itself to be, if not perfect, at least peaceful.

There has been more interracial strife in the United States, and particularly in the South, since Black Monday in May 1954, than there had been in any period of time of double that length: since Reconstruction days. The integration decisions have brought grief to the entire country. They are generating hatred, distrust of the law, enmity between the races, and will bring economic and political chaos. It behooves every citizen of this country to face the facts and take up the cudgel against any judicial act that threatens our constitutional form of government. One way is a continuance of our way of life—the preservation of written constitutional Government. The other way is usurpation of power by the courts, rule by injunction rather than by statute, and execution by the courts rather than by the executive branch of the Government. I may have attached more importance to recent developments than they deserve, but honesty and candor force the inescapable conclusions that it is even later than you think.

THE JURY-TRIAL AMENDMENT TO THE CIVIL-RIGHTS BILL

Mr. KEFAUVER. Mr. President, regarding the news of the proposed compromise in the civil-rights bill, I wish to say that I greatly prefer the language of the Senate amendment, which makes a clear and precise distinction between civil and criminal contempt and gives the judge all the enforcement powers he needs, through the use of civil contempt proceedings, while protecting the jury trial system when criminal proceedings are the purpose of the judge.

Nevertheless, it is quite clear that the Republican Members of the House, and the administration, want to point to some language of their own, and I am willing to let them have that privilege in order to try to get some settlement of the issue at this session of Congress.

The language is quite confusing, and if it leads to serious legal complications, Congress can straighten it out early in the next session. I will reluctantly accept this language.

PROPOSED SUSPENSION OF NUCLEAR TESTS

Mr. KEFAUVER. Mr. President, the New York Times reports that "administration officials expressed confidence today that the Western proposal for 2 years' suspension of nuclear tests had improved the United States defenses against the Soviet propaganda barrage on testing."

What concerns me is the fact that this is just another instance where we have lost the initiative to the Soviets and are in position of defending ourselves in the court of world opinion.

I need not remind my colleagues that it was not necessary that we be on the defensive. If President Eisenhower and his Madison Avenue adviser had thought more of the merits of the matter and less of the rank political advantage, they would not have so unfairly and unceremoniously rejected Adlai Stevenson's proposal for a suspension of nuclear tests during last year's presidential campaign.

The Chicago Tribune, which has not supported a Democratic candidate in my memory, has this to say:

> It is still a little early for Adlai to laugh and laugh over the Eisenhower administration's willingness to suspend nuclear bomb testing; as yet it isn't entirely clear that the tests are going to be suspended or on what terms.
>
> But Adlai is entitled, at least, to a good, broad smile. In the course of the campaign last autumn he recommended stopping the tests and was roundly denounced by Mr. Eisenhower, us, and others for endangering the Nation's safety to win votes.

The Trenton Evening Times says:

> The presidential election is safely in the background. The votes have been counted and Mr. Eisenhower is in office for another 4 years, returned by a margin of historic proportions. * * * Nothing is to be lost now in conceding that he was right on a major issue of the last campaign—the danger to the health and the lives of millions of people from the fallout arising from continued tests of nuclear weapons.
>
> Among those who scoffed at the dark forebodings of Mr. Stevenson was President Eisenhower. Perhaps he was under the compulsion of political expediency to do so. Apparently, however, between October of last year and June of this, he has seen the ominous issue in a new light.

I think now, as I thought then, that it was a shocking thing for the Republicans to play politics with an issue which affects the lives and safety of all Americans and children yet unborn. It was an example of political cynicism and political expediency that has rarely been equalled in a presidential campaign.

I hope the American people will remember that they were sold a bill of goods by their President and his slick writers: that the Republicans put votes above the welfare of the country.

The Atlanta Constitution says:

> All this makes Adlai Stevenson look more and more the prophet. He urged international agreements to end such tests and was repudiated largely because the administration "pooh-poohed" him. Without doubt the White House now wishes it could withdraw that "pooh-pooh."

PROCEDURES FOR THE PRODUCTION OF GOVERNMENT RECORDS IN CRIMINAL CASES

The Senate resumed the consideration of the bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wyoming, in the nature of a substitute, identified as 8-22-57-D.

Mr. MORSE obtained the floor.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. The Senator from Kentucky has an amendment, which I understand is agreeable to the Senator from Wyoming [Mr. O'MAHONEY].

Mr. O'MAHONEY. That is correct.

Mr. DIRKSEN. I should like to make this inquiry of the Chair. Before there is any action taken on the substitute amendment offered by the Senator from Wyoming, it must be perfected by any other amendment which may be offered. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. DIRKSEN. That would include the two amendments I intend to offer and the amendment intended to be offered by the Senator from Kentucky [Mr. COOPER].

The PRESIDING OFFICER. The Senator is correct. Once the substitute is adopted, no other amendments to it will be in order.

Mr. CLARK. Mr. President, a parliamentary inquiry.

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

Mr. CLARK. Before the substitute is adopted, it is certainly competent for the Senator from Illinois and the Senator from Kentucky to offer their amendments.

Mr. DIRKSEN. Yes.

The PRESIDING OFFICER. The Senator is correct.

Mr. MORSE. Mr. President, I yield to the Senator from Kentucky, with the understanding that I do not lose my right to the floor.

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

Mr. COOPER. Mr. President, I offer my amendment.

The PRESIDING OFFICER. The Senator will send his amendment to the desk.

Mr. COOPER. First I wish to correct it. I will read it as I have corrected it. On page 3, line 12, immediately after the period insert the following:

> Whenever any statements, transcriptions, or records are delivered to a defendant pursuant to this subsection, the court in its discretion, upon application of said defendant, may recess the proceedings in the trial for such time as it may determine to be reasonably required for the examination of such statements, transcriptions, or records by said defendant and his preparation for their use in the trial.

I have discussed the amendment with the Senator from Wyoming.

Mr. O'MAHONEY. I accept the amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. On page 3, line 12, of the amendment offered by Mr. O'MAHONEY, it is proposed to insert, immediately after the period, the following new section:

> Whenever any statements, transcriptions, or records are delivered to a defendant pursuant to this subsection, the court in its discretion, upon application of said defendant, may recess the proceedings in the trial for such time as it may be determined to be reasonably required for the examination of such statements, transcriptions, or records by said defendant and his preparation for their use in the trial.

Mr. O'MAHONEY. I desire to accept the amendment of the Senator from Kentucky.

Mr. DIRKSEN. Mr. President——

The PRESIDING OFFICER. The Senator from Wyoming has a right to modify his amendment. He modifies his amendment accordingly.

Mr. DIRKSEN. Mr. President, will the Senator from Oregon yield, with the understanding that he will not lose his right to the floor?

Mr. MORSE. I yield with that understanding.

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

Mr. DIRKSEN. As I understand the purport and intent of the amendment, it is to make entirely permissive within the power of the court to recess the proceedings so that the defendant may have a reasonable opportunity to examine the records which may be called into question. It does nothing more than that. Of course, in that respect, it is not offensive and, in fact, it should be adopted.

Mr. COOPER. It might not be required. I assume, of course, that the courts have power to make certain that a judicial proceeding is fair. However, I wish to make it plain that if information or documents are to be used for inspection and perhaps for other use, then there should be sufficient time given the defendant for their inspection. That would be the effect of my amendment.

Mr. DIRKSEN. Mr. President, will the Senator from Oregon yield once more?

Mr. MORSE. I yield.

Mr. DIRKSEN. Only for the purpose of clarifying the situation, I should like to say that the amendments which have been submitted, or virtually all of them, are moot now that the Cooper amendment has been adopted. Therefore, the only amendments which will be before the Senate, assuming that no new amendments will be offered, are the two I shall offer to paragraphs (a) and (b)—and I shall offer them at the appropriate time—to bring the substitute amendment in line with what the Department of Justice believes is necessary for the proper and adequate enforcement of the proposed legislation which is now before the Senate.

So it is in the nature of notice that I say I shall in due course offer my amendments to the substitute.

Mr. O'MAHONEY. Will the Senator from Oregon yield once more?

Mr. MORSE. I yield, of course.

Mr. O'MAHONEY. My understanding is exactly the same as that now expressed by the Senator from Illinois. Only two amendments which will be offered to the pending amendment.

Mr. DIRKSEN. I should like to ask the Senator from Wyoming whether it is the purpose of the Senator to have the Senate remain in session tonight until we have concluded action on the bill. If not, then of course I would submit my amendments so that they could be printed and be available to the Senate on Monday.

Mr. O'MAHONEY. I will say to the Senator from Illinois that he is a much better judge of what the answer to that question should be than I am. I have examined the Senator's amendments. They are intended, as he says, to carry out the recommendations made by the Acting Attorney General in his letter to the chairman of the Judiciary Committee.

I have already stated to the Senator, and in my remarks on the floor today, the reasons why I believe quite sincerely the Acting Attorney General is entertaining exaggerated fears and that the amendments are not necessary. Therefore, I was hoping that after the Senator from Illinois had explained his amendment, in due course he would say, "Well, let us pass the bill without a yea-and-nay vote and do a great service to our Nation."

Mr. DIRKSEN. The gracious and affable Senator from Wyoming has such a nice way of stating things that I find it difficult to offer my amendments. However, I feel impelled to do so because, after all, the Department of Justice is the enforcing agency involved. The Department will have the responsibility in the matter. It is not the Senator from Illinois who will be passing on these questions and handling these cases. It will not be the Senator from Wyoming. It will be the Department of Justice. I believe that every request in this field, insofar as it comports with the proper defense of a defendant in any case, ought to merit the most careful consideration on the part of the Senate.

Therefore, in the proper course, notwithstanding the persuasive efforts of my good friend from Wyoming, I shall be compelled to offer the amendments.

Now, after trespassing on the time of the distinguished Senator from Oregon for so long a time, I wish to apologize to him.

Mr. CLARK. Mr. President, may I ask the Senator from Illinois a question without the Senator from Oregon losing his right to the floor?

Mr. MORSE. I yield for that purpose. First I should like to say that the Senator from Illinois is not trespassing at all. I intend to occupy the floor long enough so that Senators may adjourn to the cloakroom to hold certain conferences that are needed. I have some things to say on the Jencks opinion which I shall be glad to say during those conferences. I yield now to the Senator from Pennsylvania.

Mr. CLARK. I would be deeply grateful to the Senator from Illinois if he would be willing to read into the RECORD at this point what his amendments provide, so that our colleagues may have an opportunity to read them in the RECORD, since it seems at least possible that we will not vote on the pending bill until Monday. That will give us an opportunity to study the amendments. I have had the privilege of examining them, because the Senator from Illinois has been kind enough to show them to me. In my opinion—although I know not in the opinion of the Senator from Illinois—they destroy the validity of the bill.

Mr. DIRKSEN. Mr. President, will the Senator from Oregon yield briefly to me?

Mr. MORSE. I yield.

Mr. DIRKSEN. The first amendment is to subsection (a) of the modified O'Mahoney amendment, on page 2, beginning in line 3, to strike out the words "if provided in the Federal Rules of Criminal Procedure, or."

The other amendment is to subsection (b) of the modified O'Mahoney amendment, on page 2, beginning in line 11, to strike out the words "and any transcriptions of records of oral statements made by the witness to an agent of the Government," and to insert in lieu thereof "and any transcriptions or recordings of oral statements made by the witness to an agent of the Government."

The amendments are short, and now they will be found in the RECORD.

I thank the Senator from Pennsylvania for the suggestion.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The question is on agreeing to the amendment in the nature of a substitute, as modified.

The amendment is open to amendment.

Mr. MORSE. Mr. President, there are 1 or 2 ancillary matters which I wish to discuss briefly.

But first I say to the Senator from Pennsylvania that I think a print should be made of the O'Mahoney amendment, modified by the Cooper amendment, and that print should be on the desks of Senators on Monday. Therefore, Mr. President, I ask unanimous consent that a print be made of the O'Mahoney amendment, as modified by the Cooper amendment.

Mr. CLARK. Mr. President, I join in the request; and I am sure that if the Senator from Wyoming were in the Chamber at the moment, he would also join in the request.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MORSE. Mr. President, I also ask unanimous consent that the O'Mahoney amendment, as modified by the Cooper amendment, be printed at this point in the RECORD.

There being no objection, Mr. O'MAHONEY's amendment, as modified by Mr. COOPER's amendment, was ordered to be printed in the RECORD, as follows:

That chapter 223 of title 18, United States Code, is amended by adding a new section 3500 which shall read as follows:

"§ 3500. Demands for production of statements and reports of witnesses

"(a) In any criminal prosecution brought by the United States, no statement or report of a Government witness or prospective Government witness (other than the defendant) made to an agent of the Government which is in the possession of the United States shall be the subject of subpena, or inspection, except, if provided in the Federal Rules of Criminal Procedure, or as provided in paragraph (b) of this section.

"(b) After a witness, called by the United States, has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce any written statements previously made by the witness in the possession of the United States which are signed by the witness or otherwise adopted or approved by him, and any transcriptions or records of oral statements made by the witness to an agent of the Government, relating to the subject matter as to which the witness has testified. If the entire contents of any such statements, transcription, or records relate to the subject matter of the testimony of the witness, the court shall order them delivered directly to the defendant for his examination and use. In the event that the United States claims that any statement, transcription, or record ordered to be produced contains matter which does not relate to the subject matter of the testimony of the witness, the court shall order the United States to deliver such statement, transcription, or record for the inspection of the court in camera. Upon such delivery the court shall excise the portions of said statement, transcription, or record which do not relate to the subject matter of the testimony of the witness. With such material excised, the court shall then direct delivery of such statement, transcription, or record of the defendant for his use. If, pursuant to such procedure, any portion of such statements, transcriptions, or records is withheld from the defendant, and the trial is continued to an adjudication of the guilt of the defendant, the entire text of such statements, transcriptions, and records shall be preserved by the United States and, in the event the defendant shall appeal, shall be made available to the appellate court for the purpose of determining the correctness of the ruling of the trial judge. Whenever any statements, transcriptions, or records are delivered to a defendant pursuant to this subsection, the court in its discretion, upon application of said defendant, may recess proceedings in the trial for such time as it may determine to be reasonably required for the examination of such statements, transcriptions, or records by said defendant and his preparation for their use in the trial.

"(c) In the event that the United States elects not to comply with an order of the court under paragraph (b) hereof to deliver to the defendant any statement, transcription, or record, or such portion thereof as the court may direct, the court shall take such action, including but not limited to striking from the record the testimony of the witness, declaring a mistrial, or ordering the dismissal of the indictment, as the interests of justice require."

The analysis of such chapter is amended by adding at the end thereof the following:

"3500. Demands for production of statements and reports of witnesses."

Mr. MORSE. Mr. President——

Mr. O'MAHONEY. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. O'MAHONEY. I desire to propound a unanimous-consent request.

Mr. MORSE. First, Mr. President, if the Senator from Wyoming will wait a moment——

Mr. O'MAHONEY. Yes. However, I wish to propound the agreement because it is now after 8 p. m.

Mr. MORSE. I am entirely in favor of having the Senator submit a proposed unanimous-consent agreement. However, are not we bound to have a quorum call before the agreement is entered into?

Mr. O'MAHONEY. I have not yet reached that point.

Mr. MORSE. I beg the pardon of the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, I wish to state the reasons why I shall make the request.

The amendments the Senator from Illinois plans to offer to my modified amendment have not yet been printed. I believe they should be printed. It is now after 8 p. m., and debate on the bill might very well continue to a very late hour, without having the Senate reach a determination.

So I believe it proper to propose a unanimous-consent agreement to limit debate.

Before asking that the agreement be entered into, I wish to read the proposal which I desire to submit. If consent is given, the order will read as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Monday August 26, 1957, at the conclusion of the call of the calendar, during the further consideration of the bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 2 hours, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Odered further, That on the question of the final passage of the said bill debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Let me say that if there is no objection to the proposed order, I shall suggest the absence of a quorum.

Mr. JAVITS. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. JAVITS. I should like to propound a parliamentary inquiry.

Mr. MORSE. I yield for that purpose.

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

Mr. JAVITS. Under the parliamentary situation, is it possible for further amendments to be submitted to the committee substitute, as submitted by the Senator from Wyoming?

The PRESIDING OFFICER. There is no limit upon the number of amendments which may be submitted.

Mr. JAVITS. I thank the Chair.

Mr. DIRKSEN. Mr. President, reserving the right to object to the proposed order—and I reserve the right to object only for the purpose of having an opportunity to submit to the modified substitute the two amendments which I have previously tonight read into the RECORD—let me say that I believe it might be well to have the amendments put in printed form. Therefore, I submit them for printing, under the rule.

The PRESIDING OFFICER. The amendments submitted to the modified O'Mahoney amendment will be received and printed, and will lie on the table.

Mr. O'MAHONEY. Mr. President, I suggest the absence of a quorum.

Mr. MORSE. Before the Senator suggests the absence of a quorum, will he yield briefly to me?

Mr. O'MAHONEY. Yes.

Mr. MORSE. Mr. President, is it understood that if the absence of a quorum is suggested, following the quorum call and following the taking of action, one way or the other, on the unanimous-consent request, the Senator from Oregon will still have the floor?

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

Mr. O'MAHONEY. Mr. President, I now suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that the proposed unanimous-consent agreement, which was read a minute ago, and which I have sent to the desk, be agreed to.

The PRESIDING OFFICER. Is there objection to the proposed agreement? Without objection, it is so ordered.

Mr. O'MAHONEY. Mr. President, if the Senator from Oregon will yield further, I wish to state that it is not expected that there will be any votes this evening.

At the conclusion of the debate this evening—and let me say that the unanimous-consent agreement which has been entered will not be in force, of course, until Monday morning—the Senate will adjourn until Monday, at 12 o'clock noon.

CHARGES AGAINST MAYOR OF PORTLAND, OREG.

Mr. MORSE. Mr. President, I have some ancillary matters I wish to cover very briefly before I return to a discussion of the Jencks case.

It will be recalled that some weeks ago the mayor of Portland, the principal city of our State, was called before the McClellan special investigation committee, and some very serious allegations involving purported criminal conduct on the part of the mayor were made before that committee.

I advised at the time that, of course, the McClellan committee is not a court of law, that procedures are not required in Senate investigating committees, such as the McClellan committee, that prevail in a criminal court. Procedural guaranties and rights of a defendant, precious to due process of law, binding upon a court, are not binding upon the McClellan committee or any other Congressional investigating committee. Impeachment of witness, the right of cross-examination, the right of services of counsel, are not all available in our Congressional investigations. Therefore, it was not surprising to anyone, I am sure, to hear me take the floor of the Senate, in those early days of the investigation of the committee, and make two points or requests. One was that judgment should be suspended, in respect to any criminal charges, until the courts had spoken, through normal criminal procedures. Second, I suggested then that we in the Congress have a responsibility, I think, to adopt some rules and regulations and procedures for the handling of Congressional investigations in those instances where fellow citizens are charged with crime, because great damage is done to the reputation of fellow citizens whenever a charge of crime is made before any governmental body or tribunal.

I do not have to tell the Presiding Officer [Mr. LAUSCHE], a former distinguished judge from Ohio, that one of the risks of living in a democracy, of course—but it is well worth the price—is that sometimes grand juries go awry, and we have what is known as runaway grand juries. Indictments are issued, only to find subsequently that there was no basis in fact for the indictments, that really it would appear a prima facie case had not been made.

Of course, my position in insisting upon all the procedural protections, in keeping with due process which I think our Constitution guarantees, is no new position with me. I have taken it ever since I have been in the Senate, and I reiterate it on the floor of the Senate tonight. Earlier this year I asked that we withhold judgment on these charges, because I knew some of the witnesses who were appearing before the McClellan committee, testifying against the Mayor of Portland, for example, were disreputable persons; and I felt that we should at least withhold judgment until the allegations were tried in a criminal court. That has happened in my State, Mr. President, in regard to at least the charge that the mayor had accepted a bribe; and a jury acquitted him. Witnesses that appeared before the McClellan committee appeared before a jury, but they were subjected to cross examination, in the court case, Mr. President.

I need not say that I felt very sad to have so much adverse publicity about the principal city of my State and the mayor of that city appear in the American press, and therefore I am glad tonight, Mr. President, to ask consent to place in the RECORD three editorials that appeared in the Oregon Journal—which is not a Morse newspaper. I think these editorials are so pertinent to the position I have taken in regard to this matter. I think they are good editorials. They are sound editorials. I am very pleased, Mr. President, to ask unanimous consent to have them printed in the CONGRESSIONAL RECORD at this point. One of them is for Saturday, June 29, 1957, entitled "A Man Terribly Wronged." The second one is for Tuesday, July 2, 1957, entitled "No Substitute for Court of Law." The third is for July 3, 1957, entitled "Let Indictments Be Reviewed."

The PRESIDING OFFICER. Is there objection?

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

[From the Oregon Journal of June 29, 1957]

A MAN TERRIBLY WRONGED

The acquittal of Mayor Terry Schrunk on a charge that he committed perjury when he denied before a grand jury that he, as county sheriff, accepted a $500 bribe leaves two other charges hanging over his head.

One relates to the alleged bribe-taking itself. The other concerns his part in the copying of wiretap tapes belonging to racketeer Jim Elkins, which were seized in a raid, with a search warrant, at the home of Elkins' chief henchman, Raymond F. Clark.

A jury's judgment that he did not lie when he denied receiving a $500 bribe ought to be sufficient to cancel out the bribery charge itself. In the case of the wiretap indictment, it could be at worst a purely technical violation.

In other words, it is time to let Terry Schrunk start tending to his job of being mayor. Every since he took office, he has been hounded and harassed. He has been required to spend long hours away from city hall. He has been forced to neglect essential city business. Even while on the job, he has never been free from the torturing thoughts of what fate had in store for him. Many persons have marveled that he has been able to carry on at all. A lesser man would have folded. A man with a guilty conscience could not have born up under the strain of civic responsibility while his reputation and career were in jeopardy.

Last April, the Journal said that if Schrunk is not guilty, "the crime which has been committed against him is more reprehensible than any other act yet uncovered in the vice probe, and nothing on this earth could compensate for the damage which has been done him."

These words are pertinent now, for whatever the disposition of the two remaining charges, Schrunk has been hurt, grievously hurt. There are those persons who are willing to think any public official is capable of being bribed, and there are others who think in these terms: "With all this talk, he must have done something." We do not know what effect this will have on Schrunk's political career. It may be that the experience will have curbed his desire for future public service. Many followers of this case have vowed it would turn them against ever seeking public office.

Many have been outraged at seeing a man, who grew up among them, who served his country heroically in time of war, who worked faithfully for the betterment of his city through church and civic organizations, who rose through the fire department into the sheriff's office and the city hall with a reputation for honesty and integrity, whose friends swore by him, being forced to defend himself against charges of acts which not only were completely out of character with his past record but which were said to have taken place under circumstances which tax one's credulity.

They are likewise outraged by the efforts of those arrayed against him to build an aura of respectability around one of his chief accusers, the man Elkins, and his aide Clark, Elkins, this ex-convict, this racketeer, this wiretapper, though he now faces a federal prison term, has been mingling freely with men in high places. He was one of those helping to brighten the departure of Robert R. Kennedy, counsel for the McClellan committee, from Portland airport, after the visitor had testified as a rebuttal witness for the state. It is astounding that Kennedy would fly 3,000 miles to Portland just to bolster the credibility of such a man as Elkins.

The Schrunk case, of course, is only one facet of the overall vice investigation. It has, in fact, been a departure not only for the State of Oregon but for the McClellan committee from their main jobs.

It has revived some old questions, particularly those involving acceptance by some members of the Portland police department of "smile money." The full story of Elkins' influence in the police department has not yet been told.

Portlanders must steel themselves for a long ordeal ahead in the unraveling of the vice picture, but most citizens, we believe, are ready to accept the acquittal of Schrunk as proof that he is an innocent man, terribly wronged, who now should be given a chance to work at his job unhampered by the machinations of underworld characters and those others who have fallen under their spell.

We hope that those persons who may have had some doubts about Schrunk's honesty will accept the jury's verdict and help to rectify the wrong that has been done him.

[From the Oregon Journal of July 2, 1957]

NO SUBSTITUTE FOR COURT OF LAW

There are some lessons for all of us in the recent exoneration of Mayor Schrunk of charges of perjury in denying that he accepted a bribe. Or, more accurately, there are some reminders of fundamentals which all of us knew but were prone at times to forget.

Foremost among these is the reminder that evidence developed before Congressional committees and lopsided publicity in the press and on television are unreliable and dangerous bases upon which to form opinions of guilt or innocence of crime. Many citizens who watched the proceedings of the McClellan committee on television last February and March jumped to the conclusion that Mayor Schrunk had accepted a bribe in the 8212 Club incident. Superficially, the evidence against him appeared damaging.

But when the same witnesses were subjected to cross-examination in a court of law by experienced legal counsel interested in developing the other side, many observers were shocked that the mayor should have been brought to trial on such flimsy and unreliable evidence.

The vaunted truthfulness of James B. Elkins, ballyhooed in Washington and in national magazines, was quickly exposed as an unadulterated myth. Even the last-minute efforts of Robert Kennedy to throw his national prestige on the side of the prosecution were ineffectual.

The reasons for this complete change in appearances are found in the different objectives and methods of the two bodies. The Senate committee was interested primarily in charges of racketeering against the teamster union. Elkins was of value to the committee because of his charges against the teamsters. It served the committee's purpose, therefore, to minimize or ignore the imperfections of Elkins and his crowd to present them to the public as reformed racketeers who had seen the error of their ways and were making amends by telling the truth about other racketeers. Every effort was expended, as well as considerable public funds, to bolster the credibility of Elkins and his cohorts.

Mayor Schrunk had been outspoken in his criticism of Elkins during the 1956 election campaign. It was his misfortune that the Senate committee decided to resurrect a charge of bribery aired during the campaign, although it had been investigated and twice rejected by two Multnomah County grand juries as baseless.

In presenting its case against Mayor Schrunk, the committee brought out as little as possible of evidence affecting the credibility of his accusers. The backgrounds and characters of some witnesses were not publicized at all, or were presented in the most favorable light. Apparently no effort was made to investigate evidence indicating that some of the witnesses to the bribe incident were not even present at the scene.

Inconsistencies in the stories of others were glossed over or left undeveloped. Defense witnesses having information refuting the charges were not called before the committee, and the record was filled by innuendo with hints of evidence in the possession of the committee concerning other wrongful conduct.

The result of this method of procedure was to develop a picture hardly recognizable as the same incident which was later tried in court. Elkins and his associates were made to appear as persons of unimpeachable candor although slightly soiled in other particulars.

While we sympathize with Mayor Schrunk and his family, it may well be that their ordeal will accomplish some public good. It should remind all of us that Congressional investigating committees are no substitute for the judicial process; that the traditional presumption of innocence is not a mere phrase to be tossed about in courts of law, but should be an established habit of thought in the mind of every American.

[From the Oregon Journal of July 3, 1957]

LET INDICTMENTS BE REVIEWED

Attorney General Robert Y. Thornton's decision to drop the bribery charge against Mayor Terry Schrunk, after a jury quickly and unanimously cleared him of perjury arising out of the same episode, was not controversial. Not even those most unfriendly to Schrunk could justify raking over the same set of facts again, at great expense to the State.

What will happen to the remaining indictments against Schrunk, 2 charging violation of the wiretap statute in the copying of Jim Elkins-owned tapes seized in a raid on the home of Raymond F. Clark, Elkins' aide (and Oregonian employe), and another charging subornation of perjury in the case of the 2 prostitutes who told conflicting stories, is not yet clear.

These indictments were returned by the March "runaway" grand jury, acting under the guidance of Arthur Kaplan, then assistant attorney general. It was later disclosed that Kaplan, while conducting the grand jury proceedings, was working closely with the McClellan committee staff and in fact had accepted a position with the committee, a job which he now occupies. The sensational and unorthodox report of this grand jury also revealed that many of its indictments were returned against the advice and recommendations of Thornton, including the indictments against Mayor Schrunk.

We hope Thornton and his staff now will scrutinize carefully the justification for the various indictments returned by that grand jury. Its intemperate and biased report and the nature of its charges indicate that it, like the Senate committee, was unduly impressed with the Elkins myth and incensed against those who dared to step on his toes. We strongly suspect that an unbiased review of the evidence supporting these charges will reveal that many of them are wholly unfounded and should be dismissed without the necessity of costly trials.

Now that Thornton's judgment concerning the bribery and perjury charges has been vindicated by verdict of a jury, he should have no hesitancy in exercising the discretion reposed in him by law, undeterred by hysterical threats of a recall movement. Those reasonably suspected of crime should, by all means, be speedily brought to trial. We trust, however, that the witch-hunting phase of the vice probe is nearing its end and that sanity will shortly be restored.

Mr. MORSE. Mr. President, I think these editorials should be printed in the CONGRESSIONAL RECORD in fairness to Mayor Schrunk. I hold no brief for any charges that are made or allegations that are filed against anyone in my State. I do not know what the facts are, but I do know it is pretty basic to a system of government by law that when we are dealing with criminal charges, the precious procedural rights that I have spoken about so many times ought to be followed if we are to avoid the wrong of character assassination.

What I have said tonight on this matter is not to be interpreted, and should not be interpreted, as any indictment against the McClellan committee. The McClellan committee is acting within its jurisdiction and within its rights, and acting no differently than Congressional committees before it; but I think it is interesting, Mr. President, that as some of the cases that have been before the McClellan committee get before the bar of justice, we find the charges do not hold up. In that fact I think is to be found a lesson, and at the appropriate time, come next session of Congress, when it cannot be said that the Senator from Oregon is playing politics because a Congressional committee is dealing with matters that affect his own State, after the time has passed when the present investigations of the committee, so far as they involve any issue growing out of my State, become history, I am going to press upon the Senate again, by way of introduction of what I consider to be appropriate legislation for changing the rules of the Senate with respect to the procedures of Senate investigations, a set of rules which I think ought to be applied only in those instances in which a committee makes a charge of criminal contempt. I do not know of anything more precious than a man's innocence. I think we ought to take every step to safeguard and protect a man's innocence from false accusation.

Mr. McNAMARA. Mr. President, will the Senator yield before he leaves that subject?

Mr. MORSE. Yes; I yield.

Mr. McNAMARA. I am very much concerned with the subject the Senator has been discussing. I noticed in his remarks relating to the McClellan committee, of which I have the honor to be a member, he treated the committee kindly by saying he was not leveling any criticism against it. I think that is quite proper. I agree with the Senator's suggestion about establishing some ground rules which will safeguard the reputation of free citizens, as suggested by the Senator. I want to say, as a layman, not as an attorney, I am in complete accord with that theory.

I look forward with interest and anticipation to the time when such ground rules will be established in the form of legislation. I look forward to an opportunity to cosponsor such legislation, if it meets with my approval, when it is brought forth for consideration by this body.

Mr. MORSE. Mr. President, I appreciate very much the words of the Senator from Michigan. I think the Senator from Michigan has been performing a great service for the Senate on this investigation committee, as have his colleagues.

I have mentioned the Schrunk case. Senators will recall that the executive secretary—which I think is his title—of the teamsters union of my State, Mr. Clyde Crosby, was also charged with criminal conduct before the committee. An Oregon jury found to the contrary. He was acquitted.

I think the record is perfectly clear as to my position in the Crosby case, as well as in these other cases. Let the record be perfectly clear that I said the committee has jurisdiction. So far as the right of the jury is concerned to conduct the investigation as the committee is conducting these investigations, I shall do nothing that seeks to interfere with the committee, by way of protest or otherwise. There is not anything one could do if one wished to, but I had no inclination to do it.

This became a subject matter of great concern out in my State, Mr. President, and to my great surprise after the acquittal of Mr. Crosby on one indictment, with other indictments still pending, he wrote me a letter, which I had printed in the CONGRESSIONAL RECORD some days ago, along with my reply to him, in which letter he seemed to indicate that I ought to seek to exercise some influence, which of course was presumptuous on his part, to have the pending indictments dismissed. My reply was, of course, that I would not do so if I could, because I happen to believe in the soundness of a system of government by law in which the judicial process runs its course.

Mr. President, after charges are made, I know of no way for one to really clear his name, if innocent, other than to have the judicial process run its course. That just happens to be my position on these matters.

I am pleased to be able to stand on the floor of the Senate tonight and say that some of us told the Senate some months ago that Oregon was not the bad place it was being painted, and are being proved right in case after case. Yet during these intervening weeks, Mr. President, I think it is only fair to myself to say that I have taken somewhat of a beating from certain groups in Oregon, who have been very much agitated about this matter because of my insistence to let the system of government by law operate. I believe in that system.

I want to say, in closing, that I have said more on this subject than I intended to. I asked permission to introduce these editorials. The Senator from Michigan has stimulated me on this matter.

I think the McClellan committee has been doing a very much needed job in respect to a good deal of the work it has been doing in this field of abuses of American unionism.

I stress the fact that we have to wait, so far as specific criminal charges are concerned, for jury verdicts. However, I do think that the McClellan committee has been doing a public service in focusing attention on the house of labor, with the result that the labor statesmen in the American labor movement in turn are doing a remarkable job, I think, in taking the necessary steps to clean up the house of labor in those dark corridors where some dirt has accumulated.

In fact, I have talked to some of the leaders of labor. I wish to particularly commend tonight George Meany and Al Hayes, the chairman of the ethics committee of the American labor movement, and their colleagues, for the work that they have done and are doing with regard to making perfectly clear to unions in this country that the American labor movement does not intend to countenance any corruption, racketeering, or illegal conduct.

In fact, some labor leaders have told me that some of the progress they have already made could not have been made thus far without the work of the McClellan committee, and that such work has been very helpful to them.

Yet, Mr. President, I am not one of those who take the position that, because a great deal of good is being done, we should not take a look at the procedures which are being followed in those instances where criminal charges are under discussion, to see whether we do not owe the responsibility to the country to adopt a uniform code of investigation procedures for all Congressional committees to follow, whenever they have brought before them charges of crime on the part of any fellow American, whether he is in the labor movement, is a member of the National Association of Manufacturers, is a member of the United States Chamber of Commerce, or is a member of any other business organization such as my own profession of the law, or the medical profession, or any other organized group of Americans who may be subject to Congressional investigation.

THE MORSE FORMULA

Mr. President, I make these statements only so that the RECORD will be made available for Monday. The Senator from Tennessee [Mr. GORE] is not in the Chamber, but I have discussed with him the difference of opinion which we had. I am sure he will appreciate my putting into the RECORD these statements I am going to make about the application of the Morse formula.

In the course of the debate today on Calendar No. 1111, authorizing conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes, I raised objection. The bill was up by way of motion. I pointed out that the bill violated the Morse formula. The bill proposed to give Federal property to a private organization.

There was some discussion in the debate that the Boy Scouts are a quasi-public organization. Mr. President, the Boy Scouts are a private organization in the sense that they have no governmental connections or functions whatsoever.

I said that I thought it was a great mistake to establish this precedent. My good friend, the Senator from Tennessee [Mr. GORE] suggested I had made exceptions, to which I replied, "Never to my knowledge, never willfully, and never knowingly have I ever made exception to the Morse formula." "The RECORD will show," I said, "if I ever do it is a dead formula, for the strength of that formula is in its uniformity of application."

I have no right to make an exception from the formula for this Senator or that Senator, for this State or that State, for this organization or that organization, and I never have.

The Senator from Tennessee was laboring under a misconception in regard to my record on this matter. The Senator had been advised by counsel of the Public Works Committee that the case was similar to the case of some time ago which arose in Kentucky, which I shall have in a moment.

CONSTRUCTION OF MILITARY BASE AT BETHEL, MINN.

Mr. THYE. Mr. President, will the Senator yield, so that I may make an insertion in the RECORD?

Mr. MORSE. I yield. It will be very helpful to me, in fact, to do so.

Mr. THYE. Mr. President, I ask unanimous consent that I may have printed in the RECORD a letter which I addressed to Mr. Wilbur Elston, the editor of editorial pages, Minneapolis Tribune and Star Journal, Minneapolis, Minn., under date of August 10.

The reason I ask to have this letter printed in the RECORD is that I have noted in yesterday's CONGRESSIONAL RECORD that my colleague, the Senator from Minnesota [Mr. HUMPHREY], had printed a resolution adopted by the city council of Minneapolis, Minn., under date of August 9, which refers to the airport site in Minnesota.

Because the resolution casts some doubt in the minds of readers as to whether there might be a delay in the acquisition of the land for the new airport site in Minnesota, my letter to the editor under date of August 10 without a question will answer the doubt.

For that reason, Mr. President, I ask unanimous consent that my letter be printed in the body of the RECORD.

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

WASHINGTON, D. C., *August 10, 1957.*

Mr. WILBUR ELSTON,
Editor of Editorial Pages, Minneapolis Tribune and Star Journal, Minneapolis, Minn.

To the EDITOR: I have read your editorial in the Minneapolis Star of August 8, entitled, "Don't Jeopardize Bethel." I fully concur with the statement that nothing should be done to jeopardize the construction of the new military base at Bethel.

I can say at the outset that the entire Minnesota Congressional delegation involved in this matter has spent endless hours in sincere efforts to effect a removal of military operations from Wold-Chamberlain Field at the earliest possible date. Senator HUMPHREY, Congressman JUDD, and Congressman WIER and myself have all worked with the Department of Defense in developing the plans for the new airbase.

So that there can be no misunderstanding of the status of the Bethel base, I want to repeat the following facts:

1. $550,000 of Federal funds for planning and engineering is included in current appropriations bills. These funds will be available immediately. As a member of the Senate Appropriations Committee, I assisted in approving these funds without delay.

2. The Department of Defense plans to occupy the new base on or about July 1, 1959.

3. The Air Force will request $13 million next year for construction costs.

4. The Navy will request $8 million for construction costs in the following year.

I want to also make it positively clear that the Thye reimbursement bill will in no way jeopardize or delay the construction of the airbase at Bethel. If there had been any chance of a delay as a result of the introduction of my bill, I would not have introduced the bill.

It must be pointed out that there is an administrative phase and a legislative phase in connection with the Bethel project. The State of Minnesota and the Department of Defense are charged with the administrative action which will lead to the purchase of the land by the State, the transfer of title of the land from the State of Minnesota to the Federal Government, and the actual construction of the facilities.

On the other hand, the Minnesota Legislature took action last year by passing a bill which called for negotiation for reimbursement of the purchase price of the land. The Thye bill is a legislative matter consistent with the action taken by the State legislature. The legislative acts will not delay or jeopardize the administrative action which must be taken.

I must also point out that by January of 1957, the Department of Defense had set up a land-survey committee to study possible sites for a new airfield. The survey had been made and a site selected before the Governor arranged for purchase of the land by the State.

This arrangement itself caused delay in the Bethel project. It necessitated action by the State legislature. The Federal Government could have proceeded in February of 1957 to arrange for the purchase of land. This is the procedure followed in all cases involving the construction of Federal facilities.

On February 7, 1957, the then Secretary of the Air Force, Donald Quarles, told the Minnesota Congressional delegation that he was ready to proceed with the Bethel project immediately. It has now taken 6 months for the State to negotiate an agreement concerning the purchase of the land with the Federal Government. This represents 6 months of time on the project which could have been saved. The State of Minnesota has not yet purchased the land. The purchase by the State could be time-consuming itself. As one who has served as Governor of Minnesota and who has been involved in land purchases, I know that this process can be complicated and time-consuming.

I am hopeful that the purchase can be made without any difficulty or delay. It will be within this area of administrative action that delay might occur.

Again I wish to point out that the Thye reimbursement bill will be handled by the proper committee of the United States Senate and by the Senate and House of Representatives. It will not stimulate any delay in the administrative phase of this matter.

My only purpose in sponsoring the bill was to save the Minnesota taxpayers money and to carry out the specific request of the Minnesota State Legislature as stipulated in its bill which was signed by the Governor. I cannot see why the Minnesota taxpayers should help pay for military installations in other States in the Union and then have to bear the entire cost of land acquisition in their own State.

It is now the responsibility of the Governor to acquire the land as speedily as possible and to effect a transfer of title to the Federal Government so that there may be no further delay in the Bethel project.

Sincerely yours,

EDWARD J. THYE,
United States Senator.

THE MORSE FORMULA

Mr. MORSE. Mr. President, the Senator from Tennessee had been advised by counsel for the Public Works Committee that Calendar 1111, Senate bill 2531, was identical in legal effect to Senate bill 1823, the so-called Bunker Hill Island case, involving the proposed transfer of a tract of land located in the reservoir area of the Wolfe Creek Dam on the Cumberland River in Kentucky.

As the RECORD will show, I told .the Senator from Tennessee that I remembered the case as though it happened yesterday. The two cases were not similar. I made no exception in the Kentucky case, because the Kentucky case did not come under the Morse formula. I explained to the Senator from Tennessee what I was satisfied the RECORD would show with respect to my position in the Kentucky case. I am taking this time tonight because the matter of the uniform application of the Morse formula, in my judgment, is of great importance in the disposition of Federal property if we are to protect the taxpayers of the country.

The Morse formula happens to have been my one-man economy drive since 1946; and on the basis of the RECORD it can be shown that I have saved the taxpayers of the country more than $500 million by my insistance on its application. It has not always been easy or pleasant, although I must say that my colleagues have come to understand at least my stubborness—if one wishes so to designate it—in insisting that it be applied. Therefore I do not like to have any record stand that would leave the impression that I have favored some by making exceptions to it. I did not favor the Senator from Kentucky [Mr. COOPER] with regard to the Kentucky case, because, as the RECORD I shall now read shows, the Kentucky case met the requirements of the Morse formula, in the sense that the Morse formula did not apply to it.

I refer to the CONGRESSIONAL RECORD for June 26, 1957, at page 10326.

CONVEYANCE OF BUNKER HILL ISLAND TO THE COMMONWEALTH OF KENTUCKY

The Senate proceeded to consider the bill (S. 1823) to authorize the conveyance of Bunker Hill Island in Lake Cumberland near Burnside, Ky., to the Commonwealth of Kentucky for public park purposes.

Mr. MORSE. Mr. President, reserving the right to object—and I shall not object—I wish to discuss the bill for a few moments in connection with the so-called Morse formula.

The bill, S. 1823, proposes a transfer of a tract of land containing approximately 390 acres located in the reservoir area of the Wolf Creek Dam on the Cumberland River in Kentucky.

The conveyance, if authorized, would be from the Secretary of the Army to the Commonwealth of Kentucky.

The land in question is worth from $20,000 to $25,000—page 2 of report No. 519—and is desired by the Commonwealth of Kentucky for development of a daytime recreation center on what is known as Bunker Hill Island.

The Federal Government acquired this acreage in connection with the construction of Wolf Creek Dam.

The report indicates that Kentucky has been offered a lease or license for the use of the 390 acres, but because of extensive developments proposed, the State desires to acquire title.

This is truly a close case; and yet I think there is a clear distinction between a case such as this and a case coming within the scope of the so-called Morse formula.

We are dealing here with a Federal dam. When we consider river basin development programs we take into account the recreational value of the projects.

I digress from the reading to stress the point that whenever the Morse formula applies and someone wishes to reduce the price which is to be paid by the recipients of the property, there must be a showing that a Federal interest is involved, and that there will be a Federal benefit from the use of the property.

Second, I wish to stress the fact that the Kentucky case involved a transfer to the Commonwealth of Kentucky. The case we had before us today involved a proposed transfer to a private organization, with no Federal interest whatever involved.

It must be remembered that in the Kentucky case we were dealing with a Federal dam. The Army engineers' program for the development of that area included attention to one of the multiple-purpose features of the dam, namely, recreation facilities for the benefit not alone of the people of Kentucky, but of all the people of the United States who might come to see the dam. There will be thousands of visitors every year.

The same situation applies with respect to the great dams in my State. We are spending money for these multiple-purpose developments. Part of the money goes toward the development of recreational facilities for the enjoyment of citizens of the United States who, on vacation and tourist trips, come out to see the projects.

There was a Federal interest in the Kentucky case. If the State of Kentucky had not committed itself to do this development work, the Federal

Government would have done a substantial amount of it, and I was satisfied that the Federal Government would have had to spend a great deal in excess of 50 percent of the appraised fair market value of the island near the dam in Kentucky. So I said:

> We are dealing here with a Federal dam. When we consider river basin development programs we take into account the recreational value of the projects.
>
> If this particular area were not to be developed by the State for park purposes, for sightseers in connection with the Federal project, then it seems to me it should be developed by the Federal Government. I think this is the kind of cooperation between the State and the Federal Government, in connection with Federal projects, which should be encouraged.
>
> It is to be noted that the Federal Government retains a reversionary interest in the property. If the Commonwealth of Kentucky should not use the property for recreational facilities, it would revert to the Federal Government.
>
> Earlier this afternoon we heard the distinguished Senator from New Mexico [Mr. ANDERSON] discuss a subject which I think is very closely related to this problem. My colleague, the Senator from Oregon [Mr. NEUBERGER], discussed the same subject; namely, the importance of developing the recreational facilities of our country in connection with Federal projects.
>
> As I stated to the Senator from Kentucky [Mr. COOPER], because I feel that this area is intimately connected with the Federal dam which is located in that vicinity, when this particular piece of land is set aside for recreational purposes no violation of the Morse formula is involved, because there is a Federal interest in the area; namely, the interest of all the people who visit the site of the dam in having recreational facilities available to them for camping and other purposes.
>
> The report shows that housing facilities will be made available on the island for those who come to visit the dam. I think this project involves a direct Federal interest, and I am happy to approve the bill.

The Senator from Kentucky went on to bear out what I had said, and the record is perfectly clear. This park is a public park, available to all the people of the country, not for private use. It is to be used in connection with the Federal dam, and the recreational facilities created by that dam, including the lake, with the island in the midst of the lake or near the lake, are for the benefit of all the people of the country. So I was quite right in the Kentucky case in pointing out the Federal interest.

I come now to Calendar 1111, Senate bill 2531. There may be some Senator who is more enthusiastic for the Boy Scout movement in America than is the senior Senator from Oregon, but if there is, I do not know who he is. Yet, as a legislator, I feel that I owe it to the people of my State to be on guard against the establishment of principles which I think might lead to a great deal of trouble. This is one of them. When we start giving away Federal property to the Boy Scouts, we are opening a Pandora's box.

It is proposed in this case to give away property to a private organization—and a wonderful private organization, which performs a great service for the young boys of the country. But there is no uniformity of opinion in the country about the Boy Scouts. I do not share the criticisms, but I think it is pretty well known that there are some groups, religiously motivated, which have their own youth programs, and which do not support the Boy Scouts, because they feel that certain phases of their own programs are preferable. I ask the simple question: Have we the right to take their share of the taxpayers' money and give it away to the Boy Scouts, a private organization, when certain citizens disapprove of the Boy Scout movement?

Take another organization—let us call it X—with respect to which the emotions will not be so directly affected as they are when we talk about the Boy Scout movement. Consider movement X, with respect to which there is a great split in our country, on religious grounds. Organization X comes in and says, "We have a great youth movement. We would like about $50,000 worth of land to establish some summer camps."

Do Senators know what would happen to us if we voted the $50,000? We would receive very soon in our mail a little reeducation on the doctrine of separation of church and state.

Consider other private organizations of great public benefit, such as the 4-H Clubs and the various girls' clubs. I am a strong supporter of them, but I do not think we should be giving them Federal tax dollars. Then, too, I think we should be on guard against the tendency on the part of various private organization to run to Uncle Sam every time they see a little surplus property here or there and try to get Uncle Sam to dig down in his pocket, through an act of Congress, and give away surplus property to private organizations.

I am a little surprised that anyone has any doubt as to my position on this question. But let me cite a case or two. Let me cite a Boy Scout case, to which the Morse formula was applied.

I refer to the CONGRESSIONAL RECORD volume 102, part 9, page 12808. The case involved the quitclaim of certain property in Coahoma County, Miss. It was Senate Joint Resolution 179, to direct the Secretary of Agriculture to quitclaim certain property in Coahoma County, Miss., to the Home Demonstration Club on Rena Lara, Mississippi, Inc. The joint resolution was announced as next in order. It involved 3.17 acres of land. I announced that I would object to the consideration of the joint resolution. I said:

> I do so with great reluctance. The joint resolution involves only 3.17 acres of land. However, it is a clear violation of the Morse formula. The report itself states that the land is valued at less than $1,000.
>
> The purpose for which the land is to be used is in connection with Boy Scouts and 4-H Boys and Girls Club work. That is a laudable purpose, but it should be taken care of by the State, and not by the Federal Government.
>
> We cannot start making this kind of exception to the policy which has been consistently followed since 1946. It is estimated that by adhering to that principle more than $500 million has been saved. I should like to help the Boy Scouts and the 4-H Boys and Girls Clubs, but we cannot start doing it at the Federal level and not do it in all the States. There is no reason why the State of Mississippi should receive this grant from the Federal Government, even though it amounts to less than $1,000. Therefore, I must object to the joint resolution.

I did object, and the Morse formula was applied.

Of course if Calendar 1111, S. 2531, is brought before the Senate by way of motion, and if Senators, in the closing days of the session, do not take the time to study the principles involved, the bill might pass. But it is not going to pass without my making this record against it. It is a very unfortunate bill.

Again let me say for the RECORD that I do not blame the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Tennessee [Mr. GORE] for the position they took on the floor of the Senate, because I satisfied myself, after our discussion on the floor this afternoon, that they believe the Kentucky case was identical with the case involved in Calendar 1111, S. 2531. They now know differently.

I hope that they will not press for the enactment of that bill. If they do, come Monday I shall, of course, oppose them and do what I can to inform the Senate as to what is involved, in the hope that I can defeat the bill.

One more word on this subject, Mr. President. I believe that the passage of the bill would lead the Senate into a very unsound position. I might say that one of the more prominent cases in which the Morse formula has been applied was in connection with the so-called Methodist Church case. It is found in the CONGRESSIONAL RECORD for August 9, 1949. In that case it was proposed to return to a Methodist Church an office building, the ground floor of which had been used by the church for church services, and the upper stories of which had been used for rental offices, which the church used for commercial purposes.

The church lost the property in the depression, and the Government bought the property during World War II from the receivers, and used it for military office purposes. When the war was over a bill was introduced to give the property back to the church.

It was a laudable purpose, but the church did not own the property anymore. It was owned by all the taxpayers of the United States. They had paid good money for it.

I felt very sorry for the church, but I could not sit in the Senate and participate in what I consider to be a clear violation of the doctrine of the separation of church and state. I will not read the debate on the bill, because it was brought up several times over a period of months, in an endeavor to get the bill through in opposition to the Morse formula. I made it clear that if we start with the Methodists, we would have to do the same for the Baptists, the Catholics, the Lutherans, and every other religious group in the country. Why not? Of course, I considered it, in a way, a misuse of Federal funds. In fact, there was a rather interesting experience I had one afternoon, when a group of Methodist ministers came to see me. They called me into the reception room to see them, in a last effort to try to get me to change my mind. I suggested that they give me an answer to a question I wanted to put to them. I told them that, as a boy, in the winter months, when the weather was such that I could not get back to my farm home, 11 miles from Madison, Wis., I would stay with my grandparents. They went to the Truesdale Methodist Church in Madison, Wis. I said to the ministers, "If there is anything I gained from my attendance at that Methodist church it is the deep conviction that Methodists very strongly favor the doctrine of separation of church and state. If you Methodist clergymen can give me an answer to that, I may agree that the Morse formula does not apply."

They were very wonderful about it. They laughed and said, "Senator, you win. We did not think of it that way."

I mention it together because every year since the Morse formula has been in operation, come the closing days of the session, I have had to maintain a guard, so to speak, against motions to get around the Morse formula on bills which I had blocked during the year.

I had hoped that I would not be subjected to that this year. I particularly hope that that will not be the case next week. For a few days next week I shall have to fly home to attend the wedding of one of my daughters. I suspect that the Senate will still be in session. Therefore I think due notice ought to be given on my part that I am going to be away during that period of time, and I should at least appeal to the sportsmanship of the Senate not to bring any such measures as Calendar 1111, S. 2531, before the Senate while I am away for that very laudable and understandable purpose.

I believe that covers the matter. I summarize my position by saying that S. 2531, the proposed transfer to the Boy Scouts of certain lands in Tennessee, is not comparable at all to the Kentucky case. There is no Federal interest involved. It may be argued, of course, that some benefit would accrue to the Boy Scouts, and therefore, to the whole country, through the work of the Boy Scout organization, but that is not the kind of Federal interest that is a real Federal interest. There is no direct Federal interest of the Federal Government as such. It is a transfer to a private institution, not to a governmental body. It is a clear violation of the Morse formula. I suggest to the proponents of the bill, in view of the case I have made against it tonight, that they take up with the Boy Scout Council of America a proposal that the Council seek to buy the land from the Federal Government at the fair market value. I believe the American taxpayers are entitled to that protection.

PROCEDURES FOR THE PRODUCTION OF GOVERNMENT RECORDS IN CRIMINAL CASES—THE JENCKS CASE

Mr. MORSE. Mr. President, I turn now to my speech on the Jencks case. I ask the Chair not to be too much concerned by the length of the manuscript before me, because the important thing is to make it a matter of record tonight. I have received wonderful cooperation in regard to handling this matter. I agreed to make this speech so that time would be made available for the working out of a unanimous-consent agreement. That agreement has been worked out, but I wish these major points in the RECORD for the consideration of the Senate on Monday. First, I wish to express my very deep appreciation to the Senator from Wyoming [Mr. O'MAHONEY] for what I consider to be the very wonderful work he has done on the substitute amendment which he has offered, and which is pending, in regard to the Jencks case.

It will be recalled that when the Jencks case was first decided, and the criticism first broke forth in the press, I made a speech in the Senate in which I said the critics ought to read the decision first, because so much of the criticism bore no relationship whatever to what the court actually had said.

I said it would be a great mistake for us to act hastily in the Jencks case by way of legislation. I said what the Senator from Michigan [Mr. MCNAMARA] said today, in effect, that we ought to hold full hearings, in which we could bring in some constitutional lawyers and constitutional authorities, including, I hope, some judges who would be in a position to testify—perhaps some great justices who are in retirement—because it is a very serious thing to start tampering with the judiciary.

Other Senators have spoken out in opposition to any hasty action on the Jencks case. The result is that there have been many conferences held on the matter. The Senator from Wyoming, who was the first proponent of major legislation in the matter, has been most reasonable. He has been most willing to adjust his point of view, as new information and points of view have become available to him in conferences. I wish to thank him very much.

I also wish to thank the Senator from Pennsylvania [Mr. CLARK], who has worked so assiduously in connection with the so-called final compromise a group of us have reached in regard to the substitute amendment. It does not mean that a single one of us feels that we have it in the final form in which we would like to have it, but I think it is a good example of reasonable men working out reasonable compromises without compromising any principles in the convictions of any one of those involved in the negotiations.

I wish to thank the Senator from Kentucky [Mr. COOPER], a distinguished judge in his own right, for the many contributions he has made to the working out of the substitute amendment. I think tomorrow's CONGRESSIONAL RECORD will speak for itself in that respect.

The colloquy between the Senator from Kentucky and the Senator from Wyoming, as the Senator from Wyoming answered a series of penetrating and enlightening questions which the Senator from Kentucky put to him, was, I thought, a masterful discussion; and I believe it will be of great help to the courts, if, as, and when the courts are called upon to interpret any legislation which may flow out of the O'Mahoney substitute amendment.

I also wish to thank the Senator from New York [Mr. JAVITS], a distinguished former attorney general of the State of New York, for the work he has done on this matter. He has made suggestions which the Senator from Ohio has put into words, in connection with the amendment.

With the help of these Members, I believe we now have a substitute amendment which answers the critics who think the Jencks case decision would permit rifling of FBI files. Of course, Mr. President, the decision was never so broad as many of the comments on it would lead one to believe. But I am satisfied that in the substitute amendment, at least in its present form, as modified by the amendment of the Senator from Kentucky, we have protected the Government and we also have guaranteed—and I use the word "guaranteed" advisedly—to defendants in this country that the Government will not follow a restrictive course of action which will prevent any defendant from obtaining information which he is entitled to obtain under the due process clause from the Government, so as to make it possible for him to impeach a witness whose testimony on the stand may be quite different from some of the things he said, for instance, to the FBI or the Internal Revenue Service, or some other agency of the Government which may have conducted an investigation of one who subsequently becomes a defendant in a case.

This afternoon the Senator from Kentucky pointed out that this problem is not limited to the FBI. In the speech I made the other day, I pointed out that it is of vital importance in connection with income-tax cases, when the Government brings action against a citizen for alleged criminal conduct in regard to the payment of income taxes. We must guarantee procedures which will assure meeting the due process clause in all respects.

Mr. COOPER. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. COOPER. I know the Senator from Oregon well recognizes the issue that is posed; namely, the necessity to protect the United States in very important cases, as against the necessity to protect due process for an individual who is charged with crime and who is placed in jeopardy.

I should like to say that in my short and varied terms in the United States Senate I have never heard raised in this body an issue which involved the constitutional right of an individual to due process without having heard the distinguished Senator from Oregon state the necessity of recognizing the importance of protecting that right.

At times we are faced with very difficult questions, such as the one we are now discussing. But there is a constitutional right of due process which must be taken into account.

What we are trying to work out is a solution which will provide due process for individuals under the decisions, and at the same time will protect, insofar as it is possible to do so, due process in the case of the necessary protection of the United States itself.

Mr. MORSE. Mr. President, I appreciate very much the comment the Senator from Kentucky has made regarding my attempts—very feeble ones, I fear, judging from the results—always to seek to protect the constitutional rights of the individual.

Sometimes I like to put it this way: If a choice must be made—although I do not think it will have to be made at any time under the procedure we are providing for in the substitute amendment—but if a choice must be made between protecting the so-called privilege of the Government and the constitutional right of the individual to full due-process protection, my answer is that the right of the individual must prevail. I take that position because of a very important historical fact, which we must never forget; namely, that this Republic was born out of a conviction that if the people are to be free, they must be free from governmental tyranny. Our forefathers had had the experience of trial without due process; they knew what star-chamber proceedings meant; they knew what a government could do if it applied police-state methods and procedures. That is what the monarchy of Great Britain had done.

So I wish to stress the point that throughout the entire constitutional history of this country there has been a recognition that one cannot trample upon the precious right of the individual to due process.

Mr. President, it is very easy to say, "The security of the Nation will be endangered. The Nation must come first." That argument has been used over and over again. But it is a non sequitur, and is irrelevant to the problem now before us.

As I said on another occasion, that argument was used against Patrick Henry, at the time of the constitutional convention in Virginia. It was used against him by great Americans. But he took his stand in opposition to the Constitution as then written, because it did not then contain precious procedural protections for the individual. It was only after promises were made that those protections would be included, by way of amendments which led to our Bill of Rights, that the Virginia convention by a very slim majority voted to ratify the Constitution. Patrick Henry was not willing to vote to ratify the Constitution until those amendments had been added. But a majority finally yielded, and voted to ratify the Constitution, but only on the basis of the promises that steps would immediately be taken to write into the Constitution the individual protections and safeguards upon which Patrick Henry insisted.

Mr. President, I could cite other historical incidents as long as my arm, figuratively speaking, to show that this country was born out of a will of a free people always to protect the rights of the individual against the State, in the matter of trial. Of course, out of it grows the maxim that it is much better that some guilty ones may escape, than that one innocent person be incarcerated wrongfully.

Mr. President, I have so much faith in our judicial process that I am never frightened by the argument that if we do not adopt strict procedures which take on the characteristic of police-state methods, in violation of the rights of free men and women, the country will be endangered. I have never believed it; I do not believe it now. I do not believe we have to fight communism by using Communist tactics. I believe the best way for us to demonstrate the superiority of our free society and institutions is to keep them free.

That is why, as the Senator from Kentucky knows, I have spoken at some length in the Senate—and will always be willing to do so again, if I continue to have sufficient strength—against repeated attempts to have a Federal wiretapping law enacted. Those attempts have been made on the basis of the argument that it is impossible to fight communism or to catch crooks unless wiretapping is permitted. I do not accept that argument, because in my judgment such procedure violates the freedom of the individual and his rights to privacy, as against intrusion by the State.

Mr. President, I feel that in some respects a related right is involved in the Jencks case. In fact, I believe the Jencks case decision will go down as one of the great landmarks in the protection of the rights of a defendant to due process.

So I do not wish to see the Senate pass, in connection with the Jencks case decision, a bill which later may be successfully challenged on the ground that it is unconstitutional.

That is why I was so much concerned with the colloquy which took place in the Senate this evening between the Senator from Ohio [Mr. LAUSCHE], the Senator from Kentucky [Mr. COOPER], the Senator from Pennsylvania [Mr. CLARK], and the floor leader for the substitute amendment, the Senator from Wyoming [Mr. O'MAHONEY], when those Senators were discussing the apparent failure on the part of the language of the substitute amendment to assure an appeals procedure which at least would give counsel for the defendant adequate opportunity to consider whether the material which had been denied his inspection in any way affected the right of his client to due process.

I became satisfied, as a result of that colloquy, that the appeal provisions which will prevail under this proposed law, including the power of the appellate judge to inspect thoroughly the material which had been denied inspection by defense counsel, do protect the right of the defendant to due process of law, because here again, I may say, I feel the judiciary will live up to its responsibilities of seeing to it that no right of a defendant is going to be denied him, so far as a fair trial and due process are concerned.

I do not see anything in the substitute amendment we are offering that can be interpreted by the court later as amounting to a repeal or a reversal by legislation of any decision the court has made protecting the rights of a defendant. Rather, I look upon the language of the substitute amendment as a codification of the decision in the Jencks case, but in no way a reversal or limitation of it.

Of course, I still would prefer to let the whole matter rest for the operation of the judicial process, because I think we shall have a case, in the not too far distant future, in the United States Supreme Court that will give the court an opportunity to make whatever clarifications need to be made in respect to interpretations and misinterpretations which have already been made of the Jencks case. I would prefer that method. I have not seen any evidence that the FBI is being really damaged by the Jencks case. I have heard many expression of fears. There were some lower court decisions which were not uniform in their interpretation of the Jencks case, but those cases are going "upstairs." At least one of them will go "upstairs". By "upstairs" I mean the Supreme Court, for interpretation. I am also a realist, I hope. I know legislation is going to be enacted. Therefore I shall try to do what I can to help enact legislation which will be good.

With those preliminary remarks, I turn to the main points of a speech I have worked on for some time. In view of the changes made in the substitute amendment, some of the speech no longer is applicable to what is now pending before the Senate, but I think it should be made a matter of legislative record on this bill.

A WARNING AGAINST LEGISLATIVE TAMPERING WITH JUDICIAL MACHINERY: CONGRESS AND THE JENCKS CASE

There have been some sober second thoughts on S. 2377, the bill reported by the Senate Judiciary Committee dealing with the Supreme Court's decision in the Jencks case. On July 3, I discussed in the Senate two of the major objections to the bill as reported by the committee. I had prepared for delivery a detailed discussion of the bill in the expectation that on Monday, July 8, it might be before the Senate for consideration. Other developments had displaced that measure. Since the preparation of this speech, the substitute proposal has been changed. I shall give the speech as prepared, because it will provide legislative history of the objections which led in part, to the improvements made in the bill.

On Monday, July 8, the junior Senator from Wyoming [Mr. O'MAHONEY], who is the principal sponsor of S. 2377 and chairman of the subcommittee which considered the bill, announced that he intended to propose a series of amendments which meet in large measure the objections raised by the Senator from Ohio [Mr. BRICKER], myself, and some of the commentaries in the press. The amendments proposed on July 8 would have improved the bill substantially. However, the Department of Justice opposed the July 8 substitute. Thereafter, some of the staff of the Judiciary Committee and representatives of the Department attempted to come up with a compromise bill. The Senator from Wyoming made several changes in their efforts, and on August 12, submitted a second proposed substitute which appears in the RECORD at page 14457.

I would only wish that this second substitute represented further improvements upon the original bill, which was so poorly drafted by the Department. Unfortunately, the second substitute has most of the vices of the original bill and little of the improvements of the first substitute.

The measure, in all of its forms, is important in its own right as it affects the administration of justice. Over and above that, it has significance for the proper roles of the courts and Congress in determining questions of due process.

Under our constitutional system of checks and balances, each branch of the Government has its primary functions. Each branch has proven well adapted to the discharge of its responsibilities. Divided authority and responsibility are the genius of our form of government. It is only in rare and extreme cases that one branch can and should involve itself with the basic functions of another branch.

The administration of justice is confided by the Constitution to the judiciary. Congress should be wary indeed before intruding itself upon the domain of the courts.

A great justice of the Supreme Court warned in 1935: "Courts are not the only agency of government that must be assumed to have the capacity to govern." Mr. Justice Stone, later Chief Justice of the United States, issued this warning in his historic dissent in *United States* v. *Butler*, 297 U. S. 1 (1935), where he disapproved what he believed to be judicial intrusion into the realm of legislative policy.

His words have equal force as applied to congressional attempts to superimpose its views upon judicial determinations of fair procedure.

Congress is not the sole agency of Government that must be assumed to be concerned with the security of the United States, to paraphrase Justice Stone. In a matter of court procedure, it can hardly be claimed that Congress and all its Members can bring to bear upon a problem of procedure the experience or concentration of study and thought that the Supreme Court of the United States employs in the decision of a case and the formulation of procedure to insure due process. With all due deference to the lawyers in Congress and the expertness of our Judiciary Committees, it cannot be said that Congress has a greater capacity than the Supreme Court, or even equal talent, in the realm of judicial procedure.

We expect the Court to bow to the judgment of Congress in the determination of national legislative policy. Its function is to assure that Congress does not overstep the ample boundaries of due process and other constitutional protection and limitations. In dealing with Congressional legislation, indeed State legislation as well, the Court has erected and abided by a presumption of validity. It has gone further. The Supreme Court, and the Federal and State judiciary, have been conscientious in seeking interpretations consistent with constitutionality.

It is the rare and extreme case in which the courts will overturn legislative enactment or conduct as beyond the pale of constitutionality.

This is sound governmental procedure.

It is no less sound that Congress should stay within the bounds of its special competence and accord to the courts, and especially the Supreme Court of the United States, a similar presumption of validity for their determinations of what is appropriate and necessary in the discharge of their judicial functions.

THE JENCKS DECISION

Applying this constitutional principle to the Jencks decision and the rule of fair procedure that it declares, what should Congress do? It should keep hands off, except upon a showing of grave emergency demonstrated beyond doubt. If such an emergency should be proven, it is our responsibility to act with deliberation and care.

THE ATTORNEY GENERAL AND JUDICIARY COMMITTEE STATE APPROVAL OF JENCKS PRINCIPLE

Both the Attorney General and the Judiciary Committee declare that they agree with the general principle of the Jencks decision.

In his statement before the Senate Judiciary Committee, the Attorney General stated what he believed the Court's holding to be and declared, "We accept this principle."

All that he assertedly seeks is "legislation to clarify the procedure to be followed in applying such a principle." (S. Rept. 569 on S. 2377, p. 4).

For its part the Judiciary Committee reports:

> The proposed legislation, as reported, is not designed to nullify, or to curb, or to limit the decision of the Supreme Court insofar as due process is concerned. The committee believes that legislation would clearly be unconstitutional if it sought to restrict due process. On the contrary, the proposed legislation, as reported, reaffirms the decision of the Supreme Court in its holding that a defendant on trial in a criminal prosecution is entitled to reports and statements in possession of the Government touching the events and activities as to which a Government witness has testified at the trial.

It too declares an intention of providing a procedure to accomplish the Court's purpose.

THE JENCKS HOLDINGS

The Jencks case involved a criminal prosecution for the filing of a false non-Communist affidavit under the Taft-Hartley Act. The principal evidence that the defendant falsely swore that he was not a member of the Communist Party or affiliated with such party was given by paid FBI informants Matusow and Ford. Matusow, as we know, is a convicted perjurer, who recanted his testimony in not only the Jencks case, but other proceedings involving the Communist Party.

Both Matusow and Ford were witnesses against Jencks. They also testified that they had made frequent reports about his activities, as to which they testified at the trial, to the FBI. Those reports were both written and oral. As the Court's opinion points out, Matusow could not remember what he said in those reports.

Defense counsel moved that those reports be presented to the trial judge for his inspection and, if relevant, turned over to the defense for its possible use for impeachment purposes.

The Court held:

> We now hold that the petitioner was entitled to an order directing the Government to produce for inspection all reports of Matusow and Ford in its possession, written and, when orally made, as recorded by the FBI, touching the events and activities as to which they testified at the trial. We hold, further, that the petitioner is entitled to inspect the reports to decide whether to use them in his defense. Because only the defense is adequately equipped to determine the effective use for purpose of discrediting the Government's witness and thereby furthering the accused's defense, the defense must initially be entitled to see them to determine what use may be made of them. Justice requires no less.

When I said earlier, Mr. President, that that would go down in judicial history as a great landmark, I meant exactly that. That is a great statement on the part of the Supreme Court in defense of the right of any American haled before the bar of justice to full protection of due process. If the Government is going to call witnesses against a defendant, the defendant is entitled to inspect the representations made by those witnesses to the Government agents which may subject the witness to impeachment. That is what the court said, in effect.

That is why I have never shared the alarm about the Jencks case. It is a pretty elementary principle that the court reiterated. There is nothing new about it, so far as the principle is concerned. All the concern has been over the definitive aspects of the language which the court used.

LIMITED NATURE OF COURT'S DECISION

The concern expressed over the breadth of the Court's decision is out of all proportion to what the Court decided and said. That the rule declared is limited and carefully formulated is shown by this passage from the opinion:

> The necessary essentials of a foundation, emphasized in that opinion, and present here, are that "(t)he demand was for production of * * * specific documents and did not propose any broad or blind fishing expedition among documents possessed by the Government on the chance that something impeaching might turn up.

The Senate Judiciary Committee observes in its report:

> The committee does not believe, after studying the decision very carefully, that a defendant would be entitled under the decision in the Jencks case to rove at will through the Government files.

I think it is perfectly obvious that the Court had no such intention, and I do not think the language is, fairly, subject to such an interpretation.

Mr. President, this is a far cry, indeed, from some of the comments the decision has occasioned. One dissenter, Justice Clark, claimed:

> The Court has opened their—FBI and other Government agencies—files to the criminal and this afforded him a Roman holiday for rumaging through confidential information as well as vital national secrets.

I have a great deal of respect for Justice Clark, but I do not see anything in the language of the majority of the Court which justifies the sweeping statement the learned Justice made in his dissenting opinion.

I think his statement is a serious and startling charge. But it did not secure the concurrence of even one other member of the Court and the committee report comment just quoted shows that our Judiciary Committee does not agree in the slightest.

WHERE'S THE FIRE?

Where then is the emergency? What is the fire for which the Attorney General has rung the alarm? What catastrophe impends requiring the Senate to shinny down the firehouse poles and charge off to quell?

The Attorney General and an Assistant Secretary of the Treasury made statements to the Judiciary Committee that lower courts were confused about the decision.

Attorney General Brownell's statement is in the committee report. It must be read carefully. As examples of the necessity of the pending limiting legislation he states:

> In many cases, however, the defense has attempted to use the Jencks decision to rummage through Government files prior to trial.

One court is considering a motion for pretrial production, he said.

> In one case a motion requested the production of all reports.

He also said:

> The result of one court's action under its interpretation of the Jencks case could be the freeing of a convicted tax evader and four convicted kidnapers.

In at least two cases cited by the Attorney General, the Justice Department refused to submit FBI summaries of witness' statements and the cases were dismissed. Obviously in these cases, the Justice Department decided unilaterally that the material was not to be produced.

The Department did not even give the court a chance to take a look at it. In explanation to the committee, the Attorney General says that the summaries were heresay. But that was a decision for the trial judge, not the Attorney General, and it was up to him, in the first instance, to decide how hearsay can be employed for impeachment purposes. More of the hearsay argument a little later.

I digress a moment to talk about the prosecutor attitude in the administration of criminal justice. I am in favor of strengthening the hands of prosecutors, but only by giving them procedural weapons which can be squared with due process.

I do not have to tell the present Presiding Officer [Mr. Lausche] and the present acting minority leader [Mr. Cooper] that often it is necessary in the administration of justice to be on guard against the so-called prosecutor complex, the attitude of the prosecutor that looks upon enforcement of criminal law as a game or as a contest.

I was disappointed by the statements of the Attorney General before the Committee on the Judiciary, which I have quoted. It was not for him to decide whether the summaries were this, that, or something else. As a prosecuting official he ought to let the court take a look at them. He refused, and the court dismissed the case. I think the court should have done so. It will be a sad day, let me say, for the administration of justice if we let the decisions be made by a prosecutor.

The PRESIDING OFFICER. May the Chair ask the Senator from Oregon: Did the court ask to see the papers and did the Attorney General refuse to show them?

Mr. MORSE. My recollection of the case is that the counsel for the defense made the demand. The court thought the demand was proper. The counsel for the Department of Justice took the position that the Department was not going to make the material available. The court dismissed the case, as I think under those circumstances it should have done so.

I was about to say, Mr. President, that I think a great Attorney General—and I recommend his record to Mr. Brownell—in the history of the United States Department of Justice, in his career before he became Attorney General, followed a course of action I use to recommend to my students as we discussed the great record of Mr. Cummings in that famous case in which he was the prosecutor. He knew of evidence which would be helpful to the defendant, and he knew the defendant was not going to have that evidence. He was satisfied that unless the defendant had that evidence, if he played law enforcement as a game he would be able to tally another score on the conviction list for his office. What did he do? He made the evidence available to the defendant, as was his duty as an officer of the court.

What we seek to do in the enforcement of the criminal law is to do justice. I have never shared the view that the prosecutor ought to conceal things. The prosecutor represents the Government. The prosecutor is an officer of the court. The prosecutor represents justice in the case. I care not whether it be the FBI acting through the United States Department of Justice, and I care not whether it be the enforcement branch of the Internal Revenue Department or any other agency of Government, I take the point of view that if the Government has evidence which would be helpful to the defendant, in the name of justice it ought to be turned over without even a court order being required.

Idealistic—I am told. I am told that is not a very realistic approach to law enforcement. I deny it.

Mr. President, to too great an extent, particularly in the Federal courts of America, too many prosecuting officers representing the Federal Government, have, I think, overly developed the notion that their job is to obtain convictions. My reply to them tonight, on the floor of the Senate, is that their job is to do justice as officers of the court. If they have evidence which they know, placed at the disposal of the defendant, will impeach a witness, the defendant ought to have the evidence, unless it is intended to make simply an empty phrase of the maxim that it is better that many guilty men escape than that one innocent man go to prison.

Do not tell me, Mr. President, that Government by law would break down if we strictly followed the ideal I have just enunciated, because although I have criticized some prosecutors I want to now make perfectly clear my charge is not a blanket charge. To the contrary, I, too, know a great deal about the work of prosecutors, and I say that the most able prosecutors are those who recognize their obligations as officers of the court and do not look upon prosecution as a game but instead recognize that they should not take the narrow and limited point of view which I judge, from the testimony of the Attorney General, apparently characterizes his attitude, in view of the legislation which he desires in connection with the Jencks case.

Suffice it to say that the Attorney General claims that there is imperative need for legislation on the subject because in a mere handful of early cases there have been difficulties. But some of those cases will go "upstairs," as I said earlier, for whatever clarification may be needed. In at least some of them, it would appear that the Justice Department was a good deal less than flexible in dealing with the problem. In view of the limited position taken by Justice before the committee, it appears entirely possible that the United States attorneys invited adverse decisions by their own arguments.

CONTRARY TO ASSERTIONS BILL GOES BEYOND JENCKS RULE

In the Jencks case itself and in most, if not all, of the cases cited by the Attorney General, it appears that there is no question presented as to the preservation of secrecy of sources of information. Yet this is one of the arguments made for this legislation.

The Jencks rule is limited to statements and reports made by witnesses who have testified.

The Senator from Kentucky [Mr. Cooper] brought that out this afternoon in his colloquy with the Senator from Wyoming [Mr. O'Mahoney]. All that the Court decision requires is the production of prior statements of individuals who are witnesses.

The press reports that FBI Director Hoover is concerned because the Jencks decision is drying up sources of information. That argument was made also on the floor this afternoon. If this is happening it may very well be the result of the inaccurate descriptions of what the Jencks decision did. The Department of Justice must bear responsibility for the cries of alarm heard in the land.

I suggest that the Department and the FBI undertake a small program of public information. All that needs to be made clear is that if a person is a witness for the Government in a criminal case his prior statements to Government agents relating to that case are subject to inspection by the defendant.

Despite this limitation of the decision, the proposed bill, as drafted by the Department of Justice, is drawn to apply to a "statement or report of any prospective witness or person other than a defendant"—S. 2377, page 1, lines 9 and 10.

1. PRETRIAL DISCOVERY

If the bill is actually designed to apply only to the Jencks situation, the words "or person" should be eliminated.

The proposed substitute would eliminate these words, which, it was anticipated might operate to cut off existing procedural rights.

Although the present version of subsection (a) eliminates this and other language of the original which could have curtailed rights now available under established procedures, there remains real doubt as to whether all such threats have been resolved.

Subsection (a) of the bill eliminates a criminal defendant's right of subpena, discovery, or inspection of a statement or report in the Government's possession any rule of court or procedure to the contrary notwithstanding except in the limited manner provided by subsection (b) after a Government witness has testified.

Such a broad prohibition would wipe out many precious rights now accorded by the Federal rules of criminal procedure.

If I am correctly informed—and I think I am—the proposals which will be made on the floor Monday in behalf of the Department of Justice will go back to the original language, against which I am now speaking. I think it is unfortunate language, and I do not believe it is deserving of the support of the Senate, because it could imperil rights presently enjoyed under the Federal Rules of Criminal Procedure.

For example, rule 16 presently provides for pretrial discovery of "books, papers, documents, or tangible objects" which the Government has obtained from the defendant or other persons by seizure or process. It should be clear that such material does not involve any security problem. The very purpose of the rule is to make available to defendants in advance of trial material required not only for impeachment purposes but general defense.

Rule 17 (c) gives criminal defendants the right to obtain data by subpena. This right is derived from the sixth amendment provision for defendants "to have compulsory process for obtaining witnesses in his favor." Assuredly it is as important to have compulsory process for documentary evidence and preparation for trial as it is to have compulsory production of witnesses.

The bill, however, would limit the subpena power for statements and reports in the Government's possession to those contradicting Government witnesses, and only after they testify.

The bill may also impair the protections afforded by rule 15 (a). It provides that if it appears that a prospective witness may be unable to attend a trial a defendant may take his deposition before the trial when this is necessary to prevent a failure of justice. Any designated papers or documents must be produced at the time and place of the deposition. This rule provides for the preservation of evidence when it might otherwise be lost through trial delay. Wherever such books or papers were in the possession of the Government the bill would nullify this provision for the preservation of evidence.

The practical effects of S. 2377, before its improvement by the present substitute, would probably be felt most strongly in antitrust and income-tax cases, where the defense must meet great masses of data obtained by the Government's superior investigatory powers. In criminal actions for violation of the antitrust laws, the Federal rules have made it possible for businessmen accused of conspiracy in restraint of trade to inspect documents and papers of an evidentiary nature obtained and held by the Government, other than confidential information or the Government's work product, when such evidence is necessary to enable such a businessman properly and fairly to prepare his defense.[1]

This power is frequently used in such cases, and defending a criminal antitrust action would, indeed, be well-nigh impossible without the right to see such evidence in the possession of the Government. In income-tax prosecutions, defendants are entitled to inspect evidentiary materials or memorandums in the possession of the Government obtained from persons having business relationships with the defendant and relative to the charges against him.[2] The importance of this right is illustrated by *United States* v. *Iozia* (13 F. R. D. 335 D. C. S. D. N. Y. 1952)). Defendant, the president of a small dye and print company, was charged with failing to report income from certain unrecorded sales to another company. The Government had in its possession evidence by which the defense hoped to show that certain employees, rather than the defendant, had received the income derived from such sales—evidence which the defense could not have obtained but for the Federal rules. The bill could make defense of income-tax cases infinitely more difficult.

The inclusion of blanket prohibitions and words in the original which take the bill beyond the Jencks situation casts grave doubts upon the claim of the Department that it seeks only a procedure for administering the rule of this particular case. Further, as the Jencks decision applies to witnesses, why does the bill seek to deal with prospective witnesses—an entirely different subject?

I am glad we have been able to get this language clarified in the substitute amendment, but the difficulty will reappear on Monday if we do not stand on guard against it, in support of the substitute amendment.

I submit that Justice is seeking to do more than limit or deal with the Jencks case, or at least, has not taken care to avoid legislation affecting other rules and rights.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks two memorandums prepared by experienced lawyers, analyzing the possible impact of the substitute of August 12 upon rights now afforded by the Federal Rules of Criminal Procedure. I believe that the substitute offered today by the Senator from Wyoming obviates the objections made in these memorandums, but because the Senator from Illinois [Mr. DIRKSEN] has suggested that he intends to offer amendments which carry out the desire of the Department of Justice, I think it is important that these memorandums be inserted at this point in my remarks.

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

OUTLINE OF DIFFICULTIES

The proposed bill would wipe out the discovery provisions of the Federal Rules of Criminal Procedure in criminal prosecutions under the antitrust laws and tax statutes where no questions of national security would be or, indeed, could be involved.

The proposed bill would not necessarily regulate the production of all documents touching on national security. Certain types of FBI reports are not covered by the present draft.

The discovery procedures of the proposed bill would not begin to operate until after trial had commenced. This would hinder preparation for trial and interrupt the progress of a trial.

The proposed bill would exclude from production documents relevant to the credibility of a witness.

1. Paragraph (a) exempts certain types of documents from being the subject of subpena, or inspection, except as provided in paragraph (b) of this section. Rules 16 and 17 of the Federal Rules of Criminal Procedure now provide, in certain circumstances, for subpenaing or inspecting the same types of documents. Thus the Federal rules would be limited by S. 2377.

(a) Paragraph (a) exempts from discovery under the Federal Rules of Criminal Procedure a statement or report of a witness or prospective witness. Paragraph (b), which permits discovery under S. 2377, nowhere mentions the word "report." Unless clarified, the bill would absolutely exempt reports from discovery. Similarly paragraph (b) nowhere mentions statements of a prospective witness. Thus while reports of a witness, reports of a prospective witness and statements of a prospective witness are made exempt by the provisions of paragraph (a) from discovery under the Federal rules, no equivalent discovery under paragraph (b) is provided for them.

This means that diligent counsel seeking to prepare for trial who has properly moved for discovery under rule 16 may be completely frustrated by the easy answer that the documents sought are reports of a witness or prospective witness or else statements obtained from a prospective witness. No sanction is provided for failing to call such a prospective witness.

(b) As to statements of an actual witness, paragraph (b) delays discovery until after that witness has testified. Not only will the opportunity of counsel to prepare in advance of trial be curtailed, but also the course of the trial will be subject to interruption if counsel seek to invoke the discovery procedures of paragraph (b). This interruption, as anyone who has ever participated in discovery proceedings will realize, may be for a substantial period of time.

There would appear to be little reason for the Senate to abolish the present pretrial discovery procedures in a criminal prosecution under the antitrust laws or the tax statutes. Yet a "statement or report" exempt under paragraph (a) would include a statement taken from a corporate official or an intracorporate memorandum reporting

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[1] *Bowman Dairy Co.* v. *United States* (341 U. S. 214).

[2] *United States* v. *Brown* (17 F. R. D. 286 (D. C. N. D. Ill., 1955)).

on a business transaction. In this connection, it should be noted that if that business memorandum is administratively regarded as a "report," there will be no way to obtain its production if its author is a witness or a prospective witness. Further, if the business memorandum is regarded as a "statement * * * of a prospective witness," the memorandum will be withheld certainly before trial and possibly forever if the author does not testify. It is not unlikely that such a memorandum, extremely important to an antitrust or tax defendant, might have been authored by someone not available to testify as a witness because of death or absence from the country. Surely it is not the intent of S. 2377 to minimize all discovery procedures obtaining in an antitrust or tax prosecution.

Memorandum on S. 2377, the Jencks Bill

Among the restrictions imposed by the proposed Jencks bill on the delivery to a defendant of relevant statements and reports of witnesses testifying for the Government are the following:

1. The statement or report must have been made to a Federal law officer;
2. The statement or report must be signed by the witness or otherwise adopted or approved by him or it must be a transcription or recording of his oral statement; and
3. The statement or report cannot be made available, under any circumstances, to the defendant for inspection until after the witness has testified for the Government on direct examination.

Such restrictions, it is submitted, legislatively wipe out judicial precedents which had been long and well established prior to the Supreme Court's decision in the Jencks case.

These precedents are based upon rule 17 (c) of the Federal Rules of Criminal Procedure, which provides that the Court, on application of the defendant, "may direct that books, papers, documents, or objects designated in the subpena be produced before the Court at a time prior to the trial or prior to the time when they are to be offered in evidence and may upon their production permit the books, papers, documents or objects or portions thereof to be inspected by the parties and their attorneys."

The reach of rule 17 (c) is limited to materials which the defendant is attempting to secure in good faith for use as evidence in the trial, and includes prior statements or reports of a Government witness which may be admissible to impeach the witness. (*Gordon* v. *U. S.* (344 U. S. 414, 1953); *Bowman Dairy Co.* v. *U. S.* (341 U. S. 214, 1951).)

I—RULE 17 (C) DOES NOT REQUIRE THAT THE STATEMENT OR REPORT MUST HAVE BEEN MADE TO A FEDERAL LAW OFFICER

Since the purpose of rule 17 (c) is to enable the defendant to acquire relevant evidence in the possession of the Government, the only standard for production is whether the requested material is evidentiary, and, if a prior statement of a witness is relevant and may be used as evidence to impeach the witness, it is immaterial whether the statement was given to a Federal law officer, a State law officer, an agent of the Federal or State government, or to a private person. If, for example, a nonindicted defendant who had testified for the Government had previously given a written statement to a friend contradicting his testimony, then unquestionably rule 17 (c), and probably due process, would require the Government to deliver the statement, if it was in the Government's possession, to the indicted defendant.

In *Asgill* v. *U. S.* (60 F. (2d) 776, C. C. A. 4, 1932), cited and approved by the Supreme Court in *Gordon* v. *U. S.* (344 U. S. 414, 419) as a highly respectable authority, the defendant asked for letters in the Government's possession, which had been dictated for and in the presence of the Government's witness by a private person and sent to a Government attorney for the Bureau of War Risk Insurance. The Court ordered the production of such letters or statements on the ground that they might be admissible evidence for the purpose of impeachment.

The Supreme Court, in *Bowman Dairy Co.* v. *U. S.* (314 U. S. 214, 221), has succintly stated the purpose and scope of rule 17 (c):

"There was no intention to exclude from the reach of process of the defendant any material that had been used before the grand jury or could be used at the trial. In short, any document or other materials, admissible as evidence, obtained by the Government by solicitation or voluntarily from third persons is subject to subpena."

It seems clear that the proposed Jencks bill would wipe out the above and other decisions, would substantially change rule 17 (c), and would probably deny due process insofar as it prohibits the delivery to the defendant of evidentiary statements of a Government witness made to persons other than a Federal law officer.

II—RULE 17 (C) DOES NOT REQUIRE THAT THE STATEMENT OR REPORT OF A GOVERNMENT WITNESS MUST BE "SIGNED BY THE WITNESS OR OTHERWISE ADOPTED OR APPROVED BY HIM," OR THAT IT MUST BE "A TRANSCRIPTION OR RECORDING OF HIS ORAL STATEMENT"

At the outset it should be stressed that "Relevancy and materiality for the purposes of production and inspection, with a view to cross-examination, are established when the reports are shown to relate to the testimony of the witness. Only after inspection of the reports by the accused, must the trial judge determine admissibility—e. g. evidentiary questions of inconsistency, materiality and relevancy." (*Jencks* v. *U. S.*, p. 12.)

One of the functions of inspection under rule 17 (c), therefore, is to give the defendant the opportunity to discover whether he can lay a proper foundation for admission of relevant materials. As stated by the Supreme Court in the Bowman Dairy case, supra, at pages 219–220:

"There may be documents and other materials in the possession of the Government not subject to rule 16. No good reason appears to us why they may not be reached by subpena under rule 17 (c) as long as they are evidentiary. That is not to say that the materials thus subpenaed must actually be used in evidence. It is only required that a good-faith effort be made to obtain evidence."

and in *Gordon* v. *U. S.* (344 U. S. 414, 418):

"Demands for production and offers in evidence raise related issues but independant ones, and production may sometimes be required though inspection may show that the document could be properly excluded."

The Jencks bill, by requiring that the witness' statement must be signed or otherwise approved by him, runs counter to these rulings of the Supreme Court by imposing a test of admissibility on the defendant's right of inspection. Any purported statement of a witness, which has not been authenticated, cannot, of course, be admitted in evidence. But at the time of trial, the defendant can authenticate the statement through the testimony of the witness himself or of third persons. The bill deprives the defendant of this right to lay a foundation for admissibility. This again not only nullifies established precedents but also raises a serious constitutional issue. (*Asgill* v. *U. S.* (60 F. (2) 775, C. C. A. 4, 1932); *U. S.* v. *Krulewitch* (145 F. (2d) 76, C. C. A. 2, 1944).)

Both the Asgill and the Krulewitch cases were approved by the Supreme Court in the Gordon case, supra, as highly respectable authority for the rule that relevant statements of Government witnesses must be given to the accused. In the Asgill case, the Government's chief witness denied that she knew the contents of certain letters written on her behalf by a private person and contradicting her testimony. The defendant, however, through other witnesses presented testimony that the letter was dictated in her presence. The Court held that this was sufficient foundation to introduce the letters for impeachment purposes. The Asgill case aptly illustrates that a denial of a statement, or the failure to authenticate a statement when it is made, is not determinative of whether the statement is admissible to impeach the witness. The accused under the law has, and should have, the right to attempt to lay his own foundation to authenticate a statement otherwise relevant and admissible.

In *U. S.* v. *Krulewitch* the Government's chief witness had signed a statement given to an FBI official which contradicted her trial testimony. The trial court's denial of the defendant's demand for inspection was held by the second circuit, in an opinion by Judge Learned Hand, to constitute reversible error. The Court stated:

"It would have been proper to refuse that demand (for inspection) except for the fact that the statement was not competent until Joyce (the Government's witness) had been questioned as to whether she had not said what it purported to declare, and had been given an opportunity to admit that she had (citing cases). But since the accused could not ask her these necessary questions in preparation for admission of the statements, it was proper for him to demand an inspection, and the refusal was erroneous."

It should be noted that the fact of signature on a prior statement was not regarded as significant by the Court. The essential prerequisite to the statement's admission in evidence was that it be authenticated by the witness on the stand and under oath; the fact that a statement was or was not approved prior to the witness' testimony is immaterial; and the statement, if it is relevant, must be given to the defendant so that he has the opportunity to lay a foundation for its admission in evidence. The proposed bill, however, would deny the defendant this right and put into the hands of the law enforcement agency or the witness himself the power to withhold relevant statements from the accused, the jury, and the judge by the simple expedient of not having the witness physically approve his statement.

III—THE TIME OF INSPECTION OF MATERIALS UNDER RULE 17 (C) RESTS WITH THE DISCRETION OF THE TRIAL JUDGE

Rule 17 (c) provides that the court may direct production of materials subject to the rule "at a time prior to the trial or prior to the time when they are to be offered in evidence and may upon their production permit the books, papers, documents, or portions thereof to be inspected by the parties and their attorneys."

The drafters of rule 17 (c) expressly recognized that while in the normal case inspection should be denied until immediately before the materials were to be offered in evidence, the court, nevertheless, should "in the proper case, direct that they be brought into court in advance of the time that they are offered in evidence, for the purpose of enabling the party to see whether he can use it or whether he wants it." (Statement of Mr. G. Aaron Youngquist, member of advisory committee, Federal Rules of Criminal Procedure, Proceedings of the Institute on Federal Rules of Criminal Procedure—New York University School of Law, Institute Proceedings, Vol. VI, pp. 167–168.)

The Jencks bill, however, would substitute in the case of statements and reports of a witness the hard and fast rule that the materials could only be inspected after the witness had testified, no matter what the circumstances. There seems to be no justification or need for such a change in rule

17 (c). The courts have not abused their discretionary power under 17 (c) and in the great majority of cases have refused inspection of prior statements of a witness until after he has testified. But there certainly may be unusual circumstances where it is proper to permit inspection prior to the time of testimony. (See *U. S.* v. *Iozia* (13 F. R. D. 335, 340); (*U. S.* v. *Bell* (126 F. Supp. 612, 617).)

Moreover, in capital cases there would appear little reason for not permitting inspection in the ordinary case prior to the witness' testimony, since in capital cases the Government must deliver to the defendant 3 days in advance of trial the names of its witnesses. (Sec. 3432, Federal Rules of Criminal Procedure.)

The Jencks bill, however, would prohibit such inspection and nullify such decisions as *Fryer* v. *U. S.* (207 F. (2d) 134, C. C. A. D. C., 1953). The defendant in the Fryer case was charged with the capital offense of murder. The court held he was entitled to inspect statements of government witnesses prior to their testimony, stating—

"No sound reasons were offered by the Government, and we can think of none, for precluding pretrial inspection of such material. No objection was or could have been made to disclosing the identity of informants through such material. The Government had already furnished appellant with a list of witnesses whose statements were sought." (207 F. (2d) at 137.)

CONCLUSION

The Jencks bill unquestionably substantially amends or affects rule 17 (c). A proviso in the bill stating that it did not amend or affect rule 17 (c) would probably only create confusion and ambiguity by authorizing two conflicting procedures under which statements and reports of witnesses are to be produced, one under rule 17 (c) and the other under the Jencks bill. Accordingly, either the Jencks bill should be made to conform to rule 17 (c) or else restricted in its application to minimize the conflict with rule 17 (c).

It is submitted that the Jencks bill can be made to conform to rule 17 (c) and its court interpretations by further amendments to the bill, which would (1) provide that any statement or report of a witness which was relevant may be produced for the defendant's inspection; (2) leave to the court the determination in individual cases of what statements or reports, whether authenticated or not or whether they are verbatim or summary, should be given to the defendant under the test of relevancy; and (3) leave to the court the discretionary power to set the time of delivery.

2. ORAL STATEMENTS

Mr. MORSE. The court's opinion in Jencks makes it clear that a defendant is to have the right to inspect the prior statements of a Government witness, both written and oral.

As I explained on July 3, except for a limited class of informants, most Government witnesses do not, at the investigatory stage, file written statements with the FBI or other investigating agencies. FBI interviews may be reduced to stenographic transcrips or summaries by the interviewing official. They are not shown to the witness. Yet the original bill seeks to limit production to reports or statements of the witness "signed by the witness, or otherwise adopted or approved by him as correct."

That is still what the Department of Justice apparently wants or a bill almost as limited. We must be on guard against it on Monday.

There is not a Senator who has not been interviewed by the FBI many times. Have Senators ever signed a report? Have they ever signed a summary? Was the statement taken orally? Undoubtedly, the interviewer went back down to the FBI and wrote out a summary, and into a raw file it went. That happens not only in the case of United States Senators, but it happens to American citizens by the thousands.

Then a citizen is called to the stand to testify in a case which the Department brings against a defendant, and it is discovered that the witness has made previous statement to the FBI. Counsel is satisfied that he told the FBI one thing, while he is telling the jury something quite different. Counsel desires to impeach him. If the Department of Justice has its way, it will not be possible to get any statement from the Department of Justice files unless the witness signs, adopts, or approves it. Yet it was his statement given to the FBI agent—I am talking about a hypothetical case, but it is typical—in the oral interview which laid the foundation for the action brought against the defendant by the Federal Government.

Now counsel wishes to show that the witness lied. If the Department of Justice has its way in this matter, it will have the proposed legislation read that he can get the information from the FBI files only if the witness signed, approved, or adopted a report or the oral statement is as reproduced word for word or as nearly so as possible.

This is not the time or place to discuss a broader subject, and that is the whole matter of the FBI raw files.

I am in favor of the FBI carrying on its police functions and collecting information against people alleged to be guilty of wrongdoing. However, we can go too far in that respect. We can go too far, Mr. President, with regard to the precious right of privacy of free men and women, in collecting records pregnant with hearsay and unverified allegations.

I had a very interesting experience with an FBI report back in 1943 or in the early part of 1942. I was a member of the War Labor Board at the time, when one of the most distinguished and able labor leaders of our country at that time, now dead, was Bobby Watts, president of the Painters and Paperhangers Union. He had been appointed by President Roosevelt to represent the Government at an international conference. We had a dinner for him one night in celebration of the honor bestowed upon him. Employer and labor and public members of the Board were very much pleased that Bobby Watts was going to represent the United States at that conference. Bobby came into the Board meeting a couple of days later, with his face as long as my arm, and said, "I cannot go."

We said, "Why can't you go?"

He said, "I can't get Justice Department clearance."

We asked him what in the world had happened. He said, "I don't know what has happened. They won't tell me. Apparently it is for security reasons that I cannot get clearance."

So we appointed a committee of the board, composed of public members and labor members and employer members, to call on the Attorney General. The Attorney General was very secretive. He said he was very sorry about it, but they had a bad report. We could not find out what it was that Bobby had done. We could not find out what made him unacceptable to represent our country at the conference. So we made clear to the Attorney General that under the circumstances we would visit the President, because we were going to vouch for Bobby Watts, and unless we had clear evidence that he was not a suitable appointee, we would do what we could to stop the great injury we felt was being inflicted in this case.

The Attorney General said, "I will just show you this part of the report." He showed us a program of a luncheon held at the Waldorf-Astoria Hotel in New York, at which Bobby Watts was listed as a speaker. It was a luncheon given by a group of artists, writers, and professional people. Apparently someone in the Department of Justice thought it was a suspect organization, although we were at war, and Russia was supposed to be our ally. Of course she never was. She never was our ally at any time. She just happened to be a nation which had a common enemy. Many times during the war I said that. I never accepted Russia, at any time, as an ally. I thought it was perfectly obvious throughout the war that she did not conduct herself as an ally but only as a nation which had a common enemy.

However, we were at war, and she was supposedly on our side. Apparently one of the main reasons why Mr. Watts could not go to Brussels was that he addressed this meeting at the Waldorf-Astoria Hotel. In those days we were addressing many meetings on the procedures of the War Labor Board, because we wanted to get the country to understand the way the Board operated, because the elimination of industrial disputes was vital to the successful prosecution of the war.

So, when Bobby Watts saw the program, he laughed, and he said, "Shall I tell him what happened, Wayne?"

I said, "Yes, tell him."

So Bobby told him this interesting story: "I was supposed to go to that luncheon to speak, but the night before there was an illness in my family. I did not go, but I asked WAYNE MORSE if he would go for me and make that speech for me."

I did that. I took the train to New York the next day, made the speech at the luncheon at the Waldorf-Astoria Hotel, and took the next train back to Washington.

Mr. President, I wish to say that that did not increase my confidence in the reports of the Department of Justice. When we explained that situation to the then Attorney General, I said if that was the kind of file they had, he had better get this injustice corrected. We were notified the next day that Bobby Watts had been reinstated as the American delegate. My colleagues on the Board said to me, "We wonder what would happen if you got the appointment to represent our country at some similar meeting."

I have digressed long enough to point this out. I do not wish to leave the impression that I am not in favor of a thorough investigation being carried out by the FBI. However, I wish to make it crystal clear that I am also in favor of thorough protection under the procedures of our courts by way of a review of any evidence taken out of those files, to the end of seeing to it that no right of due process of any American citizen is in the slightest measure violated thereby.

Therefore I do not go along with the Attorney General in his proposal before the committee, that there should be a limitation or that the statements should be made available only if in writing.

Such a limitation has two defects: (a) most statements are not in the form specified; and (b) the investigatory agencies can change their procedures so that no report or statement will come within the rule in the future.

The second substitute of August 12 would limit the Jencks rule to any "written statements previously made by the witness in the possession of the United States which are signed by the witness or otherwise adopted or approved by him, and any transcriptions or recordings of oral statements made by the witness to a Federal law officer."

I submit that the two objections to the original apply equally to the substitutes prior to the one presently under consideration.

The original draft of the substitute provided that the "recordings of oral statements" be "verbatim." This was discussed at a meeting conducted by the Senator from Wyoming [Mr. O'MAHONEY], attended by several Senators and assistants and Deputy Attorney General Rogers. My assistant was also present. Senator O'MAHONEY properly pointed out that a "verbatim" recording is about impossible. If electronically recorded they can be changed and the change not discovered. If transcribed by a secretary, they are subject to error. Even the expert official reporters of the Senate can make mistakes, as we all know, although I am surprised, with the terrific pace and pressures under which they work, that they do not make many more than they do.

Mr. Rogers conceded this point, agreed to the elimination of the word "verbatim" but did so with the request that it be made clear in the legislative history that the statements be as close to verbatim as possible—in other words, as close to a word-by-word reproduction as possible.

What would be the result of such a limited rule? The FBI and other investigatory agencies could eliminate stenographic transcripts of interrogations. Indeed, it is not clear that such interrogations are the rule. In any interview I have had with FBI agents they have merely taken notes of our conversation. By the simple expedient of using summaries of interviews all Government investigatory agencies could avoid the Jencks rule under the original bill or the substitute.

The Attorney General's statement to the committee states that summaries by Government agents of interviews are hearsay. They are hearsay as to the truth of the contents of the statement; they are not, when properly qualified, hearsay as to the fact that the witness made the prior statement.

In the meeting with Senator O'MAHONEY the other day, Mr. Rogers made much of his contention that summaries of interviews would be excludable as hearsay even when used for impeachment purposes.

As the majority opinion makes clear, only after inspection of the reports by the accused, must the trial judge determine admissibility.

The issue is not one of admissibility. The issue, warranting the production of prior statements by a Government witness, is affording a defendant a fair opportunity to prepare his defense.

The leading American authority on evidence, Dean Wigmore, wrote:

> The use of prior self-contradiction to discredit is not obnoxious to the hearsay rule. (III Wigmore on Evidence 687, 3d edition).

Moreover, the Jencks decision does not say that the Government document itself must be used for impeachment. This is implicit when the court said:

> Only the defense is adequately equipped to determine the effective use for purpose of discrediting the Government's witness and thereby furthering the accused's defense, the defense must initially be entitled to see them to determine what use may be made of them.

Obviously, the rationale of the Jencks case decision is that the accused is not to be limited to the use of the document itself. Knowledge that it exists may be sufficient to get the witness to admit a prior inconsistent statement. Or it can be used to put a Government agent on the stand, to attest to the prior inconsistent statement.

The argument of the Justice Department, based on spurious grounds that summaries of prior statements are hearsay, and hence excludable, is no warrant for emasculating the Jencks case rule, as the bill and substitute would do.

The substitute just prior to the present one also limits the application of the decision in the Jencks case to statements made "to a Federal law officer." Those terms are not defined.

Is a Civil Service Commission investigator a Federal law officer? Is any intelligence agent, including members of the armed services, a Federal law officer? Probably not. But who can tell? Statements made to such officials may very well come into question in criminal trials. Yet the proposed substitute—and here I speak, not of the O'Mahoney substitute, but of the second proposal or substitute proposed by the Department of Justice—contains this limitation, which is not found in the decision; and we are asked to believe the Justice Department when it says that it seeks to do no more than to regularize the Jencks case rule.

Let us understand that we are not asked to review the Jencks case decisions and enact its provisions into law. We are being asked to enact what is supposed to be the Jencks case rule and to exclude all other possible applications of the policy of the decision.

The limitations proposed by the Department of Justice would, in effect, cancel the fair opportunity for preparation for trial, as made mandatory by the Supreme Court, in most, if not all, cases.

I fear that on Monday an attempt will be made to return to at least the second proposal of the Department of Justice, to which I have referred, in the course of this speech, not as the O'Mahoney substitute, but as the substitute proposed by the Department of Justice. The Dirksen amendments are in line with the recommendation of the Department of Justice; and I am informed—and reliably informed, I believe—that on Monday other amendments may be proposed, in an attempt to carry out the desire of Mr. Brownell and of Mr. Rogers, the Acting Attorney General, to produce what I consider to be an undesirable restriction of the application of the rulings in the Jencks case.

PROTECTING FBI AND GOVERNMENT FILES

As I have already indicated, both the Court and the committee agree that the Jencks case rule is not to be used for fishing expeditions.

I believe that the Federal judiciary is sensitive to the problem of preventing invasion of FBI and other Government files which are essential to national security.

There may, indeed, be occasions, conceivably many occasions, on which the material to which the defendant has a right is intermingled with other information not related to a witness' testimony, and to which the defendant has no right.

The courts are not blind to this problem. I believe they can be trusted to differentiate between what a defendant must be shown and what should be withheld as unrelated to his case.

But the Government, as prosecutor, has solemn obligations, as well. The Court made this clear in quoting one of the most eminent jurists of our time, Judge Learned Hand, when the Court said:

> While we must accept it as lawful for a department of the Government to suppress documents, even when they will help determine controversies between third persons, we cannot agree that this should include their suppression in a criminal prosecution, founded upon those very dealings to which the documents relate, and whose criminality they will, or may, tend to exculpate. So far as they directly touch the criminal dealings, the prosecution necessarily ends any confidential character the documents may possess; it must be conducted in the open, and will lay bare their subject matter. The Government must choose; either it must leave the transactions in the obscurity from which a trial will draw them, or it must expose them fully.

I think that is simply another way of stating the maxim to which I have referred, namely, that when we come to deal with the rights of individuals, in connection with the matter of charging them with the commission of crimes, it is improper to attempt to hide behind privilege, in comparison with the right of the individual to due process. If ever there is reached a point where they seem to be inconsistent, then I think it is perfectly clear that due process must prevail, and the doctrine of privilege must give way.

THE COURTS CAN BE TRUSTED

For my part, I am confident that the courts can be trusted to evolve the necessary procedures for application of the Jencks case rule. They may do much better in applying the Jencks case decision. They will certainly do a better job of fashioning the appropriate procedure without, as this bill threatens to do, wiping out other necessary and time-proven procedures.

The American way, the democratic way, is based in large measure upon the procedures evolved by our courts for the protection of the individual. Those procedures do not require any sacrifice of national security.

When we seek to protect the national security, it would seem prudent—yes, essential—to make certain we are not eroding one of our most precious guaranties of liberty, namely, an independent judiciary.

This bill is not ripe for legislative action. It may be that within the few days after the decision was rendered, some Federal judges were unclear as to its meaning, and acted hastily and unwisely. With the passage of a few months, that situation may very well right itself.

If legislation is needed, let us act upon it after there have been thorough hearings and full analysis of the Federal court cases involving the rule. Let us have the benefit of the study of the law schools, law reviews, law associations, and of the judges. So far we have heard only the prosecutor's case.

Once enacted, an unwise law is difficult to amend or repeal. The Congress has not had the benefit of the kind of study and hearings required by a major piece of legislation. I urge judicious study before this bill is acted upon.

However, Mr. President, since writing those words, I have become convinced that proposed legislation in this field will be passed before the Congress adjourns. I want that proposed legislation to be simply a reiteration of the decision in the Jencks case itself, thus clearing up—if that is deemed necessary—some of the misunderstandings which have developed from interpretations of the decision in the Jencks case. I think the pending O'Mahoney substitute amendment does that.

I still would prefer to wait until January—as suggested today by the Senator from Michigan [Mr. McNamara]—until the courts have had a chance, during the few intervening months, to act upon appeals cases which may follow from the decision in the Jencks case.

But knowing that, in all probability, proposed legislation in this field will be passed before the Congress adjourns next week, I wish to make clear tonight that I support the O'Mahoney substitute amendment. I think there is much to be said for it, in order to answer some of the critics and to quiet some of the fears which have been expressed over the application of the decision in the Jencks case.

But on Monday, I shall oppose the Dirksen amendments, for the adoption of which I understand the Department of Justice, through the Acting Attorney General, Mr. Rogers, proposes to press. I think we shall go far enough when we adopt the O'Mahoney substitute amendment; I believe that will be going far enough, if any proposed legislation in this field must be passed.

AUTHORIZATION OF VICE PRESIDENT OR PRESIDENT PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. MORSE. Mr. President, I ask unanimous consent that during the adjournment following today's session, the Vice President or the President pro tempore be authorized to sign enrolled bills and joint resolutions duly passed by the two Houses.

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

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, August 23, 1957, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 959. An act to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes;

S. 999. An act authorizing the Secretary of the Interior to convey certain land to the State of North Dakota for the use and benefit of the North Dakota State School of Science;

S. 1520. An act to amend an act entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways, and for other purposes";

S. 1574. An act to provide for the disposal of certain Federal property in the Coulee Dam and Grand Coulee areas, to provide assistance in the establishment of a municipality incorporated under the laws of Washington, and for other purposes;

S. 1866. An act to amend the act entitled "An act to require the inspection and certification of certain vessels carrying passengers," approved May 10, 1956, in order to provide adequate time for the formulation and consideration of rules and regulations to be prescribed under such act;

S. 2431. An act granting the consent of Congress to the Klamath River Basin Compact between the States of California and Oregon, and for other purposes; and

S. J. Res. 96. Joint resolution to authorize establishment of the U. S. S. *Enterprise* (CV–6) in the Nation's Capital as a memorial museum.

ADJOURNMENT TO MONDAY

Mr. MORSE. Mr. President, in accordance with the order previously entered, I move the Senate now adjourn.

The motion was agreed to; and (at 10 o'clock and 9 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until Monday, August 26, 1957, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate, August 23 (legislative day of August 22), 1957:

Department of the Navy

Richard Jackson, of Massachusetts, to be Assistant Secretary of the Navy.

United States Air Force

The officers named herein for appointment as Reserve commissioned officers in the United States Air Force, in the rank indicated, under the provisions of the Reserve Officer Personnel Act of 1954 and chapter 35, title 10, United States Code:

To be major generals

Brig. Gen. Theron Baldwin Herndon, AO238180.
Brig. Gen. John Philip Henebry, AO406548.
Brig. Gen. Robert James Smith, AO903591.

To be brigadier generals

Col. Jess Larson, AO190462.
Col. Daniel DeBrier, AO348020.
Col. Kenneth Stiles, AO900928.
Col. John Oliver Bradshaw, AO326377.
Col. John Richardson Alison, AO328165.
Col. Ramsay Douglas Potts, Jr., AO431039.

HOUSE OF REPRESENTATIVES

Friday, August 23, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, in our prayer at this noon hour, we would thank Thee for friends who, amid the turmoil and tumult of our days, are always greeting us with the salutation, "Be of good cheer," and urging us to carry on with faith and fortitude.

We rejoice that we may lean upon them for counsel and look unto them for encouragement as we find ourselves challenged by problems and tasks which demand the consecration of our noblest manhood and womanhood.

Give us a greater appreciation of the blessedness of friendship and may our hearts go out to Thee in gratitude for friends who are solicitous about our welfare and continually giving us a lift when we are weary and downcast and the burdens of life are heavy to bear.

May we be grateful above all for the divine friendship of our blessed Lord; that Friend who sticketh closer than a brother and upon whom we may count through thick and thin; that Friend who is always teaching us to put our trust in Thee and willing to forgive and forget all our sins and mistakes.

Help us to hasten the dawning of that glorious day when men all around the world shall be friends and live together in the bonds of brotherhood.

Hear us in the name of our blessed Friend. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 7671. An act to amend section 116 of chapter X of the Federal Bankruptcy Act, to make certain equipment trust provisions applicable to aircraft and aircraft equipment of air carriers.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 25. An act relating to effective dates of increases in compensation granted to wage board employees; and

S. 1828. An act to retrocede to the State of Montana concurrent police jurisdiction over the Blackfeet Highway and its connections with the Glacier National Park road system, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 807. An act for the relief of Jackson School Township, Ind.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1568) entitled "An act to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada acting for the State of Nevada," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ANDERSON, Mr. BIBLE, and Mr. MALONE to be the conferees on the part of the Senate.

INCREASE IN MILK PRICES

Mr. CHRISTOPHER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CHRISTOPHER. Mr. Speaker, according to the press, the 1-day strike of the truckdrivers who haul bulk milk for the New York metropolitan area came to a sudden and dramatic end yesterday morning at 4 a. m., when the employers agreed to virtually all contract terms demanded.

After reading this, I called the National Milk Producers Federation to inquire about the status of the 1-cent-per-quart increase in milk prices requested by the Virginia dairy farmers because of the protracted drought. I was informed that nothing definite had been decided, but it was rumored that the commission would probably recommend one-half cent per quart instead of the 1-cent request.

How long, O Lord, how long will it be before the dairy farmers of Virginia, Maryland, and other States realize that they produce the Nation's milk and that this milk belongs to them before it can belong to anyone else. These farmers must band together and demand a fair and reasonable price for their products which are so essential to the health of the people of this Nation. Instead of begging on their knees like slaves for long overdue consideration which they seldom receive.

Here is what the men who haul the milk for metropolitan New York obtained in less than a 24-hour period. They did not beg—they demanded and received. They said in effect—Give us what we ask or quit drinking milk. They got what they asked because New York must have milk. When will the dairy farmers wake up—organize—quit begging and begin demanding.

The settlement gives the teamsters an 86½-cent-an-hour package of wage, welfare, and fringe benefits over a 3-year period.

The unexpected end of the walkout, which had threatened to cut off most of the city's fresh milk supply by this weekend, came after a 5½-hour bargaining session at the union's headquarters.

A 70-cent wage increase, with 40 cents effective immediately and 15 cents in both 1958 and 1959. New wage rates will be $2.37 and $2.47 per hour this year. A third rate of $1.87 in the old contract has been eliminated.

Institution of a pension plan providing for $100 per month on retirement at age 65, to be financed by the employers at a cost of 11½ cents per hour.

Institution of a 5-day, 40-hour week.

Other gains include addition of a fourth week of vacation after 15 years; an increase in insurance from $2,000 to $5,000; improvement in disability payments from $35 per week for 15 weeks to $50 per week for 20 weeks; 2 additional holidays for a total of 8, and provision for choosing runs on a seniority basis.

The men went back to work immediately after the agreement was announced.

INTRODUCTION OF PETITION TO DISCHARGE RULES COMMITTEE ON CIVIL RIGHTS BILL

Mr. PELLY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

Mr. SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, I have asked for this time to advise the Members of the House that this morning I presented to the Clerk a motion in writing to discharge the Committee on Rules from consideration of House Resolution 398, which resolution was introduced by our colleague, the gentleman from New York [Mr. KEATING] on August 14, 1957, and provides that upon its adoption the civil rights bill, H. R. 6127, with Senate amendments thereto be taken from the Speaker's table to the end that all Senate amendments be disagreed to and a conference be requested with the Senate upon the disagreeing votes of the two Houses.

My action, Mr. Speaker, calls for what every Member must recognize as the normal procedure in ironing out differences between the two Houses of Congress, and I may say my purpose is to allow Members of the House to work their will, if, as appears likely, the Committee on Rules does not act in the meanwhile.

Should this session of Congress be terminated on a motion to adjourn sine die without the necessary number of signatures on the discharge petition it would hold over and, I hope, would assure positive action on a civil rights bill early in the second session.

Of course, I would prefer an immediate end of the deadlock that has developed on the civil rights issue. The minority leader, the gentleman from Massachusetts [Mr. MARTIN] has suggested a compromise; but I note the distinguished chairman of the House Judiciary Committee calls this proposed amendment a hodgepodge. Therefore, it appears a discharge petition may be the only means of getting action. So as a precaution I have filed one now that the required 7 legislative days have passed since the Keating resolution was introduced.

INDIAN HOSPITALIZATION PAYMENTS TO BERNALILLO COUNTY, N. MEX.

Mr. HARRIS submitted a conference report and statement on the bill (H. R. 9023) to amend the act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, N. Mex., for furnishing hospital care to certain Indians.

CONVEYANCE OF LAND TO STATE OF TEXAS

Mr. VINSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 499) to direct the Secretary of the Navy or his designee to convey a 2,477.43-acre tract of land, avigation, and seer easements in Tarrant and Wise Counties, Tex., situated about 20 miles northwest of the city of Fort Worth, Tex., to the State of Texas.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. ARENDS. Reserving the right to object, Mr. Speaker, will the gentleman give the House a short explanation of this bill?

Mr. VINSON. Mr. Speaker, this bill would authorize the Secretary of the Navy to convey to the State of Texas 2,477 acres of land in Tarrant and Wise Counties. The State of Texas would use this property for the training of the National Guard and the Air National Guard.

The property was originally acquired by the United States in 1942 for use as a Marine Corps air station. It was used to train personnel subsequent to that time. It now is excess to the needs of the Navy and neither the Army or the Air Force have any requirement for the property.

This conveyance is similar to many which the Congress has passed during the last several years and you will note in the bill that the United States reserves the right to recapture the property in the event of need; the minerals are reserved to the Government; and the bill provides also that should the property not be used for National Guard purposes, then title will revert to the United States.

Under the bill the Secretary of the Navy also has the right to insert in the deed of conveyance such additional terms and conditions as he may feel necessary to protect the interests of the United States.

You will note that the committee has amended the bill in two places so as to make certain that the State keeps the property in a condition which will permit flying activities to be carried on there should the Government need it during an emergency.

This bill has been cleared by both the Navy and the Bureau of the Budget.

Mr. ARENDS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy or his designee is authorized and directed to convey by quitclaim deed, without consideration, to the State of Texas all right, title, and interest of the United States, except as retained in this Act, together with all buildings, improvements thereon with related personal property, all appurtenances, runways, and utilities belonging or appertaining thereto, of the former United States Marine Corps Air Station, Eagle Mountain Lake, Texas, as shown on maps on file with the Department of the Navy, Bureau of Yards and Docks, in and to a 2,235-acre tract of land out of and comprising lands acquired by the United States in condemnation proceedings in civil actions No. 432, and No. 461, in the United States District Court for the Northern District of Texas, Fort Worth division, and judgments rendered therein by said court as recorded in the deed records of Tarrant County, Texas, on January 21, 1943, in volume 1548, page 452; February 11, 1943, in volume 1552, page 348; May 10, 1943, in volume 1566, page 347; and May 11, 1943, in volume 1567, page 73; also judgment rendered and deed recorded on March 1, 1956, in volume 204, page 107, in the deed records of Wise County, Texas; plus an additional 241.46 acres of land with avigation easements conveyed to the United States by the Tarrant County Control and Improvement District 1, through exchange of lands made December 21, 1954, the deeds being recorded on March 16, 1955, in volume 2837, page 195; volume 2836, page 581, and volume 2837, page 183, of the deed records of Tarrant County, Texas. The complete 2,477.43-acre tract of land, the avigation easements, and a sewer easement, to be conveyed to the State of Texas are more particularly described as follows:

Beginning at a concrete monument which is the southeast corner of the former United States Marine Corps Air Station, Eagle Mountain Lake, Texas, which monument is south 0 degrees 18 minutes east 3,900 feet from the southeast corner of the P. H. Pope survey; thence north 0 degrees 18 minutes west 10,407.4 feet to a corner in the south right-of-way line of the C. R. I. & P. Railroad for the most easterly northeast corner of this tract; thence north 63 degrees 15 minutes west 1,990.0 feet to the Wise and Tarrant County line, for the northerly corner of this tract; thence north 89 degrees 20 minutes west 4,766.3 feet along the boundary of Wise and Tarrant Counties, to the west line of the Dewees and the east line of the C. R. Huff survey; thence north 0 degrees 30 minutes west, along the east line of the C. R. Huff survey, a distance of 646 feet to a point; thence north 38 degrees 16 minutes east, 1,338 feet to a point; thence along the arc of a curve, concave to the right, having a radius of 930.34 feet, a distance of 1,196 feet to the west right-of-way line of the C. R. I. & P. Railroad; thence north 54 degrees 17 minutes west, 185 feet along said right-of-way line to a point; thence south 89 degrees 20 minutes west 654 feet to a point; thence south 38 degrees 16 minutes west 1,741 feet to a point on the east line of the C. R. Huff survey; thence north 0 degrees 30 minutes west, along said east line of the Huff survey, 40 feet to a point; thence south 38 degrees 16 minutes west 967 feet to a point on the north boundary line of the former United States Marine Corps Air Station, said boundary being identical with the Wise and Tarrant County line, and north 89 degrees 20 minutes west 606 feet from the southwest corner of the C. R. Huff survey; thence westerly along the Wise and Tarrant County line north 89 degrees 20 minutes west 3,467.9 feet, to a concrete monument, for the northwest corner of the T. Harvey survey; said concrete monument being set at elevation 649 feet on the east shore of Eagle Mountain Lake; thence along the east shore of Eagle Mountain Lake with the contour line of elevation 649 feet the following courses and distances:

South 0 degrees 15 minutes west 660.4 feet;
South 38 degrees 51 minutes east 559 feet;
South 72 degrees 42 minutes west 192 feet;
South 88 degrees 23 minutes west 212 feet;
North 48 degrees 35 minutes west 223 feet;
North 50 degrees 05 minutes west 370 feet;
South 75 degrees 25 minutes west 172 feet;
North 37 degrees 51 minutes west 181.5 feet;
North 84 degrees 42 minutes west 119 feet;
South 3 degrees 39 minutes east 321 feet;
South 50 degrees 18 minutes west 304.7 feet;
South 37 degrees 18 minutes east 654.9 feet;
South 15 degrees 31 minutes west 289 feet;
South 11 degrees 50 minutes east 425.5 feet;
South 67 degrees 20 minutes west 111 feet;
South 25 degrees 47 minutes west 261 feet;
South 20 degrees 45 minutes east 199.4 feet;
South 26 degrees 56 minutes east 246.6 feet:
South 83 degrees 10 minutes west 325 feet;
South 31 degrees 24 minutes west 326 feet;
South 16 degrees 39 minutes east 220 feet;
South 63 degrees 44 minutes west 244 feet;
South 7 degrees 52 minutes west 232 feet;
South 24 degrees 42 minutes west 196 feet;
South 22 degrees 34 minutes west 278 feet;

Thence south 23 degrees 13 minutes west 58 feet to a ¾-inch iron pipe for the southwest corner of area "A" of the Tarrant County Water Control and Improvement District Numbered 1, the O. T. Funk survey; thence leaving the contour of elevation 649 feet, south 86 degrees 25 minutes east 1729.8 feet to a 1-inch iron pipe; thence south 3 degrees 35 minutes west, 2369 feet to a 1-inch iron pipe in the south line of the D. T. Flores survey; thence north 89 degrees 40 minutes west 280 feet to a point; thence south 25 degrees 40 minutes east 1701.95 feet to an iron pipe; thence north 89 degrees 00 minutes east 625.6 feet to an iron pipe; thence south 63 degrees 50 minutes east, 599 feet to an iron pipe; thence south, 550 feet to a point; thence east 1020 feet to an iron pipe; thence north 305 feet to a ¾-inch iron pipe in the north line of the D. T. Flores survey; thence south 89 degrees 40 minutes east, 3044.17 feet along the north line of the D. T. Flores survey passing the northeast corner of the D. T. Flores survey and the west line of the W. G. King survey abstract numbered 900, to a 1-inch iron pipe for corner; thence south 55 degrees 00 minutes east 834.43 feet with a line parallel to the Texaco pipeline and distant 100 feet in a southwesterly direction from the centerline of said pipeline, to an iron pipe; thence south 2074.73 feet to an iron pipe for the most easterly southeast corner of Area "D" section numbered 1 of the Tarrant County Water Control and Improvement District Numbered 1, in the O. T. Funk survey; located in the south property fence of the former United States Marine Corps Air Station and the south line of the W. G. King survey, said corner being north 89 degrees 00 minutes east 2101.60 feet from the centerline of the Newark-Dido paved road; thence north 89 degrees 0 minutes east 4321.6 feet along the south line of the W. G. King survey and the T. Chubb survey to the point of beginning, containing in all 2477.43 acres more or less, 8.89 acres being located in Wise County, and 2468.54 acres in Tarrant County, Texas.

Avigation easements: Being perpetual avigation easements for the full unobstructed passage of aircraft over and through the airspace above glide angle situated in Tarrant and Wise Counties, Texas, contiguous to the ends and in direct continuation of the runways of the former Marine Corps Air Station, Eagle Mountain Lake, and being more particularly described in deed from the Tarrant County Water Control and Improvement District Numbered 1, dated December 21, 1954, and recorded March 16, 1955, in volume 2837, page 195, of the deed records of Tarrant County, Texas.

Sewer easement: An easement for a sewer over a strip of land 25 feet wide, being a 12½ feet on each side of described centerline and its meanders situated in Wise County, Texas, within the J. W. Dewees survey and being within the same tract of land conveyed from R. L. Donald and others, to W. M. Fleming on December 18, 1939, recorded on January 5, 1940, in volume 1416, page 111 of the deeds records of Tarrant County, Texas, and being more particularly described as follows: Beginning at a point that is south 89 degrees 20 minutes east 1,871.5 feet from the intersection of the Tarrant-Wise County line with the centerline of the Newark-Dido Road. Said point of beginning being on the Tarrant-Wise County line, thence north 32 degrees 02 minutes east 365.5 feet to a point; thence north 74 degrees 06 minutes east 900.0 feet to a point; thence south 87 degrees 12 minutes east 963.0 feet to a point; thence south 53 degrees 41 minutes east 537.0 feet to a point; thence south 37 degrees 13 minutes east 278.4 feet to a point in the Tarrant-Wise County line, said point being north 89 degrees 20 minutes west 319.8 feet from a concrete monument at the intersection of the Tarrant-Wise County line with the west right-of-way line of the C. R. I. & P. Railroad, and being described in a judgment of the United States District Court for the Northern District of Texas, Forth Worth division on the third day of May 1943, in civil action numbered 432 and recorded May 4, 1943, in volume 1567, page 73, of the deed records of Tarrant County, Texas.

Sec. 2. All mineral rights, including oil and gas, in the lands authorized to be conveyed by this Act shall be reserved to the United States.

Sec. 3. The conveyance shall be subject to all outstanding easements and rights-of-way for public roads and highways, railroads, water lines, sewer lines, telephone and telegraph lines, oil pipelines, and such other utilities as now exist.

Sec. 4. The conveyance of the property authorized by this Act shall be upon condition that such property shall be used primarily for training of the National Guard and the Air National Guard and for other military purposes, and that if the State of Texas shall cease to use the property so conveyed for the purposes intended, then title shall immediately revert to the United States, and in addition, all improvements made by the State of Texas during its occupancy shall vest in the United States without payment of compensation therefor.

Sec. 5. Nothing in this Act shall prevent the State of Texas from disposing of or salvaging buildings and improvements now located on the land to be conveyed, or leasing, licensing or granting easements into and on the lands and improvements, except that the exercise of such rights shall not impair the use of the lands and improvements for the purpose set forth in section 4 of this Act, including preservation of the aviation potential of the property and that any revenues derived from such disposal, salvaging, leasing, licensing, or granting of easements shall be expended solely by the State of Texas for the protection, maintenance, and operation of the facility as a training center.

Sec. 6. The conveyance of the property authorized by this Act shall be upon the further provision that whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this Act is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made thereon by the State of Texas, for the duration of such state of war or of such emergency. Upon termination of such state of war or of such emergency plus six months such property shall revert to the State of Texas, together with all appurtenances and utilities belonging or appertaining thereto.

Sec. 7. In executing the deed of conveyance authorized by this Act, the Secretary of the Navy or his designee shall include specific provisions covering the reservations and conditions contained in sections 2, 3, 4, 5, and 6 of this Act and such other terms and conditions, including joint use by the Government on a noninterference basis, not inconsistent with the provisions of this Act, as the Secretary of the Navy deems necessary in the interest of the United States.

Sec. 8. The cost of any surveys necessary as an incident to the conveyance authorized herein shall be borne by the State of Texas.

With the following committee amendments:

Page 3, line 10, strike out "1990.0" and insert "1990.9."

Page 9, line 6, after "purposes," insert "and on condition that the aviation potential of the station shall be maintained in a condition equivalent to the condition of the property at the time of its conveyance, ordinary wear and tear excepted."

Page 9, line 8, after "intended," insert "or fails to maintain such property in the condition aforesaid."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUPPLEMENTAL APPROPRIATION BILL, 1958

Mr. CANNON. Mr. Speaker, I call up the conference report on the bill (H. R. 9131) making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 1235)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 6 and 54 to the bill (H. R. 9131) making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

The committee of conference report in disagreement amendments numbered 6 and 54.

Clarence Cannon,
John J. Rooney,
John Taber,
Managers on the Part of the House.

Carl Hayden,
Richard B. Russell,
Dennis Chavez,
Allen J. Ellender,
Lister Hill,
Spessard L. Holland,
John Stennis,
Leverett Saltonstall,
Milton R. Young,
William F. Knowland,
Edward J. Thye,
Karl E. Mundt,
Margaret Chase Smith,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the further conference on the disagreeing votes of the two Houses on amendments 6 and 54 of the Senate to the bill (H. R. 9131) making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

CHAPTER II

Department of Commerce

Civil Aeronautics Administration

Amendment No. 6: Reported in disagreement.

CHAPTER VIII

Public Works

Department of Defense—Civil Functions

Amendment No. 54: Reported in disagreement. The managers on the part of the House will propose an amendment to include $425,000 in lieu of the $475,000 proposed by the Senate. This action will provide funds for the 27-foot channel in the Columbia River from Vancouver to the Dalles and will eliminate funds provided in the Senate amendment for Rathbun Dam, Iowa (planning).

Clarence Cannon,
John J. Rooney,
John Taber,
Managers on the Part of the House.

CALL OF THE HOUSE

Mr. HESELTON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 206]

Alexander
Alger
Allen, Calif.
Anderson, Mont.
Anfuso
Ayres
Barden
Barrett
Bass, N. H.
Baumhart
Beamer
Becker
Bentley
Bosch
Boykin
Bray
Breeding
Broomfield
Brownson
Buckley
Burdick
Bush
Byrd
Byrne, Ill.
Byrne, Pa.
Carnahan
Chelf
Chudoff
Clark
Clevenger
Coffin
Cooley
Corbett
Cretella
Curtis, Mo.
Davis, Ga.
Dawson, Ill.
Dellay
Dennison
Derounian
Dies
Diggs
Dollinger
Donohue
Dooley
Dowdy
Doyle
Farbstein
Fino
Flood
Flynt
Fogarty
Frelinghuysen
Fulton
Gavin
George
Gordon
Gregory
Griffin
Gubser
Harden
Harvey
Hays, Ark.
Hays, Ohio
Healey
Hemphill
Hiestand
Hillings
Hoeven
Hoffman
Hollfield
Holtzman
Jackson
James
Kean
Kearney
Kearns
Keeney
Kilburn
Krueger
Laird
Landrum
Lankford
Latham
Lesinski
McCarthy
McConnell
McCormack
McDonough
McGregor
McIntosh
Machrowicz
Mailliard
Mason
May
Meader
Michel
Miller, Calif.
Miller, N. Y.
Minshall
Morano
Multer
Mumma
Nicholson
Norblad
O'Brien, N. Y.
Ostertag
Philbin
Pilcher
Powell
Preston
Prouty
Rhodes, Ariz.
Riehlman
Rivers
Robeson, Va.
Robsion, Ky.
Sadlak
Santangelo
St. George
Saylor
Scherer
Scott, Pa.
Seely-Brown
Sheehan
Shelley
Sikes
Siler
Simpson, Pa.
Smith, Kans.
Taylor
Teague, Calif.
Teague, Tex.
Teller
Udall
Vursell
Wainwright
Westland
Whitener
Widnall
Wilson, Calif.
Yates
Zablocki
Zelenko

The SPEAKER. On this roll call 286 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SUPPLEMENTAL APPROPRIATION BILL, 1958

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 6: On page 3, strike out all of lines 3 to 13, inclusive.

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. Cannon moves that the House recede from its disagreement to the amendment of the Senate numbered 6, and concur therein with an amendment, as follows: In lieu of the matter stricken by said amendment insert:

"CIVIL AERONAUTICS ADMINISTRATION

"*Construction and development, additional Washington airport*

"For necessary expenses for the construction and development of a public airport in the vicinity of the District of Columbia, as authorized by the act of September 7, 1950 (64 Stat. 770), including acquisition of land, $12,500,000, to remain available until expended: *Provided*, That not to exceed a total of $250,000 may be advanced from this appropriation to the applicable appropriations of the Civil Aeronautics Administration for necessary administrative expenses: *Provided further*, That such sums as may be necessary but not to exceed $100,000 shall be transferred from this appropriation to the President for expenses necessary for the investigation of alternate sites for said airport: *Provided further*, That no funds shall be expended for construction and development of said airport until the President shall make a report to the Congress with a recommendation as to the site, said report to be submitted not later than January 15, 1958."

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. Rooney].

Mr. ROONEY. Mr. Speaker, the action now proposed represents the unanimous agreement of all the members of the conference, the conferees on the House side and the conferees of the other body.

This pending motion provides $12,500,000 to commence construction of a new airport in the vicinity of Washington. It also provides for a further study by the President of alternate sites for the airport and requires a report to the Congress at any time, but not later than January 15, 1958. Construction of the additional airport may then proceed at whatever location the President designates in the report.

The conferees of the other body have requested that Gen. E. R. Quesada, special assistant to the President on aviation, take part in the study. While the language of the bill does not specifically require this, the House conferees would not object if the President saw fit to have him take part.

I urge agreement to the pending motion of the distinguished gentleman from Missouri [Mr. Cannon] which should bring to an end the long controversy over the Burke site. The President may now go ahead with the construction of an additional airport for Washington either at Burke or wherever he decides it should be located.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. Taber].

Mr. TABER. Mr. Speaker, I feel that this is a satisfactory solution of the Washington airport problem. In the meantime I have been assured that the Civil Aeronautics Board will go after the airlines and force the use of Friendship Airport during the progress of the construction of this additional airport and, perhaps, afterward.

Mr. CANNON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri [Mr. Cannon].

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 54: On page 23 insert:

"DEPARTMENT OF DEFENSE—CIVIL FUNCTIONS

"*Department of the Army*

"Rivers and Harbors and Flood Control

"Construction, general

"For an additional amount for 'Construction, general,' $475,000, to remain available until expended."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. Cannon moves that the House recede from its disagreement to the amendment of the Senate numbered 54, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert "$425,000."

Mr. LeCOMPTE. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. LeCompte moves that the House recede from its disagreement to the amendment of the Senate numbered 54 and concur therein.

Mr. TABER. Mr. Speaker, I ask for a division of the question.

The SPEAKER. The question is on the motion to recede.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. LeCompte].

Mr. LeCOMPTE. Mr. Speaker, I offer this preferential motion with respect to the Rathbun Dam in southern Iowa.

May I say to my colleagues in the House that this was authorized a number of years ago. Planning money has twice been recommended by the President and urged in a budget message. It was budgeted in the last Congress and again in the present Congress, this time in the amount of $100,000. However, we are now asking only $50,000. Twice this amount was provided in a bill by the other body. I find that the White House, the Budget Director, Corps of Army Engineers, and the Senate are in favor of a study being made on the Rathbun Dam.

For the benefit of my colleagues, may I read this statement from a report of the upper House regarding the Rathbun and Red Rock Dams, Iowa.

RATHBUN AND RED ROCK DAMS, IOWA

The House committee recommended against the appropriation of funds for the continuation of planning on these two projects, because it appeared that comprehensive watershed and soil-conservation practices might serve much of the flood-control purpose assigned to these two reservoirs. The representatives of the Corps of Engineers that appeared before the committee testified that these projects are required for flood control. The committee recommends the appropriation of funds to continue planning on these projects, and directs the Corps of Engineers to evaluate the effectiveness of watershed and soil-conservation practices on these watersheds in the control of major floods. It is desired that they be prepared to report on this matter when they appear before the Appropriations Committees next year.

Mr. Speaker, this $50,000 might be the most important economy money we have expended in a long time because it looks toward an understanding of flood control problems, soil conservation problems, and watershed problems. One hundred thousand dollars has been recommended by the White House, by the President in his budget message, it has had the approval of the Budget Director, and it has been twice placed in a bill by the other body. It seems to me, judging by the language of the report from the other body, that this is actually an economy proposition and the amount has been reduced to $50,000.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. LeCOMPTE. I yield to the gentleman from New York.

Mr. ROONEY. Does the gentleman realize that this would mean the start of a project that would run into at least $21 million, and that the cost-benefit ratio is only 1.19 to 1 percent?

Mr. LeCOMPTE. The $50,000 is only for planning money. The report of the other body requires the Corps of Engineers to make a statement as to whether it is an economy measure or not and whether they can come up with some answer to the ever-present problems of soil erosion and flood control, watershed problems, and kindred subjects. I would say that this $50,000, on which I shall offer a motion if the present motion prevails, if I am permitted to do so might very possibly be the best money this Congress has spent in a long time.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. Taber].

Mr. TABER. Mr. Speaker, I want to talk to you about the $425,000 that would be left in this bill if this motion to recede prevails. That is an item to dredge the Columbia River from Bonneville to The Dalles about 45 miles upstream. Already they have a project which was completed for a channel from Bonneville to Vancouver. The only trouble with it is that it has silted so that they have a lot of money to spend upon it and they expect to spend $1,250,000 maintenance funds of the civil functions, War Department, on that this coming year. Now, I do not know why they allowed it to silt and fill in. I do not know whether it was because there was no demand of traffic to use it. There is no other activity of a major character that could not be served by small boats between Bonneville and The Dalles. The people who have sponsored this proposition are those who were given a contract by the Government some time back, the Harvey outfit for something in the nature of 50,000 tons of aluminum a year. They were not able to make good on it. They finally sold it out to the Anaconda Copper Co., as I understand it, and they made about $5 million out of the sale. They had a tax amortization on that thing. Now, I understand they have another tax amortization and have a contract with the Government to guarantee the building of a plant for aluminum and they want this channel dug to a depth of 27 feet from Bonneville up to Troutdale where The Dalles is. It seems to me this is absolutely ridiculous. It was not in the budget. They did not make a good enough case for it. It was placed in the bill in the other body without any talk about it anywhere except in the committee, and they did not even refer to it in their report. We went to conference with the other body and without any big kick on the part of the proponents of this thing, it was thrown out. This whole picture does not look good to me at all. I do not want to be a party to paying the $425,000 which is going to result in the expenditure of approximately $5 million before they get through on the whole thing and, furthermore, for the benefit of an outfit that has operated and that has the kind of record that this Harvey outfit has. I do not understand why there seems to be such great excitement about putting such a thing as this in, which was not even able to secure a budget estimate.

The only position I can take to try to keep things on the square is to be against this motion to recede. I hope that the House will support that position the same as it did the day before yesterday when we had this matter under consideration. Therefore, I hope that the House will vote "no" on the motion to recede, and that we will be able to stop this operation.

The SPEAKER. The time of the gentleman from New York [Mr. TABER] has expired.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Speaker, I hope the House does not recede on either of those projects. Both of these projects have been interred and resurrected more often than a cat has lives.

To begin with, the Rathbun Reservoir was before the committee. It was a budgeted item of $100,000. It was defeated in the committee. When it came to the floor the House accepted the recommendation of the committee. It went to conference after the Senate put it in. It was defeated in the conference by the managers on the part of the House. It was defeated the day before yesterday by an overwhelming vote of this House, and again it is before the House today.

The same argument applies to the project which would dredge the Columbia River from Bonneville to The Dalles. Insofar as that project is concerned, there is not a line of evidence in the hearings which indicates that this is a project which should be started at this time. When we had outside witnesses before the committee, some of them espoused this particular project. But insofar as the Corps of Engineers are concerned, there is not a line of evidence in the committee hearings which indicates that this item should be put in the budget this year. This item was also considered by the managers on the part of the House, and we insisted that the Senate recede from its position on this project. The Senate receded. When the managers on the part of the House met with the Senate, there were 34 items that were put in by the Senate, and the House gracefully capitulated on almost 99 percent of those projects. The projects to which I have reference, the Rathbun Reservoir and the Columbia River project, particularly the Columbia River project, would cost in the neighborhood of $29 million. About $8 million for Columbia River project. This is an authorized project. It is not a budgeted project. About $21 million would be expended on the Rathbun Reservoir. This project was budgeted.

In 1949 the depth of the Columbia River was deepened to 27 feet. Since that time it has been allowed to silt up so that the depth now is only 15 feet. If we approve this project which would dredge the Columbia River from Bonneville to The Dalles, it would necessitate a further expenditure of money for the dredging of the Columbia River from Vancouver to Bonneville Dam. That would entail an expenditure of $2,500,000. Where is the $2,500,000 coming from? It is coming from operation and maintenance, which means that $2,500,000 would be deducted from operation and maintenance of other projects throughout the Nation.

What is the benefit to cost ratio on the Columbia River project? There is no benefit to cost ratio on this project. It has not been evaluated. I am sure when it is evaluated it will be a good benefit to cost ratio. At that time I can see myself going along with the project.

I have been sitting on this committee for the past 3 years, and there is no Member here who can say that I have not gone along with him on projects in which they have been intensely interested if those projects were justified. But I cannot find myself going along with some particular project on which there have been no hearings, on which there has been little or no testimony. I think this is an affront to the Subcommittee on Public Works of the Appropriations Committee if this House should vote this project at this time. I think it is wrong. I do not think it is right for the members of any committee to sit as Stoughton bottles and go along with some project on which it has little information.

Mr. SCHWENGEL. I agree with the gentleman. The point I want to make is that the motion has been made by the gentleman from Iowa because he wants to get his Rathbun project restored, and the only parliamentary maneuver to make that possible is this motion.

Mr. BOLAND. I think we ought to pass the motion and fail to recede and kill the project.

The Rathbun project has a benefit to cost ratio of 1.91 to 1. Evidence was taken before our committee. This was a budgeted item but was turned down by the committee. Work has been done up in that area which alleviates the flood problem. That is the only project which deals with flood control.

Mr. CANNON. Mr. Speaker, at this time I yield 5 minutes to the gentleman from Washington [Mr. MAGNUSON].

Mr. MAGNUSON. Mr. Speaker, I hope the House will see fit to vote "yea" on the pending motion, which is a motion to recede.

We had this question under consideration just the day before yesterday and got into a monumental parliamentary snarl for the reason that many of us on this side did not hear the request of the gentleman from New York that the question be divided so that those who wanted to vote No voted "aye" and vice versa.

I am interested, of course, in this Columbia River dredging project which has been discussed by both the gentleman from New York and the gentleman from Massachusetts. The item as it appears in the Senate bill is $475,000. I would like to explain this situation so we will know where we stand.

$475,000 is the amount of the item. Of this amount $425,000 would be for dredging of the Columbia River. The other $50,000 would be for starting plans on the Rathbun Dam in Iowa, which will be a $21 million project.

I might say that I do not go along with the idea of starting work on the Rathbun Dam and would like to see the $50,000 stricken from this bill, but I would like to see the $425,000 appropriated for the Columbia River dredging project.

We need this channel opened up from Vancouver to The Dalles. In 1937 the work as far as Bonneville Dam was authorized, a channel of 27 feet. In subsequent years the river in that region was dredged to a depth of 27 feet. Since then it has been allowed to silt in, and in recent years it has been maintained at a depth of only 15 feet.

In 1946 authorization was granted to dredge to a depth of 27 feet from Bonneville on up to The Dalles. The need now is for deeper draft navigation up the river as far as The Dalles.

The total cost will be $5,350,000, of which this $425,000 would be the first installment.

Mr. SHEPPARD. Mr. Speaker, will the gentleman yield?

Mr. MAGNUSON. I yield.

Mr. SHEPPARD. I am directing my question to the gentleman because he represents that area and knows what the conditions are better perhaps than some of the rest of us.

It has been my understanding that there has been some shipping up the Columbia River but not much that requires greater depth of bottom clearance.

The gentleman from New York [Mr. TABER], said on the floor a few moments ago that this program was for the specific use of a firm known as the Harvey firm. Is that a fact, as the gentleman knows it, or is it not a fact?

Mr. MAGNUSON. It is not specifically for the benefit of the Harvey firm.

Mr. TABER. It is mainly for that firm.

Mr. SHEPPARD. I would like to ask the gentleman further, what are the general shipping requirements, using a figure of 100 percent for the so-called industry, the Harvey or other people, as compared with the total shipping requirements percentagewise.

Mr. MAGNUSON. I am sorry to say I cannot give the gentleman the figure, but it would only be a small proportion of the total. We have a great potential in shipping down that river in fruit, grain, lumber products, and up the river in industrial supplies, petroleum products and so forth. The volume has been increasing steadily year by year.

Mr. HOLMES. Mr. Speaker, will the gentleman yield?

Mr. MAGNUSON. I yield to the gentleman from Washington.

Mr. HOLMES. In following up the remarks of the distinguished gentleman from California, let me call the attention of the Members of the House to the fact that the McNary Dam, which is many, many miles up the river from The Dalles, Oreg., has constructed in it one of the largest shipping locks of any dam constructed in the United States. There is navigation service to the people clear up to the Tri-City area, in the State of Washington, a service to around 70,000 people. I want to get the record straight that the dredging of the Columbia River and the keeping of the Columbia River open is not strictly devoted to any corporation or to any specific business.

The **SPEAKER.** The time of the gentleman from Washington has expired.

Mr. CANNON. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. MAGNUSON. Mr. Speaker, if I only have 1 additional minute I shall devote it to explaining the parliamentary situation.

Mr. ROONEY. Mr. Speaker, will the gentleman yield for a question?

Mr. MAGNUSON. I yield to the gentleman from New York.

Mr. ROONEY. It is a fact, is it not, that this project has been authorized for at least 10 years?

Mr. MAGNUSON. The upper half of it 11 years, and the lower half of it 20 years.

Mr. Speaker, we are now considering a motion to recede. I hope the House will vote favorably on this motion, after which there will be offered a motion to concur in the Senate amendment with an amendment. The amendment will be to reduce the amount of this appropriation from $475,000 to $425,000. In other words, that motion will cut out the start of the $21 million dam in Iowa and approve the $425,000 for this project in the Columbia River.

The **SPEAKER.** The time of the gentleman from Washington has expired.

Mr. CANNON. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Speaker, I trust that the House will show confidence in the Subcommittee on Appropriations having to do with public works and vote against the motion to recede. After all, the members of this subcommittee sit week after week looking into these various projects and now we have before us a proposal concerning which we have had no discussion whatever and are asked to agree to without knowing what this really entails. I would suggest to these gentlemen that they come before our subcommittee next spring and give us an opportunity to study the proposal. This bypasses consideration by this proper committee.

Mr. Speaker, I certainly hope that the pending motion is voted down.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from Illinois.

Mr. ARENDS. A vote against this motion to recede is in keeping with the position the House took day before yesterday by an overwhelming vote?

Mr. H. CARL ANDERSEN. That is my understanding. I agree fully with the gentleman from Massachusetts [Mr. BOLAND] and the speech he made. He brought out in a very effective manner what our subcommittee is up against, what we have to contend with, and I hope the House will sustain the subcommittee and vote against the motion to recede.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from North Carolina.

Mr. JONAS. We have had a lot of talk in this Chamber about reducing the budget. Is it not true that if this motion prevails it will increase the budget?

Mr. H. CARL ANDERSEN. Yes, the gentleman is correct. It will also make those of us who are members of the Subcommittee on Public Works feel: Just what is the use of sitting on that subcommittee for weeks and weeks trying to determine the proper course to pursue and having a decision made here without our having an opportunity to even look into it during our regular committee hearings? It is a poor way to do business.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. HOLMES].

Mr. HOLMES. Mr. Speaker, I thank the gentleman for yielding to me. The parliamentary situation, as I understand it, is in order to have this money for the Columbia River dredging we have to vote "yea" on the motion offered by the gentleman from Iowa [Mr. LECOMPTE], is that correct?

Mr. ROONEY. That is correct.

Mr. HOLMES. Then to clear up this other matter about the limited use of dredging of the Columbia River for a specific purpose; that is utterly untrue. The Columbia is one of the biggest streams in America. It has many miles of navigation wrapped up in it from its upper reaches down to its mouth. It has many dams that are involved on the Columbia River and, as I said a few moments ago, one of the largest locks built in a dam in the United States is in the McNary Dam, many miles up the stream from The Dalles. To try and bring in something to defeat the legitimate dredging of a navigable stream the size of the Columbia by referring specifically to a corporation that needs this is certainly not facing the issue and not looking at the problem factually. I do plead with you to take into consideration the fact that you have a big stream, a fine stream, a stream that needs channelizing and dredging. You have an authorized procedure to carry it out and I hope that the House will support the motion to recede and concur.

Mrs. GREEN of Oregon. Mr. Speaker, will the gentleman yield?

Mr. HOLMES. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. It has already been brought out in this discussion that this project, the dredging of the Columbia, has been authorized for over 10 years, since 1946, for the full project. Is it not also true that the Army Corps of Engineers has recommended this in the 308 report and I understand other reports, also, as economically and technically sound and feasible?

Mr. HOLMES. That is correct. Not only have they recommended it in their 308 report, but they are vitally interested in seeing to it that the stream is properly dredged. On the upper reaches above the McNary Dam is the tri-city area of the State of Washington in which there are 70,000 people. We do not want bottlenecks up and down this river to prevent navigation being handled correctly on a fine, navigable stream.

Mr. ROONEY. Mr. Speaker, will the distinguished gentleman yield briefly?

Mr. HOLMES. I yield to the gentleman from New York.

Mr. ROONEY. There is one point that has been missed so far in this debate; I have not heard it mentioned. We are here and now concerned with a conference report on a supplemental appropriations bill carrying over $1.7 billion. This comparatively small amendment is the only item which delays the delivery of this bill to the White House for signature. We have been in conference twice with the other body on this amendment and the conferees of the other body are adamant in their position. I hope that these facts will be taken into consideration in connection with this debate.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. HOLMES. I yield to the gentleman.

Mr. BOLAND. In answer to the gentleman from New York [Mr. ROONEY], when the managers on the part of the House and the Senate got together on the original public works appropriation bill there was no difficulty with this project. We asked the other body to recede and they receded willingly; there was no problem at all. So there is no problem about a billion-dollar public works bill involved here. Our objection is that this project was brought to this floor after it was killed four times by the committee and by the House itself.

Mr. ROONEY. Mr. Speaker, will the distinguished gentleman yield for a brief observation?

Mr. HOLMES. I yield to the gentleman.

Mr. ROONEY. I should like to have it understood, and I am sure it is understood, that this is not a public works appropriations bill. This is a supplemental appropriation bill carrying funds for many Government agencies, the major part of the funds being for military construction.

Mr. HOLMES. Mr. Speaker, in closing I want to make this remark, that here we have an item of $475,000 holding up this bill. Included is $425,000 for a project of dredging on the Columbia River in the State of Washington that is building its navigation capacity up yearly. To hold back $425,000 for dredging of this fine, navigable stream that serves many, many areas on upstream is a very shortsighted procedure.

Mr. KIRWAN. Mr. Speaker, will the gentleman yield?

Mr. HOLMES. I yield to the gentleman from Ohio.

Mr. KIRWAN. Mr. Speaker, in answer to the gentleman from Massachusetts [Mr. BOLAND] let me say this. He objected to the way this item came in here. I was the one who asked them to take it out and they did. But in the meantime I found out that I was wrong. This is a worthwhile project. We are spending billions and billions of dollars. This is not the first time some project came in as a rider. They come in this way every year. They could not take this back and put it in the public works bill again. There is only one way we can take it in and that is the way they took it in. And that is the right way. I say it is a good project. They convinced me that it was.

Mr. ULLMAN. Mr. Speaker, I sincerely hope that the Members of the House will give their wholehearted support to the appropriation which is now before us. The project for which these funds would be used is one of great importance not only to the district which I represent, but to the entire Pacific Northwest region.

The Vancouver to the Dalles deep-draft ship channel is certainly not a new project. A section of it was authorized as long ago as 1937 by Congress. Nine years later, in 1946, an extension of the project depth and width to The Dalles, Oreg., was authorized in the Rivers and Harbors Act. Yet, despite this Congressional authorization, adequate funds for the completion of the project were never made available. Moreover, inadequate maintenance funds have resulted in an accumulation of silt in that section of the channel that originally was developed. Thus, we are asking today only for an appropriation which will permit a fully authorized channel development and improvement project on the Columbia River to proceed.

Mr. Speaker, all are familiar, I am sure, with the potentialities of the great Columbia River and its basin. The Federal Government has authorized significant developmental projects on this great stream. We have spent millions of dollars for locks. Yet, we can only fully realize the benefits of these expenditures if we open the Columbia River Basin to continued expansion through channel development.

The navigation of oceangoing vessels to inland ports would further the development of our agricultural and industrial potential. Our wheat-export program which now involves 1,357,000 tons could be more expeditiously handled by deep-draft vessels rather than by rail and transshipment through overcrowded facilities as it is at present handled. New markets could be found for our extensive production of some of the finest fruit raised in the Nation. Moreover, development of the channel could mean a substantial increase in the outgoing tonnage of fertilizers, metals, and industrial products.

Mr. Speaker, I am hopeful that this appropriation will receive the approval of the House and I urge its full support by all Members.

Mr. TABER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TABER. The vote that we are about to take is on the question as to whether or not the House will recede?

The SPEAKER. From its disagreement to Senate amendment No. 54.

Mr. TABER. If the motion fails to carry, that immediately results in the House having determined to disagree to the Senate amendment?

The SPEAKER. That is correct.

Mr. CANNON. Mr. Speaker, there are still two amendments remaining in disagreement between the two Houses on this last supplemental appropriation bill.

We now propose to dispose of those two amendments. The recommendation of the conferees is that the Columbia River item be approved and the Rathbun Dam item be disapproved. That is the recommendation of the managers on the part of the two Houses.

In order to permit a vote on the two amendments it is necessary to recede from our disagreement. Therefore our vote now is aye on the motion of the gentleman from Iowa to recede.

After the House votes to recede it will then be in order to vote on the two propositions, the Columbia River and the Rathbun Dam. But we must first vote to recede.

So, Mr. Speaker, I move the previous question on the motion to recede.

The previous question was ordered.

The SPEAKER. The question is, Will the House recede from its disagreement to Senate amendment No. 54?

The question was taken; and on a division (demanded by Mr. H. CARL ANDERSEN) there were—ayes 80, noes 63.

Mr. TABER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quoroum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 166, nays 121, not voting 145, as follows:

[Roll No. 207]

YEAS—166

Abernethy
Albert
Alexander
Anderson, Mont.
Andrews
Ashley
Ashmore
Aspinall
Bailey
Baker
Baring
Bass, Tenn.
Bennett, Fla.
Blatnik
Blitch
Boggs
Bolling
Bonner
Boykin
Boyle
Breeding
Brooks, La.
Brooks, Tex.
Brown, Ga.
Brown, Mo.
Burleson
Cannon
Celler
Chenoweth
Christopher
Coad
Cooper
Cunningham, Iowa
Davis, Tenn.
Delaney
Denton
Dingell
Dorn, S. C.
Durham
Eberharter
Edmondson
Elliott
Engle
Evins
Fallon
Fascell
Feighan
Fisher
Forand
Forrester
Frazier
Friedel
Garmatz
Gary
Gathings
Granahan
Grant
Green, Oreg.
Green, Pa.
Gregory
Griffiths
Gubser
Hagen
Hardy
Harris
Herlong
Hill
Holland
Holmes
Horan
Hull
Ikard
Jarman
Jennings
Jensen
Johnson
Jones, Ala.
Jones, Mo.
Karsten
Kearns
Kee
Kelley, Pa.
Kelly, N. Y.
Kilday
Kilgore
King
Kirwan
Kluczynski
Knutson
Lanham
LeCompte
Loser
McFall
McGovern
McMillan
Macdonald
Madden
Magnuson
Mahon
Matthews
Merrow
Metcalf
Mills
Montoya
Morgan
Morris
Morrison
Moss
Moulder
Natcher
Norrell
O'Brien, Ill.
O'Hara, Ill.
Passman
Patman
Patterson
Pelly
Perkins
Pfost
Poage
Polk
Porter
Rabaut
Rains
Reece, Tenn.
Reuss
Rhodes, Pa.
Riley
Rogers, Colo.
Rogers, Fla.
Rogers, Mass.
Rogers, Tex.
Rooney
Roosevelt
Rutherford
Saund
Schwengel
Selden
Shelley
Sheppard
Sisk
Smith, Miss.
Spence
Staggers
Steed
Sullivan
Talle
Thomas
Thompson, N. J.
Thompson, Tex.
Thornberry
Tollefson
Trimble
Ullman
Vanik
Vinson
Walter
Watts
Whitten
Wier
Williams, Miss.
Willis
Winstead
Wolverton
Wright
Young

NAYS—121

Abbitt
Adair
Addonizio
Allen, Ill.
Andersen, H. Carl
Andresen, August H.
Arends
Auchincloss
Avery
Baldwin
Bates
Beckworth
Belcher
Bennett, Mich.
Berry
Betts
Boland
Bolton
Brown, Ohio
Broyhill
Budge
Byrnes, Wis.
Canfield
Carrigg
Cederberg
Chamberlain
Church
Cole
Collier
Colmer
Cramer
Cunningham, Nebr.
Curtin
Curtis, Mass.
Dague
Dawson, Utah
Devereux
Dixon
Dorn, N. Y.
Dwyer
Fenton
Ford
Fountain
Gross
Gwinn
Hale
Haley
Harrison, Nebr.
Harrison, Va.
Haskell
Henderson
Heselton
Hess
Holt
Hosmer
Huddleston
Hyde
Jenkins
Johansen
Jonas
Judd
Keating
Kitchin
Knox
Lane
Lennon
Lipscomb
Long
McConnell
McCulloch
McIntire
McVey
Mack, Ill.
Marshall
Martin
Miller, Md.
Miller, Nebr.
Moore
Murray
Neal
Nimtz
O'Hara, Minn.
O'Konski
O'Neill
Osmers
Pillion
Poff
Price
Prouty
Radwan
Ray
Reed
Rees, Kans.
Rodino
Schenck
Scott, N. C.
Scrivner
Scudder
Shuford
Simpson, Ill.
Smith, Calif.
Smith, Va.
Smith, Wis.
Springer
Stauffer
Taber
Tewes
Thomson, Wyo.
Tuck
Utt
Van Pelt
Van Zandt
Vorys
Vursell
Weaver
Wharton
Wigglesworth
Williams, N. Y.
Wilson, Ind.
Withrow
Younger

NOT VOTING—145

Alger
Allen, Calif.
Anfuso
Ayres
Barden
Barrett
Bass, N. H.
Baumhart
Beamer
Becker
Bentley
Bosch
Bow
Bray
Broomfield
Brownson
Buckley
Burdick
Bush
Byrd
Byrne, Ill.
Byrne, Pa.
Carnahan
Chelf
Chiperfield
Chudoff
Clark
Clevenger
Coffin
Cooley
Corbett
Coudert
Cretella
Curtis, Mo.
Davis, Ga.
Dawson, Ill.
Dellay
Dempsey
Dennison
Derounian
Dies
Diggs
Dollinger
Donohue
Dooley
Dowdy
Doyle
Farbstein
Fino
Flood
Flynt
Fogarty
Frelinghuysen
Fulton
Gavin
George
Gordon
Gray
Griffin
Halleck
Harden
Harvey
Hays, Ark.
Hays, Ohio
Healey
Hébert
Hemphill
Hiestand
Hillings
Hoeven
Hoffman
Holifield
Holtzman
Jackson
James
Kean
Kearney
Keeney
Keogh
Kilburn
Krueger
Laird
Landrum
Lankford
Latham
Lesinski
McCarthy
McCormack
McDonough
McGregor
McIntosh
Machrowicz
Mack, Wash.
Mailliard
Mason
May
Meader
Michel
Miller, Calif.
Miller, N. Y.
Minshall
Morano
Multer
Mumma
Nicholson
Norblad
O'Brien, N. Y.
Ostertag
Philbin
Pilcher
Powell
Preston
Rhodes, Ariz.
Riehlman
Rivers
Roberts
Robeson, Va.
Robsion, Ky.
Sadlak
Santangelo
St. George
Saylor
Scherer
Scott, Pa.
Seely-Brown
Sheehan
Sieminski
Sikes
Siler
Simpson, Pa.
Smith, Kans.
Taylor
Teague, Calif.
Teague, Tex.
Teller
Thompson, La.
Udall
Wainwright
Westland
Whitener
Widnall
Wilson, Calif.
Yates
Zablocki
Zelenko

So the motion was agreed to.

The Clerk announced the following pairs:

Mr. Buckley with Mr. Minshall.
Mr. Keogh with Mr. Baumhart.
Mr. Anfuso with Mr. Clevenger.
Mr. Farbstein with Mr. McGregor.
Mr. Multer with Mr. Scherer.

Mr. Dollinger with Mr. McIntosh.

Mr. Healey with Mr. Griffin.

Mr. O'Brien of New York with Mr. Broomfield.

Mr. Holtzman with Mr. May.

Mr. Santangelo with Mr. Westland.

Mr. Zelenko with Mr. Michel.

Mr. Powell with Mr. Hillings.

Mr. Teller with Mr. Alger.

Mr. Byrd with Mr. Allen of California.

Mr. Gordon with Mr. Ayres.

Mr. Dawson of Illinois with Mr. Wainwright.

Mr. Yates with Mr. Saylor.

Mr. Miller of California with Mr. Mack of Washington.

Mr. Doyle with Mr. Coudert.

Mr. Dowdy with Mr. Cretella.

Mr. McCarthy with Mr. Halleck.

Mr. Landrum with Mr. Beamer.

Mr. Preston with Mr. Bentley.

Mr. Pilcher with Mr. Kean.

Mr. Flynt with Mr. Kearney.

Mr. Fogarty with Mr. Riehlman.

Mr. Hays of Ohio with Mr. Latham.

Mr. Holifield with Mr. Teague of California.

Mr. Lankford with Mr. Hiestand.

Mr. Hays of Arkansas with Mr. Wilson of California.

Mr. Byrne of Pennsylvania with Mr. Mason.

Mr. Hemphill with Mr. Hoffman.

Mr. Barrett with Mr. Jackson.

Mr. Chudoff with Mr. Bass of New Hampshire.

Mr. Machrowicz with Mr. Harvey.

Mr. Philbin with Mr. Curtis of Missouri.

Mr. Donohue with Mr. Dellay.

Mr. Coffin with Mr. Bosch.

Mr. Roberts with Mr. Becker.

Mr. Robeson of Virginia with Mr. Keeney.

Mr. Sieminski with Mr. Krueger.

Mr. Sikes with Mr. Gavin.

Mr. Hébert with Mr. Frelinghuysen.

Mr. Thompson of Louisiana with Mr. Kilburn.

Mr. Udall with Mr. George.

Mr. Dies with Mr. Chiperfield.

Mr. Diggs with Mr. Laird.

Mr. Dempsey with Mr. Bush.

Mr. Gray with Mr. Derounian.

Mr. Carnahan with Mr. Fino.

Mr. Whitener with Mr. James.

Mr. Rivers with Mr. Siler.

Mr. Chelf with Mr. Sheehan.

Mr. Cooley with Mr. Scott of Pennsylvania.

Mr. Clark with Mrs. St. George.

Mr. Flood with Mr. Norblad.

Mr. Lesinski with Mr. Taylor.

The result was announced as above recorded.

The doors were opened.

Mr. ROONEY. Mr. Speaker, I move to concur in the Senate amendment numbered 54 with an amendment.

The Clerk read as follows:

Mr. ROONEY moves that the House concur in the Senate amendment numbered 54 with an amendment as follows: In lieu of the sum of "$475,000" named in said amendment insert "$425,000."

Mr. ROONEY. Mr. Speaker, the purpose of this amendment is to insert $425,000 with regard to the dredging of the Columbia River.

I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from New York [Mr. ROONEY].

Mr. TABER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TABER. This is a motion to concur in the item of $425,000 for the Columbia River.

The SPEAKER. That is what the Chair understands.

Mr. LECOMPTE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LECOMPTE. Is a motion in order to amend the motion of the gentleman from New York?

The SPEAKER. Not at this stage. The previous question has already been ordered. This is a motion to concur with an amendment.

Mr. ROONEY. Mr. Speaker, we have already receded and this is a motion to concur with an amendment.

The SPEAKER. The question is on the motion offered by the gentleman from New York [Mr. ROONEY].

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 102, noes 61.

Mr. TABER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 165, nays 120, not voting 147, as follows:

[Roll No. 208]

YEAS—165

Abernethy
Albert
Anderson, Mont.
Andrews
Ashley
Ashmore
Aspinall
Bailey
Baker
Baring
Bass, Tenn.
Bennett, Fla.
Blatnik
Blitch
Boggs
Bolling
Bonner
Boyle
Breeding
Brooks, La.
Brooks, Tex.
Brown, Ga.
Brown, Mo.
Burleson
Cannon
Celler
Chenoweth
Christopher
Cooper
Davis, Tenn.
Delaney
Dempsey
Denton
Dingell
Dorn, S. C.
Durham
Edmondson
Elliott
Engle
Evins
Fallon
Fascell
Feighan
Fisher
Forand
Forrester
Fountain
Frazier
Friedel
Garmatz
Gary
Gathings
Granahan
Grant
Gray
Green, Oreg.
Green, Pa.
Gregory
Griffiths
Hagen
Haley
Hardy
Harris
Herlong
Hill
Holland
Holmes
Huddleston
Hull
Ikard
Jarman
Jennings
Johnson
Jones, Ala.
Jones, Mo.
Karsten
Kearns
Kee
Kelley, Pa.
Kelly, N. Y.
Kilday
Kilgore
King
Kirwan
Kitchin
Kluczynski
Knutson
Lanham
Loser
McGovern
McMillan
Macdonald
Mack, Ill.
Madden
Magnuson
Mahon
Marshall
Matthews
Merrow
Metcalf
Mills
Montoya
Morgan
Morris
Morrison
Moss
Moulder
Murray
Natcher
Norrell
O'Brien, Ill.
O'Hara, Ill.
O'Neill
Passman
Patman
Pelly
Perkins
Pfost
Poage
Polk
Porter
Price
Rabaut
Rains
Reece, Tenn.
Reuss
Rhodes, Pa.
Riley
Roberts
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney
Roosevelt
Rutherford
Saund
Scott, N. C.
Selden
Shelley
Sheppard
Shuford
Sisk
Smith, Miss.
Spence
Staggers
Steed
Sullivan
Thomas
Thompson, N. J.
Thompson, Tex.
Thornberry
Tollefson
Trimble
Ullman
Vanik
Vinson
Walter
Watts
Whitten
Wier
Williams, Miss.
Willis
Winstead
Wright
Young

NAYS—120

Abbitt
Adair
Addonizio
Allen, Ill.
Andersen, H. Carl
Andresen, August H.
Arends
Auchincloss
Avery
Baldwin
Bates
Beckworth
Belcher
Bennett, Mich.
Berry
Betts
Boland
Bolton
Brown, Ohio
Broyhill
Budge
Byrnes, Wis.
Canfield
Carrigg
Chamberlain
Church
Coad
Cole
Collier
Colmer
Cramer
Cunningham, Iowa
Cunningham, Nebr.
Curtin
Curtis, Mass.
Dague
Devereux
Dixon
Dorn, N. Y.
Dowdy
Dwyer
Fenton
Ford
Gross
Gubser
Gwinn
Hale
Harrison, Nebr.
Harrison, Va.
Haskell
Henderson
Heselton
Hess
Holt
Horan
Hosmer
Hyde
Jenkins
Jensen
Johansen
Jonas
Judd
Keating
Knox
Lane
LeCompte
Lennon
Lipscomb
Long
McConnell
McCulloch
McIntire
McVey
Martin
Miller, Md.
Miller, Nebr.
Moore
Neal
Nimtz
O'Hara, Minn.
O'Konski
Osmers
Patterson
Pillion
Poff
Prouty
Radwan
Ray
Reed
Rees, Kans.
Rodino
Rogers, Mass.
Schenck
Schwengel
Scrivner
Scudder
Simpson, Ill.
Smith, Calif.
Smith, Va.
Smith, Wis.
Springer
Stauffer
Taber
Talle
Tewes
Thomson, Wyo.
Tuck
Utt
Van Pelt
Van Zandt
Vorys
Weaver
Wharton
Wigglesworth
Williams, N. Y.
Wilson, Calif.
Wilson, Ind.
Withrow
Wolverton
Younger

NOT VOTING—147

Alexander
Alger
Allen, Calif.
Anfuso
Ayres
Barden
Barrett
Bass, N. H.
Baumhart
Beamer
Becker
Bentley
Bosch
Bow
Boykin
Bray
Broomfield
Brownson
Buckley
Burdick
Bush
Byrd
Byrne, Ill.
Byrne, Pa.
Carnahan
Cederberg
Chelf
Chiperfield
Chudoff
Clark
Clevenger
Coffin
Cooley
Corbett
Coudert
Cretella
Curtis, Mo.
Davis, Ga.
Dawson, Ill.
Dawson, Utah
Dellay
Dennison
Derounian
Dies
Diggs
Dollinger
Donohue
Dooley
Doyle
Eberharter
Farbstein
Fino
Flood
Flynt
Fogarty
Frelinghuysen
Fulton
Gavin
George
Gordon
Griffin
Halleck
Harden
Harvey
Hays, Ark.
Hays, Ohio
Healey
Hébert
Hemphill
Hiestand
Hillings
Hoeven
Hoffman
Holifield
Holtzman
Jackson
James
Kean
Kearney
Keeney
Keogh
Kilburn
Krueger
Laird
Landrum
Lankford
Latham
Lesinski
McCarthy
McCormack
McDonough
McFall
McGregor
McIntosh
Machrowicz
Mack, Wash.
Mailliard
Mason
May
Meader
Michel
Miller, Calif.
Miller, N. Y.
Minshall
Morano
Multer
Mumma
Nicholson
Norblad
O'Brien, N. Y.
Ostertag
Philbin
Pilcher
Powell
Preston
Rhodes, Ariz.
Riehlman
Rivers
Robeson, Va.
Robsion, Ky.
Sadlak
Santangelo
St. George
Saylor
Scherer
Scott, Pa.
Seely-Brown
Sheehan
Sieminski
Sikes
Siler
Simpson, Pa.
Smith, Kans.
Taylor
Teague, Calif.
Teague, Tex.
Teller
Thompson, La.
Udall
Vursell
Wainwright
Westland
Whitener
Widnall
Yates
Zablocki
Zelenko

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Udall for, with Mr. Griffin against.

Mr. McCormack for, with Mr. McIntosh against.

Mr. Keogh for, with Mr. Broomfield against.

Mr. Buckley for, with Mr. May against.

Mr. Westland for, with Mr. Kean against.

Mr. Hébert for, with Mr. Taylor against.

Mr. Thompson of Louisana for, with Mr. Coudert against.

Mr. Byrd for, with Mr. Morano against.

Mr. Anfuso for, with Mr. Riehlman against.

Mr. Hays of Ohio for, with Mr. Sadlak against.

Mr. McCarthy for, with Mrs. St. George against.

Mr. McFall for, with Mr. Seely-Brown against.

Mr. Miller of California for, with Mr. Bass of New Hampshire against.

Mr. Santangelo for, with Mr. Becker against.

Mr. Farbstein for, with Mr. Widnall against.

Mr. Dollinger for, with Mr. Scott of Pennsylvania against.

Mr. Doyle for, with Mr. Dellay against.

Mr. Dawson of Illinois for, with Mr. Brownson against.

Mr. Gordon for, with Mr. Bosch against.

Mr. Yates for, with Mr. Latham against.

Mr. Holtzman for, with Mr. Sheehan against.

Mr. Zelenko for, with Mr. Simpson of Pennsylvania against.

Mr. Fogarty for, with Mr. Siler against.

Mr. Philbin for, with Mr. Fino against.

Mr. Zablocki for, with Mr. Frelinghuysen against.

Mr. Flood for, with Mr. Gavin against.

Mr. Donohue for, with Mr. Harvey against.

Mr. Multer for, with Mr. Cretella against.

Mr. Teller for, with Mr. Kearney against.

Mr. Hays of Arkansas for, with Mr. Michel against.

Mr. Holifield for, with Mr. Derounian against.

Machrowicz for, with Mr. Dooley against.

Mr. Barrett for, with Mr. James against.

Mr. Chudoff for, with Mr. Corbett against.

Mr. Byrne of Pennsylvania for, with Mr. Bentley against.

Mr. Alexander for, with Mr. Bentley against.

Mr. Flynt for, with Mr. Allen of California against.

Mr. Landrum for, with Mr. Hoffman against.

Mr. Pilcher for, with Mr. Dennison against.

Mr. Preston for, with Mr. Baumhart against.

Mr. Sieminski for, with Mr. Clevenger against.

Mr. Sikes for, with Mr. McGregor against.

Mr. Hemphill for, with Mr. Bow against.

Mr. O'Brien of New York for, with Mr. Rhodes of Arizona against.

Mr. Powell for, with Mr. Teague of California against.

Mr. Dies for, with Mr. Keeney against.

Mr. Diggs for, with Mr. McDonough against.

Mr. Cooley for, with Mr. Fulton against.

Mr. Coffin for, with Mr. Halleck against.

Mr. Chelf for, with Mr. Hiestand against.

Mr. Carnahan for, with Mr. Hoeven against.

Mr. Barden for, with Mr. Krueger against.

Mr. Boykin for, with Mr. Mason against.

Mr. Rivers for, with Mr. Minshall against.

Mr. Robeson of Virginia for, with Mr. Mumma against.

Mr. Teague of Texas for, with Mr. Norblad against.

Mr. Lesinski for, with Mrs. Harden against.

Mr. Lankford for, with Mr. Scherer against.

Mr. Clark for, with Mr. Saylor against.

Mr. Whitener for, with Mr. Beamer against.

Mr. BAILEY changed his vote from "nay" to "yea."

Mrs. ROGERS of Massachusetts changed her vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

Mr. ROONEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the conference report just passed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PARLIAMENTARY INQUIRY

Mr. LE COMPTE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LECOMPTE. Mr. Speaker, is any motion in connection with the conference report on H. R. 9131 now in order?

The SPEAKER. There is not.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Mr. Speaker, under those circumstances then the motion made by the gentleman from New York [Mr. ROONEY] effectively foreclosed the gentleman from Iowa from offering his motion; is that correct?

The SPEAKER. There was a vote on the previous question. The Chair put that motion.

COLORADO RIVER COMMISSION

Mr. ENGLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 1568) to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada acting for the State of Nevada, with House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. ENGLE, ASPINALL, PFOST, BERRY, and HOSMER.

GOVERNMENT GUARANTY OF PRIVATE LOANS TO CERTAIN AIR CARRIERS FOR PURCHASE OF AIRCRAFT AND EQUIPMENT

Mr. HARRIS. Mr. Speaker, I call up the conference report on the bill (S. 2229) to provide for Government guaranty of private loans to certain air carriers for purchase of modern aircraft and equipment, to foster the development and use of modern transport aircraft by such carriers, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1219)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2229) to provide for Government guaranty of private loans to certain air carriers for purchase of modern aircraft and equipment, to foster the development and use of modern transport aircraft by such carriers, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That it is hereby declared to be the policy of Congress, in the interests of the commerce of the United States, the postal service, and the national defense to promote the development of local, feeder, and short-haul air transportation. In furtherance of this policy it is deemed necessary and desirable that provision be made to assist certain air carriers engaged in such air transportation by providing governmental guaranties of loans to enable them to purchase aircraft suitable for such transportation on reasonable terms.

"SEC. 2 As used in this Act—

"(a) 'Board' means the Civil Aeronautics Board.

"(b) 'Aircraft purchase loan' means any loan, or commitment in connection therewith, made for the purchase of a commercial transport aircraft, including spare parts normally associated therewith.

"SEC. 3. The Board is hereby authorized to guarantee any lender against loss of principal or interest on any aircraft purchase loan made by such lender to any air carrier holding a certificate of public convenience and necessity issued by the Board (a) designated therein to be for local or feeder air service, or (b) providing for operations wholly within the Territory of Hawaii, or (c) providing for operations (the major portion of which are conducted either within Alaska or between Alaska and the United States) within the Territory of Alaska (including service between Alaska and the United States, and between Alaska and adjacent Canadian territory), or (d) providing for operations within the Commonwealth of Puerto Rico (including service to the Virgin Islands and the Dominican Republic), or (e) providing for operations between Florida and the British West Indies (including service to Cuba), or (f) for the purpose of authorizing metropolitan helicopter service. Such guaranty shall be made in such form, on such terms and conditions, and pursuant to such regulations, as the Board deems necessary and which are not inconsistent with the provisions of this Act.

"SEC. 4. No guaranty shall be made:

"(a) Extending to more than the unpaid interest and 90 percent of the unpaid principal of any loan.

"(b) On any loan or combination of loans for more than 90 percent of the purchase price of the aircraft, including spare parts, to be purchased therewith.

"(c) On any loan whose terms permit full repayment more than 10 years after the date thereof.

"(d) Wherein the total face amount of such loan, and of any other loans to the same carrier, or corporate predecessor carrier or carriers, guaranteed and outstanding under the terms of this Act exceed $5,000,000.

"(e) Unless the Board finds that, without such guaranty, in the amount thereof, the air carrier would be unable to obtain necessary funds for the purchase of needed aircraft on reasonable terms.

"(f) Unless the Board finds that the aircraft to be purchased with the guaranteed loan is needed to improve the service and efficiency of operation of the air carrier.

"Sec. 5. The Board shall prescribe and collect from the lending institution a reasonable guaranty fee in connection with each loan guaranteed under this Act.

"Sec. 6. (a) To permit it to make use of such expert advice and services as it may require in carrying out the provisions of this Act, the Board may use available services and facilities of other agencies and instrumentalities of the Federal Government with their consent and on a reimbursable basis.

"(b) Departments and agencies of the Federal Government shall exercise their powers, duties, and functions in such manner as will assist in carrying out the objectives of this Act.

"Sec. 7. (a) Receipts under this Act shall be credited to miscellaneous receipts of the Treasury.

"(b) Payments to lenders required as a consequence of any guaranty under this Act may be made from funds which are hereby authorized to be appropriated to the Board for that purpose.

"(c) Administrative expenses under this Act shall be paid from appropriations to the Board for administrative expenses.

"Sec. 8. This Act shall become effective upon enactment, and the authority contained in section 3 hereof shall expire five years thereafter."

And the House agree to the same.

Oren Harris,
Peter F. Mack, Jr.,
Walter Rogers,
John J. Flynt, Jr.,
Chas. A. Wolverton,
William L. Springer,
Paul F. Schenck,
Managers on the Part of the House.

Mike Monroney,
Geo. A. Smathers,
Alan Bible,
Andrew F. Schoeppel,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2229) to provide for Government guaranty of private loans to certain air carriers for purchase of modern aircraft and equipment, to foster the development and use of modern transport aircraft by such carriers, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment struck out all after the enacting clause of the Senate bill and inserted an amendment in the nature of a substitute.

The substitute agreed to in conference is substantially identical with the House substitute, except as follows:

Section 4 of the bill contained several paragraphs stating conditions under which loan guaranties could not be made. By its amendment the House eliminated one of these paragraphs, as follows:

"(f) On any aircraft manufactured under a United States type certificate issued prior to the passage of this bill."

This provision of the Senate bill would have had the effect of denying the benefits of the bill in the case of loans with respect to any aircraft except aircraft newly certificated as to type after the enactment of this legislation. The House conferees were unwilling to leave this rigid limitation in the bill, since it is felt that it might be appropriate to permit the guaranties in the case of some existing types of planes when in the judgment of the Board this would improve service and efficiency of operation of carriers. Therefore, in the conference substitute there has been substituted for the Senate paragraph above quoted a paragraph as follows:

"(f) Unless the Board finds that the aircraft to be purchased with the guaranteed loan is needed to improve the service and efficiency of operation of the air carrier."

Section 5 of the substitute agreed to in conference is the same as section 5 of the Senate bill. It differs from section 5 of the House amendment in that it eliminates language which would have required the Board to prescribe rates of interest, either specifically or by limits, and language which would have directed the Board to prescribe such fees and charges, in addition to guaranty fees, as it might deem necessary to require in connection with the guaranty of aircraft purchase loans. Therefore, as modified, this section would merely direct the Board to prescribe and collect a reasonable guaranty fee in connection with each loan guaranteed. Because of this modification of section 5, a minor conforming change was also made in section 7.

Oren Harris,
Peter F. Mack, Jr.,
Walter Rogers,
John J. Flynt, Jr.,
Chas. A. Wolverton,
William L. Springer,
Paul F. Schenck,
Managers on the Part of the House.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from New York.

Mr. TABER. This is the bill that provides for the Civil Aeronautics Administration guaranteeing up to $5 million apiece for any one of the 21 airlines involved. The Government will guarantee 90 percent of the interest. As I understand it, there are 21 of those carriers, which means a total of $105 million is what this thing will cost the Government of the United States; is that correct?

Mr. HARRIS. Mr. Speaker, I would not say the gentleman is correct at all. It is entirely possible that one or more of them could not qualify with the restrictions and limitations we have here. This provides an authorization for a guaranteed loan to local service and short-haul carriers, the small airlines in the United States and only to that group of airlines, other than the amendment that was included to bring in the helicopter operators in a metropolitan area. They must qualify by showing that they are unable to obtain the capital at other places, and they must obtain modern equipment that will add to the efficiency of the service.

GOVERNMENT GUARANTY OF PRIVATE LOANS TO CERTAIN AIR CARRIERS FOR PURCHASE OF AIRCRAFT AND EQUIPMENT

Mr. HESELTON. Mr. Speaker, will the gentleman yield to me?

Mr. HARRIS. I yield to the gentleman from Massachusetts.

Mr. HESELTON. Will the chairman of the committee please explain the changes which were made in the conference report.

Mr. HARRIS. Yes; I shall be glad to. There were actually three changes made in the conference report. The House struck out all after the enacting clause of the Senate bill and inserted an amendment in the nature of a substitute.

This substitute differed from the Senate bill in three important respects, as follows:

First. The House version included certificated helicopter air carriers;

Second. Section 5 in the House version required the Civil Aeronautics Board to prescribe, either specifically or by limits, rates of interest, guaranty fees, and such other reasonable fees or charges as it might require in connection with guaranty of aircraft purchase loans; and

Third. The House version eliminated a paragraph in the Senate bill which would have limited guaranties to loans made for the purchase of aircraft type—certificated after passage of the bill.

The bill agreed to in conference includes the House amendment making carriers certificated for metropolitan helicopter service eligible for the benefits of this legislation.

Section 5 of the House version, which required the Board to fix interest rates, was as follows:

> Sec. 5. The Board shall prescribe, either specifically or by limits, rates of interest, guaranty fees, and such other reasonable fees or charges as it may require in connection with guaranty of aircraft purchase loans.

The Senate version, in which the requirement regarding the fixing of interest rates was eliminated, is as follows:

> Sec. 5. The Board shall prescribe and collect from the lending institution a reasonable guaranty fee in connection with each loan guaranteed under this act.

It is felt that section 3 of the bill contains sufficient language which will permit the Board to pass on the reasonableness of the terms of the loan agreement, including, of course, the interest rate. That language is:

> Such guaranty shall be made in such form, on such terms and conditions, and pursuant to such regulations, as the Board deems necessary and which are not inconsistent with the provisions of this act.

Because of the modification of section 5, a minor conforming change was made in section 7.

The paragraph in the Senate bill relating to new-type aircraft was:

> (f) On any aircraft manufactured under a United States type certificate issued prior to the passage of this bill.

The House conferees was unwilling to accept the language of the Senate bill which would have limited loans to those made to buy aircraft type certificated after passage of the bill. It was felt that it might be appropriate to permit guaranties in the case of some existing types of planes when in the judgment of the Board this would improve the service and efficiency of operation of the air carrier.

Therefore, there was substituted for the Senate paragraph above quoted a paragraph, as follows:

> (f) Unless the Board finds that the aircraft to be purchased with the guaranteed loan is needed to improve the service and efficiency of operation of the air carrier.

It is felt that this language is sufficient safeguard against the approval of loans for out-of-date or inefficient aircraft. The Board, which sponsored this legislation, is given wide discretion to safeguard the interests of the Government.

Mr. HESELTON. Mr. Speaker, if the gentleman will yield further, did any of these changes in the conference report in the opinion of the chairman remove the objections of the Treasury Department, the Department of Commerce or the Bureau of the Budget to this legislation?

Mr. HARRIS. The Treasury Department did not send a representative to the hearings. A Commerce Department representative did appear in opposition. The Bureau of the Budget is supporting the Department of Commerce which interposed an objection. The CAB not only initiated this, but submitted it to us for our consideration and are sponsors of the legislation.

Mr. HESELTON. Mr. Speaker, if the gentleman will yield for one further question, is it not a fact that the Treasury Department filed a letter objecting to this legislation when it was heard before the subcommittee?

Mr. HARRIS. I am advised that during the time it was considered by the other body the Secretary of the Treasury did file a letter. I have the report of the other body which includes that position of the Treasury Department.

Mr. HESELTON. Is it not a fact that in the hearings before the House subcommittee a letter was introduced from the Treasury Department expressing the suggestion that they thought this was a step in the wrong direction and opened the door to similar types of guaranties that would be expected to be applied to other private corporations or other forms of transportation?

Mr. HARRIS. Yes. The Treasury Department did make such a statement. If the gentleman wishes, I shall be glad to read this short paragraph into the Record.

Mr. HESELTON. I think it might be helpful to the Members in considering the conference report. I am anxious to know whether the conference report removes those objections.

Mr. HARRIS. The letter is from the Acting Secretary of the Treasury, Mr. Burgess, and is dated July 3 of this year. Understand, we held our hearings on July 17 and 18.

> As a general policy, the Treasury is opposed to the establishment of new loan-guaranty programs except under conditions of extreme urgency. With the present heavy demand for available credit, it is essential that we do all we can to avoid adding unnecessarily to this demand. Under these circumstances, the Department would be opposed to the enactment of H. R. 7993.

That was the position of the Treasury Department.

Mr. HESELTON. There is nothing in the conference report that addresses itself to that objection?

Mr. HARRIS. Nothing that I could refer to in the conference report, but from the hearings and our consideration of this matter we feel that there are "conditions of extreme urgency" involved.

Mr. WILSON of Indiana. The gentleman from New York referred to the fact that it cost the Federal Government $105 million. The gentleman refers to this as being merely a guaranteed loan. Will the gentleman kindly explain how it costs $105 million for this loan, where it comes from, and under what conditions it could cost $105 million?

Mr. HARRIS. After having held the hearings and considered this matter we feel that the Government will not be put to any such cost or will have to fulfill any such responsibility. We think the provisions of this legislation are sufficiently restrictive that these loans will be closely scrutinized and approval given only when there is great urgency and need; and the fact it is reasonably shown that the loans will be repaid. Therefore, there should not be any loss at all in connection with the obligation of the Government. We feel in fact that the estimated receipts from it will add about $1 million a year to the Treasury of the United States.

Mr. WILSON of Indiana. From whom do they get these loans?

Mr. HARRIS. From anyone who would enter into the contract, banks, lending firms, and so forth.

Mr. WILSON of Indiana. Anywhere they can get it? This is merely a guaranty?

Mr. HARRIS. They would go to the money market, of course. This is to provide a guaranty under strict terms to be approved by the CAB.

Mr. HALE. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Maine.

Mr. HALE. Is it not true that the feeder airlines are in a condition where nearly all of them have to replace their DC-3 equipment in the course of the next 3 or 4 years?

Mr. HARRIS. Yes, the gentleman is eminently correct. The purpose of this bill is to carry out the program the Congress has considered for a long time, doing something about the present situation where we have no airplane to take the place of the old DC-3's for local service. The Fairchild people are now producing one, the F-27, and there are a couple more that are being considered and may be developed to help provide this service. The point is, the small local-service carriers do not have sufficient capital to purchase the equipment they must have. Talking about the availability of money on the market, we find it is not so easy for people of this kind to go into the market and get money. However, if there is some incentive, some way that they can have some help, then we do think the credit will loosen up insofar as they are concerned so, therefore, we may have to utilize this program to a very limited degree.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. GROSS. Will the gentleman please refresh my memory as to the guaranty? Is it 100 percent on the dollar?

Mr. HARRIS. It is 90 percent—not over 90 percent.

Mr. GROSS. Will the gentleman tell me the length of these loans? Is there any provision in this legislation with respect to the length of the loan?

Mr. HARRIS. It is not more than 10 years and the authority in this bill is for a period of 5 years.

Mr. GROSS. What about the interest rate on the loans?

Mr. HARRIS. The interest rate is to be worked out between those who would obtain the loans and the source from which the money is obtained. It has to be a reasonable interest rate because, otherwise, the Board in its scrutinizing of these contracts or these loans will deny them if the rate is excessive.

Mr. GROSS. How does the gentleman account for the fact that the Department of Commerce and the Treasury Department both are opposed to the enactment of this legislation?

Mr. HARRIS. It is just another one of these experiences we have where you have the Civil Aeronautics Board, a Government agency, sponsoring a program of this kind because they feel it is needed, and another agency, the Department of Commerce, at the outset offered objection to it and insisted that they wanted the capital gains bill which the House passed, but which has not yet been passed by the other body. They also wanted the equipment-trust bill, but those of us who are familiar with it agree with the Board that their program does not fully reach the problem altogether and cannot possibly reach it for many of these small local service carriers.

Mr. GROSS. Does not the gentleman think this is starting something which will be a rather dangerous precedent?

Mr. HARRIS. Not at all. As we explained a few days ago, there are precedents for it. The Merchant Marine has followed this procedure for many, many years.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. TABER. But the next thing we will hear is that the railroads and the trucking organizations will all be on our necks for a guaranteed loan just like this. That is what bothers me particularly about getting started on this thing.

Mr. HARRIS. I can appreciate the gentleman's apprehension. I have heard that suggested around here from the outset of the hearings on this problem. But, in my opinion, the gentleman need not have any fear at all on that score, and he would not if he had seen the reaction when one of the railroad presidents came to this committee with a program which would be quite different but which would do something toward what the gentleman has suggested. I do not think it is in the making at all.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and the Speaker anounced that the ayes appeared to have it.

Mr. HESELTON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 203, nays 77, not voting 152, as follows:

[Roll No. 209]

YEAS—203

Abernethy
Adair
Addonizio
Albert
Allen, Ill.
Anderson, Mont.
Andrews
Arends
Ashmore
Aspinall
Avery
Bailey
Baring
Bass, Tenn.
Beckworth
Belcher
Bennett, Fla.
Betts
Blatnik
Boggs
Bolling
Bolton
Bonner
Boyle
Breeding
Brooks, La.
Brooks, Tex.
Brown, Ga.
Brown, Mo.
Burleson
Cannon
Carrigg
Celler
Chenoweth
Christopher
Coad
Colmer
Cooper
Cramer
Davis, Tenn.
Dempsey
Denton
Devereux
Dingell
Dixon
Dorn, S. C.
Dowdy
Durham
Eberharter
Edmondson
Elliott
Engle
Evins
Fallon
Fascell
Fisher
Forand
Forrester
Fountain
Frazier
Friedel
Garmatz
Gary
Gathings
Granahan
Grant
Gray
Green, Oreg.
Green, Pa.
Gregory
Griffiths
Gubser
Hagen
Hale
Haley
Halleck
Hardy
Harris
Henderson
Herlong
Hill
Holland
Holmes
Holt
Horan
Hosmer
Huddleston
Hull
Hyde
Ikard
Jarman
Jennings
Johnson
Jones, Ala.
Jones, Mo.
Judd
Karsten
Kearns
Kee
Kelley, Pa.
Kelly, N. Y.
Kilday
Kilgore
King
Kirwan
Kitchin
Knutson
Lanham
Lennon
Long
Loser
McFall
McGovern
McIntire
McMillan
Macdonald
Mack, Ill.
Magnuson
Mahon
Marshall
Martin
Matthews
Merrow
Miller, Md.
Mills
Montoya
Morgan
Morris
Moss
Moulder
Murray
Natcher
Nimtz
Norrell
O'Brien, Ill.
O'Hara, Ill.
O'Hara, Minn.
O'Konski
O'Neill
Passman
Patterson
Perkins
Pfost
Poage
Polk
Porter
Price
Rabaut
Radwan
Rains
Reuss
Rhodes, Pa.
Riley
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Mass.
Rogers, Tex.
Rooney
Roosevelt
Rutherford
Saund
Schenck
Schwengel
Scott, N. C.
Scrivner
Scudder
Selden
Shelley
Shuford
Sisk
Smith, Miss.
Spence
Springer
Staggers
Steed
Sullivan
Thompson, N. J.
Thompson, Tex.
Thomson, Wyo.
Thornberry
Tollefson
Trimble
Tuck
Ullman
Utt
Van Zandt
Vorys
Vursell
Walter
Watts
Whitten
Wier
Williams, Miss.
Willis
Wilson, Ind.
Winstead
Withrow
Wolverton
Wright
Young
Younger

NAYS—77

Abbitt
Andersen, H. Carl
Andresen, August H.
Ashley
Auchincloss
Baker
Baldwin
Bates
Bennett, Mich.
Berry
Blitch
Boland
Bow
Brown, Ohio
Budge
Byrnes, Wis.
Canfield
Cederberg
Chamberlain
Church
Cole
Collier
Cunningham, Iowa
Cunningham, Nebr.
Curtin
Curtis, Mass.
Dague
Delaney
Dorn, N. Y.
Dwyer
Feighan
Fenton
Ford
Gross
Gwinn
Harrison, Nebr.
Harrison, Va.
Haskell
Heselton
Hess
Jenkins
Jensen
Johansen
Jonas
Keating
Kluczynski
Knox
Lane
LeCompte
Lipscomb
McCulloch
McVey
Madden
Miller, Nebr.
Moore
Neal
Osmers
Pelly
Pillion
Poff
Prouty
Ray
Reed
Simpson, Ill.
Smith, Calif.
Smith, Va.
Smith, Wis.
Stauffer
Taber
Talle
Tewes
Vanik
Van Pelt
Weaver
Wharton
Wigglesworth
Williams, N. Y.

NOT VOTING—152

Alexander
Alger
Allen, Calif.
Anfuso
Ayres
Barden
Barrett
Bass, N. H.
Baumhart
Beamer
Becker
Bentley
Bosch
Boykin
Bray
Broomfield
Brownson
Broyhill
Buckley
Burdick
Bush
Byrd
Byrne, Ill.
Byrne, Pa.
Carnahan
Chelf
Chiperfield
Chudoff
Clark
Clevenger
Coffin
Cooley
Corbett
Coudert
Cretella
Curtis, Mo.
Davis, Ga.
Dawson, Ill.
Dawson, Utah
Dellay
Dennison
Derounian
Dies
Diggs
Dollinger
Donohue
Dooley
Doyle
Farbstein
Fino
Flood
Flynt
Fogarty
Frelinghuysen
Fulton
Gavin
George
Gordon
Griffin
Harden
Harvey
Hays, Ark.
Hays, Ohio
Healey
Hébert
Hemphill
Hiestand
Hillings
Hoeven
Hoffman
Holifield
Holtzman
Jackson
James
Kean
Kearney
Keeney
Keogh
Kilburn
Krueger
Laird
Landrum
Lankford
Latham
Lesinski
McCarthy
McConnell
McCormack
McDonough
McGregor
McIntosh
Machrowicz
Mack, Wash.
Mailliard
Mason
May
Meader
Metcalf
Michel
Miller, Calif.
Miller, N. Y.
Minshall
Morano
Morrison
Multer
Mumma
Nicholson
Norblad
O'Brien, N. Y.
Ostertag
Patman
Philbin
Pilcher
Powell
Preston
Reece, Tenn.
Rees, Kans.
Rhodes, Ariz.
Riehlman
Rivers
Robeson, Va.
Robsion, Ky.
Sadlak
Santangelo
St. George
Saylor
Scherer
Scott, Pa.
Seely-Brown
Sheehan
Sheppard
Sieminski
Sikes
Siler
Simpson, Pa.
Smith, Kans.
Taylor
Teague, Calif.
Teague, Tex.
Teller
Thomas
Thompson, La.
Udall
Vinson
Wainwright
Westland
Whitener
Widnall
Wilson, Calif.
Yates
Zablocki
Zelenko

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Hays of Ohio with Mr. Hoffman.
Mr. Preston with Mr. Taylor.
Mr. Pilcher with Mr. Latham.
Mr. Landrum with Mr. Dooley.
Mr. Flynt with Mr. Dennison.
Mr. Fogarty with Mr. Dellay.
Mr. Lesinski with Mr. Rhodes of Arizona.
Mr. McCarthy with Mr. Riehlman.
Mr. Machrowicz with Mr. Fino.
Mr. Udall with Mr. Fulton.
Mr. Sieminski with Mr. Gavin.
Mr. Holifield with Mr. Griffin.
Mr. Alexander with Mr. McIntosh.
Mr. Hays of Arkansas with Mr. Broomfield.
Mr. Byrd with Mr. Clevenger.
Mr. Byrne of Pennsylvania with Mr. Cretella.
Mr. Carnahan with Mr. Mumma.
Mr. Dawson of Illinois with Mr. Morano.
Mr. Gordon with Mr. Frelinghuysen.
Mr. Yates with Mrs. Harden.
Mr. Chudoff with Mr. Coudert.
Mr. Barrett with Mr. Minshall.
Mr. Hemphill with Mr. McGregor.
Mr. Doyle with Mr. Bray.
Mr. Miller of California with Mr. Becker.
Mr. Teague of Texas with Mr. Allen of California.
Mr. Buckley with Mr. Bass of New Hampshire.
Mr. Keogh with Mr. Beamer.
Mr. Anfuso with Mr. Kean.
Mr. Holtzman with Mr. Keeney.
Mr. Teller with Mr. Krueger.
Mr. Dollinger with Mr. Scherer.
Mr. Farbstein with Mr. Sadlak.
Mr. Zelenko with Mr. Simpson of Pennsylvania.
Mr. Powell with Mr. Widnall.
Mr. Healey with Mr. Hoeven.
Mr. Coffin with Mr. Hiestand.
Mr. Flood with Mr. Alger.
Mr. Dies with Mr. Ayres.
Mr. Philbin with Mr. Byrne of Illinois.
Mr. Donohue with Mr. Bosch.
Mr. Whitener with Mr. Brownson.
Mr. Multer with Mr. McDonough.
Mr. O'Brien of New York with Mr. Michel.
Mr. Zablocki with Mr. May.
Mr. Lankford with Mr. Norblad.
Mr. Clark with Mr. Reece of Tennessee.
Mr. Diggs with Mr. Saylor.
Mr. Cooley with Mr. Sheehan.
Mr. Rivers with Mr. Seely-Brown.
Mr. Boykin with Mr. Harvey.
Mr. Robeson of Virginia with Mr. Hillings.
Mr. Santangelo with Mr. Jackson.
Mr. Sheppard with Mr. Kearney.
Mr. Sikes with Mrs. St. George.
Mr. Barden with Mr. Scott of Pennsylvania.

Mr. BOLLING changed his vote from "nay" to "yea."

Mr. ASHLEY changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made on the conference report just agreed to, and further that all Members may be permitted to extend their remarks at this point in the RECORD on that conference report.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MACK of Illinois. Mr. Speaker, I urge the adoption of this conference report. The other body has yielded or compromised on most of the amendments and, therefore, we are returning with a bill which is substantially the same as the one passed by the House.

Mr. Speaker, one area of disagreement which was resolved by the acceptance of the House version was the provision to include helicopters under the loan provision of this bill. I am also pleased that this decision was made as I feel that helicopters will have a very important role in air commerce in the future.

While this service is still in its infancy, helicopters are already proving high utility value in transporting passengers from downtown terminals to outlying fields. With the advent of jet transportation the helicopter will develop a still higher utility value as it will be necessary to develop air terminals still further removed from metropolitan areas.

Mr. Speaker, I hope that this report is adopted as it is urgently needed in the development of air commerce for fixed wing as well as rotor type planes.

CITY OF DECATUR, ILL.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2460) to authorize the transfer of certain housing projects to the city of Decatur, Ill., or to the Decatur Housing Authority.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. TALLE. Reserving the right to object, Mr. Speaker, and I shall not object, I merely rise to say that the minority members of the Committee on Banking and Currency do not have any objection to this bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any other provision of law, the Housing and Home Finance Administrator is authorized and directed to sell and convey to the city of Decatur, Ill., or to the Decatur Housing Authority, all of the right, title, and interest of the United States in and to that part of the North Jasper Homes housing projects (ILL–11218 and ILL–11219) which comprises a single site of approximately 22.452 acres and on which there are located 180 dwelling units and an administration building. Such sale shall be made in consideration of the payment of $266,000 by the purchaser to the United States. The purchase price shall be paid at the time of closing or in such installments as may be agreed upon by the Housing and Home Finance Administrator over a period not in excess of 5 years after the date of sale. Such sale shall be subject to the condition that if, at the end of 5 years after the date of sale, any such dwelling units have not been demolished, the purchaser shall pay an additional amount, to be determined by the Housing and Home Finance Administrator, to the United States for each month beyond the stated 5-year period that any such units have not been demolished. Any sale pursuant to this authorization shall be made within 4 months after the date of enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SPENCE. Mr. Speaker, S. 2460 provides for the conveyance of two Lanham Act projects by the Housing and Home Finance Agency to the city of Decatur, Ill., or to the Decatur Housing Authority, for a price of $266,000. Unless this bill is passed, the housing will be sold at public auction and will in all probability become a slum. The bill permits the city authorities to prevent this from happening. While time does not permit hearings on this bill by the House Committee on Banking and Currency, the bill was worked out on the Senate side after hearings had been held and was reported without objection by the Senate Banking and Currency Committee. The price of $266,000 has been set by the Housing and Home Finance Agency as a fair price, based on a 5-year life for the project. The bill requires that the housing be demolished after 5 years and provides for a penalty to be paid if any of the housing is not demolished at that time. The Housing and Home Finance Administrator has indicated that a fair penalty would be $25 per unit per month. I have received a letter from the Housing and Home Finance Administrator stating that the Housing Agency and the Bureau of the Budget have no objection to the bill. I include the letter at this point in the RECORD.

HOUSING AND HOME FINANCE AGENCY,
Washington, D. C., August 22, 1957.

Hon. BRENT SPENCE,
Chairman, Committee on Banking and Currency, House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: This is in response to the request of your staff for our views on S. 2460, a bill to authorize the transfer of certain housing projects to the city of Decatur, Ill., or to the Decatur Housing Authority.

The bill would authorize and direct the Housing and Home Finance Administrator to sell to the city of Decatur, Ill., or to the Decatur Housing Authority, war housing projects ILL. 11218 and ILL. 11219. These projects comprise 180 dwelling units and an administration building. The units are classified as "permanent" as distinguished from "temporary" under the provisions of the Lanham War Housing Act. Under the bill, the sale would be made in consideration of the payment of $266,000 by the purchaser to the United States. The purchase price would be paid at the time of the closing or in such installments as may be agreed upon by the Housing and Home Finance Administrator over a period not in excess of 5 years from the date of sale. Such sale would be subject to the condition that if at the end of 5 years after the date of sale any of the dwelling units remained on the site the purchaser would be required to pay to the United States an additional amount to be determined by the Housing Administrator for each month beyond such 5-year period that they remained on the site. Officials of the community have indicated their intention that the dwellings be demolished at the end of this 5-year period in order to avoid the development of slum conditions. The report of the Senate Committee on Banking and Currency with respect to this bill (S. Rept. 1043) makes note of the Housing Administrator's statement that a fair amount payable by the purchaser for each such additional month beyond the 5-year period would be $25 per unit per month. If the bill is enacted, the Housing Agency would require that this amount be specified in the contract of sale.

The bill also provides that any sale pursuant to its provisions shall be made within 4 months after the date of enactment of the bill. Section 614 of the Lanham Act now provides that all permanent Lanham Act housing not sold by January 1, 1957 be advertised and sold as expeditiously as possible to the highest bidder. This bill would thus suspend that requirement for a 4-month period to permit the sale of the property according to the terms of the bill.

This Agency has strongly objected to earlier bills providing for the sale of these projects to the city of Decatur or the Decatur Housing Authority, because the consideration for such sale would have been merely the value of the land without the improvements. It has been the policy of the Agency and the Congress to obtain full market value for the property being sold pursuant to the Lanham Act. This Agency has also objected to a proposal that the above property be sold at a consideration of no more than its appraised value for use during a limited period of 5 years. This sales price would furnish the Government with less than full market value and would result in a windfall to the community if the property were actually used for a period longer than 5 years.

The provisions of S. 2460 would not provide for the payment of the full market value of the property based on its appraisal as permanent construction. Unlike the earlier bills, however, it does contain provisions which we believe represent a satisfactory compromise under all the circumstances involved. Accordingly, this Agency has no objection to the enactment of the bill.

A general consideration in this regard is the firm policy of the Congress and the Administration that the war housing projects be disposed of as rapidly as possible. As you know, the major portion of the war housing properties have been sold and only a few remaining projects are still held by this Agency. It is also our opinion that the price of $266,000 prescribed in the bill is a fair evaluation of the property if it is assumed that the structures should and will be removed at the end of 5 years. The value of the property for long-term use has been appraised by independent appraisers at approximately $400,000. However, in view of the apparent desire of the community to remove the property at the end of the 5-year period and our desire for immediate disposal, we consider that the proposed price represents a reasonable compromise. In this connection, we do not question the good faith of the community in its feeling that the structures do not meet its standards for continued long-term use. The payment of $25 per unit per month in case the structures are used after the 5-year period would avoid one of our objections to the earlier proposals; namely, that the community could receive a windfall as a result of the continued use of the property. Because of the importance of this payment to the compromise involved in the bill, this Agency will insist that any contract for the sale of the property to the community contain a requirement that $25 per unit per month be paid to the Federal Government for the continued on-site use of the structures after the 5-year period.

A sale under the bill must be made within a 4-month period. This Agency has previously recommended to the Senate Committee on Banking and Currency that the bill require the sale to be made within a 2- or 3-month period. It is important that this period be as short as feasible in order to help complete the disposal of the few remaining war housing properties. This is particularly important to the Agency in view of the very limited funds available for the administration of the remaining properties. Although the Agency recommends a period shorter than the 4 months provided in the bill, we would not object to the enactment of the bill on this ground.

I have been advised by the Bureau of the Budget that this letter is without objection insofar as the Bureau is concerned.

Sincerely yours,

ALBERT M. COLE,
Administrator.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. SPRINGER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I believe that the facts in this situation are rather clear.

The city of Decatur has offered to purchase these homes and to pay for them the sum of $266,000, which is the figure which has been set by the Housing and Home Finance Agency as the price they believe fair and reasonable.

This project was put in Decatur just before or about the time World War II opened. It was not very good housing in the first place, and there is considerable fear by the city that this project will become a slum if not demolished. The city of Decatur desires to demolish the project within 5 years and prevent it from becoming a slum, and wishes to develop it in the future as a part of the urban redevelopment program of the city.

Early this year the Senate Banking and Currency Committee had hearings on this bill. The mayor of the city of Decatur and others came to Washington to testify about the necessity of getting this land in possession by the city.

I wish to point out that the sale price is in every way one which has been set by PHA. The city is only paying the price which PHA has asked.

I think it only fair to tell the House that the bill would also require the city to demolish the housing project within the 5-year period or pay a penalty for failure to do so.

The Housing and Home Finance Agency has submitted a letter to the chairman of the House Committee on Banking and Currency, a copy of which I append herewith. The House will also note there is no objection to filing of this note or to the payment by the Bureau of the Budget.

This bill has been cleared by both the majority and minority leaders in the House Banking and Currency Committee, and also with the leaders of both parties.

Mr. Speaker, this bill is noncontroversial and the sale is certainly in the best interests of the Government in that it is getting the full sale price, and it is certainly of benefit to the city because of the fact which I have hereinbefore pointed out. I hope there will be no objection to the passage of this bill. For a further and more detailed explanation of the bill, I refer the Members to page 15501 of the CONGRESSIONAL RECORD of August 21, 1957.

HOUSING AND HOME FINANCE AGENCY,
Washington, D. C., August 22, 1957.
Hon. BRENT SPENCE,
Chairman, Committee on Banking and Currency, House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: This is in response to the request of your staff for our views on S. 2460, a bill "to authorize the transfer of certain housing projects to the city of Decatur, Ill., or to the Decatur Housing Authority."

The bill would authorize and direct the Housing and Home Finance Administrator to sell to the city of Decatur, Ill., or to the Decatur Housing Authority war housing projects (Ill. 11218, Ill. 11219). These projects comprise 180 dwelling units and an administration building. The units are classified as permanent as distinguished from temporary under the provisions of the Lanham War Housing Act. Under the bill the sale would be made in consideration of the payment of $266,000 by the purchaser to the United States. The purchase price would be paid at the time of the closing or in such installments as may be agreed upon by the Housing and Home Finance Administrator over a period not in excess of 5 years from the date of sale. Such sale would be subject to the condition that, if at the end of 5 years after after the date of sale, any of the dwelling units remained on the site, the purchaser would be required to pay to the United States an additional amount to be determined by the Housing Administrator, for each month beyond such 5-year period that they remained on the site. Officials of the community have indicated their intention that the dwellings be demolished at the end of this 5-year period in order to avoid the development of slum conditions. The report of the Senate Committee on Banking and Currency with respect to this bill (Senate Rept. 1043) makes note of the Housing Administrator's statement that a fair amount payable by the purchaser for each such additional month beyond the 5-year period would be $25 per unit per month. If the bill is enacted, the housing agency would require that this amount be specified in the contract of sale.

The bill also provides that any sale pursuant to its provisions shall be made within 4 months after the date of enactment of the bill. Section 614 of the Lanham Act now provides that all permanent Lanham Act housing not sold by January 1, 1957 be advertised and sold as expeditiously as possible to the highest bidder. This bill would thus suspend that requirement for a 4-month period to permit the sale of the property according to the terms of the bill.

This Agency has strongly objected to earlier bills providing for the sale of these projects to the city of Decatur or the Decatur Housing Authority, because the consideration for such sale would have been merely the value of the land without the improvements. It has been the policy of the Agency and the Congress to obtain full market value for the property being sold pursuant to the Lanham Act. This Agency has also objected to a proposal that the above property be sold at a consideration of no more than its appraised value for use during a limited period of 5 years. This sales price would furnish the Government with less than full market value and would result in a windfall to the community if the property were actually used for a period longer than 5 years.

The provisions of S. 2460 would not provide for the payment of the full market value of the property based on its appraisal as permanent construction. Unlike the earlier bills, however, it does contain provisions which we believe represent a satisfactory compromise under all the circumstances involved. Accordingly, this Agency has no objection to the enactment of the bill.

A general consideration in this regard is the firm policy of the Congress and the administration that the war housing projects be disposed of as rapidly as possibly. As you know, the major portion of the war housing properties has been sold and only a few remaining projects are still held by this Agency. It is also our opinion that the price of $266,000 prescribed in the bill is a fair evaluation of the property if it is assumed that the structures should and will be removed at the end of 5 years. The value of the property for long-term use has been appraised by independent appraisers at approximatey $400,000. However, in view of the apparent desire of the community to remove the property at the end of the 5-year period and our desire for immediate disposal, we consider that the proposed price represents a reasonable compromise. In this connection, we do not question the good faith of the community in its feeling that the structures do not meet its standards for continued long-term use. The payment of $25 per unit per month in case the structures are used after the 5-year period would avoid one of our objections to the earlier proposals, namely, that the community could receive a windfall as a result of the continued use of the property. Because of the importance of this payment to the compromise involved in the bill, this Agency will insist that any contract for the sale of the property to the community contain a requirement that $25 per unit per month be paid to the Federal Government for the continued on-site use of the structures after the 5-year period.

A sale under the bill must be made within a 4-month period. This Agency has previously recommended to the Senate Committee on Banking and Currency that the bill require the sale to be made within a 2- or 3-month period. It is important that this period be as short as feasible in order to help complete the disposal of the few remaining war-housing properties. This is particularly important to the Agency in view of the very limited funds available for the administration of the remaining properties. Although the Agency recommends a period shorter than the 4 months provided in the bill, we would not object to the enactment of the bill on this ground.

I have been advised by the Bureau of the Budget that this letter is without objection insofar as the Bureau is concerned.

Sincerely yours,

AL COLE,
Administrator.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9023) entitled "An act to amend the act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, N. Mex., for furnishing hospital care to certain Indians."

INDIAN HOSPITALIZATION PAYMENTS TO BERNALILLO COUNTY, N. MEX.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H. R. 9023) to amend the act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, N. Mex., for furnishing hospital care to certain Indians.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1237)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9023) to amend the Act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, New Mexico, for furnishing hospital care to certain Indians, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

Oren Harris,
John Bell Williams,
George M. Rhodes,
J. Carlton Loser,
Charles A. Wolverton,
Alvin R. Bush,
Will E. Neal,
Managers on the Part of the House.

Lister Hill,
James E. Murray,
John F. Kennedy,
William A. Purtell,
John Sherman Cooper,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9023) to amend the act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, N. Mex., for furnishing hospital care to certain Indians, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment proposed to add a new section to the bill which would amend section 13 (d) of the Fair Labor Standards Act of 1938 to exempt from sections 6, 7, and 12 of such act any homeworker engaged in the making of wreaths composed principally of natural holly, pine, cedar, or other evergreens (including the harvesting of the evergreens or other forest products used in making such wreaths). The Senate recedes.

Oren Harris,
John Bell Williams,
George M. Rhodes,
J. Carlton Loser,
Charles A. Wolverton,
Alvin R. Bush,
Will E. Neal,
Managers on the Part of the House.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AMENDMENT OF COLUMBIA BASIN PROJECT ACT

Mr. ENGLE submitted a conference report and statement on the bill (S. 1482) to amend certain provisions of the Columbia Basin Project Act, and for other purposes.

PROCEEDINGS AGAINST LOUIS EARL HARTMAN

Mr. WALTER. Mr. Speaker, by direction of the Committee on Un-American Activities, I submit a privileged report citing Louis Earl Hartman.

The SPEAKER. The clerk will read the report.

The clerk read as follows:

Proceedings Against Louis Earl Hartman

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 85th Congress, caused to be issued a subpena to Louis Earl Hartman. The said subpena directed Louis Earl Hartman to be and appear before the said Committee on Un-American Activities or a duly authorized subcommittee thereof, of which the Honorable Francis E. Walter is chairman, on Tuesday, June 18, 1957, at 9:30 a. m., at their committee room, board of supervisor's office, second floor, City Hall, San Francisco, then and there to testify touching matters of inquiry committed to said committee, and not depart without leave of said committee. The subpena served upon the said Louis Earl Hartman is set forth in words and figures as follows:

"United States of America,
"Congress of the United States.

"To Louis Earl Hartman, 2139 Stuart Street, Berkeley, Calif., Emp. Radio Station KCBS, Palace Hotel, S. F., *Greeting:*

"Pursuant to lawful authority, you are hereby commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on June 18, 1957, at 9:30 o'clock, a. m., at their Committee Room, Board of Supervisor's Chambers, 2d floor, City Hall, San Francisco, California, then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To United States Marshal Frank O. Bell to serve and return.

"Given under my hand this 3d day of June in the year of our Lord 1957.

"Francis E. Walter,
"Chairman."

The said subpena was duly served as appears by the return made thereon by Frank O. Bell, United States marshal, who was duly authorized to serve the said subpena. The return of the service by the said Frank O. Bell, United States marshal, being endorsed thereon, is set forth in words and figures, as follows:

"I made service of the within subpena by handing to and leaving copy with the within-named Jim Grady, true named Louis Earl Hartman, at KCBS broadcasting station, Palace Hotel, San Francisco, Calif., at 7:15 o'clock a. m., on the 11th day of June 1957.

"Dated June 11, 1957.

"Frank O. Bell,
"United States Marshal.
"By Warren D. Cain,
"Deputy Marshal."

On the 17th day of June 1957, Louis Earl Hartman was sent the following telegram postponing his appearance to June 19, 1957. The telegram is set forth below in words and figures as follows:

June 17, 1957.

Lou Hartman,
2139 Stewart Street, Berkeley, Calif.:

You will not be reached as a witness until Wednesday, June 19, 1957, at 9:30 a. m., therefore, you need not appear until that time.

Francis E. Walter,
Chairman, Committee on Un-American Activities.

The said Louis Earl Hartman, pursuant to the said subpena and said telegram, and in compliance therewith, appeared before a subcommittee of the Committee on Un-American Activities on June 19, 1957, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 85th Congress. The said Louis Earl Hartman, having appeared as a witness and having been asked the questions, namely:

"Have you been a member, and are you a member now, of a professional cell of the Communist Party at Berkeley?

"Are you now the chairman and have you been the chairman of the professional section of the Communist Party in Berkeley since early January 1957?

"Will you tell the committee, please, how many professional cells of the Communist Party there are in Berkeley?

"Now, sir, will you advise the committee of propaganda activities that are now being carried on by the professional section or group of the Communist Party in Berkeley?

"Will you tell the committee, please, what activities the professional cell of the Communist Party in Berkeley is now engaged in?

"Was the embarrassment resulting to the State Department in having to take action in regard to that so-called peace council the result of Communist Party propaganda disseminated in this country in which you played a part?

"Will you tell the committee, please, whether or not the professional cell of the Communist Party in Berkeley took action in regard to this matter?

"Were you not at the time of the publishing of that article in the People's World, March 24, 1949, when you were quoted as I have read, engaging in an activity of the professional cell of the Communist Party in Berkeley designed to embarrass the United States in its foreign policy?

"Were you an active member of the Civil Rights Congress in Berkeley in March 1951?

"Were you a member of the professional cell of the Communist Party in Berkeley in March 1951?

"Is the professional cell of the Communist Party in Berkeley now carrying on a campaign of propaganda in any manner?

"I have before me a copy of the July 30, 1917, issue of the People's World. This article reports that you were to participate in a cultural conference to be held on August 2 and 3 under the auspices of the California Labor School. From this article it appears that John Howard Lawson was to be the keynoter and that the cultural conference was broken down in panels. Under the motion-picture panel appears the name of A. Polonsky, a screen writer, Waldo Salt, whose profession was also that of a screen writer, and yourself, under the name Lou Hartman. There has been very extensive evidence before this committee of the Communist Party membership of John Howard Lawson, Abe Polonsky, and Waldo Salt. There has been considerable evidence relating to the activities, propaganda and otherwise, of the California Labor School. Will you state whether or not the occasion to which I have referred was the result of Communist Party consultation and planning?

"I have asked you whether or not you were the chairman of the Professional Section of the Communist Party in Berkeley which you refused to answer, and I will now ask you whether or not you are a member of the Communist Party on any level whether supersecret or not?"

which questions were pertinent to the subject under inquiry, refused to answer said questions, and as a result of said Louis Earl Hartman's refusal to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of a subpena served upon said Louis Earl Hartman.

The record of the proceedings before the subcommittee on June 18, 1957, insofar as it is pertinent to the appearance of the witness Louis Earl Hartman on June 19, 1957, is set forth in fact as follows:

"United States
House of Representatives,
"Subcommittee of the
Committee on Un-American Activities,
"San Francisco, Calif., Tuesday, June 18, 1957.

"Public Hearing

"A subcommittee of the Committee on Un-American Activities met, pursuant to call, at

10 a. m., in the board of supervisors' hearing room, City Hall, San Francisco, Calif., Hon. Francis E. Walter (chairman) presiding.

"Committee members present: Francis E. Walter, of Pennsylvania; Gordon H. Scherer, of Ohio; and Robert J. McIntosh, of Michigan.

"Staff members present: Frank S. Tavenner, Jr., counsel, and William A. Wheeler, investigator.

"The Chairman. The subcommittee will come to order.

"The investigation resulting in this hearing began June 14, 1956. The original plan contemplated that this hearing would be held in the fall of 1956, but postponement was necessary due to other committee commitments. The hearing was tentatively agreed upon on January 22, 1957, the first meeting of this year. The folowing is an extract from the minutes of an executive meeting held on the 15th of May 1957:

"'Counsel for the committee called the chairman's attention to the fact that although the proposed hearings on June 18, 1957, in San Francisco, had been discussed and authorized by the committee, no record of the action taken had been incorporated in the minutes; whereupon a motion was made by Mr. Willis, seconded by Mr. Doyle and unanimously carried, authorizing the setting up of hearings in San Francisco beginning on the 18th day of June 1957, and the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, the subject of which hearings and the investigations in connection therewith to include all matters within the jurisdiction of the committee, with special reference to the extent, character, and objects of Communist Party activities within the professions and propaganda activities of a Communist origin.'

"The following order was entered on the Order Book of the Committee on Un-American Activities relating to the appointment of a subcommittee to conduct these hearings:

"'To the Clerk of the Committee on Un-American Activities of the House of Representatives:

"'ORDER FOR APPOINTMENT OF SUBCOMMITTEE

"'Pursuant to the provisions of law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, House of Representatives, consisting of Hon. Edwin E. Willis, Hon. Gordon H. Scherer, Hon. Robert J. McIntosh, associate members, and myself, as chairman, to hold hearings in San Francisco, Calif., beginning on June 18, 1957, on all matters within the jurisdiction of the committee, and to take testimony on said day or any succeeding days, and at such times and places as it may deem necessary, until its work is completed.'

"Those of the subcommittee who are now present and constitute a quorum are Hon. Gordon H. Scherer, Hon. Robert J. McIntosh, and myself.

"Congress has placed upon this Committee the duty of investigating the extent, character, and objects of un-American propaganda activities in the United States, the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and all other questions in relation thereto that would aid Congress in any necessary remedial legislation. Congress has also placed upon this committee the duty of exercising continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of this committee.

"It is the purpose of the committee, in the conduct of this hearing, to discharge the duties thus imposed upon it by calling witnesses who it has reason to believe possess information which will be of value to it and to Congress in the intelligent consideration of legislative means of more adequately protecting our form of government and our country from the threat of international communism.

"This committee has made numerous legislative recommendations to Congress, the vast majority of which have been enacted into law. At the close of the 84th Congress, this committee made extensive recommendations relating to—

"(1) The revision of passport laws with regard to applicants who are members of the Communist Party or who conceal their former connections and associations with the Communist Party or its functionaries;

"(2) The protection of investigatory powers and procedures of Congress from interference by misconduct of witnesses, counsel, and others;

"(3) The need for a clarification of the provisions of the Lobbying Act so as to remove any doubt regarding its applicability to organizations and associations under Communist influence and direction which are trying to influence Congress in the repeal of legislation enacted in the field of subversion and security;

"(4) The strengthening of the Foreign Agents Registration Act so as to afford a more effective means of counteracting the schemes and devices used in avoiding the prohibitions of the act with regard to the tremendous flow of political propaganda of a Communist origin entering this country;

"(5) The strengthening of the provisions of the National Security Act of 1950 relating to the power of heads of certain departments and agencies of the Government to dismiss civilian employees in the interest of national security; and

"(6) The need for continued watchfulness and alertness to discover the Communist means and methods of infiltration in Government.

"The committee is continuing to study the foregoing matters, and each will be a subject for consideration in the course of this hearing.

"When this committee proposed the legislation, subsequently enacted into law under the title of the Internal Security Act of 1950, consideration was given to a proposal to outlaw the Communist Party as such. Although the committee was not willing at that time to advocate such a proposal, it did approve a compromise provision authorizing the President, by proclamation, to declare the existence of an "internal security emergency," and a further provision empowering the President, acting through the Attorney General, to apprehend and by order detain, during the existence of such an emergency, each person as to whom there is reasonable ground to believe that such person probably will engage in, or probably will conspire with others to engage in, acts of espionage or of sabotage. Since that time numerous bills have been offered in both Houses of Congress, the object of which was to outlaw the Communist Party as such. The committee has been continuously engaged in the consideration of this subject, and it must keep Congress informed so that intelligent action may be taken when and if the necessity for such action arises. Information sought to be elicited at this hearing is expected to aid the committee in its consideration of this subject which, in the committee's opinion, has been rendered more vital by the trend of recent judicial decisions.

"This committee began hearings in February 1953, and has continued them intermittently ever since, for the purpose of determining the extent, character, and objects of Communist Party activities of individual members of the teaching profession with the view of determining what legislation, if any, is needed in this field. Information on this subject will be important to Congress in any legislation it enacts in the field of education. Another purpose of this hearing is to solicit additional information on this subject.

"In addition to the foregoing subjects to be considered at this hearing, the committee will hear any other matter within the jurisdiction of the committee which may develop from the testimony.

"It is the standing rule of this committee that any person named in the course of committee hearings be given an early opportunity to appear before this committee, if he desires, for the purpose of denying or explaining any testimony adversely affecting him. If this be a person's desire, he should communicate immediately with a member of the staff.

"I would remind those present in this hearing room that we are here at the direction of Congress to discharge an important legislative function. You are here by permission of this committee. I trust that you will conduct yourselves as guests of this committee. A disturbance of any kind or audible comment during the course of testimony, whether favorable or unfavorable to any witness will not be tolerated. For infraction of this rule, the offender will be immediately ejected from the room. I trust it is necessary only to call this matter to your attention once and that it will not be necessary to have it repeated.

"In nearly every hearing the committee has announced that it encourages witnesses to have counsel with them and has welcomed the presence of counsel. The fact that counsel appears with a witness before the committee should not be considered in disparagement of the counsel. We desire to make this same announcement here."

The record of the proceedings before the committee on June 19, 1957, during which Louis Earl Hartman refused to answer the aforesaid questions, pertinent to the subject under inquiry, is set forth in fact as follows:

"HEARINGS HELD IN SAN FRANCISCO, CALIF., JUNE 18–21, 1957—PART 1

"United States House
"of Representatives,
"Subcommittee of the Committee,
"on Un-American Activities,
"San Francisco, Calif.,
"Wednesday, June 19, 1957.

"PUBLIC HEARING

"The subcommittee met at 10 a. m., pursuant to recess, Hon. Francis F. Walter (chairman), presiding.

"Committee members present: Representatives Frances E. Walter, of Pennsylvania; Gordon H. Scherer, of Ohio; and Robert J. McIntosh, of Michigan.

"Staff members present: Frank S. Tavenner, Jr., counsel, and William A. Wheeler, investigator.

"The Chairman. The committee will please come to order.

"Mr. Tavenner, call your first witness.

"Mr. Tavenner. Mr. Louis Earl Hartman, will you come forward, please.

"The Chairman. Raise your right hand, please. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. Hartman. I do.

"The Chairman. Will you proceed, please, Mr. Tavenner?

"Testimony of Louis Earl Hartman, accompanied by his counsel, Lawrence Speiser, San Francisco, Calif.

"Mr. Tavenner. Will you state your name, please, Mr. Hartman.

"Mr. Hartman. My name is Louis Earl Hartman.

"Mr. Tavenner. It is noted you have counsel. Will counsel please identify himself for the record.

"Mr. Speiser. Lawrence Speiser, 690 Market Street.

"Mr. Tavenner. When and where were you born?

"Mr. Hartman. Second day of May 1915, Borough of Brooklyn.

"Mr. Tavenner. How long have you lived in the State of California?

"Mr. Hartman. How long have I lived in the State of California? I believe 12 years this month.

"Mr. Tavenner. Have you lived here continuously since that date?

"Mr. Hartman. Except for visits to my home in the East, I have, sir.

"Mr. Tavenner. What is your occupation?

"Mr. Hartman. I am a radio broadcaster.

"Mr. Tavenner. Where do you reside?

"Mr. Hartman. In Berkeley, sir.

"Mr. Tavenner. How long have you lived in Berkeley?

"Mr. Hartman. I believe I have lived in Berkeley for the 12 years that I have lived in California.

"Mr. Tavenner. Will you tell the committee, please, briefly, what your formal educational training has been?

"Mr. Hartman. I was graduated from the McBurney Prep School on West 63d Street in New York City. I went to the Johns Hopkins University in the city of Baltimore, taking a premedical degree for 2 years.

"Mr. Tavenner. What was that date, please?

"Mr. Hartman. That was the year 1932 I went to Baltimore, Mr. Tavenner. I then transferred to the arts division of Johns Hopkins for 1 year and transferred then to the University of Illinois, Champaign, Ill., and received my bachelor of arts degree in 1936.

"I was winner of the Bachelor Highland Guild playwriting prize and I was graduated with honors, and I was graduated Phi Beta Kappa. I returned after my graduation to take some postgraduate courses in journalism, but I did not complete the course.

"Mr. Tavenner. Have you had any other educational training at any school besides those that you have mentioned?

"Mr. Hartman. In respect to the question, sir, I wish to make the following objection: (1) The committee's authorizing resolution and the subject of the hearings as announced by the committee are vague and indefinite in that they fail to inform me of the nature, purpose, and extent and limitations of the hearing or the matters about which I have been called to testify. Therefore, the question posed is not pertinent or relevant to any legitimate, valid, definitive legislative purpose and thus violates my rights under due process of law under the fifth amendment, as held by the United States Supreme Court, as held in the case *United States* v. *Watkins*.

"(2) The first amendment prohibits the Congress from passing any law infringing on speech, conscience, and assembly. The mandate of this committee and the purposes announced at this hearing are unconstitutional in attempting to authorize it to investigate into an area in which the Constitution forbids it to legislate.

"(3) Questions asked me concerning my political beliefs and associations under the circumstances of these hearings abridge my rights of freedom of speech and association protected by the first amendment.

"(4) The inquiry of the committee and the purposes of this hearing are inquiry into affairs unrelated to any valid legislative purpose under article I of the Constitution and are solely designed for the purpose of exposing myself and others to publicity and ridicule.

"(5) This committee's inquiry is for the purpose of placing me on trial without any of the right guaranteed by the due process of laws of the fifth amendment and of the sixth amendment which affords me the right to notice of any charges, the effective aid of counsel, adequate time to prepare a defense, right of cross-examination, and the presumptions of innocence.

"(6) This committee's inquiry infringes on the rights retained by the people and the States under the 9th and 10th amendments. This hearing and this committee's inquiries are unconstitutional infringements by the legislature into the jurisdiction of the judiciary which has the sole power under the Constitution to place me on trial and to inquire into my personal conduct.

"Mr. Tavenner. Are you objecting to the question on the grounds that you fail to see its pertinency?

"Mr. Hartman. I am objecting on the issues of points 1 through 7, which I have just stated.

"Mr. Tavenner. Specifically, are you raising the question that you do not understand the pertinency of the question?

"Mr. Hartman. I believe the statement I have just made, Mr. Tavenner, is what I am trying to say. I admit that the legal language is a little unusual for me, but that is what I believe.

"Mr. Tavenner. Due to the fact that the witness will not answer specifically the last question I asked, I will pass on to a question the pertinency of which may be more apparent to the witness.

"Have you been a member, and are you a member now of a professional cell of the Communist Party at Berkeley?

"Mr. Hartman. My answer to the question just posed is the answer which I gave to your first question, Mr. Tavenner, points 1 through 7 as stated, and they are in the record.

"Mr. Tavenner. I will try to explain to you the pertinency of the question and, assuming that that is the real basis of your refusal to answer, with the hope that when you see its pertinency that you will answer.

"First of all as to the subject, you said you had not been informed of the subject. Were you present when the chairman of the committee read the opening statement here yesterday?

"Mr. Hartman. I was, sir; I was in the press box.

"Mr. Tavenner. And you heard it?

"Mr. Hartman. I did, sir.

"Mr. Tavenner. The committee has been endeavoring to ascertain the workings of the professional groups of the Communist Party within this area. As far as you are concerned, it relates to Berkeley, not to the city of San Francisco. That is the only difference.

"The question of the activity, that is, the extent, the character and the objectives of Communist Party activities in the professional groups of the Communist Party is a very important matter to the committee because it is now and has been for a considerable period of time considering and weighing the question of need for further legislation with regard to the Communist Party.

"As the chairman pointed out to you and others, numerous bills have been introduced in the House of Representatives from time to time to outlaw the Communist Party as such. There has been some difference of opinion by individual members of this committee on that subject but the committee has not taken action recommending such procedure to the present time. It feels that it must be informed on that subject. It feels that Congress expects to be informed on that subject and therefore we are now hearing evidence which will be of value to Congress and this committee on that matter.

"Now, so much for the subject.

"You say you do not understand the pertinency of that question?

"Mr. Hartman. Excuse me, sir. I did not say that. I am sorry.

"Mr. Tavenner. It would seem to me that the question is pertinent on its face, that no one with any intelligence would need to have the pertinency explained, when I asked you the question of whether or not you are at this time a member of the professional cell of the Communist Party in Berkeley.

"Of course it is important for us to know that because you are a man, as you say, engaged in an important field of work. This committee is entitled to know of these facts.

"Now the reasoning of the committee as to why that question is pertinent is that there is no way for the committee to ascertain facts regarding the activities of a secret cell of the Communist Party, you might say a supersecret cell because, as we understand from evidence, even the rank-and-file members of the Communist Party do not know either the names or the activities of such a group, and how can Congress be informed of the activities of such a group if it cannot ascertain who are in it in order to question?

"The reasoning of the committee, further, on that subject, I think is important. As I have said, the committee has been considering for some time the need for further legislation in this field. It is all pointed up very plainly by the position of the Communist Party as expressed in the press this morning.

"Dorothy Healey Connelly, the former chairman of the Communist Party of Los Angeles, quoted in this morning's press as having rejoiced in what she termed the greatest victory the Communist Party in America has ever received. As a quotation:

" 'It will mark a rejuvenation of the party in America. We have lost some members in the last few years"—and mark you, this is the rest of the quote—"but now we are on our way." '

"We feel that Congress is entitled to information which may help to block that way.

"Now does that explain the pertinency of the question to you?

"Mr. Hartman. Respectfully, Mr. Tavenner, I stand on the objection previously stated.

"Mr. Tavenner. You did not honestly give that objection because you felt you did not understand the question. You are merely offering it as an excuse for refusal to testify when you made up your mind as to a course which you were going to take?

"Mr. Hartman. I can only ask, Mr. Tavenner, that you believe me when I say that my objections are as stated.

"Mr. Tavenner. That your objection is that you do not see the pertinency of the question?

"Mr. Hartman. My objection is, sir, as stated in points one through seven.

"Mr. Tavenner. Mr. Chairman, I think I have made as full an explanation of the subject and of the pertinence of the question as is reasonable under all of the circumstances, and I suggest that he be directed to answer.

"The Chairman. Yes; I direct you to answer.

"Mr. Hartman. Mr. Chairman, Mr. Tavenner, I respectfully decline to answer on all the grounds previously stated as grounds to my objections. I wish to inform the committee specifically that I am relying in no way on the privileges of self-incrimination provided me by the fifth amendment, although I do not believe that any one who does should be criticized in any way for relying on that or any other rigths granted by the Congress.

"The Chairman. Then, as I understand it, you are not invoking the fifth amendment.

"Mr. Hartman. Mr. Walter, I am not invoking the fifth amendment. My attorney informs me that my legal language is very faulty. I am not invoking the criminal amendments of the fifth amendment. As I said in my earlier statement, I do rely on the fifth amendment in other aspects of the questioning.

"Mr. Tavenner. Are you now the chairman and have you been the chairman of the professional section of the Communist Party in Berkeley since early January 1957?

"Mr. Hartman. In objecting to that question, I rely on the points briefly made one through seven, as on the previous questions.

"Mr. Tavenner. Will you tell the committee, please, how many professional cells of the Communist Party there are in Berkeley?

"Mr. Hartman. My answer to that question, Mr. Tavenner, is the objection as has been stated.

"The Chairman. You are objecting to the question. Do I understand by that that you are refusing or declining to answer the question?

"Mr. Hartman. I am making an objection to the question on the grounds previously stated.

"The Chairman. You are objecting to it, and now I direct you to answer it.

"Mr. Hartman. Now, sir, I am respectfully declining to answer on all of the grounds previously stated. I am not going to answer the question as I previously stated.

"The Chairman. In addition to objecting to the question, you are now declining to answer the question for the reasons that you have given heretofore?

"Mr. Hartman. That is correct, sir.

"Mr. Scherer. To this question, do you also not invoke the self-incrimination portion of the fifth amendment?

"Mr. Hartman. That is right.

"Mr. Tavenner. Now, sir, will you advise the committee of propaganda activities that are now being carried on by the professional section or group of the Communist Party in Berkeley?

"Mr. Hartman. Once again I respectfully object to the question on the grounds previously stated.

"The Chairman. Just a minute, Mr. Tavenner?

"Do you decline to answer the question?

"Mr. Hartman. Is the Chair directing me to answer that question?

"The Chairman. Yes; I am directing you to answer the question.

"Mr. Hartman. I decline to answer on the grounds previously stated.

"Mr. Tavenner. Are you refusing to answer notwithstanding the explanation that was made of the subject of the inquiry that I am making at this time, as well as the explanation regarding the pertinency of the question, because the same explanation applies to this question?

"Mr. Hartman. Yes, sir.

"Mr. Tavenner. Will you tell the committee, please, what activities the professional cell of the Communist Party in Berkeley is now engaged in?

"Mr. Hartman. I object to the question on the grounds previously stated.

"The Chairman. Just a minute, Mr. Tavenner.

"I direct you to answer the question.

"Mr. Hartman. I respectfully decline to answer on the grounds previously stated.

"Mr. Tavenner. Is your refusal to answer made notwithstanding the explanation that I previously made regarding the subject and pertinency of the question which applies also to this question which I have asked?

"Mr. Hartman. My objection, sir, is as previously stated.

"Mr. Tavenner. Mr. Hartman, I have before me a thermofax copy of the People's World of March 24, 1949. I see there an article, the heading of which is 'ASP Urges Support for Peace Meet.' The article begins as follows:

" 'A call for "men and women of goodwill" to support the New York City cultural and scientific conference for world peace opening Friday, was made today by Louis Hartman, East Bay chairman of the arts, sciences, and professions council.

" 'Hartman declared that action by the State Department in canceling visas for 12 international delegates to the conference "exposes the war drive of American reaction." * * *

" ' "The attempt of our State Department to declare the cultural and scientific conferences for world peace as Soviet propaganda," Hartman said, "can only serve to expose the war drive of American reaction. Peace is a universal desire of all decent people of every nation and political persuasion. At a time when it wishes to sell the American people a bill of goods called the Atlantic Pact, the State Department suffers extreme political embarrassment." '

"Was the embarrassment resulting to the State Department in having to take action in regard to that so-called peace council the result of Communist Party propaganda disseminated in this country in which you played a part?

"Mr. Hartman. I object to the question on the grounds previously stated, Mr. Tavenner.

"The Chairman. Do you decline to answer the question?

"Mr. Hartman. I decline to answer on the grounds previously stated.

"Mr. Tavenner. The article quoting you refers to the action of the State Department with regard to that so-called peace meet in New York City. The action of the State Department was set forth in House Report 1954, released by this committee on April 26, 1950. The report of this committee in referring to that matter at the time stated this:

" 'From the outset, Secretary of State Dean Acheson referred to the gathering as "a sounding board for Communist propaganda." The State Department pointed out that "none of the cultural leaders of eastern Europe" who attended "were free to express any view other than that dictated by the political authorities in Moscow," and expressed no doubt "as to the manner in which the Communists will attempt to use and manipulate" the Conference.'

"Will you tell the committee, please, whether or not the professional cell of the Communist Party in Berkeley took action in regard to this matter?

"Mr. Hartman. I object to the question, Mr. Tavenner, on the grounds previously stated.

"Mr. Tavenner. Were you not——

"The Chairman. Just a minute. There is a distinction between objection to a question and declining to answer a question. You have objected to it. Do you decline to answer the question?

"Mr. Hartman. I decline to answer on the grounds previously stated.

"Mr. Tavenner. Were you not at the time of the publishing of that article in the People's World, March 24, 1949, when you were quoted as I have read, engaging in an activity of the professional cell of the Communist Party in Berkeley designed to embarrass the United States in its foreign policy?

"Mr. Hartman. I object to the question, Mr. Tavenner, on the grounds previously stated.

"Mr. Tavenner. Mr. Chairman, I think I should explain a little more fully at this point to the witness of the effect of that question, the pertinency of it. I have explained the purpose of the inquiry that we are making here. I will not repeat that, but as to the pertinency of this question, it is the reasoning of the committee that it knows of the work of the professional cell or has information of the work of the professional cell at Berkeley at an early date. It is important, it thinks, to ascertain the workings of it today particularly in light of all that has transpired internationally, and it feels that by tracing the operations of this professional cell up to the present time, it will throw light upon the activities of the Communist Party and that it will be an indication of the seriousness of matters of the propaganda activities in which the Communist Party is engaged. Therefore, we would like to know, in other words, we are connecting up those activities, those propaganda activities, with a group of the Communist Party of which I have asked you as to whether or not you are a member, and your particular activity in it.

"With that explanation, may I ask again that you answer the question?

"Mr. Hartman. Am I directed to answer that question, Mr. Chairman?

"The Chairman. Yes; you are directed to answer that question.

"Mr. Hartman. Then I must refuse to answer the question on the grounds previously stated.

"Mr. Tavenner. Were you an active member of the Civil Rights Congress in Berkeley in March 1951?

"Mr. Hartman. I object to the question, sir, on the grounds previously stated.

"Mr. Tavenner. Were you a member of the professional cell of the Communist Party in Berkeley in March 1951?

"Mr. Hartman. I object to the question, sir, on the grounds previously stated.

"Mr. Tavenner. Is the professional cell of the Communist Party in Berkeley now carrying on a campaign of propaganda in any manner——

"Mr. Hartman. I object.

"Mr. Tavenner. Just a moment—in regard to the Sobell committee?

"Mr. Hartman. I object to the question on the grounds previously mentioned.

"Mr. Scherer. Mr. Chairman, I ask that you direct the witness to answer.

"Mr. Hartman. There was a series of questions. Is that the last question or all of them?

"The Chairman. Yes.

"Mr. Hartman. In regard to the last question I respectfully decline to answer on all of the grounds previously stated, for the grounds of my objection, and I again inform the committee that I am not in any way relying on the self-incrimination provisions of the fifth amendment.

"Mr. Tavenner. I have before me a copy of the July 30, 1947, issue of the People's World. This article reports that you were to participate in a cultural conference to be held on August 2 and 3 under the auspices of the California Labor School. From this article it appears that John Howard Lawson was to be the keynoter and that the cultural conference was broken down in panels. Under the motion picture panel appears the name of A. Polonsky, a screen writer, Waldo Salt, whose profession was also that of a screen writer, and yourself, under the name Lou Hartman. There has been very extensive evidence before this committee of the Communist Party membership of John Howard Lawson, Abe Polonsky, and Waldo Salt. There has been considerable evidence relating to the activities, propaganda and otherwise, of the California Labor School. Will you state whether or not the occasion to which I have referred was the result of Communist Party consultation and planning?

"Mr. Hartman. I object to the question on the grounds previously stated.

"Mr. Tavenner. May I have a direction?

"The Chairman. You are directed to answer the question.

"Mr. Hartman. I respectfully decline to answer on all of the grounds previously stated as grounds for my objection.

"Mr. Tavenner. I have asked you whether or not you were the chairman of the Professional Section of the Communist Party in Berkeley, which you refused to answer, and I will now ask you whether or not you are a member of the Communist Party on any level whether supersecret or not.

"Mr. Hartman. I object to the question, sir, on the grounds previously stated.

"The Chairman. You are directed to answer the question.

"Mr. Hartman. I respectfully decline to answer on all of the grounds previously stated as grounds for my objection.

"Mr. Tavenner. I have no further questions, Mr. Chairman.

"Mr. McIntosh. Mr. Hartman, you have not intended to raise the self-incrimination clause in any of your answers?

"Mr. HARTMAN. That is correct, Mr. McIntosh.

"Mr. TAVENNER. I have no further questions.

"The CHAIRMAN. The witness is excused. Call your next witness, Mr. Tavenner.

"Mr. TAVENNER. I would like to recall at this time Dr. Patten.

"The CHAIRMAN. The witness has been sworn. Go ahead, Mr. Tavenner."

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to the said Louis Earl Hartman, relative to the subject matter which, under Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 85th Congress, the said committee was instructed to investigate, and the refusal of the witness to answer the questions, namely:

"Have you been a member, and are you a member now, of a professional cell of the Communist Party at Berkeley?

"Are you now the chairman and have you been the chairman of the professional section of the Communist Party in Berkeley since early January 1957?

"Will you tell the committee, please, how many professional cells of the Communist Party there are in Berkeley?

"Now, sir, will you advise the committee of propaganda activities that are now being carried on by the professional section or group of the Communist Party in Berkeley?

"Will you tell the committee, please, what activities the professional cell of the Communist Party in Berkeley is now engaged in?

"Was the embarrassment resulting to the State Department in having to take action in regard to that so-called peace council the result of Communist Party propaganda disseminated in this country in which you played a part?

"Will you tell the committee, please, whether or not the professional cell of the Communist Party in Berkeley took action in regard to this matter?

"Were you not at the time of the publishing of that article in the People's World, March 24, 1949, when you were quoted as I have read, engaging in an activity of the professional cell of the Communist Party in Berkeley designed to embarrass the United States in its foreign policy?

"Were you an active member of the Civil Rights Congress in Berkeley in March 1951?

"Were you a member of the professional cell of the Communist Party in Berkeley in March 1951?

"Is the professional cell of the Communist Party in Berkeley now carrying on a campaign of propaganda in any manner?

"I have before me a copy of the July 30, 1947 issue of the People's World. This article reports that you were to participate in a cultural conference to be held on August 2 and 3 under the auspices of the California Labor School. From this article it appears that John Howard Lawson was to be the keynoter and that the cultural conference was broken down in panels. Under the motion picture panel appears the name of A. Polonsky, a screenwriter; Waldo Salt, whose profession was also that of a screen writer; and yourself, under the name of Lou Hartman. There has been very extensive evidence before this committee of the Communist Party membership of John Howard Lawson, Abe Polonsky, and Waldo Salt. There has been considerable evidence relating to the activities, propaganda and otherwise, of the California Labor School. Will you state whether or not the occasion to which I have referred was the result of Communist Party consultation and planning?

"I have asked you whether or not you were the chairman of the professional section of the Communist Party in Berkeley, which you refused to answer, and I will now ask you whether or not you are a member of the Communist Party on any level whether supersecret or not."

which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony and places the said witness in contempt of the House of Representatives of the United States.

OTHER PERTINENT COMMITTEE PROCEEDINGS

The following resolution was adopted at the organizational meeting of the committee for the 85th Congress, held on the 22d day of January 1957:

"*Be it resolved*, That the chairman be authorized and empowered from time to time to appoint subcommittees, composed of 3 or more members of the Committee on Un-American Activities, at least 1 of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the committee as a whole is authorized to perform."

The following is an extract from the minutes of an executive session of the subcommittee of the Committee on Un-American Activities, consisting of Hon. FRANCIS E. WALTER (chairman), Hon. EDWIN E. WILLIS, Hon. GORDON H. SCHERER, and Hon. ROBERT J. MCINTOSH, held on the 17th day of July 1957, in room 225, Old House Office Building, Washington, D. C.:

"The subcommittee was called to order by Mr. WALTER, who stated that the purpose of the meeting was to consider what action the subcommittee would take regarding the refusal of certain witnesses to answer questions propounded to them in the course of hearings conducted by the subcommittee in San Francisco, beginning on the 18th day of June 1957, and what recommendations it would make regarding the citation of any such witness for contempt of the House of Representatives.

"After full consideration of the testimony of certain witnesses, a motion was made and unanimously adopted that a report of facts relating to the refusal of Louis Earl Hartman to answer questions before the said subcommittee at the hearings aforesaid, be referred and submitted to the Committee on Un-American Activities as a whole, with a recommendation that the report of the facts relating thereto be referred to the House of Representatives with the recommendation that the said witness be cited for contempt of the House of Representatives for his refusal to answer questions therein set forth, to the end that he may be proceeded against in the manner and form provided by law."

The following is an extract from the minutes of an executive session of the Committee on Un-American Activities, consisting of Hon. Francis E. Walter (chairman), Hon. Clyde Doyle, Hon. James B. Frazier, Jr., Hon. Edwin E. Willis, Hon. Gordon H. Scherer, and Hon. Robert J. McIntosh, held on the 17th day of July 1957, in room 225, Old House Office Building, Washington, D. C.:

"The report of the facts relating to the refusal of Louis Earl Hartman to answer questions was submitted to the committee as a whole, upon which a motion was made by Mr. Frazier, seconded by Mr. Scherer and unanimously carried, that the subcommittee's report of the facts relating to the refusal of Louis Earl Hartman to answer questions before the said subcommittee at the hearings conducted before it in the City Hall, San Francisco, Calif., beginning June 18, 1957, be and the same is hereby approved and adopted, and that the Committee on Un-American Activities report and refer the refusal of Louis Earl Hartman to answer questions before the said subcommittee, together with all the facts in connection therewith, to the House of Representatives, with a recommendation that the witness be cited for contempt by the House of Representatives, for his refusal to answer questions, to the end that he may be proceeded against in the manner and form provided by law."

Mr. WALTER. Mr. Speaker, I offer a privileged resolution.

The Clerk read the resolution (H. Res. 407), as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Louis Earl Hartman to answer questions before a duly constituted subcommittee of the Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States attorney for the northern district of California, to the end that the said Louis Earl Hartman may be proceeded against in the manner and form provided by law.

Mr. WALTER. Mr. Speaker, I yield 30 minutes to the gentleman from Wisconsin [Mr. BYRNES] and now yield myself such time as I may require.

Mr. Speaker, this resolution relates to the refusal of the witness, Louis Earl Hartman to answer pertinent questions at a hearing conducted in San Francisco some months ago. Hartman did not rely on the self-incrimination clause of the fifth amendment in refusing to answer the questions, but stated to the committee that in his opinion the decision of the Supreme Court in the Watkins case made it possible for him to refuse to answer the questions. The decision in the Watkins case was handed down just 2 days before the hearing and in order to meet the situation squarely, the subcommittee prepared a very detailed statement as to the purpose of the hearing and the pertinency of the questions. We believe that in so doing, we very squarely met the objections made by the Supreme Court. Now I am going to call your attention to the part of the testimony of Mr. Hartman:

> Mr. HARTMAN. Mr. Chairman, Mr. Tavenner, I respectfully decline to answer on all the grounds previously stated as grounds to my objections. I wish to inform the committee specifically that I am relying in no way on the privileges of self-incrimination provided me by the fifth amendment, although I do not believe that any one who does should be criticized in any way for relying on that or any other rights granted by the Congress.

This witness, according to committee information, was not only a member of the Communist Party, but he was the chairman of the professional branch of the Communist Party in Berkeley, Calif. He was a radio broadcaster and the committee wished to interrogate him concerning the types of broadcasting he engaged in as well as to the activities of this particular cell of the Communist Party. As I have stated before, he refused to answer any questions basing his entire reason on the Watkins decision. I think in that connection it might be interesting for me to point out to the House how the Watkins decision was received in certain circles. The day before Hartman testified, there was a meeting of the Communist Party in Los Angeles and Dorothy Healy Connelly, the former chairman of the Communist Party in Los Angeles, stated that she rejoiced in what she termed the greatest victory the Communist Party in America has ever received. Quoting this woman:

> It will mark a rejuvenation of the party in America. We have lost some members in the last few years, but now we are on our way.

We felt that the Congress was entitled to the information this man had in order to see to it that we could probably block their course along the way.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from New York.

Mr. CELLER. I deeply sympathize with the gentleman's plight in being chairman of this committee. Many, many difficult problems arise and among those problems is the reconciliation of the proceedings at hand with the Watkins decision. I would like to ask the gentleman whether or not this case arose after the Watkins decision.

Mr. WALTER. This case arose right after the Watkins decision and, as I stated, with that decision before us we prepared a detailed statement of the purpose of the hearing and when the witness interposed the objection that the Watkins decision did not compel him to answer those questions, we then stated in detail the purpose and pertinency of each question that was asked of this witness.

Mr. CELLER. I read those statements, and I think the gentleman is substantially correct; that great pains were taken to detail exactly what the purpose of the committee was and what it had explicitly in mind when it directed the questions to the witness. But what bothers me now is whether or not this citation, if approved by the House and results in a conviction in the court, would be sustained by the Supreme Court. I am concerned whether or not you would not have the Watkins case all over again. However, I would like to ask the gentleman this question: In the Watkins decision the court went quite far and questioned the authorizing resolution, the original resolution, setting up the Un-American Activities Committee. Among other things it said:

> It would be difficult to imagine a less explicit authorizing resolution. Who can define the meaning of "un-American"? What is that single, solitary "principle of the form of government as guaranteed by our Constitution"? There is no need to dwell upon the language, however. At one time, perhaps, the resolution might have been read narrowly to confine the committee to the subject of propaganda. The events that have transpired in the 15 years before the interrogation of petitioner make such a construction impossible at this date.
>
> When the definition of jurisdictional pertinency is as uncertain and waivering as in the case of the Un-American Activities Committee, it becomes extremely difficult for the committee to limit its inquiries to statutory pertinency.

I am asking whether it would not be better if there could be a new resolution adopted by this House specifying the powers intended to the Un-American Activities Committee? That would spell them out explicitly so that one would know exactly what those powers are.

Mr. WALTER. Of course the gentleman from New York is reading from the dicta in the decision. That is one of the things that has caused confusion, because a great many judges have followed that rather than the opinion itself. I still have enough confidence in the Supreme Court of the United States to believe that it will never go out of its way in order to deprive the Congress of the United States of its authority to take whatever steps are necessary to protect our form of government. The decision has been misconstrued. If I may be so bold as to say so, it is a very loosely drawn decision, susceptible of many interpretations. I am sure that had the Court been disposed to permit this committee to function as it was intended it should function, the Court would have placed the kind of construction on the authorizing resolution which would not have attempted to strike it down. I think that resolution is entirely adequate, and I think that, with the preparation made in this particular case, the Supreme Court in taking another look at this question, assuming that the case will go to the Supreme Court, and I am sure that it will, because this man has many Communist friends who will support an appeal, I am sure that this kind of case will prevent the Supreme Court from striking down the functions of this committee.

Mr. CELLER. May I be privileged for another inquiry on a little different tack, if I may be privileged to address myself to the House by way of this question to the gentleman from Pennsylvania; has the gentleman from Pennsylvania given any thought to the idea of having the activities of the Un-American Activities Committee placed within the jurisdiction of the House Committee on the Judiciary?

Mr. WALTER. As the gentleman knows, I advocated that several years ago because it seemed to me this committee should have been constituted, as was the case in the Senate, as a subcommittee of the Judiciary Committee. In the Senate, it is the Internal Security Subcommittee of the Judiciary Committee.

That, however, is beside the point, whether it is a subcommittee of the Judiciary Committee or a separate standing committee, if the Court is disposed to interfere with that work it will find a way to do it no matter where the work is being performed.

Mr. CELLER. Does not the gentleman believe that the Judiciary Committee is better able to handle situations like this; that the committee, being composed of lawyers trained and skilled in the law, adept in propounding questions, knowing full well the limitations the Constitution places upon legislative and executive authority, might be all the better equipped than those members who have not legal training to handle situations that periodically come before the committee?

Mr. WALTER. I am sure the gentleman from New York does not intend to reflect on the competency of the chairman of the Committee on Un-American Activities.

Mr. CELLER. Of course not, because the gentleman is a member of the Judiciary Committee and two of his fellow members of the Un-American Activities Committee are also members of the Judiciary Committee. In truth and in fact, I have great respect for all the members of the Un-American Activities Committee. I intend no reflection on them whatsoever. But, nonetheless, I feel that the members of the Judiciary Committee, whose jurisdiction encompasses the Federal Criminal Code and the Federal Judicial Code, which are the cornerstones of our Federal jurisprudence, are especially well qualified to handle the problem of witnesses suspected of subversive activities. Its members are former judges, governors, prosecuting attorneys, and State attorneys general. I firmly believe that the type of work devolving upon the Un-American Activities Committee could better be done by the Judiciary Committee. This is the situation in the Senate where the Internal Security Subcommittee, which is a counterpart of the Un-American Activities Committee, is a subcommittee of the Senate Judiciary Committee.

Mr. WALTER. I do not know of a group of men on any committee in this House that has tried harder than has the membership of the Committee on Un-American Activities to conduct the very distasteful, to all of us, work of the committee.

It is not a pleasant thing to sit there and see a parade of people who have been, and still are, members of an organization whose purpose is to make us vassals of Russia, it is a very unpleasant thing, and I will say to the gentleman, very frankly, in this particular matter before us, it was with great difficulty that I restrained myself when this man was testifying, because I knew the general nature of the activities he was engaged in throughout that entire Bay area around San Francisco.

I now yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Speaker, I know the gentleman from Pennsylvania, as I myself has been much concerned about the effect of the Watkins decision on the constitutional authority to investigate within the scope of Congress legislative powers. I know also, of course, in reading this report, that the gentleman from Pennsylvania has done everything in his power to comply with the suggestions made in the Watkins case itself as to advising the witnesses involved of the purpose and the pertinency of the questions that were asked, this being one of the points raised in that case. I do not want my remarks to imply that I agree with that decision, and its vague dicta, which leaves Congress without any guidepost as to how to carry out its admitted legislative purposes.

I call to the attention of the House the first occasion on which the witness objected or refused to answer to illustrate the unjustified contempt of the witness for Congress. It was this question, and I am reading from page 8 of the report:

> Mr. Tavenner. Have you had any other educational training at any school besides those that you have mentioned.

This was asked after the witness had previously answered other questions as to his education.

It was at that time and to that innocuous question, the answer of which could not possibly have held the witness up to any ridicule whatsoever, that Mr. Hartman interposed his objection, which is based on the Watkins decision, Nos. (1) through (6) on pages 8 and 9 of the committee report.

The chairman of the committee has pointed out, and I believe the report will verify the fact, that unquestionably and without any basis for misunderstanding the witness was advised in great detail as to the scope of the authority of the committee and the pertinency of the questions asked, and there are a number of them, of course, which he refused to answer, the reason for those questions and the fact that those questions were within the scope of the investigating authority of the committee and its relationship to the constitutional powers and authority of Congress. I appreciate, as I am sure the gentleman does, the point brought out in the dissenting opinion of Mr. Justice Clark in the Watkins case, where it was pointed out by Justice Clark that for the Congress to go back and review each one of the resolutions under which these investigating committees are acting and to attempt to spell out every facet of every conceivable and prospective field of investigation is a wholly impractical approach to the situation.

I want to congratulate the gentleman from Pennsylvania in attempting to meet one of the grounds stated in this decision as best as could be done under the circumstances by pointing out clearly and distinctly the purposes and intent of the questions asked, the pertinency of the questions more specifically than is spelled out in the authorizing resolution for the House Un-American Activities Committee by pointing out in detail, leaving no room for misinterpretation why and in what respect they were pertinent to the general authority of the committee to investigate. It is my belief that the committee has met in good faith and in every detail the suggested grounds set out in the Watkins case by using this method in attempting to comply with that decision, so long as it stands in its present vague form. I believe it is essential that this House vote for the resolution.

I want to say that as the ranking minority member of the committee appointed by the Judiciary Committee to consider the Supreme Court decisions I know that I for one am going to be interested, as I am sure the Members of the House and Congress will be, in considering the effect of the decisions of the Supreme Court and the Watkins decision in particular on the ability and power which Congress admittedly has to investigate in fields where there is reason to believe legislation is essential or that there is legislative purpose to be served. I am going to be watching with a great deal of interest the outcome of this particular case.

I want to congratulate the committee for going, in my opinion, as far as it is possible to do so in advising this recalcitrant witness of what the pertinency of this question was and to spell out, even beyond the general authorizing resolution of this committee, exactly why the questions were being asked, why they were pertinent, why they were essential to future legislation or within Congress' authority as delegated to the committee in the consideration of this committee. I again congratulate the committee on its deliberations and for bringing this resolution before the House.

I trust the judicial treatment of this case will help to clarify some of the areas of uncertainty under the Watkins case. It is a challenge to the Federal courts to modify that decision in a manner permitting Congress to continue its essential investigative processes without undue restraint. I trust the court will accept the challenge of clarifying the Watkins decision.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. Ray].

Mr. RAY. Mr. Speaker, I would like to join in commending the committee for the work it has tried to do and I would like also to join in the expressions of the distinguished chairman of the Committee on the Judiciary that we in the House bear the responsibility for the kind of delegation of authority under which our committee acts.

We have not given the House Un-American Activities Committee a clear definition of principle. We neglect long established rules and we risk conflict with many court decisions if we do not clearly define the legislative authority which we confer upon the committee.

In this particular case I think the committee acted clearly within its authority and I am glad this resolution has been brought before the House.

Mr. WALTER. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. Roosevelt].

Mr. ROOSEVELT. Mr. Speaker, if I may follow the previous practice and put my question in the form of a statement, it would seem to me that the colloquy here today has pointed up the value of the Supreme Court decision in the Watkins case. It has been very clearly brought out that the committee made a very careful presentation following the Watkins case which gave to the accused the right which the Supreme Court said belonged to him as an individual.

I would like to join in commending and praising the chairman of the committee and the committee for obviously making every effort to do what the Supreme Court said was essential in protecting the rights of individuals. After all, the basic difference between a democracy and communism is our belief in the rights of the individual. While this may not be the time to pass fully upon the colloquy between the distinguished chairman of the Committee on the Judiciary [Mr. Celler], and the distinguished gentleman from Pennsylvania [Mr. Walter], nevertheless I feel there is a great deal of value in the thought seemingly approved by both, that the Un-American Activities Committee should perhaps become a subcommittee and a permanent subcommittee of the Committee on the Judiciary. There is solid evidence that the fight on subversive activity can be more effectively carried forward by such action.

I am sure all of us will join the distinguished gentleman from Pennsylvania [Mr. Walter], in supporting this resolution in which the case of the committee is clear and just.

Mr. WALTER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

Mr. WALTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 276, nays 0, not voting 156, as follows:

[Roll No. 210]

YEAS—276

Abbitt
Abernethy
Adair
Addonizio
Albert
Allen, Ill.
Andersen, H. Carl
Andrews
Arends
Ashmore
Aspinall
Auchincloss
Avery
Bailey
Baldwin
Baring
Bass, Tenn.
Bates
Beckworth
Belcher
Bennett, Fla.
Bennett, Mich.
Berry
Betts
Blitch
Boggs
Boland
Bolling
Bolton
Bonner
Bow
Boyle
Breeding
Brooks, La.
Brooks, Tex.
Brown, Ga.
Brown, Mo.
Brown, Ohio
Broyhill
Budge
Burleson
Byrnes, Wis.
Canfield
Cannon
Carrigg
Cederberg
Chamberlain
Chenoweth
Christopher
Church
Coad
Cole
Collier
Colmer
Cooper
Cramer
Cunningham, Iowa
Cunningham, Nebr.
Curtin
Curtis, Mass.
Dague
Davis, Tenn.
Delaney
Dempsey
Denton
Devereux
Dixon
Dorn, N. Y.
Dorn, S. C.
Dowdy
Durham
Dwyer
Eberharter
Edmondson
Elliott
Engle
Evins
Fallon
Fascell
Feighan
Fenton
Fisher
Forand
Ford
Forrester
Fountain
Frazier
Friedel
Garmatz
Gary
Gathings
Granahan
Grant
Gray
Gregory
Griffiths
Gross
Gubser
Gwinn
Hagen
Hale
Haley
Halleck
Hardy
Harris
Harrison, Nebr.
Harrison, Va.
Haskell
Hébert
Henderson
Herlong
Heselton
Hess
Hill
Holland
Holmes
Holt
Horan
Hosmer
Huddleston
Hull
Hyde
Ikard
Jarman
Jenkins
Jennings
Jensen
Johansen
Johnson
Jonas
Jones, Ala.
Jones, Mo.
Judd
Karsten
Kearns
Keating
Kee
Kelley, Pa.
Kelly, N. Y.
Kilday
Kilgore
King
Kirwan
Kitchin
Kluczynski
Knox
Knutson
Lane
Lanham
LeCompte
Lennon
Lipscomb
Long
Loser
McCulloch
McFall
McGovern
McIntire
McMillan
McVey
Macdonald
Mack, Ill.
Mack, Wash.
Madden
Magnuson
Mahon
Marshall
Martin
Matthews
Merrow
Metcalf
Miller, Md.
Miller, Nebr.
Mills
Montoya
Moore
Morgan
Morris
Morrison
Moss
Moulder
Murray
Natcher
Neal
Nimtz
Norrell
O'Brien, Ill.
O'Hara, Ill.
O'Hara, Minn.
O'Konski
O'Neill
Osmers

Passman
Patterson
Pelly
Perkins
Pfost
Pillion
Poage
Poff
Polk
Porter
Price
Rabaut
Radwan
Rains
Ray
Reed
Rees, Kans.
Reuss
Rhodes, Pa.
Riley
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Mass.
Rogers, Tex.
Rooney
Roosevelt
Rutherford
Saund
Schenck
Schwengel
Scott, N. C.
Scrivner
Scudder
Selden
Shuford
Simpson, Ill.
Sisk
Smith, Calif.
Smith, Miss.
Smith, Va.
Smith, Wis.
Springer
Staggers
Stauffer
Steed
Sullivan
Taber
Talle
Tewes
Thomas
Thompson, La.
Thompson, N. J
Thompson, Tex.
Thomson, Wyo.
Thornberry
Tollefson
Trimble
Tuck
Ullman
Utt
Vanik
Van Pelt
Van Zandt
Vinson
Vorys
Vursell
Walter
Watts
Weaver
Wharton
Whitten
Wigglesworth
Williams, Miss.
Williams, N. Y.
Willis
Wilson, Ind.
Winstead
Withrow
Wolverton
Wright
Young
Younger

NOT VOTING—156

Alexander
Alger
Allen, Calif.
Anderson, Mont.
Andresen, August H.
Anfuso
Ashley
Ayres
Baker
Barden
Barrett
Bass, N. H.
Baumhart
Beamer
Becker
Bentley
Blatnik
Bosch
Boykin
Bray
Broomfield
Brownson
Buckley
Burdick
Bush
Byrd
Byrne, Ill.
Byrne, Pa.
Carnahan
Celler
Chelf
Chiperfield
Chudoff
Clark
Clevenger
Coffin
Cooley
Corbett
Coudert
Cretella
Curtis, Mo.
Davis, Ga.
Dawson, Ill.
Dawson, Utah
Dellay
Dennison
Derounian
Dies
Diggs
Dingell
Dollinger
Donohue
Dooley
Doyle
Farbstein
Fino
Flood
Flynt
Fogarty
Frelinghuysen
Fulton
Gavin
George
Gordon
Green, Oreg.
Green, Pa.
Griffin
Harden
Harvey
Hays, Ark.
Hays, Ohio
Healey
Hemphill
Hiestand
Hillings
Hoeven
Hoffman
Holifield
Holtzman
Jackson
James
Kean
Kearney
Keeney
Keogh
Kilburn
Krueger
Laird
Landrum
Lankford
Latham
Lesinski
McCarthy
McConnell
McCormack
McDonough
McGregor
McIntosh
Machrowicz
Mailliard
Mason
May
Meader
Michel
Miller, Calif.
Miller, N. Y.
Minshall
Morano
Multer
Mumma
Nicholson
Norblad
O'Brien, N. Y.
Ostertag
Patman
Philbin
Pilcher
Powell
Preston
Prouty
Reece, Tenn.
Rhodes, Ariz.
Riehlman
Rivers
Robeson, Va.
Robsion, Ky.
Sadlak
Santangelo
St. George
Saylor
Scherer
Scott, Pa.
Seely-Brown
Sheehan
Shelley
Sheppard
Sieminski
Sikes
Siler
Simpson, Pa.
Smith, Kans.
Spence
Taylor
Teague, Calif.
Teague, Tex.
Teller
Udall
Wainwright
Westland
Whitener
Widnall
Wier
Wilson, Calif.
Yates
Zablocki
Zelenko

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Udall for, with Mr. Multer against.

Until further notice:

Mr. Hays of Arkansas with Mr. Baumhart.
Mr. Hemphill with Mr. Bass of New Hampshire.
Mr. Landrum with Mr. Beamer.
Mr. Pilcher with Mrs. Harden.
Mr. Flynt with Mr. Bray.
Mr. Preston with Mr. Brownson.
Mr. Fogarty with Mr. Clevenger.
Mrs. Green of Oregon with Mr. Coudert.
Mr. Carnahan with Mr. Dellay.
Mr. Barden with Mr. Dennison.
Mr. Alexander with Mr. Becker.
Mr. Rivers with Mr. Derounian.
Mr. Boykin with Mr. Rhodes of Arizona.
Mr. Lankford with Mr. Fino.
Mr. Sheppard with Mr. Gavin.
Mr. Sieminski with Mr. Griffin.
Mr. Sikes with Mr. Broomfield.
Mr. Byrd with Mr. McIntosh.
Mr. Byrne of Pennsylvania with Mr. McGregor.
Mr. Green of Pennsylvania with Mr. Frelinghuysen.
Mr. Chudoff with Mr. Ayres.
Mr. Barrett with Mr. Norblad.
Mr. Miller of California with Mr. Minshall.
Mr. Doyle with Mr. May.
Mr. Donohue with Mr. Harvey.
Mr. Philbin with Mr. Hoffman.
Mr. Dies with Mr. Kean.
Mr. Coffin with Mr. Widnall.
Mr. Teague of Texas with Mr. Taylor.
Mr. Whitener with Mr. Simpson of Pennsylvania.
Mr. Cooley with Mr. Siler.
Mr. Clark with Mr. Cretella.
Mr. Gordon with Mr. Morano.
Mr. Dawson of Illinois with Mr. Hillings.
Mr. Patman with Mr. Keeney.
Mr. Chelf with Mr. Krueger.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 9379. An act making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes.

APPROPRIATIONS FOR ATOMIC ENERGY COMMISSION, JUNE 30, 1958

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9379) an act making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none and appoints the following conferees: Mr. CANNON, Mr. RABAUT, Mr. EVINS, Mr. TABER, and Mr. JENSEN.

PROCEEDINGS AGAINST FRANK GRUMMAN

Mr. WALTER. Mr. Speaker, by direction of the Committee on Un-American Activities, I submit a privileged report, Report No. 1240, in the case of Frank Grumman.

The Clerk read as follows:

PROCEEDINGS AGAINST FRANK GRUMMAN

The Committee on Un-American Activities as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 85th Congress, caused to be issued a subpena to Frank Grumman. The said subpena directed Frank Grumman to be and appear before the said Committee on Un-American Activities or a duly authorized subcommittee thereof, of which the Honorable FRANCIS E. WALTER is chairman, on Wednesday, July 17, 1957, at 10 a. m., at their committee room, 226 House Office Building, Washington, D. C., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpena served upon the said Frank Grumman is set forth in words and figures as follows:

"UNITED STATES OF AMERICA,
"CONGRESS OF THE UNITED STATES.

"To FRANK GRUMMAN, *16 Beaver Street, Room 400, New York, N. Y., greetings:*

"Pursuant to lawful authority, you are hereby commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on Wednesday, July 17, 1957, at 10 o'clock a. m., at their committee room, 226 House Office Building, Washington, D. C., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To United States marshal, to serve and return.

"Given under my hand this 21st day of June, in the year of our Lord 1957.

"FRANCIS E. WALTER,
"*Chairman.*"

The said subpena was duly served as appears by the return made thereon by Samuel Swartz, deputy United States marshal, southern district of New York, who was duly authorized to serve the said subpena. The return of the service by the said Samuel Swartz, deputy United States marshal, being endorsed thereon, is set forth in words and figures as follows:

"I made service of the within subpena by personally handing subpena to the within-named Frank Grumman, at 16 Beaver Street, New York, N. Y., at 3:25 o'clock, p. m., on the 24th day of June 1957.

"SAMUEL SWARTZ,
"*Deputy United States Marshal,
Southern District of New York.*"

At the request of the witness' counsel, Frank Grumman's appearance before the subcommittee was verbally postponed to July 18, 1957.

The said Frank Grumman, pursuant to the said subpena and verbal continuance, and in compliance therewith, appeared before a subcommittee of the Committee on Un-American Activities on July 18, 1957, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 85th Congress. The said Frank Grumman, having appeared as a witness and having been asked the questions, namely:

"Now, Mr. Grumman, yesterday a gentleman by the name of Michael Mignon testified under oath that he had at one time been a member of the Communist Party, that while he was a member of the Communist Party he knew a number of people as Communists. That he had served in closed Communist Party meetings with those persons. He also told us about certain of those persons who were employed in the vital communications industry of this Nation. Among those persons whom he said he had known as a member of the Communist Party was yourself, Frank Grumman.

"I now ask you, are you now a member of the Communist Party?

"Do you have information now, Mr. Grumman—and I ask this question so that no one in his right mind can conclude that the purpose of your appearance here is exposure for the sake of exposure—Do you have information with respect to Communists in the American Communications Association?

"Do you know of Communists presently in the vital communications industry of this Nation?

"As a member of the Communist Party when he was in the Communist Party, he said, with you and in local 10. He said that he sat in closed Communist cell meetings with you.

"Now I will ask you whether or not he was telling the truth or was he telling a falsehood?

"Mr. Witness, we have had an abundance of testimony under oath to the effect that Communists cannot be believed before Congressional committees or otherwise; that they are inveterate liars.

"Now, for the purpose of testing the credibility of the testimony that you have given to this committee today, I want to ask you now—and that is the purpose of this question, to test your credibility—Are you now a Communist?"

which questions were pertinent to the subject under inquiry, refused to answer said questions, and as a result of said Frank Grumman's refusal to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committeed to said committee in accordance with the terms of a subpena served upon said Frank Grumman.

The record of the proceeds before the subcommittee on July 17, 1957, insofar as it is pertinent to the appearance of the witness Frank Grumman on July 18, 1957, is set forth in fact as follows:

"UNITED STATES HOUSE OF
"REPRESENTATIVES.
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES,
"*Washington, D. C., July 17, 1957.*

"PUBLIC HEARING

"A subcommittee of the Committee on Un-American Activities met, pursuant to call at 10:10 a. m. in the caucus room, Old House Office Building, Washington, D. C., Hon. Clyde Doyle (chairman of the subcommittee) presiding.

"Committee members present: CLYDE DOYLE, of California (presiding), JAMES B. FRAZIER, Jr., of Tennessee, and GORDON H. SCHERER, of Ohio.

"Stay members present: Richard Arens, director, and W. Jackson Jones and Louis J. Russell, investigators.

"Mr. DOYLE. The subcommittee will please come to order.

"I have an opening statement, as the subcommittee chairman which I wish to read for the record.

"The committee has long been interested in the situation which exists in the communications industry in the United States; namely, the position and influence held by members of the Communist Party and organizations dedicated to furthering the Communist objective. On July 10, 1957, at a regular meeting of the committee, with all members except 2 present and voting, a motion was made by Mr. SCHERER and seconded by Mr. FRAZIER which authorized the holding of these hearings in Washington on this general subject. The resolution adopted by the committee is as follows:

"'A motion was made by Mr. SCHERER, seconded by Mr. FRAZIER, and unanimously carried, approving and authorizing the holding of hearings in Washington, beginning July 17, 1957, or at such later date as the chairman may determine, for the purpose of considering whether or not members of the Communist Party or persons subject to its discipline are employed in various media of communications used in the transmission of vital communications, and the advisability, in the national defense and for internal security, of the adoption of remedial legislation authorizing the Defense Department and other Government agencies to adopt and enforce appropriate regulations designed to protect and preserve inviolate secret and classified Government information, and investing in appropriate Government agencies power to preclude access to vital communication facilities in time of war or other national emergency, persons who probably will engage in, or probably will conspire with others to engage in, acts of espionage or sabotage.'

"Before proceeding further, I would like to include in the record a copy of the order for appointment of this subcommittee, signed by the chairman on the 12th day of July 1957. In it, there is appointed a subcommittee consisting of Messrs. FRAZIER and SCHERER, with myself as chairman, to conduct these hearings in Washington, D. C., beginning on July 17, 1957. Those of the subcommittee of three who are now present and constitute a quorum of the subcommittee are Mr. FRAZIER, of Tennessee, and myself, DOYLE of California, Mr. SCHERER being necessarily temporarily absent.

"Congress, by Public Law 601 of the 79th Congress, placed upon this committee the duty of investigating the extent, character, and object of un-American propaganda activities in the United States, the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and all other questions in relation thereto that would aid Congress in any necessary remedial legislation. Congress has also placed upon this committee the duty of exercising continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of this committee.

"In these hearings beginning now, the first of a series of this general subject, the committee hopes to ascertain the extent of the penetration and control exercised by members of the Communist Party over an industry which is vital to our defense; namely, communications. In the event that testimony given during these hearings reflects a situation correctable by legislation, the committee will recommend the appropriate measures at the proper time. It is the purpose of the subcommittee in the conduct of these hearings, to discharge the duties placed upon us by the Congress by calling witnesses who, we have reason to believe, possess information which will be of value to us and to the Congress in the consideration of such legislation. It is a standing rule of this committee that any person named in the course of committee hearings will be given an early opportunity to appear before this committee if he so desires, for the purpose of denying or explaining any testimony given adversely affecting him. In the event there are such persons, they should immediately communicate with any member of the staff and make their request known.

"In every hearing, the committee has encouraged witnesses to have legal counsel with them if they so desire, and has always welcomed the presence of counsel. In fact, the rules of the committee expressly provide that 'at every hearing, public or executive, every witness shall be accorded the privilege of having counsel of his own choosing.

"'The participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the committee, but shall confine his activity to the area of legal advice to his client.'

"I would remind those present that we are here at the direction of Congress to discharge an important legislative function. You in the hearing room are here by permission of this committee, and I know and am sure you will conduct yourselves as guests of this committee at all times. Any disturbance of any kind or audible comment during the course of the testimony, whether favorable or unfavorable to any witness, will not be tolerated.

"Mr. Frazier, have you anything further to add?

"Mr. FRAZIER. I have nothing further, Mr. Chairman.

"Mr. DOYLE. The order will be made for the inclusion in the record of the order for appointment of subcommittee by the full Committee Chairman WALTER.

(The information follows:)

"'ORDER FOR APPOINTMENT OF SUBCOMMITTEE

"'TO THE CLERK OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES OF THE HOUSE OF REPRESENTATIVES:

"'Pursuant to the provisions of law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, House of Representatives, consisting of Hon. CLYDE DOYLE, chairman, and Hon. JAMES B. FRAZIER, Jr., and Hon. GORDON SCHERER, associate members, to conduct hearings in Washington, D. C., beginning on July 17, 1957, on all matters within the jurisdiction of the committee, and to take testimony on said day or any succeeding days, and at such times and places as it may deem necessary, until its work is completed.

"'The clerk of the committee is directed to immediately notify the appointees of their appointment and to file this order as an official committee record, in the order book kept for that purpose.

"'Given under my hand this 12th day of July 1957.

"'(Signed) FRANCIS E. WALTER,
"'*Committee on Un-American Activities,*
"'*House of Representatives.*'

"The record of the proceedings before the subcommittee on July 18, 1957, during which Frank Grumman refused to answer the aforesaid questions, is set forth in fact as follows:

"UNITED STATES HOUSE
OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES.
"*Washington, D. C., Thursday July 18, 1957.*

"PUBLIC HEARING

"The subcommittee met, pursuant to recess, at 10:08 a. m., in the Caucus Room, Old House Office Building, Washington, D. C., Hon. CLYDE DOYLE (chairman of the subcommittee) presiding.

"Committee members present: Representatives CLYDE DOYLE of California (presiding), JAMES B. FRAZIER, Jr., of Tennessee, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, director; Frank S. Tavenner, Jr., counsel; and W. Jackson Jones and Louis J. Russell, investigators.

"Mr. DOYLE. The committee will please come to order.

"May the record show that the full membership of the subcommittee is present: Mr. FRAZIER, of Tennessee; Mr. SCHERER, of Ohio; and myself, DOYLE, of California, subcommittee chairman.

"Are you ready, Mr. Arens?

Mr. ARENS. Yes, sir.

"Mr. DOYLE. Please proceed.

"Mr. ARENS. The first witness, if you please, Mr. Chairman, will be Mr. Frank Grumman.

"Mr. Grumman, would you kindly come forward, please? Remain standing while the chairman administers the oath to you, Mr. Grumman.

"Mr. DOYLE. Do you solemnly swear you will tell the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. GRUMMAN. I do.

"Mr. DOYLE. Please have the witness chair.

"Testimony of Frank Grumman, accompanied by Leonard B. Boudin, counsel

"Mr. Arens. Kindly identify yourself by name, residence, and occupation.

"Mr. Grumman. I am Frank Grumman, 410 Park Place, Fort Lee, N. J., and my occupation is radio operator.

"Mr. Arens. Mr. Grumman, may we be sure we have your name spelled correctly? Kindly accommodate us by spelling your name.

"Mr. Grumman. The last name?

"Mr. Arens. Yes.

"Mr. Grumman. G-r-u-m-m-a-n.

"Mr. Arens. You are appearing today, Mr. Grumman, in response to a subpena which was served upon you by the House Committee on Un-American Activities?

"(Witness conferred with counsel.)

"Mr. Grumman. The answer is 'Yes.' I am appearing in answer to a subpena which was objected to, the jurisdiction of the committee in the body of the statement which I would like to present at this time.

"Mr. Arens. Just a minute, Mr. Grumman. You are represented by counsel?

"Mr. Grumman. I am.

"Mr. Arens. Counsel, kindly identify yourself.

"Mr. Boudin. My name is Leonard B. Boudin, of 25 Broad Street, New York City.

"And I should like to address the question to the chairman of the subcommittee with respect to the procedure this morning.

"May I inquire whether, in the light of the Watkins case, the committee will be permitting objections to be made by counsel or a statement by counsel as to the jurisdiction of the committee or whether the procedure will be as in the period prior to the Watkins decision, when only the witnesses were heard, because if counsel can be heard I have certain things that I would like to say.

"Mr. Doyle. No. This is still not a court, Mr. Boudin, and I do not think that the Watkins decision has changed the nature of this committee.

"This committee is an investigative committee; it is not a court of law. While we will, as far as I am concerned, undertake, naturally, to comply with the ruling of the Supreme Court of the United States in the Watkins case, we will proceed as an investigative committee. We do not abandon our rules, which were necessary before the Watkins case and are still necessary, which specify that the function of counsel with the witness is to advise his client and does not permit of counsel addressing the committee, arguing with us. I am a lawyer, as you know. All three members of this subcommittee are lawyers, and practiced many years before we first came here. We always feel we like to have the benefit of counsel talking with us, but we do not change our rules in that regard on account of the Watkins decision.

"Mr. Arens. Now, Mr. Chairman——

"Mr. Boudin. Excuse me one second.

"May I simply note for the record, then, my objections as to the course the committee indicated they would follow, so my client's rights may be protected?

"Mr. Doyle. Your client's rights, I am sure, will be protected by you, and still I want to make my ruling clear, Counsel.

"Our rule has not changed, in our judgment, with the Watkins decision, and we are not now interpreting that decision, as far as I am concerned, as requiring us to permit counsel to argue with the committee.

"Mr. Arens. Now, Mr. Grumman, would you kindly tell us where you are employed?

"Mr. Boudin. Excuse me one second, Mr. Arens.

"Mr. Scherer. I have heard enough from Mr. Boudin, Mr. Chairman. I object to any further conversation from Mr. Boudin.

"Mr. Boudin. May I address the Chair and ask one more question?

"Mr. Doyle. I will permit you to ask one more question.

"Mr. Scherer. I object.

"Mr. Boudin. My only question is that: Do I take it your ruling which is quite clear with respect to objection and argument, extends to asking of any questions by me of you? In other words, am I permitted to ask you any questions on behalf of my client?

"Mr. Doyle. You are not. My ruling is that you are not. The rule long established by the committee, with which you have been familiar for many years, is not changed, in our judgment, by the Watkins decision. Your jurisdiction before this investigative committee, it not being a court, is limited expressly by the rules of the committee, with which you are familiar for many years, to advising your client.

"Mr. Arens. Now, Mr. Grumman, kindly tell this committee where you are employed.

"(Witness conferred with his counsel.)

"Mr. Grumman. I would like to address myself to the chairman. I have, as I said, a statement which I would like to read.

"Mr. Arens. Now Mr. Grumman, may I ask you about that statement? The rules of this committee provide that any statement of a witness must be filed in advance with the committee; then the committee will determine whether or not it is incorporated in the record. Are you aware of those rules?

"(Witness conferred with his counsel.)

"Mr. Doyle. May I suggest to the witness that you speak a little bit louder, and perhaps more directly into the loudspeaker, so we will be sure to hear you?

"Mr. Grumman. I am quite willing to do that. Is the speaker position adequate?

"Mr. Doyle. Thank you.

"Mr. Grumman. This statement is primarily a statement of objections to the jurisdiction of the committee and, since it is, for my mind, a little bit complicated, I would like to be allowed to state it concretely and clearly, once completely, and not try to do it piecemeal.

"Mr. Arens. Mr. Chairman, I respectfully suggest that, pursuant to the rules of the committee, Mr. Grumman be permitted to file the statement, and the committee will take it under advisement.

"Mr. Doyle. I think that would be sufficient. You have registered your objection to the jurisdiction of this committee, in view of the Watkins decision, we understand that, in the statement that you prepared but have not submitted heretofore, in accordance with the rules of the committee. We would be glad to permit you to file it with your testimony, with the committee.

"(Counsel conferred with the witness.)

"Mr. Grumman. Mr. Chairman, I don't want to engage in an argument with the committee. The point here is that this position, I think, is necessary for me to take. I will have to state it somehow or other in order to make it clear for the record, and it would be simpler, I think, if I were permitted to make the statement once, clearly, so it is understood by everybody, and not piecemeal.

"Mr. Doyle. Your statement will be included in your testimony. I have stated before, we are not a court of law. We are proceeding under the direction of the instructions of the full committee, the Un-American Activities Committee, and you have your recourse in a court of law if you think this committee has no jurisdiction. We think that we have. This is an investigation, and there is no need of you taking 15 or 20 minutes to read a prepared statement on objections. We will be glad to accept them and place them with your testimony in the file.

"Mr. Grumman. The statement, sir, is quite brief, and will not take a great amount of time to put in the record and, as an answer to some of the questions which I anticipate will be raised, I will have to read, certainly, portions of the statement to answer.

"Mr. Arens. Mr. Grumman, kindly tell this committee where you are employed.

"(Witness conferred with his counsel.)

"Mr. Grumman. I am currently employed by RCA Communications, Inc., and temporarily in leave of absence for union work.

"Mr. Doyle. I cannot hear you.

"Mr. Arens. Keep your voice up. I could not hear that last part.

"Mr. Grumman. I will repeat that, sir. I am employed by RCA Communications, Inc., and I am temporarily on leave of absence from that company for union work.

"Mr. Frazier. I cannot understand a word he says.

"Mr. Doyle. I wonder if the loudspeaker system is working.

"Mr. Frazier. It is nothing but a mumble.

"Mr. Doyle. The speaker is working. Thank you for trying again on that.

"Mr. Grumman. I am supposed to be an expert on this kind of thing, but, really, I am not. Is this more adequate, sir?

"Mr. Doyle. It is better.

"Mr. Grumman. Shall I repeat?

"Mr. Doyle. Please; yes.

"Mr. Grumman. I am employed by RCA Communications, Inc., and I am currently on leave of absence for union work.

"Mr. Arens. How long have you been employed by RCA Communications?

"Mr. Grumman. Something over 25 years.

"Mr. Arens. In what capacities have you been employed?

"Mr. Grumman. Always as a radio operator.

"Mr. Arens. And where have you been employed?

"Mr. Grumman. Always in New York City.

"Mr. Arens. And can you give us just a word about the functions which you have engaged in in your employment at RCA?

"Mr. Grumman. I take it you mean what is the work of a radio operator? That is all I have done.

"Mr. Arens. Just a word of description about your functions.

"Mr. Grumman. A radio operator is a man trained in code, in Morse code, American Morse code, sometimes mostly international Morse code, because that is used in radio, and the job is simply that of transcribing that code, either by ear or from tape, onto message forms, in various manners. In later years I am also employed on such automatic equipment as may be on those same circuits.

"Mr. Arens. Do you or have you, at any time during the course of your employment at RCA, had access to any confidential or restricted information?

"(Witness conferred with his counsel.)

"Mr. Grumman. I don't think so.

"Mr. Arens. Have you had access to any messages which have crossed the facilities of RCA, messages from any agency of the United States Government?

"Mr. Grumman. Well, going back over the years, I would say "Yes," I would handle any Government traffic that went over that particular—whatever particular circuit I was assigned to.

"Mr. Arens. Did you have access to any confidential Government messages?

"Mr. Grumman. I have no way of knowing what is confidential; the message comes; you handle it; there is no designation that I know of that lets you know whether it is confidential or not.

"Mr. Arens. Before I forget about it, you had this statement, Mr. Grumman. Do you care to cause that to be filed, before we leave that subject—the statement you were alluding to here?

"Mr. Grumman. At the close of my testimony we will act on that point. I mean I have only one copy, and I need the copy during the course of the testimony. Therefore, I will have to retain it.

"Mr. Arens. Where are you presently employed? I understand you to to say you are on leave of absence?

"Mr. GRUMMAN. I am currently on temporary leave of absence for union work.

"Mr. ARENS. What union is that?

"Mr. GRUMMAN. The American Communications Association.

"Mr. ARENS. What is your connection at the present time with the American Communications Association?

"Mr. GRUMMAN. I am an officer of local 10.

"Mr. ARENS. What office do you hold?

"Mr. GRUMMAN. The office of secretary-treasurer.

"Mr. ARENS. And how long have you held that office?

"(Witness conferred with his counsel.)

"Mr. GRUMMAN. As near as I can recollect. I was first elected to the office of secretary-treasurer in the early part of 1943.

"Mr. ARENS. Have you held it continuously since that time?

"Mr. GRUMMAN. I think—yes; continuously, except for 1 term where I held the office, I believe, of president for 1 term.

"Mr. ARENS. What is the judisdiction of Local 10, ACA? Could you tell us that?

"Mr. GRUMMAN. Well, generally, as far as our union charter is concerned, the jurisdiction of Local 10 would be any radio or international radio or cable workers whom we could organize in the general area of the United States east of the Mississippi River. I believe that is the break.

"Mr. ARENS. Could you help us on this: Where are the members of Local 10 employed, in what plant, or in what plants?

"Mr. GRUMMAN. Well, the great bulk of the members of Local 10, the largest single group would be employed by RCA Communications in New York City.

"Mr. ARENS. And how many members are there of Local 10?

"Mr. GRUMMAN. Well, I mean you have to take an approximate figure.

"Mr. ARENS. Surely. I appreciate that.

"Mr. GRUMMAN. I believe that the membership at this point is something around 1,300 total.

"Mr. ARENS. And who is the president of Local 10?

"Mr. GRUMMAN. The president of the local is Mr. Louis Stallone.

"Mr. ARENS. Now, Mr. Grumman, yesterday a gentleman by the name of Michael Mignon testified under oath that he had at one time been a member of the Communist Party, that while he was a member of the Communist Party he knew a number of people as Communists. That he had served in closed Communist Party meetings with those persons. He also told us about certain of those persons who were employed in the vital communications industry of this Nation. Among those persons whom he said he had known as a member of the Communist Party was yourself, Frank Grumman.

"I now ask you, are you now a member of the Communist Party?

"(Witness conferred with his counsel).

"Mr. GRUMMAN. I am sorry but I must decline to answer that question, and to explain the reasons why, the basis on which I do that I would have to go into some of the questions in the statement which go solely to that question.

"I have conferred with counsel, in the light of the decisions of the United States Supreme Court——

"Mr. ARENS. You are reading from an extensive document that is presently before you.

"Mr. GRUMMAN. It is not an extensive document.

"Mr. ARENS. It appears to be approximately two pages, typewritten, isn't that correct?

"Mr. GRUMMAN. I can't explain my answer without going into all of this.

"Mr. ARENS. Kindly answer this collateral question:

"Is the document before you a document prepared by yourself?

"Mr. GRUMMAN. The document which is before me was prepared in conference with counsel.

"Mr. ARENS. And it is a document of approximately two pages, single spaced, typewritten?

"Mr. GRUMMAN. It is a document which I am sure I can read——

"Mr. ARENS. Kindly answer that question, Mr. Grumman.

"Mr. GRUMMAN. Yes.

"Mr. ARENS. About how long is the document, so this record will reflect what you are doing there?

"(Counsel conferred with the witness.)

"Mr. GRUMMAN. Well, I think, sir, that I have to ask the chairman to permit me to state my reasons for refusing to answer. I think it is essential that I have to have a reasonable opportunity to state my position, why I am doing this, and a reasonable opportunity to protect my rights in this situation.

"Mr. ARENS. Mr. Grumman, may I ask a preliminary question there?

"Is your refusal to answer this particular question based upon the grounds incorporated in the document which you presently have before you, which we have discussed previously on this record?

"(Counsel conferred with the witness.)

"Mr. GRUMMAN. This document is the statement of my objections, my reasons for refusing to answer the question, and I again ask the Chair to permit me to state my position.

"Mr. ARENS. Now, Mr. Chairman, I want to make an objection on this record from the standpoint of a possible precedent here.

"If this witness is permitted to read this extensive statement single spaced, apparently two pages long, in response to every pertinent question which we propose to ask him, the investigative processes of this and every other committee will be interminably impeded.

"I therefore respectfully suggest, Mr. Chairman, that in view of the fact the witness has this extensive document which he says was prepared in consultation with counsel, if the witness so desires, he allude to the document as his reasons, but be obliged to give a summary of those reasons in response to the outstanding question.

"(Witness conferred with his counsel.)

"Mr. DOYLE. As soon as the witness is through consulting with his counsel I will make the ruling.

"Mr. GRUMMAN. Mr. Chairman, this is a very summarized statement in itself. It is compact. I have no intention of trying to repeat it, unless I am required to do so. I believe that since I have presented it, its further——

"Mr. DOYLE. You are thoroughly familiar with that statement. Can't you give the summation of that statement as your objections?

"Mr. GRUMMAN. Sir, I cannot readily do so. It is in a summary form, a compact statement.

"Mr. ARENS. Then, Mr. Chairman, I respectfully suggest the witness be obliged to file the statement, so the work of this committee and other congressional committees using his case as a precedent, will not be interminably hindered.

"Mr. DOYLE. I believe the standing rule of the committee is a fair rule, that any prepared statement that the witness proposes to read should be first filed with the committee. I am not willing to undertake to suspend that rule of the committee.

"You are familiar with it. Your counsel has been familiar with it for years; therefore if you want to file that statement with the committee you are welcome to do so, even at this late date, but I do now ask you to comply with the rule of the committee, which is a manifestly reasonable rule. You were familiar with it before you came.

"(Counsel conferred with the witness.)

"Mr. ARENS. Would you kindly proceed to answer the question, Mr. Grumman? We have been in a state of consultation between you and your lawyer here now at least 5 or 6 minutes.

"Mr. GRUMMAN. I honestly didn't think it was that long, sir. But, trying to summarize this thing, which is extremely difficult, and without waiving any rights which I may have in this situation, I would like to read, in an effort to summarize this thing, the first and last paragraphs of the statement, which I believe—while I don't think they are completely adequate, I believe they state some of the essences of the position.

"Mr. DOYLE. May I make this clear to the witness: We want you to have an adequate opportunity to state your objections in answer to that question. You have indicated that by reading a small portion of this two-page prepared statement—you go ahead and read those two, if it will help you in making your statement of objections.

"Mr. ARENS. Do you understand the question which is outstanding?

"Mr. DOYLE. But with this understanding, that you are offering that statement to the committee as part of your testimony. In other words, we have no objection to offering that statement to the committee, and it has been so stated before, twice.

"Naturally, if you are going to refer to the statement, we want it filed. If you are going to read from it that is entirely proper and reasonable, if the statement is filed with us.

"Mr. ARENS. Let the record be sure the witness understands the question.

"Now, Mr. Grumman, do you understand the question outstanding is: "Are you now a Communist?" You understand that is the outstanding question.

"Mr. GRUMMAN. I understand the question perfectly.

"I would like just to understand the statement of the Chair clearly also.

"My intention was to read the entire statement and then to refer to that, certain kinds of questions might be answered, and I thought that would facilitate the whole procedure, I think you are making it more difficult for me by not permitting the entire statement to be read.

"Mr. FRAZIER. Mr. Chairman, may I inquire whether the witness has declined to answer that question?

"Mr. ARENS. No. We are just still waiting for his response, Mr. Frazier.

"Mr. GRUMMAN. Well then, to answer that question, I would decline to answer it, and to state the reasons why, and I would read these two paragraphs which I think are not completely adequate, but which I do believe state the objections here.

"Mr. DOYLE. Then we will have this understanding, Witness. In addition to reading that small portion of a long prepared statement, you are welcome to supplement that reading by your own additional statement, if you feel you want to, if you believe it is pertinent, and a competent statement. In other words, we don't want to cut you off from making your complete statement.

"Mr. GRUMMAN. Well, sir——

"(Counsel conferred with the witness.)

"Mr. GRUMMAN. I suppose I should proceed to read, and if you think I am wrong, cut me off, and I will go——

"Mr. DOYLE. No. You read the two summarizing paragraphs that you have stated probably summarize your written statement.

"Mr. GRUMMAN. No; I am not reading them as a summary of the statement. I am reading them as explaining my reasons for declining to answer a specific question. I don't think I can proceed any other way here.

"Mr. DOYLE. Go ahead and read your two paragraphs.

"Mr. GRUMMAN. Right.

"I first stated that I decline to answer the question that was asked, and I wish to read the following:

" 'I have conferred with counsel, in the light of the decisions of the United States Supreme Court in the Watkins' and Sweezy cases I am advised by counsel that the powers of this committee are strictly limited, especially when the committee seeks to compel a witness to testify 'about his beliefs, expressions, or associations.' Such questioning, said the Court, constitutes governmental interference with free speech, press, and assembly.

" 'The Court further pointed out that a committee may not call witnesses just to expose or punish them, but only for a necessary legislative purpose. So, said the Court, the protected freedoms of free speech and assembly "should not be placed in danger in the absence of a clear determination by the House or the Senate that a particular inquiry is justified by a specific legislative need."

" 'And so, with all respect to this committee, acting on the advice of counsel, I shall decline to answer questions concerning my beliefs, expressions, or associations, on the ground that such questioning constitutes an interference with my rights under the first amendment to the Constitution and that such questioning is beyond the jurisdiction of the committee. The enabling resolution itself is an unlawful delegation of power to the committee. Moreover, I do not believe that any such questioning can be pertinent to any legitimate inquiry by the committee under its enabling resolution.'

"Mr. Arens. Now, Mr. Grumman, I want to advise you that this committee is considering legislation, considering the possibility of legislation which might implement the Communist Control Act of 1954.

"The Communist Control Act of 1954 precludes the certification by the National Labor Relations Board of an organization which is found by the Subversive Activities Control Board to be Communist infiltrated.

"This committee is likewise considering whether or not there should be amendments to the Internal Security Act or the Communist Control Act or the creation of a new act for the purpose of precluding access to vital facilities by persons who are Communists who may engage in espionage or sabotage of vital communications facilities.

"I am not in this question undertaking to elicit from you anything of your beliefs, of your associations, or your expressions. This record at the present time shows that you, Frank Grumman, have been identified as a person known to have been a member of the Communist Party, you have told on this record that you are or have been employed as a radio operator in a vital communications facility.

"I therefore now ask you again this question: Are you now a Communist?

"Mr. Doyle. Now, counsel, as further foundation, to show the pertinency of this question, I have before me the full text of the recent decision by the United States District Judge Youngdahl, in case of *U. S. of America* v. *Seymour Peck*, criminal case No. 1214–56, decided here in the United States district court within the last 15 days, in which the Federal court said, among other things:

" 'For the Communist movement now constitutes a criminal conspiracy, and identifying members of the party may well be necessary under certain circumstances.'

"(Counsel conferred with the witness.)

"Mr. Doyle. Now, one further statement: "You testified that you are a member of the very same organization which Mr. Mignon, the witness yesterday before this committee, under oath testified. You testified you were onetime president of the same organization which he related yesterday under oath. On yesterday he testified that your union was dominated and controlled by the Communist Party, which Judge Youngdahl ruled within the last 15 days was now a criminal conspiracy.

"And here is what he said, as a member of the very union that you are a member of, and apparently have been for many years, a member of that same union:

" 'I was told and taught that only a Communist could be a good trade unionist.

" 'The eventual objective was when and if revolution came to change our form of government, that the Communists would be in a position to control communications facilities of the Nation.'

I wish to say, as subcommittee chairman, I think it is entirely pertinent and proper that we ask you whether or not you are a member of the Communist Party, for the purpose of this investigation.

"Mr. Arens. Now, Mr. Chairman, I wish to supplement even that statement, by one other statement, so that this record will be abundantly clear.

"Namely, Mr. Grumman, if you are now a Communist, you could tell this committee, in all probability, of directives from the Communist Party to Communists respecting the vital communications facilities of this Nation. If you are now a Communist, you could tell this committee of the techniques proposed by the Communist Party to seize the communications industry, to intercept messages, to sabotage communications in the event of war.

"Further, I think the record at this point might well, so it is abundantly clear, reflect the fact again that Mr. Mignon's identification of you as a Communist was some several years ago. Whether or not you are now a Communist does not appear in the record.

"Therefore, I repeat the question:

"Are you now a Communist?

"And I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer the question.

"Mr. Doyle. You are ordered and directed to answer that question. I believe it is entirely pertinent.

"Mr. Scherer. Mr. Chairman——

"Mr. Doyle. Before you do that I am again saying we expect you and ask you and direct you to file your statement with the committee. I permitted you to refer to it and read part of it. I am not going to permit you to violate the rules of this committee any further.

"Mr. Boudin. Excuse me one moment.

"Mr. Doyle. Yes, indeed. Take more than one moment.

"Mr. Boudin. One will be enough.

"(Counsel conferred with the witness.)

"Mr. Arens. Mr. Scherer, we have been 45 minutes trying to get the witness to answer this 1 question.

"Mr. Boudin. Could I be permitted to consult further for another moment?

"Mr. Scherer. Now, Mr. Boudin, counsel was talking with me.

"Mr. Boudin. I understand what counsel was saying about 45 minutes. I would like to consult with the witness in accordance with the instructions by the chairman.

"Mr. Scherer. I want the record to show we have been 45 minutes trying to get the witness to answer this 1 question.

"Mr. Boudin. It would have been 5 minutes if you would have allowed the witness to make a statement, exactly 5.

"Mr. Scherer. We are still running the committee, Mr. Boudin.

"Mr. Doyle. Witness, may I make this clear, and I want you to understand this before I require you to answer that question, whether or not you are a Communist now. You referred to a document, which you have before you, and I stated, as I permitted you to read from a portion of it, that I expected it to be filed.

"We believe it is entirely pertinent and proper that you do now file that statement so we can read it and consider it. I may want to make a ruling about it.

"You say you helped prepare it with the advice of legal counsel.

"Mr. Grumman. Well, I am in the position of having this one copy. I am perfectly willing to turn it over to be read. I would like to have it back because I want to refer to it.

"Mr. Doyle. Well, certainly, we want to consider it. That is the fair thing to you and the fair thing to us.

"Mr. Grumman. If you must consider it, there it is [handing document].

"Mr. Arens. Would you kindly answer the question?

"Mr. Scherer. Wait just a minute.

"Mr. Doyle. Wait until we read this, Mr. Arens.

"Mr. Frazier. It is a long thing.

"Mr. Arens. Mr. Chairman, while the committee is considering that statement, I should like at this point to read into the record rule IX of the committee, so there will not be construed to be here any waiver of the rule of the committee, even though the committee is now reading the statement.

"Mr. Boudin. Mr. Chairman, may I suggest we can't do two things at once?

"Mr. Arens. Mr. Chairman, rule IX reads as follows:

" 'A. Any witness desiring to make a prepared——'

"Mr. Boudin. If the chairman is reading the statement of the witness, how can he be listening to Mr. Arens?

"Mr. Arens. Counsel knows his sole and exclusive prerogative is to advise his client.

"Mr. Boudin. Go ahead and do both at one time, if you want. I am not going to interrupt.

"Mr. Arens. Mr. Chairman, rule IX reads as follows:

"I want to read that into the record.

" 'IX. STATEMENT BY WITNESS

" 'A. Any witness desiring to make a prepared or written statement for the record of the proceedings in executive or public sessions shall file a copy of such statement with the counsel of the committee within a reasonable period of time in advance of the hearings at which the statement is to be presented.

" 'B. All such statements so received which are relevant and germane to the subject of the investigation may upon approval, at the conclusion of the testimony of the witness, by a majority vote of the committee or subcommittee members present, be inserted in the official transcript of the proceedings.'

"Mr. Doyle. I will ask your indulgence another minute or two while we complete reading the statement.

"We have read the statement, Witness, which you quoted in part, and we see that it contains a considerable elaboration of the activities of your union, which we believe is not pertinent to your own individual position in refusing to answer this question.

"We do not see where or how it is possible that the activities of your union are pertinent to your own individual situation in the presence of this question.

"We have considered all the other points set forth also in your statement. We will incorporate in the record only those portions of the statement which appear to be pertinent to your own individual position in the presence of this question and this investigation.

"Mr. Arens. Mr. Chairman, at this point I should like this record to reflect a ruling by the Chair so that there will not be construed as a precedent a waiver of the rule of this committee which I have read, which requires a filing of these statements within reasonable time in advance of the proceedings of the committee. I say that for the reason that it is clear to me—and I believe it should be clear to any person who has had any experience in these congressional investigations—that if witnesses from here on in are to be permitted to read or to consume the time of the committee in statements, the length of which we cannot control, proceedings of this and other congressional committees would be interminably hampered.

"Mr. Doyle. I am sure the committee sustains our director or counsel in the reading of that rule, which is the text of the rule I have referred to previously.

"We have considered your statement, Witness, and I direct you to answer the question. I overrule your objection, and direct you to answer the question.

"Mr. Grumman. May I request the Chair to return the statement?

"(Statement handed to the witness.)

"Mr. Grumman. Thank you.

"I would like to ask, in answering this question, I would like to ask, in view of the statement of Mr. Arens on the nature of the investigation, I would like to ask under what resolution of the House the committee is taking up these matters.

"Mr. Doyle. Under Public Law 601, with which your counsel has been perfectly familiar for several years.

"As long as you ask that question—at the suggestion of your counsel, manifestly—your counsel is perfectly familiar with the law under which we are acting, and I hope you do not deliberately and unnecessarily take the time of the committee, and of yourselves, to ask these questions, the answers to which you already know, because we are prepared to stay here as long as you are.

"Mr. Boudin. Mr. Chairman, the answer is not known to counsel, of the resolution under which the committee is considering these matters.

"Mr. Doyle. You know we are proceeding under Public Law 601.

"Mr. Boudin. I did not know what you are proceeding under. The Supreme Court said that authority is not sufficient. The witness was asking you, since the Watkins' decision, whether the committee has a resolution——

"Mr. Doyle. The Supreme Court, Mr. Boudin—and I am not going to argue—did not say that law is not sufficient for this investigation.

"Mr. Boudin. I am sorry, but the Supreme Court said exactly that.

"Mr. Doyle. The Supreme Court set up certain guideposts, and we are following those guideposts.

"Mr. Boudin. They said that the resolution is too vague.

"Mr. Arens. Mr. Boudin——

"Mr. Boudin. Excuse me. When I am talking to the chairman, if the chairman does not want to talk to me why doesn't he say so? I don't have to talk to the director when I am talking to the chairman.

"Mr. Doyle. Proceed, Mr. Witness.

"Mr. Arens. Would you kindly answer the question?

"(Witness conferred with his counsel.)

"Mr. Grumman. I must continue to refuse to answer the question on the grounds that I have already stated, and those other grounds incorporated in the written statement which the committee has read.

"Mr. Arens. Let the record be clear on this point, if you please, Mr. Grumman:

"Are you in your response invoking that part of the fifth amendment which protects the witness against self-incrimination?

"Mr. Grumman. I am invoking only those things which I have read.

"Mr. Arens. Kindly answer that question, so this record may be absolutely clear. Are you invoking that part of the fifth amendment to the Constitution of the United States which protects a witness against self-incrimination?

"(Counsel conferred with the witness.)

"Mr. Grumman. In response to that question I am invoking only that part of the fifth amendment which relates to due process; I am not invoking that part which goes to the question of having to bear witness against one's self.

"Mr. Arens. Thank you, sir.

"Mr. Boudin. Though I certainly believe any witness is entitled to it, if he wishes to do so.

"Mr. Arens. Mr. Grumman, so that this record will not reflect, or so that no one in his right mind could possibly conclude that the purpose of your appearance here is to expose you just for the sake of exposure, may I ask you: Do you have information at the present time respecting Communists who are now in the vital communications industry?

"(Witness conferred with his counsel.)

"Mr. Grumman. I have to refuse to answer that question on the same grounds as I said before.

"Mr. Arens. Do you have information now, Mr. Grumman—and I ask this question so that no one in his right mind can conclude that the purpose of your appearance here is exposure for the sake of exposure—do you have information with respect to Communists in the American Communications Association?

"Mr. Grumman. The answer is the same as before, and on the same grounds.

"Mr. Arens. Now, Mr. Grumman——

"Mr. Scherer. Wait a minute.

"I ask that you direct the witness to answer that question, Mr. Chairman. You have to have a direction.

"Mr. Doyle. Very well.

"You understand the question, Witness? And you answered it the way you intended to do?

"I now direct and instruct you to answer that last question.

"(Witness conferred with his counsel.)

"Mr. Scherer. I think the record should reflect that we do not accept his answer nor the reasons given for refusing to answer the question.

"Mr. Grumman. I decline to answer the question on the same grounds as before, but I would like to, in view of that question, to——

"(Counsel conferred with the witness.)

"Mr. Boudin. I think that is a complete answer.

"Mr. Arens. Now, Mr. Grumman, I say to you that the committee has not caused your appearance here today for the purpose of just exposing you, as such. We honestly feel that if you would testify you could tell this committee as did Mr. Mignon yesterday, about directives, policies, activities of the Communist Party, directed toward the communications industry, and that with that information this Committee on Un-American Activities would be enabled to formulate legislation to attempt to meet a situation in which a vital communications industry is potentially endangered by Communists.

"Therefore, I now ask you, Mr. Grumman: Do you have information respecting any directives by the Communist Party to Communists, for the purpose of causing confidential security-restricted messages to be intercepted in the communications facilities of this Nation?

"(Witness conferred with his counsel.)

"Mr. Grumman. I think that at this point I ought to make myself clear.

"I have no knowledge or information whatever of anybody who does or wants to conduct sabotage or espionage or illegal interceptions, and so forth——

"Mr. Arens. Now, Mr. Grumman——

"Mr. Boudin. The witness hasn't finished yet.

"Mr. Arens. I beg your pardon, Mr. Boudin.

"Mr. Grumman. Or any directives from anyone at all to do this kind of thing.

"Mr. Arens. Do you have information, Mr. Grumman, respecting any activities, directives, objectives of the Communist Party to obtain control of a labor organization operating in the vital field of communications?

(Witness conferred with his counsel.)

"Mr. Grumman. Frankly, I never heard of any directions or actions by anybody to control our union. Our union is controlled by its members, and that is it. There is no other control.

"Mr. Arens. Do you know of Communists presently in the vital communications industry of this Nation?

"(Witness conferred with his counsel.)

"Mr. Grumman. It seems to me that is the original question in a little different form, and the answer would be the same, sir.

"Mr. Arens. My Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

"Mr. Scherer. I think there should be a direction to answer your last question. There is no direction. I will ask the chairman to direct the witness to answer the question, after I make the statement that the committee does not accept his answer and the reasons given for refusing to answer the question, and now I ask the chairman to direct the witness to answer the question.

"(Witness conferred with his counsel.)

"Mr. Doyle. I will, as soon as the witness has completed conferring with his counsel.

"Do you understand the last question, Witness, Mr. Grumman?

"Mr. Boudin. Yes.

"Mr. Grumman. The last question.

"Mr. Doyle. And your answer? I now direct you to answer that last question. I am not satisfied we can accept your answer as sufficient.

"(Witness conferred with his counsel.)

"Mr. Grumman. The answer is the same, on the grounds that I have already stated, that are included in the statement which the committee has refused to accept, and I would now ask that the committee accept the full statement for the record, which I have already offered.

"(Counsel conferred with the witness.)

"Mr. Scherer. Mr. Chairman, I move——

"Mr. Doyle. Just a minute. May I inquire as to the witness' answer to my direction, please? That he answer the question.

"(The record was read by the reporter.)

"Mr. Scherer. Now, Mr. Chairman, I move that the witness' entire statement which he submitted to the committee be made a part of the record, word for word.

"Mr. Boudin. I now hand Mr. Arens a copy of the statement [handing].

"Mr. Grumman. Would you permit me to initial it, to identify it?

"Mr. Arens. Initial it on the margin of each page.

"(Mr. Grumman complies.)

"Mr. Arens. You probably have a copy of this, don't you, Mr. Boudin?

"Mr. Boudin. No; I am sorry, but I don't.

"Mr. Doyle. I think, Mr. Scherer, that that motion should include in the text that we file it and include it in the record without waiving rule IX.

"Mr. Scherer. That is assumed in my motion.

"Mr. Boudin. I take it this will appear in the transcript, Mr. Doyle?

"Mr. Arens. Yes.

"Mr. Boudin. Am I correct?

"Mr. Arens. Yes.

"Mr. Doyde. I will make that order; that it be filed with the committee and included with the testimony.

"Mr. Scherer. And made a part of the record.

"Mr. Doyle. But without any expressed or implied intention to waive in whole or in part any of the rules of the committee, especially with referenec to rule IX of our printed rules.

"'STATEMENT BEFORE HOUSE COMMITTEE, JULY 18, 1957 (SUBMITTED BY FRANK GRUMMAN)

"'I have conferred with counsel, in the light of the decisions of the United States Supreme Court in the Watkins and Sweezy cases. I am advised by counsel that the powers of this committee are strictly limited, especially when the committee seeks to compel a witness to testify "about his beliefs, expressions, or associations." Such questioning, said the Court, constitutes governmental interference with free speech, press, and assembly. The Court further pointed out that a committee may not call witnesses just to expose or punish them but only for a necessary legislative purpose. So, said the Court, the protected freedoms of free speech and assembly "should not be placed in danger in the absence of a clear determination by the House or the Senate that a particular inquiry is justified by a specific legislative need."

"'And further the Court said, "We start with several basic premises on which there is general agreement. The power of the Congress to conduct investigations is inherent in the legislative process. That power is broad. It encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes. It includes surveys of defects in our social economic or political system for the purpose of enabling the Congress to remedy them. It comprehends probes into departments of the Federal Government to expose corruption, inefficiency, or waste."

"'"But, broad as is this power of inquiry, it is not unlimited. There is no general authority to expose the private affairs of individuals without justification in terms of the functions of the Congress. This was freely conceded by the Solicitor General in his argument of this case. Nor is the Congress a law enforcement or trial agency. These are functions of the Executive and Judicial departments of Government. No inquiry is an end in itself; it must be related to and in furtherance of a legitimate task of the Congress. Investigations conducted solely for the personal aggrandizement of the investigators or to "punish" those investigated are indefensible."

"'Further in the same decision, the Court said, "*Kilbourn* v. *Thompson* teaches that such an investigation into individual affairs is invalid if unrelated to any legislative purpose. That is beyond the powers conferred upon the Congress in the Constitution. *United States* v. *Rumely* makes it plain that the mere semblance of legislative purpose would not justify an inquiry in the face of the Bill of Rights. The critical element is the existence of, and the weight to be ascribed to, the interest of the Congress in demanding disclosures from an unwilling witness. We cannot simply assume, however, that every congressional investigation is justified by a public need that overbalances any private rights affected. To do so would be to abdicate the responsibility placed by the Constitution upon the judiciary to insure that the Congress does not unjustifiably encroach upon an individual's right to privacy nor abridge his liberty of speech, press, religions, or assembly.

"'The subcommittee asserts that it has been authorized by the committee to conduct this investigation. But that does not meet the test laid down by the Supreme Court—namely, that the House of Representatives make such an authorization. So far as I know, the House has never authorized this investigation either before or after House Resolution 5 was declared by the Supreme Court in the Watkins case to be unconstitutionally vague.

"'Now, as to the question of security in the communications industry:

"'Some of the communications monopolies have attempted to make my organization and its members targets of special repressive legislation. They point to the nature of the industry and its importance in the national defense.

"'The fact is that special legislation has existed for many years to protect the national interests in the communications industry. The Federal Communications Act of 1934 makes it a criminal offense for anyone to divulge the contents of a telegraph or cable message, or to commit sabotage. Severe penalties are provided for acts in violation of this law, and yet there is no record of any member of my organization or any other union in this industry, so far as I know, having charged with, let alone convicted, of violation of the law.

"'As to the record of my organization in the fight for the national interest, we are ready and willing and anxious to match it with any group of employers, Government agencies, or anyone else. In war or peace there is no group of employees in the United States, and no group of any kind, with a better record of devotion to the interests of our country. In fire, flood, or disaster on land or sea, members of our union have written an heroic record. This has been attested to by many people in high places over the years.

"'During World War II our Union proposed, and the Government adopted, the American Communications Association Safety and Anti-Espionage Plan to guarantee safety of communications and convoys at sea. Commander E. N. Webster (once a Commissioner in the FCC) speaking for the Commandant of the Coast Guard, said of ACA with respect to this plan: "The thorough study made by the ACA of the complex problem of providing, in time of war, greater protection of life and property at sea is most commendable and the suggestions of the Union have guided the various Government agencies in providing those vitally needed protective measures."

"'General Dwight D. Eisenhower, in response to a no-strike pledge of our Union during the War, spoke as follows: "All ranks of the Allied forces are deeply grateful for your pledge of continued cooperation. We fully appreciate the vital part played by all groups affording communications."

"'We could quote dozens of other distinguished Americans and newspapers in a similar vein.

"'In peacetime, similarly, ACA has not only fought in the interests of its members as part of the general national public interest, but has been an effective and sometimes the only voice against attempts of the telegraph communications monopoly to impose higher rates and to curtail service to thousands of communities.

"'Similarly, we are engaged in a continuing struggle to defeat the current attempts to secure a merger of international communications by creation of a monopoly; the chief advocate of such merger being Adm. Ellery Stone, of AC&R. Our opposition to this is based on our conviction that the national defense, the general public interest and the interest of the employees would be adversely affected by the creation of such a monopoly.

"'In the light of our record of steadily raising the average wages of telegraph workers for the past 20 years, securing paid vacations, improved pensions, higher sick benefits, night differentials, daily overtime and other premium pay, and job security, it is not surprising that the corporations in this industry initiate and support legislation designated to destroy our Union and all other labor unions which serve the interests of the American working people.

"'Finally, because there has been reference in these hearings to the possibility or potentiality of espionage or sabotage in this industry, I wish to make it clear that I have never heard of any worker, in any section of the industry, being engaged in or even charged with, let alone indicted or convicted on a charge of espionage or sabotage.

"'And so, with all respect to this committee, acting on the advice of counsel, I shall decline to answer questions concerning my beliefs, expressions, or associations on the ground that such questioning constitutes an interference with my rights under the First Amendment to the Constitution and that such questioning is beyond the jurisdiction of the committee. The enabling resolution itself is an unlawful delegation of power to the committee. Moreover, I do not believe that any such questioning can be pertinent to any legitimate inquiry by the committee under its enabling resolution.'

"Mr. Doyle. Now, have you any questions of the witness, Judge Frazier?

"Mr. Frazier. I have no questions.

"Mr. Scherer?

"Mr. Scherer. No.

"I have a motion to make. Is the witness excused?

"Mr. Arens. I have no further questions.

"(Representatives Doyle, Frazier, and Scherer and Messrs. Arens and Tavenner, conferred.)

"Mr. Doyle. Witness and witness' counsel, I am calling your attention to the fact that a few minutes ago I believe I quoted verbatim the testimony of Mr. Mignon.

"You are acquainted with him, are you? You know who he is?

"Mr. Grumman. I have certainly met Mr. Mignon.

"Mr. Doyle. Certainly met him. Well, he said he met you.

"Now on yesterday he, a former admitted Communist for several years, in the same union of which you are now secretary-treasurer, and at least you were at least one-term president, according to your own testimony, voluntarily named a number of the officers of that union before this committee, and he named you, Frank Grumman, secretary-treasurer of ACA Local 10.

"Mr. Frazier. As a member of the Communist Party.

"Mr. Doyle. As a member of the Communist Party when he was in the Communist Party, he said, with you, and in Local 10. He said that he sat in closed Communist cell meetings with you.

"Now I will ask you whether or not he was telling the truth or was he telling a falsehood?

"Mr. Grumman. I decline to answer that question, sir, on the same grounds as previously set forth in the statement.

"Mr. Scherer. I ask that you direct the witness to answer the question.

"Mr. Doyle. I direct you to answer the question. It is certainly pertinent. The testimony of Mr. Mignon and others has already shown before this committee that the union was at that time controlled by the principal officers, by identified Communists, in control of the policies of the union of which you are now a member, and secretary-treasurer, in the field of international cable communications, which is certainly an area involving the security of our Nation.

"I direct you to answer the question.

"Mr. Grumman. Sir, I decline to answer the question on the grounds of lack of committee jurisdiction, under the Watkins' decision, and on the grounds of lack of pertinency.

"Mr. Doyle. Now, one further question:

"Mr. Mignon testified yesterday that in his judgment, it was entirely possible for those in control of our international cables, to in time of emergency, within a very, very short period of time, take such action and sabotage as would incur very dangerous effects to the security of our Nation. What is your opinion in that connection? You have had 25 years with RCA as a cable, international cable operator, part of the time, according to your testimony.

"Mr. Grumman. Sir, I just don't believe that anybody employed in the international communications would sabotage the system, under any conditions.

"Mr. Doyle. I didn't ask you that question. I asked you whether or not it was possible for it to be done. I did not ask you whether or not anyone would do it. He said members of the Communist Party were taught that that was what they were to do. Was he telling the truth or not?

"(Counsel conferred with the witness.)

"Mr. Grumman. I have already stated that I never heard of any such directive from anybody concerning——

"Mr. Doyle. I am not asking you that question. I am asking you whether or not it wold be possible for an operator of international cable transmission to sabotage the international cable facilities if they so desired, in the early stages of a national emergency.

"Mr. Grumman. I think it would be extremely difficult, if you are taking it strictly as a technical question, as to the possibility. I think it would be extremely difficult. It is very hard for me to conceive that it could be done.

"Mr. Doyle. Well, it would be possible, would it? It might be difficult but it would be possible?

"(Counsel conferred with the witness.)

"Mr. Grumman. Well, sir, just going——

"Mr. Scherer. Now, Mr. Boudin, he is the expert. I don't see how you can advise him on that question.

"Mr. Boudin. I can advise him on the law.

"Mr. Scherer. On the law; yes.

"Mr. Boudin. And I am advising him on the law.

"Do you want my advice stated openly on the record?

"Mr. Scherer. No.

"Mr. Doyle. No. We are not interested.

"Mr. Boudin. Then I suggest Mr. Scherer address his questions to the chairman and not to me, if he doesn't want me to answer them.

"Mr. Doyle. You understand my question. You said it would be difficult. Mr. Mignon said it would be possible. Now, in your judgment, would it be possible or not?

"Mr. Grumman. Possibly, to only a minor degree, a very small degree, and, in my opinion, impossible to get away with.

"Mr. Arens. Would it be possible for persons who were disposed to do so, to intercept messages?

"Mr. Grumman. Well, any man who is handling a message, I suppose, might have a memory for it and hold it, though that seems incredible to me. As an operator I have handled thousands and thousands of messages in the years that I worked, and I don't remember for 10 minutes.

"Mr. Arens. During the time you handled these thousands and thousands of messages, was there any time during which you were under the discipline of the Communist Party?

"Mr. Grumman. That is the same question again. I decline to answer it on the grounds already given.

"Mr. Arens. I respectfully suggest, Mr. Chairman, that he be now directed and ordered to answer that question.

"Mr. Doyle. I direct you to answer that question. I believe it is entirely pertinent, in view of the testimony of other witnesses, at least one other witness, to date, that you were a member of the Communist Party, and that it is established that it is a conspiracy instead of a political party.

"Mr. Grumman. I decline to answer the question, sir, for the reasons I already set forth.

"Mr. Scherer. One question.

"Now, Mr. Doyle asked whether it would be possible for one individual to sabotage the communications system of this country, over which the Government directives were carried. I am going to ask you whether it would be possible for 4 or 5 individuals, properly placed, who were members of the Communist conspiracy, and who decided to do so, to sabotage our communications system.

"Mr. Grumman. Sir, if you mean is it possible for one person to sabotage the system, I think the answer is obviously 'No.' I don't believe it would be just possible.

"Mr. Scherer. I think you understood my question, but, in case you didn't, I said Mr. Doyle's question was whether one person, if [illegible] were so inclined, could sabotage the communications system, or any part of it, over which directives of this Government were carried.

"My question is whether in your opinion it is not possible for 3 or 4 individuals, acting together and properly placed, to sabotage our communications system, or part of it, over which directives of this Government are carried.

"Mr. Grumman. Well, I think——

"Mr. Scherer. I notice that you carefully answered that it would almost be impossible for one.

"Mr. Grumman. Well, I think the impossibility is still there for a small number, such as you state. This kind of a system—I think the answer for that really ought to come from some engineer who understands layout, and so on, because you go beyond the possibility of the people who operate and normally work in these communications companies, and would go to some incredible knowledge of layout of wires, and so on, and even then it would be difficult to do anything that would be prepared in very short order.

"Mr. Arens. Mr. Chairman, I have still another question I should like to ask. It is the same question I have heretofore asked. I ask it now for a different purpose, and I want to explain the purpose to the witness.

"Mr. Doyle. Very well.

"Mr. Arens. Mr. Witness, we have had an abundance of testimony under oath to the effect that Communists cannot be believed before congressional committees or otherwise; that they are inveterate liars.

"Now, for the purpose of testing the credibility of the testimony that you have given to this committee today, I want to ask you now—and that is the purpose of this question, to test your credibility—Are you now a Communist?

"Mr. Grumman. The answer is still the same as before.

"Mr. Arens. Now, Mr. Chairman, the pertinency of that question, I believe, has already been explained. It is pertinent to the whole testimony of this witness here today, to determine whether or not he has been truthful; because, if he is a Communist, if he is under Communist discipline, then this committee is justified, on the basis of an abundance of testimony, in disbelieving him; on the other hand, if he is not a Communist, we ought to know that, because we can give some degree of verity and authenticity to his statement.

"I, therefore, respectfully suggest that the witness now be directed and ordered to answer the question as to whether or not he is now a Communist.

"Mr. Doyle. I direct you to answer the question, Witness.

"(Counsel conferred with the witness.)

"Mr. Grumman. I decline, for all the reasons I have stated orally and in writing, before.

"Mr. Doyle. Very well.

"I have one more question:

"I made a note as you testified, that you were trained in international Morse code, transmitting that code into messages, and that you handled whatever Government circuit was assigned to you. I think that is the substance of one part of the testimony.

"Mr. Grumman. With one variation, sir. I don't recall ever working in a Government circuit, as such. I think there are none, as I know of. You take whatever comes over a particular connection, is what I mean.

"Mr. Doyle. I just made a quick note, and I could very well have made a mistake in what I heard.

"But now, the Government circuits—you know what they are—that are handled through the organization which employed you—what international cables, what departments of Government carry those cables?

"Mr. Grumman. I have practically no knowledge on that line, sir. I work on regular circuits. I take whatever traffic comes over. The only thing I could say in that connection is that the proportion of Government traffic on private or commercial lines is extremely small these days. Most of it is handled over the Government's own lines. We receive very little.

"Mr. Doyle. Leased lines?

"Mr. Grumman. That stuff we do handle, sir, is promptly and immediately turned over to a foreign national at the other end of the wire. That is what we have to do—that is what our job is.

"Mr. Doyle. The testimony by one of the vice presidents of one of the organizations of which you are employed, yesterday, and one of the technicians, as I recall it, was that the international Atlantic cables carried messages from the State Department, the Army, the Navy, the Air Force, and the National Security Agency.

"Mr. Grumman. Honestly, in my recent knowledge, going to the period, you know, the last few years, I believe that the State Department itself would probably be the biggest traffic filer, that is, actual messages handled. As to other messages, offhand I wouldn't know.

"Mr. Doyle. Of course, obviously, any message from the State Department to any of our allies, even in times of peace, is a very important message, isn't it?

"Mr. Grumman. Well, I would presume so, sir.

"Mr. Doyle. And it should not fall into the hands of any person transmitting it who might, for any design or purpose, loyalty or disloyalty or otherwise, have anything to do in the form of what might be sabotage?

"Mr. Grumman. In the——

"Mr. Doyle. Are there any other questions?

"Mr. Grumman. Could I just say something on that? I think it is quite important myself.

"Mr. Doyle. Yes, indeed.

"Mr. Grumman. As to the handling on the State Department traffic, which in my personal experience is only very occasional, the State Department stuff, if they consider it the least bit important, is what is called scrambled. The tape is really unreadable. In many cases a green operator will stop his circuit when one comes in there, because he thinks the circuit is going out of whack.

"You have to check the head of the message to find out.

"Mr. Arens. Have you reported the message, the example of which you have just given the chairman, to a person known by you to have been a member of the Communist Party?

"Mr. Grumman. I haven't reported this message to anybody.

"Mr. Arens. Does any person, to your knowledge, that is a Communist, have access to this information that you have just related to the chairman?

"(Witness conferred with his counsel.)

"Mr. Grumman. Well, everybody who works on that operating floor knows all about this. I mean the guys who work there know this and they handle it. There is nothing they can do with it.

"Mr. Doyle. May I ask this question? I wish to ask you this question dealing with the status of the union of which you are a member:

"I believe some years ago it was expelled, was it not, from the CIO on account of a claimed domination, claimed by CIO, by the Communist Party, or am I in error? Am I correct?

"Mr. Grumman. The union was expelled by the CIO, and I believe the claim is as you have stated it, and we certainly don't believe that was the basis.

"Mr. Doyle. Has your union ever made an application for reinstatement in CIO, having changed the conditions of the union, so far as the alleged Communist control is concerned, in the meantime?

"Mr. Grumman. Well, I am a little confused by your question, sir. I would say that we have never, as far as I know, we have never applied for reinstatement. I don't know of any such.

"Mr. Doyle. You were expelled in what year?

"Mr. Grumman. Well, I would say it was 1950. I am not 100 percent sure in my own mind at this point.

"Mr. Doyle. Is there any other question? "Thank you, Witness and Counsel.

"Mr. Scherer. Now, Mr. Chairman, I have a motion that I would like to make.

"Mr. Frazier. Hold it to later.

"Mr. Doyle. It has been an hour and 15 minutes.

"Mr. Boudin. You realize it would have been 5 minutes if the witness had read the statement at the beginning, exactly 5.

"(Representatives Doyle, Frazier, and Scherer, and Messrs. Arens and Tavenner, conferred.)

"Mr. Scherer. Mr. Chairman, I move that this subcommittee recommend to the full committee of the House Committee on Un-American Activities that the last witness, Frank Grumman, be cited for contempt of Congress.

"Mr. Doyle. The motion is made and seconded.

Before I put the motion, I wish to say that this motion was made by Mr. Scherer at the consultation right here subsequent to the closing of the testimony by the witness. Our two committee legal counsel are present with us and have been present throughout the hearing of this witness. The committee sincerely feels that this is a good case of contempt of a congressional committee, even under the Watkins' decision, or any other decision of the Supreme Court.

"In stating that I felt it was a good case of contempt, I meant that it was a bad case of contempt, but it is a good case for us to carry to the High Court, if necessary.

"All those in favor of Mr. Scherer's motion say 'aye.'

"Mr. Scherer. Aye.

"Mr. Frazier. Aye.

"Mr. Doyle. Aye. It is voted unanimously and we will recommend it to the full committee at a later date.

"Let the record show that all three members of the subcommittee were present at all times during the hearing of the witness and on vote on the recommendation of contempt."

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to the said Frank Grumman, relative to the subject matter which, under Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 85th Congress, the said committee was instructed to investigate, and the refusal of the witness to answers the questions, namely:

"Now, Mr. Grumman, yesterday a gentleman by the name of Michael Mignon testified under oath that he had at one time been a member of the Communist Party, that while he was a member of the Communist Party he knew a number of people as Communists. That he had served in closed Communist Party meetings with those persons. He also told us about certain of those persons who were employed in the vital communications industry of this Nation. Among those persons whom he said he had known as a member of the Communist Party, was yourself, Frank Grumman.

"I now ask you, are you now a member of the Communist Party?

"Do you have information, now, Mr. Grumman—and I ask this question so that no one in his right mind can conclude that the purpose of your appearance here is exposure for the sake of exposure—Do you have information with respect to Communists in the American Communications Association?

"Do you know of Communists presently in the vital communications industry of this Nation?

"As a member of the Communist Party when he was in the Communist Party, he said, with you, and in local 10. He said that he sat in closed Communist cell meetings with you.

"Now I will ask you whether or not he was telling the truth or was he telling a falsehood?

"Mr. Witness, we have had an abundance of testimony under oath to the effect that Communists cannot be believed before congressional committees or otherwise; that they are inveterate liars.

"Now for the purpose of testing the credibility of the testimony that you have given to this committee today, I want to ask you now—and that is the purpose of this question, to test your credibility—Are you now a Communist?"

which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony, and places the said witness in contempt of the House of Representatives of the United States.

OTHER PERTINENT COMMITTEE PROCEEDINGS

The following resolution was adopted at the organizational meeting of the committee for the 85th Congress, held on the 22d day of January 1957:

"*Be it resolved*, That the Chairman be authorized and empowered from time to time to appoint subcommittees, composed of three or more members of the Committee on Un-American Activities, at least one of whom shall constitute a quorum, for the purpose of performing any and all acts which the committee as a whole is authorized to perform."

The following is an extract from the minutes of an executive session of the Committee on Un-American Activities consisting of Hon. Francis E. Walter, chairman, Hon. Morgan M. Moulder, Hon. James B. Frazier, Jr., Hon. Gordon H. Scherer, and Hon. Robert J. McIntosh, held on the 21st day of August 1957, in room 226, Old House Office Building.

"The report of the facts relating to the refusal of Frank Grumman to answer questions was submitted to the committee as a whole, upon which a motion was made by Mr. Scherer, seconded by Mr. Frazier and unanimously carried, that the subcommittee's report of the facts relating to the refusal of Frank Grumman to answer questions before the said subcommittee in Washington, D. C., on July 18, 1957, be and the same is hereby approved and adopted and that the Committee on Un-American Activities report and refer the refusal of Frank Grumman to answer questions before the said subcommittee, together with all the facts in connection therewith, to the House of Representatives, with a recommendation that the witness be cited for contempt by the House of Representatives, for his refusal to answer questions, to the end that he may be proceeded against in the manner and form provided by law."

Mr. WALTER. Mr. Speaker, I offer a privileged resolution—House Resolution 408—and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Frank Grumman to answer questions before a duly constituted subcommittee of the Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States attorney for the District of Columbia, to the end that the said Frank Grumman may be proceeded against in the manner and form provided by law.

Mr. WALTER. Mr. Speaker, I yield such time as he may require to the gentleman from Louisiana [Mr. Willis].

Mr. WILLIS. Mr. Speaker, the witness under consideration, Frank Grumman, is a radio operator trained in the various codes used in the transmission of messages. Mr. Grumman having been identified by another witness at the hearing as having been a member of the Communist Party, was questioned regarding his Communist Party membership, the presence of Communists in the American Communications Association, and the vital communications industry of the Nation.

The witness did not invoke the privilege of the fifth amendment, but instead refused to answer questions on the basis of the decision of the Supreme Court in the Watkins case. That has already been explained.

The Supreme Court in the Watkins case held that exposure for the sake of exposure is wrong. We all, of course, accept that statement. The Supreme Court, however, I am quite sure, did not mean to hold, or I hope they did not mean to hold, that if in the course of the work of a committee properly constituted and having a legislative purpose and conducting hearings consistent with that legislative purpose, exposure should result incidentally, I say I hope the Supreme Court did not mean to say that the committee must cease functioning.

Unfortunately, however, the decision was an open invitation for witnesses to say, and they are now practically all saying to us in effect: "Well, the Supreme Court said exposure for the sake of exposure is wrong. We say you mean to expose us; therefore, we refuse to answer, period."

That is the trend of some of these witnesses now on the basis of that decision.

Likewise, the Supreme Court said in that case that, of course, a Congressional committee must have a legislative purpose. I am quite sure the Supreme Court did not mean to say that, having a legislative purpose, the committee cannot conduct hearings and ask pertinent questions.

Unfortunately again, however, on the basis of that decision these witnesses are interpreting it and twisting it into telling us the Supreme Court said: "You must have a legislative purpose. We maintain you have no legislative purpose; and, therefore, we refuse to answer."

That is the basis of this particular privileged motion seeking contempt proceedings against this witness, Mr. Grumman.

Legislative purpose was spelled out to him. We made every effort to comply with the ritual of the Supreme Court in the Watkins case.

I submit in this instance as in the other case just considered the motion for the contempt citation should be adopted.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Louisiana.

Mr. WILLIS. The bill in connection with correction of the Supreme Court decision in the Jencks case was offered by the gentleman from Pennsylvania and reported out of a subcommittee of the Committee on the Judiciary of which I happen to be chairman.

I not only express the hope but the expectation that action will be taken on that bill this year, certainly under suspension of the rules if in no other way.

Mr. WALTER. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Speaker, I know of no opposition to the resolution on this side. I have no requests for time.

Mr. WALTER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. MILLS). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROCEEDINGS AGAINST BERNARD SILBER

Mr. WALTER. Mr. Speaker, by direction of the Committee on Un-American Activities I submit a privileged report (Rept. No. 1241).

The Clerk read as follows:

PROCEEDINGS AGAINST BERNARD SILBER

The Committee on Un-American Activities as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 85th Congress, caused to be issued a subpena to Bernard Silber. The said subpena directed Bernard Silber to be and appear before the said Committee on Un-American Activities or a duly authorized subcommittee thereof, of which the Honorable FRANCIS E. WALTER is chairman, on Wednesday, July 17, 1957, at 10 a. m., at their committee room, 226 House Office Building, Washington, D. C., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpena served upon the said Bernard Silber is set forth in words and figures as follows:

"UNITED STATES OF AMERICA,
"CONGRESS OF THE UNITED STATES.

"To BERNARD SILBER, *Apt. F-24, 504 Grand Street, New York, Greeting:*

"Pursuant to lawful authority, you are hereby commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on Wednesday, July 17, 1957, at 10 o'clock, a. m., at their committee room, 226 House Office Building, Washington, D. C., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To United States Marshal, to serve and return."

"Given under my hand this 21st day of June, in the year of our Lord, 1957.

"FRANCIS E. WALTER,
"Chairman."

The said subpena was duly served as appears by the return made thereon by Samuel Swartz, deputy United States marshal, southern district of New York, who was duly authorized to serve the said subpena. The return of the service by the said Samuel Swartz, deputy United States marshal, being endorsed thereon, is set forth in words and figures as follows:

"I made service of the within subpena by personally handing to him the subpena the within-named Bernard Silber, 504 Grant Street, New York, N. Y., at 5:50 o'clock, p. m., on the 26th day of June 1957.

"SAMUEL SWARTZ,
"Deputy, U. S. Marshal, S. D. N. Y."

On July 19, 1957, the following telegram was sent to Mr. Bernard Silber, which is set forth in words and figures, as follows:

WASHINGTON, D. C., *July 19, 1957.*
Personal report delivered to 225-B.
Mr. BERNARD SILBER,
Apt. F-42, 504 Grand Street,
New York, N. Y.:

Under continuing authority of subpena served upon you and pursuant to direction of subcommittee chairman on July 18, your appearance before Committee on Un-American Activities is hereby scheduled for July 29, 1957, ten a. m.

FRANCIS E. WALTER,
Chairman.

On July 23, 1957, the following telegram was sent to Mr. Bernard Silber, which is set forth in words and figures, as follows:

WASHINGTON, *D. C., July 23, 1957.*
Personal report delivered to 226 HOB.
Mr. BERNARD SILBER,
Apt. F-42, 504 Grand Street,
New York, N. Y.:

Under continuing authority of subpena served upon you and pursuant to direction of subcommittee chairman on July 18, your appearance before Committee on Un-American Activities is hereby postponed from July 29 to Friday, August 2, 1957, ten a. m.

FRANCIS E. WALTER,
Chairman.

The said Bernard Silber, pursuant to the said subpena and telegraphic communications, appeared before a subcommittee of the Committee on Un-American Activities on August 2, 1957, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 85th Congress. The said Bernard Silber, having appeared as a witness and having been asked the questions, namely:

"Was he a communications worker?

"We should like to have you tell us now whether or not there are any persons engaged at Western Union who at any time have been known by you to be Communists.

"Were any of the officers of your union members of the Communist Party at the time you were a member of the Communist Party?

"Were any of the present officers of your union members of the Commuinst Party at the time you were in the party?"

which questions were pertinent to the subject under inquiry, refused to answer said questions, and as a result of said Bernard Silber's refusal to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of a subpena served upon the said Bernard Silber.

The record of the proceedings before the subcommittee on July 17, 1957, insofar as it is pertinent to the appearance of Bernard Silber on August 2, 1957, is set forth in fact as follows:

"UNITED STATES HOUSE
OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES,
"Washington, D. C., July 17, 1957.

"PUBLIC HEARING

"A subcommittee of the Committee on Un-American Activities met, pursuant to call at 10:10 a. m., in the caucus room, Old House Office Building, Washington, D. C., Hon. Clyde Doyle (chairman of the subcommittee) presiding.

"Committee members present: Clyde Doyle, of California, James B. Frazier, Jr., of Tenenssee, and Gordon H. Scherer, of Ohio.

"Staff members present: Richard Arens, director, and W. Jackson Jones and Louis J. Russell, investigators.

"Mr. DOYLE. The subcommittee will please come to order.

"I have an opening statement, as the subcommittee chairman which I wish to read for the record.

"The committee has long been interested in the situation which exists in the communications industry in the United States, namely, the position and influence held by members of the Communist Party and organizations dedicated to furthering the Communist objective. On July 10, 1957, at a regular meeting of the committee, with all members except two present and voting, a motion was made by Mr. Scherer and seconded by Mr. Frazier which authorized the holding of these hearings in Washington on this general subject.

* * * * *

"Congress by Public Law 601 of the 79th Congress, placed upon this committee the duty of investigating the extent, character, and object of un-American propaganda activities in the United States, the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of Government as guaranteed by our Constitution, and all other questions in relation thereto that would aid Congress in any necessary remedial legislation. Congress has also placed upon this committee the duty of exercising continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of this committee.

"In these hearings beginning now, the first of a series of this general subject, the committee hopes to ascertain the extent of the penetration and control exercised by members of the Communist Party over an industry which is vital to our defense; namely, communications. In the event that testimony given during these hearings reflects a situation correctable by legislation, the committee will recommend the appropriate measures at the proper time. It is the purpose of the subcommittee in the conduct of these hearings, to discharge the duties placed upon us by the Congress by calling witnesses who, we have reason to believe, possess information which will be of value to us and to the Congress in the consideration of such legislation. It is a standing rule of this committee that any person named in the course of committee hearings will be given an early opportunity to appear before this committee if he so desires, for the purpose of denying or explaining any testimony given adversely affecting him. In the event there are such persons, they should immediately communicate with any member of the staff and make their request known.

"In every hearing, the committee has encouraged witnesses to have legal counsel with them if they so desire, and has always welcomed the presence of counsel. In fact, the rules of the committee expressly provide that—'at every hearing, public or executive, every witness shall be accorded the privilege of having counsel of his own choosing.

" 'The participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the committee, but shall confine his activity to the area of legal advice to his client.'

"I would remind those present that we are here at the direction of Congress to discharge an important legislative function. You in the hearing room are here by permission of this committee, and I know and am sure you will conduct yourselves as guests of this committee at all times. Any disturbance of any kind or audible comment during the course of the testimony, whether favorable or unfavorable to any witness, will not be tolerated.

"Mr. Frazier, have you anything further to add?

"Mr. FRAZIER. I have nothing further, Mr. Chairman."

* * * * *

The record of the proceedings before the subcommittee on August 2, 1957, during which the said Bernard Silber refused to answer the aforesaid questions, is set forth in fact as follows:

"UNITED STATES HOUSE OF REPRESENTATIVES, SUBCOMMITTEE OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES,

"*Washington, D. C., Friday, August 2, 1957.*

"PUBLIC HEARING

"The subcommittee met, pursuant to notice, at 10:05 a. m., in the caucus room, Old House Office Building, Washington, D. C., Mr. CLYDE DOYLE (chairman of the subcommittee) presiding.

"Committee members present: Representatives CLYDE DOYLE, of California; JAMES B. FRAZIER, JR., of Tennessee, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, director, and W. Jackson Jones and Louis J. Russell, investigators.

"Mr. DOYLE. The committee will please come to order.

"This morning's hearings are a continuation of previous hearings started on July 17, 1957, this being a continuation of a series of hearings in the communications industry in the United States; namely, the position and influence held by members of the Communist Party and organizations dedicated to the Communist objectives in that field of communications industry, principally.

"On July 10, 1957, at a regular meeting of the committee, with all members except two present and voting, a motion was made by Mr. SCHERER and seconded by Mr. FRAZIER, which authorized the holding of these hearings in Washington, D. C., on this general subject.

"The resolution adopted by the committee on July 10, 1957, was as follows:

" 'A motion was made by Mr. SCHERER, seconded by Mr. FRAZIER, and unanimously carried, approving and authorizing the holding of hearings in Washington, beginning July 17, 1957, or at such later date as the chairman may determine, for the purpose of considering whether or not members of the Communist Party, or persons subject to its discipline are employed in various media of communications used in the transmission of vital communications, and the advisability, in the national defense and for internal security, of the adoption of remedial legislation authorizing the Defense Department and other Government agencies to adopt and enforce appropriate regulations designed to protect and preserve inviolate secret and classified Government information and investing in appropriate Government agencies, power to preclude access to vital communication facilities in time of war or other national emergency, persons who probably will engage in, or probably will conspire with others to engage in, acts of espionage or sabotage.'

"Before proceeding further, I would like to include in the record a copy of the order for appointment of this subcommittee, signed by the chairman on the 12th day of July 1957. In it, there is appointed a subcommittee consisting of Mr. FRAZIER, of Tennessee, who is on my left, and Mr. SCHERER, of Ohio, who is on my right, and myself, DOYLE, of California, subcommittee chairman, to conduct these hearings in Washington, D. C., which began on July 17, 1957.

"As this order authorized the subcommittee to conduct hearings on this general subject, beginning on July 17, 1957, let the record further reflect that this hearing is a continuation of those begun on that date.

"(The order of appointment follows:)

" 'ORDER FOR APPOINTMENT OF SUBCOMMITTEE

" 'TO THE CLERK OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES OF THE HOUSE OF REPRESENTATIVES

" 'Pursuant to the provisions of law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, House of Representatives, consisting of Hon. CLYDE DOYLE, chairman, and Hon. JAMES B. FRAZIER, Jr., and Hon. GORDON SCHERER, associate members, to conduct hearings in Washington, D. C., beginning on July 17, 1957, on all matters within the jurisdiction of the committee, and to take testimony on said day or any succeeding days, and at such times and places as it may deem necessary, until its work is completed.

" 'The clerk of the committee is directed to immediately notify the appointees of their appointment and to file this order as an official committee record, in the order book kept for that purpose.

" 'Given under my hand this 12th day of July 1957.

" '(Signed) FRANCIS E. WALTER,
" '*Committee on Un-American Activities,*
" '*House of Representatives.*'

"Mr. DOYLE. Those of the subcommittee who are now present and constitute a quorum are, in fact, the full subcommittee that I have just identified.

"Congress, by Public Law 601 of the 79th Congress, placed upon this committee the duty of investigating the extent, character, and objects of un-American propaganda activities in the United States, the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries, or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

"Congress has also placed upon this committee the duty of exercising continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of this committee.

"In these hearings, the second of a series on this general subject, the committee hopes to obtain additional information respecting the extent of the penetration and control exercised by members of the Communist Party in the United States over an industry which is vital at all times to our defense, namely, communications.

"In the event that testimony given during these hearings reflects a situation correctable by legisaltion or which may be remedied by legislation, the committee will recommend the approprate measures at the proper time.

"It is the purpose of the subcommittee in the conduct of these hearings to discharge the duties placed upon us by the Congress by calling witnesses who, we have reason to believe, possess information which will be of value to us and to the Congress in the consideration of such legislation.

"It is a standing rule of this committee that any person named in the course of committee hearings, will be given an early opportunity, upon request, to appear before this committee if he so desires, for the purpose of denying or explaining any testimony given adversely affecting such person. In the event that there are such persons, they should immediately communicate with any member of the committee staff and make their requests known.

"In every hearing, the committee has encouraged witnesses to have legal counsel with them, if they so desire, and it has always welcomed the presence of legal counsel. In fact, the rules of the committee, which are well known and have been publicly distributed and widely distributed, provide that 'at every hearing, public or executive, every witness shall be accorded the privilege of having counsel of his own choosing.

" 'The participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the committee, but shall confine his activity to the area of legal advice to his client.'

"I would respectfully remind those present that we are here at the direction of Congress to discharge an important legislative function. Those in the hearing room are here by permission of the committee, and I trust and I know that you will all conduct yourselves as guests of the committee and of the Congress at all times.

"A disturbance of any kind, or audible comment during the course of testimony, whether favorable or unfavorable to any witness, will not be tolerated.

* * * * *

"Mr. ARENS. The next witness, if you please, will be Mr. Bernard Silber.

"Kindly come forward, Mr. Silber, and remain standing while the chairman administers the oath to you.

"Mr. DOYLE. Mr. Silber, please raise your right hand.

"Do you solemnly swear you will tell the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. SILBER. I do, sir.

"Mr. DOYLE. Please take the witness chair.

"TESTIMONY OF BERNARD SILBER, ACCOMPANIED BY VICTOR RABINOWITZ, COUNSEL

"Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

"Mr. RABINOWITZ. All right. If we are going to have more pictures, let's get them over with before we start.

"Mr. SILBER. The question, please?

"Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

"Mr. SILBER. My name is Bernard—B-e-r-n-a-r-d—Silber, S-i-l-b-e-r, residence, 504 Grand Street, New York.

"Mr. ARENS. And your occupation?

"Mr. SILBER. Service writer for Western Union Telegraph.

"Mr. ARENS. You are appearing today, Mr. Silber, in response to a subpena which was served upon you by the House Committee on Un-American Activities?

"Mr. SILBER. That is correct.

"Mr. ARENS. And you are represented by counsel?

"Mr. SILBER. That is correct.

"Mr. ARENS. Counsel, kindly identify yourself.

"Mr. RABINOWITZ. Victor Rabinowitz.

"Mr. Arens. How long have you been engaged as a service writer?

"Mr. Silber. Forty-one years.

"Mr. Arens. And have you been engaged as a service writer all that time at Western Union?

"Mr. Silber. That is correct.

"Mr. Arens. Did you have any other job at Western Union besides service writer?

"Mr. Silber. I think for 2 years I was a service clerk, which is just before you become a service writer.

"Mr. Arens. Give us just a thumbnail sketch, Mr. Silber, if you please, of your duties as a service writer.

"Mr. Silber. Messages—I will put it this way: We handle messages after they have been transmitted, and they are referred to our department for certain types of handling, messages undelivered. We report and handle complaints from senders regarding deliveries, nondeliveries, immediate service, messages that come in bearing wrong checks, or what—wrong number of words. We manage to get the record for purposes of charging properly, and so forth.

"Mr. Arens. Have you or have you not access to confidential or restricted messages of any kind of the Government of the United States?

"Mr. Silber. Government messages are handled in the usual course of events.

"Mr. Arens. Just answer the question, please, sir. Do you have access to Government messages?

"Mr. Silber. In my line of work I would say 'Yes.'

"Mr. Arens. Do you have access to Government security messages, coded messages of any kind?

"Mr. Silber. Coded messages; yes. We have no way of telling whether they are security messages or not.

"Mr. Arens. You have access to Government coded messages; is that correct?

"Mr. Silber. That is correct.

"Mr. Arens. Have you now or have you ever been a member of the Communist Party?

"Mr. Silber. I must answer that in two ways. I am not a member of the Communist Party; I was a member of the Communist Party.

"Mr. Arens. When were you a member of the Communist Party?

"Mr. Silber. Well, if I may answer my way, I was a member for a brief period. Oh, from approximately 1948. I almost immediately drifted away. I wasn't too much interested. I was never active. I probably attended meetings for a year or so and then very rarely, and then, within a few years, I just was out.

"Mr. Arens. What cell did you belong to, Mr. Silber, at that time?

"(The witness conferred with his counsel.)

"Mr. Silber. Just what do you mean by 'cell'?

"Mr. Arens. What group of the Communist Party were you a member of?

"(The witness conferred with his counsel.)

"Mr. Silber. It had no real name, no designation for it of any kind.

"Mr. Arens. Who enlisted you in the Communist Party?

"(The witness conferred with his counsel.)

"Mr. Silber. I must decline to answer that, sir.

"Mr. Arens. Why?

"Mr. Silber. On the basis—I have a short statement prepared, if I may—I must decline to answer on the grounds set forth in the decision of the Supreme Court in the Watkins and Sweezy cases, and the statement filed with the committee by Mr. Grumman on July 18, including (1) the lack of jurisdiction of the committee; (2) my rights under the first amendment; (3) the vagueness of the [illegible]tion setting up this committee; and (4) the lack of pertinency of this committee.

"Mr. Doyle. May I inquire?

"Mr. Silber. Yes.

"Mr. Doyle. Of course, you didn't prepare that yourself. Your legal counsel——

"Mr. Silber. It was prepared in conjunction with counsel.

"Mr. Doyle. Yes.

"You have been in the hearing room all morning?

"Mr. Silber. Yes.

"Mr. Doyle. And you heard me state to the last witness that we would not accept—and made it clear to him, I am sure, that we would not accept his reference and stated reliance upon a brief filed by someone else or offered by some other witness on July 17 or 18 before this committee?

"Mr. Silber. Yes.

"Mr. Doyle. I want to make it clear to you, therefore, regardless of what your own legal counsel advised you, this committee does not rely in any way upon your reference to the brief of the gentleman on July 17 or 18, as a valid ground of objecting to answer the questions. Is that clear to you?

"(The witness conferred with his counsel.)

"Mr. Silber. All right.

"Mr. Doyle. All right.

"Mr. Arens. Before we proceed, if you are——

"Mr. Scherer. Just a minute, Mr. Arens.

"Mr. Arens. I beg your pardon.

"Mr. Scherer. You refused to answer Mr. Arens' question as to the person who recruited you in the Communist Party. You refused to identify that person.

"Now, without identifying him or telling us his name, is that person still a member of the Communist Party today?

"(The witness confers with his counsel.)

"Mr. Silber. I have no knowledge of such.

"Mr. Scherer. Is he still associated in the same type of work you are associated in?

"(The witness confers with his counsel.)

"Mr. Scherer. As a communications worker?

"Mr. Silber. To the best of my knowledge he is no longer in the industry.

"Mr. Scherer. Was he a communications worker?

"Mr. Silber. I must decline to answer that on the same grounds.

"Mr. Scherer. I ask that you direct the witness to answer the question.

"Mr. Doyle. I direct you to answer the question.

"Mr. Silber. I must decline.

"Mr. Doyle. I didn't hear you.

"Mr. Silber. I must still decline.

"Mr. Arens. Mr. Chairman, I respectfully suggest that I be permitted to explain to the witness why it is pertinent to this inquiry for us to insist that this witness tell us whether or not the person who recruited him into the Communist Party was at that time in the communications field as a communications worker.

"Now, Mr. Witness, this committee is considering legislation to safeguard this Nation from possible espionage or sabotage facilities by Communists.

"If the person who enlisted you into the Communist Party was engaged in the communications field, that person undoubtedly would have some information which would be of use to this committee in developing facts respecting Communist penetration of the communications facilities of this country.

"Therefore, I respectfully suggest now, Mr. Chairman, that this witness be ordered and directed to tell the committee whether or not the person who recruited him into the Communist Party was, to his knowledge, engaged in the communications industry.

"(The witness conferred with his counsel.)

"Mr. Doyle. Go ahead, continue your counsel with the witness.

"Mr. Rabinowitz. I understand that counsel asked for a direction.

"Mr. Arens. That is correct.

"Mr. Doyle. I will make the direction when you are through counseling the witness.

"Mr. Rabinowitz. I suggest, Mr. Chairman, you make the direction first. If you do not make your direction, I will not have to counsel the witness.

"Mr. Doyle. I want to say to the witness before I make the direction: You were in the hearing room all this morning, Witness?

"Mr. Silber. That is correct.

"Mr. Doyle. And you heard me read my opening statement; did you not?

"Mr. Silber. I believe I did, yes.

"Mr. Doyle. You believe you did. Now, I direct you to answer counsel's question. I direct you to answer that last question. He has explained to you the pertinency, and my opening statement explained the pertinency of this investigation also.

"Mr. Arens. And so that there can be no question on this record, the question presently asked and outstanding is for you to please tell the committee whether or not the person who recruited you into the Communist Party was himself engaged in the communications industry.

"(The witness conferred with his counsel.)

"Mr. Silber. May I have a short recess, please, for a few moments?

"Mr. Rabinowitz. May we have a moment or two to consult on this?

"Mr. Doyle. Yes; go ahead and take it.

"(At this point a short recess was taken, after which the hearing was resumed.)

"Mr. Doyle. The committee will please come to order again, after a few minutes recess, and the record will show that all three persons who are members of the subcommittee are personally present.

"Proceed, Mr. Arens.

"Mr. Arens. There is a question outstanding on the record and the witness wanted to confer with counsel, and I take it he has conferred and he is now ready to give his response to the question.

"Mr. Silber. After consultation with counsel, I decided I must answer that on the grounds, on the reasons stated previously, in addition I wish to add the question——

"Mr. Doyle. Well, previously stated in the statement you read?

"Mr. Silber. That is right.

"Mr. Doyle. That will be sufficient.

"Mr. Silber. Including the matter of personal conscience which prevents me from doing things that I am not sure of, and also on the grounds that I don't see what this question has to do with the question propaganda which this committee is concerned with.

"Mr. Arens. Mr. Chairman, when you said that would be sufficient, I take it you wanted the record to reflect his reasons are sufficiently set forth in the record but that this committee does not accept his reasons and directs him and orders him to give a response.

"Mr. Doyle. That is correct.

"We are not accepting the reasons; we are merely stating that the reference to the same statement you said was prepared with the assistance of counsel, and which you previously read will be sufficient for you to refer to that as reasons why you refuse to answer this instead of taking the time to reread it.

"Mr. Silber. That is right.

"Mr. Arens. Mr. Witness, I want to make a statement to you.

"On the basis of extensive staff investigation it is the judgment of the staff that there is now in the establishment in which you are engaged at least one cell of the Communist Party operating.

"We should like to have you tell us now whether or not there are any persons engaged at Western Union who at any time have been known by you to be Communists.

"Mr. Silber. I think I must decline to answer that question on the grounds stated.

"Mr. Arens. I say to you that the pertinency of that question is this:

"If you do have such information and if we can get the names of those people and if we can get them to testify, we will have information which will form a solid foundation upon which this committee can recommend legislation to the Congress, to protect the security of this Nation.

"I therefore, Mr. Chairman, respectfully suggest now that the witness be ordered and directed to answer the question which is outstanding on this record.

"Mr. Doyle. I make that direction.

"Counsel now for the second time has explained the pertinency of the other question, and that same explanation plus this explanation as to pertinency applies.

"(The witness confers with his counsel.)

"Mr. Silber. The fact is, having been out of the party——

"Mr. Scherer. I didn't hear that.

"Mr. Silber. Having been out of the group so long I have no knowledge of anyone at this time of the people—no knowledge of anyone being a member, who was a member of that group, being a member of that group today. I can't——

"Mr. Arens. You know that isn't the question I asked you.

"Let us get the record clear.

"Mr. Rabinowitz. Let's give the reason for the question.

"Mr. Arens. Counsel, you know your sole and exclusive prerogative is to advise your client as to his legal rights.

"You know what the question is, and you understand it. If you do not understand it say "I don't understand it."

"The question is: Do you, Mr. Witness, know people who are presently engaged in Western Union in the communications facilities who at any time have been known by you to be Communists?

"(The witness conferred with his counsel.)

"Mr. Silber. I must decline to answer that for the same reasons.

"Mr. Arens. Now, Mr. Witness, let the record carry forth the same explanation that I gave to you a few moments ago as to why I regard this question as pertinent.

"And I respectfully suggest, Mr. Chairman, that the record now reflect an order and direction of the witness to answer the question.

"Mr. Doyle. I direct you to answer the question, Witness. We do not feel that your answer is sufficient and cannot accept it here.

"Mr. Silber. I must still decline. I am sorry.

"Mr. Scherer. As I understand it, in refusing and in declining to answer this last question and the previous question, you are not refusing to do so on the basis of the fifth amendment?

"Mr. Silber. That is correct.

"Mr. Scherer. All right.

"Mr. Rabinowitz. May I address the Chair just for a moment on this? There is a legal issue involved.

"Mr. Doyle. No. We are not settling issues here. This is not a court.

"Mr. Rabinowitz. I would like to clarify the reference to the fifth amendment. There are many parts of the fifth amendment.

"Mr. Doyle. You clarify it with your witness, not with us.

"(Counsel conferred with the witness.)

"Mr. Silber. I am stating I am not relying on the self-incriminating clause of the fifth amendment.

"Mr. Doyle. Judge Frazier? Have you any questions?

"Mr. Frazier. I have no questions.

"Mr. Doyle. Have you any further questions, Mr. Scherer?

"Mr. Scherer. I have no further questions.

"Mr. Doyle. May I ask this, Witness:

"When you first began to answer questions here, you volunteered the statement in answer to the question, that you had been a Communist?

"Mr. Silber. That is correct.

"Mr. Doyle. Do you remember doing that?

"Mr. Silber. That is correct.

"Mr. Doyle. All right?

"Now, why did you do that?

"Mr. Silber. I probably was interested. It is hard to explain, probably for theoretical grounds or some other grounds.

"Mr. Doyle. Why did you withdraw from the Communist Party?

"Mr. Silber. I lost——

"Mr. Doyle. After being in it a few years, as you testified?

"Mr. Silber. It wasn't a few years, sir; it was relatively short.

"I lost interest in it. I found I wasn't interested enough to do anything about it.

"Mr. Doyle. Why weren't you interested in the Communist Party group that you were in? What did you find about it that didn't keep your interest?

"Mr. Silber. Well, it simply didn't. I had other interests probably, that kept me more occupied. I didn't think sufficiently of it to keep me there.

"Mr. Doyle. You attended meetings quite frequently.

"Mr. Silber. Not frequently, sir. I might say frankly, after a very short time I attended the meetings infrequently. In other words, it was just a complete drifting away and it took such a time.

"Mr. Doyle. What caused you to drift away?

"Mr. Silber. I stated I was no longer interested in it. I don't believe that I was politically conscious in the first place; it wasn't interesting, and I just drifted away. I never formed too many opinions on it, and that was it.

"Mr. Scherer. What union do you belong to?

"Mr. Silber. The American Communications Association.

"Mr. Scherer. Were any of the officers of your union members of the Communist Party at the time you were a member of the Communist Party?

"Mr. Silber. I must decline to answer that, sir.

"Mr. Scherer. I ask that you direct the witness to answer the question.

"Mr. Doyle. I direct you to answer the question.

"Mr. Silber. I must decline on all the grounds previously stated.

"Mr. Scherer. Were any of the present officers of your union members of the Communist Party at the time you were in the party?

"Mr. Silber. I must decline for the same reasons. I must decline to answer.

"Mr. Scherer. I ask that you direct the witness to answer the question.

"Mr. Doyle. I direct you to answer the question.

"Mr. Silber. I must decline to answer.

"Mr. Scherer. And those questions were asked you for the same reasons that Mr. Arens, our counsel, gave you for asking the other questions. They are pertinent for the same reasons that he advanced.

"Mr. Doyle. May I inquire for one question?

"Mr. Silber. Yes, sir.

"Mr. Doyle. Have you any suggestions to this committee, and therefore, your Congress, in the field of legislation, anything you think or suggest that we might consider legislation which would protect the security of this Nation against any subversive activities, sabotage, or interference with Government messages, either in time of war or peace?

"Mr. Silber. Frankly, I don't consider myself qualified to offer any suggestions along technical lines or things of that sort. I really don't consider myself qualified in offering any suggestion.

"Mr. Doyle. I want to compliment you in getting out of the Communist group when you did. I also hope the time will come before long when you will feel it is also your duty and your obligation to yourself and family and your Nation to come to Congress and help us understand the Communist Party as you understood it when you got out of it. You got out of it, although you have not given us the full reasons here today, I don't feel, you got out of it for some other reasons. You were dissatisfied with it. It had no attraction for you.

"Now, why didn't it? I do not think you have given us the full answer, and I wish you would come to the point where you can help us.

"Try to do that, will you?

"Mr. Silber. I am sorry.

"Mr. Doyle. You needn't be sorry. I have given you an invitation.

"Mr. Silber. I have given you the best answer that I could under the circumstances. I have a conscience to protect, and other things. I am sorry.

"Mr. Doyle. The witness is excused, and counsel.

"The committee today is continued to Friday, August 9, at 10 a. m., in this room.

"(Whereupon, at 12:15 p. m., Friday, August 2, 1957, the subcommitte recessed to August 9, 1957, at 10 a. m.)"

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to the said Bernard Silber relative to the subject matter which, under Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 5 of the 85th Congress, the said committee was instructed to investigate, and the refusal of the witness to answer the questions, namely:

"Was he a communications worker?

"We should like to have you tell us now whether or not there are any persons engaged at Western Union who at any time have been known by you to be Communists.

"Were any of the officers of your union members of the Communist Party at the time you were a member of the Communist Party?

"Were any of the present officers of your union members of the Communist Party at the time you were in the party?"

which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony and places the said witness in contempt of the House of Representatives of the United States.

OTHER PERTINENT COMMITTEE PROCEEDINGS

The following resolution was adopted at the organizational meeting of the committee for the 85th Congress, held on the 22d day of January 1957:

"*Be it resolved*, That the chairman be authorized and empowered from time to time to appoint subcommittees composed of 3 or more members of the Committee on Un-American Activities, at least 1 of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the committee as a whole is authorized to perform."

The following is an extract from the minutes of an executive session of the subcommittee of the Committee on Un-American Activities consisting of Hon. Clyde Doyle, chairman, Hon. James B. Frazier, and Hon. Gordon H. Scherer, held on the 21st day of

August 1957, in room 226, Old House Office Building, Washington, D. C.:

"In the absence of Hon. CLYDE DOYLE, chairman, the subcommittee was called to order by Hon. FRANCIS E. WALTER, chairman of the committee as a whole, acting as chairman ex officio of the subcommittee, who stated that the purpose of the meeting was to consider what action the subcommittee would take regarding the refusal of certain witnesses to answer questions propounded to them in the course of hearings conducted by the subcommittee in Washington, D. C., on the 2d day of August 1957, and what recommendations it would make regarding the citation of any such witness for contempt of the House of Representatives.

"After full consideration of the testimony of certain witnesses, a motion was made and unanimously adopted that a report of facts relating to the refusal of Bernard Silber to answer questions before the said subcommittee at the hearings aforesaid be referred and submitted to the Committee on Un-American Activities as a whole, with a recommendation that the report of facts relating thereto be referred to the House of Representatives with the recommendation that the said witness be cited for contempt of the House of Representatives for his refusal to answer questions therein set forth, to the end that he may be proceeded against in the manner and form provided by law."

The following is an extract from the minutes of an executive session of the Committee on Un-American Activities, consisting of Hon. FRANCIS E. WALTER, Hon. MORGAN M. MOULDER, Hon. JAMES B. FRAZIER, JR., Hon. GORDON H. SCHERER, and Hon. ROBERT J. MCINTOSH, held on the 21st day of August 1957, in room 226, Old House Office Building.

"The report of the facts relating to the refusal of Bernard Silber to answer questions was submitted to the committee as a whole, upon which a motion was made by Mr. SCHERER, seconded by Mr. FRAZIER, and unanimously carried, that the subcommittee's report of the facts relating to the refusal of Bernard Silber to answer questions before the said subcommittee at hearings conducted before it in Washington, D. C., on August 2, 1957, be, and the same is hereby approved, and adopted, and that the Committee on Un-American Activities report and refer the refusal of Bernard Silber to answer questions before the said subcommittee, together with all the facts in connection therewith, to the House of Representatives, with a recommendation that the witness be cited for contempt by the House of Representatives, for his refusal to answer questions, to the end that he may be proceeded against in the manner and form provided by law."

Mr. WALTER. Mr. Speaker, I offer a privileged resolution (H. Res. 409) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Bernard Silber to answer questions before a duly constituted subcommittee of the Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States attorney for the District of Columbia, to the end that the said Bernard Silber may be proceeded against in the manner and form provided by law.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. PATMAN. Mr. Speaker, I was unavoidably detained in a dentist's chair, where I was receiving emergency treatment, when the rollcall occurred on House Resolution 407 citing Louis Earl Hartman for contempt. If I had been present I would have voted "yea." I was present when House Resolution 408 was adopted by voice vote and I voted "yea."

Mr. WALTER. Mr. Speaker, the matter before the House now involves the refusal of one Bernard Silber to testify as to facts that we felt would be of great assistance in the preparation of the National Security Act.

Silber admitted he was a Communist, and the committee was interested in knowing whether or not the officers of the union of which he was a member, the communications union, were Communists at the time he was testifying. We were positive he could furnish us with this information. The testimony that we attempted to adduce was extremely important because of the position this man occupied. He was in a position to decode secret Government messages.

I could not imagine a place where more damage could be done than in the position this man occupied. The committee was of the opinion that there were other people in the same union who were also in strategic positions; and, of course, our entire questioning was directed toward eliciting from these witnesses information that would have formed the basis for legislation.

We felt that the questioning was in accordance with the rule laid down in the Watkins case. The witness was advised fully as to the purpose of the hearing. The fact that he did not invoke the fifth amendment but relied on a decision of the Supreme Court, I believe, indicates very clearly the need to give the Supreme Court another look at this entire question.

I yield to the gentleman from Iowa.

Mr. GROSS. This is an important citation, is it not?

Mr. WALTER. It is extremely important.

I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. HOSMER].

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, I wish to ask the gentleman from Pennsylvania a question with respect to the proposed legislation regarding the Jencks case. The gentleman from Pennsylvania and myself both have bills in on that matter, as well as many other Members. Members on this side are very interested in it, having recently, during this week, passed a resolution in that regard.

I personally feel that the importance of the legislation has been highlighted by the recent indictment of Colonel Abel, a member of the Soviet Army espionage ring. I would like to ask the gentleman from Pennsylvania what progress is being made toward bringing that legislation to the floor, and if it is possible that we can handle it before this session adjourns?

Mr. WALTER. The bill was reported by the Committee on the Judiciary, and an application has been made to the Committee on Rules for a rule. That is the present status.

It is the hope of those of us interested in protecting the files of the FBI that we would be recognized to suspend the rules in the event a rule is not given promptly.

Mr. HOSMER. I am certainly reassured to hear of the gentleman's vigorous work on that piece of legislation, because I am sure many of the Members here want to do something to meet this extreme need.

Mr. WALTER. I would like to say in reply to the gentleman from California that the courts have misconstrued that decision just as badly as they did in the Watkins case. As a matter of fact, in one of the circuits the court went so far as to hold that because in the trial court the jury was denied access to the proceedings before the grand jury—and grand jury proceedings are secret, of course—the conviction had to be set aside.

Mr. HOSMER. I think that is an extremely important point because some people think perhaps the decision does not do any harm; but the confusion that has been thrown into the law by that decision is making it almost impossible for the Department of Justice to proceed in adequately protecting the security of the country and adequately prosecuting security as well as other cases that they have before it.

Mr. WALTER. If the gentleman remembers, in the Jencks case the decision of the Supreme Court pointed out that the question of national security was not raised; and I am enough of an optimist to believe that if the Supreme Court should get another look at that proposition where the question of security was raised, they might think in terms of the security—I say "might"—of the United States.

Mr. HOSMER. We should certainly hope so. Meanwhile, the field is left open and utterly confused.

Mr. WALTER. Yes; it would be a tragic thing if we adjourned without enacting legislation in this field.

Mr. HOSMER. I thank the gentleman and yield back the balance of my time.

Mr. WALTER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken.

Mr. GROSS. Mr. Speaker, in view of the statement of the gentleman that this is an important citation, I object to the vote on the ground a quorum is not present and make the point of order a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 263, nays 0, not voting 169, as follows:

[Roll No. 211]

YEAS—263

Abbitt
Abernethy
Adair
Addonizio
Albert
Allen, Ill.
Andersen, H. Carl
Anderson, Mont.
Andresen, August H.
Andrews
Ashley
Ashmore
Aspinall
Auchincloss
Avery
Bailey
Baldwin
Baring
Bass, Tenn.
Beckworth
Belcher
Bennett, Fla.
Bennett, Mich.
Berry
Betts
Blitch
Boggs
Boland
Bolling
Bolton
Bonner
Bow
Boyle
Breeding
Brooks, La.
Brooks, Tex.
Brown, Ga.
Brown, Mo.
Brown, Ohio
Broyhill
Budge
Burleson
Byrnes, Wis.
Canfield
Cannon
Carrigg
Cederberg
Chamberlain
Chenoweth
Christopher
Church
Coad
Cole
Collier
Colmer
Cooper
Cramer
Cunningham, Iowa
Cunningham, Nebr.
Curtin
Curtis, Mass.
Dague
Davis, Tenn.
Delaney
Denton
Devereux
Dingell
Dixon
Dorn, N. Y.
Dorn, S. C.
Dowdy
Durham
Dwyer
Edmondson
Elliott
Engle
Evins
Fascell
Feighan
Fenton
Fisher
Forand
Ford
Forrester
Fountain
Frazier
Gary
Gathings
Granahan
Grant
Gregory
Griffiths
Gross
Gwinn
Hagen
Hale
Haley
Halleck
Hardy
Harris
Harrison, Nebr.
Harrison, Va.
Haskell
Henderson
Herlong
Heselton
Hess
Hill
Holland
Holmes
Holt
Horan
Hosmer
Huddleston
Hull
Hyde
Ikard
Jarman
Jenkins
Jennings
Jensen
Johansen
Johnson
Jonas
Jones, Mo.
Judd
Karsten
Kearns
Keating
Kee
Kelly, N. Y.
Kilday
Kilgore
King
Kirwan
Kitchin
Kluczynski
Knox
Lane
Lanham
LeCompte
Lennon
Lipscomb
Long
Loser
McCulloch
McFall
McGovern
McIntire
McMillan
McVey
Macdonald
Mack, Ill.
Mack, Wash.
Madden
Magnuson
Mahon
Marshall
Martin
Matthews
Merrow
Metcalf
Miller, Md
Miller, Nebr.
Mills
Montoya
Moore
Morgan
Morris
Morrison
Moss
Moulder
Murray
Natcher
Neal
Nimtz
Norrell
O'Brien, Ill.
O'Hara, Ill.
O'Hara, Minn.
O'Konski
O'Neill
Osmers
Passman
Patman
Patterson
Pelly
Pfost
Pillion
Poage
Poff
Polk
Porter
Price
Prouty
Rabaut
Radwan
Rains
Ray
Reece, Tenn.
Rees, Kans.
Reuss
Rhodes, Pa.
Riley
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Mass.
Rogers, Tex.
Rooney
Roosevelt
Rutherford
Saund
Schenck
Schwengel
Scott, N. C.
Scrivner
Scudder
Selden
Shuford
Sieminski
Simpson, Ill.
Sisk
Smith, Calif.
Smith, Wis.
Spence
Springer
Staggers
Stauffer
Steed
Sullivan
Talle
Tewes
Thomas
Thompson, La.
Thompson, N. J.
Thompson, Tex.
Thomson, Wyo.
Thornberry
Trimble
Tuck
Ullman
Utt
Vanik
Van Pelt
Van Zandt
Vursell
Walter
Watts
Weaver
Wharton
Whitten
Wigglesworth
Williams, Miss.
Willis
Wilson, Ind.
Winstead
Withrow
Wolverton
Wright
Young
Younger

NOT VOTING—169

Alexander
Alger
Allen, Calif.
Anfuso
Arends
Ayres
Baker
Barden
Barrett
Bass, N. H.
Bates
Baumhart
Beamer
Becker
Bentley
Blatnik
Bosch
Boykin
Bray
Broomfield
Brownson
Buckley
Burdick
Bush
Byrd
Byrne, Ill.
Byrne, Pa.
Carnahan
Celler
Chelf
Chiperfield
Chudoff
Clark
Clevenger
Coffin
Cooley
Corbett
Coudert
Cretella
Curtis, Mo.
Davis, Ga.
Dawson, Ill.
Dawson, Utah
Dellay
Dempsey
Dennison
Derounian
Dies
Diggs
Dollinger
Donohue
Dooley
Doyle
Eberharter
Fallon
Farbstein
Fino
Flood
Flynt
Fogarty
Frelinghuysen
Friedel
Fulton
Garmatz
Gavin
George
Gordon
Gray
Green, Oreg.
Green, Pa.
Griffin
Gubser
Harden
Harvey
Hays, Ark.
Hays, Ohio
Healey
Hébert
Hemphill
Hiestand
Hillings
Hoeven
Hoffman
Holifield
Holtzman
Jackson
James
Jones, Ala.
Kean
Kearney
Keeney
Kelley, Pa.
Keogh
Kilburn
Knutson
Krueger
Laird
Landrum
Lankford
Latham
Lesinski
McCarthy
McConnell
McCormack
McDonough
McGregor
McIntosh
Machrowicz
Mailliard
Mason
May
Meader
Michel
Miller, Calif.
Miller, N. Y.
Minshall
Morano
Multer
Mumma
Nicholson
Norblad
O'Brien, N. Y.
Ostertag
Perkins
Philbin
Pilcher
Powell
Preston
Reed
Rhodes, Ariz.
Riehlman
Rivers
Robeson, Va.
Robsion, Ky.
Sadlak
Santangelo
St. George
Saylor
Scherer
Scott, Pa.
Seely-Brown
Sheehan
Shelley
Sheppard
Sikes
Siler
Simpson, Pa.
Smith, Kans.
Smith, Miss.
Smith, Va.
Taber
Taylor
Teague, Calif.
Teague, Tex.
Teller
Tollefson
Udall
Vinson
Vorys
Wainwright
Westland
Whitener
Widnall
Wier
Williams, N. Y.
Wilson, Calif.
Yates
Zablocki
Zelenko

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Udall for, with Mr. Multer against.

Until further notice:

Mr. Hays of Arkansas with Mr. Bass of New Hampshire.
Mr. Chelf with Mr. Fino.
Mr. Hemphill with Mr. Broomfield.
Mr. Landrum with McGregor.
Mr. Pilcher with Frelinghuysen.
Mr. Flynt with Mr. May.
Mr. Preston with Mr. Harvey.
Mr. Fogarty with Mr. Hoffman.
Mrs. Green of Oregon with Mr. Widnall.
Mr. Carnahan with Mr. Taylor.
Mr. Barden with Mr. Siler.
Mr. Alexander with Mr. Cretella.
Mr. Rivers with Mr. Morano.
Mr. Boykin with Mr. Krueger.
Mr. Lankford with Mr. Baumhart.
Mr. Sheppard with Mr. Beamer.
Mr. Sieminski with Mrs. Harden.
Mr. Sikes with Mr. Coudert.
Mr. Byrd with Mr. Brownson.
Mr. Byrne of Pennsylvania with Mr. Bray.
Mr. Chudoff with Mr. Dellay.
Mr. Barrett with Mr. Dennison.
Mr. Miller of California with Mr. Becker.
Mr. Doyle with Mr. Derounian.
Mr. Donohue with Mr. Rhodes of Arizona.
Mr. Philbin with Mr. Griffin.
Mr. Dies with Mr. Gavin.
Mr. Coffin with Mr. McIntosh.
Mr. Teague of Texas with Mr. Ayres.
Mr. Whitener with Mr. Norblad.
Mr. Cooley with Mr. Minshall.
Mr. Clark with Mr. Kean.
Mr. Gordon with Mr. Simpson of Pennsylvania.
Mr. Dawson of Illinois with Mr. Hillings.
Mr. Diggs with Mr. Keeney.
Mr. Green of Pennsylvania with Mr. Clevenger.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table. The doors were opened.

SPECIAL ORDER GRANTED

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. Heselton] is recognized for 15 minutes.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the special order granted the gentleman from Massachusetts [Mr. Heselton], for today be transferred to Tuesday next.

The SPEAKER. Is there objection?

There was no objection.

ARMED FORCES RESERVES

The SPEAKER. Under previous order of the House, the gentleman from Louisiana [Mr. Brooks], is recognized for 15 minutes.

Mr. BROOKS of Louisiana. Mr. Speaker, I have recently written the Secretary of Defense concerning a matter which is causing me grave concern.

I have reference to the development of new policies regarding the training of the Armed Forces Reserves.

There seems to be a trend to de-emphasize the training programs for older experienced officers in the various military services.

I have received considerable mail—and I am sure this is true of the other Members of Congress—from these citizen soldiers, sailors, and airmen who have a genuine concern for the effect these new policies may have on the national security.

There seems to be considerable dissatisfaction with the Air Force's so-called match-merge program because it will discourage a great many Reserve officers, if not actually halt their training. There is discouragement on the part of students assigned to United States Army Reserve schools and those with mobilization designations. This comes about because these people, totaling about 22,000 experienced, trained officers, many of them battlewise, will be deprived of drill pay in the future. I fear that abandonment of this portion of the incentive program will have a serious effect upon the morale and effectiveness of these reservists. I am the first to agree that we must continue the 6 months' training program because I understand the need for young enlisted reservists. On the other hand, I do not wish to see our Reserve officers treated in a cavalier manner merely because we seem to temporarily have a surplus of manpower.

Of course, I realize that some of the economies presently brought about are due to the necessity of having to shift funds from one type of Reserve training program to another. The 6-month program requires considerable money if we are to maintain even a modicum of training in this program. I helped develop this idea on the floor of the House the other day and was glad to receive assurance from members of the Appropriations Committee—especially Mr. Sikes of Florida—that the door is wide open for an appeal by the Defense Department for more money for Reserve training programs in January, if such is the desire and objective of the Defense Department. I feel that a thorough study should be made by the Army, Navy, and Air Force, and that they should be ready to come up with recommendations to our subcommittee in January.

Mr. Speaker, President George Washington first proposed reliance on an "energetic national militia" and since that time the traditional military policy in this country, in peacetime, has been to maintain a comparatively small Regular Establishment augmented by trained civilians.

The Department of Defense has recently announced the necessity for reducing the size of our active forces. Other reductions may follow. It is now, in my opinion, that we must take another look at our Reserve program, for I cannot foresee the international situation allowing us the luxury of reducing our Reserve forces as well.

We have a heavy investment in our Reserve officers, many of whom are combat trained. It would be folly to so reduce the Reserve program as to render it ineffective for any of these officers. We cannot afford to allow Reserve officers to drift away from the Reserve program for lack of interest or incentive.

We are told that we must reduce the size of our active forces in order to save money. Naturally, I want to effect savings for our taxpayers, but I do not want to do so at the expense of the Nation's security. We all know that the cost of maintaining a soldier in the active forces is many times the cost of maintaining the same soldier in the Reserve. Actually, the money spent for the Reserve program is one of our best investments in national security. It is for the foregoing reasons that I have asked the Secretary of Defense to require the military departments to make a thorough and painstaking study of their Reserves so that their findings can be reported to my subcommittee when Congress reconvenes in January.

We must have the Department's recommendations on the future size and roles and missions which we can expect the various Reserve components to assume in the future. In view of the international situation, the need for economy in defense spending, and the changing concepts of warfare, this study is necessary so that the Congress may be informed and, if necessary, enact implementing legislation.

Mr. MILLER of Maryland. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman from Maryland.

Mr. MILLER of Maryland. I want to congratulate and commend the gentleman for a very important and very worthwhile statement, and wish to add my voice to what he is saying. I think he is entirely right and that it is most important that we consider this problem very carefully.

Mr. BROOKS of Louisiana. I thank my friend for his kind remarks.

Mr. CUNNINGHAM of Iowa. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman from Iowa who is a distinguished member of the Committee on Armed Services of the House.

Mr. CUNNINGHAM of Iowa. I thank the gentleman and I also wish to thank him for his splendid remarks and congratulate him for the position he has taken. I trust something will be done along the lines suggested by him.

Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. GAVIN], also a member of the Committee on Armed Services and very much interested in what the gentleman from Louisiana has had to say, may have permission to extend his remarks in the RECORD following those of the gentleman from Louisiana [Mr. BROOKS].

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. DEVEREUX. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman from Maryland.

Mr. DEVEREUX. As the gentleman knows, I have been associated with this program for some time. I want to call the attention of the membership, and I think the gentleman is in agreement with me, to one subject when he speaks of Reserves. Does he include the National Guard?

Mr. BROOKS of Louisiana. Yes. The National Guard is, of course, a component part of the Reserves.

Mr. DEVEREUX. So that the National Guard people will know that the committee is very much concerned about the apparent change in policy, which I regret very much. I trust we will have a very thorough and detailed report from the Department of Defense in January.

Mr. BROOKS of Louisiana. May I say to the gentleman from Maryland, who has worked hard on this same program, that the whole country is disturbed about the changes being effected. I dare say every Member of Congress is going to hear during vacation about some of these things and some of the comment may not be very palatable to the Members.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman from Iowa.

Mr. GROSS. I hope the gentleman's subcommittee will look into this extension of the obligated service of those entering into the cadet field training program. I hope they will go into that. It may well be that some extension of service is necessary and in the best interest of our national defense. On the other hand, as I said on the floor yesterday, I know of no way by which we can reconcile an obligated service of 5 years for these young men while requiring an obligated service of only 3 years for those coming out of West Point and Annapolis.

Mr. BROOKS of Louisiana. The ROTC members attend school largely at their own expense. The men who go to West Point, Annapolis, and the Air Force Academy do so at Government expense. Their obligation for active duty should correspond with the longer and heavier obligation now given to the flying ROTC officer. The ROTC man is a civilian at heart and he attends school at his own expense and gets his own education.

There is one matter we will have to take up with the services to make the obligation of the graduates of the Academies correspond to the obligation which they presently impose upon the civilian trained ROTC reservists.

Mr. GROSS. I want to commend the gentleman for that statement and say further that if it is within the purview of the gentleman's subcommittee I hope the subcommittee will give attention to a bill that I introduced yesterday to extend the obligated service of those who graduate from the various Academies.

Mr. BROOKS of Louisiana. I have not read the gentleman's bill yet, but I certainly will during the weeks that are ahead of me.

Mr. KEARNS. Mr. Speaker, I should like to take the floor at this time to eulogize the gentleman who is in the well of the House. I had the privilege of going to Korea with him when he was chairman of a subcommittee of the Committee on Armed Services. I shall always remember his effective administration of that committee as chairman. All of us who were on that trip, including our friend, Ralph Roberts, the Clerk of the House, enjoyed it because the gentleman was such an effective administrator.

Mr. BROOKS of Louisiana. The gentleman is very kind and I appreciate greatly his remarks.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman.

Mr. McCULLOCH. Mr. Speaker, I would like to associate myself with the gentleman from Iowa [Mr. GROSS] in the remarks he made in the forepart of his statement when time was yielded to him. I think we should examine into the type of work being assigned to these young men who are being held in service longer than their contract first provided. We should see if that work which is assigned to them cannot be done by people of lesser grades or by civilians. I think that the United States Government should be a paragon of virtue in maintaining its contracts and not be known for its breach of them.

Mr. BROOKS of Louisiana. Mr. Speaker, let me say to my distinguished friend that these men are not being required to extend their active-duty service against their own will. They are being permitted the option of staying in flight training for 5 years or remaining in nonflight service for the presently agreed period of 3 years. Nonetheless, I am in accord with him when he says that this is a very heavy obligation that they are placing upon men who are trained as civilian reservists. I think that the obligation should be evened up. The gentleman may rest assured that we are going to look into that very carefully when these hearings open.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman.

Mr. BYRNES of Wisconsin. Mr. Speaker, I am more than pleased to learn from the gentleman of the appropriate action that he and his committee have taken looking into this state of affairs as far as our Reserve components are concerned.

I would say to the gentleman that it has been a matter of continuing concern to me over a long period of years that it would appear that some of our military, the professionals, give lipservice to the need for and the dependence which they place upon the civilian reserve, but do very little about actually implementing that and making a workable force until an emergency arises, when it is too late.

Mr. BROOKS of Louisiana. Yes; and may I say to my distinguished friend this: That for 10 or 15 years we have been struggling with the Reserve program, which did not produce the manpower, and within 90 days after we get the available manpower which we needed, and even more than we actually need, then the problem changes immediately to one of curtailing our program of Reserve training. I think that needs thorough investigation.

Mr. BYRNES of Wisconsin. Mr. Speaker, if the gentleman will yield further, I think another item is the use of these men who have signed up for the Reserve and whom they have taken into the Reserve, namely, giving them enough to do and keeping them interested in the activities of the Reserve, because I think there has been a real failing in that regard in the past.

Mr. DEVEREUX. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman.

Mr. DEVEREUX. I think we should get the record straight and should make inquiries about what is going on. But the cost of training a jet-bomber pilot is something like $250,000; at least the testimony has indicated that. Therefore, if we want to train those people, the Government must get some very definite returns so far as their use is concerned in the Air Force. That is one of the reasons why the requirement has been placed upon them to extend their period of active duty and, as the gentleman from Louisiana so well brought out, they are doing that purely on a voluntary basis.

Mr. BROOKS of Louisiana. That is true.

Mr. DEVEREUX. The extension of the service for those people coming out of the military academies, as to that I certainly would be inclined to go along with the gentleman from Iowa. I think it is a pity and a shame that we have these young men who go through the academies but who do not give real service to our country after having received their education at Government expense.

Mr. BROOKS of Louisiana. So many of them now, when they finish their course in the academies and serve the minimum requirement of years, get out of the service at once.

Mr. BENNETT of Florida. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman from Florida, who has done such fine work on the Committee on Armed Services.

Mr. BENNETT of Florida. I appreciate very much the kind remarks the gentleman from Louisiana has made about me. We have enjoyed many years together here in the House and I have always found him alert to the needs of our national defense as well as to all things concerning the betterment of our country.

First, I would like to congratulate the gentleman on the leadership he is taking on this vital Reserve Forces issue. I wish to assure him that I feel that he is on sound ground and that I will consider it a privilege to work with him on correcting this situation.

Secondly, I would like to express the thought that when our personnel in the Armed Forces is being drastically cut at the request of the White House, for budgetary reasons, it is a particularly inappropriate time to be leveling blows at the Reserve Forces of our country. If our standing forces on active duty must be cut, we will then need more than before, the existence of additional strength in our Reserves. From an outstanding reservist in Florida I have just received a letter which includes the following comment: "In the State of Florida there are Reserve units composed of municipal and county law-enforcement officers who receive pay for inactive duty training as reservists to be military policemen in time of national emergency; there are engineers, architects, postal clerks, medical technicians, and so for the manifold occupations which have counterparts in civilian and military life. But no money is allocated to train a doughboy—a rifleman, a machinegunner, a mortar man." If this analysis of the situation in Florida is accurate, and I have every reason to believe that it is, this is certainly an unfortunate and highly dangerous situation.

Personally, I am going to do everything I can to correct this and will welcome the opportunity to work with the distinguished gentleman from Louisiana in an effort to find a prompt and adequate solution.

Mr. BENNETT of Florida. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida.

There was no objection.

Mr. GAVIN. Mr. Speaker, I am most encouragegd by the fact that the gentleman from Louisiana [Mr. BROOKS], because of his long experience in dealing with the Armed Forces as well as because of the wisdom he has acquired through long service in this House, has evidenced a determination to delve into a matter which is of such vital concern to all of us.

Every schoolboy in America knows that this country won its independence with a nonprofessional, civilian military force, facing hopeless odds against the best-trained, most skilled mercenaries the world at that time had available.

We also know that throughout the history of our great country we have maintained our independence and have protected our liberties and our way of life through the prompt springing to arms of the civilian soldiers, civilian sailors, and civilian airmen—the minutemen of every generation—when their country needed their strength, their arms, and their valor.

It is true that we have reached the nuclear age, that specialization is the military keynote of this era and that quality and scientific advancement are the vital links in our security.

But this does not alter, by one whit, the fact that our civilian components of the military services have vital roles in our system of national security. In the event of mobilization, we still must rely for our protection upon the men and women who will come from the farms, the shops, the offices, and the trades, temporarily to don uniforms and shoulder arms and fight for America whatever may be the modern concept of warfare.

America's military record has been great not because we had numerically superior forces in all of our conflicts; as a matter of fact, we have been opposed by superior numbers and, apparently, insuperable odds time after time. We have won because we have built, nurtured, and maintained the minuteman spirit—with a combat morale matched few times before in history.

I do not wish to question the judgment of our military leaders but I am convinced the type of review or investigation which the gentleman from Louisiana has indicated the committee intends to make is in the national interest and I believe that, in initiating and carrying out such a program, he merits and does carry with him the best wishes and gratitude of not only all Members of the House but of the rank and file of citizenry of this great country.

INTERSTATE TRAFFIC IN FIREARMS AND AMMUNITION

The SPEAKER. Under previous order, the gentleman from Texas [Mr. KILDAY] is recognized for 20 minutes.

Mr. KILDAY. Mr. Speaker, in the Federal Register of July 10, 1957, the Department of the Treasury published proposed regulations on the interstate traffic in firearms and ammunition, and at that time announced than on August 27 the Alcohol and Tobacco Tax Division of the Internal Revenue Service of the Treasury Department would hold hearings with reference to those proposed regulations.

The regulations cover a number of subjects. Some of them are very desirable and should be adopted. A good many of those regulations already exist in either law or regulation and these constitute some revision or amendment thereto. However, there are a number of proposed regulations which should not be adopted. The National Rifle Association and practically all sportsmen in the United States who are informed of this proposal are in strong opposition to these specific portions of the proposed regulations. I shall enumerate them:

First. The proposal that each manufacturer or importer of a firearm shall identify it by stamping, in a manner not readily obliterated or altered, the name and location of the manufacturer or importer and the serial number, caliber, and model of the firearm.

Second. The proposal that dealers' records of importation, shipment, and disposal of firearms must be retained permanently on the premises until discontinuance of business by the licensee.

Third. The proposal that manufacturers and dealers maintain records reflecting the production or receipt and the disposition at wholesale or retail of all pistol and revolver ammunition; such ammunition to be described as to manufacturer, type, caliber, quantity, and the identity of the person from whom received and to whom sold.

Fourth. The proposal that a person purchasing a firearm or pistol or revolver ammunition in over-the-counter sale or distribution must acknowledge receipt thereof in his own handwriting in the prescribed dealer's records.

Fifth. The proposal that any Internal Revenue officer shall have authority to examine the books, papers, and records kept by a manufacturer or dealer, and to examine his premises and stock during regular business hours in the daytime or whenever such premises may be open at night.

Mr. Speaker, these constitute attempts at this time to institute a system of registration of firearms. For a period of more than 30 years various elements in the United States have attempted to pass legislation or secure administrative regulation for the registration of firearms.

The constitution guarantees to the people of this country the right to keep and bear arms. Registration of firearms is the first step of infringement of that right.

It is evident, or should be, to all that registration will be observed by the law abiding. The lawless will pay it no heed.

I take the position, as do others who oppose these regulations, that all laws with reference to the control, registration and what not of firearms must remain within the jurisdiction of the respective States. Disarming the law-abiding citizen is of no value. I point to the fact that the State of New York has the most stringent law on the possession of firearms of any State in the Union and even the casual reader of the daily press can see that even delinquent juveniles in the State of New York seem to have ready access to firearms and other weapons. For a period of 15 years, and up until 1941, bills had been pending here to provide for the registration of firearms. In 1941, while the Congress was engaged in a frenzied effort to prepare for a war which most of us knew was inevitable, there came before the Congress the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States. When that Senate bill was being considered by the Committee on Military Affairs, of which I was a member at that time, I developed from Judge Patterson, the Under Secretary of War, that the language was intended to include, and did include, firearms and they were particularly interested in the question of shotguns. Judge Patterson at that time stated that they had already made their plans for registration of firearms and particularly of shotguns. In the Committee on Military Affairs, I offered an amendment to the Senate bill which read:

> That nothing herein contained shall be construed to authorize the requisition, or require the registration, of firearms possessed by any individual for his personal protection or safety (and the possession of which is not prohibited or the registration thereof required) nor shall this act in any manner impair or infringe the right of any individual to keep and bear arms.

When that bill passed the House, it contained the amendment which I had offered in committee. When it came back to the House from the other body in the conference report, my amendment had been eliminated from the bill and substituted in place thereof was a provision "that nothing in the act shall be construed to impair or infringe in any manner the right of any individual to keep and bear arms." In other words, the Senate had repeated the language of the Constitution. That conference report was considered in the House of Representatives on the 13th day of August 1941. Opposition was made to the conference report because it had eliminated the language of the amendment that I had placed in the bill to prevent the registration of firearms and the requisitioning of firearms. A motion to recommit the conference report was made here with instructions to include the House amendments, and upon a roll-call, the conference report was recommitted by a vote of 255 to 51, exactly 5 to 1. When the conference report came back to the House, it contained the almost identical language of the original House amendment. Thereupon that conference report was adopted. I want to point out that there have been other efforts to secure legislation or regulation for the registration of firearms. In 1947, the Department of Justice attempted to secure such a regulation. It is now clear that having failed in all of the previous attempts for a period of more than 30 years to secure legislation to require the registration of firearms of sportsmen, they are now attempting to acquire it by administrative action and I hope it will not be overlooked by the officer holding the hearings on the 27th day of August that the Congress of the United States even in the excitement and the frenzy of preparation for war by a vote of 5 to 1 rejected a provision which would have permitted exactly what is now attempted to be done by the Treasury Department by regulation.

Mr. IKARD. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield.

Mr. IKARD. Like the distinguished gentleman from Texas, I have shared his great concern over the proposed regulations. It seems to me that as he has so ably pointed out and largely through his interest and others here in the House, the Congress has repeatedly indicated clearly that it was not the intention of any legislation that was considered or passed here that there would be any registration.

The proposed serial numbers that may be required under these regulations are certainly not in keeping with the intent of the law. As my distinguished colleague has so ably pointed out, this is simply an attempt to do by administrative procedure that which could not be done through normal legislative procedure. It seems to me that if these regulations were put into effect they would drastically hamper and penalize every sportsman and law-abiding citizen of this country, every dealer and every manufacturer of firearms. They would utterly fail to deter the criminal element. I congratulate my distinguished fellow Texan in calling this to the attention of the House.

Mr. KILDAY. I thank the gentleman.

Since he has pointed out the serial-number question, I want to make it clear that approximately one-half the shotguns and two-thirds of all rifles manufactured in the United States are manufactured and sold without a serial number. With the antique weapons which might be transferred, it would be necessary that they be defaced in order to include such a serial number to comply with such regulation.

Mr. CUNNINGHAM of Iowa. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield.

Mr. CUNNINGHAM of Iowa. I wish to thank the gentleman for bringing this matter up. I wish to associate myself with the splendid remarks the gentleman has made. I have received many communications from sportsmen, in opposition to this proposed regulation by the Department. If that regulation goes into effect, a farmer cannot buy a shotgun or a rifle for use on his farm without its being registered and he having to sign a receipt and giving information as to what he intends to use it for and the same with the ammunition which he buys for that gun.

Mr. KILDAY. The gentleman is exactly correct. Actually there would not be much objection on the part of the farmers, but for a period of 3 years there has been an attempt to get this registration provision. It was always rejected. We cannot expect them to come in with a straight-out registration which they actually want; but, to begin with they propose an apparently reasonable provision such as this. In other words, they are attempting to do indirectly what they cannot do directly by act of Congress.

Mr. CUNNINGHAM of Iowa. Does not the gentleman feel that it is an attempt to place this regulation over our protest, and it will be the duty of the United States to pass legislation to prevent it?

Mr. KILDAY. Definitely. Congress will have to take action.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield.

Mr. PELLY. I think the gentleman has made a very splendid statement. I have a great many complaints from my constituents regarding the imposition of these unnecessary regulations. Out of his long background I think the gentleman has contributed a great deal, and I shall look forward to rereading his statement and passing it on to my constituents.

Mr. KILDAY. I thank the gentleman.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield.

Mr. DINGELL. I would like to associate myself with the remarks of the distinguished gentleman from Texas. I would like further to state to the gentleman and to this House that on the 27th of this month a number of bureaucrats in the Alcohol Tax Unit are going to get together and try to saddle the sportsmen and hunters of this country with regulations which may go a long way toward eliminating hunting and the possession of firearms by the people of this country under our Constitution, which confers on them the right to hold such firearms and such ammunition. I would like to associate myself with the remarks of the gentleman in condemning the great load that this is going to place on the ammunition manufacturers, sporting goods dealers, hardware dealers across this country who handle firearms. It may well prevent these people from selling supplies.

Mr. BREEDING. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield.

Mr. BREEDING. I want also to associate myself with the remarks of my colleague from Texas. I, too, have received many letters of protest against this ruling from constituents. I have sent them down to the Department of Internal Revenue.

I hope that if this regulation is issued Congress will take some action to nullify it, because my people do not want to have to be registered to get guns to shoot rabbits, coyotes, and things like that.

Mr. KILDAY. I thank the gentleman.

Mr. WILSON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield.

Mr. WILSON of Indiana. I wish to join my colleagues in expressing my appreciation to the gentleman from Texas for what he is doing and the fine statement he has made. It may be just a coincidence, but it happens that right now in Vandalia, Ohio, they are having their great annual shoot. It has been going on for a week, but today is the big day, and while I am here, my heart is out there.

I know that all those shooters are unalterably opposed to this regulation. They are opposed to it on the ground that it would practically make it impossible to continue their wonderful sport of trapshooting; and the regulation will serve no useful purpose when it is enacted. It would be more likely to help the criminal than the other fellow. The other fellow is the one who needs to be protected, yet he is not protected. I think, therefore, it would defeat its own purpose.

Mr. KILDAY. I thank the gentleman from Indiana.

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield.

Mr. LANHAM. I, too, Mr. Speaker, have received many protests against these proposed regulations. I trust that if they are issued that the gentleman from Texas and his committee will bring out legislation nullifying them.

Mr. KILDAY. I thank the gentleman from Georgia.

Mr. PILLION. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield.

Mr. PILLION. I wish to associate myself with the gentleman from Texas in his remarks. I wonder if the gentleman can give us his opinion as to whether or not the Department presently has authority to enact these proposed regulations for the registration of firearms?

Mr. KILDAY. There are two laws involved; one is the National Firearms Act of 1934, the other is the Federal Firearms Act of 1938. The National Firearms Act is a tax act designed to eliminate the submachinegun, the sawed-off shotgun, and the traditional weapons of gangsters. The Federal Firearms Act has to do with regulations concerning the interstate transportation of firearms. This latter law applies to practically all firearms and ammunition.

These laws do grant to the Department power to make regulations for their enforcement. The provisions to which I have referred specifically are only a few of a number contained in the proposed regulations. In my opinion they are neither authorized, justified, nor desirable as regulations within the power delegated by the Congress to the Department to make regulations.

Mr. THOMSON of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Wyoming.

Mr. THOMSON of Wyoming. I wish to associate myself with the remarks of the gentleman from Texas. I, too, represent an area of the West which is known for its hunting, its sport, and recreation, and also the hunting of game as a business, which is important to the people.

I have looked into the proposed regulations very carefully. It seems to me particularly that the regulations requiring the keeping of permanent records forever is a very stringent one, and that it would be particularly serious to both the makers and users of ammunition and firearms.

I congratulate the gentleman and agree with him.

Mr. KILDAY. I thank the gentleman from Wyoming.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield.

Mr. JENSEN. I, too, wish to associate myself with the position taken by the gentleman from Texas. I always appreciate the positions taken by the gentleman because in many matters in which we have been associated I have always found his opinion sound. Understandably I have a high regard for him, and I am glad to associate myself with him in the solution of this important matter.

Mr. KILDAY. It is needless for me to say that I appreciate the gentleman's remarks.

Mr. BROOKS of Texas. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Texas.

Mr. BROOKS of Texas. I, too, would like to associate myself with the very fine statement the gentleman has made and to congratulate him on his concise, forthright statement of the legislative history of this matter. I hope it will be of considerable benefit to the Members of the House and I trust that the Alcohol Tax Division of the Department of Internal Revenue will read it and consider it in the light in which it is offered.

Mr. KILDAY. I will make it available to them, I can assure the gentleman. The hearing officer will have it on the 27th.

Mr. YOUNG. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Texas.

Mr. YOUNG. I would like to commend my colleague from Texas on the fine statement he has made and I should like to associate myself with him in this matter.

Mr. KILDAY. I thank my colleague.

Mr. COAD. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Iowa.

Mr. COAD. I would like to associate myself with the remarks made by the gentleman from Texas. I may say that many thousands and thousands of sportsmen across the land are protesting this action taken by the Department in this proposed rule. I feel that as Members of the House, as Members of the Congress, it is our duty to point out to the administrative agency the inaccuracy of their action at this time.

Mr. BALDWIN. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from California.

Mr. BALDWIN. I would like to congratulate the gentleman for bringing up this subject at the present time and I hope the Department of Internal Revenue will give serious consideration to the remarks the gentleman from Texas has just made.

Mr. KILDAY. I thank the gentleman.

As I have said, these proposed regulations are opposed by sportsmen. Their opposition is entitled to great weight. Show me a sportsman who loves guns and you have shown me a man I can trust and tie to. For you have shown me a man who loves God's great outdoors, his family, and his home. He is, inevitably, a man who has retained the pioneer spirit of the Americans who built this Nation and extended its frontiers from the Atlantic to the Pacific.

Mr. Speaker, the registration of firearms is only the first step. If secured it will be followed by other infringements of the right to keep and bear arms until finally the right is gone. It is no shallow pretext. The right to keep and bear arms is a substantial and valuable right to a free people, and it should be preserved. Those portions of the proposed regulations which I have mentioned should not be adopted.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. McBride, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9131) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes."

The message further announced that the Senate agrees to the amendments of the House to Senate amendments numbered 6 and 54 to the above-entitled bill.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 9379) entitled "An act making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. HILL, Mr. ANDERSON, and Mr. THYE to be the conferees on the part of the Senate.

ATOMIC ENERGY APPROPRIATION BILL

Mr. CANNON submitted the following conference report and statement on the bill (H. R. 9379) making appropriations for the Atomic Energy Commission:

CONFERENCE REPORT (H. REPT. NO. 1242)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9379) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 4, and agree to the same.

CLARENCE CANNON,
LOUIS C. RABAUT,
JOE L. EVINS,
BEN F. JENSEN,
JOHN TABER,
Managers on the Part of the House.

CARL HAYDEN,
LISTER HILL,
CLINTON P. ANDERSON,
EDWARD J. THYE,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9379) making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

OPERATING EXPENSES

Amendment No. 1: Authorizes not to exceed $30,000 for official entertainment expenses as proposed by the Senate instead of $22,500 as proposed by the House.

Amendment No. 2: Authorizes not to exceed $46,100,000 for personal services as proposed by the Senate instead of $45,000,000 as proposed by the House.

Amendment No. 3: Appropriates $2,215,470,000 as proposed by the Senate instead of $2,196,556,000 as proposed by the House. The conferees on the part of both the House and the Senate are in agreement that the purpose of the $1,500,000 provided for advancement of the technology of the fast breeder concept is to make it possible for the Atomic Energy Commission to conduct research which is applicable to the development of a large-scale fast breeder reactor. Such a reactor is presently under construction by the Power Reactor Development Co., at Monroe, Mich. The Atomic Energy Commission has a contract with this company to provide certain research. The $1,500,000 requested in the budget estimate was for financing such research in the Atomic Energy Commission laboratories to be charged against the contract commitment.

The action that the conferees have taken provides for the same amount of money for research, the cost of which is not charged against the contract commitment. In other words, the conferees are not endorsing or implying approval of the existing contract with the Power Reactor Development Co.

PLANT ACQUISITION AND CONSTRUCTION

Amendment No 4: Appropriate $108,162,500 as proposed by the Senate instead of $103,162,500 as proposed by the House.

CLARENCE CANNON,
LOUIS C. RABAUT,
JOE L. EVINS,
BEN F. JENSEN,
JOHN TABER.
Managers on the Part of the House.

Mr. CANNON. Mr. Speaker, I call up the conference report on the bill (H. R. 9379) making appropriations for the Atomic Energy Commission, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the statement.

Mr. CANNON. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Speaker, I should like to propound a question of the distinguished chairman of the Committee on Appropriations. It is my understanding that this is the final appropriation bill for this session with the exception of the Mutual Security Appropriation bill.

Mr. CANNON. That is correct.

Mr. PASSMAN. If it should become necessary to reopen hearings briefly on the Mutual Security bill, is my understanding correct that the House rules and the rules of the Appropriation Committee permit that?

Mr. CANNON. That is correct. The authority is clearly set forth in rule XI.

Mr. PASSMAN. I thank the gentleman.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, may I say that the minority members of the conference are in complete agreement with the report just read and are in complete agreement with the position taken by the conferees in regard to the bill. This report comes back to the House with the complete and unanimous agreement of the conference committee.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Iowa.

Mr. GROSS. Is the appropriation up or down as a result of the conference?

Mr. CANNON. It is up.

Mr. GROSS. How much?

Mr. CANNON. It is still $167,992,500 less than the estimate.

Mr. GROSS. Less than what?

Mr. CANNON. The estimate. The budget.

Mr. GROSS. Of course, that does not mean very much.

They always ask for more than they expect to get. But how much is it up, does the gentleman know offhand?

Mr. CANNON. Yes; this conference report is $23,914,000 above the House figures. That is, the Senate has increased the amount about $24 million. But even at that, it is still $167,992,500 below the budget estimate. It is in that respect an economy bill.

Mr. GROSS. If the gentleman will yield further, I suppose we ought to be grateful that the other body did not kick it up some more.

Mr. CANNON. Off the record, small favors are always greatly received.

Mr. JENSEN. And large ones in proportion, may I add.

Mr. CANNON. Mr. Speaker, this represents complete agreement, a unanimous agreement, not only between the two Houses, but of all the House managers and all the Senate managers.

I therefore move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PROGRAM FOR NEXT WEEK

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN of Illinois. Mr. Speaker, I have asked for this time to inquire of the acting majority leader as to the program for next week.

Mr. ALBERT. Monday is District Day. There is one bill, H. R. 8220, to amend the Business Corporation Act.

There is a conference report on H. R. 1937, which is the District of Columbia stadium bill, subject to action by the Senate.

H. R. 6127, the Civil Rights Act of 1957, subject to a rule.

Mr. ALLEN of Illinois. The gentleman says it is subject to a rule. Can the gentleman tell us what is going to happen?

Mr. ALBERT. I can advise the gentleman that we program it with some additional confidence and certainly more hope than we did last week.

Mr. ALLEN of Illinois. On what date does the gentleman expect to bring that up?

Mr. ALBERT. That is some day following Monday.

The conference report on H. R. 9302, the mutual security appropriation bill for 1958, is expected to be taken up some time during the week.

It is hoped that arrangements can be made on Monday to call the Consent Calendar and suspend the rules later in the week.

Any further program will be announced later and conference reports may be brought up at any time.

Mr. PASSMAN. Mr. Speaker, will the distinguished gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Did I understand the distinguished majority leader to say that the mutual security appropriation bill would come to the floor on Tuesday?

Mr. ALBERT. No; the program I have announced is for Monday and the balance of the week.

Mr. PASSMAN. I thank the gentleman.

Mr. ALLEN of Illinois. May I ask the gentleman further, in regard to the Consent Calendar, when is that going to be called?

Mr. ALBERT. We have only announced that on Monday we would try to arrange a date for the call of the Consent Calendar, at some later date.

Mr. ALLEN of Illinois. But it is not definitely set for Monday?

Mr. ALBERT. It will not be called on Monday. No attempt will be made to call it on Monday.

Mr. ALLEN of Illinois. Mr. Speaker, one more question. When may be expect to adjourn?

Mr. ALBERT. When we have completed the business of the session.

ADJOURNMENT OVER UNTIL MONDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that, when the House adjourns today, it adjourns to meet on Monday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INTERIM AUTHORITY TO RECEIVE MESSAGES AND SIGN ENROLLED BILLS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that, notwithstanding the adjournment of the House until Monday next, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALENDAR WEDNESDAY BUSINESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the call of the committees under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE ABRAHAM LINCOLN SESQUICENTENNIAL COMMISSION SHOULD NOT BE USED FOR COMMERCIAL PURPOSES

Mr. MACK of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MACK of Illinois. Mr. Speaker, I am one of the Members of this body who is a sponsor of a resolution to establish a Commission to appropriately celebrate the 150th anniversary of the birth of Abraham Lincoln. I testified before the House Judiciary Subcommittee when these resolutions were being considered, and I expressed my support of this resolution again on Tuesday, August 20, when House Joint Resolution 351 was approved by the House of Representatives.

Mr. Speaker, I still strongly support this legislation and feel that it is imperative that Congress take action on it during this session. However, I am concerned about the possibility that some commercial concern might try to take advantage of the establishment of this Commission to promote their own cause.

Mr. Speaker, I am gratified that the Lincoln National Life Foundation had a representative testify before the Judiciary Subcommittee on behalf of this bill, but I feel that the testimony reveals a very close relationship with a commercial life insurance company. Therefore, I believe we should be extremely cautious to see that we are not promoting any commercial activity which is associated with this foundation.

Mr. Speaker, I do not feel unkindly toward the Lincoln National Life Insurance Co. as my relations with them have been extremely pleasant, and I hold a policy issued by them. However, I sincerely hope that the Commission will not authorize material received by it to be deposited in any private library such as the Lincoln National Life Insurance library, as this would appear that a public commission was serving a private purpose.

Therefore, Mr. Speaker, I hope that this statement will serve as adequate notice that the Congress does not intend for the Abraham Lincoln Sesquicentennial Commission to be associated in any way with any type of commercial venture.

LEAD AND ZINC PRODUCTION AND IMPORTS

The SPEAKER. Under previous order of the House, the gentleman from Louisiana [Mr. BOGGS] is recognized for 15 minutes.

Mr. BOGGS. Mr. Speaker, it so happens that I was not present on yesterday when there was considerable discussion about lead and zinc. It so happens that I have had the privilege of serving as chairman of the Subcommittee on Foreign Trade Policy of the Committee on Ways and Means, and in that connection I should like to address a few remarks to the Members of the House about the controversy which has arisen with respect to the situation now existing in these industries.

Mr. Speaker, it seems to me that there has been wide appreciation of the decision and the action taken by the distinguished chairman of the Committee on Ways and Means, the gentleman from Tennessee [Mr. COOPER], in writing a letter to the President of the United States about this subject. As a matter of fact, the President of the United States, as I understand it, agreed with the gentleman from Tennessee in his press conference on Wednesday. In my judgment, the letter deserves the support of every Member of this body, for it calls for responsibility on the part of the President under the authority previously delegated to him by the Congress.

Mr. Speaker, in my opinion this is not a question of whether the domestic lead and zinc mining industries need relief. It is a question of determining the relief that is appropriate and the manner in which such relief should be granted. Let me remind my colleagues that in all the controversy that has been raised over the lead and zinc matter we have had little instruction or advice from the executive branch as to what the national requirements are and how they can best be served in the maintenance of a healthy lead and zinc mining industry. We have had no information as to how the executive branch arrived at the target prices of 17 cents per pound for lead metal and 14.5 cents per pound for zinc. We were not told how the sliding-scale import-tax system is to accomplish the achievement of these price targets nor what the effects would be on various segments and components of the lead and zinc industry. As a matter of fact, in testimony before the Committee on Ways and Means the industry itself testified that they felt that these proposals were not adequate.

The legislation proposed by the Department of the Interior has all the earmarks of having been hastily drafted and in my judgment of having not been thought through. It has provoked opposition and dissatisfaction on the part of all the parties at interest. The executive branch asked the Congress to take the responsibility for enacting legislation in a hurry and without providing the basis for an understanding of the implications and effects of the proposals.

What is particularly curious to me is that the President should ask for expeditious action by the Congress when it is perfectly clear that the import taxes proposed in the legislation could not become effective until the 1st of January 1958, even if the legislation were enacted during this session. If the administration's information justifies the legislation recommended to the Congress by the Department of the Interior, the President can bring corrective measures into effect more quickly under the escape clause and national security provisions of the trade agreements legislation. Obviously, Mr. Speaker, that is the orderly way to proceed. As a matter of fact, the Secretary of the Interior did not address a communication to the chairman of the Committee on Ways and Means about this matter until sometime late in June of this year. The chairman of my committee, the gentleman from Tennessee [Mr. COOPER] in his letter to the President pointed out the desirability of respecting the procedures laid down by the Congress in existing law. He made clear the dangers involved in a shortsighted departure from these established procedures. The President, as I previously said, in his press conference statement on Wednesday agreed upon reflection that it was desirable to follow these procedures. He now has the benefit of Congressional opinion as well as those of the parties in interest in this legislation, as expressed in the hearings of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the other body. The question is now one for Presidential consideration and action within the framework of existing law, and in the light of our national interest, as established by these laws. It is my hope that the debate over this matter will prove to be instructive and helpful to the industry and that the executive branch will give adequate and intelligent and immediate consideration to the essential problems of identifying an effective and meaningful minerals policy and that in implementing such a policy recourse will be made to existing law and existing procedures to the extent possible and necessary.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a letter addressed to the President of the United States by the distinguished chairman of the Committee on Ways and Means, the gentleman from Tennessee [Mr. Cooper].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield.

Mr. EDMONDSON. I would like to express my personal appreciation to the gentleman for his statement, and particularly appreciation for his cooperation. I hope that we will have speedy action upon this problem by the executive department and a speedy response to the letter addressed to the President by the chairman of the Committee on Ways and Means.

Mr. BOGGS. I thank the gentleman. I might say I know of no person who has been more anxious to bring about relief, if it be required, for these industries than has been the gentleman from Oklahoma. He has actively appeared before the Committee on Ways and Means as did the distinguished gentleman from Missouri [Mr. Brown] who is now seated next to him in the Chamber in connection with this problem and I am quite certain that both gentlemen are well aware of the fact that the laws as now written are entirely adequate to cover these problems.

Mr. EDMONDSON. I thank the gentleman for the kind words. I have not yet expressed it publicly, but I would like to express my appreciation to the entire membership of the Commitee on Ways and Means for doing something rather unprecedented at this very late hour in the session, which they did in taking up this problem and in completely airing the problem when we were in what everyone knows are the last few weeks of the session. The hearings which were held, I do believe, were helpful to the understanding by the Congress and by the public in this country of a very great problem in a very vital industry.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield.

Mr. SPRINGER. I think the gentleman knows my record on this question of tariffs. I am the only Member of Congress who testified in favor of the OTC bill a year ago last January without qualification and without any amendments.

Mr. BOGGS. That is correct.

Mr. SPRINGER. I do think it is the feeling of the President that he is not trying to escape his responsibilities on this, but the President does believe there is a joint responsibility with the Congress in this matter and that there is some responsibility in the Congress to express themselves on what ought to be done. I realize there are some remedies here through the escape clause and the peril-point provision and so on which does give the President a chance to make a survey, and maybe he is in a better position than we are to get all the facts in reference to it. At the same time I do not believe that we here in Congress can escape the responsibility which we also have in the same vital circumstances

Mr. BOGGS. I am quite certain that the gentleman has realized that if we attempt to legislate in this area with respect to two industries and at the same time neglected to take action with respect to a great many other industries which have either by representations to the clerk of our committee or by the introduction of legislation by Members of this body indicated that they, too, feel they are entitled to consideration. In my judgment the result of the proposal of the Executive in this instance would be the writing of another tariff bill on the floor of the House of Representatives. I do not think the gentleman contemplates or desires that.

Mr. SPRINGER. I do not think the President contemplates that that would be necessary, but I do believe when he specifically requests legislation on a particular subject, that takes on a different meaning insofar as the executive branch is concerned. I think the gentleman realizes that is rather unprecedented for the President to ask for legislation such as this, where he has the escape-clause provision, but I do believe he felt this was a policy which ought to be pointed out, and Congress should take a stand. In this particular instance I think he felt there should be some guideposts set up. I am not in argument with the gentleman at all. I respect his viewpoint. I think he is sincere. I have read the letter of the distinguished chairman of your committee and he has shown much statesmanship in the drafting of that letter.

Mr. BOGGS. I thank the gentleman. I do think it is the genuine hope of all of us that this problem can be worked out. Certainly there is no one who wants to see two industries such as the lead and the zinc industry, which are both essential to the security of the United States, experience any hardships. I can assure the gentleman that I, as well as the gentleman from Illinois, the gentleman from Missouri [Mr. Brown], and the gentleman from Oklahoma [Mr. Edmondson] are just as anxious as they are that these problems be worked out. But I think it is a vain and useless thing for us to establish machinery whereby these problems can be worked out, if the executive department is not to utilize them.

Mr. SPRINGER. Let me ask the gentleman this question. In a way he has utilized the machinery that has been set up, is that not true?

Mr. BOGGS. No. What has happened now is that we had these hearings. Then the chairman directed this letter to the President of the United States, pointing out the escape-clause provisions, as well as section 7 (b) of the Trade Agreement Act, and mentioned how those can both be applied. Now the President has agreed that that is probably the best way to proceed, and we are now expressing the hope that they will proceed.

Mr. SPRINGER. If there is anything which the President does want, we will have a chance to review that when the Congress meets again in January.

Mr. BOGGS. That is true.

Mr. BROWN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield.

Mr. BROWN of Missouri. I thank the gentleman for the kind reference he made a moment ago. I rise to emphasize what the gentleman just said, that there are two provisions in current law granting authority for relief of the lead and zinc industries, but the most important provision of all is section 7 (b), and the President has ample authority there, and I think the gentleman from Louisiana recognizes it and he has said so many times, that the President has the authority to adjust this situation in accord with the demands and needs of the times.

Mr. BOGGS. Let me say to the gentleman from Missouri [Mr. Brown] that I am vitally interested in our Government carrying on an enlightened foreign trade policy. I recognize that that policy cannot be carried on if certain industries in this country feel that they are being penalized by actions taken or not taken either by the legislative or the executive branch of our Government. So that in order to maintain an enlightened foreign trade policy, I think it is vital that we work out the problems affecting the lead and zinc industries, the fluorspar industry, the tuna fish industry, the textile industry, and others who have been before us with complaints that deserve the attention of our committee and plans which deserve the attention of the executive branch of the Government.

I hope I have made myself clear.

Mr. BROWN of Missouri. The gentleman most certainly has, and I concur with him in the statement he has just made. I believe it can be done within the framework of existing law. That is the reason section 7 (b) was placed in the law. It was also the reason for the escape clause. I just hope that we move forward to a speedy relief. That is that 7 (b) is the section being employed to relieve the difficulties around the domestic petroleum industry as the result of the imports of offshore oils; yet the same section is not being employed by the Office of Defense Mobilization in the case of the industry in which the gentleman is interested.

I thank the gentleman.

ARMY GENERAL HOSPITAL AT WALTHAM, MASS.

The **SPEAKER** pro tempore. Under the previous order of the House, the gentlewoman from Massachusetts [Mrs. Rogers] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I shall not use all the time allotted to me.

Mr. Speaker, on several occasions the House has expressed its interest and approval of keeping the Army Murphy Hospital at Waltham, Mass., open.

I received word today that on January 1, 1958, the Army plans to close it.

I shall continue to fight for it, Mr. Speaker, and I feel sure that the House which has supported the New England delegation so many times and which placed in the last appropriation bill money to keep the hospital open, will help me in this fight.

The Army states that the personnel will be taken care of in the main, but they do not say anything in this notice to me of the fact that it will be a tremendous tragedy to the patients who will have to be moved, some of them many miles away from home, probably to Walter Reed Hospital here in Washington, a distance of 450 miles.

I believe they will reconsider their decision, Mr. Speaker.

LATIN AMERICAN POLICY

Mr. PORTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The **SPEAKER**. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, the flagrant inaccuracies in the remarks made yesterday by the gentleman from Tennessee [Mr. Reece] could be overlooked as merely ridiculous and a reflection on his sources of information except that the charges he makes on the basis of his misinformation are so serious and irresponsible.

He criticizes Governor Muñoz-Marin, of Puerto Rico, because a news item states that the two Dominican revolutionary leaders visited briefly at the Governor's residence. Both leaders are anticommunistic.

The gentleman refers to Puerto Rico as an American Territory, whereas it is, and has been since July 1952, an associated State which elects its own Governor and lawmakers.

That the gentleman is unaware of this basic fact about Puerto Rico is a sign of the vastness of his ignorance and the degree of his temerity in seeking to smear Governor Muñoz-Marin as favorable to the forces of international communism.

The gentleman is correct in saying that Governor Muñoz-Marín, President Figueres, of Costa Rica, former Venezuelan President Betancourt, and I are all enemies of Trujillo. This does not make us Communists, in spite of what Trujillo's hirelings insist.

The gentleman is incorrect in stating that Figueres and Betancourt are friendly with any Communists. They are distinguished and honorable leaders for democracy. If the gentleman had an elementary knowledge of recent events in Latin America, he would know that Figueres personally led the first armed attack in this hemisphere on Communist forces, and that he has been fighting them successfully ever since.

I challenge the gentleman to produce any evidence that Figueres and Betancourt are, in the gentleman's words, seeking to "get" Trujillo. On the other hand, I have at hand evidence indicating that Trujillo has sent paid killers to Costa Rica to kill President Figueres.

The gentleman states that the United States will come in for "its share of the blame" for "permitting" my activities—he does not specify which ones he has in mind. Can the gentleman suggest how the United States can forbid a Congressman from speaking his mind?

My constituents appear to approve my activities and statements even if the gentleman would prefer that I refrain from calling a murderer a murderer and a dictator a dictator. Trujillo is both murderer and dictator.

The gentleman wants our Government to investigate the people—including me—making charges against the so-called Dominican Republic. I point out to him that the investigation being conducted by our Government arose out of the Gerry Murphy case and that our Government, on the basis of proof gathered by the FBI, has rejected the explanation repeatedly offered by the Dominican Government as to how and why Gerry was murdered. Does the gentleman have information about me or the other persons he names which would discredit our charges? Or does he prefer to impugn our motives by dark inferences and flat assertions?

In conclusion, the gentleman states, in a flurry of non sequitur:

> One thing is certain, however, the assassinations of the leaders of friendly anti-Communist countries must stop, and they will not be stopped by investigating Trujillo.

Now, let us examine these remarkable words. Does the gentleman mean that the assassinations will stop if the investigation of Trujillo stops? That does not follow at all.

Our Government is not investigating Trujillo, except as the evidence in the Murphy-Galindez cases shouts his guilt and leads to him in that unhappy "Republic."

Trujillo is investigating Trujillo in this country through his public relations man, Sydney Baron ,and lawyer, Morris Ernst. Shall we call off this investigation to prevent further assassinations? The gentleman should take this up personally with Trujillo himself.

Of course, so far as it is within our power, we want to stop these assassinations, but our opinion in this regard does not require us to suspend judgment as to which countries are really anti-Communist nor to call off the investigation of the murder of an American boy.

MAJOR LEAGUE BASEBALL IN SAN FRANCISCO

Mr. SHELLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SHELLEY. Mr. Speaker, I rise for a happy occasion—to extend to my distinguished colleagues an invitation to attend with me and with the citizens of my native city of San Francisco, the opening game of the 1958 season of our new major league team, the Giants.

This invitation, coming as it does a full 6 months early, may seem a bit premature, but there is bound to be a mighty long line waiting to get in for this opening game.

The baseball team which for 74 years called Coogan's Bluff its home, has made—literally—a giant step forward, and the National League has truly become national in all respects.

The Giants will be playing not only in our beautiful weather; in the justly famous atmosphere of hospitality and enthusiasm of San Francisco baseball fans, but in the very home country of such baseball greats as the DiMaggios, Ty Cobb, Joe Cronin, Casey Stengel, and a score of others.

They will play in a brandnew stadium seating 40,000 fans, with adjoining parking space for 12,000 automobiles.

This move of the Giants to the Golden Gate was a logical development in San Francisco history. In the middle of the 19th century the mountain men moved up the western valleys. They were followed by the covered wagons of the first settlers. Hard on their heels, in forty-nine, came what can only be described as a westward migration when the shout, "gold" was on every man's lips. Next came the railroads bringing permanent settlers. Then industrialization and expansion, and now the big league has arrived.

Mr. Speaker, we are very much sought after in San Francisco.

I appreciate that many of my colleagues are already happily familiar with the lovely vistas and the many delights of my native city of San Francisco. For others the pleasurable experience lies ahead. We hope that both the old San Francisco hands as well as the uninitiated will be there to help give the Giants a rousing welcome this spring as the hickory hits the hide and the sun shines bright on the big leaguers in their new San Francisco home.

> Somewhere in this favored land the sun is
> shining bright.
> The band is playing somewhere and somewhere hearts are light.
> And somewhere men are laughing and somewhere children shout * * *.

That "somewhere," Mr. Speaker, will be San Francisco, where the famous old song, Take Me Out to the Ball Game, may soon edge out California, Here I Come on what we hope will be a hit parade.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to Mr. FLOOD (at the request of Mr. WALTER) indefinitely, on account of business of the Appropriations Committee.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. KILDAY, for 20 minutes, on today.

Mr. COLLIER, for 15 minutes, on Monday next.

Mr. BOGGS, for 15 minutes, today.

Mrs. ROGERS of Massachusetts, for 5 minutes, on Monday, August 26.

Mr. POLK (at the request of Mr. EDMONDSON), for 30 minutes, on Tuesday, August 27.

Mr. POLK, for 15 minutes, on Wednesday, August 28.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. NEAL.

Mr. CANNON (at the request of Mr. RABAUT) and to include extraneous matter.

Mr. ASHLEY (at the request of Mr. EDMONDSON) and include extraneous matter.

Mr. SHELLEY and to include extraneous matter.

Mr. RHODES of Pennsylvania.

Mr. POFF.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 25. An act relating to effective dates of increases in compensation granted to wage board employees; to the Committee on Post Office and Civil Service.

S. 1828. An act to retrocede to the State of Montana concurrent police jurisdiction over the Blackfeet Highway and its connections with the Glacier National Park road system, and for other purposes; to the Committee of Interior and Insular Affairs.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1558. An act for the relief of Phillis Guyadeen;

H. R. 1678. An act to provide for the quitclaiming of the title of the United States to the real property known as the Barcelona Lighthouse Site, Portland, N. Y.;

H. R. 1741. An act for the relief of Ikkuko Morooka Mahoney;

H. R. 1868. An act for the relief of Daniel Adamson;

H. R. 4240. An act for the relief of Cornelia S. Roberts;

H. R. 4854. An act for the relief of Victoria Galea;

H. R. 6508. An act to modify the Code of Law for the District of Columbia to provide for a uniform succession of real and personal property in case of intestacy, to abolish dower and curtesy, and to grant unto a surviving spouse a statutory share in the other's real estate owned at time of death, and for other purposes;

H. R. 7384. An act for the relief of the town of Medicine Lake, Mont.;

H. R. 7671. An act to amend section 116 of chapter X of the Federal Bankruptcy Act, to make certan equipment trust provisions applicable to aircraft and aircraft equipment of air carriers;

H. R. 8284. An act for the relief of Innocenza Guarascio;

H. R. 9131. An act making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes;

H. J. Res. 338. Joint resolution for the relief of certain aliens;

H. J. Res. 340. Joint resolution to facilitate the admission into the United States of certain aliens;

H. J. Res. 368. Joint resolution for the relief of certain aliens;

H. J. Res. 373. Joint resolution to facilitate the admission into the United States of certain aliens;

H. J. Res. 387. Joint resolution for the relief of certain spouses and minor children of citizens of the United States;

H. J. Res. 392. Joint resolution for the relief of certain aliens;

H. J. Res. 409. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; and

H. J. Res. 411. Joint resolution for the relief of certain aliens.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 999. An act authorizing the Secretary of the Interior to convey certain land to the State of North Dakota for the use and benefit of the North Dakota State School of Science;

S. 1520. An act to amend an act entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways, and for other purposes";

S. 1574. An act to provide for the disposal of certain Federal property in the Coulee Dam and Grand Coulee areas, to provide assistance in the establishment of a municipality incorporated under the laws of Washington, and for other purposes; and

S. J. Res. 96. Joint resolution to authorize establishment of the U. S. S. *Enterprise* (CV-6) in the Nation's Capitol as a memorial museum.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On August 22, 1957:

H. R. 993. An act to provide for the conveyance of certain land by the United States to the Cape Flattery School District in the State of Washington;

H. R. 1259. An act to clear the title to certain Indian land;

H. R. 1349. An act for the relief of John J. Fedor;

H. R. 1365. An act for the relief of Elmer L. Henderson;

H. R. 1424. An act for the relief of Sylvia Ottila Tenyi;

H. R. 1595. An act for the relief of Vanja Stipcic;

H. R. 1636. An act for the relief of George D. LaMont;

H. R. 1826. An act to authorize the sale of certain lands of the United States in Wyoming to Bud E. Burnaugh;

H. R. 1851. An act for the relief of Dezrin Boswell (also known as Dezrin Boswell Johnson);

H. R. 1953. An act to provide that checks for benefits provided by laws administered by the Administrator of Veterans' Affairs may be forwarded to the addressee in certain cases;

H. R. 2224. An act providing for payment to the State of Washington by the United States for the cost of replacing and relocating a portion of secondary highway of such State which was condemned and taken by the United States;

H. R. 2973. An act for the relief of the estate of William V. Stepp, Jr.;

H. R. 3025. An act to authorize the Secretary of the Navy to surrender and convey to the city of New York certain rights of access in and to Marshall, John, and Little Streets adjacent to the New York Naval Shipyard, Brooklyn, N. Y., and for other purposes;

H. R. 3184. An act for the relief of Gordon Broderick;

H. R. 3280. An act for the relief of Mrs. Grace C. Hill;

H. R. 3818. An act to provide for the maintenance of a roster of retired judges available for special judicial duty and for their assignment to such duty by the Chief Justice of the United States;

H. R. 3819. An act to amend section 331 of title 28, United States Code, to provide representation of district judges on the Judicial Conference of the United States;

H. R. 4098. An act to provide for the conveyance to the State of California a portion of the property known as Veterans' Administration Center Reservation, Los Angeles, Calif., to be used for National Guard purposes.

H. R. 4230. An act for the relief of W. C. Shepherd, trading as W. C. Shepherd Co.

H. R. 4344. An act for the relief of Malone Hsia;

H. R. 4447. An act for the relief of W. R. Zanes & Co., of La., Inc.;

H. R. 5288. An act for the relief of Orville G. Everett and Mrs. Agnes H. Everett;

H. R. 5894. An act to amend the laws relating to the endorsement of masters on vessel documents and to provide certain additional penalties for failure to exhibit vessel documents or other papers when required by enforcement officers;

H. R. 5924. An act relating to the International Convention to Facilitate the Importation of Commercial Samples and Advertising Matter;

H. R. 6080. An act to provide for the conveyance of certain property of the United States in Gulfport, Miss., to the Gulfport Municipal Separate School District.

H. R. 6709. An act to implement a treaty and agreement with the Republic of Panama, and for other purposes;

H. R. 7051. An act to stimulate industrial development near Indian reservations;

H.R. 7914. An act to amend the Career Compensation Act of 1949 to provide incentive pay for human test subjects;

H. R. 8076. An act to provide for the termination of the Veterans' Education Appeals Board established to review certain determinations and actions of the Administrator of Veterans' Affairs in connection with education and training for World War II veterans;

H. R. 8531. An act to provide an interim system for appointment of cadets to the United States Air Force Academy for an additional period of 4 years;

H. R. 8705. An act to permit articles imported from foreign countries for the purpose of exhibition at the Saint Lawrence Seaway Celebration, to be held at Chicago, Ill., to be admitted without payment of tariff, and for other purposes; and

H. R. 8821. An act to amend title II of the Social Security Act to facilitate the provision of social security coverage for State and local employees under certain retirement systems.

On August 23, 1957:

H. R. 293. An act to authorize settlement for certain inequitable losses in pay sustained by officers of the commissioned services under the emergency economy legislation, and for other purposes;

H. R. 787. An act to authorize the exchange of certain lands between the United States of America and the State of California;

H. R. 1944. An act to amend title II of the Social Security Act so as to make inapplicable, in the case of the survivors of certain members of the Armed Forces, the provisions which presently prevent the payment of benefits to aliens who are outside the United States;

H. R. 2741. An act to authorize and direct the Administrator of Veterans' Affairs to convey certain lands of the United States to the Hermann Hospital Estate, Houston, Tex.;

H. R. 2842. An act to amend the Tariff Act of 1930 to provide for the temporary free importation of certain tanning extracts, and to amend the Internal Revenue Code of 1954 to suspend temporarily the tax on the processing of coconut oil;

H. R. 2979. An act for the relief of Mary Hummel;

H. R. 3246. An act to authorize the exchange of lands at the United States Naval Station, San Juan, Puerto Rico, between the Commonwealth of Puerto Rico and the United States of America;

H. R. 3588. An act for the relief of Chandler R. Scott;

H. R. 3658. An act to liberalize certain criteria for determining eligibility of widows for benefits;

H. R. 4602. An act to encourage new residential construction for veterans' housing in rural areas and small cities and towns by raising the maximum amount in which direct loans may be made from $10,000 to $13,500, to authorize advance financing commitments, to extend the direct loan program for veterans, and for other purposes;

H. R. 6166. An act for the relief of Michael S. Tillmon;

H. R. 6456. An act to amend section 304 (d) of the Federal Food, Drug, and Cosmetic Act, with respect to the disposition of certain imported articles which have been seized and condemned;

H. R. 6952. An act to authorize the transfer of naval vessels to friendly foreign countries;

H. R. 7458. An act to amend the Fair Labor Standards Act of 1938, as amended, to restrict its application in certain overseas areas, and for other purposes;

H. R. 7467. An act to amend the act of March 3, 1901, with respect to the citizenship and residence qualifications of the directors or trustees of certain companies in the District of Columbia;

H. R. 7697. An act to provide additional facilities necessary for the administration and training of units of the reserve components of the Armed Forces of the United States;

H. R. 8005. An act to provide for the conveyance of interests of the United States in and to fissionable materials in certain tracts of land situated in Cook County, Ill., and in Buffalo County, Nebr.

H. R. 8079. An act to amend the act of June 20, 1910, by deleting therefrom certain provisions relating to the establishment, deposit, and investment of funds derived from land grants to the States of New Mexico and Arizona;

H. R. 8240. An act to authorize certain construction at military installations, and for other purposes;

H. R. 8753. An act to amend title II of the Social Security Act to include California, Connecticut, Minnesota, and Rhode Island among the States which are permitted to divide their retirement systems into two parts so as to obtain social-security coverage, under State agreement, for only those State and local employees who desire such coverage;

H. R. 8755. An act to amend title II of the Social Security Act to permit any instrumentality of two or more States to obtain social security coverage, under its agreement, separately for those of its employees who are covered by a retirement system and who desire such coverage, to include Alabama, Georgia, New York, and Tennessee among the States which may obtain social security coverage for policemen and firemen in positions covered by a retirement system on the same basis as other State and local employees, and to extend the period during which State agreements for social security coverage of State and local employees may be made retroactive.

H. R. 8892. An act to amend the Internal Revenue Code of 1954 to extend the time within which a minister may elect coverage as a self-employed individual for social security purposes and to permit such a minister to include, for social security purposes, the value of meals and lodging furnished him for the convenience of his employer and the rental value of the parsonage furnished to him, and for other purposes; and

H. R. 8929. An act to amend the act of August 27, 1935, as amended, to permit the disposal of lands and interests in lands by the Secretary of State to aliens.

ADJOURNMENT

Mr. EDMONDSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 24 minutes p. m.) the House, pursuant to its previous order, adjourned until Monday, August 26, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1159. A letter from the Acting Secretary of the Army, transmitting a report of claims paid by the Department of the Army for fiscal year 1957, pursuant to the Federal Tort Claims Act, as codified and amended (28 U. S. C.); to the Committee on the Judiciary.

1160. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 26, 1957, submitting a report, together with accompanying papers and illustrations, on a hurricane survey of Narragansett Bay area, Rhode Island and Massachusetts, authorized by Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 230); to the Committee on Public Works and ordered to be printed with 5 illustrations and 13 photographs.

1161. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 3, 1957, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Vermilion Harbor, Ohio, authorized by the River and Harbor Act, approved March 2, 1945 (H. Doc. No. 231); to the Committee on Public Works and ordered to be printed with one illustration.

1162. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 19, 1957, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Kaskaskia River, Ill., authorized by the Flood Control Act approved June 28, 1938 (H. Doc. No. 232); to the Committee on Public Works and ordered to be printed with two illustrations.

1163. A letter from the Secretary of State, transmitting a report entitled "Preliminary Examination and Survey Report: Feasibility of Channel Control Dams—Lower Rio Grande," dated January 1957, pursuant to the act approved August 4, 1955 (69 Stat. 464) (H. Doc. No. 233); to the Committee on Foreign Affairs and ordered to be printed with illustrations.

1164. A letter from the Secretary of Commerce, transmitting the 40th Quarterly Report, covering the second quarter 1957, as required under the Export Control Act of 1949; to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WILLIAMS of Mississippi: Committee of conference. H. R. 9023. A bill to amend the act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, N. Mex., for furnishing hospital care to certain Indians (Rept. No. 1237). Ordered to be printed.

Mr. ENGLE: Committee of conference. S. 1482. An act to amend certain provisions of the Columbia Basin Project Act, and for other purposes (Rept. No. 1238). Ordered to be printed.

Mr. WALTER: Committee on Un-American Activities submits a report on proceeding against Louis Earl Hartman (Rept. No. 1239). Ordered to be printed.

Mr. WALTER: Committee on Un-American Activities submits a report on proceeding against Frank Gruman (Rept. No. 1240). Ordered to be printed.

Mr. WALTER: Committee on Un-American Activities submits a report on proceeding against Bernard Silber (Rept. No. 1241). Ordered to be printed.

Mr. CANNON: Committee of conference. H. R. 9379. A bill making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 1242). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHLEY:

H. R. 9423. A bill to amend the Railroad Retirement Act of 1937 to provide that a widow who loses her widow's annuity by remarriage may again become entitled to such annuity if her husband dies before she qualifies (under the definitions contained in such act) as his widow; to the Committee on Interstate and Foreign Commerce.

By Mr. COOPER:

H. R. 9424. A bill to amend certain administrative provisions of the Tariff Act of 1930 and related laws, and for other purposes; to the Committee on Ways and Means.

By Mr. REED:

H. R. 9425. A bill to amend certain administrative provisions of the Tariff Act of 1930 and related laws, and for other purposes; to the Committee on Ways and Means.

By Mr. HARRIS:

H. R. 9426. A bill to amend the act of May 23, 1948, so as to improve the administration of the public airports in the Territory of Alaska; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLT:

H. R. 9427. A bill to provide a minimum initial program of tax relief for small business and for persons engaged in small business; to the Committee on Ways and Means.

H. R. 9428. A bill to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of employers substantially engaged in commerce, to amend certain exemptions, and for other purposes; to the Committee on Education and Labor.

By Mr. McINTIRE:

H. R. 9429. A bill to provide certain assistance to State and Territorial maritime academies or colleges; to the Committee on Merchant Marine and Fisheries.

By Mr. REES of Kansas:

H. R. 9430. A bill to authorize a 4-year program of Federal loan and credit assistance to States and communities to enable them to increase public elementary and secondary school construction; to the Committee on Education and Labor.

H. R. 9431. A bill to provide for the issuance of a postage stamp in commemoration of the 50th anniversary of the Women's Congressional Club; to the Committee on Post Office and Civil Service.

By Mr. BONNER:

H. R. 9432. A bill to authorize the construction and sale by the Federal Maritime Board of a passenger vessel for operation in the Pacific Ocean; to the Committee on Merchant Marine and Fisheries.

By Mr. GUBSER:

H. R. 9433. A bill to authorize private transactions involving the sale, acquisition, or holding of gold within the United States, its Territories and possessions, including Alaska, and for other purposes; to the Committee on Banking and Currency.

By Mr. PATTERSON:

H. R. 9434. A bill to provide that certain areas shall be deemed to be major disaster areas; to the Committee on Public Works.

By Mr. GWINN:

H. R. 9435. A bill to amend the Internal Revenue Code of 1954 by repealing certain sections concerning taxes upon estates and gifts and for other purposes; to the Committee on Ways and Means.

By Mr. STEED:

H. J. Res. 450. Joint resolution directing the Secretary of the Treasury to call for the return to the Treasury of $28,101,644.91 deposited with certain States in 1837; to the Committee on Ways and Means.

By Mr. PATMAN:

H. Con. Res. 228. Concurrent resolution authorizing the printing as a House document of the pamphlet entitled "Our American Government. What is it? How Does It Function?"; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H. R. 9436. A bill for the relief of Dorsun Whang; to the Committee on the Judiciary.

By Mr. HOLT (by request):

H. R. 9437. A bill for the relief of Samuel Moreno Lizarraga; to the Committee on the Judiciary.

H. R. 9438. A bill for the relief of Shoa Wan Li; to the Committee on the Judiciary.

By Mr. KEATING (by request):

H. R. 9439. A bill for the relief of Eber Bros. Wine & Liquor Corp.; to the Committee on the Judiciary.

By Mr. MARTIN:

H. R. 9440. A bill for the relief of Manuel Medeiros; to the Committee on the Judiciary.

By Mr. PATTERSON:

H. R. 9441. A bill for the relief of Dante Guarnieri; to the Committee on the Judiciary.

By Mr. REES of Kansas:

H. R. 9442. A bill for the relief of Sarah Ann Davies; to the Committee on the Judiciary.

By Mr. SAUND (by request):

H. R. 9443. A bill for the relief of Miguel Benjamin Hernandez Gama; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H. R. 9444. A bill for the relief of Eduard Benc, his wife, Hilde Benc, and their two minor daughters, Judith and Maria; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Proposal To Broaden Widow's Benefits Under Railroad Retirement Act of 1937

EXTENSION OF REMARKS
OF
HON. THOMAS L. ASHLEY
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, August 23, 1957

Mr. ASHLEY. Mr. Speaker, I have today introduced a bill to amend the Railroad Retirement Act of 1937 to provide that a widow who loses her widow's insurance benefits by remarriage may again be entitled to such benefits if her second husband dies within 1 year after their marriage.

Under the present provisions of the Railroad Retirement Act, a widow who remarries becomes ineligible for any monthly payments she may have received as the result of her first husband's death. Furthermore, if her second husband dies before they have been married 1 year, she is unable to collect any widow's benefits based on his income.

This bill, Mr. Speaker, would permit her to again collect the widow's insurance benefits she was receiving before her second marriage. In other words, it would restore the benefits she was receiving on the basis of her first husband.

This legislation probably would not be considered of major importance to anyone except the few unfortunate women who have twice become a widow and who, because of a quirk of fate, find themselves deprived of benefits to which they would have been entitled had tragedy not struck them a cruel double blow.

Both the House and the other body took favorable action on similar legislation last year, Mr. Speaker, when a bill was enacted amending our social security laws to allow a widow to claim benefits previously received in the event that her second husband dies within a year after their marriage.

I hope that the measure I have introduced today will receive the same considerate treatment early in the next session of the Congress.

Mr. William M. Miller

EXTENSION OF REMARKS
OF
HON. CLARENCE CANNON
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Friday, August 23, 1957

Mr. CANNON. Mr. Speaker, here in the closing hours of the session it is appropriate that we should pause long enough to pay honor to whom honor is due.

There is not a Member of the House who has not had occasion to thank Fishbait Miller, the Doorkeeper of the House, for innumerable services rendered above and beyond the call of duty. Half a dozen times this afternoon the conferees on one of the pending bills has been under obligations to him for information and service we could have secured from no other source. When all the learned doctors in the Library of Congress are unable to supply missing data—when all the efficient staffs of the committees of the House are unable to secure results—when the Federal departments downtown have been appealed to in vain—Fishbait will find it for you or will accomplish it for you, promptly, accurately, and efficiently. He is always at hand when needed. He is always on the job. Like the Keepers of Israel he neither slumbers nor sleeps.

Outmoded and Unwarranted Postal Subsidies—Principle of Subsidy-Limiting Amendment

EXTENSION OF REMARKS
OF
HON. GEORGE M. RHODES
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 23, 1957

Mr. RHODES of Pennsylvania. Mr. Speaker, there has been considerable comment concerning an amendment which I offered to H. R. 5836, the postal rate readjustment bill passed by the House on August 13. This amendment would limit the Post Office Department's loss on the mailings of any publisher to $100,000 during any one fiscal year. It was adopted by the House on a teller vote shortly before final passage of the postal rate bill.

American taxpayers are just beginning to realize the tremendous cost of these indirect and hidden mail subsidies to a handful of big publishers.

Mr. Speaker, in order to clarify the purpose of my amendment and to explain the basic principles and statistical data which prompted its introduction, I ask that my statement of August 20, 1957, presented to the Senate Post Office and Civil Service Committee in support of my subsidy-limitation amendment, be included in the RECORD:

STATEMENT BY HON. GEORGE M. RHODES, MEMBER OF CONGRESS, 14TH DISTRICT OF PENNSYLVANIA, PRESENTED TO THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE, UNITED STATES SENATE, AUGUST 20, 1957

Mr. Chairman, distinguished members of the committee, I appreciate the opportunity of appearing here to express my views on H. R. 5836, the postal rate readjustment bill as passed by the House last week. Most of my testimony will deal specifically with the amendment which I offered on the House floor to limit the Post Office Department's loss on the mailing of any publisher to $100,000 during any one fiscal year. This amendment may be found in H. R. 5836, beginning at line 25 on page 4 and extending through line 3 on page 6 of the bill.

It was my pleasure to serve on the House Post Office and Civil Service Committee for 8 years, beginning with the 81st Congress and continuing my service through the 84th Congress. I served on the conference committee which produced the last postal rate legislation enacted by the Congress on October 30, 1951 (Public Law 233, 82d Congress). Let me assure the committee that I am not appearing here as an expert on postal ratemaking, cost ascertainment, or any other phase of the Post Office Department's operations. I do feel, however, that the committee is entitled to share the information which I have compiled relating to the huge losses being incurred by the Department in the handling of publisher's second class mail. This committee is entitled to know the reasons behind my amendment, what it would do, why it is necessary as a principle in postal ratemaking, why it is administratively feasible, and why I feel that some type of subsidy-limiting amendment should be retained in any postal rate bill reported by this committee.

Mr. Chairman, I will not take the time of this committee to go into a detailed discussion of the bill as reported by the House committee.

FIRST-CLASS MAIL PAYS ITS WAY

As to first-class mail, very briefly I will say that table 100 of the 1956 cost ascertainment report shows first class revenues which are $35.6 million in excess of allocated budgetary expenditures. Table 41 of this same report proves beyond any doubt that first-class mail at 3 cents an ounce is not being handled at a loss by the Department. All types of first-class mail brought into the Department an average revenue of 3.357 cents per piece or 7.22 cents per ounce.

Meanwhile, second-class magazines and periodicals brought in only 1.9 cents per piece or .16 cents per ounce. The 1956 deficit in handling this type of second class mail totaled $65 million.

COMMITTEE-RECOMMENDED SECOND-CLASS INCREASES INADEQUATE

The bill as reported by the House Committee would increase second-class revenues by about $33 million over a 4-year period, or about $8.25 million a year. The net effect would be to reduce the second-class deficit from $252 million to $244 million in the first year of the new rates and to $219 million after the four proposed annual increases. If we count on increased circulation and costs of handling, it may well be that the second-class deficit will not be reduced at all. In effect the committee bill would make more secure these subsidies which go to a handful of big publishers and hide them from the public by reducing the overall postal deficit at the expense of first-class-mail users.

Mr. Chairman, I could not in good conscience vote for an increase in first-class rates, when all of the statistical data shows that first-class mail is more than paying its own way.

POSTAL SUBSIDY LIMITATION NOT NEW IDEA

I supported the Holifield amendment on the House floor. It would have eliminated the 1-cent increase in letter postage. That amendment was defeated. My subsidy-limiting amendment was then adopted by the House. It places a limitation of $100,000 on the amount of subsidy to any user of second-class mail during any one fiscal year. My proposal was originally introduced in the 84th Congress (H. R. 10913). It was offered in the House Committee last year as an amendment to the 1956 postal rate increase bill. Again this year, I introduced the amendment in bill form as H. R. 8275. When approved by the House last week, Members were not voting for some unknown quantity. It had been before the House for well over a year, had been discussed in conversation, offered in committee, and was finally adopted by the House as an amendment to H. R. 5836.

PUBLISHERS' MAIL DEFICIT

During fiscal 1956, postal revenues for magazines and periodicals were $30.6 million. Allocated budgetary expenditures were $95.4 million, a deficit of some $65 million. The deficit in carrying daily newspapers through the mail amounted to about $61 million. These two produce about half of the total second-class-mail deficit of $252 million.

Other miscellaneous categories of publishers' second-class mail matter produce another $57 million of the deficit. These include publications with less than 5 percent advertising, newspapers other than dailies, and agricultural, business, professional and similar types of publications produced for profit. Thus, there is a deficit of some $183 million on all types of profit-motivated publications. As Deputy Postmaster General Stans pointed out last Friday, all of the other "exempt" categories of publishers' second-class mail would have produced only $3.1 million in additional revenue if these publications had paid regular rates of postage.

BIG MAGAZINE SUBSIDIES

Members of your committee have undoubtedly seen estimates of the losses incurred by the Department in the handling of a selected list of widely circulated popular magazines. They have been prepared by the Cost Ascertainment Branch, Bureau of Finance, of the Post Office Department and are presented in two different forms. Mr. Chairman, I ask that they be inserted as exhibits 1 and 2 at this point in the record:

EXHIBIT 1.—*Volume, revenues, and estimated handling costs of selected 2d class publications, based on 1 issue for the year 1956*

Publication	Weight (pounds)	Copies	Postage at present rates	Cost of handling	Excess of costs over postage	Estimated annual loss
Life	5,410,000	4,775,000	$144,000	$323,000	$179,000	$9,310,000
Saturday Evening Post	3,095,000	3,106,000	67,000	184,000	117,000	6,087,000
Reader's Digest	3,829,000	9,163,000	90,000	438,000	348,000	4,172,000
Ladies' Home Journal	5,835,000	3,706,000	128,000	287,000	159,000	1,917,000

NOTE.—In all cases costs were based on average cost factors computed for a subgroup of publications applied to volume data for each publication, and not on individual traffic studies and cost factors attributable to each specific publication.

Source: Post Office Department, Bureau of Finance, Division of Cost Analysis, Cost Ascertainment Branch.

EXHIBIT 2.—*U. S. Post Office Department estimated annual revenues and costs of selected leading magazines*

Publication	Revenue[1]	Cost[2]	Difference (cost minus revenue)
Life	$7,485,000	$16,979,000	$9,494,000
Saturday Evening Post	3,488,000	9,557,000	6,069,000
Reader's Digest	1,082,000	5,891,000	4,809,000
Look	1,534,000	5,016,000	3,482,000
Ladies' Home Journal	1,530,000	3,449,000	1,919,000
McCall's magazine	1,097,000	2,604,000	1,507,000
National Geographic	486,000	1,821,000	1,335,000
Good Housekeeping	881,000	2,175,000	1,294,000
Better Homes and Gardens	758,000	1,904,000	1,146,000
American Home magazine	623,000	1,753,000	1,130,000
Total	18,844,000	52,149,000	32,185,000

[1] In general, the revenue estimates are based on data from administrative records covering the mailings of all issues of these publications for the month of March 1956, extended to annual revenues on the basis of the number of issues per year. For Life magazine, revenue estimates were based on mailings of the first 3 issues in March. Revenue and cost estimates for Better Homes and Gardens and Saturday Evening Post are based on issues for the month of November 1954, and for Reader's Digest these estimates are based on the November 1955 issue.

[2] A complete cost analysis of the publications listed in this table would require detailed studies at all points of entry and of the large number of delivery offices. Such analysis would of course be very expensive and time consuming; therefore, the estimates have been developed as outlined below (above).

Source: Division of Cost Analysis, Bureau of Finance, U. S. Post Office Department. The column showing the difference between cost and revenue was computed by the Legislative Reference Service.

These figures have been quoted many times, so I will mention only a few and will not go into all the details. Two estimates of the Post Office Department loss in handling Life magazine were made during 1956. One was based on a single issue, the other based on 3 issues of March 1956. They show that Life magazine received a subsidy from the American taxpayers of somewhere between $9.3 and $9.5 million. Saturday Evening Post received a subsidy in the neighborhood of $6 million; Reader's Digest between $4 million and $5 million and so on. It is true that these estimates were not made on individual traffic studies of each magazine. They are estimates based on selected issues, averaged out for a year, and reinforced by cost ascertainment figures available to the Department. Mr. Stans, in reply to a question by Senator YARBOROUGH last Friday, indicated that these figures are accurate within 10 percent.

Moreover, during the recent hearings in the House Post Office and Civil Service Committee (hearings, p. 854) Mr. Stans pointed out that in 1954 the Department conducted a specific cost study of the cost of handling an issue of the Reader's Digest from the beginning of the time it was put in the mail and going through all the operations for that publication and the results showed a figure very close to the estimate previously made by the Department, the same type of estimate shown in these tables just placed in the record.

LIFE MAGAZINE OPERATIONS

Some very revealing testimony was presented to the House committee last April with respect to Life magazine. This is, of course. published by Time, Inc., which also publishes Time magazine, Fortune, Sports Illustrated, House and Home, Architectural Forum, and various foreign editions of both Time and Life magazines.

Three of these publications are weeklies (Time, Life, Sports Illustrated) while the other three are monthlies (Fortune, Architectural Forum, House and Home). They have a combined circulation per issue totaling 8.75 million copies. Their total annual circulation is approximately 438 million copies, 86 percent of which are carried through the mails at a staggering loss to the American taxpayers.

Since Life is the largest circulation magazine of the group and also received the largest subsidy, according to the 1956 estimates of the Department, let us examine some of its characteristics in greater detail:

1. Circulation: In 1956 Life magazine had a weekly circulation of 5,714,310 copies. Of this total 4,800,000 copies or 84 percent were carried through the mails. This amounts to 249,600,000 copies of Life having a combined weight estimated at more than 280 million pounds, were distributed by postal carriers during the year.

2. Second class postal bill: For this service Life paid about $7.4 million during the year, about 2.9 cents per copy or 2.8 cents per pound. Approximately $144,000 was paid by life in postage per issue in 1956. The Department estimates that it costs the taxpayers about $323,000 per issue to handle and deliver Life to its subscribers, or a difference between revenue paid and costs incurred of about $179,000 per weekly issue. This resulted in a total annual loss to the Department of about $9.4 million just on Life magazine alone.

3. Subscription price versus newsstand price: As was pointed out above, about 84 percent of the total Life circulation is on a mail subscription basis. In 1940 only 39 percent of Life's circulation was through the mails; by 1946, 56 percent was going through the mails. The figure has continued to rise each year until the current level of 84 percent has been reached. Newsstand sales of Life have shown a corresponding drop. In 1940, 61 percent of the circulation was newsstand sales; by 1946, this had dropped to 43 percent and now amounts to only 17 percent of total circulation.

In 1940 the newsstand price of Life was 10 cents; the subscription price per year was $4.50; by 1946, the individual copy sold for 15 cents and the subscription was $5.50 a year. In 1956 the single copy of Life sold on the newsstands for 20 cents and the subscription price was $6.75 a year. To buy the 52 issues of Life on a newsstand, it would cost $10.40. Special 3-year subscription rates offered periodically further reduce this latter subscription figure. While the single copy price doubled since 1940, the subscription rate has increased by only slightly more than 25 percent.

4. Advertising revenues: Printers Ink Annual Guide to Advertising for 1956 shows that Life had an advertising revenue of $137.4 million. This was 14.6 percent of the total magazine advertising revenues of $931 million for last year as reported by Advertising Age. For the year Life magazine carried approximately 3,700 pages of editorial matter and 4,400 pages of advertising, or about 54 percent advertising. In 1956 the cost of a full-page black-and-white ad in Life was $20,350. Beginning with the September 9, 1957, issue of Life, the cost for a four-color page ad will be $37,975.

The average weekly issue of Life produced $2,642,000 in advertising revenue alone. Added to this is the subscription revenue on 4.8 million copies per issue or $634,000, plus the newsstand revenue on another 900,000 copies or an estimated $117,000, we see that Life had a total revenue per issue of $3,393,000.

You will recall that Post Office Department estimates that Life only paid $144,000 in postage for a single issue in 1956 and the costs to the Department in handling the issue amounted to $323,000. Thus, if Life had paid its full share of the allocated costs, it still would have had a revenue per issue of $3,070,000, or $159.6 million for the year.

With the increased costs of advertising recently announced by most magazines this source of magazine revenue is expected to be even more profitable in the coming year.

5. Profit picture: Last Friday Deputy Postmaster General Stans told this committee: "Reports in the trade press predict another recordbreaking year in 1957 for both newspapers and magazines. In fact, some publishers are currently boasting of having attained profits unprecedented in the publishing industry."

Time, Inc., is high on the profit ladder in the publishing business. During the past 5 years (which incidentally includes the years when their second-class mail costs were increased by 10 percent a year for the years 1952, 1953, and 1954) the net profits after taxes of Time, Inc. increased from $7,750,000 in 1952 to $13,850,000 in 1956. This latter figure does not include the additional profits realized from the sale of $15 million worth of Houston Oil Co. stock held by Time, Inc.

Mr. Chairman, I would like to read an excerpt from a letter sent by Time, Inc. to its stockholders in January of this year which boasts of profits amounting to $6.75 per share as compared with $4.72 per share in 1955. The letter says that "it was of course profits derived principally from our magazines that made 1956 our best earning year. Time, Life, Fortune, and the international editions of Time all set new earning records." It goes on to say "we believe that the level of earnings attained by Life in 1956 has never been equaled by any other magazine in the history of publishing."

Actually, the letter to stockholders underestimated the extent of Time's profit. Final figures showed that the earnings on a share of stock in Time, Inc. (worth $70) was actually $7.10 during 1956.

Figures furnished the House committee by Time, Inc. reveal that second-class postage costs for all its publications amounted to only 4.8 percent of total publishing expenses during 1956. Based on the 1956 losses of $9.4 million incurred by the Post Office Department in handling Life, the loss would still be $8.3 million after the first year's rate increase provided for in H. R. 5836. This is assuming that postal costs were to remain fixed and circulation remained even. Both these assumptions are not likely to prove valid. As a publisher becomes more successful, as his circulation, advertising revenues, and profits increase, his mailing operations cost the Post Office more and the size of the subsidy received also increases.

OTHER MAGAZINES SUBSIDIZED

Mr. Chairman, the statistical data which I have presented with respect to Life magazine could also be generally applied to other large publishers in this same fashion. However, I will not take the time of the committee to do so. The Legislative Reference Service, at my request, furnished voluminous financial data on many other large publishing companies in addition to Time, Inc.

Permit me to just mention a few of the highlights with respect to other leading publishers. The Curtis Publishing Co., publishers of the Saturday Evening Post, Ladies' Home Journal, Holiday, and other magazines increased their profits after taxes from $4,404,000 in 1952 to $6,234,000 in 1956. The two Curtis publications listed in the Post Office estimate show a total of $8 million in annual subsidy.

McGraw-Hill Publishing Co., publishers of Business Week and 27 other small circulation business-trade magazines more than doubled its profits after taxes—$3,273,000 in 1952 to $7,871,000 in 1956. Its advertising revenues during this period are not available. Its earnings per share of common stock were $7.40 in 1952. It was split 2 for 1 in 1953, each share earning $4.03 and in 1956 its stock was again split 3 for 1, each share earning $2.98 during that year. Subsidy figures for McGraw-Hill publications are not listed in the Post Office estimate.

Mr. Chairman, financial data is not available from public sources on such big magazines as Look (which received an estimated subsidy of $3,482,000), Reader's Digest (whose subsidy totaled $4,809,000), based on November 1955 estimates of the Department. This magazine now has the largest circulation of any magazine in the United States—upward of 11 million copies per month. It paid an estimated $90,000 in postage for one issue and cost the Department $438,000 to handle, a subsidy of $348,000 per single issue. Incidentally, a single page four-color ad in Reader's Digest will cost $38,000 beginning next January 1.

No financial data is available for Confidential, Inc., publishers of Confidential, and Whisper magazines currently in the headlines because of libel suits. Confidential has a monthly circulation of 3,442,536 copies.

Data is also unavailable on other magazines such as Newsweek, U. S. News & World Report, American Home, TV Guide, and magazines such as True Confessions, My Romance, Secret Confessions, Startling Detective, Daring Romances, Revealing Romances, Modern Romances, and many other similar-type publications.

AMENDMENT ESTABLISHES FAIR PRINCIPLE

Mr. Chairman, the purpose of my amendment is not to penalize any publisher or to cut his profit margin. A small increased cost of individual publisher's subscription rates could easily offset their higher postal costs. The purpose of my amendment is simply to apply a principle in second-class publisher's mail rates that the annual revenue they pay to the Department for the service they receive should equal the costs to the Department to render that service, less $100,000. The popular magazines which incur such huge deficits in second-class mail do have some "public interest" value in the dissemination of news, helpful household information, political views, and other "educational" material. My amendment merely places a subsidy limitation on these values.

Low second-class mail rates, when originally established in 1879 were meant to provide the types of news services unavailable through any other public media. Today we have radio, television, motion pictures and other sources of more current news and information. Present zone rates, according to Mr. Stans, on the advertising portion of newspapers and magazines are actually less than they were in 1917. This is despite the fact that advertising revenue of magazines was practically nil in 1917, while today they are rapidly approaching the $1 billion mark for a single year.

The principle of limiting subsidies is not unique. Just last week the Congress enacted a law to curb subsidies to industries through the 5-year fast-tax writeoff device. Only recently a $3,000 limit was placed on acreage reserve payments and a $5,000 limit on conservation reserve payments to any farmer participating in the soil-bank program. Abuses in the operation of this program made it possible for a single corporate farmer to receive $209,000 a year for not planting crops. Congress reacted to this by placing a limitation on the payments. Last year in the Senate an amendment to the farm bill, limiting to $100,000 the amount of price-support loans to a single producer was adopted by a vote of 78–11. Is it not fair that this principle of limitation also be applied to big magazine publishers?

MAGAZINES ATTACK SUBSIDIES TO OTHERS

Mr. Chairman, it is interesting to pick up these subsidized publications and to read in them articles attacking subsidies going to other segments of our population. For example, a recent editorial in Life is entitled "King Cotton—the Royal Nonesuch." Let me read to the committee a portion of this editorial:

"If the (cotton) industry was put on a basis of free competition, and our prices left to find their own level * * * the (cotton) business would quickly thin down to efficient operators who could produce all the cotton really needed and at a profit."

Listen to this next part, Mr. Chairman:

"(Cotton subsidies for) the distressed small farmers—no longer makes sense. It keeps them at it when, if left to their own devices, they could go to town and work at a useful job."

The editorial continues:

"We have every sympathy for the marginal, high-cost little fellow who is inexorably being crowded out, but is there any depression to justify keeping him on a dole? There is no likelihood of agricultural shortages either. The longer the 92.7 percent of the rest of us taxpayers keep him there by giving him money to stay in business he can't possibly succeed at, the longer will the whole farm picture stay in a needless and senseless mess."

Thus in this editorial, Life magazine, which received a $9.4 million "dole" itself last year, presumes to prescribe a remedy for the cotton industry. The editorial concludes by saying:

"If enough Americans squawk, something will be done to stop this silly business."

Mr. Chairman, this might also be said of the huge subsidies going to Life magazine and other publications being carried through the mails at such tremendous losses to the American taxpayers.

Or take another example. The Reader's Digest has carried many "planted" articles expressing its views on political issues. One of these articles, entitled "The Biggest Con Game in Politics," written by former Governor Driscoll, of New Jersey, was reprinted and circulated throughout the country. It is a wholesale attack on Federal grants-in-aid programs, but did not mention Federal aid to magazine publishers.

Another more recent Reader's Digest article, written by William Hard, was entitled "Pacific Northwest Stands on Its Own Feet." It was a complete distortion of the issues involved in the fight for a high dam at Hells Canyon, timed to coincide with the consideration of this issue by the Congress. Senators MAGNUSON and JACKSON, and Congressman DON MAGNUSON of Washington effectively destroyed this piece of misleading political propaganda in a letter to the editor of the Reader's Digest, released to the press.

As Mr. A. L. Cole, business manager of the Reader's Digest, admitted during the recent House hearings (hearings, p. 422): "Nothing is published in the magazine that does not reflect their (the editors) views."

POST OFFICE DEPARTMENT'S ATTITUDE

Mr. Chairman, I was disappointed at the cavalier manner in which the principle of my amendment was received by the Postmaster General and his deputy. I was under the impression that the official policy of the administration was to place the Department on a sound businesslike basis. They didn't even see fit to tell this committee the additional revenue which would be produced by the adoption of my subsidy-limitation amendment. I should think that if they are sincerely interested in reducing the second class publisher's deficit, they would at least estimate what it would bring in additional revenue.

Chairman, I trust that this committee will give serious thought to the data I have furnished. The objectives set forth by my amendment offer a fair and workable method of reducing the scandalous subsidies being handed over each year to a few magazine publishers.

When questioned about the amendment, Mr. Stans commented that it would be expensive and difficult but admitted that it would not be impossible to administer. Mr. Chairman, I submit that if there is the will to put a limitation on these subsidies it can be done without great difficulty or inconvenience to the Post Office Department.

AMENDMENT IS WORKABLE

This amendment was not drafted in a vacuum, Mr. Chairman. It was drafted by recognized experts on Post Office Department accounting and cost ascertainment procedures. I was assured well in advance of my introduction of the proposal in bill form and before offering it as an amendment to H. R. 5836 that it was feasible, workable, and capable of being administered. Otherwise, I would not have offered it.

I do not say that this amendment, as adopted by the House, is the only way in which the principle of limiting second class publisher's subsidies can be established. There is no sane reason why a beginning should not be made. This committee in its wisdom and its long experience in this field can undoubtedly put a limitation on these postal subsidies.

If the distinguished members of this committee agree with me in principle a limitation of these subsidies can be accomplished. For example, the circulation of a particular magazine or the amount of its subsidy could be the controlling factor in limiting the loss to a certain percentage of its annual cost of handling.

Mr. Chairman, this amendment is not unworkable. There may be some logic to arguments to amend the amount of the limitation, but how can anyone object to the principle involved? The American people are beginning to learn about postal subsidies. They want Congress to do something about it.

POWERFUL OPPOSITION

Any proposal of this kind will naturally draw fire from those who are the beneficiaries of this type of Federal aid. I am aware, as all of you gentlemen must be, of the great power, wealth and influence behind those seeking to kill this amendment. There is some question that the amendment may bring a lawsuit. There's always such a possibility, since even at present the Department's cost ascertainment system in allocating costs can be challenged by court action.

I contend, and I hope you gentlemen will agree, that if my amendment is right in principle, as Members of Congress, it is our duty to see that steps are taken for its application.

Opponents to my amendment will go so far as to claim that the post office actually makes a profit in handling some second-class matter. Mr. David W. Brumbaugh, vice president of Time, Inc., made the claim that the Post Office Department is actually handling Life magazine at a profit. He boldly attacks the basic principles of the cost ascertainment system of accounting. Deputy Postmaster General Stans prepared an analysis of Mr. Brumbaugh's allegations concerning the proper allocation of Department costs to Life magazine. It is dated April 25, 1957. It completely demolishes the case presented by Time, Inc. On the matter of possible lawsuits through the imposition of any limitation on second-class publisher's subsidies, I am willing to rest my case on the analysis prepared by Mr. Stans, which appears at pages 743-747 of the House hearings on H. R. 5836.

Mr. Chairman, it is obvious that publishers will pass on to subscribers the additional postage costs provided for in any postal-rate law. It is more fair to the general public to let those who want to subscribe to Life, Saturday Evening Post, Reader's Digest, or Confidential pay whatever the publishers of these magazines feel is necessary for them to continue their service and make a profit. It is far more equitable than to continue to tax the many millions of Americans who do not subscribe to these magazines.

Mr. Chairman, I wish to thank you and the committee for the courtesy you have shown me.

Protect the Security of America

EXTENSION OF REMARKS
OF

HON. RICHARD H. POFF

OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 23, 1957

Mr. POFF. Mr. Speaker, I, for one, refuse to vote for adjournment of Congress until legislation is enacted to reverse the Supreme Court decision opening FBI files to Communists and other criminals in the Federal courts. The recent indictment of the Russian Colonel Abel, the boss of the Soviet espionage system in America, serves to dramatize once again the threat of Communist infiltration and internal subversion, and any further delay in plugging this hole opened in the dike of our national security may prove disastrous.

In conjunction with several other Members of Congress, I have introduced a bill (H. R. 8423) designed to reverse the Supreme Court decision in the Jencks case. That decision, which decided that an accused Communist or other Federal-law breaker had the right to rummage through the FBI files to determine what evidence the prosecutor had against him, literally blew the lid off the law enforcement agencies of the Federal Government. Other Government departments charged by law with the protection of the security of America have been thrown into utter confusion by this calamitous decision. In effect, the decision gave to the accused criminal a right to conduct a fishing expedition through Government files—a right which is not enjoyed even by the elected representatives of the people.

FBI Director J. Edgar Hoover called for corrective legislation, and the bills which we have introduced have the approval of the Department of Justice. Under these bills, the defendant has the right to see only those documents signed by the prosecuting witness and relating directly to the subject matter about which the witness is testifying. Even these documents are subject to the prior scrutiny of the judge trying the case. The judge is given the power to determine the relevancy of the documents and to refuse to show them to the defendant if they contain any security data which, if disclosed, would jeopardize national security interests. Under the bill, all other documents in the possession of the United States are exempt from the subpena power.

The passage of this legislation would do much to restore stability to the criminal procedure of the Federal courts and to protect the vital interests of the Nation and its people. The Jencks decision was applauded by the Daily Worker, the Americans for Democratic Action, the Communist Party of the United States of America, and many other similar organizations and publications. They described it as "a great blow struck for individual liberty." Individual liberty is, of course, our most priceless American heritage. However, the phrase "individual liberty" has never been properly defined to include unbridled freedom to thwart the criminal laws of the land. The Bill of Rights did not guarantee the right of one individual to trample upon the rights of his fellow citizens. It is the function of every well-ordered government to protect society against those few individuals who would misuse and abuse the individual freedom guaranteed to all men. Society cannot be protected if the lawbreaker is to be allowed unlimited access to the law-enforcer's files.

American Tariffs

EXTENSION OF REMARKS

OF

HON. WILL E. NEAL

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 23, 1957

Mr. NEAL. Mr. Speaker, in 1934, at the instance of Cordell Hull, then Secretary of State, the Congress passed the Reciprocal Trade Agreements Act as an emergency. This was done in the hope of retrieving some of our losses in international exports resulting from competition with cheap-labor products produced in Japan, Germany, and other European nations, and trade restraints imposed by the enactment of the Smoot-Hawley Tariff Act of 1930. By this act the Congress surrendered its constitutional powers to regulate foreign trade and national economy through the adjustment of duties, imports, and excises to the Tariff Commission, an agency of the Executive.

Under Mr. Hull's direction, several bilateral trade agreements were made, especially with nations that could export to us strategic materials we needed in our industrial activities. However, the anticipated upsurge in our foreign exports lagged until the second World War clouds began to shower America with orders for arms. The story of America's exports during and following the second World War is common knowledge.

When the rush began to subside, our expanded industrial machine and the international traders prevailed upon the President to liberalize tariff regulations in the hope of maintaining a more extensive export-import trade.

In response to this plea and under the authority of the act of 1934, the President proceeded to set up in 1947 the so-called GATT—General Agreements on Tariffs and Trades—and designated Geneva as its headquarters. This organization continues to function at Geneva and now numbers 34 foreign nations, and acts as a tariff-making body with each member nation having an equal voice. In short, trade tariffs and multilateral agreements are regulated in Geneva where we have one vote in 35.

The Congress has never officially recognized GATT, yet the President and his Tariff Commission have the full power to approve or reject specific tariff schedules adopted by this group. Under continual pressure from export-import groups, aided by international financial interests, the President and his Tariff Commission have whittled away our tariffs until we now have virtual free trade.

Under the theory that America must buy from free nations in order that they may secure dollars with which to buy from us, we have succeeded in greatly increasing our exports. In some respects, this policy has been nationally beneficial. This is especially true with heavy industry, agricultural machinery, and household appliances. In that these industries have found outlets for their productive capacity, they have materially augmented full employment for American labor. But while this is true, the American consumer market has been increasingly flooded with foreign-made goods produced abroad under low paid labor conditions that make it all but impossible for American producers to compete pricewise. Hence, reduced demands for American consumer goods has caused hundreds of our manufacturers to slow their output or close entirely, leaving thousands of our own labor force unemployed. This has brought about heavy loss both in plant investment and high standard American labor in industries such as textiles, livestock, mining, crockery, glass, precision instruments, machine tools, chemicals, and many others. Under existing tariff regulations, markets for these products are progressively dwindling as cheaper products produced abroad continue to flood the American market.

In approaching the value of foreign trade to the American economy, we must not forget the fact that it is a two-way street. Following the late World War, the great need abroad for durable goods to restore the productive economy of defeated nations made possible ready markets for the products of big industry which has continued to be subsidized to a great extent through our foreign-aid program. Now that foreign plant capacity has been fully restored, their ability to export begins to challenge American markets here at home as well as in our overseas trade areas.

Hence it becomes obvious that more attention must be directed toward protection of American producers of consumer goods against foreign competitors who, under existing trade and tariff regulations, are extended the freedom to usurp our home markets at the expense of American plant investment and the labor forces involved.

Incidents of injury to and casualties among American small industries and labor groups are becoming altogether too common to be pushed aside as inconsequential by an unsympathetic Tariff Commission.

America no longer enjoys its first rank as an exporting nation. We are facing new conditions under which the Old World restored industrial competition is beginning to pinch.

The future well-being of the American economy demands that the Tariff Commission revise its schedules upward to prevent unlimited, competing, injurious imports and to respond more readily to pleas of injured American manufacturers when they are able to show just cause.

It is not conceivable that GATT or the proposed OTC, operating in faraway Geneva, can agree upon tariff rates that tend to be beneficial to American manufacturers.

Judging from past experience, injured American industrialists can expect no relief until the Congress recovers its constitutional authority to regulate trade and tariffs and proceeds to require the Tariff Commission to hew to a policy of adequate protection of American industry.

San Francisco Only Logical Home Port for U. S. S. "Ranger"

EXTENSION OF REMARKS

OF

HON. JOHN F. SHELLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 23, 1957

Mr. SHELLEY. Mr. Speaker, I profess no talent as a naval strategist. I feel that I am wise to leave that to the admirals. But I do profess considerable knowledge of the sea and the men who sail it, having spent a good many years before the mast. The men who make up the complement of the beautiful new *Ranger* are, I am sure, no different in their tastes and desires from the merchant seamen; the bluejackets of the lesser but no less proud vessels of our splendid fleet, or the boys who man the lovely white cutters of the United States Coast Guard.

Ask them their idea of the best liberty town on the coast and we will wager that San Francisco wins the toss, hands down.

There has been much argument and comment both in the public prints and in the CONGRESSIONAL RECORD on why the *Ranger* should make Long Beach her home port rather than Bremerton or San Francisco. The reasons given are certainly valid as far as they go for either of these two fine ports to the northward and southward of San Francisco. But let us take a minute or two to discuss the ship's assignment from the point of view of her 3,500 crew members' welfare and morale.

Has anyone ever walked down the main street of a Navy town when liberty has been granted and the town's population virtually doubles in the space of hours? The sea of white hats may make the hustlers, the gyp artists, the tattoo parlors, and the beer-joint operators faint with delight as the jacktars struggle with their own form of temptation on where to spend their money.

Has anyone ever thought of the housing and schooling problems that beset the smaller Navy town when a ship the size of the *Ranger* drops her hook in her permanent anchorage? Has anyone experienced the married sailors' dismay when they learn the stepped up rent they would have to pay for cramped quarters in an already cramped community?

To a city the size of San Francisco, the influx of 3,000 Navy families would be a drop in the bucket. The city is big enough to absorb far more than that, and in San Francisco the natural beauties, the wonderful climate, and the cultural and educational advantages are a strong morale inducement which I feel should be carefully considered.

The quasi-military experts have argued that farther south in California the flying conditions are better than those in the San Francisco area. The number of crystal-clear days may be more frequent farther south, but I doubt it. This may seem naive of me to mention, but nowadays is aerial combat limited only to those days when no vagrant whisp of nimbo-stratus clutters the horizon and the eyeballs of the foe are clearly visible a rocket's range away?

San Francisco's shipyards are quite capable of handling a ship of the *Ranger's* bulk. The critics point out that another west-coast port would be better equipped to handle her if she ever became badly damaged. Again at the risk of naivete, may I suggest that were she banged up, the unfortunate event would probably occur somewhere east of Suez, and were she required to limp home for docking, the difference in nautical miles on a great-circle run from the Far East to any port on the west coast would be practically negligible.

I enjoy a mental picture of the *Ranger*, steaming in stately dignity beneath the Golden Gate Bridge, inbound from a Far East patrol. Below, in her berthing spaces the liberty section is getting ready to go ashore. The dialog might go something like this.

"What are you gonna do tomorrow, Boats?"

"Going to take the wife and kids out to the ball game. I hear those San Francisco Giants are playing a doubleheader."

San Francisco, with its unlimited facilities to absorb, educate, and entertain the 3,500 sailormen and their families, wants to be home port of the *Ranger;* and with its shipyard facilities and unquestioned position as a major port city on the Pacific coast, ought to be the home port for the queen of the Pacific Fleet.

The National Security Training Commission and Edgar G. Shelton, Jr.

EXTENSION OF REMARKS

OF

HON. LYNDON B. JOHNSON

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Friday, August 23, 1957

Mr. JOHNSON of Texas. Mr. President, one of the finest instruments of Government which has been created in recent years has been the National Security Training Commission. This body has been under the leadership of some of our ablest Americans, including Gen. David Sarnoff.

On June 30 of this year, the Commission wound up its work and voluntarily ended its operations. Mr. President, I may say that is an unusual thing for a Government commission to do.

I am proud of the Commission for many reasons. One is that its Director was Edgar G. Shelton, Jr., a young man from my State, who for a period of time was associated with me, as a member of my staff. He did an outstanding job, in keeping with the high standards he has set for himself all his life.

Mr. President, I ask unanimous consent that a statement summarizing the Commission's activities be printed in the CONGRESSIONAL RECORD, so that Americans may have full knowledge of the faithful service the Commission has performed.

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

NATIONAL SECURITY TRAINING COMMISSION

I wish to pay tribute to the National Security Training Commission, which on June 30 concluded its task, filed its final report with the Congress, and voluntarily closed its door. Seldom is it that a permanent Government agency voluntarily goes out of business when its task is completed. Few agencies have faced difficulties of the magnitude which faced this Commission—and few have achieved the degree of success the National Security Training Commission has achieved. I believe that this is due largely to the caliber of the men who served on the Commission over the years.

Some of the most outstanding Americans of our age have given freely of their time and effort—without compensation—to serve as members of this Commission.

The National Security Training Commission was created by the Universal Military Training and Service Act of 1951 and came into being on June 19, 1951.

Under the chairmanship of the late Senator James W. Wadsworth in 1951–52 the Commission began its activity and submitted its first report. Under the acting chairmanship of the late well-known scientist, Dr. Karl T. Compton, the Commission was kept alive in 1952–53. The late Maj. Gen. Julius Ochs Adler, of the New York Times, who served as Chairman from 1953 to 1955 provided the leadership which led to 20th Century Minutemen, the 1953 report to the President which became the basis for the Reserve Forces Act of 1955. The late Lt. Gen. Raymond S. MacLain, of Oklahoma, who was a member from 1951 until his death in 1954, was one of the great civilian soldiers of our time. My fellow Texan and statesman, William L. Clayton, who is well known to all of us, was a member from 1951 to 1953.

One of the most distinguished admirals in history, Thomas C. Kinkaid, served on the Commission from its beginning to its end. Warren H. Atherton, past national commander of the American Legion, served from 1953 to 1957. Albert J. Hayes, president of the International Association of Machinists, served from 1954 to 1957. In 1955 Gen. Walter Bedell Smith was appointed to the Commission and in 1955 one of the almost legendary figures of American industry, Gen. David Sarnoff, president of RCA, became the Commission's final Chairman.

With men such as these it is little wonder that the Commission accomplished great things when faced with many obstacles. It is due largely to this group that we today have an effective, growing, trained Reserve.

The Commission's task was born of the danger with which we were faced in 1950—unpreparedness. No nonveteran reserves were trained between World War II and June 1950. Then came the Korean war. Over 600,000 veterans of World War II were recalled to active duty in place of the men whom we had failed to train.

The conscience of America was shaken.

The UMTS Act was passed in 1951.

The NSTC was created. Its purpose was to help build a trained, nonveteran Reserve through the promotion of a 6-month Reserve training program.

The Commission, on October 29, 1951, submitted legislative recommendations to the Congress.

These recommendations were reported favorably by the two Armed Services Committees, but the House of Representatives recommitted the legislative proposal.

The Commission did not give up. On December 1, 1953, the members submitted to the President a report entitled "20th Century Minutemen," which became the basis for the Reserve Forces Act of 1955. From 1953 through 1955 the Commission was instrumental in developing the national Reserve plan, which after numerous and almost insurmountable executive and legislative problems became the Reserve Forces Act of 1955 on August 9, 1955.

The Reserve Forces Act of 1955 wrote into law the three basic objectives of the NSTC report of 1953. They were:

1. A 6-month Reserve training program.
2. The replacement of veterans in the Ready Reserve by trained nonveterans to the greatest extent possible under the requirements of the national security, thus permitting veterans to transfer to the Standby Reserve if they so desire.
3. Selective recall of the Standby Reserve in the event of emergency, to do away with the inequities which existed in the recall of veterans during the Korean war.

It should be noted that the Reserve Forces Act of 1955 did not require war veterans to participate involuntarily in the Ready Reserve. And, as of July 1 of this year about 700,000 Army veteran reservists have been transferred to the Standby Reserve. One of the main reasons this has been possible is the success of the voluntary 6-month Reserve training program.

The Reserve Act of 1955 did not give the authority to draft young men into the 6-month program even though the Commission and the Defense Department had requested such authority. The program was entirely voluntary.

In December 1955, Gen. David Sarnoff, newly appointed as Chairman of the Commission, decided that the American public must be told about the new Reserve program. He suggested that an entire week in the spring of 1956 be set aside for the purpose of an educational campaign through all public media such as radio, television, newspapers, magazines, and motion pictures. He secured the wholehearted cooperation of the radio-television industry.

The National Security Committee, a private citizens' group, sponsored what became known as Military Reserve Week, April 22–28, 1956.

Military Reserve Week set off the most intensive educational campaign on behalf of the Reserve in peacetime history. The campaign was supported by private organizations and the radio-television industry.

Over a period of only a few months there were 173 special radio programs broadcast at least 12,725 times; 19 special television programs shown at least 5,885 times—5 of which were seen and heard 14,200,000 times; radio spot announcements were broadcast locally at least 175,938 times. TV spot announcements were shown locally at least 50,744 times. Over 6,000 radio-TV spots were broadcast on the 3 networks or their affiliates and heard and seen 995,200,000 times. One hundred and fifty-six plugs by radio-TV stars on the 3 networks were heard and seen 928 million times. The public-service radio-TV time (not counting talent) used to plug the Reserve program was worth nearly $8 million.

This is to the everlasting credit of the Nation's free television-radio industry.

After Military Reserve Week the Reserve program began to grow.

Today the program is a success.

This is due in large measure to the continual educational program which was waged from the day the Reserve Forces Act of 1955 became law to the present time. The Armed Forces, the many private organizations, public-spirited individuals, the free radio-television industry, and the press deserve the Nation's thanks for their persistent and effective effort in helping to build a strong Reserve.

On February 5, 1957, the Commission reassessed its role and wrote to the President stating in part, "Now that the Reserve program is well under way, the members of this Commission feel that our mission has been accomplished. * * * We recommend, therefore, subject to your approval, that the Commission terminate its activities on June 30, 1957, and thus make a contribution, even though small, toward reducing the expenses of Government."

On March 25, the President, reluctantly accepted the Commission's proposal.

On June 30, the Commission closed its doors.

On July 15 the Congress received their final report.

Where does our Reserve stand today?

Before World War II, our entire military Reserve consisted of about 400,000 men, many of them inactive and untrained. Today we have some 2,500,000 ready reservists with nearly 1 million of them in active drill-pay status, plus some 700,000 standby reservists.

On June 30, 1950, just as the Korean war broke, the Army Reserve and Army National Guard in active drill-pay status numbered 384,000. Three years later, June 30, 1953, just prior to the Commission's report to the President they numbered only 373,000. Today they number 678,000, an all time high.

On June 30, 1954 over 73 percent of all reservists were veterans. In the Army Reserve alone 98 percent were veterans. Today this imbalance is being remedied by the tens of thousands of nonveteran 6-month trainees who are entering the Ready Reserve, permitting veterans to move to standby status.

In the first 6 months of this year, the Reserve components of the Armed Forces have grown more rapidly than in any comparable period in peacetime. Particularly gratifying was the upsurge of enlistments in the 6-month Reserve training program. In the spring of 1956 there were only about 600 enlistments per week. Then came Military Reserve Week. By June 1956 enlistments were up to about 1,000 per week. By April 1957, the rate had increased to more than 4,000 a week—equivalent to an annual rate of well over 200,000.

This is not the result of accident. The success which has become apparent during the last few months didn't just happen. It has taken an incredible amount of work over a period of 6 long years to accomplish this. Full credit should go to all, both in and out of the Government, who have worked so hard on the program. Certainly, however, there would have been no 6-month Reserve training program without the Commission and its outstanding members.

Due to their efforts in creating our 20th Century Minutemen the Nation is more secure. With the ever-growing strength furnished by our Reserve the chances of world peace will be improved.

The NSTC can well be proud of its contribution.

SENATE

MONDAY, AUGUST 26, 1957

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

Eternal Spirit, hope of the souls that seek Thee, strength of the souls that find Thee, grant unto these chosen servants of the Commonwealth, pressed by grave questions and vexing problems, the refreshment and renewal which will make them adequate to serve the present age. Make them conscious of eternal verities that outlast the strident noises of today. We cannot adequately face such a world, so full of violent and dark deeds, and make our humble contribution to the healing of its disordered state, unless we keep untarnished our faith in Thy power to make even the wrath of men praise Thee. To our stricken generation may there come peace with honor, with human dignity vindicated and with social justice the panoply of all nations. In the Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Friday, August 23, 1957, was approved, and its reading was dispensed with.

MESSAGE FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting the nomination of John A. Benning, to be an ensign in the Coast and Geodetic Survey, which was referred to the Committee on Interstate and Foreign Commerce.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (H. R. 499) to direct the Secretary of the Navy or his designee to convey a 2,477.43-acre tract of land, avigation, and sewer easements in Tarrant and Wise Counties, Tex., situated about 20 miles northwest of the city of Fort Worth, Tex., to the State of Texas, in which it requested the concurrence of the Senate.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, under the rule, there is today the usual morning hour for the transaction of routine business; and under the order entered on Friday last, statements during the morning hour are to be limited to 3 minutes.

The VICE PRESIDENT. That is correct.

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

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

EXECUTIVE COMMUNICATIONS, ETC.

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

AMENDMENT OF TITLE 10, UNITED STATES CODE, RELATING TO TRANSFER OF CERTAIN ENLISTED MEMBERS OF NAVAL AND MARINE CORPS RESERVE

A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation to amend title 10 of the United States Code to permit enlisted members of the Naval Reserve and the Marine Corps Reserve to transfer to the Fleet Reserve and the Fleet Marine Corps Reserve on the same basis as members of the Regular components (with an accompanying paper); to the Committee on Armed Services.

REPORT OF THE CONVENTION OF AMERICAN INSTRUCTORS OF THE DEAF

A letter from the Convention of American Instructors of the Deaf, signed by Edward R. Abernathy, president, of Columbus, Ohio, and William J. McClure, editor, of Indianapolis, Ind., transmitting, pursuant to law, a report of that convention, held at Knoxville, Tenn., June 23–28, 1957 (with an accompanying report); to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

A resolution adopted by the Grand Aerie Convention of the Fraternal Order of Eagles, at New York, N. Y., relating to benefits under title II of the Social Security Act; to the Committee on Finance.

RESOLUTION OF VILLAGE COUNCIL, KENYON, MINN.

Mr. THYE. Mr. President, I have received a resolution which was adopted by the Village Council of the Village of Kenyon, Minn. I ask unanimous consent that the resolution be printed in the RECORD.

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

VILLAGE OF KENYON,
Goodhue County, Minn., August 22, 1957.

HON. EDWARD J. THYE,
Senate Office Building,
Washington, D. C.

The Village Council of the Village of Kenyon, in regular session Monday, August 5, 1957, passed the following resolution on motion by Trustee Bohan, seconded by Trustee Schwasinger:

"The Village Council of the Village of Kenyon, Minn., representing the citizens and industrial leaders of the community, do hereby resolve that the Federal Power Commission give careful and favorable consideration to the Northern Natural Gas Co.'s application for permission to extend its gas lines to southern Minnesota communities specified in the application, one of these communities being Kenyon. The growth and future development of the areas named in the application are dependent upon the decision rendered by the Federal Power Commission. An adverse decision for Northern Natural Gas Co. would seriously stunt a bid for progress in villages and cities that can be served only by Northern Natural Gas Co. because of its present availability of service to most sections of southern Minnesota. Approval of the application of the above named company would serve communities from main gaslines already in the territory, thereby providing fast, economical service."

Upon rollcall Mayor Jacobson, Clerk Akre, and Trustees Bohan and Schwasinger voted "aye." There were no "noes" so the resolution carried and was so declared.

RESOLUTIONS OF 1957 CONVENTION OF OREGON STATE LABOR COUNCIL

Mr. NEUBERGER. Mr. President, organized labor in the State of Oregon has been long in the forefront of groups supporting progressive legislation. The leadership from the ranks of labor has made possible significant achievements in health and welfare programs and in enlightened statutes for the benefit of working men and women.

Representatives of Oregon labor organizations met again this year in the city of Klamath Falls, from August 5 to 9, 1957, to discuss problems confronting their unions, members, and the country generally. During the course of this second annual meeting of the Oregon State Labor Council, AFL–CIO, several resolutions were adopted which establish the stand of one of the Nation's outstanding labor groups on such questions as public housing, political campaign financing, and group health insurance for United States postal employees.

The Oregon State Labor Council urges in one of the resolutions a vast expansion of the public housing program. This is especially important to the State of Oregon because of its economic dependence on demands in housing for the prosperity and growth of the lumber industry. Convincing arguments for better housing legislation, and for improvement of other national programs are presented in the resolutions adopted by the Oregon State Labor Council which have been forwarded to me. I ask unanimous consent to have printed in the RECORD, the following resolutions, Nos. 24, 8, and 10.

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

RESOLUTION 24

Whereas a dynamic housing program is an indispensable ingredient of an ever-expanding and fully employed economy, and

Whereas the National Housing Conference reported in its July 7, 1957, publication The Housing Yearbook that "new standard housing is priced beyond the reach of the average family." The Conference survey of private housing, available in the cheapest range made in 11 major cities, including Seattle, Wash., shows minimum prices for new dwellings in the 11 cities ranged from $8,490 for a row house in Philadelphia, to $13,900 for a detached dwelling in Milwaukee. The medium price was $11,450 in Kansas City. Estimated expense of paying off the mortgage, taxes, insurance, maintenance, utility, and heat for the $11,450 was $119 per month, and

Whereas the Yearbook states that on the theory that housing expense should not exceed one-fifth of the income, a family should have $7,156 a year to carry this house, except in the South. Therefore, a family must have an income of $8,000 or more to take a choice among these new houses. Only about 1 urban family out of 6 has that much income. Private builders are serving less than 20 percent of the people; and

Whereas families with incomes less than $8,000 have been buying new homes priced between $10,000 and $12,000 or more by using savings, borrowing on life insurance, putting additional members of the family to work, and curtailing other expenses; and

Whereas from a statistical analysis made by labor, it was shown that from 1955 up through 1959, 1,430,000 new dwellings will be needed yearly to provide for additional families; also 100,000 units yearly to replace annual losses. A conservative request was made the previous year for construction of 2 million new homes; however, only 1 million new low-priced dwellings were constructed; and

Whereas the need is still great in the United States to eliminate tenement conditions to effect slum clearance; and

Whereas organized labor in the past 20 years urged Government measures for housing and for many other economic policies beneficial to the interests of low and medium income groups: Now, therefore, be it

Resolved, That the second annual convention of the Oregon State Labor Council, AFL–CIO:

1. Ask Congress to provide for the housing needs of low and medium income families by authorizing the construction of at least two million subsidized public housing units a year, and at the same time, work to curb inflationary trends.

2. Urges construction of two million new housing units a year until every American family may be adequately housed.

3. Calls upon Congress to insure by appropriate legislation, good housing for all individuals, regardless of national, religious, or racial background.

4. Recommends that this resolution be sent to President Eisenhower, the United States Congress, and our Oregon Congressional delegation.

Adopted unanimously August 9, 1957.

RESOLUTION 8

Whereas we believe that democracy means full participation by all of the people in the functions of Government including political campaigns; and

Whereas the extravagant cost of political campaigns makes it exceedingly hard for a man of integrity to win public office without owing favors to special interests which have financed his campaign; and

Whereas the trend in recent years is to sell a candidate to the public as one would sell soap or toothpaste by saturation advertising; and

Whereas during the 1956 national campaign 5 families in the United States contributed more to candidates or parties than the 15 million members of organized labor: Therefore be it

Resolved, That in order to stimulate more widespread participation and interest in political campaigns we call for legislation to provide by law; that each Federal taxpayer may deduct any amount not to exceed $10 from his Federal income tax when his return is accompanied by a receipt, or receipts, for contributions to any bona fide party, candidate, or political organization; and be it further

Resolved, That copies of this resolution be sent to our delegation in Congress, with a request for favorable action; and be it further

Resolved, That this resolution be presented to the Oregon State Labor Council, meeting in convention at Klamath Falls, Oreg., for their approval and adoption.

Adopted August 9, 1957.

RESOLUTION 10

Whereas the administration has seen fit to institute a group life-insurance plan for post-office employees, which operates at a minimum cost to said employees, and as a result has accumulated a huge surplus; and

Whereas there now exists a dire need for a group health and accident plan for postal employees and their families: Therefore be it

Resolved, That the Oregon State Labor Council in convention assembled at Klamath Falls, Oreg., August 5–9, 1957, go on record as favoring an equitable health and accident plan for postal employees and their families, with full cost to be borne by the Federal Government.

Adopted August 8, 1957.

RESOLUTIONS OF OREGON STATE LABOR COUNCIL, AFL–CIO

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD, as a part of my remarks, resolutions adopted by the Oregon State Labor Council, AFL–CIO, at Klamath Falls, Oreg., August 5 to 9, 1957.

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

RESOLUTION 8

Whereas we believe that democracy means full participation by all of the people in the functions of government including political campaigns; and

Whereas the extravagant cost of political campaigns makes it exceedingly hard for a man of integrity to win public office without owing favors to special interests which have financed his campaign; and

Whereas the trend in recent years is to sell a candidate to the public as one would sell soap or toothpaste by saturation advertising; and

Whereas during the 1956 national campaign 5 families in the United States contributed more to candidates or parties than the 15 million members of organized labor: Therefore be it

Resolved, That in order to stimulate more widespread participation and interest in political campaigns we call for legislation to provide by law that each Federal taxpayer may deduct any amount not to exceed $10 from his Federal income tax when his return is accompanied by a receipt, or receipts, for contributions to any bona fide party, candidate, or political organization; and be it further

Resolved, That copies of this resolution be sent to our delegation in Congress, with a request for favorable action; and be it further

Resolved, That this resolution be presented to the Oregon State Labor Council, meeting in convention at Klamath Falls, Oreg., for their approval and adoption.

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Adopted August 8, 1957.

RESOLUTION 73

Whereas in America we have established the principle that accused individuals are innocent until proven guilty; and

Whereas various investigative bodies have adopted methods of investigation which tend to accuse individuals and organizations; and

Whereas this method is used to form public opinion against certain individuals and organizations, regardless and in opposition to the facts; and

Whereas these investigative bodies employ such methods as TV coverage and public statements by members of these bodies: Therefore be it

Resolved, That this convention go on record as opposed to this form of public trial by accusation, and opposed to TV and radio presentation of slanted investigations and to public statements by members of these investigative bodies, during the course of these hearings; be it further

Resolved, That our national Congressional representatives be informed of this resolution by this body.

Adopted August 9, 1957.

RESOLUTION 24

Whereas a dynamic housing program is an indispensable ingredient of an ever-expanding and fully employed economy; and

Whereas the National Housing Conference reported in its July 7, 1957, publication, The Housing Yearbook, that "new standard housing is priced beyond the reach of the average family." The Conference survey of private housing, available in the cheapest range made in eleven major cities, including Seattle, Washington, shows minimum prices for new dwellings in the eleven cities ranged from $8490 for a row house in Philadelphia, to $13,900 for a detached dwelling in Milwaukee. The medium price was $11,450 in Kansas City. Estimated expense of paying off the mortgage, taxes, insurance, maintenance, utility, and heat for the $11,450 was $119 per month; and

Whereas the yearbook states that on the theory that housing expense should not exceed one-fifth of the income, a family should have $7,156 a year to carry this house, except in the South. Therefore, a family must have an income of $8,000 or more to take a choice among these new houses. Only about 1 urban family out of 6 has that much income. Private builders are serving less than 20 percent of the people; and

Whereas families with incomes less than $8,000 have been buying new homes priced between $10,000-$12,000 or more by using savings, borrowing on life insurance, putting additional members of the family to work, and curtailing other expenses, and

Whereas from a statistical analysis made by labor, it was shown that from 1955 up through 1959, 1,430,000 new dwellings will be needed yearly to provide for additional families; also 100,000 units yearly to replace annual losses. A conservative request was made the previous year for construction of 2 million new homes; however, only 1 million new low-priced dwellings were constructed; and

Whereas the need is still great in the United States to eliminate tenement conditions to effect slum clearance; and

Whereas, organized labor in the past 20 years urged Government measures for housing and for many other economic policies beneficial to the interests of low and medium income groups; Now, therefore, be it

Resolved, That the Second Annual Convention of the Oregon State Labor Council, AFL-CIO:

1. Ask Congress to provide for the housing needs of low and medium income families by authorizing the construction of at least 2 million subsidized public housing units a year, and at the same time, work to curb inflationary trends.

2. Urges construction of 2 million new housing units a year until every American family may be adequately housed.

3. Calls upon Congress to insure by appropriate legislation, good housing for all individuals, regardless of national, religious, or racial background.

4. Recommends that this Resolution be sent to President Eisenhower, the United States Congress and our Oregon Congressional delegation.

Adopted unanimously August 9, 1957.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HENNINGS, from the Committees on Rules and Administration, without amendment:

H. R. 9282. An act to provide additional office space in home districts of Congressmen, Delegates, and Resident Commissioners;

H. R. 9406. An act to amend the act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a biennial rather than an annual basis;

H. Con. Res. 176. Concurrent resolution authorizing the printing as a House document of certain material relating to the Central Valley project of California, and providing for additional copies; and

H. Con. Res. 188. Concurrent resolution authorizing the printing as a House document of the document entitled "Congress and the Monopoly Problem: 56 Years of Antitrust Development, 1900–1956."

By Mr. HAYDEN, from the Commitee on Appropriations, with amendments:

H. R. 9302. An act making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 1117).

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

S. 781. A bill for the relief of Michele Niro (Rept. No. 1120);

S. 1403. A bill for the relief of Michael James Bolger (Rept. No. 1121);

S. 1600. A bill for the relief of the C-L Electric Co. (Rept. No. 1122);

S. 1606. A bill for the relief of Linton Seymour Young (Rept. No. 1123);

H. R. 1411. An act for the relief of George H. Meyer Sons, Brauer & Co., Joseph McSweeney & Sons, Inc., C. L. Tomlinson, Jr., and Richmond Livestock Co., Inc. (Rept. No. 1132);

H. R. 1474. An act for the relief of Mrs. Jennie Maurello (Rept. No. 1133);

H. R. 1502. An act for the relief of Homer Cazamias (Rept. No. 1134);

H. R. 1677. An act for the relief of Gilbert B. Mar (Rept. No. 1135);

H. R. 3370. An act to amend section 1871 of title 28, United States Code, to increase the mileage and subsistence allowances of grand and petit jurors (Rept. No. 1118);

H. R. 4174. An act for the relief of Filomena and Emil Ferrara (Rept. No. 1136);

H. R. 7014. An act for the relief of Madame Henriette Buaillon and Stanley James Carpenter (Rept. No. 1137); and

H. R. 8374. An act for the relief of Virginia Ray Potts (Rept. No. 1138).

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

S. 452. A bill for the relief of Julia Sliwinska (Rept. No. 1124);

S. 573. A bill conferring jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon a certain claim of Mrs. Walter E. von Kalinowski (Rept. No. 1125);

S. 1208. A bill for the relief of Ludwik Abramski (Rept. No. 1126);

S. 1287. A bill for the relief of Heinz August Schwarz (Rept. No. 1127);

S. 1359. A bill for the relief of Franz Hehn (Rept. No. 1128);

S. 1562. A bill for the relief of Winifred C. Lydick (Rept. No. 1129);

H. R. 1419. An act for the relief of Mrs. Hannah Mae Powell (Rept. No. 1139);

H. R. 1883. An act for the relief of Benedict Mr. Kordus (Rept. No. 1140);

H. R. 4544. An act for the relief of Louis S. Levenson (Rept. No. 1141); and

H. R. 5719. An act for the relief of Clara M. Briggs (Rept. No. 1142).

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

S. 1480. A bill for the relief of Martha A. McDermott Stothard (Rept. No. 1130);

S. 1543. A bill for the relief of Dorene I. Fast (Rept. No. 1131); and

H. R. 4335. An act for the relief of Ramon Tavarez (Rept. No. 1143).

By Mr. McCLELLAN, from the Committee on the Judiciary, with an amendment:

H. R. 7168. An act to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes (Rept. No. 1119).

By Mr. MONRONEY, from the Committee on Interstate and Foreign Commerce, with an amendment.

H. R. 5822. An act to amend section 406 (b) of the Civil Aeronautics Act of 1938 with respect to the reinvestment by air carriers of the proceeds from the sale or other disposition of certain operating property and equipment (Rept. No. 1144).

REPORT ENTITLED "TIMBER SALES, QUINAIELT INDIAN RESERVATION, WASH."—MINORITY VIEWS (S. REPT. NO. 971)

Under authority of the order of the Senate of August 15, 1957,

Mr. WATKINS, from the Committee on Interior and Insular Affairs, on August 24, 1957, submitted minority views on the report entitled "Timber Sales, Quinaielt Reservation, Wash."

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce.

Ronald M. Buffington, and several other persons for permanent appointment in the Coast and Geodetic Survey.

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

Peter Mills, of Maine, to be United States attorney for the district of Maine; and

Harry W. Pinkham, of Maine, to be United States marshal for the district of Maine.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. MANSFIELD (by request):

S. 2852. A bill for the relief of E. R. Musselman and Mary Musselman; and

S. 2853. A bill for the relief of Araxi Nazarian; to the Committee on the Judiciary.

By Mr. BEALL:

S. 2854. A bill for the relief of Jun-ichi Igusa; to the Committee on the Judiciary.

By Mr. LAUSCHE (by request):

S. 2855. A bill for the relief of Herman Knodt; to the Committee on the Judiciary.

By Mr. CLARK:

S. 2856. A bill for the relief of Moshe Glicksman, his wife, Rachel Glicksman, and their two minor children, Shlomo Glicksman and Hayim Glicksman; to the Committee on the Judiciary.

By Mr. MONRONEY:

S. 2857. A bill for the relief of H. W. Cullers; to the Committee on the Judiciary.

By Mr. ROBERTSON:

S. J. Res. 130. Joint resolution authorizing the 101st Airborne Division Association to erect a memorial in the District of Columbia; to the Committee on Rules and Administration.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO MUTUAL SECURITY APPROPRIATION BILL, 1958

Mr. RUSSELL submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 9302) making appropriations for mutual security for the fiscal year ending June 30, 1958 and for other purposes, the following amendment, namely:

At the proper place insert a new section as follows:

"SEC. 108. Notwithstanding the provisions of section 1011 of the United States Information and Educational Exchange Act of 1948, as amended, the special account established pursuant to such section shall not be available for the payment of obligations arising under informational media guaranties made after 30 days after the enactment of this act, and no payments shall be made of obligations arising under such guaranties made after such date except from amounts hereafter appropriated for such purpose, which appropriations are hereby authorized. The Secretary of the Treasury shall transfer from such special account to the general fund of the Treasury such amounts (including foreign currencies available from conversions made pursuant to the obligation of such guaranties, and the proceeds of the sales of any such currencies) as the Director of the United States Information Agency shall from time to time determine to be in excess of the amounts necessary to discharge obligations arising under guaranties made prior to 30 days after the enactment of this act."

Mr. RUSSELL also submitted an amendment intended to be proposed by him to House bill 9302, making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

CHANGE OF REFERENCE

Mr. RUSSELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be discharged from the further consideration of the bill (H. R. 1140) to amend Public Law 85-56 to permit persons receiving retired pay for nonregular service to waive receipt of a portion of that pay to receive pensions or compensation under laws administered by the Veterans' Administration, which has been referred to that committee, and that the bill be referred to the Committee on Finance. The bill involves a tax feature, which would more properly be considered by the Finance Committee.

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

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

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

By Mr. MARTIN of Pennsylvania:

Address intended to have been delivered by him at civil liberties meeting of grand lodge convention, Improved Benevolent and Protective Order of Elks of the World, in South Philadelphia High School, August 26, 1957.

NOTICE OF HEARING ON NOMINATION OF ROBY C. THOMPSON TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF VIRGINIA

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, August 27, 1957, at 11 a. m., in room 424, Senate Office Building, upon the nomination of Roby C. Thompson, of Virginia, to be United States district judge for the western district of Virginia, vice Alfred D. Barksdale, retired.

At the indicated time and place all persons interested in the above nominations may make such representations as may be pertinent.

IRON ORE DEPOSITS IN MONTANA

Mr. MANSFIELD. Mr. President, in the last few weeks I have discussed on the Senate floor the recent developments of new iron ore deposits in Montana. Available reports indicate that some of these deposits are among the richest in this country. These iron ore deposits immediately awakened interest in the possibility of a steel mill being established in my State.

My distinguished colleagues, the senior Senator from Montana [Mr. MURRAY] was one of the very first to realize this great potential, and has worked unceasingly toward that end. Senator MURRAY has explored the feasibility of a steel mill and, while his untiring efforts have resulted in generating some new interest, we Montanans feel that our State's industrial potential is not being fully utilized.

Senator MURRAY has a long and enviable record of working toward the development of Montana. This new steel industry is only one of the many instances.

Mr. President, I ask unanimous consent that an editorial from the August 15 issue of the Lewistown Daily News commending Senator MURRAY be printed at this point in the CONGRESSIONAL RECORD, along with an editorial that appeared in the Great Falls Tribune, of Great Falls, Mont., dated August 23, having to do with Senator MURRAY and his position in re the mineral price program.

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

[From the Lewistown (Mont.) Daily News of August 15, 1957]

MURRAY AND STEEL MILL RESEARCH

The dreams of a steel mill for central Montana could become a reality.

If they do not, it won't be because a number of central Montanans and United States Senator JAMES E. MURRAY haven't tried in every way to bring such an industry here.

Much has been said and done in the exploration of the feasibility of a steel mill here, but MURRAY's office is the first to acknowledge the fact that we are doing little more than scratching the surface thus far. Extensive investigation lies ahead, and the senior Montana Senator has a number of agencies making inquiries regarding the various possible methods that could be used to operate a steel mill in this area.

Preliminary studies have not been discouraging. With a bit of good fortune and the type of work that MURRAY is putting forth in Washington, D. C., such an industry well might be established here eventually.

If studies continue to show that there would be a good chance for a financial success for a steel mill in central Montana, then it will be up to the State planning board to do its utmost to interest steel companies in coming here.

All of this won't happen tomorrow. But the groundwork is now being handled, and handled well, by MURRAY's leadership in Washington.

It is indeed encouraging when a Senator finds the time and energy to pursue such a full-scale research. However, the establishment of new State industries is a foremost project with MURRAY.

In recent speeches he has pointed out that the economical condition of the State is not good. Realizing the importance now of new industries for the State, MURRAY has devoted a great deal of time toward the investigation of a possible steel mill.

There are a number of obstacles to overcome before a steel industry could make its way to central Montana, but there has been nothing yet which has discouraged the objective one iota. On the contrary, there have been a number of encouraging signs for such a steel mill in the future.

[From the Great Falls (Mont.) Tribune of August 23, 1957]

SENATOR MURRAY RAPS MAKESHIFT MINERAL PRICE PROGRAM

Senator JAMES E. MURRAY has voiced sharp pertinent criticism of the Eisenhower administration's long-range mineral program. The particular target of the Montana Senator's attack is the proposed administration bill for a sliding scale of lead and zinc import excise fees. This he describes as totally inadequate. He adds, however, that the Senate Finance Committee had no choice other than to adopt the bill when it learned that any other tariff legislation would meet the disapproval of the President.

The aim of this proposed tax, which Congress is being urged to pass before adjournment, is to stabilize the price of lead at between 16 and 17 cents per pound and the price of zinc at about 13½ cents. This would be attempted by a tax on imports of these metals when domestic prices of them drop below certain levels. It involves a complicated formula but the effect is to protect United States lead and zinc producers against the competition of foreign suppliers.

Canada sells the United States about $80 million worth of these 2 metals a year and is making vigorous protest to the State Department about this measure. Mexico, Peru, and Australia have also entered protests.

As a Washington observer points out, lead and zinc producers in this country are having trouble now, and appear to be headed for more. They need help and on the record Congress and the President seem willing to give them some help. The big question is whether this tax is the proper way to render aid.

As Senator MURRAY points out, the President had adequate power and authority under the escape clause of the Trade Agreement Act, and other acts of Congress, to immediately set in motion machinery for quick adjustments of the tariffs on lead and zinc at a higher figure than is proposed in this measure. That would have been a simpler and more direct way to provide the desired relief to the domestic producers.

METAL PRICES

Mr. MANSFIELD. Mr. President, I am in receipt of a telegram from an old friend of mine, Jimmy Shea, president of the Montana Municipal League, which reads as follows:

> BUTTE, MONT.,
> *August 25, 1957.*
>
> Senator MIKE MANSFIELD,
> *Senate Office Building,*
> *Washington, D. C.:*
>
> People engaged in mining operations and others in western Montana will soon be in desperate economic need due to deflated metal prices. Relief must be forthcoming soon to avoid serious financial setbacks to a large number of people. As president of the Montana Municipal League, I urge you to prevail upon the Tariff Commission, the Congress, and the President to take immediate steps to help the mining segment of our economy. It appears that fast action will be necessary to avoid mass unemployment and the serious effects that such unemployment would bring to communities throughout the West.
>
> JIMMY SHEA,
> *President of the Montana Municipal League.*

I join with Mr. Shea in urging the President to do something about this particular situation, because lead and zinc are in the doldrums, and if something is not done very soon, practically all mines producing those minerals in this country will be shut down. Copper is on the way down, because we find, for example, custom smelters have quoted copper prices at 27½ cents a pound. I repeat the statement that on the richest hill on earth, in Butte, Mont., it costs 31 cents a pound to produce copper. So I earnestly hope that President Eisenhower, under the escape clause contained in the reciprocal trade agreements, will take action—and soon—to bring relief to lead and zinc producers at the present time, and to the copper industry when that time arrives.

THE MUTUAL SECURITY PROGRAM

Mr. SMITH of New Jersey. Mr. Pres- , on last Friday, August 23, in discussing the mutual security program in the morning hour, I pointed out that the Appropriations Committee of the House had made the overall assertion that upward of $12 billion is available at the present time, and therefore only a small current appropriation for the 1958 program is necessary. At that time I inserted the conclusions of a study I had had made and which indicated that the alleged availability of foreign currencies was an erroneous assumption.

Again at my request the ICA and other departments of the Government have assisted my staff in preparing a statement covering this entire alleged availability of something over $12 billion.

Mr. President, I ask unanimous consent that this statement, which I believe to be accurate, be inserted in full in the body of the RECORD at this point in my remarks.

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

THE ALLEGED AVAILABILITY OF $12 BILLION FOR THE MUTUAL SECURITY PROGRAM IN FISCAL 1958

I

The claim of availability is made up of the following figures:

	Billion
Pipeline	$6.3
Foreign currencies	2.6
Available	8.9
House additions:	
New appropriation	2.5
Reappropriation	.7
	12.1

It is argued that these available funds are ample to take care of the fiscal 1958 mutual security program for which the President originally asked $3.8 billion (with an additional reappropriation of approximately $500 million).

II

The foregoing overall figures making up $12 billion, I am advised, must be modified for accuracy in the following respects:

Through an unintentional error $700 million was included twice—once in the pipeline and again in the reappropriation for 1958; also an adjustment is necessary to bring these figures up to July 1, 1957.

The revised figures, therefore, should be:

	Billion
Pipeline ($6.3 billion minus $700 million and minus the adjustment of $200 million)	$5.4
Foreign currencies	2.6
Available	8.0
House additions as above	3.2
Total	11.2

In my remarks of last Friday, I pointed out that foreign currencies amounting to $2.6 billion were not available and the reasons were set forth in the study I inserted in the RECORD at that time.

If we deduct the $2.6 billion in foreign currencies from the total of now-available funds—namely, $8 billion—we arrive at the figure of $5.4 billion, which is the real figure under discussion. This was the figure the House used to justify the House appropriation of approximately $1.2 billion below the President's first request and approximately $800 million below the authorization bill as passed by the House and Senate.

III

The question is whether we can rely on any of the pipeline "availability" to take care of the 1958 planned program. What is not generally understood is that with the continuing security program, the pipeline "hardware" is constantly moving and also whatever economic aid is started on its way. Because of the so-called lead time necessary, especially for military hardware, we find that we have to figure on a period of from 2 to 3 years before deliveries to fulfill our commitments, and the amounts payable therefore do not become due until those deliveries are made. This means that the figure of $5.4 billion referred to above has been definitely committed in the development of the continuing program, and is not available for the 1958 program.

Both the Foreign Affairs Committee of the House and the Foreign Relations Committee of the Senate, in their extended hearings, received full evidence with regard to these pipeline operations. I am advised also that the Appropriations Committee of the House and now the Appropriations Committee of the Senate have both received the same testimony.

IV

This leaves us with the question of whether the new money for the 1958 program, provided by the House in its appropriation, is adequate for our needs.

This new money, as I stated above, is comprised of the following:

	Billion
New appropriation, 1958	$2.5
Reappropriation	.7
Total	3.2

During the past year the entire program of so-called foreign aid has been revised due to the recommendations of the elaborate study that was made by both the House and the Senate. In the Senate I was personally familiar with all these studies which unanimously urged that our mutual-security program be continued and put on a more permanent basis. The studies also provided for a revolving loan fund to assist backward countries to get on their feet economically and to help them in their striving for freedom, independence, and self-determination. It was felt by all our advisers that to save these underdeveloped countries from slipping behind the Iron Curtain because of their poverty, it would be necessary to help them help themselves by reasonably long-term loans.

To keep the program moving and especially to insure the continuance of the security program during these critical years, it was felt by the President and his advisers, and carefully developed in the testimony, that we would need $3.8 billion for the 1958 program in new money—the basic purpose of which is to insure the security of our own United States. These figures were reduced in the conferences between the Senate and the House and in the ultimate authorization bill to $3.3 billion in new money, which the President stated in a nationwide broadcast and reiterated again, is the lowest figure we can safely go to if we are to remain in a position of strength to meet these Communist aggressions. The cut by the House of over $800 million below the authorization is before the Senate Appropriations Committee at the present time.

Let me point out that in the cuts made by the House there were two items of special danger and which certainly should be fully restored. In the CONGRESSIONAL RECORD of August 20, pages 15268–15269, I inserted a breakdown of the various titles of the bill indicating the President's original request, the Senate authorization, the House authorization, the conference compromise and the House appropriation figures.

The two cuts to which I now wish to call attention are Title II: Defense Support, where the authorization conference agreed on a figure of $750 million and the House cut this to $585 million in new moneys—a cut of $165 million. The danger involved here is due to the fact that defense support is what is needed to take care of the vital and critical areas in the world where we may be subject to a sudden attack at any time. These critical areas are five in number and are the following: Korea, Formosa, Vietnam, Pakistan, and Turkey. We simply cannot afford to cut our defense support in these areas. These countries, for example, will immediately have to begin planning to reduce their armed forces or adjust their economies in expectation of lessened United States aid.

The other item is title V, entitled "Special Assistance." This is the President's discretionary fund to be used anywhere in the world in case of a sudden emergency. Originally the President asked for $300 million. The House Appropriation drastically cut this, allowing only $175 million. The critical situation in the Middle East and especially the recent developments in Syria highlight the danger of such a cut in this fund.

V

It is my sincere hope that the study which I presented to the Senate last Friday and included in the RECORD, and this study which I am presenting today may assist us in arriving at our final conclusions with regard to a sound and safe appropriation for the 1958 mutual security program.

THE NEED FOR CONTINUED OPPOSITION TO THE CHICAGO WATER STEAL

Mr. WILEY. Mr. President, I was pleased to receive this morning from the distinguished chairman of the Senate Public Works Committee our able colleague, the senior Senator from New Mexico [Mr. CHAVEZ], confirmation that there will be no action attempted this year on H. R. 2, the Lake Michigan water diversion bill.

Chairman CHAVEZ indicated:

> I have received numerous letters and telegrams from interested parties in the Great Lakes area regarding these hearings. I have advised those parties that no hearings are scheduled or anticipated at this session of Congress, but that I expect to schedule hearings on this matter early next year.

Mr. President, I should like most earnestly to alert all interested civic-minded folks throughout the Great Lakes region to the danger that H. R. 2 may be approved by the Senate Public Works Committee when it is taken up early in the second session.

I will not attempt at this time to spell out the long history of our battle against this unfair, unsound, and unconstitutional legislation.

I will simply state that every reason for our past opposition to the Chicago water steal continues, and new reasons have arisen, as well.

It is absolutely absurd for the United States Government to be constructing with our good neighbor, Canada, the Great Lakes-St. Lawrence Seaway—a seaway which relies upon an appropriately high water level throughout the lakes—while at the same time to allow a disastrous drop in that water level.

It is absolutely absurd and self-contradictory for the United States to be engaged in talks with the Government of Premier Diefenbaker in which we ask for various concessions on the part of our Canadian friends on matters in which we are interested, while at the same time risking the very serious displeasure of our Canadian friends in a matter like this, in which their vital interests are imperiled.

If we expect to get fair dealing from Canada, then let us deal fairly with Canada.

Let us not sacrifice good relations between two sovereign governments in order that the Chicago Sanitary District can save money which it should spend to handle its own sewage pollution problem.

The Great Lakes area has now been put on notice. Let it mobilize its combined effort so that next year, when the Senate Public Works Committee holds its hearings, the entire Great Lakes region will be well organized to battle this danger.

Let us not have to witness the sorry spectacle of one city in one State prevailing upon 47 other States to send to the White House, once again, a bill which the President will have no alternative but to veto.

Surely, we can avoid the sorry spectacle of the Congress making so serious a mistake once again, and forcing the President to do something which I know he would prefer not to have to do, and that is to veto this unwise proposed legislation.

But veto it, I believe he must, if the Congress commits that error again. Let us hope that a veto will not prove necessary.

I send to the desk three items.

The first is a resolution which had been forwarded to me earlier this year, signed by municipal officials of Milwaukee, opposing the water diversion bill.

The second is an editorial from the Milwaukee Journal, likewise earlier this year, opposing this proposed legislation.

Finally, as an indication of Canadian sentiment on this issue, I send to the desk the text of a brief prepared by the government of Ontario, on the invitation of the Government of Canada, to present its views on this subject.

I earnestly hope that we of the United States will be as considerate of the judgment of our friends to the north, as we would ask them to be if one or more of our own States indicated that it would be jeopardized by some proposed Canadian action.

I ask unanimous consent that all of these items be printed in the body of the RECORD at this point.

There being no objection, the resolution, editorial, and brief were ordered to be printed in the RECORD, as follows:

OFFICE OF THE MAYOR,
Milwaukee, June 24, 1957.

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: The city of Milwaukee is vigorously opposed to bills before the Senate which would authorize increased water diversion at the request of Chicago. Our city, in close cooperation with the Federal Government, is currently expending approximately $10 million of municipal funds to provide the most modern navigation facilities and deep-draft channels for the benefit of Great Lakes and ocean commerce.

We respectfully urge that the Senate take no action now to grant a special privilege to one community, which no matter how rationalized will produce the consequence of less water under the keels of lake and ocean ships sailing the Great Lakes.

We sincerely trust you will defeat any action to grant further water diversion.

We are sending you a statement of our case.

Yours truly,

FRANK P. ZEIDLER,
Mayor.
MARTIN E. SCHREIBER,
President, Common Council.
WALTER J. MATTISON,
City Attorney.
HARRY C. BROCKEL,
Municipal Port Director.

[From the Milwaukee Journal of April 8, 1957]

ARGUMENTS ON LAKE DIVERSION

The building of the St. Lawrence Seaway and its accompanying power dams being a mutual effort of the United States and Canada, the State Department has done the right thing in asking that action on the diversion bill be held up for completion of talks by the two countries.

The Army engineers found that withdrawal of another 1,000 cubic feet per second for Chicago ultimately would lower levels of Lakes Michigan and Huron by an inch, and in the 3-year test period proposed, would drop them by three-eighths of an inch. Insignificant, say proponents of the bill.

Dangerous, as a precedent, and because it must be added to the steady decline in lake levels, which has totaled 3 feet since the 1952 high, say the opponents, including Milwaukee.

A 1-inch drop, continue the opponents, puts lake ships 1 inch closer to scraping bottom, calling for lighter loads for the bulk carrier fleet, a loss of 300,000 tons in shipping capacity, worth $240,000 annually.

The antidiversion spokesmen go on to stress the effect on powerplants. They cite an Army engineers' claim that it would mean loss of 148 million kilowatt-hours in the 3-year period in United States plants (existing and proposed) and nearly twice that in Canadian plants.

Although they admit this is only a fraction of 1 percent of the total power, the opponents point to an estimated annual loss if the diversion became permanent of $708,000, while the boost at a Lockport (Ill.) plant from diversion would be worth only $67,000.

Milwaukee has made overtures to Canadian officials to join the already long and bitter fight over diversion. Surely the Canadians should have time to study the engineers' report, and all other pertinent data, if the historic spirit of cooperation is to be maintained.

BRIEF RESPECTING A PROPOSED INCREASE IN THE DIVERSION OF LAKE MICHIGAN WATERS AT CHICAGO, BY THE GOVERNMENT OF THE PROVINCE OF ONTARIO, MAY 6, 1957

The government of Ontario appreciates the invitation extended by the Government of Canada to express its views on the proposed diversion of water from Lake Michigan at Chicago. Speaking on behalf of the people of this province, the governments must express extreme concern over such a proposal by United States interest to divert additional water from Lake Michigan into the Illinois Waterway.

An examination of the background of this problem shows that there has been persistent requests by interested groups for such a diversion of water since the middle of the last century. We are advised that the present proposal is to divert an additional 1,000 cubic feet per second for a period of 3 years beyond the present allowable water withdrawal of 3,100 cubic feet per second. From 1939 to date, in response to a decree of the United States Supreme Court, an average total diversion of 3,100 cubic feet per second into the Chicago Sanitary and Ship Canal has been permitted with domestic water supply pumpage averaging approximately 1,600 cubic feet per second. Thus, the Chicago Sanitary District is permitted at the present time to divert 1,500 cubic feet per second which may be used for sewage dilution. The present request by certain United States interests to divert this additional water is to obtain, among other benefits, aid in the disposal of sewage for a rapidly growing population in the south Chicago area. These interests would drain water from Lake Michigan to simplify the processing and discharge of sewage and thereby avoid the cost of constructing additional modern sewage treatment works.

The Province of Ontario must face the problems of rapid population growth and industrial expansion and realizes and appreciates the difficulties of servicing rapid municipal growth in such places as the Chicago Sanitary District. We wish to point out, however, that other cities bordering on the Great Lakes are confronted with similar difficulties and must process their sewage by modern treatment plants and return it to the lake upon which they are located. The Province of Ontario in order to assist municipalities in the construction of such costly sewage treatment works has established the Ontario Water Resources Commission and given the necessary authority to the Commission to assist the municipalities. Engineering advances enable such municipalities to process sewage to the high degree of purification so that treated wastes may be effectively disposed of without an adverse effect on the sanitation situation. It is, therefore, quite improper for any one area to divert the natural flow of the Great Lakes system into an entirely different watershed merely to flush sewage downstream.

We recognize that the United States Supreme Court has consistently taken a determined stand against any further unwarranted diversion of water from Lake Michigan. This position was taken after full and exhaustive examination of the pollution problem of the Chicago Sanitary District and the resultant injury of such action to other areas abutting on the Great Lakes and to persons both private and corporate who are dependent upon the free and unrestricted flow of the Great Lakes system. Studies conducted by this government show that an additional diversion of 1,000 cubic feet per second will have the effect of decreasing lake levels from five one-hundredths to seven one-hundredths feet in each of the Lakes Huron, Erie, and Ontario. This, of course, is accompanied by a corresponding decrease in water flow therefore has an adverse effect on power potential and freedom of shipping. These undesirable subsidiary effects are of great concern to the people of this Province. The cost which is most readily computed resulting from the 3-year diversion is the loss in power to Ontario Hydro of 205,349,000 kilowatt-hours with an annual value of $581,200. The details of the loss of power and the resultant cost to the Province are set out in the accompanying brief prepared by the Hydro Electric Power Commission of Ontario.

If such an unwarranted diversion of water in Lake Michigan were allowed, it would occur at a time when the power demands of Ontario's industrial, commercial and residential users are increasing at an unprecedented rate. It is essential that there be no interference with normal water flows if the Province is to plan the necessary program of power development since projected requirements in Ontario indicate a total demand of 22 million horsepower by 1975, nearly 4 times existing requirements. The investment involved to provide for this power will necessitate the expenditure of at least $175 million a year including the water power developments already constructed or in process of construction in the St. Lawrence which are vital to the welfare of our people.

Any decrease in the natural flow of water in the Great Lakes and reduction in the water levels will have a serious adverse effect on shipping, particularly in times of low-water levels when ships in harbor and in passage through shallow waterways must of necessity limit tonnage to permit passage in safety. Municipalities in Ontario bordering on the Great Lakes are extremely concerned over any interference with water flows which may have a harmful effect on operations. The original settlement and development of this Province depended upon our excellent natural waterways and we must be most vigilant in protecting the interests of our people against any improper interference with water levels which would have an adverse effect on the freedom of our shipping and the development of lake ports.

For many years people of this Province, in common with the rest of Canada, have looked forward to the great developments on the St. Lawrence and quite willingly have approved the expenditure of tremendous sums of money to develop the St. Lawrence Seaway. Any proposed diversion must be considered in the light of the adverse effect it may have on the development and use of the seaway.

It has been suggested by some of the supporters of water diversion from Lake Michigan into the Illinois Waterway that the Province of Ontario might counteract any adverse effects of such diversion by increasing the Long Lac-Ogoki flow into Lake Superior. Our engineers advise us that such an increase is not possible however, since virtually all the inflow from the Albany River system is being diverted to the south. The present flow is approximately 5,000 cubic feet per second and Ontario regrets that there is no way in which this can be increased. It should be noted that in the power arrangements on the St. Lawrence River the Hydro Electric Power Commission of Ontario, working in complete harmony with the New York State Power Authority, shares equally in this additional flow of water from Ontario sources. This we consider is evidence of the cooperation of Canadian and United States groups in working together with each other's interest in mind in developing and utilizing the natural resources of border waterways.

The normal flow of water in the Great Lakes system should not be diverted elsewhere without the consideration and approval of various States and Provinces abutting on the lakes. It is reasonable to assume that the spirit of cooperation will continue to exist in the matter of sharing the great advantages of location on the Great Lakes system which has characterized the relationship of the people of this country with the citizens of our great neighbor to the south. Ontario wishes to join with the States of Minnesota, Indiana, Michigan, Ohio, Pennsylvania, and New York in protesting any additional diversion of water from Lake Michigan.

In making this protest the Province of Ontario is mindful of the terms of article 2 of the Boundary Waters Treaty between Canada and the United States, signed at Washington, January 11, 1909, and which states in part that the Province in common with other contracting parties has the right "to object to any interference with or diversions of waters on the other side of the boundary the effect of which would be productive of material injury to the navigation interests on its own side of the boundary." Ontario feels that Lake Michigan is an integral link in the Great Lakes system and that any alteration in the natural flow should only be accomplished through agreement of abutting jurisdictions.

Taking all these factors into consideration the Province of Ontario must take a firm stand against any such proposal to divert water from the normal Great Lakes watershed into another water course. The Province wishes to support the stand of other jurisdictions bordering on the Great Lakes who have protested most strongly the views of their people against such a diversion proposed by the Chicago Sanitary District. We ask the Government of Canada to protest to the proper authorities in the United States in the most vigorous terms such an unwarranted withdrawal of water from one of the Great Lakes without any prior consultation or approval by interested jurisdictions facing similar problems and sharing the same water.

BRIEF BY THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO RESPECTING A PROPOSED INCREASE IN THE DIVERSION OF LAKE MICHIGAN WATERS AT CHICAGO

1. Purpose of brief: In a letter dated April 9, 1957, from the Honorable L. B. Pearson, Secretary of State for External Affairs, to the Honorable Leslie M. Frost, Premier of the Province of Ontario, information was given with respect to proposed legislation in the United States which would authorize the State of Illinois and the Sanitary District of Chicago to test, on a 3-year basis, the effect of increasing the diversion of Lake Michigan waters at Chicago by 1,000 cubic feet per second. In view of the important effects of such an increased diversion on power generation at Niagara Falls and on the St. Lawrence River at the generating stations of the Hydro-Electric Power Commission of Ontario, the Premier of the Province of Ontario has requested that this commission prepare a brief on this subject. The brief by this commission will be largely confined to the effects on power generation of the increased diversion, and it is understood that another brief by the Province of Ontario will deal in a comprehensive manner with its effect on Provincial interests.

2. Chicago diversion: Water is diverted from Lake Michigan for two purposes; domestic pumpage and sewage dilution in the Chicago Sanitary and Ship Canal. The diverted water flows south in the canal and enters the Mississippi River watershed by way of the Illinois Waterway. The Chicago Diversion commenced in 1900, and gradually increased from 3,000 cubic feet per second in 1900, to 10,000 cubic feet per second in 1928. A decree of the United States Supreme Court in 1930, however, provided for a gradual reduction in the diversion and that after 1938, the sewage dilution must be limited to 1,500 cubic feet per second in addition to domestic pumpage. From 1939 to date, domestic pumpage has averaged about 1,600 cubic feet per second and sewage dilution 1,500 cubic feet per second giving an average total diversion of 3,100 cubic feet per second. On December 17, 1956, in view of an emergency in navigation on the Mississippi River, the United States Supreme Court issued a decree authorizing a temporary diversion of 8,500 cubic feet per second plus domestic pumpage for a period of 46 days. It is now proposed that authority be given the State of Illinois and the Sanitary District of Chicago, to test, on a 3-year basis, the effect of increasing the diversion at Chicago by 1,000 cubic feet per second. It is felt that should such an increase be authorized, efforts undoubtedly will be made to make the additional diversion permanent or even to increase it.

3. Effect on power generation of increased diversion: In a report by the Corps of Engineers, United States Army, dated January 1957, and entitled "Effect on Great Lakes and St. Lawrence River of an Increase of 1,000 Cubic Feet Per Second in the Diversion of Chicago," the effect on power generation of both a 3-year and a permanent increase in diversion was computed for both existing

and proposed plants. These computations of power loss at Niagara and on the St. Lawrence have been checked by this Commission and general agreement was found except for Ontario Hydro power losses at Niagara where considerably greater losses were found during the temporary diversion, and somewhat lesser losses during the permanent diversion.

Tabulated below are the computed losses in power at Niagara and at the St. Lawrence for both Ontario Hydro and the Power Authority of the State of New York. Losses to Quebec Hydro are also tabulated. Ontario Hydro power loss figures are used where these are different than those in the Corps of Engineers report. Monetary values have been assigned to Ontario Hydro's power losses, on the basis of replacement energy costs of 3.17 mills per kilowatt-hour and replacement capacity costs of $14.43 per kilowatt.

A. EFFECT ON POWER GENERATION OF A TEMPORARY 3-YEAR INCREASE IN DIVERSION OF 1,000 CUBIC FEET PER SECOND

As the effects of a temporary diversion exist for a definite period of years and then disappear, the effects on power generation must be based on the plants that will be in operation during this period. On the basis that the plants in operation will be those now existing, those under construction, and those proposed, the computed power losses due to the temporary diversion are given in table I below. It should be noted that in this brief it is assumed that the proposed Lewiston plant at Niagara will be developed by the Power Authority of the State of New York.

TABLE I.—*Temporary 3-year increase in diversion existing, under construction, and proposed plants in operation*

Power entity	Total energy loss (in thousands of kilowatt-hours)			Value of total energy loss
	Niagara	St. Lawrence	Total	
Ontario Hydro	136, 126	69, 184	205, 310	$650, 800
Power Authority of the State of New York	78, 236	76, 065	154, 301	--------
Hydro Quebec	--------	123, 133	--------	--------

On the basis that the proposed plants, that is, those at Lewiston and Lachine will not be in operation during this period, then the power losses would be somewhat reduced, the computed losses being given below in table II:

TABLE II.—*Temporary 3-year increase in diversion existing and under construction plants only in operation*

Power entity	Total energy loss (in thousands of kilowatt hours)			Value of total energy loss
	Niagara	St. Lawrence	Total	
Ontario Hydro	74, 932	69, 184	144, 116	$456, 850
Power Authority of the State of New York	--------	76, 065	--------	--------
Hydro Quebec	--------	122, 568	--------	--------

B. EFFECT ON POWER GENERATION OF A PERMANENT INCREASE IN DIVERSION OF 1,000 CUBIC FEET PER SECOND

As a permanent increase in diversion will continue indefinitely, all plants existing, under construction and proposed, are assumed to be in operation. For the temporary diversion, the total loss in power generation can be computed and evaluated. For the permanent diversion, the figures obtained are annual loss in power generation and they are evaluated on an annual basis. In table III below is given the computed loss in power generation for a permanent increase in diversion:

TABLE III.—*Permanent increase in diversion existing, under construction, and proposed plants in operation*

Power entity	Annual energy loss—kilowatt hours			Peak capacity loss, kilowatts		
	Niagara	St. Lawrence	Total	Niagara	St. Lawrence	Total
Ontario Hydro	85, 936, 000	27, 000, 000	112, 936, 000	11, 000	3, 080	14, 080
Power Authority of the State of New York	96, 426, 000	27, 000, 000	123, 426, 000	11, 000	3, 080	14, 080
Hydro Quebec	----------	56, 293, 000	----------	--------	8, 600	--------

NOTE.—Annual value of power loss for Ontario Hydro, $561,200.

4. Conclusions: From the above tables it may be noted that if the proposed temporary increase in Chicago diversion is authorized, Ontario Hydro would lose at least 144,116,000 kilowatt-hours power generation valued at $456,850 and probably as much as 205,310,000 kilowatt-hours valued at $650,800. If the increased diversion should be made permanent then each year Ontario Hydro would lose 112,936,000 kilowatt-hours of energy and 14,080 kilowatts of capacity, valued at $561,200. As may be seen from the tables, very substantial losses in power generation also would be incurred by Hydro Quebec and by the Power Authority of the State of New York. It is not possible to compensate for the increased diversion at Chicago by diverting additional flow into Lake Superior by way of the Long Lake and Ogoki diversions, as all flow that can be so diverted is being diverted. In view of these substantial power losses, it is urged that strong representation be made against this increased diversion of Great Lakes water into the Mississippi watershed.

JAMES S. DUNCAN,
Chairman, the Hydro-Electric Power Commission of Ontario.

WHY THE JUNIOR SENATOR FROM OREGON VOTED NOT TO SEND THE CIVIL-RIGHTS BILL TO THE SENATE JUDICIARY COMMITTEE

Mr. NEUBERGER. Mr. President, a great many people in the State of Oregon have written letters which ask me why I voted, on June 20, to place on the Senate Calendar the civil-rights bill passed by the House of Representatives, rather than having the bill referred to the Senate Judiciary Committee as normally would have been done.

It is understandable why such letters have come to me from Oregon because the distinguished senior Senator from Oregon [Mr. MORSE], with his customary vigor and force, has referred to that decision of the Senate as a resort to "parliamentary expediency." In addition, he has charged that such a decision played into the hands of the enemies of labor and of liberalism.

Inasmuch as many thousands of reprints of these speeches by my senior colleague were sent by him to Oregon, some of my constituents have wanted to know why I voted with those who sought to place the civil-rights bill on the Senate Calendar, instead of allowing it to go to committee.

Thus, today, August 26, I desire to make a very brief statement as to why I voted as I did. I did not actively participate in the debate on the issue, and this is my first declaration on the Senate floor with respect to this procedural question.

The determining factor in my stand was the position of the one member of the Senate Judiciary Committee who had stood out above all others as the foremost advocate of civil rights on the committee, as well as one of the most courageous civil-rights exponents in the entire Nation. He had originated many of the specific proposals which formed the civil-rights program, and he had pioneered this cause from within the committee. This was the illustrious senior Senator from Missouri [Mr. HENNINGS].

On June 20, Senator HENNINGS told the Senate why the bill should not be sent to the Judiciary Committee. This is what he said:

> As a supporter and sponsor of meaningful civil-rights legislation over the years; as chairman in the 84th Congress of the Senate Judiciary Subcommittee on Constitutional Rights which favorably reported four civil-rights bills, only to see them die in the full Judiciary Committee; as a sponsor this year of four bills similar to those of the previous Congress referred to above; as chairman of the Constitutional Rights Subcommittee which held exhaustive public hearings this year on 15 civil-rights proposals, and which favorably reported a bill to the full Judiciary Committee on March 19, 1957; as a member of the Judiciary Committee who has sought action on the merits of the legislation, to the end that a bill could be reported expeditiously to the Senate itself so that full, fair debate and consideration can be given to the subject; and thus as one who has been close to the issues throughout the past few years—I believe there is no convincing assurance that the Judiciary Committee will report a bill in the near future.

Let me announce that this continues to be the attitude of the Senator from Missouri [Mr. HENNINGS]. I recently asked him how he felt in retrospect about the Senate vote of June 20, which kept the civil-rights bill on the calendar. Although Senator HENNINGS has been recovering from surgery, he took the time and trouble to reply to me by letter. Here is what he wrote:

> This was my opinion then, and it is my opinion now.

In other words, Senator HENNINGS stands by his view that it would have been a mistake to send the civil-rights bill to the Judiciary Committee, of which he himself is a ranking member. I stress this circumstance because, day in and day out, over a period of nearly 10 years, Senator THOMAS C. HENNINGS, JR., has been the American legislator whose name has been most intimately associated with civil-rights legislation, for he has been the leader of the long struggle to report an effective civil-rights bill from the Senate Judiciary Committee to the floor of the Senate.

I voted as I did on June 20, because of this stand by the principal adherent of civil rights on the Senate Judiciary Committee. I felt that he should know, if anybody would, the wisest and most practical course for a majority of the Senate to follow in this vital crisis.

It seemed to me important that a civil-rights bill—as finally passed by the House of Representatives—should not be buried in committee where so many civil-rights measures in the past had been laid to rest. This was an unusual situation; it did not apply to any other issue—for what other particular issue had been delayed, held up and kept from decision ever since the Reconstruction Era?

In essence, that was the fundamental basis on which I premised the way that I voted. I have not amplified my reasons until now. However, in fairness to myself, I have thought I should make this brief explanation for the record inasmuch as many inquiries have come to me from Oregon concerning that particular rollcall vote.

In conclusion, I ask unanimous consent to have printed in the RECORD with these remarks a letter of August 7, 1957, addressed to me by the senior Senator from Missouri [Mr. HENNINGS].

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

UNITED STATES SENATE,
Washington, D. C., August 7, 1957.

The Honorable RICHARD L. NEUBERGER,
United States Senate,
Washington, D. C.

DEAR DICK: You have inquired as to my views with respect to the decision of the Senate to place the House-passed civil-rights bill on the calendar, rather than send it to the Judiciary Committee.

I, too, voted in favor of that decision and you may recall that I made the following statement in the Senate on June 20, before the vote was taken:

"As a supporter and sponsor of meaningful civil-rights legislation over the years; as chairman in the 84th Congress of the Senate Judiciary Subcommittee on Constitutional Rights which favorably reported four civil-rights bills, only to see them die in the full Judiciary Committee; as a sponsor this year of four bills similar to those of the previous Congress referred to above; as chairman of the Constitutional Rights Subcommittee which held exhaustive public hearings this year on 15 civil-rights proposals, and which favorably reported a bill to the full Judiciary Committee on March 19, 1957; as a member of the Judiciary Committee who has sought action on the merits of the legislation, to the end that a bill could be reported expeditiously to the Senate itself, so that full, fair debate, and consideration can be given to the subject; and thus as one who has been close to the issues throughout the past few years, I believe there is no convincing assurance that the Judiciary Committee will report a bill in the near future."

My estimate of the failure of the legislation to make progress and the extreme unlikelihood of its being reported were based on attendance, week after week, of meetings of the Judiciary Committee.

This was my opinion then, and it is my opinion now.

DICK, it is not possible for me to express adequately my appreciation and admiration for all that you have done in behalf of the civil-rights legislation. You have ever remained in the forefront of the stanchest supporters of this legislation. I am certain that you have received plaudits from all parts of America on your work on this issue. Let me add simply my own thanks and feelings of deep respect.

With every best wish, I am,
Sincerely yours,
THOMAS C. HENNINGS, Jr.,
United States Senate.

MR. REUTHER AND INFLATION

Mr. GOLDWATER. Mr. President, on August 22 Walter Reuther, president of the UAW-CIO, sent to the major automobile manufacturers of this country a suggestion that prices on their 1958 models be cut by $100 per unit. Since that time the indefatigable propaganda mills of Reuther's socialist cohorts have relentlessly cheered this move as a major thrust against inflation.

Mr. President, this suggestion is as phony as a $3 bill, and I want to point out why I say that. To begin with, since when has a labor leader assumed the right to tell any American company what its prices should be? Prices are based on costs equated with competition and the law of supply and demand. Wages are negotiated, and rightly so, over the bargaining table, but prices are set by the factors I have mentioned above.

Mr. President, I desperately want to see inflation controlled with the resulting stabilization of prices, but the only way this can be accomplished is by the free play of the natural economic forces which are the foundation of a free-enterprise system. If Government and/or labor leaders can enter the field of price fixing then free enterprise has ceased to exist.

If Mr. Reuther really wants to curb inflation, he should recognize that taxes and governmental spending probably more than any other factors have created the present rash of trouble. High Federal taxes bring about a tight money market in which there is bound to be competition, and which in turn forces interest rates up and the money supply down. If Mr. Reuther so piously wants to end inflation, then let him quit demanding more Federal spending for schools, for public power, for foreign aid, for agriculture, for housing, and for the many fields he suggests in the resolution adopted by his 16th constitutional convention, April 7 to 12 of this year. If he means what he says, let him join with those of us who demand less Federal spending so that all taxes may be reduced. I say if he means what he says, because this present gesture smacks of one he used back in 1946 when he demanded that General Motors "open their books to prove or disprove their ability to pay," and then said later it was merely a public-relations job and was used to put the company on the spot to talk economics or be over a barrel.

This is a strange form of proposal coming from a man who evidently dislikes and distrusts American businessmen and their free way of conducting the economy of the Nation.

On May 22 the same Mr. Reuther spoke before the National Press Club here in Washington and stated that "Beck got in trouble not because he acted like a labor leader but because he acted like a businessman and applied the ethics of the market place."

Mr. Reuther, continuing his tirade against free enterprise, accused key industries of arbitrarily rigging prices without regard for the law of supply and demand. Is not this statement irreconcilable in view of his present demand for a rigged price? This is the same man who suggests that the Government take over some of the businesses in this country. This is also the man who wants to breathe life into the suggestions of Leon Keyserling, the ADA and other left-wing, socialistic organizations engaged in expediting our transition from the blessings of free enterprise to the oft-proved disasters of socialism.

Yes, Mr. President, Walter Reuther detests free enterprise. He abhors any form of private management, and the market place in which we and our ancestors have met for thousands of years he considers the very epitome of evil.

Mr. President, this is the same man who in 1934 was so enamored of the Soviet Union that he closed a letter with the statement "Carry on the fight for a Soviet America." I say, Mr. President, that if and when the businessmen of this country succumb to the constant siren wails of Mr. Reuther then the fight for a Soviet America will be won.

Mr. President, I repeat, Reuther's proposal is as phony as a $3 bill and the American automobile manufacturers and the American public have recognized it as such.

NUCLEAR POWER DEVELOPMENT PROGRAM OF CONSUMERS PUBLIC POWER DISTRICT, NEBRASKA

Mr. CURTIS. Mr. President, I deem it fitting that I make a statement in reference to the Consumers Public Power atomic project in Nebraska. In recent weeks, this matter has been subjected to considerable comment in the news media of the country, in official circles in the Government, by individuals directly connected with the project, and the general public.

The whole field of atomic energy is technical and complex. The peacetime uses of atomic energy are closely related to the defensive uses of atomic energy and, for that reason, certain phases of the whole program have, throughout the years, been in the category of classified material. Sometimes when those of us who are not technically trained in the field discuss matters pertaining thereto, errors are made in terminology and definition. It is not unlikely that some of the comments concerning the controversial legislation which has been before us, and the public comments in reference thereto, have contained some error and misunderstanding.

The measure which was recently passed authorized the appropriation of the full funds for the carrying forward of the Consumers Public Power atomic project. This project has been in the making for some time. Because it was one of the earlier ones, it is in round one of the program. Due to the fact that it is in round one, and for the added reason of the size and competency of the Consumers Public Power District, this project was not put in the category that called for mandatory, direct contracting by the Atomic Energy Commission for the building of the project. This restriction was placed on the later projects sponsored by cooperatives and public bodies which were not placed in round one, and a number of which are smaller. The Atomic Energy Commission and the Consumers Public Power District will be free to negotiate a contract and choose the method of construction which is most suitable to both parties.

One of the errors that developed in the minds of some was the question of whether or not the legislation, as proposed by the Joint Committee on Atomic Energy, would have relieved the Consumers Public Power District of the necessity of making their contribution of $5,220,000 toward the construction costs. The fact is that neither of the proposals, which were before both the Senate and the House of Representatives, would have dispensed with this $5,220,000 contribution by Consumers. This is clearly set forth in the following colloquy between the distinguished Senator from New Mexico and the Vice Chairman of the Joint Committee on Atomic Energy [Mr. Anderson], and the junior Senator from Nebraska:

> Mr. Curtis. A contribution of $5,220,000 by Consumers Public Power District is called for by the committee bill, is it not?
>
> Mr. Anderson. The wording of the report is that we would expect to get the same contribution.
>
> Mr. Curtis. I should like to call the attention of the Senator to page 10 of the Senate committee's report. Then I shall not take any more time. Just prior to the third line from the bottom there appears to be an error in printing. A line is left out. I am aware of it both by reason of the odd wording in the report and the fact that the House committee report has another line in it.
>
> I wonder if the distinguished chairman of the committee, in order to clarify the matter, would care to have item 3 at the bottom of page 10, which runs over to the middle of page 11, printed in the Record at this point, because of the error in printing.
>
> Mr. Anderson. I ask unanimous consent, Mr. President, that that be done, because of the error in printing. It does leave out the fact that the AEC would also pay for the cost of construction of the reactor, except for the contribution by Consumers Public Power District of $5,220,000. The estimated cost to the AEC is $24,013,000.

There has been some discussion about fuel costs under the Consumers' contract. The legislation recently enacted, Public Law 85–162, requires that the AEC contract with organizations in the second round of the power demonstration reactor program on the basis of AEC paying all operating costs and selling steam to the organization at prices comparable to the costs which would have been incurred had these organizations constructed conventional powerplants. Public Law 85–162 does not establish the specific contracting method to be followed with the Consumers Public Power District. It is understood that the AEC and Consumers are free to continue their negotiations on the same basis which the two organizations had been considering prior to the recent actions of Congress. This basis contemplated that Consumers would pay all normal operation and maintenance expense in return for the steam from the reactor. It was also contemplated that AEC would pay the cost of unusual maintenance and in addition would pay for fuel cycle costs in excess of an amount originally contemplated by Consumers. Under this arrangement it is understood that Consumers expects to end up paying no more for the energy from the atomic plant than they would have paid for energy from a conventional plant. In summary, it may be said that although the form of the contract with Consumers may vary substantially from the contract with the second round organizations there is no reason attributable to the recently enacted legislation for Consumers final position to be any less favorable than the position of the other public power organizations in the second round of the power demonstration program.

Mr. President, I ask unanimous consent to have printed in the Congressional Record the statement in reference to the Consumers Public Power District project as it is found in the reports of both the House and the Senate committees.

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

> 3. Consumers Public Power District, of Columbus, Nebr., to construct and operate a 75,000 electrical kilowatt sodium graphite power reactor. This proposal is still under negotiation, and as late as July 5, 1957, the Joint Committee was advised by the Commission of a possible $6 million increase in the amount of assistance to be contemplated if a contract should be signed under this proposal. Under the proposal made by Consumers, the AEC would pay all preconstruction research and development costs on a cost-plus-a-fixed-fee basis, with an estimated cost to the AEC of $18,165,000. The AEC would also pay for the cost of construction of the reactor, except for a contribution by Consumers of $5,220,000; estimated cost of construction to the AEC is $24,013,000. The AEC would also contribute up to a ceiling of $8 million toward costs of unusual maintenance and expenses during the postconstruction operating period. The AEC would also waive charges for the use of fuel having an estimated value of $1,325,000. Although title to the reactor would be in the United States, consumers would be given a credit for plutonium recovered during fuel reprocessing. It is estimated that approximately 50 kilograms of plutonium should be recovered during fiscal year 1963, involving an estimated credit of $1,500,000.
>
> In summary, total assistance to be provided by the AEC under this proposal can be shown as follows:

Preconstruction research and development (estimated)	$18, 165, 000
Reactor construction (estimated)	24, 013, 000
Postconstruction (maximum)	8, 000, 000
Waiver of fuel-use charges	1, 325, 000
Total value of AEC assistance (estimated)	51, 503, 000

> Such estimate of funds could run considerably higher under this particular proposal, since there are no ceilings on the costs to be paid by the AEC during the preconstruction and construction phase of the project.
>
> Further details on the first round proposals are set out in the record of the hearings on authorizing legislation.

The PRESIDING OFFICER (Mr. Carlson in the chair). The Chair will advise the Senator from Nebraska that he has used up his allotted time.

Mr. CURTIS. Mr. President, I ask unanimous consent that I may proceed for an additional 5 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and the Senator may proceed for an additional 5 minutes.

Mr. CURTIS. Mr. President, the Consumers Public Power District is a well-managed district, operating under State law as a political subdivision of the State and it serves a great portion of the State of Nebraska. The Consumers Public Power District has been financed solely by bonds sold to private investors. There are no Federal funds or Federal borrowings of any kind in Consumers' financing. It is in a sound position. It has excellent leadership. Its officers and employees are competent. They have been diligent in their efforts to assume their responsibility and to cooperate with the Atomic Energy Commission. From the very inception of the project, they have maintained their own scientific department, headed by a well-trained physicist.

The Consumers Public Power District has shown every evidence of making their contribution and assuming their full responsibility. We are, however, in atomic matters, dealing with many unknowns. The risks to be taken by all sponsors are such that the Atomic Energy Commission, in behalf of the Federal Government, has very appropriately assumed the major risks. There was one bit of discussion in connection with the recent legislation that was susceptible of throwing some doubt on the risk that might be incurred by the Consumers Public Power District. This arose by the reason of a colloquy that took place on the floor between the distinguished Senator from New Mexico [Mr. Anderson], and the distinguished Senator from Vermont [Mr. Aiken]. The colloquy I refer to is as follows, page 15003, middle of third column:

> Mr. Aiken. Do I understand consumers public power district in Nebraska will pay the same rate?
>
> Mr. Anderson. It would under the provision which is in the Senate bill. It would not under the House bill as it was finally amended.
>
> In the case of Consumers Public Power District of Nebraska, the transaction is clearly set forth at page 14351 of the Record. The Government would pay consumers public power district an amount for preconstruction research and development of $18,165,000. If the Consumers Public Power District has guessed correctly, that cost will have been met. If it has guessed incorrectly, it will have to take the loss, which may run to $10 million or $15 million.

I have gone to the Atomic Energy Commission for information and clarification of these remarks which occurred in the general discussion of the bill and at a time when a number of projects were being commented upon. The reply I have received from the Atomic Energy Commission dispels any fears of any new or other risk being imposed on the Consumers Public Power District. That reply is as follows:

> Dear Senator Curtis: This refers to your inquiry concerning the remarks made on the floor of the Senate on August 16, 1957, relative to the Consumers Public Power District project (Congressional Record, p. 15003, bottom of third column).
>
> Under the proposal made by consumers the AEC would pay all preconstruction research and development costs on the reactor and perform the work on a cost-plus-a-fixed-fee basis with an estimated cost to the AEC of $18,165,000; further, the AEC would also pay for construction of the reactor except for a contribution from Consumers of $5,220,000. It is contemplated that the research and development work would be carried out under a direct contract between the AEC and Atomics International, a division of North American Aviation Corp. The method of performance of the construction work is still under consideration. In either case, it is not expected that the Consumers Public Power District would be obligated for costs with respect to the reactor in excess of their contribution of $5,220,000.

In connection with the Consumers project there is a final matter which has given concern to the district, and that is the provision in the bill that passed requiring the Atomic Energy Commission to submit the basis of their proposed contract to the Joint Committee on Atomic Energy, and the Joint Committee shall have 45 days to act thereon. This is somewhat similar to existing law. The concern of Consumers was due to the fact they are nearing a deadline in some of their negotiations with suppliers, and this 45-day waiting period could be a very material hindrance to the progress of this project. I am pleased to invite attention to the fact, however, that the legislation contains a provision whereby upon the certification of the Atomic Energy Commission, the Joint Committee on Atomic Energy of the Congress can waive that waiting period. I took this matter up with the distinguished Vice Chairman of the Joint Committee, the Senator from New Mexico [Mr. Anderson], in our discussion on the floor of the Senate in a colloquy that shows the helpful and cooperative spirit in which this matter will be approached by the Joint Committee. That colloquy is as follows:

> Mr. Curtis. I should like to make inquiry with respect to section 111 (b) of the bill. It provides, in substance, that when the basis of a contract proposal is about to be consummated, before final action can be taken the basis of the contract must be submitted by the AEC to the Joint Committee, and then it calls for a 45-day waiting period before consummation.
>
> I ask whether there is any provision, under certain circumstances, for a waiver of the 45-day period.
>
> Mr. Anderson. Yes; I will say to the able Senator from Nebraska that there is such a provision, reading as follows:
>
> "*Provided, however,* That the Joint Committee after having received the basis for a proposed arrangement, or amendment thereto, may by resolution in writing waive the conditions of or all or any portion of such 45-day period."
>
> That provision for waiver has been utilized by the Joint Committee under similar circumstances. This is a new provision, but the provision for waiver is not completely new to the basic act. It has been utilized by the committee previously.
>
> Mr. Curtis. I may say to the distinguished vice chairman that the consumers public power district is nearing the deadline with respect to consummation of a contract, and we hope that it may be consummated soon. However, the 45-day period, if there were no opportunity for waiver, might be a very material problem.
>
> Mr. Anderson. I will say to the distinguished Senator from Nebraska, that, knowing every member of the Joint Committee on Atomic Energy, I think I can safely say that every one of them would be happy to help the consumers public power in its negotiations. We were keenly aware of his problem, and were desirous to make sure that it could be worked out. I believe that if a request for waiver were presented—while I would not attempt to predict what individual members of the committee might do—I am sure it would be in the hands of a receptive group.
>
> Mr. Curtis. I appreciate that statement very much. I note that the Joint Committee on Atomic Energy has already taken considerable testimony and obtained additional information about the proposal discussed by the AEC and the consumers public power. I notice particularly the language in the report beginning at page 10.
>
> Mr. Anderson. At page 34 there is language that ought to appear in the record in connection with the colloquy. It deals with the waiver of the 45-day period. The language is as follows:
>
> "It is the intention of the Joint Committee not to hinder unnecessarily progress under proposals which may be reached by the Commission as a basis for negotiation and submitted to the Joint Committee. Therefore, especially when Congress is adjourned, if the Commission certifies that a project is ready for immediate construction or other development, and requests waiver of the waiting period by the Joint Committee, the Joint Committee will proceed to consider the matter expeditiously, and grant the waiver if it seems appropriate in the opinion of the Joint Committee."
>
> That is a promise of expeditious handling, which is as far as the Joint Committee could go, but it certainly meets the question propounded by the Senator from Nebraska, I am sure.

Mr. President, the record, when examined carefully, clearly dispels these erroneous concepts which have arisen and which I have mentioned. In the light of all the facts, I have full confidence in the ability of the Consumers Public Power District in Nebraska to proceed with their project in a most creditable way. They are following an uncharted course that will have many problems and difficulties, but I am likewise convinced that the attitude of the Atomic Energy Commission and that of the Congress, and the legislation and rules promulgated, are going to work out to the best interest of consumers and of the United States Government.

Mr. President, I wish to express my gratitude to the members of the Joint Committee on Atomic Energy and the entire Senate for their assistance and their helpful attitude. I also wish to express my gratitude and commendation to the Atomic Energy Commission for the excellent leadership they have shown, their knowledge and their foresight, and their fair and considerate treatment that has always been extended to those of us in Nebraska who have, from the inception of the program, been interested in having a part in this great peacetime atomic energy development. I believe that the interests of Nebraska and the Federal Government will best be served by our full cooperation with the Atomic Energy Commission and this we propose to continue to give.

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

Mr. CURTIS. I yield to my colleague.

Mr. HRUSKA. I should like to say, Mr. President, that the statement just made by the junior Senator from Nebraska is a very splendid explanation of all the circumstances which have preceded the legislation recently passed by the Senate in a very complicated field. I should like to commend the Senator from Nebraska for the contribution he has made in this regard. I think it will clear up a great deal of confusion which has attended not only the passage of the legislation, but also much discussion which has been particularly interesting, and, of course, very pertinent to the Nebraska power situation.

To that extent I should like to associate myself with the remarks made by the Senator from Nebraska in this connection, and I wish to again commend him for the thoroughness with which he has gone into the subject.

Mr. CURTIS. I thank my colleague. I also wish to thank him for the heavy load and splendid part he has carried in this matter through the weeks it has been under discussion.

RECORD OF 1ST SESSION OF 85TH CONGRESS IN FIELD OF MEDICAL RESEARCH AND HUMAN HEALTH

Mr. NEUBERGER. Mr. President, no field of legislative endeavor is more urgent than that involving protection of the health of our population of 171 million people. Dr. Howard A. Rusk, medical editor of the New York Times, has written a most thorough analysis of the record of this session of Congress entitled "Congress and Health," which appeared in the Times of August 25, 1957.

Dr. Rusk pays appropriate tribute to the magnificent leadership in this vital area of the senior Senator from Alabama [Mr. Hill] and of Representative John E. Fogarty, of Rhode Island.

Let me emphasize two sentences by Dr. Rusk, this eminent authority in the realm of medicine:

> The formulation of our national policies for medical research by Congressional leaders has been both democratic and intelligent.
>
> The legislative process has translated the public interest in relieving human suffering caused by disease into support of medical research with consummate effectiveness.

As one Senator who has served in the ranks under the leadership of Senator Hill, I am proud of the high estimate and profound recognition given to our attainments in medical research by the able physician who is medical editor of the New York Times. Dr. Rusk's summation may be regarded with pride and satisfaction by many of us and particularly by Lister Hill and such of his associates on the Appropriations Committee as the senior Senator from Maine [Mrs. Smith], the senior Senator from Washington [Mr. Magnuson], and the senior Senator from Minnesota [Mr. Thye].

I ask unanimous consent that Dr. Howard A. Rusk's article from the August 25 issue of the New York Times appear in the body of the Record.

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

Congress and Health: An Appraisal of Legislators' Support of Research and Training of Scientists

(By Howard A. Rusk, M. D.)

As Congress settles into its closing days it still faces many unresolved controversial issues. There was no major controversy, however, during session on the question of Federal support of medical research. Recognizing that this question had the full support of the people, Congress took an important and decisive step in strengthening our national attack on disease through medical research.

In his budget President Eisenhower had recommended an appropriation of $190 million for medical research to be administered by the National Institutes of Health. This was a $7 million increase over last year's appropriations. Following a series of exhaustive hearings by committees in both the Senate and House of Representatives on how much money could be spent effectively on research, Congress increased the amount to $211 million.

This record level of funds, which became available last July 1, means that our medical schools and universities are already broadening and quickening the pace of their research activities.

GROWING STATURE INDICATED

Approximately three-quarters of these funds are earmarked for research and training grants, primarily to medical schools and university investigators. Most of the increased funds will go for this purpose. The amount of research conducted directly by the National Institutes of Health in their splendid laboratories in Bethesda, Md., will remain approximately the same.

The actions taken this year by Congress in support of medical research, particularly of its appropriations committees, indicate growing stature and statesmanlike leadership in the complex issues of national policy in this field. The understanding shown by the appropriations committtees under the chairmanships of Senator Lister Hill of Alabama in the Senate and Representative John E. Fogarty of Rhode Island in the House in dealing with the needs of medical research is illustrated by such recent Congressional actions as:

Continued strong support of basic research to provide the breakthroughs in knowledge on which progress in clinical medicine depends.

Measures and funds to deal with the serious shortages of research manpower at all levels of training.

Support of concerted research efforts to exploit rapidly and fully clinically promising scientific leads; for example, in the chemotherapy of mental illness.

An example of Congressional insight into the research process is to be found in this year's report of the Senate Appropriations Committee. The report states, "It is increasingly clear that rapid progress into the conquest of disease is dependent in large part on the availability of a large body of basic scientific knowledge from which advances against heart disease, cancer, mental illness, and other major killers and cripplers of our time can be derived."

But Congress recognizes that basic research requires more than money and laboratories. It requires skilled personnel. In last year's report to the House, the Appropriations Committee said, "The committee calls particular attention to the urgency of taking steps at this time to insure that an adequate supply of medical research scientists will be available in the years ahead. No aspect of the Federal program for support of medical research is more significant than manpower training."

This is certainly true. In addition to meeting its growing personnel needs because of an expanding program, medical research faces the competition of the higher economic returns of private practice. Today, both the average general practitioner and specialist engaged in private practice can easily earn two to three times as much as the research scientist. Congress has wisely attempted to offset this to some degree by providing sufficient funds for increased salaries for scientists engaged in research aided by Federal grants.

By urging more basic research and directing an expansion of efforts to train and retain medical scientists, Congress has shown that its interest has not been limited to insuring that adequate money is available. It has shown an awareness of the fundamental as well as the more obvious needs of medical science.

An inherent fundamental aspect of democracy is the right and privilege of each citizen to criticize his elected representatives freely. This is a prerogative that most of us exercise freely. It is neither valid nor fair, however, when applied to Congressional action on the highly professional and technical matters of medical research.

OUTSIDE ADVICE SOUGHT

Our national medical research policy has evolved on a sound basis because of close and sympathetic understanding between the executive and legislative branches of our Government and our private organizations. Congress at all times has wisely sought the advice of outstanding leaders in all fields relating to medicine. The formation of our national policies for medical research by Congressional leaders has been both democratic and intelligent.

The legislative process has translated the public interest in relieving human suffering caused by disease into support of medical research with consummate effectiveness, and has done this with remarkable sensitivity to the conditions prerequisite to the vigorous growth of science. On the one hand, a complex set of scientific questions have been brought into the public forum in a manner understandable to the layman. On the other hand, medical research has been harnessed to the public interest without injuring the freedom essential to success. This is democracy operating at its best.

AUTHORIZATION FOR COMMITTEE ON APPROPRIATIONS TO FILE REPORT ON MUTUAL SECURITY APPROPRIATION BILL

Mr. JOHNSON of Texas. Mr. President, I should like to announce that the hearings on the mutual security appropriation bill will be on each Senator's desk this afternoon. The bill has been ordered reported.

I should like all Senators to know that we expect to bring the bill up as soon as the reports are available.

I ask unanimous consent, Mr. President, that the Committee on Appropriations be permitted to file its report even though the Senate is not in session, and that it be in order to consider the bill when the report is available to Members.

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

DREDGING OF UPSTREAM NAVIGATION CHANNEL ON COLUMBIA RIVER TO PROJECT DEPTH OF 27 FEET

Mr. NEUBERGER. Mr. President, recently there was some controversy in the House of Representatives over an item of $425,000 for beginning work on the Columbia River upstream navigation channel, after some of us had been successful in having this undertaking included in the supplemental appropriation bill. The project involves restoring to authorized depth of 27 feet the channel from Vancouver, Wash., to The Dalles, Oreg. Once the Corps of Engineers had dredged the channel to this necessary extent, but it had been allowed to fill with silt, snags, and boulders during recent years.

Because of the controversy in the House—a controversy which becomes ironic when we contemplate that this was an item of $425,000 in a bill carrying total sums of $1,734,011,947—I desire to call to the attention of the Senate the testimony which the distinguished senior Senator from Montana [Mr. Murray] and I submitted to the Senate Appropriations Committee on August 14, 1957. This was the day when the Senate Committee formally added the $425,000 item to the supplemental appropriation bill.

Senator Murray and I stressed the fact that the Columbia River is the sole navigable waterway that trenches through the great Cascade-Sierra Mountain barrier, which shuts off the Pacific seaboard from the intermountain region and which extends from British Columbia far into Mexico. Can such a river be denied its commercial and economic potential because of comparatively small appropriation allowances, in the great scheme of things?

Of course, I want to add my appreciation to that of Senator Murray for the characteristic patience, understanding and thoroughness with which our request was considered by the beloved chairman of the Appropriations Committee [Mr. Hayden], who is admired by us all because he uses his great influence with such restraint and fairness.

When Senator Hayden celebrates his 80th birthday this fall, many of us in the Pacific Northwest will know that his long life and his long career have been of immense benefit and value to our own region.

Mr. President, I ask unanimous consent to have printed in the body of the Congressional Record the testimony presented to the Senate Appropriations Committee on August 14, 1957, by the senior Senator from Montana [Mr. Murray] and myself in behalf of the $425,000 item for dredging to project depth of 27 feet the Columbia River navigation channel between Vancouver and The Dalles.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Statement of Hon. James E. Murray, a United States Senator From the State of Montana

DREDGING OF COLUMBIA RIVER CHANNEL

Chairman Hayden. The committee will come to order.

We will be pleased to hear from you now, Senator Murray.

Senator **Murray**. Mr. Chairman and members of the committee, in my many years as a Member of the United States Senate there has never been called to my attention a project with greater merit than the proposal that the Columbia River be dredged to a channel depth of 27 feet from Vancouver to The Dalles.

The agricultural, mining, and general economy of Montana, as well as the other Northwestern States vitally needs the easy access to deep-water ports that would result from deepening of the Columbia River channel.

All the evidence clearly shows that this great inland agricultural-mining empire requires this facility if it is to come into its own in the economic life of the Nation.

The wheatgrowers of the Northwest would be particularly benefited, and there is clear evidence that more than 200 ships of 8,000 tons each will annually carry a variety of agricultural products over this waterway when it is deepened. This will make possible an average savings of $1.68 per ton in transportation charges.

In addition to these more than 200 ships carrying agricultural products, newly established industrial development at The Dalles will call for the movement of 35 to 40 ships of 10,000-ton capacity in and out of The Dalles annually.

The producers of fresh fruits would also be greatly benefited by deep draft navigation on the Columbia. It has been conservatively estimated, for instance, that from 20,000 to 40,000 barrels of cherries would be shipped annually over this inland waterway at a transportation saving approximately $1 per barrel.

The Federal Government would directly benefit through the Commodity Credit Corporation being enabled to use the ship channel, at greatly lowered transportation costs, for the movement of surplus grains destined for Far Eastern countries.

I need not remind this committee that the channel deepening from Vancouver to Bonneville Dam has been authorized since 1937 to a depth of 27 feet. Then in 1946 Congress extended the authorization from Bonneville Dam to The Dalles. In recent years past, however, irrespective of authorization, the channel has been maintained to a depth of only 15 feet.

Appropriation request

I urge the committee to implement the authorization by appropriating the sum of $500,000 to get the initial dredging underway.

The economic development and welfare of a vast area—the entire Pacific Northwest—cries for this appropriation, and I urge you to answer the cry.

Thank you, Mr. Chairman, for giving me this opportunity to appear.

Chairman **Hayden**. What I cannot understand, Senator, is that here is an authorization that was made for this extra depth 10 years ago, and yet we have done nothing about it. And the agitation in favor of channelizing the streams in the eastern part of the United States is kept on regularly. You take the great harbors of the Atlantic coast, like for instance Norfolk. Since the advent of these greater tankers they could not come into the harbors without having to lighten part of their load, and deepening of the channels has enabled the ships to land and bring in their oil from abroad and make it so that the cost of fuel is less in the community. We are deepening the channel of the Delaware River to bring in iron ore.

Senator **Murray**. Yes.

Chairman **Hayden**. I have been on this committee quite a time, and I am just wondering why there has not been more effort made in the past 10 years to get something done.

Senator **Murray**. Well, I guess we are not experienced as they are in the East in handling these political problems. It does seem to me that there has been a little neglect there.

Chairman **Hayden**. It does seem to me that the West is behind the times. That is why I brought out the question.

Senator **Murray**. It is very important that we get cheap transportation. For instance, in Montana we could have a big chrome industry there. Instead, chrome is brought all the way across the ocean from Africa to be processed in Memphis, Tenn.; yet we have the chrome right there in Montana.

Chairman **Hayden**. But you do not have the water transportation.

Senator **Murray**. That is it.

Chairman **Hayden**. I thank you for your statement.

Senator **Neuberger**?

STATEMENT OF HON. RICHARD L. NEUBERGER, A UNITED STATES SENATOR FROM THE STATE OF OREGON

COLUMBIA RIVER PROJECT

Senator **Neuberger**. I was listening to Senator **Murray**'s very able testimony, and as usual he was very thorough. I will not go into the statistical details which he gave you so well.

I would just like to explain the answer to the very logical and very reasonable question which you put.

The Columbia River, as I think you know, is the only river that cuts through the great mountains that rise above the Pacific Ocean. There is no other waterway between the great Intermountain West and the Pacific Ocean except the Columbia River. It cuts through the Cascade Range, which is the continuation of the Sierra Range. God made one mountain range, but it is called the Cascades in the north and the Sierras as it extends on into Mexico.

That river has been a natural avenue for navigation since Lewis and Clark came down it with the American flag in 1805.

Indeed, when Meriwether Lewis sent his reports to Thomas Jefferson, he said then that this was a great avenue of commerce. And Thomas Jefferson, in the first papers ever written by any American President about the American West, envisioned a great commercial empire on the Columbia River because of its navigability. As we know, water transportation was then the only means of travel except by horseback or on foot.

But there have been barriers to navigation on the Columbia River in the form of rapids which act as blockades.

The first great rapids was Cascade Rapids, which Bonneville Dam inundated. Bonneville Dam, however, did not inundate Cascade Rapids until 1938. President Roosevelt came to Bonneville in 1937. I think you remember that. Senator McNary introduced him. It was a great event. And President Roosevelt dedicated Bonneville on that date, and in 1938 the river was sealed off and power production began and Cascade Rapids was inundated beneath the pool.

So that meant that for the first time navigation began into the upper river. So you see, it was only 20 years ago that any navigation at all began on the section of the Columbia.

Umatilla Rapids

But there was still another great obstacle, and that was Umatilla Rapids located about 120 or 130 miles above Bonneville. It was very difficult to contemplate use of barges and diesel tugs as long as Umatilla Rapids remained. But the dam that is taking care of Umatilla Rapids is McNary Dam, named for your old colleague and your former associate in the Senate. And today McNary Dam is completed. Every generator has not been put in, but it is in operation, both powerwise and navigationwise.

So with the inundations by the pools back of Bonneville Dam and McNary Dam of the two main rapids which were obstacles to successful navigation, the impetus began to use the upper Columbia for water transportation.

Bonneville Dam was constructed at a cost of approximately $88 million—which seems so little now for a great dam, does it not? McNary cost about $320 million. The question before us today is this: Are we going to allow a bottleneck of maybe $8 or $10 million prevent the full use of those dams for navigation? Because as long as you have the channel silted over, filled with snags, clogged with all kinds of debris, sand, and gravel, that come down a great swift flowing river like the Columbia, you cannot make use of the pools that over $400 million worth of dams have created.

Authorization for channel depth

Now, Senator **Murray** very properly pointed out the channel above Vancouver is authorized for a depth of 27 feet and a width of 300 feet. However, maintenance has lagged and the depth now is only 15 feet. But the great pressure in recent years for bringing petroleum and manufactured products and alumina ore and other commodities or raw materials upstream and then taking downstream wheat and apples and other farm products of the intermountain region back of the Cascades—that all dates from the completion of Bonneville and McNary Dams.

Now, you know the size of the appropriations that this committee regularly authorizes for navigation on the Mississippi River, on the Ohio River, on the Delaware River, and in the great seacoast harbors of the Eastern States. Why, this little $500,000 appropriation that was knocked out is in comparison a mere bagatelle. And yet it would be very important to making some use, not full use but some use, of the navigation possibilities of the greatest river system we have in the West.

Magnitude of Columbia River

You know, Mr. Chairman, I have recently been working on an article for Harper's magazine about the Columbia River. And I do not think anybody realizes that magnitude of the Columbia River. The Columbia River at its maximum flow, when all the great ranges in British Columbia, in Canada, are melting to their maximum, carries across the border and down into the United States five-sixths of the maximum flow of the Mississippi. That is the extent of the Columbia River. It carries down to the sea 180 million acre-feet of water. I think your great Colorado River has 17 or 18 million feet.

Chairman **Hayden**. I looked up the records one day, and my recollection is that more water runs into the Columbia River out of the Pend Oreille than there is in the whole Colorado River system.

Senator **Neuberger**. I am sure that there is no doubt about that. This is a thing that I know is correct, because these figures are very vivid in my mind.

The Colorado system has about 17 or 18 million acre-feet.

The Columbia, where it crosses the border out of Canada, hasn't picked up a single drop of water in the United States. It has not picked up the Snake. It has not picked up the Willamette. It has not picked up the Deschutes or any of the great rivers that we know in the United States. The Columbia, where it crosses the border out of Canada, has 62 million acre-feet; this shows you what a river it is. Here is the only river that offers any competitive factor with the railroads and the trucklines for travel through the mountains of the intermountain west, of the Cascades. And we in the Northwest are being choked by high freight rates.

Unemployment crisis

The Senator from Montana made an outstanding speech on the Senate floor the other day about the unemployment crisis that grips our region. One of the big factors is truck and railroad freight rates. As you and I know, Senator MURRAY, industrial development in our States is virtually impossible because of this great rate factor.

The Columbia offers the only possible competition to the railroads and the trucklines. We need $500,000 to dredge this channel down to project depth and then continuation of appropriations so that it can be maintained at project depth. It just seems to me tragic not to——

Senator CHAVEZ. Was that the authorization that we took care of the other day in public works?

Senator NEUBERGER. No; this has been authorized for many years. This project from Vancouver to The Dalles was authorized in two pieces. First, in 1937, from Vancouver to Bonneville pool, when Bonneville was built, and then in 1946 from Bonneville pool to The Dalles, when it became obvious that dams such as McNary Dam and the Dalles Dam would be built on the upper river.

Condition of The Dalles

Senator CHAVEZ. What about The Dalles? What is the condition of that now?

Senator NEUBERGER. The structure is virtually completed, but none of the power equipment has been installed. But the river has been sealed off. And already the pool back of The Dalles has started to flood out the Indian fishing grounds.

Senator CHAVEZ. Tell me now: What about the Indians?

Indian problem

Senator NEUBERGER. Well, your committee appropriated for the Indians, if I am not mistaken, $26,900,000. That was to reimburse the Indians for the loss of their ancestral fishing rights. And I think that some of the Indians regard that as not generous, but I believe that on the whole it was a quite adequate appropriation. The Indians have a very sentimental feeling about this area.

Senator CHAVEZ. Besides that, now, the practical end of it—as I recall, this would not provide that with the money appropriated for the Indians they could still go further and get their ancestral homes.

Senator NEUBERGER. You provided that they could go to their fishing grounds. In all candor, though, there are none in the Columbia to match those at Celilo. There is no other place at which so many salmon can be caught.

However, I do want to say that the greatest escapement up into the headwaters of the river has been experienced this year—way up into the Salmon and the Clearwater, up into the Continental Divide, where Lewis and Clark first crossed the mountains. This great escapement has occurred, I believe, because Indian fishery formerly made such depreciations on the fish going upstream.

But your committee provides, I think, quite adequately, $26,900,000. Is that not the correct figure, Colonel?

If it is not correct, would you correct it in the record for me? I believe it is, though. (The Corps of Engineers subsequently advised that $26,907,155 had been paid or approved for payment to the Indians.)

But, Dennis, this is the thing we are talking about here: This is the second greatest river system in the United States, second only to that on which Senator ELLENDER lives, and its use for navigation has just been minimal. We need it so badly out there.

Per capita income in Oregon

The State I help to represent, was once a very wealthy State in per capita income. In 1947, average per capita income in Oregon was $202 above the national average. Last year it was $10 below the national average, at a time of national prosperity. We have just been going down on the economic toboggan every single year. And one reason is that the States like Oregon and Montana are farther in distance and in terms of freight rates from the major markets of the United States than other parts of the United States. Waterborne transportation is vitally needed to offer some competitive control over railroads and trucklines. It is life and death to us.

Problem of freight rates

Senator CHAVEZ. What rate do they use? Pittsburgh?

Senator NEUBERGER. They use Pittsburgh plus; that is right.

Senator CHAVEZ. We suffer from the same thing.

Senator NEUBERGER. Sure. I know. And Senator HAYDEN's State suffers also from the same thing. But we are even farther away than you are. We are another 800 miles from Chicago.

I had an experience in April. I was out in Oregon. One of the largest turkey warehouses in our State closed down permanently. We are a large turkey-raising State. It has closed because it costs 5 cents a pound more to put an Oregon turkey down in the Chicago market, where they have to sell a lot of them, than a Texas or West Virginia turkey.

Well, the Thanksgiving turkey that your wife buys for your dinner is 30 pounds, perhaps. You add 5 cents a pound to each pound of that turkey, and it means either the Oregon turkey cannot compete or the grower has to absorb 5 cents a pound, which may be far more than his whole margin.

I am sure your State has experienced the same thing, Senator MURRAY, in all kinds of agricultural, mineral, and timber situations.

Senator MURRAY. Yes; that is the main problem we have in our State. As I pointed out a little while ago, we could have had a big chrome industry in Montana if we had had proper rates.

Concentration of population

Senator NEUBERGER. The whole North American Continent has a unique situation economically, because most of the people in both the United States and Canada live in a comparatively small area in the east.

I looked it up the other day. I think something like 55 to 60 percent of the American people live within a 500-mile area of Pittsburgh. I remember when I was up with my wife in Canada where the Aluminum Company of Canada has built the largest aluminum smelter ever constructed in northern British Columbia, using 2-mill power created by dropping those great hanging lakes at the head of the Frazier River 600 feet to tidewater. One reason that such a project is feasible is that there is water access to the plant from the ocean. The smelter is located at the end of a great fjord that goes for 80 or 90 miles back into the mountains.

But we need this water transportation in the Northwest.

Senator CHAVEZ. What was this that Senator MAGNUSON said the other day about transportation, I think, getting it over from Walla Walla?

Senator NEUBERGER. I think that was a bill in the Public Works Committee if I am not mistaken, having to do with the relinquishment or trading of some Government lands, Dennis, so that the port of Walla Walla could establish a port authority there.

Here is Senator MAGNUSON now.

MAGGY, Senator CHAVEZ just asked me about your bill dealing with Walla Walla. Was that not for the exchange of lands so that they could develop a port authority there?

Senator MAGNUSON. Yes. There is a port authority developed there, and there are three or four of them, and all of that land around there was Government land backed up by McNary Pool. And we are leasing some of that land and giving title to some of it when they express a purpose to put in industrial development. There are all kinds of grain elevators. And this will be a pulp and water mill. The whole thing is growing. The whole McNary Pool is growing, because it has a chance. There is nothing there, and they need this navigation.

Importance of Columbia River navigation

Senator NEUBERGER. Senator MURRAY and I were just stressing the fact that the only possible way we could have a competitive factor with the railroads and the trunklines in the Northwest is to have extensive navigation on the Columbia River because that is the only water route through the mountains.

Senator MAGNUSON. And there is a big oil movement back and forth that goes to the inland empire and into Idaho and even into Montana.

Senator NEUBERGER. It brings out wheat and apples.

Senator MAGNUSON. Wheat and apples, fruit. As a matter of fact, the tonnage has quadrupled in the past 5 years. More than that, I believe.

Senator CHAVEZ. I want you boys from Oregon and Washington and Montana to know this. They take me to task at home once in a while because I get a couple of million for the Rio Grande, and they say, "You give $90 million to the Columbia." But I say, "They have that kind of a river," which is true. You have a terrific resource there in the Columbia.

Senator NEUBERGER. Dennis, I can remember in 1937, when I was correspondent for the New York Times in the Northwest, I stood up at Chanticleer, a thousand feet above the Columbia, with a great Swedish engineer who had been their chief delegate to the World Power Conference. He was the chief hydraulic engineer for Sweden. Most of their power, I guess, comes from those small rivers that drop down to the ocean through fjords. He stood there, looking at the Columbia River pouring through the gates of the mountains, and tears came into his eyes, and he said, "Do you people in the Northwest realize what you have here?" He said, "Here is a river greater than the Rhine, and it falls farther than our brooks."

And we have never fully utilized that river.

Chairman HAYDEN. Senator MAGNUSON, do you have a statement you want to offer to the committee?

Senator MAGNUSON. No; I just want to supplement this statement by all of the Senators here, MORSE, JACKSON, NEUBERGER, and the rest.

The committee is quite familiar with this item. It is something that should be done, and we are hopeful that we can get the matter into the supplemental and get going. Because the money here for the maintenance—we doubled the amount, I believe—is in the regular bill, and this would be a continuation up the river to do the job that is going to have to be done ultimately.

Senator NEUBERGER. Thank you, Mr. Chairman.

Prepared statement

Chairman HAYDEN. Do you have a statement for the record, Senator Magnuson?

Senator MAGNUSON. Yes; I will offer this.

(The statement referred to follows:)

"STATEMENT OF SENATORS MAGNUSON, MORSE, JACKSON, AND NEUBERGER ON THE COLUMBIA RIVER VANCOUVER TO THE DALLES PROJECT

"Mr. Chairman and members of the committee, as Senators from the States of Washington and Oregon we are intensely interested in the project for the deepening and widening of the Columbia River between Vancouver, Wash., and The Dalles, Oreg. Our interest is predicated upon our firm conviction that this project is in the national interest as well as in the interest of the economy of great industrial and farming areas adjacent to the Columbia River.

"In 1937, Congress authorized a ship channel from Vancouver, Wash., to Bonneville Dam, with a project depth of 27 feet and width of 300 feet. In 1946, the extension of the project depth and width to The Dalles, Oreg., was also authorized by Congress.

"The dredging of the main channel between Vancouver and Bonneville Dam was completed in 1949, but during the past several years it has been maintained only to a depth of 15 feet, presumably upon the Corps of Engineers' conclusion that the needs of existing traffic can be served thereby. However, as we shall point out, the needs of vast areas on both sides of the river cannot be served adequately by the maintenance of the river in its present inadequate conditions of depth and width.

"This whole area has entered a new phase of rapid industrial development and unless work is undertaken promptly to develop that part of the Columbia River lying between Vancouver and The Dalles in accordance with previous Congressional authorizations, the upper Columbia will serve as a bottleneck rather than as an artery of commerce.

"In testimony submitted to the Senate Appropriations Committee on H. R. 8090, the public works appropriations bill, 1958, the Corps of Engineers advised that it would need $500,000 of new construction money to begin rock removal between Bonneville Dam and The Dalles and improvement of the entrance to the Bonneville Canal (Senate hearings, H. R. 8090, p. 2744). This $500,000 of construction work constitutes an integral part of the overall estimated total of $5,350,000 needed for restoration of this section of the river to project depth and width.

"Channel work on the Columbia between Vancouver and The Dalles is urgently required, not only on the basis of economic considerations but also because of the fact such work constitutes a defense measure of primary importance.

"The economic situation along this 85-mile section of the Columbia is entering a new phase of rapid industrial development. Unless immediate action is taken to assure ample funds for the initiation of work to restore project depth and width, this section of the river will be wholly inadequate to meet the needs of a rapidly expanding area. Therefore, it is of utmost importance that this committee give serious consideration to the inclusion in the supplemental appropriation for fiscal 1958 of funds sufficient to accomplish the maximum channel construction work that can be performed by the Corps of Engineers on this project during the present fiscal year.

"We recall with deep satisfaction the favorable action taken by the Senate Appropriations Committee in recommending $500,000 for the initiation of construction work on the upper Columbia when it took action on the public works appropriation bill, H. R. 8090. We are sure this committee recalls the importance and the worthwhile nature of the project.

"In support of our request for funds in the sum of $500,000 to initiate construction, we submit for the consideration of the committee the following salient points:

"1. A major aluminum company has indicated that by late 1957, there will begin an annual movement of 18 round-trip ocean vessels carrying alumina from the Orient for the initial operations of a reduction plant that is scheduled for completion in late 1957; that during 1958 and 1959, this annual movement will increase to 24 round trips; that by 1960, if sufficient electric power is available, the company will double its aluminum production capacity so as to assure 48 annual round-trip ocean vessel movements. By 1961, the company expects 84 annual vessel movements.

"2. This additional ocean vessel tonnage will result in an increase in the outgoing tonnage of aluminum, titanium, or steel products, chemical fertilizers, possibly coal, and other industrial products.

"3. Grain from one of the great wheat-producing centers of the Nation—eastern Oregon and eastern Washington—can be shipped for export on oceangoing vessels at The Dalles if the authorized channel depth is attained. Also, a very substantial volume of fresh fruit can be shipped for ocean travel under these circumstances.

"4. A number of new smaller industries in existence or under construction also can be expected to contribute substantial tonnage to this stretch of the Columbia. Thus, agreements have lately been signed for the construction of a new pulp mill on the McNary pool at a $30 million investment. Deepening of the Columbia River Channel to The Dalles would make it possible for this firm to barge its products to The Dallas for transshipment to deep-draft vessels at that point, rather than the more costly haul all the way to the mouth of the river.

"An existing plant located between Vancouver and Bonneville engaged in production of aggregate for use in concrete would be able to barge gravel from upstream to its mill in more economical loads. In addition, when construction gets underway on a new contract for making concrete pilings, these products could be transported upriver from the plant.

"Two petroleum storage facilities, representing an investment of $10 million, are already in existence on McNary pool at the terminus of a major pipeline. With completion of the deeper channel, petroleum could be barged to The Dalles for transshipment to deep-draft vessels at considerable savings over the longer haul downstream.

"These examples of new industries which are anxious to increase the use of the river for transportation purposes point up the extremely varied nature of the river traffic which would use the deeper channel.

"We are hopeful that the committee will again approve this appropriation request which we are satisfied is most meritorious."

HELLS CANYON OR NOTHING

Mr. DWORSHAK. Mr. President, the people of my State are becoming thoroughly aroused over the unyielding opposition to the authorization of Bruces Eddy Dam on the North Fork of the Clearwater River in Idaho by organized interests which seek their own aggrandizement by denying beneficial use of water resources in the upper watershed.

Bruces Eddy Dam, which would be 570 feet high, is alleged to be a real hazard to fisheries. However, wildlife groups which are opposed to this project, have vigorously supported a high Federal Hells Canyon Dam 722 feet high. It is extremely difficult to rationalize such figures and understand how fish could negotiate a dam 152 feet higher with less impediment.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial entitled "The Sincerity of a Zealot," which was published in the Idaho Statesman August 20, 1957.

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

THE SINCERITY OF A ZEALOT

It's quite evident, on the basis of current news reports, that lower river interests set up the legislative roadblock that has again stalled plans for power development and flood control with construction of a dam at Bruces Eddy on the Clearwater River in Idaho.

This was accomplished lately when the House voted to knock out Senator DWORSHAK's amendment to the $858 million public works bill that would have provided $500,000 for planning of that project.

Inherent in this action were factors that had been brought to the fore in earlier Senate debate in which Oregon's Senator NEUBERGER, a foremost opponent of upper river development, again made his antagonism quite plain. Stung by threat of setback to all his efforts to advance the Bruces Eddy project on which central Idaho in particular has been basing hopes for early development of its natural resources, Senator DWORSHAK, in that debate, lashed out at the Oregonian, terming him a saboteur and asserting that he was in collusion with hypocritical groups trying to block this undertaking.

The Idaho Senator pointed out that the lower basin States along the Columbia River, Oregon and Washington, had obtained more than a billion dollars for dam projects, but that Idaho had not a single water storage project along streams in the Bruces Eddy area.

And, he charged that this gross disparity in the apportionment of Federal funds had been brought about by lower river interests' insistence upon the demand that for Idaho it was to be Hells Canyon or nothing.

Mr. NEUBERGER on that occasion shied away from the debate, but he said he hoped he might eventually be given credit for sincerity.

Of course he's sincere.

He is sincere in his stubborn campaign for construction of a Federal power project at Hells Canyon, if not only because of special advantages he may see in it for the lower basin, then, at any rate, on account of its value as a political issue on which he has staked his own political fortunes.

He's sincere, of course, in his opposition to all other Idaho resources development so long as there may be a chance that such opposition may tend to force acceptance of Hells Canyon.

His sincerity, though, may be wearing a bit thin whein he hitches his opposition to the Clearwater project on the claim that it might endanger fish and wildlife; and that notwithstanding the fact that backers of this project have taken the lead in starting surveys and studies in which alone the answer to that question may be accurately based.

But granting, as his colleague Senator MORSE attests, that Mr. NEUBERGER is sincerely interested in wildlife conservation, he has certainly put himself in a position where he seems to be a good deal more concerned about one proposed Idaho dam's possible threat to fish than he is about a proposed Idaho border dam's menace to the security of thousands of Idahoans whose livelihoods are dependent upon the Snake River area's agriculture, commerce and industry that exist only because Snake River waters have been dedeciated to reclamation of the desert and that would surely suffer sadly if ever these waters were hypothecated for another use.

His is the sincerity of a zealot, and it's the more dangerous on that account.

It's an element that presently stands in the way of Idaho's development. It must be recognized for what it is, and dealt with accordingly.

AMBASSADORIAL APPOINTMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent to proceed for not to exceed 10 minutes.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Is there objection? The Chair hears none, and the Senator from Montana may proceed.

Mr. MANSFIELD. Mr. President, I wonder whether there is anyone in this country who can read who does not know the name of Maxwell Gluck. I wonder how many newspaper columnists have been provided with a free subject during the last month. I wonder how many recent jokes have used the name of Mr. Gluck.

Mr. President, I feel sorry for Mr. Gluck. He did nothing different from a large number of ambassadors who have been appointed under this administration and previous administrations both Republican and Democratic.

The fact is, however, Mr. President, that the trial of Mr. Gluck has placed the spotlight of healthy publicity on several long-standing problems in the conduct of the foreign relations of the United States and has made available to the public considerable new information.

I think a great many people now appreciate for the first time how important it is that we have good ambassadors to represent us overseas. I think that the proper policy on this subject is now pretty well agreed. The right policy is well stated in the words of the letter which was sent by the chairman of the Committee on Foreign Relations, Mr. GREEN, to the Secretary of State on April 3, 1957, on the subject of ambassadors:

> It should be obvious in each case, whether the nominee is a career man or not, that his record, his intelligence, his background, and his attitude are such that he will ably serve our country in his assignment.

The controversy over Mr. Gluck has, I think, dramatized another fact—the fact that Presidents of the United States, both Republican and Democratic, in recent years have not been wholly to blame for some of the bad appointments which we have had. Republican and Democratic National Committees have not been wholly to blame either. The sad truth is, Mr. President, that the Congress must share the blame for this unhappy situation. The fact is that if the Department of State had available to it adequate funds to pay the necessary cost of running our embassies abroad and doing the official entertaining which is unavoidable we could fill every ambassadorial post with an able man whether he happened to be a career Foreign Service Officer or a noncareer appointee. If the representation allowances were sufficient it would be possible to make appointments of ambassadors strictly on the basis of merit and qualifications. I would like to say, incidentally, that I am not one of those who believes that we should never appoint a noncareer ambassador. Career people are usually very able but there are also men and women—such as David Bruce, Clare Booth Luce, Ellsworth Bunker, Douglas Dillon, and others—of outstanding qualifications outside the career service. It is a very good thing for the career service to have brought in from time to time individuals of high ability who have had careers in business or science or education or labor which qualify them to represent the United States abroad quite as fully as a lifetime in the Foreign Service.

I have said that the Congress must take a large share of the responsibility for poor ambassadors. The Committee on Foreign Relations must take a major part of the blame for having let some poor nominations become confirmed. But, Mr. President, we would not have had many of these poor nominations come before us if there were not the underlying problem of inadequate representation allowances for the Department of State. Those on the inside of Congress, so to speak, know where the fault lies here. The blame can be laid squarely at the door of the House Committee on Appropriations. Year after year the Department of State, in presenting its request for appropriations, asks for an adequate amount for representation allowances. Every year the House committee slashes the request. This year the Department asked for $1,200,000 for representation allowances. The House committee cut the request to $600,000. Every year the Senate Appropriations Committee does its best to restore some of the cut made by the House, but in the process of compromise the Senate cannot fully succeed in obtaining an adequate appropriation. I strongly regret this unhappy history, Mr. President, and I hope the recent education on the subject which we have had will make it possible to do something more constructive next year.

Mr. President, one of the other interesting facts which has come out as a result of Mr. Gluck's appointment has been the revelation that the most sought after ambassadorial posts are not being given to career diplomats, but to political appointees. London, Paris, Rome, Bonn, Brussels, The Hague, Stockholm, Madrid, Copenhagen, Dublin, New Delhi, and the North Atlantic Treaty Organization in Paris—all these important posts, Mr. President, are now filled by noncareer appointments. Some of these noncareer people are indeed excellent people, but the fact that a career person has not been appointed is almost invariably related to a question of money. These desirable posts are located in countries of the highest importance to the United States. We ought to have our very best people there. Because these countries are important, however, there is a great deal of official business to transact. We must have large embassies and there is much official and necessary entertaining to be done. Ambassadors without some outside income—and even second- or third-ranking people in these embassies without some outside income—simply cannot, under present circumstances, remain in these posts. The question again is whether the United States, the richest country in the world, is willing to pay what it costs to get the best men available in these jobs.

Mr. President, I wish to mention another cause of poor ambassadorial appointments which is not always related to the question of money. It is generally known that Presidents and Secretaries of State of whatever political party have in the past been under pressure from those who feel that an ambassadorship is a reward for past service to a political party. One of the purposes of sending from the Committee on Foreign Relations to the Department of State the letter, to which I referred a moment ago, was to try to take some of this pressure off the President and the Secretary of State. Far be it from me to discourage financial contributions to political parties, but I think that any President, if he has a mind to do it, can see to it that a financial contribution or a nonfinancial contribution to a political party is not of itself sufficient to obtain for a man a nomination to be ambassador. Frankly, I am of the opinion that President Eisenhower was either uninformed or just plain naive in disclaiming any knowledge of a connection between campaign contributions and ambassadorial appointments. This is silly. Of course he knows—or ought to know—about the connection, and he can do something about it. We need more money for representation allowances, but even if representation allowances stay the same, the President of the United States has power to insure that those rich men whom he nominates are also men with outstanding qualifications to be ambassadors.

Mr. President, the travail of Ambassador Gluck has also focused attention on the problem of absences from duty of our ambassadors. It took me several months this year to get from the Department of State figures on absences from posts. I became interested in this matter because a former Ambassador to Luxembourg spent 264 days away from his post over a period of 2 years, for reasons which had nothing to do with foreign relations or illness.

Mr. President, I ask unanimous consent to have inserted in the RECORD at this point in my remarks a letter from the Deputy Under Secretary of State for Administration to the chairman of the Committee on Foreign Relations on the subject of absences of chiefs of mission from their posts of duty, and two tables showing the absence figures for each of our chiefs of mission during the calendar years 1955 and 1956.

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

DEPARTMENT OF STATE,
Washington, August 6, 1957.

Hon. THEODORE F. GREEN,
United States Senate.

DEAR SENATOR GREEN: In the course of Governor Herter's testimony last week before your committee, Senator MANSFIELD requested that the Department supply information regarding absences of chiefs of mission from their post of duty during a period of approximately the past 10 years. The reference to the testimony appears at pages 72 to 74 of the hearing transcript.

Senator MANSFIELD recalled correctly that he had asked the Department for somewhat comparable information over a period of the last 5 years. Information was supplied to him on February 4, 1957, and subsequently on February 25 to your office, in response to a similar inquiry from Mr. Holt of the committee staff. The Department's records were not adequate and a very detailed investigation was required including checks with the posts in the field. In the course of this investigation, it was determined that the longest period for which this information could be obtained with any certainty of accuracy was 2 years.

I can appreciate fully the reason for Senator **Mansfield's** request having encompassed a 10-year period, but I regret that the Department's records will not readily provide the information. I am supplying, therefore, as an enclosure, copies of the information covering calendar years 1955 and 1956, in the hope that it will be of assistance to the committee and in the personal belief that if data were available for the 10-year period it would prove generally comparable. Following Senator **Mansfield's** original request the Department instituted procedures whereby this type of information would be available for any period beginning January 1, 1955.

Sincerely yours,

Loy W. Henderson,
Deputy Under Secretary for Administration.

Absences from posts of duty of noncareer chiefs of mission during calendar years 1955 and 1956

Name	Title and country	Period of assignment	Absences (calendar days)						1955 and 1956 total absences, calendar days	
			1955			1956				
			Duty	Vacation	Sickness	Duty	Vacation	Sickness	Duty	Nonduty
Arthur A. Ageton	Ambassador to Paraguay	July 28, 1954, to present	52	16	0	25	97	30	77	143
Frederick H. Alger	Ambassador to Belgium	May 26, 1953, to present	31	49	0	14	54½	3	45	106½
Winthrop W. Aldrich	Ambassador to Great Britain and Northern Ireland.	Feb. 2, 1953, to present	16	96	0	29	73	0	45	169
Norman Armour	Ambassador to Guatemala	Sept. 15, 1954, to May 9, 1955	0	0	0	-----	-----	-----	0	0
Wiley Thomas Buchanan, Jr.	Ambassador to Luxembourg	Sept. 2, 1953, to present	0	126	0	17	138	0	17	264
Robert D. Coe	Ambassador to Denmark	July 29, 1953, to present	10	93	0	23	77	25	33	195
James B. Conant	Ambassador to Germany	Feb. 7, 1953, to present	31	51	0	21	100	0	52	151
John Sherman Cooper	Ambassador to India	Apr. 4, 1955, to Apr. 23, 1956	0	0	0	169	1	0	169	1
Philip K. Crowe	Ambassador to Ceylon	July 9, 1953, to present	5	111	0	62	71	0	67	182
Roy Tasco Davis	Ambassador to Haiti	July 6, 1953, to present	0	64	12	12	58	34	12	168
C. Douglas Dillon	Ambassador to France	Feb. 27, 1953, to present	13	53	64	56	38	0	69	155
Homer Ferguson	Ambassador to Republic of the Philippines.	Apr. 7, 1955, to Mar. 23, 1956	10	0	0	18	0	0	28	0
Arthur Gardner	Ambassador to Cuba	May 28, 1953, to present	9	13	125	31	74	0	40	212
Robert C. Hendrickson	Ambassador to New Zealand	Feb. 10, 1955, to present	44	0	0	13	44	0	57	44
Horace A. Hildreth	Ambassador to Pakistan	May 13, 1953, to present	17	75	0	30	76	0	47	151
Robert C. Hill	Ambassador to El Salvador	Sept. 25, 1954, to Sept. 21, 1955	30	39	5	-----	-----	-----	30	44
Richard Lee Jones	Ambassador to Liberia	June 16, 1955, to present	0	0	0	62	17	0	62	17
William S. B. Lacy	Ambassador to Korea	May 8, 1955, to Oct. 20, 1956	0	0	0	-----	-----	-----	0	0
Jesse D. Locker	Ambassador to Liberia	July 22, 1955, to Apr. 4, 1955 (deceased).	0	0	0	-----	-----	-----	0	0
John A. Lodge	Ambassador to Spain	Mar. 18, 1955, to present	19	53	0	63	[1] 105	0	82	158
Clare Boothe Luce	Ambassador to Italy	Mar. 2, 1953, to Dec. 27, 1956	87	69	0	84	23	95	171	187
Douglas Maxwell Moffat	Ambassador to Australia	Feb. 23, 1956, to Aug. 30, 1956 (deceased).	-----	-----	-----	0	0	0	0	0
Dempster McIntosh	Ambassador to Uruguay	Sept. 26, 1953, to Apr. 3, 1956	58	20	0	0	50	0	58	70
	Ambassador to Venezuela	Apr. 19, 1956, to present	-----	-----	-----	24½	3	1	24½	4
Jefferson Patterson	Ambassador to Uruguay	Apr. 25, 1956, to present	-----	-----	-----	3	2	0	3	2
Amos J. Peaslee	Ambassador to Australia	June 15, 1953, to Feb. 16, 1956	51	55	0	3	0	0	54	55
William T. Pheiffer	Ambassador to Dominican Republic	June 2, 1953, to present	0	97	0	10	58	0	10	155
Harold Shantz	Minister to Rumania	Sept. 27, 1952, to Aug. 30, 1955	5	62	5	-----	-----	-----	5	67
Joseph A. Simonson	Ambassador to Ethiopia	July 22, 1953, to present	0	0	48	30	81	0	30	129
Raymond Ames Spruance	Ambassador to the Republic of the Philippines.	Jan. 18, 1952, to Mar. 31, 1955	4	0	0	-----	-----	-----	4	0
Corrin L. Strong	Ambassador to Norway	June 24, 1953, to present	30	28	0	21	10	1	51	39
R. Douglas Stuart	Ambassador to Canada	May 28, 1953, to May 4, 1956	15	66	0	5	8	0	20	74
William Howard Taft III	Ambassador to Ireland	May 2, 1953, to present	7	40	0	15	34	0	22	74
John L. Tappin	Ambassador to Libya	Aug. 25, 1954, to present	14	7	0	47	39	0	61	46
Robert H. Thayer	Minister to Rumania	Nov. 4, 1955, to present	14	2	0	21	49	0	35	51
Thomas E. Whelan	Ambassador to Nicaragua	July 28, 1951, to present	10	38	0	32	22	0	42	60
Francis White	Ambassador to Mexico	Mar. 11, 1953, to present	36	51	0	59	16	0	95	67
Whiting Willauer	Ambassador to Honduras	Feb. 5, 1954, to present	9	75	0	45	76	0	54	151

[1] Figure included 15 days' military leave.

Absences from posts of duty of career chiefs of mission during calendar years 1955 and 1956

Name	Title and country	Period of assignment	Absences (calendar days)						1955 and 1956 total absences, calendar days	
			1955			1956				
			Duty	Vacation	Sickness	Duty	Vacation	Sickness	Duty	Nonduty
Theodore C. Achilles	Ambassador to Peru	July 21, 1956 to Sept. 6, 1956	-----	-----	-----	116	0	0	116	0
George V. Allen	Ambassador to Greece	Oct. 6, 1956, to present	-----	-----	-----	0	0	0	0	0
John M. Allison	Ambassador to Japan	Apr. 2, 1953, to present	30	8	0	0	60	0	30	98
Willard L. Beaulac	Ambassador to Chile	Aug. 22, 1953, to May 8, 1956	23	0	0	30	48	0	53	48
	Ambassador to Argentina	May 28, 1956, to present	-----	-----	-----	7	0	0	7	0
Max Waldo Bishop	Ambassador to Thailand	Jan. 5, 1956, to present	-----	-----	-----	42	5	0	42	5
Charles E. Bohlen	Ambassador to Union of Soviet Socialist Republics.	Mar. 27, 1953, to present	139	8	0	12	70	0	151	78
James C. M. Bonbright	Ambassador to Portugal	Feb. 11, 1955, to present	12	19	1	7	40	0	19	60
Philip W. Bonsal	Ambassador to Colombia	Mar. 26, 1955, to present	14	29	0	67	23	0	81	42
Ellis O. Briggs	Ambassador to Korea	Aug. 25, 1952, to Mar. 23, 1955	30	0	0	-----	-----	-----	30	0
	Ambassador to Peru	Mar. 24, 1955, to June 5, 1956	58	33	0	0	0	0	58	33
	Ambassador to Brazil	June 20, 1956, to present	-----	-----	-----	46	1	0	46	1
Henry A. Byroade	Ambassador to Egypt	Feb. 27, 1955, to Sept. 10, 1956	8	0	0	35	0	0	43	0
	Ambassador to Union of South Africa.	Oct. 3, 1956, to present	-----	-----	-----	0	0	0	0	0
John M. Cabot	Ambassador to Sweden	Mar. 1, 1954, to present	18	39	0	124	77	0	142	116
Cavendish W. Cannon	Ambassador to Greece	July 28, 1953, to July 27, 1956	14	20	0	0	0	0	14	20
	Ambassador to Morocco	Sept. 19, 1956, to present	-----	-----	-----	44	16	0	44	16
Selden Chapin	Ambassador to Panama	Oct. 1, 1953, to May 29, 1955	0	3	0	-----	-----	-----	0	3
	Ambassador to Iran	July 10, 1955, to present	0	22	0	10	0	0	10	22
Hugh S. Cummings, Jr.	Ambassador to Indonesia	Sept. 3, 1953, to present	12	5	0	95	0	0	107	5
Walter S. B. Dowling	Ambassador to Korea	July 7, 1956, to present	-----	-----	-----	12	4	0	12	4
Gerald A. Drew	Ambassador to Bolivia	Oct. 11, 1953, to present	0	5	0	10	43	0	10	48
James Clement Dunn	Ambassador to Spain	Feb. 27, 1953, to Jan. 23, 1955	0	13	0	-----	-----	-----	0	13
	Ambassador to Brazil	Jan. 24, 1955, to July 4, 1956	13	20	0	0	24	0	13	44
Joseph Flack	Ambassador to Poland	Sept. 20, 1950, to Apr. 22, 1955 (deceased).	0	35	0	-----	-----	-----	0	35
Waldemar J. Gallman	Ambassador to Iraq	Oct. 8, 1954, to present	2	0	0	17	42	0	19	42
Raymond A. Hare	Ambassador to Egypt	Sept. 17, 1956, to present	-----	-----	-----	0	0	0	0	0
Julian F. Harrington	Ambassador to Panama	Aug. 25, 1955, to present	0	0	0	0	1	0	0	1

Absences from posts of duty of career chiefs of mission during calendar years 1955 and 1956—Continued

Name	Title and country	Period of assignment	Absences (calendar days)						1955 and 1956 total absences, calendar days	
			1955			1956				
			Duty	Vacation	Sickness	Duty	Vacation	Sickness	Duty	Nonduty
Donald R. Heath	Ambassador to Lebanon	Feb. 4, 1955, to present	100	12	0	59	4	3	159	19
John D. Hickerson	Ambassador to Finland	Oct. 4, 1955, to present	0	0	0	0	29	0	0	29
Joseph E. Jacobs	Ambassador to Poland	Apr. 1, 1955, to present	5	18	2	6	26	8	11	54
U. Alexis Johnson	Ambassador to Czechoslovakia	Nov. 10, 1953, to present	148	3	24	173	10	0	321	37
G. Lewis Jones	Ambassador to Tunisia	Sept. 28, 1956, to present	--------	--------	--------	0	0	0	0	0
Edward B. Lawson	Ambassador to Israel	Apr. 9, 1954, to present	8	36	0	34	0	0	42	36
Cecil B. Lyon	Ambassador to Chile	June 13, 1956, to present	--------	--------	--------	105	0	0	105	0
Lester DeWitt Mallory	Ambassador to Jordan	Aug. 13, 1953, to present	101	21	0	22	70	0	123	91
Thomas C. Mann	Ambassador to El Salvador	Nov. 12, 1955, to present	0	0	0	0	51	11	0	62
Freeman H. Matthews	Ambassador to the Netherlands	Oct. 1, 1957, to present	0	139	0	5	25	0	5	164
Livingston T. Merchant	Ambassador to Canada	May 22, 1956, to present	--------	--------	--------	12	0	0	12	0
Sheldon T. Mills	Ambassador to Ecuador	July 2, 1954, to Apr. 6, 1956	15	0	0	6	69	0	21	69
	Ambassador to Afghanistan	Apr. 27, 1956, to present	--------	--------	--------	11	9	0	11	9
James S. Moose, Jr.	Ambassador to Syria	June 25, 1952, to present	4	10	2	45	23	2	49	[illegible]
John J. Muccio	Ambassador to Iceland	Aug. 23, 1954, to present	23	22	0	41	2	0	64	24
Robert McClintock	Ambassador to Cambodia	June 29, 1950, to Oct. 15, 1956	27	5	[illegible]	32	34	0	59	45
Jack K. McFall	Ambassador to Finland	Sept. 10, 1952, to Sept. 28, 1955	26	60	0	--------	--------	--------	26	60
Albert F. Nufer	Ambassador to Argentina	May 29, 1952, to May 12, 1956	0	18	0	0	0	0	0	18
	Ambassador to the Republic of the Philippines.	May 10, 1956, to present	--------	--------	--------	0	0	0	0	0
J. Graham Parsons	Ambassador to Laos	July 27, 1956, to present	--------	--------	--------	14	3	3	14	6
John E. Peurifoy	Ambassador to Thailand	Sept. 15, 1954, to Aug. 12, 1955 (deceased).	47	0	0	--------	--------	--------	47	0
Lowell C. Pinkerton	Ambassador to Sudan	May 13, 1956, to present	--------	--------	--------	77	0	0	77	0
Karl L. Rankin	Ambassador to Taipei	Aug. 8, 1950, to present	49	70	0	45	11	0	94	81
Christian M. Ravndal	Minister to Hungary	Oct. 3, 1951, to Aug. 3, 1956	141	2	0	9	7	0	150	9
	Ambassador to Ecuador	Aug. 29, 1956, to present	--------	--------	--------	2	66	0	2	66
James W. Riddleberger	Ambassador to Yugoslavia	July 31, 1953, to present	14	34	0	20	86	6	34	126
G. Fredrick Reinhardt	Ambassador to Vietnam	May 26, 1955, to present	3	16	0	14	33	4	17	53
Joseph C. Satterthwaite	Ambassador to Burma	May 3, 1955, to present	4	15	0	32	100	0	36	115
Edward J. Sparks	Ambassador to Guatemala	July 21, 1955, to present	25	0	0	0	0	0	25	0
Carl W. Strom	Ambassador to Cambodia	Nov. 26, 1956, to present	--------	--------	--------	0	0	0	0	0
Llewellyn E. Thompson	Ambassador to Austria	July 17, 1952, to present	83	27	3	13	18	0	96	48
Harold H. Tittman	Ambassador to Peru	June 18, 1918, to Mar. 30, 1955	0	7	0	--------	--------	--------	0	7
George Wadsworth	Ambassador to Saudi Arabia	Oct. 21, 1953, to present	21	0	0	51	0	0	72	0
Edward T. Wailes	Ambassador to Union of South Africa	Sept. 15, 1954, to Aug. 8, 1956	14	0	0	13	0	0	27	0
	Minister to Hungary	Nov. 2, 1956, to present	--------	--------	--------	0	0	0	0	0
Angus Ward	Ambassador to Afghanistan	June 27, 1952, to Mar. 3, 1956	0	0	0	0	6	0	0	6
Avra M. Warren	Ambassador to Turkey	July 28, 1953, to Feb. 15, 1956	20	10	0	0	0	0	20	10
Fletcher Warren	Ambassador to Venezuela	Oct. 3, 1951, to Mar. 21, 1956	35	6	0	0	0	0	35	6
	Ambassador to Turkey	June 6, 1956, to present	--------	--------	--------	56	24	8	56	32
Frances E. Willis	Ambassador to Switzerland	July 20, 1953, to present	114	11	0	0	16	0	114	27
Robert F. Woodward	Ambassador to Costa Rica	Sept. 25, 1954, to present	8	1	0	10	53	5	18	59
Charles W. Yost	Ambassador to Laos	Aug. 18, 1954, to Apr. 27, 1956	14	16	0	8	7	0	22	23

Mr. MANSFIELD. Mr. President, these figures are shocking. They show that noncareer chiefs of mission in 1955 and 1956 were away from their posts of duty twice as often as members of the career Foreign Service. This bad showing, I believe, is a reflection of the respective attitudes of career and noncareer people toward their jobs. If an ambassador regards his appointment as a reward for some past service, why should he not be away from his job? In his mind he has already done his job and he is merely enjoying the fruits of it. A man with that kind of an attitude is always willing to let his career assistants in the Embassy do the work for him. It may be, Mr. President, that the publication of the figures of absences of ambassadors from their posts will serve as a deterrent to unreasonable conduct in the future. I want to say, Mr. President, that I shall do my best to see to it that similar figures are published regularly from now on.

While these figures are shocking, it must be recognized in truth and in fact that they are, at times, misleading as well. I refer, for example, to the outstanding services performed by such brilliant ambassadors as Clare Boothe Luce in Rome and Douglas Dillon in Paris. It is a well-known fact that both of these individuals were incapacitated for relatively long periods of time due to illness. It is also a fact, to my personal knowledge, that much of their time away from their posts on a nonduty status was in connection with their duties as Ambassadors and was in the performance of responsibilities which were carried out in the line of duty and in accord with their responsibilities.

We find, however, that during certain critical periods this Nation has been without ambassadors to countries which were going through great difficulties. Last fall during the uprising in Hungary I called attention to the fact that there was no United States Ambassador on duty in Budapest at that time. In fact, some 3 months elapsed between the time that Ambassador Ravndal left his post and his successor, Ambassador Wailes, arrived. It is also my recollection that during disturbances in Poland last fall the United States was not then represented by an ambassador in Warsaw.

Certainly during the past few months one of the major postwar crises in the Soviet Union has been in progress. Again, the United States had been caught without an ambassador on the spot. Mr. Bohlen had left Moscow and the new ambassador, Mr. Llewellyn Thompson, has only recently arrived at his post—and then only because of the ousters of Malenkov, Molotov, and Shepilov. There were extenuating circumstances in this case due to Ambassador Thompson convalescing from an operation; there may have been in others.

Records which I have obtained from the Department of State indicate that we have been left without ambassadors for substantial periods of time in the following critical spots: In Germany we were recently without an ambassador for more than 6 months. In India we were without an ambassador for more than 4 months in 1954 and 1955, and in 1956 and 1957 we were without an ambassador for an interval of 10 months. In Iran in 1954 and 1955 we were without an Ambassador for 9 months. In Korea we were without an ambassador for 9 months in 1955 and 1956. In Lebanon we were without an ambassador for some 5 months in 1954 and 1955. In Vietnam more than 6 months elapsed without our having an ambassador in the years 1954 and 1955.

Mr. President, I could add to this list other examples of protracted periods of time when the United States has been unrepresented in important foreign countries because of delay in appointing Ambassadors to succeed those who have retired or been reassigned.

It is my belief, Mr. President, that career and noncareer ambassadors should stay on the job as long as it is necessary so that the contact between the outgoing ambassador and his successor would be well established, so that there would be as little a break as possible in the continuity of the position, and so that we would be assured of adequate representation at all times in all countries to which we send our accredited representatives.

I should like to conclude these brief remarks by discussing another result, a favorable result, of the flurry over Mr. Gluck. The Committee on Foreign Relations has now decided that it will hold public hearings on every ambassadorial nomination unless for good reason the committee decides otherwise. The rule of the committee used to be that nominees were heard in executive session unless some member of the committee asked that the nomination be heard in public session.

I can appreciate the doubts which some Senators may have about this change in the committee rule. I realize that there is some risk that questions will be asked and statements will be made which may embarrass us in our relations with some foreign country. I believe myself that it is possible to avoid instances of this kind to a large extent and I believe that foreign countries will be understanding about this democratic process, especially if they appreciate the fact that public hearings on ambassadors will help insure that we get better men. Mr. President, of course I have no intention of insisting upon hearing in public session those career officers whom the Senate has confirmed time and time again to be ambassadors and whom many of us know very well. I know that the new committee rule will, even with these exceptions, cause an additional burden on the Committee on Foreign Relations. We must look forward to many additional hours each session in thoroughly examining in public ambassadorial nominees. In my judgment, however, Mr. President, this additional burden will prove to be well worth the trouble in the long run.

Mr. President, the United States has heavy responsibilities throughout the world. The importance of good foreign relations becomes greater year by year. The United States cannot afford to have less than the very best ambassadors. Let us hope that it will be to Mr. Gluck's unwitting credit that he made the whole country and the Congress appreciate this important requirement of our national policy.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an article entitled "COOPER Learns Hard Way That Congress Is Stingy," concerning our distinguished colleague, the Senator from Kentucky [Mr. COOPER], who was an outstanding American ambassador to India; an article published in the New York Times entitled "What Gluck Achieved," written by James Reston; an article from today's Baltimore Sun; and two articles published in the New York Herald Tribune, one of which was written by Marguerite Higgins.

I should like to make one correction in the article in the Herald Tribune which I know was an oversight on its part when it said that Mrs. Eugenie Anderson, our former Ambassador to Denmark, was appointed during the present administration. She was appointed Ambassador under the previous administration.

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

COOPER LEARNS HARD WAY THAT CONGRESS IS STINGY

Senator JOHN SHERMAN COOPER, Republican, of Kentucky, said yesterday he had to learn the hard way that Congress is too stingy with funds for United States ambassadors and ministers.

COOPER said that when he was Ambassador to India he found that there was not enough money available to finance even a modest July 4 celebration where no liquor was served.

He said all other embassies in New Delhi observed their national holidays but that the United States Embassy had not observed Independence Day for 4 years before he went there.

With the encouragement of his wife, COOPER said, he gave a party at which a modest amount of food was served and no liquor was offered. The total bill was $1,800, he said, of which he paid half out of his own pocket.

Indians flocked to the party, he said, and the celebration made many friends for the United States.

"Congress does not provide enough for ambassadors and ministers to do just the work of representation of the country," he said.

COOPER said the salaries paid to ambassadors were satisfactory but they needed more money for entertainments, receptions, and celebrations.

The Senator, appearing on the ABC-WMAL television program College News Conference, was asked about his support of dress-shop operator Maxwell Gluck to be Ambassador to Ceylon without knowing the name of the Prime Minister of the country.

COOPER said he recommended Gluck for the post at the request of Senator JACOB JAVITS, Republican, of New York, because he regarded Gluck as a successful businessman who was sympathetic toward the problems of the Ceylonese.

In his own experience in India, he said, he learned that the people in that part of the world do not like aggressive public-relations people. Gluck, he said, would be more relaxed toward the job.

[From the New York Times of August 12, 1957]

WHAT GLUCK ACHIEVED: A VIEW THAT HIS CASE SHED NEW LIGHT ON KEY UNITED STATES AMBASSADORIAL PROBLEMS

(By James Reston)

WASHINGTON, August 11.—Maxwell H. Gluck may not be the smartest ambassador nominated by President Eisenhower, but he has succeeded in doing these things nobody else has been able to do in the last 10 years:

By his failure to know the name of the Prime Minister of the country to which he was appointed, Ceylon, and his failure to pronounce Jawaharlal Nehru, he has focused attention on the odd ways in which ambassadors are selected by the President and confirmed by the Senate.

He has forced the Senate Foreign Relations Committee to reconsider its practice of confirming ambassadors in secret.

And finally, he has forced the State Department to release information it has previously refused to make public on the high cost of being a United States Ambassador.

COST FIGURES DISCLOSED

For example, it has long been known that the root of the trouble in getting the best Americans available for these jobs was that the Government would not foot the bill. But not until the administration had to defend itself against criticism of the Gluck appointment would it release the figures that illustrated the problem.

This has now been done. Christian A. Herter, the Under Secretary of State, called before the Senate Foreign Relations Committee to explain the case of the innocent ambassador, producing a memorandum showing what the United States pays its Ambassador in London, John Hay Whitney, compared with what the British Government pays the British Ambassador, Sir Harold Caccia, here in Washington.

This illustrates why the United States feels it has to select its top diplomats only from the ranks of the wealthy, for, according to the Herter figures, Sir Harold gets $42,468 more a year for salary and allowances than Mr. Whitney, and while this is not likely to bankrupt Mr. Whitney, it is still an interesting statistic.

"The American Ambassador to Great Britain," the Herter memorandum says, "receives a salary of $27,500; a representation allowance—limited strictly to official functions—which does not even pay for the Embassy's annual Fourth of July party and an official residence allowance of $11,312.

SIXTY-FOUR THOUSAND FOUR HUNDRED AND FOUR DOLLARS VERSUS ONE HUNDRED TWO THOUSAND EIGHT HUNDRED AND SEVENTY DOLLARS

"The total salary and emoluments is $50,812. If we add to the $50,812 figure the items of expense that are paid directly by the [London] post through operating allotment and which are included in the British allowances, we would have to add the wages of a local chauffeur who drives the Ambassador's limousine and the wages of gardeners and janitors. This amounts to $9,592, and makes the new total $60,404.

"The $60,404 of the American Ambassador to Great Britain and the $102,870 of the British Ambassador to the United States are comparable in that the two figures exclude identical categories of expense."

In addition, the British, who are supposed to glory in austerity and maintain they have less money than the United States, give their Ambassadors other advantages. For example, a British Ambassador receives a transfer allowance for every change of post that comes to 10 percent of his salary if he has 2 children. A United States Ambassador's transfer allowance is $200.

The British, moreover, pay much more liberal clothing and educational allowances. One example is that the British Ambassador, for example, would be given allowances for his children's education in the United Kingdom as well as at his post of duty.

In questioning Mr. Herter on the Gluck appointment, Senators pointed out that all the most desirable ambassadorial posts overseas recently went not to career diplomats, but to political appointees: London, Paris, Rome, Bonn, Brussels, the Hague, Stockholm, Madrid, Copenhagen, Dublin, New Delhi, and the North Atlantic Treaty Organization in Paris.

The Congress had great sport with Mr. Herter about this, but he was able to point out that the Congress itself had repeatedly rejected the requests made by the administration for funds to enable the administration to appoint men who could not afford to pay the costs of entertaining Americans, including visiting Senators and Congressmen.

Mr. Herter was also able to note that the Congress had cut its request for representation allowances to be given to needy United States diplomats overseas, and that recently the top career officers in London and Paris had requested transfers because they were out of pocket between $5,000 and $10,000 each in the last year.

Thus, Mr. Gluck, who has been condemned by the Congress and the Foreign Service as a terrible example of the practice of appointing well-heeled party contributors to important posts, may very well prove to be the best thing that has happened to the Foreign Service in a long time.

FIGURES WERE REFUSED

Others have tried to throw some light on this expense problem. The New York Times, for example, asked for precisely these figures on the British and American Ambassadors immediately after the last election, before the recent wholesale change in United States

Ambassadors took place. The State Department refused to cooperate. Now that there are no more posts to fill, it is more cooperative.

This newspaper also urged that the Senate Foreign Relations Committee open its hearings on ambassadorial appointments so that the public would know something about the quality of the people who were being sent abroad to represent the United States at such a critical period of negotiation. This, too, was refused.

Mr. Gluck, however, has thrown a shaft of light on what is generally regarded here as an anachronistic system that cannot be reconciled with the Nation's responsibilities.

At present the defense budget is running to over $38 billion a year while the Congress, which votes these funds, is boggling at a few million dollars to take diplomatic appointments out of the pork barrel.

To put a man without financial means in the London Embassy, the State Department says it would have to do the following to bring him up to the standards paid by the British to their career Ambassador in Washington:

Give him an additional $13,188 for the expenses of his official residence.

Add another $20,000 in representation allowances.

Provide $13,000 for clothing, secretarial help, printing and engraving and club memberships.

The question, therefore, is not whether the Congress wants the best available men in these jobs—as it has been maintaining recently—but whether, as Mr. Gluck has demonstrated, they want to pay what it costs to get them.

[From the Baltimore Sun of August 26, 1957]

FOR BETTER DIPLOMACY

(By Price Day)

Senator JOHN SHERMAN COOPER, of Kentucky, told a sad and instructive little story on television the other day. He said that when he went to India as Ambassador he found that the Embassy had given no Fourth of July parties for several years, because of insufficient funds. He gave one on the following Fourth, for Americans in Delhi and some 3,000 Indian guests. It costs $1,800. Mr. COOPER, not a wealthy man, paid half of it out of his own pocket.

This was a nonalcoholic party, as occasions of that sort in India always are. If it had been alcoholic the costs might have exceeded the resources of the United States of America and Mr. COOPER combined. It would have been too bad. Our Embassies must entertain. To say that they need more whisky is to put the problem too bluntly, but that is part of it. Entertainment, public and private, is a necessary element in diplomacy—in serious diplomacy. Serious, effective diplomacy costs money. It costs more money than the United States is willing to spend.

It costs so much money that the big posts, in London and Paris and Rome, are closed to Foreign Service career diplomats, unless they have private means beyond their salaries. The prize appointments go instead to people of independent wealth. Some of them, past and present, have made good Ambassadors; but that is not the point.

It is beside the point, also, that some noncareer Ambassadors in posts that are not particular plums have done excellent jobs. Mr. COOPER's dedicated Indian service, which he relinquished reluctantly, provides one example. The point is that the quality of our diplomacy in general over the world suffers from chinchiness, and that no recent President or Congress has seemed interested in spending the $1 million or so that could wholly change the situation.

Some Foreign Service career men think they know the reason for the lack of interest. They believe that the present system is deliberately and calculating retained as a means for paying political debts. They argue that even with diplomatic pay and allowances at the present levels career men could manage to get along in all posts but the few that are most expensive, if they were not pushed aside in favor of political appointees.

The fruits of the system, they say, are low morale (even pre-McCarthy) and a high rate of resignations from the service the moment retirement age is reached, which in many cases is also not far from the moment in early middle age when a man ought to be of greatest value.

A spokesman for this point of view, Mr. Edward P. Lawton, a retired Foreign Service officer, declares in a letter to the New York Times that the chief reason for low morale in his time was that the career men, who had entered the service after a stiff competitive examination and had risen in rank slowly over the years, found themselves suddenly joined in class standing by outsiders appointed—or so it was believed—largely through influence, and were blocked from the most desirable ambassadorships by the preference given political proteges.

Mr. Lawton is not impressed by State Department statistics that show increases in the number of career appointments, and a drop in the percentage of noncareer appointments. Such statistics fail to reveal, he says, that a large number of new Embassies have been created in recent years and that nearly all of them are in out-of-the-way posts where climate or living conditions are so difficult that no self-respecting politician would endure them.

Nor, he notes, do the figures disclose the fact that the Iron Curtain posts, where the going is both rough and delicate, where diplomacy matters most, are filled by career men.

Foreign Service career men do not mind rough going. They expect it. The old popular picture of the diplomat as a tea drinker and cookie pusher has long ceased to resemble reality, if it ever did. Just as false is what seems to be a new legend that diplomats already devote too much time to parties at which alcoholic beverages are served; that the American public is being urged by the career service to spend its precious cash on more whisky for more parties, just for fun.

Effective diplomacy is always hard. In times of peril and confusion it grows harder, and these are such times. One would think that all hands would be concerned with helping to see that it does the jobs it is supposed to do.

For that the first need is more money. Not much more: 1 percent, say, of the $100 million the Air Force spent on the now-abandoned experimental XF-103 that never flew; just enough to allow our representatives abroad to perform properly their necessary duties.

The second need is for a determination at the highest executive level—the Presidency—that the Foreign Service of the United States shall be as good as any diplomatic corps in the world. Room must be left for the appointment of noncareer ambassadors under special circumstances, but nothing should be allowed to prevent the rising of a career man to any post for which his experience and ability make him the logical choice.

[From the New York Herald Tribune of August 18, 1957]

REAL ISSUE IN FUROR OVER GLUCK: IS AMATEUR DIPLOMAT OBSOLETE?

(By Marguerite Higgins)

WASHINGTON, August 17.—Has the increased sensitivity of formerly remote and relatively unimportant parts of the world—such as Ceylon—made the amateur diplomate obsolete, even dangerous? This is the heart of the furor over Maxwell H. Gluck, the new Ambassador to Ceylon, who couldn't call out the name of Ceylon's Prime Minister. But today, despite all the clamor, the Eisenhower administration stands just as determinedly for the principle that an injection from time to time of noncareer ambassadors into the Foreign Service contributes a healthy, even essential, balance and that the record shows it.

PERSONAL FORTUNE ANGLE

What, then, is the record? How do the amateur and the professional compare in language proficiency, performance of duty, diligence, sound judgment? Are the amateur ambassadors given an adequate briefing on their areas of responsibility before their departures? How much does the possession of a personal fortune play in the selection of an ambassador and is this a good or bad thing?

First, it ought to be reported that the case of the Senate testimony of the unlucky Mr. Gluck had at least one good result: it focused public attention on many anachronisms in ambassadorial appointments including the one that victimized Mr. Gluck. This was the State Department custom of briefing ambassadorial appointees only after they had been confirmed by the Senate. Presumably this meant that in the remote possibility that confirmation was refused, the rejected nominee would not be left in unlawful possession of classified information.

BRIEFINGS A CERTAINTY

But—as Under Secretary of State Christian A. Herter freely admitted—this absence of briefing sets a perfect stage for the nominee to make a fool of himself while facing cross-examination from the Senate Foreign Relations Committee.

As a result of changes wrought by the Gluck case, all nominees from now on will be given at least a minimum briefing before having to face the Senators. And it's a safe bet that a good deal of attention will be paid to rehearsing the ambassadors on pronouncing the names of the officials in their area.

When Secretary of State John Foster Dulles insisted that contributions to political parties ought not to debar anyone from being considered for a diplomatic post, it was a backward way of saying that being rich doesn't automatically mean being narrow or lacking in those qualities required of a good ambassador.

SUCCESS OF DOUGLAS

Among those amateur but well-to-do ambassadors who more than prove his point are—to stick with the recent past—such men as Lewis Douglas, a prominent one-time Democrat who turned in a brilliant performance as Ambassador to Great Britain during the days of the Berlin airlift, and Ellsworth Bunker, a heavy contributor to Democratic campaign funds in the Roosevelt era, who has done so well in diplomacy that the Republicans reappointed him, paying him most recently the compliment of entrusting to him the crucial post of New Delhi.

Mr. Bunker, incidentally, not only knows how to pronounce the name of Jawaharlal Nehru, Prime Minister of India, but speaks two foreign languages: French and Spanish.

Another prominent Democrat and campaign contributor is David K. E. Bruce, who after distinguishing himself in Paris was later named Ambassador to West Germany.

Among outstanding amateurs appointed by the Eisenhower regime have been Mrs. Clare Boothe Luce, former Ambassador to Italy, who, among other things, learned Italian well enough to deliver speeches in the language; C. Douglas Dillon, former Ambassador to France; Eugenie Anderson, Ambassador to Denmark; James B. Conant, former president of Harvard and former Ambassador to West Germany.

ECONOMICS A FACTOR

Under present procedures, all amateur diplomats are given a minimum of three to a maximum of six weeks intensive briefing on every aspect of the country to which they will go.

But knowing the language of a country to which a person may be assigned is not of itself a criterion for handing out appointments. As a State Department official put it, "linguistic ability is not synonymous with sound judgment, integrity of character, capability of handling people, and a wide knowledge of business and economics which, since foreign aid began, has gained a vast new importance. These are the qualities we look for."

Except for the so-called global languages (the languages of Europe such as French, Spanish, German, etc.) it is rare even in the regular Foreign Service that an officer knows the language of a post to which he is assigned, especially if it is in Asia, the Middle East, or Africa. But of the 52 career ambassadors—the highest proportion of professionals in recent history—every one speaks at least one foreign language, usually Spanish or French, according to State Department records.

QUESTION OF EXPENSES

Of the 26 ambassadors, it is naturally less likely that they will have at the start of their assignments a real command of a foreign language because the amateurs just haven't been exposed to foreign languages as much as the professionals.

But almost unanimously the amateur diplomats set about correcting this deficiency. A check with the respective desks at the State Department revealed that the vast majority of newly appointed ambassadors promptly set about studying the language of the post to which they are assigned.

As to charges that the administration saves the plum jobs for wealthy political appointees, the State Department says—and the facts unquestionably confirm—that Congress itself is guilty of imprisoning the State Department with outrageous budget practices that leave no other choice.

COST OF LONDON PARTIES

Is it fair, for instance, that regular professional diplomats acting as deputy chiefs of mission in France and England had to ask to be relieved from their posts, citing that they had to borrow $5,000 and $10,000 individually because Congress refused to authorize residence maintenance allowances?

Does it make sense that in London the cost of the annual Embassy Fourth of July party eats up the Ambassador's entire entertainment allowance for the year? When Congress sets those low budgets in areas of high expenditure, how can any government do otherwise than find a wealthy man to take the post?

Naturally it creates envy and sometimes a measure of frustration in the regular Foreign Service to know that key jobs such as Rome, Paris, London, Bonn, etc., are, of necessity, beyond reach. But until the era of much richer career officers or a more openhanded Congress, there just is no alternative available to the Department of State. And, ipso facto, it usually follows that rich men have given money to political campaigns.

In both the Republican and Democratic administrations, the men proposed are almost invariably wealthy (and therefore political contributors) for the simple reason that their sponsors know the rules of the game. There would be no point in proposing someone who had no visible means of being able to afford the post.

But there is every reason to believe that, once proposed for consideration, the question of size and scope of any candidate's contributions plays no role whatever and such details are never brought up among the officials making the selections.

The amateurs are of value in the Foreign Service not only because of backgrounds that include a wide, practical knowledge of business and economics but also because they are less likely to be bound by the inhibitions and fears that sometimes—as Mr. Dulles put it—turn Foreign Service officers into machines preoccupied with diplomatic niceties but fearful of the human touch. The world remains enormously diverse and as Under Secretary Herter testified, sometimes even in America's excellent professional service situations arise where a search reveals an absence of precisely the right man for the job. It is on those occasions that the Department of State is grateful for those Americans outside the service willing to sustain financial sacrifice for the privileges and hazards of serving their country.

[From the New York Herald Tribune]

DIPLOMATS COMPARED

Following is a list of career diplomatic officers serving as chiefs of mission, with the languages in which they are proficient:

Afghanistan: Sheldon T. Mills, French, Spanish, German.
Argentina: Willard L. Beaulac, Spanish, French.
Australia: William J. Sebald, Japanese, German, French.
Austria: H. Freeman Matthews, French, German, Spanish.
Bolivia: Philip W. Bonsal, Spanish, Portuguese, French.
Burma: W. P. McConaughy, Portuguese, Spanish, French.
Cambodia: Carl W. Strom, Norwegian, Danish, Swedish, German, Spanish, French.
Canada: L. T. Merchant, French.
Chile: Cecil B. Lyon, Spanish, French, German.
China: Karl L. Rankin, German, French, Italian, Russian, Greek.
Costa Rica: Robt. F. Woodward, Spanish, French, Portuguese.
Colombia: John M. Cabot, Spanish, French, Portuguese, German, Swedish, Finnish, Dutch.
Czechoslovakia: U. Alexis Johnson, French, Japanese.
Ecuador: Christian M. Ravendal, French, German, Norwegian, Turkish, Russian, Swedish, Spanish.
Egypt: Raymond A. Hare, French, Arabic, Turkish.
El Salvador: Thomas C. Mann, Spanish.
Ethiopia: Don C. Bliss, French, German, Spanish.
Finland: John D. Hickerson, Spanish, Portuguese, French, Finnish.
Ghana: Wilson C. Flake, Italian, French.
Greece: George V. Allen, French, German, Greek.
Guatemala: Edward J. Sparks, Spanish, French.
Haiti: Gerald A. Drew, French, Spanish, Portuguese, German.
Iceland: John J. Muccio, Spanish, German, French, Italian.
Indonesia: John M. Allison, Japanese, French.
Iran: Selden Chapin, French, Spanish, Italian.
Iraq: Waldemar J. Galman, German, Spanish, French.
Israel: Edward B. Lawson, Spanish, German, French.
Japan: Douglas MacArthur, 2d, French, Italian, Spanish.
Jordan: Lester D. Mallory, French, Italian, Spanish.
Korea: Walter C. Dowling, German, French, Italian, Portuguese, Norwegian.
Laos: J. Graham Parsons, French, Italian, Japanese, Spanish.
Lebanon: Donald R. Heath, French, German, Spanish, Russian, Bulgarian, Arabic.
Luxembourg: Vinton Chapin, French, Spanish, German.
Morocco: Cavendish W. Cannon, French, German, Bulgarian.
New Zealand: Francis N. Russell, French.
Norway: Frances E. Willis, Spanish, Swedish, Finnish.
Panama: Julian F. Harrington, French, Spanish, German.
Peru: Theodore C. Achilles, French, Spanish, Italian, German, Japanese.
Philippines: Charles E. Bohlen, Russian, French, Persian.
Poland: Jacob D. Beam, German, French, Russian, Malay.
Portugal: J. C. N. Bonbright, French, Portuguese.
Saudi Arabia: George Wadsworth, French, German, Arabic.
Sudan: Lowell C. Pinkerton, French, German, Italian.
Syria: James S. Moose, Jr., French, Persian, Spanish, Italian, Turkish, Greek, German, Arabic, Ukrainian.
Thailand: Max Waldo Bishop, Japanese, German, French.
Tunisia: G. Lewis Jones, French, German, Greek, Italian, Arabic, Persian.
Turkey: Fletcher Warren, Spanish, French, Hungarian, Italian, Portuguese, German.
Union of South Africa: Henry A. Byroade, French.
U. S. S. R.: Llewellyn E. Thompson, French, Russian, Italian, Spanish, German.
Vietnam: Eldridge Durbrow, French, Italian, Russian, Spanish.
Yugoslavia: J. W. Riddleberger, French, German.

Following is an unofficial list of noncareer officers:

Belgium: John C. Folger, French (very little).
Cuba: Earl E. T. Smith, studying Spanish.
Denmark: Val Petersen, Danish, Swedish.
France: Amery Houghton, studying French.
Great Britain: John H. Whitney, French (probably).
Honduras: Whiting Willauer, Spanish.
India; Nepal: Ellsworth Bunker, Spanish, Italian.
Ireland: Scott McLeod, no foreign language.
Italy: James D. Zellerbach, Italian (probably also French).
Liberia: Richard L. Jones.
Mexico: Robert C. Hill, Spanish.
Nicaragua: Thomas E. Whalen, Spanish, Portuguese fluently.
Pakistan: James M. Langley, French (probably).
Rumania: Robert N. Thayer, French, Rumanian, German.
Spain: John Lodge, Spanish, Italian, French.
Switzerland: Henry J. Taylor, French.
Uruguay: Jefferson Patterson, Spanish, French.
Ceylon: Maxwell H. Gluck, German slightly.

FINANCIAL ASSISTANCE TO DESERT-LAND ENTRYMEN

Mr. ELLENDER. Mr. President, I ask that the Chair lay before the Senate a message received from the House of Representatives.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1002) to enable the Secretary of Agriculture to extend financial assistance to desert-land entrymen to the same extent as such assistance is available to homestead entrymen, which was, to strike out all after the enacting clause and insert:

> That (a) the first sentence of the act entitled "An act to enable the Secretary of Agriculture to extend financial assistance to homestead entrymen, and for other purposes," (approved October 19, 1949 (63 Stat. 883) is amended (1) by inserting immedi-

ately after the words "Bankhead-Jones Farm Tenant Act, as amended", the words "title V of the Housing Act of 1949, as amended," and (2) by striking out "homestead entry" and inserting in lieu thereof "homestead or desertland entry."

(b) The last sentence of the first section of such act is amended by inserting after "project", the following: "or to an entryman under the desert-land laws": *Provided, however,* That for any person to qualify for a loan under said act by reason of desert-land entry on public lands the Secretary of Agriculture shall determine that such person meets all requirements of residence, possession, and use required by the Homestead Acts (43 U. S. C., ch. 7).

Mr. ELLENDER. Mr. President, I move that the Senate disagree to the amendment of the House of Representatives, request a conference thereon with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HOLLAND, Mr. SCOTT, Mr. TALMADGE, Mr. MUNDT, and Mr. SCHOEPPEL conferees on the part of the Senate.

THE DEPORTATION OF MRS. JAMES MASTERSON

Mr. MURRAY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter which I had delivered last Friday to Under Secretary of State Christian A. Herter.

The letter concerns one of my constituents, James Masterson, and his wife, Doreen, a British subject who is denied reentry into this country because of the construction that has been placed upon section 212 (a) (I) (ii) of the Immigration and Nationality Act.

When his wife was deported Mr. Masterson accompanied her back to England. For 3 years they have been trying, unsuccessfully, to obtain permission from our Government for her return.

The information furnished me on this case by the State Department and the Mastersons indicates that her readmission is permissible, and that an injustice is being done a devoted husband and a woman who long ago repented the errors she was led into in her youth.

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

UNITED STATES SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
August 23, 1957.

The Honorable CHRISTIAN A. HERTER,
Under Secretary of State, Department of State, Washington, D. C.

DEAR MR. SECRETARY: I am writing you on behalf of one of my constituents, James R. Masterson, and his wife, Doreen, a British subject who is denied reentry into this country under the McCarran-Walter Act.

Masterson accompanied his wife to England when she was deported 3 years ago. Since then they have been trying to obtain permission for her to return to this country under section 212 (a) (I) (ii) of the Immigration and Nationality Act, which provides that a visa may be issued if the alien "establishes to the satisfaction of the consular officer when applying for a visa, and the consular officer finds that since the termination of such membership or affiliation, such alien is and has been for at least 5 years prior to the date of application for a visa actively opposed to the doctrine, program, principles, and ideology of such party or organizations, or the section, subsidiary, branch, or affiliate or subdivision thereof, and (b) the admission of such alien into the United States would be in the public interest."

It appears, on the basis of information furnished me by the State Department and the Mastersons, that readmission of Mrs. Masterson is permissible under present law.

It appears that injustice is being done a woman who has long ago repented the errors of her youth.

It appears that an injustice is being done her devoted husband, who is a member of a highly respected pioneer family of Miles City, Mont.

It appears that a decision in favor of her reentry will reflect favorably upon the United States Government.

For these reasons I am asking you personally to review the case and take appropriate action.

Here is a summary of the background on this case:

Before the Mastersons met, when Mrs. Masterson was about 19 years of age, she became engaged to a man about 12 years her senior who was a member of a branch of the English Communist Party. During this period of her engagement, which was also during the time when the United States, Great Britain, and the U. S. S. R. were allied in war against a common enemy, she joined the Communist Party and the Young Communist League.

In 1943 she broke her engagement with this man and, in turn, in either 1943 or 1944, she terminated her membership in the Communist Party and Young Communist League.

Masterson served with the United States Army Air Force in England during World War II. He married his wife in 1945. She came to this country under the GI bride program. They lived in Montana, where he attended Montana State University, earning B. A. and M. A. degrees in 1949 and 1950. Subsequently they lived in Seattle and Boston, where he did postgraduate work at the University of Washington and at Harvard.

On April 24, 1951, a warrant of arrest was issued charging that Mrs. Masterson had been a Communist prior to entry into the United States and that she was in this country in violation of United States immigration laws. There followed hearings and appeals and her deportation to England on August 27, 1954.

My files on this case indicate the following significant information:

(1) Numerous affidavits submitted to appropriate agencies in behalf of Mrs. Masterson certifying that during the period of her membership in the party she was loyal to her government and her church. I know of no evidence to the contrary.

(2) She swore that she terminated membership in the Communist Party and Young Communist League in either 1943 or 1944 and never rejoined those or similar organizations. I know of no evidence to the contrary.

(3) Despite her youthfulness, she became disillusioned with the Communist Party and terminated membership in it long before many mature citizens, who have not been denied residence in this country as she has, did so.

(4) While in Missoula, Mont., in 1948 she was asked to join the Communist Party of the United States. She refused to do so.

(5) Her character, devotion to democracy, and opposition to communism have been attested to by substantial citizens in both this country and England, including a distinguished former member of the Montana State University faculty and a former Rhodes scholar in England.

(6) My staff discussions with the State Department indicate that officers of the State Department are not fearful that admission of Mrs. Masterson would be prejudicial to the public interest or endanger the welfare, safety, or security of this country.

(7) The director of the visa section in London was favorably impressed by Mrs. Masterson.

But Doreen Masterson apparently is not the type of individual who, after breaking with the Communist Party, seeks the spotlight by making speeches and writing articles, thus creating for the officials who must judge the case conveniently tangible evidence of anti-Communist activity.

You know, as I do, that repentance before one's God, family, and friends can be at least as genuine as that which is performed in public. You know, too, as I do, that the person who does not have the faculty for writing or public speaking can nevertheless be as active in opposition to communism as are the more articulate converts.

Consider, for example, this notarized statement submitted in her behalf by an American teacher, now in England, who has known her for 6 years:

"I became acquainted with Doreen Masterson and her husband while working in Seattle, Wash., during the summer of 1951. I have corresponded with them regularly during periods when we have not been within visiting distance. Knowing of her legal difficulties, I am glad to make this affidavit to support her application for reentry into the United States. She and her husband are personal friends of mine, and I have a high opinion of her character—not least because of the uncomplaining courage and integrity with which she has met the hardships of the past few years.

"Even before it involved her in these difficulties, Doreen made no attempt to conceal the fact that as a girl during World War II she had joined the Young Communist League. She soon recognized the disparity between communism's professed ideals and its actual practices, became disillusioned with it as a vehicle for social idealism, and disassociated herself from it. I know her to be a person with strong democratic ideals and the courage of her convictions. Her convictions and ideals have never been compatible with Communist practice; for she hates intolerance, ruthlessness, authoritarianism, and oppression of any kind, and cannot see a lost kitten without taking it home. She accompanied my wife to church when they were together and during the 5½ years of my acquaintance with her I have never known her to be hypocritical or to express any sentiment whatever suggestive of Communist sympathies. On her last visit to us she condemned the Russian suppression in Hungary as strongly as her husband. She is definitely not the sort of person who should be barred from returning to the United States with her husband, where she has many friends, of whom I am glad to be one."

Our Government is one which recognizes human values above all else. Therefore, for the sake of this young man and his devoted wife, I ask your reconsideration of her status, and I do so in the knowledge that the final decision must be yours. I ask only that your finding be based on the facts as I have tried to present them, as I know them, and as you have them in your files.

With warm personal regards, I am,

Sincerely yours,

JAMES E. MURRAY,
United States Senator.

MUTUAL SECURITY

Mr. JOHNSON of Texas. Mr. President, one of the most important examples of the value of the mutual-security program has been provided by a sister Republic—Guatemala.

It was only a few years ago that world communism got its first real foothold in the Western Hemisphere. The people of Guatemala themselves finally got rid of the foreign yoke.

Since then, Guatemala has been the recipient of American help.

No less an authority than the distinguished and very hardheaded correspondent, Edwin A. Lahey, of the Chicago Daily News, attests that this help has been effective. I ask unanimous consent that his article be printed in the RECORD as part of my remarks.

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

Lahey Feels United States Aid Should Be Continued

(By Edwin A. Lahey)

GUATEMALA CITY.—Guatemala has been operated for 3 years as a laboratory experiment in democracy. This experiment has had the moral and financial support of the United States.

In the uncertainty created by the assassination of President Carlos Castillo Armas, there have emerged two questions of vital and immediate importance to both the United States and Guatemala.

1. Has the investment of the United States in Guatemala been justified?

2. Should the United States Congress renew its faith in Guatemala by continued generosity in foreign aid?

The answer to the first question is an unqualified "Yes." The United States has nothing to be ashamed of in its strong support of the late President Castillo Armas. The objective evidence in Guatemala supports this statement.

The answer to the second question involves political argument, rather than an examination of the record.

But it can only be "Yes" if Congress, now about to appropriate for foreign aid for fiscal 1958, wishes to protect our investment in democracy in Guatemala.

AID WITHDRAWAL INVITES CHAOS

Withdrawal of United States aid, or substantial reduction of it at this critical time, would be an invitation to chaos in Guatemala, and an American confession of failure in the project we undertook when we first supported Castillo Armas in the revolution of 1954.

It was then that the Communist-dominated government of Jacobo Arbenz, the only Red bastion in the Western Hemisphere, was overthrown.

These hard political facts make it probable that the Department of State will urge Congress, if Congress needs the urging, to back its faith in Guatemalan democracy with money in the coming weeks, when appropriations for foreign aid are voted.

The same facts make it probable that both civil and military leaders in Guatemala will strive to avoid the traditional excesses of Latin American politics and follow the middle-of-the-road policies to which Castillo Armas was firmly dedicated.

Castillo Armas was baited and badgered by both the far right and the far left in Guatemala, but he made no bones about his desire to shape the character of his country to something resembling that of its political godfather north of the Rio Grande.

A recent official progress report on the 3 years under Castillo Armas gives a conclusive answer to the question whether our investment of about $60 million in direct grants and loans since 1954 has been a good one.

That money has helped the Guatemalan Government launch programs to improve the lives of the people, particularly in the rural areas, and to help them help themselves.

The assistance has been translated into roads, low-cost housing, hospitals, health centers, and education.

PROGRESS CALLED MIRACULOUS

Considering the opposition that Castillo Armas had from both the far right and the far left, it is a modern miracle that he made as much progress in a middle-of-the-road program that he did.

The landed barons of the country, for example, wanted revenge against the shoeless proletarians who had given them a hard time under Communist leadership before 1954.

But Castillo Armas, by Presidential decree, established a minimum-wage law for agricultural labor, inadequate even by Latin American standards, but a sign of his sense of moderation.

And in recent weeks, the late President told a meeting of private employers:

"At no time must we think that the exploitation of our wealth can be carried out at the cost of inhuman exploitation of our workers."

When he died, Castillo Armas was trying to persuade the middle and upper classes of Guatemala that they must accept the income tax as inevitable. This tax is now under consideration in Congress.

At the working class level, large groups were equally impatient with the Castillo Armas government and unable to understand the slow pace of its reforms.

The labor movement, completely dominated by Communists under the Arbenz regime, was shattered in the revolution.

It has been necessarily slow in rebuilding, because of the quarantine against Communists.

In the May Day parade a few months ago, which the late President reviewed from the balcony of the national palace, workers carried angry placards denouncing the Government as antidemocratic and complaining about their own wages and working conditions.

RICH, POOR FORGET HOSTILITY

The most remarkable aspect of the assassination of Castillo Armas was the evaporation of this hostility at both ends of the social spectrum.

Rich and poor alike suddenly came to the conclusion that Castillo Armas had done a heroic job for his country in the 3 years of his service.

Without the magic spell of the late President's sincere devotion to his country's democratic aspirations, some sort of a military coup would have been as natural in Guatemala City last week as the afternoon rains that come plopping out of the low clouds with deadly regularity.

CIVIL RIGHTS LEGISLATION

Mr. JOHNSON of Texas. Mr. President, sober second thought has confirmed the wisdom of the compromise agreement on the jury-trial amendment which the House leadership reached Friday.

The compromise is not one that satisfies everybody. I personally believe that the Senate version of the measure is stronger in every respect.

It is my hope that next year we will consider the whole problem of jury trials for criminal contempt cases. I would urge my colleagues to hold long and careful hearings on this question.

I believe that if we can consider the matter divorced from a highly emotional issue we will return to the Senate bill.

Give and take, however, is not a one-way street. Men of principle have yielded on both sides in order to make possible a forward step in the field of human rights.

The Washington Post and the New York Times in editorials have summed up the situation with precision. I ask unanimous consent that these editorials be printed in the RECORD as a part of my remarks.

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

[From the Washington Post of August 26, 1957]

Victory for Everyone

The agreement among leaders of both parties in both Houses of Congress to a compromise on the civil rights bill is an act of genuine statesmanshp. No one ought to dismiss lightly the difficulties that were surmounted. Political advantage was subordinated to the need for a bill which can become law as the first real civil rights act in a generation of talk. What has come forth is truly a bipartisan measure which both parties can support with satisfaction. This is the consideration which ought to govern discussion as the bill comes up for final endorsement.

Like many compromises, the specific amendment is something less than ideal. Supporters of the jury-trial guaranty are disappointed because the amendment seems to weaken the guaranty (though we suspect that this will be the case more in theory than in practice). Champions of a stronger bill are equally disappointed because the amendment leaves a restriction on the power of Federal judges to punish offenders in voting-right cases for criminal contempt-of-court orders.

The prime virtue of the amendment is that it is a catalyst. It is a middle course between the jury-trial provision engineered by Senate Democrats and the modification suggested by House Republican Leader MARTIN. Under the amendment a judge will be empowered to try criminal contempt in voting-right cases with or without a jury, but if the punishment exceeds $300 fine or 45 days in jail a defendant will be entitled, if he wishes, to a new trial before a jury with the risk of greater penalty. The amendment also wisely narrows the jury-trial provision to cases involving voting rights and makes clear that the penalties for unauthorized use of testimony before the new Civil Rights Commission apply to disclosure rather than to news publication.

Republican support now seems assured to push the bill over the obstacle course set up by Representative HOWARD SMITH in the House Rules Committee. Attention will then turn to the Senate, where there seemed to be considerable possibility of a filibuster until Senator RUSSELL made his conciliatory statement. Southern Democrats who acquiesced in the Senate bill but object to the compromise can thank Mr. SMITH's obstructionism for much of their dilemma. Every day that he delayed, the price of agreement went up.

On this point the country must now hope that Senator RUSSELL and his southern colleagues will exericse the same dignity and forbearance that most of them displayed during the Senate debate. It has been a painful wrench for many of the southerners to yield as much as they have without resorting to a filibuster; and no one, in asking for additional restraint, can expect them to endorse the bill. But both sides have yielded in this classic debate. And actually, if the bill aims at compliance rather than punishment, and if southern legislators will use their influence in support of the law, the civil proceedings prescribed in the bill should suffice and the invocation of criminal penalties should be a rare thing. If the defiance of a court order were serious enough to warrant criminal punishment, in all probability most judges would conclude that a jury trial was called for anyhow.

From the outset this newspaper's concern in appraising the various changes in the civil-rights bill has been to obtain a workable measure that could actually be passed. We believe that the compromise bill, whatever the disappointments over individual details and omissions, should afford real protection of voting rights and encourage respect for other rights. The common denominator of agreement that has been evolved in a masterful achievement. The country has real cause for gratitude to the members of both parties who have composed their fears and differences in meeting a national need.

[From the New York Times of August 25, 1957]

A Civil-Rights Bill

It now seems evident that a civil-rights bill will be adopted by Congress this week and sent to the President. A compromise has been reached and announced on some controversial points. There is little likelihood, now, of any insurmountable obstacle to passage.

In the form that is now agreed upon the measure is not as strong as we, and other exponents of the civil-rights cause, might lems in respect to racial minorities, rights of citizenship, school, and other social integradent Eisenhower proposed and urged. It is not an ultimate solution of a variety of problems in respect to racial minorities, rights of citizenship, school and other social integration, and human understanding.

Nevertheless, an immense step can be taken. When the Congress adopts this measure it will be in the first real legislation in the field of civil rights on behalf of our racial minority in almost 80 years. It will be the first legal attempt to provide the machinery for making the 14th amendment a reality.

What is more, it will have been proved that the senatorial roadblock to remedial legislation is not completely impassable. It will also have been proved that the spirit of compromise and desire to effect a meeting of minds has not been lost in even so controversial a field.

The legislation, as it is now being readied for submission, really confines itself to voting rights. The restriction may be too narrow, but within this limitation there are provisions for genuine enforcement. The teeth have not been withdrawn. The constitutional provision for the right of jury trial has been upheld, but there has been an honest effort to prevent the devotion to this principle from becoming an instrument for the denial of human rights.

Among those rights, in the political sense, that of the free ballot is of first importance. This is a civil right, in the best sense, and one of the purposes of the legislation is to make it secure. A denial of such a right can be criminal and the legislation provides for punishment.

There will doubtless be extended argument as to whether this is half a loaf, a tenth of a loaf or three-quarters of a loaf. It will not be denied that in any case it is better than no bread. A movement in the right direction is being made. It is also a movement in the right direction that the conferees have decided to drop the provision under which newspapermen could have been penalized for reporting the activities of the Civil Rights Commission that is to be established. The press and the public also have rights that need continued protection.

It is important now, that all of us realize that the adoption of one bill is no panacea. There is still a long way to go before we can establish, for ourselves and for the world, that there can be no such thing as a second-class citizen in this country. The present measure moves toward that eventual goal. Its adoption should make it easier for others that must follow.

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

Mr. JOHNSON of Texas. I yield.

Mr. MANSFIELD. I wish to say that I, too, am disappointed that the Senate version of the civil-rights bill having to do with jury trials was not accepted in toto. I am disappointed because it seems to me that in arriving at a compromise those who reached it have come up with the idea that days and dollars can work out the difference between us, and that the procedure of a jury trial itself as applied to all criminal contempt cases can be compromised in this manner.

I am certainly in accord with what the Senator from Texas has stated. I know how long he has worked to bring about a workable and enforcible civil-rights voting bill, but I am disappointed that there has been written into the bill a compromise of the jury-trial amendment as passed by the Senate.

Mr. JOHNSON of Texas. Mr. President, I thank the Senator from Montana. Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

ORDER FOR ADJOURNMENT TO 11 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today it stand in adjournment until 11 a. m. tomorrow.

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

ORDER LIMITING DEBATE DURING MORNING HOUR TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate convenes tomorrow, during the usual morning hour for the transaction of routine business, statements of Senators be limited to 3 minutes.

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

H. R. 6127—COMPROMISING CIVIL RIGHTS

Mr. STENNIS. Mr. President, despite its "compromise" label, and despite the fact that the zeal of many to pass a so-called civil-rights bill may cause them to accept unsound provisions of the bill, I hope a sufficient number of votes can be obtained to defeat the compromise amendment regarding the jury trial provision of H. R. 6127.

Mr. President, the plain provisions of the sixth amendment to the United States Constitution provide, "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed."

I will accept the argument that a court's power includes the power to imprison for direct contempt to enforce compliance with its order. This was excepted by implication when the sixth amendment was adopted.

However, we plainly violate that provision of the Constitution when—in a wholesale fashion—we transfer great segments of our criminal law over to courts of equity for enforcement and command those courts to assume jurisdiction, and then permit trial and punishment for crime without a jury trial. No clever use of words or distinctions or legal arguments can change the realities of this.

Furthermore, the expressed language of the amendment recognizes this principle when the amendment makes a jury trial mandatory if the punishment is to be beyond $300 fine or 45 days in jail. Having recognized this right to a trial by jury, the right cannot be split and conferred as to one quantity of punishment and withheld as to another quantity of punishment. Only the Constitution could make such a distinction, and none is made by that document.

Regardless of the subject matter of the bill in which such a compromise is found, we shall regret the day that we set the following two precedents:

First. When we transfer a great volume of criminal law over to a court of equity for enforcement.

Second. When we violate the jury trial mandate of the Constitution by evasive split level quantities of punishment.

I shall be heard further on this subject at a later stage of the debate.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. Carlson in the chair.) Without objection, it is so ordered.

HOURS OF DAILY MEETING AND LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that, following tomorrow, and for the remainder of the week, it be in order for the Senate to convene at 10 o'clock.

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

Mr. JOHNSON of Texas. Mr. President, I should like to announce that it is very likely that the Senate will hold evening sessions during this week. We shall make every possible attempt to conclude the business of the Congress by Saturday evening.

The Senate will convene at 11 a. m. tomorrow, and, under the order just entered, will convene at 10 o'clock during the remainder of the week.

I want all Senators to be on notice that their presence is likely to be necessary for the entire week.

We expect to bring up several important pieces of proposed legislation, including the mutual security appropriation bill, the civil rights bill, the postal pay bill, the classified pay bill, and many other bills which I have previously announced, and which have been cleared on the calendar. Just when each one will be brought up, no one can tell; but I wish to give the minority leader advance notice, and I wish this to be notice to all other Members of the Senate, that we shall make a determined effort to conclude our work this week.

UNITED STATES FOREIGN POLICY AND THE COMMUNIST COUP IN SYRIA—MUTUAL SECURITY APPROPRIATIONS

Mr. JAVITS. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. JAVITS. I wish to be recognized for a few minutes. I understand that morning business has been concluded. Will the Senator from Texas permit me to request unanimous consent to speak at this time?

Mr. JOHNSON of Texas. Certainly. I yield the floor.

Mr. JAVITS. Mr. President, the American press is now being very much occupied and United States foreign policy is being very much concerned with the Communist coup in Syria. I think that situation constitutes a most potent argument in favor of having the Senate vote to appropriate the full amount of the authorized appropriation for mutual security for this year, namely, $3,386,860,000. That amount was very sharply cut in the other body. I understand that the mutual security appropriation bill is being reported today by the Senate Appropriations Committee, in an amount very much nearer to that with which the Mutual Security Agency and, indeed, our country can live.

In my opinion, Mr. President, the Syrian coup reflects so immediately upon this question, that I desire to address the Senate for a few minutes on this subject.

Mr. President, the Communist coup in Syria presents a grave threat to the Free World, because the Soviet Union is establishing a base of operations in the eastern Mediterranean for the pursuit of its objectives to cut off the oil of the Middle East and subvert the nations there. The irresponsible supplying of arms by the Soviet Union and its satellites to Egypt and Yemen, and now to Syria, could also, at a moment's notice, plunge any one of them into a military adventure disastrous to the entire Middle East. During these few minutes, I propose to suggest a series of measures which might be undertaken by our Government to combat this new danger.

First. Under the Eisenhower doctrine, nations in the Middle East which are threatened by international communism may request our assistance. Without delaying to wait for precise legal determinations on the political complexion of the government of Syria, it seems obvious that we now should be strengthening the countries which border on Syria and which may be threatened by her aggression. In the light of this new danger, we should be reviewing and strengthening our programs of assistance to nations which are clearly alined with the Free World, such as Turkey, Iraq, Jordan, and Israel.

Certainly the mutual-security appropriations for that purpose should not be cut.

Second. Our military assistance policy should emphasize self-defense, and should avoid exacerbation of an arms race in the Middle East. Our assistance to the Middle East should be heavily economic aid. Now is the time to press forward with the highly constructive and imaginative program for the development of the Jordan River Valley, which was offered to the Arab States and Israel by Ambassador Eric Johnston several years ago. This program was killed by a political veto by Syria. I understand that Syria can very well be left out of it, and that the program can be consummated through using a United Nations agency as a managerial body, simply by means of cooperation with both Jordan and Israel. This project alone will resettle 150,000 to 200,000 Arab refugees, representing in toto approximately 900,000 persons who are the hard core of the most nettling problem in that entire area of the world.

Third. The Soviet Union's main interest in Syria may arise from the fact that Syria can at any time—as it did during the Suez crisis—cut off the oil pipelines which carry vital fuel to Western Europe from Saudi Arabia and Iraq. Therefore, it is vital that the Western World, under our leadership, accelerate its plans and programs for developing alternate routes of supply. We must encourage the building of tankers to carry oil by sea, and we must encourage the construction of new pipelines, such as the pipeline from Iraq to Turkey, and the one using the shorter route from the Gulf of Aqaba, across Israel, to the Mediterranean. At the same time, it is to be hoped that the British oil companies will now be dissuaded by the Syria coup from abandoning their existing oil facilities in Israel. The Syrian coup argues for expansion, not contraction, of oil facilities secure to the Free World.

Fourth. I urge that a major effort be made at this time to solve the Palestine-Arab refugee problem. It is one of the major problems in that entire area of the world. All governments in the Middle East, and especially those which have been expanding their economies by the development of oil resources, should be encouraged to accept their share of the responsibility in the resettlement of the Arab refugees. Mr. President, if all states in the region—both Israel and the Arab countries—agreed to contribute to a solution by accepting refugees for resettlement and by compensating refugees for abandoned and confiscated property, there would be a substantial measure of progress toward development and peace. The United Nations Relief and Works Agency, now caring for the Arab refugees, expires on June 30, 1960. It is time to consider placing a greater responsibility on the host governments, if they continue to oppose resettlement efforts.

Mr. President, by way of conclusion, let me say that we must not be frustrated or dismayed by the Syrian coup. We must react to it in an affirmative and vigorous way. I suggest that we react to it by bypassing this particular area and by working with peoples in the Middle East who will work with us, and by working on the manifest problems there. The best way to deal with Syria and Egypt is to isolate them in the Arab world.

Continued Soviet infiltration and subversion in the Middle East have been facilitated by the disunity of the region. Our Government should now exercise every resource to promote cooperation and peace in the area. The development of the Johnston plan for the Jordan River waters, the building of alternate oil pipelines, the expansion of economic aid and technical assistance, and the observance of the Eisenhower doctrine, which seals off that area from Communist aggression, will contribute to the attainment of stability, and all of them will foster conditions making for a peace settlement.

As a leader of the Free World, our Government must go forward now in an affirmative way.

The subversion of Syria and its apparent capitulation to the Kremlin's influence must serve as a stern warning to all the other nations of the Middle East that they will not preserve their independence or secure the prosperity and welfare of their people by following Syria's example, nor will they defend themselves from the threat of Soviet subversion and aggression by persisting in intraregional conflict. They owe it to themselves to settle their disputes, to make peace, and to work together for the cause of freedom.

Mr. President, in order to accomplish our policy, we need the sinews and the means, and these are contained in the appropriations for mutual security. If we fail to make adequate appropriations—and that is something we control—we shall be failing to read the lesson of the Syrian coup in the interests of our national security. And that lesson is written large upon the wall.

THE CALENDAR

The PRESIDING OFFICER. The Senate will now proceed to consider the bills and other measures on the calendar.

Mr. TALMADGE. Mr. President, in view of the fact that all the measures on the calendar will be objected to, down to Calendar No. 1037, except for Calendar No. 873, House bill 38, Calendar No. 733, House bill 1733, and Calendar No. 415, Senate bill 931, I ask unanimous consent that with those exceptions, the call of the calendar begin at Calendar No. 1037. In other words, preceding Calendar No. 1037, there are three bills to which we do not object. I ask unanimous consent that the Senate proceed to consider Calendar No. 415, Senate bill 931, Calendar No. 733, House bill 1733, and Calendar No. 873, House bill 38; and that upon the completion of action on those measures, the next measure on the calendar to be called be Calendar No. 1037.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Calendar No. 415, Senate bill 931, will now be stated.

BILL PASSED OVER

The bill (S. 931) to provide for the reorganization of the safety functions of the Federal Government, and for other purposes, was announced as first in order.

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

PHILIP COOPERMAN AND OTHERS—BILL PLACED AT FOOT OF CALENDAR

The bill (H. R. 1733) for the relief of Philip Cooperman, Aron Shriro, and Samuel Stackman was announced as next in order.

Mr. PURTELL. Mr. President, reserving the right to object—and I shall object—let me say that this bill appears to have great merit. However, it would establish a precedent. For that reason, and that reason only, we believe it should not be acted on during the call of the Consent Calendar. I suggest that the bill be brought up by motion, at which time there will be no objection from the members of the minority Consent Calendar Committee.

Mr. JAVITS. Mr. President, reserving the right to object, will the Senator from Connecticut yield to me?

Mr. PURTELL. I yield.

Mr. JAVITS. This is a bill involving residents of New York. It is a private bill. As the Senator from Connecticut says, there is no objection to the bill; of course, we know that when the bill is brought up by motion, there will be no objection to it.

Since this is the final week of the session, let me ask whether the bill will really establish a precedent.

Mr. PURTELL. The members of the minority calendar committee believe they have a responsibility to the entire Senate, in that when bills which may be precedent-setting are presented to the minority calendar committee, the members of that committee should alert the Senate to that fact.

I believe that this bill is in the same category as was a bill which we did not permit to pass on a call of the Consent Calendar on the last calendar call. Let me again state the bill is a meritorious one. We feel that there is equity involved in the bill and that relief should be given. We believe, however, that it ought not to be passed on a call of the Consent Calendar. I suggest that the Senator from New York may make the suggestion that it be brought up by motion immediately after the call of the calendar.

Mr. JAVITS. Mr. President, may the bill be passed to the foot of the calendar, so that it then may be taken up on motion?

The PRESIDING OFFICER. Is there objection? Without objection, the bill will go to the foot of the calendar.

FREE IMPORTATION OF CASEIN

The bill (H. R. 38) to amend the Tariff Act of 1930 to provide for the temporary free importation of casein was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAX ACT OF 1947

Mr. TALMADGE. Mr. President, I ask unanimous consent that the Senate proceed to the call of Calendar No. 1009, H. R. 8256. Any objection on this side of the aisle to the consideration of that bill has been withdrawn.

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

The LEGISLATIVE CLERK. A bill (H. R. 8256) to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social-security benefits and to provide additional exemptions for age and blindness, and to exempt from personal property taxation in the District of Columbia boats used solely for pleasure purposes, and for other purposes.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with amendments, on page 4, line 14, after the word "amended", to strike out "(sec. 47-1507b (a) (13)" and insert "(sec. 47-1557b (a) (13)"; in line 25, after the word "and", to strike out "wife, living" and insert "wife living"; on page 5, line 21, after "ch.", to strike out "1352)" and insert "1352),"; on page 6, line 15, after the word "year", to strike out "1957" and insert "1957,"; at the beginning of line 20, to strike out "business" and insert "business,"; on page 7, at the beginning of line 1, to strike out "business" and insert "business,"; at the beginning of line 7, to strike out "$5,000 and provided further that" and insert "$5,000: *And provided further*, That"; in line 8, after the word "calendar", to strike out "year" and insert "year,"; in line 20, after the word "trade,", to strike out "business" and insert "Business,"; in line 23, after the word "trade,", to strike out "business" and insert "business,"; on page 8, at the beginning of line 2, to strike out "business" and insert "business,"; in line 7, after the word "Columbia", to insert "and no license shall be required of any person licensed under chapter II, section 26, of the 'Life Insurance Act', approved June 19, 1934 (48 Stat. 1125, ch. 672; sec. 35–425, D. C. Code, 1951), for the purpose of acting within the District of Columbia for any life insurance company as a general agent, agent, or solicitor in the solicitation or procurement of applications for insurance,"; in line 24, after the word "or", to strike out "joint venturer" and insert "joint venture", and, in line 25, after the word "Columbia.", to insert "The license required to be obtained under the provisions of this subsection shall be in addition to all other licenses, fees, and permits required by law."

The amendments were agreed to.

Mr. BIBLE. Mr. President, in connection with this particular bill, I should like to send proposed amendments to the desk and ask the clerk to state them.

The PRESIDING OFFICER. The amendments will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 8, line 4, after the word "required", to insert "(1)"; on page 8, line 7, after the word "Columbia", to strike out "and no license shall be required" and insert "(2)"; and on page 8, line 14, to strike out "and no" and insert "or (3) of any person engaged in the ministry of healing by prayer or spiritual means alone and who is a member of a church or denomination whose tenets and teachings include the practice of such healing. No."

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. BIBLE. Mr. President, I wish to make a brief statement concerning the amendments. There has previously been objection to the passage of the bill by the Senator from Wisconsin [Mr. WILEY]. The matter to which the amendments are pointed was not posed to the full committee until the very day on which we met. I think there is considerable merit in the suggested amendments which were offered to the committee by and on behalf of the Senator from Wisconsin. The committee has been polled and is perfectly willing to accept the amendments and take them to conference. The feeling of the committee at the time of the consideration of this particular District of Columbia income and franchise tax legislation last year was that it certainly did not have in mind reaching this particular class. It occurs to me, and I believe the other members of the committee share my view, that this is a bona fide exemption. I have assured the Senator from Wisconsin we shall accept the amendments and take them to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from Nevada.

The amendments were agreed to.

Mr. BIBLE. Mr. President, I ask unanimous consent that there may be printed in the RECORD a statement I have prepared in connection with the bill.

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

STATEMENT BY SENATOR BIBLE

The purpose of this bill is to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, and certain provisions of law pertaining to taxation of personal property in the District of Columbia, so as to accomplish the following:

(1) To exclude from gross income for individual income-tax purposes insurance benefit payments received by a taxpayer under the Social Security Act, as amended.

(2) To add to the exemptions to which a taxpayer is entitled, $500 for taxpayers and their spouses when those individuals have reached the age of 65; and $500 will be allowed to taxpayers and their spouses who are blind. This provision is substantially identical to that contained in the Internal Revenue Code of 1954.

(3) To change existing exemption allowed a head of a family or a married person living with husband or wife. Presently, a husband and wife living together shall receive 1 personal exemption of $2,000, but if they make separate returns, the personal exemption may be taken by either, or divided between them. This bill would retain the exemption of $2,000, but provides that if the husband or wife makes separate returns the personal exemption of $2,000 shall be divided equally between them.

(4) To modify the provision of present law, pertaining to the exclusion from gross income of payments made under laws relating to veterans. This would conform to provisions under the Internal Revenue Code of 1954.

(5) To provide for the exclusion from gross income for individual tax purposes of amounts received as a pension, annuity, or similar allowance for personal injuries or sickness resulting from active service in the armed forces of any country or in the Coast and Geodetic Survey or the Public Health Service to the extent such amounts are excluded from gross income under the Internal Revenue Code of 1954.

(6) To increase the maximum amount allowed to taxpayers who elect to take an optional standard deduction, rather than to itemize their deductions, from the present $500 to $1,000 and, in this respect, will also conform with the Internal Revenue Code of 1954.

(7) To limit taxpayers using a tax table to persons whose income from specified sources does not exceed $5,000. Present law is $10,000.

(8) To eliminate from personal-property taxation boats used solely for pleasure purposes. Under existing law such boats are subject to taxation on their value in excess of the first $1,000.

(9) To exempt from the licensing tax, under certain circumstances, individuals who engage in a trade, business, or profession in the District of Columbia, but whose gross receipts during a calendar year are less than $5,000. The exemption also applies, under certain conditions set forth in the bill, in cases where the annual gross receipts of a partnership, association, or joint venture in the District were, during a stated calendar year, less than $5,000. The present exemption of registered and practical nurses from the requirements of licensing is retained and, in addition, exemptions from these requirements are provided officers and employees of the United States Government, or the District of Columbia government, as well as individuals in private or public employment who are compensated for service performed by them as employees.

The committee amendment to section 7 of the bill would add to those exempted from the licensing requirement persons licensed under chapter 11, section 26 of the Life Insurance Act, approved June 19, 1934, when such persons are acting, under their license, for any life insurance company as a general agent, agent, or solicitor in the solicitation or procurement of applications for insurance.

Enactment of this legislation, as amended by the committee, will result in a loss of revenue to the District of Columbia of approximately $350,000 per annum. (See page 4 of attached report for breakdown).

This legislation was recommended by and has the approval of the Commissioners of the District of Columbia.

The PRESIDING OFFICER. The question now is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ASSISTANCE TO STATE AND TERRITORIAL MARITIME ACADEMIES OR COLLEGES

The Senate proceeded to consider the bill (S. 1728) to provide certain assistance to State and Territorial maritime academies or colleges, which had been reported from the Committee on Interstate and Foreign Commerce with amendments on page 1, after line 5, to strike out:

Sec. 2. It is herewith declared to be the policy of the Congress to promote the development of a strong merchant marine through assistance and cooperation with States and Territories which operate or maintain a maritime academy or college for the training of merchant marine officers.

And insert:

Sec. 2. It is hereby declared to be the policy of this act to promote the national policy with respect to the United States Merchant Marine, as set out in section 101 of the Merchant Marine Act, 1936, by assisting and cooperating with the States and Territories in the operation and maintenance of maritime academies or colleges for the training of merchant marine officers.

On page 6, line 8, after the word "the", to strike out "Navy, Coast Guard, or merchant marine" and insert "Navy or Coast Guard or United States Maritime Service instructors employed under the provisions of section 216 (a) of the Merchant Marine Act, 1936,"; in line 13, after the word "act.", to strike out "Officers so detailed shall be compensated by the Federal agency ordinarily compensating them when they are serving on active duty for the Federal Government." and insert "Officers or instructors so detailed shall be compensated by the Federal agency ordinarily compensating them for service as such an officer or instructor."; after line 18, to insert:

RULES AND REGULATIONS

Sec. 8. The Secretary may establish such rules and regulations as may be necessary to carry out the provisions of this act.

On page 7, at the beginning of line 2, to change the section number from "8" to "9", and, at the beginning of line 10, to change the section number from "9" to "10"; so as to make the bill read:

Be it enacted, etc., That this act may be cited as the "Maritime Academy Act of 1957."

DECLARATION OF POLICY

Sec. 2. It is hereby declared to be the policy of this act to promote the national policy with respect to the United States Merchant Marine, as set out in section 101 of the Merchant Marine Act, 1936, by assisting and cooperating with the States and Territories in the operation and maintenance of maritime academies or colleges for the training of merchant marine officers.

VESSELS FOR MARITIME ACADEMIES

Sec. 3. (a) In order to carry out the policy set out in section 2 of this act, the Secretary of Commerce (hereinafter referred to as the Secretary) may furnish any suitable vessel under his jurisdiction, or obtained under the provisions of subsection (b) of this section, or construct and furnish a suitable vessel if such a vessel is not available, to the State of Maine, the State of Massachusetts, the State of New York, the State of California, and to any other State or Territory of the United States, for use as a training vessel for a maritime academy or college meeting the requirements of this act. Any such vessel (1) shall be repaired, reconditioned, equipped (including all apparel, charts, books, and instruments of navigation) as necessary for use as a training ship, (2) shall be furnished only upon application therefor in writing by the Governor of such State or Territory, (3) shall be furnished only if a suitable port for the safe mooring of such vessel is available while it is being used by such academy or college, (4) shall be maintained in good repair by the Secretary, and (5) shall remain the property of the United States.

(b) Any department or agency of the United States may provide to the Secretary for disposition under the provisions of this act any vessel (including equipment) which is suitable for the purposes of this act and can be spared without detriment to the service to which such vessel has been assigned.

CONTRACTS FOR ASSISTANCE

Sec. 4. The Secretary may enter into agreements with not more than one maritime academy or college, which meets the requirements of this act, in each State or Territory, to make annual payments to such academy or college for not in excess of 4 years in the case of each such agreement, to be used for the maintenance and support of such academy or college. Such payments for any year to any maritime academy or college shall be an amount equal to the amount furnished to such academy or college for its maintenance the support of the State or Territory in which such academy or college is located, except that such payments to any academy or college for any year shall not exceed $75,000, or $25,000 if such academy or college does not meet the requirement of section 5 (b) of this act.

REQUIREMENTS

Sec. 5. (a) As a condition to receiving any payments or the use of any vessel under the provisions of this act an academy or college shall—

(1) provide courses of instruction to youths in navigation and marine engineering, including steam and diesel propulsion, and courses in atomic or nuclear propulsion as soon as practical and possible; and

(2) shall agree in writing to conform to such standards in such course, in training facilities, in entrance requirements, and in instructors, as are established by the Secretary after consultation with superintendents of maritime academies and colleges in the United States.

(b) As a condition to receiving payment of any amount in excess of $25,000 for any year under the provisions of section 4 of this Act, a maritime academy or college shall agree to admit to such academy or college students resident in other States in such numbers as the Secretary shall prescribe, except that the number of such students prescribed for any academy or college shall not at any time exceed one-third of the student capacity of such academy or college.

SUBSISTENCE PAYMENTS

Sec. 6. (a) The Secretary may enter into agreements, with each academy or college with which he contracts under section 4 to make payments, at a rate not in excess of $600 per academic year per student, to such academy or college, with respect to each student attending such academy or college. Such payments (1) shall be used to assist in defraying the cost of uniforms, books, and subsistence for such student, (2) shall commence to accrue on the day such student begins his first term of work at such academy or college, and (3) shall be paid to such academy or college in such installments as the Secretary shall prescribe, while such student is in attendance and until the completion of his course of instruction, but in no event for more than 4 academic years for any one student.

(b) If the Secretary deems it advisable in the case of any such academy or college, he may, in lieu of entering into agreements with such academy or college for payments under this section, enter into such agreements directly with each student at such academy or college and make such payments directly to each such student.

DETAILING OF CERTAIN OFFICERS

SEC. 7. When requested by the governor of any State or Territory, the President of the United States is authorized to detail, when in his opinion such detailing can be done without detriment to the public service, proper officers of the Navy or Coast Guard or United States Maritime Service, instructors employed under the provisions of section 216 (a) of the Merchant Marine Act, 1936, as superintendents or instructors, or both, at maritime academies or colleges meeting the requirements of this Act. Officers or instructors so detailed shall be compensated by the Federal agency ordinarily compensating them for service as such an officer or instructor.

RULES AND REGULATIONS

SEC. 8. The Secretary may establish such rules and regulations as may be necessary to carry out the provisions of this Act.

ACTS REPEALED

SEC. 9. The Act entitled "An Act for the establishment of marine schools, and for other purposes", approved March 4, 1911 (36 Stat. 1353), as amended, and the joint resolution entitled "Joint resolution to provide suitable vessels for the use of certain State nautical schools, and for other purposes", approved July 29, 1941 (55 Stat. 607), are repealed.

APPROPRIATIONS AUTHORIZED

SEC. 10. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

The amendments were agreed to.

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

Mr. PURTELL. Mr. President, I ask unanimous consent that a statement by the Senator from Maine [Mr. PAYNE] be inserted in the RECORD at this point.

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

STATEMENT BY SENATOR PAYNE ON S. 1728, STATE MARITIME ACADEMY BILL

This bill (S. 1728) would codify and modernize Federal laws relating to State maritime academies. This bill is sponsored by my colleagues, Senator MARGARET SMITH of Maine, and Senators SALTONSTALL and KENNEDY of Massachusetts, IVES and JAVITS of New York, and KUCHEL of California. It was unanimously reported to the Senate by the Committee on Interstate and Foreign Commerce.

This bill is an outgrowth of the comprehensive review of maritime training and education made by the Special Maritime Training Subcommittee of the Senate Interstate and Foreign Commerce Committee in 1955–56, under authority of Senate Resolution 35, 84th Congress, 1st session. The special subcommittee, composed of the senior Senator from Washington [Mr. MAGNUSON] as chairman, and myself, held hearings on both the east and west coasts and visited 3 of the 4 State maritime academies as well as the United States Merchant Marine Academy at Kings Point, N. Y., in the fall of 1955. The record developed by the special subcommittee forms one of the most complete compilations of factual material on maritime training and education ever assembled in the United States.

In these days, with the experience of two World Wars still fresh in our minds, it goes almost without saying that a strong merchant marine is essential if the United States is to maintain its position of world leadership. The merchant marine is indeed, as has so often been said, our fourth arm of defense. Without the highly trained personnel needed to man a modern merchant vessel it would be impossible for this Nation to have an adequate merchant marine to meet both its commerce and defense needs.

The special subcommittee found that both the Federal and State maritime academies in this country were doing an outstanding job of training highly skilled officers to man the ships of our merchant marine. It found that, while the merchant marine annually needs from 1,000 to 1,600 new officers, the maritime academies, both Federal and State, are currently producing only 400 to 500 graduates annually.

The special subcommittee found, and its report so indicated, that one of the major problems annually plaguing the four State maritime academies was the uncertainty over the continuance of Federal financial assistance. Since this assistance is presently on a strictly annual basis, the State maritime academies are not able to tell a prospective student applying for admission what his expenses will be during his course of instruction. This has deterred many interested prospective students from attending the State maritime academies. I was recently advised by one academy that the report of the special subcommittee alone has had a salutary effect and that applications for admission have risen steadily in the last 2 years.

In its report the special subcommittee recommended that legislative action be taken to give the State maritime academies some assurance of continuity in Federal financial assistance (S. Rept. 1465, 84th Congress, p. 15). The basic purpose of S. 1728 is to implement this recommendation by giving the Department of Commerce authority to make contracts for annual payments with each academy for periods of up to 4 years. This provision would keep the actual appropriation of funds for the State maritime academies on an annual basis but would at the same time give each academy some assurance that assistance would continue for at least the period of the course of instruction of each entering class.

The bill would also codify the existing laws relating to State maritime academies by bringing together several rather widely scattered provisions. It would make a very modest increase in the level of financial assistance to the State maritime academies through increasing the annual grants for maintenance and support and by placing the presently vague program of subsistance allowances for cadets on a basis very comparable to the Department of the Navy's Reserve Officer Training Corps (Holloway plan) program.

The State maritime academy bill has been under careful study and consideration for over a year and represents the carefully considered opinions of many of those interested in the outstanding and vital programs of the four State maritime academies in Maine, Massachusetts, New York, and California. It is my firm conviction that this legislation must be enacted if we are to insure a continued adequate supply of highly trained merchant marine officers to meet the needs of the United States for a strong merchant marine in both peace and war.

MEMORANDUM ON INCREASED FEDERAL FINANCIAL ASSISTANCE TO THE STATE MARITIME ACADEMIES PROPOSED IN THE MARITIME ACADEMY ACT OF 1957

1. Maintenance and repair of vessels: Existing law authorizes the loan of suitable vessels to State maritime academies or colleges and provides that such vessels shall remain the property of the United States and be kept in repair by the United States. The proposed bill would not change the financial obligation of the Government for the loan and maintenance of the State maritime training ships. The Federal budget for 1958 requests an appropriation for this purpose of $149,800 ($37,450 per ship) which is the same as that appropriated for fiscal years 1956 and 1957. No additional cost.

2. Grants for State maritime academies: Existing law authorizes annual grants to State maritime academies, not to exceed the amount annually appropriated by a State for such school, and not to exceed $50,000. Moreover the annual grant to each school is limited to $25,000 unless the school agrees to accept out-of-State students on terms prescribed by the Maritime Administration and then a school may receive only so much of the additional $25,000 as is necessary to cover the per capita costs of the out-of-State students. The proposed bill would change this by setting the total annual grant limit at $75,000 per school and would limit a school to $25,000 annually unless it accepted out-of-State students. Maritime schools eligible for assistance and meeting this requirement would receive the full annual grant of $75,000. The proposed bill would also give the State maritime academies some degree of assurance of continuity of Federal financial assistance by authorizing the Department of Commerce to make contracts for annual payments for periods up to 4 years. Additional cost per year, $110,000.

3. Allowances for cadet-midshipmen: Existing law permits expenditures incident to maritime training under rules and regulations prescribed by the Secretary of Commerce. Under this authority uniform, book, and subsistence allowances have been established for cadet-midshipmen at the four State maritime academies. At the present time these allowances amount to $475 per year per cadet and the number of cadets eligible for such allowances is limited to those who qualify as merchant marine students in accordance with Navy Department directives with the maximum number eligible at each school limited to slightly less than the enrollment of each school. The proposed bill would authorize a subsistence allowance of up to $600 per year for each cadet attending a State maritime academy. This amount is identical to that paid to students attending private colleges under the Navy's Holloway program. As with the funds for maintenance of State maritime academies, discussed in paragraph 2 of this memorandum, the proposed bill would provide authority to contract in advance to make these subsistence payments for the duration of the course of instruction but in no case to exceed 4 years. Additional cost per year estimated to be no more than $225,150. (NOTE.—Maine, Massachusetts, and California State Maritime Academies have a 3-year course, and the New York State Academy has a 4-year course.)

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement I have prepared.

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

STATEMENT OF SENATOR JAVITS, NEW YORK, ON THE PASSAGE OF S. 1728

Passage by the Senate of S. 1728, a bill introduced by Senator PAYNE and of which I am a cosponsor, to provide Federal assistance to State and Territorial maritime academies and colleges will mark a beginning in the effort on behalf of the maritime service of our country. If it passes the other body, it will be of direct financial benefit to the New York State University Maritime College, as well as those like institutions in other States.

Through the Nation's history, a strong merchant marine has been one of our bulwarks in peace and war. In peace, commercial vessels flying the American flag have written a great chapter in the story of world-trade development. In war, the work of our merchant seamen in supplying our Armies and our allies overseas with the goods of war has been a key factor in victory in two World Wars.

It is significant that the Senate recognizes the need for assistance in the work of our merchant marine schools in training personnel to man our fleets. This bill would (1) make ships available to maritime institutions of any State or Territory for use as a training vessel; (2) authorize a $25,000 yearly increase to a total of $75,000 per school of grants to State maritime academies; (3) authorize the Secretary of Commerce to pay maritime academies up to $600 per year per student for a subsistence allowance.

It represents an excellent beginning on realistically recognizing the needs of this branch of service and it is my hope that approval may be forthcoming quickly in the other body.

STATUTE OF LIMITATIONS WITH RESPECT TO CIVIL ACTION

The bill (H. R. 277) to amend title 17 of the United States Code entitled "copyrights" to provide for a statute of limitations with respect to civil action was considered, ordered to a third reading, read the third time, and passed.

PRESCRIBING FEES FOR UNITED STATES COMMISSIONERS

The bill (H. R. 4191) to amend section 633 of title 28, United States Code, prescribing fees of United States commissioners was considered, ordered to a third reading, read the third time, and passed.

WESTFELDT BROS.

The Senate proceeded to consider the bill (H. R. 1324) for the relief of Westfeldt Bros.

Mr. ELLENDER. Mr. President, the purpose of this bill is to correct an error on the part of a customs examiner in the assessment of customs duties against Westfeldt Bros., a commercial firm of New Orleans, La. Briefly, the Treasury Department levied a duty of $1.75 per package on certain sweetstuffs imported by Westfeldt Bros., instead of the proper duty of $1.75 per 100 packages. The total overassessment thus outstanding amounts to $540,540, the amount in the bill.

The Treasury Department has reported favorably on the bill, and has admitted that the increased liability was the result of inadvertence and error on the part of a customs examiner.

This bill involves no payment from the Federal Treasury, but, rather, would only result in relieving Westfeldt Bros. of liability which, according to the law, should not attach.

Unfortunately, there is no way for this admitted clerical error to be corrected short of passage of this bill. The Customs Simplification Act of 1953 provides an administrative procedure for correcting clerical errors, but because the assessment here involved became final prior to the passage of that act, it is specifically excluded from the administrative proceeding.

As a matter of simple justice and equity, Mr. President, this bill should be passed. I emphasize again that it involves no cost to the Treasury, but would merely preclude an importer from being compelled to pay the sum involved to the Treasury due to an error in appraisal of imported merchandise.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

THOMAS F. MILTON

The bill (H. R. 6172) for the relief of Thomas F. Milton was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 374) for the relief of certain aliens.

Mr. EASTLAND. Mr. President, House Joint Resolution 374 grants the status of permanent residence in the United States to 10 persons. Since reporting the joint resolution from the Committee on the Judiciary, the case of Lino Aguilon Reyes, whose name was deleted from House Joint Resolution 338 pending further study, has now been approved.

I send to the desk an amendment to provide that the additional name of Lino Aguilon Reyes be included in House Joint Resolution 374, and I move that the amendment be adopted.

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

The LEGISLATIVE CLERK. It is proposed, on page 1, line 5, after the name "Kukic" to insert "Lino Aguilon Reyes,".

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

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the joint resolution.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

WAIVER OF CERTAIN PROVISIONS IN BEHALF OF CERTAIN ALIENS

The joint resolution (H. J. Res. 430) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens was considered, ordered to a third reading, read the third time, and passed.

MARIA DEL CARMEN VIQUERA PINAR

The bill (S. 1294) for the relief of Maria del Carmen Viquera Pinar was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Maria del Carmen Viquera Pinar, shall be held and considered to be the natural-born alien child of Sfc. Seymour J. Sperling, a citizen of the United States.

DEANNA MARIE GREENE (OKHE KIM)

The bill (S. 2352) for the relief of Deanna Marie Greene (Okhe Kim) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Deanna Marie Greene (Okhe Kim) shall be held and considered to be the natural-born alien child of Mr. and Mrs. Doyle Greene, citizens of the United States.

CHARLES FREDRICK CANFIELD (KIM YO SEP)

The bill (S. 2353) for the relief of Charles Fredrick Canfield (Kim Yo Sep) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Charles Fredrick Canfield (Kim Yo Sep) shall be held and considered to be the natural-born alien child of Mr. and Mrs. Charles N. Canfield, citizens of the United States.

KIM, HYUN SUCK

The bill (S. 2488) for the relief of Kim, Hyun Suck was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Kim, Hyun Suck shall be held and considered to be the natural-born alien child of Etsel E. and Osee M. Reilly, citizens of the United States.

STEFANI DANIELA AND CASABIANCA AMBRA

The bill (S. 2635) for the relief of Stefani Daniela and Casabianca Ambra was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of section 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Stefani Daniela and Casabianca Ambra shall be held and considered to be the natural-born alien children of Jack and Mildred Paola, citizens of the United States.

PEDRO GONZALES

The bill (H. R. 5920) for the relief of Pedro Gonzales was considered, ordered to a third reading, read the third time, and passed.

SHIRLEY LEEKE KILPATRICK

The Senate proceeded to consider the bill (S. 2110) for the relief of Shirley Leeke Kilpatrick, which had been reported from the Committee on the Judiciary, with amendments, in line 7, after the word "visa", to strike out "fees" and insert "fee", and after line 7, to strike out "Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available"; so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Shirley Leeke Kilpatrick shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendments were agreed to.

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

CONSTRUCTION OF AERONAUTICAL RESEARCH FACILITIES

The Senate proceeded to consider the bill (H. R. 3377) to promote the national defense by authorizing the construction of aeronautical research facilities and the acquisition of land by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research which had been reported from the Committee on Armed Services, with amendments, on page 2, line 3, after the word "tunnel", to insert "taxi strip"; in line 4, to strike out "$8,164,000" and insert "$8,914,000", and in line 21, to strike out "$44,700,000" and insert "$45,450,000."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

LEASING OF LANDS WITHIN INDIAN RESERVATIONS, ALASKA

The Senate proceeded to consider the bill (H. R. 6562) to clarify the law relating to leasing of lands within Indian reservations in Alaska, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, to strike out all after the enacting clause and insert:

That the withdrawal and reservation of the north half, section 33, township 28 south, range 56 east, Copper River meridian, near Klukwan, Alaska, by an order of the Secretary of the Interior dated April 27, 1943, for school, health, and other purposes, under the provisions of the act of May 31, 1938 (52 Stat. 593), is hereby revoked.

SEC. 2. The reservation established by Executive Order No. 1764, dated April 21, 1913, and amended as to the boundaries thereof by Executive Order No. 3673, dated May 15, 1922, for the use of the natives of Alaska residing near the village of Klukwan, is hereby enlarged to include the north half of said section 33.

SEC. 3. Said reservation, as so enlarged, may be leased for mining purposes by Chilkat Indian Village organized under the provisions of the act of June 18, 1934 (48 Stat. 984), as amended by the act of May 1, 1936 (49 Stat. 1250), with the approval of the Secretary of the Interior, in accordance with the provisions of the act of May 11, 1938 (52 Stat. 347), as amended or supplemented.

The amendment was agreed to.

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

The bill was read the third time, and passed.

The title was amended, so as to read: "A bill relating to the north half of section 33, township 28 south, range 56 east, Copper River meridian, Alaska."

ALBERT A. HEINZE

The Senate proceeded to consider the bill (H. R. 2075) for the relief of Albert A. Heinze, which had been reported from the Committee on the Judiciary, with an amendment on page 1, line 11, after the word "Act", to strike out "in excess of 10 per centum thereof."

The amendment was agreed to.

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

The bill was read the third time, and passed.

CONVEYANCE OF CERTAIN LANDS IN ALASKA FOR WAR-HOUSING PROJECT

The bill (S. 2042) to authorize the conveyance of a fee simple title to certain lands in the Territory of Alaska underlying war housing project Alaska–50083, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Housing and Home Finance Administrator is hereby authorized to convey, pursuant to the terms of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, and notwithstanding any limitations or requirements of section 2 of the Act of May 14, 1898 (30 Stat. 409; 48 U. S. C. 411) or of any other law with respect to the use or disposition of lands of the United States in Alaska, a fee simple title to the lands or any part thereof underlying war housing project Alaska–50083 located in Juneau, Alaska, together with such easements in, over, through, or upon the adjacent tidal flats as may be necessary to continue the existing main sewer line to deep water.

CARL E. ROBINSON, ANCHOR POINT, ALASKA

The bill (H. R. 3877) to validate a patent issued to Carl E. Robinson, of Anchor Point, Alaska, for certain land in Alaska, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

GRANT OF CERTAIN LANDS TO TERRITORY OF ALASKA

The Senate proceeded to consider the bill (H. R. 3940) to grant certain lands to the Territory of Alaska which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, line 9, after the word "supra", to insert a colon and "*And provided further*, That the Territory of Alaska may not sell or convey any part or all of said property to any person or organization other than a political subdivision of said Territory for less than fair market value."

The amendment was agreed to.

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

The bill was read the third time, and passed.

ADJUSTMENT OF ACREAGE LISTING

The Senate proceeded to consider the bill (H. R. 8030) to amend the Agricultural Adjustment Act of 1938, with respect to acreage listing which had been reported from the Committee on Agriculture and Forestry, with amendments, on page 1, line 6, after the word "period", to strike out "1957" and insert "1956"; in line 7, after the word "farm", to strike out "(including the acreage regarded as planted to the commodity under the provisions of this title for releasing unused farm allotments and by reason of participation in the soil bank programs)"; on page 2, line 5, after the word "farm", to insert a comma and "but the 1956 acreage allotment of any commodity shall be regarded as planted under this section only if the owner or operator of such farm notified the county committee prior to the 60th day preceding the beginning of the marketing year for such commodity of his desire to preserve such allotment", and in line 15, after the word "of", to strike out "wheat or rice" and insert "the commodity."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. STENNIS subsequently said: Mr. President, this afternoon, Calendar No. 1061, House bill 8030, was passed by the Senate. I ask unanimous consent to have printed in the RECORD immediately following the passage of that bill a short statement by myself.

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

STATEMENT BY SENATOR STENNIS

Passage of H. R. 8030 is most important. It is similar to my bill, S. 2777, designed to prevent shifts in cotton acreage history resulting from unplanted acres. H. R. 8030 differs from my bill in that it includes all alloted crops and is temporary in nature, covering only the 1956–59 crop years. The provisions of my bill apply only to cotton and would be permanent instead of temporary. I am glad that the Senate Committee on Agriculture and Forestry has included other crops and hope that consideration will be given later to making this permanent legislation.

The decline in cotton acreage history has been a serious problem throughout the Cotton Belt, and I believe that this bill will assist greatly in bringing about desirable stability. When allotted acreage is underplanted and complicated legal precautions are not taken to preserve the acreage credit, allowable acreage not only on the farm but within the county is diminished in future years. Because of the complicated provisions of existing law—designed to protect the individual farmer—many inequitable shifts at the farm and county level are being experienced. As I pointed out earlier, some counties in my State in 1957 suffered a loss of as much as 6.5 percent of their 1956 cotton acreage allotments, even though our State allotment was reduced by only 1 percent.

Since it is almost impossible to regain acreage once it is lost, many farmers seek to plant their full allotments rather than to underplant and apply for credit under present law. This has resulted in building up surpluses which have given us so much trouble.

Administration of the statutory provisions for protection of acreage history is a burden on the county committee and other agricultural workers and is also a burden to the individual farmer who must at his own expense and on his own time go to the county office and execute the required documents prior to planting time to preserve his history. In addition to the saving to the farmers in time and travel, I understand from the Department of Agriculture that this proposed legislation in the case of cotton alone would save the Government at least $1 million annually in administrative expenses.

I believe the primary purpose of the five exemptions provided in present law can be more easily accomplished both for the farmer and for the Government through the passage of H. R. 8030, to authorize acreage allotment history to be computed automatically regardless of whether or not the farm allotment had been fully planted. The latest 5-year average acreage as a base for acreage history would be retained, but the undesirable shifts resulting from underplanting would be removed as an obstacle to effective operation of the program at the farm and county level.

This bill is a move in the right direction and I hope that it will receive the full approval of the Senate.

BILLS PASSED OVER

The bill (H. R. 8508) to provide that there shall be two county committees elected under the Soil Conservation and Domestic Allotment Act for certain counties was announced as next in order.

Mr. TALMADGE. Over, Mr. President, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 2486) to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program was announced as next in order.

Mr. CLARK. Over, by request, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

TITLE TO CERTAIN LANDS BENEATH TIDEWATERS, ALASKA

The Senate proceeded to consider the bill (H. R. 6760) to grant the Territory of Alaska title to certain lands beneath tidal waters, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 1, after the word "Army", to strike out "as the outer limit to which manmade facilities may be permitted to extend into Federal waters" and insert "*Provided*, That the pierhead line shall be a line parallel to the existing line of mean low tide at such distance offshore from the line of mean low tide that said pierhead line shall encompass, to the landward, all stationary, manmade structures (but shall not encompass any part of breakwaters, bridges, or piers used for vessel dockage which part extends beyond such a parallel line marking the seaward extremity of other manmade structures) which were in existence as of February 1, 1957, to the seaward of the particular townsite for which the pierhead line is being established, and shall encompass no more: *And provided further*,"; after line 22, to insert "For the purposes of this act, the term 'line of mean high tide' shall mean the meander line as heretofore established by Government survey, or, in the event that such a survey has not been made, the present line of mean high tide"; on page 3, after line 8, to insert "in the same manner and subject to the same conditions as set forth in this act for lands lying offshore of townsites which are now surveyed"; on page 4, line 6, after the word "tract", to insert a colon and "*Provided*, That all oil, gas, or other minerals shall be reserved to the Territory in the event that any part or all of said granted lands are sold or disposed of to a political subdivision or to any other person or organization, such minerals to be subject to exploitation under mineral lease from the Territory only"; on page 5, line 3, after "Sec. 3.", to insert "Any lands which are (1) within the purview of section 2 (a) of this act, and (2) situated to the seaward of the 'coastline' as that term is defined in section 2 (c) of the Submerged Lands Act of 1953 (67 Stat. 29), shall be subject to the said Submerged Lands Act and, as to such lands, the Territory shall have equal title, right, and interest as is accorded to States which are subject to that act in relation to their similar lands; all other lands which come within the purview of section 2 (a) of this act shall be subject to the provisions of this act"; in line 13, after the word "of", to insert "the first sentence of this section and the operation of"; on page 8, line 7, after the word "is", to insert "now or in the future", and in line 14, after the word "lines", to strike out the comma and "beyond which no manmade facilities may be permitted to extend into Federal waters."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PACIFIC CUSTOMS BROKERAGE CO. OF DETROIT, MICH.

The bill (H. R. 1591) for the relief of the Pacific Customs Brokerage Co., Detroit, Mich. was considered, ordered to a third reading, read the third time, and passed.

USE OF CERTIFIED MAIL IN SUMMONING JURORS

The bill (H. R. 3367) to amend sec. 1867 of title 28 of the United States Code to authorize the use of certified mail in summoning jurors was considered, ordered to a third reading, read the third time, and passed.

ADJUSTING PENALTIES RELATING TO INJURIOUS NONMAILABLE MATTER

The bill (H. R. 4193) to amend sec. 1716 of title 18, United States Code, so as to conform to the act of July 14, 1956 (70 Stat. 538–540), was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN TRACT OF LAND TO THE STATE OF FLORIDA

The Senate proceeded to consider the bill (S. 2107) to provide for the conveyance to the State of Florida of a certain tract of land in such State owned by the United States, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 7, after the word "to", to strike out "that part of" and insert "a tract of land about 300 feet square located in"; in line 10, after the name "Florida", to strike out "and more particularly describe as follows:" and insert "approximately 2,150 feet east from the southwest corner of said section 34, containing 2 acres, more or less"; on page 2, after line 2, to strike out:

Commence at the southwest corner of said section 34 and run north 0 degree 14 minutes 30 seconds east 172.70 feet; thence north 89 dagrees 07 minutes 30 seconds east 183.25 feet; thence 5 degrees 05 minutes 30 seconds east 162.50 feet; thence north 89 degrees 42 minutes 30 seconds east 1,999.20 feet to a point 14 feet north of the south line of said section 34, the point of beginning; then run north 0 degree 11 minutes 30 seconds west 286.0 feet; thence south 89 degrees 42 minutes 30 seconds west 300 feet; thence south 0 degree 11 minutes 30 seconds east 300.0 feet to the south line of section 34; thence north 89 degrees 42 minutes 30 second east 300 feet; thence north 0 degree 11 minutes 30 seconds west 14.0 feet to point of beginning; containing 2.07 acres, more or less.

And, on page 3, line 13, after the word "States", to insert a comma and "which shall have the immediate right of entry thereon"; so as to make the bill read:

Be it enacted, etc, That (a) the Attorney General is authorized and directed to convey by quitclaim deed to the State of Florida, for use as a site for a State road department shortwave radio tower, all right, title, and interest of the United States, except as provided in this act, in and to a tract of land about 300 feet square located in the southeast quarter of the southwest quarter of section 34, township 1 north, range 1 east, situated in Leon County, Fla., approximately 2,150 feet east from the southwest corner of said section 34 containing 2 acres, more or less.

(b) The Attorney General shall provide such easements over adjoining lands of the Federal Government as may be necessary to provide access to the land authorized to be conveyed by subsection (a).

Sec. 2. The conveyance authorized by this act shall be subject to the condition that the State of Florida pay to the Attorney Generay as consideration for the land conveyed the fair market value of such land as determined by the Attorney General after independent appraisal of such land, such fair market value to reflect any reservation, exception, restriction, or condition to which such conveyance is subject.

Sec. 3. The deed effecting the conveyance authorized by the first section of this act

> shall reserve to the United States all minerals, including gas and oil, in the land conveyed, and shall provide that, in the event such land ceases to be used as a site for a State road department shortwave radio tower and is used for other purposes which, in the opinion of the Attorney General, interfere with the use by the United States of the adjoining lands owned by it as a Federal correctional institution, all right, title, and interest of the State of Florida in and to such land shall revert to and revest in the United States, which shall have the immediate right of entry thereon.

The amendments were agreed to.

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

PAYMENT OF AN ATTORNEY FEE

The bill (S. 2606) to amend Private Law 498, 83d Congress (68 Stat. A. 108), so as to permit the payment of an attorney fee was considered, ordered to be engrossed for a third reading, read the third time, as passed, as follows:

> *Be it enacted, etc.*, That Private Law 498, 83d Congress, 2d session (68 Stat. A108), is hereby amended by striking out the words "in this act shall" and inserting in lieu thereof "in this act in excess of 10 percent thereof shall."

BILLS PASSED OVER

The bill (S. 984) conferring jurisdiction on the court of claims to make certain findings with respect to the amount of compensation to which certain independent ore producers are equitably entitled for uranium supplied by them to the United States during the period May 1, 1943, to August 5, 1945, and to provide for payment of the amounts so determined, was announced as next in order.

Mr. PURTELL. Over, Mr. President.

Mr. CLARK. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6894) to amend the Tariff Act of 1930 as it relates to unmanufactured mica films and splittings was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 304) to provide for a specific contribution by State governments to the cost of feed or seed furnished to farmers, ranchers, or stockmen in disaster areas, and for other purposes, was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

ASSISTANCE TO COTTON TEXTILE INDUSTRY

The Senate proceeded to consider the bill (S. 314) to assist the United States cotton textile industry in regaining its equitable share of the world market.

Mrs. SMITH of Maine. Mr. President, I urge favorable action on S. 314.

Briefly, it proposes to assist the United States cotton textile industry in regaining its equitable share of the world market by using our surplus cotton to save our cotton textile industry by making it available to textile mills at prices with which they can compete in world markets with cheap foreign labor, and limiting the use of such surplus cotton exclusively for sale in world export markets at competitive prices.

In other words, it proposes a new differential or equalizer to offset the cheap Japanese labor. My bill proposes that the Secretary of Agriculture make available to textile mills 750,000 bales of surplus cotton at such prices as may be necessary to enable American mills to regain their just and fair share of export markets. These 750,000 bales of surplus cotton would be used solely for export markets and would not affect the domestic market.

An American cotton textile leader has said that this bill can prevent the liquidation of at least 2 million spindles and the jobs connected with this manufacturing capacity.

I want to concentrate my remarks at this time to answering the objections raised by the Departments of State and Agriculture to this bill. But before doing that, let me make certain observations. No bill is perfect. It is easy to find fault with anything. It is easy to oppose. But it is not easy to offer constructive substitutes for that which is opposed and with which fault is found.

That is certainly the case with this bill. For its critics and opponents have failed to offer a constructive substitute for it. I say that it is at least worth a trial and that it should not be killed by those who offer no constructive substitute for that which they oppose.

The Departments of State and Agriculture have based their opposition to my bill on the following claims:

First. That it would entail an annual cost of $37½ million a year;

Second. That because only 10 percent of cotton textiles are exported by integrated mills, it would be almost impossible administratively to follow the other 90 percent throughout the channels of trade until finally exported;

Third, that it would give preferential treatment to cotton textile producers and exporters over other American industries producing for export; and

Fourth. That foreign-textile industries and their governments would react unfavorably to it.

Let us examine each of these objections to the bill.

That it would cost $37½ million annually.

Whenever a businessman talks of cost, he measures it in terms of investment—in other words, what will he get in return for what he pays out. The Federal Government is our biggest business, so it is logical for it to measure this proposal in terms of what it would get in return to an investment costing $37½ million a year. In other words, will it pay back more than it costs?

I do not profess to be a textile economist but I think it will, because it offers the following gains:

First. Saving several American textile mills from being liquidated;

Second. Saving the jobs of thousands of textile workers;

Third. Saving the economy of several textile communities and areas;

Fourth. Return revenue in Federal income-tax payments of employed textile workers instead of terminated tax income from unemployed textile workers;

Fifth. Return revenue in Federal taxes on profits of prosperous textile mills instead of terminated tax income from liquidated textile mills; and

Sixth. Prevention of the cost of unemployment benefits to displaced textile workers.

Measured in terms of these potential gains, I believe the cost of the investment would be relatively small compared to the return that it would provide.

Administration and enforcement problems on 90 percent of exports.

No one in the textile industry has expressed agreement with this fear expressed by the Departments of State and Agriculture. Instead the contrary has been expressed. One American textile leader has dismissed this fear by saying that it would be very easy to increase our exports from the present levels to the level we were exporting in the 1947–1952 period, through the regular channels of distribution—namely, 10 percent by the mills and 90 percent through the regular exporters who buy from the mills and reship abroad.

In other words, there would be a natural point of center for the administration and enforcement at the point of the mills themselves—either through their own direct exports and through their sales to regular exporters.

Preferential treatment for cotton textiles over other American producers for exports.

If other American industries which also produce for export have any objection or complaint, they have thus far failed to register it. In other words, this point raised by the Department of State is strictly a theoretical one at this time. It is an unproved allegation. It is the difference between theory and practice.

Surely such an argument is not an acceptable justification to textile workers and communities and the American textile industry for the liquidation of 10 percent or more of cotton textile production in this country—and the liquidation of the jobs and the economy of the communities dependent upon this segment of the textile industry.

Foreign textile industries and their governments would react unfavorably.

I submit that there is a respectable limitation to this argument. There is a point where we must stop being afraid of other foreign governments, such as Japan, to whom we have poured millions of dollars and the finest and most modern of textile machinery out of the goodness of our heart—only in the end to find Japan fully exploiting her cheap-labor, paid coolie wages, for cutthroat competition against her benefactor—the United States. The point at which we must call a halt to this fear psychology of foreign reaction is that point where we are starting to export American jobs to cheap labor, foreign beneficiary countries.

In short, this bill calls for a method by which to meet this unfair, cheap-labor, cutthroat competition by giving our cotton textile industry the ability to compete for foreign markets. This bill proposes that we export cotton textiles instead of exporting our textile jobs and industry.

There is a point where we must start helping our own people instead of helping the people of foreign countries take jobs away from our own people. We have reached that point and that is the purpose of this bill.

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

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That it is the purpose of this act to assist the United States cotton textile industry to reestablish and maintain its fair historical share of the world market in cotton textiles so as to (1) insure the continued existence of such industry, (2) prevent unemployment in such industry, and (3) allow employees in such industry to participate in the high national level of earnings.

SEC. 2. (a) In order to carry out the purpose of this act the Secretary of Agriculture is authorized and directed to make available to textile mills in the United States during the fiscal year ending June 30, 1958, and each of the 4 succeeding fiscal years not less than 750,000 bales of surplus cotton owned by the Commodity Credit Corporation at such prices as the Secretary determines will allow the United States cotton textile industry to regain the level of exports of cotton products maintained by it during the period 1947 through 1952. Cotton shall be made available to a textile mill under this act only upon agreement by such mill that such cotton will be used only for the manufacture of cotton products for export.

(b) The Secretary shall announce, not later than September 1 of each year for which surplus cotton is made available under this act, the price at which such cotton is to be made available and thereafter for a period of 30 days shall accept applications from textile mills for the purchase of such surplus cotton. In the event the quantity of cotton for which application is made exceeds the quantity of such cotton made available for distribution under this act, the cotton made available for distribution shall be distributed pro rata among the mills making application therefor on the basis of the quantities of cotton processed by such mills during the 3 calendar years preceding the year for which such distribution is made.

SEC. 3. The Secretary shall promulgate such rules and regulations as may be necessary to carry out the provisions of this act.

SEC. 4. Any person who knowingly sells or offers for sale in the United States any product processed or manufactured in whole or substantial part from any cotton made available under this act shall be punished by a fine of not more than $5,000, or by imprisonment for not more than 5 years, or by both such fine and imprisonment.

Mrs. **SMITH** of Maine subsequently said: Mr. President, I move that the vote by which Calendar No. 1078, S. 314, was adopted be reconsidered.

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

The **PRESIDING OFFICER**. The question is on agreeing to the motion of the Senator from Vermont to lay on the table the motion of the Senator from Maine.

The motion to lay on the table was agreed to.

CONVEYANCE OF WATERWAY TO EAGLE CREEK INTERCOMMUNITY WATER SUPPLY ASSOCIATION

The Senate proceeded to consider the bill (S. 479) to convey waterway to Eagle Creek Intercommunity Water Supply Association, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 3, after the word "granted", to insert "for a period of fifty years from the date hereof"; in line 7, after the word "upon", to insert "lands of the United States in"; on page 2, line 4, after the numerals "1195", to insert "within sections 9, 16, 21, and 32, township 10 south, range 13 east, New Mexico principal meridian,"; in line 13, after the word "granted", to insert "for a period not less than one year"; in line 22, after the word "Agriculture", to strike out the comma and "in accordance with his directions with reference thereto, for his approval, and the right-of-way as to the same shall take effect from his approval thereof only" and insert "for his consideration and the right-of-way as to the same shall not take effect unless and until approved by him: *Provided*, That all rights-of-way hereby granted extensions thereof and additions thereto shall conform to such conditions and stipulations and be subject to such fees as may be prescribed by the Secretary of Agriculture."; on page 4, line 7, after the word "shall", to insert "continue to maintain the present connections of lines and permit the future connections of lines to and supply water for nearby Department of Agriculture installations and shall", and after line 23, to insert:

SEC. 8. The Secretary of Agriculture is hereby authorized to extend the rights herein granted for such additional periods and on such terms and conditions as he may then deem appropriate and in the public interest.

So as to make the bill read:

Be it enacted, etc., That a right-of-way is hereby granted for a period of 50 years from the date hereof to the Eagle Creek Inter-Community Water Supply Association, a public corporation of the State of New Mexico, its successors and assigns, over, through, across, and upon lands of the United States in the Lincoln National Forest, in the State of New Mexico, subject to the conditions herein contained, for the construction, maintenance, and operation of that certain pipeline, and branches thereof, known as the Eagle Creek pipeline, constructed by the El Paso and Rock Island Railway Co., as now located upon the right-of-way granted to said company by the act of Congress of March 4, 1915 (38 Stat. L. 1195), within sections 9, 16, 21, and 32, township 10 south, range 13 east, New Mexico principal meridian, and such additions and extensions as said association may make thereto, for the purpose of transportation of water for domestic, public, or for any other beneficial uses, together with the right to construct, maintain, use, and occupy the present or additional reservoir sites for the storage of water for such purposes: *Provided*, That the Secretary of Agriculture may upon abandonment or nonuse of the same for the purpose for which it is granted for a period not less than 1 year declare said right-of-way or any part thereof forfeited and annul the same.

SEC. 2. That the right-of-way hereby granted shall be so much as may be necessary only for such purposes, not to exceed, however, 25 feet on each side of the centerline of such pipelines, and maps of the location of additional reservoir sites or any such extensions or additions to such pipelines shall be prepared by said association and submitted to the Secretary of Agriculture for his consideration and the right-of-way as to the same shall not take effect unless and until approved by him: *Provided*, That all rights-of-way hereby granted, extensions thereof and additions thereto shall conform to such conditions and stipulations and be subject to such fees as may be prescribed by the Secretary of Agriculture.

SEC. 3. That said association shall conform to all and singular the regulations adopted or prescribed by the Secretary of Agriculture governing such national forest, or the use or users thereof, and shall not take, cut, or destroy any timber within the same except such as it may be actually necessary to remove to construct its said pipelines and the structures pertaining thereto, and it shall pay to the proper officer of the Forest Service the full value of all timber and wood cut, used, or destroyed by it within the said national forest.

SEC. 4. That no private right, title, or interest owned by any person, persons, or corporation in such national forest shall be interfered with or abridged except with the consent of the owner or owners or by due process of law and just compensation to said owner or owners; nor shall the privileges herein granted be construed to interfere with the control of water for any purpose under the laws of the United States or of the State of New Mexico.

SEC. 5. That the enjoyment of the rights hereby granted shall be subject at all times to all laws relating to the national forests and to all rules and regulations authorized and established thereunder. For infraction of such laws, rules, or regulations the owner or user of such right-of-way shall be subject to all fines and penalties imposed thereby, and shall also be liable in a civil action for all damages that may accrue from such breach.

SEC. 6. That said association shall continue to maintain the present connections of lines and permit the future connections of lines to and supply water for nearby Department of Agriculture installations and shall continue to maintain the present watering troughs and supply water as at present for the use of animals lawfully grazing upon such national forest or at such other place along said pipeline, in lieu thereof, as the officer in charge of such national forest shall from time to time direct.

SEC. 7. This act shall not become effective until said association shall have filed with the Secretary of Agriculture a release and quitclaim by Southern Pacific Co., a corporation, successor in interest of the El Paso and Rock Island Railway Co., of all right, title, and interest in and to the right-of-way for said Eagle Creek pipeline granted by said act of Congress of March 4, 1915 (38 U. S. Stat. L. 1195).

SEC. 8. The Secretary of Agriculture is hereby authorized to extend the rights herein granted for such additional periods and on such terms and conditions as he may then deem appropriate and in the public interest.

The amendments were agreed to.

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

The title was amended so as to read: "A bill to convey right-of-way to Eagle Creek Inter-Community Water Supply Association."

RIGHT-OF-WAY TO THE CITY OF ALAMOGORDO, N. MEX.

The Senate proceeded to consider the bill (S. 1245) to provide a right-of-way to the city of Alamogordo, a municipal corporation of the State of New Mexico, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 3, after the word "granted", to insert "for a period of 50 years from the date hereof"; in line 6, after the word "upon", to insert "lands of the United States in"; on page 2, line 3, after the numerals "1195", to insert "within sections 4, 7, 8, and 9, township 10 south, range 13 east; section 12, township 10 south, range 12 east; and sections 8, 9, 16, 17, and 21, township 9 south, range 13 east, New Mexico principal meridian,"; in line 14, after the word "granted", to insert "for a period not less than 1 year"; in line 23, after the word "Agriculture", to strike out the comma and "in accordance with his directions with reference thereto, for his approval, and the right-of-way as to the same shall take effect from his approval thereof only" and insert "for his consideration and the right-of-way as to the same shall not take effect unless and until approved by him: *Provided*, That all rights-of-way hereby granted, extensions thereof and additions thereto shall conform to such conditions and stipulations and be subject to such fees as may be prescribed by the Secretary of Agriculture."; on page 4, line 8, after the word "shall", to insert "continue to maintain the present connections of lines and permit the future connections of lines to and supply water for nearby Department of Agriculture installations and shall"; and after line 24, to insert:

Sec. 8. The Secretary of Agriculture is hereby authorized to extend the rights herein granted for such additional periods and on such terms and conditions as he may then deem appropriate and in the public interest.

So as to make the bill read:

Be it enacted etc., That a right-of-way is hereby granted for a period of 50 years from the date hereof to the city of Alamogordo, a municipal corporation of the State of New Mexico, its successors and assigns, over, through, across, and upon lands of the United States in the Lincoln National Forest, in the State of New Mexico, subject to the conditions herein contained, for the construction, maintenance, and operation of that certain pipeline, and branches thereof, known as the Bonito pipeline, constructed by the El Paso & Rock Island Railway Co., as now located upon the right-of-way granted to said company by the act of Congress of March 4, 1915 (38 U. S. Stat. L. 1195), within sections 4, 7, 8, and 9, township 10 south, range 13 east; section 12, township 10 south, range 12 east; and sections 8, 9, 16, 17 and 21, township 9 south, range 13 east, New Mexico principal meridian, and such additions and extensions as said city of Alamogordo may make thereto, for the purpose of transportation of water for domestic, public, or for any other beneficial uses, together with the right to construct, maintain, use, and occupy the present or additional reservoir sites for the storage of water for such purposes: *Provided*, That the Secretary of Agriculture may upon abandonment or nonuse of the same for the purpose for which it is granted for a period not less than 1 year declare said right-of-way or any part thereof forfeited and annul the same.

Sec. 2. That the right-of-way hereby granted shall be so much as may be necessary only for such purposes, not to exceed, however, 25 feet on each side of the centerline of such pipelines, and maps of the location of additional reservoir sites or any such extensions or additions to such pipelines shall be prepared by said city of Alamogordo and submitted to the Secretary of Agriculture for his consideration and the right-of-way as to the same shall not take effect unless and until approved by him: *Provided*, that all rights-of-way hereby granted, extensions thereof and additions thereto shall conform to such conditions and stipulations and be subject to such fees as may be prescribed by the Secretary of Agriculture.

Sec. 3. That said city of Alamogordo shall conform to all and singular the regulations adopted or prescribed by the Secretary of Agriculture governing such national forest, or the use or users thereof, and shall not take, cut, or destroy any timber within the same except such as it may be actually necessary to remove to construct its said pipelines and the structures pertaining thereto, and it shall pay to the proper officer of the Forest Service the full value of all timber and wood cut, used, or destroyed by it within the said national forest.

Sec. 4. That no private right, title, or interest owned by any person, persons, or corporation in such national forest shall be interfered with or abridged except with the consent of the owner or owners or by due process of law and just compensation to said owner or owners; nor shall the privileges herein granted be construed to interfere with the control of water for any purpose under the laws of the United States or of the State of New Mexico.

Sec. 5. That the enjoyment of the rights hereby granted shall be subject at all times to all laws relating to the national forests and to all rules and regulations authorized and established thereunder. For infraction of such laws, rules, or regulations the owner or user of such right-of-way shall be subject to all fines and penalties imposed thereby, and shall also be liable in a civil action for all damages that may accrue from such breach.

Sec. 6. That said city of Alamogordo shall continue to maintain the present connections of lines and permit the future connections of lines to and supply water for nearby Department of Agriculture installations and shall continue to maintain the present watering troughs and supply water as at present for the use of animals lawfully grazing upon such national forest or at such other place along said pipeline, in lieu thereof, as the officer in charge of such national forest shall from time to time direct.

Sec. 7. This act shall not become effective until said city of Alamogordo shall have filed with the Secretary of Agriculture a release and quitclaim by Southern Pacific Co., a corporation, successor in interest of the El Paso & Rock Island Railway Co., of all right, title, and interest in and to the right-of-way for said Bonito pipeline granted by said act of Congress of March 4, 1915 (38 U. S. Stat L. 1195).

Sec. 8. The Secretary of Agriculture is hereby authorized to extend the rights herein granted for such additional periods and on such terms and conditions as he may then deem appropriate and in the public interest.

The amendments were agreed to.

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

SALE OF CERTAIN KEYS IN THE STATE OF FLORIDA

The bill (H. R. 1394) to authorize the sale of certain keys in the State of Florida by the Secretary of the Interior was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LANDS TO THE CHARLOTTE RUDLAND DANSIE ASSOCIATION; BILL PLACED AT FOOT OF CALENDAR

The bill (S. 2230) to authorize the Secretary of the Interior to convey certain lands to the Charlotte Rudland Dansie Association was announced as next in order.

Mr. TALMADGE. Over, Mr. President, by request.

Mr. WATKINS. Mr. President, will the distinguished Senator from Georgia state the grounds of the objection?

Mr. TALMADGE. One of the Senators on this side of the aisle I think would request that the bill go over, because his formula for the transfer of property is well known.

Mr. WATKINS. I understand that. I think the Senator, if he were present, would withdraw any objection. This is a request for a transfer of a grave which contains the remains of a pioneer woman who was buried on the way westward over 100 years ago.

Mr. TALMADGE. Will the Senator yield?

Mr. WATKINS. I yield.

Mr. TALMADGE. Is there a request to transfer anything besides the grave?

Mr. WATKINS. That is all. It is just enough land so that the family can decorate the area. The family wants to decorate and protect the grave of the mother and have placed in the burial area an historical monument honoring the mother and other pioneers.

Mr. TALMADGE. In view of the Senator's explanation, I am happy to withdraw my objection.

The PRESIDING OFFICER. The objection is withdrawn.

Mr. CLARK. Mr. President, in view of the precise request filed with us, to the effect that the bill go over, I wonder if the Senator from Utah would be willing to have the bill go to the foot of the calendar, so that we may ascertain if we can arrange to have the request withdrawn. There is a specific request.

Mr. WATKINS. I have no objection to that procedure, but I am sure the objector will not wish to object when he knows the circumstances.

Mr. CLARK. We will undertake to try to get that cleared by the time the foot of the calendar is reached.

The PRESIDING OFFICER. Without objection, Calendar No. 1087, Senate bill 2230, will go to the foot of the calendar.

PRINTING OF ADDITIONAL COPIES OF HEARINGS ON MUTUAL SECURITY PROGRAM

The concurrent resolution (S. Con. Res. 45) authorizing the printing of additional copies of the hearings on the mutual security program for fiscal year 1958 for the use of the Committee on Foreign Relations was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on Foreign Relations, United States Senate, 1,000 additional copies of parts 1 and 2 of the hearings held by that committee during the current session on the mutual security program for fiscal year 1958.

INCREASE IN LIMIT OF EXPENDITURES, COMMITTEE ON ARMED SERVICES

The resolution (S. Res. 179) increasing the limit of expenditures for hearing before the Committee on Armed Services was considered and agreed to, as follows:

Resolved, That the Committee on Armed Services hereby is authorized to expend from the contingent fund of the Senate, during the 85th Congress, $10,000 in addition to the amount, and for the same purposes, specified in section 134 (a) of the Legislative Reorganization Act, approved August 2, 1946.

INCREASE IN LIMIT OF EXPENDITURES, COMMITTEE ON APPROPRIATIONS

The resolution (S. Res. 187) increasing the limit of expenditures for the Committee on Appropriations was considered and agreed to, as follows:

Resolved, That the Committee on Appropriations hereby is authorized to expend from the contingent fund of the Senate, during the 85th Congress, $10,000, in addition to the amounts, and for the same purposes, specified in section 134 (a) of the Legislative Reorganization Act, approved August 2, 1946, and Senate Resolution 154, agreed to August 6, 1957.

INCREASE IN LIMIT OF EXPENDITURES, COMMITTEE ON AGRICULTURE AND FORESTRY

The resolution (S. Res. 188) increasing the limit of expenditures for the Committee on Agriculture and Forestry was considered and agreed to, as follows:

Resolved, That the Committee on Agriculture and Forestry is authorized to expend from the contingent fund of the Senate, during the 85th Congress, $15,000 in addition to the amount, and for the same purposes, specified in section 134 of the Legislative Reorganization Act of 1946.

PRINTING OF COMPILATION OF PROPOSED CONSTITUTIONAL AMENDMENTS

The resolution (S. Res. 189) to print a compilation of proposed constitutional amendments for the period of the 2d session of the 69th Congress through the 84th Congress with additional copies was considered and agreed to, as follows:

Resolved, That there be printed as a Senate document a list of proposed amendments to the Constitution of the United States submitted during the 69th Congress, 2d session, through the 84th Congress, as compiled by the Senate Library, under the direction of the Secretary of the Senate, and that 1,500 additional copies be printed for the use of the Committee on the Judiciary.

ESTABLISHING OF JOINT COMMITTEE TO INVESTIGATE MATTERS RELATING TO GROWTH OF THE DISTRICT OF COLUMBIA—CONCURRENT RESOLUTION PLACED AT FOOT OF CALENDAR

The concurrent resolution (H. Con. Res. 172) to establish a joint Congressional committee to investigate matters pertaining to the growth and expansion of the District of Columbia and its metropolitan area was announced as next in order.

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

Mr. RUSSELL. Mr. President, may we have an explanation of that concurrent resolution? If we do not have, I shall ask that it go over.

The PRESIDING OFFICER. Objection is heard.

Mr. CLARK. Mr. President, I shall be happy to attempt to explain the concurrent resolution to my friend, the Senator from Georgia.

Mr. President, the concurrent resolution would establish a joint committee of six members selected from the membership of the House and Senate committees on the District of Columbia, to make a study of matters pertaining to the growth and expansion of the District of Columbia and its metropolitan area.

The joint committee is charged with reporting its findings not later than January 31, 1959, when the joint committee shall cease to exist.

The Committee on Rules and Administration has amended the measure as it was sent to them from the Senate Committee on the District of Columbia, so as to provide that a progress report shall be forthcoming on January 31, 1958.

For expenses to that date, the Committee on Rules and Administration has approved the sum of $50,000, to be paid from the contingent fund.

I may say to my good friend, the Senator from Georgia, that the members of the Senate Committee on the District of Columbia, on which I serve, are gravely concerned about the manifold and difficult problems of the proper government of the District of Columbia and its surrounding metropolitan area in Maryland and in Virginia.

Mr. President, there are various problems which confront every one of the large cities of the United States today. Perhaps the most critical problems are faced by the city of New York, because it is the largest city.

I happen to be aware, because of my service as mayor of Philadelphia, of the equally difficult problems our city faces involving the States of Delaware and New Jersey.

In each of the larger cities I have mentioned, Mr. President, steps are now afoot to make studies of the metropolitan area problems, in the hope that some type of governmental organization can be devised—by compact, by the creation of special districts, or by some method of governmental arrangement—so that these metropolitan area problems can be handled politically in such a situation as prevails today in the District of Columbia when it cannot deal with certain problems the State of Virginia cannot deal with them, and the State of Maryland cannot deal with them. These problems overflow the boundaries.

It is the purpose to attempt to bring the best available brainpower possible to work on the program. I hope I have convinced my friend, the Senator from Georgia.

Mr. RUSSELL. I may say, Mr. President, that I am not convinced at all. I can see no need whatever for a study to expand the District of Columbia, but if the Senators from Virginia and the Senators from Maryland have no objection, I know of no reason why I should interpose one.

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

Mr. RUSSELL. Yes.

Mr. CLARK. It is not proposed to expand the District of Columbia at all in any way. It is hoped that we can devise some procedure by which certain problems which have overflowed the District boundaries can be handled more effectively.

Mr. RUSSELL. Just what problems are involved? Does one of them relate to the school system?

Mr. CLARK. I should not think it would relate to the school system. It clearly would relate to problems of transportation, problems of water supply, problems of housing and shelter, and problems of air pollution. There are a whole host of problems which flow across the political boundaries of our great urban communities. There is no one unit of government which is capable of dealing with those problems under the present constitutional system.

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

Mr. CLARK. The Senator from Georgia has the floor.

Mr. RUSSELL. I understood that the Senator from Pennsylvania had the floor, but I am happy to yield.

Mr. CLARK. I beg the Senator's pardon.

Mr. BEALL. I should like to say to the Senator from Georgia, that, as the Senator from Pennsylvania has suggested, this is not a new situation. The District of Columbia faces such problems as have been referred to. In my 15 years of service, it has been my experience that there have been many, many different bodies making surveys, but we on the Congressional committees have no way of coordinating them. What is proposed is a process by which we hope to find out for ourselves what is going on, so that the committees may legislate properly. The proposed survey is purely for legislative purposes, to enable the files to be brought together so that we may know what should be done. There are some very serious highway problems, for instance.

Mr. RUSSELL. At the present time there is certainly no limitation on the ability of the Committee on the District of Columbia to study and to gather material. The Committee on the District of Columbia can be convened and it can put its staff to work and gather statistics and produce recommendations, to be presented to the Senate. We generally pass the measures thus drawn with very little question.

Mr. BEALL. We do not have the staff available to make such a survey. We want to coordinate all the various groups. As the Senator from Pennsylvania has said, there are many groups operating in the surrounding territory, but the committees in both Houses feel that Congress should have a file on just what is going on. There is only one way to accomplish that purpose, and that is to coordinate the bodies in order that the committees may have the information.

Mr. RUSSELL. What bodies does the Senator propose to coordinate?

Mr. BEALL. There are a number of bodies operating in the surrounding area. There is, for example, the Suburban Sanitary Commission, and there are 8 or 10 different Commissions including the National Parks Commission, and a number of others. We do not have the facilities, in the District Committee, to make these investigations. The concurrent resolution was adopted by the House unanimously, and in the Senate District Committee it was agreed that we should have this information in our files.

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

Mr. RUSSELL. I do not think I shall object to the concurrent resolution, but it seems to me odd for a joint committee of the Congress to be investigating areas within the province of the State of Maryland or the State of Virginia. If those two States wish to have the study made, I have no objection.

Mr. BEALL. The two States do not object. They have asked for it. The Maryland Legislature has requested it. A number of cities have joined in the request.

Mr. RUSSELL. In all the larger cities today there is an expansion of metropolitan areas. Many people are moving from the cities to areas outside the corporate limits. It seems to me to be rather unusual to institute such a study at the expense of the American taxpayer, particularly when it involves matters within the States. However, if the States have asked for the study, I will not object.

Mr. BYRD. Mr. President, I should like to ask whether any of the governing bodies in Virginia have been consulted—such as Arlington County or Fairfax County.

Mr. BEALL. It is my understanding that Arlington County and Fairfax County have approved the study.

Mr. BYRD. That may be the Senator's understanding, but is that absolutely correct?

Mr. BEALL. I cannot answer that.

Mr. BYRD. Mr. President, I ask that the concurrent resolution be placed at the foot of the calendar.

The PRESIDING OFFICER. Without objection, the concurrent resolution will be placed at the foot of the calendar.

PRINTING OF ADDITIONAL COPIES OF HEARINGS ENTITLED "INVESTIGATION OF THE FINANCIAL CONDITION OF THE UNITED STATES"

The resolution (S. Con. Res. 47) to print additional copies of part 1 and subsequent parts of hearings entitled "Investigation of the Financial Condition of the United States" held by the Committee on Finance during the 85th Congress, 1st session, was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on Finance 3,000 additional copies of part 1 of the hearings entitled "Investigation of the Financial Condition of the United States," and 5,000 additional copies of part 2 and subsequent parts of said hearings held by that committee during the 85th Congress, 1st session.

INVESTIGATION OF ANTITRUST AND ANTIMONOPOLY LAWS—RESOLUTION PASSED OVER

The resolution (S. Res. 166) amending Senate Resolution 57, 85th Congress, authorizing an investigation of antitrust and antimonopoly laws and their administration was announced as next in order.

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The resolution will be passed over.

PROCUREMENT OF LIKENESSES OF SENATORS FOR SENATE RECEPTION ROOM

The resolution (S. Res. 174) relative to the procurement of likenesses of Senators to be placed in the Senate reception room was considered and agreed to, as follows:

Resolved, That a commission to consist of the Architect of the Capitol, the Director of the National Gallery of Art, and the Chairman of the Commission on Fine Arts shall, subject to the advice and approval of the Senate Committee on Rules and Administration, procure appropriate likenesses of the five outstanding Senators who were selected pursuant to Senate Resolution 145, 84th Congress, as amended (S. Rept. No. 279, 85th Cong.), to have their likenesses placed in the reception room in the Capitol outside the Senate Chamber. Such likenesses may be procured either through the purchase, or acceptance as a gift or loan, of appropriate existing likenesses or through the execution of appropriate likenesses by a qualified artist or artists to be selected and employed for such purpose by the Commission.

SEC. 2. The expenses of carrying out the provisions of the first section of this resolution shall be paid out of the contingent fund of the Senate on vouchers signed by the Architect of the Capitol and approved by the chairman of the Senate Committee on Rules and Administration.

SPECIAL COMMITTEE TO ATTEND MEETING OF COMMONWEALTH PARLIAMENTARY ASSOCIATION IN INDIA

The resolution (S. Res. 177) amending Senate Resolution 160 to appoint a special committee to attend the coming meeting of the Commonwealth Parliamentary Association in India was considered and agreed to, as follows:

Resolved, That Senate Resolution 160, agreed to August 5, 1957, is amended to read as follows:

"*Resolved*, That the Vice President is authorized to appoint four Members of the Senate as a special committee to attend the next general meeting of the Commonwealth Parliamentary Association to be held in India on the invitation of the Indian branch of the association, and to designate the chairman of said committee.

"The expenses of the committee, including staff members designated by the chairman to assist the committee, which shall not exceed $15,000, shall be paid from the contingent fund of the Senate, upon vouchers approved by the chairman."

PROHIBITION OF INTRODUCTION OF OCCUPANTS OF THE GALLERIES DURING SESSIONS OF THE SENATE—RESOLUTION PASSED TO FOOT OF THE CALENDAR

The resolution (S. Res. 183) to amend rule XIX so as to prohibit the introduction of occupants of the galleries during the sessions of the Senate was announced as next in order.

Mr. CLARK. Over, Mr. President.

Mr. BUSH. Mr. President, will the Senator withhold his objection for a moment?

Mr. CLARK. I am happy to do so.

Mr. BUSH. Is the Senator in a position to state the nature of the objection to this resolution?

Mr. CLARK. It appears to be a precedent—the Senator from Connecticut would know better than I—that no amendment to the Senate rules shall be made on the call of the calendar. That is the only reason.

Mr. BUSH. That is news to me. Is that the sole basis of the objection?

Mr. CLARK. Yes. May we have the attention of the Senator from Georgia [Mr. TALMADGE], the acting majority leader, for a moment?

Mr. BUSH. The resolution has been cleared on this side of the aisle. Most of the sponsors of the resolution are on the other side of the aisle. In fact, one of the distinguished Senators on the other side of the aisle told me that the only way to get such an amendment through was on a call of the calendar.

Mr. TALMADGE. Mr. President, the rules of the Senate are extremely important, and I do not think they should be amended on the call of the calendar.

Let me say that I wholeheartedly support the resolution, and I hope it will very shortly be approved by the Senate. However, I do not think we should be changing anything so important as a rule of the Senate on the call of the calendar.

Mr. BUSH. Would the Senator be willing to allow the resolution to go to the foot of the calendar?

Mr. TALMADGE. I shall be very happy to have that done. I shall have no objection to the resolution being taken up on motion at the conclusion of the call of the calendar. However, I think it would be an extremely bad precedent to change a rule of the Senate on a call of the calendar. The call of the calendar is supposed to be reserved for the consideration for measures involving no great controversy. I believe it would be establishing a very bad precedent indeed if the Senate started to amend its rules by unanimous consent.

Mr. BUSH. I cannot think of any better way to amend the Senate rules than by unanimous consent. I beg the Senator to reconsider his position. I have consulted with some of my senior colleagues, who have been here longer than either of us. They feel that this is a perfectly proper way to do it.

Mr. TALMADGE. I do not know of a single Senator who is opposed to the resolution. Certainly I am not. However, I am opposed to the policy of changing the rules of the Senate on the call of the calendar. I think the resolution should be passed over, or placed at the foot of the calendar, because a very serious rule change might be made without a great number of Senators knowing that it was even to be discussed.

The PRESIDING OFFICER. Without objection, the resolution will be placed at the foot of the calendar.

The clerk will call the next measure on the calendar.

RESOLUTIONS PASSED OVER

The resolution (S. Res. 186) increasing the limit of expenditures for the Select Committee on Improper Activities in Labor or Management Field was announced as next in order.

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The resolution will be passed over.

The resolution (S. Res. 191) amending S. Res. 52, 85th Congress, authorizing an investigation of juvenile delinquency in the United States was announced as next in order.

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The resolution will be passed over.

The resolution (S. Res. 192) to extend the Subcommittee on Disarmament until January 31, 1958, was announced as next in order.

Mr. PURTELL. Over, by request.

Mr. MANSFIELD. Mr. President, will the Senator withhold his objection for a moment?

Mr. PURTELL. I shall be happy to withhold my objection.

Mr. MANSFIELD. Mr. President, the Senator from Minnesota [Mr. HUMPHREY], who is chairman of the subcommittee, is not in the Chamber at the moment. However, this resolution was reported unanimously, I believe, from the Senate Foreign Relations Committee. It had the approval of the Department of State. It was felt advisable that this subcommittee remain in operation, in view of the fact that a disarmament conference is being held in London at the present time.

Can the Senator throw any light on the subject?

Mr. PURTELL. The resolution is being passed over by request. I understand that it will be taken up on motion tomorrow, and at that time there will be no objection from the calendar committee of the minority.

Mr. McCLELLAN. Mr. President, with reference to Calendar No. 1099, Senate Resolution 186, to which the Senator from Connecticut objected by request, is the Senator prepared to disclose the source of the request?

Mr. PURTELL. I have been reluctant in the past, and I am reluctant today, to divulge the source of the request that any measure be passed over. I have consulted with the Senator who has asked me to have the resolution go over. It is my understanding that Calendar Nos. 1099, 1100, and 1101, which are, respectively, Senate Resolutions 186, 191, and 192, will be taken up tomorrow on motion, at which time there will be some debate. I know of no great opposition to the approval of the resolutions.

Mr. McCLELLAN. I thank the Senator.

APPOINTMENT OF ADDITIONAL JUDGE FOR JUVENILE COURT OF THE DISTRICT OF COLUMBIA—BILL PASSED OVER

The bill (H. R. 7785) to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia was announced as next in order.

Mr. CLARK. Mr. President, in my capacity as a member of the calendar committee, I am forced to ask that this bill be passed over, by request.

However, inasmuch as the bill was reported from the subcommittee of the Committee on the District of Columbia of which I am chairman, and inasmuch as I am very much in favor of passage of the bill, I should like to make that fact clear in the RECORD. I hope the leadership will be willing to have the bill taken up on motion some time during the course of the week, so that the desperately needed additional judge on the Juvenile Court for the District of Columbia can be provided before the Congress adjourns. The House has already passed a bill providing for the additional judge.

The PRESIDING OFFICER. The bill will be passed over.

JOINT RESOLUTION AND BILLS PASSED OVER

The joint resolution (H. J. Res. 253) to establish a commission to commemorate the 100th Anniversary of the Civil War, and for other purposes, was announced as next in order.

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The joint resolution will be passed over.

SITE FOR NEW SIBLEY MEMORIAL HOSPITAL—BILL PASSED OVER

The bill (H. R. 8918) to further amend the act of August 7, 1946 (60 Stat. 896), as amended by the act of October 25, 1951 (65 Stat. 657), to provide for the exchange of lands of the United States as a site for the new Sibley Memorial Hospital; to provide for the transfer of the property of the Hahnemann Hospital of the District of Columbia, formerly the National Homeopathic Association, a corporation organized under the laws of the District of Columbia, to the Lucy Webb Hayes National Training School for Deaconesses and Missionaries, including Sibley Memorial Hospital, a corporation organized under the laws of the District of Columbia, and for other purposes, was announced as next in order.

Mr. TALMADGE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

Mr. CLARK. Mr. President, I should like to make a statement for the RECORD with respect to Calendar No. 1107, House bill 8918. It has been passed over by request. The bill, which was unanimously approved by the Committee on the District of Columbia, would permit one of our fine hospitals to occupy a new site in the District.

Extensive hearings were held by the subcommittee headed by the Senator from Oregon [Mr. MORSE]. I hope the leadership will be able to have the bill taken up on motion before the Congress adjourns at the end of the week.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED OVER

The bill (S. 2531) to authorize the conveyance of certain lands within Old Hickory lock and dam project, Tennessee, to Middle Tennessee Council, Boy Scouts, was announced as next in order.

Mr. TALMADGE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

J. A. ROSS & CO.

The Senate proceeded to consider the bill (H. R. 3468) for the relief of J. A. Ross & Co., which had been reported from the Committee on the Judiciary, with an amendment on page 1, line 6, after the words "sum of", to strike out "$34,624.64" and insert "$17,410.08."

The amendment was agreed to.

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

The bill was read the third time and passed.

BILLS PASSED OVER

The bill (S. 1224) to provide for the appointment of a district judge for the district of Massachusetts was announced as next in order.

Mr. TALMADGE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2832) to provide for the appointment of 1 additional district judge for the northern district of Ohio, and 1 additional district judge for the southern district of Ohio was announced as next in order.

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

SUSPENSION OF CERTAIN FEDERAL LAWS REGARDING EMPLOYEES OF THE HOUSE COMMITTEE ON WAYS AND MEANS

The joint resolution (H. J. Res. 230) to suspend the application of certain Federal laws with respect to personnel employed by the House Committee on Ways and Means in connection with the investigations ordered by House Resolution 104, 85th Congress, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF SECTION 372, TITLE 28, UNITED STATES CODE

The bill (H. R. 110) to amend section 372 of title 28, United States Code, was considered, ordered to a third reading, read the third time, and passed.

THOMAS P. QUIGLEY

The bill (H. R. 1318) for the relief of Thomas P. Quigley was considered, ordered to a third reading, read the third time, and passed.

TRANSFER OF SHELBY COUNTY FROM BEAUMONT TO TYLER DIVISION OF EASTERN DISTRICT OF TEXAS

The bill (H. R. 2136) to amend section 124 (c) of title 28 of the United States Code so as to transfer Shelby County from the Beaumont to the Tyler division of the eastern district of Texas was considered, ordered to a third reading, read the third time, and passed.

Mr. TALMADGE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement by the distinguished senior Senator from Texas [Mr. JOHNSON].

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

STATEMENT BY SENATOR JOHNSON OF TEXAS

H. R. 2136, which is identical to a bill I introduced in the Senate, provides for the transfer of Shelby County in Texas from the Beaumont to the Tyler division of the eastern judicial district of Texas.

This change is supported by everyone concerned with the operation of the courts, both locally and nationally, and there are no objections.

The purpose of the change is to make more convenient the trial of suits arising in Shelby County affecting litigants, lawyers, and witnesses. Beaumont division is geographically much further from the seat of Shelby County than is the district court of Tyler. This change will take cognizance of and correct these inconvenient circumstances.

The legislation is supported by the Judicial Conference, the fifth circuit, the Administrative Office of the United States Courts, and the bar associations.

I urge its passage by the Senate.

MICHAEL D. OVENS

The bill (H. R. 4992) for the relief of Michael D. Ovens was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF SUBDIVISION (B) OF SECTION 14 AND SUBDIVISION (B) OF SECTION 58 OF BANKRUPTCY ACT

The bill (H. R. 5811) to amend subdivision (b) of section 14—discharge when granted—of the Bankruptcy Act, as amended, and subdivision (b) of section 58—notices—the Bankruptcy Act, as amended, was considered, ordered to a third reading, read the third time, and passed.

ESTATE OF AGNES MOULTON CANNON AND FOR CLIFTON L. CANNON, SR.

The bill (H. R. 6868) for the relief of the estate of Agnes Moulton Cannon and for the relief of Clifton L. Cannon, Sr., was considered, ordered to a third reading, read the third time, and passed.

KNOX CORP., THOMSON, GA.

The bill (H. R. 2904) for the relief of the Knox Corp., of Thomson, Ga., was announced as next in order.

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

Mr. PURTELL. Mr. President, may we have an explanation of the bill?

Mr. TALMADGE. I shall be glad to give an explanation of it, unless the distinguished chairman of the Committee on the Judiciary would like to make it.

Mr. EASTLAND. No; the Senator from Georgia may give the explanation.

Mr. TALMADGE. Mr. President, the bill would pay $7,809 to a construction corporation in Georgia as reimbursement for commitment fees paid by it in connection with two proposed large-scale housing projects to be completed under the laws relating to the Federal Housing Administration.

The company initiated the projects after being solicited to do so by the Federal Housing Administration on the basis of what was stated to be a need for such housing for minority groups. Due to certain limitations placed by Congress on the maximum amounts of mortgage insurance available for this purpose, the applications were initially rejected but the company was encouraged to continue with the program. Ultimately, after the company had gone to considerable expense in obtaining options on property and negotiating subcontracts for the construction, as well as having carried out certain other preliminary work, it was informed that new applications based on the Housing Act of 1954 would have to be submitted. The company was unable to meet the requirements of the new legislation, nor was it economically feasible at that time to continue with the project and, accordingly, the old applications were canceled by the Government agency and the commitment fees, in accordance with the original contract, were withheld from the contractor.

The committee believes that the construction company is entitled to this refund because the circumstances indicate that the rules were changed in the middle of the game, so to speak, and that the company should not bear the entire loss in this case.

The committee recognizes that, insofar as it can be determined, this bill creates a precedent but, on the other hand, the committee feels that it would be extremely unlikely that such a situation would arise again.

Mr. PURTELL. Mr. President, I thank the distinguished Senator from Georgia for the explanation. I have no objection to passage of the bill.

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

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary with an amendment on page 2, line 1, after the word "Act", to strike out "in excess of 10 per centum thereof."

The amendment was agreed to.

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

The bill was read the third time and passed.

RICHARD M. TAYLOR AND LYDIA TAYLOR

The bill (H. R. 7654) for the relief of Richard M. Taylor and Lydia Taylor was considered, ordered to a third reading, read the third time, and passed.

COMMISSION FOR THE COMMEMORATION OF THE 150TH ANNIVERSARY OF BIRTH OF ABRAHAM LINCOLN

The joint resolution (S. J. Res. 98) to establish a commission for the commemoration of the 150th anniversary of the birth of Abraham Lincoln was announced as next in order.

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

Mr. COOPER. Mr. President, there is pending before the Committee on the Judiciary House Joint Resolution 351, to establish a Lincoln sesquicentennial commission. The joint resolution is similar to Senate Joint Resolution 98. In view of the fact that Congress may adjourn this week, and the fact that House Joint Resolution 351 has been passed by the House, I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of House Joint Resolution 351 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The House joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 351) to establish a Lincoln sesquicentennial commission.

The PRESIDING OFFICER. Without objection, the Committee on the Judiciary is discharged from the further consideration of House Joint Resolution 351. Is there objection to the present consideration of the House joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement I have prepared on the joint resolution.

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

STATEMENT BY SENATOR COOPER

There is presently pending before the Committee on the Judiciary House Joint Resolution 351 to establish a Lincoln sesquicentennial commission, similar to Senate Joint Resolution 98, which is now before the Senate for consideration. In view of the fact that the Congress may adjourn this week and the fact that House Joint Resolution 351 has passed the House, I therefore move that the Judiciary Committee be discharged from further consideration of House Joint Resolution 351 and that the Senate proceed to its immediate consideration.

On June 6, 1957, I introduced Senate Joint Resolution 98, being joined in sponsorship with Senators MORTON, of Kentucky; CAPEHART and JENNER, of Indiana, and DOUGLAS and DIRKSEN, of Illinois. I desire to express my appreciation of the action taken by the Judiciary Committee and particularly the chairman of the subcommittee, Senator O'MAHONEY, reporting favorably to the Senate the Senate Resolution 98 which would create a Lincoln sesquicentennial commission. I am sure I speak for my cosponsors when I say that all of us have a great interest in speedy action on a resolution which would establish the Lincoln sesquicentennial commission. But it is important that the Congress take action at this session so that the Commission will have time to prepare for the celebration in 1959, of the 150th birthday of Abraham Lincoln. It is for this reason that I ask that the resolution which I introduced with my cosponsors be postponed and that the House resolution be passed.

The House resolution was introduced by Congressman F. J. NIMTZ, of Indiana upon request of the Lincoln group of the District of Columbia, an organiztaion which for years has kept alive the memory and tradition of Abraham Lincoln. Both the House and Senate resolutions had the support of many organizations and groups throughout the United States. I am particularly glad that the people of my own State—Kentucky—in which Abraham Lincoln was born. have been very anxious that the Congress take appropriate steps to prepare for the celebration of the birth of Kentucky's and the Nation's greatest son.

The House resolution would establish a commission, to be composed of 28 members—the President of the United States, the President of the Senate, and the Speaker of the House of Representatives, as ex officio members; 6 members of the House to be appointed by the Speaker of the House of Representatives; 6 Members of the Senate to be appointed by the President of the Senate; 12 public members to be appointed by the President of the United States, and the Director of the National Park Service or his representative.

The Commission is authorized to give appropriate consideration to plans advanced by State, civic, historical, or similar groups, and it may designate special committees with representation from these bodies to plan and conduct specific ceremonies.

In order to minimize the cost to the Federal Government, the Commission is authorized to accept donations of money, property or personal services. It is contemplated that it will make maximum use of such facilities and services as may be offered to it by appropriate agencies and groups.

The Commission is to submit a report to the Congress, presenting its preliminary plans not later than March 1, 1958, and the resolution would authorize not to exceed the sum of $10,000 for the expenses of the Commission.

As I have said, the proposal to establish a Lincoln sesquicentennial commission has a wide range of support, including statements in support from the Vice President of the United States, Governor Sherman Adams, Assistant to the President of the United States, the Librarian of Congress, and many State and civic bodies.

It is believed that by the creation of this commission there would be attached greater significance to the celebration of the 150th anniversary of Lincoln's birth than otherwise would be the case. It would give official government recognition to Lincoln's anniversary, and furthermore, it would enable planning on a national scale to commence at once.

I therefore hope the Senate will act favorably on House Joint Resolution 351.

Mr. O'MAHONEY. Mr. President, I merely wish to say that I was the chairman of the subcommittee which considered Senate Joint Resolution 98, introduced by the Senator from Kentucky [Mr. COOPER], to establish a commission to commemorate the 150th anniversary of the birth of Abraham Lincoln.

I wish the RECORD to show that the subcommittee was in unanimous agreement on the Senate joint resolution and for the substitution of the House joint resolution therefor.

The PRESIDING OFFICER. The question is on the third reading and passage of the joint resolution.

The joint resolution (H. J. Res. 351) was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate Joint Resolution 98 is indefinitely postponed.

NATIONAL FARM-CITY WEEK

The joint resolution (H. J. Res. 313) designating the week of November 22–28, 1957, as National Farm-City Week was considered, ordered to a third reading, read the third time, and passed.

HARRY V. SHOOP, AND OTHERS

The bill (H. R. 5061) for the relief of Harry V. Shoop, Frederick J. Richardson, Joseph D. Rosenlieb, Joseph E. P. McCann, and Junior K. Schoolcraft was considered, ordered to a third reading, read the third time, and passed.

REIMBURSEMENT OF TRIBAL COUNCIL OF THE CHEYENNE RIVER SIOUX RESERVATION

The bill (H. R. 5810) to provide reimbursement to the tribal council of the Cheyenne River Sioux Reservation in accordance with the act of September 3, 1954, was considered, ordered to a third reading, read the third time, and passed.

AWARD OF MEDAL OF HONOR TO UNKNOWN AMERICAN

The bill (H. R. 1214) to authorize the President to award the Medal of Honor to the unknown American who lost his life while serving in the Armed Forces during the Korean conflict was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 230) to require the Secretary of the Army to convey to the county of Los Angeles, Calif., certain portions of a tract of land heretofore conditionally conveyed to such county was announced as next in order.

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

Mr. TALMADGE. Mr. President, over, by request.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

CONVEYANCE OF CERTAIN PROPERTY AT BOSTON NECK, R. I., TO THE STATE OF RHODE ISLAND

The Senate proceeded to consider the bill (S. 628) to direct the Secretary of the Army to convey certain property located at Boston Neck, R. I., to the State of Rhode Island which had been reported from the Committee on Armed Services with an amendment, on page 3, line 4, after the name "Rhode Island", to strike out "for the duration of such state of war or of such emergency. Upon the termination of such state of war or of such emergency plus six months such property shall revert to the State of Rhode Island" and insert "for a period not to exceed the duration of such state of war or national emergency plus six months. Upon the termination of such use the property shall revert to the State of Rhode Island, together with any or all improvements thereon and appurtenances appertaining thereto", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Army is authorized and directed to convey by quitclaim deed, without consideration, to the State of Rhode Island all right, title, and interest of the United States, except as retained in this Act, in and to a tract of land located at Boston Neck, Narragansett, Washington County, R. I., together with all buildings and improvements thereon, and all appurtenances and utilities belonging or appertaining thereto, such land including approximately thirty-three and seventy-nine one-hundredths acres and formerly designated as Fort Varnum, as shown on maps on file with the Office of the Chief of Engineers, and being the same property now utilized by the Rhode Island National Guard under a license granted by the Secretary of the Army.

SEC. 2. All mineral rights in the lands authorized to be conveyed by this Act shall be reserved to the United States.

SEC. 3. The conveyance of the property authorized by this Act shall be upon condition that such property shall be used primarily for training of the National Guard and for other military purposes, and that if the State of Rhode Island shall cease to use the property so conveyed for the purposes intended, then title thereto shall immediately revert to the United States, and in addition all improvements made by the State of Rhode Island during its occupancy shall vest in the United States without payment of compensation therefor.

SEC. 4. The conveyance of the property authorized by this act shall be upon the further provision that whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this act is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made thereon by the State of Rhode Island, for a period not to exceed the duration of such state of war or national emergency plus 6 months. Upon the termination of such use the property shall revert to the State of Rhode Island, together with any or all improvements thereon and appurtenances appertaining thereto.

SEC. 5. In executing the deed of conveyance authorized by this act, the Secretary of the Army shall include specific provisions covering the reservations and conditions contained in sections 2, 3, and 4 of this act.

The amendment was agreed to.

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

AMENDMENT OF LIFE INSURANCE ACT AND FIRE AND CASUALTY ACT

The Senate proceeded to consider the bill (S. 1040) to amend the acts known as the Life Insurance Act, approved June 19, 1934, and the Fire and Casualty Act, approved October 9, 1940, which had been reported from the Committee on the District of Columbia, with an amendment, at the end of the bill to add a new section, as follows:

SEC. 11. Where any provision of this act or any amendment made by this act refers to an office or agency abolished by Reorganization Plan No. 5 of 1952 (66 Stat. 824), such provision or amendment shall be deemed to refer to the Commissioners of the District of Columbia or to the office, officer, or agency which the Commissioners have heretofore designated or may hereafter designate to perform the functions of the office or agency so abolished.

So as to make the bill read:

Be it enacted, etc., That section 5 of chapter II of the Life Insurance Act (sec. 35-404, D. C. Code, 1951 edition), is amended to read as follows:

"SEC. 5. It shall be the duty of the Superintendent to issue a certificate of authority to a company when it shall have complied with the requirements of the laws of the District so as to be entitled to do business therein. The Superintendent may, however, satisfy himself by such investigation as he may deem proper or necessary that such company is duly qualified under the laws of the District to transact business therein, and may refuse to issue or renew any such certificate to a company if the issuance or renewal of such certificate would adversely affect the public interest. In each case the certificate shall be issued under the seal of the Superintendent, authorizing and empowering the company to transact the kind or kinds of business specified in the certificate, and each such certificate shall be made to expire on the 30th day of April next succeeding the date of its issuance. No company shall transact any business or insurance in or from the District until it shall have received a certificate of authority as authorized by this section and no company shall transact any business of insurance not specified in such certificate of authority."

SEC. 2. That section 6 of chapter II of the Life Insurance Act (sec. 35-405, D. C. Code, 1951 edition) is amended to read as follows:

"SEC. 6. The Superintendent shall have power to revoke or suspend the certificate of authority to transact business in the District of any company which has failed or refused to comply with any provision or requirement of this act, or which—

"(a) is impaired in capital or surplus;

"(b) is insolvent;

"(c) is in such a condition that its further transaction of business in the District would be hazardous to its policyholders or creditors or to the public;

"(d) has refused or neglected to pay a valid final judgment against such company within 30 days after such judgment shall have become final either by expiration without appeal within the time when such appeal might have been perfected, or by final affirmance on appeal;

"(e) has violated any law of the District or has in the District violated its charter or exceeded its corporate powers;

"(f) has refused to submit its books, papers, accounts, records, or affairs to the reasonable inspection or examination of the Superintendent, his deputies, or duly appointed examiners;

"(g) has an officer who has refused upon reasonable demand to be examined under oath touching its affairs;

"(h) fails to file with the Superintendent a copy of an amendment to its charter or articles of association within 30 days after the effective date of such amendment;

"(i) has had its corporate existence dissolved or its certificate of authority revoked in the State in which it was organized;

"(j) has had all its risks reinsured in their entirety in another company, without prior approval of the Superintendent; or

"(k) has made, issued, circulated, or caused to be issued or circulated any estimate, illustration, circular, or statement of any sort misrepresenting either its status or the terms of any policy issued or to be issued by it, or the benefits or advantages promised thereby, or the dividends or shares of the surplus to be received thereon, or has used any name or title of any policy or class of policies misrepresenting the true nature thereof.

"The Superintendent shall not revoke or suspend the certificate of authority of any company until he has given the company not less than 30 days' notice of the proposed revocation or suspension and of the grounds alleged therefor, and has afforded the company an opportunity for a full hearing: *Provided,* That if the Superintendent shall find upon examination that the further transaction of business by the company would be hazardous to the public or to the policyholders or creditors of the company in the District, he may suspend such authority without giving notice as herein required: *Provided further,* That in lieu of revoking or suspending the certificate of authority of any company for causes enumerated in this section, after hearing as herein provided, the Superintendent may subject such company to a penalty of not more than $200 when in his judgment he finds that the public interest would be best served by the continued operation of the company. The amount of any such penalty shall be paid by the company through the office of the Superintendent to the Collector of Taxes of the District of Columbia. At any hearing provided by this section, the Superintendent shall have authority to administer oaths to witnesses. Anyone testifying falsely after having been administered such an oath shall be subject to the penalties of perjury."

SEC. 3. That section 27 of chapter II of the Life Insurance Act (sec. 35-426, D. C. Code, 1951 edition) is amended to read as follows:

"SEC. 27. The Superintendent of Insurance may suspend or revoke the license of any life insurance general agent, agent, solicitor, or broker when and if, after investigation, it appears to the Superintendent that any license issued to such person was obtained by fraud or misrepresentation; or that the general agent, agent, solicitor, or broker has violated any insurance law of the District; or has made any misleading representations or incomplete or fraudulent comparison of any policies or companies or concerning any companies to any person for the purpose or with the intention of inducing such person to lapse, forfeit, surrender, or exchange his insurance then in force; or has made any misleading estimate of the dividends or share of surplus to be received on a policy; or has failed or refused to pay or to deliver to the company or to his principal any money or other property in the hands of said general agent, agent, solicitor, or broker belonging to such company or principal when requested so to do; or has violated any lawful ruling of the insurance department; or has been convicted of a felony; or has otherwise shown himself untrustworthy or incompetent to act as a life insurance general agent, agent, solicitor, or broker. Before the Superintendent of Insurance shall revoke or suspend the license of any such person he shall give to such person an opportunity to be fully heard, and to introduce evidence in his behalf. Within 30 days after the revocation or suspension of license or the refusal of the Superintendent to grant a license, the general agent, agent, solicitor, or broker, or applicant aggrieved may appeal from the ruling of the Superintendent of Insurance to the court of competent jurisdiction designated in section 28. Appeals may be taken from the judgment of said court as prescribed in section 28. At any hearing provided by this section, the Superintendent shall have authority to administer oaths to witnesses. Anyone testifying falsely after having been administered such an oath shall be subject to the penalties of perjury.

"No individual whose license as a general agent, agent, solicitor, or broker is revoked shall be entitled to any license under this act for a period of 1 year after revocation.

"Any person who violates any provision of this section upon conviction shall be fined not exceeding $100 for each and every violation: *Provided,* That in lieu of revoking or suspending the license of any such general agent, agent, solicitor, or broker for causes enumerated in this section after hearing as herein provided, the Superintendent may subject such person to a penalty of not more than $200 when in his judgment he finds that the public interest would be best served by the continuation of the license of such person. The amount of any such penalty shall be paid by such person through the office of the Superintendent to the Collector of Taxes of the District of Columbia."

SEC. 4. That section 3 of chapter II of the Fire and Casualty Act (sec. 35-1306, D. C. Code, 1951 edition) is amended to read as follows:

"SEC. 3. The Superintendent shall have power to revoke or suspend the certificate of authority to transact business in the District of any company which has failed or refused to comply with any provision or requirement of this act, or which—

"(a) is impaired in capital or surplus;

"(b) is insolvent;

"(c) is in such a condition that its further transaction of business in the District would be hazardous to its policyholders or creditors, or to the public;

"(d) has refused or neglected to pay a valid final judgment against such company within 30 days after such judgment shall have become final either by expiration without appeal within the time when such appeal might have been perfected, or by final affirmance on appeal;

"(e) has violated any law of the District or has in the District violated its charter or exceeded its corporate powers;

"(f) has refused to submit its books, papers, accounts, records, or affairs to the reasonable inspection or examination of the Superintendent, his deputies, or duly appointed examiners;

"(g) has an officer who has refused upon reasonable demand to be examined under oath touching its affairs;

"(h) fails to file with the Superintendent a copy of an amendment to its charter or articles of association within 30 days after the effective date of such amendment;

"(i) has had its corporate existence dissolved or its certificate of authority revoked in the State in which it was organized;

"(j) has had all its risks reinsured in their entirety in another company, without prior approval of the Superintendent; or

"(k) has made, issued, circulated, or caused to be issued or circulated any estimate, illustration, circular, or statement of any sort misrepresenting either its status or the terms of any policy issued or to be issued by it, or the benefits or advantages promised thereby, or the dividends or shares of the surplus to be received thereon, or has used any name or title of any policy or class of policies misrepresenting the true nature thereof.

"The Superintendent shall not revoke or suspend the certificate of authority of any company until he has given the company not less than 30 days' notice of the proposed revocation or suspension and of the grounds alleged therefor, and has afforded the company an opportunity for a full hearing: *Provided*, That if the Superintendent shall find upon examination that the further transaction of business by the company would be hazardous to the public or to the policyholders or creditors of the company in the District, he may suspend such authority without giving notice as herein required: *Provided further*, That in lieu of revoking or suspending the certificate of authority of any company for cause. enumerated in this section after hearing as herein provided, the Superintendent may subject such company to a penalty of not more than $200 when in his judgment he finds that public interest would be best served by the continued operation of the company. The amount of any such penalty shall be paid by the company through the office of the Superintendent to the Collector of Taxes, District of Columbia. At any hearing provided by this section, the Superintendent shall have authority to administer oaths to witnesses. Anyone testifying falsely after having been administered such an oath shall be subject to the penalties of perjury."

Sec. 5. That section 30 of chapter II of the Fire and Casualty Act (sec. 35–1334, D. C. Code, 1951 edition) is amended to read as follows:

"Sec. 30. No company authorized to do business in the District shall, by its representatives or otherwise, make, write, issue, or deliver any contract of insurance, surety, or indemnity, except title and ocean marine insurance, on any person, property, business activity, or insurable interest within the District except through regularly constituted policy-writing agents or authorized salaried employees licensed in the District as provided in this act.

"No such contract covering persons, property, business activities, or insurable interests in the District, except contracts of title and ocean marine insurance, shall be written, issued, or delivered by any authorized company or by any of its representatives unless such contract is duly countersigned in writing by a person who is licensed as provided in this act to countersign such contracts, and no salaried officer, manager, or other salaried employee of any authorized company, unless he be licensed as provided in this act, shall write, issue, or countersign any such contract.

"No company, agent, or salaried company employee shall make any agreement as to a policy other than that which is plainly expressed in the policy issued.

"No company, agent, salaried company employee, or broker shall pay or offer to pay or allow as an inducement to any person to insure any rebate of premium or any special favor or advantage whatever in the dividends to accrue thereon, or any inducement whatever not specified in the policy.

"Every company authorized by this act to do business in the District shall file annually with the Superintendent on or before the 15th day of April, and at such other times as they may be appointed, a list of agents and salaried employees of said company who are authorized to solicit, write, effect, issue, or deliver policies for such company in the District, except that the names of soliciting agents may be filed either by the company or by the policy-writing agent.

"Any policy-writing agent or salaried company employee authorized by any company to solicit, negotiate, bind, write, or issue policies or applications therefor shall, in any controversy between the insured or his representative and the said company, be held to be the agent of the company which issued or effected the policy solicited or so applied for, anything in the application or policy to the contrary notwithstanding.

"Any payment made by or on behalf of the insured to any broker for policies issued to such broker for delivery to the insured or issued directly to the insured on the order of such broker, shall, in controversies between the insured and the company, be deemed to have been paid to the company.

"No soliciting agent shall have any authority to countersign any policy."

Sec. 6. That section 32 of chapter II of the Fire and Casualty Act (sec. 35–1336, D. C. Code, 1951 edition) is amended to read as follows:

"Sec. 32. Any person hereafter desiring to engage in business in the District as a policy-writing agent, soliciting agent, broker, or salaried company employee, as defined by this act shall, before engaging in such business secure from the Superintendent a license authorizing him to engage in such business. The person to whom the license may be issued shall file sworn answers to such interrogatories as the Superintendent may require. Before the Superintendent shall issue or renew a license to any policy-writing agent, soliciting agent, or salaried company employee, he shall require the company or policy-writing agent desiring the appointment of such person to certify—

"(a) that the person to be appointed, if not a salaried company employee, is a resident of this District, or that his principal office for the conduct of such business is in or will be maintained in the District;

"(b) that he is personally known to the person making the certification;

"(c) that he has had experience or instructions necessary to the proper conduct of the kind or kinds of business to which the license is to extend;

"(d) that he has a good business reputation, is trustworthy, and is worthy of a license.

"Resident and nonresident brokers shall, as a prerequisite to the issuance of a license file with the Superintendent a corporate surety bond in an amount not less than $1.000 for the benefit of any person who may suffer loss resulting from fraud or dishonesty on the part of said resident or nonresident broker. Before the Superintendent shall issue a license to any policy-writing agent, soliting agent, salaried company employee, or resident broker, who has not previously been licensed under this act, he shall personally, or through his deputy or any person regularly employed in the department, within a reasonable time, and in a designated place within the District, subject each such person to a personal written examination relating to such person's knowledge of the kind or kinds of business to which the license may extend and his competency to act as such policy-writing agent, soliciting agent, broker, or salaried company employee. The Superintendent may in his discretion limit the scope of such examination to such particular kind or kinds of business in which the person to be licensed is to be principally engaged. The Superintendent shall issue or renew such license as may be applied for when he is satisfied that the person to be licensed is (a) competent and trustworthy and intends to act in good faith in the capacity involved by the license applied for, and that not more than 25 percent of his commission income from business to which the license applies will result from policies the premiums on which are paid or are to be paid in the manner set forth in paragraph (f) of section 36, and (b) that he has a good business reputation and has had experience, training, or education, or is otherwise qualified in the line or lines of business in which the license would entitle him to engage, and, except in the case of a nonresident broker or salaried company employee, is a resident of the District, or maintains his principal office for the conduct of such business in the District; and (c) is reasonably familiar with the insurance laws of the District, and with the provisions, terms, and conditions of the policies he is proposing to solicit, negotiate, or effect, and is worthy of a license. In the case of a nonresident applying for a broker's license, the Superintendent may waive the examination requirement and accept in lieu thereof evidence that the applicant holds a license as broker or agent in the State where his principal business is conducted. The Superintendent may also waive the examination requirement in the case of any person who has been licensed in the District prior to the effective date of this act. The examination requirement shall be waived in the case of any applicant for a license under this section who holds a license under section 26 of the Life Insurance Act (D. C. Code, sec. 35–425), if the company desiring the appointment of such applicant certifies in writing to the Superintendent that such applicant will solicit only accident and health insurance on its behalf. Licenses may be issued in the names of individuals, or in the names of firms, partnerships, or corporations, including banks, trust companies, real-estate offices, and building and loan associations: *Provided*, That on such licenses in addition to the name of the applicant, there shall be listed the name of every member or officer of such firm, partnership, or corporation who solicits insurance or who countersigns policies: *Provided further*, That such named persons as well as the licensee shall be subject to all requirements of this act, and that the Superintendent shall have authority at any time to require the applicant fully to disclose the identity of all stockholders, partners, officers, and employees, and he may in his discretion refuse to issue or renew a license in the name of any firm, partnership, or corporation if he is not satisfied that any officer, employee, stockholder, or partner thereof who may materially influence the applicant's conduct, meets the standards of this section applicable to persons applying as individuals. No person shall be licensed as agent, broker, or salaried company employee when it appears to the Superintendent that said license is sought primarily for the purpose of obtaining commissions on policies on which he, on his own account, pays, or is to pay, the premiums, or on which the premiums are paid or are to be paid by any person who receives or is to receive any benefit, direct or indirect, from the commissions obtained, or on which the premiums are paid or are to be paid by any partnership, association, or corporation of which he is a member."

Sec. 7. That section 35 of chapter II of the Fire and Casualty Act (sec. 35–1339, D. C. Code, 1951 edition) is amended to read as follows:

"Sec. 35. Upon application for renewal of an expiring license and the payment of the applicable fee prescribed in section 41, the Superintendent shall issue the license applied for when he is satisfied that the applicant therefor meets the conditions set forth in sections 32 and 36. Before the Superintendent shall refuse to renew any such license he shall give to the applicant an opportunity to be fully heard and to introduce evidence in his behalf. If the Superintendent shall refuse to renew any such license he shall give the applicant written notice thereof and he shall not, for a period of 10 days from the date of that notice, take any action to stop the applicant from continuing in business, within which period the applicant may apply to any court as provided in section 45 hereof, for leave, in the discretion of the court, to continue in business until an appeal from such refusal is decided."

SEC. 8. That section 36 of chapter II of the Fire and Casualty Act (sec. 35–1340, D. C. Code, 1951 edition) is amended to read as follows:

"SEC. 36. The Superintendent may revoke or suspend the license of any policy-writing agent, soliciting agent, broker, or salaried company employee when and if, after investigation, it appears to the Superintendent that any license issued to such person was obtained by fraud or misrepresentation, or that such person has otherwise shown himself untrustworthy or incompetent to act in any of the foregoing capacities, or that such person has—

"(a) violated any of the provisions of the insurance laws of the District; or

"(b) has failed within a reasonable time to remit to any company all moneys which he has collected, and to which the company is entitled; or

"(c) has been guilty of rebating or has misrepresented the provisions of the policies which he is selling, or the policies of other companies; or

"(d) has countersigned policies in blank; or that

"(e) more than 25 percent of his commission income from business to which the license applies results from policies the premiums on which are paid or are to be paid in the manner set forth in paragraph (f) of this section; or that

"(f) said license is being used primarily for the purpose of obtaining commissions on policies on which he, on his own account, pays or is to pay the premiums, or on which the premiums are paid to or are to be paid by any person who receives or is to receive any benefit, direct or indirect, from the commissions obtained, or on which the premiums are paid or are to be paid by any partnership, association, or corporation of which he is a member.

"Before the Superintendent shall revoke or suspend the license of any such person he shall give to such person an opportunity to be fully heard, and to introduce evidence in his behalf: *Provided*, That in lieu of revoking or suspending the license of any policy-writing agent, soliciting agent, broker, or salaried company employee for causes enumerated in this section after hearing as herein provided, the Superintendent may subject such person to a penalty of not more than $200 when in his judgment he finds that public interest would be best served by the continued operation of such person. The amount of any such penalty shall be paid by such person through the office of the Superintendent to the Collector of Taxes, District of Columbia. At any hearing provided by this section, the Superintendent shall have authority to administer oaths to witnesses. Anyone testifying falsely after having been administered such an oath shall be subject to the penalties of perjury."

SEC. 9. That section 38 of chapter II of the Fire and Casualty Act (sec. 35–1342, D. C. Code, 1951 edition) is amended to read as follows:

"SEC. 38. The provisions of this act relating to the licensing of policy-writing agents, soliciting agents, salaried company employees, and brokers shall not apply to the sale of personal accident insurance in the ticket offices of railroad companies or other common carriers, or in the offices of travel bureaus, nor to the business of ocean marine insurance, nor to insurance covering the property of railroad companies and other common carriers engaged in interstate commerce."

SEC. 10. That section 39 of chapter II of the Fire and Casualty Act (sec. 35–1343, D. C. Code, 1951 edition) is amended to read as follows:

"SEC. 39. Except as provided in section 40, no person shall act as agent in the District for any company which is not authorized to do business in the District, nor shall any person directly or indirectly negotiate for or solicit applications for policies of, or for membership in, any company which is not authorized to do business in the District. The term 'company' as used in this section shall include any association, society, company, corporation, joint-stock company, individual, partnership, trustee, or receiver engaged in the business of assuming risks of insurance, surety, or indemnity, and any Lloyd's organization, assessment, or cooperative fire company, or any reciprocal or interinsurance exchange, and any company, association, or society, whether organized for profit or not, conducting a business, including any of the principles or features of insurance, surety, or indemnity. Any person who violates any provision of this section upon conviction shall be fined not less than $100 nor more than $1,000 for each offense, or be imprisoned for not more than 12 months, or both, and any such person shall be personally liable to any resident of the District having claim against any such unauthorized company under any policy which said person has solicited or negotiated, or has aided in soliciting or negotiating: *Provided*, That the provisions of this section shall not apply to any person who negotiates with an unauthorized company for policies covering his own property or interests, nor shall the provisions of this section apply to the officers, agents, or representatives of any company which is in process of organization under the laws of the District, and which is authorized temporarily to solicit or secure memberships or applications for policies for the purpose of completing such organization. Prosecutions for violations of this section shall be upon information filed in the municipal court for the District of Columbia by the corporation counsel or any of his assistants."

SEC. 11. Where any provision of this act or any amendment made by this act refers to an office or agency abolished by Reorganization Plan No. 5 of 1952 (66 Stat. 824), such provision or amendment shall be deemed to refer to the Commissioners of the District of Columbia or to the office, officer, or agency which the Commissioners have heretofore designated or may hereafter designate to perform the functions of the office or agency so abolished.

The amendment was agreed to.

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

RELIEF OF CERTAIN FEMALE MEMBERS OF THE AIR FORCE

The Senate proceeded to consider the bill (H. R. 3028) to provide for the relief of certain female members of the Air Force, and for other purposes, which had been reported from the Committee on the Judiciary, with an amendment, and subsequently reported from the Committee on Armed Services with an additional amendment.

The amendment of the Committee on the Judiciary was, on page 2, after line 22, to insert:

SEC. 4. The Career Compensation Act of 1940, as amended (37 U. S. C. 231 et seq.), is further amended by adding the following new section at the end thereof:

"§ 534. Regulations affecting pay and allowances.

"No regulation under this act, or any other law relating to pay and allowances of military personnel, shall be prescribed by the Secretary of a military department within the Department of Defense, relating to the pay and allowances of members of the Armed Forces under such military department, unless such regulation be first approved under procedures prescribed by the Secretary of Defense. Regulations of the Secretaries of the Treasury, Commerce, and Health, Education, and Welfare, which relate to similar items of pay and allowances authorized for members of the Coast Guard, the Coast and Geodetic Survey, and the Public Health Service, shall, to the extent practicable, agree with regulations so approved. Nothing in this section shall prevent the Secretary of Defense or the Secretaries of the Treasury, Commerce, and Health, Education, and Welfare from securing from the Comptroller General an advisory ruling with respect to a proposed regulation especially affecting the department or departments under such Secretary's jurisdiction."

SEC. 5. The analysis to the Career Compensation Act of 1949, as amended, is amended by adding the following new section caption:

"§ 534. Regulations affecting pay and allowances.

The amendment was agreed to.

The amendment of the Committee on Armed Services, was, on page 2, line 23, in the amendment of the Committee on the Judiciary, after the word "of", to strike out "1940" and insert "1949."

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

CONVEYANCE OF CERTAIN LAND TO THE STATE OF TEXAS

The bill (S. 41) to direct the Secretary of the Navy or his designee to convey a 2,477.43-acre tract of land, avigation and sewer easement, in Tarrant and Wise Counties, Tex., situated about 20 miles northwest of the city of Fort Worth, Tex., to the State of Texas was announced as next in order.

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

Mr. TALMADGE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. TALMADGE. Did not my distinguished colleague, the Senator from Georgia [Mr. RUSSELL] obtain unanimous consent a few moments ago to recommit Calendar No. 1140 to the Committee on Finance?

The PRESIDING OFFICER. The Chair is informed that the senior Senator from Georgia secured unanimous consent to recommit House bill 1140 to the Committee on Finance.

Mr. TALMADGE. I thank the Chair. It is H. R. 1140 that was recommitted; not Calendar No. 1140. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Is there objection to the present consideration of Calendar 1141, S. 41?

Mr. TALMADGE. Mr. President, I understand that H. R. 499, an identical House bill, is now at the desk. I ask unanimous consent that the House bill be substituted in lieu of the Senate bill. I also ask unanimous consent that a statement prepared by the distinguished senior Senator from Texas [Mr. JOHNSON] be printed immediately prior to action on the bill.

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

Mr. **WATKINS.** Mr. President, reserving the right to object, I should like to have an explanation of the bill.

Mr. **TALMADGE.** Mr. President, S. 41 would authorize and direct the Secretary of the Navy to convey a 2,400-acre tract of land about 20 miles from Fort Worth, Tex., to the State of Texas for the purpose of National and Air National Guard military training.

The legislation is in conformity with a number of other bills which have passed the Congress transferring land for National Guard uses. I am confident that it meets all the standards and formulas governing such conveyances.

All mineral rights are reserved to the United States. Any benefit from the land must be used for maintaining and improving the properties for military training by the National Guard and in the event of a national emergency the United States has the right of recapture. In addition, if the land ceases to be used for National Guard purposes, it reverts to the United States.

Upon the transfer of this land, which is without monetary consideration, it would be the obligation of the State to maintain the land and its facilities for current military training purposes and for future national emergency uses in the event such arise. I urge favorable action by the Senate on this bill.

An identical bill, H. R. 499, is at the desk. I ask unanimous consent for the immediate consideration of H. R. 499, and upon its passage by the Senate, that S. 41 be indefinitely postponed.

The **PRESIDING OFFICER.** Without objection, the statement by the Senator from Texas [Mr. JOHNSON], which the Senator from Georgia requested to have printed in the RECORD, will be so printed.

The statement referred to is as follows:

STATEMENT BY SENATOR JOHNSON

S. 41, and the identical House-passed bill H. R. 499, which is at the desk, provide for a transfer of a tract of land to the State of Texas for the purpose of National and Air National Guard military training. The tract lies about 20 miles from Fort Worth and consists of approximately 2,477 acres.

While the bill provides for no monetary consideration, it meets the standard formulas for Federal land transfer legislation in every respect. Mineral rights are reserved to the United States and if the land is not used for military purposes it will revert to the Federal Government.

The State assumes the obligation to maintain and operate the properties for current military training, and for use in the event of a national emergency by the Federal Government. The bill is similar to many others which have passed Congress for National Guard training purposes and I sincerely urge favorable action by the Senate on the bill at this time.

Mr. **WATKINS.** Reserving the right to object, and I shall not object to the bill, I call the attention of the Senate to the fact that the bill does not involve any monetary consideration. A few moments ago objection was raised to a bill, in which I am interested, to convey 1¼ acres of land to be maintained as an historical monument and a grave for a pioneer woman. I understand that the bill was passed over on the objection of a Senator who maintains that the so-called Morse formula applies.

I understand the pending bill is to serve a very good purpose, in transferring land to the State of Texas, but I cannot understand why no objection was made to it by the calendar committee for and and in behalf of the same Senator.

Mr. **TALMADGE.** I understand that the senior Senator from Oregon makes an exemption in the conveyance of land when the land is to be used for military purposes.

Mr. **WATKINS.** The land I asked to be transferred would come under the Recreation and Public Purpose Act of 1954 and the Federal Property and Administrative Service Act, both of which permit conveyances without compensation where the property is to be used for historic monument purposes for the benefit of the general public.

I am not going to object to the consideration of the bill which has been stated as being next in order, but I call attention to the fact that it seems unfair to make an exception in a similar case and let it be adopted while the other bill is rejected.

Mr. **TALMADGE.** I am sure the Senator from Utah recognizes the fact that it is the duty of the Calendar Committee to register an objection to the consideration of a measure when a Member of the Senate from this side of the aisle requests that such an objection be made.

I am perfectly satisfied about the bill of the Senator from Utah. His explanation of it was entirely satisfactory insofar as the junior Senator from Georgia is concerned. But I cannot speak for the senior Senator from Oregon.

Mr. **WATKINS.** I wondered whether the Senator from Georgia had received an objection from the senior Senator from Oregon to the conveyance to the State of Texas of more than 2,000 acres of land.

The **PRESIDING OFFICER** (Mr. BIBLE in the chair). The Senator from Georgia has asked unanimous consent to have House bill 499 considered at this time.

The Chair now lays before the Senate the bill (H. R. 499) to direct the Secretary of the Navy or his designee to convey a 2,477.43-acre tract of land, avigation, and sewer easement, in Tarrant and Wise Counties, Tex., situated about 20 miles northwest of the city of Fort Worth, Tex., to the State of Texas.

The bill was read twice by its title.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the House bill?

There being no objection, the Senate proceeded to the consideration of the bill.

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

The bill (H. R. 499) was ordered to a third reading, read the third time, and passed.

The **PRESIDING OFFICER.** Without objection, Senate bill 41 is indefinitely postponed.

RANK OF COMMANDING GENERAL OF THE DISTRICT OF COLUMBIA MILITIA

The bill (H. R. 4144) to provide that the commanding general of the militia of the District of Columbia shall hold the rank of brigadier general or major general was considered, ordered to a third reading, read the third time, and passed.

FURNISHING OF HERALDIC SERVICES

The bill (H. R. 896) to amend title 10, United States Code, to authorize the Secretary of the Navy to furnish heraldic services was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 8576) to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes, was announced as next in order.

Mr. **TALMADGE.** Over, by request.

The **PRESIDING OFFICER.** The bill will be passed over.

SUBMISSION OF PLAN FOR FUTURE CONTROL OF THE MENOMINEE TRIBE

The Senate proceeded to consider the bill (H. R. 6322) to provide that the dates for submission of plan for future control of property of the Menominee Tribe shall be delayed, which had been reported from the Committee on Interior and Insular Affairs, with an amendment to strike out all after the enacting clause and insert:

That the act entitled "An act to provide for a per capita distribution of Menominee tribal funds and authorize the withdrawal of the Menominee Tribe from Federal jurisdiction," approved June 17, 1954, as amended, is further amended as follows:

(a) Section 6 is amended to read as follows:

"SEC. 6. The tribe is authorized to select and retain the services of qualified management specialists, including tax consultants, for the purpose of studying industrial programs on the Menominee Reservation and making such reports or recommendations, including appraisals of Menominee tribal property, as may be desired by the tribe, and to make other studies and reports as may be deemed necessary and desirable by the tribe in connection with the termination of Federal supervision as provided for hereinafter. Such reports shall be completed not later than December 31, 1958. Such specialists are to be retained under contracts entered into between them and authorized representatives of the tribe, subject to approval by the Secretary. Such amounts of Menominee tribal funds as may be required for this purpose shall be made available by the Secretary. In order to reimburse the tribe, in part, for expenditures of such tribal funds as the Secretary deems necessary for the purposes of carrying out the requirements of this section, there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, an amount equal to one-half of such expenditures from tribal funds, or the sum of $275,000, whichever is the lesser amount."

(b) Section 7 is amended to read as follows:

"Sec. 7. The tribe shall as soon as possible and in no event later than December 31, 1958, formulate and submit to the Secretary a plan for the future control of the tribal property and service functions now conducted by or under the supervision of the United States, including but not limited to services in the fields of health, education, welfare, credit, roads, and law and order and for all other matters involved in the withdrawal of Federal supervision. The Secretary is authorized to provide such reasonable assistance as may be requested by officials of the tribe in the formulation of the plan heretofore referred to, including necessary consultations with representatives of Federal departments and agencies, officials of the State of Wisconsin and political subdivisions thereof, and members of the tribe. The Secretary shall accept such tribal plan as the basis for the conveyance of the tribal property if he finds that it will treat with reasonable equity all members on the final roll of the tribe prepared pursuant to section 3 of this act, and that it conforms to applicable Federal and State law. In the event the tribe fails to submit a plan approvable under the terms of this act by December 31, 1958, the Secretary shall cause such a plan to be prepared and submitted to the tribe within 3 months thereafter. The tribe shall thereafter have 3 months within which to accept the plan of the Secretary or to submit to the Secretary tribal proposals for modification. If the Menominee Tribe and the Secretary cannot agree upon a plan within the aforementioned 6 months period, the Secretary shall within the following 6 months transfer the tribal property to a trustee of his choice for management or disposition for the benefit of the Menominee Tribe. The responsibility of the United States to furnish all such supervision and services to the tribe and to the members thereof, because of their status as Indians, shall cease on December 31, 1960, or on such earlier date as may be agreed upon by the tribe and the Secretary. The plan shall contain provision for protection of the forest on a sustained-yeld basis and for the protection of the water, soil, fish, and wildlife. To the extent necessary, the plan shall provide for such terms of transfer pursuant to section 8 of this act, by trust or otherwise, as shall insure the continued fulfillment of the plan. The Secretary, after approving the plan, shall cause the plan to be published in the Federal Register. The sustained-yield management requirement contained in this act, and the possible selection of a trustee in the event of a tribal planning default, shall not be construed by any court to impose a financial liability on the United States."

(c) Section 8 is amended by striking out "December 31, 1958," where it appears, and by inserting in lieu thereof "December 31, 1960."

The amendment was agreed to.

Mr. HOLLAND. Mr. President, during the call of the calendar, Calendar No. 1072, Senate bill 2107, was passed. I am now advised that there is at the desk an identical House bill, being House bill 7636.

The PRESIDING OFFICER. Will the Senator from Florida withhold his request regarding that bill until action has been completed on the pending measure, House bill 6322?

Mr. WILEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin desire to be heard on Calendar No. 1146?

Mr. WILEY. Yes.

The PRESIDING OFFICER. Action on Calendar No. 1146, House bill 6322, has not yet been completed.

Mr. WILEY. Mr. President, I may say that the Menominee Tribe in my State, supported by the Wisconsin Legislature, State officers, and other interested citizens and State organizations, believe that more time is needed by the Menominees to put their house in order, prior to the removal of Federal control over their affairs.

This bill, although slightly different from the one I introduced, requires a per capita distribution of the funds, as well as distribution of the property controlled by the tribe. The bill also extends the date for the termination of Federal control. But it is believed that by the time allowed, the Menominees would not have time to set up the machinery for the control and management of their affairs.

Under the bill reported by the Senate committee, however, the time for submitting the plan under which these Indians will assume control of their own assets has been extended only to December 1, 1958, instead of to 1959. The 1958 date is a deadline which the tribe felt it could not meet.

The bill passed by the House of Representatives extends the time for the submission of a plan of tribal control to December 31, 1959. But House bill 6322 calls for a 1958 date.

Therefore, I propose that House bill 6322 be amended so as to extend the time for the submission of a plan of control for the Menominee Indians to December 31, 1959, as originally proposed in the bill. The amendment would strike out the date "December 31, 1958", where it appears in sections 6 and 7 of the bill, and would insert in lieu thereof "December 31, 1959."

I urge that the bill be amended in this way, and, as thus amended, be passed.

Mr. President, I have been over a portion of the reservation. There is some very fine standing timber there. Many persons would like to get their hands on the timber. I have received telegrams and letters from bankers and businessmen and others who say that in the interest of preserving the rights of the Indians, the bill should be amended accordingly.

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

Mr. WILEY. I yield.

Mr. CLARK. Has the Senator's amendment been cleared with the committee? Does it have committee approval?

Mr. WILEY. No. The amendment has not been cleared, although I will say there was considerable testimony before the committee at its last session, which was held just a few days ago.

This matter involves nothing of any significance, except to protect these wards of the Government. So, when they ask for it, and when other people in the community ask for it—in other words, that the date be changed from 1958 to 1959—it seems to me that when a Senator from the State asks that that be done in the interest of those people, and when that Senator knows the situation and the facts, there should be no hesitancy. No one can be prejudiced.

Mr. CLARK. Mr. President, reserving the right to object—and I am afraid I shall object—I must tell my distinguished friend, the Senator from Wisconsin, that the members of the Majority Calendar Committee are under obligation not to agree to any floor amendment which has not been approved by the committee which reported the bill.

I hope the Senator from Wisconsin will understand when I ask that the bill go over and that his amendment be considered by the committee.

Mr. WILEY. Mr. President, in the last few days I have seen the Senate take action on bills about which I thought there was serious question.

On the other hand, when the Indians want another year to be allowed—another year for the submission of the plans—when they want to continue as wards of the Government for another year, so that others cannot cheat them out of their assets, it would seem to me that there would be no objection to the amendment.

Mr. CLARK. I understand that in the case of all other bills, the amendments were either cleared by the committee or were considered by unanimous consent.

Mr. NEUBERGER. Mr. President, will the Senator from Wisconsin yield to me?

Mr. WILEY. I yield.

Mr. NEUBERGER. I regret that I was not on the floor when the Senator from Wisconsin raised the question about the termination date.

I should like to point out that the Indian Affairs Subcommittee was merely following the view of the Department of the Interior when it adopted the language with respect to the final date for submitting the report and terminating Federal supervision.

I have before me a letter which I received under date of August 12, from Mr. Hatfield Chilson, the Under Secretary of the Interior, who was then Acting Secretary of the Interior. The Secretary has said:

> We believe that the extended time limits should be one year for submitting an acceptable plan (making the date December 31, 1958), and 2 years for final termination of the Federal trust (making it December 31, 1960).

In view of all these circumstances, I submit that the Secretary and the Department have submitted what I believe to be a reasonable time limit for extending this period.

I notice that the distinguished Senator from Utah [Mr. Watkins] is on the floor. He has been conversant with this problem far longer than I have. He has much experience regarding it. If I am not mistaken, I believe he was one of the Members of the Senate, if not the leading Member of the Senate, who helped to pioneer some of these termination plans.

I wonder what his attitude is with respect to this particular controversy.

Mr. WATKINS. Mr. President, will the Senator from Wisconsin yield to me?

Mr. WILEY. I yield.

Mr. WATKINS. I merely wish to explain that I do not think 1960 as a final date for termination of guardianship is unreasonable, and I do not think December 31, 1958, is unreasonable as the date of the deadline within which the Indians must file their plan for use of their tribal property.

Previously the termination date was much earlier than this one. But if they are ever to get a plan submitted, a final date must be set.

I do not think it is unreasonable at all, and I would certainly object to an amendment to extend it another year.

This is a program on which we have been working with the State of Wisconsin, and we have yielded largely to the wishes of the Indians and the State of Wisconsin.

I see no reason now for changing the committee's recommendation. I think the committee was unanimous in its position on the bill.

Mr. President, I object to the amendment which has been proposed on the floor.

Mr. WILEY. Mr. President, I wish to make it very clear that my only point is that the House bill provides for the later date. The House gave consideration to it, and held hearings. The House recognized that many persons would like to take advantage of those who have been the wards of the Federal Government. The House recommended the later date. I realize that under the circumstances the bill will probably go to conference, and that probably will mean that the bill will not be passed until next year.

But I felt the Senate should give consideration to, let us say, the preservation of the rights of the wards of the Government, when they request it. Ordinarily the Indians are ready to fall into traps which are laid for them, when some persons who are hungry for timber wish to obtain the timber.

I have been in that area; and, as I have said, I have received letters and telegrams from bankers who sense the significance of what is involved. The timber on the reservation is one of the finest pieces of standing timber remaining in the State, and they believe the period should be extended in the way I have suggested.

The PRESIDING OFFICER. Has the Senator from Wisconsin submitted his amendment?

Mr. WILEY. Yes.

Mr. WATKINS. Mr. President, I object to the amendment.

The PRESIDING OFFICER. Objection is heard.

Mr. WATKINS. Mr. President, I do not object to the bill. I object only to the amendment.

Mr. CLARK. Mr. President, a parliamentary inquiry.

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

Mr. CLARK. Did the Senator from Wisconsin withdraw his amendment?

Mr. WILEY. Let me ask the consequences of such an act.

Mr. CLARK. Then the bill will be passed.

Mr. WILEY. I have never been in the position of one who backs out. But I want a bill on this subject to be passed, and I want the Congress to pass a measure which will effectively protect the interests of these wards of the Government. It may be that the conferees on the part of the Senate will listen to the conferees on the part of the House, if the bill goes to conference, better than they will listen to me, and that better results will be had in that way. So I shall not press the adoption of the amendment.

Mr. CLARK. Mr. President, I withdraw my objection.

The PRESIDING OFFICER. The objection is withdrawn.

Mr. NEUBERGER. Mr. President, I believe that I must comment briefly on this matter, because the Senator from Wisconsin has raised this issue.

I wish to make this statement, also, because I know the Senator from Wisconsin is one of the outstanding Members of the Senate, and certainly is diligent in trying to protect the welfare of this tribe in his State.

First, I believe we are giving the Menominee Tribe a reasonable length of time in which to submit a plan for terminating Federal custodianship over their resources. Secondly, I wish to remind the Senator from Wisconsin that in my own State of Oregon there is the great Klamath Indian Tribe. They, likewise, are going through the termination process. They are to receive approximately the same length of time for submitting a plan and their inventory as the Menominee Tribe is to be given. The Klamath Tribe—and I believe the Senator from Utah [Mr. WATKINS] who has great knowledge in this field will confirm this statement—has timber resources which dwarf even the holdings of the Menominee Tribe. If I am not mistaken, the Klamath Tribe owns the greatest ponderosa pine timber stand anywhere in the Northern Hemisphere, and that timber is included in the inventory they are making.

As chairman of the Indian Affairs Subcommittee, I join with my colleague in giving to the tribe in the State of Wisconsin the same amount of time which has been given to the tribe in the State of Oregon.

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

Mr. NEUBERGER. I yield.

Mr. WILEY. Ordinarily I would say the Senator is very logical. I should say one tribe should be treated the same as another, unless the circumstances are different. The circumstances here involved go to the very protection of valuable assets of Government wards. One would not think that bankers and businessmen would be wrong, who by telegrams and letters have said that this should be done. This is an age when wise guys reach out and take valuable property from those who are unable to protect themselves. All I am urging is what the House of Representatives has provided, namely, to give the tribe another year. That was my object in making my request. I trust that when the House conferees and the Senate conferees get together they may learn that the situation in Oregon may not be comparable to the situation in Wisconsin.

Mr. NEUBERGER. I believe the two situations are quite comparable. I believe the Senator from Wisconsin will find that the Menominee Tribe has been given a fair amount of time to submit their plan.

The PRESIDING OFFICER. If the Presiding Officer correctly understands, the Senator from Wisconsin has withdrawn the amendment, and the amendment of the committee has been adopted.

If there is no objection, the question is on the third reading and passage of the bill——

Mr. WATKINS. Mr. President, reserving the right to object, I wish to make a comment on what has been stated. An effort is being made to give the Indians full and complete control of their affairs, under safeguards which will protect their assets for their use. When I first came to Congress more than 10 years ago it was reported by the then Acting Indian Commissioner that this tribe was ready to take care of its own property. No bills were introduced, but the tribe was supposed to be able to have control over their own property. In 1953 Congress adopted unanimously a resolution declaring it to be the policy that as soon as the Indians were ready to take care of their property it should be turned over to them. The Menominees were actually named in the resolution. That has been the policy of Congress. A bill was passed some time ago providing for a termination of United States guardianship of this Indian tribe. The time has been extended once. All we want the Indians to do is to submit a plan for the use of their property. The State of Wisconsin and the Interior Department and a special group which has been retained by the Indians are now working out a program. All we ask is that they get busy and not drag their feet. We are not trying to take anything away from the Indians. I would be one of the first to protest against any move which might result in divesting the Indians of their holdings. I am as strongly in favor of the Indians as is any other Senator. I objected to an amendment which would allow the Indians to drag their feet perpetually. As long as they can stay under the guardianship of the United States, they will keep doing it, because there are several things they do not want to do. One thing is that they do not want to pay taxes on any property.

Next, if anything goes wrong, they want to hold the United States responsible. That kind of an incident happened a few years ago. The Federal Government and the Indian Bureau went on an Indian reservation on which certain timber had been knocked down as the result of a hurricane. The Government did the best it could to salvage what timber it could. Apparently, the Government's job did not satisfy the Indians. They filed a claim against the United States in the Court of Claims and the United States had to pay $8 million for a violation of the guardianship. I can see why some of the Indians would like to have the United States continue to take care of their business. If all goes well, they get all the benefits of it. If something goes wrong, they would like to hold the United States responsible for damages.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

CONVEYANCE OF CERTAIN TRACT OF LAND TO THE STATE OF FLORIDA

The **PRESIDING OFFICER.** The Senate will now proceed to the question of the reconsideration of a vote, which the Senator from Florida desires to bring up.

Mr. HOLLAND. Mr. President, upon the regular call of the calendar, Calendar No. 1072, S. 2107, to provide for the conveyance to the State of Florida of a certain tract of land in such State owned by the United States, was passed without objection. A companion House measure, already passed by the House, H. R. 7636, is before the Judiciary Committee. I ask unanimous consent that we may return to Calendar No. 1072, S. 2107, that the vote whereby the Senate passed the bill be reconsidered, that the Committee on the Judiciary be discharged from the further consideration of House bill 7636, and that the House measure be taken up and passed.

The **PRESIDING OFFICER.** Is there objection to the request of the Senator from Florida that the Senate reconsider the vote by which it passed S. 2107? The Chair hears none, and the vote is reconsidered.

Without objection, the Committee on the Judiciary will be discharged from further consideration of House bill 7636.

Is there objection to the present consideration of H. R. 7636?

There being no objection, the Senate proceeded to consider the bill (H. R. 7636) to provide for the conveyance to the State of Florida of a certain tract of land in such State owned by the United States.

The **PRESIDING OFFICER.** The question is on the third reading and passage of the bill.

The bill (H. R. 7636) was ordered to a third reading, read the third time, and passed.

The **PRESIDING OFFICER.** Without objection, Senate bill 2107 is indefinitely postponed.

ESTABLISHING OF JOINT COMMITTEE TO INVESTIGATE MATTERS RELATING TO GROWTH OF THE DISTRICT OF COLUMBIA

Mr. CLARK. Mr. President, I ask that Calendar No. 1093, House Concurrent Resolution 172, which was placed to the foot of the calendar, be called up.

Mr. PURTELL. Mr. President, I wish to inquire what other bills were placed at the foot of the calendar.

The **PRESIDING OFFICER.** Four bills were placed at the foot of the calendar, which the clerk will state.

The **CHIEF CLERK.** Calendar No. 733, House bill 1733, an act for the relief of Philip Cooperman and others——

Mr. CLARK. Mr. President, I had asked that Calendar No. 1093 be called up. Then I yielded to the Senator from Connecticut.

The **PRESIDING OFFICER.** The Presiding Officer desired to call attention to the four measures which went to the foot of the calendar. The clerk is proceeding to state them.

The **CHIEF CLERK.** Calendar No. 1087, S. 2230, to authorize the Secretary of the Interior to convey certain lands to the Charlotte Rudland Dansie Association.

Calendar No. 1093, House Concurrent Resolution 172, to establish a joint Congressional committee to investigate matters pertaining to the growth and expansion of the District of Columbia and its metropolitan area.

Calendar No. 1098, Senate Resolution 183, to amend rule XIX so as to prohibit the introduction of occupants of the galleries during the sessions of the Senate.

The **PRESIDING OFFICER.** Those are the four measures which went to the foot of the calendar, and the Presiding Officer will state that the Senator from Pennsylvania made a request that the Senate proceed to the consideration of Calendar No. 1093, House Concurrent Resolution 172, one of those four measures.

The clerk will state Calendar No. 1093, House Concurrent Resolution 172, which was placed at the foot of the calendar.

The **LEGISLATIVE CLERK.** A concurrent resolution (H. Con. Res. 172) to establish a joint Congressional committee to investigate matters pertaining to the growth and expansion of the District of Columbia and its metropolitan area.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution, which had been reported from the Committee on the District of Columbia, with amendments, and subsequently reported from the Committee on Rules and Administration with additional amendments.

The amendments of the Committee on the District of Columbia were:

After the resolving clause, to strike out "That there is hereby established a joint congressional committee to be composed of the members of the Committee on the District of Columbia of the Senate and the members of the Committee on the District of Columbia of the House of Representatives" and insert "That there is hereby established a joint congressional committee to be composed of three members of the Committee on the District of Columbia of the Senate, to be appointed by the chairman of such committee, and three members of the Committee on the District of Columbia of the House of Representatives, to be appointed by the chairman of such committee.", and, on page 3, after line 11, to insert a new section, as follows:

SEC. 5. The expenses of the joint committee, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the joint committee.

The amendments of the Committee on Rules and Administration were:

On page 2, line 24, after the word "terminate", to insert a semicolon and "but the joint committee shall make a progress report on its activities by January 31, 1958.", and, on page 3, line 12, as proposed to be amended, after the word "committee", to insert "through January 31, 1958."

So as to make the concurrent resolution read:

Resolved by the House of Representatives (the Senate concurring), That there is hereby established a joint congressional committee to be composed of three members of the Committee on the District of Columbia of the Senate, to be appointed by the chairman of such committee, and three members of the Committee on the District of Columbia of the House of Representatives, to be appointed by the chairman of such committee. The joint committee shall select a chairman and a vice chairman from among its members. A majority of the joint committee shall constitute a quorum except that a lesser number, to be fixed by the joint committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

SEC. 2. The joint committee, or any duly authorized subcommittee thereof, shall examine, investigate, and make a complete study of any and all matters pertaining to (a) the problems created by the growth and expansion of the District of Columbia and its metropolitan area, (b) how and with what degree of success such problems are handled and resolved by the various agencies and instrumentalities of the Government which are charged with the duty of resolving such problems, and (c) how the resolution of such problems is affecting the affairs of the District of Columbia. The joint committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate and the House of Representatives at the earliest practicable date, but not later than January 31, 1959. Upon the submission of such report, the joint committee shall cease to exist and all authority conferred by this resolution shall terminate; but the joint committee shall make a progress report on its activities by January 31, 1958.

SEC. 3. The joint committee, or any duly authorized subcommittee thereof is authorized to sit and act at such places and times within the United States, to hold such hearings, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony as it deems advisable.

SEC. 4. The joint committee shall have power to employ and fix the compensation of such experts, consultants, and other employees as it deems necessary in the performance of its duties.

SEC. 5. The expenses of the joint committee, through January 31, 1958, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the joint committee.

Mr. BYRD. Mr. President, I should like to say I have communicated with the county manager of Arlington and with the assistant manager of Fairfax County. They advised me that both counties approve of the concurrent resolution. I withdraw my objection.

The **PRESIDING OFFICER.** The question is on agreeing to the amendments of the District of Columbia Committee and the amendments subsequently reported from the Committee on Rules and Administration.

The amendments were agreed to.

The concurrent resolution, as amended, was agreed to.

PHILIP COOPERMAN AND OTHERS

The **PRESIDING OFFICER**. The clerk will report the next bill placed at the foot of the calendar, Calendar No. 733, H. R. 1733.

The bill (H. R. 1733) for the relief of Philip Cooperman, Aron Schriro, and Samuel Stackman was announced as next in order.

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

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

The **PRESIDING OFFICER**. May we have an explanation of Calendar No. 733, H. R. 1733?

Mr. **JAVITS**. Mr. President, this is a bill which relates to a corporation of New York. I am happy to make the explanation, based upon the report made by the Committee on the Judiciary as to the House bill, which has been passed by the other body.

I have in my office, Mr. President, a letter from the attorney for these parties. I ask unanimous consent that the letter may be made a part of my remarks.

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

New York, N. Y., *August 14, 1957.*

Hon. Jacob K. Javits,
United States Senate, Senate Office Building, Washington, D. C.

Dear Senator: I have your letter dated August 12, 1957, for which I am deeply appreciative.

The only facts that I have involved in H. R. 1733, which I believe are covered by the committee's report, are as follows:

"On September 1, 1951, Queens Syndicate, Inc., a New York corporation, voted to dissolve the corporation and transfer the assets of the corporation to the stockholders under the provisions of section 112 (B) (7) of the Internal Revenue Code, as amended. There were only three stockholders—Philip Cooperman, Aron Shriro, and Samuel Stackman. The only asset of the corporation was an apartment building in Brooklyn. The referred to section of the Internal Revenue Code is a relief provision which prevents the imposition of a tax immediately upon the dissolution of a corporation and distribution of the assets. The imposition of the tax is delayed until the physical property is actually sold by the individual stockholders. We desired to delay the sale of the property until such time as we felt that the real estate market was most favorable.

"In order to comply with all the provisions of section 112 the accountant, Samuel Grenblatt, of Brooklyn, was instructed to prepare the necessary forms provided by the Bureau of Internal Revenue. The Internal Revenue Code calls for the filing of these forms within 30 days of the date of dissolution. Because of the illness of the accountant the forms became mixed with other papers in his office and were not actually filed within the time specified. I have been advised by the accountant and by counsel that this error can be remedied only through the means of a private bill. The accountant has advised that the stockholders stand to suffer a tax penalty of approximately $30,000 unless such relief is granted."

Because my clients will suffer a substantial tax penalty because of circumstances actually not of their own making, I solicit your interest and consideration on behalf of this bill.

With my deepest gratitude and respect, I am,

Very sincerely yours,
Herbert S. Siegal,
Counselor of Law.

Mr. **JAVITS**. Mr. President, this bill relates to the late filing of a notice, which apparently must be filed if the taxpayers elect to have a determination, as to value of property which they receive as a result of complete liquidation, deferred for taxation purposes until the gains are actually realized.

The affidavit contained in the committee report shows that the accountant to whom the work was entrusted fell ill, and it was 45 days later than the 30-day limit, or an aggregate of 75 days, before the papers were filed, when the papers should have been filed within 30 days.

The committee has recited two other precedents of the same kind; one involving considerably more time, 250 days, and the other involving considerably less time, some 38 days, in which cases the Senate has also passed private bills of this character.

The Treasury Department says that it does not wish to have precedents established; but of course precedents have been established. I must rely, as I believe the Senate must rely, upon the committee's judgment as to the validity of the facts which have been set forth in affidavit form.

I ask unanimous consent, Mr. President, that the statement contained in the committee report be made a part of my remarks.

There being no objection, the statement from the report (No. 712) was ordered to be printed in the Record, as follows:

Statement

On September 1, 1951, a meeting of the stockholders of the Queens Syndicate, Inc., a New York corporation, was held at the offices of its attorney, Hyman E. Kamen, at 50 Court Street, Brooklyn, N. Y. At that meeting the stockholders voted to dissolve the corporation and transfer the assets to the stockholders in accordance with the provisions of section 112 (b) (7) of the Internal Revenue Code of 1939 as amended. This section provides a special rule in the case of certain complete liquidations of domestic corporations occurring within 1 calendar month for the treatment of gain on the shares of stock owned by qualifying electing shareholders. This section has the effect of permitting deferral of tax upon unrealized appreciation in the value of the property distributed in liquidation. The election must be filed by the shareholder or by the liquidating corporation with the Commissioner of Internal Revenue on or before midnight of the 30th day after the adoption of the plan of liquidation.

In the instant case the stockholders acted to avail themselves of this provision of the Internal Revenue Code and executed forms 966 (for the corporation) and 964 (for each of the three stockholders) which, together with the minutes of the stockholders' meeting, were all placed in the custody of a certified public accountant who was to file these documents with the Commissioner of Internal Revenue. However, the certified public accountant was taken ill, the forms were not filed within the time limitation contained in the statute, but were filed as soon as the error was discovered. The total delay in the filing of the necessary papers involved approximately 75 days following adoption of the plan for liquidation.

This claim is similar to another presented to the committee earlier in this Congress, S. 674, which was approved by the committee on February 4, 1957, and passed the Senate on March 8, 1957. S. 674 involved the same section of the Internal Revenue Code and it also involved failure to file due to illness of the agent to whom responsibility had been delegated. The delay involved in that claim was some 250 days following the adoption of the plan for liquidation.

In the 82d Congress the committee approved H. R. 1596, which ultimately became Private Law 362 of the 82d Congress. Again, this involved the same section of the Internal Revenue Code and a failure to file by a designated employee, due to illness. In this instance, filing was not accomplished until the 38th day following the adoption of the liquidation plan.

In the light of the action of the Senate on the previous claims of a similar nature, the committee believes that this legislation should be approved. The required forms were actually prepared promptly on September 1, 1951, and their filing with the Commissioner was delayed by the unforeseen combination of the illness of the individual to whom the filing had been entrusted, coupled with the erroneous handling of the documents during the time of the absence of such individual from his office. In these circumstances, the committee believes that a waiver of the time within which the election could be filed is justifiable.

Attached to this report is the report of the Department of the Treasury, submitted in connection with a similar bill introduced in the 84th Congress, together with an affidavit executed by the certified public accountant retained by the claimants.

Mr. **JAVITS**. Mr. President, I have consulted with the Senator from Montana [Mr. Mansfield] on the Democratic side, and the Senator from Illinois [Mr. Dirksen] on this side, representatives of the leadership who are available, who say they have no objection to the bill. I think we are in a situation which is tantamount to the bill being before the Senate on motion, that being the desire of the Senator from Connecticut.

Mr. **PURTELL**. Mr. President, I wish to thank the Senator from New York for his explanation. I might point out that it has been the policy of the calendar committee on the minority side to invite attention of the Senate, either by objecting to bills being passed on the call of the calendar, or by objecting to the passage of the bills at some other time, knowing that the Senate will be on notice of the nature of the bills at some subsequent time. The bill under consideration has been objected to on two previous occasions. It has been given attention by the Senate. I believe the bill has merit. In the light of the information presented by the Senator from New York, I withdraw the objection.

The **PRESIDING OFFICER**. The question is on the third reading and passage of the bill.

The bill (H. R. 1733) was ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 2230) to authorize the Secretary of the Interior to convey certain lands to the Charlotte Rudland

Dansie Association was announced as next in order.

Mr. TALMADGE. Mr. President, over, by request.

The PRESIDING OFFICER. The bill will go over, by request.

That completes the call of the calendar.

PROHIBITION OF INTRODUCTION OF OCCUPANTS OF THE GALLERIES DURING SESSIONS OF THE SENATE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate return to the consideration of Calendar No. 1098, Senate Resolution 183.

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

There being no objection, the Senate proceeded to consider the resolution (S. Res. 183) to amend rule XIX so as to prohibit the introduction of occupants of the galleries during the sessions of the Senate which had been reported from the Committee on Rules and Administration, with amendments, in line 6, after the word "of", to insert "the"; in line 7, after the word "nor", to strike out "shall" and insert "may", and after line 8, to strike out:

(b) The last sentence of rule XL of the Standing Rules of the Senate is amended to read as follows: "Any rule may be suspended without notice by the unanimous consent of the Senate, except as otherwise provided in clause 1, rule XII, or clause 7, rule XIX."

So as to make the resolution read:

Resolved, That (a) rule XIX of the Standing Rules of the Senate is amended by adding at the end thereof a new paragraph to read as follows:

"(7) No Senator shall introduce to or bring to the attention of the Senate during its sessions any occupant in the galleries of the Senate. No motion to suspend this rule shall be in order, nor may the Presiding Officer entertain any request to suspend it by unanimous consent."

Mr. JOHNSON of Texas. Mr. President, I believe this is good legislation, a desirable amendment to rule XIX. I am glad the Senator from Connecticut has brought the resolution to the calendar. I hope it can be adopted unanimously. Mr. President, I ask unanimous consent that the amendments be agreed to en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and the amendments are agreed to en bloc.

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

Mr. JOHNSON of Texas. I yield.

Mr. JAVITS. I believe I am the only Senator present from the Committee on Rules and Administration. This resolution was considered by the Committee on Rules and Administration.

The amendment adopts the language of the House rule.

I served with the other body. This was the rule in the other body. I was rather surprised to find it was not the rule in the Senate.

I compliment the Senator from Connecticut for his initiative in this regard.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution, as amended, was agreed to.

PROCEDURES FOR THE PRODUCTION OF GOVERNMENT RECORDS IN CRIMINAL CASES

The PRESIDING OFFICER. The call of the calendar having been completed, the Chair lays before the Senate the unfinished business, which will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses.

AMENDMENT OF COLUMBIA BASIN PROJECT ACT—CONFERENCE REPORT

Mr. JACKSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1482) to amend certain provisions of the Columbia Basin Project Act, and for other purposes. I ask unanimous consent for the present consideration of the report.

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

The legislative clerk read the report.

(For conference report, see House proceedings of August 26, 1957, pp. 15959–15961, CONGRESSIONAL RECORD.)

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

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

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

The report was agreed to.

Mr. JACKSON. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement by the House conferees, which should be a part of the legislative history of this bill.

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

S. 1482

The conference committee discussed at some length the matter of adequacy of the farm units established by the Bureau of Reclamation. While recognizing that the Bureau has conscientiously adhered to the basic principles established by the project act, it is the view of the conferees that, because of fast-changing economic conditions and great acceleration in mechanization of farming operations, the technical guidelines followed by the Bureau are outdated. The conference committee understands that farm units have already been established to meet the needs of the settlement program through 1961 or longer. While the new units that have not yet been settled are somewhat larger than the earlier units, the conferees doubt whether they are truly economically adequate units under present and expected future conditions.

It is the sense of the conferees that the Bureau should be rather liberal in its interpretation of the basic principles in the project act and that, with respect to the units not yet opened, the Bureau should restudy the matter of the economic adequacy of such units recognizing present economic conditions, presently prevailing living standards, the need for more diversified farming, and new methods of mechanized farming, and on the basis of the results of such study should make such changes and rearrangements in the units as are warranted.

COMPREHENSIVE RIVER DEVELOPMENT OF PACIFIC NORTHWEST

Mr. JACKSON. Mr. President, last week I joined with five other Senators from the Pacific Northwest to sponsor an amendment to the Federal Power Act which would assure our region of comprehensive river development. I do not wish to revive the Hells Canyon fight at this late hour of Congress—although the time would be well spent. However, a situation has developed in the Columbia River Basin which again illustrates the need for comprehensive development, especially the upstream storage we are not going to get from the pygmy dams of the Idaho Power Co.

The fact is that as of midnight next Saturday, August 31, the Bonneville Power Administration again is going to have to cut off interruptible power throughout its system. This is because we are having the lowest stream flows in history for this time of the year. This is a fact, not a political argument. It demonstrates as no words can the need for upstream storage, such as would have been provided by the high Hells Canyon Dam. The effect of the shutdown can be measured in lost time for thousands of workers in industries dependent upon that power, in terms of millions of dollars' worth of production lost, and in terms of private and personal taxes lost to the Federal Treasury.

Mr. President, there was a lot of talk about the investor-owned utilities and private enterprise on this floor during the debate on Hells Canyon. I would like to direct attention to what is happening to a large segment of free enterprise in our region because, in the guise of leaving river development to free enterprise, we have failed to provide the water storage necessary in the Columbia River Basin. Listen to this rollcall:

Aluminum Company of America, Kaiser Aluminum & Chemical Corp., Reynolds Metals Co., Electrometallurgical Co., Pacific Carbide & Alloys Co., Pennsylvania Salt Manufacturing Co., Crown Zellerbach Corp., Rayonier Corp., Keokuk Electro-Metals Co., Pacific Northwest Alloys, Inc., Victor Chemical Works, Carborundum Co., and Anaconda Aluminum Co.

The plants of each one of these investor-owned free enterprises in Vancouver, Wenatchee, Tacoma, Longview, Port Angeles and Spokane, in my State of Washington; in Portland and Troutdale, in my neighboring State of Oregon, and in Butte and Columbia Falls, in Montana, have been given their notice to cut down, or shut down, by August 31.

Mr. President, Mr. Wilfred Woods, editor of the Wenatchee (Wash.) Daily World, has stated the situation clearly and concisely in his front-page editorial column of August 21. I ask unanimous consent that it be printed in the RECORD at this point, and I recommend it to my colleagues on both sides of the aisle to remember the next time the phony issue of private versus public power is substituted for the real issue of comprehensive versus partial river development.

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

TALKING IT OVER WITH WILFRED R. WOODS

Today comes the bad news from the Bonneville Power Administration. Interruptible power will be cut off as of midnight, August 31. The lowest stream flows in history for this time of year are responsible.

Once again we'll go through that agonizing time, waiting and hoping for a break that will change the picture. Will the fall rains in the Columbia River Basin come early? Or will this be a prolonged water-short year?

How dependent we are upon the whims of Mother Nature.

It is no laughing matter for several thousand men and women who are due to be laid off. The impact on an individual family can be substantial.

And it points up that old, old need for water storage on the Columbia River.

There is no politics in the fluctuation of a river. If we can trap it at his headwaters, hold it, and then release it when we need it, everybody benefits.

Millions of acre-feet of storage are necessary to do the job. And we have but a few large sites left on this side of the border.

How long will the present stalemate continue, a stalemate that prevents any large storage sites from being constructed? We have already lost one of the biggest water storage sites—at Hells Canyon.

Will the Federal Government allow further steps in the Snake River that will reduce storage? That is one of the questions arising now in regard to further development.

This is not a simple private-versus-public power fight. It involves the whole future of water storage in the Pacific Northwest.

Mr. JACKSON. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point a followup editorial in the Wenatchee World, which strikingly points up both how Federal multipurpose projects pay for themselves with interest and how they contribute to the private economy.

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

[From the Wenatchee (Wash.) Daily World of August 22, 1957]

GRAND COULEE INVESTMENT BRINGS IN A DOLLAR A SECOND

One of the slickest gimmicks for selling the general public on the wealth-producing aspects of Federal reclamation has been devised at Grand Coulee Dam.

It's a revenue meter that registers the gross dollar income of the dam's powerplant in synchronization with the output of its 18 big generators. The more the dynamos produce, the faster turns the dollar sign on the face of the machine.

It ought to be set up on the floor of the House and Senate.

There are still a lot of Representatives and Senators who like to refer to the investment of public funds in western irrigation and power projects as a drain on the taxpayers pocketbook. They're continually fighting what we in the West know is a wise use of Federal moneys.

Watching the dollars pile up on the machine's totalizer couldn't help but impress even the hardest diehard among the antagonists of our resource-development program.

This week they'd see the machine register a gross income of a dollar a second, or $86,400 a day, or $32 million a year.

They'd learn that the Columbia Basin project has already returned to the Federal Treasury some $143 million.

They'd learn that the payout of costs allocated to power for all Federal projects in the Northwest is $77 million ahead of schedule.

Clever as is USBR Power Manager Al Darland's new money machine, regrettably it only registers part of the dollars a-rolling because of the project.

We'd really have something if the dollar-counter would show the new dollars of purchasing power created for goods the country over, the new dollars earned by Americans working in western industry created by low-cost power projects and by workers in all parts of the Nation making and transporting the products consumed by the growing western population.

Even then these dollars would tell but part of the story.

Dams like Grand Coulee make feasible irrigation projects that could not otherwise be constructed. From these roll wealth in agricultural products, profits for farmers, wages for farm hands, ringing cash registers and jobs in new or expanded towns.

They say in Reclamation that for every job on the farm, a second job is created in the town, and a third job elsewhere in the United States in the manufacture and shipment of products consumed by the West.

There's need for a machine, too, to show the waste of dollars involved in allowing such a river as the Columbia to run to the sea with only part of its great water resource developed.

After the big revenue board is set up in the new tour center at the dam—as surely it should—thousands of sightseers will leave the project with a tangible demonstration in their minds of how Grand Coulee Dam is paying back its cost.

It's a step in the right direction.

Eventually we may even educate our eastern Congressmen.

CIVIL RIGHTS

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article which appeared in today's Washington Evening Star, written by David Lawrence and entitled "America's 'Week of Infamy' Label Is Applied as Congress Is Seen Approaching Civil-Rights Passage."

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

AMERICA'S "WEEK OF INFAMY" LABEL APPLIED AS CONGRESS IS SEEN APPROACHING CIVIL-RIGHTS PASSAGE

This may turn out to be the week that future historians will call "The Week of Infamy" in American history. For this is the week in which an intolerant majority in Congress is to take away one of the most important rights given to the States by the Constitution.

In fact, the Federal Government now is to become the policeman authorized by a law—in disregard of the Constitution—to arrest and put in jail not only those local officials of the States who seek to obey the voting procedures as set forth in their State laws but those individuals who allegedly influence improperly the votes of other persons.

Nearly 20 years ago the late William E. Borah, of Idaho, a great progressive and perhaps the greatest of the liberals of this century—a man who first achieved fame as a lawyer for organized labor and who recently was named as one of the 15 deserving honorable mention for the Hall of Fame of the United States Senate—made a historic speech when the same basic principle now at stake in civil-rights legislation was up for debate in connection with an anti-lynching bill. He said to the Senate:

"I make no contention but that the 14th amendment has forever placed it beyond the power of any State to deny any person the equal protection of the laws, or to deprive any person of life, liberty, or property without due process. I recognize also that the State acts and speaks through its officers, legislative, judicial, and executive. I am not going to take refuge in technicalities, but I contend for what I believe to be a fundamental principle, and that is that while you may call a State thus acting and thus speaking to account, you cannot take jurisdiction over or deal with acts and deeds not done by the authority and by the direction of the State. It must at all times be State action.

"You cannot deal with acts under the 14th amendment not done by and under the direction of the State. The dereliction of an officer in violation of the laws of the State, in disregard of the sworn duty exacted of him by the State, and subject to punishment by the laws of the State, cannot by any possible construction, either in law or in conscience, be the act of the State.

"To establish any such principle would be to undermine and break down the integrity of every State in the Union. If a State may not be entrusted exclusively with the authority and relied upon to exercise the authority to punish those who violate its own laws, public or private persons, then there is no such thing as local government, because the State is deprived of the very instrumentality by which it maintains State integrity."

The new civil rights legislation is aimed at local officials who in spite of State laws which say to them that they must not discriminate nevertheless are alleged to be denying Negroes the vote. It is aimed also at any individual who exercises any influence that can be described by the words "intimidate, threaten, coerce," or "attempts to coerce," in voting.

But who is to say that in the many heated discussions between individuals during the modern campaigns, the influence actively exerted by precinct workers for labor unions or by employers or by committees formed by other groups, including church organizations, is not an attempt sometimes "to coerce" by "causing" a person to vote for one candidate as against another?

For now the Federal Government through a special division in the Department of Justice, created by the proposed law, can move in and investigate the political organizations in New York, the acts of its workers on election day, or the activities—prior to as well as after an election—carried on by any political bosses or organizations in Chicago or Detroit or any of the other big cities throughout the country. These have always been obligations of State law enforcement.

What the new civil-rights bill amounts to is a Federal license to penetrate any local political organization to determine whether or not it is keeping within the bounds set by the party in power in Washington or by the Federal judges who, without a jury trial, can inflict a 45-day jail penalty for "coercion." There is to be no assurance, either, of a jury trial. Only if the penalty given at the trial by the judge is beyond 45 days imprisonment or the fine greater than $300 is a jury trial to be required when a defendant requests it. No citizen will want the stigma of a conviction—with even a 1-day penalty—to be put on his record as a citizen. So the threat to punish unless the Federal policeman is obeyed will probably be effective.

Thus are rights of the States taken away "under color of law" which really means

under the totalitarian doctrine that "the end justifies the means." It's a sad chapter in American history—a turn back to the "Reconstruction Era" and to the reactionary concept that an intolerant majority can at any time ignore the constitutional rights of the States.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed without amendment the bill (S. 2438) to amend the District of Columbia Business Corporation Act.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1482) to amend certain provisions of the Columbia Basin Project Act, and for other purposes.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 6258) to amend the act entitled "An act to provide additional revenue for the District of Columbia, and for other purposes," approved August 17, 1937, as amended, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1937) to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes.

The message further announced that the House had passed a bill (H. R. 8994) to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 268. An act to provide that the United States shall return to the former owners certain mineral interests in lands acquired for the Arkabutla, Sardis, Enid, and Grenada Reservoirs, Mississippi;

S. 336. An act for the relief of Angela Ferrini;

S. 397. An act for the relief of Willem Woeras;

S. 398. An act for the relief of Benjamin Wachtfogel;

S. 441. An act for the relief of Jose Ramirez-Moreno;

S. 463. An act for the reliefof Pedro Ampo;

S. 465. An act for the relief of Maria Concetta Di Turi;

S. 485. An act for the relief of Luigi Lino Turel;

S. 499. An act for the relief of Daniela Renata Patricia Zei;

S. 524. An act for the relief of Robert F. Gross;

S. 562. An act for the relief of Hideko Takiguchi Pulaski;

S. 567. An act for the relief of Vida Djenich;

S. 660. An act for the relief of Ursula Rosa Pazdro;

S. 662. An act for the relief of Howard I. Buchbinder;

S. 796. An act for the relief of Zacharoula Papoulia Matsa;

S. 807. An act for the relief of Jackson School Township, Ind.;

S. 939. An act to amend section 22 of the Interstate Commerce Act, as amended;

S. 976. An act for the relief of Charles A. Sidawi;

S. 1035. An act for the relief of Alice Eirl Schaer (Mi On Lee);

S. 1050. An act for the relief of Hrygory (Harry) Mydlak;

H. R. 2580. An act to increase the storage capacity of the Whitney Dam and Reservoir and to make available 50,000 acre-feet of water from the reservoir for domestic and industrial use;

H. R. 2938. An act for the relief of Cooperative for American Remittances to Everywhere Inc.;

H. R. 4336. An act for the relief of the First National Bank of Birmingham, Ala.;

H. R. 5851. An act for the relief of the legal guardian of Mrs. Mattie Jane Lawson;

H. R. 6363. An act to amend the act of May 24, 1928, providing for a bridge across Bear Creek at or near Lovel Point, Baltimore County, Md., to provide for the construction of another bridge, and for other purposes;

H. R. 7864. An act to amend the act of May 4, 1956 (70 Stat. 130), relating to the establishment of public recreational facilities in Alaska.

H. R. 8126. An act to amend section 16 (c) of the Revised Organic Act of the Virgin Islands;

H. R. 8646. An act to amend the Alaska Public Works Act (63 Stat. 627, 48 U. S. C. 436, and the following) to clarify the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works;

H. R. 8679. An act to provide a 1-year extension of the programs of financial assistance in the construction of schools in areas affected by Federal activities under the provisions of Public Law 815, 81st Congress;

H. R. 9023. An act to amend the act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, N. Mex., for furnishing hospital care to certain Indians; and

H. R. 9379. An act making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes.

PROCEDURES FOR THE PRODUCTION OF GOVERNMENT RECORDS IN CRIMINAL CASES

The PRESIDING OFFICER. The Chair desires to invite attention of the Members of the Senate to the fact that the Senate is now operating under controlled time. The time is under the control of the Senator from Montana [Mr. MANSFIELD] and the Senator from Wyoming [Mr. O'MAHONEY].

Mr. O'MAHONEY obtained the floor.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Wyoming may yield to me for the purpose of suggesting the absence of a quorum, without losing his right to the floor and without the time for the quorum call being taken from the time of the Senator from Wyoming.

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

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

The Chief Clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CARROLL in the chair). Without objection, it is so ordered.

The question is on agreeing to the amendment, as modified, offered by the Senator from Wyoming [Mr. O'MAHONEY] in the nature of a substitute.

Mr. O'MAHONEY. Mr. President, I yield myself 5 minutes on the bill.

The PRESIDING OFFICER. The Senator is recognized for 5 minutes on the bill.

Mr. O'MAHONEY. Mr. President, it seems to me that it would be appropriate to make a brief statement about the substance of the bill.

In the first place, the pending amendment would do two things. First of all, it would protect the Government files from fishing expeditions by defendants and their attorneys for the purpose of revealing material which has no relation to the issues on trial.

The bill is carefully drafted to make certain that no records of the Government, no stateemnts written or oral, of any witness, may be produced at any trial on the motion of the defense unless it is clear that such statements, written and oral, relate to the testimony of the Government witness who has been called and sworn, and who has testified on direct examination.

The second objective of the bill is to preserve the constitutional due process of law, to which every defendant is entitled.

One reason the measure is before the Senate is that, by reason of misinterpretation and misunderstanding, not only of the Supreme Court decision in the Jencks case, handed down on June 1, but also because of misinterpretation and misconstruction by the lower courts, it is necessary to clarify that opinion.

An examination of what the majority of the court said in this case, in the opinion handed down by Mr. Justice Brennan on June 3, 1957, for the court, and in the concurring opinion of Justices Burton and Harlan on the same date, reveals that the confusion created among the lower courts and attorneys for the Government and for defendants is caused chiefly by a failure to realize that the court was dealing solely with what it held to be the right of the defendant to have access to oral and written reports made by a Government witness concerning the events with respect to the defendant, and conversations which such witness had with respect to him.

Another source of confusion was the position taken by the court, not only that the defendant "was entitled to an order directing the Government to produce for inspection all reports" of the Government witnesses "in its possession, written, and, when orally made, as recorded by the FBI, touching the events and activities as to which they testified at the trial," but also that the defense was entitled to inspect the reports without the intervention of the trial judge. That will be found upon page 11 of the Jencks decision.

The confusion which must be corrected by legislation arises from two facts:

First. That the language of the decision does not make it altogether clear that the Court was talking only about reports written by the Government witnesses, or orally made to the FBI, with respect to the specific events and activities as to which that witness testified.

Second. That since it is impossible to determine in advance whether or not the written reports of a Government witness contain matter dealing with events and activities concerning which the Government witness did not testify, or privileged matter which the Government is entitled to withhold, that should first be reviewed by the Court before being released to the defense.

It will be seen that if the defense is to be allowed, as due process of law requires, to be confronted with the reports received by the Government from the Government witnesses against him, it does not mean that the defense should also be permitted to roam at large through the files of the Government whether in the FBI or elsewhere.

The majority opinion quoted approvingly from Judge Learned Hand in *United States* v. *Andolschek* (142 F. 2d 503,506). But in this decision, indeed in the very language quoted, Judge Hand said:

> While we must accept it as lawful for a department of the Government to suppress documents, even when they will help determine controversies between third persons, we cannot agree that this should include their suppression in a criminal prosecution, founded upon those very dealings to which the documents relate, and whose criminality they will, or may, tend to exculpate.

Mr. President, I repeat that phrase: "founded upon those very dealings to which the documents relate, and whose criminality they will, or may, tend to exculpate."

That language is clear. It is clear from the statement of Judge Learned Hand, whose reputation is of the very highest character throughout the country, that he did not grant his consent to anything resembling a fishing expedition.

The foregoing language of Judge Learned Hand upholds the right of the defense to be permitted to examine reports concerning the matters with respect to which the Government witness testified, but the same quotation contains language which illustrates the necessity of giving the trial judge the discretionary power to determine first whether the reports held by the Government are relevant. This language reads as follows:

> Nor does it seem to us possible to draw any line between documents whose contents bears directly upon the criminal transactions, and those which may be only indirectly relevant. Not only would such a distinction be extremely difficult to apply in practice, but the same reasons which forbid suppression in one case forbid it in the other, though not, perhaps, quite so imperatively.

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

Mr. O'MAHONEY. Mr. President, I yield myself 3 additional minutes.

The necessity of making the distinction to which Judge Learned Hand referred, was made clear by the majority opinion itself. It will be found, beginning on page 9 of the opinion, that the court made it clear by quoting from *Gordon* v. *United States* (344 U. S. 414), that is was not supporting a fishing expedition. This is the language of the Court:

> The necessary essentials of a foundation, emphasized in that opinion, and present here, are that "the demand was for production of * * * specific document and did not propose any broad or blind fishing expedition among documents possessed by the Government on the chance that something impeaching might turn up. Nor was this a demand for statements taken from persons or informants not offered as witnesses." We reaffirm and reemphasize these essentials. For production purposes, it need only appear that the evidence is relevant, competent, and outside of any exclusionary rule.

In other words, the majority opinion in the Jencks case upholds the rule of *Gordon* v. *United States* (344 U. S. 420), that "for production purposes it need only appear that the evidence is relevant, competent and outside of any exclusionary rule." This is so because Justice Brennan wrote:

> We reaffirm and reemphasize these essentials.

Because of the confusion, however, which has arisen with respect to the meaning of the Jencks opinion it is essential that the Congress now, by legislation, provide a legislative confirmation of the holding in the Gordon case which the Supreme Court has confirmed in the Jencks case, namely, that the evidence the defense is entitled to receive must be, first, relevant; second, competent; and third, outside of any exclusionary rule.

The mistake made by the majority opinion which is a source of confusion arises from the overruling of the decision in *Goldman* v. *United States* (316 U. S. 129, p. 132). This will be found on page 11 of the Jencks opinion. After reciting that the Supreme Court had held in the Goldman case that the trial judge had discretion to deny inspection when the witness "does not use his notes or memoranda relating to his testimony in court" the majority opinion in the Jencks case says:

> We now hold that the petitioner was entitled to an order directing the Government to produce, etc.—

And then on page 12—

> The practice of producing Government documents to the trial judge for his determination of relevancy and materiality, without hearing the accused, is disapproved.

This is the language which we say goes beyond the right of the defense, under due process, to examine relevant or competent documents which are outside of any exclusionary rule and which denies to the trial judge the discretion to examine the material before it is presented to the defense in order to determine that it does not contain irrelevant and incompetent matter, as well as matter which is within the exclusionary rule. The majority opinion recognizes the unquestionable right of the Government to protect national interests against public disclosure of documents. It is positively stated by Justice Brennan on page 13 of the majority opinion in these words:

> It is unquestionably true that the protection of vital national interests may militate against public disclosure of documents in the Government's possession.

The statement of the majority opinion in the Jencks case that in criminal cases, "The Government can invoke its evidentiary privileges only at the price of letting the defendant go free" cannot be rationally interpreted without reference to the basic facts in the Jencks case which are:

First. That the defense asked only for relevant matters.

Second. That in the trial the Government did not raise any claim of privilege, and

Third. That the majority opinion deals only with relevant reports.

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

Mr. O'MAHONEY. I yield myself 2 additional minutes.

An examination of the concurring opinion of Justices Burton and Harlan, reveals the undisputed facts as stated in this opinion. Cross examination developed that the witnesses against the defendant had each made oral and written reports to the FBI "relating to the respective events about which each had testified on direct examination." Then it is pointed out that the defendant asked for the production of these reports only and was willing that the reports should first be submitted to the trial judge to determine whether or not they "had evidentiary value for impeachment of the credibility of Ford or Matusow." Justices Burton and Harlan agreed under these circumstances it was unnecessary for the defendant first to show that the reports of Ford and Matusow contradicted their testimony. It is pointed out that the Supreme Court has never before made such a holding. It seems to me that the Burton-Harlan opinion is correct when it says "A rule requiring a showing of contradiction in every case would not serve the ends of justice." The concurring opinion then states the rule which I feel ought to be given the support of legislation in order to protect the files of the Government from being made the domain of unrestrained fishing expeditions by defense attorneys. Mr. Justice Burton, on page 3 of the concurring opinion, writes:

> I would not, however, replace the inflexible and narrow rule adopted by the courts below with the broader, but equally rigid rule announced by the Court. In matters relating to the production of evidence or the scope of cross-examination, a "large discretion must be allowed the trial judge."

Mr. CLARK. Mr. President, would the Senator consider yielding himself an additional 2 or 3 minutes, so that I may ask him a few questions?

Mr. O'MAHONEY. I yield 3 minutes to the Senator from Pennsylvania. That time is allowed on the bill.

Mr. CLARK. Would the Senator be willing to answer a question or two, which I should like to ask and the answers to which I hope will clarify what I believe both of us have in mind?

Mr. O'MAHONEY. I shall be very happy to do so.

The PRESIDING OFFICER. The Senator from Wyoming has yielded 3 minutes on the bill.

Mr. CLARK. In the debate last Friday night and in the very fine statement of the Senator from Wyoming this afternoon we have focused attention on one of the matters on which I believe we are clearly in accord; that is, that only relevant statements or statements relating—as the Senator from New York [Mr. Javits] has so well stated—to the testimony of a Government witness can be produced. However, with all due deference, I believe that on the question of privilege perhaps the record in the debate is not entirely clear.

Mr. O'MAHONEY. I should like to say to the Senator that on the question of privilege, which we discussed on Friday night, I pointed out that the extent of the Government privilege, which has been claimed from the days of George Washington, our first President, down to this hour. But we are not now dealing with the Jencks opinion, because the question of privilege was never raised in the Jencks opinion.

Mr. CLARK. Therefore we are not dealing—does not the Senator agree—with the question of privilege in the Senator's substitute?

Mr. O'MAHONEY. The Senator is correct.

Mr. CLARK. We are going to leave the question of privilege, after the passage of the proposed legislation, just where it was before the legislation was brought up. Is that correct?

Mr. O'MAHONEY. The Supreme Court's decision in the Jencks case did not disturb the rule. There is no reason why we should embody it in any way, by reference or otherwise, in this proposed legislation.

Mr. CLARK. The Senator does not contend that his amendment should be so construed.

Mr. O'MAHONEY. Oh, not at all.

Mr. CLARK. I thank the Senator.

The PRESIDING OFFICER. A question has arisen on the yielding of time. Is the time of the Senator from Wyoming to be allotted on the substitute amendment or on the bill?

Mr. O'MAHONEY. The time which I have allotted thus far is on the bill, and I so announced, and I stand by it. I do not believe all the time will be used.

Mr. CLARK. Are we not discussing the amendment in the nature of a substitute?

Mr. O'MAHONEY. We are, indeed.

Mr. CLARK. Not the original bill?

Mr. O'MAHONEY. We are discussing the substitute. That is the pending amendment. If it will suit the timekeepers better, we will assign the time to the pending amendment.

The PRESIDING OFFICER. That will be satisfactory, according to the understanding of the Chair.

Mr. DIRKSEN. Mr. President, before I call up my first amendment, which is at the desk, I feel I should raise a parliamentary inquiry with respect to the substitute now pending.

The PRESIDING OFFICER. The Senator will state the parliamentary inquiry.

Mr. DIRKSEN. In the interchange which took place late Friday evening, the distinguished Senator from Wyoming said:

> Mr. O'Mahoney. I call attention of the Presiding Officer to Report No. 981. The amendment reads:
>
> "To strike out all after the enacting clause and insert in lieu thereof the following."
>
> Then there is shown the amendment for which I am now offering the substitute on behalf of the committee.

I believe the Record ought to be clear as to whether the substitute is a committee substitute. The members of the subcommittee are the distinguished Senator from Wyoming, as chairman, the Senator from Mississippi [Mr. Eastland], the chairman of the full committee, the Senator from West Virginia [Mr. Neely], the Senator from Maryland [Mr. Butler], and myself.

I have no recollection that this substitute was perfected and formally adopted and then recommended as a committee substitute, and certainly I should like to have the record on that point clear. It may be that my distinguished colleague, the Senator from Wyoming, can enlighten me on that point.

Mr. O'MAHONEY. I think I can, Mr. President. The Senator from Illinois will remember that when this measure was taken up in the full committee, after the subcommittee had held hearings, it was pointed out to the full committee that it seemed to the subcommittee, without division of any kind, that speedy action should be had. But it was explained to the full committee that the language of the bill had been criticized, and that some changes should be made. So the full committee gave the subcommittee complete authority to make these alterations, and they were made. Conferences were held; and they were attended by the Senator from Maryland, the Senator from Illinois, the chairman, representatives of other Senators who were not on the committee, the representative of the Senator from West Virginia [Mr. Neely] and the Senator from Pennsylvania [Mr. Clark], himself. There was a discussion. The Assistant Attorney General, Rogers, was present.

Unfortunately, the Senator from Illinois—because his time was being claimed by the Appropriations Committee, before which the mutual-aid appropriation bill was pending, as I recall—excused himself for the afternoon.

But I believe it was the understanding that the chairman, with those who were assisting him, should continue in his efforts to perfect the bill; and an effort to do so was made.

A substitute was generally agreed upon. But between Mr. Rogers and myself there was a misunderstanding as to the exact meaning of two phrases in it—and only two phrases; and those two phrases are the subject matter of the amendments the Senator from Illinois plans to offer.

I think the amendment in the nature of a substitute—amendment D, which I have offered—has been offered with the authority of the full committee, as well as with the authority of the subcommittee.

Mr. DIRKSEN. I wish to say to my distinguished friend, the Senator from Wyoming, that of course it was my understanding that the committee had authority to provide some clarification in the bill, as originally reported. But I must respectfully point out that there have been some really substantial changes in the pending substitute, and I would be less than candid if I did not say that in my judgment the substitute is a weak substitute; and, for aught I know, we might be better off under the Jencks case decision than we would be under the substitute now pending.

The PRESIDING OFFICER. The Senator from Illinois will suspend for a moment. Let the Chair state that the Chair is informed that the time is being charged to the opposition; and the distinguished Senator from Illinois has not allotted time to himself. Does he wish to do so?

Mr. DIRKSEN. Mr. President, this is a parliamentary inquiry.

The PRESIDING OFFICER. The Chair asked that very question, and the Chair is informed that even the time spent in propounding parliamentary inquiries is subject to the provisions of the agreement which has been entered.

Mr. DIRKSEN. Very well, Mr. President; that is perfectly agreeable. I now yield myself 20 minutes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 20 minutes.

Mr. DIRKSEN. Mr. President, first I call up my amendment identified as "8-23-57-C."

Mr. CLARK. Mr. President, a parliamentary inquiry.

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

Mr. CLARK. Do I correctly understand that the Senator from Illinois has yielded himself 20 minutes on his amendment?

The PRESIDING OFFICER. Yes.

Mr. DIRKSEN. That is correct.

Mr. President, I ask that my amendment be stated.

The PRESIDING OFFICER. The amendment of the Senator from Illinois to the pending amendment, as modified, will be stated.

The Legislative Clerk. In Mr. O'Mahoney's amendment, as modified, on page 2, beginning on line 3, it is proposed to strike out the words "if provided in the Federal Rules of Criminal Procedure, or."

Mr. HRUSKA. Mr. President, will the Senator from Illinois yield to me, to permit me to request the insertion in the Record of a statement pertaining to the bill as originally reported by the committee?

Mr. DIRKSEN. Yes, I yield.

Mr. HRUSKA. Mr. President, I have prepared a statement on Senate bill 2377 as originally reported by the committee. Inasmuch as that measure is no longer pending, although we hope by means of some of the amendments which are being proposed that it will revert more or less to its original form, I ask unanimous consent that the statement which I have prepared be printed at this point in the RECORD.

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

Statement by Senator Hruska on Senate Bill 2377 as Originally Reported by the Senate Judiciary Committee

The Jencks decision pertaining to FBI files in criminal cases prosecuted by the Federal Government has been widely discussed since June 3, 1957, when it was rendered by the United States Supreme Court.

In brief it embraced the following situation:

Jencks, as president of a local trade union in New Mexico, filed an affidavit of non-Communist union officer. He was charged with falsely swearing that he was not a member of the Communist Party or affiliated with it. He was found guilty by the trial court.

During the trial, two Government witnesses testified against Jencks, whose attorney requested an opportunity to inspect the reports of such witnesses to the FBI. The Government opposed the request upon the sole ground that preliminary foundation was not laid of inconsistency between the contents of the reports and the testimony of the witnesses.

Held by the Supreme Court: trial court erred. Request should have been granted and reports produced for inspection by defense. Jencks was not required to lay a foundation of inconsistency because a sufficient foundation was established by Government witnesses' testimony that their reports to the FBI were of the events and activities related in their testimony.

This bill, S. 2377, is not an effort to nullify, circumvent, or modify the ruling of the Supreme Court in this case. The merit or the propriety thereof was not a matter of concern, to the committee when it approved the bill and reported it favorably to the Senate.

The occasion and necessity for the bill arises not because of the ruling itself, but because of varied and erroneous interpretations and applications thereof in the courts. The liberality and variety of such interpretations and applications have already occurred in sufficient number and with sufficient disastrous effect on law-enforcement agencies, as to warrant action by Congress with all due dispatch to enact the bill into law.

The rule of the case is relatively simple, to-wit: That if the Government calls a witness to testify against a defendant, and the Government has in its files a statement or report by the witness relating to activities of the defendant, the latter is justified in asking for and receiving a court order compelling presentation in court of the material relating to the testimony of the witness.

The narrow basis of the ruling is shown by the following language quoted from the Jencks opinion:

"The necessary essentials of a foundation, * * * present here are that 'the demand was for production of * * * specific documents and did not propose any broad or blind fishing expedition among documents possessed by the Government on the chance that something impeaching might turn up. Nor was this a demand for statements taken from persons or informants not offered as witnesses' (344 U. S. 419). We reaffirm and reemphasize these essentials."

Notwithstanding the apparent clarity of the decision, three principal and very disturbing problems have arisen in cases in which the Jencks rule has been applied:

1. In some cases, the court has ordered that the entire FBI file be produced and handed to defense counsel, even though only a small part thereof related to the testimony of the Government witness.

2. In other cases, the court has ordered the Government to produce reports orally made by the Government witness.

3. In still other cases, the contention was made that the Jencks ruling would make it necessary for the Government to produce statements and reports during pretrial hearings.

To comply with any of these points is not only beyond the Jencks ruling, but is completely unacceptable to the FBI or other governmental investigating agencies, to the Department of Justice, and to general public policy.

The nature of the FBI files and the fashion in which they are compiled, make it unthinkable that counsel for those accused of serious crimes would be allowed access to the contents thereof. Sources of confidential information would be disclosed in the files already existent. As to files to be compiled in the future, such sources would dry up completely. Much information is now freely available to the FBI investigators upon assurance of complete confidence. Such assurance could no longer be given, if the court would order production of the entire file to counsel for the defendant. Hence, no disclosures would be forthcoming in the future.

Examination of the full files would also divulge investigation and law-enforcement techniques, as well as sources of intelligence.

All of these things would be harmful to the cause of good government. They are all beyond what is required by the law of the land, as set out in the Jencks ruling or otherwise.

For these and many other reasons, the disclosure of FBI files should be restricted to such portions as ruled by the Jencks Supreme Court ruling as necessary for observing the defendant's assured rights to give him a fair trial.

That is precisely what the pending bill would do by establishing the following procedures:

1. It provides that only reports or statements which relate to the subject matter as to which the witness has testified are subject to production.

2. It gives to the court the power to excise from any such statement or report matter which does not relate to the subject matter of the testimony of the witness who made it. Thus reports about other persons or transactions, information disclosing the techniques of investigation, and all other extraneous matter would be safeguarded by the court.

3. The bill makes it clear that the Government need produce only reports or statements of a witness which are signed by him or otherwise adopted or approved by him as correct.

4. It provides that statements and reports to be used for impeachment of a Government witness are not subject to production until the witness has been called and has testified for the Government.

5. It provides that if the Government declines to produce such a statement or report the court shall either strike out the testimony affected or order a mistrial. Since the Jencks decision courts have dismissed the prosecution completely where the Government has found compliance with a production order unacceptable.

If these procedures are provided and followed, full protection would be given to the defendant to the end that all rights accorded him by the Constitution and by statutes would be fully observed; uniformity would be possible in the application of the Jencks ruling by the several trial courts; and law enforcement agencies would be enabled to function in a fully effective way, as they have been doing heretofore.

The Judiciary Committee has been assured that if these procedures are followed, serious miscarriage of justice will be avoided in Federal criminal cases where the production of statements or reports comes into issue.

Speed in enactment of this legislation is necessary because already the Government has been forced to dismiss several cases, serious in nature, because of adverse and divergent ruling made by the trial court upon the ostensible authority of the Jencks decision.

It is hoped that the Congress will act promptly and that the President will follow through in order that this situation will be clarified and put upon the proper basis.

Mr. HRUSKA. Mr. President, if the Senator from Illinois will yield further to me, I should like to say that the substitute measure, which is pending before the Senate, insofar as it is designated as being offered on behalf of the committee, is offered on behalf of the committee without the knowledge or the acquiescence of the Senator from Nebraska. I do not say that in criticism of the fashion in which the substitute finds itself before the Senate. I make that statement only to indicate that I do not feel that the form which it now enjoys is within the pure purview of the clarification of the original bill, but, rather, is by way of substantially changing it; and to that extent I reserve the right to oppose some of its substance and to support some of the amendments which will be proposed by the Senator from Illinois.

The PRESIDING OFFICER. The Chair desires to inform the Senator from Illinois that he has 1 hour on his amendment.

Mr. DIRKSEN. I so understand.

Mr. President, as a member of the legal fraternity, I know how lawyers become bogged down in legalistic jargon. So I believe it necessary to review some of the facts of the case and the history of the pending substitute, and to understand the difficulties which have prompted the preparation of two amendments which I propose to offer this afternoon.

First, I believe we should review a little of the history of the Jencks case. As everyone knows, or should know by this time, Clifton Jencks was the president of a union which filed a sworn non-Communist affidavit. As a result, he was indicted under section 1001 of title 18 of the United States Code. In that criminal case, the Government relied on the testimony of two witnesses, one whose name was in the headlines for quite a while, Harvey Matusow; the other was James W. Ford. At one time they had been undercover agents for the FBI. They testified in the case, on direct examination, about certain events and meetings and conversations. But actually, as the trial disclosed, they could not remember whether the reports they made were written or oral. At that point the defense petitioned the court for an order "requiring the Government to produce, for inspection by the court," data relating to matters about which each witness had testified.

That was a rather narrow and a very limited request. It dealt only with specified meetings and specified conversations. The court was to determine whether the reports had evidentiary value for the purpose of impeaching the credibility of the witnesses. The defendant did not ask to see the reports. He asked only to have the court examine them, to determine their evidentiary value. The Government resisted those motions, and the matter went to the appellate court. The court of appeals sustained the trial court, on the ground that no foundation for inconsistency had been laid.

When the Supreme Court was asked to issue a writ of certiorari and call up the record, that was done; and on June 3, the Supreme Court entered a decision in the case. I think it will be agreed that the essence of that decision is about as follows:

First, that the defense was entitled, without laying a foundation, to inspect all reports, written and oral, if recorded, touching on the events and activities to which the witness testified. That relates to the question of relevancy; and I do not believe anyone takes exception to the position that the information, the testimony, must be material and must be relevant to the cause under trial.

The second thing I believe it is agreed that the Supreme Court found is that it disapproved the practice of first submitting documents to the trial judge, for him to determine their relevancy and their materiality.

Third, that only after the defense had inspected the data and reports, could the trial judge determine their admissibility and how they should be admitted.

Finally, that a criminal action must be dismissed if the government elects not to produce the statements and reports touching on the subject matter.

I think the crux of the decision is as follows—and now I quote from the case and what the Court said:

> The demand was for specific documents, and did not propose any broad or blind fishing expedition among the documents possessed by the Government, on the chance that something impeaching might turn up, nor was this a demand for statements taken from persons or informants who appeared as witnesses.

Mr. President, the danger in the decision in the Jencks case is essentially, as I see it, this:

First, the possible misinterpretation by the lower courts.

Second, the danger of disclosure of the FBI files.

Third, the possible danger of the exposure of the FBI enforcement techniques.

Fourth, possible disclosure of the confidential sources on which the Federal Bureau of Investigation must rely in matters of this kind.

That was the situation when the Judiciary Committee, and particularly the subcommittee, addressed itself to the problem. It took the form of the introduction of a bill, which bears the number S. 2377, on the 24th of June. That was 21 days after the Jencks decision by the United States Supreme Court. Hearings were held, and a bill was reported on the 1st of July. I am one of the cosponsors of the bill——

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

Mr. DIRKSEN. Let me continue for a little while, and then I shall be glad to yield.

I was one of the cosponsors, along with quite a number of other Senators. In fact, I think there were seven, in addition to the distinguished chairman of the subcommittee, the Senator from Wyoming [Mr. O'MAHONEY].

Here and now I want to pay a tribute to the distinguished Senator from Wyoming. I doubt whether anybody has summoned and mustered so much patience and time and forbearance in the development of the bill as has he. I think he recognizes its importance. He recognizes particularly the impact it would have on the FBI and the records of Government, upon the possible security of the Government. So he has labored earnestly and late, and although we may disagree on the substance of the bill, I salute him now for the job he has done and for his determination to have passed a bill on the subject, if it is humanly possible, before the curtain rings down on the present session of the 85th Congress.

So, I salute my distinguished friend from Wyoming for a job undertaken at the sacrifice of energy and time. As I say, while we may disagree on the substance, I still recognize the heruclean labor the Senator from Wyoming undertook in trying to procure a bill.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to my affable friend from Wyoming.

Mr. O'MAHONEY. In acknowledging the gracious compliment paid to me by the distinguished Senator from Illinois, I wish to say I do not agree with his statement concerning the substance of the bill. The only criticisms I have yet heard deal with immaterial technicalities raised by the Acting Attorney General at the last minute. I agree wholeheartedly with almost everything the Senator has said, with the exception of the great compliments he has paid to me in his remarks. We see eye to eye on the necessity for getting substantive legislation which will clarify the decision and take away the possibility of misconstruction and misinterpretation which would interfere with the enforcement of law.

Mr. DIRKSEN. The only comment I can make to my agreeable friend is that the compliment which I bestowed on him is richly deserved, and that the Department of Justice is against the bill in its present form. That does not mean it does not want a bill, if there is a chance of ironing out the difficulties in conference. I hope the Senate appreciates the importance of the bill, even as the subcommittee and full committee have done, because this is indeed a very important measure.

To return to the history of the bill, the original bill was introduced on the 24th of June. Hearings were held, and on the 1st of July the bill was reported——

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

Mr. DIRKSEN. I yield.

Mr. CLARK. I think the Senator will agree—and I shall be brief—that there were no public hearings on the bill. The Attorney General came before the committee, in what I considered to be a scare approach, and said the country would not survive if Congress failed to pass the bill on the subject. The representative from the Treasury Department made an emotional appeal. No civic agency or any other persons were given an opportunity to testify. If there were hearings, they were certainly brief and quick.

Mr. DIRKSEN. That raises another question. I must ask the Senator from Wyoming a question on this point. I remember when the Attorney General came and when the secretary came, but I have no recollection that they were closed hearings.

Mr. CLARK. If the Senator will yield, where are the hearings?

Mr. DIRKSEN. The hearings were not printed.

Mr. CLARK. Is this not an important bill? Are we not entitled to hearings?

Mr. DIRKSEN. I am not going to charge laches or negligence on the part of anybody. There are times when hearings are not printed, particularly when there are urgencies about a matter. I think we will agree there is an urgency about this matter.

Mr. CLARK. Will the Senator agree the only testimony was that of Attorney General Brownell and a representative of the Treasury Department?

Mr. DIRKSEN. Not at all, because we had a meeting in the Capitol, and the Senator from Pennsylvania was present.

Mr. CLARK. The Senator from Illinois knows that was not a hearing. No transcript of the testimony was made. It was not a hearing.

Mr. DIRKSEN. I do not know about a transcript. I do know it was held here in the Capitol. A number of people were there.

Mr. CLARK. The Senator will admit that was not a hearing, will he not?

Mr. DIRKSEN. The Senator from Pennsylvania may be right. Perhaps he will make an amplification and a verification of my case before I get through. I should like, however, to get back to the history of the bill.

The bill was introduced on the 24th of June. There were hearings. The bill was reported on the first of July. I think the Senator from Wyoming is correct in that the full committee allowed some latitude for clarification.

Subsequently, eight amendments were offered by the Senator from Wyoming. If anybody cares to see them, they are pending on the desk. On the 24th of August, an amendment as a substitute was offered, and that is the substitute now pending before the Senate.

The Cooper amendment to the amendment was adopted on Friday. There was no objection to it.

Under the parliamentary situation, the substitute must be first perfected. Then the question is whether the substitute shall be adopted as against the original bill, which was reported on the 1st of July 1957.

I can only say to the Senate what I know. The Department of Justice would like to have the original bill. They have to enforce whatever bill may be passed.

They have to live with the Jencks decision. The United States attorneys from one end of the country to another have to deal with this question before district and circuit judges. It seems to me since the Department of Justice is the enforcing arm of the Government, and since the Attorney General is the Government's No. 1 lawyer, we ought to give some ear to what the Department of Justice wants, since they will have to live with it.

That is the history of the bill. There is the substitute pending. It has been changed in a number of particulars from the original bill; and, as between the two, I would rather go back to the original bill.

I would rather vote the substitute down, unless we can perfect it. I know the Department of Justice, no later than Friday afternoon, when the Deputy Attorney General came here, said, "We would like to have the original bill," as distinguished from the substitute offered by the eminent Senator from Wyoming. That is the parliamentary history. That brings us right up to date, as I understand the record.

Mr. O'MAHONEY. Mr. President, will the Senator yield, for a matter of clarification and, I think, correction?

Mr. DIRKSEN. I yield.

Mr. O'MAHONEY. I am sure the Senator is mistaken when he says that the Department wants the original bill. The Department does not want the original bill. The Department would like to have the bill which resulted from our conference. So I think the Senator ought to change his statement.

Mr. DIRKSEN. That is right. My statement deserves a correction. I think I can say, in that respect, the Department wants the proposal which was submitted on the 12th of August. The one that is pending now was submitted on the 22d of August. I think that is correct.

Mr. O'MAHONEY. May I insert in the RECORD at this point, and I ask unanimous consent to do so, a copy of a letter addressed to me by Mr. William Rogers, Assistant Attorney General?

Mr. DIRKSEN. Yes, indeed.

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

HON. JOSEPH C. O'MAHONEY,
Senate Judiciary Committee,
United States Senate,
Washington, D. C.

DEAR SENATOR O'MAHONEY: On August 12, 1957, you introduced an amendment in the nature of a substitute for S. 2317, a bill which had originally been sponsored by the Department of Justice with the purpose of conforming chapter 223 of title 18, United States Code, to the opinion of the United States Supreme Court in *Jencks* v. *United States of America*. That particular amendment, by way of a substitute to which I have reference, is reported at page 14457 of the CONGRESSIONAL RECORD for August 12, 1957.

As you are aware from the views which I expressed at our recent meeting with you and other Senators of the Committee, the Department of Justice would have preferred the language of the original S. 2377, but it is felt that this substitute, which is in the nature of a compromise, should substantially achieve the purposes sought by S. 2377. Therefore, the Department of Justice not only has no objection to this amended bill but earnestly recommends its passage in order to accomplish the remedial purposes sought by this legislation.

Sincerely yours,

——— ———,
Acting Attorney General.

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

Mr. DIRKSEN. I yield.

Mr. LAUSCHE. Will the Senator from Illinois give us an explanation of the difference between the substitute amendment, which is now pending before the Senate, and the one that the Department of Justice requests?

Mr. DIRKSEN. If there is time, I shall do so. I would, first of all, labor the amendment I have pending now. Then if I can get around to it, I shall do what the Senator from Ohio requests. That we can do, of course, during the debate on the bill for which two hours are provided and will be available.

First of all, having given the legislative history, I desire to recur to the amendment, which is very short. It is an amendment to paragraph (a). In substance, the paragraph as it appears in the substitute says, in effect, that no statement or report by a witness in a criminal prosecution shall be subject to subpena or inspection except. Then it makes two exceptions. The first one is, "if provided in the Federal rules of criminal procedure." The second one is, "as provided in paragraph (b)."

I shall deal only with the first exception, namely, "if provided in the Federal rules of criminal procedure." The amendment, in brief, simply would strike out the words "if provided in the Federal rules of criminal procedure."

Let me make the case for that amendment as briefly as I can. In the first place, that language was never in the original bill, and I do not know why it has been suggested at this late day.

Secondly, I think it raises an implication that the Federal Rules of Criminal Procedure contain language which in some way may deal with the production and disclosure of witnesses' statements made to a Government agent. If that be true, I have never found it. Certainly, it cannot be the case.

Senate bill 2377 proposes to amend title 18 of the United States Code. It is my considered opinion that this was intended to be an exclusive approach to the problem as a result of the Jencks case. It certainly will not be an exclusive approach if we include the words "if provided in the Federal Rules of Criminal Procedure," because if that is an exception, there will be dependence upon how a judge in any trial court may interpret some of the provisions in the rules of procedure, notably rule 16 or rule 17, and particularly rule 17 (c), which deals with the subpena power. Some rather strange things have happened in that regard.

Are we going to inject the Federal Rules of Criminal Procedure, and let a trial judge determine what they mean finally, and thus confuse the whole provision?

I point out that that language was not in the original bill. It is before us now. I think it will add to the confusion. I think it will weaken the bill to such an extent that we may be worse off than we are under the Jencks decision.

I think a case in point is the Fryer case, which is pending.

The PRESIDING OFFICER. The 20 minutes of the time of the Senator have expired.

Mr. DIRKSEN. Mr. President, I yield myself 10 additional minutes.

The Fryer case is a homicide case pending in the District court. Frank Fryer is charged with first-degree murder, which is a capital offense. As provided in the rule, the Government submitted a list of witnesses pretrial, because it was a capital case. The defense served a subpena on the Government to produce statements of witnesses and third persons who had volunteered certain information. The subpena was quashed in the trial court.

On appeal, the defense alleged two grounds of error. One of them was that the subpena was quashed with respect to the production of certain information. The case then went to the circuit court of appeals. What happened there? The court held that under rule 16 the defense could not obtain certain information, but under rule 17 (c), which deals with the subpena power, under a very liberal interpretation, certain things could be done. As a result, a subpena duces tecum was issued to bring the documents into court. That was a trial court, and a circuit court of appeals, in essence, which was dealing with the rules of criminal procedure.

The question is, How far are the courts to go? What is a judge to say to the United States attorney in a given case under the rules that exist at the present time?

I can see that finally many things may be demanded, pretrial, during trial, and after trial, and it will all add up to confusion, before we get through.

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

Mr. DIRKSEN. So I do not understand why the words "except, if provided in the Federal Rules of Criminal Procedure," were ever injected into the bill in the first instance.

I do know, Mr. President, that the Department of Justice feels that this provision will occasion great difficulty in the enforcement of the law.

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

Mr. DIRKSEN. I yield.

Mr. JAVITS. I believe this is a rather interesting amendment, Mr. President. I do not have, with respect to it, the strong views I have with respect to the other amendment of the Senator from Illinois, which I hope to have the privilege of discussing.

I should like to point out—and I should appreciate it if the Senator would confirm this for me—that the bill to which the Senator has referred as the original bill, which itself was an amendment, did not contain a restriction with respect to a Government agent. That bill related to all reports and statements in the FBI file, whether they came from third parties or not. Is that not a correct statement?

Mr. DIRKSEN. I think so.

Mr. JAVITS. Therefore, restricting the bill to the statements of a Government agent is already a very big step, in my opinion, toward keeping the provision constitutional. It may very well allow us to do what the Senator from Illinois requests, which we otherwise could not have done.

I should like to ask the Senator a question. There has been a great deal of discussion about the bill meeting the problems of the Jencks case. Is it not a fact that in respect of the amendment of the Senator from Illinois—which is really the desire of the Department—an attempt is now being made to meet the problem of another case, known as the Fryer case?

Mr. DIRKSEN. That is correct.

Mr. JAVITS. Which has not been discussed and which has nothing to do with the Jencks case. Is that not true?

Mr. DIRKSEN. I think so, but I was pointing out how liberal the Court was when the Court said that if certain documents had evidentiary value, even though they could not be obtained under rule 16, they could be obtained under rule 17 (c). The question is, how far will the courts finally go? If they interpret the Federal Rules of Criminal Procedure, we may be worse off than we are under the Jencks decision, because the problem will be enlarged and be more and more confused.

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

Mr. DIRKSEN. I yield.

Mr. JAVITS. The Senator is a very able lawyer. I know he has as deep a conscience on this subject as any other Senator.

The Fryer case was a case involving capital punishment, as the Senator says. Of course, that perhaps will be true in some of the subversive cases. The alleged spy Abel is on trial for his life, so the principle might apply in that case.

In the Fryer case there was notice for the Government to deliver to the defendant 3 days in advance of the trial the names of witnesses.

Mr. DIRKSEN. That is correct.

Mr. JAVITS. The Government will have to do that in any case. The circuit court of appeals took that as jumping one step, which was not apparent in the Jencks case, because in the Jencks case the names of the witnesses were not revealed and did not have to be revealed until the witnesses took the stand. Therefore, we could seek to protect to the maximum extent possible the so-called sources of information by not disclosing any names until the witnesses testified.

I am all in favor of the bill on that score. It seems to me we have to think a little more about a capital punishment case, where the Government has to reveal the names of its witnesses anyway. In that case is it not true that convenience and the desire to do justice dictate that so long as the Government has revealed the names in the list of witnesses we should allow the court to go one step further and require the Government, as early as possible, to give the defendant what may be necessary to impeach those very witnesses? I ask that question, as to whether that does not differentiate the case from the Jencks case.

Mr. DIRKSEN. Actually what the defense is asking is pre-trial information or pre-trial statements. That makes a very considerable difference. If it is carried a step further, will it apply finally in a non-capital case? How far are we going?

When we look at some of the amazing decisions which have been rendered, and the amazing demands in the lower courts since the Jencks decision, it seems to me this is a point which is most important for the operation of the Department of Justice.

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

Mr. DIRKSEN. I yield.

Mr. JAVITS. I point out that in the capital punishment cases the names of the witnesses are revealed. That differentiates it from the Jencks case.

Mr. DIRKSEN. That is a requirement.

Mr. JAVITS. Therefore I ask the question: Shall we have, in cases where the names of the witnesses are revealed, a pre-trial discovery?

I may say to the Senator from Illinois that we face a fundamental question of ideology here. I think we have to go forward on the fact that the FBI is not a secret police, but that instead the FBI is a police agency which is required to observe the standards of the Constitution. We will accommodate them as much as we humanly can. We do that in our appropriations. We cannot accommodate them in a violation of the Constitution. We should not accommodate them where the ends of justice and the public interest do not require it.

Therefore, I ask the Senator a question. I may well vote for the Senator's amendment, and I am asking the honest question: Does what the Senator is seeking to reach by this amendment—the case where the names of the witnesses must be revealed in advance—make enough difference to differentiate it from the Jencks case, and therefore dictate that we should not vote for the amendment? I ask that, as a lawyer.

Mr. DIRKSEN. I want to be sure that the Federal Rules of Criminal Procedure as carried on the statute books do not become the vehicle for fishing expeditions, whereby records may have to be indiscriminately revealed, and actions go so far as finally to reveal the Government's confidential sources of information. We may even get to the point where this has to be done pretrial. I wonder what would happen in a racket case if the name of an informant were to be disclosed in the pretrial proceedings. Probably the life of the informant would not be worth a nickel.

Another important matter is that the confidential sources of information would quickly dry up. That becomes one of the important elements, so far as the operations of the FBI are concerned.

Mr. THYE and Mr. O'MAHONEY addressed the Chair.

Mr. DIRKSEN. I yield to the Senator from Minnesota.

Mr. THYE. Mr. President, the very last sentence stated by the Senator from Illinois is the meat of the entire question with which we are confronted. It is a very pertinent part of the entire question involved in the Jencks case, as the Senator has stated it.

Mr. DIRKSEN. I think I can agree with the Senator from Wyoming [Mr. O'MAHONEY] that the questions are these: First, to make sure that the accused in a given case has full due process, and that none of his rights are taken away. Second, to make sure that the national defense is not jeopardized and that the sources of information are not cut off. Third, to devise an orderly and judicious exclusive way of handling the matter, now that the Jencks case decision has been handed down. I think the essence of the problem is that simple.

But the Supreme Court in the Jencks case decision never mentioned the Federal Rules of Criminal Procedure. Those rules are mentioned in the substitute bill. All we will get from that is confusion. I think that language ought to be deleted from the substitute bill. That is as simply as I can state it.

I yield now to my friend, the Senator from Wyoming.

Mr. O'MAHONEY. I thank the Senator from Illinois.

I want to compliment the Senator from New York for the statement he made in his colloquy with the Senator from Illinois. I agree with what the Senator from New York has said.

I wish to point out that in the Fryer case, which was, as the Senator from New York has stated, a capital offense case, and under which the Federal rules of criminal procedure required only that the names of the witnesses should be produced for the defense, the Court of Appeals, by a divided decision, said in effect, "Since you must give the names of the witnesses you might also give the text of the testimony and the reports."

I want to say to the Senator that the third judge on that court disagreed explicitly, and later on in the District Court of the District of Columbia a District judge himself declined to follow the rule of the Court of Appeals.

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

Mr. DIRKSEN. Mr. President, will the Senator from Wyoming yield me some time?

Mr. O'MAHONEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. O'MAHONEY. How much time did the Senator from Wyoming occupy in his interruption of the Senator from Illinois?

The PRESIDING OFFICER. There is no record of that.

Mr. O'MAHONEY. I will yield the Senator from Illinois 5 minutes of the time of the opposition in connection with this colloquy, and relieve the Senator of that tax on the time of his side.

Mr. DIRKSEN. I thank the Senator.

Mr. O'MAHONEY. I point out to the Senator that our purpose was to make clear that we were not changing the rules of criminal procedure in one way or another. The language which was proposed to us read "as provided in the Federal Rules of Criminal Procedure." The word "as" was the word which I thought carried the implication that there was something in the Rules of Criminal Procedure which required revelation of the statements of witnesses, so I would not accept the word "as." I insisted—and the Senator from Pennsylvania [Mr. CLARK] agreed—on the substitution of the word "if," and that is the way the language reads in the substitute amendment—"if provided in the Federal Rules of Criminal Procedure." That implies nothing. It merely says, "If it is in there, all right." But I do not believe it is. The Senator from Pennsylvania may believe that it is.

But to show that confusion is not confined to Senators or to the judges of inferior courts, I invite the Senator's attention to the fact that in the Fryer case, the court of appeals itself was divided, and in the Jencks case the Supreme Court itself was divided. If we lock ourselves up in confusion by technical legalistic arguments, we may well lose the basic bill which the Department of Justice, the FBI, and every other agency of Government believes is so necessary.

Mr. DIRKSEN. Mr. President, I certainly do not concur in the last implication of my friend, that we should get as good a bill as we can, even though it is a bad bill. If it has a weakness in it, this is the time to correct it, because, otherwise, between now and the time Congress returns in January a great deal of mischief and deviltry may occur.

What the Senator from Wyoming says bears out what I have stated. What is the difference between the Appellate Court of the District of Columbia and the trial court? Congress knew what it was about in the first instance, based upon the Federal Rules of Criminal Procedure. It provided for the surrender of the witness list by the Government. But many other things it did not do, including provision for surrender of reports and statements on a pretrial basis. If it had wanted to do so, Congress could have done it.

But who can say what the implication will be if we leave that phrase in the bill? It will be up to every district judge, and, on appeal, every circuit judge, to determine, finally, how much latitude there shall be, and what shall be opened up.

Mr. O'MAHONEY. Mr. President, on my own time, for the opposition, I wish to say to the Senator from Illinois that his past three sentences have been filled with "ifs"—beginning with "if this is a bad bill." I will say to the Senator that this is not a bad bill. The measure which is before the Senate, if it is not complicated and confused by the amendments which the Senator from Illinois is offering, will serve the ends of justice and protect the files.

I should like to yield to the Senator from Kentucky [Mr. COOPER] 3 minutes on this subject.

Mr. DIRKSEN. Mr. President, I am in the middle. I hope we can go on to a logical conclusion with respect to this particular amendment. Does the Senator from Kentucky wish to discuss this amendment?

Mr. COOPER. Yes.

Mr. DIRKSEN. Let me proceed for a moment. I must save some time for my colleagues, if they desire time.

My distinguished friend from Wyoming says that my remarks are studded with "ifs." Let us see how many "ifs" there are.

In a Georgia case recently the court ordered the United States to turn over the entire intelligence report.

In another Georgia case, the court ordered the production of the entire Secret Service report.

In a Pittsburgh case the judge ordered the production of the entire Narcotics Bureau report.

In a Texas case, the United States attorney telephoned the Department of Justice and said that he had to turn over 122 documents, under a misinterpretation of the Jencks decision. The result was that insult was added to injury when the defense attorney called up the United States attorney and said, "Mail them to me." That is how far they have gone. There are no "ifs." That is the record. In Georgia there are two such cases. In Pennsylvania there is one case, and there will be a good many more.

Are we to confuse the issue by interpretations of the Federal Rules of Criminal Procedure—and there are many of them—to make the situation even worse than it would be if we operated under the Jencks decision?

That is the reason for my amendment. It is in the interest of clarification. It is to avoid confusion. It is to give the Department of Justice a better chance at the enforcement of the law, while preserving the rights of the accused in any case.

The Department, being the law enforcement agency of the Government, has asked that these words be stricken; and I think, in all conscience, we ought to take seriously the words of the Department of Justice, because it is not Senator DIRKSEN, of Illinois; it is not Senator O'MAHONEY, of Wyoming; it is not Senator CLARK, of Pennsylvania, who must deal with the problem. It will be the United States attorneys and the Attorney General and his staff who must deal with it.

I think we should be entirely fair with them in striking from the bill the words I have indicated. I hope, therefore, that since the words relating to the Federal Rules of Criminal Procedure were not mentioned in the Jencks decision, they will find no place in the bill. Under this simple amendment, they should be stricken from the bill.

Mr. LAUSCHE. Mr. President, will the Senator from Wyoming grant me a moment in order that I may address a question to the Senator from Illinois?

Mr. O'MAHONEY. I am very happy to yield to the Senator from Ohio, who wishes to address an inquiry to the Senator from Illinois.

Mr. LAUSCHE. The Senator from Illinois proposes to strike from the O'Mahoney substitute the language in line 3 on page 2, reading "if provided in the Federal Rules of Criminal Procedure."

Mr. DIRKSEN. That is correct.

Mr. LAUSCHE. Now I put the question. If this language is stricken, the only law which will be applied will be that laid down in the Jencks decision, sought to be interpreted by this amendment.

Mr. DIRKSEN. That is correct.

Mr. LAUSCHE. The effect will be to repeal and to render nugatory all previous decisions by the United States Supreme Court in determining what documents a defendant is entitled to see.

Mr. DIRKSEN. The answer is simply this: When we embarked upon the pending measure, I thought we were trying to develop an exclusive procedural rule, as set forth in the bill, for dealing with situations which arose out of the Jencks case.

Mr. LAUSCHE. I have in mind the rule in law, "Inclusio unius est exclusio alterius."

Mr. DIRKSEN. My Latin is too rusty for that.

Mr. LAUSCHE. The rule is, when you include the one, you exclude all others. Therefore, in this bill, when we close in the Jencks decision, we exclude all other rules under which the defendant would be entitled to examine documents.

Mr. DIRKSEN. That is correct.

Mr. O'MAHONEY. Mr. President, on the time of the opposition I desire to invite the attention of the Senator from Illinois, and of all our colleagues on the floor who have been listening to his argument, to this fact: He has cited a Texas case, in which the attorney for the defense, as a result of the Jencks decision—not as the result of any Federal rule of criminal procedure—appealed to the United States attorney, and said, "Mail me the statements," because he had misinterpreted the Jencks decision.

The Senator from Illinois has resumed his seat. In order to prevent misunderstanding, let me say to him that the Texas case to which he referred had nothing in the world to do with the Federal Rules of Criminal Procedure. It dealt only with the Jencks decision.

Let me invite the Senator's attention, and the attention of all our colleagues, to the language of the proposed amendment on page 2, beginning in line 18. I ask my colleagues to observe, and tell me whether or not, in the proposed substitute amendment, I have protected the files of the Government. I should like any Senator to tell me whether I have laid them open to any fishing expedition or imposed any restraint upon the Department of Justice.

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

Mr. O'MAHONEY. These are the words. I ask the Senator to listen. Beginning in line 18, the language reads:

> In the event that the United States claims that any statement, transcription, or record ordered to be produced contains matter which does not relate to the subject matter of the testimony of the witness, the court shall order the United States to deliver such statement, transcription, or record for the inspection of the court in camera.

Not to the defendant, but to the court. That is a specific protection for the Department of Justice.

The Senator from Kentucky——

Mr. DIRKSEN. Mr. President, will the Senator yield 30 seconds at that point so that I may answer the statement?

Mr. O'MAHONEY. Certainly.

Mr. DIRKSEN. I pointed out that there were two exceptions. The amendment I have offered is to paragraph (a). The two exceptions are:

> Except as provided in paragraph (b) and except as provided in.

Mr. O'MAHONEY. No, no. That is where the Senator makes his mistake. The language is, "except if provided."

Mr. DIRKSEN. Yes; "if provided."

Mr. O'MAHONEY. The Senator said "as." That shows how a Senator can become confused on this point, even so capable and gracious and wise and eminent and able a Senator as the Senator from Illinois. We say "if provided in the Federal rules of criminal procedure." I wish to clear this up with the assistance of the Senator from Illinois. We say "if provided in the Federal rules of criminal procedure." That leaves the question utterly open.

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

Mr. O'MAHONEY. I yield.

Mr. DIRKSEN. There is not a line in the Jencks decision by the Supreme Court which refers to the rules of Federal criminal procedure. Why were those words placed in the substitute bill?

Mr. JAVITS. They were put in the bill in order to obtain unanimity on the floor of the Senate, and in order to get a bill to permit the Department of Justice——

Mr. DIRKSEN. Unanimity with whom? I am a member of the subcommittee. I did not ask the Senator from Wyoming to put those words in the bill. I doubt whether the Senator from Maryland [Mr. BUTLER] asked to have them put in the bill. I doubt whether any other member of the subcommittee did.

In order to get unanimity, how many Senators does it take to make it unanimous? Who insisted that the words "if provided in the rules of Federal criminal procedure" be inserted in the bill? I made no such request. The distinguished Senator from Nebraska [Mr. HRUSKA], who is a member of the Committee on the Judiciary, did not ask that they be included, nor did the distinguished Senator from Utah [Mr. WATKINS]. I know the distinguished Senator from Indiana, who is not a member of the subcommittee, but of the full committee, never asked for their inclusion, so far as I know.

Mr. O'MAHONEY. I did.

Mr. DIRKSEN. Who insisted on it?

Mr. O'MAHONEY. "I killed Cock Robin." [Laughter.]

Mr. DIRKSEN. That makes it unanimous. Will the Senator yield further?

Mr. O'MAHONEY. When I concluded my remarks I believe I yielded 3 minutes to the Senator from Kentucky [Mr. COOPER], or intended to do so.

Mr. COOPER. I should like to address myself to the first amendment offered by the Senator from Illinois. I join with my colleagues in the statement that all of us want to support the FBI in every way possible. We must agree, however, that when we reach the point where such a desire would conflict with due process to a defendant, it is impossible to go that far. I should like to make a distinction between the amendment which deals with the Federal rules of criminal procedure—I refer to the first amendment offered by the Senator from Illinois [Mr. DIRKSEN]—and the Jencks case. I would say, first, that the pending amendment, in my opinion, has nothing at all to do with the Jencks case. The Jencks case, as was pointed out in the debate last Friday night, deals with the production of prior statements of a witness, after the witness has testified, and for the sole purpose of impeaching or testing the credibility of that witness. The amendment which the able Senator from Illinois [Mr. DIRKSEN] has offered would affect, as I see it, rules 16 and 17 of the Federal rules of criminal procedure.

Mr. CLARK. If the Senator will yield at that point, I should like to say it may also affect rule 15.

Mr. COOPER. Rule 15, also. The Jencks case deals with the production of testimony after a witness has testified, and for the sole purpose of testing his credibility. Rules 15, 16, and 17 could conceivably embrace the production of records after a witness has testified, but they deal chiefly with discovery before a trial, and before a witness has testified.

Rule 16 permits the production of records or documents which once were in the possession of the defendant. The reasoning behind the rule is that a defendant ought to be able to look at what belongs to him.

Rule 17—and that is the rule which I believe the pending amendment would reach—gives the power of subpena to a defendant for the production of records, in order to prepare his case, if permitted by the court.

As the rule is today, the subpena can be directed against persons and the Government as well. The effect of the amendment which has been offered by the Senator from Illinois would be to remove the Government from the scope of the rule the defendant could secure a paper or document from persons, but not the Government of the United States.

I should like to make this point. I believe the Jencks case has limited the effect of rule 17. Conceivably before the Jencks case a defendant might have said, "I want to secure a record in advance of the trial in order to be ready to test the credibility of a witness on cross-examination." Now the Jencks case holds you cannot secure the records until after a witness has testified.

Frankly, although I do not believe it is necessary, there may be grounds for changing rule 16 and rule 17 in order to make it impossible for a witness——

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

Mr. O'MAHONEY. I yield 2 additional minutes to the Senator from Kentucky.

Mr. COOPER. To make it impossible for a defendant to discover in advance of the trial, or the testimony of a witness, records of the Government to help him prepare his case.

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

Mr. COOPER. I wish to finish my statement first. I say that, because at common law and traditionally there was not any right of discovery in a criminal proceeding—any right of a witness to secure records to help prepare his case. But because of the more liberal view which has been taken—that it is the duty of the Government to do justice—there have been from time to time changes in the rules regarding discovery. I would say that the Jencks case has actually limited and circumscribed the effect of rule 17. Therefore, I would say—and I am not a member of the Committee on the Judiciary—whether we want to change rules 16 and 17 is a question entirely separate from the Jencks case and deserves careful study. It is perfectly conceivable that the rules regarding discovery ought to be changed because there is debate and argument as to whether a defendant has the right to secure papers to help him prepare his case, because everyone is expected to tell the truth. My own judgment is that the rule ought not to be changed when we are discussing the Jencks case, because that case had nothing to do with the rule.

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

Mr. DIRKSEN. Mr. President, I yield 15 minutes to the distinguished Senator from Nebraska.

Mr. HRUSKA. Mr. President, I merely wish to propound a brief question to the Senator from Kentucky. Is it the Senator's understanding or contention that pretrial proceedings apply now to criminal cases

Mr. COOPER. I believe that under rule 17, if the court wished to order the production of books and papers and documents, it may do so under a showing——

Mr. HRUSKA. That does not extend to statements and reports of the witnesses themselves. That relates to books and papers.

Mr. COOPER. Rule 17 provides that a subpena may also command the person to whom it is directed to produce the books, papers, documents, or other objects designated in the subpena.

Mr. HRUSKA. That does not include a statement or report of a witness in a criminal case.

Mr. COOPER. Some courts have so held. There are numerous cases that have been cited.

Mr. HRUSKA. There may be some judge-made law on that point. I know of only one instance, and that refers to disclosures of names of witnesses in a capital case. There is nothing in the rule that reaches into statements or reports of witnesses.

Mr. COOPER. I believe the distinguished Senator is in error. I refer the Senator to the cases cited in the footnote in the Jencks case. There are 5 or 6 cases in which that point has been discussed. Of course, there is also the Fryer case. I do not say that the Fryer case ruling is correct. However, it is an interpretation of rule 27, and I believe that interpretation has now been limited by the Jencks case. If we wish to change rule 16 or rule 17, it ought to be done after separate hearings have been held on the subject, and not in connection with the Jencks case.

Mr. HRUSKA. I rise to support the amendment of the Senator from Illinois.

Mr. LAUSCHE. Mr. President, will the Senator yield for about half a minute?

Mr. HRUSKA. Will the Senator obtain some time from the other side?

Mr. O'MAHONEY. I shall be glad to yield 1 minute to the Senator from Ohio.

Mr. LAUSCHE. In the opinion of the Senator from Kentucky, if the bill has eliminated from it the language mentioned by the Senator from Illinois [Mr. DIRKSEN], does it mean that the legality of the rules mentioned by the Senator from Kentucky will be destroyed, and that they will be repealed?

Mr. COOPER. So far as rules 16 and 17 are concerned, the amendment would do what it says. It would not be possible to secure particular types of record from the United States Government by subpena.

Mr. LAUSCHE. My interpretation is, if the amendment of the Senator from Illinois is adopted, that the only method for obtaining evidence would be under the decision in the Jencks case.

Mr. COOPER. That is true.

Mr. HRUSKA. Mr. President, I do not understand that the rules would be abrogated. I understand that the rules would remain intact, as they now exist. They would not be abrogated.

Mr. LAUSCHE. But the bill provides:

> (a) In any criminal prosecution brought by the United States, any rule of court or procedure to the contrary notwithstanding, no statement or report of any prospective witness or person other than a defendant which is in the possession of the United States shall be the subject of subpena, discovery, or inspection, except as provided in paragraph (b) of this section.

Then subsection (b) follows.

That would mean that no statement would be subject to subpena or would be capable of being used unless it fell within the provisions of subsection (b), which relates to the decision of the Jencks case.

Mr. HRUSKA. That is correct; to the extent that the scope of the bill is concerned with the rules, the Federal Rules of Procedure would be abrogated. Was that the intent of the Senator's statement?

Mr. LAUSCHE. No. I believe that if the amendment of the Senator from Illinois is adopted, all we shall have will be the declaration made in the Jencks case, and the rules will be repealed.

Mr. HRUSKA. That is correct—they will be repealed from the scope of this bill.

Mr. President, that is what the bill started out to be; it started out as a bill to correct the impact of the decision in the Jencks case. But if we are to get into the matter of pretrial proceedings in criminal cases, it seems to me that is a question on which there should be full public hearings and full and ample consideration of all the facets of the question. But we have not gone into that question at all.

I may say that if the amendment of the Senator from Illinois is not adopted, the substitute will be substantially self-defeating. And it will also lend weight to the contention that under the Jencks case decision doctrine the Government's files must be made available to the defense, in advance of trial.

As a matter of fact, Judge Matthews, in the recent case in which Hoffa was tried, already has expanded the doctrine in the Jencks case decision, by ordering the Government to make available to the defendant, before trial, the records with respect to the statements of all Government witnesses—something not intimated in the slightest by the decision in the Jencks case. Instead, the basis of that procedure was the decision in the Fryer case.

Such a rule would force the Government to disclose the identity of all its agents or witnesses in advance of trial, regardless of whether the case is a capital one, and would be contrary to all the precedents; and, if carried to its reasonable conclusion, presumably it might prevent the Government from using a witness whose name was not disclosed when the trial commenced. Clearly that was not contemplated by the decision in the Jencks case.

So it seems to me that when we consider a bill which is born of the idea of meeting the situation brought about by the decision in the Jencks case, and then propose to broaden it to the very important field of pretrial in criminal cases, certainly we should consider the matter well, before we go to that extent.

I understand there has been introduced in the Senate a bill which deals with pre-trial proceedings in criminal cases. But we should not, in this backhanded fashion, dispose of the rules of procedure, which have not been altered by the Congress through all the years of the history of this Republic, except in one respect, namely, to the extent of disclosing the names of witnesses in capital cases, but in no other respect.

Mr. O'MAHONEY. Mr. President, at this point will the Senator from Nebraska yield for a question?

The PRESIDING OFFICER (Mr. MORTON in the chair). Does the Senator from Nebraska yield to the Senator from Wyoming?

Mr. HRUSKA. I yield for a question.

Mr. O'MAHONEY. Did I correctly understand the Senator from Nebraska to say that the rules of criminal procedure compel the Government to disclose the names of its witnesses in a capital case?

Mr. HRUSKA. That is in the form of a statute, as I understand.

Mr. O'MAHONEY. That is correct. But I understood the Senator from Nebraska to say it is a rule.

Mr. HRUSKA. I am sorry; it is on the basis of a statute.

Mr. O'MAHONEY. Yes. As a matter of fact, it is section 3432 of title 18, United States Code.

Mr. HRUSKA. I accept the Senator's designation of the section; I am not familiar with it.

Mr. O'MAHONEY. So there is nothing in the rules of Federal criminal procedure that effects the disclosure of the names of the witnesses.

Mr. HRUSKA. Yes; it is by reason of the statute.

Mr. O'MAHONEY. I also contend that, as the rules of criminal procedure are mentioned in the pending amendment, nothing is changed. We merely say, "If the rules of criminal procedure make such a provision."

I wish to say to my colleagues—and I say it with the utmost emphasis and sincerity, and I do not believe I am wrong—that if we do not include these words we shall give to every defendant a constitutional right to appeal from a conviction. That is why I want these words included.

Mr. HRUSKA. Mr. President, I should like to say that the mere existence of these words in the bill will give additional ground upon which trial judges may hang their variations of the decision in the Jencks case. I submit that decision has been tortured beyond its original scope to a much greater degree than anyone expected when the decision was made. By including these words in the bill, the judges will be given additional grounds for saying that there were respects in which the Congress wanted to review the Federal Rules of Criminal Procedure. I say that, by striking out these words, the intent of the bill and its clear import will be greatly subserved.

Mr. O'MAHONEY. Mr. President, I state here and now, for the legislative history, that we do not propose in any respect to change the Federal Rules of Criminal Procedure. That will be the legislative history; and no one—except Senators who support this amendment—can change it.

Mr. HRUSKA. Mr. President, I should like to submit that when this measure takes the form of a statute, the trial judges will look at the statute and will do their own interpreting of it and will make their own application of it. They have shown that even with the language in the Jencks case decision, they will go greatly beyond the scope of that decision. One who examines the committee report will find that it refers to many such instances, which have happened since June 30 of this year—within less than 60 days.

If this language remains in the pending measure, there will be further distortion and further wide application of the rule, which will be in violation of the stated purpose of the bill, which is to meet the situation in connection with the decision in the Jencks case.

Mr. JAVITS. Mr. President, will the Senator from Nebraska yield for a question?

Mr. HRUSKA. I yield.

Mr. JAVITS. I believe that the Senator from Nebraska is raising a very valid point; and although I do not agree, yet I believe he is entitled to the greatest of respect as to the substance of the point.

If the decisions made in the future are in line with the decisions of the court since 1948, in the case of the Federal Rules of Criminal Procedure, then the Senator will not need to fear the result. What the Senator fears, as I understand, is that the courts will decide something other than what they have been deciding for the past 10 years, in respect to the Federal Rules of Criminal Procedure.

Mr. HRUSKA. Yes; that is the basis of my chief effort.

Mr. JAVITS. Does that pinpoint the question?

Mr. HRUSKA. That is correct. It seems to me that when we are getting into the matter of the Federal Rules of Criminal Procedure, where we might open up to some judges the issue of pretrial procedure in criminal cases, we are treading on very dangerous ground. If that is what the Congress desires, we should proceed to the consideration of that matter by means of extensive public hearings in which all aspects of the problem will be considered.

Mr. President, I ask for approval of the amendment submitted by the Senator from Illinois to the pending substitute amendment.

I yield back the remainder of the time available to me.

Mr. O'MAHONEY. Mr. President, I yield 10 minutes to the Senator from Pennsylvania [Mr. CLARK].

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

Mr. CLARK. Mr. President, I think it of great importance that, in considering this highly technical legislative proposal, we should be precise. In my judgment, this amendment is not in the interest of clarification. Instead, I believe it to be in the interest of confusion.

Mr. President, why is the phrase "except, if provided in the Federal Rules of Criminal Procedure" included in the substitute amendment of the Senator from Wyoming? It is included in order to make it abundantly clear that we are not tampering with the Federal rules.

Why does the Department of Justice want these words deleted? Because it wants to be able to argue that, by deleting them, the Congress has tampered with the Federal rules.

Mr. JAVITS. If the Senator from Pennsylvania will yield to me, let me say the Department wants to overrule the decision in the Fryer case, not the decision in the Jencks case. Does the Senator from Pennsylvania not agree?

Mr. CLARK. I agree, and I shall discuss that point in a moment.

Mr. President, the Senator from Illinois gave us a little of the legislative history of the amendment; but he neglected—inadvertently, I am sure—to refer to the second draft of the pending bill, which was printed in the CONGRESSIONAL RECORD on July 8, 1957, and which contained, with one exception, language identical to the language of the substitute amendment. The language included in the version of July 8 was—

> In any criminal prosecution brought by the United States, no statement or report of a prospective witness which is in the possession of the United States shall be the subject of subpena, except as provided in the Federal Rules of Criminal Procedure.

Now we are to change the word "as" to the word "if", for the reasons the distinguished Senator from Wyoming has made clear to us. But that version has been before the Senate since July 8, and has always been a matter of controversy.

Why was the deletion made in the third draft, in the draft in which the Department of Justice would now like to have the words reinstated? Those words were taken out at the demand of the Department of Justice; and they have been reinstated because my friend, the Senator from Wyoming [Mr. O'MAHONEY], realizing full well the dangers of repealing by implication the Federal Rules of Criminal Procedure, or of overruling—without mentioning them—the decisions in cases in the Federal courts of appeals, agreed with me that the words should be restored, so as to make it abundantly clear that we have no intention of dealing in any way with the Federal Rules of Criminal Procedure.

Now, Mr. President, what are those rules? My good friend from Illinois, again I am sure quite inadvertently, stated that the Federal rules were the product of the Congress. They are so in part, but only in small part. Congress authorized the Supreme Court of the United States to draft and approve rules of criminal procedure. They did so. Those are the rules under which the courts now act in connection with criminal trials. Congress did say those rules should not become effective until they had been presented to the Congress of the United States at the beginning of the session, and would not become effective until the end of the session; so Congress could, if it desired, change the rules. But these are judge-made rules, subject to legislative veto, and it is the Supreme Court of the United States, and not the Congress, which makes those rules.

It is for that reason, I say, we ought to be pretty careful about "monkeying" with that buzz saw. We ought to be pretty careful about maintaining rules which were drawn up by the Supreme Court of the United States and approved by a previous Congress. Before we undertake to change them, we ought to have full hearings, and not very brief hearings, in which only two Government witnesses testified in respect to the bill, and in which the Rules of Criminal Procedure were not even mentioned.

What is the reason given by the Justice Department for wishing to eliminate the designated words from the pending bill? I suggest that the Justice Department has not given us the real reason why it wants those words eliminated.

In the CONGRESSIONAL RECORD of last Friday, the letter of the Attorney General appears, in which he said that the proposed change in the language of section (a)—which was inserted in the fourth draft, as it had been in the second draft—with reference to the rules of criminal procedure, was objectionable to the Department of Justice because it implied that prior statements of Government witnesses could be secured by the defendant in a criminal case through discovery proceedings under the present Federal rules of criminal procedure. These words carry no such implication, as the distinguished Senator from Wyoming has so clearly pointed out.

Continuing to read from the letter:

> The implication in the suggested language would be bound to cause confusion and might result in a broad and highly undesirable extension of the right of discovery in criminal cases which is not at all intended by the subcommittee or the Congress.

Mr. President, it needs no lawyer, no one learned in the law, to review the language of the statute and to determine that the point raised by the Department of Justice is completely illogical and does not follow the thinking which indicates why these words are included. That thinking is to prevent any implication that we are to deal in any way with rules of Federal criminal procedure without hearings before a committee, and to usurp to some extent the function which the Congress has delegated to the Supreme Court of the United States.

It is for that reason I think it is quite clear the amendment of the Senator from Illinois would not allay confusion, but would create it.

I have made the charge that the position of the Department of Justice in this regard is, to put it mildly, disingenuous. I say that because when the Attorney General testified before the committee, and engaged in the conference when we were putting the bill in shape to do what the Senator from Wyoming wants it to do—which is merely to protect the Government files to the extent they should be protected and yet give a defendant his appropriate right to proceed in due process—at that point the Department of Justice made clear what it is trying to do—to repeal rule 17 (c), and perhaps rule 15 and rule 16.

They were trying to erase the case of *Fryer* v. *United States* (207 Fed. (2d) 134) without telling anybody that is what they had in mind to do. We would never have known it if it had not been for the painstaking work of the Senator from Wyoming, the Senator from Kentucky, the Senator from New York, and other Senators, which showed that was the intent. If we had not explored the matter to its ultimate conclusion, we would not have found what they wanted to do was to give the Government a free and clear right in this bill to repeal by implication rules of criminal procedure, to overrule cases in the appellate courts, and not even tell the Senate that is what they had in mind. I suggest that we do not want that kind of legislation enacted in that way by the Senate of the United States. I suggest again, for the reasons so ably stated by my friend from Wyoming, these words should remain in the bill, and I hope the pending amendment will be defeated.

Mr. President, I yield back the remainder of my time.

Mr. O'MAHONEY. Mr. President, I know the Senator from Ohio would like to ask the Senator from Pennsylvania some questions. First, I should like to say to the Senator from Pennsylvania the Fryer case was a decision by the Court of Appeals for the District of Columbia. There are nine members of that court. Only three members sat in that case and participated in the decision. It was a divided court. Two judges made the ruling. One disagreed. I have given assurance, and I now repeat it, to the Department of Justice and to the Senator from Illinois and all others who are concerned, that when Congress comes back in January the Subcommittee on Improvements in the Criminal Code will be very happy to go into the whole matter of the criminal rules. It is one of our jobs.

Mr. **CLARK**. Will the Senator yield briefly?

Mr. **O'MAHONEY**. I yield.

Mr. **CLARK**. I am sure when the Senator does that he will want to have full and extensive hearings so as to make sure that all interested parties are heard. That was not done with respect to this bill.

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

Mr. **O'MAHONEY**. I think the Senator from Ohio would like to ask some questions. I yield him 3 minutes for that purpose.

The **PRESIDING OFFICER**. The Senator from Ohio is recognized for 3 minutes.

Mr. **LAUSCHE**. It has been stated that this amendment, if adopted, will nullify the rules under which the courts are now operating. Is that the understanding of the Senator from Pennsylvania?

Mr. **CLARK**. I would not put it quite that strongly to my friend from Ohio. I would say it may nullify rules under which we are now operating. If I were a judge, I think I would hold it did. However, it would still be possible to argue that we were not attempting in this proposed legislation to repeal rules of Federal criminal procedure, because there is no such reference to it. I think, however, in view of the legislative history, if these words remained in the bill after the debate, it would be very clear that the Senate is trying to do that, namely, to nullify Rules of Federal Criminal Procedure.

Mr. **LAUSCHE**. I understand one of the rules provides that in a criminal prosecution, whenever papers and documents have been taken, and they constitute a part of the evidence upon the defendants demand the Government must allow an examination of them?

Mr. **CLARK**. I think that is a fair interpretation of rule 17 (c).

Mr. **LAUSCHE**. I think that is what the Senator from Kentucky was referring to.

Mr. **CLARK**. Of course, rule 17 (c) is broader than that, because it has to do with the subpenaing of books, papers, documents, and other data which a defendant may need for preparation of his defense. That might include, and in the Fryer case it was held to include, the statement of a Government witness. That is the only thing the pending bill deals with.

Mr. **LAUSCHE**. The reason I ask the question is that I am of the belief that the adoption of the amendment of the Senator from Wyoming, if it is amended by the proposal made by the Senator from Illinois, would definitely say that in any criminal prosecution brought by the United States, no statement or report of a Government witness, or prospective Government witness other than the defendant, made to an agent of the Government which is in the possession of the United States shall be the subject of subpena or inspection except as provided in the Jencks case. That is in substance what it says.

Mr. **CLARK**. Except as provided in subsection (b), which to some extent modifies the Jencks case. I wish it did not, but it does, as the Senator and I know from the debate of Friday.

Mr. **LAUSCHE**. But the Jencks case deals with due process of law, and the principal purpose of subsection (b) is to give a Congressional interpretation of the decision in the Jencks case.

Mr. **CLARK**. The Senator is correct.

Mr. **LAUSCHE**. What I have in mind is that when it is specifically provided that no papers shall be——

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

Mr. **O'MAHONEY**. I yield 2 additional minutes to the Senator from Ohio.

Mr. **LAUSCHE**. When it is specifically provided in this bill that no papers shall be subject to subpena except those provided in subsection (b), in effect there is endangered the future existence of all the rules adopted by the Supreme Court of the United States.

Mr. **CLARK**. With respect to discovery.

Mr. **LAUSCHE**. Very well.

Mr. **CLARK**. I agree with the Senator.

Mr. **LAUSCHE**. I have one further question I should like to ask the Senator from Pennsylvania. Under the provisions of the Criminal Code and Criminal Procedure, adopted by Congress, the rules formulated by the Supreme Court are the equivalent of law?

Mr. **CLARK**. That is correct.

Mr. **LAUSCHE**. This bill, if it be passed subsequent to the adoption of those rules by the Supreme Court, in all probability would be construed to mean a repeal of those rules?

Mr. **CLARK**. That is my view. The end result would be accomplished without any hearings and without the Department of Justice telling us that is what it wished to do, until today.

Mr. **LAUSCHE**. I thank the Senator very much.

The **PRESIDING OFFICER**. The time of the Senator from Ohio has expired. Does the Senator from Wyoming [Mr. O'MAHONEY] desire to yield additional time?

Mr. **O'MAHONEY**. I understood the Senator from Illinois wanted to make a few remarks. I should be glad to yield 5 minutes of my time to the Senator from Illinois if he so desires.

Mr. **DIRKSEN**. Mr. President, I am not disposed to continue the debate any longer than is necessary. I simply wish to summarize what we have said on this side heretofore.

We have under consideration a trial, where a man is charged with a crime. The Government is the prosecutor. The Government brings in a witness and puts him on the stand. It is understood that the witness made a statement to a Federal agent some time before. The defense wants to find out what that statement was. The question is, how does the defense obtain that information?

This bill, as the substitute now stands, provides that there are two ways of getting the information. One is under the procedure set forth in paragraph (b). The other is under the words which have been written into the substitute, which were not applied in the Jencks case, and on which there were no extensive hearings. There was no extensive testimony of any kind before the subcommittee or before the full committee regarding the language "except, if provided in the Federal Rules of Criminal Procedure." That is an entirely new note. It confuses the issue. It opens the door.

I can readily understand why the law enforcing agency of the Government is opposed to such a provision. That is the reason for the amendment. I earnestly hope that the Senate will see fit to strike out that language, before greater confusion is brought about.

There is only one other thing I desire to add. When the Jencks case decision was rendered and its implications were understood by the Members of the Senate, they held up their hands in a holy horror and said, "Something has to be done. The Government is about to topple. The files are to be made available to any defendant who comes forward and gets a subpena for that purpose."

Humpty Dumpty fell off the wall, and the question was, how to put Humpty Dumpty together again. We thought we could put him together and that would be sufficient, and that was covered by the bill originally introduced. The substitute would put Humpty Dumpty together and would add a few pieces to him. That is what this phrase amounts to. It has no business here.

I sincerely hope that the amendment to remedy that defect in the substitute will be adopted.

Mr. President, I am prepared to yield back the time.

Mr. **O'MAHONEY**. Mr. President, I yield 3 minutes to the Senator from New York [Mr. JAVITS].

Mr. **JAVITS**. Mr. President, I have listened to this debate with a very great interest. I think the debate has sharpened the point. Perhaps we can come to a resolution as to what is troubling us all.

As I understand, the Senator from Nebraska says he does not want to affect the Federal Rules of Criminal Procedure. That is true with regard to the Senator from Wyoming. Apparently the two sides are trying to obtain the same result.

It seems to me that if we leave the provision in the bill "if provided in the Federal Rules of Criminal Procedure" we are not affecting such rules by the bill. What we would be doing, as has been pointed out already, is this: In other provisions of the bill, when we come to subsection (b) we would not be giving the Federal judge the same power to protect the FBI files. Under the Federal Rules of Criminal Procedure if we are giving the court the right to protect the FBI files, if something is produced under the Jencks case decision, that is a different subject. Therefore, Mr. President, if this amendment should fail I believe what I am about to suggest would best carry out the intentions stated. If the amendment should fail, I shall then propose an amendment which will make a separate subsection of all the material in what is now subsection (b), which begins at line 18. The effect of that would be to give the Federal judge the same power with respect to the FBI files, no matter how the material was produced; whether under this bill or under the Federal Rules of Criminal Procedure, the power to prescribe which we decided to give to the court by legislation.

In that way, Mr. President, I think we would not affect the Federal Rules of Criminal Procedure, which I think it would be dangerous to do. They have been in effect for more than 10 years. They have been construed and reconstrued by the courts. We have had the Jencks case, and the Fryer case has been pointed out. We do not wish to affect that whole body of law, but we do want to protect the FBI files, which is the purpose of this bill.

I think that would be the fairest and most equitable and just thing to do. Therefore, I shall vote against the amendment of the Senator from Illinois, with the expectation that if it fails—if it succeeds there is no point about it—I shall then seek to protect the FBI files in the way I have described no matter how the material is produced.

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

Mr. WATKINS. The Senator has indicated something he plans to propose.

Mr. O'MAHONEY. Mr. President, I extend the time by yielding an additional 3 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for an additional 3 minutes.

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

Mr. JAVITS. I am glad to yield.

Mr. WATKINS. Something else will be proposed if this proposal is defeated. How do we know what that something else is? I think we ought to have that information.

Mr. JAVITS. I will state to the Senator from Utah that on line 18, at the end of the sentence—that is page 2, line 18——

Mr. WATKINS. I have the draft of the August 23. We have a great many substitute prints.

Mr. JAVITS. The print of the August 23 is the one to which I shall refer. In the print for the August 23, on line 18, at the end of the sentence I would insert——

Mr. WATKINS. There is no end of the sentence on line 18, page 2.

Mr. JAVITS. I guess this is not the correct print.

Mr. WATKINS. The Senator desires the August 23 print?

Mr. JAVITS. May I borrow the Senator's copy.

Mr. WATKINS. Certainly.

Mr. JAVITS. At the end of the sentence on line 16——

Mr. WATKINS. The Senator from Illinois [Mr. DIRKSEN] has indicated he thought we were dealing with the August 22 print. As I understand, the one we are dealing with is the August 23 print, modified, and ordered to be printed on that date. That is the modification of the August 22 print.

Mr. JAVITS. That is the one which contains the amendment of the Senator from Kentucky [Mr. COOPER].

At the end of the sentence in line 16, I would insert the letter "(c)", and in the next sentence, after the word "produced," I would insert "under this section."

That is in line 20. That would be line 18 of the copy the Senator has. After the word "produced," I would insert the words "under this section." That would make it applicable to section 3500, which is the section we are amending.

My construction of what I would do is that we would give the judge the power over the FBI files, whether the material were produced under this bill or under the Federal Rules of Criminal Procedure.

Mr. WATKINS. Would that have the effect of providing a pretrial procedure?

Mr. JAVITS. The pretrial procedure question would then depend upon existing law. The existing law has been discussed here at great length. As I understand, the general view of both sides is that we do not want to affect the existing law as to the Federal Rules of Criminal Procedure, which would then affect the Fryer case and other cases. We do want to protect the FBI files.

I deeply feel my amendment would perform that function.

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

Mr. JAVITS. I yield.

Mr. CLARK. I do not want to misquote my good friend, the Senator from Illinois [Mr. DIRKSEN], so I am glad he is listening.

It is my understanding that the Senator from New York [Mr. JAVITS] is in error, and that the purpose of the amendment offered by the Senator from Illinois [Mr. DIRKSEN] is to repeal, pro tanto, rule 17 (c) as interpreted in the Fryer case. If I am incorrect, I hope the Senator will correct me.

Mr. JAVITS. If the Senator please, may I answer for myself only. I understood from the argument of the Senator from Nebraska, to which I listened with great care, that was the case. I have the greatest respect for the Senator from Illinois. He is trying to perform an invaluable service, by representing the views of the administration.

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

Mr. JAVITS. May I have 1 more minute?

Mr. O'MAHONEY. I yield the Senator from New York 2 additional minutes.

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

Mr. JAVITS. I was following the argument of the Senator from Nebraska, who I think was explaining, more or less, his parliamentary views as to what he thought we ought to do. I said, I think that intention is proper. I am trying to carry it out. However, we do not wish to affect the Federal Rules of Criminal Procedure.

I understand what the Department desires. We do not wish to affect the Federal Rules of Criminal Procedure. We simply wish to protect the FBI files by this bill, no matter how they are produced. That is all I shall seek to do if the pending amendment fails.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CASE of New Jersey. I should like to associate myself with the Senator from New York. I do not think by this bill, without having a chance to make a detailed study of the matter, we ought to change the rules, whatever they may be, as to discovery in a criminal case, or inspection, or pretrial practice. However, I will agree to this extent: Whenever the subject of discovery is up, by the order to produce on application, on subpena, or otherwise, and there is a statement in the files of the FBI made by a witness, then the limiting language of what is now subsection (b) ought to be applied to it. Therefore, I fully support the Senator from New York in his two points. One is that we should not exclude the language "if provided in the Federal Rules of Criminal Procedure," and the second is that we make the substance of subsection (b) applicable to the whole proceeding.

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

Mr. JAVITS. I yield.

Mr. WATKINS. Suppose the information is in the files of the United States marshal for the district.

Mr. JAVITS. The normal discovery rules would apply, because this bill is intended to relate only to statements or reports of Government agents, and we understand those to mean enforcement officials.

Mr. WATKINS. Is the United States Marshal not a Government agent?

Mr. JAVITS. The Senator asks me a question which I am not prepared to answer at this particular point, because our sights have not been leveled at that particular question.

Mr. WATKINS. It is about time that they were leveled at it, since that may affect the problem.

Mr. JAVITS. I am willing to say this to the Senator: I would be glad, for myself, to apply the provisions of this bill to all officials of the Federal Government. If the words do go that far, it is perfectly all right with me, and I know exactly what I am voting for. I think they do.

Mr. WATKINS. Will the Senator yield for one observation?

Mr. JAVITS. Yes, I yield.

Mr. WATKINS. In view of the debate I have heard, it seems to me that the matter should be clarified. I am not a member of the subcommittee which developed the bill, but in view of the discussion I have heard, it seems to me we who have not taken part in the debate, are in a position just about the same a court would be in, which would be a position between a prosecution group of attorneys and a defense group of attorneys, each arguing for its own side and not making the matter entirely clear. If we are to legislate in that sort of climate, I am afraid we shall come up with something which may not be helpful, and may be positively damaging.

Mr. O'MAHONEY. Let me say to my friend from Utah that I think his statement is absolutely correct. Senators who are not members of the subcommittee or who have not participated, either as members of the subcommittee or as Members of the Senate, in various discussions which have taken place, are sitting here as an ultimate court to pass upon what we say.

I will say, however, to the Senator that if he had been present when the discussion opened, I think he would agree that I have stated rather clearly the position of those who are supporting my substitute amendment. The Senator from New York has stated it very clearly; and I will say to the Senator from Utah, with respect to his inquiry about United States marshals, that it must be born in mind that we are dealing with one character of statements, and one character only, namely, statements made by Government witnesses who have been called and who have testified before the court, who have made statements to a Government agent. That is all. Unless a United States marshal were a witness, nothing that he had said to a Government agent would be admissible under the terms of the bill.

Mr. WATKINS. How about statements which he has in his possession, statements by witnesses, which he has gathered?

Mr. O'MAHONEY. Bear in mind that only the witnesses who testify are concerned—and after they have testified, not before.

Mr. WATKINS. But this rule may have an effect on whether or not they are called.

Mr. O'MAHONEY. Which rule?

Mr. WATKINS. The rule proposed in the bill.

Mr. O'MAHONEY. I do not think it would apply.

Mr. WATKINS. It might bar them from producing such testimony if the witnesses were required to give up whatever information they had.

Mr. O'MAHONEY. Let me say to the very able former judge from Utah, and now a very able Senator from Utah——

Mr. WATKINS. In the interest of time, let us move on. [Laughter.]

Mr. O'MAHONEY. Due process of law requires that the defendant be given statements which were made to a Government agent. The Department of Justice agrees to that. That is all agreed to in subsection (b). The question that is at issue here is, What are we to do about subsection (a)? I should like to say a few words on that subject.

Senators who have agreed with the Senator from Illinois have expressed great fear and are trembling lest, if the bill is passed containing the words which he seeks to strike out, lower courts throughout the land, and courts of appeal, will be greatly upset and confused, and they may, by reason of the contents of Federal rule 17 (c) make it difficult for the Government to prosecute.

I should like to read rule 17 (c). It is headed "For Production of Documentary Evidence and of Objects":

> A subpena may also command the person to whom it is directed to produce the books, papers, documents or other objects designated therein. The court on motion made promptly may quash or modify the subpena if compliance would be unreasonable or oppressive. The court may direct that books, papers, documents or objects designated in the subpena be produced before the court at a time prior to the trial or prior to the time when they are to be offered in evidence and may upon their production permit the books, papers, documents or objects or portions thereof to be inspected by the parties and their attorneys.

I submit that that rule has to do with the production of books, papers, documents, and the like. It does not deal with the subject matter before us; namely, a particular sort of papers, or statements made to an agent of the Government by a witness of the Government who has already testified. These are to be produced, under the Jencks case, because due process of law requires that they be produced.

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

Mr. O'MAHONEY. Certainly.

Mr. HRUSKA. Is it not true that if we allow to remain in the bill the words to which the Senator from Illinois objects, not only will such statements and reports of witnesses be available to defendants, but they will be available to the defense prior to the trial?

Mr. O'MAHONEY. The answer to that question is "No."

Every ounce of evidence which the defense could get under rule 16, via the procedure specified in rule 17 (c), it can still get. However, the defense has never been entitled to obtain and inspect the statements of a propsective witness in advance of trial. The Jencks decision did not alter that situation, and Senate bill 2377 provides that the defense shall be entitled to such statements only after the witness has testified in open court.

Mr. HRUSKA. But that is the Jencks case, and that is what we set out to correct. That is what we undertook to solidify and stabilize. But now we find ourselves in a brandnew area, because under the terms of the bill, including the words sought to be stricken, such statements and reports are available under the Fryer case and under the Abel case, which was a capital case. They will be available in a pretrial proceeding, something not contemplated by the Judiciary Committee when it originally considered the bill.

Mr. O'MAHONEY. I think the Senator is mistaken, because the Fryer case applies only to the District of Columbia. As I have already pointed out, it was a case decided by only two members of a court consisting of nine members. One of the three members disagreed, and afterward, in an opinion which he wrote, a District judge expressed very diplomatically, I must admit, his disagreement with the decision.

Mr. HRUSKA. Yet it is the highest existing authority.

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

Mr. O'MAHONEY. I yield.

Mr. COOPER. The Fryer case, as the Senator has said, was tried in the district court, and then went to the circuit court of appeals. Its decision can be interpreted, to say that rule 17 intends that documents and statements shall be turned over to the defendant prior to the testimony of a witness.

Mr. HRUSKA. Statements and reports.

Mr. COOPER. Yes. The case was decided in 1953. Since that time we have had the Jencks case. The Jencks case says it cannot be done—that statements cannot be produced for the purpose of cross-examination, or to test the credibility of a witness, until after the witness has testified.

Mr. HRUSKA. Yet in the James Hoffa trial the district judge, on the basis of the Fryer case, made such statements available in pretrial proceedings. The Hoffa trial was held after the decision was rendered in the Jencks case.

Mr. COOPER. Let me say to the distinguished Senator that there have been several district courts which have not interpreted the Jencks case in the same way, and which have forced the production of records at various times. However, the amendment of the Senator from Wyoming would settle the question. It would say flatly that such papers may not be produced until after the witness has testified.

Mr. HRUSKA. That is not what it says.

Mr. O'MAHONEY. That is exactly what it says. I thank the Senator from Kentucky for a very clear and explicit statement dealing with this question.

Let me read subsection (a) again, because I was very much impressed by what the Senator from Ohio [Mr. LAUSCHE] said in his colloquy with the Senator from Pennsylvania [Mr. CLARK]. He made plain language perhaps plainer than it is in the bill. This is what we say in the proposed amendment. I read the very first sentence of the proposed amendment:

> In any criminal prosecution brought by the United States, no statement or report of a Government witness or prospective Government witness (other than the defendant) made to an agent of the Government which is in the possession of the United States shall be the subject of subpena or inspection—

That is a complete exclusion so far. Nothing in the nature of a statement made by a Government witness to the Government can be subjected to subpena or inspection, except—and here are the two exceptions:

> Except, if provided in the Federal Rules of Criminal Procedure—

I accepted those words which the Senator from Illinois would like to strike out, because I say common sense and an understanding of the English language must lead inevitably to the conclusion that "if provided in the Federal Rules of Criminal Procedure is merely a statement that if there is such a provision in the rules, we do not want to touch it. I say I have found no such provision in the rules. The Senator from Pennsylvania and the Senator from Nebraska seem to be of the opinion that there is something in the rules.

Although the Department of Justice says there is the Fryer case and that the Fryer case interpreted the rules, I say that the Fryer case is not a good case, and is bad law, and will not be followed. The Senator says, "But it may be followed, and unless we protect against it now somebody may be doing something wrong some time in the future.

What I am afraid of is that what may be wrong may be done after the adjournment of Congress. What I am afraid of is the misconstructions of the Jencks case, in lower courts and courts of appeals, which will result in revealing testimony which the Department of Justice has and which should not be revealed. I want to protect them, and that is what I am trying to do.

The section proceeds: "or as provided in paragraph (b) of this section." Why do we use "as"? Because we know precisely what is in paragraph (b). Therefore every provision there as now written is before us. If the bill becomes law, that language will be in the law. After the bill is passed no one will be able to say that the Federal Rules of Criminal Procedure have been changed.

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

Mr. O'MAHONEY. I yield.

Mr. CLARK. I should like to make an observation addressed to my good friend, the Senator from Nebraska [Mr. HRUSKA], to clarify what the Senator from Wyoming said about my position.

My position is merely that the Senate, on the floor, without hearings and without careful consideration, should not attempt to modify the Federal Rules of Criminal Procedure. We do not intend to do that. The purpose of putting those words in the bill is to make sure that we do not do that. I have suggested that perhaps the Senator from Illinois will find later that the purpose of the Department of Justice is to modify the Rules of Criminal Procedure, and I am not too clear as to whether the Senator from Nebraska wishes to modify them.

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

Mr. O'MAHONEY. I hope the Senator will not prolong the discussion. I have two good friends here, and I wish to preserve the amenities between the two of them.

Mr. HRUSKA. What I have to say would not disrupt our friendship. It might straighten out the record.

Mr. O'MAHONEY. It might confuse things. Let me read from the decision of Judge Holtzoff. He used to be in the Department of Justice. He was a member of my class at Columbia College in New York City. As a matter of fact, he cooperated with the Supreme Court in writing of the Rules of Criminal Procedure. In the case of *United States* v. *Carter*, which is found in Federal Rules Decisions, volume 15, page 367, at page 371 he gives his construction of rule 17 (c):

> Rule 17 (c) is applicable only to such documents or objects as would be admissible at the trial, or which may be used for impeachment purposes.
>
> Rule 17 (c) does not extend broadly to statements of witnesses, since such statements are not admissible in evidence. While they may be invoked for impeachment purposes, such use may be made only in the event that the witness testifies at the trial.

That is precisely what we have written into subsection (b). We are dealing with a very narrow field—statements of witnesses whom the Government voluntarily selected and summoned to court to testify. That is what we are dealing with. The fears engendered by the Department of Justice, I am sure, are without foundation.

The PRESIDING OFFICER. The Senator from Wyoming has 3 minutes remaining.

Mr. O'MAHONEY. Mr. President, I yield back the remainder of my time.

Mr. DIRKSEN. I yield myself 1 minute. We shall ask for a yea and nay vote on the pending question, because I believe it is of sufficient importance, inasmuch as what we are doing today will be interpreted in every corner of the country where there is a Federal court.

I can sum up the case in this fashion: I remember that more than 20 years ago I took a bar examination in the District of Columbia and I failed. Some time later I met one of the professors at a dinner in Washington. He had in the meantime discovered that I was a Member of Congress and that I had failed in the bar examination. I said to him, "Doctor, perhaps you can tell me why I flunked the bar examination." He said, "Yes; I can tell you. I happened to look up your paper and discovered that you volunteered information beyond what the questions called for. When you volunteer information and it is wrong, you get a zero on the question."

Mr. President, the phrase we are discussing was volunteered. It is not in the Jencks case. It has just been intruded without any warrant for it at all. It ought to come out before it confuses the situation further. Since this language is to be interpreted by district judges all over the country, when a judge sees this phrase "if provided in the Federal Rules of Criminal Procedure," he will scratch his head and say, "Perhaps there is something there, after all, that I have not discovered. I had better go back and look at those interpretations." That will start things all over again. That was not contemplated when the bill started its tortuous course in July of this year.

In the interest of clarity, in the interest of better law enforcement, and in the interest of cooperation with the Department of Justice, this phrase ought to be stricken out. I yield back the time remaining to me.

The PRESIDING OFFICER. All time for debate has expired.

Mr. KNOWLAND. Mr. President, I ask that the yeas and nays be ordered.

The yeas and nays were ordered.

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

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Barrett
Beall
Bennett
Bible
Bush
Byrd
Capehart
Carroll
Case, N. J.
Chavez
Clark
Cooper
Cotton
Curtis
Dirksen
Douglas
Dworshak
Eastland
Ervin
Frear
Fulbright
Goldwater
Gore
Green
Hayden
Hennings
Hickenlooper
Hill
Holland
Hruska
Ives
Jackson
Javits
Jenner
Johnson, Tex.
Johnston, S. C.
Kefauver
Kennedy
Kerr
Knowland
Kuchel
Langer
Lausche
Long
Magnuson
Malone
Mansfield
Martin, Iowa
Martin, Pa.
McClellan
McNamara
Monroney
Morse
Morton
Mundt
Neuberger
O'Mahoney
Pastore
Potter
Purtell
Revercomb
Russell
Saltonstall
Schoeppel
Scott
Smathers
Smith, Maine
Smith, N. J.
Stennis
Talmadge
Thurmond
Thye
Watkins
Williams
Yarborough
Young

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Louisiana [Mr. ELLENDER], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], the Senator from Virginia [Mr. ROBERTSON], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Idaho [Mr. CHURCH] is absent on official business attending the Economic Conference of the Organization of American States at Buenos Aires.

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Maryland [Mr. BUTLER], and the Senator from South Dakota [Mr. CASE] are absent on official business.

The Senator from Vermont [Mr. FLANDERS] and the Senator from Ohio [Mr. BRICKER] are necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Colorado [Mr. ALLOTT], the Senator from Kansas [Mr. CARLSON], and the Senator from Wisconsin [Mr. WILEY], are detained on official business.

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment of the Senator from Illinois [Mr. DIRKSEN] to the modified O'Mahoney amendment in the nature of a substitute.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Colorado [Mr CARROLL], the Senator from Louisiana [Mr. ELLENDER], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], the Senator from Virginia [Mr. ROBERTSON], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Idaho [Mr. CHURCH] is absent on official business attending the Economic Conference of the Organization of American States at Buenos Aires.

I further announce that if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from Louisiana [Mr. ELLENDER], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Missouri [Mr. SYMINGTON] would each vote "nay."

On this vote the Senator from Colorado [Mr. CARROLL] is paired with the Senator from Colorado [Mr. ALLOTT]. If present and voting, the Senator from Colorado [Mr. CARROLL] would vote "nay," and the Senator from Colorado [Mr. ALLOTT] would vote "yea."

The Senator from Alabama [Mr. SPARKMAN] is paired with the Senator from Vermont [Mr. FLANDERS]. If present and voting the Senator from Alabama would vote "nay" and the Senator from Vermont would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Maryland [Mr. BUTLER], and the Senator from South Dakota [Mr. CASE] are absent on official business.

The Senator from Vermont [Mr. FLANDERS] and the Senator from Ohio [Mr. BRICKER] are necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Colorado [Mr. ALLOTT], the Senator from Kansas [Mr. CARLSON] and the Senator from Wisconsin [Mr. WILEY] are detained on official business.

If present and voting, the Senator from Maryland [Mr. BUTLER], the Senator from South Dakota [Mr. CASE], and the Senator from Maine [Mr. PAYNE] would each vote "yea."

On this vote, the Senator from Colorado [Mr. ALLOTT] is paired with the Senator from Colorado [Mr. CARROLL]. If present and voting, the Senator from Colorado [Mr. ALLOTT] would vote "yea" and the Senator from Colorado [Mr. CARROLL] would vote "nay."

On this vote, the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from Vermont would vote "yea" and the Senator from Alabama would vote "nay."

The result was announced—yeas 30, nays 45, as follows:

YEAS—30

Barrett
Beall
Bennett
Bush
Capehart
Cotton
Curtis
Dirksen
Dworshak
Goldwater
Hickenlooper
Hruska
Ives
Jenner
Knowland
Malone
Martin, Iowa
Martin, Pa.
Mundt
Potter
Purtell
Revercomb
Saltonstall
Schoeppel
Smith, Maine
Smith, N. J.
Thye
Watkins
Williams
Young

NAYS—45

Bible
Byrd
Case, N. J.
Chavez
Clark
Cooper
Douglas
Eastland
Ervin
Frear
Fulbright
Gore
Green
Hayden
Hennings
Hill
Holland
Jackson
Javits
Johnson, Tex.
Johnston, S. C.
Kefauver
Kennedy
Kerr
Kuchel
Langer
Lausche
Long
Magnuson
Mansfield
McClellan
McNamara
Monroney
Morse
Morton
Neuberger
O'Mahoney
Pastore
Russell
Scott
Smathers
Stennis
Talmadge
Thurmond
Yarborough

NOT VOTING—20

Aiken
Allott
Anderson
Bricker
Bridges
Butler
Carlson
Carroll
Case, S. Dak.
Church
Ellender
Flanders
Humphrey
Murray
Neely
Payne
Robertson
Sparkman
Symington
Wiley

So Mr. DIRKSEN's amendment to Mr. O'MAHONEY's amendment, as modified, was rejected.

Mr. DIRKSEN. Mr. President, I call up my amendment labeled "8-23-57-B."

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. It is proposed, on page 2, beginning on line 9, to strike out the words "and any transcriptions or records of oral statements made by the witness to an agent of the Government", and to insert in lieu thereof "and any transcriptions or recordings of oral statements made by the witness to an agent of the Government."

The PRESIDING OFFICER. Under the unanimous-consent agreement, the debate on this amendment is limited to 2 hours, 1 hour to be controlled by the Senator from Illinois, the proponent of the amendment, and the other hour to be controlled by the Senator from Wyoming.

The Senator from Illinois is recognized. How much time does he yield himself?

Mr. DIRKSEN. I might say to the Senate, while under the rule an hour is available to each side on the amendment, I think what I have to say can be uttered in the space of 10 minutes. I believe the Senator from Nebraska [Mr. HRUSKA] has perhaps a 5-minute statement. So within the space of 30 minutes perhaps we could dispose of the amendment.

Mr. O'MAHONEY. Mr. President, I shall cooperate with the Senator from Illinois, and I think that on our side we shall not need more than 15 or 20 minutes. It will depend, of course, on what is said on the side of the proponents of the amendment and what desires may be expressed by those who are opposed to the amendment.

The PRESIDING OFFICER. The 2 minutes just consumed will be divided equally between the two sides.

The Senator from Illinois is recognized.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from Illinois yield for that purpose?

Mr. DIRKSEN. Yes.

Mr. KUCHEL. So that the RECORD may be scrupulously accurate, is it not true that the amendment which is offered by the Senator from Illinois which refers to page 2, beginning on line 11, should read, on page 2, beginning on line 9, and then continuing?

Mr. DIRKSEN. I think the Senator from California is correct.

The PRESIDING OFFICER. That is correct.

The Senator from Illinois is recognized for 10 minutes.

Mr. DIRKSEN. Mr. President, this is an amendment to paragraph (b) of the bill reported by the Judiciary Committee to deal with the so-called Jencks decision of the Supreme Court. I think probably I ought to summarize again what I said earlier this afternoon: We are all agreed that we ought to safeguard the rights of the accused in any criminal case; we ought to safeguard the security and the information sources of the Federal Government; and at the same time establish an exclusive procedure for orderly and judicious discovery of information to the defendant.

That involves three elements. The question is, when should these data and information be made available, and to what extent, and to whom? Two of the three questions have already been pretty well established. With respect to the timing, obviously it comes after a witness has testified in court. As to whom the information shall go, the power lies finally with the judge to excise anything which might be irrelevant or immaterial. The question is, What recordings, what transcriptions of records, are to be submitted?

In the original bill the language contained was:

> Such reports or statements of the witness as are signed by the witness or otherwise adopted or approved by him as correct.

On the 12th of August someone came forward with a different version, which contained this language:

> Written statements signed or adopted or approved by the witness, and any transcriptions and recordings of the oral statements made by a witness to a Federal officer relating to the subject matter to which the witness had testified.

Then there developed a third version. That version, the one of August 22, reads substantially as follows:

> Written statements signed or otherwise adopted or approved by the witness, and any transcriptions or records of oral statements made by the witness to an agent of the Government.

The question is, What is a record? That is a question which is giving the Department of Justice a great deal of concern. A record could be a file in the FBI that contains a lot of hearsay. If, through the order of a judge, such information was spread on the records of the court and put in the proceedings of a trial, conceivably innocent people could be hurt, and matters could be brought out that properly should not be injected into a trial.

I think that would endanger the confidential sources of the Government. In the case of sabotage trials, where the Government is particularly dependent upon intelligence from confidential sources, that would jeopardize those sources, and they might conceivably dry up.

In the Jencks case the court called only for "reports written and when orally made as recorded by the FBI touching the events and activities as to which they testified at the trial."

The word "records" did not appear. This question of records is subject to interpretation by judges at the trial level.

Some rather strange things have already happened. There is a case from Texas, where the judge ordered the United States attorney to turn over the entire FBI investigative file prior to trial.

There is a Georgia case, where the court ordered the United States attorney to turn over the entire United States intelligence report.

There is a Georgia case where the judge ordered the production of the entire Secret Service report.

There is a Pittsburgh case where the judge ordered the production of the entire Narcotics Bureau report.

There is a Pennsylvania antitrust case where the court ruled that if FBI agents testified their entire reports would have to be produced, and the Government was denied the use thereby of material testimony in that case.

Then the question arises whether grand jury testimony can be brought before the court under the language carried in the substitute amendment. Other cases, I think, could be outlined to show that we are depending upon interpretations at the lower level, and we can easily see that it is difficult to know what the trial judge may determine to be a record for the purposes of the trial.

That is the thing which disturbs the FBI. That is the thing which disturbs the Department of Justice. They have made a very special point of the fact that the word "records" ought to be deleted and that the word "recordings" of oral testimony should be substituted. They would have no objection to it then, and would feel infinitely safer if that modification were made.

I simply state that the amendment, like the earlier amendment which failed, has the approval of the Department of Justice. In fact, the Department thinks it is most indispensable to the enforcement of the law.

I can add one other thing, and then I shall have stated the case. When it comes to the interpretation of the word record exactly what will happen in some of the espionage cases? I know there is deep anxiety and concern in the Department of Justice with respect to the inclusion of that word. Actually, what the amendment does is to delete that word and substitute the word "recordings" so that the rule will be applied to transcriptions and recordings of oral statements which may have been made to a Government agent.

Since the chief law enforcement agency of the Government has asked for this amendment, since it is thought to be necessary to the effective enforcement of the law, to the protection of our security and to the protection of our confidential sources, I hope the amendment will be adopted.

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

Mr. DIRKSEN. I yield.

Mr. KUCHEL. Can the Senator give me an example of what records of oral statements would not be available to the defendant in a criminal case under the language of the Senator's amendment, "recordings of oral statements"?

Mr. DIRKSEN. They would have to be the actual recordings of oral statements made by the witness who is testifying in the case. When it comes to the question of records, what is a record? How far does the description go? What can be summoned by way of records? The sky may be the limit.

If we consider the case in Texas, under an interpretation of the Jencks decision in the southern district of Texas the judge finally ruled that all the records had to be admitted, and the United States attorney called the Department of Justice and stated that he had to submit 122 records. Then, to add insult to injury, the defense attorney called the United States attorney on the telephone and said, "Mail them to me."

I cannot tell Senators how far that would go. I can only say that the Department of Justice, which has to deal with the matter, is very concerned as to what might finally be summoned under an interpretation of the word "records."

Mr. KUCHEL. To turn the subject around, the intention of the Senator in using the word "recordings" is to cover the actual mechanical transcription of the very words used by the witness prior to the time of trial.

Mr. DIRKSEN. Exactly so.

Mr. President, I yield 5 minutes to the distinguished Senator from Nebraska [Mr. HRUSKA].

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 5 minutes.

Mr. HRUSKA. Mr. President, I rise in support of the amendment.

I should like to say that the language now contained in the bill is much too broad, because it includes all parts of the FBI files, including summaries and prosecutive records. The FBI summaries are prepared by agents other than those who have prepared and filed the original reports.

The purpose of having these documents submitted at all to the attorneys for the defense is to enable them to impeach the witness. If the language remains as it is in the bill, many documents for which the witness himself is not responsible will be available for the purpose of impeaching the witness.

I should like to give several illustrations of that. The investigative files, which almost invariably include material of a confidential nature, would be included in the definition of the word "records." That would reach the summary reports to which I have referred, which represent not the words of a witness whom it is sought to impeach, but, instead, the words of some third person's understanding of what the witness said.

The statements of the witness to investigators for Congressional committees, for example, would be included in the definition of "records." Therefore, a witness in a case could come before one of the Congressional committees, and testify on certain aspects of the case, and his testimony would be included in the records to which the defendant would be entitled, upon which to base impeachment of the witness. That right might even extend to an executive session of a Congressional committee.

Further, the word "records" would be broad enough to include testimony of the witness before a grand jury.

It would include, in direct answer to the inquiry of the Senator from California [Mr. KUCHEL], a situation of this kind: No careful lawyer ever puts a witness on the stand without interrogating the witness as to the ground he can cover legitimately in the testimony in the case at hand. In the process of interviewing the witness, if the lawyers are at all careful and if they follow the pattern which has been followed for many, many years, they will make a memorandum as to what the witness said to them, which is their understanding of what the witness said he would cover in the testimony. It is submitted that the word "records" would extend even to such memorandums, for which the witness is not responsible, since he is not the one who wrote them and he is not the one who set them down on paper. Those memorandums would be available for the purpose of impeaching the witness.

It would seem to me not to be in keeping with the purpose of the proposed legislation to have a witness impeached by material for which he himself was not responsible.

It should be borne in mind also that the word "records" is not a word of art. It is not something with a definitive meaning. It must be given the ordinary dictionary meaning and the ordinary dictionary definition, unless it is defined in terms within the statute itself, and that has not been done. The courts will not have recourse to a legislative history in this instance, when the statute is plain on its face. Certainly the word "records" has a dictionary meaning and is not limited within the statute, and would be subject to a wide interpretation, which would include a great variety of things to which reference has been made by the Senator from Illinois and to which I also have made reference.

I urge, therefore, that the amendment be adopted.

I yield back the remainder of my time, Mr. President.

Mr. O'MAHONEY. Mr. President, I yield myself 3 minutes.

It ought to be clear from what has been said by the Senator from Illinois and the Senator from Nebraska that the only issue now before the Senate, as presented by the amendment, is the difference between the word "recordings" and the word "records." Much of the argument which has been made in support of the amendment has not used the langauge which defines the sort of records or recordings of which we are talking.

The language is clear. It has been worked out most carefully with the cooperation of the Department of Justice. It reads as follows, with reference to when the word "records" first appears—and I shall begin reading at the start of subsection (b).

> After a witness—

Senators will note the word "After"—

> After a witness, called by the United States, has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce any written statements previously made by the witness in the possession of the United States which are signed by the witness or otherwise adopted or approved by him—

This language has been accepted by the Department of Justice. It is accepted by me. The sentence proceeds:

> and any transcriptions or records of oral statements made by the witness to an agent

> of the Government, relating to the subject matter as to which the witness has testified.

The language clearly confines the records about which we are legislating to the records of oral statements made by a Government witness to an agent of the Government, but which relate to the subject matter as to which the witness has testified—nothing else. If a witness has made a record or recording, on another case, or another subject matter, or on anything concerning which he has not testified, it is not covered by this bill.

What is the difference between record and recording?

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

Mr. O'MAHONEY. I yield.

Mr. HICKENLOOPER. If that is the position of the Senator, why not stop, in subsection (b), with the words "which are signed by the witness or otherwise adopted or approved by him," and leave out the rest of it?

Mr. O'MAHONEY. Because neither the Department of Justice nor the committee thought it was necessary to do so. I emphasize that the reason they did not think it was necessary to do so was that frequently witnesses, in addition to making written reports, which they sign and approve, also make oral reports. In the Jencks case the two witnesses called, Matusow and Ford, testified that they had made oral reports. All due process of law requires—and that is all we are seeking to accomplish—is that the records of such oral statements or oral reports shall also be available if they deal with the subject matter concerning which the witness testified, and in no other case.

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

Mr. O'MAHONEY. Mr. President, I yield myself 2 minutes more.

So we rejected the word "recording" because the word "recording" is a limited word. In response to the inquiry of the Senator from California [Mr. Kuchel], the Senator from Illinois [Mr. Dirksen] acknowledged that a recording would have to be considered as a recording made by some mechanical instrument. In common parlance, a recording is now understood to be a tape recording. Everyone knows how a tape recording can be manipulated, how it can be snipped.

All we are asking is that the records which are relevant and competent, which deal with the oral statements made by Government witnesses whom the Government puts on the stand, with respect to the matters concerning which they testify, be made available.

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

Mr. O'MAHONEY. I yield.

Mr. HICKENLOOPER. I certainly would not limit the word "recordings" to tape recordings. A pencil is as much a mechanical device as any device which is operated by electricity. So when anything is recorded with a pencil or a pen, or any similar device, it is recorded by a mechanical device.

Do I correctly understand the Senator's position to be that if a witness has at some time telephoned to an agent of the Government and talked with the agent over the telephone, and the agent later, from memory, has written down his interpretation of what he understood that person to say over the telephone, and himself made a notation of it which the witness has never seen or approved, and has never said was a correct interpretation of what he said, such a record could be made available?

Mr. O'MAHONEY. I think such a statement would not be admissible under the ordinary rules of evidence, as hearsay.

Mr. HICKENLOOPER. As I interpret it, that is exactly what the effect of this language would be.

Mr. O'MAHONEY. Not if the Senator will read the next sentence. The next sentence says:

> If the entire contents of any such statements, transcription, or records relate to the subject matter of the testimony of the witness, the court shall order them delivered directly to the defendant for his examination and use. In the event that the United States claims that any statement, transcription, or record ordered to be produced contains matter which does not relate to the subject matter of the testimony of the witness, the court shall order the United States to deliver such statement, transcription, or record for the inspection of the court in camera.

Mr. HICKENLOOPER. I read that, but that is not what I am talking about.

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

Mr. DIRKSEN. Mr. President, do I correctly understand the Senator to say that the language in the substitute has the approval of the Department of Justice?

Mr. O'MAHONEY. Exactly.

Mr. DIRKSEN. Definitely not.

Mr. O'MAHONEY. Everything except the word "records."

Mr. DIRKSEN. The Department of Justice is violently opposed to the use of the word "records."

Mr. O'MAHONEY. I so stated.

Mr. DIRKSEN. Unless I am misinformed——

Mr. O'MAHONEY. The Senator should not waste time arguing against something which I did not say. I stated that the Department of Justice has approved every word in this sentence except the word "records," which we substituted for the word "recordings." I think it is a matter of such trivial importance that the Senator ought to throw up his hands and withdraw the amendment.

Mr. DIRKSEN. Neither the Senator from Wyoming nor the Senator from Illinois will be enforcing the law. They will not be trying antitrust cases. They will not be trying any treason cases. The Senator from Wyoming and the Senator from Illinois will not be trying any espionage cases.

I know something about the concern of the Department of Justice over its confidential sources, and the question of what it may be called upon to disclose if we leave the word "records" in the bill. That is the reason I make a special point of it. I earnestly hope that the Senate will vote to strike out the word by adopting the pending amendment.

That is the whole story. I am not inclined to carry the discussion any further, because my affable friend has agreed that we should conclude the consideration of this question in adequate time. I am ready for a vote.

Mr. O'MAHONEY. Mr. President, I ask that the time used by the Senator from Illinois be recorded on the side of the proponents.

Mr. DIRKSEN. We have plenty of time.

Mr. KUCHEL. Mr. President, I wonder if I may ask the Senator from Wyoming a question?

Mr. O'MAHONEY. Certainly.

Mr. KUCHEL. The Senator from Illinois said that some circuit court had interpreted the law so as to direct the Government to turn over records——

Mr. O'MAHONEY. The Senator is mistaken. The Senator from Illinois said that a Texas court had interpreted the Jencks opinion to that effect—not the law.

Mr. KUCHEL. If the Jencks opinion is the law of the land, and is to be so interpreted——

Mr. O'MAHONEY. I do not think it is the law of the land; and we are trying to make sure that it will not be, in this respect.

Mr. KUCHEL. Let me ask this question: If a court of competent jurisdiction should interpret the law as granting the right of the defendant to take possession of the records of the Government, that would not seem fair to the junior Senator from California. It would not seem to be equitable. I want to enforce the right of a defendant to be able to impeach a witness who sits on the witness stand and testifies against him, but I think the ends of justice require the Congress, in determining the procedures in such a case, to clothe the witness, as against the defendant, with some protection, so that the witness will not have thrown at him records which are not agreed to be the witness' statements.

Mr. O'MAHONEY. Of course, that would not happen under the terms of my amendment.

Mr. KUCHEL. There is considerable competent opinion to the contrary.

Mr. O'MAHONEY. I dislike to say this about my genial friend from Illinois [Mr. Dirksen], but he reminds me of the judge in the State of Texas who sowed the first seed of confusion and misconstruction. It is not his fault. It is the fault of the Department of Justice.

Let me say to the Senate, with every bit of sincerity I can command, that the Assistant Attorney General has an exaggerated fear as to what is likely to happen. I say that we must pass the bill quickly in order that the records of the Government may not be made the happy hunting ground of defendants and attorneys who want to obtain irrelevant and incompetent matter.

Mr. KUCHEL. Then are the Senator from Illinois and the Senator from Wyoming agreed as to what should be done?

Mr. O'MAHONEY. I think the word "records" would accomplish the purpose. The word "recordings" would not, simply because recordings have the connotation of tape recordings, which can be snipped and gypped and misrepresented.

Mr. KUCHEL. Does the misrepresented, snipped, and gypped recording also constitute a record, in the opinion of the Senator?

Mr. O'MAHONEY. No; it does not, because the word "record" has a general meaning.

Mr. President, I yield 5 minutes to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I should like very briefly to address myself to the junior Senator from California. I regret that the Senator from Iowa [Mr. HICKENLOOPER] has left the Chamber, because I wish to make certain points with which he may not agree, but I shall try to make them in any event.

Let us make it clear that we are not talking about evidence. The important question is not whether these records or recordings can get into the evidence.

Mr. KUCHEL. I understand.

Mr. CLARK. It is merely that they may be produced for purposes of impeachment. Let us make it clear that we are talking only about records of statements made to a Government agent. Grand jury proceedings could not possibly be based upon the provisions of the bill, because a grand jury is not a Government agent. We are talking only about the difference between "record" and "recordings."

I may point out to my friend from California an example of what seems to me to be the difference between the two. I agree with my friend, the Senator from Wyoming, that "recording" is an extremely narrow word. A "record" is something which is taken down by a Government agent, and is his version of what a witness called by the Government has said about an incident with respect to which he has already testified.

If I may carry my friend from California with me further, I quote briefly from the Jencks opinion. Let me show how we narrow the Jencks opinion in order further to protect the Government.

In the Jencks case the majority opinion held:

> We now hold that the petitioner was entitled to an order directing the Government to produce for inspection all reports of Matusow and Ford in its possession written and, when orally made, as recorded by the FBI touching the events and activities as to which they testified at the trial.
>
> We hold, further, that the petitioner is entitled to inspect the reports to decide whether to use them in his defense.

We were concerned about the word "report" because the FBI did not like the word "report." It was too broad. So we changed it to "records."

We let the word "records" stand, instead of "recordings" because Matusow, who had made an earlier oral statement to a Government agent, had gone on the stand and lied about it, and was convicted of perjury.

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

Mr. CLARK. I yield.

Mr. KUCHEL. I wish to refer to the language on which, apparently, everyone in the Senate is in agreement, because no amendment has been offered to eliminate the language. Immediately before the place where the amendment of the Senator from Illinois would be inserted, the language reads the court shall, on motion of the defendant, "order the United States to produce any written statements previously made by the witness in the possession of the United States which are signed by the witness or otherwise adopted or approved by him."

Does the Senator suggest that that does not cover a statement by a witness which is taken down by an agent of the Government, but which does not have the approval of the witness?

Mr. CLARK. Yes, I do; because he has not approved it and he has not signed it. That is why we were fearful that the word "recording" would be used by the FBI—or any Government agency, for that matter—to keep its files in such a way that they would not be called upon to produce them in court. In other words, it would not be a record and, therefore, it would not be produced. That, it seems to me, is the whole issue.

Mr. KUCHEL. Let me ask the Senator this question. Suppose the agency has taken down a statement of a witness and the witness has not seen it, and the witness testifies in court, and the statement is to be used in an effort to impeach the witness, and the witness then denies that he ever made the statement. Let us say that the witness says the FBI agent made a mistake in taking it down. I wonder whether the Senator would contend that that type of statement should be used as a basis for impeachment.

Mr. CLARK. Let me say to the Senator that I believe that any competent Federal district attorney would certainly know before his Government witness went on the stand——

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

Mr. O'MAHONEY. I yield 2 additional minutes to the Senator from Pennsylvania.

Mr. CLARK. I am sure that he would have seen the statement in the Government file which the witness is supposed to have made, and therefore he would not be surprised. In the second place, if that kind of statement had been available to the defendant in the Jencks case, I do not believe we would have a situation where Matusow would have perjured himself. The witnesses in the Jencks case were admitted Communists who were paid money. We must bear in mind, moreover, that a defendant is entitled to some rights for impeachment purposes.

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

Mr. CLARK. I yield.

Mr. PASTORE. So far as the evidential procedure is concerned, if it should happen, for instance, that the witness denied that he ever made a statement, let us say, to an agent of the Government, then, so far as bringing it to the attention of the jury is concerned, it would be necessary to call the agent to prove that the witness did make such a statement.

Mr. CLARK. The Senator is correct.

Mr. PASTORE. Now we are getting into evidence. We are going beyond the field of record perusal.

Mr. CLARK. The Senator is correct.

Mr. PASTORE. Am I right?

Mr. CLARK. The Senator is correct.

Mr. O'MAHONEY. Mr. President, I yield 5 minutes to the Senator from New York.

Mr. JAVITS. Mr. President, the amendment reflects most accurately the controversy in which we are engaged, and on which I have taken the liberty to speak for a brief time. On the one hand, there are the people who think that we should toughen up the procedures which were employed in the Jencks case; on the other hand, there are people who think we should let the courts decide questions of evidence. I deeply believe in the toughening up process.

There are two questions which are raised by the proposed amendment. One is that, in the toughening up process, we do not make the whole act unconstitutional. The second is that, in the toughening up process, we do not make the act unfair. I do not believe the Senate wants to do either. In dealing with the problems raised by the Jencks case, we ought not to write an unconstitutional statute or make it unfair. I believe that the amendment, although well intentioned, does both.

There is also the third point to consider, and that is, that we are about to legislate with regard to all crimes, not only with respect to subversion. We are legislating with respect to murder and every other crime on the Federal calendar. We are legislating with respect to counterfeiting, narcotics, immigration, and every other crime against Federal law. We must never forget the American democratic concept for legislators, and that is, "There, but for the grace of God, stand I." We must protect the rights of the individual defendant.

The job of the Department of Justice is the very proper job of prosecuting. The job of the courts is to do justice. Our responsibility is to hold the scale balanced evenly as between the Constitution as it is and as interpreted by the courts and the prosecuting authorities. I submit the pending amendment runs squarely counter to that proposition. Its adoption, it seems to me, would make the whole act unconstitutional. It would so toughen it as to make it unfair.

It is for that reason that we use the word "record." The use of the word "recording" would have the opposite effect. It would allow the prosecuting authorities or a witness to avoid the plain mandate of due process by simply not signing the statement. This the courts will not tolerate. That is precisely what the Jencks case held.

It seems to me that, in short, the court has held:

> You cannot avoid the due process mandate based upon whether the report was written or not. If a report is sufficient to impeach the defendant, he is entitled to it.

If we amend the bill, that mandate could be avoided.

As to the other fundamental point involved, it must be remembered that whatever we do will be passed on by the Supreme Court, which must pass on the constitutionality of the act. Certainly we cannot repeal or change the due process clause; nor do we wish to do so. Within the limits of the Constitution, we are trying to protect the FBI files; also, within the concepts of American justice in which I know the FBI fully joins, we wish to make sure that secret police methods are never employed within our Government and that we will do nothing to deal with the lives and liberties of our people except by due process of law.

Let us understand that we should give the FBI an adequate appropriation, and we do, without inquiring too deeply into its sources of information. That does not mean that the Supreme Court should not make some rules with respect to what should be revealed and what should not be revealed to the individual defendant on trial for his life or liberty.

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

Mr. O'MAHONEY. Mr. President, I yield 3 more minutes to the Senator from New York.

Mr. JAVITS. Let us see what we are doing. We are certainly doing something effective in the bill even if we do not adopt the amendment. We say in the bill "after a witness has been called by the United States and has testified" we cut off all disclosure under the Jencks case rule until the witness has taken the stand.

The second thing we do is not to allow the defendant to forage through the files of the FBI to see what relates to the testimony. We lay down the rule that it is the judge who may determine what relates to the testimony, and give the defendant only what actually, in the view of the judge, relates to what the witness has already testified to. In that way we have done everything that can humanly be done to protect the FBI files from a fishing expedition. Yet we are not depriving a defendant of material with which to defend himself according to the Constitution.

The bill is designed to protect, and does protect, the FBI files to the full extent they ought to be protected, consistent with the right of the individual to due process—which must then run the gauntlet of the Supreme Court. I believe the bill with the amendment of the Senator from Illinois could not successfully run that gauntlet.

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

Mr. JAVITS. I yield.

Mr. KUCHEL. I appreciate very much the remarks of the Senator from New York.

Is there today any provision of law that a witness may be impeached by a prior contradicting statement written by a third person, which statement the witness himself—let us stipulate—has never seen? Is that possible?

Mr. JAVITS. In the first place, that is not the amendment of the Senator from Illinois. The witness may very well have seen it, but the witness did not sign it or record it.

Mr. KUCHEL. No, I am speaking now about the language of the substitute amendment to which no one objects; namely, that if a statement is approved by the witness, it can be used as a basis for impeachment.

Mr. JAVITS. Yes.

Mr. KUCHEL. As I understand, if the word "records" remains in the substitute amendment, that word is sufficiently broad to include a statement made by a witness to a third party, which statement the witness himself has never seen.

Mr. JAVITS. The case to which I should like to refer the Senator is that of *Asgill* v. *United States* (16 Fed. (2d) 775, Circuit Court of Appeals 4), decided in 1932. In that case, the Government's chief witness denied that she knew the contents of certain letters written on her behalf by a private person, and contradicting her testimony. However, the defendant, through other witnesses, presented testimony that the letters were dictated in her presence. The court held that was sufficient foundation to introduce the letters for impeachment purposes. I cite that case in that connection.

Mr. President, I yield the floor.

Mr. KUCHEL. Mr. President, I wonder whether either side will yield 1 or 2 minutes to me.

Mr. DIRKSEN. I yield 2 minutes to the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized for 2 minutes.

Mr. KUCHEL. Mr. President, I wish to say that I think the last decision cited by the Senator from New York is quite clearly covered by the language of the amendment in the nature of a substitute around which the present controversy does not revolve, because the amendment in the nature of a substitute states, in part:

> Statements * * * which are signed by the witness or otherwise adopted or approved by him.

If I make a statement in the presence of the Senator from Illinois, and if my statement is taken down, and if I see it and read it, and do not make any correction in it, I think it fair to infer that it is my statement.

Mr. JAVITS. Mr. President, will the Senator from California yield to me?

Mr. KUCHEL. I yield.

Mr. JAVITS. I believe the Asgill case holds that when the witness adopts the statement at the trial, or when there is evidence at the trial which shows that the witness adopted it, that is adequate, whether the witness adopted it before or not. That is the key of the argument I am making in connection with this amendment.

Mr. O'MAHONEY. Mr. President, let me say that a statement made to a third party would not be admissible. Only an oral statement made to an agent of the Government, not to a third party, would be admissible.

Mr. CASE of New Jersey. Mr. President, on that point, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield to the Senator from New Jersey.

Mr. CASE of New Jersey. Is it the understanding of the Senator from Wyoming, as it is mine, that summaries, for example—as has previously been stated—made by someone who did not hear the oral statement, would not come within the meaning of the word "records" in this instance?

Mr. O'MAHONEY. Certainly they would not.

Mr. CASE of New Jersey. The record has to be made by the person to whom the oral statement was made, in order to be admissible; is that correct?

Mr. O'MAHONEY. Yes.

Mr. HRUSKA. Mr. President, in that connection, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. HRUSKA. In lines 12 and 13 of the amendment in the nature of a substitute, where reference is made to "made by the witness to an agent of the Government."

Do those words modify the words "oral statements", or do they modify the words "records of"?

Mr. O'MAHONEY. They modify the phrase "records of oral statements."

Mr. HRUSKA. If that be true, I should like to have the legislative history in connection with this matter clearly shown.

Mr. O'MAHONEY. Oh, that is absolutely the case.

Mr. HRUSKA. Because I have read that part of the language a number of times, and I construed it to modify the word "statements."

Mr. O'MAHONEY. Oh, no; it modifies the phrase "records of oral statements made."

Mr. HRUSKA. If that is true, the word "records" is greatly limited.

Mr. O'MAHONEY. That is what I have been trying to tell the Senate all afternoon.

Mr. HRUSKA. But the Senator from Illinois stated at least six different classifications of witnesses as to whom the records made by others could be used.

Mr. O'MAHONEY. With all due respect to the Senator from Illinois, I think his illustrations were not in point.

Mr. HRUSKA. Mr. President, with all due respect to the Senator from Wyoming, this is the first time I have heard him make that comment with reference to the statement made by the Senator from Illinois.

Mr. O'MAHONEY. I have said it over and over again, namely, that the phrase "and any transcriptions or records of oral statements made by the witness to an agent of the Government"—and let me say that no comma appears in that entire phrase—relates to the subject matter about which the witness has testified, and that subject matter is "records of oral statements made by the witness to an agent of the Government."

Mr. HRUSKA. Yes. So it is the position of the Senator from Wyoming, is it, that the words "records of oral statements" are the words to which the words "made by the witness to an agent of the Government" relate? Is that correct?

Mr. O'MAHONEY. Yes.

Mr. HRUSKA. Mr. President, I still hope the amendment of the Senator from Illinois will be agreed to, despite the explanation which has been given.

Mr. O'MAHONEY. Mr. President, I am ready to vote.

Mr. DIRKSEN. Mr. President, to be sure that the legislative history is clearly made, I now refer to the sentence following the one which has been under discussion in the last few minutes. The following sentence reads, in part, as follows:

> If the entire contents of any such statements, transcription, or records relate to the subject matter of the testimony.

In that connection, one will still be up against the question of how the court will interpret the word "records." That is the seat of all the trouble, and it is responsible for the anxiety of the law-enforcement branch of the Government.

Mr. O'MAHONEY. We can dismiss all of it now, very clearly, because I say to the Senator from Illinois positively, and as a part of the legislative record, that the words the Senator from Illinois has just read have the same interpretation as the words preceding them, which I read a moment ago to the Senator from Nebraska.

Mr. President, let us vote.

The PRESIDING OFFICER (Mr. McNAMARA in the chair). Does the Senator from Illinois yield back the remainder of the time under his control?

Mr. DIRKSEN. I do.

Mr. O'MAHONEY. I yield back the remainder of the time under my control.

The PRESIDING OFFICER. All remaining time has been yielded back.

The question is on agreeing to the amendment of the Senator from Illinois [Mr. DIRKSEN] to the O'Mahoney amendment in the nature of a substitute, as modified. [Putting the question.]

Mr. DIRKSEN. Mr. President, I ask for a division.

The Senate proceeded to divide.

Mr. O'MAHONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken
Allott
Barrett
Beall
Bennett
Bible
Bricker
Bush
Byrd
Capehart
Carlson
Carroll
Case, N. J.
Clark
Cooper
Cotton
Curtis
Dirksen
Douglas
Dworshak
Eastland
Ervin
Frear
Fulbright
Goldwater
Gore
Green
Hayden
Hennings
Hickenlooper
Hill
Holland
Hruska
Ives
Jackson
Javits
Jenner
Johnson, Tex.
Johnston, S. C.
Kefauver
Kennedy
Kerr
Knowland
Kuchel
Langer
Lausche
Long
Magnuson
Malone
Mansfield
Martin, Iowa
Martin, Pa.
McClellan
McNamara
Monroney
Morse
Morton
Mundt
Neuberger
O'Mahoney
Pastore
Potter
Purtell
Revercomb
Robertson
Saltonstall
Schoeppel
Scott
Smathers
Smith, Maine
Smith, N. J.
Stennis
Talmadge
Thurmond
Thye
Watkins
Wiley
Williams
Yarborough
Young

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment of the Senator from Illinois to the amendment of the Senator from Wyoming, as modified.

Mr. O'MAHONEY. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Louisiana [Mr. ELLENDER], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], the Senator from Georgia [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Idaho [Mr. CHURCH] is absent on official business attending the Economic Conference of the Organization of American States at Buenos Aires.

I further announce that if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Idaho [Mr. CHURCH], the Senator from Louisiana [Mr. ELLENDER], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], and the Senator from Missouri [Mr. SYMINGTON] would each vote "nay."

On this vote, the Senator from Alabama [Mr. SPARKMAN] is paired with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from Alabama would vote "nay" and the Senator from Vermont would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Maryland [Mr. BUTLER] and the Senator from South Dakota [Mr. CASE] are absent on official business.

The Senator from Vermont [Mr. FLANDERS] is necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from Maine [Mr. PAYNE] are absent because of illness.

If present and voting, the Senator from Maryland [Mr. BUTLER], the Senator from South Dakota [Mr. CASE], and the Senator from Maine [Mr. PAYNE] would each vote "yea."

On this vote, the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from Vermont would vote "yea," and the Senator from Alabama would vote "nay."

The result was announced—yeas 37, nays 43, as follows:

YEAS—37

Aiken
Allott
Barrett
Beall
Bennett
Bricker
Bush
Capehart
Carlson
Cotton
Curtis
Dirksen
Douglas
Dworshak
Goldwater
Hickenlooper
Hruska
Ives
Jenner
Knowland
Kuchel
Malone
Martin, Iowa
Martin, Pa.
Morton
Mundt
Potter
Purtell
Revercomb
Saltonstall
Schoeppel
Smith, Maine
Smith, N. J.
Thye
Watkins
Williams
Young

NAYS—43

Bible
Byrd
Carroll
Case, N. J.
Clark
Cooper
Eastland
Ervin
Frear
Fulbright
Gore
Green
Hayden
Hennings
Hill
Holland
Jackson
Javits
Johnson, Tex.
Johnston, S. C.
Kefauver
Kennedy
Kerr
Langer
Lausche
Long
Magnuson
Mansfield
McClellan
McNamara
Monroney
Morse
Neuberger
O'Mahoney
Pastore
Robertson
Scott
Smathers
Stennis
Talmadge
Thurmond
Wiley
Yarborough

NOT VOTING—15

Anderson
Bridges
Butler
Case, S. Dak.
Chavez
Church
Ellender
Flanders
Humphrey
Murray
Neely
Payne
Russell
Sparkman
Symington

So the amendment of Mr. DIRKSEN to the O'Mahoney amendment, as modified, was rejected.

Mr. HRUSKA. Mr. President, I have an amendment at the desk, which I call up and ask to have stated.

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

The CHIEF CLERK. In the amendment of the Senator from Wyoming [Mr. O'MAHONEY], as modified, it is proposed on page 3, beginning immediately after the word "shall" in line 23, to strike out all down to and including line 3 on page 4, and in lieu thereof to insert the following:

> Strike from the record the testimony of the witness and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared.

Mr. O'MAHONEY. Mr. President, I have consulted the Senator from Nebraska with reference to this amendment. I see no great difference between the amendment he offers and the amendment as it lies on the desk awaiting action. I am willing to accept the amendment and take it to conference, in the interest of expediting action.

Mr. HRUSKA. I am grateful to the Senator from Wyoming for his statement.

Mr. HRUSKA subsequently said: Mr. President, I ask unanimous consent that I be permitted to have printed in the RECORD a statement of my own preparation with reference to the amendment which was accepted by the Senator from Wyoming to subsection (c), at the point in the RECORD immediately after its acceptance.

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

Mr. HRUSKA's statement is as follows:

STATEMENT BY SENATOR HRUSKA

In support of the amendment which I have proposed to section (c) of the substitute bill now pending before this body, I want to say that it has to deal with the situation arising in instances where the Government does not comply with the court order to produce the statements and reports of the witnesses.

In the substitute bill as pending there are three alternatives which the court may follow:

1. He may strike from the record the testimony of the witness.
2. He may declare a mistrial.
3. He may order a dismissal of the indictment.

The purpose of my amendment is to strike the third alternative; that is to say, the order dismissing the indictment. Under the amendment the trial judge would be limited to either striking the testimony from the record or declaring a mistrial.

In a criminal trial dismissal is equivalent to acquittal. It is not appealable. This means that if the trial judge should dismiss the indictment the defendant would be freed. Inasmuch as he had already been placed in jeopardy, he could not be reindicted, according to the understanding which I have of the law pertaining to that situation. It is true that the Government could appeal the ruling of the trial court, but it would be solely for purposes of establishing precedent. It would not enable the Government to retry the case. It is submitted that by vesting the trial judge with the power to dismiss he is given powers far too great. It would mean that there would be no appeal and no possibility of very important cases being followed through to conclusion on their merits.

If a mistrial is declared, the decision of the trial court in formulating the motion to produce is reviewed by the circuit court and passed upon. If it is confirmed no harm is done. If the trial court is reversed the trial will then proceed without any harmful effect to the cause of bringing a defendant to the bar of justice for completion of the trial.

With the trial court limited to two alternatives—namely, to strike the testimony of the witness or to declare a mistrial—the purposes of the act would be subserved. It should be pointed out that in the Jencks decision of the Supreme Court it was not possible for the defendant to be retried inasmuch as the Supreme Court ordered dismissal of the cause. The trial court was not given an opportunity to retry the case, thus giving to the Government the choice of either producing the statements and reports referred to in the decision or of dismissing the case in the alternative. It is therefore my hope that the proposed amendment will be adopted in order that it will assume the same form in this particular respect which this section enjoyed in previous versions of this bill.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HRUSKA. Mr. President, do I understand the amendment was adopted?

The PRESIDING OFFICER. That is the understanding of the Chair.

Mr. JAVITS. Mr. President, I call up my amendment——

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

The PRESIDING OFFICER. The Senator from Louisiana will state his point of order.

Mr. LONG. Was the last amendment submitted to the Senate for a vote?

The PRESIDING OFFICER. The Senator from Wyoming indicated he agreed to the amendment, which modified his amendment accordingly. Therefore, it was agreed to.

Mr. LONG. What did the Senate do?

The PRESIDING OFFICER. The Senator from Wyoming had the right to modify his amendment in accordance with the amendment offered by the Senator from Nebraska. The Senate has not voted yet on the amendment of the Senator from Wyoming.

The amendment offered by the Senator from New York [Mr. JAVITS] will be stated.

The CHIEF CLERK. Beginning with the word "In" in line 16, page 2, it is proposed to strike out all down to and including the period in line 22, page 2, and insert in lieu thereof the following:

(c) In the event that the United States claims that any statement, transcription, or record ordered to be produced under this section contains matter which does not relate to the subject matter of the testimony of the witness, the court shall order the United States to deliver such statement, transcription, or record for the inspection of the court in camera.

On page 3, lines 13 and 14, strike out "subsection" and insert in lieu thereof "section."

On page 3, line 19, strike out "(c)," and insert in lieu thereof "(d)."

On page 3, line 20, strike out "paragraph (b)," and insert in lieu thereof "paragraphs (b) and (c)."

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. O'MAHONEY. Mr. President, I should like to ask the Senator from New York if this is the amendment the Senator discussed with me earlier this afternoon?

Mr. JAVITS. Exactly. The Senator has been shown a copy.

Mr. O'MAHONEY. This is that amendment?

Mr. JAVITS. Exactly.

Mr. O'MAHONEY. Mr. President, I am willing to accept the amendment.

The PRESIDING OFFICER. The Senator from Wyoming modifies his amendment accordingly.

Mr. JAVITS. I thank the Senator from Wyoming.

Mr. REVERCOMB. Mr. President——

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. REVERCOMB. Mr. President, I should like to address a question to the Senator from New York.

I did not understand the latter part of the amendment striking out certain sections. Does the amendment strike out a part of the amendment in the nature of a substitute?

Mr. JAVITS. The amendment strikes out nothing at all. What the amendment does is to let stand the language as a new subsection (c) in order to comprise within the powers of the court the alternative ways of producing material under this bill, if it becomes law, which are that they might be produced under the Federal Rules of Criminal Procedure or might be produced pursuant to provisions of this bill. This is an effort to tighten up further on the question of the FBI files and how they should be covered.

Mr. REVERCOMB. Mr. President, will the Senator yield for another question?

Mr. JAVITS. Certainly.

Mr. REVERCOMB. The amendment does not strike out any part of (b), (c), or (d), except, as I understand, the language in line 16 on page 2?

Mr. JAVITS. It does not strike out that language, either. It is simply written that way in the text. It actually adds two things. First, there is added the subsection "(c)" in front of the words "in the event" in line 16 on page 2; and, second, after the word "produced," which comes on line 18, there are added the words "under this section."

Mr. REVERCOMB. The amendment strikes out the language and adds the language back, with a few additional words?

Mr. JAVITS. Exactly.

Mr. REVERCOMB. Is subsection (c) relettered?

Mr. JAVITS. That subsection is relettered (d).

Mr. REVERCOMB. I thank the Senator.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER (Mr. COTTON in the chair). The question is on agreeing to the amendment in the nature of a substitute, as modified, offered by the Senator from Wyoming [Mr. O'MAHONEY].

Mr. O'MAHONEY. Mr. President, it is my understanding—and I am speaking now for the information of all Senators—that the vote will be on the amendment in the nature of a substitute offered by me, as modified by the amendment of the Senator from Kentucky [Mr. COOPER], which was adopted on Friday night, the amendment of the Senator from Nebraska [Mr. HRUSKA], which was accepted by me this afternoon, and the amendment of the Senator from New York [Mr. JAVITS], which has also been made a part of my amendment.

In that case, when the Senate votes, those Senators who are in favor of the amendment in the nature of a substitute offered by the chairman of the subcommittee will vote "aye"; and those who are against it will vote "no."

The PRESIDING OFFICER. The statement of the Senator is correct.

Mr. DIRKSEN. Mr. President, at this point in the RECORD I should like to ask unanimous consent to have printed an amplified statement with respect to the bill.

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

STATEMENT BY SENATOR DIRKSEN

As a cosponsor of this bill (S. 2377) which provides for the production of statements, transcriptions, and reports of Government witnesses in criminal cases, I fully agree with the Attorney General that "a grave emergency in law enforcement," has arisen stemming from the conflicting interpretations of the Jencks decision by many district courts as well as circuit courts of appeal.

My colleagues are well aware that recently the Supreme Court handed down a number of decisions that have caused much controversy and confusion and stimulated a nationwide demand for clarifying and corrective legislation by the Congress of the United States. Among these recent decisions is the case of *Clinton E. Jencks, petitioner*, v. *The United States of America*, which was decided on June 3, 1957.

Briefly, the issue in the Jencks case involved the procedure under which a defendant may inspect a statement of a Government witness, in order to impeach the credibility of said witness. The argument of the case centered on whether it was necessary for the defendant to establish a foundation of inconsistency between the testimony of the witness and the statement, before the statement was made available to the defense. The Court held that numerous lower court cases, holding that such a foundation was necessary, were wrong and that statements which relate to the testimony of the witnesses must be made available to the defense without requiring the defense to establish some inconsistency. I accept this principle.

Nevertheless, while the principle is acceptable, there is an urgent need for legislation outlining the procedure to be followed in judiciously carrying out this principle while keeping in mind the rights and security of people.

This bill provides for statements, transcriptions, and reports of Government witnesses, in criminal cases, to be handed over to a defendant but, at the same time, establishes a procedural device for its orderly and judicious delivery without impairing the rights of the defendant or the security of the Nation.

Daily since the Jencks decision, cases have been called to the attention of Congress by the Department of Justice and published widely by the press which are vivid illustrations of the urgent need for the passage of this bill.

Primarily the confusion and misinterpretation by courts, Government attorneys, and defense lawyers extends from the area as to when the reports should be delivered to the defense, i. e., before, during, or after trial; the extent that the file should be turned over to the defense for the purpose of testing credibility and possibly impeaching the witness; and, finally, to whom—the court or the defense?

It is difficult to understand by what stretch of the imagination or extension of legalistic semantics anyone could misinterpret the Jencks decision as to when the statements or reports should be produced. The Supreme Court stated clearly:

"We now hold that the petitioner was entitled to an order directing the Government to produce for inspection all reports of Matusow and Ford in its possession, written and, when orally made, as recorded by the FBI, touching the events and activities as to which they testified at the trial."

Again the Court states:

"Relevancy and materiality for purposes of production and inspection, with a view to use on cross-examination, are established when the reports are shown to relate to the testimony of the witness."

Further in the concluding paragraph of the Jencks decision the Supreme Court said:

"We hold that the criminal action must be dismissed when the Government, on the ground of privilege, elects not to comply with an order to produce, for the accused's inspection and for admission into evidence, relevant statements or reports in its possession of Government witnesses touching the subject matter of their testimony at trial."

Obviously the Court did not mean prior to trial or after trial, but during trial after the witness had testified.

Senate bill 2377, as amended, carrys out the strong intentions and statements of the Court by providing in section (b) the following:

"After a witness called by the United States has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce any written statements previously made by the witness in the possession of the United States which are signed by the witness or otherwise adopted or approved by him, and any transcriptions or recordings of oral statements made by the witness to a Government agent, relating to the subject matter as to which the witness has testified."

Regardless of the Court's strong pronouncement that the statements of a Government witness after he has testified must be produced when there is reason to believe that the witness has made conflicting statements to a Government agent, there are those who feel that this bill will repeal all discovery, subpena, and deposition rules of the Federal Rules of Criminal Procedure.

I say to them that the Supreme Court at no time in the majority, concurring or dissenting opinions mentioned subpena, deposition, discovery, or any of the Federal Rules of Criminal Procedure, in considering the Jencks decision. Further, Congress never contemplated in the passage of the Federal Rules of Criminal Procedure or in any other law of trial procedure that such statements be subject to pretrial production unless, as provided by rule 16, obtained by seizure or by process.

Of course, there are those who will quickly refer to the *Fryer* case (207 F. 2d 134) in which a defendant was charged with a capital offense. The Court of Appeals for the District of Columbia Circuit reversed the district court and ruled in effect that since the law (18 U. S. C. 3432) provides that the Government must supply the defense with a list of Government witnesses in a capital case that the reports and statements of said witnesses must also be turned over to the defense prior to trial. Is it not obvious that if Congress desired to include the statements of Government witnesses it would have said so? This is clearly another example of judge-made law, departing from the clear statement and intention of Congress.

The second controversial question that has led to much confusion is as to the extent that the files should be made available to the defendant.

Firstly, the Court said:

"We now hold that the petitioner was entitled to an order directing the Government to produce for inspections all reports of Matusow and Ford in its possession, written and, when orally made, as recorded by the FBI, touching the events and activities as to which they testified at the trial."

Secondly, the Court favorably quoted the *Gordon* case (344 U. S. 414) as follows: "[T]he demand was for the production of * * * specific documents and did not propose any broad or blind fishing expedition among documents possessed by the Government on the chance that something impeaching might turn up. Nor was this a demand for statements taken from persons or informants not offered as witnesses."

The Court further stated: "We reaffirm and reemphasize these essentials," and then quoted from the Gordon case:

"For production purposes, it need only appear that the evidence is relevant, competent, and outside of any exclusionary rule."

Surely it is clear from the above language that the Court did not say that the entire file or the hearsay reports of informers or others, not witnesses, or memoranda of Government agents must be turned over to the defense.

Senate bill 2377 expresses the opinon of the Court by providing in section (b) that the Government must produce any written statements previously made by the witness in the possession of the United States which are signed by the witness or otherwise adopted or approved by him, and any transcriptions or recordings of oral statements made by the witness to a Federal law officer relating to the subject matter as to which the witness has testified.

While the protection of law-enforcement techniques, sources of intelligence, and protection of confidential informants is vital to the Government, it is just as vital that the raw material, which might include hearsay or irrelevant matters, not be opened, for we must protect innocent people and others not charged with crime. Indeed, the opening of the entire file could be tragic—not only to justice—but to the people and Government of the United States, and its allies in cases involving treason or sabotage.

This bill, therefore, in addition to providing that only statements written or oral of Government witnesses that have been signed, adopted or approved by him be delivered directly to the defense, provides in section (b) that the United States may, upon order of the court, deliver said statements to the court for its inspection in camera. The court shall then excise the portions of such statement, transcription, or recording that do not relate to the testimony of the defendant and that are otherwise incompetent or within any exclusionary rule.

The Court in the Jencks decision stated that it would disapprove a procedure of submission to the trial court in camera of such statements and further stated that justice required that said statements be delivered directly to the defendant.

In many cases it is wise to look for what the Court did not say. In this case, while it strongly indicated its disapproval, it did not say that such a procedure would violate "due process" and hence be unconstitutional. In fact, Justices Burton and Harlan specifically approved and Justice Clark stated that he would have no objection to this procedure which is followed in Senate bill 2377. Moreover, on June 28, 1957, when the Attorney General appeared before the subcommittee on improvements in the Federal Criminal Code of the Senate Judiciary Committee, the committee asked the following question: "Inasmuch as the Supreme Court in the majority opinion condemns so clearly this method, is it still your opinion that this bill does meet all constitutional requirements and due process?" The Attorney General replied: "After careful consideration we have come to that conclusion, that it does meet all requirements of due process and it is constitutional and it is a procedural matter within the proper province of the Congress."

Lastly, there have been a number of expressions by Members of Congress and the press, that the provisions of section (c) which would allow the United States to elect not to comply with an order of the Court to deliver under section (b) after testimony of the Government witness would be grossly unfair to the defense.

Of course, most informed persons will agree that after a jury has heard a damaging statement and the Government elects not to deliver the statement of the witness no mere order by a trial court to strike the testimony from the record will entirely erase the impression on the juror's mind.

But section (c) also provides that the court, in its discretion, may declare a mistrial or grant a motion to dismiss the case or any other motion that would serve the interests of justice in the instant case. Those who would prejudge the district courts of unfairness would be guilty of an unfair imputation against the Federal courts of the United States.

In conclusion, it is my opinion, shared by many of my colleagues, the Attorney General, trial courts, practicing attorneys and law enforcement bodies throughout the Government, that the Jencks decision as stated in the majority opinion of the Supreme Court has created a grave problem in law enforcement which jeopardizes the orderly function of Government to protect the people against violators of Federal law.

It is my since hope that this urgent legislation be approved by this body prior to adjournment, otherwise many racketeers, spies, narcotics peddlers, and other criminals may go free to prey upon the good people of our country and endanger the security of our Nation.

Mr. DIRKSEN. Mr. President, I am prepared to yield back the time on the substitute amendment, except to take 1 minute to say that while this perhaps is a personal opinion I think that by the bill in its present form we are compounding the confusion under the Jencks case decision. For that reason I feel impelled to vote against the amendment in the nature of a substitute for the bill which was originally reported by the subcommittee and the full Committee on the Judiciary.

The PRESIDING OFFICER. Does the Chair understand that the Senator from Illinois yields back the remainder of his time on the amendment in the nature of a substitute?

Mr. DIRKSEN. I yield back the remainder of my time on the amendment in the nature of a substitute.

Mr. O'MAHONEY. Mr. President, I yield back the remainder of my time on the amendment in the nature of a substitute.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute, as modified, offered by the Senator from Wyoming [Mr. O'MAHONEY]. [Putting the question.]

The amendment of Mr. O'MAHONEY in the nature of a substitute, as modified, was agreed to.

Mr. O'MAHONEY. Mr. President, I hope that the bill, as amended, may be voted upon.

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

The bill (S. 2377) was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. There is time remaining on the question of the passage of the bill. Is the time yielded back?

Mr. KNOWLAND. Mr. President, I yield back the time on the bill, if the acting majority leader is prepared to do so.

Mr. O'MAHONEY. I am happy to yield back my time on the bill.

The PRESIDING OFFICER. All time is yielded back.

The bill having been read the third time, the question is, shall it pass? [Putting the question.]

The bill (S. 2377) was passed.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that there may be printed as a part of the record on the bill a brief with respect to the technicalities of this measure.

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

PRODUCTION OF GOVERNMENT FILES IN CRIMINAL PROSECUTIONS IN UNITED STATES COURTS

I. PURPOSE AND OBJECTIVES OF THE BILL

The specific purpose of S. 2377, as amended, is to amend chapter 223, entitled "Witnesses and Evidence" of title 18, United States Code, by adding a new section 3500, to be entitled "Demands for Production of Statements and Reports of Witnesses."

The objectives of the bill are twofold: (1) To clarify the principle in the opinion handed down by the Supreme Court of the United States on June 3, 1957, in the case of *Clinton E. Jencks, petitioner* v. *United States of America*, and (2) to provide for the orderly implementation of that principle by establishing a set procedure to regularize the demand for, and production of, statements and reports of witnesses in the Government files. It is well to emphasize that this bill deals only with reports and statements of witnesses made to an agent of the Government.

II. BACKGROUND OF THE JENCKS DECISION

Clinton E. Jencks, as president of a local labor union, filed in 1950 a sworn affidavit, as required by law, with the National Labor Relations Board "that he is not a member of the Communist Party or affiliated with such party." Subsequently, he was indicted under title 18, United States Code, section 1001 (which makes the willful filing of a false statement a crime punishable by a fine of $10,000 or imprisonment for not more than 5 years, or both) for falsely swearing in that affidavit that he was not a member of the Communist Party or affiliated with such party.

At the trial the Government relied heavily upon the testimony of two Communist Party members who had become undercover agents for the FBI. They were J. W. Ford and Harvey Matusow. These witnesses for the Government testified at length on direct examination during the trial as to events, conversations, et cetera, which had occurred over the past several years and which, according to their testimony, would prove that Jencks was a Communist.

Upon cross-examination by Jencks' attorney, both witnesses testified that these events, conversations, et cetera, were covered in reports submitted to the FBI. However, neither witness could remember which reports were oral and which were written. Moreover, although he had testified fluently as to the events, conversations, et cetera, Matusow upon cross-examination admitted that "I don't recall what I put in my reports 2 or 3 years ago, written or oral, I don't know what they were."

At this point in the trial (and repeatedly thereafter) the attorney for the defendant Jencks, recognizing the value of the reports for impeachment purposes, petitioned the court for "an order requiring the Government to produce, for inspection by the court, the reports relating to those matters about which each witness had testified." The request was "limited to a narrow category of reports dealing with specified meetings and conversations."[1] "The procedure to be followed was carefully specified: the court was to determine whether the reports had evidentiary value for impeachment of the credibility of Ford or Matusow; if the court found that they had value for that purpose, it was then to make them available to petitioner for his use in cross-examination. The purpose of the requests—to impeach the credibility of crucial Government witnesses—was made clear. Petitioner did not ask to inspect the documents himself; he sought access only to those portions of the reports which the trial court might determine to have evidentiary value for impeachment purposes, and to be unprivileged." "The Government opposed each motion solely on the ground that no showing of contradiction or inconsistency between the witness' testimony and his reports had been made." (Pp. 1 and 2 of the concurring opinion.)

The trial court, because no preliminary foundation of inconsistency was laid by the defense, denied all such motions to produce the reports and statements of Ford and Matusow. The court of appeals, also, rested the affirmance upon that ground.

The Supreme Court granted certiorari and, on June 3, 1957, handed down its opinion in the case.

The majority, in holding both the trial court and the court of appeals in error, made the following rulings based on the facts of the case:

"1. That the defense was entitled, without laying a preliminary foundation of inconsistency, to an order directing the Government to produce for inspection all reports of Matusow and Ford, in its possession, written and, when orally made, as recorded, touching the events and activities as to which they testified at the trial.

"2. That the defense is entitled to inspect the reports to decide whether to use them in his defense [and] The practice of producing Government documents to the trial judge for his determination of relevancy and materiality without hearing the accused is disapproved.

"3. That only after inspection of the reports by the defense, must the trial judge determine admissibility, e. g., evidentiary questions of inconsistency, materiality, and relevancy—of the contents and the method to be employed for the elimination of parts immaterial and irrelevant.

"4. That the Government has a privilege, based on national security, confidential character of the reports, public interest, et cetera, but a criminal action must be dismissed if the Government, on the ground of privilege, elects not to comply with an order to produce, for the accused's inspection and for admission in evidence, relevant statements or reports in its possession of Government witnesses touching upon the subject matter of their testimony at the trial.

"5. That the burden is on the Government, and is not to be shifted to the trial judge, to decide whether the public prejudice of allowing the crime to go unpunished is greater than that attendant upon the possible disclosure of State secrets and other confidential information in the Government's possession."

Concurring in the result of the majority, but with different reasoning, were Justices Burton and Harlan. They stated, with regard to the principle involved, that a sufficient foundation had been laid as to the existence and importance of the reports and that, under the circumstances of the case, the defense was entitled to an order for the production of the reports without laying a foundation of contradiction or inconsistency.

At this point, however, Justices Burton and Harlan parted company with the majority and stated that they would not replace the inflexible and narrow rule adopted by the courts below with the broader but equally rigid rule announced by the Court. To them, "In matters relating to the production of evidence or the scope of cross-examination, a large discretion must be allowed the trial judge."

They pointed out that the Court went beyond the request of the petitioner in the case, i. e., that reports be produced for examination by the trial court. Justices Burton and Harlan stated that:

"The Government's privileges with respect to state secrets and the identity of confidential informants embody important considerations of public policy. They are peculiar privileges in that they require the withholding of evidence not only from the jury, but also from the defendant. Once the defendant learns the state secret or the identity of the informer, the underlying basis for the privilege disappears, and there usually remains little need to conceal the privileged evidence from the jury."

And—of course—since the trials are held in public, the state secret handed to the defendant and the jury would become public knowledge.

Thus, Justices Burton and Harlan, continue:

"When the Government is a party, the preservation of these privileges is dependent upon nondisclosure of the privileged evidence to the defendant. This makes it necessary for the trial court, before disclosing the privileged material to the defendant, to pass on the question by examining in camera the portions claimed to be privileged."

Furthermore, the concurring Justices add:

"There is nothing novel or unfair about such a procedure. According to Wigmore, it is customary. * * * Numerous Federal de-

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[1] At this point, the decision contained, as a footnote, the following language from the brief filed by the attorney for Jencks: "Petitioner asked only that the reports be produced to the trial judge so that he could examine them and determine whether they had evidentiary value for impeachment purposes. Petitioner sought access only to those portions of the reports having this value. The motion therefore proposed no broad foray into the Government's files and afforded the judge every opportunity to protect the Government's legitimate privilege as to the matters not connected with this case."

cisions have followed this practice with respect to the type of documents here involved—contemporaneous reports made by a Government investigator or informer who later testifies at the trial. This procedure protects the legitimate public interest in safeguarding executive files. It also respects the interests of justice by permitting an accused to receive all information necessary lic interests."[3]

"The trial judge exercises his discretion with knowledge of the issues involved in the case, the nature and importance of the Government's interest in maintaining secrecy, and the defendant's need for disclosure. By vesting this discretion in the trial judge, the conflicting interests are balanced, and a just decision is reached in the individual case without needless sacrifice of important public interests.[2]

Justices Burton and Harlan concluded with these words: "Petitioner requested only that the records be produced to the trial court. He is entitled to no more."

Justice Clark dissented, arguing that the majority had fashioned a new rule of evidence in holding that:

"The criminal action must be dismissed when the Government, on the grounds of privilege, elects not to comply with an order to produce, for the accused's inspection and for admission in evidence, relevant statements or reports in its possession of Government witnesses touching the subject matter of their tsetimony at the trial."

Justice Clark was opposed to the production of the documents, but if there were compelling reasons for producing them he felt they should be delivered to the trial judge for his determination of whether the defendant should be permitted to examine them, saying, "This is the procedure followed in some of our circuits."

III. WHAT THE LEGISLATION DOES

The bill, S. 2377, adopts the principle in the majority opinion of the Jencks decision, insofar as it requires the Government to produce the statements and reports of a witness in the possession of the Government, written and, when orally made, as recorded, touching the events and activities as to which the Government witness has testified at the trial. The bill, however, adopts the procedure set forth in the concurring opinion for implementing the principle, as adopted. Specifically, S. 2377 provides:

"1. An exclusive procedure to be followed during trial in demands for, and production of, statements and reports of witnesses made to, and in the possession of, the Government.

"2. Only written statements previously made by the witness in the possession of the United States which are signed by the witness or otherwise adopted or approved by him, and any transcriptions or records of oral statements made by the witness to an agent of the Government, relating to the subject matter as to which the witness has testified are subject for production under this proposed new section 3500. Except, if the Federal Rules of Criminal Procedure require the production of any statement or report of a Government witness, such statement or report shall be produced in accordance with the procedure established in this section."

"3. That such statements and reports of a Government witness shall be produced only after such witness has testified on direct examination during the trial.

"4. That, if the entire contents of the statements or reports relate to the subject matter of the testimony of the witness, the court shall order them delivered directly to the defendant for his examination and use.

"5. That, in the event the United States claims that any statement or report ordered to be produced contains matter which does not relate to the subject matter of the testimony of the witness, the court shall order the United States to deliver such statement or recording for the inspection of the court in camera.

"6. That, upon delivery, the court shall excise the portions of such statement or report which do not relate to the subject matter of the testimony of the witness and, with such material excised, the court shall then direct delivery to the defendant for his use.

"7. That, if any portion of such statements or reports are withheld from the defendant, the entire text shall be preserved by the United States and, in the event the defendant appeals, shall be made available to the appellate court for the purpose of determining the correctness of the ruling of the trial judge.

"8. That, in the event the United States fails to comply with an order of the court to deliver to the defendant such statements or reports, or portions thereof, the court shall strike from the record the testimony of the witness and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared."

The course of action to be pursued by the trial judge must depend upon the importance of the testimony, the documents to be produced, and other facts and circumstances.

IV. NEED FOR THE LEGISLATION

The need for this legislation is becoming more apparent each day as a growing number of conflicting decisions—even within judicial districts—is handed down by the courts. Many of these interpretations are just short of being revolutionary—ordering the Government to hand over to the defense its entire case in advance of trial; ordering the production of entire investigative files and grand jury proceedings; and even ordering the release of convicted kidnappers when the Government objected to producing its entire FBI file in the case.

These interpretations demonstrate the need for a regular procedure to handle demands for, and production of, statements and reports of witnesses in the Government files if we are to prevent serious damages to Federal law enforcement.

Conflicting interpretations

Within One Judicial District

The conflicting interpretations of the Jencks decision are well illustrated in the Southern District of Texas where the differing interpretations go both to the time of production and to the kind of documents to be produced.

One United States district judge, involving defendant Young, granted the defense's request and ordered the United States Attorney to turn over to the defense its entire FBI investigative file, prior to the trial. [To add insult to injury, the attorney for the defense asked the United States Attorney to mail him the file] (*United States* v. *Young*).

Another United States District Judge, in the same judicial district, involving defendant Parr, restricted his order for production to only relevant statements and reports, after the witnesses had testified. [Parenthetically, this is believed to be the correct interpretation of the Supreme Court's decision] (*United States* v. *Parr et al.*).

In Other Judicial Districts

In judicial districts throughout the United States the courts have reached equally varying interpretations as to the meaning and scope of the Jencks decision. The following cases are illustrative:

1. VARYING INTERPRETATIONS AS TO THE MATERIALS TO BE PRODUCED

Entire investigative reports

(a) In a wagering tax act case tried in Atlanta, Ga., defense counsel moved for the production of an entire intelligence report after the first Government witness, a group supervisor, had testified. The witness had testified only as to his personal knowledge, details of the raid and arrest. He also testified that as supervisor he had read the report of investigation prepared by other agents who had not testified. The court ordered the production of the entire report and when the Government resisted the court dismissed the action contending that the Government's intention to delete nonrelevant portions of the report did not comply with the Jencks decision. (*United States* v. *Stanley.*)

(b) Recently also in Atlanta, Ga., the Government suffered a dismissal of a check forgery case when the order of the court to produce an entire Secret Service report was resisted. The Government offered to produce that portion of the report concerning which the Secret Service agent had testified. The remainder of the report concerned another check forgery by the defendant about which the agent had not testified and which was not part of the charge. The Government had indicated at the outset of the trial that it would not introduce evidence concerning this check and, as a matter of fact, one of the witnesses to that offense had died. The report contained other extraneous matters not related to the testimony or the charge. (*United States* v. *White.*)

(c) In a narcotics case tried in Pittsburgh shortly after the Jencks decision, defense counsel sought the production and inspection of the entire Narcotics Bureau report after the Government agent had testified. The report covered all of the investgation of the case. The judge ordered the production of the entire report. When the United States attorney declined to produce the entire report for inspection by the defense, the court summarily dismissed the case. (*United States* v. *Clark.*)

(d) In an antitrust case, also tried in the western district of Pennsylvania, the Government was required to dispense with material testimony of FBI agents because of the court's ruling that if the agents testified their entire reports would have to be given the defense (*United States* v. *Erie County Malt Beverage Distributing Association*).

(e) In another narcotics case, which Commissioner Anslinger reported to the committee, the defense attorney asked for the production of any statements that the Government witness was testifying from and any intelligence reports submitted to the Government in the investigation carried on in connection with this case. The court ordered that the Government produce for inspection by the defense any of the reports relating to the events and activities about which either of the witnesses had testified or is expected to testify. The United States attorney assured the court there were no written statements by the witnesses but declined to produce the entire report. The court, without further discussion, dismissed the cast. (*United States* v. *Leonard.*)

Grand jury testimony

Although a brief time has elapsed since the Supreme Court decided Jencks, appellate courts have had opportunities to express opinions as to certain aspects of the application of that decision. It is not surprising that lower court confusion has seeped into at least one of these holdings:

In an opinion by the United States Court of Appeals for the Third Circuit the judgment of conviction in the Eastern District of Pennsylvania was reversed and a new trial ordered. The case involved the transportation in interstate commerce of a check

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[2] Privileged material sometimes can be excised from the reports without destroying their value to the defendant. Only when deletion is impracticable is the court compelled to choose between disclosing the document as a whole and withholding it completely. Material withheld from the defendant should be sealed as part of the record so that an appellate court may review the action of the trial court and correct any abuse of discretion.

obtained by fraud. The principal Government witness had made a detailed statement to the FBI before trial. The trial judge denied a pretrial motion by the defense for permission to examine the testimony of the witness before the grand jury and his statement to the FBI. During the trial the testimony and statements were produced for examination by the trial judge in camera, who indicated to defense counsel wherein the witness' testimony in court differed. The defendant's attorney was not permitted to examine the grand jury testimony. The court of appeals based its reversal on the failure of the trial judge to permit the defense to inspect the grand jury testimony and statement, relying on the Jencks decision. (*United States* v. *Joel Rosenberg*.)

It should be noted that grand jury testimony in Federal courts is protected from disclosure by a Federal rule of criminal procedure, 6 (e), and it is within the discretion of the trial judge to decide when grand jury testimony is to be revealed to the defense after a proper foundation is laid. Jencks makes no reference to this rule and such a disclosure was not mentioned directly or indirectly in the opinion.

Nevertheless, in *United States* v. *Parr*, cited above, in the southern district of Texas, the Federal district judge ruled on the basis of the Jencks decision that the Government had to produce the testimony of witnesses before State grand juries. State grand jury proceedings, of course, are not protected by the Federal rules and such an interpretation of the Jencks decision would throw State grand jury proceedings wide open in Federal trials.

Against disclosure of entire files and grand jury testimony

Not all the courts, by any means, have made such far-reaching interpretations of the Jencks decision. To be sure, the overwhelming judicial thought, expressed in rulings based on the Jencks decision, holds that the Supreme Court's decision does not require the production of entire legislative files, grand jury proceedings, and similar materials.

For example, contrary to the opinion of the Court of Appeals of the Third Circuit, just cited, that grand jury proceedings are to be disclosed pursuant to the Jencks decision, is the ruling of an United States district judge in New Jersey:

In a Veterans' Administration fraud case in New Jersey the defense motion for pretrial production of the grand jury testimony was denied. In denying the production of grand jury testimony, the court properly pointed to rule 6 (e) of the Federal Rules of Criminal Procedure which protects the secrecy of grand jury proceedings. Moreover, the court held that a motion to "open up grand jury testimony before trial is premature and that the need for such disclosure must be presented to the court during the trial" (*United States* v. *Grossman et al.*).

The Court of Appeals for the District of Columbia Circuit, in an opinion upholding a murder conviction, expressed their view of the limitations of the Jencks decision in these words:

"Appellant cites the recent opinion of the Supreme Court in *Jencks* v. *United States*. But that case does not resemble the present one. There a witness had testified to certain facts; the prosecution was alleged to have in its possession a report made by the same witness to the FBI, concerning the same facts, the report being made contemporaneously with the occurrence of the facts, and this report was alleged to be inconsistent with the testimony of the witness on the stand. The court did not intimate approval of unlimited examination into FBI files in the hope that something might turn up of benefit to the accused. As a matter of fact the court made amply clear the continued prohibition upon judicial invasion of executive internal memorandums and reports. The court cited and italicized its holding in the Gordon case that the demand there approved was for the production of specific documents and did not propose any broad or blind fishing expedition among documents possessed by the Government." (*Calvin G. Simms* v. *United States*.).

An interpretation which sets a standard, based on the Jencks decision, was made by Judge George H. Moore of the Eastern District of Missouri in a Finding of Fact and Conclusion of Law filed June 18, 1957, in a labor racketeering case. Judge Moore stated in part:

"(1) Before a defendant in a criminal case is entitled to production and inspection of a statement made by a person other than himself in the possession of the United States (a) such person must have been called as a witness by the United States, (b) the defendant must establish on cross-examination that the statement was made by such witness, (c) that such statement is in possession of the United States, and (d) that such statement touches the events and activities related in his direct examination. (2) Such statements must either have been (a) written by the witness himself, or (b) recorded by someone acting for the United States.

"Category (b) includes only continuous, narrative statements made by the witness recorded verbatim, or nearly so, and does not include notes made during the course of an investigation (or reports compiled therefrom) which contain the subjective impressions, opinions, or conclusions of the person or persons making such notes" (*United States* v. *Anderson et al.*).

It is important to recognize the inroads into the files of the Government which are resulting from the broad interpretations of the Jencks decision. In this connection, a letter from the United States attorney for the southern district of Texas, reads in part:

"In response to demands of defense counsel and orders of the court 122 documents were turned over to defense counsel for inspection and use on cross-examination." They consisted of sworn statements of witnesses, reports of investigative agents, question-and-answer interrogatories, and State grand jury transcripts" (*United States* v. *Parr*).

2. VARYING INTERPRETATIONS AS TO THE TIME FOR DEMAND AND PRODUCTION OF WITNESSES' STATEMENTS

The courts are also unable to reach similar interpretations as to the proper time for demand, and production of, materials from the Government's files. Rulings have been handed down ordering the production of material (1) in advance of trial, (2) during trial, and (3) after trial and conviction. The following cases are illustrative of the problem:

Disclosure in advance of trial

(a) Prior to the trial of a complex and important fraud and bribery case in Seattle, Wash., involving Navy contracts and a former naval officer, the United States attorney was served with a subpena duces tecum to produce for inspection all FBI reports and documents. The court ordered compliance with the subpena modified only to produce before trial relevant statements of prospective Government witnesses to any Government agency whether written or oral. The judge dismissed the action on the defendant's motion after the Government had resisted and argued at length against the applicability of Jencks to this situation. He stated: "If the Government can be required to produce statements of its witnesses after they have testified, there is no valid reason for not requiring such production a reasonable time in advance of trial in order to permit a defendant to use them in preparing his case. * * * Additional witnesses could also be called, provided the statements of such witnesses were furnished to the defense in advance of the witnesses' testimony" (*United States* v. *Apex Distributing Co.*)

(b) Perhaps the most widely publicized decision illustrating the disturbing conflict of judicial opinion in applying Jencks to pretrial disclosure occurred in one of a number of related Federal Housing Administration criminal fraud cases in Bowling Green, Ky. The defense moved for pretrial examination of all documents, exhibits and statements intended for trial use and the court granted the motion. The Department instructed the United States attorney not to produce and furnished him with copies of opinions from other courts reasoning against such pretrial production under Jencks. When the FBI agent appeared in court with the United States attorney the judge inquired of him why he had refused the request of defense counsel in compliance with the court order. The agent cited Departmental Order 3229 in stating that he was without authority to make the statements available. The court, after a lengthy and heated statement held the FBI agent in civil contempt, imposed a fine of $1,000, suspending payment until October 18, 1957, to give the agent an opportunity to comply with the order or to appeal to a higher court. In his ruling, the judge stated: "I cannot understand why the United States would object to a full compliance with the order. It seems clear that the language of Jencks decision entirely dissipates any thought that the court must wait until the trial of the case before requiring the production of documents. There could be no reason for such a rule." (*United States* v. *Ernest Hall, Raleigh Meeks, et al.*)

Disclosure during trial

In direct contradiction to these rulings are the rulings by many distinguished and experienced Federal district court judges—including Judge Palmieri, Judge Moore, Judge Hartshorne—which do not interpret the Jencks decision as providing any extension of the rights of pretrial examination.

(a) Judge Edmund L. Palmieri, of the southern district of New York, in granting the Government's request to quash a subpena duces tecum requiring the production of all relevant statements and reports * * * of Government witnesses in advance of trial, ruled: "Strict compliance with the subpena would hamper the prosecution either by requiring the expenditure of much time and effort in order to determine which statements are likely to be relevant before the testimony of the authors of the statements has been adduced at trial, or by permitting an exploration of documents possessed by the Government and which perhaps may never become relevant at the trial. Both alternatives are equally undesirable. To impose either one upon the Government would be neither realistic nor practicable.

"Totally apart from the considerations, however, I believe that the defendant's reliance upon the Jencks decision is misplaced. As I read the Supreme Court majority and concurring opinion, I find no language which would justify its application to pretrial procedure. Close scrutiny of the opinions in the Jencks case reveals no references to rule 16 or rule 17, or to disclosure in advance of trial. Moreover, it appears from the briefs before the Supreme Court that they contain no argument urging pretrial disclosure of statements of potential Government witnesses. Indeed, the very touchstone of the Jencks decision is the test of credibility of the witness at the trial. Before the defense is entitled to disclosure of any statements made by a Government witness for the purpose of discrediting him, the credibility of the witness whose prior statements are sought must be in issue. Clearly, that condition cannot be satisfied here, as the Government has not yet determined with definiteness who its witnesses will be.

"The necessary impact of the Jencks holding is that the Government must accept obligations of disclosure once its witness is called to the witness stand. But I do not understand it to mean that the vast horizon of pretrial disclosure, in the sense urged upon me on this motion, is now available to defense counsel in criminal cases. Since there is no trial in progress and since, necessarily, no witnesses have been called to testify, there is no present issue of credibility which can justify the disclosure sought by the defendants. The defendants have acted prematurely" (*United States* v. *Benson et al.*).

(b) In a case previously cited, the Veterans' Administration fraud case in New Jersey, the defense's motion for pretrial production of witnesses' statements to the FBI and the grand jury was denied by Federal District Judge Hartshorne. A similar motion to produce and permit the defendant to inspect and copy each and every document upon which the Government will rely as part of their proofs was also denied. The court emphasized that Jencks "in no wise deals with discovery before trial." The court also stated that pretrial discovery procedure is set forth in rules 16 and 17 (c) of the Rules of Criminal Procedure, and these rules were not even referred to in the Supreme Court opinion (*United States* v. *Crossman et al.*).

(c) A court in the District of Puerto Rico considered a motion for the pretrial production and inspection of complete investigative reports. Sixteen criminal cases are affected by the court ruling. After vigorous argument, the court denied the motion. The judge characterized the motion as a fishing expedition not within the scope of rules 16 and 17 (c) of the Jencks decision. The court stated he agreed with Judge Palmieri that the Jencks decision was limited to the situation where a defendant should be permitted to inspect a statement of a Government witness when that witness is called to the stand and only for the purpose of impeaching the credibility of such witness (*United States* v. *Vasquez et al.*).

(d) Judge George H. Moore of the eastern district of Missouri in a F. F. C. L. filed June 18, 1957, in a labor racketeering case, interpreted the Jencks decision as not authorizing any pretrial disclosure of statements or reports in the Government files and stated: (1) before a defendant in a criminal case is entitled to production and inspection of a statement made by a person other than himself in the possession of the United States (a) such person must have been called as a witness by the United States; (b) the defendant must establish on cross-examination that the statement was made by such witness; (c) that such statement is in the possession of the United States; and (d) that such statement touches the events and activities related in his direct examination (*United States* v. *Anderson et al.*).

Disclosure after trial

At least one Federal court has interpreted the Jencks decision to require production of FBI files after trial and when the Government objected, to upset convictions already obtained.

(a) In a kidnaping case in Rhode Island involving four defendants who were convicted of kidnaping on May 29, the court—on July 8—entered an order directing the Government to produce and permit the defense to inspect the FBI reports prepared by agents who were witnesses "as the same relate to the testimony given by them, during the trial of said cause, and touching the events, activities and interrogation of other witnesses in the case, including each of the defendants." The order also directed the production of the written and oral statements of the victim and his wife. The order permits the defense to copy or photostat the reports and statements, even authorizing the use of any recognized commercial photostating establishment at Providence, R. I. The United States attorney at the direction of the Department refused production. As a result, the judge set aside the convictions and dismissed the indictments against all four defendants (*United States* v. *Morgan et al.*).

(b) In a criminal tax evasion case, involving a defendant already convicted (before the same court in Rhode Island), the court ordered the Government to produce and permit the defense to inspect all FBI reports prepared by agents who were witnesses at the trial. The Government objected and, subsequently, the judge set the income tax conviction aside and dismissed the indictment (*United States* v. *Nardollilo*).

Disclosure of witnesses in advance of trial

At least one court has ruled, on the basis of the Jencks decision, that the Government must determine and declare in advance the witnesses it plans to call during the trial.

(a) Judge Solomon, in the United States District Court, Seattle, Wash., granted a defense motion for pretrial examination of relevant statements and reports and added: "If the Government can be required to produce statements of its witnesses after they have testified, there is no valid reason for not requiring such production a reasonable time in advance of trial in order to permit a defendant to use them in preparing his case. Except for witnesses who had made no statements which were in the possession or under the control of the United States attorney, this would require the prosecution to determine and declare in advance the witnesses which it planned to call. Additional witnesses could also be called, provided the statements of such witnesses were furnished to the defense in advance of the witnesses' testimony. Although the Government may suffer some hardship as a result of this decision, it appears from Jencks that the opportunity for the defense to prepare its case is more important in our system of justice than the inconvenience that may result to the prosecution because of such requirement" (*United States* v. *Apex Distributing Co.*).

This ruling completely ignores, but changes, existing law, which provides that the Government must furnish a list of its prospective witnesses only in cases involving capital punishment (18 U. S. C. 3432).

Opposed to disclosure of witnesses

The identical problem was met and resolved in *U. S.* v. *Benson et al*, on June 17, 1957, in the ruling handed down by Judge Palmieri in the United States District Court for the Southern District of New York. Judge Palmieri stated in part:

"It was conceded by defendants' counsel that a pretrial disclosure of the statements which they have requested would necessarily supply them with a roster of the names of the Government's witnesses in advance of trial, an advantage which has hitherto been denied defendants in criminal prosecutions, except in capital cases. See *United States* v. *Carter* (15 F. R. D. 367 (D. D. C. 1954) (Holtzoff, J.)). In addition to thus compelling the Government to divulge the names of its witnesses before trial, the granting of the defendants' application would cause the Government both vexation and delay. In order to comply with the subpena, the Government would have to determine in advance of trial the identity of its trial witnesses. The exigencies of a trial frequently require such decisions to be made at the last moment. *United States* v. *Carter, supra*, at 369, 370. Moreover, strict compliance with the subpena would hamper the prosecution either by requiring the expenditure of much time and effort in order to determine which statements are likely to be relevant before the testimony of the authors of the statements has been adduced at trial, or by permitting an exploration of documents possessed by the Government and which perhaps may never become relevant at the trial. Both alternatives are equally undesirable. To impose either one upon the Government would be neither realistic nor practicable" (*United States* v. *Benson et al.*).

V. THE PROBLEM CANNOT BE SOLVED VIA JUDICIAL PROCESSES, WITHOUT LEGISLATION

There are several reasons why time will not solve the problems presented by these varying interpretations and why legislation is urgently needed:

1. The Government does not have the right to appeal from orders of the court such as are involved in these cases.[3] The Government must either (1) produce such files at such times as the court orders or (2) suffer dismissal of criminal actions. Naturally, defendants are not going to appeal favorable rulings. As a consequence, it is virtually impossible to get the specific questions involved before the appellate courts.

2. Even if the questions could be brought before appellate courts, they do not have the power to reestablish the procedure, stricken down by the Supreme Court in the Jencks decision, of letting trial judges examine Government files in camera before ordering the production of relevant material to the defense for its examination and use.

Neither do they have the authority to relax the strict holding in the Jencks case which requires the dismissal of the criminal action in all cases where the statements and reports are not produced by the Government—no matter how meager or insignificant the statements or reports might be in the case. [S. 2377 solves both of these problems.]

3. The United States courts have been on vacation almost all of the time since the Jencks decision was announced, with only one or two judges sitting. As a consequence, the full impact of the Jencks decision will not be felt until courts begin their fall terms. Criminal cases are piling up, and clarifying legislation is urgently needed unless Federal law enforcement is to be severely crippled.

4. Finally, as the language of the cited cases clearly shows, it will be virtually impossible to resolve, or harmonize, in the near future, the different interpretations of the Jencks decision. It would take years, with defendants subject to entirely different criminal rules and procedures, depending upon the particular judicial district in which they were being tried.

VI. GROUPS FAVORABLE TO S. 2377 AS REPORTED

The following executive departments favor the early enactment of S. 2377:

1. Department of Justice, including the FBI and the Immigration Service.
2. Treasury Department, including the Bureau of Narcotics, Bureau of Customs, and the Secret Service.
3. Post Office Department, including its inspection service.

Editorials have been written by virtually every newspaper in the country on the subject of the files, and the overwhelming majority point to the urgent need for the type of legislation proposed.

Petitions of private citizens have been filed with the committee, of law-enforcement officers, and many letters from private individuals who recognize the danger of unlimited exposure of the files.

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[3] The order of a trial court granting or denying defendant's motion for the production of documents is interlocutory and not appealable. (*United States* v. *Bondy* ((CA 2, 1948) 171 2d 642, 643) and *Bank Line, Ltd.* v. *United States* ((CCA 2d 1947) F. 2d 133, 136).)

EXTENSION OF SUBCOMMITTEE ON DISARMAMENT UNTIL JANUARY 31, 1958

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1101, Senate Resolution 192, to extend the Subcommittee on Disarmament until January 31, 1958.

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

The CHIEF CLERK. A resolution (S. Res. 192) to extend the Subcommittee on Disarmament until January 31, 1958.

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

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. JOHNSON of Texas. The resolution has been cleared with the minority leader. It merely extends the time of the subcommittee.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. I cannot hear what action is being taken.

Mr. JOHNSON of Texas. The Senate is considering Calendar No. 1101, Senate Resolution 192, to extend the Subcommittee on Disarmament until January 31, 1958, as reported from the Committee on Foreign Relations.

Mr. MORSE. I thank the Senator.

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

The resolution was agreed to, as follows:

Resolved, That Senate Resolution 151, extending the Subcommittee on Disarmament, 85th Congress, 1st session, agreed to June 26, 1957, is hereby amended as follows:

(a) In section 2, strike out "August 31, 1957," and substitute in lieu thereof "January 31, 1958."

(b) In section 3, strike out "August 31, 1957," and substitute in lieu thereof "January 31, 1958."

(c) In section 4, strike out "$10,000" and substitute in lieu thereof "$40,000."

SCHOOL SEGREGATION PROBLEM IN NORTH

Mr. HOLLAND. Mr. President——

The PRESIDING OFFICER. The Senator from Florida.

Mr. HOLLAND. May we have order, Mr. President?

The PRESIDING OFFICER. The Senator will suspend until the Senate is in order. The Chair requests that conversations cease and that those who must confer retire to the cloakrooms, so that the Senate will be in order.

Mr. HOLLAND. Mr. President, the Senate hears much about school matters these days; much about segregation problems and about desegregation. Much of what we hear relates to the South.

I wish to invite the attention of the Senate to the fact that apparently there is considerable trouble on the same subject matter, and much discussion of it, in other sections of the country.

In today's New York Times there is an article written by Dr. Benjamin Fine, who is known as an expert and a specialist in this field.

Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. HOLLAND. Mr. President, I think if some of the Senators from other parts of the country would deign to listen, they might discover that questions relative to school segregation problems are not solely southern, because today Dr. Fine, who is a rather eminent authority on this subject gives us something to think about in the article upon which I am going briefly to comment, if I am allowed the chance to do so.

Mr. President, this article by Dr. Benjamin Fine in today's New York Times is entitled "North Moves To Eliminate Color Line in Its Schools."

In the carryover of this article to page 13 of the Times, there is an even more enlightening headline, "North Is Fighting Own School Bias."

The PRESIDING OFFICER. The Senator will suspend. The Senate is not in order. The Senator will not resume until Senators have taken their seats or retired to the cloakrooms and conversation has ceased, so that the Senator may be heard.

The Senator from Florida may proceed.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the entire article by Dr. Fine be printed in the RECORD at this point as a part of my remarks.

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

NORTH MOVES TO ELIMINATE COLOR LINE IN ITS SCHOOLS

(By Benjamin Fine)

The North has its integration problems, too. The Supreme Court's decision outlawing separate but equal schools has left its mark in all parts of the country. During the 3 years since the ruling on May 17, 1954, there has been considerable agitation to end segregation in States north of the Mason and Dixon's line.

The problems are somewhat different from those in the South. Most of the woes are caused by the residential patterns in the North, as well as the South. Negroes usually live in certain districts or areas within a community. As a result, their children attend schools that are predominantly all Negro.

Of late, there has been a slow shift in population trends. Some Negroes are moving to the suburbs. Others are entering public housing developments, on a biracial basis. Schools are getting a greater proportion of Negroes, under these circumstances.

A SURVEY MADE HERE

The result has been agitation by leading Negro groups to hasten integration. New York City is a prime example. The fight over integration is gaining momentum. Two years ago the board of education appointed a commission on integration to survey existing conditions and make necessary recommendations.

This last spring the six subcommissions reported to the board. Their recommendations covered such areas as community relations, zoning, teacher placement, and substandard school facilities. Two of the reports—those dealing with zoning and with teacher assignments—created considerable controversy.

The commission urged the school board to reevaluate its present policy on integration. It proposed that wherever possible, existing de facto segregation be modified. They urged that experienced teachers be assigned to the difficult all-Negro or predominantly Puerto Rican schools. And they asked that school districts be modified on the junior and senior high school levels to permit greater integration patterns.

MAJOR PROBLEMS FOR NORTH

The integration commission is not satisfied with the efforts by Dr. William Jansen, superintendent of schools, or the board of education, in implementing the recommendations. The commission will meet with Charles H. Silver, board president, early next month to air its grievances.

What are the major problems facing the Northern States on the desegregation issue? Legally, these States have outlawed segregation. The statute books insist that all children, regardless of race, creed, or color, attend the same schools. In practice, though, there are often gaps between what the law says and what actually takes place.

Recently the National Association for the Advancement of Colored People, New York State conference of branches, presented a memoradum to Dr. James E. Allen, New York State Commissioner of Education, outlining the steps some communities take to circumvent the laws on segregation. The association charged that in some instances segregation had been preserved or extended by these means:

The manner in which school zone lines have been drawn.

The selection of sites for new schools.

The practice of permitting white children in predominantly Negro zones to transfer to other schools.

The failure or refusal to alter school zone lines to include white children attending overcrowded schools in proximity to all-Negro or predominantly Negro schools when the latter schools become underenrolled because of population shifts.

The practice of expanding schools in all-Negro or predominantly Negro areas to take care of increased Negro populations in these areas rather than alter school zone lines to permit Negro children to attend other noncapacity schools.

EMPLOYMENT OF TEACHERS

In addition to the de facto segregation, the charged is frequently leveled at northern school boards that they discriminate in the employment of Negro teachers. Some of the metropolitan suburban areas are gradually appointing Negro instructors. But thus far it is done on a token basis. A suburban school system will boast that it has employed one or two Negroes on its faculty.

A case is now pending in the courts to compel the Union Free School District 16, Elmont, Nassau County, N. Y., to employ a Negro teacher. Mrs. Dorothy Brown applied for a teaching post, but when it was learned that she was a Negro, the suit charges, she was not employed.

Whatever the outcome of the Brown case, it is well known that it is not so easy for a Negro to get a teaching post as a white teacher.

When some 500 southern Negro teachers lost their jobs because of desegregation, school officials in this city suggested that they apply for positions here. Vacancies exist in junior and senior high schools.

That was 2 years ago. It now appears as if not a single one of the discharged Negro teachers found the way into the New York City school system.

New York is also plagued with law suits over its zoning laws. Two are pending in the courts, seeking to overthrow the district lines that separate all-Negro from white or mixed schools. Here the pupils were assigned to schools in their own district. But the suit charges that the pupils would be forced to go to inferior all-Negro schools. The parents say they are ready to transport their children to schools out of their district, and a mile or more away from their homes.

These suits are being watched with great interest by school officials as well as parents. Upon their outcome may well depend the speed with which this city ends de facto segregation.

But New York is not alone with its woes and integration headaches. Comparable problems exist in many major cities of the North.

In the Philadelphia school system, most schools are mixed. Where they are not, it is because of residential patterns.

Where schools are all-white or all-Negro, the teachers and administrators also are either all-white or all-Negro. There is some agitation for faculty integration but the board of education has rejected the request. It points to the peaceful and wonderful progress over the last decade. In the public schools where the pupils are mixed, the teachers are, too.

The Philadelphia Teachers Association, a 6,000-member affiliate of the National Education Association, recently elected its first Negro, a woman, as its president.

Gov. George M. Leader reported on May 15 that a survey by the department of public instruction has showed that three Pennsylvania school districts practiced limited segregation of Negro pupils. The governor threatened to cut off State funds and invoke legal sanctions against the districts unless segregation was eliminated. Governor Leader fixed October 1 as the deadline for compliance.

In Chicago and its surrounding area, the integration question is beginning to attract attention. There are four all-Negro high schools in Chicago and three others that have more than 90 percent Negroes.

The big problem the county school system faces is the placing of Negro teachers. Their numbers have been increased by migration from the South.

Of 10,000 teachers in the county districts, only 100 are Negroes; 60 of these are in one district—Robbins. Although Illinois law bars discrimination because of race, many districts do not hire Negroes.

Elsewhere in the State all-Negro schools exist because of residential patterns and in some cases because of traditions and habits. An example of the latter is in Cairo, where the Negro population is fairly evenly distributed in the community and children may choose their school. Although they have the option, Negro children continue to attend the schools Negro children have always attended.

The National Association for the Advancement of Colored People in Chicago is making a study to find means to end de facto segregation. Two workshop conferences on the problem have been held this month.

FACING THE PROBLEM

One suggestion is that integration would be promoted in Chicago by changing school districts to run from east to west instead of from north to south. Integration in high schools could be increased if the arrangements for feeding elementary school graduates into high schools were revised, it has been suggested.

A bill that would have required Chicago to redraw its school district lines was defeated in the legislature at the last session. Incidentally, the rezoning issue is giving New York City school officials their greatest headache.

The nonwhite population of Detroit is estimated at 360,000 out of a total population of 2,000,000. Here, as in the other northern cities, the most serious racial problem stems from residential segregation. As a consequence, Detroit has many schools with a great preponderance of Negroes and others with great preponderance of whites.

Although there is concern about this situation, there is evidence that the board of education and citizens groups are facing up to this problem. The Commission on Community Relations reports increased moves at various economic levels toward integrated housing patterns. If continued, this trend would mean more mixing in the city's schools.

In general, the situation in suburban communities is similar to that in Detroit. However, a few have maintained a lily-white status through tacit residential restrictions.

The Greater Cleveland school boards are confronted with many integration problems. A few Cleveland schools in predominantly colored districts have a 100 percent Negro enrollment. Others have from 5 to 70 percent.

In Cleveland's numerous suburbs, segregation is a matter of boundaries. In recent years Negroes have been moving in large numbers to the outskirts of the city, but with several minor exceptions have not succeeded in moving into the suburbs.

Despite the setbacks for integration in the North, one fact emerges clearly: segregation is not encouraged, nor is it the policy of the school boards. It is a community problem, based on the reluctant or even cynical acceptance, in some communities of Negro residents. It is basically a residential pattern, which has concentrated the bulk of all Negroes within definite areas in each community.

But with this residential trend breaking down, and with a gradual spreading of Negroes into other districts, the question of school integration will assume growing proportion in the next few years.

As New York City has found, integration will not lie still much longer. The North, as well as the South, has learned that the Supreme Court decision of May 17, 1954, has left a host of still to be answered questions in its wake.

Mr. HOLLAND. Mr. President, I am going to comment briefly on three aspects of this article, because I think they are worthy of comment, and I believe they should give some concern to all Senators, regardless of from what part of the country they may come.

The first comment relates to something that is happening in New York. I read as follows a quotation from Dr. Fine's article:

> A case is now pending in the courts to compel the Union Free School District No. 6, Elmont, Nassau County, N. Y., to employ a Negro teacher. Mrs. Dorothy Brown applied for a teaching post, but when it was learned that she was a Negro, the suit charges, she was not employed.
>
> Whatever the outcome of the Brown case, it is well known that it is not so easy for a Negro to get a teaching post as a white teacher.
>
> When some 500 southern Negro teachers lost their jobs because of desegregation, school officials in this city suggested that they apply for positions here. Vacancies exist in junior and senior high schools.
>
> That was 2 years ago. It now appears as if not a single one of the discharged Negro teachers found the way into the New York City school system.

I am not finding fault with anyone, but I am calling attention to the fact that some years ago the Senator from Florida predicted on the floor of the Senate, when we were discussing at some length the proposed southern regional school plan, that one of the groups which would suffer most severely if desegregation came to the public-school system would be the group of Negro teachers who are highly dedicated people and who have spent years in training themselves in order to lift the standard of living of their own people. They are more highly respected and admired among their own people—and I am sorry to have to admit it—than are white teachers by white people.

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

Mr. HOLLAND. I yield.

Mr. LONG. I recall that the Senator made such a statement some years ago, and his logic in that regard was inescapable. It so impressed me that I am not at all surprised to find that what he said has been found to be correct. His prophecy has come true.

Mr. HOLLAND. I thank my distinguished friend.

I reread one sentence:

> That was 2 years ago.

At that time it was suggested that 500 schoolteachers from the South who had lost their positions—and this related to teachers from the marginal States, where desegregation went into effect—might apply in New York and obtain positions there. Dr. Fine says:

> It now appears as if not a single one of the discharged Negro teachers found the way into the New York City school system.

I call attention, in passing, to the fact that we have a serious problem. When I last looked into this question some years ago, there were in excess of 70,000 professional Negro teachers in the South, which was at the rate of more than 7 to 1 as compared with the rate which prevailed in other parts of the country, considering the opportunity for employment as schoolteachers.

It now appears very clearly that many of those dedicated people are to be denied the opportunity to practice their profession, because there is no opening for them where desegregation is being enforced, in the marginal States. It is quite clear from this article—which is not commented on editorially, because Dr. Fine has been reporting—that no door of opportunity has been opened to them in the great city of New York.

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

Mr. HOLLAND. I yield.

Mr. IVES. I did not have an opportunity to read the article. Does it involve a case before the courts of New York State?

Mr. HOLLAND. The case before the New York court is the case of one Mrs. Dorothy Brown.

Mr. IVES. Was she the one who applied for the position?

Mr. HOLLAND. She alleges that she was not employed simply because of her color. The comment which is made by Dr. Fine in reporting the case is the thing to which I call special attention. I am very sure, from my knowledge of Dr. Fine's reporting—and I read him both editorially and when he writes as a reporter, as he does today—that he is regarded as an authority in this field; and I am sure he is regarded as quite a distinguished authority.

Mr. IVES. We have a very high regard for Dr. Fine in our State. He is one of the leading authorities in the country in this field. What the Senator is referring to is apparently a direct violation of the New York State law. I know something about the law in New York State.

Mr. HOLLAND. I dare say that is correct; but we are dealing with a field in which it is not the law which controls the settlements. It is the feeling of good people of both colors toward one another which determines this problem.

I am not speaking as a person with extravagant views, hostile to everyone else. I am merely reporting a fact. I am saying that this is something to which my two distinguished friends from New York and Senators from other parts of the country might well give some attention, because this is a report from an eminent authority about a situation which was long predicted, in which it is very clear that the Negro teachers will be among the first to be distressed as desegregation is attempted.

Mr. IVES. Is the distinguished Senator from Florida sure that the only reason that teacher was not hired was the teacher's color?

Mr. HOLLAND. I know nothing about that.

Mr. IVES. There may have been other reasons, involving qualifications.

Mr. HOLLAND. I have merely quoted Dr. Fine. The thing which I think should hang out the red flag for the two Senators from New York is the latter statement:

> When—

Two years ago—

> some 500 southern Negro teachers lost their jobs because of desegregation—

They were from the marginal States, or the border States—

> because of desegregation, school officials in this city suggested that they apply for positions here. Vacancies exist in junior and senior high schools.

Dr. Fine now reports:

> That was 2 years ago. It now appears as if not a single one of the discharged Negro teachers found the way into the New York City school system.

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

Mr. HOLLAND. I yield.

Mr. IVES. May I inquire who invited them into New York?

Mr. HOLLAND. I read again from Dr. Fine:

> When some 500 southern Negro teachers lost their jobs because of desegregation, school officials in this city suggested that they apply for positions here. Vacancies exist in junior and senior high schools.

I take it from the report that the school officials of the great city of New York are the ones who extended the invitation. I am not speaking from my own knowledge, and I am not trying to throw bricks at anyone. I simply call attention to the fact that this problem exists in other areas besides the South, and that it exists in a very critical way in the great city of New York. People who have devoted their lives to training themselves in order that they might help to raise the standard of living of others of their color are being shoved out of their profession as a result of desegregation.

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

Mr. HOLLAND. I yield.

Mr. IVES. Judging from what the Senator has read, I gather that the city of New York did invite these people to come there and apply for positions. However, I understand that the particular position to which he refers was in the county of Nassau.

Mr. HOLLAND. The one suit to which Dr. Fine refers was there.

Mr. IVES. Nassau County is not a part of New York City.

Mr. HOLLAND. Dr. Fine says:

> Whatever the outcome of the Brown case, it is well known that it is not so easy for a Negro to get a teaching post as a white teacher.

This is Dr. Fine reporting, not SPESSARD HOLLAND, of Florida. This is the authority on school matters of the New York Times. I think he is regarded as a very eminent authority; and, notwithstanding some unfortunate affiliations he had some time ago, he is still regarded, and I still regard him, as sufficiently eminent to justify quoting him for the information—and, I hope, the edification—of my distinguished friends from New York, who I think ought to take note, if they have not already done so, of what is happening in their own great city, the city of New York.

Mr. IVES. I have not discovered, in what the Senator has read, anything that shows that the city of New York has refused to hire Negro teachers. I do not think that has occurred with respect to the city of New York.

Mr. HOLLAND. The words used by Dr. Fine are:

> School officials in this city suggested that they apply for positions here.

I take that to mean the city of New York. The New York Times is published in the city of New York. Dr. Fine is writing primarily for New York people. I do not think 500 Negro teachers would find room to apply at the Elmont Union Free School District 16, in Nassau County. The Senator has not seen the article, and therefore he is somewhat at a disadvantage.

Mr. IVES. I have not seen the article.

Mr. HOLLAND. The article makes it very clear to me, as a rather careful reader, that the city of New York, through its school officials, invited 500 displaced colored teachers to come there and apply for positions. Dr. Fine now notes:

> It now appears as if not a single one of the discharged Negro teachers found the way into the New York City school system.

Apparently New York City is the city being discussed.

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

Mr. HOLLAND. I am glad to yield to the distinguished junior Senator from New York. Perhaps he can throw some light on this subject.

Mr. JAVITS. The junior Senator from New York is from New York City, and for a number of years represented in the other body a very thriving and wonderful district in New York City.

The junior Senator from New York would like to say two things. First, I respect Dr. Fine. I think he is a great authority. It will be noted that he uses the language "to qualify."

It is at least as good a hypothesis as the Senator from Florida has offered, that if they could not qualify, aside from the fact that many of our own substitutes are on the rolls, we at least have a right to assume that it is because of the difficulties which are created for the teachers themselves, and for their training, by the "separate but equal" doctrine.

The second thing I should like to point out to my dear friend——

Mr. HOLLAND. Let me say, before we go further, that most of the Negro teachers who are well trained received their training in southern schools, because that is where they found their greatest opportunity.

If the Senator is suggesting that of 500 teachers there were found none who were highly qualified to teach in the New York schools, or in any other schools, I differ with him. The Senator from Florida was chairman of his local school board in Florida for many years prior to the time he became Governor of Florida. He knows something about the qualifications and standards of Negro teachers who have graduated from the fine schools which the Southern States, in general, make available to Negro pupils.

The Senator from Florida would not be inclined to accord any validity whatever to the suggestion that of 500 displaced southern teachers not one could be found qualified to teach in New York City, especially when it is said that the school officials in New York City are looking for teachers. Dr. Fine says:

> Vacancies exist in junior and senior high schools.

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

Mr. HOLLAND. I yield.

Mr. JAVITS. Aside from that point, the situation in New York is not at all the same as the situation in many Southern States about which we talked so long and so arduously.

In the State of New York there is both law and an aroused public opinion for complete integration of schools, and any headline reader can see that in the State of New York it is not only the law, fully carried out by the courts, but it is also the fundamental basis for public opinion, which is overwhelmingly on record in that regard. I respectfully submit that it is quite different from other States, which are endeavoring by State law—and, I believe, in defiance of the Constitution—to perpetuate schools which are completely segregated; therefore, the situation bears no analogy whatever to that in the city of New York or in the State of New York.

Mr. HOLLAND. Of course, the distinguished Senator is entitled to his opinion, but I suggest that, if he reads the whole article, he will find that it relates to New York City, and I read this brief portion:

> New York is also plagued with lawsuits over its zoning laws.

The article goes on to state:

> Two are pending in the courts, seeking to overthrow the district lines that separate all-Negro from white or mixed schools.

There is considerable discussion of that point. If the Senator will read further, he will find that numerous parents have offered to transport their children, in some instances some miles, in order to get away from segregation which Dr. Fine says exists in that case, not as a matter of law but as a matter of district zoning.

I did not begin this discussion in an effort to irritate my distinguished friends from New York. It was pointed out the other day that the city of New York has lost 200,000 people, who have moved to the suburbs. I am sure one reason for their moving is the blockbusting tactics which have been used there and in other parts of the country. That loss in population has, according to the article I read, placed New York City in second place, behind the city of London, and perhaps even in third place, behind the city of Tokyo, in total population. That statement was made in an article published in the New York Times the other day.

That is what is happening to the fine and great city of New York beloved by all of us and praised by all of us.

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

Mr. HOLLAND. I yield.

Mr. LONG. The Senator from Florida is making a statement which deserves our very careful consideration. If the schools are forcibly integrated, by colored people trying to find places for their children in white schools, that will displace, in Louisiana, large numbers of colored schoolteachers. I am interested in that situation. If the State of New York and other States are going to issue invitations to our colored schoolteachers to come to their States and accept teaching positions which will be open to colored teachers, I hope the invitations will be sincerely made.

Mr. HOLLAND. I thank the Senator for his contribution.

I have already read that part of Dr. Fine's article which says that two suits are pending in the courts, seeking to overthrow the district lines that separate all-Negro from white or mixed schools. The article also states that the pupils were assigned to schools in their own district, but the suit charges that the pupils would be forced to go to inferior all-Negro schools.

So, apparently, there is feeling, at least on the part of some Negro parents of schoolchildren in New York City, that their children are being forced by districting, of which they do not approve, to go to schools which they say are inferior.

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

Mr. HOLLAND. I yield.

Mr. IVES. Has the Senator concluded his statement?

Mr. HOLLAND. No; I have not concluded it. I am about to touch on the Philadelphia situation. Does the Senator wish me to yield?

Mr. IVES. No.

Mr. HOLLAND. Dr. Fine appears to be impartial, and he says in his article:

> But New York is not alone with its woes and integration headaches. Comparable problems exist in many other major cities of the North.

Mr. President, I am about to discuss Dr. Fine's comments on the Philadelphia school system and I am sorry that the able Senators from Pennsylvania are not on the floor.

The PRESIDING OFFICER (Mr. CLARK in the chair). The junior Senator from Pennsylvania happens to be in the chair.

Mr. HOLLAND. I am glad the distinguished Senator from Pennsylvania is in the chair, where he will be held speechless while I have an opportunity to read a part of the article which pertains to the city of Philadelphia. [Laughter.]

Again I should like to say that I know sincerity prevails in the hearts of my colleagues from Pennsylvania, as it prevails in the hearts of my two colleagues from New York. Dr. Fine treats the Philadelphia situation, the situation in Illinois, and also the situation in Cleveland, Ohio. Of course, I will not take time to read all of the article, but I hope Senators will read all of it. It is enlightening; it is factual reporting.

In the Philadelphia school system——

Mr. DOUGLAS. Mr. President, I am sorry that I had to leave the floor. It was not intentional. I may say that we have never claimed to be perfect in the State of Illinois. We have many problems. We are trying to solve them. We make mistakes. We hope to do better.

The PRESIDING OFFICER. The Chair wishes to associate himself with the remarks of the distinguished Senator from Illinois.

Mr. HOLLAND. The Senator from Illinois has sounded a note of modesty, and I am glad the distinguished occupant of the chair has associated himself with those remarks in the RECORD. I see on their feet the distinguished Senators from New York, who also wish to come down to the mourners' bench. There is room for all of them. (Laughter). In the case of Philadelphia, there is a very interesting comment, as there is with respect to Illinois. I may say that I had a chance to communicate this information only to the senior Senator from Illinois, because he happens to be my close neighbor in the Senate. I showed him the article earlier in the afternoon, and told him that I expected to make some comments about it.

Mr. DOUGLAS. The Senator from Florida is performing a real service. It is a national problem. We are doing all we can in Illinois to solve the problem. I assure the Senator from Florida that we will try to do our best to correct it.

Mr. HOLLAND. I thank my distinguished friend. I have been trying to get to Philadelphia for some time now.

> In the Philadelphia school system, most schools are mixed. Where they are not, it is because of residential patterns.
>
> Where schools are all white or all Negro, the teachers and administrators also are either all white or all Negro. There is some agitation for faculty integration, but the board of education has rejected the request.

That is the ruling of the board of education.

I read further:

> It points to the peaceful and wonderful progress over the last decade. In the public schools where the pupils are mixed, the teachers are, too.

Mr. President, about all we can do in the South is to point to the peaceful and wonderful progress which we have made. We have pointed to it repeatedly. It is actually peaceful and wonderful. I am glad to find that at least we have sympathy and comfort and identical reliance upon the same thought on the part of the Board of Education in Philadelphia, which I am sure is a very distinguished body, because it has rejected—so Dr. Fine says—the request that faculties be integrated.

Not only are they not going to have integration of pupils, but in Philadelphia they are not going to let the faculties be integrated. That seems to be, judging only from the report of Dr. Fine, the deliberate judgment of the Board of Education of the city of Philadelphia.

I am not going to dwell on that subject overly long, but it occurs to me that there are two points which we can reiterate very cheerfully for the South. First, that we have made peaceful and wonderful progress, that we hope to be left alone to continue to make progress, and that the progress is redounding to the great benefit of the children of both races and parents of both races and the whole Nation. It is progress of which the whole Nation should be proud.

In the second instance, we believe we have the same right to insist upon continued segregation of our faculties that the learned school board of the city of Philadelphia has in rejecting the petition to integrate the faculties there, as stated by Dr. Fine, and in insisting that the faculties must not be integrated if schools are either all white or all colored.

There is very much more interesting material in the article. I wish I could read it all. I commend it to the careful reading of all Senators, and I shall close by adverting to that part of the article which relates to the great State of Illinois.

> In Chicago and its surrounding area, the integration question is beginning to attract attention. There are four all-Negro high schools in Chicago, and three others that have more than 90 percent Negroes.

Mr. President, I think Dr. Fine is making a decided contribution to the knowledge of the Nation, when he states that there are four all-Negro high schools within the confines of Chicago alone, and three others that have more than 90 percent Negro children.

Mr. ERVIN. Mr. President, will the Senator from Florida yield?

The PRESIDING OFFICER (Mr. CLARK in the chair). Does the Senator from Florida yield to the Senator from North Carolina?

Mr. HOLLAND. I yield.

Mr. ERVIN. I should like to observe to the Senator from Florida that last September the press carried a dispatch, which bore a Chicago dateline, to the effect that the NAACP chapter in Chicago had made a demand upon the public-school authorities of Chicago that Chicago schools be desegregated.

Mr. HOLLAND. Mr. President, I am not surprised to hear that, and I appreciate the contribution the distinguished Senator from North Carolina has made.

Mr. President, I quote further from the article:

> The big problem the county school system faces is the placing of Negro teachers.

The reference is to the Cook County system.

I read further:

> Their numbers have been increased by migration from the South.
>
> Of 10,000 teachers in the county districts, only 100 are Negroes; 60 of these are in one district—Robbins. Although Illinois law bars discrimination because of race, many districts do not hire Negroes.

Mr. President, I am sure that is a factual statement; and I am sure it indicates that desegregation in Chicago, both in respect to the school-attendance problem and in respect to the naming of the faculty, is a principle announced in law, but not applied in fact.

Mr. LONG. Mr. President, will the Senator from Florida yield to me?

Mr. HOLLAND. I yield.

Mr. LONG. Does the Senator from Florida have any information as to what percentage of the population of Chicago is composed of colored citizens?

Mr. HOLLAND. No; I do not. I remember that my learned friend, the Senator from Illinois [Mr. DOUGLAS] put that information into the RECORD some time ago. It is my recollection that he stated then that there were more citizens of color in Chicago than there were in any of our Southern States, except one, as I recall.

Mr. LONG. Can the Senator from Florida tell us what percentage of the teachers in Chicago are colored?

Mr. HOLLAND. One percent.

Mr. LONG. Does the Senator from Florida say 1 percent?

Mr. HOLLAND. By using mathematics, and by comparing the total numbert of teachers to the number of Negro teachers, as stated by Dr. Fine—and I shall read again the statement:

> Of 10,000 teachers in the county districts, only 100 are Negroes.

The reference is to Cook County.

I read further:

> Sixty of these are in one district—Robbins.

The other 40 evidently were scattered all over the rest of the county.

Mr. LONG. That certainly is not a very encouraging prospect for the displaced Negro teachers of Louisiana, when the schools there are integrated, and when they wish to find employment in Chicago, I take it, if only 1 percent of 10,000 teachers in that part of Illinois is colored. I would assume that the population of Chicago is perhaps 15 or 20 percent colored.

Mr. HOLLAND. My recollection of the figures stated by the Senator from Illinois is that the colored population of Chicago is approximately 18 or 20 percent. But as to that, the RECORD will have to speak for itself; the Senator from Illinois placed that information in the RECORD some days ago.

I read further from the article:

> Elsewhere in the State all-Negro schools exist because of residential patterns and in some cases because of traditions and habits.

Mr. President, I ask the Senate to note the following particularly:

> An example of the latter—

In other words, an example of a segregated school, because of traditions and habits, not because of law—

> is in Cairo, where the Negro population is fairly evenly distributed in the community and children may choose their school. Although they have the option, Negro children continue to attend the schools Negro children have always attended.

And they are all-Negro schools.

Listen to this, Mr. President; I think the following portion of the article is particularly interesting:

> The National Association for the Advancement of Colored People in Chicago is making a study to find means to end de facto segregation.

In other words, it is terrible for the Negro children to be alone in the schools to which they have chosen to go as a matter of choice; and the NAACP leaders are seeking to find some way by means of which some form of compulsion may be used to keep Negro children from going to the schools to which they prefer to go.

Mr. President, how silly, how ridiculous, can this situation become?

The PRESIDING OFFICER (Mr. CLARK in the chair). Will the Senator from Florida permit the Chair to answer the question briefly—although the Chair realizes that it is unusual for the Chair to participate in the debate.

Mr. HOLLAND. I gladly yield to the distinguished occupant of the Chair.

The PRESIDING OFFICER. First, let the Chair state that the Chicago city school system is separate from the Cook County school system; and the statistics the Senator from Florida has read about the county system's proportion of Negro teachers do not apply to the number of Negro teachers in the city of Chicago, where of course the proportion is infinitely higher.

Mr. HOLLAND. The Senator from Pennsylvania may be correct, but I should think there would not be 10,000 teachers in the area of Cook County outside the city of Chicago. However, the facts will have to speak for themselves.

Mr. JAVITS. Mr. President, will the Senator from Florida yield to me?

Mr. HOLLAND. First, I should like to complete reading from the Illinois dispatch:

> The National Association for the Advancement of Colored People in Chicago is making a study to find means to end de facto segregation.

I may say to the distinguished occupant of the chair that the reference seems to be to Chicago, because the sentence I have just read refers to Chicago.

This paragraph in the article concludes with the following:

> Two workshop conferences on the problem have been held this month.

Mr. President, we find that the problem created when Negro children prefer to go to all-Negro-children schools is so aggrevated that the NAACP has held two workshop conferences, to see how it can bring about an end to that situation.

Mr. President, I repeat, how silly can people get? Let me say that I am glad to see the Presiding Officer nodding his head in acquiescence.

Mr. President, I think it well to read one more of the comments made by Dr. Fine, as follows:

> One suggestion is that integration would be promoted in Chicago by changing school districts to run from east to west, instead of from north to south.

Apparently in Chicago they are trying to get away from all north and south references, and are trying to change even school districts to run from east to west.

I read further from the article:

> Integration in high schools could be increased if the arrangements for feeding elementary school graduates into high schools were revised, it has been suggested.
>
> A bill that would have required Chicago to redraw its school district lines was defeated in the legislature at the last session.

In other words, Mr. President, the people of Chicago do not want to rezone the city of Chicago so as to accomplish any such purpose; and they think it is simply folly to go about a complete revamping of all their programs which have to do with school districts, tax lines, and the like, simply to try to force greater integration.

The next two situations dealt with in the article are those in Detroit and Cleveland. I shall not take more of the time of the Senate, except to say that the article clearly states, regarding the city of Cleveland, that—

> A few Cleveland schools in predominently colored districts have a 100 percent Negro enrollment.

In other words, they are completely segregated schools.

Mr. President, I do not want this matter to be taken with levity or as a sample of the use of sarcasm, although I admit that considerable sarcasm could readily be employed in connection with reading the article. I hope all Senators and all others who read the CONGRESSIONAL RECORD will realize that the problem of desegregation is nationwide, and I hope they will realize that little progress is being made in the portions of the Nation which are trying to use coercion against other parts of the Nation. I hope they will realize that a great many people—and I am thinking now particularly of the Negro teachers—will be very adversely affected by the program to which so many of our distinguished friends are so passionately devoted.

Mr. JAVITS. Mr. President, will the Senator from Florida yield to me?

Mr. HOLLAND. I yield.

Mr. JAVITS. I do not think the Senator from Florida can find any comfort in what he has read from the article by Dr. Fine, as regards any pattern by means of which segregation in public schools is in force, either by means of local law or by means of local custom.

Mr. HOLLAND. I certainly have not found any comfort in the article, and I am not seeking comfort from it. We in the South have our own problem, which we will continue to face. But I am simply pointing out, by quoting from the article by this eminent authority, the fact that these problems exist in other parts of the Nation, but are not being solved there.

Mr. JAVITS. Mr. President, will the Senator from Florida yield further to me?

Mr. HOLLAND. I yield further to the Senator from New York.

Mr. JAVITS. In New York City, in my own community, we have made enormous progress.

Mr. HOLLAND. So have we in Florida.

Mr. JAVITS. I respectfully submit—and this is the point I am trying to make—that the progress which has been made in the communities to which the Senator from Florida has referred—and I know this is especially true in the case of my own community of New York City—is infinitely greater in depth, in character, in backing, in purpose, and in law, than any similar progress the Senator from Florida can claim in the case of any of the States whose progress those of us who have been debating the civil-rights issue have complained about; and it will be a happy day for the country when as good a record can be shown for Georgia, Mississippi, and Alabama as the record we can show for New York, even with the trouble we have. We are doing to great deal about it now, and we are having a great degree of success.

I hope very much that the same record may be shown in the coming years by the States which are obstructing the Supreme Court's decision by every kind of legal method and stratagem they can find, including the idea of making the schools private, and not public.

Again, just as the Senator from Florida has tried not to condemn, but has sought only to bring the facts into focus, let me state that is my only reason for speaking. I am not throwing stones at anyone else; neither am I trying to find, from the situation existing in other States, justification for what exists in my own State.

My State and other States like it are working assiduously, as I know all other Senators concerned will agree, in the effort—and we are enjoying a great degree of success—to change the previously existing social tradition and custom and system; and during the debate on the civil-rights bill it was stated that what we were trying to destroy was the social system.

Mr. HOLLAND. I thank the Senator from New York for his restrained comment.

So far as I am concerned, I know that a problem exists in my State. I have been working for a long time on the solution of that problem. I have no apology to make to anyone for the great interest I take in the local schools. Many years ago, as chairman of the local school board, I secured the construction, for Negro pupils in our area, of buildings which were regarded as far ahead of their time.

As Governor of his State, the Senator from Florida has held up the hands of those very fine educators, and they were very fine educators, who headed the Negro college at Tallahassee, now a university. On a note of lightness, I have noticed they have won the football championship of the Nation so consistently that it has gotten to be an old thing to them. They are a fine bunch of youngsters.

This is not susceptible to proof any more than is the claim of the Senator from New York, but I doubt very seriously if the standards of training, bodily cleaniness, devotion to Nation and State, and devotion to the advancement of their own people, is any higher on the part of those of the colored race trained in the schools of New York than is the case of those who have been trained in the schools of Florida. We are proud of their great progress in Florida.

Mr. IVES. Mr. President, I wish to take this opportunity to speak briefly in connection with the statement of the Senator from Florida. Perhaps I have had more to do than has any other Member of the Senate with the question of discrimination, especially discrimination in employment. We have had a struggle in New York State to secure the enactment of a law to that effect. Strange as it may seem to Members of the Senate, we had just as much opposition in having such a law enacted in New York State as we are having in securing the passage of the civil-rights bill.

I know there is prejudice. I know there is discrimination. I never made any bones about it. We all know there is both. What we are trying to do is to overcome the obstacles. Gradually and by degrees, we are doing so.

I want to say to my friend from Florida that the law we have in New York State, far from hurting, is helping tremendously.

If there are any southern teachers of the colored race in New York who are not getting jobs, it is not because of their race or color. Such discrimination would be prohibited by the laws of the State of New York. It could not possibly occur. The only reason they are not getting the jobs is that they do not conform in some way with the standards of the State or city. I do not know what the reason is. We are struggling with the problem. I am not condemning the South or any other section of the country. We have to work together. The way we are working, I think we will get somewhere.

While I am on the subject, I should like to say something about the civil-rights bill, on which I understand some kind of an agreement has been reached. I have been rather caustic about the bill, because, comparatively speaking, it does not amount to very much. But in the long run, it is a step—not a tiny step, but a real step—in the right direction, as it is being amended in the report we are to get from the House—not from conferees, because the bill is not in conference. The report from those who have consulted on the bill is that they are agreed the bill will be in satisfactory form when the Senate gets it. I intend to vote for the bill because it is a step.

We must try to solve the problem by degrees. We cannot do it simultaneously and all at once. It cannot be done that way. We have got to have patience.

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

Mr. IVES. No, I am not yielding at this time. When I hear statements made concerning the comments of Dr. Fine, for whom I have a high respect, I have to point these matters out, because I do not think Dr. Fine understands the law in the State of New York as some of us do, but he must know we have a law which prohibits the happening of the thing the Senator from Florida mentioned.

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

Mr. IVES. I yield.

Mr. ELLENDER. Is the Senator familiar with the compromise which is supposed to be presented to us tomorrow or the next day?

Mr. IVES. All I know is what I have seen in the RECORD. I think it was read into the RECORD.

Mr. ELLENDER. Does the Senator concede that the compromise really nullifies the jury-trial provision as adopted by the Senate?

Mr. IVES. I think the compromise has straightened out the jury-trial amendment so that it does not apply to every law in kingdom come.

Mr. ELLENDER. The compromise provides that a person can be tried by a jury for a criminal offense only if the fine is over $300 or the sentence is 45 days or more in jail; otherwise, the judgment of the court stands.

Mr. IVES. I understand. The Senator from Louisiana should remember I am opposed to the jury-trial amendment anyway. I was for part IV exactly as it was originally drawn, and I still am, so far as that is concerned.

Mr. ELLENDER. In my judgment, if the Senate and House agree to the proposed compromise, it will nullify the jury-trial provision.

Mr. IVES. It is all right with me if it does.

AMENDMENT OF REORGANIZATION ACT OF 1949—LETTER FROM THE PRESIDENT

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter addressed to me on August 7, 1957, by the President of the United States. The letter deals with the proposed legislation relative to the Reorganization Act of 1949.

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

THE WHITE HOUSE,
Washington, August 7, 1957.

The Honorable WILLIAM F. KNOWLAND,
United States Senate,
Washington, D. C.

DEAR SENATOR KNOWLAND: On April 1, I transmitted a special message to the Congress pointing out that the period for transmitting reorganization plans under the Reorganization Act of 1949, as amended, would expire June 1, 1957, and I recommended that the Congress enact legislation to extend that period. I observed that the Reorganization Act provided practical arrangements "by which the Congress and the President can carry forward their cooperative endeavors to provide the best possible management of the public business."

On June 5, the Senate enacted a measure, S. 1791, which would extend the period for transmitting reorganization plans until June 1, 1959. On July 10, the House of Representatives passed S. 1791, but added a section which would also amend the Reorganization Act with regard to the manner in which a reorganization plan could be disapproved by the Congress. Under the Reorganization Act of 1949, a reorganization plan could be disapproved only by a majority of the authorized membership of either House of the Congress. The House amendment would authorize disapproval of a reorganization plan by the vote of a simple majority of those present and voting in either House.

In my judgment, the House amendment would seriously impair the value of the reorganization procedure established by the Reorganization Act of 1949. That act was enacted after the first Hoover Commission had demonstrated the necessity for comprehensive reorganization authority. The Commission recommended that reorganization plans of the President be subject to disapproval by a concurrent resolution adopted by both Houses of the Congress. Disapproval by a majority of the authorized membership of either House was developed at that time as an alternative. This arrangement has proved successful during the past 8 years. To weaken it further as now proposed would deprive the President of the minimum reorganization authority which he should have.

I hope that the Senate will not accept the House amendment to S. 1791 but act to assure acceptance of that measure in the form enacted by the Senate on June 5.

With warm regard,

Sincerely,

DWIGHT D. EISENHOWER.

STATEMENT ON CIVIL-RIGHTS BILL

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the RECORD a statement which was prepared last Friday, prior to the agreement between the leaders of the two parties and the two bodies of Congress. It is a statement made by the leaders and organizations working for effective civil-rights legislation.

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

STATEMENT ON THE CIVIL-RIGHTS BILL

Two weeks ago, we expressed our bitter disappointment at the action of the Senate in deleting part III of the civil-rights bill and in adding a jury-trial amendment to part IV. Nevertheless, we urged Senate supporters of civil rights to vote for the bill in the hope that some means would be found to strengthen it in the House and that a civil rights bill would be passed this year. We feared that if the bill was not passed overwhelmingly by the Senate or was sent to conference, it would be buried there, not only for the rest of this session, but quite likely for next year as well.

Our position was and remains: We want the best bill we can get this session.

The Democratic leadership has proposed that the jury-trial amendment be limited to voting-right cases. The Republican leadership has proposed an additional provision that will allow a judge to act without a jury where the punishment is not more than 90 days' imprisonment or a $300 fine or both. Taken together, these proposals strengthen the Senate bill and provide a reasonable basis for reconciling the difference between the Senate and House versions.

We renew our call upon the friends of civil rights in both parties to place the goal of some progress in this area ahead of any fancied political advantage and to agree upon a course of action in support of these proposals that will break the current stalemate and will result in the speedy enactment of a meaningful bill. Those who persist in stalling the progress of the bill must bear the onus for any failure to enact civil-rights legislation this year.

Enactment of the pending bill will not be the end of our struggle: It is only the beginning of the fight for equality for all.

Earl W. Jimerson, President, and Patrick E. Gorman, Secretary-Treasurer, Amalgamated Meat Cutters and Butcher Workmen of North America, AFL–CIO; John T. Blue, Jr., Director, American Council on Human Rights; Shad Polier, Chairman, Executive Committee, American Jewish Congress; Joseph L. Rauh, Jr., Vice Chairman, Americans for Democratic Action; E. Raymond Wilson, Executive Secretary, Friends Committee on National Legislation; Hobson Reynolds, Director, Civil Liberties Department, Improved Benevolent Protective Order of the Elks of the World; James B. Carey, President, International Union of Electrical Workers, AFL–CIO; Adolph Held, Chairman, Jewish Labor Committee; Bernard Weitzer, National Legislative Director, Jewish War Veterans of the United States of America; James B. Cobb, President, National Alliance of Postal Employees; Roy Wilkins, Executive Secretary, National Association for the Advancement of Colored People; David L. Ullman, Chairman, National Community Relations Advisory Council; William Pollock, President, Textile Workers Union of America, AFL–CIO; Michael J. Quill, President, Transport Workers Union of America, AFL–CIO; Walter P. Reuther, President, United Automobile Workers, AFL–CIO; Francis Shane, Executive Secretary, Civil Rights Committee, United Steelworkers of America, AFL–CIO.

LATIN AMERICAN PETROLEUM—INTERAMERICAN ECONOMIC CONFERENCE

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the body of the RECORD a statement concerning an interview published in an Argentine newspaper, in which Senator Fontes charged that American oil interests, and specifically former Assistant Secretary of State Henry Holland, influenced the Bolivian Government against implementation of the treaty with Brazil for Brazilian petroleum exploitation in the Santa Cruz area.

Along with that statement, I also ask unanimous consent to have printed Hanson's Latin American Letter of August 24, 1957.

I also ask unanimous consent to have printed an article from the Journal of Commerce entitled "Export-World Bank Lending Policies Hit."

I do not vouch for the contents of this material, but, as the chairman of the Subcommittee on South American Affairs, I desire to have the material in the RECORD. The statements contained in the material concern me very much. I think they also should concern the Senate.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

There being no objection, the statement, letter, and article were ordered to be printed in the RECORD, as follows:

(This is an unclassified report from Embassy Rio to Washington (No. 220 dated August 13. Repeated to La Paz and Buenos Aires))

In a lengthy interview published in Diario de Noticias August 11, Senator Lourival Fontes charges that American oil interests and specifically former Assistant Secretary of State Henry F. Holland influenced the Bolivian Government against implementation of the treaty with Brazil for Brazilian petroleum exploitation in Santa Cruz area.

The senator further charges that United States objective is to prevent progress and development of Brazil which is dependent on development of its petroleum resources. And that this is behind efforts to deny Brazil access to Bolivian oil.

The senator charges Bolivian petroleum code was drafted with assistance of two American technicians designated by Holland and that the purpose was not to promote economic liberty or political dignity of Bolivia but to obtain advantages and privileges for United States companies. He asserts that Bolivian petroleum is now controlled by these foreign oil interests and that petroleum code has brought ruin, misery, and the moral and material destruction of the Bolivian people.

In the interview the senator also touches on the international petroleum situation, asserting that oil rivalry and imperialistic interests have dominated policies of United States and Britain in the Middle East as well as in the hemisphere. Statements from beginning to end are bitter attacks on United States policy in Latin America which he described as a "policy of the good neighbor controlled and manipulated by businessmen and corporations."

In an editorial August 12 (the following day) entitled "Serious Charges Against the United States," O Globo recalls that it has always favored participation of private capital, domestic as well as foreign, in the development of Brazil's petroleum resources. Noting the gravity of the accusations made by Senator Fontes, the editorial declares that it does not accept the validity of these accusations but does consider that they call for thorough-going clarification.

The editorial continues: "There exists a formal accusation spelled out in all its details by a person who has the authority to speak, regarding the existence of a plot intended to injure Brazil in its relations with Bolivia. There is no other course but to investigate the charges thoroughly to discover what there may be in the accusation, to learn whether in fact Brazil is being injured in the matter of Bolivian petroleum. The truth needs to be known not only for the sake of Brazil. The United States also has everything to gain from a clarification of the facts described by the senator. We must not allow the friendship between the two largest countries of America, sealed and consolidated by brotherly cooperation over the centuries, to be endangered in such a way by the unrestrained ambitions of groups or by less tolerable charges of unacceptable diplomatic activities."

O Jornal on August 13 carries AP story from Washington reporting Holland's categorical denial of Fontes' charges.

[From Hanson's Latin American Letter, No. 649]

WASHINGTON, *August 24, 1957.*

A NEW ERA IN THE LATIN AMERICAN PETROLEUM INDUSTRY

BRAZILIAN CHARGES CONCERNING BOLIVIAN OIL

DEAR SIR: On August 11, Senator Lourival Fontes in an interview published in Diario de Noticas charged that United States oil interests and specifically former Assistant Secretary of State Holland had influenced Bolivia against implementation of the treaty with Brazil for oil exploitation in the Santa Cruz area. He charged that the Bolivian petroleum code had been drafted with the aid of technicians designated by Holland, that Bolivian petroleum was now controlled by foreign interests. And he criticized the manner in which United States foreign policy is dominated by oil.

NEED TO INVESTIGATE

On August 12, O Globo noted that although it had always favored the use of private capital in the oil industry, "there now exists a formal accusation spelled out in detail by a person who has the authority to speak regarding the evidence of a plot intended to injure Brazil in its relations with Bolivia. There is no other course but to investigate the charges thoroughly."

HOLLAND DENIES

On August 13, O Jornal carried an AP story from Washington reporting former Assistant Secretary of State Holland's categorical denial of the Brazilian senator's charges.

UNITED STATES SENATE PROBE?

Since every phase of American foreign economic policy is involved in United States activity in Bolivia, the Senate Foreign Relations Committee will presumably want to conduct an investigation of its own, in addition to the probe to be carried out in Brazil. The charges are after all against United States interests, and an early clarification of the situation is imperative lest United States prestige in Latin America be damaged further.

WHAT IS GOING ON IN BOLIVIA?

We already know that the foreign-aid program for Bolivia for years has been presented to the Congress with something less than frankness. We know that foreign-aid for Bolivia is being used to service speculators in defaulted bonds of this bankrupt country in a manner so inconsistent with the purposes of the Mutual Security Act that the State Department at one hearing told the Senate Foreign Relations Committee that such a use of foreign-aid appropriations does not constitute sound public policy. We know that foreign aid for Bolivia is being used to perpetuate the myth that socialized finance (Exim Bank) never suffers defaults and is thus superior to the American system of private banking, and that the myth has served to divert the public from adequate interest in the Exim Bank portfolio and particularly from taking an adequate interest in the activity of middlemen at the Exim Bank.

We know that after Hanson's Latin American Letter No. 608 appeared, a top official of the State Department told a reporter on the record that the long delay in appointing a new Assistant Secretary for Latin American affairs was partly occasioned by the long-standing concern of certain members of the Senate Foreign Relations Committee with quis custodiet ipsos custodes as it affects State Department appointments generally.

We know that in Latin America there has been criticism that certain former top-level officials of the United States, who had as officials supported big grant programs for Bolivia, have appeared in La Paz to negotiate for their own or other private interests. The Latin feeling apparently has been that such negotiators must inevitably be benefiting excessively from the friendly climate engendered by their previous position on foreign aid. There is actually nothing illegal about earning a living in such private activity after making policy in the Government. Any official in the State Department has a right to use the United States Treasury to underwrite the economic chaos occasioned by expropriation of investments by a revolutionary government, if the Congress is foolish enough to hand him the appropriation with which to do it.

And we know that the Senate Foreign Relations Committee on June 10 showed an interest in the private activities of certain former top officials of the State Department, which aroused the curiosity of the press as to what the committee might be planning next.

WHAT WOULD THE SENATE COMMITTEE INVESTIGATE?

On June 10, Senator MORSE, chairman of the Inter-American Subcommittee of the Senate Foreign Relations Committee, asserted that he was convinced that "the subcommittee should make an investigation into Latin American affairs over the recess period" (i. e., after Congress adjourns). The failure of the Buenos Aires Conference (as expected) and the sensational charges in Brazil concerning our Bolivian policy make an investigation imperative. Obviously, the latter alone might provide ample material for an investigation and for wide political values within the United States political scene. But the committee has a much more important function to perform which far transcends the politics of an investigation of that kind.

UNITED STATES POLICY FAILURE

The Council on Foreign Relations (most conservative and most respected of all United States organizations in the foreign field) recently reported: "The United States over the years has developed a special technique for warding off Latin American demands which it knew in advance it would be unable to satisfy. In lieu of concrete action, it could suggest a fresh discussion of economic problems, preferably under conditions that would postpone or obviate a stand on specific issues." The trial of insincere dishonest discussions has since 1954 taken us from the Caracas Conference to Rio to Panama to the Presidential Representatives Meetings in Washington and now to and through Buenos Aires.

PETROLEUM IS THE ISSUE

Who is fooling whom? Does the Council on Foreign Relations or the State Department believe the Latins are so stupid that they cannot recognize the "special technique" of evasion and insincere discussion? The truth is that none of the propositions put forth even by the Latins at the conferences reaches the core of the problem. For, the issue is petroleum. The course of world events is rushing us into a situation where petroleum policy is going to have to be rewritten, including the basic profit-sharing formula. And this issue will not be settled by isolated arrangements reached by State or Treasury or ICA officials who are planning to negotiate for themselves in the recipient countries at a later date.

In Brazil, in Argentina, in Mexico, in Venezuela, major adverse alterations in the United States political, investment, and military position impend unless the impasse on petroleum is broken. In Brazil and Argentina per capita income has ceased to grow, real wages are declining, foreign exchange position is critical. In Mexico we may before long witness still another challenge to the value of the peso with its harsh shock to the economy, occasioned by the inflexibility of United States petroleum policy. In Venezuela, the oil industry is sandwiched between (a) the generalizing of the New York Times campaign against the dictatorships with its alienating of United States public opinion by false information on the extent to which the productivity of the oil industry has been withheld from the mass of the people, and (b) the Venezuelan political exiles' clamor that $2.3 billion of petroleum income has been lost to Venezuela during the 8 years of dictatorship. And in Persia the Italian 75–25 formula must, once oil is found, reshape the whole pattern of world petroleum exploitation.

We are then at the beginning of a new era, much as we were between Mexican expropriation and Welles' strenuous efforts of 1939–41 which saved the Venezuelan industry from expropriation. In the early 1940's there was a Sumner Welles to make the decision. Who can make the policy determination now?

WHO SHALL DECIDE NEW OIL POLICY?—THE INDUSTRY?

The industry itself? Surely not the industry which, starting with the stupidity which necessitated the Mexican expropriation, resisted Mr. Welles' formula for Venezuela without which the industry would have been expropriated there too, rejected Vargas' plea for a 50–50 arrangement in Brazil, on the theory that the Brazilians were so ignorant that they could be bled for a larger percentage than the industry accepted elsewhere, wrecked their chances in Argentina with an agreement which no self-respecting sovereign nation could properly accept, and has now apparently gotten itself involved in controversy in the Bolivian-Brazilian area which will damage United States prestige throughout Latin America.

THE STATE DEPARTMENT?

The State Department? Surely not officials of the small-stature now being demonstrated in the Department. These after all are the persons who bungled the Argentine opportunity. On June 10 the Department testified that "it is a fair statement" to say that "the State Department follows the policy of advising wih American foreign investors, urging the correction of policies that we think are not in the best interests of our country . . . or not in the interests of these (foreign) people." Yet, it testified also that in the case of the notorious Argentine agreement which Peron signed, the Department "did not try to influence the course or the substance" of the arrangement or negotiations. If that is a measure of the Department's competence on this vital issue, clearly the policy determination cannot be made in State.

ACTION BY SENATE COMMITTEE URGENT

Who then? It is clear that the Senate Foreign Relations Committee must now fill a role that a Welles or Hull might once have performed inside the State Department. And this is a matter of great urgency, because danger signals are flying both in the economic situations of our leading good-neighbors and in the new Italian formula on which the eyes of all oil-producing countries are centered. The special technique of avoiding action by discussions obviating stands on specific issues has had its last success at Buenos Aires. One more such success will wreck hemisphere relations in the investment, political, and military fields.

STATE DEPARTMENT FILES AS HISTORICAL BACKGROUND

(1) First, repeat the historical background. The files of the State Department reveal that in 1939–40 the oil companies faced a threat of expropriation in Venezuela, that they seemed still not to have learned the lesson of Mexico, that had not Sumner Welles exerted strenuous pressure on the oil companies to yield certain of their legal rights as well as a larger share of earnings, the simultaneous efforts of the State Department

to obtain a moderating of the demands of the Venezuelan Government would have failed, and expropriation would have been likely.

Five billion dollars (repeat $5 billion) of oil company profits since that time in Venezuela alone attest to the wisdom of the policy which Mr. Welles forced the oil companies to accept against their own judgment. And now a major decision of similar importance must be forthcoming. A new era is at hand.

ITALIAN FORMULA'S INFLUENCE

(2) Analyzing the new Italian (75-25) formula in Persia as introducing a new element of security into the granting of concessions, the great Manchester Guardian warned the oil companies on August 7 that "it is to be hoped that the existing oil companies in the Middle East will be ready with plans to offer partnerships on the Italian-Persian model before they are forced out by disputes like the unhappy Anglo-Iranian affair." And it notes that "if the partnership does find oil and succeeds in exploiting it, the agreement on which it is based may have a great influence throughout the Middle East."

Needless to say, the Italian formula bolsters the argument of the Venezuelan political opposition, and might compel the dictator himself if he is not overthrown to demand an alteration of the formula to forestall such opposition.

NUTTING'S VIEW

(3) The Right Honorable Anthony Nutting, former British Minister of State for Foreign Affairs, wrote sometime ago that he is convinced that "security for western tenure in Middle Eastern oil"—and he might as well have included hemisphere oil—can only be achieved by a new international arrangement which would create multilateral cooperation among producer, transport, and consumer states, and enterprises with a joint-development fund and common marketing and profit system.

WORLD BANK PROPOSAL

(4) Again, the World Bank's recommendation for a joint development fund financed out of oil royalties would likewise call for a change in the 50-50 formula if it were to have any chance of continuing success.

WHAT HAPPENED IN VENEZUELA

(5) Some years ago we pointed out that Venezuela's Government and the oil companies were failing public-relationwise in not acquainting the United States public with the fact that Venezuela had achieved a greater spread of the oil wealth to the masses than any other country in the world with a similar task had been able to do in such a short time. Instead, ignorance of the Venezuelan experience finds American public opinion now being built up against the Venezuelans as having failed totally in this job. Coupled with the exiles' attack on $2.3 billion of lost earnings, it is a bad combination.

THE SEARCH FOR A FORMULA

(6) What is important is that there is a formula which can conform with the political realities in Brazil, Argentina, and Mexico, which would accelerate the development of petroleum resources and thereby provide a base for the steady increase in per capita income which is essential to stability in the area, and yet which would not destroy the United States concept of some role for private capital nor necessarily eliminate the opportunity to make a profit.

But it must be clear that the State Department is a prisoner of its mediocrity and cannot be expected to implement such a formula. The industry surely cannot devise it, if we are to judge from its record of bad judgment in the past in Latin America. The Senate Foreign Relations Committee by open hearings directed not at discussion to obviate a stand on the issue but rather at action to obviate insincere discussion must make its contribution on this point before it tackles anything else in the inter-American field.

[From the Journal of Commerce of August 23, 1957]

EXPORT, WORLD BANK LENDING POLICIES HIT

BUENOS AIRES.—Leading policies of the World Bank and the Export-Import Bank were criticized by the Cuban delegate to the Inter-American Economic Conference. He appealed for an Inter-American bank to help develop backward nations in Latin America.

"Where there is a danger of communism there is no credit," said chief Cuban delegate Gustavo Gutierrez. "What we need is a little Communist danger—just a little."

CHANCES FOR BANK DIM

Such appeals, however, are not considered likely to boost the dim chances of setting up a hemisphere bank since the United States has said it would not put up the essential credit.

But Mr. Gutierrez said that Latin American nations have over $4 billion abroad in international financial institutions and commercial banks. He suggested that this credit could be used to finance economic development in Latin America.

He also suggested caution on another major topic before the 20-nation meeting, a common market for Latin America. Mr. Gutierrez told a news conference that Latin America's situation in relation to a common market is different from that of a highly industrialized Europe. Nevertheless, he backs such a plan for the Americas.

Already bogged down over policies, the conference itself came to a virtual halt today on technical matters. Complete details of the one hundred plus proposals submitted by delegates for committee discussion still had not been distributed this morning by the secretariat, which was organized by the host Argentine Government.

Although the conference is in its eighth day, the foreign commerce committee suspended deliberations in its morning meeting because there was nothing before it. Conference rules provide that delegates must have 24 hours to study documents before discussing them.

These difficulties, which are not uncommon at international conferences, could in part be attributed to the delegates themselves. Many waited until the deadline of midnight on Tuesday to present their ideas.

In addition to the hemisphere bank and the Latin American common market other major proposals expected to cause serious debate include a Peruvian proposal affecting the use of the most-favored-nation clause within the hemisphere, a proposal by Ecuador on ways to prepare for the disposal of surplus goods, a Bolivian suggestion that landlocked nations be guaranteed free transit to the sea and a hemispherewide economic agreement.

The bank and the economic agreement are the two major ideas discussed here, and chances for both appear very dim.

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

Mr. MORSE. I yield.

Mr. McNAMARA. The Senator from Oregon made some reference to the chairman of the Subcommittee on South American Affairs. I did not understand who that was. Will the Senator enlighten me?

Mr. MORSE. I happen to be chairman of the subcommittee, although there seem to be some Senators who do not know it.

Mr. McNAMARA. I did not know it. That is why I asked the question.

Mr. MORSE. I could tell the Senator from Michigan of others who do not know it.

INCREASE IN LIMIT OF EXPENDITURES OF SELECT COMMITTEE ON IMPROPER ACTIVITIES IN LABOR OR MANAGEMENT FIELD

Mr. ERVIN. Mr. President, at the instance of the majority leader, I move the Senate proceed to the consideration of Calendar No. 1099, Senate Resolution 186.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 186) increasing the limit of expenditures for the Select Committee on Improper Activities in Labor or Management Field.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The question is on agreeing to the motion of the Senator from North Carolina.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. McCLELLAN. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. The pending question is on agreeing to Senate Resolution 186.

Mr. MORSE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Oregon?

Mr. McCLELLAN. I yield.

Mr. MORSE. I enthusiastically urge the adoption of the resolution. I am glad I have this opportunity, with the Senator from Arkansas present on the floor, to tell him that in my judgment, as I told the Senate on Friday, as can be seen by checking the CONGRESSIONAL RECORD of that day, I do not think some abuses of labor would have come to light if it had not been for the Select Committee on Improper Activities in Labor or Management Field, nor would we have been in a position to help clean up the house of labor, as I think is being done effectively, had it not been for the work of the committee of the Senator from Arkansas.

As I said last Friday, on the whole matter of Congressional investigations, I have some definite views as to procedural changes in cases where charges of criminality are involved, but I know no one who is a more ardent supporter of Congressional investigations than is the Senator from Oregon.

I think the sum of money for which the Senator from Arkansas is asking for his select committee is reasonable and should be granted.

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

Mr. McCLELLAN. I yield to the Senator from New York.

Mr. IVES. I wish to back up the chairman of the select committee. In the first place, I desire to pay tribute to the chairman. He has done a marvelous job in handling the committee and the work before it. If the work of any committee should be continued, it is the work of his committee, which is wholly justified, and the money asked for is needed.

Mr. McCLELLAN. I thank the distinguished Senator from New York.

Mr. President, I only want to say that I hoped there would be a yea and nay vote on this resolution, but I shall not ask for it, because I believe there is not a Senator who would oppose the resolution.

The committee has worked diligently. The committee members have worked hard. We are digging. Nothing is handed to us on a silver platter. We have to do the work.

I appreciate the support of my colleagues in the Senate from both sides of the aisle. This is not a partisan matter. This is American. I hope the resolution will be adopted.

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

Mr. McCLELLAN. I am glad to yield to my friend, the Senator from Louisiana.

Mr. ELLENDER. I wish to join the Senator from New York, in his commendation of my good friend, the Senator from Arkansas, who is doing a very noble job.

I wish to inquire whether the other investigating committee, the Permanent Subcommittee on Investigations of the Committee on Government Operations, is functioning as it has in the past.

Mr. McCLELLAN. I am sorry; I did not understand the question.

Mr. ELLENDER. As I recall, the Senate has a Permanent Subcommittee on Investigations of the Committee on Government Operations, as well as the Select Committee on Improper Activities in the Labor or Management Field. Has the Permanent Subcommittee on Investigations obtained funds to carry on its usual work?

Mr. McCLELLAN. I thank my friend, who is referring to the Permanent Subcommittee on Investigations.

Mr. ELLENDER. That is the subcommittee to which I am referring. We have provided funds for the Permanent Subcommittee on Investigations each year for a number of years. Is that Permanent Subcommittee on Investigations still operating?

Mr. McCLELLAN. Yes, indeed. I may say to my friend I am very glad he asked me that question. We shall have hearings on Wednesday morning on a matter which has been practically worked out and in connection with which we have found waste, extravagance, and inefficiency.

Mr. ELLENDER. Yes. I saw an item relating to that in the newspapers.

Mr. McCLELLAN. I am glad my friend saw it in the newspapers. I simply wished to point it out.

Mr. ELLENDER. Yes.

Mr. McCLELLAN. That committee, based upon what the Senator has seen in the newspapers, which can be substantiated, is going to make it possible to save more money than it would cost to operate the committee for 15 or 20 years.

Mr. ELLENDER. I was simply asking for information.

To what extent do the investigators connected with the two investigating committees dovetail their work? In other words, do the investigators for the Permanent Subcommittee on Investigations work with investigators for the Select Committee on Improper Activities in Labor or Management Field?

Mr. McCLELLAN. I will say to the Senator frankly, as chairman of both committees, I use the investigators when I can.

Mr. ELLENDER. I understand.

Mr. McCLELLAN. Whatever I use them for is in the best interests of the Federal Government.

Mr. ELLENDER. I realize that.

Mr. McCLELLAN. I thank my friend.

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

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

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Nebraska?

Mr. McCLELLAN. Would the Senator like to have the floor in his own right?

Mr. CURTIS. It does not matter. Whatever the Senator would prefer.

Mr. McCLELLAN. I yield to my friend, the Senator from Nebraska.

Mr. CURTIS. Mr. President, I rise in support of the resolution. I agree with my distinguished chairman, the Senator from Arkansas [Mr. McCLELLAN] that were it possible to have a yea and nay vote I believe the vote would be unanimous.

The committee has done a great deal of work already. There is much work yet to be done in the fall.

While those of us who serve on the committee will be giving time to committee meetings and other work, I wish to point out that many more duties will fall upon the distinguished chairman, the Senator from Arkansas [Mr. McCLELLAN]. He is making a great sacrifice for this important work. He is going far beyond the needs and the requirements of serving his own fine State of Arkansas. He is making a contribution toward the economy and well being of the entire Republic.

I wish to take this occasion to commend the Senator from Arkansas for his thoroughness, for his untiring efforts, for his devotion to principle, for his fairness, and for his fearlessness in the conduct of investigations.

The money to be provided by this resolution is needed. I am sure the resolution will be agreed to unanimously.

Mr. McCLELLAN. I thank the distinguished Senator.

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

Mr. MUNDT. Mr. President, I simply wish to take this occasion to join in the remarks of felicitation to our chairman made by my distinguished colleague, the Senator from Nebraska [Mr. CURTIS]. I share those views fully.

The Senator from Arkansas [Mr. McCLELLAN] is doing a fine, courageous, and objective job in serving as chairman of this unusual bipartisan committee which is charged by the United States Senate with some very heavy and significant responsibilities.

The Senator from Arkansas has conducted the affairs of our investigations without partisanship, as he quite appropriately should, by virtue of the nature of the subject matter we are investigating, and by virtue of the fact that the Senate in its wisdom made this committee strictly a bipartisan committee, with a like number of Democrats and Republicans.

I believe nobody can forecast at this time how long the committee will have to labor over the problem before it is able to state that it feels the committee has adequately covered the subject.

Certainly the amount of money requested in this resolution is a modest sum as it relates to the challenges which lie ahead of the committee. I know the Scottish impulses of our chairman are shared by the other members of the committee, as we pledge to do this job as economically as we can, commensurate with the size of the task.

Mr. President, tomorrow afternoon I propose to address the Senate at some length regarding the work of the committee and the findings we have made thus far, as well as with regard to some of the problems which lie ahead, as I envision them. I do not wish to detain the Senate longer tonight, except to say that I certainly favor the adoption of the resolution to make adequate funds available.

I did not desire to let this opportunity pass without saying a word of tribute, respect, and encouragement to our distinguished chairman, with whom I have served so long on so many difficult investigations ordered by the United States Senate.

Mr. McNAMARA. Mr. President, I shall not long delay the motion which I know the Chair is anxious to put, and which we are all anxious to have agreed to. I simply wish to add my voice to the praise for the fine job which the chairman of the Select Committee on Improper Activities in Labor or Management Field has done. I assure the Senator from Arkansas of my continued support, and I advocate the adoption of the resolution.

Mr. ERVIN. Mr. President, I wish to associate myself with the remarks of the distinguished Senator from New York [Mr. IVES], the distinguished Senator from South Dakota [Mr. MUNDT], the distinguished Senator from Nebraska [Mr. CURTIS], and the distinguished Senator from Michigan [Mr. McNAMARA], and to add the statement that our chairman has done a truly magnificent job in presiding over the committee. As one who has been unable to attend many meetings of the committee, I wish to commend the fine work done by all the members of the committee, in addition to the chairman.

Mr. McCLELLAN. Mr. President, I wish to thank each of my colleagues on the Committee for his kind remarks. I know they mean what they say.

I believe they know that I have tried to be an impartial chairman, not partisan, because I believe, Mr. President, the problem we are investigating rises above partisan politics. I believe there is an issue here which strikes at America. There should not be any Republicanism or Democratism involved. We are trying to do a job. A situation has developed which needs attention. I will not be anti-Republican in doing this work, and I will not be pro-Democrat in doing it. I will extend to every member of the committee every courtesy that is attendant upon their efforts to do a good job for America.

Mr. President, I believe I can state to Senators tonight that the work we have done so far, disregarding politics and partisanship, has demonstrated there is a real job which ought to be performed and made of record, so that the Congress of the United States of America can find a way to correct some of the evils which have developed and which, if unchecked, could become dangerous to our American way of life.

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

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from New York?

Mr. McCLELLAN. I am happy to yield to the Senator from New York.

Mr. IVES. I am glad the Senator from Arkansas, as well as other Senators, has brought up the question of nonpartisanship so far as the committee is concerned. In that connection I wish to commend the chairman especially for having been utterly nonpartisan, and for the manner in which he has conducted the affairs of the committee.

This committee simply has to be entirely nonpartisan, or it will not accomplish the results it seeks to achieve. I can say now that following the leadership of the chairman we are going to keep on that kind of track.

Mr. McCLELLAN. I thank my distinguished friend, the Senator from New York.

I hope the resolution will be adopted.

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

The resolution was agreed to, as follows:

Resolved, That the amount authorized in Senate Resolution 74, agreed to January 30, 1957, and Senate Resolution 88, agreed to February 7, 1957, 85th Congress (authorizing and directing the committee to conduct an investigation and study of the extent to which criminal or other improper practices or activities are, or have been, engaged in in the field of labor-management relations or in groups or organizations of employees or employers to the detriment of the interests of the public, employers or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities), is hereby increased by the additional amount of $150,000.

TARIFF TREATMENT OF ISTLE OR TAMPICO FIBER

Mr. ERVIN. Mr. President, at the request of the majority leader, I move that the Senate proceed to the consideration of Calendar No. 882, H. R. 7096.

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

The LEGISLATIVE CLERK. A bill (H. R. 7096) to amend paragraph 1684 of the Tariff Act of 1930 with respect to istle or Tampico fiber.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from North Carolina.

The motion was agreed to; and the Senate proceeded to consider the bill.

EXPANSION AND GROWTH OF NATIONAL SCIENCE FOUNDATION

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a very encouraging exchange which I have had with Dr. Alan T. Waterman, Director of the National Science Foundation. It is especially gratifying, in these days of social crisis, to realize that the leadership of this vital organization is in the hands of a distinguished scientist who, in addition to his understanding of the physical sciences, demonstrates a sensitive awareness of the essential importance of the sciences of human social behavior.

I am sure that we are all impressed with Dr. Waterman's report of expansion and growth of the Foundation's social science research program, despite the budgetary handicaps with which the Foundation is faced. This is a very promising beginning and I look forward to continued progress and development of the Foundation's contribution to research and education in the social sciences.

I am particularly pleased to learn that the Foundation has under serious consideration the broadening of its fellowship awards in the social sciences. The Nation's need for expert, professional competence in the social sciences is acute and pressing and I hope that the Foundation, through its fellowships, will be able very soon to contribute substantially toward meeting this need. I am confident that Dr. Waterman will be equally successful in establishing a broad-based program of fellowships in the social sciences as he has been in creating a well-considered program of social science research support.

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

JULY 25, 1957.

Dr. ALAN T. WATERMAN,
Director, National Science Foundation,
Washington, D. C.

DEAR DR. WATERMAN: Your attention has undoubtedly been directed to the statements I made on the floor of the Senate on June 3 and June 12 in which I supported the budgetary request of the National Science Foundation and called attention to the need to strengthen the Foundation's program of research grants and fellowships in the social sciences. I was very pleased to note the subsequent concurrence with these views expressed on July 9 by my distinguished colleague from Minnesota, Senator HUBERT H. HUMPHREY.

As you know, I was keenly disappointed in the final action of the Congress in limiting your 1958 appropriation to the 1957 level. I trust, however, that despite this limitation, you have been able to proceed with an expanded program in the important area of the social sciences. In this connection, I should greatly appreciate your advising me regarding the current status of your activities in support of the social sciences. It would be particularly helpful to have information on (1) your present level of support of research in the social sciences; (2) the extent to which you may have broadened the areas of social science support; and (3) your present program of fellowships in the social sciences.

With assurances of my continued interest in and support of the activities of the National Science Foundation, I remain,

Sincerely yours,

WAYNE MORSE.

NATIONAL SCIENCE FOUNDATION,
OFFICE OF THE DIRECTOR,
Washington, D. C., August 2, 1957.

The Honorable WAYNE MORSE,
United States Senate,
Washington, D. C.

MY DEAR SENATOR MORSE: Thank you for your letter of July 25, 1957, in which you refer to your statements on the floor of the Senate regarding the 1958 budget and social-science activities of the National Science Foundation. I am deeply appreciative of your efforts in behalf of our program.

I note also your request for information regarding the current status of the foundation's activities in support of the social sciences. Despite the severe budgetary limitations under which we are operating, we have been able to allocate $600,000 for the support of basic research in the social sciences. This represents a substantial increase over funds previously assigned to this activity.

To administer these increased funds efficiently we have established, as of August 1, a unified social-science-research program under the general direction of the associate director (research). This new program will support basic research in the anthropological, economic, and sociological sciences, as well as in the history and philosophy of science. We have broadened the scope of the social-science-support program to include, within these areas, support of research irrespective of convergence with the natural sciences.

As you know, our fellowship programs were broadened 2 years ago to provide for a limited number of fellowships in the fields of convergence of the natural and social sciences. In addition to fellowships in anthropology, geography, and psychology, which are considered part of our regular fellowship program, we have awarded, in the past 2 years, 30 fellowships in the convergent fields at the approximate cost of $94,000. It is anticipated that from 15 to 20 fellowships will be awarded this year to qualified applicants in the fields of natural science-social science convergence. In connection with our planning for fiscal year 1959, we are giving serious consideration to the possibility of broadening further the scope of the social-science fields for which National Science Foundation fellowships may be given.

I trust this provides you with the information you requested. I should be pleased to give you any further details you may wish.

Once again, I should like to say how much we appreciate your continued support of the foundation's program.

With kind regards.

Sincerely yours,

ALAN T. WATERMAN,
Director.

HAZARDS OF CONTINUED NUCLEAR TESTING

Mr. MORSE. Mr. President, as Senators know, I have pending before a committee of the Senate a resolution which seeks to focus attention on the need for the United States to take the lead in the great humanitarian cause of bringing to an end the nuclear tests, which I think may very well threaten the very survival of civilization itself. At least, I believe the continuation of the nuclear tests

might very well jeopardize the health of mankind.

In recent months a great deal of propaganda has been put out by the administration, particularly under the usual coverup tactics of the head of the Atomic Energy Commission, Mr. Strauss. It would be very difficult for me to name a person in the Government service today who has been more guilty of misleading the American people than Mr. Strauss.

I was interested in reading in today's press that a report has been issued by a Congressional committee which forewarns the American people that there is great danger involved in a continuation of nuclear tests. I ask unanimous consent that this news story be printed in the Record at this point as a part of my remarks.

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

Report on Hearings—Congress Cautions on Test Fallout Peril

(By Warren Unna)

The Joint Congressional Committee on Atomic Energy warned yesterday that prolonged continuance of nuclear weapons tests at their current rate could constitute a hazard to the world population.

The committee's remarks came in the form of a lengthy analysis of the testimony of some 50 scientists given during 8 days of radioactive fallout hearings last May and June.

Although making no recommendations for fallout control, the committee analysis declared: "It would appear that the consequence of further testing over the next several generations at the level of the past 5 years could constitute a hazard to the world's population. If the level of future testing rises, then the hazard could be greater and could arrive sooner."

Referring to the Atomic Energy Commission without naming it, the committee analysis further stated: "The assumption has often been made of a constant average annual rate of testing. But the testing up to now has been sporadic. The concept of present rate of testing is in any exact sense meaningless. Not only the rate, but the kind and location of testing are important, and difficult to predict."

MORE RESEARCH NEEDED

The committee found scientists in agreement that some increase is necessary in further research, if we are to accomplish our objectives of understanding the nature of radioactive fallout and its effects on man at an earlier date.

It also took a backslap at the AEC for referring to man's tolerance to the deadly strontium 90 fallout particle in terms of sunshine units. "A strontium unit," declared the committee, "is much better named."

During the fallout hearings, Chairman Chet Holifield, Democrat, of California, had seized upon the sunshine label with the words: "I was wondering if we were allowing—let us say—propaganda to creep into our scientific terminology. * * * I (at first) thought this might be a tranquilizing pill."

OTHER FINDINGS

The committee's analysis of the hearings also found:

"General agreement that any amount of radiation, no matter how small the dose, increases the rate of genetic mutation (change) in a population.

"General agreement that there is a limit to the amount of radioactivity and, hence, to the amount of fission products that man can tolerate in his environment.

"General agreement that man's exposure to fallout radiation, including strontium-90, is and will be in general small, from the testing already done, compared with his exposure to other, normal background sources of radiation.

"A difference of opinion as to whether a very small dose of radiation would produce * * * an increased incidence of such somatic (non-genetic) conditions as leukemia or bone cancer, or a decrease in life expectancy in a population.

"Considerable evidence * * * that in no part of the atmosphere is fallout uniformly distributed."

EFFECT OF "JET STREAM"

The analysis pointed out that such factors as stratospheric jet streams could induce heavier fallout in the Northern Hemisphere, specifically in the Northeastern section of the United States.

The committee report also declared that it had been clearly brought out that the target area fallout from a one-megaton bomb (with the explosive equivalent of 1 million tons of TNT) could produce 100 to 300 times the amount of strontium-90 radiation now considered safe.

The committee said it had been estimated that the equivalent yield of about 50 tons of fission products had been injected into the atmosphere by all countries so far. This figure was computed prior to last Thursday's substantial size Russian bomb test. The strontium-90 proportion of the fission products was estimated at 3½ percent.

In contrast with these million-ton figures, the committee anaysis said the explosive energy released by the August, 1945 Hiroshima bomb was equal to a mere 20,000 tons of TNT.

Mr. MORSE. Mr. President, I serve notice now that, come January, when the Senate reconvenes, I shall do all within my power to try to focus the attention of the American people on this nuclear test problem, because, as a member of the Foreign Relations Committee, I am convinced that if we should exercise our potential leadership as a great country, a country dedicated to great spiritual values, we could turn the tide in the nuclear field, so far as Russia is concerned, and, through our leadership in the United Nations, so focus attention on Russia if she should refuse to accept a sound program for bringing to an end this great threat to the health of mankind, that we could write a glorious chapter in the history of civilization.

I am greatly disappointed that apparently the President of the United States is willing to go along with Mr. Strauss and with the Secretary of State in what I call an attempt to threaten Russia with massive retaliation, with the promise that if Russia does not do our bidding in this field she will be subjected to a course in annihilation bombing. The sad feature about that threat is that the annihilation would not be confined to Russia. **There would be annihilation to a great degree in our own country, and, in terms of history, a very sad failure on the part of American leadership to rise to what I consider to be a clear moral challenge.**

At a later time I shall speak in the Senate by way of presenting a chronology of the great historic events in the history of mankind, showing how, from time to time, various nations have risen to great moral responsibilities. The fact is that when that happens in history, civilization moves forward.

On the other hand, when the leaders of a given historic time fail to fulfill their moral responsibility, history suffers a devastating slump. Therefore, we find that history is dotted with periodic dark ages, because the leadership of a given time failed to rise to great moral heights.

If we do not change our course of action in the United States, I think history will record that today the United States is falling far short of living up to what I regard as clear spiritual obligations in regard to the nuclear challenge.

As I have previously said, and repeat tonight, we cannot justify, on religious and moral grounds, the record we are making in the entire field of conducting nuclear tests, when we know what the scientific data are, when it is perfectly clear that we are playing a game involving great jeopardy, so far as concerns the future health, not only of our own people, but of all peoples around the world.

So I hope that during the recess period, Members of Congress will discuss this problem at the grassroots level with their constituents. I am satisfied that if, as, and when they do so, they will find that the people are ahead of us. They will find that for many months past throughout America in the churches there has been a great deal of focusing of attention on this moral and religious responsibility.

I suggest to the President of the United States and to Mr. Strauss that they listen to what the great moral leaders of America are saying with regard to our obligation to support a program which will put America in the forefront in the advocacy of bringing to an end nuclear testing.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 26, 1957, he presented to the President of the United States the following enrolled bills:

S. 268. An act to provide that the United States shall return to the former owners certain mineral interests in lands acquired for the Arkabutla, Sardis, Enid, and Grenada Reservoirs, Mississippi;

S. 336. An act for the relief of Angela Ferrini;

S. 397. An act for the relief of Willem Woeras;

S. 398. An act for the relief of Benjamin Wachtfogel;

S. 441. An act for the relief of Jose Ramirez-Moreno;

S. 463. An act for the relief of Pedro Ampo;

S. 465. An act for the relief of Maria Concetta Di Turi;

S. 485. An act for the relief of Luigi Lino Turel;

S. 499. An act for the relief of Daniela Renata Patricia Zei;

S. 524. An act for the relief of Robert F. Gross;

S. 562. An act for the relief of Hideko Takiguchi Pulaski;

S. 567. An act for the relief of Vida Djenich;

S. 660. An act for the relief of Ursula Rosa Pazdro;

S. 662. An act for the relief of Howard I. Buchbinder;

S. 796. An act for the relief of Zacharoula Papoulia Matsa;

S. 807. An act for the relief of Jackson School Township, Ind.;

S. 939. An act to amend section 22 of the Interstate Commerce Act, as amended;

S. 976. An act for the relief of Charles A. Sidawi;

S. 1035. An act for the relief of Alice Eirl Schaer (Mi On Lee); and

S. 1050. An act for the relief of Hrygory (Harry) Mydlak.

ADJOURNMENT TO 11 A. M. TOMORROW

Mr. ERVIN. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 45 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Tuesday, August 27, 1957, at 11 o'clock a. m.

NOMINATION

Executive nomination received by the Senate August 26, 1957:

COAST AND GEODETIC SURVEY

The following for permanent appointment to the grade indicated in the Coast and Geodetic Survey:

To be ensign

John A. Benning

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 26, 1957

The House met at 12 o'clock noon.

The Reverend Earl S. Cummings, Jr., pastor, First Christian Church, of Brazil, Ind., offered the following prayer:

Almighty God, our Heavenly Father, as we meet this noon may your spirit so dwell within us that we shall do in every act Thy bidding and always find favor in Thy sight.

Bless this body. In the name of Jesus Christ. Amen.

The Journal of the proceedings of Friday, August 23, 1957, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills and a concurrent resolution of the House of the following titles:

H. R. 2580. An act to increase the storage capacity of the Whitney Dam and Reservoir and to make available 50,000 acre-feet of water from the reservoir for domestic and industrial use;

H. R. 2938. An act for the relief of Cooperative for American Remittances to Everywhere, Inc.;

H. R. 4336. An act for the relief of the First National Bank of Birmingham, Ala.;

H. R. 4609. An act to further amend the act entitled "An act to authorize the conveyance of a portion of the United States military reservation at Fort Schuyler, N. Y., to the State of New York for use as a maritime school, and for other purposes," approved September 5, 1950, as amended;

H. R. 5851. An act for the relief of the legal guardian of Mrs. Mattie Jane Lawson;

H. R. 6363. An act to amend the act of May 24, 1928, providing for a bridge across Bear Creek at or near Lovel Point, Baltimore County, Md., to provide for the construction of another bridge, and for other purposes;

H. R. 7864. An act to amend the act of May 4, 1956 (70 Stat. 130), relating to the establishment of public recreational facilities in Alaska;

H. R. 8126. An act to amend section 16 (c) of the Revised Organic Act of the Virgin Islands;

H. R. 8646. An act to amend the Alaska Public Works Act (63 Stat. 627, 48 U. S. C. 486, and the following) to clarify the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works;

H. R. 8679. An act to provide a 1-year extension of the programs of financial assistance in the construction of schools in areas affected by Federal activities under the provisions of Public Law 815, 81st Congress; and

H. Con. Res. 215. Concurrent resolution authorizing the printing of additional copies of certain public hearings.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 1587. An act authorizing the construction of protective measures in the city of New Bedford and the town of Fairhaven, Mass., to afford hurricane tidal flood protection for New Bedford, Fairhaven, and Acushnet, Mass.;

S. 1726. An act authorizing certain construction for the protection of the Narragansett Bay area against hurricane tidal flooding;

S. 1764. An act to amend the District of Columbia Public School Food Services Act;

S. 1849. An act to provide for more effective administration of public assistance in the District of Columbia; to make certain relatives responsible for support of needy persons, and for other purposes;

S. 1889. An act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf;

S. 2363. An act to authorize the erection of a national monument symbolizing ideals of democracy in the fulfillment of the act of August 31, 1954 (68 Stat. 1029), "An act to create a National Monument Commission, and for other purposes";

S. 2603. An act to amend the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 3, 1896;

S. 2676. An act to authorize the Secretary of the Army to make a survey of a water route from Albany, N. Y., into Lake Champlain, N. Y. and Vt., with ultimate connection with the St. Lawrence River;

S. J. Res. 50. Joint resolution to provide for an investigation and survey with respect to the relocation of the Ferry County Highway along Lake Franklin D. Roosevelt in the State of Washington; and

S. J. Res. 94. Joint resolution directing that the financial reports and other information filed with the Secretary of Labor pursuant to subsections (f) and (g) of section 9 of the National Labor Relations Act, as amended, be made available to the public.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 268. An act to provide that the Secretary of the Army shall return certain mineral interests in land acquired by him for flood-control purposes to the former owners of such land.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9379) entitled "An act making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2229) entitled "An act to provide for Government guaranty of private loans to certain air carriers for purchase of modern aircraft and equipment, to foster the development and use of modern transport aircraft by such carriers, and for other purposes."

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 58-5.

CERTIFICATIONS TO THE UNITED STATES ATTORNEY, DISTRICT OF COLUMBIA, AND UNITED STATES ATTORNEY, NORTHERN DISTRICT OF CALIFORNIA

The SPEAKER. The Chair desires to announce that pursuant to sundry resolutions of the House he did, on Saturday, August 24, 1957, make certifications to the United States attorney, District of Columbia, and the United States attorney, Northern District of California, as follows:

To the United States attorney, District of Columbia:

House Resolution 408, the refusal of Frank Grumman to answer questions before the Committee on Un-American Activities; and

House Resolution 409, the refusal of Bernard Silber to answer questions before the Committee on Un-American Activities.

To the United States attorney, Northern District of California:

House Resolution 407, the refusal of Louis Earl Hartman to answer questions before the Committee on Un-American Activities.

CIVIL RIGHTS

Mr. MADDEN, from the Committee on Rules, reported the following privileged resolution (H. Res. 410, Rept. No. 1243) which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution the bill H. R. 6127 with Senate amendments thereto be, and the same hereby is, taken from the Speaker's table; that Senate amendments Nos. 1 to 6, inclusive, Senate amendments 8 to 14, inclusive, and Senate amendment No. 16 be, and the same are hereby, agreed to; that the House hereby concurs in Senate amendment No. 7 with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "(b) The Commission shall not accept or utilize services of voluntary or uncompensated personnel, and the term 'whoever' as used in paragraph (g) of section 102 hereof shall be construed to mean a person whose services are compensated by the United States"; and that the House hereby concurs in Senate amendment No. 15 with an amendment as follows: In lieu of the matter inserted by said Senate amendment No. 15 insert the following:

"PART V—TO PROVIDE TRIAL BY JURY FOR PROCEEDINGS TO PUNISH CRIMINAL CONTEMPTS OF COURT GROWING OUT OF CIVIL-RIGHTS CASES AND TO AMEND THE JUDICIAL CODE RELATING TO FEDERAL JURY QUALIFICATIONS

"SEC. 151. In all cases of criminal contempt arising under the provisions of this act, the accused, upon conviction, shall be punished by fine or imprisonment or both: *Provided, however,* That in case the accused is a natural person the fine to be paid shall not exceed the sum of $1,000, nor shall imprisonment exceed the term of 6 months: *Provided further,* That in any such proceeding for criminal contempt, at the discretion of the judge, the accused may be tried with or without a jury: *Provided further, however,* That in the event such proceeding for criminal contempt be tried before a judge without a jury and the sentence of the court upon conviction is a fine in execess of the sum of $300 or imprisonment in excess of 45 days, the accused in said proceeding, upon demand therefor, shall be entitled to a trial de novo before a jury, which shall conform as near as may be to the practice in other criminal cases.

"This section shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders, or process of the court.

"Nor shall anything herein or in any other provision of law be construed to deprive courts of their power, by civil contempt proceedings, without a jury, to secure compliance with or to prevent obstruction of, as distinguished from punishment for violations of any lawful writ, process, order, rule, decree, or command of the court in accordance with the prevailing usages of law and equity, including the power of detention.

"SEC. 152. Section 1861, title 28, of the United States Code is hereby amended to read as follows:

"'§ 1861. Qualifications of Federal jurors.

"'Any citizen of the United States who has attained the age of 21 years and who has resided for a period of 1 year within the judicial district, is competent to serve as a grand or petit juror unless—

"'(1) He has been convicted in a State or Federal court of record of a crime punishable by imprisonment for more than 1 year and his civil rights have not been restored by pardon or amnesty.

"'(2) He is unable to read, write, speak, and understand the English language.

"'(3) He is incapable, by reason of mental or physical infirmities to render efficient jury service.'"

COMMITTEE ON RULES

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a privileged report.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PROTECTION OF FILES OF THE FEDERAL BUREAU OF INVESTIGATION

Mr. BOW. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, this Congress should not adjourn until we have acted to protect the files of the Federal Bureau of Investigation.

We know that the Supreme Court decision in the Jencks case is being broadly interpreted to give those who are accused of attempting to overthrow our Government the right to rummage through the secret files of the FBI.

Some who have been convicted of partnership in the Communist conspiracy are being released to walk as free men.

Others on whom the FBI has laboriously built its cases may never face trial because the Department of Justice cannot risk disclosure of the FBI records.

The effectiveness of the FBI in our fight against subversion will be destroyed if Congress does not act.

Mr. Speaker, the necessary legislation was reported July 5 from the House Judiciary Committee. It has the support of the FBI, the Department of Justice, and the White House. It is a carefully prepared measure, implementing the Court decision but restricting the availability of Government files to those that in the opinion of the Court are relevant to the case. Individual rights are fully protected.

Mr. Speaker, we cannot afford to delay on this legislation. We are already seeing the effects of the Court decision. By January the damage to our entire campaign against the Communist conspiracy may be beyond repair. The time for action is now.

I fully appreciate the importance of the civil-rights bill. I recognize that the mutual security appropriation is considered urgent. I consider the FBI files bill is at least as important as either of these, and we should not leave Washington until it is enacted. I am opposed to adjournment until this urgent legislation is passed.

THE FBI FILES

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, last week I stated my opposition to the adjournment of this session of Congress until adequate legislation has been enacted to protect the sanctity of FBI files from the effects of the Supreme Court's decision in the Jencks case. You have only to read FBI Counterspy Boris Morro's recent revelations and take note of the escape to the Iron Curtain of Martha Dodd and Alfred Stern to reassure yourselves of the constant dangers we face to our Nation's security. If anything further is needed to point up the danger, the indictment of Soviet Army Col. Rudolph Abel, with its disclosure of the official Soviet spy apparatus entwining the Nation's secrets most certainly furnishes it.

Unless this legislation counteracting the effects of the Jencks decision is enacted, at least 312 convicted criminals could be freed within the next year.

The decision not only poses threats to our security, but to law enforcement of every kind. Second only to security is the distressing possibilities the decision poses with respect to enforcement of laws against the dreaded illegal narcotics traffic. In the last 3 months the Justice Department has allowed 13 criminal cases to be dismissed rather than give the 17 defendants access to FBI files. These cases involved kidnaping, fraud, bribery, narcotics violations and other Federal crimes. These dismissals are a direct result of the Jencks decision.

Opening files to defendants in criminal cases at random gives the FBI the difficult choice of refusing to prosecute many criminal cases, or going ahead with prosecutions at the cost of destroying its effectiveness as an investigative organization. During every moment Congress fails to act on this important legislation both the Nation's security and the Nation's power to enforce its laws against crime are impaired.

Congress has a definite and clear obligation to handle this vital matter without further delay or procrastination. I repeat again, Congress has no business adjourning until this gapping hole in the Nation's security is plugged up, and I shall resist all efforts to adjourn before this action is taken.

The gentleman from Pennsylvania [Mr. WALTER] assured me during a colloquy last Friday that he is exerting the utmost effort to obtain passage of this legislation. The Republican conference last week instructed its party leadership to press vigorously for enactment of the legislation before adjournment. The matter is in the hands and control of the Democrat leadership of this Congress. Realizing the urgency of the legislation, and realizing as well the heavy fire which the Democrat Party underwent on the security issue during the Truman era, I would think its leadership would have cause to worry over the political consequences of bringing about any adjournment of this Congress before adequate legislation is enacted, as has been urgently requested by Attorney General Herbert Brownell and FBI Director J. Edgar Hoover, to protect the FBI's files, and in so doing, protect the Nation's security.

The SPEAKER. The Chair thinks that the gentleman will have to wait until tomorrow to get the answer to his question.

THE TENTH WORLD HEALTH ORGANIZATION

Mr. WOLVERTON. Mr. Speaker, the gentleman from Rhode Island [Mr. FOGARTY] and I were appointed as delegates to the Tenth World Health Organization. We attended.

I ask unanimous consent to insert in the CONGRESSIONAL RECORD as part of my remarks speeches and remarks that were made by other members of the organization, which I consider noteworthy.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE MUTUAL SECURITY APPROPRIATION ACT, 1958

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. PASSMAN. Mr. Speaker, we certainly hope that during the week we will have the mutual security bill back on the floor. I hope that the membership will be prepared to support the position of the House conferees. We are not damaging this program. There are sufficient funds in the House bill to carry out the commitments of our Government. It would be a better-managed program with the amount of money that the House has approved. I certainly hope if it is necessary for the House conferees to come back to the House for instructions on any item in disagreement that the membership will be prepared to support the position of the House conferees.

A business well managed can do a better job. That applies to a family, or to an individual. Certainly this would apply to any governmental agency. What we are trying to do is to get this complex foreign-aid program on a business basis and I can assure each and every one of the Members, pressure and publicity notwithstanding, that there are ample funds in the bill to carry out this program according to our Government's commitments, and the testimony submitted by the witnesses who came before our committee.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Iowa.

Mr. GROSS. It may even be the means, if the House position is supported, of the administration's staying within the $275 billion debt limit, is not that correct?

Mr. PASSMAN. I thank the gentleman for his observation.

CURTAILED WEATHER BUREAU OPERATIONS CALLED IRRESPONSIBLE

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, it is hard to find a better example of false, pound-foolish economy than that which has resulted in curtailment of United States Weather Bureau operations throughout the country.

It is too much to hope that this reduction in service will not result in unnecessary loss of life and property damage. This will be particularly true in the hurricane and tornado belts, but it will also be true in inland districts such as the one I represent.

In the area of Toledo, Ohio, Mr. Speaker, private aircraft and small-boat activity has increased manyfold in recent years and every indication points to continuation of this phenomenal growth. During this same period the United States Weather Bureau at Toledo, Ohio, has been fighting a losing battle. Today the Bureau staff is down to six, two persons under a year ago. With the recent Presidential order prohibiting the filling of vacancies due to death, retirement, or resignation, the situation can only become worse—although already Weather Bureau service at Toledo has been suspended from midnight to 5 a. m.

Because the Toledo area is both highly industrial and rich in agriculture, curtailment of the many special Weather Bureau services will have a very real impact.

As one of the great inland ports of the world, Toledo is especially dependent on wind and weather forecasts for its great volume of Great Lakes shipping. Because Toledo is also an important railroad and trucking artery, detailed forecasts of cold waves, sudden temperature changes, freezing rain, and sleet for these shipping and transportation interests are also essential.

Our farmers and fruitgrowers, too, count on special agricultural forecasts—especially frost-protection warnings.

Forecasts and warning services relating to heavy rainstorms and severe windstorms are of very real interest to hundreds of families living along the unprotected shores of western Lake Erie. Time and again these families have been driven from their homes by sudden storms from the northeast, and Weather Bureau warnings have done much to prevent serious loss of life.

In the last 4 years, Mr. Speaker, hurricanes alone have taken almost a thousand lives and have caused property damage in excess of $1 billion. Civil Defense and other officials tell us that most of the lives lost and a substantial part of the property damage could have been prevented had sufficient funds been available for the Weather Bureau to establish the type of warning service which was possible. The investment of a few million dollars then would have been repaid many times over—and this is no less true today.

The responsibility for this false economy can be placed equally with the White House and the Congress. Certainly the President is to blame for not standing up and fighting for funds to carry out programs vital to the health and safety of millions of Americans. Similarly, the Congress must accept responsibility for failing to distinguish between real and false economy, and for seeking to please rather than protect the American public.

I hope, Mr. Speaker, that these mistakes can be corrected before irreparable damage results.

MISS JUDY FORD, OF CHERRYVILLE, N. C.

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, it is with a sense of deep pride that I call the attention of the House to the accomplishment of a young lady residing in my Congressional District. I refer to Miss Judy Ford, daughter of Mr. and Mrs. Howard Ford, Cherryville, N. C.

Judy was recently elected president of the Luther League of America at its annual convention at the University of Kansas. Her achievement is all the more striking when we realize that she is the first young lady to be elected president of the Luther League of America in the 62-year history of the organization.

As we all know, the Luther League is the young people's auxiliary to the great United Lutheran Church in America. It is devoted to the building of good citizenship among our young people, and its activities exemplify and promote the very highest type of Christian living. I am proud and honored that a constituent of mine should be selected to direct such a worthwhile organization.

Judy Ford has been a natural leader in all of her school and church activities. She is a rising senior at Lenoir-Rhyne College in Hickory, N. C., where she is editor of the college yearbook, a member of the college debaters, the dramatic club, and Kappa Delta and Alpha Tau Kappa, honorary forensic orders.

This outstanding young lady is a member of St. Johns Lutheran Church at Cherryville, N. C. Rev. Leroy C. Trexler is pastor of that splendid church and has faithfully directed her efforts in behalf of Christian citizenship. She has participated in every activity of her church and has contributed articles to such Lutheran publications as Luther Life and the North Carolina Lutheran. In the latter publication she has written a regular column called Ford's Forum.

Her devotion to her church and her efforts in its behalf began at an early age. Her example is an inspiration to all young people, and her untiring efforts in behalf of the Christian way of life have enriched the lives of all who have been privileged to know and work with this outstanding young lady.

Mr. Speaker, I salute Judy Ford and wish her continued success in her efforts in building a greater Lutheran Church and instilling a sense of devotion to Christian principles in the hearts and minds of the young people with whom she is associated.

PLIGHT OF THE RURAL ELECTRIC CO-OPS

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. TRIMBLE. Mr. Speaker, one of the greatest things to come to rural America in this generation was the birth of rural electrification. These home-owned, home-controlled, free-enterprise groups have brought the comforts and conveniences of electricity to the farm homes of this country and have completely changed rural living. In my section, even with an average of less than three users per mile of line the rural electric co-ops are meeting their payments of principal and interest on their loans, paying their share of State and national taxes, and are doing a good job of keeping our young people on the farms, where they are so badly needed.

Yet, with all this fine record, trouble looms ahead. Circular A-47, of the Bureau of the Budget, plus recent decisions of the Federal Power Commission increasing rates to be charged by the Southwest Power Administration for power sold to the rural electric co-ops in the Southwest, bode no good. This rate increase was ordered over the protest of the co-ops, who asked permission to argue their case, but were denied the right to be heard. Other interested firms and people were heard—a rank discrimination to those serving rural communities. Another example of this discrimination was putting off for 1 year the increase in rates to other power companies while they renegotiated their contracts; but the rural electric co-ops were walloped with an immediate increase of 27 percent, and this without being given the courtesy of a hearing.

This was all done upon an admitted preliminary cost allocations figure. Why could not the rural electric co-ops have been granted the same year's time while the Federal Power Commission arrived at the true facts? Your guess is as good as mine. The only thing I can say is that under the facts, as I see them, the Department of the Interior had no right to propose this increase; and the Federal Power Commission had no right to approve it. The universal law of equity and justice should have been applied.

To add to the woes of the rural electric co-ops is Circular A-47 of the Bureau of the Budget, which I discussed about 2 years ago. It is adding additional cost to the power which co-ops buy from hydroelectric dams. Because of the sparseness of customers, the rural areas cannot be profitably served by any organization operating for profit.

I can discern in the distance what I think to be a calculated design to cripple or destroy these servants of our rural people. High power rates; a partnership policy with others getting the "partner" and the co-ops getting the little "ship"; higher interest rates; removing power generation from flood control and navigation projects; and finally a tendency, I fear, to name to service agencies those who are either uninformed or not in sympathy with a proper concept of rural service.

The rural electric co-ops and all friends of rural living had better batten down the hatch. There are storms ahead for the "ship" part of "partnership"—and the farmers service organizations in the field.

PROGRAM FOR THE WEEK OF AUGUST 26

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN. Mr. Speaker, I ask for this time to secure the program for the week.

Mr. McCORMACK. Mr. Speaker, I can announce the program for tomorrow. The Committee on Rules, as is known, has reported out the rule making in order the civil-rights bill. That will be the first order of business tomorrow. It also reported out a rule making in order a bill from the Committee on the Judiciary in connection with the Jencks decision of the Supreme Court. That bill will follow the civil-rights bill.

As to the District of Columbia business, the stadium bill conference report is in order, subject to the Senate's acting upon it. If the Senate acts on it today, it will come up today.

Mr. MARTIN. What is up for today?

Mr. McCORMACK. Today is District Day. There is one bill to come up, amending the District of Columbia Business Corporation Act. If the Senate acts on the stadium bill, that will be brought up.

Mr. MARTIN. What time will we be coming in tomorrow?

Mr. McCORMACK. I think 12 o'clock will be all right for tomorrow, having in mind what the program shows for the rest of the week.

Mr. MARTIN. As I understand, there is 1 hour's debate under each of the two rules that are to be brought up today.

Mr. McCORMACK. There is 1 hour under each one of the rules, so I have been informed. I may say also that the stadium bill conference report, I have been informed, is in order now for action, so that will follow the District Day business.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Indiana.

Mr. HALLECK. I should like to make this expression. I have talked to a great many Members. The Labor Day weekend is coming up and they are very anxious to get home. The vacation season is practically over for many of them in our area. I should like to express the hope that we could wind up this session of Congress by Wednesday night. It seems to me that could be done. If we could, I think it would be good for us and I think maybe good for the country.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Ohio.

Mr. FEIGHAN. I should like first to subscribe to the observation made by the distinguished assistant minority leader.

Mr. McCORMACK. That is the most popular remark he has made in all the years I have been associated with him.

Mr. FEIGHAN. I am particularly interested in the immigration bill. I agree with him in the hope that we will conclude on Wednesday, but there is an immigration bill that may come before the House. It may come up under suspension of the rules. I have submitted in the report minority views, and I should like to know whether or not, if this is called up, I will be advised.

Mr. MARTIN. That would be up to the majority leader.

The SPEAKER. If it comes up under suspension of the rules, everybody will know it.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute in order to make a correction.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. I said to my friend from Massachusetts that there is one District bill to come up today. I am informed now that there are two bills. The other one is the bill (S. 969) to prescribe the weight to be given to evidence of tests of alcohol in the blood or urine of persons tried in the District of Columbia for operating vehicles while under the influence of intoxicating liquor.

As to the time to be used on the rules tomorrow, there is 1 hour on the civil-rights conference report, and on the other there is the hour on the rule and the hour on the bill itself.

Mr. WILSON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. WILSON of Indiana. If we get to the conference report on the mutual-security bill, and adopt that and get the civil-rights conference report out of the way, I wonder if the gentleman will entertain a motion to adjourn sine die.

Mr. McCORMACK. I can inform my friend that a motion to adjourn sine die will be made just as soon as it is possible. I can assure the gentleman of that. I hope the views of the gentleman from Indiana can be carried out, but nobody can subscribe to that definitely. The motion to adjourn sine die will be made just as soon as we have completed our business.

Mr. WILSON of Indiana. It is very difficult to get reservations on planes. Transportation is tight. I have speaking engagements for both Saturday and Monday. I have been rather patient, and so have a lot of other Members. I notice there are only about half of us left here, barely a quorum. It may become necessary for some of us to see that a quorum stays on the floor of the House in order to prevent some legislation being brought up that should not be put through with a minority of the Members here. I would not suggest doing that if we are going to make an effort to get the two major bills confronting us out of the way and then go home and let the country think over what we have done in the last 6 or 8 months.

ASIATIC FLU EPIDEMIC

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I am horrified that the Army is closing the Murphy Army Hospital at Waltham, particularly in view of the Asiatic flu epidemic. During 1918, I was volunteering in an Army hospital daily and sometimes 36 hours at a time trying to help take care of flu victims. We did not have beds. We were short of doctors and nurses. In the pneumonia wards every nurse contracted the flu. Civilian hospitals were packed and jammed. It is an outrage, I think, to close the hospital at this time, and today our civilian hospitals are plagued with a shortage of medical personnel.

Mr. Speaker, I certainly think the doctors should insist that President Eisenhower should have the Asiatic flu vaccine, if anyone in the country has it. He is our No. 1 citizen. He is vitally important to us and vitally important to the Free World today. He should be treated with the greatest respect and given the best of care.

LACK OF CIVIL DEFENSE—A NATIONAL SHORTCOMING

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, in recent years we have seen military weapons developed beyond all comprehension. We have built bombs so deadly that a single missile cannot only kill and maim thousands, if not millions, but also permanently damage the entire human race. We have such bombs and though we might have made them first, there is no doubt that our enemies have them now, too. It is merely a deliberative daydream to pretend that the enemy is not capable of penetrating our military defenses to drop a thermonuclear bomb over a target in the United States. To disregard this threat with continued apathy is to flirt with omnipotent danger such as our civilization has never known.

In 1950 the Congress created the Federal Civil Defense Administration to plan for an effective defense against atomic attack. Of late some have criticized this agency with the charge that it has wasted all of the public funds allotted to it. In defense, others have argued that the Civil Defense Administration never had an opportunity to prove its worth because Congress would not appropriate the requested funds to carry out its work. Both of these opposite points of view are unwarranted. There is no doubt that the Civil Defense Administration could have done a far better job, but all in all it has served an important role.

Congress, in refusing to pour more and more money into the Civil Defense Administration, is not losing interest in civil defense. On the contrary, it is my strong conviction that there is more genuine concern in Congress now than ever before for an efficient system of national civil defense. My fellow legislators have balked, and rightly so, because the Civil Defense Administration has such a shortsighted policy. In the 7 years since its creation, it is already outmoded and obsolete.

Basically, civil defense is a planning program and to be workable, it must be keyed far in advance of the present. For the program to operate on a current basis is indeed reckless and for it to be years behind, as it is presently, is downright negligence.

A strong and well-organized civil defense can be a very definite power for peace. To allow our great centers of population and industry to lie exposed to possible attack is to invite disaster. Such an attack at home could virtually paralyze our military forces, even if the military escaped to launch its massive retaliation. The victor, in my firm opinion, will undoubtedly be the nation which can withstand attack rather than merely attack. In event of atomic war, our success becomes a question of survival.

In this respect, the Civil Defense Administration has been active in testing various types of shelters for some time. In recent nuclear bomb tests in Nevada, a lot of scientific data has been obtained on shelter structure needed to withstand attack. Generally, there seem to be three types of shelters under study depending on whether the shelter is designed to offer protection from the immediate blast or shock wave, the following flash of fire or lastly, the fallout of radioactive materials.

The problem of survival has vastly increased since the Federal Civil Defense Administration came into being. At that time, the terrible dangers of radioactive fallout were not considered. Perhaps the Atomic Energy Commission knew of the dangers, but the Civil Defense Administration says it did not. This in itself is an illustration of the poor governmental coordination which has hampered the effectiveness of our domestic civil defense. The fact that the Civil Defense Administration is now testing various shelters in Atomic Energy Commission experiments is significant of much-needed improvements in liaison. Let us hope that these agencies are now cooperating fully for the protection and well-being of the American people.

The United States Constitution gives the Federal Government the authority to provide for the common defense and general welfare of the United States. The common defense, Mr. Speaker, is both military defense and civil defense. One without the other is not an adequate defense in this atomic age. It is my considered judgment, therefore, that a far-reaching plan for national survival in case of atomic war should be worked out as soon as possible.

Although the tense world situation demands a certain urgency, it is paramount that proper consideration be given to all aspects of a national survival program. All factors should be duly and fully considered. Certainly we do not want to weaken the national economy by channeling billions upon billions of tax dollars into a nationwide system of shelters which might be outdated by the time they are finally built. Nor do we want to be lulled into a false feeling of security with the mistaken view that such shelters will make us invincible. Still, time is all-important in launching a full-scale inquiry into the feasibility of atomic shelters.

Despite the objections which have been raised, the Federal Civil Defense Administration contains the framework under which such an investigation can be carried out at present. This study might indicate the need for a top-to-bottom revamping of the present civil-defense program or even an entirely new agency.

The Military Operations Subcommittee of the House Committee on Government Operations has already held lengthy hearings on the subject of additional civil-defense legislation. The committee report shows that Congress appropriated the full amount which the Civil Defense Administration requested for shelter design and testing. In fiscal year 1957, $10 million was appropriated for this purpose but civil defense failed to develop a worthwhile program, carrying over more than $6 million. In this session, Congress added $2 million of new money which was the full amount asked for shelter experiments and Congress so earmarked this appropriation.

In the past and even at the present, our civil-defense program is based on the concept of mass evacuation. This plan, even if workable, is completely unsound and unrealistic. In the event of actual attack, it would result only in mass mayhem. Everyone's evacuation is, first of all, impracticable for the simple reason that our Nation does not have the highways to evacuate key target areas, assuming that we received as much as 1½ hours' notice. An expenditure of several billions would be required to expand our highway system so that it would carry the traffic load even to points 15 miles outside the target areas.

At 15 miles or even 30 miles, there is little assurance that evacuated persons would escape death or serious injury. The reason for this is because the dangers of radioactive fallout are haphazardly discounted. Perhaps the lethal qualities of fallout were not realized at the time the mass evacuation plan was evolved, but now there can be no doubt that death by fallout can be an agonizing and prolonged torture such as few mortals have ever experienced. Therefore, mass evacuation, even if accomplished, offers little chance of escaping the fatal radiation of an atomic attack.

Mr. Speaker, it appears that shelters in which persons can remain for perhaps several days offer our only sure chance of survival. Most shelters, of course, would not withstand a nearby blast. The ensuing fires would destroy other shelters. The blast and fire is an imminent danger, however, only in the immediate bombed area. Everywhere else, shelters provide the only known means of surviving atomic attack.

As a defense against fallout, shelters are very certainly an integral part of our civil-defense system. It is appalling indeed that extremely few shelters or underground areas which might be used as such, are in existence today. One of the most effective, I am informed, is the subway running from the United States Capitol to the Senate Office Building. The subway to the House Office Building is a little too shallow. Any widespread shelter program in a metropolitan area might take a cue from the United States Capitol subway system. Shelters might well be dual purpose constructions, either as subterranean crossings at street intersections or as underground passageways or subway stations. In this fashion, a portion of the construction expense might be borne by others besides the Federal Government. The shelters alternate use would also serve to alleviate any misgivings that our elaborate shelter system would never be used.

At this point, what is urgently needed is more sound leadership and guidance on the part of the executive branch of Government. More than a year ago, President Eisenhower wrote Civil Defense Administrator Val Peterson:

> An effective civil defense is an important deterrent against attack on our country and thus helps preserve peace. In the event of an attack upon us, civil defense at once becomes one of our immediate reactions imperatively required for our Nation's survival. * * * Therefore, our whole civil-defense effort needs both strengthening and modernizing.

The President's words are the consensus of almost everyone concerned with our civilian defense. Indeed, there has been a great laxity on the part of all concerned. Too little attention has been and is being given to civil defense.

The executive branch must inform the people and keep them informed on the actual dangers to be encountered in an atomic attack. The executive should not, of course, engage in a scare campaign but neither should it attempt to gloss over the honest facts. The public should be made aware of the terrible dangers of atomic radiation and fallout. The American people should also be educated on safe methods of surviving attack.

An adequate civil defense is a matter of national security. To base our peaceful existence upon the threat of massive retaliation, as we do, is to invite attack. In this horrible event, we must outsurvive our enemy. Sufficient and effective shelters most certainly appear to be the key to our survival if thermonuclear war comes. Let our country exert every effort to build and maintain a strong and ready civil-defense system.

AMERICAN NEWSPAPERMEN GOING TO CHINA

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, the State Department should be given whatever credit is due for their belated decision to permit American newsmen to go into China and report back to the American people their observations. Certainly it is a lot better for us to have our own observers reporting to us from Communist China rather than being forced to rely on information from other sources as to what is going on in China.

It is regrettable, however, that the State Department should have reserved to itself the right to handpick the American reporters who have been cleared to go to China. In making this decision, the State Department did not select a single representative from any of the hundreds of smaller American daily newspapers. Only the large news-gathering organizations and metropolitan organizations and metropolitan newspapers are represented.

This discrimination against the newspapers which provide coverage for States such as my own is entirely out of line with the normal treatment of the American press. It betrays either a lack of confidence by the State Department in the smallest newspapers or else a callous disregard for their rights to the news sources that are made available to the large newspapers.

If the State Department insists on limiting the number of American reporters permitted to go into China, it should at least make certain that all segments of the press regardless of size should be represented. Is there any logical reason why any American newspaper desiring to give its readers firsthand information should be denied the right to send a reporter to China?

The Sioux Falls (S. Dak.) Argus-Leader is one newspaper that very much wanted to send a representative to China to cover developments there. Mr. John A. Kennedy, publisher and editor in chief of the Sioux Falls paper, has traveled widely in Russia and in central and eastern Europe in recent years. He wanted very much to give his readers the benefit of his observations from China. His application was not given favorable consideration.

The editorial comments of the editor of the Argus-Leader put the case of the smaller dailies very clearly and I submit them at this point in the Record.

Why Deny Rights to Small Newspapers?

It was a wise decision of the United States Department of State to allow American reporters to go to China.

It was much less than wise, however, for the Department to delegate to itself the right to pick in effect the reporters who should go and to restrict their number.

The authorization provides that 24 reporters can go. These include representatives of 12 newspaper, radio, television, and news magazine organizations and 12 from individual newspapers.

Included among them is not one reporter from the smaller American dailies. Only the larger publications are listed.

This involves a discrimination that is intolerable under the American press system.

The smaller newspapers, too, gather the news in both the domestic and the foreign fields. They, too, are eager to obtain direct information for their readers and often spend large sums of money in so doing. This newspaper, for example, has sent its representatives to Russia, Poland, Czechoslovakia, Yugoslavia, and other satellite countries to get the news. That is a part of its policy because it believes the people of this area have the same right to receive firsthand information about these countries as do the residents of other sections of the Nation.

The Argus-Leader speaks for itself in this case, to be sure, but it speaks as well in behalf of a right that is a basic privilege of all American newspapers, both big and small. The Argus-Leader, if it so desires, has as much right to send a reporter to China as does the New York Times or the Minneapolis Tribune. And, in truth, the Argus-Leader desires to do so. Actually, early last month this newspaper filed with the Department of State a request that John A. Kennedy, publisher and editor-in-chief, be permitted to go to China. That request was acknowledged, but this newspaper was not included in the permission granted yesterday.

This newspaper, of course, asks no special privilege in this respect. It wants nothing denied to others, but it does want—and it believes with good reason—the right to seek out the news wherever it can within the proper scope of national policy.

The Department of State obviously has decided it is within good national policy to allow American reporters to go to China. That being the case, the Argus-Leader has the right to be represented. And so do all newspapers, regardless of size, that are willing to send reporters to China.

COLUMBIA BASIN PROJECT

Mr. ENGLE. Mr. Speaker, I call up the conference report on the bill (S. 1482) to amend certain provisions of the Columbia Basin Project Act, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 1238)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1482) to amend certain provisions of the Columbia Basin Project Act, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That (a) section 2 (b) (iii) of the Columbia Basin Project Act (57 Stat. 14), as amended, is hereby repealed and the following is substituted therefor:

"'(iii) Water shall not be delivered from, through, or by means of the project works to or for lands not conforming in area and boundaries to the farm units covering the lands involved. Water may be delivered to one or more farm units held by any one landowner (a) which, taken together, comprise not more than one hundred and sixty irrigable acres, or (b) in the case of a nominal quarter section comprising more than one hundred and sixty irrigable acres referred to in subdivision (i) of subsection (b) of this section, which comprise the acreage contained in such quarter section: *Provided,* That water may be delivered to one or more farm units comprising a total irrigable area of not more than three hundred and twenty acres held by members of a family: *Provided further,* That notwithstanding any other provision of this Act, water shall not be delivered (1) to more than one farm unit held by any one owner or family on September 1, 1957, except that, in the case of land held by one having equitable or legal title on May 27, 1937, or by the heir or devisee of such owner, delivery may be made to farm units comprising not more than one hundred and sixty irrigable acres or a nominal quarter section, or (2) to any excess lands disposed of after September 1, 1957, which are reacquired (otherwise than in the circumstances set forth in the proviso to section 2 (b) (iv) of this Act) by the present owner or a member of his family within five years from the date of their disposition, or which are reacquired by the present owner or a member of his family at any time pursuant to any contract, arrangement, or understanding (other than a bona fide security transaction) made in connection with or as an incident to their disposition, or in which the owner or any member of his family retains any interest (except a bona fide security interest) or from which he or any member of his family derives any profit or advantage after their disposition."

"(b) Section 2 (b) (iv) of said Act is hereby repealed and the following is substituted therefor:

"'(iv) Lands within the project held by any landowner in excess of the farm unit or units to which water may lawfully be delivered as provided in subdivision (iii) of this subsection shall be deemed excess land: *Provided,* That if excess land is acquired by foreclosure or other process of law, by conveyance in satisfaction of mortgages, by inheritance or by devise, water therefor may be furnished temporarily for a period not exceeding five years from the effective date of such acquisition, delivery of water thereafter ceasing until the transfer thereof to a landowner duly qualified to secure water therefor.'

"(c) Section 2 (b) (v) of said Act is hereby repealed and the following is substituted therefor:

"'(v) As used in this Act, the terms "owner", "landowner", and "any one landowner" denote any person, corporation, joint-stock association; the term "family" denotes a group consisting of either or both husband and wife, together with their children under eighteen years of age, or all of such children if both parents are dead; the term "their children" includes the issue and lawfully adopted children of either or both husband and wife; and the term "lands within the project" denotes those lands within the boundaries of the existing Columbia Basin irrigation districts, or revisions thereof approved by the Secretary, which the Secretary determines may be supplied water from, through, or by means of the project works and are required to be included to provide for sound development and operation of the project. Lands shall be deemed to be held by a family, if held as separate property of husband or wife, or constitute a part or all of their community property, or if they are the property of any or all of their children under eighteen years of age. Lands held in trust for any person shall, for the purpose of this Act, be deemed to be held both by that person and, if the trustee derives any profit or advantage from the trust other than a moderate fixed fee for the management of the same, by the trustee.'

"The last sentence of this amendment shall not be deemed to affect any irrevocable trust for the benefit of a child under eighteen created prior to this amendment, which would then have been held to be consistent with the provisions and intent of the Columbia Basin Project Act or to excuse any violation or evasion of that Act, or of the rules and regulations issued pursuant to it or of contracts entered into under it, by the creation or purported creation of a trust prior to this amendment, which would then have been held to be inconsistent with said provisions and intent.

"(d) Section 4, subsection (b), of said Act is hereby amended by substituting a comma for the period at the end thereof and adding thereto the following: 'and each such applicant shall be required to agree that he, his heirs and assigns will not, except with the approval of the Secretary, sell, assign, lease, or otherwise dispose of or contract to sell, assign, lease, or otherwise dispose of his land during a period ending five years from the date of his purchase contract. No application for a farm unit shall be received from any person who, or a member of whose family, then has outstanding another application for a farm unit on the project or to whom a farm unit could not at the time of application lawfully be sold under this act. No farm unit shall be sold to, and no contract to sell a farm unit shall be entered into with, any person, corporation, joint-stock association, or family which has theretofore purchased or entered into a contract to purchase a farm unit under this Act or which then owns a farm unit within the Columbia Basin Project. The prohibition of the preceding sentence, however, shall not preclude a purchase or contract to purchase by a person, otherwise eligible, whose farm unit has been or is acquired by the United States for exchange purposes under this Act or the Act of August 13, 1953 (67 Stat. 566) or, if he is 18 years of age or older, whose family purchased or entered into a contract to purchase a farm unit at a time when he was under 18 years of age.'"

And the House agree to the same.

CLAIR ENGLE,
WAYNE N. ASPINALL,
B. F. SISK,
A. L. MILLER,
Managers on the Part of the House.

CLINTON P. ANDERSON,
HENRY M. JACKSON,
GEORGE W. MALONE,
Managers on the Part of the Senate.

STATEMENT

Managers on the part of the House at the conference on the disagreeing votes of the two Houses on amendments of the House to the bill (S. 1482) to amend certain provisions of the Columbia Basin Project Act, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report:

The Senate-passed bill would have amended the Columbia Basin Project Act to provide for the delivery of water to (1) one or more farm units held by an individual, corporation, or joint-stock association which taken together would comprise not more than 160 irrigable acres or a nominal quarter section, and (2) one or more farm units held by members of a family which taken together would comprise not more than 320 irrigable acres. Under the language in the Senate-passed bill, prospective settlers would have been able to acquire more than one unit, within the above-stated limitations, from the Federal Government under its settlement program, and a landowner having legal title to lands on May 27, 1937, could have retained from his holdings and could have gotten water for 320 irrigable acres. In addition, the Senate-passed bill, as interpreted by the Solicitor's Office of the Department of the Interior, would have permitted a family to arrange, through the establishment of a trust estate, for an additional unit or units totaling not more than 160 irrigable acres to be held by a proper trustee for each minor child.

The House amended the Senate-passed bill to limit the delivery of water to two farm units whether held by an individual, a corporation, a joint-stock association, or a family. In addition, the House added language to prohibit the creation of a trust as a means of exceeding the ownership limitation. With respect to disposal of units by the Federal Government under its settlement program, the House report stated the position that, because of the high degree of subsidy involved and in the interest of consistency and fairness, no landowner should be allowed to acquire more than one farm unit from the Federal Government under its settlement program. However, the House-passed bill itself does not include such a limitation.

The conference committee agreed to an amendment which would (1) retain the limitations in the Senate-passed bill with respect to ownership, i. e., 160 acres for an individual, corporation, or joint-stock association and 320 acres for a family; (2) prohibit a prospective settler from acquiring more than one unit from the Federal Government under its settlement program; (3) permit landowners holding legal title prior to May 27, 1937, to get water for 160 irrigable acres of their present lands; (4) permit other landowners to get water for one unit of their present lands; and (5) prohibit the establishment of trusts as a means of exceeding the 320-acre ownership limitation in the legislation.

The amendment agreed to by the conference committee results in ownership limitations greater than those in the House-passed bill. On the other hand, the amendment retains the Federal financial subsidy per individual or family at its present level and below that which would have been permitted by the House-passed bill. Further, the amendment prevents undue enrichment of present landowners.

In the opinion of the managers on the part of the House, the amendment to the Columbia Basin Project Act, as recommended by the conference committee, meets the objectives sought by this legislation consistent with general reclamation policy and principles.

The conference committee discussed at some length the matter of adequacy of the farm units established by the Bureau of Reclamation. While recognizing that the Bureau has conscientiously adhered to the basic principles established by the Project Act, it is the view of the conferees that, because of fast-changing economic conditions and great acceleration in mechanization of farming operations, the technical guidelines followed by the Bureau are outdated. The conference committee understands that farm units have already been established to meet the needs of the settlement program through 1961 or longer. While the new units that have not yet been settled are somewhat larger than the earlier units, the conferees doubt whether they are truly economically adequate units under present and expected future conditions.

It is the sense of the conferees that the Bureau should be rather liberal in its interpretation of the basic principles in the Project Act and that, with respect to the units not yet opened, the Bureau should restudy the matter of the economic adequacy of such units recognizing present economic conditions, presently prevailing living standards, the need for more diversified farming, and new methods of mechanized farming, and on the basis of the results of such study should make such changes and rearrangements in the units as are warranted.

Clair Engle,
Wayne N. Aspinall,
B. F. Sisk,
A. L. Miller,
Managers on the Part of the House.

The **SPEAKER**. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

WITHDRAWALS, RESERVATIONS, OR RESTRICTIONS OF MORE THAN 5,000 ACRES OF PUBLIC LANDS OF THE UNITED STATES FOR CERTAIN PURPOSES

Mr. **ENGLE**. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5538) to provide that withdrawals, reservations, or restrictions of more than 5,000 acres of public lands of the United States for certain purposes shall not become effective until approved by act of Congress, and for other purposes, together with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, strike out all after line 19 over to and including line 4 on page 3 and insert: "(4) nothing in sections 1, 2, or 3 of this act shall be deemed to be applicable either to those reservations or withdrawals which expired due to the ending of the unlimited national emergency of May 27, 1941, and which subsequent to such expiration have been and are now used by the military departments with the concurrence of the Department of the Interior, or to the withdrawal of public domain lands of the Marine Corps Training Center, Twentynine Palms, Calif., and the Air-to-Air Gunnery Range, Sahwave Mountain, Nev."

The **SPEAKER**. Is there objection to the request of the gentleman from California [Mr. Engle]?

Mr. **BARING**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The **SPEAKER**. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. **BARING**. Mr. Speaker, I object. It is necessary that I oppose my chairman's request for unanimous consent to concur in the Senate amendment to H. R. 5538. I originally coauthored that bill which was intended to restore to Congress its constitutional responsibilities to screen and approve the military use of our public domain. This bill is essential to stop unwarranted and flagrant misuse of public lands by the military. The amendment would exempt from the bill one of the largest military land grabs in history. I, therefore, object to the amendment but heartily endorse the bill as originally written.

TO AMEND DISTRICT OF COLUMBIA BUSINESS CORPORATION ACT

Mr. **McMILLAN**. Mr. Speaker, I call up the bill (H. R. 8220) to amend the District of Columbia Business Corporation Act and ask unanimous consent that the same be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from South Carolina [Mr. McMillan]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 7 (a) of the District of Columbia Business Corporation Act, as amended, is amended by striking the word "authorized" in the second sentence.

Sec. 2. Section 9 of said act is amended as follows:

In subsection (a) (3) after the words "proposing to reincorporate," insert the words "or incorporate."

Sec. 3. Section 11 (b) of said act is amended as follows:

(1) Insert "in duplicate" after "executed."

(2) At the end of subsection (b), strike "file such statement" and the period, insert in lieu thereof a colon, and add—

"(1) endorse on each of such duplicate originals the word 'Filed', and the month, day, and year of the filing thereof;

"(2) file one of such duplicate originals in their office;

"(3) return the other duplicate original to the corporation or its representative."

Sec. 4. Section 14 of said act is amended as follows:

(1) At the end of subsection (e) (2), strike the period, insert in lieu thereof a semicolon, and add: "(3) return the other duplicate original to the corporation or its respresentative."

(2) Strike subsection (f).

(3) Reletter subsection (g) as subsection (f).

Sec. 5. Section 20 of said act is amended as follows:

Add a new subsection numbered "(f)" which shall read as follows: "(f) As to corporations availing themselves of the provisions of section 141 of this act, the provisions of this section 20 shall be applicable only to the shares of such corporations issued subsequent to such reincorporation or incorporation."

Sec. 6. Section 26 of said act is amended so that the first sentence shall read as follows: "Except as provided in section 134 hereof, written or printed notice stating the place, day, and hour of the meeting, and, in case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than 10 nor more than 50 days before the date of the meeting, either personally or by mail, by or at the direction of the president, the secretary, or the officer or person calling the meeting, to each shareholder of record entitled to vote at such meeting."

Sec. 7. Section 39 of said act is amended so that the first sentence shall read as follows: "Except as provided in section 134 hereof, meetings of the board of directors shall be held upon such notice as is prescribed in the bylaws."

Sec. 8. Section 48 (b) of said act is amended by striking "recorded by the Commissioners in the office of the Recorder of Deeds" and inserting in lieu thereof "delivered to the incorporators or their representative."

Sec. 9. Section 52 (m) of said act is amended by striking "share" and inserting in lieu thereof "shares."

Sec. 10. Section 53 of the act is amended as follows:

In subsection (a), strike "Amendments to the articles of incorporation" and insert in lieu thereof "Amended articles of incorporation."

Subsection (b) (3) is amended by striking "the other duplicate original shall be recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "issue an amended certificate of incorporation, to which they shall affix the other duplicate original."

Strike subsection (c) and in lieu thereof, insert a new subsection (c) as follows:

"(c) The amended certificate of incorporation with the duplicate original of the amended articles of incorporation affixed thereto shall be delivered to the corporation or its representatives."

Add a new subsection (d) as follows:

"(d) Upon the issuance of the amended certificate of incorporation, the amended articles of incorporation shall become effective and shall take the place of the original articles of incorporation."

Sec. 11. Section 57 (b) of said act is amended by striking "recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "delivered to the corporation or its representative."

Sec. 12. Section 59 of said act is amended as follows:

(1) At the end of subsection (d) strike the period, insert in lieu thereof a semicolon, and add the following: "(3) return the other duplicate original to the corporation or its representative."

(2) Strike subsection (e).

(3) Reletter subsection (f) and (g) as subsections (e) and (f), respectively.

Sec. 13. Section 60 (b) (3) of said act is amended by striking "the other duplicate original shall be recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "return the other duplicate original to the corporation or its representative."

Sec. 14. Section 61 (c) (3) of said act is amended by striking "the other duplicate original shall be recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "return the other duplicate original to the corporation or its representative."

Sec. 15. Section 68 (c) of said act is amended by striking "recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "delivered to the surviving or new corporation, as the case may be, or its representative."

Sec. 16. Section 72 of said act is amended as follows:

(1) In subsection (a) (3) strike "ownership" and insert in lieu thereof "merger."

(2) In subsection (b) strike "The certificate of merger or certificate of consolidation, together with the duplicate original affixed thereto, shall be recorded in the office of the Recorder of Deeds" and insert in lieu thereof "The certificate of merger, together with the duplicate original affixed thereto, shall be delivered to the surviving corporation or its representative."

(3) In subsection (c) strike "ownership" where it first appears and insert in lieu thereof "merger."

Sec. 17. Section 74 of said act is amended by striking "less than" in both instances where those words appear.

Sec. 18. Section 75 of said act is amended by inserting after the comma following "corporation" where it first appears "if not made in the usual and regular course of its business."

Sec. 19. Section 76 (c) of said act is amended by striking "recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "delivered to the incorporators or their representatives."

Sec. 20. Section 79 (c) of said act is amended by striking "The other duplicate original shall be recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "Return the other duplicate original to the corporation or its representative."

Sec. 21. Section 84 (c) of said act is amended by striking "The other duplicate original shall be recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "Return the other duplicate original to the corporation or its representative."

SEC. 22. Section 87 (b) of said act is amended by striking "recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "returned to the representative of the dissolved corporation."

SEC. 23. Section 104 (c) of said act is amended by striking "recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "delivered to the corporation or its representative."

SEC. 24. Section 107 (c) (3) of said act is amended by striking "the other duplicate original shall be recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "return the other duplicate original to the corporation or its representative."

SEC. 25. Section 108 (a) of said act is amended by striking "services" in the sixth sentence and inserting in lieu thereof "service."

SEC. 26. Section 113 (b) (5) of said act is amended by striking "him" and inserting in lieu thereof "them."

SEC. 27. Section 114 (b) of said act is amended by striking "recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "delivered to the corporation or its representative."

SEC. 28. Section 115 of said act is amended as follows:

(1) Insert "(a)" after "SEC. 115." and before "The."

(2) Change "(a)", "(b)", "(c)", "(d)", "(e)", "(f)", "(g)", "(h)", and "(i)" as they now appear to "(1)", "(2)", "(3)", "(4)", "(5)", "(6)", "(7)", "(8)", and "(9)", respectively.

(3) In subsection (i) (redesignated "(9)") strike the comma after "Act," insert in lieu thereof a period, and strike "in which event the Commissioners shall give not less than 30 days' notice forwarded by registered mail, addressed to such corporation at its principal office as the same appears in the records of the Commissioners or at its registered office in the District, of their intent to revoke the certificate of authority."

(4) Add a new subsection (b) as follows:

"(b) No certificate of authority of a foreign corporation shall be revoked by the Commissioners unless (1) they shall have given the corporation not less than 30 days' notice by mail, addressed to such corporation at its principal office as the same appears in the records of the Commissioners or at its registered office in the District, of their intent to revoke the certificate of authority, and (2) the corporation, prior to such revocation and as the case may be, shall fail to submit satisfactory evidence that said certificate was not procured by such fraud, or that the corporation has not exceeded or abused such authority, or shall fail to pay such fees, charges, or penalties, or to appoint a registered agent in the District, or to file the required statement of change of registered office or registered agent, or to file such annual report, or to file a statement showing that it has transacted business in the District within a period of 2 years, or to file a copy of any such amendment to its articles of incorporation, or shall fail to submit satisfactory evidence that a misrepresentation of a material matter was not made in any such application, report, affidavit, or other document."

SEC. 29. Section 116 (a) of said act is amended as follows:

(1) In subparagraph (2) strike "his" and insert in lieu thereof "their."

(2) In subparagraph (3) insert before the first period "together with the other such certificate" and strike "The certificate of revocation, together with the duplicate original affixed thereto, shall be recorded in the office of the Recorder of Deeds."

SEC. 30. Section 121 (c) (2) of said act is amended by striking "(b)" and inserting in lieu thereof "(c)." Section 121 (c) (3) of said act is amended by striking "agreement" wherever it appears and inserting in lieu thereof "articles," and is further amended by striking "(b)" and inserting in lieu thereof "(c)", by inserting "of" between the words "shares such" and by changing the word "corporation" to "corporations" preceding the proviso in said section.

SEC. 31. Section 123 (b) of said act is amended by striking: "A certified copy of the proclamation shall be transmitted to the Recorder of Deeds and he shall cause notation of the fact of revocation to be made upon the articles of incorporation of each domestic corporation listed in said proclamation."

SEC. 32. Section 130 (a) of said act is amended by striking "him" and inserting in lieu thereof "them."

SEC. 33. Section 141 of said act is amended by striking all after "SEC. 141." and inserting in lieu thereof the following:

"I. REINCORPORATION

"(a) Any corporation which is organized and existing under the laws of the District of Columbia on December 5, 1954, and which is organized for profit and for a purpose or purposes authorized by this act may avail itself of the provisions of this act and may become reincorporated hereunder in the following manner:

"(1) The board of directors shall adopt a resolution declaring it advisable in the judgment of the board that the corporation should be reincorporated under the provisions of this act, setting forth the proposed articles of reincorporation, and directing that such proposed reincorporation be submitted to a vote at a meeting of shareholders, which may be either an annual or a special meeting.

"(2) Written or printed notice setting forth the proposed articles of reincorporation or a summary thereof shall be given to each shareholder of record within the time and in the manner provided in this act for the giving of notice of meetings of shareholders.

"(3) At such meeting a vote of the shareholders shall be taken on the proposed reincorporation; and it shall be adopted upon receiving the affirmative vote of the holders of two-thirds of the outstanding shares unless two or more classes of shares are issued, in which event it shall be adopted upon receiving the affirmative vote of two-thirds of the outstanding shares of each class issued.

"(b) Upon receiving such approval, the articles of reincorporation shall be executed in duplicate by the corporation by its president or a vice president, and verified by him, and the corporate seal shall be thereto affixed, attested by its secretary or an assistant secretary, and shall set forth—

"(1) the name (which may be different from its existing name) under which the corporation elects to be reincorporated and which shall be subject to the other provisions of this act;

"(2) the address, including street and number if any, of its registered agent in the District of Columbia, and the name of its registered office at such address;

"(3) the period of duration, which may be perpetual and which may be different from its existing period of duration;

"(4) the purpose or purposes (which may be different from its existing purposes) which it will hereafter carry on, and which shall not include any purpose prohibited to a corporation organized under this act;

"(5) the aggregate number of shares which the corporation was authorized to issue and, if said shares were of one class only, the par value of each of such shares, or a statement that all were without par value, as the case may be; or if said shares were divided into classes, the number of shares of each class and a statement of the par value of each share of each such class or that such shares were without par value;

"(6) if the shares were divided into classes, the designation of each class and a statement of the preferences, qualifications, limitations, restrictions, and the special or relative rights in respect of the shares of each class and whether the shares of any class have full, limited, or no voting power;

"(7) any other provision, not inconsistent with law or this act (whether or not included in its existing certificate of incorporation), for the regulation of the internal affairs of the corporation, including any provision which under this act is required or permitted to be set forth in the bylaws;

"(8) the number of directors of the corporation, and a statement that the board of directors adopted a resolution declaring it advisable in the judgment of the board that the corporation should be reincorporated under the provisions of this act in the manner set forth in the articles of reincorporation;

"(9) a statement that the corporation elects to surrender its existing charter and to be reincorporated under and subject to the provisions of this act;

"(10) the aggregate number of shares outstanding of each class; and

"(11) the number of shares of each class voted for and against such reincorporation.

"(c) It shall not be necessary to set forth in the articles of reincorporation any of the corporate powers enumerated in this act. Whenever a provision of the articles of reincorporation is inconsistent with a bylaw, the provision of the articles of reincorporation shall be controlling.

"(d) Duplicate originals of the articles of reincorporation shall be delivered to the Commissioners. If the Commissioners find that the articles of reincorporation conform to law, they shall, when all fees and charges have been paid as in this act prescribed—

"(1) endorse on each of such duplicate originals the word 'Filed' and the month, day, and year of the filing thereof;

"(2) file one of such duplicate originals in their office;

"(3) issue a certificate of reincorporation to which they shall affix the other duplicate original;

"(4) delivered such certificate of reincorporation and other duplicate original to the corporation or its representative.

"II. INCORPORATION

"(a) Any corporation which is created under the provisions of a special act of Congress to transact business in the District of Columbia for profit and for purposes authorized by this act may avail itself of the provision of this act and may become incorporated hereunder in the following manner:

"(1) The board of directors shall adopt a resolution declaring it advisable in the judgment of the board that the corporation should elect to avail itself of the provisions of this act and become incorporated hereunder, and directing that such proposed incorporation be submitted to a vote at a meeting of shareholders, which may be either an annual or a special meeting.

"(2) Written or printed notice of such proposed incorporation shall be given to each shareholder of record within the time and in the manner provided in this act for the giving of notice of meetings of shareholders.

"(3) At such meeting a vote of the shareholders shall be taken on the proposed incorporation; and it shall be adopted upon receiving the affirmative vote of the holders of a majority of the outstanding shares, unless two or more classes of shares are issued in which event it shall be adopted upon receiving the affirmative vote of a majority of the outstanding shares of each class issued.

"(b) Upon such approval being given by the shareholders, a statement of incorporation shall be executed in duplicate by the corporation by its president or a vice president, and verified by him, and the corporate seal shall be thereto affixed, attested by its secretary or an assistant secretary, and shall set forth—

"(1) the name of the corporation, which shall contain the word 'corporation,' 'company,' 'incorporated,' or 'limited,' or shall end with an abbreviation of one of said words;

"(2) the address, including street and number, if any, of its registered office in the District of Columbia, and the name of its registered agent at such address;

"(3) the purpose or purposes for which the corporation was organized and which it will hereafter carry on;

"(4) the aggregate number of shares which the corporation was authorized to issue and, if said shares were of one class only, the par value of each of such shares, or a statement that all were without par value, as the case may be; or if said shares were divided into classes, the number of shares of each class and a statement of the par value of each share of each such class or that such shares were without par value;

"(5) if the shares were divided into classes, the designation of each class and a statement of the preferences, qualifications, limitations, restrictions, and the special or relative rights in respect of the shares of each class and whether the shares of any class have full, limited, or no voting power;

"(6) a statement that the corporation elects to avail itself of the provisions of this act and become incorporated thereunder;

"(7) the number of directors of the corporation, and a statement that the board of directors adopted a resolution declaring it advisable in the judgment of the board that the corporation should elect to avail itself of the provisions of this act and become incorporated hereunder;

"(8) the aggregate number of shares outstanding of each class; and

"(9) the number of shares of each class voted for and against such incorporation.

"(c) It shall not be necessary to set forth in the statement of incorporation any of the corporate powers enumerated in this act.

"(d) Duplicate originals of the statement of incorporation shall be delivered to the Commissioner, together with a copy of the corporation's charter or articles of certificate of incorporation then in effect, certified by the secretary of the corporation. If the Commissoners find that the statement of incorporation conforms to law, they shall, when all fees and charges have been paid as in this act prescribed—

"(1) endorse on each of such duplicate originals the word 'Filed' and the month, day, and year of the filing thereof;

"(2) file one of such duplicate originals in their office, together with said copy of the corporation's charter or article or certificate of incorporation as then in effect;

"(3) issue a certificate of incorporation to which they shall affix the other duplicate originals; and

"(4) deliver such certificate of incorporation and other duplicate original to the corporation or its representative."

Sec. 34. Section 142 of said act is amended by striking the title and inserting in lieu thereof the following title: "Effect of Issuance of Certificate of Reincorporation or Incorporation." Said section is further amended by striking: "Upon the issuance of articles of reincorporation or the certificate of incorporation by the Commissioners the existence of the corporation shall be continued under this act" and inserting in lieu thereof "Upon the issuance under section 141 of this act of a certificate of reincorporation or of incorporation, as the case may be, by the Commissioners the existence of the corporation shall be continued under this act, and such certificate shall be conclusive evidence that all conditions precedent required to be performed under section 141 of this act have been complied with and that the corporation has been reincorporated or incorporated under this act, as the case may be, except as against the District of Columbia in a proceeding to cancel or revoke the certificate of reincorporation or of incorporation."

Sec. 35. Section 143 of said act is amended as follows:

(1) In subsection (a) (3) strike "the other duplicate original shall be recorded in the office of the Recorder of Deeds" and insert in lieu thereof "return the other duplicate original to the corporation or its representative."

(2) In subsection (b) strike "of" after "recordation" and insert in lieu thereof "or."

With the following committee amendments:

Page 3, line 19, strike "the act" and insert in lieu thereof "said act".

Page 3, line 22, strike the period immediately after the word "incorporation", and insert the following at the end of the line: "and strike 'by the Commissioners' and insert in lieu thereof 'with the Commissioners.'"

Page 9, strike "Section 30" and insert in lieu thereof the following:

"Sec. 30. Section 121 (c) (2) of said act is amended by striking '(b)' and inserting in lieu thereof '(c)'. Section 121 (c) (3) of said act is amended by striking 'an agreement' wherever it appears and inserting in lieu thereof 'articles'; by striking '(b)' and inserting in lieu thereof '(c)'; by striking 'shares such', and inserting in lieu thereof 'shares of such'; and by striking the words 'constituent corporation' and inserting in lieu thereof 'constituent corporations'."

Page 14, line 15, strike "provision" and insert "provisions".

Page 17, line 11, strike "Commissioner" and insert in lieu thereof "Commissioners."

The committee amendments were agreed to.

Mr. O'HARA of Minnesota. Mr. Speaker, I move to strike out the last word.

May I inquire of the gentleman, This is largely a technical amendment to the Business Corporation Act of the District which was passed some years ago?

Mr. McMILLAN. Yes. The main purpose of this bill is to correct some typographical errors that appeared in the bill which we passed in 1954.

Mr. O'HARA of Minnesota. And to make one or two slight changes with reference to the Recorder of Deeds Office?

Mr. McMILLAN. That is correct. This bill eliminates the requirement for recording of duplicate originals in the case of incorporation.

Mr. O'HARA of Minnesota. It is also true, Mr. Speaker, that this has the approval of the Bar Association and the Commissioners as to the necessary amendments and corrections of the so-called business incorporation laws.

Mr. McMILLAN. That is correct. All parties concerned have approved the bill.

Mr. O'HARA of Minnesota. And it has the unanimous approval of the Committee on the District of Columbia.

Mr. McMILLAN. Yes. Reported unanimously by the full committee.

Mr. Speaker, the District of Columbia Business Corporation Act was approved June 8, 1954. Since is became effective, it has been discovered that a number of errors of typography and nomenclature were included in the act. The bill would correct these errors.

Another purpose of the bill is to eliminate the requirement under the act for the recordation in two offices of duplicate original papers incident to the incorporation of companies and other acts taken regarding corporations. At present these papers must be recorded in the office of the Superintendent of Corporations and also in the office of the Recorder of Deeds. The requirement for duplicate recording would be eliminated by the bill.

Another purpose of the bill is to clarify provisions relating to reincorporation and incorporation of existing companies. Under the bill companies incorporated under the general incorporation laws of the District of Columbia prior to the enactment of the act approved June 8, 1954, may be "reincorporated" under the new act and companies created by special acts of Congress may be "incorporated" under the new act.

This legislation has the approval of the District of Columbia Bar Association and the Board of Commissioners of the District of Columbia.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to vacate the action of the House on the bill, H. R. 8220, a bill to amend the District of Columbia Business Corporation Act, to take from the Speaker's table the bill, S. 2438, and for its immediate consideration. S. 2438 was introduced as a companion bill to H. R. 8220 and the Senate amended the bill with certain clarifying provisions which must be written into the bill to make it conform to the intent of the two bodies in reporting the bill.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 7 (a) of the District of Columbia Business Corporation Act, as amended, is amended by striking the word "authorized" in the second sentence.

Sec. 2. Section 9 of said act is amended as follows: In subsection (a) (3) after the words "proposing to reincorporate," insert the words "or incorporate."

Sec. 3. Section 11 (b) of said act is amended as follows:

(1) Insert "in duplicate" after "executed."

(2) At the end of subsection (b), strike "file such statement.", insert in lieu thereof a colon, and add—

"(1) endorse on each of such duplicate originals the word 'Filed', and the month, day, and year of the filing thereof;

"(2) file one of such duplicate originals in their office;

"(3) return the other duplicate original to the corporation or its representative."

Sec. 4. Section 14 of said act is amended as follows:

(1) At the end of subsection (e) (2), strike the period, insert in lieu thereof a semicolon, and add: "(3) return the other duplicate original to the corporation or its representative".

(2) Strike subsection (f).

(3) Reletter subsection (g) as subsection (f).

Sec. 5. Section 20 of said act is amended as follows: Add a new subsection numbered "(f)" to read as follows:

"(f) As to corporations availing themselves of the provisions of section 141 of this act, the provisions of this section 20 shall be applicable only to the shares of such corporations issued subsequent to such reincorporation or incorporation."

Sec. 6. The first sentence of section 26 of said act is amended to read as follows: "Except as provided in section 134 hereof, written or printed notice stating the place, day, and hour of the meeting, and, in case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than 10 nor more than 50 days before the date of the meeting, either personally or by mail, by or at the direction of the president, the secretary, or the officer or person calling the meeting, to each shareholder of record entitled to vote at such meeting."

Sec. 7. The first sentence of section 39 of said act is amended to read as follows: "Except as provided in section 134 hereof, meetings of the board of directors shall be held upon such notice as is prescribed in the bylaws."

Sec. 8. Section 48 (b) of said act is amended by striking "recorded by the Commissioners in the office of the Recorder of Deeds" and inserting in lieu thereof "delivered to the incorporators or their representative."

Sec. 9. Section 52 (m) of said act is amended by striking "share" and inserting in lieu thereof "shares."

Sec. 10. Section 53 of said act is amended as follows:

In subsection (a), strike "Amendments to the articles of incorporation" and insert in lieu thereof "Amended articles of incorporation" and strike "by the Commissioners" and insert in lieu thereof "with the Commissioners."

Subsection (b) (3) is amended by striking "the other duplicate original shall be recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "issue an amended certificate of incorporation, to which they shall affix the other duplicate original."

Strike subsection (c) and in lieu thereof insert a new subsection (c) as follows:

"(c) The amended certificate of incorporation with the duplicate original of the amended articles of incorporation affixed thereto shall be delivered to the corporation or its representative."

Add a new subsection (d) as follows:

"(d) Upon the issuance of the amended certificate of incorporation, the amended articles of incorporation shall become effective and shall take the place of the original articles of incorporation."

Sec. 11. Section 57 (b) of said act is amended by striking "recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "delivered to the corporation or its representative."

Sec. 12. Section 59 of said act is amended as follows:

(1) At the end of subsection (d) strike the period, insert in lieu thereof a semicolon, and add the following: "(3) return the other duplicate original to the corporation or its representative."

(2) Strike subsection (e).

(3) Reletter subsections (f) and (g) as subsections (e) and (f), respectively.

Sec. 13. Section 60 (b) (3) of said act is amended by striking "the other duplicate original shall be recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "return the other duplicate original to the corporation or its representative."

Sec. 14. Section 61 (c) (3) of said act is amended by striking "the other duplicate original shall be recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "return the other duplicate original to the corporation or its representative."

Sec. 15. Section 68 (c) of said act is amended by striking "recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "delivered to the surviving or new corporation, as the case may be, or its representative."

Sec. 16. Section 72 of said act is amended as follows:

(1) In subsection (a) (3) strike "ownership" and insert in lieu thereof "merger."

(2) In subsection (b) strike "The certificate of merger or certificate of consolidation, together with the duplicate original affixed thereto, shall be recorded in the office of the Recorder of Deeds" and insert in lieu thereof "The certificate of merger, together with the duplicate original affixed thereto, shall be delivered to the surviving corporation or its representative."

(3) In subsection (c) strike "ownership" where it first appears and insert in lieu thereof "merger."

Sec. 17. Section 74 of said act is amended by striking "less than" in both instances where those words appear.

Sec. 18. Section 75 of said act is amended by inserting after the comma following "corporation" where it first appears "if not made in the usual and regular course of its business."

Sec. 19. Section 76 (c) of said act is amended by striking "recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "delivered to the incorporators or their representatives."

Sec. 19. Section 76 (c) of said act is amended by striking "The other duplicate original shall be recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "Return the other duplicate original to the corporation or its representative."

Sec. 21. Section 84 (c) of said act is amended by striking "The other duplicate original shall be recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "Return the other duplicate original to the corporation or its representative."

Sec. 22. Section 87 (b) of said act is amended by striking "recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "returned to the representative of the dissolved corporation."

Sec. 23. Section 104 (c) of said act is amended by striking "recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "delivered to the corporation or its representative."

Sec. 24. Section 107 (c) (3) of said act is amended by striking "the other duplicate original shall be recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "return the other duplicate original to the corporation or its representative."

Sec. 25. Section 108 (a) of said act is amended by striking "services" in the sixth sentence and inserting in lieu thereof "service."

Sec. 26. Section 113 (b) (5) of said act is amended by striking "him" and inserting in lieu thereof "them."

Sec. 27. Section 114 (b) of said act is amended by striking "recorded in the office of the Recorder of Deeds" and inserting in lieu thereof "delivered to the corporation or its representative."

Sec. 28. Section 115 of said act is amended as follows:

(1) Insert "(a)" after "Sec. 115." and before "The".

(2) Change "(a)", "(b)", "(c)", "(d)", "(e)", "(f)", "(g)" "(h)," and "(i)" as they now appear to "(1)", "(2)", "(3)", "(4)", "(5)", "(6)", "(7)", "(8)", and "(9)", respectively.

(3) In subsection (i) (redesignated "(9)") strike the comma after "act", insert in lieu thereof a period, and strike "in which event the Commissioners shall give not less than thirty days' notice forwarded by registered mail, addressed to such corporation at its principal office as the same appears in the records of the Commissioners or at its registered office in the District, of their intent to revoke the certificate of authority."

(4) Add a new subsection (b) as follows:

"(b) No certificate of authority of a foreign corporation shall be revoked by the Commissioners unless (1) they shall have given the corporation not less than thirty days' notice by mail, addressed to such corporation at its principal office as the same appears in the records of the Commissioners or at its registered office in the District, of their intent to revoke the certificate of authority, and (2) the corporation, prior to such revocation and as the case may be, shall fail to submit satisfactory evidence that said certificate was not procured by such fraud, or that the corporation has not exceeded or abused such authority, or shall fail to pay such fees, charges, or penalties, or to appoint a registered agent in the District, or to file the required statement of change of registered office or registered agent, or to file such annual report, or to file a statement showing that it has transacted business in the District within a period of 2 years, or to file a copy of any such amendment to its articles of incorporation, or shall fail to submit satisfactory evidence that a misrepresentation of a material matter was not made in any such application, report, affidavit, or other document."

Sec. 29. Section 116 (a) of said act is amended as follows:

(1) In subparagraph (2) strike "his" and insert in lieu thereof "their."

(2) In subparagraph (3) insert before the first period "together with the other such certificate" and strike "The certificate of revocation, together with the duplicate original affixed hereto, shall be recorded in the office of the Recorder of Deeds."

Sec. 30. Section 121 (c) (2) of said act is amended by striking "(b)" and inserting in lieu thereof "(c)." Section 121 (c) (3) of said act is amended by striking "an agreement" wherever it appears and inserting in lieu thereof "articles"; by striking "(b)" and inserting in lieu thereof "(c)"; by striking "shares such", and inserting in lieu thereof "shares of such"; and by striking "constituent corporation" and inserting in lieu thereof "constituent corporations."

Sec. 31. Section 123 (b) of said act is amended by striking: "A certified copy of the proclamation shall be transmitted to the Recorder of Deeds and he shall cause notation of the fact of revocation to be made upon the articles of incorporation of each domestic corporation listed in said proclamation."

Sec. 32. Section 130 (a) of said act is amended by striking "him" and inserting in lieu thereof "them."

Sec. 33. Section 141 of said act is amended by striking all after "Sec. 141." and inserting in lieu thereof the following:

"I. REINCORPORATION

"(a) Any corporation which is organized and existing under the laws of the District of Columbia on December 5, 1954, and which is organized for profit and for a purpose or purposes authorized by this act may avail itself of the provisions of this act and may become reincorporated hereunder in the following manner:

"(1) The board of directors shall adopt a resolution declaring it advisable in the judgment of the board that the corporation should be reincorporated under the provisions of this act, setting forth the proposed articles of reincorporation, and directing that such proposed reincorporation be submitted to a vote at a meeting of shareholders, which may be either an annual or a special meeting.

"(2) Written or printed notice setting forth the proposed articles of reincorporation or a summary thereof shall be given to each shareholder of record within the time and in the manner provided in this act for the giving of notice of meetings of shareholders.

"(3) At such meeting a vote of the shareholders shall be taken on the proposed reincorporation; and it shall be adopted upon receiving the affirmative vote of the holders of two-thirds of the outstanding shares unless two or more classes of shares are issued, in which event it shall be adopted upon receiving the affirmative vote of two-thirds of the outstanding shares of each class issued.

"(b) Upon receiving such approval, the articles of reincorporation shall be executed in duplicate by the corporation by its president or a vice president, and verified by him, and the corporate seal shall be thereto affixed, attested by its secretary or an assistant secretary, and shall set forth—

"(1) the name (which may be different from its existing name) under which the corporation elects to be reincorporated and which shall be subject to the other provisions of this act;

"(2) the address, including street and number if any, of its registered agent in the District of Columbia, and the name of its registered office at such address;

"(3) the period of duration, which may be perpetual and which may be different from its existing period of duration;

"(4) the purpose or purposes (which may be different from its existing purposes) which it will hereafter carry on, and which shall not include any purpose prohibited to a corporation organized under this act;

"(5) the aggregate number of shares which the corporation was authorized to issue and, if said shares were of one class only, the par value of each of such shares, or a statement that all were without par value, as the case may be; or if said shares were divided into classes, the number of shares of each class and a statement of the par value of each share of each such class or that such shares were without par value;

"(6) if the shares were divided into classes, the designation of each class and a statement of the preferences, qualifications, limitations, restrictions, and the special or relative rights in respect of the shares of each class and whether the shares of any class have full, limited, or no voting power;

"(7) any other provision, not inconsistent with law or this act (whether or not included in its existing certificate of incorporation), for the regulation of the internal affairs of the corporation, including any provision which under this act is required or permitted to be set forth in the bylaws;

"(8) the number of directors of the corporation, and a statement that the board of directors adopted a resolution declaring it advisable in the judgment of the board that the corporation should be reincorporated under the provisions of this act in the manner set forth in the articles of reincorporation;

"(9) a statement that the corporation elects to surrender its existing charter and to be reincorporated under and subject to the provisions of this act;

"(10) the aggregate number of shares outstanding of each class; and

"(11) the number of shares of each class voted for and against such reincorporation.

"(c) It shall not be necessary to set forth in the articles of reincorporation any of the corporate powers enumerated in this act. Whenever a provision of the articles of reincorporation is inconsistent with a bylaw, the provision of the articles of reincorporation shall be controlling.

"(d) Duplicate originals of the articles of reincorporation shall be delivered to the Commissioners. If the Commissioners find that the articles of reincorporation conform to law, they shall, when all fees and charges have been paid as in this act prescribed—

"(1) endorse on each of such duplicate originals the word 'Filed' and the month, day, and year of the filing thereof;

"(2) file one of such duplicate originals in their office;

"(3) issue a certificate of reincorporation to which they shall affix the other duplicate original;

"(4) deliver such certificate of reincorporation and other duplicate original to the corporation or its representative.

"II. INCORPORATION

"(a) Any corporation which is created under the provisions of a special act of Congress to transact business in the District of Columbia for profit and for purposes authorized by this act may avail itself of the provisions of this act and may become incorporated hereunder in the following manner:

"(1) The board of directors shall adopt a resolution declaring it advisable in the judgment of the board that the corporation should elect to avail itself of the provisions of this act and become incorporated hereunder, and directing that such proposed incorporation be subimtted to a vote at a meeting of shareholders, which may be either an annual or a special meeting.

"(2) Written or printed notice of such proposed incorporation shall be given to each shareholder of record within the time and in the manner provided in this act for the giving of notice of meetings of shareholders.

"(3) At such meeting a vote of the shareholders shall be taken on the proposed incorporation; and it shall be adopted upon receiving the affirmative vote of the holders of a majority of the outstanding shares, unless two or more classes of shares are issued, in which event it shall be adopted upon receiving the affirmative vote of a majority of the outstanding shares of each class issued.

"(b) Upon such approval being given by the shareholders, a statement of incorporation shall be executed in duplicate by the corporation by its president or a vice president, and verified by him, and the corporate seal shall be thereto affixed, attested by its secretary or an assistant secretary, and shall set forth—

"(1) the name of the corporation, which shall contain the word 'corporation', 'company', 'incorporated', or 'limited', or shall end with an abbreviation of one of said words;

"(2) the address, including street and number, if any, of its registered office in the District of Columbia, and the name of its registered agent at such address;

"(3) the purpose or purposes for which the corporation was organized and which it will hereafter carry on;

"(4) the aggregate number of shares which the corporation was authorized to issue and, if said shares were of one class only, the par value of each of such shares, or a statement that all were without par value, as the case may be; or if said shares were divided into classes, the number of shares of each class and a statement of the par value of each share of each such class or that such shares were without par value;

"(5) if the shares were divided into classes, the designation of each class and a statement of the preferences, qualifications, limitations, restrictions, and the special or relative rights in respect of the shares of each class, and whether the shares of any class have full, limited, or no voting power;

"(6) a statement that the corporation elects to avail itself of the provisions of this act and become incorporated thereunder;

"(7) the number of directors of the corporation, and a statement that the board of directors adopted a resolution declaring it advisable in the judgment of the board that the corporation should elect to avail itself of the provisions of this act and become incorporated hereunder;

"(8) the aggregate number of shares outstanding of each class; and

"(9) the number of shares of each class voted for and against such incorporation.

"(c) It shall not be necessary to set forth in the statement of incorporation any of the corporate powers enumerated in this act.

"(d) Duplicate originals of the statement of incorporation shall be delivered to the Commissioners, together with a copy of the corporation charter or articles or certificate of incorporation then in effect, certified by the secretary of the corporation. If the Commissioners find that the statement of incorporation conforms to law, they shall, when all fees and charges have been paid as in this act prescribed—

"(1) endorse on each of such duplicate originals the word 'Filed' and the month, day, and year of the filing thereof;

"(2) file one of such duplicate originals in their office, together with said copy of the corporation's charter or articles of certificate of incorporation as then in effect;

"(3) issue a certificate of incorporation to which they shall affix the other duplicate originals; and

"(4) deliver such certificate of incorporation and other duplicate original to the corporation or its representative."

SEC. 34. Section 142 of said act is amended by striking the title and inserting in lieu thereof the following title: "Effect of Issuance of Certificate of Reincorporation or Incorporation." Said section is further amended by striking: "Upon the issuance of articles of reincorporation or the certificate of incorporation by the Commissioners the existence of the corporation shall be continued under this act" and inserting in lieu thereof "Upon the issuance under section 141 of this act of a certificate of reincorporation or of incorporation, as the case may be, by the Commission the existence of the corporation shall be continued under this act, and such certificate shall be conclusive evidence that all conditions precedent required to be performed under section 141 of this act have been compiled with and that the corporate has been reincorporated or incorporated under this act, as the case may be, except as against the District of Columbia in a proceeding to cancel or revoke the certificate of reincorporation or of incorporation."

SEC. 35. Section 143 of said act is amended as follows:

(1) In subsection (a) (3) strike "the other duplicate original shall be recorded in the office of the Recorder of Deeds" and insert in lieu thereof "return the other duplicate original to the corporation or its representative."

(2) In subsection (b) strike "of" after "recordation" and insert in lieu thereof "or."

SEC. 36. This act shall take effect on the 30th day after its approval.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider and a similar House bill (H. R. 8220) were laid on the table.

AMENDING MOTOR VEHICLE TAX LAW

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6258) to amend the act entitled "An act to provide additional revenue for the District of Columbia, and for other purposes," approved August 17, 1937, as amended, with a Senate amendment thereto and concur in the amendment of the Senate with an amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That subsection (b) of section 3 of title IV of the act entitled 'An act to provide additional revenue for the District of Columbia, and for other purposes,' approved August 17, 1937 (50 Stat. 681), as amended (sec. 40-103 (b), D. C. Code), is amended by striking class C of such subsection and inserting in lieu thereof the following:

" 'Class C. For each trailer, when the manufacturer's shipping weight of the chassis, plus the weight of the body, is less than 500 pounds, $8; 500 pounds or more but less than 1,000 pounds, $12; 1,000 pounds or more but less than 1,500 pounds, $20; 1,500 pounds or more but less than 2,500 pounds, $32; 2,500 pounds or more but less than 3,500 pounds, $46; 3,500 pounds or more but less than 6,000 pounds, $60; 6,000 pounds or more but less than 8,000 pounds, $74; 8,000 pounds or more but less than 10,000 pounds, $92; 10,000 pounds or more but less than 12,000 pounds, $122; 12,000 pounds or more but less than 16,000 pounds, $152; 16,000 pounds or more, $182: *Provided*, That in determining the total weight of a trailer subject to the provisions of this class C, there shall be excluded, in computing such weight, the weight of any special equipment which is subject to taxation as tangible personal property under subsection (e) of this section.'

"SEC. 2. Subsection (b) of section 3 of title IV of said act approved August 17, 1937 (50 Stat. 681), as amended (sec. 40-103 (b), D. C. Code), is amended by inserting between classes D and F the following:

" 'Class E. For each motor vehicle classified by the Commissioners or their designated agent as an antique motor vehicle on the basis of a finding that such vehicle was manufactured prior to January 1, 1930, and is owned solely as collector's item, with its use limited to participation in club activities, exhibits, tours, parades, and similar uses, but in no event for general transportation, $5.'

"SEC. 3. The first proviso of paragraph (c) of section 3, chapter 6, of title 40 of the Code of Laws of the District of Columbia, 1951 edition, relating to issuance of Congressional tags, is amended by inserting after the phrase 'to the elective officers and disbursing clerks of the Senate and the House of Representatives' a comma and the words 'the Chief Clerk of the Senate, the Parliamentarian of the Senate, the Deputy Sergeant at Arms, Auditor, and Procurement Officer of the Senate.' "

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, I move that the House concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. McMILLAN moves that the House concur in the Senate amendment with an amendment as follows: "On page 3, strike lines 6 through 8, inclusive, and insert: 'The Chief Clerk of the Senate, the Parliamentarian of the Senate.' "

The amendment was agreed to.

The amendment as amended was concurred in.

A motion to reconsider was laid on the table.

TESTS OF ALCOHOL OF PERSONS TRIED IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I call up the bill (S. 969) to prescribe the weight to be given to evidence of tests of alcohol in the blood or urine of persons tried in the District of Columbia for operating vehicles while under the influence of intoxicating liquor and ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, (a) if as a result of the operation of a vehicle, any person is tried in any court of competent jurisdiction within the District of Columbia for operating such vehicle while under the influence of any intoxicating liquor in violation of section 10 (b) of the District of Columbia Traffic Act, 1925, approved March 3, 1925, as amended (D. C. Code, title 40, sec. 609), and in the course of such trial there is received in evidence, based upon a chemical test, competent proof to the effect that at the time of such operation—

(1) defendant's blood contained five one-hundredths of 1 per centum or less, by weight, of alcohol, or that defendant's urine contained eight one-hundredths of 1 per centum or less, by weight, of alcohol, such proof shall be deemed prima facie proof that defendant at such time was not under the influence of any intoxicating liquor;

(2) defendant's blood contained more than five one-hundredths of 1 per centum, but less than fifteen one-hundredths of 1 per centum, by weight, of alcohol, or defendant's urine contained more than eight one-hundredths of 1 per centum, but less than twenty one-hundredths of 1 per centum, by weight, of alcohol, such proof shall constitute relevant evidence, but shall not constitute prima facie proof that defendant was or was not at such time under the influence of any intoxicating liquor; or

(3) defendant's blood contained fifteen one-hundredths of 1 per centum or more, by weight, of alcohol, or defendant's urine contained twenty one-hundredths of 1 per centum or more, by weight, of alcohol, such proof shall constitute prima facie proof that defendant at such time was under the influence of intoxicating liquor.

(b) Upon the request of the person who was tested, the results of such test shall be made available to him.

(c) Only a physician acting at the request of a police officer can withdraw blood for the purpose of determining the alcoholic content therein. This limitation shall not apply to the taking of a urine specimen.

(d) The person tested shall be permitted to have a physician of his own choosing administer a chemical test in addition to the one administered at the direction of the police officer.

With the following committee amendment:

Strike out all after the enacting clause and insert:

That, (a) if as a result of the operation of a vehicle, any person is tried in any court of competent jurisdiction within the District of Columbia for (1) operating such vehicle while under the influence of any intoxicating liquor in violation of section 10 (b) of the District of Columbia Traffic Act, 1925, approved March 3, 1925, as amended (D. C. Code, title 40, sec. 609), (2) negligent homicide in violation of section 802 (a) of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended (D. C. Code, title 40, sec. 606), or (3) manslaughter committed in the operation of such vehicle in violation of section 802 of such act approved March 3, 1901 (D. C. Code, title 22, sec. 2405), and in the course of such trial there is received in evidence, based upon a chemical test, competent proof to the effect that at the time of such operation—

(1) defendant's blood or urine contained five one-hundredths of 1 percent or less, by weight, of alcohol, or that an equivalent quantity of alcohol was contained in 2,000 cubic centimeters of his breath (true breath or alveolar air having 5½ percent of carbon dioxide), such proof shall be deemed prima facie proof that defendant at such time was not under the influence of any intoxicating liquor;

(2) defendant's blood or urine contained more than five one-hundredths of 1 percent, but less than fifteeen one-hundredths of 1 percent, by weight, of alcohol, or that an equivalent quantity of alcohol was contained in 2,000 cubic centimeters of his breath (true breath or alveolar air having 5½ percent of carbon dioxide), such proof shall constitute relevant evidence, but shall not constitute prima facie proof that defendant was or was not at such time under the influence of any intoxicating liquor; and

(3) defendant's blood or urine contained fifteen one-hundredths of 1 percent or more, by weight, of alcohol, or that an equivalent quantity of alcohol was contained in 2,000 cubic centimeters of his breath (true breath or alveolar air having 5½ percent of carbon dioxide), such proof shall constitute prima facie proof that defendant at such time was under the influence of intoxicating liquor.

(b) Upon the request of the person who was tested, the results of such test shall be made available to him.

(c) Only a physician acting at the request of a police officer can withdraw blood for the purpose of determining the alcoholic content therein. This limitation shall not apply to the taking of a urine specimen or the breath test.

(d) The person tested shall be permitted to have a physician of his own choosing administer a chemical test in addition to the one administered at the direction of the police officer.

SEC. 2. Nothing in this act shall be construed to require any person to submit to the withdrawal of blood, the taking of a urine specimen, from him, or to a breath test.

The amendment was agreed to.

Mr. McMILLAN. Mr. Speaker, I move to strike out the last word.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield.

Mr. MILLER of Nebraska. This bill is one that was recommended, I think, by the Senate, and it is a voluntary bill. The one which originated in the House was not voluntary. This bill goes further and permits the person tested to have his own physician administer the chemical test in addition to the one administered at the direction of the police officer. The bill, of course, sets up standards for determining the degree of intoxication.

Similar laws are in effect in 24 States, and I think it is time the District of Columbia adopted new and modern methods of determining the degree of intoxication of persons driving vehicles.

Mr. McMILLAN. That is correct.

The SPEAKER. The question is on the Senate bill.

The bill, as amended, was ordered to be read a third time, was read the third time, and passed.

The title of the bill was amended to read "An act to prescribe the weight to be given to evidence of tests of alcohol in the blood, urine, or breath of persons tried in the District of Columbia for certain offenses committed while operating vehicles."

A motion to reconsider was laid on the table.

AUTHORIZING THE CONSTRUCTION, MAINTENANCE, AND OPERATION BY THE ARMORY BOARD OF THE DISTRICT OF COLUMBIA OF A STADIUM IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I call up the conference report on the bill (H. R. 1937) to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1220)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1937) to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1 and 2.

That the House recede from its disagreement to the amendment of the Senate numbered 3 and agree to the same.

JOHN L. MCMILLAN,
OREN HARRIS,
OLIN E. TEAGUE,
SID SIMPSON,
JOS. P. O'HARA,
Managers on the Part of the House.

ALAN BIBLE,
J. ALLEN FREAR, Jr.,
J. GLENN BEALL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1937) to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: The House bill requires the Armory Board to issue bonds to provide for payment of the cost of the stadium and the land upon which the stadium is to be located. This Senate amendment requires the Armory Board to issue bonds for the payment of the cost of the stadium only. The Senate recedes.

Amendment No. 2: The House bill provides that the bonds to be issued by the Armory Board are to bear interest at a rate not more than that approved by the Secretary of the Treasury. This Senate amendment provides that the bonds shall bear interest at a rate of not more than 6 percent per annum. The Senate recedes.

Amendment No. 3: The House bill permits the Armory Board to operate or contract for the operation of concessions for the sale of nonalcoholic beverages at the stadium. This Senate amendment strikes out the word "nonalcoholic." The House recedes.

JOHN. L. MCMILLAN,
OREN HARRIS,
OLIN E. TEAGUE,
SID SIMPSON,
JOS. P. O'HARA,
Managers on the Part of the House.

Mr. McMILLAN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, may I say to the Members of the House that the conferees of the House met with the Senate conferees again on this stadium bill. The Senate receded on the two amendments that the House adopted some weeks ago. At the present time the bill is exactly as it passed the House originally. The wishes that were expressed on the floor of the House when this bill was up for consideration last week were taken care of by the conferees.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield to the gentleman from Iowa.

Mr. GROSS. In other words, the Senate receded and accepted the House version, which provides that the Secretary of the Treasury shall set the interest rate on these bonds?

Mr. McMILLAN. The gentleman is correct.

Mr. GROSS. And the Stadium Corporation will pay for the land that it obtains from the Government for the purpose of this stadium?

Mr. McMILLAN. The gentleman is correct. That was the gentleman from Iowa's amendment when we brought the bill up originally and I accepted it when we approved the bill several weeks ago. The Senate has agreed to that language.

Mr. GROSS. Does this provide $35,000 for planning?

Mr. McMILLAN. It does not provide anything. It gives the Home and Housing Agency permission to grant that amount for a survey and study of a stadium here in the District of Columbia.

Mr. GROSS. Another question I should like to ask the gentleman is this: The committee still has ample time, if they find something is not right with this bill, to make changes?

Mr. McMILLAN. I may say to the gentleman that there are a number of items in the original bill that I would like to have corrected when the study has been made. I would like to consider a number of amendments to the bill when it comes before the House again. I do not think, for instance, that they should require 180 acres of land for a site. They could get along with 50 acres. That is one item I shall call attention to at the proper time.

Mr. GROSS. The chairman of the committee will watch that situation very closely?

Mr. McMILLAN. Certainly.

Mr. SIMPSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield to the gentleman from Illinois.

Mr. SIMPSON of Illinois. What actually occurred was that the first time the House agreed to the Senate version and the second time the Senate agreed to the House version?

Mr. McMILLAN. That is correct.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield to the gentleman from Arkansas.

Mr. HARRIS. I think it should be made perfectly clear here that the purpose of this is to have authorizing legislation for a stadium in the District of Columbia. As a result of this, under the law the Home and Housing Agency then can approve an application which is presently pending before the agency for $35,000, which would permit an investigation to be made working out the economic justification and the details of a stadium that will suffice for the needs here for something that can be worked out and accomplished under private operation and management. Also it should be made perfectly clear that we recognize there will be some amendments to this in connection with the acreage involved, and so forth, as well as in connection with other parts of the program.

Mr. SIMPSON of Illinois. It also means that the Stadium Commission must come back to the United States Congress for further action?

Mr. HARRIS. That is contemplated. It is understood after this study is completed and as a result thereof another bill will come back with such amendments as may be needed?

Mr. SIMPSON of Illinois. It is written in the report that this bill must come back to the House.

Mr. SCHENCK. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield to the gentleman.

Mr. SCHENCK. Mr. Speaker, I have had some experience both in building and operating a municipal stadium. I find that it is extremely difficult, almost next to impossible, to operate a stadium on an economic basis, and to finance its construction and operation out of income. Therefore I want to make sure that this is merely an authorization for a study and not an authorization for construction of a stadium.

Mr. McMILLAN. I assure the gentleman that the bill will come back to the House for amendment after a study has been made.

Mr. SCHENCK. I thank the gentleman.

Mr. HARRIS. Mr. Speaker, will the gentleman yield further?

Mr. McMILLAN. I yield to the gentleman.

Mr. HARRIS. For the information and benefit of the gentleman from Ohio [Mr. SCHENCK] I might say that the Armory Board is authorized to make application now for this fund to make the study approving this legislation and has also told us that they want to look into further amendments. I may say in response to the gentleman's statement regarding the possible success of this operation that we have been advised that local people in Washington are interested in this project to the extent that a substantial part of the funds necessary for the construction of this stadium would be provided by these local people through the purchase of bonds. If they are for something for the Nation's Capital, I think it should strengthen what we are trying to do, in providing ample facilities which can be used successfully.

Mr. SCHENCK. Mr. Speaker, will the gentleman yield further?

Mr. McMILLAN. I yield to the gentleman.

Mr. SCHENCK. In the matter of the operation of a stadium, the item of housekeeping is a very sizable expense. There is also the problem of securing sufficiently large crowds, the revenue from which would be used to retire the bonds. That is a very difficult problem. As long as this is to be a preliminary examination and not an authorization to build a stadium, I shall not have any objection to the proposed legislation.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CONTESTED ELECTION, CARTER AGAINST LeCOMPTE—MESSAGE FROM THE CLERK OF THE HOUSE OF REPRESENTATIVES (H. DOC. NO. 235)

The SPEAKER laid before the House the following message from the Clerk of the House of Representatives, which was read and, with the accompanying papers, referred to the Committee on House Administration:

AUGUST 23, 1957.

The honorable the SPEAKER,
House of Representatives.

SIR: I have the honor to lay before the House of Representatives the contest for a seat in the House of Representatives from the Fourth Congressional District of the State of Iowa, Steven V. Carter versus Karl M. LeCompte, notice of which has been filed in the office of the Clerk of the House; and also transmit herewith original testimony, papers, and documents relating thereto.

In compliance with the act approved March 2, 1887, entitled "An act relating to contested-election cases," the Clerk has opened and printed the testimony in the above case, and such portions of the testimony as the parties in interest agreed upon or as seemed proper to the Clerk, after giving the requisite notices, have been printed and indexed together with notice of contest, and the answer thereto and original papers and exhibits have been sealed up and are ready to be laid before the Committee on House Administration.

Two copies of the printed testimony in the aforesaid case have been mailed to the contestant, and the same number to the contestee, which, together with the briefs of the parties, when received, will be laid before the Committee on House Administration, to which the case shall be referred.

Very truly yours,
RALPH R. ROBERTS,
Clerk, United States House of Representatives.

AMENDING SECTION 1733 OF TITLE 28, UNITED STATES CODE

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 411, Rept. No. 1244), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7915) to amend section 1733 of title 28, United States Code. After general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CONSENT CALENDAR AND SUSPENSIONS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it be in order for the Consent Calendar to be called on Wednesday next, and that it also be in order for the Speaker to recognize on Wednesday next and the balance of the week for suspension of the rules.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CALLING UP OF CONFERENCE REPORTS AT ANY TIME

Mr. McCORMACK. Mr. Speaker, I further ask unanimous consent that it may be in order for the Speaker to recognize for the calling up of conference reports at any time without their having been printed and without the necessity of complying with the rule relating thereto.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Reserving the right to object, Mr. Speaker, that means, then, that conference reports can come in and be presented to the House on a minute's notice?

Mr. McCORMACK. Of course, there would not be just a minute's notice. The gentleman knows that. But they could be called up without waiting over a day.

Mr. GROSS. Does the gentleman not think that is moving pretty fast?

Mr. McCORMACK. No; not in the light of the present situation. I think that is a reasonable request.

Mr. GROSS. That would apply to the foreign handout bill; would it not?

Mr. McCORMACK. The gentleman knows that responsible leadership would see that Members are alerted. There could be a quorum call to alert Members. I think in the light of the present situation the gentleman will realize this is a fair request to be made.

Mr. GROSS. I do not know why a unanimous-consent request could not be made in accordance with the circumstances that prevail at the time. I am rather unwilling at the moment to give unanimous consent for the calling up of conference reports under any and every circumstance regardless of content and time. I think the gentleman could very well obtain unanimous consent at the time the conference report is available for action. Let us deal with it on that basis.

Mr. McCORMACK. I will never put the gentleman or any other Member to the point of objecting on a question of this kind. If the gentleman indicates to me he is going to object—is that what the gentleman is doing?

Mr. GROSS. I have no desire to prolong this session. I simply want to know what is going on. Certainly, I would not object under reasonable circumstances, to the calling up of a conference report on very short notice, but I want the opportunity to know what any conference report contains before it hits the House floor. The distinguished majority leader well knows that we deal with conference reports under limited debate and the rules are strict and drastic in connection with the handling of conference reports. I think the gentleman will agree with me on that. I will say to the gentleman that I feel I should object if he persists in his unanimous-consent request.

Mr. McCORMACK. Will the gentleman withhold his objection for a moment?

Mr. GROSS. Yes.

Mr. McCORMACK. In the first place, I am sure the gentleman from Iowa, and I hope the gentleman will not consider that this statement is presumptuous on my part, will agree that I have never taken advantage of the House or any Member of the House on any matter.

Mr. GROSS. I am sure the gentleman has knowingly done that.

Mr. McCORMACK. Or unknowingly, now. I will take it both ways now. I will put it to the gentleman: The gentleman knows or ought to know that the gentleman from Massachusetts would see that on an important conference report the rights of Members of the House are protected. The gentleman can rely on the gentleman from Massachusetts to see that the rights of the gentleman from Iowa and the rights of other Members are protected in the light of the circumstances. Instead of calling up a conference report suddenly, one such as the mutual security appropriations bill, of course the gentleman would see that there is a reasonable period of notice given to the Members.

Mr. GROSS. Not only that conference report but all conference reports. I recall that in the closing days of the session last year bills were put through the House so fast one could not keep track of them. I am glad to see there has not been a repetition exactly of the situation that occurred last year. I will go along with the gentleman one more time.

Mr. McCORMACK. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDING ATOMIC ENERGY ACT

Mr. DURHAM. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 8994) to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE. Mr. Speaker, reserving the right to object, I assume the gentleman from North Carolina will, of course, explain the bill. There is no opposition to the bill from this side.

Mr. DURHAM. Mr. Speaker, the purpose of this bill, as set forth in the report of the Joint Committee on Atomic Energy—House Report No. 977—is to equalize the salaries of the Atomic Energy Commission executives with those of other executives in the executive branch and in the independent agencies.

Last year Congress enacted the Federal Executive Pay Act of 1956. This act raised the salaries of executives generally in the executive branch and in the independent agencies except for the Atomic Energy Commission.

The purpose of this bill is to provide equal treatment of the executives of the Atomic Energy Commission as has already been granted to other executives by the Federal Executive Pay Act of 1956.

The background of this bill is set forth in the committee report—House Report No. 977.

Last year the Joint Committee unanimously recommended a salary bill for AEC executives, contingent upon passage of the Federal Executive Pay Act, but that act passed late in the session, and the AEC salary bill was not considered by the Congress. This year the Joint Committee again considered the question and has recommended unanimously this legislation to bring the AEC executives up to the same salary levels as those of other executives.

This bill raises the salary of the Chairman of the Commission from $20,000 per annum to $22,500 per annum, which is on the same level as the Under Secretary of State and the Deputy Secretary of Defense. Prior to the Federal Executive Pay Act of 1956, the Chairman of the Commission was on the same level with those other offices, but he is now receiving a lesser salary. The purpose of this bill is to equalize this situation.

Other salaries of AEC executives are raised as follows:

The other four Commissioners of the Atomic Energy Commission, from $18,000 to $22,000; the general manager, who is the chief executive officer, from $20,000 to $22,000; the division directors from $16,000 to $19,000; the general counsel from $16,000 to $19,500. The bill also established the position of deputy general manager at maximum salary of $20,500; three assistant general managers or their equivalent at maximum salary of $20,000; and a maximum of six other executive manager positions at a salary not to exceed $19,000 per annum.

All of these increases are entirely consistent with the provisions of last year's Federal Executive Pay Act, and are only intended to provide fair and equal treatment to AEC executives.

I do not need to emphasize to the Members of the House the tremendous importance of the work of the Atomic Energy Commission. It must carry out enormous responsibilities for our military atomic and hydrogen weapons, and also in our expanding program for the peaceful uses of atomic energy, both at home and abroad. It is important that the Commission be able to obtain first rate executives and scientists to lead it. Some of its key employees, including the Director of the Division of Research, have left the Commission to respond to more attractive offers, from a financial standpoint, from private industry.

Also, the Commission is planning to move in about 6 months to new headquarters building near Germantown, Md., about 30 miles outside of Washington. I fear that they will lose many employees, including some of their top executives. In order to try to prevent this loss, and to provide fair treatment to AEC executives who are now receiving less than other executives in our Federal Government, I urge the House to favorably enact H. R. 8994, in accordance with the unanimous recommendation of the members of the Joint Committee on Atomic Energy.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 22 a. of the Atomic Energy Act of 1954, as amended, is amended by striking out the figure "$18,000" and inserting in lieu thereof the figure "$22,000"; and by striking out the figure "$20,000" and inserting in lieu thereof the figure "$22,500."

SEC. 2. Section 24 of the Atomic Energy Act of 1954, as amended, is amended, including appropriate amendment to the table of contents, by striking out the entire section and by substituting the following:

"SEC. 24. General Manager, Deputy and Assistant General Managers: There is hereby established within the Commission——

"a. a General Manager, who shall be the chief executive officer of the Commission, and who shall discharge such of the administrative and executive functions of the Commission as the Commission may direct. The General Manager shall be appointed by the Commission, shall serve at the pleasure of the Commission, shall be removable by the Commission, and shall receive compensation at a rate determined by the Commission, but not in excess of $22,000 per annum.

"b. a Deputy General Manager, who shall act in the stead of the General Manager during his absence when so directed by the General Manager, and who shall perform such other administrative and executive functions as the General Manager shall direct. The Deputy General Manager shall be appointed by the General Manager with the approval of the Commission, shall serve at the pleasure of the General Manager, shall be removable by the General Manager, and shall receive compensation at a rate determined by the General Manager, but not in excess of $20,500 per annum.

"c. Assistant General Managers, or their equivalents (not to exceed a total of three positions), who shall perform such administrative and executive functions as the General Manager shall direct. They shall be appointed by the General Manager with the approval of the Commission, shall serve at the pleasure of the General Manager, shall be removable by the General Manager and shall receive compensation at a rate determined by the General Manager, but not in excess of $20,000 per annum."

SEC. 3. Section 25 of the Atomic Energy Act of 1954 as amended, is amended, including the appropriate amendment to the Table of Contents, by changing the title from "Divisions and Offices" to "Divisions, Offices, and Positions."

Subsection 25a. thereof is amended by striking therefrom the figure "$16,000" and inserting in lieu thereof the figure "$19,000."

Subsection 25b. thereof is amended by striking therefrom the figure "$16,000" and inserting in lieu thereof the figure "$19,500."

Subsection 25c. thereof is amended by striking therefrom the figure "$16,000" and inserting in lieu thereof the figure "$19,000."

Following subsection 25c. thereof, there is hereby inserted the following new subsection 25 d.:

"d. such other executive management positions (not to exceed six in number) as the Commission may determine to be necessary to the discharge of its responsibilities. Such positions shall be established by the General Manager with the approval of the Commission. They shall be appointed by the General Manager with the approval of the Commission, shall serve at the pleasure of the General Manager, shall be removable by the General Manager, and shall receive compensation at a rate determined by the General Manager, but not in excess of $19,000 per annum."

SEC. 4. Section 161d. of the Atomic Energy Act of 1954, as amended, is amended by inserting after the words "scientific and technical personnel" the words: "up to a limit of $19,000)."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MEMORIAL TO VETERANS OF CIVIL WAR

Mr. BURDICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. BURDICK. Mr. Speaker, I am in receipt of a memorial to the Congress by the ladies of the Grand Army of the Republic who favor a commission to formulate plans for the construction of a permanent building in memory of veterans of the Civil War. It is a very short memorial and I ask permission to make it a part of these remarks.

They request 500 copies of the resolution when it is printed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Resolved, That the ladies of the Grand Army of the Republic in convention assembled this 22d day of August 1957, in the city of Detroit, Mich., go on record as being in favor of and supporting House Joint Resolution 280, 85th Congress, for the establishment of a National Shrine Commission to select and procure a site and formulate plans for the construction of a permanent memorial building in memory of the veterans of the Civil War; and be it further

Resolved, That copies of this resolution be sent to the Speaker of the House of Representatives and the Vice President of the United States urging their support, and the passage of House Joint Resolution 280.

Gussie Laile Morin, national president; Twanette Paull, new national president; Mabel S. Taylor, national secretary; Irene E. W. Caugel, past national president; Miss Theo McCallum, past national president; Rosalie E. Leonard, national treasurer; Frances M. Kuhns, past national president; Nellie D. Howe, past national president; Edwina P. Trigg, past national president, 1938–39; Laura B. Frye, senior vice president; Marion Doughty, past department president, Wisconsin; National Counsel of Administration; Mabel C. Ragsdale, past national chapter and past national patriotic instructor; Marie J. Buhler, past national director, vice president; Edna Mae Fitzgerald, national musician; Addie Gabourie, treasurer, Detroit Circle No. 1; Clara E. Smith, past national treasurer; Olive Van Wagenen, department of Potomac past president, Columbus, Ohio; Lois E. Jacobs, president, department of Potomac; Ella Bess Rossman, department of California, San Diego. Mrs. Margaret G. Urban, past national chaplain, president.

Sons of Union Veterans of the Civil War, 1861–1865: Swissvale Home, Pennsylvania; Marie E. Gadda, past department president, department of Nebraska; Sarah May Fitz, national chaplain, of Grand Rapids, Mich.: Ada J. Anderson, past chaplain of Betsy Ross Club; Betty Brannan, past president, Anoka Home, Minnesota; Marian K. Leach, past department president, of New Jersey; Mary E. Field, department chaplain, of New Jersey; Edna S. Lindsey, past department president, district of Oregon and Winnona P. Kahl, editor of Bugle Call, past department president, West Virginia; Molly Mercer, past department president, Ohio; Cecilia A. Seitz, junior vice president, Ohio department; Mary King, Patriotic Juniors Pioneer Club; Lelia Kennedy, president, MacPherson No. 330. Oregon; Bessie McCormach, department president, Oregon.

Sons of Union Veterans of the Civil War—1861–1865: Fred E. Howe, commander in chief; Albert DeHaven, newly elected commander in chief; Col. Fredrick Gilbert Bauer, past commander in chief; Maj. Gen. Ulysses S. Grant, III, past commander in chief; John H. Runkle, past commander in chief; Fred E. Calwell, national chaplain; Willard B. Stephan, national aide; Robert Wagener, past department patriotic instructor; Charles Frederick Dexter, past department chaplain, Michigan; Ernest G. Wells, national patriotic instructor.

Auxiliary to Sons of Union Veterans: Margaret McKinney, national president; Mary Harrison, national vice president, Wisconsin; Katherine Joyce, national counselor, Pennsylvania; Beatrice Riggs, national chief of staff, California.

THE FIRST AND SUPREME LAW OF THE REPUBLIC

The SPEAKER. Under previous order of the House, the gentleman from Georgia [Mr. DAVIS] is recognized for 45 minutes.

Mr. DAVIS of Georgia. Mr. Speaker, a little over a year ago a distinguished American and former Justice of the Supreme Court, James F. Byrnes of South Carolina, handed down an important opinion on the High Court which he once graced. This opinion, in the form of a documented article appeared in U. S. News and World Report for May 18, 1956.

Mr. Byrnes had served his State as Representative, Senator, and Governor. He had served the Nation as Secretary of State, Director of Economic Stabilization, and Director of War Mobilization. He was retired when he wrote this slashing indictment of the present Supreme Court. So it cannot be charged that he had any personal or political axes to grind.

Former Justice Byrnes concluded his bill of indictment by saying, "the Supreme Court must be curbed." He based this dictum solely on the court's own record—a record of unbroken and brazen usurpation of legislative functions. A record of stealthy erosion and leaching away of the Constitution without resort to the procedure of amendment provided for in the document itself.

Mr. Byrnes' exposure of the Supreme Court's unconstitutional invasions of legislative, executive, and States' powers as defined in the Constitution stunned and surprised many Americans. Most of us have been brought up to respect the highest Court in the land as above sordid power grabbing and narrow political partisanship. Former Justice Byrnes' warning however, was not unique or new. As far back as 1949 I repeatedly called attention to the Court's continued usurpation of legislative functions. Many American statesmen and patriots from Thomas Jefferson to the late Senator Pat McCarran had warned us against usurpation of authority by this branch of the Government not subject to control by the people.

If George Washington has been truly called the Father of his Country, Thomas Jefferson is the father and architect of our republican form of government. Surely no other Founding Father left a deeper impress of his genius on our form of government than our third President. Although he died in 1826, Jefferson's ability to see far into the future was uncanny. Consider the following which he wrote in his autobiography in 1821 on the Supreme Court:

> I would not indeed make them dependent on the executive authority, as they formerly were in England; but I deem it indispensable to the continuance of this Government that they should be submitted to some practical and impartial control: And that this, to be imparted, must be compounded of a mixture of State and Federal authority.
>
> It is not enough that honest men are appointed judges. All know the influence of interest on the mind of man, and how unconsciously his judgment is warped by that influence. To this bias add that esprit de corps, of their peculiar maxim and creed that "It is the office of a good judge to enlarge his jurisdiction," and the absence of responsibility, and how can we expect impartial decision between the general government of which they are themselves so eminent a part, and an individual state from which they have nothing to hope or fear. We have seen too that contrary to all correct example, they are in the habit of going out of the question before them, to throw an anchor ahead and grapple further hold for future advances of power.
>
> They are in fact the corps of sappers and miners, steadily working to undermine the independent rights of the States and to consolidate all power in the hands of that Government in which they have so important a freehold estate.

Jefferson foresaw only too clearly the fatal defect in our tripartite system of government of three separate and independent divisions of government if one, the judiciary, were allowed to arrogate the "right to prescribe rules for the government of the others, and to that one too, which is unelected and independent of the Nation." That arrogation by the Supreme Court of the "right to prescribe rules for the government" of the other two branches has finally culminated this year in a series of outrageous decisions which have finally aroused the whole Nation. We are today facing what eminent members of the bench and bar term a "constitutional crisis."

Congress now is once more trying to rush through an enormous mass of legislation in the last days of this session. Buried in this legislative logjam are several important bills drawn up to deal with the present constitutional crisis created by a runaway Supreme Court Are these bills, so vital to our national security and freedom, to be left stranded in committee or lost in the last minute rush to get out of town?

There is no question that the American people are thoroughly aroused by the Supreme Court's recent excesses. They expect Congress to take positive action in the premises. The American Bar Association, meeting in London this year, expects us to take action. The executive agencies, whose hands have now been most effectively tied in dealing with subversion by these pernicious decisions, look to Congress for help.

The American Bar Association's special committee on Communist tactics, strategy, and objectives placed before the ABA's house of delegates six recommendations which I feel are an absolute minimum for Congressional action in this session:

> 1. Safeguard the confidential nature of FBI files.
>
> 2. Give to Congresssional committees the same freedom to investigate Communists and pro-Communists that these committees have always had to investigate businessmen and labor leaders.
>
> 3. Sanction the right of the Federal Government to discharge security risks even though they occupy so-called nonsensitive positions.
>
> 4. Vest in the Department of Justice the right to question aliens awaiting deportation about any subversive associations and contacts.
>
> 5. Correct the notion that the Smith Act was not intended to prohibit advocacy and teaching of forcible overthrow as an abstract principle.
>
> 6. Permit schools, universities, bar associations, and other organizations to set standards of membership high enough to exclude those who refuse to testify frankly and fully about their past activities in furtherance of Communist plans to conquer the Free World by subversion.

The ABA's report concluded:

> It is traditional and right that our courts are zealous in protecting individual rights. It is equally necessary that the executive and legislative branches take effective action to gird our country against Communist infiltration and aggression.
>
> If the courts lean too far backward in the maintenance of theoretical individual rights, it may be that we have tied the hands of our country and have rendered it incapable of carrying out the first law of mankind—the right of self-preservation.

> Our committee concludes that legislation introduced to overcome the effect of Supreme Court decisions to be in the public interest.

I would say that "in the public interest" is an understatement. Rather it seems to me that such legislation is imperative and urgent at this time. Congress cannot continue to function with an unconstitutional third house composed of nine nonelected justices who arrogate to themselves the clearly illegal right to lay down rules as to how Congress shall operate.

Particularly is this so when this shadowy third house lifts itself over the fence of the Constitution by its own bootstraps and brazenly assumes powers and functions which cannot be found in that document. And further, which cannot be read into the Constitution even by torturing the English language into such extraordinary semantics as the Court displayed when it threw out the dictionary and created a new definition for the word "organize" in Yates and others against the United States. In this utterly fantastic decision the Supreme Court nullified the effect of the Smith Act of 1940 by slyly creating a new definition for the word "organize." It did this in the face of previous decisions upholding Smith Act convictions which sent Communists to prison for organizing a conspiracy under the accepted use of the word "organize."

The Government in prosecuting 14 top-ranking Communists in California had charged that organize meant the "recruiting of new members, forming of new units, regrouping or expansion of existing clubs, classes, and so forth." The Communists insisted that organize meant to establish, found, or bring into existence." It was their contention that the present Communist Party was "organized" in 1945 when the Communist Political Association changed its name back to the original Communist Party USA.

That inasmuch as they had not been indicted until 1951 that the 3-year statute of limitations had therefore expired. In other words, they should have been indicted not later than 1948 because the word "organize" meant to found or to set up, or to bring into being. Justice Harlan, speaking for the majority of the Supreme Court threw out Webster and all the dictionaries and accepted the Communist version of what the word "organize" meant. In fact the majority opinion brazenly stated:

> The statute does not define what is meant by "organize." Dictionary definitions are of little help, for as those offered us sufficiently show, the term is susceptible of both meanings attributed to it by the parties here.

In brief this opinion held that it was legal to advocate and teach and to conspire with others for the overthrow of the Government by force and violence so long as they did not presently engage in open violence and as long as they did not set a definite date for their seizure of power; that the Government can proceed against revolutionaries only after they have captured power and demonstrated by act that they used force and violence.

So the Supreme Court ordered 5 of the convicted Communists freed and new trials for the remaining 9. Top Department of Justice officials after studying the decision threw up their hands and doubted that it would be possible to prosecute Communists successfully after this decision. The Communists concurred by gloating in the Daily Worker of June 18, 1957, "This decision is the beginning of the end of the Smith Act." Two Justices, Black and Douglas, thought that all 14 should go free.

I want to discuss the Court's two decisions in the case of George I. Witkovich—April 28, 1957—and Mrs. Antonio Sentner—May 20, 1957. Lack of time compelled me to omit them from my last presentation of cases.

Witkovich is an alien Communist illegally in this country who had been ordered deported in 1953. When the Government undertook to deport him to his native Yugoslavia, that country refused to take him back. We have in this category not only Mr. Witkovich, but several hundred other Communists under unenforceable deportation writs because their Communist homelands laugh at us and tell us to keep them.

Under section 242 (D) of the Immigration Act of 1952 the United States Immigration and Naturalization Service is empowered to order any alien not deported within 6 months to report periodically to the proper authorities as to his activities. As behooves a dedicated Communist, Witkovich refused to give the Government the slightest cooperation. In October 1955, he was indicted "for refusing to answer questions about his activities, including whether he had attended Communist meetings since the deportation order was issued."

The Department of Justice contended that national security would be jeopardized and the Government's effort to control subversive aliens as required by statute would be nullified, if aliens refused to comply with the law. Particularly so, if they persisted in carrying on subversive activities after they had been ordered deported. The Government also added that some 3,000 other deportation cases would be affected by the Witkovich ruling.

The Supreme Court with only two Justices dissenting, held that the Immigration Act of 1952 must be "strictly construed." Notwithstanding the clear and unequivocal language of section 242 (D) the high court ruled that what Congress really meant when it wrote the law was merely that deportable aliens had to keep the authorities informed of their availability for deportation. This meant that an alien Communist illegally in this country could avail himself of every protection of the law, but on the other hand was under no obligation to obey the law with respect to ceasing further subversive activities.

The Sentner decision is pretty much of the same pattern except that it goes even further in protecting the "rights" of alien Communists with no legal right to be in this country. Mrs. Antonio Sentner was ordered deported, first, because she was in the country illegally; and second, because she had been proven to be a Communist after long-drawn-out hearings and Immigration Service proceedings. Under the law, the Attorney General ordered her to terminate her Communist Party membership while awaiting deportation. Again the Supreme Court with only two dissents ruled that the Government "lacked the authority to ban Communist activity by an alien who has been under a deportation order for 6 months."

I need not labor this point. An alien illegally in this country is ordered deported because she was a proven Communist. The Supreme Court rules in effect that while this may be a legal cause for her deportation, the Government has no right to ask her to cease and desist from such Communist activity.

As part of the picture of what the Supreme Court has done in the last few years to destroy countersubversive laws, administrative rulings, and other safeguards against internal subversion by a pattern of Communist-favoring decisions, I add two more cases.

Kendrick M. Cole was a Federal food and drug inspector in New York. He was suspended without pay in November 1953, "pending investigation to determine whether his employment should be terminated" under an Executive order on loyalty and security. Cole declined to answer charges made by his agency and he did not request a hearing. He was subsequently dropped from employment under an Executive order governing Federal employees whose retention was not clearly consistent with the interests of national security.

Cole appealed to the courts and in due time his case found its way to the Supreme Court. Again the result was the same except this time three justices dissented. The majority found that a Federal employee might be discharged as a security risk only if he "held a sensitive position." Here even a layman devoid of legal or judicial experience can see that the Supreme Court has boldly moved into an area of administrative policy. There are numerous decisions defining Government employment as a privilege and not a legal right and giving the Government the absolute right to lay down conditions of employment. All this has now been brazenly set aside by the Supreme Court.

What the Cole decision in effect says is that Communists are entitled by right to hold any Government position except those classified as sensitive. That Communists are sworn enemies of this country and dedicated to the overthrow of our form of government and the creation in its place of a Soviet despotism is blandly ignored in this Cole decision.

I call your attention to the Warren opinion in John T. Watkins against United States and quote from page 14 of that decision:

> In the decade following World War II, there appeared a new kind of Congressional inquiry unknown in prior periods of American history. Principally this was the result of various investigations into the threat of subversion of the United States Government, but other subjects of Congressional interest also contributed to the changed

> scene. This new phase of legislative inquiry involved broad scale intrusion into the lives and affairs of private citizens. It brought before the courts novel questions of the appropriate limits of Congressional inquiry.

This is a most erroneous and inaccurate statement. Whoever prepared this statement either distorted the facts or else did not know the facts. Senate Document No. 99 entitled "Congressional Power of Investigation" was published by the Senate Judiciary Committee in February 1954. This document was prepared by the Legislative Reference Service of the Library of Congress. It sets forth in great detail with all citations and references, the entire history of Congressional investigations since the founding of our Government. The legal limitations, duties, responsibilities, methods of procedure, and decisions upholding them are all summarized in this excellent report.

The Watkins decision's reference to a new kind of Congressional inquiry unknown in prior periods of American history, and an alleged new phase of legislative inquiry involving broad-scale intrusion into the lives and affairs of private citizens is not supported by Senate Document No. 99. Why was a misstatement of historical fact written into Chief Justice Warren's decision?

Because the whole specious and tenuous Watkins decision depends for its foundation on the spurious contention that Congress has just recently, since World War II, entered upon a new phase of investigation heretofore unknown in our history.

Only the pseudo-liberal stereotypes "hysteria," "witch hunting," and "Red baiting" are omitted from the majority opinion but the implication is plain. The effort is made to portray Congress as presently being unduly concerned by a purely temporary and passing phase of internal subversion. Now what are the true facts which this decision deliberately or ignorantly omits?

The first Congressional inquiry into subversion in this country was not in the decade following World War II, but in 1918 within a year after the Bolshevik seizure of power in Russia. This is roughly 30 years before the Supreme Court claims Congress first entered this field. This investigation was held under the able chairmanship of Senator Lee S. Overman, of North Carolina. The printed record of these hearings required 4 large volumes totaling over 4,000 pages.

In 1920, 1921, and 1924 three more Senate committees, under the chairmanship of Senators George H. Moses, Henry Cabot Lodge, and William E. Borah, held lengthy hearings on the activities of Soviet agents in this country, and Americans carrying on pro-Soviet and Communist activities.

In 1930 the House of Representatives authorized a Special Committee To Investigate Communist Activities in the United States under the chairmanship of Congressman Hamilton Fish, of New York. This committee heard witnesses in a number of American cities from Washington to Los Angeles. The hearings extended from June to November 193[illegible] The printed hearings total some 22 volumes—this is just part I of volume 6.

Pursuant to House Resolution 282 the 75th Congress in 1938 set up what later became known as the Dies committee, the chairman of which is again a Member of this House. This special committee carried on an unremitting and highly effective investigation not only of Communists but also of Fascists, Nazis, and other subversives from 1938 to the end of 1944. With the beginning of the 79th Congress, this House set up the present standing committee on un-American activities.

I have gone into this long history of Congressional concern over subversion to show the falsity of the Supreme Court's allegation that Congress set up a new kind of inquiry only after World War II. This sort of completely groundless assertion makes one wonder how many more of its decisions were based on equally erroneous history.

From the decisions which I cited in a previous speech last June, and these which I have briefly outlined today, a complete picture emerges. The constitutional rights of the States to control their own subversive problems was struck down by the Supreme Court in the Steve Nelson, Slochower, and Sweezy decisions. The Smith Act has to all intents and purposes been rendered useless in Yates et al. against the United States. The Internal Security Act of 1950, and the legality of the Subversive Activities Control Board created under that statute has been rendered useless by the Court's decisions, Communist Party against the Subversive Activities Control Board. In this decision the alleged tainted testimony of 3 minor witnesses out of over 20 was used as a quibbling excuse to delay for several more years the question of the constitutionality of the act itself.

As I pointed out previously, the Communist Party still has not complied with the registration requirement of the law 7 years after Congress passed the legislation.

The Jencks decision in great measure destroyed the effectiveness of the Federal Bureau of Investigation by holding that that law enforcement agency must open its confidential files and records to Communists and criminals. In Cole against Philip Young, the High Court told the Government that it could not fire subversives except from "sensitive" positions. In Konigsberg against the State Bar of California and in a parallel case, Schware against the Board of Bar Examiners of New Mexico, the Supreme Court told State courts and bar examiners that they could not protect themselves against admitting Communists to the bar.

The Watkins decision struck a mortal blow at Congressional inquiries into communism. Minor and supporting decisions found microscopic pinholes and piddling technicalities enabling Communists and Soviet agents to escape the annoyance and inconvenience of going to prison after long drawn out, costly court trials had found them guilty.

As we stand back and survey all of these incredible decisions in toto a pattern emerges. These are not just "irresponsible" decisions. These are not just an unfortunate and passing series of errors and bad judgment.

I believe that no court and no group of men no matter how constituted could possibly achieve such a record of error by fortuitous chance. What the Supreme Court has said in this long chain of decisions involving Communists and matters of national security is in effect that Congress over a period of 40 years, that the lower trial and supreme courts of the several States, that State legislatures and investigating committees, the Federal and State prosecutors, that the FBI and all other Government security agencies, that the Subversive Activities Control Board and Federal Loyalty Review Boards, that State bar examiners and other State and municipal boards of education, as well as literally thousands of experts on communism, including former members of the Communist conspiracy, who publicly testified under oath, all were wrong. That these thousands of judges, Government agents, prosecutors, and other authorities did not know what they were doing when they ruled, decided, prosecuted, or testified that Communists were part of an international criminal conspiracy dedicated to the total destruction of our form of government and the overthrow of our form of society.

A handful of six or seven Supreme Court justices has set aside and declared null and void all the labor and the vast sum total of knowledge, study, and experience of literally thousands of legislators, FBI experts, and other authorities. The very audacity of this assumption of sole knowledge and wisdom is stunning and shocking.

This is more than usurpation of legislative power. This is more than tinkering and tampering with the Constitution. This is a monumental arrogation of authority by 6 or 7 men on a subject which strikes at the foundation of America and the whole Free World. This is audacious arrogation without precedent in history. Yet we sit here and do nothing.

We read recently about two Soviet spies, Alfred K. Stern and his wife, the former Martha Dodd, who fled Mexico to avoid extradition to this country. They changed their United States citizenship to that of Paraguayans and fled to Czechoslovakia. Interviewed in Prague the other day by American newspapermen, Mr. Stern had this to say about the Supreme Court after denouncing paid informers and the FBI for trying to subvert decisions of the Supreme Court:

> One of the most liberal bodies in recent times.

In closing I would like to recall for you some additional thoughts and comments by Jefferson on the Supreme Court. The architect of our Republic also saw its flaws and future dangers. He was a man of truly remarkable prescience. It is so apt today that one might almost assume that it was written by a contemporary:

> The Nation declared its will by dismissing functionaries of one principle and electing those of another, in the two branches, executive and legislative, submitted to their election. Over the judiciary department, the Constitution had deprived them of their

> control. That, therefore, has continued the reprobated system, and although new matter has occasionally been incorporated into the old, yet the leaven of the old mass seems to assimilate to itself the new, and after 20 years' confirmation of the Federal system by the voice of the Nation, declared through the medium of elections, we find the judiciary on every occasion, still driving us into consolidation.
>
> * * * * *
>
> The Constitution on this hypothesis is a mere thing of wax in the hands of the judiciary, which they may twist and shape into any form they please.

In a letter to Thomas Ritchie in 1820, Jefferson wrote:

> An opinion is huddled up in conclave, perhaps by a majority of one, delivered as if unanimous, and with the silent acquiescence of the lazy and timid associates, by a crafty Chief Judge, who sophisticates the law to his mind, by the turn of his own reasoning. * * * A judiciary independent of a king or executive alone, is a good thing; but independence of the will of the Nation is a solecism at least in a republican government.

In his autobiography which he started in 1821 Jefferson expressed the following convictions on what should be done with the Supreme Court:

> I repeat that I do not charge the judges with willful or ill-intentioned error; but honest error must be arrested where its toleration leads to public ruin. As for the safety of society, we commit honest maniacs to Bedlam, so judges should be withdrawn from their bench, whose erroneous biases are leading us to dissolution. It may indeed injure them in fame or in fortune but it saves the Republic which is the first and supreme law.

On August 19, 1821, Jefferson wrote to Nathaniel Mason:

> There are two measure which if not taken we are undone. First to check these unconstitutional invasions of State rights by the Federal judiciary.
>
> How? Not by impeachment in the first instance, but by strong protestations of both Houses of Congress that such and such doctrines advanced by the Supreme Court are contrary to the Constitution; and if afterward they relapse into the same heresies, impeach and set the whole adrift.
>
> For what was the Government divided into three branches, but that each should watch over the others and oppose their usurpations?

I began to speak and warn the country against usurpations by the Court in 1949. Senator EASTLAND, Senator McCarran, and others likewise warned us against this stealthy and silent supersession of State functions by the Supreme Court that Jefferson first warned against 137 years ago. Yet nothing has been done. It is an axiom of history that tyranny and despotism inevitably encroach upon weakness, apathy, and indifference.

I say that something can and must be done. Paragraph 2, section 2, in article 3 of the Constitution reads as follows:

> The Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as Congress shall make.

There is nothing hazy or foggy about these words. Even a Supreme Court which finds the dictionary unreliable can understand that language.

There are presently bills in committee in both Houses removing appellate jurisdiction from the Supreme Court, both as to law and fact, in certain areas where legislative interest is paramount or exclusive. I shall support such legislation, and I call for its earliest possible consideration. I urge all Americans concerned with maintaining the Constitution as handed down to us by our forefathers to work for early adoption of such vitally important legislation lest the dissolution and ruin of this Republic which Jefferson warned us against becomes a reality in the not too distant future.

Mr. McVEY. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the distinguished gentleman from Illinois.

Mr. McVEY. I want to congratulate the gentleman from Georgia on this most excellent discussion. The gentleman from Georgia has given us in a very revealing manner some of the difficulties we may encounter in the prosecution of subversive activities. I want the gentleman to know I fully agree with him. He has made a very fine address.

Mr. DAVIS of Georgia. I thank the gentleman. I know of his concern over the inroads which have been made on our Constitution and I appreciate very much his contribution.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Alabama.

Mr. ANDREWS. I also would like to congratulate the gentleman for the fine statement he has made. I agree with him 100 percent and share with him the fears he entertains about the present Supreme Court. I regret only that more Members of the House were not present to hear his fine statement.

I think all Members of the House should become concerned with the danger that confronts this Nation from the Supreme Court. It looks as though it is impossible to get a Communist conviction to stick before the Supreme Court.

Mr. DAVIS of Georgia. The gentleman from Alabama has many times raised his voice on the floor of this House in support of the principles he has just enunciated, and I thank him for his remarks.

Mr. WILLIAMS of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. I want to join my colleagues in congratulating the distinguished gentleman from Georgia on his outstanding presentation. I can honestly say that since I have been in Congress, I know of no man in or out of the Congress who has been more diligent, more energetic, more sincere, or more unyielding in his fight to preserve constitutional processes than has the gentleman from Georgia.

I hope that the words spoken today by the gentleman from Georgia will not fall upon deaf ears though I realize that what he has said is not politically popular among some elements of this country.

I think, as does the gentleman from Georgia, that it is a travesty upon the legislative integrity of this body that we should permit the legislation which he mentions, so sorely needed for the protection of our country, to lie idle and be passed over without action, at the same time the Congress concerns itself with political legislation designed specifically not only to destroy States rights, but also to deny to citizens of the United States the right to trial by jury they have enjoyed since the creation of this Republic.

Mr. Speaker, we are in an age, I am sure, of political transition. I hate to see that transition come about, because the trend is away from constitutional processes and toward the centralization of authority into the hands of the few. If we do not act, and act soon, to turn back this tide of centralization that threatens to engulf us, we will live to see the day when human liberty will be but a precious and cherished memory. I congratulate the gentleman again for the remarks he has made on the floor of this House and I just wish it were possible for every American citizen to be apprised of this speech and to have the opportunity to read it.

Mr. DAVIS of Georgia. I thank the gentleman from Mississippi for his remarks. He has many times warned this House and the Nation against the encroachment of the Supreme Court on our Constitution and on legislative jurisdiction. I appreciate very much his contribution.

Mr. BROWN of Georgia. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. I want to congratulate the gentleman from Georgia for his very timely and remarkable address which he has just made. I hope every Member of Congress will read the remarks.

Mr. DAVIS of Georgia. I thank the distinguished gentleman from Georgia very much. He has a record of supporting States rights and constitutional government over the years, and I thank him very much for his contribution and concurrence in my remarks.

Mr. LANDRUM. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Georgia.

Mr. LANDRUM. The gentleman's discussion has been one of the most scholarly that we have had the opportunity to listen to on the floor of the House of Representatives, but such is not unusual with the gentleman. There is not a Member of the Congress or an American outside the Congress who, as the gentleman from Mississippi suggested a moment ago, attacks the problems confronting us with more diligence and presents the facts with more accuracy than does the distinguished gentleman from the Fifth District of Georgia. Though I am always able to listen to the gentleman with extreme interest, I believe that this morning I have been able to develop more intense interest in what he has presented to us than at any other time if for no other reason than because of the fact I know the gentleman does not make such dissertations as he has delivered here this morning for purely political reasons. The gentleman has developed these facts and presented them because of the deep conviction he holds and because he is sincerely trying to warn all of the Members of the House and all Americans that unless we do act in the face of some of the problems confronting us from the Supreme Court, we may soon be faced with a complete dissolution of our system of government. I not only join wholeheartedly in what the gentleman has said but I congratulate him on the skill and the enthusiastic manner in which he has delivered it.

Mr. DAVIS of Georgia. I know that my distinguished colleague from Georgia shares the concern which I have expressed over this crisis and I appreciate very much his remarks.

FBI FILES

The SPEAKER pro tempore (Mr. KEOGH). Under previous order of the House, the gentleman from Illinois [Mr. COLLIER] is recognized for 15 minutes.

Mr. COLLIER. Mr. Speaker, let me preface my remarks by complimenting the gentleman from Georgia on a very fine discourse on a subject that certainly should be of interest to all of us. It happens that I am going to address myself to just one phase of this problem that he discussed so thoroughly. The press reports and persistent rumors during the last week would indicate that the Congress will terminate its first session sometime this week. Let me assure you there is no Member of this House more anxious to get home than I am. But belated as it is, I believe there is a vitally urgent matter which demands the action of Congress before its adjournment.

Certainly if concern over legislation deemed essential and immediate, warranted our staying throughout this summer, we should remain until we pass legislation to protect the files of the FBI, as provided in H. R. 7915 introduced by the distinguished gentleman from Pennsylvania [Mr. WALTER]. This bill was recently voted out of the Judiciary Committee and I understand was granted a rule by the Rules Committee this morning. If a suspension of the rules to expedite action on the bill is necessary, then this should be the course. Actually, Mr. Speaker, it is somewhat ridiculous that Congress should find itself in the position of having to consider legislation of this nature at all. The fact remains that we do, the need of course was prompted by the Supreme Court ruling in the Jencks case in June which stirred the consternation of millions of Americans across the Nation.

While the Supreme Court pointed out that the question of national security was not raised in the matter covered by this ruling, the fact is that national security is directly involved. In the 60 days since the Jencks case decision there have been a series of conflicting interpretations in our courts which demands prompt correction and clarification by the Congress. Already the Justice Department has found itself unable to proceed with the prosecution of some criminals due to this decision. Others will necessarily hang fire because of it. I think it is eminently clear to the many Members of this body who have spent years in the legal profession that the ramifications of this decision open the door to a variation of dangerous interpretations.

But I should like to address myself to even more serious implications in this case. It is significant that the situation as it now stands could well aid and abet the perpetration of subversion. It is certainly significant that unless definite steps are taken by this Congress, the Federal Bureau of Investigation will be hamstrung in its effective battle against subversive activities. I do not believe there is a Member of this Congress who can deny that great danger still exists in many areas where Communists and their fellow travelers have infiltrated our society. The treachery of the means by which international Communism seeks to destroy from within through subversion and espionage is no secret. Rulers of the Kremlin have sometimes slyly and other times blatantly admitted to the philosophy of this conspiracy. We need only look at the nations now behind the Iron Curtain, and most recently, Syria, as evidence that the psychological, plotting internal warfare of the Soviet Union is as dangerous as its air force, marching armies or hydrogen bombs. Looking at the Nations behind the Iron Curtain today, the evidence of this communistic conspiracy is squarely before us. In each instance it is marked by the inability of these nations to cope with subversion from within which so rotted and so corrupted them that they slipped into the pitfall of communism. I know that this is not a new or enlightening observation, and I regret that it might be an obvious or repetitious warning in the face of the sad chapters that have been recently written into the history of the Free World.

Under the Jencks ruling, names and information of an essentially confidential nature would be opened and made available to criminals and conspirators. Obviously, it might be useful as a tipoff regarding the direction future investigations by the Bureau might take. Such confidential data might also provide other conspirators with information as to when to go underground and when to cover up their tracks. And what will become of the sources of information held in secret by the FBI as an effective counterespionage work? The Supreme Court held that there is undoubtedly some information in these files that might be of benefit to the defendant in preparing his own defense and, further, that if these files are kept absolutely secret, the rights of certain idividuals might be denied. I have no quarrel with either contention, though I prefer, in the interest of the security of the Nation and the American people, that we look at the broad aspect of the serious problem with which we are faced. I do not believe there is any Member of this body who dares minimize the need for the solution provided in H. R. 7915. Certainly it offers no fear to any sound freedom-loving American who cherishes the liberties of his citizenship. This bill will give the FBI files some shred of protection while also providing the defendant with the right to examine that part of the file which bears directly upon his case. Hence, he is not denied any basic individual right under the law. To accomplish these purposes, this bill transfers the final job of evaluating the evidence and material contained in the FBI files to the shoulders of responsible and patriotic men—the judges of Federal courts. Under this bill, by motion of the defense, the files must be surrendered by the United States Government to the court, and the judge, acting in chambers, may evaluate the information in the files to determine what parts should rightfully be turned over to the defense.

Those of you who watched and listened to Boris Morros on the Face the Nation program yesterday as I did must have felt a reaffirmation of the vigilance and dedication of the Federal Bureau of Investigation. Mr. Morros, who devoted 10 years of his life working with this agency, so clearly and sincerely pointed up the duty before Congress at this time—that of protecting the tools of the FBI needs to continue its work. Certainly in the face of the billions which have and are being spent on international security projects, we cannot turn our heads away—not even for 4 or 5 months—from the job of strengthening the forces which guard our internal security at a time when we should deal more firmly than ever with the problem.

That is why, Mr. Speaker, I say Congress should not adjourn without taking some action to close the door which the Supreme Court ruling has opened. The legislation to correct it is here and the time to act on it is now. To wait until the second session of this Congress would be a gamble we cannot afford to take. Let us not adjourn leaving this responsibility unattended.

Mr. MOORE. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman from West Virginia.

Mr. MOORE. I should like to take this opportunity to commend the gentleman from Illinois on his very keen interest in the subject he has discussed here today. As a member of the House Committee on the Judiciary and more particularly of the subcommittee that studied and recommended to the full committee the legislation about which the gentleman is speaking here today, may I say that he has brought to our attention more forcibly the need for this particular piece of legislation.

Also as a member of the special subcommittee of the House Committee on the Judiciary that is studying the recent Supreme Court decisions, I want to express my appreciation to the gentleman from Illinois for bringing this matter to the attention of the Members of the House. I am certain the manner in which he has been working and in which he has manifested such interest in this subject has borne the fruit that we have seen in that the Committee on Rules this very day has reported this legislation to the floor for action. I think the gentleman from Illinois is to be commended. Certainly I would be remiss in not saying so at this time.

Mr. COLLIER. I thank the gentleman from West Virginia.

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman from New Jersey.

Mr. CANFIELD. The distinguished gentleman from Illinois has been very impressive in his presentation today both as to the content of his message and the way he has presented it. The gentleman from Illinois is one of the younger Members of our body with great potentialities. He is serious, sincere, and dedicated, and I predict that he will go far.

Mr. COLLIER. I thank the gentleman from New Jersey.

Mr. McVEY. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman from Illinois.

Mr. McVEY. I have been encouraged by the prospects which the gentleman from Illinois has cited in the matter of obtaining legislation to rectify this subject and which will provide further protection for FBI files. I am certain this is a subject which has given all of us the deepest of concern. I congratulate the gentleman from Illinois on his contribution to this subject.

Mr. TEWES. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman from Wisconsin.

Mr. TEWES. The gentleman from Illinois has given us here again a demonstration of why those of us who are proud to count ourselves as his friends are also proud of his counsel. Even though he is finishing his first session in the Congress of the United States, he is known by all of us for his keen and penetrating understanding of these issues. We are all the beneficiaries of his keen understanding of the country's problems and his willingness to devote his energies to them. The Congress and the people of his district are extremely fortunate to have him contribute his extraordinary talents and capabilities to his country.

Mr. BYRNE of Illinois. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I yield.

Mr. BYRNE of Illinois. I desire to associate myself with the very sound remarks of my good friend, the gentleman from Illinois. As a former prosecutor in Cook County, which includes Chicago, and as one who has had some 25 years of experience on the defense side of the table, I think that the very fine document the gentleman has just presented to this honorable body is a sound one. I think, too, as he does, that the time has come when the rights of all the people, and that includes the defendants and in a broader scope the people of our country, should be conserved and everybody should have the consideration they are entitled to. The things that the gentleman is asking today are sound in law and it shows a fine reflection of research. I commend the gentleman from Illinois.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I yield.

Mrs. ROGERS of Massachusetts. I, too, would like to express my deep appreciation of the gentleman's very fine statement and the study that he has made of the problem. I know the gentleman has shown that he thinks the FBI week by week and day by day is doing an even more important job than we realize. I am grateful to the gentleman from Illinois and I am delighted that he is here in the Congress with us.

Mr. COLLIER. I thank the gentlewoman.

Mr. GRIFFIN. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman from Michigan.

Mr. GRIFFIN. I also wish to associate myself with the remarks of the distinguished gentleman from Illinois who has done such an outstanding job of research and preparation in presenting his statement today. It is a great service to all of us. I join with him in hoping and urging that this important legislation will be passed as soon as possible and before we adjourn.

Mr. COLLIER. I thank the gentleman from Michigan for his kind remarks.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I yield.

Mr. CRAMER. I, too, want to join my colleagues in congratulating the distinguished gentleman from Illinois for the very fine remarks he has made, and for bringing to the attention of the House again, as many of us have been doing for some time, the importance and the necessity of bringing this Jencks FBI bill to the floor of the House. I know the gentleman, as I am myself, is proud and happy that the bill is coming before the House tomorrow as a result of the action of the Committee on Rules this morning. I had the privilege as a member of the Committee on the Judiciary to introduce a resolution with regard to the Jencks case substantially in the form which was voted out of the committee. I appreciate, as I know the other Members of the House do, the very fine remarks of the gentleman on this subject. I know it has been his efforts along with those of many others of us that have resulted in this bill being brought to the floor and action on this legislation taking place with the necessity for it haveing been clearly shown by evidence before our committee and by statements of the Director of the Federal Bureau of Investigation and the Attorney General and the interest shown by the administration in this legislation. I congratulate the gentleman.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I yield.

Mr. MAY. I join with those who have expressed their congratulations to the gentleman on the handling of this subject today. As one who has been closely associated with the gentlemen from Illinois who has made this fine address, during the first 8 months of the current year, I think it is most rewarding and certainly in keeping with the high ideals and intellectual studies of the various issues that the gentleman has presented on the floor of the House thus far this year. I associate myself with the thoughts the gentleman expressed on this legislation and feel especially as those from the Committee on the Judiciary that this most important bill should be acted upon before we adjourn this session.

Mr. COLLIER. I thank the gentleman from Connecticut.

ASIAN FLU

The SPEAKER pro tempore (Mr. KEOGH). Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an article from the U. S. News & World Report, What the Asian Flu Will Do to the United States.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the House has heard me speak many times of the importance of keeping the Army Hospital at Waltham, Mass., open. On Friday it was announced it would be deactivated in January. It is all the more distressing that it should be deactivated at this time with the Asian flu, which is likely to reach this country by midautumn or January.

Having been in an Army hospital trying to help take care of the flu cases, I know what it means not to have enough beds, not to have enough doctors, and not to have enough nurses. We lost many patients in 1918 because there were not enough people to feed even the patients that poured in from camp. I hope that such a situation will never take place again. I wish the House would join me in at least begging that that hospital be kept open a year. Several times the House went on record as behind the hospital being kept open and the money was in the appropriation bill to run it. The Public Health Service expects there will be 2 epidemics; 1 in autumn and 1 in January, and possibly 1 later on.

I see the gentleman from Louisiana, Dr. LONG, chairman of the Subcommittee on the Increased Pay Bill for Doctors and Nurses, is present. I am very much distressed that that bill has not come to the floor for action. I think if the gentleman from Louisiana expressed his own opinion he would feel the same way. The VA is losing many doctors and nurses. It is vital to have those doctors and nurses remain in our service. They are leaving now because they cannot afford to stay in, and other services are competing so vigorously with the VA medical service. We are going to need every bed in these hospitals, too, and all of the present staff. The VA medical service has been second to none.

Dr. Burney states that when the Asian flu hits our hospitals will be jammed and business disrupted.

The balance of the article is as follows:

What the Asian Flu Will Do to United States

(Interview with the United States Surgeon General, Dr. Leroy E. Burney)

Question. Dr. Burney, we have been hearing a great deal about Asian flu. Why do they call it Asian flu? Did it start in Asia?

Answer. It started, as far as we have been able to determine, in Hong Kong, although there has been some indication that it may have begun in Communist China. However, we do not receive good reports from China as to the occurrence of disease.

We call it Asian flu following the pattern of naming the viruses after the place where they were first isolated.

Question. Is there any possibility that the Communists have planted these germs? Could this be the beginning of germ warfare of some kind?

Answer. No; I don't believe that's a possibility. We have epidemics occasionally and have had them in the past.

Question. What is the cause of them; do you know?

Answer. No; we actually don't know. Every so often a virus mutates—a new strain splits off from an existing strain, and we are not protected against that new strain.

Question. Do you know that this thing is a germ?

Answer. Yes; it is a virus.

Question. Can you get it through the nose?

Answer. That is a way, through the nose, and through the throat. It's person-to-person spread similar to the common cold, for example.

Question. Is it possible to get it in the food we eat?

Answer. Oh, that's a remote possibility, but the vast majority—I would say certainly 99 percent of the cases—will result from direct spread—person to person.

Question. How does it differ from the ordinary flu?

Answer. In symptoms it differs not at all—in other words, headache, fever, sore throat, nonproductive cough, and severe muscle aches lasting about 4 to 5 days, and with about 4 to 5 days of feeling below par following that.

Question. When did the Public Health Service first hear of it?

Answer. The latter part of April was the first word we received of the epidemic in Hong Kong. And then it spread both ways, going into the Philippines, Indonesia, and Japan, and then going the other direction to Cambodia, Laos, Vietnam, Pakistan, and India.

Question. Is it in any way associated with cold weather?

Answer. Not particularly in those countries, but in this country it would be most unusual for us to have a large epidemic other than in cold weather.

Question. Argentina is in winter now and they have it——

Answer. Yes. I meant that in the United States and in temperate climates it is associated with cold weather.

Question. Then, as we approach cold weather we approach the season when we may expect it?

Answer. That's right, and the reason for that is not definitely known. We suspect that it's because people come indoors and are in closer association in cold weather.

Question. What month do you believe it is likely to hit us?

Answer. It would be impossible to say. It may come in October; it may wait until January. But we suspect that it will come in the very late fall or the early winter.

Question. Are you quite certain that it is going to come in epidemic proportions?

Answer. Yes, on the basis of our experiences with past epidemics and with its tremendous spread thus far throughout the world. It began in Hong Kong, but it is worldwide at the present time. The way it has spread in South America—several hundred thousands of cases have been reported there and millions of cases in the Far East—and the fact that we have had between 20,000 and 25,000 cases in many localized outbreaks in this country make us believe that there is a definite probability. I don't know that I can go any further than that.

Question. How do you know there isn't a good bit of Asian flu around the country in addition to the 25,000 cases that you are fairly sure of?

Answer. Oh, I suspect that there are more individual cases. What we are talking about primarily now are the outbreaks that are of sufficient number to have been noticed and investigated.

Question. Is this to be compared with the "Spanish" flu that we had in 1918?

Answer. Not in severity or type. Perhaps in the fact that it is pandemic—it's worldwide—there is the same relationship. But the flu in 1918-19 was a much more severe, or more virulent, as we call it, type of influenza.

Question. The death toll was tremendous at that time, wasn't it?

Answer. There were about 850,000 deaths in this country and about 20 million cases.

Question. Did those people die of the flu itself, or did most of them die of complications, such as pneumonia?

Answer. They died of complications—usually pneumonia or other infections.

Question. Are we better prepared now to deal with those complications than we were at that time?

Answer. Undoubtedly. With the antibiotics—penicillin and all the other antibiotics—there is no question about that.

Question. Is this definitely a milder flu than the "Spanish" flu of 1918?

Answer. It is a milder flu, that's right. Up to the present time, at least, there have not been what we call "bacterial hitchhikers." In other words, the complications that you mentioned, such as pneumococcal, streptococcal infections and others, are not occurring.

Question. Then, is the real danger of this thing the fact that it is going to make a lot of people sick at the same time?

Answer. That's putting it exactly right.

Question. Do these pandemics sometimes become more severe as they go along?

Answer. That is always a possibility. It began in April and all of the cases have continued to be mild, but again, we have to be prepared for a change in virulence of the strain—a change in severity.

Question. Have you any estimates as to what percent of the population is going to be on its back?

Answer. We have estimated that the attack rate will be about 15 to 20 percent of the population.

Question. Fifteen percent of all men, women, and children?

Answer. That's right. It affects all age groups—that would be one-fifth of 170 million, or about 34 million people.

Question. Do you mean that number will be ill all at one time?

Answer. Not all at one time, but influenza does have this characteristic: It spreads extremely rapidly. In other words, if it begins, let's say, in Boston, it will spread in a wave and there will be only about 4 or 5 weeks' difference between the peak of the epidemic in Boston and the peak of the epidemic in San Francisco.

Question. In a particular community, over what length of time would the epidemic reach its height and then fall?

Answer. About 6 weeks.

Question. Six weeks to go through the whole thing for each community?

Answer. Yes, for each community.

Question. Does that mean that 20 percent of the population of that community is out that entire six weeks, or only at one period?

Answer. No, that is the approximate time it would take, for instance, to go through Washington. There may be a little variation, but within 6 weeks' time it would hit Washington and be over.

How Long You're Sick

Question. Is the individual sick about a week?

Answer. It's about 4 to 5 days plus about an equal amount of time of feeling weak when he may not be able to go back to work in many instances. That has been the experience with many cases.

Question. What's to prevent this epidemic from making a return trip and getting the other 80 percent?

Answer. There is no assurance that this may not come in a wave, let us say, in the fall, and then may return next February or March. Actually in 1918 there were three waves, I believe. A mild one came in the spring of 1918, and then a severe one in October of that year, and then a continued severe one in February of the next year.

Question. Is it your idea to warn the people to watch out for this Asian flu?

Answer. We want them to know about the possibilities and, No. 1, to avail themselves of the vaccine—which is the only preventive against the influenza that we know of—and, No. 2, we want the communities, through their physicians and hospitals and nurses, to be prepared to take care of large numbers of sick individuals.

Question. How do you know the vaccine will prevent Asian flu?

Answer. Influenza vaccines started getting onto the market in 1945. We know from experience in the military with past influenza vaccines, which were prepared to protect against other strains of the influenza virus, it is about 70 percent effective in preventing the disease.

Question. What about the general population? Has it been that good?

Answer. We don't know, because it is difficult to have well-controlled groups in the general population because there are other things that stimulate flu—a serious cold, for example, or one of the adenoviruses, or another type of flu.

Question. But where it has been tried out in the military, you say that it has been 70 percent effective?

Answer. Yes.

Question. Is that the original vaccine, not the new vaccine?

Answer. That's the old vaccine containing a combination of the other strains of virus.

Question. What assurance have you that the new vaccine is going to be as effective in this type of flu?

Answer. We only have the experience that we have had with the production and use of other influenza vaccines.

Question. How effective will it be in this case?

Answer. We think it will be about 70 percent effective against this one strain. Dr. Murray, Chief of our Division of Biologics Standards, and others have been testing the ability of this vaccine to produce antibodies—to produce protection within people. They have been giving it to volunteers to see whether it raises the antibody level in the person's body.

Question. Do you mean that out of the 34 million people—the 20 percent of the population who might be expected to become ill—70 percent who take the vaccine won't get it, but the other 30 percent will get it? That's about 10 million people who are going to get it even if they take the vaccine—

Answer. That's right. Of course, no vaccine is perfect.

Question. How effective is the Salk vaccine in preventing polio?

Answer. That varies between 70 and 90 percent.

Question. When will this vaccine be available?

Answer. Some of it is already available—about 500,000 cubic centimeters. I would like to say definitely that the manufacturers merit some commendation for the very expeditious way that they have taken hold of this situation. We supplied them with samples of the virus on May 22, and they started the development of the vaccine before we had the first case of Asian flu in this country.

Question. Well, is there enough available now to treat everybody in the country?

Answer. No; only 500,000 cubic centimeters have been released, and we asked the manufacturers to produce 60 million cubic centimeters by February 1.

NOT ENOUGH VACCINE FOR ALL

Question. Will we have enough for this flu epidemic?

Answer. Not for every person.

Question. Is it entirely possible that a lot of people won't get the vaccine?

Answer. That's exactly right. But you have to remember another thing with reference to the manufacturers. They have been only producing about 3 million cubic centimeters of the old influenza vaccine and have been selling, I think, less than that; so when we ask them to step up their production thirtyfold without any Federal underwriting of the risk—only on the basis that the Public Health Service believed that this was enough of a threat so that we were going to promote a nationwide program of vaccination—the fact that they are coming through on the basis of reports we have in meeting this 60-million-cubic-centimeter goal, or even perhaps bettering it, I think they deserve some special mention.

Question. What about the people who don't like to take the strange substances into their body for fear that it may do more harm than good? What is this vaccine made of?

Answer. It's made by injecting some of the virus of the Asian flu into fertile eggs. It grows in fertile eggs and then is extracted from the embyronic sac, concentrated, killed with formaldehyde solution, and then diluted.

Question. Where do you get the virus?

Answer. From a human case. One sample can be maintained in eggs and used to make a lot of vaccine.

Question. What would you say in ordinary terms is the chemical composition of this vaccine? What kind of chemicals will an individual be taking into his body?

Answer. Some proteins and salts and a few of the substances that are present in the fluid of the egg.

Question. What would you say in ordinary terms is the chemical composition of this vaccine? What kind of chemicals will an individual be taking into his body?

Answer. No, except to those people who are sensitive to egg protein.

Question. Could the vast majority take it like vitamins? It might not do them any good, but it wouldn't do them any harm.

Answer. That's right.

REACTION TO THE SHOT

Question. Then there is no reaction?

Answer. Well, I wouldn't say that. Any time you inject a foreign protein into your body, you get a little reaction. Most people have had typhoid shots, and you know you get a little sore arm and occasionally a little fever. With the old polyvalent vaccines, in many cases you got a reaction of severe headache and maybe some fever.

Here you are dealing with one strain of virus in the vaccine which does not contain as much of the antigenic material. In the old vaccine you have five different strains, so you had many times the amount of substance and would cause more reaction.

Question. Would you say the reaction lasts a matter of hours—a couple of days?

Answer. With the vaccines that have been tried so far, is has been immediate, if there has been any reaction at all, and it may last a couple hours, but nobody has been away from work more than a day.

Question. How many shots does it take?

Answer. That is another question which we can't answer too positively at the present time. We believe that, on the basis of the testing Dr. Murray and others have been doing in human beings—volunteers—one injection will be sufficient. We can't say positively; however, from a practical standpoint, if we can get 60 million people to take 1 injection, that is all we hope for.

Question. Assuming that provides immunity for an individual, how long does that last?

Answer. It takes 10 to 14 days to acquire immunity after the injection has been given, and the immunity lasts from 12 to 18 months.

Question. Is that the same length of time that the person would have immunity if he contracted the flu?

Answer. The immunity is not as long-lasting as it is in many other diseases. The military has recommended revaccination at least once every year.

Question. Do doctors believe in this vaccine? Will most of them prescribe it?

Answer. I believe so. We have worked with the American Medical Association, both with reference to joining us in the educational program for the vaccine and also in preparing for the medical care that will be necessary following the illness. They are giving complete support to our whole program.

Question. Do you expect that most people will be hospitalized with this disease?

Answer. No, but I would suspect that, if our forecast is correct, the hospitals will be jammed, because it has been the experience so far that many who could secure hospitalization have availed themselves of it.

Question. Then it is pretty serious, isn't it?

Answer. I think there are a number of factors relating to that. The major effort will have to be in home-care services, even though hospitalization is now available to many people. The tendency to use hospitalization will tax existing facilities. We will have to rely heavily on home-care services, through physicians and health departments.

Question. How about nursing facilities?

Answer. Nursing care, both in the hospital and the community, is vital. Visiting nurses—public-health nurses—will have a particularly important responsibility in helping to provide home care.

Question. Couldn't this epidemic sweep whole households?

Answer. That's quite possible.

Question. What is the likelihood that the vaccine would disperse that to a certain extent?

Answer. If we had 60 million cubic centimeters, and got it into people's arms before the epidemic hit, then you would have 110 million people left who would be susceptible. Then you have to take out 30 percent of the 60 million because they would not be protected—so there's another 18 million. So you would have about 130 million people susceptible.

Question. Do you know if it leaves any permanent after effects?

Answer. It hasn't up to the present time, no. You will recall in the old flu we used to get encephalitis in some cases, which left some permanent mental damage. That has not been the experience in this epidemic. It has continued to be a mild infection.

Question. What is the prospect of fatalities out of these cases you expect to get?

Answer. In the other countries—and again understanding that reporting of cases and reporting of deaths are not very reliable—the death rate has been about two-tenths of 1 percent of the people who had the influenza.

But also one has to understand that this has been in countries where malnourishment, parasitic diseases, or other health conditions are less favorable than they are in this country, so we would suspect that the death rate will be much less than two-tenths of 1 percent in this country.

Question. Two-tenths of 1 percent of 34 million—which is the number we said might get it—gives about 68,000 people that are going to die of this thing in this country. Isn't that a high rate?

Answer. I qualified that two-tenths of 1 percent by saying I doubted, even though that had been the reported mortality rate in other countries, that we would have that rate. We have not had that large a rate in the outbreaks in this country so far. In fact, only three deaths have been reported, I believe.

Question. Out of how many cases?

Answer. Between 20,000 and 25,000 cases.

Question. Is the vaccine being used in other countries that are infected now?

Answer. Some countries are making vaccine, and they are about in the same stage that we are—in the production stage. They haven't had it long enough to have used very much of it. Australia is producing some of the vaccine and I think some of the European countries are—Great Britain and Denmark. None of them has quite as ambitious a program for vaccine production as the United States has.

FEVER: 102 TO 104

Question. In the typical case of Asian flu, how high does the temperature go? How much fever does the average person have?

Answer. About 102° to 104°. The temperature begins with the onset of the disease. It may rise and then gradually decline over a period of 4 or 5 days.

Question. Can Asian flu be readily diagnosed by the average physician?

Answer. Oh, yes, if he knows Asian flu is in his area.

Question. Can he tell it from any other kind of flu?

Answer. No, sir. And you can't tell it from a serious cold or any adenovirus, etc., except by laboratory diagnosis.

Question. Is your first advice to people to take the vaccine, if possible?

Answer. Right.

Question. What other advice would you give? Is there anything else people can do to protect themselves or to avoid this disease?

Answer. There is nothing else that can be done. As I say, it's a very contagious infection; it spreads like measles and the common cold.

Question. It's not a matter of sanitation or clothing?

Answer. No.

Question. Wouldn't it be wise to take more than normal precaution just to avoid colds?

Answer. I don't know how one takes more than the normal precautions to avoid colds. In our normal habits and working, it's impossible to avoid exposure since it is such an infectious agent.

Question. Could the presence of a cold in itself lead to Asian flu—weakened vitality?

Answer. I would doubt that that would have any effect on it.

Question. Do you have enough vaccine for the Government?

Answer. We might have enough for the Government if no one else received it, but I'm not sure that everyone would say that Government employees have the highest priority. No, the problem here is a rather simple one in a way: We will have—if our forecast is correct—a large outbreak involving many millions of cases in the United States.

If it continues as a mild infection, to the individual it is not such a serious problem. The mortality rate will be low and you will be sick for 4 to 5 days or a week.

The big problem will initially be the impact on industry and essential community services such as fire and police forces by having 15 to 20 percent of those people out of production or out of operation during that particular time.

Our job, we feel, is to try to minimize this impact by the use of the vaccine.

Question. Would you advise companies and industry, generally, to do everything they can to get their employees inoculated?

Answer. Yes.

Question. Is there a priority system for distributing the vaccine?

Answer. No, we believe that a national priority system is unnecessary since all age groups are equally susceptible.

Question. A part of the United States has a milder climate than other parts. In the southern part of the United States—Texas, Louisiana, Florida—will those areas be less likely to get Asian flu than the colder areas?

Answer. Not necessarily. For example, one of our largest civilian outbreaks so far has been in Louisiana, among school children. They have a strawberry season there which begins in the early spring; and, in order to have the children available for picking strawberries, they start their school during the summer months. They have had over a thousand cases, I think, in one parish [county].

Question. Can you say that this is likely to strike cities more intensively than the country districts?

Answer. I believe it would—yes.

Question. Isn't it typical of epidemics that they strike population centers?

Answer. Yes, that's true.

Question. How do you get the vaccine—just go to your doctor in the usual way?

Answer. That would be the ordinary way. However, if industry, for example, takes this up—General Motors, for example, or General Electric—they would purchase the vaccine and give it through their industrial-medical service, I imagine.

Question. What are the detecting signs of this? How do you know you've got it?

Answer. The sudden onset of the disease—in other words, you are feeling all right and in 2 or 3 hours you start feeling bad and then you feel worse within a very few hours. You have a headache, sore throat, fever, a nonproductive cough, and severe aching of your muscles. Within 24 hours' time you will have those symptoms.

Question. If it hits you at the office, can you drive your car home and get to bed?

Answer. Yes.

Question. What is the treatment, normally?

Answer. What we call symptomatic treatment. There is no specific treatment for influenza itself. Bed rest, aspirin or other analgesics to help relieve the muscle aches and headache; plenty of fluids. Antibiotics are not effective against influenza. They are effective against the complications, but they should not be given for the flu itself, because they should be saved for the possible complications.

Question. If you've had a vaccine and you get this, will another shot help you?

Answer. No, because then you've already got influenza and the vaccine is too late.

SECOND ATTACK POSSIBLE

Question. If you get this flu, can you get it again within a few months, or do you get an immunity from the attack itself for quite a period of time?

Answer. Ordinarily, you would have an immunity for a period of 6 to 12 months, but it doesn't confer an immunity such as when you've had polio, for example, or if you've had typhoid fever. That immunity lasts for several years, and maybe for a lifetime, in these diseases—but for influenza, the immunity is temporary.

Question. Could the entry of Asian flu into the United States have been prevented?

Answer. No. In the first place, there are many unapparent infections. In other words, you may have the influenza virus—carrying it round here now—and I couldn't detect it in you. That's No. 1. No. 2—there are about 1,800 people who disembark on the west coast from the Pacific areas every day from planes, ships, and otherwise. You can carry the virus and there's no way of detecting who has it and who doesn't have it.

Question. Does it affect digestion at all?

Answer. That isn't one of the usual symptoms—you mean nausea and vomiting. Of course, there's loss of appetite with anyone who has a fever, but ordinarily gastrointestinal symptoms—nausea and vomiting and diarrhea—are not present.

Question. What is going to be the impact of Asian flu on schools and colleges? Are the schools going to be able to remain open?

Answer. We have found, in past epidemics of such an infectious agent as influenza, or even polio, that closing schools, churches, and theaters has no effect whatsoever on limiting the spread of the epidemic.

Question. Do you see any advantage in wearing masks to keep from catching the virus?

Answer. No.

Question. If one member of the family gets it, are the other members of that family very like or almost sure to get it?

Answer. My feeling is that they would be a little more likely to get it, because of their close proximity in their living arrangements. In the outbreak in Singapore, one thing that was noted was that when the working member of the family came home with the flu, it spread through the rest of the family.

Question. It does spread through the family?

Answer. Yes.

Question. Then why doesn't everybody get it? There is always one working member in the family, and your contacts would be infinite.

Answer. Every working member doesn't get it.

COMPLICATIONS WITH AGE

Question. Does it strike more adults than it does children? Is there any immunity in the younger ages?

Answer. No; the attack rate is about the same in all groups. In other words, all age groups are susceptible to the infection. It is a little more severe in older age groups, because you get more complications in the older groups. If you get influenza on top of a heart disease or kidney infection, you have it more severely, and possibly with more complications. Infants under 1 year of age react much more unfavorably toward upper respiratory infections.

Question. Does alcohol help or hurt it?

Answer. I would know of no therapeutic reasons for giving alcohol during the attack, either for prevention or for treatment.

Question. How about smoking?

Answer. I would doubt that anyone who had fever or a sore throat would get much pleasure out of smoking, and my suggestion would be that it would certainly be undesirable to smoke during the period of the attack.

Question. Are people who suffer with allergies and bronchitis, and tend to be susceptible to colds more readily than others, more likely to get the flu?

Answer. They are probably no more likely to get the infection, but they are more likely to have complications afterward. That is why I say older people with heart disease, tuberculosis, and other chronic ailments should certainly be some of the first to have the influenza vaccine.

Question. Can you pinpoint a little bit more when this epidemic is likely to strike? For example, when would you expect it to strike Washington? When would it reach epidemic proportions?

Answer. I cannot say, and I don't believe anyone can say when it will reach epidemic proportions in Washington or in any other city throughout the country. What triggers the epidemic is not known except, as I say, we believe the cold weather which brings people together may be the trigger.

Whether it will strike Washington in October or November or December is anyone's guess. Once it strikes here, if it starts here first, it will spread in waves to the rest of the country, or we may get it as a final part of the wave from the west coast.

Question. Would it be more likely to start in Boston, say, or North Dakota—some of the colder areas of the country—as soon as cold weather comes around up there?

Answer. It is not more likely to start in the areas of the United States which have cold weather earlier than it is to start in some areas such as Texas.

Question. If an epidemic starts in the autumn, we won't begin to have enough vaccine by that time. Could you create a black-market demand for vaccine by urging people to get shots?

Answer. I doubt that. I am sure there will be tremendous demands for it when we get the epidemic. The point to remember is that it takes 10 to 14 days for immunity to develop, and once it hits Washington, for example, I am sure there will be a tremendous demand for vaccine. At that time, however, most of the vaccine will do little or no good, because it takes time to develop immunity.

Question. Would you say from that, if you would have an epidemic in October or November, all the production of the manufacturers is going to be surplus and nobody is going to want it?

Answer. That's a possibility, although, again, let me say this: If it struck in Washington, with the knowledge that it would pass through here in about 6 weeks, there would still be large numbers of people who could get some protection. Let us say they took their vaccine the 1st or 2d week of the epidemic and were fortunate enough not to contract the disease or to be exposed before they had a little time to get protection. There would be some effect there, plus the fact that we may have a second wave.

In other words, if it came in October, we could have a second wave of this type of influenza in February, so there would be some reason to go ahead and be vaccinated.

Question. Does the vaccine lose potency quickly?

Answer. No, it is not like the polio vaccine, which is only good for about 6 months. This is good for 18 months.

Question. How much will one shot cost?

Answer. The cost of the vaccine itself has varied a little. We don't have much experience with that, of course. The Department of Defense paid from 30 to 40 cents a cubic centimeter on the vaccine they purchased, but remember, they purchased in bulk porportions. Maryland State Health Department has bought some and I believe they paid 35 cents per cubic centimeter of the vaccine.

Question. Can you tell us whether any officials of the Government have taken the vaccine, and if there has been any objection to taking it?

Answer. I can report, with all honesty, that I do not know who has any vaccine in the Cabinet or subcabinet positions, or whether anyone in those positions has taken it.

Question. Have you heard any objections to it?

Answer. No.

Question. Have you taken the vaccine?

Answer. I have not. I do plan to take it when it becomes available, but I certainly don't want to take it ahead of anyone else.

Question. It is my understanding that no one has immunity to this virus because it has never been around before. Yet, even where you have epidemics, 4 out of 5 people don't get it. Is there any reason for that?

Answer. Here again we go back to Singapore experience. There the attack rate was between 20 and 30 percent of the population, and when they took the people who had apparently been well, they found about half had developed antibodies, though they were not ill.

PROBLEM FOR COMMUNITY

Question. Would you say an individual should be alarmed about the outlook of the Asian flu?

Answer. No. As long as the virulence of strain does not change—the disease does not become more severe—I think the individual does not have too much of a problem. I think the tremendous impact upon our community life and economy, by having a 15 to 20 percent attack rate, is the important part. Any way we can lower the disruption by inoculations with vaccine is a very desirable thing to do. We certainly don't want to alarm the country, but I think we want to alert the people as to the probable situation and what should be done about it.

Question. Are the companies committed to deliver any particular portion of their output to the Armed Forces or the Government?

Answer. To the Armed Forces, yes, on the basis that the Department of Defense contracted with the manufacturers at the beginning for about 3 to 3.5 million cubic centimeters for military personnel. I think we all understand the necessity of that.

We have suggested to the companies that they distribute their vaccine to the States on the basis of the proportion of each State's population to the country as a whole, and I believe most, if not all of them, have agreed to this voluntary allocation.

In other words, New York has 12 percent of the population; they will get 12 percent of the vaccine that is produced.

Question. Will the first 3.5 million doses, though, go to the Armed Forces as a result of their contracts?

Answer. Not necessarily, because in the first 500,000 cubic centimeters produced, one of the companies had 380,000 cubic centimeters but they had a contract with the Department of Defense, so their total 380,000 went to the Department of Defense. The other company did not have a military contract, and so their supply has gone out through normal commercial channels.

ASIAN FLU AT A GLANCE

Known cases now in United States: 20,000 to 25,000.

Cases expected: 25 million to 34 million if epidemic hits, which is considered probable in autumn or winter.

Duration of epidemic: About 6 weeks in each community affected.

Symptoms: Headache, fever, sore throat, cough, aching muscles.

Severity: Relatively mild, compared with flu of 1918–19. Patient usually is down 4 or 5 days; may be out of work another 4 or 5 days.

Spread: Highly contagious, passes from person to person like a common cold. Can spread across the country in 4 or 5 weeks.

Vaccine: Believed 70 percent effective in preventing disease. Takes 10 to 14 days to produce immunity, which then lasts 12 to 18 months.

Supply of vaccine: Limited. Relatively few will be able to get shots before midwinter or later winter. Target: Enough vaccine for 60 million Americans by February 1.

Source: Dr. Leroy E. Burney, United States Surgeon General.

IKE—ON TAKING FLU VACCINE

From President Eisenhower's new conference on August 21, 1957:

"Question. Mr. President, with supplies of vaccine for the Asian flu becoming available now, there is some interest as to if and when you are going to be inoculated. Can you tell us about it?

"The PRESIDENT. I am going to take it just as soon as ordinary people like I am can get it. Now, that is when I will take it."

Two days after the President spoke, physicians reported that Dr. Gabriel Houge, special assistant to the President, was ill with Asian flu.

Mrs. ROGERS of Massachusetts. I remember so vividly trying to help take care of the sick in the Army hospital at Washington when there was a shortage of everything for the care of the patients. One of the doctors at the hospital asked me when I went home from the hospital to stop and take care of some of the cases in the homes, because people were afraid to go and see them and give them medicine and food and attention. People lived in fear of the disease. It amounted almost to terror. It was a most horrible experience. While Dr. Burney states this epidemic will be less severe, nobody knows. Hospital beds, nurses, doctors, and all hospital personnel, and civilians must be at hand 24 hours of the day.

It is a great scourge, and I know the Members will join with me in trying to see that everything is done to beat it.

ONE HUNDRED AND THIRTY-SECOND ANNIVERSARY OF INDEPENDENCE OF REPUBLIC OF URUGUAY

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Illinois [Mr. O'HARA] is recognized for 5 minutes.

Mr. O'HARA of Illinois. Mr. Speaker, on this day commemorating the 132d anniversary of the independence of the Republic of Uruguay I know my colleagues join me in extending congratulations and best wishes to the people and the Government of our sister Republic. Tonight Uruguay's Independence Day will be celebrated at a large reception, where personally our felicitations may be voiced to Ambassador Julio A. Lacarte. It is in accord with the strong sentiment for hemispheric solidarity among the people of the States that also we in the House of Representatives of the Congress of the United States should pause in our deliberations to note the significance of this anniversary and to give expression of our warm and lasting friendship.

On the southeast coast of South America is situated one of the most politically and socially advanced republics in the world. This is the Republic of Uruguay, called the garden plot between two vast estates by the great English historian, James Bryce. However, its progress and singular achievements were not easily or rapidly accomplished, for many of its years were filled with battles for independence and national survival. Yet this struggle for self-determination and freedom, which occurred 132 years ago, could not have resulted in a more successful political system. In fact, Uruguay today is considered one of the most advanced democracies in the whole Western Hemisphere.

La República Oriental del Uruguay, the official name of the Republic, was named after words of the Guaraní Indians, the indigenous peoples of the Uruguayan Republic. Historically, however, these indigenes played little part in the formation of the Uruguayan democracy, since the vast majority of its people are largely of European descent. And politically it passed alternately from Spanish and Portuguese hands.

The man who led the first struggles for independence was José Gervasio Artigas, a bold, resourceful leader, the son of a rancher. In 1811 he led a small patriot army in a move for independence, routed the Spaniards in several battles—achieving successive victories over the enemy. Finally at Buenos Aires he and his group met defeat which led to a bitter armistice between the Spanish and Portuguese allies and Artigas. Artigas, in fact, would not accept the armistice, preferring voluntary exile outside the country. Then there occurred one of the most dramatic events in Uruguayan history: 16,000 of Artigas' followers chose to accompany him into exile. Sixteen thousand people was almost one-fourth of the entire population of Uruguay.

Nor was Artigas' self-imposed exile the last of the struggle for independence, for in 1825 Juan Antonio Lavelleja, a former associates of Artigas, returned to Uruguay secretly and issued its declaration of independence. An army of 2,000 men was organized, and in February 1827 it severely defeated a Brazilian Army in the battle of Ituzaingó. In 1828 the treaty of peace was signed, stipulating Uruguay's independence from both Argentina and Brazil. In 1830 Uruguay proclaimed and adopted its first constitution, launching Uruguay into independent statehood. But 1825, the year of Artigas' return to his native land, is the anniversary celebrated by Uruguay, for it was then when the forces of liberty were first victorious over the forces of oppression.

Today, therefore, 132 years later, we warmly congratulate the Republic of Uruguay on its independence day.

OUR SACRIFICIAL SERVICEMEN IN FOREIGN LANDS

Mr. BOW. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker—

> We, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

You recognize that, of course, as the preamble to the Constitution of the United States. But do not be alarmed, I am not going to discuss that document in all its aspects. I will only consider so much of the Constitution as furthers the intent to "provide for the common defense."

That burden is placed on the Congress, for section 8 of article I provides:

> The Congress shall have power * * * to raise and support armies, * * *; to provide and maintain a navy; to make rules for the government and regulation of the land and naval forces; * * * to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

Under these several powers the Congress has provided us with land and naval forces, and air forces as well, and has made rules for their government and regulation by enacting the Uniform Code of Military Justice.

As a corollary to the right of the Congress to make the rules for the government and regulation of our Armed Forces—there is the right of the members of those forces to be regulated and governed by the laws that Congress has enacted.

Now, section 2 of article 2 provides that the President shall be the Commander in Chief of the Army and Navy of the United States and of the militia of the several States when called into actual service of the United States. That merely means that he is the directing head of all our forces—the superior officer of the top brass, an admiral over admirals, a general over generals. He has no power given to him to make any laws respecting these forces. Although the President has power to make treaties, he is not given this power for the purpose of providing rules for the government and regulation of our Armed Forces. His duty is to see that the rules and regulations of Congress are carried out.

When a serviceman is denied this right and is surrendered to foreign jurisdiction, you also deny him the right to be tried by the rules of procedure contained in the Uniform Code of Military Justice provided by the Congress.

That is what has been done by the negotiation of the NATO Status of Forces Treaty and about 50 executive agreements with countries throughout the world, which attempt to provide for the status of our forces stationed in such countries.

The Uniform Code of Military Justice has had substituted for it as many different systems of law as there are countries with which we have agreements surrendering our servicemen to their jurisdiction for alleged criminal offenses.

We are justly proud of our Constitution. We are particularly proud of our Bill of Rights. There is an intense movement at present to protect the rights of all. We have the civil-rights measure pending in Congress. The Supreme Court has shown unusual concern for the rights of the individual; that is, all except the individual serviceman. He has been enlisted, inducted, or ordered into active service, and if sent to a foreign country he is deprived of many of the rights guaranteed by that Constitution he is sworn to defend.

Some of the defenders of the Status of Forces Agreement have said that a soldier doesn't have any rights under our Constitution anyway—that these are lost as soon as he enters military service. This is untrue. About the only rights it can be argued which are abbreviated for him are the right of indictment by a grand jury, and a jury trial. The power of Congress to make rules and regulations for government of the forces and the Uniform Code of Military Justice fully protects him in all other constitutional rights. In fact, trial by courts-martial closely follows trial by jury. A board of commissioned and enlisted men is substituted for the jury. An accused has challenges for cause, and a peremptory challenge against members of this panel. The proceedings are subject to several statutory reviews and a conviction can finally be appealed to the Military Court of Appeals, composed of three civilians, and in some cases, ultimately to the President.

A serviceman surrendered to foreign jurisdiction to all intents and purposes is no longer a citizen of the United States. He is entirely subject to foreign laws and penalties. No American intervention, not even by the President, can stop the process of foreign justice. After he is acquitted—or has been convicted and paid his penalty—our military authorities receive him back for the purpose of further punishment in the form of an undesirable discharge—only a shade less than dishonorable. It is important that we remember that conviction in a foreign court also carries with it this form of discharge, depriving the serviceman of the rights which he might otherwise have as a veteran.

I know that defenders of the status agreements will tell you that a serviceman will not lose any of his constitutional rights by trial in a foreign court.

They choose to ignore the reports of officers of the Judge Advocate's Department in the various services, which say that these are the rights which will almost certainly be lost in every case:

The right to a prompt and speedy trial.

The right to be presumed innocent until proven guilty.

The burden of proof on the Government to prove such guilt beyond a reasonable doubt.

The right not to be compelled to testify against himself.

The right not to have involuntary confessions used against him.

The right to cross-examine the witness against him, which follows from the right to be confronted by such witness.

They also ignore the opinion of the Court of Military Appeals in the *United States* v. *Burney* (21 C. M. R. 09) on the matter of foreign trials. The Court said:

> It was the intent of founders of our Constitution to insure basic guarantees of due process to each citizen. * * * The courts of foreign sovereigns, especially in civil law countries, are bound to follow traditions which are foreign to American standards of due process of law. Far better it is for an American accused to be tried by American court-martial, where he is entitled to representation, liberal rules of evidence, a presumption of innocence, and thorough review, than to be brought before a French, or Japanese, or German, or Moroccan, or even English civil court. In addition, because we are a nation of civilian soldiers, sailors, and airmen, many of the persons who now serve as court-martial members are the selfsame individuals who previously served on grand and petit juries, and their views of justice do not change with their garb.

The practice is growing in our executive departments of extolling the virtue of trial in a foreign court. The promise of a lesser penalty than might be received in a court-martial is held out as one advantage.

This adopts the presumption of guilt in every case and is a poor trade for the presumption of innocence upon which American prosecutions are based. All of our procedures are calculated to protect an innocent man. Foreign courts operate to convict the guilty—not to acquit the innocent.

The NATO Status of Forces Treaty and the Japanese agreement contain seven provisions which are said to be sufficient safeguards for an accused. These are deceptive because they apear similar to our Bill of Rights, but actually repeat only a few of its provisions. Furthermore, these safeguards are not often observed in a foreign trial.

In appraising forms of criminal procedure in foreign countries it is necessary that we know something about the actual application and observance of the phrases which read well in criminal codes. These provisions frequently suffer in actual practice.

Praise of Japanese justice reached a new high among our top executives when the final decision was made to surrender Girard. The American people were given all kinds of assurances by men who should have known better. Because the Japanese system of law is based on the same foundation as the laws of most of the NATO countries, and also because this is the eve of the opening of Girard's trial, I would like to review for you the Japanese Code of Criminal Procedure.

A study of Japanese criminal procedure was made by the Headquarters of the Air Force Far East Command and approved by the commander in chief of the United States Forces in the Far East. This study will support all the observations I am about to make.

In Japan, as in most European courts, the preliminary police investigation is most important.

Statements are accumulated from all witnesses and the accused, and made the subject of a report to the presiding judge, which he has before commencement of trial, and from which he frequently predetermines the guilt of the accused. In fact, a prosecutor is loath to go ahead with a criminal charge unless he can make it stick—which accounts partly for the large number of waivers of jurisdiction by foreign authorities. Another element in waivers is that they were probably ordinary trivial police complaints to start with—

much as we have every morning in our police courts.

These preliminary statements are quite frequently used as evidence in the trial itself—instead of calling witnesses. Our Air Force study comments thus:

> The right of confrontation, although guaranteed by paragraph 9 (c) of article XVII of the administrative agreement and by article 37 of the Japanese Constitution, is not quite the same right of confrontation that exists in criminal trials in the United States.
>
> Thus pretrial statements of witnesses other than the accused may be admitted in evidence under certain circumstances, over the objection of the accused, despite the fact that such statements ordinarily would not be admissible in the State or Federal courts in the United States.

The principal advantage of an accused being confronted by witnesses against him lies in the right of cross-examination. All questions are asked by the judge in a Japanese court, after being requested by prosecution or defense—so, much of the benefit of cross-examination, as we know it, is lost, even with witnesses present.

The Air Force commentator says:

> It is discretionary with the judge whether he will issue compulsory process for a witness requested by the accused. The question whether he abused his discretion in this respect would, of course, be subject to appellate review.

Thus, even though a witness has been summoned at the request of the accused, it is still for the judge to determine whether he shall actually be examined in court, and if so, what questions shall be asked.

Japan's Supreme Court has ruled—in a case involving a United States serviceman—that it was not necessary to examine all the witnesses even if the accused requested them to be called.

There is no presumption of innocence of the accused. Neither is there any burden on the prosecution to prove the guilt of the accused by a preponderance of competent evidence. The Japanese Code of Criminal Procedure contains these provisions:

> ART. 318. The probative value of evidence shall be left to the free discretion of the judges.
>
> ART. 333. Where there is proof of guilt in regard to the case pending against the accused, a penalty must be pronounced by a judgment.
>
> ART. 336. If the case against the accused does not constitute an offense, or if the proof of guilt is lacking, the accused shall be pronounced not guilty by a judgment.

Quoting the law study again:

> There is no precise rule in Japan requiring the prosecution to establish guilt beyond a reasonable doubt; further, other than as indicated in articles 333 and 336 of the Code of Criminal Procedure, there is no definition of the degree of proof required to convict.

Although Japanese law appears to protect an accused against self-incrimination, the actual practice nullified this right. He may be questioned throughout the trial by the judge, and the average accused is not aware what he may or may not refuse to answer. He is also fearful of receiving greater penalty if adjudged guilty, if he has antagonized the court by not answering. The Japanese make a distinction between his possible status as a witness or as an accused.

When two or more are tried jointly the law permits a severance of the cases long enough to compel each accused to appear as a witness against another accused and then rejoining the cases for final judgment. This was done in at least one case in Japan where the official observers said that the defendants had not received a fair trial and were unjustly convicted. Incidentally, the defects in this trial were not cured by appeal to higher jurisdiction, and at least one defendant served a sentence of four years imprisonment as a result. He was, also, discharged as undesirable afterward, as a direct result of the unfair trial.

Appeals can be precarious in Japan, and other foreign countries, where it is permissible for the prosecution to appeal an acquittal or join in an appeal of a conviction for the purpose of securing a greater penalty. This is common practice. The appeal amounts to a second trial, and in our viewpoint is double jeopardy.

News reports say that Girard's trial is scheduled to start on August 26, with four sessions scattered through September, and another in October. This obviously would not be a prompt and speedy trial, but does conform to the practice in Japan of having many brief sessions strung out over a period of time, with the court probably carrying on several trials during the period.

There will be an American observer present—but he is just that. He cannot restore any of Girard's rights under the United States Constitution.

I presume that Girard will also have competent interpreters furnished him, which was not always the case in the past. Interpreters, even the best, sometimes have trouble finding the right words in transposing phrases from one language to another. Of course, the United States will pay his attorney fees, and I hope that he will have a lawyer more dedicated to his defense than some which observers of other trials have commented on. The statement on this subject, made by the Air Force officer, is interesting. He said:

> Largely because of historical precedent and development, the tactics of Japanese attorneys in Japanese criminal cases are still to a large extent designed to bring the attention of the court to extenuating and mitigating circumstances with the view to reducing the punishment.

Now, I think it is quite likely that Girard will be treated exceptionally well in this case—much better and differently than many other Americans who have preceded him in Japanese courts, and who have already paid their fines or served their sentences.

Girard has been getting the headlines in recent months, but other Americans have already suffered just as much, and probably more, than he will. The reports of observers in cases which resulted in sentences of imprisonment to our servicemen have shown the failures of interpreters; copies of charges being furnished to the accused on the opening of the trial; proceedings drawn out in many sessions consuming weeks of time; a judge probably slumbering during the proceedings; the substitution of one judge for another during the trial; convictions on written statements of witnesses taken before trial without benefit of cross-examination; and conviction on evidence the observers said was not only preposterous and fantastic, but in some respects patently impossible. Probably most of the servicemen convicted under such conditions have served or are serving the sentences imposed. The glare of publicity gives the Japanese an extraordinary opportunity to use Girard's trial as a propaganda medium to wipe out or dull the memories of those other cases where observers had not reported conclusions so rosy as our top executives anticipate. There have been rumors of a deal having been made which will save the faces of both the Japanese and the supporters of the status of forces agreements.

Girard's is an isolated case. It has served, principally, to alert the American people to the fact that these status of forces agreements exist. And, also, that regardless of assurances given in the past that our soldiers are protected against foreign prosecution for occurrences while on duty, these status agreements actually afford a serviceman no protection against foreign justice at any time. If Girard had been guilty of half the actions of which our Defense and Justice Departments have publicly tried and convicted him, then he should have been subjected to United States court-martial immediately. It is a shameful thing to have a Japanese court trying Girard for claimed offenses against the United States, or violations of military discipline.

No wonder we can be kicked around in foreign countries.

In May 1956 the district court of Fukuoka, Japan, in a case involving an American officer, said:

> An armed force constitutes the fighting power of a country and is a symbol of its dignity. Consequently, it is a well established rule of international law that an armed force stationed in a foreign country in accordance with a treaty is not subject to civil or criminal jurisdiction of the receiving state.
>
> Neither are members of the Armed Forces subject to the jurisdiction thereof for acts performed in furtherance of official duty, that is, the acts done in the performance of official duty whether such acts were done within the area of their station (barracks) or outside such area.

Obviously there is no dignity left to our forces in Japan, and the kicking around that the Fukuoka court tried to give our American officer was possible because of the administrative agreement we made with Japan after being invited to keep our troops there for the protection of Japan.

During three sessions of Congress I have had pending in the House of Representatives a joint resolution which would direct the President to seek a modification of the NATO Status of Forces Treaty, and all similar executive agreements, so that criminal jurisdiction over our servicemen might be restored to the United States in all cases.

Some of my colleagues have filed identical resolutions, and resolutions have been filed in the Senate. On July 1, 1957, the House Foreign Affairs Committee reported out House Joint Resolution 16, but it is presently bottled up in the Rules Committee and will not be voted on this session.

It has been my idea that our diplomats, if they were as much concerned about the emotions of our people as they are about the emotions of foreign nationals, and had as much regard for American rights as they have for the sovereignty of other nations, should be willing to make an effort to right the wrong which they had done to our servicemen in negotiating these agreements.

However, it is not bureaucratic policy to admit an error. Consequently, they have spent the past 2 years in alerting other nations to the fact that they did not expect any sympathetic consideration from them, that the agreements are the best they can get and no nation should give more.

There has also been developed the scare argument—that if we were to insist on trying our own servicemen we would be thrown out of these countries. Their statements become somewhat contradictory because in one breath they take credit for the friendship that has been developed in many of these countries by our contributing to their economic and military welfare, and in the next breath claim that all this good feeling hangs on the slender thread of the right of other nations to prosecute our servicemen in their courts.

Anyone who advocates the recovery of criminal jurisdiction over our servicemen is now supposed to be hand in glove with the Kremlin and furthering their aims in the world. I am reminded that Stalin once said it would not be necessary to take the United States by force of arms because we would become natural prey for Communist doctrine after we had depleted our resources and spent ourselves into a great depression. Contributing over $130 billion in foreign aid the past 10 years and borrowing the money to do it should make the Soviets chortle with glee. But the internationalists will not get the point, I am sure.

We should find out now who our friends are.

If a nation is so unfriendly as to refuse us the right to try our own men, then they are too unfriendly to have the right to try our personnel in their courts. Also, it may be doubtful where they will stand in case of need. If a decade of lavish subsidization of our so-called allies has not made them self-sufficient and capable of defending themselves, the American forces now sharing in their defense will probably not be sufficient either. They will become another sacrifice on the altar already burdened with sacrifice in the name of diplomacy.

It ill becomes any member of this administration to support a continuance of our giveaway program of servicemen's rights, for in the platform of the Republican Party, adopted at the San Francisco convention, we find this pledge:

> We maintain that no treaty or international agreement can deprive any of our citizens of constitutional rights. We shall see to it that no treaty or agreement with other countries attempts to deprive our citizens of the rights guaranteed them by the Federal Constitution.

Our servicemen, stationed in foreign countries, are entitled to the full protection of our constitution, the same as any citizen in this country.

INCREASED PENSIONS FOR SPANISH-AMERICAN WAR WIDOWS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for one-half minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, it is my very deep concern that the other body—I hope some time it may be spoken of as the Senate, which it is—has not passed a bill providing a small increase in pensions for the Spanish-American War widows. There are few of them left and they will not be with us very much longer. Their cases are pathetic. I hope the Members will join with me in urging the other body to pass this legislation. The House passed it last year and again this year.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Bailey (at the request of Mr. Byrd), until Thursday, on account of death in immediate family.

Mr. Anderson of Montana, for 4 days, effective August 28, 1957, on account of official business.

Mr. Kearney (at the request of Mr. Arends), indefinitely, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Madden, for 15 minutes, today.

Mr. Heselton, to transfer the special order granted him for today to Wednesday next.

Mr. O'Hara of Illinois, for 5 minutes, today, and to revise and extend his remarks.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Arends.

Mr. Mason (at the request of Mr. Arends).

Mr. Burdick and to include extraneous matter.

Mrs. Kee and to include an article.

Mr. Jackson in two instances.

Mr. Miller of Nebraska and to include some charts.

Mr. Betts.

Mr. Scott of Pennsylvania in two instances and to include extraneous matter.

Mr. Multer and to include extraneous matter.

Mr. Huddleston.

Mr. Brooks of Texas and to include a speech.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED

Bills and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1587. An act authorizing the construction of protective measures in the city of New Bedford and the town of Fairhaven, Mass., to afford hurricane tidal flood protection for New Bedford, Fairhaven, and Acushnet, Mass.; to the Committee on Public Works.

S. 1726. An act authorizing certain construction for the protection of the Narragansett Bay area against hurricane tidal flooding; to the Committee on Public Works.

S. 1764. An act to amend the District of Columbia Public School Food Services Act; to the Committee on the District of Columbia.

S. 1849. An act to provide for more effective administration of public assistance in the District of Columbia; to make certain relatives responsible for support of needy persons, and for other purposes; to the Committee on the District of Columbia.

S. 1889. An act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf; to the Committee on Education and Labor.

S. 2603. An act to amend the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 3, 1896; to the Committee on Public Works.

S. 2676. An act to authorize the Secretary of the Army to make a survey of a water route from Albany, N. Y., into Lake Champlain, N. Y., and Vt., with ultimate connection with the St. Lawrence River; to the Committee on Public Works.

S. J. Res. 50. Joint resolution to provide for an investigation and survey with respect to the relocation of the Ferry County highway along Lake Franklin D. Roosevelt in the State of Washington; to the Committee on Interior and Insular Affairs.

S. J. Res. 94. Joint resolution directing that the financial reports and other information filed with the Secretary of Labor pursuant to subsections (f) and (g) of section 9 of the National Labor Relations Act, as amended, be made available to the public; to the Committee on Education and Labor.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2580. An act to increase the storage capacity of the Whitney Dam and Reservoir and to make available 50,000 acre-feet of water from the reservoir for domestic and industrial use;

H. R. 2938. An act for the relief of Cooperative for American Remittances to Everywhere, Inc.;

H. R. 4336. An act for the relief of the First National Bank of Birmingham, Ala.;

H. R. 5851. An act for the relief of the legal guardian of Mrs. Mattie Jane Lawson;

H. R. 6363. An act to amend the act of May 24, 1928, providing for a bridge across Bear Creek at or near Lovel Point, Baltimore County, Md., to provide for the construction of another bridge, and for other purposes;

H. R. 7864. An act to amend the act of May 4, 1956 (70 Stat. 130), relating to the establishment of public recreational facilities in Alaska;

H. R. 8126. An act to amend section 16 (c) of the Revised Organic Act of the Virgin Islands;

H. R. 8646. An act to amend the Alaska Public Works Act (63 Stat. 627, 48 U. S. C. 486, and the following) to clarify the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works;

H. R. 8679. An act to provide a one-year extension of the programs of financial assistance in the construction of schools in areas affected by Federal activities under the provisions of Public Law 815, 81st Congress;

H. R. 9023. An act to amend the act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, N. Mex., for furnishing hospital care to certain Indians; and

H. R. 9379. An act making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 268. An act to provide that the United States shall return to the former owners certain mineral interests in lands acquired for the Arkabutla, Sardis, Enid, and Grenada Reservoirs, Miss.;

S. 336. An act for the relief of Angela Ferrini;

S. 397. An act for the relief of Willem Woeras;

S. 398. An act for the relief of Benjamin Wachtfogel;

S. 441. An act for the relief of Jose Ramirez-Moreno;

S. 463. An act for the relief of Pedro Ampo;

S. 465. An act for the relief of Maria Concetta Di Turi;

S. 485. An act for the relief of Luigi Lino Turel;

S. 499. An act for the relief of Daniela Renata Patricia Zei;

S. 524. An act for the relief of Robert F. Gross;

S. 562. An act for the relief of Hideko Takiguchi Pulaski;

S. 567. An act for the relief of Vida Djenich;

S. 660. An act for the relief of Ursula Rosa Pazdro;

S. 662. An act for the relief of Howard I. Buchbinder;

S. 796. An act for the relief of Zacharoula Papoulia Matsa;

S. 807. An act for the relief of Jackson School Township, Ind.;

S. 939. An act to amend section 22 of the Interstate Commerce Act, as amended;

S. 976. An act for the relief of Charles A. Sidawi;

S. 1035. An act for the relief of Alice Eirl Schaer (Mi On Lee); and

S. 1050. An act for the relief of Hrygory (Harry) Mydlak.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on August 24, 1957, present to the President, for his approval bills, and joint resolutions of the House of the following titles:

H. R. 1558. An act for the relief of Phillis Guyadeen;

H. R. 1678. An act to provide for the quitclaiming of the title of the United States to the real property known as the Barcelona Lighthouse site, Portland, N. Y.;

H. R. 1741. An act for the relief of Ikuko Morooka Mahoney;

H. R. 1868. An act for the relief of Daniel Adamson;

H. R. 4240. An act for the relief of Cornelia S. Roberts;

H. R. 4854. An act for the relief of Victoria Galea;

H. R. 6508. An act to modify the Code of Law for the District of Columbia to provide for a uniform succession of real and personal property in case of intestacy, to abolish dower and curtesy, and to grant unto a surviving spouse a statutory share in the other's real estate owned at time of death, and for other purposes;

H. R. 7384. An act for the relief of the town of Medicine Lake, Mont.;

H. R. 7671. An act to amend section 116 of chapter X of the Federal Bankruptcy Act, to make certain equipment trust provisions applicable to aircraft and aircraft equipment of air carriers;

H. R. 8284. An act for the relief of Innocenza Guarascio;

H. R. 9131. An act making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes;

H. J. Res. 338. Joint resolution for the relief of certain aliens;

H. J. Res. 340. Joint resolution to facilitate the admission into the United States of certain aliens;

H. J. Res. 368. Joint resolution for the relief of certain aliens;

H. J. Res. 373. Joint resolution to facilitate the admission into the United States of certain aliens;

H. J. Res. 387. Joint resolution for the relief of certain spouses and minor children of citizens of the United States;

H. J. Res. 392. Joint resolution for the relief of certain aliens;

H. J. Res. 409. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; and

H. J. Res. 411. Joint resolution for the relief of certain aliens.

ADJOURNMENT

Mr. LONG. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 57 minutes p. m.) the House adjourned until tomorrow, Tuesday, August 27, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1165. A letter from the Archivist of the United States, transmitting a report on lists or schedules covering records proposed for disposal by certain Government agencies, pursuant to the act approved July 6, 1945 (59 Stat. 434); to the Committee on House Administration.

1166. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 18, 1957, submitting a report, together with accompanying papers and illustrations, on a review of reports on and preliminary examination and survey of New Bedford and Fairhaven Harbor, Mass., requested by resolution of the Committee on Public Works, House of Representatives, adopted on September 27, 1951, and authorized by the River and Harbor Act approved March 2, 1945; to the Committee on Public Works.

1167. A letter from the Clerk of the House of Representatives, relative to the contest for a seat in the House of Representatives from the Fourth Congressional District of the State of Iowa, Steven V. Carter against Karl M. LeCompte (H. Doc. No. 235); to the Committee on House Administration and ordered to be printed.

1168. A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation entitled "A bill to amend title 10 of the United States Code to permit enlisted members of the Naval Reserve and the Marine Corps Reserve to transfer to the Fleet Reserve and the Fleet Marine Corps Reserve on the same basis as members of the Regular components"; to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MADDEN: Committee on Rules. House Resolution 410. Resolution providing for the disposition of the Senate amendments to the bill H. R. 6127; without amendment (Rept. No. 1243). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules: House Resolution 411. Resolution for consideration of H. R. 7915, a bill to amend section 1733 of title 28, United States Code; without amendment (Rept. 1244). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURNS of Hawaii:

H. R. 9445. A bill to amend the Hawaiian Organic Act, and to approve amendments of the Hawaiian land laws, with respect to leases and other dispositions of land; to the Committee on Interior and Insular Affairs.

By Mr. FORAND:

H. R. 9446. A bill to define parts of certain types of footwear; to the Committee on Ways and Means.

By Mr. HALEY (by request):

H. R. 9447. A bill to amend the law relating to mining leases on Indian lands and Federal lands within Indian reservations; to the Committee on Interior and Insular Affairs.

By Mr. ROBERTS:

H. R. 9448. A bill to amend title II of the Social Security Act to provide insurance thereunder against the cost of hospitalization for insured aged persons and their dependents and survivors, and for insured disabled persons, and for other purposes; to the Committee on Ways and Means.

By Mr. WESTLAND:

H. R. 9449. A bill to authorize adjustments in accounts of outstanding old-series currency and for other purposes; to the Committee on Banking and Currency.

By Mr. BROYHILL:

H. J. Res. 451. Joint resolution authorizing the 101st Airborne Division Association to erect a memorial in the District of Columbia; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DAVIS of Georgia:

H. R. 9450. A bill for the relief of Mrs. Margot R. Phillips; to the Committee on the Judiciary.

By Mr. FASCELL:

H. R. 9451. A bill for the relief of Aphrodite Hadjipanayotou; to the Committee on the Judiciary.

By Mr. HOLT (by request):

H. R. 9452. A bill for the relief of Vera Suhrawardy; to the Committee on the Judiciary.

By Mrs. KELLY of New York:

H. R. 9453. A bill for the relief of Hugh Winston Foster (also known as Hugh Winston Griffith) and Una Yvonne Foster; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H. R. 9454. A bill for the relief of Alan Doctors; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

The Spending Trend in Federal Government Must Be Controlled and Tax Relief Accomplished on a Fair Basis

EXTENSION OF REMARKS
OF
HON. HUGH SCOTT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 26, 1957

Mr. SCOTT of Pennsylvania. Mr. Speaker, I have introduced H. R. 9415, a bill to amend the Internal Revenue Code of 1954 so as to provide for scheduled personal and corporate income tax reductions and for other purposes. After long consideration of various tax-relief proposals, I have come to the conclusion that H. R. 6452, a bill introduced by Mr. SADLAK of Connecticut, comes closest to a fair and equitable method of providing realistic and greatly needed tax relief, with particular reference to those persons on whom the tax impact has fallen with exceptional heaviness.

Since the House Ways and Means Committee has provided for hearings during the first week in January on certain tax revision proposals, I am requesting that my bill be heard at the time of the Sadlak proposal. It is my hope that those who are interested in bringing about some relief from the hardships of Federal taxation will support these proposals and that the Ways and Means Committee will include these provisions in an overall tax relief bill next year. Of course, to have tax relief we have got to balance the budget and reduce Federal expenditures. A substantial start has been made in this regard, but much more will have to be done in the second session of the 85th Congress, if we are to have a fair tax relief bill.

The time has come to enact a realistic program of forward scheduling of tax reductions for all income taxpayers, individual and corporate. I am convinced that achievement of a moderate schedule of income tax rates is necessary to the continued vitality and growth of our Nation's economy, and to the maximum advances in the standard of living of all our citizens.

Accordingly, Mr. Speaker, I direct the attention of my colleagues to the bill I have introduced today, H. R. 9415, which schedules annual reductions of individual income-tax rates in each bracket, and of the corporate income tax over a period of 5 years, beginning January 1, 1958. These reductions can be granted to our citizens out of the increased revenues resulting from normal economic growth without increasing any other taxes. However, this can only be done if Government spending is brought under control. I believe that my bill would serve to restrain ever-increasing Government spending so that Americans can look forward to regularly scheduled tax reductions. H. R. 9415 further provides adequate safeguards, in the form of postponement procedures, to assure that none of the scheduled tax reductions will result in a return to deficit financing. In fact, if the economy continues to grow over the period when the reductions are scheduled as it has in recent years, there should also be sufficient growth in total revenue to provide for regular retirement of a portion of the national debt.

The legislation provides for coordinated reductions in all the progressive rates of individual tax, with the first bracket rate being reduced from 20 to 15 percent. The top rates of tax would be brought down to 42 percent, the individual tax from its present top of 91 percent, and the corporate tax from its present top of 52 percent. Specific examples of individual tax rate reductions, over the 5 years, follow: $4,000–$6,000 bracket, from 26 to 17 percent; $8,000–$10,000 bracket, from 34 to 19 percent; $12,000–$14,000 bracket, from 43 to 21 percent; $16,000–$18,000 bracket, from 50 to 23 percent; and $20,000–$22,000 bracket, from 56 to 25 percent. Appendix A shows the new individual rates for each year as proposed under my bill. Appendix B provides a means by which individual taxpayers can compute their tax liability at the end of the rate reduction period, as compared to their current tax liability. Appendix C illustrates for corporate taxpayers how the present normal tax would be reduced from 30 percent to 22 percent, and the surtax from 22 to 20 percent.

This legislation is primarily designed to moderate the tax impact on individuals and on small and growing business, and to eliminate the tax barrier to starting new businesses. The problem is entirely a matter of rates. Both as regards unincorporated businesses, which approximate 84 percent of the over 4 million business units in the country and the owners of incorporated small business, the major tax impediment is the system of steeply graduated rates of individual tax—the rates which begin with 22 percent on taxable income between $2,000 and $4,000, increase rapidly to a rate of 50 percent on taxable income between $16,000 and $18,000 and go on up to a top rate of 91 percent. The incorporated firms have the additional problem of the corporate tax, especially the combined top rate of 52 percent which applies to income over $25,000. None of the special devices previously suggested for aiding small business effectively deal with the real source of the problem. Any and all of them would set up new inequities and discriminations within the tax laws. Many of them would add greatly to the complexity of the laws. By contrast, a moderate scale of individual and corporate rates would solve the problem with fairness and equity for all. Especially, the 1 percentage-point difference between each rate bracket from 15 percent at the bottom to 34 percent at the $80,000–$90,000 bracket, and 2 percentage points thereafter would insure a minimum tax impediment to the beginning of small business and growth of all business.

Estimated individual tax savings under my bill, based on 1956 income levels, would be $10.6 billion, as shown in Appendix D. Nearly 60 percent of the total savings would fall in the taxable income brackets up to $6,000. 79 percent of the savings would come in the taxable brackets up through $16,000 to $18,000, where the 50-percent rate applies. Only 6.3 percent of the savings would accrue to the brackets above $50,000. Thus, the benefits of this legislation are heavily centered in the first bracket and the lower progressive brackets of the individual income tax.

The relatively small savings total in the brackets above $50,000 makes clear that revenue considerations are no barrier to the scheduled reductions in the higher rates. I have proceeded on the dual premise that, first, under a reformed rate structure there is no reason why an unincorporated business or other individual taxpayer should pay a higher top rate of tax than a corporate taxpayer and, second, the lower the top rate of individual tax the greater will be the protection for all middle bracket taxpayers. Proof of the latter point is found in other proposals for reducing the progressive rates which always link higher rates at the top with higher rates in the middle brackets. I cannot too strongly stress the point that concern for small-business and other middle-bracket taxpayers cannot be fully translated into a reasonable rate structure without a consistent contraction of the rates all up and down the line.

As to corporations, it is estimated that the total corporate-tax savings, based on 1956 income levels, would be about $4.2 billion.

Assuming continuance of prosperity and economic growth, it is reasonable to expect that the scheduled reductions would be fully realized without net revenue loss to the Federal Government, probably with some net gain. For example, under existing tax rates, budget revenues of the Federal Government have grown from $59.4 billion in fiscal year 1955 to an estimated $70.6 billion in fiscal year 1957, or a net gain of more than $11 billion. Some of this gain reflects the impact of inflation on revenues, but the major part of it has resulted from economic growth itself.

Based on 1956 income levels, it would take annual revenue growth of only about $3 billion a year to accomplish the scheduled rate reductions without net revenue loss to the Treasury. If the economy grows in step with the recent historic average, the revenue growth should average up to $4 billion a year without inflation. Moreover, less than one-half of the annual revenue effect of the individual tax cuts and none of the revenue effect of the corporate tax cut would be reflected in fiscal year 1958.

Mr. Speaker, my decision to introduce this bill at this time comes from study of two conflicting trends. On the one hand, there are strong pressures within and without the Government for spending the revenue increase resulting from economic growth instead of applying it to tax reduction. On the other hand, there is among our citizens and businesses a dangerous and growing dissatisfaction with the income tax rate structure as it now stands, most evident as regards the tax impact on new and small business, self-employed professional people, and the whole range of middle income families.

COUNTERING THE SPENDING TREND

By the nature of basic policy legislation, and of spending authorizations, commitments for Federal spending on many programs extend a number of years ahead. Thus, the introduction of new spending programs, and the enactment of new spending authorizations for old programs, have the effect of usurping tax reduction opportunities which otherwise would occur out of revenue growth over a period of years.

The primary purpose of forward scheduling of income-tax reduction is to set up competition for tax reduction in a potential amount which has significance for all income-tax payers, as against using revenue growth to expand old and undertake new Government spending programs.

Existing procedures result in a one-sided budget operation. Each year, there is thorough inquiry into Government expenditures, first by the Budget Bureau, then by the House Appropriations Committee, and finally by the Senate Appropriations Committee. There has been no such annual inquiry as regards the tax or revenue side of the budget.

In fact, there has been no general inquiry specifically directed to the excessiveness of income-tax rates by either the Ways and Means Committee or the Senate Finance Committee, since 1948, 9 years ago. Because of circumstances, beyond their control, these tax-writing committees have not been able to provide a continuing forum in which taxpayers, individually or through their representatives and voluntary organizations, could reflect their views or choices as to the advantages to be derived from a moderate and reasonable scale of rates, as compared to increased Federal spending on any and all programs.

During periods of war and readjustment, it was understandable that the committee should be looked upon essentially as the initiating body for tax collection. However, in my view it is now time for the committee to become the motivating force for tax saving.

Accordingly, the effect of my bill is to call upon the Ways and Means Committee to adopt a related role in budget making, that of a jealous guardian of taxpayer rights and interests. It is my conviction that this role can be best performed by the forward scheduling of tax reductions. Only in this way can there be equal competition as against the forward commitments for Federal spending.

Should essential needs arise for programs of increased spending, then tax reduction over 5 years of the amount scheduled could result in a return to deficit financing, except for the effective safeguards in the legislation.

POSTPONEMENT PROCEDURES

These legislative safeguards are in the form of postponement procedures whereby the scheduled rate reductions could be spread out to a maximum of 9 years without change in the basic law. The legislation places the initiative for postponement in the hands of the President, but a balance has been struck in the burden and exercise of postponement authority for final decision as between the Congress and the executive branch.

While the postponement procedures may be applied separately as between corporate and individual reductions every postponement of an individual tax rate cut must be accompanied by a postponement of a corporate tax cut. The only limitation on this "linkage" is where the result would be to postpone a corporation reduction for more than 1 year.

The bill further provides that each scheduled reduction in either the individual or corporate tax may be postponed for only 1 year with the schedule of subsequent reductions also being moved ahead 1 year. Thus, it is possible to phase these reductions over a maximum period of 9 years without new enabling legislation, should budget conditions require full resort to the postponement procedures.

Specifically, the President is empowered to make, by November 15, a postponement from January 1 to July 1 of an individual tax cut which, if permitted to go into effect as scheduled, would cause an imbalance in the Federal budget for the current fiscal year. This postponement would be accomplished by a postponement of the scheduled corporate tax cut from January 1 to July 1. However, if the President has not, by November 15, postponed a corporate tax cut because he did not postpone a cut in the individual tax, he would be empowered to review the scheduled corporate tax cut in relation to the prospective budget situation for the following fiscal year. If such review indicates that the scheduled reduction would cause an unbalanced budget in such following fiscal year, then he would postpone the scheduled corporate reduction from January 1 to July 1.

The legislation also provides that the President would in his annual budget message recommend to the Congress whether any postponed rate reduction should become effective on July 1, or whether such reduction should be further postponed to January 1 next. This procedure is designed to provide the Ways and Means Committee, the Senate Finance Committee, and the Congress as a whole, the opportunity to review the revenue needs in light of the budget situation, whenever the President recommends postponement of a scheduled January 1 reduction.

Acting on the basis of such review, the Congress may, by means of a joint resolution which has become law before May 15, make finally effective, as of July 1, any scheduled reduction in individual and corporate tax cuts which had by Presidential action first been postponed from January 1 to July 1, or further postpone such cuts until January 1. This action may include a further postponement of a corporate tax cut to January 1, while making an individual tax cut finally effective as of July 1. In the event the Congress has not so acted under these alternatives then the President may again act. By May 15 he may further postpone a corporate reduction or corporate and individual reductions until January 1, but this authority is limited to previously deferred reductions and may be invoked only if the July 1 scheduled cuts would cause budget imbalance in the coming fiscal year.

In the event of postponement until January 1, either by joint resolution or in its absence by action of the President, the schedule of subsequent reductions is moved ahead 1 year, but with the limitation that each reduction may be put off only 1 year by use of the postponement procedures. This means that the first scheduled reductions could not be put off more than 1 year and that subsequent reductions must come within 2 years of each other.

The Presidential postponement authority may be questioned as a delegation of the tax-levying responsibility to the executive branch of the Government. Such, however, would not be the result, as the President would have no authority to increase taxes, or to change any scheduled reduction after the effective dates set forth.

In fact, the present procedure—or lack of it—actually makes available to the executive branch increased taxation—the revenue growth—without having to recommend increased levies. Under the procedures in my bill, in the event of a postponement of a scheduled tax cut, the Executive would only be reimposing for a 6-month period that which, in the absence of the legislation, would exist for an indefinite period. Thereafter, the Congress would have adequate opportunity to decide whether the reduction should be postponed a further 6 months. If the Congress did not act, the presumption would be that it intended at that time to let the President make the next decision, based on the statutory factors.

THE CASE FOR INCOME-TAX RATE REFORM

The growing dissatisfaction with the income-tax rate structure goes much deeper than normal taxpayer irritation with a heavy tax load. It reflects a growing recognition that there is something fundamentally wrong with a tax structure which penalizes hard work, risk-taking, and achievement.

The basic source of the complaint is the steeply graduated rates, which start after only $2,000 of taxable income, reach 30 percent at the $6,000 to $8,000 bracket, 50 percent at the $16,000 to $18,000 bracket, and go on up to a top rate of 91 percent.

Mr. Speaker, I would like to emphasize to my colleagues in the House that the present rates increase with particular severity over the range of income received by such important elements of our society as small-business men, professional people, and farmers, salesmen, technicians, supervisors, and skilled craftsmen. If such individuals by their own enterprise and hard work advance their income, they find that the Government lets them keep only a rapidly declining proportion of it.

There can be no doubt that both the present high combined corporate-tax rate and the steeply progressive individual rates are serving to prevent an adequate flow of investment funds, and especially venture capital, into new and expanding business. In fact, it may be stated flatly that this Nation has a severe shortage of new capital, and especially venture capital, because the tax laws are designed to produce such a shortage. The extremely severe rates in the middle and higher income brackets are an especially limiting factor on the accumulation of new capital for investment in new and growing enterprises.

When this situation is considered in relation to the needs of a rapidly growing population, and millions of new workers coming into the labor force, it becomes clear that the time has come to bring an orderly plan for reducing the rates which discourage individual effort, prohibit adequate savings, and threaten the industrial vitality and supremacy of our Nation. Even under a fair and moderate rate structure, our economy may be hard pressed to generate all the savings needed to meet all opportunities to advance production and living standards without inflation.

To narrow the range of rate graduation, it is necessary that relatively more relief, percentagewise, be given to the graduated part of the rates than to the basic rate. The rates above the basic rate of 20 percent are the graduated part. These range from 2 percent in the $2,000 to $4,000 taxable income bracket, to 71 percent at the top, all on top of the basic rate of 20 percent. Note, however, this graduated part is of least importance from a revenue-producing standpoint. The graduated part of the rate structure actually provides only about 17 percent of the revenue derived from the individual tax, or about $5.5 billion out of about $33 billion. The remainder, or 83 percent, comes from the basic rate of 20 percent paid on all taxable income. Thus, the higher percentage reductions in the rate ranges above 20 percent will have considerably less revenue effect than the smaller percentage reduction applying to the first bracket rate.

My bill provides a focal point for the expression of taxpayer interest in using revenue growth to reduce excessive income tax rates instead of to support increased Government spending. I feel certain that many taxpayers, both individually and through various groups to which they belong, will express their views on this legislation to their representatives in Government.

As a final point, I urge taxpayers to relate the advantages to themselves and to their businesses of achieving the moderate scale of tax rates at the end of 5 years, as set out in appendixes B and C, as against postponing or perhaps even foregoing ultimate achievement of such rates to accommodate higher Federal spending on any and all programs. We cannot have both the tax reductions and the spending. It is up to the taxpayers to make a choice and, Mr. Speaker, I believe that as elected Representatives of the people we already know with certainty what that choice will be—tax reduction.

APPENDIX A

Individual tax rates

Taxable income bracket [1]	Present rates	Jan. 1, 1958	Jan. 1, 1959	Jan. 1, 1960	Jan. 1, 1961	Jan. 1, 1962
$0 to $2,000	20	19.0	18.0	17.0	16.0	15
$2,000 to $4,000	22	20.5	19.5	18.5	17.5	16
$4,000 to $6,000	26	24.5	23.0	21.5	20.0	17
$6,000 to $8,000	30	28.0	26.0	24.0	21.0	18
$8,000 to $10,000	34	31.0	28.0	25.0	22.0	19
$10,000 to $12,000	38	35.0	32.0	28.0	24.0	20
$12,000 to $14,000	43	39.0	35.0	31.0	26.0	21
$14,000 to $16,000	47	42.0	37.0	32.0	27.0	22
$16,000 to $18,000	50	45.0	40.0	35.0	29.0	23
$18,000 to $20,000	53	48.0	42.0	36.0	30.0	24
$20,000 to $22,000	56	50.0	44.0	38.0	32.0	25
$22,000 to $26,000	59	53.0	47.0	40.0	33.0	26
$26,000 to $32,000	62	55.0	48.0	41.0	34.0	27
$32,000 to $38,000	65	58.0	51.0	43.0	36.0	28
$38,000 to $44,000	69	61.0	53.0	45.0	37.0	29
$44,000 to $50,000	72	64.0	56.0	47.0	38.0	30
$50,000 to $60,000	75	66.0	57.0	48.0	39.0	31
$60,000 to $70,000	78	69.0	60.0	51.0	40.0	32
$70,000 to $80,000	81	71.0	62.0	52.0	41.0	33
$80,000 to $90,000	84	74.0	64.0	54.0	44.0	34
$90,000 to $100,000	87	76.0	66.0	56.0	46.0	36
$100,000 to $150,000	89	78.0	68.0	58.0	48.0	38
$150,000 to $200,000	90	80.0	70.0	60.0	50.0	40
$200,000 and over	91	82.0	72.0	62.0	52.0	42

[1] After deductions and exemptions.

APPENDIX B

Tax computation tables, individuals

If the taxable income [1] is—	The tax	
	Is: Present law	Will be: Year 1962
Not over $2,000	20 percent of the taxable income	15 percent of the taxable income.
Over $2,000 but not over $4,000	$400, plus 22 percent of excess over $2,000	$300, plus 16 percent of excess over $2,000.
Over $4,000 but not over $6,000	$840, plus 26 percent of excess over $4,000	$620, plus 17 percent of excess over $4,000.
Over $6,000 but not over $8,000	$1,360, plus 30 percent of excess over $6,000	$960, plus 18 percent of excess over $6,000.
Over $8,000 but not over $10,000	$1,960, plus 34 percent of excess over $8,000	$1,320, plus 19 percent of excess over $8,000.
Over $10,000 but not over $12,000	$2,640, plus 38 percent of excess over $10,000	$1,700, plus 20 percent of excess over $10,000.
Over $12,000 but not over $14,000	$3,400, plus 43 percent of excess over $12,000	$2,100, plus 21 percent of excess over $12,000.
Over $14,000 but not over $16,000	$4,260, plus 47 percent of excess over $14,000	$2,520, plus 22 percent of excess over $14,000.
Over $16,000 but not over $18,000	$5,200, plus 50 percent of excess over $16,000	$2,960, plus 23 percent of excess over $16,000.
Over $18,000 but not over $20,000	$6,200, plus 53 percent of excess over $18,000	$3,420, plus 24 percent of excess over $18,000.
Over $20,000 but not over $22,000	$7,260, plus 56 percent of excess over $20,000	$3,900, plus 25 percent of excess over $20,000.
Over $22,000 but not over $26,000	$8,380, plus 59 percent of excess over $22,000	$4,400, plus 26 percent of excess over $22,000.
Over $26,000 but not over $32,000	$10,740, plus 62 percent of excess over $26,000	$5,440, plus 27 percent of excess over $26,000.
Over $32,000 but not over $38,000	$14,460, plus 65 percent of excess over $32,000	$7,060, plus 28 percent of excess over $32,000.
Over $38,000 but not over $44,000	$18,360, plus 69 percent of excess over $38,000	$8,740, plus 29 percent of excess over $38,000.
Over $44,000 but not over $50,000	$22,500, plus 72 percent of excess over $44,000	$10,480, plus 30 percent of excess over $44,000.
Over $50,000 but not over $60,000	$26,820, plus 75 percent of excess over $50,000	$12,280, plus 31 percent of excess over $50,000.
Over $60,000 but not over $70,000	$34,320, plus 78 percent of excess over $60,000	$15,380, plus 32 percent of excess over $60,000.
Over $70,000 but not over $80,000	$42,120, plus 81 percent of excess over $70,000	$18,580, plus 33 percent of excess over $70,000.
Over $80,000 but not over $90,000	$50,220, plus 84 percent of excess over $80,000	$21,880, plus 34 percent of excess over $80,000.
Over $90,000 but not over $100,000	$58,620, plus 87 percent of excess over $90,000	$25,280, plus 36 percent of excess over $90,000.
Over $100,000 but not over $150,000	$67,320, plus 89 percent of excess over $100,000	$28,880, plus 38 percent of excess over $100,000.
Over $150,000 but not over $200,000	$111,820, plus 90 percent of excess over $150,000	$47,880, plus 40 percent of excess over $150,000.
Over $200,000	$156,820, plus 91 percent of excess over $200,000	$67,880, plus 42 percent of excess over $200,000.

[1] After deductions and exemptions.

APPENDIX C

Corporate tax rates

	Present	Jan. 1, 1958	Jan. 1, 1959	Jan. 1, 1960	Jan. 1, 1961	Jan. 1, 1962
Normal tax [1]	30	28	26	24	23	22
Surtax [2]	22	22	22	22	21	20
Combined tax rate [2]	52	50	48	46	44	42

[1] On all net income.
[2] On net income exceeding $25,000.

APPENDIX D

Tax savings by taxable income[1] brackets, based on 1956 income levels

Taxable income [1] brackets	Taxable income	Present rates	New rates—end of 5 years	Tax savings
	Millions			*Millions*
$0 to $2,000	$95,121	20	15	$4,756
$2,000 to $4,000	15,967	22	16	957
$4,000 to $6,000	6,590	26	17	593
$6,000 to $8,000	4,090	30	18	491
$8,000 to $10,000	2,826	34	19	424
$10,000 to $12,000	1,984	38	20	357
$12,000 to $14,000	1,563	43	21	345
$14,000 to $16,000	1,074	47	22	269
$16,000 to $18,000	842	50	23	227
$18,000 to $20,000	720	53	24	209
$20,000 to $22,000	571	56	25	177
$22,000 to $26,000	924	59	26	306
$26,000 to $32,000	910	62	27	318
$32,000 to $38,000	584	65	28	215
$38,000 to $44,000	421	69	29	168
$44,000 to $50,000	312	72	30	130
$50,000 to $60,000	299	75	31	131
$60,000 to $70,000	203	78	32	94
$70,000 to $80,000	149	81	33	72
$80,000 to $90,000	109	84	34	55
$90,000 to $100,000	82	87	36	41
$100,000 to $150,000	217	89	38	111
$150,000 to $200,000	95	90	40	48
$200,000 and over	231	91	42	113
Total	135,887			10,607

[1] After deductions and exemptions.

Tax savings by net income bracket groups

Bracket	Tax savings	Percent of total
	Millions	
$0 to $6,000	$6,306	59.5
$0 to $18,000	8,419	79.4
$50,000 and over	665	6.3

H. Earl Cook, Chairman, FDIC, To Retire September 6

EXTENSION OF REMARKS
OF

HON. JACKSON E. BETTS

OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, August 26, 1957

Mr. BETTS. Mr. Speaker, H. Earl Cook, Chairman of the Federal Deposit Insurance Corporation, has announced that he is retiring at the end of his present term on September 6 of this year.

Mr. Cook brought to this position a lifetime of experience. Originally a banker in Bucyrus, Ohio, he was at one time president of the Ohio Bankers Association. He later served as superintendent of the Department of Banks of Ohio under governors of both political parties.

On April 10, 1947, he was appointed by President Truman to be a Director of the Federal Deposit Insurance Corporation, and on May 9, 1953, President Eisenhower designated him as Chairman of the Board.

This bipartisan demand for his services was, of course, a recognition of merit and ability. As Mr. Cook leaves his present position, I wish to pay tribute to the outstanding service he has contributed to his State and Nation. The Eighth Congressional District of Ohio, which I have the honor to represent, is justly proud of Earl Cook as one of its native sons who rose to national prominence as a distinguished public servant. I know I speak for all of his many friends who wish him well.

Remarks of Congressman Wolverton, Broadcast From Geneva, Switzerland, on May 17, 1957, on United Nations Radio on the Subject of the World Health Organization and International Understanding

EXTENSION OF REMARKS
OF

HON. CHARLES A. WOLVERTON

OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, August 26, 1957

Mr. WOLVERTON. Mr. Speaker, as I have previously expressed, it was a great privilege for me to attend the sessions of the 10th World Health Assembly, held during the month of May 1957 at Geneva, Switzerland.

During my attendance at the sessions of the Assembly I was struck with the sincerity that pervaded the entire Assembly. The representatives from the several countries talked and acted like men dedicated to a high calling. Their evident sincerity was contagious. I felt that as I listened to the expression of views and the definite objectives sought to be attained, that health and the work done to bring its blessings to mankind throughout the world could well be a connecting link to bind the nations of the world together in a common endeavor for peace.

Because of these views, I considered it an honor to be invited to broadcast an address over the United Nations Radio, at Geneva, Switzerland, on May 17, 1957, on the subject of the World Health Organization and international understanding. It was as follows:

REMARKS BY REPRESENTATIVE CHARLES A. WOLVERTON, MEMBER, UNITED STATES DELEGATION TO 10TH WORLD HEALTH ASSEMBLY, ON UNITED NATIONS RADIO, MAY 17, 1957, GENEVA, SWITZERLAND

This World Health Assembly has impressed me forcefully. My foremost impression is of the atmosphere which exists of warm good will and friendship among the delegates. It is clear that health is a common denominator which brings all people together. Eighty member countries of the World Health Organization have sent delegations consisting of physicians, administrators, public health experts, and others to this assembly. Despite their highly varied national and political backgrounds, these delegates speak the same language on health matters. They all share a determination to work through WHO to help all countries improve the health of their people.

They know that health is truly international, that disease knows no frontiers, that for half of mankind poor health is still the normal condition of life, that so long as major diseases exist anywhere they are a threat to people everywhere.

I have stressed this aspect of WHO, that it provides a means through which the Governments and people of nearly all countries work together on a constructive and friendly basis with the common aim of better health. The splendid work of WHO is not nearly as well known as it should be, and in particular, this aspect of it—that here in this organization there is a very large measure of international understanding. Over the years I am convinced that this characteristic of WHO will contribute to the building in other fields also of the more peaceful and better relations between countries which are essential for our survival.

The health programs of the World Health Organization also deserve to be much better known. I do not believe that any international organization is accomplishing more for the welfare of mankind in relation to the funds which it expends. Characteristic of the farsighted leadership which WHO exercises on health programs throughout the world is the present drive to eradicate malaria from the world. Two hundred million people a year still suffer from malaria—more than the total population of the United States. Working through WHO, and with stimulation and technical guidance from WHO, many countries are now working together to wipe out malaria. Since mosquitoes and airplanes cross frontiers, this must be done on an international basis. WHO is able to provide the necessary coordination of plans. I am very happy that the International Cooperation Administration of the United States is cooperating fully with WHO in this drive to remove malaria for good.

The fight against malaria and other infectious diseases is, of course, only one phase of the wide-ranging WHO activities for better health. By sending health experts to aid countries to build health programs, and by providing fellowships, WHO is helping to lower the number of deaths among infants and small children, which have been appallingly high in many parts of the world. The Organization is helping to improve the health of mothers, of the working population and of older people. The activities of the World Health Organization are almost universal in geographical scope and respond to a universal human need. In the Constitution of WHO the nations have declared that all peoples have the right to the highest possible level of health. WHO is helping them to achieve this rightful condition and in so doing it is bringing mankind closer together.

GENEVA, *May 17, 1957.*

FTC Action Against Chainstores

EXTENSION OF REMARKS
OF

HON. ABRAHAM J. MULTER

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, August 26, 1957

Mr. MULTER. Mr. Speaker, on August 22, 1957, the CONGRESSIONAL RECORD carried my remarks of August 15, 1957, with reference to the Federal Trade Commission proceeding against the Giant Stores. In those comments I erroneously referred to the fact that the complaint against that company had been dismissed by the FTC. I should have said that the hearing examiner had recommended that the complaint be dismissed, and that the matter is awaiting final decision by the Commission.

I certainly hope that the Commission will overrule the examiner and refuse to dismiss the proceeding.

In my opinion, it is being hypertechnical to pretend that because a retail merchant, big or small, engages in a minuscule operation of meat preparation, it can thereby avoid regulation by the FTC. Such a decision flies in the face of all logic and reason as well as the clear Congressional intent as expressed in the law.

In this case, the hearing examiner recommends that the proceeding be dismissed on the ground that only the Department of Agriculture has jurisdiction over this retail outlet. With an operation running into millions and millions of dollars through some 36 supermarkets, and with the finding that the percentage of meat preparation is minuscule, the examiner nevertheless says that because of that meat preparation operation, the Federal Trade Commission has no jurisdiction and the company has subjected itself only to regulation under the Packers Act. If that is the law, then General Motors, or any other big company, need only put in a thousand-dollar operation for the preparation of meat and the Federal Trade Commission will lose jurisdiction over it.

I cannot believe that the law is entitled to any such ridiculous interpretation, but, if it is, we had better change the law and do it quickly.

If the law is subject to any such absurd interpretation, the FTC should be the first to recommend to the Congress that the law be corrected.

Judy Letson of Bessemer, Ala., Named "Miss National Junior Achiever"

EXTENSION OF REMARKS

OF

HON. GEORGE HUDDLESTON, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 26, 1957

Mr. HUDDLESTON. Mr. Speaker, practicing the motto, Learning by Doing, high-school youngsters today are receiving practical business training through the nationwide junior achievement program. This worthwhile organization has as its objective to engender the characteristic American freedom, incentive and opportunity which private enterprise and private ownership offers.

It is with a great deal of pride and pleasure that I take this occasion to salute the outstanding young lady who has just been chosen Miss National Junior Achiever. She is Miss Judy Letson, a vivacious and energetic young citizen of my district. I am very happy to join with her townspeople in Bessemer and throughout Jefferson County, Ala., in paying tribute to Miss Letson on receiving this national honor.

She was winner of the county contest and in March she was chosen as Miss SOJAC at the southern junior achievers conference in New Orleans, La. Miss Letson is a member of the E-Pip-Su Co., a junior achievement project sponsored by the United States Pipe & Foundry Co. at Bessemer, Ala. Junior achievement work has already paid off for her, as it will some day for all its deserving participants.

Miss Letson has eagerly learned the fundamentals of business although she does not plan to be a businesswoman. She hopes to become an actress and with her brunette beauty she is bound to go far toward achieving her goal Last December she was Queen Merry Christmas at the annual Bessemer Christmas carnival and she will be head majorette this fall at Bessemer High School, where she is in her senior year. She is the daughter of Dr. and Mrs. J. W. Leston of Bessemer. Her father is superintendent of Bessemer schools. Her parents, I am sure, must be extremely proud of her, as all of us are.

Industrial Development in Illinois

EXTENSION OF REMARKS

OF

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 26, 1957

Mr. ARENDS. Mr. Speaker, at the governors' conference recently President Eisenhower emphasized the great need for the individual State governments to assume major social and economic responsibilities rather than making constant demands upon the Federal Government. An important part of this administration's program is to return to the States and local communities duties and responsibilities rightfully theirs under our system of Government.

In this connection I take pride in calling your attention to the program for industrial development being carried on in my home State of Illinois. Local groups, such as chambers of commerce, industrial councils, and various civic organizations, have assumed the initiative for local improvements and progress as a coordinated effort, free from Federal aid or assistance.

Through a national advertising program, made possible by a pooling of their financial resources and help of the Illinois State Division of Industrial Planning and Development, the industrial leaders learn of possible site locations for plants and new business opportunities. James H. Stupka, of Kankakee, Ill., a personal friend of mine of long standing and a prominent leader in Illinois, heads up this program. He is the man who developed this idea of a coordinate advertising program for those communities who want to help themselves. He has put into effect a program of teamwork between the State and local governments.

I believe that Mr. Stupka and his board of outstanding civic leaders deserve a great deal of credit and real commendation for what they have undertaken, entirely without pay, and for what they have accomplished. I also believe those communities who have been participating in this program, and not looking to the State or to the Federal Government to do the job for them, deserve commendation. They are Murphysboro, Pinckneyville, DuQuoin, Benton, West Frankfort, Zeigler, Mount Vernon, Kankakee, Savanna, Galesburg, Hillsboro, Monmouth, Gibson City, Belleville, Canton, Beardstown, Rantoul, Carterville, and Chicago. These are communities worth visiting. You will see for yourself the spirit of self-reliance and all that is being accomplished in this coordinate effort for self-improvement.

Closing Days of the Session

EXTENSION OF REMARKS

OF

HON. USHER L. BURDICK

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 26, 1957

Mr. BURDICK. Mr. Speaker, a good many years ago the Government built a dam on the Little Kanawha River in West Virginia, which was equipped with locks for river navigation. The navigation came to an end and the dam deteriorated. The Government decided to abandon it, but the people of that area found that it raised their water level and sought to have it fixed up for water and recreation. The Army engineers thought the dam could be cleaned out for $50,000 and the committee having the bill in charge favored the plan of the local people to make use of a dam that was already there, and recommended an appropriation of $112,000. The bill was debated here yesterday afternoon and the only opposition to it was that the time had arrived for the Government to economize. A heated debate continued until finally a motion was made to recommit it. The economy-minded Members made this motion, but the majority said "No." Looking around, I found these present economizers on $112,000 for local people to be the same Members who voted over $3 billion for foreign aid. This looked a trifle inconsistent to me, as it did to the others who saved the project.

You can see what Congress is busying itself with these days, waiting for a chance to take a final vote on the civil-rights bill. I do not know how long this seesaw battle on civil rights is going to keep on, but one thing certain is that I am not going to sit around here till Christmas, waiting for HOWARD SMITH of Virginia, to call a meeting of the Rules Committee. The sentiment of the people is unsettled on the side of the workers for the bill, but there is not an unsettled condition among those who oppose it. Some of the proponents say that any bill would be better than no bill, while many of the Negro organizations want a bill with teeth in it, or no bill at all.

We are merely dangling on a string attached to the civil-rights bill. For example, today, Wednesday, there will be no voting—nothing in sight for tomorrow or Friday, and probably nothing before Monday. After Monday, it looks like another week of waiting, the same as this week. One of these days I am going to adjourn Congress as far as I am concerned, and beat it for home. I should have done that 2 weeks ago—but did not realize it was possible to waste the time of Congress for weeks, on political jockeying for the elections in 1958. Many bills are stuck in the Rules Committee, and they are important, but the committee refuses to act, or even meet, for fear that the civil-rights bill might be voted out on the floor. The Congress is supposed to be a deliberating body, but just now it appears to be a deliberate body, refusing to move either way on the civil-rights bill.

A Resolution To Amend the Constitution With Respect to the Power of Treaties

EXTENSION OF REMARKS

OF

HON. NOAH M. MASON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 26, 1957

Mr. MASON. Mr. Speaker, I have introduced a joint resolution to amend the Constitution with respect to the power of treaties. This resolution is House Joint Resolution 375, and it reads as follows:

ARTICLE —

SECTION 1. Clause 2 of article VI of the Constitution is amended to read as follows:

"This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding; except that no treaty shall have greater effect within the United States than if it were a law of the United States, and any international agreement, other than a treaty, shall have effect within the United States only to the extent provided by a law of the United States."

I want the RECORD to show the reason for proposing this text, and to contain a brief explanation of its terms.

The adoption of this amendment is vitally necessary to the preservation of the constitutional rights of every American citizen. It has long been evident that some amendment to curb the power of treaties is needed.

At the same time it is necessary to act responsibly. The baby ought not to be thrown out with the bath water. It is not the statesmanlike thing to insist that because international agreements can be abused they ought to be narrowly restricted or be abolished altogether.

I have sought rather to propose an amendment to the Constitution which will redefine and limit the power of treaties, as opposed to the treatymaking power. House Joint Resolution 375 cuts down and limits the power of treaties only to the extent that if an appropriately negotiated treaty or executive agreement is ever found to conflict with a constitutional right of an American, the treaty must give way.

The treatymaking power is, on the other hand, not affected. All the capability for good inherent in these forms of international compact has been retained. Neither the representatives of the President in negotiating an agreement nor the Senate in ratifying need fear that the scope of matters subject to adjustment by such means has been limited. On the contrary, they can be assured that no unintended application of their efforts can operate to deprive an American of his rights.

In addition, this amendment to the Constitution will, for the first time, give formal recognition in that document to the executive agreement.

The sixth article of the Constitution sets up three classes of legal mandates which shall be the "supreme law of the land": the Constitution itself, laws made "in pursuance of" the Constitution, and treaties made "under the authority of" the United States.

It will be seen that if a conflict should arise between the Constitution and a law, the mandate of the Constitution must prevail, for only laws made "in pursuance of" the Constitution are the supreme law of the land. The Supreme Court has so held from the beginning of the last century.

But this is not so in the case of treaties. A treaty need only be made by the President and Senate to be the supreme law of the land. Which is to prevail when it is repugnant to the Constitution? Three times in this century—in the Holland, Pink, and Girard cases—the Supreme Court has ruled, in effect, that the treaty is supreme over the Constitution.

My amendment will check this damaging interpretation. Since it is already established that a law is subordinate to the Constitution, a treaty cannot be superior to the Constitution if it has no greater effect than if it were a law.

The effect of this statement is limited to "within the United States" because there are matters outside that limit with which a law would not be able to deal, while a treaty can. To tie the effect of a treaty to that of a law outside the United States might seriously impair the function of one of our instruments of foreign policy, and such a result would be far from my purpose of improving the protection given this country and its citizens.

It would be impossible to achieve the result of subordinating treaties to the Constitution by adding a clause requiring them to be made "in pursuance of" the Constitution, because, as appears from Justice Holmes' opinion in the Holland case, a treaty made by the President and the Senate is now made "in pursuance of" the Constitution.

It might make matters worse to attempt to overcome this difficulty by deleting the existing phrase "under the authority of the United States" and adding a pursuance clause. The courts might still decide no change had been made except to cast doubt on the continuing validity of treaties made before the Constitution was adopted.

The second part of my amendment to article VI of the Constitution is intended to limit the effect of executive agreements. These agreements, which are made by the President or one of his subordinates with a foreign power, are not mentioned in the Constitution. However the Supreme Court has decided that they, too, are "the supreme law of the land," and can be mandates superior to the Constitution itself.

Whether or not an executive agreement is secretly made, and whether or not its provisions are good, I am convinced that one-man law has no place in America. If the provisions of an executive agreement should be effective legal mandates within the United States, they should be made so because they are embodied in a treaty or in a law.

To make that necessarily so is the purpose of the second clause of my amendment.

Let me also point out that this clause will not curb the effect of executive agreements abroad. The power of the President to carry on the legitimate foreign affairs of this country will, as it should, remain unabridged.

It is not necessary to have an additional clause requiring the provisions of an executive agreement to conform to the Constitution, because they will have effect in the United States only insofar as enacted into law—and a law must be made in pursuance of the Constitution.

Mr. Speaker, this amendment speaks in simple words to answer a great need. It will not hobble Executive power in the exercise of its legitimate responsibilities in the conduct of our Nation's foreign affairs, but it will assure to our citizens those cherished safeguards of the Constitution which are now in jeopardy. I earnestly solicit support for House Joint Resolution 375.

Governor Muñoz-Marín, of Puerto Rico

EXTENSION OF REMARKS

OF

HON. DONALD L. JACKSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 26, 1957

Mr. JACKSON. Mr. Speaker, during last week several members of the House took occasion to mention the name of Governor Muñoz-Marín, of Puerto Rico. In several of the comments it was suggested that Governor Muñoz might be playing fast and loose with Communist agents and revolutionary provocateurs in his official capacity. These comments appear to me to be most unfortunate and not at all in keeping with the actual record of achievement in Puerto Rico which must be credited, in large part, to Governor Muñoz.

Perhaps no Latin leader in the Western Hemisphere has demonstrated a greater understanding of the value of free enterprise and personal initiative than has the Governor of Puerto Rico.

In an effort to raise the standard of living of the island's people, he has embarked upon a program marked with vision and determination. Incentives have been offered to investors, taxes have been waived or greatly reduced for foreign capital, and because of these things, new industries and businesses have sought out Puerto Rico as the site for new manufacturing and processing facilities.

Communism wants no part of the American system of free initiative, and no Communist could ever approve what Governor Muñoz is doing. Puerto Rico is literally the "show case for freedom of action" in the Caribbean area, and upon its progress the eyes of all Latin America are centered. What happens in Puerto Rico is not only of importance to its own residents, but to millions of United States citizens here on the mainland. Our own stake in the success of Governor Muñoz' program is no small one. If it succeeds it will demonstrate to reluctant Latin Republics that foreign investment is a good thing for all concerned. If it fails, it will only reinforce the nationalist premises that capital investment is a bad thing—per se.

Governor Muñoz is a political liberal—I am a political conservative. But he and I have a joint stake and a common birthright in human freedom. The gentleman from California is engaged in a day-to-day and face-to-face struggle with the forces of communism as a member of the House Committee on Un-American Activities. The Governor of Puerto Rico is also waging the same fight on a different front, and with different techniques and tactics. His task is not an easy one, and it is made even more complex when charges of a loose nature are made on the floor of the Congress of the United States.

I have met with the Governor of Puerto Rico on many occasions, both at Forteleza and here in the United States. We have discussed programs and projects of mutual interest and concern. In company with the Governor I have visited housing projects, new factories, and have seen him among the people he governs discussing their problems with them in their homes and in their fields. I have disagreed frankly and, on occasion, vehemently, in friendly debate, but I can report that in no instance did I discern in Governor Muñoz any predilection to any form of government save that which encompasses and protects the people he has the honor to govern. To infer that this honorable and able administrator would betray the sacred trust that is his, or knowingly confer with the enemies of the United States, is to level a charge that cannot be borne out on the record.

I have never discussed the political makeup of other Latin Republics with Governor Muñoz, and I have no way of knowing in what quarter lie his sympathies in the present loud controversy over certain governments and personalities in the Western Hemisphere. But I will say that his administration of the high office he holds has been marked by judicial conduct and fair play.

If foreign policy amateurs will permit the conduct of foreign policy to be conducted in what appears to be the best interests of the United States and by men trained to the job we may expect to see continued improvement in political, economic, and social affairs throughout our hemisphere. By the same token, no good service is being rendered by those who sow the seeds of violence, misunderstanding, and bitterness.

Juvenile Delinquency

EXTENSION OF REMARKS
OF

HON. ELIZABETH KEE

OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 26, 1957

Mrs. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter which I released today:

K-E-E-N-O-T-E-S

(By Representative ELIZABETH KEE, of West Virginia)

The Washington newspapers reported the incident this past week of three teen-age boys living in this area who deliberately set fire to a friendly dog. The animal, a valuable boxer belonging to a neighbor, had incurred the youngsters' displeasure because, allegedly "it followed them around and broke some shrubbery." So they coated its back with a paint solvent and set it afire.

The incident—even if it were an isolated one—would be alarming enough as an example of juvenile sadism and savagery loose in a civilized society, but it is not isolated. If memory serves me correctly, a similar occurrence was reported as having happened in the area of Charleston, W. Va., within recent months. Wanton cruelty of this nature is but a step away from the kind of depravity that led to the Richard Nathan-Leopold Loeb crime which rocked the Nation a generation or so ago. The next victim of these young sadists—or some others—may not be a hapless dumb brute—but a helpless child.

What is happening in our present-day society to produce the juvenile criminals and delinquents whose hardened crimes are reported daily in the press throughout the Nation? In New York City an entire neighborhood is terrorized by gangs of young hoodlums whose criminal records include armed robbery, mayhem, rape, and murder. In other metropolitan areas, the same pattern is repeated, while in smaller communities one hears of patricide, kidnapings, holdups on the open road, vandalism, and violence.

This is not, believe me, an indictment of modern youth. To offset the grim picture of juvenile delinquency in America, we have such child wonders as the young physicists, atomic scientists, and financial wizards as have recently electrified TV audiences from coast to coast. We have innumerable fine youth organizations—the 4-H Clubs, the Boy Scouts and the Campfire Girls, the Future Farmers of America, the Boys Clubs of America, and others too numerous to mention. In fact, throughout the Nation, we have a preponderance of fine, upstanding young Americans eagerly knocking on the doors of our schools and colleges and preparing themselves for their future responsibilities as homemakers, earners, and good citizens of the United States.

But we also have persistent and serious juvenile delinquency over which PTA's, law-enforcement bodies and Congress itself have been deeply concerned during the past few years. To cope with the problem, juvenile courts have been established at the local level, and nationally, Congress set up a Special Committee To Investigate Juvenile Delinquency. Still the rolls of youthful lawbreakers grow longer. Reform schools and receiving homes for teen-agers and even younger children awaiting trial or sentence, are filled and overflowing.

Where have we failed these children?

Poverty, deprivation and slums are, of course, fertile breeding beds of crime. But many of our youthful criminals come from better than average homes. The three boys, 14, 15, and 16 years old, who committed the atrocity upon the unfortunate boxer—who, incidentally, is reported to be recovering from his wounds—reside in a prosperous suburban community just outside of Washington. What is wrong then with their families, their schools, their community, that they could commit an act of such deliberate cruelty with no other qualms, presumably, than the fear of being caught?

To find the answers to these questions, we must, I feel, examine our own consciences. What kinds of example have we set for them? What moral standards do we uphold, what ideals do we cherish and strive to achieve? What sort of world have we created for them to live in and do we live in it ourselves in accordance with the precepts that we preach?

The mirror, I am sorry to say, does not reflect back a very flattering image of today's adult world.

Every school, every classroom in the Washington area is hopelessly overcrowded. But the school aid bill was defeated by petty, partisan politics. There is a critical teacher shortage, but the teaching profession attracts fewer followers each year because we refuse to pay our teachers an adequate living wage—much less what they are worth.

Still thinking of that tortured dog, how humane have we grown-ups shown ourselves to be? Not very, I fear. After years of trying, animal protective leagues have finally pressured a House committee to report out a bill, H. R. 8308, providing for the humane slaughter of the animals that feed the Nation's dinner tables. The bill is now before the Rules Committee awaiting the granting of a rule before it can be acted upon by the House. In these closing days of the session, it has only a slim change of passage.

Last year 40,000 human beings were killed in car accidents in the United States. Yet the automobile industry continues to turn out faster and faster cars—practically anyone can possess something on wheels so long as he can keep up the payments to the finance companies—teen-agers dash about the roads in hot rods, jeopardizing the lives and limbs of citizens—and the sale of intoxicants, tranquilizers and drug stimulants steadily rises.

When the first atomic bomb was dropped on Hiroshima in World War II, a gasp of dismay and moral indignation went up from the American people. Even though we realized that it would shorten the war and save precious American lives, we still had moral scruples over using this horrible weapon against defenseless civilians. Today, we casually debate whether radioactive fallout will cause sterility and deformity in future generations and gamble the future happiness of our children in the mad race to develop still more hideous weapons of destruction.

And then there is the foreign-aid program and our relations with other peoples of the world. At the close of World War II, first UNRRA and then the Marshall plan came into existence to help friend and conquered foe, alike, to recover from the devastation of the conflict. Incidental to our warmhearted desire to save starving children, to resettle displaced peoples, to repair the havoc and ruin, to comfort and solace war-torn lives, was the thought of our own security and of halting the spread of communism.

True to our traditions as a great and generous people, we won friends because we cared first about human beings. We became world leaders—not because of our power—but because of our kindness. When on March 12, 1947, President Truman went before a joint session of Congress to ask for a military and economic aid program to preserve the independence of Turkey and Greece, the sum he requested was $400 million. It was not how much we gave, but how we gave it.

Today, foreign aid has become solely a tool of our diplomats and the State Department. The justification for the billions of dollars requested for military and foreign aid in this fiscal year is that any reduction in the amounts of money requested would be dangerously eroding to our own security policies—to our own interests.

Perhaps so. But Americans, who are openhanded when their hearts are appealed to, can become mighty tightfisted when they think they are buying something. We are more than willing to help people—not to buy them.

It is, I feel, because of this change of attitude in our foreign policies and in our foreign relations—it is because our selfish interests are being stressed—that we have lost our moral influence and friends abroad and dimmed the idealism and altruism which have heretofore always characterized us as a nation. In their place we have substituted cynicism, skepticism, and pursuit of the almighty dollar.

If some of our children are misled into following in our own footsteps, the best way to set them back in the paths of righteousness is by first mending our own ways.

Federal Grants to States

EXTENSION OF REMARKS

OF

HON. A. L. MILLER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 26, 1957

Mr. MILLER of Nebraska. Mr. Speaker, I wonder how many folks realize that Federal grants to States and Federal-aid payments to individuals total $56,237,000 in Nebraska and more than $5 billion for the Nation as a whole? Those amounts are for the fiscal year 1956.

I want to sound this warning: Federal grants-in-aid may be threatening the strength of the States.

Here is a statement from a prominent educator:

> If present trends in Federal-State relations continue for another quarter century, the States may be left hollow shells, operating primarily as the field districts of Federal departments and dependent upon the Federal Treasury for their support.

Then consider this statement by Senator KNOWLAND, of California:

> I have never seen the Federal Government contribute money without wanting to exercise control.

I wonder if you realize that since 1947 Federal aid to States has reached the amazing total of $35 billion.

Nebraska has received Federal funds in 65 of the 95 programs available to States and Territories. Last year many more new welfare programs were suggested by the President but got nowhere in Congress. They will be suggested again and again. Some of them may be adopted.

I believe it is time that we sat down and took stock. Where are we traveling?

I warn you we are on a course that leads to the main track of socialism and we had better do something about it.

I believe that most of you are acquainted with my philosophy. It is my firm conviction that the Federal Government should not do for the people what the people can do for themselves. I further believe that when there is a worthy and needed cause, that the Federal Government should step in and provide the funds.

In this group I would place irrigation and reclamation districts, power projects, flood control and other worthy units. Private money is usually not available to construct such projects and the Federal Government, in effect, loans the money. The Treasury gets that money back. That is not an expense. It is an investment in America.

Grants-in-aid projects are something else. They are direct grants from the Federal Treasury. They have no relation to reclamation and similar projects which are in an entirely different category.

Now I agree that many of the grants-in-aid programs we have in Nebraska are highly worthy. They are needed. Many of them do untold good and I am not speaking against them. We must keep most of them through either Federal or State funds.

What I am doing is urging you to take another look to see if these programs cannot be done better on the State and local level than on the Federal level.

The cause of my worry is the mounting billions of dollars which the Federal Government collects from the American taxpayer and then doles back to the States and communities in the form of aid. Too many States and too many people are running to the Government for help.

Now let us take a typical year for which I have some figures, July 1, 1953, to June 30, 1954. Federal-tax collections including social security amounted to $411,706,000 in Nebraska. Federal payments back to Nebraska totaled $98,919,000. In other words, for every dollar that came back to Nebraska we paid for with $4.16.

Naturally, most of the tax goes for our defense and other operations of Government but we more than paid the Government for that $56 million we got back in grants.

Some people seem to have the idea that a grant from the Government is free money. My friends, there is no such thing as free money. The Federal Treasury gets its money from you—whether by taxes or borrowing. The taxpayer pays the bill.

It is only commonsense to assume that part of each dollar you send to Washington is lost along the way to, in, and from the Nation's capital. Administration costs money.

Now I pose this question: "Would it not be better to tax our people on the local level and administer our own programs than depend on the Federal Government when we know full well that it is going to cost more money if the money is routed through Washington?"

More taxes? Certainly not. If grants to the States can be reduced the Federal income tax can be reduced. Perhaps a rebate of 10 to 20 percent to the States would serve the purpose.

Now, I am not saying that the States should forthwith refuse Federal grants in aid. I am merely suggesting the time has come to think the matter over at greater length and determine which grants can be assumed by the States and which should remain in the province of the Federal Government.

As the years pass, more and more suggestions for Federal aid will be advanced. In this session we had to take up the issue of Federal aid to education through construction of schools. The bill was barely defeated or we would have been saddled with a new $2 billion idea. I voted against this bill because I do not believe the Federal Government should be building schools. That is in the province of the communities and the States. Schools should be built, maintained, and operated at the local level under State standards.

NEBRASKA GRANTS

Now let us examine some of the grants in aid programs in Nebraska—many of them laudable. Here are a few of them:

Agriculture experiment stations	$405, 535
Cooperative agricultural extension	711, 383
School lunch program	631, 867
Special school milk program	303, 088
Federal airport program	129, 541
Roads	16, 717, 118

Then we have numerous other grants to States and communities—hospital construction, public assistance, aid to dependent children, aid to the blind, and many others that bring the total in this bracket to $34,742,311.

Then there are the Federal aid payments to individuals in health, training, awards, benefits to veterans and others for a subtotal of $21,495,580. The grant total, I repeat, is $56,237,891 for Nebraska.

Back in 1920 the annual report of the Secretary of the Treasury carried 13 appropriation accounts from which payments were made for grants to or within States. In 1930 there were 25; in 1940 there were 44; in 1950 there were 36; last year there were 59 with grants in 95 fields, some closely allied, of course.

Through the years these programs have grown. It is a common statement on Capitol Hill that once a program starts, it is very difficult if not impossible to stop.

I hope you will always bear in mind this statement of former Secretary of the Treasury Humphrey: "The people must come to understand that any program, if financed by Washington, can only be paid for by local tax money going to Washington, where some is used up for Washington overhead expense and what is left goes back to the local community which provided some or all of the money in the first place."

I repeat, there is no such thing as free money.

Now what are the principal dangers of Federal grants?

Let me repeat the words of Senator **Knowland**, "I have never seen the Federal Government contribute money without wanting to exercise control."

It does tend to centralize control of State and local situations in Washington.

It fosters the growth of larger and larger bureaucracy and its attendant problems of bigness.

It stifles initiative at the State and local level.

Now I am not suggesting any immediate and overall cure. I am suggesting some intense study of the problem. I am suggesting we forgo further new programs until we get the problem settled. I am suggesting that we make a new evaluation.

I am not opposed to our present fine grants-in-aid programs in Nebraska. I am only asking if we are depending too much on the Federal Government, with a resultant expense that is higher in cost than if we did the job ourselves.

The governors' conference, of which Nebraska's Gov. Victor Anderson is a member, has brought up this subject. I trust it will be given diligent attention with a view to greater economy to the State and Nation.

Nebraska was molded by men and women who carved an empire out of the prairies, people of vision who wanted independence. We built a pay-as-you-go philosophy with no bonded indebtedness.

I believe the people of Nebraska today want that same independence, that they do not want to go too far down the path toward socialism.

[From 1956 Report of the Secretary of the Treasury]

PART A—GRANTS TO STATES AND LOCAL UNITS—NEBRASKA

AGRICULTURE DEPARTMENT

1. Agricultural experiment stations, regular grants, $405,535.

2. Cooperative agricultural extension work, regular grants, $711,383.

3. School lunch program, regular grants, $631,867.

4. National forests fund, shared revenues, $11,413.

5. Submarginal land program, payment to countries, shared revenues, $4,482.

6. Cooperative projects in marketing, $5,465.

7. State and private forestry cooperation, etc., $1,304.

8. Commodity Credit Corporation, value of commodities donated, $359,669.

9. Special school milk program, $303,088.

10. Removal of surplus agricultural commodities, value of commodities distributed within States, $570,811.

11. Disaster loans, etc. (payments to assist States in furnishing hay in drought stricken areas), emergency grants, none.

DEPARTMENT OF COMMERCE—CIVIL AERONAUTICS ADMINISTRATION

12. Civil Aeronautics Administration—Federal airport porgram—regular grants, $129,541.

13. Bureau of Public Roads, highway construction—regular grants, $16,717,118.

14. Bureau of Public Roads, highway construction—emergency grants, none.

15. Maritime activities, State marine schools, regular grants, none.

DEPARTMENT OF DEFENSE

16. Army, lease of flood control lands, shared revenue, $35,466.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—OFFICE OF EDUCATION

17. Colleges for agriculture and mechanic arts, regular grants, $83,222.

18. Cooperative vocational education, regular grants, $379,037.

19. School construction and survey, emergency funds, $531,019.

20. Maintenance and operation of schools, emergency grants, $961,527.

PUBLIC HEALTH SERVICE

21. Venereal disease control; regular grants, $5,255.

22. Tuberculosis control, regular grants, $24,589.

23. General health assistance, regular grants, $95,588.

24. General health assistance (poliomyelitis), emergency funds, $26,760.

25. Mental health activities, regular grants, $22,233.

26. Cancer control, regular grants, $16,352.

27. Heart disease control, regular grants, $13,484.

28. Poliomyelitis vaccination program, emergency grants, $111,687.

29. Hospital construction and survey and planning, regular grants, $748,393.

30. Construction of community facilities, emergency grants, none.

SOCIAL SECURITY ADMINISTRATION—GRANTS TO STATES FOR MATERNAL AND CHILD WELFARE SERVICES

31. Maternal and child health services, regular grants, $99,153.

32. Services for crippled children, regular grants, $130,614.

33. Child welfare services, regular grants, $51,200.

GRANTS TO STATES FOR PUBLIC ASSISTANCE

34. Old age assistance, regular grants, $6,813,864.

35. Aid to dependent children, regular grants, $1,980,960.

36. Aid to permanently and totally disabled, regular grants, $297,123.

37. Aid to the blind, $340,318.

38. American Printing House for the Blind, regular grants, $1,494.

39. Office of Vocational Rehabilitation, regular grants, $284,378.

DEPARTMENT OF THE INTERIOR

40. Federal Aid, Wildlife Restoration, Fish and Wildlife Service, regular grants, $194,378.

41. Payments from receipts under Migratory Bird Conservation Act and Alaska game law, shared revenues, $33,308.

42. Payments from receipts under Mineral Leasing Act, shared revenues, $5,025.

43. Payments under certain special funds, shared revenues, $4,120.

DEPARTMENT OF LABOR

44. Unemployment Compensation and Employment Services Administration, regular grants, $1,117,431.

FEDERAL CIVIL DEFENSE ADMINISTRATION

45. Federal contributions, emergency grants, $35,100.

46. Disaster relief, emergency grants, none.

FEDERAL POWER COMMISSION

47. Payments to States under Federal Power Act, shared revenues, none.

HOUSING AND HOME FINANCE AGENCY—OFFICE OF THE ADMINISTRATOR

48. Defense community facilities and services, emergency grants, none.

49. Urban renewal fund, regular grants, none.

50. Urban planning assistance, regular grants, none.

51. Disaster relief, emergency grants, none.

PUBLIC HOUSING ADMINISTRATION

52. Annual contributions, regular grants, $329,006.

VETERANS' ADMINISTRATION

53. State and Territorial homes for disabled soldiers and sailors, regular grants, $77,046.

54. Supervision of on-the-job training, regular grants, $41.505.

55. Total grant payments, part A, $34,742,311.

PART B—FEDERAL AID PAYMENTS TO INDIVIDUALS, ETC., WITHIN THE STATES, OTHER THAN DIRECT GRANTS AND LOANS

DEPARTMENT OF AGRICULTURE

56. Agricultural conservation program, $5,411,517.

57. Administration of Sugar Act program, $1,636,762.

58. Commodity Credit Corporation (value of dealers' certificates issued incident to supplying feed to farmers in drought-stricken areas), emergency, none.

DEPARTMENT OF COMMERCE

59. Bureau of Public Roads, forest highways, none.

60. State marine schools (subsistence of cadets), none.

DEPARTMENT OF DEFENSE

61. Air Force, National Guard, $639,328.

62. Army, National Guard, $3,208,628.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—NATIONAL INSTITUTES OF HEALTH

Research grants

63. National Arthritis and Metabolic Diseases Institute, none.

64. National Neurological Diseases and Blindness Institute, $36,346.

65. National Cancer Institute, $9,890.

66. National Institute of Dental Research, none.

67. National Institute of Allergy and Infectious Disease, $24,518.

68. National Heart Institute, $39,791.

69. National Institute of Mental Health, none.

70. Division of Research grants, $30,568.

Health, Education, and Welfare traineeship awards

71. National Arthritis and Metabolic Diseases Institute, none.

72. National Neurological Diseases and Blindness Institute, none.

73. National Cancer Institute, none.

74. National Heart Institute, none.

75. National Mental Health Institute, $36,800.

Training grants

76. National Arthritis and Metabolic Diseases Institute, none.

77. National Neurological Diseases and Blindness Institute, none.

78. National Cancer Institute, $47,496.

79. National Heart Institute, $50,000.

80. National Mental Health Institute, $66,509.

Field investigations

81. National Cancer Institute, none.

Fellowship awards

82. National Arthritis and Metabolic Diseases Institute, none.

83. National Neurological Diseases and Blindness Institute, none.

84. National Cancer Institute, $7,416.

85. National Dental Institute, $1,728.

86. National Institute of Allergy and Infectious Diseases, none.

87. National Heart Institute, $10,422.

88. National Mental Health Institute, none.

89. Division of Research grants, none.

Office of Vocational Rehabilitation, HEW

90. Training and trusteeships, none.

DEPARTMENT OF LABOR

91. Unemployment compensation for veterans, $533,506.

92. Unemployment compensation for Federal employees, $393,845.

NATIONAL SCIENCE FOUNDATION

93. Research grants awarded, $53,085.

94. Fellowship awards, $24,283.

VETERANS' ADMINISTRATION

95. Automobiles, etc., for disabled veterans, $17,579.

96. Readjustment benefits (Public Law 346, June 22, 1944) and vocational rehabilitation (Public Law 16, March 24, 1943), $9,215,543.

Total payments within States (part B)	$21,495,580
Total grant payments (part A)	34,742,311
Grand total (parts A and B)	56,237,891

Highlights of the Liberation of the Soviet-Enslaved Nations

EXTENSION OF REMARKS

OF

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 26, 1957

Mr. SCOTT of Pennsylvania. Mr. Speaker, under leave to extend my remarks I am enclosing an article of mine that appeared in the June 1957 issue of the magazine Lithuanian Days.

The article follows:

HIGHLIGHTS OF THE LIBERATION OF THE SOVIET-ENSLAVED NATIONS

(By HUGH SCOTT, Representative from Pennsylvania)

After the Presidential and Congressional elections last fall, it became known from election results in the predominantly American-Lithuanian-inhabited polling districts that the Republican nominee for the high offices of the President and Vice President, as well as for both Houses of the Congress, had received overwhelming support there.

Draugas, commenting on election results, observed that the Republicans ought to be deeply satisfied with the way the American-Lithuanians had voted in Chicago, the largest American-Lithuanian settlement in the United States, because as Chicago goes, so goes all the country.

Time magazine did not fail either to note the pro-Republican trend in what it called Little Lithuania; namely, the American-Lithuanian-inhabited wards in Chicago.

If this is so, our Lithuanian voters must have approved wholeheartedly of the 1956 Republican platform adopted in San Francisco last summer and serving as a guide for the President, the Vice President, the Senators, and the Congressmen.

Let us briefly recall its highlights, as far as it has to do with the liberation of the Soviet-enslaved nations. It is self-understood, of course, that the Lithuanian problem is identical with the Latvian and with the Estonian problem. Solutions must develop in the same manner and at the same time.

"We rededicate ourselves to the pursuit of a just peace and the defense of human liberty and national independence," the platform reads. "We shall continue to seek * * * the liberation of the satellite states—Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, Latvia, Estonia, and other once-free countries now behind the Iron Curtain. The Republican Party stands firmly with the peoples of those countries in their just quest for freedom. We are confident that our peaceful purposes, resolutely pursued, will finally restore national independence to oppressed peoples and nations."

And with obvious reference to the uprisings in East Germany in 1955 and Poland in 1956, the platform goes on: "For the first time, we see positive evidence that forces of freedom and liberation will inevitably prevail if the free nations maintain their strength, unity, and resolution."

Hardly were these words spelled out when the revolt broke out in Hungary and shook the Soviet Empire to its very depths. Although the revolt was mercilessly crushed by a ruthless Soviet military machine, it is as sure as that the day follows the night that there will be more spontaneous revolts which in the unfolding of history will ultimately bring freedom to all the captive peoples, including the Lithuanians, the Latvians, and the Estonians.

In drafting the above liberation principles as a constituent part of the 1956 platform, the executive committee of the Republican National Committee, of which this writer was a member at that time (and still is), was guided by what President Eisenhower had said in Cincinnati, on September 22, 1953:

"These principles demand that we use every political, every economic, every psychological tactic to see that the liberating spirit, in the nations conquered by communism, shall never perish. Thus, we shall help each captive nation to maintain an outward strain against the Moscow bond. The lands closed in behind the Iron Curtain will seethe with discontent; their peoples, not servants under the Soviet master, but ardent patriots yearning to be free again. Nothing is so damaging to a tyrant's war machine as the steadfast spirit of an unhappy people."

There was another more recent statement by President Eisenhower confirming his views expressed in 1953, on which the executive committee of the Republican National Committee relied in drafting the 1956 platform.

"The Free World," President Eisenhower said in a message to the American Friends of Captive Nations rally held in New York on May 1956, "has not been reconciled to the fate of captive peoples behind the Iron Curtain. We shall keep these wrongs and injustices at the forefront of human consciousness until they are corrected."

This message was one of the reasons why the 1956 platform did not refer at all to any Lithuanian, Latvian, and Estonian Soviet Republics; it spoke of Soviet satellites, a term loosely applied to independent states which closely follow their master's dictates. Such is the case with Poland, Czechoslovakia, East Germany, and other European states in the Soviet orbit.

There were many more similar pronouncements made by various influential persons and organizations which the executive committee of the Republican National Committee took into serious consideration while drafting the 1956 platform.

The statement and the accompanying resolution which I submitted for the American Friends of Captive Nations to the Republican platform committee deserves special attention. The reasons are twofold:

Firstly, there was contained a program of certain concrete steps toward the liberation of the captive peoples; secondly, the membership of the American Friends of Captive Nations is distinguished and well represents a cross section of American public opinion. As an illustration, its members include Senators MUNDT, DOUGLAS, and KENNEDY. Senator KNOWLAND likewise approved the statement and the resolution submitted in San Francisco and addressed the rally in New York attended by Representatives Anfuso, Bentley, Dodd, Judd, Murray, McCarthy, Poling, St. George, Tumulty, and myself; the president of the International Rescue Committee Angier Biddle Duke, and a host of renowned professors, writers, journalists, and leaders in religious and civic life. The Reverend Monsignor Balkunas represented the fine American-Lithuanian organization.

The general interest in AFCN activities was well attested to by the fact that its rally in New York was sponsored by the Veterans of Foreign Wars, the Catholic War Veterans, the Jewish War Veterans, and leading organizations of American citizens from the captive nations. President Eisenhower, Vice President NIXON, and many more political leaders sent their encouraging message.

True to its purpose of coordinating the efforts aimed at the information of the American people concerning the tragic plight of the Communist-enslaved nations and of suggesting concrete measures to achieve this purpose, the AFCN's statement and resolution boiled down to the following: (1) To declare our solidarity with the captive nations; (2) to make their liberation the first and major subject on the agenda of any negotiations with the Soviets; (3) to refuse to relax trade restrictions, or to accept the so-called cultural delegations or to agree to any security pacts, until freedom has been accorded to the enslaved peoples.

Today, as in San Francisco at the Republican convention, I fully subscribe to the foregoing suggestions. I firmly believe that mere statements of our desire to see the captive nations liberated is not enough. We must prove that this is our foremost goal through a dynamic foreign policy. Liberation of captive nations must not be forgotten for a moment, in all of our negotiations with the Soviets. It is certain that the rulers of the Kremlin never lose sight of their objectives.

Perhaps we may, someday, agree upon a demilitarized zone in Europe, but we must never agree to it if the Baltic States are included in the demilitarized zone and are not afforded an opportunity to hold free elections and to decide for themselves their own way of life.

It would be unrealistic to assume that the United States will or should declare war in pursuance of its policies of liberation. Any future thermonuclear war would be so terrible and would cause so many millions of deaths among all nations and particularly in the immediate area of combat actions that the question justly arises whether there would be anyone left to liberate after the victorious freedom forces took possession of the territory to be liberated. So the thermonuclear way is not the way to liberation.

Hence, we are forced to seek liberation by peaceful means only. We can, however, widen the area of freedom by refusing to recognize the finality of the present territorial arrangement in Europe. This is not an empty dream. Poland seems to have won peacefully at least a degree of limited freedom; perhaps she will be able to maintain it. Hungary had to resort to a revolt, and for a brief period of time she managed to get complete freedom. Another spark may start a new revolt somewhere, and possibly with greater and lasting success. There is a great ferment and the Soviet can never rest easy where its suppression continues.

Above all we must never bargain with the Soviets for the price of freedom of the Baltic peoples and of all the captive peoples of the Soviet regime. We must keep on hammering, through our communication outlets upon the idea of eventual liberation. We must, however, be careful not to incite to premature uprisings. We must wait: no dictatorship in history has been permanent. They breed the germs of their own ultimate disintegration.

The present administration has shown by its deeds that it had not abandoned the liberation principles embodied in the 1956 Republican platform. It has furnished sufficient proofs that it does not share the views of those pessimists who believe that there is a finality, for better or for worse, about what has now occurred in Eastern Europe. (Former United States Ambassador to Moscow George F. Kennan). The United States representatives to the U. N. have been constantly on the alert for a good chance to remind the delegates of other states, including the Soviet Union, about the plight of the Baltic Nations.

As for both Houses of Congress, their unwavering attitude was clearly demonstrated on the occasion of Lithuanian Independence Day this year. Never before have so many Senators and Representatives taken the floor to denounce the enslavement of Lithuania and express hopes that the day of her liberation will not be far away. The CONGRESSIONAL RECORD of February 14, 1957, is an eloquent testimony to this effect.

The executive committee of the Republican National Committee has already begun discussing the strategy for the 1958 Congressional and gubernatorial elections. It is a sure bet that the Republican candidates will express themselves next year with greater vigor than ever before in favor of liberation policies as stated in the 1956 Republican platform. We do not share the pessimistic spirit of surrender of many in the party of opposition, whose regrettable policies failed in the time of their testing.

The Santa Monica Sheltered Workshop

EXTENSION OF REMARKS

OF

HON. DONALD L. JACKSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 26, 1957

Mr. JACKSON. Mr. Speaker, one of the most difficult things in the world to whip is personal discouragement. The conflict is compounded when one suffers a physical handicap which militates against regular employment and takes from one the self-respect which flows from independence. It is a simple matter for one so afflicted to give up the struggle and become a willing victim of what appears to be the inevitability of life's unthinking forces. In such cases, the name of the depressed and unhappy human shows up on the rolls of those receiving public assistance in one form or another. All incentive is lost, as is all desire to seek and achieve the sense of well-being attaching to honest reward for honest labor.

Santa Monica is a booming California city. During the past decade, it has shared in the phenomenal growth which is adding a new permanent resident for California every 55 seconds. Together with its stories of growth, industrial progress, high employment, and general well-being, there were, and are, many good people who for one reason or another found themselves unable to keep the pace required by modern technology and the demands of business and industry. These were the handicapped—those in wheelchairs, in braces, missing one or more members, the blind, the halt. But, one thing they shared in common was the desire to be self-supporting. They wanted an opportunity to learn and to put their sound intelligences to constructive purposes. They desired deeply to work and to have the quality of their workmanship known and appreciated. Mostly, they had no skills, but in depriving these citizens of sight, or hearing, or a limb, nature had followed the immutable law of compensation. For everything taken from each, something new had been added. The blind developed a deftness of fingers and a keener hearing. The eyes of the deaf were as good, or better, than average. Twisted fingers could be made to perform a useful function, and wheelchairs proved no obstacle to perfect workmanship when the occupant brought determination to the job at hand.

And, out of a welter of disability was born the Santa Monica Sheltered Workshop. In spite of doubts, hardships, heartaches, and financial droughts, a few men and women of vision and determination embarked upon what has become a model operation in vocational rehabilitation. What started as a hesitant venture in 1951, has turned out to be, in 1957, a success in every way. Nor, has the success been limited to those who initiated the sheltered workshop, nor to those who have found a new life because of its activities.

The handicapped who comprise the working force of the workshop have demonstrated that physical drawbacks can be overcome. Those who ventured timidly through the office door of the original shack, stayed to gain not only knowledge, but comradeship, confidence, and a new spirit. They defeated not only their own problem, but became, in turn, part of the answer to those who have followed them. The pay check became a reality to many who could previously have hoped for nothing but a meager subsistence check, labeled "Department of Charities, County of Los Angeles."

Out of day-to-day association with others equally handicapped, came a new sense of belonging, a new spirit, a new challenge, and for many, a new life.

The contractors and subcontractors who utilize the skills of the Sheltered Workshop have saved on capital investments. Wrapping, mailing, shipping, addressing, and assembly of complex electronic devices in the shop have saved valuable plant floor space for more urgent needs. Taxes, labor turnover, supervision, have all benefited by the presence in the community of a work force willing and able to tackle any job, no matter how big or small, on an instant's notice. To this time, the Sheltered Workshop has performed work for a long list of industrial and business organizations, including Acme Press; Aircraft Valve Manufacturing Co.; Air Transport Manufacturing Co.; Albin Enterprises; American Sample Co.; Athearn, I. R. Co.; Bay Cities Engineering Co.; Betwill Co.; Boulevard Camera Shop; Braunson Electronics, Inc.; Burton, John Originals, Inc.; Carruthers & Fernandez, Inc.; Celco Corp.; Consolidated Precision Products; Dixon Ceramics; Douglas Aircraft Co.; Ed's Micro Service; Evans Supply Co.; Fisher, John Lumber Co.; Forrest Stationers; Frantz Industries; Ferro Cast Corp.; Heinley Mastercraft Products; Henshey Co.; Highland Engineering Co.; H M Chemical Co., Ltd.; Jellins Co.; J. W. Robinson Co.; Kaye & Miller Machine Co.; Lear, Inc.; Magna Books, Inc.; Masters Printing & Stationery Co.; Michael's Car Washer; Midway Stamping & Die Works; Mission Packing Co.; Monarch Die Casting Corp.; M R M Enamelers; North American Aviation, Inc.; North American Piston Co.; Pacific Business Forms; Pastorius, F. R. & Co.; Pacific Jewelry Manufacturing; Propulsion Research Corp.; R & E Engineering Co.; Reynolds Industries; Riker Laboratories, Inc.; Sanford Aircraft, Inc.; Santa Monica Products Co.; Santasox; Scott & Scott; Seeco Tool Co., Inc.; Semco Research, Inc.; Seward & Flood Printing Co.; Shamban Co.; Standard Paper Box Corp.; Statham Laboratories; Summers Gyroscope Co.; Swissomatic Products; Tapoo Hawes Originals; Transco Products, Inc.; United Products Manufacturing Co.; United States Plywood Corp.; Universal Tool Co.; Wefco Manufacturing Co.; Weaning Cup Corp.; and Wolfe, Franklin C. Co., Inc.

Santa Monica and southern California are justly proud of the Sheltered Workshop. It has become much more than an adventure in sociology and rehabilitation. It has become a demonstrated and living fact that where there is vision, understanding, and cooperation lives of the physically handicapped can be turned into lives of useful productivity, marked by self respect and ingenuity. Much of the credit for the success of the workshop must go to Mr. J. E. Anthony, the general manager, whose determination, initiative, and faith made a transient dream into a living reality. His dedication has changed the course of lives, previously marked by frustration and desolation. Today, the witnesses to his personal enthusiasm are those whose deft hands spin a portion of the gigantic web of American industry. Joe Anthony combined idealism with practical reality, and out of this cloth was cut the pattern for the Sheltered Workshop. Standing behind Mr. Anthony have been many of the farsighted citizens of the community who have brought to the undertaking technological knowledge, sound business management, and public relations and advertising skills. The Sheltered Workshop represents a classic refutation of human hopelessness, and it constitutes a challenge to all who would achieve an independence of mind and body. It is a program which could and should be expanded throughout the Nation to the end that many hundreds of thousands of handicapped citizens might achieve the measure of economic independence so necessary to the enjoyment of the blessings of citizenship in a free land.

It is a privilege, Mr. Speaker, to be able to pay tribute to the Santa Monica Bay Sheltered Workshop for the great job being done, and to pay a personal word of tribute to the handicapped who constitute the work force. I have visited the workshop, and look forward to doing so again within the very near future. I share the pride of the people I represent in this unique and worthwhile undertaking.

Address Intended To Have Been Delivered by Hon. Edward Martin of Pennsylvania at Civil Liberties Meeting of the Grand Lodge Convention

EXTENSION OF REMARKS
OF

HON. EDWARD MARTIN

OF PENNSYLVANIA
IN THE SENATE OF THE UNITED STATES
Monday, August 26, 1957

Mr. MARTIN of Pennsylvania. Mr. President, I had hoped to speak at the civil liberties meeting of the grand lodge convention, Improved Benevolent and Protective Order of Elks, in South Philadelphia, this afternoon, but work here in the Senate prevented.

The man in charge of this meeting is a very outstanding Pennsylvanian, the Honorable Hobson R. Reynolds, whose patriotism and leadership have been recognized over the years.

I ask unanimous consent that my proposed address be printed in the RECORD.

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

ADDRESS OF UNITED STATES SENATOR EDWARD MARTIN OF PENNSYLVANIA, PREPARED FOR DELIVERY AT THE CIVIL LIBERTIES MEETING OF THE GRAND LODGE CONVENTION, IMPROVED BENEVOLENT AND PROTECTIVE ORDER OF ELKS OF THE WORLD, IN THE SOUTH PHILADELPHIA HIGH SCHOOL, MONDAY AFTERNOON, AUGUST 26, 1957

I am highly honored by your invitation to address this important convention.

Your organization has grown great by loyal adherence to American ideals. Throughout its history the Improved Order of Elks has been a powerful influence in the moral and spiritual advancement of our Nation. Belief in Almighty God and loyalty to the flag are the fundamental principles of its doctrine.

You have attained a high place of honor and prestige because you practice and preach brotherhood, good will, tolerance, and helpfulness to the less fortunate. You serve America by your example of good citizenship, civic responsibility, and obedience to the laws of God and man.

I am happy to bid you welcome to this great and historic city of Philadelphia, the center of patriotic inspiration for every American. Here the Liberty Bell is enshrined in honored glory, the sacred symbol of liberty and independence.

To those of you who have come here from distant places, I would humbly offer a suggestion. Be sure to visit Independence Hall. Stand before the Liberty Bell and read its exalted message from the Old Testament:

"Proclaim liberty throughout the land, unto all the inhabitants thereof."

I promise you it will be a most rewarding experience. It will renew and strengthen your faith in the true spirit of America.

Here is the birthplace of the United States of America, where the Founding Fathers pledged "their lives, their fortunes, and their sacred honor" in adopting the Declaration of Independence. In this greatest document of freedom ever written they gave the world a new concept of human worth and dignity, based on the divine truths of the Holy Bible.

The courageous patriots who built the foundation of American freedom believed that each human being is created in the image and likeness of God. This belief was so eloquently expressed when they proclaimed:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness."

Here, in the city of Philadelphia, the Constitution was adopted to safeguard the citizen in his freedom and to protect this God-given rights against tyranny and oppression by government.

The framers of the Constitution were the wisest men of their day.

They wanted a government operated for the moral, spiritual, and material advancement of all the people, not for the special benefit of any class or section. That means a government of the law and not of men. The American Constitution was planned to extend equal protection to every citizen, rich or poor, great or humble. That protection is one of the bulwarks of our national strength. It is not dependent upon the opinion of any individual or group, no matter how powerful.

Under that plan of government, in less than 200 years of freedom, the American people have transformed a savage wilderness into the greatest Nation the world has ever known.

Under that plan of government the Negro, in spite of difficulties and handicaps, has achieved greater progress in a shorter span of years than any people in all world history.

Your people have succeeded as educators, lawyers, physicians, and clergymen. You have achieved greatness in science, art, and music. You have won a place of increasing importance in business, insurance, and banking. You are represented by outstanding figures in diplomacy and government. As craftsmen and industrial workers you have contributed to the productive strength of our country in peace and war.

The Negroes of America have proven their loyalty and patriotism in every war in which our country has been engaged. From the first shots fired in the Revolution to the conflict in Korea they have given their lives to preserve the ideals of freedom. The loyalty of the Negro has never been questioned.

The great names of Negro achievement are known to all and are honored by every true American—Booker T. Washington, in education, George W. Carver, in science, Ralph J. Bunche in diplomacy and law, to mention a few.

But equal in importance, if less known to fame, are thousands of modest, hard-working, self-respecting Negro men and women who are serving their fellow men with outstanding ability and the highest integrity in many fields.

In every city and town, in every community, their example is an inspiration to their fellow citizens, regardless of color, creed or national origin.

It would serve no useful purpose to discuss at length the details of the legislative battle that has been waged in the Senate on the civil-rights issue.

I agree with the statement of President Eisenhower when he said:

"Rarely in our entire legislative history have so many extraneous issues been introduced into the debate in order to confuse both legislators and the public."

However, the basic principles stand out clear through the fog of confusion which some tried to create. These principles are the foundation of the American way of life, which cannot be fully realized until the blessings of America are open to every citizen who abides by her rules. I have repeatedly asserted my faith in Americanism which, in my opinion, is the right of everyone to enjoy the benefits and opportunities of this great country as long as he obeys its laws. I have always voted in accordance with that firm conviction and shall continue to do so.

The broad general purposes of civil-rights legislation should be:

1. To wipe out the political inequalities that exist because of racial differences.
2. To establish beyond all doubt that we have only one class of citizenship here in the United States.
3. That under our form of Government all citizens have equal rights and equal obligations.
4. That educational and economic opportunities should be shared equally, with no distinction as to color, creed, or national origin.
5. That no force, in or out of Government, can deprive any citizen of those rights which we hold to be of divine origin.
6. That the right to participate in government by the free exercise of the ballot is an inherent right of every law-abiding citizen because here in the United States we, the people, are the Government.

That seems to me to cover the legal aspects of the issue but the moral side embraces many more considerations.

You cannot legislate brotherhood, righteousness, tolerance, and good will into the hearts of men.

Those qualities must be created by a deeper understanding of man's relationship to God. They must be strengthened by adherence to the principles of religion.

Brotherhood springs from the heart. It is a quality that enobles the spirit. It does not thrive under compulsion but flourishes where freemen meet on common ground, equal in prestige and equal in dignity, and stand together for the common good.

The fundamental truths of human progress are everlasting and unchanging. They apply equally to all races of mankind. They are firmly established on the Golden Rule, the Sermon on the Mount, and the teachings of the Holy Bible.

The United States has been called by destiny to leadership for peace, justice, and freedom in the world.

To serve that noble cause we must set before the other nations an example of decency and righteousness.

To go forward in leadership we must first protect the rights and liberties of our own citizens.

Let us hope and pray that our land may be cleansed of bitterness, hate, and prejudice. Then, we can stand together in fellowship and understanding, respecting the rights of each other, and reaching upward for the finer things of life that bring peace, harmony, and friendship.

Opening United States Statements at 10th World Health Assembly Delivered by Dr. Leroy E. Burney, Chairman, United States Delegation, and Representative John E. Fogarty

EXTENSION OF REMARKS
OF

HON. CHARLES A. WOLVERTON

OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, August 26, 1957

Mr. WOLVERTON. Mr. Speaker, the 10th World Health Assembly convened at Geneva, Switzerland, during the month of May 1957. It was a conference that brought together representatives from more than 80 nations. Great and lasting good resulted from the meeting together of this distinguished and outstanding group of men and women interested in promoting the health of the world.

It was a privilege for me to have the opportunity of attending this World Assembly as a Congressional representative with the United States delegation, together with the Honorable JOHN E. FOGARTY. It is a pleasure to report that the United States delegation took a leading and important part in the deliberations of the assembly under the leadership of Dr. Leroy E. Burney, Surgeon General of the United States, as chairman of the delegation.

I wish that every Member of Congress—indeed every citizen of the United States—could have had the close view of this great organization that I had. No one could come away from such an experience without a sense of deep satisfaction in what we Americans are doing through this organization to relieve misery and suffering among hundreds of millions of our fellow men. And one could not help being astounded at how much is being accomplished with so little money. Hundreds and hundreds of important health projects are being carried out even in the remotest corners of the world under the stimulus and technical guidance of this organization. I know of no money that is being spent with greater effect than the small resources of the WHO. Truly, it is changing the world for the better, building a strong and more resourceful human race.

Mr. Speaker, in accordance with the unanimous consent granted, I hereby include as part of my remarks the statements delivered by Dr. Burney and Representative FOGARTY at the opening of the Assembly, as follows:

Statement by Dr. Leroy E. Burney

Mr. President and distinguished delegates, it is a pleasure for me to come again to the World Health Assembly, the truly impressive annual meeting of the health leaders of the world. I had the opportunity to be a member of the United States delegation to the World Health Assembly in Mexico in 1955. I am now having the pleasant and rewarding experience of renewing many old friendships and of making new ones.

The World Health Assembly is a unique meeting, and uniquely important. President Eisenhower has, on several occasions, emphasized the great value of the work of the World Health Organization in lifting the burden of disease which still afflicts mankind. The President has pointed to the World Health Organization as one of the highly successful specialized agencies of the United Nations in which international cooperations has truly benefited mankind. We who are members of national health administrations in our own countries are necessarily concerned for much of the time with health programs and problems within our borders, yet we have all found that health is essentially international, perhaps one of the most international of all fields of human endeavor. To leave Washington, D. C., on one afternoon and to be in Geneva the next brings home in an immediate personal way the closeness of countries. Even more basically, we in the United States are grateful for the opportunity to cooperate with other countries to help raise the levels of health, including those of our own people and of all peoples. These annual World Health Assemblies demonstrate the serious wish of nations to pool the necessary resources for this purpose. In the World Health Organization we have, by working together, built an effective means for fighting for better health. The annual report which the director general has put before us is, as usual, an interesting and a most stimulating document. Perhaps this year it is more than usually instructive, reporting as it does the activities of the World Health Organization in the 10th year from the founding of the Interim Commission for WHO. It demonstrates that the Organization has become a successfully established institution. It can still mature, but it has thrived through the early years of trial and conclusively proved its worth as an agency for international cooperation in health. Its potentialities for helping to improve health levels further are great.

I am proud that our United States delegation to this Assembly includes two distinguished Members of the United States Congress. They have both shown great insight into health needs and programs in the United States. Likewise, they have played a leading part in the passage of the legislation which has enabled the United States to support the steady, orderly growth of this Organization. They come to this Assembly as good friends of WHO of long standing. At this time I am privileged to be able to call on one of these distinguished gentleman, Congressmen JOHN FOGARTY, a longtime friend and supporter of public health and medical research. Congressman FOGARTY will make a statement on behalf of the United States delegation.

The PRESIDENT. Thank you, Dr. Burney. May I call on Congressman FOGARTY? You have the floor, sir.

Statement by John E. Fogarty

Mr. President, distinguished delegates, ladies and gentlemen, I am grateful for Dr. Burney's kind words applying to Congressman WOLVERTON and myself. At the same time, I can claim no special virtue in being in favor of good health. We in the United States Congress are all in favor of better health for the people of our country and for all peoples. Our Congress has shown by its actions its realization that improving world health conditions is a basic part of building a more peaceful and stable world, the goal for which we all strive and pray.

We have watched with the greatest interest and satisfaction the steady growth of the World Health Organization. Its constructive work now reaches into every corner of the world. No international organization is doing more important work day in and day out. The growth of WHO has been continuous and orderly, in pace with the increasing experience and competence of its excellent staff. It is our feeling that its orderly growth should be continued. I feel that I can assure you quite confidently that the people of the United States and their representatives in Congress will continue to support orderly expansion of this great work. On the other hand, as one who believes deeply in the importance of your mission, I feel I should let you know that in my personal view there would be some real concern among my colleagues in the Congress of the United States if the Organization attempted to expand too rapidly, beyond its demonstrated ability to maintain high levels of accomplishment. Orderly growth provides for sound growth, and it is sound growth we all want in WHO.

Next year, 1958, will be the 10th anniversary of the coming-into-force of the Constitution of the 10th World Health Organization. With this in mind, the United States Congress last year on its own initiative prepared and adopted a joint resolution of the United States Senate and House of Representatives. With your permission, Mr. President, I should like to read parts of this resolution. The Congress declared among other things, that "the year 1958 is considered particularly appropriate for holding the Assembly in the United States since that year will mark the decennial anniversary of the entry-into-force of the constitution of the World Health Organization, which was originally drawn up and signed in New York City"; and that "the Assembly will focus public attention in the United States on the important work of the World Health Organization as an integral part of the economic and social program of the United Nations and as a constructive work contributing to better international appreciation and world peace." The Congress therefore authorized an appropriation to enable the United States to invite the World Health Organization to hold the 11th World Health Assembly, in 1958, in the United States of America.

I am happy to inform you that this invitation has gone from our Secretary of State to your Director-General of WHO, and that the matter will therefore come before you for your consideration. The United States will be highly honored if it is decided to hold the 11th World Health Assembly in our country, and we shall do all we can to make the occasion an auspicious and most successful one.

Senator Yarborough Demands End to Bungling, Resignation of Dulles

EXTENSION OF REMARKS
OF
HON. JACK BROOKS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, August 26, 1957

Mr. BROOKS of Texas. Mr. Speaker, I feel sure that many Members of the House have seen or heard news reports of the stirring address delivered by our colleague Senator RALPH YARBOROUGH, of Texas, before the convention of the Affiliated Young Democrats of New York City on August 22.

In his speech Senator YARBOROUGH summarized the accomplishments of the 1st session of the 85th Congress for all the people of our country on the one hand, and in calling for the resignation of Secretary of State Dulles he outlined in bold detail the bungling of the administration's foreign policy on the other.

I have received reports that the press in the Free World around the globe has praised Senator YARBOROUGH's ringing declaration of friendship for our allies who are fighting the growing influence of communism and to make his comments available for every Member of Congress, under unanimous consent I include his address in today's CONGRESSIONAL RECORD.

The address follows:

Text of an Address by Senator Ralph Yarborough at New York City to the Convention of Affiliated Young Democrats of New York City, at Hotel Picadilly, August 22, 1957

Mr. President, fellow Democrats, fellow Americans, I want to thank you for your kind words. Your generosity of words is exceeded only by your generosity in deeds, in inviting me to speak here tonight.

Returning to New York is always a thrill.

I well remember my first trip here 38 years ago, when, as a cadet at West Point, we came down the Hudson on a cold, gray November Saturday to tangle with the Navy at the Polo Grounds in the annual Army-Navy game. And twice in my life, I have been thrilled by seeing the Statue of Liberty from the deck of an incoming ship, once in my teens as I worked my way back from Europe on a cattle boat, and again at the end of the great crusade for liberty in World War II, when the infantry division in which I served came up the harbor for redeployment to the Pacific before the A-bomb had ended the war. And in those and all other trips when I have been back here, New York is always an inspiration. It always has a quality of the sameness and yet it is never the same. It is always different. These changing moods of the leading city in the history of mankind inspire the visitor whether he come in winter's cold or the heat of summer.

This is my first time to talk with a group in New York City since I became a United States Senator 110 days ago. But the short 110 days that I've served in the Senate is plenty of time to learn that things are not always what they seem, and that many really significant acts are too unspectacular to attract much attention at the moment.

Much has been written in the press of the budget cuts. Little has been written of the increased appropriations for things that really touch the greatest of human needs.

On coming to the Senate, I reflected on the many avenues of service open to a Senator and I wondered what I should devote most of my time to. The lessons of a third-grade geography class came back to me. My teacher taught us that the three basic needs of mankind were food, clothing, and shelter. Modern man has added a fourth need: health; so I decided I would devote most of my time to those measures dealing with the need of man for food, clothing, shelter, and health.

On the health problem, we have made progress in this session of Congress. The Democratic Party is the party with a heart. We voted nearly $200 million for research, which we hope will help find a cure for six diseases—cancer, heart disease, arthritis, mental disease, allergy and neurology, and blindness. We increased the cancer research appropriation from $48 million in 1956 to $56 million in 1957, an increase of 16 percent. Similiarly, we increased the appropriations for heart disease, mental health, arthritis, allergy and neurology, and blindness studies.

And in the fields of dental research, public health, research in tuberculosis, and other communicable diseases, we have voted substantially higher appropriations than for last year.

In the enforcement of the pure food and drug law, we voted an increase of 37 percent in funds for enforcement over the 1956 appropriation. This will allow the employment of 162 additional personnel, 115 of them as field inspectors to help stop the adulteration and pollution of food.

For food and clothing needs, we have voted a 10-percent increase in disabled veterans pensions. We are working on pension increases for retired Government personnel and retired railway workers. And I have voted for and helped bring out of the subcommittee and the full committee the bills for an increase in the postal workers' pay and in the Federal classified employees' pay. Those bills for pay increases are pending on the floor of the Senate. We Democrats are working hard for their passage.

We have done something about housing, too. The Housing Act of 1957 lowers the downpayment on FHA Government-insured loans so that people in the modest-income brackets can build or buy a $10,000 home with a $300 downpayment and they can build or buy a $12,000 home with $600 downpayment, and so on up the scale.

Unfortunately, the administration has crippled the efforts of Congress by raising the interest rates on FHA loans after Congress had passed the bill. And the Housing Act of 1957 had other provisions, too. It carried provisions for urban renewal or slum clearance and I voted for expanded Federal participation in these programs. We Democrats fought for liberalized urban renewal or slum clearance, but the Republicans voted liberalization down. Urban renewal is included in the bill, but not in the higher percentage we Democrats sought. I voted, also, for the Gore amendment to increase the amount of the Federal National Mortgage Association secondary mortgage money for home loans. We Democrats worked hard in the past and will continue to work for these necessary measures; for better homes, better pay, better health. These are the goals of the new democracy.

I believe more gains are ahead on the domestic front. After 4 years of high interest rates and hard-money policy, at last Secretary of Treasury Humphrey has returned to private industry to see whether he can make money faster there than he did as Secretary of the Treasury. While in the Government, his holdings increased in value threefold.

You have probably heard the new song, I Lost My Head Over John Foster Dulles. What is needed now is a song for the farmer entitled "I Lost My Shirt Under Ezra Taft Benson," and one for the small-business man called I Lost My Shoes to George M. Humphrey

Humphrey is gone and we hope that Mr. Benson and Mr. Dulles are going, going.

The Democrats in Congress are working for improvement, but there are many fields where our influence is being thwarted. Such a field is in the conduct of foreign policy.

In this field, we Democrats have acted with restraint and with responsibility, something I am sure the Republicans find it difficult to understand.

Last December, the Democrats in the Senate gave thought to a complete and searching investigation of the bungling in the Middle East. However, after some reflection, the Democrats decided not to conduct this investigation. We decided to give Mr. Dulles an opportunity.

We tried to bury the past in the hope of restoring vigor to the westeran alliance.

Unfortunately, the State Department, in its conduct of affairs, not only failed to restore vigor; it permitted, and even unconsciously aided, the erosion of good will with our neighbors. Alliances, unless they evolve and grow stronger, tend to drift to dissolution.

Today, our relations with our natural and traditional ally, Britain, are distant and formal. We have lost North Vietnam to the Communists. India is a neutral at best. Egypt is playing footsie with the Soviets.

France, which has been unable to achieve a strong and stable government, has shown distrust of American policy. Germany is still divided. Yugoslavia shows signs of drifting back into the Soviet sphere.

Failure of the Dulles policy to develop creative and determined leadership has permitted the initiative to pass to the forces of iniquity. This abdication, as one Britisher observed, produced inertia, muddle, misunderstanding, and disorientation. My distinguished Democratic colleague, Senator FULBRIGHT, has stated that not since the turn of the century have our relations with the other people of the free world been so strained.

John Foster Dulles, the cocksure rather than the humble, the clever but not wise, Secretary of State, has been at the helm during this period. His irregular policy, if indeed it can be called that, has been marked with recklessness, forced withdrawals, suave boastfulness, and short-term compromises.

Let's take a brief look at Mr. Dulles' record:

He told Europeans that unless they enacted the European Defense Community, Congress might abandon foreign aid. He thereby seemed to use our money as a weapon against our allies.

He told the Germans the defeat of Adenauer by voters would be disastrous, thereby adding to the impression that the United States unblushingly interferes in the internal politics of other nations.

He suggested revision of our pro-Italian Trieste policy, thereby angering Italy without appreciably pleasing Yugoslavia.

He canceled aid to Israel and then, after a visit from a Republican candidate for mayor of New York City, reinstated it, thereby appearing to tie United States policy to the needs of local politics.

He called the city of Goa a province, thereby siding with the Portuguese and colonialists and deeply angering India's 400 million proud people. By denying them union with their own people, he denied us their friendship.

He gave Egypt's General Naguib a silver pistol from President Eisenhower, the fatal symbolism of which could not be missed by every other nation in the world.

In Karachi he spoke of the need for building up local forces to resist aggression, thereby antagonizing India.

In New Delhi he guaranteed that India would find the United States on India's side if Pakistan attacked, thereby antagonizing Pakistan.

He led such a fantastic, zigzag course in the tragic Aswan Dam policy that he permitted Russia to walk through to the Suez Canal.

He invented the Baghdad Treaty presumably to frustrate Russian intervention. But instead of including Afghanistan, already allied with Iran, Iraq, and Turkey in the ineffective Saadabab Pact, we chose Pakistan. This irked India as well as Afghanistan, encouraging both to neutralism.

He allowed a situation to develop in the Egyptian crisis that caused Britain and France, our oldest and best friends, to act secretly and desperately.

He lined up with Communist Russia in the United Nations in condemning our oldest friends and demanding they withdraw their troops from Egypt to save a dictator's neck.

He did not, however, see fit to demand and insist that Russian troops withdraw from Hungary and be replaced by U. N. forces to conduct a free election.

He and President Eisenhower handed over the initiative of power threats to Moscow by telling Bulganin at the Geneva Big Four summit conference: "I believe Russia wants peace as sincerely as we do." This certificate of good conduct was beyond estimate of value to Moscow. At this conference, America and the Soviets reached a mutual recognition that atomic war was not to be a solution of our differences. Moscow, however, was prepared to risk the gamble of smaller wars, and we were not.

From Geneva in July until Geneva in October 1956, while we basked in bland phrases of coexistence, the Soviets took this certificate of good conduct and went to town. When the Big Four gathered in October, the Soviets had:

First, established diplomatic relations with West Germany so as to negotiate directly with Bonn instead of through Washington.

Second, launched a new so-called peace offensive to undermine the North Atlantic Treaty Organization.

Third, made an arms deal with Egypt.

Thus, at the second meeting, NATO was weaker, a Russian ambassador was on the Rhine and Russian technicians were on the Nile.

We could go on and on with this rollcall of bungling. But Americans—and unfortunately Russians too—are well aware of these failures. My friends, this is not policy. This is a course of stupidity—dynamic, massive, instant, and agonizing stupidity.

In recent days we have witnessed the latest blunder.

Here, mind you, is what Mr. Dulles, this world figure, the symbol of American foreign policy, said recently:

"Not for one minute do I think the purpose of the State Department is to make friends. The purpose of the State Department is to look out for the interests of the United States. Whether we make friends, I do not care."

Is it any wonder that already the nations that do not like us are screaming these words around the world?

It is a good thing for Mr. Dulles' personal feelings that he does not care whether he makes friends. Because in the entire period since he has been Secretary of State he has not made one friend in all this world.

Joseph Alsop, writing from Paris the other day, said Mr. Dulles is now the most disliked man in Europe since Joseph Stalin.

I want to give this message to the other nations of the world tonight:

Mr. Dulles does not represent the attitude of the American people. We say this to our friends around the world. The people of America certainly do care about your friendship.

We Americans do not try to buy the friendship of people with money, with gifts, or loans. Such precious things of the spirit as friendship, are not commodities for sale, vended like loaves of bread in the market place.

The Book of Books teaches that of faith, hope, and charity, the greatest is charity. But the gift without the giver is bare and foreign aid without a true spirit of friendship is no aid at all.

We need friends and we want friends in all of the four corners of the earth. I believe that the future of the human race on this planet lies not in belligerency, not in combat, not in mutual misunderstanding and hatred, but in friendship between all peoples.

I think that we should cultivate friendship abroad with all the peoples who are friendly with us and with some who are not too friendly. Courtesy is its own reward and friendship begets friendship. Fair treatment may bring fair treatment in return, but a cold, heartless, unfriendly treatment is certain to breed resentment in any portion of the world.

As the Proverbs say, "Pride goeth before destruction and a haughty spirit before a fall."

The latest manifestation of the utter collapse of the Dulles' policy is Syria. The effects of this coup in Syria are tragic. The devilishly clever Communist policy of selling low-cost weapons to nations astride petroleum delivery routes—Egypt which controls cheap waterborne transit and Syria which controls overland pipelines—has completely outwitted Mr. Dulles.

Last Sunday, America received the word that the Communists have taken over the Syrian Army, which is the principal power in that Arab State.

It will be interesting to see how Life and the other Republican news magazines translate this crushing defeat into another smashing victory for Mr. Dulles' bold brand of diplomacy.

Syria's alliance with the Reds means the Communists now outflank Turkey and the Baghdad Pact.

Jordan is further endangered.

The oil supplies for the Western European defense are jeopardized.

The entire Middle East is in peril of falling to the Communists.

We Democrats have been gentle in our criticism of the foreign policy. Although we have been locked out of policy decisions by the Dulles refusal to reinstate bipartisan foreign policy, the Democrats have tried to cooperate where possible.

But with Syria's tragic fall, we have no choice but to call for the only reasonable step. America cannot afford to lose her friends across the world. America cannot afford the disintegration of NATO. America cannot afford loud but hollow bluffs followed by timid backdowns. America, my friends, cannot afford John Foster Dulles.

I demand, for the sake of the Nation and mankind, that Mr. Dulles resign.

We do not question, as the Republicans did, the loyalty or the desire for peace of a Secretary of State. Mr. Dulles is loyal but he is a bungler. He wants peace, but does not have a policy to achieve it. He is, in short, a tragic failure as Secretary of State.

We recall with sadness his empty and cynical campaign phrases. He would roll back the Iron Curtain. He would liberate the captive peoples. He would unleash Chiang Kai-shek; he would seize the initiative; he would agonizingly reappraise; he would instantly retaliate; he would have a dynamic, as opposed to static, policy.

The heroes of Hungary, crushed in blood, are mute testimony to the emptiness of Dulles' cynical, vote-getting boasts about liberating the captive peoples. Mr. Dulles insulted Israel and dissolved the grand alliance.

Mr. Dulles' timid, tiptoeing, retreating actions have proved the hollowness of every other slogan he has used.

The Communist menace is greater than ever today. The times call for greatness, not slogans.

We must get rid of this symbol of defeat, frustration, boastfulness, selfishness, and exasperation.

There stands here in New York Harbor the greatest beacon light to liberty in all this earth. The Statue of Liberty is a gift from the people of France to the people of the United States. We have fought four wars with the French people as our allies; our Revolutionary War, the War of 1812, and both World Wars. Does this ancient friendship mean nothing? Does the comradeship of Lafayette and Washington mean nothing? Do the French fleet and two French armies at Yorktown mean nothing? Do all the American boys sleeping on French soil mean nothing? No, Mr. Dulles, your formula of the unimportance of friendship is not the American formula. It is repugnant to our way of life. We are a friendly, gregarious people, liking each other and other people, and wanting them to like us in return.

We are a people of action, not vainglorious, not a boastful, arrogant people. The one word that characterizes an American above any other single word is "friendliness." Mr. Dulles' declaration would destroy our national character. We are not a sullen, surly, angry, unfriendly people.

Let us, then, extend anew the hand of genuine friendship and affection to all our old friends and allies, and to all our new friends, too. Let us make friendship the keystone of our foreign policy, as it is now of our national character.

Mr. Dulles is out of step with America; he must step out. Under new leadership, we will make American good will our frontline of defense. We will so treat our neighbors as to cause all the Free World to glow again with the old warmth; we will make American kindness and friendship the true mark of the new democracy. In that faith let us face the future unafraid. With love and hope and friendship in our hearts, the future is America's.

SENATE

Tuesday, August 27, 1957

The Senate met at 11 o'clock a. m.

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

Eternal Father, strong to save, we lift our hearts to Thee in amazing wonder that Thou hast ordained for Thyself no completion without us, and for us no peace, no lasting joy, apart from Thee. In these convulsive days, when so many hopes are being dashed to the ground, so many dreams shattered, help us to rest our minds in Thee and in the strength of the everlasting values which nothing can destroy.

As we play our part in this age on ages telling, make us largehearted in helping and cautious in criticizing. Keep us from unkind words and from unkind silences, yet sure and strong in the faith that is in us, whenever and wherever we are called to stand. In this epic hour, may we strike our blow for the truth of God and the freedom of man. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. Johnson of Texas, and by unanimous consent, the Journal of the proceedings of Monday, August 26, 1957, was approved, and its reading was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clarks, announced that the House had passed the bill (S. 969) to prescribe the weight to be given to evidence of tests of alcohol in the blood or urine of persons tried in the District of Columbia for operating vehicles while under the influence of intoxicating liquor, with amendments, in which it requested the concurrence of the Senate.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Subcommittee on Postal Rates of the Committee on Post Office and Civil Service be permitted to sit during the session of the Senate today.

The VICE PRESIDENT. Is there objection to the request of the Senator from Texas?

Mr. McNAMARA. Mr. President, at the request of one of the members of the committee, who has a conflict because of other important matters, I have been asked to object. Therefore, I object.

The VICE PRESIDENT. Objection is heard.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Internal Security Subcommittee of the Committee on the Judiciary be permitted to sit during the session of the Senate today.

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

TRANSACTION OF ROUTINE BUSINESS

The VICE PRESIDENT. Under the rule, the transaction of routine business in the morning hour is now in order. Under the order entered on yesterday, statements during the morning hour today are to be limited to 3 minutes.

EXECUTIVE COMMUNICATIONS, ETC.

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

Report on Reapportionment of an Appropriation

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Health, Education, and Welfare for "Salaries and expenses, Bureau of Old-Age and Survivors Insurance," for the fiscal year 1958, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

Report on Real and Personal Property of the Department of Defense

A letter from the Secretary of Defense, transmitting, pursuant to law, a report entitled "Real and Personal Property of the Department of Defense," as of December 31, 1956 (with an accompanying report); to the Committee on Armed Services.

Report on Educational Exchange

A letter from the Chairman, United States Advisory Commission on Educational Exchange, Department of State, transmitting, pursuant to law, a report on Educational Exchange, for the period January 1 through June 30, 1957 (with an accompanying report); to the Committee on Foreign Relations.

Report on Tort Claims Paid by Department of Commerce

A letter from the Acting Secretary of Commerce, transmitting, pursuant to law, a report on tort claims paid by the Department of Commerce, during the fiscal year 1957 (with an accompanying report); to the Committee on the Judiciary.

PETITION

The VICE PRESIDENT laid before the Senate the petition of William Dane, of Marrero, La., praying for an investigation of the United States Customs Service, relating to the alleged smuggling into the United States of certain cattle from Mexico, which was referred to the Committee on Finance.

RESOLUTION OF ONEONTA AERIE, FRATERNAL ORDER OF EAGLES

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the Record a resolution adopted by the Oneonta Aerie, No. 1260, Fraternal Order of Eagles, supporting the efforts which I am making with relation to Senate bill 1073, to ban discrimination in employment based upon age, which effort I am very proud to say is receiving the national support and attention of the Fraternal Order of Eagles, as developed at its convention in New York.

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

Oneonta Aerie, No. 1260,
Fraternal Order of Eagles,
Oneonta, N. Y., August 10, 1957.

Hon. Jacob Javits,
Congress of the United States,
Washington, D. C.

Dear Senator Javits: At the last regular meeting of Oneonta Aerie No. 1260 held at the aerie home on Thursday, August 1, 1957, the following resolution was made and passed:

"*Be it resolved,* That Oneonta Aerie No. 1260 of the Fraternal Order of Eagles goes on record in support of passage of bill, S. 1073, introduced by United States Senator Jacob Javits, of New York State, which would ban discrimination in employment based on age; and be it further

"*Resolved,* That Oneonta Aerie No. 1260 carry on a broad educational campaign to obtain the support of management, labor, and the general public for job opportunities for older workers; and be it further

"*Resolved,* That copies of this resolution be sent to our New York State Senators and Congressmen."

Very truly yours,
Chris C. Kleeman,
Secretary, Oneonta Aerie No. 1260.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, with amendments:

S. 77. A bill to establish the Chesapeake and Ohio Canal National Historical Park and to provide for the administration and maintenance of a parkway, in the State of Maryland, and for other purposes (Rept. No. 1145).

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

S. 2533. A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to lease space for Federal agencies for periods not exceeding 15 years, and for other purposes (Rept. No. 1146).

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

H. R. 1315. An act for the relief of Mr. and Mrs. Charles H. Page (Rept. No. 1148); and

H. R. 4351. An act for the relief of G. H. Litts (Rept. No. 1149).

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

H. R. 1804. An act for the relief of Robert B. Cooper (Rept. No. 1151); and

S. J. Res. 80. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women (Rept. No. 1150).

REPORT ENTITLED "PETROLEUM, THE ANTITRUST LAWS AND GOVERNMENT POLICIES" (S. REPT. NO. 1147)

Mr. O'MAHONEY, from the Committee on the Judiciary, pursuant to Senate Resolution 57, 85th Congress, submitted a report prepared by the Subcommittee on Antitrust and Monopoly, entitled "Petroleum, the Antitrust Laws and Government Policies," together with the minority views of Mr. Dirksen and Mr. Wiley, which was ordered to be printed.

BILLS INTRODUCED

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

By Mr. BARRETT:

S. 2858. A bill for the relief of Joseph Chenchar; to the Committee on the Judiciary.

By Mr. CAPEHART:

S. 2859. A bill for the relief of Arie Abramovich and Rivka Popper Abramovich; to the Committee on the Judiciary.

By Mr. IVES:

S. 2860. A bill for the relief of Miss Susana Clara Magalona; to the Committee on the Judiciary.

By Mr. BARRETT (for himself, Mr. O'Mahoney, Mr. Aiken, Mr. Allott, Mr. Anderson, Mr. Beall, Mr. Bennett, Mr. Bible, Mr. Bricker, Mr. Carlson, Mr. Carroll, Mr. Case of South Dakota, Mr. Chavez, Mr. Church, Mr. Curtis, Mr. Dworshak, Mr. Hruska, Mr. Humphrey, Mr. Jackson, Mr. Kennedy, Mr. Knowland, Mr. Kuchel, Mr. Langer, Mr. Magnuson, Mr. Malone, Mr. Mansfield, Mr. McNamara, Mr. Morse, Mr. Mundt, Mr. Murray, Mr. Neuberger, Mr. Potter, Mr. Saltonstall, Mr. Schoeppel, Mr. Thye, Mr. Watkins, and Mr. Young):

S. 2861. A bill to extend for an additional 4-year period the provisions of the National Wool Act of 1954; to the Committee on Agriculture and Forestry.

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

By Mr. POTTER (for himself and Mr. McNamara):

S. 2862. A bill to exchange certain lands in the city of Detroit, State of Michigan; to the Committee on Public Works.

By Mr. JAVITS (for himself and Mr. Ives):

S. 2863. A bill to provide for the appointment of additional judges for the Court of Appeals for the Second Circuit and the district courts for the southern and eastern districts of New York; and

S. 2864. A bill to provide for the appointment of additional judges for the Court of Appeals for the Second Circuit and the district courts for the southern and eastern districts of New York; to the Committee on the Judiciary.

By Mr. MORSE (for himself, Mr. Magnuson, and Mr. Neuberger):

S. 2865. A bill to amend title I of the Housing Act of 1949 to authorize in certain cases financial assistance for community relocation; to the Committee on Banking and Currency.

By Mr. BRICKER:

S. 2866. A bill for the relief of the Cooper Tire & Rubber Co.; to the Committee on the Judiciary.

EXTENSION OF WOOL ACT OF 1954

Mr. BARRETT. Mr. President, on behalf of myself, and Senators O'Mahoney, Aiken, Allott, Anderson, Beall, Bennett, Bible, Bricker, Carlson, Carroll, Case of South Dakota, Chavez, Church, Curtis, Dworshak, Hruska, Humphrey, Jackson, Kennedy, Knowland, Kuchel, Langer, Magnuson, Malone, Mansfield, McNamara, Morse, Mundt, Murray, Neuberger, Potter, Saltonstall, Schoeppel, Thye, Watkins, and Young, I introduce, for appropriate reference, a bill to extend for an additional 4-year period the provisions of the National Wool Act of 1954. I ask unanimous consent that the bill lie on the desk until the close of business on Thursday, August 29, 1957, to give other Senators an opportunity for cosponsoring it.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Wyoming.

The bill (S. 2861) to extend for an additional 4-year period the provisions of the National Wool Act of 1954, introduced by Mr. Barrett (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

HOUSE BILL PLACED ON CALENDAR

The bill (H. R. 8994) to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes, was read twice by its title, and placed on the calendar.

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

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

By Mr. YARBOROUGH:

Statement by him at hearing this morning at the Department of Commerce Auditorium, before the Alcohol and Tobacco Tax Unit of the Internal Revenue Service of the United States Treasury Department.

Editorial from the Jewish Times, of Massachusetts, and from the Pilot, the archdiocesean paper of Boston, regarding Senate bill 2792, the immigration bill.

CHAMPION MEXICAN BASEBALL TEAM

Mr. JOHNSON of Texas. Mr. President, on Friday, August 24, the Jack-the-giant-killer team from Monterrey, Mexico, won the Little League world series.

Angel Macias, a star performer who throws with either hand, pitched a perfect no-hit, no-run game against La Mesa, Calif. I might add that Angel can play any position on his team.

The odds against Angel and his fellow ball players were terrific. They were outweighed 35 pounds per man, and their average height was 5 inches less per man. When they left Monterrey 4 weeks ago, they were not conceded a chance.

But in the wonderful world of sports, victory does not always go to strength and size. There are other factors, which cannot be measured—stamina, inspiration, and the will to win.

The victory was an honor to the team, to Monterrey, and to the Republic of Mexico. But it was also an honor to the ideal that sports transcend national boundaries.

The United States is as proud of the winners as are the citizens of our sister Republic of Mexico.

This fine group of young men are in Washington today. They are here—without even intending to fulfill that role—as ambassadors of mutual good will and understanding.

Our heartiest congratulations go to them, to their fine outstanding coach, Cesar Faz, a native of San Antonio, Tex., and to the people of their country. This is international understanding at its best.

To commemorate this occasion, I ask unanimous consent that an article in the New York Times by Michael Strauss be printed in the Record as part of my remarks.

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

Macias Hurls Perfect No Hitter as Monterrey Captures Series—Ambidextrous Mexican Stops La Mesa, 4–0, Striking Out 11 Batters in Little League Title Game

(By Michael Strauss)

Williamsport, Pa., August 23.—The final episode of a story that has the earmarks of a fairy tale was enacted at Memorial Park today. Monterrey, of Mexico, the Jack-the-giant-killer team, captured the Little League world series.

Beaten in today's final, played before a crowd of 10,000 that included Rear Adm. William R. Smedburg, Superintendent of the United States Naval Academy, was the La Mesa (Calif.) nine. The final count for the 6-inning fray was 4–0.

Adding luster to the almost unbelievable finish by the pint-sized band of Mexican boys was a perfect no hitter pitched by Angel Macias. The 5-foot, 88-pounder, who is ambidextrous, has demonstrated prowess at all positions.

A shortstop yesterday as the Mexicans were easing past Bridgeport, Conn., 2–1, Macias was nominated as today's hurler by Coach Cesar Faz. Pitching with his right hand, Macias stopped the Californians cold.

BATTERS DWARF MACIAS

Faced by batters who dwarfed his teammates and himself by 35 pounds and 5 inches per man, Macias breezed through in amazing style. Not a single ball was hit out of the infield as the Monterrey star personally took care of 11 of the 18 putouts via strikeouts.

The Mexicans, who showed signs of uprisings in several earlier innings, finally broke through in the fifth. All four runs crossed the plate in this frame. A ringing single off Enreque Suarez' bat was the key blow.

Today's victory by the Mexicans was the Little League organization's greatest success story in its 11-year history. Four weeks ago, when the Monterrey players began the dusty, 150-mile trip by bus to McAllen, Tex., for the opening playoff game, they weren't conceded a chance.

But the Monterrey boys fooled everyone. Their triumphant tour covered stops for playoffs in Corpus Christi, Fort Worth, and Louisville. When they arrived here Monday, a weary lot, they boasted a string of 11 victories.

The Mexicans averaged 92 pounds and 4 feet 11 inches. One of their regulars, Gerardo Gonzales, a key batter during the two-game series here, scaled only 64 pounds. This was in contrast to the 5 feet 4 inches and 127 pounds averaged by the California team.

Today the victors' task was surprisingly simple. Macias stopped such California sluggers as Joe McKirhan, who blasted two homers yesterday, and Frank Vogel. He retired the side in the final inning on strikes.

The game's only rally was begun when Lew Riley walked Ricardo Trevino to open the bottom half of the fifth. Before Riley could retire the side, nine more batters had paraded to the plate.

In addition to Suarez' important single and the base on balls to Trevino, the Mexicans put together another walk, a bunt single, a sacrifice, and two fielder's choice. Two errors added to the damage.

To celebrate the start of the game, all work ceased in the City of Monterrey (population 500,000) at 1 p. m. Whistles blew, sirens screamed, and citizens paraded through the streets. Loud speakers installed in the public squares kept the crowds apprised of the game's progress via a play-by-play telephoned from here.

The pregame celebration, according to the telephone report here, was minor compared to the tumult that broke loose when the final out was made. Fire engines raced through the streets with sirens roaring while crowds milled about the squares singing exultantly. To cap it all, Mexico's president, Adolfo Ruiz Cortines, said he was going to receive the team in the national palace in Mexico City.

Bridgeport won the third-place playoff this morning by defeating Escanaba (Mich.), 4 to 3.

La Mesa	000	000—0	0	3
Monterrey	000	040—5	3	0

Batteries—Riley and Vogel; Macias and Villarreal.

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

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

Mr. MANSFIELD. I should like to join the distinguished majority leader in extending congratulations to the Monterrey Little League baseball team. As the majority leader has pointed out, in the face of tremendous odds and great difficulties, the team was able to work its way into the finals, and then to defeat the La Mesa, Calif., team for the championship.

It is indeed heartening that we have such ambassadors in our midst today, and I express the hope that the good will these youngsters have emphasized in this country will be repeated many times over.

I express the further hope that because of the inspiration these courageous boys have given, it will not be too long before the major leagues in this country will consider extending into the Republic of Mexico.

As the majority leader has said, these youngsters are the best type of ambassadors, and what they have done has been to cement the good relations between the two sister republics, the United States of America and Mexico.

More power to them. To the Monterrey team and to their coach, Cesar Faz, I extend my best wishes and congratulations. I hope they come back again. I hope they win many, many more victories. We are proud of them.

Mr. JOHNSON of Texas. I thank my distinguished friend for his remarks.

Mr. COTTON. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield to the able and beloved acting minority leader.

Mr. COTTON. I thank the Senator from Texas for yielding.

I merely wish to say that the distinguished minority leader, the senior Senator from California [Mr. Knowland], has been delayed by necessary business, and cannot be in his seat at this time. Were he here, I know he would join most heartily with the distinguished majority leader in congratulating and bidding welcome to the fine group from Mexico. On his behalf, as well as on behalf of all Members on this side of the aisle, I join the majority leader in the congratulations and welcome. I understand that the distinguished Vice President, now presiding, is entertaining this outstanding group for lunch and they have already been received by the President.

Mr. JOHNSON of Texas. I thank my distinguished friend, the acting minority leader.

Mr. SMATHERS subsequently said:

Mr. President, I wish to join with the distinguished majority leader in congratulating the Little League baseball team, from Monterrey, Mexico, which recently won the world championship. I think the fact that they have taken what is essentially a North American game, one which used to be played almost exclusively by the people of the United States, and not only adopted it, but perfected it to such an extent that they could defeat our very best teams is a great accomplishment in itself. It demonstrates again that our Latin friends have great ability, not the least of which is athletic ability.

I think the fact that the Mexico Little Leaguers won the championship foretells great things for the Washington Senators baseball team. For many years the Washington Senators have relied on Latin ballplayers. The team obviously has not had as many as it has needed. The team this year has not done so well as we would have liked. The team has had many distinguished Latin American players, and today has such as Camilo Pascual, Washington's top pitcher from Cuba, Pedro Ramos, another fine pitcher from Cuba, and Julio Bequer, first-base man, who I believe is from Mexico. If all the Washington Senators' baseball players were as good as these Latins, the Washington Senators would not be in the cellar today. The fact that the Little League team from Mexico could someday be transported en toto to Washington to represent us in the American League, I think, holds great hope for us. It may be that, through this means the development of young Latin players, the Washington Senators baseball team can come out of the cellar and once again achieve the rarified atmosphere of a first-division team, and who knows if we could get all these Monterrey boys, we might even win the championship.

THE CIVIL-RIGHTS BILL

Mr. JOHNSON of Texas. Mr. President, this can well be one of the most historic sessions of the Congress.

We anticipate that within a few hours the Senate will receive from the House of Representatives the compromise version of the civil-rights bill. Mr. President, it will be brought to the floor of the Senate with little delay.

The compromise which was reached in the House of Representatives is not completely satisfactory to anyone. It is a compromise which was reached because there had to be some give and take, and that is something which cannot be considered as just a one-way street.

Personally, Mr. President, I believe that the House version of the bill has less strength than the Senate version. The jury-trial version passed by this body was the product of great care and great precision. But it would be a great mistake to exaggerate the shortcomings of the House version of the bill. This is not the first time that I have agreed to accept proposed legislation less than completely satisfactory, and it will not be the last time. Every one of my colleagues has had that experience. We realize that none of us can pick up his marbles and walk away and expect to get exactly what he wants.

The House bill, in the form which I believe will finally be passed by both Houses, retains the Senate jury-trial provision intact, with a minor amendment. The allowable exceptions under the compromise would represent minor offenses, such as are handled without juries in local courts. It is my belief that under the provisions of the amendment no judge would lightly decide to hold a criminal-contempt trial without a jury. And, when we are dealing with realities, that is a factor of the greatest importance.

Mr. President, I believe it is of vital importance that a civil-rights bill be passed by the Congress this year. The Congress is acting in a mood of reason. But the atmosphere could easily be changed. If this bill dies, it is my firm belief and my deep-seated conviction that it will be many years before once again we can approach this question in a spirit of give and take. The result of superheated partisanship—and it would be inevitable, if this bill were killed—could be disastrous to this country and to every section of our beloved land.

Mr. President, all of us must realize that men have strong convictions on this issue. All of us must bow a bit if we are to have a reasonable solution, rather than a burning issue.

For that reason, I hope the House version of the bill will be considered intelligently and coolly, in the light of merit and justice to all.

Mr. SMITH of New Jersey. Mr. President, I wish to add a few words on my own to what the distinguished majority leader has just stated.

What appeals to me in the proposed civil-rights legislation which soon is to come before the Senate is that for the first time since I have been a Member of the Senate, and, in fact, for the first time since shortly after the Civil War, the Congress has been approaching the subject in a sincere attempt to find a way to cooperate in connection with one of the most important civil rights which exists, namely, the right to vote.

I believe that emphasis on the right to vote is the correct emphasis, instead of on the question of how to deal with those who interfere with the right to vote.

I was not in accord with the jury-trial amendment, but that aspect has now been worked out in a way that reflects an approach of friendly cooperation, in an effort to solve this problem, which for so long has divided our country, and this spirit of cooperation is the most encouraging sign we have had since my service in the Senate.

In the past endeavors have been made to do things by force. Mr. President, the attainment of ends of this type cannot be accomplished by force. It is essential to act through laws, but we cannot coerce a large section of the people to do that with which they do not thoroughly agree. The approach must be made from the point of view of give and take, and that is what I believe this bill involves.

From my own contacts with my distinguished friends who come from the South, I know they believe in the right to vote, and I know they believe this move is inevitable. I believe they will cooperate in seeing to it that the right to vote is possessed by all the American people.

I give great credit to the President of the United States for insisting from the beginning on the right to vote as the basic civil right. The Congress has heard arguments about other civil rights; but I was one of those who insisted upon having the bill limited to the right to vote. I think it is going to be one of the greatest accomplishments since the Civil War, for which credit is due to the leadership on both sides, in bringing about a new understanding and a new feeling of cooperation as between the two sections of the country affected by this issue.

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

Mr. SMITH of New Jersey. I yield.

Mr. JOHNSON of Texas. I would be less than human if I did not express to the Senator my deep gratitude and tell him how affected I am by his generous expressions and his constant understanding and tolerance, as well as recognition of the grave problems which confront all the people of this country, instead of just the people of the State he represents.

Mr. SMITH of New Jersey. I thank the Senator very much for his kind comments.

Mr. President——

The VICE PRESIDENT. The Senator from New Jersey.

LOY HENDERSON AND PROBLEMS IN THE MIDDLE EAST

Mr. SMITH of New Jersey. Mr. President, when the present Syrian crisis arose some days ago and we were all concerned about possible repercussions throughout the Middle East, it was certainly a source of great gratification to us all that the State Department saw fit to send one of our most distinguished career men, Mr. Loy W. Henderson, to keep close watch of the situation in the area.

Mr. Loy Henderson, Deputy Under Secretary for Administration in the Department of State, is now in the Near East attending a series of conferences on the Syrian situation. Secretary Henderson is one of the most experienced members of the Department, and one whose friendship I have cherished for many years.

In the Evening Star of August 26, there appeared an excellent article about Secretary Henderson and the outstanding service which he has rendered to the Department and to his country. I wish to add my own commendations and congratulations to others which Secretary Henderson has so richly merited.

I ask unanimous consent that the article from the Evening Star entitled "Loy Henderson Rates Toga of High Priest" be printed in the RECORD as a part of my remarks.

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

LOY HENDERSON RATES TOGA OF HIGH PRIEST

The high priest of the United States foreign service, Loy W. Henderson, is in Turkey today. His claque in Foggy Bottom and around the world is confident that the national interest is in good hands.

Mr. Henderson, whose foreign service status automatically expired when he became 65 last June 28, has remained on as Deputy Under Secretary of State for Administration by virtue of a Presidential appointment, another of an imposing list of honors.

For all his virtuosity in diplomacy, Mr. Henderson has managed to stay in the background for most of his career, while many men whom he launched on their careers have now come to be regarded as virtual patriarchs of the American diplomatic corps.

IN DEPARTMENT 35 YEARS

Experts on the Soviet Union, like George Kennan and Charles (Chip) Bohlen, for instance, are proteges of Mr. Henderson, who was Chargé d'Affaires in Moscow during much of World War II and also served on the policymaking level in Washington as Chief of the Office of East European Affairs during part of that period.

Mr. Henderson speaks Russian. He also is fluent in German.

He has been with the Department so long, 35 years last May, that he has had an opportunity to become truly expert in more than one general area. Assistant Secretaries now specializing in East European, Middle East, and Soviet affairs, are regular callers in Mr. Henderson's office, even though his job now concentrates on the administrative affairs of the State Department, the selection of personnel, the formation of budget requests for Congress, and other housekeeping chores.

TALENT FOR TRAINING MEN

Most Department men who know him attribute to Mr. Henderson an unobtrusive charm and a quality for getting the most and best out of other men, besides the capacity for prodigious work and long hours.

A great many of the United States ambassadors and Assistant Secretaries were brought up from obscurity by the Administrative Under Secretary. This is partly inescapable, because of Mr. Henderson's early ascendancy in the Department and his long service.

But those who know him best believe that he has a special talent for training new men of ability.

It is typical of his self-effacing nature—a deliberately cultivated quality which he thinks all Foreign Service officers serving the Secretary of State and President should develop, that newsmen did not even learn of his important trip to Istanbul last weekend until he had been out of the country more than 24 hours.

He eschews the flamboyant.

MENTOR TO TRUMAN

Ambassadors are the conductors for American policy, not its makers, he believes. And he has a pervading suspicion of ambassadors who project themselves into the limelight while they are negotiating in the United States interest abroad.

Mr. Henderson, for instance, is at least as much responsible for the Truman doctrine's formulation as any other American. He was in the top operating job which devised the American response when Great Britain decided it could no longer continue the burden. But he gets little of the credit today.

When Iran was torn by its difficulties with Britain over oil interests there, Mr. Henderson spent long, patient hours at the bedside of the then Premier Mohammed Mossadegh, the sick man of many tears, working out a formula to get Iran's oil flowing again—and to hold the Communist Tudeh party at arm's length.

With all his human traits Mr. Henderson is a formal type. He seldom calls people by their first name, even those many decades his junior. Others call him "Loy," to which he does not object.

FREQUENTLY CONSULTED

His associates do resent one of his most consistent habits. When they bring problems to him for decision after days and weeks of research, they have come almost to expect him to make suggestions for American action which often come closer to meeting all the demands of American policy than their own.

The administrative job he now holds restricts his effectiveness as a policymaker. But when trouble breaks—almost anywhere in the Eurasian land mass—Mr. Henderson is consulted at great length. If a special emissary is needed, the Assistant Secretaries bring up his name first, especially if the Middle East is involved.

Since becoming administrative chief he has represented President Eisenhower at two Baghdad pact conferences, at the Cairo conference following the Suez seizure, and now in the consultations on Syria.

Although he is past 65 and compulsorily retired from the foreign service, State Department officials expect the hardy Mr. Henderson to be available for special jobs for many years to come.

Mr. MANSFIELD. Mr. President, I should like to join in what the distinguished senior Senator from New Jersey has said about Loy Henderson. He is a great diplomat and certainly a credit to this country. If anyone is to find a solution to the situation in the Near East, especially as it appertains to the Arabic countries, that man is Loy Henderson. I think Secretary of State Dulles is to be commended for having the foresight to send Mr. Henderson to the Middle East to see what can be done to alleviate the situation as it exists at the present time. We know the Middle East is an area of great danger. We are extremely fortunate in having a man of Loy Henderson's ability looking into the situation at firsthand at this time and I commend the Senator from New Jersey for his remarks and the Secretary of State for his wisdom in dispatching this able diplomat to this particular hot spot.

Mr. SMITH of New Jersey. I thank the Senator for his kind remarks.

DIPLOMATIC APPOINTMENT—CORRECTION OF STATEMENT REGARDING FORMER AMBASSADOR TO LUXEMBOURG

Mr. MANSFIELD. Mr. President, on yesterday I made a speech about ambassadorial appointments. In my remarks I said, in part:

> The travail of Ambassador Gluck has also focused attention on the problem of absences from duty of our ambassadors. It took me several months this year to get from the Department of State figures on absences from posts. I became interested in this matter because a former Ambassador to Luxembourg spent 264 days away from his post over a period of 2 years, for reasons which had nothing to do with foreign relations or illness.

Mr. President, I was mistaken in my remarks. I find now on the basis of information I have just received, that nonduty time to be attributed to our former Ambassador to Luxembourg is only one-half of the period I referred to on yesterday. I find that Ambassador Buchanan did not use 41 days of this home leave in 1956, and that in 1955 he returned to the United States for 16 days because of the illness and death of his father-in-law.

I wish to take this means to apologize to Ambassador Buchanan for any hurt or inconvenience I may have caused him. I am glad, in fairness to Mr. Buchanan, to make this statement in the Senate and thus rectify the error I made on yesterday.

INTERCONTINENTAL BALLISTIC MISSILE

Mr. JACKSON. Mr. President, I desire to comment briefly on the announcement by the Soviet Union that it has successfully tested an intercontinental ballistic missile. Regardless of how accurate the Soviet claim may be in detail, it should still cause us grave concern.

I would remind the Senate just why we cannot discount this latest revelation of Russian progress in weapons development. The simple fact is that similar announcements on the A-bomb and H-bomb were promptly confirmed in fact.

We know that the Soviets have made amazing progress in the ballistic missile field. Our own officials concede this. The statement yesterday by the Soviet Union confirms once again the warning some of us have been sounding for a long time—the Soviets are ahead of this country in the race for the intermediate range or 1,500-mile ballistic missile. At best, they are in a neck and neck race with us for the intercontinental ballistic or 5,500-mile missile.

Mr. President, this is a good time to bring home to the American people something they have a right to know. Despite the highest priority that has been given the ballistic missile program, the target dates for our achievement of operational missiles, both the 1,500 mile and the 5,500 mile, have been postponed. We will not be getting these weapons nearly as early as had been previously anticipated. There has been a substantial slippage in the progress of our research and development on these weapons.

As we all know, the Defense Department is now engaged in a general cutback of defense programs. In this cutback even the ballistic missile program—despite its priority—has not been spared. Whatever the accuracy of the Russian claim, I hope it will arouse the Defense Department to put the ballistic missile program back on the track and give it once again the all-out effort it demands.

Perhaps the Russians have rendered us something of a service—that is, if the Defense Department will take heed of the danger. The Soviet announcement should be the signal to the defense administrators to reverse the missile slowdown. It should spur the administration to maintain a resolute effort to win the races for discovery of vital new weapons.

CHICAGO TO GET ENLARGED, MODERN PASSPORT OFFICE

Mr. DIRKSEN. Mr. President, I am delighted by the announcement there will be a new up-to-date passport office in Chicago, and in that connection I ask unanimous consent to have printed in the Record an article from the Chicago Sunday Tribune which relates to this matter.

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

[From the Chicago Sunday Tribune of August 25, 1957]

Chicago To Get Enlarged, Modern Passport Office—New Streamlined Quarters To Be Ready by October 1

(By William W. Yates)

Chicagoans are in for a surprise come October 1. On that date a new passport office should be operating in the United States courthouse—an office as attractive and modern as an airline ticket office. Deep coral, rose, beige, warm gray and ciel blue will combine with natural blonde, platinum or gray driftwood to provide an atmosphere in sharp contrast to the rest of the Federal building, and start the traveler on his way in an atmosphere in keeping with modern transportation.

The present crowded quarters in room 252—tucked neatly away in a corridor extremely difficult to find—will be enlarged more than 100 percent. Of course, if you've been there before, you can always follow your nose, for the passport agency is directly beyond the lunchroom from which emanate the odors of cooking food throughout the day.

But once inside the new offices you'll forget about this, for they'll be air conditioned.

The present jampacked quarters will give way to a public area that will permit seating, provide writing tables and a modern, zigzag counter for applicants and witnesses, each space separated in such a way that privacy will be provided each applicant.

There will be a seating area for 20 persons and a sitdown writing area for 26 persons. Tables will be spotted between every third or fourth seat. A large world map and murals will be worked into the wall decorative scheme.

Upright columns will be of deep coral, walls tinted a rose beige, the floor tile a warm gray flecked with coral, ceilings a light tint of the basic color. Formica tops on the counters and tables will be blond or platinum. Upholstery will be coral and ciel blue plastics, replacing the traditional heavy and more expensive leather used in most Government offices. Adequate work areas for the agency staff will replace present crowded quarters that barely enable people to move around.

The force behind all this change is a chic, strawberry blond. She is Frances G. Knight, a career Government employee since 1936 who became chief of the State Department's passport division in 1955. She believes that Government should be as forward thinking as modern business—not wait until a crisis has developed—and that it should sell itself just as business does.

Things haven't been the same since she took over. First change came when this slender, blue-eyed miss succeeded in moving the Passport Office out of its dilapidated and antiquated Civil War Washington headquarters into a modern, streamlined department in new quarters. Then she streamlined and modernized the New York agency and moved on to Los Angeles, where now you might suspect you were in the office of a plush travel agency instead of a Government bureau. Chicago is now undergoing a transformation, and New Orleans and Boston are next on the list.

Lest you think this is all another burden on the taxpayer, dispel the idea at once. She's accomplishing the changes within her budget allotted by Congress. And in addition, her agency is one of the few that returns a profit to the Federal Government—about $2½ million annually.

"Every time you suggest something new in government it is like dropping a bomb," Miss Knight said in Chicago last week. "I've run into a lot of opposition but I've also had a lot of help. Many people regard Congress as an ogre which constantly opposes improvements. That isn't so. Congress has only to be shown a justified need and it will willingly provide money for the remedy."

It could be this pretty gal's appearance disarms the Budget Bureau and the Civil Service Commission, but her theories work out, for she's been given funds to get adequate new quarters, buy modern machinery, consolidate files into a modern system, and increase her working force.

A great deal of her present program springs from a woman's distaste for the drab and from outmoded systems. But more than that is her belief that the passport division must be ready for the jet age, a phrase which she didn't coin but which she popularized around Washington in her appearances before Congressional committees.

We're entering a new age of travel and speed which is going to make it possible for almost everyone in the country to visit places and see things never dreamed about. It won't be long before we will need a million passports a year to handle America's travel needs.

This year the passport agency has issued 560,000 of the little green books. Ten years ago the figure was 202,000. And concerning those little green books, she's even thinking now of a more attractive passport, done in plastic, where the glycerin in the ink won't rub off. But that is at least several hurdles and a couple of years ahead.

April was the heaviest month in the agency's history, with 82,000 applications filed. Despite widespread publicity on cases of persons whose passport rights were challenged on security grounds, this lady, who has virtually the final word on issuance or denial of passports, said there has been only one turndown for security reasons this year.

She said no place in the world will be more than 20 hours away with the new jet transports that will travel up to 600 miles an hour, expected in 1960. They will carry 150 passengers and will be able to make three transatlantic crossings in the time it now takes to make two.

Women are her best customers and biggest headaches, she admits wryly. They get 56 percent of all passports issued. They also nullify their passports with amazing regularity with nail polish, cigarette burns and mutilations, that lodge with amazing frequency across the year of their birth. Men aren't wholly innocent. "They keep copious notes including dress sizes, telephone numbers, and sure-fire systems for beating roulette in their passports," she added.

She gets many a chuckle out of her work. A young woman sent in a passport photo of herself in a WAC uniform. When it was returned with a request for a photograph out of uniform, she submitted a picture of herself in the nude.

Miss Knight is widely traveled. She has visited the 48 States and Hawaii and made business or pleasure trips to 34 foreign countries. She's a graduate of the New York University School of Journalism and speaks French, German, and Czechoslovakian in addition to English. She is married to Wayne W. Parrish, publisher of aviation magazines. Her Government career dates back to 1936 when she became a division chief of the old National Recovery Administration.

Despite the sweeping changes for good she has effected in her department, her most startling thinking to many was a comment some time ago that the law doesn't require that a passport picture make you look like a thug.

"I was well acquainted with the gag that if you looked like your passport picture you needed a trip, but I was unprepared for the preponderance of thug-like pictures I've had to process," she continued.

"People needn't smile or look slaphappy, but if they want to smile naturally, why not? A normal, relaxed photograph is a far better identification of a passport holder than a scowling mug shot."

Meanwhile, if you want to see what this energetic lady is doing, drop into the passport agency after October 1 and you'll find out.

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

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

The Chief Clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

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

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. MURRAY, from the Committee on Interior and Insular Affairs:

William Francis Quinn, of Hawaii, to be Governor of the Territory of Hawaii; and

Farrant Lewis Turner, of Hawaii, to be Secretary of the Territory of Hawaii.

By Mr. BYRD, from the Committee on Finance:

Olivia C. Erpenbach, of Minnesota, to be collector of customs in customs collection district No. 35, with headquarters at Minneapolis, Minn.; and

John E. Paterson, of Alabama, to be collector of customs for customs collection district No. 19, with headquarters at Mobile, Ala.

Frank A. Thornton, of California, to be collector of customs in customs collection district No. 25, with headquarters at Mobile, Ala.

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

Roby C. Thompson, of Virginia, to be United States district judge for the western district of Virginia.

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce:

John A. Benning, for permanent appointment as ensign in the Coast and Geodetic Survey.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). If there be no further reports of committees, the nominations on the calendar will be stated.

INTERNATIONAL MONETARY FUND AND INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

The Chief Clerk read the nomination of Robert B. Anderson, of New York, to be United States Governor of the International Monetary Fund and the International Bank for Reconstruction and Development.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES ATTORNEY

The Chief Clerk read the nomination of Peter Mills, of Maine, to be United States attorney for the district of Maine.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES MARSHAL

The Chief Clerk read the nomination of Harry W. Pinkham, of Maine, to be United States marshal for the district of Maine.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COAST AND GEODETIC SURVEY

The Chief Clerk proceeded to read sundry routine nominations for permanent appointment in the Coast and Geodetic Survey.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

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

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

POSTAL FIELD SERVICE EMPLOYEES PAY-INCREASE BILL—PROPOSED UNANIMOUS-CONSENT AGREEMENT

Mr. JOHNSON of Texas. Mr. President, on behalf of the minority leader and myself, I propose the following agreement:

Ordered, That when the Senate proceeds to the consideration of H. R. 2474, the postal field service employees pay-increase bill, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 30 minutes, to be equally divided and controlled by the mover of any such amendment, motion, or appeal and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment, motion, or appeal, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received, with the following exception, namely, that it may be in order to offer as an amendment to the said bill the language embraced in H. R. 2462, the Federal Employees Salary Increase Act of 1957, to which germane amendments may be offered under the same limitation of debate and control of time applicable in the case of H. R. 2474.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

I should like to make it abundantly clear that if this is agreed to and unanimous consent is given, the order would take effect when and if we called up the postal pay increase bill.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement? The Chair hears none, and the agreement is entered.

CRITICISM OF THE SUPREME COURT

Mr. WILEY. Mr. President, in these times, when, someone has said, there is a tendency for some people to become irrational and really fly off on a tangent, we have to remember that if history teaches us anything it is the need to have issues of political power settled by legal rather than physical coercion. By now we should surely be able to see that there can be no Constitution without law administered through the Highest Court. This necessarily presupposes respect for and compliance with the law declared by the Court. In a real controversy, an appeal is made to law, and the issue must be left entirely to the judgment of the High Tribunal, not to the personal judgments of those interested.

At the present time, Mr. President, the Damascus coup points clearly to the essence of Soviet policy in the Middle East. This is another reason why we should keep our balance. We know the Eisenhower doctrine was not made to fit into the facts as they exist in that situation. Nevertheless, the facts are clear that we are not surrendering our principles.

I shall place in the RECORD shortly a statement in relation to the new Russian development of the intercontinental missile, which also calls for us to think and think clearly on these matters.

Mr. President, I was very much interested in an article in the magazine of the New York Times entitled, "Is The Criticism of the High Court Valid?" written by Bernard Schwartz. I ask unanimous consent that the article be printed in the RECORD at this point.

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

IS THE CRITICISM OF THE HIGH COURT VALID?

(By Bernard Schwartz)

WASHINGTON.—During the past generation, there has been a profound change in the manner in which Americans have tended to regard the Supreme Court. Until recently, the attitude of most of us toward our highest judicial institution recalled with singular fidelity that with which, according to Burke, Englishmen of a century and a half ago should have looked upon the political system of their country: "We ought to understand it according to our measure; and to venerate where we are not able to understand."

Yet, if to our grandfathers and our fathers the functioning of the Supreme Court was a sacred mystery of American statesmanship, in our own day the pendulum has swung all the way to the opposite extreme. Veneration has, all too often, given way to vituperation, and the high tribunal has been subject to more than its share of purely partisan censure and attack.

In this current atmosphere of criticism, it should be noted that it is one thing to censure specific Court decisions as unduly extreme and quite another to denounce the Justices on purely personal grounds and to seek to destroy the effectiveness of the Court itself as an institution. To be sure, no governmental organ in a democratic society should be above and beyond criticism. Yet criticism to be fruitful should be based upon understanding. In the case of the Supreme Court, there has been all too little comprehension among its extreme critics of the vital role which the Court has to play in a constitutional system such as ours.

Bryce tells the story an intelligent Englishman, who, having heard that our Supreme Court was created to protect the Constitution, and had authority given it to annul unconstitutional laws, spent 2 days in hunting up and down our organic document for the provisions he had been told to admire. It is no wonder that he did not find them, for there is not a single word in the Constitution on the subject.

Yet, though the Founding Fathers did not speak specifically about the cardinal function of the High Court in guarding the ark of the Constitution, their intent is actually as clear as though they had such express provision. This results from the very theory of a written organic instrument.

The whole purpose of the Constitution, it should not be forgotten, is to establish limits which are not to be transcended by the departments of Government. Its restrictions may often seem to many as undue restraints upon the popular will at a given time. But that is the very essence of constitutionalism. It is the peculiar purpose of a written constitution to classify certain things as legal fundamentals; these fundamentals may not be changed except by the slow and cumbersome process of constitutional amendment.

The people themselves have decided, in constitutional convention assembled, to limit themselves in the exercise of the complete sovereign power which they would otherwise possess in a representative democracy. And it is precisely these limitations that enable those subject to governmental authority to appeal from the people drunk to the people sober in periods of excitement and hysteria.

If the limitations contained in the Constitution are to be given full effect, their enforcement must not be controlled by every shift in popular whims. A system such as ours, based upon a written Constitution, can hardly be effective in practice without an authoritative judicial arbiter of constitutional issues.

Addressing the court in one of the great state trials of Stuart England, the attorney general of Charles I asked, "Shall any say, the King cannot do this? No, we may only say, he will not do this." It was precisely to insure that, in our system, we would be able to say, "The State cannot do this," that we enacted a written Constitution containing basic limitations upon the powers of government.

Of what avail would such limitations be, however, if there were no legal machinery to enforce them? Without such machinery, our present system would be no more effective than that set up under the Articles of Confederation adopted just after the Revolution. To avoid the weaknesses which had rendered the confederation futile, the Constitution had to incorporate, the men of 1787 well knew, a coercive principle. The only question, as one of the founders expressed it, was whether it should be a coercion of law, or a coercion of arms.

The provision of effective coercion of law for enforcement of the Constitution has been the uniquely American contribution to the science of government. For the ineffectiveness of other constitutions, whose violations could be censured only by the threat or exercise of revolutionary force, we have substituted the institution of review by the Supreme Court of the constitutionality of all exercises of governmental power.

Whatever one may think of the way in which their authority has been exercised by different courts, the securing of a sanction short of force for the safeguarding of our constitutional rights certainly represents a basic forward step in political theory. Struggles over power that in other countries call out regiments of troops, in this country call out only regiments of lawyers.

It is in recognition of this that, in the words of the most famous of "Commentaries" upon our Constitution (that of Joseph Story), "the universal sense of America has decided that in the last resort the judiciary must decide upon the constitutionality of the acts and laws of the General and State Governments, so far as they are capable of being made the subject of judicial controversy."

A constitution that cannot be enforced by the courts is but a paper instrument. It is judicial enforcement alone that makes the provisions of our Constitution more than mere maxims of political morality.

A generation ago, the need for the Highest Court to exercise its role effectively was taken for granted. It is true that there were many people at that time who criticized specific decisions as contrary to the essential needs of effective contemporary government. Yet no substantial sentiment existed in the country for any real curtailment of the court's powers. Even President Franklin D. Roosevelt, in his bitter strife with the Supreme Court, suggested only changes in that tribunal's composition, but none whatsoever in its constitutional prerogatives.

The Roosevelt conflict with the High Tribunal ended ultimately with the appointment by the President of a new Court majority which was far more sympathetic toward the New Deal position on the extent of governmental power. With the advent of the Roosevelt court, there were many who thought that the high bench would cease to be the vital center of our constitutional system. Yet the Supreme Court has been as much in the headlines and controversy as it has ever been, and, while this may hardly be a true criterion of its effectiveness, it surely shows the continued significance of the high tribunal in our constitutional scheme of things.

It is, in fact, difficult to see how the Court can cease to play a crucial part while our system remains true to its constitutional foundations. It is, in Justice Jackson's phrase, hard to comprehend how the provisions of a 150-year-old written document can have much vitality if there is not some permanent judicial institution to translate them into current commands and to see to their contemporary application.

Those who attack the Supreme Court's recent decisions on the ground that they constitute an unwarranted assumption by the Court of primacy over the other branches of government ignore constitutional realities in a system such as ours. Though particular decisions may be subject to legitimate criticism, the essential role of the Court must be accepted, if that tribunal is to continue to fulfill its vital task as guardian of the Constitution.

It should be emphasized that authority such as that exercised by our Supreme Court does not necessarily inhere in judicial power. The judiciary is normally the weakest of the branches of government. The execution of the High Court's will is almost entirely dependent upon the concurring will of the Executive; as Hamilton pointed out, it is the Executive which holds the sword of the community. The story is traditional that President Andrew Jackson once refused to enforce a Supreme Court decision with which he strongly disagreed, saying, "John Marshall has made his decision; now let him enforce it."

How then has the High Court, despite the inherent weakness of its position, managed successfully to assert its power as the authoritative expounder of the Constitution? For, though it possesses neither the sword of the Executive nor the purse of the legislature, the Court's judgments have normally come to be adhered to without question by those who do direct the strength and the wealth of the society.

The strength of the Supreme Court has lain in its acceptance by public opinion as the essential element of our constitutional structure. Acceptance of the court and its authority in the constitutional sphere has become as ingrained in the American consciousness as is acceptance of the competence of the umpire in a sporting event. Should the Court's place in public esteem really tend to go down, then there is genuine peril that it will ultimately lose its exalted constitutional status.

The Supreme Court itself has recognized the basic weakness of its position unless it is supported by public opinion. Opinion is stronger in this country than anywhere else in the world. To yield a little may be prudent, for the tree that cannot bend to the blast may be broken.

It is the real relationship that exists between the work of the Highest Tribunal and public opinion that makes criticism of specific Court decisions fruitful. Mr. Dooley notwithstanding, the High Bench may not immediately follow the election returns. Yet the Justices are extremely sensitive to informed criticism and normally seek to keep in tune with the common sentiment of the community.

Proper criticism of a particular decision is an appeal to the intelligence of a future day, when a later decision may correct the error into which the critic believes the Court has been betrayed. But proper criticism does not at all challenge the place of the Court in our constitutional scheme, or seek to undermine the public acceptance of the Court's role upon which that tribunal's authority ultimately rests.

Should extreme attacks upon the Court succeed, there will result a far more radical change in our constitutional system than even the most immoderate critics assert has been brought about by the Court's decisions of the past few years. A system such as ours, governed by a written organic instrument, must of necessity be a law state par excellence. That such a system can flourish only in a society imbued with a legal spirit and trained to reverence the law is as certain as any conclusion of political speculation can be.

For such a system properly to operate, there must be judicial machinery set up to insure that the provisions of the Constitution are adhered to. A constitution whose provisions are enforced only by the voluntary adherence of those subject to it can be of little practical effect. "To what purpose," as Chief Justice John Marshall said, "are powers limited, and to what purpose is that limitation committed to writing, if these limits may, at any time, be passed by those intended to be restrained?"

If history teaches us anything, it is the need to have issues of political power settled by legal rather than physical coercion. We should by now surely be able to see that there can be no Constitution without law administered through the Highest Court. But this necessarily presupposes respect for and compliance with the law declared by the Court. When, in a real controversy, an appeal is made to law, the issue must be left entirely to the judgment of the High Tribunal and not to personal judgments of those interested.

Respect for the Court's decisions is the sine qua non of our structure. Draw out this particular bolt and the whole machinery will fall to pieces. To make even one exception to the principle that the Supreme Court is the trustee of the law is to take the fatal first step toward abrogation of the rule of law itself. In Justice Frankfurter's apt words, "If one man can be allowed to determine for himself what is law, every man can. That means first chaos, then tyranny."

Covenants without the sword, says Hobbes in a famous passage, are but empty words. The same is true of a constitution that cannot be enforced by the courts. How vain are such words if they may be heeded or not at will! Of what importance is it to say that the political branches are prohibited from doing certain acts, if the branches recognize no legitimate authority to decide whether an act done is a prohibited act?

If the political branches alone have the right to decide on their own powers, does any Constitution remain? Does not the power of the branches become absolute and uncontrolled? Can anyone talk to them of transgressing their constitutional powers, when they deny that anyone has a right to judge of those powers but themselves?

THE HUNTING SEASON

Mr. HUMPHREY. Mr. President, as Congress comes to the end of this session, we are also approaching the start of the hunting season in many areas of the country. Each year a terrific toll of death and injury is taken as a result of the careless few who mishandle firearms.

For that reason I want to call the attention of the Senate to the constructive project being sponsored by the Izaak Walton League across the Nation this fall. It is the league's red-cap program to encourage respect for legal and moral hunting laws; to foster safety in the use of firearms; to help promote respect for the rights of property owners by hunters; to help prevent range and forest fires; and to help perpetuate hunting as a national sport for ourselves and future generations.

Very simply the program is designed to focus attention on the responsibilities of sportsmen when they go afield. Those of us who have been brought up in the tradition of the outdoors accept these obligations as a matter of course and take them most seriously. Younger generations which have not had these opportunities must be properly indoctrinated, if we hope to perpetuate hunting as the great national sport it has always been.

The red-cap program has demonstrated that it will contribute to that desirable end.

Mr. President, I ask unanimous consent that a copy of the press statement from the Izaak Walton League of America, describing Red Cap Month be printed at this point in the RECORD.

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

AMERICA'S HUNTERS TAKE THE PLEDGE

If you're a hunter, you're going to be asked to "take the pledge" during the month of September.

In this case the pledge is the Red Cap Month pledge of the Izaak Walton League of America to encourage respect for legal and moral hunting laws, help foster safety in the use of firearms, help promote respect for the rights of property owners by hunters, to prevent range and forest fires, and to help perpetuate hunting as a national sport for ourselves and future generations.

During the month of September, the hundreds of local chapters of the Izaak Walton League of America will attempt to bring their story of the red hunting cap to every hunter in the country. Their goal: to have as many hunters as possible sign a Red Cap Month pledge card and then to go into the field on opening day and hunt by this code.

The red hunting cap, as the symbol of hunting safety and hunting manners, has been adopted by the league as the hallmark of this combination safety-conservation program.

Red Cap Month is an ambitious undertaking for the 35-year-old Izaak Walton League. Yet, it is only another in the many outstanding projects and programs which it has conducted over the years; all of which back up their avowed purpose of building a better outdoor America.

Mr. William H. Pringle, of Pierre, S. Dak., national president of the Izaak Walton League of America sums it up this way:

"A need for Red Cap Month? Just look at the figures on the number of hunters who this year will go after our wild game; consider the number of man-caused forest and range fires; think of the disrespect paid by these hunters for farmers' rights and property; add up the flagrant violations of laws of hunting and conservation.

"And, most alarming of all is the fact that, as each hunting season opens, forestry and conservation officials sit and wait for the first reports of hunting accidents and fatalities.

"Hunting, as a national sport and recreational activity could, if it continues to be conducted in this manner, be reduced to a mere memory for our future generations."

Mr. Pringle's story on Red Cap Month, and the need for such an educational program, has also caught the fancy of another President, this one himself an avid outdoorsman, Mr. Eisenhower.

In expressing his support for Red Cap Month, the President said:

"The work of the Izaak Walton League of America has long had my enthusiastic support. The objectives of Red Cap Month, therefore, found a most receptive audience here."

Mr. Eisenhower is not alone in his endorsement of Red Cap Month and the pledge of the league. Most of the State's governors have issued separate proclamations for their States declaring September as Red Cap Month in their individual States.

Why all the fuss? Why is the Izaak Walton League so concerned about the actions of America's hunters?

Well, much as the National Safety Council has attempted to educate the millions of American motorists with the rules of safe driving, so is the Izaak Walton League dramatically bringing to the attention of the millions of American hunters the simple rules of hunting safety and conservation.

To anyone who hunts, or who is connected with the sport of hunting, it will come as no surprise that according to the national survey of fishing and hunting conducted in 1955 for the United States Fish and Wildlife Service, one out of every six teen-age boys hunts. Of the 118 million people in the United States over 12 years of age, it is estimated that 12 million hunt. And this includes some half million feminine shooters.

These 12 million hunters spend right at $1 billion in the pursuit of their sport for equipment, lodging, transportation, etc.

Hunting, as a national sport, ranks shoulder to shoulder with such other giant individual participation sports as fishing, golf, boating, bowling, etc. Twelve million persons hunt, and remember, these 12 million are all equipped with either guns or bows and arrows.

And so the reason for the first point in the league's Red Cap Month pledge, "to help foster safety in the use of firearms."

Taking 1955 as an average year in 34 States and 2 Canadian provinces reporting to the National Rifle Association, there were a total of 1,561 hunting accidents involving gunshot wounds. Twenty percent of these were fatal.

The need for hunter education is shown by the fact that 42 percent of the people actually firing the fatal or injury-causing shots were between the ages of 11 and 19. All responsible safety authorities agree that this total, this maiming, suffering, and death can be cut in only one way—by determined, consistent education efforts.

The rules of hunting safety are simple. Encouraging their observance is the problem. With more hunters going into the field in 1957 that at any time in our history, the Izaak Walton League is working most vigorously to burn the need for hunting safety indelibly upon the minds of every hunter in the country.

A second important point of the Red Cap Month pledge is: "I pledge the prevention of range and forest fires."

To every Waltonian, and to every thinking hunter in America, range and forest fires mean only one thing, the destruction of the land and its capacity to produce water, food, fiber, and wild game. If Americans should somehow succeed in destroying most of the range and forest lands, there will some day be nothing at which to shoot.

That does seem far-fetched, but a quick look at a 1957 report of the United States Forest Service tells us that, difficult as it seems, Americans are managing to burn up the countryside at a fairly fantastic rate.

This report says that 1956 was a record low period for forest fires in the United States. Yet on Federal, State, and private lands, there were still 143,485 fires during the year, or an average of one fire every 3½ minutes. (At this rate, while you read this article, two fires will have started in this country.)

These fires burned and destroyed the appalling total of 6,605,894 acres.

Chief cause of these fires? The Izaak Walton League can but repeat the often-quoted figure of Smokey, the Bear: "9 out of 10 forest fires are mancaused. Only you can prevent forest fires."

Here again, there is no complicated formula for the prevention of these fires. Lighted cigarettes should not be thrown from automobile windows—use the ash tray. In the field, cigarettes should be crushed underfoot, picked up, and then stripped and scattered.

Camp fires should never be left untended. They should be extinguished with plenty of water, stirred well, and then liberally doused again.

Everyone who has ever gone into the outdoors has heard these rules time and time again. Yet there were 143,485 forest fires last year and 90 percent of these fires were started by people who knew the rules.

Fire, important as it is, is but one aim of Red Cap Month. Another point of the red cap program pledges hunters to "help promote respect for the rights of property owners."

In a good portion of our country, the farmer and the rancher own the land that supports wild game. These property owners are, for the most part, hunters themselves and have been most generous in opening their lands to other hunters.

But with each passing year, hunters are finding more posted fields, more lands closed to them. Here again, with allowance for the expansion of posting by private hunt clubs, the reasons are simple and direct—a minority of the hunters has shown complete disrespect for the property on which he hunts.

Hunters barge into fields without showing the courtesy to the property owner of asking his permission. Gates are left open and valuable livestock wanders away. Fences are damaged in crawling over, under, or through them. Newly sown fields, or fields not yet harvested, are trampled through as if they were public sidewalks. Horses and cows are mistaken for deer, chickens are mistaken for pheasants.

It is because of these practices of discourtesy that the Izaak Walton League has added this third part of its pledge. Their aim, "to make hunting courtesy contagious."

If the 12 million hunters who go into the field this fall will request permission to hunt on lands, will close gates, will ask where the livestock is located and then give it a wide berth; walk around sown or unharvested fields instead of through them, will treat property as if it were their own, property owners might be more inclined to permit hunting activity on their lands.

And the legal and moral laws of hunting and conservation?

In our democracy, we live by a fixed set of rules which act to the best interests of the majority. Without these rules, complete chaos would prevail and the strength of our system would deteriorate.

The laws of hunting are no exception. They are established and work for the best interests of the majority of hunters. And these laws are the basis for an important part of the Izaak Walton League's Red Cap Month pledge.

When these laws say "the limit is 3," "shooting starts at noon," "you need a license or a stamp," "there is no open season," "no shooting of hens," "your gun can hold no more than 3 shells," they mean just that.

These laws are established for two basic reasons—first, to distribute the harvest of game equitably; second, to preserve the capacity of the species involved to produce hunting for the future. Continued violation of these rules can only mean one thing—future rules will be even more restrictive.

But what does all this mean to the hunting population of the United States?

The league wraps it up in the last line of the Red Cap Month pledge: "to help perpetuate hunting as a national sport for ourselves and future generations."

This is the end result of the Red Cap Month program. If every hunter will follow the simple rules of the Red Cap Month pledge; if he will think of the five points of the pledge every time he sees a red hunting cap, hunting can and will continue to grow as a satisfying and important outdoor recreational activity.

September is Red Cap Month. The President of the United States, many State governors, and the Izaak Walton League urge all hunters to take, and observe, the red cap pledge—to share the burden of "perpetuating hunting for ourselves and future generations."

SURVEY ON FARM INCOME

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the body of the Record at this point a survey which has been made by the Department of Commerce, analyzing sources of income. It is contained in the latest issue of the Survey of Current Business, published by the Department of Commerce.

The survey is discussed in an article written by Barrow Lyons and published in the Farmers Union Herald of August 5, 1957, and I ask unanimous consent that it be printed in the body of the Record.

The survey describes the sources of income for all persons in the United States, and notes that the American farmer is today the main victim of the Eisenhower inflation or, as we might technically call it, the price and cost squeeze. I feel that the survey will be most informative to Members of Congress.

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

United States Survey Shows Farmers Main Victims of Squeeze

(By Barrow Lyons)

Washington.—There is an excellent way of measuring how well labor, or farmers, or businessmen are faring in relation to the rest of society, although comparatively few people know about it. It is the breakdown of the sources of personal income published monthly by the Department of Commerce.

These figures show that in the last 18 years the men and women who work for salaries and wages have greatly increased the share they get of all goods and services produced in this country. In the last 4 years, however, they have made comparatively little progress in this respect.

The figures on personal income are shown in billions of dollars, not as percentages of the whole.

For instance, the latest issue of the Survey of Current Business published by the Department of Commerce, shows that for May the estimated annual rate of personal income in salaries and wages was $242.3 billion, as compared with an annual rate of $340.4 billion received in all forms of personal income for that month. In other words income in salaries and wages was 71.2 percent of all personal income received.

Other categories of personal income are given as: proprietors' income both (1) farm, and (2) business and professional; rental income of persons; dividends; personal interest income and transfer payments.

Transfer payments consist of money income of individuals for which no service is currently rendered. They include benefits under unemployment compensation and old-age insurance under provisions of the Social Security Act and Railroad Retirement Act. They also include Federal, State, and local relief, Government pensions for civilians and servicemen, and a number of other less important sources.

Transfer payments are almost certain to become a larger and larger part of the income stream as society assumes greater responsibility of those unable to earn a living. But there is another extremely important reason why this part of the money flow will increase. The effort to find ways to increase consumption of goods and services, so that our economy can operate on something like its fullest potential, is one of the great problems of the future. Here is a field in which income can be greatly expanded to provide new markets that will reduce the likelihood of widespread unemployment and depressions.

More and more economists and leaders in labor and farm organizations are coming to recognize, however, that in figuring real income the purchasing power of the dollar is equally as important as the number of dollars received.

Hence, there is a better guide to how well industrial workers, or farmers, or business and professional men, or landlords, or bankers are faring than the absolute number of dollars they are receiving. It is a calculation of what share of all personal income they are receiving—the size of the pie slice.

For instance, the figures produced by the Department of Commerce show that wages and salaries in 1939 amounted to $46.6 billion, $137.4 billion in 1949, $203.4 billion in 1953; and that last May they were being paid at an annual rate of $242.3 billion.

This appears to be very good, until these amounts are figured as a percentage of the whole. Even then they show that labor was making gains. In 1939 wages and salaries amounted to 64.1 percent of all personal income, in 1949 the share was 66.5 percent, in 1953, 71.1 percent. But there wasn't much gain percentagewise in the next 4 years. By May 1957, labor's share had arisen by one-tenth of 1 percent to 71.2 percent of all personal income.

Alongside of this comparison it is interesting to note that farm owners' income rose from 5.9 percent of all personal income in 1939 to 6.1 percent in 1949; but that it dropped to 4.6 percent in 1953, and to 3.4 percent in May.

Total income for business and professional people followed a somewhat similar course—10.1 percent of the total in 1937, 10.3 percent in 1949, 9.1 percent in 1953, and 8.9 percent last May. This overall figure broken down would show that the losses were taken principally by the hundreds of thousands of small-business men, while the big ones flourished like the green bay tree.

When 1939 is compared with May 1957, a period of 18 years, all other classifications, except transfer payments, show losses percentagewise. In this period personal income from rentals declined from 3.7 percent of the total to 2.8 percent; dividends to persons dropped from 5.2 percent of the total to 3.7 percent; interest income fell from 8 percent to 5.5 percent.

Dividend and interest payments, however, have made substantial gains during the last 4 years. So have transfer payments.

The latter amounted to 4.1 percent of the total in 1939, 6 percent in 1949, 5 percent in 1953, and 6.4 percent last May.

Labor income held its own percentagewise. Proprietors' income, farm, business, and professional, lost ground. Rental income also declined as a percentage of the total.

The foregoing data is loaded with political implications, but we believe it will not be difficult for you to draw your own conclusions from them. A study of the accompanying tables will be rewarding.

Sources of personal income

[In billions of dollars]

	1939	1949	1953	May 1957 estimate annual rate
Labor income, salaries and wages	46. 6	137. 4	203. 4	242. 3
Proprietors' income:				
Farm	4. 3	12. 7	13. 3	11. 7
Business and professional	7. 3	21. 4	25. 8	30. 4
Rental income of persons	2. 7	7. 9	10. 2	9. 7
Dividends	3. 9	7. 5	9. 3	12. 7
Personal interest income	5. 8	9. 8	13. 7	18. 6
Transfer payments	3. 0	12 4	14. 3	21. 8
Less personal contributions for social security	. 7	2. 3	4. 0	6. 6
Equals total personal income	72. 9	206. 8	286. 0	340. 4

Source: Department of Commerce and Bureau of the Census.

Sources of personal income as percentages of total

[In percentages of total]

	1939	1949	1953	May 1957
Labor income, salaries and wages	64. 1	66. 5	71. 1	71. 2
Proprietors' income:				
Farm	5. 9	6. 1	4. 6	3. 4
Business and professional	10. 1	10. 3	9. 1	8. 9
Rental income of persons	3. 7	3. 8	3. 5	2. 8
Dividends	5. 3	3. 6	3. 3	3. 7
Personal interest income	8. 0	4. 8	4. 7	5. 5
Transfer payments	4. 2	6. 0	5. 0	6. 5
Less personal contributions for social insurance	1. 3	1. 1	1. 3	2. 0
Total	100. 0	100. 0	100. 0	100. 0

FOREIGN POLICY

Mr. **FULBRIGHT**. Mr. President, many Members have wondered, and are wondering today, why our country is so unsuccessful in its foreign policy. We spend enormous amounts of money helping people in many lands. We enlist the best efforts of thousands of honest and well-meaning people in our Foreign Service. Why, in spite of all those efforts, do we fail to inspire confidence and trust in the hearts and minds of the millions of people we help?

Mr. President, the answer to that question is complex. It is too involved to examine thoroughly at this time. However, the subject is discussed by two of the most intelligent and well-informed observers of our international and national affairs in two different morning newspapers today. One of the articles appears in this morning's New York Times; the other in the Washington Post. They indicate clearly the principal reason why our foreign policy is so ineffectual, and why there is grave question in the minds of many people about what our foreign policy really is.

I ask unanimous consent to have printed in the body of the RECORD, as a part of my remarks, an article entitled "Mr. Dulles and the Press," written by Walter Lippmann, and published in this morning's Washington Post; and an article entitled "Press Censorship as Foreign Policy," written by Arthur Krock and published in this morning's New York Times.

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

[From the Washington Post of August 27, 1957]

MR. DULLES AND THE PRESS

(By Walter Lippmann)

It may be that Mr. Dulles is, as he says, now willing to let a limited group of American correspondents go to Red China for a trial period of 6 months. Yet, it is fair to say that he would not be inconsolable if they did not go. For in making his offer he attached to it the one condition most likely to provoke Red China into refusing to admit the American correspondents.

He will allow 24 American correspondents representing leading newspapers, news magazines, and broadcasting companies to go to Red China. But no Chinese newspapermen are to come to the United States. So unless Red China swallows her pride and acknowledges to the world that the United States is entitled to preferential treatment, the American correspondents will not be able to go to Red China. But then, as Mr. Dulles may conceivably have foreseen, he can argue that it is the Red Chinese and not he who prevent the American press from gathering news on the Chinese mainland. He can even be disappointed and indignant at these totalitarians who do not believe in freedom of the press.

Whether or not the Dulles proposal is actually put into effect, or was meant to be, the statement issued by the Department of State last Thursday must be challenged. The terms of this proposal affirm, and if acquiesced in, would establish as a precedent a new and hitherto entirely un-American conception of the right and duty of the press. Mr. Dulles is making the claim that outside the 3-mile limit he may treat the press as an instrument of foreign policy, and that the American press in foreign countries is subject to the paramount control of the Secretary of State.

This claim to power is contained in the text of the statement. Having reminded us that it has been the policy of the Secretary of State not to authorize—in fact, not to permit—American newspapermen to go, even at their own risk, to the Chinese mainland, Mr. Dulles goes on to say that he has changed his mind. He now finds it desirable that additional information be made available to the American people respecting current conditions in China.

Now, by what right, and on what principle, does he claim to have the power to decide how much information it is desirable for the American people to have? We have here the unprecedented and impertinent assertion that the right to turn off and the right to turn on the tap of news is one of the prerogatives of the Secretary of State.

This is followed by a truly remarkable declaration, one which will have to be examined thoroughly by all who are concerned with the security and the integrity of the American press.

The Secretary of State has accordingly determined that it may prove consistent with the foreign policy of the United States that there be travel by a limited number of American news reporters to the mainland of China. This is, I submit, a usurpation of power which has never before been vested in the Secretary of State—the power to determine whether, when, where, and under what conditions the American press may gather and report news in foreign countries.

Surely, in the American way of life it is for the editors to determine whether, when, and where news is available that should be reported, and it is entirely impossible to accept the principle that Mr. Dulles, Mr. Walter Robertson, and Mr. Andrew Berding have any right or power to regulate the reporting of news. They can warn newspapermen that it may be dangerous to go to a place like Red China, and that the Department of State cannot help them if they get into trouble. But if the editor and the reporter accept the risk, it is not for the Department of State to decide whether it likes or it does not like to have them go.

The essential difference between a free press and a totalitarian press lies exactly here: That in a free country the press is not an instrument of the government's policy. It is an independent instrument to enable the people to understand and to judge policy, to help them make or to help them unmake policy.

Last week's declaration from the State Department denies that in foreign affairs there is such a thing as an independent press. It claims a paramount right to decide whether there shall be more or less news reported from China. It asserts the right to decide what kind of correspondents may go to China—in this case, the correspondents must be resident, and not special correspondents on special assignments, as, for example Mr. Joseph Alsop or Mr. Edward Murrow. It asserts the right to judge experimentally the news reported from China during the trial period of 6 months. Thus an American correspondent who goes to the mainland is to have two bosses—his editor and Mr. Dulles.

All this, it may be said, discloses the fact that Mr. Dulles has an imperfect grasp of the principles of a free press in a free society.

[From the New York Times of August 27, 1957]

PRESS CENSORSHIP AS FOREIGN POLICY

(By Arthur Krock)

MIDDLETOWN, R. I. August 26.—Whether or not the State Department "planned it that way," and hence in the demand by the Peiping government for reciprocal news gathering finds a pleasing new pretext for keeping American reporters out of Communist China, the episode at every stage has demonstrated a strange deviation by Secretary Dulles from his long and able service to the American constitutional system. In relaxing certain details of his assertion of censorship over the press of the United States the Secretary has made even plainer than in his original position that either he opposes, or fails totally to comprehend, the function of a free press that is specifically recognized and protected in the first amendment.

In first refusing to allow American reporters to extend their professional activities to Communist China, and then in setting limits to these activities of the selected reporters whose passports he decided to validate for that country, the Secretary clearly revealed a concept of Government authority over the free press precisely that of the totalitarian regimes he has resisted throughout his distinguished public career.

This concept is:

MR. DULLES' CONCEPT

1. Whenever, in the opinion of the Secretary of State, his foreign policy is served by censorship of news gathering abroad by the American press, it shall be imposed by the Department. This shall be done whether or not actual hostilities or present threats of them exist between the United States and the restricted area.

2. This censorship may be total, as under Dulles' original Chinese exclusion act. Or it may be limited, by conditions on the tenure and content of the reporting that he prescribes in the role of nationwide publisher or managing editor.

This concept is implicit in the first and in the revised positions of the State Department toward the gathering of information in Communist China by the American press. In the first the Secretary, after Peiping had invited a group of American reporters to Communist China, forbade acceptance of the invitation on peril of passport withdrawal and prosecution under the Trading With the Enemy Act. In the second, forced by general protest from a public used to information wherever procurable, the Secretary assumed managerial authority over news gathering; what reporters should go to China, for how long, and only as an experiment—the usefulness of which, and whether the period should be extended, to be determined by the State Department.

AN ALIEN IMPLICATION

In his grudging surrender of the imposition of total press censorship, while very definitely maintaining it as within proper governmental authority, the Secretary also gave a reason that left an implication alien to the free press as an American institution. This reason was that new factors in China justified the modification—factors which a spokesman listed as reports of mounting internal and economic troubles. This leads to the reasonable conclusion that only when the news is bad in countries unfriendly to the United States will the State Department permit the press to report it and the American people to read it. That is the classic rule of governments which control the press in the interests of their policies.

Ever since the rise of totalitarian regimes that have threatened our institutions, American governments have denounced this press policy. None has thus inveighed more often and forcefully than the administration of which Dulles is the voice abroad. It has urged relaxation of press controls in the nations directly controlled by Moscow, made a worldwide free flow of information a cornerstone of policy, and gone to Geneva with a detailed program to that purpose. Until Communist China made its offer to admit a selected group of reporters it was standard practice for the State Department to denounce Peiping for keeping out all observers save those it had reason to expect would be content with conclusions obtained in guided tours.

INCONSISTENT REASONING

But when for the first time Peiping afforded an opportunity for American reporters experienced in separating the real from the sham to make professional visits to Communist China, the State Department found a variety of reasons to refuse to validate their passports. Each reason was inconsistent with the next to last, one suggesting that such reporters might color their articles favorably to the Peiping regime. This censorship once asserted, the Secretary has inevitably proceeded from one unsound position to the next. And that will be true in the record whether or not he concludes that Peiping's demand for reciprocal reporting has given him an "out" that will be approved by the American public.

A Government press policy which makes a distinction, and with the instrument of censorship, between Soviet Russia and Communist China is made in fact ridiculous, as in concept it is alien, by every revelation of the acts of Moscow spies in the United States.

DIPLOMATIC APPOINTMENTS

Mr. FULBRIGHT. Mr. President, I wish to take this occasion to congratulate the Senator from Montana [Mr. MANSFIELD] on the speech he made at the beginning of the session on yesterday. Unfortunately I was delayed and was not in the Chamber, and did not realize that he had made the speech until I read it in the RECORD this morning.

I believe that what he said with regard to the appointment of our ambassadors is absolutely correct. He outlined in a very clear manner what is one of the principal troubles with our present system of appointment. He pointed his finger at the true source of much of our difficulty; namely, the Committee on Appropriations of the House of Representatives, when they thwart the effort of the Senate to provide proper standards of compensation, especially in representation allowances for the major posts, such as at London, Paris, and Rome.

Until we do something about it—and that is certainly a part of our responsibility in the Senate—there is no way of improving that situation, and no improvement is likely to take place with regard to that difficulty. The Senator from Montana certainly deserves much credit for the statement he made yesterday.

PROCEDURES FOR THE PRODUCTION OF GOVERNMENT RECORDS IN CRIMINAL CASES

Mr. CLARK. Mr. President, late yesterday afternoon, immediately before the passage of Senate bill 2377, my good and distinguished friend, the Senator from Wyoming [Mr. O'MAHONEY], who led with such distinction the forces which were desirous of having the bill meet the requirements of due process by being fair to the Government and also fair to defendants, accepted an amendment proposed by the distinguished Senator from Nebraska [Mr. HRUSKA]. By reason of the acceptance of that amendment by the Senator from Wyoming, those of us who would have opposed it had it come to a vote on its own merits were required either to take it and vote for the bill, or oppose it by voting against the bill. That I was not willing to do. Accordingly I held my peace, because I believe the bill as it finally passed was a far better bill than the one originally sponsored by the committee.

As a part of the legislative history of that bill I should like to point out the real need to leave in the hands of the trial judge a very wide discretion in determining what should be done in the event the Government refuses to produce, on order of the court, the statement of a Government witness who has already testified at the trial. Under the original substitute offered by the Senator from Wyoming, which was before the Senate before the Hruska amendment was offered, that discretion would have been very free, indeed. Read by itself, the language of the Hruska amendment might be thought to limit that discretion.

I should like to have the RECORD show that the majority opinion in the Jencks case stated:

> We now hold that the petitioner was entitled to an order directing the Government to produce for inspection all reports of Matusow and Ford in its possession, written and, when orally made, as recorded by the FBI, touching the events and activities as to which they testified at the trial. We hold, further, that the petitioner is entitled to inspect the reports to decide whether to use them in his defense. Because only the defense is adequately equipped to determine the effective use for purpose of discrediting the Government's witness and thereby furthering the accused's defense, the defense must initially be entitled to see them to determine what use may be made of them. Justice requires no less.

Skipping, the majority opinion further stated:

> But this Court has noticed, in *United States* v. *Reynolds* (345 U. S. 1) the holdings of the Court of Appeals for the Second Circuit that, "in criminal causes * * * the Government can invoke its evidentiary privileges only at the price of letting the defendant go free. The rationale of the criminal cases is that, since the Government which prosecutes an accused also has the duty to see that justice is done, it is unconscionable to allow it to undertake prosecution and then invoke its governmental privileges to deprive the accused of anything which might be material to his defense."

That I believe to be a sound and just rule of law. To eliminate all possibility of applying such a rule is, I think, to load the dice unfairly in favor of the Government and the prosecution.

Yesterday we discarded that sound rule, but we adopted in its place the views of the concurring opinion, written by Mr. Justice Burton, in which it was said:

> The trial judge exercises his discretion with knowledge of the issues involved in the case, the nature and importance of the Government's interest in maintaining secrecy, and the defendant's need for disclosure. By vesting this discretion in the trial judge, the conflicting interests are balanced, and a just decision is reached in the individual case without needless sacrifice of important public interests.

I was content to accept the concurring-opinion point of view, because I feared that if we did not pass this bill at this session of Congress, we might get some worse legislation, which would really be a violation of due process and of civil liberties.

However, I make the point that in my opinion the Hruska amendment—and I state this to be a part of the legislative history of the discussion yesterday—does not take away from the trial court the right to dismiss the indictment if the interests of justice require it, when the Government has failed to comply with an order of the trial court directing it to produce statements of witnesses who have already testified on behalf of the Government.

Because I am firmly convinced that the proper interpretation of the Hruska amendment will not deprive the trial judge of that discretion, to which even the concurring opinion said he was entitled. I raised no objection on the floor yesterday to the adoption of the amendment and its acceptance by the distinguished Senator from Wyoming.

I hope we will be able to persuade the House of Representatives to adopt the Senate bill. But if the House should pass a bill which loads the dice against the defense, which gives the Government an unfair advantage, I hope in conference we will stand by our guns and insist on the protection of those essential American liberties of due process which are deeply imbedded in our Constitution.

I would not want anything I say today to be construed as indicating that I do not believe that close scrutiny must be made of any request for the delivery of Government files and statements and records, and the like. Of course we must protect the Government. There has been some confusion about the interpretation of the Jencks case. Perhaps legislation is needed. The bill which passed the Senate meets those needs. I hope it will be sustained in the other body and will be sent to the President in a form which he can accept.

THEY ARE AMERICA, DEPARTMENT OF LABOR BOOKLET

Mr. CASE of New Jersey. Mr. President, I am sure that all of us have experienced the frustration of trying to plow through a typical Government report with its dry text, its complex-compound sentences and columns of statistics, and, invariably its fine print that tires the mind as well as the eyes.

No doubt the great amount of information contained in these reports is useful and important to many people, but unfortunately, all too often the form in which they are presented results in consignment to the wastebasket, instead of the library shelf.

The new publication, however, the Labor Department's They Are America, has taken a leaf from the notebook of private industry, which learned a long time ago that financial statements and annual reports and notes to stockholders and the like could and must be interesting as well as informative. Industry improved its reports to its stockholders, and I am pleased to call attention to a striking example of an important Government report to its stockholders, the citizens of the United States.

In They Are America the Department of Labor has taken the best from the experience of private industry and utilized the latest techniques of the art of layout and design combined with simple, clear text. It has also crammed much valuable information between its covers, interestingly illustrated with striking photographs donated by private industry.

This publication, produced by the Labor Department at a cost no greater than that of the usual stiff, dull, uninteresting Government report, will, I hope, encourage other Government agencies and departments to examine their publications and see if they couldn't be made more readable and acceptable to a wider audience than they now are.

The best testimony as to the quality and value of They Are America comes in the form of an unusual editorial about the book, which appeared in the New York Times of Monday, August 19, and which I would like to have printed in the RECORD at this point.

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

AMERICA'S LABOR FORCE

They Are America, an 83-page booklet put out by the United States Department of Labor, stands out in shiny contrast among the multitude of publications that pour from the Government Printing Office. It is packed, but not too heavily, with facts and statistics and is lightened by vivid photographs—mostly donated by private agencies—and by a simple and engaging use of words.

For the general reader They Are America gives a striking picture of the United States labor force—its makeup, its problems, its possibilities in the revolutionary changes of today and tomorrow, and the protection it receives from the Federal laws and their administration. Especially interesting is the chapter on the impact of modern technological changes on employment—changes which are not coming as swiftly as commonly supposed. None of the plants noted for installing new machines and methods which are covered by Labor Department surveys has laid off large groups of workers. "Management has sought to expand and diversify rather than to displace labor."

Other chapters deal with the increasing demand for skilled and service workers as the nature of work changes, the mounting proportion of older workers—their problems and possibilities, the urgent need for greater education of our youth, the growing security which is given labor through Federal laws and the Department's activities, and American cooperation with the International Labor Organization in raising living and working conditions everywhere.

Altogether this is a valuable and attractive package of information—cheap at the 60-cent price tag. Copies may be had from the Superintendent of Documents, Washington 25, D. C.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SMATHERS in the chair). Without objection, it is so ordered.

MUTUAL SECURITY APPROPRIATIONS, 1958

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1151, H. R. 9302.

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

The CHIEF CLERK. A bill (H. R. 9302) making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes.

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

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Appropriations with amendments.

Mr. JOHNSON of Texas. Mr. President, we have before us a measure which represents one of the most thoroughly studied activities of our Government.

Mutual security has been under Congressional consideration since early last spring. Before that, it has been the target of searching legislative and executive investigations.

We have passed upon the basic principles. By our votes, we decided that there would be a mutual security bill this year. We also concluded it should take a new direction—greater emphasis on loans; less emphasis on gifts.

Only one question remains before us. It is simply how much of a program we will approve. The hows have been decided; but we must still determine the extent.

I know of no man who can reach up into thin air and pull out a magic figure. We cannot measure the exact amount which best serves the interests of our country with the same precision of an engineer measuring the stresses and strains in a beam.

We can only study the problem carefully; gather all available facts and figures and then exercise our collective judgment.

That is precisely what the Appropriations Committee did.

We tried to take into account many factors.

In the first place, we must allow for the uncertain international situation. It might get better—and we hope it will—but it might get worse. The only thing that is reasonably certain is that it will not remain the same.

We heard an announcement yesterday. The Soviets said they had fired successfully an intercontinental ballistics missile.

The announcement may be mere braggadocio. It might signify merely the firing of a test missile—exaggerated for propaganda purposes. Or it might be the precise, accurate truth.

We do not know. But we do know that the international situation is subject to change at any moment—and we cannot afford to take chances.

In the second place, we do not know for certain just how much is already in the pipeline from previous appropriations. We have heard estimates but the only safe statement is that it is in excess of $5 billion.

In addition, this country holds currencies of other countries in the amount of $2.5 billion resulting from sales of agricultural surpluses. We can draw from these so-called counterpart funds to further mutual security and its objectives.

The question still remains: How much?

The President originally asked for $4.4 billion. He then scaled that down to $3.8 billion.

The Senate voted an authorization of $3.6 billion and the House $3.1 billion. We settled on the compromise figure of $3.3 billion.

The President has told us that he can make out with this $3.3 billion, but no less. On the other hand, the House claims that $2.5 billion is sufficient to carry the program.

No useful purpose is served by claiming that one figure rather than another is the proper amount. We know only that if we are to approve the program we must allow a margin of safety.

The passage of this bill insures $3,025,660,000 of new money recommended by the Senate Appropriations Committee, and a reappropriation of $667,050,000 of unobligated balances, for a total appropriation of $3,692,710,000. This represents a margin of safety. I hope it will be approved by the Senate. I hope the President will find it acceptable.

That amount reflects a reasoned confidence in the President's judgment. It allows for some of the shifts and turns which may take place in the international situation.

It also reflects the views of Members of both branches of Congress that more could be done and should be done in the interests of economy.

This amount will continue necessary defense cooperation with friendly nations.

With this amount essential assistance in emergency situations can continue.

This amount enables us to switch from a giveaway program to a program of mutually beneficial and respectable loans.

This amount allows for intelligent pursuit of point 4, the technical cooperation program, which is one of the most useful we have developed.

Three billion dollars, in short, will be enough if the administration undertakes the necessary reforms. It will be enough if the economy that is preached is also practiced.

It will be enough if the administration makes progress in integrating ICA within the Department of State and eliminates costly duplication and confusion.

I hope we can move promptly to close out this legislation for the current session and that the Senate will approve the committee's work.

The committee, by a substantial vote of two to one without regard to party lines, makes this recommendation. The recommendation does not go as far as many members would have liked it to go. It goes farther than some members were willing to go. However, it represents the reasoned judgment of reasonably prudent men. I hope it will reflect the judgment of a majority of the Senate.

Mr. KNOWLAND. Mr. President, at a subsequent time I shall discuss the bill in greater detail, but at this point I merely wish to say that I shall fully support the chairman of the Committee on Appropriations, the Senator from Arizona [Mr. HAYDEN] in reporting the bill to the Senate.

As the distinguished majority leader has said, the bill was reported by the committee with bipartisan support. That vote was 14 to 7. It comes to us after prolonged hearings before the Committee on Appropriations. As the majority leader has said, it was less than some members felt was wise, and more than others felt should be appropriated.

It is a reasonable compromise between the various points of view. I believe it represents the action of the two Houses in trying to meet the situation before us. Less than 10 days ago the 2 Houses approved an authorization bill of $3,386,860,000. While I recognize, as I am sure all other Members of the Senate do, that frequently in the Senate an authorization amount is not followed by an appropriation in precisely the same amount—and that happens in many cases, such as on public works and other authorization bills—I wish to say that we have a rather unusual situation inasmuch as the authorization bill was passed within 10 days after rather prolonged discussion in both Houses on a subject matter which is closely related to the national defense and the foreign policy of our country.

Within 10 days of that time we come forward with an appropriation bill. The bill, as has been pointed out, is $361,200,000 under the authorization bill and the estimates which accompanied that bill. It is under the appropriations for 1957 by $740,910,000. It is under the January budget estimate of the President by $1,374,340,000.

No man is wise enough to know what developments may take place between now and when Congress reconvenes in January. However, I believe, in view of world conditions, and in view of the developments which have recently taken place in the Mideast, it would not be prudent, under the circumstances, to cut the appropriation further.

For those reasons and for the reasons mentioned by the distinguished majority leader, I shall support the amount as reported by the Committee on Appropriations, and shall vote against all amendments.

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

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. I wish to associate myself with the last statement of the Senator from California. I shall support the action of the committee, and its distinguished chairman, and shall resist any increase in the amount or any decrease in the amount, as I understand the Senator from California will also. I hope we can pass the bill as quickly as possible.

Mr. KNOWLAND. I thank the Senator.

Mr. HAYDEN. Mr. President, the bill which the committee has reported to the Senate contains appropriations of new funds of $3,025,660,000. This is an increase of $500,900,000 over the amount provided by the House bill. The principal increase is in the military assistance program, for which the committee has added $225 million. For defense support, the committee has increased the House appropriation by $104 million. For the new development loan fund the committee has reported an appropriation of $400 million, which is an increase of $100 million over the amount provided by the House. For special assistance, general authorization, the committee has increased the appropriation contained in the House bill by $50 million, to a total of $225 million. For the Latin American development fund the committee has included $20 million, whereas the House had not recommended any appropriation for this item. The remaining increase recommended by the committee is in the technical assistance program for which the committee has added $1.9 million to the bill. The increases which I have mentioned total $500,900,000.

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

The PRESIDING OFFICER. Is there objection?

Mr. ELLENDER. Reserving the right to object, I wonder whether the Senator from Arizona will be willing to have the proposed agreement apply to all the amendments with the exception of the one pertaining to the military assistance appropriation.

Mr. HAYDEN. Of course, even under the proposed agreement, any Senator would have the right to offer a further amendment.

However, I shall except from the agreement the military assistance amendment, which is the first committee amendment to the bill. Mr. President, I so modify my request.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request, as modified?

Without objection, it is so ordered.

The committee amendments agreed to en bloc are as follows:

Under the heading "Mutual Security—Funds Appropriated to the President", on page 2, line 5, after the numerals "1958", insert "and purchase of passenger motor vehicles for replacement only"; and in line 10, after the word "available", insert "until expended."

On page 2, line 13, after "131 (b)", strike out "$585,000,000" and insert "$689,000,000, to remain available until expended", and in line 17, after the word "than", strike out "$40,000,000" and insert "$35,000,000."

On page 3, line 1, after the numerals "203", strike out "$300,000,000" and insert "$400,000,000."

On page 3, line 4, after the numerals "304", strike out "$113,000,000" and insert "$114,900,000, to remain available until expended."

On page 3, line 11, after the figures "$15,500,000", strike out the colon and "*Provided*, That the United States contribution to the 1948 calendar year program shall not exceed 33.33 percent of the United Nations program."

On page 3, line 18, after "400 (a)", strike out "$175,000,000" and insert "$225,000,000."

On page 3, line 19, after the word "than", strike out "$10,000,000" and insert "$7,500,000."

On page 3, after line 20, insert:

"Special assistance, Latin America: For assistance authorized by section 400 (b), $20,000,000, to remain available until expended."

On page 4, line 1, after the figures "$11,500,000", insert "which shall remain available until September 30, 1958."

Under the subhead "Department of State", on page 6, line 4, after the figures "$4,577,000", insert a colon and "*Provided*, That the Secretary of State is authorized to transfer funds herein appropriated to any appropriation available for administrative expenses of the Department of State for the current fiscal year, and any funds so transferred shall be accounted for as part of the appropriations to which they are transferred."

Under the subhead "General Provisions", on page 6, line 13, after the word "purposes", strike out "not heretofore authorized by the Congress" and insert "within the United States."

On page 8, after line 3, strike out:

"SEC. 106. Except for the appropriations entitled 'Special assistance, general authorization' and 'Development loan fund', not more than 20 percent of any appropriation item made available by this act shall be obligated and/or reserved during the last 2 months of the fiscal year."

On page 8, after line 9, strike out:

"SEC. 107. None of the funds made available by this act shall be used to carry out the purposes of the first sentence of section 400 (c) of the Mutual Security Act of 1954, as amended."

On page 8, line 14, change the section number from "108" to "106."

On page 8, line 21, change the section number from "109" to "107."

On page 9, line 13, change the section number from "110" to "108."

Mr. SALTONSTALL. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. SALTONSTALL. I wish to add a word, as the senior Republican member of the committee present at this time, in the absence of the senior Senator from New Hampshire [Mr. BRIDGES].

I agree with what the Senator from Arizona has said. The committee has worked hard on this measure. The bill has received bipartisan support. The amendments have been worked out in a way which is satisfactory to a great majority of the committee. The amendments are not all that some of us want, and they are more than some others want. But as a whole, the bill is a good one, and it will be helpful to the security of the country.

Let me say, in addition to what the chairman of the committee and the two leaders have said, that the bill contains a number of language amendments which also are of importance, if the bill is to provide the greatest possible advantage in mutual security with other countries and in promoting our own national security.

Mr. President, I hope the bill will pass the Senate without floor amendment.

Mr. WILEY. Mr. President——

Mr. HAYDEN. I yield to the Senator from Wisconsin.

Mr. WILEY. Mr. President, the Syrian crisis sharpens the administration's fears of the effects of the cuts in the foreign aid appropriation bill.

I listened with interest to the colloquy between the majority leader and the minority leader this morning.

I wish to say, as I said the other day to a leader in Government, that we have done a poor job in selling to the people what we call mutual assistance. The phrase giveaway has been sold very aptly by those who are blind and who do not sense the world situation. Neither do they realize that the investment in much of this mutual assistance will save us 10 to 1. It has been stated before on the floor of the Senate that it is possible to provide 10 divisions of Turkish troops for the cost of one American division. That ratio is illustrative of the existing situation. And Turkey is on our first line of defense.

But the new situation which developed the other day, when Moscow announced what it has described as a successful testing of an intercontinental ballistic missile, requires the promptest reappraisal of America's total effort in weapons and defense development.

Of course the Soviet announcement will probably be reacted to by most persons in accordance with their individual opinions. Americans who have tended to take a gloomy outlook regarding American defense, now will feel doubly confirmed in their view, and no doubt will say, "We told you so." Other Americans, who have been prone to deride the Soviet effort, will tend to feel that Moscow has merely claimed something before she has actually achieved it.

Personally, I do not profess to have sufficient information to be able to state which view is the correct one, because we are still largely in the dark regarding Russia's scientific advances. No matter how much we perfect American intelligence-gathering operations, there remains an enormous amount of guesswork concerning Russia's actual strength.

Under these circumstances, we have no alternative but to make certain assumptions and take certain actions. These are, as follows:

First. Regardless of whether Russia has already developed the ICBM or not, the fact is that almost everyone predicts that sooner or later, she will develop it. The fact that she may have a working model in August 1957, or 1 month later, in September, or in December 1957, is not necessarily the crucial fact. What is crucial is that her all-out effort sooner or later will undoubtedly produce such a missile.

Second. A second assumption is that the intercontinental missile is not necessarily the so-called ultimate of all weapons. Admittedly, it poses defense problems which stagger the imagination. I mean defense in terms of the North American Continent, or for that matter, in terms of any other area of the world.

Nevertheless, the fact of the matter is that what the human mind has devised, the human mind can combat.

That is why I am glad President Eisenhower has already taken steps toward having America arrive at the defense answer to the ultimate weapon. If we develop a defense against this weapon, there will be other, newer weapons still to come. The race does not stop at any one point. Or, to put it another way, we are not in a nine-inning ball game with a specific time limit. Each side will go on, indefinitely, trying to surpass the other, even though each side already possesses the power almost to annihilate the other.

Third. This concept of an indefinite race is, of course, predicated on the assumption that there will be no sudden development which will end peaceful technical competition and will cause open warfare.

Many people will feel that, as Winston Churchill well stated:

> The two great adversaries may now have achieved a balance of mutual terror.

This is hardly a source of comfort to any thinking person.

In any event, under these circumstances, we must take a new look at the United Nations disarmament discussions in London. We must determine to what extent they may have become obsolescent because of this and many other technical developments. But we must definitely not lose heart and think that there is no solution to the disarmament problem.

Neither must we allow our zeal for some type of disarmament arrangement to blind our eyes. Unilateral disarmament, especially now, would be little short of suicide. A disarmament system not truly enforcible, not truly ironclad, would be the height of folly.

In summary, the Soviet announcement is neither cause for gloom nor cause for self-recrimination. It is a cause for much thought and much more constructive action on our part, along the lines I have mentioned.

The present Soviet announcement may be 10 percent propaganda and 90 percent fact. Whatever may be the ratio between propaganda and fact, the announcement constitutes a serious challenge to the Free World to look to further means to assure its own survival.

Mr. President, I have mentioned these points particularly in connection with the discussion of the pending mutual security appropriation bill. I believe the existing national and international situation makes it imperative that the bill, with the necessary amendments, be promptly enacted into law, and that then the Congress begin to consider what further action should be taken as regards strengthening our defenses through mutual security.

Mr. JOHNSTON of South Carolina obtained the floor.

Mr. O'MAHONEY. Mr. President, will the Senator from South Carolina yield to me? I wish to ask a question of the Senator from Wisconsin.

Mr. JOHNSTON of South Carolina. I yield for that purpose.

Mr. O'MAHONEY. Mr. President, I should like to have the attention of the Senator from Wisconsin, if I may.

Mr. WILEY. I am always happy to reply to any questions the Senator from Wyoming may ask.

Mr. O'MAHONEY. The Senator from Wisconsin is very kind. I have always listened with much interest and much profit to what the Senator from Wisconsin has to say.

Mr. WILEY. I thank the Senator from Wyoming.

Mr. O'MAHONEY. I am particularly interested in the comments of the Senator from Wisconsin on mutual security, because the Senator from Wisconsin is the ranking Republican member of the Foreign Relations Committee.

This morning, if I understood him correctly, he referred to the report which has just come across the seas, by radio, to the effect that Soviet Russia has announced the completion of an intercontinental ballistic missile.

Mr. WILEY. That is correct.

Mr. O'MAHONEY. The comments from the United States are to the effect that the United States is only 90 percent on the way to accomplishing the construction of such a weapon of war.

Mr. WILEY. I would not admit that the United States is only 90 percent on the way.

Mr. O'MAHONEY. I have no knowledge about the matter, but one of the military experts was so quoted on the radio this morning. Whether he was right or wrong, I do not pretend to say.

But I should like to ask this question of the Senator from Wisconsin: In the light of the fact that we seem to be involved in an arms race with Soviet Russia, for the construction of nuclear weapons, is it wise for us to be appropriating funds, as we do under the pending appropriation bill, for military aid in ordinary and conventional weapons to be supplied to small nations? For example, on page 2 of the bill we find, under the heading "Military Assistance," that the Senate Appropriations Committee has voted to increase the House appropriation from $1,250,000,000 to $1,475,000,000, or an increase of $225 million. What is the purpose?

> To carry out the purposes of title I, chapter 1, including administrative expenses as authorized by section 103 (b), which shall not exceed $23,500,000 for the fiscal year 1958.

This, in other words, is military assistance to small nations which stand between us and Soviet Russia.

In line 12 we find another paragraph:

> Defense support: For assistance authorized by section 131 (b).

For this item the House provided $585 million. The Senate committee has increased that appropriation to $689 million, and has made a further provision that this money shall remain available until expended. That phrase "to remain available until expended" means that if the money is not expended during the next fiscal year, the money will remain available without another appropriation or another examination by the Congress.

Elsewhere in the bill we find increased grants.

The question I should like to address to the Senator is this: In the light of the nuclear weapons race between Soviet Russia and the United States, is it wise for this country to spend hundreds of millions of dollars for supplying conventional weapons and other weapons to foreign nations?

Mr. WILEY. I am very happy to give the Senator from Wyoming the judgment of a Senator who is not a military man. I must say that the action taken results from testimony given by experts, military personnel. The way I analyze it the situation is very simple. We can get, for a cost of about $300 a year, one South Korean soldier with a rifle or one Chinese soldier on Formosa. We can get, for about the same cost, a fighting Turk, or we can get 10 divisions of Turks for the cost of one American division. It costs us to maintain an American soldier about $5,000 a year.

In the situation which now exists in the world, it is the consensus of the best minds that the Kremlin is not willing or ready to start what might be called the devastation of the world. Because the United States has strategically located airfields throughout the earth, where there are based bombers which can carry hydrogen and atomic bombs, Russia knows that if she started something, we would finish it; but the result would be that both of us would be more or less finished. However, we cannot lay down on the job of development of the intercontinental missile. In the meanwhile we have to be ready to put out "brush fires" wherever they may occur. At this time the Kremlin has taken over Syria without firing a shot. Until external warfare is started there, the Eisenhower doctrine does not come into play. Consequently we cannot go to their aid. But if a "brush fire" starts anywhere, we are ready to go to the aid of our allies, and by our allies I include Jordan, Turkey, Iraq, and so forth. I mean those loyal countries and allies to which we have given arms so that they may assist in putting out such "brush fires" and thus prevent a general conflagration. That is the theory of the necessity for giving aid. We invest $1 to get $10 worth. And what we furnish is not money but war material, which results from the labor of 400,000 Americans.

Mr. O'MAHONEY. The Senator from Wisconsin has referred to Syria. Does he entertain any fear that Soviet Russia, through infiltration in Syria, has actually finally succeeded in obtaining a port upon the Mediterranean Sea? Russia has been seeking to get a port upon the warm waters of the Persian Gulf and the Mediterranean Sea for centuries, I think. Now finally she has apparently succeeded in taking over Syria. Does that not mean that the possibility of a conflict between Soviet and the West is made greater?

Mr. WILEY. I am neither a prophet nor the son of a prophet, but I agree that all indications are that, because of internal economic situations, and so forth, the Kremlin is not ready to "pull the plug." What she is doing is using her customary means of taking over and penetrating and getting hold of things she wants.

So far as a port on the Mediterranean is concerned, we recognize the significance of what has happened. The Senator is aware of the fact that our fleet in the Mediterranean has been strengthened. In other words, we are calling Russia's bluff. Russia is not ready for an all-out war. She recognizes, as I have stated, that it would mean the devastation of Russia and probably much of the earth. What she is ready to do is take whatever steps she can—and seek to take over the oil resources in the Middle East. If Russia can get countries of the Middle East to fighting and then get the oil, she will have a clutchhold on Europe. Having a clutchhold on Europe, she may possibly want to proceed further. Not only that, but Russia wants a route to Africa so as to obtain raw materials, without which she and we cannot get along. Russia is a long-distance planner. We have to meet her plans by doing just what we have been doing. The Eisenhower doctrine was established to meet this threat of the Kremlin.

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

Mr. WILEY. I yield.

Mr. HUMPHREY. Is not what the Senator from Wisconsin is saying that Russia does not want to blow the world to pieces, but wants to pick it up piece by piece?

Mr. WILEY. Yes; that appears to be Russia's plan; nevertheless, we have to remain alert and adequate. I may say to the Senator from Minnesota that I do not have the floor. The Senator from Wyoming has the floor.

Mr. JOHNSTON of South Carolina. Mr. President, I have the floor. I have been kind enough to yield.

Mr. WILEY. The Senator from South Carolina has been doubly kind.

Mr. O'MAHONEY. Mr. President, I desire to make it clear that I am not at all satisfied with the appropriation for military aid to small nations which cannot defend themselves, when we are in the midst of a great arms race for nuclear weapons with the Communist leaders of the world.

Mr. JOHNSTON of South Carolina. Mr. President, the colloquy which has been proceeding shows to the whole world, I think, that the administration and its policies at the present time have absolutely forced Syria into the hands of Communist parties. That is what it means, so far as I can see. If one looks about, he will see how countries near her have been treated. They have been given money, and aid to Syria has been cut down. What could Syria do? That is the policy the administration is following, which has caused us to lose Syria—the policy of giving away our money.

Mr. WILEY. That conclusion, I cannot agree to.

Mr. JOHNSTON of South Carolina. Mr. President, on June 13 I spoke against the mutual-aid program for foreign governments. Since that time I have seen the President of the United States turn down aid for areas in the United States that have been hit by disaster. In one instance in South Carolina, a short time before the administration's program came before us, the President refused to grant emergency aid to an area in my State which had been struck by tornadic winds that destroyed livestock, barns, homes, and other property.

Since my address of June 13 we have seen the vast majority of Maryland and Virginia gripped in one of the worst droughts in history. I have ridden through the countryside and seen the desolate, bleak crops. Corn is no higher than my knee in some places, and pastures look like the fringe areas next to desert lands. But the President of the United States just last week refused to utilize his powers to invoke aid to the hard-pressed citizens of this area of our own Nation.

Over and over again the administration refused to help the people of our own country who are in need of assistance. He has cut back seed and feed loan programs for farmers; he has hiked interest rates; he has invoked a new program to hamper and curtail construction of rural electrification lines for the rural areas of America; he has fought at every hand programs for development of public power and to preserve our natural resources.

Now, while he still comes to us in Congress for more funds for foreign governments, his administration is in the midst of severe economic and manpower cuts in our own military defenses at home—cuts which may not only severely hamper our military strength, but which may have severe repercussions against the economic health of vast areas of this Nation. All this the present administration is doing to our own people—the people who are paying the freight and carrying the tax load to pay for this administration's wild dollar-squandering foreign-aid policies.

Mr. President, if we pass this bill, which will appropriate another $3,692,710,000 on foreign giveaway programs, we will be literally slapping the drought-stricken farmers in the face. We will be telling the American taxpayers, in essence, that we care more about the problems of Europe and Asia and Africa than we do about our own people at home. This is true, for we will be giving blanket approval to a spending program for foreign countries while we stand idly by allowing the President to invoke an attitude of "do-nothingism" for the American citizens.

Nearly 5 years ago the President campaigned around the country promising all kinds of tax cuts, and upbraiding the Democrats about the high cost of living and how the dollar is inflated. He promised to reduce living costs, bring back the value of the dollar, and reduce the national debt.

Did he reduce the debt? No. During the first 3 years of his administration he spent $45 billion more than had been spent in the last 3 years of the Truman administration, although at that time there was being carried on an active war—or a police action, whichever one may desire to call it.

But since being in office, instead of cutting taxes, reducing the cost of living, or stabilizing the value of the dollar, this administration has increased the cost of living and promoted inflation of the quantity of money by this wild overseas foreign-aid program, and has continued this giveaway nonsense, making it impossible to cut taxes.

In recent years we have spent more than $115 billion on foreign-aid programs. We owe every cent of that amount, and are going to pay taxes on it, I predict, for the next 100 years. At the present moment we have more than $7 billion in the so-called pipeline; that is, money for foreign aid which the administration has not been able to spend. Why, I will never know, for they throw it around like water. But despite the fact that they have $7 billion yet unspent, they want another three-billion-six-hundred-odd-million dollars to push farther down the drain. They call it the pipeline, but in my way of thinking, it is a drainpipe and there is no end to it.

We do not have this money to give away. It is all being borrowed by the Government and we will have to pay it back. The taxpayers are paying 3⅝ percent interest on this money and have very little hope of ever getting relief at the present rate we are going.

It is not being required that this money be matched by the foreign governments on any of these so-called mutual programs, and very little of it can be attributed to defense or mutual security. They hide behind that. I know when we construct a hospital in South Carolina or in any other State under the Hill-Burton Act, the money going to the particular State must be matched by that State, and then a swarm of Government people see to it that that money goes strictly for hospital work or whatever the case may be. But not so in the case of mutual-security appropriations. They do not have to be mutual and they do not have to relate to security.

The entire program is rather ridiculous. I know of one instance where they sent more than $1 million to a country, Pakistan, to promote the fishing industry of that nation. I do not know what kind of fish are involved, but if we have a similar industry in America, we can bet it will not be long before that industry comes seeking relief because of the Pakistan fishing industry, just as the American textile industry came for help after this Government had spent millions in Japan building up that country's textile industries. Of course, when our industries seek relief, then the administration tells them there is nothing that can be done, for it might impair our mutual security. Yes; it is anything but mutual. The other countries take our money, build their agriculture and industries, compete with our industries and farmers and workers, put our industries out of business, idle our workers and cause our farmers to be unemployed—but we can do nothing about it because it might impair our mutual security. What good is this kind of mutuality when all is lost in the process of accomplishment?

Do Senators know that under this so-called mutual-security program there were millions of dollars' worth of electronic equipment, including electronic microscopes, sent to the Philippines for location at places where there was not even electricity with which to operate them?

I do not know what happened to them finally, but I assume we undertook to construct a dam or a generating plant and electric lines to bring that underdeveloped area out of the mud. But I should not mention that, I suppose, because someone might ask "Why, then, is the present administration opposing rural electrification and hydroelectric projects at home, if it is doing the same thing for foreign countries?"

Then, Mr. President, there was the instance of our setting about to build a dam in the Middle East where the people did not even want it. I think the dam project was finally abandoned. I understand the administration did not think that was too great a loss since there were only a few million dollars involved. They were taxpayers' dollars. I wonder how many taxpayers' taxes it took to scrape up the few million involved in that deal.

Another time the mutual-security program resulted in the construction of a series of airports in Afghanistan. The fact that people travel by camel in that country and that no one had much use for the airports meant nothing to the project people. That money was in the pipeline and had to be spent. It is sort of an international PWA project to them.

This program is filled with stupid programs and projects, as I just mentioned. There is no end to the blunders and waste committed in this program of dollar diplomacy which apparently has no end. The tragedy of it all is that instead of promoting mutual security, as its name would imply, it is promoting inflation, destroying the hopes of taxpayers for any tax cuts, raising the national debt and seriously endangering our economy. The program has not developed one country into being a close friend of ours. That is a big statement to make. The program has, in fact, created a fantastic jealousy among the people of the countries affected for our unbearable—in their eyes—richness, and our foolishness. To them, we are the "flashy Americans" with more money to do with than we have sense. Senators would be surprised to know how many foreigners think that about us. They do not know we are struggling under mountainous debt and borrowing more to build the mountain higher. Little has been done to tell the true story of this so-called mutual-security program, either at home or abroad. At home we are told it is security. Abroad the people are told nothing except that it is a handout from Uncle Sam. There is no gratitude in their hearts, and no satisfaction in ours. It is mutual waste, mutual extravagance, mutual distrust, and mutually useless.

Mr. President, there is but one way to straighten this mess out. That one way is in our hands. We should do away with this ghostly program and replace it with one of good sense, and one that has realism and not fantasy. We need a big stick instead of international theory, and we need to replace food and guns for dollars and development.

We need to make sure that all these funds are going for mutual security, and insure that by insisting on some matching effort by the countries to whom we send this aid.

I see nothing in this bill but more waste, more taxes, more national debt, and more inflation. Certainly I see nothing mutual, nor do I see any security in this kind of legislation. I urge other Members of the Senate to vote against this international pork-barrel legislation.

It is called pork-barrel legislation when we get some project for our States, but this is international pork-barrel legislation, and I shall vote against the bill when it comes to a vote.

Mr. CLARK. Mr. President, I should like to state briefly for the RECORD why I shall support the majority position in respect to the mutual security bill.

In my judgment, the majority leader and the minority leader are to be congratulated for having come forth from the committee with approximately $500 million more than the amount provided in the House version. I might wish that they had been even more successful, because I stand prepared, if given the opportunity, to vote for the entire amount of mutual security funds recommended by the President and called for in the authorization bill which passed the Senate some weeks ago.

In my judgment, it is essential that the position of the United States as the leader of the Free World should be reinforced all around the perimeter of Soviet Russia and the satellite countries. To do so requires that we maintain our position in Formosa, Vietnam, South Korea, Pakistan, and Turkey. It requires that we gives those nations not only military aid, but defense support. A large part of the funds provided in the pending measure is to go to those five countries. In my judgment, it is essential that we should continue the aid presently being afforded in support of our position in the NATO countries, in Greece, and elsewhere. I believe that the President should have a substantial fund—even a larger fund than the bill provides—to take care of emergencies in the Middle East and elsewhere. I believe it is essential to continue at full strength the point 4 program first sponsored by President Harry S Truman and carried on by the present administration.

As one example of that program, I had the opportunity yesterday to talk with an old friend of mine from wartime days, Ray Davis, at present located in Formosa, where he is engaged in the work of a committee of 5, consisting of 2 Americans and 3 Chinese, to increase the productivity of Formosa, Matsu, and the Pescadores Islands. In 2 short years, the work being done there has resulted in the elimination of hog cholera. In 3 short years, the agricultural production of Quemoy and Matsu has been doubled, so that they are self-supporting, as they were not before.

Work of the type of the point 4 program in Formosa made it possible for Formosa to export last year $150 million of agricultural products. Those are real achievements in the fight for freedom.

I am fearful that our country is not aware of the very serious perils in which we all live. We are too much like the lotus eaters. We are sitting down and relaxing at a time when we should be alert and pressing forward in our defenses.

I regret that the leadership on the other side of the aisle has not seen fit to propose amendments which would restore the full amount of the recommendations of the President and of the authorization bill which we passed. Had such amendments been proposed, I would have supported them. Chipping away at the mutual security appropriations will result in the deterioration of the program. I am afraid we are sitting back and doing very little to prevent that process from continuing.

We must not lose our freedoms by default. Unless we pass the full amount of the recommendation of the committee, we shall be doing just that.

I suspect that when we return in January we shall be asked to appropriate more funds for the mutual-security program. If so, I shall support such request. This is one of the occasions when I believe we should uphold the President of the United States. I, for one on this side of the aisle, am prepared to do so.

Mr. FULBRIGHT. Mr. President, I wish to say a few words about the pending bill, H. R. 9302. I may say that I do not think very much is called for by way of comment. We debated the subject very thoroughly, and I spoke at length previously as most of us did, during the consideration of the authorization bill. Therefore there is no particular need to review all of the substantive matters involved in the pending bill.

I shall support the committee. I believe the committee did a very excellent job in reviewing the work of the House, and that its increases were made at the proper places.

I do not feel very strongly about the military aspect of the bill, because, as I have said on many other occasions, and as I said during the consideration of the authorization bill and in conference, that if there is one major fault with the program of mutual aid it is in the overemphasis upon military hardware, particularly in such countries as Pakistan and Turkey.

I do not pick out those countries because of any desire to reflect upon them. They have merely cooperated with our own policies, and they certainly should not in any way be criticized for that. We have, as a matter of emphasis, thought that military arms in those places answered the problems, rather than economic or—and I am trying to simplify the thought now—nonmilitary measures, which would include point 4 and economic development.

It is a matter of policy, and I believe our administration has been wrong in overemphasizing that aspect of the program. I would not hesitate to go along with a lower figure in those particular items, but the committee, in its wisdom, brought forth a balanced program, and I shall support the committee recommendations in that and in the other items of the bill.

I believe the committee has improved the bill. I still feel that the House, in its insistence upon changing the Senate revisions of the development loan fund proposal practically destroyed the effectiveness of that particular activity. I deeply regret it. I am not reconciled to accepting it. I voted against the authorization bill on that account, because it had destroyed the essence of the development loan fund program. The House itself, in its action on the appropriations, has given proof of the allegation which was made by me and other Senators that we cannot operate a long-term development loan fund by reliance upon annual authorizations.

By proof I mean that only a month ago the House of Representatives and the Senate agreed upon an authorization of $500 million for the first year for the development loan fund. Then, within a month, the House—both through the Committee on Appropriations and backed by the full House—has made that authorization $300 million. That is a 40-percent reduction in 1 year.

They have proved the point we made, that in order to establish a development loan fund upon which other countries and our own people administering the program could rely in making long-term plans, it was necessary to have a program such as was authorized by the Senate in the first place; namely, a 3-year program as a minimum, with borrowing authority for the second and third year; in other words, creating the belief on the part of other countries and on the part of our own administrators that this is a long-term program and that they could proceed to get the experts and develop planned programs and planned projects; such projects as have some prospect of really getting at the basic trouble of the recipient countries, like irrigation programs, transportation programs, the building of docks, and projects of that kind, rather than a short-term humanitarian program, as, for example, the eradication of mosquitoes, and the like. That sort of program is perfectly all right, but it is not intended to contribute really to the development of the wealth of a particular country.

I realize that our committee could not do much about that. I realize that it increased the item from $300 million to $400 million. That is a gesture in the proper direction, but it is still far short of giving assurance of a 3-year or a 4-year program, or that there will be anything on which a country can rely in developing its long-term program.

So I feel that the whole program is most defective and will not achieve the purpose, because the principle of the development of a loan program was destroyed in the authorization bill, and it is further weakened by means of the pending appropriation bill.

I desire to congratulate the committee on eliminating the provision, as contained in the House version of the bill, which directly destroys the assistance for American colleges abroad. I refer to section 107 of the House version of the bill. Our committee voted to eliminate section 107, and therefore the matter will be in conference. I certainly urge the conferees on the part of the Senate to stand firm on that item. Again, I wish to state for the RECORD that section 400 (c) provides the President with permissive authority to use $10 million—if he sees fit, of course—in the assistance of American institutions abroad. I have in mind particularly the American University in Beirut, Roberts College in Istanbul, the American University in Athens, and some others. I believe that some of the developments which recently have occurred in Syria, and which all of us know are in process in the Middle East, demonstrate to anyone who is at all observant that aid of this sort is most important.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

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

S. 1153. An act for the relief of Zdenka Sneler;

S. 1167. An act for the relief of John Nicholas Christodoulias;

S. 1175. An act for the relief of Helene Cordery Hall;

S. 1241. An act for the relief of Edward Martin Hinsberger;

S. 1290. An act for the relief of Lee-Ana Roberts;

S. 1293. An act for the relief of Eithaniahu (Eton) Yellin;

S. 1306. An act for the relief of Pao-Wei Yung;

S. 1307. An act for the relief of Toribia Basterrechea (Arrola);

S. 1308. An act for the relief of Carmen Jeanne Launois Johnson;

S. 1335. An act for the relief of Sandra Ann Scott;

S. 1370. An act for the relief of Wanda Wawrzyczek;

S. 1387. An act for the relief of Rebecca Jean Lundy (Helen Choy);

S. 1421. An act for the relief of Ansis Luiz Darzins;

S. 1496. An act for the relief of Nicoleta P. Pantelakis;

S. 1685. An act for the relief of Sic Gun Chau (Tse) and Hing Man Chau;

S. 1736. An act for the relief of Rosa Sigl;

S. 1767. An act for the relief of Eileen Sheila Dhanda;

S. 1783. An act for the relief of Randolph Stephan Walker;

S. 1804. An act for the relief of Marjeta Winkle Brown;

S. 1815. An act for the relief of Nicholas Dilles;

S. 1817. An act for the relief of John Panagiotou;

S. 1838. An act for the relief of Charles Douglas;

S. 1848. An act for the relief of Michelle Patricia Hill (Patricia Adachi);

S. 1896. An act for the relief of Maria West;

S. 1902. An act for the relief of Belia Rodriguez Ternoir;

S. 1910. An act for the relief of Salvatore Salerno;

S. 1962. An act to authorize the Secretary of Agriculture to convey a certain tract of land owned by the United States to the Perkins Chapel Methodist Church, Bowie, Md.;

S. 2003. An act for the relief of Jozice Matana Koulis and Davorko Matana Koulis;

S. 2063. An act for the relief of Guy H. Davant;

S. 2095. An act for the relief of Vaclav Uhlik, Marta Uhlik, Vaclav Uhlik, Jr., and Eva Uhlik;

S. 2165. An act for the relief of Gertrud Mezger;

S. 2229. An act to provide for Government guaranty of private loans to certain air carriers for purchase of modern aircraft and equipment, to foster the development and use of modern transport by such carriers, and for other purposes;

S. 2434. An act to amend the act entitled "An act to provide books for the adult blind;

S. 2460. An act to authorize the transfer of certain housing projects to the city of Decatur, Ill., or to the Decatur Housing Authority;

H. R. 38. An act to amend the Tariff Act of 1930 to provide for the temporary free importation of casein;

H. R. 110. An act to amend section 372 of title 28, United States Code;

H. R. 277. An act to amend title 17 of the United States Code entitled "Copyrights" to provide for a statute of limitations with respect to civil actions;

H. R. 499. An act to direct the Secretary of the Navy or his designee to convey a 2,477.43-acre tract of land, avigation and sewer easements in Tarrant and Wise Counties, Tex., situated about 20 miles northwest of the City of Fort Worth, Tex., to the State of Texas;

H. R. 896. An act to amend title 10, United States Code, to authorize the Secretary of the Army to furnish heraldic services;

H. R. 1214. An act to authorize the President to award the Medal of Honor to the unknown American who lost his life while serving overseas in the Armed Forces of the United States during the Korean conflict;

H. R. 1318. An act for the relief of Thomas P. Quigley;

H. R. 1324. An act for the relief of Westfeldt Brothers;

H. R. 1591. An act for the relief of the Pacific Customs Brokerage Co., of Detroit, Mich.;

H. R. 1733. An act for the relief of Philip Cooperman, Aron Shriro, and Samuel Stackman;

H. R. 1937. An act to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes;

H. R. 2136. An act to amend section 124 (c) of title 28 of the United States Code so as to transfer Shelby County from the Beaumont to the Tyler division of the eastern district of Texas;

H. R. 3367. An act to amend section 1867 of title 28 of the United States Code to authorize the use of certified mail in summoning jurors;

H. R. 3877. An act to validate a patent issued to Carl E. Robinson, of Anchor Point, Alaska, for certain land in Alaska, and for other purposes;

H. R. 4144. An act to provide that the commanding general of the militia of the District of Columbia shall hold the rank of brigadier general or major general;

H. R. 4191. An act to amend section 633 of title 25, United States Code, prescribing fees of United States commissioners;

H. R. 4193. An act to amend section 1716 of title 18, United States Code, so as to conform to the act of July 14, 1956 (70 Stat. 538–540);

H. R. 4609. An act to further amend the act entitled "An act to authorize the conveyance of a portion of the United States military reservation at Fort Schuyler, N. Y., to the State of New York for use as a maritime school, and for other purposes," approved September 5, 1950, as amended;

H. R. 4992. An act for the relief of Michael D. Ovens;

H. R. 5061. An act for the relief of Harry V. Shoop, Frederick J. Richardson, Joseph D. Rosenlieb, Joseph E. P. McCann, and Junior K. Schoolcraft;

H. R. 5810. An act to provide reimbursement to the tribal council of the Cheyenne River Sioux Reservation in accordance with the act of September 3, 1954;

H. R. 5811. An act to amend subdivision b of section 14—Discharges, when granted—of the Bankruptcy Act, as amended, and subdivision b of section 58—Notices—the Bankruptcy Act, as amended;

H. R. 5920. An act for the relief of Pedro Gonzales;

H. R. 6172. An act for the relief of Thomas F. Milton;

H. R. 6868. An act for the relief of the estate of Agnes Moulton Cannon and for the relief of Clifton L. Cannon, Sr.

H. R. 7654. An act for the relief of Richard M. Taylor and Lydia Taylor;

H. J. Res. 230. Joint resolution to suspend the application of certain Federal laws with respect to personnel employed by the House Committee on Ways and Means in connection with the investigations ordered by H. Res. 104, Eighty-fifth Congress;

H. J. Res. 313. Joint resolution designating the week of November 22–28, 1957, as National Farm-City Week;

H. J. Res. 351. Joint resolution to establish a Lincoln Sesquicentennial Commission; and

H. J. Res. 430. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

TARIFF TREATMENT OF ISTLE OR TAMPICO FIBER

The PRESIDING OFFICER (Mr. Yarborough in the chair). The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The Legislative Clerk. A bill (H. R. 7096) to amend paragraph 1684 of the Tariff Act of 1930 with respect to istle or Tampico fiber.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business be laid aside, and that the Senate proceed with consideration of the mutual security appropriation bill.

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

MUTUAL SECURITY APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 9302) making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes.

Mr. FULBRIGHT. Mr. President, I shall speak only a few minutes longer.

I wish to state that the developments in the Middle East, particularly in Syria, illustrate the weakness, I believe, of the so-called Eisenhower doctrine. Many of us who opposed that measure in the spring pointed out at the time that the greatest danger in this area of the world is not from overt aggression by Russia, but is from subversion, such as that which is taking place in Syria. Military preparations are no obstacle to such activities on the part of Russia. I think Russia intends to continue these activities. How is such a challenge to be met? It can be met in a number of ways. I believe one of them is the strengthening of American institutions in that area. I believe that is very important. The appropriation for that purpose is a small one, and its expenditure is not mandatory; if the President and his advisers do not believe it is necessary, or if they believe it would not serve the intended purpose, they will not have to spend the money, and no harm will be done.

But, on the other hand, the subversion of the local governments cannot be met, it seems to me, by military means. Instead, it must be met by economic and by cultural activities; in other words, by inspiring in the minds and hearts of the people who control the countries of the Middle East some confidence in the purposes and determination of the United States and other Western countries. They do not have any confidence that we are going to follow through and be of assistance to them.

Much can be said about this program, but I see no necessity to debate it further.

The Senate has already voted on the authorization bill, and I am sure that nothing more that I could say would enlighten the Members of this body on this subject.

I hope the Senate will soon vote on the bill and will dispose of the matter, I shall vote for the bill.

Mr. JAVITS. Mr. President, I wish to speak of two points which I believe are of importance in connection with consideration by the Senate of the pending appropriation bill and also in connection with consideration by the Senate of foreign-aid measures in the days ahead.

Preliminarily, I should like to express my agreement with the Senator from Arkansas [Mr. Fulbright], who has just spoken. I also desire to express my disappointment because of the fact that we have fallen down on the job, in connection with the development loan fund. For the first time it offered hope in terms of a policy on which other nations could depend; and which, I may say, was a loan program for which all my colleagues in the other body, when I was a Member of it, had been contending, and which I heard Senators speak of here, too. It was within our grasp and is now slipping away.

I believe, as does the Senator from Arkansas [Mr. FULBRIGHT], that it would be a mistake for us not to affirm our convictions on this subject.

Furthermore, I very much favor incorporating military aid appropriations in the military budget, where such items belong. We should not beg the question, Mr. President. I hope the Senator from Arkansas, who is in such a good position to wage this fight, will continue it. But I shall be one very active volunteer, along with other Senators.

Mr. President, the two points on foreign aid I wish to make relate to its effect on the United States economy and to the new competition in this field by the Soviet Union. I make the assertion that a fundamental reason—and it has not been sufficiently stressed during this debate, and it needs to be repeated frequently—for the enactment of the mutual aid appropriation bill is that the United States is not alone in this effort. The United States is facing massive competition from the Soviet Union. We would be making a great mistake if we tried to meet that competition case by case. The Soviets could beat us any day in that effort, because they have the initiative, and they could concentrate their efforts in a few particular countries.

Instead, we should meet their competition in our own way, which is the way of steady-going and assured support to certain countries of the world, where the support will do the Free World the most good.

The best demonstration of the effectiveness of that approach is the Marshall plan, which did Europe an enormous amount of good, because we gave the countries of Europe—and we managed to do it within our constitutional limitations—assurance that we would give aid for 4 years; and, indeed, we did that. I think it is very important, in answer to those who think we are not selfish enough in our foreign aid, to point out that foreign aid has proven an absolutely indispensable basis for the development of foreign trade and foreign investment. Once the basis is laid development can go on but the basis must be first established. Trade and investment are accomplishing far more in terms of money than the amount of money we are puting into foreign aid, which has so large a resultant beneficial impact upon the American people.

I should like to state, for a few minutes, for the record, some facts and figures on that subject.

In 1956, our foreign trade aggregated $43 billion, and it may well exceed that amount this year. Our imports were $19,800,000,000, and our exports were $23,500,000,000. An enormous bulk of our business was done with Europe.

Let us see what has happened in Europe. In Europe, the per capita gross national product has recently increased at approximately the same rate as has been the case in the United States. The total volume of imports into the Marshall plan area in 1956 was more than 80 percent above the total in 1948, and was 50 percent above the prewar total; and there was a tremendous corresponding increase in intra-European trade.

Mr. President, I make the flat assertion that without the prelude of the Marshall plan and all it meant to free Europe, there would not now be even the consideration of a common European market and of Euratom, which in my opinion is the most important advance toward peace which has occurred overseas in the economic field since World War II.

So it is most important for us to understand that these foreign-aid advances by our country have proven to be an essential basis of foreign trade and foreign investment. Without the roads and ports and other fixed installations which are not suitable for private investment, but which are made possible by our foreign-aid program, there could not be an accelerating volume of private investments overseas. Yet we know that that, too, is one of the most important ways by which to achieve peaceful development.

I am proud to report that the total United States private investment overseas is $33 billion—1956—with $22,100,000,000 in subsidiaries and branches of American concerns. That amount increased in the last year by $2.8 billion. Our direct investments overseas amounted to $10,900,000,000 in 1956, showing an increase of $1,100,000,000.

Again, by way of reflection as to what this means to our country, let me point out that these overseas private investments earned approximately 10 percent on the dollar. They earned $3,438,000,000 in 1956, or an increase of approximately $400 million over the $3,069,000,000 earned in 1955.

Mr. President, just a final word on this subject of trade and investment. We had a little recession in the United States in 1954. I believe it very important to note, from a bulletin issued by the International Chamber of Commerce on May 1, 1957, the following statement:

> The most notable case in which our foreign trade played an important part in bringing about a business recovery occurred in 1954. While the gross national product declined from 1953 to 1954 by 1 percent, and imports fell by 5 percent, exports rose by 2 percent.

Mr. President, let those who oppose foreign aid not forget that we may see the day, before too many years have passed, when foreign trade and foreign investment will be the mainstay of the American economy and will save the United States and the entire world from some very deep depression. That is point No. 1.

American trade and American overseas private investment are flourishing. When we compare the figures, we see that they completely overshadow, in terms of proportion, the amounts we are spending on foreign aid. In this connection we are talking about foreign trade aggregating $43 billion, whereas the amount of the pending bill is $3 billion. We are talking about $33 billion in overseas private investments, whereas the amount of the pending appropriation bill is $3 billion.

Mr. President, one other matter which I believe needs to be emphasized in connection with this debate is the competition from the Soviet Union. Since 1955 the Soviet Union has embarked on a brandnew policy of foreign aid. Its commitments in economic assistance essentially, and technical assistance, with some military and to nations outside the Soviet bloc now aggregate $1,600,000,000. This is aside from intra the Soviet bloc, and that, too, must be considered foreign aid to other nations by the Soviet Union. Such aid now is running at an estimated rate of about $1 billion plus a year.

So that we may keep the whole matter in focus, I should like to refer to those who think the Soviet Union cannot carry on this program of very active competition because of the pressure on the Soviet economy. In addition to India and Burma, Russia is competing with us in Turkey and Pakistan, two of our foremost allies. Let us keep that clearly in mind.

As to the capacity of Russia to carry on such a program for a considerable period of time, I should like to quote from a 1956 study entitled, "Ruble Diplomacy, Challenge to American Foreign Aid," written by Klaus E. Knorr, and published by the Center of International Studies, Princeton University.

From page 30 of that memorandum I read the following:

> The total amount so far offered by the Soviet Union alone comes to less than 1 percent of a national income which, at a stupendous rate of from 6 to 9 percent a year, is growing twice as fast as that of the United States. At present, with Soviet income estimated to run at the equivalent of about $150 billion a year, annual growth amounts to over $10 billion. By allocating a small fraction of this increment, the Soviet leaders could supply a billion dollars a year for aid without special difficulty.

When the bill before us is broken down and the technical and economic assistance portions extracted from it, it will be found that on that basis what we propose is just about even with what the Soviet Union can do. To which must be added the capability of the Soviet Union to concentrate on a very few areas, whereas we feel, and rightly so, that we have to devote our program to about 40 countries.

The study goes on to say:

> The bloc's capacity to supply technicians and educators for technical assistants compares favorably with that of the United States. In 1954, the Soviet output of graduates in pure science was only half of the American. But in the applied sciences, the comparative figures are 22,500 for the United States and 60,000 for the U. S. S. R. and the annual output of those receiving a research degree after 3 years of postgraduate work was 3,500 in the United States and 4,500 in Soviet Russia.

I do not think any of us doubt that statement, because that subject has been pretty much discussed in terms of the demands upon United States higher education.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks two tables, both obtained from the European Division of the Commerce Department, one headed "Foreign Aid and Credits of the U. S. S. R. to Underdeveloped Countries," and the other headed "Soviet Credits to Bloc Countries."

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

Foreign aid and credits of the U. S. S. R. to underdeveloped countries

Country and project	Date of agreement	Amount (millions)	Interest rate	Duration of credit	Brief description of project
1. Afghanistan:			*Percent*		
(a) Grain elevators, flour-milling and baking plants.	Jan. 27, 1954	$3.5	3.0	5 years	Credit to cover Soviet equipment and services of technicians.
(b) Oil storage tanks	July 1954	1.0			Do.
(c) Asphalt plants and paving projects	Oct. 5, 1954	2.1			Do.
(d) Economic development loan	Jan. 28, 1956	100.0	2.0	30 years	Credit to finance 14 industry and transport projects.
(e) Arms credit	December 1955	25.0		8 years	Reported by Prime Minister Daud in his address of Aug. 25, 1956.
2. India:					
(a) Steel mill project [1]	Feb. 2, 1955	115.0	2.5	12 years	Credit to pay for Soviet blueprint, equipment, and technicians used in the construction of the steel plant (1,000,000 tons).
(b) Industrial diamond mining project	June 19, 1955				Soviet machinery to be supplied on credit to private owners.
(c) Plant for files and rasps	Oct. 24, 1955				Contract with private firm for Soviet equipment.
(d) Commodity Credit	Nov. 15, 1956	126.0	2.5	12 years	To cover purchase of Soviet heavy industrial machinery.
3. Finland:					
(a) Gold (or free exchange)	Feb. 7, 1954	10.0	2.5	10 years	To bolster foreign exchange resources of Finland.
(b) Gold (or free exchange loans)	Jan. 25, 1955	10.0	2.5	do	Do.
4. Yugoslavia:					
(a) Industrial development credit	Jan. 13, 1956	110.0	2.0	do	First installment: Soviet equipment (on credit) for 2 fertilizer plants, 1 power station.
(b) Raw materials credit	Feb. 2, 1956	54.0	2.0	do	Credit to cover Soviet shipments of raw materials during 1956–58.
(c) Gold (or free exchange) loan	do	30.0	2.0	do	For use during 1956–58 to be repaid in 10 years, beginning Jan. 1, 1959.
(d) Atomic energy reactor	Jan. 28, 1956				
(e) Industrial development [2]	Aug. 3, 1956	40.0	2.0	Long term	For coal, shipbuilding, oil and gas, reclamation, agriculture.
(f) Aluminum combine [3] (50-000–100,000 tons)	do	175.0	2.0	do	Project to include aluminum plants, hydroelectric power stations, bauxite mines.
5. Burma:					
(a) Technological Institute	Dec. 6, 1955				Soviet assistance in construction to be paid in rice.
(b) Hospital, theater, sports stadium	Apr. 1, 1956				Do.
(c) Industrial development credit	Dec. 6, 1955				Announced in general terms; agreement still to come.
(d) Construction project	Jan. 27, 1957				U. S. S. R. to build several public establishments as gift in exchange for equal gifts in rice and other products. To begin in 1957 and complete in 1963.
6. Egypt: (a) Laboratory nuclear physics	Feb. 10, 1956				Covers Soviet equipment and exchange of technical personnel.
7. Indonesia (industrial development credit)	Sept. 15, 1956	100.0	2.5	12 years	To cover several unspecified industrial projects. Indonesia given 8 years to spend credit on specific projects.
Turkey	July 31, 1957	(10.0)			Agreement with banking group to construct a glass factory.
Do	do	(10.0)			Agreement with bank for construction of caustic soda plant.

[1] Indian Government accepted Soviet project study on Mar. 8, 1956.

[2] Further utilization January 1956 industrial development credit.

[3] In conjunction with GDR; this credit covers 1st installment of deliveries to be made in 2 stages.

Source: U. S. Department of Commerce.

Soviet credits to bloc countries

Country	Date of agreement	Amount (millions)	Duration	Brief description
I. Pre-February 1956:				
Poland	Mar. 5, 1947	$28.0		Short-term loan in gold and convertible currency.
Do	Jan. 26, 1948	450.0	1948–50	Credit to cover Soviet equipment.
Czechoslovakia	December 1948	28.0		Short-term credit in gold and free exchange.
North Korea	March 1949	40.0	1949–51	Short-term credit for Soviet raw materials.
Albania	April 1949			Unspecified credit for Soviet equipment.
Poland	June 1949	100.0	1953–58	Credit to cover Soviet industrial equipment.
China	Feb. 14, 1950	300.0	1950–54	Credit to cover Soviet industrial equipment (interest rate, 1 percent).
East Germany	July 1953	[1] 121.0	1953–54	Short-term credit for excess Soviet exports.
North Korea	September 1953	250.0		Only known major grant; for postwar reconstruction.
Outer Mongolia	1945–55	225.0		Total credits for industrial development.
China	Oct. 12, 1954	130.0		Long-term credit for industrial equipment.
Vietnam		100.0		Credit for economic development.
Bloc, total [2]	1945–55	5,250.0		Total value of intrabloc long-term credits, since end of World War II.
II. Post-1956 (February):				
Bulgaria	Feb. 3, 1956	92.5	10 years	Credit for agricultural and industrial equipment from U. S. S. R.
China	Apr. 7, 1956	625.0		Credit to equip 55 Chinese plants.
East Germany	July 1956	350.0		Reduced GDR share in occupation costs from $700 million to $350 million. Increased price paid for uranium.
Poland	Sept. 24, 1956	25.0	1957–60	Partly in free exchange; partly in raw materials.
Hungary	Oct. 4, 1956	25.0	1960–65	Free exchange, 40 percent; raw materials, 60 percent.
Poland, pt. I	Nov. 18, 1956	175.0	1963–65	Credit for industrial equipment.
Poland, pt. II	do	100.0	1961–62	Credit for wheat (1.4 million tons). Also agreed to cancel Polish debt ($525 millions) in payment for full price on coal 1946–53.
Rumania	Dec. 3, 1956	67.5	10 years	Credit to cover Soviet machinery and grain. Also: canceled Rumanian debt for Soviet share in "joint" companies ($700 millions); 4-year moratorium on other debts.
East Germany	Jan. 7, 1957	85.0		Loan in free exchange to buy in world market.
Do	do	20.0		Credit for Soviet equipment.
Bulgaria	Jan. 12, 1957	50.0	1957–59	Credit to pay for Soviet wheat.
Czechoslovakia	Jan. 29, 1957			Credit to cover expansion of uranium mines.
Hungary, I	Mar. 28, 1957	[3] 187.5	1961–70	Economic aid and payment assistance. Also agreed (1) to cancel debt in joint companies ($90 million) and (2) defer repayment on earlier loan ($37.5 million).
Hungary, II	do	31.25	Same	
Albania	Apr. 17, 1957	7.75		Credit to cover excess exports. Also canceled 2 debts: (1) For 14 industrial plants ($87 million), and (2) for other goods ($18.5 million).
Outer Mongolia	May 15, 1957	50.0		Credit for future Soviet deliveries of equipment, material, and service.
Bloc, total	1956–57	1,750.0		
Do	Postwar period	7,000.0		Source: Pravda, July 14, 1957.

[1] Including $34 million in the form of gold and free exchange.

[2] Cited by Khrushchev (Pravda, Feb. 15, 1956); probably includes satellite debts to the U. S. S. R. incurred as a result of the liquidation of the "joint companies" in late 1954 (figure for China, $1.4 billion).

[3] Includes $50 million in free exchange.

Source: European Division, Department of Commerce, Aug. 26, 1957.

Mr. JAVITS. Also, to show the competition which we are meeting, I also ask unanimous consent to have printed an article entitled "The Soviet Venture in Foreign Aid," which was published in the Journal of the American Association of University Women for January 1957, written by Leon M. Herman, Chief of the U. S. S. R. Division of the Commerce Department.

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

THE SOVIET VENTURE IN FOREIGN AID

(By Leon M. Herman [1])

The current excursion of the U. S. S. R. into economic aid derives its chief dramatic impact from the novelty, rather than the magnitude, of the operation. Prior to its mid-1953 shift, Soviet foreign economic policy was far too intensely involved in the process of building an impregnable fortress around the U. S. S. R. to show any constructive interest in the economic ills of the less industrialized nations. At the borders of its own orbit, its main economic effort, until quite recently, has been directed toward assembling and erecting the barriers it has considered necessary for the consolidation of its new economic empire.

This empire was proudly hailed by Stalin in late 1952 as a parallel world market, immune to the influences of the non-Soviet world economy and strong enough to advance the doom of the industrial nations of the West. Within as well as outside the orbit, postwar Soviet economic foreign policy was marked by a vigorous pursuit of the rewards, rather than the responsibilities, of a great power in its relations with its weaker neighbors.

During the first 8 years of the postwar period, the Soviet Government was variously engaged, particularly in Eastern Europe, in gathering the fruits of its military victory. In this region, where the main objectives of the postwar policy were pursued with least restraint, the chief concern was to maintain a mighty flow of goods from the shattered economies of the satellite nations into the channels of Soviet domestic reconstruction. This inflow was facilitated by an ingenious mechanism of legal arrangements, including massive deliveries in the form of reparations, joint companies to operate promising satellite industries, and a vast network of Soviet properties abroad.

So long as it remained absorbed in the systematic acquisition of unrequited imports, the Soviet Government displayed little sympathy with the idea of economic assistance to weaker nations. Yet the fact that the Western nations were earnestly seeking ways to extend effective economic aid to less developed countries was not unnoticed. Far from perceiving any merit in these efforts, however, the leadership feigned to be gravely concerned over their effect on recipient countries. It repeatedly branded economic aid a threat to domestic industries, standards of living, and the independence of weaker nations .

This rigidly held position was wholly abandoned after the death of Stalin. As a first step, the Soviet Government moved quickly to scrap the machinery of exploitation he had erected in Eastern Europe. Outstanding reparations deliveries from East Germany were canceled in July 1953, following the riots in East Berlin. The joint companies, including four new enterprises established in China during 1950, were hurriedly dissolved during September–November 1954. Finally the network of properties acquired in Austria were ordered to be returned under the terms of the long-delayed treaty of peace, signed in May 1955.

MORE FLEXIBLE BEHAVIOR

The scrapping of the special apparatus in Eastern Europe cleared the way for more flexible Soviet behavior. In July 1953, the Soviet Government made its first annual contribution, 4 million rubles, to the United Nations Fund for Technical Assistance, which had been in existence since November 1949. In August 1953, a new type of trade agreement was concluded with the Argentine Government, amidst great publicity.

In another major commercial arrangement, with India in December 1953, the U. S. S. R. further committed itself to ship industrial equipment of the kind never before exported by the U. S. S. R. to non-Communist countries. The ambitious commercial arrangement was accompanied by an offer to extend technical assistance.

STALIN FORMULA SCRAPPED

The removal of the massive figure of Stalin in March 1953 opened a new perspective in the world outlook of his successors. The reaction came in two stages. The new line of action began almost immediately after Stalin's death, while the theory underlying the new practice was not revealed until the Twentieth Party Congress, in February 1956. Then it clearly emerged that in the sphere of foreign policy Stalin's successors fully shared his basic determination to undermine the power position of the Western nations. Stalin's analysis of world conditions, however, was adjudged too doctrinaire, too strongly influenced by Marxist optimism.

In Stalin's view, the future of the principal Western nations was thoroughly weakened by mutual economic rivalry on the one hand and by a shrunken market for their products on the other. The deterioration of their position was so serious, in his opinion, that a certain amount of promotion of this rivalry on the part of the Soviet Union, coupled with increased intra-bloc integration, would bring about irretrievable economic decline in the West and, eventually, an internecine war over markets.

Stalin's successors reject, above all, his argument that the economies of the Western nations have been fatally damaged and are doomed to decline. This sanguine premise they now consider inadequate for the understanding of the complex phenomenon of modern capitalism.

The present rules of Russia have based their latest line of action on the premise that new tensions would have to be injected nto the non-Communist world in the years ahead. They see their best opportunities for such additional tension in the complex area of relations between the industrialized countries of the West and the less developed regions around the world.

Before the Soviet Union itself could play an effective role in this theater of operations, it had to achieve some status in the less developed regions as a mature, surplus-producing industrial power. As a matter of record, however, the Soviet Union had deliberately circumscribed its contact with the world economy. Its trade activity outside the industrialized West was small and sporadic. Commercially, in effect, the U. S. S. R. had treated the less developed regions of the world in a spirit usually ascribed by Soviet writers to the imperialists, namely as a raw materials appendage to the industrialized West.

THE ECONOMIC SETTING

But with the steady increase in industrial production in the U. S. S. R., regular and direct contact with overseas sources of raw materials became imperative. The Soviet economic planning system had not produced the necessary operating balance between production and consumption even in domestically available industrial materials. Sizable periodic shortfalls in raw materials require a ready access to imports.

The introduction of the same type of state planning into the satellite nations had increased considerably the need, both actual and potential, for imported raw materials. From the standpoint of normal commodity exchange, too, the steady expansion of capacity for manufacturing by the U. S. S. R. and the satellites had increased the general pool from which goods could be drawn for export to the under-industrialized countries.

On economic grounds alone, the existence of a growing annual pool of industrial goods within the Soviet Union has not, by itself, produced a significant outflow of industrial exports. Internal need and demand from the other bloc countries easily consume the bulk of domestic machinery production. In Soviet practice, goods assigned for export do not necessarily stem from a net surplus. They are more often than not diversions from low-ranking domestic consumers. A larger scale of annual production, nevertheless, does provide a base for larger scale diversions to high-priority exports.

Against this setting of forced surpluses, the economic aid approach has a distinct advantage over normal trade. It commits the Soviet Government not so much to a large immediate export program as to a series of deferred annual shipments to the recipient countries, shipments from the industrial sector of the economy which is, of course, being expanded at a preferred rate.

SOVIET RESOURCES FOR AID

The Soviet economy produces machinery and other industrial products on a substantial scale and in variety. The domestic machine-building industry has for some time been the principal dynamic force pushing industrialization forward.

Were domestic economic considerations alone to prevail, this annual output could easily be absorbed at home. For reasons of foreign policy, however, a segment of the domestic volume of machinery production is now judiciously apportioned for export, first among the countries of the Soviet orbit and, for the past year or so, among a number of countries in the non-Soviet community. All the same, the U. S. S. R. continues to depend on the world market for additional imports of machinery. Its own export potential is still made up largely of raw materials, agricultural as well as industrial. What is more, imports of machinery from abroad continue to be acquired at an increasing rate. Exports in this category of goods are quite small.

The current attempt to enter into many markets at once as a potential exporter comes as a result of a deliberate decision rather than a natural development of economic relations outside the bloc. Many of the countries now high in the aid program, such as Burma, Indonesia, India, and Yugoslavia, have had little or virtually no trade relations with the U. S. S. R. previously, and certainly no experience in importing equipment from that source.

EXPERIMENTAL EXPORTS

The recent undertakings in exporting machinery are essentially experimental, in regard to both available quantities within the Soviet economy and acceptability of the Soviet product. Therefore a program of economic aid which would include the supply of equipment over a period of time recommends itself to the U. S. S. R. in preference to a straightforward, unadvertised expansion of commercial exports of machinery.

In the first place, it could be rather difficult for Soviet economic authorities to muster sizable quantities of equipment for immediate export. Within the economic aid setting, however, the government finds it less burdensome to set aside a modest part of its future production for deserving non-Communist countries. Given its present supply position, it is obviously more practical for

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[1] Mr. Herman is Chief of the U. S. S. R. Section of the European Division, U. S. Department of Commerce.

the U. S. S. R. to delay, to string out, its export commitments involving industrial equipment. Second, deliveries made within the framework of a friendly arrangement for aid are less likely to be subjected to the rigorous test of quality and modernity applied to competitive commercial imports.

The Soviet entry into the field of economic aid has been marked by a characteristic approach, that of too much too soon. A whole host of underprivileged home industries are still muddling along as best they can with antiquated equipment. Even so modest an undertaking as building grain elevators for Afghanistan did not arise from a surplus position. It came before some of Russia's own Asian provinces saw their first grain elevator. Similarly technological institutes of the type promised to India and Burma are still admittedly scarce in Russia's industrial centers east of the Ural Mountains.

Even more critical at the moment is the fact that the Soviet bid for prestige abroad has added to the economic burdens of the satellito nations. The more industrialized members of the Soviet captive alliance have been directly pressed into the Soviet campaign to gain an economic foothold in less developed areas. Nor have the largely agricultural satellites been spared. There can be no doubt that their economic distress could have been alleviated by a generous Soviet contribution to intrabloc economic aid.

THE CONTENT OF THE SOVIET APPEAL

In proffering economic aid, Soviet spokesmen have tried to avoid the implication that they have been won over to the positive approach to the needs of less developed countries which the Western Powers have followed for nearly a decade. They are at great pains to claim a unique solution to an entirely new problem, based on motives of hitherto unknown purity. They present an image of themselves as historic bearers of the gift of industrialization to all duly qualified backward regions and nations. As a matter of historical record, the Soviet argument runs, the U. S. S. R. was itself a backward country only a few decades ago. Rapid industrialization is, so to speak, in its blood.

In practice, the Soviet Government has geared its offers to exploitation of some of the weaknesses of existing Western aid programs. This it has tried to accomplish, for example, by undercutting the interest rates at which industrialization credits are normally extended by Western governments and international banking institutions. Repayment in the form of local export goods is publicly invited. In addition, the Soviet Union disclaims any interest in deriving future economic gain, beyond nominal interest earnings, from installations it helps to build. Soviet aid is also tailored to suit the sensibilities of receiving nations, taking the form of loans rather than charity.

In the typical Soviet arrangement, provision is made to help the recipient countries to dispose of domestic surpluses, usually agricultural and often difficult to market. The Soviet Government also focuses its program on the support of projects that are high on the priority list of the local governments. It is, at the same time, notably more interested in strengthening the position of the government than in raising the level of welfare in the recipient country. Wherever possible the leaders direct Soviet economic contribution to expanding government ownership as a counterweight to private enterprise.

Above all, however, the lesson which the leaders of the U. S. S. R. are interested in driving home to less developed countries is that Soviet aid can reduce drastically the need for close economic intercourse with Western nations. As Moscow would like others to see it, Soviet aid is a contribution to the national independence of former colonial peoples.

Since the only bonds now linking most of the less developed areas with the West are economic, the Soviet drive is designed to loosen these ties. To accomplish this, the government must establish its qualifications as a mature industrial partner capable of displacing the West. Regardless of its real capacities, a good showing must be made. Nor is it entirely a matter of self-recommendation to overseas countries. In a very real way, the new Soviet activity in the less developed regions is intended to deliver an indirect blow in its longstanding economic dispute with the West.

By playing the role, however unnatural, of a surplus producer of equipment, the Soviet Union hopes to stimulate doubt among Western businessmen regarding strategic trade controls, doubt as to whether such controls could effectively deter the industrial expansion of a country that has reached a stage of export surpluses in equipment and technical personnel. In short, Soviet strategists are watching for the effect of their current aid program not so much upon the economies of the importing countries as upon the headlines in the commercial press of Western Europe, Canada, Japan, and the United States.

Soviet economic aid to independent countries has been essentially a gambit, a sacrifice move running counter to basic policy drive—the drive to amass overwhelming economic strength within its own orbit while promoting and exploiting weakness and distress in countries that have not accepted the Communist formula. Soviet economic aid is a negative operation designed to widen existing breaches among nations and fan the embers of national discontent. As such, the entire present effort could be easily upset by a shift in official risk calculation.

An enduring effort to assist less developed nations has to be founded upon more constructive expectations. Existing United States and Western programs of foreign aid hold out a real promise of lasting good results. The West's economic aid is guided by the practical, tested principle that industrially advanced neighbors make the most stable economic partners and that the prosperity of the more developed nations is rendered more secure by the raising of standards of well-being in all parts of the world.

Mr. JAVITS. Finally, Mr. President, I wish to read the conclusion of the Senate's Special Committee To Study the Foreign Air Program, which made a contract for project No. 3 with the Council for Economic and Industry Research, Inc., the project being foreign-assistance activities of the Communist bloc, and their implications for the United States.

At page 54 the concluding comments are:

> The Soviet economic offensive is the newest development to face United States foreign-assistance policy. The future course of this economic offensive is, of course, a matter of uncertainty. Its future, whatever that turns out to be, is a matter to be decided by Soviet international political policy. The bloc offensive can grow. United States foreign policy must take heavy account of present Communist aid activity and be prepared for future growth in this direction. Being ready costs little if the threat fails. But not being ready would cost much if the threat grows.

In summary, Mr. President, I am for the foreign-aid program. I think the appropriation is too little. I hope very much it is not too late. We are fighting this battle every day. As the Senator from Wisconsin has said, it will go on into the indefinite future. But I deeply feel we must learn our lesson from Russian competition and we must learn our lesson from the indisputable proof of the great impact on the economy of the United States, as expressed in terms of foreign trade and overseas private investment. Our foreign trade is 10 percent of our gross national product, a very enormous factor, which could make for depression or prosperity in itself.

In my opinion, we should have given the President what he asked for. We should have provided more for the economic development loan fund, for I think that was the soundest kind of investment we could have made.

However, I favor this appropriation bill as the best that can be worked out in a practical world. I think we have to consider, in any discussion of foreign aid, the dependence of the American economy on our foreign trade, and the growing and real and vital competition in economic aid and technical assistance to Soviet bloc countries and other countries by the Soviet Union itself.

Mr. President, this may be a quiet debate, with relatively few Senators present in the Chamber, and this bill may be accepted as one that will pass, but it is very portentous to peace and war, the well being and, indeed, the survival of our people. If the lessons to which I have referred are not read correctly by the Senate, we shall be making disastrous mistakes, and the survival of the people and the freedom of the people of the United States and of the Free World may indeed be put in jeopardy. I hope I shall never be found derelict in having failed to lift my voice to help read those signs aright on the international scene.

Mr. NEUBERGER. Mr. President, an editorial in the Sunday Oregonian, of Portland, Oreg., of August 18, 1957, expresses my attitude that drastic cuts in foreign aid and mutual security are risking the solidarity of the Free World and the future of the United States.

I am supporting President Eisenhower on this issue, not because of any partisan affinity but because I happen to believe the President is essentially right. It is easy to attack foreign aid, difficult to defend such a program in the political arena. Yet, if our foreign aid were drastically curtailed, I fear we would be gravely set back and retarded in the cold war against the Soviet Union. Furthermore, I think that foreign aid helps to keep in uniform such staunch allies as Turkey, South Korea, Great Britain and other nations. If these countries were unable to defend vital areas of the globe, we either would have to surrender those realms to the aggressive Soviet orbit or else have young Americans stationed there in great numbers, risking their lives and forsaking their homes and firesides. That is something for us to think about when we hear rambunctious and sweeping political orations against foreign aid.

I ask unanimous consent that the editorial from the Oregonian of August 18, entitled "Politics Before Security," appear in the RECORD for the information of my colleagues, who soon will vote on this vital question.

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

POLITICS BEFORE SECURITY

Those who profess to be experts on the mutual-security program—that 10-year-old plan for allied cooperation in strengthening the military defenses of the non-Communist world in which the United States has spent $17 billion and our allies $107 billion—are more or less agreed that it cannot be terminated. They are not all agreed on the amount of United States participation needed at this time.

The vote of Members of the House of Representatives in slashing $862 million from the budget of nearly $3,400,000,000 previously authorized by Congress is not, however, a reflection of the judgment of experts.

The vote represented politicking in the highest degree. All of this session, the House has been shouting "economy," and sending up smoke signals to the voters as if it were getting economy. It made a paper slash of the domestic budget, while cagily providing for the more rapid expenditure of previously appropriated funds. The result will be a greater actual expenditure in fiscal 1958 than the budget figure. This is justified on the basis that carryover funds should be reduced. But don't ever think the Government is spending less. It is spending more.

The foreign-aid budget, more properly called mutual security budget, was a sitting duck for the political economizers. Not many voters really understand the advantage to the United States in helping to strengthen the allied forces that are under the guns of the Communist empire. It is much less costly to help train and outfit these forces than it is to maintain comparable forces of Americans either abroad or in this country. The President is right in calling it "false economy" to undermine allied military strength before the first tottering steps toward disarmament have really accomplished anything.

In our opinion, the 83 Republicans and 181 Democrats who joined in crippling what was left of the foreign aid authorization are taking an unconscionable risk with the security of the United States, in the face of repeated and solemn warnings by President Eisenhower, backed by the real experts in world affairs.

Congress previously had reduced the administration's minimum foreign aid budget by $500,000,000, in the authorization bill. The additional cut by the House of $862,000,000 adds up to a total reduction of $1,362,000,000. This leaves only $2,500,000,000 in new funds.

President Eisenhower—supported by ex-President Truman—specifically pleaded for the full $500,000,000 provided in the authorization bill for a development fund. The President said this would allow the United States to transform our economic help largely from the grant basis to the loan basis, something which every committee that has studied this problem recommends strongly. The House voted, 149 to 101, to slash this fund to $300,000,000.

If the Senate goes along with the House in what the President calls this false economy. Mr. Eisenhower must face the decision of drastically reducing the foreign assistance program or calling Congress back into special session. In the present mood of Congress, the latter might not accomplish anything. But we do not think the President will hesitate to do this if necessary. He would be more inclined to do so if he felt the people of America actually understand the need for mutual security and the risks of economizing in that field.

ATTACK UPON SENATOR NEUBERGER FOR HIS OPPOSITION TO BRUCES EDDY DAM PROJECT ON NORTH FORK OF CLEARWATER RIVER

Mr. NEUBERGER. Mr. President, on August 13, 1957, the senior Senator from Idaho [Mr. DWORSHAK] assailed me as a saboteur and as a hypocrite, because I was opposed to a proposed power and flood-control project in his State which, in my opinion, would damage wildlife, fisheries, and scenic outdoor values.

I did not reply in kind to these denunciations, and I do not intend to do so now, because I refuse to indulge in political abuse or character assassination. Such tactics only hurt those who rely upon them, and not the intended victims.

On August 26, yesterday, the Senator from Idaho continued his attack by including in the pages of the CONGRESSIONAL RECORD an editorial from an Idaho newspaper which, in essence, repeated some of those charges against me. I was presiding over the Senate at the time of the insertion and, in effect, granted the unanimous consent which placed the editorial in the RECORD. I would not have objected had I been on the floor, because if the Senator from Idaho wishes to use the pages of the RECORD to attack me further personally, I rather imagine he will net small gains from that, if any.

One sentence from the editorial, which was printed in the Boise, Idaho, Statesman of August 20, charged that I was "in collusion with hypocritical groups" in attempting to block authorization of the Bruces Eddy Dam on the North Fork of the Clearwater River. This description in the Idaho newspaper of organizations which have opposed construction of Bruces Eddy Dam reflects the statement made by the senior Senator from Idaho [Mr. DWORSHAK] on August 13 when he said:

> Mr. President, the hypocritical groups which contend that efforts are being made to disregard fish and wildlife aspects of the project deliberately misrepresent and distort the facts.

These are the groups, Mr. President, which have been opposing construction of the Bruces Eddy project: Idaho Wildlife Federation, Idaho Outdoor Association, Oregon division of the Izaak Walton League of America, the Izaak Walton League of America, the National Wildlife Federation, the Wilderness Society, the Wildlife Management Institute, the National Parks Association, the Sierra Club, the National Hikers and Campers Association, the National Audubon Society, Citizens Committee on Natural Resources, Federation of Western Outdoor Clubs, Sport Fishing Institute, Outdoor Writers Association of America, General Federation of Women's Clubs, Commercial Fishermen's Association of Sandpoint, Idaho; Lewis-Clark Wildlife Club of Lewiston, Idaho; St. Joe Valley Fish and Game Association of St. Maries, Idaho; Palouse River Wildlife Federation of Potlatch, Idaho; White Pine Sportsman Association of Troy, Idaho.

Inasmuch as the Senator from Idaho has been contending—through his own voice and via his editorial outlets—that I am in alliance with hypocritical groups, I urge that he inform the Senate if he regards the above-listed organizations in that category.

When a man makes strong charges, he should be willing to back them up or apologize for them. According to the Senator from Idaho, I am a "saboteur" and a "hypocrite." I also am in "collusion with hyprocritical groups." Are the organizations which I have listed these "hypocritical groups"? They seem like very fine and reputable organizations to me. I belong to some of them. I wish I could belong to more. They are groups which have worked for a better America and for conservation of our natural resources. I believe the distinguished senior Senator from Idaho, this author of abusive political attacks, should explain to the Senate if these are the "hypocritical groups" with which the junior Senator from Oregon is allied in opposing the Bruces Eddy Dam project.

In conclusion, Mr. President, I should like to add that members and officials of the organizations opposed to blockading the Clearwater evidently have not felt that hypocrisy was involved in the action taken to bar its authorization by Congress. I ask unanimous consent to have printed in the RECORD a letter to me from the National Wildlife Federation, dated August 16, 1957; and letters to me and to the chairman of the Senate Public Works Committee from Mrs. Marion T. Weatherford, chairman of the conservation of natural resources department of the General Federation of Women's Clubs, dated February 18, 1957. I have high regard for the leadership which Mrs. Weatherford and her organization have contributed to the preservation of our Nation's outdoor and wildlife assets. Also, I ask unanimous consent to have printed in the RECORD with my remarks letters which were sent from Idaho citizens and groups to members of the Senate Public Works Committee and which were made a part of the subcommittee hearing record during consideration of S. 497, which included the Bruces Eddy Dam authorization.

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

NATIONAL WILDLIFE FEDERATION,
Takoma Park, Washington, D. C.,
August 16, 1957.

Hon. RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR NEUBERGER: Now that the immediate threat of premature authorization or appropriation for Bruces Eddy Dam on the Clearwater River in Idaho has been forestalled, I want to express the appreciation of the National Wildlife Federation for your able leadership and effective work in sustaining the position taken by conservationists. It is both strange and regrettable that the opponents of this reservoir should resort to such tactics in an effort to secure Congressional approval before the fish and wildlife studies, now in progress, can be completed.

Throughout the controversy, your able presentation of the concern of conservation-minded citizens regarding the probable destructive effects of Bruces Eddy Dam on the fisheries, the big-game herds, and the wilderness values of the Clearwater Basin has been most helpful. Your testimony before the House Flood Control Subcommittee was instrumental in persuading that unit to delete authorization for the project from the omnibus bill. And that event, of course, was what made possible the overwhelming rejection by the House of Senator DWORSHAK'S amendment that would have provided $500,000 for an unauthorized project. Opposition to the Dworshak amendment was led by members of the House Public Works Committee who had previously rejected the project.

Certain special interests, as you know, stand to reap a substantial windfall in cheap transportation costs for their timber operations in case Bruces Eddy is built. Therefore, we can expect the project to be brought before the Congress again in the next session despite the 363-to-23 defeat in the House.

Again thanks and best wishes for some genuine relaxation after the session adjourns.

Sincerely yours,
CHARLES H. CALLISON,
Conservation Director.

GENERAL FEDERATION
OF WOMEN'S CLUBS,
February 18, 1957.

Hon. RICHARD E. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR NEUBERGER: May I take this opportunity to mention some legislation in which I am particularly interested as conservation chairman of the General Federation of Women's Clubs, and for which the GFWC has an established policy through resolution for support of or opposition to.

Enclosed is a copy of my letter to Senator CHAVEZ regarding the Bruces Eddy Dam authorization, which will interpret the thinking of the GFWC regarding it.

We are very concerned that proper appropriations be made so that the water pollution control program, Public Law 660, may be provided with funds to operate adequately. I have wired all members of the House Subcommittee on Appropriations asking that they support adequate appropriations for this program.

We are anxious that proper zoning regulations will be mandatory along the new Federal highway system. I should appreciate a copy of Senator NEUBERGER'S bill that sets up this fine regulation.

Operation Outdoors, the 5-year plan of the United States Forest Service affecting recreation is a program we will want to support when legislation and appropriations are being considered to implement this program.

The establishment of a wilderness preservation system is something in which we are interested, but for which we do not have a stated policy. The above-mentioned projects all have a GFWC resolution on which we may base our stand. Support by the GFWC for a wilderness preservation system is a matter of interpretation of several conservation resolutions.

The extension of the Termination Act as it affects the Klamath Indian Tribe is of great interest to me personally. I believe it imperative that the date of termination be postponed until proper arrangements are made for the best possible use of the valuable natural resource holdings of this tribe.

With all good wishes to you as you so ably represent us in Washington.

Cordially,
LEONA WEATHERFORD
Mrs. Marion T. Weatherford.

ARLINGTON, OREG., *February 16, 1957.*

Hon. DENNIS CHAVEZ,
Chairman, Senate Committee on Public Works, Washington, D. C.

DEAR SIR: May I respectfully call to your attention a policy of the General Federation of Women's Clubs expressed through resolution adopted at the national convention of this organization in 1955. This resolution deals with the conservation of wildlife in the development of our natural resources, and we believe it is particularly applicable to the Bruces Eddy Dam proposal in the omnibus rivers and harbors flood control bill, S. 497.

"Whereas land and water that can be devoted to the conservation of wildlife in forest, field or stream is becoming increasingly important and increasingly limited, and

"Whereas the proper methods of land and water management must be practiced to create a favorable environment and habitat for wildlife, which is consistent with other purposes to which the land, and water must be devoted: Therefore be it

"*Resolved*, That the General Federation of Women's Clubs in convention assembled, May 1955, urges the consideration of and provision for adequate wildlife habitat in any program of development of our natural resources, consistent with all purposes to which land and water must be devoted, to the end that wildlife and wildlife habitat shall not needlessly suffer from resource management in our expanding nation."

Thank you for your consideration of this policy, particularly as it effects Bruces Eddy Dam in S. 497. We believe that all the facts concerning all natural resources, including recreation, fish, and wildlife, should be considered when development projects are proposed.

Respectfully,
Mrs. MARION T. WEATHERFORD,
Chairman, conservation department, General Federation of Women's Clubs.

Messages from hearings before Senate Public Works Subcommittee, 85th Congress, 1st session, on S. 497:

POTLATCH, IDAHO, *January 31, 1957.*

Senator FRANK CHURCH,
Senate Office Building,
Washington, D. C.:

Please attend Senate Public Works Committee meeting Monday and request removal of Bruces Eddy Dam from omnibus harbors and rivers bill. Fish and wildlife surveys have not been completed as yet. We feel no action should be taken on Bruces Eddy Dam until such time as surveys have been completed.

DEFORREST JONES,
Secretary, Palouse River Wildlife Federation.

LEWISTON, IDAHO, *February 1, 1957.*

Senator FRANK CHURCH,
Senate Office Building,
Washington, D. C.

DEAR SENATOR CHURCH: We in northern Idaho would appreciate very much any effort you might make toward having Bruces Eddy stricken from the omnibus bill.

Sincerely,
E. M. WYGANT.

POTLATCH, IDAHO, *January 31, 1957.*

Senator FRANK CHURCH,
Senate Office Building,
Washington, D. C.:

Since wildlife and fish surveys have not yet been completed by authorities we respectfully request your attendance at the Senate Public Works Committee, Monday, February 4, and request removal of Bruces Eddy Dam on the North Fork of the Clearwater River from the omnibus rivers and harbor bill.

GARY MORRIS,
Chairman, District 2, Wildlife Federation.

TROY, IDAHO, *January 31, 1957.*

Senator FRANK CHURCH,
Senate Office Building,
Washington, D. C.:

We request you do all you can to have the authorization of Bruces Eddy Dam removed from omnibus rivers and harbors bill.

HAROLD MILTON,
President, Troy Chamber of Commerce.
ED HOLBERG,
President, White Pine Sportsman Association.
MAURICE HARLAND,
Secretary, White Pine Sportsman Association.

COEUR D'ALENE, IDAHO, *February 1, 1957.*

Senator FRANK CHURCH,
Senate Office Building,
Washington, D. C.:

With human population increasing rapidly and more and more people turning to hunting and fishing as outdoor recreation with more and more waters being impounded both by Federal and private interests more waters being polluted or rechanneled by diversions the need to be alert is more evident than ever before. We urge you to do your best to delete Bruces Eddy Dam from S. 497 or omnibus bill.

ROBERT HOUGH,
President, Coeur D'Alene Wildlife Federation.

WALLACE, IDAHO, *February 1, 1957.*

Senator FRANK CHURCH,
Senate Office Building,
Washington, D. C.:

Eight hundred members of Shoshone County Sportsmen's Association urge use of your influence to remove Bruces Eddy Dam from omnibus bill, S. 497. Statewide and nationwide wildlife groups have opposed for years.

Dam would flood vital big-game winter range and stop steelhead and salmon runs in Clearwater River.

SHOSHONE COUNTY SPORTSMEN'S ASSOCIATION
KEN WHITESIDE, *President.*

ST. MARIES, IDAHO, *February 2, 1957.*

Senator FRANK CHURCH,
Senate Office Building:

Urge you to do all within your power to delete Bruces Eddy Dam on North Fork of Clearwater from omnibus bill until such time as studies on impact on fish and wildlife have been completed.

CHARLES H. SCHRIBNER,
Chairman, Legislative Committee, Idaho Wildlife Federation.

COEUR D'ALENE, IDAHO, *February 1, 1957.*

Senator FRANK CHURCH,
Senate Office Building,
Washington, D. C.:

The organized sportsmen of the five northern counties request you use your influence to delete Bruces Eddy Dam from S. 497 when you meet with Subcommittee on Public Works, Monday. We are taking you at your word after Ready, Dear Outdoorsman sent to us by your man Frank Burke dated October 17, 1956, impartial survey not completed by game department regarding fish and wildlife. The new Hells Canyon program will change Bruces Eddy project.

FRANK CULLEN,
President, District No. 1, Idaho Wildlife Federation.

ST. MARIES, IDAHO, *February 3, 1957.*
Senator FRANK CHURCH,
Senate Office Building:

This organization requests that you vote to delete the Bruces Eddy Dam from S. 497 until such time as all the surveys have been completed.

BEARL,
President, St. Joe Valley Fish & Game Association.

LEWISTON, IDAHO, *February 2, 1957.*
Senator FRANK CHURCH,
Senate Office Building,
Washington, D. C.:

Request you protest inclusion of Bruces Eddy Dam in omnibus bill at subcommittee hearing beginning Monday. Incomplete studies of fish and wildlife still show serious losses of big game winter range and will shut off migratory salmon runs as well as damage to other fish.

DONALD L. SHOOK,
Lewiston Motor Co.

SANDPOINT, IDAHO, *February 4, 1957.*
Senator FRANK CHURCH,
Senate Office Building,
Washington, D. C.

DEAR SIR: At a meeting held here by our membership it was unanimously decided to contact you urging you to do your utmost to remove the Bruces Eddy Dam from the omnibus bill.

Sincerely yours,
COMMERCIAL FISHERMEN'S ASSOCIATION OF SANDPOINT, IDAHO,
TROY J. MATHIAS, *President.*

LEWISTON, IDAHO, *February 4, 1957.*
FRANK CHURCH,
Senate Office Building,
Washington, D. C.:

We respectfully request your appearance before the proper committee to renounce the Bruces Eddy Dam as contained in the omnibus bill. Studies made so far and data obtained show a very serious loss of one of Nation's finest elk herds, deer, and fishing scenic areas.

MORTON BRIGHAM, *Vice President,*
CLARENCE J. RUDD, *Club Secretary,*
Lewis-Clark Wildlife Club.

PEND OREILLE SPORT SHOP,
Sandpoint, Idaho, February 28, 1957.
Senator PAT MCNAMARA,
Senate Building.

DEAR SIR: Recreation, fish, and wildlife are the second largest source of income for the State of Idaho. So I want to protest the authorization of any part of the Bruces Eddy Dam, here on the Clearwater River in Idaho.

Please obtain a full report on the Bruces Eddy project from the Fish and Wildlife Service.

Please remove the Bruces Eddy Dam project from the omnibus bill until these 3-year studies are completed.

Sincerely,
DON SAMUELSON.

GENERAL FEDERATION OF WOMEN'S CLUBS, CONSERVATION OF NATURAL RESOURCES DEPARTMENT,
Orlando, Fla., February 1, 1957.
Senator PAT MCNAMARA,
United States Senate, Washington, D. C.

DEAR HONORABLE MCNAMARA: Just sent you the following telegram:

S. 497, omnibus rivers and harbors bill: Please delete Bruces Eddy Dam, as it would block salmon and steelhead trout runs and flood much vital big game wintering range, also seriously damage natural features and also unnecessary to overall planning of Columbia River Basin.

ETHEL L. LARSON,
Consultant, Conservation Department, GFWC (10 million members), Legislation Committee, National Council of State Garden Clubs (400,000 Members).

DOVER, IDAHO.
Senator PAT MCNAMARA,
Senate Office Building,
Washington, D. C.

DEAR SIR: A card to let you know I am opposed to the Bruces Eddy project, or any project that will destroy so much to gain so little.

Very truly yours,
JAMES H. CROSS.

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

Mr. NEUBERGER. I am happy to yield to my senior colleague.

Mr. MORSE. I had not intended to make any comment on the subject which my colleague has raised, until I heard him speak. I answered these charges against my colleague the other night on the floor of the Senate, when they were first raised.

I wish to say today that in my State, I find that the attack which has been made on the junior Senator from Oregon [Mr. NEUBERGER] is really going to strengthen him rather than hurt him politically because the people of my State know how to judge sources of criticism. The sources of criticism of my colleague are going to reflect to his everlasting credit.

I wish to say, Mr. President, it grieves me to see the growing tendency in the Senate, particularly in the present session, to ignore the purposes of rule XIX. Too frequently, I feel, there has been inserted in the CONGRESSIONAL RECORD, as in this instance, subject matter which if stated vocally on the floor of the Senate would make the Senator inserting it out of order.

Without reference to any Senator, since we are talking about the rule, I think the time has come, Mr. President, when much greater care needs to be exercised in the Senate in regard to checking discussion and debate that is based upon personalities. Such procedure does not prove anything. Calling a colleague a name proves nothing for or against a proposition.

It was a matter of regret to me to learn this morning that such material had been printed in the RECORD. So far as the newspaper criticisms are concerned, I know my colleague well enough to be sure that he, along with his colleague, pays no attention to editorials of personal abuse, because we are used to them in our State. One cannot be a liberal and one cannot stand for promoting the general welfare of the people of this country and not expect the type of editorial against him that my colleague has quoted this morning, which was printed in the RECORD.

Mr. President, if, while present on the floor of the Senate, I observe any violation of rule XIX, either by way of insertions in the RECORD or by way of debate, I intend to exercise my rights under the rule. I hope we have not reached the point where we shall have to suspend the giving of unanimous consent for insertions in the RECORD until we read them first to ascertain whether they reflect upon a colleague or upon a State.

I desire to thank my colleague for yielding this time to me. I close by saying that the junior Senator from Oregon needs no defense in the State of Oregon. The people of Oregon are aware of the great record he has made. I think the people of Oregon are also aware of the close relationship which exists between the two Senators.

The type of personal attack which has been referred to is exactly the type of material I shall welcome for use in 1960, Mr. President, when I shall go up and down the State of Oregon in support of the reelection of the junior Senator from Oregon, because he has already demonstrated by his outstanding record in the Senate that it is very important in the interest of the State that he have a long-time service in the Senate of the United States.

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

Mr. NEUBERGER. I yield to my friend, the Senator from Tennessee.

Mr. KEFAUVER. I have not had the opportunity to read the editorial and the remarks in full, but I take this occasion to say that I have known the junior Senator from Oregon for many, many years, I believe ever since the time I became a Member of the House of Representatives in 1939. I have read his writings. I have followed his record. He is a great and good man, in the best sense of the words. He is a man who sees a great future for the Pacific Northwest and the people of our country. The junior Senator from Oregon is a loyal man, a good man and a sincere man. He is a credit to the United States Senate. He has made a substantial contribution toward good legislation, even though his position might not at times have been popular.

I certainly desire to join in condemning any remarks which have been put in the RECORD in derogation of one of the finest Americans I have ever known.

Mr. NEUBERGER. I thank both my senior colleague from Oregon and the senior Senator from Tennessee for the very generous remarks they have made. As the Senator from Tennessee, was speaking, my recollection went back to our first association. If I am not mistaken, I believe it was when a national magazine invited me to review the very able book, entitled "A 20th Century Congress," which the Senator from Tennessee wrote as a Member of the House of Representatives. That book still stands as a landmark in my own memory, and helped to acquaint me with the need for progressive new methods of administering the legislative arm of the United States Government. The Senator from Tennessee also had an able collaborator, Mr. Jack Levin, a graduate of Reed College in Portland, Oreg.

Mr. KEFAUVER. I appreciate the Senator's remarks in connection with the book, which has been long since forgotten by almost everyone who might be buying a book. I certainly hope the Senator's reference to the book will renew some interest, and possibly increase sales of the book.

Mr. NEUBERGER. If such a result is achieved, it will be not only to the benefit of the Senator from Tennessee, but also to the benefit of good government in our entire country.

Of course, my friendship with my senior colleague from Oregon goes back to an even earlier period, when he was one of my teachers at the University of Oregon.

I am grateful that two men whom I esteem so highly as my own senior colleague and the senior Senator from Tennessee have spoken about me as they have.

I do not know whether the events which my colleague predicted will transpire 3 years from now, which is a long way off in terms of human existence, will ever occur, but he was very kind to say what he did. These matters, however, are uncertain.

Mr. KEFAUVER. Will the Senator yield, Mr. President, for one further point?

Mr. NEUBERGER. I am happy to yield.

Mr. KEFAUVER. The senior Senator from Oregon [Mr. MORSE] and I did have justifiably complimentary words to say as to the character, loyalty, and public service of the junior Senator from Oregon [Mr. NEUBERGER], but there is one point neither of us emphasized, which is of great importance, and which would make up for any deficiency the junior Senator from Oregon might have. That is the fact that his very wonderful wife, Mrs. Neuberger—Maurine, as we know her—who is a legislator in her own right, is one of the most outstanding and capable women I know. Whenever the junior Senator from Oregon may be tempted to get on the wrong side of some issue I know she sets him straight and keeps him on the right path.

Another very important thing concerning Mrs. Neuberger is that her parents came from Tennessee, which adds to her luster.

Mr. NEUBERGER. I thank the Senator from Tennessee not only for the deservedly kind things he has said about Mrs. Neuberger, but for the true words he has spoken about her father. Her father, Dr. Thomas Brown, who was a pioneer physician in the rural countryside of the State of Oregon, came to the Northwest from Tennessee. He was born in Tennessee. He was educated in Tennessee. If I am not mistaken in my memory, he received his medical degree from Vanderbilt University. He went to grade and elementary schools in the great State which is represented by the senior Senator from Tennessee [Mr. KEFAUVER] and by the able junior Senator from Tennessee [Mr. GORE] who sits next to me on the Senate floor.

I should like to add, in conclusion, Mr. President, with reference to the very generous—I should say overly generous—comments of my colleagues today, that I regret the Senator from Idaho in his disagreement with me over the Bruces Eddy project felt it was necessary to refer to me by names which might be characterized as abusive.

I regret, further, that he felt it was to his advantage to insert in the RECORD an editorial from an Idaho newspaper in Boise which likewise contained very unflattering personal references to me. I certainly would not reciprocate in kind concerning the senior Senator from Idaho.

Only the future can tell whether he is right in advocating this project or whether I am right in opposing it. I remember reading a long time ago a short story entitled, "The Other Fellow May Be Right," written by a great writer. We deal in this Chamber with many delicate issues, to which there are two sides—indeed, many sides. I think each one of us is equally sincere. Each one of us is equally dedicated to the point of view which he advocates. My only regret is that at times it seems necessary to certain Members of the Senate to indulge in personal abuse and denunciation.

I deplore the fact that the senior Senator from Idaho placed in the RECORD an editorial which referred to so-called hypocritical groups opposing the Bruces Eddy project. As I have demonstrated on the floor of the Senate, the groups opposing the Bruces Eddy project include such great and esteemed organizations in our country as the General Federation of Women's Clubs, the National Wildlife Federation, the National Audubon Society, the Izaak Walton League of America, the Wildlife Management Institute, and many other important groups which have contributed so vastly to good government and to the preservation of natural resources in our country.

I feel certain and hopeful that the Senator from Idaho did not intend to refer to them as "hypocritical groups" when he included this editorial in the RECORD.

MUTUAL SECURITY APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 9302) making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes.

The PRESIDING OFFICER. The clerk will state the committee amendment excepted from the unanimous-consent agreement.

The LEGISLATIVE CLERK. On page 2, line 6, after the word "only," it is proposed to strike out "$1,250,000,000" and insert "$1,475,000,000, to remain available until expended."

Mr. ELLENDER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ELLENDER. As I understand, the question before the Senate at the moment is the first committee amendment on page 2 of the bill.

The PRESIDING OFFICER. The second committee amendment on page 2.

Mr. ELLENDER. The second committee amendment on page 2, to change the figure "$1,250,000,000" to "$1,475,000,000."

The PRESIDING OFFICER. The Senator is correct.

The question is on agreeing to the committee amendment on page 2, line 6.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. ELLENDER. Mr. President, before proceeding with the pending amendment; I wish to offer hearty congratulations to our distinguished majority leader—Mr. JOHNSON of Texas—on his 49th birthday. May he have many more happy birthdays.

Mr. President, the pending amendment, which is a committee amendment, seeks to increase the military assistance fund from $1,250,000,000 provided by the House to $1,475,000,000. My remarks will be directed toward the adoption of the House figures, thereby reducing the amount of military assistance by the sum of $225 million.

I have very good and potent reasons, in my humble judgment, for seeking to effect that reduction. I wish briefly to review the military assistance program, as well as other programs which have been on the statute books for the past 10 years.

We have already spent, through June 30, 1957, $45,486,470,000 on foreign-aid programs, both military and nonmilitary. Of that vast sum, we have already delivered military assistance to our allies, through June 30, 1957, the sum total of $17,219,959,000. There is presently in the pipeline $4,380,594,000. In other words, since the military program was inaugurated, we have made available to our friends $21,600,553,000.

The PRESIDING OFFICER (Mr. KEFAUVER in the chair). The Senator will suspend. The Senate will be in order. Visitors in the gallery will refrain from conversation. The Senator from Louisiana may proceed.

Mr. ELLENDER. That is a vast sum, and is represented by huge amounts of military hardware which we have made available to our friends overseas, particularly those in Western Europe. I voted for the Marshall plan, and I have no regrets for supporting that program. I thought then, as I think now, that we made a noble effort to place our allies on their feet, in the hope that they could at least assist themselves. When the program was first placed on the statute books, it was understood that as soon as the countries of Western Europe reached a 25-percent increase in their industrial production and as soon as they reached an increase of from 10 to 15 percent in their agricultural production, we would be able to cease with our aid to that area of the world.

Mr. President, those percentages were reached in from 3 to 4 years after the program was inaugurated. It was then, and only then, that I began to oppose any further assistance to our allies across the seas. Since our allies in Western Europe have been restored to economic health I have tried to taper off the amount of aid flowing to countries who are well able to take care of themselves.

But, Mr. President, we are now in the 10th year, and we are still assisting our allies in many areas of the world—allies who are as able as we are to take care of themselves. As I have said on many occasions, why should we have a dime in this bill to assist a country such as Belgium, which is as able to take care of herself as we are.

We have funds in the pipeline aggregating $1,488,200,000 for the countries of Western Europe. There is in the bill before us in excess of $700 million for countries in Western Europe. And, Mr. President, these countries are well able to take care of themselves.

As I have stated on this floor on many occasions, the administrators of our programs abroad are "softies." They should make plans to encourage our allies in Western Europe to help us with this terrible burden that we now carry alone.

Not only must we carry our own military burden, but we contribute about 38 percent to the military budgets of the countries of Western Europe. We support entirely the military establishments in Formosa, Korea, South Vietnam, and Thailand, to mention a few of the countries in Asia wholly dependent upon us. Not one solitary dime is being spent by our Western European allies in that area of the world.

Mr. President, I have stated heretofore, and I will say it again, that I think it is a mistake for us to continue to make the countries of Western Europe and the countries of southeast Asia entirely dependent upon us for their military hardware. If a war should commence, those people will look to us for military hardware, at a time when we will probably have difficulty maintaining our own military forces.

About 3 or 4 years ago, the offshore procurement program was included in our foreign-aid program. At that time, the argument was advanced that this would afford the United States an opportunity to provide our friends in Western Europe with standby factories which would be available in the event that war should come.

But, Mr. President, although the program was sold on that basis, it did not operate that way. Most of the manufacturing which took place in Western Europe was done by private concerns. When their contracts were completed, they closed shop.

In the pending bill, as in the similar bill of last year, quite a few million of dollars have been included for the purpose of providing plants for standby purposes. This was supposed to be accomplished with the offshore procurement program, and I have already explained why that did not come to pass.

There is always a good reason for starting these programs. However, the objective never seems to be accomplished. With the prosperity—and I think I know what I am talking about—prevailing in Western Europe, why should there be in this bill more than $700 million to assist our friends in Western Europe?

How can we justify such an appropriation when we note that the United Kingdom is reducing her forces in Western Europe, and also reducing the tax burden her people must carry?

How can we justify an expenditure of new money in France when France weakens the NATO defenses by removing her army divisions to north Africa? Notwithstanding these facts, we should consider our own financial standing when we undertake these spending sprees. I am not going into that now, but I might point out that the debt of the United States today is almost $273 billion, and it is increasing rather than being on the decline.

Since we have helped our friends to the point where it now hurts, it strikes me there ought to be some insistence that our friends help themselves. Exclusive of the amount provided in this bill, there is in the pipeline for foreign aid a total of $6,195,610,000. This is composed of military assistance amounting to $4,380,594,000; defense support of $1,288,196,000; development assistance of $317,851,000; and technical assistance of $174 million.

Under the technical assistance program, we provide technicians for the underdeveloped countries of the world. I wish to say that I am wholeheartedly in favor of this program. I voted for it, and I am still in favor of it. But the great difficulty with the program is that our big-eyed advisers abroad, our big spenders abroad, are trying to carry out the programs too rapidly. They are presenting programs which are far beyond the ability of the peoples, and they cannot get technicians from the United States to fill the vacant positions. Thus there exists the pipeline of $174 million for technical assistance and if not another dime was appropriated the program could be carried on through fiscal year 1958.

Mr. President, when it is said that the new money provided by this bill amounts to only $3 billion, it is in error. The reappropriations of $667,050,000 should be added to that amount in order to obtain the total new obligational authority provided by Congress, and if the Senate version of the bill is enacted into law, there will be, in new money and in the pipeline, a total of $9,329,444,000.

Mr. President, at this time let me refer to what happened last year when this same bill was considered by Congress. Senators will remember that I made an effort to have the military assistance program reduced. Last year there was provided, in the Senate version of the bill, $2,300 million in new money, and a reappropriation of $195,500,000, for a total military-assistance appropriation of $2,495,500,000. The House provided, in new money and reappropriations a total of $1,930,500,000. As a result of the Senate-House conference, $2,213 million was finally appropriated.

When the bill was considered by the Senate, I made an effort to reduce the amount reported to the Senate. After a lengthy debate, the Senate voted against my proposal; however, it lost by only four votes. The passage of time, Mr. President, has made me appear to be a piker, for the simple reason that of the $2,213 million which was actually appropriated in fiscal year 1957, it was only possible for ICA to obligate and/or reserve a total of $1,674,200,000, leaving $538,800,000 unobligated and unused. In other words, Congress appropriated in excess of one-half billion dollars more than could be used.

Mr. President, it is my considered judgment that if the Senate votes for the amount, provided by the House of Representatives, we shall not only save $225 million, but we shall have a program which will be $114,600,000 more than was programed for use last year.

Mr. President, last year when the House had voted for amounts which were below the authorization, Admiral Radford, Secretary Dulles, and Mr. McGuire came before the Senate Appropriations Committee and, in an almost tearful voice stated in effect, "If you do not increase the House figures it will hurt our program terribly, and we shall be held in disgrace throughout the world."

Last year Admiral Radford stated before the Senate Appropriations Committee:

> I do not know how the Joint Chiefs of Staff can divide up a total of $1,735,000,000—

That was the amount of money voted by the House of Representatives in connection with last year's bill—

> when the program originally submitted was for $3 billion.

Admiral Radford also stated:

> We are going to have a great deal of difficulty, and it will take us probably in the neighborhood of 6 months, to finalize the new program; and that, in itself, will have an impact all around the world.

As I have just indicated, the House figures were not adopted last year, but Congress provided $2,213 million, and notwithstanding the testimony of Admiral Radford, a total of $538,800,000 was unobligated at the end of fiscal year 1957. Thus, the Joint Chiefs were able to get by which $1,674,200,000, which amount was $256,300,000 less than was voted by the House.

Let me read, Mr. President, what Mr. McGuire said last year, when he appeared before the Senate Appropriations Committee as Assistant Secretary of Defense for International Affairs:

> Could I add to what the admiral has said, sir, that as I pointed out to you on the basis of $1,735 million, and deducting the administrative expenses of the program, you have left to distribute around the world approximately $1,480 million. What I call the big five, that is, Taiwan, Pakistan, Korea, and those countries, total $1,200 million. * * * That leaves you a balance of $280 million. Let us presume for the moment that we could find some justification for going forward and funding $280

> million of advanced weapons. * * * That would mean that you would have nothing left for any other country in the world except that increment which they would not get until 1959, or 1958.

With all due respect to the chairman of our Appropriations Committee, he used the identical argument on the Senate floor last year. It may be well to again state at this point, that the amount appropriated by the House was $256,300,000 more than could be used in the military-assistance program for fiscal year 1957.

In the light of the fact that there is so much money on hand, in the light of past performance, and in view of the fact that our allies in Western Europe should try to help themselves, I urge the Senate to accept the amount appropriated by the House for military assistance, and that the amendment offered by the Senate Appropriations Committee be defeated.

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

Mr. ELLENDER. I yield.

Mr. ROBERTSON. The distinguished Senator from Louisiana will recall that the junior Senator from Virginia supported the position he took on this matter in committee, and he is supporting it now on the floor. The junior Senator from Virginia would like to ask the distinguished Senator from Louisiana if he recalls this testimony, which appears on page 666 of the printed hearings:

> Senator ROBERTSON. The obligated and reserve carryover for 1958 is $3,723,200,000. The House bill appropriated $1,250,000,000 for new assistance, and reappropriates an unobligated carryover of $538,800,000, making a total of $1,788,800,000. Therefore, he says the total military assistance funds available for 1958 under the bill will be $5,512,000,000 as against the estimated expenditure in that year of $2.2 billion. Is there anything wrong with those figures?
>
> Colonel CRITZ. Those figures are correct, Senator.

Mr. ELLENDER. I recall those figures very well.

Mr. ROBERTSON. Those are the stupendous amounts estimated by those on the House side, amounting to a 2½ years' supply. Yet we were told the amount is wholly inadequate. I do not agree with that position. I support the position taken by the Senator from Louisiana.

Mr. ELLENDER. I wish to say further that of the huge sum now in the pipeline, $2½ billion will be used to buy equipment from our own armed services, the Army, Navy, and Air Force. This $2.5 billion has been reserved for reimbursement to our Armed Forces when they fill MDAP orders. The hardware to be delivered in the future, covered by the amount of funds placed in reserve, cannot and will not be delivered until our own Armed Forces are able to get replacements for their own stocks. Since our own Department of Defense is lengthening the lead time in its procurement program, then it follows that there will be a slowdown in deliveries to countries receiving military aid. Therefore, to appropriate more than the amount allowed by the House will merely result in the augmentation of a pipeline that is already bulging at the seams.

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

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

Mr. JOHNSTON of South Carolina. I think the Senator has just about answered the question I had had in mind to ask him. Is it not true that, while many citizens do not realize it, Congress first has to pass authorization bills, and then appropriation bills? The authorization acts have been passed, and appropriations have been made, and there is in the pipeline unused money. If we did not appropriate any money this year, those concerned could still get along very well in providing for what they say they are going to do.

Mr. ELLENDER. For at least 2 years, it is probably longer.

Mr. JOHNSTON of South Carolina. I do not see why Congress should appropriate money away into the future, unless it is meant to make this program a permanent proposition, giving away the money of American taxpayers to people who live in foreign countries.

Mr. ELLENDER. I agree thoroughly with my good friend from South Carolina. I covered that subject to a certain extent.

Mr. JOHNSTON of South Carolina. I know the Senator did.

Mr. ELLENDER. But the point is that if the House figures are adopted, $1,788,800,000 will be provided for militry assistance.

Mr. JOHNSTON of South Carolina. If it is not possible to use more money than was used in the past, there will be a larger backlog next year than there now is.

Mr. ELLENDER. There is no doubt about that, but the point I tried to emphasize was that the more money we provide, the less effort there will be on the part of our allies across the seas. They are not going to build new factories with their own money, they are not going to provide airplanes and hardware, if we are willing to give it to them.

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

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

Mr. ROBERTSON. Mr. President, has our distinguished colleague, the Senator from Louisiana, heard that next year the American people would like very much to have a tax cut?

Mr. ELLENDER. Yes, there has been talk about that for a long time.

I want to be frank in saying to my good friend, the Senator from Virginia, that I am in favor of a tax cut if we do not have to borrow money in order to replenish the money which is lost by the tax cut. If we can balance the budget and save enough money to give relief to the people, I will vote for a tax cut. However, we shall never get a tax cut if we continue to spend the taxpayers' money as we are doing, without calling upon our allies to give more assistance than they are now providing.

Mr. ROBERTSON. The Senator from Virginia does not mean to imply that he would put a tax cut ahead of our national security, and he does not question the value which will come to us from the mutual military assistance program, but he does want to point out that this morning he made a check as to how much Congress has been able to cut the President's revised budget, and discovered that we have cut it about $4.6 billion, if we include this bill at the present figure, which makes an increase of $500,900,000 over the amount of the bill as it passed the House. I do not think, if we pass a bill providing that amount, it will stay that way in conference. I use that figure for the sake of obtaining a quick picture.

Of the reduction, in the President's budget nearly one-half is represented by a cut we made in our own military appropriations, which does not necessarily reduce the spending one red cent.

Mr. ELLENDER. It represents a slowing down of deliveries.

Mr. ROBERTSON. The next largest cut was in the independent offices bill, in the estimate for pensions under the Veterans' Administration. The Veterans' Administrator testified that the pensions paid in fiscal year 1958 will be above those paid in fiscal year 1957, though Congress appropriated less than it appropriated for 1957. The result will be, of course, that the pensions will have to be paid and the money will have to be provided by a deficiency appropriation bill.

As the figures now appear, even if we have no recession from the present boom—and that is by no means assured—we will be lucky if we wind up next year, on the present basis, with a surplus of a billion dollars.

On yesterday our distinguished majority leader said that before adjournment this week the Senate would complete action on pay raises for postal workers and classified civil-service employees, and that will cost a billion dollars, which is not estimated in the budget.

When suggestions are made that we must not challenge the figures as to what can be given to foreign nations, we might as well recognize that we are scraping the bottom of the American tax barrel.

Mr. ELLENDER. I agree with the Senator.

Mr. President, in conclusion, I simply wish to state that if my proposal, which opposes the committee amendment, shall be adopted by the Senate, ICA will have $114,600,000 more to carry on its 1958 military-assistance program than it had to finance the 1957 program.

I yield the floor, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 2, line 6.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the committee amendment, to which the Senator from Louisiana has addressed himself. If the yeas and nays can be ordered on the committee amendment, we can notify all Senators that there will be a yea-and-nay vote.

The yeas and nays were ordered.

A LOOK AHEAD AT WHAT IS INVOLVED IN THE WORK OF THE SELECT COMMITTEE ON IMPROPER ACTIVITIES IN LABOR OR MANAGEMENT FIELD

Mr. MUNDT. Mr. President, last night the Senate adopted a resolution providing $150,000 to continue the operation of the Select Committee on Improper Activities in the Labor or Management Field.

Inasmuch as we are soon to adjourn, and since I have now been serving as a member of the Select Committee on Improper Activities in Labor or Management Field for some 5 months, I take this occasion to record some of the observations and tentative conclusions which have come to me during this period. These are also based upon the fact that as ranking member of the Senate Permanent Subcommittee on Investigations of the Senate Committee on Government Operations I have had occasion for well over a year to devote a part of my time and attention to the type of labor-management situations which are now the subject matter of investigation by our select committee.

Let me say first of all that I entered on my arduous duties as a member of the select committee with complete objectivity. I have heretofore had no occasion, as a Senator from South Dakota, to concern myself especially with problems in the labor-management field inasmuch as ours is not primarily an industrial State. We have no large influential organizations of employers and labor is not a major political or economic factor in our State; labor disturbances of any kind are a rarity; our unions appear to be well led; and we have had no charges of corruption, collusion, or coercion emanating from South Dakota employers or employees. I am neither beholden to organized labor for any political support or contributions nor am I resentful against organized labor for any political opposition. Thus, I have had every reason to approach this difficult assignment with complete objectivity and I shall endeavor to retain that objective viewpoint during the next 15 or 16 months which appear to be the minimum life span of our committee. I hope to retain that same judicial attitude, in fact, in all the years ahead.

Because of the importance of these responsibilities thrust upon me in the labor field, Mr. President, I have endeavored insofar as time permits to make a special study of the history, development, activities, and continuing problems of the labor movement in this country to the end that I might be as helpful as possible in contributing to the solution of whatever problems now need to be corrected.

Out of the hearings already held and the investigations already publicized or considered in executive sessions of our committee, I feel that certain facts have thus far been clearly established from the work of our committee. I believe Congress should—in 1958—enact corrective legislation on the basis of these facts and others certain to be developed in later hearings and by later investigations. Our committee, in fact, expects to recommend such corrective legislation to the Senate early in 1958. My own observations and outside studies and explorations indicate to me that in some areas of activity nothing short of new Federal legislation will provide the needed remedies.

It is now too early to predict the precise nature of the essential legislation which will be required, but it is not too early for Senators, for the general public, and, especially, for the responsible leaders of organized labor, to begin formulating and crystallizing their ideas of what legislation is required and how it should be implemented. I sincerely invite the heads of labor unions and labor leaders, generally, to communicate to our committee their constructive thinking on how best to provide against the type of unsavory conditions which are being disclosed by our committee. What we hope to recommend, Mr. President, is not punitive legislation against organized labor but constructive legislation which will be clearly in the best interests of the working men and women of America and the labor organizations to which they belong.

We seek not to punish anybody, but it is our aim to protect everybody inside and outside of the unions against corruption, collusion, coercion, and the class of conditions and dishonest characters which can jeopardize the best interests and the financial security of the honest, patriotic, decent men and women who comprise by far the great bulk of the American employment rolls.

Mr. President, let us first of all examine some of the facts which have been brought before our committee and which our hearings and investigations have thus far verified.

Fact 1: It seems clear from the record that since the central treasuries of many large labor unions have developed such significant size not only in the areas of health, welfare, pension, and strike benefits but in their general funds, the responsible labor officials should be required to assume a well-regulated and protected trusteeship over all such funds to the end that the laboring men and women who pay the dues and fees making these funds possible will be completely safeguarded against the misuse and the dissipation of these assets. Some unions have done very well in this connection; others have been inexcusably lax. Some are a real credit to the union members and their officials. Some are a public disgrace. I feel the Government has a definite responsibility to enact legislation which will protect all dues-paying members in all unions—completely and effectively—so that the money the workers pay in shall be available in full exclusively for the purposes for which it was collected from the workers.

Fact 2: Trade unionism in America operates within the world's greatest pattern of political self-government. The democratic processes which have made America great and kept it strong are the same processes which can build and retain strength and respectability for organized labor. Since the days of Samuel Gompers that has been the procedure prescribed for developing the labor movement. Some unions have adhered to that great tradition admirably; others have violated it shamefully. In some unions dues-paying union members are given a free choice in electing their officials by secret ballot in the American tradition with appropriate procedures for nominating opposing candidates and providing the union members a free, open, and effective choice. In other unions the one-party concept which has brought so much bloodshed, heartache, and disasters to Communist and Fascist countries is the order of the day, and opposition to existing union leadership is either impossible, dangerous, or ineffective. In too many instances self-government within the union movement has given way to dictatorship from the top. The leadership oligarchy once it has entrenched itself in the best paying and most powerful top positions operates a monolithic political structure which it is as difficult to unseat or upset as it is for unhappy Russian peasants to change their form of government or their group of Communist leaders.

Such denial of free self-determination by the workers of America, who frequently must belong to labor unions and pay whatever dues and fees that are assessed as a prerequisite for holding a job and earning a living for their families, is repugnant and out of keeping with American concepts of freedom and self-respect. I believe that the Government has a definite responsibility to enact legislation designed to strengthen the democratic procedures and processes of labor unions desiring to utilize the functions of the National Labor Relations Board. In this connection, Mr. President, I call attention to certain pertinent passages from the pen of Reinhold Niebuhr as they appear in the August 26 issue of the New Leader. I am sure that neither Mr. Niebuhr nor the New Leader could even remotely be considered antilabor.

I ask unanimous consent that this statement be printed in the RECORD at this point as a part of my remarks.

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

> The liberal devotion to labor ought not to obscure the fact that even the best unions are defective in the constitutional safeguards against the misuse of power. They have no independent judiciary for one thing, no court to which a member may appeal which is completely independent of the current union leadership.
>
> A more important defect is that there is no separation of powers. In theory, the only legislative power rests in the annual convention. There is no representative legislature. But an even more significant defect is that in many unions the executive committee is composed of members who are dependent for their own positions upon the president of the union. There is, in short, no balance of power in many unions. The late J. B. S. Hardman, who made this problem a lifelong concern, reported how in the days of the late Sidney Hillman his proposal to make an alliance with the Communists in the now defunct American Labor Party, though Communists were rigorously excluded in his own

union, was secretly opposed but openly supported by many members of the union oligarchy who did not dare show open opposition.

The problem of any democracy is how to make the oligarchy responsible to the democracy. For, contrary to the old liberal theory, democracies must and do have oligarchies which wield actual power and whose power must be made responsible. In the case of the teamsters, we do not know what the members think of Hoffa. We only know that a powerful portion of the oligarchy has declared for him and that, consequently, his election is almost a foregone conclusion.

The enemies of labor will try to make the teamsters' picture appear typical for unionism as a whole, and that would obscure the virtues, the honesty, and the devotion to the general welfare which characterize union leadership as a whole. But the friends of labor cannot deny that the trade-union movement faces a more general problem than the venality of particular leaders when the federation, under George Meany's leadership, failed to win over the corrupt longshoremen's union which it had ousted but which was still able to win elections against the federation-sponsored union. It may even face the defiance of a Hoffa who not only promises to take over the teamsters but to make industrial union raids upon the old craft unions and thus enlarge his dominion either inside or outside the federation.

One additional problem of union democracy must be mentioned, which cannot be solved by a constitutional separation of powers. It is a problem created by the peculiar conditions of union democracy. It is the problem of one-party government. This problem is created by the fact that the means of communication in a union are all controlled by the official leadership of the union. There is no room for a "loyal opposition" because there is no economic base for an opposition press. Unions are not totalitarian in intent; but they approach the totalitarian status because of the peculiar difficulties in organizing parties which will appeal to the general membership rather than to a section of the oligarchy. This matter is important, because in western democracy many nations have not benefited from the explicit separation of powers of our Constitution. But no democracy has maintained its vitality if only one party could function and if the wielders of power were not under the constant scrutiny of an alternative government.

I am not wise enough to suggest even a tentative answer to these problems. But I think I know enough, as an outside but friendly observer of trade unionism, to say that they are problems which must be solved before one of the great subordinate sovereignties of modern life can approach the standards of the ultimate sovereignty in our scheme of government. It is worth observing that the constitutional safeguards in the trade-union movement are not strong enough to have guaranteed the relative probity of the leadership which the unions have enjoyed. Inner restraints must have operated in maintaining these relatively high standards. But ultimately all government, including the subgovernment of business and labor, cannot rely too much on human nature. It must guard against the abuse of power by proper checks and balances. The Dave Becks, Jimmy Hoffas, and their like may have performed a negative function in proving that the labor movement may have to reexamine its constitutional checks upon human nature.

Mr. MUNDT. Fact 3: By and large, labor unions in compliance with provisions of the Taft-Hartley law have done a good job in ridding themselves of Communists in positions of leadership. Unhappily, there are some notorious and alarming exceptions to this statement and public attention should be devoted to the correction required by these disturbing exceptions.

Mr. President, a number of fifth-amendment witnesses have appeared recently before the Select Committee on Improper Practices in the Labor-Management Field. I call attention to the point that such testimony, in turn, should be considered by the Senate in meeting its legislative responsibility.

Our hearings have disclosed, however, a collateral evil influence in the leadership echelons of the labor movement which is exemplified by certain unions whereby underworld characters and criminals of the worst type have imposed themselves as the dictatorial leaders of honest working men and women who are powerless to rid themselves of these social barnacles. Where joint labor councils in a city or area are able to paralyze the economy of an entire community or district the dangers involved in having criminal characters in charge of the labor movement are a matter of vital concern which even supersedes the injustice perpetuated upon the dues-paying members as a national menace. This is especially true in today's evil world in which Russian Communists would be willing to pay the rich rewards which criminals seek to secure from their control of labor in order to place their own foreign agents in the control positions which crooks and criminals might thus be able to sell to foreign agents.

I believe that the Federal Government thus has a definite responsibility to enact legislation protecting both laborers and the innocent citizens of all America against the efforts of the criminal element to expand their controls and influence in certain labor unions. I feel that most responsible labor leaders will applaud and support such legislation if it is properly drawn and perhaps placed within the acceptable framework of providing that criminals whose records are such as to deprive them of voting rights after their conviction shall, by law, be ineligible to hold positions of union leadership in unions recognized by the NLRB.

Fact 4: The loose fiscal practices and recordkeeping habits of certain unions make it virtually impossible to ascertain from their books whether Federal laws against direct participation in political campaigns are being violated or obeyed. When labor leaders make their major transactions in cash from money concealed in office desks or strongboxes, even Scotland Yard or the FBI might find it impossible to verify or disprove charges of political bribery, corruption, or collusion in Federal elections. In addition, many dues-paying members have complained about the un-American practice of employing force, coercion, or social ostracism to compel union members to contribute from their tight family budgets funds to be used in political campaigns to support causes and/or candidates that the individual workingman might prefer to oppose. This comes so close to a denial of free franchise—a violation of the civil rights of the working men and women of America, as it were—that it is incompatible with our American traditions of self-determination and free choice.

I feel that Congress has a definite responsibility, therefore, to enact legislation protecting the individual working man and woman against political assessments—or the use of his union funds however raised by compulsion—made by his union leaders for Federal elections and that State legislatures and governors have a similar responsibility to enact State laws safeguarding the franchise and free choice of the free working men and women of America in State and local elections. Such legislation, in both instances, should of course protect the rights of working men and women voluntarily to band together for political activity and voluntarily to contribute to whatever candidates or to whatever causes they individually decide to support.

Fact 5: The Taft-Hartley law fails to deal adequately with the pernicious problem of secondary boycotts. Our investigations repeatedly reveal instances whereby unions by remote control seek to paralyze and stalemate the economic activities of a community or a company far removed from the scene of labor strife and entirely outside of the disputed conditions. Thus, one union may take so-called sympathetic action against a completely innocent company, individual, or employer in order to compel him to support the position of some other union against some other individual or company employer who is involved in an entirely unrelated labor dispute. At times, these secondary boycotts take the nature of coercing timid city councils or mayors to blacklist certain products, and at times they directly disrupt the delivery or other services of a company whose labor relations are sound and satisfactory but whose support is sought in pressuring a different employer, in some other community and in some other line of economic activity, to knuckle under to the demands of the union with which he is having difficulty. Thus, innocent Americans in and out of labor are discriminated against in remote communities or in unrelated industries by use of the secondary boycott by irresponsible union leaders. Such a menace to our economic equilibrium and our national well-being is of grave concern. I believe the Federal Government has a definite and direct responsibility to enact reasonable and rational legislation in this area of activity which will be fair to labor, but which will also protect those who can now be made innocent victims of the secondary boycott.

Mr. President, I have listed the foregoing five facts which have been demonstrated and dramatized by our committee activities thus far not as a complete or exclusive list but as illustrative of the type of evidence we are adducing and the type of legislation I feel Congress has a responsibility to enact during our session in 1958. Other facts will develop out of our ensuing hearings. Other problems will be explored. We have in fact dedicated ourselves and resolved by committee action—unanimously agreed upon—to explore as fully as we can the following 11 specific problems coming within the purview of our committee:

First. Labor and management collusion.

Second. Undemocratic processes within labor unions.

Third. Misuse of union funds, including welfare and pension funds.

Fourth. Racketeer control and Communist infiltration.

Fifth. Secondary boycotts.

Sixth. Extortion, robbery, and bribery.

Seventh. Organizational picketing.

Eighth. Paper locals—better called phony locals.

Ninth. Political activities.

Tenth. Violence to life or property.

Eleventh. Improper activities by management to prevent organization.

Mr. CURTIS. Mr. President, will the distinguished Senator from South Dakota yield to me?

Mr. MUNDT. I am happy to yield.

Mr. CURTIS. The distinguished and able Senator is making a very fine statement concerning the investigations being conducted by our committee, under the chairmanship of the distinguished Senator from Arkansas [Mr. McCLELLAN].

Attention to this field has been delayed for a long time. Our investigation deals with facts which few people knew, but heretofore there was no opportunity to air them.

I know the distinguished Senator from South Dakota shares my view and the view of other Senators with respect to the profound honesty, integrity, and good intentions of the rank and file of union members.

Mr. MUNDT. The Senator is exactly correct. I shall cover that point a little later in my remarks. However, I suggest that good citizenship on the part of union membership, and the fine realization of their responsibilities have failed to manifest themselves at times in the selection of the proper type of union leadership.

Mr. CURTIS. The question I wish to ask goes to the very point of the responsibility which rests upon the Congress to see this job through and to enact appropriate legislation.

My question is this: Can these fine American working men and women, unaided by some corrective legislation, solve their own problems and right all the wrongs in their unions, in the light of the disclosure of the prevailing practices and the hold which a few powerful leaders maintain over their organizations?

Mr. MUNDT. I do not think they can, without some kind of enabling Federal legislation which will restore to the individual working man and woman effective democratic procedures whereby they can bring about the necessary reforms.

Mr. CURTIS. While turning the spotlight of public opinion on this subject is important, as an aid to driving out of places of control and office men who are corrupt, our responsibility does not end there, does it?

Mr. MUNDT. Our responsibility is primarily in a field beyond that, and involves establishing the necessary preventive and protective legislative features, so that the laboring people of America, within their unions, can correct those situations when they occur and prevent them from occurring in the future.

Even this list, Mr. President, is not final and it is not intended to exclude other possible problems which may be brought to our attention either in the field of labor or in the field of managerial activities.

Mr. President, let me add, we now have some evidence of misuse of stockholder's funds by corporate officials to secure for themselves plush benefits and special privileges by virtue of their positions and to the financial detriment of ill-informed stockholders. I personally believe our committee should explore any such firm evidence as vigorously as we shall investigate similar self-serving practices by union officials. In my opinion the ethics of one is as bad as the other where such misuse of funds is involved. Neither the corporations nor the unions belong to their officers.

Now, Mr. President, permit me to discuss briefly some of the reasons why in my personal opinion—based on my own studies and exploration of the history and development of trade unionism in America—we have reached a point where a committee like ours had to be created by the United States Senate and why new corrective measures by Federal legislation are required.

The basic difficulty we confront in this area, it seems to me, was tersely and concisely defined in one pregnant sentence by George W. Brooks, research director of the AFL–CIO Pulp, Sulfite, and Paper Mill Workers who is quoted as saying:

> The great change in American labor unions during the last 20 years has been a general shift in power and control from the members to the leaders.

That highlights one of the difficulties which has been brought out in the colloquy between the Senator from Nebraska and myself. The Senator from Nebraska, of course, is a very valuable member of our select committee.

While the foregoing is a remarkably candid and a completely correct observation by a modern labor leader, it is also a simple statement of observable fact that any student of current trade unionism in America is certain to discover. For whatever the reason and whether for good or evil, it is a fact today that labor leaders are attaining more and more control over the actual laborers and that the men and women who pay the dues to support the unions are steadily losing more and more of their power to select these leaders or to determine the policies to be followed by the union. As a collateral fact, it is also true that freedom of action by union members is moving in the direction of forced compliance on their part to the decisions made at the top by the leadership oligarchy.

What has brought this about? Why is it in a great democratic country like ours that there tends to arise these islands of undemocratic institutions which deny or circumscribe the rights and opportunities of those who finance the unions to control their policies? A quick review of how the labor movement in America has moved through various stages may help to throw some light upon the answers to these questions.

Originally, we had a system of voluntary unionism. Set up to safeguard and promote the interests of the working men and women of the country, these voluntary unions appealed to workers to become members and by their service to workers these unions demonstrated their value and enhanced their appeal for members. Since workers could join or refuse to join these voluntary unions, the union leaders were compelled to serve the interests of the workers who paid the dues in order to attract the necessary members to operate an effective union. Union leaders had to sell and serve their membership constantly or in this free country those who voluntarily joined the unions would exercise their freedom voluntarily to withdraw from the union.

The great Samuel Gompers, the father of modern American unionism, urged upon the workers of America, "devotion to the fundamentals of human liberty—the principles of voluntarism." He went on to warn, "No lasting gain has ever come from compulsion. If we seek to force, we tear apart that which, united, is invincible." More recently Guy L. Brown, grand chief of the Brotherhood of Locomotive Engineers, said:

> We still think that labor in the long run has a good enough product that you won't have to force men to join.

Few labor leaders in our major unions, however, are today urging the concept of voluntary unionism. Once men are compelled to join a union in order to hold a job to earn the money to support their families, the union leader is automatically relieved of the necessity of serving the interests of his members or selling them on the desirability of trade unionism in order to preserve the union's membership strength and financial standing. Federal legislation has come along to legalize compulsory membership in unions and the check-off system of collecting dues. Thus, union chieftains can concentrate on perpetuating themselves in office and serving their own selfish interests rather than constantly being under pressure to do something useful for the dues-paying members in order to attract and hold the membership and in order to retain the respect and support required for reelection. Thus, many union leaders have become disciplinarians wielding the club of authority over their members rather than disciples of democratic procedures within the unions that compel the leaders to be the servants rather than the bosses of the dues-paying members.

With the decline of voluntary unionism in this country has come the associated decrease in competitive unionism. Voluntary unionism gave employees the choice to join up or stay out, whereas competitive unionism gave employees the choice as to which union, if any, they individually preferred to join. By expanding the number of choices employees had with respect to their union affiliations, competitive unionism strengthened the control of the union members over their unions. Either the leaders had to serve the members or the members could and would switch their union affiliation to a union where the leaders did produce what the workers wanted. Competitive unionism prevented union leaders from becoming union bosses—no dictator can dominate a group when members of that group are free of their own accord to withdraw to become members of a different group. Passage of the Clayton Act, which exempted union activities from antitrust regulations, and adoption of the Norris-La Guardia Act which virtually divested the Federal Government of injunctive authority in union affairs, however, brought about the doom of competitive unionism. Entire industries, trades, areas, and communities quickly came to be dominated and even monopolized by a single union. To attain work and earn a livelihood, men and women had not only to join a union but they had to join the specific union which union leaders determined at the top should have jurisdiction and monopoly in a particular area, trade, or industry.

Union membership was compulsory and workers had no choice but to join the specific union prescribed for him. He joined that union or he did not work. He worked or starved. Hence, he had no freedom of choice—his traditionally American voluntarism was ended—and union leaders were entirely free from the constructive influences and the membership pressures provided by either voluntary unionism or competitive unionism. With the merger of the AFL and CIO, the union leaders had taken a great and almost final and complete step toward erasing the last vestiges of both competitive and voluntary unionism in many of the most important segments of our entire nationwide economy.

Inevitably, the deterioration and in some areas the disappearance of both voluntary unionism and competitive unionism has brought about the decay of a third great institution in American trade unionism which did much to protect the dignity and the self-determination of the individual dues-paying worker—democratic unionism. Many unions have already moved so far toward denying the individual worker an effective voice in controlling the union which controls him that the essential parliamentary procedures and machinery necessary for democratic self-determinations are either entirely absent or are so involved and complicated that they are operated from the top rather than from the rank and file. In the statement by Reinhold Niebuhr which I incorporated earlier in these remarks he calls attention specifically to this disturbing fact. In some unions even so important a decision as whether to strike or not to strike is made without benefit of secret ballots by the workers whose futures, fortunes, and families are directly involved.

Standing votes or verbal votes where dissidents or insurgents can be quickly identified and subjected to pressures or punishment prevail in many union decisions and the physical abuse of those who dare to differ have been frequently reported to our select committee. In addition, union officials have come into control of huge welfare, health, benefit, and pension funds and individual members are understandably loath to jeopardize their claims upon these funds by openly opposing the existing leadership regardless of the justification or the cause. Thus, democratic control of the unions by the members who finance and support them has been seriously weakened and in some unions it has today virtually disappeared. Little areas of tyranny in the labor movement thus functioning today within the boundaries of the world's greatest system of self-government and freedom of choice, and the laws passed by this democracy have thus far done more to encourage these tyrannical operations than they have to curtail and eliminate them.

Mr. President, there is one salient, significant fact which we should all remember and which quite apparently some of the arrogant leaders of labor who have been before our committee have entirely forgotten. I refer to the fact that when we refer to American labor it is important that we give due emphasis to the word "American."

There is no laboring class in America. Our workers are not ignorant, backward people incapable of making their own decisions. They are not part of a loincloth economy. They cannot be herded and driven as though they were ill-informed Asiatics or Africans living in undeveloped countries or remote parts of the world. They cannot be typed as members of a permanent working class after the manner of European society. These men and women who are laborers and dues-paying union members today will in many instances become members of the management and ownership groups tomorrow. They are ambitious, able Americans.

Union members in this country are in the vast majority the same type of good Americans as those with whom we associate in our daily lives. Their children attend the same schools as your children attend. They attend the same churches. They read the same books, newspapers, and magazines as you and I. They enjoy the same entertainment and share the same joys and sorrows as the rest of us. They chew gum, eat pumpkin pie, cheer at the baseball and football games, hunt, fish, swim, and live as Americans should. They are free men and women who love that freedom and desire to exercise it. They vote in our political elections—local, State, and National. They abhor communism and fascism and dictatorship. They do not like to be pushed around by self-seeking bosses or arrogant leaders any more than you and I like to be pushed around. Americans as a group are folks who do not push easily—or happily. What is needed, therefore, is not a new type of American working man and woman, but a new type of labor-union constitution which will enable every dues-paying member to exercise his American free choice in determining who shall head his union, what his dues shall be, what policies the union shall follow, and what happens to the vast cash union reserves being built up from the toil of his labor.

Give working men and women of this country whose wages support the unions and their leaders the effective power and right to determine union decisions, and they will clean out the racketeers, the hoodlums, the Communists, the dishonest pretenders, the self-seekers, and self-promoters just as voters invariably catch up with and throw out of office unfaithful or dishonest officeholders everywhere. Once our American trade unions can enjoy the same degree of democratic control and impartial supervision that Americans generally enjoy as they elect their mayors, governors, Congressmen, and other public officials, I am confident that the good sense and the sound Americanism of American working men and women will correct most of the shameful and destructive practices which have come to the attention of our select committee.

Mr. President, the foregoing is intended rather to describe the stages through which American trade unionism has gone than to prescribe the remedies. Our hearings and our current investigations will, I hope, produce some salutary and constructive remedial legislation in these areas. At the moment, I am here neither to commend nor to condemn what has transpired to change the character and nature of organized labor in this country. Perhaps some of these changes were inevitable and perhaps some were necessary but I am frankly concerned at the loss of control, at the decrease of authority, and at the absence of freedom of determination that has come to the dues-paying members of our unions as a consequence of what has happened. I recognize that the parade of history marches on whether those in the reviewing stands cheer or jeer at what they observe. But having watched it march, certainly those of us who are reviewing what we have seen also have a responsibility to remedy what needs remedying and to give what protections seem required to our fellow citizens who must work and pay union dues to live, and consequently should have authority to decide what they are buying with their dues. To provide union members these democratic safeguards, Congress must enact new legislation.

Congress has recognized its responsibilities to the working men and women of this country in this area of activity and to the general public by passing in 1947 the Taft-Hartley Act over the politically inspired veto of President Truman. The new law was designed to protect the employees, the employers, and the general public. It has been helpful toward achieving all three goals. However, most of the excesses and difficulties now being presented to our Select Investigating Committee of the Senate, it should be remembered, have occurred since the passage of the Taft-Hartley

Act. Obviously, therefore, the act as it now stands is inadequate and insufficient to do the job at hand. Further legislation is urgently required, if the dues-paying members of the unions of this country are to be served by, rather than to be the servants of, their labor leaders. The wolf cry of "slave labor," raised by certain labor leaders against the Taft-Hartley Act, appears from the evidence now before our committee to come directly from the fact that these self-perpetuating leaders fear they will lose their control over the union members they have done so much to enslave insofar as the exercise of their free controls over their own unions and their own leaders is concerned.

Mr. President, American labor unions are here to stay. They serve a necessary function. They must retain the right to strike, as a weapon in their arsenal, to produce collective bargaining which will place them at the bargaining table and put them in the conference room with authority commensurate with that of the employers with whom they must negotiate. I am not antilabor. But, Mr. President, I am anticorruption and I am antitotalitarian. I am antipower bloc, whether it be an unjustifiable built-in or stepped-up authority for management, ownership, union leadership, or political authority. I dislike one-party rule abroad and at home. Leadership oligarchies are the halfway houses between dictatorship and democracy and they are undemocratic, whether in industry, labor, or politics. To the extent that labor leaders have tended to become union bosses and that dues-paying members have lost their freedom of choice and their powers of self-determination, I believe it to be a matter of public concern and a responsibility of the Federal Government, to provide remedial measures.

Actually, Mr. President, we face this question: Do we want to make the employees' freedom secure from union leadership, or do we want to make the power of union leadership secure from the freedom of choice exercised by the employees.

Where there is great power, there must be direct responsibility. To the extent that union power has run ahead of union responsibility, we in Congress have our responsibility, in turn, to provide the remedy. Power without responsibility in any area of human activity is the prelude to disaster and the entry room to dictatorship. To the extent that free unionism in theory has become forced unionism in practice, coupled with a corresponding centralization of power in an oligarchy of union leaders who refuse to accept responsibilities equivalent to their authority, this situation provides a pattern which requires the constructive attention of the Federal Government, both at the executive and at the legislative levels.

In all of the testimony before our Select Committee to Investigate Improper Practices in the Labor-Management Field, it appears that the forgotten man of 1957 is the tragic figure of the dues-paying members who must join a union and pay its assessments and fees to earn a livelihood, but who have lost control of what happens in or to or by their union. They are compelled to buy a ticket to ride on a specific vehicle toward a destination which they have no effective voice in determining. I believe that most Americans—in or out of the labor movement—will agree there is something un-American, undemocratic, and unwholesome about a situation of this kind. What began in the Clayton Act, with lawmakers placing the union oligarchy above the antitrust laws of the country, may well end up, Mr. President, unless some constructive legislation is now passed, by placing the union oligarchy itself above the lawmakers and the laws of the country. This America cannot have and does not want.

Mr. President, all this becomes a matter of greater concern to the general public when we realize that during the last quarter of a century of American history no change is more important than the simple, but incontrovertible, fact that 25 years ago economics was the controlling factor of our political life, whereas today political determinations have become the controlling factor of our economic life. This is, indeed, a most significant change. What we do or fail to do to meet the problems which our select committee is now disclosing may very well determine the economic security and the future happiness of all Americans in every walk of life during the remainder of this last half of the 20th century.

I hope the Congress in 1958 will face its responsibilities in this field. Let us approach our challenge in a constructive fashion. We want legislation which is not punitive in design and is not conceived to punish people; but we need legislation—which I am confident the rank and file of labor will enthusiastically support, along with the responsible leaders of labor—which will restore the balance of power between the dues-paying member and his labor leaders and between the employer and the employee, as equally important segments of our great and growing industrial economy.

Let me say in conclusion, Mr. President, that this proposed legislation may well become a second American Bill of Rights which will provide for all labor-union men and women who pay organizational dues for the right to work the same complete freedoms of choice and determination that our constitutional Bill of Rights provides for all Americans who enjoy the benefits provided by the greatest union of them all—the Union of the United States.

MUTUAL SECURITY APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 9302) making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes.

The **PRESIDING OFFICER** (Mr. CURTIS in the chair). The question is on agreeing to the committee amendment on page 2, in lines 6 and 7.

FOREIGN AID WILL NEVER STOP COMMUNISM

Mr. **JENNER**. Mr. President, the Communists have just established full control of the armed forces of Syria, right in the middle of the Middle East.

When we look at the map, we see that a Communist Syria is a dagger plunged into the vitals of the Middle East. Communist-controlled troops are now in the rear of Turkey, Iraq, Jordan, Israel, and Lebanon. Soviet submarines have a base in the eastern Mediterranean. Our Greek-Turkish policy and our Middle East policy are checkmated.

In the light of this unexpected development, let us look at the President's first report on the Middle East program. The report says that since March 1957, we have made agreements to give $174.2 million in that area. More than half of this is apparently for economic aid.

Let me read the list of Middle East countries to which we are giving economic assistance, either directly or through regional pacts. They are Afghanistan, Pakistan, Iran, Iraq, Saudi Arabia, Lebanon, Libya, Ethiopia, and Turkey.

I have no wish to criticize any of these countries. Some of them are among our firmest friends in this disjointed world. But I call attention to the fact that several of them are very rich.

Now let me read the list of our economic projects, as included in the Middle East report. They include low-cost housing and slum clearance, municipal water supplies, rural electrification, irrigation, road construction, railroads, air transportation, schools, broadcasting, telecommunications, resource development, industrial projects, and economic surveys to draw up plans for more economic aid.

I have two questions to ask about this report:

The first you probably have already guessed, Mr. President. It is this: What about American need for new roads, improvements of our railroads, air traffic, municipal water supplies, slum clearance, low-cost housing, schools, rural electrification, irrigation, telecommunications, and economic surveys to prepare for what else we need?

Of course, the proponents will quote me beautiful figures about the gross national product, and they will say, "the United States is rich. We have plenty of money to spend at home and abroad."

So I reply: "Do any of you believe that the American people can pay, today, for their own schools and water systems, irrigation and air-traffic improvements, slum clearance and low-cost housing, without a most painful pressure on our family budgets? Does anyone think we can pay for these things without increasing pressure on the markets in which we sell our Government bonds?"

We have already had to raise Government interest rates, again and again, to get enough bidders for the bonds we have had to refinance.

We are facing an increase of billions of dollars in the annual cost of carrying our debt, even if we do not increase our total debt by $1.

We are facing an increase in spending, due to higher prices, even if we do not add one item to our present spending.

The problem is not whether we can cut taxes but whether we can avoid imposing higher taxes, unless we cut spending.

How, then, I ask, are we going to finance water supply systems and broadcasting stations, low-cost housing, modern roads and airfields, for up to 15 countries in the Middle East while we carry the rest of Asia, Africa, and Europe on our backs, and also reduce our debt, and ease the pressure on the budgets of our families here at home?

That is only one question.

I have a second question. I ask, "Why should we do it? What good will it accomplish? What has happened to the boasted intelligence of the American people, their moral influence, their economic leadership, their political wisdom? Why do we, the strongest Nation in the world, find ourselves with no way to influence the world situation, except by a gigantic program of welfare spending, with a little military hardware thrown in?"

It is obviously impossible to accept the repeated statement that economic aid is, in some mysterious fashion, a barrier to Communist advance.

Were the Communists held back in Syria?

It is time we had some fundamental analysis of where we are going in foreign aid, not an analysis of the details, but of the direction. It is in our navigation, not our operations, that the error lies. The time for such analysis is now, when we are asked to borrow three or four billion dollars, at rising interest rates, to provide foreign aid for fiscal 1958.

Our foreign aid spending falls into many categories, but only two are important, military assistance and economic assistance. Since the end of the war we have spent sixty-nine billions on foreign grants and credits, most of which was for economic aid. Contrary to most comments, military aid has been only a small part of the program, except for very recent years.

In the beginning we were given the most solemn promises that economic aid was temporary. It is now frankly proposed to make economic aid a permanent American policy, to center it on the neutralist nations of Asia and Africa, and taper off military aid to our former allies. Military aid to anti-Communist nations is on the way out, and a permanent program of soft loans to 1 billion people in Asia and Africa will take its place.

The proposed International Development Fund is the instrument devised to set future policy in the direction the planners desire. If the Congress wishes to abandon our policy of strengthening the anti-Communist nations, and instead to embark on a project of raising the economic level of a billion people in the underdeveloped nations, it should, by all means, inaugurate the development loan fund. That is the overriding issue in our vote on this bill.

First, let us look at the technical side of this development loan fund, and then at its political implications.

Point 1: This fund is called a loan program, but that pretty name does not apply to its status in our budget. Repayments under this program go to the foreign-aid fund, not to the Treasury. The minority views of the House Foreign Affairs Committee say with finality this sum will be added to our public debt. In other words, we are to borrow, at ever-increasing interest rates, any money we vote to give these nations. The interest cost will be paid by our people, year after year.

Point 2: Under this bill, Congress surrenders all authority over this money.

The House minority views say:

> The proposed development loan fund is not subject to any effective Congressional or other control.

They add:

> The powers and authorities of this formless entity are extremely broad in their application and vague in their limitations.

There is a loan committee of officials with other jobs, but the manager's powers are practically unlimited.

In the debate on the authorization in the House, Representative HARDY said:

> If the manager sees fit, under the language you have written into this bill, he can disregard every single principle that has been set out by the committee. * * *
>
> It is the most loosely drawn thing I have ever seen.

Now, this fund is ostensibly to make possible the lending of money to undeveloped areas, but those in charge can deal with any public or private entities they care to. There is nothing in the bill to prevent any individual in this country, or anywhere else, from setting himself up as a corporation, getting a loan, and going into business far off in Asia and Africa. Once the loan is made, Congress loses its last chance to supervise the transaction.

The ICA is already deep in the business of development loans. It does not need this new legal instrument if its purpose is to make loans. I fear it needs the new setup only to remove itself further from Congressional scrutiny.

A most interesting report on economic development through private investment activities of the mutual security program was put into the CONGRESSIONAL RECORD by a Member of the House. It was, apparently, the handiwork of ICA.

The ICA, says the report, is already giving investment services to private borrowers, including:

First. Exploration, mapping, aerial surveys of mineral and other resources.

Second. Study missions to advise on the economic, technical, and financial feasability of projects.

Third. Loans from counterpart and other funds.

Fourth. Investment guaranties.

Fifth. Private, governmental, and mixed development banks.

Sixth. Investment advice.

Seventh. Loans from Public Law 480 funds.

I should like to ask, Mr. President, first, who are the private individuals, including Americans, who get these services and these loans; second, why does the United States Government use tax funds to pay development costs for private investors?

This is a clear financial subsidy, lowering the costs and increasing the profits of private borrowers. Our Government has not used tax funds to pay preparatory costs for our oil, sugar refining, and other vast American enterprises abroad. Why do so now? Why do it far from Congressional supervision?

Let me give the Senate some of the beneficiaries, from this progress report.

ICA used tax funds to prospect for a new rubber plantation in Liberia for the Goodrich Tire & Rubber Co.

We made geological surveys in Brazil for Bethlehem Steel and United States Steel and Harbison-Walker.

We made oil explorations in Jordan which led to a contract for Edwin Pauley and the Phillips Oil Co.

In Guatemala, the ICA industrial adviser is helping General Tire & Rubber to establish a plant.

These corporations operate in the public view.

How many fly-by-night operators are also going to get into this picture, start a business on a shoestring, and then sell out to credulous investors?

Now I ask Senators to listen carefully to one development project which is most curious. Every detail is fascinating. The ICA apparently sent a study mission, including several American corporation presidents, to the Belgian Congo, for the Belgian Government, to report on the feasibility of a giant hydroelectric plant on the Congo River.

Now listen carefully. The proposal was to build a plant 75 miles up the Congo, producing up to 20 million kilowatts of electric power.

> Of course—

Says the report—

> in an undeveloped country, such a large amount of power could not be used.

Now hear this. The Belgian Government hired 6 engineering firms: 2 American, 2 Belgian, 1 Swedish, and 1 Swiss, to study the size and design of the plant. The decision is tentatively for a first-stage project of 3 million kilowatts.

The report says:

> The entire project would equal the power capacity of 10 Bonneville projects, while the proposed first phase only, is one-half again as large (as Bonneville) and the estimates are that the power would be the cheapest in the world.

This is all going to be financed on the private investment market in the United States and Europe.

Industries contemplated, include aluminum reduction, fertilizer and chemicals, woodpulp and paper products.

The ICA contribution to this project was less than $15,000.

The Belgian Government has already paid out over $750,000.

What kind of business is this?

If the ICA spent only $15,000, against a first expenditure of $750,000 by the Belgian Government, for a project to be privately financed, why was ICA involved at all?

Could it possibly be that it thereby got inside information which it could give to a favored few, who want to set up businesses in the shadow of this hydroelectric project built where there was no demand for electricity?

In passing, I mention that Belgium is a rich, industrial nation. It has been operating in the Congo for 50 years or more. Some of the richest and most powerful corporations in the world operate in, or in connection with, the Congo. What goes on here?

Now hear ICA's conclusion from this experience:

> Surely there are many other projects of this scope in the Free World in which our Government can be helpful by advice and assistance to construct and develop, where private American and other investors would be anxious to locate foreign operations.

This is what our Government has been doing with our money in the partial obscurity of ICA.

Now we are urged to put all these loans behind a paper curtain, through which Congress will never be permitted to peer.

How is this going to smell a few years from now?

Some unpleasant odors are already rising in various countries from profits made from our overvaluation of local currencies, from offshore procurement, and other foreign aid transactions.

Even if we put the best men we can find into such offices, how long will it be before the fast money boys have found their hidden way to these gold mines and are disgracing the name of our country by their greed and chicanery?

How long will it be before the money-hungry speculators find the weak places in the agency personnel, and discover how to get the inside dope before their rivals?

How long before the few officials who are willing to make deals take over from the honest men, by Gresham's inescapable law?

This will be the shipping scandal, Teapot Dome, the Insull story, and Johnny Dio, rolled into one, if we go down this road.

By a curious coincidence, the total of such development loans, under the present program, is estimated at at least $300 million, the amount recommended by the House for the development fund's first year.

We are already operating development loan funds in Taiwan, the Philippines, Jordan, Israel and elsewhere.

There is a series of clues to indicate how important it is to the Communists to have the United States engage in a long-term program of industrializing the undeveloped areas.

Lenin and Stalin both held that the world could not be communized until American capital had been put to work to industrialize Asia and Africa.

This long-range plan was stepped up during the war, when we heard many variations of how American capital should be applied to restoration of war-ravaged Russia and central Europe.

It will be remembered that at the urging of Harry White, Secretary of the Treasury Morgenthau urged a $2 billion rehabilitation fund for the Soviet Union.

The doctrine is set forth in the writing of Gunnar Myrdal, who said in An International Economy that—

> * * * An integrated international society requires a * * * redistribution of wealth and income and of economic opportunity between the rich and economically developed economies of the West, and the so-called undeveloped areas of the world.
>
> There is substantial evidence of a spread of the ideas and values necessary to bring this about.

Again and again, proposals have been made by American officials reflecting—probably quite unconsciously—the Soviet plan to dismantle our Armed Forces and apply the savings to a point 4 program for the earth.

This plan is important to the Communists for two reasons.

It is a way to reduce the economic surplus which makes possible America's gigantic war strength.

It is a way to turn the rural population of Asia and Africa into a rootless proletariat who will be more readily responsive to Communist wiles.

I have already referred to the innate resemblances between the new development loan fund and SUNFED.

Do not be misled because some of these plans call for private enterprise.

They are the most dangerous.

The Communists now have fully matured plans for using private capital, private banks, and private investors to build up communism as easily as they use Socialist state enterprises.

You will remember, Mr. President, that in the Sobel case, it was reported that the Soviet Union had more than 50 private enterprises working as covers for its espionage.

I am not asking anyone to take my judgment as final.

I am urging that we stop and assay the full danger before we take this fateful vote to use American money, to establish an agency to do anything it likes, in our name, from the western coast of Africa to the eastern outposts of Asia.

It is now almost Labor Day.

We shall be back here in 4 months, if not sooner.

This development loan fund is a new departure at best.

What harm can come from delay?

The loans are, admittedly, soft loans, and upset the careful work of banking agencies like the Export-Import Bank and the International Bank, which are trying to stay on solid ground in helping unindustrialized areas.

The proposal for a development fund is supported by a very specious appeal to ignorance in the statement that backward areas cannot finance waterworks, irrigation, and port improvement, without gifts from us.

That is the sheerest nonsense.

Probably all the railroads in the world, except those of England, were built with capital borrowed in the international market.

In general, money for railroads had to be borrowed before heavy industrialization started in any country.

Investment capital has moved quickly from country to country, and project to project, wherever it could find a job that promised to pay its costs.

The argument that undeveloped countries cannot borrow for their capital needs is so stupid or so dishonest, it is embarrassing to see able people support it.

There is a certain grim humor in the fact that those who have most violently denounced the colonialism of private investment are bringing to the colonial areas the far greater cruelty of state-controlled investment.

When the government controls investment, it has de facto control of all economic, cultural, and political activities in the country.

National communism is at hand.

In the House debate on the authorization bill, Representative Smith of Wisconsin said:

> Is it not strange, Mr. Chairman, that the program of foreign aid which is designed to combat the advance of communism throughout the world in effect applies socialistic or communistic techniques to achieve its ends?
>
> The program that has been in effect and which is proposed for the indefinite future is one of crass materialism based upon the socialistic principle that economics is the controlling factor in life.

As Representative Smith put it, the development fund takes away a crutch and substitutes a wheelchair.

It does nothing, whatever, to strengthen free institutions in the receiving countries.

Another specious line of argument is the listing of imaginary benefits to the United States.

One ardent supporter of the ICA position, speaking of our dependence on these areas for raw materials, stressed the rubber of Southeast Asia.

But one of the most brilliant achievements of World War II was the speed and effectiveness with which the United States Government developed a synthetic substitute for rubber.

Our real dependence for raw materials, outside our country, should encourage us to step up the proportion of help we give Latin Ameria.

But Latin America has been the stepchild of foreign aid since it was started.

Representative Walter told the story of how Congress appropriated money to help Latin American countries receive some of the Italians and others, who wished to emigrate from Europe.

But Representative Walter said the State Department spent only $1 million out of the $15 million Congress appropriated.

Equally specious is the argument that foreign aid spending helps business and makes jobs.

Let us make it clear.

When we give money to Europe to buy coal from us, that makes jobs in the coal mines, but they are jobs without pay.

The coal miners are paid out of the windfall from inflation, but the rest of us pay a hidden tax, in the fall of the dollar.

There seems to be a spate of unwritten hints that if foreign aid spending were cut off, business in this country would crash.

That is true only if the American people all have everything they need and have no unsatisfied wants.

If we do not need any more roads or schools or irrigation projects, if we do not need better airfields, jet planes, improvements in railroads and urban transportation, then the drying up of orders for three or four billion dollars worth of foreign aid orders will cause a drop in our economy, but not till then.

On the contrary, the papers now tell us that parts of the roadbuilding program, which has been passed by Congress, will have to be held up because of rising costs.

Our own military is making drastic cutbacks at the moment we are voting to pay for low-cost housing and public power in all quarters of the earth.

I think the value of this argument, that we need foreign spending for prosperity, is well measured by the fact that it is kept so secret, and apparently spread by whispers.

If we are talking about foreign aid and American prosperity, I invite the attention of the Senate to the fact that the foreign aid officials have some $8 billion of spending in the pipelines, a large part of which has not yet been billed to the American Treasury.

They are asking for an additional billion and a half dollars for the development loan fund, and promising that this money will be spent slowly.

I ask, when will these bills be presented to the Treasury and add to the money our Government has to get from the bond market?

We have no certainty that these unpaid bills will not reach their peak at the very moment when we are suffering from an economic recession.

Remember that now, because of the Ruml plan for current payment of taxes, our tax income will turn down the moment business begins to recede.

Someone wants foreign aid very badly for some quite different reason than to bolster our economy.

There are quite a few additional programs in this bill, but they are all really foreign aid.

Congress was determined that point 4 should be technical assistance only, and that we should not supply the capital needed for these projects.

But we have come full circle, and are now supplying the capital through ICA.

There is no longer any reason for keeping point 4 as a separate program.

The same is true on U. N. technical assistance.

Why should we contribute anything to the United Nations to duplicate what we are doing?

All this splitting up of programs merely wastes the time of Congress.

It is time the Members of Congress decided not to waste time we need for more serious problems.

This year, Members of Congress have been proffered thousands and thousands of pages of testimony on foreign aid, to digest before they voted.

The Senate Special Committee on Foreign Aid published 1,580 pages of reports and 785 pages of hearings.

The House Foreign Affairs Committee published 1,394 pages of hearings.

The Senate Foreign Relations Committee hearings were 828 pages.

The House Appropriations Committee hearings ran to 1,159 pages.

The Senate Appropriations hearings will be, perhaps, a thousand pages more.

This adds up to more than 6,000 pages of printed hearings, the equivalent of 30 books printed in almost illegible fine print.

This total does not include committee reports, floor debates in the House and Senate, the House Government Operations Committee's reports on Guam and on budget presentation, and a multitude of other documents from both the Senate and the House, which contain important information Congress needs to know.

I do not even mention the river of words from the executive branch itself.

As the Senator from Arkansas [Mr. FULBRIGHT] learned recently, the truth can be obscured by giving no information at all, or by giving so much information that no one could possibly read or understand it.

It is time for Congress to end this nonsense.

It is time for Congress to divide foreign aid into two clear programs, military and economic.

Then we should hold up all appropriations for economic aid for the remaining 4 months.

They have money enough to run for months, or years—I believe the Senator from Louisiana said for more than 2 years—without an additional penny being granted.

Mr. ELLENDER. The Senator is correct.

Mr. JENNER. That will give us time to consider a much more serious matter: what is happening to our military assistance to firm anti-Communist nations?

We are helping to maintain a million Koreans and Chinese and Vietnamese, under arms, but where are the anti-Communist legions of free Asia?

I will tell the Senate where they are.

They have quietly been converted into internal security forces, that is, police forces.

Meanwhile, our foreign policy seems to be changing from anticommunism to support of neutralism.

Who wants it changed? Who decided we were to disengage ourselves from free Asia, and forget our ties to Europe, while we try to remake the lives of a billion people in neutralist Asia and Africa?

I spoke a few months ago of the curious way in which our military aid programs each had a mysterious weak link which prevented their use to deter the Communists.

Now I find increasing reference to these armed forces, as forces to deal with internal threat only. Who decided they were to be changed from military to internal security forces?

Several years ago, I said that free Asians could save Asia. They could fight for Asia better than we could, if we gave them the best training and weapons.

Of course, America cannot man all outposts which guard the Free World from Communist assault. But we should not need to man them all.

There is nothing better known in war than the problem of encircling the enemy. Every foot of the circle must be watched and guarded. Free Asians can guard most of the line in Asia. Free Europeans could—without our help—guard most of the line in Europe. Greece and Turkey and Iraq and their friends could guard the Near East, if they had military forces.

But if they are converted to security forces dealing only with internal threat, then no one is telling the Soviet Union to desist from aggression.

If we are turning the armed forces we assist into police forces, then we are saying to the Soviet Union, "You are in no danger from the anti-Communist nations of Europe and Asia."

Perhaps our planners intend to incorporate these men into an international police force, under the security council, including the Soviet Union.

We have just seen the departure from the Defense Department of the Secretary and the Chairman of the Joint Chiefs of Staff. The Department of Defense is, momentarily, in a state of flux, and the power of the permanent nonmilitary staff is at its height.

Recently, I discussed the provision in the foreign-aid authorization giving the State Department final decision on who shall get our military aid—instead of leaving the decision to Congress and the President after they had weighed the advice of both diplomatic and military experts.

This is the moment when Congress should do nothing at all about economic aid, but come back in January prepared to find out what is happening to our military policymaking.

After we have settled that question, we can turn to foreign policy and decide at leisure what we need for a truly American foreign policy.

I am not willing to believe that gifts from the American Government to foreign governments are the noblest expression of the American spirit, the highest use of American intelligence, American political wisdom, and economic progress. No, indeed. The American Nation had a more powerful influence on Europe and Asia when it was a new Republic of about 5 million people. We had a more salutary influence in Russia and Siam when we freed the slaves, in the midst of a civil war which consumed all our material resources.

We had a more inspiring influence on Europe and Asia at the turn of the century, when we forbade the dividing up of China by the great powers, and promised freedom to the Philippines.

I believe those earlier efforts of ours, to do the right thing, and let world opinion follow, carried us to far greater heights of influence over the world than our present undignified race to give away vast sums of American capital to foreign countries to stimulated economic growth for which these nations are quite unprepared.

What is wrong with our foreign-aid program is simply this: it is wrong from top to bottom. It starts from the wrong place, and travels rapidly in the wrong direction.

It is not only wasting billions of the national wealth, wrung by our labor from the farms and factories and railroads and offices of our country. We could endure that economic drain, however much it cost. But this emphasis on the great giveaway closes the door on every bit of talent for sound leadership that the American people have exhibited in other crises of world history.

Foreign aid spending puts a damper on every kind of program to contain the Communists, to weaken them internally, to encourage free nations, and help them by far sounder methods which the American people have practiced since the founding of our Republic.

How can we explain the astounding fact that all our efforts, backed by over $60 billion, have not delayed or disturbed the Communists one iota?

Today every honest American admits their success is greater than ever.

Our foreign aid spending does not hurt the Communists.

It does not spread the influence of American ideals.

It does not help other nations to keep free of government control of their own lives.

Two political groups must unite their forces to put an end to foreign aid spending.

One is the people interested in the health of American economy—businessmen, householders, true union leaders, economists.

The other is the people interested in a genuine American foreign policy, resting on American intelligence, American morality, American economic leadership, and respect for the free people living in the shadow of Communist power.

How must the people of north Africa feel toward Americans when they are being killed with American ammunition and guns sent to them by the American taxpayers for the purpose of NATO, but used by France, who pulls her divisions out of NATO, and sends weapons to north Africa to kill the natives?

We know what is the matter with the foreign policy. We know we are not hurting communism that way.

I have said again and again I am not opposed to an America helpful to other nations, especially those who believe in liberty.

But I want the America of today to make a foreign policy which brings light and hope to the world, as we did in the days of Washington, as we did in the days of Monroe, as we did in the days of Abraham Lincoln, as we did in the days of McKinley, John Hay, William Howard Taft, and Charles Evans Hughes, when America stood for national security for a China threatened by the great powers, and national independence for an undeveloped people newly freed from rule of a dying empire.

I am suggesting we bring about a major turn in American foreign policy, from reliance on American money to American intelligence, courage, moral principles and economic leadership.

But I know that change cannot be made with an ax.

We must be as careful as the surgeon in cutting off foreign spending which has grown up under 17 years of bureaucratic nurturing.

We must cut off this parasitic growth without injuring the economies of other countries, or the political stability of the leaders who have been our friends.

I suggest a simple formula.

Military aid goes to our friends; let us revamp our military aid which keeps under arms hundreds of thousands of troops in free countries which could not be supported locally.

Let us combine both direct assistance to the Armed Forces and financial assistance for other military necessities, like roads, port facilities and airfields, and let the Defense Department make the decisions.

Let us take the American Government out of economic aid, either loans or grants, to foreign governments.

We shall never see the problem of communism clearly till we end all economic aid.

Let us resolutely refuse to appropriate one single dollar to the development loan fund, which will be the biggest giveaway of all.

Let us put the ICA on notice that they must live on the 2 years' income now in their hands.

Let us close out the agency as of June, 1958, transferring all its functions and its funds to the Treasury.

Let us abolish the spending bureaucracy in the United States Government, and the political machine it has built up, to keep itself in power.

Grants for military assistance will hold the line against communism, while the Congress of the United States, with the advice of its citizens, sets to work to construct a genuine American foreign policy, resting on our idealistic achievements in politics and industry, which the American people have always generously shared with people of all nations.

Mr. BUSH. Mr. President, I rise to speak in support of the committee report, although with considerable regret, because it is some $300 million less than the amount in the authorization bill, which the Senate passed some time ago. I agree with those who deplore the fact that foreign policy is being made in the bill and sometimes elsewhere by the Appropriations Committees of the House and Senate.

I believe that, especially in the field of foreign policy, the authorization bill is the important bill, and that, once the authorizations are established by the Congress, the Appropriations Committees of both Houses—unless they have new facts and some important new information to consider in connection with the appropriation bill—should abide by the authorizations.

We are considering the pending legislation at a very fateful time, for only yesterday we heard the announcement by the Soviet Union that they have launched successfully an intercontinental ballistic missile; that it traveled a long distance, at a very great height, and hit the target. It is a very vague announcement, of course, but we hardly dare dismiss it entirely, because we know that the Soviet Union has been working on that type of missile. It points up, therefore, more than ever, the need for a mutual security program which will enable the United States to maintain in the various free countries bases from which we may deal with the Communist threat, if it should be necessary to do so, in or about the lands in which the free people live.

I have tried to examine the bill from the standpoint of my own State of Connecticut, as well as from the standpoint of the United States. I find that, if the United States tried to create by itself the defense forces being established on a partnership basis, the United States ground forces alone would have to be increased from less than 1 million men in uniform today to almost 6 million men; the Navy would have to be increased to three times its present size; the Air Force double its present size.

We can imagine what this would do to United States families in the way of draft calls and what it would do to the United States taxpayers in the way of increased expenses.

The State of Connecticut has approximately 2,241,000 citizens, who pay about $1,156,072,000 in United States Federal taxes, or $516 per citizen.

Connecticut has approximately 3,100 citizens drafted each year for military training.

The cost per United States citizen for all domestic defense is approximately $220. The cost per United States citizen for all mutual-security programs is an additional 10 percent, or $22, of which $10 is for economic aid and $12 for weapons and training aids.

What protection do the people of my State derive from the expenditures of these billions of dollars, and what protection do the citizens of other States obtain from such expenditures?

They get the protection of allied and United States defense forces all over the world. This kind of protection has kept the Soviet forces behind the Iron Curtain. The outward march of Communist armies has been stopped dead in its tracks. The Free World is still free and able to work out problems in an atmosphere of hope and confidence, instead of fear.

We get the protection of greatly increased world defense strength.

We get the protection of United States air and naval bases of the greatest strategic importance at many spots around the world.

Mr. President, with our partners, we have put together a security system which is far more than simply pieces of paper. The mutual-security pacts are backed by defense strength actually in being, and these forces are in process of becoming equipped with the most modern weapons available, weapons which are needed in order to counteract the increased firepower of the forces of the Soviet bloc.

Furthermore, the people of my State and the people of the other States of the Nation have received the protection which comes to the entire United States when countries and areas important to us are kept out of unfriendly hands. One has only to look at the map of the world, to imagine what would be the position of the Free World today if there had been no mutual-security program and if Greece, Iran, the Philippines, and Vietnam, to name only a few countries, had been taken behind the Iron Curtain or had come under the domination and control of the Soviets or the Communist Chinese.

Mr. President, there was published this morning in the Wall Street Journal an editorial entitled "Charity and Security." The editorial reads in part as follows:

> Admiral Radford the other day offered the country grim alternatives if foreign aid is substantially curtailed: Either we would have to expand our own Armed Forces greatly, with nearly every able-bodied man of military age spending several years in service abroad, or we would have to withdraw into a fortress America.

The editorial further states:

> This newspaper does not accept the validity of these alternatives. There is another one, and the only correct one. That is that our allies, in their own self-interest, make the necessary contribution to the joint defense out of their own resources. If they are economically incapable of making a sufficient effort, then their military value is diminished in any case. If they are unwilling to do so, then their reliability as anti-Communist allies must be gravely questioned.

Mr. President, I question very much the third alternative as being at all practical. Are these allies able to maintain and equip the vast ring of airbases which constitute one of the primary elements of defense in the NATO organization? Can they provide the necessary implements of war? The evidence indicates that they cannot. If they had not received our aid, which will continue to come to them under this military-assistance program, many of them would, of necessity, have fallen long ago; and heaven only knows where that would have left the United States and the other nations of the Free World.

One wonders how long Korea could have opposed the Communist forces without the aid provided by means of this program. One wonders what would have happened to Formosa, Vietnam, and the Philippines, in the absence of this program.

What would be the defense costs to the United States if the mutual security program were eliminated? One cannot answer this question directly. Who can say precisely what it would cost the United States to have in its Armed Forces 6 million men, instead of 1 million men, or to have 2,500 combatant naval vessels, rather than the 1,000 we now have; or to double the number of the aircraft of our Air Force? Should such vast United States forces be scattered all over the world, as would have to be done in order to provide the same protection we are receiving now, enormous expense to us would be involved. No one can predict the cost of such an operation; but it seems safe to say that the cost would be at least three or four times the present cost of the domestic defense of the United States. With our defense expenditures today running approximately $40 billion a year overall, the cost of defense to the United States would thus jump from approximately 10 percent of our gross national product to 30 or 40 percent, and Federal Government taxation and borrowing would have to rise accordingly. In such a situation, virtually full mobilization and control of the country's economic life would be necessary. Neither my State of Connecticut nor any other State of the United States could escape those circumstances.

Mr. President, in recent years the United States has spent a little more than $4 billion annually on aid to our allies and other friendly nations, chiefly under the mutual security program. This has amounted to somewhat more than 1 percent of the gross national product, approximately 6.5 percent of the total United States Government expenditures, or approximately 10 percent of the expenditures for national security. It has been estimated that in recent years approximately 600,000 jobs in the United States have been directly attributable to the expenditure of foreign-aid funds, and it is estimated that approximately 10,000 of those have been in Connecticut.

The burden of the mutual security program on the United States taxpayer is an alternative to the much greater cost of providing our military protection entirely from United States resources and United States bases.

Mr. President, in conclusion, I should like to say that I think when one reads the evidence in connection with this bill, one must give weight to the opinions of such men as Admiral Radford, who recently retired as Chairman of the Joint Chiefs of Staff, who already today has been quoted on this floor. He is one of the great citizens of the world. He knows the world and world conditions and world personalities perhaps as well as does any other living American. He says that if this bill is not kept intact, the results for the United States and for the rest of the Free World might be catastrophic. He is deeply distressed that the bill has been cut below the authorization figures previously approved by the Congress.

The President of the United States considers this bill as being one of the most vital, if not the most vital, of all the bills which have come before the Congress this year.

Furthermore, in the remarkably fine Foreign Service of the United States, where we have many able career diplomats, we find that, almost to a man, they favor this program.

So, Mr. President, I hope that all amendments to cut mutual security appropriations below what already is too small a minimum will be defeated, and that the bill will be passed.

I yield the floor.

Mr. GREEN. Mr. President, I rise to express my disappointment in the mutual security appropriations bill which has been reported to the Senate by its Committee on Appropriations.

Only 3 weeks ago the Senate agreed to the conference report on the bill authorizing mutual-security appropriations. That bill authorized a total of $3,367,083,000 in new appropriations for the mutual security program. At that time I expressed my regret that the conference figure was not higher; but I urged passage of the bill as being, in the circumstances, the best the Senate could hope to obtain.

Mr. President, today we have before us a mutual security appropriation bill which makes available $3,025,660,000 in new funds for the mutual security program. This sum is $308,750,000 less than the President requested, pursuant to the authorization bill to which I have just referred.

It is true that the pending appropriations bill provides $500,900,000 more than was provided in the House version of the bill. That is something to be grateful for. Nevertheless, in my judgment, the total appropriations provided in this bill are still too low for safety. I believe the Senate would be taking an unwise step if further reductions were made.

In my opinion, Mr. President, the Congress is acting emotionally, rather than intelligently, on the question of foreign-aid appropriations. Let me give two reasons for holding this opinion. My first reason is that the Congress is not doing what our careful studies of foreign aid led us to conclude we should do. Senators will recall that last year we were concerned about whether we were following the right policies with respect to foreign aid. For that reason, the Senate established the Special Committee To Study the Foreign Aid Program. That group was composed of the entire membership of the Committee on Foreign Relations, plus the two ranking members of the Appropriations Committee and the two ranking members of the Committee on Armed Services. As is well known, this group, of which I had the honor to act as chairman, conducted extensive studies and surveys of the foreign-aid program. The unanimous conclusion of the special committee was that the mutual-security program had served the United States well in the past, and that in the national interest it was necessary to continue the program. Although other countries benefit from the program, the United States itself also benefits, both directly and indirectly. The committee especially recommended that the United States embark on a long-range program of furnishing economic development assistance to underdeveloped areas of the world on a loan basis.

The special Senate committee was not alone in reaching these conclusions about the future course which our foreign-aid policy should take. Several other important qualified groups, both inside and outside the Government, came to the same general conclusions.

On the basis of intelligent action, then, the Congress knows what it should do. Unfortunately, we have not followed through. Consider the development loan fund, for example. The committee recommended—and the Senate approved—establishing on a 3-year basis, a development loan fund having a total capitalization of $2 billion, to be built up gradually over a 3-year period. However, in the authorization bill which has just become law, this development loan fund was severely cut; and an appropriation of $500 million was authorized for the first year, with an appropriation of $625 million authorized for the second year. But what appropriations are now proposed? The House version of the bill would appropriate, not $500 million, but only $300 million for the first year's increment of the development loan fund. The bill as reported from the Senate committee raises that figure to $400 million, but that is still $100 million below what is authorized. In short, although we have decided in the Senate that it would be wise to establish a development loan fund with adequate capital, our emotional reaction to the world situation will not permit us to appropriate more than $400 million, and even that figure will probably be compromised and reduced in the House.

Mr. President, my second reason for saying that the Congress is acting emotionally on this issue is that the Congress lags behind the country in its estimate of what is wise policy. The Congress is more isolationist than is the country. All the public-opinion polls, all the studies, all the surveys, are uniform in their conclusions that a substantial majority of the voters fully support the mutual security program. This solid factual information, however, is insufficient to prevent many Members of the Congress from picking up the first hostile letter about foreign aid and rushing forth and saying that the voters will not stand for any more of it. The voters will stand for it, Mr. President. Most voters are more mature on this issue than most Members of the Congress give them credit for being.

As we look back through the history of the rise and fall of great civilizations, we find many reasons why civilizations fall. We find time after time, however, that when countries grow rich and powerful they also grow fat and lazy. Countries tend to become fond of their comforts and indifferent to suffering and dissatisfaction around them in the world. They become complacent and unwilling to make sacrifices. Countries tend to let down their defenses. They tend to drop their guard.

I do not say, Mr. President, that America has reached this unhappy state as yet. But it seems to me that the action which the Congress is now asked to take on this mutual-security appropriation bill is a bad sign. In spite of the fact that we know in our minds that we should appropriate more for the mutual-security program, and in spite of the fact that all of our careful studies tell us this, we cannot quite bring ourselves to appropriate the amount of funds which will make the program really effective.

Mr. President, I shall vote for H. R. 9302 as it has been reported to the Senate from the Committee on Appropriations. I am disappointed in the bill, but I regret to say that it is probably the best we can hope for now.

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

Mr. GREEN. I yield.

Mr. HUMPHREY. First of all, I wish to say to the distinguished chairman of the Foreign Relations Committee that the statement he has made relating to his support of the bill is one which, as one member of the committee, and one who is devoted to the chairman, I fully support. I recognize that the appropriation does not go as far as the authorization does. As the Senator well knows, we on the Senate side were somewhat disappointed with some of the compromises we had to make in order to get an authorization bill, but we did what we thought was best under the circumstances.

One part of the bill to which I wish to call the attention of the Senator from Rhode Island relates to the malaria-eradication program. As I understand, the Appropriations Committee view on the malaria-eradication program appears on page 6 of the report, which reads:

> The authorizing legislation provided that not to exceed $23,300,000 of the funds authorized could be used during the fiscal year 1958 for malaria eradication. The President's program submitted to the Congress provided $19,400,000 under the head, "Special assistance, general" for malaria eradication and $3,900,000 under the head of "Technical cooperation" for the total of $23,300,000.
>
> The committee recommends that within the sums allowed a total of $23,300,000 be used for malaria eradication.

With that statement as the background, I should like to inquire of the distinguished chairman of the committee, first, whether the language of the authorization act excludes the granting of loans from the development loan fund for malaria-eradication purposes, and, secondly, whether such loans, if it is legislatively permissible to grant them, must be within the $23,300,000 ceiling for this item.

I have discussed this matter privately with the Senator. I was hopeful the Senator might be able to give us a definitive statement as he sees it, as chairman of the committee.

Mr. GREEN. I have thought this matter over, as my distinguished colleague has suggested. My answer is this: The present language of section 420 may indeed be subject to more than one interpretation. I believe it was not the sense of the Foreign Relations Committee nor, I believe, of the conferees, to exclude consideration of sound requests for loans for malaria eradication purposes under title II of the act. I interpret the last sentence of section 420 to place a ceiling of $23.3 million on the funds to be expended for this purpose from all portions of the act other than from title I, chapter 1 and title II. It is, of course, hardly likely that title I, chapter 1 funds, which are military funds, would be used for this purpose.

Mr. HUMPHREY. To summarize the matter as we see it, title I, chapter 1 funds, as the chairman has said, are military funds, so obviously they would not be available for the malaria eradication program. Title II funds are loan development funds, and therefore it may be possible, within the legislative intent of the Congress, under title II, if additional funds are needed on a loan basis—not on a grant basis, but on a loan basis—to obtain such funds.

Mr. GREEN. There is involved the construction of ambiguous phraseology. With that statement in mind I think the funds could be obtained.

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

Mr. GREEN. I yield for a question.

Mr. AIKEN. I should like to say to the chairman of the committee that I have devoted much thought to the proposal which has been made to add to the malaria control funds. It seems to me that is one of the most worthwhile projects in which we can engage. However, with this program, and with the appropriation of $23.5 million, which it is estimated is required to meet the rock-bottom needs, it seems to me that the program could be put into effect. Then if it should develop that the money was not sufficient to meet the needs, I, for one, would be in favor of making foreign currency available to supplement the appropriation in those countries whose currency could be used for that purpose. I think we should watch this program carefully and review it the early part of next session, because we certainly want to do all we can to stamp out malaria.

Mr. GREEN. I thank the Senator. I think he has made a very valuable suggestion.

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

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

Mr. SALTONSTALL. As a member of the Appropriations Committee, I may say to the Senator from Minnesota that when the subject was before the Appropriations Committee in connection with the appropriations bill, but not the authorization bill, it was my belief that not only could defense support funds and technical assistance funds be used, but also special assistance funds, which the President may use for any purpose he desires. It is my understanding—and the junior Senator from Rhode Island is on his feet and is familiar with this subject—that some of the $100 million of the President's special assistance fund was planned to be used for this purpose. So, regardless of what the authorization bill provides, it would not, in my opinion, cover the special assistance fund, which can be spent completely at the President's discretion.

Mr. HUMPHREY. I wish to thank the Senator from Massachusetts for that observation, and I concur in it. As the Senator from Vermont has said, there are substantial amounts of foreign currency available which would be eligible for loan purposes, as well as funds under the loan development fund, to fight a battle for the health of the world by eradicating malaria, which is one of the great scourges of mankind. It seems to me we ought to have the broadest construction of the authorization language—that it means what the Senator from Massachusetts and the Senator from Vermont have indicated by their questions and comments.

Mr. SALTONSTALL. I do not want to mislead the Senator from Minnesota or the Senator from Rhode Island; but, from the discussions in the committee, I had pretty much the opinion that counterpart funds which were available and free were planned to be used in the program. Whether some of those currencies have been planned for use in malaria-eradication work I cannot say. That subject did not come up in detail, except that it was pointed out that the foreign currencies which were available had been pretty well programed.

Mr. AIKEN. If the Senator from Rhode Island will yield further, I should like to state it is my feeling that after the program is put into effect if it should develop it is inadequate and that title I funds are not available, then when the next session convenes we should take steps to make the foreign currency available in those countries where we have the use of such currency, to insure the adequacy of the antimalaria program.

Mr. GREEN. That effort might be made.

Mr. AIKEN. Yes. If the law is not interpreted as some think it should be interpreted, to permit the use of title I funds, then we should make the foreign currencies available.

Mr. STENNIS obtained the floor.

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

Mr. STENNIS. Mr. President, I yield to the Senator from Minnesota.

Mr. HUMPHREY. I am very grateful to the Senator from Mississippi for yielding, because this relates to the item under discussion.

MALARIA ERADICATION AUTHORIZATION AND APPROPRIATIONS

In connection with the item on malaria eradication, a legal question has arisen since the enactment of the Mutual Security Authorizing Act, too late for interpretation in the House or in the Senate Appropriations Committee. I am informed that it is very vital that the proper interpretation of the language of the last sentence in section 420 be established on the floor of the Senate to make clear what was apparently a unanimous intention of the conferees on the authorizing bill: That the $23,300,000 mentioned would be a limitation upon the grants that might be made under the act from defense support, bilateral technical assistance, and special assistance, general.

As proposed by the executive branch, the last sentence read "Funds made available pursuant to authorizations contained in this act," and so forth. The Senate Foreign Relations Committee, feeling this language was too broad, asked ICA to provide a definite, illustrative figure. It was pointed out that the $23.3 million was the amount programed, and the Foreign Relations Committee inserted the words "not to exceed" at the beginning of the sentence.

When the House Foreign Affairs Committee realized the legal implications of this language, which, because this was not a separately authorized item, would not permit its augmentation by 20 percent, if necessary, as other separately authorized items are permitted to benefit from section 501, they sought to insert substitute language for this sentence; but by an inadvertent error on the part of the committee staff the whole sentence was stricken. The committee made no effort to correct the language on the floor of the House, with the intention of correcting it in conference. The question was raised in conference by Representative JUDD, the Senator from Alabama [Mr. SPARKMAN], and others, and in spite of the unanimous sentiment of the conferees that the language be improved, the conference committee was faced with a possible point of order on the House floor against the entire conference report, if substitute language were adopted, since the House rules do not permit a third alternative in language in addition to the alternatives of the House and Senate language.

The existing language can be interpreted in either of two ways:

First. That the limitation "not to exceed" would apply to all portions of the act other than title I, chapter I, and title II; or

Second. The limitation of $23.3 million would represent a ceiling for all expenditure of mutual security funds from any source within the mutual-security program.

I submit it was the general understanding of the Congress that the ceiling imposed was a ceiling on grants and not intended to exclude the use of title II for supplementing this illustrative figure, if, upon application by a foreign government, the ICA found it desirable to grant loan requests for this purpose.

It is most important to the program to establish the sense of the Congress along the lines of alternative one, namely, that the malaria-eradication program can be expanded or developed over and beyond the $23,300,000 by the use of loans under title II, or from the President's special fund. Also funds in the form of local currencies, resulting from sale of agricultural commodities under the terms of Public Law 480, shall be available for use to implement the malaria-eradication program. The figure of $23,300,000 refers to dollars grants—not loans under title II or Public Law 480 currencies.

I ask unanimous consent, Mr. President, to have printed in the RECORD a statement by Dr. Eugene P. Campbell, Acting Chief, Public Health Division of the International Cooperation Administration on Malaria Eradication, along with excerpts from the statement of Charles L. Williams, Jr., made at the time of presentation of this particular budget item on malaria eradication, setting forth the malaria-eradication program as presented by the International Cooperation Administration to the Senate Committee on Foreign Relations, as well as a summary of the malaria-eradication program.

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

STATEMENT BY EUGENE P. CAMPBELL, M. D., ACTING CHIEF, PUBLIC HEALTH DIVISION, INTERNATIONAL COOPERATION ADMINISTRATION, ON MALARIA ERADICATION, BEFORE THE SENATE APPROPRIATIONS COMMITTEE

Senator CARL HAYDEN posed the following question, and asked Dr. Campbell to prepare an answer, and to testify before the committee:

"What is the possibility of using counterpart funds, especially Public Law 480 funds, in the prosecution of the malaria eradication project?

"Mr. Chairman, the answer is the Public Law 480 funds can be used and to the best of our judgment we have planned for their use to the maximum extent.

"There remains, however, the need for the use of $23.3 million for insecticides, house spraying equipment, some automobile equipment and some expert technical advice, items which cannot be purchased with local currency.

"To give a more complete answer to this question, we should like to insert into the record a full description of this project, as well as a short summary statement prepared for this committee by Dr. Charles L. Williams, Jr., in my absence.

"The studies for this project necessitated making contact with the proper authorities in more than 60 countries, as well as the staffs of such international organizations as the Pan-American Sanitary Bureau, World Health Organization, and the United Nations Children's Fund. These contacts have been maintained throughout this study period, in order to make certain the nature and amounts of the resources needed to achieve success in this project.

"It quickly became evident that, although 88 member nations of the WHO ratified the resolution of 1955 to eradicate malaria, success cannot be achieved unless this Government makes a substantial and effective contribution.

"We find in the lesser developed countries, where malaria is most prevalent, that the governments of these countries are able to contribute local funds to cover the cost of labor, local administration, and other miscellaneous costs.

"These same lesser developed countries do not manufacture insecticides, house spraying equipment nor automotive machinery, and are not able to supply the dollars to procure these manufactured products, which one finds mainly produced in this country. They cannot be purchased with Public Law 480 currency, it takes dollars. Our contribution of these dollars is extremely important and essential to success. Making available larger amounts of local currency will not decrease the need for dollars. A few illustrative examples of unit cost data are given in exhibit I of Dr. Williams' summary statement.

"There are a few countries, such as Bolivia, Pakistan, Laos, and India where there will be a need for additional local currency. This local currency can be provided and we have planned for some to be provided through the operations of Public Law 480. You will see in the full description of this project, beginning on page 123 of the presentation book with the heading "The Fiscal Year 1958 Program," a statement regarding the financial aspects of this project. In addition, in table 2, on page 132, under "Loan Capital," you will note that $12.9 million equivalents, or approximately 10 percent of the first year's worldwide needs, would come from Public Law 480 loan capital.

"The $23.3 million is a bedrock figure for the dollar needs of the program. From a total of more than $44.0 million in valid requests for the first year of operations, we have sheared the amount down to $23.3 million for a variety of reasons; such as: Inadequate local administrative machinery to carry out the program; first-year limitations on the availability of trained personnel; tolling-up time; the ability of our own manufacturers to meet peak requests, etc.

"We are confident that we have presented a solid rock-bottom proposal which makes sense administratively, technically and financially. There is an element of urgency in this matter due to the fact that mosquitoes are developing resistance to insecticides in some areas. If, through lack of dollar funds, we are required to move too slowly with this project, a serious resistance problem is certain to develop and eradication may become economically impossible. As a public health physician, I should like to express my feelings and those of my colleagues that it will cause us deep and serious concern and possibly may cause irreparable damage to this great project if sufficient funds are not provided under special assistance so that the full amount of $23.3 million can be made available to carry out this most important program."

Excerpts From a Statement by Charles L. Williams, Jr., M. D., Acting Chief, Public Health Division, International Cooperation Administration, on Malaria Eradication, Before the Senate Appropriations Committee

Malaria is the world's greatest health problem, attacking more than 200 million persons a year in some 60 countries and territories of the world, and is responsible for killing more than 2 million people—equivalent to destroying a city the size of San Francisco yearly. It is a main cause of chronic anemia, physical disability, and mental lethargy, resulting in low productive capacity of labor and retarded economic development.

The United States, through the bilateral programs of the International Cooperation Administration and its predecessor organizations, has been engaged in an attempt to control and minimize this disease in some areas of the world for 14 years. Now, for the first time, with the discovery of insecticides such as DDT and dieldrin and the perfection in house spraying in malarious areas, the opportunity presents itself of eradicating rather than merely controlling this disease. The feasibility of eradication has been definitely established by the success of the programs to eradicate malaria which have been carried out in the United States, Venezuela, Puerto Rico, Italy, and other countries.

As long ago as 1955, a proposal to attack and eradicate the disease on a worldwide basis was advanced in the World Health Organization Assembly in Mexico City and was subscribed to by all the member nations, including the United States. During the last 2 years, however, studies have indicated an increasing resistance of the malaria-carrying mosquitoes to the new insecticides which means that we must move immediately in a major effort if the opportunity is not to be lost. Active research is under way by many interested manufacturers to discover new and more efficient insecticides, but the results of this research are little more than hopes at this time.

In 1956, a detailed study and analysis of eradication was made by the International Development Advisory Board, utilizing the services of America's top malariologists. The recommendations contained in their report are in essence that the United States Government through the ICA embark on an expanded program of malaria eradication over the next 5 years in collaboration with the various international organizations already engaged in this activity.

The International Cooperation Administration has made an intensive and extensive study of malaria eradication and finds that it is technically and administratively feasible to achieve this goal. A proposal has been developed which outlines the salient technical features, points out the legal necessities and estimates the funds needed over a 5-year period of United States participation. If there is no objection, we should like to include in the record the full description of this program as it appears in the nonregional presentation volume, pages 119–132.

Aside from purely technical considerations, three important conditions must be met if success is to be achieved:

1. The program must be truly interregional as well as intraregional for the malaria-carrying mosquito recognizes no political boundaries. Fortunately, the international organizations such as the World Health Organization and the Pan American Sanitary Organization have effective collaboration with governments in areas where ICA programs do not exist.

2. The program once begun must be carried through to its completion. Eradication is an all-or-nothing matter.

3. The program will succeed only through a major concentrated effort within the minimum time limit in which the United States joins its resources and technical competence with other nations and international organizations in a carefully coordinated single and, at the same time, joint attack on this scourge.

For practical purposes, the 5-year target for malaria eradication is sound and, on the basis of our best estimates, the total cost—excluding Africa south of the Sahara and 1 or 2 other inaccessible places—will be approximately $515 million over a 5-year period.

It is anticipated that the governments of the malarious countries will spend the equivalent of approximately $364 million from their own resources. The World Health Organization, the United Nations Children's Fund, and the Pan American Sanitary Organization will be able to spend approximately $42 million. We are proposing that the United States be prepared to provide the balance of up to $108 million which will be required to do the job and which must be forthcoming from other than the above listed sources. (See table 1.)

For fiscal year 1958, the first year of the 5-year program, we are requesting $23.3 million for malaria eradication purposes including the conversion of present control programs to eradication, the institution of new bilateral programs, and appropriate contributions to the eradication activities of the international organizations, WHO and PASO.

The specific amounts to be requested in future years will depend in each instance on annual assessments of accomplishments to date. It should be noted at this point that malaria eradication is more costly in the short run than malaria-control programs which have averaged something over $10 million annually for the last several years. In the long run, however, the advantages of eradication from a financial point of view are obvious when compared with the indefinitely continuing cost of control. Some illustrative unit cost information is attached as exhibit I.

Personal requirements for this program have been carefully studied. We now have 19 trained technicians working in 13 countries and 1 working in Washington. We estimate it will be necessary to increase this number to approximately 40 to work in 24 countries during the peak year of activity, 1960 or 1961. It will also be necessary to employ four persons in Washington.

As we achieve eradication in various countries and the host country nationals can assume all the continuing responsibilities, certain of the Americans will either be moved to other areas or be returned to the United States and to their former occupations. The grades for these technicians will range between FSR–7 through FSR–2 with the greatest need at the FSR–5 level.

This is a completely unique moment in the history of man's attack on one of his oldest and most powerful disease enemies. Failure to proceed energetically might postpone malaria eradication indefinitely. A strong push now would undoubtedly be an excellent investment for all concerned, including the United States. We, therefore, are requesting in the Mutual Security Act for fiscal year 1958 the authority to utilize funds available in the act in such amounts and through such means as may be required to move forward energetically with this program in fiscal year 1958.

Malaria Eradication Program

I. SUMMARY

Funding

[In millions of dollars]

SPECIAL ASSISTANCE (TITLE IV, SEC. 420)	
Bilateral programs:	
India	5.0
Indonesia	3.0
Undistributed by country:	
Near East and South Asia	2.1
Far East	.2
Latin America	2.1
Contributions to multilateral organizations:	
World Health Organization	5.0
Pan American Sanitary Organization	2.0
Subtotal	19.4
OTHER PROGRAMED SOURCES	
Near East and South Asia	1.8
Far East	1.8
Latin America	.3
Subtotal	3.9
Total request	23.3

The program in brief: The following is a proposal that the United States Government, through the International Cooperation Administration, participate in a 5-year worldwide program to eradicate malaria in collaboration with the nations of the free world and the World Health Organization, the Pan American Sanitary Organization, and the United Nations Children's Fund.

Economic aspects: Malaria is one of the greatest deterrents to economic progress, being responsive for low labor efficiency, high absentee rates, low rate of capital investment, low learning capacity, and neglect of natural resources.

The conversion of present malaria "control" programs to malaria "eradication" will increase the per capital costs during a 5-year period, but the savings after this period will more than pay for the increase by making continued control expenditures unnecessary.

Technical feasibility: The technical practicality of malaria eradication is attested to by the Public Health Division of ICA, the United States Public Health Service, the International Development Advisory Board, the World Health Organization, the Pan American Sanitary Organization, and the United Nations Children's Fund. Furthermore, unless this unique opportunity is exploited without delay it may be lost due to development by mosquitoes of resistance to the insecticides that now make eradication technically and economically possible.

Political value: Antimalaria work has repeatedly proved to be one of the most highly welcomed and appreciated activities by the large numbers of people benefited. This program would be certain to win tremendous numbers of friends for the United States at all levels.

Program participation: The actual participation of more than 60 free nations to date and the declared intentions of most nations at the 1955 World Health Assembly meeting justifies the anticipation that other countries will participate in the funding of this program on a basis of 3 to 1 or better in the next 5 years. (See table 2.)

II. NEED FOR THE PROGRAM

Malaria—Its widespread distribution and incidence

Malaria is the world's greatest health problem, attacking some 200 million persons in 1955 in 135 countries and territories of the world and directly killing some 2 million people. More important than its relatively low death rate, malaria tends to cause chronic anemia, physical disability, and mental lethargy.

Malaria is primarily, but not exclusively, a rural disease occurring throughout the tropical and subtropical areas of the world with varying intensity. Excluding tropical Africa (except Liberia and Ethiopia) 618 million people in 60 countries of the Free World are presently living in malaria-infested areas.

Malaria is an acute parasitic disease spread by certain species of mosquitoes and characterized by intermittent episodes of incapacitating chills and fever due to the simultaneous rupture of large numbers of red-blood cells. Untreated, the initial attack will burn itself out in a few weeks, but may leave a nest of parasites in the body, giving rise to recurrent acute attacks over a period of years. Except among primitive peoples subjected to repeated infections from birth, no substantial immunity is produced. Consequently, over the years there may be a piling up of new infections upon old, producing progressive anemia and disability.

Significant characteristics of the disease, therefore, are (1) that it is easily spread from infected persons to large numbers of others by the bite of particular types of mosquito, (2) that it has an incapacitating acute phase sometimes spread over a period of weeks, and (3) that it produces progressive anemia and debility through recurrences and reinfection.

The economic significance of malaria: Malaria has an adverse effect on industry, agriculture, education, economic development, private investment and, indeed, on almost every type of human activity. No aspect of the economic and social life of a malarious community is immune to the effects of this disease. It is a major cause of high medical costs, low labor efficiency, low learning capacity, high absentee rate, low rate of capital investment, neglect of natural resources. For example, the Creole Petroleum Corp. in Venezuela estimates that the cost to the company in the period 1940–46 from malaria in a camp employing 1,400 was over $400,000 a year. In 1947, a DDT-spraying program costing approximately $50,000 a year was started and within 2 years malaria virtually disappeared, at a net saving of $350,000 a year.

Prior to malaria eradication in the United States in 1946, it was conservatively estimated that this disease cost the United States economy $500 million a year. We have now been free from the economic drain for a decade resulting in a saving of some $5 billion. However, malaria is still costly to the United States and other nonmalarious countries. For example, the United States draws 60 percent of its imports from, and sends 40 percent of its exports to countries where malaria is prevalent. Malaria control among laborers who produce the goods purchased by the United States requires on the average at least 5 percent of the annual production budgets. This constitutes a hidden malaria tax of more than one-third billion dollars paid annually by the United States on its imports. The total value of the business lost to American exporters because of the poverty directly due to malaria is certainly huge.

Antimalarial progress to date: There is evidence of the existence of malaria since earliest recorded history, and it is very possible that this was a major cause in the obliteration of such civilizations as the Mayan (Yucatan) and that of Angkor Wat (Cambodia). Similarly, there is substantial evidence that malaria was an outstanding factor in the fall of ancient Greek and Roman civilizations. It was one of the principal reasons for the failure of the French attempt to build a canal across Panama; it immoblized whole armies in Macedonia in World War I; and it reduced the fighting forces in New Guinea for a few months early in World War II to 10 percent of their strength.

With the discovery, 1897–98, of the role of the anopheline mosquito as an essential link in the transmission of malaria, a way was opened to control the disease. This was at first based on (1) preventing the adult mosquito from biting man, and (2) interrupting the growth of the mosquito by eliminating, modifying, or poisoning its breeding waters. Through these means, malaria was eradicated in the more temperate areas of the United States and northern Europe, and brought under partial control in the southern part of the United States, in Italy, and in many localized areas. Although these measures were applied intensively, malaria remained an important cause of illness and disability even in the United States and northern Europe up until World War II.

During World War II, it was discovered that the chemical dichlordiphenyl trichlorethane (DDT) possesses a remarkable ability to kill insects on short contact, and that when sprayed on surfaces such as walls, the killing power of its residue is often sustained for many months.

The discovery of this highly potent, relatively inexpensive, and easily handled insecticide, and other closely related compounds, opened a new era in malaria control. These toxicants have been the chief agents in the eradication and mass control of malaria over a rapidly widening area. Indeed, it is now possible to eradicate the disease from entire continents.

Control against eradication: DDT residual spraying is a simplified and highly effective method of dealing with malaria and it makes feasible the extension of control to the point of eradication.

From the technical standpoint, control involves the reduction of the number of cases in an area to a point at which they no longer create a severe health problem. But ordinary control permits the disease to persist within the area, necessitating continuous activity and expenditures and allowing the chance of occasional sharp epidemics. There is usually only partial and spotty coverage and there is no foreseeable end to control activity.

In 1955 the governments of 58 countries appropriated funds for malaria control activities totaling $41 million. Plans calling for increases in appropriations to $44 million n 1956 attesting to the concern with which these countries, for the most part the poorer underdeveloped countries least able to afford such an economic drain, view this problem. The United States has been active in malaria control demonstration operations and training for as long as 14 years in the case of some Latin American countries. The ICA in fiscal year 1956 assisted malaria control activities in 21 countries. The assistance takes the form of provision of various types of experts, training of nationals in their own country or in the United States, surveys and necessary materials and equipment. The total amount budgeted by ICA for fiscal year 1956 was approximately $12 million; it is estimated that $8.7 million will be obligated in fiscal year 1957.

In spite of these efforts and those of international organizations (the World Health Organization (WHO), the United Nations Children's Fund (UNICEF), the Pan American Sanitary Organization (PASO), and the United Nations Technical Assistance Fund (UNTA)), there are still 289 million people living in malarious areas of the free world (other than central Africa) who will not be receiving protection.

Malaria eradication, as opposed to control, means the planned progressive elimination of the disease. For the first time, this has become possible through the use of DDT and other new insecticides. Sprayed once or twice a year on surfaces where malaria-carrying mosquitoes rest before and after feeding, these insecticides will destroy the infected insects and completely stop malaria transmission. When transmission has been prevented for three consecutive years in a country, most of the malaria parasites will die off or be killed by therapy, and so few will be left in the blood of the people that the disease can no longer maintain itself. Generally, it takes 4 years of spraying and 4 years of surveillance to make sure that transmission has not occurred in three consecutive years in an area. After that, normal health department activities can be depended upon to deal with occasional introduced cases just as they now remain on guard against smallpox, cholera, and other diseases formerly so common. Therefore, to eradicate malaria there must be an attack so effective that no mosquito transmission occurs for three consecutive years. This has been proved to be possible in many areas. For example, malaria is being eradicated in large parts of the Philippines, Thailand, Formosa, Ceylon, Greece, India, and in many Latin American countries. Nationwide eradication has been almost completely accomplished in the United States, Puerto Rico, Chile, British and French Guiana, Mauritius, Cyprus, Italy, and Venezuela.

Recent annual average costs of malaria control by residual spraying measures, estimated by WHO as per capita of those protected, have been as follows:

Region:	*Cost, United States currency*
African	$0.41
American	.455
Eastern Mediterranean	.20
Southeast Asian	.11
Western Pacific	.175
European	.20

To these figures, 10 percent should be added for increased costs of total eradication. It should also be noted that surveillance costs, during the last phase of an eradication project, are less than the costs during the residual spraying phase.

Before DDT, rural malaria control cost over 75 cents per capita per year. The expensive control did not eradicate but merely reduced the numbers of cases to bearable levels. Therefore, most underdeveloped countries could not afford widespread malaria control and none could plan for eradication. Now, despite increased labor and other costs, the use of DDT and related poisons requires only about 25 cents per capita per year to eradicate malaria completely. The economy of a project of 4 years of residual spraying plus 4 years of surveillance as contrasted with old methods of control is obvious.

Today with these new insecticides the choice, as pointed out earlier, is between control and eradication. Eradication involves heavier initial expense than does control. But control not only has no foreseeable end; it also introduces the risk of mosquito resistance, the development of which would force a return to prewar methods that are too expensive for underdeveloped nations to use in their extensive rural areas.

Urgency of undertaking program: Eradication is economically practicable today only because of the remarkable effectiveness of DDT and related poisons such as dieldrin. This dependency on the chlorinated hydrocarbons introduces a note of relative urgency because the mosquito carriers of malaria are beginning to develop resistance to these insecticides in some areas. Of the more than 50 species that transmit malaria, 7 now show such resistance in some parts of their range and others will undoubtedly develop resistance within a year. DDT resistance has appeared after 6 or 7 years of continuous exposure and dieldrin resistance has now appeared in 1 case after only 18 months' exposure. In numerous cases no resistance has appeared in 11 years of exposure. But if countries, due to lack of funds, have to proceed slowly, resistance is almost certain to appear and eradication may become economically impossible unless substitute insecticides are found. Time is of the essence.

This is a unique moment in the history of man's attack on one of his oldest and most powerful disease enemies. Failure to proceed energetically might postpone malaria eradication indefinitely. A strong financial push now would undoubtedly be an excellent investment for all concerned, including the United States itself.

III. THE PROGRAM

The 5-year concept: In 1955, the World Health Assembly unanimously adopted a resolution giving top priority to the support of malaria eradication. More than 60 Free World nations have malaria within their borders. Although nearly all of these nations have embarked on eradication programs, they are, for the most part, not economically able to wage an effective war against this ancient enemy.

Since the World Health Assembly action in 1955, pressure and enthusiasm in the underdeveloped countries has continued to mount. This pressure has reflected itself in the increased antimalaria activities of the international organizations, notably the WHO, UNICEF, and the PASO.

However, it is clear that in order for this great goal to be realized, the United States must spark an all-out effort, utilizing all available resources, national and international. The proposed program provides for such an effort and, if adequately supported and energetically prosecuted by all elements, should result in the eradication of this dread disease in many areas within 5 years' time.

For practical purposes, the 5-year target appears sound providing it is understood that there will be a tooling-up period followed by a peak of activity and then a tapering off into surveillance. This may require less than 5 years in some areas and more than 5 years in others. For example, eradication will be accomplished most readily in the Western Hemisphere and more slowly in the Eastern Hemisphere. Eradication programs in a few countries may require United States support beyond the 5-year period. However, maximum participation by the United States will be concentrated in the period from fiscal year 1958 through fiscal year 1962.

In a very rough way, the program might be conceived as first bringing about a series of islands of eradication, the borders of which are gradually pushed back and enlarged until they come together and give full protection. These islands of eradication will at first be more numerous in the Western Hemisphere because the United States is the largest land mass where eradication has been achieved.

Achievement of eradication within the time limit will require maximum support from national and from international sources. It is neither necessary nor possible for any one or even two of the above sources to supply all the resources—technical, financial, and otherwise—to carry out the program. Eradication will be achieved through the implementation of a carefully programed and carefully coordinated single plan for each country involving maximum contributions from bilateral and multilateral sources. Specifically, as seen in table 2, the 5-year program will require $515.2 million from all sources; $364.8 million (including Public Law 480 local currencies) to be supplied by the beneficiary governments; $108 million to come from the United States through bilateral programs and in the form of grants to the international organizations; and the remaining $42 million from WHO, PASO, and UNICEF.

The fiscal year 1958 program: For fiscal year 1958, as the first year of the 5-year program, the following participation is anticipated by Free World nations and international organizations and proposed for the United States.

Unilateral: In fiscal year 1956 the 60 nations of the Free World in which malaria is a problem expended approximately $44 million in antimalaria activities. In fiscal year 1958 it is anticipated that this amount will increase to approximately $61 million. In the first year almost 60 percent of the malaria-eradication program will be funded by the local governments affected.

Bilateral: United States participation proposed for fiscal year 1958, the first year of the 5-year eradication program, totals $23.3 million. Of the total of $23.3 million, we are requesting $3.9 million within individual country programs justified in the regional sections of this presentation. The balance of $19.4 million is requested as a special item for malaria eradication within the special-assistance category. This compares with $10.2 million of MSP funds programed in fiscal year 1957 of which $8.7 million was for going programs in malaria control and $1.5 million was for a special grant to the special malaria fund of the Pan American Sanitary Organization (PASO). In fiscal year 1956 a total of $11.9 million was programed for going programs of malaria control.

For maximum flexibility in continuing the proposed program it is most important that not only the $3.9 million justified in country program presentations but also the $19.4 million of specal assistance funds be available for use in approved programs without reference to the limitations inherent by virtue of their being technical cooperation, defense support, or special assistance. The executive branch is requesting language in the authorizing act to accomplish this.

The previous training and demonstration aspects of technical cooperation in many of the going programs has now progressed into the beginnings of malaria eradication with its greatly increased funding requirements for bulk amounts of insecticides, spraying equipment, vehicles, etc. It should be noted, however, that the elements of training and demonstration will continue to be involved in malaria eradication programs so that some of the funds requested are retained in the technical cooperation category.

Within the $19.4 million item, $4.4 million will be used to convert the present going control programs mentioned above to eradication programs. (See illustrative distribution by country in table 1.) $7.0 million will be used for contributions to those multilateral eradication programs described in succeeding paragraphs. The balance of $8 million will be used for bilateral programs in India and Indonesia.

It should be emphasized that bilateral assistance is provided only on request of the host governments. It takes the form of provision of various types of experts, training of nationals both in their own country and in the United States, surveys, and necessary materials and equipment. It should be noted that more than 50 percent of the cost of malaria eradication is for insecticides, material and equipment, most of which comes from the United States.

Multilateral: The goal of malaria eradication will require maximum effort on the part of international as well as national agencies. Even if it were not necessary to do so, there are definite advantages to the United States in supporting the multilateral agencies' programs in malaria eradication. The multilateral programs offer the advantage to be gained from clear demonstration of the United States desire to assist and participate without dominating. Furthermore, it makes possible desirable results in areas and nations with which the United States is not directly working through the ICA. As a side effect, international programs offer the opportunity to utilize needed technical skills possessed by nationals of other countries which are not available to bilateral programs. Thus active participation in multilateral programs can have real benefits supplementing the more direct bilateral assistance, and the need for proper balance between the two approaches becomes clear.

WHO: The WHO has endorsed the concept of eradication and is providing coordination to the eradication activities of the governments and the several agencies concerned. The nucleus of personnel required is available and is being rapidly expanded through active training programs conducted under a variety of auspices. In order to facilitate the work in malaria eradication, the WHO has established a special malaria fund to which any of the 88 member nations may contribute. It is proposed that ICA make available to the World Health Organization's Special Account for Malaria Eradication a total of $5 million in fiscal year 1958 with a tentative nonobligational agreement for additional funds up to $12 million divided on the basis of an annual assessment of results and needs during the subsequent fiscal years. (See table 2.)

The United States is proposing to make funds available to the WHO and the PASO in return for a specific service to be rendered, a service that the agency involved alone could render, or could render better than anyone else. It is not proposed that these grants be made available on a matching basis. Payments to WHO and PASO will be made for specific purposes. As such they do not represent the type of contributions to the organization which logically would be made against matching contributions of other Governments. Funds expended for the malaria eradication program through multilateral channels would represent more a payment for a service than a contribution.

Money contributed to the WHO special fund may be used in malarious areas where ICA does not have bilateral programs; success in such a large project requires our participation in the fund; United States participation can be expected to precipitate increased interest and participation on the part of other governments; some of the money will go for top non-American sources of advice and experience which will significantly contribute to the success of the whole program. As stated in the Report on Malaria Eradication by the International Development Advisory Board, such a contribution would be a "clear demonstration of the United States desire to assist and participate without dominating."

PASO: A special problem exists in the Western Hemisphere due to the maturity of our bilateral programs. Stimulated by the desire to place responsibility in local hands, ICA has turned over all bilateral antimalaria programs except one (Honduras) to the local governments. Whereas most of the turned-over programs have been achieving a measure of control, the goal of eradication requires a degree of absoluteness which makes it essential that many of the countries receive outside help.

Six million dollars will be needed in fiscal year 1958 in addition to host country contributions and multilateral agency participation. It is proposed that the United States support malaria eradication programs in this hemisphere by meeting two-thirds of the $6 million shortfall in dollars and agreeing to the use of up to the equivalent of $2 million from local currency sources.

(a) Two million dollars to be granted to the PASO's special malaria fund to be used without restrictions within this field of activity. (The United States pledged and contributed $1.5 million to this fund in fiscal year 1957. On the basis of present estimates and subject to annual assessment of results and needs it is expected that $6 million additional will be required during the subsequent 4 years of the program.)

(b) It is recommended that $2 million of the $4.4 requested for bilateral programs be used in this area, to be divided according to the population at risk from malaria in the several countries. These sums are to be administered, accounted for and results assessed by ICA Operations Missions in collaboration with PASO and host government officials.

(c) The balance of the shortfall, the equivalent of approximately $2 million, can be secured through available local currency sources such as Public Law 480, private contributions or other local government budgets.

Other international organizations: The UNICEF is devoting a large segment of its funds to the provision of supplies and equipment to governments in connection with WHO-approved antimalaria programs. It has adopted a policy under which it will provide supplies only to programs where eradication is the objective. In 1955, UNICEF allocated $3 million and, in 1956, $7 million to the malaria eradication program.

The United States is a member of all the intergovernmental organizations listed above and in each of them has officially supported the concept of eradication and supported the allocation of funds for this purpose.

Other agencies, both governmental (Colombo plan) and private (Rockefeller Foundation) are assisting in malaria projects in amounts that are not known but are relatively small.

The employment of loan capital: In fiscal year 1958, it is expected that local currency from Public Law 480 transactions and other loan capital in the amount of $12.9 million will be available to the program.

Feasibility of program: Within certain technical limitations discussed below, the eradication of malaria is possible through the use of tried methods, personnel, equipment, and supplies which are now available or could be made available. The only exceptions to this conclusion are certain areas of the world known or suspected to harbor malaria which are relatively inaccessible; for example, tropical Africa and Ethiopia, Borneo, New Guinea, and the Amazon Valley. The situation in tropical Africa is such that eradication cannot be visualized in the immediate future. The other areas are isolated and are not a significant threat to neighboring areas. They present no barrier to undertaking eradication elsewhere. No doubt malaria can and will be eradicated in these areas in due time.

Fourteen years of ICA experience in malaria control demonstration, operations, and training has developed United States technical ability, and even more trained host country technicians. ICA now has 20 trained technicians in antimalarial field positions and 1 financed by ICA/Washington in the United States Public Health Service. Within 2 years of implementation of the eradication program we should have at least double this number of professional personnel on duty in the field and 4 more in Washington. This may require the initiation of training courses for United States technicians, either in this country or in other countries having adequate facilities.

Unforeseen technical problems always arise when new insecticides and new equipment are placed in operation. Through collaboration with the Public Health Service, ICA supports a small but active and effective testing unit at the Public Health Service Communicable Disease Center to study problems of entomology and testing of insecticides and equipment. This unit already has saved the United States Government several hundreds of thousands of dollars. Funds would be provided to expand this project. The problem of insecticide resistance testing also is currently receiving much attention as a part of this project.

The recent studies of the use of chemotherapeutic agents in combination with insecticide house spraying reveals possibilities for the future which must be taken into account through the appropriate research channels.

It is believed that United States industrial resources can be expanded to supply the necessary quantities of insecticides, materials, and equipment for the entire malaria eradication program. Considering that other industrialized nations are also capable of providing insecticides, materials, and equipment, there is a considerable margin of safety.

The proposed program is also administratively feasible. The internal organizational structures of ICA in Washington and the United States operations missions abroad are able in their present form to support malaria eradication programs in those countries having ICA missions. Working through the multilateral agencies will relieve the necessity of instituting new ICA programs in all but a very few countries.

IV. RESULTS OF ERADICATION

Benefits: The benefits to be gained from the proposed program are intensely practical and will advance the general welfare of the United States as well as that of the nations immediately affected. A worldwide program to eliminate the world's greatest single cause of sickness and death will:

1. Help countries and peoples to become stronger, economically as well as physically, through the release of additional effective human energy.
2. Make possible the opening up of additional arable land for economic development—thus reducing, in some nations, the imbalance between population growth and productive resources.
3. Improve the environment for more production of goods and services and for investment of capital, both local and foreign.
4. Encourage political stability by enhancing confidence that progress can be made through existing governmental institutions.
5. Assist in progress toward the worldwide political objectives of the United States by alleviating the distress of many thousands of people.
6. Demonstrate our deep interest in the welfare and human dignity of individual men and women throughout the world.

Examples: The following examples bear witness to the benefits listed above:

Ceylon: The malaria eradication project in Ceylon has opened a wide area of land to economic use. In 1946, the annual malaria incidence was 41.2 percent (2,750,000 cases in a population of 6,700,000). The malaria eradication campaign now covering the affected two-thirds of the island began in 1947. By 1954, the incidence had been reduced to 0.45 percent (37,500 cases in a population of 8,385,000) and over 200 square miles of jungle land has been brought under irrigation, and settled by 91,000 previously landless people.

India (the Terai): Until 1949, attempts to settle and develop parts of the Terai region in northern India were fruitless, owing to the high incidence of malaria. At that time malaria control was begun. As malaria disappeared in the area under control over a 4-year period, new settlement increased the population by 73 percent (from 167,000 to 284,000); the area of cultivated land increased by 400 percent (from 38,000 acres to 162,000 acres), with the value of land rising from nil to between 200 and 300 rupees per acre; production of food grains rose by 130 percent (from 1,551,000 maunds to 2,094,000 maunds); industrial undertakings (especially sugar and vegetable oil mills) rose in number from 11 to 29; construction of a hydroelectric plant brought electric power to villages; and many new homes and schools were built.

Greece: In Greece, the nationwide malaria control program conducted between 1946 and 1951, reduced malaria incidence from an annual average of about 2 million cases (30 percent of total population) to an estimated 10,000 cases in 1950, adding at least 30 million man-days a year to the economy. Due in large part to the opening of new land, through malaria control, annual rice production rose from 5,000 tons to 15,000 tons between 1948 and 1955.

Before the malaria control campaign, Greece spent $1,200,000 annually (85 percent from scarce foreign exchange) to buy one-fifth of the world's quinine supply. After control, this medical care expenditure was no longer necessary, and the Greek Government disbanded its quinine purchasing unit.

The Philippines: In the Philippines during 1945 and 1946, malaria incapacitated approximately 25 percent of the total national labor force of 8,200,000 for five to ten days per year, and in many instances for longer periods, resulting in an estimated loss of 20,000,000 man-days of labor annually. During 1946–50, the joint United States Public Health Service-Philippines Public Health rehabilitation program undertook malaria control throughout the island of Negros (population 1,500,000) and in selected areas elsewhere. On Negros, there was, by 1949, an 85 percent drop in the incidence of malaria, i. e., from 26.47 percent of the population to 3.75 percent; a reduction in daily absenteeism among grade school children from 50 percent to 3 percent; a reduction in estimated man-days lost in industries on Negros from 33 percent of industrial labor force daily to between 2 percent and 4 percent daily; and an estimated increase in the work capacity of labor to the point where a 70-man output per day in 1949 was equal to a 100-man day output in 1946.

The Government of the Philippines is now opening up new areas on the island of Mindanao for settlement. Firms making bids to build highways on the island reduced their bids by one-third after assurance that their workers would be protected by effective malaria control measures. By the end of 1954, 4,600 families had been settled and the program is continuing.

In summary, malaria eradication would be a concrete, relatively inexpensive means of implementing the high goals announced by the President in a speech given in 1953:

"The fruit of success in all these tasks would present the world with the greatest task—and the greatest opportunity—of all. It is this: the dedication of the energies, the resources, and the imaginations of all peaceful nations to a new kind of war. This would be a declared, total war, not upon any human enemy, but upon the brute forces of poverty and need."

Resultant increase in population: The argument of population increase has been advanced against initiation of such programs as the one herewith proposed to eradicate malaria. Briefly stated, the proponents of this view would argue that malaria eradication should not be undertaken since it will result in larger populations in many areas assumed to be already overpopulated.

It should be realized that "overpopulation" is a relative term—relative in relation to the ability of an area to sustain the population. It has been amply and repeatedly demonstrated that the existence of widespread preventable debilitating disease represents one of the most significant deterrents to the increase in the ability of a people and an area to sustain and improve itself—in terms of adequate food production, economic development, or trade. In other words, a "well" area can support many more people than a "sick" area. In addition, the people of a sick area are a dependent people in contrast to people of a well area who become a nondependent and usually an independent people. Finally, it must be recognized that the present existence of overpopulation of dependent sick areas in the absence of public-health measures is one of the best evidence of the falsity of the concept that overpopulation is merely due to public-health activities such as malaria eradication.

The following excerpt from the report of the WHO Malaria Conference for the western Pacific and southeast Asia regions which was held in the Philippines in 1953 is believed to be particularly illuminating:

"The Conference noted that the question of population pressure is exceedingly involved and that its equation with the three main variables of people, energy, and food, is vastly more complex than any present formulation. The Conference agreed that no one knows or can accurately predict what total population the world can support if potential supplies of energy are utilized properly. Moreover, no one can have the necessary prescience or moral authority to decide from which area malaria control should be withheld for the sake of a presumed benefit that a higher death rate might bring to a community. The Conference emphasized that malaria control is not an end in itself but is to be integrated with other public activities designed to foster community welfare. The Conference believed that where the disease is prevalent, a most important first step toward a sound population policy, a more adequate food supply, and a balanced human ecology, is the elimination of malaria."

TABLE 1.—*ICA bilateral antimalaria programs*

[Thousands of dollars]

	To convert control programs to eradication, fiscal year 1958			Malaria eradication estimates beyond fiscal year 1958				Total
	Control programs	Needed to convert	Total, fiscal year 1958	1959	1960	1961	1962	
Far East	4,820	179	4,999	3,660	2,856	2,501	2,586	16,611
Cambodia	50	15	65	155	221	221	306	968
Indonesia [1]	3,160	0	3,160	2,500	1,605	1,000	1,000	9,265
Laos	250	50	300	225	30	30	30	615
Philippines	515	0	515	0	0	0	0	515
Taiwan	0	114	114	89	0	0	0	203
Thailand	15	0	15	0	0	0	0	15
Vietnam	830	0	830	700	1,000	1,250	1,250	5,030
NESA	6,833	2,113	8,946	13,713	13,156	11,158	7,814	54,787
Afghanistan	0	0	0	0	0	0	0	0
Egypt	0	0	0	0	0	0	0	0
Ethiopia	850	0	850	500	1,000	1,000	1,000	4,350
India [1]	5,035	1,465	6,500	11,000	9,000	5,000	0	31,500
Iran	0	400	400	400	200	100	0	1,100
Iraq	14	0	14	35	75	100	100	324
Israel	0	0	0	0	0	0	0	0
Jordan	0	0	0	100	100	150	50	400
Liberia	77	85	162	143	141	168	134	748
Libya	35	0	35	35	40	40	30	180
Nepal	322	163	485	500	600	600	500	2,685
Pakistan	500	0	500	1,000	2,000	4,000	6,000	13,500
Latin America	236	2,139	2,375	2,375	2,375	2,400	2,400	11,925
Special grant [2]	------------	2,000	2,000	2,000	2,000	2,000	2,000	10,000
Bolivia	100	------------	100	100	125	150	150	625
Brazil	------------	------------	------------	------------	------------	------------	------------	------------
British Guiana	------------	------------	------------	------------	------------	------------	------------	------------
Chile	------------	------------	------------	------------	------------	------------	------------	------------
Colombia	------------	------------	------------	------------	------------	------------	------------	------------
Costa Rica	------------	------------	------------	------------	------------	------------	------------	------------
Cuba	------------	------------	------------	------------	------------	------------	------------	------------
Dominican Republic	------------	------------	------------	------------	------------	------------	------------	------------
Ecuador	------------	------------	------------	------------	------------	------------	------------	------------
El Salvador	------------	------------	------------	------------	------------	------------	------------	------------
Guatemala	------------	------------	------------	------------	------------	------------	------------	------------
Haiti	75	------------	75	75	50	50	50	300
Honduras	11	139	150	150	150	150	150	750
Jamaica	------------	------------	------------	------------	------------	------------	------------	------------
Mexico	------------	------------	------------	------------	------------	------------	------------	------------
Panama	------------	------------	------------	------------	------------	------------	------------	------------
Paraguay	50	------------	50	50	50	50	50	250
Peru	------------	------------	------------	------------	------------	------------	------------	------------
Surinam	------------	------------	------------	------------	------------	------------	------------	------------
Uruguay	------------	------------	------------	------------	------------	------------	------------	------------
Venezuela	------------	------------	------------	------------	------------	------------	------------	------------
Total bilateral	[1] 11,889	4,431	16,320	19,757	18,387	16,059	12,800	83,323

[1] Due to the complexity of these programs conversion to eradication may extend beyond fiscal year 1958 thus 5,000,000 for India and 3,000,000 for Indonesia have been justified under special assistance (title IV, sec. 420), the balance of 3,900,000 is justified in other programs.

[2] Grant funds to be made through the existing bilateral programs. Not to be confused with the grant to PASO.

TABLE 2.—*Estimated funding all sources for malaria eradication, by fiscal year*

[In millions of dollars]

	Fiscal year 1956 programs	Fiscal year 1957 programs	Future requirements						Average annual rate 1958–62
			1958	1959	1960	1961	1962	Total	
60 nations of Free World (exclusive of United States) [1]	44.0	------------	61.0	69.0	72.0	76.0	47.2	325.2	65.0
WHO	1.1	1.2	2.0	2.0	2.0	2.0	2.0	10.0	2.0
UNICEF	6.6	8.0	8.0	8.0	8.0	4.0	4.0	32.0	6.4
ICA:									
Bilateral programs	11.9	8.7	16.3	19.8	18.4	16.1	12.8	83.4	16.7
Special grant to WHO	------------	------------	5.0	2.0	3.0	4.0	3.0	17.0	3.5
Special grant to PSAO	------------	1.5	2.0	3.0	2.0	1.0	------------	8.0	1.6
Total	------------	------------	23.3	24.8	23.4	21.1	15.8	108.4	------------
Loan capital: Public Law 480 and/or other sources	------------	------------	12.9	8.9	5.8	7.0	5.0	39.6	7.5
Grand total	63.6	------------	107.2	112.7	111.2	110.1	74.0	515.2	------------

[1] Figures do not in all cases coincide with United States fiscal years.

Mr. HUMPHREY. I conclude by saying that when those statements are read I believe the interpretation made this afternoon, for legislative history purposes, will be found to be accurate and conclusive.

I thank the Senator from Mississippi [Mr. Stennis] and the Senator from Rhode Island [Mr. Green].

Mr. STENNIS. Mr. President, I shall not detain the Senate at length, but I think there are a few further points which should be made concerning this bill.

I regret, that such a far-reaching bill, involving so much money, carrying with it such serious policy questions, is not debated somewhat more at length on the Senate floor, although the membership I am sure is generally familiar with the subject matter.

I wish to express my special appreciation to those who have worked on this bill and on similar bills in prior years, including the Senate Committee on Foreign Relations, which has made a special study of the question during the past year.

Without excluding others or detracting from what others have done, I wish especially to mention the senior Senator from Louisiana [Mr. Ellender], whose tireless and far-reaching efforts for the past several years have really given the legislative branch of the Government its first thorough, extensive look at this bill and the ICA operations all around the world, not only with regard to technical assistance but with regard to economic assistance, the military aspects, and all related phases of this vast program.

Regardless of what the vote may have been on any amendment in which the Senator may have been interested, either in the committee or on the floor of the Senate, I can certainly assure the Senator, as a close observer of his work, that I know he has made his ideas felt and that his work has been productive. He has been very, very effective in this effort. The entire Congress owes the Senator from Louisiana a special debt of gratitude for his very exhaustive work and very fine, impartial, nonpartisan, impersonal manner in going about it. I think the influence of the Senator from Louisiana has been felt in the executive branch with regard to this vast program. I commend him highly for his work.

Mr. President, one of the best statements I have seen with reference to the pending bill was made by Representative Passman and is to be found at page 14917 of the Congressional Record for August 15, 1957. The statement is certainly worth reading, and I commend it to the intelligent consideration of any Member interested in the subject matter.

I include in my commendation a splendid statement by Representative Gary, of Virginia, which is to be found beginning on page 14935 of the same issue of the Congressional Record.

Mr. President, I shall support the House figure on the military assistance phase of the bill, because I feel certain in my own mind that that is sufficient money to support a reasonable rate of expenditure under the world circumstances now existing.

There has been no occasion for and no argument for a "crash" program. I believe, on the basis of the evidence I have heard and the observations which have been made, that we are feeding these military supplies into the other countries just about as rapidly as they are able to absorb and properly to train their men in their use.

I think the contention which has been made that there has been a lack of money or a lack of appropriated funds or available funds in times past, and therefore the ICA has been unable to supply adequate military assistance where it was actually needed, is not borne out by the facts. For instance, last year, as already brought out by the Senator from Louisiana [Mr. Ellender], there was a surplus of the military funds at the end of the fiscal year of $518 million. That is to be commended, and we are in favor of having a surplus. I commend the administration of the program in that respect. However, it certainly cannot be said at the same time that with that much money left over there was a pinch in the program or an inadequacy of funds to provide a military assistance program of military hardware.

Mr. President, I regret that the Defense Department was not put in charge of the military program as originally outlined in the authorization bill. I think certainly that should be done at an early date. Then the Committee on Armed Services and the subcommittees of the Committee on Appropriations which handle such matters could look at the entire world program together. I believe that is the only way this military program can possibly be brought into sharp focus. Certainly the parts all make up one pattern. It is very regrettable that this matter continues to be considered as a "crash" program to that extent, and the pieces have never been put together in such a way that the Congress or one committee of the Congress could really take an overall look at the entire military program needs, worldwide. I hope that there will be a chance yet to remedy that situation.

I wish also to express an interest in the loan authorization of the bill, which, properly administered, I believe represents a fine step forward. I hope it will be given a trial. There are funds in the bill to cover that phase of the program. It represents a great improvement, which I believe has been brought about largely through a stiffening of legislative opposition to the mutual aid appropriation and authorization bills, which opposition is reflected more and more on the floor of the Senate. I believe the loan development fund feature constituted a direct contribution to the entire program. I also believe that the opposition by the legislative branch, which has not been an opposition to the entire program, but to certain phases of it and to the "crash" program of too much and too fast, has been of great value, and that it can be safely reflected here today in a slowed down and more conservative program by sustaining the House figure in the appropriation bill.

That is what the next amendment on which we shall vote would do. That is the question before the Senate.

Let me mention one phase, to show how far we have gone. The other day I read an article to the effect that the German mark was either already selling, or would soon sell in the markets of the world, at a higher value than the American dollar. I could hardly believe the article was correct, but upon checking into it I found that it was.

Let me repeat, the German mark is so sound from a financial standpoint worldwide, and so much in demand, that it is bringing more in foreign exchange in the money markets of the world than is the American dollar.

Moreover, there are many hundreds of millions of American dollars in the pipeline now for German military aid. I could give the exact figures, but I understand they are classified. There are many hundreds of millions of dollars in the pipeline now for military assistance to Germany, a country whose money is selling at a higher value in world markets of exchange than is the American dollar.

If that money is in the pipeline in accordance with a promise, agreement, or understanding which was made at some time, I am not suggesting that it be taken out. However, it is a definite, concrete illustration of the fact that we have been going too fast. Someone's judgment was not good when we obligated all those funds to that great country—and it is truly great; I am not anti-German. But someone was going too fast, with too much easy money, which was voted on the floor of the Senate, when the appropriation of this enormous sum was made. Before it can be gotten through the pipeline, the German mark is outselling our dollar, which is a classic illustration of what I said awhile ago—too much, too fast, and too recklessly.

Getting down to figures—and I shall not detain the Senate much longer in connection with military aid, which is the only thing involved in this amendment—in the House bill as it came to us there was $114 mllion more than was appropriated for the same purpose last year. Of the sum appropriated last year, $538 million was left over, unused. Those figures were brought out in the Appropriations Committee room; and in my opinion, with due respect to everyone else, they have not yet been answered.

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

Mr. STENNIS. Let me complete this thought.

That is why I am supporting the House figure in the bill. Let me repeat, that in the House bill there is $114 million more than was appropriated for this purpose last year; and of the appropriation last year for this purpose $538 millon was left over and unused. That makes a total of more than $650 million.

I now yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I merely wished to bring out one point in connection with what the Senator has said in relation to the $538 million. The evidence submitted to our committee—and the figures were verified—showed that the unexpended balances in connection with the military assistance program alone, which is what we are discussing, were, on June 30, 1956, $4,563,000,000; on June 30, 1957, $4,261,000,000, or a reduction of $300 million in unexpended balances as compared with the previous year.

We must remember that, as the Senator knows, the lead time required is 2 years. It must be 2 years because of the planning of agreements with the other countries, the building of the equipment, and getting it over there. So when we talk about large unexpended balances we must remember that we have a smaller appropriation of new money this year, and the unexpended balances have come down about $800 million.

Mr. STENNIS. I thank the Senator, but I answer briefly in this way:

Taking first the figure he gave, of more than $4 billion in the pipeline at the present time, that means that if we should not appropriate a single dollar this year for military assistance there would be enough in the pipeline to carry on the program at the present rate for approximately 2 full years. I am not advocating, of course, that we eliminate all the present appropriations.

It is undisputed that there was $538 million left over from the appropriation last year, and the House figure would increase that amount by $114 million.

The pipeline argument, with respect to how long a time is required to deliver the goods, is highly controversial. One responsible Member of Congress, Representative PASSMAN, chairman of the House Appropriations Subcommittee, made the flat statement that 77 percent of military assistance items, instead of requiring a 2-year pipeline time, require only 90 days. His figure may be a trifle short. However, a great deal of this equipment is equipment which had already been manufactured for our use, which certainly greatly reduces the lead time.

Mr. President, I yield the floor.

UNANIMOUS-CONSENT AGREEMENT TO LIMIT DEBATE

During the delivery of Mr. STENNIS' speech,

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

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

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Mississippi [Mr. STENNIS] may be permitted to yield to me for the purpose of proposing a unanimous-consent agreement, with the understanding that the Senator from Mississippi will not lose the floor, that he will not be limited in his statement, and that this colloquy will appear at the close of the Senator's remarks.

Mr. STENNIS. I am glad to yield to the majority leader.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none.

Mr. JOHNSON of Texas. Mr. President, I should like to propose the agreement that at the conclusion of the remarks of the Senator from Mississippi—may I have the attention of the Senator from Mississippi? I wish to be sure he is protected.

Mr. STENNIS. I thank the Senator.

Mr. JOHNSON of Texas. That at the conclusion of the remarks of the Senator from Mississippi the Senator from Illinois [Mr. DIRKSEN] be recognized for 5 minutes, and that then the Senate proceed to vote on the committee amendment on page 2, line 6.

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

Mr. JOHNSON of Texas. I thank the Senator.

Mr. STENNIS. I thank the Senator from Texas.

The PRESIDING OFFICER. Under the unanimous-consent agreement, the Senator from Illinois [Mr. DIRKSEN] is recognized for 5 minutes.

Mr. DIRKSEN. Mr. President, this may seem like the 5-minute rule in the House of Representatives; but the time allotted will be adequate.

First, I wish to compliment the majority leader for the fine cooperative spirit he has exhibited, and for his effort in bringing to the floor a satisfactory bill.

I congratulate him also on his 49th birthday. I wish for him length of days, and every one of life's richest and best blessings.

I wish also to compliment those who work in the International Cooperation Administration and the military, who so ably demonstrated their capacity and their knowledge of the job before us. That list includes particularly Colonel Critz, Leonard Saccio, General Counsel of the ICA; John Murphy, Comptroller; John Holcombe, Mansfield Sprague, of the Defense Department, and others. I thought they gave a fine exposition of the bill, and demonstrated to the committee how thoroughly they understood the operation of this program.

It is not necessary for me to speak of the program. I think the program, the efforts of the committee, and the results which came from the committee speak for themselves.

There are only two things I should like to say for the RECORD. First, in connection with the pipeline, it seems to be easily forgotten that those sums represent obligations and commitments made long ago, and that foreign forces are based upon those obligations, quite aside from the new money which is appropriated by the bill. It is sometimes rather distressing that the whole pipeline situation is not adequately ventilated on the floor.

The second thing I should like to say is in response to a statement made by the Senator from Louisiana [Mr. ELLENDER]. He spoke about the complete dependence of other countries on the United States. I remind him that in the 6 years of this program, from 1950 to 1956, whereas the United States spent $12.3 billion, the NATO countries spent $78 billion. That is a ratio of $6 of expenditure by the NATO countries for every dollar expended by the United States.

With respect to the $500 million-odd left over, somehow it seems to be forgotten that that $500 million was generated through rescreening the program over a long period of time. It is testimony, I think, to the efficiency of the operation, and the careful analysis which has been made, not only by our military leaders, but by the ICA as well.

I think Admiral Radford stated the whole case thoroughly, and I am content to make a part of my remarks the last two statements Admiral Radford made before the committee on Monday, August 19. One is in some detail; the other is general, relating to policy. I ask unanimous consent, therefore, that they be printed in the RECORD as a part of my remarks.

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

STATEMENT BY ADM. ARTHUR RADFORD BEFORE THE SENATE APPROPRIATIONS COMMITTEE ON THE MUTUAL SECURITY PROGRAM, MONDAY, AUGUST 19, 1957

There are several other points which I believe need clarification inasmuch as I am fearful that they have been misunderstood during the course of our hearings on the mutual security program. First among these is the matter of the pipeline or, if you prefer to call it, unliquidated obligations. I would like to discuss this in three parts: first, what the amount is and the efforts we have been making to get it down; second, what the items are that are included in this pipeline and where they are going; and third, to discuss briefly the slightly over $500 million unobligated balance which has been reported to the Congress.

With respect to the amount of pipeline, or unliquidated obligations, as of the 30th of June the total in the military part of the program was $4.3 billion. Of this amount, $538 million was unobligated, therefore leaving under $3.8 billion as our pipeline of materials and equipment. I would like to call your attention to the fact that this pipeline of slightly less than $3.8 billion has been steadily decreasing since the peak was reached in 1953, when it was more than double this amount. We have been making great strides in reducing this unobligated balance by making more rapid deliveries and by shortening our administrative and production lead time. In the light of the present world situation, we are approaching what we consider to be an appropriate operating level. Of course, this could be changed by either an increase or a decrease in world tensions.

During the period that we have been providing military assistance to our allies, it has been necessary to procure items of equipment which have varying lead times for production and delivery. The accumulation in the programs of long lead time items has caused the creation of a pipeline. The content of the pipeline varies from missiles and their associated equipment to the more conventional items, such as vehicles and spare parts. The pipeline appears in the presentation which has been made to you by the Department of Defense as unliquidated obligations, but I am sure that you gentlemen realize that this money is all committed for the procurement of specific items of equipment. Too many people misunderstand this point and are prone to believe that the pipeline is simply money in the bank not matched by corresponding debts. This isn't the case. Not only have contracts been let which would be expensive and wasteful to terminate, but prospective recipients of this equipment have commenced personnel training, the acquisition of real estate if necessary, the reorganization of their forces, and the adaptation of their logistics systems. I am sure that you can see that tampering with equipment now represented by unliquidated obligations would be difficult, uneconomical, and frustrating to our allies.

I would like to give you some of the major items that are in this pipeline at this time. There are over $1¼ billion worth of aircraft, one-quarter billion dollars' worth of ships, one-quarter billion dollars' worth of guided missiles and rockets, and almost $400 million worth of electronics and radar. This type of equipment takes a long time to produce, most of it averaging out about 2 years; and even though in some instances we take items out of the inventories of our military departments to fulfill these requirements, the military departments are not willing to release the item until they have a replacement off the production line. Of the money we are asking you for today, a relatively small portion will be spent in this fiscal year. The major part of it will be for the delivery of this heavy equipment next year and the year after. We must plan ahead and we must be realistic in that planning.

The $500 million unobligated balance which the President reported to this Congress about 6 months ago resulted from a thorough analysis of the contents of the military-assistance program as it related to the operating requirements of the allied forces which we are assisting. I am sure that I do not have to remind this committee that changes in the political, military, and economic atmosphere anywhere in the world cause adjustments to this program. There are also the adjustments necessitated by changes in weapons systems. We keep this program under continuous review, and as political balances shift and technological advances occur, the necessary corrections are made.

I should like to also address myself to the reduction in the funds requested for defense support. Although administered by the Department of State and the International Cooperation Administration, these funds are vital to the existence of the military forces of those of our allies who, by virtue of their geographical position with respect to the Communists, must maintain forces far above their economic capabilities. The funds in this program provide that additional assistance which these nations must have if they are to maintain adequate forces without serious damage to their economies. The program which we had originally planned for Korea, Taiwan, Vietnam, Turkey, and Pakistan totals $700 million or over 78 percent of the total proposed defense support program. The ability of these countries to maintain these large forces is entirely dependent upon United States assistance. The reductions to this program which have been proposed by the House will necessarily affect either their economy or they must reduce their military effort. The present world situation does not justify a reduction in forces, and I'm sure that we would not desire to destroy their economies.

In concluding my remarks, I think I should give you an indication of just what will be the effect on our military assistance program if the full amount of the reduction made by the House is confirmed by this body. The President asked for over $2.4 billion. This amount was composed of $1.9 billion of new appropriations and the reappropriation of $500 million of the funds not obligated in 1957. This amount was requested for the following:

(a) $345 million to pay the routine costs of operating the program. This amount covers the costs of shipping the material and equipment which will be ready for delivery during the year, our part of the costs involved in the operations of the international military organizations in which we are members, and other administrative costs.

(b) $980 million for the costs of maintaining the forces which have already been created. This is nothing more than the spare parts, training, repairs and replacement items necessary to help these "in being" forces maintain their present state of effectiveness.

(c) $175 million to finance credit sales. This money will be returned to the United States—it is not for grant aid. Many of our allies have the ability to finance their own defense needs. However, some are not in a position to meet all these foreign exchange transactions on a cash basis within a single year. The funds would be used to finance these sales and thus permit the countries to repay us over a period of about 3 years.

(d) $900 million for that new and more modern equipment which is essential to helping our allies in their efforts to keep pace with the technological advancement being made in the Communist forces. Examples of the weapons included are over 400 aircraft, 17 destroyers and minesweepers with the latest electronics and weapons, over 350 tanks, and equipment for 16 battalions of guided missiles and rockets.

The over $600 million reduction in military assistance cannot be spread out over all the four parts of the program which were outlined above. First, we must continue to operate the program. Since most of the equipment that will be delivered during the year will result from appropriations of prior years, the fixed costs of operations will not change materially. Second, the $980 million required for the maintenance of "in being" forces must remain intact—it would indeed be false economy to jeopardize the readiness of forces which have already been created. Third, we have been pressing our allies to share more of the burden of defense costs. Many of these indicated a willingness to help, but they do not have the dollars to pay cash. To reduce the amount earmarked for financing military sales would mean that the allies would not get the needed weapons or that we would have to provide them on a grant basis.

Any reduction, therefore, if the program is to remain effective, must come from the $900 million intended to assist our allies to improve their forces to meet the Communist threat. Such improvement is in consonance with, and necessary to, our defense plans. This means that our allies, to a large extent, must be satisfied with what they have. And facing these same allies are the Communists who are continuously modernizing and improving their forces. To be more specific, it means that—

1. The Baghdad Pact countries, literally bordering on Russia and having little or no industrial capability, will have to get along with some equipment which was on hand before World War II.

2. Korea and Taiwan must face the Russian equipped Chinese and North Koreans without equal weapons.

3. The great deterrent power of NATO will be weakened. To a considerable extent, the European forces are equipped with World War II equipment. Although their economy has made a rapid recovery, they have not been able to keep up with the United States in the technological advances being made in modern weapons. They look to us for assistance. With the limited funds remaining for this modernization, it will be necessary to drastically reduce the aircraft, guided missiles, and other weapons in the program.

The modernization program should follow an evolutionary process similar to that of our own United States forces. This reduction in military assistance funds precludes the orderly implementation of such a process.

Statement by Adm. Arthur Radford Before the Senate Appropriations Committee on the Mutual Security Program, Monday, August 19, 1957

I welcome this opportunity to again appear before your committee in support of this year's mutual-security program. Exactly 1 month ago, in my then official capacity as Chairman of the Joint Chiefs of Staff, I appeared before you and stated unequivocally that I thought this program was both necessary and modest and that it was an essential part of our own national security program. I still think so.

Reading the record of the debate on this program which took place last week in the House of Representatives, I am appalled at the fact that we have not been able to put this program in its proper perspective before the American people. I say this because those Members of Congress who argued against the program—or for a greatly reduced program—for the most part sincerely and unaoubtedly reflected the views of their constituents. This opposition generally presented the program as a vast boondoggle—poorly managed—a giveaway program reminiscent of the WPA era. When I hear statements like that made by sincere Americans, it worries me. They are just not compatible with the military facts of life as they exist today. The time is past when we could depend on our vast industrial capacity to build a war machine that would pull us through—after an emergency occurred. The time is past when we would be given time to train our reserves of manpower, equip them, and transport them overseas to meet an enemy.

In the next war, whether it be of the global or limited variety, we are going to depend almost entirely on trained forces in being and already in place in the danger spots around the world. That is where our mutual-security program comes in. For the past 9 years, we have been developing a national defense posture which is integrated with, and depends upon—let me repeat that—depends upon—indigenous forces and bases around the world. There are two alternatives to such strategy:

First, United States forces in much larger numbers could take the place of these indigenous forces. In most allied countries, they would be welcomed as visible evidence of our determination to stand with them against the Communist menace; but it would require a major mobilization effort on our part, and nearly every able-bodied young man of military age would spend several years of his life in military service overseas. The cost would be staggering.

Or, second, we could adopt a fortress America concept. In the world we live in today, such a concept is entirely negative and would merely mean that we postponed an ultimate and violent showdown with international communism or, in the long run, would capitulate.

The program of national security which has been followed for the last 9 years is a positive program and has had bipartisan support. It is, in my opinion, the only program which offers us the hope of avoiding global war, and without such a war, of ultimately prevailing over Communist enemies who are still determined to destroy our way of life if they can.

If our national security program is to be changed, let us make the change advisedly and not cover up the facts of life with arguments which avoid or hide the real issues.

I am sure that the mothers—the fathers—the wives—in our country would vote for an adequate mutual security program if they understood it. Our mutual security program is not foreign aid—it is not a giveaway program—it is a program which is in the best interests of the people of the United States and their friends and allies of the Free World who want to stay free. It does not mean that we hire our friends to do our fighting for us, as the Communists so often charge. It means that each country in the Free World is prepared to do what it can to defend itself and counts on the great reserve of power in the United States to come to its assistance when trouble starts.

I do not maintain that our handling of the military aid program has been perfect. As I have traveled around the world in the last 4 years, I have found evidence of mistakes in judgment and in administration. Whenever this happened, I took immediate corrective action if within my field of authority or dispatched recommendations for changes to higher authority.

Let me point out that this mutual security program in its magnitude and complexity is probably without precedent in history. Certainly, it is much more difficult to handle than the lend-lease program of World War II. The personnel of the Defense Department—civilian and military—in Washington and abroad are doing their best to administer the program efficiently. We have made great progress in the last 9 years—and admit there is still room for improvement.

What we cannot admit is that this program can be materially reduced without endangering the entire foundation of the collective security policy the United States has been following for the last 9 years. As I said earlier, if this policy is to be changed, let us make that change the issue straightforwardly.

I am certain there is not one citizen in the United States who wants war. Therefore, I am equally certain that if all our citizens understood the mutual security program for what it is—an important part of our national program to prevent war—they would unanimously vote for it.

Mr. DIRKSEN. I have only one other thing to say. I am delighted that in the military program there was included the sum of $175 million, which will be used to pay for hardware and military equipment for countries such as Saudi Arabia, Venezuela, and others. All of that money will be repaid to the United States in due course. They do not have the credit or the cash to pay for that equipment, so we must stake them for a while; but that money, which is represented in the military estimate before us, will be repaid in due course to the Treasury of the United States.

If we cut the appropriation for military assistance any further, it will perforce have to come out of the weapons modernization program. There are countries which have no better than World War II weapons, and, I apprehend, there are some countries which have weapons that even antedate World War II. If they are to reduce their forces, then, of course, they must be equipped with the best weapons we can supply as a part of the mutual-security program, which directs itself to the security and to the survival and to the well-being of the United States of America. That is the justification for it.

I trust that the Senate will support the committee position, which was taken by a vote of 14 to 7. If my time has been exhausted, in accordance with my understanding with the majority leader I am ready to sit down and let the vote be taken.

The PRESIDING OFFICER (Mr. MORTON in the chair). All time for debate has expired. The question is on the committee amendment on page 2, lines 6 and 7.

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

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered. The question is on agreeing to the committee amendment on page 2, lines 6 and 7. On this question the yeas and nays have been ordered.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

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

Mr. JOHNSON of Texas. The vote now is on the committee amendment on page 2, line 6. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. JOHNSON of Texas. A yea vote is a vote for the committee amendment; a nay vote is a vote for the House figure.

The PRESIDING OFFICER. The Senator is correct. A yea vote is for the Senate Appropriations Committee's figure of $1,475,000,000; a vote of "nay" is a vote to sustain the House figure of $1,250,000,000.

The yeas and nays have been ordered. The clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from West Virginia [Mr. NEELY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I further announce that if present and voting, the Senator from West Virginia [Mr. NEELY] and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "yea."

On this vote, the Senator from New Mexico [Mr. ANDERSON] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from New Mexico would vote "nay," and the Senator from Alabama would vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The Senator from Maryland [Mr. BUTLER], the Senator from South Dakota [Mr. CASE], and the Senator from Indiana [Mr. CAPEHART] are absent on official business.

On this vote, the Senator from Maryland [Mr. BUTLER] is paired with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Maryland would vote "nay," and the Senator from Indiana would vote "yea."

The result was announced—yeas 59, nays 28, as follows:

YEAS—59

Aiken
Allott
Barrett
Beall
Bennett
Bush
Carlson
Carroll
Case, N. J.
Chavez
Church
Clark
Cooper
Cotton
Dirksen
Douglas
Flanders
Fulbright
Goldwater
Gore
Green
Hayden
Hennings
Hickenlooper
Hill
Holland
Humphrey
Ives
Jackson
Javits
Johnson, Tex.
Kefauver
Kennedy
Knowland
Kuchel
Magnuson
Martin, Iowa
Martin, Pa.
McNamara
Monroney
Morton
Mundt
Neuberger
Pastore
Payne
Potter
Purtell
Revercomb
Saltonstall
Schoeppel
Scott
Smathers
Smith, Maine
Smith, N. J.
Symington
Thye
Watkins
Wiley
Williams

NAYS—28

Bible
Bricker
Byrd
Curtis
Dworshak
Eastland
Ellender
Ervin
Frear
Hruska
Jenner
Johnston, S. C.
Kerr
Langer
Lausche
Long
Malone
Mansfield
McClellan
Morse
Murray
Robertson
Russell
Stennis
Talmadge
Thurmond
Yarborough
Young

NOT VOTING—8

Anderson
Bridges
Butler
Capehart
Case, S. Dak.
Neely
O'Mahoney
Sparkman

So the committee amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the committee amendment was agreed to be reconsidered.

Mr. KNOWLAND. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. CLARK. Mr. President, I should like to detain my colleague for only approximately a minute and a half, in order that I may ask the distinguished Senator from Arizona [Mr. HAYDEN], the chairman of the committee, whether he will be willing to answer a question in regard to section 102 of the bill.

That section now reads as follows:

> SEC. 102. No part of any appropriation contained in this act shall be used for publicity or propaganda purposes within the United States.

I have been concerned as to whether that language might be construed as preventing the Government agency from giving information to nationwide agencies which are interested in learning about the program, and thus might prevent the American people from knowing what is going on in this Agency.

As I read the provision, however, I do not believe that is the intent.

Will the Senator from Arizona state the intent?

Mr. HAYDEN. First of all, this section came into the bill as the result of an amendment offered on the floor of the House of Representatives. As agreed to by the House, the amendment read as follows:

> No part of any appropriation contained in this act shall be used for publicity or propaganda purposes not heretofore authorized by the Congress.

Our committee voted to amend that language by striking out the words "not heretofore authorized by the Congress" and by inserting the words "within the United States."

The committee did so for the reason that it is obvious that this Agency must have the right to engage in some propaganda activities in foreign countries.

I think the statement by Mr. Hollister, which appears on pages 582 and 583 of the hearings, probably answers the question the Senator from Pennsylvania has asked. Included in the hearings is the following statement by Mr. Hollister:

> We have, of course, regularly been providing information, as distinguished from propaganda and publicity, to the Congress and the American public with regard to the mutual-security program. This is in accord with the responsibility of Government agencies to keep the public informed of their operations and of the way in which they are using the public funds entrusted to them. The conference committee which adopted the Dworshak amendment explicitly stated (H. Rept. 2031, 82d Cong., p. 18) that "there should not be any interference with the supplying of full information to the Congress and to the public concerning the operations of the mutual security program." Recently there have been several expressions of Congressional view that a more thorough job should be done of informing the American public of what is being done with foreign-aid appropriations and what results are being achieved.
>
> Also, activities are being carried out to disseminate in other countries information and publicity on the mutual security program. Congress has often made clear its intention that the peoples of other countries should be kept fully aware of the assistance being furnished to them by the United States.
>
> These types of activity which are now being carried on for supplying information to the American people and for furnishing information and publicity in foreign countries could, it seems clear, continue to be conducted without change under the language of the House provision.

Mr. CLARK. I thank the Senator from Arizona.

Mr. SYMINGTON. Mr. President, there are aspects of this military security bill which appear inconsistent with the rest of administration policy.

On May 14 last, the President went before the American people on a national telecast and urged with all the authority of his office that the Senate restore reductions made by the House of Representatives in the national defense budget.

At that time he said:

> I earnestly believe that this defense budget represents, in today's world, the proper dividing line between national danger on the one hand and excessive expenditures on the other. If it is materially cut, I believe the country would be taking a fearful gamble.
>
> For myself, I have seen unwise military cuts before. I have seen their terrible consequences. I am determined to do all I can to see that we do not follow that foolhardy road again.

In this position he was supported, later on, before a Senate subcommittee, by every civilian and military leader in the Pentagon.

Accordingly, the Senate restored most of the money he requested.

But only a few weeks later the administration said, "Never mind"—that the money was not really needed—thereby implying that the President had made a mistake.

Was this decision to reduce our military strength made because of any improvement in world conditions?

Was it made because of the steadily deteriorating position of the Free World in the Middle East?

In that the Eisenhower Middle East doctrine is getting steadily closer to practical application—which would mean the participation of American forces in that part of the world—did it mean we do not now intend to live up to that doctrine?

Was it because the administration felt that more unilateral disarmament would help our bilateral disarmament negotiations which now are going on in London with the Communists?

No; it was not any of these.

Because of fiscal and budgetary reasons, the administration decided the United States could no longer afford to maintain its current military strength.

In other words, the richest Nation in world history and the only real remaining power against the steady growth of Communist aggression cannot afford to keep pace with the Communists in defense preparation.

So now, we plan, with calculation, to pass over to the Communists superiority in all defense fields except our surface Navy.

How many Americans realize that in 1953, when this country in effect had an atomic monopoly, we were spending nearly 14 percent of our gross national product—our wealth—on national defense?

But today, when most assuredly we no longer have that monopoly, we are spending less than 10 percent of our wealth for security; and this administration now plans to spend even less than that.

These were the conditions as we found them yesterday morning.

Now a new and important development has just occurred—announcement by the Soviet of their successful firing of an intercontinental ballistic missile.

Many people will say this is just propaganda—and no one could ever dispute the merit of that observation. To the best of our knowledge, however, the Soviets have never yet announced the achievement of a weapon which they did not later produce in quantity.

Mr. President, for months a great newspaper, the New York Herald Tribune, has been pointing out the danger incident to the growing relative military strength of the Communists.

In this connection, a front-page editorial heading a story, "Moscow Reports Intercontinental Missile Success—Test Rocket Said To Hit Target Area—Russians Talk of World Range," is pertinent, and I ask unanimous consent that it be included at this point in the RECORD.

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

MOSCOW REPORTS INTERCONTINENTAL MISSILE SUCCESS—TEST ROCKET SAID TO HIT TARGET AREA—RUSSIANS TALK OF WORLD RANGE

Russian success in building an intercontinental missile before the United States significantly alters the world power situation. Not since the explosion of the first Soviet H-bomb in August 1953 has Russian military power taken such a giant step forward. At present there is no defense against the intercontinental ballistic missile with an H-bomb in its nose. If the Soviets beat the United States into mass production with these missiles—an event still several years off—the Russians will be able to use atomic blackmail on the Free World almost at will. The balance of terror is shifting to the East.

Mr. SYMINGTON. For years many of us have been noting that the Soviets, under the experience, knowledge, and drive of such leaders as Blagonravov, Groettrup, and Kapitsa, have been moving ahead in the intermediate range ballistic missile field. Now it would appear that they may well be leading in the intercontinental ballistic missile field.

And what is our answer? Because of budget and fiscal considerations, the administration recognizes this, the gravest threat ever faced by the United States, by slowing down our activities in the ICBM field.

Why? Because we cannot afford to do otherwise.

This is the background against which we are now being asked to vote foreign military aid.

In January of this year the President requested $4.4 billion of new obligational authority for the mutual security program—$2.450 billion for military aid and $1.950 billion for economic aid.

This at that time he called part of a "carefully balanced budget, adapted to the needs of the present and the future."

For reasons which are not clear, the $4.4 billion was later reduced to $4 billion.

Then on a nationwide telecast last May 21, the President made a special plea to the American people in support of his foreign aid budget. At that time he said:

> In my judgment these programs do more than any other—dollar for dollar—in securing the safety of our country.

And also asserted that to cut foreign aid would be a "gamble with peace."

But on May 14 the President, just a week before, had said it would be a "fearful gamble" to cut any of the defense budget which later, in July, he said had to be cut because we could not afford it.

As his fiscal problems mount, will he use this money if the Congress appropriates it?

Only time can tell.

The bookkeeping on foreign aid could not be in more confusion.

In any case, much of the money cannot even be accounted for.

Relying upon the data furnished by the administration, Members of the Congress have come up with figures which vary tremendously with respect to 1957 carryover and the availability of funds for fiscal year 1958. In fact, they vary from $93.7 million of unobligated and unspent funds, to as high as $10 billion to $12 billion of money which will be available in the fiscal year 1958.

Just how mixed up and unbusinesslike can one get?

The confusion is further compounded by various contradictory assertions as to counterpart funds, Public Law 480 funds, economic development loans, military funds, defense support funds.

Nobody is really clear on all the facts.

It is hard for me to justify the logic of this administration's first cutting off operating funds from Americans who now face the Communists in foreign countries, and then adding hundreds of millions for military aid to the forces of other countries.

Two wrongs do not make a right, however, and because I do not believe this Nation can stand alone, I cannot bring myself to vote to cut off military assistance to our allies just because comparable assistance has been cut off from our own forces.

It is true that, under current world conditions, any strength not dominated by communism should be an advantage to the United States.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. KNOWLAND. Mr. President, on that question I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. AIKEN. Mr. President, I think the Appropriations Committee has done a very excellent job in preparing and reporting the bill. I say that as one who had hoped there would come from the committee a bill providing more than the pending bill appropriates. I realize what an uphill job the committee had to report the bill, even though I would have liked to have had it different in some respects. Some items in the bill, however, disturb me a little bit. I notice the military-assistance figure as approved by the House was raised by the Senate committee $225 million. I also notice the development loan fund was raised $100 million; that special assistance was raised $50 million, that the defense-support figure was raised $114 million; but that the amount appropriated for technical cooperation, or technical assistance, as it is called, was increased only $1,900,000. I have always felt that we get more for a dollar spent on technical assistance than we do from any other foreign-aid funds.

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

Mr. AIKEN. I yield.

Mr. SALTONSTALL. The reason for that was that the House reappropriated $12 million, which had not been put into the estimates, so that in raising it $1,900,000 there has to be taken into account the fact that the House provided $12 million more than the President had requested.

Mr. AIKEN. Does not the total amount represent a reduction from the appropriation of last year.

Mr. SALTONSTALL. Yes; it does.

Mr. AIKEN. I regret that very much. I had hoped the committee would be willing to adjust these amounts somewhat to add a little more to technical cooperation, even if it had to deduct it from one of the other larger increases. However, as I say, I realize the committee had an uphill job to do as well as it did do.

Much as I would like to offer an amendment to increase the technical assistance appropriation, I shall forbear at this time, with due regard to the efforts of the chairman of the committee, the majority leader, the minority leader, and other Senators who have worked so hard to get as good a bill as the one before us.

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

Mr. AIKEN. I yield.

Mr. ELLENDER. The reason it was not increased, as I said recently, was that it was one of the programs in which there was a carryover of $174 million.

Mr. AIKEN. I hope there is a sufficient carryover so the program will not be seriously crippled this year.

Mr. ELLENDER. In the technical aid program for fiscal year 1957, $136,620,000 was appropriated, comprised of $135 million of new money and a reappropriation of $1,620,000. Of this amount, ICA was only able to obligate $124,567,000, leaving a total of $12,053,000 unobligated at the end of fiscal year 1957.

For fiscal year 1958, the House has appropriated a total of $125 million, comprised of $113 million of new money and a reappropriation of $12 million. Thus the amount appropriated for fiscal year 1958 is $433,000 more than was used in fiscal year 1957. This amount should be more than adequate when an unexpended amount aggregating $174 million is available which gives a total amount available for expenditure in fiscal year 1958 of $299 million and this to pay primarily for personal services.

Mr. MORSE. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MORSE. Mr. President, I shall make a very brief statement of my reasons for voting for the bill, though I wish I could vote for a much better bill than this. However, ever since I have been in the Senate, I have supported the principles and objectives of foreign aid. I still stand for those principles and objectives. This year the choice I had to make up until this point was a choice between alternatives as to amounts. I have made my major speeches on the subject matter so far as the details of the bill are concerned. I wish to say again that I think the President of the United States and the Secretary of State are guilty of the grossest misrepresentations to the American people in regard to the need for the amounts involved in this bill.

I think there are in the bill hundreds of millions of dollars of waste which ought to be saved for the taxpayers of the United States. I think when the taxpayers come to find out the policy of this administration, with its inconsistencies and vacillations in the field of foreign aid, they will repudiate the administration. However, I think that foreign aid is needed, both economic and military. As a member of the Foreign Relations Committee, my difference with the Appropriations Committee has been over the amount of money that has been recommended.

However, I shall vote for the bill on final passage in the hope, Mr. President, that the House conferees, as we sometimes say in the Senate language, will hang tough in conference and will insist on the lower figure, because I think the Senate figure is entirely too high. It will involve a great waste, and a savings should be made for the taxpayers.

I shall vote for the bill because I support the principle of foreign aid.

The PRESIDING OFFICER. The question is, Shall the bill pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from West Virginia [Mr. NEELY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I further announce that, if present and voting, the Senator from West Virginia [Mr. NEELY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Alabama [Mr. SPARKMAN] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The Senator from Maryland [Mr. BUTLER], the Senator from South Dakota [Mr. CASE], and the Senator from Indiana [Mr. CAPEHART] are absent on official business.

If present and voting, the Senator from Maryland [Mr. BUTLER] and the Senator from Indiana [Mr. CAPEHART] would each vote "yea."

The result was announced—yeas 62, nays 25, as follows:

YEAS—62

Aiken
Allott
Beall
Bennett
Bush
Carlson
Carroll
Case, N. J.
Chavez
Church
Clark
Cooper
Cotton
Dirksen
Douglas
Flanders
Fulbright
Gore
Green
Hayden
Hennings
Hickenlooper
Hill
Holland
Humphrey
Ives
Jackson
Javits
Johnson, Tex.
Kefauver
Kennedy
Knowland
Kuchel
Lausche
Magnuson
Mansfield
Martin, Iowa
Martin, Pa.
McNamara
Monroney
Morse
Morton
Mundt
Murray
Neuberger
Pastore
Payne
Potter
Purtell
Revercomb
Saltonstall
Schoeppel
Scott
Smathers
Smith, Maine
Smith, N. J.
Symington
Thye
Watkins
Wiley
Williams
Yarborough

NAYS—25

Barrett
Bible
Bricker
Byrd
Curtis
Dworshak
Eastland
Ellender
Ervin
Frear
Goldwater
Hruska
Jenner
Johnston, S. C.
Kerr
Langer
Long
Malone
McClellan
Robertson
Russell
Stennis
Talmadge
Thurmond
Young

NOT VOTING—8

Anderson
Bridges
Butler
Capehart
Case, S. Dak.
Neely
O'Mahoney
Sparkman

So the bill (H. R. 9302) was passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

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

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Texas to reconsider.

The motion to lay on the table was agreed to.

Mr. HAYDEN. Mr. President, I move that the Senate insist upon its amendments, request a conference with the

House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. **Hayden**, Mr. **Russell**, Mr. **Chavez**, Mr. **Ellender**, Mr. **Hill**, Mr. **Saltonstall**, Mr. **Knowland**, Mr. **Thye**, and Mr. **Dirksen** conferees on the part of the Senate.

BUDGET REQUESTS AND REDUCTIONS THEREOF

Mr. JOHNSON of Texas. Mr. President, in the regular appropriation bills which have been submitted, there have been budget estimates of $56,048,333,463. The mutual security appropriation bill previously had a budget estimate of $4.4 billion. The estimate for the supplemental appropriation was $1,973,767,827. The atomic energy appropriation bill had a budget estimate of $2,491,625,000. Those figures make up a total of $64,913,726,290 of budget estimates.

As to the appropriations which have been granted, the regular appropriation bills have provided $52,174,706,259. The mutual security appropriation bill as it has passed the Senate now provides $3,025,660,000, and the supplemental bill provides $1,734,011,945. The atomic energy appropriation bill provides $2,323,632,500. Those figures represent a total of $59,258,010,704.

Mr. President, this represents total reductions from the budget estimates thus far, on the basis of the action the Senate has just taken, by increasing the House bill $500 million, of $5,655,715,586, or a percentage reduction of 8.7 percent. I want to express the appreciation of the Senate and the country for the diligence and painstaking efforts of each member of the Committee on Appropriations, which has considered all the regular bills plus the supplemental bills.

I am hoping it will be possible to go to conference with the other body on the mutual security appropriation bill, and to complete the action on the last appropriation bill we will consider this session during this week.

THE MAJORITY LEADER'S BIRTHDAY

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

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

Mr. GOLDWATER. Mr. President, I wish to thank the majority leader for giving us those figures. I consider that they represent quite a birthday present for the people of the United States. I think it is only proper that at this time we recognize that the man who announced that birthday present is celebrating his 49th birthday. The junior Senator from Arizona rises merely to extend to him happy birthday greetings, and to wish him well.

Mr. JOHNSON of Texas. I thank the Senator, very much.

[Applause, Senators rising.]

Mr. YARBOROUGH. Mr. President, it is a privilege to serve in this body, particularly with the distinguished majority leader of the Senate. When he first became majority leader, he was the youngest majority leader in the history of this body. He had a notable career in the House of Representatives before he was elected to the Senate by the people of Texas in a campaign which proved his fighting qualities—and campaigns in Texas are not mild.

I have found him to be a most able leader of the majority party. He can conciliate, and does conciliate, all factions, and brings to the party a truly national point of view on the national problems with which we wrestle in this Chamber.

I speak on behalf of the people of Texas when I say that I regret that he is not in Texas today, because the people customarily give the majority leader a great birthday party in Texas. Because of the long session, he has remained at his post of duty here, and deprived himself of the privilege of enjoying a wonderful birthday party in Texas. He receives probably the warmest birthday greeting party anyone in the State of Texas receives, and probably the warmest year after year, anyone has received in that State.

I join in the tributes paid and in the congratulations and warm good wishes extended to the majority leader, my senior colleague from Texas.

Mr. JOHNSON of Texas. I thank my friend from Texas and my other colleagues.

ADDITIONAL CIRCUIT AND DISTRICT JUDGES

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the Record as a part of my remarks excerpts from the report of the Judicial Conference on the Need for Additional Judges in the Federal Courts.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

The Judicial Business of the United States Court of Appeals for the Second Circuit

As originally enacted, the Judicial Code of 1911 provided for 4 circuit judgeships for the second circuit (36 Stat. 1131). The number was raised to 5 by the act of February 28, 1929 (45 Stat. 1346) and to 6 by the act of May 31, 1938 (52 Stat. 584). The number of judgeships has remained the same since that time. The jurisdictional area of the circuit covers the States of Connecticut, New York, and Vermont which, according to the 1950 census, had a combined population of 17,215,219. Court is held in New York City.

From 1941 to 1950 there was a declining trend in the cases filed in this court. For the next 4 years the number stabilized in the vicinity of 350 cases a year, but during the fiscal year 1955 there was an increase of almost 60 percent over the previous fiscal year, resulting in an increase in pending cases from 154 on June 30, 1954, to 282 on the same date a year later. During the fiscal year 1956 there was some reduction in the number of cases commenced. The number of cases terminated continued to increase however and pending cases were reduced by 18. The figures were: cases commenced 462, cases terminated 480, and cases pending at the end of the fiscal year, 264. In the first half of the fiscal year 1957 covering the period from July 1 to December 31, 1956, the upward trend has been resumed with filings greater than those in the first half of the record fiscal year 1955.

The flow of cases in the first half of the fiscal years 1955, 1956, and 1957 in this court have been as follows:

	Pending at beginning of half year period	Filed July 1 to Dec. 31	Terminated July 1 to Dec. 31	Pending at end of half-year period
July 1 to Dec. 31, 1954	154	275	142	287
July 1 to Dec. 31, 1955	282	224	174	332
July 1 to Dec. 31, 1956	264	281	183	362

In the first half of the fiscal year, which includes the summer vacation, it is natural for terminations to be less than cases filed, but a warning signal is given when the pending load continually mounts as it is doing in this circuit.

The figures for the past 16½ years are given in table I, attached.

Almost one-half of the cases commenced in the Court of Appeals for the Second Circuit are appeals from the United States District Court for the Southern District of New York, and the number of these filed annually averaged about 170 cases from 1950 to 1954, but increased to 270 in the fiscal year 1955, and was 251 in 1956. Appeals from the other district courts have also increased. The following table shows the source of appeals for the last 7 years:

Source of appeals and original proceedings commenced in the U. S. Court of Appeals for the 2d circuit during the fiscal years 1950 to 1956

Source of appeal	Fiscal year						
	1950	1951	1952	1953	1954	1955	1956
Total appeals	318	361	350	352	366	581	462
Connecticut	16	11	15	17	22	33	21
New York, northern	7	5	10	12	10	31	15
New York, eastern	34	49	33	43	39	76	65
New York, southern	186	177	165	167	159	270	251
New York, western	15	11	7	19	19	28	15
Vermont	4	2	2	3	3	8	6
The Tax Court of the United States	32	54	57	43	52	69	51
National Labor Relations Board	18	31	35	29	45	36	20
All other boards and commissions	5	12	12	12	7	16	10
Original proceedings	1	9	14	7	10	14	8

From 1950 to 1956 total appeals have increased by 45 percent and appeals from the courts by 42 percent. During the first half of the fiscal year 1957 the trend is again up.

For the last 6 years the number of appeals commenced per judgeship in the second circuit has averaged 69 compared to the national average per judgeship in the same period of 50.

The caseload per judgeship for each circuit since 1941 is shown in table 2, attached. The number of cases filed per judgeship in 1954, 1955, 1956, and the first half of 1957 was as follows:

Cases commenced per judgeship

	Fiscal year			
	1954	1955	1956	1st half of 1957
All circuits	51	54	53	27
District of Columbia	52	49	60	24
1st	35	51	42	18
2d	61	97	77	47
3d	36	44	39	20
4th	70	67	70	37
5th	73	75	73	37
6th	51	53	52	28
7th	50	48	49	24
8th	33	37	34	13
9th	57	43	43	25
10th	42	48	48	23

In the fiscal year 1954, the second circuit caseload per judge of 61 was exceeded only by the fourth and fifth circuits and was 20 percent over the national average of 51. In the fiscal year 1955, the second circuit stood first with an average caseload per judge of 97, almost 80 percent above the national average of 54. Again, in 1956, the second circuit was first with 77 cases filed per judge compared with the national average of 53, and, once again, in the first half of the fiscal year 1957, it had the largest number of cases filed per judge, with a caseload 74 percent above the national average and 10 cases per judge more than in any other circuit.

The median from docketing to disposition for this circuit compared with the median for all circuits since 1942 is shown in table 8, attached.

In spite of the heavy load, including many cases of great importance, the circuit has kept up its excellent record of prompt disposition of appeals. With the recent death of Circuit Judge Jerome Frank, the court now has an added handicap until the vacancy is filled, particularly since Judge Frank was known for the speed and facility with which his able opinions were written.

The following table shows the caseload per judge in other circuits in the fiscal year preceding that in which Congress created additional judgeships. In all but one instance this followed a recommendation by the Judicial Conference of the United States:

Additional circuit judgeships created by Congress since 1939 with the caseload per judge of the circuit in which the judgeship was recommended during the year preceding the action by Congress

Circuit	Number of additional judgeships	Date of act	Caseload per judge of cases filed during preceding fiscal year
6th	1	May 24, 1940	60
8th	2	May 24, 1940	63
5th	1	Dec. 14, 1942	77
3d	1	Dec. 7, 1944	55
District of Columbia	3	Aug. 3, 1949	77
3d	1	do	42
7th	1	do	55
10th	1	do	54
5th	1	Feb. 10, 1954	80
9th	2	do	64

The 1955 caseload of 97 cases commenced per judge in the second circuit is larger than that of any other circuit where the creation of judgeships was recommended, and the 1956 caseload of 77 cases per judge is equal to that of the fifth and District of Columbia circuits, when additional judgeships were created for those circuits.

The Judicial Conference of the United States on March 24, 1955, in response to a request from the judicial council of the second circuit, recommended the creation of one additional circuit judgeship for this court.

At a meeting in January 1957 the circuit council of the circuit voted to recommend 2 additional circuit judges for this court instead of 1. The reason for this is the current increase in the business of the court, which seems to be in line with the long-term trend, the greatly augmented strain under which the court has been working during the last 2 years, and the growing number of trials and, thus, potential appeals in the district courts of the circuit.

The following table compares the cases per judge filed in the circuit in 1956 with the average for all circuits, and then on the basis of 7 judges for the second circuit court, the total for all circuits including the 2 judgeships recommended by the Judicial Conference (1 for the second circuit and 1 for the fourth) and finally on the basis of 8 judges for the second circuit court and for the national average the present number of judgeships plus 2 for the second circuit and 1 for the fourth.

	2d circuit—Number of—		All circuits—Number of—	
	Judgeships	Cases	Judgeships	Cases
1956	6	77	68	53
1956: On the basis of the judgeships recommended by the Judicial Conference	7	66	70	51
1956: On the basis of the judgeships recommended by the Judicial Conference plus an additional judgeship for the 2d circuit	8	58	71	51

It will be observed that with 8 judges, based on the 1956 cases filed, the second circuit caseload per judge is well above the national average and, as will be seen from table 2, would be above the caseload in 7 of the other circuits.

The recommendation of the second circuit council for an eighth judge for this court will be considered by the Judicial Conference of the United States when it meets on March 14 and 15, 1957.

Respectfully submitted.

WILL SHAFROTH,
Chief, Division of Procedural Studies and Statistics, Administrative Office of the United States Courts.

FEBRUARY 5, 1957.

2D CIRCUIT

Table 1

Fiscal year	Filed	Terminated	Pending	Terminations after hearing	Terminations per judgeship after hearing
1941	533	548	142	408	68
1942	501	471	172	363	61
1943	499	504	167	338	56
1944	595	547	215	349	58
1945	466	520	161	380	63
1946	425	450	136	296	49
1947	378	386	128	269	45
1948	381	378	131	287	48
1949	344	351	124	270	45
1950	318	355	87	292	49
1951	361	319	129	268	45
1952	350	349	130	286	48
1953	352	359	113	296	49
1954	366	325	154	264	44
1955	581	453	282	349	58
1956	462	480	264	369	62
1957 (1st half)	281	183	362	--------	--------

TABLE 2.—*Cases commenced per judgeship in the United States courts of appeals during fiscal years 1941–56, by circuit, including 1st half of fiscal year 1957*

NUMBER OF CASES COMMENCED

Circuit	1941	1942	1943	1944	1945	1946	1947	1948	1949
Total all circuits	56	57	53	53	46	45	44	47	51
District of Columbia	45	58	45	47	47	49	44	58	77
1st	29	33	40	35	28	25	33	26	25
2d	89	84	83	99	78	71	63	64	57
3d	57	58	71	55	50	33	44	48	42
4th	53	46	52	49	41	36	43	49	56
5th	81	77	58	59	55	50	54	66	76
6th	54	47	46	41	34	39	35	38	36
7th	68	65	57	56	48	52	56	46	55
8th	47	40	44	36	30	39	23	27	29
9th	42	48	42	49	38	41	45	41	46
10th	47	62	47	48	55	45	40	49	54

TABLE 2.—*Cases commenced per judgeship in the United States courts of appeals during fiscal year 1941–56, by circuit, including 1st half of fiscal year 1957*—Continued

NUMBER OF CASES COMMENCED

Circuit	1950	1951	1952	1953	1954	1955	1956	1st half of 1957
Total all circuits	44	46	47	50	51	54	53	27
District of Columbia	48	44	48	47	52	49	60	24
1st	22	27	27	28	35	51	42	18
2d	53	60	58	59	61	97	77	47
3d	34	39	40	42	36	44	39	20
4th	65	58	58	56	70	67	70	37
5th	68	70	75	80	73	75	73	37
6th	40	38	38	51	51	53	52	28
7th	46	39	34	43	50	48	49	24
8th	26	32	34	33	33	37	34	13
9th	45	58	63	64	57	43	43	25
10th	32	39	38	32	42	48	48	23

TABLE 3.—*Median time interval in months from docketing to final disposition of cases heard or submitted, fiscal years 1942–56*

Fiscal year	2d circuit	All circuits
1942	3.9	7.7
1943	3.3	6.5
1944	4.5	6.5
1945	4.3	7.0
1946	3.7	6.8
1947	3.8	6.9
1948	3.5	6.3
1949	3.6	7.1
1950	3.3	7.1
1951	3.3	6.7
1952	3.9	7.3
1953	4.3	7.0
1954	4.6	7.1
1955	5.1	7.3
1956	6.6	7.4

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

There are six judgeships provided for the United States District Court for the Eastern District of New York, which has headquarters at Brooklyn. The jurisdiction of the court embraces Staten Island and Long Island and, concurrent with the southern district, the waters within Bronx and New York counties. The Judicial Code of 1911 provided 2 judgeships for the district; a third judgeship was authorized as temporary in 1922; 2 more judgeships were provided in 1929, and in 1935 the temporary judgeship created in 1922 was made permanent and a sixth judgeship was added. There has been no increase in judgepower for the district in more than 20 years.

The civil business of the court has not increased materially since the prewar period as shown in table 1, attached, and in the postwar period the number of filings has been remarkably steady. A slight decrease in business during the war years was followed by a sharp rise in civil filings in 1945, 1946, and 1947 as the result of a large volume of price- and rent-control litigation. Since then the 1,383 civil cases filed in 1948 and the 1,384 filed in 1955 have been the years with the peak loads. In the fiscal year 1956 there were 1,185 civil cases commenced, compared with 1,272 in 1941, the last year before World War II.

During the war years, 1 and often 2 judges from this district sat regularly in the southern district of New York, but the docket conditions in Brooklyn have prevented this in recent years. Since 1945, the pending civil cases in the eastern district have increased rapidly. In 1947, the figure was 2,200, where it remained for about 3 years, and, in 1951, increased to 2,400. At the end of the fiscal year 1956 there were 2,588 civil cases pending in the district, including 1,801 private civil cases. The condition of the dockets appears from the following table, showing the number of cases pending on the trial calendars of the court in the last 10 years:

Cases pending on the civil and admiralty trial calendars eastern district of New York

	Total	Admiralty	Civil	
			Nonjury	Jury
December 1946	303	240	6	57
June 1947	419	244	114	61
June 1948	712	309	152	251
June 1949	908	432	135	341
June 1950	1,053	503	254	296
June 1951	1,149	518	241	390
June 1952	1,299	485	274	540
June 1953	1,299	454	319	526
June 1954	1,491	405	417	669
June 1955	1,607	366	453	738
June 1956	1,625	286	532	807
January 1957	1,476	254	544	678

A reduction in civil cases pending on the calendars in the first 7 months of the current fiscal year is the result of a successful calendar call which has cleared away some deadwood and has resulted in the settlement of other suits. However, a great deal remains to be done, if the arrearages are to be cleared away within a reasonable period.

For many years the median time intervals for the disposition of civil cases terminated after trial in the southern district were the longest in the country, but in 1956 the southern district was replaced by the eastern district as the court with the longest delays. Many factors including the practices of the bar enter into the delay of litigation, but the median time figures take into account these factors in all districts. The median interval of 41.0 months from filing to disposition of the 160 cases terminated after trial in the eastern district of New York in 1956 was 2⅔ times as long as the national median of 15.4 months and the median time interval of 38.6 months between issue and trial for these same cases in 1956 was 3¾ times as long as the national median of 10.3 months. Eleven years ago the majority of cases were being reached for trial in the eastern district in a little more than 6 months from the joinder of issue and were being disposed of within 15 months of the date of filing. Complete information on the time intervals for the intervening years from 1945 to 1956 is given in table 4, attached.

The accumulation of civil cases in this court at a time when the volume of litigation has not been increasing is unusual and has been caused in part by a significant change in the character of the litigation handled. In the first half of the 1940-50 decade the private civil caseload consisted mostly of admiralty litigation, which on the average is not time consuming, although the cases tend to remain on the dockets for a long time due to the unavailability of witnesses who are at sea. But around 1946 a decline in admiralty litigation set in, while other types of time consuming private litigation began to increase.

In 1947 the Federal Tort Claims Act began to produce litigation against the Government which is significant in any consideration of the workload of this court because of the many Government installations on Long Island including the Brooklyn Navy Yard. The amount of money in controversy in some of these cases is often not large, but where the Government contests the claims, considerable work is required on the part of the court.

A comparison of the number of certain types of cases filed immediately after the war with the number presently being handled is revealing. For example in 1945 there were 45 Employers' Liability Act cases filed in Brooklyn compared with 76 in 1956. Inasmuch as the Tort Claims Act did not exist in 1945, there were no such cases in that year, but there were 63 in 1956. Patent litigation has been and remains very heavy in the district. In 1956 there were 8 such cases commenced per judgeship compared with the national average of 3. The diversity caseload is below average, but the negligent-personal-injury suits under this jurisdiction in 1956 numbered 59 per judgeship compared with the national average of 50 per judge. These large caseloads contrast with the decline in private admiralty litigation from 312 cases filed in 1945 to 78 in 1956.

The effect on the work of the district of the increasing volume of these time-consuming types of cases is evident from the number now pending on the dockets. On June 30, 1956, there were 36 Federal Tort Claims Act cases pending per judge in the eastern district compared with the national average of 8; there were 16 patent suits pending per judge compared with the national average of 5; and finally there were 95 diversity negligent-personal-injury suits, other than those arising out of motor-vehicle accidents, pending per judge compared with a national average of 21. Other details concerning the types and the age of the pending cases may be found in table 7, attached.

The criminal caseload for the district has doubled in the last 5 years (see table 2), but is still somewhat below the average per judge nationally. Criminal cases receive priority and the dockets of the districts are reasonably current, although the number of cases pending at the end of the year has also been increasing for the last 5 fiscal years.

The recommendations of the Judicial Conference of the United States for additional judgeships are designed to provide sufficient judicial manpower to enable the courts to reach a condition where civil cases may be reached for trial within 6 months of filing. In order that this goal may be achieved in the eastern district of New York the conference has recommended that two additional judgeships be created for this district.

A recent drive by the court to clear the deadwood from the civil docket and try to settle some of the cases which have been pending for some time had brought about a reduction of 129 cases in the calendar between June 30, 1956, and January 31, 1957. However, there were still a very large number of cases on the dockets. Complete statistical tables showing the judicial business of the district for the last 16 fiscal years are attached.

Respectfully submitted.

JOSEPH F. SPANIOL, Jr.,
Attorney, Division of Procedural Studies and Statistics, Administrative Office of the United States Courts.

FEBRUARY 12, 1957.

EASTERN DISTRICT OF NEW YORK

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941	1,272	1,109	1,223	1947	1,721	1,412	2,243	1952	1,167	1,272	2,307
1942	1,062	1,176	1,109	1948	1,383	1,435	2,191	1953	1,251	1,073	2,485
1943	987	1,099	997	1949	1,346	1,381	2,156	1954	1,180	1,174	2,491
1944	1,007	897	1,107	1950	1,198	1,237	2,117	1955	1,384	1,111	2,764
1945	2,263	1,955	1,415	1951	1,266	971	2,412	1956	1,185	1,361	2,588
1946	2,054	1,535	1,934								

PRIVATE CIVIL CASES

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941	724	627	790	1947	735	554	955	1952	677	789	1,560
1942	647	704	733	1948	862	530	1,287	1953	741	644	1,657
1943	559	671	621	1949	733	613	1,407	1954	684	588	1,653
1944	490	474	637	1950	658	644	1,421	1955	729	617	1,765
1945	538	479	696	1951	808	557	1,672	1956	691	655	1,801
1946	545	467	774								

TABLE 2.—*United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses [1]]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941	548	482	433	1947	986 (615)	858	1,288	1953	510 (41)	429	828
1942	415	472	376	1948	521 (173)	905	904	1954	496	486	838
1943	428 (12)	428	376	1949	613 (289)	768	749	1955	655	494	909
1944	517 (166)	423	470	1950	540 (171)	593	696	1956	494	706	787
1945	1,725 (1,228)	1,476	719	1951	458 (0)	414	740				
1946	1,509 (1,111)	1,068	1,160	1952	490 (38)	483	747				

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[1] Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

Table 2.—*United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*—Continued

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Commenced	Terminated	Pending June 30
1941	259	288	134
1942	344	260	218
1943	556	515	259
1944	722	724	257
1945	526	554	229
1946	543	570	202
1947	366	422	151
1948	338	393	107
1949	333	341	106
1950	266	298	84
1951	251	265	76
1952	230	231	93
1953	237	241	101
1954	358	289	180
1955	408	404	189
1956	488	483	209

Table 3.—*Cases commenced per judgeship*

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) [2]	
		New York, eastern	National average [1]	New York, eastern	National average [1]	New York, eastern	National average [1]
1941	6	212	164	121	82	43	153
1942	6	177	168	108	77	57	161
1943	6	165	158	93	58	88	174
1944	6	168	169	82	56	115	184
1945	6	377	295	90	57	86	176
1946	6	342	321	91	70	89	142
1947	6	287	271	123	109	60	134
1948	6	231	205	144	117	56	123
1949	6	224	238	122	121	55	123
1950	6	200	222	110	113	44	116
1951	6	211	204	135	111	41	106
1952	6	195	236	113	126	38	112
1953	6	209	261	124	146	39	114
1954	6	197	210	114	127	57	103
1955	6	231	212	122	126	66	104
1956	6	198	225	115	135	77	102

[1] This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

[2] Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

Table 4.—*Time elapsing in civil cases tried* [1]

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		New York, eastern	National median	New York, eastern	National median
1945	116	14.8	9.0	6.3	5.3
1946	98	18.0	8.9	8.6	5.0
1947	98	17.3	9.0	7.9	5.1
1948	133	17.3	9.9	9.4	5.8
1949	170	21.8	10.4	13.5	5.9
1950	173	21.4	11.2	17.9	6.7
1951	130	15.7	12.2	20.0	7.3
1952	126	25.4	12.1	17.2	7.0
1953	98	32.6	12.4	28.5	7.4
1954	108	39.5	13.5	34.2	8.1
1955	86	45.1	14.6	39.4	9.1
1956	160	41.0	15.4	38.6	10.3

[1] The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus, and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk (*) on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

Table 5.—*Cases commenced per judgeship in this district and in 86 districts by nature of suit, fiscal year 1956*

	New York, eastern	86 districts
Civil cases:		
Total cases	198	225
United States cases	82	90
Private cases	115	135
United States cases:		
United States plaintiff	54	73
Land condemnation	1	4
Fair Labor Standards Act	6	2
Other enforcement suits	2	2
Food and Drug Act	6	4
Liquor laws	-----	2
Other forfeitures and penalties	3	5
Negotiable instruments	10	25
Other contracts	17	21
Other United States plaintiff	9	8
Civil cases—Continued		
United States cases—Continued		
United States defendant	28	18
Enjoin Federal agencies	7	3
Habeas corpus	2	3
Tort Claims Act	11	4
Tax suits	4	5
Other United States defendant	5	3
Private cases:		
Federal question	38	33
Copyright	2	1
Employers' Liability Act	13	6
Fair Labor Standards Act	-----	1
Habeas corpus	-----	3
Jones Act	6	10
Civil cases—Continued		
Private cases—Continued		
Miller Act	2	2
Patent	8	3
Other Federal question	7	7
Diversity of citizenship	64	90
Insurance	4	15
Other contracts	10	16
Real property	-----	3
Personal injury (motor vehicle)	12	33
Personal injury (other)	37	17
Other diversity	1	5
Admiralty	13	11
Criminal cases (less immigration)	77	102

TABLE 6.—*Civil and criminal trials commenced*

BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951	141	123	62	61	18	2	16
1952	139	117	49	68	22	8	14
1953	114	103	46	57	11	5	6
1954	165	123	72	51	42	10	32
1955	145	107	75	32	38	5	33
1956	197	160	76	84	37	5	32

PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		New York, eastern	National average [1]	New York, eastern	National average [1]	New York, eastern	National average [1]
1951	6	24	39	21	28	3	11
1952	6	23	40	20	27	4	13
1953	6	19	44	17	29	2	15
1954	6	28	40	21	25	7	15
1955	6	24	41	18	26	6	15
1956	6	33	43	27	29	6	14

[1] This column includes 86 districts.

TABLE 7.—*Civil cases pending on June 30, 1956*

PER JUDGESHIP

Nature of suit	Cases pending per judgeship	
	New York, eastern	National average
Total civil cases	431	236
United States civil cases	131	74
Private civil cases	300	162
United States plaintiff	58	46
Land condemnation	4	14
Antitrust		
Other enforcement suits	20	5
Forfeitures and penalties	3	4
Negotiable instruments	7	8
Other contracts	14	9
Other United States plaintiff	11	7

Nature of suit	Cases pending per judgeship	
	New York, eastern	National average
United States defendant	73	27
Tort Claims Act	36	7
Tax suits	9	8
Other United States defendant	29	13
Federal question	89	44
Antitrust	1	2
Copyright	3	1
Federal Employers' Liability Act	32	8
Jones Act	18	16
Patent	16	5
Other Federal question	19	11

Nature of suit	Cases pending per judgeship	
	New York, eastern	National average
Diversity of citizenship	157	98
Insurance	6	11
Other contracts	19	20
Real property		3
Personal injury (motor vehicle)	34	34
Personal injury (other)	95	21
Other diversity	3	9
Admiralty	54	20

AGE

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases	2,588	467	381	653	410	303	129	245
United States civil	787	167	90	169	119	95	19	108
United States plaintiff	348	85	37	67	50	28	11	70
United States defendant	439	82	53	102	69	67	28	38
Private civil	1,801	300	291	484	291	208	90	137
Federal question	535	101	95	162	88	47	15	27
Diversity	942	180	160	274	156	82	33	57
Admiralty	324	19	36	48	47	79	42	53

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

The United States District Court for the Southern District of New York is the largest trial court in the Federal judicial system in number of judges and of big cases and it is located in the greatest commercial and industrial center in the world. Its 18 judges handle a very great percentage of all antitrust litigation and a large share of the patent, copyright and trademark cases as well as time-consuming criminal prosecutions of national and international importance. New York is the largest port in the Nation and in the last few years about 40 percent of the admiralty and maritime litigation in the Federal courts has been filed in the southern district. The business of the court has multiplied in the last half century and from time to time additional judgeships have been added. The four judges provided for the district by the judicial code of 1911 were raised to 6 in 1922, to 9 in 1929, to 11 in 1936, to 12 in 1938, to 16 in 1949, and finally to 18 in 1954. Court is held only in New York City.

The history of this court from the end of World War II to 1955 can be described only in terms of excessive caseloads, large numbers of protracted cases, a continual accumulation of arrearages, and mounting delay. The judicial assistance provided to meet the situation has been neither timely nor adequate to meet the everincreasing business and until recently the trial dockets have been very congested. In 1941 and through the war years when there were 13 judgeships for the district (including one temporary position which expired in 1943), the pending civil cases fluctuated between 3,500 and 4,500, but by the end of 1945 increased to 5,800. Two years later the pending civil cases surged upward by 70 percent to 10,100, which prompted the Judicial Conference of the United States in 1947 to recommend two additional judgeships and to ask that the expired temporary position be reestablished. When the pending caseload increased another 800 cases in the ensuing 12 months, the Judicial Conference requested four additional judgeships for the district and these positions were provided in the omnibus judgeship bill passed in 1949.

Still the civil backlog piled up and delay increased. On June 30, 1950, the pending civil caseload reached 11,134 and it became clear that the extra judge-power provided was inadequate to overcome the enormous arrearages. The pending civil cases in this district alone were more than one-fifth of the number in all district courts. In September of that year the Judicial Conference of the United States recommended five more judgeships for the district, including two on a temporary basis. By the end of the fiscal year 1953 the arrearages had reached 11,768 civil cases including 9,385 private civil cases and in addition delays in criminal cases were being felt and the pending criminal caseload topped 1,000 for the first time in almost 10 years.

In 1954, two of the five judgeships recommended by the judicial conference were created. The conference immediately renewed its request for the other three judges and supplemented this in 1956 by a recommendation for a fourth new judgeship. The purpose of these conference recommendations is to provide sufficient judicial manpower to enable the courts to eliminate arrearages and reach a point where the average civil case can be reached for trial within 6 months of the date of filing.

Although there has been some improvement in the docket conditions in the southern district of New York recently, additional help is needed if the goal of the conference is to be achieved within a reasonable time. The backlog of 8,205 civil cases on June 30, 1956, was more than twice the 4,087 civil cases pending on June 30, 1941. But 2 years ago the delays in the district were so bad that many cases being disposed of by trial had been pending on the dockets more than 4 years and had been awaiting trial more than 3 years. The median interval from filing to disposition of cases terminated after trial in 1955 was 45.9 months and the median from issue to trial was 34.8 months. And even with such delays the judges were often without cases to try due to recurring calendar breakdowns. At that time the court appointed a committee of judges to investigate what steps may be taken to improve the condition of the calendars. Drastic changes in the calendaring practices were devised and the court embarked upon a program designed to provide firmness and stability to these calendars. The calendars for the first time were put in the charge of the judges. A year ago last fall a call of the entire civil calendar consisting of 5,700 cases was completed with startling results. By the end of the court year the calendared cases were reduced to 1,800 and the number of cases pending on the dockets decreased from 10,334 to 8,205, a gain of more than 2,000 cases. A continuation of the same practices in the current court year has reduced the size of the calendar to 767 cases as of December 31, 1956, although the total number of civil cases on the dockets on the same date remained at a level of 8,500.

Principal efforts of the court until recently have been to dispose of cases on the calendars and this has greatly reduced the number of cases ready for trial. Now older cases on the dockets which have not yet been calendared have been called and counsel have been asked to report the status of these cases. This will bring some cases to the trial dockets and will also result in settlements and dismissals. The cases which are not calendared all constitute potential trials and if the litigants are to receive prompt attention, the court must exercise some measure of control over them, which is now being done.

The details of the new calendaring system are set forth in an article by Judge Irving Kaufman which appeared in the December 1956 issue of the Journal of the American Judicature Society. A copy of that article is attached to this statement.

The achievements of the court are encouraging. They have been made possible in part through the able assistance of three retired judges of the court and the services of visiting judges from other districts. This has proven to be a very desirable expedient, but it cannot be relied upon as a substitute for permanent judgeships. Retired judges cannot maintain an unslackeed pace and visiting judges are often difficult to secure. The four judgeships as recommended by the Conference are needed and Judge Kaufman views the necessity for them as follows:

"I will not detail the need for additional judicial manpower. Suffice to say, part I has demonstrated that there are a sufficient number of hard-core triable cases well in excess of the number our present quota of judges can handle, and if our calendars are to be maintained in their present current status, the implementation of the Judicial Conference's recommendations for new judgeships is a necessary first step."

Notwithstanding the improved calendar situation the accumulated backlog of civil cases is enormous. As of June 30, 1956, the 8,205 pending civil cases amounted to 456 per judgeship or almost twice the national average of 236 civil cases pending per judgeship. With 8 percent of the judges in all the 86 districts having solely Federal jurisdiction, the backlog of private litigation in the district was 18 percent of the national total. As of June 30, 1956, 44 percent of all pending private admiralty cases, more than one-half of all Jones Act suits involving injury to seamen, one-third of all copyright cases, one-fourth of all Government civil antitrust suits, and about one-fifth of all private antitrust suits were on the dockets in the district. The Government civil antitrust suits were 15 in number and these actions together with the four criminal antitrust prosecutions pending on July 15, 1956, are listed in appendix A. The number of time-consuming private antitrust suits pending in the district at that time numbered 100. Further details concerning the age and composition of the pending civil cases are given in table 7.

The court in the southern district of New York serves New York City exclusive of Staten and Long Islands, and to a certain extent serves also the entire New York-northeastern New Jersey area which in 1950 had a population of almost 13 million. New York is the financial capital of the world and the Nation's largest port. Complicated commercial litigation and important criminal cases tend to gravitate to this region and in the last 3 years the southern district has had 22 trials which have required 20 or more actual trial days not including the time spent in the preparation of the case and the writing of opinions.

Long trials in this district which have attracted much public attention in recent years have included the important Smith Act case, *U. S.* v. *Dennis et al.*, tried by Judge Medina which took 168 trial days; the Investment Bankers antitrust case, *U. S.* v. *Morgan*, which required 309 trial days, also tried by Judge Medina (he was occupied with the case for 3 years); *U. S.* v. *Flynn*, also a Communist case, tried by Judge Dimock for 154 trial days; *Ferguson* v. *Ford*, a multimillion dollar suit against the Ford Motor Co. tried by Judge Noonan for 120 trial days and finally settled; and *U. S.* v. *Imperial Chemical Industries*, tried by Judge Ryan for 56 days.

The trial time in these cases is only a small part of the time they require of the judge and this is particularly true of the antitrust cases. The number of exhibits, depositions, and documents in this type of proceeding is almost unbelievable. For example in the Alcoa case, there were 15,000 pages of record, in the National Lead case, 1,400 exhibits and 5,000 pages of record, in Imperial Chemical Industries, 3,700 exhibits and in the Investment Bankers case, 10,600 exhibits. *Ferguson* v. *Ford* contained 27,000 exhibits and 10,000 pages of record and the trial was never concluded. When the case was settled the plaintiff had not yet completed his direct case.

The Judicial Conference Committee on Procedure in Antitrust and Other Protracted Cases has recommended in its report adopted by the Conference in 1951 that cases of this type should be assigned to a judge from their inception and that the judge to whom such a case is assigned "should be relieved of all other duties from the commencement of the trial until his judgment is pronounced." This has frequently been impossible in this court. There were 5 cases tried in 1956 which required 20 days or more:

Civil cases: *Universe Tankships, Inc.* v. *Bethlehem Steel*, 43 trial days, contract action. *Banking & Trading Corp.* v. *R. F. C.*, 20 trial days, contract action..

Criminal cases: *U. S.* v. *Klein*, 77 trial days, tax fraud. *U. S.* v. *Kiame*, 33 trial days, tax fraud. *U. S.* v. *Allied Stevedoring Corp.*, 31 trial days, tax fraud.

Another long Smith Act case, *U. S.* v. *Trachtenberg*, tried by Judge Bicks, was commenced during the fiscal year and completed shortly after the close of the year, requiring 59 trial days.

The large backlog of potentially long and complicated cases as well as the number being filed is an important factor in the Judicial Conference recommendation for four additional judgeships. But help is needed also to handle the large caseloads of more or less routine litigation. Four judgeships would increase the judicial staff by 22 percent, but would not reduce the average caseload per judgeships in the district to a point below the national average. On the basis of the 5,033 civil cases filed in the court during the fiscal year 1956 the effect would have been to reduce the average incoming caseload in the district from 280 cases per judge to 229, which is four cases more than the average per judgeship nationally of 225 in 1956 and considerably in excess of the caseload of 196 civil cases per judge, if all the judgeships recommended by the Conference had existed. Again on the basis of the 1956 filings the four extra judges would have reduced the caseload of incoming private civil cases from 226 to 185 per judge, which is 50 cases more than the average that year of 135 private civil cases commenced per judgeship nationally and 68 cases more than the national average per judgeship on the basis of the 262 judgeships including 34 recommended by the Conference in the 86 districts having purely Federal jurisdiction.

In the first half of the fiscal year 1957 there has been a decided upsurge in civil filings to 2,775, or 500 civil cases more than the number filed during a like period of the preceding fiscal year. All of this increase has occurred in the time-consuming private civil cases. A comparison of the civil cases, private civil cases, and criminal cases commenced and terminated in the district in the first half of the fiscal years 1956 and 1957 (July 1–December 31) appears in the following table:

Cases commenced and terminated

TOTAL CIVIL CASES

Fiscal year	Commenced	Terminated	Pending at end of half-year period
6 months of 1956	2,281	3,379	9,239
6 months of 1957	2,775	2,475	8,505

PRIVATE CIVIL CASES

Fiscal year	Commenced	Terminated	Pending at end of half-year period
6 months of 1956	1,791	2,725	7,529
6 months of 1957	2,292	2,001	7,053

CRIMINAL CASES

Fiscal year	Commenced	Terminated	Pending at end of half-year period
6 months of 1956	434	510	629
6 months of 1957	426	511	435

The criminal caseload in the district is not heavy numerically and the dockets are reasonably current because of the priority to which they are entitled and receive. However, criminal cases are a factor to be considered in the workload of the district because of the many protracted trials, which in past years have included celebrated Smith Act and sedition trials, tax-evasion cases, and criminal antitrust suits.

Complete statistical tables showing the judicial business of the district in the last 16 fiscal years are attached.

Respectfully submitted.

JOSEPH F. SPANIOL, Jr.,
Attorney, Division of Procedural Studies and Statistics, Administrative Office of the United States Courts.

FEBRUARY 18, 1957.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, and 16 to the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, and that the House concurred in the amendments of the Senate numbered 7 and 15 to the bill, each with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1482. An act to amend certain provisions of the Columbia Basin Project Act, and for other purposes;

S. 2438. An act to amend the District of Columbia Business Corporation Act;

H. R. 1394. An act to authorize the sale of certain keys in the State of Florida by the Secretary of the Interior; and

H. R. 7636. An act to provide for the conveyance to the State of Florida of a certain tract of land in such State owned by the United States.

INCREASE IN RATES OF BASIC SALARY OF POSTAL FIELD SERVICE EMPLOYEES

Mr. JOHNSON of Texas. Mr. President, we plan to consider two measures this evening, and to take up the House amendment to the amendment of the Senate to the civil rights bill, although I do not expect any lengthy discussion of that measure.

I move that the Senate proceed to the consideration of Calendar No. 720, House bill 2474.

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

The LEGISLATIVE CLERK. A bill (H. R. 2474) to increase the rates of basic salary of employees in the Postal Field Service.

Mr. JOHNSON of Texas. Mr. President, I invite the attention of the Senator from South Carolina [Mr. JOHNSTON] and the Senator from Kansas [Mr. CARLSON].

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

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, may we have the yeas and nays ordered on final passage of the bill?

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, there is a unanimous-consent agreement with respect to the pending bill, and also with respect to Calendar No. 871, House bill 2462, a bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes.

As I understand, 1 hour is to be equally divided and controlled, respectively, by the majority leader and the minority leader. If the proponents of the bill will tell me to whom they wish to allot time, I would appreciate it.

Mr. NEUBERGER rose.

Mr. JOHNSON of Texas. Does the Senator from Oregon desire to speak in behalf of the bill?

Mr. NEUBERGER. Yes; as chairman of the subcommittee.

Mr. JOHNSON of Texas. How much time does the Senator need?

Mr. NEUBERGER. Eight or nine minutes would be ample.

Mr. JOHNSON of Texas. I yield 8 minutes to the Senator from Oregon.

Mr. CARLSON. Mr. President, I understand that Calendar No. 871, House bill 2462, to increase the compensation of employees in the classified service will be considered following the disposition of the pending bill.

Mr. JOHNSON of Texas. The Senator is correct.

Mr. President, I hope that Senators will be on notice that all of the time allotted may not be used. I hope that we may act on these two measures at an early hour.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. JOHNSON of Texas. Mr. President, let us see if there are any amendments to be offered to the bill. I understand there are none. I understand that the Senator from Kansas had intended to offer an amendment if it had not been planned to follow consideration of House bill 2474 by consideration of Calendar No. 871, House bill 2462, providing for increases in the compensation of classified civil-service employees.

Mr. CARLSON. The Senator from Kansas had intended to offer an amendment to the pending bill, but the majority leader states that he expects to take up the classified service pay increase bill following the disposition of the pending bill.

Mr. JOHNSON of Texas. The Senator is correct.

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

The bill was ordered to a third reading, and was read the third time.

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

Mr. JOHNSON of Texas. Mr. President, I yield 8 minutes to the Senator from Oregon [Mr. NEUBERGER].

Mr. NEUBERGER. Mr. President, several days ago I made clear my position in regard to the postal pay bills presently pending before the Senate. I explained that I would move that S. 27 be laid aside and press for Senate approval of H. R. 2474, because of my firm belief that any other course of action might result in delaying final passage. The need for haste transcends all other considerations. Obviously, a pay raise next year would put no food on the table of the family of a postal worker today. And let no one doubt that it is needed now.

I also want to pay tribute to the distinguished chairman of our full committee [Mr. JOHNSTON of South Carolina] in helping to bring this measure to the Senate floor. He deserves great credit.

EXPLANATION OF BILLS

Mr. President, the differences between the Senate and House bills are not great. Neither bill is complicated. Each has the common objective of giving postal employees a more than justified and extremely modest increase in pay which is required to offset in part the constantly increasing cost of living.

S. 27, as reported, and pending on the Senate Calendar, provides a permanent increase of 7½ percent to all employees in the field service of the Post Office Department. In addition, it provides a temporary cost-of-living adjustment of $240 to employees in the bottom 5 pay levels; $160 to employees in level 6; and $80 to employees in level 7.

The 7½-percent permanent increase would amount to $158 million and the temporary cost-of-living adjustment $110 million for a total cost of $268 million annually. The average increase would amount to about 12 percent.

H. R. 2474, as passed by the House, and pending on the Senate Calendar, provides an across-the-board increase of $546 to all employees in the field service of the Post Office Department, except rural carriers, whose pay would be adjusted on a comparable basis, and fourth-class postmasters, who would receive an increase of 12 percent.

The cost of this bill would be $279 million annually, for an average of 12½ percent per employee.

The net difference between the two bills is $10 million annually and one-half percent in the average increase per employee. The differences are not extensive enough to quibble over, when time is of the essence.

In my judgment, and in the judgment of other members of the subcommittee who sat through many days of public hearings with me, the case of postal employees for an immediate pay increase is irrefutable. The present situation is an emergency for the employees and the postal service alike. Unless immediate relief is provided, an increasing number of employees—unable any longer to meet their family obligations—will be forced to seek other means of making a living. The further loss of experienced personnel cannot help but result in a continued deterioration of what traditionally has been referred to as the greatest communications system in the world.

In the final analysis, the American public would be the loser if we follow a false path that leads nowhere but to chaos in the postal service.

Throughout this long session, Congress has been called upon again and again to appropriate additional funds to the Department under the threat that a denial would result in the elimination or curtailment of essential services. Aside from a normal increase in the volume of mail, the Department based its requests on the increased costs of doing business.

Strangely enough, these same postal officials had the effrontry to testify before the Post Office and Civil Service Committee that the additional pay to our postal employees necessary to meet increases in the cost-of-living would be: "Inflationary." "Harmful to the economy," or "Not in accord with the program of the President."

It may well be that recognition by these officials of the acute plight of the average postal employee to make ends meet, would do more at less cost than anything else they could undertake to restore the service to former high levels. I am completely confident the response by postal employees to sympathetic but tangible attention to their needs would be reflected, several times over, in increased production and improved service.

RESPONSIBILITY

Unlike employees in private industry, our postal workers are unable to exert certain lawful and recognized pressures to obtain just treatment. They have never asked that they be given such rights. Their only recourse is Congress. Unless Congress acts, the pay of these employees is fastened in a straitjacket.

Under these circumstances, Congress would be derelict in its duty if it failed to act with wisdom and dispatch. I believe firmly that the Senate will, by its action on the pending bill, measure up to its responsibility. I do not think the trust and confidence of these employees in the fairness of Congress will be betrayed. And I certainly hope it will not be betrayed.

EFFECT OF INCREASE

The opposition of the administration to a pay increase has been that the increase would be inflationary. It is my contention that the working men and women of the Nation are the victims and not the cause of inflation.

If one were to assume for the sake of argument that they are the cause, then should not the wages of our entire work force be controlled? And should not prices be controlled? Should not interest rates be controlled? Should not profits then be controlled? Should not we have a controlled economy in every respect? I do not think the administration has any plans along these lines—nor do I recommend such plans. But unless and until that occurs, it is not fair that Federal employees, and Federal employees alone, be forced to accept a rigidly controlled wage in exchange for their daily toil. One segment of the economy should not be shackled while the rest of the economy bursts its financial boundaries.

EXISTING DISPARITY

Mr. President, postal employees have been given one pay increase in 6 years. That increase did not come easily. It came after two vetoes by the President. Except for the perserverance of Congress, our postal employees would be working today for the same wage they were receiving 6 years ago.

By way of contrast, the wages of employees in private industry have increased by over 20 percent during the same period of time. Everything else has kept this accelerated pace. The cost of living reaches a new high each succeeding month. The price of medicine climbs. Hospital rates increase. Gasoline costs more. Toothpaste is higher. Groceries rise each month.

But shackled fast and held stationary, by contrast, are the wages of postal employees. It is this situation that we are called upon to meet today.

Aside from increased prices is the element of production. Officials of the Department—except when pay is being considered—point with pride to the fact that the productivity of postal employees has increased some 15 to 20 percent in recent years. This factor alone—in the eyes of progressive management in private industry—would more than justify the increase in pay proposed by this bill.

CONCLUSION

As pointed out in the report on S. 27, long and searching public hearings developed an irrefutable case for an increase, at once, in the pay of postal employees and other Government workers. It was established, clearly and convincingly, that the pay of Federal employees has not kept pace with the pay of comparable employees in private industry.

Even more shocking was the evidence that the Government is, in many instances, paying its employees well below the minimum necessary to maintain a decent standard of living for their families. This has forced many of our employees to obtain second and third jobs on the outside, in order to supplement their rent and grocery budgets.

Mr. President, the increases provided by the bill are modest. They are below what I and many members of the committee believe justified. On the basis of the vote in the House of Representatives, our belief is shared by many in that arm of the Congress. I hope, sincerely and fervently, our view will be considered favorably by the President of the United States when the bill reaches his desk. It will be a tragedy wreaked on our loyal, diligent, and deserving postal employees should the bill not be enacted. It will be democracy at its fairest and best if the bill is enacted. I hope that President Eisenhower heeds our actions here in the Senate.

Mr. President, I ask unanimous consent to have inserted immediately following my remarks an editorial entitled "Postal Wages Too Low" from the August 6 issue of the Oregonian, of Portland, Oreg.

I also ask unanimous consent to have inserted an editorial entitled "Wage Increase Justified" from the August 10 issue of the Oregon Journal, of Portland, Oreg.

These editorials from the two daily newspapers of my home city are typical in this view of many other dailies across the Nation.

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

[From the Portland Oregonian of August 6, 1957]

Postal Wages Too Low

Postal clerks, carriers, and other employees got about a 10 percent wage increase in 1951. They got an 8 percent increase in 1955. Since postal wages have slipped behind those in many other Federal agencies, and far behind wages in industry, the post office is having a rough time keeping younger employees. The turnover is too great for efficiency. Some older workers are leaving for greener pastures. The post office is not so attractive as a career service as it once was.

The House of Representatives has adopted H. R. 2474 providing a $546 annual across-the-board cost-of-living increase for postal employees. This amounts to about 12 percent, but is by no means too generous. There is talk that the Senate committee, which has been considering a separate bill, may go along with the House to expedite the legislation.

The possibility of a Presidential veto has been raised. Although post office employees consider themselves on the tail rather than the head of inflation, and we think they are right, Postmaster General Summerfield has said the increase would be inflationary. But why single out postal employees to hold the line, when wage adjustments are being made in other departments and the price of steel has boomed $6 a ton?

The view that post office wages should not be increased unless there is a comparable boost in mail rates and charges is untenable. Congress sanctions a $600,500,000 annual deficit in the post office because it is politically afraid to increase rates. But employees cannot in justice be made the scapegoat for political timidity, or for any more tenable reason for subsidization of the Federal mails. The House postal pay bill should be adopted in the Senate, and it should not be vetoed by President Eisenhower.

[From the Oregon Journal of August 10, 1957]

Wage Increase Justified

Congress and the administration will be doing an injustice to a large group of Government employees if a pay adjustment for postal workers is not provided at the current session.

The House passed a pay-increase measure by a vote of 379 to 38 and the measure now rests in a Senate committee. This bill provides a $546 across-the-board increase. With this increase a Portland clerk or carrier who has put in 7 years and worked himself to the top civil-service grade for his position still would be making less than $5,000 a year gross income.

The postal service is a big operation. In all, some 518,000 workers across the country would be affected by this bill and the total annual cost would be in the neighborhood of $318 million.

The administration has opposed these measures on two grounds—first, that such an outlay would be inflationary and, second, that Congress should consider legislation to provide prevailing pay scales for Government workers in different localities or that an allowance system, such as the one used in the Army and diplomatic service, be provided.

The first argument is valid only in the sense that any new expenditure is inflationary. But from an overall standpoint, postal workers have been the victims, not the cause of inflation.

Their last wage increase was in 1951. The inflation which has occurred in the interim cannot be blamed on them. In his budget message President Eisenhower said that any wage increases—private or Government—must be reasonably related to improvements in productivity.

On the basis of pieces of mail handled, postal clerks show a 43.6 percent increase in productivity between 1945 and 1957. The second reason is valid only if some reasonable effort is made to implement one or the other of the suggestions.

To date no such effort has been made and postal workers should not be asked to continue at substandard wages while Congress decides whether some alternative might work.

Considerable has been said about wages in relation to the Post Office deficit. It is true that postal rates should more nearly meet costs, but again this problem is not directly related to wages.

The workers are entitled to a living wage and it is up to Congress to decide whether these services should be paid for by the taxpayer or by the user of postal services.

Mr. JOHNSTON of South Carolina. Mr. President, I yield myself 5 minutes.

I wish to comment briefly on the work of the Federal Employees Compensation Subcommittee before discussing the bill under consideration.

Long and searching public hearings were held by the subcommittee under the chairmanship of the distinguished junior Senator from Oregon [Mr. NEUBERGER]. The other two members of the subcommittee—the Senator from Texas [Mr. YARBOROUGH] and the Senator from Kentucky [Mr. MORTON]—who filled in because of the illness of the Senator from North Dakota [Mr. LANGER]—were regular in their attendance and diligent in their work.

The subcommittee held many long meetings. It considered a vast amount of testimony and numerous complex proposals. Never have I seen a group more dedicated to an assignment.

In these circumstances, it is regrettable that the bills developed by the subcommittee and later reported unanimously by the full Post Office and Civil Service committee must be bypassed for reasons of expediency.

However, it is clear that any other course of action, at this late hour in the present session, would serve no useful purpose.

There are those of us who are convinced that the need for an immediate pay increase for our postal workers and other Federal employees has reached a critical stage; critical both from the standpoint of the Government and of the employees.

The Government cannot perform its many functions with efficiency and economy if it falls behind other large and progressive employers in the economic parade. We should not expect our highly trained and competent younger employees to sacrifice personal and family needs for a public career when they can better themselves elsewhere doing the same kind of work. We should not hope to retain our older employees at less than the going rate simply because they are past the point of no return in their careers. Either group is worthy of its hire and it is a shortsighted and costly policy that does not recognize that as a fact.

The public hearings developed an irrefutable case for a substantial increase now in the pay of our postal workers and other Federal employees. The case for an immediate increase was justified on the basis of cold facts; facts which were not disputed by a single spokesman for the administration.

The the contrary, they were confirmed by the administration. They were confirmed by private citizens; by representatives of employee organizations; by the press of the Nation. But saddest of all, the need of an increase was confirmed by the hard-pressed, discouraged, and downhearted employees themselves who are at the end of their financial rope.

Some of the facts developed during the hearings which justify an immediate increase are:

First. In New York City, the man who collects garbage is better paid than the man who delivers mail.

The employees of the New York City Department of Sanitation receive a starting salary of $3,950 annually with 3 yearly increases until the maximum of $5,050 is reached.

The letter carrier, by comparison, who enters the postal service at a yearly salary of $3,660 must have 25 years of loyal service before he reaches the maximum of $4,710.

In New York, due to the low wage scale, some 60 percent of the postal workers have outside employment and 50 percent of their wives work in order to make ends meet.

Second. The Cordiner Committee, which made a long study by direction of the administration, reported—

> (a) That turnover of Federal personnel is increasing.
>
> (b) That the quality of replacements does not measure up to those who are leaving.
>
> (c) That the quantity of applicants is decreasing and the qualifications of those that apply is below standard.
>
> (d) That the pay of Federal employees is well behind wage rates in private industry.

Third. The U. S. News & World Report published a table listing 36 representative occupational groups. Among these groups are auto workers, textile employees, retail clerks, coal miners, furniture makers, and so forth, and Government workers. The table is designed to show the percentage of increase in take-home pay of the various groups since 1939.

It is shocking but true that Government workers foot the list. Every other group listed is away ahead of our Government employees.

Fourth. It was established that employees in private industry have received an average increase in excess of 20 percent during which time the pay of Federal workers has been increased by 7.5 to 8 percent.

Fifth. It was established that the production of postal employees has increased by over 10 percent.

These and other factors, coupled with the constantly increasing cost of living surely justify an adjustment in the wages of our Federal employees.

I know there are some who contend that a pay adjustment for our postal workers must wait upon an increase in postage rates. I do not subscribe to that kind of thinking.

Postal revenues are deposited in the general fund of the Treasury and have nothing to do with the appropriations of the Post Office Department from which the salaries of postal workers are paid.

Pay and postage rates are separate matters. The pay of employees in the Internal Revenue Bureau is not related to the rate of Federal taxes. The pay of customs agents is not related to the rate of tariff on imports. That is as it should be. And let me make it clear that so long as I am chairman of the Post Office and Civil Service Committee the pay of no Federal employee, including our postal employees, will ever be related to or dependent upon the income of the department or agency by whom he is employed.

Mr. President, let us examine carefully the contention that a pay raise to Federal employees would be inflationary.

The Nation's work force is in the neighborhood of 70 million. The wage of many of these workers is hinged in one way or another to the cost of living. Many of these workers receive increases automatically as the cost of living goes up.

That is true in the case of auto workers. It is true in the case of workers in our steel mills. It is true in the case of an ever-increasing number of employees in private industry. A relatively small percentage of the Nation's 70 million workers are subject to a statutory or controlled wage. Doctors are not. Neither are lawyers, salesmen, Madison Avenue public-relations representatives, or caddies on the golf course.

In these circumstances, it is not only heartless but rather ridiculous to single out Federal employees and say that a wage increase to them would be inflationary. Federal employees are the victims but not the cause of inflation.

If the administration wishes to control inflation let it take the necessary steps to do so, but let it take those steps on an overall and impartial basis. Let it control profits and prices and the incomes of those on top of the economic heap.

Next, let us examine the charge that an increase of a flat amount would distort the pay alinement of positions in the postal field service.

There is nothing sacred about the present salary alinement under the postal pay schedule. It is manmade and certainly subject to change. The pressing needs of those who fill the positions are much more persuasive to me than the vanity of the architects who designed the structure. That is not to say I am blind to the need and justification for progressively greater pay in keeping with additional duties and responsibilities. I recognize fully that a proper pay system must take such factors into account. The point I wish to make is that even after increasing the pay of each position by a fixed amount, the system will be valid and workable. It will still be a good system.

Now, let us look at the charge that the increase proposed is excessive.

The bill provides a gross increase of $546 a year. Out of this there is a deduction, in the average case, of 6½ percent or $35.50 for retirement; $3.25 for insurance; $109.20 Federal taxes; and, $20.15 in State taxes, for a total deduction of $168.10, leaving a balance of $377.90 in the form of take-home pay. That amounts to a dollar a day. That is less than a pound of coffee. It is less than a pound of pork chops. The increase for a full week would just about cover the cost of having one tooth filled.

Is it right? Is it justified that men and women who toil for the Government be treated with less consideration than if they worked across the street for some other employer? I think it is neither right, nor justified, nor decent, nor necessary.

Mr. President, I cannot accept as valid the reasons given by the administration for opposing a pay increase for Federal employees.

I intend to vote for the pay bill even though it is not as large as justified. If it is vetoed, I will vote to override the veto. I think other Senators should prepare themselves to meet both challenges in an equally forthright manner. I invite you all to join forces in the interest of justice and fair play to our postal workers and other employees.

I repeat—they are but the victims of inflation and not the cause. They should not be made to suffer longer.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the junior Senator from Texas.

Mr. YARBOROUGH. Mr. President, as a member of the subcommittee which held extended hearings, continuing for several weeks, I know—as the other members of the subcommittee and members of the full committee and, I am sure, as most other Members of the Senate also know—that the postal employees of our country, due to low pay, are in a very difficult condition—indeed, a desperate condition, Mr. President.

Within the past 3 years a great many postal employees have left the service each year. That fact alone has impaired the efficiency of the postal service all over the United States. It is a known fact that many postal employees are dedicated people. Many of them stay on the job although they are offered by private employers double the salary they now receive from the Government in their postal positions. We have had testimony to that effect.

The fact is also that the overwhelming majority of postal employees either take a second job, or their wives work. Ninety-odd percent of the postal employees must either hold two jobs or see their wives work, in order to enable them to make ends meet.

I believe that charity begins at home. We have just voted a foreign-aid bill that would appropriate more than $3 billion. The bill now before the Senate will cost $279 million a year. We should enact the bill into law. I have worked and voted in behalf of H. R. 52, for a 10 percent raise in the disabled veterans pensions. That raise was desperately needed. It cost $170 million a year. In proportion to that amount of money, the cost involved in the pending bill is not high. If there should be a deficit, I would ascribe it to the $3 billion foreign-aid bill, not to the modest $279 million increase for the postal employees. The increase would on the average be a very modest increase indeed. It would take an increase, not of 12½ percent in the pay of the postal employees, but an increase of about 33⅓ percent to the average postal employee, to bring them back to the status they enjoyed 5 years ago, in relation to the wages received by workers in private industry.

It would take such 33⅓ percent increase to put postal employees on a comparable basis with the workers in the building trades, in the automobile industry, in the oilfields, and with other workers who are not under Government restraints which bind them to the charity of Congress to give them a raise in their pay.

Mr. President, I submit that there is a very good reason in justice and law and equity and economics and good government and efficiency in government why the bill should be passed. There are no sound reasons that can be advanced against it.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the senior Senator from Oregon.

Mr. MORSE. Mr. President, when I first came to the Senate, in 1946, I served on the old Post Office Committee. At that time I learned a great deal about the problems of the postal service.

In supporting the proposed pay increase, I wish to make three points, and very quickly. There is no justification whatever, in my opinion, in relating postal pay to the cost of operating the postal service. The Post Office Department, in my opinion, is really a great educational institution from the standpoint of informing the American people. There is no more reason why postal pay should be related to an increase in the postal rate than that the pay in the Pentagon should be hitched to the income for the Military Establishment.

The postal service is a vital governmental service. I have always opposed the principle of trying to relate the pay for civil servants to the income of the particular department in which the civil servants work.

In fact, to show how fallacious that argument is if we were to adopt it, let us consider the timber resources of the country, and the income which those resources bring to the Treasury. The timber resources owned by the taxpayers of the United States bring a great profit to the people. Should we increase the pay of those who work in the Forest Service all out of proportion to the pay other civil servants receive, simply because the timber resources return a profit to the Treasury of the United States? Obviously not.

There is only one question involved here, which the taxpayers ask us to answer. It is: What is a fair and decent pay for the postal employees, for the service they render the taxpayers? We should vote accordingly. In my judgment, the bill does not go high enough, but it does certainly do the least that we should do this year. We should vote it independently of any deficit in the Post Office Department.

In closing, I wish to express my appreciation to the Senator from South Carolina [Mr. Johnston] for the wonderful work he has done as chairman of the committee in connection with the bill; to my friend the Senator from Kansas [Mr. Carlson], for his work as ranking minority member on the committee; and I wish to say to my colleague [Mr. Neuberger], the chairman of the subcommittee, that I think on this issue again he has made another outstanding record as a Senator from my State, and I wish to congratulate him for his leadership in the fight for fair and decent treatment of the postal workers of our country.

Mr. CARLSON. Mr. President, I yield myself 5 minutes. I regret that I am unable to support the pending bill. My record in support of pay legislation, not only for postal workers, but for all Government employees, is well known to the Senate. The pending bill has had no consideration by the Senate Post Office and Civil Service Committee. I wish to pay tribute at this time to the subcommittee of the Committee on Post Office and Civil Service headed by the junior Senator from Oregon [Mr. Neuberger], and to the junior Senator from Texas [Mr. Yarborough], and the junior Senator from Kentucky [Mr. Morton], who held extended hearings on measures proposing both postal and classified pay legislation. Bills for such pay increases are on the Senate calendar. Today we are considering the House-passed bill.

I share the opinion of others that our Federal employees are entitled to salary increases, but I am confident that the pending bill, which carries an increase of $546 to all postal employees across the board, irrespective of grade or position, except rural mail carriers and fourth-class postmasters, could not, in conscience, be signed by the President.

The percentage of an across-the-board increase would be 12½ percent. The cost of this bill, if enacted, will be in excess of $300 million.

I contend that if we pass this bill, we must be equally generous with our employees in the classified service and members of the armed service.

There is pending on the Senate Calendar a House bill increasing the salaries of classified employees by 11 percent. This bill provides for an average increase of $518 per employee, and would cost $532 million. The combined cost of these two bills would be between eight and nine hundred million dollars.

During the past year a committee, known as the Cordiner committee, has made studies and recommended increases in the pay of our military personnel, especially those in the upper grades. The Cordiner committee contends it is absolutely necessary that action be taken in this regard if we are to keep men in these important positions who are tempted to go into private industry at much greater salaries. I contend that Congress should give immediate consideration to this group.

As a matter of fact, I feel strongly that the Federal employees of the Government—postal, classified, and military—are entitled to some pay increase, and again say I regret I cannot support this bill.

Let us just see what this bill would do to the pay schedules of the postal service if approved.

For example, a 19-percent increase is provided in the salary of a janitor, a 17-percent increase in the salary of a clerk at a third-class office, and a 16-percent increase in the salary of a clerk-typist. Yet, at the same time, a committee amendment would grant supervisors of these employees a 13-percent or less increase. In some instances subordinates would receive more compensation than their supervisors. This distortion will, in my opinion, affect and morale and create dissatisfaction among the postal employees and detrimentally affect service to the public.

A similar situation existed several years ago, but our committee, after long and painstaking efforts, finally succeeded in having enacted Public Law 68 in the 84th Congress, which law established a pay schedule for postal field service which we believe is modern and realistic. It had the complete support of the members of our committee. The action recently taken by the majority of our committee will, I think, nullify our best efforts in establishing a fair pay schedule for postal field service.

The last increase to postal employees by the Congress—Public Law 68, 84th Congress—approximated 9.1 percent. This represents the additional cost of increases in base pay effective March 1, 1955, plus the effect of reclassification of positions in the postal field service, effective December 3, 1955. It does not, however, include the additional cost which will be incurred as a result of automatic promotions in subsequent years.

I should also like to remind the Senate that if this bill should be passed and become law, it would be necessary for Congress immediately to vote an additional supplemental appropriation of $265 million if we are to continue the present mail service of the Post Office Department.

The PRESIDING OFFICER (Mr. SCOTT in the chair). The time the Senator from Kansas has yielded to himself has expired.

Mr. CARLSON. Mr. President, I yield myself 3 additional minutes.

The PRESIDING OFFICER. The Senator from Kansas is recognized for 3 additional minutes.

Mr. CARLSON. Mr. President, there is not a Member of this body who does not recall some of the debate in regard to voting a $41 million supplemental for the fiscal year 1957 and a $133 million supplemental for fiscal year 1958, in order that the Post Office Department might retain its present service.

I have never supported—in fact, I have opposed—the idea that the salaries of the postal workers of this Nation should be tied to the postal receipts; but we are faced with a very practical situation.

The present Post Office deficit for the fiscal year 1958 is estimated at $686 million. If we add to that the $300 million called for in this bill, the total will be approximately $1 billion.

I would say, Mr. President, in all sincerity that the Congress has an obligation to the postal workers, and also has an obligation to increase postage rates so as more nearly to equal the cost of the operation of the Post Office Department.

It is my contention that we might well work these out together, but I do not believe we can do it in the closing hours of this session with justice to either the Post Office Department or the postal workers.

I want to make one pledge to the postal workers of the Nation; and that is if this bill is passed by Congress, but does not become law, at the very beginning of the next session of Congress, I will do everything in my power to see to it that the postal workers receive a fair and just increase in salary, and also to insist that the Congress pass postal rate proposed legislation that will more nearly equal the cost of operating the Post Office Department.

Mr. NEUBERGER. Mr. President, will the Senator from Kansas yield to me?

. CARLSON. I yield.

Mr. NEUBERGER. I wonder whether the distinguished chairman of the committee will yield me some time, so that I may ask several questions.

Mr. JOHNSTON of South Carolina. I yield 1 minute to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 minute.

Mr. CARLSON. I have only a few minutes left.

Mr. NEUBERGER. First, I should like to ask a question of the able Senator from Kansas, who is one of the most sincere Members of this body.

Before asking the question, let me say that I hope the bill now before the Senate becomes law. If it does not become law, with the result that the Senator from Kansas must make good on his promise to see to it, early in the next session, that such proposed legislation is passed, will he try to have the measure made retroactive to August 1? This would mean that these postal workers will at least be able retroactively to have a decent standard of living during this year.

Mr. CARLSON. I am only one member of the committee. In the past, the Congress has passed retroactive measures. Of course, I cannot say what my individual judgment and that of the others members of the committee would be at that time.

Mr. NEUBERGER. The fact that the Senate is now considering the House bill, rather than the Senate bill, might be said to be a reflection on the subcommittee which reported the Senate bill to the full committee, which, in turn, reported the bill to the Senate. However, is it not true that the able Senator from Kansas [Mr. CARLSON] and myself, as well as other members of the Senate, voted in favor of the passage of a civil-rights bill which previously had been placed directly on the calendar, without being reported by any Senate committee?

In that connection, I emphasize that we cannot hold with the hare and run with the hounds. I do not think the Senator should indulge in criticism of us for voting in favor of the passage of a bill which has come here directly from the House of Representatives, in view of the fact that the Senator and I and other Members voted to place directly on the calendar the civil-rights bill which had been passed by the House of Representatives.

Mr. CARLSON. I understand that some hearings were held on the civil-rights bill, although the bill was not reported to the Senate. On the other hand, there have been no hearings on this House bill which provides for an across-the-board pay increase for the postal workers.

The Senator did a fine job in the subcommittee, and the subcommittee reported a bill calling for a 7½-percent increase across the board, with pay increase adjustments; and I think we can agree on that.

Mr. NEUBERGER. But the Senator from Kansas will agree, I am sure, that extensive hearings were held by the subcommittee on the proposed legislation for a postal workers pay increase.

The PRESIDING OFFICER. The time yielded to the Senator from Oregon has expired.

Mr. CARLSON. Mr. President, I yield myself 1½ minutes.

The PRESIDING OFFICER. The Senator from Kansas is recognized for an additional minute and one-half.

Mr. NEUBERGER. Mr. President——

Mr. CARLSON. I yield.

Mr. NEUBERGER. I am sure the Senator from Kansas will never deny that the hearings showed the need to increase the pay of the postal workers.

Mr. CARLSON. I do not deny it at all. I am in thorough accord that there should be an increase in the pay of the postal workers of the Nation. But I do not think we can say correctly that the increase should be $400 or $600 across the board. I do not believe it is correct to say that such a statement can correctly be made.

Mr. NEUBERGER. I disagree, Mr. President; but I shall not detain the Senator from Kansas further.

Mr. MORTON. Mr. President——

Mr. CARLSON. I yield 5 minutes to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 5 minutes.

Mr. MORTON. Mr. President, following up on the point which has been discussed by the Senator from Kansas and the Senator from Oregon, let me say that the Senator from North Dakota [Mr. LANGER] was originally designated a member of the subcommittee, but for reasons of health he was unable to attend the hearings, and I took his place on the subcommittee.

I well remember that the subcommittee first supported a bill which provided for a flat, across-the-board pay increase. All of us had some misgivings about it. We decided to take another look at it.

We knew—for it has been established during the last 4½ years—that the President's policy in this connection has been one of supporting salary increases which are not flat, but which are in the nature of percentage increases.

One day we met in the office of the Secretary of the Senate, and we decided on such a formula, which I think is a good one, and to which I think the able members of the staff of the Committee on Post Office and Civil Service had given considerable study. I thought it was a good suggestion.

Now are all our labors to go for naught? Instead of that bill, the Senate is now considering a House bill which provides for the very formula which those of us who serve on the subcommittee had rejected.

I had hoped the Senate would take up the Senate bill.

I do not think the situation in this instance is at all similar to that in the case of the civil-rights bill. In the present case, both the House bill and the Senate bill are on the calendar, and hearings have been held on the Senate bill, and the bill has been reported by the subcommittee to the full committee, and the full committee has reported the bill to the Senate. So I do not think the two situations are similar.

I had hoped the Senate would consider the Senate bill.

Now that the House bill has been read the third time, it seems that the only parliamentary opportunity we would have for the Senate to consider the Senate bill would be to have the House bill recommitted, with instructions to the committee to report the bill forthwith, amended along the line of Senate bill 27, the bill introduced by the senior Senator from South Carolina [Mr. JOHNSTON], on behalf of himself and other Senators, which bill now appears on the calendar as Calendar No. 716. But I believe I am sufficiently realistic to know that in the closing days or even the closing hours of the session, no such parliamentary device would be successful.

I would be happy to go along with the Senate bill or with any bill which approaches the matter in the way the Senate bill does.

I am very unhappy that the Senate is faced with the House bill which, as the Senator from Kansas [Mr. CARLSON] has so ably pointed out, treats all postal workers exactly alike, regardless of their skills or regardless of their educational attainments.

Furthermore, I believe the House bill provides for a larger increase than we can expect the President to agree to. Under these circumstances, I do not think we can expect the President to sign the bill. I do not know what the President will do, but I think he will be very loath to sign it, particularly in view of the present fiscal condition of the country.

On the other hand, the bill reported by the Senate Committee on Post Office and Civil Service provides for a more modest pay increase, but one which I feel sure would be welcomed by every person in the postal service.

Mr. President, I yield back the remainder of the time yielded to me.

Mr. GOLDWATER. Mr. President——

Mr. CARLSON. Mr. President, I yield 4 minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 4 minutes.

Mr. GOLDWATER. Mr. President, I cannot bring myself to support the bill which is now before the Senate.

At the outset, I agree with the Senator from Oregon [Mr. NEUBERGER] that this pay increase should not be related to increases in the postal rates. I think the increases in the postal rates should stand on their own feet, and I think the salary increases should stand on their own feet. I do not believe we should try to relate them.

I do not believe the Senate should pass this bill for political reasons, either; but I suspect that some of the votes which will be cast tonight will be cast on that basis.

We have heard rumors that the President will veto the bill. In view of the fact that the Members of Congress will go home in a few days, the President will, under those circumstances, be able to follow the convenient course of putting the bill in his pocket, and thus exercising a pocket veto; and then many of the Members, after they return home, will be able to say to their constituents, "I voted for the postal pay increase," whereas, if the truth were told, they would have to add, "But I knew all along that you would not get it."

Mr. President, I realize that adjustments should be made in the pay scales of the employees of the Federal Government. However, when we take the unbusinesslike approach of making a $543 across-the-board increase, regardless of ability, regardless of the situation or position of the employees in the postal service, then we are taking a step in a very wrong direction, because such a step would establish a precedent for another pay raise across the board the next time we deal with pay increases because of increases in the cost of living.

I say the same argument will apply to the 11-percent across-the-board increase proposed in the classified employees' pay bill which soon will be before the Senate.

I do not believe the total amount of $900 million is of especially great importance, although certainly it will contribute to the inflation which exists today.

I am the coauthor of a bill, along with the distinguished Senator from Missouri, which provides for recognition of skills in connection with military pay, rather than for a pay raise across the board. The trouble with the military service today, and I may say it is generally the trouble with our whole Federal pay system is that, when we make pay increases, they are made across the board, and we do not give proper recognition to the particular qualifications, and thus say to certain of the employees, "You are more skillful, and therefore you deserve more of a pay increase than do some others."

No, Mr. President; I cannot bring myself to vote for the pending bill. It might be the smart thing to do politically, but in my opinion it is not the smart thing to do, if we are sincere in our constant statements about our efforts to reduce the taxes of the people of the United States.

If the pay increase now proposed is given to the postal employees, I predict that within 12 months they will be in worse condition than they are today. In that respect, the situation is the same as that which exists when increases are made in the wages of any workers who have not earned the increases by increasing their production. I observe that situation existing today in the case of businesses in the United States in which wages have been increased, regardless of the ability of the workers or regardless of their right to receive such pay increases.

Mr. President, if we wish to be really fair to those who work for the Government of the United States, let us make a really determined effort to beat inflation. It can be done, but it will take much more courage than that which has been shown by the executive branch or the legislative branch of the Government during my stay in this body.

Mr. President, inflation hurts everyone; and if we wish to stop inflation, the stopping of it will have to hurt everyone.

So tonight, Mr. President, when I cast my vote against this measure, it is not against the postal worker. It is against a system which unfortunately, has crept into the thinking of our people, that the way to solve these problems is merely to say, "We will give everybody an across-the-board raise, whether they deserve it or not." It is a system into which there has been allowed to creep the idea that a little inflation will not hurt. The little inflation we suffer from today can be looked upon by those in this body who have so foolishly voted large expenditures as having been contributed to by them, and the junior Senator from Arizona does not want to have to say that of himself.

Mr. KNOWLAND. Mr. President, first of all, I ask for the yeas and nays before I yield some time to myself.

The PRESIDING OFFICER. The yeas and nays have already been ordered.

Mr. KNOWLAND. May I inquire how much time remains?

The PRESIDING OFFICER. The proponents of the bill have 17 minutes remaining; the opponents have 12 minutes remaining.

Mr. KNOWLAND. Perhaps the proponents would like to speak at this time.

Mr. JOHNSTON of South Carolina. Mr. President, I yield to the junior Senator from New York 3 minutes.

Mr. JAVITS. Mr. President, I speak in this debate only out of a sense of responsibility to the workers of the largest post office in the country. New York City has 35,000 postal workers. I testified before the committee which considered the proposed legislation. I have also spoken on the floor previously on the subject. I shall not repeat those arguments. It is time those workers received the increase which would be provided by the Senate bill.

I speak as I do out of a deep sense of responsibility. I respect the sincerity, the integrity, and the knowledge of those who are opposed to the measure. I favor it for this reason. Whether or not it becomes law—and no one of us knows whether or not it will—we are nevertheless taking the only opportunity open to us to show our support for a demand which is a reasonable one, in terms of the fact that we are the only ones who can do justice to the postal workers. They have no one else to look to for relief.

Secondly, I heard it said by the Senator from Arizona, "How is the business doing in which the people participate?" The business is doing very well. The post office activity is essentially the business of the United States, and the business of the United States is doing very well, indeed, and it should not shortchange its employees.

My third basic and fundamental point is this. I am for an increase in postal rates. I think that is an expression of responsibility which is almost the bounden duty of all of us who are for a pay increase. I am for an increase in postal rates. First-class mail rates have not been increased for 25 years. We should face our responsibility in that regard. I am more than willing to face it now if I have the opportunity to do so. I will do so at the earliest possible moment it is offered to me.

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

Mr. JOHNSON of Texas. I yield 1 minute to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, this is a bad bill, but I shall vote for it. I concur in the statement made by the Senator from Kansas [Mr. CARLSON]. Nevertheless, this will be the only opportunity in this session of Congress to give postal employees an increase, which they desperately need.

Despite the fact that this bill violates every sound principle of personnel procedure and pay classification, when it comes to a question of keeping sound principles of personal procedures or keeping postal employees in a situation where they can get a living wage, I will cast my vote for the bill.

Mr. YARBOROUGH. Mr. President, will the Senator yield me one-half minute so that I may make an inquiry of the Senator from Pennsylvania?

Mr. JOHNSON of Texas. I yield one-half minute to the Senator from Texas.

Mr. YARBOROUGH. The Senator from Pennsylvania has said that the bill violates every sound principle of personnel procedure. After a careful weighing of the facts, and after weighing every sound principle of personnel procedures, the committee recommended increases of from $515 to $575 a year. When a full across-the-board increase of $546 a year is considered, that is the only violation it does to the sound principle of personnel procedure presented to that committee. The variance is very small.

Mr. CLARK. That is why I think it is a bad bill.

Mr. KNOWLAND. Mr. President, I yield myself 5 minutes.

In the first place, it seems to me, from the point of view of both the postal worker and the Post Office Department, there should not be a postal pay bill passed unless a postal rate bill is first acted upon.

Secondly, it seems to me that if the Congress of the United States is to deal equitably with all employees, it is not only necessary to consider postal employees—the loyal group of American citizens who carry on the postal service—but it is also important to consider the classified employees, and, I might say, those in the military service as well. To take them all on the same basis on which the postal workers are being considered in the bill would amount to a cost in the neighborhood of $1,500,000,000.

It took most of this session for the committee of the House of Representatives to hold hearings, which extended over a considerable period of time, to have the bill considered and finally acted on by the House, and sent to the Senate. I certainly am not critical of the other body. I think it proceeded with diligence. It was important that it hold hearings.

From the point of view of the postal workers themselves, I think they would have been much better advised by their leaders if they had permitted the bill to be held over until the beginning of the next session. The proposed legislation under those circumstances would not die in committee, as would be the case at the end of a Congress. Such a bill would be very much alive. In January of next year it could be taken up at that point.

The Committee on Post Office and Civil Service, which has held some hearings, has—and I understand the reasons why—postponed further hearings. I think there is some merit in the position the committee has taken on the postal rate bill—that is, that there are persons entitled to be heard, and the committee wanted to give them the opportunity to be heard.

By the same token, I think the Post Office Department would be better advised to have the postal rate bill go over until the beginning of the next session. At that point the Post Office Department and the Civil Service Commission could submit to Congress a report upon a bill in whatever form and substance would be desirable, in their judgment. It could be debated on the floor. The same situation would prevail with respect to the postal rate bill as I have mentioned with respect to the postal pay bill.

Great progress has been made. The bill has been reported by the House Civil Service Committee. It has been acted on by the Rules Committee. It has been acted on by the House. It is now in the Senate. Substantial progress has been made in that regard.

Following the course I have indicated we could have had a postal rate bill which most persons recognize to be essential and important from the point of view of the fiscal soundness of the United States Government and from the point of view of cutting down or eliminating entirely the postal deficit.

Certainly, I do not think any responsible Member of the Congress should do anything which would in any sense deceive the postal workers. It is my judgment—and I mention it only as my judgment—that the pay bill will not become law unless there has been first enacted a postal rate bill. So I do not think the ultimate objective will be accomplished by the procedure which is now being followed. To the contrary, I think a great deal of progress may be lost as a result. There may be some political advantage to be gained in getting a bill through Congress and laying it on the President's desk, so to speak, in the expectation of a Presidential veto, but I wish to say I do not think that would accomplish the result the members of the postal working force desire.

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

Mr. KNOWLAND. I yield myself an additional 5 minutes.

I do not believe that would accomplish the result the rank and file of the postal workers seek to achieve, or that I think even a substantial group of the responsible leaders of the postal workers seek to achieve, because what they should seek to accomplish is the passage of a bill which will become law and result in making upward adjustments in the pay of postal workers. That should be the object desired to be accomplished on the part of all who are interested in the postal workers.

Mr. President, any legislation in this area should be such as will provide flexibility within the present salary structure by allowing the Postmaster General to set higher salary rates in those areas where private industry is outbidding the postal service for comparable job classifications.

I had a delegation of very fine postal workers in my office. They came from all sections of the State of California.

I suppose there are in my State of California more postal workers and perhaps more Federal employees than there are in any other State of the Union. I am not sure, but possibly the total exceeds those employed in the District of Columbia.

These postal workers came into my office and made an argument to me which was very powerful, namely, that there had been a considerable personnel turnover in the various California post offices. They gave me a list of post offices and personnel turnover. I have no reason to believe that the list which they furnished me is not accurate.

Mr. President, at this point in my remarks I ask unanimous consent to have printed in the RECORD the list of the personnel turnover in California post offices. I might say it shows, picking out a few cities at random: Bakersfield, 30 percent; Fullerton, 47.7 percent; North Hollywood, 47 percent; and San Fernando, 62 percent. The percentage varies from place to place.

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

Personnel turnover in California post offices, January–December, 1956

	Percent
Arlington	30
Bakersfield	30
Beverly Hills	35
Burbank	34
Burlingame	28
Downey	100
El Monte	37
Fullerton	47.7
Glendale	22
Hawthorne	46
Hayward	39
La Crescenta	30
Lakewood	25
Lancaster	70
La Verne	25
Los Angeles	25
Maywood	39
Merced	25
Monrovia	33
Montrose	30
North Hollywood	47
Ontario	31
Pacific Palisades	31
Pacoima	32
Palos Verdes Estates	78
Redding	22
Redwood City	51
Reseda	58
Rialto	54
Sacramento	29
San Bernardino	51
San Fernando	62
San Gabriel	45
San Mateo	45
San Rafael	43
Santa Monica	25
Sunland	80
Upland	30
Ventura	22
Whittier	23

The following offices had the separations shown for the period but are not on a percentage basis:

City	Time period	Separations
Claremont	30 months	15
El Centro	18 months	23

City	Time period	Separations
Spring Valley	6 years	16
Walnut Creek	6 months	8
Mountain View	17 months	23
San Francisco	1 year	204
Oakland	5 months	96
San Clemente	4 years	23
San Carlos	2 years	20
Red Bluff	5 months	3
San Diego	5 months	254
Los Angeles	5 months	1,346
Long Beach	5 months	167

Mr. KNOWLAND. Mr. President, as I looked into the situation with some care and sought to gain additional facts, I was supplied with information which shows that the turnover in other United States Government departments, or the quit rate in the United States departments and large Federal employing agencies, per 100 employees, is as follows:

All Federal Government agencies, 0.76.

The Veterans' Administration, 1.15.

The Department of Justice, 1.07.

The Department of Health, Education, and Welfare, 1.05.

The Department of Interior, 0.95.

The Department of Agriculture, 0.86.

The Department of the Air Force, 0.84.

The Department of the Treasury, 0.84.

The Department of the Army, 0.80.

The Tennessee Valley Authority, 0.79.

The Department of State, 0.65.

The Department of Labor, 0.62.

The Department of the Navy, 0.61.

The Department of Commerce, 0.60.

The General Services Administration, 0.60.

The Post Office Department, 0.57.

The PRESIDING OFFICER (Mr. BIBLE in the chair). The time of the Senator from California has expired.

Mr. KNOWLAND. How much time do I have remaining, Mr. President?

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. KNOWLAND. I yield myself the 2 minutes.

Mr. President, as to private industry I was furnished information which shows that the turnover rate per 100 employees for private manufacturing industries is 1.30, and the average of the lowest three is 0.60 while the average of the highest three is 2.30.

Unfortunate as the turnover rate is in the Post Office Department, it does not compare unfavorably with other Government departments.

Because of the limitation of time, Mr. President, I am not able to go into this matter further, but I wish to state, in conclusion, that I was furnished a chart, at my request, by the postal workers, which showed the changes which have taken place. One interesting thing is that from the year 1947 to date there has been quite a change in salaries. In 1947 the average gross salary was $2,550. It is now $4,396.

The problem which is pressing the postal workers, which I believe is very interesting, is one of deductions. In 1947 the retirement deduction was $153. Now the retirement deduction is $285.74. Of course, the retirement benefit was largely sought by the workers, and I think very soundly so.

The second interesting factor to consider is the withholding tax. In 1947 there was none according to this chart. In 1948 the withholding tax amounted to $46.80, while in 1957 it is $306.

Mr. President, there are social-security benefits and withholding taxes and other items which must be considered. The details are not given as to the withholding taxes, but with those two items alone we can pretty much account for what is called the deficiency in salary.

Mr. President, under the circumstances I do not think we would be doing a service to the postal workers by passing a bill which in all likelihood cannot become law. I think they would have been much better advised to have permitted this bill to remain in committee until January, when we could have joined together in getting a postal rate bill passed, and getting an equitable adjustment for any cost-of-living increase which has taken place since the last pay adjustment was made.

Mr. President, I ask unanimous consent that the table to which I have referred, relating to the average annual take-home pay of regular letter carriers, furnished me by the postal workers, may be printed at this point in the RECORD.

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

Average annual take-home pay of regular letter carriers after adjusted to deductions for retirement and Federal income tax, and adjusted to purchasing power of dollar, at 6-month intervals between July 1, 1947, and July 1, 1957, plus deficiency

Date	Applicable public law	BLS index [1]	Purchasing power of dollar [2]	Average gross salary [3]	Deduct 6 percent retirement	Deduct withholding taxes [4]	Net annual salary	Adjusted to purchasing power of dollar	Deficiency in salary
July 1, 1947	386—Jan. 1, 1946	95.0	105.3	$2,550	$153.00	None	$2,397.00	$2,524.04	[5] $127.04
Jan. 1, 1948	do	101.3	98.7	2,959	177.54	$46.80	2,734.66	2,609.11	35.55
July 1, 1948	900—July 1, 1948	104.3	95.9	2,930	175.80	46.80	2,707.40	2,596.40	111.00
Jan. 1, 1949	do	102.7	97.4	3,118	187.08	81.60	2,849.32	2,775.24	74.08
July 1, 1949	do	101.4	98.6	3,307	198.42	116.40	2,992.18	2,950.29	41.89
Jan. 1, 1950	428—Nov. 1, 1949	100.6	99.4	3,422	205.32	133.20	3,083.48	3,064.98	18.50
July 1, 1950	do	102.9	97.2	3,436	206.16	133.20	3,096.64	3,009.93	86.71
Jan. 1, 1951	do	108.6	92.1	3,505	210.30	151.20	3,143.50	2,895.16	248.34
July 1, 1951	204—July 1, 1951	110.9	90.2	3,573	214.38	168.00	3,190.62	2,877.94	312.68
Jan. 1, 1952	do	113.1	88.4	3,795	227.70	194.70	3,372.60	2,981.38	391.22
July 1, 1952	do	114.1	87.6	4,018	241.08	237.60	3,539.32	3,100.44	438.88
Jan. 1, 1953	do	113.9	87.8	4,043	242.58	254.40	3,546.02	3,113.41	432.61
July 1, 1953	do	114.7	87.2	4,069	244.14	254.40	3,570.46	3,113.44	457.02
Jan. 1, 1954	do	115.2	86.8	4,072	244.32	254.40	3,573.28	3,101.61	471.67
July 1, 1954	do	115.2	86.8	4,075	244.50	254.40	3,576.10	3,104.05	472.05
Jan. 1, 1955	do	114.3	87.5	4,113	246.78	254.40	3,611.82	3,160.34	451.48
July 1, 1955	68—Mar. 1, 1955	115.2	86.8	4,313	258.78	289.20	3,765.02	3,268.04	496.98
Jan. 1, 1956	68—Dec. 1, 1955	114.6	87.3	4,348	260.88	306.00	3,781.12	3,300.92	480.20
July 1, 1956	do	117.0	85.5	4,383	262.98	306.00	3,814.02	3,260.99	553.03
Jan. 1, 1957	do	118.2	84.6	4,389	[6] 285.29	306.00	3,797.71	3,212.86	584.85
July 1, 1957	do	[7] 120.2	83.2	[8] 4,396	[6] 285.74	306.00	3,804.26	3,165.14	639.12

[1] Department of Labor, Bureau of Labor Statistics.
[2] Department of Commerce, Office of Business Economics.
[3] Post Office Department.
[4] 3 dependents.
[5] Excess.
[6] Increased to 6½ percent per Public Law 854 (84th Cong.).
[7] Preliminary figure.
[8] Estimated.

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from Mr. William C. Doherty, president of the National Association of Letter Carriers.

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

NATIONAL ASSOCIATION OF
LETTER CARRIERS,
Washington, D. C., August 9, 1957.

Hon. WILLIAM F. KNOWLAND,
United States Senate,
Washington, D. C.

DEAR SENATOR KNOWLAND: In accordance with our discussion of a short time ago, I have prepared a chart going back over the last 10 years, indicating the changes made in the postal salaries and the relationship of these salaries to the cost of living.

This chart shows the take-home pay in the adjusted value of the postal employees today. According to our computation, the present salary is deficient to the extent of $639.12.

I am also enclosing a sheet from the U. S. News & World Report, where they list a number of occupations in the United States and analyze their increases since 1939. This was published in the August 26, 1956, issue of the U. S. News & World Report. You will find the coal miners up 107 percent, while the Federal Government workers are up only 14 percent.

I am also enclosing a reprint of an article that appeared in the U. S. News & World Report for January 15, 1957, that lists 36 American industries where the average worker is now paid at a rate of more than $5,000 a year.

I am sure that these aspects will demonstrate to you that the $546 pay increase sought by the postal workers at this time is a modest increase. We hope that you will do everything in your power to have H. R. 2474, Calendar 720, scheduled for early consideration.

With very best wishes, I remain,

Respectfully,

W. C. DOHERTY,
Presid

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the RECORD a statement regarding certain increases which have been made.

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

COST OF PAY BILLS—POSTAL

H. R. 2474 as passed by the House provides a flat $546 increase for 524,000 postal employees at an estimated cost, including effect on fringe benefits of $317,500,000 per year.

S. 27 as reported out by the full Senate Post Office and Civil Service Committee provides a 7½ percent increase for 524,000 postal employees plus a so-called cost-of-living increase for rank-and-file employees at an estimated cost, including effect on fringe benefits of $300 million per year. The cost-of-living increase for the bulk of postal employees, including clerks and carriers is $240 a year, for first-line supervisory employees in level 6, $160 a year, and for first-line supervisory employees in level 7, $80 a year. No cost-of-living increase is provided for postal employees above the first-line supervisor.

COST OF PAY BILLS—CLASSIFIED

H. R. 2462 as reported out by the House Post Office and Civil Service Committee provides an 11-percent increase for approximately 1 million executive department, judicial, and legislative employees at an estimated cost of $532 million per year, including effect on fringe benefits. There is a ceiling of $1,000 on the increase to be given any individual employee and the present $16,000 maximum is retained.

S. 734 as reported out by the Senate Post Office and Civil Service Committee provides a 7½ percent increase for approximately 1 million employees at an estimated cost of $363 million per year, including effect on fringe benefits.

NOTE.—Either of the bills involving postal employees would distort the relationships between salary levels of employees as provided in Public Law 68, but the Senate bill would result in substantially larger increases for rank-and-file employees than would be given to some of the supervisory personnel. Both the postal and classified pay bills are on the Senate Calendar.

HISTORY OF POSTAL EMPLOYEE SALARY INCREASES

A summary of recent salary increases for postal employees follows:

(1) January 1, 1946, $400 across the board for annual rate employees, 20 cents an hour for hourly rate employees, and 20 percent for fourth-class postmasters;

(2) June 30, 1948, $450 across the board on annual rates, 25 cents an hour on hourly rates, and 25 percent for fourth-class postmasters;

(3) November 1, 1949, $120 on annual rate, 2.5 cents on hourly rates, and 5 percent for fourth-class postmasters, $200 increase for regulars' entrance salaries, $100 more for temporaries, and three longevity grades for certain employees;

(4) July 1, 1951, $400 on annual rates, 20 cents on hourly rates, and 20 percent for fourth-class postmasters, plus elimination of the first 2 salary grades and one or two grade advancements for certain employees;

(5) Effective March 1, 1955, a 6-percent basic salary increase, and December 3, 1955, an additional 2.4 percent upon reclassification of position (Public Law 68, 84th Cong.). This raise increased first-year payroll cost $207 million. It will have a 5-year impact increasing payroll cost even further due to accelerated automatic step increases.

In addition to the effect of the 1955 pay raise, the Department's deficit for fiscal 1958 is further increased by the liberalized retirement law which added 6½ percent to payroll or about $134,500,000 to costs.

HISTORY OF FEDERAL CLASSIFIED EMPLOYEE SALARY INCREASES

A summary of recent salary increases for classified Federal employees follows:

(1) July 1, 1945, 20 percent on the first $1,200, 10 percent on the next $3,400, and 5 percent on the remainder, with a $10,000 ceiling: average increase, 15.9 percent;

(2) July 1, 1946, 14 percent with $250 minimum, subject to $10,000 ceiling: average increase, 14.2 percent;

(3) June 30, 1948, $330 across the board: average increase, 11 percent;

(4) October 28, 1949, increases averaging $140 annually, overall percentage increase 4 percent, with three supergrades (maximum $14,000) created;

(5) First pay period beginning after June 30, 1951, 10 percent across the board, with $300 minimum and $300 maximum; average increase, 10 percent;

(6) First pay period after February 28, 1955 (Public Law 94, 84th Cong.), 7.5 percent increase for each classified employee; cost, $326 million annually.

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

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

Mr. KNOWLAND. I am sorry. I have no time.

Mr. JOHNSON of Texas. I yield to the Senator from California 1 minute.

The PRESIDING OFFICER. The Senator from California is recognized for 1 minute.

Mr. KNOWLAND. I yield to the Senator from Ohio.

Mr. LAUSCHE. I concur with the Senator from California that the bill relating to the postal rate increase should have been submitted to the Senate at least coincident with the bill relating to the wage increase. Perhaps I should not put this question, but is the Senator from California willing to express an opinion as to why the wage increase bill has come before the Senate and the rate increase bill lies dormant in the committee?

Mr. KNOWLAND. I am not a member of the committee, I will say to the Senator from Ohio. I assume that the Committee on Post Office and Civil Service felt that additional hearings should be held. I personally am prepared to support at the next session of Congress a postal rate increase bill. I think it has been too long in coming. And I would be prepared to support an equitable postal pay increase bill, which would not run the Post Office Department further into debt and impair the fiscal structure of the Federal Government.

Mr. LAUSCHE. May I add that if the postal pay increase bill has been hastened out of committee I see no reason why the rate increase should not have been hastened out of the committee.

Mr. KNOWLAND. I am inclined to agree with the Senator.

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

Mr. JOHNSON of Texas. Mr. President, I yield 1 minute to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 minute.

Mr. NEUBERGER. Mr. President, I wish to say to the Senator from Ohio [Mr. LAUSCHE] and to the Senator from California [Mr. KNOWLAND] that I think it is essentially unfair for any Member of this body to try to gear directly the postal workers' pay to a rate increase. Other departments of the Federal Government, in addition to the Post Office Department, have income.

Do Members of the Senate rise, when we are considering a classified pay increase bill, to state that the forest rangers should not receive a pay increase unless we raise the timber-stumpage price in the national forests? The Forest Service has about as much income as it pays out, as I understand.

Why should we not be told to raise the entrance fees to the national parks, if the park rangers are to get an increase in pay?

Why should we not raise the charge for passports and visas for those persons desiring to go abroad, if people employed in the State Department receive an increase in pay?

If people in the Department of the Interior are to receive an increase in pay, why should we not raise the kilowatt rates for the Bonneville Power Administration, the Southwestern Power Administration, or the Central Valley project in the State of the Senator from California?

It is not fair or just to single out the postal workers and to say that they are not going to get a pay increase unless we raise the postal rates, when we do not follow such a procedure for any other department of the Government which has an income.

Mr. JOHNSON of Texas. Mr. President, I yield myself such time as may be necessary.

The PRESIDING OFFICER. The Senator from Texas is recognized.

UNANIMOUS-CONSENT AGREEMENT TO LIMIT DEBATE ON H. R. 2462

Mr. JOHNSON of Texas. Mr. President, in the unanimous-consent agreement relating to time on the postal pay increase bill, we provided for the possibility that H. R. 2462, the employees' salary increase bill, would be offered as an amendment. Since that bill is not going to be offered as an amendment, since it will be taken up on motion, I ask unanimous consent that the same time limitation and the same provisions with reference to germaneness of all amendments be in order, and that we enter into the same agreement as we did on the postal pay increase bill.

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

The Chair hears none; and, without objection, the unanimous-consent agreement is entered into.

Mr. JOHNSON of Texas. Mr. President, I am prepared to yield back the time remaining to me on the pending bill.

The PRESIDING OFFICER. There is no time remaining on the other side.

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

Mr. JOHNSON of Texas. I yield to my delightful friend, the Senator from Florida, such time as he may desire.

Mr. SMATHERS. I thank the able Senator from Texas. Mr. President, I wish to commend the Federal Employees' Compensation Subcommittee, under the able chairmanship of the distinguished junior Senator from Oregon [Mr. NEUBERGER], and the Post Office and Civil Service Committee, under the able chairmanship of the distinguished senior Senator from South Carolina [Mr. JOHNSTON], for making it possible for the Senate to act on pay legislation during the current session.

I am in complete agreement with the decision to act on H. R. 2474 instead of S. 27 in order to avoid any further delay in the matter. In my opinion, the time for final action is long past due. The pay of our postal workers and other Federal employees should have been increased many months ago.

The Post Office Department provides one of the most important public services performed by the Government. Every individual, every family and every business in this great Nation has a very real and vital interest in the postal service. The public expects the service to be maintained at peak efficiency under all circumstances and at all times.

However, it is becoming increasingly difficult to maintain the efficiency of the service with the morale of the employees at such a low ebb because of their inability to maintain a proper standard of living on their present salaries.

Postal employees have received one small increase in 6 years. The increase was in the neighborhood of from 6 to 8 percent on the average. Contrasted with this is the fact that comparable employees in private industry have received increases averaging above 20 percent during the same period of time. It is false thinking to believe that the integrity and efficiency of the service can be preserved under these conditions.

Our national interest will be well served by quick enactment of the pending bill. A measure of justice will accrue to our postal employees as the result of favorable action here today.

Mr. President, I urge my colleagues to vote for H. R. 2474.

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

Mr. JOHNSON of Texas. I yield to my friend, the Senator from Ohio.

Mr. LAUSCHE. I should like to ask some questions of the Senator from Kansas [Mr. CARLSON] with respect to his statement.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 2 minutes.

Mr. LAUSCHE. Do I correctly understand the Senator from Kansas to say that no hearings were held on this bill by the Senate Committee on Post Office and Civil Service?

Mr. CARLSON. That is correct. This bill came directly from the House and was placed on the Senate Calendar.

Mr. LAUSCHE. The Senate Committee on Post Office and Civil Service, if it had examined the bill, could have made certain that there was a proper gradation of salaries, so as not to have subordinates receiving greater salaries than superiors.

Mr. CARLSON. I will say to the Senator from Ohio that the Senate Committee on Post Office and Civil Service did report a bill, which is on the calendar. The bill was considered by the subcommittee under the very able chairmanship of the Senator from Oregon, and provided for a 7½-percent increase with a cost-of-living adjustment. There was a 7½-percent classified pay increase bill reported from the committee, which I think is proof that we did have in mind keeping the salary schedules intact.

Mr. LAUSCHE. Do I correctly understand, from the statement of the Senator from Kansas, that if the bill is passed in some instances subordinates will be receiving higher salaries than their supervisors?

Mr. CARLSON. The Senator is correct.

Mr. JOHNSTON of South Carolina. That statement is not correct, Mr. President.

Mr. JOHNSON of Texas. Mr. President, I yield the Senator from South Carolina a half minute.

Mr. JOHNSTON of South Carolina. The last statement I desire to correct. We could not raise a man's salary in a certain specified amount, if there were a difference at this time in the salaries, and in the change, raised the salary of the lower paid man to an amount greater than the salary of the higher paid man.

Mr. LAUSCHE. I should like to say that on the basis of my experience it is inescapable that if there is a uniform rise of $546 there will be subordinates who will be paid more than superiors.

Mr. JOHNSTON of South Carolina. This is not true in this bill, and, may I say also, there is only a one-half of 1 percent difference between the rates in the House bill and in the Senate bill.

The PRESIDING OFFICER. The additional time yielded to the Senator has expired.

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

Mr. JOHNSON of Texas. I yield the Senator 1 minute.

Mr. BEALL. Mr. President, the Senate is considering a bill to increase the salaries of our postal employees. It is my sincere hope that this body will, after due consideration, pass the bill.

Mr. President, in my judgment, no group of employees serves the Government more loyally than do our postal workers. Theirs is not an easy task. They must work, often, under adverse conditions of weather, and, indeed, time, especially during rush seasons such as Christmas. These things they must do when most of us are with our families enjoying the very things which keep postal employees at their jobs for long hours.

It is important, Mr. President, that we continue to maintain an adequate postal service. We cannot do so when our postal employees are not offered a salary sufficiently commensurate with their duties to provide an incentive for them to continue in the service. To have to find another job to supplement his income in the postal service is no incentive for any person. And that is by no means an unusual situation among postal employees.

These men and women indeed have a right to accomplish one job effectively and spend their off-duty hours with their families—in the pursuit of the leisure with which the afterwork hours have been identified.

We can, Mr. President, and in my judgment we must, vote favorably on proposed legislation which will increase the salaries of postal workers.

Mr. JOHNSON of Texas. Mr. President, have the yeas and nays been ordered on the passage of the bill?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered. The clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I further announce that if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Alabama [Mr. SPARKMAN] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The Senator from Maryland [Mr. BUTLER], the Senator from South Dakota [Mr. CASE], and the Senator from Indiana [Mr. CAPEHART] are absent on official business.

The Senator from Vermont [Mr. FLANDERS] and the Senator from Kansas [Mr. SCHOEPPEL] are detained on official business.

If present and voting, the Senator from Maryland [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], and the Senator from Vermont [Mr. FLANDERS] would each vote "yea."

The result was announced—yeas 69, nays 17, as follows:

YEAS—69

Aiken
Allott
Barrett
Beall
Bible
Carroll
Case, N. J.
Chavez
Church
Clark
Cooper
Cotton
Douglas
Dworshak
Eastland
Ellender
Ervin
Frear
Fulbright
Gore
Green
Hayden
Hennings
Hill
Holland
Hruska
Humphrey
Ives
Jackson
Javits
Johnson, Tex.
Johnston, S. C.
Kefauver
Kennedy
Kerr
Kuchel
Langer
Long
Magnuson
Malone
Mansfield
Martin, Iowa
McClellan
McNamara
Monroney
Morse
Mundt
Murray
Neely
Neuberger
Pastore
Payne
Potter
Purtell
Revercomb
Russell
Scott
Smathers
Smith, Maine
Smith, N. J.
Stennis
Symington
Talmadge
Thurmond
Thye
Watkins
Wiley
Yarborough
Young

NAYS—17

Bennett
Bricker
Bush
Byrd
Carlson
Curtis
Dirksen
Goldwater
Hickenlooper

Jenner
Knowland
Lausche
Martin, Pa.
Morton
Robertson
Saltonstall
Williams

NOT VOTING—9

Anderson
Bridges
Butler
Capehart
Case, S. Dak.
Flanders
O'Mahoney
Schoeppel
Sparkman

So the bill (H. R. 2474) was passed.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. JOHNSTON of South Carolina. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER (Mr. BIBLE in the chair). The question is on agreeing to the motion of the Senator from South Carolina.

The motion to lay on the table was agreed to.

FEDERAL EMPLOYEES PAY ACT OF 1957

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 871, H. R. 2462.

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

The LEGISLATIVE CLERK. A bill (H. R. 2462) to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes.

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

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, I should like to ask all Senators to please stay on the floor. Very shortly there will be a yea-and-nay vote on the bill, if the yeas and nays are ordered.

Mr. President, I ask for yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, I ask all staff members to notify their Senators that we shall shortly have a yea-and-nay vote on the pending bill. I yield 2 minutes to the Senator from Oregon [Mr. NEUBERGER].

The PRESIDING OFFICER. The Senate will be in order. The Senator from Oregon will not proceed until we have order in the Chamber.

Mr. JOHNSON of Texas. Mr. President, may we have order?

The PRESIDING OFFICER. The Presiding Officer is trying to secure order. Will Senators who desire to converse please retire to the cloakrooms? Will all staff members who desire to converse with Senators, please retire to the cloakroom?

The Senate will be in order.

Mr. JOHNSON of Texas. Mr. President, I should like to inform all my friends that I am having a birthday party, and I am 30 minutes late for it already. If Senators will remain quiet for a few minutes, we will pass the bill, and I will be able to go to my birthday party.

The PRESIDING OFFICER. The Chair hopes that that announcement will help restore order. The Senate will be in order. The Senator from Oregon is recognized.

Mr. NEUBERGER. Mr. President, my position in regard to the classified pay bills presently pending before the Senate, is the same as my position with respect to the postal pay bills. I think the Senate bill, S. 734, should be laid aside and consideration given to the House bill, H. R. 2462. This action is appropriate because any other course would result in delaying final passage. As I stated when the postal pay bill was up for consideration, the need for haste is paramount. This is urgent and vital.

EXPLANATION

Mr. President, H. R. 2462 will increase the annual compensation of some 970,000 employees in the executive, legislative, and judicial branches of the Government. The increase will accrue to, first, employees subject to the Classification Act of 1949, as amended; second, employees in the legislative branch; and, third, employees in the judical branch, including court reporters for Federal district courts and secretaries and law clerks of Federal judges.

The salaries of these employees will be increased by 11 percent effective at the beginning of the first pay period starting after September 1, 1957.

There are a number of limitations imposed by the bill. First, no salary will be increased by more than $1,000; second, no salary will be increased to above $16,000 per year; and, third, no one receiving a salary of $16,000 or more will receive an increase.

The average increase per employee will amount to $515 per year. The cost of the bill was estimated to be slightly under $500 million a year.

JUSTIFICATION

The subcommittee held long and searching public hearings, both with respect to postal employees and the classified service. It was the unanimous opinion of the subcommittee that an irrefutable case was made for an immediate increase in the pay of Federal employees.

It was clearly established that the pay of Federal employees has not kept pace with pay of employees in private industry. By way of comparison, the pay of employees in private industry has increased by something over 20 percent on the average, while the pay of employees in Government has increased by only 7½ percent. This disparity is not only having an adverse effect on the Government service, but is unfair to our Federal employees.

COST OF LIVING

The upward spiral in the cost of living is but another factor in the consideration of the salary adjustment provided by the bill. In 1955 the cost-of-living index stood at 114.3. This coincides with the date Federal employees received their last pay increase. Today the cost-of-living index stands at a new alltime high. It is now some seven points above what it was in 1955, and it continues to rise.

EFFECT OF LOW WAGE RATE

A spokesman for the Cordiner committee testified before the subcommittee to the effect that the Government is faced with a critical situation because of its low wage rate. He stated, first, the turnover is alarmingly high; second, the Government is losing its most skilled employees; third, quality of replacements does not measure up to the standard of those leaving the service; and, fourth, the effectiveness and efficiency of essential Government services is being reduced to an undesirable low level. The main point of his testimony was to the effect that the payment of competitive salaries would be economical in the long run.

Mr. President, I believe the increases provided by H. R. 2462 are justified in every respect.

I suggest that enactment of this legislation will do much to raise the morale of our Federal employees, increase their productivity and efficiency.

The PRESIDING OFFICER. The time in opposition to the bill is under the control of the minority leader.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from Kansas.

Mr. CARLSON. Mr. President, I hope to use no more than 2 or 3 minutes. I merely wish to make a brief statement. One thing can be said to the credit of the pending House bill and that is that it does not upset the salary scale of the classified employees. It is based on a percentage increase of 11 percent across the board for all classified employees.

The Committee on Post Office and Civil Service has reported a Senate bill which calls for a pay increase of 7½ percent across the board. I urge the Senate to approve, and I sincerely hope it will approve, the 11½-percent increase for classified employees, although I cannot vote for it. I opposed the 12-percent increase for the postal employees, and I believe that the 11-percent increase will not become a law, and therefore will not be of any value to the classified workers of the Nation.

It might be well to look at the total cost of the proposed legislation. The total cost of the bill would be $537,640,000 annually. These pay increases would raise the Federal civilian payroll to almost $13 billion annually, or more than $1 billion a month. Its enactment would require a supplemental appropriation of a half billion dollars for the current fiscal year.

Adding the additional $537,640,000 to the $300 million, and another $1 billion which is bound to follow for the military, we would have approximately $2 billion added to the annual cost of government. These charges are worthy of our attention in considering the measure.

In my judgment, to support the pending legislation is not in the best interest of the Federal employees.

I yield back the remainder of my time.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from Kentucky.

Mr. MORTON. Mr. President, here again we are taking from the calendar a House bill which has not received the careful consideration of a committee of the Senate. If it is in order, I move to substitute order No. 740, Senate bill S. 734, for the House bill.

I move that S. 734, to revise the basic compensation schedules of the Classification Act of 1949, as amended, and for other purposes, be substituted in lieu of the House bill, H. R. 2462, and that the Senate proceed to the consideration of the Senate bill.

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

Mr. GOLDWATER. Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. REVERCOMB. Mr. President, with the Senator yield for a question?

Mr. MORTON. I yield.

Mr. REVERCOMB. It has been said that the raise for the postal employees is on percentage basis. What is that percentage?

Mr. MORTON. It is in the nature of 12 percent.

Mr. REVERCOMB. That is the bill which has been passed for postal employees? Is that the bill to which the Senator has reference?

Mr. MORTON. That is correct. I point out, however, that in that bill there is a flat pay raise, not a percentage pay raise.

Mr. REVERCOMB. What is the amount of the percentage increase in the pending measure for classified employees?

Mr. MORTON. The House bill is an increase of 11 percent, and the Senate bill, which was reported by our committee after very careful study, is a 7½-percent increase.

Mr. REVERCOMB. The pending bill, then, is within 1 percent of the percentage raise provided in the postal employee bill. Is that correct?

Mr. MORTON. In the postal pay bill; yes. However, it should be pointed out that in the lower brackets the percentage is as high as 17 percent, in the top brackets it may be as low as 6 percent.

Mr. REVERCOMB. I thank the Senator.

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

Mr. MORTON. I yield.

Mr. LAUSCHE. What does the substitute bill propose to do as compared with the pending bill?

Mr. MORTON. The pending bill would provide an 11-percent increase to all classified employees. That is the House bill. I propose to substitute the Senate bill, which would provide a 7½-percent increase. That bill has been considered by the Committee on Post Office and Civil Service, and has been reported to the Senate after very careful consideration and after extended hearings by a subcommittee of the Committee on Post Office and Civil Service.

Mr. LAUSCHE. Does the House bill give an 11-percent increase to employees receiving as high as $15,000 a year?

Mr. MORTON. No; they are all telescoped at the top due to the statutory limits of $14,800 or $16,000, as the case may be, for the supergrades.

Mr. President, I yield back the remainder of my time.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Kentucky. [Putting the question.]

Several Senators requested a division.

On a division, the motion was rejected.

Mr. KNOWLAND. Mr. President, I yield 3 minutes to the Senator from Arizona.

The PRESIDING OFFICER (Mr. BIBLE in the chair). The Senator from Arizona is recognized for 3 minutes.

Mr. GOLDWATER. Mr. President, I do not wish to make any remarks either in favor of or in opposition to the bill. I merely wish to state that the Senate is legislating in a rather unusual way, although I suppose it is not so unusual at the end of the session, particularly with politics mixed into the matter under consideration.

A few minutes ago the Senate voted for a bill increasing the pay of the postal workers. So far as I know, in the case of the pending bill, no report on the bill is on the desk of any Senator on this side of the aisle, and I doubt that there are any copies of the report on the bill on the desks of Senators on the other side of the aisle. I think the Senate is legislating in a very loose manner, and I do not think it is wise.

Mr. KNOWLAND. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from California is recognized for 1 minute.

Mr. KNOWLAND. Mr. President, I shall vote against the bill. It is my judgment that the bill will not be approved by the President, and will not become law. In this case, as in the case of the postal-pay-increase bill, on which the Senate voted a few minutes ago, I believe the Senate would have been better advised if it had decided to consider the bill at the beginning of the next session, when the Senate will be able to consider the fiscal structure of the Government and the postal-rate-increase bill and the postal-workers-pay bill, and then can proceed to provide for equity in the case of the pay of the other governmental employees. At that time the Senate can provide for them substantially the same sort of pay increase, perhaps based on the cost of living; and then the Senate can be prepared to take the same action in the case of the pay of those in the military services as well.

I believe the Senate is proceeding unwisely, although of course the Senate has a right to act on these bills, and to vote to pass them, if it so wills; and undoubtedly this bill will be passed. But I do not think either of these pay bills will finally be enacted into law at this session. Therefore, I believe we shall have to start all over again when the Congress reconvenes.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the Senator from South Carolina [Mr. JOHNSTON].

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 2 minutes.

Mr. JOHNSTON of South Carolina. Mr. President, this bill provides for about 1½ percent less pay increase than the pay increase provided by the bill dealing with the post-office workers, which the Senate passed a few minutes ago.

I ask unanimous consent to have a statement explaining the bill printed at this point in the RECORD.

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

STATEMENT BY SENATOR JOHNSTON OF SOUTH CAROLINA

The bill under consideration was passed in the House on August 9 by a vote of 329 to 58. I think that vote is indicative of the sentiment for an increase in the pay of our Federal employees.

It is difficult for me to understand how any fairminded person, in possession of all the facts, could justify taking a position in opposition to a pay increase at this time.

I have been closely associated with matters of this kind for a good many years. Never, during this period of time, have I believed a pay increase more needed or more justified than at the present moment.

Our Federal family is divided into three main categories for pay purposes. Approximately 500,000 are compensated under the Postal Pay Act. Another 950,000 are paid in accordance with the Classification Act. Another 650,000 are paid in accordance with rates prevailing in the local area. Now let us examine for a moment what has happened to these three groups.

Our postal employees received an increase in 1955 of 6 to 8 percent. The employees subject to the Classification Act were increased in 1955 by 7½ percent. The employees compensated in accordance with rates prevailing in the local area have been increased over 20 percent.

And what does this show? Why it shows quite clearly that our employees whose rates of pay are hinged to rates in private industry have been increased by almost three times over the other two groups of our Federal employees whose pay is dependent upon legislative action.

Frequently employees have come to me and asserted that they could leave the Federal service and receive from 10 to 25 percent more for doing exactly the same kind of work in private industry. Many expressed a willingness to make a reasonable financial sacrifice to continue their public careers; but to many the sacrifice is much too great.

Hence we see an abnormal turnover in the public service. It has reached the point that the Government is serving only as a training base for many thousands of employees. They are not remaining with the Government for the duration of their careers; they are leaving to enter private employment. This is a costly, inefficient, and undesirable situation for the Government.

It is time we are taking appropriate steps to again make the Federal service attractive to highly skilled, competent, and loyal employees.

I think enactment of the pending bill would be a forward step in that direction.

The bill does not provide exorbitant increases as alleged by some of its opponents. The bill provides an average increase of only $500. Out of this amount the Government itself would take back about one-fifth in taxes. The net increase to each employee would amount to about $1 a day. I cannot view $1 a day—badly needed for groceries, clothing, medicine, and everyday needs—as being inflationary. I view it as being needed, and needed now, to enable our employees to live decently as good American citizens.

Mr. YARBOROUGH. Mr. President——

Mr. JOHNSON of Texas. I yield 2 minutes to the Senator from Texas [Mr. YARBOROUGH].

The PRESIDING OFFICER. The junior Senator from Texas is recognized for 2 minutes.

Mr. YARBOROUGH. Mr. President, in the hearings which were held on the bill by the Senate subcommittee, testimony was presented by leading scientists, including those in the Navy Department's Material Laboratory, at Brooklyn, N. Y., and those at the Government's research center in Philadelphia. Testimony was also received from the president of the Engineers' and Scientists' Association of the Special Devices Center, Sands Point, N. Y., which is a coordinated Army-Navy activity. Testimony was also received from the chairman of the legislative committee of the Association of Senior Engineers, Bureau of Ships, Department of the Navy.

The testimony presented before the committee shows without controversy that the Government is in imminent danger of losing the services of large numbers of the outstanding scientists who devise and design the weapons and make the weapons with which the military fight in case of war. These persons occupy some of the most important positions under the Government. Their pay schedules come in the brackets around $13,000 and $14,000. On the other hand, they are offered double those salaries by private industry.

Those in charge of the Government laboratories have promised these employees that, if they will wait only a few more months, Congress will provide pay increases for them. Pay is only one consideration, of course; prestige is another important consideration.

But many of these scientists have already left the Government service and have entered private industry.

Those in charge of the Government laboratories state that, if the services of these skilled and most essential employees are to be retained, they must promptly be provided with additional pay, more commensurate with their skills and abilities.

The PRESIDING OFFICER. The time yielded to the Senator from Texas has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 1 minute to the Senator from Oregon [Mr. NEUBERGER].

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 minute.

Mr. NEUBERGER. Mr. President, I should like to make a brief observation.

Criticism has been made by Members on the other side of the aisle, based on the fact that a committee report on the bill is not available, and on the fact that hearings were not held on this particular bill, and so forth.

If I am not mistaken, a number of the Members on the other side of the aisle, plus some of us on this side of the aisle—and that number includes the junior Senator from Oregon—voted, some weeks ago, to have the House bill dealing with civil rights placed forthwith on the Senate Calendar. There was no committee report on the bill, and there were no hearings on the bill.

I do not think Senators can both hold with the hare and run with the hounds, in connection with these procedural matters. The same standard must prevail in various situations.

Mr. KNOWLAND. Mr. President, I yield one-half minute to the Senator from Kansas [Mr. CARLSON].

The PRESIDING OFFICER. The Senator from Kansas is recognized for one-half minute.

Mr. CARLSON. Mr. President, the United States Junior Chamber of Commerce has recently adopted a number of resolutions expressing the views of that organization on legislative proposals pending in the Congress. I ask unanimous consent that a statement on the resolutions, together with the resolutions, be printed at this point in the RECORD.

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

STATEMENT BY SENATOR CARLSON

The United States Junior Chamber of Commerce has recently adopted a number of resolutions expressing the views of that organization in regard to legislation pending in Congress that vitally affects our Nation and its welfare.

The United States Junior Chamber of Commerce, the Jaycees, has a membership of 200,000 young men between the ages of 21 and 35 in 3.500 local communities in all 48 States, Alaska, Hawaii, and the District of Columbia. They annually contribute thousands of projects and programs to community, State, and Nation consistent with "Leadership Training Through Civic Improvement."

We have an outstanding State organization of the Junior Chamber of Commerce, and it has been my privilege to be closely associated with both the National and the State organizations.

RESOLUTION IN SUPPORT OF CONGRESSIONAL LEGISLATION RELATIVE TO CHANGING THE METHOD OF COMPUTING THE BASIC PAY FOR MEMBERS OF THE ARMED FORCES (RELATING TO CORDINER REPORT)

Whereas the military establishments of the United States are desperately in need of a means for attracting and retaining persons with scientific, professional, combat leadership and management skills necessary to maintain a deterrent power during these times of advancing technology and threat of aggression; and

Whereas the Armed Forces do not presently have the means to enter into competition for trained personnel urgently needed for the defense of this country, and a significant factor in their inability to do so is the inadequacy of the present compensation practices now in use; and

Whereas there are now in Congress proposed changes in the military pay structure which are based on merit rather than on longevity, will bring military pay more in line with the pay standards of industry, will offer first-termers greater reenlistment incentive, and will relate pay more closely to the actual contribution of the individual in the service: Now, therefore, be it

Resolved, That the United States Junior Chamber of Commerce as of this date July 27, 1957, respectfully urge the Congress of the United States to take favorable action to revise the existing pay structure now in use in the Armed Forces, incorporating therein the principles enumerated in the Defense Advisory Committee Report on Professional and Technical Compensation for Military Personnel; and be it further

Resolved, That the executive vice president of the United States Junior Chamber of Commerce is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and to each Senator and Representative in the Congress of the United States.

FEDERAL BUDGET CONTROL

Whereas in January of this year the President submitted to Congress the largest peacetime budget in the history of the Nation; and

Whereas at the present time no less than one-third of an individual's income earned goes for taxes of some kind; and

Whereas, it now takes 10 percent of our taxes just to pay the interest on the Federal debt, so large is our present indebtedness; and

Whereas, this indebtedness of the United States is $2\frac{1}{2}$ times as great as the combined debt of 12 European nations that we have been helping, they in fact having a smaller per person debt than we, and

Whereas, in spite of this condition we are asked not only to continue aid at the present rate, but also to open up new and additional spending in the Middle East, and

Whereas, the 1958 budget asks for 14 new State aid programs, an addition of 41,500 new Federal Civil Service employees, about $7 billion more in domestic, civilian expenditures: Now, therefore, be it

Resolved, That we of the United States Junior Chamber of Commerce in annual convention assembled, mindful of the danger of such ever increasing Federal expenditures and greatly concerned for our country's economy, the future of the American way of free enterprise, and thereby the destiny of us all, do advise those we elect and pay to represent us in the legislative branches of the Federal Government that we want every effort made to curtail the vast spending of the Federal Government, to assure us of economy and efficiency in Government and to promote the tax-saving recommendations of the Hoover Commission; be it further

Resolved, That a copy of this resolution be sent forthwith to each United States Senator and Congressman.

PEOPLE TO PEOPLE

Whereas every member of the United States Junior Chamber of Commerce believes that the brotherhood of man transcends the sovereignty of nations, that the earth's great treasure lies in human personality and that service to humanity is the best work of life; and

Whereas the President of the United States, in stating that the future peace and security of the world depends upon the fostering of trust and understanding among all the peoples of the world, launched the nationwide people to people program designed to interest every individual and group in the United States in communicating directly with their neighbors abroad; and

Whereas this direct communication between Americans and their counterparts in other lands will serve to mold a bond of friendship and mutual understanding which is difficult to obtain in customary diplomatic circles; and

Whereas the United States Junior Chamber of Commerce, which has in the past supported the cause of better international relations through its association with Junior Chamber International and the highly successful Operation Brotherhood, believes that the people to people program offers to each and every American citizen an opportunity of becoming one of his or her country's most effective goodwill ambassadors abroad with the most powerful diplomatic weapon yet devised, personal contact between the average citizens or subjects of two nations: Therefore be it

Resolved, That the United States Junior Chamber of Commerce, in the spirit of the Jaycee creed, does fully endorse the principles of the people to people program as a means of breaking down the barriers of distrust and misunderstanding between the American people and their foreign neighbors; be it further

Resolved, That the United States Junior Chamber of Commerce call upon each of its affiliated organizations throughout the United States and its Territories to pledge the full support of their initiative, effort, and resources to some phase of this worthwhile program; suggested ways by which we Jaycees can help are as follows:

Support and encourage communitywide participation in the American bookshelf program;

Adopt an affiliated Junior Chamber International chapter abroad, then correspond and exchange publications with its membership;

Expose foreign visitors and students to Jaycee and community life;

Whenever possible organize pilgrimages abroad or promote pan-American or international Jaycee meetings;

Instruct all American tourists in their responsibility and the importance of their role as goodwill ambassadors.

CIVILIAN DEFENSE

Whereas the United States Junior Chamber of Commerce has become increasingly aware of the difficult problems of civilian defense against nuclear warfare in the United States; and

Whereas the present civil defense law passed in 1950 has been outmoded in the light of recent scientific developments; and

Whereas the Federal Civil Defense Administration, the individual State civil defense councils, and the local training units have not been able to properly arouse the general public as to the possible dangers in nuclear warfare, and to the training and equipment needed for survival; and

Whereas the Military Operations Subcommittee of the House Government Operations Committee of the United States Congress has conducted a long and searching investigation into this problem; and

Whereas this Congressional committee has published a report on July 27, 1956, entitled "Civil Defense for National Survival," which deserves the continued consideration and study by the Congress on the following points:

(1) "Federal civil-defense legislation should be redrafted to vest the basic responsibility for civil defense in the Federal Government, with the States and local units of government having an important supporting role."

(2) "The new legislation should create a permanent Department of Civil Defense, combining the civil defense functions (broadly defined) of the Office of Defense Mobilization and those of the Federal Defense Administration."

(3) "The Department of Civil Defense should consult with the Department of Defense and be required to formulate a master plan for nationwide civil defense."

(4) "The master plan for civil defense should be pointed toward the establishment of an integrated nationwide civil defense system based on the key civil defense measure of sheltered protection against the blast, heat, and radiation effects of nuclear explosions."

(5) "The Department of Civil Defense should be authorized to strengthen State and local defense organizations by contributing equipment, supplies, and funds for administration, training, stockpiles, and other necessary civil defense uses, subject to the supervision, inspection, and approval by the Secretary of Civil Defense, of the civil defense programs of State and local authorities."

(6) "The Secretary of Defense, in consultation with the Secretary of Civil Defense, should establish and implement an effective program of training Active and Reserve military personnel in civil defense duties as a defined part of regular military training."

(7) "The Secretary of Civil Defense, in behalf of the President, should have defined statutory powers to act in an emergency and to mobilize all civilian resources for minimizing the effects of enemy-caused disaster upon the national economy and the people of the United States."

(8) "The Secretary of Defense, in behalf of the President, should have defined statutory powers to act in an emergency and to mobilize all civilian resources for minimizing the effect of enemy-caused disaster upon the national economy and the people of the United States."

(9) "The role of the military forces in civil defense should be clearly defined. State and local officials should be fully informed as to the terms and conditions under which military assistance to civil defense authorities will be rendered in the event of widespread disaster and the breakdown of civil government": Now, therefore, be it

Resolved, That the United States Junior Chamber of Commerce, duly assembled in annual convention this 26th day of June 1957 at Milwaukee, Wis., go on record as favoring further investigation and study by the Congress of the United States as to the merits of these proposals, and of any pending or proposed legislation concerning civil defense.

WASHINGTON, D. C., CITIZENS RIGHT TO VOTE

Whereas the Junior Chamber of Commerce of the United States believes firmly that no American citizen should be denied the opportunity to share with fellow American citizens in the great national privilege of voting for President and Vice President of the United States; and

Whereas several hundreds of thousands of American citizens resident in Washington, D. C., the Nation's Capital, are now denied this national privilege through no fault of their own nor purpose of the Founding Fathers: Now, therefore, be it

Resolved, That the Junior Chamber of Commerce of the United States in convention assembled this 26th day of June 1957 in Milwaukee, Wis., urge American citizens everywhere to join with it in a vigorous campaign to bring this grave injustice in the democratic decision-making process to the attention of the people of the Nation and through them to their elected representatives in the Congress of the United States and the legislatures of the several States;

To the end that the Constitution of the United States be amended to grant to the American citizens resident in Washington, D. C., the opportunity to participate with their fellow American citizens in the national election of President and Vice President of these United States.

PORNOGRAPHIC LITERATURE

Whereas the traffic in undesirable comic books, salacious girlie and scandal magazines and pocket books, and even out and out pornographic materials has reached alarming proportions; and

Whereas it has been clearly established that these materials are not only available to children and to young people, but are actually directed toward them; and

Whereas it has been also established that these obscene and unwholesome materials lower the moral standards of our Nation's youth and lead to perversion, sadism, and sex crimes; and

Whereas the producers and distributors of salacious and pornographic materials are obviously hiding behind the technicalities of the right of freedom of the press—when in fact tighter laws and stricter enforcement need not endanger any of our basic American freedoms; and

Whereas the United States Junior Chamber of Commerce deplores the pollution caused by these evil and degrading publications and has previously taken a public stand against those who would endanger the morals of our youth for the sake of showing a profit: Now, therefore, be it

Resolved, That the United States Junior Chamber of Commerce—

1. Commend the publishers and distributors who are trying to clean up their industry;

2. Support the United States Senate Subcommittee on Juvenile Delinquency and other public and private groups seeking to improve the quality of the reading materials reaching American youth;

3. Encourage local and State Jaycee organizations to determine the current status of the problem and to take positive and constructive steps to bring about their solution; be it further

Resolved, That copies of this resolution be transmitted to appropriate Federal and State Government officials, publishers, distributors, and to the other national organizations interested in the welfare of American youth.

STATEHOOD FOR ALASKA AND HAWAII

Whereas in view of the fact that immediate statehood for Alaska and Hawaii is supported by both major political parties and the national administration and hence is nonpartisan; and

Whereas the people of both Territories have demonstrated their readiness and ability to assume and discharge the obligations of statehood; and

Whereas the people of these Territories have upon their own initiative and expense adopted by more than a 2-to-1 majority a State constitution in conformity with the principles of American Government; and

Whereas the legislatures of these Territories have year after year passed memorials urging Congress to enact enabling legislation; and

Whereas the people of these Territories as United States citizens are denied the right to vote for the President and Vice President of the United States and have no voting representation in Congress; and

Whereas territorial status in view of its temporary nature discourages investment capital and thereby hinders the economic development of the Territories; and

Whereas statehood for these Territories would result in a decrease of Federal expenditures for the operation of government in Alaska and Hawaii; and

Whereas territorial status contributes to an indifferent and slothful attitude toward government while statehood encourages an active interest and participation in government; and

Whereas it is in accord with cherished principles of American Government to grant the responsibility and privileges of local government to American citizens who have suffered the hardships of frontier areas and developed the same: Now, therefore, be it

Resolved by the United States Junior Chamber of Commerce in annual convention assembled in Milwaukee, Wis., this 26th day of June 1957, That the President, the Congress, the Secretary of the Interior, the delegates from Alaska and Hawaii be urged to support immediately statehood for the only two remaining incorporated Territories under the American flag, Alaska and Hawaii; be it further

Resolved, That a copy of this resolution be sent to the President of the United States, each Member of Congress, the Secretary of the Interior, and the Delegates from Alaska and Hawaii.

PUBLIC LIBRARY

Whereas the free public library is one of the principal institutions of public education, basic to the maintenance of our American way of life, and more than any other instrument of society, the custodian and disseminator of the world's knowledge; and

Whereas every American citizen needs to have lifetime access to sources of information upon which to base sound judgments and wise actions because a democracy such as ours can survive only with an informed citizenry; and

Whereas, there is a great need in these United States for the extension, development and promotion of library facilities, as evidenced in extensive hearings on this subject held by the Congress of the United States, and

Whereas, the furtherance of public library service for all people is in accord with the basic tenet of this organization which states that "Service to humanity is the best work of life," and

Whereas, the United States Junior Chamber of Commerce supports a national project known as Operation Library; Now, therefore, be it

Resolved, That the United States Junior Chamber of Commerce in convention assembled this 26th day; of June 1957, in Milwaukee, Wis., does hereby encourage the chapters and members of this organization to assist in the further extension, development and promotion of public library service throughout America; be it further

Resolved, That copies of this resolution be sent to the President of the United States, the Secretary of Health, Education, and Welfare, Members of the Congress of the United States, and the American Library Association.

RELATION BETWEEN FEDERAL AND STATE GOVERNMENTS AND REDUCTION OF FEDERAL AID (CONSOLIDATION)

Whereas a large number of services performed by the Federal Government can be assumed and performed adequately by our States, localities, and individual families; and

Whereas the responsibility for these services basically belongs in other hands than the Federal Government; and

Whereas there is a widespread program of Federal loans and grants-in-aid to States; and

Whereas these programs have resulted in a terrific tax burden on the peoples of the Nation: Now, therefore, be it hereby

Resolved by the United States Junior Chamber of Commerce in convention assembled this 27th day of June 1956, in Kansas City, Mo., That this organization goes on record as favoring continued support of reductions in Federal aid and the assumption of these services that can be adequately performed by said State and local governments.

HOOVER COMMISSION

Whereas the bipartisan Commission on Organization of the Executive Branch of the Government, better known as the Second Hoover Commission, unanimously created by Congress in 1953 for the purpose of continuing the search for a means of saving the citizens of the United States billions of dollars while increasing efficiency of the executive branch of the Government, now has completed a series of bipartisan reports on the Federal Government; and

Whereas junior chambers of commerce traditionally have been vitally interested in the cause of good government, and

Whereas better government will result if the findings of the Hoover Commission are given wide dissemination among the public: Now, therefore, be it

Resolved by the United States Junior Chamber of Commerce in convention assembled this 27th day of June 1956, in Kansas City, Mo., That this organization endorse the broad aims and objectives of the bipartisan Second Hoover Commission; and be it further

Resolved, That this organization continue and expand a program for the widespread dissemination of information on the recommendations and findings of the Commission in order to stimulate interest and secure public support for economy and efficiency in government and adherence to constitutional principles based upon the recommendations and findings of the Second Hoover Commission; be it further

Resolved, That copies of this resolution be mailed to all appropriate Government officials; and be it further

Resolved, That all existing resolutions contained in policy pertaining to this subject be consolidated and incorporated in this resolution as a part hereof and are superseded hereby.

Mr. KNOWLAND. Mr. President, I am prepared to yield back the remainder of the time available to me; and I yield it back at this time.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of the time available to me.

The PRESIDING OFFICER. All remaining time has been yielded back.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 2462) was ordered to a third reading, and was read the third time.

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

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from New Mexico, [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I further announce that if present and voting, the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Alabama [Mr. SPARKMAN] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The Senator from Maryland [Mr. BUTLER], the Senator from South Dakota [Mr. CASE], and the Senator from Indiana [Mr. CAPEHART] are absent on official business.

The Senator from Kansas [Mr. SCHOEPPEL] is detained on official business.

If present and voting, the Senator from Maryland [Mr. BUTLER] and the Senator from Indiana [Mr. CAPEHART] would each vote "yea."

The result was announced—yeas 64, nays 22, as follows:

YEAS—64

Aiken
Allott
Beall
Bible
Carroll
Case, N. J.
Church
Clark
Cotton
Douglas
Eastland
Ervin
Flanders
Frear
Fulbright
Gore
Green
Hayden
Hennings
Hill
Holland
Hruska
Humphrey
Ives
Jackson
Javits
Johnson, Tex.
Johnston, S. C.
Kefauver
Kennedy
Kerr
Kuchel
Langer
Long
Magnuson
Malone
Mansfield
Martin, Iowa
McNamara
Monroney
Morse
Mundt
Murray
Neely
Neuberger
Pastore
Payne
Potter
Purtell
Revercomb
Russell
Scott
Smathers
Smith, Maine
Smith, N. J.
Stennis
Symington
Talmadge
Thurmond
Thye
Watkins
Wiley
Yarborough
Young

NAYS—22

Barrett
Bennett
Bricker
Bush
Byrd
Carlson
Cooper
Curtis
Dirksen
Dworshak
Ellender
Goldwater
Hickenlooper
Jenner
Knowland
Lausche
Martin, Pa.
McClellan
Morton
Robertson
Saltonstall
Williams

NOT VOTING—9

Anderson
Bridges
Butler
Capehart
Case, S. Dak.
Chavez
O'Mahoney
Schoeppel
Sparkman

So the bill (H. R. 2462) was passed.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the bill was passed be reconsidered.

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

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 2603) to amend the act entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 3, 1896.

The message also announced that the House had insisted upon its amendment to the bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CELLER, Mr. WILLIS, Mr. BROOKS of Texas, Mr. KEATING, and Mr. CURTIS of Massachusetts were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 3377) to promote the national defense by authorizing the construction of aeronautical research facilities and the acquisition of land by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9302) making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PASSMAN, Mr. GARY, Mr. ROONEY, Mr. LANHAM, Mr. NATCHER, Mr. DENTON, Mr. ALEXANDER, Mr. SHEPPARD, Mr. TABER, Mr. WIGGLESWORTH, Mr. FORD, and Mr. MILLER of Maryland were appointed managers on the part of the House at the conference.

STATE SONGS

Mr. BYRD. Mr. President, I ask unanimous consent to insert in the body of the RECORD a manuscript on State songs which was prepared by a staff member of the Bedford (Va.) Democrat, of Bedford, Va., Mr. Kenneth E. Crouch.

The manuscript has been placed in the Alderman Library of the University of Virginia, but it is of such interest that I think it should be preserved in the CONGRESSIONAL RECORD.

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

THE STATE SONGS OF THE UNITED STATES

(By Kenneth E. Crouch)

The fact that 39 States in the United States have adopted official State songs is evidence of the growing value of music in public life. This action was taken either to recognize a song expressing the love of a certain area and its beauty or to have some form of expression on official occasions that brings the thought to the immediate territory.

The other 9 States, although no legislative action has taken place, have songs used on official occasions that have been acclaimed as unofficial State songs. They will, like many of their predecessors, have to be tested for years and having proven they cannot be supplemented by another will be legally adopted.

It is interesting to note that in adopting official songs 4 States have adopted 2 songs each, namely, Arkansas (1 being withdrawn after 26 years), Florida (2 by the legislature), Missouri (1 by a governor and 1 by the legislature) and Oklahoma (2 by the legislature). The State of Tennessee has through official legislative action adopted three State songs.

One of the northwestern States, Washington, has the honor of being the first State to take any action regarding an official State song. On March 18, 1909, the song "Washington Beloved" was adopted by the State legislature as the State anthem. The words were written by one of the most distinguished historians and educators of the northwest, Dr. Edmund S. Meany of the University of Washington. The music was composed by Dr. Reginald de Koven, one of the Nation's outstanding composers and conductors.

The States of Arizona and Washington are the only States to adopt State anthems, the other 36 having adopted State songs. Arizona on February 28, 1918, adopted as the official State anthem Arizona, with words by Mrs. Margaret Rowe Clifford of Douglas, Ariz., and music by Maurice Blumenthal of Los Angeles, Calif.

By action of the governor on September 29, 1910, the State of Montana has the distinction of having adopted the first State song. This same song, Montana, with words by Charles C. Cohan and music by Joseph E. Howard, was adopted by the legislature on February 20, 1945. Mr. Cohan, novelist and newspaperman, is now real-estate editor of the Los Angeles Times, in Los Angeles, Calif.

The composer, Joseph E. Howard, in addition to his famed career as a composer, actor, theatrical producer, and radio star, is regarded as the first newsreel cameraman. From Theodore Roosevelt, then police commissioner of New York City, he obtained permission to record closeup shots of the funeral of President William McKinley. The finished film, accompanied by a choir of boys from Father Drumgoole's Orphanage, in Manhattan, singing a mournful dirge, was first shown in Manhattan.

By legislative action, two States adopted official songs in 1911, first South Carolina, on February 11, and second, Iowa, on March 20. By proclamation of the governor, Missouri adopted a set of words as a State song on May 11 of that same year.

Of the various State songs, official and unofficial, six have won widespread acclaim by their use as songs of educational institutions. These are Here We Have Idaho, of the University of Idaho, Maryland, My Maryland, of the University of Maryland, Hail, Minnesota of the University of Minnesota. Hush-a-Bye, Ma Baby, the Missouri Waltz, of the University of Missouri, Dear Old Nebraska U, of the University of Nebraska, and On, Wisconsin, of the University of Wisconsin.

It is strange that one of the Dixie States and leading State of the Confederacy, Virginia, has for its State song Carry Me Back to Old Virginny with both words and music being written by a Negro, James A. Bland. Long before official action was taken in 1940 the people of this State regarded the song dear to their hearts and as far as is known, its author never visited in Old Dominion.

Two States have had as writers of their songs blind women. The very inspiring O Fair New Mexico was written, both words and music, by Miss Elizabeth Garrett. She was a daughter of famed Sheriff Pat Garrett, of New Mexico, who is accredited with the killing of the notorious outlaw Billy the Kid. Miss Bernice Grantham is one of the authors of the words to the Arkansas Traveler. She is a member of the faculty of the Arkansas School for the Blind, in Little Rock.

Stephen C. Foster is the only person to have songs adopted by two different States, My Old Kentucky Home, of Kentucky and Swanee River, of Florida.

Of the authors and composers, at least 45 attended a college or university and several have served on the faculties of institutions of higher learning. In the group can be found 15 newspapermen and 1 woman who is regarded as the first newspaperwoman in the South. She is Mrs. Lollie Bell Wylie, composer of Georgia, who was a staff member of the Atlanta Journal. Henry Timrod, author of Carolina, was a war correspondent during the War Between the States and later joined the Confederate Army.

As to war service, 5 served in the War Between the States, 3 in World War I, and 3 in World War II. Miss Nell Grayson Taylor, author of My Homeland, Tennessee, served as a nurse in Europe in World War I.

Outside the field of music, the authors have come from various other fields, archeologists, educators, historians, and several from the medical profession. Three have been ordained ministers, the Reverend C. V. Waugh, of Florida, Baptist; Dr. McKinley Helm, of Idaho, Episcopalian; and Elder Evan Stephans, of Utah, Mormon (Church of Jesus Christ of Latter-day Saints).

Six men were very active in the political field. George B. Hynson, author of Our Delaware, was once a Progressive Party candidate for governor of Delaware. Theodore C. Diers, of Nebraska, author-composer of My Nebraska, was a Democratic member of both the house and senate of the Wyoming State Legislature. Judge William Gaston, of North Carolina, author of The Old North State, served in the house of commons and senate of the North Carolina Legislature and as a Member of Congress from North Carolina. J. A. Buchanan, of Oregon, author of Oregon, My Oregon, was at one time a member of the Oregon House of Representatives. Judge Charles D. Rosa, of Wisconsin, was a Progressive Party member of the Wisconsin State Assembly. Judge Charles E. Winter, author of Wyoming, and Wyoming March Song, was a Republican Representative at Large in the House of Representatives from Wyoming. He was later a candidate for the House of Representatives in Congress from Wyoming and also served as attorney general and acting Governor of Puerto Rico.

As to the possessions, three have taken legal action in regard to official songs—Alaska, Guam, and Puerto Rico. On July 25, 1952, when Puerto Rico became a Commonwealth, the danza La Borinquena became the official anthem.

As to the military units, only the Air Force and maritime service have taken any legal action regarding official songs.

Official songs of the United States

STATES

State	Song	Date approved	Author	Composer
Alabama	Alabama	Mar. 3, 1931	Miss Julia Tutwiler (1841-1916), teacher.	Mrs. Edna Gockel Gussen (1879-1937), teacher, organist.
Arizona	Arizona	Feb. 28, 1918	Mrs. Margaret Rowe Clifford (1841-1926), housewife.	Maurice Blumenthal (1894-), attorney.
Arkansas	Arkansas	Jan. 12, 1917 [1]	Mrs. Eva Ware Barnett (1881-), housewife.	Same.
	The Arkansas Traveler	Oct. 15, 1949	Col. Sandford C. Faulkner (1803-74), planter. Mrs. Mabel Bean (about 1890-), writer. Miss Bernice Grantham (1912-), teacher. T. W. Williamson (1886-), merchant. Ed Stanfiell (1917-), entertainer, businessman.	Same. [2] Mrs. Virginia Womack Montgomery (1914-), composer.
California	I Love You, California	Apr. 26, 1951	Frank B. Silverwood (1863-1924), merchant.	A. F. Frankenstein (1873-1934), music director.
Colorado	Where the Columbines Grow	Mar. 8, 1915	Dr. Arthur J. Fynn (1857-1930), educator, archaeologist, historian.	Same.
Connecticut	The Second Connecticut Regiment March.	(3)		David W. Reeves (1838-1900), band director.

See footnotes at end of table.

Official songs of the United States—Continued

STATES—Continued

State	Song	Date approved	Author	Composer
Delaware	Our Delaware	Apr. 7, 1925	George B. Hynson (1862-1926), teacher, newspaperman.	Will M. S. Brown (1860-1917), organist.
Florida	Florida, My Florida	May 12, 1913	Rev. C. V. Waugh (1848-1935), minister.	(4).
	Swanee River	May 28, 1935	Stephen C. Foster (1826-64), composer.	Same.
Georgia	Georgia	Aug. 17, 1922	Robert Loveman (1864-1923), poet	Mrs. Lollie Belle Wylie (1858-1923), journalist, poet, musician.
Idaho	Here We Have Idaho	Mar. 11, 1931	Miss Bethel Packenham (1907-), social service worker. Dr. McKinley Helm (1896-), educator, writer, minister.	Mrs. Sallie Hume Douglas (1872-1944), teacher.
Illinois	Illinois	June 30, 1925	Charles H. Chamberlain (1841-94), poet.	(5).
Indiana	On the Banks of the Wabash, Far Away.	Mar. 14, 1913	Paul Dresser (1859-1906), entertainer, composer.	Same.
Iowa	The Song of Iowa	Mar. 20, 1911	Maj. S. H. M. Byers (1838-1933), soldier, diplomat.	(4).
Kansas	*Home on the Range*	June 30, 1947	Dr. Brewster M. Higley (1822-1911), doctor.[6]	Dan Kelley (1843-1905), farmer, miller.[7]
Kentucky	My Old Kentucky Home	Mar. 19, 1928	Stephen C. Foster (1826-64), composer.	Same.
Louisiana	Song of Louisiana	July 14, 1932	Mrs. *Vashti Robertson Stopher* (1891-), poet.	Same.
Maine	State of Maine Song	July 25, 1937	Roger Vinton Snow (1890-), attorney.	Same.
Maryland	Maryland, My Maryland	Apr. 26, 1939	James R. Randall (1839-1908), teacher, newspaperman.	(4).
Massachusetts	Hail Massachusetts	(3)	Brig. Gen. William J. Blake (1891-), soldier.	Richmond K. Fletcher (1885-), artist, architect.
Michigan	Michigan, My Michigan	(3)	Mrs. Henry L. Lyster (1842-1930), poet.	(4).
	do	(3)	Douglas Malloch (1877-1938), author, newspaperman.	Dr. W. Otto Miessner (1880-), teacher, composer.
	My Michigan	(3)	H. *O'Reilly Clint* (1900-), composer.	Same.
Minnesota	Hail Minnesota	Apr. 19, 1945	Truman E. Rickard (1882-1948), resort operator, home designer. Arthur Upson (1877-1908), poet.	Same.
Mississippi	Way *Down South in Mississippi*	Apr. 9, 1948	Verne Barnes (1900-), executive	Mrs. Josie Gautier Barnes (1899-), interior decorator, music teacher.
Missouri	Missouri	May 15, 1911[8]	Mrs. Lizzie Chambers Hull (1843-1924), *poet*.	Mrs. Julie Stevens Bacon (1882-), music teacher.
	Hush-a-bye, Ma Baby, The Missouri Waltz.	June 22, 1949	J. R. Shannon (1881-1946), writer, theatrical producer.	John Valentine Eppel (1871-1931), band leader. Frederic Knight Logan (1871-1928), composer.[9]
Montana	Montana	Sept. 20, 1910[10]	Charles C. Cohan (?-), newspaperman.	Joseph E. Howard (1878-), composer.
Nebraska	Dear Old Nebraska U	(3)	Harry Pecha (1901-), executive	Same.
	My Nebraska	(3)	Theodore C. Diers (1880-1942), educator, banker, teacher.	Same.
Nevada	Home Means Nevada	Feb. 6, 1933	Mrs. Bertha E. Raffetto (1885-), *author, composer, writer*.	Same.
New Hampshire	Old New Hampshire	Mar. 2, 1949	Dr. John F. Holmes (1878-1955), doctor, poet.	Maurice Hoffmann (1907-), organist.
New Jersey	New Jersey Loyalty Song	(3)	Dr. Samuel F. Monroe (1887-), educator.	Same.
New Mexico	O Fair New Mexico	Mar. 14, 1917	Miss Elizabeth Garrett (1884-1947), composer, organist.	Same.
New York	The Sidewalks of New York	(3)	Charles B. Lawlor (1852-1925), composer, actor. James W. Blake (1862-1935), salesman	Same. Same.
North Carolina	The Old North State	Feb. 18, 1927	William Gaston (1778-1844), jurist	Mrs. E. E. Randolph (1882-), musician.[11]
North Dakota	North Dakota Hymn	Mar. 15, 1947	James W. Foley (1874-1939), newspaperman.	Dr. Charles S. Putnam (1859-1944), educator, music director.
Ohio	Beautiful Ohio	(3)	Ballard Macdonald (1882-1935), author. Robert A. King (Mary Earl) (1862-1932), composer.	Same. Same.
Oklahoma	Oklahoma—A Toast	Mar. 26, 1935	Mrs. Harriet Parker Camden (1878-), composer.	Same.
	Oklahoma	May 11, 1953	Oscar Hammerstein II (1895-), librettist.	Richard A. Rodgers (1902-), composer.
Oregon	Oregon, My Oregon	Feb. 12, 1927	J. A. *Buchanan* (1863-1936), lawyer, educator, jurist.	Henry B. Murtagh (?-), theatrical director.
Pennsylvania	Pennsylvania	(3)	Mrs. Gertrude Martin Rohrer (1875-), composer.	Same.
Rhode Island	Rhode Island	Apr. 30, 1946	T. Clarke Brown (1886-), band director.	Same.
South Carolina	Carolina	Feb. 11, 1911	Henry Timrod (1829-67), newspaperman.	Miss Anne Custis Burgess (1874-1910), teacher.
South Dakota	Hail, South Dakota	Mar. 3, 1943	Deecort Hammitt (1893-), band director, banker, composer.	Same.
Tennessee	My Homeland, Tennessee	Apr. 10, 1925	Miss Nell Grayson Taylor (1887-), nurse.	Prof. Roy Lamont Smith (1865-1946), *composer*, organist.
	My Tennessee	July 2, 1931	Mrs. Frances H. Tranum (?-), writer.	Same.
	When It's Iris Time in Tennessee	Apr. 22, 1935	Miss Willa Mae Waid (?-), teacher.	Same.
Texas	Texas, Our Texas	May 23, 1929	W. J. Marsh (1880-), composer, teacher. Mrs. Gladys Y. Wright (1891-), writer.	Same.
Utah	Utah We Love Thee	Feb. 21, 1917	Elder Evan Stephans (1854-1930), conductor.	Same.
Vermont	Hail Vermont	May 13, 1938	Mrs. Josephine Hovey Perry (1885-1952), *music teacher*.	Same.
Virginia	Carry Me Back to Old Virginny	Feb. 22, 1940	James A. Bland (1854-1911), composer.	Same.
Washington	Washington Beloved	Mar. 18, 1909	Dr. Edmund S. Meany (1862-1935), newspaperman, historian, educator.	Dr. Reginald de Koven (1859-1920), *music critic, composer*.
West Virginia	West Virginia, My Home Sweet Home.	Mar. 3, 1947	Col. Julian G. Hearne, Jr. (1904-), soldier.	Same.

See footnotes at end of table.

Official songs of the United States—Continued

STATES—Continued

State	Song	Date approved	Author	Composer
Wisconsin	On, Wisconsin	(3)	Carl Beck (1885-), public relations work.[12]	William T. Purdy (1882-1918), composer.[12]
		(3)	Dr. Filip A. Forsbeck (1873-1946), doctor.[13]	William T. Purdy.
		(3)	Charles D. Rosa (1870-), jurist, orchardist. J. S. Hubbard (1867-1954), newspaperman.[13]	Do.
Wyoming	Wyoming	(3)	Charles E. Winter (1870-1948), jurist, writer.	Earle R. Clemens (1877-1913), newspaperman.
	Wyoming March Song	Feb. 15, 1955	Charles E. Winter[14]	Prof. G. Edwin Knapp (1886-), teacher, organist.
	That's Wyoming	(3, 15)	Jack Bryant (1892-), businessman	Same.[16]

POSSESSIONS

State	Song	Date approved	Author	Composer
Alaska	Alaska's Flag	Feb. 23, 1955	Mrs. Marie Drake (1888-), government worker.	Mrs. Elinor Dusenbury (1889-), musician.
American Samoa	Amerika Samoa	(3)	Mariota T. Tuiosospo (1905-57), planter.	Napoleon A. Tuiteleleapaga (?-), newspaperman.
Guam	The Guam Hymn	May 2, 1952	Dr. Ramon M. Sablan (1901-), physician, author, composer.	Same.
Hawaii	Hawaii Ponoi	(3)	King Kalakaua (1836-91), King of Hawaii.	Capt. Henry Berger (1844-1929), band director.
	Aloha Oe	(3)	Queen Liliuokalani (1838-1917), Queen of Hawaii.	Same.
Puerto Rico	La Borinquena	July 25, 1952[17]	(18)	(18).
Virgin Islands	The Song of the Virgin	(3)	Cyril Creque (1899-), government service.	Same.

MILITARY

State	Song	Date approved	Author	Composer
Air Force	The Army Air Corps	Sept. 20, 1939	Maj. Robert M. Crawford (1899-), Air Force officer, conductor, composer.	Same.
Cavalry	Hit the Leather	(3)	Maj. Meredith Willson (1902-), conductor, composer.	Same.
Coast Guard	Semper Paratus	(3)	Capt. Francis Von Boskerck (1868-1927), Coast Guard officer.	Same.
Field Artillery	The Caissons Go Rolling Along	(3)	Brig. Gen. Edmund L. Gruber (1879-1941), soldier.	Same.
Marine Corps	The Marines Hymn	(3)	Unknown	Unknown.
Maritime Service	Heave Ho, My Lads, Heave Ho	Dec. 23, 1942	Lt. (jg.) Jack Lawrence (1912-), composer, conductor.	Same.
Navy	Anchors Aweigh	(3)	Capt. Alfred H. Miles (1883-1956), Navy officer. Capt. Royal Lovell (1903-), Navy officer.	Lt. Charles A. Zimmerman (1861-1916), pianist, organist, music director.

MISCELLANEOUS

State	Song	Date approved	Author	Composer
Confederate States	Dixie	(3)	Daniel D. Emmett (1815-1904), composer.	Same.
Republic of Texas	Will You Come to the Bow'r?	(3)	Thomas Moore (1779-1852), poet	(19).
United States	The Star Spangled Banner	Mar. 3, 1931	Francis Scott Key (1780-1843), lawyer	(20).

[1] Withdrawn by the author-composer June 27, 1943.

[2] Words and folk tune of the original The Arkansas Traveler accredited to Col. Sandford C. Faulkner; set of State words written by 4 persons, arranged by a 5th person.

[3] Unofficial.

[4] From the German air Der Tannenbaum.

[5] Music from the score Baby Mine by Archibald Johnston.

[6] Original poem by Higley entitled "Oh, Give Me a Home Where the Buffalo Roam."

[7] Higley poem set to music by Kelley first as My Western Home; modern arrangement of Home on the Range by David W. Guion.

[8] The words to Missouri were adopted by the Governor of Missouri; no music ever officially adopted.

[9] Original melody by Eppel, arrangement by Logan.

[10] Adopted by Governor of Montana on Sept. 29, 1910; by legislature on Feb. 20, 1945.

[11] Various versions collected and arranged by Mrs. E. E. Randolph.

[12] Original words by Beck and original music by Purdy.

[13] One set of State words by Forsbeck using music by Purdy; another set of State words by Rosa and Hubbard using music by Purdy.

[14] Wyoming March Song has same words as Wyoming by Winter with 2 music scores.

[15] Written for golden anniversary of Wyoming statehood in 1940.

[16] Arranged by E. C. Ekdall (1905-), real-estate dealer.

[17] When Puerto Rico became a Commonwealth July 25, 1952, the Danza La Borinquena became the official anthem.

[18] Accredited to Felix Astol y Artes (?-?).

[19] Air of an old Irish folk tune. Modern version edited and arranged by Oscar J. Fox with words adapted by Dr. Henry F. Estill.

[20] Accredited to To Anacreon in Heaven composed by John Stafford Smith.

THE CIVIL-RIGHTS BILL

Mr. JOHNSON of Texas. Mr. President, we have had a very fruitful day in the Senate. So far as I am aware, there will be no other business tonight, other than insertions in the RECORD. We will stay in session long enough to accommodate any Senator who may care to make a statement in today's RECORD.

I ask the Chair to lay before the Senate the House message on H. R. 6127, the Civil Rights Act of 1957.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 6127, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
August 27, 1957.

Resolved, That the House agree to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, and 16 to the bill (H. R. 6127) entitled "An act to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States";

That the House concurs in the amendment of the Senate numbered 7, with an amendment as follows:

In lieu of the matter inserted by said amendment insert the following:

"(b) The Commission shall not accept or utilize services of voluntary or uncompensated personnel, and the term 'whoever' as used in paragraph (g) of section 102 hereof shall be construed to mean a person whose services are compensated by the United States";

That the House concurs in the amendment of the Senate numbered 15, with an amendment, as follows:

In lieu of the matter inserted by said amendment insert the following:

"PART V—TO PROVIDE TRIAL BY JURY FOR PROCEEDINGS TO PUNISH CRIMINAL CONTEMPTS OF COURT GROWING OUT OF CIVIL-RIGHTS CASES AND TO AMEND THE JUDICIAL CODE RELATING TO FEDERAL JURY QUALIFICATIONS

"SEC. 151. In all cases of criminal contempt arising under the provisions of this act, the accused, upon conviction, shall be punished by fine or imprisonment or both: *Provided*, *however,* That in case the accused is a natural person the fine to be paid shall not exceed the sum of $1,000, nor shall imprisonment exceed the term of 6 months: *Provided further,* That in any such proceeding for criminal contempt, at the discretion of the judge the accused may be tried with or without a jury: *Provided further, however,* That in the event such proceeding for criminal contempt be tried before a judge without a jury and the sentence of the court upon conviction is a fine in excess of the sum of $300 or imprisonment in excess of 45 days, the accused in said proceeding, upon demand therefor, shall be entitled to a trial de novo before a jury, which shall conform as near as may be to the practice in other criminal cases.

"This section shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders, or process of the court.

"Nor shall anything herein or in any other provision of law be construed to deprive courts of their power, by civil contempt proceedings, without a jury, to secure compliance with or to prevent obstruction of, as distinguished from punishment for violations of, any lawful writ, process, order, rule, decree, or command of the court in accordance with the prevailing usages of law and equity, including the power of detention.

"SEC. 152. Section 1861, title 28, of the United States Code is hereby amended to read as follows:

" '§ 1861. Qualifications of Federal jurors

" 'Any citizen of the United States who has attained the age of 21 years and who has resided for a period of 1 year within the judicial district is competent to serve as a grand or petit juror unless—

" '(1) He has been convicted in a State or Federal court of record of a crime punishable by imprisonment for more than 1 year and his civil rights have not been restored by pardon or amnesty.

" '(2) He is unable to read, write, speak, and understand the English language.

" '(3) He is incapable, by reason of mental or physical infirmities to render efficient jury service.' "

Mr. THURMOND. Mr. President, I move that the bill be referred to the Judiciary Committee.

Mr. KNOWLAND. Mr. President——

The PRESIDING OFFICER. The Presiding Officer is advised the motion is in order. The Chair recognizes the Senator from California.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. There appears to be a sufficient second.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The clerk started to call the roll before the Senator from Illinois addressed himself to the Chair.

The legislative clerk resumed the call of the roll.

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

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

The Senate will be in order, so that these proceedings may be heard.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

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

Mr. JOHNSON of Texas. A motion has been made that this message be referred to the Judiciary Committee. The yeas and nays have been ordered; is that correct?

Mr. RUSSELL. The yeas and nays have not been ordered.

The PRESIDING OFFICER. The Senator is advised the motion was made to refer the bill to the Judiciary Committee. The yeas and nays were requested. The yeas and nays were ordered.

Mr. RUSSELL. I did not hear the Chair order the yeas and nays. I am not hairsplitting. I did not know this motion was going to be made, but I did not hear the Chair announce the determination of the motion of the Senator from California for the yeas and nays. I did not know, as I stated, that this motion was to be made. I thought I suggested the absence of a quorum before the Chair had announced that the yeas and nays had been ordered.

The PRESIDING OFFICER. The Chair was under the impression that there was a sufficient second for the yeas and nays. It is his impression that he announced that the yeas and nays were ordered.

Mr. RUSSELL. I do not challenge the statement of the Chair that he announced the yeas and nays had been ordered but I stated, on my good faith and on my responsibility, I did not hear any such announcement from the Chair. There is no doubt that the yeas and nays were sufficiently seconded, because I know the Senator from California would have more than enough Senators voting to support his request. It is not unusual, however, to suggest the absence of a quorum before the yeas and nays have been ordered, and it was my opinion I had interposed such a suggestion before the Chair had announced the yeas and nays had been ordered. If the Chair states I am in error, I withdraw the suggestion of the absence of a quorum, but I was within my rights and I thought I made the request for a quorum before the Chair announced the result of the request for the yeas and nays.

The PRESIDING OFFICER. The Presiding Officer was under the impression he had announced the yeas and nays had been ordered before the Senator from Georgia suggested the absence of a quorum.

Mr. RUSSELL. If the Journal so shows, I will withdraw my suggestion. I did not hear the Chair announce the request of the Senator from California was sufficiently seconded.

The PRESIDING OFFICER. The Presiding Officer is of the opinion that the yeas and nays were, have been, and are now ordered.

Mr. RUSSELL. There is no doubt that they were sufficiently seconded. That is one of the difficulties we get into, Mr. President, when we move so rapidly; but if the Chair states on his responsibility as Presiding Officer that he had announced the yeas and nays had been sufficiently seconded, I ask unanimous consent that the demand for the yeas and nays be withdrawn.

The PRESIDING OFFICER. Is there objection?

Mr. KNOWLAND. Mr. President, I think I asked for the yeas and nays.

The PRESIDING OFFICER. The Senator from California is absolutely correct. The Senator from California made the request. There was a sufficient second. The Presiding Officer was under the impression there was a sufficient second and that the yeas and nays were ordered, and then recognized the Senator from Georgia.

Is there objection to the request of the Senator from Georgia?

Mr. DIRKSEN. Mr. President, a parliamentary inquiry. Can the Senator from Georgia withdraw a request for the yeas and nays made by the Senator from California?

Mr. RUSSELL. I made no such effort, if that question be raised. I would suggest the absence of a quorum again, so there may be no confusion as to what the Senate is doing.

The PRESIDING OFFICER. May we have again the unanimous-consent request of the Senator from Georgia? May we be clear what the Senator from Georgia is now requesting?

Mr. RUSSELL. Does the Senator from Illinois understand the parliamentary situation?

Mr. DIRKSEN. It was my understanding that the Senator from California had asked for the yeas and nays. It would occur to me only the Senator from California could withdraw his own request for the yeas and nays.

Mr. RUSSELL. I am still not undertaking to interfere with the request of the Senator from California, for the yeas and nays. I do not know whether the Senator from Illinois heard me.

Mr. DIRKSEN. I was right here.

Mr. RUSSELL. Perhaps there was something wrong with the Senator's hearing when the Chair announced there was a sufficient second, because I made the next request. I suggested the absence of a quorum.

Mr. DIRKSEN. I would like to ask the Senator from California whether he requested the yeas and nays.

The PRESIDING OFFICER. The Presiding Officer recognized the Senator from California for that purpose.

May the Chair be clear as to exactly what the Senator from Georgia is requesting, so we may obtain a ruling on the Senator's request?

Mr. RUSSELL. What is that, Mr. President?

The PRESIDING OFFICER. The Presiding Officer is in doubt as to the unanimous-consent request which the Senator from Georgia is posing at this time.

Mr. RUSSELL. Mr. President, it seems to me we are having trouble with the acoustics in the Chamber this evening. No one can hear anyone else. I did not hear the Chair announce that the yeas and nays were ordered. The Senator from Illinois thought I was undertaking to withdraw the request for the yeas and nays after the Chair had stated he had announced the yeas and nays were ordered. I made no such suggestion at any time. I did say the Chair had stated on his responsibility he had declared the request for the yeas and nays was sufficiently seconded before I had moved for the call of a quorum. That being the case, I will withdraw my request for a call of the roll to ascertain whether or not a quorum is present.

The PRESIDING OFFICER. Is there objection to that request? The Chair understood the Senator from Texas had asked unanimous consent that it be withdrawn.

Mr. RUSSELL. I did not understand the Senator from Texas had asked that the quorum call I suggested be withdrawn.

The PRESIDING OFFICER. The Presiding Officer so understood and asked if there was any objection, and the order was entered withdrawing the quorum call.

Mr. RUSSELL. My hearing must be very bad this evening, because I did not understand the Senator from Texas had asked that the suggestion of the absence of a quorum be withdrawn. I had a reason for suggesting the absence of a quorum. Sometimes it is very helpful to suggest the absence of a quorum in the Senate. I am somewhat surprised the Senator from Texas asked to withdraw the call, but, if that has been done, I shall make no further motions at this time.

The PRESIDING OFFICER. The question now is on agreeing to the motion of the Senator from South Carolina to refer the bill on the desk to the Judiciary Committee. The yeas and nays have been ordered. The clerk will call the roll.

Mr. THURMOND. Mr. President——

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Does the Chair mean that I am not going to be allowed to speak on the motion?

The PRESIDING OFFICER. Was the Senator seeking recognition?

Mr. THURMOND. I was seeking recognition to speak on the motion.

The PRESIDING OFFICER. The Chair is advised that the motion to refer the bill to the Committee on the Judiciary is debatable, and the Senator from South Carolina is recognized.

Mr. HUMPHREY. Mr. President——

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Chair has recognized the Senator from South Carolina.

Mr. MANSFIELD. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. HUMPHREY. A point of order, Mr. President.

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Montana? Does the Senator from South Caorlina yield for the purpose of permitting the Senator from Montana to propound a parliamentary inquiry?

Mr. THURMOND. I yield for that purpose.

Mr. MANSFIELD. Mr. President, my parliamentary inquiry is this: Did the Chair recognize the Senator from South Carolina when he made his motion that the bill be referred to the Committee on the Judiciary?

The PRESIDING OFFICER. The Chair did recognize the Senator from South Carolina.

Mr. HUMPHREY. No. Mr. President——

Mr. THURMOND. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from South Carolina.

Mr. HUMPHREY. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. Does the Senator from South Carolina yield for the purpose of permitting the Senator from Minnesota to make a parliamentary inquiry?

Mr. HUMPHREY. A parliamentary inquiry, Mr. President.

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

Mr. HUMPHREY. In the light of the request of the Senator from Montana, I should like to make this inquiry: Did the Chair, on the occasion of the comment by the Senator from South Carolina, recognize the Senator from South Carolina? If he did, how could he do so when the floor was being held by the Senator from Texas?

The PRESIDING OFFICER. The Chair believes the Senator from Texas had yielded the floor at that time, if the Chair may so state. The Senator from South Carolina was standing and was seeking recognition.

Mr. HUMPHREY. I realize that the Senator was standing. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. HUMPHREY. The Senator was seeking recognition?

The PRESIDING OFFICER. And was recognized.

Mr. HUMPHREY. And it was so recorded?

The PRESIDING OFFICER. The reporter will have the record before him. The purpose of the Chair was to recognize the Senator from South Carolina. The Chair felt he had recognized the Senator from South Carolina.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

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

Mr. RUSSELL. Whether the Senator had been recognized or not, he could now make the motion he has made, could he not?

The PRESIDING OFFICER. The Senator has been recognized for the purpose of debating the motion to make which he was earlier recognized.

Mr. KNOWLAND. Mr. President, will the Senator from South Carolina yield, so that I may propound a parliamentary inquiry?

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. It seems to me that clearly the Senator from South Carolina was recognized, because it was only after he made his motion to refer the bill to the committee that I asked for the yeas and nays on that motion. I think the RECORD is clear that the motion was made to refer the bill to the committee. Under those circumstances, I asked for the yeas and nays, and the yeas and nays have been ordered.

The Senator from South Carolina has been recognized, and I believe he has the floor.

The PRESIDING OFFICER. That certainly is the impression of the Chair. The Chair in a distinct, loud voice said, "The Chair recognizes the Senator from South Carolina."

Mr. HUMPHREY. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Minnesota for the purpose of propounding a parliamentary inquiry?

Mr. THURMOND. I will yield, if the Senator will not take too long.

Mr. HUMPHREY. Mr. President, my point is this: a precedent is being established here. I fully realize that the Senator from South Carolina moved that the bill be sent to the Committee on the Judiciary, but I also recall vividly that the Senator from Texas was on his feet and had not yielded the floor. I proceeded immediately to the desk to inquire of the parliamentarian, and the parliamentarian assured the Senator from Minnesota that under rule XIX it was necessary for a Senator to have recognition by the Chair in order to make a motion.

My point is that the Chair did not recognize the Senator from South Carolina. I am not concerned about whether the motion is up to send the bill to committee or not. We shall discuss that on its merits. As a matter of precedent in the Senate, when Senators are on their feet by the half dozen carrying on conversations, and some Senator can move, "I move to do this," or "I move to do that," without the Chair recognizing that Senator, we can have pandemonium in this Chamber.

I had always been under the impression that the Chair had to recognize a Senator before the Senator could make any motion in connection with the conduct of business in this Chamber.

My inquiry is this: Does the Chair have to recognize a Senator when a Senator seeks to make a comment in this Chamber, for the purpose of doing business?

The PRESIDING OFFICER. The Chair will advise the Senator from Minnesota that the Senator from South Carolina was the only Senator who was seeking recognition. The Chair so recognized him. That is the ruling of the Chair.

Mr. THURMOND. Mr. President——

The PRESIDING OFFICER. The Chair now recognizes the Senator from South Carolina.

Mr. CASE of New Jersey. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. THURMOND. I yield to the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for the purpose of propounding a parliamentary inquiry.

Mr. CASE of New Jersey. Mr. President, is the motion of the Senator from

South Carolina subject to a motion to table by some Senator who in his own right obtains the floor for that purpose?

The PRESIDING OFFICER. The Chair advises the Senator from New Jersey that a motion to table is in order if the Senator from New Jersey secures the floor in his own right.

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

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Texas?

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

Mr. JOHNSON of Texas. Mr. President, I am informed that the Senator from South Carolina expects to address himself to his motion for perhaps some 40 minutes. If it is agreeable to the Senate and agreeable to the Senator from South Carolina, he can proceed, and the Senate can hear the Senator from South Carolina and any other Senators who may desire to be heard, and perhaps vote on the motion this evening, if that is the wish of the Senate.

I thank the Senator from South Carolina.

The PRESIDING OFFICER. The Chair now recognizes the Senator from South Carolina.

Mr. THURMOND. Mr. President, I was bitterly opposed to the passage of H. R. 6127 in the form in which it was passed by the Senate.

The PRESIDING OFFICER. Will the Senate please be in order?

Mr. KNOWLAND. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. THURMOND. Mr. President, I was bitterly opposed to the passage of H. R. 6127 in the form in which it was passed by the Senate. I am even more bitterly opposed to the acceptance of this so-called compromise which has come back from the House of Representatives.

I desire to comment later on various provisions of the entire bill, but at this time I am directing my comments at the specific provisions of the so-called compromise. In my view, it is no less than an attempt to compromise the United States Constitution itself.

In effect, it would be an illegal amendment to the Constitution, because that would be the result in so far as the constitutional guarantee of trial by jury is concerned.

Article III, section 2, of the Constitution provides that "the trial of all crimes, except in cases of impeachment, shall be less by jury."

Again in the sixth amendment—in the Bill of Rights—it is provided that—

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

The fifth and seventh amendments to the Constitution provide additional guaranties of action by a jury under certain circumstances. The fifth amendment refers to the guaranty of indictment by a grand jury before a person shall be held to answer for a crime. The seventh amendment guarantees trial by jury in common law cases.

These guaranties were not included in our Constitution without good and sufficient reasons. They were written into the Constitution because of the abuses against the rights of the people by the King of England. Even before the Constitution and the Bill of Rights were drafted, our forefathers wrote indelibly into a historic document their complaints against denial of the right of trial by jury.

That document was the Declaration of Independence.

After declaring that all men are endowed with certain unalienable rights, including life, liberty, and the pursuit of happiness, the signers of the Declaration pointed out that the King had a history of "repeated injuries and usurpations, all having in direct object to the establishment of an absolute tyranny over these States." Then they proceeded to the listing of a bill of particulars against the King.

He was charged with "depriving us in many cases of the benefits of trial by jury."

Mr. President, when our forefathers won their freedom from Great Britain, they did not forget that they had fought to secure a right of trial by jury. They wrote into the Constitution the provisions guaranteeing trial by jury. Still not satisfied, they wrote into the Bill of Rights 2 years later the 3 specific additional provisions for jury action.

It is a well-known fact that there was general dissatisfaction with the Constitution when it was submitted to the States on September 28, 1787, because it did not contain a Bill of Rights. A majority of the people of this country, under the leadership of George Mason, Thomas Jefferson, and others, were determined to have spelled out in the Constitution in the form of a Bill of Rights those guaranties of personal security which are embodied in the first 10 amendments.

It was 9 months after the Constitution was submitted to the States before the ninth State ratified the Constitution, thus making it effective.

Although by that time it was generally understood, and pledges had been made by the political leaders of the day, that a Bill of Rights would quickly be submitted to the people, 4 of the 13 States still were outside the Union.

Nineteen months after the Constitution was submitted to the States, George Washington was inagurated, on April 30, 1789, as our first President. Even then, however, North Carolina and Rhode Island remained outside the Union for several months, North Carolina ratifying on November 21, 1789, and Rhode Island on May 29, 1790.

The reluctance of all the States to enter the Union which they had helped to create clearly demonstrated how strong the people felt about the necessity of including a Bill of Rights in the Constitution. The Constitution might never have been ratified had it not been for the assurances given to the people by Hamilton, Madison, and other political leaders that a Bill of Rights would be drafted as soon as the Constitution was ratified. Leaders of that day carried out the mandate of the people, and the Bill of Rights with its guaranties of trial by jury was submitted to the States on September 25, 1789.

In 1941, the late John W. Davis, that great constitutional lawyer and onetime Democratic nominee for President, was asked to state what the Bill of Rights meant to him.

> The Bill of Rights—

He declared—

> denies the power of any Government—the one set up in 1789, or any other—or of any majority, no matter how large, to invade the native rights of a single citizen.

Mr. Davis continued his definition with the following:

> There was a day when the absence of such rights in other countries could fill an American with incredulous pity. Yet today, over vast reaches of the earth, governments exist that have robbed their citizens by force or fraud of every one of the essential rights American citizens still enjoy. Usage blunts surprise, yet how can we regard without amazement and horror the depths to which the subjects of the totalitarian powers have fallen?

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

Mr. THURMOND. I yield.

Mr. EASTLAND. As I understand the motion of the distinguished junior Senator from South Carolina, it is to refer the bill to the Judiciary Committee for study.

Mr. THURMOND. That is correct.

Mr. EASTLAND. I will say to the Senator that I think his motion should be sustained. No one knows what is in the proposed compromise, if it is a compromise. It should be studied by the Judiciary Committee, and I assure the Senator that if the bill is referred to the Judiciary Committee it will have the very serious study of the committee, which it deserves.

Mr. THURMOND. I thank the distinguished chairman of the Judiciary Committee for that statement. I believe that under his able direction and supervision the Judiciary Committee would give the bill very careful study, and would come forth with such recommendations as it deemed advisable in the interest of constitutional government, if and when it made a report on the bill.

Mr. EASTLAND. Yes. I assure the Senator that we will give it very extensive study.

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

Mr. THURMOND. I yield.

Mr. JOHNSTON of South Carolina. I should like to tell the able Senator from South Carolina that if the bill is referred to the committee—and I am very doubtful that such will be the case—I can assure the Senator that I shall do my best to keep it there forever. I was very successful in keeping any such bill from coming from the Judiciary Committee this year.

Mr. THURMOND. This is a bill which deserves a great deal of study and consideration. I am sure the members of the Judiciary Committee would give such study and consideration to the bill.

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

Mr. THURMOND. I yield.

Mr. EASTLAND. Let me tell the distinguished Senator that if the bill is referred to the Judiciary Committee it will have our very sincere consideration. We shall try to find out what is in it, and we shall try to do the right thing, in the light of the facts and the law. We shall attempt to uphold constitutional government.

Mr. THURMOND. I am sure the able chairman of the Judiciary Committee would do just as he said he would do.

Continuing with the statement of the late John W. Davis:

> The lesson is plain for all to read. No men enjoy freedom who do not deserve it. No men deserve freedom who are unwilling to defend it. Americans can be free so long as they compel the governments they themselves have erected to govern strictly within the limits set by the Bill of Rights. They can be free so long, and no longer, as they call to account every governmental agent and officer who trespasses on these rights to the smallest extent. They can be free only if they are ready to repel, by force of arms if need be, every assault upon their liberty, no matter whence it comes.

Mr. President, this bill is an assault upon our liberty. The United States is a constitutional government, and our Constitution cannot be suspended or abrogated to suit the whims of a radical and aggressive minority in any era.

The specific provisions in the Constitution and the Bill of Rights guaranteeing trial by jury have not been repealed. Neither have they been altered or amended by the constitutional methods provided for making changes in our basic law if the people deem it wise to make such changes.

Nevertheless, in spite of the prevailing constitutional guaranties of trial by jury, we are here presented with a proposal which would compromise the provisions of the Constitution—yes, in my opinion, amend the Constitution illegally.

This compromise provides that in cases of criminal contempt, under the provisions of the proposed act, the accused may be tried with or without a jury at the discretion of the judge.

It further provides:

> That in the event such proceeding for criminal contempt be tried before a judge without a jury and the sentence of the court upon conviction is a fine in excess of $300 or imprisonment in excess of 45 days, the accused in said proceeding, upon demand therefor, shall be entitled to a trial de novo before a jury.

Mr. President, the first of the provisions I have just cited, giving discretion to a judge as to whether or not a jury trial is granted in a criminal case, is in direct conflict with the Constitution.

The Constitution does not provide for the exercise of any discretion, in a criminal case, as to whether the person accused shall have a jury trial. The Constitution provides that the trial of all crimes except in cases of impeachment shall be by jury.

The sixth amendment provides:

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury.

The Constitution does not say in some crimes. The Constitution says in all crimes. The Constitution does not say trial may be by jury. The Constitution says trial shall be by jury.

How, then, Mr. President, can we be presented with this compromise? How can we be asked to accept a proposal so clearly in conflict with and in violation of the Constitution?

The Constitution makes no exception to the trial by jury provision in criminal cases in the event contempt is involved. Let me repeat and let me emphasize—the Constitution says "the trial of all crimes shall be by jury"—not all crimes except those involving contempt, but all crimes.

What power has been granted to this Congress to agree to any such proposal when it is in such complete contradiction to the Constitution? There is no power except the power of the people of this Nation by which the Constitution can be amended. The power of the people cannot be infringed upon by any lesser authority.

As the directly elected representatives of the people, this Congress should be the last body to attempt to infringe upon the authority which is vested solely in the people.

We are here dealing with one of the basic legal rights and one of the most vital personal liberties guaranteed under our form of government. But the proposed compromise insists that the treasured right of trial by jury be transformed into a matter of discretion for a judge—for one person—to decide whether it shall be granted or withheld.

This compromise attempts to make trial by jury a matter of degree, as stated in the second part of the provision which I quoted. Under this proposal, if a man were to receive a sentence of a fine of $300 or 45 days imprisonment, he would be deprived of his right of trial by jury, except at the discretion of the judge. On the other hand, if a dollar were added to the amount of money, or even 1 cent, and a day, or even an hour, to the length of imprisonment, that man would be granted a new trial with a jury deciding the facts.

Mr. President, this is not something which can be compromised. The right of trial by jury is too dear a right to be measured in dollars and cents or in terms of days and hours. The right of trial by jury is guaranteed by the Constitution. It is a vital principle upon which our form of government is based. Principle is not a matter of degree.

This proposed compromise is a true child of the parent bill—like father, like son, or a chip off the old block. Both are bad. But the provisions of the compromise are even worse than the provisions of the bill which I opposed when it was approved by the Senate.

The enactment in the Senate of part V, with its jury trial provision, was a vast improvement over the radical bill which was sent to us from the House of Representatives.

However, this unconstitutional compromise now makes part V conform with the obnoxious provisions which were in the original bill. In the name of constitutional government, I hope that a majority of the Senate will vote against this proposal.

The principal purpose of the bill which the House has returned to the Senate is political. Both parties fear the bloc voting of the pivotal States. Both parties want to be in position to claim credit for the passage of what is being called a civil-rights bill. Both parties hope to be able to capitalize on the passage of a bill such as this one in the Congressional elections of 1958, and then to carry those gains into the presidential election of 1960.

Propaganda and pressure exerted upon the Congress and upon the American people explain how such a bill as this one came to be considered at all. Stewart Alsop, the newspaper columnist, only last week stated the simple facts of the case.

He said that "behind the shifting, complex, often fascinating drama of the struggle over civil rights, there is one simple political reality—the Negro vote in the key industrial States in the North. That is, of course, in hard political terms, what the fight has been all about."

To explain his point, he cited the situation prevailing in New York, Pennsylvania, and Illinois. Pointing out that the "Negro vote can be absolutely decisive in these States," Mr. Alsop stated that it is "almost inconceivable that any Presidential candidate could lose those three States and win an election."

The following four paragraphs are quoted directly from Mr. Alsop's column:

> In 1954, Averell Harriman was elected Governor of New York by less than 15,000 votes over Senator IRVING IVES. According to Harris' analysis, Harriman polled a whopping 79 percent of the Negro vote. Negro voters thus supplied Harriman with his margin of victory several times over. Two years later, the Democrats had dropped some 90,000 Negro votes to the Republicans—or about 6 times the number of votes IVES needed to defeat Harriman.

Mr. JOHNSTON of South Carolina. Mr. President, will my colleague yield?

The PRESIDING OFFICER (Mr. ERVIN in the chair). Does the junior Senator from South Carolina yield to the senior Senator from South Carolina?

Mr. THURMOND. I yield.

Mr. JOHNSTON of South Carolina. I wish the Senator to yield to me, but I do not want him to lose the floor by yielding. I am asking him to yield so that I may suggest the absence of a quorum, with the understanding that he will not lose his right to the floor.

Mr. THURMOND. I yield for that purpose.

The PRESIDING OFFICER. Without objection, the junior Senator from South Carolina yields to the senior Senator from South Carolina for the purpose of suggesting the absence of a quorum, with the understanding that the junior Senator from South Carolina will not lose the floor by so doing.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that my colleague may yield for that purpose without losing his right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The clerk will call the roll.

The legislative clerk called the roll and the following Senators answered to their names:

Aiken
Allott
Barrett
Beall
Bennett
Bible
Bricker
Bush
Byrd
Carlson
Carroll
Case, N. J.
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Douglas
Dworshak
Eastland
Ellender
Ervin
Flanders
Frear
Fulbright
Goldwater
Gore
Green
Hayden
Hennings
Hickenlooper
Hill
Holland
Hruska
Humphrey
Ives
Jackson
Javits
Jenner
Johnson, Tex.
Johnston, S. C.
Kefauver
Kennedy
Kerr
Knowland
Kuchel
Langer
Lausche
Long
Magnuson
Malone
Mansfield
Martin, Iowa
Martin, Pa.
McClellan
McNamara
Monroney
Morse
Morton
Mundt
Murray
Neuberger
O'Mahoney
Pastore
Potter
Purtell
Revercomb
Robertson
Russell
Saltonstall
Schoeppel
Scott
Smathers
Smith, Maine
Smith, N. J.
Stennis
Symington
Talmadge
Thurmond
Thye
Watkins
Wiley
Williams
Yarborough
Young

The PRESIDING OFFICER. A quorum is present. The Senator from South Carolina has the floor.

Mr. THURMOND. Mr. President, I was quoting from Mr. Alsop's column. I shall now continue the quote:

> Or take another close race—the victory of Senator JOSEPH CLARK, of Pennsylvania, over the Republican incumbent, Senator James Duff, in 1956. Again, CLARK just squeaked in, with a plurality of less than 18,000 votes. CLARK, despite the Supreme Court, carried the Negro vote by a huge 76-percent margin, which was worth about 150,000 votes to him. Suppose the Negro vote had dropped off as sharply in Pennsylvania as it did in Illinois, where it nosedived from 75 percent in 1952 to 58 percent in 1956. Then Duff would be in the Senate by a comfortable majority, and CLARK would be practicing law.
>
> Other examples could be cited, like that of Senator PAUL DOUGLAS, of Illinois, who owes about 60 percent of his 1954 plurality to the Negro vote.

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

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Illinois?

Mr. THURMOND. I yield for a question.

Mr. DOUGLAS. Is it not true that my majority in 1954 amounted to 241,000 votes?

Mr. THURMOND. I really do not know.

Mr. DOUGLAS. That happens to be true. It was 408,000 in 1948, and 241,000 in an off year and a low poll in 1954. It was not a meager margin, I may say.

Mr. THURMOND. The statement I am making now, as the Senator, I presume, understands, is a quotation from Mr. Alsop's column.

Mr. DOUGLAS. I understand. I know the Senator is fair and wants to keep the record straight. The majority was very substantial. It was the largest majority any Senator received in 1954. I do not say that in a boasting fashion, but merely to keep the record straight.

Mr. THURMOND. I continue to quote from Mr. Alsop:

> But the lesson is clear enough. If the Republicans can attract something approaching half the Negro vote in the Northern States, the Republican Party will then be the normal majority party in those States.
>
> Read the roll of big States in which the Negroes can be expected to poll 5 percent or more of the total vote—not only New York, Pennsylvania, and Illinois, but such States as Michigan, Ohio, New Jersey, California. It then becomes clear what is at stake in the civil-rights struggle—

This is what Mr. Alsop says is at stake—

> nothing less than the future balance of political power in the Nation.

Mr. President, the advocates of this proposed legislation may believe it fits their objective today, but I am convinced that if this bill is enacted into law, that eventually it will be just as undesirable to its advocates as it is to me.

No explanation of this bill can alter the act that it was, and is now, under the proposed compromise, a force bill. Its purpose is to put a weapon of force into the hands of the Attorney General and into the hands of Federal judges to exercise arbitrarily.

Just as the Attorney General can decide arbitrarily whether or not to prosecute a case, so now this compromise provides Federal judges with authority to exercise discretion in applying the law.

Jury trial may be granted or withheld on any grounds whatsoever in the mind of a judge so long as he does not exceed the maximum limit set for denying trial by jury.

The proponents of this bill claim it would strengthen the rights of individuals. In contrast to this claim, the bill actually would strengthen the bureaucratic power of the Attorney General and the arbitrary authority of Federal judges.

No new right is granted by this bill. No old right held by the people is better protected. The substance of the bill is to deprive the people of a right held under the Constitution.

When this bill was debated in the Senate, many authorities were quoted on the importance of trial by jury. At that time I quoted that great legal mind of 18th century England, Blackstone. Because of the authoritative place he holds in jurisprudence, I want to quote him again at this time. This is what Blackstone had to say:

> The trial by jury ever has been, and I trust ever will be, looked upon as the glory of the English law. And if it has been so great an advantage over others in regulating civil property, how much must that advantage be heightened when it is applied to criminal cases. * * * It is the most transcendent privilege which any subject can enjoy, or wish for, that he cannot be affected either in his property, his liberty, or his person, but by the unanimous consent of 12 of his neighbors and equals. A constitution, that I may venture to affirm has, under Providence, secured the just liberties of this Nation for a long succession of ages. And therefore a celebrated French writer, who concludes, that because Rome, Sparta, and Carthage have lost their liberties, therefore those of England in time must perish, should have recollected that Rome, Sparta, and Carthage, at the time when their liberties were lost, were strangers to the trial by jury.

At another point, Blackstone further declared his faith in trial by jury in these words:

> A competent number of sensible and upright jurymen; chosen by lot * * * will be found the best investigators of truth, and the surest guardians of public justice. For the most powerful individual in the state will be cautious of committing any flagrant invasion of another's right, when he knows that the fact of his oppression must be examined and decided by 12 indifferent men, not appointed till the hour of trial; and that, when once the fact is ascertained, the law must of course redress it. This, therefore, preserves in the hands of the people that share which they ought to have in the administration of public justice.

Mr. President, the wisdom of Blackstone's words is undeniable. The liberty of every citizen must continue to be protected by the right of trial by jury. This is not a right which applies to one person and is denied another. The Constitution makes no exception in its guaranty of trial by jury to every citizen.

On May 9, 1957, Associate Justice Brennan of the United States Supreme Court delivered an address in Denver, Colo. In his address Justice Brennan dealt with the subject of trial by jury and made the following statement:

> American tradition has given the right to trial by jury a special place in public esteem that causes Americans generally to speak out in wrath at any suggestion to deprive them of it. * * * One has only to remember that it is still true in many States that so highly is the jury function prized, that judges are forbidden to comment on the evidence and even to instruct the jury except as the parties request instructions. The jury is a symbol to Americans that they are bosses of their Government. They pay the price, and willingly, of the imperfections, inefficiencies, and, if you please, greater expense of jury trials because they put such store upon the jury system as a guaranty of their liberties.

Mr. President, to me, that is a significant statement, coming from a member of the present Supreme Court. I will not predict what the Court may do when the constitutionality of the denial of trial by jury as embodied in this so-called compromise is presented to the Court.

However, I shall not be surprised if the Court declares the bill unconstitutional, because on June 10, 1957, in Reid against Covert, the so-called military wives case, the Supreme Court issued a strong opinion on behalf of trial by jury. In that case the Court said:

> Trial by jury in a court of law and in accordance with traditional modes of procedure after an indictment by grand jury has served and remains one of our most vital barriers to governmental arbitrariness. These elemental procedural safeguards were imbedded in our Constitution to secure their inviolateness and sanctity against the passing demands of expediency or convenience.

And further:

> If * * * the Government can no longer satisfactorily operate within the bounds laid

> down by the Constitution, that instrument can be amended by the method which it prescribes. But we had no authority to read exceptions into it which are not there.

That is certainly a clue to what might be expected from the Court when it is called upon to decide the constitutionality of part 5 of H. R. 6127 as it has been amended by this so-called compromise.

Many claims have been made to the effect that this is a bill to protect the individual's right to vote. The evidence proves that there are more than adequate laws in all the States to protect the right to vote. I requested the Library of Congress to make a study of the laws of the States by which the right to vote is protected in each State. A summary of these laws was submitted to me, and I have it available now.

As to my own State of South Carolina, I shall discuss at some length the constitutional and statutory safeguards protecting a citizen's right to vote.

I do not know of a single case having arisen in South Carolina in which a potential voter has charged that he has been deprived of his right to vote. Had such an instance occurred, justice would have been secured in the courts of South Carolina. The Federal Government has no monopoly over the administration of justice.

Both white and Negro citizens exercise their franchise freely in South Carolina. Our requirements are not stringent. South Carolina does not require the payment of a poll tax as a prerequisite to voting.

I may say that this requirement was repealed upon my recommendation to the Legislature of South Carolina, which submitted the recommendation to the people. The people voted favorably, and the legislature ratified the action of the people, and as a result there is no poll tax as a prerequisite for voting in South Carolina. Registration is necessary only once every 10 years.

Proof that Negroes vote in large numbers in South Carolina—if proof is desired—can be found in an article which was published following the general election in 1952 in the Lighthouse and Informer, a Columbia, S. C., Negro newspaper. In its issue of November 8, 1952, the Lighthouse and Informer discussed the results of the election and declared that "estimates placed the Negro votes at between 60,000 and 80,000 who actually voted."

This represents almost one-fourth of the votes cast in that election. I did not see an estimate of the Negro votes in the 1956 general election, but reports which came to me indicated that there was another large turnout.

Mr. President, I shall now read the provisions of the South Carolina constitution which protect a citizen's right to vote:

South Carolina Constitution Election Provisions

Article 1, section 9, suffrage: The right of suffrage, as regulated in this constitution, shall be protected by law regulating elections and prohibiting, under adequate penalties, all undue influences from power, bribery, tumult, or improper conduct.

Article 1, section 10, elections free and open: All elections shall be free and open, and every inhabitant of this State possessing the qualifications provided for in this constitution shall have an equal right to elect officers and be elected to fill public office.

Article 2, section 5, appeal; crimes against election laws: Any person denied registration shall have the right to appeal to the court of common pleas, or any judge thereof, and thence to the supreme court, to determine his right to vote under the limitations imposed in this article, and on such appeal the hearing shall be de novo, and the general assembly shall provide by law for such appeal, and for the correction of illegal and fraudulent registration, voting, and all other crimes against the election laws.

Article 2, section 8, registration provided; elections; board of registration; books of registration: The general assembly shall provide by law for the registration of all qualified electors, and shall prescribe the manner of holding elections and of ascertaining the results of the same: *Provided*, At the first registration under this constitution, and until the 1st of January 1898, the registration shall be conducted by a board of three discreet persons in each county, to be appointed by the Governor, by and with the advice and consent of the senate. For the first registration to be provided for under this constitution, the registration books shall be kept open for at least 6 consecutive weeks; and thereafter from time to time at least 1 week in each month, up to 30 days next preceding the first election to be held under this constitution. The registration books shall be public records open to the inspection of any citizen at all times.

Article 2, section 15, right of suffrage free: No power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage in this State.

In addition to these general provisions of the constitution protecting the right to vote, I shall now read specific statutory provisions contained in the South Carolina Code. I believe it is especially appropriate that I do so, in view of the fact that it has been charged that South Carolina, as well as other States has failed to protect the right of citizens to vote.

The charge is false. The right of every citizen to vote in South Carolina is protected, and I want the record to be clear; therefore, I cite the following provisions of law in South Carolina:

South Carolina Code

Title 23

The boards of registration to be appointed under section 23-51 shall be the judges of the legal qualifications of all applicants for registration. Any person denied registration shall have the right of appeal from the decision of the board of registration denying him registration to the court of common pleas of the county or any judge thereof and thence to the supreme court.

23-74. Proceedings in court of common pleas

Any person denied registration and desiring to appeal must within 10 days after written notice to him of the decision of the board of registration file with the board a written notice of his intention to appeal therefrom. Within 10 days after the filing of such notice of intention to appeal, the board of registration shall file with the clerk of the court of common pleas for the county the notice of intention to appeal and any papers in its possession relating to the case, together with a report of the case if it deem proper. The clerk of the court shall file the same and enter the case on a special docket to be known as calendar No. 4. If the applicant desires the appeal to be heard by a judge at chambers he shall give every member of the board of registration 4 days' written notice of the time and place of the hearing. On such appeal the hearing shall be de novo.

23-75. Further appeal to supreme court.

From the decision of the court of common pleas or any judge thereof the applicant may further appeal to the supreme court by filing a written notice of his intention to appeal therefrom in the office of the clerk of the court of common pleas within 10 days after written notice to him of the filing of such decision and within such time serving a copy of such notice on every member of the board of registration. Thereupon the clerk of the court of common pleas shall certify all the papers in the case to the clerk of the supreme court within 10 days after the filing of such notice of intention to appeal. The clerk of the supreme court shall place the case on a special docket, and it shall come up for hearing upon the call thereof under such rules as the supreme court may make. If such appeal be filed with the clerk of the supreme court at a time that a session thereof will not be held between the date of filing and an election at which the applicant will be entitled to vote if registered the chief justice or, if he is unable to act or disqualified, the senior associate justice shall call an extra term of the court to hear and determine the case.

23-100. Right to vote.

No elector shall vote in any polling precinct unless his name appears on the registration books for that precinct. But if the name of any registered elector does not appear or incorrectly appears on the registration books of his polling precinct he shall, nevertheless, be entitled to vote upon the production and presentation to the managers of election of such precinct, in addition to his registration certificate, of a certificate of the clerk of the court of common pleas of his county that his name is enrolled in the registration book or record of his county on file in such clerk's office or a certificate of the secretary of State that his name is enrolled in the registration book or record of his county on file in the office of the secretary of State.

23-349. Voter not to take more than 5 minutes in booth; talking in booth, etc.

No voter, while receiving, preparing, and casting his ballot, shall occupy a booth or compartment for a longer time than 5 minutes. No voter shall be allowed to occupy a booth or compartment already occupied by another, nor to speak or converse with anyone, except as herein provided, while in the booth. After having voted, or declined or failed to vote within 5 minutes, the voter shall immediately withdraw from the voting place and shall not enter the polling place again during the election.

23-350. Unauthorized persons not allowed within guard rail; assistance.

No person other than a voter preparing his ballot shall be allowed within the guard rail, except as herein provided. A voter who is not required to sign the poll list himself by this title may appeal to the managers for assistance and the chairman of the managers shall appoint one of the managers and a bystander to be designated by the voter to assist him in preparing his ballot. After the voter's ballot has been prepared the bystander so appointed shall immediately leave the vicinity of the guard rail.

23-656. Procuring or offering to procure votes by threats.

At or before every election, general, special, or primary, any person who shall, by threats or any other form of intimidation, procure or offer or promise to endeavor to

> procure another to vote for or against any particular candidate in such election shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than $100 nor more than $500 or be imprisoned at hard labor for not less than 1 month nor more than 6 months, or both by such fine and such imprisonment, in the discretion of the court.
>
> 23-657. Threatening or abusing voters, etc.
>
> If any person shall, at any of the elections, general, special, or primary, in any city, town, ward, or polling precinct, threaten, mistreat, or abuse any voter with a view to control or intimidate him in the free exercise of his right of suffrage, such offender shall, upon conviction thereof, suffer fine and imprisonment, at the discretion of the court.
>
> 23-658. Selling or giving away liquor within 1 mile of voting precinct.
>
> It shall be unlawful hereafter for any person to sell, barter, give away, or treat any voter to any malt or intoxicating liquor within 1 mile of any voting precinct during any primary or other election day, under a penalty, upon conviction thereof, of not more than $100 nor more than 30 days imprisonment with labor. All offenses against the provisions of this section shall be heard, tried, and determined before the court of general sessions after indictment.
>
> 23-659. Allowing ballot to be seen, improper assistance, etc.
>
> In any election, general, special, or primary, any voter who shall (a) except as provided by law, allow his ballot to be seen by any person, (b) take or remove or attempt to take or remove any ballot from the polling place before the close of the polls, (c) place any mark upon his ballot by which it may be identified, (d) take into the election booth any mechanical device to enable him to mark his ballot or (e) remain longer than the specified time allowed by law in the booth or compartment after having been notified that his time has expired and requested by a manager to leave the compartment or booth and any person who shall (a) interfere with any voter who is inside of the polling place or is marking his ballot, (b) unduly influence or attempt to influence unduly any voter in the preparation of his ballot, (c) endeavor to induce any voter to show how he marks or has marked his ballot, or (d) aid or attempt to aid any voter by means of any mechanical device whatever in marking his ballot shall be fined not exceeding $100 or be imprisoned not exceeding 30 days.
>
> 23-667. Illegal conduct at elections generally.
>
> Every person who shall vote at any general, special, or primary election who is not entitled to vote and every person who shall by force, intimidation, deception, fraud, bribery, or undue influence obtain, procure, or control the vote of any voter to be cast for any candidate or measure other than as intended or desired by such voter or who shall violate any of the provisions of this title in regard to general, special, or primary elections shall be punished by a fine of not less than $100 nor more than $1,000 or by imprisonment in jail for not less than 3 months nor more than 12 months or both, in the discretion of the court.

Mr. President, the provisions of the South Carolina Constitution and the provisions of the South Carolina statutes, which I have just read, prove the absolute lack of necessity for additional protection of the right to vote in my State. Also, the summary of the laws of other States, which I have requested to be prepared by the Library of Congress, prove there is no necessity for greater protection of the right to vote in any other State.

The claim that this is a right to vote bill is completely without foundation. If the advocates of this so-called civil rights bill want to deny the right of trial by jury to American citizens, they should proclaim their objective and seek to remove the guaranty of trial by jury from the Constitution. They should follow constitutional methods. Then the people of this Nation would not be misled, as some have been, to think that H. R. 6127 would give birth to a right to vote for anybody—a right already held by those it purports to help.

Mr. President, I also object to part I of this bill which would create a Commission on Civil Rights. To begin with, there is absolutely no need or reason for the establishment of such a commission. If there were any necessity for an investigation in the field of civil rights, it should be conducted by the States, or by an appropriate committee of the Congress within the jurisdiction held by the Congress.

The Congress should not delegate its authority to a commission. In such a delicate and sensitive area, the Congress should proceed with great deliberation and care. There is no present indication that any such study will be needed in the foreseeable future.

The establishment of a Commission, as proposed in this bill, would be most unwise.

Section 104 (a) of part I provides that the Commission shall—

> (2) Study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and
>
> (3) Appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

These two paragraphs provide the Commission with absolute authority to probe into and to meddle into every phase of the relations existing between individuals, limited only by the imagination of the Commission and its staff.

The Commission would be able to go far afield from a survey on whether the right to vote is protected. Through the power granted in the paragraphs I have cited, the Commission could exert its efforts toward bringing about integration of the races in the schools and elsewhere. It would be armed with a powerful weapon, when it combined its investigative power and its authority to force witnesses to answer questions.

I do not believe the people of this country realize the almost unlimited powers of inquiry which would be placed in the hands of this political Commission. I do not believe the people of this country want to have such a strong-arm method of persuasion imposed upon them. Section 105 (f) of part I provides that "subpenas for the attendance and testimony of witnesses or the protection of written or other matter may be issued in accordance with the rules of the Commission."

This is an unusual grant of authority. Many of the regular committees and special committees of the Congress do not have this power. The Truman Commission on Civil Rights did not have it. The subpena is a punitive measure, generally reserved for penal process whereby powers are granted to force testimony which would not otherwise be available. If the proposed Commission were simply a factfinding Commission, and were nonpolitical, the extreme power to force testimony by the use of a subpena would not be needed. The power of subpena in the hands of a political commission and the additional power to enforce its subpenas by court order diverge from the authority usually held by traditional factfinding groups.

There are several grounds for serious objection to section 104 (a) of part I. This section would permit complaints to be submitted to the Commission for investigation, but it would not require the person complaining to have a direct interest in the matter. This would mean, of course, that any meddler could inject himself into the relationship existing between other persons. It would open the door for fanatics to stir up trouble against innocent people.

This section would open wide the door for organizations such as the NAACP, the ADA, and others to, make complaints to the Commission, with little or no basis for doing so.

If an NAACP official in Washington made a complaint against a citizen of South Carolina, the South Carolina citizen would not have an opportunity of confronting his accuser, unless the accuser appeared voluntarily.

Although part I requires sworn allegations to be made to the Commission, there is no requirement that testimony taken by the Commission be taken under oath. Failure to make all witnesses subject to perjury prosecutions, by placing them under oath, would certainly make their testimony of little value. The Commission might adopt a rule to require sworn testimony, but this should not be left to the discretion of the Commission. It should be written into law.

There are many other objections to part I which were pointed out during the debate before the Senate passed its version of the bill. I shall not go into them further at this time.

Part II of the bill provides for the appointment of an additional Assistant Attorney General in the Justice Department. Since the Justice Department already has a section to handle civil-rights cases, there is no reason to create this new position. The creation of a new division would require the employment of many additional attorneys and other employees in the Justice Department. The Department has not disclosed how many additional lawyers, clerks, and stenographers it would plan to employ.

A civil-rights division in the Justice Department is not needed, because there is no indication that there will be any increase in the number of civil-rights cases, which are now being handled by a section in the Department.

The Attorney General had a most difficult time trying to show that an additional Assistant Attorney General was needed, and he failed completely in his efforts to do so. As a matter of fact, even those who have advocated passage of H. R. 6127 have been forced to admit, time after time, that conditions relating to civil-rights matters have been steadily improving all over the country. Since conditions have improved, and since there is no indication that conditions will change—unless the Attorney General and the proposed Civil Rights Commission were to create trouble—there is absolutely no justification for the appointment of an additional Assistant Attorney General in charge of a civil-rights division in the Justice Department.

Part III of the bill, as originally written, which was completely obnoxious, was removed. I have stated my views on part IV several times; I have objected to its grant of dictatorial power to the Attorney General. The Congress should never agree to place such authority in the hands of any one official of the Government.

Another particularly obnoxious provision is found in section 131 (d) which provides that—

> (d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

Mr. President, there has not been presented any legitimate reason why administrative remedies and remedies provided in the courts of the States should not be exhausted prior to having the Federal district courts take jurisdiction in cases of election-law violations.

This could be a step toward future elimination of the State courts altogether. I do not believe the Congress has, or should want, the power to strip our State courts of authority and to vest it in the Federal courts. Some of the advocates of H. R. 6127 have spoken out strongly on behalf of the Federal courts, during the debate on the jury-trial amendment. I wish they were equally as vehement in their defense of our State courts.

There is no reason to permit an individual to bypass the administrative agencies of his own State and the courts of his own State, in favor of a Federal court, when the matter involved is principally a State matter. If a person were dissatisfied with the results obtained in the State agency and courts, he could then appeal from the decision. But until he has exhausted established remedies, he should not be permitted to bypass them.

I shall not go into further details with reference to the provisions of this part of the bill, but I am just as strongly opposed to it now as I was when it was first introduced. I shall continue to oppose such proposed grants of power to the Attorney General or to any other official.

Mr. President, I based my opposition to H. R. 6127, throughout its consideration in the Senate, on three principal points. I am convinced the bill is unconstitutional in several respects which I have cited. I know the bill is unnecessary because the right to vote is fully protected in every State, and also under the laws of the United States, where applicable.

Finally, I know that the enactment of such proposed legislation would be extremely unwise.

It would be unwise because the sure result of passing this bill would be to destroy a great deal of the good feeling existing between the white and the Negro races, not only in the South, but in every community where a substantial number of Negroes live. Nothing would be gained, but much would be lost.

The proposed Civil Rights Commission, by using its powers to attempt to force integration of the races, would be bound to create suspicion and tension between the races to an even greater degree than the suspicion and tension which were created by the 1954 Supreme Court decision in the school-segregation cases.

Unbiased persons who are familiar with the segregation problem, and who observed the detrimental result of the Supreme Court decision, know that a traveling investigation commission and a meddling Attorney General could bring about chaos in racial relations.

The chaos would not be confined to the South, because the provisions of this bill will apply to every citizen in every State. However, the Attorney General, in exercising the discretion granted him, along with the extraordinary powers also granted him, must be expected to confine his investigations and his court actions to the States of the South.

The South has often been derided and condemned on charges of sectionalism; but if the advocates of this legislation believe they will create greater unity, instead of greater division, in this country by the enactment of this bill, they are entirely mistaken.

George Washington, in his farewell address, used his strongest language against those who would divide our country, and in urging a unity of spirit. He said:

> In contemplating the causes which may disturb our Union, it occurs as a matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations—northern and southern—Atlantic and western; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection.

H. R. 6127 is a blueprint for suspicion, confusion, and disunity.

The laws of the Nation are dependent upon the customs and traditions of the people. Unless law is based upon the will of the people, it will not meet with acceptance.

Government in this country derives no power except the power coming from the people. Laws which are not based on the Constitution, which is the basic statement of the will of the people, cannot be justified on any ground.

Mr. President, when there is so much evidence that this bill is unconstitutional, unnecessary, and unwise, it should never be approved. Force may subjugate the human body, but force by itself can never change the human mind. Laws, like leaders, must be of the people, by the people, and for the people.

H. R. 6127 fails to measure up by any standard. It should be rejected. I appeal to every Member of this body who believes in constitutional government and the sovereignty of the people to vote against this bill.

Mr. President, those are the reasons why I made the motion to refer the bill, H. R. 6127, to the Judiciary Committee. It is unconstitutional, it is unnecessary, and it is unwise. It is my opinion that if the bill is sent to the Judiciary Committee the members of that committee, who are well versed in the law, and who are experienced in procedures of the Congress, can study the bill and can then consider the action to be taken in connection with it.

It is my firm conviction that if the bill is sent to the Judiciary Committee, the bill will be so modified as to provide a greater measure of constitutional government in this country. I am confident that the bill as it stands today will be held unconstitutional—certainly if the Supreme Court follows the Constitution of the United States. I think the Senate would be making an idle gesture to pass the bill, which so clearly violates several provisions of the Constitution.

I think that the wise course—and to my way of thinking it would be in the best interest of the entire Nation—is to refer the bill to the Judiciary Committee. I think it is a dangerous procedure to allow bills to come from the other body and be placed on the calendar without a thorough study being given to them by the appropriate committee of the Senate. I objected before, when the bill came to the Senate from the House, and voted then to refer it to committee; and I am more confident than ever now, after this so-called compromise has been brought forth, that the bill should have been referred to the Judiciary Committee for its careful consideration and appropriate action.

Mr. STENNIS. Mr. President——

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, I doubt that very many Members of the Senate have had a chance yet to read studiously the proposed amendment which has come to the Senate from the House of Representatives. I have read it more than once, but, so far as having a chance to study it or consult with anyone who has had an opportunity to analyze it or to give a serious legal opinion on it, the opportunity has not been available to me, under the rush of Senate business, and I doubt that it has been available to many other Senators.

I did not know that the motion was to be made, and I am not speaking now to consume time, but I shall raise some points which I do not think can be brushed off, points which have to do with the very serious question of procedure in the Senate itself. As every Senator knows, there has never been a Senate committee report on this bill, in spite of some very valuable subcommittee work and a subcommittee report. The bill has never been referred to a conference committee. It has never been considered, as I understand, by a conference committee, and there has been no report of any kind from any such group as makes a study and obtains the opinion of experts on language or on legal interpretations or on constitutional questions. The measure was brought to the Senate in its present form this afternoon, somewhere between 4 and 5 o'clock. At that time the Senate was discussing an appropriation bill which provided more than $3 billion. There was debate on that bill, and then, finally, two recorded votes.

The bill came to the Senate, with no report. After that there was brought up a compensation increase bill, which was debated, and a recorded vote on that bill was had. Then another bill of like kind, involving nearly $1 billion annually, as I recall, was brought up, debated to an extent, and passed.

The so-called civil-rights bill was brought up in the Senate perhaps just to make it the pending business. Still, question of referral is raised at this time. When that question is finally disposed of, it cannot be raised again in this body, as the Senator from Mississippi understands.

I think there is a very serious constitutional question involved in what I may call split-level punishment, or split-level jury trial, or whatever one might want to term it. The Constitution of the United States provides that in criminal cases there shall be a jury trial. The bill provides that in certain cases there may not be a jury trial. That raises the question of whether, and to what extent, what is involved is a criminal offense. Certainly, we ought to have the opinion of experts such as members of the Judiciary Committee. I do not know whether the Attorney General has ever filed an opinion about the validity of that section. I raise that question in the Senate now. Has anyone else given an opinion on it? Has the attorney for a committee or for any group? Has there been any consideration of the question by any responsible authority who is a student of the law?

These points have been raised. They naturally come to the surface when anyone reads the bill.

Mr. President, I do not have to emphasize that this is a very serious matter. The proposed legislation would affect the entire Nation of 170 million people. Once enacted into law, it would perhaps remain the law for a long time. If this is not the remedy, what is the remedy? There should be discussion of this matter.

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

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

Mr. KNOWLAND. I wish to say to the Senator from Mississippi, I have the highest regard for him. He has not only been a great Senator in this body representing the State of Mississippi, but he has been, in a fuller sense, a Senator of the United States; and all of us on this side of the aisle have a great respect for him. But I will say there was no intent on the part of the leadership on either his side of the aisle or on this side of the aisle to attempt—and the suggestion had not even crossed our minds—to get a final vote on the bill tonight. The present parliamentary situation in which we find ourselves arises only because of the motion made by the distinguished Senator from South Carolina to refer this matter to the Judiciary Committee.

The majority leader is not present, but I am certain his view is no different from mine, and I say to the distinguished Senator, that if the motion were acted on tonight, and if it were successful, of course, the bill would go to the Judiciary Committee.

I will say, quite frankly, I hope the motion will not be successful. If it is not successful, it will not foreclose any rights of Senators from the great area of the South, or from any other area of the country, to debate the bill as fully as they feel justified, in order to bring out the legal points with regard to the changes which may have been made by the House.

I say, most respectfully, that the procedure which has been followed in the House is not unusual. It involved a concurring in the action of the Senate with an amendment. I can assure the Senator that if the motion to refer the bill to the committee is disposed, no Senator will be foreclosed on tomorrow, or the day after, or any other day he may want to discuss the merits of the bill. I merely wanted to say for the RECORD that that is the situation, as I understand it, at least.

Mr. STENNIS. I appreciate the remarks of the Senator from California. I know full well the Senator considers this to be a serious matter. I know he was surprised somewhat by the motion which was made, as was the Senator from Mississippi.

The point I made a while ago is that this question has now been raised. It is a serious question. It has its place in the parliamentary procedure, without stating any criticism of the House action. Certainly the House was within its rights. However, this is the only time this matter can be settled, and I was going to suggest it ought to be discussed further. If we can go over until tomorrow, it will give us a chance to look into this matter further, because this point can be raised only once.

Mr. President, before I conclude my remarks I desire to read into the RECORD at this place the wording of the amendment which has come from the House. I shall not read all that part of the section which was in the bill when it went to the House from the Senate, but merely the new language and that connected therewith:

> *Provided further*, That in any such proceeding for criminal contempt, at the discretion of the judge, the accused may be tried with or without a jury: *Provided further, however*, That in the event such proceeding for criminal contempt be tried before a judge without a jury and the sentence of the court upon conviction is a fine in excess of the sum of $300 or imprisonment in excess of 45 days, the accused in said proceeding, upon demand therefor, shall be entitled to a trial de novo before a jury, which shall conform as near as may to be the practice in other criminal cases.

As I recall, that includes the new language which has been sent to the Senate by the House.

As I say, we have no opinion from any expert on this matter. We have no opinion from anyone who has analyzed it, so far as the Senator from Mississippi is aware. We do have the privilege of debate. I think debate will bring out some serious discussion of this provision from both sides.

My observation is that now that the motion has been made we ought not try to rush to a vote on it tonight. Without any intent to delay, perhaps we could go over until tomorrow and take a new start on the motion. If anyone is anxious about it, I understand the motion is subject to a motion to lay on the table, so no one would be deprived of any right. The proponents of the bill would be waiving no right. Certainly nothing would be lost by either side. There should be more time for preparation, in addition to an hour or two after a proposal officially comes to the Senate, a proposal which, until a few hours ago, had been represented merely by newspaper reports of the language. Though the reports were accurate, the language certainly raises the most far-reaching constitutional questions. Apart from that, there are serious legal questions. Even more serious than that, there are vital practical questions.

I hope the leadership will consider at least allowing this matter to go over until tomorrow.

Mr. JOHNSON of Texas. Mr. President, reluctant and hesitant as I am ever to disagree with my beloved friend from Mississippi, I have just returned from an engagement, after I had an understanding with the Senator from Georgia [Mr. RUSSELL] that he had no objection to a vote on this motion tonight, and after I was assured twice, after the motion was made without my knowledge—usually the leader is afforded the courtesy of knowledge of a motion—by the Senator from South Carolina [Mr. THURMOND] that he wanted 40 minutes, and then an additional 30 minutes and he would be ready to vote.

Since I have asked the entire Senate to be here and to be prepared to vote on the motion, since I have canceled my own engagement and have not even had my dinner, I see nothing that could be gained by sleeping through the night on a motion to refer the matter to a committee. I have this feeling about it: I love the land from which I come and I yield to no one in my loyalty to it. But I cannot stand up on the floor of the Senate and say to men from other sections of the Nation, "You must not play politics with the Nation" and then have them feel that I am unwilling to stand up and face up to a vote when I am confronted with it.

It may very well be that a majority of this body will want to send the bill to the committee, and will agree with the distinguished Senator from South Carolina. Had I know the motion was going to be offered I would have attempted to set a time when we could vote, to make it agreeable to the convenience of every Senator. It was a surprise affair to me. I have no criticism to make of that; I simply point it out.

Since the Senator from South Carolina has been given all the time he desired, since the Senator from Georgia did not ask for additional time, since some ninety-odd other Members of the Senate have been informed that we would have a vote, and since we are going to be here all this week and perhaps a part of next week discussing this matter thoroughly, I see no reason why, after asking the Members to the Senate to stay here and after urging them to be present and perform their duties, at the hour of 9:30 p. m., after many of us have returned to the Chamber and canceled our engagements, we should want to put it off another day. I would not want Senators from other sections or other areas of the country to feel I was taking advantage of them. I would certainly not want them to feel they were taking advantage of me.

So, Mr. President, I hope any Senator who desires to be heard on the question will take the opportunity to speak his piece, and I hope the Members on both sides of the aisle will decide whether in their judgment they can live with their consciences and determine whether this matter ought to go to the committee or ought to stay on the floor. Once they have determined that they can easily answer when the roll is called.

I hope that those Members to whom I owe a great responsibility, and for all of whom I have real affection, will not put me in the position of asking each Member to come back here tonight to be prepared to vote and then, after we cancel our engagements, having to say, "Well, let us finally take it over until tomorrow."

If ther is any new evidence to be developed, I hope it can be developed this evening. The House passed this bill early in the afternoon. We did not ask that it be laid before the Senate until every faction, every area, and almost every Member was notified it would be called up.

I made the statement that I did not expect that any votes would be had. I had hoped that would not be necessary.

Many Members of this body were invited to a little reception given for me this evening on my birthday. It was necessary for me to miss most of it. When I finally got there I was called back. I was told the vote would be in 30 minutes, and to come back to vote.

I hope Members of the Senate will vote on this motion. I am sure there will be more motions made before this matter is finally disposed of. We can at least vote the majority will.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Carolina [Mr. THURMOND].

(Putting the question.)

Mr. JOHNSON of Texas. Mr. President, the yeas and nays have been ordered, have they not?

The PRESIDING OFFICER. The yeas and nays have been ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. GREEN (when Mr. SPARKMAN's name was called). The Senator from Alabama [Mr. SPARKMAN] is absent on official business for the Foreign Relations Committee at my request. I asked him to undertake the very important assignment of visiting countries in the Far East and in Southeast Asia and submitting reports and recommendations regarding his findings to the committee. The carrying out of the assignment is essential to the work of the committee and to the well-being of this Nation.

In order to persuade Senator SPARKMAN to go ahead with this assignment as scheduled, since otherwise it would have been necessary to cancel the assignment, I promised him a live pair.

Were he here he would vote "yea." Were I at liberty to vote I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from West Virginia [Mr. NEELY], and the Senator from Alabama [Mr. SPARKMAN], are absent on official business.

I further announce that if present and voting, the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], and the Senator from West Virginia [Mr. NEELY], would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The Senator from Maryland [Mr. BUTLER], the Senator from South Dakota [Mr. CASE], and the Senator from Indiana [Mr. CAPEHART] are absent on official business.

The Senator from Maine [Mr. PAYNE] is necessarily absent.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

If present and voting, the Senator from Maryland [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], and the Senator from Maine [Mr. PAYNE] would each vote "nay."

The result was announced—yeas 18, nays 66, as follows:

YEAS—18

Byrd
Eastland
Ellender
Ervin
Fulbright
Hill
Holland
Johnston, S. C.
Long
McClellan
Morse
Robertson
Russell
Scott
Smathers
Stennis
Talmadge
Thurmond

NAYS—66

Aiken
Allott
Barrett
Beall
Bennett
Bible
Bricker
Bush
Carlson
Carroll
Case, N. J.
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Douglas
Dworshak
Flanders
Frear
Goldwater
Gore
Hayden
Hennings
Hickenlooper
Hruska
Humphrey
Ives
Jackson
Javits
Jenner
Johnson, Tex.
Kefauver
Kennedy
Kerr
Knowland
Kuchel
Langer
Lausche
Magnuson
Malone
Mansfield
Martin, Iowa
Martin, Pa.
McNamara
Monroney
Morton
Mundt
Murray
Neuberger
O'Mahoney
Pastore
Potter
Purtell
Revercomb
Saltonstall
Schoeppel
Smith, Maine
Smith, N. J.
Symington
Thye
Watkins
Wiley
Williams
Yarborough

NOT VOTING—11

Anderson
Bridges
Butler
Capehart
Case, S. Dak.
Chavez
Green
Neely
Payne
Sparkman
Young

So Mr. THURMOND's motion was rejected.

Mr. ALLOTT. Mr. President, I move to reconsider the vote by which the Senate rejected the motion.

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

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

The motion to lay on the table was agreed to.

SEVERAL SENATORS. Vote! Vote!

PROCEEDINGS FOR THE PRODUCTION OF GOVERNMENT RECORDS IN CRIMINAL CASES

Mr. EASTLAND. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House of Representatives on the bill, S. 2377.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses, which was, to strike out all after the enacting clause, and insert:

That chapter 223 of title 18, United States Code, is amended by adding a new section 3500 which shall read as follows:

"§ 3500. Demands for production of statements and reports of witnesses

"(a) In any criminal prosecution brought by the United States, any rule of court or procedure to the contrary notwithstanding, no statement or report of any prospective witness or person other than a defendant which is in the possession of the United States shall be the subject of subpena, discovery, or inspection, except as provided in paragraph (b) of this section.

"(b) After a witness called by the United States has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce for the inspection of the court in camera such reports or statements of the witness in the possession of the United States as are signed by the witness, or otherwise adopted or approved by him as correct relating to the subject matter as to which he has testified. Upon such production the court shall then determine what portions, if any, of said reports or statements relate to the subject matter as to which the witness has testified and shall direct delivery to the defendant, for use in cross-examination, such portions, if any, of said reports or statements as the court has determined relate to the subject matter as to which the witness has testified. The court shall excise from such reports and statements to be delivered to the defendant any portions thereof which the court has determined do not relate to the subject matter as to which the witness has testified. If, pursuant to such determination, any portion of such reports or statements is withheld from the defendant, and the trial is continued to an adjudication of the guilt of the defendant, the entire reports or statements shall be preserved by the United States and, in the event the defendant shall appeal, shall be made available to the appellate court at its request for the purpose of determining the correctness of the ruling of the trial judge.

"(c) In the event that the United States elects not to comply with an order of the court under paragraph (b) hereof to deliver to the defendant any report or statement or such portion thereof as the court may direct, the court shall strike from the record the testimony of the witness and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared."

The analysis of such chapter is amended by adding at the end thereof the following:

"'3500. Demands for production of statements and reports of witnesses.'"

Mr. EASTLAND. Mr. President, I move that the Senate disagree to the amendment of the House, agree to the conference asked by the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. O'MAHONEY, Mr. EASTLAND, and Mr. DIRKSEN conferees on the part of the Senate.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, as the Senate has been previously informed, we will meet at 10 o'clock tomorrow morning. I urge all Senators who may desire to address themselves to the pending matter to be present.

I now move that the Senate stand in adjournment until 10 a. m. tomorrow.

Mr. KNOWLAND. Mr. President, will the Senator withhold that motion for a moment?

Mr. JOHNSON of Texas. We will attempt to arrange the hours to suit the convenience of all Senators. We have disposed of most of the legislation that we will consider during this session. I do not expect a vote on the pending business for at least a few days, until all Senators have had an opportunity to be heard.

Under our previous order, we will convene at 10 o'clock in the morning for the balance of the week.

I hope the Senate will be agreeable to running until late in the evening, in the hope that perhaps we can finish late this week or early next week and adjourn sine die.

I withhold the motion if the Senator from California wishes to speak.

Mr. KNOWLAND. I merely wish to concur in the statement made by the Senator from Texas. Orders have been previously entered for the Senate to meet at 10 o'clock in the morning for the remainder of this week, if we are still in session, and during next week, if we are still in session next week.

I should like to urge all Senators on this side of the aisle to bear in mind that we may have a vote at any time when the Senate is in session, night or day, until we complete our business. Therefore, particularly at this stage of the session, in the closing week or closing 2 weeks, I believe every Senator should be on notice to that effect, and under those circumstances I hope they can arrange to be here for the purpose of voting at any time the Senate is in session.

Mr. JOHNSON of Texas. We have some controversial measures to consider. I do not believe they are major measures, and I do not believe they will take too much time to consider. I hope we may be able to follow the pending business with those measures, or perhaps sandwich them in when speakers are not available on the pending business.

I give notice to all Senators that all bills which are on the calendar may be called up by motion, so that Senators may be prepared.

Mr. O'MAHONEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. O'MAHONEY. What is the pending question?

Mr. JOHNSON of Texas. Mr. President, will the Chair state the pending question for the information of the Senate?

The PRESIDING OFFICER. The question is on agreeing to the amendments of the House of Representatives to the amendments of the Senate numbered 7 and 15.

Mr. BEALL. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. BEALL. Will the majority leader state how much notice he will give Senators in advance of the taking of the vote on the pending question; in other words, on the question of agreeing to the amendments of the House of Representatives to the amendments of the Senate numbered 7 and 15 to the civil-rights bill?

Mr. JOHNSON of Texas. The majority leader is not in a position to give any more notice than he is able to obtain by observing the actions and deliberations of the Senate.

The majority leader wishes to be sure that all Members of the Senate, on both sides of the aisle, have ample opportunity to express themselves on this question as many times as they may desire; and the majority leader has neither a desire nor a disposition to force a vote before that opportunity has been had.

The majority leader is hopeful that Senators will be able to leave here by late Saturday evening. But that could very well happen the following week; and at this time the Senator from Texas does not feel that he is very much of a prophet.

So we shall just have to see how long Senators talk and how much time is consumed.

Mr. BEALL. Does the majority leader intend to give a few hours' notice before a final vote is taken on this question?

Mr. JOHNSON of Texas. The Senator from Texas is unable to do that. He does not know when Senators will stop talking. That is somewhat like asking him when he will die. [Laughter.] He is not sure about that.

Mr. President, I believe every Senator is on his own responsibility to follow the developments in the Senate; and when there no longer is any Senator who desires to address himself to the pending question, the roll will be called.

ADDITIONAL REPORT OF A COMMITTEE

By unanimous consent, the following additional report of a committee was submitted:

By Mr. O'MAHONEY, from the Committee on the Judiciary, without amendment:

H. R. 7536. An act to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941; (Rept. No. 1152).

ADJOURNMENT TO TOMORROW AT 10 O'CLOCK A. M.

Mr. JOHNSON of Texas. Mr. President, I renew my motion that the Senate adjourn.

The PRESIDING OFFICER. The question is on the motion of the Senator from Texas that the Senate adjourn until tomorrow, at 10 a. m. Without objection, the motion is agreed to; and the Senate stands adjourned until tomorrow, at 10 a. m.

Thereupon (at 10 o'clock and 1 minute p. m.) the Senate adjourned until tomorrow, Wednesday, August 28, 1957, at 10 o'clock a. m.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 27, 1957:

INTERNATIONAL MONETARY FUND AND INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Robert B. Anderson, of New York, to be United States Governor of the International Monetary Fund and the International Bank for Reconstruction and Development for the term of 5 years.

UNITED STATES ATTORNEY

Peter Mills, of Maine, to be United States attorney for the district of Maine for a term of 4 years.

UNITED STATES MARSHAL

Harry W. Pinkham, of Maine, to be United States marshal for the district of Maine for a term of 4 years.

COAST AND GEODETIC SURVEY

The following nominations for permanent appointment to the grade of ensign in the Coast and Geodetic Survey, subject to qualifications provided by law:

Ronald M. Buffington
Jerome P. Guy
Mart Kask

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 27, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, the new day is challenging us with duties we dare not shirk and decisions which will affect not only our own lives but the lives of many others.

We humbly confess that, again and again, we face our tasks and responsibilities with baffled minds and troubled hearts for we are in doubt as to what we ought to do.

Grant that we may hear and heed Thy voice as Thou dost say unto us: "This is the way, walk ye therein."

Help us to bring in that glorious day when there shall be peace on earth and good will among all men.

Hear us in the name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed without

amendment bills and joint resolutions of the House of the following titles:

H. R. 38. An act to amend the Tariff Act of 1930 to provide for the temporary free importation of casein;

H. R. 110. An act to amend section 372 of title 28, United States Code;

H. R. 277. An act to amend title 17 of the United States Code entitled "Copyrights" to provide for a statute of limitations with respect to civil actions;

H. R. 499. An act to direct the Secretary of the Navy or his designee to convey a 2,477.43-acre tract of land, avigation, and sewer easements, in Tarrant and Wise Counties, Tex., situated about 20 miles northwest of the city of Fort Worth, Tex., to the State of Texas;

H. R. 896. An act to amend title 10, United States Code, to authorize the Secretary of the Army to furnish heraldic services;

H. R. 1214. An act to authorize the President to award the Medal of Honor to the unknown American who lost his life while serving overseas in the Armed Forces of the United States during the Korean conflict;

H. R. 1318. An act for the relief of Thomas P. Quigley;

H. R. 1324. An act for the relief of Westfeldt Bros.;

H. R. 1394. An act to authorize the sale of certain keys in the State of Florida by the Secretary of the Interior;

H. R. 1591. An act for the relief of the Pacific Customs Brokerage Company of Detroit, Mich.;

H. R. 1733. An act for the relief of Philip Cooperman, Aron Shriro, and Samuel Stackman;

H. R. 2136. An act to amend section 124 (c) of title 28 of the United States Code so as to transfer Shelby County from the Beaumont to the Tyler division of the eastern district of Texas;

H. R. 3367. An act to amend section 1867 of title 28 of the United States Code to authorize the use of certified mail in summoning jurors;

H. R. 3877. An act to validate a patent issued to Carl E. Robinson, of Anchor Point, Alaska, for certain land in Alaska, and for other purposes;

H. R. 4144. An act to provide that the commanding general of the militia of the District of Columbia shall hold the rank of brigadier general or major general;

H. R. 4191. An act to amend section 633 of title 28, United States Code, prescribing fees of United States commissioners;

H. R. 4193. An act to amend section 1716 of title 18, United States Code, so as to conform to the act of July 14, 1956 (70 Stat. 538–540);

H. R. 4992. An act for the relief of Michael D. Ovens;

H. R. 5061. An act for the relief of Harry V. Shoop, Frederick J. Richardson, Joseph D. Rosenlieb, Joseph E. P. McCann, and Junior K. Schoolcraft;

H. R. 5810. An act to provide reimbursement to the tribal council of the Cheyenne River Sioux Reservation in accordance with the act of September 3, 1954;

H. R. 5811. An act to amend subdivision b of section 14—Discharges, when granted—of the Bankruptcy Act, as amended, and subdivision b of section 58—Notices—the Bankruptcy Act, as amended;

H. R. 5920. An act for the relief of Pedro Gonzales;

H. R. 6172. An act for the relief of Thomas F. Milton;

H. R. 6868. An act for the relief of the estate of Agnes Moulton Cannon and for the relief of Clifton L. Cannon, Sr.;

H. R. 7636. An act to provide for the conveyance to the State of Florida of a certain tract of land in such State owned by the United States;

H. R. 7654. An act for the relief of Richard M. Taylor and Lydia Taylor;

H. J. Res. 230. Joint resolution to suspend the application of certain Federal laws with respect to personnel employed by the House Committee on Ways and Means in connection with the investigations ordered by House Resolution 104, 85th Congress;

H. J. Res. 313. Joint resolution designating the week of November 22–28, 1957, as National Farm-City Week;

H. J. Res. 351. Joint resolution to establish a Lincoln Sesquicentennial Commission; and

H. J. Res. 430. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills, a joint resolution, and a concurrent resolution of the House of the following titles:

H. R. 2075. An act for the relief of Albert Heinze;

H. R. 2904. An act for the relief of the Knox Corp., of Thomson, Ga.;

H. R. 3028. An act to provide for the relief of certain female members of the Air Force, and for other purposes;

H. R. 3377. An act to promote the national defense by authorizing the construction of aeronautical research facilities and the acquisition of land by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research;

H. R. 3468. An act for the relief of J. A. Ross & Co.;

H. R. 3940. An act to grant certain lands to the Territory of Alaska;

H. R. 6322. An act to provide that the dates for submission of plan for future control of property and transfer of the property of the Menominee Tribe shall be delayed;

H. R. 6562. An act to clarify the law relating to leasing of lands within Indian reservations in Alaska, and for other purposes;

H. R. 6760. An act to grant to the Territory of Alaska title to certain lands beneath tidal waters, and for other purposes;

H. R. 8030. An act to amend the Agricultural Adjustment Act of 1938 with respect to acreage history;

H. R. 8256. An act to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social security benefits and to provide additional exemptions for age and blindness, and to exempt from personal property taxation in the District of Columbia boats used solely for pleasure purposes, and for other purposes;

H. J. Res. 374. Joint resolution for the relief of certain aliens; and

H. Con. Res. 172. Concurrent resolution to establish a joint Congressional committee to investigate matters pertaining to the growth and expansion of the District of Columbia and its metropolitan area.

The message also announced that the Senate had passed bills and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 314. An act to assist the United States cotton textile industry in regaining its equitable share of the world market;

S. 479. An act to convey right-of-way to Eagle Creek Intercommunity Water Supply Association;

S. 628. An act to direct the Secretary of the Army to convey certain property located at Boston Neck, Narragansett, Washington County, R. I., to the State of Rhode Island;

S. 1040. An act to amend the acts known as the Life Insurance Act, approved June 19, 1934, and the Fire and Casualty Act, approved October 9, 1940;

S. 1245. An act to provide a right-of-way to the city of Alamogordo, a municipal corporation of the State of New Mexico;

S. 1294. An act for the relief of Maria del Carmen Viquera Pinar;

S. 1728. An act to provide certain assistance to State and Territorial maritime academies or colleges;

S. 2042. An act to authorize the conveyance of a fee simple title to certain lands in the Territory of Alaska underlying war housing project Alaska-50083, and for other purposes;

S. 2110. An act for the relief of Shirley Leeke Kilpatrick;

S. 2352. An act for the relief of Deanna Marie Greene (Okhe Kim);

S. 2353. An act for the relief of Charles Fredrick Canfield (Kim Yo Sep);

S. 2377. An act to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses;

S. 2488. An act for the relief of Kim, Hyun Suck;

S. 2606. An act to amend Private Law 498, 83d Congress (68 Stat. A108), so as to permit the payment of an attorney fee;

S. 2635. An act for the relief of Stefani Daniela and Casablanca Ambra;

S. Con. Res. 45. Concurrent resolution authorizing the printing of additional copies of the hearings on the mutual security program for fiscal year 1958 for the use of the Committee on Foreign Relations; and

S. Con. Res. 47. Concurrent resolution to print additional copies of part 1 and subsequent parts of hearings entitled "Investigation of the Financial Condition of the United States," held by the Committee on Finance during the 85th Congress, 1st session.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1002) entitled "An act to enable the Secretary of Agriculture to extend financial assistance to desert-land entrymen to the same extent as such assistance is available to homestead entrymen," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HOLLAND, Mr. SCOTT, Mr. TALMADGE, Mr. MUNDT, and Mr. SCHOEPPEL to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1482) entitled "An act to amend certain provisions of the Columbia Basin Project Act, and for other purposes."

PERSONAL EXPLANATION TO THE HOUSE

Mr. MINSHALL. Mr. Speaker, on Friday, August 23, I was absent from the session because of official business for the Committee on Government Operations. I should like to ask unanimous consent that the permanent RECORD show that I was absent on that day on official business.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CIVIL-RIGHTS BILL

Mr. RAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RAY. Mr. Speaker, H. R. 6127 comes before us today with 16 Senate amendments. I understand that numbers 1 to 14, inclusive, and number 16 are to be accepted. In my view, those amendments make a great improvement in the bill.

It seems to be generally recognized that Senate amendment No. 15 is thoroughly bad and cannot be accepted. However, the new jury-trial amendment which will be offered as a substitute for Senate amendment No. 15 is also bad. I think it is unsound as a matter of principle and will be impracticable in operation. It gives no assurance that one accused of actions which would constitute a crime can demand and have a jury trial. It is merely a sham and a mockery to say that one who has been convicted of a crime in a hearing before a judge can have his case tried over again before a jury if the judge has sentenced him too severely after the first trial. That is what the new language does. To my mind it sacrifices one basic right, trial by jury, to a particular method of enforcing another basic right—the right to vote.

When H. R. 6127 was before this House, I voted for the jury-trial amendment offered by our colleague from Virginia, Mr. POFF, because I believed that kind of amendment was necessary. That amendment was not adopted, and I voted against the bill on final passage for that, among other reasons.

I propose to vote against the rule, against the substitute for Senate amendment No. 15, and against the bill.

PERSONAL EXPLANATION

Mr. BURDICK. Mr. Speaker, on Friday, August 23, I was detained in my room on account of illness. For the first time I missed two rollcall votes. I ask unanimous consent to extend my remarks in the RECORD with a statement indicating how I would have voted had I been present.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BURDICK. Mr. Speaker, on August 21 I was recorded as not voting on the Cole amendment to H. R. 9379. This was the amendment to restore $30 million for the industry cooperative program. If recorded my vote on this amendment would have been "yea."

Mr. Speaker, on August 23 I was recorded as not voting on amendment No. 54 to H. R. 9131, the supplemental appropriations bill. If recorded, my vote on the motion to recede and concur therein with an amendment would have been "nay."

On the motion to concur with an amendment reducing the figure from $475,000 to $425,000 for the Columbia River project my vote would have been "nay."

FEDERAL ELECTION LAWS

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio.

There was no objection.

Mr. McGREGOR. Mr. Speaker, Congress is approaching adjournment without taking definite action to overhaul Federal election laws.

I am sure all of us know how difficult it is for a person in service to vote. Yet many of us have worn a uniform of our country in order that we might have that privilege.

I sincerely hope that during the adjournment of Congress the committee, having the responsibility of this subject, will continue its study and that early in January we will have a report that will give a clarification of the political activities of the civil service employees, a uniformity of registration laws, a fair and equitable law in regard to political expenditures and, in summary, make the voting fair and equitable to all.

ACTION UNDER SUSPENSION OF THE RULES TOMORROW

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN. Mr. Speaker, I should like to inquire of the majority leader what the program is for tomorrow on suspensions.

Mr. McCORMACK. Mr. Speaker, I am very glad the gentleman from Massachusetts has made the inquiry. There will be two suspensions tomorrow:

First, S. 2792 with amendments; that is the immigration bill.

The other bill is H. R. 8424, introduced by the gentlewoman from Massachusetts [Mrs. ROGERS], to include certain service performed for Members of Congress as annuitable service under the Civil Service Retirement Act. That will be brought up in the event it does not pass on the Consent Calendar.

Mr. MARTIN. I thank the gentleman.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 212]

Alger
Allen, Calif.
Anfuso
Bailey
Barden
Beamer
Bolton
Bray
Buckley
Cannon
Clevenger
Dempsey
Dies
Evins
Fisher
Flood
George
Gordon
Gray
Gwinn
Harden
Harvey
Hays, Ohio
Hiestand
Hillings
Hoffman
Holifield
Holtzman
Horan
Jackson
Kearney
Kilburn
Krueger
LeCompte
Lesinski
McConnell
McDonough
Mailliard
Mason
Miller, Calif.
Nicholson
Norblad
Powell
Preston
Prouty
Reece, Tenn.
Robsion, Ky.
Sikes
Siler
Smith, Calif.
Smith, Kans.
Teague, Calif.
Teague, Tex.
Vursell
Walter
Wier
Williams, N. Y.
Younger

The SPEAKER. On this rollcall 369 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CIVIL RIGHTS

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 410 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution the bill, H. R. 6127, with Senate amendments thereto be, and the same hereby is, taken from the Speaker's table; that Senate amendments Nos. 1 to 6, inclusive, Senate amendments 8 to 14, inclusive, and Senate amendment No. 16 be, and the same are hereby, agreed to; that the House hereby concurs in Senate amendment No. 7 with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"(b) The Commission shall not accept or utilize services of voluntary or uncompensated personnel, and the term 'whoever' as used in paragraph (g) of section 102 hereof shall be construed to mean a person whose services are compensated by the United States"; and that the House hereby concurs in Senate amendment No. 15 with an amendment as follows: In lieu of the matter inserted by said Senate amendment No. 15 insert the following:

"PART V—TO PROVIDE TRIAL BY JURY FOR PROCEEDINGS TO PUNISH CRIMINAL CONTEMPTS OF COURT GROWING OUT OF CIVIL RIGHTS CASES AND TO AMEND THE JUDICIAL CODE RELATING TO FEDERAL JURY QUALIFICATIONS

"SEC. 151. In all cases of criminal contempt arising under the provisions of this act, the accused, upon conviction, shall be punished by fine or imprisonment or both: *Provided however*, That in case the accused is a natural person the fine to be paid shall not exceed the sum of $1,000, nor shall imprisonment exceed the term of 6 months: *Provided further*, That in any such proceeding for criminal contempt, at the discretion of the judge, the accused may be tried with or without a jury: *Provided further, however*, That in the event such proceeding for criminal contempt be tried before a judge without a jury and the sentence of the court upon conviction is a fine in excess of the sum of $300 or imprisonment in excess of 45 days, the accused in said proceeding, upon demand therefor, shall be entitled to a trial de novo before a jury, which shall conform as near as may be to the practice in other criminal cases.

"This section shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience, of any officer of the court in respect to the writs, orders, or process of the court.

"Nor shall anything herein or in any other provision of law be construed to deprive courts of their power, by civil contempt proceedings, without a jury, to secure compliance with or to prevent obstruction of, as distinguished from punishment for violations of, any lawful writ, process, order, rule, decree, or command of the court in accordance with the prevailing usages of law and equity, including the power of detention.

"SEC. 152. Section 1861, title 28, of the United States Code is hereby amended to read as follows:

"'§ 1861. Qualifications of Federal jurors

"'Any citizen of the United States who has attained the age of 21 years and who has resided for a period of 1 year within the judicial district, is competent to serve as a grand or petit juror unless—

"'(1) He has been convicted in a State or Federal court of record of a crime punishable by imprisonment for more than 1 year and his civil rights have not been resotored by pardon or amnesty.

"'(2) He is unable to read, write, speak, and understand the English language.

"'(3) He is incapable, by reason of mental or physical infirmities to render efficient jury service.'"

Mr. MADDEN. Mr. Speaker, I yield myself such time as I may require.

Mr. MADDEN. Mr. Speaker, when the civil rights bill was debated in this chamber 2 months ago I spoke at length in favor of the original bill which was reported out of the Judiciary Committee; that bill was debated and discussed for several days and all Members had ample opportunity to express their views, pro and con, on this important legislation. The original bill met with my approval and I joined with 285 Members of the House in voting for same. Only 126 votes were cast against that bill.

The other body, since that time, has devoted several weeks in debate on this legislation, and unfortunately, changed some important provisions of the House bill. The resolution now under consideration was reported out of the Rules Committee yesterday by a vote of 10 to 2. It provides for several changes in the Senate bill; if the other body concurs with the changes recommended by this resolution all American citizens will, for the first time, enjoy the protection of the Federal courts in exercising their constitutional right to vote. This resolution is a considerable improvement over the bill passed by the other body; this improvement gives meaning and power to the enforcement provisions of this legislation.

The following words in the pending resolution set out the major changes which the House of Representatives should insist be retained in any civil rights legislation:

> *Provided further*, That in any such proceeding for criminal contempt, at the discretion of the judge, the accused may be tried with or without a jury: *Provided further, however*, That in the event such proceeding for criminal contempt be tried before a judge without a jury and the sentence of the court upon conviction is a fine in excess of the sum of $300 or imprisonment in excess of 45 days, the accused in said proceeding, upon demand therefor, shall be entitled to a trial de novo before a jury, which shall conform as near as may be to the practice in other criminal cases.

These words set out the major changes in the form of the bill which was passed by the other body. Also changes are set out in this resolution eliminating any interpretation of the Senate bill wherein newspaper or radio services might be penalized for publishing executive reports or deliberations of the proposed Commission on Civil Rights; also this resolution provides that all employees engaged in carrying out the law must be accredited Government employees and not volunteer or uncompensated personnel.

This resolution also provides qualification for all citizens to serve as Federal jurors.

The great majority of the American people are hoping that the Congress enact a civil-rights bill before adjournment; the enactment of this legislation will curtail Communist agitators in Asia, Africa, and in other areas of the world from propagandizing on the issue that all Americans do not enjoy the liberties and rights of a free republic. Both major parties endorsed civil-rights legislation in their national party platforms during the last presidential campaign.

I wish to commend Chairman CELLER and Congressman KEATING, the members of the Judiciary Committee who worked so diligently over the past months to present civil-rights legislation for the members to consider.

I hope the House approves this resolution and the Senate concurs, so that all Americans can be guaranteed their constitutional right to vote.

Mr. Speaker, I yield 30 minutes to the gentleman from Pennsylvania [Mr. SCOTT]; but first, Mr. Speaker, I ask unanimous consent that all Members desiring to do so be permitted to extend their remarks at the conclusion of debate on this rule.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SCOTT of Pennsylvania. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Speaker, as the gentleman from Indiana has said, this is the end of a long, hard row. I want to take the time allotted to me to explain to the membership just what we are doing here today. This is an unusual proceeding. The House passed by an overwhelming majority a moderate but effective bill patterned on the formula recommended to the Congress by the President of the United States. The House Committee on the Judiciary had already rejected a much stronger measure and had substituted this proposal which the House passed for the stronger bill. The House rejected all major amendments to the bill and, particularly, rejected provision for a jury trial in a criminal contempt proceeding by an overwhelming majority of 93 votes.

This bill went to the other body, where they started to operate on it. In part I, relating to the Commission, they made the following major changes:

No. 1, they provided that this report of the Commission should be sent to the Congress as well as to the President.

No. 2, they provided that the Commission should have a full-time staff director appointed by the President with the advice and consent of the Senate, who should receive $22,500 a year.

No. 3, they struck out the provision for authorization to employ voluntary personnel, and affirmatively provided that the Commission should not accept the services of uncompensated personnel.

No. 4, they provided that these advisory committees, which the Commission may have, would only be constituted within certain States and composed of citizens of that State.

Those are the principal things in part I.

Part II they left intact.

Part III was eliminated entirely. That is the part which protects the rights of citizens, including voting rights, but other rights as well. That was stricken out after a long debate.

In all that long Senate debate I never heard any objection to the protection of the right of a person to hold Federal office or the protection of a person's right to attend in a Federal court and give truthful testimony there. Those were also rights protected in part III which in my feeling were unfortunately eliminated. However, that is the situation that we have here today with part III eliminated.

As to part IV, they left part IV intact but added a part V which provided for a jury trial in all criminal contempt cases in all courts. It was prepared without careful consideration. It was soon apparent to nearly every lawyer that it could never stand. It brought about many absurd results. For instance, there is no machinery in the Federal jurisprudence for jury trials in the Supreme Court or in courts of appeal. Under this provision of the Senate-passed bill which limited the punishment to $1,000, it meant, for example, that if the president of United States Steel or the president of General Motors was convicted under the Antitrust Act, all you could assess against him was a $1,000 fine.

It rendered completely nugatory the emergency provisions of the labor laws and made them absolutely ineffectual. As you know, if the President is convinced that a strike will imperil the national health or safety, he can direct a waiting period or an injunction. Under the Senate bill a jury would say whether or not the President was right in determining whether the national health and safety were imperiled. Those examples illustrative the things which the Senate proposal could do. After the bill was passed, the normal course would be to send that bill to conference with the bill which we had passed. On the contrary, the chairman of the Committee on the Judiciary offered a rule in this body which improved substantially the Senate bill in three important respects. First, it limited it to the voting rights. Second, it eliminated the Supreme Court and the courts of appeal as places where jury trials could be held. Third, it corrected a very cunning device written into the bill passed in the other body. With respect to the jury-trial provision, the Senate bill would amend a section of the law which now exists which says that where the act constituting the contempt is a crime under the laws of the State where it is done, the proceedings shall be for criminal contempt. Thus, under the bill passed by the other body it would have meant a jury trial in every case, because if it was not a criminal contempt at that time, it would have been made so by the States that wished to get around the law.

The proposal made by the chairman of the Committee on the Judiciary was, therefore, an improvement on the Senate bill, but it was a complete denial of what this House had decided upon, which was that there was to be no jury trial in voting-rights cases. It was completely contrary to the House action, and it was a complete surrender to the Senate position on the jury-trial question. There was a great drive, however, to accept it. Many who had been for a strong bill when it was before the House reversed themselves and said, "We have to take it, or we will be filibustered to death." And many organizations even went that far.

Two people predominantly insisted upon maintaining the power and integrity of the courts to enforce their own orders, our own minority leader, the distinguished gentleman from Massachusetts, and the President of the United States. They fought for a stronger bill, and we have it here today.

What we have today is a real compromise; not a surrender on this important phase of the bill. For all practical purposes, as to part IV, this proposal today before us supports the position of the House. It will only be the very rare case in which a contempt conviction will result in a sentence of more than 45 days. There will not be one case in 20 where that would happen. Only in a case of violence or serious disruption of the peace is it at all likely. It is 90 percent accurate to say that the bill has been converted from a Senate jury-trial bill to a House nonjury-trial bill.

I regret, of course, that the House bill was not left intact in the other body, but this bill today is a significant milestone in the fight to protect and strengthen the civil rights of all of our citizens, and I commend this compromise proposal for your favorable consideration.

The SPEAKER. The time of the gentleman from New York [Mr. KEATING] has expired.

Mr. SCOTT of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, as a member of the Rules Committee, I voted to report the original civil-rights measure when it first came before the House. As a member of the committee, I voted to report this resolution carrying the compromise bill. That measure as it comes before us today is not all that many of us desire. In my opinion, it will not accomplish everything that many people think it should, but it is a compromise. As such it is the best type of legislation that could be provided under the circumstances. Therefore I expect to support this resolution and the bill as amended.

Mr. MADDEN. Mr. Speaker, I yield 7 minutes to the gentleman from Mississippi [Mr. COLMER].

Mr. SCOTT of Pennsylvania. Mr. Speaker, I yield the gentleman 2 additional minutes.

The SPEAKER. The gentleman from Mississippi [Mr. COLMER] is recognized for 9 minutes.

Mr. COLMER. Mr. Speaker, I appreciate the courtesy of the gentlemen. There are so many who are denied an opportunity to speak that I hope it will not be necessary to use all the time.

Mr. Speaker, obviously the far-reaching effects and implications of this proposal cannot be discussed even in the 9 minutes allotted to me, in this straitjacket procedure into which the House has been forced. I hope my brief remarks may be made without bitterness or rancor, but I do propose to make them realistic.

I wonder if we are meeting our legislative responsibility here today. I seriously doubt that there are 25 Members of this body who ever saw this so-called compromise amendment before today. I am sure that a vast majority of the members of the Rules Committee never saw it before they reported it out yesterday without explanation or hearings. I emphatically state to you that it is worse than no jury trial whatever. It is judicial blackmail. It is without precedent or effect. For the first time in our judicial history, a defendant will be blackmailed into accepting a fine and jail sentence at the hands of a Federal judge rather than requesting trial by a jury of his peers. Moreover this proposal changes the existing law for the selection of Federal juries in all Federal cases. It will pave the way for many more Hoffa trials.

Mr. Speaker, back during the early stages of World War II, in an informal and not unfriendly cloakroom conversation, the late Vito Marcantonio, a former Member of this body, in a discussion of our respective philosophies of government, warned me of this day. He boldly told me that, after the war was over, his forces would change the then prevailing conditions through which conservative Members of Congress, particularly from the South, were elected. That they would see to it that the Negroes of the South voted and the right type of Representatives were elected to the Congress and the right type of legislation was enacted. Little did I think then that his prophecy would so soon come to fruition.

I am sure that by now there is no one in this House or in the country who does not recognize this iniquitous legislative proposal for what it is—a political sop to a highly organized minority group. The stakes are high. The complexion of the next Congress and the next Presidency itself are the stakes.

Some of us have conscientiously and therefore stubbornly opposed this misnamed civil-rights proposal. It is nothing more or less than the abolition of the civil rights of all of the people under the guise of granting civil rights to a highly organized and politically powerful minority group. So, Mr. Speaker, as we gather today in this historic Chamber to witness the final act in the tragedy of the beginning of the downfall of the Republic, it might be well to briefly sum up the value of the winners and the losers in this political gamble.

The actors in this political tragedy are of the summit stature in both political camps. It is obvious that the Republican high command has deliberately set out to recapture the minority Negro vote stolen from them by the Democratic high command some two decades ago. That they may succeed as a result of the enactment of this bill is highly possible. I call to the attention of my Democratic brethren the probability that this minority group, whose suffrage is attempted to be ensnared by this proposal, will be impressed not by the fact that this is a Democratic controlled Congress, but rather by the fact that this is a Republican administration and that these alleged benefits came from the Great White Father in the White House.

Thus the Democratic high command may win the skirmish, but lose the battle.

On the other hand, the Republicans who have long expressed a desire for a two-party system in the South, and indeed where in recent years they have made remarkable progress toward their goal, may now well forget any hope of wooing the South into their fold or of obtaining a realinement of the parties.

The conservative South, deserted by its own party, who owes it so much, and cast to the wolves by the Republican Party, it would appear has but one alternative. It must, like the NAACP, the CIO and the ADA become an organized militant minority group, if its once powerful voice is to again be heard in the political and legislative arenas.

Finally, Mr. Speaker, while this iniquitous thing, like a loaded pistol, is aimed at my section, which has contributed so much to the foundation and perpetuation of the Republic, it is not the South, the Democratic Party, or the Republican Party which will suffer the most. The real victim in the tragedy being concluded here today will be the Republic itself. For once the trigger is pulled, the freedom and the real rights of the citizens of all sections will be further curtailed. The powerful arm of an already powerful Federal Government will be further stretched out into every metropolitan center as well as every hamlet of this great country, north, east, south, and west, for the further regimentation of our citizens. The existing election machinery of the several States will be conducted under the scrutiny and intimidation of armed marshals of the Central Government here in Washington. This could well be the final step necessary to achieve the goal of the real proponents of this legislation—the complete destruction of the sovereignty of the States and the centralization of all power of the people in one strong centralized government under the dome of this Capitol in Washington.

But, alas, Mr. Speaker, the unconscionable god of politics must be served.

Mr. Speaker, to some this day will be remembered as a day of political victory. To others it will be remembered as a day of infamy. But to me it will always be remembered as Marcantonio Day.

Mr. MADDEN. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. CELLER].

Mr. SCOTT of Pennsylvania. Mr. Speaker, I yield 3 additional minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Speaker, I support House Resolution 410. For the first time in 87 years the Congress will announce in unequivocal language that voting shall not be restricted because of color, race or national origin. It is a clear implementation of the 14th and 15th amendments.

Mr. Speaker, the task was difficult to get this bill through. It was a constant uphill obstacle race. Harsh words were spoken and bitterness was expressed. But happily indeed no scars are left. And that is a great credit to representative government. Many of us wanted and wholeheartedly worked for a strong bill, wanted no watered-down one. I wanted, of course, no compromise in the beginning. Others with sincere convictions sought the defeat of any civil rights bill. Neither side won; neither side lost. Who are the gainers? The gainers in small measure are that segment of our society which has too long been denied rights guaranteed by our Constitution.

I desired no jury trial for contemnors in contempt cases under this act. I fought off vigorously all amendments to provide juries. The Senate saw fit to adopt jury trials for all criminal contempt cases arising under the act or any other act. The Senate amendment, I believed, could not be acceptable in any compromise. It would cause irrevocable damage to the enforcement of many regulatory statutes. I therefore proposed jury trials limited to this act. To my proposal has been added another proposal, to wit:

> At the discretion of the judge, the accused may be tried with or without a jury. In the event there be no jury and the sentence of the court upon conviction be a fine in excess of $300 or imprisonment in excess of 45 days, the accused on demand shall be entitled to a trial de novo before a jury.

This latter proposal, shall I say, is least objectionable of all plans offered. This, however, is highly important, namely the attempt to have a meeting of minds, as many minds as possible, to advance the cause of civil rights. The dilemma we faced was accepting one-third of a loaf or no loaf at all. The result may be conciliation to some, compromise to others, and surrender to still others. Very little choice is offered. We must accept. Those mostly affected, the Negro people, are willing to accept this compromise. As to compromise I like to quote Edmund Burke, from his speech on conciliation with America.

> All government—indeed, every human benefit and enjoyment, every virtue and every prudent act—is founded on compromise and barter.

I remember one of my law school professors at college telling me upon the advent of my becoming a lawyer: "Remember always that a lean compromise is better than a fat lawsuit."

We have made here, we make here, a good beginning. Much remains unfinished and must be done. It shall be done. Our work shall be complete only when it can be said:

> No one portion of our society shall be deprived of its rights because of color, race, or creed.

This bill concerns the right to vote, a basic right. We move forward to protect that right. That is the least we can do now.

The patterns of life do not yield easily, but yield they do to time, yield they do to conscience, yield they do to law. Were it otherwise there would be no history of man. We must recognize that different mores, different customs in different climes have brought different racial relations. Those differences cannot be resolved in a trice. They must be worn down and then finally dissipated with the gradualism that this resolution betokens.

Because thereof, I do indeed hope that this resolution will be adopted by a thumping majority.

Mr. FORRESTER. Mr. Speaker, in considering this legislation, I am reminded of the statement of our Lord to the soldiers delegated to take him captive, when He told them: "But this is your hour and the power of darkness."

The price paid for the philosophies in this bill are too high. In order to appease the leftwing groups in this country, our leaders integrated our Armed Forces. It was a terrific price, for someday you will all learn that you cannot keep good men in our Armed Forces when integration is practiced. These men refuse to adopt a profession where they are made guinea pigs for social experiments that they know are detrimental. You have tried to keep boys in the military with higher pay, but you have not succeeded, and you never will, until you allow them to choose their associates. Ten years from now you will see the terrific price you have paid for appeasement when you see the officers holding your son's life in their hands.

This legislation is too high a price to pay people who cannot be counted on when the chips are down. It is tragic to give away our legal concepts for such questionable loyalty.

Yes, this is the proponents' hour, but it is the hour of darkness.

I know this House is going to pass this legislation in the present form and would pass it in any form.

Nevertheless I want to renew my statements made many times on the floor that it is a fraud; that it is a national tragedy. Also I do want you to know that the jury-trial provisions in this legislation are absolutely worthless. It was the best some of our southern Senators could do, but instead of it guaranteeing a jury trial, it virtually eliminates any possible chance for a jury trial. I will try to demonstrate the truth of my statement by a discussion now, which I hope will be strictly a legal discussion.

Mr. Speaker, considerable discussion has naturally arisen over the meanings and import of the Senate amendments to H. R. 6127—civil-rights bill—relating to the right of trial by jury in contempt cases, appearing in part V, entitled "Amendment to the Federal Criminal Code To Provide Trial by Jury for Proceedings To Punish Criminal Contempts in Cases in Federal Courts," beginning on page 13, line 15 of said H. R. 6127, and continuing through line 16 of page 15 and reading as follows:

> PART V—AMENDMENT TO THE FEDERAL CRIMINAL CODE TO PROVIDE TRIAL BY JURY FOR PROCEEDINGS TO PUNISH CRIMINAL CONTEMPTS IN CASES IN FEDERAL COURTS
>
> Sec. 151. Section 402 of title 18 of the United States Code is hereby amended to read as follows:
>
> "402. Criminal contempts.
>
> "Any person, corporation, or association willfully disobeying or obstructing any lawful writ, process, order, rule, decree, or command of any court of the United States or any court of the District of Columbia shall be prosecuted for criminal contempt as provided in section 3691 of this title and shall be punished by a fine or imprisonment, or both: *Provided, however,* That in case the accused is a natural person the fine to be paid shall not exceed the sum of $1,000, nor shall such imprisonment exceed the term of 6 months.
>
> "This section shall not be construed to apply to contempts committed in the presence of the court or so near thereto as to obstruct the administration of justice, nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to writs, orders, or process of the court.
>
> "Nor shall anything herein or in any other provision of law be construed to deprive courts of their power, by civil contempt proceedings, without a jury, to secure compliance with or to prevent obstruction of, as distinguished from punishment for violations of, any lawful writ, order, rule, decree, or command of the court in accordance with the prevailing usages of law and equity, including the power of detention."
>
> Sec. 152. Section 3691 of title 18 of the United States Code is hereby amended to read as follows:
>
> "3691. Jury trial of criminal contempt
>
> "In any proceeding for criminal contempt for willful disobedience of or obstruction to any lawful writ, process, orders, rule, decree, or command of any court of the United States, or any court of the District of Columbia, the accused, upon demand therefor, shall be entitled to trial by a jury, which shall conform as near as may be to the practice in criminal cases.
>
> "This section shall not apply to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to writs, orders, or process of the court.
>
> "Nor shall anything herein or in any other provision of law be construed to deprive courts of their power, by civil contempt proceedings, without a jury, to secure compliance with or to prevent obstruction of, as distinguished from punishment for violations of, any lawful writ, process, order, rule, decree, or command of the court in accordance with the prevailing usages of law and equity, including the power of detention."

We can all understand the discussion for, as it was said by Mr. Dangell, author of the legal treatise Contempt, on page 14, section 41 of that treatise, "Contempt of court is a mysterious and indefinable thing." The truth of that statement is made manifest by the debates in the Senate on these provisions. Some of the distinguished Senators were of the opinion that the above quoted provision relating to the right of trial by jury was an effective preservation of the right of trial by jury in criminal contempt cases. Other Senators were positive that only a few contempt cases could possibly arise where a jury trial could be demanded by the defendant or defendants. Senator Mansfield, of Montana, said with reference to injunctions brought by the Attorney General:

> Such suits—so long as they are aimed at prevention rather than punishment—cannot be interfered with by jury trials.

However, Senator DOUGLAS, of Illinois, said:

> Secondly, by including the jury trial provision in criminal contempt cases, the Senate has made the right-to-vote section largely ineffective. Cases of civil contempt can, in all probability, be fairly easily converted into cases of criminal contempt by the simple act of noncompliance. Can anyone then picture a jury from the Deep South unanimously finding a white election official guilty for depriving a Negro of the right to vote? (CONGRESSIONAL RECORD, Aug. 7, 1957, pp. 13841–13842.)

Senator POTTER, of Michigan, according to the CONGRESSIONAL RECORD, August 7, 1957, page 13851, said:

> I would also have the RECORD note that the same amendment made crystal clear that where there is a civil contempt proceeding, no jury trial is provided. It is within the tradition and history of our Republic to have no jury trial proceedings insofar as civil contempt actions are concerned.

Senator JAVITS, of New York, is quoted on page 13730, CONGRESSIONAL RECORD, August 6, 1957, as contending that the Senate provision for a jury trial in criminal contempt cases was void of some distinguishing line between civil contempt and criminal contempt; he pointed out that the Clayton Act made a distinction, inasmuch as the Clayton Act provided that a criminal contempt must be a willful disobedience or violation, coupled with the added ingredient that the violation must be a crime under State or Federal law; he also posed the pertinent question relating to double jeopardy which might arise out of the terms of the Senate amendment, particularly observing that the courts "have held time and again that it is possible to have both civil and criminal contempt in the same situation."

The CONGRESSIONAL RECORD of July 26, 1957, page 12819, shows certain statements of Senator O'MAHONEY, who was the original author of the Senate proposals, and who, with Senators CHURCH and KEFAUVER, sponsored the modified jury-trial amendment as above quoted, and that Senator O'MAHONEY said:

> A proceeding for civil contempt is a method for obtaining compliance with a mandate or injunction issued by a court of equity. It is a proceeding which is used only against a person who has been directed by a court to do an act or to refrain from doing an act. The only question open for discussion in such a proceeding is: has the mandate or injunction of the court been obeyed? If it has not been obeyed, the reason or the motive for the disobedience is of no moment. While in a proceeding for civil contempt the court may impose imprisonment and a fine upon one adjudged in contempt, it is important to recognize that it does not do so by way of punishment. Its action is coercive only to compel compliance and the contempt disappears once compliance is obtained.

And, on page 12819, Senator O'MAHONEY said:

> The fourth category of contempt of court is what is known as criminal contempt for willful disobedience of a mandate or injunction of a court of equity. This is a proceeding to punish one who willfully disobeys the court order. It differs radically from a proceeding in a civil contempt. Its purpose is not to compel compliance with the court order and to obtain for the plaintiff the fruits of the mandate or injunction. It may be invoked even though full compliance is had before trial. Its purpose is a public purpose to vindicate the dignity of the court which has been flouted by the willful and intentional act of the defendant.

Further, Senator O'MAHONEY stated that a criminal contempt proceeding, while it may not be a true criminal proceeding, is at least quasi-criminal. Also—

> In any event, whether a constitutional crime or not, the spirit, if not the letter, of our Constitution requires a jury trial for criminal contempts.

Thus it appears that even certain Senators disagreed as to what was the meaning of the above-quoted Senate amendment. Yet, the people are entitled to know whether there is an effective provision for jury trials in criminal contempt cases, or whether or not the Senate amendments are ineffective, and actually remove the right of trial in contempt cases, except in remote and most limited circumstances.

To attempt to inform the people as to the true meaning of the above quoted Senate amendments is no easy task. Indeed, one may be incapable of delineating and laying down any explanation that will not be upset, at least in part, by the United States Supreme Court. To have a workable knowledge and a reasonable certainty concerning these amendments, a review of history through the ages and an examination of the common law relating to contempt is naturally indispensable. In the very nature of things, the various courts in our country have differed as to what the common law on this subject truly was.

It is a matter of history throughout the ages that men possessed with power, consciously or often unconsciously, became tyrannical. While it is a paradox, perhaps sincere zealots have been the most tyrannical of all. King John of England was beaten to his knees before he consented to the Magna Carta at Runnymede, June 15, 1215. King John was not a bad man, but he truly believed that he held the kingship through divine preference and could do no wrong, and knew better than the people themselves the privileges they should enjoy. One of the fundamentals of that great charter was that of the right of trial by jury by the peers of the shire. It is positively true that the courts of England contended that they were endowed with the inherent power to punish for contempts. The courts were ecclesiastical, but the courts had their infirmities. Whether correctly or not, that principle did find favor with our courts, and an overwhelming majority of our courts did adopt that principle as a part of our common law.

As early as Sixth Wheaton, United States Reports, page 204, the United States Supreme Court laid down that principle in the case of Anderson against Dunn. It is equally true that our courts followed the courts of Old England in upholding that contempt proceedings are sui generis—in their own class—and that, although criminal contempt was criminal in nature because the purpose of the contempt proceedings was to vindicate the authority of the court, such criminal-contempt proceedings could not violate the constitutional inhibition against double jeopardy; and the same act constituting criminal contempt, and punished by the court as such, could also be the basis for a prosecution against the same defendant in a criminal proceeding.

U. S. v. *Shipp* (203 U. S. 563) is authority for such a holding. The courts have attempted to justify this double jeopardy upon the principle that the defendant was punished in the criminal prosecution because he violated a law created by the legislature, and punished in contempt proceedings because he violated a law created by a judge. It is also true that in 1890 the United States Supreme Court—volume 134, United States Reports, pages 31, 36—held that there is no constitutional right of a jury trial in a contempt proceeding, civil or criminal, clearly indicating the Court's conception concerning the right of trial by jury. An excerpt taken from volume 154, United States Reports, page 447, by Justice Harlan, says, to wit:

> Surely it cannot be supposed that the question of contempt of the authority of a court of the United States committed by a disobedience of its orders, is triable by right by a jury.

On February 25, 1932, that great and eminent lawyer, Hon. Donald Richberg, speaking before the House Judiciary Committee, said that he had a very extensive search made concerning the practice of the English courts prior to the adoption of our Constitution and he found, extraordinary as it may seem to many lawyers, that according to the English practice contempt of court had not been punished by the court; but, as a matter of fact, the prevailing English practice up to the adoption of the United States Constitution was to punish contempt of court through trial by jury, usually upon indictment or information; that, as a matter of fact, he found only two cases in the English reports, going back as far as twelve hundred and something and coming on down to the American Revolution, where criminal contempt had been tried by a court itself. He bemoaned the fact that despite history, the argument was made for a hundred years that it was the inherent power of a court of equity to try contempt cases by the court, and that when the court was created by the Federal Government, that power was endowed upon the court.

Mr. Edward Dangel is the author of a treatise on the law of contempts bearing the title "Contempt" and published by the National Lawyers Manual Co., Boston, Mass. In that work, Mr. Dangel treats exhaustively the differences between civil contempt and criminal contempt, beginning on page 83, section 178, and continuing through section 194, page 93 of that book. On page 86A, section 182, Mr. Dangel said:

> Numerous attempts have been made to formulate a test by which to distinguish remedial proceedings for contempt, which involve private interests and are civil in nature from punitive proceedings for contempt, which involve the public interest and are criminal in nature. At best, the line of demarcation between contempts civil and contempts criminal in character is difficult to state with accuracy and in close cases

rests in shadow. Sometimes, a ruling cannot rightly be made that a proceeding is remedial rather than criminal. The proceedings may be both.

On page 74, section 163, Mr. Dangel says:

> Contempts are neither wholly civil nor altogether criminal and it may not always be easy to classify a particular act as belonging to either one of these two classes. It may partake of the characteristics of both—citing *Gompers* v. *Buck's Stove Company* (221 U. S. 418, at 441).

Continuing, Mr. Dangel says:

> The doing of an act forbidden by an injunction, rather than refusing to do an act commanded by an injunction, does not supply a sure test by which to distinguish a criminal from a civil contempt.

And, on page 75, section 163, Mr. Dangel says:

> The contempt proceedings may have a dual aspect.

The Encyclopedia of Federal Procedure, third edition, volume 15, page 582, section 87.04, says:

> The same act may sometimes constitute both a civil and a criminal contempt, and civil and criminal contempts may be charged by the United States in the same proceedings.

And cites *United States* v. *Aberbach* (165 F. 2d 783).

Moore's Federal Practice, 2d edition, 5, page 256, R. 38.33 says:

> Contempts are usually divided into two classes, civil and criminal. As to operative facts, the classes are neither mutually exclusive or inclusive, and the contemptuous act may partake of the characteristics of both civil and criminal contempt (*U. S.* v. *United Mine Workers* (330 U. S. 258) and *Gompers* v. *Buck's Stove Company* (22 U. S. 418)). The violation of a single order, mandate, decree, judgment, or process of court may be the basis for both civil and criminal contempt proceedings. A contempt is considered civil when the punishment is wholly remedial, serves only the purposes of the complainant, and is not intended as a deterrent to offenses against the public.

Mr. Dangel, in his work heretofore referred to, on page 5, attempts to lay down a rule which would distinguish between civil and criminal contempts. Section 12, page 5, says:

> Proceedings for contempt are sui generis in their nature and not strictly either civil or criminal, as those terms are commonly used. There is a well-defined distinction between contempts which are called criminal or punitive and those which are termed "civil contempts," the latter applying to such as are remedial in character. Criminal contempts are those acts in disrespect of the court or its processes or which obstruct the administration of justice or tend to bring the courts into disrespect, while civil contempts are those quasi-contempts which consists in failing to do something which the contemnor is ordered by the court to do for the benefit or advantage of another party to the proceedings before the court. A civil contempt is a private contempt, while a criminal contempt is a public contempt. That is, a civil contempt is a matter of private interest only, while a criminal contempt is a matter of public interest. When the vindication of public authority is the primary purpose of the punishment for contempt, the contempt is criminal, and when the enforcement of civil rights and remedies is the ultimate object of the punishment, the contempt is civil.

Thus, we see that, indeed, in many cases the contempts charged do have a dual aspect and that virtually any act constituting contempt can be both civil and criminal, and in that kind of situation it would follow that the judge would have the choice of weapons. This is a bad situation, inasmuch as the accused is placed upon trial under the rules of civil law, where the contempt is civil, which rule requires only that his guilt be proven by a preponderance of evidence, whereas the defendant is entitled to a trial somewhat under the rules regulating criminal prosecution, if the charge is for a criminal contempt, and the evidence is required to establish the guilt of the accused beyond a reasonable doubt. See *Helvering* v. *Mitchell* (303 U. S. 391). Dangel, section 191, page 91, says:

> Contempt proceedings for the violation of an injunction, being neither criminal nor quasi-criminal, do not make it necessary to establish the defendant's guilt beyond a reasonable doubt. Their character is civil and the proof must be only by a preponderance of evidence.

Also, Mr. Dangel says, section 189, page 90:

> In a civil contempt arising out of an equity suit the sole question usually is: Has the injunction been violated?.

These quotations from Mr. Dangel are of prime importance and must be given great consideration, inasmuch as the provisions in H. R. 6127 relate to equitable matters, and doubtless will be the rules employed by the various trial courts. The Encyclopedia of Federal Procedure, third edition, volume 15, page 583, section 87105, says:

> Proceedings for contempt in violating an injunction are often held to be for civil and not criminal contempt, although the contempt may be a criminal one, as is often the case where the injunction involves a labor dispute.

That work cites *Forrest* v. *U. S.* (277 Fed. 873, certiorari denied 258 U. S. 629). Dangel, page 29, section 61, says:

> A complaint for contempt for violation of an interlocutory decree in equity is really but an incident to the principal suit, and all the papers relating to it should be filed with the other papers in the case.

Dangel, page 39, section 78, says:

> An injunction duly issuing out of a court of general jurisdiction with equity powers, upon pleadings properly invoking its action and served upon parties within the jurisdiction, must be obeyed by them, however erroneous the action of the court may be, even if the error be in assumption of the validity of a void law going to the merits of the case—

And citing *Eilenbecker* v. *Plymouth County District Court* (134 U. S. 31).

Dangel, page 22:

> Where the offending act was of a nature to obstruct the legislation process, the fact that the obstruction has since been removed or that its removal has become impossible, is without legal significance and does not limit the power to the legislative body to punish for the past and completed act—

And citing *Jurney* v. *MacCracken* (294 U. S. 125, at 148).

Over the years there has been a constant and unremitting struggle against powers which are tyrannical, even though not adjudged so by good men, and men trained and learned in the law. It has been contended, and certainly with some reason and logic, that no court forming a part of our Federal judicial system has, or can have, any inherent powers, with the possible exception of the United States Supreme Court. That contention is based upon the argument that while the Supreme Court is a creature of our Constitution and undoubtedly has original jurisdiction in a certain class of cases and may be possessed of inherent power so far as that original jurisdiction is concerned, that inasmuch as the Constitution itself gave Congress the right to make exceptions and regulations concerning the appellate jurisdiction of the Supreme Court, probably even the Supreme Court does not possess any inherent powers, as an appellate court. The argument continues, to the effect that all inferior Federal courts, being purely creatures of Congress, such courts cannot have any powers not delegated to them by the Congress. Irrespective of whether or not the courts do, as a matter of fact, have inherent powers, it has been seriously contended that they should be shorn of any inherent powers that they do possess, and that Congress should by statute lay down the powers that the courts shall have, so that these powers shall be definite and certain and not be dependent upon the proper or improper construction of what was or was not the common law, and what powers the courts of England possessed prior to the adoption of our Constitution. It is also frequently contended that the court's contempt power deprives the accused of his constitutional guaranties such as trial by jury, double jeopardy, excessive punishment, due process of law, freedom from self-incrimination, and freedom of speech. Mr. Dangel, on page 15, section 41, of his treatise on contempt, says:

> It must be conceded that the contempt jurisdiction of courts is the nearest of kin to despotic power of any power existing under our form of government. Although, on the whole this power is used discreetly, serious thought should be given to the abolition of the power to punish for contempt. This power seems unnecessary since the court has the authority to remove the contemnors and commit them to prison to await punishment by a jury.

Mr. Dangel cites *State* v. *Circuit Court* (97 Wis. 1); Edward Livingston on Criminal Jurisdiction, volume 1, page 264; Edward Livingston, A System of Penal Law for United States of America, chapter 10.

On page 19A, section 42A, Mr. Dangel says:

> Because the function of the judiciary was that of interpretation and judgment, it became evident that the checks of the various powers would not be as effective upon the judiciary as upon the other two branches of Government. As a result, the judiciary surrounded itself with certain impregnable powers and protection from which it has countenanced no appeal or review. This isolation is contrary to the principle that the people have the right to know what is done in our courts. The old theory of government which invested royalty with an assumed perfection, precluding the possibility

> of wrong, and denying the right to discuss its conduct of public affairs, is opposed to the genius of our institutions in which the sovereign will of the people is the paramount idea.

Also:

> The American courts have created for themselves a body of legal authority which it is claimed gives to them the inherent right, in the absence of a limitation placed upon them by the power which created them, to punish as a contempt an act, whether committed in or our of its presence, which tends to impede, embarrass, or obstruct the court in the discharge of its duties. This doctrine has been asserted in all its rigor by the court. It is founded upon the principle that this power is coequal with the existence of the courts, and as necessary as the right of self-protection—that it is a necessary incident to the execution of the powers conferred upon the courts, and is necessary to maintain its dignity if not its very existence. It exists independently of statutes.

Also:

> What is the source of this inherent power to punish for contempt? The judiciary always refers to the common law and asserts that the power to protect itself from criticism is essential to its power to exist and function properly. The power of contempt was never given to the court by the people, by constitutional delegation, or otherwise, nor did it come from the early common law.

On pages 207, 208, section 446, Mr. Dangel says:

> The contempt power to punish or coerce and its procedure are of an extremely arbitrary character. They have been described as severe arrogance, judicial dictatorship, and absolute autocracy, and have been given many other descriptions.

Also:

> There is, there can be, no place in our constitutional system for the exercise of arbitrary power; arbitrary power and the rule of the Constitution cannot both exist. They are antagonistic and incompatible forces and one or the other must of necessity prevail whenever they are brought into conflict.

One does not have to be a scholar of the law to understand what Mr. Dangel was saying. I apprehend that what Mr. Dangel was actually saying was that under our scheme of government, a judge, no matter how learned, and no matter how honest and impartial he might be, should be permitted to set up judge-made law and, in enforcing that judge-made law, whether right or wrong, allow that law to be a subterfuge, designedly or incidentally, to deprive a defendant of his constitutional rights. Mr. Dangel feared just exactly what is occurring in the present legislation, H. R. 6127. Attorney General Brownell has deliberately, and admittedly, brought up a scheme whereby he can bring defendants into court, charging them with the violation of judge-made laws, which may or may not be correct law, and place the accused on trial for that violation before that same judge, without trial by jury, and deprive the accused of the right to demand an indictment, to plead against double jeopardy, to be clothed with the presumption of innocence, and other rights too numerous to mention.

Although some of the proponents of H. R. 6127 would like to forget it, we all know the upheaval in Congress in the year 1932 when labor rose up in its wrath against ex parte injunctions, and trials for contempt of court for violation of those injunctions, before the judge who issued the injunction, and without the benefit of a jury. We know that section 402, title 18, United States Code, and sections 3691-3692, title 18, United States Code, were passed by Congress by a tremendous majority as remedial legislation and for the purpose of supplementing section 401, title 18, United States Code.

Section 402, title 18, above referred to, defines criminal contempt arising out of the willful disobeying of any lawful writ, process, order, rule, decree, or command of any district court of the United States or any court of the District of Columbia, by doing any act or thing therein, or thereby forbidden, provided also that the act or thing so done be of such character as to constitute also a criminal offense under any statute of the United States, or under the laws of any State in which the act was committed. It further provided that such criminal contempts would be prosecuted as provided in section 3691 of title 18. Excepted from this rule were contempts committed in the presence of the court, or so near as to obstruct justice, and contempts committed in that category which were in disobedience of any law, writ, and so forth, entered in any suit or action brought or prosecuted in the name of, or on behalf of the United States.

Section 402 above quoted did provide the line of demarcation pointed out by Senator JAVITS heretofore referred to herein. That section did provide a definite right of trial by jury in certain cases and under certain circumstances. That section was written in the law for the purpose of correcting a long-existing and real evil. That was progress. Many pages in the debates of the Congressmen and Senators during the discussion of the legislation which became section 402, sections 3691 and 3692, title 18, United States Code, were devoted to the injustices heaped upon defendants under judge-made law, and under the views of the trial judges that their authority had been desecrated, and it was even said that in one instance the Attorney General of the United States had deliberately handpicked a certain judge in a particular labor case. It is a paradox, but the private organizations clamoring for the legislation represented by the sections just referred to, are the same organizations that are demanding in civil-rights cases we go back to the old theory, repudiate the right of trial by jury in criminal-contempt cases, and that the accused shall be placed on trial before the judge who made the law, and punished as often as the judge deems expedient, or to be in satisfaction of his wounded feelings.

The Senate amendment to section 402, title 18, is really not an amendment. It is actually a new section 402. It provides that—

> Any person, corporation, or association willfully disobeying or obstructing any lawful writ, process, order, rule, decree, or command, of any court of the United States or any court of the District of Columbia shall be prosecuted for criminal contempt as provided in section 3691 of this title, and shall be punished by a fine or imprisonment or both (p. 13, line 15, through line 2, p. 14, H. R. 6127).

The language just quoted provides for the right of trial by jury in certain instances, but that right is most effectively taken away when we read exceptions contained on page 14, beginning at line 11 and reading through line 18, to wit:

> Nor shall anything herein or in any other provision of law be construed to deprive courts of their power, by civil-contempt proceedings, without a jury, to secure compliance with or to prevent obstruction of, as distinguished from punishment for violation of, any lawful writ, process, order, rule, decree, or command of the court in accordance with the prevailing usages of law and equity, including the power of detention.

Under the Senate amendment to section 402, title 18, I submit that as a matter of law, Kasper and the 16 other defendants down in Clinton, Tenn., would not have been entitled to the right of trial by jury, although they were entitled to the right of trial by jury, and did obtain a trial by jury, under section 402, title 18, as it read before the Senate amended it. It will be borne in mind that the new section 402 passed by the Senate is not restricted to voting. It covers by its terms the willful disobedience of or obstruction of the court's order arising out of school cases and other cases, as fully as it covers cases arising out of the provisions relating to voting. Kasper was charged with disobeying the order of the court, and obstructing the court, and the 16 other defendants were charged with obstructing in concert with Kasper, the order of the court. The distinguishing feature in the Kasper and other cases and the present Senate amendment was that Kasper and the 16 defendants were charged with willful disobedience and obstructive acts which were in violation of Federal or State law, and therefore the right of trial by jury was extended to them, the United States not being a party plaintiff, while under the Senate amendment, undoubtedly the contempt proceedings brought against Kasper and the 16 other defendants would have been a civil contempt proceeding, and there would have been no right of trial by jury. It is a well recognized fact that a judge learned in the law knows how to choose his weapons. Proceeding from an interlocutory order, pursuant to the Senate amendment, the judge can order into the court any defendant under the charge that he has not complied with the order, or is obstructing the order, and punish him for civil contempt, holding that his action was remedial. As a matter of law, even when the injunction or order has been made permanent, and the accused has the ability to comply, the judge can still choose his weapon and charge the defendant with the civil contempt, fine or imprison, or both, upon the theory that his action is remedial. The only instance that I can see where a jury trial would be demandable, is where after a final order and the defendant cannot comply, then he can be charged with a criminal contempt, and punished to vindicate the wounded feelings of the court.

As long as the ability to comply with the order exists, in my opinion a civil contempt proceeding can be had, on the theory that the proceeding is remedial, and for the purpose of inducing the accused to comply with the order of the court. Under the new version of the Senate, it is my opinion that the defendant can be brought into court beginning after the interlocutory stages, upon the charge that he has failed to comply with the court's order, or has obstructed the court's order, and be required to comply or desist, and upon failure the accused can be fined or imprisoned, as a remedial measure. If the accused is fined and the accused pays, he can be brought in again for failure to comply and punished again and again, as a remedial measure. And, of course, the accused can be told that he holds the keys to the jail in his own hand and that he was committed to jail because of his civil contempt and will remain in jail until he wishes to purge himself of the contempt proceeding by compliance. Not only is double jeopardy involved, but actually triple jeopardy and quadruple jeopardy is possible. If the act of the accused happens to be a violation of the Federal criminal law, he can be indicted, tried, and convicted, and if the same act also constitutes a violation of a State criminal law, he can be indicted in a State court, tried and convicted, though all of these convictions be the result of the identical acts or omissions.

The distinguished gentleman, Senator O'MAHONEY, of Wyoming, contemplated a jury-trial amendment which would have been effective in protecting the right of trial by jury in criminal contempt cases, and the southern Senators did what they could to have that amendment approved. They had to be satisfied, however, with a watered-down version of the O'Mahoney amendment, advocated by Senators CHURCH and KEFAUVER. For all practical purposes, the modified amendment virtually wipes out the right of trial by jury. The provision in the modified amendment to the effect that the judge could secure compliance with his order and to prevent obstruction of his order through a civil contempt proceeding, without a jury, eliminated any chance for a jury trial in any criminal contempt proceeding, except where the accused had placed himself in a position where he could not comply with any order of the court.

A few days ago, it was announced that an amendment has been prepared and would be offered on the floor of the House, providing that in criminal contempt cases the judge could try the accused without a jury but could not imprison him for more than 45 days or fine him more than $300. It will be borne in mind that under the present law, and under the Senate amendment, if the accused is a natural person, he could be fined a sum not to exceed $1,000, nor shall imprisonment exceed 6 months. Inasmuch as this suggested amendment could only be for the purpose of denying the accused the right of trial by jury, even in the very limited sphere that the Senate version accords him, the amount of the fine would be reduced approximately 70 percent and the length of imprisonment would be reduced 50 percent, I suggested that maybe the proponents would like to add an additional clause, providing by its terms that if the accused would enter a plea of guilty, thus eliminating the judge having to search his conscience before convicting, that an additional discount of 50 percent should be accorded the defendant.

The last referred to proposed amendment came from the Republican side, and it was met with justified criticism on the part of the Democrats and one of our leading Democrats entitled it "Bargain Basement Legislation." I agreed with that denomination.

Nevertheless, the Washington Post, August 24, 1957 issue, page A7, advises that the Democrats and the Republicans have agreed upon an amendment which would provide that the accused may be tried with or without a jury, but if such proceeding for criminal contempt be tried before a judge without a jury, and the sentence is a fine in excess of the sum of $300 or imprisonment in excess of 45 days, the accused in said proceedings, upon demand therefor, shall be entitled to a trial de novo before a jury, which shall conform as near as may be to the practice in other criminal cases. The only reason that I can subscribe for the failure of the Republicans to denounce this last provision is that they equally share the blame for this monstrosity along with the Democrats, and that any sort of amendment, no matter how illogical it might be, would take them off the hook, when they annouced that they would not accept the Senate amendments to H. R. 6127.

One of the many fine things about our legal jurisprudence is that heretofore a person has been allowed to pursue all remedies available to him, and to exercise all of the rights accorded him, without being penalized therefor. It has been my understanding that a court, in fixing a sentence, was to fix that sentence according to what in his judgment was punishment commensurate with the offense, and was not predicated upon whether or not the accused would accept the sentence or would appeal therefrom.

This proposal ushers in a new era in our jurisprudence. If the accused exercises his right under this amendment for a jury trial, he must accept that privilege with the understanding that upon a conviction by a jury, his punishment can be made heavier by the judge. The jury does not fix his punishment, and the power of punishment remains in the judge. It further goes without saying that the jury would, or at least one member of the jury would know that the accused had been convicted by the court, for otherwise they would not have the right to sit in judgment. That is not the Anglo-Saxon conception of fairness. All of these new proposals have been designedly brought forth for the purpose of denying the right of trial by jury, and to deny the accused his constitutional rights. Frankly, if I was trying to avoid according the accused his constitutional rights, I could not suggest any substitute that would be better. It simply happens to be a fact that when the intent is to deprive a person of his rights under our Constitution, any sort of attempt looks silly.

In my humble opinion, the truth is, the right of trial by jury in criminal contempt cases is to all practical intents and purposes gone—gone in the Senate version, and gone with any or none of the substitutes. Yes, the right of trial by jury is gone, and the funeral was conducted by the same people who contended for the right of trial by jury when injustices were brought home to them. This is not progress, this is regression. Many will rue this evil day, when they bestowed upon an arrogant Attorney General the power to deny constitutional rights, and through subterfuge deliberately planned to destroy the mudsills of this Government.

Mr. SCOTT of Pennsylvania. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, we are coming to the end of a very long and, certainly in many respects, a very trying matter which has engaged the consideration and involved the very deep convictions of the Members of this House.

I think it is to the credit of the legislative process that in the other body and in this one the entire procedure has been conducted with credit to the membership and to the country, that bitterness and feeling have been subdued to a very minimum, especially when we realize that for 87 years this has been a matter which has demanded the more serious attention of this body; so that I believe it is an extremely creditable thing that this House and the other body have managed to reach this point in this difficult matter and have come out with a workable, effective, and by and large, a desirable solution.

Our action here is predicated upon the basic charter of our liberties, the Constitution, the 15th amendment to which states:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Our obligation to proceed legislatively in this matter is likewise based upon section 2 of this amendment:

> The Congress shall have power to enforce this article by appropriate legislation.

This, I submit, is all that we are seeking to do. And this, it is our duty to do.

It was said once about a very great and popular President by one who did not entirely approve of him that "although he does not do everything that you and I would like, the question recurs whether it is likely we can elect a man who would." I think it can equally be said of this bill that, while it may not do everything that you or I would like, without many differing opinions, the question recurs whether it is likely that this Congress would pass any bill which would.

Certainly I have often been led to reflect on the saying that nothing is as good as it looks nor as bad as it seems. This administration-backed bill, it seems to me, being the first genuine civil-rights bill in all these eighty-odd years, is a very important step in the right direction.

Under the bill as it came to us from the other body, broad enforcement powers do exist under the civil contempt features of the act even as amended. Under it, a Federal judge would have power to jail election officials for refusing to grant voting rights and could do this without a jury, and could keep State officials in jail indefinitely until they purged themselves of contempt by their compliance. This was left in the bill by the other body. The judge could even, if he wished, require the registration to take place in his own courtroom before the offense could be purged.

Perhaps, as it has been noted, the most remarkable thing about this bill is that it has been able to thread the legislative process and comes on now for adoption. I think it ought to be borne in mind, that this has been made possible by a commendable spirit of conciliation. Those of us who wish to carry into effect the President's desire for an effective and workable bill believe that this has been accomplished. Those Members here who felt otherwise have secured some elisions and some amendments which they desired. But it should be remembered that under this law oppression and persecution are guarded against as they are under the decisions of the Federal courts to this day, because only persons bound by and having actual notice of a decree can be punished by criminal contempt proceedings; and criminal contempt convictions are fully reviewable in the appellate courts. And if the proceedings are mixed—both civil and criminal—the criminal safeguards control. Now, there were people, it is true, who after the passage of the bill in the other body, panicked. They were people who shrieked and cried immediately "Let us accept the bill." These were people who were too quick to take too little. These were people of little faith who lost confidence in the deliberative processes of this Government. I am very happy that there were those of us who kept our nerve and who kept our faith and our belief that an effective workable bill could be had and that it was not necessary to accept a bill which we truly believed would not be effective. On the other hand, to those who say "This bill has fangs," we reply: "No; but this bill has teeth."

Mr. BOW. Mr. Speaker, will the gentleman yield for a question?

Mr. SCOTT of Pennsylvania. I yield to the gentleman briefly.

Mr. BOW. I would like to ask this question, if the gentleman can answer it or some member of the committee. Would the gentleman say that there is in the jury-trial provision provided here the possibility of double jeopardy? Having been convicted by a Federal court, the defendant then goes to a jury trial. That borders, at least, on the point of double jeopardy.

Mr. SCOTT of Pennsylvania. In my opinion, there is not any danger of bordering on double jeopardy. But I will yield to the gentleman from New York [Mr. Keating].

Mr. KEATING. I would say briefly to the gentleman that the defendant does not have to ask for a new trial no matter what the sentence is. But if he does under this provision and gets a new trial, it is a new trial entirely. He is not placed in jeopardy a second time, because he waives jeopardy on the first trial by asking for a new trial.

Mr. BOW. Will the gentleman yield for an additional question, if I may?

Mr. SCOTT of Pennsylvania. I yield.

Mr. BOW. If the person has been convicted by the Federal court of contempt and then asks for a jury trial, would the original proceeding before the Federal judge be competent in evidence to be used against him in the jury trial?

Mr. SCOTT of Pennsylvania. In my judgment, it would not, but I again yield to the coauthor of the bill.

Mr. KEATING. I agree with the gentleman from Pennsylvania that it would not, because it is a trial de novo, an entirely new trial. He starts with a clean slate right from the beginning.

Mr. SCOTT of Pennsylvania. I would say to the gentleman that the revised language rather than the original language, in my opinion, is much preferable in that the act now provides for an entirely new trial, and I think the section should be read now, because something has been said about the fact that not too many people have seen this resolution.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SCOTT of Pennsylvania. I yield.

Mr. GROSS. In the case of a jury trial, a man previously having been held in contempt by a judge, would he come for trial before the same judge?

Mr. SCOTT of Pennsylvania. I do not think that would necessarily follow that he would be required to come before the same judge.

Mr. GROSS. But he could come for trial before the same judge? Could that happen?

Mr. SCOTT of Pennsylvania. It could happen, I agree.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. SCOTT of Pennsylvania. I yield.

Mr. ABERNETHY. Since the House knows so little about this bill, could the gentleman advise us who wrote it and where it was written?

Mr. SCOTT of Pennsylvania. Yes. I will be very glad to advise the gentleman.

Mr. ABERNETHY. That would be helpful.

Mr. SCOTT of Pennsylvania. I would be delighted to advise the gentleman.

Mr. ABERNETHY. I am referring to the compromise.

Mr. SCOTT of Pennsylvania. I would be delighted. The bill was written and introduced by the author of the bill. I know the gentleman is much enlightened and glad to have the information.

Mr. ABERNETHY. Would the gentleman say that the compromise was written by the author?

Mr. SCOTT of Pennsylvania. The compromise was introduced in the House by the author of the bill. How many people had a hand in it I do not know.

Mr. ABERNETHY. Who is the author of the compromise? That is what I am trying to find out.

Mr. SCOTT of Pennsylvania. I would say under the procedure of this House the author of the compromise is the gentleman who takes the responsibility for introducing it.

Mr. ABERNETHY. Well, who is he?

Mr. SCOTT of Pennsylvania. This resolution has been introduced by the gentleman from Indiana [Mr. Madden], and is based upon resolutions heretofore introduced by the gentleman from New York [Mr. Celler], the gentleman from New York [Mr. Keating], upon wording suggested by myself and by others. I regret that I cannot yield further. The gentleman understands the situation.

Mr. ABERNETHY. The gentleman has enlightened us. I thank him very much.

Mr. SCOTT of Pennsylvania. I have tried my best.

Mr. Speaker, I think because there has been, as I commented, so much said here and elsewhere as to whether or not there is anything mysterious about the so-called resolution, I would like to read it.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. SCOTT of Pennsylvania. Mr. Speaker, I yield myself 2 additional minutes.

> Sec. 151. In all cases of criminal contempt arising under the provisions of this act, the accused, upon conviction, shall be punished by fine or imprisonment or both: *Provided however*, That in case the accused is a natural person the fine to be paid shall not exceed the sum of $1,000, nor shall imprisonment exceed the term of 6 months: *Provided further*, That in any such proceeding for criminal contempt, at the discretion of the judge, the accused may be tried with or without a jury: *Provided further, however*, That in the event such proceeding for criminal contempt be tried before a judge without a jury and the sentence of the court upon conviction is a fine in excess of the sum of $300 or imprisonment in excess of 45 days, the accused in said proceeding, upon demand therefor, shall be entitled to a trial de novo before a jury, which shall conform as near as may be to the practice in other criminal cases.

There is nothing mysterious about that; nothing difficult to understand. It does represent a fair solution as between many opposing views. In my judgment, this is a bill which the President can accept. This is not a bill, in my judgment, which faces a veto as other proposals might have. I sincerely hope that the rule will be adopted and that action will be taken by the other body and that then we can all go home.

The SPEAKER. The time of the gentleman from Pennsylvania has again expired.

Mr. MADDEN. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. Smith].

Mr. SMITH of Virginia. Mr. Speaker, under the peculiar situation under which we are laboring this morning, there is very little to be said. I think the colloquy that took place just now between the gentleman from Pennsylvania [Mr. Scott] and the other gentlemen who seemed to have some curiosity about what this thing might be illustrates the absurdity of the proceeding that is going on today on a matter of great and vital national importance.

However, I was happy to note that my good friend from the Rules Committee who presented this resolution, the gentleman from Indiana [Mr. Madden] is now given credit for writing this extraordinary document. I do not know whether he wants to repudiate it or not. If he does I want to be sure that he has the opportunity. But certain it is that if he does not care to father the child, nobody else in this House has ever been willing to admit where it came from or who wrote it.

I might tell you a thing or two about what has happened in the past. It is rather idle for me to take up this 5 minutes, but the gentleman from Massachusetts [Mr. MARTIN] was kind enough to send me a copy of a compromise that was agreed upon between the leadership on both sides. It arrived at my office Friday night. It was a little short thing, just provided for this change on page 2, which is part 5. That is what came to me. Now evidently there was a great deal of sleepless nights and running back and forth from one end of the Capitol to the other before this thing, of which my friend from Indiana [Mr. MADDEN] is the alleged author, finally reached fruition. Now we have here something that has a lot of fringes and other things added to the original compromise. I am sure that my friend from Indiana [Mr. MADDEN] in writing this new bill tried to do a good job, but it is pretty tough on this House when you have a matter that has stirred the Nation more than anything I have known for a long time, to come here where we are denied the right to discuss it. It has never had committee consideration; it has never had House debate, and it is a fundamental change in the basic principles of law in this country so far as jury trials are concerned.

What it means, nobody knows. I imagine the Federal judges will have to do some retching when this matter is presented for their digestion. It is an amazing thing that has been presented to us here today.

I take the floor because I want to say one thing to the membership of this House: When you vote on this bill you first vote on ordering the previous question. If the previous question is voted down then Mr. MADDEN's brain child might be changed somewhat, the House would then have the privilege of working its will on what it should be. If the previous question is not voted down there will then be a vote on the bill. It should be distinctly understood that who votes for this resolution votes for a civil-rights bill and there is not going to be any way to duck it or dodge it when you get back home. It does not matter what anybody says, this is the final vote upon the civil-rights bill; you take it or you leave it.

I wish I had the time to discuss this matter on its merits a little bit, this brain child of my friend from Indiana, because I think it is subject to a good deal of discussion and should be analyzed. It is unfortunate we are not going to have that opportunity.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I hope the gentleman is not going to wrap up this infant; we want to do something.

Mr. MADDEN. Is there any legal way I can get adoption papers for this alleged illegitimate resolution? I know some Member will be trying to steal this legislative child away from me before many days pass.

Mr. SMITH of Virginia. I will cooperate with the gentleman; I will be the gentleman's lawyer in that effort and try to get proper adoption papers for him. I think no one has been more assiduous and active in the advocacy of this outrageous measure than has the gentleman from Indiana.

Mr. MADDEN. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina [Mr. DORN].

Mr. DORN of South Carolina. Mr. Speaker, today is a day of infamy. A day of appeasement and compromise—a compromise shamefully concurred in by the leaders of both political parties, a compromise concocted and conceived in infamy, the surrender of principle for political expedience. The leadership of both national parties in this House, in the other body, in the executive department, and in the headquarters of the Democratic and Republican national parties have abandoned principle and embarked on a political tug of war. With the presidential election of 1960 in mind, they are desperately trying to get credit for the passage of this unnecessary legislation.

I might remind my colleagues today that no nation, no leader, no political party ever gained lasting advantage or grew in character by the surrender of principle. Daladier and Chamberlain at Munich tried to buy peace by surrendering the national integrity of Czechoslovakia. They, instead, brought on war, persecution, and human misery. The gallant Marshal Petain, of World War I, succumbed to the temptation of compromise with the infamous Fascists and Nazis of World War II, brought France into ill repute before the eyes of the world, and spent his last days in imprisonment.

Today, you are following their example. You are, for a political price, bargaining away sacred trial by jury, State sovereignty, and local self-government. You are, for the first time in our history, inaugurating Federal control of elections. You are pointing an accusing finger at a section of the country which has lived in peace and harmony with a minority race for centuries, a section which is an example, in this tragic era of hatred and cold war, of tolerance, progress, brotherly love, and understanding. I will put the record of my people up against that of any other in the field of race relations. The South, through the years, did not solve its problem as Hitler and Mussolini—with bigotry, persecution, and liquidation. Nor have we followed the example of Russia with its Siberian slave camps and its extermination of whole races as they exterminated the White Russians and the Ukrainians. We are making a better record than the Moslems and the Hindus, than the Jews and the Arabs, than the Moroccans, the French, and the Union of South Africa. Yes, our record in the South is even better than many of the great metropolitan areas of our own country.

In your section of our own land, race relations are rapidly deteriorating. You live in constant fear of a major uprising, riots, and mob violence because racial unrest is on the increase. Throughout the world, racial tension is mounting. Nationalists and racial bigots are raising a hue and cry as never before. The only area of the world with two races so completely different, where race relations have constantly improved year by year, is in the southern part of the United States. Now, you are threatening this sure progress by agitation and and condemnation.

It is time, Mr. Speaker, to examine our own conscience. We should again read the words of that great liberal Republican, the Honorable William E. Borah, of Idaho, who, when speaking against Federal lynch legislation on the floor of the other body on January 7, 1938, said:

> Why beholdest thou the mote that is in thy brother's eye and consider not the beam that is in thine own eye?

And again when he said in that famous speech:

> Let us admit that the South is dealing with this question as best it can, admit that the men and women of the South are just as patriotic as we are, just as devoted to the principles of the Constitution as we are, just as willing to sacrifice for the success of their communities as we are. Let us give them credit as American citizens, and cooperate with them, sympathize with them, and help them in the solution of their problem, instead of condemning them. We are one people, one Nation, and they are entitled to be treated upon that basis.

Now, Mr. Speaker, let us look at the record. Without national legislation the southern people have eliminated the horrible crime of lynching. Between 1889 and 1918 there were 2,522 colored people lynched in the United States. This averaged about 84 per year. Every 10-year period, beginning with 1889, which is the highest recorded year, shows a drop—until today there are no lynchings. This problem has been solved entirely by the vigilance of the people of the local communities and the States of the South. Again, Mr. Speaker, may I repeat—without national legislation—although political-minded groups from time to time desperately tried to push through the Congress Federal antilynch legislation. But, fortunately, each time great nonpartisan leaders like William E. Borah rose to their feet in the Senate and joined us in filibustering such legislation.

The South's record on the poll tax is equally as good. The South is solving the employment problem. Both races work side by side on the farm and in the factory in ever-increasing numbers.

When lynching was at its peak in America, about the year 1889, there was little agitation for Federal legislation. The political advantage to be gained was at a minimum, but as lynching decreased year by year, political pressure for legislation increased. Agitation for such legislation reached a peak about the time the South had completely solved the problem. Mr. Speaker, could this be because the proponents of such legislation were frantic to claim credit through Federal legislation and thereby gain political advantage? Today, both political parties are likewise frantic and desperate to get this civil-rights bill enacted—not because there is a need for it—but because the South is solving the voting problem and both parties want political credit for the progress already made at the local level. The horse is in the barn. The South is closing the door. But now politicians, with an eye on 1960, are frantically rushing up with great propaganda machines and pressure on the Congress to claim credit for closing the door.

Southern Negro voters have been enrolling to vote in a fantastic and ever-increasing rate during the past 10 years. These politicians, who point an accusing finger, know this to be true. Nevertheless, for political gain, they are pushing this civil-rights bill. Borah said in 1938, "Leave this problem to the South and in a very few years lynching would be eliminated." I plead with you today, leave this voting and civil-rights problem to the South and in 5 years they will complete the job quietly, firmly, and without agitation.

Bear in mind that, while these problems in the South were rapidly on the decrease, major problems in other sections of the country such as gangsters, juvenile delinquents, corrupt political machines, political demagogs, and Communists were on the increase.

Yes, lynchings are no more—at least in the South. I did hear of one this year in Boston and one in Chicago but they are unknown in the South of today. There is little talk of an FEPC and none about the poll tax, because the South wisely was left to solve its own peculiar sectional problems. There are no wounds, no scars, no lingering hatred or bitterness because the Congress rejected Federal force bills.

Now, with the enactment of this civil-rights bill, for political gain, you will throw all this progress to the winds, sow hatred, revenge, and turn the clock back 90 years to the tragic era of reconstruction.

The native southerner for generations has borne a major burden. He has been responsible for tutoring and nurturing a completely dissimilar race. In the light of all history, we all must admit that he has done his job well. There were times when he would like to have been free of this burden. There were times when he was tempted to move away and start life anew where there was no race problem. To his everlasting credit, let it be said that he stayed there through adversity, poverty and occupation and brought the minority race a standard of living and a civilization that this race has never known anywhere else in the world.

We should stand up today and defeat this bold, blatant bid for power before it is too late. This is an attempt by pressure groups to control America for the next 100 years. This bill is the first step toward complete Federal regulation and control of elections. This is a bid by the minority to control and dominate the majority. This is a bid for naked power. This is a blueprint of the pattern followed by Hitler, Mussolini, Lenin, and Joe Stalin.

Adolf Hitler did not rise to power in Germany with a majority of the votes in the Reichstag. Following a scientific pattern, he coldly and ruthlessly established a dictatorship over the majority. Likewise, Benito Mussolini's Black Shirts, in their march from Milan to Rome in 1922, were a small minority of the Italian people. Mussolini seized absolute power over a dumbfounded and confused majority. Lenin and Trotsky, in the October rebellions of 1917, seized power over 165 million people with only 50,000 card-carrying Communist followers.

This road to control of the majority is an old one with the same old milestones—the milestones of false propaganda, usurpation of freedoms and local government, step by step. This is the road upon which Napoleon strode forth to litter Europe with the broken bodies of peasant soldiers merely for his personal glory.

Machiavelli, around the year 1500, advanced a theory for the seizure of power. It was the blueprint largely followed by modern dictators and masters of the art of the science of power—lull the majority into complacency and little by little, with Federal authority, fasten the noose around the neck of the majority and destroy freedom.

The real power behind this civil-rights bill is one or two men who have mastered well the theories of Machiavelli and Nicolai Lenin. They control the balance of power between two great American political parties. They are gambling everything. The stakes are high. Their weapons are the bloc voter in the city machines of key industrial States. They sense victory and will stop at nothing to gain control of America. If we give them this civil-rights bill, it will only whet their appetite for more, just as Czechoslovakia fed the lust of the raving Hitler, and Yalta fed an ambitious Stalin.

Benjamin Kidd in his great book, The Science of Power, vividly portrayed how impossible it is for pressure groups and power-mad minorities to call a halt. They demand more and more until they destroy themselves or their country, or until they wield autocratic power over the majority.

The Members of this House, of the other body, and the President are elected by the American people. Yet, one or two individuals in America have become so powerful that they can tell the President and can tell the Congress that this bill must pass and, apparently, it will pass today with this compromise of principle. Is this Congress and the President to dance when minority leaders call the tune? Are the chairman of the Republican Party and the chairman of the Democratic Party to tremble submissively as they receive orders from these masters of the science of power? Are they to exercise more influence on legislation than this Congress or the President elected by the people? We must meet this force sometime, someday, somewhere. Why not do it now, before it grows ever more powerful?

Senator James F. Byrnes, speaking on January 11, 1938, before the Senate in opposition to such legislation, declared:

> If Walter White, who from day to day sits in the gallery, should consent to have this bill laid aside, its advocates would desert it as quickly as football players unscramble when the whistle of the referee is heard.

The same is now true on this civil rights issue, only today this force is more powerful and flushed with victory. I have seen this small group in the gallery of the House and in the gallery of the Senate. They sit day after day during debate wielding more power on this legislation than the elected representatives of the people.

Time and time again during this debate we have heard proponents of this legislation on both sides of the aisle refer to the civil-rights plank in the Democratic and Republican platforms last fall. They say these planks are a mandate for us to pass this bill. These planks were not placed in the platforms by the worker, the farmer, the small-business man, or by professional people. They were forced upon the platform committees by these masters of the science of power, responsible only to themselves, who represent stupendous political slush funds and voters whom they can control. You know and I know there was not one voter out of a thousand who voted the Democratic or Republican ticket last November because of the civil-rights plank in the platforms. I go further and say there was not one out of a thousand who, when he marked his ballot, knew there was a civil-rights plank in the platform, except possibly the people of the South at whom the plank was aimed.

Another argument used by the proponents to advance this legislation is that we should change our Constitution, alter our way of life to win favor in foreign lands. On pages 4 and 5 of the committee report recommending this bill we find mention of the cold war and the international situation. In other words, you are saying that we must pass this legislation to please Communist Russia—the price of peaceful coexistence. Again, you are compromising—but this time with atheists whose hands are red with innocent blood. You are simply trying to serve God and mammon. Just because Russia is criticizing race relations in America, should we establish a Federal gestapo and set up the machinery for a Federal dictatorship? Again, I must say that you cannot appease the Communists. This will only whet their appetities for more. This is adopting Communist methods, through the back door, in the name of fighting communism.

When you pass this civil rights bill, the Kremlin will find something else wrong with America. They do not believe in God. Are we to destroy our churches and ban religious worship because the Communists are atheists? Are we to destroy our Bill of Rights because Communist Russia does not believe in freedom of worship, freedom of speech, freedom of assembly, a free press, and trial by jury? This is a fallacious argument and is the surest way to destroy our sacred Constitution. We should legislate for the American people, stand on principle, preserve our Constitution, States rights and local government, regardless of what the Communists might say. This is the only course we can take to win the respect of the world.

This bill, which creates another Assistant Attorney General charged solely with civil rights cases and investigations, is another step toward Federal regulation of the individual citizen. You are creating the machinery through which some day our people can be persecuted. It is difficult for me to understand why so many so-called religious leaders are advocating such legislation as this civil rights bill. This is another blow aimed at the rights of the States and local communities. With States rights and local government, no nationwide religious persecution has ever taken place. It could never happen in America with 48 different States and thousands of local, county and municipal governments. Religious intolerance might exist locally. It could never become a nationwide threat until our Constitution is weakened and our Government completely centralized.

Adolf Hitler rode to power with the aid of some religious leaders. He could inaugurate no program of persecution until he destroyed the states of Germany, burned the Reichstag, made a rubberstamp of its members, destroyed the courts, and centralized all power in Berlin. Only then was it possible to throw religious leaders into Buchenwald and Dachau.

The horrors of the Spanish Inquisition could have never been perpetrated in Spain with States rights and local freedom. It only happened when Philip II held absolute centralized power. The religious persecution and liquidations of Rome, England, and France took place when all power was in the hands of one man. In all the history of the world, no religious persecution materialized on a nationwide basis when the people enjoyed a maximum of State and local government. In a clamor for ever-increasing Federal power, some of our religious leaders are fastening the hangman's noose on religious freedoms of generations to come. It might not take place, but it can happen with the tools being forged by an evergrowing Federal autocracy here in Washington. It can never happen, however, with a maximum of States rights and healthy, strong local government.

Hon. Charles Evans Hughes, Chief Justice of the United States, in an address before a joint session of the Congress on March 4, 1939, observing the sesquicentennial of the Congress said:

> We not only praise individual liberty but our constitutional system has the unique distinction of insuring it. Our guaranties of fair trials, of due process in the protection of life, liberty, and property—which stands between the citizen and arbitrary power—of religious freedom, of free speech, free press, and free assembly, are the safeguards which have been erected against the abuse threatened by gust of passion and prejudice which in misguided zeal would destroy the basic interests of democracy. * * * The firmest ground for confidence in the future is that more than ever we realize that, while democracy must have its organization and controls, its vital breath is individual liberty.

Minorities who blindly support this bill will someday suffer the consequences of Federal power. They are helping to fashion a Damoclean sword which will hang forever over minority races and minority creeds. They can never be persecuted nationally until the machinery of persecution is concentrated in Washington. Once it is created under this bill, the power-mad and lustful individual will follow as surely as night follows the day. Regulation, control and harassment can be directed at those who today clamor for the passage of this legislation.

The wandering Jew has been driven from land to land, persecuted and enslaved at the hands of centralized authority. His greatest protection in America today is the 48 different State constitutions and free local government. Once this power becomes centralized, he has no guaranty for the future. We must not let it happen in America. We must protect the Latin American, the Negro, and all of our minority races from centralized power that could fall into Fascist hands.

Those of us who oppose this legislation have been referred to as reactionaries and conservatives. We have been charged with opposing the march of time, of slowing the wheels of progress, of turning back the clock. But the reactionaries and the Fascists of today are the so-called liberals. They advocate a national socialist autocracy, with the lives of our people planned by the Government from the cradle to the grave. The so-called liberal advocates every measure which will give the Federal Government more power over the lives of our people. He is supporting this legislation in the name of liberalism. I, and my southern colleagues, are the real, true liberals. We agree with Thomas Jefferson that the least governed are the best governed. The bleeding liberal hearts on my right and the modern Republicans on my left, by clamoring for this legislation, are expressing a lack of confidence in the people's ability to think and act for themselves. They have no confidence in the individual. They have no confidence in local government. They have no confidence in the States. They are voting today against the States, free communities and individual citizens. You are placing in the hands of the Attorney General the power to restrict the individual, to hamstring local officials, to curb the power and rights of our States.

Yes; I am a true liberal because I believe in these time-honored institutions. I believe in the people of this country—north, south, east, and west. I would not dare to ever suggest to Detroit, New York, Los Angeles, Chicago, or Boston how they should handle local elections and local affairs. Nor would I dare place in the hands of any Attorney General, Democrat or Republican, the power to tell New Jersey, Pennsylvania, or Minnesota how they must conduct elections.

Yes, the liberals are advocating the liberalism of Hitler, Mussolini, and Stalin. These dictators called their governments democracies. They had elections. But, my friends, elections with only one ticket on the ballot. Nearly a hundred percent of their people voted this one ticket because they were afraid of Himmler and are afraid of the Kremlin. Let me emphasize, Mr. Speaker, that this power is appointive power. This Attorney General will not be elected by the people. He and the Civil Rights Commission will be named by the same power that is forcing the passage of this bill. They know now what the verdict is going to be. They know now what they are going to find and what they are going to report. They know now who is going on the Commission and who will be named Assistant Attorney General in charge of civil rights.

When this bill passes, the Civil Rights Commission will be a stacked one. It will immediately embark upon its course of finding out what it wants to find. In the meantime, the Assistant Attorney General will gather a large staff of investigators and its own gestapo. These instrumentalities of fascism will not rush in and frighten the prey but will lull the American people to sleep with high-sounding phrases about liberty and voting rights. They will secretly and quietly infiltrate. Then as the 1960 presidential election approaches, they will move swiftly, intimidate and harass southern officials, inaugurate block voting and control America to advance their selfish ambitions.

Southern States will be forced to keep 2 jury lists—1 for the Federal courts and 1 for the State courts. The States will no longer have control over who might sit on that jury. Our people will be placed in jail without trial by jury for the slightest provocation.

I have been hoping some Republican leader would rise to the stature of Robert A. Taft, William E. Borah, George Norris, or Robert La Follette and come to our aid in the rear guard action we are waging for individual freedom. Apparently, none is forthcoming. I have hoped in vain that the President would recall his 1952 campaign promises. But he has only aided and abetted these destroyers of freedom. I have hoped in vain that someone would rise on this side of the aisle, or in the other body, and reach the stature of statesmanship of William E. Borah when he said:

> The progress, the development, and the advancement of the South, including the last 70 arduous years, her history from Washington and Jefferson down, rich with the names of leaders, orators, and statesmen; her soil, her sunshine, her brave and hospitable people, her patient and successful wrestling with the most difficult of all problems, are all a part of the achievements of our common country and constitute no ignoble portion of the strength and glory of the American democracy. I will cast no vote in this Chamber which reflects upon her fidelity to our institutions or upon her ability and purpose to maintain the principles upon which they rest.

I will agree to no compromise. I cannot hold evil in one hand and good in the other. I will not plead guilty when I am not guilty. I will never plead my people guilty when they are not guilty. Principles never change. They are the same yesterday, today, and forever.

You have secretly admitted to me many times the justice of our cause. You openly lack the courage of your convictions. You have adopted the course of hypocrisy for a fleeting momentary political expediency. You have your orders and you will cast your vote accordingly. I have none. I am only standing here as an American, fighting for individual liberty for all Americans in every State, of every creed, and every color. I can truthfully say with the late George W. Norris, of Nebraska, when he said:

> I would rather go down to my political grave with a clear conscience than ride in the chariot of victory * * * a Congressional stool pigeon, the slave, the servant, or the vassal of any man, whether he be the owner and manager of a legislative menagerie or the ruler of a great nation. * * * I would rather lie in the silent grave, remembered by both friends and enemies as one who remained true to his faith and who never faltered in what he believed to be his duty, than to still live, old and aged, lacking the confidence of both factions.

Mr. RIVERS. Mr. Speaker, never in the history of this Republic has proposed legislation passed this branch of the Congress fraught with more danger to personal liberty than the alleged compromise on the so-called civil-rights bill which the opposition is about to run roughshod through the House of Representatives this day. No amount of warning seems to disturb those who are competing for the approbation of the leftwing press, the NAACP, and others of similar ilk. It is tragic that President Eisenhower is numbered amongst this distinguished group.

Mr. Speaker, we have just heard the Member from Michigan, Congressman DIGGS, tell us what the plan will be for the future. He has had the effrontery or, let me say, the meeting with the minds of the leadership of the Republicans, to predict or prophesy that his bill is just the beginning. His words, which have been directed at my people, have been plain, concise, and threatening. He has told us of his dislike for our section of America and he has cast down the gauntlet for the southern Members of Congress to take up the challenge. He has said that this bill will be implemented by force within a very few months. He has said that his fanciful opponents in the South will be jailed on imaginary charges dreamed up by his group. He has said that this bill will be implemented in the next session of the Congress; and he has said that this bill is just the beginning. He compares this legislation with that which followed Reconstruction.

Mr. Speaker, this bill is the reincarnation of the Reconstruction Era. It destroys trial by jury; it marks the end of the sovereignty of the States; it marks the beginning of the end of freedom of speech and it sets up for the first time since the founding of this Republic, a gestapo in the Department of Justice. No President since the beginning of this Nation has dared what Dwight Eisenhower has just done.

Mr. Speaker, they say that if we do not accept this compromise a more drastic proposal will be passed by the other body—the Senate—should the Republicans take charge of the Senate. Mr. Speaker, I do not conform to this line of thought. If the Republicans can make a stronger bill in the other body, should they accede to the leadership they can certainly amend this legislation during the next session of the Congress should they take over.

I fervently hope that the southern Members of the other body—in which body alone remains unlimited debate—filibuster—will take up the challenge laid down by the Member from Michigan, Congressman DIGGS. It is said that filibuster is not practical at this time. Mr. Speaker, if there was ever a time in the history of the Nation when filibuster is needed or appropriate to preserve the American way of life, it is now. No agreement, no compromise, nor the fortunes of those who aspire to be President, justifies the taking of this bill by the other body without a filibuster.

Mr. Speaker, I have had plans all the summer for a short vacation. I have plans now to make an extended trip in the interest of the military on which perchance I may get a few days of needed rest. Mr. Speaker, I am willing here and now to forgo any or all of these plans and any I may have in the future in order to remain here should our Representatives from the South decide to filibuster this monstrous, un-American proposal to death. Mr. Speaker, I am prepared to remain here until the frost forms on the pumpkin should such be necessary to save the rights of my people in this hour of political expediency.

Mr. MADDEN. Mr. Speaker, I yield the remainder of my time to the gentleman from Michigan [Mr. DIGGS].

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. DIGGS. I yield to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at the end of the remarks by the gentleman from Michigan [Mr. DIGGS].

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DIGGS. Mr. Speaker, it is difficult for most Americans to believe that at this late date in the 20th century some of our citizens are denied the right to vote because of their race. Nevertheless, it is an ugly fact substantiated by the unrefuted testimony of an impressive list of witnesses. With the enactment of the pending measure into law, the Congress and the President will have made it crystal clear that they oppose restriction of the right to vote. The newest compromise amendment in the jury trial issue has the official blessing of the administration and the Congressional leadership of both parties. This means that in the next few months we should see some concrete action by the United States Department of Justice in those areas of the Nation where the ballot is reserved for white only. Again and again intimidating actions such as cross burning, economic pressure, violence and the shooting of Negroes who merely sought their constitutional right to vote has shocked the Nation. Almost without exception, the Department of Justice has either failed to act on these matters or if it did act, no indictments have been returned by grand juries. Frequently, the Department has said it could not act because no Federal law had been violated. At other times, as in the complaints originating in Ouachita Parish, La., the Department has found extensive violations of existing law but excellent evidence assembled by the Federal Bureau of Investigation does not get before the public because there are no hearings in open court.

Let no one be so naive as to assume the passage of this bill will automatically accomplish its objective. Success of this new statute will depend on the vigor and determination that the proposed Civil Rights Commission and the Justice Department exercise in using its provisions to protect the right to vote. Success will also depend upon the acquiescence of the Deep South to its responsibility to uphold the law of the land notwithstanding how repugnant may be the consequences as they see them. The world will be watching to see if the Deep South follows the proper course or if it pursues the suggestion of a prominent Alabama circuit court judge who has urged that local enforcement agents refuse to cooperate with Federal officials relative to this measure, or the suggestion of a Louisiana Member of the other body, that educational requirements be raised and poll taxes be increased and made accumulative over a longer period to frustrate the enfranchisement of Negroes. With these threats hanging over the democratic efforts of this legislation and its exclusion of a number of other civil-rights problems in the fields of education, housing, employment, transportation, and so forth, no matter what the future holds for this particular bill it is not the last time Congress will have the opportunity to correct violations of civil rights. Those who sincerely wanted to keep this bill from passing in its present form with the hope of strengthening it or making it more inclusive at the next session of Congress will have full opportunity to do so through the regular legislative process.

As we stand on the threshold of enacting the first civil-rights bill since the Reconstruction Era, let us concentrate on what it does accomplish, not on what it does not accomplish. It is opportune that we pause and refresh our memory about its positive provisions heretofore unavailable to those affected and concerned with civil rights.

The Civil Rights Act of 1957 provides for a bipartisan commission with subpena powers to call witnesses and investigate alleged civil rights violations of all kinds. Its authority extends for 2 years. It provides for the establishment of a Civil Rights Division within the Justice Department under the supervision and prestige of an Assistant Attorney General. It provides that the Attorney General may institute injunctive proceedings, in the name of the United

States Government, and on behalf of an aggrieved person, to prevent acts designed to keep Negroes from the polls. This preventive action, as opposed to punitive action under present law which is operative only after an act has been committed, is a new weapon of enforcement. It permits the Attorney General to bypass State local courts and go directly into Federal Courts. It overcomes those State statutes which have been resurrected to prohibit organizations like the NAACP from filing suits on behalf of persons who are unable to do so themselves because of financial situation or intimidation. The compromise jury trial feature which has been made a part of the injunctive enforcement of voting rights, applies only to criminal contempt proceedings designed to punish a person for willful disobedience of an injunction or other court order. Even there the judge may exercise discretion; the accused may be tried with or without a jury. However, if the judge tries the case without a jury, in the event of a conviction if the fine should exceed $300 or imprisonment of 45 days, the accused upon demand will be entitled to a new trial before jury. The accused is not entitled to jury trial if the fine does not exceed this $300 or imprisonment the maximum 45 days. If the accused does demand or is granted a jury trial, a conviction can draw maximum penalties of $1,000 or 6 months' imprisonment.

In civil contempt proceedings aimed at securing compliance with a court order, the accused is not entitled to a jury trial. While it remains to be seen whether the jury trial provision in criminal contempt cases will assure Negroes the proper amount of protection, it has been claimed that the vast majority of voting cases will be disposed of in civil actions without a jury.

In the final analysis, the Civil Rights Act of 1957 does not go nearly so far as needs have demanded and the American people in the majority have requested. As a matter of fact, neither did the original House-passed version. The bill as it stands is a starting point and is significant because the Federal Government is for the first time in more than 80 years asserting its obligation to enforce constitutionally guaranteed rights. It is also significant because it was achieved out of a historical bipartisan effort on the issue of civil rights. Members of both parties can truly share the glory for the enactment of this monumental legislation. In the final analysis, the effective enforcement of this act assuring constitutional rights will not benefit Negroes alone; nor will it benefit Americans alone. It will extend its benefits throughout the entire Free World.

Mr. **ROOSEVELT**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **ROOSEVELT**. Mr. Speaker, the 85th Congress will long be remembered as that body of men and women which passed the first civil-rights legislation in 87 years—truly a milestone in human progress. There has been so much publicity concerning the so-called compromise upon the question of jury trial that little recognition has been given to the other significant and important parts of this legislation. Outstanding are these:

First, the authority given the Attorney General to seek injunctions to prevent not punish, violations of voting rights. In a sense, this is not a new power, but merely extends to individuals the principle of regulation long applicable to corporations.

Second. In order that the power may not be an empty gesture, there is created a new civil-rights division in the Department of Justice under a new Assistant Attorney General. Thus the fact becomes clear that the executive branch of the Government is now wholly responsible for insuring that every American eligible to vote may have his right to do so fully protected.

Third. The bill recognizes that there are other civil rights which need also to be enforced. There is therefore a Civil Rights Commission with the power of subpena. The Commission is charged with receiving complaints of civil-rights violations and shall recommend new legislation if this is found to be necessary. It is to be presumed that there will be the closest coordination between the new Assistant Attorney General and this Commission.

There are many of us who would have liked a stronger bill. Certainly there could be a better bill. With many others I have introduced such legislation. But law is often a matter of evolution. No one can possibly say exactly what an act will or will not accomplish until it has been adopted and tried in actual practice. The efficacy of a law is always measured by its administration. A weak law with strong enforcement can work very well. A strong law with little or no enforcement is useless. Attorney General Brownell, who has remained in London while we have been trying to get a civil-rights bill passed, has been calling across the water for a stronger bill. If he will spend one-half the energy in enforcing this law and making effective its enforcement machinery that he has been using in denouncing it, we will do very well with this measure.

It is significant that 16 liberal organizations including the National Association for the Advancement of Colored People and the executive council of the AFL–CIO have gone on record as favoring immediate passage. The true friends of civil rights and civil liberties will not be blinded by the political shenanigans of the past few weeks, and will put to the test those newly found friends of civil rights in whose hands rest the enforcement of this law.

In the meantime, our unswerving attention must be given to the pressing needs in this field so vital to real democracy. On August 7 of this year I placed in the Congressional Record on page 13943 a shocking report by the Anti-Defamation League of B'nai B'rith, in which was chronicled a series of discriminatory employment practices by certain firms in the city of Los Angeles. On August 8, the Executive Director of the President's Committee on Government Contracts reported to me by letter the following action of the Committee:

> July 29: The committee received from the above-named organization (the Anti-Defamation League) complaints alleging that 202 companies in the Los Angeles area had violated provisions of the standard nondiscrimination clause by filing discriminatory job orders.
>
> July 30: Lists including the names of 187 companies were sent the major Government contracting agencies with our request that the contracting agencies designate all companies holding Government contracts.
>
> July 31: Complaints involving 15 of the companies were forwarded to the Department of Defense for investigation.

Some of the complaints included such practices as the use of coding systems to indicate the religion or the color of applicants for employment. Others used a letter system attached to job orders to indicate that certain persons or groups were not to be considered for employment.

Discriminatory employment must be eliminated in the United States. It is claimed by some that voluntary action will accomplish this. But the world in which we live makes it imperative that we not wait another 87 years to eliminate such evils. In my city of Los Angeles unemployment is again becoming a serious problem. Discrimination in the matter of layoffs and rehiring must not only be discovered wherever it exists, but prompt action must be taken to stamp it out.

I cite these things in order that those of us who have been privileged to see our strenuous efforts for civil-rights legislation come at least to partial victory may be warned that the road ahead for correction of injustices will be equally hard and difficult. We shall redouble our efforts. We remain determined, with the help of all true Americans, that Justice and Freedom, cornerstones of democracy, shall prevail among all our citizens.

Mr. **WHITENER**. Mr. Speaker, on yesterday when I first saw the proposed contents of House Resolution 410 I was utterly astounded at its provisions.

I am opposed to H. R. 6127—with or without the Senate amendments and with or without the House amendments set forth in House Resolution 410.

The authorship of the so-called compromise jury-trial amendment is much in doubt. In spite of diligent inquiry no one can be found who admits its authorship. We are merely told that our colleague who presented this so-called compromise to the Rules Committee is to be given credit for its conception and birth.

It is abundantly clear that the person who wrote this document is not learned in the law or else has completely disregarded such knowledge as he might have had of fundamental legal principles. If the constitutionality of this legislative monstrosity is ever presented to a court which follows legal precedent rather than sociological theories I have no doubt that its life will be of short duration. It cannot, in my opinion, withstand valid constitutional scrutiny.

When we analyze the new part V we find that the act, in effect, says to a defendant charged with criminal contempt that he can be punished by a fine not exceeding $1,000 and imprisonment not exceeding 6 months, or both. The defendant is then told by this proposal that in a proceeding for criminal contempt he can only have a jury trial at the discretion of the presiding judge. Remarkably, this so-called compromise amendment says to the defendant that if he is convicted by a judge and sentenced to imprisonment in excess of 45 days or a fine in excess of $300 the defendant may then demand a trial de novo before a jury. This is what the proponents would have us believe is a jury-trial amendment.

But let us witness the practical legal aspects of this legislative brainchild. The defendant having been convicted in a hearing before a judge, without a jury, and sentenced to serve 60 days and/or to pay the sum of $310 as a fine may then demand a jury trial presided over by the same judge who has theretofore adjudicated him to be guilty of contempt. The new section 151 says that this trial de novo before a jury "shall conform as near as may be to the practice in other criminal cases."

What is the "practice in other criminal cases" before the Federal courts of the United States? It is elementary that the trial judge may express an opinion upon the facts in his instructions to the jury in Federal cases. This is contrary to the practice in many, if not all, of the State courts.

So, we see the spectacle of a judge who has previously adjudicatd the guilt of the defendant instructing the jury in the identical case and having the right to comment to the jury upon the question of whether the facts sustain the charge. This is not consistent with my idea of a fair and proper administration of justice.

Then, too, the defendant having demanded the jury trial after his conviction by the judge, may, in the sole discretion of the judge, be imprisoned up to 6 months—not the 60 days originally given to him—or may be fined up to $1,000—and not merely the $310 fine originally assessed—on the same evidence originally laid before the court.

Any person who has had experience in the trial of cases should know that this situation gives rise to legalized blackmail to a defendant brought into the courts for an alleged contempt.

Another disturbing feature of this purported compromise jury-trial amendment is that it militates mightily against our constitutional prohibition against double jeopardy. It does this through the devious method of placing the burden upon the defendant to demand a trial by jury after the judge has pronounced judgment upon him in the first instance. This is apparently a clever method of putting a defendant in the position of waiving his constitutional immunity to twice being put on trial for the same criminal offense. In its net effect it is another giant step in the destruction of basic constitutional government and proper administration of justice.

This is a tragic day in the history of our Nation. Tragic because the crescendo of voices rising in support of H. R. 6127 and House Resolution 410 indicates that a substantial majority of the Members of this body are giving their support to legislation which has as its effect the breeding of civil wrongs rather than the protection of civil rights.

My vote is against the pending resolution. I believe that it is a vote for the preservation of the basic American conception of jurisprudence and constitutional government.

Mr. MACHROWICZ. Mr. Speaker, this may be a historic day in the annals of our Nation's history. We are about to enact, I hope, the first civil-rights legislation in the past 87 years of legislative history. In June of this year, the House passed by an outstanding majority vote, a bill which contained all the elements of a good and fair civil-rights bill. Unfortunately, the other body adopted a number of amendments which would seriously hamper the enforcement of the bill and would remove some of its most vital benefits.

Those of us who fought for an adequate and full civil-rights bill are in a difficult quandary in voting on today's resolution. True, it removes many of the most serious objections to the Senate bill. However, it falls far short of what we consider a minimum in granting to every citizen of this country protection of the rights and privileges which are his. Nevertheless, sponsors of the resolution and the leadership of both parties assure us that it is a workable bill and that its enforcement will grant a great degree of protection to the citizens of this country now being unlawfully deprived of their rights.

Under the circumstances, I intend to vote for the resolution, even though I realize the bill falls far short of the standards which we have set. I realize that the only alternative is failure to enact any legislation whatsoever in this field, and those who have fought and worked for this bill would find all their labor lost and wasted.

Enactment of this bill does not mean that we shall rest on our oars, satisfied with our accomplishment. It is merely the beginning of the progress which we hope will continue by enactment of further and more complete legislation in the future. The history of the United States of America is a running story of the continuing struggle to achieve the goal which our Founding Fathers recognized in the expression "that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness."

The rights and privileges of all Americans are the responsibility of the Federal Government because those rights and privileges are anchored in the Constitution and laws of the United States; they are attributes of national citizenship which recognize the dignity of the human being as the true basic reason for the very existence of government itself. Under our American concept of government, the consent of the governed is the sole source of political authority.

I hope we shall never forget our obligation to live up to our responsibility in this field.

Mr. ABBITT. Mr. Speaker, I am unalterably opposed to this so-called civil-rights legislation that is before the House today. The bill now before us is the bill passed by the House, amended by the Senate, and now voted out of the Rules Committee with a so-called compromise amendment. This bill as presently drawn, including the amendments passed by the Senate and the so-called compromise jury-trial amendment, takes from the people of this Nation rights, privileges, and freedoms that they have had for generations. It takes from the States much of their sovereignty and sets up a new form of philosophy for the operation of the Federal Government.

We are told that this measure is a compromise—that it is a mild right-to-vote bill. I say to you that certain leaders are bartering away the rights, privileges, and freedom of the American people for political expediency and in the hope that their national party will receive the votes of certain minority groups as a result of their action.

I cannot in good conscience condone such flagrant dissipation of our liberties; nor can I remain silent in the face of an all-out attempt by political opportunists to hoodwink the people into believing that the present civil-rights legislation, as amended by the Senate together with the so-called compromise, is a mild voting-rights bill that will do no real violence to the American way of life nor curtail the liberties of the people. Such action on the part of the leaders involved is a betrayal of the trust that the people have placed in those in authority who would foist such legislation upon an unsuspecting people.

This legislation is evil; it is dangerous; it is liberty destroying; it is iniquitous; and yet there are those in our midst who would have us accept such legislation without letting the people know how bad it really is.

So far as the compromise provision is concerned, it is a farce. It takes from the Senate version the right of a trial by jury in criminal contempt cases. It leaves it to the judge to say whether or not the defendant would be granted a jury trial; and then the judge can wait until he has first convicted the defendant and branded him as a criminal before he allows him to have a trial by jury.

So far as parts 1, 2, and 4 of the bill are concerned, they are just as obnoxious as they were as passed by the House of Representatives. Part 1 sets up a Commission on Civil Rights to make a study of all phases of civil rights. It is given subpena power and can appoint advisory committees. Section 2 creates a civil-rights division in the Attorney General's Office. These two sections together will permit the Commission and the Attorney General's Office to harass, to browbeat, and intimidate the American people in an endeavor to force them to succumb to the whims and wishes of the NAACP and other like organizations. It will be a sounding board for socialistic groups. The two agencies together will be in a position to carry out the conspiracy between the NAACP, this administration, and Brownell to compel State officials and other loyal Americans to submit to the obnoxious judicial tyranny of certain segments of the Federal judiciary. The two sections together set up a roving band of hatchetmen, a small gestapo, going throughout the country stirring up litigation, breaking down law and order so far as States and localities are concerned. These characters, agents, and political hatchmen will be able to drum up fictitious charges against loyal citizens, and hale them before the Commission or into the Federal court at the expense of the taxpayers of America. They will be like a pack of wild dogs or wolves turned loose upon a flock of sheep; and yet, there are those in this Congress and in the Government who would have us believe that this is an innocent little voting-rights bill.

Part 4 puts the Federal Government, acting through the Attorney General, in the position to take over the election machinery and the electorate of the States and localities. It provides a device to bypass State laws, State remedies, State courts, the right of trial by jury, in all election matters. It will result in election by judicial decree. We will have our elections supervised, administered, and actually taken over by the Federal judiciary and at the whim of the Attorney General. The Attorney General will be the electoral czar of America.

The voting rights of the South are put in a political straitjacket with the key turned over to the Attorney General who will be the political hatchetman of the administration then in power. He will have the authority to manipulate these rights according to his own whims and fancies and political philosophy.

The so-called compromise is a political sellout of the rights of the people and the sovereignty of the States.

I hope this legislation will never be enacted into law.

Mr. CURTIS of Massachusetts. Mr. Speaker, while I recognize that the present compromise relating to the civil-rights bill is probably the best that can now be accomplished, I rise to express my opposition to the injection of jury trials between orders of the court made after full hearing and the enforcement of such orders.

Equity courts have traditionally had the power, frequently referred to as an inherent power, to enforce their decrees by holding violators in contempt of court without jury trial. The provision for jury trials in contempt proceedings, even as limited in this bill, is not sound legislation.

To require that a court, after conducting a trial and issuing its decree, can enforce that decree—if it is violated—only after a second and separate jury trial, is inconsistent of the prompt and orderly administration of justice.

Under the terms of this bill, this requirement applies only to contempts classed as criminal. But the distinction between civil and criminal contempt is technical, and the above principles should apply in either case.

In civil contempt the violator of the decree has failed to do an act which he can still do, and the contempt citation forces compliance. In criminal contempt he has done an act which he cannot undo, and the contempt citation is punitive. But in each case the purpose of holding the violator in contempt is to compel respect for the decree of the court; and even "criminal" contempts result from a violation of a court's decree rather than of a criminal statute, and should be classed primarily as contempts rather than as crimes in the usual sense of that word.

To take this power of enforcing its decree out of the hands of the court in civil contempt cases might well be unconstitutional; and to do so in criminal contempt cases is at best bad legislation.

It is generally recognized that the injunctive procedure is a special procedure which involves action by a court without a jury. And it is suggested that the fundamental objection of opponents of this legislation was to the use of injunctions in these cases, although this objection was referred to as opposition to deprivation of jury trial.

Jury trials in contempt proceedings first came into our laws as a reaction against allegedly unduly broad and unfair injunctions against strikers, and the objection was voiced as one against "government by injunction." Later, jury trials in contempt proceedings were greatly limited in labor cases, if not completely done away with.

Jury trials should not be injected between orders of a court made after full hearing and the enforcement of such orders. To do so may well create a stumbling block in the future should there be occasion for further legislation in the area of this bill.

Mr. GRANT. Mr. Speaker, we are faced here today with a situation which gives 435 Members of this House 1 hour in which to debate legislation that originally took the House a week or more and the Senate approximately a month and it appears, after spending this length of time, that new evils are being found in it. It would be bad enough if we were acting upon the legislation enacted in the House and Senate but here today we are called upon to vote upon legislation that was never presented to either body. No one here fully understands the full import of this legislation; it is a go-home gadget. We should have full debate upon this new legislation or else stay here until the snow flies.

The Rules Committee serves us a ridiculous piece of legislation; it is said to be a compromise. A compromise by whom? This thing is neither fish nor fowl. There is no name for it in jurisprudence. If it is mandatory that we must have something, give us the House bill or the Senate bill—no makeshift like this. The press reports that this is a face-saving gimmick. Face-saving for whom? Whose face is being saved?

When the matter of a jury trial was before the Senate, there, under the rules of the full debate, Members of that body from all sections of the country were able to prove to the majority that the legislation should not be enacted unless there was a guaranty of trial by jury. In this fine debate the spotlight was focused upon the legislation, and the Senate and the country became convinced that it should not be enacted unless the House bill was amended. The antijury trial section was depicted in that body as the worst of tyrannical procedure. Even the most ardent supporters of this legislation conceded that the Senate version was a significant gain for voting rights and even the NAACP and other organizations active in its support, recognized this to be a fact, and I understand were most willing to accept this legislation; however, when the bill got back to the House it seemed that somebody's face had to be saved.

It was suggested on the House side by several Members that the legislation be amended to provide that there would be no jury trials if penalties were limited to a $300 fine and 90 days in jail; however, if greater penalties were contemplated there would be jury trials. This suggestion was kicked around and was termed ridiculous and ludicrous by many who favored some kind of legislation; however, in a few days it became apparent that here was at least something which somebody could trade upon. It was suggested that some modification was in order and that $289.98 fine and 51½ days in jail would save the opposition's face—whichever seemed to be the opposition—so out of this came the Rules Committee writing the legislation which provides that a judge can impose a penalty up to a $300 fine or 45 days in jail, and if the fine and penalty is over this amount he must grant a new trial with a jury, at the request of the defendant. You can call it a compromise, a face saver, or whatever you want to, but you cannot get away from the fact, if the principle of jury trials is invalid in criminal-contempt proceedings involving a sentence of 46 days in jail, there is no explanation of why it becomes invalid if the penalty is 45 days. This is a farce on the Senate bill. The legislation that came back to the House from the Senate and which the Rules Committee has junked says that as a matter of right and principle a person should have a jury trial. The all-powerful Rules Committee, by its actions, says that it is halfway right: that a person is entitled to a half jury trial.

I note that a group of Senators have met and discussed the proposition which is being brought to us today by the Rules Committee and that this group is unanimously of the opinion that this legislation is unconstitutional. There were some distinguished lawyers in this group, and I agree with their findings; however, no one can stand upon this floor here today and say what is constitutional or unconstitutional. We cannot afford to take a chance. This legislation is ill advised; it is punitive in nature, and in the end it will not contribute toward constitutional government. Those of you who would force this legislation upon America had better stop, look, and listen. You are here trying to shift your responsibility. Oh yes; certain ones can beat their breasts and claim what they have done for the colored race in the South. What you are doing will, in the long run, I am afraid, do them irreparable harm.

Progress is being made in my State and in other States in the South. People of good will in both races have been doing great work toward better race relations; however, I must confess that such legislation as this is causing suspicion and distrust where it did not exist before. You have the solution, and we in the South have the problem. Your solution only adds more to the problem. Regardless of what might be done with this legislation here in Congress, I believe that the country within the past few months has become more aware of what is being done here than most of us realize. You cannot destroy one right in order to gain another so-called right.

Mr. HENDERSON. Mr. Speaker, at long last, it appears that the determination of the Republican administration and Republican leadership in the Congress will result not only in a civil-rights bill but in a civil-rights bill of some strength and meaning, rather than a watered-down pottage of high-sounding platitudes.

It would have been relatively easy for the Republicans to have submitted to the insistence of the advocates of a weak and ineffective civil-rights bill and rationalized that capitulation on the grounds that a weak bill is better than no bill at all, or that a party which is in the minority in Congress cannot accomplish desirable results. The strength of this civil-rights legislation is the result of Republican leadership and Republican determination for good legislation.

The civil-rights bill now being approved by the House and which will next be considered by the other body before its submission to the President is a compromise measure. It is not the same bill which passed the House originally. The opponents of civil-rights legislation have taken their toll. However, this bill is directed toward the essential problem; that is, toward implementing the 15th amendment of the Constitution, which guarantees every citizen the right to vote. It provides for a jury trial for persons who interfere with the voting rights of others upon request of the accused when the first trial before a judge results in a sentence in excess of $300 or 45 days in jail.

There has been much oratory on this measure. The effect has been to create an impression that something new in the concept of American freedoms is being wrought by this bill. This is, of course, not the case. This bill is to assure the right to vote to American citizens—a right and privilege which is inherent in our American system of government and essential to its proper functioning. We in Congress have spent weeks and months in enacting a guaranty of that right to millions of Americans who have been deprived of that privilege through local custom, threat, and intimidation. If the contention is true that there is in fact no interference with the right to vote in some parts of our Nation, then even the opponents of the bill have no grounds of complaint.

As we vote upon this measure, I wonder if those people who are being guaranteed the right to exercise their franchise will take advantage of our labors. I wonder if they will think enough of their Government to make use of that right.

The millions of Americans who have had that privilege of voting through the years since our Nation was formed have been halfhearted in their exercise of the right to vote.

In the election of 1956, there were 104 million persons of voting age, 51 million men and 53 million women. Of the 104 million, only 62 million actually voted. In 1960 there will be 108 million people, according to census estimates. How many of them will go to the polls to assert themselves and take advantage of this priceless privilege of freemen? No one can say, of course. Yet, we must remember that rights disregarded are more easily lost to a people than those which they exercise with vigor. Let us hope that this long debate will focus the people's attention on voting rights and create a new appreciation of liberties and citizenship responsibilities in all sections of the Nation.

To many Americans, voting privileges seem no longer to be the cherished possession the founders of our Nation envisaged. Will the people who are being assured that privilege by this legislation cherish it or ignore it? If they ignore it, we in Congress have labored in vain.

Mr. DOWDY. Mr. Speaker, with the highly restrictive gag rule under which we are here operating—1 hour debate among 435 House Members, there is no time available to me, same being controlled by the proponents of the bill, to discuss the issues.

I will only say this: When this matter was first before the House about 2 months ago, the proponents, in most pious phrases, succeeded in misleading the majority of the Members of this House, by intentionally misrepresenting that the House bill was solely and alone a right to vote bill. A few of us who tried to show such statements to be false were stormed down. It has been definitely and without any doubt established that the claim concerning the House bill was false.

Now, the Senate version of the bill is before us with what is claimed to be a jury trial amendment. It is proposed to compromise that so-called jury amendment by absolutely and expressly denying jury trial as a matter of right, even in a criminal contempt case, except in the discretion of the trial court. Trial courts have that discretion without this amendment.

To vote for this will be abject capitulation, and could well mean the loss of what remains of the rights of the States and freedom of individuals.

The claim that this so-called compromise contains a jury trial guaranty is just as false as was the claim that the House bill was only a right to vote bill, and just as willfully made.

Mr. FLYNT. Mr. Speaker, it is a tragic day for America when this body for the second time in one session prepares itself to vote for the enactment of legislation which is vicious in its conception, punitive in its intention and horrible to consider. In nearly every term of Congress for many years legislation of this kind, with varying degrees of intensity, has been proposed, hearings have been held and legislation proceeded along various routes, only to vanish with the sine die adjournment of previous Congresses.

Heretofore, everyone has generally accepted the fact that this legislation was not needed and tacitly admitted that it was both unnecessary and useless. Heretofore, it has expired with the term of each Congress.

Today, however, a different situation prevails. Two contesting groups in a bid for political power have been willing to exchange the birthright of American liberty and constitutional government for the votes of minority groups. In their desire to overwhelm each other in professing love and devotion to those minorities, they have either knowingly or unknowingly helped destroy our constitutional form of government as we know it. They have almost reached a moment of triumph as they see their punitive legislation near enactment. It recalls to mind the drunken, power-crazed Nero, Emperor of Rome, as he gloated over the destruction of the Eternal City.

During my service in this body, I have on every occasion opposed this legislation, not only because it is aimed at the very heart of my section of the country, but also because it is aimed at the very heart of our Constitution and our heritage of freedom. I have spoken out against it on this floor whenever the rules of the House would permit, and I have used every moment of time available under these rules.

Today the time allowed to me is negligible and nothing that I can say or do can long delay what appears to be the inevitable result of this vote today. Yet, if I were not circumscribed by the rules under which we operate, I would speak in opposition to this legislation until I collapsed from physical exhaustion. My desire to speak at length for as many hours as strength would permit would be in the hopes that some word or some thought of mine might help one or more of my colleagues realize the viciousness and the punitive nature of this legislation.

Never during this entire legislative battle have I remained silent. On the contrary, I have sought to include as a part of my remarks in opposition to this legislation those reasons why I have felt it can but lead to destruction and devastation.

The so-called jury-trial provision in that version of the bill upon which we are to vote today is a mockery, a fraud, a sham, and a delusion. It takes away, and the legislative intent is clearly shown, those individual liberties contained in our Constitution, once held sacred and now to be violated. They are now to be violated as though they were but alien words rather than part of the basic principles upon which our Nation, our America, has grown and prospered.

Affirmative action on this legislation will turn back the clock to the days of tyranny and despotism. Tyrants and despots through the ages have sought to do by tyrannical fiat things no worse than this bill does by legislative enactment. The pages of history are replete with nations whose autocratic rulers, 1 by 1, have destroyed sacred liberties and freedoms fought for and earned by its citizens. History is equally filled with accounts of nations decaying and being destroyed beginning with the very moment that the sacred liberties of its people were threatened.

I do not want to see the Congress of which I am a Member turn back the clock to violate and destroy the right of jury trials. I do not want to see the clock turned back to the days of Judge Jeffreys, who often put on his black cap in the courts of the bloodiest assizes and sentence to death men whose only crime was to speak their own thoughts and to dare to speak out against tyranny.

Our jury system as we know it is not perfect. Few things designed by man are perfect, but through the entire life of our Nation and our people, we have learned that when juries have made mistakes they have been honest mistakes made by the minds of men, rather than intentional errors created in the black hearts of judicial tyrants.

Those early Americans who brought about the first 10 amendments to our Constitution, which we know as the American Bill of Rights, no doubt are saddened and sorrowful as they look down from the canopy of heaven at what we are about to do today. They may well be reflecting that they are watching from their eternal resting place the sun of America today pass its noonday height.

Although the sponsors of this legislation profess to be interested in the welfare of Negroes and other minority groups, nothing could be further from the truth. The sponsors of civil-rights legislation have one idea and one purpose in mind, and that is the blocking of economic progress in the South, creation of a constant, never-ending state of racial strife and turmoil, and a reduction of every Southern State to both economic bondage and a position of servitude to an all-powerful Federal Government.

This goal of those who would destroy us, if accomplished, can have but one end and one result, and that is the destruction of individual liberties and the enslavement of all Americans wherever those Americans live.

Constitutional safeguards of all the people become meaningless when Congress undertakes to enact laws giving such rights to minorities. When individual rights are transferred to groups or classes, then we are treading on dangerous ground.

Every American citizen, whatever his color, race, or creed has his rights threatened by this bill.

This bill, if enacted, will change private action to Government action. It will deny individuals the right to face and cross-examine their accusers, and it will deny them the right of indictment. If enacted, this bill will have the effect of changing our form of Government from one under which rights are inalienable with the individual to one under which the Attorney General of the United States may arbitrarily determine such rights.

If this bill is enacted, it will not confer upon a single American citizen a single additional right. The Attorney General will be the only person to whom any new rights are conferred. He will be given arbitrary and unrestricted power to use the Federal judiciary to satisfy his political desires. The Attorney General will be made a czar of the civil rights of all individuals.

I cannot conceive, Mr. Speaker, that Congress can improve on the Bill or Rights of the Constitution of the United States. I submit to you that every citizen is protected by that Constitution, and he is entitled to immediate remedies in the event those rights are violated in any degree.

It is my view, Mr. Speaker, that the protection of civil rights is adequately made by our Constitution and Bill of Rights.

Mr. Speaker, I for one do not desire to be a party to enacting into the law another reconstruction period and a period of hate, which would destroy the unity which exists between our citizens.

Mr. HEMPHILL. Mr. Speaker, today the Nation is threatened with the passage of what is known as a "compromise" civil rights bill, which totally supersedes the civil rights bill considered by the United States House of Representatives for 5 months, and casts aside the considered amendments of the United States Senate. You will recall that the debate in the Senate was one of the greatest debates ever held in that body—the men and women of America came to realize that while this legislation was conceived in political chicanery, and born of a mad desire to obtain the Negro vote at whatever cost to freedom, that certain safeguards such as a jury trial, must and should be preserved.

Now a majority of the members of the Committee on Rules of the House of Representatives seeks to trample into the dust the jury trial amendment, voted by the Senate, and substitute therefor—discretion of the judge—the possibility of triple jeopardy—the avenue of persecution—a vehicle of potential tyranny. When the Senate bill came back to the House, section 152 beginning on page 14, provided for jury trial as follows:

> In any proceeding for criminal contempt for willful disobedience of or obstruction to any lawful writ, process, order, rule, decree, or command of any court of the United States or any court of the District of Columbia, the accused, upon demand therefor, shall be entitled to trial by a jury, which shall conform as near as may be to the practice in criminal cases.

In lieu thereof this compromise substitutes a provision allowing the judge to set or consider the sentence first and then have the persecuted determine whether he wants a jury trial or not, dependent upon the length of the sentence or the magnitude of the fine. The guilt or innocence becomes of secondary importance under the terms of this compromise. I say, unequivocably, that this factor alone is indicative of the reckless, or malicious, treatment of this matter.

Discretion is left in the hands of the Federal judge. Federal judges have enormous powers already, far greater than State judges ordinarily have. The powers of Federal judges need no enlargement at this time. Freedom demands that limitation on the power of the judiciary at all times, and especially in time of social crisis, such as this.

The Supreme Court of the United States has recently exhibited a tyranny, by decision, hitherto unknown to that department of our Government, or to the American way of life; contrary to expressed intent legislation, desires of the Congress, and the expressed consideration of the House and the Senate decrees have been handed down, without precedent, without justification, legal, social, economic, or patriotic. Congress has been submerged, and its stature in our setup decimated by decree.

Now the people are being betrayed for it is they who are represented by the jurors. The people trust the jurors. It is in the judge's discretion to grant jury trial or not. The octopus of tyranny by means of the Federal judiciary or Federal decree must now be extended down the line to the Federal district court.

The House considered the legislation for months, the Senate for weeks. Now a majority of the members of the small Committee on Rules rewrites the legislation. This was never intended as constitutional, nor contemplated as right. Such abuse is characteristic of this legislation. Since its inception, it has been a vehicle designed for abuse of American freedom.

There are many who think this is aimed at the South. I believe now that it is aimed at the South only as a part of the Nation. This legislation is aimed at the core of our freedom and the rule to be debated today only emphasizes that fact. This legislation will not help race relations. It will destroy the progress of the last 20 years.

There are those who may have claimed some skepticism as to the fairness of trial by jury in civil-rights cases, but to them I cite the jury verdict in the Clinton, Tenn., case. That case erased, emphatically, any doubt as to the fairness of a jury, even in the South, in cases of this kind.

A dangerous and evil precedent is being set today. When future historians write of the great disasters to, and the great mistakes of, our form of democracy, they will list at the top the civil-rights bill of 1957. There may be some here who think they will be made heroes, but heroes generally have courage of their conviction. They may expect eulogies, but they do not deserve praise. They may have ambitions of fame, but history will judge them as political demagogs, tools of despots, and statesmen of no stature.

The President wants to claim that he did so much for the Negro race and if he wants to sacrifice his place in history for temporary popularity, then this is so. I tell you you are creating a hatred which will exist for decades. These are not hatreds which have existed in the Southland, but which have been engineered by subservient and greedy organizations. These are hatreds which exist North and East and in the Midwest from whence have come the recent race riots. Hatreds and smoldering malices will result in many difficulties in time to come. I tell you now that the South will live better under this legislation than the North. I tell you also that we southerners have fought this legislation because we know what it will do to our country and our way of life. We are sincere.

We knew, and we know now, that this legislation was never designed to give anybody freedom, but designed to suppress and impress. We know that this legislation was not motivated by any sincere humanitarian desires, but inspired by cheap, shallow, and un-American political motives.

The Negro will not long be fooled, he is becoming educated, and year by year he is gaining status as an American citizen, and in only a few years he will recognize the sham so prevalent here today. He will not be fooled, but he will hate those who tried to fool him by this sort of token offering for his vote.

I accuse the administration of an utter lack of sincere desire to help any race, black or white, by this legislaiton.

This compromise does not contemplate the fact that in many areas of our country the courthouses are not equipped for both men and women. In many areas the hotels are not equipped, nor willing, to serve both races at the same table and both races realize the realities of this situation. In many areas of our country women have never served on juries. These facts are ignored by this compromise.

If this compromise is the proposal of the Attorney General and the President it is typical of their lack of understanding of American principles of freedom. I intend to vote against this legislation and to do all in my power to impede its passage.

The power play of the Supreme Court, in flexing its muscles as it does, spotlights the lack of administrative leadership on the part of the Executive. A strong Executive would never permit a bill such as this. The Attorney General should know its weaknesses, its horrors, its unconstitutionalities. As the Court construes this monstrosity in future years, its dominance over other branches of the Government will remain. The Congress is asking for it, the Executive neither understands, nor cares.

This is a Judiciary Committee bill. Where is the traditional committee leadership? Does this precedent mean that in the future the work of the committees may be undone by a single hour of debate?

What is the true intent? Is it to control future elections by coercion? Shall we continue to govern this country by consent of the electorate, or shall we coerce them into electing who a few power drunk politicians, in high places, may care to select?

We once experienced a great conflict as a result of sectional legislation, sectional differences. The scars of that tragedy are still in existence, despite the efforts of this generation to heal the wounds. Originally designed by some as sectional legislation, this now bears the thumbprint of planned tyranny over all the Nation. Surely we have learned the lesson of the past.

The world waits for us to struggle again. The Reds are happy in this bill, delight in the fires that it will kindle. The South is sad today, but the Nation, tomorrow, will mourn this ill-advised political legislation.

I hope the Senate will debate this bill at length. I hope it will filibuster till Christmas, if necessary. Would that the rules of the House of Representatives permitted us to explore and expose this demon.

Every vote against this rule, this bill, is a vote for freedom for America. I cast my vote for freedom.

Mrs. BLITCH. Mr. Speaker, in the 170 years that this Nation has been a republic, no action taken by the Congress of the United States, has sounded the death knell of the Constitution by which we are governed, than that which is being taken by the House and the Senate this week.

The week of August 26, 1957, will be observed by free men and women throughout this Nation, as a week of mourning, until the time comes again, when the people will have the courage, the fortitude, the daring to rise in revolution against the serfdom that will eventually bind them by laws that will inevitably follow the iniquitous legislation now under consideration.

One hour of debate! One hour of debate! Upon an issue that affects the life of every individual citizen in this country. Upon an issue that, when adopted, will break, perhaps irretrievably, the solid foundation of the States and the local governments within them.

Shame upon this Congress. Shame upon the press of this country. Shame upon every social institution in this country for not informing the people, for failing to arouse them to the danger that confronts them.

Shame upon the Supreme Court. Shame upon the executive department. In an age when millions have died to preserve freedom, the executive, the judiciary, the legislative branches of the United States are destroying it.

Those of you who bleed for Hungary's freedom fighters, and Poland's, and for those who are dying for freedom all over the world, and yet support this bill, I ask you, what can you say to those people, now that you are doing everything within your power to destroy freedom in the United States of America—the country to which all slave people have looked for inspiration. When freedom dies here, as it gradually will, once this bill has passed, hope will die in the hearts of millions. Russia will have gained her greatest victory in her battle to enslave the world.

Let me pause to pay tribute to those few individuals on the Judiciary Committee of the House who, without help by the agencies of public information in this country, did a magnificent holding job on this infamous legislation against a majority of that committee, who could only listen to the cries of the organized leftwing minority groups of this Nation—groups, who either have no conception of the principles of the Constitution, or are deliberately dedicated to its destruction. For months, they held this legislation in committee. God, Himself, only knows the price they paid in physical, mental, and spiritual exhaustion of their task.

And let me pay my earnest, heartfelt tribute to those two members of the Rules Committee, who have faced ridicule by the press, disrespect of many segments of our society, to fight to the last parallel the acceptance of this bitter cup.

And to those Members who are not on either of those committees, who have done all within their power to sustain them, the cause of freedom will be forever indebted. The names of all these valiant Members will be enshrined forever within the hearts of the generations yet to be born.

Mr. Speaker, I am opposed to this bill in every form we have had to consider it. Mr. Speaker, today, my heart is heavy, my soul is sick. I pray God that the people of this country will soon, oh, soon, be awakened to what has happened to them in this the 85th Congress, and that they will soon, oh, very soon, send a Congress back here dedicated to the preservation of our beloved country.

Mr. SELDEN. Mr. Speaker, while I expressed my opposition to the so-called civil-rights bill when it was considered by the House of Representatives earlier in the session. I cannot forgo this opportunity to again raise my voice in opposition to this dangerous and unnecessary force legislation.

Every possible effort has been made by the southern Members of both the House and the Senate to focus national attention on the dangers of this legislation. As a result, a number of constructive changes have been effected. The most important, perhaps, was the deletion in the Senate of part III of the original bill.

But despite these constructive changes the bill in its present form is still fraught with hazardous provisions. Part I still creates a Civil Rights Commission consisting of six appointive members. Not only will the Commission investigate alleged deprivations of voting rights but it will also "study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution." This is indeed a broad field, for it covers the same area for "study" that part III would have covered for injunctive relief.

The power of subpena, given to the proposed Commission, is one that should be jealously guarded. Yet, under the terms of this legislation, the only required qualification for membership on the Commission is political. The phrase "equal protection of the laws" is so broad that it would cover every economic, political, and other activity carried on under State statutes and municipal ordinances which might result in denial of equal protection of the laws. The Commission need neither charge nor prove that an offense has been committed, since it would merely be studying the situation.

There still remains in the bill the penalty to be imposed for release or use in public, without the consent of the Commission of testimony taken in executive session. As a result, the public may be fed only the information the Commission desires it to have.

No limitation has yet been placed upon the number of attorneys and other personnel who can be hired under part II of H. R. 6127 at an indeterminate expense to the taxpayers.

Part IV of the bill still allows the Attorney General of the United States to institute an action at public expense to prevent an anticipated injury to an individual. The anticipated injury may never occur nor is it even necessary for the individual to complain.

While the bill in its present form contains a jury trial provision, it is so worded that trial by jury will be granted only on rare occasions. At the same time, another amendment added by the Senate bars the States from specifying the qualifications for Federal jurors.

Under the terms of this measure, Mr. Speaker, it is quite obvious that the Federal Government is given the power to supervise the States in matters traditionally within the field of State authority. Yet, history teaches us that individual rights are protected by denying powers to government, not by increasing them.

Unfortunately for those of us who will be primarily affected by it, this measure has become a political issue and will be considered today on that basis rather than on its merits. Should either national party reap the political advantages it anticipates from the passage of this measure, it alone will gain. The American people cannot benefit from any legislation that may be used to harass, intimidate, and victimize them. Nor will the southern Negro benefit as the proponents of H. R. 6127 insist. Those of us who live in the South know that tremendous progress has been made by the Negro race throughout our section of this great Nation. We also know that this progress has been made with the help, cooperation, and good will of southern white people. To impair that good will by the passage of force legislation such as the measure before us today will be a disservice to the southern Negro.

I am opposed to this legislation in any form and trust that it will not be enacted into law.

Mr. MATTHEWS. Mr. Speaker, I believe that today we are facing Armageddon. If we pass this so-called civil rights bill we are at the point of no return. We are relinquishing the last vestige of States rights and are saying to the mythical Great White Father in Washington, "We expect you now to solve all of our problems including local law enforcement." That is the issue, Mr. Speaker. It is whether or not we are going to abdicate the last vestige of our local governments in favor of an overpowering central government far removed from our firesides and from the will of the people that we represent.

I have been very mortified to read in the newspapers during the discussion on the so-called civil rights bill in the other body the sentiment that many new dangers of the bill were presented by the other body for the first time. The implication was that here in the House we were asleep at the switch and did not point out to the American people all of the dangers of their constitutional rights in this iniquitous bill. I deny this implication. For weeks we in the House—before the Committee on Judiciary, before the Rules Committee and here on the floor of the House in debate—pointed out all of the evils in this legislation to the American people. Yet despite our logical pleas, we knew at the beginning we were defeated because certain elements in both of our great political parties had determined that this year it was necessary to pass some kind of legislation such as we are considering today in order to get a few hundred thousand minority votes in certain of our great city areas. I have had old wounds reopened the past few days as I have witnessed the spectacle of representatives of both our parties flitting in and out claiming credit for this proposed legislation and striving above everything else to get those votes which they think will turn the election next year for their particular party. I should like to make this prediction: There will be no political gain from this legislation—new wounds will be opened, new problems will be presented and in the final analysis both parties and America will lose.

Why am I opposed to this legislation? Even with the "bargain basement" jury-trial amendment, the legislation contains all of the evils that I have pointed out before in the debate on this measure.

This bill, if it were passed—and I have no doubts that it will pass—will take away from our local courts and juries the adjudication of certain laws that they have been administering for decades. This measure says to the people of Florida, the great State that I represent, "We have no confidence in your courts. We have no confidence in your juries." It not only makes this statement to the people of Florida, it makes the same statement to the citizens of every one of the sovereign States. This measure, if passed, will enable an aggrieved person who feels that his voting rights have been denied to bypass the particular State in which the supposed violation takes place and go to the Attorney General of the United States for relief. The Attorney General will be able to proceed and a Federal judge can, if in his opinion voting rights are denied, grant an injunction. This injunction can be enforced by jail sentence and by fine if the so-called violation is in either civil or criminal contempt. I have been somewhat amazed at the fine distinctions that legal minds have drawn between these two procedures. In either procedure, Mr. Speaker, a Federal judge can put a citizen of Florida in jail and I do not imagine if that citizen finds himself in jail he is particularly concerned about the fine points of distinction between civil and criminal contempt and he is not too concerned about the "bargain basement" jury-trial opportunity that this legislation provides.

In my State of Florida, if a citizen is denied his voting rights, it is my earnest and sincere belief that he has adequate local administrative remedies to grant him these constitutional rights. I challenge anyone to indicate an instance in Florida where these violations of rights have been appealed to our State administrative authorities and a hearing has been denied. Just recently in Hamilton County which is in my district, the press carried distorted facts about the persecution of one of our Negro citizens. The Governor of the State immediately asked for an investigation and that investigation was forthcoming. In just a matter of hours it was pointed out that no such persecution existed, that there was no cause absolutely for the distorted press reports. This incident confirmed my opinion, that in my own State we have adequate State administrative remedies to take care of any violation of voting rights and other civil rights.

This bill, if passed, will make of the Attorney General of the United States a veritable gestapo agent and I can predict that at least once every 4 years there will be a great amount of activity on the part of the Attorney General and the special division in the Attorney General's office which will be assigned to prosecute cases under the terms of this bill.

Under the terms of this measure the so-called commission to explore this field of civil rights can still make a citizen, who has been charged with violating civil rights, go at his own expense at considerable distance to shadow-box with the prosecution.

I will not go more into detail about this so-called civil-rights legislation because, as I have indicated before, nothing that can be said will change the vote. Both political parties have agreed that something just must be done in order to get those precious votes. What a price to pay for a shallow victory. I will vote against this measure and I would vote against it if my voice were the only one raised in protest. My opposition to it has been based on the Jeffersonian theory of States rights, based on the 10th amendment, a theory of constitutional government that I hold as sacred as any other part of the Constitution. I trust that all of my colleagues who have similar convictions will hold steadfast to these convictions even though we go down to defeat. I have no ambition as a Member of Congress but to do that which I think is right. I will not compromise on this legislation which, in my opinion, is evil in intent and is aimed primarily at the great section of the country that I represent. In conclusion, I would like to present an editorial by the eminent columnist David Lawrence, which appeared in the August 26, 1957, issue of the Washington Evening Star:

America's "Week of Infamy"—Label Applied as Congress Is Seen Approaching Civil-Rights Passage

(By David Lawrence)

This may turn out to be the week that future historians will call "The Week of Infamy" in American history. For this is the week in which an intolerant majority in Congress is to take away one of the most important rights given to the States by the Constitution.

In fact, the Federal Government now is to become the policeman authorized by a law—in disregard of the Constitution—to arrest and put in jail not only those local officials of the States who seek to obey the voting procedures as set forth in their State laws but those individuals who allegedly influence improperly the votes of other persons.

Nearly 20 years ago the late William E. Borah, of Idaho, a great progressive and perhaps the greatest of the liberals of this century—a man who first achieved fame as a lawyer for organized labor and who recently was named as one of the 15 deserving honorable mention for the Hall of Fame of the United States Senate—made a historic speech when the same basic principle now at stake in civil rights legislation was up for debate in connection with an antilynching bill. He said to the Senate:

"I make no contention but that the 14th amendment has forever placed it beyond the power of any State to deny any person the equal protection of the laws, or to deprive any person of life, liberty, or property without due process. I recognize also that the State acts and speaks through its officers, legislative, judicial, and executive. I am not going to take refuge in technicalities, but I contend for what I believe to be a fundamental principle, and that is that while you may call a State thus acting and thus speaking to account, you cannot take jurisdiction over or deal with acts and deeds not done by the authority and by the direction of the State. It must at all times be State action.

"You cannot deal with acts under the 14th amendment not done by and under the direction of the State. The dereliction of an officer in violation of the laws of the State in disregard of the sworn duty exacted of him by the State, and subject to punishment by the laws of the State, cannot by any possible construction, either in law or in conscience, be the act of the State.

"To establish any such principle would be to undermine and break down the integrity of every State in the Union. If a State may not be entrusted exclusively with the authority and relied upon to exercise the authority to punish those who violate its own laws, public or private persons, then there is no such thing as local government, because the State is deprived of the very instrumentality by which it maintains State integrity."

The new civil-rights legislation is aimed at local officials who in spite of State laws which say to them that they must not discriminate nevertheless are alleged to be denying Negroes the vote. It is aimed also at any individual who exercises any influence that can be described by the words "intimidate, threaten, coerce," or "attempts to coerce," in voting.

But who is to say that in the many heated discussions between individuals during modern campaigns, the influence actively exerted by precinct workers for labor unions or by employers or by committees formed by other groups, including church organizations, is not an attempt sometimes to coerce by causing a person to vote for one candidate as against another?

For now the Federal Government through a special division in the Department of Justice, created by the proposed law, can move in and investigate the political organizations in New York, the acts of its workers on election day, or the activities—prior to as well as after an election—carried on by any political bosses or organizations in Chicago or Detroit or any of the other big cities throughout the country. These have always been obligations of State law enforcement.

What the new civil rights bill amounts to is a Federal license to penetrate any local political organizations to determine whether or not it is keeping within the bounds set by the party in power in Washington or by the Federal judges who, without a jury trial, can inflict a 45-day jail penalty for coercion. There is to be no assurance either, of a jury trial. Only if the penalty given at the trial by the judge is beyond 45 days imprisonment or the fine greater than $300 is a jury trial to be required when a defendant requests it. No citizen will want the stigma of a conviction—with even a 1-day penalty—to be put on his record as a citizen. So the threat to punish unless the Federal policeman is obeyed will probably be effective.

Thus are rights of the States taken away under color of law which really means under the totalitarian doctrine that "the end justifies the means." It's a sad chapter in American history—a turn back to the tragic years of the reconstruction era and to the reactionary concept that an intolerant majority can at any time ignore the constitutional rights of the States.

Mr. POFF. Mr. Speaker, for proper deliberation on the rule under debate, it is important to have in mind the amendments to the House-passed bill adopted in the other body. While those amendments as numbered in the bill before us total 16, they actually constitute only 8 substantive changes. Those eight changes:

First. Allowed the $12 per diem subsistence in lieu of actual expenses only when members of the Commission are away from their usual place of residence;

Second. Required interim and final reports of the Commission to be submitted to Congress as well as to the President;

Third. Provided that the staff director for the Commission would be appointed by the President subject to Senate confirmation and set his maximum salary at $22,500;

Fourth. Commanded the Commission not to use the services of voluntary or uncompensated personnel;

Fifth. Authorized the Commission to constitute advisory committees within States composed of citizens of that State;

Sixth. Struck out part III which authorized the Attorney General, in the name of the United States, to obtain injunctions to prevent the violation of all civil rights embraced in section 1980 of the Revised Statutes (42 U. S. C. 1985) and under which a jury trial in criminal contempt proceedings was denied;

Seventh. Repealed section 1989 of the Revised Statutes (42 U. S. C. 1993) which authorized the President to employ the land and naval forces of the United States to enforce judicial decrees in civil-rights cases; and

Eighth. Added a new section, part V, which (A) amends title 18, United States Code, section 402, and provides, First, that willful disobedience or obstruction of a judicial decree shall be punished as a criminal contempt; Second, that the penalty for criminal contempt shall, in the case of a natural person, be limited to a $1,000 fine and a 6-months jail sentence; and Third, that this section shall not apply (a) to contempts committed in the presence of the court or so near thereto as to obstruct the administration of justice, (b) to contempts committed by officers of the court, or (c) to civil contempt proceedings to secure compliance with or to prevent obstruction of judicial decrees; (B) amends title 18, United States Code, section 3691, and provides a jury trial in all criminal contempt proceedings, with the same exceptions noted above; and (C) amends title 28, United States Code, section 1861, concerning qualification of Federal jurors by repealing the subparagraph that requires a juror to be qualified under State law.

With certain minor exceptions, these amendments were entirely salutary and represent a distinct improvement in the bill that passed the House. However, the bill as amended still is unacceptable. It is unacceptable to those who are jealous of the prerogatives of Congress and those who oppose the delegation of constitutional authority and responsibility to an appointed commission; if civil-rights are in fact being deprived, and if this deprivation justifies investigation for purposes of new legislation, then the legislative committees of the Congress, which are constituted by the elected representatives of the people and are fully staffed and equipped, should conduct that investigation under constitutional processes. The bill is unacceptable to those who favor the current rule of law that an aggrieved party has no standing in the Federal courts until he has first exhausted his remedies in the State courts; the amendment to guarantee the continuance of that rule was defeated, both in the House and in the other body. The bill is also unacceptable to those who are truly interested in economy; throughout several weeks' debate in both Houses of Congress, no one yet has attempted to estimate with any degree of accuracy or finality the cost of financing the work of this 2-year commission or the cost of the new Civil Rights Branch in the Department of Justice, headed by a new Assistant Attorney General with an indeterminate number of legal assistants, secretaries, and technical staff. And finally it is unacceptable to all of us who earnestly and conscientiously feel that any effort on the part of the Federal Government to project its unwelcome nose further into the field of race relations can only inflame the passions and incite the ill will of the people of both races and thereby retard the peaceful, evolutionary, and voluntary solution of this vexing problem.

The two major improvements adopted in the other body were the removal of part III, which extended the extraordinary injunction and contempt process to the entire civil-rights conspiracy statute—title 42, United States Code, section 1985—and the addition of part V which itself makes two significant changes in existing law. First, it defines and clarifies the distinction between criminal contempt and civil contempt. Second, it repeals the proviso in the criminal-contempt statute which denies jury trials when the United States is a party to the proceedings and guarantees jury trials in all criminal-contempt proceedings.

Admittedly, this jury-trial amendment is broader than the one offered in the House on the motion to recommit. The House amendment, which was limited to criminal contempt, applied only to civil-rights injunctions authorized in part III and part IV. As I said, the other body struck out the new civil-rights injunction authority in part III, but in part V applied the jury-trial guaranty not only to criminal contempts under part IV but to criminal contempts in every Federal injunction proceeding, including those in labor litigation.

For my part, I accept the broader amendment, even though it is defective in some particulars, as a reaffirmation of congressional faith in the jury-trial principle in criminal proceedings. There have been, from otherwise responsible sources, some rather irresponsible charges that the broader amendment would wreck the Federal judicial system. How irresponsible that statement is becomes apparent when you realize that in fiscal year 1957, all of the 243 Federal judges sitting in the 87 district courts tried only 69 criminal contempt cases. Of this number, 26 involved contempt of Congress and were tried by a jury. Only 43 were tried by the judge without a jury. It is sheer nonsense to say that the entire judicial system would have been wrecked if the defendants in those 43 cases had been accorded the right of a jury trial, especially when the judicial system customarily tries over 25,000 other criminal cases a year by a jury.

Those who oppose the broader jury-trial amendment also argue that it will weaken the Government's hand in prosecuting contempts of antitrust injunctions, in which corporations rather than individuals usually are the defendants. The answer to that argument is threefold. First, the amendment carefully preserves the power of the judge to enforce his order by civil contempt proceedings without a jury. Second, the $1,000 fine limit for criminal contempt applies only to natural persons and not to corporations. Third, since 1953 there have been only 9 contempt proceedings in antitrust cases; only 6 of these involved criminal contempt, and 7 of the 9 were disposed of by consent decrees.

Mr. Speaker, after the other body had passed the bill, the gentleman from New York [Mr. CELLER] offered a substitute for part V, restricting its application to jury trials in criminal contempt proceedings arising out of voting cases. The Celler jury-trial amendment was substantially the same as the jury-trial amendment rejected in the House. I cannot help but be gratified by the wondrous transformation that took place in the distinguished gentleman from New York [Mr. CELLER]. During the 2 weeks the House debated this bill, he stoutly maintained that the jury-trial amendment would emasculate the bill, and any argument to the contrary fell on polite but deaf ears. Not even a compromise limiting the amendment to criminal contempt moved him to an armistice. But what he then condemned with such consummate skill he later embraced with a feverish fervor. I am not prepared to believe that his transformation was fashioned by base legislative expediency, much less by pragmatic politics. Rather, I am persuaded to believe that his change of mind was also a change of heart and that he has finally decided that the American people, including southerners, can after all be trusted faithfully to honor their oaths and discharge their duties as jurors. So let there be no carping criticism of inconsistency. Instead, let there be pure praise for the fearless flexibility and the intellectual integrity of the mind that can change itself.

When it became apparent that the Celler substitute was unacceptable to the no-jury trial advocates, the gentleman from Massachusetts [Mr. MARTIN] suggested what the press described as an offer of compromise. The Martin amendment was not an offer of compromise but a demand for unconditional surrender. Instead of guaranteeing a jury trial it would have guaranteed that there would be no jury trial in most contempt cases. It would have required the court to prejudge the gravity of the offense. The defendant would have been entitled to a jury trial only if the judge decided, prior to trial, that the gravity of the offense was sufficient to invoke a penalty in excess of a $300 fine and a 90-day jail sentence. Thus, the judge's order for a jury trial would have been tantamount to a judicial instruction to the jury to find the defendant guilty and to impose a greater penalty than the judge himself was authorized to impose. Under such a statute, a defendant would be foolish ever to apply for a jury trial.

Then came the compromise advanced by the same people who were given substantial credit for enactment of the jury-trial amendment in the other body. I suppose they will also be accorded credit for the compromise now before us. If credit is due, they are welcome to it, because any credit forthcoming will come from the no-jury-trial advocates to whom the compromisers have capitulated. The compromise empowers the judge alone to try every contempt in voting injunction proceedings, both civil and criminal. Only after the judge has cited a man for contempt, tried him without a jury, found him guilty, and sentenced him to a penalty in excess of a $300 fine or 45 days in jail will that man have the right to demand a jury. What kind of right is that? What chance would he have for acquittal before a jury after the judge had already convicted and sentenced him? With the shadow of the conviction at his back would he dare risk another trial in which the penalty might be increased to a $1,000 fine or a 6-month jail term? Insofar as appears in the bill, the same judge who had convicted him would be sitting on the bench during the jury trial. Accordingly, the only right this compromise affords the defendant is the right to petition for voluntary exposure to double jeopardy.

I, for one, will have no part in such a compromise. I will not be a party to a conspiracy to fool the people. I will not participate in the perpetration of this hoax. When we talk about jail terms we are talking about personal liberty. If, as I believe, the jury trial is an indispensible safeguard to personal liberty, then it is so without regard to the length of the jail sentence. Liberty is no less precious when measured by a 45-day yardstick than when measured by a 6-month yardstick.

Mr. McCARTHY. Mr. Speaker, I favor the adoption of the bill passed yesterday by the Senate, and proposed here in the Celler amendment rather than legislation being presented here today by the House Judiciary Committee. The principal justification for the passage of the Senate bill is, as was stated by Senator O'MAHONEY in the Senate debate, the need to eliminate the confusion evident in lower court interpretations of the Supreme Court decision in the Jencks case.

If the record of the Justice Department were such as to deserve confidence, the more far-reaching provisions of the committee bill might be accepted, on the assumption that the bill would be prudently administered. Unfortunately, the record of that Department is not such as to warrant confidence. There is no good reason for hasty action, in any case. Recent court decisions, in the lower courts, as has been pointed out here today, indicate that the judges in these courts are interpreting the Supreme Court decisions more closely in harmony with what I believe was the intent of the Supreme Court, and certainly more closely in harmony with the interpretation and clarification which the Congress seeks to clarify.

Mr. VORYS. Mr. Speaker, we are all being very quiet as to the real reason the majority in this House who oppose jury trials in civil-rights injunction cases are voting for this unusual compromise resolution from the Rules Committee. The real reason is that we fear another southern filibuster if this bill is sent to conference in the usual way. Earlier this year we approved the unsatisfactory Senate amendments to the Middle East bill for a similar reason—because we feared a filibuster in the other body on a conference report, when speedy action was imperative.

Thus, twice this year the threat involved in unlimited debate elsewhere has inflicted absentee minority rule on the House. Cloture in the other body is a necessity for prompt, efficient work in the House, too. Cloture, the limitation of filibusters, is important unfinished business for Congress.

The compromise offered today is far better than the Senate bill. The jury-trial provision is limited to cases involving voting rights, and limited to serious cases of criminal contempt, involving punishment for past violations of orders. Furthermore, when a jury trial is demanded, the accused runs the risk of a larger fine and longer imprisonment than when tried by the judge alone. The power of the courts to secure compliance with or prevent obstruction of its injunctions without a jury is retained.

The changes in the law preventing racial discrimination in the selection of juries is a step in advance in civil rights.

Throughout the long debate on this legislation the real purpose, to prevent the denial of voting rights guaranteed by the Constitution, has been lost sight of time and again. Instead, much of the debate has sounded as if there were an implied civil right of southerners to defy Federal injunctions. If that is the attitude when this bill becomes law and the courts undertake enforcement of voting rights, we may need additional legislation. I hope, however, that this first civil-rights law in 87 years becomes an historic landmark because our southern friends decide that the Constitution should mean what it says, and that lawful orders of our courts should be obeyed, and not obstructed or violated.

With such hopes, and because this is the most that can be accomplished now, I am voting for this resolution amending the Senate bill.

Mr. ENGLE. Mr. Speaker, we are now in a time of stern testing, when the measure of our adherence to the ideals of human rights and democratic equality will determine our place in an atomic world, a world which will hold together only if men now live up to the best that is in them.

Peoples the world over are looking to our country, watching us as we struggle to live up to the proposition on which our Nation is founded: that all men are created equal—equal before the law, enjoying the same political rights, and deserving of equal opportunities for education, for economic advancement, and for decent living conditions.

In this critical time, no smokescreen of political oratory should be allowed to obscure the historic progress that will be made in this session of Congress—the passage of the first major civil-rights legislation since Reconstruction days.

In passing this year's civil-rights bill, the Congress will assert that it is now the national policy of the United States that the Federal Government must take the initiative in securing and protecting the Negro's constitutional right to vote.

This is indeed a major step forward, and one that was achieved despite—rather than because of—the desperate efforts of the Republican Party to make the legitimate demands of our Negro citizens into a political football for the 1958 and 1960 campaigns.

After the Senate passed its civil-rights bill, guaranteeing this right to vote, Republican Congressional captains delayed passage of civil-rights legislation for weeks while they tried to sell the American people on an all-or-nothing knockdown drag-out struggle for a stronger civil-rights bill than the Senate had passed.

Republicans in the House said no bill would be preferable to the Senate bill. Dwight Eisenhower threatened to veto civil-rights legislation unless the Senate bill was modified. Statement followed statement, all aimed to the grandstand, none directed toward the real goal of guaranteeing the Negro citizen his fundamental constitutional rights. By preventing passage of any civil-rights bill at all, Republicans hoped they would be able to get the most mileage possible out of the civil rights as an issue.

Only the outraged protests of sincere fighters for the rights of the Negro foiled this strategy. The present civil-rights bill is far weaker than I would have liked. But despite what Republican leaders have been trying to sell to the American people, it is certainly far better than no civil-rights bill at all.

In threatening to block passage of any civil-rights bill at all, until they got the exact bill they wanted, the Republicans reminded one of my Congressional colleagues—Congressman FRANK THOMPSON, of New Jersey—of A. A. Milne's famous story about Winnie-the-Pooh and Tigger.

It seems that the middle of one night, Winnie-the-Pooh was awakened by a brandnew arrival to the forest—Tigger. When breakfast time came, Pooh, hospitable, asked Tigger what he would like for breakfast. Tigger assured Pooh that Tiggers love to eat anything. Pooh gave Tigger a taste of honey and Tigger explained that Tiggers love everything but honey. Piglet tried to feed Tigger haycorns; and Eeyore tried to feed him thistles. Every time Tigger protested, "Tiggers love everything but honey or haycorns or thistles." This prompted Pooh to compose a lovely little poem:

What shall we do about poor little Tigger?
If he never eats nothing he'll never get bigger.
He doesn't like honey and haycorns and thistles
Because of the taste and because of the bristles.
And all of the good things which an animal likes
Have the wrong sort of swallow or too many spikes.

The Republicans are crying long and loud to the grandstand about the so-called democratic weakening of civil-rights legislation. I wonder, though, whether the Republicans are not just using "tigger-trouble" to try to hide from the American people the real reasons why this year's civil-rights bill fails to guarantee to the Negroes certain fundamental protections which I—and most other Democrats—fought to have included in the bill.

I wonder what kind of bill could have met Dwight Eisenhower's liking. And I wonder how Dwight Eisenhower could have had the nerve to threaten to veto our final civil-rights bill because it does not meet his specifications—when all year long no one has been able to figure out what his specifications are.

Let us look at the record on civil rights since January 1957. We could look back before 1957, to when the Republicans and Eisenhower failed to support the Democratic efforts for antilynch legislation, anti-poll-tax legislation, and Federal employment practices legislation during the years 1953 to 1956. We could look at how the majority of Congressional Republicans, in civil-rights votes in recent years, have opposed civil-rights legislation. But let us just look back as far as 1957.

A key section of the civil rights legislation which the House of Representatives passed in June of this year provided that the Federal Government could secure civil injunctions to prevent anyone from interfering with any of the civil rights guaranteed by law to the Negro people.

Section III—as this provision was known—guaranteed to the Negro people their fundamental right to equal protection of all our laws. Not just the right to vote, but the right to equal education, to equal transportation, to equal opportunities for employment and decent living conditions.

Liberals in the House believed strongly then, as we do now, that section III was an essential part of a good civil-rights bill. That it is not enough merely to guarantee the Negro's right to vote. That Negroes deserve the right to equal protection of all the laws of our country. We fought to keep section III in the civil-rights bill, and we were successful in that fight.

In July the Senate began debate on our civil-rights bill. As was expected, southern Senators took the floor to denounce our bill—and especially section III—as a return to Reconstruction days. They painted gory pictures of the enforced intermingling of little children at the point of Federal bayonets. Do you want to send Federal troops into the South to enforce school integration, they asked?

Southern opposition to our civil-rights bill was expected. What was not expected was that the southerners would be supported by Dwight Eisenhower.

On July 4 of this year—less than 6 months after he had originally offered a civil-rights program including section III to the Congress—Eisenhower admitted that he had not read his bill. Furthermore, he told a press conference, he was not sure what provisions it included, and he certainly was opposed to the horrible things the southerners said were in it. He refused to give a specific endorsement of section III because, and I am quoting directly from the transcript of his press conference, because, "Well, I would not want to answer this in detail, because I was reading part of the bill this morning and I—there were certain phrases I didn't completely understand. So before I make any more remarks on that I would want to talk to the Attorney General and see exactly what they do mean."

No one knows just what the Attorney General told the President. The Attorney General himself has been conspicuous during the civil-rights fight mostly by his silence—and by his absence from the country during the crucial weeks in July and August when the Senate was voting on the key section III and jury-trial provisions.

All during July civil-rights advocates fought—vainly—to get the President to support his own civil-rights program. On the night before the Senate began voting on the bill, White House mimeograph machines finally cranked out a strong statement in support of the whole bill—including section III. Ike's name was signed to this statement.

But the next morning at his press conference, Ike sidestepped a question on whether he would back section III. When he was asked whether he was in favor of permitting the Attorney General to bring court actions to enforce school integration in the South, Ike answered, "Well, no."

"Well, no" sounded like the Eisenhower who in 1956 said he did not think it made any difference whether or not he issued a statement favoring school integration. "Well, no" sounded like the Eisenhower who in February of this year refused to go into the South to speak about desegregation because he was "too busy," but one day later climbed onto an airplane and flew to Georgia for a 10-day hunting trip. "Well, no" sounded like the Eisenhower who waited for 3½ years in the White House before presenting any civil-rights program at all to the Congress.

"Well, no" sounded like all the Eisenhowers we know so well. But it did not sound like the stanch champion of civil rights that Ike's mimeograph machines and high-paid press agents are trying to paint in the public eye.

Who sold out the Negroes on enforcement of school integration? The Republicans can say all they like, but I think the record is clear. Dwight Eisenhower himself was almost solely responsible for the defeat of section III, when the Senate voted on the civil-rights bill.

I say also that Dwight Eisenhower is responsible for the inclusion of the jury-trial amendment in this year's civil rights bill.

Let us look at what he has had to say over the past months on the subject of whether the civil rights should include a provision allowing violators of civil rights injunctions to be tried by a jury.

On March 7, 1957, Ike said he did not—and I quote—"really know enough about it to discuss it well." Two weeks later he was saying, "I haven't discussed it with the Attorney General. He hasn't told me yet whether that would be a crippling or disabling amendment." Three months later, in July, Ike still had not even read the bill.

Not until July 31—almost 2 weeks after the Senate had started debating the civil rights program—did Eisenhower finally come out strong against jury trials for violators of civil rights injunctions.

And then 3 days later, on August 2, he had the colossal nerve to indicate to the newspapers that he would rather have no civil rights bill at all than accept one which provided jury trials in cases of criminal contempt of court.

That is the kind of leadership which advocates of civil rights have been receiving from the White House. And yet the Republicans are trying to make political capital out of the charge that Democrats weakened civil rights legislation.

The real tragedy is that, with all the partisan furor that the Republicans have been arousing over the weakening of the bill, some very real accomplishments are being overlooked. In saying that no bill is better than the present bill, Republicans are denying real steps that have been taken in the struggle to insure Negroes their rights as citizens.

The measure we will pass today provides many things:

A Federal Civil Rights Commission which has subpena powers to investigate racial discrimination and seek remedies for this.

A special Civil Rights Division in the Justice Department to be headed by a special Assistant Attorney General for Civil Rights.

Affirmation of the right of an individual citizen to go to court to get an injunction to protect his voting right.

Authorization of Federal prosecutors to obtain injunctions against interference with voting rights.

Power for Federal judges to punish offenders in voting-right cases for contempt of court.

Guaranty of the privilege of jury trial in all criminal contempt cases where the punishment exceeds $300 fine or 45 days in jail.

As you can see, this bill allows us to make huge steps in the direction we must take. But we all know that through legislation all we can do is provide machinery. We cannot insure that the Eisenhower administration will use this machinery, any more than it has used other machinery already in existence.

Just how well the Commission and the new Assistant Attorney General will contribute to the real advancement of our Negro citizens' rights will depend on the individual that the President appoints to the Commission and to the post of Assistant Attorney General for Civil Rights.

The Commission can make substantial gains if it is made up of persons who accept the basic proposition that all Americans are entitled to equal treatment under the law. The Commission will be worse than useless if the President follows his usual wishy-washy policy of appointing a balanced group—including as many persons opposed to the enforcement of civil rights as are in favor of civil rights—or, and this is atypical, including only objective persons with no strong opinions either way in the field. The Commission will be worse than useless, also, if the Republicans continue to be more interested in political gains than in real protection for the rights of the Negro—if the Commission is stacked with partisan politicians who will make of it a political forum aimed toward providing partisan ammunition for the 1958 and 1960 elections.

The many sincere advocates of civil rights in the Congress and in the country can be cautiously hopeful that in this year, 1957, we have taken a major step forward in our lasting struggle to guarantee that rights afforded to our citizens by our Constitution shall be enforced.

The current legislation may help us to take a small step forward in a long struggle—a struggle that is far from won. I pledge now, however, as I have before, that I will recognize that we have gone only a small way toward our goal—and that I will continue to fight as I always have to eradicate all discrimination based on race, religion, or nationality, wherever it may occur in our country.

Mr. VANIK. Mr. Speaker, like many Members of the House, I take a position of support on this civil rights bill, because it appears to be the only legislative possibility for civil rights legislation in this session of Congress.

It was my feeling that as it originally passed the House, the civil rights bill represented a prefabricated compromise on the issue, falling far short of the need but constituting a realistic approach. This bill reached House consideration only under the pressure of the discharge petition process. It was not strengthened by the amendments which it has suffered along the way.

The amendments forced upon the House today providing that the trial of cases of criminal contempt stemming from the violation of court orders could be tried by a judge with or without a jury in the discretion of the judge is novel. The second amendment providing the accused with a new trial if the judge fined him more than $300 or sentenced him to jail for more than 45 days is indeed an extraordinary admixture of judicial procedures. It is certainly unique in our system of jurisprudence for a defendant to be guaranteed two trials for a wrongdoing, one by a judge and one by a jury.

It is strangely coincidental that the beneficiaries of two trials will be those defendants who have made the more grievous transgression upon the civil rights of others and who thereby receive the higher penalty which affords them the right to two trials. It is a strange direction for American jurisprudence to take, allowing double trials to drastic offenders. The legislation is full of doubts and uncertainties, and it will undoubtedly take new legislation and the accumulation of judicial decisions to rescue this legislation from the judicial wilderness in which it is now placed.

The significant fact is that for the first time in 82 years the Congress of the United States has placed itself on record in support of the civil rights of its citizens. The test of this legislation will not be in the indictments that are returned under it or in the convictions which it may produce. The test will be made in the precincts, the polling places of America, and the communities of our Nation. It is to be hoped that the mandate of this legislation will fix itself clearly in the mind of every citizen to the end that he will not impair or interfere with the voting rights or civil liberties of his fellow man.

If the spirit of this legislation is wholeheartedly accepted by the American people everywhere, no further legislation may be required. Our hope is that true tolerance will become habit and custom throughout the American scene.

Mr. ASHMORE. Mr. Speaker, my remarks on this vital question today must of necessity be brief since very little time is available for discussion. This so-called compromise to the civil rights bill comes before us under most unusual circumstances. It would materially change and alter the provisions of the bill if passed by both House and Senate, yet the amendment that we are now about to act upon has never been studied by the Judiciary Committee of the House nor the Judiciary Committee of the Senate. No hearings have been held on this amendment at any time whatsoever, but the proponents of this legislation are so anxious and determined to have some sort of civil-rights legislation during this session of Congress that they are willing to railroad this bill through Congress and adopt a broad and far-reaching amendment of this type without sending it through the regular course of legislative procedure.

Of course, many of us understand why this bill is a must in the minds of the leadership of both the Democratic and Republican Parties. Its passage is being demanded by both parties simply because each party is bidding for the minority vote in this country. As far as I am concerned the vote of no group, large or small, is worth the price that some people are willing to pay for this civil rights bill. I have no objections to the Negro citizens of this country voting. All qualified electors under the respective laws of their States should be permitted to vote, but that does not mean that I am in favor of the Federal Government taking over the election laws of the various States of this union. If this legislation is passed the Federal Government will ultimately take complete control of our State election laws and, moreover, Federal authorities will likewise take over the local law-enforcement agencies of our States and local communities. One step naturally follows the other. In other words, this bill is leading this Nation straight down the road of more and stronger centralized Federal Government. I am opposed to any such action because I believe if we do not turn back from the direction whence we are traveling, we will within the lifetime of many men sitting here today have a socialistic form of Government in this land. The only way to maintain and preserve a democracy, and thus prevent socialism or autocracy, is to keep our Government in the hands of the people. We are here and now on the verge of taking from the States, and thus the people, some of their fundamental, basic, and vital constitutional rights and privileges. Because this so-called civil rights bill is a direct attack upon State and local government.

At least one of the speakers who preceded me stated that the passage of this legislation would be a bright new day in America. I disagree with that statement completely. I admit that it will be a new day when this legislation becomes law, but it will not be a day of enlightenment and sunshine—on the contrary it will be a day of fog and darkness. It will not be a day of tolerance and good will, but it will be a day of intolerance and shame. The majority are intolerant today in their efforts and desires to obtain a political advantage, that is, the vote of the minority. The majority are unwise and intolerant in every case where they take from the States and the people any of their constitutional rights. That is what will be done when this bill becomes law.

One of the things that disturbs me most about this legislation is the fact that so many Members are not going to vote according to their conscientious convictions. Several friends of mine in the House have told me on more than one occasion that, "The South is right in this fight and I wish that I could vote with you, but I can't do it because I have such a large minority vote in my district." Some would go further and say, "I hope you win but I am compelled to vote the other way." What a dangerous condition we are in when Members of Congress are afraid to vote their convictions. Of course I am disturbed. Indeed, I fear what the future condition of our Government will be. I only wish that we could vote on this bill by a secret ballot. If we could do so I am positive there would not be 100 votes for passage.

Mr. Speaker, I hope the Members recognize the inherent dangers of legislation based primarily on political expediency. That danger is what I am trying to point out to you now. No law should ever be passed by any legislative body for the purpose of gaining political expediency.

Yes, Mr. Speaker, this is a new day in legislative history because we are about to give life to a new civil-rights law, but again I say it is not a bright day, it is a sad day. To paraphrase David Lawrence in his news column of yesterday, I say it is a "day of infamy." This great and wise American author has been warning the American people, including the Members of this House, against the passage of this type legislation since the first bills were introduced early in 1956. He is not a hotheaded rebel; he is not an ultraconservative; he is not just another southerner who opposes everything liberal and progressive; but on the contrary, he is a stanch defender of President Eisenhower and the Republican Party when he thinks they are right, and likewise he is a defender of the Democratic Party when it is right; but basically he believes in constitutional government, States rights and local self-government. In defending these democratic precepts of government he has found it necessary to attack the principles involved in the so-called new day civil-rights proposals. Yesterday in speaking his fears anew Mr. Lawrence said: "This may turn out to be the week that future historians will call the week of infamy in American history. For this is the week in which an intolerent majority in Congress is to take away one of the most important rights given to the States by the Constitution."

I conclude my remarks with the final sentence of his editorial. "It is a sad chapter in American history—a turnback to the tragic years of the Reconstruction Era and to the reactionary concept that an intolerant majority can at any time ignore the constitutional rights of the States."

Mr. HAYS of Arkansas. Mr. Speaker, in spite of the admirable motivation which has produced this resolution, it does not in my judgment meet the requirements of regional harmony and justice. The bill which was passed by the Senate, while not considered necessary by many of us, who by reason of proximity are familiar with conditions in the South, did guarantee jury trials in cases of criminal contempt and generally presented a program under which the races could cooperate for mutual progress. I expected to vote for this modified proposal provided it were limited to voting rights and distinguished carefully between civil and criminal contempt. My reasons for this are that it would give recognition to the aspirations of the minority group, and, second, would enable the regions of our country to work in harmony and brotherhood toward the common goals of our national community, still preserving local determination but recognizing the need for acceptance of minimum standards of justice.

I am deeply disappointed that the House was not given an opportunity to vote on the Senate proposal, and to some extent I fear this is due to our failure in the South to accept the fact of great national pressure for some action in this field. This position apparently encouraged the extremists at the other end of the spectrum to push for even harsher measures to force the South to capitulate completely to the will of the rest of the country. The stalemate which threatened could only do violence to the constitutional processes of government and respect for the rule of law. Both major political parties were threatened with internal cleavages of such a major sort that the splits might never be healed. The leaders of the House and Senate are, therefore, to be highly commended for their efforts to compose the existing differences and relieve this explosive situation.

I believe, however, that the bill now before us has gone beyond the need for harmony. What was achieved was not a compromise between regions, such as I had striven for with my Arkansas plan since 1949, a compromise reluctantly supported by some of my Congressional colleagues at that time as meeting the two criteria I have outlined, but rather an acceptance of language found suitable to a majority of the members of the Democratic and Republican Parties. Thus the new section has really eliminated trial by jury in criminal contempt cases, merely limiting the punishment a Federal judge can mete out to $300 or 45 days in jail. This provision strikes at the heart of the position maintained by Members from all parts of the country that trial by jury in criminal contempt cases is essential to the preservation of the integrity of our judicial system. I cannot accept this compromise as a reasonable adjustment to minority aspirations or national goals, since it strikes down a vital principle. We cannot undertake to uphold certain constitutional rights in ways that do violence to other constitutional rights, which certainly can be argued to have equal priority, particularly when we have had the Senate provide us with legislative methods of safeguarding all constitutional rights.

Mr. BOLAND. Mr. Speaker, I rise to support this measure. It is a compromise and in many degrees it is less than that which staunch advocates of civil rights desire. But this measure before us represents a long step forward in the fight for civil rights for a particular minority group, the Negroes.

The lengthy committee hearings that have been conducted and the long hours of debate produced clear-cut evidence of the need for this legislation. Testimony adduced at the hearings clearly indicated that the civil rights of Negroes have been frustrated in certain areas. Specifically was this true with respect to the right to vote—a constitutional guaranty of all citizens of the United States. There is no question but that this right to vote was being usurped and violated. The right to vote is a basic constitutional right. As a matter of fact, it is one of the greatest and most important of the civil rights, for it guarantees to the citizen the right to participate in his government. It gives to that person a voice in the establishment of the laws under which he or she must live. Yet, it was pointed out on this floor during the debate by my distinguished colleague from Michigan, Congressman Diggs, that there is not one registered Negro voter in certain counties in the South with large Negro populations. Mr. Diggs cited Carroll County, Miss., with a Negro population of 57 percent; Jefferson County, Miss., with a Negro population of 74.5 percent; Nouxubee County, Miss., with a Negro population of 74.4 percent and other counties with very high percentages of Negro population. But not one Negro voter registered. Witnesses from these areas that appeared before the committee gave testimony that indicated that they had been kept from the polls through intimidation and coercion.

Mr. Speaker, the Members of this House have an opportunity this afternoon to help correct these injustices which have been imposed upon American Negroes since the Reconstruction period. May I say that such voting-right violations have not been limited strictly to the South. This is a problem that has arisen in all areas of the country since the Reconstruction period. The rights of Negroes have been violated in the North also. The evidence before this House indicates the critical need for this legislation.

Mr. Speaker, I have always been an advocate of civil rights. My entire record in the Massachusetts Legislature and in Congress shows clearly that I have championed this cause. My voting record in this regard stems from deep moral convictions and reverence for the fundamental concepts upon which America was born: that God created all men equal and that these human beings are endowed with the inalienable rights writ large by Thomas Jefferson in the Declaration of Independence: life, liberty, and the pursuit of happiness.

I am convinced, Mr. Speaker, that this legislation will in the long run result in greater understanding and contribute to better relations between the races in this great democracy. I know that there has been considerable anxiety connected with this legislation and perhaps some bitterness on the part of certain people. Let me say to them that this legislation is for the benefit of America and the American way of life and it will deal a deathblow to Communist propaganda which purports to show America as a land of discrimination.

In conclusion may I appeal to my colleagues on both sides of the aisle to vote for this legislation.

Mr. ROBERTS. Mr. Speaker, a majority of the Members of this House today stand ready to pass legislation which is unprecedented in this legislative hall. It now seems inevitable to those of us who have protested so vigorously against this iniquitous legislation that the House today will give its approval to the first civil-rights bill to be passed in more than eight decades.

Because we believe with all the honesty of our hearts that the bill perpetrated by the Attorney General and the liberal politicians is contrary to basic American principles, we, a handful of elected representatives, have done our best to point up the shortcomings and the fallacies of this bill. When proponents of the civil-rights bill back in January tried to railroad the measure through the House even without hearings, we cried out in protest. We were given hearings. Then, even without the right to unlimited debate enjoyed by Members of the Senate, we kept this bill on the House floor in discussion until it finally was passed by the House and sent to the Senate on June 20. Southern Senators and other Senators then took up the fight and, with the time to do it in, bared to a gasping public and a confused administration some of the ghastly entrails of this legislation.

As a result of this extended debate, the bill which now confronts us is a far cry from the original, ill-contrived measure. It is now called a watered-down bill, a compromise bill.

Mr. Speaker, I submit to my distinguished colleagues that the bill which we now consider is still the most dangerous, the most disastrous piece of legislation that I, and many who have had far more dealings with legislative affairs than I, have ever witnessed.

This legislation, in part and wholly, is contrary to every tenet of American jurisprudence. This bill gives no assurance of a jury trial in voting violations cases. Only if the penalty given at the trial by the judge is beyond 45 days imprisonment or the fine more than $300 is a jury trial to be given if a defendant requests it. What sort of flimsy reasoning ever spawned such a stipulation as this? Can one compromise with principle? If one believes in a jury trial at all in cases involving so serious a charge as denying the right to vote, he necessarily must believe in a jury trial for those subject to 2 months imprisonment as to a month and a half. The seriousness of the charge is not variable with the sentences meted out.

There is no assurance whatever that the judge who finds a defendant guilty of civil-rights violations and who sends him to jail may not later be the presiding judge when the same defendant comes up for another trial before a jury of his peers. Under our judicial system, the judge may comment on the evidence presented; who is to say that he will not influence the reasoning of the jurors so as to uphold the judgment that he has originally handed down? Will it be purged from the jurors' minds the fact that the defendant in whose judgment they sit has already been found guilty by the very judge who charges them?

And what of the sacred constitutional rights of the States? This bill would hack away the pillars of States rights by pushing the Federal Government into the field of elections, special and primary. The bill attempts to navigate upon a course by which a centralized Federal Government would try to dictate to the domestic concerns of the various States.

Mr. Speaker, I have long contended and do now contend that this bill, while impinging upon vital principles and while breeding mistrust and conflict, would provide no new right or privilege to any citizen of this Nation.

I now join my colleagues in an eleventh hour plea that the sound judgment of the Congress will prevail and that this legislation will never become the law of the land.

Mr. O'HARA of Illinois. Mr. Speaker, months ago in my report to my constituents in the Second District of Illinois I said:

"The civil-rights bill will reach the floor of the House within the next fortnight, and I believe is certain to pass without crippling amendments. Contrary to the fears of some I look for the bill to clear the hurdles in the Senate without filibuster."

That was at a time when the defeatist attitude was pretty general and a filibuster regarded as inevitable. I am glad that I did not mislead my constituents in my prediction by accepting this attitude. Yesterday is not today, and always we go forward, too slowly perhaps, but always forward.

The so-called compromise bill leaves very much to be desired. It is a frail little craft, with seams in the hull that leak, to attempt to navigate the sea of prejudice and discrimination in the search for the promised land of an America of real equality in the exercise of the rights dear to all men.

But, Mr. Speaker, it will make the voyage in safety and its landing will be on the shores of that America of real equality for all men and women. But ours is the continuing, tireless, unrelenting job of standing by as the sailors, to mend the seams in the hull with strengthening amendments beginning as soon as we convene for the second session. To that, Mr. Speaker, we are dedicated. And now that the start has been made, feeble though it may be, we shall push the harder for the prompt enactment of civil-rights legislation with teeth protecting all the people of the United States in the exercise of their rights as Americans to live in the society of their fellow Americans on a plane of equality and without discrimination of any nature based on the circumstances of race, religion or station.

We have come a long way. We still have far to go. But always we go forward, and just ahead is waiting us the sunshine of brotherhood, if our faith and our courage remain strong.

Mr. DAVIS of Georgia. Mr. Speaker, I am opposed to this resolution. A vote for this resolution is a vote for the so-called civil-rights bill, H. R. 6127, with the Senate amendments, and with the amendments provided for in this resolution.

The proposal contained in House Resolution 410 is one of the most unusual and extraordinary legislative actions I have seen or heard of. These proposals are completely new. The proposed amendment in lieu of Senate amendment No. 15 was not contained in the bill as originally introduced, or in any amendment which was offered to the bill in the House or in the Senate. It is one of the most drastic proposals made during the entire progress of this legislation. It would take away a valuable and precious right which every American citizen now possesses. Its provisions have not been discussed before any committee or subcommittee, and cannot be discussed in any detail in the 1 hour which is allotted for argument for this entire resolution.

It is regrettable and deplorable that Members of this great legislative body would be stampeded by political pressure into railroading any kind of legislation through in this fashion. It is deplorable that any Member would so far lose sight of fundamental rights and privileges and of constitutional government as to support such a legislative monstrosity, such a radical departure from orderly, sound, legal procedure as this resolution embodies.

I agree with the statement of David Lawrence in his newspaper column of yesterday in the Washington Evening Star, in which he said that this week is a week of infamy in the United States Congress. As I contemplate the events taking place on the floor of this House today I am reminded of the statement I once heard made by my dear departed friend, the late Honorable Eugene Cox, Representative from the Second Congressional District of Georgia, when he said:

> I would not do to go to Heaven what some people do to get elected to Congress.

Mr. MADDEN. Mr. Speaker, I move the previous question.

Mr. SMITH of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 274, nays 101, not voting 57, as follows:

[Roll No. 213]

YEAS—274

Adair
Addonizio
Albert
Allen, Ill.
Andersen, H. Carl
Anderson, Mont.
Andresen, August H.
Arends
Ashley
Aspinall
Auchincloss
Avery
Ayres
Baldwin
Baring
Barrett
Bass, N. H.
Bates
Baumhart
Becker
Belcher
Bennett, Mich.
Bentley
Berry
Betts
Blatnik
Boland
Bolling
Bosch
Bow
Boyle
Breeding
Brooks, Tex.
Broomfield
Brown, Mo.
Brown, Ohio
Brownson
Burdick
Bush
Byrne, Ill.
Byrne, Pa.
Byrnes, Wis.
Canfield
Carnahan
Carrigg
Cederberg
Celler
Chamberlain
Chelf
Chenoweth
Chiperfield
Christopher
Chudoff
Church
Clark
Coad
Coffin
Cole
Collier
Corbett
Coudert
Cretella
Cunningham, Iowa
Cunningham, Nebr.
Curtin
Curtis, Mass.
Curtis, Mo.
Dague
Dawson, Ill.
Dawson, Utah
Delaney
Dellay
Dennison
Denton
Derounian
Devereux
Diggs
Dingell
Dixon
Dollinger
Donohue
Dooley
Dorn, N. Y.
Doyle
Dwyer
Eberharter
Edmondson
Engle
Fallon
Farbstein
Feighan
Fenton
Fino
Fogarty
Forand
Ford
Frelinghuysen
Friedel
Fulton
Garmatz
Gavin
Granahan
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gubser
Hagen
Hale
Halleck
Harrison, Nebr.
Haskell
Healey
Henderson
Heselton
Hess
Hill
Hoeven
Holland
Holmes
Holt
Hosmer
Hull
Hyde
Ikard
James
Jarman
Jenkins
Johnson
Judd
Karsten
Kean
Keating
Kee
Kelley, Pa.
Kelly, N. Y.
Keogh
Kilday
Kilgore
King
Kirwan
Kluczynski
Knox
Knutson
Laird
Lane
Lankford
Latham
Lipscomb
McCarthy
McConnell
McCormack
McCulloch
McFall
McGovern
McGregor
McIntire
McIntosh
McVey
Macdonald
Machrowicz
Mack, Ill.
Mack, Wash.
Madden
Magnuson
Marshall
Martin
May
Meader
Merrow
Metcalf
Michel
Miller, Md.
Miller, Nebr.
Miller, N. Y.
Minshall
Montoya
Moore
Morano
Morgan
Morris
Moss
Moulder
Multer
Mumma
Natcher
Neal
Nimtz
O'Brien, Ill.
O'Brien, N. Y.
O'Hara, Ill.
O'Hara, Minn.
O'Neill
Osmers
Ostertag
Patman
Patterson
Pelly
Perkins
Pfost
Philbin
Pillion
Polk
Porter
Price
Prouty
Rabaut
Radwan
Reece, Tenn.
Reed
Rees, Kans.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riehlman
Rodino
Rogers, Colo.
Rogers, Mass.
Rooney
Roosevelt
Santangelo
St. George
Saund
Saylor
Schenck
Scherer
Schwengel
Scott, Pa.
Scudder
Seely-Brown
Sheehan
Shelley
Sheppard
Sieminski
Simpson, Ill.
Simpson, Pa.
Sisk
Springer
Staggers
Stauffer
Steed
Sullivan
Talle
Taylor
Teller
Tewes
Thomas
Thompson, N. J.
Thompson, Tex.
Thomson, Wyo.
Thornberry
Tollefson
Ullman
Vanik
Van Pelt
Van Zandt
Vorys
Wainwright
Watts
Weaver
Westland
Wharton
Widnall
Wigglesworth
Wilson, Calif.
Wilson, Ind.
Withrow
Wolverton
Wright
Yates
Young
Zablocki
Zelenko

NAYS—101

Abbitt
Abernethy
Alexander
Andrews
Ashmore
Baker
Bass, Tenn.
Beckworth
Bennett, Fla.
Blitch
Boggs
Bonner
Boykin
Brooks, La.
Brown, Ga.
Broyhill
Budge
Burleson
Byrd
Colmer
Cooley
Cooper
Cramer
Davis, Ga.
Davis, Tenn.
Dorn, S. C.
Dowdy
Durham
Elliott
Evins
Fascell
Flynt
Forrester
Fountain
Frazier
Gary
Gathings
Grant
Gregory
Gross
Haley
Hardy
Harris
Harrison, Va.
Hays, Ark.
Hébert
Hemphill
Herlong
Huddleston
Jennings
Jensen
Johansen
Jonas
Jones, Ala.
Jones, Mo.
Keeney
Kitchin
Landrum
Lanham
Lennon
Long
Loser
McMillan
Mahon
Matthews
Mills
Morrison
Murray
Norrell
O'Konski
Passman
Pilcher
Poage
Poff
Rains
Ray
Riley
Rivers
Roberts
Robeson, Va.
Rogers, Fla.
Rogers, Tex.
Rutherford
Scott, N. C.
Selden
Shuford
Smith, Miss.
Smith, Va.
Smith, Wis.
Spence
Taber
Thompson, La.
Trimble
Tuck
Utt
Vinson
Whitener
Whitten
Williams, Miss.
Willis
Winstead

NOT VOTING—57

Alger
Allen, Calif.
Anfuso
Bailey
Barden
Beamer
Bolton
Bray
Buckley
Cannon
Clevenger
Dempsey
Dies
Fisher
Flood
George
Gordon
Gwinn
Harden
Harvey
Hays, Ohio
Hiestand
Hillings
Hoffman
Holifield
Holtzman
Horan
Jackson
Kearns
Kearney
Kilburn
Krueger
LeCompte
Lesinski
McDonough
Mailliard
Mason
Miller, Calif.
Nicholson
Norblad
Powell
Preston
Robsion, Ky.
Sadlak
Scrivner
Sikes
Siler
Smith, Calif.
Smith, Kans.
Teague, Calif.
Teague, Tex.
Udall
Vursell
Walter
Wier
Williams, N. Y.
Younger

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. Flood for, with Mr. Sikes against.
Mr. Holifield for, with Mr. Hoffman against.
Mr. Younger for, with Mr. Barden against.
Mr. Bailey for, with Mr. Preston against.
Mrs. Bolton for, with Mr. Mason against.
Mr. Scrivner for, with Mr. Alger against.
Mr. Siler for, with Mr. Clevenger against.
Mr. Udall for, with Mr. Dies against.

Until further notice:

Mr. Buckley with Mr. Allen of California.
Mr. Anfuso with Mr. Kearney.
Mr. Holtzman with Mr. Norblad.
Mr. Powell with Mr. Smith of California.
Mr. Dempsey with Mr. Hiestand.
Mr. Walter with Mr. Harvey.
Mr. Hays of Ohio with Mr. Krueger.
Mr. Lesinski with Mr. Teague of California.
Mr. Miller of California with Mr. Sadlak.
Mr. Cannon with Mrs. Harden.
Mr. Gordon with Mr. LeCompte.
Mr. Wier with Mr. Bray.
Mr. Teague of Texas with Mr. Beamer.
Mr. Fisher with Mr. Hillings.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. The question is on the resolution.

Mr. COLMER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 279, nays 97, not voting 56, as follows:

[Roll No. 214]

YEAS—279

Adair
Addonizio
Albert
Allen, Ill.
Andersen, H. Carl
Anderson, Mont.
Andresen, August H.
Arends
Ashley
Aspinall
Auchincloss
Avery
Ayres
Baldwin
Baring
Barrett
Bass, N. H.
Bates
Baumhart
Becker
Belcher
Bennett, Mich.
Bentley
Berry
Betts
Blatnik
Boland
Bolling
Bosch
Bow
Boyle
Breeding
Brooks, Tex.
Broomfield
Brown, Mo.
Brown, Ohio
Brownson
Burdick
Bush
Byrd
Byrne, Ill.
Byrne, Pa.
Byrnes, Wis.
Canfield
Carnahan
Carrigg
Cederberg
Celler
Chamberlain
Chelf
Chenoweth
Chiperfield
Christopher
Chudoff
Church
Clark
Coad
Coffin
Cole
Collier
Corbett
Coudert
Cretella
Cunningham, Iowa
Cunningham, Nebr.
Curtin
Curtis, Mass.
Curtis, Mo.
Dague
Dawson, Ill.
Dawson, Utah
Delaney
Dellay
Dennison
Denton
Derounian
Devereux
Diggs
Dingell
Dixon
Dollinger
Donohue
Dooley
Dorn, N. Y.
Doyle
Dwyer
Eberharter
Edmondson
Engle
Fallon
Farbstein
Fascell
Feighan
Fenton
Fino
Fogarty
Forand
Ford
Frelinghuysen
Friedel
Fulton
Garmatz
Gavin
Granahan
Gray
Green, Oreg
Green, Pa.
Griffin
Griffiths
Gubser
Hagen
Hale
Halleck
Harrison, Nebr.
Haskell
Healey
Henderson
Heselton
Hess
Hill
Hoeven
Holland
Holmes
Holt
Hosmer
Hull
Hyde
Ikard
James
Jarman
Jenkins
Johnson
Judd
Karsten
Kean
Kearns
Keating
Kee
Kelley, Pa.
Kelly, N. Y.
Keogh
Kilday
Kilgore
King
Kirwan
Kluczynski
Knox
Knutson
Laird
Lane
Lankford
Latham
Lipscomb
McCarthy
McConnell
McCormack
McCulloch
McFall
McGovern
McGregor
McIntire
McIntosh
McVey
Macdonald
Machrowicz
Mack, Ill.
Mack, Wash.
Madden
Magnuson
Marshall
Martin
May
Meader
Merrow
Metcalf
Michel
Miller, Md.
Miller, Nebr.
Miller, N. Y.
Minshall
Montoya
Moore
Morano
Morgan
Morris
Moss
Moulder
Multer
Mumma
Natcher
Neal
Nimtz
O'Brien, Ill.
O'Brien, N. Y.
O'Hara, Ill.
O'Hara, Minn.
O'Neill
Osmers
Ostertag
Patman
Patterson
Pelly
Perkins
Pfost
Philbin
Pillion
Poage
Polk
Porter
Price
Prouty
Rabaut
Radwan
Reece, Tenn.
Reed
Rees, Kans.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riehlman
Rodino
Rogers, Colo.
Rogers, Mass.
Rooney
Roosevelt
Rutherford
Santangelo
St. George
Saund
Saylor
Schenck
Scherer
Schwengel
Scott, Pa.
Scudder
Seely-Brown
Sheehan
Shelley

Sheppard
Sieminski
Simpson, Ill.
Simpson, Pa.
Sisk
Springer
Staggers
Stauffer
Steed
Sullivan
Talle
Taylor
Teller
Tewes
Thomas
Thompson, N. J.
Thompson, Tex.
Thomson, Wyo.
Thornberry
Tollefson
Ullman
Vanik
Van Pelt
Van Zandt
Vorys
Wainwright
Watts
Weaver
Westland
Wharton
Widnall
Wigglesworth
Wilson, Calif.
Wilson, Ind.
Withrow
Wolverton
Wright
Yates
Young
Zablocki
Zelenko

NAYS—97

Abbitt
Abernethy
Alexander
Andrews
Ashmore
Baker
Bass, Tenn.
Beckworth
Bennett, Fla.
Blitch
Boggs
Bonner
Boykin
Brooks, La.
Brown, Ga.
Broyhill
Budge
Burleson
Colmer
Cooley
Cooper
Cramer
Davis, Ga.
Davis, Tenn.
Dorn, S. C.
Dowdy
Durham
Elliott
Evins
Flynt
Forrester
Fountain
Frazier
Gary
Gathings
Grant
Gregory
Gross
Haley
Hardy
Harris
Harrison, Va.
Hays, Ark.
Hébert
Hemphill
Herlong
Huddleston
Jennings
Jensen
Johansen
Jonas
Jones, Ala.
Jones, Mo.
Keeney
Kitchin
Landrum
Lanham
Lennon
Long
Loser
McMillan
Mahon
Matthews
Mills
Morrison
Murray
Norrell
O'Konski
Passman
Pilcher
Poff
Rains
Ray
Riley
Rivers
Roberts
Robeson, Va.
Rogers, Fla.
Rogers, Tex.
Scott, N. C.
Selden
Shuford
Smith, Miss.
Smith, Va.
Smith, Wis.
Spence
Taber
Thompson, La.
Trimble
Tuck
Utt
Vinson
Whitener
Whitten
Williams, Miss.
Willis
Winstead

NOT VOTING—56

Alger
Allen, Calif.
Anfuso
Bailey
Barden
Beamer
Bolton
Bray
Buckley
Cannon
Clevenger
Dempsey
Dies
Fisher
Flood
George
Gordon
Gwinn
Harden
Harvey
Hays, Ohio
Hiestand
Hillings
Hoffman
Holifield
Holtzman
Horan
Jackson
Kearney
Kilburn
Krueger
LeCompte
Lesinski
McDonough
Mailliard
Mason
Miller, Calif.
Nicholson
Norblad
Powell
Preston
Robsion, Ky.
Sadlak
Scrivner
Sikes
Siler
Smith, Calif.
Smith, Kans.
Teague, Calif.
Teague, Tex.
Udall
Vursell
Walter
Wier
Williams, N. Y.
Younger

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Flood for, with Mr. Sikes against.
Mr. Holifield for, with Mr. Hoffman against.
Mr. Younger for, with Mr. Barden against.
Mr. Bailey for, with Mr. Preston against.
Mrs. Bolton for, with Mr. Mason against.
Mr. Scrivner for, with Mr. Alger against.
Mr. Siler for, with Mr. Clevenger against.
Mr. Hays of Ohio for, with Mr. Dies against.
Mr. Buckley for, with Mr. Hiestand against.

Until further notice:

Mr. Anfuso with Mr. Vursell.
Mr. Holtzman with Mr. Allen of California.
Mr. Powell with Mr. LeCompte.
Mr. Dempsey with Mrs. Harden.
Mr. Walter with Mr. Horan.
Mr. Udall with Mr. Krueger.
Mr. Lesinski with Mr. Norblad.
Mr. Miller of California with Mr. Sadlak.
Mr. Cannon with Mr. Harvey.
Mr. Gordon with Mr. Bray.
Mr. Wier with Mr. Beamer.
Mr. Teague of Texas with Mr. Jackson.
Mr. Fisher with Mr. Teague of California.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDING CHAPTER 223 OF TITLE 18, UNITED STATES CODE

Mr. SMITH of Virginia. Mr. Speaker, I call up the resolution (H. Res. 411) providing for the consideration of H. R. 7915, a bill to amend section 1733 of title 28, United States Code, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7915) to amend section 1733 of title 28, United States Code. After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Pennsylvania [Mr. SCOTT], and now yield myself such time as I may consume.

Mr. Speaker, this bill is H. R. 7915, to amend a certain section of the United States Code. The purpose of the bill is to correct the decision of the Supreme Court in the so-called famous Jencks case. That decision, as you all know, has very much handicapped the Department of Justice and the FBI because of the requirement of the Court that FBI reports should be produced for the scrutiny of the accused person. You can readily understand how embarrassing that is to the Department and to the FBI by reason of having to disclose confidential communications given to them both by their own agents and by volunteers. I am not too familiar with the effect of the bill itself, but it seems to have the approval of the Committee on the Judiciary, and I understand from that committee that this bill will serve the purpose. It is a much needed piece of legislation. That situation must be corrected in the interest of the administration of justice. I hope the House will adopt the rule and pass the bill.

I now yield to the gentleman from Pennsylvania [Mr. SCOTT].

Mr. SCOTT of Pennsylvania. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, I agree with the gentleman from Virginia as to the urgency of this bill. The Department of Justice may be unable to try certain people including the spy, Rudolf Ivanovich Abel, master spy and colonel in the Soviet intelligence, unless its records are suitably protected. It is equally important that the rights of defendants be protected, and I think this bill does just that. I think it is extremely important. I am one of those who have been urging action on this bill ever since the Supreme Court decision which has precipitated the problem. I think it is most important that the House act favorably on this legislation. The gentleman from New York [Mr. KEATING] will explain the bill more in detail in general debate.

Mr. Speaker, I ask unanimous consent to include at this time an editorial together with my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The editorial is as follows:

EMERGENCY: SPEED FBI BILL

The bill to protect FBI files from court exposure has become emergency legislation. The fact is brought to public attention by the arrest of Rudolf Ivanovich Abel, master spy, and colonel in the Soviet intelligence.

Thanks to the Supreme Court decision in the Jencks case, the FBI now faces a choice of possibly dropping prosecution of Abel or having its own intelligence secrets bared in the courtroom upon insistence of Abel's lawyers.

It is conceivable that any information thus made public about the FBI's methods of counterespionage might be more useful to the Soviet Union and its international conspiracy than that which Abel managed to gather on his own and transmit to Moscow inside hollowed pencils.

This dilemma puts the issue squarely before Congress. It has the power to change those statutes which the Supreme Court interpreted to give defendants' lawyers access to FBI files whenever information of any kind from those files was used in prosecuting Communists or others.

A bill to amend the laws so as to protect the security of FBI files has been offered by Representative KENNETH B. KEATING. It is now before the House. Representative JOSEPH W. MARTIN, JR., warns bluntly: "If we go home without passing the Keating bill or a similar bill, we will have crippled the Government in its prosecution of Abel, a so-called master spy, and will be responsible for the nonprosecution of many other similar cases."

Already a number of Federal prosecutions have been dropped rather than reveal FBI files. Others have been dismissed by the courts when the FBI records have been withheld. And one FBI agent is under a $1,000 contempt-of-court fine for refusal to yield such records.

The only difference of opinion thus far seems to be between those who favor the Keating bill, and those who, with Representative FRANCIS E. WALTER, of Pennsylvania, have proposed a stronger bill. The Keating measure would provide that only pertinent portions of FBI reports shall be turned over to defense attorneys, after secret scrutiny and evaluation by the trial judge. But after some members of the House Judiciary Committee expressed fears that a stronger bill might be held unconstitutional by the Supreme Court, the committee decided to substitute the Keating bill under Representative WALTER's name.

Up to now, most of the cases in which prosecution has been dropped rather than reveal FBI files have not involved espionage.

The Abel case, however, involves national security and puts the whole issue squarely before Congress and the public. If the FBI can be compelled to reveal to Soviet agents and their lawyers not only FBI records but the names of their counterspies and the details of their methods—the Kremlin will have gained through our courts vital secrets it could not have hoped to obtain through its spy network.

The FBI bill is on President Eisenhower's program. Leaders concede that once before Congress it probably would pass by an almost unanimous vote.

What is made doubly obvious by the Abel case, however, is the urgent need for action. While there may be no opposition, the fact will matter little unless the bill is speeded to the House and Senate floors, and voted upon before the Congress adjourns.

Time is of the essence. Here is definitely emergency legislation. It is time to take the handcuffs off the FBI—and put them where they belong, on the conspirators and malefactors who would undermine and destroy our free America.

Mr. SMITH of Virginia. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Speaker, I am not so certain as the two gentlemen who have addressed the House, the gentleman from Virginia [Mr. SMITH] and the gentleman from Pennsylvania [Mr. SCOTT], as to what this bill will do. There has been a great deal of misinterpretation concerning the so-called Jencks decision. Some of that interpretation has been deliberate and purposeful. As I read that decision I do not think it is so horrendous as some people are trying to make the American public believe it is. Yesterday the United States district judge Judge Frederick Van Pelt Bryan, in deciding a matter before him, had the following to say about the Jencks case:

> The Supreme Court case enunciates a simple, fair, and quite limited rule. It holds that where the prosecution places a witness on the stand the defense is entitled to inspect statements or reports in the Government's possession concerning the subject matter of such witness' testimony, for the purpose of determining whether they can be used to impeach his credibility. This applies whether the witness be a Federal agent, informer, or a member of the general public.

Quite a number of other Federal judges since this decision have made pronouncements along the same line. It is true that one or two other judges have taken the opposite position, but, as I see it on balance, this is too early a period after the decision to pass a bill that is so far reaching as is the bill that we are asked to vote upon today. Not only does this bill today cover matters which are not in the Jencks decision—for example, the Federal Rules of Criminal Procedure—but it goes far beyond that. It is purported improperly to be a vast excursion or Roman holiday to go into the FBI records. The Court was very careful to enunciate, most careful to say that the defendants' counsel cannot have carte blanche to go into the FBI records. The records of the FBI were not wholesalely open to the scrutiny of counsel for the defendants in the particular Jencks case. Now, that is so, and the Court so indicated unmistakably and unequivocally in its ruling. This hullabaloo about opening up the FBI records so that spies, traitors, and saboteurs could have those records in defense of trial, and therefore by that ruse they could go scot free, is ridiculous. This argument has emanated from the Department of Justice because it does not like the Jencks decision. It wants to make the path of prosecution far easier. It is not the purpose of the Department of Justice to convict just for the sake of conviction. It shall be the purpose of the Department of Justice, as its name implies, to do justice.

The bill now before you, which I have read and carefully studied, will do a grave injustice. Mark you well this: The files to be opened are not only the files of the FBI, the records to be opened are not only the records of the FBI; the bill also covers the records of any person or any corporation not a defendant. What does that mean? It means the following: If my company is a defendant in a criminal prosecution and I need for its defense records in the possession of my competitor, under this bill all the Department of Justice need do is to subpena the records of my competitor, which records might have the effect of exculpating me from any wrongdoing under the antitrust law. I would not be able to get those records. Under this bill those records would be impervious to my scrutiny, I would be unable to use them and, therefore, I might be robbed of my defense.

Not only would that be so in an antitrust suit, it would be so in an income tax criminal prosecution.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. WILLIS. In asking the gentleman to yield I am not belaboring the point, but I just want to say that I unequivocally disagree with him when he says this bill would reach the records of a competitor corporation. This has to do only with statements, contradictory statements, made by a witness on the stand as compared to a statement he made before he took the stand. It has nothing to do with records generally.

Mr. CELLER. I do not agree with the gentleman, because on page 3 of the bill we have the following language:

> In any criminal prosecution brought by the United States, any rule of court or procedure to the contrary notwithstanding—

That means despite the rules of criminal procedure—

> no statement or report of any prospective witness or person—

And under court rulings "person" means "corporations"—

> or person other than a defendant which is in the possession of the United States shall be the subject of subpena, discovery, or inspection, except as provided in paragraph (b) of this section.

That is the next section.

And there is no provision in the next section of this bill to get copies of those records or to see those records, or to scrutinize those records. So when the gentleman says—and I have the most affectionate regard for the gentleman—when the gentleman says corporations are not involved, I cannot agree with him, the word "person" having been used in the statute, "person" means "corporation"; and it has always meant corporation.

Mr. YATES. Mr. Speaker, if the gentleman will yield, I have great respect for the gentleman's legal ability, but is he opposed to the bill?

Mr. CELLER. I am opposed to the present form of the bill. I would be willing to accept as a compromise the Senate provisions. That bill is milder and would have the effect of protecting to the utmost, to the "nth" degree, the FBI records, and should satisfy the Department of Justice.

Mr. YATES. Mr. Speaker, will the gentleman yield further?

Mr. CELLER. In just a moment. But I do not want to take the provisions of this bill which is brought to us without any hearings thereon, to interfere with the rules of criminal procedure which are administered by our Supreme Court and by the judicial council. We gave the Supreme Court and the Judicial Council power to enunciate and promulgate those rules. I do not want those rules just cavalierly to be abrogated and annulled and changed in this fashion:

> Any rule of court or procedure to the contrary notwithstanding.

Those are dangerous words.

Mr. YATES. Does the gentleman propose to offer amendments to bring the bill into conformity with that passed by the other body?

Mr. CELLER. Yes, I do; and I hope the gentleman from New York [Mr. KEATING], who is handling this bill on the other side, may see fit to accept the Senate version of the bill.

Mr. CURTIS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Massachusetts.

Mr. CURTIS of Massachusetts. Mr. Speaker, has the distinguished chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER], forgotten that his subcommittee No. 3 conducted hearings on this bill?

Mr. CELLER. Yes, I do understand that, but I do not know to what degree those hearings were held before the Committee on the Judiciary reported the bill. I was caught unawares on the bill myself. I will say this, and I do not think anyone can contradict me, that when the bill was considered originally there were only two witnesses heard and both of them were authors of bills. There was no opposition heard. Unfortunately, I have to make that admission, I am to blame, being chairman of the committee, because I should have insisted that there be opposition heard, opposition from the bar association and from various interested groups who were not heard before we passed this bill. That is the gravamen of my complaint.

Mr. Speaker, I yield 3 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, it is interesting to hear the concern now expressed by the gentleman from New York [Mr. CELLER] with respect to this bill. Some of us were concerned earlier this afternoon about the so-called civil-rights bill and the language in that bill; what it will do to harass individuals and set aside State laws and further make the States wards of the Federal Government. We were concerned with that bill, but we got it rammed right down our throats without any ifs, ands, or buts.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New York.

Mr. CELLER. We were considering a civil-rights bill for several years. In addition to that, it took us 2 weeks to consider it on this very floor. I think every nook and cranny of the civil-rights bill was surveyed before we passed upon it.

Mr. GROSS. The House refused to adopt a jury-trial amendment. It was never even tried on for size in the House, I will say to the gentleman. I was further intrigued today by the statements that the jury-trial amendment was accepted as a compromise. What did the Members of the House, who voted against the jury-trial amendment when the bill was before the House, have to compromise? What did they have to compromise today? They had nothing to compromise on the jury-trial amendment except perhaps their souls.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Illinois.

Mr. YATES. Assuming that the gentleman's argument is correct that the civil-rights bill contained vague and ambiguous language or phrases. Is that any argument to accept this bill with vague and ambiguous language in it?

Mr. GROSS. No. But I am intrigued by the complaint of the gentleman that the pending bill contains vague and bad language. Some of us felt the same way about the alleged civil-rights bill that was rammed down our throats a few minutes ago.

I asked for this time, however, to say that I hope the leadership on both sides of the aisle will now give immediate attention to pending legislation that would protect the rights of American soldiers serving in foreign countries.

I hope I will be able to look around the House floor today and tomorrow and see the leadership in conference every few minutes devising plans to get the Bow resolution before the House. There has been no end to the conferences that have been held for the past several days devising ways and means of ramming a so-called civil-rights bill through before adjournment.

I hope that those members of the Judiciary and Rules Committees, who so enthusiastically supported the civil-rights bill, will now show as much concern about the rights of American servicemen in foreign countries.

Let us see them perform on that issue. Let us see whether American servicemen have any constitutional rights in foreign lands; whether a serviceman is entitled to a jury trial in Japan or any other foreign court.

Does an American citizen, by virtue of putting on a uniform, lose all his rights and become a second-class citizen of the world?

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question. The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7915) to amend section 1733 of title 28, United States Code.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H. R. 7915, with Mr. ENGLE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from Louisiana [Mr. WILLIS].

Mr. WILLIS. Mr. Chairman, the bill before us for consideration today, H. R. 7915, was processed by the subcommittee of which I have the privilege of being the chairman and was the subject of careful study. It is a very simple proposal that can be clearly understood by nonlawyers as well as lawyers in this body. The purpose of the measure is to correct an important phase of the decision of the Supreme Court in the case of Jencks against the United States of America, decided June 3, 1957.

In that case a ruling was made to the effect that, for the alleged purpose of impeaching or discrediting the testimony of any Government witness, the defendant was entitled to inspect the reports of the Federal Bureau of Investigation, or other investigative agencies in the possession of the Government, and relating to the subject matter as to which such Government witness testified. Justices Burton, Harlan, and Clark vigorously dissented on this particular point. Justices Burton, Harlan, and Frankfurter dissented on another point having to do with the sufficiency of the trial judge's instruction to the jury, which is not involved in the pending bill. Justice Whittaker took no part in the consideration or decision of the case.

Here, therefore, we are confronted with a split decision of 5 to 3 on the point involved under the pending bill, and we again find the Supreme Court hopelessly divided 4 to 4 on the case as a whole.

Prior to the decision in the Jencks case the well-established practice was to first submit the voluminous and confidential FBI and other investigative agency reports to the presiding judge. Thereupon the trial judge would examine these reports and statements contained in the confidential files of the Government. The judge on careful examination would then separate the wheat from the chaff, the relevant from the irrelevant, and would hand over to counsel for the defendant all proper material for the defense of his client in trying to discredit or impeach the testimony of Government witnesses. The dissenting opinions pointed out that:

> Numerous Federal decisions have followed this practice.

The majority opinion, however, states that:

> The practice of producing Government documents to the trial judge for his determination of relevance and materiality, without hearing the accused, is disapproved.

It was in connection with the ruling of the Supreme Court on this specific point, which is the subject of the pending legislation, that Justice Clark in his dissenting opinion said:

> Unless the Congress changes the rule announced by the Court today, those intelligence agencies of our Government engaged in law enforcement may as well close up shop, for the Court has opened their files to the criminal and thus afforded him a Roman holiday for rummaging through confidential information as well as vital national secrets. This may well be a reasonable rule in State prosecutions where none of the problems of foreign relations, espionage, sabotage, subversive activities, counterfeiting, internal security, national defense and the like exist, but any person conversant with Federal Government activities and problems will quickly recognize that it opens up a veritable Pandora's box of troubles. And all in the name of justice. For over eightscore years now our Federal judicial administration has gotten along without it and today that administration enjoys the highest rank in the world.

The bill before us today was drawn by the Department of Justice. All in the world it does is to go back to the former practice which had been proved by numerous Federal decisions and which according to Justice Clark had worked admirably well over eight score years in our Federal judicial administration. The bill provides a balance between the interest of the Government and that of the defendant. It would simply restore the Federal judges in their traditional role of impartial umpire between the Government and the people on the one hand and persons charged with crime on the other.

The statement of the Attorney General of the United States, appearing at page 7 of the report on the bill H. R. 7915, was made just a few days after the decision. This short time has already demonstrated what Justice Clark predicted would happen to the administration of justice under the rule of procedure required by the Jencks decision. Among many other illustrations, the Attorney General pointed out that a lower Federal judge dismissed a narcotics prosecution because the Government could not afford to open up an entire Narcotics Bureau report to the defendant. He said that in another case four persons convicted of kidnaping just a few days before the Jencks decision filed a motion to reopen the case in order to permit these people to rummage through confidential FBI reports. I have been advised by a United States attorney that a lower Federal judge felt obliged, under the ruling in the Jencks case, to turn over to the defendant in a case recently tried not only reports and statements gathered by postal inspectors, internal revenue agents and Federal Bureau of Investigation agents, but transcripts of State grand juries. I understand that the investigation of and proceedings before the grand juries were not even completed.

As a member of the House Committee on Un-American Activities, I say to you that in my opinion nothing would please a hard-core member of the Communist Party more than to become a so-called martyr of the Communist cause, in exchange for an opportunity to lay hands on and to raid secret FBI reports.

The vital danger which results from the present application of the Jencks ruling by the district courts is found in the nature of the files of the various Government law-enforcement agencies. Reports of the FBI are all inclusive and cover the full investigation of every phase of a case. They include not only interviews with possible witnesses, but also confidential information relating to the national safety and security. It is obvious that disclosure would result in identification not only of confidential informants, but also of confidential investigative techniques. The same may be said for the reports of the Narcotics Bureau and the Secret Service, as well as the Post Office Department. These files also contain information concerning innocent people. They may, and do, contain unverified accusations against innocent people. It is evident that disclosure of such documents would result in serious damage to the reputations of such persons. J. Edgar Hoover himself has stated, on numerous occasions, that one of the most important factors in the success of the FBI in protecting our national security has been the ability of the Bureau to maintain the confidential nature of its files. No law-enforcement agency can long endure when its records are open to needless disclosures. As I previously indicated, it requires no imagination to understand how members of the Communist conspiracy would welcome this ruling so as to raid the files of the FBI in order to obtain the names of confidential informants. Our entire counterintelligence system is jeopardized by this situation. That is the reason why both the Department of Justice and the Post Office Department, as well as the Treasury Department, welcome this legislation.

I reiterate that the bill provides for a balance between the interest of the Government and that of the defendant on trial. It does so by establishing the following procedures:

First. It provides that only reports or statements which relate to the subject matter as to which the witness has testified are subject to production.

Second. It gives to the court the power to excise from any such statement or report matter which does not relate to the subject matter of the testimony of the witness who made it. Thus reports about other persons or transactions, information disclosing the techniques of investigation, and all other extraneous matter would be safeguarded by the court.

Third. The bill makes it clear that the Government needs produce only reports or statements of a witness which are signed by him or otherwise adopted or approved by him as correct.

Fourth. It provides that statements and reports to be used for impeachment of a Government witness are not subject to production until the witness has been called and has testified for the Government.

Fifth. It provides that if the Government declines to produce such a statement or report the court shall either strike out the testimony affected or order a mistrial. Since the Jencks decision courts have dismissed the prosecution completely where the Government has found compliance with a production order unacceptable.

I cannot emphasize too strongly the urgency for a solution of this problem. I also have the privilege of being chairman of a special subcommittee of the Judiciary Committee which was established to study recent decisions of the Supreme Court. That subcommittee is presently considering certain recent decisions and their impact on the law-enforcement agencies of the Federal Government. I am convinced by the hearings which we have held to date that decisions such as the Jencks case call for legislative action in order that our law-enforcement agencies will not be hampered in protecting the public.

Mr. YATES. Mr. Chairman, will the gentleman yield on that point?

Mr. WILLIS. I yield to the gentleman from Illinois.

Mr. YATES. With respect to that point, does not counsel for the defendant, however, have an opportunity to examine the testimony that is offered to the judge to determine whether or not to take an exception as to the materiality of evidence that is excluded?

Mr. WILLIS. No; that was the very point at issue. The practice was to the contrary. This is the language of the Supreme Court itself. Here is the Supreme Court admitting what was the practice theretofore. This is what the majority said:

> The practice of producing Government documents to the trial judge for his determination of relevancy or materiality without hearing the accused is disapproved.

That is the whole thing this bill reaches, to go back to the former practice. As the result of that holding, upsetting the practice which the majority opinion itself held had prevailed theretofore for 160 years, this is what Justice Clark in his dissenting opinion said would immediately result:

> Unless the Congress changes the rule announced by the Court today, those intelligence agencies of our Government engaged in law enforcement may as well close up shop, for the Court has opened their files to the criminal and thus afforded him a Roman holiday for rummaging through confidential information as well as vital national secrets. This may well be a reasonable rule in State prosecutions where none of the problems of foreign relations, espionage, sabotage, subversive activities, counterfeiting, internal security, national defense, and the like exist, but any person conversant with Federal Government activities and problems will quickly recognize that it opens up a veritable Pandora's box of troubles. And all in the name of justice. For over eightscore years now our Federal judicial administration has gotten along without it, and today that administration enjoys the highest rank in the world.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman from New York.

Mr. CELLER. The gentleman is reading from the minority opinion?

Mr. WILLIS. I so stated.

Mr. CELLER. Only one voice spoke there, but there was the combined voice speaking in the majority opinion.

Mr. WILLIS. Not at all. The vote there was 5 to 4. It was not the combined voice.

Mr. CELLER. There were five judges that made this statement on pages 9 and 10 of the report:

> The necessary essentials of a foundation, emphasized in that opinion—

Citing *Gordon* v. *United States* (344 U. S. 414)—

> and present here, are that "(t)he demand was for production of * * * specific documents and did not propose any broad or blind fishing expedition among documents possessed by the Government on the chance that something impeaching might turn up. Nor was this a demand for statements taken from persons or informants not offered as witnesses."

It is interesting to note also that in the Senate the distinguished Senator from North Carolina, Senator ERVIN, made that very point.

He said that much of this misunderstanding stems from the statement of Justice Clark. Let me just read what he said. The distinguished Senator and many of the Senators agree with Senator ERVIN that this was not a case where the Court allowed them willy-nilly to go through the records of the FBI, but they are only permitted to go through specific records to see whether or not matters on which he may have made a statement are contradictory of the statement he made in the court.

Mr. WILLIS. May I say this? In the first place, the language that the gentleman just read is a quotation from another case.

Mr. CELLER. But it is right here. They reaffirmed the decision in this Court.

Mr. WILLIS. In the second place, the Supreme Court itself, and you cannot get away from it, admitted point blank that it was reversing the present practice. That is the point at issue. In the third instance, with reference to the action of the other body, obviously, it would be satisfactory if we did what they did there, that is, adopt the bill.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield.

Mr. CHELF. Does the gentleman not think it is rather significant that the Justice who delivered the minority opinion was the one Justice of the nine who had the most reason to know the most about the operation of the FBI, having served as a former Attorney General, and if he does not know his business, then none of them know their business?

Mr. WILLIS. The gentleman is eminently correct. This bill was drawn by the Department of Justice. All in the world it does is to go back to the former practice that had prevailed prior to the decision, namely, it provides a balance between the interest of the Government or the people and the interest of the man on trial. It simply restores the Federal judge in his traditional role of umpire between the accused and the Government and the people, because regardless of anything you can say, the judge always rules on the materiality, and that is all this bill does.

The **CHAIRMAN**. The time of the gentleman from Louisiana has expired.

Mr. **CELLER**. Mr. Chairman, I yield 3 additional minutes to the gentleman.

Mr. **CHELF**. Mr. Chairman, will the gentleman yield?

Mr. **WILLIS**. I yield.

Mr. **CHELF**. As the gentleman so aptly put it, this does not give anything new nor does it take anything away. It just leaves it where it has been for 160 years. What is wrong with that?

Mr. **WILLIS**. That is exactly it.

Mr. **FASCELL**. Mr. Chairman, will the gentleman yield?

Mr. **WILLIS**. I yield.

Mr. **FASCELL**. I do not want to get into the question of materiality of evidence, because that is up to the judge and it should continue to be up to the judge. But I do want to touch on this question. Does not the bill say the question shall be determined only after the evidence has been submitted and that that is not now the practice?

Mr. **WILLIS**. Well, that was all that was in the Jencks case. The present practice, of course, is to have a request made for the production of outside documents during the course of a trial after the witness has testified.

The **CHAIRMAN**. The time of the gentleman from Louisiana has expired.

Mr. **KEATING**. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, I ask unanimous consent that all Members may be permitted to extend their remarks on this bill during general debate.

The **CHAIRMAN**. Is there objection?

There was no objection.

Mr. **KEATING**. Mr. Chairman, H. R. 7915, a bill designed to bring order out of the chaos left in the wake of the Supreme Court's decision in the case of Jencks against United States, deserves immediate and favorable action by this body.

The implications of that decision strike at the very heart of our chief Federal law-enforcement agency, the FBI. The importance of the work done by that organization in protecting the lives of our citizens—indeed the very life of our Nation—cannot be overemphasized. Any crippling interference with the effective and efficient operations of the FBI could well prove to be a victory for the criminal and the Communist at the expense of the law-abiding citizens of this country.

This is not to say that we should in any way impair the rights traditionally accorded the accused by our laws and by our Constitution. I would be the last to advocate such action, but I am convinced it is possible for Congress to establish rules of criminal procedure which will preserve the rights of the accused and, at the same time, protect confidential information in the possession of the Government. That is exactly what H. R. 7915 proposes to accomplish.

In order properly to understand the problems raised by the Jencks decision and the solution to those problems advanced by this bill, it is necessary to have a general knowledge of the facts in the Jencks case and the decision of the court.

Clinton Jencks was tried and convicted for falsely swearing, in an affidavit submitted as a union official, that he was not a member of the Communist Party. The Court of Appeals for the Fifth Circuit confirmed the conviction and the Supreme Court granted certiorari. During the trial, two Government witnesses, Matusow and Ford, testified as to Communist Party activities in which Jencks had participated. Under cross-examination they admitted that they had made reports of those activities over a period of time to the FBI. The defense, in the belief that some of those reports might be inconsistent with the witnesses' testimony at the trial, asked the court to order the Government to turn them over to the judge for his inspection to determine whether, and to what extent, the reports should be made available to the defense for use in impeaching the credibility of the witnesses.

The Government did not invoke its privilege against disclosure on the grounds that these reports were confidential documents. Instead, it objected to the motion to produce solely on the ground that the defense had made no showing that the contents of the reports in the file contradicted the testimony of the witnesses. The trial court refused to order the files turned over to the judge. The court of appeals affirmed the trial court's decision primarily on the ground that the defense had failed to show that the reports were inconsistent with the witnesses' testimony.

The Supreme Court reversed, holding that it was not necessary for the defense to establish that the reports in the file and the testimony of the witness were inconsistent. Citing the case of *Gordon* v. *United States* (344 U. S. 414), the Court clearly stated the necessary essentials for the production of a prior statement of a witness:

> The necessary essentials of a foundation, emphasized in that opinion, and present here, are that "(t)he demand was for production of * * * specific documents and did not propose any broad or blind fishing expedition among documents possessed by the Government on the chance that something impeaching might turn up. Nor was this a demand for statements taken from persons or informants not offered as witnesses" (344 U. S., at 419). We reaffirm and reemphasize these essentials (pp. 9–10).

That statement, in my opinion, is the crux of the decision in the Jencks case. The Court, in other words, said that the defendant need not prove, as a condition precedent to production, that a statement made previously by the witness contradicted his testimony on the stand. But the defense does have to specify, in its demand, the documents it seeks to examine. And the demand can relate only to statements of persons actually offered as witnesses. As the Court stated, the defense could "not propose any broad or blind fishing expedition among documents possessed by the Government on the chance that something impeaching might turn up."

Since the defense in the Jencks case had sought only reports made by Ford and Matusow, the Supreme Court stated:

> We now hold that the petitioner was entitled to an order directing the Government to produce for inspection all reports of Matusow and Ford in its possession, written and, when orally made, as recorded by the FBI, touching the events and activities as to which they testified at the trial. We hold, further, that the petitioner is entitled to inspect the reports to decide whether to use them in his defense. Because only the defense is adequately equipped to determine the effective use for purpose of discrediting the Government's witness and thereby furthering the accused's defense, the defense must initially be entitled to see them to determine what use may be made of them. Justice requires no less (pp. 11–12).

The Court does not grant a license to the defense to rummage through the whole prosecution file, but it did say the defense should have access to the report of a witness if it relates to the subject matter about which he has testified.

The problem is that FBI reports do not always cover just one specific subject matter. Information which does not relate in any way to the testimony of the witness at the trial may well be in a report which in other respects does touch on the events as to which the witness has testified. The parts of the report which do relate to the witness's testimony certainly should be produced. But those portions which do not, and especially those which normally are of a highly confidential nature, should be withheld, not only for security purposes but to protect innocent persons who may be named.

The most crucial problem created by the Court's decision in the Jencks case results from the interpretation placed upon that decision by the various lower Federal courts. Numerous instances of misunderstanding and misinterpretation of the decision on the part of many of the lower courts have already occurred. In a number of cases such misinterpretation on the part of the court has already resulted in the Government's case being dismissed or the Government's having to drop the prosecution of offenders altogether.

In a tax case in Atlanta, Ga., for instance, defense counsel moved for the production of an entire intelligence report after the first Government witness had testified. This witness had testified to details of the raid and the arrest involved in that case from his own personal knowledge. He had also testified that, as group supervisor, he had read the report of other agents who had not testified. The court ordered the production of the entire report. The Government refused to turn over the entire report, but offered instead to delete portions of the report that were not relevant and to turn over to the defendant the remainder. The court would not allow this and dismissed the action on the grounds that any deletion by the Government of nonrelevant parts of the report would not comply with the Jencks decision.

Another case, which clearly points up the necessity for action to remove the misunderstanding in this area, arose in Bowling Green, Ky. In a criminal fraud case involving the FHA, the defense moved for a pretrial examination of all the documents, exhibits, and statements which the Government intended to use in its case. The court granted the motion, but the Justice Department instructed the United States attorney not to produce the contents of the file. When the FBI agent appeared in court with the United States attorney, the judge asked him why he had refused to turn over the file to the defense counsel. The agent advised the court that he had no authority to make the statements in the file available to the defendant. The court thereupon held the agent in contempt, imposing a fine of $1,000 which must be paid if the agent does not comply with the court's order by October 18.

That case is an example of how far the rule in the Jencks case can be carried. The court has so interpreted the rule as to enable the defense counsel to go through the Government file before the trial has even begun.

In perhaps the most unexpected and startling development, the Jencks decision has been applied to overturn two convictions already obtained, in spite of the fact that in neither case did the defendants move during the trial for the production of the statements of witnesses.

I refer to the ruling of Judge Day, in the District Court in Rhode Island, of August 19, in which the conviction of four kidnapers was set aside and the indictments against them dismissed. The grounds were that the Department had refused to obey an order which not only directed the Government to produce and permit the defense to inspect entire FBI reports prepared by agents who were witnesses at the trial, but also directed the production of written and oral statements of the victim and his wife. The order would have permitted the defense to copy or photostat the reports and statements, as well.

There is no question but that the Government had good grounds to refuse to produce in this case. And yet its refusal to divulge all the contents of its files has given freedom to persons convicted of one of the most heinous of crimes.

Defense counsel everywhere have been citing the decision in the Jencks case wherever the opportunity presents itself in order to pry into the prosecution's file at every stage of the proceeding. In a narcotics case in New York, for instance, the defense has demanded the notes made by the assistant United States attorney in preparing his case for trial. A court in Texas has indicated that, upon a motion by the defense, it will order the Government to produce its entire file for inspection by the defense so that the defense counsel can properly prepare his own case. Most chilling of all, defense counsel for Abel, the alleged Russian superspy, has indicated he will seek to invoke the Jencks edict if it will aid his client.

If this confused state of affairs is not remedied soon, it can have disastrous effects upon law enforcement in this country. It could, indeed, seriously imperil the security of this Nation by disarming our anticrime agencies.

The situation clearly calls for legislation on the part of Congress which will, within the bounds of the Constitution, and, as nearly as possible, within the decision of the Court in the Jencks case, establish rules to guide the lower Federal courts and the parties appearing before them. The bill before us strikes the proper and necessary balance.

H. R. 7915 would establish the following procedure: After a Government witness has testified, the defendant can demand that all previous reports and statements, which have either been signed or approved by that witness, relating to the subject matter as to which he has just testified, be produced for inspection by the court. The court must then determine what portions of the report relate to that subject matter, excise any portions which it deems have no relationship, and direct that the remainder be delivered to the defendant. If the case should later be appealed, all reports which the court had inspected would go to the appellate court, so that it could review the decision of the trial court with all the evidence before it.

I firmly believe the provisions of this bill represent a modest, sound and reasonable solution to the problems created by the Jencks decision. The bill is not intended to nullify or to limit the decision of the Supreme Court, but rather to establish a single workable procedure for the introduction in evidence of statements and reports. It guarantees the defendant access after a witness has testified to those parts of reports previously made by the witness which actually touch on the subject under consideration. At the same time it would protect the public interest by permitting the Government to withhold those parts of such reports which are clearly not related.

Mr. Chairman, there is a compelling need for this legislation now. Almost every day brings news of another instance in which justice has been foiled as another case runs aground on the rocks built up out of misunderstanding of the Jencks case. A great number of cases have been wrecked because the Government has wisely refused to be a party to any Isaak Walton expeditions.

Mr. Chairman, the American people have been alerted to the threat to their security and the security of this Nation posed by the present situation. The ever-mounting correspondence on my desk calls overwhelmingly for action now by this Congress. The President has clearly and vigorously expressed his support of this measure and has urged its enactment during this session. And the deep concern and frustration in the Department of Justice and security agencies of the Government grow with each day we remain idle. To delay any longer could lead to bankruptcy of our law enforcement agencies.

For these reasons I urge the support of every Member of this body for this most vital measure. We have a mandate we cannot in good conscience ignore.

Mr. Chairman, I would now like to read to the Members of the House a letter I received from the Acting Attorney General, Mr. Rogers:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., August 27, 1957.
Hon. KENNETH B. KEATING,
House of Representatives,
Washington, D. C.

DEAR MR. KEATING: The version of the bill establishing procedures for the production of certain Government records in Federal criminal cases (S. 2377) which was passed yesterday by the Senate contains such serious defects that it contributes little, if anything, to meet the legislative need.

Section (b) of the Senate version would require the Government to produce on demand of a defendant in a criminal case records of prior statements made by a Government witness which have never been signed by the witness or otherwise adopted or approved by him as correct. Such statements which have never been ratified or adopted by the witness could not possibly be used to impeach him. Their surrender by the Government to the defendant was not required or involved by the decision of the Supreme Court in the Jencks case, which was limited to consideration only of statements of witnesses which could be used for purposes of impeachment. Furthermore, the use of the word records in the context in which it appears in the Senate version will inevitably lead to the contention that it includes the Government's internal working papers, including Government counsel's memorandums of interviews, notes, and files of investigative agents, and even the grand jury testimony of witnesses called by the Government. This would be authorization of the very rummaging through Government investigative files that the legislation is intended to prevent.

In subdivision (a) of the Senate version the words "except, if provided in the Federal Rules of Criminal Procedure" are inserted, and this insertion will only cause confusion in the courts. The purpose of the legislation is to spell out the precise circumstances and procedures which entitle a defendant to demand and receive pretrial statements made by a Government witness to an agent of the Government. The legislation will fail of its purpose of producing certainty and uniformity of practice if it fails to provide that the procedures outlined are exclusive. The fact is that the Federal Rules of Criminal Procedure do not require the Government to surrender pretrial statements made by a Government witness to agents of the Government. Consequently, there is no need for the insertion in the statute of the above quoted language, and its inclusion can only cause unnecessary doubt and confusion as to whether the procedures of the statute are intended to be exclusive.

You may be interested in the views of Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, who has advised me as follows:

"It is my considered judgment that the enactment of this legislation which has been recommended by the Attorney General is vital to the future ability of the Federal Bureau of Investigation to carry out internal security and law-enforcement responsibilities. The FBI certainly cannot continue to fulfill its responsibilities unless the security of its files can be assured as has been the case prior to June 3, 1957. Prior to that date, informed people knew our files were inviolate. This was a powerful factor in our ability to secure information. Since the Jencks decision, however, we have faced one obstacle after another. We have experienced instance after instance where sources of information have been closed to our agents because of the fear that the confidence we could once guarantee could no longer be assured. We have also experienced a reluctance on the part of numerous citizens to cooperate as freely as they once did. This, of course, is understandable when photostats of statements and documents taken from the files of the FBI and made available pursuant to the Jencks decision have actually fallen into the hands of the Communist Party. While the need to protect confidential sources of information and investigative techniques is at once apparent, there is an equally compelling need to protect innocent individuals whose names inevitably crop up in an agent's investigative report and who on occasions must be the subject of investigation to establish truth or falsity of statements made pertaining to them. I, for one, would vigorously oppose the unwarranted release of such statements which would not serve the interests of justice and which inevitably would not protect the rights of a defendant."

H. R. 7915, as reported with amendments by the House Judiciary Committee on July 5, 1957, contains none of these defects. Its provisions are completely fair to defendants, while at the same time providing adequate protection for FBI and other Government files. It is considered by the Department to be a far more accurate statement than the Senate version of the procedure contemplated by the majority of the Supreme Court in the Jencks case. The Department of Justice strongly urges the passage by the House of H. R. 7915 as reported with amendments by the House Judiciary Committee on July 5, 1957, and opposes the adoption of S. 2377 in the form in which it was passed by the Senate yesterday.

Sincerely,

William P. Rogers,
Acting Attorney General.

I urge that this bill which we have before us today which does strike this fair balance between the protection of the files of our investigative agencies and the protection of the rights of every defendant who comes before the court receive the overwhelming approval of the Members of this body.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. KEATING. Briefly.

Mr. CHELF. I agree fully with the gentleman and am entirely aware of the terrific job that he has done in this field. I want to congratulate him and commend him for the work he has done and to ask him whether or not if we must err, for heaven's sake, should we not err on the side of America? Of course, we do not want to err, but if we must err, would it not be preferable to err on the side of protecting America?

Mr. KEATING. I do not think we do err in the terms of this bill.

Mr. CHELF. I do not, either.

Mr. KEATING. I entirely agree with the gentleman's position.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman.

Mr. YATES. When the gentleman read the Attorney General's letter, I was struck by the fact that the Attorney General stated that he disagreed with the version of the bill passed by the Senate, because it went too far. He said it allowed examination of oral reports, which is something the Jencks decision did not approve. I now read from the Jencks decision:

> We now hold that the petitioner was entitled to an order directing the Government to produce for inspection all reports of Matusow and Ford in its possession, written and, when orally made, as recorded by the FBI touching the events and activities as to which they testified at the trial.

In this respect the Senate bill differs from the bill which is presented to the House today. The bill presented to the House today would permit a defendant to examine only written reports by a witness who is testifying against him at the trial; is not that correct?

Mr. KEATING. It is my opinion, and it is the opinion of the Attorney General, that in the Jencks case there was only a holding that the Government would have to produce statements which had been identified and approved in some formal way by the witness who was before the court; either signed by him, initialed by him, or taken down in a question-and-answer form and then approved by him. It was never intended that there should be turned over to the defendant any document which could not be used to impeach the credibility of the witness.

The CHAIRMAN. The time of the gentleman from New York [Mr. Keating] has expired.

Mr. CELLER. Mr. Chairman, I yield myself 10 minutes.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. FASCELL. I would appreciate it if the chairman of the committee could answer this question; whether the bill before us now modifies rule 16 or rule 17C of the Criminal Procedures.

Mr. CELLER. Yes; it does. There is express language in the bill on page 3, lines 8 to 10 we have the following:

> In any criminal prosecution brought by the United States, any rule of court or procedure to the contrary notwithstanding.

Mr. FASCELL. Of course, that would have the effect of modifying the existing rule if, in fact, the language which follows does modify the existing rule.

Mr. CELLER. It affects the rule of discovery, rule 16 and rule 17C, I think it is. It militates against what we always call, what the gentleman in his practice calls, the rule of discovery. That is, the defendant shall have the right to a pretrial discovery of any statements that have been made by any prospective witnesses so that he can prepare for his defense. That is in the Rules of Criminal Procedure. Under the amended bill all pretrial discovery proceedings will be wiped out. The only time a defendant will be able to secure any Government record is after the witness has testified at the trial and not before. This bill does all that.

Mr. FASCELL. Will not the gentleman yield further, then? Perhaps I misunderstood. I am trying to get this clarified in my own mind.

Mr. CELLER. The gentleman is taking a great deal of my time in general debate. Will not the gentleman wait until we get to the 5-minute stage?

We heard much this afternoon that this bill would open up the FBI files to saboteurs and espionage agents, and that secret discussions that go on which are embodied in the FBI files would be opened up to spies, and so forth.

I defy anybody to point out to me in the Jencks case anywhere where anything like that is indicated. In truth and in fact, in the Jencks case you have this very significant language on pages 12 and 13:

> In the courts below the Government did not assert that the reports were privileged against disclosure on grounds of national security, confidential character of the reports, public interest, or otherwise.

Where do you find any kind of implication that in this Jencks case there were involved secret files, files impinging on our national security? That is denied by this very language I have just read. So that this great house that has been built up by the gentleman from New York [Mr. Keating] just falls to the ground.

Now, has the Department of Justice protection presently against disclosure of secrets or secret files? Has it protection against prying into those files? Let us read the record again. On page 13 the Court had this to say:

> It is unquestionably true that the protection of vital national interests may militate against public disclosure of documents in the Government's possession. This has been recognized in decisions of this Court in civil causes where the Court has considered the statutory authority conferred upon the departments of Government to adopt regulations "not inconsistent with law, for * * * use * * * of the records, papers * * * appertaining" to his department.

Then significantly the Court states:

> The Attorney General has adopted regulations pursuant to this authority declaring all Justice Department records—

Including FBI records—

> declaring all Justice Department records confidential and that no disclosure, including disclosure in response to subpena, may be made without his permission.

Whose permission? The Attorney General's permission. That means the FBI situation, and whether or not it wishes to have the records made public. You must first get the permission from J. Edgar Hoover and/or the Attorney General before you can make any disclosure. What more protection is there for FBI files than that?

A whole hullabaloo has been made over this situation. There is nothing in here concerning national security, but there are emanating, unfortunately, from the FBI great waves of propaganda that indicate to the contrary, that there are national security records involved in the Jencks case.

There are none—so the Court said. The bill before us is aimed at confidential matters contained in FBI files and their preservation. That is what the report says which accompanied the bill. FBI files, as I indicated, are now protected if they impinge in the slightest degree on the national security. I do not think the FBI should unduly endeavor to influence legislation, as they have done in this instance. The FBI is a nonpolitical entity and should not exert pressure on Members or through the press. I have great respect for a really and genuinely dedicated public servant, J. Edgar Hoover, and the FBI. But public relations on Capitol Hill should not be the forte of the FBI. That kind of approach can boomerang. I hope the FBI will not again indulge in this vast propaganda that has been generated to support this bill. They propagandized on the ground that the national security is involved and on the ground that the Jencks case is opening up these records to spies and espionage agents and saboteurs. These forebodings are unwarranted.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. LAIRD. I just want to ask the gentleman from New York about this pressure that he talks about from the FBI. I have seen no pressure from the FBI with reference to this legislation. I think the Hearst newspapers have done a magnificent job in bringing this problem to the attention of the public, but I have seen no pressure from the FBI.

Mr. CELLER. I think the gentleman is very naive if he has neither seen nor heard of any pressure.

Mr. Chairman, there is a very dangerous provision in this bill. Page 3, lines 8 to 14, contains a very dangerous provision. It is as follows:

> (a) In any criminal prosecution brought by the United States, any rule of court or procedure to the contrary notwithstanding, no statement or report of any prospective witness or person other than a defendant which is in the possession of the United States shall be the subject of subpena, discovery, or inspection.

Now, what does that mean? I tried to indicate before some illustrations of that. Take an antitrust suit, let us say, against General Motors or against the ABC Corp. It is a criminal prosecution for antitrust violation. The Government could seize or subpena the records and papers of any and all competitors of the General Motors Corp., or the ABC Corp., because person used in the bill means corporation. These papers that have been seized could be rendered impervious to the grasp and ken and vision of the defendant corporation. They are possessed by the Government. This provision I have read is broad enough to prevent the defendant corporation from even seeing those documents under the rule of discovery as we know it, rule 16 and rule 17 of the Criminal Rules of Practice. That is all changed by this bill. Therefore, what happens? You render it impossible or impractical or most difficult for a defendant in criminal prosecution for an antitrust violation, for example, to defend himself.

That is what you are doing here. The Senate bill has no such provision, and at the proper time I shall offer as a substitute the Senate bill, with that provision which I have read, eliminated as far as persons or corporations are concerned. Take for instance an income tax case. Any one of you might be caught in the switches. You might unfortunately be held for an income tax violation. An indictment has been brought against you. Under this very broad provision the Department of Justice, bent on getting a conviction and only bent upon getting a conviction, could subpena the records in possession of your accountant or some of your creditors or some of your debtors, and you would not get these documents that could be used to exculpate yourself, prove your innocence. You might only have the right to see these documents or evidence at the time of trial—too late for proper preparation for trial. That is what would happen. That is what you are voting for. I ask you to be very careful before you enter into that kind of danger and vote for such a provision.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. BELCHER. As I understand it, these records would be subject to being delivered to the court, unless they were records that had been taken from a witness which the Government was using in the prosecution. Is that not correct?

Mr. CELLER. Right. They would be presented in camera; in secret; in chambers of the court. The defendant could not see them until then—too late for effective preparation. The defendant would be at a dreadful disadvantage.

Mr. BELCHER. But unless the Government was using your own accountant to prosecute you, it would not be subject to this rule?

Mr. CELLER. Why not? It says "any person." There is no limitation.

Mr. BELCHER. It says "to impeach witnesses which the Government has been using."

Mr. CELLER. No; it does not say that. It does not say that. I would not be complaining if it had those limitations on it. I would not be complaining even then if they had a limitation limiting this whole matter to sabotage or espionage or treason. But this covers the waterfront. It covers any criminal prosecution. It covers any person other than the defendant.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. ROGERS of Colorado. What the gentleman has in mind is that by the wording of this bill it would do away with those rules of criminal procedure wherein the Government, having seized my property, there are rules that authorize that it will be returned to me; but if we adopt this very section to which the gentleman has referred, then it does away with that theory altogether, and we are bound by this particular section and none other.

Mr. CELLER. The gentleman is absolutely right. The gentleman is as right as rain in his conclusion.

Now, we heard a great deal about the lower court interpretations of the Jencks decision. There are interpretations both ways, but laterally judges are commencing to get the full import of the Jencks decision and they are deciding exactly as the Department of Justice wishes. A judge in my own bailiwick, Judge Palmieri in the United States District Court for the Southern District of New York, ruled exactly the way the Attorney General wanted. Another judge, George H. Moore, of the eastern district of Missouri, ruled exactly the way the Attorney General wanted in his interpretation of the Jencks case. In a Veterans' Administration fraud case, a Federal judge ruled exactly as the Department of Justice wished, and what more does the Department want? There have been one or two decisions which have gone against the Department. They were unfortunate decisions. The judges should not have misinterpreted the Jencks decision, but time is healing all that. Real intelligence and the proper interpretation of the Jencks decision is dawning upon judges throughout the length and breadth of the Nation, and the new decisions are proper. Now we are rushing in to change all that. It is hoped we will not do so. Let these cases go up on appeal. Let our appellate courts rule first what the Jencks decision really means. Why the haste?

I do hope, therefore, that the bill will be changed in accordance with the Senate version. At the proper time I shall offer the Senate version as a substitute.

Mr. KEATING. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Massachusetts [Mr. Curtis].

Mr. CURTIS of Massachusetts. Mr. Chairman, as a member of the Committee on the Judiciary so ably presided over by the gentleman from New York [Mr. Celler], who has just spoken, it is a real disappointment to find that he has changed his views since his committee reported this bill, as I remember, well nigh unanimously.

I realize, of course, that other events have taken place since then, and that the other body of the Congress has taken a somewhat different point of view, but I submit that the Members of this body have taken a very sound point of view on this legislation, and I certainly hope this body will not bow to the results of the other body without at least a conference between the two branches.

Mr. Chairman, I wondered if I was dreaming when I read the statements in the papers about the damage to the FBI files which would take place if some remedial action were not taken, because the gentleman from New York [Mr. Celler] got up here and tried to tell us that that was all some sort of a nightmare; that, in fact, those files were inviolate and in no danger; and he read us a portion of the Jencks decision which I would like to reread because of a very interesting statement that follows what he read. I read to you the statement which he read, and I am quoting from page 13 of the decision:

> The Attorney General has adopted regulations pursuant to this authority declaring all Justice Department records confidential and that no disclosure, including disclosure in response to subpena, may be made without his permission.

We are told that therefore these records are inviolate. But let me remind you of what the Court went on to say in the next sentence where it quotes with approval the following statement:

> The Government can invoke its evidentiary privileges only at the price of letting the defendant go free.

Of course, the Government had a privilege as to these files, but it cannot assert its privilege and at the same time prosecute those who are trying to subvert and practice treason against the United States.

The gentleman from New York also argued that the files of the FBI were not concerned because the Government did not assert its privilege in this case.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. CURTIS of Massachusetts. Can the gentleman from New York [Mr. CELLER] yield me more time?

Mr. CELLER. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman from New York has 2 minutes remaining.

Mr. CELLER. I yield my 2 minutes to the gentleman from Massachusetts.

Mr. CURTIS of Massachusetts. I thank the gentleman.

Mr. Chairman, the Government did not assert its privilege because if it did it would lose the case.

As showing the danger to FBI files, let me quote what the Court said in the Jenck's case:

> We now hold that the petitioner, that is, the defendant in the case, was entitled to an order directing the Government to produce for inspection all reports of Matusow and Ford in its possession, written and, when orally made, as recorded by the FBI, touching the events and activities as to which they testified.

Those were two confidential agents of the FBI. The Court goes on to say that the petitioner is entitled to inspect such reports.

So in conclusion, Mr. Chairman, I hope this body will support the action of its Judiciary Committee; and I would like to agree with my colleague, the gentleman from Kentucky [Mr. CHELF], that if we are going to err, we should err on the side of the United States.

Mr. KEATING. Mr. Chairman, I yield 3 minutes to the gentleman from North Dakota [Mr. BURDICK].

Mr. BURDICK. Mr. Chairman, about the only thing I can contribute to this debate that will help you form a decision is the fact that I was in charge of Federal prosecutions for crime in North Dakota for a number of years, and I have had experience in court. All the commotion about finding fault with the Supreme Court has risen from the fact that they have very few lawyers on that Court. If they had as good lawyers as I can pick out in this House this afternoon, some of these decisions would not have been rendered.

In prosecuting these criminal cases I discovered that the records I had, both accumulated by the FBI and myself and our State organization, contained the names of those I was going to use as witnesses. If a defendant was in court being prosecuted and he wanted to find out just what this witness had said in the record—whether he was telling the truth or not—if he could get hold of that record there would not be any more lawsuit because I have seen the time when I refused to call a man as a witness because I knew they would kill him. We are right out there where they do business. I refused to call him. But the mere fact they saw him going to the Federal district attorney's office was enough. That night he was killed.

Well, now, if you open up these records and find the names of 8 or 10 that maybe have some reference to the case, and they can get hold of those names, the next time there will not be any names in there. They will not contribute any information, because they would rather live than be shot. If you had experienced men on the Supreme Court of the United States that had been through all of these battles in trials you would not have any ridiculous decision like that to turn over all of the information to these whisky runners and murderers.

You can take your choice. You can turn this down or you can leave the law where it was before the Supreme Court forgot their duty as interpreters of the law and started to legislate. We must not turn this great Government over to Murder, Inc.

Mr. KEATING. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I would like to take my time to call attention first, to what exactly the Jencks ruling did and what our committee attempted to do to clarify that decision and to discuss some of the things that have been said with regard to this matter.

First, what did the Jencks case do? There principally were two rules of law of long standing changed in the Jencks decision. The first is that the defense was entitled, without laying a preliminary foundation of inconsistency, to an order directing the Government to produce for inspection all reports of Matusow and Ford, in its possession, written and, when orally made, as recorded touching the events and activities as to which they testified at the trial. That is the first thing it did.

I want to point out to those who are concerned about the rights of the defendant, the rights of the accused and the rights of the individual as compared and apparently are superior in some way to the rights of society, that our committee has done a constructive job in protecting individual rights in that it has written into this bill this additional rule of evidence as stated by the Court which had not theretofore been the law of the land to protect the rights of individuals. That is in this bill although I do not necessarily agree with this new rule of evidence.

Secondly, what did the Court do? The Court said that the defense is entitled to inspect the reports to decide whether to use them in his defense and the practice of producing Government documents to the trial judge for his determination of relevancy and materiality without hearing the accused is disapproved. The determination of what should be included in the trial of the case is not to be determined by the judge himself. The new rule is, it shall be determined by the defendant.

This rule is inconceivable, and as the the distinguished gentleman from Louisiana pointed out, that at no time in the past history of our jurisprudence the defendant has been the one who has been entitled to search through all the files of the FBI or any other Government agency for the purpose of determining what in his opinion is relevant to the case. That has been within the sole discretion of the judge.

All this bill does is to retain discretion where it has been for the last 160 years, that is, in the judge himself. That is what this bill does.

Now why is this legislation important? It is not because the FBI or J. Edgar Hoover or anybody else is raising a fuss about it. It is because of the decisions of the lower courts releasing many defendants. It is because the Jencks case decision was so broad in its scope and so hard to interpret in many respects that the lower courts themselves have in many instances completely misinterpreted, I believe, the intention of the Court. Let us read just 2 or 3 of the sentences of the Court. The Court alludes to reports when it says:

> Relative statements or reports in the possession of the Government should be turned over to the defendant.
>
> * * * statements orally made as reported by the FBI.
>
> * * * entitled to inspect the reports to decide.

The lower courts in reading the decision have so interpreted it as a matter of fact that since the decision has been handed down there have been some 17 criminals who have been permitted to go scot-free because the FBI did not feel that they could make known to the defendants and to the general public their methods and procedures and the informants they used—17 defendants. That is what we are trying to correct. I say to you this is an essential bill, it has been thoroughly considered, and it protects the rights of the defendant while recognizing the essentiality of also protecting the FBI law-enforcement methods necessary for the protection of the public.

Mr. KEATING. Mr. Chairman, I yield the balance of the time to the gentleman from West Virginia [Mr. MOORE].

Mr. MOORE. Mr. Chairman, the very honorable chairman of the Committee on the Judiciary has pointed out in detail two particular reasons why he feels that this legislation perhaps is hasty. The gentleman from Massachusetts [Mr. CURTIS] has very capably, I believe, met one of the arguments of the distinguished chairman of the Committee on the Judiciary in that he said this: That the Attorney General has the prerogative of stating or electing not to disclose any of the confidential information contained in the files of the case.

The gentleman from Massachusetts went on to say, and pointed out the fact that if the Attorney General makes this election, he loses his case because the Government can only invoke the evidentiary privilege at the price of letting the defendant go free.

That is the Supreme Court speaking. The gentleman from New York also read to you paragraph (a) of the bill we are considering. He said:

> In any criminal prosecution brought by the United States, any rule of court or procedure to the contrary notwithstanding, no statement or report of any prospective witness or person other than a defendant which

> is in the possession of the United States shall be the subject of subpena.

He stopped there. He did not say "except as provided in paragraph (b) of this section."

And paragraph (b) is the germane section, the section which attacks the Supreme Court decision and protects the rights of the defendant in our courts, when it says:

> After a witness called by the United States has testified on direct examination, the Court shall, on motion of the defendant, order the United States to produce for the inspection of the Court in camera—

Naturally, in private—

> such reports or statements of the witness in the possession of the United States as are signed by the witness, or otherwise adopted or approved by him as correct relating to the subject matter as to which he has testified.

If I may respectfully refer you to the Court's opinion, I think the Court has pointed out to us very pointedly what it wants us to do. On page 15 of the decision of the Supreme Court in the Jencks case, the Court says:

> The burden is the Government's, not to be shifted to the trial judge, to decide whether the public prejudice of allowing the crime to go unpunished is greater than that attendant upon the possible disclosure of state secrets and other confidential information in the Government's possession.

Actually a number of the members of this committee know and fully appreciate the rule stated by the Supreme Court, on page 14, when they say:

> The rationale of the criminal cases is that, since the Government which prosecutes an accused also has the duty to see that justice is done, it is unconscionable to allow it to undertake prosecution and then invoke its governmental privileges to deprive the accused of anything which might be material to his defense.

> In the legislation we are debating today, the defendant is protected and it does not deprive him of anything which might be material to his defense. In order to protect the files of the FBI, this bill must be passed in its present form as the best interest of our country demands it.

The CHAIRMAN. The time of the gentleman from West Virginia [Mr. MOORE] has expired.

Mr. POFF. Mr. Chairman, as one of the authors of legislation designed to accomplish the objective of H. R. 7915, I endorse the bill as reported by the Committee.

On June 3, 1957, in the case of *Jencks* v. *United States* (353 U. S. 657), the Supreme Court held, among other things, that, for purposes of discrediting Government's witnesses, defendants in Federal criminal prosecutions are entitled to inspect "all reports of Government witnesses in its possession touching the events and activities to which the witnesses testified at the trial." Conflicting interpretations by lower Federal courts as to the meaning of this statement and the necessity for a procedure which will be uniform throughout the Federal court system resulted in the introduction of legislation by several Members of Congress seeking to clarify the effect of this decision.

The problem which arises from the above holding of the Supreme Court is the insistence of some—although not all—lower Federal courts that entire reports of FBI and other Federal investigative agencies, such as the Narcotics Bureau and the Alcohol and Tobacco Tax Division of the Treasury Department, the Bureau of Immigration, the Defense Department, etc., be handed over to defendants even though only a small part of the reports relates to the pertinent testimony of Government witnesses. Under such circumstances, it is possible for confidential Government files containing information relating to the public interest, welfare, safety, and otherwise, to be disclosed even though such confidential and vital information has no material bearing on the case. Such insistence could lead to broad and harmful expeditions among documents possessed by the Government for purposes which have no direct bearing on the criminal prosecution for which they have been ordered produced.

To understand the seriousness of the situation, it is important to know what Government reports may contain. For example, reports of the FBI cover the full investigation of every phase of a case. They include not only interviews with possible witnesses but information received from confidential sources, volunteered statements, and all other information that has been obtained from the start of the investigation through the preparation of the case for trial. The reports necessarily include raw material of unverified complaints, allegations, and information. In some investigations it is necessary for the FBI to secure the most intimate details of the personal life of a victim of a crime to aid in the identification of the wrongdoer. Much of this information may subsequently prove to be wholly immaterial to the ultimate outcome of the investigation. Nevertheless, it is in FBI reports, and properly so, since FBI investigations record all information received, whether relevant or not and whether verified or not. The interpretation of some courts ordering the production of these reports in their entirety could seriously handicap the law enforcement of our Government agencies, in that, in addition to the disclosure of vital confidential information, the reports would also reveal law-enforcement techniques, intelligence sources, and the names of confidential informants, and could injure the reputations of innocent persons who have no real connection with the inquiry but whose names found their way into Government files because investigators who, in the interest of doing a thorough job, included them.

The Department of Justice, while accepting the main holding of the Jencks case, has expressed the view that by reason of what it considers loose interpretation by lower Federal courts of the Supreme Court decision, it is placed in a position where, if legislation is not introduced, it will have to abandon the prosecution of worthy cases in order to safeguard confidential information in the files of the Government.

Under the instant legislation, which the Department of Justice supports and the language of which it in fact suggested, a defendant in a Federal criminal prosecution, while he will be entitled to see pertinent reports and statements of Government witnesses which the Government has in its possession, he will obtain, instead of the entire reports or statements, only those portions which relate to the testimony of the Government witnesses at the trial. It should be emphasized that this legislation in no way seeks to restrict or limit the decision of the Supreme Court insofar as constitutional due process of a defendant's rights is concerned. While defendant will be entitled to pertinent portions of the reports and statements of Government witnesses which the Government has in its files, he will not be entitled to rummage through confidential information containing matters of public interest, safety, welfare, and national security. He will be entitled to so much of the reports and statements as is relevant to a witness' testimony for the purpose of attacking the witness' credibility. The instant legislation, in securing this entitlement to defendant, authorizes the trial court to inspect the reports and statements and determine what portions thereof relate to the subject matter as to which the witness has testified and to direct delivery of those portions to defendant for his use in the cross-examination of the witness.

There is nothing novel or unfair about such procedure, as Mr. Justice Burton notes in his concurring opinion in the Jencks case. According to Wigmore, and as quoted by Justice Burton, such a procedure is customary:

> It is obviously not for the witness to withhold the documents upon his mere assertion that they are not relevant or that they are privileged. The question of relevancy is never one for the witness to concern himself with; nor is the applicability of a privilege to be left to his decision. It is his duty to bring what the court requires; and the court can then to its own satisfaction determine by inspection whether the documents produced are irrelevant or privileged. This does not deprive the witness of any rights of privacy, since the court's determination is made by his own inspection, without submitting the documents to the opponent's view (VIII Wigmore, Evidence (3d ed. 1940), 117–118).

Such provisions as this legislation contemplates effect a two-fold beneficial purpose. It protects the legitimate public interest in safeguarding confidential governmental documents and at the same time it respects the interest of justice by permitting defendants to receive all information necessary to their defense.

Mr. Chairman, I respectfully urge favorable action on this legislation.

Mr. BOSCH. Mr. Chairman, I and many other Members of this body, as well as the American people, have been seriously disturbed by the usurpation of Congressional authority by our highest tribunal, the Supreme Court of the United States. No one who is of the legal profession has a greater regard for the separation of the various branches of Government than do I, but I feel most strongly that this usurpation of Congressional authority by the Court is constitutionally wrong, but, even to a greater degree, seeks to alter our system of government. The Jencks case is without doubt one of the outstanding examples in a long series of decisions of more legislative than judicial reasoning.

Prior to the introduction of my bill, H. R. 8243, dealing with this subject matter, I carefully read and analyzed the recent decisions of the Court, including the Jencks decision which appeared on the United States Supreme Court Calendar No. 23, October Term 1956, and in which decision was rendered June 3, 1957. I am of the opinion, Mr. Chairman, Mr. Justice Brennan, when he refers to the decision of Chief Justice Marshall in the *U. S.* v. *Burr* (25 Fed. Cas. 187), as a precedent, was in error for, as I see it, the opinion in that case, when read in toto, sustains the position of President Thomas Jefferson against Aaron Burr who wanted him held in contempt for failure to show a letter written by Attorney General Wilkinson relating to Aaron Burr's treason. In substance, this decision upholds the contention that the Federal Bureau of Investigation should have been compelled to submit informants' reports, some of them from FBI agents who were doing their patriotic work in the suspected organization of which Jencks was a former official in order that Jencks might compare this secret information with the trial testimony of the informants. It was only after serious thought and consideration, having in mind the long-standing rule that it is up to the trial judge to determine whether the defendant shall be allowed to examine relevant reports which incidentally is the precedent referred to in the dissent in the Jencks case, read by Mr. Justices Burton and Frankfurter, that I introduced H. R. 8243.

Mr. Chairman, I support H. R. 7915, the bill under consideration even though I might be happier with an even stronger piece of legislation. Its purpose simply, as stated in the report, "It protects the legitimate public interest in safeguarding confidential governmental documents and at the same time it respects the interest of justice by permitting defendants to receive all information necessary to their defense." I believe it is imperative that this legislation be overwhelmingly adopted as an expression by this body of its support of the long-established rules of jurisprudence and to uphold the hand of the Federal Bureau of Investigation in its ever-engaging fight against the subversive and criminal elements in our great country. To put it bluntly and clearly, Mr. Chairman, this bill is in the interest of our national security.

Mr. O'HARA of Illinois. Mr. Speaker, I regret that this measure is coming before us apparently as part of a two-piece package. On the day the Rules Committee voted a rule for the civil-rights bill it also voted a rule for a bill which is regarded by those opposing the civil-rights bill as a slap at the Supreme Court of the United States. On the same day the two bills are brought before us for brief debate and for passage. We have been in session since the first week in January; and now late in August in one day and in a couple of hours of debate we are to pass upon measures of large importance. It may be said by some that the bill now under consideration is not intended as a measure in criticism of the Supreme Court of the United States. But it is to be noted that many of those who are most ardently pressing for its passage with the most meager debate, are those who most ardently fought the civil-rights bill to the bitter end.

I trust that the committee will accept the Celler amendment. For that amendment, which is substantially the bill, passed by voice by the other body. I can vote in good conscience.

I do not like one provision that I, as a defense counsel in many trials, would regard as prejudicial to the defense of innocence.

I might say that in the many times that I have stood before juries in the defense of persons under indictment I never have represented a defendant of known or suspected professional criminal type. I have represented persons who had been caught in webs of circumstance, many times persons without the means to dig up the evidence to dissolve those circumstances, and I have sincerely felt every time that I addressed a jury that I was defending innocence. In most cases all that I had to work with was the fact that truth, given an opportunity to reveal itself through the laws of evidence intended to protect innocence, would rise to defend against a false chain of circumstance one who had lived and acted by the truth.

It is the duty of the prosecutor, whether it be in a State or a Federal court, as much to defend innocence as to convict the guilty. That is in the spirit and of the essence of American justice. When the prosecution puts on the stand a witness to swear away the life or the liberty of a defendant it is in the very spirit of justice that for purpose of protection against false testimony it should furnish the defense with the statements in its possession made by the witness that might be contrary to the statements at the time of trial.

It is proposed that the court can order the Government to present to the court's scrutiny previous statements of the Government's witness, and that in the failure of the Government to comply with such order of the court, the evidence of the witness may be stricken and the jury instructed to disregard.

But, Mr. Speaker, juries are human. When jurors are told a damaging story, one that may impress them deeply, they do not easily dismiss it from their minds. Even though they conscientiously seek to follow the instruction of the court to disregard the evidence given, there remains in their subconscious minds a motivating memory of that which with their own ears they had heard and from a witness who at a previous hearing or on a previous occasion may have made statements entirely contrary, but which were not brought to their attention and their hearing because the Government had refused to comply with the order of the court. It is this provision that I think with greater study could be perfected with less likelihood of injustice to innocence resulting.

The situation that we face did not result from a decision of the Supreme Court that would expose the files of the FBI that should not be exposed. It arises from the fact that some district courts have gone astray, and altogether too far astray, in their interpretations of that which the Supreme Court intended and actually said. This brings us face to face with a situation that is realistic and should have our best thought and attention in order that district and circuit courts in erroneous interpretations may not do further havoc before the Congress has met in a second session and before the matter can go back to the Supreme Court for further clarification.

I, like every other lawyer who has practiced in both State and Federal courts, have found some State judges and some Federal judges stubbornly grounded in their prejudices and in their own slanted interpretations of laws. During the early Roosevelt years, when the Congress was enacting many new laws that now are the accepted bulwarks of our welfare, I knew of one Federal district judge who on every occasion immediately found some litigation to give him the opportunity to declare unconstitutional a law passed by the Congress of the United States. As I recall it, there were more than 10 such occasions, and of the many laws this district judge so promptly found unconstitutional, not one failed to pass the approving scrutiny of the Supreme Court of the United States. So I know how far astray a district court can go, even though I say in all fairness, and in order that I may not be misunderstood, that I have known precious few judges, whether in State or in Federal courts, who did not measure up to the highest standards of integrity and of judicial deportment. But a few stubborn men can do a lot of mischief on and off the bench.

So, Mr. Speaker, I repeat that I in good conscience can support the Celler amendment taken as a whole. It was never the contention of the Supreme Court of the United States, as I read its words, that the files of the FBI should be opened for all the world to see. Everything that has been said on that score I agree with. Certainly if the FBI has gathered information that protects our country and our people from sedition, from subversive activities and from crimes, and it is unrelated to the specific testimony given by a Government witness in a criminal case, it should enjoy the privacy that it requires in protection of its usefulness and of the persons from which it was obtained. The Celler amendment will protect fully that privacy. It will act as a stopgap to prevent abuses springing from the erroneous interpretation of the Supreme Court's decision until the Court itself can clarify its language or the Congress after hearings by the Judiciary Committee of the length and scope demanded by prudence and the concepts of good lawmaking can make wise and constructive changes.

No matter how it is disguised, the import of the bill under discussion is to slap by implication at the Supreme Court of the United States. It is part of a two-price package. The import of the Celler substitute bill is to meet the situation arising from erroneous interpretations by lesser courts, to protect the legitimate privacy of the FBI files from invasion threatened by such misinterpretations and at the same time to maintain unsullied and unweakened the authority of the Supreme Court of the United States and the safeguards of innocence that are part and parcel of American justice.

Mr. METCALF. Mr. Speaker, it is apparent that there has been considerable confusion as to the precise results of the Jencks decision. During the I have been pleased that some of the course of the debate here on the floor intemperate attacks that editorial writers and some columnists have made on this decision have not been repeated. Actually, as I read the case, the decision of the Supreme Court was a very correct one and one that was on a narrow issue.

Harvey Matusow, a self-confessed perjurer, and now under sentence for perjury, was one of the professional witnesses who testified against Clifton Jencks and whose testimony helped secure a conviction in the Jencks' case. Matusow testified that he had made oral and written statements to the FBI about Jencks. The Supreme Court held that the defense was entitled to an order of the trial court directing the Government to produce all reports made by Matusow and, one, J. W. Ford, as recorded, touching upon the events and activities which were the subject of their testimony at the trial. The decision specifically bars any broad or blind fishing expedition among documents possessed by the Government.

The Matusow chapter is one of the blackest in recent history of the Justice Department, and has dramatically pointed up the dangers to the rights of individuals in the use of paid informers and professional witnesses upon which to base a Federal conviction. The Supreme Court decision reaffirms the right of the individual American citizen fighting for his life or liberty to have access to the evidence in the possession of the prosecutor that is necessary to his defense.

I have read some of the statements that have emanated from the Department of Justice since the Jencks decision was handed down and I am unable to read into the decision a good many things the Attorney General says that he finds there. I am glad to learn that my colleagues on the Judiciary Committee also have been unable to foresee the dire results of the Jencks decision that have been forecast by some.

But, they say, as a result of the decision there have been various conflicting interpretations within the same circuit and sometimes within the same district so that it is necessary to have legislation to straighten this matter out. In fact the legislation proposed does just about what the Supreme Court decision did. It does adopt the majority principle of the Jencks decision insofar as it requires the Government to produce the reports of a Government witness either written, or when orally made, as recorded, touching the events and activities about which the witness has testified at the trial.

However, the legislation before us proceeds to write the rules under which the disclosure shall be made. I submit that this is within the prerogative of the judiciary under broad, general legislative principles heretofore adopted. There are State jurisdictions where the rule making power is in the legislature. My own State is one. But the Federal courts and their judicial councils exercise rulemaking power for those courts under specific legislative grant. In principle and logic that is a better way, in my opinion. We can rely upon the sound exercise of this rulemaking power to protect the rights of the people of the United States, as the complainant in a criminal action, and at the same time to preserve the traditional American rights of the accused.

Frankly I am not sure whether this legislation does preserve basic rights of the accused or not. I have listened to the gentleman from Colorado [Mr. ROGERS] and the gentleman from New York [Mr. CELLER] and I am impressed with their arguments that this legislation does change rules of procedure.

As I read the Jencks case and see that the basic principle of the decision is, by and large, in accord with this legislation I am reluctant to vote for a bill that might change the decision or the rules of procedure under which it was promulgated. It seems to me that the orderly way is to let the customary and traditional judicial process formulate the body of law around this decision, just as the law has been built around other decisions of the Supreme Court and interpretations of procedural matters. If, after mature consideration of the Supreme Court's interpretations and the district court procedures, the Congress does find that a change in the basic legislation is necessary then such a change can be made after a greater opportunity for study and consideration is given the Members than has been given us here today.

To me the case for urgency has not been proven. The case for careful deliberation of such a matter as affects basic constitutional liberties is always with us. Therefore, I shall vote against H. R. 7915.

Mr. COFFIN. Mr. Chairman, in deciding to vote with the small minority against H. R. 7915, which was devised to correct misunderstandings in the wake of the Jencks case, I was reminded of, and influenced by, the example set by Maine's great son, William Pitt Fessenden, who, notwithstanding popular clamor to impeach President Andrew Johnson, cast the first Republican vote of not guilty.

On questions of great moment, one is answerable in the final analysis only to his conscience. In my opinion, H. R. 7915 was such a question. It raised not only the issue of immediate wisdom but the issue of the way we have devised and maintained a Government which has at its best moments preserved and strengthened, rather than eroded and weakened, a separation of the powers of the executive, the legislative, and the judicial branches.

During my period as a Federal law clerk and as a frequent practitioner of the law in the Federal court of Maine, I suppose that I became as familiar as most lawyers in my State with the Federal Criminal and Civil Rules of Procedure. They have proved eminently successful because they were adopted only after an exhaustive consideration by both bar and bench. Each successive change in these rules has been made only after thorough exploration and discussion by the judicial council, and the bench and bar generally. In no instance, so it was revealed in the debate, since the inauguration of these rules, has Congress attempted to work its will on the body of rules so carefully wrought.

Now, in a near frenzy over the prospect of delay or acquittals during the next several months, we set ourselves the task of legislating a rule of court, during the hectic last-minute rush of this session, without having conducted any hearings in depth, without seeking or gaining the reasoned advice of bench and bar. And, allowing only 1 hour of general debate, we expect to add to the dignity and effectiveness of our system of justice.

The debate, short though it was, illuminated that the task we set ourselves was too much. Despite the protestations in the committee report that rules 16 and 17 (c), providing for discovery and subpena procedures, were not affected, it is clear from a careful reading that they are substantially changed. One example will suffice. Rule 16 allows the defendant a pretrial inspection of "papers * * * obtained from others by seizure or by process" which are in the custody of the Government. H. R. 7915 would prevent a defendant from inspecting before trial any paper in the hands of the Government, which comes from any other person than the defendant. This means that a corporation, sued in an antitrust action, could not have, as it now does have, the right to inspect documents of a competitor, either voluntarily given to or seized by the Government. This means that a businessman, sued in a wages and hours case, could not inspect, before trial, documents or receipts of allegedly aggrieved employees. Or, in an income tax evasion case, the accused taxpayer could not inspect, before trial, invoices or receipts of others as to his income or expenditures. These examples illustrate how far reaching this seemingly simple legislation is, and how profoundly it alters the existing rules.

I voted for the version of this legislation as it passed the Senate, because I felt that the existing structure of the rules had been left more nearly intact. Even then I did so most reluctantly, because I felt that this was not the way to proceed if we are to insure continued balance, practicability, and justice in these rules.

I have the conviction that in the long run the people of this country will reaffirm, as they did when an attempt was made to pack the Supreme Court, their faith in the Court as the irreplaceable guardian of the system of justice that has nurtured our greatness. In times to come they will look back on this as an ill-advised attempt to pack the rules of our courts.

We are being naive if we believe that the next 4 or 5 months will see the wholesale acquittal of subversives or other desperadoes. At the most there will be delay in bringing cases to trial. That delay, if used—as it certainly should and could be used—to invoke the judicial council and the advice of bench and bar throughout the country, is indeed a small price to pay for the sane and orderly improvement of our system of justice. The legislative cure is likely to prove a wonder drug leaving after effects worse than the ailment it seeks to remedy.

Mr. BECKER. Mr. Chairman, it is my firm conviction that this legislation will, for the time being at least, correct the ill effects of the Supreme Court decision affecting the disclosure of the FBI files.

In listening to the debate today, I am reminded that, through my years as a member of the New York State Assembly and since I have been a Member of the House of Representatives, every time legislation comes on the floor affecting the Communist conspiracy, the greatest legal, technical debate takes place. In no other legislation to my knowledge do the legal technicalities arise that have been injected here today.

I want it understood that I believe those arguing in opposition to this legislation have the best interests of our country and its security at heart. Nevertheless, I firmly support this bill as reported by the committee and, if any difficulties should arise in the near future, the Congress will be back in session again and can correct them, if necessary, but it is essentially vital for the internal security of our Nation that this legislation be passed at once.

I am happy that my statement of 2 weeks ago, which I made on the floor of the House, asking that this Congress not adjourn until this legislation had been completed is being carried out. I commend the Judiciary Subcommittee in drawing this bill and acting upon it in an expeditious manner, and I am sure it will pass by an overwhelming vote of this House.

Mr. ASHLEY. Mr. Chairman, Congress today is hurrying to pass a bill to restrict the Supreme Court's recent decision in the Jencks case which held that Federal Bureau of Investigation reports, under certain circumstances, could be made available to defendants in criminal cases.

The Court's view was based on the long-established right to counsel to impeach an opposing witness—that is, destroy his credibility—by producing earlier statements by him which may be at variance with court testimony.

But in the Jencks case the Supreme Court made this right of counsel specifically applicable to the hitherto sacrosanct files of the FBI. Up to then the FBI had always been able to maintain that its files must be kept secret. Since the Jencks case was decided, J. Edgar Hoover and Justice Department officials have been pressing for legislation to change the Jencks ruling.

It is extremely unfortunate, Mr. Chairman, that this pressure—exerted through press, radio, and other mediums—has resulted in eleventh-hour consideration of the bill before us. Because high administration officials have hinted broadly that the Jencks case opens FBI files to every whim and demand of defendants in espionage and other cases involving our national security, the legislative skids have been greased, the adjournment flag has been readied, and word has gone out that the bill is not really too bad after all.

Mr. Chairman, I am opposed to the legislation at hand because I do not believe that it has received sufficient consideration and because I resent the atmosphere in which it comes to this body. I feel strongly that Congress, with the perspective that comes from studying the effects of the Jencks decision, will be better able to legislate in the public interest on this matter in the next session of the Congress.

The CHAIRMAN. All time has expired.

The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That, section 1733 of title 28, United States Code, is hereby amended by adding the following additional subsections:

"(c) In any court of the United States and in any court established by act of Congress, any books, records, papers, or documents of any department or agency of the United States which, in the opinion of the Attorney General, contain information of a confidential nature, the disclosure of which the Attorney General in the exercise of his discretion, concludes would be prejudicial to the public interest, safety, or security of the United States shall not be admissible in evidence in any civil or criminal proceeding, over the objection of the Attorney General, unless—

"(i) such books, records, papers, or documents have been produced in open court and have been used or relied upon by a witness for the purpose of establishing a record of his past recollection, of any events being testified to, or

"(ii) such books, records, papers, or documents have been or are produced in open court and are being used or relied upon by a witness for the purpose of refreshing his present recollection of any events being testified to.

"(d) Whenever, in any civil or criminal proceeding in any court of the United States or in any court established by act of Congress, demand is made for the production of any books, records, papers, or documents of any department or agency of the United States which have been used or relied upon by a witness in the trial for the purpose of refreshing the witness' recollection, or as a record of his past recollection, such books, records, papers, or documents shall not be produced or admitted in evidence over the objection of the Attorney General unless the trial court, in its discretion and upon personal inspection thereof without disclosure to any party or counsel, determines that such books, records, papers, or documents should be produced in the interest of justice and for the protection of the constitutional rights of the party affected thereby."

Mr. KEATING (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the reading of the bill be dispensed with and that the committee amendment be read.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Clerk will read the committee amendment.

The Clerk read the committee amendment, as follows:

Strike out all after the enacting clause and insert the following:

"That chapter 223 of title 18, United States Code, is amended by adding a new section 3500 which shall read as follows:

"'§ 3500. Demands for production of statements and reports of witnesses

"'(a) In any criminal prosecution brought by the United States, any rule of court or procedure to the contrary notwithstanding, no statement or report of any prospective witness or person other than a defendant which is in the possession of the United States shall be the subject of subpena, discovery, or inspection, except as provided in paragraph (b) of this section.

"'(b) After a witness called by the United States has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce for the inspection of the court in camera such reports or statements of the witness in the possession of the United States as are signed by the witness, or otherwise adopted or approved by him as correct relating to the subject matter as to which he has testified. Upon such production the court shall then determine what portions, if any, of said reports or statements relate to the subject matter as to which the witness has testified and shall direct delivery to the defendant, for use in cross-examination, such portions, if any, of said reports or statements as the court has determined relate to the subject matter as to which the witness has testified. The court shall excise from such reports and statements to be delivered to the defendant any portions thereof which the court has determined do not relate to the subject matter as to which the witness has testified. If, pursuant to such determination, any portion of such reports or statements is withheld from the defendant, and the trial is continued to an adjudication of the guilt of the defendant, the entire reports or statements shall be preserved by the United States and, in the event the defendant shall appeal, shall be made available to the appellate court at its request for the purpose of determining the correctness of the ruling of the trial judge.

"'(c) In the event that the United States elects not to comply with an order of the court under paragraph (b) hereof to deliver to the defendant any report or statement or such portion thereof as the court may direct, the court shall strike from the record the testimony of the witness and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared.'

"The analysis of such chapter is amended by adding at the end thereof the following:

"'3500. Demands for production of statements and reports of witnesses.'"

Mr. ROGERS of Colorado (interrupting the reading of the committee amendment). Mr. Chairman, I ask unanimous consent that the committee amendment be considered as read and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I doubt very seriously whether the Congress of the United States can write legislation attempting to rectify what they claim has resulted from the Jencks decision.

May I point out that the Supreme Court in its decision on page 11 of Jencks against United States, after it was brought out that the two witnesses Matusow and Ford had testified that they had made certain statements to the FBI and the defendants' counsel asked that those statements be produced and they were not produced, stated:

> We now hold that the petitioner was entitled to an order directing the Government to produce for inspection all reports of Matusow and Ford in its possession, written and, when orally made, as recorded by the FBI, touching the events and activities as to which they testified at the trial. We hold, further, that the petitioner is entitled to inspect the reports to decide whether to use them in his defense. Because only the defense is adequately equipped to determine the effective use for purpose of discrediting the Government's witness and thereby furthering the accused's defense, the defense must initially be entitled to see them to determine what use may be made of them. Justice requires no less.

Let us take that part of the decision and analyze the bill which we have here. It in effect says that when a witness has taken the witness stand and has admitted that he has given reports to the FBI, then we say in the second paragraph that instead of these reports being produced and turned over to counsel for the defense as provided in this decision, we say under this bill that it shall be given to the judge for him to ascertain what part of that report shall be turned over to the defendant. Let us see what the Supreme Court said, and the reason that I now say, it is virtually impossible for this House to write a rule of reason, so to speak, to apply to the Jencks decision. For the Supreme Court on page 12, after reciting the necessity of turning over the reports to defense counsel makes this statement:

> The practice of producing Government documents to the trial judge for his determination of relevancy and materiality without hearing the accused is disapproved. Relevancy and materiality for the purposes of production and inspection with a view to use on cross examination are established when the reports are shown to relate to the testimony of the witness. Only after inspection of the reports by the accused must the trial judge determine admissibility.

The Court in that decision said that he is given his due process when he has an opportunity to inspect the reports that are in the files. We can talk all we want to about the security of the Nation and things of that nature. This is a rule that is laid down by the Supreme Court. They have laid it down. We attempt in this bill to take from him the right to inspect the files unless the judge approves. We say "You now revert back to the old rule and you will now give it to the judge and the judge shall determine rather than you being able to examine it yourselves and make that determination."

Mr. ROGERS of Colorado. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Chairman, let us go one step further. The chairman of our committee has pointed out that if the first part of this bill as reported is adopted, then you are proceeding to change some of the rules of criminal procedure. That is not all that this bill would do—and I do not know what else can be done about it, but whenever you realize that under these circumstances, if the Court delivers to the defendant the files or the reports, understand that in the first instance we say in this bill "such reports or statements of the witness in the possession of the United States as are signed by the witness."

Now, that is No. 1, and continuing "or otherwise adopted or approved by him as currently relating to the subject matter to which he has testified."

The word "relate" goes a long way.

Now let us go one step further and see if we are actually, by this procedure, saying that we are amending the rule as it relates to wiretapping. It could very easily arise in this instance. Suppose that the FBI had placed a wiretap, and that that wiretapping has been put in their report, and it deals with a witness who is on the witness stand. We authorize the judge, under this procedure, to take that report because it relates to that witness, and he is in duty bound, under this procedure, to deliver it to the defendant's counsel. After it is delivered to him, then you run into the first big problem. Our Federal Communications Commission Act does not make it a crime to wiretap. It makes it a crime to expose and disclose the thing that you hear in the wiretap.

Here is a report which contains the wiretap information, which is given to a Federal judge in the first instance, and he, in the second instance, delivers it to counsel for the defendant. Is he privileged, then, under the law, to expose what he heard in that wiretap? That is something that we should consider. Certainly if he can, then he is violating the particular section which prohibits the exposure of the information heard in the wiretap.

There are a number of things we should consider in connection with this piece of legislation. What we have before us is a bill that was prepared by the Department of Justice in the first instance. When the other body considered this legislation and when they approved it yesterday, they did not adopt the provision of the Justice Department bill which you now have before you as an amendment to the original bill. The other body has amended it in several particulars.

Now here is the whole crux of the thing. What is a record? The bill as provided by the other body in effect says "a record." Is a record what is told to an FBI agent who in turn tells what he has heard? Does that become a record which must be passed to counsel for the defendant? The other body at the suggestion of the Justice Department had an amendment over there to change the word "record" to "recording," meaning thereby to make a limitation upon the thing that would be passed to the defendant. In other words, a "recording" means speaking what the man may have said that they have picked up. It would eliminate the question of the record itself.

I therefore believe that if we are to adequately meet this situation it would take a great deal more study than we have been able to give it. Otherwise you will run into a situation where due process has been denied.

The CHAIRMAN. The time of the gentleman from Colorado [Mr. ROGERS] has again expired.

Mr. CELLER. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

> Substitute amendment offered by Mr. CELLER: Page 1, strike out all after the enacting clause and insert:
>
> "That chapter 223 of title 18, United States Code, is amended by adding a new section 3500 which shall read as follows:
>
> "'§ 3500. Demands for production of statements and reports of witnesses
>
> "'(a) In any criminal prosecution brought by the United States, no statement or report of a Government witness or prospective Government witness (other than the defendant) made to an agent of the Government which is in the possession of the United States shall be the subject of subpena, or inspection, except, if provided in the Federal Rules of Criminal Procedure, or as provided in paragraph (b) of this section.
>
> "'(b) After a witness, called by the United States, has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce any written statements previously made by the witness in the possession of the United States which are signed by the witness or otherwise adopted or approved by him, and any transcriptions or recordings, or oral statement made by the witness to an agent of the Government, relating to the subject matter as to which the witness has testified. If the entire contents of any such statements, transcriptions, or recordings relate to the subject matter of the testimony of the witness, the court shall order them delivered directly to the defendant for his examination and use.
>
> "'(c) In the event that the United States claims that any statement, transcription, or recording ordered to be produced under this section contains matter which does not relate to the subject matter of the testimony of the witness, the court shall order the United States to deliver such statement, transcription, or recording for the inspection of the court in camera. Upon such delivery the court shall excise the portions of said statement, transcription, or recording which do not relate to the subject matter of the testimony of the witness. With such material excised the court shall then direct delivery of such statement, transcription or recording to the defendant for his use. If, pursuant to such procedure, any portion of such statements, transcriptions, or recordings is withheld from the defendant, and the trial is continued to an adjudication of the guilt of the defendant, the entire text of such statements, transcriptions, and recordings shall be preserved by the United States and, in the event the defendant shall appeal, shall be made available to the appellate court for the purpose of determining the correctness of the ruling of the trial judge. Whenever any statements, transcriptions, or recordings are delivered to a defendant pursuant to this section, the court in its discretion, upon application of said de-

fendant, may recess proceedings in the trial for such time as it may determine to be reasonably required for the examination of such statements, transcriptions, or recordings by said defendant and his preparation for their use in the trial.

"'(d) In the event that the United States elects not to comply with an order of the court under paragraphs (b) and (c) hereof to deliver to the defendant any statement, transcription, or recording, or such portion thereof as the court may direct, the court shall strike from the record the testimony of the witness and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared.'

"The analysis of such chapter is amended by adding at the end thereof the following:

"'3500. Demands for production of statements and reports of witnesses.'"

Mr. CELLER. Mr. Chairman, this substitute embodies practically the bill that was passed in the other body yesterday.

At the outset I wish to indicate clearly that the Jencks decision made no reference whatsoever to the Federal Rules of Criminal Procedure. The bill before us changes the Federal Rules of Criminal Procedure. Those rules are time honored. They are prepared by the Justices of the Supreme Court under the guidance of the Chief Justice. As far as I can recall, we have never in this Chamber even attempted to amend those Federal Rules of Criminal Procedure. Those rules are submitted to us under authority we granted to the Supreme Court, and we are given usually, or rather, we are given actually 90 days in which to change those rules if we see fit. Never have we vetoed, canceled out, or amended any of the rules that have been submitted to us from time to time by the Supreme Court.

Now, in this backhand manner, without real and mature deliberation we are amending the Rules of Criminal Procedure.

The substitute I offer makes no mention of the Federal Rules of Criminal Procedure; therefore, it does not seek to amend them. It expressly states that it shall govern pretrial proceedings.

The substitute I offer expands the statements of Government witnesses to include transcriptions and recordings; that is, it covers the actual voice of those who have testified for the Government or who have expressed themselves on the files or records of the Government.

The Senate bill contained the word "records." I changed that word "records" to "recordings."

I think the Senate should have used the word "recordings," because "records" might include an entire file. Therefore I made the change from the Senate bill by dropping out the word "records" and substituting the word "recordings."

Thirdly, the substitute confines the application of its provisions to Government witnesses; it does not cover other witnesses, it must be Government witnesses. I tried to make clear in the statement I made heretofore the danger and pitfalls that would be involved if we included witnesses other than Government witnesses.

Also, there is embodied in the substitute the so-called Cooper amendment, offered by the distinguished Senator from Kentucky, which appears on page 3 of the Senate bill, lines 12 to 18, reading as follows:

Whenever any statements, transcriptions, or recordings are delivered to a defendant pursuant to this section, the court in its discretion, upon application of said defendant, may recess proceedings in the trial for such time as it may determine to be reasonably required for the examination of such statements, transcriptions, or recordings by said defendant and his preparation for their use in the trial.

Simply stated, that would avoid surprise to the defendant's counsel. He would also have a breathing space, as it were, and if these recordings and transcriptions are offered for the record and they are sifted and culled out by the judge of a court in camera, then defendant's counsel shall have a reasonable respite or recess to examine them. That is all this particular Cooper amendment involves.

The CHAIRMAN. The time of the gentleman from New York has expired.

(By unanimous consent (at the request of Mr. CELLER) he was allowed to proceed for 2 additional minutes.)

Mr. CELLER. Mr. Chairman, those are the changes and with those changes the substitute is exactly as is the bill before us.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Ohio.

Mr. SCHERER. Under the gentleman's amendment, would the district attorney have the right after a witness takes the stand, to then ask the defendant to reveal to the Government what the defense has in its files insofar as testimony of the particular witness that has been called is concerned?

Mr. CELLER. That, of course, is involved in this amendment.

Mr. SCHERER. Would that situation be allowed if we permitted the Jencks ruling to stand as it now does?

Mr. CELLER. The Government under the law today can seize an accused person's papers, and so forth.

Mr. SCHERER. Not after a witness has taken the stand can you ask the defendant to take from his files information concerning statements that that witness made.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Louisiana.

Mr. WILLIS. The gentleman is restating the Jencks decision. That is what we are trying to correct.

Mr. SCHERER. Does it apply in reverse?

Mr. CELLER. I doubt it since the Government has the burden of proof of proving guilt beyond reasonable doubt. Defendant may stand silent.

Mr. SCHERER. Would the district attorney have the right to get from the defendant the information that the defendant has?

Mr. CURTIS of Massachusetts. I do not think they would have that right because there is the matter of self-incrimination which is involved therein.

Mr. SCHERER. I am not talking about the defendant. I am talking about witnesses who may be called on behalf of the defendant.

Mr. CELLER. Does the gentleman ask me whether the Jencks decision affects that right or whether the substitute bill affects that right?

Mr. SCHERER. Both.

Mr. CELLER. The substitute amendment has nothing to do with that. It does not affect it.

Mr. SCHERER. Does not the same reasoning apply if you allow the Jencks decision to stand?

Mr. CELLER. I do not think so.

Mr. SCHERER. Would not the district attorney have the right to ask the defendant for the same information?

Mr. CELLER. No, because you will have to remember in all criminal cases the burden of proof is on the prosecution. The defendant need not do anything. The Federal Rules of Criminal Procedure do not now, I believe, provide for the production of such records in criminal cases.

Mr. SCHERER. If the defense is in the presentation of its case and it offers a witness to substantiate the defense, then cannot the district attorney ask defense counsel to produce from its files any statement that that particular witness may have made?

Mr. CELLER. I doubt that very much, for the reasons I have already given.

The CHAIRMAN. The time of the gentleman from New York has again expired.

(By unanimous consent (at the request of Mr. CELLER) he was allowed to proceed for 1 additional minute.)

Mr. CELLER. I do not think so because you might have a case where the defendant might remain silent. If you compelled him to do that, that is not silence. He would be compelled to convict himself.

Mr. SCHERER. I think the gentleman is missing the point. I am saying that if witnesses who are supporting the defense, have given to the defendant's lawyer a contradictory statement, then does the Government have the right to go into the defendant's files?

Mr. CELLER. Neither the Rules of Criminal Procedure nor this amendment provides anything of that sort.

Mr. SCHERER. Should not the Government have that right?

Mr. CELLER. Whether it should or should not is a question not expressly present in this bill. I do not believe that it now has such right, at least at that time in the trial after a witness has testified.

Mr. SCHERER. Should it not work both ways?

Mr. CELLER. It does not.

Mr. WILLIS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, it should be realized that the amendment offered by the gentleman from New York [Mr. CELLER] would definitely affect and bring into play the Federal Rules of Criminal Procedure. If you read his amendment you will see that it says:

> In any criminal prosecution brought by the United States, no statement or report of a Government witness or prospective Government witness (other than the defendant) made to an agent of the Government which is in the possession of the United States shall be the subject of subpena, or inspection—

And here is the language—

> except, if provided in the Federal Rules of Criminal Procedure, or as provided in paragraph (b) of this section.

That is except if provided in the Federal Rules of Criminal Procedure. Here is an indirect way to give lower Federal judges an additional post on which to hang their hats to compel the production of FBI records, not by virtue of the Jencks case, but "if provided in the Federal Rules of Criminal Procedure." Of course, the Federal Rules of Criminal Procedure do not have any provision for discovery, properly speaking. That applies only in civil cases.

For example, in a criminal case the defendant charged with crime has the right before trial to ask the Federal Government to produce to him and his counsel—what?—papers, books, documents, and other tangible evidence belonging to the defendant. In other words, if the defendant's books have been taken, if he has made a confession, he has the right to have those documents submitted to him. But certainly under the Rules of Criminal Procedure you have never heard of a right given to the defendant to go to the United States Attorney and say, "Look here, before I go to trial I want to see your files; I want to see the FBI reports; I want to know who the witnesses are going to be."

I say this is a temptation to the lower Federal judges to try to find another way to get at these reports indirectly when the idea of the bill is to stop it. I think it is dangerous language.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman.

Mr. CRAMER. I appreciate the statement of the gentleman and I concur in it wholeheartedly. I would suggest on page 7 of the committee report it very clearly shows that the bill before us, not the amendment of the gentleman from New York, but the bill does not affect the Rules of Criminal Procedure. It specifically says:

> Rule 17 (c) relates to the production of documentary evidence and objects.

It has nothing to do with testimony on the part of the witness being used or statements made, but documentary evidence as is contained in rule 16, the discovery procedure and the subpena procedure. Then it goes on further to say in the committee report itself,

> It does not—

That is the bill before the House, not as amended by the gentleman from New York.

> It does not in any way restrict the application of rule 17 (c).

Mr. WILLIS. The gentleman is correct.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman from New York.

Mr. CELLER. While it may be true you have a clause in there, "any rule of court or procedure to the contrary notwithstanding," the very import of the language in the bill itself is contradictory of rule 16 of the Rules of Criminal Procedure. For example, rule 16 is as follows:

> Upon motion of a defendant at any time after the filing of the indictment or information—

"At any time"; it does not mean at the time of the trial—

> the court may order the attorney for the Government to permit the defendant to inspect and copy or photograph designated books, papers, documents, or tangible objects, obtained from or belonging to the defendant or obtained from others by seizure or by process, upon a showing that the items sought may be material to the preparation of his defense and that the request is reasonable. The order shall specify the time, place, and manner of making the inspection and of taking the copies or photographs and may prescribe such terms and conditions as are just.

Then go on to rule 17 (c), entitled "For Production of Documentary Evidence and of Objects."

> A subpena may also command the person to whom it is directed to produce the books, papers, documents, or other objects designated therein. The court on motion made promptly may quash or modify the subpena if compliance would be unreasonable or oppressive. The court may direct that books, papers, documents, or objects designated in the subpena be produced before the court at a time prior to the trial or prior to the time when they are to be offered in evidence and may upon their production permit the books, papers, documents, or objects or portions thereof to be inspected by the parties and their attorneys.

Mr. WILLIS. May I say to the gentleman that the books, papers, records, and documents are not of the type this bill speaks about at all.

Mr. CELLER. Why not?

Mr. WILLIS. Let me show the gentleman. Section (b) of the bill states—

> After a witness called by the United States has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce—

What?—

> to produce such reports or statements of the witness in the possession of the United States.

It has nothing to do with the books or records referred to in the Rules of Criminal Procedure.

Mr. CELLER. What about doing all that on the pretrial discovery, and that is what this bill prevents? Here is where the difficulty comes in; by virtue of the fact it prevents that pretrial discovery, it amends the Federal Rules of Procedure.

Mr. FORRESTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is a little hard for me to be in opposition to my chairman, and maybe it is a little bit unusual for me to be joining with the gentleman from New York [Mr. Keating]. On the other hand, it never has been a hard job for me to step over on any side when I think they are correct. I think the gentleman from New York [Mr. Keating] is correct in his proposed legislation, to a degree. The only criticism I have of it is that he has not gone far enough and he is not meeting this issue realistically. Here is what this Congress is engaged upon in this legislation. There are nine other Communists waiting to be tried under the same kind of situation as Jencks was tried, and the Jencks case was upset by the Supreme Court of the United States, and the Communist defendant freed, upset yes, and the defendant discharged, and I say this to every Member of the House, and I challenge anyone to dispute me—upset and the defendant freed without a single precedent to sustain their ruling. As a matter of fact, absolutely and with complete uniformity every decision of the Supreme Court has been directly opposite to the decision rendered by the Supreme Court in the Jencks case. What I am saying to the gentleman from New York and what I am saying to the Attorney General is that this issue ought to have been met realistically. I want to say this, too. I am sorry that the testimony of the Attorney General, Mr. Brownell, was not incorporated in this Record. As a matter of fact, I do not think that the Attorney General's statement was exactly in accord with the testimony shown in the report that he said that we will accept the principle which is that you can demand that statements of a witness be turned over to a defendant without first making a showing or laying a predicate that contradictory statements have been made, because that rule requiring a predicate is the rule in the United States Supreme Court and in every other court in the United States. As a matter of fact, here is what Attorney General Brownell said. He says we are in a terrible situation right now, and we have to live with the decision and we want and need this legislation. But I want it recorded here and now that I do not think it was the sense of the Committee on the Judiciary to come out with any expression whatsoever that we are endorsing the principles laid down by the Supreme Court. Under no circumstances will I do it. Nor do I think the House Judiciary Committee will do it.

I think the Attorney General should have done as I have had to do when I was over there in the minority—I had to take positions against the Democratic Attorney General and against some of our other officials because sometimes they were wrong. I think that is what they ought to do. They ought to say, "I am sorry for the appointment of Justice Brennan who rendered this outrageous decision." "This decision is not law." I say this to you, Mr. Chairman. It was said by the gentleman from Colorado that he doubts that we can correct some of the decisions of the Supreme Court. Mr. Chairman, if we cannot, we might as well pack our baggage and we might as well go on home and wait for the deluge to come. Let me show you what Attorney General Tom Clark said in this case. He reminds me of Jeremiah weeping at the wailing wall. He said, "This criminal action was dismissed." Can you get that? A case is thrown out of court and you cannot try that Communist any more and you have nine more in the same situation. Then he says, "This ruling fashions a new rule of evidence which is foreign to our Federal jurisprudence." Is there a man here who disputes that? As a matter of fact, he says that if you are going to make that holding, you should overrule *Goldman* v. *The United States* (316 U. S. 129), which was decided in 1942. He says if you adhere to this and unless you change this rule, the rule announced by the Court today, the intelligence agencies of the Government engaged in law enforcement may as well close up shop, if the court has to open the files to the criminal and afford to him a Roman holiday. No one with experience in the prosecutions of criminal cases can dispute the accuracy of Justice Clark's statements. This legislation is stopgap legislation to assist the Government in its efforts to prosecute criminals, to protect our files, and to protect the sources of information. As stopgap legislation I support it, but permanent legislation must be passed wiping the Jencks case off the books.

Mr. KEATING. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment. The gentleman from Louisiana has forcefully put his finger on the most serious objection to the amendment which seeks, in substance, to reinstate the bill adopted in the other body.

That objection has to do with this question regarding the Federal Rules of Criminal Procedure.

It has been contended that paragraph (a) of H. R. 7915 would change the Rules of Criminal Procedure with respect to pretrial discovery and inspection in criminal cases. There is no foundation for such a suggestion. Paragraph (a) of H. R. 7915 applies solely to statements or reports made voluntarily by a Government witness. The very words of rule 16, which the chairman has read to us, point out that that rule applies only to documents or papers obtained by the Government from a defendant, or others, by seizure or process.

Rule 17 (c) of the Federal rules provides that documents which have been subpenaed may, under order of the court, be produced before they are offered in evidence. Again this relates to documents which have been subpenaed and not to statements and reports voluntarily made—in other words, to documents specified in rule 16.

Rule 15 (a) gives the defendant the right to take the testimony of a prospective witness before the trial where it appears that that witness will be unable to attend the trial. Under that rule the court may order the deposition of the witness to be taken and designated books, papers, documents, or tangible objects, not privileged to be produced at the time and place of the deposition.

H. R. 7915 applies only to statements or reports made by Government witnesses. As a practical matter it is difficult to envision an instance in which the defendant would seek to take the testimony before trial of a Government witness on the grounds that he would be unable to testify at the trial. Only if the defendant wished to make the Government witness his own witness could he avail himself of rule 15 (a). Since H. R. 7915 applies only to statements of a witness called by the United States it would not affect rule 15 (a).

For the above reasons the provisions of H. R. 7915 would have no effect whatsoever on the established pretrial discovery and inspection procedures under the Federal Rules of Criminal Procedure.

H. R. 7915 would, therefore, in no way affect any rights of a defendant under rule 16.

The bill passed by the Senate, by placing the words "except if provided in the Federal Rules of Criminal Procedure" in paragraph (a), which words would be incorporated in the amendment offered by the gentleman from New York [Mr. Celler], adds a phrase which would greatly weaken the bill which we are considering. Neither the Jencks case nor this bill has anything whatsoever to do with pretrial discovery and inspection. Yet the Senate has provided that no statement or report of a witness shall be the subject of subpena or inspection except if provided in the Federal Rules of Criminal Procedure. In other words, they are inviting the lower court by these words to hold that the Federal Rules of Criminal Procedure do allow a defendant to go prying through all the Government's evidence. Let us not give any indication that the Congress approves of the production of statements of Government witnesses prior to the time the witness has testified. Such action on our part could very well give the green light to the very rummaging through FBI files which the bill seeks to prevent. It could prove to be worse than no bill at all.

The way to handle this matter is to pass the bill which has been almost unanimously reported out of our committee. There was no objection in our committee on the part of the chairman to this bill which we have reported. Only 1 or 2 faint noes were voiced by those who share the view of the gentleman from Georgia [Mr. Forrester] that this bill as we reported it does not go far enough. Now let us not weaken it further.

I am happy to have the gentleman from Georgia [Mr. Forrester] on my side in this particular controversy. We should do nothing which could weaken this bill any further. It goes as far as we feel we can go to properly protect the rights of a defendant. And there is no question but what it does accord the defendant adequate protection. Certainly we should not adopt a completely new bill we know nothing about. That bill has been debated in the other body, but it has not been debated here. Nor has our committee had an opportunity to consider it. We should adopt, instead, a bill which we have fully considered and which had the overwhelming support of our committee.

The amendment that was read is a long document which follows the Senate bill, with 1 or 2 changes. To adopt the Senate bill in this manner is not a responsible way for us to legislate. We can handle this matter more properly in a conference. I am confident that if we adopt H. R. 7915 as reported out of our committee, and not the watered-down Senate bill, we can get together on a bill which will meet with the approval of both Houses and the Department of Justice. The gentleman from New York [Mr. Celler] will be a conferee and can take part in hammering this out in conference instead of on the floor.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. CELLER. If the bill does not change the rules of procedure, why do you have the language "any rule of court or procedure to the contrary notwithstanding"?

Mr. KEATING. The purpose of this bill is to restate what is understood to be the law now. What I object to is injecting into it the implication that the Federal Rules of Criminal Procedure now allow a defendant in a criminal case to go rummaging through the files of the FBI.

The very thing we are trying to do is to make it abundantly clear that the defendant has no such right. We are establishing one exclusive procedure for the production of statements of Government witnesses. Why should we adopt something which negatives the very thing we are trying to do?

Mr. CELLER. Why do you use that language?

Mr. KEATING. I am not using that language; it is the gentleman from New York who seeks to insert the language "except if provided in the Rules of Criminal Procedure"——

Mr. CELLER. It is in the gentleman's bill. The gentleman uses the language "Any rule of court or procedure to the contrary notwithstanding." Why do you use that language if you do not include the Rules of Criminal Procedure?

Mr. KEATING. The bill does not intend to deal with, or to affect in any way the Federal rules. It attempts to establish a single procedure independent of those rules. We seek, by that language to make it clear that those rules do not apply to this situation. We establish the procedure in paragraph (b) and in (a) we state that that procedure is the exclusive procedure to be followed. The gentleman from New York supported this in the committee.

The CHAIRMAN. The time of the gentleman from New York has expired.

The question is on the substitute offered by the gentleman from New York [Mr. Celler] for the committee amendment.

The question was taken; and on a division (demanded by Mr. Celler) there were—ayes 55, noes 161.

So the substitute amendment was rejected.

The CHAIRMAN. The question recurs on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ENGLE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 7915) to amend section 1733 of title 28, United States Code, pursuant to House Resolution 411, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The question is on the passage of the bill.

Mr. MORANO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 351, nays 17, not voting 64, as follows:

[Roll No. 215]

YEAS—351

Abbitt
Abernethy
Adair
Addonizio
Albert
Alexander
Allen, Ill.
Andersen, H. Carl
Andresen, August H.
Andrews
Arends
Ashmore
Aspinall
Auchincloss
Avery
Ayres
Baker
Baldwin
Baring
Barrett
Bass, N. H.
Bass, Tenn.
Bates
Baumhart
Becker
Beckworth
Belcher
Bennett, Fla.
Bennett, Mich.
Bentley
Berry
Betts
Blitch
Boggs
Boland
Bolling
Bonner
Bosch
Bow
Boykin
Boyle
Breeding
Brooks, La.
Brooks, Tex.
Broomfield
Brown, Ga.
Brown, Mo.
Brown, Ohio
Brownson
Broyhill
Budge
Burdick
Burleson
Bush
Byrd
Byrne, Ill.
Byrne, Pa.
Byrnes, Wis.
Canfield
Carnahan
Carrigg
Cederberg
Chamberlain
Chelf
Chenoweth
Chiperfield
Christopher
Chudoff
Church
Clark
Coad
Cole
Collier
Colmer
Cooley
Cooper
Corbett
Coudert
Cramer
Cretella
Cunningham, Iowa
Cunningham, Nebr.
Curtin
Curtis, Mass.
Curtis, Mo.
Dague
Davis, Ga.
Davis, Tenn.
Dawson, Utah
Delaney
Dellay
Dennison
Denton
Derounian
Devereux
Diggs
Dingell
Dixon
Dollinger
Donohue
Dooley
Dorn, N. Y.
Dorn, S. C.
Dowdy
Doyle
Durham
Dwyer
Edmondson
Elliott
Engle
Evins
Fallon
Farbstein
Fascell
Feighan
Fenton
Fino
Flynt
Fogarty
Forand
Ford
Forrester
Fountain
Frazier
Frelinghuysen
Friedel
Fulton
Garmatz
Gary
Gavin
Granahan
Grant
Gray
Gregory
Griffin
Griffiths
Gross
Gubser
Hagen
Hale
Haley
Halleck
Hardy
Harris
Harrison, Nebr.
Harrison, Va.
Haskell
Hays, Ark.
Healey
Hébert
Hemphill
Henderson
Herlong
Heselton
Hess
Hill
Hoeven
Holland
Holmes
Holt
Hosmer
Huddleston
Hull
Hyde
Ikard
James
Jarman
Jenkins
Jennings
Jensen
Johansen
Johnson
Jonas
Jones, Ala.
Jones, Mo.
Judd
Kean
Kearns
Keating
Kee
Keeney
Kelley, Pa.
Kelly, N. Y.
Kilday
Kilgore
King
Kirwan
Kitchin
Kluczynski
Knox
Laird
Landrum
Lane
Lanham
Lankford
Latham
Lennon
Lipscomb
Long
Loser
McConnell
McCormack
McCulloch
McFall
McGregor
McIntire
McIntosh
McMillan
McVey
Macdonald
Machrowicz
Mack, Ill.
Mack, Wash.
Madden
Magnuson
Mahon
Marshall
Martin
Matthews
May
Meader
Merrow
Michel
Miller, Md.
Miller, Nebr.
Miller, N. Y.
Mills
Minshall
Montova
Moore
Morano
Morgan
Morris
Moss
Moulder
Mumma
Murray
Natcher
Neal
Nimtz
Norrell
O'Brien, Ill.
O'Brien, N. Y.
O'Hara, Minn.
O'Konski
O'Neill
Osmers
Ostertag
Passman
Patman
Patterson
Pelly
Perkins
Pfost
Philbin
Pillion
Poage
Poff
Polk
Price
Prouty
Rabaut
Radwan
Rains
Ray
Reece, Tenn.
Reed
Rees, Kans.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riehlman
Riley
Rivers
Roberts
Robeson, Va.
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Mass.
Rogers, Tex.
Rooney
Roosevelt
Rutherford
Santangelo
St. George
Saund
Saylor
Schenck
Scherer
Schwergel
Scott, N. C.
Scott, Pa.
Scudder
Seely-Brown
Selden
Sheehan
Shelley
Sheppard
Shuford
Simpson, Ill.
Simpson, Pa.
Sisk
Smith, Miss.
Smith, Va.
Smith, Wis.
Spence
Springer
Staggers
Stauffer
Steed
Sullivan
Taber
Talle
Taylor
Teague, Tex.
Tewes
Thomas
Thompson, La.
Thompson, Tex.
Thomson, Wyo.
Thornberry
Tollefson
Trimble
Tuck
Ullman
Utt
Vanik
Van Pelt
Van Zandt
Vorys
Wainwright
Watts
Weaver
Westland
Wharton
Whitener
Whitten
Widnall
Wigglesworth
Williams, Miss.
Willis
Wilson, Calif.
Wilson, Ind.
Winstead
Withrow
Wolverton
Wright
Young
Zablocki
Zelenko

NAYS—17

Anderson, Mont.
Ashley
Blatnik
Celler
Coffin
Karsten
Keogh
Knutson
McCarthy
McGovern
Metcalf
Multer
O'Hara, Ill.
Porter
Teller
Thompson, N. J.
Yates

NOT VOTING—64

Alger
Allen, Calif.
Anfuso
Bailey
Barden
Beamer
Bolton
Bray
Buckley
Cannon
Clevenger
Dawson, Ill.
Dempsey
Dies
Eberharter
Fisher
Flood
Gathings
George
Gordon
Green, Oreg.
Green, Pa.
Gwinn
Harden
Harvey
Hays, Ohio
Hiestand
Hillings
Hoffman
Holifield
Holtzman
Horan
Jackson
Kearney
Kilburn
Krueger
LeCompte
Lesinski
McDonough
Mailliard
Mason
Miller, Calif.
Morrison
Nicholson
Norblad
Pilcher
Powell
Preston
Robsion, Ky.
Sadlak
Scrivner
Sieminski
Sikes
Siler
Smith, Calif.
Smith, Kans.
Teague, Calif.
Udall
Vinson
Vursell
Walter
Wier
Williams, N. Y.
Younger

So the bill was passed.

The Clerk announced the following pairs:

Mr. Anfuso with Mr. Allen of California.
Mr. Preston with Mr. Clevenger.
Mr. Buckley with Mr. Harvey.
Mr. Hays of Ohio with Mr. Scrivner.
Mr. Holtzman with Mr. Sadlak.
Mr. Gordon with Mr. Norblad.
Mr. Powell with Mr. LeCompte.
Mr. Dies with Mrs. Bolton.
Mr. Walter with Mr. Alger.
Mr. Barden with Mr. Beamer.
Mr. Flood with Mr. Krueger.
Mr. Sikes with Mr. Hoffman.
Mr. Holifield with Mr. Smith of California.
Mr. Bailey with Mr. Hiestand.
Mr. Udall with Mrs. Harden.
Mr. Lesinski with Mr. Hillings.
Mr. Dempsey with Mr. Vursell.
Mr. Miller of California with Mr. Jackson.
Mr. Morrison with Mr. Robsion of Kentucky.
Mr. Vinson with Mr. Mailliard.
Mr. Pilcher with Mr. McDonough.
Mr. Green of Pennsylvania with Mr. Bray.
Mrs. Green of Oregon with Mr. Mason.
Mr. Wier with Mr. Horan.
Mr. Sieminski with Mr. Kearney.
Mr. Cannon with Mr. Teague of California.
Mr. Dawson of Illinois with Mr. Siler.
Mr. Fisher with Mr. Kilburn.
Mr. Gathings with Mr. Younger.

Mr. ASHLEY and Mr. TELLER changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. CELLER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That chapter 223 of title 18, United States Code, is amended by adding a new section 3500 which shall read as follows:

"§ 3500. Demands for production of statements and reports of witnesses

"(a) In any criminal prosecution brought by the United States, no statement or report of a Government witness or prospective Government witness (other than the defendant) made to an agent of the Government which is in the possession of the United States shall be the subject of subpena, or inspection, except, if provided in the Federal Rules of Criminal Procedure, or as provided in paragraph (b) of this section.

"(b) After a witness, called by the United States, has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce any written statements previously made by the witness in the possession of the United States which are signed by the witness or otherwise adopted or approved by him, and any transcriptions or records of oral statements made by the witness to an agent of the Government, relating to the subject matter as to which the witness has testified. If the entire contents of any such statements, transcriptions, or records relate to the subject matter of the testimony of the witness, the court shall order them delivered directly to the defendant for his examination and use.

"(c) In the event that the United States claims that any statement, transcription or record ordered to be produced under this section contains matter which does not relate to the subject matter of the testimony of the witness, the court shall order the United States to deliver such statement, transcription, or record for the inspection of the court in camera. Upon such delivery the court shall excise the portions of said statement, transcription, or record which do not relate to the subject matter of the testimony of the witness. With such material excised, the court shall then direct delivery of such statement, transcription or record to the defendant for his use. If, pursuant to such procedure, any portion of such statements, transcriptions, or records is withheld from the defendant, and the trial is continued to an adjudication of the guilt of the defendant, the entire text of such statements, transcriptions, and records shall be preserved by the United States and, in the event the defendant shall appeal, shall be made available to the appellate court for the purpose of determining the correctness of the ruling of the trial judge. Whenever any statments, transcriptions, or records are delivered to a defendant pursuant to this section, the court in its discretion, upon application of said defendant, may recess proceedings in the trial for such time as it may determine to be reasonably required for the examination of such statements, transcriptions, or records by said defendant and his preparation for their use in the trial.

"(d) In the event that the United States elects not to comply with an order of the court under paragraphs (b) and (c) hereof to deliver to the defendant any statement, transcription, or record, or such portion thereof as the court may direct, the court shall strike from the record the testimony of the witness and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared."

The analysis of such chapter is amended by adding at the end thereof the following:

"3500. Demands for production of statements and reports of witnesses."

Mr. CELLER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CELLER: Strike out all after the enacting clause of the bill (S. 2377) and insert the provisions of H. R. 7915.

The committee amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 7915) was laid on the table.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2377) with a House amendment thereto, insist on the amendment of the House and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none and appoints the following conferees: Mr. CELLER, Mr. WILLIS, Mr. BROOKS of Texas, Mr. KEATING, and Mr. CURTIS of Massachusetts.

PRIVATE CALENDAR

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order on Thursday next to call the Private Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

HON. SAMUEL K. McCONNELL, JR.

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN. Mr. Speaker, I know I voice the sentiment of Members on both sides of the aisle when I rise to pay my tribute to a man who has served here in Congress for many years with distinction and who is terminating his Congressional career tonight. I refer to the gentleman from Pennsylvania, Mr. SAMUEL K. McCONNELL.

It has been my privilege to know Mr. McCONNELL intimately for many years. I know of no one who participated in his work with greater enthusiasm, with more devotion, and with a single purpose only, and that was to serve his district, his State and his country. Mr. McCONNELL loved his work and he loved to serve his people and that wonderful desire made his career such a splendid one.

Mr. Speaker, we all realize we are losing a valuable Member as he goes to assume a very responsible position, a position where he can alleviate the sufferings of people. I am sure Mr. McCONNELL knows, as he enters into these important duties that lie ahead of him, he carries with him the ardent and best wishes of every Member of the House regardless of party. He has accepted a great challenge for service and we are all sad as he leaves this House where he has made such a fine record.

Mr. REECE of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Tennessee.

Mr. REECE of Tennessee. Although his career as a Member of Congress for the distinguished gentleman from Pennsylvania may be coming to an end today, the prestige he has gained from the work he has done here will stand for many years as a monument to him and to the people of Pennsylvania who sent him here. He has performed valiant service in many areas of important legislation. His resignation is a great loss to the Congress and to the country as a whole. Over the years we will remember him as an active, distinguished, able Member of Congress who served his country well.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I join with my friend from Massachusetts in the compliment paid by him to our distinguished friend and colleague from Pennsylvania [Mr. McCONNELL].

The middle aisle means nothing in our friendship; the middle aisle means nothing in our respect for one another. In my service in this body I know of no person who in the interest of the people of his district and in the interest of the people of the country as a whole has performed service which has commanded more respect than that rendered by the gentleman from Pennsylvania, able, honorable, trustworthy; a man of the highest integrity.

One thing that has already stood uppermost in our association with SAM McCONNELL in addition to his great ability, trustworthiness, and so forth, has been his faithfulness to promises. I think no finer tribute can be paid by one man to another than to say that a man's word is as good as his bond. His word was always as good as his bond.

Throughout the years the personal relationship existing between SAM McCONNELL and myself became very, very close. I am proud to honor him, and I am equally proud of that friendship. He has made great contributions during the years he served in this body, forward-looking, constructive, entertaining the views he did and the position he took on great questions in this body from the angle of intellectual honesty, mark him as an outstanding man. He served with distinction and in a manner that not only created strong friendships on the part of all who served with him but impressed in the minds of all who served with him a deep feeling of respect.

He leaves this body to go not to more responsible work, but probably to more interesting work, to the carrying out of his life's view, with the complete respect and the absolute friendship of every Member who ever served with him.

To you, Sam, and to your loved ones, speaking not only for myself personally, but I know I can, without being considered presumptuous, speak for the Democratic side of this body, we extend our wishes for happiness, for success throughout the coming years, and fruitful contribution to the progress of mankind.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield.

Mr. HALLECK. Mr. Speaker, it was a great surprise to me and also a keen disappointment when I learned of SAM McCONNELL's determination to leave his place here among us in the House of Representatives. I say disappointment, because SAM McCONNELL has been a most useful Member of the House of Representatives. His contribution has been considerable. To me he typifies the kind of Member of this body who should stay on here to help with the work that is so important to the welfare of the country. As I have sat here and listened to the deserved tributes that have been paid him, and knowing they were coming from the bottom of the hearts of the Members who spoke, I have tried to analyze why it is we feel as we do about SAM McCONNELL, why we are unhappy that he is leaving this body, wishing that he would stay on with us.

First of all, it occurs to me, he has always been fair and honorable in his dealings with all of us. Beyond that, I have never seen him exhibit any temper or any short action in connection with anything that might be going on. Further, SAM McCONNELL has another attribute that certainly has endeared him to all of us—that in whatever capacity he was cast here he did his homework. He knew what the proposition was all about when he got up to present it on the floor. It has been my great privilege to serve as majority leader in two Congresses, one of them when Sam was chairman of a very important committee of the House. It was always a pleasure to work with him because you were aware of the fact that he knew the subject at hand thoroughly. If a question was asked about a bill he could get up and explain it. That we have all watched him do through the years he has been here, and we have all benefited from his intelligent presentations.

So, certainly, in my opinion, he typifies what I consider to be the best in representation here in the House. I dislike very much seeing him go but I think I can understand something of the motives that have brought about his decision to leave. Certainly I wish him the best of luck in his new assignment, confident as I am that in the activity to which he now goes he will establish the same record and do the same sort of distinguished job he has been doing here in the House of Representatives.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. Kearns].

Mr. KEARNS. Mr. Speaker, it has been my very fortunate opportunity to serve with Sam McConnell from the 80th Congress. I first served with him back in 1947 on a special committee that met in Pittsburgh. I knew his genius. After the many things that have been said about him here today, we should say one thing that has not been stated so far and that he is genial Sam.

When he was chairman, and also as ranking minority member of the committee, he always had that acumen to get the members of the committee together and say, "Boys, what shall we do?" and "When shall we do it?"

So, Sam, as you leave us, yes, we will miss you; America loses a great statesman. Sam McConnell, who is a most astute politician, could have been Governor or Senator, but Sam McConnell leaves us to serve the handicapped whom he loves. He always wanted to help people. Now God has called him to that field and I know the good Lord will bless him and we will look to him. So, Sam God bless you and we, the 435 Members of the House, will remember you always.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. Green].

Mr. GREEN of Pennsylvania. Mr. Speaker, there have been many fine things said here today about Sam McConnell and I just like to add my humble voice to this praise. What I say here on the floor of the House today, I have said publicly during the last 12 years. I do not believe I have known anyone in the House of Representatives who has a finer reputation, who is a finer man, who is any fairer and who has been kind to everybody. Sam McConnell's leaving the House, in my opinion, will be a great loss to the House of Representatives and a great loss to the country.

My colleagues in the Democratic Party in the adjoining county to Sam's county, Philadelphia, wish Sam McConnell and his family the best of luck.

We are sorry to see you go, Sam. We all love you very much. God bless you.

Mr. LANDRUM. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Georgia [Mr. Landrum].

Mr. LANDRUM. Mr. Speaker, the country can ill afford to lose the services of a man possessing all the qualities that Sam McConnell possesses. With the distinguished gentleman from Indiana [Mr. Halleck] I, too, was disappointed to learn of his decision to leave this body. But I was not surprised to learn his reason for leaving. Having served with him and in close association, on the Committee on Education and Labor for some 5 years, it was obvious to anyone who had been that close to Sam that he would not delay for one moment the call to a service to which he is responding. It is typical of the man that he would go from this great body to that service to which he is going. That service will profit because of Sam McConnell's qualities. I am sure that I, along with all Members, have also profited by having been associated with Sam McConnell in this body.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, I feel a little like the colored preacher who, after delivering a great sermon, finally stuttered a little bit and said, "Well, there is little more I can say, I think maybe I will quit." And somebody in the audience said, "Why don't you say 'Amen' and sit down?"

All these fine things that have been said about Sam I want to say are absolutely true. When we come to Congress we often times ask ourselves the question, "Why are we here?" I think it was expressed well not long ago by a Member who put it this way when he first came to Congress: "How did I ever get here?" And after he had been here 2 years he asked the question, "How did the other fellow get here?"

I am sure those of us who were here when Sam McConnell came and who are now here definitely know why he came to Congress. It was because of his ability, because of his clarity of purpose, because of his sincerity, because his intent and purpose when he came here was to do good for his district, his State, and for his Nation.

I should like to mention one thing that I have noticed about Sam McConnell that perhaps some of the rest of us do not have. That is his balance. That is what I have admired him for over the years and do today, this balance that few people have. At all times he knew what he was doing, he knew what he wanted to do. He had a purpose and an objective and he carried those out in the finest possible manner.

Let me say to Sam McConnell, that I do regret his leaving the Congress and I trust sincerely that he will come back to see us. I offer him all good wishes in the job immediately ahead.

Mr. COUDERT. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from New York.

Mr. COUDERT. Mr. Speaker, the gentleman from Illinois [Mr. Arends] in quoting the colored preacher said about all I intended to say. I concur in all the good things that have been said about Sam. There is only one thing missing in the pattern and I would like to supply it. Nobody has pointed out where Sam is going to be after he leaves the House. His departure is a loss to the House but a gain to the 17th Congressional District of New York, because Sam is going to be a neighbor of mine in Manhattan, N. Y. Welcome, Sam. I am looking forward to seeing you.

Mr. JAMES. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Pennsylvania.

Mr. JAMES. Mr. Speaker, I want to associate myself with all who have said these fine things about our colleague, Sam McConnell. It happens that I am his nearest legislative neighbor. His district and mine join for some number of miles, and our people are pretty much the same kind of people.

It is a little difficult sometimes for us to separate them, and we often wonder where one district begins and the other ends. As a matter of fact, I get my mail at my home from a post office located in Sam McConnell's district. That is how close we are.

The other thing I want to say today is this: Sam McConnell is actually a product of Delaware County, Pa., of the 7th District, because he was born in my district. It is a great pity that he ever left it, from his standpoint, but it is a great boon to me that he did, because I feel quite sure that had he stayed there he would have been the Representative in the House from Delaware County and not I.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. Fulton].

Mr. FULTON. Mr. Speaker, there have been some fine things said about Sam McConnell here today, but there is one thing about him, he has always been a fine friend. It should be remarked for the record that a lot of us have enjoyed his hearty smile and the twinkle in his eye that he always has when dealing with legislative matters or with friends. I am sure Sam will feel that he is still a part of the Pennsylvania delegation and part of Congress, and will remember us when he leaves. We wish him the best of success in his future work.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. Thompson].

Mr. THOMPSON of New Jersey. Mr. Speaker, I, for personal reasons as well as being a member on the other side of the Committee on Education and Labor, wish to say how very much I and all of my colleagues on the committee are going to miss Sam McConnell, who is above all things a fine and distinguished gentleman. I happen to have had the honor of being married in his district to a girl who lived in his district during his first year here. I know many of his constituents and they respect him as well as Members on both sides of the aisle here do. We are going to miss him. He is going to be available to us for his advice, and I am afraid we are going to be hearing from Sam every now and then in the course of his work for the Cerebral Palsy Association. I guess Sam will make notes of all these things and come back to make sure that we make good on some of these promises of esteem and assistance. All members of the Committee on Education and Labor, on both sides, respect him and know that when he makes a legislative or any sort of promise we have it in words that are as sound or even more sound than a Government bond. We will miss him very much.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Speaker, when I came to Congress in the 84th Congress I wondered sometimes how committees could work where the divisions of opinion were as sharp as they could be in committees such as the Committee on Education and Labor. I think the fine example which SAM McCONNELL set as ranking minority member of that committee has taught many of us who had a lot to learn when we came here much that I hope we shall remember.

I add my tribute to him and hope that as a longtime friend in the years to come and as one who has given us inspiration and the knowledge that however our political philosophies may differ, working together we can accomplish much for the public good. In the future work that he will carry on, humanitarian as it is in its purpose, he will know that we all wish him the very best of luck.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Speaker, I should like to join in the many well-deserved tributes being paid here this afternoon to the distinguished gentleman from Pennsylvania [Mr. McCONNELL]. One of the great rewards of my years of service here in the House of Representatives has been the acquaintance and friendship during all those years with the highly respected gentleman from Pennsylvania, SAM McCONNELL. I have always admired SAM's ability and capacity for work and his reputation for trustworthiness. The fact that his word is his bond has never been questioned.

So, Mr. Speaker, I join in wishing SAM McCONNELL Godspeed in his newly chosen career. I am sure he will be the great success in his new field of endeavor that he has been here faithfully representing the people of his district, his State, and his Nation.

Mr. MARTIN. I yield to the gentleman from Ohio [Mr. McGREGOR].

Mr. McGREGOR. Mr. Speaker, I concur in the very fine eulogy that is being given to one of our Members who is leaving on his own accord. But you know there is an old saying that whenever a neighbor says something nice about you, you really are a nice person. It has been my privilege to be SAM McCONNELL's neighbor for many, many years in our legislative offices. Sam, may I say to you as a neighbor we hate to see you go, but we congratulate the organization to which you are going. From your neighbors we extend to you our kindest regards and best wishes.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. FENTON].

Mr. FENTON. Mr. Speaker, it was indeed grand to hear the fine tributes paid by previous speakers to our good friend and colleague Congressman SAMUEL McCONNELL.

As one of the senior members of the Pennsylvania delegation in the House of Representatives, and as chairman of the Republican delegation, I want the membership of the House, and the people of the country to know that we appreciate the wonderful statements made about SAM, regardless of partisanship.

To me, personally, it was with a touch of sorrow that we are to lose in this Congress a man of SAM McCONNELL's character and ability. His service here has been outstanding and he has been a credit to his district, State, and Nation.

SAM McCONNELL's background from his birth reflects the kind of person he is. Born in Eddystone, Pa., he is the son of a Methodist minister. He has been interested all his life in work with boys, particularly in settlement house and community centers. In his senior year at the University of Pennsylvania he was chief counselor for boys.

Sam is interested in Boy Scout work, and the great movement it is in building the future citizens of our Nation. He was a Scoutmaster for 8 years, and sent 6 boys—Eagle Scouts—to the International Jamboree in London.

As chairman of the second war loan drive in lower Merion Township, Montgomery County, Pa., he obtained $9 million when their quota only called for $3 million.

Mr. McCONNELL was elected to the United States House of Representatives in December 1943 at a special election to fill the vacancy due to the untimely death of the beloved Congressman William Ditter. He has been reelected to all succeeding Congresses.

We all are aware of the fine work Sam has done as a member of the Education and Labor Committee of the House. As the ranking Republican member of that committee he was its chairman in the 83d Congress and has handled all education and labor debates for his party in the House since 1949. As such he has been eminently fair to all sides in any debate and therefore enjoyed the confidence of employer, employee, and the public.

Mr. Speaker, I could go on and on relating the fine attributes of SAM McCONNELL and we are pleased and happy to know that he is to give of his future life to another position of great and humane importance—that of directing the work of the National Association for Cerebral Palsy.

While Sam will be severing his official duties on September 1, we all sincerely hope that his trips to the Capitol will be frequent and that as the occasions arise we will all have the benefit of his counsel, association, and continued friendship.

May SAM McCONNELL's future work meet with outstanding success as it has done in the past, and that he will continue to find satisfaction in a job well done for the public and the America he loves so well.

Mr. MARTIN. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, the Chinese have an apt saying that goes something like this: "With clothing, the new is best; with friends, the old are best." That is true of our experience here in the House of Representatives. New Members are constantly coming and we welcome them. But it is hard to lose the old—those who have been tested and tried and proved true. Some Members flash across the sky like a meteor but are soon gone. But some leave a permanent imprint on the Congress as well as on us who have been privileged to come to know them well. With friends the old are indeed best; and we hate to see SAM McCONNELL leave us.

He has in an unusual degree the qualities that we most admire in others and wish for ourselves. First, a good mind. Whenever he gets up to speak on any issue, he knows what he is talking about and he explains it clearly. He has done his homework. He knows the fine print as well as the big print, and we can always count on what he says. It illuminates.

Second, a warm heart. He not only knows, but he cares about the needs of human beings and the well-being of our country.

Third, undergirding everything, he is a man of sterling character—unimpeachable and impressive.

It is a great loss, not only to us as his old friends but to our country, for him to leave this body. But it is an equally great gain to the work for the handicapped and the crippled youth of our entire country—now and in the years ahead. We wish SAM McCONNELL Godspeed in this his new mission and we hope his work will bring him back to Washington and to the House of Representatives frequently.

Mr. MARTIN. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have permission to extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RAYBURN. Mr. Speaker, I join with many Members in expressing my deep regret that SAM McCONNELL is leaving the public service as a Member of this House. May his coming days be happy ones.

Mr. HAYS of Arkansas. Mr. Speaker, I have listened with interest and deep appreciation to the tributes to our distinguished colleague, the gentleman from Pennslvania. I share the great admiration expressed here today for SAM McCONNELL and I am happy to join in the praise of his outstanding service in the Congress. Shortly after I took the oath of office as a Member of the 78th Congress, he joined us as a new Member coming as the victor in a special election. He quickly carved out a place for himself and impressed all of us with his talents and his devotion to the public service. He is a dedicated person. It has been a privilege, Mr. Speaker, to be associated with such a man as SAM McCONNELL.

Mr. ELLIOTT. Mr. Speaker, I am happy to have this opportunity to praise the public service of the gentleman from Pennsylvania [Mr. McConnell].

I have enjoyed the rare privilege in recent years of serving in close relationship with Sam McConnell on the House Committee on Education and Labor.

I have worked with him when his party was in power in the House. I have worked with him when my party was in power.

I had the privilege of serving on his subcommittee that examined into the operations of the vocational rehabilitation law and of other legislation pertaining to the physically and mentally handicapped, in 1953 and 1954. I had the privilege of traveling with Sam McConnell and other members of the subcommittee in the fall of 1953 as we visited the outstanding rehabilitation centers in New York, in Virginia, in Alabama, and in Georgia. As I recall, we visited the Warm Springs Foundation on November 11, 1953, and while there visited the Little White House where Franklin Delano Roosevelt died.

Out of the work done by this subcommittee came the amendments to the Vocational Rehabilitation Act of 1954. Out of the many conversations I have had with Sam McConnell I know that he regards his accomplishment in the legislative field of vocational rehabilitation as perhaps the crowning achievement of his career. His vision, his determination, his tact, and his temperament enabled him to lead in the performance of a great public service in the passage of this 1954 act. The best proof of that is the fact that State funds appropriated for matching Federal funds for vocational rehabilitation have increased from $14 million in 1954 to $22 million in 1957, an increase of $8 million or an increase of 57 percent. In my own State of Alabama State funds available for vocational rehabilitation have increased from $400,000 in 1954 to $736,000 in 1957, an increase of $336,000, or 84 percent. Actually, this new Vocational Rehabilitation Act is just now getting into full swing, and it is my judgment that appropriations by the States, and by the Federal Government under this act will greatly increase in the future. Likewise, the number of people being completely rehabilitated under the act is growing in similar proportion. A completely rehabilitated handicapped person is considered as one who has become employed or reemployed.

Just last week Mr. McConnell told me that his interest in the new job that he will soon take grew directly out of the stimulation and interest generated by his work on this legislation in 1953 and 1954.

Another outstanding monument to the public service of Sam McConnell is the Coal Mine Safety Act of a few years ago. His leadership in the passage of this act was most unusual and most outstanding. He represented a district which I am sure had no coal mines, yet he realized that legislation to protect the lives and limbs of those who mine the Nation's coal had to be passed. His foresight and his judgment in sponsoring the coal mine safety bill to passage in the United States House of Representatives has resulted, even now, in a reduction of coal mine accidents by a flat 50 percent.

These two major pieces of legislation illustrate, I think, the character of Sam McConnell.

Sam McConnell has a broad-gaged mind. He is a fearless thinker. He has a sense of independence surpassed by few men. The Nation was thrilled when it learned that Sam McConnell spent the Congressional recess this year, traveling at his own expense, over sections of the country commonly regarded as being well-to-do sections to determine for himself whether or not this Nation needed to pass a bill providing Federal aid to the States for the purpose of building classrooms for America's schoolchildren. Sam McConnell found the facts. He found that America needed a school construction bill. He threw himself into the fight to pass such a bill, and had it not been for the unfortunate circumstances which occurred during the debate on that bill, the Congress would have passed a school construction bill. He was magnificent, however, in the defeat which the school construction bill suffered.

Sam McConnell's service in the United States House of Representatives has been most meaningful. He has built a record that will live through the ages. He leaves this body with the respect, admiration, and good will of all his colleagues. He carries their best wishes into his new career where they know he will accomplish many more great things for the benefit of mankind.

Mr. CHENOWETH. Mr. Speaker, I wish to join my colleagues in expressing regret on the resignation of our distinguished colleague from Pennsylvania, Mr. Sam McConnell. His departure is a great loss to this body, to his district, and to the Nation. However, I know that he is to assume a most responsible position and will continue to serve his country in the years ahead.

It has been a great privilege and pleasure for me to serve with Sam in the House. I have greatly enjoyed my association with him over the years. He has a genial and friendly disposition, and it was easy for him to make friends. I cannot recall that I ever heard him speak ill of anyone.

The State of Pennsylvania can be proud of men like Sam McConnell. I wish him success and much happiness for many years to come.

Mr. GAVIN. Mr. Speaker, I want to join with my colleagues in paying tribute to our mutual good and able friend, Samuel McConnell. It was with a bit of sadness and sincere regret that I heard he was leaving the Congress of the United States after many years to accept the position of director of the National Cerebral Palsy Foundation, a position for which I know he has a deep understanding and for which he is eminently qualified.

Sam has been a hard worker while serving in the Congress; conscientious in the performance of his duties, and his work in the House, and as one of the ranking members of the Education and Labor Committee, has won and deserves the hearty commendations of the Members on both sides of the aisle.

He is greatly admired by all who know him, and he has a host of friends. Sam is always glad to see one and is gracious and kindly to everybody. He is the kind of friend one seeks for advice and counsel, and I have always found him to be sympathetic and helpful.

Sam is the kind of fellow who adds comfort to our daily lives and always rejoices mightily when any little word or deed of his adds to the happiness of any of us.

I cannot in a short time attempt to grasp or sum up the aggregate of his service in public life; however, over the years I would say that Sam, by his toil and stimulated by his love and patriotism for his State and Nation, has produced a performance that has won for him the hearty acclaim of all who know him.

He is a firm believer in our American way of life. His great faith in the principles and ideals of our Government is a deep-rooted growth of many years. I know his one great ambition in life is to hand on to posterity and the generations of tomorrow a finer, greater America than was handed to him.

In a life such as Sam's, perhaps the thing most to be admired is that he is a fine Christian citizen and gentleman, a devoted and patriotic American, who has contributed much to the building of his own particular district, his State and his Nation.

I wish for Sam and his family great happiness, success for the future, and all the good things in life over the years ahead. I sincerely hope that some day he will again join us and serve in the Congress of the United States.

Mr. WOLVERTON. Mr. Speaker, there is a mingling of pleasure and disappointment as I make these remarks relating to our colleague, Sam McConnell, who leaves us to take up an important task of a great human welfare activity.

It is with a feeling of pleasure that the opportunity is afforded to me whereby I can express my high regard for a man as noble in character and as distinguished in public service as Sam McConnell. Never have I had the opportunity to be associated with any man, in either public or private life, who has adhered as closely to the principles of rectitude and morality in his everyday life with his fellow man, nor with one who has been so genuinely accepted and acknowledged by all who knew him as possessing all the qualities that make for true and abiding friendship.

In the performance of his public duties, sincerity, honesty of purpose and ability have characterized his entire service in the Congress of the United States. He met trying situations with courage and understanding. He brought not only ability to the solution of these problems, but did so in such a genial and friendly manner that he always gained and held the admiration and respect of even those who may have had differing views. His friendly smile disarmed an opponent and made him a friend.

It is a great achievement for anyone to serve in the Congress as many years as our friend and be able to leave it with the knowledge that he has offended no one, and, that every Member, regardless of party affiliation, honors and respects him as a man and is glad to acknowledge him as a friend. This is the achievement of Sam McConnell.

I opened my remarks by saying there was a mingling of pleasure and disappointment as our friend leaves us today. I have expressed my reasons for a feeling of pleasure, based on friendship and regard for Sam McConnell. My feeling of regret arises in the thought that Sam passes out of the lives of most of us today as he takes up other duties and activities. But, while he may go from us, yet, because of his sterling qualities, he will ever remain in our thoughts as one of the choicest of our memories.

May God's blessing go with him and give him many years of health, happiness and success.

Mr. AUCHINCLOSS. Mr. Speaker, Sam McConnell and I came to Congress at the same time and a friendship developed between us from the start. I have rarely met anyone with such a congenial spirit, delightfully accompanied by a gentle wit and a great sense of responsibility. His colleagues soon found out that he was a man of great ability who took his job seriously and, as the years went by and he attained the responsibilities of leadership, he always conducted himself with fairness and courtesy. When Sam McConnell addressed the House you knew that he was well versed in his subject and he never resorted to demagoguery or blatant oratory. He will be missed in many ways but I am sure the decision he has reached to accept the position of executive director of the United Cerebral Palsy Associations, Inc., was only done after most careful consideration. There is no doubt that this trustworthy and wholesome-hearted American citizen will do well in whatever position he may fill and he carries with it the sincere and wholehearted best wishes of the many friends that he has made in the Congress.

Mr. WIGGLESWORTH. Mr. Speaker, I want to join in the tributes paid to our able and distinguished colleague, Hon. Samuel K. McConnell, of Pennsylvania, who is leaving us at this time to accept the position of executive director of United Cerebral Palsy Associations, Inc.

He has rendered outstanding service to his district and to the Nation during the past 14 years in which he has been a Member of this House.

He has made a very special contribution as a member of the House Committee on Education and Labor, and as its senior Republican member and its chairman at a time when the committee has had most difficult problems to deal with.

By his character, his ability, and his spirit of fair play at all times he has won widespread respect in all walks of life, regardless of party affiliation.

His colleagues on both sides of the aisle who have both high regard and affection for him will greatly miss his daily association.

Sam and I have been good friends ever since he came to the Congress.

I have greatly valued his friendship over the years.

I join in wishing him every success and happiness in the work ahead.

Mr. CANFIELD. Mr. Speaker, the distinguished gentleman from Pennsylvania we affectionately know as Sam McConnell leaves the House this week to become executive director of the United Cerebral Palsy Associations, Inc.

Having felt the friendly and inspiring influence of this most characterful and dedicated legislator during his 13 years of productive service in this body, I wish to make these observations:

He is an unforgettable statesman and humanitarian.

He believes his mission in life is to add to the sum of human happiness, subtract from the sum of human misery.

He has been preeminent in legislative endeavors for the handicapped, the underprivileged.

He has exalted service above self in a quiet yet very persuasive way and he believes he has been truly called to his new and challenging work.

I shall always feel close to Sam McConnell and I believe that those, young and old, soon to feel and understand his ministrations, will be uplifted and come to love him.

Mr. FISHER. Mr. Speaker, the entire Nation is the loser when Members of Congress like Sam McConnell retire from office. The announcement of his resignation in order to accept the position of executive director of the United Cerebral Palsy Associations, Inc., ends a Congressional career of distinction by one of the most popular and able Members of this body.

Having served for several years on the same committee with Sam, I watched him in action and got to know him well. Equipped with a brilliant, analytical mind, he seemed to always be a little ahead of the field in finding loopholes, detecting weaknesses, and bolstering vital features of legislation. He was indeed a devoted public servant, thinking always of the public interest when controversial legislation was being considered.

In my humble opinion Sam McConnell has been one of the most respected, sincere, and valuable Members who has served in this body since I came here 16 years ago. We need more men like him. I join with my colleagues in this deserved recognition and praise, and extend to Sam and his family Godspeed and all good wishes for the future.

Mr. SAYLOR. Mr. Speaker, one of our most valued and most respected Members will not be in the House when Congress convenes in January. It is Sam McConnell's own decision, and he is to be admired for accepting the directorship of the United Cerebral Palsy Associations, Inc., in which position he is further dedicating himself to the interests of his fellow men. Yet we who have been associated with him cannot help but be reluctant to see him take leave of his service in Congress, for Sam McConnell has always been a courageous leader and an inspiration to his colleagues.

The Honorable Samuel K. McConnell was a legislator whom I came to admire from the time that he joined the Pennsylvania delegation as a Member of the House. Upon my own election to Congress several years later I found him to be all that I had envisioned: a warm and enthusiastic individual, a conscientious and industrious Congressman. While we have a number of times disagreed on policy or legislation, I have nevertheless always appreciated his points of view and conclusions on all controversial matters. On most of the major issues that came before the House during the past 8 years, Sam McConnell and I were in hearty accord, and I can assure you that having so able a combatant on the same side provides the confidence that is often necessary for a winning effort.

Sam McConnell has established a record in Congress that will increase his stature in Pennsylvania and in the whole Nation with the passing of years. Meanwhile his contributions to mankind in the field which he is now entering will further establish him as one of the century's outstanding Americans. I join my colleagues in wishing him success and continued happiness.

Mr. BAILEY. Mr. Speaker, it is with extreme regret that I view the retirement of our esteemed colleague, Samuel K. McConnell, Jr. My regret is tempered with the knowledge that in his new post he will continue to promote the cause of humanity.

Sam McConnell and I have been closely associated in working for the boys and girls of America. Beginning in 1950 when we established the principle of Federal obligation to assist education in impacted areas through July of this year when the lack of leadership from the head of his own party pulled the rug from under Sam McConnell, we have worked closely to promote the cause of better education in the United States.

In the field of mine safety legislation, another important issue with which I have been closely associated, I can safely state that what progress has been made is a direct result of the interest and hard work of the gentleman from Pennsylvania.

As he leaves the Congress, I wish to pay my respect and tribute to a good friend and able ally and a conscientious Congressman.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I wish to join my colleagues from Pennsylvania and from other States in wishing Sam McConnell the very best of everything as he leaves the Halls of Congress.

We will sorely miss him as our colleague in this House but he may be assured that the affection in which he is held here will not subside. We insist that he keep in touch with us and no doubt we will have opportunities to see him from time to time.

His devotion to his duties as a Member of this House and of the Education and Labor Committee is well known and need not be recounted here. National recognition has attended his efforts in behalf of the American people, and those who know him best are especially mindful of his sincerity of purpose.

Sam McConnell has also rendered devoted and tireless service to his political party. His accomplishments as chairman of the Montgomery County Republican Committee have marked him as one of the most astute party leaders in the Commonwealth of Pennsylvania.

Undoubtedly, his activities on the county level have been a major factor in his thorough appreciation of the problems confronting State and local governmental authorities.

Since I became chairman of the National Republican Congressional Committee, I have worked closely with Sam on numerous Congressional campaign problems, particularly in Pennsylvania. He has been Pennsylvania's member on the Congressional committee, and I have sought his advice and assistance on a regular basis.

I will miss his wise counsel in this important area of my responsibilities. Pennsylvania Republicans will hope that Sam will maintain his interest in Republican affairs.

In his new position of trust, Sam McConnell will give further evidence of his great ability in handling matters of vital public concern. We wish him well.

Mr. MARTIN. Mr. Speaker, I would like at this time to yield to the gentleman from Pennsylvania [Mr. McConnell] and hope that he may want to say something to us in farewell.

Mr. McCONNELL. Mr. Speaker, so often in life we feel we will be able to say the things we should say before we go—before we depart this life or before we leave a group with whom we have been associated. As Joseph Conrad the novelist stated in one of his interviews, it seems that the world creeps on us too fast to ever say the last word. That is how I feel today as I listen to these lovely statements of your regard for me and the complimentary things you have said about my service. They have made me feel very humble in one respect and very thankful deep in my heart in another way. I seem to have been destined by fate to have represented a very fine district and to have been associated in my public life with fine people.

Here in Congress I have been a most lucky man. Although I have been associated with the type of committee work which is emotionally controversial, as all of you know, nevertheless I leave you with a feeling that I do not have a single enemy among you. I know my heart has no enmity or bitter feeling in any way toward any person in this body.

This has been a marvelous education. On Monday I took my mother, who is 83 years of age, living with a nurse and not very well, my father being dead, I took her up to see her relatives. On our return trip she said, "You know, son, you have changed greatly since being a Member of Congress." She said, "It has broadened you. You seem to understand human problems and people better than you understood them before you went to Washington." Mother is quite correct. They know their sons. This Congressional life has changed me. I am a different man from when I arrived in Washington. Human beings as a whole are not bad. They are fundamentally decent, and if it were not so this world would crash within 24 hours. I know that so well. When I see an action at which others might look with disfavor, I say to myself do not be too disturbed, we are all heroes and cowards, saints and sinners. Qualities and emotions are so mixed up within all of us; the things we do and do not do. That is true. We do things that we ought not to do. We are such a mixture. It was for the glory of mankind and human beings that the Creator made us that way, because out of it develops real character.

So I leave you with joy in my heart, with respect in my heart; not only for you as individuals, because you have proven that by your devotion to your country, but I also leave this body with respect for our system of government, the American Republic.

I wish all of you well. If I can serve you in any way, it will be a joy. So I say goodby, au revoir, and may God be with you.

GENERAL LEAVE TO EXTEND REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill H. R. 7915 just passed.

The SPEAKER. Is there objection?

There was no objection.

CONSTRUCTION, REPAIR, AND PRESERVATION OF CERTAIN PUBLIC WORKS ON RIVERS AND HARBORS

Mr. ROONEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2603) to amend the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes."

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. GROSS. Mr. Speaker, reserving the right to object, may we have a brief explanation of this bill?

Mr. ROONEY. The purpose of this bill is to delete certain language from the act of June 3, 1896, limiting the width between the pier and the bulkhead lines on the south shore of Gowanus Creek in my Congressional District in Brooklyn, N. Y., and also to limit the area that can be filled with solid materials.

Under the act of June 3, 1896, the width of the piers between the bulkhead and pierhead lines on the south shore of Gowanus Creek and Fort Hamilton in Brooklyn is limited to 300 feet. There is also a limit upon the amount of solid fill that may be used in the construction of such piers. The mayor of the city of New York, Hon. Robert F. Wagner, the borough president of the Borough of Brooklyn, Hon. John Cashmore, and the New York City authorities are presently engaged in planning a shipping terminal in this area of the Borough of Brooklyn. The plan of development determined to be most economical and practical would be inconsistent with the provisions of the existing 1896 law.

The proposed plan provides for the construction of a pier 700 feet wide and the use of a greater quantity of solid fill than is allowed by the law. These restrictive provisions are outmoded in view of the nature of present-day terminal operations and the size of the modern ships which would berth at the terminal.

The estimated cost of the proposed development is about $10 million; while with pile construction for the substructure, rather than fill, the cost would be about $4 million higher. Leasing negotiations are now in progress. This new terminal would not entail the appropriation or use of any Federal funds.

Mr. GROSS. Nor is it contemplated for it to be an authorization which entails the use of Federal funds in the future?

Mr. ROONEY. Not at all. The Corps of Army Engineers have no objection to the pending bill, and the Bureau of the Budget has no objection.

Mr. Speaker, I trust the House will pass this bill S. 2603 which is identical to the provisions of H. R. 8700 introduced by the gentleman from New York [Mr. Buckley] and H. R. 8784 introduced by me. Unless we do, action on this meritorious legislation will be postponed until next year.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That chapter 314 of the laws of 1896, entitled, "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 3, 1896, is hereby amended by deleting therefrom the following paragraph:

"And in order to meet the demands of the greatly enlarged size of vessels, and of increasing commerce, it is hereby further provided that such piers as may be built between 17th Street, on the south shore of Gowanus Creek, and Fort Hamilton may be constructed so that so much thereof as shall be between the pier and bulkhead lines may be of a linear width not to exceed 300 feet, and, whether, of that width or of less width, may be filled with solid materials when an equal tidal prism or space to receive the inflow of the tides is provided in compensation therefor, behind the authorized bulkhead line and adjacent to said piers."

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

ABSENCE OF AMBASSADORS FROM THEIR POSTS

Mr. MORANO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MORANO. Mr. Speaker, the absence of some of our Ambassadors from their posts has been given a lot of publicity recently as a result of hearings held before a committee of the other body. Some commentators and even public officials who should have known better have made extravagant, and even misleading statements, on the basis of information supplied by the Department of State. In several cases the statements reflect adversely on some of our chiefs of mission.

My purpose in speaking on this subject is to put the matter in proper perspective. I particularly want to call attention to a few points that have been overlooked.

Chiefs of mission are excluded from the provisions of the Annual and Sick Leave Act of 1951, as amended. Therefore, the detailed leave records pertinent to other officers and employees of the Department and the Foreign Service have not been maintained for chiefs of mission. In this connection, the statistical information which forms the basis for these recent statements was compiled under great haste in the Department from various bits and pieces of information it had readily available. Only a complete check at each post abroad would make possible a more thorough statistical analysis—and even then it may not always be complete.

It is not possible to draw a neat line between official consultation and home leave. Frequently an ambassador returns to Washington for consultation. This means he makes himself available for talks with Department officials. For example, an Ambassador may have an appointment with the Secretary of State on Tuesday morning, with the Under Secretary of State on Thursday morning, and with officials of another agency on Friday afternoon. Are the times when he has no official appointments official duty or vacation? If he visits his dentist or doctor on Wednesday, is this vacation or sick leave?

When an Ambassador is in the United States, whether on official duty or on home leave, he frequently assumes the responsibility of addressing various organizations. This is an important function in public relations and in my judgment is an official function.

In one case an Ambassador is listed as having an extraordinarily long vacation period. It is not generally known that his absense was made necessary by the critical illness of his wife. In another case the Ambassador himself required extensive medical treatment that could only be obtained in this country.

I offer these few observations in the hope that before any further charges are made, the individuals making them will take the trouble to check thoroughly. I have been advised that the Department of State is now requiring the posts to forward periodic reports on the absence of chiefs of mission. This should serve as a future safeguard against those who seek publicity at the expense of our representatives abroad.

ACQUISITION OF LAND BY NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

Mr. DURHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3377) to promote the national defense by authorizing the construction of aeronautical research facilities and the acquisition of land by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 2, line 3, after "tunnel," insert "taxi strip."

Page 2, line 3, strike out "$8,164,000" and insert "$8,914,000."

Page 2, line 20, strike out "$44,700,000" and insert "$45,450,000."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

SPECIAL ORDER

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 45 minutes today following the special orders heretofore entered, to revise and extend my remarks, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. McBride, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 9302. An act making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Hayden, Mr. Russell, Mr. Chavez, Mr. Ellender, Mr. Hill, Mr. Saltonstall, Mr. Knowland, Mr. Thye, and Mr. Dirksen to be the conferees on the part of the Senate.

MUTUAL SECURITY APPROPRIATION BILL, 1958

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9302) making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes, with amendments thereto, disagree to the amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. Passman, Gary, Rooney, Lanham, Natcher, Denton, Alexander, Sheppard, Taber, Wigglesworth, Ford, and Miller of Maryland.

THE HOME PORT OF THE U. S. S. "RANGER" SHOULD BE BREMERTON

Mr. PELLY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, in the Congressional Record, under an extension of remarks on Monday, August 26, 1957, my good friend and highly imaginative colleague from the 18th District of California, which includes Long Beach [Mr. Hosmer], quotes a columnist, Virginia Kelly. Who Miss Kelly is or where her column appears I do not know; but she enters into the field of naval strategy, and suggests that the new *Forrestal* class carrier, U. S. S. *Ranger*, be home ported at Long Beach because of operational and flying conditions, alleged better living conditions for Navy families, and because of the drydocking facilities there. Miss Kelly's article compares Long Beach with San Francisco and the Puget Sound Naval Shipyard at Bremerton, Wash.

Mr. Speaker, the gentleman from California, in inserting Miss Kelly's statement indicates that in his opinion Long Beach should stand at the top of the selection list. His extension of remarks has a title, "U. S. S. *Ranger* West Coast Home Port: Why Not Long Beach?" The gentleman from Washington [Mr. Pelly] whose Congressional District includes the Puget Sound Naval Shipyard, will give the gentleman an answer. It is contained in the general debate on authorizing construction and conversion of certain naval vessels under date of February 1, 1956. This will be found in the Congressional Record, volume 102, part 2, pages 1837–1838.

Reference to the debate will show that the gentleman from Iowa [Mr. Gross] raised the point of dispersal of aircraft carriers and stated that he had received a clipping from a constituent with a Chicago Tribune picture page under date of December 21, 1955, showing the carriers *Hornet*, *Princeton*, *Shangri-La*, *Lexington*, *Philippine Sea*, and the *Wasp*—all berthed within an area of about 2 miles in the harbor of San Diego. The gentleman from Iowa quotes correspondence he had had with the Secretary of Defense, and concluded with some comments of his own with which I at that time agreed, namely that such an undue concentration of our combat vessels was an open invitation to an enemy to destroy the backbone of our entire fleet with one bomb.

In turn, as the record will show, the very distinguished chairman of the Armed Services Committee, the gentleman from Georgia [Mr. Vinson], congratulated the gentleman from Iowa [Mr. Gross] in calling this to the attention of the committee, and agreed with everything he said. The gentleman from Georgia said he could see no reason why aircraft carriers could not be berthed at Bremerton, Hunters Point, or San Pedro rather than concentrating all at the port of San Diego. He said the point was well taken, and the Department should not, under any circumstances, berth the aircraft carriers all in one port at any one time.

I recommend, Mr. Speaker, that the gentleman from California [Mr. HOSMER] read the entire discussion on dispersal contained in these pages of the CONGRESSIONAL RECORD to which I have referred. And likewise I recommend the careful reading of these pages to the columnist, Virginia Kelly, because already there are a great many combat vessels home ported at Long Beach, and in fact our entire Pacific Fleet, and I have expressed this view for a long time, is not properly dispersed. We always will be taking a calculated risk until such time as the suggestion of the gentleman from Georgia [Mr. VINSON] is put into effect and the other west-coast locations are utilized.

As the gentleman from California [Mr. HOSMER] knows so well, the construction of a new drydock especially designed for *Forrestal*-type carriers is due to commence early in 1958 at Bremerton. Most logically the U. S. S. *Ranger* should be home ported in Bremerton, and under date of August 15, 1957, I wrote to the Chief of Naval Operations, Adm. Arleigh Burke, urging the Bremerton selection.

Dispersal is no new idea as far as the gentleman from Washington [Mr. PELLY] is concerned. When the gentleman from Iowa [Mr. GROSS] in 1956 raised this issue I commended him, and said that during the previous session of Congress I had written the Secretary of the Navy urging dispersal on the Pacific coast, and then as now I expressed the viewpoint that we have a dangerous situation.

It is true, as Miss Kelly has indicated, that Long Beach offers good living conditions for Navy families. Long Beach has been drawing oil from under the Long Beach naval shipyard, causing it to sink, and I think with the $12 million yearly in profits the city is able to do a lot for naval personnel. But, Mr. Speaker, it is about time that the Navy instituted suit for damages, because it will cost the American taxpayers some $30 million to protect the Long Beach Naval Shipyard from being flooded due to sinking. I fail to understand why those who take the oil from beneath the shipyard should not pay for the damage. However, that is beside the point. There is fine housing and wholesome and unexcelled living in the Puget Sound area for naval families. Under existing conditions every naval vessel that is assigned to the Bremerton yard for overhaul before and after must go to southern California for morale purposes so that members of the crew can visit their families. It would be a great economy to have some of these families living in the Bremerton area so the ships could eliminate these unnecessary trips for sea trials after drydocking at Puget Sound.

Mr. Speaker, I hope this answers the question of the gentleman from California. Since he and I are good friends and both strong believers in the Navy as a deterrent to war, and since we agree on many issues, including the need for proper recognition of the Pacific coast and other matters equally important to the national welfare, I will conclude by suggesting that my friend from California sit down and allow me to explain to him the extremely cogent reasons why the U. S. S. *Ranger* should be home ported at Bremerton when it comes to the Pacific coast. I know that my fairminded friend will see the vast area of Oregon, Washington, and Alaska where there are no fighting units of the fleet based, and thus there is a defense vacuum. I know that the gentleman from California will not want a situation to exist where we could have a second Pearl Harbor.

CANADIAN GAS—INTERNATIONAL WINDFALL OR DOWNFALL

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, as this session of Congress nears adjournment, I suggest that we all take another look at the Trans-Canada Gas case which is before the Federal Power Commission. After a brief summer recess, the hearings will be resumed and very likely continue at least throughout the remainder of the year. I am happy to note that numerous other Members of the House and Senate have since April 11, when I first called attention to the perils inherent in the gas import proposals, joined in rising opposition to the Canada-United States pipeline. In addition, the present party in power in Ottawa apparently shares many of our suspicions about the practicability of the project.

While perennial animosities and sporadic outbursts persists among peoples over most of the world, the United States has been blessed in having such friendly, such understanding, and such highly respected neighbors to our north. We may have occasional squabbles about wheat and other commodities in international trade, or about jurisdiction over the rushing waters that divide our eastern boundaries, or about other items inconsequential to the overall perspective. They are of no greater significance than the occasional tiffs that occur between States of the Union. Maryland and Virginia, for instance, have their differences on fishing rights; intrastate freight rates are a source of continual contention among various States; and there is the age-old topic of water rights that inevitably leads to dissention regardless of how friendly neighbors may be.

The harmony that prevails between United States and Canada was well described in the August 5 issue of Time magazine's Canadian edition. It mentioned that most of Canada's population lives within 200 miles of the United States border, and that, collectively, Canadians travel into this country some 27 million times a year, with American visitors reciprocating at about the same frequency. The relationship—philosophically, culturally, and from the standpoint of education—is so close between American and Canadians that automobile license plates are usually the only mark of identification on these foreign tourists in either country.

The United States appreciates the friendship of the Canadian people, and we want to do nothing to jeopardize our relationships with the Dominion. Last year there was considerable to-do at the capitol in Ottawa regarding a venture on the part of private American interests into the natural gas business in Canada. With the election of a new Canadian Government, headed by Prime Minister John Diefenbaker, it now appears that this issue is not going to become as serious as had been indicated. The Prime Minister himself is apparently going to insist that the matter be settled to the satisfaction of the people of Canada, not to the satisfaction of the oil and gas millionaires from Texas.

Time magazine took notice of that issue in this manner:

> All the tensions generated by Canada's historic postwar rise vibrated through the House of Commons one day in May 1956, when the liberal government's economic czar, Trade and Commerce Minister Howe, brought in a bill to insure the construction of a gas pipeline from Alberta to eastern Canada. The franchise had already been granted to Trans-Canada Pipe Lines Ltd., a corporation controlled by United States oilmen; now Howe proposed to lend the company $80 million to start construction. In addition, Howe planned to set up a government corporation to build an uneconomic section of the line. Angrily, the Tories in the House tried to shout down the loan. If government aid were needed, argued Tory Leader George Drew, let it go to a company controlled by Canadians. Minister Howe bulled ahead; the liberals invoked a rarely used and unpopular closure motion to shut off debate and whip the bill through.

During debate in the House of Commons, Mrs. Diefenbaker revealed that American interests were behind the pipeline, and he alleged that the United States companies involved would benefit at the expense of Canada by $2 million a year for 25 years.

Mr. Diefenbaker asserted that prices to be paid for the gas by American pipelines would be far less than those charged to Canadian consumers.

Throughout the pipeline debate, Mr. Diefenbaker and the other Conservative Party Members of Parliament sought to determine for the people of Canada just what deals the management of Trans-Canada had entered into with its part owner, Tennessee Gas Transmission Co. The Conservatives knew quite well that any sale of large volumes of gas by Trans-Canada, which was then dominated by Tennessee Gas Transmission Co., to Midwestern Gas Transmission Co., which was and still is completely owned by Tennessee, would not be made with the welfare of the Canadian people in mind. At the same time the Canadian public was being asked to lend to the wealthy backers of Trans-Canada $80 million of public funds to get the lines started. The Canadian public was further being asked to build outright the $130 million uneconomic northern Ontario section of the line which would then be leased to Trans-Canada. Mr. Diefenbaker insisted that the imposition of cloture by Mr. Howe denied to Mr. Diefenbaker and his associates their right to learn the facts.

During Canada's last election the voters let it be known that they sided with the Diefenbaker party and presumably they too want to know about the gas deals that the new Prime Minister believes were inimical to their rights and interests.

Now that Mr. Diefenbaker, whom Time describes as "proudly and confessedly a nationalist," is Prime Minister, he will unquestionably make a thorough and unbiased investigation of the dealings between Trans-Canada and its allied companies. Mr. Diefenbaker is certainly justified in his attitude, for if the American public were to be subjected to a similar deal, you can be sure that Congress would lose no time in asking where, when, who, why, how, and by what authority.

Even the most fervent American patriot is dubious of a deal which would allow Canadian gas to enter the United States at rates below those being charged to consumers in Canada, regardless of the fact that it appears to be a terrific bargain for the Americans. We admittedly have some excellent horse traders among our gas industry gentry, but no one can be so naive as to assume that Canadians will play dead if they feel they are being subjected to conscious discrimination. Anyone who has seen the Alouettes, Argonauts, Stampeders, or their Canadian opponents play football knows full well that you do not get away with sucker plays against them any more than you do in Pittsburgh, Detroit, Chicago, and points west.

Through some strange maneuvers, Midwestern Gas Transmission Co., whose application to import Canadian gas in one of the cases is now before the FPC, has contracted to pay an average of 27.76 cents per million cubic feet for Canadian gas during the 25-year period of its contract. At the same time, the Winnipeg & Central Gas Co., which is actually closer to the source of production, would be required to pay 35.68 cents per thousand cubic feet for the same fuel during the period of its contract. These figures are based on the contracted minimum load factors, but even under 100 percent load factors Midwestern would still have a decided advantage throughout the 25-year period.

Midwestern proposes to purchase the gas at Emerson, Minn., a point 48 miles farther from the gas fields than Winnipeg. To make the situation even more incongruous, the 48-mile line from Winnipeg to Emerson must be constructed by Trans-Canada Pipe Lines, Ltd., at a cost of between 3½ and 4 million dollars, a service for which, of course, the proposed United States consumers would pay absolutely nothing. As one observer at the FPC hearings recently remarked:

> It's nice work if you can get it, but the Canadian public is certainly too intelligent to permit itself to be taken in by this type of promotion once the facts become known.

It is true that the old medicine man could come into a town and peddle large quantities of colored water as a cure-all for everything from headache to chilblain, but he was always careful not to play the same circuit twice. The Canadian gas deal is a long-range proposition that precludes hit-and-run salesmanship. Sooner or later the people on the other side of the line are certain to object, and in the end those eager to take advantage of the loss-leader bait are apt to pay the consequences. The cheap gas from Canada may be very enticing to potential customers in the Midwest, but the savings accrued from the bargain rates could evaporate quickly if the Canadian Government decided to make up for the losses to its people by imposing an export tax to balance the books.

In all likelihood, Mr. Diefenbaker will carry his investigation right into the producing fields. He will learn that the price of Alberta gas to Trans-Canada Pipelines, Ltd., through December 31, 1958, is set at 10 cents per thousand cubic feet, with a slight rise to take place from year to year until it reaches 15.75 cents per thousand cubic feet in 1981, and is to remain at this price thereafter. He will ask, "How do these prices compare with the cost of natural gas which Midwestern's parent, Tennessee Gas Transmission Co., is paying elsewhere?" He will learn that Tennessee has recently agreed to purchase large volumes of gas located from 10 to 25 miles out in the Gulf of Mexico at an initial price of 22.4 cents per thousand cubic feet, including 1 cent Louisiana tax, through November 1, 1962; by 1986 this price will have risen to 36.46 per thousand cubic feet. He will also learn that it will cost Tennessee Gas Transmission Co. another 3 to 5 cents per thousand cubic feet to transport this gas to the Louisiana mainland where it can enter Tennessee between 25 to 27 cents per thousand cubic feet but will still be as far from the market area of Tennessee's affiliated Midwestern as is the 10-cent Canadian gas.

Mr. Diefenbaker will learn that the price agreed on between Tennessee and the Gulf of Mexico producing companies was the lowest possible; at least here is how Tennessee's counsel explained negotiations to the FPC on June 12 of this year:

> The negotiations between Tennessee and the producers began back in October 1955. It ended some 10 months later with the execution of the contract on August 17, 1956.
>
> Now, those 10 months involved the hardest kind of bare-knuckly bargaining as to price and as to other terms and conditions. The bidding for this gas, or the competition for this gas was keen. Four other major pipelines wanted this gas because it was well located, it represented the largest block of gas available in the gulf coast area, and was a very desirable reserve.
>
> We were satisfied with the price or else we would not have appended our signatures to the contract, although it is fair to say, and the record shows that we fought as hard as we knew how to secure a lower price.

Mr. Diefenbaker will surely be interested in the fact that Tennessee had to fight to buy gas from 26 to 39 cents per thousand cubic feet in Louisiana while its potential supplier and affiliate in Canada is getting gas from the Canadian producer at 10 to 15¾ cents per thousand cubic feet.

When the new Prime Minister's investigation is completed, the balloons advertising cheap Canadian gas for the United States may be quickly deflated. The natural gas which Midwestern and Tennessee want to buy at Emerson for 27.27 cents over a 25-year period can become considerably more expensive as quickly as legislation can be enacted in Ottawa. Or it can become completely nonexistent if Mr. Diefenbaker finds that cheap Canadian gas is not in excess of Canada's needs but is required to provide heat and power for the homes and businesses of the Canadians whose tax money was loaned to Trans-Canada to get the line started and whose tax money is being used to build the uneconomic $130-million northern Ontario section of the line.

The pipeline people who have ostensibly negotiated such an advantageous transaction with Trans-Canada are—as they have demonstrated before the FPC—most desirous that the commission expedite the hearings. And well they might hope for immediate approval of their applications. With Prime Minister Diefenbaker already having expressed himself so vehemently on the subject, the applicants realize that their primary hope lies in rushing a line from the border before the Canadian Government takes action that would invalidate the promises of cheap gas for the Midwest.

The pipeliners want the FPC to endorse their proposal immediately so that they can establish a reliance upon Canadian fuel before the blowup takes place in Ottawa. They recognize that the Canadian Government is empowered to obtain such supplies of gas for domestic use as are considered necessary, and that there is every chance the party in power will eventually decide that permitting natural gas to be sold outside the country at bargain rates is against the public interest and must be cut off. In that event, after a dependence upon this fuel had been established in the areas where the pipeline had snaked its way from the border, the United States consumer would be helpless to do anything but pay the piper whatever his new price might be.

The pipeline interests do not worry about boosting prices, for they know by experience that once their monopoly status has been granted the consumer has no alternative but to suffer through boost after boost. If Canadian gas preempts our Midwest markets on the loss leader basis, there will thereafter be no coal and oil products immediately available for the industrial and domestic producers to turn to in time or urgent need. Coal and oil dealers in the Midwest are no different from any other businessmen. They cannot afford to keep the store open if their patrons quit coming in. Once these businesses have been driven out, the customer loses any opportunity to complain about what he is going to pay for the monopoly fuel that has invaded the area and usurped the markets.

Mr. Speaker, we who represent coal areas will be watching the Canadian gas cases whether or not Congress is in adjournment. The gas pressure upon the FPC is tremendous, but we are confident that the Commission will not succumb to it. It would be grossly unfair to allow a foreign fuel—subject to cutoff or price increase at any time—to displace a product which is the medium of employment for thousands of American coal miners, railroaders, dockworkers, truckdrivers, and other labor groups in allied industries and businesses.

I reiterate, Mr. Speaker, that we are proud of our associations with the people of Canada. When they are in need, we will always be ready to help, and I am sure that they would reciprocate if the situation were reversed. At the moment, however, the United States is not suffering from a shortage of fuel, and even if we were we would not expect Canada to give it to us at a price below that which their own citizens must pay. We value Canada's friendship, but we do not feel that it is necessary for her to offer us M. c. f.'s of B. t. u.'s at a percentage of what residents of Canada are charged for the same product.

TO AMEND RAILROAD RETIREMENT ACT TO PROVIDE FOR INVESTMENT IN FEDERAL HOUSING MORTGAGES

Mr. PORTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, I am today introducing a bill aimed at benefiting retired railroad workers and firming up the present soft lumber market.

The three major objectives of the bill are as follows:

First. To benefit retired railroad employees by increasing the railroad retirement fund. This would be accomplished by directing the Secretary of the Treasury to invest at least part of the fund in Government-insured mortgages, which bear interest at a considerably higher rate than the special-issue Government bonds to which the fund is now restricted.

Second. To help hundreds of thousands of families throughout the country to purchase their own homes, despite the tight-money policies of the administration, by making available not less than $1 billion from the retirement fund for investment in the secondary mortgage market.

Third. To give a much-needed boost to the sagging lumber industry of the Pacific Northwest, and especially southwestern Oregon, as an indirect result of the upswing in housing starts which would occur.

The title of the legislation reads: "A bill to amend the Railroad Retirement Act of 1937 to provide for the investment of not less than $1 billion of the amounts in the railroad retirement account in mortgages insured by the Federal Housing Commissioner."

I decided to introduce the bill before the end of the present session of Congress so that there would be time during the recess for the various Government agencies involved to study the legislation and prepare reports on it for the House committee to which the bill will be referred.

I recognize that there will be objections to this bill from the Department of the Treasury and possibly from other agencies. There may even be some opposition from certain members of the Railroad Retirement Board and from some representatives of the railroads and railroad labor groups. However, I believe this opposition can be met and overcome when the provisions of the bill are fully explained, understood, and, if necessary, revised in some respects.

Investment of money from the railroad retirement fund will net the fund a return of at least 1¼ percent more than it now gets from the special-issue Government bonds in which the fund must, by present law, be invested. These bonds return a guaranteed 3 percent interest. Under my bill the return could never be less than 3 percent on FHA insured mortgages and could be much higher, since the present interest rate on these mortgages was recently increased to 5¼ percent.

The bill directs the Federal National Mortgage Association to act as agent for the Secretary of the Treasury for the purpose of purchasing, servicing, and selling mortgages for the railroad retirement fund. FNMA would be allowed to deduct from the monthly interest payment the cost of such servicing, but not to exceed 1 percent.

Even if the service cost used up a full 1 percent, the net return to the fund from FHA mortgages would not be less than 4¼ percent and, since FHA mortgages are now selling at discounts in many areas of the country, the net return could actually be somewhat higher.

It is obvious that the railroad retirement fund could realize as much as $25 million a year more in interest from investment in these Government-insured mortgages than it now receives from the bonds. Furthermore, the investment, under the provisions of my bill, would be just as well protected as it has been in the past.

I do not feel that this bill, as written, is the last word. I expect the committee to come up with recommendations for amendments to modify the legislation after it has had a chance to make studies and hold hearings.

If the bill should become law as written, it would certainly have the effect of easing the tight-money market in the home-mortgage field, by making at least a billion dollars available for investment in FHA mortgages. This would undoubtedly lead to a significant increase in housing starts in most areas of the country and would expand the market considerably for western Oregon lumber products.

The bill is as follows:

A bill to amend the Railroad Retirement Act of 1937 to provide for the investment of not less than $1 billion of the amounts in the railroad retirement account in mortgages insured by the Federal Housing Commissioner

Be it enacted, etc., That section 15 of the Railroad Retirement Act of 1937 is amended by adding at the end thereof the following new subsection:

"(e) (1) The Secretary of the Treasury shall invest and reinvest not less than $1 billion out of the railroad retirement account by purchasing, and (in the case of loans on new construction) by making commitments to purchase, mortgages hereafter insured under section 203 of the National Housing Act. The price to be paid for any such mortgage shall not exceed the unpaid principal balance thereof plus accrued interest. No such mortgage shall be purchased under this subsection (A) except from the original mortgagee before any other sale thereof, (B) unless the sales price of the property securing such mortgage is $15,000 or less, (C) unless the construction of the housing covered by the mortgage is completed after the date of enactment of this subsection, and (D) unless the Secretary of the Treasury determines that the rate of the net return on such mortgage will exceed, whichever is higher, the average rate of interest payable on the interest-bearing obligations of the United States having maturities of 10 or more years most recently issued, or 3 percent per annum. Any mortgage so purchased may be sold for an amount sufficient to insure that the railroad retirement account will not have sustained any loss in connection with the purchase and sale of the mortgage. If any mortgage acquired under this subsection shall default, and the Secretary of the Treasury determines the default to be insoluble, he shall assign, transfer, and deliver to the Federal Housing Commissioner all rights and interests arising under the mortgage and all claims, assets, and documents in connection therewith. Upon such assignment, transfer, and delivery, the Commissioner shall pay in cash to the railroad retirement account the entire unpaid principal balance of the mortgage plus accrued interest. The Secretary of the Treasury is authorized to make such regulations (including regulations prescribing additional conditions for the purchase of mortgages under this subsection) as he may deem necessary or appropriate to carry out this subsection.

"(2) The Federal National Mortgage Association shall act for the Secretary of the Treasury with respect to the purchase, servicing, and sale of mortgages under this section. The Secretary shall reimburse the Federal National Mortgage Association for expenses incurred by it in carrying out its functions under the preceding sentence from the income derived under such mortgages; but such reimbursement shall not exceed an amount, payable from the interest portion of each monthly installment applicable to principal and interest collected, equal to 1 percent per annum computed on the same principal amount and for the same period as the interest portion of such installment."

COMITY BETWEEN THE TWO BODIES OF CONGRESS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, as I understand the rules of the House it would not be permitted for a Member of this House to refer to a measure passed by the other body as a steal, since such a word would imply that Members of the body who had voted for it were party to a crime.

The Illinois delegation, and I include the Democrats and the Republican Members, very much resent that which appears on page 15871 of the Congressional Record of yesterday. The heading is "The Need for Continued Opposition to the Chicago Water Steal."

We appreciate that when there is no area of argument or opposition, resort is made to name-calling. This, of course, is evidence that there is no argument.

We do think that it is pretty bad taste on the part of the headline writers to put in such a headline as "The Need for Continued Opposition to the Chicago Water Steal."

CLARIFY SUPREME COURT DECISIONS

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I think it would be most unfortunate, indeed it could be disastrous in some respects, if Congress were to adjourn without enacting pending legislation designed to correct and adjust the effects of several recent Supreme Court decisions. The action we have just taken was most appropriate.

Our great and distinguished Supreme Court as head of one of the coordinate branches of our Government holds a high place in the estimation of the American people. Historically, this greatest of all democratic, judicial tribunals has been a valuable, stabilizing and interpretative force in providing balance and equilibrium between governmental branches and defining and interpreting constitutional limitations. It is as essential and indispensable as the executive or legislative departments. It must keep its proper relationship in our constitutional governmental arrangements. It must not assume legislative or executive functions.

Like other institutions, it is conducted and directed by human beings, and thus is a human agency, fallible and not infallible, subject to mistake and error like all other human beings.

It has been very disturbing for Congress and the American people to note the nature and consequences of some of the recent decisions of the Court. This is true, not only of one, but of several cases. It would appear that in some respects the Court is embracing an entirely new legal philosophy which departs radically from time-honored judicial precedents and constitutional concepts.

Some of these decisions have, in effect, crippled the conduct of Congressional investigations in the exercise of our remedial, lawmaking and informing functions. Another has taken from the sovereign States the historic right to protect themselves against subversion. Another, we have just acted upon, has hampered the FBI and has already resulted in the release of several persons accused of serious crimes. The FBI states in substance that this decision will have deepest repercussions upon its entire investigative process by destroying its system of securing evidence through informants and opening its most secret files to inspection.

Still another decision stripped local school boards of their right to select teachers of their own choice in whom they could have trust and confidence as to their character, fitness, and patriotism.

Still another decision seriously checked the power of Congress to punish subversive activities.

Several of these decisions, I repeat, have greatly disturbed the Nation.

Our great House Judiciary Committee has considered and reported measures to offset several of these decisions, and I cannot understand why all these bills have not been brought to the floor of the House for discussion, extended debate and action. I believe we have a distinct duty to apply the remedy and to cure the obviously confusing and undesirable aspects of some of these decisions.

I have carefully studied these decisions and noted that some of them read more like philosophical treatises than judicial opinions. They invoked strange doctrine, novel legal reasoning and no inconsiderable conflict with established precedents. They represent a neofunctional approach to constitutional problems.

The Court is entitled to formulate its opinions in terminology and language of its own choice, however puzzling and vague it may be to members of the bar who are well versed in constitutional legal principles. It is the effect of the opinions, however, that must give us all pause as well as resolve to do what we can with all due respect to bring about legislative adjustment.

I do not propose to indulge in personal criticism of the Court because I have respect for its membership. Like many others, I disagree with the results in some cases, and I do not believe that, if we are going to have a government of laws by men in this country, the lawmaking branch can afford not to move with all promptitude to enact laws that will make it very clear to our courts and our citizens what the legislative intent is regarding many grave questions affecting the security of the Nation, and the powers of Congress as well as the powers of our sovereign States.

I urge the House committees, and the Rules Committee, considering these measures to bring more of them to the floor before adjournment so that necessary action may be taken to apply proper remedies.

INFLATION VERSUS DEFLATION

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, even a casual survey of present price levels, interest rates, taxes and budget policy indicates beyond question that our economic and financial system is in the throes of dangerous inflationary pressures.

These conditions have been evident for some time past to Members of Congress who are called upon by their constituents to do something about rising prices and rising interest rates threatening the economic stability of ordinary working men and women as well as businessmen, particularly small-business men.

We are told by high officials of the Government that inflation comes from total demand exceeding total supplies, particularly in the money market where the demand for funds has badly outrun savings.

It is argued that to restrain further inflation there must be a moderation of spending, both governmental and private, until the demands for funds are balanced by savings. A larger budget surplus and an effective monetary policy to restrain the growth of bank credit are also suggested.

Admittedly, the causes of inflation are complex and the result of a variety of conditions in the economy. We know from sad experience that inflation leads ultimately to deflation, depression, unemployment and social ills and evils bringing untold hardship to every segment of the economy and all our people.

The Congress and the Government must make determined concerted efforts to combat the dangers of inflation. It is gratifying to note that this session of Congress has moved to curb unnecessary, wasteful spending, and to reduce the high budget, and it is to be hoped that this will lead to a substantial Federal surplus, and permit early tax relief.

Current interest rate policies are undoubtedly producing many undesirable effects. Business is feeling the pinch of shortened credit and tight money. The brunt of these effects appears to fall upon small business. Current credit and money shortages and high interest rates are penalizing and obstructing economic activity in many fields. We must be concerned lest this process may precipitate and release deflationary forces in the economy which will more than offset inflationary trends and cause business retrenchment and unemployment.

Of late, I have been greatly disturbed by some of the viewpoints expressed by high Government officials dealing with our credit and monetary problems and controls. At the same time I realize how difficult it is to execute policies in this field once that the inflationary spiral has gained substantial impetus.

One thing strikes me very definitely and forcibly however, and that is, that this Government cannot allow any of our efforts to check inflation to reach such proportions that they invite or produce deflation. It is most difficult to strike a balance, I know, and the problem of timing credit and monetary decisions are extremely challenging and complex. But it must be our purpose whatever we do in this field to retain a high level of prosperity and employment in our dynamic economy with its great potential for healthy expansion.

We are living in a period of rapid change. Politically, economically, socially, and in every other way the Nation is moving toward new frontiers of achievement. The population is growing in leaps and bounds and has increased about 28 million since 1940. Almost incredible developments in the world of science and technology have opened up for the American people new vistas of opportunity. The prospects for progress, increased prosperity, and broader measures of opportunity and higher standards of living are improving every day. It would seem clear that the country is destined for additional marked growth and advancement in every field. Our aim must be, notwithstanding these great changes and readjustments, to keep the economy on a sound basis and to maintain it as a great free system of enterprise furnishing unbounded opportunities for all our people.

I do not agree with the philosophy which holds that in order to check inflation it is necessary to pursue policies that will bring economic losses to industry and individuals. In fact, I think this is the very end we should scrupulously seek to avoid.

It is to be recognized that in any system like ours, which is featured by venture and risk, that economic losses will occur in any event. Sometimes these losses are accompanied by reduced employment and depressed economic conditions. Such losses are in the nature of human endeavor since for one reason or another every venture cannot be successful and some are ill advised and not competently handled.

But on the whole, losses resulting from the ordinary risks of venture and enterprise are minimal, and not necessarily a part of major deflationary dislocation. It is the duty of this Government to encourage, and not to discourage, ambitious citizens and groups to strive for economic and professional success. It should be the policy of this Government not only to engender a national climate productive of this end, but also to see to it that no conditions are deliberately or consciously induced which may restrict free opportunity and induce deflationary influences and results in the economy.

The Government cannot be responsible for conducting or supporting the private business operations of its citizens. But it must assume responsibility at all times for setting up safeguards against the recurrence of widespread depression which we know from sorry experience brings heartache, privation, and misery to millions of people.

There is no more certain way to insure the success and growth of radical, political, and economic movements in this Nation than for the Government to reject its responsibility to encourage and maintain favorable economic conditions in the economy and the Nation.

If depressions are man-made, they can and must be man-prevented, and the Government simply cannot afford to allow them to develop, let alone by deliberate policy give impetus to monetary and economic influences which will inevitably produce them.

I hope that appropriate officials of the Government will keep these plain economic truths in mind because popular psychology is peculiarly sensitive to the application of harsh credit and monetary controls.

As economic history clearly discloses, the greatest losses and sufferings that result from depressed conditions fall upon small business units and individual citizens. Big and small business can both exist and prosper in this country, but this Government could not possibly pursue a worse or more disastrous economic policy than that of discriminating against small business in favor of huge aggregations of wealth and power which are usually well able to take care of themselves.

If we keep in mind the human, humane, and spiritual elements that are intertwined and so essential in our economic relationships, indeed in all our relationships, and safeguard the basic rights and liberties of the people, our advancement to these new frontiers of achievement, prosperity, and betterment will be assured.

I most respectfully urge upon the Government, the administration, and its high officials, that utmost care be exercised in applying credit and monetary controls and in developing all necessary safeguards and instrumentalities designed to promote our advancing economic prosperity and the continued employment of our citizens.

In a word, deflation can be even a greater threat to national welfare than inflation.

Let us recognize this fact and scrupulously avoid those policies which will promote deflation and its evils. We have the instruments available to accomplish this end. Let us use them.

RICHARD ATTRIDGE—FAMED WRITER

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I include as a part of my remarks a very thoughtful, ably written editorial by my friend and neighbor, Mr. Richard Attridge, famed writer, which recently appeared in the Saturday Evening Post.

Mr. Attridge, who has made many outstanding literary contributions is a regular contributor to this great national magazine, and his editorials and articles are invariably very well received and reflect many accurate, pertinent commentaries on contemporary American life. Mr. Attridge is extremely versatile, his writings cover a wide range and are widely and enthusiastically read. I am highly privileged to commend him for his fine work.

[From the Clinton (Mass.) Daily Item of August 23, 1957]

ATTRIDGE SAYS OUR NEIGHBORS KNOW ALL ABOUT US

A staff-written editorial by Richard Attridge, nationally known Clinton author, in a recent issue of the Saturday Evening Post, takes a quick look over the Nation's backyard fences, and comes up with some pros and cons on a great American institution: Neighbors.

"Even in the days of America's wide-open spaces, when Mark Twain was working on a western territorial paper, neighbors were always fair game for editorial writers," the Clinton commentator observes. "As our population booms, and people are piled on top of each other, they'll have greater responsibility for preserving privacy—their own and their neighbor's too."

The Post editorial, printed under the heading, "Neighbors Are All Right, When They're Not Too Darn Close," runs as follows:

"Neighbors are the people who live next door, some cynics think, too close for comfort. If they live across the street, they are usually the people whose picture window looks into our picture window. This unavoidable proximity of neighbors, and the tendency to make modern dwellings about 50-percent transparent, has given a new edge to the old saw: People who live in glasshouses shouldn't throw parties.

"America is undoubtedly the most neighborly country in existence, a fact that causes some consternation in many parts of the world where people go in for high hedges and solid walls around their property, put a premium on privacy, and feel that buying or renting a place next door hardly constitutes an introduction. Americans sentimentalize the word 'neighbor,' write songs and commercial jingles starting off 'Hi, neighbor,' and put a lot of semantic faith in almost any international good-neighbor policy.

"American neighbors must be credited with taking a sincere interest in each other's problems: How much, for example, the head of the house next door really earns, how much the lady of the house spends at the beauty shop, and how well Junior is doing in college—especially if he isn't. They are always sorry to hear about their neighbor's family troubles or dissensions, but, of course, they always hear about them. There is reputed to be more kindly neighborliness in the country and rural areas, but this may occur simply because the houses are farther apart. There is certainly much less in cities, where residents of a 200-family apartment house would have no time to make a living if they tried to be neighborly with everyone within shouting distance.

"On the whole, maybe the best thing about real neighbors in towns and smaller cities is that they know all about us—certainly everything to our discredit—and if they are still speaking to us after 6 months, they're probably our friends for life.

GENERAL WOOTEN'S AWARD

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I include as a part of my remarks a recent article from the celebrated Worcester (Mass.) Evening Gazette relative to the recent award to the distinguished commander of Fort Devens, Ayer, Mass., Brig. Gen. Sidney C. Wooten.

It will be recalled by Members of Congress and others interested in the program that General Wooten was in charge of the Refugee Reception Center at Camp Kilmer, N. J., last winter when 32,000 refugees from Hungary were processed and admitted to the United States.

There has been general commendation of General Wooten's fine work in this activity, and this award, which is the second one of its kind which General Wooten has received, and one of the Army's highest noncombatant awards, was conferred upon him in recognition of this outstanding service.

Early this year General Wooten received the highest honor conferred by the holy father, the Benemerenti medal.

These awards were not only richly merited but they indicate the wide fields in which General Wooten has served and contributed with such great distinction. It is most reassuring for us to know that we have contemporary leaders in our Armed Forces who are rendering such conspicuous service to the Nation.

AUGUST 14, 1957.

Brig. Gen. SIDNEY C. WOOTEN,
Commanding, United States Army Garrison, Fort Devens, Mass.

DEAR GENERAL WOOTEN: Heartiest congratulations to you and your family upon the well-merited award to you of your second Legion of Merit, one of the Army's very highest awards.

I was very much pleased to learn that your outstanding service at Camp Kilmer was appropriately recognized since it is truly a monument of achievement and will long be remembered by the Nation.

With best wishes to you and yours, I am,
Sincerely yours,
PHILIP J. PHILBIN.

ARMY HONORS DEVENS CHIEF

AYER.—Brig. Gen. Sidney C. Wooten, the new commander of Fort Devens, today was awarded his second Legion of Merit, the Army's second highest noncombatant award. He was honored for his work as commander of the refugee reception center at Camp Kilmer, N. J., last winter. The center processed 32,000 refugees from the Hungarian revolt. The Legion of Merit is the general's second honor for work at Camp Kilmer. He received the Vatican's highest honor, the Benemerenti medal, earlier this year.

ASSISTANCE TO TEXTILE INDUSTRY

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and to include a copy of a bill (S. 14), which passed the Senate by a voice vote on yesterday.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, on yesterday a bill (S. 14) offered by Senator MARGARET CHASE SMITH to assist the United States textile industry in regaining its equitable share of the world market, was passed by the Senate. The textile manufacturers of the South as well as the North, I am told, were anxious to have this bill passed. It is a very necessary thing if we are going to maintain our textile industry in the United States.

This bill would provide that our textile industry could compete in the world market in price and could continue manufacture in this country. There is interest all over the country in this bill and I only hope that some way may be found so that a bill may be reported hastily out of the Committee on Agriculture and pass the House. It has wide endorsement of many groups, I hear.

Mr. JONES of Missouri. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. Did the gentlewoman inform us about cotton producers being interested in that bill?

Mrs. ROGERS of Massachusetts. I understood they were.

Mr. JONES of Missouri. I think the gentlewoman is mistaken.

Mrs. ROGERS of Massachusetts. It came out of the Committee on Agriculture of the Senate.

Mr. JONES of Missouri. It came out under rather unusual circumstances and it passed the other body under rather unusual circumstances.

Mrs. ROGERS of Massachusetts. I did not know that. I knew there was great interest in it and I think it will help the terribly distressed textile industry which must receive help if it is to survive.

A bill to assist the United States cotton textile industry in regaining its equitable share of the world market

Be it enacted, etc., That it is the purpose of this Act to assist the United States cotton textile industry to reestablish and maintain its fair historical share of the world market in cotton textiles so as to (1) insure the continued existence of such industry, (2) prevent unemployment in such industry, and (3) allow employees in such industry to participate in the high national level of earnings.

SEC. 2. (a) In order to carry out the purpose of this Act the Secretary of Agriculture is authorized and directed to make available to textile mills in the United States during the fiscal year ending June 30, 1958, and each of the four succeeding fiscal years not less than 750,000 bales of surplus cotton owned by the Commodity Credit Corporation at such prices as the Secretary determines will allow the United States cotton textile industry to regain the level of exports of cotton products maintained by it during the period 1947 through 1952. Cotton shall be made available to a textile mill under this Act only upon agreement by such mill that such cotton will be used only for the manufacture of cotton products for export.

(b) The Secretary shall announce, not later than September 1 of each year for which surplus cotton is made available under this Act, the price at which such cotton is to be made available and thereafter for a period of thirty days shall accept applications from textile mills for the purchase of such surplus cotton. In the event the quantity of cotton for which application is made exceeds the quantity of such cotton made available for distribution under this Act, the cotton made available for distribution shall be distributed pro rata among the mills making application therefor on the basis of the quantities of cotton processed by such mills during the three calendar years preceding the year for which such distribution is made.

SEC. 3. The Secretary shall promulgate such rules and regulations as may be necessary to carry out the provisions of this Act.

SEC. 4. Any person who knowingly sells or offers for sale in the United States any product processed or manufactured in whole or substantial part from any cotton made available under this Act shall be punished by a fine of not more than $5,000, or by imprisonment for not more than five years, or by both such fine and imprisonment.

A FAST, MODERN PASSENGER LINER FOR THE TRANSPACIFIC TRADE

Mr. TOLLEFSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. TOLLEFSON. Mr. Speaker, I have today introduced a bill to provide for the construction of a fast, modern passenger liner for the trans-Pacific trade. This bill would authorize the construction by the United States and the sale in accordance with existing provisions of the law to American President Lines of a 26-knot 1,400-passenger ship which would be the largest and fastest passenger ship ever to sail on the Pacific Ocean.

The highly publicized speed competition on the Atlantic Ocean has for many decades resulted in great public attention being paid to the desirability of providing outstanding passenger ships for the North Atlantic run. However from the standpoints of national prestige, availability for naval and military auxiliary service and maintenance of America's competitive position in foreign commerce, the introduction of fast, modern passenger ships on the Pacific run is equally important.

At the present time, the American-flag passenger ships serving the Pacific number but 10, have a total capacity for less than 5,000 passengers, average 20½ knots or less in speed and average 15 years of age. Such a fleet is inadequate from standpoints of national defense and of adequate support for our domestic and foreign commerce.

The American President Lines, which has the Government contract to operate the trans-Pacific passenger service, is required under the terms of its agreement with the Government to provide a replacement vessel for one of its three passenger ships during the year 1958. That ship should be the finest and best which can be provided for the Pacific run. The bill which I have introduced today follows strictly the national policy and the legislative machinery adopted by this Congress in the Merchant Marine Act of 1936, as amended by this Congress from time to time. The construction of a passenger ship at this time for the trans-Pacific trade will provide a great and valuable asset for the United States in the implementation of a merchant marine policy which has proven sound in both peace and war.

BRIEF STORY OF THE HOUSE OF REPRESENTATIVES AND RELATED EVENTS SINCE 1857

The SPEAKER. Under previous order of the House, the gentleman from Iowa [Mr. SCHWENGEL] is recognized for 60 minutes.

Mr. SCHWENGEL. Mr. Speaker, I have here some pictures that have to do with the history of the United States Congress. The reason I have asked for this time is because this year is the 100th anniversary of our meeting in this Chamber in the Capitol. The pictures I have here show the different places where the Congress met in Washington, D. C., as well as the various buildings it met in.

I also have pictures of the two House Chambers well known to us. One is a picture of what is now known as Statuary Hall, taken at the time Abraham Lincoln was a Member of Congress. Alexander Hamilton, Stevens, and John Quincy Adams also served here. I have a picture, that was taken soon after the Congress moved into this Chamber, which I shall leave on this table for any of the Members who may want to see it.

Mr. Speaker, it is a deep conviction of mine that we ought at every opportunity to give attention to the important lessons that history teaches us. This year is the 100th anniversary since the House of Representatives first met in this Chamber. This seems to afford us an excellent reason to pause and reflect again on the rich heritage that is ours as a nation. In doing this, we can draw on the experience of thousands of men and women who have served their people in this Chamber and had a part in making our country the great Nation we know it to be. Some of these people were great—more were near great. Even more were above average in ability of the people who served here. The vast majority, however, were average American citizens. All, however, in their way made some contribution that helped our Nation progress. Many made mistakes of a minor nature. Some succumbed to the perils of appeals to the baser passions of men; some because they lacked information and understanding made great mistakes. Some of these mistakes are still a part of our problem today. However, it must be noted that in spite of the great difficulties and the challenge that has come with every generation and period, somehow we have gained strength, made great progress, and grown in stature among the nations of the world until now all the freedom-loving people of the world look to us for inspiration, help, and encouragement. Our system has also made tremendous gains for our people until now we have in a material way, and many believe morally, the highest standard of any nation in the world. To attain this great goal, our people through the years had to have direction, help, and encouragement. A large part of this help came from Congress—a creature of the Constitution, the document that the eminent Blackstone referred to as "The most wonderful work." Our Congress of which this House, in many respects, is more important than the other House and recognized by many students of government as the greatest legislative and deliberative body in the history of mankind.

Therefore, after much reading and studying and with the help of the Library of Congress and the Architects Office, the Department of History and Archives, I have prepared a very brief statement to be placed in the RECORD for future reference, as a guide for further study for anyone who might want to explore and study this history in more detail. This, of course, is not in any sense a complete history of any phase of the Capitol or Congress and its meaning. Rather, I would have you accept this only as a brief and sketchy outline of history of the Capitol and Congress. In this presentation I try to point out the historical importance of our Capitol, what it has meant to our people and what it means to the peoples of the world, some references to the significant commemorations of the past, a brief outline of what it seems were the outstanding events that happened on Capitol Hill arranged in chronological order. Then touch very briefly on the growth, changes, and progress in our Nation in the last 100 years. Also, a part of this calls attention to some of the significant physical improvements of our Capitol Building in the last 100 years. Then, in closing, I try to summarize and call attention to the importance of referring often to the foundations of our country as exemplified by what our forefathers said and did and point out that here are many of the answers to the difficult problems of our time.

Mr. Speaker, historically, the Capitol at Washington is the most amazing, awe-inspiring, interesting, and important edifice in the United States. It is also the busiest Capitol in the world. Here we find 531 elected public officials doing more with the aid of limited but efficient staffs for their people than any other group of elected legislators on earth. In addition, they are trying with great effort, dedication, and ability to represent the wishes of their people honestly and sincerely in the legislative halls. Here, more than any place in the world, what is done in the Capitol is important to more people of a nation and the peoples of the world than anywhere else. All of this makes our Capitol the most meaningful symbol of hope for liberty and freedom in the world. This, along with what we know through history about our heritage, may explain, in part at least, why ours is the most visited Capitol in the world—millions come here from every nation in the world, to see, study, and be inspired by the American story of self-government.

The seat of our Government is most unusual, too, in that it resembles to a great extent both the beginning and the growth of the greatest Nation on earth. Its growth and its capacity to change while protecting individual liberties are among its greatest virtues.

Since the laying of the cornerstone of this Capitol by George Washington in 1793, many great and significant things have happened here. Events that have made a difference and helped our people to a better way of life. The reading and study of our heritage and history indicates that it has been a great influence toward a better way of life for the liberty-loving people of the world.

Besides the laying of the original cornerstone in 1793, several commemorative celebrations have been held that mark the beginning of expanded facilities or commemorating significant anniversaries of our Capitol. These include the laying of the cornerstone for the expansion of the Capitol in 1851 and the celebration of the 100th anniversary of the laying of the cornerstone in 1893.

December 16, of this year, 1957, will be another very significant date in the history of this magnificent Capitol, for then it will be just 100 years since the House of Representatives began meeting in this Chamber. In commemoration of this event, there is a most interesting exhibit on the ground floor of the Capitol showing the various aspects of the building as it first appeared in and after 1800; as it looked following the British vandalism of 1814, and as it was before and after the extensive changes of 1851–65.

Illustrations of the United States Capitol are so frequently used as a visual symbol of our National Government that it must seem to many Americans that the Capitol has been here forever, just as it is. However, if one could transport himself back a few years before the Civil War, for instance, one would not have seen the familiar tall dome on the Capitol. Instead, there was a relatively low wooden dome sheathed with copper, which resembled an upside-down custard bowl. The present dome, with the Statue of Freedom, was not completed until about 1865.

Nor would one have seen, somewhat over a hundred years ago, the present separate House and Senate wings with their connecting corridors. The House extension was not ready for occupancy until 1857, and the Senate wing was not used until 1859.

We invariably think of Washington, of course, as our Capital City. Probably not one person in a thousand, however, could name all the places in which Congress has met.

The Continental Congress met in eight different cities and towns, namely:

Philadelphia: September 5, 1774, to December 12, 1776.

Baltimore: December 20, 1776, to February 27, 1777.

Philadelphia: March 4 to September 18, 1777.

Lancaster, Pa.: September 27, 1777.

York, Pa.: September 30, 1777, to June 27, 1778.

Philadelphia: July 2, 1778, to June 21, 1783.

Princeton, N. J.: June 26, 1783, to November 4, 1783.

Annapolis, Md.: November 26, 1783, to June 3, 1784.

Trenton, N. J.: November 1784 to December 24, 1784.

New York City: January 11, 1785, to March 4, 1789.

CONGRESS UNDER THE CONSTITUTION—FIRST CONGRESS

New York City: First session, March 4, 1789, to September 29, 1789; second session, January 4, 1790, to August 12, 1790.

Philadelphia: Third session, December 6, 1790, to March 3, 1791.

Second Congress, third session to the Sixth Congress, second session, the meeting place was Philadelphia. Since November 1800 sessions have been held in Washington.

Nor is it likely that many people could identify all the places right here in Washington, D. C., where the House of Representatives has met since 1800: in

the north wing of the old Capitol; the so-called oven in the uncompleted south wing of the old Capitol; the old oval-shaped Chamber in the south wing which was burned in 1814; Blodgett's Hotel; the Old Brick Capitol on the present site of the Supreme Court; the semicircular Chamber in the south wing, built after the British attack of 1814, which is now Statuary Hall; the present Chamber, which was remodeled in 1950; and the caucus room in the New House Office Building.

The House first convened in the Federal Building in New York City on March 4, 1789. It met in Congress Hall in Philadelphia from December 6, 1790, to May 14, 1800.

Congress convened for the first time in what is now a portion of the present building immediately north of the rotunda, on November 22, 1800. The House was then located on the principal floor, on the west side of the old building. A plaque on the wall marks the place, which is now occupied by the Senate Disbursing Office. The first House Chamber in the Capitol no longer exists, however, because this part of the Capitol was burned by the British in 1814. Theodore Sedgwick, of Massachusetts, was then Speaker of the House. House membership at that time totaled 106.

This Chamber was so crowded that a brick structure was erected in the unfinished south wing in 1801. This room, referred to as the oven, was utilized until the permanent walls of the south wing were completed in 1804. The House once again moved to the north wing, on the west side of the principal floor; and it remained there until 1807, when the south wing was available for occupancy. At this time, a wooden passageway connected the two wings; there was no rotunda or dome.

In 1814, a British raiding party under the command of Admiral Cockburn fired the Capitol, destroying the Chambers. Congress subsequently met in two places while its home was being restored: Blodgett's Hotel on E Street, between Seventh and Eighth Streets NW., and a hastily constructed building known as the brick Capitol on the site of the present Supreme Court Building.

Blodgett's Hotel had previously been taken over by the Government and was in use as the United States Patent Office at the time of the British raid. The so-called Old Brick Capitol was erected by a group of private citizens anxious to forestall efforts of various Members of Congress to move the Capitol to another city or to Georgetown. It was rented to the Government during the period the Capitol was being rebuilt. Later it was used as a hotel and rooming house. During the Civil War it was used as a prison for southern sympathizers. Henry Wirz, the commandant of Andersonville Prison, was briefly incarcerated in this building after the war.

The House moved to its present Chamber on December 16, 1857. This room was 139 by 93 by 42½ feet as compared to the 61 by 48 by 36 feet of the Federal Building in New York City. The chamber of the House is three times as large as that of the British House of Commons. The present Chamber was redecorated in 1950 and during that period sessions were held in the Ways and Means Committee room in the New House Office Building.

Now how did the House come to be in its present quarters? On May 28, 1850, the Committee on Public Buildings recommended an extension of the Capitol. It was by this time evident that the building was now too small to house the expanding Congress and to accommodate the increasing number of visitors. A competition was held late in 1850 for the architectural plans for the extension, a $500 prize being provided the victor. One of the competitors was Thomas U. Walter, who split the prize money with three other individuals and was appointed Architect of the United States Capitol Extension by President Fillmore on June 10, 1851. In general, the present House and Senate wings follow a modified plan laid down by Walter. Charles F. Anderson, one of the contestants, also long claimed credit for some of the features which appeared in the final plans.

On July 4, 1851, the cornerstone of the Capitol extension was laid with elaborate ceremonies. President Fillmore and other officials, including Walter Lenox, mayor of Washington—the City of Washington then had a mayor—participated. B. B. French, grand master of the Masonic fraternity, made a short address, and Daniel Webster, then Secretary of State, delivered an oration.

> Fifty-eight years have elapsed—

Declared French—

> and, in that comparatively brief space in the ages of governments, we are called upon to assemble here and lay the cornerstone of an additional edifice, which shall hereafter tower up, resting firmly on the strong foundation this day planted, adding beauty and magnitude to the people's house and illustrating to the world the firm foundation in the people's hearts of the principles of freedom, and the rapid growth of those principles on this Western Continent.
>
> Yes, my brethren, standing here, where, 58 years ago Washington stood, clothed in the same Masonic regalia that he then wore, using the identical gavel that he used, we have assisted in laying the foundation of a new Capitol of these United States this day, as Solomon of old laid the foundation of the temple of the living God.

Among the papers deposited in the cornerstone was one by Webster which, in part, read:

> If * * * it shall be hereafter the will of God that this structure shall fall from its base, that its foundation be upturned, and this deposit brought to the eyes of men, be it then known, that on this day the Union of the United States of America stands firm, that their Constitution still exists unimpaired, and with all its original usefulness and glory; growing every day stronger and stronger in the affections of the great body of the American people, and attracting more and more the admiration of the world. And all here assembled, whether belonging to public life or to private life, with hearts devoutly thankful to Almighty God for the preservation of the liberty and happiness of the country, unite in sincere and fervent prayers that this deposit, and the walls and arches, the domes and towers, the columns and entablatures, now to be erected over it, may endure forever.
>
> God save the United States of America.

Webster's remarks are often quoted. Outlining the fundamentals of the American system of government, he imagines what Washington might have said, had he been present.

> Ye men of this generation, I rejoice and thank God for being able to see that our labors and toils were not in vain. You are prosperous, you are happy, you are grateful; the fire of liberty burns brightly and steadily in your hearts, while duty and the law restrain it from bursting forth in wild and destructive conflagration.
>
> Cherish liberty, as you love it; cherish its securities as you wish to preserve it. Maintain the Constitution which we labored so painfully to establish, and which has been to you such a source of inestimable blessings. Preserve the union of the States, cemented as it was by our prayers, our tears, and our blood. Be true to God, to your country, and to your duty. So shall the whole eastern world follow the morning sun to contemplate you as a nation; so shall all generations honor you, as they honor us; and so shall that Almighty Power which so graciously protected us, and which now protects you, shower its everlasting blessings upon you and your posterity.

Thus spoke one of America's greatest orators on this significant day.

Soon after this the Members of both the House and Senate complained that they were not being sufficiently consulted and requested what we in our day would call progress reports. Particular solicitude was expressed regarding the proper ventilation and the acoustical properties of the legislative halls. Acoustics was particularly important to the Members. In neither of the Houses' two previous Chambers, the oval Chamber burned by the British in 1814, or the semicircular Chamber built by Latrobe after the war with Britain, could a Member be heard distinctly. The decision to build it in an oblong shape eliminated the curved surfaces which had previously caused so much trouble.

A further object of interest to Members was the building stone used. The foundation stone, the House was informed, came from the Potomac River area, above Washington. A committee of experts ascertained that its average crushing strength was about 15,000 pounds per square inch. A special commission was appointed to select the marble for the exterior of the extensions. Marble from Lee, Mass., was selected, it being found that 22,702 pounds were required to crush a square inch.

Administratively, the older part of the Capitol was in charge of the Commissioner of Public Buildings and Grounds, William Easby, but the work of building the extension was originally directed by Walter, who was responsible to the Secretary of the Interior. Easby evidently felt chagrined at not having been placed in charge of the extension and helped encourage charges that the Government was being defrauded. Easby's complaints evidently had their effect, for the President, Franklin Pierce, transferred the superintendence of the building in 1853, upon assuming office, to the War Department.

Secretary of War Jefferson Davis detailed Capt. Montgomery C. Meigs to take charge of the construction work. Meigs contributed several suggestions. It was he, for instance, who proposed that the House and Senate Chambers should be located in the center of their respective wings, as they are today.

Wide corridors were planned around the two Chambers, and large stairways were provided, in contrast with the narrow hallways and difficult staircases of the old building. By late 1855, about half of the columns and pilasters of the grand corridor of the House wing were in place, and one of the grand stairways commenced; the brick vaulting for the floors was leveled up for tiling; the roof trusses were completed and a number of them erected. A year later, the principal corridor in the House wing and the iron ceiling over the Chamber were completed.

Meantime, of course, work was also going on at the Senate end of the Capitol and also on the western side of the old building, which had been damaged by fire in 1851. This latter area was then occupied by the Library of Congress. It was in this fire that many of the books sold to the Government by Thomas Jefferson in 1815 for use in the Congressional Library were burned.

Plans were also being made for a new dome. When the original copper-covered wooden dome had been placed on the building, Congress and President Monroe's Cabinet had demanded a tall and distinctive dome. Now that the building was being extended, it was felt that a larger dome was needed.

Meanwhile, Walter, the Architect, and Meigs, the Army engineer, commenced bickering over their respective rights and prerogatives. Walter insisted that Meigs was attempting to supplant him as Architect. After much dispute, during the course of which Meigs was eventually overruled and appealed over the heads of his superiors to the President, Secretary of War John B. Floyd finally banished Meigs to the Tortugas, where he was put to work building fortifications. This, however, was in 1859, after the completion of most of the work on the Capitol.

Meigs was later Quartermaster General of the Union Army during the Civil War. Both Walter and Meigs have left their mark on our Capital City. Meigs later supervised plans for the National Museum and became the architect of the Pension Office building, and Walter remodeled the exterior of the Treasury and designed St. Elizabeths Hospital and the interior of the State, War, and Navy Building. He was not responsible for the "gingerbread" on the exterior of the latter, which was added later. Walter also proposed a center extension of the Capitol in order to give the large dome, which he designed, a better proportioned base. This latter proposal is still being discussed, a special Commission having been established in 1956 to study the question.

By November 1857, it was reported that the House Chamber was ready for occupancy. However, when the 35th Congress met on December 7, they were still in the old Chamber.

The House—

States Glenn Brown in his history of the Capitol—

> at first questioned the propriety of meeting in the Chamber, as they feared ill effects from the dampness of the walls, and a special committee was appointed to investigate the condition of the hall, and reported December 14 that the hall was dry and everything ready for occupancy. The hall was first used for divine worship, December 13, 1857, Rev. G. D. Cumming conducting the services. December 16, 1857, the 237 members of the House of Representatives took formal possession and held their first session in their new hall.

At 12 o'clock noon on December 16, Speaker James L. Orr called the first session of the House in its new Chamber to order. Prayer was offered by the Reverend Andrew G. Carothers, who asked:

> May this Hall now dedicated by thy servants, the Representatives of the people, as the place wherein the political and constitutional rights of our countrymen shall ever be maintained and defended, be a temple of honor and glory to this land. Let the deliberations and decisions of this Congress advance the best interests of our Government, and make our Nation the praise of the world earth.

The first item of business was a bill by Representative Justin S. Morrill, of Vermont, donating public lands to the various States and Territories to provide colleges for the benefit of agriculture and the mechanic arts. The bill was referred to the Committee on Public Lands. Representative Morrill later became a Member of the Senate and his proposal eventually became the Morrill Act of 1862, establishing the present system of land-grant colleges.

After several other routine items, Representative Sherrard Clemens, of Virginia, obtained the floor and sponsored a successful motion to order the Clerk of the House to draw from a box, one at a time, the name of each Member to establish priorities in the choice of seats. Other questions discussed during the brief session were admission of Chaplains of the House and Senate to the Library of Congress, printing of the President's message and compensation of Members.

The new Hall of Representatives—

Declared Harper's Weekly, 100 years ago—

> which has been the subject of so much discussion of late in the press, is in the center of the first story of the nex extension, south. It is a room 139 feet long, 93 wide, and 36 feet high. The Members' desks, which number 300 altogether, are arranged in a semicircle; the reporters have seats behind the Speaker, and spectators are accommodated in a large gallery running round the room, and capable, it is said, of seating 1,200 persons. The desks and chairs of Members have been got up regardless of expense. The former are of plain oak, with carvings on the back; the chairs are antique, high-backed affairs, covered with red morocco.
>
> Two objections have been taken to this new Hall. The first is, that it has no communication with the free air of day. It has no windows. Light penetrates through a stained glass square in the ceilings over which, at night, gas burners are lit. The idea of the architect is, that they can ventilate the Hall by pumping fresh air in, and providing an escape for the impure atmosphere which has been breathed by Members. But this diving-bell arrangement does not meet with general approval. It is urged that until fresh air, pure from the vault of heaven can be got into the Hall without the intervention of pumps and tubes, cases of paralysis must occur very frequently among Members who are attentive to their duties.

The following is a description of the ventilation system as described by Harper's Weekly:

> The hot air, having passed through a hot-water sieve, in order to absorb sufficient moisture, will be forced into the Hall from above by means of a steam-fan. Meanwhile the foul air will escape through apertures near the floor, and its place will be occupied by the fresh warm air from above.

Some critics have cavilled at the profuse and gaudy decorations of the new Hall.

Continued Harper's Weekly.

> It will be perceived, on glancing at the picture on the preceding page, that the wall is laid out in panels—each panel being intended to receive a historical painting in fresco. The moldings are painted in the brightest colors; and the stained glass in the ceiling, on the same plan, represents, in panels, the arms of the various States of the Union. "The general effect," says one of the Washington correspondents, "is dazzling and meretricious; one is reminded of a fashionable saloon in a gay capital, rather than the place of meeting of national legislators * * * Time, however, will do much toward softening the defects which these critics deplore. A few years will wonderfully mellow the bright colors of the panels and molding; the gilding will wear away, and a solemn dun hue will gradually overspread the Chamber."

In the life of nations, a hundred years is a comparatively brief span. What was happening in our Nation 100 years ago when the House first sat in its present Chamber?

In the year 1857, James Buchanan was inaugurated President of the United States. Several days following his inauguration, Chief Justice Taney announced the Dred Scott decision, in which he declared the Missouri Compromise of 1820 unconstitutional and extended Federal protection to slaveholders in the Territories. It was a year of financial crisis and economic depression. By the end of the year, 4,932 businesses had failed in the United States, business failures continuing at about the same rate for 2 more years. It was the year of the Mountain Meadows massacre in which 120 emigrants bound for California were killed by a band of Indians aroused by a Mormon fanatic, John D. Lee. The slavery issue in 1857 was coming more and more to the fore. The abolitionist leader William Lloyd Garrison was denouncing the continued presence in the American Union of slaveholders, while calling for a dissolution of the Union. In October and November, the Lecompton Constitutional Convention met in Kansas and framed a proslavery constitution. President Buchanan in his annual message upheld the legality of the disputed convention's actions. On December 21, shortly after the House first met in the new Chamber, the Lecompton Constitution was adopted in Kansas Territory, the free-State men not voting.

During 1857, Hinton R. Helper's The Impending Crisis in the South appeared.

In the field of education, the Michigan State College of Agriculture was authorized by a legislative act in Michigan, and the Cooper Institute first opened. The first issue of the Atlantic Monthly, edited by James Russell Lowell, appeared. Abe Lincoln was practicing law in Springfield, Ill.

Among the prominent Members of the House at the time were Alexander H. Stephens, of Georgia, later Vice President of the Confederacy; Schuyler Colfax, of Indiana, later Vice President of the United States; Anson Burlingame, of Massachusetts; Henry L. Sawes, of Massachusetts; Owen Lovejoy, of Illinois, brother of the martyred Elijah P. Lovejoy; Nathaniel P. Banks, of Massachusetts, later a Civil War general; Lucius Q. C. Lamar, of Mississippi, later Secretary of the Interior under President Cleveland and an Associate Justice of the Supreme Court; Francis P. Blair, Jr., of Missouri; Daniel E. Sickles, of New York, who several years later shot and killed the son of Francis Scott Key; George H. Pendleton, Clement L. Vallandigham, and John Sherman, all of Ohio; and Joseph Lane, of the Territory of Oregon and later United States Senator.

Also in the House at the time were three members of an extraordinary family, Representatives Israel Washburn, Jr., of Maine; Cadwallader C. Washburn, of Wisconsin, and Elihu B. Washburne, of Illinois. It was Elihu Washburne who, in 1861, proposed that Ulysses S. Grant, his fellow townsman of Galena, Ill., be appointed brigadier general of volunteers and gave Grant the initial boost in his Civil War career.

Among the luminaries in the other Chamber were Sam Houston, of Texas; his son Andrew Jackson Houston served also as Senator from Texas in 1941; Robert Toombs, of Georgia; Stephen A. Douglas, of Illinois; James Harlan, of Iowa; Judah P. Benjamin, of Louisiana, later attorney general of the Confederacy; Charles Sumner, of Massachusetts; Jefferson Davis, of Mississippi; William H. Seward, of New York; Benjamin Wade, of Ohio; Simon Cameron, of Pennsylvania; Andrew Johnson, later to succeed to the Presidency, and Hannibal Hamlin, who later became Vice President in Lincoln's first term. Douglas' colleague from Illinois was Lyman Trumbull, who had in 1855 won out over a lawyer named Abraham Lincoln for the senatorship in the balloting in the Illinois Legislature.

John C. Breckinridge, of Kentucky, was at this time Vice President, and James L. Orr, of South Carolina, was Speaker of the House.

EVENTS ON CAPITOL HILL 1857 TO 1957

The story of what happened on Capitol Hill in the 100 years we have been in the House Chamber would take volumes to relate, even if we tried to deal with it in a very brief and concise manner. This obviously makes it impossible to insert this story in any detail in the Record, but having studied this era in some detail, it occurred to me that it might be of interest to list the events that appear to me to be among the most important happenings on the Hill in that period. Some students will disagree with some of my listings and notations as being important. Others will no doubt point out that some important events have been omitted. In answer to each proposition, let me state that with further study I might agree with each of these assumptions, but I am sure all will agree that a good part of the following list would be among the most important events on Capitol Hill in the last 100 years, and I humbly submit this list, herewith, for whatever benefit it may be to a further study of this period of history.

It should be pointed out that each event has been listed because it was important at the time it happened, or the fact that it did happen made the event important later. In each case, in my opinion, these actions made a difference in the destiny of our country.

It will be noted that the events of the Civil War have been ignored. This is because, in my opinion, this era of history has not been neglected and because of its importance, it should be treated separately.

To those who are better students of this period than I have had time to be and who want in any way to amend this list, I will yield. The following is my list of important happenings of the last 100 years:

Army bakery established in United States Capitol, 1861.

Establishment of Joint Committee on the Conduct of the War, Senator Wade, chairman, December 1861.

Former House Chamber dedicated as a National Statuary Hall 1864.

House Appropriations Committee assumed authority over appropriations measures, formerly held by Ways and Means Committee, 1796–1865; Banking and Currency Committee also established as offshoot of Ways and Means Committee, 1865.

Appointment of Joint Committee on Reconstruction, beginning of period of Congressional reconstruction, December 1865.

Radicals won Congressional election of 1866, November 1866.

First attempt to impeach Johnson failed in House, December 1867.

Impeachment of Johnson by House, February 1868.

President Johnson acquitted by Senate, sitting as court to try him on House impeachment charges, May 1868.

Congressional investigation of New York election frauds, 1869.

Congressional investigation of New York Customs House frauds, 1872.

House committee under Representative Luke P. Poland investigated Credit Mobilier affair, recommended expulsion of Representatives Oakes Ames and James Brooks; House formally condemned conduct of Ames and Brooks, 1873.

King David Kalakaua, of Hawaii, addressed joint session, December 1874.

Select committee of House investigated whisky frauds, 1876.

Contested presidential election, Hayes versus Tilden; appointment of joint House-Senate-Supreme Court Electoral Commission; Justice Joseph P. Bradley cast deciding vote for Hayes, 1876.

James G. Blaine read from Mulligan letters on House floor, defending himself against using official position as Speaker of House to promote the fortunes of a railroad company, June 1876.

Death of Constantino Brumidi, painter of some of friezes in Capitol rotunda, many other Capitol paintings, 1880.

Charles S. Parnell, Irish political leader, addressed House, February 1880.

House investigation of charges brought in suit by rival claimants to annul Bell telephone patents, 1886. After the most prolonged and important litigation in the history of American patent law, including about 600 cases, the United States Supreme Court upheld all of Bell's claims.

Representative Daniel W. Voorhees sponsored bills to build new quarters for Library of Congress, 1886–89.

Senator Cullom launched investigation of railroads, made Interstate Commerce Committee important body; direct result was Interstate Commerce Act of 1887.

Nadir of the Presidency as political office. James Bryce declared in the American Commonwealth that a Presidential recommendation to Congress received no more consideration than an article in a prominent party newspaper, 1888.

Congressional investigation of transportation and sale of meat products, forerunner of pure food and drug legislation, 1889.

Speaker Reed's rules adopted by House; substituted a present for a voting quorum, reduced size of Committee of the Whole, increased power of Speaker, who became known as czar, February 1890.

President Cleveland secretly operated on for cancer in yacht cruising up East River; had Cleveland died, Vice President Adlai Stevenson, who differed from Cleveland on currency question, would have become President, 1893.

Income tax rider on Gorman-Wilson Tariff Act.

Jacob Coxey, leader of Coxey's army, advocate of public works program for unemployed, tried to speak from Capitol steps, jailed for walking on the Capitol grass, May 1894.

Library of Congress moved out of Capitol to new quarters, in present main building, 1897. Herbert Putnam, Librarian of Congress, 1899–1939; Librarian emeritus by special act of Congress, 1939–55.

Congress directed President McKinley to intervene in Cuba and bring about Cuban independence; Spanish-American War began, April 1898.

Senator Tillman and Senator McLaurin engaged in personal altercation on Senate floor; Senate motion of censure considered; President Roosevelt withdrew Tillman invitation to White House, 1902.

Cornerstone of Senate Office Building laid after senatorial offices at New Jersey and B NW., were condemned as a firetrap, 1906.

Old House Office Building completed, 1908.

National Monetary Commission appointed—joint committee of House and Senate—to recommend changes in monetary system and banking and currency laws, 1908.

"Uncle Joe" Cannon's authority as Speaker reduced; Rules Committee enlarged; Speaker denied membership on Rules Committee, henceforth elected by House, 1910.

Congressional joint committee investigated Interior Department and Forest Service—Ballinger-Pinchot controversy, 1910.

Pujo money trust investigation in House; subcommittee headed by Representative Arsene Pujo; counsel, Samuel Untermyer, 1912–13.

Arizona and New Mexico admitted to Union; Carl Hayden first elected to Congress, 1912.

House investigation of Taylor industrial speedup system, 1912.

Senate investigation, *Titanic* catastrophe, 1912.

Clapp campaign fund investigation of United States Senate investigated presidential campaign funds, 1912.

Senate declined to unseat Isaac Stephenson, Senator from Wisconsin, March 1912.

Senator La Follette demanded reopening of investigation of election by Illinois Legislature of William Lorimer to United States Senate, May 1912. Lorimer subsequently unseated; resultant publicity led to enactment of 17th amendment, providing for direct election of Senators, 1913.

Vice President Thomas R. Marshall reportedly remarked, "What this country needs is a really good 5-cent cigar," in Senate lobby, during speech by Senator Bristow, of Kansas, on needs of the country. Reported and popularized in syndicated Washington column by Fred C. Kelly, later author of Miracle at Kitty Hawk, now living in Kensington, Md., 1913.

Wilson broke precedent established by Jefferson, appeared in person before Congress to deliver first annual message, April 1913.

Federal Reserve Act, December 1913. Decentralized banking system established on basis of investigations of National Monetary Commission and Pujo Committee.

Congressional investigation of ship purchase bill lobby, 1915.

Federal-Aid Road Act, 1916. Established fund-sharing principle, basis of the so-called new federalism aspect of American governmental practice.

Sixty-fourth Congress ended in Senate filibuster against President Wilson's armed ships bill, March 1917.

Jeannette Rankin, first woman elected to Congress, took seat, March 1917.

Wilson's war message to Congress, April 1917.

Marshal Joffre addressed House and Senate, May 1917.

Marconi, inventor of wireless, addressed House, June 1917.

Secretary of War Baker drew first draft number from glass globe in room 224C, Senate Office Building, July 1917.

Viscount Ishii, of Japan, addressed Senate and House, August and September 1917.

President Wilson appealed for Democratic Congress; Republicans won Congressional elections, 1918.

Publication of A Synopsis of the Procedure of the House, by Clarence Cannon, 1918.

House investigation of a National Security League, 1918–19.

House denied Representative Victor L. Berger, Socialist, right to seat; sentenced by Judge Kenesaw M. Landis to 20 years in prison for opposing United States participation in World War I, 1919.

Sixty-fifth Congress ended in La Follette filibuster against coal and oil bill; Franklin D. Roosevelt and Josephus Daniels at Capitol anxiously following filibuster, which prevented passage of bill allowing private exploitation of naval oil reserves, 1919.

House and Senate committees investigated United States budgetary practices, 1919–20.

Publication of Procedure in the House of Representatives by Clarence Cannon, 1920.

Victor L. Berger reelected to Congress, 1920. Congress again declared seat vacant.

President Harding broke precedent by appearing before Senate on inauguration day, presenting his Cabinet for immediate confirmation; Senator La Follette's plan to organize opposition to appointment of Albert B. Fall as Secretary of the Interior thwarted, March 1921.

Budget and Accounting Act, advocated by Republican Party in 1920 election, authorized President to prepare and submit annual budget to Congress; created office of Comptroller General, General Accounting Office as adjuncts of Congressional branch of Government, 1921.

Charles G. Dawes, first Director of Budget, 1921.

House committee investigated escape of Grover Cleveland Bergdoll, World War I draft dodger, from Governors Island, N. Y., 1929.

Conviction of Representative Victor Berger reversed by United States Supreme Court, 1921.

Senator La Follette introduced resolution in Senate calling for Teapot Dome investigation, April 1922.

Mrs. Rebecca L. Felton, appointed to fill Senate seat of Thomas E. Watson, of Georgia, attended two sessions; first woman Senator, November 1922.

Congressional investigation of Veterans Bureau, 1923.

Representative Victor L. Berger seated in House as Member from Wisconsin, serving in 68th, 69th, and 70th Congresses, 1923–29.

Vice President Dawes stole inaugural spotlight by delivering unprecedented inaugural harangue to Senate against senatorial filibusters, March 1925.

Charles Warren, appointed by President Coolidge to be Attorney General, rejected by United State Senate; Vice President Dawes, absent from Capitol, failed to return in time to break vote, to annoyance of President Coolidge, 1925.

Senator Hiram Bingham censured for bringing lobbyist into executive session of Senate committee considering Smoot-Hawley Tariff, 1929.

Prime Minister Ramsay MacDonald of England addressed United States Senate, October 1929.

House Special Committee on Communist Activities in United States—Fish committee—appointed, 1930.

Democrats won control of 72d Congress; John N. Garner, Speaker, 1930–31.

Mrs. Hattie Carraway, first woman Senator elected to a full term—appointed, 1931, elected 1932, 1938.

New House Office Building completed, 1933.

Senator Huey Long shot by assassin, 1935.

House investigation of Townsend old-age pension plan, 1936.

Failure of Roosevelt court-packing plan, 1937.

President Roosevelt's attempted purge of Congressional opponents unsuccessful, 1938.

House Special Committee on Un-American Activities—Dies committee—established, 1938.

Poet and presidential speech writer, Archibald MacLeish, appointed Librarian of Congress, 1939.

President Roosevelt delivered war message to Congress, December 1941.

Queen Wilhelmina of Holland addressed joint session, August 1942.

Mme. Chiang Kai-shek addressed Senate and House, February 1943.

Winston Churchill addressed joint session, December 1949. Other appearances, May 1943 and January 1952.

Mrs. Hattie Carraway, first woman to preside over United States Senate, October 1943.

House investigation of governmental seizure of Montgomery Ward & Co., 1944.

Gen. Dwight D. Eisenhower addressed joint session following return from European theater, June 1945.

Prime Minister Clement R. Attlee of Great Britain addressed joint session, March 1947.

Gen. Jonathan M. Wainwright addressed House and Senate, September 1945.

President Truman delivered message on Greek-Turkish crisis to joint session, March 1947.

Under new Presidential Succession Act, Speaker of House and President pro tempore of Senate next in line of succession to Presidency following President and Vice President, July 1947.

Jawaharlal Nehru, Prime Minister of India, addressed Senate and House, October 1949.

Senator McCarthy in Senate speech, listed 81 alleged Communists in State Department, leading to Tydings investigation, February 1950.

Gen. Dwight D. Eisenhower addressed Members of House and Senate on NATO, informal joint session at Library of Congress, February 1951.

Gen. Douglas MacArthur addressed joint session, April 1951.

Representative Alvin Bentley, four others, wounded on House floor by Puerto Rican terrorists in gallery, March 1954.

McCarthy hearings—Senate Subcommittee on Permanent Investigations investigated charges brought by Secretary of the Army Stevens against Senator McCarthy—April–June 1954.

Select Committee To Study Censure Charges Against Senator McCarthy appointed by Vice President NIXON, August 1954.

Senator McCarthy censured by United States Senate, December 1954.

EVENTS AND HAPPENINGS OUTSIDE THE CONGRESS, 1857 TO 1957

A study of what happened in our country as the result of, or in spite of what happened on the Hill is a story of great moment. But here, as in the discussion of what happened on the Hill, a presentation of any phase, even though done briefly and if I could do it properly, would take up more time and space than could be allowed for the RECORD, so with apologies to those who are better students of this era than I am, I present this list in the hope that it may add to the interest and study of our history. Here, as in the brief list of events on the Hill, I am willing to accept any amendment to add to, or take from, any part of this list.

It seems to me that a study of this period is most valuable in that it indicates among other things our struggle for survival, how our freedom promoted expansion and growth, how education and discussion of public affairs focused attention on our shortcomings, which resulted in many improvements, how depression and economic conditions forced us to have a concern for our fellowman and his economic welfare, and how exposing through a free press of abuses of opportunity and privileges lead to legislation to correct evils. It indicates, also, how freedom of expression to the various avenues caused the moral integrity of our basic fiber to demand that right should win and therefore a better political atmosphere.

Here, then, is this list:

Eighteen hundred and fifty-seven: Dred Scott decision: Missouri Compromise of 1820 declared unconstitutional.

Eighteen hundred and fifty-nine: John Brown's raid on Harpers Ferry; his purpose, to incite a slave revolt. First petroleum well opened in Titusville, Pa.

Eighteen hundred and sixty: Election of Abraham Lincoln and secession of South Carolina. First pony express service started between St. Joseph, Mo., and Sacramento, Calif.

Eighteen hundred and sixty-one: Secession of other Southern States and start of Civil War.

Eighteen hundred and sixty-two: McClellan's Peninsular campaign; Grant in Kentucky; battles of Shiloh, Antietam, and Fredericksburg.

Eighteen hundred and sixty-three: Emancipation proclamation. Battles of Chancellorsville, Gettysburg, Vicksburg, and Chickamauga. Lincoln's Gettysburg address.

Eighteen hundred and sixty-four: Grant in the Battle of the Wilderness; Sherman's march to the sea.

Eighteen hundred and sixty-five: Grant took Richmond; Confederate surrender at Appomattox. Assassination of Lincoln. Thirteenth amendment, abolishing slavery, adopted.

Eighteen hundred and sixty-six: Formation of Ku Klux Klan. Start of Congressional reconstruction.

Eighteen hundred and sixty-seven: Alaska purchase.

Eighteen hundred and sixty-eight: Impeachment and acquittal of President Andrew Johnson.

Eighteen hundred and sixty-nine: Black Friday, financial panic caused by gold corner. Junction of Central Pacific and Union Pacific at Ogden, Utah, completion of first transcontinental railroad. Woman's suffrage law passed in Wyoming territory.

Eighteen hundred and seventy-one: Settlement of Alabama claims against Great Britain. Henry M. Stanley, a naturalized American citizen, found the lost David Livingstone, a Scottish missionary, in central Africa. Chicago fire.

Eighteen hundred and seventy-four: Tweed scandals, New York City.

Eighteen hundred and seventy-six: Contest presidential election; Hayes declared elected by special electoral commission. Centennial exhibition, Philadelphia.

Eighteen hundred and seventy-seven: Terroristic "Molly Maguires" hanged in Pennsylvania coal region.

Eighteen hundred and seventy-eight: First commercial telephone exchange opened, New Haven, Conn.

Eighteen hundred and seventy-nine: F. W. Woolworth opened his first 5-and-10-cent store, Utica, N. Y.

Eighteen hundred and eighty-one: Assassination of President Garfield.

Eighteen hundred and eighty-three: Opening of Brooklyn Bridge; 12 people trampled to death.

Eighteen hundred and eighty-four: Financial crisis, New York.

Eighteen hundred and eighty-five: First electric street railway in United States opened in Baltimore.

Eighteen hundred and eighty-six: Seven police killed by bomb at Haymarket Square in Chicago during strike for 8-hour day. Geronimo, Apache Indian chief, surrendered to United States troops.

Eighteen hundred and eighty-seven: Statue of Liberty on Bedloes Island, now Liberty Island, N. Y., unveiled.

Eighteen hundred and eighty-nine: Johnstown flood; 2,200 lives lost.

Eighteen hundred and ninety: First electrocution for murder in New York State. Ellis Island opened as immigration depot.

Eighteen hundred and ninety-two: First American gasoline buggy demonstrated by Charles E. Duryea. Homestead steel strike; 18 died.

Eighteen hundred and ninety-three: World's Fair opened in Chicago.

Eighteen hundred and ninety-four: Depression; Coxey's army marched on Capitol to demand Federal work-relief program. Pullman strike. First public showing of Thomas A. Edison's kinetoscope, New York.

Eighteen hundred and ninety-five: Beginning of Cuban revolution.

Eighteen hundred and ninety-six: Intervention of United States in Venezuela boundary dispute with Great Britain.

Eighteen hundred and ninety-eight: Spanish-American War.

Eighteen hundred and ninety-nine: First Hague conference. Filipino insurrection.

Nineteen hundred: Prohibitionist Carrie Nation began destroying saloons with hatchet. Galveston hurricane and flood. Walter Reed began campaign to wipe out yellow fever.

Nineteen hundred and one: President McKinley assassinated. Commander Scott explored King Edward Land, Antarctica.

Nineteen hundred and two: Pennsylvania coal strike settled by President Roosevelt. End of American occupation of Cuba.

Nineteen hundred and three: First successful automobile trip across United States made by Dr. H. Nelson Jackson and Sewall K. Crocker. Panama revolution; President Roosevelt recognized Panama, signed agreement to build Panama Canal. First successful flight made by Wright brothers, Kitty Hawk, N. C.

Nineteen hundred and four: Louisiana Purchase Exposition, St. Louis. New York subway opened.

Nineteen hundred and five: Lewis and Clark Centennial Exposition, Portland, Oreg.

Nineteen hundred and six: San Francisco earthquake.

Nineteen hundred and seven: Jamestown, Va., Exposition opened.

Nineteen hundred and eight: Financial panic.

Nineteen hundred and nine: Adm. Robert E. Peary reached North Pole on sixth attempt. Hudson-Fulton Exposition, New York. Alaska-Yukon-Pacific Exposition, Seattle.

Nineteen hundred and ten: Dynamiting of Los Angeles Times. Boy Scouts of America formed.

Nineteen hundred and eleven: Triangle shirt waist factory fire, New York City; 145 killed. First transcontinental airplane flight by C. P. Rodgers, New York to Pasadena.

Nineteen hundred and twelve: Capt. R. F. Scott reached South Pole; died in tent during blizzard. Sinking of *Titanic;* 1,517 died.

Nineteen hundred and thirteen: Girl Scouts of America founded.

Nineteen hundred and fourteen: Panama Canal opened. United States Marines at Vera Cruz. Sinking of *Lusitania* by German submarine.

Nineteen hundred and fifteen: Panama Pacific International Exposition, San Francisco. Panama-California Exposition, San Diego. Galveston hurricane.

Nineteen hundred and sixteen: Preparedness Day bombing, San Francisco; Black Tom explosion at munitions docks, Jersey City, traced to German saboteurs.

Nineteen hundred and seventeen: Germany resumed unrestricted submarine warfare; United States entered World War I; Wilson signed Draft Act.

Nineteen hundred and eighteen: President Wilson's Fourteen Points made in speech before Congress; battles of St. Mihiel, Meuse-Argonne, St. Etienne.

Nineteen hundred and nineteen: German surrender; Versailles peace conference; Versailles Treaty, with United

States participation in League of Nations rejected by United States Senate. Steel and coal strikes.

Nineteen hundred and twenty: Sacco-Vanzetti case. Prohibition and woman suffrage amendments went into effect. Wall Street bomb explosion.

Nineteen hundred and twenty-one: Peace declared with Germany by joint resolution of Congress. Washington Arms Conference.

Nineteen hundred and twenty-two: Herrin, Ill., coal strike; 26 killed.

Nineteen hundred and twenty-three: First sound-on-film talking pictures shown by Lee De Forest.

Nineteen hundred and twenty-four: Dawes reparations plan announced. Evacuation of Ruhr.

Nineteen hundred and twenty-five: Scopes evolution trial, Tennessee; John T. Scopes found guilty of having taught evolution in Dayton, Tenn., high school; fined $100. Nine power treaty on arms limitation signed.

Nineteen hundred and twenty-six: Sesquicentennial Exposition, Philadelphia.

Nineteen hundred and twenty-seven: United States Marines in Nicaragua; 1,000 Marines in China during Chinese Civil War. Lindbergh flew Atlantic. First commercial talking picture, The Jazz Singer, shown.

Nineteen hundred and twenty-eight: Dirigible *Graf Zeppelin* flew with crew of 38 and 20 passengers, Lakehurst, N. J., to Friedrichshafen, Germany.

Nineteen hundred and twenty-nine: Kellogg-Briand antiwar pact. *Graf Zeppelin* flew around world. Albert B. Fall, former Secretary of Interior, convicted of taking bribe. Stock market crash, start of depression. Richard E. Byrd at South Pole.

Nineteen hundred and thirty: London Naval Conference.

Nineteen hundred and thirty-two: Kidnaping of Charles A. Lindbergh, Jr. Resignation of Mayor James J. Walker, New York. Franklin D. Roosevelt elected President.

Nineteen hundred and thirty-three: Bank holiday; New York Stock Exchange closed; abrogation of gold payment clause in public and private obligations. National Industrial Recovery Act passed; AAA established. Soviet Union recognized by United States Government. Chicago Century of Progress Exposition.

Nineteen hundred and thirty-four: John Dillinger, Hoosier desperado, captured, escaped, and shot attempting to evade recapture. Philippines Independence Act passed; Philippines to be free after 1945.

Nineteen hundred and thirty-five: Social Security Act. NRA declared unconstitutional.

Nineteen hundred and thirty-six: Supreme Court declared AAA unconstitutional.

Nineteen hundred and thirty-seven: Unsuccessful attempt of President Roosevelt to pack Supreme Court. Japanese bombed U. S. S. *Panay* in Yangtze River. Dirigible *Hindenberg* exploded, Lakehurst, N. J.; 36 died. Supreme Court ruled that Government had no right to divulge intercepted telephone messages.

Nineteen hundred and thirty-eight: "Wrong-Way" Corrigan flew Atlantic.

Nineteen hundred and thirty-nine: Golden Gate International Exposition, San Francisco. New York World's Fair. Townsend old-age pension bill defeated. Beginning of World War II.

Nineteen hundred and forty: Franklin D. Roosevelt elected to unprecedented third term.

Nineteen hundred and forty-one: President declared national emergency—United States in official state of emergency, 1941 to date. United States Marines in Iceland; United States and Britain preparing to occupy Azores when Hitler invaded Russia. Captive coal mine strike. Japanese attack on Pearl Harbor, United States in World War II. Lend-lease aid pledged Russia.

Nineteen hundred and forty-two: Georgia peonage law declared unconstitutional. First nuclear chain-reaction explosion at University of Chicago.

Nineteen hundred and forty-three: United States took over coalfields in coal strike. Pay-as-you-go income tax bill passed. Race riots, Detroit and Harlem.

Nineteen hundred and forty-four: Supreme Court upheld right of Negroes to vote in State primaries. Ringling Brothers Circus fire, Hartford, Conn.; 107 killed. President Roosevelt reelected for fourth term.

Nineteen hundred and forty-five: German surrender; atomic bombs dropped on Hiroshima and Nagasaki; Japanese surrender. Death of President Roosevelt. Formation of United Nations Organization. Establishment of World Bank.

Nineteen hundred and forty-six: First U. N. Assembly, London. United States Army Signal Corps reported a radar beam had reached the moon. German and Japanese war criminals executed. Bikini bomb tests. Russian demand on Turkey for share in control of Dardanelles. American airmen shot down over Yugoslavia. End of wartime price controls. Mine workers union fined $3,500,000 by Judge T. Alan Goldsborough for contempt of court; Supreme Court reduced fine to $700,000, on condition it cancel strike notice; Government seizure of coal mines.

Nineteen hundred and forty-seven: Truman doctrine of aid to Greece and Turkey announced. Secretary of State George Marshall announced Marshall plan of economic aid to Europe. Centralia mine disaster; John L. Lewis ordered 6-day shutdown of soft coal mines as protest against unsafe mining. Taft-Hartley Act passed. Unification of Armed Forces.

Nineteen hundred and forty-eight: United Mine Workers strike; union fined $1,400,000 for contempt of court. Berlin blockade and airlift. Peacetime selective service established. Hiss case.

Nineteen hundred and forty-nine: Hiss acquitted in first perjury trial. Japanese war leaders hanged. NATO pact signed. Chinese Communists gained control of most of China; Nationalist Government established on Formosa. Conviction of 11 Communist leaders under Smith Act.

Nineteen hundred and fifty: Hiss convicted of perjury in second trial. President Truman ordered United States Army to seize railroads in threatened general strike. Puerto Rican terrorists attempted to kill President Truman. Beginning of Korean war.

Nineteen hundred and fifty-one: MacArthur fired as Korean commander; appeared before Congress. Rosenberg case.

Nineteen hundred and fifty-two: Election of President Eisenhower. Explosion of first hydrogen bomb.

Nineteen hundred and fifty-three: End of Korean war.

Nineteen hundred and fifty-four: United States participation authorized in construction of St. Lawrence Waterway. Supreme Court declared segregated schools violated 14th amendment guaranties.

Nineteen hundred and fifty-five: Geneva Conference: President Eisenhower called for disarmament, aerial inspection plan. Eisenhower heart attack.

Nineteen hundred and fifty-six: Proposal for abolition of electoral college rejected by Congress. Middle Eastern crises; United States denounced British-French invasion of Egypt. Unprecedented prosperity in United States.

Nineteen hundred and fifty-seven: First civil-rights bill since Reconstruction Era got through Congress without filibuster.

A FEW OF THE CHANGES AND IMPROVEMENTS IN THE CAPITOL AND THE HOUSE IN THE PAST 100 YEARS

> The Capitol is unique in that it both typifies the beginning and also marks the growth of the Nation—

Declares Charles Moore in his introduction to Glenn Brown's History of the United States Capitol.

> Like the great Gothic cathedrals of Europe, its surpassing merit is not its completeness, but its aspirations. Like them, too, the Capitol is not a creation, but a growth.

Illustrative of this statement have been the changes in the past hundred years. On December 2, 1863, the statue of Freedom was placed on the dome, and in 1865, final work was completed on the dome itself. This completed most of the major changes made in the Capitol during the Civil War period. The next important change in the Capitol came in the 1890's when Frederick Law Olmsted, the landscape architect who designed Central Park in New York City and the Chicago World's Fair of 1893, was engaged to create the present pattern of sidewalks and landscaping in the Capitol grounds. Olmsted was also responsible for the imposing terrace and steps on the west side of the building overlooking the Mall.

During the period from 1949 to 1951 the old roof and skylights over the Senate and House wings, including the Senate and House connections, were replaced with a new roof of concrete and steel construction. The cast-iron and glass ceilings of the Senate and House Chambers were replaced with new ceilings of stainless steel and plaster. Alterations and improvements were also made to the interior of each Chamber. The design for the remodeling of the two Chambers was studies with motives from the same sources of early Federal architecture used in the old Supreme Court and Statuary Hall sections of the Capitol and from other buildings of the early Republic.

Several years later, in 1955, a nondenominational Prayer Room was added for the use of Members.

Under the Legislative Appropriation Act, 1956, provision has been made for extension, reconstruction, and replacement of the east central portion of the Capitol and other improvements. To date, appropriations totaling some $17 million have been provided for carrying forward work under this project. Preliminary studies are now in progress under the direction of the Architect of the Capitol and the Commission for Extension of the United States Capitol.

Meantime, many changes, of course, have been made in the ventilation and lighting. About 1865, steam heat was introduced. In 1880 Congress investigated the possibility of using arc lights in the two Chambers. In 1885 incandescent lights were installed in the cloakrooms, lobbies, and stairways; in 1886 they were installed in the Senate extension; and in 1888 they were installed in the House wing. In 1897 arc lights were substituted for gas on the Capitol grounds. The grounds are now lighted by floodlights. Theatrical-type spotlights are now installed in the ceiling of the House Chamber.

Elevators were introduced into the building in 1874. Stables were removed from the grounds about 1875. Subways were built connecting the House and Senate Office Buildings with the Capitol in 1907 and 1908 and the electric monorail streetcar was built in the Senate Office Building in 1912, which is the only subway railway in Washington, D. C.

The art work in the Capitol has particularly grown in quantity over the years. Some formerly familiar pieces of sculpture have even been hauled away. W. W. Story's statue of John Marshall, for instance, which is on the west terrace of the Capitol overlooking the Mall, stands near the spot formerly occupied by the Tripoli Monument, a memorial to naval heroes who perished in the Barbary War in 1804. The latter, a familiar sight to visitors in the mid-19th century, was removed in 1860 to the United States Naval Academy, at Annapolis. Another familiar sight for many years was Horatio Greenough's controversial statue of George Washington dressed as an ancient Roman. This statue, which originally stood in the center of the rotunda, was in 1843 moved into the Capitol Plaza facing the east front of the building. It was still there when Coxey's army appeared on the Capitol grounds and got arrested for walking on the grass in 1894, but it has since been banished to the Smithsonian Institution.

At one time there was considerable Congressional sentiment in favor of removing the headdress from the statue of Freedom atop the dome. Freedom had originally been endowed in the artist's conception with a Phrygian liberty cap, symbol of freed slaves. Secre- of War Jefferson C. Davis, who in 1856 had supervision over the building of the extension and dome, had objected and suggested that Freedom wear a helmet. This supposed concession to proslavery sentiment so angered antislavery Members following the Civil War that they proposed that the statue be hauled down and altered; only the great inconvenience and cost of doing this caused the opposition to give up the idea.

In 1864, the former House Chamber, originally considered as an audience room, was set aside for the display of statues of two historic figures from each State. Additions are still being made to the statuary collection, which has now overflowed into other areas of the Capitol.

Other artwork and sculpture have been added right up to recent years. In 1916, the sculptures on the House pediment were unveiled. The Grant Memorial, on First Street, across the Capitol end of the Mall, was added in 1922, on the centenary of Grant's birth. The Brumidi friezes high up in the rotunda were only completed a few years ago. The Senate is now discussing a proposal to hang pictures of five of the most distinguished Senators in the Senate reception room.

The growth of membership in the House is reflected in the changing seating arrangements. Originally Members were entitled to permanent seats. Up to the 29th Congress, seats were taken on a first-come first-choice basis. Members living near Washington who arrived early for a session secured the most advantageous seats and kept them for the duration of the session. In the 29th Congress Members began to draw for their seats. In 1857, when the new House Chamber opened, Representatives had individual carved oak desks and chairs. In 1859, these were replaced by circular benches, with the parties arranged opposite each other. In 1860, however, the desks were restored. In 1873, and again in 1902, smaller desks were introduced; in each instance the reason was increased membership. By 1914 the membership stood at 435 and the House was forced to remove the desks and replace them with chairs arranged in bench construction. Today there are 448 medium-tan leather-covered chairs with walnut frames, bronze feet, and leather-padded arm rests. Members may now occupy any vacant chair.

So great has been the growth in complexity of the legislative process in the past hundred years that various activities once housed in the Capitol have necessarily had to be moved elsewhere.

With the growth of the House, for example, additional office space was required. Until 1908 a Member's desk was his office, except in the case of committee chairmen. Now there are two House Office Buildings and a Senate Office Building. Additional new House and Senate Office Buildings are under construction.

The Library of Congress was established by an act of April 24, 1800, which provided an appropriation for the purchase of books by Congress, required that a suitable apartment in the Capitol be set aside to house them, and established a Joint Committee on the Library to establish rules for their use. By 1815, there were only some 6,500 books in the Library, which had been sold to the Government by Thomas Jefferson after the British had burned the original Library; now there are over 11 million books and millions of other items in the Library of Congress, which occupies two buildings. The first of these, the present main building, was opened in 1897, and the second, the Library Annex, in 1939.

HEATING OF THE BUILDING

In 1904, the Capitol Power Plant at New Jersey and B Street SE. was opened. In 1952, work was commenced on a tunnel connecting many of the Capitol Hill buildings to the powerplant; the tunnel was completed in 1954. At present the plant serves only as a source of steam and refrigeration. Electrical energy is now purchased from a private utility company. During the past several years, the buildings of the Capitol complex have been gradually converting from direct to alternating current. Work is now in progress to enlarge the refrigeration capacity of the powerplant.

CONGRESSIONAL CEMETERY

Many people do not know that Congress has its own cemetery, located at 17th and E Streets SE., near Barney Circle. In 1816, they assigned 100 sites for the interment of Members of Congress. Congress appropriated money to encircle the area with a brick wall. An additional 70 sites were added later. One hundred and thirteen Congressmen have been buried in the Congressional Cemetery. Of these, 14 have been removed for burial in their native States. Tilman Bacon Park, of Arkansas, Representative from 1921 to 1937, who died in February 1950, was the last Representative to be buried in the Congressional Cemetery.

In the early history of Washington Parish—created in 1794—certain residents of the eastern part of the city of Washington purchased a plot of ground for a private cemetery. The date of this purchase is said to be about 1807, perhaps a few years earlier. A little later, finding that it was impractical to continue this project, the owners of this private cemetery tendered the property to Washington Parish. A deed to the land was delivered to the vestry of this parish March 30, 1812, and the cemetery was officially named Washington Parish Burial Ground. Later—possibly between 1840 and 1850—the name was changed to Washington Burial Ground which has continued as its official name ever since.

The cemetery soon became a semiofficial burying ground for United States Senators, Representatives, and other officials of the Government. In 1816, Congress purchased a section of the cemetery and reserved it for the interment of Government officials. Since then, the cemetery has been commonly known as Congressional Cemetery. The cemetery comprises about 30 acres of ground situated on the north bank of the Anacostia River, northeast of Pennsylvania Avenue and 17th Street SE.

From time to time during the early history of the cemetery, the vestry of Washington Parish donated several hundred plots to the United States Government. In 1848, additional plots were deeded to the Government in return for a grant of about $5,000 for the construction of the wrought-iron fence which surrounds the north side of the cemetery. The brick wall surrounding the south side, the public vault, and the keeper's house, were also paid for by the Government. At the present time, 925 plots in the cemetery are owned by the Government.

During the early period of the cemetery's history, when a prominent United States official died, the Government erected in the cemetery a sandstone cenotaph in his honor. Often, the interment was not actually made in the Congressional Cemetery. The cenotaph was placed there merely as a memorial. There are at present about 176 cenotaphs in the cemetery. Few, if any, have been placed there for the last 60 years.

Recently I took advantage of an opportunity to visit this cemetery and while generally I am glad to report the cemetery is in good condition, the tombstones marking the present burial plots of the Members of Congress who are buried there are in very poor condition; and in my opinion should receive the attention of Congress at a very early date, restoring them and making them a more respectable appearing monument and tribute to deceased Members buried there. On visiting the cemetery I found that among the interred were Elbridge Gerry, a signer of the Declaration of Independence, William Thornton, the first Architect of the Capitol, Push-Ma-Ta-Ha, famous Choctaw Indian chief who fought under Jackson in the Pensacola campaign, John Philip Sousa, and 21 young women who perished in the explosion of the Federal arsenal on the site of the present National War College, during the Civil War.

GROWTH OF HOUSE MEMBERSHIP

Reflecting the increasing complexity of government, which has affected the legislative as well as the executive branch of government, there have been various institutional changes in Congress itself in the past century.

The number of House Members has increased from 237 in 1857 to 435 today. This latter figure is the number fixed by Congress after the admission of Arizona and New Mexico. Should Alaska or Hawaii be admitted to the Union, a temporary increase in seats, followed by a reapportionment, would probably ensue.

The meeting date of the Congress was changed by the 20th Amendment from the first Monday in December to the third day of January, unless Congress shall by law appoint a different day.

The House ceased to be an all-male club when Jeannette Rankin, Republican of Montana, took her seat in 1916. Since then 57 members of the fairer sex have been elected to Congress and the record shows that they all have served with better than average ability.

The salary of present Members of Congress is $22,500 per annum as compared with $6,000 per Congress in 1857. The additional allowances of the present Members of Congress are pretty well known, but what is not known, about 100 years ago is the fact that then the Congressman received 80 cents a mile each way for traveling expenses. It occurred to me that it might be of interest to have an analysis of a representative list of Congressmen and their expenses and then also to note that in 1857, if a Congressman was absent without excuse for any given day he was charged $8.22 for his absence which was his estimated daily pay based upon the salary allowed at that time. Same rules applied today on this matter would mean a deduction of approximately $62.50 per day.

Salary and travel statements of representative group of House Members, 1857

Name	State	Total miles traveled, 2 sessions	Amount paid for travel, 1857-59	Days absent	Deduction for absence	Salary, 2 years	Total salary and travel allowance less absence deduction, 1857-59
James Orr, Speaker of the House	South Carolina, Craytonville	1,408	$1,126.40	None	None	$12,000	$13,126.40
Joseph McKibbin	California, Sierra County	14,306	11,444.80	5	$41.10	6,000	17,403.70
Justin Morrill	Vermont, Strafford	1,022	817.60	11	$90.42	6,000	6,727.18
Nathaniel Durfee	Rhode Island, Tiverton	1,016	812.80	None	None	6,000	6,812.80
Albert Jenkins	Virginia, Green Valley	1,040	832.00	3	$24.66	6,000	6,807.34
Lucius Lamar	Mississippi, Oxford	3,114	2,491.20	4	$32.88	6,000	8,458.32
Alexander H. Stephens	Georgia, Crawfordville	1,416	1,212.80	None	None	6,000	7,212.80
Daniel Sickles	New York, New York City	492	393.60	35	$287.68	6,000	6,105.92
John Sherman	Ohio, Mansfield	1,334	1,067.20	None	None	6,000	7,067.20

Here are statements of three Washburn brothers:

Name	State	Total miles traveled, 2 sessions	Amount paid for travel, 1857-59	Days absent	Deduction for absence	Salary, 2 years	Total salary and travel allowance less absence deduction, 1857-59
Cadwallader Washburn	Wisconsin, La Crosse	4,080	$3,264.00	10	$82.20	$6,000	$9,181.80
Elihu Washburne	Illinois, Galena	4,000	3,200.00	None	None	6,000	9,200.00
Israel Washburn, Jr	Maine, Bangor	1,436	1,148.80	None	None	6,000	7,148.00

The House rules have been changed at various times. A particular difficulty was the fact that to obtain a quorum, Members had originally to answer the roll. In 1890, Speaker Reed introduced the so-called Reed rules, by which a quorum might be established by counting Members present who refused to answer rollcalls. The Speaker of the House was given so much personal power that he became known as a czar. In the person of "Uncle Joe" Cannon, the Speakership became, in the minds of some Members, an obstacle to desirable progressive measures. Attempts by William P. Hepburn, an Iowa Republican, in 1905, and by Champ Clark, a Missouri Democrat, in 1909, to strip Cannon of various powers, came to naught. In 1910, however, the Democrats, with the aid of 30 insurgent Republicans, stripped the Speaker of his membership on the Rules Committee, deprived him of the power to appoint members to this committee, enlarged the membership of the committee, and restricted his power of recognition. Further changes were made in 1911, when the election of members and chairmen of standing committees was taken from the Speaker and returned to the House.

SUMMARY AND COMMENT ON EDUCATION, CIVIL RIGHTS, AND LESSONS OF HISTORY

At the time the House moved to its part of the Capitol extension in 1857, there were 31 States in the Union. The population of the United States was about 28,000,000 as compared to an estimated 170,981,000 today. The center of population was southeast of Chillocothe, Ohio. It is now in southern Illinois. The country has grown correspondingly in its industrial facilities and its wealth. More Americans today have an opportunity to advance themselves through education and the freedom to put that education to work than ever before.

If there is one thing that has not changed since 1857, it is the conviction that our way of life is ideally suited to the happiness and prosperity of our people. Our belief in constitutional government, education, and freedom has not dimmed with the years. On the contrary, faith in our institutions has grown as their value has been demonstrated.

The period since 1857, as the period before it, has been a testing time for our concept of government. The Civil War, in which great national issues were decided, not by the peaceable means afforded by the Constitution, but by conflict, was a challenge of frightening magnitude. Other challenges have appeared, like the two terrible world wars to strike down tyranny, the threat of depression and the threat inherent in the spread of totalitarianism over much of the earth.

There have been times when violence and strife have threatened to disrupt our society. The raid of John Brown on the United States arsenal at Harpers Ferry, Va., the assassinations of Presidents Lincoln, Garfield, and McKinley, the activities of the Ku Klux Klan, the Haymarket riot of 1886 were ominous indications that there are always some members of our society who do not believe in the American concept of ordered liberty under law.

Yet our national belief in progress under the American system has not diminished. We have made progress sort of an American custom. Optimism has always been one of the distinguishing characteristics of our people. Sometimes our faith has been chastened by depressions and wars and atomic bombs, but the underlying American belief in the ability of ordinary mortals to improve themselves and their status in life and, in doing it, their society, is still strong.

It is perhaps not mere coincidence that as the opportunity of our people to obtain an education grew, and as American belief in the right of everyone to enjoy an equal opportunity to better himself grew, the prosperity of the country also grew.

Progress in education, for instance, has been great since the House of Representatives first sat in this Chamber 100 years ago. The great Morrill Act of 1862, establishing our system of land-grant colleges, was one of the most important pieces of legislation, in its ultimate effects upon our society, ever passed. The American college system a hundred years ago was just developing its postgraduate facilities. In those days colleges supplied only a general education. Today we have some of the best graduate schools in the world turning out our teachers and doctors and lawyers and engineers.

A hundred years ago the concept of free public schools had only recently taken root. Today virtually everyone in our Nation is assured of a free public education. This result has come about because of the great belief of the American people in the value of education. Virtually all of it has come about through the personal interest and intervention of ordinary people in the educational policies of their communities.

The period since 1857 has likewise been a great era in the development of the American belief in equal rights. We have had two great constitutional amendments, the 15th and the 19th, forbidding States to deny the right of suffrage on the grounds of race or sex. The 14th amendment forbade the States to deprive any person of life, liberty, or property without due process of law. This battle for civil rights is as old as our country. It began with the Revolution, when our people rebelled against the arbitrary government of King George III. Thomas Jefferson laid the theoretical basis for our rights and liberties in the Declaration of Independence. Traditional English concepts of individual rights were written into our Constitution and today Americans continue to believe in the concept of limited government. They continue to believe that their Government must not act in an arbitrary manner. They continue to believe in legal processes, that where law ends tyranny begins. Their belief in our governmental institutions is as strong and personal as their belief in education. Our way of life lives in the hearts and minds of our people rather than simply in the cherished document we call our Constitution. This is a fact that should forever be remembered by our teachers and our leaders as we promote the ideals we are pleased to call America.

Mr. Speaker, at the beginning of my dissertation I said that we ought at every opportunity to give attention to the important lessons taught by history. It is a deep conviction of mine that if all our citizens had a better knowledge and understanding of American history and the rich heritage that is ours because of the sacrifice to promote great ideas and ideals of our forefathers, there would be no need for concern for the future of our country. Also, if these great ideas were better understood and appreciated by our people, the fight against communism or any foreign ism would be much less difficult. This could mean much more and be more effective than any law that we could pass against any foreign ism. I think there are important lessons to be learned from history that can help us meet the challenge and find the answers to the many perplexing problems of this dramatic atomic age. This age that is fraught with great extremes: on the one hand, a terrible fear of the possible complete extinction of mankind; and the other extreme, an opportunity with this new power to promote peace, prosperity, and understanding never known to the human family before.

There are many expressions of our forefathers that lend encouragement and point the way to a better life for all of us. It is impossible to quote many of them, so I shall quote very briefly some of the pertinent thoughts given to us by three of our greatest—Washington, Jefferson, and Lincoln.

In discussing the life of George Washington, there are many things that come to mind that are exciting. For the purpose of this dissertation, I should like to refer briefly to a part of his Farewell Address that I think is important and because it was noted by our country through the years, we were able to grow and prosper materially and spiritually. I am referring to the moral undergirding that is necessary for our system to function. Without it, in my opinion, our way of life would soon fail. This is what George Washington said on that subject:

> Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens.

This is indeed a great fundamental truth.

In my opinion, Jefferson's greatest contribution came to our way of life after he had served us so well in so many ways, including the Presidency of the United States. When he made it his business to go back to Monticello to spend the rest of his life promoting the educational system for his country, he did more to shore up the great foundations of our Nation and assure the perpetuity of our Government than any man in that time. Examples of his attitude toward education and understanding is found in almost all of his writings. Among them I like this best:

> I am not an advocate for frequent changes in laws and constitutions. But laws and institutions must go hand in hand with the progress of the human mind, for that becomes more developed, more enlightened, as new discoveries are made, new truths discovered and manners and opinions change, with the change of circumstances, institutions must advance also to keep pace with the times, we might as well require a man to wear still the coat which fitted him when a boy as civilized society to remain ever under the regimen of their barbarous ancestors.

It seems that fate has always provided leaders for this country that seem to fit the difficult challenge that presents itself and no better example can be found of this, in my opinion, than the story of Lincoln and his contribution to the saving of the best last hope of mankind. He more than anyone else has captured the hearts and minds of the people of our country. Yes, I believe, the people of the world. Reading the life story of this man as it relates to our country is always a great thrill. He spoke so simply and understandably and seemed to know how to say the right thing at the right time. Among the thoughts he left with us, to my mind, that are important, are the following. Speaking of the Civil War, he said:

> This is essentially a people's contest. On the side of the Union, it is a struggle for maintaining in the world that form and substance of government whose leading object is to elevate the condition of men—to lift artificial weights from all shoulders—to clear the paths of laudable pursuit for all—to afford all an unfettered start, and a fair chance, in the race of life. Yielding to partial and temporary departures, from necessity, this is the leading object of the Government for whose existence we contend.

Here, I believe, is the best statement on the objective of government, and especially the principal objective of our Government ever stated by anyone.

Then he points out how our Government is referred to as an experiment. While he was speaking then of the terrible Civil War, I submit the following has its application in our time as well:

> Our popular Government has often been called an experiment. Two points in it our

> people have already settled—the successful establishing, and the successful administering of it. One still remains—its successful maintenance against a formidable internal attempt to overthrow it. It is now for them to demonstrate to the world that those who can fairly carry an election can also suppress a rebellion—that ballots are the rightful and peaceful successors of bullets; and that when ballots have fairly and constitutionally decided, there can be no successful appeal back to bullets; that there can be no successful appeal, except to ballots themselves, at succeeding elections. Such will be a great lesson of peace: Teaching men that what they cannot take by an election, neither can they take it by a way—teaching all the folly of being the beginners of a war.

In this paragraph is a citation and a statement that ought to be read, reread, and studied by all the peoples of the world and especially by those attending the Disarmament Conference in London these days.

Finally, I submit that Lincoln's statement at the second inaugural, the last paragraph sums up some thoughts that we need to think about. Let me quote:

> With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the Nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish a just, and a lasting peace, among ourselves, and with all nations.

Let me point out that this paragraph has threescore and 12 words. Fifty-nine of these words are 1-syllable words—12 are 2-syllable words and 1 is a 3-syllable word and its name is charity. This, it seems to me, is the world's greatest need.

Let me suggest as we contemplate the terrible possibility of total destruction in our time on the one hand and the great opportunity for peace on the other, that maybe what this age needs more than anything else is a re-dedication to the fundamental truths of our forefathers and from their experience come to a realization that we need much less promotion and production of missiles with atomic warheads that might lead to complete destruction of humanity and much more effort that will promote calm heads that will promote the use of reason and therefore understanding.

Finally, let me suggest that all of us as Members of this legislative body and as we contemplate our duties and responsibilities that we remember the challenging words of Henry Wadsworth Longfellow's poem entitled "The Builders" where he says that—

> "All are architects of Fate,
> Working in these walls of Time;"

and the words of another seer of ancient time, reminded us that—

> "No doctrine, faith or knowledge is of value to man except as it bears fruit in action."

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from Indiana.

Mr. HALLECK. I commend the gentleman on the fine work he has done. It has been my observation that many of us in places such as this tend to take for granted the things we see around us. Certainly it will be very interesting and I think helpful for us to have the opportunity to read carefully and to understand the information the gentleman is giving.

Mr. SCHWENGEL. I thank the gentleman very much.

Mr. CUNNINGHAM of Iowa. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield.

Mr. CUNNINGHAM of Iowa. I commend the gentleman on the work he is doing and has done in preparing a record and history of this wonderful institution, the Capitol of the United States of America. I have known for some time that the gentleman has been greatly interested all of his life in the history of America. As a citizen of the State of Iowa, he did much in the way of research about our country. He has made speeches to many great organizations all over the United States as well as his home State about the history of this great land and this great Government of ours. So I was really not surprised when the gentleman came to Congress to find him turn his attention to one of the greatest things about our country, this Capitol, these buildings, and the background of them.

I was interested a few days ago in looking through his book to notice that he had pictures of the original Capitol, the building in the town that was used when Congress met after the center of this structure was burned by the British, also the building that was used for a time for the Congress to meet in, located where the Supreme Court now is.

When I read all these things, and of the work the gentleman was doing, I realized why he was able to accomplish so much, and what his early work as a citizen and a patriot at home in the study of the history of America had meant to him and has proved to us here and for the benefit of everyone. I thank the gentleman for the work he has done.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from Iowa.

Mr. JENSEN. I am happy that the gentleman from Iowa [Mr. SCHWENGEL] has taken on himself this task of bringing here in black and white form the thing which is very dear to the hearts of most Americans, especially the Members of Congress, and that is the history of the Congress of the United States, the greatest legislative body on earth. I hope the gentleman will have his remarks and the pictures he has on the history of Congress and of the many men who have served in this body put in book form, because I am sure almost every schoolchild in America would be greatly benefited by reading such a book as the gentleman is well able to put together. So I am happy and proud of the fact that this great historian, Congressman FRED SCHWENGEL, of my own State of Iowa, has done this fine work.

Mr. SCHWENGEL. I thank the gentleman.

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from New Jersey.

Mr. CANFIELD. Mr. Speaker, when I learned that our distinguished colleague from Iowa, Mr. SCHWENGEL, planned to address the House today on the subject, One Hundred Years in This Chamber, I made a few inquiries.

I learned that my predecessor in this body a century ago was the Honorable John Huyler, a Democrat, of Hackensack, N. J., who was known as a proslavery Congressman. His district at the time embraced the area of my own and several other New Jersey districts. He was a building contractor, a farmer, and a lumber merchant and after entering the field of politics, he became president of the Bergen County Board of Freeholders, speaker of the New Jersey State Assembly, and later a judge of the New Jersey Court of Appeals. According to the CONGRESSIONAL RECORD, "He was felled by assassins in 1870." His successor in the 36th Congress was Dr. Jetur Riggs, a Republican, of my home city of Paterson.

Congressman Huyler's task as a legislator could not have been an easy one in the emotionally charged atmosphere of a country struggling to maintain its economic equilibrium through the panic of 1857, bitterly divided over the Dred Scott decision and wracked by scandals in the Midwest where Kansas Territory had a record of four changes in executive administration in one 3-year period. The powerful forces that swept the Nation into the bloody War Between the States were even then building up and the Congressman must have often wished for the pastoral peace of north Jersey.

What did the New York Times of December 17, 1857, say about the first meeting of the House in the new Chamber, the day before?

The Times reported that "amid much confusion the Members proceeded to select their seats by lottery."

Following a debate on the admission of Kansas, according to the Times, the House approved a resolution to print 16,000 copies of the report of the Secretary of the Treasury and another resolution to make arrangements necessary to accommodate reporters in the new Hall. On the day before, the Times in its page one dispatch had criticized severely the Architect or Superintendent for not providing any accommodations whatever for the press.

Getting back to my predecessor of 100 years ago, I am sure that he never dreamed that communication and transportation, then exceedingly slow, would in our day link the entire world in a matter of minutes and hours. When I left Newark, N. J., to come to Washington by plane yesterday, the trip was negotiated in less than 45 minutes. Congressman Huyler in 1857 used both train and ferries to make the same trip which involved several days.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I would like to commend the gentleman for his extremely interesting speech. I think it will do a great deal of good, because hordes of people go through the Capitol here and do not have a chance to really see everything.

The gentleman made reference to the Congressional Cemetery. Some years ago Senator Gary had a very distinguished ancestor buried there and we were instrumental in securing a small amount of money to put a fence around that cemetery. It was horribly neglected at that time. It took one entire day to go by horse-drawn vehicle from the White House to the cemetery and back again.

Mr. SCHWENGEL. I thank the gentlewoman for her contribution and also thank the gentleman from New Jersey [Mr. CANFIELD].

Mr. CANFIELD. Mr. Speaker, will the gentleman yield further to me?

Mr. SCHWENGEL. I yield to the gentleman from New Jersey.

Mr. CANFIELD. The gentleman has referred to members of the fair sex sitting in this body. I am sure he knows, as I do, that the distinguished gentlewoman from Massachusetts [Mrs. ROGERS] has served in this body for 33 years. She has served in a legislative parliament longer than any other woman in all legislative history.

Mr. SCHWENGEL. I thank the gentleman for his contribution. I was aware of that, and I am glad the gentleman mentioned it as part of the record. I think it is a high compliment to the lady's ability.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from Illinois.

Mr. O'HARA of Illinois. May I add that the gentlewoman from Massachusetts is embedded deep in the hearts of the veterans of America. No love was ever greater than that they give to her. I was deeply moved only yesterday when as we neared the close of the session she was not forgetful of the Spanish War widows who are in such need and put in a word prodding the other body to follow the good example of the House.

Mr. SCHWENGEL. I thank the gentleman from Illinois. The gentleman is absolutely correct in that statement.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from Illinois.

Mr. O'HARA of Illinois. I have been wondering how Congressmen in that day were able to spend as much as $3,000 a year. When I was a boy eggs sold for 7 and 8 cents a dozen, and milk for 4 and 5 cents a quart. A pound of the best meat was 10 cents and they gave you liver and all the rest of it free of charge. A man had to be pretty smart to spend as much as $3,000 in a year.

Mr. SCHWENGEL. I think that is a very interesting observation. I am having the Library of Congress compare the dollar values of that time with those of today. I had hoped to have it here today, but unfortunately I do not. I think the gentleman has made a very interesting observation.

Mr. REUSS. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from Wisconsin.

Mr. REUSS. I know every Member here this afternoon and everyone who reads the CONGRESSIONAL RECORD will be in debt to the gentleman from Iowa [Mr. SCHWENGEL] for helping to commemorate the hundredth anniversary this year of the founding of our Nation's Capitol in the form we now know it. We are deeply in the gentleman's debt for his scholarly research. It is a great privilege to serve in this body with a Member who has the instinct for history the gentleman from Iowa has.

To me, a citizen of the great State of Wisconsin, right across the Mississippi River from the State of Iowa, it has been an especial privilege to be here this afternoon because it has brought to my mind one of Wisconsin's great contributions to these halls, the late Senator Robert Marion La Follette, Sr., who served, as the gentleman knows, three terms in this House, between 1885 and 1891, and then from 1906 until his death in 1925 was a Member of the other body, and always, in whatever body, a great friend of the plain people of America.

When Senator La Follette died, and his personal effects were taken account of in his desk in the Senate, among them was found a note which well sums up his political and social philosophy. In that last note he said:

> I would be remembered as one who in the world's darkest hour kept a clean conscience and stood to the end for the ideals of American democracy.

I am very grateful to the gentleman for evoking some of those great memories of the past this afternoon.

Mr. SCHWENGEL. I thank the gentleman very much for his fine contribution.

I have here a whole series of biographies of Members of the Congress. I have right here with me a list of those who I think are among the five very greatest in history. I am afraid to present that list at this time because someone may want to challenge me as to those whom I have included on this list. I do not want to put it in the RECORD now, because I am not quite ready to defend it, although in some instances I am.

There are two gentlemen, however, with whom it is your privilege and mine to serve in this Congress, and they stand out among the greatest. They are none other than our leader, JOE MARTIN, and your leader and our Speaker, SAM RAYBURN, who, as most of you know, now holds the record for continuous service in the Congress and, if he lives out this term, will hold the record for longevity of service. Also, of course, he holds the record for having been Speaker longer than any other Member. He has served with more Members of Congress than any man in history, probably more than any man will ever serve with.

So many times in my short time here I have noted that as to both him and Joe there were times when party politics was second to them. The cause of their country was first. I thank God we have leaders of that type in this country to help us through these difficult and dangerous times.

Mr. O'HARA of Illinois. Mr. Speaker, if the gentleman will yield further, I wish to join with the gentleman from Wisconsin and others of our colleagues here in commending the distinguished gentleman on his scholarly and inspired address. It has been a fitting observance of the hundredth anniversary of the founding of this Capitol Building. The gentleman has rendered a great service.

I wonder if the gentleman would consider it provocative of greater interest in the past and in the great men and women who have served in this body if he would make up a list of the 25 or maybe 30 Members whom he regards as the greatest Members of this body in all the history of this House. Then he might wish to submit his list to other Members so that we could have a provocative debate to stir up interest in the past, because it is that interest in the past that gives virility, drive, and purpose to the present.

Mr. SCHWENGEL. I thank the gentleman for his observation. I have thought of doing the very thing he has suggested. But at this point in my list and with my limited reading—and it is quite a task reading the biographies of the Members of the Congress—there have been books written about many of them, but, of course, not about all of them—it is a rather difficult task and I hope to tackle it some day, and I may advise with you further on that.

Mr. CUNNINGHAM of Iowa. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield.

Mr. CUNNINGHAM of Iowa. I wish to concur in what the distinguished gentleman from Illinois [Mr. O'HARA] suggested to the gentleman from Iowa. I think it is an excellent suggestion. I think the gentleman from Iowa is well equipped to start on the project. If he needs help, he can get it. I certainly hope he will undertake it when he can in the future, because he has made a wonderful contribution this afternoon.

Mr. SCHWENGEL. I thank the gentleman.

USDA ATTITUDE TOWARD ACP ENDANGERS HUMAN NUTRITION AND SOIL CONSERVATION

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Ohio [Mr. POLK] is recognized for 30 minutes.

Mr. POLK. Mr. Speaker, during the recent consideration by the Congress of the Department of Agriculture Appropriation Bill for the 1958 fiscal year, there was some discussion concerning the advisability of continuing conservation payments to farmers for the use of agricultural limestone. From what I heard of this discussion, it seems to me that a number of administrators and critics of the agricultural conservation program through which farmers receive assistance for the use of agricultural limestone not only misunderstand Congressional intent, as shown by the passage of the Soil Conservation and Domestic Allotment Act, but also fail to understand the importance which agricultural limestone plays in the total conservation picture. Even more important is the key role of this vital material to the health of all of our people—not just to plants and animals. For agricultural limestone is not just a conditioner of the soil but the supplier of that most important element to all life—calcium.

It is a well-known fact that the use of agricultural limestone on farmland greatly improves crops both in quantity and quality. While the Nation is vitally interested in the economic welfare of farmers, which is affected materially by the increased use of agricultural limestone, it is even more concerned that adequate supplies of this material be used because of its tremendous contribution to the health of our people. It is really only in recent years that we have become fully aware of the fact that we are what we are because of what we eat and that the better we eat the better individuals we are. It was not so long ago that we thought an adequate diet merely meant that we were not hungry. Now we know that it is not enough to merely fill our stomachs, but that the quality of the food is of extreme importance.

This agricultural limestone, which agronomists have long recommended as fundamental to a sound agriculture, now looms as one of the most important elements necessary for the adequate health of our people. Not only does it neutralize sour soils, but more important it supplies tremendous quantities of calcium, which; first, greatly improves the crops; and, second, vastly improves the livestock which feeds from them, and, third and most important, greatly improves the health of the people in our Nation. We all know that we need adequate amounts of calcium to build sound skeletal frames. Calcium is also a very essential element in the production of proteins which play such an important part in the formulation of our muscles and nerves. We are now finding that many human diseases are traceable directly to the fact that the diets of the individuals have been deficient in important minerals.

Dr. E. A. Louder, of Greenville, Ill., testifying before the House Select Committee to Investigate the Use of Chemicals in Food Products said:

> The four essential nutrients most likely to be lacking in sufficient amounts in the American diet, are in order of their critical need, calcium, riboflavin, high quality protein, and vitamin A.

Back in 1936 when the Congress passed the Soil Conservation and Domestic Allotment Act which is still in effect it said, and I quote:

> It is hereby recognized that the wastage of soil and moisture resources on farm, grazing and forest lands of the Nation, resulting from soil erosion, is a menace to the national welfare and that it is hereby declared to be the policy of Congress to provide permanently for the control and prevention of soil erosion and thereby to preserve natural resources, control floods, prevent impairment of reservoirs, and maintain the navigability of rivers and harbors, protect public health and public lands.

In discussing further agricultural conservation policy this statement continued:

> It is hereby declared to be the policy of this act also to secure, and the purposes of this act shall also include, (1) preservation and improvement of soil fertility; (2) promotion of the economic use and conservation of land; (3) diminution of exploitation and wasteful and unscientific use of national soil resources.

Mr. Speaker, the officials in the Department of Agriculture formulated the specific practices, which the Federal Government had been directed by the Congress to assist farmers in carrying out to effectuate the policies of this act, by consulting with both the farmer-elected committees throughout the Nation and agronomic specialists at the various State colleges. Without exception, it was the recommendation of the people in the humid area that the use of agricultural limestone was essential to any well-rounded conservation program.

At that time the 5 million farmers of the Nation were using about a million tons of agricultural limestone in their normal farming operations. The Extension Service, which, as we all know, was started by an act of Congress in 1914, had been urging farmers to utilize more agricultural limestone from that time until this Federal-aid program was begun. With the payments beginning in 1936 to assist the educational teachings, farmers then began to use more liming material until a peak of 30 million tons was reached in 1947. Since that time, because the funds for the program have been cut by the Congress and because of administrative restrictions written in by the Department of Agriculture, the use has declined until now it stands at about 20 million tons a year.

In September 1952 the Department of Agriculture issued a bulletin in which it stated that it would take 395 million tons of limestone to adequately treat the Nation's soils and bring them up to the level which the agronomists of the Nation had indicated was satisfactory. Once this was done, this bulletin states, it would require an annual application of 47 million tons a year to maintain a desirable level of lime content in the soil. Obviously we are falling far short of what our scientists claim is the optimum in spite of all the educational work being done throughout the Nation and in spite of the fact that there are payments available under the agricultural conservation program to stimulate the use of this material.

Now, Mr. Speaker, I should like to address myself to the question of why the use of agricultural limestone is important to the Nation and why each and every citizen should be vitally concerned not only with the expansion of the agricultural conservation program, which is currently reaching over a million farmers a year but also with the use of agricultural limestone on our soils in the humid area. It seems to me in considering our farm legislation we all too often lose sight of the fact that these programs are devised for the general welfare and not just for the individual benefit of farmers. There is no question that by using agricultural limestone farmers become better farmers in the long run by producing better crops and better livestock. I use this term better advisedly which I should like to develop at a later point. All too frequently we think in terms of increasing our farm production in pounds or tons or bales, but we also need to improve our agricultural production from the standpoint of quality of the product. More minerals in the soil mean more minerals in the plants and eventually the animals and animal products and ultimately more minerals in the human diet.

In 1950 a witness appeared before a House select committee of the 81st Congress pursuant to House Resolution 323. He was Dr. W. A. Albrecht, chairman, Department of Soils, University of Missouri, Columbia, Mo., an international authority on soil fertility. In his statement he said:

> It is hereby contended that human, animal, and plant nutrition—and thereby the health of all these—cannot be maintained at a high level unless the fertility of the soil is correspondingly maintained by the judicious use of fertilizers on the soil.

He later said:

> Nutritional science has only recently turned its attention to the problem of growing the body. Past attention has centered mainly on the fuel values, the energies, the calories delivered by foods. This criterion of calories has permitted carbohydrate delivery by failing soil to hold our interest. It has not called attention to failing body growth in muscles, bones, reproductive capacities, and so forth, that call for proteins, calcium, phosphorus, nitrogen, vitamins, and so forth, all of which can be assembled and synthesized into body-building feeds and foods only by plants on fertile soils.

You will note that Dr. Albrecht here points up that fertile soils produce quality feeds that have a direct bearing on not just plants and animals but most important, upon human health. And what is the No. 1 element in his list? It is calcium. And where does calcium come from? Calcium originally came from the mineral-rich soils with which this Nation was so abundantly blessed. However, since the first settlers arrived in this country we have had an era of continuous exploitation whereby we have literally mined our soils. Today they are not capable of producing the high quality foods we need to maintain the health of our people without having mineral supplements added to the soil. Calcium today either gets in our body from properly limed soils or from the drug store—or we have less than perfect health.

Dr. Albrecht further stated degenerative diseases of man as causes of death in the United States rose from 39 percent in 1929 to 60 percent in 1948, while infectious and general diseases fell from 41 percent to 17 percent. Better nutrition more than medicine would be expected as the means of warding off degenerative diseases. Protein deficiencies in terms of soil fertility more than in terms of the purse have not yet been suspected.

In an article that Dr. Albrecht wrote in 1946 entitled "Agricultural Limestone for Better Quality of Foods" he said:

> Perhaps you have never thought that your own body contains the calcium equivalent of about 6 pounds of agricultural limestone. Probably you have not connected limestone with the calcium that plays such a vital role in the natural synthetic processes that result in protein products both in plants and animals. And it may not be commonly recognized that this nutrient element as put into the soil by applications of pulverized lime rock should have a big share in determining the quality of food for man and beast and thereby the health of both. We are just now coming around to recognize the greater health value in the quality of foods that are grown on the more fertile soils. The use of agricultural limestone is one of the helps in making our soils more fertile. This practice is, therefore, one of the means of gaining better health by building it from the ground up.

It has long been general practice to use limestone in connection with the growing of various legumes, the nitrogen-fixing crops, or those protein-rich crops that can provide a part of their nitrogen needs by using this element from the extensive gaseous supply in the soil, air and atmosphere. Liming is readily connected with these crops considered able to synthesize air nitrogen into combination with hydrogen and carbon as organic compounds. It is these that put the nutrient nitrogen into circulation for soil improvement when the proteinaceous residues of the plants are put into the soil for decay. Soil improvement by means of legume crops is dependent on the services of calcium as a protein-maker, more than on any changes this compound as lime carbonate may bring about in the degree of acidity of the soil.

I well remember studying under Dr. Firman E. Bear who was then in the Department of Agricultural Chemistry and Soils of Ohio State University and who has since become a world-renowned authority in his field. Back in 1922 he wrote an article for the November Farm and Fireside from which I would like to quote. The title was "Why Men Grow Bigger in Some Parts of the Country." He said:

> Aside from the fact that lime makes some crops grow bigger and better, did you ever stop to wonder if its effects went farther than just increasing yields? Did you know that the limestone in your field affected your livestock and even yourself and your family? From the standpoint of health, strength, and physical growth, I mean. How can we account for recognized types like the Kentucky mountaineer, Texas ranger, and the Minnesota football player? It must be environment and the soil is one of the most important environmental factors. Virgin limestone soil tends to produce big bones, large shoulders, well-muscled men with large feet and hands.

He further stated:

> It might even be possible to determine the needs for lime from a study of the people themselves.

He said:

> I am confident that the lack of carbonate of lime in the soil can be detected from the study of the people as well as the animals and the vegetation a locality produces.

We have come a long way since Dr. Bear's statement in 1922 and the evidence which we have now developed in the nutritional field proves him to be a prophet. For example, during the last war we found that seven out of ten draftees were accepted from Colorado and seven out of ten were rejected from one of the Southern States where we have a major deficiency in calcium in the soil. As you know, the Colorado soils have one of the highest calcium ratios in the Nation. Neil Clark in a Saturday Evening Post article entitled "Are We Starving to Death?" points out that even though the American people are apparently eating better than anywhere else in the world many of our people have hidden hunger because of our mineral-depleted lands. He says this condition stalks us invisibly, strikes silently, is almost as hard to believe in as germs were when Pasteur revolutionized medicine by revealing their role in disease. This condition is not dramatic. It appears that the disease of the soil is directly transmissible to man but, unlike its devouring cousin erosion, it silts up no rivers to cause billion-dollar floods, digs no gulleys to swallow up farms. It works away but leaves no clear-cut sign. Fields that always have been green may be green still but the same life is no longer in them.

Calcium is one of the two nutrients in which American diets most often fall below the recommendation of the Food and Nutrition Board of the National Research Council. Calcium deficiencies in nutrition are much more frequent than physicians commonly realize because there is no good way of detecting them. In fact, a condition which nutrition research has now shown to be one of shortage, as viewed in the light of the full-life history, is still commonly counted as within the range of the normal. In the light of present knowledge of lifetime relationships it is now apparent that we are all born calcium-poor. That is, the human body at birth has not only a much smaller amount but also a much smaller percentage of calcium than the normal fully developed body contains.

In order to develop normally, the child needs not only to increase the amount, but also to increase the percentage, of calcium in his body, at the same time the body weight is increasing rapidly. This means an accentuated need for calcium as compared with the need for other body-building materials.

Without a relatively high calcium intake, the body must remain calcium-poor. Sometimes, it always remains so. People may thus go through life with calcium-poor bodies, partly because there is no method of directly diagnosing this condition. It can, however, be studied by research methods.

The National Research Council now recommends that a child be provided with a diet that has from 1.0 to 1.0 grams of calcium per day. Adults should be provided with at least a gram a day. Inasmuch as 99 percent or more of the calcium in the body is in the form of relatively insoluble bone mineral, the question naturally arises how this can have such an important influence upon individual and family well-being.

An interesting explanation is found in the fact that when food calcium is more liberal there results a better development of the internal structure of the bones. This is particularly true within the porous ends of long bones, where it means a greatly increased surface of bone mineral in contact with the circulating blood, and therefore a much more prompt and effective restoration of the blood calcium to full normal concentration after all the many small wastages that occur in everyday life as well as under various conditions of extra strain.

Even though the fluctuations of blood calcium concentration are small from the viewpoint of our ability to measure them, yet the more quickly and completely the blood recovers from every decline in its calcium content the better the body maintains its highest degree of health and efficiency. Thus it is very important to the welfare of every country that its people get a good calcium supply from their food and drinking water.

The only source of this necessary food element, calcium, is the lime in our soils from which hay and pasture crops, in fact all plants, derive their calcium, and in turn supply the calcium in milk and in fruits and vegetables.

Certainly this is of sufficient importance to health to warrant the use of Federal funds through the ACP to encourage farmers to apply more lime to their soils.

In addition to the importance of lime in the field of human nutrition and the health of people generally, there is a very important feature of soil conservation where lime is equally indispensable.

To illustrate what I mean I shall read a brief excerpt from the testimony of Dr. Ralph W. Cummings, director of research, North Carolina Agricultural Experiment Station, before a select committee of Congress in 1950.

He said:

> A small watershed in Buncombe County, N. C., had become too poor and too severely eroded for immediate reestablishment of forest cover a few years ago. Without treatment, vegetation was very sparse and consisted principally of weeds and poverty grass. Lespedeza would germinate but would not grow. A moderate application of lime and superphosphate made possible the establishment of a lespedeza cover and increased the total production of vegetation more than threefold. The dominant vegetation was changed from poverty grass and weeds to lespedeza and shortly thereafter, palatable grasses such as bluegrass and orchard grass could get established. By more liberal applications of lime, superphosphate, and potash, it has been possible recently to establish Ladino clover and tall fescue on similar lands on the college farm near Raleigh, with resulting yields in digestible nutrients equivalent to around 90 bushels of corn per acre. Thus land which was producing practically nothing of value has been changed by chemical fertilizers and lime to a condition in which it produces good yields of milk and meat. The effects of this change on human nutrition should be obvious when put into widespread use in North Carolina and other Southern States.

You will note that a moderate application of lime and superphosphate made possible the establishment of a lespedeza cover and increased the total production of vegetation more than threefold. Furthermore, by more liberal applications of lime, superphosphate, and potash, Ladino clover and tall fescue were established on similarly eroded soils.

The point I wish to make is that it is necessary to use lime in conjunction with chemical fertilizers. Fertilizers alone will not restore most soils, but when used with sufficient amounts of lime remarkable results can be obtained.

In order to encourage farmers to use this conservation practice of liming eroded soils, Congress has provided funds through the ACP for this purpose.

Unfortunately, it appears that some persons in the USDA who administer the ACP and related conservation programs are not fully aware of the need and the desirability of expanding this very worthwhile phase of soil conservation.

In dealing with the subject of soil fertility and its implication on our health it is essential that one establish certain facts and principles at the outset and then follow through as they seem to have causal connections with the phenomena under consideration.

The first fact that may well be considered is the observation that under moderate temperatures the increase in annual rainfall from zero to 60 inches, for example—as is the range in going across the United States from near the coast range eastward—gives first an increased weathering of the rocks. That change represents increased soil construction. Going east from zero rainfall means increasingly more productive soils until one reaches about the midcontinental area. Then with still more rainfall, there comes excessive soil development under the higher rainfall which means increased soil destruction in terms of soil fertility considered both in quantity and in quality.

Consequently, if we are to reverse this trend of nature and not only conserve our present soil resources in the humid area but improve the fertility of these soils as directed by the Congress in the Soil Conservation and Domestic Allotment Act, we must continue the encouragement by all means—educational and ACP payments—to get agricultural limestone used in the quantities recommended by our soil scientists on the Nation's farms to insure the health of all our people.

In conclusion I should like to refer briefly to the recent hearings before the Joint Committee on Atomic Energy. AEC Commissioner Libby and other scientists pointed out in their testimony that, on the basis of present information, the danger from strontium 90 fallout is not as great when soils are adequately limed. They indicated that strontium 90 is very similar to calcium. When plants have a choice, they prefer calcium to strontium 90. The present evidence is that when adequate amounts of calcium are present in the soil, plants only take up 25 percent as much strontium 90 as when there is a shortage of calcium.

The greatest danger from fallout of strontium 90 is not what you get on your body but what you get from the food that you eat. For example, sheep on calcium-deficient soils in Wales have 4 times as much strontium 90 as sheep in this country on soils with adequate calcium. The Atomic Energy Commission has indicated that 100 sunshine units is the maximum the human body can absorb before the danger of bone cancer or leukemia may develop. They have estimated that some areas which are calcium deficient could approach the tolerance limit for large populations by the beginning of the 21st century.

If adequate amounts of calcium—agricultural limestone—will reduce the uptake of strontium 90 by plants 75 percent, is it not good insurance for us to expand the use of agricultural limestone to the optimum recommended by the atomic and agronomic scientists? It seems to me that in the face of the facts as presented by the agronomic scientists concerning our health and the atomic scientists concerning our protection, the Congress and the administration should be doing everything in their power to encourage the use of agricultural limestone on the Nation's farms.

FIRST SESSION OF THE EIGHTY-FIFTH CONGRESS

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Indiana [Mr. MADDEN] is recognized for 15 minutes.

Mr. MADDEN. Mr. Speaker, the 1st session of the 85th Congress is about to adjourn. With the exception of sessions during the war, this has been the longest in 25 years. Legislation involving domestic problems, appropriations, numerous bills dealing with our business economy and committee work have kept the Members busy. I wish to report on but a few of the problems which this Congress has acted upon or failed to act upon since January 3, 1957.

SCHOOL CONSTRUCTION

The major disappointment was the defeat of the school-construction bill by the close margin of six votes. I was assigned the task of handling the rule and opened the 3-day debate on this important and necessary legislation. The Washington Post in its August 18 edition gave a factual account of the defeat of this bill; I hereby quote excerpts therefrom:

> The House finally considered the Kelley bill authorizing $1.5 billion for construction of schools. This was a compromise measure.
>
> In advance of the voting, President Eisenhower was described as not being altogether satisfied with the compromise bill but willing to accept it "as a starter." However he made no ringing appeal for its passage; in fact, he said nothing.
>
> While the bill was under consideration in the House, advocates of school construction became fearful that it would be defeated. Representative WILLIAM H. AYRES, Republican, of Ohio, dusted off President Eisenhower's own program and offered it as an amendment. Liberal Democrats, who wanted some kind of a school bill, arose one after another to voice support of the Eisenhower-Ayres program.
>
> Then Representative HOWARD W. SMITH, Democrat, of Virginia, came up with a motion to strike out the enacting clause of the Kelley bill; in other words, to kill it. The House did kill it, by a vote of 208 to 203. Among those who voted to do this were three administration stalwarts: Representative CHARLES HALLECK, of Indiana, assistant Republican leader, Representative LESLIE ARENDS, of Illinois, Republican whip, and Representative LEO E. ALLEN, of Illinois, ranking Republican on the Rules Committee.
>
> Had these three voted to keep the legislation alive—as they might very well have done at some urging from the White House—the way would have been opened for a vote on President Eisenhower's own program as embodied in the Ayres amendment and there would have been a good chance of passage.
>
> A day or so later, at a news conference, the President was reminded that Democrats had switched and lined up behind his school program. "I never heard of that," he said. "If that is true, why you are telling me something I never heard."
>
> Why the President hadn't heard—what happened to the vaunted liaison between Capitol Hill and the White House—has never been explained.

The Democratic and Republican platforms in the last presidential election endorsed Federal financial aid for school construction. Candidate Eisenhower in 1952 in his campaign speeches said, "We need 340,000 schoolrooms." Almost 5 years have passed but the White House has made no serious effort to carry out that campaign promise. The false propaganda circulated to the effect that passage of this bill would place control of our schools under the Federal Government was unfortunate. The bill provided only for building construction aid for a period of 5 years with all control of construction in the local and State authorities.

CIVIL RIGHTS

This session of Congress enacted the first legislation on civil rights since the Civil War reconstruction days. The bill in its final form was not the broad, effective legislation that passed the House. It is hoped that the right to vote will now be exercised by all Americans without the curbs and barriers which have existed in the past. I have stated on many occasions that as long as unlimited filibustering is permitted in the Senate, a complete and effective civil rights bill cannot be enacted. On two occasions, first on January 7, 1953—the first week of the new Eisenhower administration—a motion to change rule 22 and curb unlimited filibuster was defeated in the Senate. Forty-two Republican Senators, including Senators CAPEHART and JENNER, joined with southern Members to defeat Senator ANDERSON's amendment. On January 4 of this year—the first week of the second Eisenhower term—the same amendment of Senator ANDERSON to defeat rule 22 was presented and defeated. Twenty-nine Republicans, including Senators CAPEHART and JENNER, joined the southern Members this time and voted against curbing unlimited debate. The power of the White House was not used on either occasion to influence Republican senatorial leadership to amend rule 22, and thus lay the foundation for effective civil-rights legislation.

On yesterday the Rules Committee reported out a resolution recommending the House agree to some amendments. This resolution has today passed the House with a vote of 278 to 97. This civil-rights legislation will be the forerunner to more expanded legislation in the future.

HIGH COST OF LIVING

Each month for over a year, the Government has announced additional increases in the cost of living. The executive department has refused to initiate any plan or take effective steps to curb this devastating raid on the consumer public. In fact the Republican leadership in the House opposed the legislation this session which would bring about a full-scale investigation of Secretary Humphrey's financial policies including high interest rates and other causes for inflation. The Eisenhower administration's economic policies have in 4½ years made the farmers, consumers, wage-earners, retired groups, and small-business men bear the brunt of the skyrocketing cost of living and rising inflation.

AGRICULTURE

Six hundred thousand families left their farms since the Eisenhower-Benson farm policy was launched in the spring of 1953. During President Truman's administration the farmer was receiving 100 percent parity and today the Benson program has reduced parity to almost 80 percent.

It is estimated that the farmers lost 12 billion in income during this 4½-year period and their livestock inventory has lowered to 8.7 billion. Secretary Humphrey's high interest policy has also dealt the farmer a heavy blow.

NATIONAL DEBT

Unfortunately the press fails to remind the people that President Eisenhower and his campaigners in 1952 promised to reduce the national debt. The facts are that on January 15, 1953, our national debt was $266.7 billion, while today it has increased to $274.2 billion. Also with the aid of Secretary Humphrey's increased interest rate policy the American taxpayer is paying $927 million more annual interest on our national debt than 4 years ago.

LABOR

The Eisenhower administration through Secretary of Labor Mitchell, has both directly and indirectly curbed legislative action on amendments to the Taft-Hartley law; and also opposed increasing and expanding coverage under the minimum wage law. Secretary Mitchell expounded hollow promises and lipservice in opposition to the so-called and phony labeled right-to-work laws. The Eisenhower-Mitchell combination make convincing speeches wooing the support of labor, but wholly neglect to offer any program to carry out their promises.

In 17 States the so-called right-to-work laws have been locked around the neck of union labor. In those States wage earners and employers are prohibited from sitting around the collective bargaining table; they are estopped from making agreements on wages, hours, and working conditions. In these 17 States union security is restricted and the basic strength of union labor is undermined. The antilabor provisions of the right-to-work laws enacted in some States go further than the rigid provisions in the Taft-Hartley law, which gives to strikebreaking employees the right to vote in union elections and disputes, replacing the qualified union member on strike. Labor must unite and concentrate its force and power in the next session of Congress. The Secretary of Labor should act favorably or remain neutral on necessary labor legislation. It is difficult to combat powerful antilabor lobbys. When the administration and its Labor Department give undercover support to antilabor forces, it is extremely difficult for labor to secure justice and equity on labor laws.

All honest and sincere officers and members of organized labor endorse the efforts of Congressional committees to expose and punish crooks and racketeers in union labor. Millions of dues-paying members of labor organizations must be protected from dishonest labor leaders. Considering the number of officers in labor unions over the country, the percentage of crooks is on a par with any other business or profession.

The AFL–CIO organization has over 16,000 full-time paid officers and in addition over 60,000 officers of local unions. Other labor unions would add to this number of labor-union officials throughout the country. The dozen or so labor leaders called before the McClellan and Douglas committees is but a small fraction of 1 percent of the total; these investigations should expose, not only labor racketeers, but also dishonest employers who deal with the guilty labor leaders.

ECONOMY

Certain newspapers reprint the Congressional Quarterly report on the votes of Congressmen on various appropriations items and thereby classify a Member's economy record. This voting yardstick is both inaccurate and unfair. To oppose reductions for veterans' hospitals, medical care and aid for veteran's dependents, women's division in labor department, medical and welfare, postal salary increase, conservation funds, and so forth, are labeled by this publication as anti-economy votes. A Member's vote against reducing the activity of departments like the above are small items compared to the amount of money saved by opposing the gas bill, the lumber, mineral, metal subsidies and tax write-offs which amount to billions of dollars.

All the domestic and international problems which the Congress has considered in this session cannot be discussed adequately in one review. When the second session of the 85th Congress meets in January 1958, I hope that the Members will have canvassed public sentiment in their home districts and be in a mood to complete the unfinished business which was promised the American people during the last presidential campaign.

EFFECT OF LOBBYISTS' PROPAGANDA UPON OUR SUPREME COURT

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Texas [Mr. PATMAN] is recognized for 45 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, a proper functioning judiciary is respected. Indeed, a proper functioning judiciary is necessary to the protection of the rights of the individual.

My firm beliefs and efforts have supported strongly the principle of the separation of powers upon which our Government was founded. Because of my adherence to that principle throughout the period I have served as a Member of the Congress, I have tried meticulously to avoid doing anything that could be construed as an unwarranted trespass by a Member of the legislative branch upon or in the direction of the judiciary. My faith in the importance of the principle of separation of powers in our Government requires my continued care in that respect. I subscribe to and respect not only that principle but also the principle that requires a proper functioning judiciary to afford each of the opposing parties full opportunity to test in the Court and on the record the arguments of the other before the Court undertakes to subscribe to or reply upon such arguments.

Notwithstanding what I have said about the principle of the separation of powers, I do not consider that Congress is required to bury its head and refuse to take note of the standards, methods, and factors relied upon by the Federal judiciary in reaching important decisions and results. And when there appears to be real reason to question the propriety of standards, methods, and factors utilized by the judiciary, we in the legislative branch should not hesitate to do so.

A number of the Members of the Congress who are lawyers have expressed amazement at some recent decisions of our Federal judiciary. We all know that some of the recent decisions and results reached by our Federal judiciary are so important as to vitally affect our entire people. We wonder what factors were taken into account and relied upon to reach the announced decisions. Particularly the Supreme Court has been singled out for criticism in that connection. Many prominent lawyers have indicated that they are unable to determine what factors prompted the Supreme Court to decide certain cases as it did. In the past our difficulties in that respect were less pronounced. Formerly, we had every reason to expect that decisions by our Supreme Court would be controlled by the standards outlined by the Constitution, the law, the facts of the case and by the sound reasoning of the justices. In the past even though we felt the Court had decided a case wrongly we nevertheless felt that we could understand that the Court had a basis in the record of the hearing in the case for its decision. We could detect known factors which had been argued before the Court by the opposing parties as factors relied upon by the Court for its decision in the case. Today we cannot be so sure that the Court is restricting itself to the use of such known factors, standards, and methods. We now have reason to believe it will not restrict itself to considering information of record presented to the Court by the parties.

Today we are finding that an additional factor is creeping in to influence the thinking and action of the Supreme Court of the United States. That factor is the Court's consideration of unknown, unrecognized and nonauthoritative text books, Law Review articles, and other writings of propaganda artists and lobbyists. In some instances it appears that the Court has considered and adopted such questionable writings in an ex parte fashion because counsels' arguments and briefs made no reference thereto. Apparently therefore the Court itself uncovered and utilized the articles written by these lobbyists without having notified counsel of its intention so to do. If as indicated such a procedure was followed a situation would be presented wherein counsel would have enjoyed no opportunity to meet the arguments of these theorists and lobbyists. In adopting and relying upon such psuedo legalistic papers disseminated by the lobbyist-authors thereof the result is that the theories advanced by these pretended authorities were presented and received by the Court in an ex parte fashion.

In other cases however it appears that some of the articles written by the lobbyists were mentioned or cited in the brief by counsel for defendants and later cited in the Court's opinion. In such instances it seems to me that here again the Court has acted in an ex parte fashion unless it gave affirmative notice to opposing counsel that it intended to use and rely upon the miscellaneous nonauthoritative writings of the lobbyists and theorists referred to hereinabove. This is true, it seems to me, because counsel is entitled to assume that the Court will not pay attention to citations or writings not theretofore accepted by the Court as authoritative. The Law Review articles, treatises, and so forth, prepared and disseminated by the lobbyists command no respect, have no standing as legal authorities, and therefore warrant no consideration by opposing counsel. If the rule were otherwise counsel would be rendered helpless because their arguments would become diluted heavily with extraneous miscellaneous matter designed to overcome the various theories advanced by the lobbyists posing as legal authorities.

Perhaps many will be quite surprised to hear that the Supreme Court is being lobbied by persons who are partisan advocates. More surprising is the fact that some of that partisan ex parte advocacy has had telling effect on decisions which vitally affect our people and which will continue to affect them adversely for years to come.

It has been noted hereinabove that the arguments of partisan theorists have been relied upon by the Supreme Court of the United States to sustain some of its most important recent decisions. That is true even though the arguments in question were received by the Court in the fashion described above which in turn means that the lobbyists in question have managed to get the ear and reach the mind of the Justices of our great Supreme Court ex parte.

The procedure in question is something new in the long history of Anglo-Saxon jurisprudence. Never have the high courts of England resorted to such dubious conduct and until recently such was never done by the Supreme Court of the United States.

When and how did this new concept of relying upon such ex parte arguments creep into the decisions of the Supreme Court of the United States? It appears that it gained substantial acceptance when certain Justices of the Court commenced turning to the Harvard Law Review and other publications during about 1940 for advice on how the Supreme Court of the United States should decide antitrust cases.

Research conducted by the Library of Congress regarding all of the decisions made by the Supreme Court of the United States in antitrust cases from 1890 to 1957 discloses that in no antitrust case prior to 1940 had the Supreme Court cited as an authority a law review article on the point in issue and upon which it relied for decision in the case. However, the study has shown that commencing in 1940 the influence of law-review articles and of other publications has grown steadily with the Supreme Court of the United States in its consideration and decision in antitrust cases. The following tabulation sets forth the results of that study including the first antitrust case, *U. S.* v. *Socony-Vacuum Oil Co., Inc.* (310 U. S. 150, decided in May 1940), in which the Supreme Court of the United States cited and relied upon writings appearing in law and economic reviews. References to some of those writings do not disclose the names of individuals who were the authors. For example, in the opinion of Justice Frankfurter in the case of *Automatic Canteen Company of America* v. *Federal Trade Commission* (346 U. S. 61), there appears a reference to "Notes, 65 Harv. L. Rev. 1011, 1013–1014," and in the opinion of the court in the case of *Times-Picayune Publishing Co. et al.* v. *U. S.* (345 U. S. 594), there appears the reference "Comment, 61 Yale L. J. 948 at 977, n. 162." In the first of those instances the reference is to notes on the subject in question appearing in the Harvard Law Review without revealing the names of the authors. In the second instance the reference is to "comment" on the subject in question appearing in the Yale Law Journal and without specifying or revealing the name of the author making the "comment." This explanation applies to other similar references appearing in the following tabulation:

Case	Page of reference	Review article cited
U. S. v. *Socony-Vacuum Oil Co., Inc.*, 310 U. S. 150	225	Allen, Criminal Conspiracies in Restraint of Trade at Common Law. 23 Harv. Law Review 531.
U. S. v. *Masonite Corp. et al.*, 316 U. S. 265	276	Chorley, Del Credere. 45 Law. Quart. Rev. 221.
	277	Klaus, Sale, Agency and Price Maintenance. 28 Col. L. Rev. 441, 443-450.
U. S. v. *Monia et al.*, 317 U. S. 424	431	Amos, The Interpretation of Statutes. 5 Cam. L. J. 163.
U. S. v. *South-Eastern Underwriters Assn. et al.*, 322 U. S. 533	544	Nehemkis, Paul v. Virginia, The Need for Re-examination. 27 Georgetown L. J. 519.
	546	S. S. Huebner, Federal Supervision and Regulation of Insurance. Annals, Amer. Acad. of Pol. and Soc. Science, Vol. XXVI, No. 3 (1905) 681-707.
		Vance, Federal Control of Insurance Corporations. 17 Green Bag (1905) 83, 89.
		Reports of American Bar Association, Vol. XXIX, Part 1 (1906), pp. 538, 552-567.
	552	Note (1943). 32 Georgetown Law J. 66.
	576	29 American Bar Association Reports 538 (1906).
		24 Annals of American Academy of Political and Social Sciences (1904) 69, 78-83.
		John W. Walsh, National Supervision of Insurance and Paul v. Virginia. 38 American Law Rev. (1904) 181.
U. S. v. *National Lead Co. et al.*, 332 U. S. 319	579	Comment. 49 Yale L. J. 284, 296 (1939).
U. S. v. *Seophony Corp. of America et al.*, 333 U. S. 795	350	Comment: Compulsory Patent Licensing by Anti-Trust Decree. 56 Yale L. J. 77.
	803	Harris, A Corporation as a Citizen. 1 Va. L. Rev. 507.
		Cahill, Jurisdiction over Foreign Corporations and Individuals Who Carry on Business Within the Territory. 30 Harv. L. Rev. 676.
		Scott, Jurisdiction over Nonresidents Doing Business with a State. 32 Harv. L. Rev. 871.
		Bullington, Jurisdiction over Foreign Corporations. 6 N. C. L. Rev. 147.
		Note. What Constitutes Doing Business by a Foreign Corporation for Purposes of Jurisdiction? 29 Col. L. Rev. 187.
U. S. v. *Columbia Steel Co., et al.*, 334 U. S. 495	507	Handler, Industrial Mergers and the Anti-Trust laws. 32 Col. L. Rev. 179, 266.
		Comment. 57 Yale L. J. 613.
	528	Rostow, The New Sherman Act: A Positive Instrument of Progress. 14 U. of Chicago L. Rev. 567, 575-86.
	534	New Mergers, New Motives. Business Week. Nov. 10, 1945, p. 68.
		Effect of War and Shortages. United States News, May 10, 1946, p. 48.
U. S. v. *National City Lines, Inc. et al.*, 334 U. S. 573	581	Levy, The Clayton Law—an Imperfect Supplement to the Sherman Law. 3 Va. L. Rev. 411.
Standard Oil Company of California et al. v. *U. S.*, 337 U. S. 293	589	Braucher, The Inconvenient Federal Forum. 60 Harv. L. Rev. 908, 909-911.
	308	Stockhausen, The Commercial and Anti-Trust Aspects of Term and Requirements Contracts. 23 N. Y. U. L. Q. Rev. 412, 417-31 (1948).

Case	Page of reference	Review article cited
Standard Oil Co. v. *Federal Trade Commission*, 340 U. S. 231	249	Adelman, Effective Competition and the Antitrust Laws. 61 Harv. L. Rev. 1289, 1327-1350.
		Burns, The Anti-Trust Laws and the Regulation of Price Competition. 4 Law and Contemp. Prob. 301.
		Learned and Isaacs, The Robinson-Patman Law: Some Assumptions and Expectations. 15 Harv. Bus. Rev. 137.
		McAllister, Price Control by Law in the United States: A Survey. 4 Law and Contemp. Prob. 273.
Standard Oil Co. v. *Federal Trade Commission*, 340 U. S. 231	253	Mason, The Current Status of the Monopoly Problem in the United States. 62 Harv. L. Rev. 1265.
Bowman Dairy Co. et al. v. *U. S. et al.*, 341 U. S. 214	220	Statement of G. Aaron Youngquist, Member of Advisory Committee, Federal Rules of Criminal Procedure. New York University School of Law, Institute Proceedings, Vol. VI (1946), pp. 167-168.
U. S. v. *Oregon State Medical Society et al.*, 343 U. S. 326	333	Judge Augustus Hand, "Trial Efficiency," dealing with antitrust cases, Business Practices under Federal Antitrust Laws. Symposium, New York State Bar Assn. (C. C. H. 1951) 31-32.
Times-Picayune Publishing Co. et al. v. *U. S.*, 345 U. S. 594	603	Comment. Local Monopoly in the Daily Newspaper Industry. 61 Yale L. J. 948, 949, 950 (1952).
		Editor and Publisher 1952 International Yearbook, p. 17.
		Nixon, Concentration and Absenteeism in Daily Newspaper Ownership. 22 Journ. Q. 97 (1945).
		Ray Economic Forces a Factor in Daily Newspaper Concentration. 29 Journ. Q. 31 (1952).
		Ray, Competition in the Newspaper Industry. 15 J. Marketing 4444 (1951).
	605	Lockhart and Sacks, The Relevance of Economic Factors in Determining Whether Exclusive Arrangements Violate Section 3 of the Clayton Act. 65 Harv. L. Rev. 913, 912 et seq. (1952).
		Note. 49 Col. L. Rev. 241, 246 (1949).
	609	Levi, A Two Level Anti-Monopoly Law. 47 Northwestern U. L. Rev. 567, 580-585 (1952).
	615	Comment. 61 Yale L. J. 948 at 977, n. 162.
	624	Nixon, Concentration and Absenteeism in Daily Newspaper Ownership. 22 Journ. Q. 97, 110-113 (1945).
	625	Comment. Refusals to Sell and Public Control of Competition. 58 Yale L. J. 1121 (1949).
Automatic Canteen Company of America v. *Federal Trade Commission*, 346 U. S. 61.	68	Notes. 65 Harv. L. Rev. 1011, 1013-1014.
		Fuchs, The Requirement of Exactness in the Justification of Price and Service Differentials under the Robinson-Patman Act. 30 Tex. L. Rev. 1.
		Haslett, Price Discriminations and Their Justifications under the Robinson-Patman Act of 1936. 46 Mich. L. Rev. 450, 472.
		Sawyer, Accounting and Statistical Proof in Price Discrimination Cases. 36 Iowa L. Rev. 244.
		Comment. 35 Ill. L. Rev. 60.
Automatic Canteen Company of America v. *Federal Trade Commission*, 346 U. S. 61.	74	Adelman, Effective Competition and the Antitrust Laws. 61 Harv. L. Rev. 1289, 1331.
Theatre Enterprises, Inc. v. *Paramount Film Distributing Corp. et al.*, 346 U. S. 537.	541	Rahl, Conspiracy and the Anti-Trust Laws. 44 Ill. L. Rev. 743 (1950).
U.S. v. *McKesson and Robbins, Inc.*, 351 U. S. 305	316	Weston, Resale Price Maintenance and Market Integration: Fair Trade or Foul Play? 22 Geo. Wash. L. Rev. 658.
		Note. 64 Yale L. J. 426.
		51 Col. L. Rev. 282 (Recent Developments).
U. S. v. *E. I. duPont de Nemours and Co.*, 351 U. S. 377	387-388	Oppenheim, Federal Antitrust Legislation. 50 Mich. L. Rev. 1139, 1151-1152.
		Kahn, A Legal and Economic Appraisal of the "New" Sherman and Clayton Acts. 63 Yale L. J. 348, 293.
		Report of the Attorney General's National Committee To Study the Antitrust Laws, pp. 261-313, for discussion of "Exemptions from Antitrust Coverage."
		Rostow, Monopoly under the Sherman Act: Power or Purpose? 43 Ill. L. Rev. 75.
	391	Stocking and Mueller, The Cellophane Case and the New Competition. XLV American Economic Rev. 29, 54.
		Cole, An Appraisal of Economic Change. XLIV American Economic Rev. 35, 61.
		Report of Attorney General's National Committee To Study the Antitrust Laws, p. 43.
		Neal, The Clayton Act and the Transamerica Case. 5 Stan. L. Rev. 179, 205, 213.
	392	Rostow. 43 Ill. L. Rev. 745, 753-763.
		Oppenheim, Federal Antitrust Legislation. 50 Mich. L. Rev. 1139, 1193.
	398	Stocking and Mueller, The Cellophane Case. XLV Amer. Economic Rev. 29, 48-49.
	[1] 415	Stocking and Mueller, The Cellophane Case. XLV Amer. Economic Rev. 29, 48-49.
	[1] 418	Stocking and Mueller, The Cellophane Case. XLV Amer. Economic Rev. 29, 56.
	424	Adams, The "Rule of Reason": Workable Competition or Workable Monopoly? 63 Yale L. J. 348, 364.
		Report of Attorney General's National Committee to Study the Antitrust Laws, p. 322.

[1] Dissenting opinion.

Prior to 1940 the argumentative writings and dissertations of students and theorists appearing in law review articles and similar works had limited influence. Principally they were used by students and theorists who were free to utilize any and all materials upon which they were able to lay hands. Such writings and works had not been accepted as a basis for decisions by the Supreme Court of the United States. As pointed out they had not been relied upon by that Court in any Federal antitrust law case prior to 1940.

At this time I shall point to examples where this lobbying of the Supreme Court has been used in the important area of our antitrust laws. In that area of public policy against monopoly the lobbying has apparently influenced the Court materially in recent years. As a result, it appears that the public has lost a number of important cases which were brought to curb monopoly and monopolistic practices.

Through our research we learned that once it became apparent to the would-be lobbyist that the Supreme Court of the United States would pay attention to and rely upon arguments contained in law review articles, books, and other works of law writers without inquiring into the background of the authors, the supply of such propaganda multiplied. The increase in the supply of arguments in law review articles brought an increase in their influence upon some members of the Court. An example of that is in the opinion written by Justice Frankfurter in the case of the *Automatic Canteen Co. of America* v. *the Federal Trade Commission* (346 U. S. 61). In that case Justice Frankfurter—formerly a professor of law at Harvard Law School—included citations to six law review articles. One citation was to notes written by the editors of the Harvard Law Review. Other citations were to articles written by advocates in causes which were served by that decision as rendered by Justice Frankfurter. In other words, the device of presenting arguments in law review articles with an appearance of objectivity influenced a decision furthering the causes of the law writers but the parties were not duly advised beforehand that the Justice would consider such arguments. Therefore, the arguments well could be said to have been presented and considered ex parte. Not only were the arguments considered by Justice Frankfurter ex parte, but in fairness to him it should be said it appears that he had no notice that the writers of some of the arguments he cited and relied upon were partisans with axes to grind.

One of the most devastating blows suffered by those provisions of our antitrust laws designed to nip monopolistic practices in the bud and before they arrive at full bloom was the decision by the Supreme Court of the United States in the case of *Standard Oil Company of Indiana* v. *Federal Trade Commission* (340 U. S. 231) in 1951. In that case the Supreme Court cited a number of authorities it relied upon in arriving at its conclusion and decision against the Government and in favor of the Standard Oil Company of Indiana. Among those authorities were arguments which had been made by various persons in speeches, law review articles, and in testimony before committees. Prominent in the reasoning of the Court and important to its decision in that case in favor of the Standard Oil Company of Indiana was the Court's reasoning that the Robinson-Patman Act, the antitrust law under which that case had been brought, was inconsistent with the Sherman Antitrust Act. In that connection it cited an authority. In a footnote at page 249 appears the following:

> It has been suggested that, in theory, the Robinson-Patman Act as a whole is inconsistent with the Sherman and Clayton Acts. See Adelman, Effective Competition and the Antitrust Laws, 61 Harv. L. Rev. 1289, 1327-1350.

Writings by Adelman propagandizing against the application of the antitrust laws to monopolistic practices were reprinted and widely distributed by the Great Atlantic & Pacific Tea Co. Undoubtedly that propaganda assisted A. & P. in defending an antitrust case. Big business concerns contributed to a fund from which Adelman was paid to help in the preparation of writings on this subject.

Much of the lobbying directed to the Supreme Court in recent years has taken the form of law review articles, pamphlets and books presented as if they were objective works of unbiased, unprejudiced, nonpartisan writers. Actually, many of them have been carefully planned and devised by opponents of our public policy against monopoly with a "view to formulate future antitrust policy." In that connection recommendations were made for "coordination and revision" of our public policy against monopoly and our antitrust laws. Those recommendations in those works were directed principally to our Federal judiciary and with a view to influencing the thinking and action of the Supreme Court of the United States. Much of the activity of the lobbyists in that regard is outlined in detail at pages 11 to 53 of House Report No. 2966, 84th Congress, 2d session. That report was made by the Select Committee on Small Business of the House of Representatives regarding the background, the composition, the purposes and the action of the Attorney General's National Committee to Study the Antitrust Laws. Also in that report it is detailed how a report prepared by that Committee of the Attorney General was sent to every Federal judge who has jurisdiction for deciding an antitrust case. However, those judges were not informed either in the report or by the Attorney General in any accompanying letter that a majority of all of the members of the Attorney General's Committee who wrote the report have been actively engaged in opposing the application of our antitrust laws.

The report of the Attorney General's Committee to Study the Nation's Antitrust Laws, to which I have made reference, at page 181 states:

> This Committee approves the result of the Standard Oil decision as consonant with the Nation's antitrust policy.

Mr. Adelman and Mr. McAlister, to whose writings reference was made by the Supreme Court of the United States in the opinion of the Standard Oil case, were members of the Attorney General's Committee and were, therefore, in part responsible for the statement in the report of that Committee concerning the Standard Oil case. Thus, they and others who have opposed the application of our antitrust laws to price discrimination situations provided not only some arguments from which the Supreme Court in the Standard Oil case reasoned its opinion and decision but also later took advantage of what was thus achieved. They used the result of the Standard Oil case through the report of the Attorney General's Committee to propose similar action by all other Federal courts.

It appears the full impact of this lobbying of the Supreme Court by agitators against our antitrust laws was realized last year when the Court handed down its decision in the case of the *United States* v. *E. I. DuPont de Nemours & Company* (351 U. S. 377) sometimes referred to as the Cellophane case. As many as 15 citations were made by members of the Court in the opinions and decisions of that case to law review articles and other writings as "authorities" from which it appears stemmed considerable reasoning by the Court providing a way for the decision against the Government and against the application of the antitrust laws in that case. Law review articles by one of the cochairmen of the Attorney General's Committee were cited by the Court in that case as was the report of the Attorney General's committee. There were a number of citations to the latter.

It is not possible for us to appraise the extent and the significance of the damage which has been done by virtue of the fact that the report of the Attorney General's National Committee To Study the Antitrust Laws has been accepted and relied upon by the Supreme Court of the United States as an authority in deciding the more important antitrust cases. One thing we do know—the Supreme Court in relying upon that report has accepted as an authority a collection of arugments compiled by a group, a majority of the members of which have opposed our public policy against monopoly and monopolistic practices. It was the announced determination of that group to formulate future antitrust policy. It is clear that a part of its plan to effect that result was to reeducate the Supreme Court and the public into believing that certain monopolistic practices, including the practice of price discrimination, are merely competitive and that our antitrust laws which were designed to curb those practices are therefore anticompetitive.

The House Small Business Committee in the 84th Congress held extensive hearings concerning the report of the Attorney General's National Committee To Study the Antitrust Laws. On the basis of those hearings the House Small Business Committee submitted to the House of Representatives House Report No. 2966 on December 19, 1956. Appearing at pages 219 to 228 are the committee's findings regarding the report of the Attorney General's National Committee To Study the Antitrust Laws. Those findings are to the following effect:

> Notwithstanding the wealth of factual and other information heretofore considered by the Congress upon the basis of which it has made legislative findings concerning the practical and economic significance of the practice of price discrimination, users and defenders of price discrimination have argued that the practice is not evil; that it is a competitive practice and that laws prohibiting it—including the Robinson-Patman Act—are anticompetitive.
>
> Arguments to that effect were advanced by representatives of big business and users of the practice of price discrimination in their opposition to the passage of the Robinson-Patman Act. Immediately after its passage and before its enforcement was undertaken, those arguments were renewed. When made directly and in such manner as they could be readily appraised, they impressed the public no more than they had impressed the Congress when it was considering passage of the Robinson-Patman Act. However, as the Federal Trade Commission stepped up its efforts to enforce the law against price discrimination, the attacks on the Robinson-Patman Act and other antidiscrimination laws became more vigorous and also more subtle.
>
> No longer was the attack on the Robinson-Patman Act direct and in the form of a frontal assault. It became veiled in a clever scheme of propaganda. That propaganda was part and parcel of a public-relations program (see pp. 16–38 and appendix A of this report) designed to reeducate the public and others concerned with laws against price discrimination. That program aimed at reeducation was designed to convince the public and others concerned with our laws against the practice of price discrimination, that price discrimination is not bad but is actually a competitive practice, and that laws against it are anticompetitive.
>
> In order to supply a basis for their arguments, the defenders of monopoly hired prominent professors of economics, who were teaching in a number of our large and fine educational institutions, to assist in building a new body of literature on the subject of price discrimination in the field of economics.
>
> First, the hired professors appeared and testified in a number of cases in behalf of law violators, and there argued that the discriminatory practices involved were not anticompetitive from the viewpoint of economists. They argued that instead, price discrimination should be expected to occur in situations where we find workable or effective competition. They argued that it was only under the economic concept of pure or perfect competition that economists did not expect price discrimination to be evident, therefore, the argument continued, since we do not now have any situation of pure or perfect competition, we should expect the practice of price discrimination. To those arguments Prof. Holbrook Working, of Stanford University, has provided an answer. In his testimony he said:
>
> "Consider why the theory of perfect competition was constructed. Its purpose was to analyze the effects of competition under conditions which are somewhat artificially simplified for purposes of analysis but which were supposed to fairly well approximate actual or attainable conditions in a considerable part of the economy. The results of this analysis were to show that competition of the sort considered had desirable results. Among those results that were considered desirable are some that depend directly on absence of price discrimination. The belief that price discrimination tends to be objectionable runs as a thread through all the history of economic thought on the effects of competition. Any implication that economists have held only that price discrimination was objectionable under the peculiar and special conditions of perfect competition, and under those conditions only, is untrue."
>
> When arguments did not prove successful enough to acquit law violators in the in-

stances where they were used in litigated cases, the defenders of monopoly arranged for the presentation of the arguments in other forums where they would appear as objective statements by writers who were unbiased. The arguments began to appear in highly respected publications in the form of law review articles and economic reviews.

Through such writings, the defenders of monopoly have presented the practice of price discrimination in a new dress which gives it an appearance of respectability. The economists, who have been hired to defend the practice have described it is a normal competitive practice. In order to provide a basis for that, they have built upon and polished up a bit the arguments which were advanced by them but rejected in litigated cases—namely, the old argument that price discrimination is to be expected in situations of workable or effective competition.

Lobbyists were hired by defenders of monopoly to further their arguments against antitrust laws prohibiting price discrimination. Those lobbyists proceeded to argue that laws against price discrimination are anticompetitive and should be repealed or modified.

The monopolistic practice of price discrimination has been defended through speeches and writings which have been published in highly respected law reviews and economic reviews. Publication of writings thus arranged for by the defenders of monopoly have in a measure secured the results intended. Since such writings often were published without disclosure of the author's partisanship, persons in high places were impressed. On occasions persons were influenced by the arguments in favor of price discrimination and against the laws which prohibit that practice. Actually, enforcement officials and even members of courts have been found citing as authorities the writings of these partisans to support decisions in favor of the cause of the same partisans. It is inconceivable that enforcement officials and members of the courts would have given so much credit to such partisan writings if the bias and partisanship attached to such writings had been fully known and recognized for what they are. Be that as it may, without the knowledge that such writings were purely propaganda, they have been accepted and have influenced decisions which have had the effect of crippling our laws against price discrimination. (See Appendix D of this report entitled "Tabular Showing of How the Robinson-Patman Act Has Been Interpreted Away.")

This report (pp. 11–38) details the evidence of record showing how the lobby in defense of the practice of price discrimination was conceived, planned, formulated, and operated. It shows how that lobby and its fellow travelers carefully and subtly prepared the basis from which to attack the Robinson-Patman Act. They presented their writings as if they were neutral, objective writers working for the public interest.

From such a group came the idea for the creation of a Committee on Revision of Antitrust Policy. Shortly after that idea was advanced, the Attorney General, on July 9, 1953, announced the appointment of the Attorney General's National Committee To Study the Antitrust Laws. He has stated that in the creation of that committee:

"Our aim was to gather articulate spokesmen for responsible points of view to formulate future antitrust policy" (see p. 52 of this report).

The articulate spokesmen who were selected by the Attorney General to be members of that committee "to formulate future antitrust policy" found that a majority of their number were or had been representing violators of our antimonopoly laws (see pp. 43–51 and appendix B of this report). Thus, the Attorney General's National Committee To Study the Antitrust Laws was stacked from the outset with persons whose experience was in opposition to our antitrust laws and our antimonopoly policy.

Therefore, the committee concludes and find that—

1. The Attorney General's National Committee To Study the Antitrust Laws was not fairly composed to represent the diverse national interests which are injured by monopoly and protected by our antimonopoly laws and which, accordingly, have a fundamental equity in the vigorous enforcement of these laws and their revision as necessary to meet the fast-changing conditions of the world in which we live.

2. The 61-man committee appointed by Attorney General Brownell with the approval of President Eisenhower was dominated by corporation lawyers who had spent a substantial part of their careers representing large corporate defendants charged with the violation of the antimonopoly laws. Thus, of the 46 lawyers on the Committee, 39 had represented corporate defendants in cases involving charges of antitrust violation and 26 of these had pending cases of this character during their service on the Attorney General's Committee.

Of the remaining members of the Committee, one-third of the law professors who were members, had appeared as advocates for alleged violators of antitrust laws in proceedings and investigations in the past, and almost one-half of all the economists included the membership of the Committee had appeared as advisers or otherwise as advocates in defense of antitrust law violators.

Almost all of the other economists who were members of the Committee dissented in some respect from the position of the report. When one deducts the law professors, who had appeared for antitrust law violators, one finds only a small number of the remainder actually subscribed to the position taken in the report. Two of these law professors wrote sharp dissents to the position taken in the report by the Attorney General's Committee. The Attorney General and his cochairmen of the Committee refused to have these dissents published in full as a part of the report of the Committee.

There was only 1 member of the 61-man committee who could possibly be described as a representative of American small business. There was no representative of American labor; there was no representative of American farmers; there was no representative of American consumers.

3. The Attorney General's Committee was largely a one-sided committee, representing almost exclusively the large business interests of the United States, who, of course, are the principal violators of our antimonopoly laws and who represent the principal monopoly threat in this country.

4. The Attorney General's Committee also contained, among its most active members, lawyers who had been well-known lobbyists for monopoly, big business. Thus Mr. William Simon was a key member of the Attorney General's Committee. Mr. Simon has been probably the most energetic lobbyist in the country for the monopolistic basing-point lobby. He was a registered lobbyist for this monopoly-minded special-interest group in the period of 1949–51.

Another member of the Attorney General's Committee was Mr. George Lamb, a Washington lawyer, who in 1948 was the author of a lobby blueprint, laying down the outline of what a basing-point lobby should consist of and how it should operate in order to restore to legality the monopolistic practice of basing-point pricing. This blueprint was written by Mr. Lamb and his associate, Mr. Sumner Kitelle. It was then placed in the hands of Mr. William Simon, who at that time was the general counsel of the Capehart committee, which was studying basing-point pricing practices in the light of the Supreme Court's decision in the Cement case earlier in 1948 which had outlawed such pricing practices as a principal tool of monopoly.

Mr. William Simon, in his capacity as chairman of the antitrust section of the American Bar Association, following the publication of the report of the Attorney General's Committee in 1955, presented a resolution to the house of delegates of the American Bar Association which would have placed it on record as endorsing the principles enunciated in the report of the Attorney General's committee. In February of 1956 the house of delegates adopted this resolution.

5. When the operations of the lobby provided for in the Lamb "lobby blueprint" of 1948 are considered, along with the operations of the Attorney General's National Committee To Study the Antitrust Laws, they all appear to be part and parcel of the same scheme for lobbying against our antitrust laws.

6. The Attorney General's Committee did not even attempt to study, much less answer, the basic questions which confront the Nation in the monopoly field; namely, where does the United States stand today with respect to monopoly and economic concentration? How far have we gone in that direction? How serious is the situation? What should we do about it?

Indeed, the committee, in the report it issued and caused to be published, stated:

"Our aim is not to add to the storehouse of statistical data or to survey the economic effects of antitrust applications to specific industries * * * [rather] to make out as clearly as possible the path that antitrust has traveled and what it augurs for the future." (See p. 52 of this report.)

The report demonstrates that the Attorney General's committee adhered to that aim except where it proceeded to make recommendations for future antitrust policy. This report (pp. 60–72) contains an analysis of a number of the recommendations made in the report of the Attorney General's committee and shows how they contrast with the recommendations which were contained in the final report of the Temporary National Economic Committee. The TNEC made a study of our economy problems and the concentration of economic power in the hands of a few. It made recommendations designed to remedy that situation. Among those recommendations were those for strengthening our antitrust laws. In contrast, the report of the Attorney General's committee made no findings concerning the monopoly conditions in the country and most of its recommendations were for weakening rather than strengthening our antitrust laws.

In the words of one of the members of the Attorney General's committee, who dissented from the majority views presented in the report of that committee, Prof. Louis B. Schwartz, of the University of Pennsylvania Law School:

"The majority report would weaken the antitrust laws in a number of respects, and, even more important, it fails to adopt necessary measures for strengthening the law so as to create a truly competitive economy in this country. On 30 specific issues discussed in this dissent, the report takes a position inimical to competition, either by approving existing narrow interpretations or by suggesting additional restrictions."

Professor Schwartz and others who dissented took the position that the Attorney General's National Committee To Study the Antitrust Laws had missed a great opportunity to render a public service. In that connection it was pointed out that there had been a failure to study the monopoly problem and to make recommendations for the strengthening of our antimonopoly laws. (See pp. 4–5 and appendix C of this report.)

A statement on the character of the report of the Attorney General's committee was made by Senator ESTES KEFAUVER, a member of the Judiciary Committee, United States Senate, and a widely recognized authority on problems relating to small business and monopoly.

Senator **Kefauver** said: "To paraphrase General Bradley, the basic thing wrong with the majority report is that it asks the wrong questions, at the wrong time, of the wrong people. Among the right questions to which the report should have been directed are these: What is to be done about monopolistic control in those industries where it is not merely a threat to the future but is with us here and now? What should public policy be toward those industries where monopolistic control has already been established by the Big Three, the Big Four, the Big Five? What should be done about the continuing trend of concentration to even greater heights? What steps need to be taken in order to halt the wave of mergers now sweeping the country? Why have so few mergers been proceeded against under the new antimerger law, the Celler-Kefauver law, which was referred to in the report as the antimonopoly law of 1950?

"Does responsibility lie with Congress for failing to appropriate enough money, with some organic defect in the law, or with the present administration for failure to enforce the law? What should public policy be toward the problem of price leadership, where one big company calls the tune and everyone else follows? If the law against price discrimination is rendered completely ineffective, will not the power to obtain price concessions replace efficiency in determining economic survival.

"These, Mr. Chairman, are just a few of the fundamental questions which the committee, that is the Attorney General's committee, passes over or handles in such a way as to give us no helpful clue for the framing of public policy. The report is written as if its authors were completely out of touch with reality—with the nature of the world in which we live and have our being.

"The report of the majority of the Attorney General's committee does not even recognize this most ominous of trends. And, since it ignores what is obvious to everyone else, it can afford to ignore, as it does, the important related questions: What have been the causes of this upward trend in economic concentration? To what extent has it been due to mergers, to the use of predatory practices, such as price discrimination, to the use of swollen reserves made posssible by fabulous profits, to changes in the tax laws which have favored big business, to the procurement policy of the Defense Department, to the failure of the administrative agencies to enforce the law, and to other causes? And what should be done to arrest this onward march of monopoly? What new legislation needs to be passed to halt the growth of giant monopolistic corporations while there is still time? On all of these questions, which represent the essence of the monopoly problem, the report is silent. Like the ostrich, the committee apparently operated on the basis of the assumption that that which it chose not to see does not exist. (See pp. 5 and 6 of this report.)

Although the Attorney General's Committee To Study the Antitrust Laws and the report of that committee admitted that it was not its purpose or function to study and report upon the economic and business conditions which require our antimonopoly policy, the report of the Attorney General's committee nevertheless seeks to lend respectability to and peddle the new economic concept of "workable" or "effective" competition. That concept, as previously noted, originated with and was sponsored by writers defending violators of our antitrust laws.

It originated in the arguments of industries hard pressed by public resentment and by legal necessity to rationalize their basing-point systems. In connection with cement, steel, glucose, and conduit, the monstrous conclusion was reached that the matching of delivered quotations by a number of sellers at a given destination was the inevitable result of competitive behavior.

Almost invariably, these economic "analyses" have reasoned in effect: (1) perfect competition results in a single price in any one market; (2) all buyers at a given destination pay identical amounts to all sellers who sell on a delivered basis; (3) therefore, basing-point systems providing for and resulting in a matching of delivered-price quotations by a number of sellers are competitive. The causal sequence implicit in this series of nonsequiturs has been developed by a judicious application of a few competitive principles alternately to one side of the market or the other, as the rationalization required, but never to both sides at once.

For instance, consider the definition of "price" which is crucial to their conclusion. The report of the Attorney General's committee defined the relevant price to be the "actual, laid-down cost to the buyer." This would be all right, as far as it goes, except that it entirely ignores the seller's side of the market, without which obviously no competition can exist.

In averring that competition is present, on the other hand, the arguments switch to the other side of the transaction, and claim that delivered pricing systems are made competitive by the presence of many sellers quoting in a given market. Here, the buyer's side of the market is conveniently overlooked. On closer scrutiny, it is plain that the multibuyer characteristic of the competitive arrangement is absent, and the "market" contemplated is the individual buyer's destination.

Much has been made of the homogeneity of products, for instance in the Cement and Conduit cases. In the Cement case, it was found that this alleged homogeneity was mainly myth. But even if it were true that the physical qualities were unvarying as among suppliers, still the element of transportation has been excluded from the characteristics of the product, but included in the price—the "actual, laid-down cost"—which the buyer pays for that product. Thus, the "relevant" price which is supposed to derive from this "effective" competition bears no relationship to the "homogeneity" whose presence is presumed to contribute to the competitiveness of the situation.

This discrepancy was dismissed by the Attorney General's committee with the magnificently irrelevant remark that such theoretical refinements leave the buyer cold, since he is not interested in costs or receipts of the seller, but only in the cost to himself. If the buyer were free to bargain separately for the homogeneous product and for its delivery service, it is highly unlikely that he would long remain cold to this technicality. For example, in the case of the glucose basing-point systems, it was hardly a matter of indifference to buyers in Decatur who received delivery from Staley's Decatur plant, that they paid for glucose-plus-freight from a Chicago basing point.

Moreover, this product homogeneity led to the conclusion, argued explicitly in the Conduit case, that "no buyer will pay more for the product of one seller than he will for that of another." The germ of truth in this half of the story is, however, not relevant to the delivered pricing situation. For if competition exists in a meaningful sense, there is an inevitable corollary: That no seller will take less for the product from one buyer than from another. The pretense that mill net is not relevant merely because it is not quoted only serves to veil the obvious fact that in delivered pricing systems, the seller does indeed receive varying amounts from buyers at different locations.

Thus, the conclusions of effective competition rest on selective use of competitive characteristics, and the arguments leap with agility from one side of the market to the other. Because delivered prices are uniform at a given destination, the market is so defined at the buyer's location. This ignores the fact that competition requires not only many sellers but also many buyers. Clearly, there are not many buyers at the individual buyer's doorstep, where the actual laid-down cost to the buyer constitutes the relevant price. The arguments ignore the fact that homogeneity of a product means homogeneity of services supplied by the seller, as well as homogeneity of services received by the buyer. They ignore the fact that the term "price" applies not only to the amount the buyer pays, but also to the amount the seller actually receives for the product he sells. While it is true that a buyer will not pay more to one seller than to another, it is equally true that in a competitive market a seller will not accept less from one buyer than from another. Thus when the market is viewed as a two-sided relationship, it is clear that the tests imposed by effective competition are no test of competitiveness at all.

7. The report of the Attorney General's committee was released on March 31, 1955, with considerable fanfare and publicity. There were speeches of praise by the Attorney General of the United States, Assistant Attorney General Stanley N. Barnes, and his cochairman, Prof. S. Chesterfield Oppenheim, when they addressed an evening meeting of the antitrust section of the American Bar Association in Washington, D. C., on the day the report was released. Immediately, thousands of copies of the report were printed by the Government Printing Office and were distributed widely. At the suggestion of Professor Oppenheim, Attorney General Brownell took steps to distribute copies of the report to every judge who would have jurisdiction over, and be responsible for making decisions, in future antimonopoly cases. Likewise, educational leaders, who would be expected to teach what our antimonopoly laws are and should be, were supplied with copies of the report. Also officials of Government agencies who are charged with the responsibility of determining what action should be brought under our antimonopoly laws were supplied with copies of the report. (See pp. 60–63 of this report.)

8. The purpose in publishing and distributing the report of the Attorney General's committee in the manner and to the extent utilized was to affect the thinking and views of enforcement officials, judges, and others who would be concerned about our antitrust laws and antitrust policy. (See p. 61 of this report.)

One of the prominent members of the Attorney General's committee, when asked as to whether the report of the Attorney General's committee as distributed to the Federal judges would impress them, answered, "I hope so" (p. 61 of this report).

One of the witnesses who testified in the hearings before the House Small Business Committee with reference to the report of the Attorney General's National Committee To Study the Antitrust Laws stated that report is "a headline-saturated document that is going to affect and color the thinking of American courts and American lawyers and law school students and law school professors for many years to come."

9. The report of the Attorney General's National Committee To Study the Antitrust Laws is being cited in pending cases in the courtroom to influence the decisions of the courts. One remarkable aspect of such citations is that the Attorney General's report is being cited as an authority to support in court the views of those who helped write it. One instance of that has occurred in an antimonopoly case pending in a United

States Circuit Court of Appeals. In that case, an attorney who was a member of the Attorney General's committee cited the report of that committee which he helped write as an authority to support the position which he was taking in the case at bar. In that connection he failed to disclose to the court that he helped write the document upon which he was relying. The report of the Attorney General's Committee has been cited and relied upon in other court cases. (See pp. 62–63 of this report.)

Other lawyers who have cases in court involving problems arising under the Robinson-Patman Act are busy writing law-review articles in which they are paraphrasing and summarizing attacks upon the Robinson-Patman Act in the Attorney General's report. In addition to citing, as an authority, the report they helped write, they also cite and rely upon other writings of others who were members of the Attorney General's committee. Some of that self-lifting technique is utilized without informing the readers that the authors of the writings are partisans advocating the same causes in pending court cases. Perhaps this is not the rule-of-reason approach, but certainly it is an approach in the direction of an effort of one to try his lawsuit not in the newspapers but in law reviews.

Recently there appeared in the Yale Law Journal an article written by an attorney who was a member of the Attorney General's committee. That article adroitly failed to disclose that the author is affiliated with a law firm presently opposing the Government in a pending case arising under the Robinson-Patman Act. The article attempts to deprecate the Robinson-Patman Act and proceeds to argue many issues of fact and law arising under that act and present in pending litigation. It is copious in its use of footnotes citing "authorities" upon which it relies for support for the position presented. A substantial number of all of the authorities thus cited, a total of 57, were either to statements contained in the report of the Attorney General's committee or to writings by members of the Attorney General's committee. Actually the author of the article appearing in the Yale Law Journal cited seven times his own writings as authorities. If this matter were not so serious as to its probable effect upon future enforcement and interpretation of our antimonopoly laws, this instance could be dismissed lightly as an amusing incident of one attempting to lift himself by his own bootstraps and the bootstraps of his colleagues.

10. The committee deplores these efforts to influence the weakening of the enforcement and interpretation of our antitrust laws and our antimonopoly policy.

11. The antimonopoly laws are essential to the preservation not only of our economic but also of our political liberty. A nation in which all economic power is concentrated in the hands of a relatively few giant business firms cannot long survive as a political democracy. The history of other nations makes this clear. Given a choice between private socialism in the form of business monopoly, or public socialism in the form of government monopoly, or some other form of totalitarianism, a nation will always eventually select the latter. If we are to preserve, therefore, our political liberty, we must make certain that economic concentration of power does not get beyond the danger point in the United States.

12. A fair and searching study of our antitrust laws and the monopoly situation in the United States is essential. It is made more essential by the appearance and distribution of the stacked and loaded report of the Attorney General's committee with the great prestige accorded that committee by the fact that its membership was personally approved by President Eisenhower at the instance of Attorney General Brownell.

Reference is made to the fact that approximately two-thirds of all of the practicing lawyers who were included in the membership of the Attorney General's committee have appeared directly or through their law firms as advocates for alleged violators of antitrust laws in proceedings and investigations in the past.

From the records of the hearings relating to the composition of the Attorney General's National Committee to Study the Antitrust Laws there has been compiled a listing of the members of that committee along with a showing of the antitrust cases in which they or their law firms had appeared in opposition to the application of the antitrust laws.

According to the membership list appearing in the report of March 31, 1955, the personnel of the Attorney General's National Committee to study the antitrust laws consisted of 61 members and 2 cochairmen. Part I, below, is a listing of the members of the committee who directly or through their law firms have appeared for alleged antitrust law violators in proceedings and investigations which are now pending. This listing is divided so as to show separately the lawyers who are engaging in practice regularly, those who are teaching law, and the members who are economists.

Part II is a list of the members of the committee who directly or through their law firms have appeared as advocates for alleged violators of antitrust laws in proceedings and investigations in the past.

PART I: PENDING CASES

Practicing lawyers

H. Thomas Austern, Covington & Burling, Washington, D. C. Antitrust cases: Du Pont Co., cellophane case; Du Pont Co., Chicago divestiture case (GM, United States Rubber); Watchmakers of Switzerland, Information Center (represented by firm); Michigan Tool Co. (criminal and civil).

Wendell Berge, Berge, Fox & Arent, Washington, D. C. Antitrust case: Joseph A. Krasnov.

Bruce Bromley, Cravath, Swaine & Moore, New York, N. Y. Antitrust cases: International Business Machines Corp., Lee Shubert.

Hammond E. Chaffetz, Kirkland, Fleming, Green, Martin & Ellis, Chicago, Ill. Antitrust cases: Du Pont Co., Chicago, divestiture case (GM, United States Rubber); Darling & Co.; Employing Plasterers Association; National City Lines; *Zenith* v. *RCA et al.*

John W. Davis, Davis, Polk, Wardell, Sunderland & Kiendle, New York, N. Y. (Although Mr. Davis is deceased he is listed because the firm continues in the active representation of defendants in pending cases.) Antitrust case: Standard Oil Co. (New Jersey).

George E. Frost, Chicago, Ill. Federal Trade Commission case: E. Edelmann & Co.

Edward F. Howrey, chairman, Federal Trade Commission, Washington, D. C. Federal Trade Commission cases: Rubber Tire Industry; Quantity Limit Proceeding, file 203–1; Investigation of the Firestone Tire & Rubber Co.

Edward R. Johnston, Johnston, Thompson, Raymond & Mayer, Chicago, Ill. Antitrust cases: Butane Corp.; Fannin's Gas Co.; National City Lines; *Zenith* v. *RCA et al.*

A. Stewart Kerr, Crawford, Swenny & Dodd, Detroit, Mich. Antitrust cases: Kelsey, Hayes Co., Logan Co. (represented by firm); Michigan Tool Co. (criminal and civil).

Kenneth Kimble, McFarland & Sellers, Washington, D. C. Federal Trade Commission case: 203–1, quantity limits, rubber tires, National Association of Independent Tire Dealers, Inc.

Francis R. Kirkham, Pillsbury, Madison & Sutre, San Francisco, Calif. Antitrust case: Standard Oil of California.

George P. Lamb, Kittelle & Lamb, Washington, D. C. Federal Trade Commission cases: Chain Institute, Inc., et al.; Pet Milk Co.

Mason A. Lewis, Lewis, Grant, Newton, Davis & Henry, Denver, Colo. Antitrust case: General Mills (represented by firm).

Breck P. McAllister, Donovan, Leisure, Newton & Irvine, New York, N. Y. Antitrust cases: Standard Oil Co. (New Jersey); watchmakers of Switzerland Information Center (represented by firm).

James A. Rahl, Snyder, Chadwell & Fagerburg, Northwestern University, School of Law, Chicago, Ill. Antitrust case: *United States* v. *E. I. duPont de Nemours & Co., et al.* (civil action No. 49C–1071 N. D. of Ill., E. D.); Federal Trade Commission case: D. 6175, National Dairy Products Corp. et al.

Charles B. Rugg, Ropes, Gray, Best, Coolidge & Rugg, Boston, Mass. Antitrust cases: Lawrence Fuel Oil Industries, Inc. (represented by firm); Lowell Fuel Oil Dealers (represented by firm).

Albert E. Sawyer, New York, N. Y. Federal Trade Commission case: Crown Zellerbach Corp. et al.

Herman F. Selvin, Loeb & Loeb, Los Angeles, Calif. Antitrust case: Twentieth Century-Fox (represented by firm).

Whitney North Seymour, Simpson, Thacher & Bartlett, New York N. Y. Antitrust cases: International Boxing Club; *Zenith* v. *RCA et al.*

Morrison Shafroth, Grant, Shafroth & Toll, Denver, Colo. Antitrust case: Union Carbide & Carbon (indictment and information).

William Simon, Washington, D. C. Federal Trade Commission case: Warren Petro Corp.

Blackwell Smith, Smith, Sargent, Doman, Hoffman & Grant, New York, N. Y. Antitrust case: American News Co.

Jerrold G. Van Cise, Cahill, Gordon, Reindel & Ohl, New York, N. Y. Antitrust cases: Pan American World Airways (represented by firm); Procter & Gamble Co.; Radio Corporation of America; Standard Oil Co. (New Jersey); *Zenith* v. *RCA et al.*

Curtis C. Williams, Jr., Jones, Day, Cockley & Reavis, Cleveland, Ohio. Federal Trade Commission: Thompson Products, Inc.

Laurence I. Wood, counsel, apparatus sales division, General Electric Co., New York, N. Y. Antitrust case: *Zenith* v. *RCA et al.*

Law professor

S. Chesterfield Oppenheim, cochairman. (Pending investigation at the Federal Trade Commission relating to Firestone Tire & Rubber Co., for alleged violation of the Clayton Antitrust Act including the Robinson-Patman Act and the Federal Trade Commission Act.)

PART II: CASES IN PAST LITIGATION

(NOTE.—Where name of firm and address are not shown see part I for that information.)

Practicing lawyers

Cyrus Anderson, assistant counsel, Pittsburgh Plate Glass Co., Pittsburgh, Pa. Antitrust case: Libby-Owens-Ford Glass Co.

Douglas Arant, White, Bradley, Arant & All; White, Bradley, Arant, All & Rose, Birmingham, Ala. Federal Trade Commission cases: D. 5449, Metal Lath Manufacturers Association et al.; D. 5508, American Iron & Steel Institute et al.

H. Thomas Austern. Antitrust cases: American Can Co.; Bendix Aviation Corp.; Henry S. Morgan; A. B. Dick Co.; Imperial Chemical Industries, Ltd.; Phillips Screw Co.; the Sherwin-Williams Co. Federal Trade Commission cases: Van Kannel Revolving Door Co.; California Packing Corp. et al.; American Tobacco Co.; Agricultural Insecticide and Fungicide Association et al.; Automatic Canteen Company of America; National Biscuit Co.; Independent Grocers Alliance Distributing Co. et al.; E. I. du Pont de Nemours & Co., Inc., et al.; Association of Coupon Book Manufacturers et al.; J. Richard Phillips, Jr., & Sons, Inc., et al.; American Chicle Co.; the Larsen Co.; Malleable Chain Manufacturers Institute et al.; Sylvania Electric Products, Inc., et al.; Atlas Supply Co. et al.; H. J. Heinz Co. et al.

Cyrus Austin, Appell, Austin & Gay, New York, N. Y. Federal Trade Commission cases: Standard Oil Co.; Acme Asbestos Covering & Flooring Co., et al. (court proceedings only); Ruberoid Co.

Wendell Berge, Posner, Berge, Fox & Arent; Berge, Fox, Arent; Berge, Fox, Arent & Layne. Federal Trade Commission case: D. 5356, International Association of Electrotypers & Stereotypers, Inc., et al.

Bruce Bromley. Antitrust cases: Allegheny Ludlum Steel Corp.; Bendix Aviation Corp.; Electrical Apparatus Export Association (represented by firm); General Electric Co. (incandescent); General Railway Signal Co.; Hartford Empire Co. (represented by firm); Henry S. Morgan (represented by firm); Univis Lens Co. (represented by firm); DeBeers Consolidated Mines; National Lead Co.; U. S. Alkali Export Association; U. S. Gypsum Co. Federal Trade Commission cases: Paramount Famous Lasky Corp.; West Coast Theaters, Inc., et al.

Hammond E. Chaffetz. Antitrust cases: American Optical Co. (represented by firm); Armour & Co.; Chicago Mortgage Bankers Association; Yellow Cab Co.; Swift & Co.; Wilson & Co., Inc.; Association of Limb Manufacturers of America. Federal Trade Commission cases: Retail Coal Merchants Association, et al.; Standard Oil Co. (Indiana); National Tea Co., et al.; B. F. Goodrich Co.; Atlas Supply Co., et al; B. F. Goodrich Co.

Herbert W. Clark, Morrison, Rohfeld, Foerster & Clark, San Francisco, Calif. Antitrust cases: Food Machinery & Chemical Corp. (represented by firm); National Association of Vertical Turbine Manufacturers (criminal); National Association of Vertical Turbine Manufacturers (criminal); Northern California Plumbing & Heating Wholesalers Association; Outdoor Advertising Association of America (represented by firm). Federal Trade Commission case: Cement Institute et al.

Thomas F. Daly, Lord, Day, & Lord, New York, N. Y. Federal Trade Commission cases: D. 5502, Corn Products Refining Co. et al.; D. 5587, Colgate-Palmolive-Peet Co.

John W. Davis. Antitrust cases: Henry S. Morgan; Breaklining Manufacturers' Association (3 cases); Mortgage Conference of New York; New York Central Railway; Paramount Pictures, Inc; DeBeers Consolidated Mines (civil). Federal Trade Commission cases: Butterick Co. et al.; Eastman Kodak Co. et al.; General Electric Co. et al.; Radio Corporation of America; Rubber Manufacturers' Association, Inc. et al.; Standard Brands, Inc. et al.; National Biscuit Co.; Allied Paper Mills et al.; American Iron & Steel Institute et al.; Atlas Supply Co. et al.

Raymond R. Dickey, Danzansky & Dickey, Buckley & Danzansky, Washington, D. C. Federal Trade Commission case: D. 5482, Carpel Frosted Foods, Inc. et al.

Charles Wesley Dunn, New York, N. Y. Federal Trade Commission cases: Beech-Nut Packing Co.; Lautz Brothers & Co.; Goodall Worsted Co.; Armand Co.; Armand Co., Inc. et al.; Penick & Ford, Ltd. et al.

George E. Frost, Chicago, Ill. Federal Trade Commission case: D. 5770, E. Edelmann & Co.

Fred E. Fuller, Fuller, Harrington, Seney & Henry, Toledo, Ohio. Antitrust cases: Libby-Owens-Ford Glass Co.; Hartford Empire Co. Federal Trade Commission case: American Surgical Trade Association et al.

Robert W. Graham, Bogle, Bogle & Gates, Seattle, Wash. Antitrust cases: Alaska Steamship Co.; Chrysler Corp. Parts Wholesalers, Northwest Region; K. & L. Distributors, Inc. Federal Trade Commission cases: Carl Rubenstein et al.; New England Fish Co. et al.; Washington Brewers Institute et al.

Benjamin H. Long, Dykema, Jones & Wheat, Detroit, Mich. Federal Trade Commission case: D. 6107, Blotting Papers Manufacturers Association, et al.

Edward F. Howrey. Federal Trade Commission cases: Robinson Clay Products Co. et al.; American Refractories Institute et al.; Automatic Canteen Co. of America; Structural Clay Products, Inc. et al.; Luden's, Inc.; F. B. Washburn Candy Corp.; Kimball's Candy Co.

Edward R. Johnston. Antitrust cases: Chicago Mortgage Bankers Association; National Association of Vertical Turbine Manufacturers (criminal) (represented by firm); Northern California Plumbing & Heating Wholesalers Association; Wallace & Tiernan, Inc. (criminal and civil); Central Supply Association; International Harvester Co.; National Cheese Institute. Federal Trade Commission cases: United States Maltsters Association et al.; Youngs Rubber Corp.; Metal Lath Manufacturers Association et al.; American Surgical Trade Association et al.

Francis R. Kirkham. Antitrust cases: Food Machinery & Chemical Corp.; Cement Institute (represented by firm); Walter Kidde & Co. (represented by firm); Northern California Plumbing & Heating Wholesalers Association (civil); Northern California Plumbing & Heating Wholesalers Association (criminal).

George P. Lamb. Antitrust cases: Diamond Match Co.; Johnson & Johnson. Federal Trade Commission cases: Card Clothing Manufacturers' Association et al.; American Veneer Package Association et al.; Wire Rope & Strand Manufacturers Association, Inc., et al.; Tag Manufacturers Institute et al.; Rubber Manufacturers Association, Inc., et al.; American Iron & Steel Institute et al.; National Paper Trade Association of the United States, Inc., et al.; Vitrified China Association, Inc., et al.; Advertising Specialty National Association et al.

Mason A. Lewis. Antitrust case: Cement Institute. Federal Trade Commission case: Ideal Cement Co. et al.

Breck P. McAllister. Antitrust cases: Eastman Kodak Co. (represented by firm); Electric Storage Battery Co. (represented by firm); Henry S. Morgan; Technicolor, Inc. (represented by firm); Diamond Match Co.; Imperial Chemical Industries, Ltd.; New York Great A. & P. Co.; Paramount Pictures, Inc.; Wallpaper Institute. Federal Trade Commission case: Cement Institute et al.

Parker McCollester (deceased). Federal Trade Commission cases: Corn Products Refining Co. et al.; Corn Products Refining Co. et al.; Colgate-Palmolive-Peet Co.

Gilbert H. Montague, New York, N. Y. Federal Trade Commission cases: Shredded Wheat Co.; Bureau of Statistics of the Book Paper Manufacturers et al.; Cudahy Packing Co.; Cudahy Packing Co.; Mennen Co.; Philadelphia Wholesale Drug Co. et al.; Paramount Famous Lasky Corp.; Oneida Community, Ltd.; New York State Sheet Metal Roofing and Air Conditioning Contractors' Association et al.; General Electric Co. et al.; Metal Window Institute et al.; Biddle Purchasing Co. et al.; Joseph Dixon Crucible Co. et al.; Salt Producers Association et al.

James A. Rahl (for name of firm see part I). Federal Trade Commission case: D. 5979, American Surgical Trade Association et al.

Charles B. Rugg. Antitrust cases: Gamewell Co.; General Electric Co. (incandescent); Minnesota Mining and Mfg. Co.[1] (represented by firm); Boston Fruit and Produce Exchange; H. P. Hood & Sons, Inc.; Library Binding Institute.

Albert E. Sawyer. Federal Trade Commission cases: Allied Paper Mills et al.; Tag Manufacturers Institute et al.; Rubber Manufacturers Association, Inc. et al.; American Biltrite Rubber Co., Inc.

Bernard G. Segal, Schnader, Harrison, Segal & Lewis, Philadelphia, Pa. Antitrust cases: Baugh & Sons Co.; Phildaelphia Association of Linen Suppliers; Record Dealers' Association.

Herman F. Selvin. Antitrust case: Union Ice Co. (represented by firm).

Whitney North Seymour. Antitrust cases: American Can Co.; Bausch & Lomb Optical Co.; General Electric Co. (incandescent); General Electric Co. (fluorescent); Scophony Corp. of America (represented by firm); American Optical Co.; Optical Wholesaler's National Association; Permutit Co.

Morrison Shafroth. Antitrust case: Cement Institute.

William Simon. Federal Trade Commission case: Building Material Dealers Alliance et al.; Daniel A. Brennan et al.; Salt Producers Association et al.; Standard Oil Co. (Indiana) [2]; General Motors Corp. et al.

Blackwell Smith, Smith, Sargent, Domon, Hoffman & Grant Wright, Gordon, Zachry & Parlin Wright, Gordon, Zachry, Parlin & Cahill. Federal Trade Commission cases: D. 3764, Chilean Nitrate Sales Corp. et al.; D. 4610, Crouse-Hinds Co. et al.; D. 4900, American Refractories Institute et al.

Jerrold G. Van Cise. Antitrust cases: Electrical Apparatus Export Association; Hartford Empire Co.; Libby-Owens-Ford Glass Co.; Henry S. Morgan; New York Great A&P Tea Co.; Rubber Manufacturers Association, Inc. (represented by firm); Times-Picayune Publishing Co. (submitted amici curiae brief in Supreme Court) (represented by firm); General Cable Corp.; Linde Air Products Co.; Metropolitan Leather & Bindings Association, Inc.; Mortgage Conference of N. Y. Federal Trade Commission cases: Champion Spark Plug Co.; American Surgical Trade Association et al.

Curtis C. Williams, Jr. Antitrust cases: Timken Roller Bearing Co. (represented by firm); Allegheny Ludlum Steel Corp. (represented by firm); General Electric Co.; Republic Steel Corp.; Rubber Manufacturers' Association.

Law professors

Prof. Milton Handler, New York, N. Y. Antitrust case: A. B. Dick Co. (involving an investigation of a member of the liquor industry); Jack I. Levy, Sonnenchein, Berkson, Lautmann, Levenson & Morse, Chicago, Ill. Antitrust case: Uhlemann Optical Co.; American Optical Co.; Federal Trade Commission case: Independent Grocers Alliance Distribution Co. et al.

S. Chesterfield Oppenheim, cochairman (represented Burroughs Adding Machine Co. in connection with an investigation that was made of it under the antitrust laws).

Economists

Prof. Morris A. Adelman, economic department, Massachusetts Institute of Technology, Cambridge, Mass. (He wrote articles defending the position A&P took in its defense in antitrust proceedings, which articles were then distributed by A&P).

Prof. John Maurice Clark, Westport, Conn. (Was employed by the Cement Institute and in that connection assisted in preparing the

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[1] This appearance was for the purpose of service of process on the defendant only since the case was tried in Boston. A New York law firm, however, handled the case throughout.

[2] Court proceedings only.

> economic defense in the Cement Institute case.)
>
> Dean Ewald T. Grether, School of Business Administration, University of California, Berkeley 4, Calif. (Was employed by the Cement Institute to testify in its defense in the Cement Institute case.)
>
> Prof. Clare E. Griffin, School of Business Administration, University of Michigan, Ann Arbor, Mich. (Was employed by the Cement Institute to testify in its defense in the Cement Institute case. He also was employed by the defendants to testify in their defense in the Rigid Steel Conduit case and the American Tobacco case.)

I have called attention to the fact that Morris A. Adelman was a member of the Attorney General's National Committee To Study the Antitrust Laws. Also I have referred to the fact that he received pay to produce propaganda in opposition to the application of our antitrust laws to price discrimination situations and that he wrote law-review articles which furthered that propaganda. Then it was shown how the Supreme Court cited and relied upon some of those writings by Adelman.

Also I have called attention to the fact that the Supreme Court in the case of *United States* v. *E. I. du Pont de Nemours & Co.* (351 U. S. 377 (1956)), commonly referred to as the Cellophane case, decided against applying the antitrust laws to the Du Pont Co. and in so doing cited and relied upon the report of the Attorney General's National Committee To Study the Antitrust Laws and writings by members of that group as authorities for the Court's position.

The instances I have cited are not isolated. Propaganda in the form of the report of the Attorney General's National Committee To Study the Antitrust Laws and the writings by members of that group are continuing to be cited and relied upon as "authorities" in court cases. Those who oppose the application of our antitrust laws to situations involving monopoly and monopolistic practices are making much use of such "authorities." It is for that reason that the matter appears so serious.

Hon. Thurmond Arnold, former Assistant Attorney General of the United States and a former judge of the United States court of appeals, testified before the Select Committee on Small Business of the House of Representatives October 31, 1955, concerning this matter. In that connection he stated:

> I have been arguing a case on the Robinson-Patman Act in New York, and I found the report of the Attorney General was the principal authority used against me, and the court, whether taking the report or not, instructed the jury that you could justify a price discrimination by a study made years after the discrimination was put into effect, and that part of the cost justification could be the fact that larger competitors could finance the sale of the article more easily than the smaller competitors (transcript of record of hearings before the House Select Committee on Small Business, House of Representatives, October 31, 1955, pp. 10 and 11).

The gentleman from Ohio [Mr. McCulloch], a member of the Select Committee on Small Business, during the course of those hearings, made some observations dealing with that subject. Those observations are quoted as follows:

> Mr. McCulloch. Mr. Chairman, I would like to make this fact clear. This is not the Attorney General's report, or is it? Isn't it the report of a committee to study the antitrust laws?
>
> The Chairman. That's right.
>
> Mr. McCulloch. It could create a false impression.
>
> Mr. Arnold. You could. I will change that to the Attorney General's National Committee. If I am permitted to change that in my testimony, I will (transcript of record of hearings before the House Select Committee on Small Business, House of Representatives, October 31, 1955, p. 35).
>
> Mr. McCulloch. It is my memory that a number of States of the Union have, down through the years, by their officials, appointed commissions to study matters of public concern with the request that the commission study those problems and make recommendations to the State officials.
>
> * * * * *
>
> Mr. McCulloch. That does not mean by what I have said heretofore, that I agree with the conclusions or the recommendations of the committee or any part of it. It does not mean, on the other hand, that I disagree. It does mean that if there is to be a change in the statutory law of the country, I shall expect the Attorney General of the United States to make his recommendations known in a manner that has long been established in this country.
>
> Primarily that is through communications to the Speaker of the House of Representatives and, as I said yesterday, in other instances, to the chairmen of committees responsible for legislation dealing with the question in accordance with the Reorganization Act of 1946 (transcript of record of hearings before the House Select Committee on Small Business, House of Representatives, November 2, 1955, pp. 512 and 513).

When Prof. Louis B. Schwartz was testifying before the Select Committee on Small Business, House of Representatives, October 31, 1955, the matter of the distribution of the report was brought to his attention and the gentleman from California [Mr. Roosevelt], a member of the committee, inquired about the possible effect the report would likely have. A portion of the transcript of the testimony dealing with that is quoted as follows:

> Mr. Roosevelt. Mr. Chairman, isn't it true, however, that that report will be in a lot of school libraries and will be referred to in court in many instances and will have a considerable influence?
>
> Professor Schwartz. I think that is not only true, but that was in a sense the desired object.
>
> Mr. Yates. Desired object by whom?
>
> Professor Schwartz. By—I am expressing my sense of how most committee members felt this report would probably work. I can't speak for them. But we were all aware that lawyers would be citing this report in their briefs, and that the real impact of this might very well be in the decisions made by courts and administrative agencies. Not many people were sanguine about getting Congress to make changes, for example, in the Robinson-Patman Act, but it was hoped that by approving certain administrative tendencies and by putting this out as a rather authoritative statement of what is, and at the same time what ought to be, a long-range influence would be had. Of course, it has already happened (transcript pp. 149 and 150).

The Antitrust Subcommittee of the Committee on the Judiciary, House of Representatives, also held hearings concerning the report of the Attorney General's National Committee To Study the Antitrust Laws. During the course of those hearings on May 16, 1955, after information had been received dealing with the propriety of the use of copies of such report in court proceedings, the gentleman from New York [Mr. Keating], a member of the Judiciary Committee, made some observations about the matter. They are quoted as follows:

> Mr. Keating. Well, they have no probative value, do they?
>
> Mr. McConnell. They didn't in this instance, but they may have in some other cases, I don't know. It depends on how much weight a court wants to give them.
>
> Mr. Keating. Well, no court worthy of its salt would ever give any weight or cite in its opinion a recommendation of some committee which had no legal force and effect whatever.
>
> The Chairman. I think the statement of the gentleman from New York is absolutely sound, but I can prognosticate that many of the conclusions of this Attorney General's Committee are going to be cited in all manner and kinds of briefs in the future.
>
> Mr. McConnell. Why certainly.
>
> Mr. Keating. In briefs? (P. 405 of the printed record of hearings before the Antitrust Subcommittee of the Committee on the Judiciary, House of Representatives, pt. I, May 16, 1955, serial No. 3.)

On Thursday, March 31, 1955, the report was released with considerable fanfare and publicity. It consisted of 393 printed pages and was made the subject of praise in speeches by Attorney General Brownell, Assistant Attorney General Stanley N. Barnes, and Prof. S. Chesterfield Oppenheim when they addressed a meeting of the antitrust section of the American Bar Association in Washington, D. C., on March 31, 1955.

Immediately thousands of copies of the report were printed at the Government Printing Office, the cost of which was borne out of funds which had been appropriated by the Congress to the Department of Justice for the use of its Antitrust Division in the enforcement of the antitrust laws. The thousands of copies thus printed were distributed widely.

Attorney General Brownell, at the suggestion of Professor Oppenheim, took steps to distribute copies of the report to every judge who would have jurisdiction over and responsible for making decisions in future antitrust cases. Likewise educational leaders who would be expected to teach what our antitrust laws are and should be were supplied with copies of the report. Officials of Government agencies who are charged with the responsibility of determining what actions should be brought under our antimonopoly laws also were supplied with copies of the report.

When one of the leading members of the Attorney General's committee was testifying in the hearings before the Select Committee on Small Business, House of Representatives, it was put to him that because of the manner in which this report had been prepared, that is, under the auspices of the Attorney General—although he has disavowed that it represents the official views of the Department of Justice—and caused to be distributed by him to every Federal judge, it would naturally be looked upon by a judge as something pretty powerful. The member of the Attorney General's committee who was testifying replied "I hope so."

That witness was not the only member of the Attorney General's National Committee to Study the Antitrust Laws who entertained and held to the "hope" that the report of that committee would serve to influence the courts in deciding antitrust cases. Another prominent member of the Attorney General's committee, Mr. George Lamb, of Washington, D. C., was prosecuting a case in the United States Court of Appeals for the 8th Circuit—Chain Institute Inc. et al. against Federal Trade Commission, No. 14,821—in 1955 when the report of the Attorney General's National Committee to Study the Antitrust Laws was prepared. He, as a member of that committee, helped prepare the report. Then, he, as a lawyer in the case in the United States Court of Appeals for the 8th Circuit, to which reference has been made, cited and quoted the report of the Attorney General's National Committee to Study the Antitrust Laws which he had helped prepare as an "authority" to support the position he was arguing in court. He did that without informing the court that he and other writers similarly situated had prepared the "authority" upon which he was relying.

However, that effort on the part of Mr. Lamb and his law partners was not his first effort to propagandize against the application of the antitrust laws in that case. He started his propaganda when the investigation of his clients in that matter was first undertaken by the Government in 1948.

Mr. Lamb testified under oath before the Select Committee on Small Business, House of Representatives, in Washington, D. C., November 4, 1955—transcript page 904—that he and his law partners, Summer S. Kittelle and Frazer F. Hilder, collaborated and participated in the preparation of a most amazing document. That document has been referred to in the open hearings before the Select Committee on Small Business, House of Representatives, as a blueprint for lobbying and as a master plan for lobbying in the interest of propagandizing the positions held by Mr. Lamb and his law partners. According to the information elicited from Mr. Lamb, the document in question, that master plan for propagandizing his position, was prepared during the summer of 1948. In that connection he testified:

> We thought it was a very objective statement with regard to the problem involving delivered pricing methods, and I think if we had a chance to go back and look at it, I think I would still be just as proud of it today (transcript, pp. 904–905 of the record of the hearings before the Select Committee on Small Business, House of Representatives, November 4, 1955).

Mr. Lamb also testified that in preparing the master plan he talked with his clients and with other people similarly situated and that he considered the work he did in that respect would benefit them, although he received no pay for doing that work except those amounts received as fees in the cases in which he represented them as counsel.

Now what does Mr. Lamb's blueprint for lobbying or master plan for lobbying and propagandizing provide, and what are its objectives?

It is believed that one can best be informed in that respect through quotations from the contents of that document, as follows:

> SUGGESTED PROGRAM TO REESTABLISH THE LEGALITY OF DELIVERED-PRICE MARKETING METHODS
>
> In considering what should be the objective, it is wise to remember that certain things, no matter how logically they may be defended will never be politically popular because they just do not look right. One of these is the kind of so-called phantom freight which results from the Pittsburgh-plus system or from the existence of nonbasing points mills in a multiple-basing-point system. The public just will not stomach the thought of a buyer in Chicago buying from a Chicago factory and being forced to pay freight from Pittsburgh.
>
> Another thing which is politically difficult to defend is the type of zone system in which, for example, the lowest price is charged in the East, a higher price in the Middle West, a still higher price in the Far West, and a still higher price on the Pacific coast, where there are mills located in all or most of those zones. Such a system is merely a modification of Pittsburgh-plus, and will be so recognized without difficulty by the man in the street if he takes any interest in the subject at all (p. 3).
>
> * * * * *
>
> The first step in marshaling evidence is to determine what one wishes to prove. An equally important step is to determine what the opposition will seek to establish so as to be prepared to rebut it. These determinations would, of course, be made and crystallized in the trial brief to be presented to the Capehart subcommittee before the hearings.
>
> The fact that there will be bitter opposition, and the nature of such opposition, should be kept in mind at all times (p. 9).
>
> * * * * *
>
> A single-purpose organization will provide the best means of carrying the foregoing program through to a successful result. It has been seen that existing organizations such as NAM and the United States Chamber of Commerce are not in a position to undertake the stewardship of such a program, and there appears to be no other organization tailormade for the task. An organization formed for the one specific object of expressing the view of business on the delivered-pricing question and of frankly presenting business' ideas for legislation would have the advantage of singleness of purpose and a clean slate public-relationswise (p. 14).

Mr. Lamb and other counsel who joined with him on the main brief for petitioners, Chain Institute, Inc., and others, in the case to which I have referred, not only prepared that master plan for lobbying and propagandizing to relegalize the delivered pricing systems of price fixing they were defending before the court, but also moved into other active lobbying roles in that respect. They wrote law review articles which furthered their propaganda and their arguments against the application of the antitrust laws to their clients. In those writings they did not inform the courts and others to whom their arguments were directed that the writers of the arguments were partisan advocates whose clients would benefit from acceptance of the arguments.

Fortunately, the Select Committee on Small Business of the House of Representatives during the 84th Congress was able to investigate, hold hearings, and issue a report dealing with this important matter. That report was then made available to each of the judges of the Federal judiciary to whom the Attorney General of the United States had sent a copy of the report of the Attorney General's National Committee To Study the Antitrust Laws. Many of the judges who received a copy of the Small Business Committee report learned for the first time about the background, the purposes, and the nature of the propaganda of the report of the Attorney General's National Committee To Study the Antitrust Laws. Some of those judges expressed their gratitude for the action of the House Small Business Committee in advising them about the matter. The contents from one of the many letters received from the judges expressing such gratitude is quoted as follows:

> Thank you for sending me the report of your Select Committee on Small Business on Price Discrimination, the Robinson-Patman Act, and the Attorney General's National Committee To Study the Antitrust Laws.
>
> I had of course received and read the Attorney General's committee majority report and I have read with particular interest the dissenting statement or opinion of Professor Swartz.
>
> Thank you very much for affording me this privilege. I have laid your report alongside the Attorney General's report for future reference. I do not suppose it would be appropriate for me to make further comment.

Earlier, I spoke of the principle of separation of powers upon which our Government was founded. My support of that principle is well known. However, as I have pointed out, adherence to that principle does not require that the legislative branch ignore faults or needs of the judiciary. The Constitution imposes upon the legislative branch the responsibility and the duty to act when circumstances warrant for the preservation of an independent and proper functioning judiciary. Neither the independence nor a proper functioning of the judiciary can be expected if the legislative branch continues to ignore efforts of pressure groups to propagandize and mold the thinking and decisions of the judiciary. Even if the judiciary could and should undertake to move and curb writings of pressure groups designed to propagandize the judiciary, the latter would need the help of the legislative branch. That is true because unless the legislative branch should act to help protect the judiciary from such pressure groups, then the pressure groups would eventually utilize their power and influence to destroy the judiciary. We have seen pressure groups use the smear when their coaxing failed.

We have seen how some pressure groups have organized to destroy the quasi-judicial regulatory commissions when those commissions failed to "follow the line" of the pressure groups. The judiciary is the next step from the quasi-judicial regulatory commissions. It has been noted how pressure groups with the help of the Attorney General of the United States recently made "recommendations" to the judiciary regarding the general application of laws on public policy. We do not want the pressure groups to propagandize, "stack pack," take over, or destroy either the quasi-judicial regulatory commissions or the judiciary.

It has been suggested that committees of the Congress should proceed, under their presently constituted powers, to investigate the extent and degree of participation by individuals and groups in the formation of a new body of literature upon the basis of which to propagandize the Supreme Court and to persuade that Court to rely on such literature and propaganda for its reasoning and decisions. It is my view that an investigation of that character is long overdue. I believe the record should be complete and clear concerning those who agitate and who lobby to get special consideration ex parte from the Supreme Court of the United States.

Not only has it been suggested that committees of the Congress should proceed to investigate the extent and degree of participation by individuals and groups in formulating propaganda and using it to influence the Supreme Court of the United States but also deep concern has been expressed recently about the willingness of the Supreme Court of the United States to rely upon such propaganda for its reasoning and decisions. Criticism of the Court has not stopped with that. Prominent Members of the House and the Senate have felt compelled to voice their concern about this matter. For example, Senator WATKINS, of Utah, on July 15, 1957, CONGRESSIONAL RECORD, page 11653, in addressing the Senate, stated:

> Mr. President, the recent divided Supreme Court decisions on subjects of major national concern has led to considerable public confusion and a searching new study of our highest Court and its decisions.

On the same day the gentleman from Michigan [Mr. HOFFMAN], presented a statement in which great concern was expressed about the manner in which the Supreme Court of the United States recently has undertaken to perform its functions.

On June 20, 1957, as is shown by the CONGRESSIONAL RECORD at page 9887, the gentleman from Georgia [Mr. DAVIS] addressed the House. He pointed out that for over a century and a half our Supreme Court enjoyed a public esteem and respect unsurpassed by any institution of Government but that the standards, methods, and factors used recently by the Supreme Court in arriving at its conclusions had cast the Court in a questionable light. Earlier the chairman of the Judiciary Committee of the United States Senate in the 1st session of the 84th Congress on May 26, 1955, in addressing the Senate as is shown by the CONGRESSIONAL RECORD, volume 101, part 6, pages 7119–7124, documented a charge he made to the effect that the Supreme Court of the United States had departed from approved and accepted methods and standards through its ex parte consideration and reliance upon textbooks and writings not subjected to the test of cross-examination or arguments of opposing parties during the course of hearings on the cause before the Court.

One June 11, 1956, the gentleman from New York [Mr. MULTER] in addressing the House, as is shown by the CONGRESSIONAL RECORD, volume 102, part 7, pages 10044–10045, pointed to dangers inherent in the plans and programs of partisan advocates to propagandize our courts and to influence them in weakening the application of our antitrust laws.

In conclusion, I repeat that an investigation of plans, programs, and schemes to propagandize and influence our Federal judiciary against our public policy is long overdue and should be undertaken by a special investigating committee of the Congress without further delay.

THE 1ST SESSION OF THE 85TH CONGRESS AND ITS MOST IMPORTANT ISSUE

Mr. NATCHER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. NATCHER. Mr. Speaker, the virtually unprecedented public interest in the budget for fiscal year 1958 lends special significance to its designation as the most important issue of the 1st session of the 85th Congress. In considering the accomplishments of this first session, we must remember the many long hours spent on such subjects as the $71.8 billion budget, school construction assistance, civil rights, foreign aid authorization and appropriation, and the atomic-energy program for 1958.

Many issues were presented in the House of Representatives through the introduction of some 10,409 bills and resolutions. Only a few were acted upon, but the remainder will stay alive for the 2d session of the 85th Congress. Some of the major bills enacted into law were the Middle East doctrine; United States membership in the International Atomic Energy Agency; Federal housing; extension of the life of the Small Business Administration; maintaining a personnel ceiling of 2.8 million men for our Armed Forces through July 31, 1960; providing for additional military construction for the preservation and security of our Nation; extension of the authority of the Export-Import Bank to June 30, 1963; increasing the compensation for veterans with service-connected disabilities; extension of termination date of sales of surplus commodities for foreign currency and relief for disaster areas to June 30, 1958, with the limitation on sales for foreign currency increased to $4 billion and the limitation on relief for disaster areas increased to $800 million; increasing Federal participation in payments of old-age assistance, aid to the blind, dependent children and totally disabled; approving the Niagara power project; housing assistance for veterans in rural areas and small towns; compulsory inspection of poultry and poultry products; and increasing the borrowing power of the St. Lawrence Seaway Development Corporation. A number of other bills were passed which will prove beneficial to our country. The bills setting forth the budget requests for 1958 received much attention and time.

The budget message of the President for fiscal year 1958 was received by Congress on January 16, 1957. An alltime record peacetime expenditure of $71.8 billion was requested with the proposed expenditure increases distributed broadly and consisting for the most part of many small increases. Budget receipts were estimated at $73.6 billion, based partly on the assumption that surpluses would exist both in 1957 and 1958. A casual examination of this budget clearly showed that it was in precarious balance depending on postal rate increases and other anticipations, which will probably not take place plus the hope for a steadily rising income. The people generally believed this budget to be inconsistent with good government so they demanded that cuts be made, thereby stabilizing and encouraging the sound growth of our economy.

When you examine the Federal budget, you really study three budgets: the expenditure budget; the budget of new authorizations and appropriations; and the budget of unexpended balances in prior appropriations from which expenditures may be made during the coming year without any current action by Congress.

In comparing the 1958 budget with amounts approved for prior years, we find that for 1957, $60,647,000,000 was approved; for 1956, $53,124,000,000; for 1955, $47,464,000,000; for 1954, $54,539,000,000; for 1953, $75,355,000,000; for 1952, $91,059,000,000; for 1951, $84,982,000,000; and for 1950, $37,825,000,000 was approved.

Federal spending on the scale proposed would have an inflationary effect on our whole economy, and higher living costs would be inevitable. A continually rising trend in expenditures poses a great threat to the economy of this country. Our people expressed their opinion concerning this budget, and their resentment reflects the emotional antipathy toward high taxes which is so general today.

In examining this budget, we find that the Federal payroll for civilian employees, including foreign nationals, amounts to slightly over $1 billion per month. Our Government is the largest business in the world, and it requires nearly 2½ million employees to operate it. Along with our big Government, we have the largest debt in the world, $275 billion, which is more than the debts of all the other countries combined.

The budget deals in terms of billions. A billion is a formidable figure and almost beyond our comprehension. One of the fine newspapers in my district carried an editorial recently entitled "Billion Minutes Since Christ's Birth." This editorial aids in our conception of a billion by showing that if you multiply 60 minutes times 24 hours times 365 days times 1,957 years, the answer is

1,028,599,200 minutes. Should you multiply this figure by 60 to obtain the number of seconds since Christ's birth, you will find that the proposed expenditure for 1958 is still larger.

This budget estimates that the revenue will be received from these sources: 29 percent from corporation income taxes, 51 percent from individual income taxes, 12 percent from excise taxes, and 8 percent from other taxes. This budget seeks appropriations expending this revenue as follows: 59 percent for national security, 10 percent for interest, 7 percent for veterans, 7 percent for agriculture, 2 percent for debt retirement, and 15 percent for other governmental functions.

Appropriations must originate in the House. Shortly after the President's budget message was submitted, the Committee on Appropriations, of which I am a member, divided into 13 subcommittees to pass upon the requests of the different departments and agencies of our Government. Our committee is composed of 50 members, 30 Democrats and 20 Republicans, who are assigned to the following subcommittees: Agriculture and Related Agencies; Department of Defense; Commerce and Related Agencies; Foreign Operations—Foreign Aid; General Government Matters; Independent Offices; Interior and Related Agencies; Labor and Health, Education and Welfare; Public Works; Justice, State and Judiciary and Related Agencies; Treasury and Post Office; District of Columbia; and Legislative Appropriations.

The three subcommittees on which I serve are agricultural appropriations, foreign operations appropriations, and District of Columbia appropriations. We start first with agricultural appropriations and consume some 60 days in hearings. After our bill is approved by the full committee and passed in the House, it is sent to the Senate. The procedure for the District of Columbia appropriations bill and foreign operations bill follows the same pattern. Ordinarily the foreign operations bill is the last appropriations bill received by the House of Representatives before adjournment.

The main difficulty faced by the members of the Committee on Appropriations and Congress in making reductions in this budget stems from the fact that much of the money to be expended has already been provided for in authorizations and appropriations permitting the purchase of goods to be paid for on delivery and the expending of borrowed funds. Another deterrent is the fact that so many expenditures are fixed by basic law. With more than 57 percent of the 1958 spending program thus out of reach, Congress operates at a considerable handicap in trying to cut the budget.

The high level of expenditure proposed for 1958 simply means no tax reductions for our people this year. A drop of less than 2 percent in receipts would cause serious budgetary repercussions. An increase in revenue has been largely absorbed by increased spending, thus precluding both tax reductions and significant retirement of the public debt.

Our committee called upon the President, the Bureau of the Budget and heads of departments to suggest places where reductions in this record peacetime budget could be made. We proceeded with our hearings and reductions were made.

The House of Representatives so far has appropriated $56,215,000,000 for Treasury and Post Office; Interior; General Government Matters; Independent Offices; Labor, Health, Education, and Welfare; District of Columbia; Commerce; State, Justice and Judiciary; Agriculture; Legislative; Department of Defense; Public Works; Supplemental for Post Office; Supplemental for 1958 and Mutual Security. The total requests for all of these departments and items amounted to $61,416,229,615. This is a reduction on the part of the House of Representatives of $5,200,714,309 or 8.4 percent. The Second Supplemental and Deficiency Appropriations for 1957 request amounted to $55,100,000, and we reduced this 11.1 percent, appropriating $48,990,000. The Urgent Deficiency Appropriation bill requesting $327 million was approved in the House in the sum of $320,090,000 for a cut of 2.1 percent. The Third Supplemental Appropriation bill for 1957 requested $206,699,320, and the House approved $94,840,788 for a reduction of 54.1 percent.

The price of peace is high. There is no indication of immediate relaxation of international tensions between the Communist East and the Free West. None of us would jeopardize our Nation's defenses. Our defense cost this fiscal year totals $33,759,850,000, and we must expect such costs until peace prevails throughout the world. We can save some $5 to $6 billion each year on our defense expenditures when we have complete and full unification of our military services in this country. Our President is the man to bring this about. A military leader who has witnessed duplications, wastes and extravagances costing this country billions of dollars is now in a position to demand and enforce complete unification in our armed services. So far nothing has been done to unify the extravagant purchasing system of the different military arms. We must continue to eliminate nonessentials in our budgets. We can spend our country into destruction. Our use of the paring knife on this distended budget was proper in every respect.

Mr. Speaker, the budget for 1958 was the most important issue presented during the 1st session of the 85th Congress, and its reduction was our greatest achievement.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to:

Mr. Walter of Pennsylvania (at the request of Mr. McCormack), indefinitely, on account of illness.

Mr. Pilcher, for 10 days, on account of official business.

Mr. Vinson, for 10 days, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mrs. Sullivan, for 40 minutes, on tomorrow.

Mr. Heselton (at the request of Mr. Martin), for 30 minutes, on tomorrow.

Mr. Meader (at the request of Mr. Taber), for 10 minutes, tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. King (at the request of Mr. Bartlett).

Mr. Cederberg and to include an editorial.

Mr. Rhodes of Arizona and to include extraneous matter.

Mr. Westland and to include extraneous matter.

Mr. Mack of Illinois and to include extraneous matter.

Mr. Dingell (at the request of Mr. Blatnik) and to include extraneous matter.

Mr. Powell (at the request of Mr. Blatnik) in three instances and to include extraneous matter.

Mr. Talle and to include extraneous matter.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 314. An act to assist the United States cotton-textile industry in regaining its equitable share of the world market; to the Committee on Agriculture.

S. 479. An act to convey right-of-way to Eagle Creek Intercommunity Water Supply Association; to the Committee on Agriculture.

S. 628. An act to direct the Secretary of the Army to convey certain property located at Boston Neck, Narragansett, Washington County, R. I., to the State of Rhode Island; to the Committee on Armed Services.

S. 1040. An act to amend the acts known as the Life Insurance Act, approved June 19, 1934, and the Fire and Casualty Act, approved October 9, 1940; to the Committee on the District of Columbia.

S. 1245. An act to provide a right-of-way to the city of Alamagordo, a municipal corporation of the State of New Mexico; to the Committee on Agriculture.

S. 1294. An act for the relief of Maria del Carmen Viquera Pinar; to the Committee on the Judiciary.

S. 1728. An act to provide certain assistance to State and Territorial maritime academies or colleges; to the Committee on Merchant Marine and Fisheries.

S. 2042. An act to authorize the conveyance of a fee simple title to certain lands in the Territory of Alaska underlying war housing project Alaska-50083, and for other purposes; to the Committee on Banking and Currency.

S. 2110. An act for the relief of Shirley Leeke Kilpatrick; to the Committee on the Judiciary.

S. 2352. An act for the relief of Deanna Marie Greene (Okhe Kim); to the Committee on the Judiciary.

S. 2353. An act for the relief of Charles Frederick Canfield (Kim Yo Sep); to the Committee on the Judiciary.

S. 2488. An act for the relief of Kim, Hyun Suck; to the Committee on the Judiciary.

S. 2606. An act to amend Private Law 498, 83d Congress (68 Stat. A108), so as to permit the payment of an attorney fee; to the Committee on the Judiciary.

S. 2635. An act for the relief of Stefani Daniela and Casablanca Ambra; to the Committee on the Judiciary.

S. Con. Res. 45. Concurrent resolution authorizing the printing of additional copies of the hearings on the mutual security program for fiscal year 1958 for the use of the Committee on Foreign Relations; to the Committee on House Administration.

S. Con. Res. 47. Concurrent resolution to print additional copies of part 1 and subsequent parts of hearings entitled "Investigation of the Financial Condition of the United States," held by the Committee on Finance during the 85th Congress, 1st session; to the Committee on House Administration.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 38. An act to amend the Tariff Act of 1930 to provide for the temporary free importation of casein;

H. R. 110. An act to amend section 372 of title 28, United States Code;

H. R. 277. An act to amend title 17 of the United States Code entitled "Copyrights" to provide for a statute of limitations with respect to civil actions;

H. R. 499. An act to direct the Secretary of the Navy or his designee to convey a 2,477.43-acre tract of land, avigation and sewer easements in Tarrant and Wise Counties, Tex., situated about 20 miles northwest of the city of Fort Worth, Tex., to the State of Texas;

H. R. 896. An act to amend title 10, United States Code, to authorize the Secretary of the Army to furnish heraldic services;

H. R. 1214. An act to authorize the President to award the Medal of Honor to the unknown American who lost his life while serving overseas in the Armed Forces of the United States during the Korean conflict;

H. R. 1318. An act for the relief of Thomas P. Quigley;

H. R. 1324. An act for the relief of Westfeldt Bros.;

H. R. 1394. An act to authorize the sale of certain keys in the State of Florida by the Secretary of the Interior;

H. R. 1591. An act for the relief of the Pacific Customs Brokerage Co., of Detroit, Mich.;

H. R. 1733. An act for the relief of Philip Cooperman, Aron Shriro, and Samuel Stackman;

H. R. 1937. An act to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes;

H. R. 2136. An act to amend section 214 (c) of title 28 of the United States Code so as to transfer Shelby County from the Beaumont to the Tyler division of the eastern district of Texas;

H. R. 3367. An act to amend section 1867 of title 28 of the United States Code to authorize the use of certified mail in summoning jurors;

H. R. 3877. An act to validate a patent issued to Carl E. Robinson, of Anchor Point, Alaska, for certain land in Alaska, and for other purposes;

H. R. 4144. An act to provide that the commanding general of the militia of the District of Columbia shall hold the rank of brigadier general or major general;

H. R. 4191. An act to amend section 633 of title 25, United States Code, prescribing fees of United States commissioners;

H. R. 4193. An act to amend section 1716 of title 18, United States Code, so as to conform to the act of July 14, 1956 (70 Stat. 538-540);

H. R. 4609. An act to further amend the act entitled "An act to authorize the conveyance of a portion of the United States military reservation at Fort Schuyler, N. Y., to the State of New York for use as a maritime school, and for other purposes," approved September 5, 1950, as amended;

H. R. 4992. An act for the relief of Michael D. Ovens;

H. R. 5061. An act for the relief of Harry V. Shoop, Frederick J. Richardson, Joseph D. Rosenlieb, Joseph E. P. McCann, and Junior K. Schoolcraft;

H. R. 5810. An act to provide reimbursement to the tribal council of the Cheyenne River Sioux Reservation in accordance with the act of September 3, 1954;

H. R. 5811. An act to amend subdivision b of Section 14—Discharges, When Granted—of the Bankruptcy Act, as amended, and subdivision 2 of section 58—Notices—of the Bankruptcy Act, as amended;

H. R. 5920. An act for the relief of Pedro Gonzales;

H. R. 6172. An act for the relief of Thomas F. Milton;

H. R. 6868. An act for the relief of the estate of Agnes Moulton Cannon and for the relief of Clifton L. Cannon, Sr.;

H. R. 7636. An act to provide for the conveyance to the State of Florida of a certain tract of land in such State owned by the United States;

H. R. 7654. An act for the relief of Richard M. Taylor and Lydia Taylor;

H. J. Res. 230. Joint resolution to suspend the application of certain Federal laws with respect to personnel employed by the House Committee on Ways and Means in connection with the investigations ordered by House Resolution 104, 85th Congress;

H. J. Res. 313. Joint resolution designating the week of November 22-28, 1957, as National Farm-City Week; and

H. J. Res. 351. Joint resolution to establish a Lincoln Sesquicentennial Commission.

H. J. Res. 430. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1153. An act for the relief of Zdenka Sneler;

S. 1167. An act for the relief of John Nicholas Christodoulias;

S. 1175. An act for the relief of Helene Cordery Hall;

S. 1241. An act for the relief of Edward Martin Hinsberger;

S. 1290. An act for the relief of Lee-Ana Roberts;

S. 1293. An act for the relief of Eithaniahu (Elton) Yellin;

S. 1306. An act for the relief of Pao-Wei Yung;

S. 1307. An act for the relief of Toribia Basterrechea (Arrola);

S. 1308. An act for the relief of Carmen Jeanne Launois Johnson;

S. 1335. An act for the relief of Sandra Ann Scott;

S. 1370. An act for the relief of Wanda Wawrzyczek;

S. 1387. An act for the relief of Rebecca Jean Lundy (Helen Choy);

S. 1421. An act for the relief of Ansis Luiz Darzins;

S. 1482. An act to amend certain provisions of the Columbia Basin Project Act, and for other purposes;

S. 1496. An act for the relief of Nicoleta P. Pantelakis;

S. 1685. An act for the relief of Sic Gun Chau (Tse) and Hing Man Chau;

S. 1736. An act for the relief of Rosa Sigl;

S. 1767. An act for the relief of Eileen Sheila Dhanda;

S. 1783. An act for the relief of Randolph Stephan Walker;

S. 1804. An act for the relief of Marjeta Winkle Brown;

S. 1815. An act for the relief of Nicholas Dilles;

S. 1817. An act for the relief of John Panagiotou;

S. 1838. An act for the relief of Charles Douglas;

S. 1848. An act for the relief of Michelle Patricia Hill (Patricia Adachi);

S. 1896. An act for the relief of Maria West;

S. 1902. An act for the relief of Belia Rodriquez Ternoir;

S. 1910. An act for the relief of Salvatore Salerno;

S. 1962. An act to authorize the Secretary of Agriculture to convey a certain tract of land owned by the United States to the Perkins chapel Methodist Church, Bowie, Md.;

S. 2003. An act for the relief of Jozice Matana Koulis and Davorko Matana Koulis;

S. 2063. An act for the relief of Guy H. Davant;

S. 2095. An act for the relief of Vaclav Uhlik, Marta Uhlik, Vaclav Uhlik, Jr., and Eva Uhlik;

S. 2165. An act for the relief of Gertrud Mezger;

S. 2229. An act to provide for Government guaranty of private loans to certain air carriers for purchase of modern aircraft and equipment, to foster the development and use of modern transport aircraft by such carriers, and for other purposes;

S. 2434. An act to amend the act entitled "An act to provide books for the adult blind";

S. 2438. An act to amend the District of Columbia Business Corporation Act; and

S. 2460. An act to authorize the transfer of certain housing projects to the city of Decatur, Ill., or to the Decatur Housing Authority.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on August 26, 1957, present to the President, for his approval, bills of the House of the following titles:

H. R. 2580. An act to increase the storage capacity of the Whitney Dam and Reservoir and to make available 50,000 acre-feet of water from the reservoir for domestic and industrial use;

H. R. 2938. An act for the relief of Cooperative for American Remittances to Everywhere, Inc.;

H. R. 4336. An act for the relief of the First National Bank of Birmingham, Ala.;

H. R. 5851. An act for the relief of the legal guardian of Mrs. Mattie Jane Lawson;

H. R. 6363. An act to amend the act of May 24, 1928, providing for a bridge across Bear Creek at or near Lovel Point, Baltimore County, Md., to provide for the construction of another bridge, and for other purposes;

H. R. 7864. An act to amend the act of May 4, 1956 (70 Stat. 130), relating to the establishment of public recreational facilities in Alaska;

H. R. 8126. An act to amend section 16 (c) of the Revised Organic Act of the Virgin Islands;

H. R. 8646. An act to amend the Alaska Public Works Act (63 Stat. 627, 48 U. S. C. 486, and the following) to clarify the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works;

H. R. 8679. An act to provide a 1-year extension of the program of financial assistance in the construction of schools in areas affected by Federal activities under the provisions of Public Law 815, 81st Congress;

H. R. 9023. An act to amend the act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, N. Mex., for furnishing hospital care to certain Indians; and

H. R. 9379. An act making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes.

ADJOURNMENT

Mr. O'HARA of Illinois. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to. Accordingly (at 6 o'clock and 30 minutes p. m.) the House adjourned until tomorrow, Wednesday, August 28, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1169. A letter from the Chairman, the United States Advisory Commission on Educational Exchanges, transmitting the 18th semiannual report on the educational exchange activities for the period January 1 through June 30, 1957, pursuant to Public Law 402, 80th Congress (H. Doc. No. 236); to the Committee on Foreign Affairs and ordered to be printed.

1170. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of Health, Education, and Welfare for salaries and expenses, Bureau of Old-Age and Survivors Insurance for the fiscal year 1958, has been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

1171. A letter from the Secretary of Defense, transmitting a report on real and personal property of the Department of Defense as of December 31, 1956, pursuant to the National Security Act of 1947, as amended; to the Committee on Armed Services.

1172. A letter from the Acting Secretary of Commerce, transmitting a report of all claims paid by the Department of Commerce during fiscal year 1957, pursuant to section 404 of the Federal Tort Claims Act (28 U. S. C. 2673); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. GREEN of Oregon: Joint Committee on the Disposition of Executive Papers. House Report No. 1260. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. COOPER: Committee on Ways and Means. H. R. 6006. A bill to amend certain provisions of the Antidumping Act, 1921, to provide for greater certainty, speed, and efficiency in the enforcement thereof, and for other purposes; with amendment (Rept. No. 1261). Referred to the Committee of the Whole House on the State of the Union.

Mr. LANE: Committee on the Judiciary. H. R. 8863. A bill to remove the present $1,000 limitation which prevents the settlement of certain claims arising out of the crash of an aircraft belonging to the United States at Worcester, Mass., on July 18, 1957; without amendment (Rept. No. 1262). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. Report pursuant to House Resolution 94, 85th Congress, pertaining to a Special Subcommittee on Coal Research; without amendment (Rept. No. 1263). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. H. R. 8139. A bill for the relief of Mrs. Catherine Pochon Dike; without amendment (Rept. No. 1245). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 281. An act for the relief of Jaffa Kam; without amendment (Rept. No. 1246). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 684. An act for the relief of Ilse Striegan Bacon; without amendment (Rept. No. 1247). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 880. An act for the relief of Necmettin Cengiz; without amendment (Rept. No. 1248). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 882. An act for the relief of Pauline Ethel Angus; without amendment (Rept. No. 1249). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1456. An act for the relief of Refugio Guerrero-Monje; without amendment (Rept. No. 1250). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1467. An act for the relief of Itsumi Kasahara; without amendment (Rept. No. 1251). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1582. An act for the relief of Helen Demouchikous; with amendment (Rept. No. 1252). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1635. An act for the relief of Maria Talioura Boisot; without amendment (Rept. No. 1253). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1636. An act for the relief of Delfina Cinco de Lopez; with amendment (Rept. No. 1254). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1835. An act for the relief of Maria Domenica Ricci; without amendment (Rept. No. 1255). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1921. An act for the relief of Maria Goldet; without amendment (Rept. No. 1256). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2028. An act for the relief of Sherwood Lloyd Pierce; without amendment (Rept. No. 1257). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2041. An act for the relief of Sala Weissbard; without amendment (Rept. No. 1258). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2204. An act for the relief of Margaret E. Culloty; without amendment (Rept. No. 1259). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT of Florida:

H. R. 9455. A bill to amend section 710 of the Merchant Marine Act, 1936, to require a payment bond from persons who charter certain vessels of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. BENNETT of Michigan:

H. R. 9456. A bill to amend title II of the Social Security Act to provide that an individual's disability insurance benefits under that title shall not be reduced because of any periodic benefits payable to him by the Veterans' Administration; to the Committee on Ways and Means.

By Mr. BOW:

H. R. 9457. A bill to authorize the construction and sale by the Federal Maritime Board of a passenger vessel for operation in the Pacific Ocean; to the Committee on Merchant Marine and Fisheries.

By Mr. BROOMFIELD:

H. R. 9458. A bill to exchange certain lands in the city of Detroit, Mich.; to the Committee on Government Operations.

By Mr. BROYHILL:

H. R. 9459. A bill to amend section 1161 (b) of title 10 of the United States Code to provide that retired commissioned officers dropped from the rolls shall not thereby forfeit their retired pay; to the Committee on Armed Services.

By Mr. SAYLOR:

H. R. 9460. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BURNS of Hawaii:

H. R. 9461. A bill to amend the joint resolution of the Legislature of the Territory of Hawaii, as amended by the act of August 23, 1954, to permit the granting of patents in fee simple to certain occupiers of public lands; to the Committee on Interior and Insular Affairs.

H. R. 9462. A bill to amend the Hawaiian Homes Commission Act, 1920, to authorize the Hawaiian Homes Commission to approve and guarantee loans not exceeding $10,000 made to Hawaiian homes homesteaders by private financing institutions; to the Committee on Interior and Insular Affairs.

H. R. 9463. A bill authorizing the donation of certain surplus personal property to the Territory of Hawaii; to the Committee on Government Operations.

By Mr. BYRD:

H. R. 9464. A bill to prohibit Government agencies from acquiring or using the National Grange headquarters site without specific Congressional approval, to provide for renovation of the old State Department Building, and for other purposes; to the Committee on Public Works.

By Mr. CEDERBERG:

H. R. 9465. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for retirement of certain officers and employees involuntarily separated from positions in the Canal Zone Government and the Panama Canal Company, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. COFFIN:

H. R. 9466. A bill to repeal the authority of Federal Reserve banks, under section 13 (b) of the Federal Reserve Act, to make business loans, and to amend the Small Business Act of 1953 to assist State programs for small business; to the Committee on Banking and Currency.

By Mr. FORAND:

H. R. 9467. A bill to amend the Social Security Act and the Internal Revenue Code so as to increase the benefits payable under the Federal old-age, survivors, and disability insurance program, to provide insurance against the costs of hospital, nursing home, and surgical service for persons eligible for old-age and survivors insurance benefits, and for other purposes; to the Committee on Ways and Means.

By Mr. HALE:

H. R. 9468. A bill to provide certain assistance to State and Territorial maritime academies or colleges; to the Committee on Merchant Marine and Fisheries.

By Mr. KEARNEY:

H. R. 9469. A bill to regulate the foreign commerce of the United States by establishing quantitative restrictions on the importation of knit handwear; to the Committee on Ways and Means.

By Mr. McCARTHY:

H. R. 9470. A bill to prohibit Government agencies from acquiring or using the National Grange headquarters site without specific Congressional approval, to provide for renovation of the old State Department Building, and for other purposes; to the Committee on Public Works.

By Mr. PORTER:

H. R. 9471. A bill to amend the Railroad Retirement Act of 1937 to provide for the investment of not less than $1 billion of the amounts in the railroad retirement account in mortgages insured by the Federal Housing Commissioner; to the Committee on Interstate and Foreign Commerce.

By Mr. REECE of Tennessee:

H. R. 9472. A bill relating to the promotion of certain officers and former officers of the Army of the United States, or of the Air Force of the United States, or of any component thereof, retired for physical disability; to the Committee on Armed Services.

By Mr. ROBESON of Virginia:

H. R. 9473. A bill to authorize the construction and sale by the Federal Maritime Board of a superliner passenger vessel equivalent to the steamship *United States;* to the Committee on Merchant Marine and Fisheries.

By Mr. SHELLEY:

H. R. 9474. A bill to authorize the construction and sale by the Federal Maritime Board of a passenger vessel for operation in the Pacific Ocean; to the Committee on Merchant Marine and Fisheries.

By Mr. SMITH of Mississippi:

H. R. 9475. A bill to terminate the authority for third-class bulk mail; to the Committee on Post Office and Civil Service.

By Mr. TAYLOR:

H. R. 9476. A bill to regulate the foreign commerce of the United States by establishing quantitative restrictions on the importation of knit handwear; to the Committee on Ways and Means.

By Mr. TOLLEFSON:

H. R. 9477. A bill to authorize the construction and sale by the Federal Maritime Board of a passenger vessel for operation in the Pacific Ocean; to the Committee on Merchant Marine and Fisheries.

By Mr. EDMONDSON:

H. R. 9478. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

H. R. 9479. A bill to amend the Internal Revenue Code of 1954 to increase the depletion allowance for coal and lignite; to the Committee on Ways and Means.

By Mr. SAYLOR:

H. R. 9480. A bill to amend the Internal Revenue Code of 1954 to increase the depletion allowance for coal and lignite; to the Committee on Ways and Means.

By Mr. SIMPSON of Pennsylvania:

H. R. 9481. A bill to amend the Internal Revenue Code of 1954 so as to provide accounting procedures whereby dealers in personal property may exclude from gross income amounts withheld by banks and finance companies on notes purchased from such dealers employing the accrual method of accounting; to the Committee on Ways and Means.

By Mr. FULTON:

H. R. 9482. A bill to encourage expansion of teaching and research in the education of mentally retarded children or mentally or emotionally ill children, and to encourage the development of programs of rehabilitation for such children through grants to nonprofit institutions and to State educational agencies; to the Committee on Education and Labor.

H. R. 9483. A bill relating to certain inspections and investigations in metallic and nonmetallic mines (excluding coal and lignite mines) for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes; to the Committee on Education and Labor.

H. R. 9484. A bill to establish a temporary Presidential Commission to study and report on the problems relating to blindness and the needs of blind persons, and for other purposes; to the Committee on Education and Labor.

H. R. 9485. A bill to amend the public assistance provisions of the Social Security Act to eliminate certain inequities and restrictions and permit a more effective distribution of Federal funds; to the Committee on Ways and Means.

H. R. 9486. A bill to prohibit unjust discrimination in employment because of age; to the Committee on Education and Labor.

By Mr. BOYKIN:

H. J. Res. 452. Joint resolution to permit the utilization of existing structures on the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. HARDY:

H. Res. 412. Resolution to authorize the House Committee on Government Operations to conduct studies and investigations outside the United States during the 85th Congress; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOGGS:

H. R. 9487. A bill for the relief of Mrs. Tyra Fenner Tynes; to the Committee on the Judiciary.

By Mr. BOW:

H. R. 9488. A bill for the relief of Stefanos Frengos; to the Committee on the Judiciary.

By Mr. BURNS of Hawaii:

H. R. 9489. A bill for the relief of Mrs. Ivy Leong Lowe; to the Committee on the Judiciary.

By Mr. CURTIS of Massachusetts:

H. R. 9490. A bill for the relief of Sidney A. Coven; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H. R. 9491. A bill for the relief of Harry and Lena Stopnitsky; to the Committee on the Judiciary.

By Mr. FOGARTY:

H. R. 9492. A bill for the relief of Paula Dorian; to the Committee on the Judiciary.

By Mr. MORRISON:

H. R. 9493. A bill for the relief of Meir Sutton; to the Committee on the Judiciary.

By Mr. NIMTZ:

H. R. 9494. A bill for the relief of Cecilio Williams; to the Committee on the Judiciary.

By Mr. PHILBIN (by request):

H. R. 9495. A bill for the relief of Cho Hung Choy; to the Committee on the Judiciary.

By Mr. POWELL:

H. R. 9496. A bill for the relief of Mrs. Ruth Feuer and her minor son, Ejlat Feuer; to the Committee on the Judiciary.

By Mr. SCOTT of Pennsylvania:

H. R. 9497. A bill for the relief of Albert R. Sabaroff; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H. R. 9498. A bill for the relief of Eduard Benc, his wife, Hilde Benc, and their minor children, Elfride, Judith, and Maria Benc; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

337. The SPEAKER presented a petition of the secretary, Sons of the American Revolution, Patrick Henry Chapter, Austin, Tex., requesting that they be placed on record as favoring legislation which will rectify the Supreme Court decision generally referred to as the Jencks case, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Lebanon Celebrates Its 14th Anniversary of Independence

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL, JR.
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 27, 1957

Mr. POWELL. Mr. Speaker, when I came back from the Bandung Conference, I announced that I would address the United States Congress each time there was an anniversary of one of the 29 participating nations in the Asian-African conference on friendly relations with the United States.

Inasmuch as the Congress will not be in session at the time of the event, I wish to take this opportunity to extend my sincere felicitations to the people of Lebanon, President Camille Chamoun, and His Excellency Victor A. Khouri, Ambassador of Lebanon, on the occasion of the 14th anniversary of the independence of Lebanon, November 22, 1957.

Lebanon, which gave to civilization the alphabet, navigation, glass manufacturing, and the first stone building in the world, is one of the smallest modern states—little more than half the size of New Jersey—and yet one of the richest in beauty and picturesque sceneries.

Though the Lebanese population is Arab, she is the only Middle Eastern country that is officially Christian. Lebanon became the Christian center of the Middle East in the late 19th century. Christians were being massacred in the Druse Mountains and around Damascus. France sent a squadron of warships to Beirut, and the Christians flocked down to the coast for protection. When their independence was recognized in 1943, the Lebanese made an agreement among themselves to insure protection of the rights of all religious communities.

After having heroically opposed in different epochs numerous invasions, the Lebanese still stand firm for their freedom and independence. With varying fortunes they maintained a high spirit of liberty. Grave crises have arisen to plague the new government, but these occasions of friction have had the effect of strengthening rather than weakening Lebanon's independence. Lebanon wants above all to be left in peace to attend to her own affairs. Foreign Minister Charles Malik has made it clear that on one hand Lebanon is an Arab country prepared to help defend the rights of all Arabs, but on the other she is a sovereign state defending her own interests and following her own conscience, not willing to obey blindly the dictates of other Arab states any more than those of the West. Lebanon has taken the lead in welcoming President Eisenhower's proposal for economic aid and military support to Middle Eastern states.

New Federal Prison Is Urgently Needed To Keep Overcrowding of Dangerous Criminals From Reaching the Explosive Stage

EXTENSION OF REMARKS
OF
HON. PETER F. MACK, JR.
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 27, 1957

Mr. MACK of Illinois. Mr. Speaker, Congress has seen fit to refuse an appropriation this year for construction of a new maximum-security prison in the Midwest. It was another victim of the economy ax. This institution is urgently needed by the Federal Bureau of Prisons to keep overcrowding of the most dangerous criminals from reaching the explosive stage. I am confident, therefore, that Congress soon will provide money for its construction, perhaps in the next session.

With this in mind, I would like to acquaint the House with a strange paradox that has come to my attention in connection with an area that has been proposed as a site for the new prison. The businessmen of Taylorville, in the 21st Congressional District of Illinois, have taken an option on a tract of land which they have offered to donate free to the Government as a site for the prison. Taylorville is the seat of Christian County.

The paradox to which I referred is that Christian County is Illinois' leading coal-producing county but at the same time is an area of considerable unemployment, largely as a result of mine shutdowns.

The first three paragraphs of this news story in the Illinois State Journal of Saturday, June 15, tell the story:

> Christian County remained far out in front during May as the top coal-producing county, according to a report yesterday by Ben H. Schull, State directors of mines and minerals.
>
> Christian's two mines, with 1,269 workers, produced 589,886 tons.
>
> In second place was Williamson County where 25 mines and 15,575 miners turned out 460,212 tons.

So in this age of rapidly increasing mechanization we have a case where 29 percent more coal is produced by one-twelfth as many miners.

What has this situation done to the economy of Christian County?

A survey, made at my request, showed that of a total Christian County labor force of 13,600, 6 percent were unemployed in April 1957. During that month, too, Christian County led the State in coal production.

With this number of unemployed, Christian County would be eligible for Federal classification as an area of substantial labor surplus if it were not for one purely arbitrary factor. In order to be considered for such a classification an area must have a total labor force of at least 15,000. Christian County's labor force is 13,600, according to the April survey made by the Illinois Division of Placement and Unemployment Compensation in pursuance to a request made by me through the Bureau of Employment Security of the United States Department of Labor.

The proportion of unemployed in Christian County would be much higher than 6 percent if it were not for the fact that hundreds of men thrown out of work by coal mine shutdowns have found employment at industrial plants in Springfield and Decatur.

These jobs have two serious disadvantages. First, Taylorville is 29 miles from Decatur and 27 miles from Springfield. Commuting to these cities imposes a personal hardship and an additional expense on the Christian County worker. Second, skilled coal miners who have taken anything they could get to do at the Springfield and Decatur plants are the first to be laid off in slack production seasons because they lack seniority.

Mr. Speaker, the United States is said to be enjoying a period of unparalleled prosperity. Yet 6 percent of the workers of Christian County, Ill., are without jobs and many others are forced to commute long distances to earn an income. The coal industry is booming, but many miners are without jobs in the largest coal-producing county of Illinois. This is the paradox that I want to bring to the attention of the House.

For Liberty of People To Bear Arms

EXTENSION OF REMARKS
OF
HON. RALPH W. YARBOROUGH
OF TEXAS
IN THE SENATE OF THE UNITED STATES
Tuesday, August 27, 1957

Mr. YARBOROUGH. Mr. President, the Alcohol and Tobacco Division of the Internal Revenue Department is holding a hearing today on its proposals for a registration law requiring all manufacturers and dealers in firearms to keep a record of all sales of firearms, and another proposed regulation, proposing to require every person who buys a gun or any ammunition to sign a receipt for it.

Mr. President, I regard this proposed regulation as unnecessary, burdensome, and unduly restrictive of the rights of the American people. I oppose it, and presented a statement at the hearing today in the Department of Commerce Auditorium before the Alcohol and Tobacco Tax Unit of the Bureau of Internal Revenue. I ask unanimous consent that the statement be printed in the CONGRESSIONAL RECORD.

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

> These proposed regulations would require all dealers to maintain a permanent record of all firearms received and disposed of, and

would require every person who buys a gun or a box of shells to sign a receipt therefor. In my opinion these are unnecessarily burdensome restrictions on our people.

The people of Texas generally are accustomed to use firearms. This proposed law would require every farm boy to register his gun and have a receipt for every shell or cartridge bought if he wanted to hunt a buck, turkey, squirrel, dove, quail, or rabbit, or shoot a rattlesnake or wildcat. The rural homeowner would need a Federal receipt to protect his chicken farm from a chicken hawk or from a rabid fox.

Our people are a loyal people. They can be trusted by the Government. Who is afraid of the people? This regulation smacks of a police state. It would be more reasonable to require a permit to go swimming in navigable waters than to require a shotgun and shell permit to hunt rabbits, because the swimming is more dangerous than the hunting.

The oldest shooting club in the United States is at New Braunfels, Texas. The familiarity of our people with firearms has been a strong factor in the ability of our citizen soldiers to prepare speedily for battle in time of war. A nation of outdoorsmen is a healthy, vigorous nation. These restrictive and burdensome regulations would make it more expensive to keep and use guns and rifles. They would lessen the zeal of our people for outdoor sports in time of peace and effective military service in time of war.

These regulations put bureaucracy in every gun closet in every home in America, and if adopted, would end the ancient concept that "every man's home is his castle," because it would invade the right to defend that home.

I hope that this regulation is defeated. The taxpayers do not need a new burden to hire a new group of agents to keep count of all the shotguns and rifles and shells purchased for every home in America.

Federal Aid for School Construction

EXTENSION OF REMARKS
OF
HON. JOHN J. RHODES
OF ARIZONA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 27, 1957

Mr. RHODES of Arizona. Mr. Speaker, everyone wants to build schools. The Members of this body, and indeed the citizens of our country, do not all agree on the proper method of building schools, nor on the responsibility for their construction. One segment of our population believes that only local authorities should build the schools. Another segment believes that it should be a combination of local and State authorities. Still another group feels that there is a Federal responsibility involved, and that the Federal Government should assume part of the responsibility for school construction.

As a member of the Education and Labor Committee, I have always maintained that provided the Federal Government does not control education, it is immaterial as to who builds the schools. The only material factor is that they actually be constructed, and that no American child receive a substandard education because of lack of facilities.

The records will show that the local authorities, in almost every section of the country, are doing their utmost to build schools. Only in very rare instances do we have a school district which is not ready and willing to tax its last resources to provide schools. However, try as they will, the local authorities have not in all cases been able to provide schools needed to educate an increasing school age population.

In many States, the State itself has stepped into the breach and has helped the local school districts in the construction of schools. In almost every instance in which this has occurred, the problem of providing schools has been solved. In fact, I am satisfied that the problem can be solved by any State if it desires to render substantial financial aid to the local school districts.

If the States would face up to their responsibilities, we would not need to even discuss the possibility of Federal aid to school construction. Or, if more builders, or just plain citizens, would feel that it was their responsibility to help provide schools, there would be no need for Federal aid to school construction.

A fine example of a builder facing up to what he deems to be his responsibility is set forth in the following editorial from the Arizona Republic. In this editorial is recounted the story of how the Cartwright School District, as hard pressed a school district as there is in this country, was helped by a progressive builder, John F. Long, of Phoenix, to meet its existing classroom shortage. The editorial follows:

EXAMPLE AT CARTWRIGHT

Now that Congress has killed the Federal school aid bill, local communities are faced with the necessity of meeting their own classroom shortages. A lot of them could take a lesson from the Cartwright School District in Phoenix. Like a few other districts in Arizona, Cartwright is in serious straits because it has bonded itself to the legal limit and still faces a classroom shortage. It has been caught on the merry-go-round of a population growing so fast that increases in assessed valuation can't keep pace.

Cartwright is fortunate in one respect. It counts a progressive home builder among its greatest assets. He is John F. Long, who has turned the farms out on West Indian School Road into modern housing developments with hundreds of homes.

Appreciating the school problem to which his developments have contributed, Mr. Long has started construction of a 12-classroom school for the Cartwright district. He has provided the land, and has even furnished the architectural work. He says the final bill will be about half of the standard price. The school building will be turned over to the district on a lease-purchase agreement, thus removing the need for a bond issue (which the district can't issue) and permitting for payment in the form of rent (which the district can pay because it will receive State aid based on the increased average daily attendance).

The only place where Federal school aid ever made sense was in such population-impacted areas as the Cartwright district. But the district's school board, with the help of Mr. Long, is showing how even the most rapidly growing areas can overcome the classroom shortage if they quit sitting around and waiting for Uncle Sam to do it. The lease-purchase scheme should be widely adopted through the country, thus ending for all time the annual request for a handout from Washington, a handout that local taxpayers will have to pay in the long run anyway.

If more builders would face up to this responsibility, and more States would face up to their responsibility, there would be no school problem. Realizing that the States need to enter this field, the Republican Party of the State of Arizona included the following plank in its 1956 platform:

EDUCATION

The future of our State rests with our children; therefore, their education is of prime importance. The tremendous expense involved dictates efficiency and economy. We pledge our support to the highest standards of education with equal opportunity for all children.

Many rapidly growing school districts in the State have reached the limit of their bonded indebtedness, and yet are unable to build adequate school facilities. We recommend the establishment of a State school building authority to render financial assistance through lease-purchase agreements to districts currently unable to provide essential school buildings.

The ever-increasing needs of higher education are so important and their cost so great, we believe that Arizona must approach the problem without sectional bias. We shall seek to provide for such needs, utilizing all available resources within a statewide framework.

Mr. Speaker, my own private platform for building schools is set forth in this extension of remarks. First, let every school district do its utmost to solve its own problem; second, let responsible private individuals realize that they are a part of the problem, and do what they can to help solve it; third, let the States themselves, through school building authorities or other means, help the school districts; fourth, if all of these measures still do not build sufficient schools, then the responsibility must in the end rest upon the Federal Government.

Can the Federal Government afford to help build schools? There is only one thing which we cannot afford in this country. We cannot afford to raise even one generation of uneducated or partially educated children. In this 20th century world with its complexities, its unveiling of scientific mysteries heretofore undreamed, its competition between ideologies, its deadly threat of an end to life in the shadow of a mushroom cloud, an educated population is our last, best weapon. To allow this mighty sword to corrode, or to lose its luster, would be to condemn the world to death, or to generations of Communist slavery. These things must not happen.

More Power to Us

EXTENSION OF REMARKS
OF
HON. JACK WESTLAND
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 27, 1957

Mr. WESTLAND. Mr. Speaker, under leave to extend my remarks, I would like to bring to the attention of my colleagues an announcement that should be of great interest to them as Members of the Congress.

In recent months there has been a great outcry by certain Members of the House and the other body that the Pacific Northwest was being sold down the river, in this case the Columbia and its tributaries, by Congress not reaching down into the sock and appropriating vast sums for grandiose dam building at the last undeveloped power site in the Northwest.

I would like to bring to the attention of my colleagues the fact that while these power politicos were noisily generating confusion and bluster, a group called the Puget Sound Utilities Council was quietly and firmly going ahead with plans to give the Northwest all the power it needs through its own efforts and through partnership with the Federal Government in sound, solid, feasible, economically reasonable projects throughout the Northwest.

But this group is not going to come running to Washington, hat in hand, to demand a governmental subsidy for all its power development. This group is going to spend $1 billion of its own money during the next 12 years in developing hydroelectric power from sites that the blockaders, the Federal-or-nothing powermongers, have claimed do not exist. Engineers hired by this group, which is composed of private, municipal, and public utility district power organizations, have shown that there are several good sites with power potentials that can be developed at costs that will not require a huge raid on the public treasury. The Federal Government will be called on to augment this expenditure, as the Federal Government has an interest and a role in the development of our water resources. However, the generating facilities created through the efforts of this group will have $1 billion of its money invested, and industrial development and the continued low power rates which accompany an abundant supply will continue throughout the Northwest.

I recently entered in the RECORD an article by William Hard who wrote it for the Reader's Digest. This article described the work of the Puget Sound Utilities Council in laudatory terms. After this article appeared, the gloom-and-doom brigade immediately denounced it as looking at the picture through rose-colored glasses, and again repeated their doleful predictions that unless the Government took over the burden of providing power for the Northwest exclusively, things would go to rack and ruin within a decade.

I am proud that the Snohomish County Public Utility District, which serves my home Snohomish County, is a member of this council, a group that has put aside the senseless wrangling over ideology concerning power generation, and has embarked on a bold, imaginative, hard-thought-out program to provide the crackling of kilowatts on the power lines of the Northwest, rather than the powerless bugling of laments and threats, the foot stomping and hand wringing which has characterized much of the attitude of those who have chosen to make power a political device rather than what it was intended, a source of constructive energy.

Herewith is the text of an Associated Press story concerning the announcement by the Puget Sound Utilities Council:

BILLION DOLLARS FOR NW POWER FORECAST

SEATTLE.—An outlay of $1 billion for more power during the next 12 years was forecast Tuesday by the Puget Sound Utilities Council.

A report by the council said the money would be spent by its members to assure enough energy to meet the growing domestic and industrial needs of the Puget Sound-Cascade Mountain area.

The council, organized 3 years ago for joint planning, is made up of Seattle and Tacoma City Light, Puget Sound Power & Light Co., and the Snohomish and Chelan County Public Utilities Districts.

The Immigration Problem

EXTENSION OF REMARKS
OF

HON. JOHN F. KENNEDY

OF MASSACHUSETTS
IN THE SENATE OF THE UNITED STATES
Tuesday, August 27, 1957

Mr. KENNEDY. Mr. President, I ask unanimous consent that there be printed in the CONGRESSIONAL RECORD an editorial from the Jewish Times, of Massachusetts, and an editorial from the Pilot, the archdiocesan paper of Boston, regarding Senate bill 2792, the immigration bill.

In addition, I ask that there be printed in the RECORD an explanation of Senate bill 2792.

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

[From the Jewish Times]

NEW IMMIGRATION BILL

Some cracks of light were cast on the shadows of our immigration policy last night with the favorable action by the Senate on Massachusetts Senator JOHN F. KENNEDY's immigration bill. This bill, which is said also to have the support of Chairman FRANCIS E. WALTER, of the House Immigration Subcommittee, would aid in the reunion of families, lift mortgages on quotas, and grant authority to admit orphans adopted by United States citizens.

Most important, the Senate finally has acted on that portion of the Kennedy bill which proposed the admission of Egyptian Jews and other beleaguered refugees through utilization of 14,000 of the unused visas provided under the Watkins Refugee Relief Act of 1953. Certainly the Egyptian Jewish refugees were as much victims of totalitarianism as those from Hungary and deserve such favorable treatment.

The piecemeal action contained in this legislative measure again highlights the crying need for a complete overhaul of our immigration system, which this newspaper has so continuously and consistently urged. Aside from the aspects of fair administrative procedure in the immigration mechanism, the vile national origins quota, the dynamic growth of this Nation's population, and the disappearance of physical frontiers calls for new attention to the philosophy governing immigration policy. Bills such as the one under discussion deserve passage because they correct bad situations, but their very minimum nature whets the appetite for some overall action in the field of immigration.

[From the Pilot, Boston, Mass.]

S. 2792

This week, at long last, an immigration bill was allowed to pass in the Senate, and it will now go to the House for further action. Senator KENNEDY, through very unpromising days, continued to press for some effective legislation and although this new bill (S. 2792) is not all that he wanted, it is probably the very best that could be had at the present. The reallocation of basic quotas had to be abandoned, and the regularization of parolees was also dropped from the legislation. This last item remains a blot on our generous gesture toward the fighting Hungarians last year and and should be attended to without delay.

We must, however, in these matters count our blessings, and in this case blessings won by diligence and insistence on the part of the junior Senator. Between the civil-rights fracas and the foreign-aid confusion it seemed for a while that there would be no immigration bill at all this session. The Senator's bill, among other provisions, will permit entrance of from sixty to seventy thousand people on the family reunion basis, by which near relatives are given preference through the allocation of special quotas in their regard. At the same time, every heart will warm to the provision which will allow an unlimited number of children under 14 to come to America if adopted by United States citizens. Besides this, the unused quotas from the Refugee Relief Act, which may run as high as 18,000 (though estimates vary), will be redistributed. These three items alone should encourage those who have labored so hard to bring charity and justice into our present legislation.

The struggle is far from over yet, all the same. It is just possible that some elements unfriendly to the philosophy of charity represented in this bill will aim at giving it trouble in the House. There are many champions in that body who can rise to its defense and we feel certain that the representatives from this area, now, as in the past, will be heard. The bill should be passed, and we are confident that it will be acted upon favorably at once.

ANALYSIS OF KENNEDY IMMIGRATION BILL, S. 2792

Section 1: Under existing law some children are unable to accompany their parents because it is not clear that the term "stepchild" includes illegitimate children. The section clarifies existing law.

Section 2: Amplifies the definition of "child" as contained in the basic statute so as to include illegitimate children and children adopted while under the age of 14.

Section 3: Makes clear that spouses and children of aliens admitted to the United States under the skilled workmen provisions of the law shall be entitled to first preference, thereby allowing families to be reunited.

Section 4: Allows an unlimited number of orphans adopted by United States citizens to enter the United States during next 2 years. It is estimated that approximately 5,000 orphans will be ready to come to the United States within the 2-year period.

Section 5: Vests the Attorney General with discretionary authority to admit the spouse, child or parent of a citizen or an alien already in the United States, notwithstanding the fact that the relative may have committed some offense which is a bar to entry into the United States.

Section 6: This section would permit the Attorney General to authorize a visa for, and to admit to the United States, under such controls as he deemed necessary, the spouses, parents, and children of United States citizens or of lawfully resident aliens, notwithstanding the fact that such relative is afflicted with tuberculosis. This is another measure primarily designed to alleviate hardship and to prevent the unnecessary separation of families.

Section 7: Forgives certain aliens misrepresentations which they made in connection with their applications for immigration. Most of these persons made these misrepresentations in order to avoid forcible repatriation by the Communists to countries behind the Iron Curtain.

Section 8: This section would grant discretionary authority to the Secretary of State and the Attorney General to waive the requirement of fingerprinting on a reciprocal basis, for aliens coming to the United States on a temporary basis.

Section 9: This section grants the Attorney General discretionary authority to adjust the status of certain skilled specialists who are in the United States temporarily but whose services have been deemed to be urgently needed in the United States. Spouses and children of those aliens would also be granted nonquota immigrant status. This section applies only to foreign skilled specialists who are in the United States on July 1, 1957.

Section 10: This section cancels the mortgages imposed on the quotas of certain countries pursuant to the Displaced Persons Act and other legislation. It is estimated that the lifting of these mortgages will result in approximately 8,000 quota numbers being made available each year, particularly in countries such as Latvia, Lithuania, Estonia, and others whose quotas were heavily mortgaged.

Section 11: Section 323 of the Immigration and Nationality Act, relating to the naturalization of children adopted by citizens of the United States would be amended by this section so as to authorize the naturalization of children adopted by United States citizens in those cases in which the parent is stationed abroad in the Armed Forces or in the employment of the United States Government, or of an American firm or international organization when it is intended that the child reside abroad with the parent until the parent's employment is terminated.

Section 12: This section would permit persons who are in the first, second, or third preference categories and who have made application to the Attorney General before July 1, 1957, to enter the United States immediately. This section would permit the reunion of members of families who have been separated by the workings of the Refugee Relief Act and other laws and would permit the admission of about 33,000 aliens including 20,000 Italians and 3,500 Greeks.

Section 13: This section would permit a limited number of Government officials and their immediate families who have come to the United States in a diplomatic status to have their immigration status adjusted at the discretion of the Attorney General when such an adjustment is in the best interest of the United States. This provision is designed to enable diplomatic and other officials of Communist governments who have defected to remain in the United States as permanent residents.

Section 14: A technical provision making certain definitions contained in the Immigration Act applicable to the Kennedy bill, S. 2792.

Section 15: Provides that approximately 18,000 nonquota visas which were authorized under the Refugee Relief Act of 1953 but which remained unused when that act expired in December of 1956 would be available to bona fide refugee-escapees who have fled because of persecution on account of race, religion, or political opinion. These nonquota visas would be available for refugees throughout the world, including refugees from Egypt and north Africa, those located in Spain, the NATO countries, Austria, and the Far East. Under this provision Jewish refugees from Egypt and Hungarian refugees who are in Western Europe could enter the United States.

Section 16: Provides that a short period of overseas residence by a child admitted for permanent residence shall not constitute a break in United States residence for purposes of naturalization.

Communist Propaganda Broadcasts

EXTENSION OF REMARKS

OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 27, 1957

Mr. DINGELL. Mr. Speaker, whenever we read what Communists are peddling in their propaganda broadcasts in the Middle East, in Asia, and in Africa we wonder how some people can be deceived by their obvious falsehoods and prevarications. Communist propaganda presents us as an imperialist country and yet there is not 1 inch of ground under our flag where the people do not enjoy real freedom. We have no satellites such as Poland with its Poznan riots, no Hungarys where the people are murdered because they want liberty. We are pictured as aggressors and yet we sacrifice the flower of our youth and our resources to help maintain the peace and security of the world. Soviet Russia makes all sorts of promises to help other nations and the world knows Russian performance is conspicuous by its absence.

It is not for us, Mr. Speaker, to speak of our economic aid to Europe, of our help to Greece and Turkey, of our intervention in Korea, of our aid to other peoples all over the world, assistance that has made it possible for them to maintain their sovereignty and integrity as independent nations against the encroachments of communism. But I believe it is not out of place to speak before we adjourn this session of Congress of how we do not forget our friends, of our gratitude to those who have shown their loyalty to the ideals of democracy which we cherish and uphold.

I wish to refer particularly to the Philippines. Here is a country that is linked with us by the closest ties of friendship. When the war broke out in the Pacific, when we were going from disaster to disaster, the Filipino people stood by us and fought for us. That loyalty we cannot forget. When we intervened in Korea, the first Asian nation to send its troops to fight side by side with our own was the Philippines. This is loyalty without price. In our fight against communism, the one nation in Asia that has cast its lot unreservedly with us is the Philippines. Nor can we forget the voice of General Romulo speaking always on the side of the United States before the United Nations. It is an understatement to say that his words in the United Nations have been the best answer for the propaganda mouthed by the Soviet Union and its stooges in the battle for men's minds in Asia and the world. Here is loyalty of the highest order.

After the war, the Congress enacted the Philippine Rehabilitation Act and we helped the Filipinos to reconstruct their public buildings, roads, and bridges and we paid individual war-damage claims which we did not do for our own countrymen after the Civil War. We extended the Philippine Trade Act when General Romulo came to Washington as President Magsaysay's special and personal envoy, and the same act was amended in accordance with the wishes of the Filipino people. A long history of mutual fidelity and trust was maintained unimpaired.

In this session of Congress we have shown our Filipino friends that we are a grateful people. When their able and distinguished Ambassador, Gen. Carlos P. Romulo, one of America's real friends in this troubled world, presented to us through the State Department the Philippine plea for the removal of the 3-cent processing tax on coconut oil, when he convinced us of the justice of his cause, this Congress removed the tax knowing that it will mean a loss to our Treasury of some $15 million a year.

Efforts to exclude Philippine plywood from the American market were defeated as well as the attempt to exclude Filipino laborers in Guam from the advantages of the minimum-wage law. The Philippine Scouts legislation was approved as well as the aid for Philippine war orphans. This Congress has exerted its utmost to show that we do not forget and that we appreciate deeply the loyalty of our Filipino allies and friends. We have confidence in the present administration in the Philippines and we have the highest regard for General Romulo, the incumbent Philippine Ambassador to the United States.

Mr. Speaker, I include in the RECORD the following article by Mr. Oland D. Russell, one of America's leading correspondents, which was published by the Scripps-Howard newspapers on August 23, 1957, and which describes how this session of Congress treated the Philippines:

(By Oland D. Russell)

WASHINGTON, August 23.—The late Vice President Barkley used to say: "When Churchill or Romulo come to town, we'd better double the guard at Fort Knox."

Philippines Ambassador Carlos P. Romulo put an emphatic point to that axiom this week when the House completed legislation on a bill that will mean $15 million a year to the Philippines, and that much less in revenue to us.

It removed the United States 3-cents-a-pound processing tax on coconut oil. The Philippines have been battling for 23 years to get this tax withdrawn from an old tariff law.

It was laid on in the first place with the support of the dairy and butter lobby, fighting oleomargarine. Twenty years ago the Scripps-Howard newspapers fought long and hard for removal of this tax.

A more immediate benefit to housewives will be the greater use of coconut oil in soaps, which will improve their lathering qualities.

In a little noticed move on Wednesday the House, without rollcall, completed action on a Senate bill to amend the Tariff Act of 1930.

The amendment, among other things, suspended through June 30, 1960, the tax on processing coconut oil. The House concurred with the Senate amendment and sent the bill to the White House.

The action is of vital importance to the Philippines economy and will benefit the livelihood of 8 million Filipinos who depend on the coconut-growing industry.

It was due to the persistent efforts of General Romulo that this was accomplished. In order to get favorable action he had to overcome initial objections and gain the support of a half dozen influential American interests. These included the American Farm Bureau, the National Cattlemen's Association, the National Grange, and the Western Meat Packers Association, and soap manufacturers.

In addition, he conferred repeatedly with the leadership in both Senate and House and the committees concerned. He was seen so often on Capitol Hill in the past few weeks, one Congressman twitted him: "Are you a Member of Congress or an Ambassador?" Both the State and Agriculture Departments approved the bill and in the end it was attached to a measure providing for the free importation of certain tanning extracts.

Ambassador Romulo today attributed his success to the real friendship Congress has for America's true friends and allies. The present Congress, he said, may be in a mood for strictest economy, "but I am happy to say that it has been kindly and generously disposed toward the Philippines, a country which has shown its loyalty to the democratic way and has proved a stanch ally in Asia. It shows confidence in the present administration."

Originally the tax proceeds were turned over to the Philippines Commonwealth Government but when the country gained its independence, this source of revenue was lost.

The coconut oil fight is not the only successful campaign General Romulo has waged in his country's behalf during this Congress' session. He fought an attempt to exclude Philippine plywood from the United States, and he succeeded in getting Filipino laborers working for the Navy on Guam to be included in the United States minimum-wage law.

He has also seen the enactment—in this economy-minded Congress—of several bills benefiting Filipino army veterans, one of them granting back pay and allowances to the old Philippine Scouts. Another grants aid in education to some 3,600 Filipino war orphans.

As a prewar elected but nonvoting Philippines delegate to Congress he still retains floor privileges. More important is his loyal war record as aide to General MacArthur which is highly admired in Congress. With this advantageous position, it is safe to say no other Ambassador to Washington has been so close to the legislative processes here. In addition to his ambassadorial duties, he is also his country's delegate to the United Nations Security Council.

Iraq Celebrates 25th Anniversary of Independence

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 27, 1957

Mr. POWELL. Mr. Speaker, when I came back from the Bandung Conference, I announced that I would address the United States Congress each time there was an anniversary of independence of one of the 29 participating nations in the Asian-African Conference States. on friendly relations with the United

Congress will not be in session when Iraq celebrates her 25th anniversary of independence on October 3, 1957, hence, I wish to take this opportunity today to salute the people of Iraq, His Majesty King Faisal, and His Excellency Moussa Al-Shabandar, Ambassador of Iraq, in honor of this occasion.

On October 3, 1932, Iraq was admitted to the League of Nations as a full-fledged and sovereign member. Thus began her life as a new independent nation. Although small in population, Iraq has become one of the leading states of the Arab world. Since independence, the people of Iraq have continually devoted considerable efforts in the complex area of economic development with a view toward bettering conditions and raising living standards.

Iraq has been genuinely concerned with the Communist threat and seeks United States assistance to strengthen its defenses. Recent events have tested the stability of the Iraqi Government, but its anti-Communist stand and friendship with the United States have not been impaired.

As one who deeply believes in freedom, democracy, and the importance of achieving a better understanding among all nations, I want to take this opportunity to wish Iraq every success as she embarks upon a new year of independence.

Statement of Congressman Cecil R. King in Opposition to Certain Proposed Revisions of Internal Revenue Service Regulations Relating to Interstate Traffic in Firearms and Ammunition

EXTENSION OF REMARKS

OF

HON. CECIL R. KING

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 27, 1957

Mr. KING. Mr. Speaker, today a public hearing is being held by the Director of the Alcohol and Tobacco Tax Division of the Internal Revenue Service in Washington, D. C., on the proposal to amend and reissue regulations relating to interstate traffic in firearms and ammunition.

A number of the proposed regulations have been considered by the Congress and intentionally excluded from the Federal Firearms Act. Should any such regulations be deemed worthy of consideration, they should be properly presented to the Congress for possible inclusion in legislation, rather than being promulgated as administrative regulations of doubtful validity.

Mr. Speaker, I wish to submit my views in opposition to these proposed revisions:

The Federal Register for May 3, 1957, and for July 10, 1957, published notice of proposed revisions in the Internal Revenue Service Regulations pertaining to the enforcement of the Federal Firearms Act. In neither publication did there appear any general statement of the basis and purpose for the new regulations being proposed as is provided for in the Administrative Procedure Act, title 5, United States Code, section 1003 (b). In the absence of such statement of basis and purpose, certain of the new proposals would appear to be unnecessary, unduly restrictive and improper. Sections 177.50, 177.51, 177.52, 177.54, and 177.55 have received widespread public opposition. In view of this opposition, I believe that the Internal Revenue Service should carefully review its position. My own views on the sections in question are as follows:

I. IDENTIFICATION OF FIREARMS SECTION 177.50

> Each manufacturer and importer of a firearm shall identify it by stamping (impressing), or otherwise conspicuously placing or causing to be stamped (impressed) or placed thereon, in a manner not susceptible of being readily obliterated or altered, the name and location of the manufacturer or importer, and the serial number, caliber, and model of the firearm. However, where imported firearms are identified by the foreign manufacturer in a manner prescribed in the foregoing sentence, additional stamping will not be required if the information prescribed by this section appears. None of such information may be omitted except with the approval of the director, Alcohol and Tobacco Tax Division, Internal Revenue Service, Washington 25, D. C.

From the time of the enactment of the Federal Firearms Act to the present, it has not been the practice of manufacturers to impress serial numbers of every firearm manufactured. In fact, a majority of all firearms are and have been manufactured without serial numbers and without some or all of the information called for by this section. The law provides that it shall be unlawful to transport or receive in interstate or foreign commerce a firearm from which the manufacturer's serial number has been removed, obliterated, or altered, and the possession of any such firearm shall be presumptive evidence that such firearm was transported or received in interstate commerce in violation of the law. Thus, it was clearly the intent of Congress that a penalty should attach to the possession of a firearm from which the manufacturer's serial number had been removed, obliterated, or altered. Congress did not attach this penalty to the possession of a firearm which had been manufactured without a serial number nor did Congress require, in the law, that serial numbers be impressed on all firearms manufactured. The failure of Congress to include such a requirement in the Federal Firearms Act, especially in view of the prevailing business practice, seems conclusive that Congress did not intend to require every firearm to have a serial number or to carry the additional information which would be required by section 177.50 of the proposed regulations.

In my opinion, the provisions of the statute are plain and unambiguous and the Internal Revenue Service does not have the authority to extend or to amend the provisions of the statute by regulation.

In *Koshland* v. *Helvering* (298 U. S. 441, 80 L. Ed. 1268), the Supreme Court discussed an administrator's power to issue regulations in the following language:

> Where the act uses ambiguous terms, or is of doubtful construction, a clarifying regulation or one indicating the method of its application to specific cases not only is permissible but is to be given great weight by the courts. And the same principle governs where the statute merely expresses a general rule and invests the Secretary of the Treasury with authority to promulgate regulations appropriate to its enforcement. But where, as in this case, the provisions of the act are unambiguous, and its directions specific, there is no power to amend it by regulations.

The Federal Firearms Act is plain and unambiguous; it needs no clarification in this respect. The proposed regulation actually extends the coverage of the act and is therefore not a proper regulation.

II. FIREARMS RECORDS (SEC. 177.51)

This proposed section contains three objectionable requirements which will be discussed separately. It provides:

> Each licensed manufacturer or dealer shall maintain complete and adequate records reflecting the receipt (whether by manufacture, importation, acquisition from other licensees, or otherwise), and the disposition, at wholesale or retail, of all firearms (including firearms in an unassembled condition, but not including miscellaneous parts thereof) physically or constructively received or disposed of in the course of his business. Entries in such records shall be posted at the time of each transaction, or in each instance not later than the close of business on the day next succeeding the day on which the transaction occurs. The records prescribed by this subpart shall be in permanent form, separate and distinct from records pertaining to other merchandise handled by the licensee, and shall be retained permanently on the business premises until discontinuance of business by the licensee.

The Federal Firearms Act provides:

> Licensed dealers shall maintain such permanent records of importation, shipment, and other disposal of firearms and ammunition as the Secretary of the Treasury shall prescribe.

The term "permanent records" as used in the act, was obviously used to mean records in permanent form as contrasted with temporary records such as sales slips. The language "permanent records" cannot logically be construed to mean permanent records permanently retained as this section of the proposed regulations would require. That this was clearly the intent of Congress in the matter is borne out by past administrative regulations which have required the retention of dealers' records in permanent form for at least 6 years. There can be no question that dealers' records should be retained so long as they may be needed and useful in carrying out the provisions of the act. However, the statute of limitations applicable to offenses defined in the Federal Firearms Act is 5 years. It is difficult to see how the dealers' records would be of value in carrying out the provisions of the Federal Firearms Act after the 5-year statute of limitations. This proposed regulation would make each dealer and each manufacturer a permanent public archives. Such a requirement is unrealistic and unreasonable.

Equally objectionable is the provision in section 177.51—and this applies equally to section 177.52—that manufacturers are required to keep and retain such records. The statute requires only dealers to maintain records and the application of the statute to dealers was obviously deliberate. In the bill, S. 3, 74th Congress, which was amended and became the Federal Firearms Act, the following language was contained in section 3 (d):

> Licensed "manufacturers" and dealers shall maintain such permanent records of "manufacture," importation, shipment, and other disposal of firearms and ammunition as the Secretary of Commerce shall prescribe.

The quoted language was omitted in the bill as enacted. Thus Congress did not intend to require manufacturers to maintain records and the proposed regulation, being contrary to the will of Congress, should not be adopted.

Also objectionable under section 177.51 is the requirement that records of receipt of firearms and ammunition be maintained. The statute requires the keeping of records of "importation, shipment, and other disposal of firearms and ammunition." Regulations necessary to carry out this provision would be proper. Section 177.51, however, goes beyond this and requires the maintenance of records not required by Congress. Clearly, neither production nor receipt are included in the statute, the language of which is plain and unambiguous.

III. AMMUNITION RECORDS (SEC. 177.52)

Section 177.52 provides:

> Each manufacturer and dealer shall maintain, on the licensed premises, complete and adequate records reflecting the production or receipt and the disposition at wholesale or retail of all pistol or revolver ammunition. The ammunition shall be described as to manufacturer, type, caliber, and quantity and the identity of the persons from whom received and to whom sold must be shown.

Objections to the inclusion of "manufacturer" in the above regulation and objections to the application of the regulation to the "production or receipt" of pistol or revolver ammunition have been covered under section 177.51 and are equally applicable to section 177.52. It is my opinion that this proposed regulation will place an intolerable burden on manufacturers and dealers. That such records will be required to be kept forever compounds its unreasonableness. An infinitesimal fraction of all pistol and revolver ammunition produced and sold is used illegally. The doubtful value of the regulation is far exceeded by the tremendous burden which would be imposed upon thousands of honorable and legitimate businessmen throughout the Nation. As an indication of the doubtful value of this regulation, I would point out the fact that it is commonly accepted business practice for small-arms ammunition to be handled by thousands upon thousands of very small local hardware and general dry-goods merchandisers. Many of these neither ship nor receive firearms or ammunition in interstate commerce but deal entirely with jobbers within their own State. It is conservatively estimated that as many as 50,000 such small rural dealers may not be licensed under the Federal Firearms Act and would not be subject to its controls.

IV. OVER-THE-COUNTER SALES TO INDIVIDUALS (SECTION 177.54)

Section 177.54 provides:

> Where disposition of firearms or ammunition is made by over-the-counter sale or distribution to individuals, the persons to whom the firearms or ammunition are sold, distributed or delivered will be required to acknowledge receipt thereof in their own handwriting in the record prescribed by this subpart.

This provision runs counter to the purpose of the act as reflected in its legislative history. Stripped of its veil, it is nothing more nor less than a requirement of registration of persons who purchase firearms or ammunition. Congress refused to incorporate such a provision in the National Firearms Act and in the Federal Firearms Act. During the hearings on S. 3, April 16, 1935, the then Assistant Attorney General Keenan wanted a more drastic bill in which such a provision as this would be a feature. Congress did not include such a provision and the hearings make it clear that had such a feature been included the bill would not have passed. The Commissioner will clearly have exceeded his authority if he adopts this proposed regulation in light of the Congressional history of this act.

A further objection is the fact that the proposed regulation transcends the act and the power of Congress in that interstate transportation has ended when the original package containing the firearm or ammunition has been opened to make a sale to a consumer. Thus, when an individual makes a purchase in a local sporting goods store the entire transaction, including the seller's and purchaser's activities, is wholly local in nature and not subject to the commerce power of Congress.

Numerous court decisions differentiating between interstate and intrastate commerce make it clear that the proposed regulation is an attempt to control a sphere of local activity which is immune from Federal control. If the Federal Firearms Act is and can be extended into this field it should be done by Congress and not by an administrative ruling by the Commissioner of Internal Revenue.

V. AUTHORITY TO EXAMINE RECORDS (SEC. 177.55)

Section 177.55 provides:

> Any internal revenue officer designated by the Director shall have authority to examine the books, papers and records kept by a licensee pursuant to the regulations in this part, and to examine his premises and stock, during regular business hours in the daytime. When such premises are open at night, such authorized officers may enter them while so open in the performance of such authorized official duties.

There is no objection to the portion of this section which provides for the inspection of records kept pursuant to the act. However, that portion of the section which authorizes internal revenue agents to inspect premises and stock without a search warrant is illegal and unreasonable.

To enforce a statute which requires the maintenance of records of importation, shipment, and disposal of firearms, it would seem reasonable to provide by regulation for the inspection of such records. Only by extending the statute to require records of manufacture, production, and receipt could there be any purpose or any need for free inspection of a businessman's premises and stock. The history of the enforcement of this act indicates no necessity for such a regulation. Congress was not trying to correct abuses by dealers and/or manufacturers. Congress was interested solely in the criminal element in our society. The provisions of section 177.55, if adopted, will depart from the Congressional purpose in this regard and will subject legitimate businessmen to searches without a warrant. If such is to be the law the responsibility of skirting the fourth amendment should lie with Congress and not with the Commissioner of Internal Revenue.

Facts on the Republican Post Office Record

EXTENSION OF REMARKS
OF

HON. ELFORD A. CEDERBERG

OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 27, 1957

Mr. CEDERBERG. Mr. Speaker, my distinguished colleague, the gentleman from Oklahoma [Mr. EDMONDSON], placed in the RECORD August 1, 1957, what he chose to call the Post Office Record Republicans will not be reporting.

In reviewing what he portrays to be the Republican record on postal affairs I find the presentation of these six items, which the gentleman from Oklahoma facetiously calls accomplishments, are riddled with misinformation.

Personally I would have no hesitancy in presenting the facts on these items to the people of my district. I believe the people are entitled to facts and not distortions.

I am happy to present the facts with respect to the operation of the postal service under the Republican administration and to answer item by item the presentation that was made in the RECORD.

Item 1:

> Unmentioned accomplishment No. 1 is the fact that Mr. Summerfield not only failed to live within his legal budget, but made unnecessary terminations of mail service to the people in order to blackjack additional funds out of the Appropriations Committee. Never before have we had the spectacle of rural mail carriers reporting in for work and being ordered to sit around the post office and not do their job—and no amount of bright new paint will gloss over the fact that this administration is the first in history to stop delivering the mail to the people in any kind of emergency.

EFFICIENT OPERATION SAVES TAXPAYERS MONEY

Answer: The Postmaster General has never failed to live within his legal budget. During the first 3 years of the present administration the Department returned the following sums to the Treasury:

	Million
Fiscal year 1953	$83.6
Fiscal year 1954	108.7
Fiscal year 1955	43.0

In fiscal 1956, because of the unprecedented growth in residential areas it was necessary for the Department to obtain a supplemental appropriation to provide additional city delivery service not anticipated in the original budget. This supplemental appropriation was obtained toward the close of the year and after the appropriation for the next year—1957—had been passed. It was thus apparent at the start of the 1957 fiscal year that additional funds would be required for that year for the same reason.

The Department endeavored to obtain a supplemental appropriation in July 1956 by an amendment to a supplemental appropriation bill at that time before the Senate Appropriations Committee. The Department was advised that it should defer its request until the next session of Congress, which it did.

In January 1957 the House Appropriations Committee was advised that the Department would require additional funds for 1957. By then it was apparent that a supplemental appropriation would be needed, not only because of the growth in the city delivery service but also because of a general increase in the volume of mail and increase in cost due to recently enacted salary legislation. Request for such funds was formally transmitted to the Congress in March 1957.

Since by the start of the fourth apportionment period, April 6, 1957, Congress had not passed the supplemental appropriation requested, it was necessary for the Department to curtail postal services to a limited extent to avoid violation of the antideficiency statute. These services were immediately restored when sufficient funds to complete the year were obtained.

One of the curtailments that would have the least adverse effect on the public was the elimination of Saturday delivery of mail and the closing of post offices on Saturday. In the rural areas this saved the travel expense of the rural carriers but effected no saving of their salary because they were paid on a 6-day-week basis. In order to make the maximum use of their time on that Saturday, they were required to report to their local post office where they worked sorting mail and performing other duties to the extent possible.

It was with the greatest reluctance that the Department made these temporary curtailments of service but it had no other alternative under the law.

Item 2:

> Republican accomplishment No. 2 is the fact they have shut down many post offices in smaller communities across the country, thereby depriving residents of these small towns of many postal services.

BETTER SERVICE AT A SAVING

Answer: Post offices have been discontinued where as good or better service can be provided by rural carrier, star route carrier, city delivery service, rural station, contract station or classified station and at the same time result in a material savings for the taxpayer.

When many of these offices were established they were the only means of delivery of mail to patrons. With better roads and the establishment of rural delivery most of those patrons chose to have mail delivered by rural carrier, who also collects mail, sells stamps and money orders. The function of such offices as a means of service to patrons thereby diminished. When railroads were supplanted by star route as a means of supply, such offices also lost their function as a source of distribution of mail to other offices.

In other areas larger cities have expanded and extended city delivery service contiguous to the area served by these small post offices. Such small offices themselves did not meet the requirement for city delivery service and the only means of according city delivery service to these patrons is through consolidation of the post offices.

Item 3:

> They have recommended the termination of the postal savings system which has been of great service to millions of Americans, which would compel those citizens to place their savings in private banks, or in a sock at home where no bank is available.

IN LINE WITH HOOVER COMMISSION RECOMMENDATION

Answer: The Comptroller General of the United States, in his reports to the Congress on the audits of the Postal Savings System since 1951, has consistently recommended that the Congress should give consideration to the question of whether, under present conditions, there is need for the Postal Savings System, stating that by and large the main purpose and justification of the system are no longer applicable. In May 1955 the Commission on Organization of the Executive Branch of the Government, the Hoover Commission, in its report to Congress on business enterprises in Government, recommended that after some reasonable period no further postal savings deposits be received and that depositors be given an opportunity, during a period not to exceed 5 years, to place their savings in United States savings bonds or other amply secured, guaranteed bank, and savings and loan deposits.

The original purpose of the Postal Savings Act of 1910 was to provide depositors a place for depositing savings at interest with the security of the Government for repayment thereof. Its main purpose has been superseded by the availability of United States savings bonds and the ample security of guaranteed bank and savings and loan deposits up to $10,000. It is evident that the public is finding adequate security for its savings in other than postal savings. This conclusion is based on the fact that the amount on deposit in the Postal Savings System has dropped from $3.4 billion in 1947 to $1.5 billion in 1957, and continues to decline.

It is believed that the discontinuance of the Postal Savings System will not work a hardship on those who now have deposits, or discourage thrift, because 98 percent of the deposits are made at first- and second-class post offices where banks or savings institutions are located or are readily available by mail. For outlying communities, banking facilities are usually available at the point where the other business of the community is transacted.

Item 4:

> They have forced the removal or resignation of thousands of postmasters whose only sin was being appointed by a Democratic administration.

FRAUDULENT PRACTICES BRING FIRINGS, NATURALLY

Answer: Actually, only 824 postmasters have been removed during the period January 20, 1953, to July 31, 1957. Of these, 441 were removed for embezzlement and fraudulent practices, 241 for inefficiency and generally unsatisfactory operations, 80 for failure to perform appropriate duties or devote the required amount of time to duty, and 52 for unbecoming conduct. Removals are effected only after formal charges are preferred in accordance with civil-service rules and all removal actions are subject to review by the Civil Service Commission.

Item 5:

> They have used up millions of buckets of red, white, and blue paint in a costly redecoration program which is strangely inconsistent with their repeated talk about economy.

WHY DO DEMOCRATS OPPOSE THIS SAFETY MOVE?

Answer: The so-called "red, white, and blue" paint program involving mail boxes and trucks was undertaken by the Department after a most careful study of all pertinent factors.

In regard to motor vehicles we faced at the outset the fact that the fleet was badly in need of a planned rehabilitation and maintenance program. The olive green color of vehicles presented a drab, unattractive appearance. Truck waxing had been ordered stopped in the fall of 1952. There was no planned truck repainting program. Equipment was deteriorating rapidly. The accident record of the truck fleet was deplorable. In the latter part of 1953 we began studies to determine the answers to these problems.

Our first problem was to reconsider the color of paint to be used in a formalized repainting program. Safety considerations and comfort of employees dictated that the top and upper part of the vehicle be of a light color. It was proved that white cabs and bodies substantially reduced interior heat in hot weather and tests showed that such cabs were 8 to 11 degrees cooler in hot weather than drab colors. Safety considerations suggested a high visibility material and the familiar red reflecting sensitized tape now in wide use by owners of motor vehicles was selected because of its greatly improved nighttime visibility. A dark blue for the lower portion of the vehicle seemed a logical final step, just as the older vehicles were all in three colors of green and cream, with black on fenders.

Application of the new color scheme was inaugurated at the beginning of 1955 only as repainting of an individual vehicle is required. This program will cover a period of several years before completion, at a cost that compares favorably with the old cost.

Results achieved from the vehicle paint program may be summarized as follows:

(a) Shop time required for a complete vehicle turn-around for repainting has been appreciably reduced.

(b) We have a vehicle which affords our employees greater comfort. Cabs are cooler in hot weather. Employee morale and pride in the equipment has improved.

(c) We have a color scheme and quality of enamel which stands up longer, maintains its luster, and does not show road dust so readily.

(d) We have changed from a camouflage color to a high visibility color scheme more easily seen both day and night. This has been a major factor in our accident prevention program. The accident rate—day and night—of the white, red, and blue vehicle is substantially lower than the rate of vehicles painted olive drab. As a matter of fact, it is one-third of previous accident rates.

In regard to the mail-box program the Department for years has received complaints from the public about the street corner collection boxes. People have confused them with relay or storage boxes used exclusively by postal employees and some have actually put their letters in city trash boxes where shape and color were similar to the collection boxes located on street corners. Others complained that the mailboxes could not be found. All of these complaints stemmed from the camouflage color of the old boxes. For repainting as needed, we required a color that was (a) easily identifiable, different from any other public receptacles; (b) representative of the United States mail and the national services of the Department; (c) consistent and compatible with other postal markings; (d) of lowest possible original cost; and (e) low in maintenance cost.

The present colors were selected and became standard in August 1955, matching the truck fleet. The lack of cost figures in former years precludes a comparison but we have made every effort to keep cost to the minimum required for proper maintenance.

The new box colors show public acceptance as it is now easier to find and identify the mailboxes. The new attractive easy-to-find color scheme has received widespread commendation from postal patrons.

Item 6:

> They have talked and boasted for 3 years about their great new lease-purchase program to build new post offices, and wound up after 3 full years with a start on one small post office under this program.

LEASE-PURCHASE PROGRAM FILLS BUILDING NEED

Answer: The lease-purchase program originated with the Congress and not the Post Office Department. Lease-purchase legislation was originally passed by the 82d Congress only to be vetoed by the President.

Lease-purchase was not intended to be a substitute for a public works building program nor a huge construction project. It is designed as a highly selective technique to use moneys which would have to be spent for rent anyway, as purchase moneys over the period of the lease.

The building construction needs of the Department are being satisfactorily and economically met under a commercial leasing program. Since January 1953 over 1,700 newly constructed buildings have been acquired under such leasing agreements. Leasing with various terms of occupancy provides the needed flexibility for the Department to meet the problems of urban growth and population shifts.

Turkey Celebrates 34th Anniversary of the Declaration of the Republic

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 27, 1957

Mr. POWELL. Mr. Speaker, when I came back from the Bandung Conference, I announced that I would address the United States Congress each time there was an anniversary of one of the 29 participating nations in the Asian-African Conference on friendly relations with the United States.

Inasmuch as the Congress will not be in session at the time of the event, I wish to take this opportunity to send greetings to the people of Turkey, President Jelal Bayar, and His Excellency Suat Hayri Urguplu, Ambassador of Turkey, on the occasion of the celebration of the 34th anniversary of the declaration of the Republic of Turkey, October 29, 1957.

Turkey has enjoyed uninterrupted independence since the formation of the Ottoman Empire in 1299. Republic Day stands for the Turkish people for what an independence day stands for any free nation. It is a day consecrated to celebrations in remembrance and confirmation of the principles of the Ataturk revolution, which made the continuation of the independence of Turkey possible and on which the existence, freedom and way of life of modern Turkey is based.

Modern Turkey dates from October 29, 1923, when it formally became a republic with Mustafa Kemal as its first president. The creation of the new Republic marked the birth of the new Turkey.

Seldom in history has any nation gone so far so fast as has modern Turkey since May 19, 1919. That was the day when Mustafa Kemal Pasha, who was renamed Ataturk—father of the Turks—by a grateful people for his leadership, landed at Samsun on the Black Sea and plunged into the task of transforming a series of medieval communities into a new country. No one can fail to admire the courage with which this country has tackled its huge tasks. Turkey, under Mustafa Kemal Ataturk, set out to be a modern nation and became a healthy republic with amazing vitality. In 1924, the office of Caliphate and the rule of religious courts were abolished.

The charter of the new republic was a constitution and a bill of rights similar to that of the United States with the same concept of individual liberty and law. Almost overnight a social revolution, bloodless, and with an unprecedented speed, ushered in a new way of life in Turkey. All Ottoman titles, such as pasha, bey, and effendi, were abolished. The wearing of a fez, which denoted allegiance to the old Ottoman empire, the laws requiring women to veil their faces, and the oriental splendor were all things of the past. The modernization of Turkey, which was the goal of Kemal Ataturk, has been continued by Ismet Inonu, who followed Ataturk in the presidency, and by Mahmut Jelal Bayar, the current president, through the adoption of many other far-reaching reforms along Western lines.

During these past few years a rapid, overall harmonious growth has characterized the Turkish scene. This development has been secured by means of concerted policies directed toward utilizing the natural resources of the country, expanding the industrial potential and introducing new incentives for breaking inertia.

The greatest of all the resources of modern Turkey is the spirit of her people. They are determined that nothing shall stop them from getting ahead. The courage and optimism with which they are attacking their new task are infectious. Much that they are undertaking is new to them, and although they learn modern techniques quickly, they urgently need more people trained in the essential skills of an industrial society.

Ever since its inception, the new Turkish State has been based on democratic foundations. The clause in the Turkish constitution which affirmed that "Sovereignty belongs unconditionally to the Nation" became the factor which guided Turkey's entire administrative machinery. Later, the principles of the Turkish State, confirming as they did that Turkey is Republican, populist and secular, emphasized even more clearly the truly democratic character of the young republic. Turkey is going through a period of rapid expansion. Like every growth, this has its pains, and history teaches us that it is natural that it should be so. But, in recent months some observers of the Turkish scene have taken these symptoms as the substance of Turkish life—forgetting the truth expressed in the old Turkish proverb, "Falling blossoms indicate ripening fruit."

Turkey is virtually a bridge between East and West both geographically and culturally. The Dardenelles and the Bosporus are the Soviet Union's only outlets to the Mediterranean. Possession of Istanbul and the Straits would enable an aggressive power to use Turkey as a base to control the eastern Mediterranean and make air attacks on shipping there and all along the sea lanes which pass through the Suez Canal. Turkey's strategic importance is, therefore, fully recognized by all major powers. The United States has a high stake in Turkey, not only in terms of military and economic investment, but also in terms of good will and friendship. Turkey is one of America's strongest and most reliable friends, a bulwark against Soviet expansion.

Turkish loyalties are true and intense. Above all, they believe in the future of their country and not in a narrow nationalistic sense, for the Turkey of the future will serve the welfare of the entire world through her strength and the wisdom of her leaders.

Salute to the U. S. S. "Iowa"

EXTENSION OF REMARKS
OF
HON. HENRY O. TALLE
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 27, 1957

Mr. TALLE. Mr. Speaker, a few days ago the Department of the Navy announced that the great battleship U. S. S. *Iowa* was to be decommissioned. Immediately I felt that special recognition of its gallant service to our country should be shown. Accordingly, as chairman of the Iowa delegation in the House of Representatives, I proceeded, with the approval of my State delegation in the Congress, to make arrangements with the United States Navy for our group to be received aboard the U. S. S. *Iowa* for the purpose of paying her appropriate honor. I thereupon had a parchment scroll prepared which was signed by every Member from Iowa now serving in the Congress.

Consequently on last Saturday, August 24, I, together with some of my colleagues and other interested persons from Iowa, had the honor and privilege of visiting the battleship, U. S. S. *Iowa*, now stationed at Norfolk, Va., but scheduled to be retired from active service later this year. It was an experience I wish every Member of this body might have shared.

I was especially impressed with the high caliber of the men we met aboard the *Iowa*, particularly her skipper, Capt. F. Julian Becton, and her executive officer, Comdr. T. C. "Ted" Siegmund. They are a genuine credit to the United States Navy and to the *Iowa*.

I was also immensely pleased to meet 22 young men from the State of Iowa who are presently serving aboard the ship and who I feel are a great credit to their State. They are:

E. A. Schoenfelder, CWO, from Marengo; Fred W. Adams, PN3, Elliott; Richard T. Anderson, FN, Creston; Edgar L. Beebe, EMP3, Des Moines; Glen G. Butler, ETRSN, Soldier; Charles W. DeCook, IC3, Wadena; T. A. Ditsworth, FN, Humboldt; Charles E. Dorl, BT3, Clarinda; R. O. Eick, SN, Waverly; Larry K. Gahring, EM3, Belle Plaine; C. B. Heithoff, TD3, Reinbeck; Richard C. Holts, BM1, Boone; Donald W. Leith, SA, Waterloo; Gary O. Marlin, FN, Creston; T. G. McAllister, SN, Cascade; Leroy A. Nelson, ETRSN, Webster; Quinn R. O'Brien, EM3, Council Bluffs; Charles E. Otto, EM3, Clinton; Clarence W. Moyers, SN, Burlington; Adar P. Reid, CS2, Wilton Junction; R. E. Richey, SN, Council Bluffs; and Larry B. Thomassen, EMFN, Leighton.

As part of the Saturday ceremonies aboard the ship, Mr. Speaker, it was my proud privilege to present to Captain Becton a scroll signed by every Member of the Iowa Congressional delegation. The parchment scroll will be made a part of the permanent archives of the U. S. S. *Iowa* and reads as follows:

> On the approaching retirement of the great battleship U. S. S. *Iowa* (BB 61) the undersigned Members of the Iowa delegation in the Congress of the United States express their appreciation to that magnificent fighting ship and those who have served in her for bearing with honor, dignity, and courage the name of our sovereign State.

Mr. Speaker, the U. S. S. *Iowa*, one of the famous battleships of the Navy, will be decommissioned at the Philadelphia Navy Yard beginning October 14, 1957. It seems particularly appropriate at this time to review briefly the history of this mighty vessel.

The U. S. S. *Iowa* which we visited at Norfolk is the fourth Navy ship designated as the *Iowa*. The first, a 3,200-ton vessel, was commissioned in 1864 and was stricken from the Navy Register 18 years later. The second was an 11,346-ton ship which performed blockade duty off Cuba and fired the first shot at Santiago Bay during the Spanish-American War. The third *Iowa*, a battleship planned to be almost as large as the present one, was canceled in the midst of construction in accordance with the Washington treaty which limited naval armament.

It should be noted, Mr. Speaker, that the ship's silver service, which is now on display in the captain's cabin, was purchased by an appropriation of the General Assembly of the State of Iowa and presented to the second *Iowa* on June 19, 1897. In making the presentation, C. G. McCarthy, State auditor of Iowa, said in part:

> While we hope that our Navy shall never turn from the face of any enemy, may we not indulge the larger hope * * * that the *Iowa* * * * shall somehow find a place as a messenger of peace rather than of war * * * be herald of human progress rather than foeman to international strife.

However desirable this wish was, it was not destined to be fulfilled. Less than a year later, the Cuban situation and the sinking of the *Maine* brought on the Spanish-American War. The *Iowa* was stationed outside the harbor of Santiago, Cuba, where the Spanish fleet under Admiral Cervera had taken refuge. On the morning of Sunday, July 3, 1898, the *Iowa*, which lay opposite the mouth of Santiago Harbor, fired a shot from a small gun and raised the signal: "The enemy is attempting to escape."

In the fierce fighting that followed, the *Iowa* crippled the *Maria Teresa*, sank two Spanish destroyers, and then with her sister battleships crushed the *Oquendo* and the *Vizcaya*. The Spanish captain of the sinking *Vizcaya* surrendered to Capt. Robley D. Evans aboard the *Iowa*. Later Admiral Cervera and his staff were transferred to this gallant namesake of the Hawkeye State.

During World War I, the *Iowa* served as a training ship and guarded the entrance to Chesapeake Bay. She was used as a target for naval gunfire after World War I, and was later sunk as other assembled vessels honored her with a 21-gun salute.

The present *Iowa* was commissioned on Washington's birthday, 1943, the first of four called the *Iowa* class. She is one of the world's largest, fastest, and most powerful battleships. Builders, working day and night during the war, took 3 years to construct her at a cost of $110 million. Today her replacement cost is estimated at well over $200 million.

The *Iowa* displaces nearly 60,000 tons, is 887 feet long, and measures 108 feet across her beam. The length is 13 feet shorter than 3 football fields laid end to end. The highest point of her superstructure towers 185 feet above her keel; 150 feet above the waterline are 13 separate deck levels whose combined height is equivalent to the height of a 17-story building.

The engineering plant and auxiliary machinery drive the ship at speeds in excess of 30 knots. The main plant is capable of developing 212,000 horsepower; the electrical generators could supply electricity to a city of 20,000 inhabitants.

The engineering force must maintain more than 900 electrical motors, 5,300 lighting fixtures, 250 miles of electrical cable, and more than 1,300 telephones. The distilling plant can make more than 100,000 gallons of fresh water from the sea every day; the capacity of her fuel oil tanks is more than 2½ million gallons.

In wartime, the *Iowa* carries nearly 3,000 men who consume 7 tons of food a day. In the huge storerooms, 100 tons of fresh fruits and vegetables, 650 tons of dry stores, and 84 tons of fresh meats can be stored. This is a total supply of 834 tons of foods, a quantity sufficient to last 119 days.

A floating city, the ship has a soda fountain, barber shop, cobbler shop, laundry, tailor shop, printshop, hospital, seven dining halls, library, photographic laboratory, dental office, dispensary, and bakery.

Her armament consists of nine 16-inch guns that can hurl 25 tons of projectile a minute at a distance of 23 miles. The *Iowa* also has 20 5-inch dual purpose guns and numerous 40-millimeter rapid fire machineguns. She is heavily armored and is able to withstand extremely heavy punishment.

Mr. Speaker, the record of the *Iowa* during World War II is one to be proud of. Briefly, her war service was as follows:

August 27, 1943, departed Boston for Argentia, Newfoundland.

November 12, 1943, carried President Roosevelt to and from the Cairo-Teheran Conference.

January 20–February 2, 1944, member of the supported force for air strikes against Eniwetok Atoll (Marshall Islands) including Kwajalein Atoll, January 29, 1944.

February 16–17, 1944, participated in strike against Truk Atoll. Engaged in sweep around Truk resulting in destruction of 1 destroyer, 1 minelayer, and 1 subchaser of the enemy.

February 22–23, 1944, member striking force on Tinian Island.

March 18, 1944, participated in bombardment of Mille Atoll—Marshall Islands.

March 30, 1944–April 1, 1944, member support force for air strikes against Palau Woleai—Caroline Islands.

April 21–24, 1944, member support force air strike against Hollandia–Wake, New Guinea.

April 29–30, 1944, member support force air strike against Truk Atoll—Caroline Islands.

May 1, 1944, participated in bombardment of Saipan and Tinian, first battle of the Philippine Sea.

September 1944, member support force, air strikes against Philippines and Palaus, as a unit of Fleet Adm. William F. Halsey's 3d Fleet.

October 12, 1944, light units of the force sank an enemy cruiser in the San Bernardino Straits.

October 25, 1944, Second Battle of Philippine Sea in San Bernardino Straits.

November 1944, member support force for air strikes on Leyte and Luzon.

April, May 1945, operated around Okinawa and Ryukyus.

May 28–June 14, 1945, operated with 3d Fleet, member support force for Okinawa operation and air strike against Kyushu.

July 10, 1945, participated in bombardment of Muroran, Hokkaido, Japan.

July 17, 1945, participated in bombardment of Kitachi, Honshu, Japan.

July 28, 1945, member support force for air strikes against Japanese fleet remnants at Kure, Japan.

August 15, 1945, cessation of hostilities.

Mr. Speaker, in the spring of 1949, the *Iowa* was retired from the active fleet and laid away amidst a silent company of dormant, mothballed ships in San Francisco Bay.

Three years later she was back in action in Korea. During her tour in the Far East as flagship for the commander of the 7th Fleet, the *Iowa* fired more than double the amount fired during her World War II service, 4,500 rounds of 16-inch ammunition.

Returning to the Atlantic Fleet after an overhaul in November 1952 the *Iowa* conducted training exercises for her crew. She took part in the NATO exercise, "Operation Mariner," in 1953, and trained midshipmen during the summer months. Returning to the Norfolk area until November 1, 1954, she sailed to take part in the largest postwar exercise in the Atlantic, known as Lantflex 1–55.

Earning a "well done" from the commander of the 6th Fleet, the *Iowa* served a 3-month tour of duty in the Mediterranean from January until April. After embarking 600 midshipmen, she sailed in June for ports in Spain, England, and Cuba, continuously conducting drills and exercises for the middies, returning in August. She later conducted other midshipmen cruises.

Next month, the *Iowa* will participate in "Operation Strikeback," part of a joint NATO exercise, which will terminate her active service.

During the past 14 years, the *Iowa* has earned numerous battle stars, presidential citations, and other awards. I would like to cite a few of them here.

The U. S. S. *Iowa* (BB-61) earned the following battle stars:

Asiatic-Pacific Area Service Ribbon.

One star, Marshall Island operation: Occupation of Kwajalein and Majuro Atoll, January 29–February 8, 1944; Mille Atoll, March 18, 1944.

One star, Asiatic-Pacific raids: Truk attack, February 16–17, 1944; Marianas attack, February 21–22, 1944; Palau, Yap, Ulithi, Woleai raid, March 30–April 1, 1944; Truk, Satawan, Ponape raid, April 29–May 1, 1944.

One star, Marianas operation: Capture and occupation of Saipan, June 11–24, 1944; Battle of the Philippine Sea, June 19–20, 1944; capture and occupation of Guam, July 12–August 15, 1944; Palau, Yap, Ulithi raid, July 25–27, 1944.

One star, western Caroline Islands operation: Capture and occupation of southern Palau Islands, September 6–October 14, 1944; assaults on the Philippine Islands, September 9–24, 1944.

One star, Leyte operation: Battle of Surigao Strait, October 24–26, 1944; 3d Fleet supporting operations, Okinawa attack, October 10, 1944; northern Luzon and Formosa attacks, October 13–14, 1944; Luzon attacks, October 15, 17–19, November 5–6, 19–25, December 14–16, 1944; Visayas attacks, October 21, 1944.

One star, Okinawa Gunto operation: 5th and 3d Fleets raids in support of Okinawa Gunto operation, April 24–June 11, 1945.

One star, 3d Fleet operations against Japan, July 10–August 15, 1945.

One star, Tinian capture and occupation, July 20–August 10, 1944.

One star, Hollandia operation, Aitape Humboldt Bay-Tanahmerah Bay, April 21–24, 1944.

China Service Medal, extended, September 2–24, 1945, January 26, March 25, 1946.

Navy Occupation Service Medal with "A" clasp, March 23–August 6, 1951; May 4–November 21, 1952.

United Nations and Korean Service Medal, March 30–October 10, 1952.

One star, second Korean winter, April 5–30, 1952.

One star, Korean Defense, summer-fall 1952, May 1–October 17, 1952.

Korean Presidential Unit Citation, March 31–October 19, 1952.

Philippine Republic Presidential Unit Citation, October 10, 13–15, 17–26, 1944; November 5–6, 19–25, 1944; December 14–16, 1944.

Mr. Speaker, this is the remarkable record of an illustrious fighting ship. Since the U. S. S. *Iowa* will be retired shortly from the active fleet, I consider it especially appropriate to call attention at this time to her great service to the United States. I only regret that this ship, which proudly carries the name of the Hawkeye State, will be missing in the future from among the vessels of the Navy's active fleet.

SENATE

WEDNESDAY, AUGUST 28, 1957

The Senate met at 10 o'clock a. m.

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

O Thou God, the reality behind all earth's shadows: Seeing we spend our days as a tale that is told, and that we pass this way but once, help us this and every day to hasten to do the best and to speak the best that is in us, lest ere the day has come to twilight we hear the summons of the one clear call before our word is said and our utmost done. We pray, and would work as we pray, for good government and just laws, for sound learning and a fair and clean press, for sincerity and honesty in our relations with one another and with all the peoples of the earth, and, above all, for a spirit of service and of sharing which will abolish pride of place and class and open the gates of equal opportunity to all.

We ask it in the name of that One who is the servant of all. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., August 28, 1957.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. MIKE MANSFIELD, a Senator from the State of Montana, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. MANSFIELD thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Tuesday, August 27, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

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

On August 22, 1957:

S. 1384. An act to revise the definition of contract carrier by motor vehicle as set forth in section 203 (a) (15) of the Interstate Commerce Act, and for other purposes.

On August 28, 1957:

S. 319. An act to provide for the conveyance to the State of Maine of certain lands located in such State;

S. 534. An act to amend section 702 of the Merchant Marine Act, 1936, in order to authorize the construction, reconditioning, or remodeling of vessels under the provisions of such section in shipyards in the continental United States;

S. 538. An act to amend Public Law 298, 84th Congress, relating to the Corregidor-Bataan Memorial Commission, and for other purposes;

S. 556. An act to provide for the conveyance of certain real property of the United States situated in Clark County, Nev., to the State of Nevada for the use of the Nevada State Board of Fish and Game Commissioners;

S. 620. An act to transfer ownership to Allegany County, Md., of a bridge loaned to such county by the Bureau of Public Roads;

S. 919. An act to provide that certain employees in the postal field service assigned to road duty, and rural carriers, shall receive the benefit of holidays created by Executive order, memorandum, or other administrative action by the President;

S. 1113. An act to provide for the conveyance of certain lands of the United States to the city of Gloucester, Mass.;

S. 1383. An act amending section 410 of the Interstate Commerce Act, to change the requirements for obtaining a freight forwarder permit;

S. 1417. An act relating to the affairs of the Osage Tribe of Indians in Oklahoma;

S. 1556. An act granting the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact relating to their interest in, and the apportionment of, the waters of the Little Missouri River and its tributaries as they affect such States, and for related purposes;

S. 1747. An act to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products;

S. 1799. An act to facilitate the payment of Government checks, and for other purposes;

S. 1823. An act to authorize the conveyance of Bunker Hill Island in Lake Cumberland near Burnside, Ky., to the Commonwealth of Kentucky for public park purposes; and

S. 1971. An act to amend sections 4 (a) and 7 (a) of the Vocational Rehabilitation Act.

LEAVES OF ABSENCE

Mr. JOHNSTON of South Carolina. Mr. President, I ask the Senate to give me permission to leave on tomorrow, at 2 o'clock, to attend the wedding of my daughter, and to be away Thursday afternoon and Friday.

If the Senate sees fit to leave the amendments to the so-called civil-rights bill under discussion for longer than that, I shall return here, if needed, on Saturday.

The ACTING PRESIDENT pro tempore. Without objection, leave is granted.

Mr. ERVIN. Mr. President, I ask unanimous consent that I may be excused from attendance in the Senate during the remainder of the week, so that I may attend the wedding of my daughter.

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

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Permanent Subcommittee on Investigations of the Committee on Government Operations and the Subcommittee on Minerals, Materials, and Fuels of the Committee on Interior and Insular Affairs were authorized to meet during the session of the Senate today.

THE CIVIL RIGHTS ACT OF 1957

The Senate resumed the consideration of the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate agree to the House amendments to Senate amendments Nos. 7 and 15 to House bill 6127. I make that motion now.

WILLIAM PROXMIRE, UNITED STATES SENATOR FROM WISCONSIN

Mr. JOHNSON of Texas. Mr. President, within a very short time we shall welcome to this Chamber a new colleague. He is WILLIAM PROXMIRE, of Wisconsin, who was elected by one of the most overwhelming and one of the most widespread votes in the history of that great State.

Mr. President, I would be less than human if I did not feel a deep sense of pride that a Democrat won that contest. It was a key contest—the kind upon which the future of this Senate can be determined.

WILLIAM PROXMIRE is the man who won the election. The victory is his. It is something that should properly be elating to him and to his fellow Democrats.

He is the first Democrat to be elected in Wisconsin to the United States Senate since 1932.

But, Mr. President, it does not detract in the slightest from BILL PROXMIRE's triumph to say that there are some deep and profound lessons to be drawn from this election. There are forces at work in this country, and they are forces of strength.

The magnitude of those forces can be measured by the magnitude of BILL PROXMIRE's victory. I am not referring just to the size of his vote. I am referring to the distribution.

Wisconsin is a State which presents a perfect mirror of our country. It can be described—quite accurately—as a great agricultural State. It can be described—quite accurately—as a great industrial State. It combines vast timber resources and large manufacturing plants. It is a center of the dairy industry—and provides ports for shipping.

Its people are liberal and conservative. They have elected Socialist mayors, and have supplied strongly nationalist organizations with the funds that keep them in operation.

They include all nationalities, all religions. The people of Scandanavia and the people of middle Europe have contributed in great measure to the population.

And yet, Mr. President, these people—from all parts of the State—played a role in the election of BILL PROXMIRE.

I do not pretend to understand all the factors that went into the election.

And yet, Mr. President, I believe the people of Wisconsin and the people of Texas and the people of all States have certain views in common.

They are tired of a policy which holds that the solution to the farm problem is to let the farmers leave the farms, and to drive them away from the land.

They are wearied of a program which sends the value of the consumer's dollar down, down, down, and the value of the lender's dollar up, up, up.

They have had enough of vacillations in defense policy which one day implores Congress for more money—and the next day says that the money appropriated should be impounded.

Mr. President, I shall personally take a very deep pleasure in welcoming William Proxmire to the Senate. But above and beyond that pleasure, I think it is time for my colleagues to realize that we are past the era in which personalities dominated our politics.

There are issues of great importance, Mr. President, that the American people are going to resolve at the polls in the days ahead, as they did yesterday in Wisconsin. And disappointing as those results will be to some, I want to warn, Mr. President, that whoever ignores those issues, does so at his own peril.

Mr. IVES. Mr. President, having listened to the presentation by the distinguished majority leader, I am constrained to make an observation: I heartily congratulate the Democrats upon their success in Wisconsin. My observation is that the Republicans should take warning.

Mr. JOHNSON of Texas. Mr. President, I thank the Senator from New York. What he has said is to the point, and I appreciate his observation.

Mr. IVES. It is genuine; I think it is true all the way around.

Mr. JOHNSON of Texas. I appreciate the Senator's observation.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Inasmuch as the Senate has convened today following an adjournment there is a regular morning hour, and business of the morning hour is now in order.

RESOLUTION OF NEW HAMPSHIRE POULTRY GROWERS ASSOCIATION

Mr. COTTON. Mr. President, I ask unanimous consent to have printed in the Record, and appropriately referred, a resolution adopted by the New Hampshire Poultry Growers Association at its annual meeting August 14. I share the views expressed in the resolution and believe the New Hampshire Poultry Growers Association is to be commended for its determination to work out solutions to the serious problems of the poultry industry without relying on the Federal Government.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

New Hampshire Poultry
Growers Association,
Durham, N. H., August 26, 1957.
Senator Norris Cotton,
Senate Office Building,
Washington, D. C.

Dear Senator Cotton: Following is a copy of a resolution passed at the annual meeting of the New Hampshire Poultry Growers meeting, August 14:

"*Resolved,* That the New Hampshire Poultry Growers Association go on record as being opposed to any Government controls or interference in the poultry industry except in a research capacity, and the Secretary be instructed to notify our Congressmen to that effect."

Thanking you in advance for your kind consideration.

Sincerely,

Richard Warrfn,
Secretary.

RESOLUTION OF OREGON STATE LABOR COUNCIL, AFL–CIO

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the Record a resolution adopted by the 1957 convention of the AFL–CIO State Labor Council of Oregon, protesting against the appointment of Douglas McKay to the Commission of International Water Resources, United States and Canada.

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

Whereas the State of Oregon in no uncertain terms in 1956 told the people of the United States what their position was on public power and giveaway of natural resources; and

Whereas this convention was on record sustaining the effort to resist all efforts to give away these resources, which really belong to the future; and

Whereas we showed what we thought of giveaway Doug: So, therefore, be it

Resolved, That this 1957 convention of the AFL–CIO Oregon State Labor Council go on record protesting the appointment of giveaway Douglas McKay to the Commission of International Water Resources between Canada and the United States and that copies of this be sent to our international, our Members in Congress and the President of the United States.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. O'MAHONEY, from the Committee on the Judiciary, without amendment:

H. R. 2654. An act for the relief of the Martin Wunderlich Co. (Rept. No. 1153).

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, without amendment:

H. R. 7900. An act to permit the Secretary of Agriculture to sell to individuals land in Ottawa County, Mich., which was acquired pursuant to the provisions of title III of the Bankhead-Jones Farm Tenant Act (Rept. No. 1155).

By Mr. SYMINGTON, from the Committee on Agriculture and Forestry, without amendment:

H. R. 580. An act to authorize the exchange of certain land in the State of Missouri (Rept. No. 1156).

PROCEDURES AND CONTENTS FOR CERTAIN REPORTS TO THE SENATE RELATING TO PROPOSED PROJECTS FOR CONSERVATION AND DEVELOPMENT OF LAND AND WATER RESOURCES (S. REPT. NO. 1154)

Mr. NEUBERGER. Mr. President, on behalf of the distinguished chairman of the Committee on Interior and Insular Affairs, the Senator from Montana [Mr. Murray], I report favorably, with amendments, the resolution (S. Res. 148) to prescribe procedures and contents for reports to the Senate by executive agencies with respect to proposed projects for conservation and developent of land and water resources, and I submit a report thereon, together with minority views. I ask unanimous consent that the report, together with the minority views, may be printed.

The ACTING PRESIDENT pro tempore. The report will be received, and the resolution will be placed on the calendar; and, without objection, the minority views will be printed, as requested by the Senator from Oregon.

Mr. NEUBERGER. Senate Resolution 148 was referred jointly to the Committee on Public Works and the Committee on Interior and Insular Affairs, and the report is made jointly on behalf of both committees. The minority views are filed from each committee.

The distinguished chairman of the Committee on Interior and Insular Affairs [Mr. Murray] and the distinguished chairman of the Committee on Public Works [Mr. Chavez] express the hope that the Senate will act favorably on the resolution before adjournment.

I merely wish to emphasize that I am not necessarily concurring in the views of the distinguished chairmen of these two committees, but am submitting the report on their behalf.

REPORT OF DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Executive Papers, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon pursuant to law.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. LANGER:

S. 2867. A bill to make the Board of Parole an independent agency of the Government; to the Committee on the Judiciary.

By Mr. MUNDT:

S. 2868. A bill providing for the conveyance to Clarence E. Forman of a certain tract of land in the State of South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. ALLOTT:

S. 2869. A bill to provide programs for the maintenance of a tungsten industry in the

United States; to the Committee on Interior and Insular Affairs.

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

By Mr. POTTER:

S. 2870. A bill for the relief of Jacob A. Rollefson; to the Committee on the Judiciary.

By Mr. FLANDERS (by request):

S. 2871. A bill to amend title III of the Career Compensation Act of 1949 to provide special pay for members of the uniformed services who winter over in Antarctica; to the Committee on Armed Services.

By Mr. MURRAY:

S. 2872. A bill to amend title IV of the National Housing Act, as amended (12 U. S. C. 1726), relating to insurance of savings and loan accounts, and to amend section 5 (i) of the Home Owners Loan Act of 1933, as amended (12 U. S. C. 1464), relating to termination of insurance of accounts; to the Committee on Banking and Currency.

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

By Mr. MORSE:

S. 2873. A bill to amend section 207 of the International Claims Settlement Act of 1949, as amended, to provide for the restoration of certain property rights; to the Committee on Foreign Relations.

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

By Mr. JOHNSTON of South Carolina:

S. 2874. A bill to amend section 284 of title 18 of the United States Code Annotated; to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina (by request):

S. 2875. A bill to provide a uniform premium pay system for Federal employees engaged in inspectional services, to authorize a uniform system of fees and charges for such services, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MARTIN of Pennsylvania (for himself and Mr. Clark):

S. 2876. A bill to amend the Internal Revenue Code of 1954 to increase the depletion allowance for coal and lignite; to the Committee on Finance.

S. 2877. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Martin of Pennsylvania when he introduced the above bills, which appear under a separate heading.)

By Mr. NEUBERGER (for himself and Mr. Morse):

S. J. Res. 131. Joint resolution authorizing the President to issue a proclamation calling upon the people of the United States to commemorate with appropriate ceremonies the 100th anniversary of the admission of the State of Oregon into the Union; to the Committee on the Judiciary.

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

PRINTING OF REPORT OF PROCEEDINGS OF 38TH CONVENTION OF INSTRUCTORS OF THE DEAF

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 194) to print the report of the proceedings of the 38th biennial meeting of the Convention of the Instructors of the Deaf, which was placed on the calendar, as follows:

Resolved, That the report of the proceedings of the 38th biennial meeting of the Convention of American Instructors of the Deaf, held at Knoxville, Tenn., June 23 to June 28, 1957, be printed with illustrations, as a Senate document.

INVESTIGATION OF TUNGSTEN PRICES

Mr. MALONE, for himself, Mr. Bible, and Mr. Allott, submitted Senate Resolution 195, requesting the Tariff Commission to investigate prices of domestic and foreign tungsten and concentrates, which was considered and agreed to.

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

PROGRAMS FOR MAINTENANCE OF THE TUNGSTEN INDUSTRY

Mr. ALLOTT. Mr. President, I should like to speak for a few minutes about a subject of great importance to this country—tungsten. Tungsten is a metal very few people know much about except in a vague sort of way. Most people know it is used in our light globes but not much more about it. But the people up at the Department of Defense know a good deal about it, as does the Office of Defense Mobilization. They know it is an element invaluable in war, important in peace, and an essential part of our daily living as we have come to know it.

The story of tungsten involves bold and brave personalities; fabulous discoveries, wars won and the course of history altered; modern mass production and destruction; and comforts for our daily lives far beyond the dreams of our ancestors.

Tungsten has two important characteristics. It is the hardest of all known substances except for the diamond, and it retains its strength at extremely high temperatures—having the highest melting point of any metal known to man. These two characteristics make it entirely possible that its vital role in our life today may be only an indication of its importance in the years ahead. As a filament in light globes and electronic tubes it has no peer. As an alloy it makes possible cutting tools for our manufacturing industries that were previously thought impossible. It is in wide use for drilling tools and in armor-piercing projectiles. It is also used extensively in dies and inks as a pigment.

Tungsten is of critical importance in our continuing effort to set ever faster speed records. The problem in aviation today is not the sound barrier but the heat barrier. Our scientists have for years been searching for new alloys with ever greater heat resistance. In gas turbine engines and in jet engines particularly, the hardness and high critical temperature of tungsten are vitally important.

The importance of this metal was not appreciated outside of Germany until World War I. Were it not for the resourcefulness of the Allies during that war in catching up to the Germans in the use of this metal, things might well have gone badly for us.

By World War II we were well acquainted with the importance of an adequate supply of tungsten, but many people in this country thought our domestic supply was so limited that it was necessary to conserve it and to rely on imports. Again in the Korean combat we were at a strategic disadvantage because of our short supply. But we had finally learned our lesson, and under the stimulus of a Government purchase program our domestic tungsten mining industry blossomed. Our miners located and developed so many sources of the critical and strategic tungsten ores that our problem right now is temporarily one of oversupply.

At the close of World War II and from 1946 to 1950 the average domestic production amounted to only 3.7 million pounds and the imports from other countries were 8.2 million pounds. When the Korean war began and when we needed this valuable strategic mineral, the domestic production of tungsten in the United States was at a very low ebb. The foreign importers were thus able to increase the price of tungsten from $26 to well over $100 a unit in this country. It was not until this domestic program went into effect and we got the United States producers again producing tungsten that we were able to get the price back to a reasonable one.

By enacting into law Public Law 733 in the 84th Congress, we encouraged our tungsten miners to believe that the Government would assist in the effort to stabilize this all-important industry by purchasing tungsten ore at $55 a unit.

When the Senate approved Public Law 733 by a vote of 65 to 17 last year and it was later signed into law, we in effect said to the tungsten miners all over the United States, "We believe in the future of tungsten and we believe it is necessary."

But this year, the Congress of these United States said to the 700 producers of tungsten, "We're sorry that you went ahead and mined all that ore because we didn't really mean it and anyway we have all the tungsten we need. Close up your mines. Let the water come into them. Take out your valuable pumps and your more valuable personnel and let these mines go to rot. In the event of an emergency we can in 2 or 3 years get them back into production. And while we may need you next year, it appears that this year we have an oversupply and it will be necessary for you to figure out some other way to make a living."

One of the small tungsten producing firms in Colorado on the basis of Public Law 733 invested $55,000 in its operation. This company now stands to lose some $200,000 on tungsten concentrates already produced and over $500,000 on improvements made in reliance on this Federal program. Beyond this, some 80 workers in this mine are now unemployed in a small town where no alternative employment is available.

With this situation in mind, Mr. President, and in search of a way to assist our tungsten industry in a small way and to renew the moral credit of the Government of the United States, I now introduce a bill which I hope will have thorough consideration prior to the time we reconvene in January, and that at that time the Congress of the United States will see fit to enact it into law.

The bill has two parts. The first part, designed to meet the moral obligations I believe this Government incurred through passage of Public Law 733, provides for the purchase of not more than 250,000 short ton units of domestically produced tungsten at $55 per unit; and to indemnify domestic producers of up to 100,000 units for ores sold between November 1, 1956, the date when the purchase program expired, and June 30, 1957. Payments would be made on the basis of the difference between $55 and the price the producer obtained. Payments under this section would be made for not more than 35,000 units for any one producer from one mining district.

The second part of this bill provides a long-range program to stabilize the domestic tungsten industry through payments of a production bonus of $30 per unit for a total of not more than 200,000 units per year. This section applies to materials produced only after July 1, 1957. This title is designed to help the small producer as payments could not be made for more than 500 units from any one producer from one mining district, which would provide very little incentive to the large companies.

Some Members of Congress who opposed appropriations this year to implement Public Law 733 indicated their sympathy with the small miner. I am sure that these people will agree with me that this is a reasonable and certainly a minimal approach toward helping the hard-pressed small tungsten producers on a long-range basis.

In conclusion, Mr. President, I should like to say the record of this Congress with respect to our moral obligations to the mining industry is a pitiful one. The Department of the Interior has recommended over and over that something should be done for the mining industry, and particularly the tungsten mining industry. Virtually all the tungsten mines in our country are now closed. It seems to me that a program such as that provided in the bill I am now introducing is essential if we cannot continue Public Law 733, which Congress has refused to do.

Another alternative which has recently been offered is to establish a tariff of about $45 per unit, which is approximately 300 percent ad valorem. I believe that almost anyone would consider it unrealistic to dream of that under present circumstances. The minimal program which I propose is the least we can do for the tungsten industry, and I might say that it is suggested that it is time for Congress to take a thorough look at the mining industry and adopt a complete program and set of principles upon which we may reasonably expect to develop and maintain the mining industry of this country.

Mr. President, I introduce the bill, and ask for its appropriate reference.

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

The bill (S. 2869) to provide programs for the maintenance of a tungsten industry in the United States, introduced by Mr. Allott, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

PRESERVATION OF MUTUAL OR COOPERATIVE SAVINGS AND LOAN ASSOCIATIONS

Mr. MURRAY. Mr. President, I introduce, for appropriate reference a bill to amend title IV of the National Housing Act, as amended, title 12, United States Code, section 1726, relating to insurance of savings and loan accounts, and to amend section 5 (i) of the Home Owners Loan Act of 1933, as amended, title 12, United States Code, section 1464, relating to termination of insurance of accounts. I ask unanimous consent that a statement, prepared by me, relating to the proposed legislation, be printed in the Record.

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

The bill (S. 2872) to amend title IV of the National Housing Act, as amended, title 12, United States Code, section 1726, relating to insurance of savings and loan accounts, and to amend section 5 (i) of the Home Owners Loan Act of 1933, as amended, title 12, United States Code, section 1464, relating to termination of insurance of accounts, introduced by Mr. Murray, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The statement presented by Mr. Murray is as follows:

Statement by Senator Murray

All federally chartered savings and loan associations are by law mutual in character and are organized and operated according to the best practices of local mutual thrift and home-financing institutions. This policy in the Home Owners Loan Act of 1934 includes as its standards the well-known and very creditable New York, Pennsylvania, New Jersey, and New England mutual savings banks. These banks are without exception mutual in character. Ninety-five percent of the State-chartered savings and loan associations and cooperative banks are mutual in character. There are some preferred stock companies in Ohio, which have an excellent reputation, and in California there has been a burst of promotion of stock companies including the conversion of mutual institutions to preferred stock companies.

The Congress has for decades provided a different taxation treatment for these cooperative institutions who distribute all of their earnings, beyond their reserves for losses, to their savings account holders. This is justified for mutual or cooperative institutions, but nowhere was this treatment ever intended for privately owned money-making enterprises. The handling of other people's savings in large amounts is a trustee activity, and the reason for the organization of preferred stock companies in a few States is to take advantage of the tax status accorded to mutual savings and loan associations and mutual savings banks and to trade on the general good reputation of savings and loan associations, both Federal and State.

The bill which I place before the Congress for the consideration of the Banking and Currency Committee, the appropriate Government departments, and the trade organizations in the financial field prohibits the conversion of federally chartered mutual institutions to preferred stock organizations. This prevents managers or insiders from obtaining for their personal aggrandizement the value of the reserves accumulated in the mutual institutions. This is accomplished by the first and second sections of this bill, which have been developed by some of the best men in the business who are interested in maintaining the character of these institutions rather than to see how much money can be made out of them for a few individuals.

The third section will terminate the insuring of any stock mortgage companies under the name of savings and loan associations unless they follow the mutual savings bank or the local thrift institution pattern set up in the original Federal Savings and Loan Act. This eliminates the controversial question of taking insurance away from any institution and, while it lets some managers under the tent who are interested in "legalized larceny," as Senator Douglas called it some time ago, it does also recognize that, in California, in Ohio, and in 4 or 5 other isolated instances, there are old institutions under exacting statutes and supervision which have none of the aspects of newly chartered permanent stock institutions.

As the Congress is responsible for creating legal authority to charter Federal savings and loan associations and to insure the accounts of federally and State chartered institutions, I believe it has a responsibility to maintain the mutual or cooperative character of the institutions. I hope that this matter can be given thorough study. Ultimate action on this bill will contribute to preserving the ideals of the mutual savings banks and mutual savings and loan associations and maintain the indispensable integrity that is essential in the handling of other people's money.

There is a preferred stock institution of substantial size in receivership in Nevada, two are in the possession of public authorities in Illinois and I am advised that the authorities are concerned over the financial practices of some of the preferred stock institutions in southern California. The recent sale of a so-called savings and loan association, but one of the preferred stock type, to a group organized by one of the large New York investment houses and the sale of the holding company's securities all over the Nation were a complete departure from what the Congress intended in connection with the development and expansion of the savings and loan business and far from the ideals of those of us who have been students of or associated with mutual thrift and home financing institutions.

AMENDMENT OF INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949, RELATING TO RESTORATION OF CERTAIN PROPERTY RIGHTS

Mr. MORSE. Mr. President, I introduce, for appropriate reference, a bill to amend section 207 of the International Claims Settlement Act of 1949, as amended, to provide for the restoration of certain property rights. I ask unanimous consent that a statement, prepared by me, relating to the bill, be printed in the Record.

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

The bill (S. 2873) to amend section 207 of the International Claims Settlement Act of 1949, as amended, to provide for the restoration of certain property rights, introduced by Mr. Morse, was received, read twice by its title, and referred to the Committee on Foreign Relations.

The statement presented by Mr. Morse is as follows:

Statement by Senator Morse

On October 14, 1949, I introduced a private relief bill, S. 2705, for the relief of Dr. Endre Ungar and other persons, by authorizing the return of their proportionate interest in the property of Chinoin Chemical and Pharmaceutical Works Co., Ltd., seized in the United States during World War II. I indicated in my statement in introducing the bill, found in the Congressional Record, volume 95, part 11, pages 14503-14504, that the intention of Congress, the executive, and the courts had been to permit the return of nonenemy interests seized by our country.

On June 23, 1950, while S. 2705 was pending before Congress, the President of the United States sent Congress a veto message relating to another private bill, calling for general legislation to eliminate the same injustice I had treated in S. 2705. His message, House Document No. 628, can be found in the Congressional Record, volume 96, part 7, page 9193. It reads in part:

"It is recognized that injustices may result from the statutory prohibition against return of property to persons who, even though they qualify as individuals, are ineligible because their ownership of the vested property was through the medium of a corporation. This provision of law has required the Office of Alien Property to deny the return of property in other cases just as deserving as the one here in question. The special consideration this bill would grant to this particular claimant would be unfair to the other claimants in equally appealing circumstances.

"The problem presented by this case and other similar cases should be considered in connection with general legislation amending the Trading With the Enemy Act to permit returns of property to persons who would be eligible claimants if they had owned the property directly rather than through a corporate equity. I hope that the Congress, with the assistance of the executive agencies concerned, will develop and enact appropriate legislation at an early date."

This recognition of the injustice involved in cases such as that for which I introduced my private bill follows the position of the Government of the United States in advocating the inclusion of such a provision in the Brussels agreement, signed September 5, 1947. It reads:

"For the protection of the interests in the enterprises of nonenemy nationals, referred to in article 21 of this annex, the property to which this part applies shall, subject to the provisions of articles 23 and 24 of this annex, be released to the extent of those interests and pursuant to arrangements to be made between the parties concerned, if nonenemy nationals of parties directly or indirectly:

"(i) own and, on September 1, 1939, owned 25 percent or more of the shares in the enterprise; or

"(ii) control and, on September 1, 1930, controlled the enterprise."

The Department of State made particular reference to the position of this Government in this respect in the form of a letter from Assistant Secretary Jack K. McFall, for the Secretary of State, dated August 14, 1950, and addressed to Congressman Beckworth. The letter was placed in the Congressional Record, volume 96, part 17, page A5822. The letter contained the following reference to the provision of the agreement I have quoted, relating to the protection of nonenemy interests under part IV of the agreement:

"This is based on the principle which has been urged by this Government throughout the world that nonenemy interests in so-called enemy property are not properly subject to seizure as reparations."

In light of the clear statement of the intention of the Executive to help develop remedial legislation, I felt justified in awaiting action by the administration in proposing legislation which would eliminate the inequity involved in cases such as that involved in S. 2705. Unfortunately, however, it appears that no steps have been taken in that direction, nor are they likely to be taken. Congress did enact Public Law 285 of the 84th Congress, covering the seizure of Hungarian, Rumanian, and Bulgarian property which had not yet been taken but only blocked, and the transfer of both property previously seized and that thereafter taken to the Treasury for use as reparations. As submitted by the administration, this legislation provided, under section 207 (c), for the recognition of beneficial ownership of nonenemies in property seized in the name of corporations in Hungary, Rumania, and Bulgaria after the date of the act, but made no such provision for property seized theretofore.

In some cases, as in that for which I introduced S. 2705, a portion of the property of the corporation was seized before the act became law, and the remainder thereafter, which results in the application of a double standard for which no legal or equitable justification exists.

Today I am introducing a bill to eliminate this disparity, and to grant the same treatment to property seized before the passage of Public Law 285 as is provided for property seized after its enactment by permitting nonenemy stockholders to claim beneficial interests where at least 25 percent of the stock is nonenemy owned. This is the best established under Public Law 285, and can be applied to all property by deleting from section 207 (c) its applicability only to subsection (a) of section 202, so that as amended, the relief provision will apply as well to property whose seizure and transfer is provided for under section 202 (b).

This is the purpose of section (b) of the bill I am introducing today. I am hopeful of the assistance of the executive agencies concerned, as indicated in the Presidential message to which I have referred, in remedying this inequity and in carrying out the principle urged by our Government throughout the world.

I have also included in my bill an amendment relating to the standard of eligibility of an individual for relief under section 207 of the International Claims Settlement Act of 1949, as amended. Presently, anyone who resided in any of the 3 satellite countries after October 9, 1940, in the case of Rumania, March 4, 1941, in the case of Bulgaria, or March 13, 1941, in the case of Hungary, would be ineligible to claim the return of property. This criterion, established in executive order 8389 for purposes of regulating transactions in foreign exchange has never before, insofar as I am aware, been used as a standard for determining eligibility for the return of seized property. Present law covering German property, as well as that of Japan and the satellites, provides for persecutees, and the treaties of peace with the satellites established that United Nations nationals, including persons treated by the governments of those countries as enemies, should obtain restitution of their property.

In the case of the persons on whose behalf I introduced S. 2705, Dr. Ungar and Dr. Wolf, both noted chemical engineers, sabotaged the Nazi war effort, and sent drugs, hormones, and vitamins out of Hungary. When the Nazis took over control of that country, they were sent to concentration camps. These are examples of the type of persons who would be excluded from eligibility under the present test, and I am proposing that the test established under the peace treaties between the United States and its allies, and the satellite countries, provide a better test of eligibility than an Executive order promulgated for a different purpose and originating prior to the outbreak of war on December 7, 1941. Accordingly, section (a) of the bill I am now introducing would incorporate the treaty definition of eligibility into section 207 of the International Claims Settlement Act of 1949, as amended.

INCREASED DEPLETION ALLOWANCE FOR COAL—PROPOSED COAL RESEARCH AND DEVELOPMENT COMMISSION

Mr. MARTIN of Pennsylvania. Mr. President, Representative Saylor of Pennsylvania has done quite a bit of work relative to the uses that might be made of bituminous coal. He has introduced proposed legislation in the House dealing with that subject. I introduce, for appropriate reference, two bills on behalf of myself and my colleague, the junior Senator from Pennsylvania [Mr. Clark] relating to that subject.

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

The bills, introduced by Mr. Martin of Pennsylvania (for himself and Mr. Clark), were received, read twice by their titles, and referred, as indicated:

To the Committee on Finance:

S. 2876. A bill to amend the Internal Revenue Code of 1954 to increase the depletion allowance for coal and lignite.

To the Committee on Interior and Insular Affairs:

S. 2877. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes.

ONE HUNDREDTH ANNIVERSARY OF STATEHOOD FOR STATE OF OREGON

Mr. NEUBERGER. Mr. President, in 1959 the State of Oregon will observe its centennial anniversary of admission into the Union. This will be an event of great historic significance both to the people of the State and of the Nation, because it will mark the 100th anniversary of the admission of Oregon as the 33d State in the Union.

The State of Oregon has played a colorful part in the history of the United States, since Capt. Robert Gray in the American naval vessel, *Columbia*, reached the mouth of the river which was named after his ship, and, with letters from President George Washington, claimed it for the United States on May 11, 1792. Oregon became the first area on the Pacific coast to be graced by the flag of the United States, when the great Lewis and Clark expedition made its winter headquarters at Fort Clatsop in the year of 1805. John Jacob Astor established his fur trading post at Astoria in 1811, opening the Pacific northwest region to settlement. The words "Oregon Trail" have become synonymous in our history with the westward migration that spread the benefits of liberty and freedom across the North American Continent.

A provisional government wes established in Oregon at Champoeg on May 2, 1843, and on the second Monday in November 1857, the constitution of the State of Oregon was ratified by a majority of the electors of the Territory. The act of Congress admitting Oregon into the Union was approved February 14, 1859. Much has transpired since that time to bring honor to the intrepid pioneers who took part in bringing statehood to Oregon, and I could describe at length the illustrious role the State of Oregon has played in expansion and development of our great Nation.

The people of Oregon have already started plans for a centennial observance in 1959. I have been informed that the Postmaster General has begun work on a stamp commemorating the event. So that the people of the United States may join with Oregon in celebration of its 100th anniversary of statehood, I introduce for appropriate reference, a joint resolution authorizing and requesting the President of the United States to issue a proclamation in honor of the historic anniversary.

I am introducing this joint resolution on behalf of myself and my distinguished senior colleague from Oregon [Mr. Morse].

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

The joint resolution (S. J. Res. 131) authorizing the President to issue a proclamation calling upon the people of the United States to commemorate with appropriate ceremonies the 100th anniversary of the admission of the State of Oregon into the Union, introduced by Mr. Neuberger (for himself and Mr. Morse), was received, read twice by its title, and referred to the Committee on the Judiciary.

CONVEYANCE OF CERTAIN LANDS TO CHARLOTTE RUDLAND DANSIE ASSOCIATION—AMENDMENTS

Mr. MORSE submitted amendments, intended to be proposed by him to the bill (S. 2230) to authorize the Secretary of the Interior to convey certain lands to the Charlotte Rudland Dansie Association, which were referred to the Committee on Interior and Insular Affairs, and ordered to be printed.

CONVEYANCE OF CERTAIN LANDS IN TENNESSEE TO MIDDLE TENNESSEE COUNCIL, INC., BOY SCOUTS OF AMERICA—AMENDMENTS

Mr. MORSE submitted amendments, intended to be proposed by him to the bill (S. 2531) to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes, which were ordered to lie on the table and to be printed.

CONVEYANCE OF CERTAIN LAND TO LOS ANGELES COUNTY, CALIF.—AMENDMENTS

Mr. MORSE submitted amendments, intended to be proposed by him to the bill (H. R. 230) to require the Secretary of the Army to convey to the county of Los Angeles, Calif., all right, title, and interest of the United States in and to certain portions of a tract of land heretofore conditionally conveyed to such county, which were ordered to lie on the table and to be printed.

CONVEYANCE OF CERTAIN LANDS IN TENNESSEE TO MIDDLE TENNESSEE COUNCIL, INC., BOY SCOUTS OF AMERICA—AMENDMENTS

Mr. MORSE submitted amendments, intended to be proposed by him to the bill (H. R. 8576) to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes, which were ordered to lie on the table and to be printed.

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

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

By Mr. HUMPHREY:

Testimony given by Paul Sayres, president of the Paul Sayres Co., before the Senate Committee on Agriculture and Forestry.

SELECTION OF THE NEXT PRESIDENT OF THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS AND ITS IMPACT ON AMERICAN LABOR IN GENERAL

Mr. NEUBERGER. Mr. President, I am one of those in public life who admire the men and women of the great American trade-union movement. The living standards of millions of families depend on the vitality and integrity of that movement. To its credit, the labor movement has many achievements for which it struggled over the long and lonely years, often against bitter and unrelenting opposition. I doubt that our land today would have such enlightened programs as social security, unemployment compensation, and workmen's industrial-accident benefits, were it not for the pioneering leadership of organized labor and its allies.

For all these reasons, Mr. President, I desire to address a brief appeal today, from the Senate floor, to the members of the International Brotherhood of Teamsters. I urge them not to elect Mr. James R. Hoffa, of Detroit, as their international president at the convention which will be held this fall.

I am not a member of the select Senate committee which has been investigating this question. I only know what I have read in the press and in the detailed testimony taken by that committee. But I do know that millions of Americans will be bitterly disillusioned if one of the largest trade unions in the United States chooses as its national head a man who has had associations and personal affiliations of the type of those that Mr. Hoffa has had. Such disillusionment can only imperil the hard-won gains and benefits which have been secured by all of organized labor. Such disillusionment can only damage the teamsters union itself, with its hundreds of thousands of decent and sincere rank-and-file members who need protection in their jobs against exploitation and against a breakdown of wage and working standards.

Mr. President, in a great democracy such as ours, I doubt that if anyone can utterly flout public opinion. Commodore Vanderbilt said "the public be damned," but the public brought him and his fellow railroad magnates to book. The result, of course, was strict regulation of railroad financing, rates, safety devices, and labor conditions by the Interstate Commerce Commission and by many other Federal and State regulatory bodies. I trust the teamsters union will heed this warning and example.

I believe it was the great Emerson who wrote that public opinion cannot be seen, but that, like air pressure, it is there, just the same, and it is there all the time. The teamsters union will be ignoring public opinion if it selects Mr. James R. Hoffa to be president of one of the largest trade unions in the Nation; and such a result would be sure to be hurtful to labor in general, and to the teamsters in particular. It could only jeopardize the idealism on which labor must rely for support. Because of the need for a labor movement which commands public respect and confidence, it is my hope that the teamsters will turn, for a successor to Dave Beck, to some person who has never had underworld friendships or contacts. Among teamster leaders and members, I am certain that many such men can be found.

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

Mr. NEUBERGER. I yield.

Mr. JAVITS. The Senator is making a most significant point, to which I hope very much the American trade union movement will listen. I make that statement with the realization that I, too, have been very favorable toward the union labor movement, having originally voted against the Taft-Hartley Act, and having been consistent in that policy during my whole career in public life. In view of the disquieting possibility that Mr. Hoffa may be elected president of the great teamsters union, I think at the very least the questions which have been raised before the special Senate committee and the country need first to be resolved because of what that kind of leadership position means in the impression conveyed to the American people of the character and responsibility of the leadership in the trade union field. I should like to congratulate my colleague on his initiative in bringing the question before the public at this time, which he has done tastefully and tactfully, but forcibly.

Mr. NEUBERGER. I thank the Senator from New York for his remarks, because I know his career has been much longer than mine and he has been far more experienced than I have in his support of liberalism in general, and of beneficial social legislation in particular.

I feel, and I am sure the Senator from New York agrees with me in this respect, that the labor movement cannot succeed and hope to lead our Nation in these programs of social welfare unless it commands the respect of idealists in our population. It is my feeling that the personal associations of Mr. Hoffa as the head of one of the largest trade unions in the country, if not the largest, could result in jeopardizing the support of many Americans of good will toward the labor unions. Is such a risk wise for the teamsters themselves?

Mr. JAVITS. I hope my colleague will not allow that question to lie on the table. Having raised it, I hope he will pursue it with further action.

Mr. NEUBERGER. I thank the Senator from New York.

TATSEY WRITES AGAIN

Mr. MANSFIELD. Mr. President——

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The Senator from Montana.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD various columns by John Tatsey, a Blackfoot Indian Service policeman. Tatsey's territory is in and around Heart Butte on the Blackfoot Reservation in northwestern Montana, but, on the basis of his wise, homely, and candid observations, his column is achieving State and national renown.

It is a personal pleasure to have the opportunity to enjoy Tatsey's columns. He is a relief from the difficulties which are our daily fare in Washington, and he brings a breath of home to those of us from Montana.

More power to John Tatsey in his reportorial efforts. He is earning a justly deserved reputation as a columnist of the first water. What this country needs is more people like this Blackfoot, who understands and appreciates people, and who has a sense of tolerance and humor that speaks well for our State and our country.

Mr. President, the unanimous consent request I make is to insert in the RECORD columns of John Tatsey originally published in the Glacier Reporter, of Browning, Mont., and later reprinted in the Hungry Horse News, of Columbia Falls, Mont.

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

JOHN TATSEY WRITES OF HEART BUTTE

(John Tatsey is an Indian Service policeman for the Heart Butte community on the Blackfeet Indian Reservation out of Browning. We think his column in The Glacier Reporter published at Browning makes wonderful reading. Here is Heart Butte News for May 25.)

People of Heart Butte were invited to Starr School track meet which takes place June 1 and 2.

Swims Under School and Mad Plume School had their school picnic together and was well attended, about 250 adults and children. Plenty to eat and lots of ice cream for the children. Races were run and prizes given. A baseball game was played between Gamblers and Winos, game won by Winos. Harvey Monroe was in the fat women's race and was beat bad, and played ball and was just getting limbered up when it was over.

There was a strange story came out last Sunday or Monday morning. George Aims Back and family went home about 3 a. m. and before they got to the house they saw something shining and it was someone standing there. They said it was the Devil. They turned around and came back to Heart Butte and stayed till daylight. I guess it's time for the Devil to show up.

Francis Bullshoe has done all right since last week when he landed himself a civil service job, so he will be off the bad-news column.

Stole Head Carrier does not move around during the day anymore, so no one sees him when he does anything wrong.

There are some children, boys or girls, that would like a place to stay and work for the summer. Anyone interested may contact Bill McMullen or Policeman Tatsey.

One of the Heart Butte twins strayed off to Browning and some candidates gave him some stuff to drink and the city police dug him out of a mud puddle and put him in Jas. Walter's care. That's the older twin.

Victor Mad Plume was picked up by police at Heart Butte and taken to Browning and sentenced to 20 days or $20 fine.

A reckless driving charge was filed against Joe Gallahger Horn Tuesday morning when he drove through a gate, four wires. Did not see it being closed so when the owner came out Joe backed his car off a 20-foot bank into brush and water. Wife and baby and Joe did not get hurt. The only thing they wanted mostly was the baby's diaper bag. They said the baby's milk was in it, and nursing bag. Police found Mr. and Mrs. Gallahger's quart bottle of Gallo in the bag.

Found between Old Agency and Heart Butte, one license plate and Tab Truck 38–T1210, 1956; Tab No. 38–T1204, and one lady's shoe with overshoe. Owner don't be afraid to call for these because the jug was empty that was there.

There will be tickets sold by the committee now for admission to the Heart Butte Fourth of July celebration. Will be all Indians so don't be afraid to come, will have good police force, so boys be careful——

TATSEY WRITES OF INDIAN AFFAIRS

The reporter from Heart Butte missed last week's news on account of the bad weather and blizzards, but will report what happened then this week.

On Tuesday the council sent a load of buffalo meat to Heart Butte and was given out to the people and everyone had meat during the cold spell.

James Spotted Eagle was at police headquarters and reported of dogs killing his sheep right in his shed at night. Police went to party who owned the dogs and were taken off the living list.

The Heart Butte community had a bingo and raffle and sold lunches for the benefit of schoolchildren for Christmas. There was a large crowd at the round hall.

The high wind that passed through Heart Butte Sunday did some damage to homes and outbuildings. The police lost his hat. Next day he went to look for it only to find someone else's hat.

Tatsey was called to Leslie Grant's house Sunday night to haul some women and children to safety for the roof of the house was just about taken off by the wind. Next morning it was still there.

Tom Williamson drove the school bus to Browning Saturday for a checkup and was cut off from home on account of the blizzard Saturday night. There were several cars left on the road between Old Agency and Heart Butte, no one in them.

There was a meeting called at Louie Red Head's house Tuesday evening where they discussed for their Christmas dance. There will be another meeting called Friday to plan on what is to be done and practice singing.

Mrs. Nellie Running Crane was taken to the hospital last Saturday night but she is feeling better.

Stole Head Carrier is doing better this winter. He has taken up trapping. Joe Running Crane saw what he caught, supposed to be a beaver. It measured 72 by 6 inches. He did not know what it was.

Leo Bull Shoe had a dream last week. He dreamed that he could take live coals from fire and not burn himself so he tried it by putting live coals under his armpits. Next day he had blisters under each arm so he is no medicine man.

Leslie Grant went on a party with some young men last week. He did not want to go home, he was afraid of his wife, so he went to Jerry Comes At Night's house and asked if he could sleep there till he felt better. They showed him a place to sleep where there was a person sleeping and it was his wife and it was all over.

Frank Comes At Night came to Heart Butte Sunday in a team and wagon and some one said the team and wagon blowed away with Mrs. Comes At Night in it.

Red Harper had the misfortune of breaking through the ice on Badger Creek with a load of lumber.

George Ellingson, from Conrad, was up last Friday and was stuck in a snowdrift and started back in late afternoon when the clutch went out in his car and he stayed all night at the Thompson store.

Stoles Head Carrier and Joe Running Crane were hired by Thompson to cut some wood for the school. Maybe there won't be much done. They started an argument but they may decide to do a little work.

TATSEY WRITES OF RESERVATION WINTER

The weather and cold has been very bad. The snowplows have been through but the roads would block up in a day or two. There were several cars stalled on the road last Saturday. They were caught by a blizzard; no one hurt or frostbitten.

There was a large crowd last Sunday at Heart Butte and the boys enjoyed their stick games at Wippert's place in the evening.

Mose Henault was gone for some time last week. Everyone worried about him because there was no one else to play rummy or crib, but he showed up Sunday in a silly condition.

Children from upper Big Badger have not been to school on account of the roads being blocked. The bus has not been able to go through.

John Mittens from the After Buffalo community has not been around since his wife left for home before Christmas. He sure must be lonesome. Women have mercy.

Mr. and Mrs. New Robe went to Browning last week on business. They stopped at the Yogeen Hotel. Mrs. New Robe went to the tribal office while Vincent was left to babysit. When Mrs. New Robe returned she found her 5-months old boy lying on the floor. Her man was really under the influence of liquor. She got just a little mad; she kicked him down the hallway, then she called the police and he worked a couple of days and got out of jail.

The Heart Butte groundhog, Stole Head Carrier, fooled the Heart Butte people. He did not see his shadow because he was in a dark place at the J. W. Walters' den. People around town seemed to be good to Stoles, they helped him to keep his clothes on. What he needs is a pair of bib overalls.

Mr. and Mrs. Dave Hall were in Conrad last week where their daughter was in the hospital.

There is one person around that is not seen often. People might wonder where he is alive. He lives southwest of Heart Butte along White Tail canyon. That's Joe Crawford, he stays in close.

Joe Running Crane has not been to police quarters for some time. Maybe he has a lot of coffee to drink or else there is too much snow and his car won't go and he can't walk 10 miles in snow.

Tatsey, the Indian police, was coming up from Old Agency Monday afternoon and could hardly see the road. He was following a car track and came over a hill and saw a truck in the ditch, but too late. John was in the ditch led by Father Mallman.

The basketball team motored to Cut Bank boarding school last Thursday and got beat and had a hard time getting home on account of the blizzard. All got home safe.

Mr. LaRae spent the weekend in Browning and came home Sunday evening. He had Mr. and Mrs. Peter Marceau with him and he went in the ditch and walked in the last mile.

Some people are stalled in Browning during these drifting days. They would come as far as the Old Agency and go all the way back to town.

Stole always does something so he would not miss this week. Last week when the storm started he moved to his aunt's. She had lots of wood and when it warmed up he went to the police and bummed for wood and went home.

People are sure excited out here. Word came out saying there was elk meat in, but they cannot go to town because the roads are blocked. There will be two men get sick, Joe Running Crane and Stole Head Carrier. They have not had meat during the bad weather.

Mr. and Mrs. Pete Day Rider did a little sparring the other day but Pete could not knock his wife out. He figured when she did not get up he would leave but she got up each time so he helped her in the house and everything was loving as before.

Louis Red Head could not drive a car when he had a few mixed drinks. He was on his way to get a load of wood so he was up and down the creek in a wagon singing some songs from Pawnee. Title of the song: "She's Hard To Get."

Heart Butte News About Same

Louie Red Head has moved home to his ranch after spending the winter near the school at Heart Butte.

Sam Spotted Eagle left last Sunday for Galen where he got a job for the summer. His family will follow later when he gets a house to stay in.

George Wippert left Sunday to look for work around Cut Bank town. Family is staying home until school is out.

Tuesday, March 19, Heart Butte school put on a party for the basketball team where they served a very nice lunch for the boys and parents and teachers. Mr. LaRue, teacher and coach, gave out the awards to the boys. Everyone enjoyed the program. Roy Johnson played the guitar and sang. Rose Spotted Eagle played the accordion and sang a song.

Eugene Head Carrier played a piece on a guitar and sure did fine. Stole Head Carrier did not come to the program. He was busy making an Indian drum. He is short of a horsehide, he is waiting for someone's horse to die.

Rev. Father Steinmetz from Valier made a very nice talk on sports and other games which the boys play. The Heart Butte school boys were sure interested. They heard some things they will keep in their minds.

There was a meeting at the Old Agency schoolhouse Tuesday afternoon. Mr. K. W. Bergen and Miss Taft were present. The meeting was on having a combined school at the Old Agency. The people voted 18 to 11 to remain as is, operating two schools.

Mr. and Mrs. George Duck Head were at Heart Butte visiting relatives. George did not know Heart Butte anymore.

George Comes At Night went to visit his little granddaughter on Two Medicine last week but landed in Browning and the grandchild found him at Walters' quarters. Two nights lodging and meals cost him $24.00.

There were some children that were at the school party Tuesday and on their way home after dark they went through some brush when they heard something growl. They started to run and this thing runnin' after them, it sounded like a bear. The children lost their oxfords in the mud. The parents went to see, there is was Stoles playing bear. His wife left him early in the evening, he was out looking for her.

Mr. and Mrs. Pete Day Rider left their home one evening expecting some people to come from town all drunk so they rolled up their bedding and went to Stoles' house for the night. Stoles told his wife. "Let's go down to our son-in-law's because our son will come home drunk," so they started to walk. They went 4 miles. When they got there their son came so they walked back to Heart Butte. He walked all night so no one bothered him.

Thomas Dog Gun and Louis Red Head were picked up for walking on the highway when under the influence of liquor. Judge Brown put them to rest for 10 days.

Joe Calf Bossribs No. 2 took Stoles Head Carrier to Valier Tuesday. Stoles bought some meat and liver and came home. Stoles took the liver and stuck it in the fire box and roasted it on live coals. Just when he thought the liver was done he told his kids that they better go to bed so they would not be late for school next day. Next day they asked him if he saved any of the liver and he said most of it burned in the stove.

Joe Day Rider said the Heart Butte twins went to Browning Monday. They went in to buy with their relief orders. They were hungry for short ribs and pork chops. The older twin, George, rode the Blue Heaven wagon to J. W. Walters quarters. He left $10 there for a tip to the city of Browning.

Sam Horn of Heart Butte was a victim of the Tribal Police. He got in the rough court and was fined $20 by Tribal Judge Brown. Sam New Breast also was a short boarder at Jas. Walters brick house. Lodging $10 fine.

Mr. and Mrs. Peter H. Tatsey drove to Havre last Saturday where Pete bought a new two-bottom mold board plow, so in a few days the ground should be in good shape to work.

Heart Butte News

Mose Henault went down to town Monday to pay some bills he owed and has not got back yet. He is starting to charge all over the first of next month.

John Tatsey and wife made a trip to Deer Lodge and Warm Springs last Saturday and Sunday. Haying pretty well done and rather dry.

The contractors at the school are now running concrete and coming along good.

Mr. and Mrs. William R. Crane took their son, Lloyd, to Bynum where he has a job haying.

William Comes At Night was arrested by police at Heart Butte last Friday and was taken to Cut Bank Tuesday by Tatsey and Ed Gobert and Jesse Harlan took him to Warm Springs. He violated his probation by being drunk and disturbing the peace at Heart Butte.

Phyllis Aims Back who has been home has gone back to Helena where she has been for the summer. She has been home for some time.

Peter Tatsey has been cutting hay and baling and hauling bales home. He is moving his outfit to his own place where he has 50 or 60 tons to cut and bale.

Tatsey took Donald Choate from the Browning jail and has him working at the Heart Butte agency.

Joe R. Crane has moved to Browning for Indian Days where he is hired by the committee as camp police.

Mr. and Mrs. Wesley Ackerman of Browning were down to Galen. Their little one was taking a treatment for the month and has been released so they brought him home. The boy did well and is all right.

Stole Head Carrier has been very careful what he does and he drove for John Eagle Ribs to the Blood Indian Reservation for the Blood Indian celebration.

Most of the young people have gone on some hay jobs and Heart Butte is rather quiet.

Doctor from Browning and a nurse from Billings were at Heart Butte with Mrs. Cook, field nurse from the Blackfeet hospital.

Robert H. Clark from Choteau was at Heart Butte Saturday. He delivered a tractor to Tatsey.

Tom Williamson and family went fishing and berry picking last week on Black Tail Creek. Merie and children were left at the berry patch when they saw a rider on a hill so they ran to their cars. One car took off and got tangled up in barbed wire, so they all got in the next car and drove in the creek and got stuck and the rider went on about his business.

Mary Sanderville was along the road last Friday evening, could not walk and she had bruises on her face and arms but won't say what happened.

Joe Marceau drove his car by his house by the church Saturday morning and people from the Agency saw this car coming down the hill with no driver. The car came between two pine trees, crossed the road and on down into a ditch and stopped. No damage done. Car was on a party during the night.

Joseph Jackson was drunk and ran away from police, hit the brush along a little creek. Police got ahead of him and saw him lying in the tall weeds. Tatsey got to him, shook him up but he would not wake up and just rolled him over into 6 inches of water and ducked his face in water. The third time he just jumped up and walked to police car with no help.

There were 18 priests helped with services at the Heart Butte church. Most of the people were dressed in Indian costumes. There were a lot attended. These priests were some that have worked among Indians.

Muffet and Donna Ree Doore were at their grandfolks place to attend the church services Tuesday.

John Aims Back and Tom Last Star were picked up Sunday by Tatsey. Charges were drunk and disturbing peace in Heart Butte.

Tatsey Columns

Bull Shoe brothers and Aims Back boys went on a hunting trip over in Clack Creek, west of Big River in the Flathead country.

Louie Red Head and brother Bernard and Jas. Weasel Head went in the middle fork of Birch Creek to hunt elk and deer.

Joe Day Rider came up missing last week for 4 days and was about to be looked for when he showed up one early morning. He was a bit bloated from too much sleep.

Mr. and Mrs. George Hall of Browning were out to Heart Butte for Sunday and Armistice Day.

Mose Henault has gathered his trapping equipment and moved down on Big Badger to start trapping beaver. He will stay at the Bull Shoe place.

Stole Head Carrier and brother John and their wives were in Browning last week. Stole and John got into an argument and started fighting and when Stole was getting the worst of it his wife would jump in and help him and when he got home he got a job of babysitting. He is doing all right on that job only he is working for his meals and bed.

Perry Spotted Eagle, the changeable man, something got into his mind and he went to church last Sunday. That was a good turn he made.

Mr. and Mrs. Jefferies, from the Wye service station, were out to Heart Butte Sunday to attend church services.

Father Mallman had a funny thing happen to him last Friday evening. He started off the hills by his place in his truck when the rod came loose and he ran over two pine trees and cut them square off and next day the wind took the tops away from the yard.

At Old Agency there is a young woman who has started training in the featherweight division. She was sparring with her husband, she downed him and next day he was wearing dark glasses.

Tatsey was in Cut Bank last week and visited the boys at the county jail. They are doing well.

Frank Comes at Night, he bought a house on Blacktail and J. T. Ingram is going to move it for him to Twin Lakes where he traded for some land.

Mad Plume school had a bingo and a dance for the school's benefit and some rough guys came and started some trouble and south and north fought. Next day Police Officer Tatsey made a roundup and they are spending 12½ days at the brick motel.

Sunday at Heart Butte there was a rally at the round hall and a bingo at the school. Both places were well attended. Some candidates from Conrad, H. W. Conrad was the only one that was well known here.

Stole Head Carrier has been in town for a couple of days. His wife has been staying in town several days and Stole got lonesome, so he went after her.

The Heart Butte school trustees have fenced in the Government Square with woven wire so the employees should be safe.

There was a rumpus at the jail in Browning last Saturday night. Some of the old birds got the worst of the deal. Three Canadians did the damage, but they are getting a good jolt out of it.

Mr. and Mrs. Dave Hall went to Conrad Tuesday where they took their granddaughter for a checkup at St. Mary's hospital.

Joe Running Crane has purchased a 1954 Chevrolet from the Shurr Chev. He brought out the twins from Browning, Pete Stabs By Mistake and Joe Boushie from East Glacier.

Mr. and Mrs. John Tatsey motored to Shelby Thursday on business and they also went to the cattle sales at the stockyards.

Stole Head Carrier came out of town and got down to Joe Running Crane's home, was cold, and when he got warmed up he got in a fight so Joe took him out to go home. They took him to the foot bridge but he would not cross on it. He remembered that he fell off one time so they waded him through the creek. They left him alone to go and he started crying.

Mr. Bergen and Mr. Crawford were out Wednesday looking over Heart Butte school. One is from Billings, the other from Helena.

Joe Running Crane went hunting last week and came home with a buck deer. The storm hit and never showed up until Wednesday morning. He went again the other day with his brother-in-law and was leading a horse when a deer met him. When he jumped off he got hung up in the lead rope. Deer stood there and was smiling; deer went on.

Jerry Comes At Night has moved to the Boggs place, caretaker for Roland Harper.

Louie Red Head has rented the Stabs By Mistake home for the winter, and Fred Marceau and family have rented part of the old Tribal store.

Joe Calf Boss Ribs No. 1 has been living alone for long time and when this storm came it was a little cold, so he moved out to his ex-wife's whom now he claims his daughter, and now has a warm place to sleep.

Maggie Marceau was rushed to the hospital Tuesday night. Got sick suddenly but came home feeling much better.

More Tatsey—Heart Butte News

Pughley's trucks have been to Heart Butte, starting to haul their cattle back down to the Marias River, where they have their ranch.

Sam Horn and Louie Red Head and families were home Sunday from Kalispell to see how their ranches are. They plan on moving home this weekend.

Tatsey took a short trip to Cut Bank Monday on business and some minor work on his car.

Faye R. Wolfe went to Tacoma last week for medical treatment and Wednesday Mrs. Perry Spotted Eagle also went to the same place.

Mr. Blake and Ace Powell from the Flathead were at Tatsey's place Tuesday and Wednesday visiting and took a few pictures and listened to some old Indian stories that Tatsey told them. They slept among the pines and were back in the morning for breakfast and more war stories.

Joe Day Rider was out fishing one day last week and while fishing a beaver jumped out from under the bank and when it dove into 6 inches of water it hit rock bottom. It sat up holding its nose, bleeding. He said it's true. Maybe fishy.

Floyd Middle Rider from Browning was well known for having very nice set of hair in braids but he came out to Heart Butte some 6 weeks ago, got married here. There are Crows living around the south side of the reservation. He got mixed with them in marriage so he finally showed up with no braids, so the Crows scalped him of his fine hair but he is safe now.

Mitchell Horn was trailing sheep the other day leading a little black dog. Every time a car would come by he would hide in the brush or lay down and hide his face. He was ashamed of being around sheep.

EFFECT OF HIGH INTEREST RATES AND REDUCED HOUSING MARKET UPON ECONOMY OF STATE OF OREGON

Mr. NEUBERGER. Mr. President, the adverse impact which the hard money policy of the administration has had on the economy of the State of Oregon is evident in scores of lumber and sawmill towns, particularly along the timbered seacoast and in the great Willamette Valley.

An article on this subject in the Sheridan, Oreg., Sun of August 8, 1957, describes how loggers and mill operators are trying to combat the soft lumber market. The market is weak because new housing starts have diminished greatly, despite the need of our expanding population for homes. The housing market has sagged because restricted credit policies—policies originating in this administration—have greatly curtailed home building.

How many of us realize the impact of tight credit on homes? If a family buys a $15,000 home at 5 percent interest over a period of 20 years, under normal mortgage terms, the interest alone on that house will total $8,760. This means the family will have to pay $23,760 in order to secure a house worth $15,000. The cost of borrowing money will be far greater than that for lumber, bricks, labor, light fixtures, the real property or any other single ingredient which goes into the erection of that house. This demonstrates vividly how even a slight increase in the interest rate has a greatly discouraging impact upon the demand for new homes.

In July 1956, the total employment figure in Oregon in all nonagricultural lines was 511,800. In July of 1957 it had fallen to 505,900, despite an increase in population during that period. Oregon's economy is not expanding; alas, if anything, it is contracting. In July of 1956, some 89,300 people worked in Oregon logging camps and sawmills, but the total had dropped to 81,100 by July of this year.

Other areas reflect this perilous trend. It is my understanding that, during the first 6 months of 1957, telephone toll calls rose 8.8 percent on the Pacific Coast as a whole, 7.3 percent in the United States as a whole, but only 2.9 percent in our State of Oregon. This, again, symbolizes the grim effect which a curtailed housing industry has had upon the lumber market particularly and Oregon's economy in general.

I believe an article from the Sheridan Sun of August 8, entitled "Local Sawmills, Loggers Battle 'Soft' Competitive Market," will be of considerable interest to Members of the Senate, and I ask unanimous consent that the article, written by Dean Holmes, editor of the Sun and a longtime personal friend of mine, be printed at this point.

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

[From the Sheridan (Oreg.) Sun of August 8, 1957]

Local Sawmills, Loggers Battle Soft Competitive Market

"There ain't no money to play with," was the comment of one local sawmill operator in the area, and that seems to be the general opinion of several operators in the area who were interviewed this week by the Sun as to what is going on locally in the lumbering business.

The present-day picture is not bright, but at the same time is not as bad as has been painted by some of the people who have been peddling rumors of possible major shutdowns and layoffs.

For instance, very few men have been dropped from the United States Plywood payroll the past couple of weeks and Lawrence Ballo, plywood plant manager, says there are no plans for any wholesale layoff. Plywood plant employs 450.

Long-Bell division of International Paper at Grand Ronde has curtailed their logging operation to considerable extent. Some of the loggers cutting and loading timber for that firm are working 4 days a week, and some of them are down to 2 days. Instead of shipping out 6 trains of logs weekly Long-Bell is down to 4.

BIG PROBLEMS

At the moment the sawmill man and the logger have real problems. One of the major factors causing trouble in addition to soft market is the continual increase in the cost of doing business. This runs from high stumpage costs to increases in the price of materials. One operator illustrated this by stating that several years ago his firm purchased a truck for $5,500 in their operation. They replaced the truck recently for $11,000. The new piece of equipment makes the job a little easier.

Small mill operators and loggers are feeling the pinch of high stumpage prices. They are faced with the problem of bidding against large operators who have large cash reserves. Cost of roads for the small operator, who is limited in cash reserves, is hurting.

SAYS ADJUSTMENT NEEDED

One of the best known operators in the area, Oscar Wideman, has a dim outlook on the future for the small operator. An adjustment in the cost of stumpage, plus making more Government timber available to the small operator is about the only hope for the small mill, according to Wideman. He has a high production ratio in his plant, cutting approximately 3,500 feet per day per man. This is considered high in the industry. He installed all the latest laborsaving equipment available when he built the mill a few years ago. Six men are employed at his plant.

At United States Plywood, Manager Ballo is making a concentrated effort for greater quality and quantity. He stated Wednesday: "The men at our plant control the operation. We have got to have a good day's work from every man every day to meet the market problem."

HURL EMPLOYS 40

Al Hurl, of Oregon Alder-Maple Co., which employs 40 men at the plant and specializes in hardwoods, says it is more difficult to operate with reasonable amount of return than it has been since the plant was built in 1950.

First 6 months of the year was not so good for Oregon Alder-Maple and they were running on a 5-day week with 6½ hours each day. Hurl says it is his opinion that the economy of the area will be strained this coming winter. Hurl buys some of their timber on the open market and also have their own stumpage.

Al Hurl told the Sun that the history of the lumber business in the Northwest has been feast or famine. The last 15 months has been an adjustment period similar to other such periods in the history of the industry, he believes.

NEW VENEER PLANT

In the face of declining markets 10 local men put up considerable cash and formed a corporation known as Oregon Hardwood Veneer, Inc. The plant has recently started operating west of Grand Ronde. Rudy Hendrickson, one of the stockholders, says they can't complain. They are peeling veneer from second-growth timber and have 14 men working one shift.

Pete McMillan, of McMillan Shingles, at Grand Ronde, says 1962 is supposed to be a good year. This year it is tough, according to the veteran shingle manufacturer. His market is very poor and he is not optimistic about the future. The McMillan plant employs 13 men who work five 6-hour days a week. Shingle weavers, union members all, work a 6-hour day as the result of winning a strike in the midthirties.

There was considerable optimism among local businessmen first of the week as the result of the FHA cutting the amount of downpayments for new-home construction. Some of the local lumbermen believe this will help the industry, but at the same time don't expect the cut to make much difference in the market price for another year due to large inventories of lumber.

The readjustment period in the lumber and logging business has brought many changes not only to the industry, but to the communities in the Northwest that are dependent on the payrolls. For instance, one of the hard-hit communities due to population decline is Grand Ronde.

In the years following World War II it was a hustling community with everything going full blast. Harriett House, postmaster, says they have a high percentage of box vacancies at their post office, where they had a waiting list 10 or 12 years ago.

SUMMARY OF ACTIVITIES OF THE COMMITTEE ON PUBLIC WORKS, UNITED STATES SENATE, 85TH CONGRESS, 1ST SESSION

Mr. CHAVEZ. Mr. President, it has always been my practice, as chairman of the Committee on Public Works, to make a report to the Senate of the activities of that committee during the session which is about to expire. The following are the presidential recommendations, 1st session of the 85th Congress, and their status:

First. Authorize official residence for Vice President, bill to provide which was introduced on July 8, 1957.

Second. Authorize construction of and funds for new executive office for President, a proposal which was sent to the Senate by the Executive Office on July 17, 1957. Because of the late date of the recommendation and other business pending before the committee, it was impossible for the committee to take action on this proposal during this session.

Third. Authorize Niagara Falls power project. The bill to carry this out is now public law.

Fourth. Authorize Oroville Reservoir as partnership project. The measure for this project has been passed by the Senate, and is now pending in the House.

Fifth. Authorize development of Bruces Eddy Reservoir as partnership project. The bill making provision for this project was passed by the Senate and is now pending in the House.

Sixth. Authorize sale of $750 million revenue bonds to finance new steam-power unit at TVA steam plant. The bill for this purpose was passed by the Senate. and is now pending in the House.

Seventh. Rivers and harbors flood-control; reject projects not approved by the Board of Engineers. The measure to carry this out was passed by the Senate and is now pending in the House.

Eighth. Provide for control of outdoor advertising in areas adjacent to interstate system of highways. This subject was tabled in committee.

So out of the eight recommendations made by the President, the Public Works Committee has taken action on six. I have stated that the others were not acted upon.

Mr. President, in order to save the time of the Senate, I ask unanimous consent that at this point in my remarks the remainder of the summary of the activities of the committee be printed in the RECORD.

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

It will be noted that out of the eight recommendations, definite action has been taken by the Public Works Committee on six. Recommendation No. 1 that would authorize official residence for the Vice President, and recommendation No. 2 that would authorize construction of and funds for new executive office for the President, the Public Works Committee has been unable to hold hearings on Senate bill 2623, July 9, 1957, and Senate bill 2688. Recommendation to authorize construction of new executive office for the President was not made until July 17 of this year.

In order to save the time of the Senate, I ask unanimous consent that the rest of my remarks of the activities of the Committee on Public Works, United States Senate, 85th Congress, 1st session, be printed in the RECORD at this point.

Under the provisions of the Legislative Reorganization Act, the Committee on Public Works of the United States Senate has jurisdiction over legislation relating to flood control, improvement of rivers and harbors, public buildings, public roads, waterpower, bridges over navigable waterways, pollution of navigable waters, and public reservations and parks in the District of Columbia.

There were 139 measures referred to the committee during the 1st session of the 85th Congress. The committee approved 38 bills, of which 16 were passed by both Houses of Congress. Hearings were held for 36 days on many of the bills and on others that will be carried over until the next session. Survey reports for flood control and navigation have been received and reviewed, and reviews of previous reports covering 42 basins and localities have been authorized by committee resolutions. No additional lease-purchase projects were approved by the committee. There were five House-passed bills pending before the committee at the end of the session. There were 20 bills for authorization of individual flood control and river and harbor projects which were included in the omnibus river and harbor and flood-control bill.

Bills and resolutions approved by the committee are as follows, as of August 23, 1957:

ENACTED INTO LAW

Public law	Date approved	Title	Estimated cost
85-3	Jan. 25, 1957	Extending time for President's Advisory Commission on Presidential Office Space to file report	0
85-23	Apr. 23, 1957	Granting consent and approval of Congress to the Merrimack River flood-control compact	0
85-85	July 10, 1957	Increasing authorized construction cost of new Senate Office Building	$2,846,000
85-93	do	To authorize furniture and furnishings for new Senate Office Building	1,350,000
85-95	do	To authorize improvement of accommodations in the existing Senate Office Building	7,500,000
85-106	July 17, 1957	To extend time for commencing and completing construction of toll bridge across Rainy River at Baudette, Minn.	0
85-30	Aug. 14, 1957	Authorizing the Secretary of the Army to sell lands in McNary lock and dam project to Walla Walla, Wash., for port development.	0
85-138	do	To name the lake created by Jim Woodruff Dam, Fla., as Lake Seminole	0
85-146	do	Authorize utilization of storage space in Lake Texoma for water supply for Sherman, Tex	0
85-148	Aug. 16, 1957	Extending time for determining rates of tolls to be charged for use of bridge across Missouri River near Rulo, Nebr.	0
85-159	Aug. 21, 1957	Authorizing construction of certain works of improvement in the Niagara River for power purpose. No Federal funds.	0

PASSED BOTH HOUSES

S. Con. Res. 7	Feb. 14, 1957	Printing of additional copies of water resources reports. S. Docs. 13 and 14	----------
S. 268	Aug. 23, 1957	Providing for reconveyance of mineral rights in land acquired for flood control to former owners	----------
S. 1520	Aug. 21, 1957	Provide for repair of lock and dam on Little Kanawha River, W. Va.	$112,500
S. 620	do	To transfer ownership of bridge loaned to Allegany County, Md., by Bureau of Public Roads	----------
S. 1823	do	Conveyance of Bunker Hill Island in Lake Cumberland to the State of Kentucky	----------
H. R. 8646	Aug. 23, 1957	Amend the Alaska Public Works Act by clarifying authority of Secretary of Interior on conveying land	----------
H. R. 2580	do	Increase storage capacity of Whitney Reservoir, Tex., by 50,000 acre-feet for water supply purposes	----------
H. R. 6363	do	Authorize construction of a bridge across Bear Creek near Lovel Point, Baltimore County, Md	----------

PASSED SENATE

S. 497	Mar. 28, 1957	Authorizing construction of projects for rivers and harbors, beach erosion protection, and flood control	$1,540,840,000
S. Res. 34	Jan. 30, 1957	Authorizing additional funds for Committee on Public Works	75,000
S. 1003	Aug. 5, 1957	To provide adjustments in lands acquired for Albeni Falls Reservoir, Idaho, by reconveyance to former owners	----------
S. 1785	do	Naming reservoir above Heart-Butte Dam, N. Dak., as Lake Tschida	----------
S. 1869	Aug. 9, 1957	Authorizing TVA to finance electric power facilities with revenue bonds up to $750 million	----------
S. 2108	Aug. 5, 1957	To authorize Administrator of GSA to name, rename, or designate any building under his jurisdiction	----------
S. 2109	do	To exclude an area between E and F Sts. and 19th St. and Virginia Avenue, in the District of Columbia, from taking area.	----------
S. 2228	do	Amend sec. 5 of Flood Control Act of 1941 pertaining to emergency flood-control work	----------
S. 2261	July 3, 1957	Amend and extend Public Building Purchase Contract Act of 1954, pertaining to lease-purchase projects	----------
S. 1587	Aug. 23, 1957	Authorizing construction of hurricane protection works at New Bedford-Fairhaven, Mass	15,490,000
S. 1726	do	Authorizing construction of hurricane protection works at Narragansett, Bay, R. I.	16,180,000
S. 2603	do	Amend River and Harbor Act of 1896 by deleting language on New York Harbor	----------
S. 2676	do	Authorize Secretary of the Army to make a survey of water route from Albany, N. Y., to Lake Champlain and St. Lawrence.	----------
S. J. Res. 50	do	Survey of route for relocation of highway in Ferry County, Wash., along Lake Roosevelt	20,000

ON SENATE CALENDAR

S. 495	Mar. 28, 1957	To authorize acquisition of additional land for construction of facilities for the U. S. Senate	$1,500,000
S. 728	do	do	3,500,000
S. 1164	Apr. 17, 1957	Evaluation of recreational benefits in project planning for flood control and other projects	----------
S. 2531	Aug. 22, 1957	Authorize conveyance of lands in Old Hickory lock and dam project, Tennessee, to Middle Tennessee Boy Scout Council.	----------

NIAGARA FALLS POWER PROJECT

This act authorizes and directs the Federal Power Commission to issue a license to the Power Authority of the State of New York for hydroelectric power project with capacity to utilize all of the United States share of the waters of the Niagara River permitted by the treaty of 1950 with Canada. The project would have an installed capacity of 1,800,000 kilowatts, an estimated cost of $600 million, and would be financed with the proceeds from sale of revenue bonds.

The act requires that the license issued by the Federal Power Commission shall include conditions deemed necessary and required by the Federal Power Act, and also the following additional provisions:

1. In disposing of the project power the licensee shall give preference and priority to public bodies and nonprofit cooperatives within economic transmission distance for 50 percent of such power, with arrangements for withdrawal of any part of that amount sold to utility companies upon reasonable notice and fair terms, to meet the reasonably foreseeable needs of the preference customers.

2. The licensee to make a reasonable portion of the project power subject to the preference provisions available for use by preference customers in neighboring States, but such portion is not to exceed 20 percent of the 50 percent of such project power reserved for preference customers. The Federal Power Commission is to determine the applicable portion of power to be made available in event of disagreement.

3. The licensee of the authorized project to contract with the licensee of FPC project 16 for a period not later than the final maturity date of the bonds initially issued to finance the project, for 445,000 kilowatts of the remaining project power for resale generally to industries which purchased power produced by project 16 prior to June 7, 1956, the licensee for project 16 to surrender its license and waive and release any claim for compensation or damages from the power authority.

4. The licensee, if available on reasonable terms and conditions, to acquire by purchase or agreement, or if unable to do so, to construct such transmission lines as may be necessary to make the power and energy generated at the project available in wholesale quantities to its customers.

5. In the event project power is sold to any customer for resale contracts for such sale shall include provisions for establishing resale rates to be approved by the licensee, consistent with this act.

6. The licensee may construct a scenic drive and park on the Niagara River near Niagara Falls, N. Y., with the cost of such work to be considered a part of the cost of the power project, and the maximum cost to be borne as a part of the licensee's net investment not to exceed $15 million.

7. The licensee to pay to the United States and include in its net investment in the project the United States share of the cost of construction of the remedial works at Niagara Falls when completed.

AMENDING THE TENNESSEE VALLEY AUTHORITY ACT (S. 1869)

The Senate approved a bill to authorize the Tennessee Valley Authority to issue and sell revenue bonds, in an aggregate amount not to exceed $750 million outstanding at any one time to assist in financing its power program. Proceeds from such bonds could be used for construction, acquisition, enlargement, improvement, or replacement of any plant or other facility used or to be used for the generation or transmission of electric power, or in connection with lease-purchase transactions. Appropriate changes were made in the basic TVA Act to vest in the TVA Board the necessary administrative authority and to insure adequate Congressional review and control of TVA operations.

The power requirements of the region served by the TVA system have been growing at a rate of about 12 percent per year, exclusive of power furnished for the atomic-energy program and other programs of the Federal Government. Over the next few years approximately $150 million per year will be required to provide new power facilities. Some of these funds can be provided from earnings but additional capital will be required to keep abreast of the demands for power. Direct sales by TVA to national defense agencies now require about 58 percent of the total annual power output of the TVA system. Many private industrial plants important to national defense and the civilian economy are also dependent upon TVA as a source of power supply.

No funds have been appropriated since 1953 for beginning new generating units. In the past three budget messages, the President has recommended legislation to finance new generating facilities by the sale of revenue bonds. S. 1869 would carry out those recommendations. It embodies language to settle three controversies. (1) A ceiling limitation on the aggregate amount of bonds that could be outstanding at any one time. (2) A limitation on geographical area within which the TVA can distribute power. (3) Congressional approval of new projects and consultation with the Secretary of the Treasury with respect to issuance of bonds.

The bill requires the TVA to make annual payments to the Treasury as a return on the appropriation investment, based on the average computed interest payable by the Treasury on all the outstanding marketable public obligations of the United States as of the beginning of the fiscal year applied to the outstanding appropriation investment, plus a repayment sum of $10 million, to be applied to reduction of that investment.

This bill provides a fair workable solution to the problem of financing the future power needs of the Tennessee Valley area, and will provide TVA with an additional source of funds with which to construct the necessary facilities required to keep pace with such needs, under provisions that will permit TVA to operate efficiently under adequate Congressional review.

The measure fully protects the interests of the Federal Government as the owner of the TVA system; insures a sound security for investors; protects the consumers, provides adequate Congressional controls; and is consistent with and will advance the attainment of the objectives of the TVA Act.

RIVERS AND HARBORS—FLOOD CONTROL (S. 497)

The Senate passed a comprehensive rivers and harbors, beach erosion control, and flood control bill to carry forward these important programs for development and improvement of the rivers and harbors of our Nation, for protection of our citizens against the ravages of flood waters, and for the general development of the water resources of our country. It was believed that additional authorizations were advisable at this time to continue the unified basin water resources development now in progress, to modify basin programs where changing conditions have shown the necessity for additional or altered improvements, and to provide for individual projects found to be feasible and justified. Completion of projects included in the bill will contribute substantially to the economic expansion of the Nation.

The river and harbor program has been progressing satisfactorily for several years and has produced the best system of inland waterways and harbors on our seacoasts and the Great Lakes to be found anywhere in the world. Tonnages moved over these waterways and into our harbors have reached enormous figures and are increasing each year. The use of these waterways has returned to the country large savings in transportation costs, and have been responsible for the growth and development of large sections of the Nation. They have proved invaluable both in times of peace and in times of national emergencies.

In 1956 Congress approved an omnibus bill similar to S. 497, which was vetoed by the President, principally because he felt that a number of projects had not been given adequate study and review within the executive branch and the affected States. Many of those reports have been transmitted to Congress. The committee studied other reports further, held extensive hearings thereon, and included those projects considered justified for authorization at the present time.

The total authorizations contained in the omnibus bill was $1,540,840,000, for 102 projects divided by major categories as follows:

Monetary summary of S. 497 (Cost of new work)

Navigation	$112,881,000
Beach erosion	5,290,000
Flood control	1,415,306,000
Miscellaneous	7,363,000
Total	1,540,840,000

AMENDING THE LEASE PURCHASE ACT

Public Law 519 of the 83d Congress, provided for the acquisition of title to real property and construction of public buildings by the Administrator of General Services and Postmaster General through lease purchase agreements, and also provided an expansion of authority for long-term leasing agreements for the accommodation of activities of the Post Office Department.

Under the provisions of the law, installment payments on the purchase price would be made in lieu of rent and title to the improved property would be vested in the United States at the end of the agreements, usually for terms of 10 to 25 years, depending on the amount of amortization required for the property. Local taxes would be paid on the property until title is vested in the United States.

During the 84th Congress the committee approved 48 post-office projects with an estimated cost of $25,295,630, and 98 Federal office building projects with an estimated cost of $692,455,989. Approval of projects for inclusion in the construction program contemplated by Public Law 519 expired on July 22, 1957. Because of various difficulties encountered, the Post Office Department has three lease-purchase projects under construction, and the General Services Administration only one.

S. 2261 provides for extending the period for approving projects under the Lease Purchase Act until June 30, 1960, and makes changes in the funding and financial aspects of the act to alleviate problems encountered in carrying out the implementation of the program, provides greater flexibility in its operation, and would permit the program to proceed in an orderly manner, in order to provide the much needed space for carrying out the many functions of the Federal Government.

RIGHT-OF-WAY ACQUISITION FOR FEDERAL AID HIGHWAY PROJECTS

The committee conducted investigations and hearings or irregularities in connection with acquisition of right-of-way on Federal-aid highway projects in the State of Indiana. It was disclosed as a result of the investigations conducted that there was rather widespread overappraisals, lack of uniformity in procedures in appraisals and acquisition, lack of full coordination between officials concerned with right-of-way acquisition and those concerned with engineering designs, specifications and construction; and opportunities were present for speculation in and overpayment for right-of-way.

The committee investigated a large number of transactions in connection with right-of-way acquisition and hearings were conducted on irregularities in Indianapolis, Richmond, and Gary, Ind.

As a result of the investigations and hearings the Bureau of Public Roads, Department of Commerce prescribed more stringent regulations which are designed to eliminate or at least reduce widespread irregularities and speculation. Such speculation can only result in a large increase in costs of the Federal-aid highway system. It is the intention of the committee to conduct such investigations as are necessary to safeguard the Government's interest in the multi-billion-dollar highway program.

SENATE RESOLUTION 148

The Committee on Public Works conducted a number of joint hearings with the Committee on Interior and Insular Affairs on Senate Resolution 148 which relates to the conservation and development of water resources.

The resolution has been reported by the two committees and is designed to provide improved procedures for authorization of land and water resources projects.

In the 84th Congress the Senate took note of the need for maintaining Congressional direction of land and water resources programs. There is a tendency for Congress to to lose, in part, its responsibility for determining the program. This tendency develops in the absence of explicit Congressional statement of its requirements. Under these circumstances, executive definition and limitation of the program have restricted many of the proposed projects.

Senate Resolution 148 is in response to direction of the 84th Congress. It specifies the basis upon which Congress desires that information be submitted in project reports. Such information is desired in order that Congress in considering projects for authorization, may have full information on all potential uses for reservoirs and other water development projects, and the benefits which may accrue. Thus Congress will be in a better position to determine the most desirable plan of development.

WATERSHED PROTECTION AND FLOOD PREVENTION ACT

Under Public Law 1018, 84th Congress, it is required that any plan for watershed protection and flood prevention involving structures having more than 4,000 acre-feet of total capacity shall be approved by the Senate Public Works Committee.

In compliance with the provisions of Public Law 1018, 84th Congress, the following watershed projects have been approved:

Location:	*Amount*
1. Alamo Arroyo, Tex	$652,865
2. Diablo Arroyo, Tex	425,808
3. Sandy Creek, Okla	1,549,139
4. Sulphur Creek, Tex	1,050,565
5. Upper Bayou Nezpique, La	535,355
6. Elm Creek, N. Dak. (approved by committee contingent on receipt of report from Bureau of the Budget)	858,780
Total	5,072,512

Mr. MARTIN of Pennsylvania. Mr. President, I should like to comment briefly on the very fine report made by the distinguished Senator from New Mexico and the work of the Public Works Committee. The Public Works Committee has been exceedingly diligent this year, and we have acted on practically everything which has been submitted to us. In regard to the bill relating to billboards on interstate highways, I think it should be stated, for the benefit of the Senate and the people of the United States, that that is a very controversial subject. We heard much testimony on both sides of the question.

I might ask this question of the distinguished Senator from New Mexico: Did it not seem to be the feeling of the committee that the question of advertising along the Interstate Highway System should be largely determined by the different States?

Mr. CHAVEZ. That was the impression of the chairman of the committee. I may also say to my good friend from Pennsylvania that I have been a Member of Congress for 27 years, and I have been on many committees. I am chairman of the Committee on Public Works, and I have never had such fine cooperation as I have had from the members of that committee on both sides of the aisle, and from the aides of the committee.

We have working subcommittee chairmen. The Senator from Oklahoma [Mr. KERR] is chairman of the Subcommittee on Flood Control. The Senator from Tennessee [Mr. GORE] is chairman of the Subcommittee on Roads. The Senator from Michigan [Mr. McNAMARA] is chairman of the Subcommittee on Buildings and Grounds. When the Senator reads the list of activities, and the actions the committee has taken on many, many projects, he will be surprised to learn how active the committee was. We had 40 days of hearings on different bills and different subjects.

What I am happy about is the fine cooperation I have had from every member of the committee. The Senator from Pennsylvania [Mr. MARTIN] is the ranking minority member of the committee. The Senator from South Dakota [Mr. CASE] is next to him in seniority among the Republican members of the committee. Down the line to the last one of the Republicans, I wish to thank them all for their fine cooperation.

Mr. MARTIN of Pennsylvania. Mr. President, as the senior Republican on the Committee on Public Works I express my appreciation and the appreciation of my colleagues for the fine manner in which the distinguished Senator from New Mexico [Mr. CHAVEZ] has acted as chairman of that important committee.

Mr. President, I desire to speak on another subject.

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

CAUSE OF HIGH INTEREST RATES

Mr. MARTIN of Pennsylvania. Mr. President, in the discussion of inflation and its dangers to the economic stability of our Nation, we must keep in mind that inflationary pressures are being exerted in every country of the world.

The depreciation in the value of money has been worldwide. However, it is a fact that the damage in the United States has been less severe than in most of the other countries of the world.

From many sources there have been complaints that interest rates are too high to meet our expanding industrial and commercial requirements. But we should not forget that the current rates of interest in the United States are lower than those of Great Britain and 53 other countries.

The fact that interest rates in the United States still are the lowest in the world is causing many foreign borrowers to seek funds here. This credit demand adds to the pressure upon available funds. The rent or price of borrowed money has always been determined in the same manner as the price of any other commodity, depending upon supply and demand in the market place.

Rising interest rates throughout the world are the result of a long era of cheap money and the widely held expectation that the value of money will undergo further depreciation through creeping inflation.

We must all work for a stable dollar in order to protect the savings of the American people, particularly those depending upon fixed incomes.

The July report on Business and Economic Conditions, issued by the First National City Bank of New York, contains a most interesting and informative statement on this vital problem, and I ask unanimous consent that it be printed at this point in the RECORD as a part of my remarks.

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

One often hears expressed the idea that the high interest rates and shortage of loan funds are the result of some sort of conspiracy among lenders. The answer, however, is not so simple as that. There are too many lending institutions—beyond 40,000—competing with one another in the United States. If there were any conspiracy it would be one in which tens of millions of savings depositors also share, for they are getting higher rates on their savings than have been paid in more than 20 years. The biggest single recipient of interest is the Government's own old-age insurance trust fund which this year will collect more than $500 million interest from the United States Treasury.

Moreover, if there were any conspiracy it would have to be an international cartel including the ministers of all Socialist governments. For advancing interest rates and shortages of loan funds are a universal, worldwide phenomenon. By way of illustration, the following table represents an assembly of the cheapest rates at which business firms of the highest credit standing can borrow on an unsecured basis in 54 countries. It must be borne in mind that money is scarce at these minimum rates; that most borrowers able to obtain funds pay higher rates; and that, in many countries abroad, borrowers have to pay, besides interest, loan commissions and/or other extra charges.

Current prime loan rates in various countries

Country:	*Rate*
Bolivia	[1] 16
Korea	12–15
Chile	12–14
Greece	12
Brazil	12
Israel	11
Peru	11
Ecuador	10
Austria	9½
Mexico	9½
Germany	9
Japan	9
Finland	8–8½
Argentina	8
Uruguay	8
Iran	7½–8½
Italy	7½
Turkey	7–9
Denmark	7–8
Syria	7–8
Costa Rica	7
France	7
Honduras	7
Lebanon	7
Nicaragua	7
Sweden	6½–7
Ireland	6¼
Iraq	6–7
Singapore	6–7
Spain	6–6½
Colombia	6
Dominican Rep.	6
El Salvador	6
Guatemala	6
Liberia	6
South Africa	6
Venezuela	6
India	5½–6½
Egypt	5½–6
Hong Kong	5½–6
Australia	[2] 5½
Canada	5½
Netherlands	5½
Great Britain	5¼–5½
Philippines	5–7
Belgium	5–5½
Portugal	5–5½
Cuba	5
New Zealand	[2] 5
Panama	5
Norway	4¾
Switzerland	4½
Puerto Rico	4¼
United States	4

[1] Not including 9 percent representing tax and other charges.

[2] Trading banks average rate.

The PRESIDING OFFICER. Is there further morning business?

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

Mr. THYE. Mr. President, I have a very brief statement.

Mr. MANSFIELD. Mr. President, I withdraw my request.

Mr. THYE. Mr. President, I ask unanimous consent that I may exceed the 2-minute limitation.

Mr. JOHNSON of Texas. The Senator is permitted 3 minutes. If the Senator will wait momentarily we will complete the morning business and the Senator can obtain recognition and speak for as long as he likes.

Mr. THYE. My only problem is that the conference committee of which I am a member will convene at 10:30 this morning.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the Senator from Minnesota may be allowed to speak for not longer than 5 minutes.

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

INCREASED USE OF AGRICULTURAL PRODUCTS FOR INDUSTRIAL PURPOSES

Mr. THYE. Mr. President, I should like to address a few remarks to the Senate regarding a bill which 29 Senators cosponsored, namely, S. 2306, which would provide for the increased use of agricultural products for industrial purposes. This bill contains the major recommendations of the Commission on Increased Industrial Use of Agricultural Products. This Commission was authorized by Public Law 540 of the 84th Congress and submitted its report on June 15, 1957.

This report is available to the Senate and the public and is printed as Senate Document No. 45. I highly recommend the reading of this document, first of all for its recommendations, and, secondly, as a revelation of the possibilities for the increased use of agricultural products if the recommendations of the Commission are enacted into law. It is most enlightening to read of the various projects which are in the laboratory stage, the development stage, and those which are now putting products on the market. I am confident that when a person has read and studied this report, he will give full support to the enactment of the bill to which I have referred.

This approach to our farm surpluses is one of the most constructive, and holds the greatest possibilities among those which have been advanced. I believe Senators will find that in industry the successful companies which are expanding are those companies which realize the importance of research and development. The report points out the fact that in 1956 approximately $7 billion would be spent by all American sources for research and development. American industry is currently spending about $3 billion in this area while agricultural research amounts to only $375 million. On a percentage basis comparison, the contrast is even more striking. Manufacturing industry invests about 3 percent of its gross sales in research, while the petrochemical industries invest from 4 to 7 percent of their annual gross sales. The $375 million spent for agricultural research represents slightly over one-half of 1 percent of farmers' total agricultural sales. However, the greater portion of these funds is used to find methods for improving and increasing production. Of the $190 million which the Federal and State Governments spend for agricultural research, only $16,145,000 of the Federal appropriation is used in the search for new uses of agricultural commodities.

The first recommendation of the Commission is for an increase of at least three times the amount currently spent for crop research, trial commercialization, development, and incentives. In each of the task groups which studied the various agricultural products, emphasis was placed on the need for more basic research. In bearing out this contention, the report lists some 59 projects, still in the research stage, which show promise of a commercially feasible end product. Research in wheat indicates that adhesive materials could be developed, as could hormone type weed killers and improved insecticides. Research in the cereal grains could result in the production of synthetic fibers and flexible packaging film such as cellophane. Plastics could conceivably be made from raw materials found in cereal grains. Many projects are indicated which would improve the quality of textiles made from cotton. The presently known possibilities are immense. With additional funds for research, I can foresee that a vast new range of products could be manufactured from agricultural raw materials.

Another phase of this bill would investigate the possibility of introducing new crops to the United States, either from other countries or from the development of new strains and varieties. The report lists such crops as bamboo, castor beans, and others with very specialized uses.

In addition to the need for basic research there is the need for the development of commercial processes which can be used for the conversion of the raw material into the finished product. Once again, there are many programs which could be developed if funds were available for the research into the discovery of economically feasible commercial processes. To indicate the possibilities in this field, there are 19 examples in this stage of development. Basic research has found methods of producing dialdehyde starch from grain. This material is used in the production of chemicals, one of the uses of which is in plastics production and manufacture of organic chemicals. It is estimated that if this area were fully developed, 6½ million bushels of grain could be devoted to this use. The problem is to find a method which can be used commercially for the conversion of the cereal grain into this starch at a price which is competitive.

It may also be necessary for the Government to establish pilot plants which can be used as models for private industry. In this connection, the Government should make available for these research projects quantities of our surplus agricultural products in sufficient amounts so that all of the possible avenues will be attempted.

The bill does not propose that this be a strictly governmental project, but that our universities and our industries will be encouraged to make their contribution in this most important work. Private industry should be encouraged through grants for research accompanied by increased endeavors on their own behalf. In this regard, the question of the Agriculture Department's policy on patents should be thoroughly examined. During the prosecution of World War II and the Korean conflict, patentable inventions were used by the Federal agencies, and when the emergency ended and the need for complete Government control also ended the patent rights were relinquished to the individual. Under that program, the greater incentive undoubtedly produced significant contributions.

Our agricultural economy is in a depressed condition. I have given support to programs which I believed would contribute to the solution of this problem. However, most of these programs were aimed at reducing production. The program as outlined in this bill is an aggressive and dynamic policy aimed at finding uses for these products. After reading of the report of this Commission and learning of the present state of research and development projects, I believe that if this bill is enacted and a cash program is initiated, the demand for agricultural products could exceed the ability of our Nation's farmers to produce these raw materials. I am very hopeful that the Subcommittee on Agricultural Research and General Legislation will take action on this bill and that it will be passed by the Senate early in the second session of this Congress.

Research in agricultural products, greatly broadening the area of agricultural commodities in the various synthetic developments, is the new frontier for agriculture in the years to come. Unless we proceed in that field, it is a certainty that surpluses of all our agricultural products will continue to accumulate; and if such surpluses continue to pile up, it is a certainty that we shall have a depressed agricultural economy. It is for that reason that it is important that we give further thought and study to expanding our research activities in the agricultural field.

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

Mr. THYE. I yield.

Mr. CARLSON. I should like to express my appreciation for the fine statement the Senator from Minnesota has made. He has again demonstrated a very particular interest in the farmers of the Nation, and in agriculture as a whole.

I invite his attention to a statement which I placed in the CONGRESSIONAL RECORD earlier this week, by former Representative Clifford Hope, who served for 30 years in the House. He discussed the same subject matter which the Senator has discussed today, namely, the importance of using some of our surplus agricultural crops for industrial purposes.

Mr. THYE. My distinguished friend from Kansas has referred to Clifford Hope. Clifford Hope was one of the greatest agricultural leaders to serve in Congress during my lifetime. Clifford Hope was a student of agriculture, and it was a great loss to the Nation when he retired from Congress.

Again I refer to Senate bill 2306. That bill was sponsored by a great number of Senators. It is a very important bill, and I certainly hope that study will be given to the proposals set forth in the bill, and that there will be an opportunity for consideration of the bill early in the coming session, in 1958.

Mr. President, I yield the floor.

WORK OF THE FOREIGN RELATIONS COMMITTEE, 85TH CONGRESS, 1ST SESSION

Mr. GREEN. Mr. President, I wish to make a brief statement on the activities of the Committee on Foreign Relations during the 1st session of this 85th Congress.

The days since January have been very busy ones for the chairman and members of the committee and I take this opportunity to express my high appreciation of my colleagues' faithful attendance at our meetings, for their alert and able consideration of all matters which have come before us this session, and for their constant attention to the foreign policy problems with which this Nation is faced. I wish to record also my sincere appreciation for the splendid bipartisan spirit which continues to prevail in the deliberations of the Committee on Foreign Relations.

The meetings in which our members participated totaled 143. We have considered many measures and have taken final action on 14 treaties, 27 bills and joint resolutions, and 22 Senate and concurrent resolutions. We are carrying over very little for consideration next year—only such measures as are not yet ready for action. No measure reported by the committee is now pending on the Senate Calendar. The measures reported by the committee have passed the Senate either by voice vote or by very large majorities. The largest number of votes cast against any measure reported by the committee was 25, on final passage of the Mutual Security Act, and on that rollcall there were 57 votes in favor. The statute of the International Atomic Energy Agency was approved 67 to 19, the Middle East resolution was agreed to 72 to 19, and 12 treaties were approved by unanimous votes ranging from 78 to 0 to 86 to 0.

The first major item of business with which we dealt was the Middle East doctrine. After painstaking examination by the Committee on Foreign Relations and the Committee on Armed Services, this measure received the approval of both those committees, and of the Congress. The committee also devoted much time to a searching review of the mutual security program. This study began in 1956 when the then chairman of the committee, the late Senator Walter F. George, called for a thorough review of United States aid programs. With this in mind, the Senate created a Special Committee To Study the Foreign Aid Program, which was comprised of the full membership of the Foreign Relations Committee and two members each from the Senate Committee on Armed Services and the Senate Committee on Appropriations. The information the committee gained from this study, and the results of the study undertaken by the Subcommittee on Technical Assistance Programs were available for its members when they considered and approved the Mutual Security Act of 1957.

The Senate, moreover, has approved 13 treaties this session, all of which were examined with great care by the Foreign Relations Committee. Among these were the statute of the International Atomic Energy Agency, three double taxation conventions, a treaty of friendship, commerce, and navigation with the Republic of Korea, a cultural convention, and a number of conventions relating to activities in international waters.

In addition, the committee has received an extremely large number of nominations this session. It has acted upon 1,662 nominations, as contrasted with the 702 which it had before it during the 1st session of the 84th Congress and the 973 during the entire 83d Congress.

As an expression of its interest in the quality of American representation abroad, the committee also adopted new procedures for the consideration of nominations. Individuals nominated to serve as chiefs of mission or as delegates to international organizations are now examined by the committee in public session. More attention has also been given to routine appointments in the Foreign Service. This year, for the first time so far as I know, the committee examined in person six young men chosen by lot from a list of 62 appointments to the lowest rank of the career Foreign Service. The result was most favorable as to the qualifications of those examined.

Mr. President, in summation I ask unanimous consent to have printed in the RECORD a short summary of the workload of the Committee on Foreign Relations for this session, the period during which I have been privileged to be its chairman.

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

TREATIES ACTED ON

1. Protocol to the 1949 International Convention for the Northwest Atlantic Fisheries (Ex. F, 85-1; Ex. Rept. 1, 85-1): This protocol, between the United States and nine other governments, is designed to make it possible for the Commission, the representative body established under the 1949 convention, to hold its meetings outside North America, if it so desires. Approved May 13, 1957, by a vote of 82 to 0.

2. Protocol to the 1930 Convention for the Protection, Preservation, and Extension of the Sockeye Salmon Fisheries in the Fraser River System (Ex. C, 85-1; Ex. Rept. 2, 85-1): The purpose of this protocol, between the United States and Canada, is the establishment of a program to conserve the pink salmon of the Fraser River system coordinate with the program set up under the 1930 convention for sockeye salmon only. Approved June 6, 1957, by a vote of 85 to 0.

3. Statute of the International Atomic Energy Agency (Ex. I, 85-1; Ex. Rept. 3, 85-1): This statute, signed by the United States and 79 other nations, is designed to establish an International Atomic Energy Agency with responsibility for advancing the peaceful uses of atomic energy, and for developing methods for its application to industry, agriculture, and medicine for the benefit and general welfare of mankind. Approved, with an interpretation and understanding, June 18, 1957, by a vote of 67 to 19.

4. Agreement between the United States and Austria regarding Certain Bonds of Austrian Issue Denominated in Dollars, Together with a Related Protocol (Ex. H, 85-1; Ex. Rept. 4, 85-1): The agreement and protocol create a procedure under which the holders of certain dollar bonds issued prior to World War II by the Republic of Austria and by various municipalities, provinces, and companies in Austria, may establish the validity of their bonds. Approved July 2, 1957, by a vote of 78 to 0.

5. Treaty of Friendship, Commerce, and Navigation between the United States and Korea (Ex. D, 85-1; Ex. Rept. 5, 85-1): The objective of this treaty is to protect the personal security, rights, and property of Americans in Korea and to facilitate their travel and business activities. Approved August 8, 1957, by a vote of 86 to 0.

6. Protocol amending the International Sugar Agreement of 1953 (Ex. L, 85-1; Ex. Rept. 6, 85-1). The protocol revises export quotas on sugar as among exporting countries parties to the agreement of 1953, simplifies the administration of the quotas, and provides greater flexibility in their adjustment to changing market conditions. It also revises the price objectives of the agreement. Approved August 8, 1957, by a vote of 86 to 0.

7. Convention on Inter-American Cultural Relations (Ex. C, 84-2; Ex. Rept. 7, 85-1): This convention, signed by the United States and all of the other American Republics except Costa Rica, is a revision of the Buenos Aires convention of 1936. It is intended to promote the exchange of graduate students, teachers, professors, specialists, and other persons of equivalent qualifications among the American Republics, with a view to fostering a greater understanding of the peoples and institutions of countries belonging to the Organization of American States. Approved August 8, 1957, by a vote of 86 to 0.

8. Protocol to the 1946 International Convention for the Regulation of Whaling (Ex. E, 85-1; Ex. Rept. 8, 85-1): The purpose of this protocol is to vest the International Whaling Commission established by the Convention for the Regulation of Whaling with additional powers so that it may effectively deal with a number of problems not anticipated when the convention was negotiated. Approved August 8, 1957, by a vote of 86 to 0.

9. Amendment to the 1949 International Convention for the Safety of Life at Sea (Ex. M, 85-1: Ex. Rept. 9, 85-1): The purpose of the amendment is to remove from the convention a prohibition against the use of inflatable liferafts on merchant and passenger vessels in international carriage. Approved August 8, 1957, by a vote of 86 to 0.

10. Interim Convention on Conservation of North Pacific Fur Seals (Ex. J, 85-1; Ex. Rept. 10, 85-1): This convention, an interim agreement effective for a 6-year period, will serve to continue the prohibition now being observed by the four signatory governments (Canada, Japan, the Soviet Union, and the United States) with respect to pelagic sealing, and to provide a joint research program designed to accumulate sufficient factual data to prepare the groundwork for a permanent arrangement among the parties to conserve the valuable fur seal herds of the North Pacific Ocean. Approved August 8, 1957, by a vote of 86 to 0.

11. Income Tax Convention with Austria (Ex. A, 85-1; Ex. Rept. 12, 85-1): This convention for the avoidance of double taxation with respect to taxes on income follows the pattern of previous double taxation conventions into which the United States has entered. Approved August 8, 1957, by a vote of 86 to 0.

12. Income Tax Convention with Canada (Ex. B, 85-1; Ex. Rept. 12, 85-1): This convention introduces certain modifications in the income tax convention and protocol of March 4, 1942, as modified by the supplementary convention of June 12, 1950, between the United States and Canada. Approved August 8, 1957, by a vote of 86 to 0.

13. Income Tax Protocol with Japan (Ex. K, 85-1; Ex. Rept. 12, 85-1): This protocol, which supplements the convention with Japan of April 16, 1954, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, provides for exemption of the Export-Import Banks of Japan and the United States from taxation on interest received from sources within the country of the other party. Approved August 8, 1957, by a vote of 86 to 0.

14. Friendship, Commerce, and Navigation Treaty with Haiti (Ex. H, 84-1). Returned to President at his request, August 8, 1957.

BILLS AND JOINT RESOLUTIONS PASSED BY BOTH HOUSES

1. Mutual Security Act of 1957 (S. 2130, S. Rept. 417, passed Senate June 14, 1957, by a vote of 57 to 25; approved August 14, 1957, Public Law 85-141): This act extended the mutual-security program for another year and authorized $3.4 billion for various types of foreign aid.

2. The Middle East resolution (H. J. Res. 117, S. Rept. 70, passed Senate March 5, 1957, by a vote of 72 to 19); approved March 9, 1957, Public Law 85-7): This joint resolution authorized the President to undertake economic and military cooperation with nations in the general area of the Middle East in order to assist in the strengthening and defense of their independence.

3. Amendment of act creating Corregidor-Bataan Memorial Commission (S. 538, S. Rept. 721, passed Senate August 5, 1957; approved August 28, 1957, Public Law 85-179): This act will enable the present Executive Director of the Commission to receive, for a period of not to exceed 5 years, retired pay as a retired military officer, and civilian compensation concurrently.

4. St. Lawrence Seaway Development Corporation (S. 1174, S. Rept. 525; passed Senate June 26, 1957; approved July 17, 1957, Public Law 85-108): This act served to clarify

the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowing of the St. Lawrence Seaway Development Corporation.

5. Bridge across the Pigeon River (S. 1361, S. Rept. 522, passed Senate June 26, 1957; approved July 24, 1957, Public Law 85–113): This act revived and reenacted the act of May 29, 1945, authorizing, under certain conditions, the Department of Highways of the State of Minnesota to construct, maintain, and operate a free highway bridge and approaches thereto across the Pigeon River.

6. Claim of Christoffer Hannevig (S. J. Res. 64, S. Rept. 370, passed Senate June 10, 1957; approved June 27, 1957, Public Law 85–60): This act, in implementation of a 1948 convention between the United States and Norway, confers jurisdiction upon the Court of Claims to adjudicate the claim of Christoffer Hannevig, a national of Norway, against the United States based upon the requisition of certain alleged property interests of Mr. Hannevig by agencies of the United States Government during the First World War.

7. Buffalo and Fort Erie Public Bridge Authority (S. J. Res. 95, S. Rept. 720, passed Senate August 5, 1957; approved August 14, 1957, Public Law 85–145): This act granted the consent of Congress to an agreement or compact between the State of New York and the Government of Canada providing for the continued existence of the Buffalo and Fort Erie Public Bridge Authority.

8. Second World Metallurgical Congress (H. J. Res. 404, S. Rept. 863, passed Senate August 20, 1957): This joint resolution provides for the recognition and endorsement of the Second World Metallurgical Congress, which, under the sponsorship of the American Society for Metals, will be held in Chicago, Ill., on November 2–8, 1957.

9. St. Lawrence Seaway celebration (H. J. Res. 408, S. Rept. 864, passed Senate August 20, 1957): This joint resolution authorized the President of the United States to invite the States of the Union and foreign countries to participate in the St. Lawrence Seaway celebration to be held in Chicago, Ill., from January 1 to December 31, 1959, inclusive.

10. Conveyance of reversionary interest of United States in certain lands in Texas (H. R. 1983, S. Rept. 369, passed Senate May 22, 1957; approved May 31, 1957, Public Law 85–42): This act authorized the Secretary of State to take the action necessary to make possible an exchange of lands held by two school districts in Texas for other lands more suitable for school purposes.

11. Alaska International Rail and Highway Commission (H. R. 4271, S. Rept. 211, passed Senate April 12, 1957; approved April 20, 1957, Public Law 85–16): This act, in amending the act of August 1, 1956 (70 Stat. 888), added the Delegate from Alaska in the House of Representatives as a member of the Commission.

12. Disposal of certain lands to aliens (H. R. 8929, S. Rept. 862, passed Senate August 20, 1957): By virtue of this act, the International Boundary and Water Commission, United States and Mexico, is given the same authority as other United States Government agencies to dispose of lands to aliens as well as to citizens of the United States.

BILLS AND JOINT RESOLUTIONS PASSED BY SENATE BUT STILL PENDING IN HOUSE

1. Transmission of executive agreements to the Senate (S. 603, S. Rept. 521, passed Senate June 25, 1957). This bill (identical with S. 147 of the 84th Cong. 2d sess.), in general, would require the Secretary of State to transmit to the Senate the text of any international agreement other than a treaty, to which the United States is a party.

2. Waiver of collection of certain financial assistance loans (S. 747, S. Rept. 767, passed Senate August 5, 1957). This bill would permit the Secretary of State, with the approval of the Comptroller General of the United States, to evaluate and to cancel, in whole or in part, certain claims of the Government against citizens of the United States growing out of personal loans and other advances made to them in emergency situations abroad.

3. Amendment of International Claims Settlement Act of 1949, as amended (S. 979, S. Rept. 612, passed Senate August 5, 1957). This bill would extend the time for filing claims against the Governments of Bulgaria, Hungary, Rumania, Italy, and the Soviet Union under subchapter III of Public Law 285, 84th Congress, and would provide for the reduction of awards made under title III of Public Law 285 in certain cases where claimants received tax benefits from writing off war losses upon which their awards are based.

4. Implementation of the Geneva Red Cross Conventions (S. 1779, S. Rept. 772, passed Senate August 5, 1957). This bill would give effect to certain obligations which the United States assumed when it ratified the Geneva Conventions of 1949 for the protection of war victims (Exs. D, E, F, and G, 82d Cong., 1st sess.).

5. Assistant Secretary of State for African Affairs (S. 1832, S. Rept. 223, passed Senate April 12, 1957). This bill would authorize the appointment of one additional Assistant Secretary of State to be designated as the Assistant Secretary of State for African Affairs.

6. Danish vessels (S. 2448, S. Rept. 572, passed Senate July 3, 1957). This bill would authorize payment to the Government of Denmark in connection with the requisitioning in 1941 of 40 Danish vessels by the United States.

7. Interparliamentary Union (S. 2515, S. Rept. 600, passed Senate August 5, 1957). This bill would raise the ceiling established by Public Law 409, 80th Congress, on United States contributions to the Interparliamentary Union, from $15,000 to $18,000.

8. Contributions to the International Labor Organization (S. J. Res. 73, S. Rept. 526, passed Senate June 27, 1957). This measure would increase the ceiling on the United States annual contribution to the International Labor Organization from $1,750,000 to $2 million.

9. Contributions to the International Council of Scientific Unions and its Associated Unions (S. J. Res. 85, S. Rept. 602, passed Senate August 5, 1957). This joint resolution would raise the ceiling on United States contributions to the International Council of Scientific Unions from $9,000 annually to $65,000 annually.

SENATE RESOLUTIONS

1. United Nations Emergency Force (S. Res. 15, S. Rept. 613, agreed to by Senate August 8, 1957). This resolution expressed the sense of the Senate that a force similar in character to the United Nations Emergency Force created pursuant to resolutions of the United Nations General Assembly of November 3 and 4, 1946, now operating in the Middle East, should be made a permanent arm of the United Nations.

2. Special Committee To Study the Foreign Aid Program (S. Res. 35, S. Rept. 2, agreed to by Senate January 30, 1957). This resolution extended the special committee until June 30, 1957, and authorized $75,000 for the period February 1 to June 30, 1957. By S. Res. 141 (S. Rept. 435), which was agreed to by the Senate on June 25, 1957, the subcommittee was extended until January 31, 1958 to complete its study.

3. Additional clerical assistance (S. Res. 59, S. Rept. 36, agreed to by Senate January 30, 1957). This resolution authorized the Committee on Foreign Relations to employ two temporary additional clerical assistants.

4. Subcommittee on Technical Assistance Programs (S. Res. 60, S. Rept. 37, agreed to by Senate, January 30, 1957). This resolution extended, from January 31 to February 28, 1957, the deadline for transmittal to the Senate of the final report of the subcommittee. A further extension until March 31, 1957, was subsequently made by S. Res. 99, which was agreed to by the Senate on February 20, 1957.

5. Subcommittee on Disarmament (S. Res. 61, S. Rept. 11, agreed to by Senate January 30, 1957). This resolution extended the subcommittee until June 30, 1957, and authorized $30,000 for the period February 1 to June 30, 1957. Further extensions were granted: (1) Until August 31, 1957 (S. Res. 151, S. Rept. 524, agreed to by Senate June 26, 1957), with an authorization of $10,000, and (2) until January 31, 1958 (S. Res. 192, S. Rept. 1044, agreed to by Senate August 26, 1957), with an authorization of $30,000.

6. Additional committee funds (S. Res. 152, agreed to by Senate July 3, 1957). This resolution authorized an additional $10,000 to meet the expenses of the Committee on Foreign Relations.

7. Commonwealth Parliamentary Association (S. Res. 160, S. Rept. 604, agreed to by Senate August 5, 1957, and S. Res. 177, agreed to by Senate August 26, 1957). These resolutions, the latter of which served to amend the first in certain technical respects, authorized the Vice President to appoint four Members of the Senate to attend the next general meeting of the Commonwealth Parliamentary Association to be held in India, on the invitation of the Indian branch of the association, and $15,000 to meet the expenses incurred by the members of the delegation and its staff.

CONCURRENT RESOLUTIONS

1. Printing of Technical Assistance Report (S. Con. Res. 24, no written report, passed Senate, April 12, 1957). This concurrent resolution authorized the printing of 2,500 additional copies of the final report of the Subcommittee on Technical Assistance Programs.

2. Printing of studies and reports of Special Committee to Study the Foreign Aid Program (S. Con. Res. 30, passed Senate June 5, 1957). This concurrent resolution authorized the printing of these publications as a Senate document with $8,000 for the use of the special committee.

3. Problem of Hungary (S. Con. Res. 35, S. Rept. 523, passed Senate June 26, 1957). This concurrent resolution expressed the sense of the Congress that the President, through the United States representatives to the United Nations at the forthcoming special reconvening of the General Assembly of the United Nations, should take every appropriate action toward the immediate consideration and adoption of the report of the United Nations Special Committee on the Problem of Hungary and toward the immediate consideration of other available information on the brutal action of the Soviet Union in Hungary.

4. Commonwealth Parliamentary Association Meeting (S. Con. Res. 36, S. Rept. 604, passed Senate August 5, 1957). This concurrent resolution would authorize the appointment of 4 Members of each House of Congress to attend as guests the meeting of the Commonwealth Parliamentary Association to be held in India, which is tentatively scheduled to begin at New Delhi on December 2, 1957, and would provide for the payment of expenses of the delegates.

5. Printing of committee hearings on the mutual-security program for fiscal year 1958 (S. Con. Res. 45, no written report, passed Senate August 26, 1957). This concurrent resolution authorized the printing of 1,000 additional copies of these hearings.

6. Admission of Spain to NATO (H. Con. Res. 115, S. Rept. 212, passed Senate April

12, 1957). This concurrent resolution expressed the sense of the Congress that the State Department should continue to use its good offices toward the end of achieving participation by Spain in the North Atlantic Treaty and as a member of the North Atlantic Treaty Organization.

ROLLCALL VOTES IN THE SENATE ON FOREIGN POLICY MEASURES

Protocol to the 1949 International Convention for the Northwest Atlantic Fisheries: 82 to 0.

Protocol to the 1930 Convention for the Protection, Preservation, and Extension of the Sockeye Salmon Fisheries in the Fraser River System: 85 to 0.

Statute of the International Atomic Energy Agency: 67 to 19.

Agreement and protocol regarding certain bonds of Austrian issue: 78 to 0.

Treaty of friendship, commerce, and navigation with Korea: 86 to 0.

Protocol amending International Sugar Agreement of 1953: 86 to 0.

Convention on Inter-American Cultural Relations: 86 to 0.

Protocol to the 1946 International Convention for the Regulation of Whaling: 86 to 0.

Amendment to the 1949 International Convention for the Safety of Life at Sea: 86 to 0.

Interim Convention on Conservation of North Pacific Fur Seals: 86 to 0.

Income Tax Convention with Austria: 86 to 0.

Income Tax Convention with Canada: 86 to 0.

Income Tax Convention with Japan: 86 to 0.

Mutual Security Act of 1957: 57 to 25.

Middle East resolution: 72 to 19.

LEGISLATIVE RECORD

Treaties:	
Held over from previous Congress	18
Submitted during 85th Cong., 1st sess	14
Total pending during 85th Cong., 1st sess	32
Advice and consent given	13
Withdrawn	1
Still pending at end of 85th Cong., 1st sess	18
Bills and joint resolutions:	
Referred to the committee	55
Passed Senate	21
Provisions included in other laws	5
Indefinitely postponed	1
Still pending	28
Senate and concurrent resolutions:	
Referred to the committee	46
Passed Senate	18
Provisions included in other legislation	4
Still pending	24
Meetings:	
Full committee:	
Executive	60
Public	33
Total	93
Subcommittees:	
Executive	22
Public	7
Total	29
Special Committee To Study Foreign Aid Program:	
Executive	2
Public	13
Total	15
Conference committees: Executive	6
Total meetings	143
Nominations confirmed:	
Ambassadors and ministers	36
Department of State	9
NATO	1
International Cooperation Administration	2
United Nations	15
Advisory commissions	4
Brussels Fair	1
United States Information Agency	1
Foreign Service	1,593
Total	1,662

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

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

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. TALMADGE in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Lee L. Altemose, to be postmaster at Tatamy, Pa., which nominating messages were referred to the appropriate committees.

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

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

Two hundred and sixty-one postmasters.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. BARRETT. Mr. President, as in executive session, from the Committee on Armed Services, I report favorably the nominations of 3 major generals in the Air Force for positions of importance and responsibility designated by the President in the rank of lieutenant general, the assignment of 1 lieutenant general in the Air Force to a position of importance and responsibility in the rank of general, and the temporary appointment in the Army of 3 major generals and 6 brigadier generals. I ask that these nominations be placed on the Executive Calendar.

The ACTING PRESIDENT pro tempore. The nominations will be placed on the Executive Calendar, as requested by the Senator from Wyoming.

The nominations referred to are as follows:

Maj. Gen. Francis Hopkins Griswold, Regular Air Force; Maj. Gen. William Fulton McKee, Regular Air Force; and Maj. Gen. William Dole Eckert, Regular Air Force; to be assigned to positions of importance and responsibility designated by the President, in the rank of lieutenant general, United States Air Force;

Lt. Gen. Leon William Johnson (major general, Regular Air Force), to be assigned to a position of importance and responsibility designated by the President in the rank of general, United States Air Force; and

Brig. Gen. Theodore Scott Riggs, and sundry other officers, for temporary appointment in the Army of the United States.

Mr. BARRETT. Mr. President, in addition, I report favorably a group of 154 nominations for appointment in the Regular Army in the grade of colonel and below, and 763 appointments and promotions in the Navy and Marine Corps in the grade of captain and below. All of these names have already appeared in the CONGRESSIONAL RECORD. In order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Vice President's desk for the information of any Senator.

The ACTING PRESIDENT pro tempore. The nominations will lie on the desk, as requested by the Senator from Wyoming.

The nominations ordered to lie on the desk are as follows:

James S. Webb, Jr., and sundry other Reserve officers for appointment in the Medical Corps of the Navy;

Fred W. Richardson, and sundry other civilian college graduates, for appointment in the Medical Corps of the Navy;

John "T" Anderson, and sundry other Reserve officers for appointment in the Dental Corps of the Navy;

Charles H. Cornelison, chief petty officer, to be chief warrant officer, W-2 in the Navy;

William B. Abbott III, and sundry other officers for temporary or permanent appointment in the line of the Navy;

Janice R. McMorrow, and sundry other officers for temporary or permanent appointment in the Navy;

Col. John R. Jannarone, for appointment as professor of physics and chemistry, United States Military Academy;

James R. Jessell, and sundry other persons for appointment in the Regular Army of the United States; and

Edward G. Goodman, and sundry other officers and persons for temporary appointment in the Navy.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

UNITED STATES DISTRICT JUDGE

The legislative clerk read the nomination of Roby C. Thompson to be a United States district judge for the western district of Virginia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

TERRITORY OF HAWAII

The legislative clerk read the nomination of William Francis Quinn to be Governor of the Territory of Hawaii.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

SECRETARY, TERRITORY OF HAWAII

The legislative clerk read the nomination of Farrant Lewis Turner to be secretary of the Territory of Hawaii.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COLLECTORS OF CUSTOMS

The legislative clerk proceeded to read sundry nominations of collectors of customs.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the nominations of collectors of customs be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of collectors of customs are confirmed en bloc.

THE COAST AND GEODETIC SURVEY

The legislative clerk read the nomination of John A. Benning for permanent appointment to the grade of ensign in the Coast and Geodetic Survey.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be immediately notified of all nominations confirmed this day.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. I move that the Senate resume the consideration of legislative business.

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

WEIGHT TO BE GIVEN TO EVIDENCE FOR TESTS FOR ALCOHOL IN CERTAIN PERSONS IN THE DISTRICT OF COLUMBIA

The PRESIDING OFFICER (Mr. TALMADGE in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 969) to prescribe the weight to be given to evidence of tests of alcohol in the blood or urine of persons tried in the District of Columbia for operating vehicles while under the influence of intoxicating liquor which were to strike out all after the enacting clause and insert:

That, (a) if as a result of the operation of a vehicle, any person is tried in any court of competent jurisdiction within the District of Columbia for (1) operating such vehicle while under the influence of any intoxicating liquor in violation of section 10 (b) of the District of Columbia Traffic Act, 1925, approved March 3, 1925, as amended (D. C. Code, title 40, sec. 609), (2) negligent homicide in violation of section 802 (a) of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended (D. C. Code, title 40, sec. 606), or (3) manslaughter committed in the operation of such vehicle in violation of section 802 of such act approved March 3, 1901 (D. C. Code, title 22, sec. 2405), and in the course of such trial there is received in evidence, based upon a chemical test, competent proof to the effect that at the time of such operation—

(1) defendant's blood or urine contained five one-hundredths of 1 percent or less, by weight, of alcohol, or that an equivalent quantity of alcohol was contained in 2,000 cubic centimeters of his breath (true breath or alveolar air having 5½ percent of carbon dioxide), such proof shall be denied prima facie proof that defendant at such time was not under the influence of any intoxicating liquor;

(2) defendant's blood or urine contained more than five one-hundredths of 1 percent, but less than fifteen one-hundredths of 1 percent, by weight, of alcohol, or that an equivalent quantity of alcohol was contained in 2,000 cubic centimeters of his breath (true breath or alveolar air having 5½ percent of carbon dioxide), such proof shall constitute relevant evidence, but shall not constitute prima facie proof that defendant was or was not at such time under the influence of any intoxicating liquor; and

(3) defendant's blood or urine contained fifteen one-hundredths of 1 percent or more, by weight, of alcohol, or that an equivalent quantity of alcohol was contained in 2,000 cubic centimeters of his breath (true breath or alveolar air having 5½ percent of carbon dioxide), such proof shall constitute prima facie proof that defendant at such time was under the influence of intoxicating liquor.

(b) Upon the request of the person who was tested, the results of such test shall be made available to him.

(c) Only a physician acting at the request of a police officer can withdraw blood for the purpose of determining the alcoholic content therein. This limitation shall not apply to the taking of a urine specimen or the breath test.

(d) The person tested shall be permitted to have a physician of his own choosing administer a chemical test in addition to the one administered at the direction of the police officer.

SEC. 2. Nothing in this act shall be construed to require any person to submit to the withdrawal of blood, the taking of a urine specimen, from him, or to a breath test.

And to amend the title so as to read: "An act to prescribe the weight to be given to evidence of tests of alcohol in the blood, urine, or breath of persons tried in the District of Columbia for certain offenses committed while operating vehicles."

Mr. CLARK. Mr. President, I move that the Senate disagree to the amendments of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. CLARK, Mr. BIBLE, and Mr. JAVITS conferees on the part of the Senate.

THE CIVIL-RIGHTS BILL

Mr. JOHNSON of Texas. Mr. President, I ask that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business; namely, the amendments of the House of Representatives to Senate amendments Nos. 7 and 15 to House bill 6127, a bill to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The question is on agreeing to the motion of the Senator from Texas [Mr. JOHNSON] that the Senate concur in the amendments of the House to Senate amendments Nos. 7 and 15 to House bill 6127.

Mr. JOHNSON of Texas. Mr. President, if my friend from North Carolina [Mr. ERVIN], who is always so agreeable and cooperative, will indulge me, I should like to suggest the absence of a quorum in order that Senators may have an opportunity to hear the speech of the Senator from North Carolina. If that is agreeable, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. ERVIN. Mr. President, I have some constituents who would like for me to engage in a filibuster against the pending bill. I am compelled, however, to recognize the facts of legislative life. One of those facts is that those who entertain the sound views which I entertain on the bill are in a small minority, and it would be physically impossible for them to maintain a filibuster from this moment until midnight on the second day of January 1959.

I am also confronted by the fact that it is wise to heed the teachings of those who teach us that the Senate is the greatest deliberative body in the world, because it has preserved the right of unlimited debate.

From my study of history, I am satisfied that no meritorious piece of legislation has ever been defeated for long by the right of unlimited debate, even when it is designated by the name of filibuster.

On the contrary, the history of this great body shows that many times bad legislation has been defeated by unlimited debate.

We have a rule in the Senate, rule XXII, which many outsiders and even some Members of the Senate deplore. It preserves the right of unlimited debate. The Lord's Prayer says, "Lead us not into temptation." I do not favor a filibuster against the pending bill because I do not wish to lead any of my brethren in the Senate into the temptation to change the rule which preserves the right of unlimited debate.

The wisdom of the rule allowing unlimited debate has been better illustrated in the case of the pending civil-rights bill than in the instance of any other legislative proposal that has ever come to my attention.

If the rules of the Senate were altered so as to abolish the right of unlimited debate, and rules comparable to those of the House were adopted for the Senate, bills like the pending bill would pass Congress without Congress ever knowing what the bills contain.

Our brethren in the House did not have a fair opportunity under the rules which prevail there to expose to public view the iniquities, both legal and constitutional, which were originally embodied in the bill which is now the pending business before the Senate.

I believe that the Senate's previous action on the pending bill illustrates the fact that when an appeal to the Members of the Senate is based on reason, it is likely to find acceptance by a substantial number of them, even on a subject surrounded by hysteria, such as a civil-rights bill.

As an individual Senator, I do not have much trouble determining my stand on civil-rights bills. I have studied every civil-rights bill of modern vintage. I have never yet seen one which does not undertake to rob some Americans of rights just as precious as those it is allegedly designed to secure to other Americans. From my diagnosis of them, I believe all of them would inevitably sell a part of the birthright of the American people for awful sorry messes of political pottage. Therefore, I am not subject to any temptation to vote for any of them. Other persons of undoubted sincerity may have different views on this subject. I cannot expect everyone to entertain the same sound views on these bills that I entertain.

I want to preserve for every Senator, whether he acts for a majority or a minority or only as an individual, the benefit of a rule which insures him a full opportunity to state his views to the Senate and to receive a respectful audience on any proposition he may want to make.

For that reason I do not wish to lead anyone into the temptation of changing the rule of the Senate which makes the Senate, so far as I know, the last great deliberative body on the face of the earth. I do not wish to lead anyone into the temptation of adopting a new rule which will result in depriving Senators in the future of the precious right of unlimited debate.

From my own standpoint, the pending bill is a bad bill. It is a bad bill because it undertakes to do that which ought never to be done in a nation which boasts it has a government of laws, instead of a government of men. I have a conviction that any system of law which is worthy of the name of being called a system of justice is necessarily based on laws that are written with certainty in law books, not on supposed laws which are dependent upon the discretion or caprice of any human being, even though he be a judge.

I have the conviction that this Nation should have only one type of law, and that is a law which is certain, a law which is uniform, a law which applies alike to all persons in like circumstances. This bill, as it has been changed by the House in respect to the jury-trial provision, does not fit that standard. It commits a man's rights in the first instance to the discretion of a judge.

In the ancient days of Rome, Emperor Caligula wrote his laws in small letters and hung them high in order that his subjects might not know what the laws were, might violate them, and be punished for their violations. The House has gone beyond Caligula in the jury-trial amendment. It has hidden the law inside the head of the judge. Whether a respondent gets a jury trial in the first instance depends on the discretion of the judge. I have been a judge myself and I have watched judges operate a long time. I have never been greatly enamored of the idea that legislative bodies ought to commit legal questions to the discretion of judges. When all is said, a judge's discretion is sometimes dependent upon the state of his digestion. Legislative bodies should make the rights of citizens certain and uniform.

A great English constitutional lawyer, Lord Camden, said:

> The discretion of a judge is a law of tyrants; it is always unknown; it is different in different men; it is casual and depends upon constitution, temper and passion. In the best, it is oftentimes caprice; in the worst, it is every crime, folly, and passion to which human nature is liable.

One person whose views have been highly prized for generations by the American people was the great English statesman Edmund Burke. Edmund Burke spoke with wisdom about the danger of allowing the rights of people to be determined by the discretion of judges rather than by certain and uniform laws. After pointing out the danger of investing any sort of men with jurisdiction limited only by their discretion, Burke said:

> The spirit of any sort of men is not a fit rule for deciding on the bounds of their jurisdiction; first, because it is different in different men, and even different in the same at different times, and can never become the proper directing line of law; and next, because it is not reason but feeling, and when once it is irritated it is not apt to confine itself within its proper limits.

The provision that says a man is to have the right of trial by jury only if the judge sees fit to grant it to him in the first instance is unwise, in that it deprives Americans of the right they ought to have to look into the lawbook and determine from the lawbook and not from the independent brain of the judge what their legal rights are.

I also seriously doubt the constitutionality of this provision. The fifth amendment to the Constitution provides in effect that the United States cannot deprive any person of life, liberty, or property without due process of law.

Under that constitutional provision Congress has the power to classify offenses, provided the classifications are based upon reason. For example, Congress could draw a line between offenses based upon the character of conduct the defendant engages in or upon the intent with which the defendant acts.

But the right of a man to a jury trial under the House amendment does not depend in any way upon the character of the conduct of the defendant, whether it is outrageous or not outrageous. It does not depend upon his intent. The classification is based solely upon the unpredictable notion which the judge may have as to how much punishment the man should receive. One judge will decide that one way, and another judge will decide it another way, and, as Edmund Burke suggests, the same judge will decide it in different ways at different times.

Under the House amendment two men can be brought before a judge for criminal contempt under identically the same circumstances, and one of them can be given the right of trial by jury and the other denied that right.

Furthermore, the amendment puts a dollars-and-cents sign upon one of the most solemn rights that American citizens have, namely, the right of trial by jury.

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

Mr. **ERVIN**. I am happy to yield to the distinguished Senator from Virginia.

Mr. **ROBERTSON**. Is it not true that if this bill becomes law, we will try to do by statute that which is not in the Constitution? The Constitution states that in criminal cases a citizen is entitled to a jury trial. This so-called compromise provision will say "Yes; provided you do not punish him or put him in jail for more than a month and a half." Is that in the Constitution? The Constitution says for issues involving more than $20 a litigant can have a jury trial, but this says it has to be in excess of $300 before, on that issue, he can have a jury trial. Are we not amending the Constitution?

Mr. **ERVIN**. We are manhandling it, we are evading it; in truth, the whole object of this bill is to evade the constitutional right of trial by jury in criminal cases. But the amendment does give us one piece of information we did not have. It reveals exactly what a majority of the House of Representatives feels is the value of the constitutional right of trial by jury. They declare that this constitutional right is worth $300.01. That is the value they place on it. That is an astounding thing to me. I thought constitutional rights were so precious that it was impossible to assess their value, and yet we have a dollars and cents value placed upon them by the amendment. If one is to be locked up 45 days or less, or to be fined $300 or less, he can be robbed of his constitutional rights; but he cannot be robbed of them if he is going to be fined a penny more or sentenced to spend a day more in jail.

No amount of sophistry, no amount of splitting technicalities in law or equity, can erase the plain and obvious fact that this bill would never have been here had it not been for its purpose to rob Americans by indirection of their constitutional right of trial by jury. Such of its advocates as are willing to meet reality face to face admit as much. That fact gives me concern. It gives me concern that any men are willing under any circumstances to rob, either directly or indirectly, any American, whoever he might be, of a right which he ought to enjoy under the Constitution.

Mr. President, I have to admit that it causes me a great deal of additional discomfort to have it suggested that the people whom I have the honor to represent, in part, in the United States Senate should be deprived of rights which everyone by common consent will admit that persons charged with the foulest crimes which can be imagined are entitled to retain and enjoy.

Mr. President, I shall make certain personal references which I have previously made during the debate on this bill. One of my collateral ancestors signed the Declaration of Independence. I have always thought that he signed it for the reason—among others—that it deplored the fact that the English Crown had deprived the American colonists, in many cases, of their right of trial by jury. Another of my ancestors sat in the North Carolina Constitutional Convention which ratified the Constitution of the United States containing the guaranty of the right of trial by jury in criminal cases. I am glad to be able to say that, so far as my voice and vote in this body are concerned, I have kept faith with them and with all the unborn generations of Americans of all races, by standing for preservation of the right of trial by jury.

Mr. President, I realize that the Senate is confronted by an unfortunate situation. The Senate adopted the O'Mahoney amendment, which squared with the theory that we have a Government of laws, rather than a government of men. The O'Mahoney amendment was designed to make the Federal law of criminal contempt certain and uniform. It applied alike to all men in like circumstances. The Senate adopted that amendment. Many Senators voted for it, despite tremendous pressure, political and otherwise, brought to bear upon them in an effort to get them to be faithless to one of their fundamental convictions; namely, their belief in the right of trial by jury. But, Mr. President, the House of Representatives has rejected this fair amendment; and now the Senate has before it a measure which whittles away or, we might say, nibbles away the right of trial by jury in one domain.

Mr. President, in closing I should like to adopt the words of one of the great judges of the United States, Judge Henry Clay Caldwell. He said:

> For a free people, "trial by judge and jury" is immensely superior to any other mode of trial that the wit of man has ever yet devised, or is capable of devising—

And, Mr. President, I invite the attention of the Senate particularly to the following—

> and evil will be the hour for the people of this country when, seduced by any theory, however plausible, or deluded by any consideration of fancied emergency or expediency, they supinely acquiesce in its invasion or consent to its abolition.

Mr. President, that is the fundamental objection to the amendment adopted by the House of Representatives. The House of Representatives has been seduced by some theory or has been deluded by some fancied emergency or expediency, to acquiesce in the invasion of the right of trial by jury.

Mr. President, I shall vote against the House amendment because I am unwilling to give my consent to any bill or any legislative proposal which invades or abolishes or curtails in any way the right of trial by jury for any American.

Mr. JOHNSTON of South Carolina. Mr. President, today we are confronted with what possibly is an accomplished legislative fact. This has been accomplished in the most unusual manner. In the time allotted to me, I shall renew my objections to the passage of H. R. 6127. The House of Representatives has further amended the Senate amendments.

The first most unusual thing that happened when H. R. 6127 passed the Senate was the vote to substitute the House bill for all such bills which were before the Senate. The House bill was not referred, according to the usual procedures, to the Senate Judiciary Committee. For several months the Judiciary Committee had been considering provisions somewhat similar to those in the House bill. We were awaiting the receipt of the House bill, in order to act upon it in conjunction with the bill then pending before the Judiciary Committee. The Senate, by a vote of 71 to 18, voted for immediate consideration of H. R. 6127. The obvious result of such a vote was to discharge the Judiciary Committee from any further consideration of the bill, pending before it on the same subject matter.

The distinguished senior Senator from Oregon [Mr. MORSE] then moved that the House bill be referred to the Judiciary Committee, in order that the normal legislative processes of our Government be preserved. By a vote of 54 to 35, the Senate was unwilling to preserve its normal legislative processes. These processes have become a part of our constitutional system of government. The majority of the Senate surrendered a most valuable right, because of the political propaganda appearing in the press. As a result of the bulldozing of loud-mouthed minority groups, the Senate submitted—against my will—to this most abnormal procedure. All sorts of political claptrap, heat, pressure, and intimidation were practiced upon Members of the Senate by the professional agitators who delight in stirring up trouble merely for trouble's sake. These paid troublemakers were buttonholing Senators left and right. Everyone here knows what I am talking about, and knows I am giving a true account of what happened in the anterooms of this Chamber. These meddlers, these lobbyists, were bold. They were brazen in their browbeating tactics.

Another most unusual thing has happened. After most careful consideration, and even after many of the great newspapers of the country and the spokesmen for political pressure groups here and from the other side of Congress contended that the House bill must be taken as it passed the House, we made proper amendments. They further contended that there must not be any change in the House bill; not an "i" could be dotted; not a "t" could be crossed; no line could be stricken; not one word could be added. If anything was done, they contended, the entire structure and protection of all civil rights, as included in the House bill, would be lost. After careful, prudent, thorough, and soul-searching examination, the Senate found some very basic and fundamental errors in the House bill. The Senate found that the bill would give up more civil rights than it could possibly guarantee. The Senate adopted many important amendments. Among other things, the Senate provided that—

(a) The staff director of the Commission shall be appointed with the advice and consent of the Senate.

(b) The Senate also provided that the Commission shall report to the Congress as well as to the President.

(c) The vicious provision permitting voluntary and uncompensated personnel from intruding into the work of the Civil Rights Commission—those busybodies—was eliminated.

We went further by prohibiting the use of the do-gooders classified in the House bill as voluntary and uncompensated personnel.

(d) The Senate struck out the vicious injunctive provisions of section 121 of the House bill. This provision would have clothed the Attorney General with limitless power to harrass and annoy our people. It was so patently wrong it could not stand the light of day when we in the Senate examined it. Whoever conceived this section is an alien to American constitutional liberties.

(e) We repealed the provisions of the old Force Act. This old act—91 years old—was to be revived. It has not been used in about the same number of years—90 years. It was the old Reconstruction Act. It did not go so far as this bill goes, even in the reconstruction days.

It permitted the President to call out the Armed Forces or militia to enforce judicial decrees and orders. Think of that.

(f) We then provided for a jury trial in criminal contempt cases with proper safeguards to protect the innocent.

So that with all the clamor about there being no need for a change, that the House bill was perfect, that it was a "must" on the list of things this Congress must do, the Senate provided certain safeguards and protective provisions. When I say that it was a "must," I mean that the testimony of the Attorney General before the subcommittee of the Judiciary Committee of the Senate should be read, and Senators will see whereof I speak.

Now the most unusual thing of all has just happened. Under normal legislative procedure, when the House of Representatives passes a measure different from that which passes the Senate, or vice versa, a conference committee of representatives from the House and the Senate are appointed. These conferees meet and iron out, or attempt to iron out, their differences. All legislation of major consequence results primarily from compromise and conciliation of varying points of view. Conferees, however, must agree on the differing issues between each of the Houses of Congress in the bills each has passed No new matter can be brought into the picture. Not so with H. R. 6127. A most unusual departure has taken place. We have set aside precedent, procedure, and custom. The minority leader and the majority leader of the Senate substitute themselves for a normal conference committee. In the House, according to the news reports, the Speaker and the minority leader substituted themselves for a House conference committee. These four self-appointed, self-anointed conferees, with no authority except that which goes with their respective offices, propose a substitute that had theretofore passed neither the House nor the Senate. We are presented with a fait accompli. "Here it is, boys; take it or later you will get something worse."

What our distinguished leaders have done—and this is not personal—is to present us in the most obtuse way with a compromise they have agreed upon which violates every legislative concept heretofore followed in our entire legislative history. Let that sink in.

They have presented us with a monstrosity. As the chairman of the House Judiciary Committee is reported to have said, "Criminal contempt is now divided into two parts, a Fifth Avenue type and a bargain basement type."

This thing we are to vote on is not of the flesh. It is neither fish nor fowl. It gives the court the discretion to grant or deny a jury trial. If the judge in his wisdom, or lack of it—think of this—should deem it just to levy a fine in excess of $300 or impose a sentence in excess of 45 days, the accused then may have a jury trial. This is the most asinine, puerile legislative provision I have ever known about or heard being presented to what we consider ourselves to be—the greatest deliberative, legislative body in the world.

What judge wants a jury to reverse him? Let us picture this: The judge comes into court. He hears the facts. Then he decides the man ought to be sent to jail for more than 45 days, or pay more than $300, and he says, "I cannot try it. Let a jury try it." Let me tell Senators what we are facing in giving to judges this right. I have had a great deal of experience in criminal courts. I think I have represented as many at the bar in Spartanburg, S. C., as did any other lawyer during the term of years I was at the bar. I have seen some strange things happen. I should like to call a few of them to the attention of Senators to see what it means when we leave it to one man to decide what is going to happen to a lawyer's client. What will happen to him will depend on whether or not the judge's wife kissed the judge goodby in the morning. It will depend on how he slept the night before, or where he was the night before, or with whom he was associated the night before. It goes even deeper than that. It will depend on whether what he ate the night before probably was working on his digestive organs in a certain way. I have seen that happen.

To illustrate the point, let me give Senators an example. I was representing a client in the Federal court. I did not think my client should have been convicted but he was convicted by a jury. The trial judge all the way through the trial was pretty rough on the defendant, and rough on me, so much so that I did not want to have the judge sentence the defendant at the time he was found guilty. I said, "If it please the court, I should like to ask for a continuance until next Tuesday for the sentencing of my client, at which time I shall have a motion to make." The judge granted me that privilege, although if he had gone ahead that day my client certainly would have wound up, I think, in the penitentiary at Atlanta, Ga.

Do Senators know what happened when the judge came in on Tuesday? I was present with my client. The case was called. The judge said, "Mr. JOHNSTON, do you have a further motion to make?" Of course, I did have a motion to make. However, when I had finished the judge went a little bit further than I had gone. He said, "I have listened to this case. I tried the first case. I think your client, Mr. JOHNSTON, testified in this case the same as he testified in the first case." The case was one of perjury, and the defendant was being tried for perjury. The judge said, "If he testified the same in the first case as he did in the second case, and if my mind serves me correctly that is what happened—as you know, testimony was not taken down—I would be derelict in my duty to sentence him."

He said, "I have had time to think the matter over, so I am going to set the verdict aside. Mr. District Attorney, if you bring this case back here again on the same statement of facts, or a similar statement of facts, I will nol-pros the case."

The officers had testified a little differently from my witness, and that is the basis upon which he was convicted. I turned around to the district attorney and whispered, "What are you going to do with those boys who testified?"

That illustration shows the judge went the way his mind decided that particular day, and the way he was feeling that particular day. That is the reason we do not wish to turn over all these cases to a one-man decision.

What judge wants a jury to reverse him? What judge, who can read, would assess a fine or impose a sentence beyond the limits of the statute, thereby inviting the reversal of his action by a jury? Senators must bear in mind that in the Federal courts in criminal cases the judge has a right to charge upon the facts. A great many States do not allow the judges to charge upon the facts, but in the Federal courts they have that right. We can imagine how the judge would charge upon the facts in the case when a second trial occurred.

What safeguard of human freedom or liberty is contained in such monstrosity? Forty-six days freedom is no more precious to an innocent man than 44 days. In point of seriousness and consequence, what is the difference between a sentence of 45 and 46 days? Think of the constitutional provision that guarantees us a trial by jury when more than $20 is at stake, and then think of a legislative compromise that permits a court without a jury to impose a jail sentence up to 45 days.

This is the most backward-looking, retrogressive compromise that has ever issued from any self-appointed conference committee within my knowledge, memory, or understanding.

I have great personal respect for our legislative leaders. I cannot and will not stultify myself, however, by accepting their present proposal. I have no respect whatever for the thing they have presented to us. It is not a just, nor is it a reasonable substitute for the Senate action. I have no respect for the authority they have voluntarily assumed. We, who have complained because the Court—the Supreme Court—disregards precedent; we who complain because the Supreme Court has opened the FBI files to every crook and Communist; we, who complain that custom, usage, and precedent built upon the broadest experiences of mankind are not followed, are now called upon to lay aside all our precedents, experiences, customs, and usages.

The great common law of England is built upon custom. It has been our heritage, our refuge, and our safety. Our custom and usage here, our precedents and rules now must be laid aside, forsaken, and held for naught. There is more at stake before the Senate than the expedient of passing a piece of legislation to appease vociferous minority groups. Great and fundamental legislative precepts are at stake. This is the last body on earth that I ever thought would permit itself to come to this pass. For the sake of free government, for the sake of orderly legislative procedure, for the sake of constitutional liberty, we must reject the House-approved bill. The House measure to all intents and purposes nullifies and renders meaningless the right of trial by jury except in the discretion of the judge. The erratic provision of the House proposal requires the trial judge to prejudge and pretry a case so that he may determine in advance whether he should impose a sentence in excess of the limitations provided for in the proposed statute.

Grave doubt exists in my mind as to the constitutionality of the proposal submitted to us. What becomes of the double-jeopardy prohibition contained in the Constitution of the United States? In our haste, in our desire, in our effort to satisfy and appease, we should carefully consider the constitutional prohibitions which stare us in the face.

I wish now for a few minutes to point out wherein I feel that the recent amendments by the House of Representatives to H. R. 6127 are unconstitutional. Specifically, the House amendments provide:

> PART V—TO PROVIDE TRIAL BY JURY FOR PROCEEDINGS TO PUNISH CRIMINAL CONTEMPTS OF COURT ARISING OUT OF CIVIL RIGHTS CASES AND TO AMEND THE JUDICIAL CODE RELATING TO FEDERAL JURY QUALIFICATIONS
>
> SEC. 151. In all cases of criminal contempt arising under the provisions of this act, the accused, upon conviction shall be punished by fine or imprisonment or both: *Provided, however,* That in case the accused is a natural person the fine to be paid shall not exceed the sum of $1,000, nor shall imprisonment exceed the term of 6 months: *Provided, further,* That in any such proceedings for criminal contempt, at the discretion of the judge, the accused may be tried with or without a jury: *Provided further, however,* That in the event such proceeding for criminal contempt be tried before a judge without a jury and the sentence of the court upon conviction is a fine in excess of the $300 or imprisonment in excess of 45 days, the accused in said proceeding, upon demand therefor, shall be entitled to a trial de novo before a jury, which shall conform as near as may be to the practice in other criminal cases.
>
> This section shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the mis-

> behavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders, or process of the court.
>
> Nor shall anything herein or in any other provision of law be construed to deprive courts of their power, by civil contempt proceedings, without a jury, to secure compliance with or to prevent obstruction of, as distinguished from punishment for violations of, any lawful writ, process, order, rule, decree, or command of the court in accordance with the prevailing usages of law and equity, including the power of detention.
>
> SEC. 152. Section 1861, title 28, of the United States Code is hereby amended to read as follows:
>
> "SEC. 1861. Qualifications of Federal jurors: "Any citizen of the United States who has attained the age of 21 years and who has resided for a period of 1 year within the judicial district, is competent to serve as a grand or petit juror unless:
>
> "(1) He has been convicted in a State or Federal court of record of a crime punishable by imprisonment for more than 1 year and his civil rights have not been restored by pardon or amnesty.
>
> "(2) He is unable to read, write, speak, and understand the English language.
>
> "(3) He is incapable, by reason of mental or physical infirmities, to render efficient jury service."

First. This amendment is clearly unconstitutional because of vagueness. It is an established principle of constitutional law that crimes must be clearly defined. If this amendment were enacted, persons charged with contempt would be deprived of their liberty and property without due process of law, in violation of the 14th amendment to the Federal Constitution. Due process of law requires that one shall not be held criminally responsible under a statute by which offenses are so indefinitely defined or described as not to enable one to determine whether or not he is committing them—see Willoughby on the Constitution of the United States, second edition, volume 3, p. 1727.

The first sentence of the proposed amendment—section 151—refers to "criminal contempt" and provides for punishment upon conviction. The first proviso of the first sentence refers to "natural persons" and for such "natural persons" the fine is limited to $1,000 and in the alternative imprisonment is limited to 6 months. This first proviso is obviously drafted to bring the offense within the present definition of a "misdemeanor" as classified by the Congress in the adoption of title 18 of the United States Code on June 25, 1948. Section 1 of title 18, United States Code classifies offenses against the United States as follows:

> SEC. 1. Offenses classified:
>
> Notwithstanding any act of Congress to the contrary:
>
> (1) Any offense punishable by death or imprisonment for a term exceeding 1 year is a felony.
>
> (2) Any other offense is a misdemeanor.
>
> (3) Any misdemeanor, the penalty for which does not exceed imprisonment for a period of 6 months or a fine of not more than $500, or both, is a petty offense.

When we read this and see how much a judge could do, and how much a jury could do, we must realize what we are getting into in connection with the particular amendment which is before the Senate at the present time.

The second proviso of the first sentence still refers to "criminal contempt" and vests in the Federal district judge the discretion as to whether the person accused of contempt is to be tried with or without a jury.

The third proviso of the first sentence, still referring only to "criminal contempts," says that where the district judge proceeds to summarily, without benefit of a jury, convict the accused and fine him or her in excess of $300 or imprison him or her for more than 45 days, then the person so convicted and fined or imprisoned may demand a "trial de novo." It is assumed that "trial de novo" contemplates a trial anew of the entire controversy, including the hearing of evidence, as though no previous action had been taken. In *Pittsburgh S. S. Co.* v. *Brown* ((1948 Ct. App. Ill.), 171 Fed. 2d 175, 177), "trial de novo" is defined as an entirely new trial, but this relates to civil cases. The term "trial de novo" nowhere appears in criminal cases referred to in volume 42 A. Words and Phrases, 1952 edition, or 1957 Supplement.

The second sentence of the amendment, without any reference to "criminal contempt" or without defining or differentiating between "criminal contempt" and "civil contempt," proceeds to make the provisions of the first sentence inapplicable to those contempts "committed in the presence of the court or so near thereto as to interfere directly with the administration of justice" and likewise inapplicable to "misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders or process of the court." In other words, this second sentence deals with certain "contempts" and with "misbehavior of any officers of the court" and excludes such "contempts" and "misbehavior of any officer of the court" from the provisions of the Civil Rights Act, H. R. 6127. In other words, the second sentence says that if the contempt is committed in the presence of the court or so near thereto as to interfere directly with the administration of justice it is not dealt with in the Civil Rights Act, H. R. 6127. Likewise excluded from coverage by the Civil Rights Act, H. R. 6127 would be "the misbehavior, misconduct, or disobedience of any officer of the court" in respect to any writ, order, or process of court issued presumably under authority of the Civil Rights Act, H. R. 6127.

The last sentence of the amendment—section 151—simply tries to restate the proposition now appearing in section 401 of title 18, United States Code, that a court of the United States has power to punish contempts of its authority. However, in restating that proposition, this last sentence refers to civil contempts, whereas section 401 refers to contempt of its—the court's—authority. Thus we see the last sentence of the amendment—section 151—refers to civil contempt as distinguished from first sentence which deals with criminal contempt.

Nowhere in the amendment is any definition given of either criminal contempt or civil contempt; nor has Congress ever attempted to draw any such distinction. The sole provision attempting to draw a distinction between criminal and civil contempt is contained in rule 42 (b) of the Federal Rules of Criminal Procedure in the requirement that the notice with respect to a criminal contempt shall describe it as such. The Advisory Committee on Rules appointed by the United States Supreme Court pursuant to the act of June 29, 1940, Fifty-fourth United States Statutes at Large, page 686, to assist in the preparation of rules of pleading in their notes indicate that the requirement of notice written into rule 42 (b) was intended to obviate the frequent confusion between criminal and civil contempt proceedings pursuant to the suggestion made in *McCann* v. *New York Stock Exchange* ((2d cir., 1935) 80 F. 2d 211). See civil and criminal contempt in the Federal courts, report of Los Angeles Bar Association, 17 Federal Rules Decisions 167–182, 1955. The Supreme Court itself has belabored the distinction between civil and criminal contempts. For the Court's distinction see *Bessette* v. *W. B. Conkey Co.* ((1904) 194 U. S. 324, 328).

A contempt statute certainly comes within the due process of law requirement of the Constitution. See Willoughby, supra, at page 1727, section 1141. The United States Supreme Court, in an opinion by Chief Justice Taft, held on April 13, 1925, that all the guaranties of due process of law are available to a person charged with contempt. *Cooke* v. *United States* ((1925) 267 U. S. 517). Thus it is quite clear that the amendment—section 151—as now drafted would subject a person to criminal prosecution for a statutory offense so indefinitely defined or described as not to enable him to determine whether or not he is committing such an offense, or how he will be tried. *Connally* v. *General Construction Co.* ((1926) 269 U. S. 385); *International Harvester Co.* v. *Kentucky* ((1914) 234 U. S. 216); *Collins* v. *Kentucky* ((1914) 234 U. S. 634).

Second. This amendment is unconstitutional, in violation of the fifth amendment prohibiting double jeopardy.

That provision of the amendment which permits the accused to be tried a second time by a jury for the same offense following conviction in a summary proceeding violates the fifth amendment to the United States Constitution which declares:

> Nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb.

Although in ex parte Grossman the Supreme Court held that "while contempt may be an offense against the law and subject to appropriate punishment, certain it is that since the foundation of our Government proceedings to punish such offenses have been regarded as sui generis and not criminal proceedings within the sixth amendment or common understanding," the Court proceeded to state that contempt is an offense within the meaning of the pardoning power of the President granted in article II, section 2, clause 1 of the enumerated powers of the President. Clause 1 declares the President "shall have power to grant reprieves and pardons of offenses against the United States, except in cases of impeachment." Chief Justice Taft in *Ex parte Grossman* ((1925) 267 U. S. 87, 107) quoting *Myers* v. *United States* ((1924) 262 U. S. 95, 104–105). The sixth amendment of course declares the rights of the accused in criminal prosecutions, including a trial by jury.

There is nothing to indicate that the word "offense" has any different meaning as used in the fifth amendment from that used in clause 1 of section 2 of article II. So, if contempt is an offense when it comes to the pardoning power of the President, it certainly is an offense under the fifth amendment. This conclusion is further strengthened upon examination of the language of the proposed amendment—section 151—and a comparison thereof with the language of the Clayton Act—October 15, 1914, Thirty-eighth United States Statutes at Large, page 730. The Clayton Act expressly distinguishes between proceedings for contempt and criminal prosecutions. In proceedings for contempt under the act no trial by jury could be had, and none could be demanded under the sixth amendment. Myers against United States, supra, at page 104. However, in a criminal prosecution under the act a jury trial was expressly granted and punishment restricted, and a jury trial under the criminal prosecution provision would have been recognized as a constitutional right of the accused under the sixth amendment even had the act not so specifically provided.

Thus reading the language of the amendment—section 151—in pari materia with the Clayton Act and the decisions in ex parte Grossman and Myers versus United States, for the Congress to grant a second trial following conviction, with the same defendant, the same charges and the same evidence, with additional evidence the second time that the judge had already found him guilty, would place the defendant in double jeopardy.

The proposal—section 151—even if it were not in violation of the fifth amendment, would place Congress in the position of gambling with the rights of our citizens. Suppose a judge tries a man or woman and finds the person guilty. The press reports this fact to the public, and such cases are bound to stir the public interest. The person so convicted is then tried again on the same evidence. Any jury is bound to be influenced by the first conviction and its publicity.

In addition, what basis or standard of conduct is to be the determining factor as to whether the judge imposes the lesser fine or sentence and lets his verdict stand or imposes the greater fine or punishment and moves the case along to a jury trial. There would be no uniformity in the application of the proposed statute—section 151—and the entire procedure would be awkward, cumbersome, and impracticable.

An examination of words and phrases—West Publishing Co., one of our leading law authorities—discloses that the term trial de novo has no place in criminal legal history. The term is applicable only to civil cases.

Consequently, I have grave doubt as to the constitutionality of the hurriedly prepared amendments added by the recent action of the House of Representatives.

This is a sad week in the history of a free legislative assembly when we abandon for momentary political advantage a fundamental American civil right—the right of trial by jury.

I have consistently and persistently opposed this entire program. I have debated and argued its weaknesses and faults for months before the Senate Judiciary Committee. Before I conclude these remarks I desire to pay a personal tribute to the jury trial system. I wish to eulogize the remains of the last vestige of human rights which we, as a proud people, are about to surrender.

Trial by jury is an ancient tradition with us. It is a cherished heritage. It is a bulwark of every real democracy. It has never been so easy for 12 men to err as it has been for one. Whatever may be its faults—as human institutions have their frailties—it cannot be said that its rejection as a means of ascertaining the truth has produced a worthy substitute.

The problems imposed upon juries are fantastic. Jurors are chosen from all walks of life. They are chosen not because of their knowledge but because of their lack in a certain particular case. Yet, the greatest judge, the best lawyer, the most renowned surgeon, the learned scholar and the ordinary layman from whatever walk of life he may come, bows in humble obedience to the finality of the jury's verdict. It is the submission to a method of decision wherein honesty and integrity are insured rather than the accolade of learning and distinction. When the jury has spoken, the average man is satisfied. An American is loathe to trust his life, his possessions, his well-being, his peace of mind or the future of his family, except to the decision of 12 true and faithful fellow men. Out of the recesses of the past, out of the experiences of time, out of the methods of trial and error has come to us this institution of the right of trial by jury. On this institution, as a rock of ages, we place our disputes, our quarrels, and our wrongs. On it the scales of justice rest, and from its base our causes are weighed and justice is meted out to rich and poor alike.

There are few today who are willing to submit their lives or fortunes to the whim or caprice of a sole judge. The decision of one man is no substitute for the composite judgment of 12. The deliberation of the many takes the place of the possibility for error in the singleness of thought of one judge.

Jury trials afford a coveted protection. They give us a sense of freedom and security. When we feel we are beyond the pale of that protection, our complaint is real; it is substantial.

Thus, while jurors sometimes mistake their true goal in making their judgments, experience teaches us that in the larger affairs between man and man or between man and his government, the judgments of jurors are the safest means of protecting civil rights of individuals and of safeguarding the individual from the encroachments of his government.

Our charter of liberty, with its bill of rights which protects the individual from punishment or from the deprivation of his property, stands as a bulwark of freedom for the world to see. Peoples of other nations envy the liberties so freely enjoyed by Americans under our Constitution. So great have been the liberties guaranteed to our citizens, and enjoyed by all alike, that America has withstood the onslaught of time as a representative democracy longer than has any other representative government in all recorded history. Changes have been slow. They have been gradual, yet, with the diversities of conditions and circumstance, the progress of events, new discoveries and inventions, improvements wrought by science and technology, and our genius for advances in the arts and sciences, the Constitution and its few amendments have been adaptable to all such changes. Trial by jury is a part of our constitutional rights which some are now prepared to whittle away.

The right of a trial by jury and jury trial through all the years have been fundamental with us. By night or day, and in peace or war, that protection until now has remained unshaken and unimpaired. Out of a hazy and misty past, the right has slowly evolved. Tried in the fire of experience and the crucible of changing conditions, Americans value the right most when life, liberty, or property is imperiled. Little do we realize its immense importance and the great heritage of our possession. We should tamper little with such an inheritance. We should guard it safely. We should insure for future generations a continuance of the benefits which have been ours to enjoy. We fail in our appreciation of these rights to the extent that we fail to preserve them for the generations that follow us. We should transmit this precious right unimpaired to our posterity. This is a charge we have to keep. Those who value freedom and all its attributes should join as one in this determined effort.

Such is the character of our institutions. Such is the crowning glory of an evolution whose origin is shrouded in such darkness, but whose light is a guiding star in the firmament of our American system of equal justice under law.

The measure approved by the House is a rape of the deliberations of the Senate Judiciary Committee. The present proposal crucifies the sober deliberations of the Senate. The bill as passed by the Senate is trampled upon and rendered null and void. All the precepts of legislative custom, when disagreement exists between the coequal legislative branches of our Government, are set aside. We shall live to regret the day when we surrender our precedents and customs for temporary political gain. This is a week of unspeakable infamy in the legislative councils of our Government.

I shall vote to save our precedents. I shall vote to preserve our constitutional liberties. I shall vote to preserve our American way of life. States' rights will suffer a mortal blow by the passage of H. R. 6127, as amended by the House. Jury trial will have lost its meaning. The cornerstone of human liberty is being shattered. I pray that some day the evil the Senate may do will be rectified.

Mr. President, if the Senate sees fit to concur in the amendments of the House to the Senate amendments to the bill, I pray that some day the Senate will have the intestinal fortitude to restate and restore our rights. Such is my hope; such is my faith; such is my ardent prayer.

Mr. President, I have tried to point out to the Senate why I oppose the pending compromise proposal. I want the Senate, and especially the southern Senators, to know that although I am concluding my first speech, I have a right to make a second speech on this particular measure. I call the attention of the Senate and the attention of the people of the Nation to the fact that if we 17 southern Senators, meeting together, decide to debate this question extensively, until we can enlighten the people of the United States, and particularly the Senate, to our way of thinking, I stand ready and willing to proceed to do so. I have prepared, and have in my possession at the present time, a speech of 691 pages, properly indexed and arranged. I have delivered today only a short speech of 17 pages. I do not know what will happen or what will develop in the future. But as one Member of the Senate, so far as I am concerned, Mr. President, I am ready to join the other 16 southern Senators in doing whatever they see fit to do in connection with this matter.

Mr. President, I thank the Senate.

Mr. TALMADGE. Mr. President——

The PRESIDING OFFICER (Mr. ERVIN in the chair). The Senator from Georgia.

Mr. TALMADGE. Mr. President, on July 28, 4,000 members and guests of the American Bar Association assembled in the meadow which is called Runnymede in England and dedicated a monument commemorating the signing of the Magna Carta.

On August 1, the Senate upheld the concept of individual liberty under law which stems from that immortal document by its courageous and decisive vote of 51 to 42 to guarantee the right of trial by jury in civil-rights cases.

But now—within a month of those memorable, though unrelated, actions which demonstrated to the world the jealous regard of Americans for their heritage—the Senate is being asked to reverse its solemn commitment.

We are being asked to modify—or, if you please, to hedge on—the stand which was hailed throughout this Nation, by press and public alike, as a dramatic victory for constitutional government and individual rights.

We are being asked to repudiate the legislative pledge we made to the American people after mature and dignified deliberation, which earned for us the plaudits of the entire citizenry.

It is inconceivable, Mr. President, that there should be any doubt in the mind of any Senator as to the course this body should or must take—or the course the people of this Nation expect this body to take.

To those who would have the Senate reverse itself, I would ask: What has transpired since August 1 which requires a reexamination of our decision on this fundamental question?

Has the Constitution of the United States changed?

Has the Bill of Rights changed?

Has the composition of the Senate changed?

Has the attitude of the American people changed?

I submit, Mr. President, that nothing has changed except the approach of those who, in their rank hypocrisy, are using this bill for their own political advantage—those to whom a partisan issue means more than the preservation of the constitutional rights.

The fact that they are motivated by political expediency is demonstrated by their chameleon-like change from unyielding opposition to jury trials in any form to their current compromising advocacy of jury trials under certain conditions—their conditions, of course.

And I submit further, Mr. President, that if it would serve to obtain for them one more minority vote, they would tomorrow do another quick change to advocate trial by torture.

Their hypocrisy is not lost upon the American public. The man in the street is not fooled.

He knows, as was pointed out by the Atlanta Journal in its editorial of last Saturday, that "the great victory for trial by jury achieved on the Senate floor has been all but wiped out by backstage political maneuvering."

He knows, as was emphasized by the Washington Evening Star when this so-called compromise talk began, that "if this proposal is a compromise, it would appear that the only thing compromised is principle."

The position of those who would make a political plaything out of the cherished constitutional right of trial by jury is untenable.

It is untenable because principle cannot be compromised without being destroyed.

It is untenable because fundamental rights cannot be alternately enjoyed and denied without losing their inalienability.

It is untenable because it is based upon the false argument that one right can be strengthened by weakening or denying another.

The pundits and the papers have speculated that this reputed compromise will be accepted because the Members of Congress are weary from their labors and anxious to adjourn.

I say to you, Mr. President—and to all the Members of this Congress—that it will be a sad and lamentable day in the history of this Republic when the desire of Senators and Representatives for a vacation can cause them to hold their noses, shut their eyes and turn their backs upon their sworn responsibility to uphold inviolate all of the constitutional rights of the American people.

As for myself, Mr. President, I would choose to stay here until this session runs into the next before I would cast my vote to change one comma in the sacred guaranties of the Constitution and the Bill of Rights.

The citizens of this Nation are jealous of their constitutional rights and, unless I am badly fooled, they are not of a mind to be cheated in their enjoyment of any of them by those whose stock in trade is weasel words and personal aggrandizement.

Let me make it absolutely clear, Mr. President—in order that there may be no misunderstanding of my position on the part of anyone—I am addressing myself to the violence which this proposed change in H. R. 6127 would do to the right of trial by jury which is guaranteed not once, but four times, in the Constitution of the United States.

The right to vote is a cherished one and there is no one who objects to its exercise by all qualified citizens. Neither is there anyone who does not feel that any denial of or interference with the full exercise of that right should be corrected and those determined to be guilty punished.

But it is a grave matter indeed when it is proposed that the right to vote be made more secure by rendering impotent the right "to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed."

In the first place, it must be pointed out that our Constitution and laws already provide adequate and effective machinery for redress in such cases. And no one has submitted that first bit of evidence during the course of this debate to show that any qualified person desiring to vote has not been promptly and fully protected in the enjoyment of that right by our State and Federal courts.

And, in the second place, it cannot be denied that to condition the enjoyment of any of the rights guaranteed by the Constitution and the Bill of Rights upon the whims of appointed Federal judges, or to place a dollars-and-cents premium upon their exercise, would be for Congress to violate the constitutional prohibition that it shall make no law respecting the enjoyment of the rights enumerated in the Bill of Rights.

This so-called jury-trial compromise is unconstitutional on its face. Any court evaluating it solely on constitutional grounds—without seeking an out among the half-baked psychological and sociological notions of self-appointed modern authorities—would have to so rule it.

Mr. President, if a thing is right, it is right and it must be upheld. If it is wrong, it is wrong and it must be denied.

There is no middle ground when it comes to fundamental truths and basic rights. The question of right and wrong is a question of black and white. There can be no shading of gray in the definition of either.

That is true of the right of Americans to trial by jury.

That right either is fundamental or it is not.

That right either is guaranteed by the Constitution or it is not.

That right either is inalienable with the individual or it is not.

If our Founding Fathers had meant that the right of trial by jury should depend upon the benign generosity of an appointed Federal judge, I believe they would have so specified in the Constitution and the Bill of Rights.

If our Founding Fathers had felt that it was constitutional for appointed Federal judges to incarcerate American citizens for 45 days and fine them $300 on their own arbitrary motions, I believe they would have so provided in the Constitution and the Bill of Rights.

Mr. President, the American people will not tolerate such tampering with their cherished right to trial by jury as is proposed in this so-called compromise.

During the course of the past few weeks we have heard many harsh things said in attempts to discredit the constitutional right of trial by jury and the motives of those who seek to protect and preserve it. We have even heard the statement that to grant jury trials in civil-rights cases would weaken the power of the courts to enforce civil-rights laws.

The truth of the matter, Mr. President, is that those who make such irresponsible statements are looking in the mirror at themselves. It is they who, through seeking to deny or circumvent trial by jury, would weaken not only the enforcement of civil-rights laws but also our entire constitutional concept of rights inalienable with the individual.

Those who have arrayed themselves in opposition to the right of trial by jury for political gain try to picture themselves as great liberals. But they cannot justify this self-description when compared to the true liberals of this Nation's history.

There never has been a greater liberal than Thomas Jefferson—nor a stancher advocate of trial by jury.

One of Georgia's venerable journalists—Mr. H. T. McIntosh, editor emeritus of the Albany Herald—recently devoted one of his daily columns to what he imagined Jefferson would say were he alive today and permitted to participate in this debate.

This masterful column is of such significance that I would like to read it to this Senate and commend it particularly for the consideration of those of us who claim membership in the party of Jefferson. This is what Mr. McIntosh wrote in a column entitled "Jefferson and Jury Trial":

> It is not difficult to be sure what Thomas Jefferson would say about sending men to prison without trial by jury if he were living today. For he said it while he was still among the living.
>
> After adoption of the Constitution it became evident that certain highly important provisions had not been included, so without wasting time the Bill of Rights was adopted as the first 10 amendments.
>
> One of the ten established the right of trial by jury. Some opposed it, contending that judges could be trusted not to abuse their power, but Jefferson brought into the controversy his clear understanding of the importance of the issue, declaring that democratic government which failed to guarantee jury trial could not endure. Insisting that the people should be "introduced into every department of government," he wrote that "this is the only way to insure a long-continued and honest administration of its (the Government's) powers." To that the great Virginian added:
>
> "They (the people) are not qualified to judge questions of law, but they are very capable of judging questions of fact. In the form of juries, therefore, they determine all matters of fact, leaving to the permanent judges, to decide the law resulting from those facts.
>
> "But we all know that permanent judges acquire an esprit de corps; that being known, they are liable to be tempted by bribery; that they are misled by favor, by relationship, by a spirit of party, by a devotion to the executive or legislative power; that it is better to leave a cause to the decision of cross and pile (head or tails), than to that of a judge biased to one side; and the opinion of 12 honest jurymen gives still a better hope of right than cross and pile does.
>
> "It is in the power, therefore, of the juries, if they think permanent judges are under any bias whatever, in any cause, to take on themselves to judge the law as well as the fact. They never exercise this power but when they suspect partiality in the judges; and by the exercise of this power, they have been the firmest bulwarks of English liberty."
>
> Juries make mistakes, but so do judges, and Jefferson contended that it was easier for one man to be wrong than for a dozen to err. He fought arduously for placing the guaranty of jury trial in the Bill of Rights, and had the satisfaction of seeing his argument prevail.
>
> Some things in the realm of law and justice just simply are. They spring not so much from statutory enactments or constitutional provisions as from a deeply rooted conviction that right, fairness, justice, and truth are unchangeable and eternal.

I would remind my colleagues across the aisle who belong to the party of Lincoln that Lincoln, too, had strong feelings about the right of trial by jury. As a matter of fact, it is reported by historian Carl Sandburg on page 236 of volume 2 of his Biography of Lincoln that Mr. Lincoln in discussing with A. J. Grover the fact that the Runaway Slave Act did not provide for trial by jury declared with great emotion—and repeated it three times for emphasis:

> Oh, it is ungodly!

As pointed out by David Lawrence in one of his recent columns, the favorite argument advanced by those self-styled liberals who wish to deny jury trials in civil rights cases is that since jury trials never have been granted in civil contempt cases there is no harm in denying them in criminal contempt cases.

A member of their own school, Associate Justice Hugo Black of the Supreme Court, effectively disposed of that contention in his recent decision reversing the cases of two Army wives convicted by courts-martial of slaying their husbands. He wrote:

> The concept that the Bill of Rights and other constitutional protections against arbitrary government are inoperative when they become inconvenient or when expediency dictates otherwise is a dangerous doctrine and if allowed to flourish would destroy the benefit of a written constitution and undermine the basis of our Government.

Or, as ably stated by the Wall Street Journal in one of its recent editorials:

> On this question history has already passed a verdict. It is not that every jury can be depended upon to do justice. We have jury trials because the experience of men is that, for all their imperfections, they remain still the best means of insuring justice.
>
> The debate in Washington is on civil rights. But as we press on to insure more of them, we ought at least to be wary lest we trample underfoot those we have already.

The Saturday Evening Post commented editorially that the efforts of those seeking to deny jury trials in civil rights cases seemed to it to be following the theory:

> If you can't hang 'em according to the rules, change the rules.

Jury trial opponents have sought to make much of the fact that there are now 28 laws under which Congress has authorized contempt proceedings without jury trials. Granted that that is true, it must be pointed out that none of them apply to individuals; and, even assuming they did, there is no logic under which justice can be built upon injustice or two wrongs added together to make a right.

For, as George Washington said, "Heaven itself has ordained the right."

One of the most unfortunate developments in the recent history of this Nation has been the subtle manner in which the jurisdiction of courts of equity has been extended so as to invest them, in effect, with the enforcement of criminal laws.

W. S. Henley, president of the Mississippi Bar Association, treated very ably on this subject in his recent address before that group. He said:

> At the time of the drafting of the Constitution, courts of equity had never been vested with power to enforce the criminal laws, and the Founding Fathers did not deem it necessary to provide a constitutional guaranty for trial by jury in equity.
>
> By a gradual process of authorizing the enforcement of criminal laws by injunction, courts of equity have been vested with concurrent jurisdiction to enforce criminal laws and are gradually usurping the police power of the State and Nation.
>
> Beginning with the Interstate Commerce Commission Act of 1887, Congress has adopted 28 statutes vesting the right in Federal judges to enforce various criminal laws by injunction. This encroachment has been gradual and limited to the field covered by each specific act. Nevertheless, many statesmen and leaders of the bar have issued warnings against such encroachments.
>
> S. S. Gregory, president of the American Bar Association, in his address to the association in 1912, had this to say:
>
> "To say that the commission of an offense against the laws of the United States or at common law may be enjoined, and then the person charged with the commission of that offense may be tried upon information for contempt without a jury, is a clear evasion of these salutary constitutional guaranties. * * *
>
> "Where the law prohibits an act, the effect of enjoining against its commission is merely to change the procedure by which the guilt of the person charged with doing the act thus prohibited shall be ascertained and his punishment fixed. By enjoining against the commission of crime and then proceeding on a charge of contempt against those accused of committing it, the administration of the criminal law is transferred to equity and the rights to trial by jury and all other guaranties of personal liberty, secured by the Constitution, are pro nac vice destroyed."
>
> The real question involved is whether trial by jury shall be retained in all essentially criminal prosecutions in the Federal courts.

Four of the most able men to serve in the Senate in this century eloquently warned of the dangers inherent in bypassing the right of trial by jury through the injunctive process. They were Senators Thomas J. Walsh, of Montana; William E. Borah, of Idaho; James A. Reed, of Missouri, and George W. Norris, of Nebraska.

In previous speeches from this floor I have referred to excerpts from their remarks and today, Mr. President, in order that Members of the Senate may have the benefit of their wise conclusions in evaluating the present issue, I shall at this time read from the full texts of their major addresses on this subject as taken from the CONGRESSIONAL RECORDS of 1914 and 1932.

Said Senator Walsh:

The principle embodied in the provisions of the pending bill providing for trial by jury in cases of indirect contempt, when the facts shown constitute a public offense, has been the subject of much heated debate in and out of Congress. It has been denounced as socialistic and anarchistic, terms commonly and quite indiscriminately employed in our day to characterize any effort to curb or control the vast power that accompanies great wealth and concentrated capital. It is insisted with an assurance that assumes that question or contradiction is equally impossible; that its purpose and its necessary effect are to weaken the courts and frustrate them in the performance of their functions. However imposing may be the sources from which emanate criticism of this character, I assert that it can easily be demonstrated that such a departure instead of weakening the administration of justice would extend the power and influence of the courts by assuring to them in greater measure the esteem of the people invited to cooperate in enforcing their decrees.

The power to punish as for contempt is said to be one "arbitrary in its nature" (*Batchelder* v. *Moore* (42 Cal., 412)).

Recognizing the liability of judges who are only human, subject to human passions and human weaknesses, to abuse the power, there is scarcely a State in the Union that has not legislated to restrict and limit the exercise of it.

"In this country the power of the courts to punish for contempt has always been looked upon with jealousy and a very strong disposition shown to restrict it" (*Boyd* v. *Glucklich* (116 Fed., 131-136)).

Even in England this tendency has been exhibited. We are told by Chancellor Kent that "the power of the courts to punish summarily for contempt has lately been much restricted" there (1 Kent's Commentaries, 330).

Restrictive Federal legislation is not new. The arbitrary and tyrannical abuse of the power to punish as for contempt once led to the impeachment of a Federal judge—Judge Rice, of Missouri. He was acquitted, but the agitation to which the proceedings gave rise resulted in the passage by Congress of an act in the year 1831, by which Federal judges were deprived of the power to punish as for contempt newspaper comments on their proceedings, even though published during the course of a trial (*Cuyler* v. *Atlantic*, 131 Fed. 95).

The State courts generally hold that such publications may by their character become punishable as contempts, but the people of that day deemed it wise that any abuse of the right to print, as to the Federal courts, should be made triable and subject to punishment in some way other than summarily as a contempt of court. The act remains as the law even unto this day. It was signed by Andrew Jackson, President of the United States, who, perhaps, more prominently than any other figure in our history, stands for the maintenance of the power and authority of every department of the Federal Government.

The law has been made the subject of diatribes, not a few in number, by judges of the inferior Federal courts who have deplored their impotency in consequence of it in opinions, from which the uninformed might gain the impression that all liberty was about to be engulfed with our sacred institutions, its guardian, because of the innovation the statute makes. It has been in force, however, for over 80 years, but the Federal judiciary maintains a reasonable degree of vigor, and if our liberties have suffered any appreciable impairment the loss is not clearly traceable to the statute of 1831 as the cause thereof.

It is doubtful whether the law does or was intended to restrain or limit the power of the Supreme Court; but, with rare good judgment, that tribunal has never been moved to vindicate its honor or to assert its dignity by proceeding as for contempt against a journal or a journalist because of comments on its decisions. Some or all of the judges of that august court have been grossly libeled in connection with cases having a political aspect, notably the Dred Scott decision, the Legal Tender cases, and, more recently, the Standard Oil and American Tobacco Co. cases, in which the court was said to have read the word "reasonable" into the statute. To all intents and purposes the Supreme Court is restrained from the exercise of powers in connection with contempt cases, to deprive them of which some sensitive State courts have declared would render them contemptible.

Pennsylvania had an experience similar to that which gave rise to the Federal statute. Certain judges of that State were called to the bar for oppressive exercise of their arbitrary power as early as 1807, and a repetition of the offense guarded against by an act passed in 1809, defining what should constitute contempt and fixing the penalty which might be imposed.

And as legislation limiting the power to punish for contempt is not novel, neither is the method of trial by jury in cases of alleged contempt an innovation.

It is to be gathered from the discussions of this subject by more or less eminent jurists that such a procedure was unknown in English or American jurisprudence until unbridled radicalism gave countenance to it in the constitution of Oklahoma. The fact is that trial by jury in cases of contempt has long prevailed in the State of Kentucky, and that it is enjoined by the laws of Virginia, West Virginia, Georgia, Louisiana, and New Mexico. The Georgia statute was passed in conformity to a constitutional provision commanding the legislature to limit by law the power to punish for contempt. The constitution of Louisiana contains a similar provision. The constitution of Arizona, like that of Oklahoma, makes specific provision for trial by jury in cases of indirect contempt.

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It is only those who have no confidence in the ability or the disposition of the people to govern themselves who harbor any doubt that juries of this country, so appealed to, will be found prompt and eager to visit merited punishment on any contemnor. Miscarriages of justice will sometimes occur. But so they will under any system, however contrived. The most perfect judicial systems ever known are those of which the jury forms an essential part.

But whatever criticism of trial by jury might be made from a purely judicial point of view, it must be acknowledged that as a political institution it is of inestimable value. It is the greatest school in self-government ever devised by the ingenuity of man.

At every session of court a body of citizens is called upon to aid in administering justice between contending litigants and to pass upon the guilt or innocence of those charged with transgressing the criminal law. They quit their duties very rarely without being impressed with a heightened sense of their obligations as citizens to uphold the law, to aid in the apprehension and punishment of transgressors, and to render justice to those with whom they deal. The eminent French philosopher, De Tocqueville, says:

"I think that the practical intelligence and political good sense of the Americans are mainly attributable to the long use which they have made of the jury in civil causes, and I look upon it as one of the most efficacious means for the education of the people which society can employ."

The State of Kentucky occupies, as indicated, by no means an isolated position in providing for trial by jury in cases of contempts. Its statute was borrowed from Virginia, where it originated, doubtless through the influence of Jefferson, who maintained all his life that cases in chancery should be tried before a jury, even as the law of my State commands that they be.

Are we to understand that the history of the State of Virginia gives any support to the belief expressed by a former President of the United States that trial by jury in cases of contempt "will greatly impair the indispensable power and authority of the courts"? It has been generally believed that if there is one State in the Union entitled to any distinction by reason of the superior reverence its people have for their courts it is the State that gave to us Marshall, Jefferson, Madison, and Henry.

Having remained the unquestioned law of the Old Dominion for nearly, if not quite, three-quarters of a century, the supreme court of that State, in that era when an unusual readiness was exhibited in nullifying legislative acts of a certain character for fancied conflict with constitutional principles, declared this law to be unconstitutional. It was held in *Carter* v. *Commonwealth* (96 Va., 791), a decision rendered in the year 1899, that the act in question trenched upon the inherent power of a constitutional court to punish for contempt, and that it was consequently void.

The people of that State had become so much attached, however, to the principle expressed in the law that when they wrote a new constitution in the year 1902 they expressly conferred upon the legislature of that State the power expressed in these words:

"The general assembly may regulate the exercise by courts of the right to punish for contempt" (sec. 63, art. 4, constitution of Virginia, 1902).

Justified by this provision of the constitution, a statute of that State provides that "No court shall, without a jury, for any such contempt as is mentioned in the first class embraced in section 3768, impose a fine exceeding $50 or imprisonment more than 10 days." The "first class" referred to comprises cases of "Misbehavior in the presence of the court or so near thereto as to obstruct or interrupt the administration of justice." I appeal to the distinguished Senators from the State of Virginia to tell this body whether the structure of republican government appears to be rocking upon its foundation in the State they so ably represent, whether the respect which its people ought to have for their courts is undermined, whether they are to any degree whatever embarrassed in their functions because of this statute, the incorporation of the principle of which in the Federal system has aroused so much apprehension in certain quarters?

The Senators from Kentucky might speak from intimate acquaintance with the actual working of the system in their State. The senior Senator from Georgia [Mr. Smith], in the light of a long and distinguished career at the bar in his State, and the senior Senator from Louisiana [Mr. Thornton], who had an honorable career as one of the judges of that State, might tell us how much of substance and how much of excited and ill-ordered fancy there is in the dread, expressed at times, that the system of trying issues of fact in contempt cases will paralyze the courts and bring them into disrespect.

In reason, why should any apprehension exist? An injunction has issued restraining one from taking ore from a mining claim. The judge calls in a jury, saying, in effect, to them: "The court heretofore issued an injunction in this case. The defendant is charged with having violated it. On your oaths I direct you to hear the evidence and to tell me whether he has or has not." If they say he has, he is punished; if they say he has not, he is dismissed. Is it unsafe to entrust the determination of that question to a jury? The rights of the parties in the first instance are entrusted to them. The title and right to the possession of a mining claim is submitted in the first instance to determination by a jury, so far as they depend upon questions in fact. If the jury awards the property to the plaintiff, he may have an injunction restraining the defendant from extracting the ore from it. But while centuries of experience have fully justified the belief that it is not only safe but wise to entrust to the arbitrament of a jury the facts upon which rest the basic rights of the parties, it is said to be unsafe to entrust to another jury the determination of the relatively unimportant question as to whether, as a matter of fact, after those rights are established by a decree, the defendant has violated them by disregarding the injunction contained in it.

An injunction issues only in an action in equity, except possibly by virtue of exceptional statutes. An action in equity is prosecuted ordinarily for the establishment and protection of property rights. The actions giving rise to the injunctions which precipitated the present discussion were prosecuted to protect property rights. If through an injunction crime is punished, that is incidental. No one undertakes to justify the procedure as a method of punishing crime. The decree in an injunction suit commands the defendant to restrain from doing certain things, being an interference with property rights of the complainant. The question is, "Did the defendant do so or not?" We submit to a jury to say whether a man committed murder or arson; we ask them to adjudicate upon life and liberty. We ask them to say, "Did the defendant fire the shot? Did he act in self-defense?" This is safe; this is a salutary method of resolving the fact. But it is neither safe nor wise to entrust to a jury to answer, "Did the defendant do the thing the injunction commanded him not to do?" And that question touches only a property right.

There is not an argument that can be advanced or thought of in opposition to trial by jury in contempt cases that is not equally an argument against the jury system as we now know it.

Test the plan by what may be considered likely to be its operation in connection with the very class of cases that give rise to the prominence it has attained in present-day thought. An injunction has issued in an industrial dispute. It is charged that it has been violated. If the judge himself assumes to determine whether it has been or has not been, he can scarcely hope to make a decision that will not subject him to the charge, if he finds the prisoner guilty, of subserviency to the capitalistic interests or hostility to organized labor, or if he shall acquit, to pusillanimity or the ambition of the demagog. In either case his court suffers in the estimation of no inconsiderable body of citizens. How much wiser it would be to call in a jury to resolve the simple question of fact as to whether the defendant did or did not violate the injunction. What good reason is there for believing that a jury will be likely to disregard their oaths, turn a deaf ear to the plain admonitions of duty, and acquit a defendant flagrantly guilty? What cause have we for believing that they would be any more responsive to popular clamor than through they were trying in indictment or other criminal charge? My own firm conviction is that a jury of citizens, selected in the manner provided by law, from among the citizens of the State, representing them in the performance of an important public duty, would not prove recreant. Their verdict would silence caviling and strengthen in the minds of the people the conviction that the courts are indeed the dispensers of justice and not engines of oppression. Instead of being an attack on the court, the proposal to submit to trial by jury alleged contempts not committed in the presence of the court, is a plan to restore to the Federal courts the confidence and good will which the people ought to bear toward them, but which, unfortunately, by a liberal and sometimes inconsiderate exercise of the power to issue injunctions and to punish as for contempt, has, among certain classes of citizens, been all but forfeited.

It may fairly be demanded that any discussion of the proposed change in the method of the trial of alleged contempts shall proceed upon the assumption that the jury system as it prevails generally with us, in England, and her colonies, is an institution to be cherished as essential, in the language of Judge Story, "to political and civil liberty"; that trial by jury in civil as well as in criminal cases is one of the inestimable privileges of a litigant in our courts.

Either the utter abandonment of the jury system must be asked or some reason must be advanced to establish that, though it is a reliable method for determining the facts upon which rest the primary rights of the party, it is a pernicious method of deciding a controverted fact as to the observance of a decree declaring those rights.

In opposition to the claim that the essential power of the court is weakened by calling a jury to aid in deciding matters of fact, I submit these reflections of the distinguished student of our institutions whose words were quoted above, the author of Democracy in America:

"The jury, then, which seems to restrict the rights of the judiciary, does in reality consolidate its power, and in no country are the judges so powerful as where the people share their privileges. It is especially by means of the jury in civil causes that the American magistrates imbue even the lower classes of society with the spirit of their profession. Thus the jury, which is the most energetic means of making the people rule, is also the most efficacious means of teaching it how to rule well."

This was not written in the heat of political controversy. It was not written to sustain or to combat any political view or theory. The words are the words of a calm and profound philosopher of another country, having no purpose but the purpose of the historian to lay bare to the study of the world the causes that contributed to the success of the experiment in self-government in this hemisphere.

It has been advanced that Congress is without power to make such provision for the trial of cases of indirect contempt as the present bill contemplates. But that question is set at rest, as all the commentators agree, by the decision of the Supreme Court in Ex parte Robinson (19 Wall., 505), a case in which the famous contempt statute of 1831 was considered.

The attack having been made upon the law as an invasion of the inherent power of the court, it was pointed out that the inferior Federal courts are not created by the Constitution, which simply authorizes Congress to ordain and establish them; Congress can give to them such jurisdiction within the limit fixed by the Constitution as it sees fit. It may give them the same unlimited power to punish for contempt as was enjoyed by a court of general jurisdiction at the common law or as would be implied in the establishment of such a court without express limitations in the organic law, or, as was decided in the Robinson case, it may invest them with a limited jurisdiction, and particularly it may limit and restrain them in respect to punishing for contempt of their authority.

If Congress may say that certain acts shall constitute contempt before such court, and certain other acts shall not; if it can declare that not to be a contempt which under well-settled rules is contempt at the common law, it is difficult to conceive upon what basis it can be claimed, much less maintained, that Congress may not say that certain acts shall not be punished summarily as contemptuous unless a jury shall find they were committed. It has been sometimes questioned whether in the case of statutory courts, at least those of inferior jurisdiction, the power to punish as for contempt exists unless specifically conferred. It is a novel doctrine that the legislature which creates the court may not prescribe the procedure which shall be followed in it.

The Court of Appeals of the State of New York regards the Robinson case as holding, in effect, that Congress has plenary power over the courts inferior to the Supreme Court in respect to punishment for contempt. The commentators take the same view. (See notes to *Hale* v. *State* (36 L. R. A., 254–258); notes to *C. B. & Q. Ry. Co.* v. *Gildersleeve* (16 Am. and Eng. Cases, Ann. 749, 759).)

Whether it is within the power of the legislature to limit the authority of a court established by the Constitution as distinguished from one which owes its existence to a statute, though created under a constitutional provision, authorizing the establishment of inferior courts, it is unnecessary in this connection to inquire. Emphasis was placed in the Carter case referred to on the fact that the court whose judgment came under review was created by and derived its jurisdiction from the Constitution. The Supreme Court of Georgia, in commenting on it in *Bradley* v. *State* (50 L. R. A., 611), adverted to that feature as justifying the decision, and pointed out the essential difference between the two classes of courts, instancing the Federal tribunal as among those which, because of their statutory origin, are subject to the plenary authority of the legislature.

It is noticeable, however, that there is a strong trend of judicial opinion in favor of the view that even in the case of constitutional courts the legislature has the power to limit the authority to punish for contempt, at least to prescribe the penalty and regulate the procedure. Some recent decisions in the State of Missouri will illustrate this tendency. In the case of State ex relatione *Crow* v. *Shepherd* (177 Mo. 205), decided in 1903, a law of that State, in substance much like the Federal act of 1831, was held by a unanimous court to be unconstitutional as an invasion of the judicial power vested in the court by the Constitution, the argument being that the power to punish for contempt is inherent in the court and not subject to the regulatory authority of the lawmaking branch of the Government.

This decision was affirmed in the case of *Chicago, Burlington & Quincy Railway Co.* v. *Gildersleeve* (219 Mo. 170), decided in 1909, but by a divided court, Justice Lamme filing a vigorous dissenting opinion. In 1912, in the case of ex parte Creasy (243 Mo. 679), these cases were overruled; and in *State* v. *Reynolds* (158 S. W. 671–681), decided in 1913, Brown, judge, touching the Shepherd case, said that "the doctrines announced in that case have since been repudiated and now have very few defenders either among courts, lawyers, or laymen."

The doctrines referred to are those flowing from the claim of inherent power, upon which the Virginia court decided the Carter case. It is an interesting circumstance that Shepherd was made the victim of the judicial wrath because, as in the case that led to the impeachment of Judge Peck, he had, through the columns of his paper, criticized with some severity the supreme court of that State. The subject of his comment was a case brought by dependent relatives against a railroad company to recover damages on account of the death of an employee. On this third appearance before the supreme court the right to recover was denied by a bare majority of the judges. It is significant that under the doctrine now firmly established in the State of Missouri, the Federal act of 1831 is justifiable aside from the consideration to which the supreme court referred in upholding the statute. Even constitutional courts are subject to regulation under the law as it is now administered in Missouri, in the exercise of the power to punish as for contempt, to the extent to which Congress went in the enactment of that law.

The supreme court of appeals of the State of West Virginia held that the power to regulate the punishment for contempt, so completely vindicated by the Missouri court, extends so far as to justify a statute which required resort to the ordinary criminal procedure for the punishment of certain classes of contempt cases.

The law having provided, as in the case of the parent State of Virginia, that no court should, without a jury, in certain cases of contempt impose a fine exceeding $50, or imprisonment for more than 10 days, continued:

"Sec. 30. If any person by threats or force attempt to intimidate or impede a judge, justice, juror, witness, or an officer of a court, in the discharge of his duty, or to obstruct or impede the administration of justice in any court, he shall be prosecuted as for a misdemeanor and punished by fine and imprisonment, or either, at the discretion of a jury."

In the case of *State v. Frew & Hart* (24 W. Va. 416) it was held that this statute did not apply to the appellate court, but was to be restrained in its operation to contempts of the inferior courts. As to them the court said:

"They have the right at any time to call before them both grand and petit juries, and under the statute they may, with but little delay—almost as summarily as before the statute—punish such contempts. The statute as to such courts may well be regarded as a regulation, and, perhaps, a necessary and proper limitation" (Diskin's case, 4 Leigh, 685; ex parte Robinson, 19 Wall., 505).

In the later case of *State v. McClaugherty* (33 W. Va., 250) the question presented will be gathered from the following, from the opinion:

"I think the offense charged in the rule is plainly one within the provisions of the 30th section of the statute—quoted above—and therefore punishable only as a misdemeanor by indictment" (Ex parte Robinson, 19 Wall., 505).

The opinion by Snyder, president, continues:

"The statute is, it seems to me, simply a regulation of the proceedings and not a limitation upon the jurisdiction of the courts in contempt cases."

And then referring to the reasoning of State against Frew & Hart, the contempt feature is disposed of in this language:

"For these reasons and upon the authorities cited we hold the said statute constitutional and valid as a regulation of the manner by which contempt shall be punished in the circuit courts of this State. From this conclusion it follows that the circuit court had no power to issue the rule for the alleged contempt of the defendant in this case."

The Senate of the United States gave its sanction as long ago as the year 1896 to a bill expressive of the principle of trial by jury in cases of indirect contempt. It was in the charge, during its consideration by this body, of the eminent lawyer, David B. Hill, then Senator from the State of New York. This body numbered among its Members at the time some of the most profound jurists that ever came to it, including among others Bacon, Hoar, George, Gray, and Morgan. It is not difficult at all for anyone conversant with import of parliamentary procedure to understand the significance of various attempts, sometimes successful, again ineffective, through the insistence of Mr. Hill to displace the bill when it finally came before the Senate. But only one voice was raised in opposition, and it eventually passed without the formality of a rollcall. Fortunately the Record preserves for us the views, as they were there expressed, of the late Senator Bacon, of Georgia, whose recent death removed from among us one who was loved by his colleagues no less for his nobility of character than he was admired for his brilliant talent and mature judgment. I conclude with the following from his remarks in the course of the debate on the Hill bill. He said:

"I have been impressed with the importance of such a measure for many years in the course of a not inactive practice of the law. I think the lodgment of the power in any one man to determine whether personal liberty shall be taken is something entirely inconsistent with the genius of this age and with the spirit of our institutions. Every other branch of government has been shorn of the power of despotism—the legislative and the executive—but it is a fact that the judicial authority has the same power for despotism and personal tyranny today in all practical effect that it had 300 years ago; and it is time that this legislation should be had.

"My experience is not like that of the distinguished Senator from Connecticut [Mr. Platt]. I have seen instances of judicial tyranny where time has not brought me to the conclusion that the power was wisely exercised. On the contrary, the lapse of time has but deepened the conviction which I had that those exercises of power could be denominated as nothing else than personal tyranny.

"Mr. President, it is not simply the fact that one man is clothed with this power, which no man ought to have; it is not simply the fact that there never was a man good enough and wise enough to be endowed with the power that judges now have in this regard; but it is the fact that they are frequently called upon to decide these questions when they have personal feelings in the matter. Frequently there is such feeling between the judge and the man whom he punishes; and yet he is judge and jury and prosecutor in the case in which he has his personal feeling."

Mr. President, I have just quoted from the speech on trial by jury, delivered by Senator Thomas J. Walsh, of Montana, which is to be found on pages 14367 to 14370 of the Congressional Record for August 28, 1914.

I now turn to the address on the same subject by Senator Borah, who declared:

Mr. President, I do not rise to confute the able argument of the Senator from Montana [Mr. Walsh] as to the right of trial by jury in contempt cases. He has perhaps stated it as clearly and as ably as the cause is capable of being stated; but every argument which the Senator has made in favor of the right of trial by jury upon the part of one citizen of the United States is equally applicable to the right of trial by jury upon the part of every other citizen of the United States. I am wondering whether, after this clear and logical statement appealing to the sense of justice of the American people and their conception of right, if we will apply the principle to one class of people only, and affirmatively deny it to another class of people. I am perfectly aware that no particular class is mentioned, but in the practical operation of the laws we are about to pass the result will be that one class will be tried by one rule and another class by another rule.

I am perfectly willing to go as far as the wisdom of the particular time will suggest in extending rights or in providing measures which would seem to prevent any act of so-called tyranny upon the part of our courts; but I am not willing to single out a class of people and extend to them a fundamental right, and deny to another very large class of people the same right. It offends every sense of justice of which I have any conception, and it offends against every principle of free institutions and equal rights. The laboring man is anxious for a trial by jury in contempt cases, but you cannot convince me that he wants to deprive his neighbor or his fellow countrymen of this right.

Mr. President, a few days ago we passed what is known as a trade commission bill, which, I presume, is soon to become a law. Under that bill and under the law, if it becomes a law, we have provided for practically the control of the business of this country through injunctions; we have put the businessmen of the country under the surveillance of the courts through the injunctive process; and if they violate the law they are not given a right of trial by jury, but must be tried by the court and punished by the court. These suits will be suits by the Government, and are excepted from the operation of the law under section 22 of this bill.

Upon what possible theory do we single out the businessmen of the country, unless we assume in the beginning that they are all criminals and so dishonest and unworthy as to be placed in an ostracized class and denied even the fundamental rights which we are prepared to grant to others? Upon what theory do we single them out, put them under the surveillance of the injunctive process of the court, and affirmatively deny them the right of a hearing by a jury? Is the businessman of this country who employs the laborer any different in his position under the laws of the United States than the laborer who is employed by him? Is one class of citizens to be placed in one category and another class in another? Will the Congress of the United States adjourn with such an inconsistent and incongruous contradiction as that in the law? Will we deny to any man the right of trial by jury where punishment is to follow judgment if we do not deny it to all?

Let me call your attention to what the author of the Trade Commission bill said about trial by jury when it relates to businessmen. He said:

"Then there is the power to punish by contempt for disobedience to the mandate of the law, which is much more effective than the criminal prosecution of individuals, bringing them before grand juries and petit juries and submitting all these questions to the varying influences, passions, and prejudices of the hour. I believe that in this way a complete system of administrative law can be built up much more securely than by the eccentric action of grand juries and trial juries. I believe that it is not always necessary to administer the law with the aid of grand and trial juries. The vast body of our law is civil law. The parties have their remedy either in damages or by the summary processes of a court of equity, which can seize hold of a recalcitrant and bring him into subjection to the law, and the administrative tribunal will aid and accelerate the administration of the civil law."

When you are dealing with the vast body of men who give employment to labor, upon whose prosperity depends the prosperity of labor—when you are dealing with him juries are eccentric and passion-moved bodies, impractical and worthless. When you deal with these who have a different kind of a suit brought, juries are the palladium of American liberty, one of the pillars of free government.

Mr. President, if the Trade Commission should come to the conclusion that a certain practice was unfair competition, and should go into court to have it enforced against the objection of the man against whom the order was issued, and if, perchance, that businessman should violate the injunction, in the complex and multiplied affairs of the business world, if his conception of obeying the order should be slightly different from that of the court, he would be called before the court and given a trial by the court. I am not speaking now of instances where the act also constitutes a crime; but as I understand the bill, even if the act be also a crime, yet if it is in a Government suit no trial by jury can be had.

Mr. President, if you give the right of trial by jury in your Trade Commission case against the businessmen of this country, and if the Congress of the United States is prepared to give those men a right of trial by jury, there will be a reconsideration of the Trade Commission bill before it becomes a law, in my judgment. Yet, Mr. President, the argument of the Senator from Montana, which I repeat was so ably and clearly presented, must inevitably apply, if it applies at all, to every man who comes under the inhibition of an injunction. I do not see how you can, under any theory of justice, deny to a man a jury trial because of the business he happens to be engaged in.

What is the situation? Suppose we bring a suit under the Trade Commission bill against the fruit raisers and fruit marketers of my State, who may be engaged in competition with the fruit raisers just across the river in Oregon, or in the State of Washington. These fruit raisers are all men engaged, as a matter of fact, in actual labor. They are small farmers. Suppose an order is issued against them, and they do not comply with the order, and the Government brings an action to enjoin them. Suppose we see the Federal court of the United States performing the high function of an executive clerk for a Trade Commission, and they issue an injunction, and those 50 or 100 men in the Payette Valley in the State of Idaho violate the injunction, and they are brought before the court for trial. What kind of a hearing do they get? Why, they get a hearing before the court. If, perchance, every employee that they had, or that any of them had, were brought into a court under an injunction between employer and employee, the employer would be tried in the same court by the court, and the employee in the same court by a jury.

It is not the fact that we extend these rules that I complain of, because I think there is much to be said in support of the argument of the Senator that it will increase confidence in the courts in the minds of the people of this country; but it is the fact that we are unwilling to extend it to all our people.

"Government by injunction" originated in the Debs case. After the Debs case the cry of "Government by injunction" became quite general in this country among a great class of people, and was condemned very generally. Let us look at that case for a moment.

"On July 2, 1894, the United States, by Thomas E. Milchrist, district attorney for the northern district of Illinois, under the direction of Richard Olney, Attorney General, filed their bill of complaint in the Circuit Court of the United States for the Northern District of Illinois against these petitioners and others."

* * * * *

"The bill further averred that four of the defendants, naming them, were officers of an association known as the American Railway Union; that in the month of May 1894, there arose a difference or dispute between the Pullman Palace Car Co. and its employees, as the result of which a considerable portion of the latter left the service of the car company."

Then it sets forth the things they were charged with having done, and further says:

"On presentation of it to the court an injunction was ordered commanding the defendants 'and all persons combining and conspiring with them, and all other persons whomsoever, absolutely to desist and refrain from in any way or manner interfering with, hindering, obstructing, or stopping any of the business of any of the following-named railroads' (specifically naming the various roads named in the bill) 'as common carriers of passengers and freight between or among any States of the United States, and from in any way or manner interfering with, hindering, obstructing, or stopping any mail trains, express trains, or other trains, whether freight or passenger, engaged in interstate commerce or carrying passengers or freight between or among the States; and from in any manner interfering with, hindering, or stopping any trains carrying the mail; and from in any manner interfering with, hindering, obstructing, or stopping any engines, cars, or rolling stock of any of said companies engaged in interstate commerce or in connection with the carriage of passengers or freight between or among the States.'

"This injunction was served upon the defendants—at least upon those who are here as petitioners. On July 17 the district attorney filed in the office of the clerk of said court an information for an attachment against the four defendants, officers of the railway union, and on August 1 a similar information against the other petitioners. A hearing was had before the circuit court, and on December 14 these petitioners were found guilty of contempt."

Mr. President, that was the original case which really gave rise to the earnest discussion in this country of what we call government by injunction. It was a case in which the Government itself went all over the United States and restrained a vast body of employees from doing certain things, and when they refused to obey the injunction brought them into court and punished with contempt upon trial by the court alone.

Mr. Justice Brewer says:

"The case presented by the bill is this: The United States, finding that the interstate transportation of persons and property, as well as the carriage of the mails, is forcibly obstructed, and that a combination and conspiracy exists to subject the control of such transportation to the will of the conspirators, applied to one of their courts, sitting as a court of equity, for an injunction to restrain such obstruction and prevent carrying into effect such conspiracy."

Again, on page 594 of the opinion, the court says:

"If any criminal prosecution be brought against them for the criminal offenses alleged in the bill of complaint, of derailing and wrecking engines and trains, assaulting and disabling employees of the railroad companies, it will be no defense to such prosecution that they disobeyed the orders of injunction served upon them and have been punished for such disobedience."

Now, the principles and procedure of the Debs case, which gave rise to this demand for a jury trial in contempt cases, are left untouched and wholly intact. The right of the court in all such cases to try the party charged with contempt is carefully protected. In fact, all that class of cases which gave birth to this demand for jury trial are wholly excepted from the operation of this law. So we have, when the trade commission bill and this bill are in their practical workings taken together, a discrimination as to citizens engaged in different occupations; but we have also a discrimination based on the mere question of who is the plaintiff as to labor itself.

This bill provides "that nothing herein contained shall be construed to relate to contempts committed in the presence of the court or so near thereto as to obstruct the administration of justice."

Under the decision of the courts I do not know how far a thing would have to be away in order not to obstruct the administration of justice, because under the decisions anything that interferes with the decree or the carrying out of the decree interferes with the administration of justice. But we pass that over for the present time.

"Nor to contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States, but the same, and all other cases of contempt not specifically embraced within section 19 of this act, may be punished in conformity to the usages at law and in equity now prevailing."

Mr. President, how does any man defend that discrimination? It is not only a discrimination between the businessman and the employee, but take another illustration. Suppose any large employer of men brings a suit in equity and enjoins his men from doing certain things, and they violate it. Suppose at the same time the Government conceives the act of those employees to be interfering with interstate commerce, and the Government brings an action at the same time to enjoin them from interfering with interstate commerce. They violate the injunction which their employer had issued and they violate the injunction which the Government had issued. The laboring man comes into court under one injunction and he is tried by the court. He sits there until the next case is called, and he is tried by a jury. Will it be any particular consolation to this laboring man to know that a jury has acquitted him if the court has convicted him?

It is, in my judgment, an incongruous and indefensible position for us to take because it does not even protect the men whom it is designed to protect.

Now let us look at section 19, Mr. President:

"Sec. 19. That any person who shall willfully disobey any lawful writ, process, order, rule, decree, or command of any district court of the United States or any court of the District of Columbia by doing any act or thing therein, or thereby forbidden to be done by him, if the act or thing so done by him be of such character as to constitute also a criminal offense under any statute of the United States, or under the laws of any State in which the act was committed, shall be proceeded against for his said contempt as hereinafter provided."

That is in case his act chances to be a criminal act also, but it does not necessarily follow that it will be a criminal act. These things were general restraints for which the parties were punished in the Debs case. The multitude of their acts were not criminal acts. They were simply distinct violations of the order of the court not to interfere with the running of the train. The vast multitude of things which are restrained in these instances would not necessarily be a criminal act. So the instances in which parties would be restrained under the Trade Commission Act very often would simply be a violation of the order of the court relating to the ordinary business affairs of life, to the things which the business world conceive to be legal and proper.

Mr. President, I appeal to the Senate not to let these two bills go out with this clear, distinct, manifest classification of our citizens into two different classes of people so

> far as their rights in the case are concerned. If the right of trial by jury in contempt cases is calculated to educate the people, is a great public school in which they can get a clearer and a broader conception of the duties of citizenship, if the right of trial by jury is essential in one instance to see that judicial tyranny does not oppress the citizen, tell me upon what constitutional argument or basis of reasoning we can deny to another man simply because he has engaged in a different line of business?

Those were the words of Senator William E. Borah, of Idaho, as taken from pages 14370 through 14372 of the CONGRESSIONAL RECORD of August 28, 1914.

Let us now proceed to consider the remarks of Senator James A. Reed, of Missouri, which were made the same day, as quoted on page 14415 of the same volume of the CONGRESSIONAL RECORD. He stated in this Chamber:

> Mr. President, I have for a long time believed that one of the misfortunes or obstacles confronting the courts in the administration of justice is found in the fact that the violation of an order of a court must be tried, or is ordinarily tried, at least, by the judge whose order or mandate has been disobeyed. I think there is great strength in the argument that by submitting the question of fact to a jury we relieve the court from the charge, so frequently made, that the judge who has been offended has sought to punish the man who offended him, and hence can not be impartial.
>
> We had a striking illustration of that in my own State. The case was referred to by the Senator from Montana [Mr. Walsh] in his very able exposition of the question of the right of trial by jury in contempt cases. I have ever since the decision mentioned been impressed with the fact that courts will not lose their real and proper power by submitting the question of fact in contempt proceedings to an impartial tribunal. In the case I refer to a very offensive and libelous editorial was written of the supreme court with reference to a case which was still before the court on a petition for rehearing. The attack was without justification. Our supreme court had always been held in the high respect to which it was justly entitled. A great wave of indignation against this editor followed the publication of his attack.
>
> The supreme court, feeling that it must protect its dignity, summoned the editor before it for contempt and proceeded to inflict a very moderate penalty. At once the wave of indignation which had been created against the editor immediately changed into one of sympathy for him and against the court. It was said that a court that had been attacked was now engaged in using its great power to punish the very man with which it had a personal controversy. If the question of fact could have been submitted to an impartial tribunal, to some court and some jury other than the court that had been attacked, I have not the slightest doubt but that the editor would have received a very severe punishment and the court would have been saved from very great criticism.
>
> I know of other cases somewhat similar. I am perfectly satisfied that if the questions of fact in all contempt cases, save where the contempt is committed in the immediate presence of the court or so near thereto as to be in effect in its presence, the juries will not fail to uphold the dignity of the court and the majesty of the law.
>
> I believe that if it is right to submit questions involving the right of life to a jury it is not dangerous to submit to a jury a mere question of contempt. If we can safely repose in a jury the power to try all questions of property, all questions affecting the honor of the citizen, all questions affecting the liberty of the citizen—to a jury of 12 men—there is nothing unsafe in submitting to the same kind of a tribunal, summoned in the same way, the simple question of fact has this corporation or that individual violated the order of the court. I do not believe that such a procedure will result in lawlessness. I do not believe that it means disrespect for courts. I do not believe that it will drag down our courts. If I did so believe I would certainly not be found advocating the proposition, for I hold to this: The legislative branch of a government may make grievous errors, the Executive may even undertake the exercise of tyrannical power, but so long as the temple of justice stands open, as long as courts have the courage to declare the rights of the citizen as they are preserved in the law, and so long as a man has the right to be tried by a jury of his peers, no nation will ever be really enslaved.
>
> So, Mr. President, I feel that it is safe, that it is proper, to support the amendment offered by the Senator from Idaho. I believe the dignity and authority of the courts will remain unimpaired. At the same time judges inclined to tyrannical practices or who are influenced by prejudice or passion will find a wholesome check has been placed upon unjust and arbitrary punishments.

From the speech of Senator Reed, I wish to go forward 18 years and read to the Senate the declaration of Senator George W. Norris, of Nebraska, on this subject, as found on pages 6454 and 6455 of the CONGRESSIONAL RECORD of March 18, 1932:

> I have said so often, and I have suffered some abuse on account of it, even since this bill has been pending, that any man charged with contempt in any court in the United States, or, for that matter a State court, if we had jurisdiction, in any case, no matter what it is, ought to have a jury trial.
>
> I have said so to the representatives of the Anti-Saloon League who have come to me about this bill. I have said to them, moreover, that in my judgment, prohibitionist that I am—and I think my record will sustain my statement that during all my public life I have tried to be consistent—as I recall I said to the men who called upon me about this bill, "You are not as good prohibitionists as I am. Prohibition is on trial. It has lost many of its best friends. We all have to concede that. In my judgment, it has not been honestly and fairly enforced at any time since the law was enacted, and if we follow you and say we want a different law, a different rule, applied to prohibition cases from what is applied to any other case we are going to lose the support of more good people in this country, who will take the other side of the question and demand the repeal of prohibition."
>
> I am not finding fault with those who wanted to change this bill because they had reason for it; there was some reason for it based on logic; but in my judgment the two classes of people who have done more harm to their respective causes—one wet and the other dry—are the wet cranks and the prohibition cranks. If we want to have the people respect the prohibition law, we ought to ask for nothing under that law which we are not willing to ask for under any other law.
>
> It is no answer to say that there will sometimes be juries which will not convict. That is a charge which can be made against our jury system. Every man who has tried lawsuits before juries, every man who has ever presided in court and heard jury trials, knows that juries make mistakes, as all other human beings do, and they sometimes render verdicts which seem almost obnoxious. But it is the best system I know of. I would not have it abolished; and when I see how juries will really do justice when a biased and prejudiced judge is trying to lead them astray I am confirmed in my opinion that, after all, our jury system is one which the American people, who believe in liberty and justice, will not dare to surrender. I like to have trial by jury preserved in all kinds of cases where there is a dispute of facts.

Mr. President, I submit that the Senate would do well to heed the sage advice of those giants of its history before undertaking any step which would have the effect of denying the citizens of this Republic their constitutional right of trial by jury.

I turn now to some of the testimony submitted at the hearings.

Mr. President, during the course of the hearings on this bill and on similar measures, Georgia's able and distinguished attorney general, the Honorable J. Eugene Cook, and Georgia's beloved and respected chairman of the State judiciary council, the Honorable Charles J. Bloch, of Macon, appeared and testified before the Judiciary Committee and the Judiciary Committee's subcommittee, of both the House of Representatives and the Senate. They testified in opposition to passage of the bills.

Mr. Cook and I in the past have been, at times, on the same side, and, at other times, on opposite sides, in litigation. Mr. Cook's grasp of constitutional law and his knowledge of legislative construction are without peer. He warns that this bill will sow the seeds of dissension.

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

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Does the Senator from Georgia yield to the Senator from Louisiana?

Mr. TALMADGE. I am glad to yield to the distinguished Senator from Louisiana.

Mr. LONG. Mr. President, the Senator from Georgia is making a very fine presentation.

I am certain he will agree with me that most of the evil of this bill was removed by the Senate, when the bill was previously before the Senate, for consideration on its merits.

Mr. TALMADGE. I agree with the distinguished Senator from Louisiana that the Senate, by striking out part III of the bill, removed the most pernicious part. By part III, authority would have been conferred on the Attorney General to proceed in litigation, in the name of the United States, against any individual, in any civil-rights matter; and that would have opened the entire spectrum of civil-rights litigation to the meddling of the Attorney General.

Mr. LONG. The worst thing about the bill, as it is now before us, as it has come back to the Senate from the House of Representatives, is that it seeks to substitute the contempt powers of a Federal court for the ordinary due process of law to which every American citizen should be entitled.

Mr. TALMADGE. I agree with the Senator. Of course, I think the entire bill is bad. It is unnecessary, unwise, and unneeded; but I believe the worst thing about the present bill is that it authorizes the Attorney General of the United States to proceed in equity to enjoin the commission of crimes. That is certainly a perversion of every principle of equity that history has ever known.

Mr. LONG. Once the Attorney General and the courts of the Nation undertake to rule citizens by the contempt power of the courts, does it not stand to reason that over a period of time the people will have a contempt for the courts?

Mr. TALMADGE. The Senator is correct. It will get down to a rule by Gestapo agents instead of by the judiciary.

Mr. LONG. If this trend continues, it will not be long until the courts will be able to place people in jail, for any crime, by contempt proceedings, and there will not be any respect left for the courts.

If the provision which the Senate so wisely amended had been adopted and become law without such amendment, the Attorney General could have proceeded against any citizen in America, in the name of the Government of the United States, in any area of human relationships, denied him a trial by jury, and put him in jail for violating a decree of a judge.

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

Mr. TALMADGE. I am delighted to yield to my distinguished friend from North Carolina.

Mr. ERVIN. I am very much gratified that the junior Senator from Louisiana has pointed out what has happened in the Senate in respect to the bill. I will ask the Senator from Georgia if he agrees with me in this statement. As I construe the bill, outside of the part relating to the Commission and the new Assistant Attorney General in the Department of Justice, the only power of States and local governments which the Attorney General could usurp and exercise under the present bill is that of controlling elections in all States and divisions of States. Is that correct?

Mr. TALMADGE. I agree with the Senator that part IV has now been reduced to a voting bill, and that it authorizes the Attorney General to meddle in all areas of voting throughout the country and to usurp the prerogatives of local government in that regard.

Mr. ERVIN. I will ask the Senator if in eliminating part III from the original bill the Senate did not remove the proposal that the Attorney General should have the power to usurp and exercise all the functions of the States and their political subdivisions in other areas of rights of citizens.

Mr. TALMADGE. The distinguished Senator from North Carolina is entirely correct, and I want to congratulate him for the magnificent part he played in that victory. I also desire to congratulate my friend the distinguished junior Senator from Louisiana [Mr. LONG] for the magnificent part he played in the victory gained in striking part III from the bill.

Mr. ERVIN. I wish to thank the Senator from Georgia for his very gracious remarks concerning me and to say that, bad as the bill is in its present form—and it is so bad I cannot vote for it—it is substantially less harmful than its original sponsors intended it to be.

Mr. TALMADGE. I certainly agree with the Senator. I think they brought a dragon to the Senate. Now it is probably tamed down to a mad dog. I will put it in that category. That is where it remains.

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

Mr. TALMADGE. I yield to my friend the Senator from Louisiana.

Mr. LONG. I believe the legislative history of this bill, although I presume the political pressures for it are such that it will eventually pass, indicates every reason why we should have careful study and orderly procedure respecting the rights of every Senator in this body. It is too bad the House does not have similar procedure. Here we have a provision brought into the Senate which would deny every American of the right of trial by jury. There have been no hearings on the proposal. It has not been studied. Most lawyers believe it is unconstitutional. If the Supreme Court were made up of men possessed of qualifications such as members of the Court in the past had, I believe the Court would hold the provision unconstitutional.

Mr. TALMADGE. I thoroughly agree with the Senator, and I point out the absurdity of the Senate's not referring the bill to the Judiciary Committee, where it could have received careful study by eminent lawyers to determine its constitutionality. I deplore the idea that a man can be put in jail for 45 days without a trial by jury, but cannot be put in jail for 46 days without a trial by jury.

Mr. LONG. Presumably the proposition brought to the Senate is a political compromise. Let me say I was no party to that compromise. I know the Senator from Georgia was not a party to that compromise. I see the Senator from North Carolina [Mr. ERVIN] pointing to himself to indicate that he was no party to it. Some persons got together behind closed doors, discussed the matter, and decided this is what they would bring forth. The proposal had no study, no review by committee, and there was no testimony on it. It was passed by the House after 1 or 2 hours' debate. Nobody knew what they were voting for. All they knew was that it was some sort of compromise their leaders had agreed to.

Mr. TALMADGE. I thank the Senator. I assure him I am well aware of the fact that neither he nor the Senator from North Carolina had any part in any so-called compromise. I know the Senator from Louisiana is well aware that the Senator from Georgia had no part in it, either. I am going to oppose the bill as strongly as I know how. I think it would be setting a disastrous precedent in the history of our Nation to permit the bill to become law, so that the enforcement of laws or the prevention of crimes could be undertaken by injunction. I thank the Senator for his comments.

Mr. President, during the course of the hearings on this bill and similar measures, Georgia's able and distinguished attorney general, Hon. J. Eugene Cook, and Georgia's beloved and respected chairman of the State judicial council, Hon. Charles J. Bloch, of Macon, appeared and testified before both House and Senate subcommittees opposing their adoption.

Mr. Cook and I in time past have been sometimes on the same and sometimes on opposite sides in litigation, but his grasp of constitutional law and knowledge of legislative construction are without peer. He warns that this bill "will sow the seeds of dissension." He said in testimony before the House subcommittee of the Committee on the Judiciary of this measure:

> It will not solve any problems, but will create more problems than the mind can easily comprehend, and most serious of all, will endanger our national existence.

Answering effectively the "old hat" cliché that we must enact this civil-rights bill to fight Communist propaganda, the Georgia attorney general declared:

> It would be of little value to anyone, if in recklessly seeking to appease other countries, we destroyed our own.
>
> If we make our policies to meet Communist criticism we should abolish private enterprise, representative government, private schools, independent courts, and every other institution of our society.

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

Mr. TALMADGE. I am happy to yield to the Senator from Louisiana.

Mr. LONG. I might suggest that even following that course would not meet the demands of Communist propaganda. The Communists would not be satisfied unless Russia controlled the country.

Mr. TALMADGE. That is their whole purpose and scheme. When anyone stands on the floor of the Senate and says we must pass a civil-rights bill to combat the Communist propaganda being spread around the world, it makes me tremble to think that if we were to follow that line, the Communists would get us piece by piece, one step after another, destroy our whole Government, and turn the entire country over to them, and that is exactly what they want. I thank the distinguished Senator.

Another observation made by my State's chief legal officer, and one worthy of careful reflection and consideration, is that Federal interference in race relations in recent years have set us back 50 years, at a time when more progress was being reached in this field by voluntary action than ever before in the history of our country.

As a former prosecutor of distinction, Mr. Cook recognizes empire building when he sees it. He seriously questions the wisdom of expanding the Federal Justice Department's activities. He said of this proposal:

> It will encourage meddling and baseless suits by this new board of bureaucrats who will surely perceive that they must stir up litigation to justify the expense of their existence.
>
> Reduced to simple language, the police state must have an adequate supply of storm

troopers to keep the States and their citizens under constant fear.

MR. BLOCH SPEAKS ELOQUENTLY

Turning now, briefly, to committee testimony of Hon. Charles J. Bloch, of Macon, Ga., permit me to allude to his background. During his brilliant legal career many honors have been heaped upon him. He is a past president of the Georgia Bar Association, chairman of the Georgia Judicial Council; a member of the State Board of Regents of the University System; a former chairman of the Bib County Democratic Executive Committee of the Democratic Party; a member of the State Democratic Executive Committee; first vice president of the Georgia States Rights Council and others. He appeared on behalf of the Governor of Georgia.

Perhaps one of the most moving and impressive portions of his testimony was where Mr. Bloch explained that even though a member of a minority religious faith, himself, he feared the consequences of this bill. He said eloquently:

> If one group can today set aside the 10th amendment, another can tomorrow set aside the first, and the fifth, and all the others comprising the Bill of Rights.
>
> I have been told, that I, as a member of a religious faith which is in the minority should be on the side of a racial group which is numerically in the minority. I am on the side of no one except those who believe in the Constitution of the United States as it was written and as it was amended in accordance with the provisions written as a part of it.
>
> I know that no minority group, whether it be racial, religious, or sectional, is safe if the Constitution of the United States can be swept aside with the stroke of a pen.

Mr. President, those are the words of a real patriot.

To know Mr. Bloch is to love him.

Some of the fondest memories I have are of associations we have had together over the years in working for our beloved State and Nation. I rely heavily upon him for counsel and guidance and look upon him as one of the truly great Americans of our time.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. TALMADGE. I am happy to yield to my friend, the Senator from North Carolina.

Mr. ERVIN. I might state to the Senator that I have had the privilege of knowing Mr. Charles J. Bloch personally for approximately 10 years. I think no person made a more accurate or a more brilliant contribution to the fight against this legal and constitutional monstrosity than did Mr. Bloch when he made his appearance before the Subcommittee on Constitutional Rights of the Committee on the Judiciary.

Mr. TALMADGE. I thank the distinguished Senator from North Carolina. I heartily agree with his statement. I do not believe there is a man in Congress who is better qualified to judge the efforts one has made in this fight than the eminent Senator from North Carolina, who, after a distinguished legal career of his own, including service in the judiciary of his State, has worked on this matter harder than any other Member of the United States Senate.

Mr. ERVIN. I want to thank the distinguished Senator from Georgia for his gracious remarks, and to state that I know of no one who has made a more courageous and intelligent fight against this iniquitous proposal than the junior Senator from Georgia.

Mr. TALMADGE. I am very grateful to my distinguished friend, the Senator from North Carolina.

Mr. President, some of the fondest memories I have are of my associations with Charles J. Bloch. I rely heavily upon him for counsel and guidance and look upon him as one of the truly great Americans of our time.

It is no wonder that upon the conclusion of Mr. Bloch's brilliant analysis of the legal and constitutional issues involved in the civil-rights proposals that Chairman CELLER and Representative KEATING, though not in agreement with him, were generous in their praise of his masterful presentation before the House subcommittee.

WILL WE REPEAT TRAGIC ERRORS OF PAST?

Now, Mr. President, permit me to recall here another day in our Nation's history when reason gave way to passions of the hour.

A study of the many and all embracing civil-rights laws presently on the books will readily demonstrate the absence of need for the proposed legislation under discussion here.

The most far-reaching of these statutes today is title 42, United States Code Annotated, section 1985.

So recently as 1951, in *Collins* v. *Hardyman* (341 U. S. 651, 656, 95 L. Ed. 1253, 1257, 71 S. Ct. 937), the Supreme Court criticized the unbalance wrought upon our Federal-State system by this statute in the following language:

> This statutory provision has long been dormant. It was introduced into the Federal statutes by the act of April 20, 1871, entitled "An act to enforce the provisions of the 14th amendment to the Constitution of the United States, and for other purposes." The act was among the last of the reconstruction legislation to be based on the conquered province theory which prevailed in Congress for a period following the Civil War.
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> The act, popularly known as the Ku Klux Act, was passed by a partisan vote in a highly inflamed atmosphere. It was preceded by spirited debate which pointed out its grave character and susceptibility to abuse, and its defects were soon realized when its execution brought about a severe reaction.
>
> The provision establishing criminal conspiracies in language indistinguishable from that used to describe civil conspiracies came to judgment in *United States* v. *Harris* (106 U. S. 629, 27 L. Ed. 290, I. S. Ct. 601). It was held unconstitutional. This decision was in harmony with that of other important decisions during that period by a court, every member of which had been appointed by Presidents Lincoln, Grant, Hayes, Garfield or Arthur—all indoctrinated in the cause which produced the 14th amendment, but convinced that it was not to be used to centralize power so as to upset the Federal system.

I am very happy, Mr. President, that the Senate, when it considered the bill sufficiently enough to understand what the particular provision of the law was, which was referred to only by reference in the bill, by a vote of 90 to 1 struck the provision from the bill. The provision had passed the House of Representatives without any great argument being made. In fact, apparently it was not discovered that the matter was referred to in the bill. That demonstrates what a study can do, when and what a desirable result can be achieved when such points are discussed in the United States Senate.

It is a real tragedy that the bill has not been sent to the Committee on the Judiciary of the Senate, in order to give the members of the staff and the members of the committee an opportunity to give the bill a searching study, to determine what should be brought before the Senate of the United States and what should be voted upon.

THE AGE OF HATE

Mr. President, during the period of reconstruction which followed the internecine strife, a series of laws were enacted so base that no American can read them even now without a sense of shame.—Andrew Johnson Stryker, page 311.

The first of these was the so-called Freedman's Bureau bill vetoed by President Andrew Johnson February 19, 1866, as contrary to the expressed language of the Constitution and inconsistent with the public welfare.

The President objected to the military jurisdiction established and to the penal provisions to be administered by agents of the Freedman's Bureau under regulations of the war. He pointed out that the punishment would not be defined by law but imposed by court-martial and that there would be no appeal from the decisions of these tribunals, not even to the United States Supreme Court.—The Age of Hate, Milton, page 288.

In his veto message President Johnson said:

> I cannot reconcile a system of military jurisdiction of this kind with the words of the Constitution which declare that "no person shall be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a grand jury * * *." and that "in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed." * * * The power that would be thus placed in the hands of the President is such as in time of peace certainly ought never to be entrusted to any one man.

The power to which the President referred above extended to supervision over a vast number of agents which, he said, "by the very hand of man—would—be attended by acts of caprice, injustice, and passion."—Messages and papers of the Presidents, volume VI, page 399.

While the radicals possessed the required two-thirds majority to override the Presidential veto in the lower House, they did not have quite the two-thirds required in the Senate.

CIVIL-RIGHTS BILL OF 1866 VETOED

The second in a series of similar measures to receive Presidential disapproval was the so-called civil-rights bill of 1866. It was vetoed by President Johnson, in a singular act of courage unmatched in the annals of this Nation's Executive leadership. He explained that he could not, in good conscience, approve a measure which he believed broke the Constitution into bits.—The Age of Hate, Milton, page 308.

This measure was more drastic and in several respects similar to the bill here under consideration. Federal district courts were given jurisdiction and Federal district attorneys, marshals, and commissioners, officers and agents of the Freedman's Bureau, and others were specially authorized and required, at the expense of the United States, to institute legal proceedings against any and all who violated the provisions of the act.—The Age of Hate, Milton, page 305.

Close advisers urged the President to sign on the basis of expediency. This, he refused to do.—The Age of Hate, page 308.

In his veto message to the Senate, March 27, 1866, the President pointed out the minor absurdities as well as the major objections to the bill.—The Age of Hate, Milton, page 308.

He wrote that the machinery for the enforcement of the act was unprecedented and unnecessary. Adequate judicial remedies, he observed, could be found without invading the immunities of legislators. The means seemed to him not only anomalous but unconstitutional.

> For the Constitution guarantees nothing with certainty if it does not insure to the several States the right of making and executing laws in regard to all matters arising within their jurisdiction—

A right restricted only by the Constitution of the United States.

Whence did Congress derive its power to transfer to Federal tribunals the trial of cases of State offenses? he asked, showing by documented historical citation that it had no such power. He pointed out the imperfect machinery set up by the measure, and pronounced the details of the bill fraught with evil. It frustrated the readjustment of southern relations and fomented discord, the President declared with great clarity.

> This bill * * * attempts to settle questions of political economy through the agency of numerous officials whose interest it will be to foment discord. * * *
>
> In all our history no such system as that contemplated * * * has ever been proposed or adopted * * *. It is another step or rather stride toward centralization and the concentration of all legislative powers in the National Government. The tendency of the bill must be to resuscitate the spirit of rebellion and to arrest the progress of those influences which are more closely drawing around the States the bonds of union and peace. (Messages and papers of the President, 1789–1908, Richardson, vol. VI, p. 405.)

President Johnson emphasized that he would cheerfully cooperate with Congress in any measure that might be necessary for the protection of civil rights in conformity with the provisions of the Constitution.

Notwithstanding the President's disapproval, the Senate voted to override the veto by one vote after having ousted on a trumped-up charge a Senator disposed to the President's view. The House also voted to override.—The Age of Hate, Milton, 301 and following.

Thus was ushered in an era in our Nation referred to by historians as the age of hate.

It was a time of hysteria in which the President, himself, for the sole crime of upholding the Constitution was impeached and later acquitted by a single vote.

It was a time when no sooner was one harsh measure of oppression planned than another and a harsher one was joyously brough forward to punish a prostrate people—Andrew Johnson Stryker, page 297.

THE PRESIDENT KEPT HIS HEAD

While all those about him lost their heads there was one man who kept his and he was standing practically alone.

President Johnson's courage, rightness, patience, and ability as a fighter foiled the conspiracy against himself, against the Presidency and against constitutional law.

Every citizen of this country for all time to come whoever breathes the air freedom in this land of ours is in his debt.

While a man of moderate background—of the people—Johnson was perhaps better steeped in constitutional tradition than any other President save only his predecessor. For, in reality, Johnson's fight was Lincoln's as the latter's policies just prior to his death had invoked the wrath of the radicals both in his Cabinet and in Congress.—The Age of Hate, Milton, pages 157, 158.

Johnson's first message delivered to Congress December 5, 1865, contained one of the best statements of constitutional philosophy ever penned by a President.

The Constitution, he said, was the chart for his policies. Its authors intended the American Union to last as long as the States themselves might last. The hand of providence was never more apparent in mundane affairs than in its framing and adoption.—The Age of Hate, Milton, page 269.

The Government thus established is a limited government and so is every State government a limited government. The States, with proper limitations of their powers, are essential to the life of the United States Constitution. The assent of the States gave vitality to the Union, and the perpetuity of the Constitution brings with it the perpetuity of the States; their mutual relation makes us what we are, and in our political system their connection is indissoluble. The whole cannot exist without the parts, nor the parts without the whole. So long as the Constitution of the United States endures, the State will endure. The destruction of the one is the destruction of the other; the preservation of the one is the preservation of the other.—The Age of Hate, Milton, page 269.

The President thus explained his views of the mutual relations of the Constitution and the States, because they made plain the principles upon which he had sought to overcome the appalling difficulties which confronted him.

> It has been my steadfast object—

Lincoln's successor declared—

> to escape from the sway of momentary passions, and to derive a healing policy from the fundamental and unchanging principles of the Constitution.

For holding this view, Mr. President, Andrew Johnson was haled before the bar of Senate justice to receive the full wrath of the age of hate.

SENATOR KENNEDY'S BOOK QUOTED

The distinguished junior Senator from Massachusetts [Mr. **Kennedy**] writes movingly in his book, Profiles of Courage, of the decisive vote cast for acquittal of President Andrew Johnson in the impeachment trial by Senator Edmund G. Ross, a Republican Senator from Kansas.

Ross considered the attack on Johnson as one on the Presidency itself and an attempt by the radical Republicans to create a Congressional autocracy.

The Senator from Massachusetts quotes Senator Ross, who in later years wrote in magazine articles, as follows:

> This Government had never faced so insidious a danger * * * control by the worst elements of American politics * * *. If Andrew Johnson were acquitted by a nonpartisan vote * * *. America would pass the danger point of partisan rule which so often characterizes the sway of great majorities and makes them dangerous.

Senator Ross, like the President, was willing to sacrifice all to uphold the Constitution, Senator **Kennedy** writes.

Ross' political career was ended but not his place in American history.

How many political leaders of today are willing to throw all away for a single act of conscience?

How many politicians would have the courage today to let pass from their lips Ross' swan song, when he said:

> Millions of men cursing me today will bless me tomorrow for having saved the country from the greatest peril through which it ever passed, though none but God can ever know the struggle it has cost me.

Fortunately, this brave man, unlike so many martyrs, lived to see public vindication.

The Senator from Massachusetts writes:

> But the twisting course of human events eventually upheld the faith he expressed * * *. Just prior to his death when he was awarded a special pension by Congress for his services in the Civil War, the press and the country took the opportunity to pay tribute to his fidelity to principle in a trying hour and his courage in saving his Government from a devastating reign of terror. They now agreed with Ross' earlier judgment that his vote had "saved the country from * * * a strain that would have wrecked any other form of government." Those Kansas newspapers and political leaders who had bitterly denounced him in earlier years praised Ross for his stand against legislative and mob rule: "By the firmness and courage of Senator Ross," it was said, "the country was saved from calamity greater than war, while it consigned him to a political martyrdom, the most cruel in our history * * *. Ross was the victim of a wild flame of intolerance which swept everything before it. He did his duty knowing that it meant his political death * * *. It was a brave thing for Ross to do, but Ross did it. He acted for his

conscience and with a lofty patriotism, regardless of what he knew must be the ruinous consequences to himself. He acted right."

I see on the floor the Senator from Massachusetts [Mr. KENNEDY], and I am very pleased to yield to him.

Mr. **KENNEDY**. I am very pleased that the Senator from Georgia has called attention again to Senator Ross, whose action constitutes an exhibition of a courage to which all of us can repair in difficult moments. I am delighted that he has drawn attention to it in his speech today.

Mr. **TALMADGE**. I thank the Senator from Massachusetts, and I congratulate him on a magnificent book. I found the stories of Ross and Andrew Johnson inspiring examples for anyone who serves in public life to emulate in holding fast to basic principles when troublous political and constitutional questions are involved.

Mr. **KENNEDY**. Then there was also the great Georgian, Senator Lamar, from Mississippi.

Mr. **TALMADGE**. The Senator is correct. We are very proud of him in his native State of Georgia.

JOHNSON VINDICATED BY RETURN TO SENATE

It was a blessing, too, that President Johnson did not die without complete vindication, having come back to the Senate and having had his say as a Senator of the United States from the State of Tennessee, against the admittedly corrupt administration that followed his own.

Even Charles Sumner, one of the three prime leaders of the radical opposition to the President, just before going to the grave, purged his soul and conscience for his complicity in the impeachment attempt, telling Senator Henderson, of Missouri:

> I didn't want to die without making this confession, that in the matter of impeachment, you were right and I was wrong.

Subsequent decisions of the Supreme Court, as we have seen, upheld the constitutional concepts enunciated by President Johnson.

THE CONSTITUTION, A PILLOW FOR ETERNITY

Mr. President, in the friendly soil of his beloved Greene County in Tennessee, rests Senator Andrew Johnson, his mortal remains wrapped in the Stars and Stripes, his head cushioned on his own worn copy of the Constitution. Carved on the simple shaft above him are the words:

> His faith in the people never wavered.

That sentiment is a great source of comfort to me in this hour for if we pass this bill under consideration I put my faith in the good sense of the American people to save us from ourselves.

I wish to quote the words of this courageous Senator uttered at a time when the earth about him veritably trembled but he stood solid as a rock, standing as a shield between the people and destruction of their fundamental rights:

> They may talk about beheading but when I am beheaded, I want the American people to be the witness. * * * Are those who want to destroy our institutions * * * not satisfied with the blood that has been shed? * * * Does not the blood of Lincoln appease the vengeance and wrath of the opponents of this Government? * * *
>
> It is now peace and let us have peace. Let us enforce the Constitution * * * I tell the opponents of this Government, and I care not from what quarter they come—East or West, North or South—you that are engaged in the work of breaking up this Government are mistaken. The Constitution and the principles of free government are deeply rooted in the American heart.
>
> I intend to stand by the Constitution as the chief ark of safety, as the palladium of our civil and religious liberty. Yes, let us cling to it as the mariner clings to the last plank when the night and tempest close around him. (The Age of Hate, Milton, p. 292.)

Mr. President, the bill would overthrow and revolutionize every principle of equity jurisprudence as it pertains to the grant of injunctions in general and particularly in political matters.

As so forcefully observed by Representative JOHN BELL WILLIAMS, of Mississippi, in a recent speech:

> Passage of the force bill would legalize for the first time in America the arrest and jailing of political prisoners who would be denied jury trials and the right to face their accusers in court.

In *Giles* v. *Harris* (189 U. S. 475), the object of the suit in a United States circuit court in Alabama was to restrain the operations of the State government for the assertion and vindication of a political right to be an elector—the right to vote. Counsel for the board of registrars in Alabama contended that such was not within the province of equity jurisprudence. The Supreme Court of the United States in an opinion written by Justice Oliver Wendell Holmes, of Massachusetts, upheld that contention. He and the Court decided that equity cannot undertake now, any more than it has in the past, to enforce political rights.

He cited and applied a case decided by Chief Justice Fuller, acting as circuit justice—*Green* v. *Mills* (69 Fed. 852).

In 1898, a great Georgian, John W. Akin, of Cartersville, Ga., was president of the Georgia Bar Association. On July 7 of that year he addressed the association at its annual meeting in Atlanta. The subject of his address was Aggressions of the Federal Courts. He commenced in this vein:

> In every government ultimate power must reside somewhere. In England, it is in the Parliament; for its power to pass laws is supreme, and no court can declare them void or illegal. In Russia it is the Czar; for his will is the only law, and the imperial ukase can be neither disobeyed nor questioned. In the United States where resides this power? * * * The Federal judiciary * * * is the sole repository of ultimate power in this Republic, and the handful of men who wield this power may wield it as long as they live and choose to do so. * * * It may be conservatively said that no greater power has ever been vested in any officials or in any department of any government than is now exercised by the Federal judiciary. It is, therefore, of the utmost importance that these powers should be exercised with the greatest caution, and that the public at large should keep upon the possessors of such power an eye jealous of the first encroachment upon liberty.

What was he talking about?

Turn the page, and let me quote again:

> Nothing in the history of our country's jurisprudence is more remarkable than the growth of what may be termed in a sense "judge-made law." In no department of "judge-made law" has the growth been wider or more rapid than in the law of injunctions as promulgated by the Federal judiciary. For instance, it is an ancient principle of equity jurisprudence that an injunction will never issue to restrain the commission of a criminal offense. Yet this fundamental principle has been qualified and modified, if not to some extent overruled but not by statute.

As a result of warnings from men like Judge Akin—and others to whom I have alluded—severe statutory restrictions were placed about this government by injunction. Now, not only are we asked to remove those restrictions but also we are asked to repeal and obliterate fundamental principles of equity jurisdiction and jurisprudence.

We are asked to permit the Attorney General of the United States, without anyone's having exhausted any administrative remedies, without anyone's having sought any redress for the correction of real or imagined evils, on behalf of other people to go before a court of his choosing, really a court of his appointment, and harass and enjoin citizens of the United States whenever he so chooses.

Judge Akin proceeded:

> What is most to be feared, because most dangerous, is that this Republic will quietly submit to powers assumed against the spirit of our Constitution and the genius of our Government. Repression is the mother of revolution. Let all the people in all the States be aroused in time to peacefully, and by the forms of law, prevent and overthrow despotism, in whatever form and by whatever name, before it becomes so strong that only revolution can end it.

This bill would implement that very despotism he feared.

Let us look to a few decisions of the Supreme Court of the United States to see just what this bill would do to established law and equity.

> Injunction is an extraordinary remedy. (*Hunnewell* v. *Cass County* (89 U. S. 464) (1874).)

This bill would make of it a remedy as ordinary and common as a suit on a note in a common law court.

> Injunction is not a remedy which is issued as of course. (*City of Harrisonville* v. *W. S. Dickey Clay Co.* (289 U. S. 334) (1923).)

This bill would make of it a remedy which is issued as of course whenever the Attorney General desires it issued.

> Injunction should not be granted unless necessary to protect rights against injuries otherwise irremediable (*State Corporation Commission of Kansas* v. *Wichita Gas Co.* (290 U. S. 561) (1934).)

This bill would cause injunctions to be granted whether necessary to protect rights or not, and without ascertaining whether the wrongs, real or fancied, were otherwise remediable.

For the rule that "an injunction is an extraordinary power to be used sparingly and only in a clear and plain case"—*Irwin* v. *Dixion* (50 U. S. 10)—would be substituted the rule that injunction is to be used whenever the Attorney General desires it.

The rule that for an injunction to issue the case "must be one of strong and imperious necessity or the right must have been previously established at law, and the right must be clear and its violation palpable"—*Parker* v. *Lake Cotton and Woolen Co.* (67 U. S. 545)—would be utterly wiped out, as would the rule established in that same case more than a hundred years that "injunction will be granted only where the right is clearly established, where no adequate compensation can be made in damages, and where delay itself would be wrong."

One hundred and ten years ago the Supreme Court said in *Truly* v. *Wanzer* (46 U. S. 141), that the right to injunction must be clear, the injury impending, and threatened so as to be averted only by the preventive process of injunction. That rule would be supplanted in that the Attorney General would be suing on behalf of some complainant who had not, need not seek to avert his alleged wrong.

My State of Georgia once tried to enjoin a Secretary of War, Edwin Stanton, who was oppressing her. In 1867, the Supreme Court of the United States denied Georgia the right to protect herself by injunction, saying to her:

> To entitle party to injunction, a case must be presented appropriate for the exercise of judicial power, and rights in danger must be rights of property or persons, not mere political rights.

That rule would be abrogated.

The right to an injunction has historically been considered a personal right, one which must be invoked by him on whom injury is inflicted. Now it is proposed to grant the right to a next friend, the Attorney General.

Historically, too, it has been the rule that parties may not resort to a court of equity to restrain a threatened act merely because it is illegal, or transcends constitutional powers, but they must show that the act complained of will inflict upon them irreparable injury. So said the Supreme Court in *United Fuel Gas Co.* v. *Railroad Commission of Kentucky* (278 U. S. 300). That rule would be abrogated.

Very recently, in *Eccles* v. *Peoples Bank* (333 U. S. 426), the Supreme Court said that where claims of injury were supported only by affidavits and possibility of injury speculative and uncertain, anticipatory judicial determination was not necessary. We are asked to abrogate that rule.

I wish to reiterate the assertion which I made during the course of the debate on H. R. 6127, Mr. President, that I personally favor extending the right of trial by jury to all matters in which there are facts to be determined with the one exception of cases of direct contempt committed in the presence of the court. And I repeat my offer to join with any of my colleagues who feel likewise in sponsoring and seeking enactment of comprehensive legislation toward that end.

It is my considered judgment, Mr. President, that the jury trial language contained in H. R. 6127 as passed by the Senate is the very minimum safeguard which we can put into this bill without jeopardizing the rights of all American citizens.

I appeal to the Senate, Mr. President, to take as its guide in voting down this misnamed "compromise" and upholding the original Senate version of this bill these words of Thomas Jefferson taken from his first inaugural address:

> Freedom of religion; freedom of press; freedom of person under the protection of the habeas corpus; and trial by juries impartially selected—these principles form the bright constellation which has gone before us and guided our steps through an age of revolution and reformation. The wisdom of our sages and the blood of our heroes have been devoted to their attainment * * * and should we wander from them in moments of error or alarm, let us hasten to retrace our steps and to regain the road which alone leads to peace, liberty, and safety.

Mr. President, the eyes of the masses of the citizens of this Nation are on this Senate.

They are watching to see whether the men who sit in this body will be guided by principle or by politics.

How history judges this Congress may well be determined by the vote on this fundamental issue.

I beg, Mr. President, that our choice be to hasten to retrace our steps and to regain the road which alone leads to peace, liberty, and safety.

Mr. President, I yield the floor.

CHANGE IN UNIT OF GRAIN MEASURE

Mr. HUMPHREY. Mr. President, from time to time I have called the attention of the Senate to the concern being expressed by the grain trade to proposals under consideration by the Department of Agriculture for changing from the bushel to the hundredweight as a unit of grain measure. Practically all of the grain trade, as well as millers and other related industries, seem to be opposed to this change, and apparently the Commodity Stabilization Service will not be justified in adopting the new procedure without much further study and consultation with the trading groups.

Mr. President, I ask unanimous consent that an editorial on this issue from the August 13 issue of the Northwestern Miller be printed at this point in the RECORD.

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

BUSHEL AGAINST HUNDREDWEIGHT

Members of the feed trade have been vociferous in putting forward a plea for a switch from the bushel to the hundredweight as a unit of measure. Such was the steamroller effect of their demands—"Hundredweight in '58" was the slogan adopted—that for a time it looked as though no one was going to bring forward any strong objections. Grain and flour traders stood aloof and made few comments on the matter.

Only in the past few months has any degree of opposition become apparent. That opposition is now coming from authoritative quarters, particularly a strong statement from the Terminal Elevator Grain Merchants Association. That statement was so important that the American Feed Manufacturers Association was compelled to make counter-arguments. The AFMA case appears in the news columns of this issue.

The reported intention of Walter C. Berger, administrator of the Commodity Stabilization Service, to make the switch effective July 1, 1958, may have been governed in part by the paucity of the early opposition. Only now is it being brought home that there is strong disfavor for the plan in grain and flour circles. True, there does appear to be a split on the issue. Some feel it is not worth making a big fight of the matter; others are expressing a vehemence equalled only by AFMA in propounding the proposal.

The decision to switch will be a wholly administrative one. The decision does not need the approval of the board of the Commodity Credit Corporation. Administrative decisions often lend themselves to being classed as arrogant and arbitrary. Mr. Berger, undoubtedly, will never let his organization be placed in line to collect that accusation. That is why more thought must be given to the subject before an irrevocable decision is made.

The opposition is making itself heard. The three major exchanges of Kansas City, Chicago, and Minneapolis have voted against the switch. Futures traders, terminal elevator operators and commission men are opposed with varying degrees of violence. This is disagreement to be reckoned with; the views of people who make their living handling grain cannot be dismissed lightly.

Perhaps overlooked has been the fact that State grain laws require the issuance of warehouse credit certificates on a bushel basis. Those laws would need amendment. And it's common knowledge just how confusing an issue can become when State legislation is involved. That's just one of the problems.

The feed business is an important segment of the American trading picture. But there are other segments and they do not bow in any way to the omnipotence of the feed men. Mr. Berger has been subjected to some heavy pressure. The plan runs contrary to the best interests of important parts of the grain trade. The matter should be reappraised.

MOBILE SEAPOWER

Mr. HUMPHREY. Mr. President, recent events in the Middle East have emphasized the role of seapower in present and future American foreign policy. Soviet combatant units are converging on the Mediterranean from the Dardanelles and Baltic Sea areas. This, no doubt, relates directly with the subversion in Syria and the possible attempt by the Soviet Union to establish a naval base on the west coast of that country.

Mobile seapower has been vital to the implementation of the Middle East doctrine. Seapower helped stabilize the situation in Jordan and strengthened the hand of the Free World. In an area of the world where the sealanes have traditionally played an important role in the national economy, the peoples of the Middle East and Southern Europe witnessing the presence of the powerful and ably commanded sixth fleet are convinced that America is sincere in its expressions of support of the integrity of the smaller nations of the world.

Recently I have had opportunity to visit with two naval officers who have participated in and made a thorough study of seapower in its application in behalf of our foreign policy which seeks to preserve the integrity of small nations, for example, Korea. These men, Comdr. Malcolm W. Cagle and Comdr. Frank A. Manson, have just completed a very comprehensive book entitled "The Sea War in Korea." I understand that a copy of this book is being mailed to every Member of Congress by the Navy League of the United States. I take this opportunity to call this timely work to the attention of my colleagues.

The threat that faced Korea in 1950 may manifest itself in another part of the world in the months ahead. The mature implementation of American foreign policy requires balanced military forces. It is only through the teamwork of a mobile Army, a ready and on-the-spot Navy and an alert Air Force that America can truly discharge its responsibilities of world leadership. In this connection we should take a real hard look at any economy moves, for national security is not primarily a fiscal problem.

Mr. President, I ask unanimous consent that the book review which appeared in the Washington Post and Times Herald for Sunday, August 18, 1957, on "The Story of Korean Sea War," be printed at this point in my remarks.

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

THE STORY OF KOREAN SEA WAR

Once in a blue moon the right subject comes in contact with the right author or authors, and the resulting book is bound to be right. This is the case with this comprehensive history of the sea war in Korea which is at the same time a rattling good action story based upon fact.

The authors, Comdr. Malcolm W. Cagle, USN, and Comdr. Frank A. Manson, USN, have brought to the task some impressive qualifications. As Navy officers, both made good combat records in Pacific battles of World War II. Both had excellent training in historical writing as assistants to the late Walter Karig in the preparation of several volumes of his "Battle Report" series. Both have visited Japan and Korea in search of material for their book, and both have had access to all essential Navy and Marine Corps records.

Historical books based entirely on records too often lack the redeeming "human touch." On the other hand, the interview method is subject to the frailties of memory, not to mention vanity. Comdrs. Cagle and Manson have struck a happy medium by judiciously combining both approaches to truth.

Could we have defeated the Chinese Communists in the summer of 1951, when 10,000 of them surrendered in a week? General MacArthur said we could, and so did General Van Fleet in interviews with the authors.

"In June 1951, we had the Chinese whipped," asserted Van Fleet. "They were definitely done. They were in awful shape. * * * It was only a short time later that the Reds asked for a truce. Then we were ordered not to advance any farther."

As to the importance of the Korean conflict, Adm. Arleigh A. Burke, Chief of Naval Operations, believes that it holds significant lessons for the future. "A limited war," he says in his foreword, "is the type of war most likely to occur in the thermonuclear age."

Naval derring-do has not been outdated, fortunately, and the book tells some adventure stories that might have happened in the day of John Paul Jones. There was the exploit of Navy Lt. Eugene Clark, who risked torture and execution in a one-man invasion of the enemy-held harbor area of Inchon.

And there were the destroyer captains who unmasked enemy shore batteries at Inchon by the bold expedient of sailing the cans in at 800 yards in a deliberate effort to draw fire.

In their analysis of tactical lessons, the authors are at their best. They explain why the attempt to strangle the enemy by bombing failed, even though a mountainous peninsula of few supply routes was a happy hunting ground for unopposed United Nations planes.

Illustrated with 170 photographs, the 532-page book has 20 charts or maps, 38 pages of appendixes crammed with statistics, and an unusually complete index. The only comprehensive book on the sea war in Korea, it is highly recommended reading.

TWENTIETH ANNUAL CONVENTION, MICHIGAN UNITED CONSERVATION CLUBS

Mr. HUMPHREY. Mr. President, I call attention to the 20th annual convention of the Michigan United Conservation Clubs held at Ludington, Mich., on June 13, 14, 15, and 16. This great organization represents more than 275 conservation clubs with a total membership in excess of 50,000 persons. It is affiliated with the National Wildlife Federation, the National Rifle Association, the Michigan Natural Resources Council, the Michigan Agricultural Conference, Nature Conservancy, and the Wilderness Society.

Mr. President, the August issue of Michigan Out-of-Doors contains the text of a resolution adopted by this group in support of Senate bill 871, and I ask unanimous consent to have it printed in the RECORD at this point.

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

RESOLUTION PASSED AT THE 20TH ANNUAL CONVENTION HELD AT LUDINGTON, MICH., JUNE 13, 14, 15, 16, 1957

"Whereas United States Senate bill S. 871, introduced by Senator HUBERT H. HUMPHREY, of Minnesota, strives to establish a study of the use of conservation programs to provide healthful outdoor training for young men and to establish a pilot Youth Conservation Corps; and

"Whereas under said proposed Senate bill S. 871, a commission would be established within the Department of Health, Education, and Welfare, such commission to include representatives from national parks, Forest Service, and Soil Conservation Service, to outline and direct such pilot program; and

"Whereas the work and accomplishments of the former Civilian Conservation Corps, established in 1933, is now considered a milestone in all phases of conservation endeavor and in the development of leadership in the ranks of our American youth; be it therefore

"*Resolved*, That the Michigan United Conservation Clubs, in convention assembled at Ludington, Mich., this 16th day of June 1957 do hereby record themselves in accord with the principles of United States Senate bill S. 871 and dedicate themselves diligently to support said bill; be it further

"*Resolved*, That this organization also hereby direct its secretary to inform the Congressional legislators of Michigan of the content of this resolution and ask for their active support of said Senate bill S. 871."

Mr. President, I move the adoption of this resolution.

Supported by Akerly, Mr. Smith stated it might be noted that the CCC erroneously drained marshland in many instances. Carried.

LUTHERAN WORLD FEDERATION

Mr. HUMPHREY. Mr. President, for the period August 15 to 25, Minneapolis and Minnesota have been the focus of attention for most of the world's Lutherans. The third assembly of the Lutheran World Federation met in the heartland of the Lutheran faith in the United States. Minnesota is proud of the fact that more than 20 percent of the members of this great denomination in our country live within the borders of our State.

We are doubly honored, for perhaps not again in our generation will a meeting of this great assembly convene on the American Continent. Many of the 275 delegates, 425 official visitors, and thousands of guests from all over the world will be seeing America for the first time. A delegation of young people is spending the entire summer. Mr. President, I can think of no other city or State where these distinguished visitors could have become better acquainted with the United States or have seen the American way of life at its finest.

The third assembly of the Lutheran World Federation was, indeed, an historic occasion. Lutherans of Minnesota and the United States were provided a unique opportunity to observe and appreciate the activities of the federation, which represents 50 million of the world's 70 million Lutherans.

The assembly's theme Christ Frees and Unites, sets the stage for the participants to consider worldwide problems. Delegates discussed disunity of the church, bondage to nationalism and cultural patterns, the relationship between church and state, the Christian's responsibility in the areas of congregational life, world missions, social concern and international affairs.

The discussions were primarily theological and spiritual. However, throughout all the deliberations and sessions there was a theme of practical realism. In a pamphlet prepared for laymen, this philosophy was stated explicitly:

> Only the gospel is the church's business. But this gospel must go out with us from the church into our family relations, neighborhood affairs, daily work, politics—like the yeast in the dough—producing the benefits and beauty of Christlike living.

With this approach, the assembly discussed its obligations regarding such issues as race relations, the welfare state, accelerating industrialization, urbanization, and the status of churches living under persecution.

Mr. President, I at this time congratulate the hosts to the assembly whose tireless work and effort aided in the success of this great religious gathering. We are proud of the contributions made by Dr. E. Clifford Nelson, assembly director, who is presently on leave from the Luther Theological Seminary in St. Paul, and Dr. Paul Wetzler, pastor of the Salem English Lutheran Church, Minneapolis. We are grateful to Dr. F. Eppling Reinartz, president of the National Lutheran Council, New York, and to Dr. Paul C. Empie, executive director, National Lutheran Council, New

York, for the direction and planning necessary to insure the success of so large a conference.

Mr. President, I should like to offer my congratulations and best wishes to the retiring president, Bishop Hanns Lilje, of Hannover, Germany. Bishop Lilje, one of the outstanding religious leaders of the 20th century, was once arrested by the Gestapo and condemned to death, but was liberated by American troops. His leadership has been truly inspirational.

Dr. Carl E. Lund-Quist, executive secretary of the Lutheran World Federation was once pastor of Lutheran students at the University of Minnesota. He was elected to his position at the Hannover assembly in 1952, and has discharged his duties with rare ability and singular devotion.

At this time, Mr. President, I should like to congratulate the newly elected president, Dr. Frank Clark Fry. We know the heavy responsibility incumbent in this position, and our hopes and prayers are with him.

Our people were impressed by such men as Bishop Lajos Ordass of Hungary, who was deposed by the Communists in 1948, and who lived under house arrest and in isolation until 1956. At the same time, I know that these men were inspired by the manner in which our people opened their doors to them and to all the visitors from other lands. I am sure that both the visitors and their hosts benefited greatly from their contacts with each other, for an air of brotherhood and kinship for all mankind was everywhere evident.

Mr. President, I cannot hope to describe the impressive pageantry of the last day of the conference, as more than 100,000 Lutherans met on the capitol grounds in St. Paul. This was the largest gathering of Lutherans ever assembled in the Western World, and it provided a fitting culmination to a highly successful religious conference.

Minneapolis and Minnesota are justly proud of their role in this historic meeting, and of the generous and meaningful contributions made toward its success by our Lutheran pastors, churches, communities, and families.

Mr. President, I ask unanimous consent to insert at this point in the Record an article by Willmar Thorkelson, which appeared in the August 26 edition of the Minneapolis Star. The article summarizes the reactions of the participants in the Lutheran World Federation third assembly.

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

LWF Assembly Exceeded Hopes, Leaders Report

(By Willmar Thorkelson)

Leaders of the Lutheran World Federation (LWF) said today the federation's 11-day assembly which ended Sunday with a festival attended by some 100,000 persons more than exceeded their hopes.

They also predicted that the assembly will strengthen world Lutheranism.

Dr. Carl E. Lund-Quist, Geneva, Switzerland, LWF executive secretary, said the assembly "more than fulfilled my expectations in every respect."

Dr. Franklin Clark Fry, New York, new LWF president, said "Our hosts in Minnesota provided a physical setting and an atmosphere of friendliness that were bound to lead to good results and they did."

Bishop Hanns Lilje of Germany, retiring LWF president, reported the assembly "even surpassed our expectations" in many cases. He referred to the general attendance at assembly sessions and to "the power of cohesion" within the assembly.

The bishop said the assembly "will help in a considerable way to strengthen the sense of unity among Lutherans and will help Lutheran congregations to realize their duties as over against the world."

Dr. Fry said the Minneapolis assembly represented "a kind of coming of age for the LWF."

The LWF's first assembly in Lund, Sweden, in 1947 was a time for renewal of acquaintances and, in some cases, reconciliation of former enemies, he pointed out.

Five years ago, in Hannover, Germany, the LWF began to find itself and adopted a more effective organization in place of scattered activities that had been carried on prior to that time, Dr. Fry said, adding:

"Here in Minneapolis all phases of the worldwide Lutheran work and fellowship were advanced and coordinated."

Dr. Lund-Quist said the assembly gave the LWF "much more solid backing and support for its total program" and represented a big advance in doctrinal and inner unity.

One effect of the assembly, he said, was to build solid support and understanding among many people of the Lutheran Church, Missouri Synod. The Missouri Synod is not a member of the LWF but it sent many official and unofficial visitors to the assembly.

For the overseas delegates, the assembly was an experience which will give them new ideas about American church life and a new conception of American friendliness, Dr. Lund-Quist said.

For American Lutherans, the concluding festival Sunday brought them to a consciousness of their worldwide responsibility and a sense of common strength not tested before, he said.

The LWF executive committee will meet today and Tuesday at the Messiah Lutheran Church parish house to elect commissions, vote budgets, evaluate the Minneapolis assembly, and discuss possible place for the 1962 assembly.

At a meeting Sunday night, the committee reelected Dr. Lund-Quist as executive secretary.

Also elected were Bishop Lajos Ordass of Hungary, first vice president; Bishop Bo Giertz of Sweden, second vice president; Bishop Rajah Manikam of India, third vice president; and Dr. Rudolph Weeber of Germany, treasurer.

FIFTIETH ANNIVERSARY OF ADMISSION OF OKLAHOMA TO THE UNION AND 100TH ANNIVERSARY OF BIRTH OF PRESIDENT THEODORE ROOSEVELT

Mr. MONRONEY. Mr. President, as Oklahoma approaches the climax of its semicentennial year, the actual date of its birth as the Union's 46th State, our celebration will coincide with another of great import, the yearlong schedule of activities planned by the Theodore Roosevelt Centennial Commission, honoring the 100th anniversary of that famous President's birth.

It is fitting that the two celebrations should overlap. Theodore Roosevelt was President on November 16, 1907; and it was he who signed the proclamation making Oklahoma a State.

In recognition of that historic coincidence, Governor Gary, of Oklahoma, has issued a proclamation setting the month of November 1957 as Theodore Roosevelt Month in the State of Oklahoma. I ask unanimous consent to have that proclamation printed in the Record at the conclusion of my remarks.

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

(See exhibit A.)

Mr. MONRONEY. Mr. President, the Roosevelt Centennial Year will begin this October 27, and will close on October 27, 1958, the anniversary of his birth.

There is another special link between Theodore Roosevelt and Oklahoma. He was the first man chosen for the National Cowboy Hall of Fame, which is to be built in Oklahoma City, honoring the cattlemen and pioneers who helped develop our great West.

Mr. President, I also ask unanimous consent to insert in the Congressional Record at a later date the story of the debates on Oklahoma's entrance into the Union.

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

Exhibit A

Proclamation

STATE OF OKLAHOMA

Whereas 1958 marks the 100th anniversary of the birth of Theodore Roosevelt; and

Whereas this great American was President when Oklahoma was first admitted to the Union of States in 1907; and

Whereas this historic date, November 16, is one during which every Oklahoman pauses to reflect with pride on the great progress we have enjoyed since Theodore Roosevelt signed the documents officially making Oklahoma the 46th State:

Now, therefore, I, Raymond Gary, Governor of the State of Oklahoma, hereby proclaim the month of November 1957 as Theodore Roosevelt Month in Oklahoma, and urge all our citizens to pay special tribute to one of the greatest leaders the world has known on the 100th anniversary of his birth.

In witness whereof, I have hereunto set my hand and caused the great seal of the State of Oklahoma to be affixed.

Done at the capitol, in the city of Oklahoma City, this 23d day of July 1957 and of the State of Oklahoma the 50th year.

Raymond Gary,
Governor.

Attest:

Andy Anderson,
Secretary of State.

THE WELCOME GROWTH OF LIFE INSURANCE IN AMERICA

Mr. WILEY. Mr. President, one of the amazing and very welcome phenomena of recent years in our country has been the tremendous growth of the life insurance industry.

I note that Mr. Holgar J. Johnson, the president of the Institute of Life Insurance, has predicted that life insurance in this country will top three-quarters of a trillion dollars within 8 years.

Already 106 million policyholders hold more than $412 billion of protection. Last year alone they bought $55 billion of life-insurance protection.

The average amount of life insurance owned per family last year was $7,600. This is more than twice as much as 10 years before. Yet, in these high-cost-of-living days, it is essential that still more financial protection be provided for American families.

When I was in college, I first learned the value of life insurance. I sold insurance in order to earn my way through school. I became completely enthused about the value of insurance, just as I am today.

Everything I have seen and learned since then has confirmed my faith in the merits of insurance for our people. Today, life insurance is doubly essential for every American. The industry's investments have become a bulwark of our overall free economy, as well.

I send to the desk a statement which I have prepared on this subject. I ask unanimous consent that it be printed in the RECORD.

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

STATEMENT BY SENATOR WILEY ON MR. INSURANCE AGENT'S MEANING TO OUR PEOPLE

"Mr. Insurance Agent" has rightly become more and more familiar to "Mr. and Mrs. Average American."

"Mr. Insurance Agent" has rightly come to be regarded as an indispensable friend of the family, like one's attorney or banker.

"Mr. Insurance Agent" is welcome for his sound judgment, his factual, objective appraisal of family needs, his technical skill in coming up with the right individual formula for family security.

This expanded role of the insurance agent is a very worthwhile development on the American scene, from every standpoint.

Statistics amply bear out his role.

VAST COVERAGE IN U. S. A.

Thus I was pleased to note the results of a survey made by one of my alma maters, the University of Michigan for the Institute of Life Insurance.

The survey showed that around 86 percent of all families have some life insurance. Around 57 percent of all families have every family member insured.

Out of the total United States population, 58 percent of Americans owned individual policies issued by life companies; 14 percent owned group policies of life companies; 12 percent had fraternal or other types of policies; 4 percent held veterans life insurance.

(This veterans' insurance was owned by no less than 6 million persons.)

STILL TOO LITTLE INSURANCE FOR MANY FAMILIES

Some folks may, however, interpret these statistics to mean that Americans have too much insurance. Actually, they still have too little.

Of the families surveyed by the University of Michigan, 41 percent said they felt that had too little insurance.

Moreover, as I mentioned earlier, the present ownership of life insurance throughout the Nation is equivalent to $7,600 protection per family. The actual average amount in savings is $1,400 per family, in the form of policy reserves.

But we have to measure this amount by this standard: How much will the family need to maintain its living standard in the event that the breadwinner were to pass on?

Obviously, the family would need far more than the average man now has in protection.

TWENTY-THREE MILLION FAMILIES HAVE MORE THAN $5,000 INCOME

Let us remember that the income of the American people has been going up.

Today, almost half of all American families have incomes of $5,000 a year or more. There are 52.2 million American families. Of this number 18.9 million American families have incomes from $5,000 to $10,000; 2.4 million families have incomes of $10,000 to $15,000; and 1.7 million have incomes of above $15,000.

That makes 23 million families in the $5,000 income level or above.

Incidentally, in lower income brackets, 14.5 million families have incomes under $3,000; 14.7 million have incomes of $3,000 to $5,000. That makes 29.2 American families which have incomes of under $5,000. In the coming years I am certain that these families will be enjoying higher incomes, too.

Each of these families must judge the adequacy of its present life insurance in terms of its living standards now and in the future.

HEAVY COSTS IN RAISING A FAMILY

A widow who must raise a family, of, say three youngsters, aged 5 to 12, obviously has far greater and longer needs than someone ordinarily might think. And when you start working out the arithmetic of year by year financial requirements for the widow and for the youngsters, what might have previously appeared as a sizable life-insurance "nest egg" shrinks in size.

But the needs for living insurance likewise are far higher than some folks think, especially considering sizable outlays like tuition for college when "junior" grows up.

Every head of the family wants his loved ones to have the very best, no matter what emergency arises; insurance is invaluable in assuring his peace of mind that he has accomplished his goal.

MANY VARIETIES OF INSURANCE

Fortunately, one of the most interesting developments has been the tremendous increase in varieties of insurance.

Of all the types of insurance, regular term insurance amounts to the greatest aggegate of financial value held by Americans.

Next comes straight life insurance, then limited payment life insurance, then endowment insurance.

After that, family income and other combination policies on a term basis and on a permanent basis. Then, there are retirement income with insurance, credit life insurance, extended term and reduced paid-up insurance, and decreasing term insurance.

Selecting the right type of insurance in the right amount at the right time is obviously neither an easy nor a static matter. It must be done carefully, and redone as needs change.

WISCONSIN'S CONSIDERABLE INSURANCE HOLDING

Naturally, I am especially gratified at Wisconsin's tremendous share of purchases of life insurance. In 1956, Wisconsinites purchased in ordinary life insurance alone $755 million.

Last year, Wisconsinites had $5.7 billion in ordinary life insurance in force, $2 billion in group insurance, $462 million in industrial insurance, $320 million in credit insurance. This represents $8.5 billion in force in all, out of the nationwide total of $412 billion in force.

Again, the statistics seem huge, but not necessarily when you consider our Badger population of 3.2 million people.

CREDIT INSURANCE, A NEW DEVELOPMENT

Like all other Americans, Wisconsites have been interested in the tailoring of new types of policies to meet new needs.

Consider credit life insurance which has jumped to the fore, and which has just come under State regulation at Madison in a pioneering new statute.

Credit insurance is written through lending offices on the lives of borrowers and installment purchasers. This insurance assures full payment of loans in the event of death, thus leaving survivors free of indebtedness.

At the end of 1956, 32 million loans were insured for a total of $17.1 billion. This represented about one-half of the outstanding consumer credit which might be covered by credit life insurance.

GROUP INSURANCE GROWING

Meanwhile, to cite another type, group life insurance has also become increasingly popular.

At the end of 1956, there were 35 million individual certificates under 106,000 master group life-insurance policies outstanding in the United States. The total amount in force under these policies was over $117 billion.

More than half of the Nation's civilian nonagricultural work force is covered under employer-employee group life insurance. The average amount of coverage per certificate is over $3,360.

Turning to still another front, fraternal life insurance provided by societies, lodges and similar fellowship organizations in the United States and Canada came to $10.7 billion in force at the close of 1956.

ANNUITIES AND PENSIONS BROADENED

We note, too, the needs of the elderly which rightly occupy the attention of the American people these days.

Today, more than $2 billion of annuities are in force (with life insurance companies); 5.3 million annuity units are owned with United States life-insurance companies.

Then too, there is an increasing amount of pension plan coverage. At the end of last year, nearly four and a half million persons in the United States were covered under 20,780 pension plans insured with life insurance companies.

Obviously, all these statistics spell out this fact—the average American seeks a reasonable amount of security. He knows that his social-security coverage is not going to be enough to meet his needs. He wants to help provide for his own and his family's protection later on through his own foresight and initiative.

THE ROLE OF INSURANCE COMPANIES' INVESTMENTS

Earlier, I referred to the important role which life-insurance assets play in our overall economy. This fact can hardly be underestimated. Today, the total assets of all United States life-insurance companies are over $96 billion. These funds are invested throughout the American economy. Thus, policyholders have an increasing stake in the growth of our Nation's whole economic system.

The policyholder should be gratified to note that the funds which he has invested for his own well-being are also providing well-being for government, for business, for industry, and for property ownership.

Of course, the great bulk of life-insurance assets are specifically earmarked to meet policy obligations. We can feel well content that assets are carefully maintained so that at all times there are sufficient funds to meet the payment of expected benefits, as provided in policies.

BILLIONS INVESTED IN BONDS, BUSINESS, REAL ESTATE

Meanwhile, however, last year the insurance companies put their assets to work. They held more than $7.6 billions in United States Government securities. They held a record high of $3.3 billion in State and local bonds.

They owned $41 billions in carefully selected securities of American business, especially in the form of bonds, notes, and debentures on utilities, railroads, and the like.

Of that total they held $19,800,000,000 in industrial and miscellaneous bonds over and above investment in public utilities and railroad bonds. They held $3,500,000,000 in carefully chosen preferred and common stocks.

Particularly spectacular has been the contribution made by life insurance investment in providing mortgage money—a record of $6,700,000,000 in mortgage loans to property owners in 1956 alone. All told, $33 billion have been invested in mortgages.

In 1955, life insurance companies owned $278 million in mortgages in the State of Wisconsin alone—both farm and nonfarm.

Last year, too, life-insurance companies in the 48 States held real-estate investment of $2,800,000,000, largely in commercial and industrial rental properties.

LOWERING COSTS, INCREASING EARNINGS

Meanwhile, companies are getting greater efficiency into their operations, so as to assure ever better service at lower cost for policyholders' needs.

Earnings on companies' careful investments have been increasing meanwhile. Of the average dollar received by the average company, 80.2 cents came in as premiums and 19.8 cents as net investment earnings and other income before Federal income taxes.

INFLATION THE BIG PROBLEM

Naturally, one of the biggest questions in the mind of Mr. and Mrs. Policyholder is the expected value of the dollars which will be returned from his and her life-insurance policies.

That brings us head on to the problem of curbing inflation.

All of us want to make sure that a dollar which we invest in policies today will be worth the same amount in years to come.

Inflation is a thief. It robs all holders of fixed investments of their hard earned savings.

That is why it is so essential that we curb inflationary forces. Everyone recognizes that we have had a very serious depreciation of the dollar in recent years.

We must now act effectively to maintain the integrity of the dollar. Every American must cooperate in this effort.

Every policyholder has a vital stake in this task. This is not something for "George to do." This is something for you and me and everyone to do—to be careful in our expenditures, to be thrifty, not to demand too much or to be greedy in our demands.

I BELIEVE IN INSURANCE

As I have indicated above, I am sold on life insurance. I believe in it just as I did back in my days at the University of Wisconsin and the University of Michigan. There is no quicker way for a young man just beginning his family life to build up an estate than to invest in life insurance.

Of course, every American should have liquid reserves in the form of dollars in the savings bank or the savings and loan association or the equivalent. But life insurance constitutes the minimum essential protection which no American should be without.

Every American should become familiar with the value of living insurance—the value of matured endowments, for example, or annuity payments, disability payments, and policy dividends.

Last year, alone, for example, Americans should note that $1.7 billion in health insurance benefits were paid out to Americans.

This, then, is a brief glimpse of the story of life insurance in our country.

Many of the facts above are spelled out in the Fact Book for 1957, published by the Institute for Life Insurance. The 12th edition of this book provides a most welcome reference tool for thinking Americans.

VITAL PERSONNEL—VITAL COMPANIES

All in all, the 414,000 persons employed in life insurance in our country are vital personnel on the American scene.

Of that number, the 195,000 agents, particularly, are part and parcel of the America of 1957 and of the future.

The 1,144 United States legal-reserve life companies play an increasingly important role in our entire economic structure. Stock companies incidentally comprise 86 percent of the total number. Mutual companies hold 63 percent of the total insurance in force.

To the United States insurance industry, America looks for continued growth and service.

GAMBLING ON THE VALUE OF THE GERMAN DEUTSCHEMARK

Mr. WILEY. Mr. President, we have heard comments about the convulsions which may occur because of the gambling which goes on with the German deutschemark. There is no question that the gamblers are proceeding on the theory that the deutschemark will rise in value. The capitals of the countries of Europe are worried that if the flood cannot be dammed, it will lead to some sort of crisis. All this shows how the welfare of the various countries of the world is interconnected, not only in connection with the developments respecting intercontinental missiles, but also because of developments in respect to the monetary systems. One country after another may have to cut its imports for lack of foreign credit, unless this development stops. Germany has been afraid to do very much about the matter.

In Paris, the Finance Minister has made a significant statement; but food prices are rising.

All these developments point out all the more clearly, as I stated the other day on the floor of the Senate, that all the countries of the world must think in terms of how best—not only by legislative means, but also by other means—to combat the eruptive influences which seem to be present in both our economic and our political life.

DEVELOPMENT OF THE INTERCONTINENTAL BALLISTIC MISSILE

Mr. SYMINGTON. Mr. President, the Moscow announcement that the Soviet Communists have fired successfully a multistage, intercontinental ballistic missile should alert the people of this country to a realization of just where we have now drifted.

We can make no such announcement, because we have not reached any such stage in the development of our ICBM and because for fiscal reasons we have now canceled our only supersonic, long-range guided missile.

We are probably behind the Soviets. We are behind primarily because of fiscal and budgetary policy. Now the people are beginning to get the truth.

I ask unanimous consent that at this point in the RECORD there may be inserted a few of the pertinent editorials from some of our outstanding newspapers, as follows:

From the Washington Evening Star of August 27, an editorial entitled "Soviet Missile Claim."

From the New York Times of August 28, an editorial entitled "The Moscow Missile."

From the Washington Post of August 28, an editorial entitled "The Missile and the Budget."

From the New York Herald Tribune of August 28, an editorial entitled "No Time for Complacency."

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

[From the Washington Evening Star of August 27, 1957]

SOVIET MISSILE CLAIM

The official reaction here to Russia's claim that it has successfully test-fired the ultimate weapon, an intercontinental ballistic missile, runs true to form. This reaction is marked by a certain note of reservation, a certain skepticism, a certain suggestion, colored perhaps by wishful thinking, that maybe it isn't true.

We do not know whether it is true or not, although it is worth remembering that past Russian claims to unexpected (by us) progress in the development of new weapons generally have turned out to be accurate. But perhaps it does not matter greatly whether Tass, which communicated this information, is telling the literal truth. For if the Russians have not already successfully tested an ICBM, they almost certainly will conduct such a test on some early tomorrow.

When that time comes, if it has not already come, our real concern should not be with what the Russians have done. What should concern us is where we stand in this business relative to the Russians. Will we be at least abreast of the Soviet Union, or will we be far behind? If the latter, our position will be little short of desperate. For at worst, our industrial and population centers will be vulnerable to attack—an attack that would come without warning and against which, as far as we are aware, there would be no prospect of successful defense. At best, we would be exposed to a kind of ballistic blackmail if the Russians chose to use their missile superiority for such a purpose.

In short, if the Russians have forged significantly ahead of us in this critical field, and if they have substantially perfected their own defenses against conventional air attack, the essential foundation of our defense policy has been undermined. For this policy has rested, in the main, on the deterrent effect of our assumed ability to destroy Russia in event of war with a nuclear counterattack. If we no longer have this capability, or if the Russians have achieved a lead in the ICBM field which will give them the ability to destroy us first, one does not need to be a military expert to recognize that the security of the United States is in grave jeopardy.

To repeat, we do not know what the facts are. The information which has been made public by our own official sources has been so meager, or so contradictory, that it is impossible to know where we stand; and, of course, no one in this country really knows where the Russians stand, either. It seems to us, however, that this Russian claim should be taken with the utmost seriousness by the men responsible for the security of this country. If they cannot tell the American people what the facts are, they at least can make up their minds to spare no effort, or money, to perfect our own missile program with all possible speed. In the past, we have not made the maximum effort of which we were capable. And today's news from Moscow may be a way of notifying us that that was a very serious mistake.

[From the New York Times of August 28, 1957]

THE MOSCOW MISSILE

At his news conference yesterday Secretary of State Dulles made no attempt to question the essential validity of the sensational Soviet announcement that Moscow has successfully tested a long-range rocket missile capable of reaching any part of the world. Taking account of Mr. Dulles' attitude and of past experience with Soviet announcements in such matters—for example, the confirmation of Malenkov's 1953 claim of having the hydrogen bomb—it is probably both prudent and correct to assume that the Soviet Union has made a major step forward in rocket and weapons technology.

We should not try to blind ourselves to the real magnitude of the achievement. We must assume that the Russians have solved successfully the three key problems: creation of powerful rocket motors capable of sending a rocket many thousands of miles, fabrication of a warhead which will not disintegrate from heat before reaching the earth, and development of a navigation system permitting the rocket to be aimed so that it will reach a specific target area of meaningful size.

But if we take the Soviet announcement at face value and recognize the major technical and production feat it represents, what has and has not changed in the world situation and what are the implications for us?

One fact has clearly not changed. Any future major war with use of modern weapons would still wipe out civilization. A Soviet city destroyed by a hydrogen bomb delivered by an American plane or an American intermediate range missile has its inhabitants just as dead as those of an American city destroyed by a hydrogen bomb delivered by an intercontinental ballistic missile.

Given that fact, it is clear that the immediate import of the Soviet achievement is likely to be primarily psychological and political. The Soviet rocket will now make it more possible than ever for the Kremlin to wage a war of propaganda terror against us and our allies, and we may well have much more use of the technique exemplified by last fall's implied threat to bombard France and Britain with rocket weapons. Moscow will undoubtedly try to use the new weapon as a means of frightening those countries which are our allies, which have given us bases, and which refuse to knuckle down to Soviet wishes. The Free World's statesmen will need stronger nerves than ever.

Within our country the Soviet revelation should cause a serious reexamination of past ideas and past policies. The comforting illusion many have tended to believe, to the effect that we must always—by some law of God or the like—be the most technically advanced country in every field, is now destroyed. That is probably a good thing, and the Soviet announcement has vindicated those, such as Senator SYMINGTON, who tried in past years to shatter the complacency born of this illusion.

But beyond that it is clear that a reexamination of our military policy is required. Is this the time to be cutting military budgets and to be winding up complex organizations involved in the missile field, such as the recent wiping out of the Navaho missile project? Are our authorities correct in keeping secret our own not inconsiderable achievements in the field—for example, the reported 3,500-mile flight of an American prototype missile some months ago? Clearly we must now overtake the Soviet scientists and engineers in the rocket field and demonstrate to the world that we too have been far from asleep in this field.

Yet above all these stands the central fact: man's new ability to destroy himself and all life on this planet. The fundamental problem remains that of reaching understanding and harmony among all nations and all peoples. We dare not lose sight of that key imperative.

[From the Washington Post of August 28, 1957]

THE MISSILE AND THE BUDGET

Whether or not Russia actually has tested a successful intercontinental ballistic missile, the United States must assume that she has. The portentous announcement from Moscow brings closer the day foreseen by Winston Churchill when peace may become the prisoner of mutual terror. Nothing could do more disservice than to view the Soviet ICBM skeptically or complacently. The speed with which the Russians achieved the hydrogen bomb should have sufficed to instill a profound respect for Soviet science. In a totalitarian state which devotes major energy to military preparation, the combination of science and technology is formidable indeed.

Obviously the Soviet development ought to stimulate a prompt and searching review of American defense policy, particularly in the missile field. What would not be helpful, however, is a frenzy of hand wringing or name calling. The United States must develop its own intercontinental and intermediate missiles as quickly as possible, and we ought to know whether the progress is as rapid as it could be. If money is the controlling factor, as is now asserted, the deficiency can and ought to be corrected.

Equally important, the Soviet announcement ought to dispel the dangerous notion that an arbitrary budget figure such as $38 billion is the proper measure of American defense. The only proper measure is Soviet capabilities and American ability to counter them. Obviously this measure must be translated into budgetary terms; but there has been altogether too much evidence in the Pentagon recently that the budget has been determining defense capabilities when the opposite ought to be the case.

In assessing the impact of the Soviet announcement it is useful to consider what Russian possession of a prototype of the ICBM may and may not mean. First let us look at its positive significance:

1. It gives the Russians at least a head start on a weapon which, when perfected, supposedly will be able to travel from Moscow to Washington or New York in a matter of a few minutes. When a reliable ICBM is perfected, the problems of defense may take on a different magnitude.

2. It gives the Russians an instrument for diplomatic blackmail over the world. The threat of a weapon that will be able to reach many parts of the world at fantastic speed may be used in attempts to intimidate other nations, dissuade them from alliances, and detach them from the United States. There is a clear indication of this in the sinister tone of the announcement.

3. It makes far more difficult, if not altogether impossible, the devising of an international security system based upon abolition or control of long-range missile tests. The Soviet rejection in London of the Western arms-control proposals is a further complication and indication of a hardened attitude in the Kremlin.

But if the ICBM confers certain positive advantages on the Rusisans, there also are some things it does not do. Let us look at what it probably does not mean:

1. It probably does not give the Russians the ultimate weapon, if indeed there is such a thing. Fortunately for the world, it is extremely unlikely that in one test or set of tests the Russians have perfected an accurate intercontinental weapon. Undoubtedly they have learned from their experiments, but rockets are tricky devices. Despite the heavy damage done to Britain by German rockets in World War II, a relatively small number of them reached the exact targets for which they were intended. The problems are greatly magnified in the far longer range ICBM.

Unquestionably a perfected ICBM would be a devastating terror weapon against centers of population where accuracy was not essential. The possibility of the use of such a weapon would in itself be a deterrent. But it is unlikely that the Soviet Union, or any nation, would stake its existence on an imprecise weapon. There is considerable doubt whether the ICBM can be made precise, at least for some years. Thus it probably is not now the sort of offensive weapon that would be the determining factor in a decision to initiate a war.

2. Contrary to the Soviet implication, the testing of an ICBM does not at all mean that the usefulness of the Strategic Air Command is at an end or seriously impaired. SAC is, by comparison with the intercontinental missile, a precision instrument. Its fast bombers with their system of aerial refueling could deliver weapons to any specific target in the Soviet Union. Despite the advances in antiaircraft defense which the Soviet announcement mentions, SAC power is enormous, and it remains the major deterrent for the Free World. Without being smug about it, there is reason to think that the Strategic Air Force is still ahead of the Soviet air force in capability. And if the Russians know that, whatever they may do with intercontinental missiles, the Strategic Air Force will retain the retaliatory power to demolish their own centers a few hours later, they will think twice before starting a holocaust.

3. The Soviet ICBM does not materially alter the strategic situation in Western Europe. Our NATO allies have been vulnerable all along to Soviet rockets and bombers. Again, American retaliatory power is the offset.

4. Notwithstanding the fierce potential of the ICBM, defense against it is in no sense hopeless. This does not mean that some enemy missiles would not get through to destroy American cities and industry. But much promising work has been done with long-range radar, antimissile missiles, and other warning and interception devices. At some point these may become sufficient to convince the Russians that they could not hope to knock out this country in one series of strikes.

5. The advent of the ICBM does not mean that the quest for a workable system of arms control is futile. It is a reproach to all the nations represented at London that they did not come to grips with the matter earlier. But the importance of inspection, control of nuclear materials and the fourth nation problem is accentuated.

What has come from Moscow is a warning, though not in the sense that the Russians intended it. The response in the United States ought to be, not merely to reexamine the preparation against all-out war, but also to look at the whole balance of the Military Establishment, in terms of total capability rather than of individual service prerogatives. Because the Russians may possess a new instrument of all-out war, they also may have a new technique for seeking to induce paralysis in the Free World. Only if we are prepared to meet limited war as well as to deter all-out war can such paralysis be avoided, and it is not comforting in this respect to see the apathy toward events in Syria, the inadequate military airlift and the continued whittling away at the Army. The defense of the United States in the now more pointed contest with the Soviet Union rests in a broad combination of military and economic preparedness at home and abroad. If the Soviet missile has any single meaning for this country, it ought to be that the richest nation in the world can afford an across-the-board defense.

[From the New York Herald Tribune of August 28, 1957]

NO TIME FOR COMPLACENCY

There is, it seems to us, only one sensible view to take of the Soviet Union's announcement. That is for the United States to take warning and exert every energy toward closing up the apparent gap in the missile race.

As to the complete accuracy of the Moscow claims, it is of course possible to express doubts about particulars and conclusions. Yet it would be extremely foolish to scoff at the Soviets' assertion that they have conducted successful tests of an intercontinental ballistic missile in which this superweapon flew at unprecedented altitude over huge distance in a brief time and landed in the target area. This, incidentally, is substantially what Mr. Stewart Alsop reported in this newspaper on July 5 without contradiction. And, as Senator STUART SYMINGTON has forcefully reminded, when the Soviets say they have something in the way of this type of weapon, it turned out later to be a fact.

Now it can be said that there is a lot of difference in time and development between test firing and actual operational ability to direct the ICBM into any part of the world. Secretary Dulles, for instance, made the point yesterday that when Moscow spoke of hitting the target area it would make considerable difference whether the target was the size of a room or several hundred square miles. Yet this is a form of disparagement which is singularly unconvincing, as though the omission of every last detail should cast doubt over the whole announcement.

The fact remains that the Soviets claim to have successfully tested their ICBM prototype. If true, this is plainly a development of the gravest nature. So far as is publicly known, no defense exists against this ocean-spanning missile. And there is certainly no sound reason for disputing the Moscow statement, since every competent authority realizes that the weapon can be created and is technically feasible. To the layman it would appear that the Soviets have got ahead. They say they have broken through to a successful working test, which is more than the United States has accomplished so far.

How substantial this advantage may be, aside from propaganda values, can be accurately judged only by the experts. Unless this country is neck and neck with the Soviets in missile development, which is to be doubted, any indubitable gain for the opposition is surely the most serious threat to American deterrent strength. That superiority in defense, of keeping ahead in atomic weaponry, is absolutely essential to preserving our freedom and indeed our very existence.

The immediate business before the country is commandingly urgent. There must be greater coordination and speed in the existing program. The cutbacks in the Defense Department's research and testing facilities must be ended. The need here is for more funds, not less. A matter of balanced budget simply cannot be allowed to override the national security. What is needed right now is to get moving with redoubled speed on the defense program, to provide plenty of fiscal substance, and to insist that missiles have all-out priority.

There is no time for wait-and-see tactics. Where the balance of power is at stake, the Free World must stay ahead or perish.

UNITED STATES EFFORT IN INTERCONTINENTAL BALLISTIC MISSILE FIELD

Mr. SYMINGTON. Mr. President, in the past I have presented to the Senate many illustrations to verify the fact that the plans and programs of this administration incident to our national defense were and are being made primarily on the basis of what it believes the economy can afford—and without sufficient regard to the growing military strength of the Communist conspiracy.

Almost every time this has been done, a spokesman for the administration has made a blanket denial of the facts presented.

The people of this country trust their Government. They do not believe its spokesmen would deliberately deceive them about items vital to our national security.

The latest case has to do with the present United States effort in the intercontinental ballistic missile field.

After the Soviets announced their success with their own ICBM, the distinguished Senator from Washington and the Senator from Missouri noted that, despite many previous warnings about Soviet progress in this so-called ultimate weapon, recent budget and fiscal decisions in the Department of Defense meant that the Air Force was being forced to reduce its plans and programs for the ICBM.

This was denied, in blanket fashion, by the distinguished Senator from Massachusetts.

At this point, Mr. President, I ask unanimous consent that excerpts from an article by John Norris in the Washington Post of August 28, be inserted in the RECORD.

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

SLOWDOWN ON MISSILES IS CHARGED

(By John G. Norris)

Senator HENRY M. JACKSON (Democrat, Washington) charged yesterday that there has been a "slowdown" in the United States ballistic missile development program, caused partially by Eisenhower administration budget cutbacks.

His statement was disputed by Senator LEVERETT SALTONSTALL (Republican, Massachusetts) and backed up by Senator STUART SYMINGTON (Democrat, Missouri). All three are members of the Senate Armed Services Committee.

* * * * *

SALTONSTALL, ranking Republican on the Armed Services Committee, took issue with JACKSON.

"That is not my understanding at all," he told reporters. "There has been no cutback in research or development of the intercontinental ballistic missile or in guided missiles."

Mr. SYMINGTON. Such a statement is unfortunate, because once again, in this vital field of national security, the people are not being given the facts.

It is unfortunate that the Senator from Massachusetts has apparently been misled, because I am sure he would never knowingly make such a misstatement.

I am confident that he will correct this record.

I call upon President Eisenhower and Secretary of Defense Wilson to give the people the facts. They are entitled to the truth.

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

Mr. SYMINGTON. I yield.

Mr. JACKSON. Is it not a fact that the Department of Defense had an announced program as to when operational IRBM and ICBM missiles would become available?

Mr. SYMINGTON. The able Senator from Washington is correct.

Mr. JACKSON. Is it not a fact that information as to the date was given to the Senate Armed Services Committee this year, which is classified information?

Mr. SYMINGTON. The able Senator is again correct.

Mr. JACKSON. Is it not a fact that just recently the Department of Defense made a substantial change in its objectives for operational IRBM and ICBM missiles?

Mr. SYMINGTON. That is true, and may I add the distinguished Senator knows this subject at least as well as anyone, because he is chairman of the Military Applications Subcommittee of the Joint Committee on Atomic Energy; and he is a member of the Senate Armed Services Committee.

Mr. JACKSON. I appreciate the Senator's kind comments. I wish to say, however, that the distinguished Senator from Missouri, who is a former Secretary of the Air Force and a member of the Armed Services Committee, is far better informed on this subject than I am. But it is true, is it not, that this information is available to all members of the Senate Armed Services Committee; and that, despite that fact, some persons are completely misinformed on this all-important subject, a critical matter which affects the security of the United States and the Free World?

Mr. SYMINGTON. That is also true. As the able Senator from Washington will remember, not too long ago we had a statement from an administrative representative that the stockpile of our intercontinental ballistic missiles was increasing every month. We both know there is no such stockpile, and there will not be any such stockpile, for years to come.

Mr. JACKSON. I wish to compliment the distinguished junior Senator from Missouri for this able presentation of a subject which is so important to the security of our country.

Mr. SYMINGTON. I thank my friend.

PUBLIC WORKS

Mr. ELLENDER. Mr. President, the public works appropriation bill was signed by the President on August 26. The President issued a statement criticizing the Congress for including unbudgeted projects for rivers and harbors and flood control. I ask unanimous consent to include in the RECORD at this point in my remarks an article from the New York Times which comments on the President's message and contain a verbatim copy of his statement.

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

[From the New York Times of August 27, 1957]

CONGRESS CHIDED FOR ADDED FUNDS—PRESIDENT SIGNS RIVERS AND HARBORS BILL, BUT DECRIES 700 MILLION APPROPRIATION

WASHINGTON, August 26.—Congress was criticized by President Eisenhower today for authorizing $700 million in unbudgeted rivers and harbors projects in the Army civil functions bill.

A formal White House statement said that the President was deeply concerned about the continuing trend in Congress during the last few years to add projects above the administration estimates. The President added that his aim of maintaining economic stability and fiscal solvency for the present and future and been hampered by the Congressional decision.

> He served notice that his request for appropriations to carry out the program would be dependent on the overall budgetary situation and his desire to maintain principles of fiscal soundness.
>
> STATEMENT ISSUED
>
> In signing the bill, which appropriates $858,094,323 for the year, the President issued this statement:
>
> "I have approved H. R. 8090 making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes. I am deeply concerned, however, about the large financial commitments represented by the unbudgeted new construction starts for the Corps of Engineers which the Congress has provided for in this bill. This is the third successive year in which this has happened, with the result that future financial commitments of the Federal Government have increased about $2,500,000,000 in that period, most of which must be appropriated over the next 3 to 5 years if these projects are to proceed.
>
> "In fiscal year 1956, the Congress added unbudgeted new starts for the Corps of Engineers involving direct future commitments in excess of $1 million. Last year the Congress added projects with future commitments of three-quarters of a billion dollars. In this bill for the fiscal year 1958 the Congress has added projects with future commitments of over $700 million, only slightly less than last year. This action has been taken in spite of the fact that in 1958 expenditures for the Corps of Engineers, civil functions, will approach the previous all-time high, with almost 500 projects, having a total cost of over $9 billion, in various stages of construction. These projects have a cost to complete at the end of fiscal 1958 in excess of $3,300,000,000.
>
> In my budget recommendations to the Congress, I carefully weighed the need for water-resource developments against the needs of national defense and other necessary functions of Government. I attach particular importance to the necessity of maintaining economic stability and fiscal solvency both now and in future years. The Congress, by the action it has taken on this bill, has seriously hampered the attainment of these objectives. I shall continue to adhere to these principles of fiscal soundness and, therefore, the size of recommended future appropriations for these unbudgeted new starts will be dependent on the overall budgetary situation."

Mr. ELLENDER. Mr. President, as I pointed out when the bill was under consideration by the Senate, the committee heard 1,132 witnesses in 40 sessions between March 28 and June 21. The committee reported a good bill, which passed the Senate with only one dissenting vote. At that time I expressed concern over a letter from the Director of the Bureau of the Budget to the Secretary of the Army, directing that rates of commitments, obligations, and expenditures be kept at or below the rates for fiscal year 1958.

On August 19 the distinguished senior Senator from Alabama brought to the attention of the Senate the action of the Bureau of the Budget in the apportionment of funds for the National Institutes of Health. At that time he stated:

> Officials in the Bureau of the Budget then perverted a law—the antideficiency statute—to override the considered will of Congress by making available to the National Institutes of Health for the first quarter of fiscal year 1958, $17.7 million less than was available and needed.

The expenditure of funds appropriated by the Congress is controlled by the Bureau of the Budget through the apportionment procedure. In the implementation of the letter from the Bureau of the Budget, the Chief of Engineers has ordered delays in starting new contracts wherever possible, and requests for apportionment are to be held to 75 percent of available funds or accompanied by a list of deferrable items that will bring the request down to the 75-percent level.

I bring this to the attention of the Senate so that each Senator will be aware of the distinct possibility that projects in his State for which funds were appropriated may not be started or may be delayed, and that completion dates for projects—possibly even some including power—will be delayed.

As I pointed out previously, this is false economy and represents an economic loss. This was recognized by the Chief of Engineers when he appeared before the committee. However, I believe an even more serious situation is developing, where contractors operating under a continuing contract are not receiving sufficient funds to carry on economical operations. The financing of Federal projects in this manner will force these contractors to include large contingency items in their future bids. This can only lead to rapid increases in the cost of these Federal projects.

The committee is beginning to receive complaints from contractors that they are not getting sufficient funds to meet the completion date for their contract.

This situation does not arise due to any lack of available funds. On June 30, 1957, the Corps of Engineers carried over into fiscal year 1958 over $100 million unobligated.

I believe that the Members of the Senate should have this information before they go back to their States, so that when they receive complaints from their constituents they will be aware of the situation and be familiar with the basic reason for the complaints.

Mr. COOPER. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. COOPER. I understood it was stated the Bureau of the Budget would control the rate of commitment of funds.

Mr. ELLENDER. That is correct.

Mr. COOPER. Does the Senator consider the Bureau of the Budget would have the power or the right to postpone beyond a year a project for which the first step was being taken?

Mr. ELLENDER. I do not concede that authority, however, that is the position of the Bureau of the Budget.

Mr. COOPER. Would that not in a respect be an item veto?

Mr. ELLENDER. Exactly. It would be a bypassing of the law, as I understand it. Congress has actually appropriated the funds for certain purposes. As I understand the Budget letter and the President's statement, he is able, through the apportionment procedure, to curtail expenditures. As I pointed out, that will mean the cost of the projects is bound to increase, because it will cause the contractors to put in a greater sum for contingencies.

Mr. COOPER. I understood the point that there was authority to control the rate of commitment. The specific question I raise is whether in the opinion of the Senator from Louisiana there is authority to postpone beyond a year the initial steps in the construction of a project. It seems to me that would be in effect an item veto.

Mr. ELLENDER. It is my considered judgment, if I understand that statement correctly, that it will simply mean the postponement of many projects, particularly those which have been unbudgeted.

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

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

Mr. JOHNSON of Texas. I wish to commend the distinguished Senator, the chairman of the Subcommittee on Public Works of the Committee on Appropriations, for the very fine, clear-cut, forthright statement he has just made, in which he puts the Senate on notice as to what may happen. I quite agree with the Senator that if the President should follow such a course of action, it would be very false economy.

I was shocked a few years ago when I saw a President from my own party seek to unjustifiably prevent the will of Congress from working itself. After we felt the needs of national defense dictated and required a specified sum to be appropriated, and appropriated that money, the President sought to impound it. I have heard that action criticized by Members on both sides of the aisle.

We have not provided the President with an item veto. If the President does not approve of the actions of the Congress, he should be forthright enough and courageous enough to frankly say so, and veto the bill, to permit the Congress to act on his veto.

I would be very disappointed and very surprised if the present occupant of the White House should seek to arrogate to himself such dictatorial powers as to override the will of a substantial majority of the Congress. I do not believe the President is being properly advised in this instance, but if he is, and if he should seek to extend the heavy hand of the Executive that far in this direction, I hope he will give consideration to impounding funds for some of the projects which may be called for in the bill passed yesterday, instead of the domestic projects which affect all the people of this land.

I thank the Senator. I think he has made a great contribution. I hope the Congress will watch the action to be taken and will assert itself if its will is overridden.

Mr. ELLENDER. I am in thorough agreement with my good friend, the Senator from Texas. I wish to say that from here on out I shall watch with care the action taken by the President and the Bureau of the Budget, and report it back, even if I have to write each Senator, so as to keep all Senators posted as to what is going to occur in their respective States.

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

Mr. ELLENDER. I yield.

Mr. DIRKSEN. I am quite confident the President would never approach the matter in that light.

Mr. ELLENDER. He has done it in the past, may I say to my good friend, the Senator from Illinois. I can cite quite a few projects on which that was done.

Mr. DIRKSEN. I was simply going to state that if, for instance, the President had to approach it in that way, I can say he would be motivated only by budget considerations and fiscal considerations which in his judgment would have some real impact upon the continuing solvency of the country and its fiscal well-being.

As everybody knows, there is certainly no dictatorial attitude about the President. He tries to see these matters in a broad focus and to take into account the welfare of all the people.

Mr. JOHNSON of Texas. I would not want to ever presuppose the President has such a power. If the President has the power to prevent Congress from exercising control over the purse, other than by a veto power, we might as well abolish the Congress. In other words, we appropriate the money. We say we want these things done. The President approves of our action. But subsequent to our adjournment he comes along and says, "I am going to vitiate everything the Congress has done. I am going to impound the money."

Mr. President, I want the Record to show that I protested that action when a Democratic President took it, and I am going to protest it if a Republican President should take it. I do not presuppose that he has the authority or the inclination to do so, and I pray to God he does not.

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

Mr. ELLENDER. I yield.

Mr. DIRKSEN. I could concur generally with the observations of the majority leader, but an emergency situation could confront the country, in view of the fact that the entire fiscal condition in the world is so fluid at the present time. Then of course it would become a duty of the President to take action. Perhaps he ought to notify the Congress in advance of any action he might take, but I would feel that he would be remiss in his duty if he did not take into account the whole delicate fiscal situation that obtains at the present time.

Mr. ELLENDER. Mr. President, I express the hope that with regard to work which is so important to us all—that is, the investment in public works, to preserve and conserve our precious water and precious natural resources—the President will not see fit to cut a dime off the most recent appropriation.

Mr. DIRKSEN. I share the hope of my distinguished friend, the Senator from Louisiana.

Mr. ELLENDER. Fine. The Senator can then see to it, being a member of the President's party, that the President does not take action in that regard, because if he does so he will hear from the Congress sooner or later.

Mr. DIRKSEN. I am afraid my distinguished friend arrogates to me powers and authorities and omniscience that I do not have.

ADDITIONAL REVENUE FOR THE DISTRICT OF COLUMBIA

The PRESIDING OFFICER (Mr. Scott in the chair) laid before the Senate the amendment of the House of Representatives to the amendment of the Senate to the bill (H. R. 6258) to amend the act entitled "An act to provide additional revenue for the District of Columbia, and for other purposes," which was, on page 5 of the Senate engrossed amendment, strike out lines 6 through 8, inclusive, and insert "the Chief Clerk of the Senate, the Parliamentarian of the Senate."

Mr. JOHNSON of Texas. Mr. President, the very able Senator from Nevada has conferred with the majority leader and the minority leader with regard to the action he proposes to ask the Senate to take, and we are heartily in accord with it.

Mr. BIBLE. I thank the Senator.

Mr. President, the amendment of the House is acceptable, and I move that the Senate concur in the House amendment to the Senate amendment.

The motion was agreed to.

COMPUTATION OF ANNUAL INCOME FOR THE PURPOSE OF PAYMENT OF CERTAIN PENSIONS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2080) relating to the computation of annual income for the purpose of payment of pension for non-service-connected disability or death in certain cases.

Mr. JOHNSON of Texas. Mr. President, I express the hope that action on the amendments of the House can be postponed until I have an opportunity to confer with the minority leader. The subject has not been brought to his attention. We have a gentleman's agreement that one will not take any action without consulting the others.

The PRESIDING OFFICER. Without objection, action will be postponed.

Mr. BYRD subsequently said: Mr. President, there is at the desk a message from the House of Representatives in regard to Senate bill 2080. I ask that the message be laid before the Senate.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2080) relating to the computation of annual income for the purpose of payment of pension for non-service-connected disability or death in certain cases, which were, on page 1, line 3, after "That" insert "(1)"; on page 1, line 8, after "(c))," insert "and (2) in determining the dependency of a parent for the purpose of payment of death compensation by the Veterans' Administration"; on page 2, line 11, after "and"" insert "for the period"; on page 2, line 11, strike out "section" and insert "item"; on page 2, line 12, strike out "section" and insert "item"; on page 2, after line 16, insert:

Sec. 4. Section 102 (c) of the Veterans' Benefits Act of 1957, Public Law 85–56, is amended by adding after the word "Administration" the following: "or payments of bonus or similar cash gratuity by any State, Territory, possession, or Commonwealth of the United States, or the District of Columbia, based on military, naval, or air service."

Sec. 5. Section 205 (g) (1) of the Servicemen's and Veterans' Survivor Benefits Act (38 U. S. C. 1115) is amended (1) by substituting a semicolon for the period at the end of item "(E)", and (2) by adding the following new item:

"(F) Payments of bonus or similar cash gratuity by any State, Territory, possession, or Commonwealth of the United States, or the District of Columbia, based on service in the Armed Forces of the United States."

And to amend the title so as to read: "An act relating to the computation of income for the purpose of payment of death benefits to parents or pension for non-service-connected disability or death in certain cases."

Mr. BYRD. Mr. President, I move that the Senate concur in the amendments of the House of Representatives. This matter has been cleared with the leadership on both sides.

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

The motion was agreed to.

ADMINISTRATION OF DISASTER RELIEF UNDER PUBLIC LAW 875

Mr. KEFAUVER. Mr. President, as chairman of the Subcommittee on Civil Defense of the Armed Services Committee, I have been very much interested in the administration of the disaster-relief law, Public Law 875. I have had an opportunity to consider the application of that law with Mayor Lashkowitz and some of the other officials of the city of Fargo, N. Dak., in conjunction with the very able Senators from North Dakota [Mr. Langer and Mr. Young] and members of the North Dakota delegation in the House. I know that the Senators and Representatives are doing everything possible to obtain a fair amount of relief for the stricken city of Fargo, N. Dak., but I feel that the attitude of the Administrator in connection with the application of this law to the disaster which struck Fargo deserves the attention of Congress. I do not believe the Administrator is following the Congressional intent.

On June 20 the city of Fargo, N. Dak., experienced a disastrous tornado which took 11 lives and hospitalized over 100 people and caused damage estimated at upward of $20 million. Included in the damage were a public school which was totally demolished, a parochial high school which sustained nearly $1 million worth of damage in itself. Several churches were damaged or destroyed, and a convent which provided a home for over 70 nuns engaged in human service was destroyed. There were nearly 1,500 homes destroyed, damaged, or rendered uninhabitable as a result of the storm. One hundred and fifteen square blocks were demolished or severely damaged. Due to the energetic efforts of Mayor Lashkowitz and the city government, not a single life nor serious injury nor even serious traffic accident took place after the act of God subsided, because all local forces were competently mobilized. However, great human suffering resulted from the tornado because of the critical housing situation which developed, the impairment of churches and schools, and a portion of the economic life of the city was disrupted.

Federal officials came in after the President had declared Fargo to be a major disaster area under provision of Public Law 875. Up until this moment there has not been one cent of Federal money used for direct assistance to the city of Fargo and its inhabitants, according to Mayor Lashkowitz and his associates. There has been a sum of $20,000 allocated by the administration as a result of a request by the Governor of North Dakota.

The mayor of Fargo describes this allocation as pitifully inadequate. We are obliged to agree with the mayor's observation because it was the intention of Congress when it adopted Public Law 875 that the Federal Government was to provide a study and continuing means of assistance to the States and local governments in carrying out their responsibilities to alleviate suffering and damage resulting from major disasters, as well as repairing essential public facilities in major disasters. It would appear that the purpose of the Congress in enacting Public Law 875 has not been carried out by the administrators of this act and that apparently some of the administrators are not willing to recognize certain forms of acute and terrible human suffering as eligible for assistance under Public Law 875. We certainly cannot agree with the administrators and must challenge this narrow, limited interpretation of the law in supporting the intentions of Congress.

Let us remember that this tornado occurred on June 20 last. The Federal Government has advised the mayor of Fargo and his associates that nothing that took place after June 24, then modified to June 25, will be eligible for assistance under this act. Those who have viewed the area, and we have all seen pictures of it, readily recognize that this is a very narrow and heartless limitation upon this act which gives great discretion to the administrators. Secondly, the mayor and his associates have pointed out that the administrators of the act refuse to recognize the existence of a health emergency in the city of Fargo after the tornado disaster. The position of the Federal administrators is in direct conflict with the position taken by the local government of the city of Fargo in proclaiming a health emergency to have existed. You will recall that after the terrible damage of June 20 in which these 1,500 homes were rendered uninhabitable that there was an accumulation of foodstuffs, animals, and other decaying matter exposed to the elements. Hot July weather together with a great rainfall aggravated a critical health situation which could well have proved extremely dangerous except that we are advised the city of Fargo exerted its full physical and financial resources under the direction of the mayor in meeting this challenge. Certainly Congress meant to assist suffering areas in meeting health emergencies.

Thirdly, the administrators have sought to give the people of Fargo what some have termed the rush act in making a final and complete application for assistance under the act when the full ramifications of the tragic tornado have not been fully assessed and felt and measured even in this State. We would call attention to the Congress to section 3D of Public Law 875 wherein the language clearly and expressly vests wide discretionary authority in the hands of the administrators in making available contributions to States and local governments.

This Fargo experience should be of concern to all sections of the Nation in view of the fact that natural disasters do not spare any section of the United States; and, if the administrators are going to narrow and water down the act of Congress to overlook human suffering and vital community needs eligible under Public Law 875, then it is high time the Congress takes another searching look at the administration of Public Law 875.

CIVIL-RIGHTS ACT OF 1957

The Senate resumed the consideration of the amendment of the House of Representatives to Senate amendments Nos. 7 and 15 to the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

THE PRINCIPLE AT STAKE IN H. R. 6127

Mr. ROBERTSON. Mr. President, my colleagues who share my fondness for history may recall that the Roman orator Marcus Porcius Cato, called The Elder, rarely made a speech without including the warning: "Delenda est Carthago."

Cato, who was an historian, as well as a public official, foresaw the destruction of Roman civilization if it became corrupted by certain foreign ideologies, and he saw Carthage as a center of those evil influences. Therefore, he said, to preserve Rome, Carthage must be destroyed.

So, if I seem as repetitious as Cato, I trust I shall be credited with being no less sincere when in this, my fifth speech on the Senate floor this year on the subject of so-called civil-rights legislation, I reiterate what I have said each time before: This is an evil bill, and it ought not to become law.

It is evil because it will retard, rather than promote, the advance of harmonious race relations.

It is evil because it will encourage abuse of Federal authority for partisan, political purposes.

It is evil because it marks another step in the direction of centralization of governmental powers and of transfer of legislative functions to the executive and the judiciary.

It is evil because it tampers with such basic legal procedures as the requirement that administrative remedies be exhausted before resort to the courts and the restriction of equity jurisdiction to cases where a legal remedy is not available.

It is evil because it both circumvents and restricts the basic right of citizens to be tried by a jury of their peers.

The elaboration of those points, and of others which might be added, could take a great deal of time without resort to anything which could justifiably be called a filibuster, Mr. President; and I would willingly remain here for some time—throughout the fall months, if necessary—to participate in such an exposition, if I felt it would serve a useful purpose.

The value of extended, but pertinent and purposeful, debate has been demonstrated in our consideration of H. R. 6127. At the time when this bill came to the Senate, there was only a little band of opponents in this body, and only a limited segment of citizens generally, who realized that it contained proposals which would radically alter our system of Government and our national way of life. Soothing assurances that this was a very decent and moderate piece of legislation, or a watered-down version of last year's bill, had been widely accepted by editorial writers, commentators, and other leaders of opinion whose influence on the public generally was reflected in pressures upon the Senate to accept the bill without questioning or closely examining its content.

Gradually, however, the words which had to be repeated several times on this floor before they received wide attention, got around the country. I saw the change in my mail from States other than my own, and I am sure other Senators had a similar experience. First, there was questioning as to whether part III really would permit massive use of Federal power, including Armed Forces, to require immediate integration of schools, to force social mixing of the races, and to deny the right of individuals to pick their associates. Then there was a wave of reaction which caused the veiled incorporation, by reference, of the old act permitting use of Armed Forces to be stricken from the bill. As our educational process continued, sentiment built up against the whole radical intent of part III; and our Southern group, with the aid of fair-minded men from other sections, was able to have that taken out of the bill.

The part of H. R. 6127 to which I devoted the most attention was the provision in both part III and part IV having to do with jury trials. I felt from the start, and feel now, that in every case in which a citizen would be entitled to trial by jury under existing law, that right should be preserved; and that the right is seriously violated when it is circumvented by saying that what was a proceeding at law is now a proceeding in equity, and that because jury trials are not required in certain equity cases, they are not required in these newly labeled cases.

The original opponents of this bill made their case as best they could on the jury-trial issue, and, as on part III, we found allies among the open-minded Members of this body from other areas of the country whose devotion to the principles of constitutional government outweighed political considerations.

We did not get all the changes we wanted in the bill, but we reluctantly allowed action to be taken on the basis of assurance that the right of trial by jury would be preserved, at least in criminal cases, and that no man would be branded as a criminal on the sole initiative of a judge in a civil-rights case without having an opportunity to have a panel of citizens consider the factual issues involved.

The other body—which had passed this bill at a time when, as I have said, there was a general public impression that it was mild and harmless—has refused to accept what, to me at least, already was a real compromise; and now we are asked to join in a new compromise on the jury-trial issue.

This so-called compromise provides, in effect, that a judge can brand a man as a criminal for disobeying his orders in a civil-rights case, but that the brand cannot be a very large one—only a $300 fine and up to 45 days in jail—without giving the defendant a chance to appeal—at his own expense, of course—for a review of the case by a jury, in a second trial.

By giving the judge discretion as to whether a jury shall be used in a case intended to enforce an order he has issued, this provision surrenders the principle that trial by jury is a right possessed by the defendant, and makes it no more than a privilege granted by the judge. This, as I have pointed out at some length in my previous discussions of H. R. 6127, does violence to the basic principles of our system of government. I agree with the President of the American Bar Association who said "It is more important to preserve the fundamental right of trial by jury than it is to dispose of cases in a hurry." I believe that a good judge would not want to prevent a jury from passing on questions of fact involving alleged violations of his personal orders, and I believe that a bad judge should not be allowed to make such a decision.

The provision also is faulty in proceeding on the assumption that a fine of $300, which may be a considerable sum for a minor official in a rural community, and a jail sentence of 45 days constitute so small a penalty that the full protection afforded by our traditional legal system is not required.

As I have pointed out on previous occasions, our Constitution never would have been ratified except for the assurances of influential leaders that it would promptly be supplemented by the Bill of Rights amendments. And when the seventh amendment was adopted it said:

> In suits at common law, where the value in controversy shall exceed $20, the right of trial by jury shall be preserved.

There has been, as all of us know, a tremendous inflation which has reduced the value of the dollar as a purchasing unit several times in the last century and a half, but that process of devaluation has not yet reached the point where we could justifiably say that a line drawn at a $300 fine now is in keeping with the intention of our forefathers when they said a man should have a jury trial in controversies where more than $20 was involved.

And, of course, the jail sentence of up to 45 days is a clear violation of the spirit of the jury-trial provisions of the Constitution. A citizen who is sent to jail for even one day has an indelible stain placed on his record. Cutting him off from his family and his occupation for a month and a half can have serious economic, as well as social consequences.

It should be emphasized that this so-called compromise provision is not one which applies to cases of what we call civil contempt—where a defendant is placed in jail to make him obey the order of the court, and is said to have the key in his pocket because he can be released any time he is willing to comply. The bill we are considering permits an indefinite sentence in that type of case.

The Senate amendment applied only to criminal cases—where the defendant was being punished for what he had done or failed to do, and where he had no control over the length of the term imposed by the judge.

We sought to say that when a judge attempted to punish a citizen for violating his orders, rather than merely to uphold the power of the court by compelling compliance, a jury should decide whether there were facts to justify such action.

The provision, as it comes back to us, gives the judge an unlimited right to brand a man as a criminal, but says that if his punitive action goes beyond certain limits there will be an opportunity for the defendant to obtain a rehearing, if he is willing to undergo the ordeal and the expense of a second trial, and is confident that a jury will not approve a still heavier penalty.

The issue at stake continues to be what I called in my first speech on this floor "the inestimable privilege of trial by jury."

As I said at the outset of these remarks, that issue is so important that I would willingly stay in Washington to discuss it so long as anything might be gained by that effort.

The record has been made, however, so far as background facts are concerned. The question no longer is one of something hidden in an involved piece of legislation which must be revealed before its dangers can be appreciated.

All southern Senators, and a number of Senators from other States, participated in the discussion of the constitutional right of trial by jury. My discussion of that issue, including answers to questions explaining the technique used in the bill to deny those accused of violating civil rights a jury trial, filled almost 25 printed pages of the CONGRESSIONAL RECORD.

A major part of the speech I made in the Senate just before final passage was devoted to the legal theory that one is not permitted to do by indirection what he is prohibited from doing directly. The provisions of H. R. 6127 to deny jury trials in criminal cases was an indirect repeal of constitutional provisions for jury trials, and, therefore, in violation of the Constitution.

The hybrid jury trial provision which has come back to us from the House is even more unconstitutional, because it admits, on the one hand, that if the penalty in a criminal trial exceeds a certain point, the defendant is then entitled to his constitutional rights, but below that point he is not. But, of course, the Constitution draws no such distinction, and any effort by the Congress to write such a distinction into law is unauthorized.

We are, if H. R. 6127 becomes law in the form in which it is now presented to us, sacrificing a part of the right of citizens to be tried by juries. We are permitting the Attorney General and his janizaries to go into communities and browbeat election officials by threatening fines and jail sentences if they do not permit certain individuals to vote, even if the local official is convinced he will be violating his State law by doing so. We are saying that when such prosecutions are initiated, a single judge can issue the order, hear the case, and impose the sentence without intervention of any opinion other than his own, provided only that he does not try to keep a man in jail for longer than 45 days after his opportunity to comply with an order has passed.

Members of this body should need no great elaboration to understand those simple facts. I hope that there will be enough of them who will see the danger involved in what we are asked to do to reject the House amendments and to demand that the other body accept the basic principle of preserving in full the right of trial by jury in civil-rights cases.

When the difference between contending groups is money, that difference can properly be compromised. But when men compromise between right and wrong, between good and evil, they compromise themselves. Once agreement has been reached on what is a fundamental principle, the issue has been put beyond the sphere of permissible compromise.

If a sufficient number of Members of this body see this issue, as I do, as a matter of principle, the bill will not be accepted in its present form.

But, if a sufficient number of Members of the Senate are not willing to block passage now, I frankly doubt our ability to win a majority by forcing the Senate to remain in session for an extended period.

As a realist I recognize also the fact that if we now antagonize those allies who helped us to eliminate some of the worst features of this bill, they may not continue to stand with us against those forces which would destroy the character of the Senate as a deliberative body by limiting debate in order to obtain more prompt action on radical reform measures.

The bill before us, as I said at the outset, is an evil one, and I hope will be rejected. The record is clear that I have never wavered in my opposition to it.

Mr. STENNIS. Mr. President——

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). The Senator from Mississippi.

Mr. STENNIS. During the entire course of the debate upon the pending measure, the civil-rights bill, I believe that, more than in any other previous time when bills on this subject were debated, the entire question, and the so-called problems that go with it, from a national standpoint, have been brought more clearly into focus, better explained, and better understood by the people of all areas of the country. I think that fact has been due in large part to the very fine debate upon the legal questions involved and on the practical problems that go with it, and the very tempered and reasonable approach by both sides, which included men who know about the practical aspects of the problem, as well as many of its legal aspects.

I also believe, Mr. President, that radio and television programs which were broadcast over the national networks, and otherwise, were a very valuable and contributing factor in bringing the problems connected with the subject matter into proper focus and proper perspective, and causing them to be more clearly, more generally, and better understood. I think that will be shown to be true in the months and years to come. I believe they contributed not only to the debate on the floor of the Senate, but in the House. I believe the evidence of a better understanding has been reflected in the two major Senate amendments which were adopted, and in the vote on those amendments.

Someone asked me, on a television program, if I considered the vote eliminating part III of the bill as a southern victory, and the same question was asked me with reference to the jury-trial amendment.

I immediately replied that I did not consider it a southern victory, not in the least, but that I considered it a victory for the Nation, because in my humble opinion both of those votes were based upon fundamental and necessary concepts of our form of government. They were sound and far-reaching, and set helpful precedents.

The vote on those two amendments, by the way, were cast not alone by Senators from the so-called South, but by Senators from the entire Nation: New England, the Midwest, the Far West, as well as the South.

In attempting to evaluate the debate and the results thereof, I should say I believe they were definitely on the affirmative and constructive side.

Mr. President, I have the honor of being one of the Senators from a State which is perhaps more acutely affected by this subject matter than any other State. I come from a State which has, with all humility, done as much, I believe, as any other State on the constructive side of the problem, although we do not get credit for it, because of a few unfortunate things which have happened. I really do not expect our people will get credit for their position and actions.

As one of the Senators from that State, I appeal to the national public opinion for a continuing honest, sincere study and examination and understanding of the great racial problem. The problem is not confined to my State, to the South, or to the United States. It is one of the conditions we find in many places in the world.

I do not condemn any other place where such conditions prevail, but I have found that wherever I have been—and I have been over most of Western Europe and the Mideast—unfortunately there is this problem in one form or another.

I appeal at this time and for future years to an informed public opinion throughout the Nation for a better understanding of this so-called problem as it exists today in the realities and actualities of everyday life, not as a political theory or a religious belief or purely a social problem. It is an age-old problem of races in great numbers living together in close proximity, living together in peace and harmony and within an order that is sound for both, without one trying to destroy the other.

That is exactly what is behind a great deal of the agitation, the instilled agitation, which persists on this subject, the attempt to pit one group against another, and assert the rights of one group at the expense of the rights of the other, or advance one group by sacrificing the other. Mr. President, that is not progress. That is not in accord with the American system of government.

Any plan of coercion or enforced effort by civil law, church law, or any other kind of law, will not make a contribution which will be helpful or lasting.

On this very difficult subject matter I have said on the floor of the Senate, in correspondence, and in speeches many times that I feel I represent the Negro citizens of my State, too, in this argument. There is a very strong, sustained sentiment among the leaders and the rank and file of those colored citizens for their own institutions, for their own social order, for their own schools, and for their own churches.

I have said also here and elsewhere that paid agitators or misguided sincere people were stirring up strife by pitting one group against another and one race against another.

Mr. President, I have in my hand a letter which I recently received, from a man in my hometown of DeKalb, Miss., a small town with a population of about 1,200 or 1,400, which is split about 50–50—50 percent white people and perhaps 55 or 45 percent colored people. The letter was mailed from that town on August 8, 1957, addressed to "Senator JOHN C. STENNIS, Washington, D. C." The letter, a 1-page letter, is written with a pencil on a piece of notebook paper. I will read it to the Senate.

> DEAR SIR: I am an old Negro. Will you please help us. We do not want to go to school with the white people. Please help us keep our schools and our church at the same place.

Interpolating, Mr. President, I think there has been some little talk about a change in location, as well as much talk about a change in the setup by putting all the schoolchildren together.

I continue the quotation from the letter:

> As you are a Kemper man—

Kemper County, Mr. President, is the name of my home county—

> As you are a Kemper man, I do hope you will help us. We want our school and church at the same place. We do not want them moved. Please help us again if you can and I pray that you can. I hope God will show you a way.

This letter was written in the midst of all the debate. It is from an old Negro in my small hometown in Mississippi. He says:

> I hope that God will show you a way. The only way that I can pay you is to pray for you.

Mr. President, I will yield to anyone who can bring forth a letter which is more sincere or more to the point, or which is more grassroots, or which better covers the subject.

> Please help us keep our schools and our churches.

Another point I have raised here is that the paid agitators and strifemakers and some good-intentioned people who are dividing the races one against the other, races which have been living in peace and harmony and concord for more than a century, are not attempting to solve the problem.

Let me read the last sentence of the letter, Mr. President, on that point:

> Do not let anyone know that you got this letter. I'll be in bad.

That old Negro says that he will be in bad there in his hometown. Would he be in bad with his white friends for having written a letter like this? Certainly not. He means that he would be in bad with his own group or some of his own group. That is the only possible interpretation for me to place upon his statement that he would be in bad for writing me a letter like that.

He did not sign his name. He doubtless knows me. He doubtless knows that I am in a position which he considers to be one which would permit me to help them keep their school.

The letter is an example of sincerity and genuineness all the way. As I say, it is written with a pencil on a leaf from a notebook. I shall be glad to file the letter for the RECORD. It speaks volumes, and tells the story to the Nation far better than I could, and with the utmost sincerity.

I wish to address my remarks now particularly to the subject of the Commission proposed to be established in accordance with the terms of the bill. If the bill should become law—and I hope it will not, because I think its main features are unsound and detrimental to the very problems I have been discussing—the membership of the proposed Commission will become very important. If it is to be composed of men and women who are mere race baiters, crusaders, troublemakers, and theorists, whether social, political, religious, or otherwise, it will tend to be a fountainhead of harm, strife, turmoil, and discontent, as well as a fountainhead of misleading information.

If the bill should become law, I hope that outstanding, practical men or women will be selected, people who have practical ideas, who understand human nature, and who know something about the problem, entirely apart from partisan political considerations or sectional differences. I know that they will be persons whom the President considers to be persons of character and integrity. However, I hope they will also have a great capacity for understanding.

I am reminded of Solomon, in biblical times. Given the choice of all the gifts from Heaven that could be bestowed upon him, he did not call for wisdom as such. He asked for an understanding heart. If anyone is to make a real contribution in this field, other than by noise or headlines, he must have an understanding heart. I hope the President will bear that in mind when and if he is called upon to make appointments.

If the bill is to pass, it is very apparent that soon after its passage there will be an adjournment of the Congress. It is not clear in the bill, and it is not clear in my mind, as to when the appointments would be made. I have no inside information on the subject. I do not know that there would be time for the appointments to be made before the adjournment of Congress. I do not know that there would be time to pass upon the confirmation of the nominations should the appointments be made. I emphasize that I have no special inside knowledge on the subject, but I am concerned about it, as I have already indicated.

The bill requires that the nominations be confirmed. If Congress is not in session when the appointments are made, that will mean that the appointees, if the law permits their appointment during a recess or adjournment of the Congress—and apparently it does—could be in operation, vested with all these powers, for at least 4 months before the Senate would have an opportunity to act.

I do not say this by way of any kind of threat, but naturally those interested in the problem will be greatly concerned, and anyone appointed to the Commission will necessarily have to undergo the most exacting scrutiny and the utmost consideration by Members of this body. So I certainly hope there will be no quick appointments, or appointments which are not thought out.

If the bill should become law, I point out that the entire spirit of it, if not the letter, absolutely requires that the Senate be given an opportunity to consider the nominations before the members of the Commission actually undertake to discharge the vast powers and responsibilities vested in them in the bill.

If the Commissioners are to be merely fronts or rubber stamps for some staff director's work, however competent such staff director may be, such a situation will be entirely contrary to the spirit of the law. I say this not by way of a threat, but only as a warning from one Senator who is deeply concerned about the subject matter.

I wish to express again the hope that the members of the Commission will be people of ability, discretion, and judgment, who understand the practical affairs of life in many realms, political, religious, social, and otherwise, and that they will be given the most rigid—and at the same time fair—consideration by this body.

The original draft of the measure would have permitted the Commission to be studded with so-called volunteers, working without pay. Any organization or group, if it had the consent of the staff director or a majority of the Commission, could have placed on duty, in official or semiofficial capacities, its stooges and paid workmen. That provision was not in keeping with any good-faith study and consideration of the subject, and it was stricken out by this body.

The Senate has no way of changing the hearts or minds of people; and if the clause permitting the volunteers was typical of the spirit animating those who drew the original draft, and if that spirit is to continue to prevail, the Commission will have a great deal of trouble, and will not make any constructive, worthwhile contribution to this problem.

Very brieflly, as I read the bill, the Commission will be given authority to investigate allegations, in writing and under oath, that certain citizens are deprived of their right to vote by reason of color, race, religion, or national origin; and, second, the Commission will have the power to study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution.

That is very broad and sweeping language, upon which many books have been written, some of fact and some of propaganda. I trust the Commission will not take the attitude that the bill, if enacted, gives them a license to submit anything other than factual reports based on factual information and on proper concepts of constitutional law.

The third major item deals with the Commission's duty to "appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution."

Frankly, Mr. President, I do not understand how the Commission could any better appraise the laws and policies of the Federal Government than could be done by a committee of the House or a committee of the Senate or a joint committee of both Houses or of the executive department. That is a little-studied segment of the bill. I do not know that very much analysis has been made of it. Certainly it should not mean—and I do not understand how it could possibly mean—that there would be reports or propaganda or writings on theories proclaiming certain social patterns and functions, and attempts to give them nationwide application under the guise of appraisals of laws and policies.

If the provision was open to amendment, and I had the same knowledge of the section I now have, I would certainly question it very severely, and endeavor either to have it better drawn and better safeguarded, or else make as strong an attack upon it as I know how on the floor in an attempt to delete it from the bill.

Inasmuch as part III of the bill was stricken by amendment on the floor, I believe in retrospect, that the second provision I have mentioned about making a study and collecting information should also have been stricken from the bill. I say that because the two seem to be irrevocably tied together and related to each other—that is, the Commission and this power.

I mention this now as a part of the legislative history of the legal points involved, as well as the points involving the Commission. I wish to point out, for my part, that I do not believe Congress was looking for a propaganda study or a theoretical discussion or a theoretical summary of the laws and polices of the Nation. We are familiar with that, and, as the direct and chosen representatives of the people, bear the primary responsibility of making such studies and evolving laws. I trust that the Commission will not go far afield on those two sections.

When the Commission submits reports on appraisals and studies, I hope it will give the sources of its information and give other persons who are interested in the subject matter an opportunity to study the sources and appraise them and determine, if they can, their correctness. In that way there could be avoided what happened during the debate, when a great mass of so-called data and information and statistics were presented, the source of which no one exactly knew, nor who was responsible for it—certainly, no one in official responsibility—and a great part of which was found to be false during the debate and in the course of disposing of other legislative matters.

I wish to mention that point particularly as one of the guidelines—if I may use that term—which the Commission, if it is appointed, should follow.

Mr. President, I wish to make particular reference to the so-called amendment which came to us only yesterday afternoon, and which was added to the measure by the House of Representatives. I refer to the amendment which deals with trial by jury. I shall read all of the section which is No. 151 in the amendment of the House of Representatives, and will note particularly the House amendment when I come to it:

> SEC. 151. In all cases of criminal contempt arising under the provisions of this act, the accused, upon conviction, shall be punished by fine or imprisonment, or both: *Provided, however,* That in case the accused is a natural person the fine to be paid shall not exceed the sum of $1,000, nor shall imprisonment exceed the term of 6 months: *Provided further*—

I come now to the part which was added by the House of Representatives:

> *Provided further,* That in any such proceeding for criminal contempt, at the discretion of the judge the accused may be tried with or without a jury: *Provided further, however,* That in the event such proceeding for criminal contempt be tried before a judge without a jury and the sentence of the court upon conviction is a fine in excess of the sum of $300, or imprisonment in excess of 45 days, the accused in said proceeding, upon demand therefor, shall be entitled to a trial de novo before a jury, which shall conform as near as may be to the practice in other criminal cases.

I shall indicate what I think is a good point about that provision before I conclude. However, I am compelled to say that the overwhelming major points about it are so contrary to practice, so contrary to the practical methods of administering justice, and so contrary to what I think is certainly an essential constitutional requirement of the Federal Constitution, that I think the proposal is overwhelmingly bad.

However, it does provide that any person charged with criminal contempt shall have a jury trial unless it is denied by the presiding judge. That is the way I interpret the language. That is plain and unmistakable language. I raise that point now in the debate. If there is any other interpretation placed upon it, I should like to have the proponents or anyone else interested in the subject challenge that position now. The language is clear and plain. The judges themselves and, certainly, the people are entitled to have that point clearly and unmistakably determined now. In other words, in criminal contempt the accused may be tried with or without a jury at the discretion of the judge. That means that, if he does not get a jury trial in the first place, it will be because the judge elects not to give it to him. I think he ought to have it as a matter of right. Let us not mistake that nor detract one bit from its sanctity as a constitutional right.

Mr. President, the burden of my argument and I believe the burden of the argument of most of us on this jury question is not that we are attempting to protect from a just verdict someone who is guilty of a crime. The Senate amendment was never intended to apply to the man who was under the direct orders of the court after he was brought into court and expressly put under the mandate of the court. I never did argue that the Senate amendment as adopted would entitle such a man to a jury trial. What I was concerned about, and what I think all of us were concerned about, was that, if the right of jury trial is not guaranteed in criminal cases, then a bystander, an innocent citizen, one at a school meeting, an election official not connected with a court case, and anyone else in the community who might be interested in the subject matter, stands a chance of being caught within a net and tried before a judge without a jury, where guilt by association could so easily be imputed to him.

But that is not the main complaint. It is not that there will be citizens who are brought into court and sentenced without a jury trial, but it is the threat, the coercion and the intimidation affecting all the people and making them feel that they do not have the protection of the rights guaranteed to them by the Constitution. The threat hangs over them when they wish to take part in elections of any kind. If the provision applying to schools were still in the bill as it originally was, there would be thrown into people a sense of fear, of coercion and intimidation, and, to use a good old crossroads word, it would tend to keep them "cowed" and keep them from taking part in their local public affairs.

That is my objection, Mr. President, to this bill, which puts such power in the hands of a judge, even one who can be sent in from another area of the country, one who knows nothing about the problems he is trying to deal with, or a judge who can be sent into a jurisdiction other than his own as a crusader, seeking to reform some individual or some area of the country. We have not done things that way in America heretofore, and we have progressed a long way in dealing with our problems. Where those problems are the most acute and most concentrated is where the greatest real progress has been made.

So I object, Mr. President, to the original concept of unlimited power being used against people who are not parties to a suit, who have not been brought into court, people against whom no charges have been made and to whom no warning has been given, citizens to whom no written order of the court has issued, but against the rank and file of people generally who could be caught up in the net, brought into court, tried and sentenced without a trial by jury. Their guilt could be only constructive guilt, or largely guilt by association with a disturbance of some kind.

While it is repetitious, I restate that my even further and stronger objection is to the coercive, intimidating and overwhelming influence that it will have among the little people, if I may use that term, in whatever unit of Government may be affected. That is why I wanted them to have the protection of a jury trial, not that I wanted to have anyone who was guilty turned loose. I believe the Nation rejected the slanderous charge that juries in the South would not convict when the facts justified conviction. I believe the Senate as a whole certainly rejected that idea. Those who made that argument in the beginning never did a poorer day's work than when they made that charge. They gave this debate its lowest and basest note, Mr. President.

Coming back to my objection of the coercion and the intimidation that can flow and will flow in many instances, I am willing to repeat at the same time that under this amendment parties brought into court would get a jury trial unless it was refused by the Federal judge. In dealing with a matter of this kind it seems to me there would be a special call on the conscience of the judge, on his discretion and the sound use of his judicial power to give, without the point ever being raised, a jury trial in such cases.

Article VI of the Constitution of the United States was written by men who fully understood the problems connected with the administration of justice. It was written at a time when the so-called courts of equity had very limited jurisdiction and very, very limited application, and certainly at a time when the courts of equity had virtually no powers and no jurisdiction when it came to the enforcement of the criminal law. I lay it down as not capable of being successfully challenged that if the Founding Fathers had had the faintest idea that the courts of equity then had any appreciable power to enforce the criminal law, or that they ever would have, then the provision of the Constitution would have clearly said that there had to be a jury trial to enforce criminal statutes, even if it was in a court of equity. If they would not go that far we would convict them of being insincere men or men without vision and they certainly could not be accused of either.

So, unfortunately, Mr. President, for that reason, and for that reason alone, the actual language of the Constitution may not fully and clearly cover the idea of a trial by jury for certain criminal acts or what amount to criminal offenses, the sixth amendment to the Constitution, and the entire spirit and concept of the Constitution make such a guarantee.

The Apostle Paul in one of his memorable arguments told the lawyers that "the letter killeth, but the spirit giveth life." On this jury trial provision it is the spirit that giveth life to this fundamental principle, and it ought to apply in any court regardless of name or history whenever the court is used to enforce criminal law. But what we are doing, Mr. President, in this bill is transferring a great segment of the criminal law of this Nation to a court of equity. We are, however, not facing up to the spirit of the Constitution and we are not saying, "Yes; we transfer the jurisdiction of this case to the court of equity, and we will face the facts, and we will send the jury-trial provision along with it." Mr. President, when we fail to do that, we are violating the spirit of the Constitution. That is clear, despite any mere words or arguments to the contrary.

Furthermore, Mr. President, the amendment which has come to us from the House of Representatives recognizes the need for a jury trial in these cases, even though they will be heard in an equity court. Where did that recognition come from? It came from the very section of the Constitution about which I have been talking, because the amendment provides that if the punishment is a fine of more than $300 or a sentence of more than 45 days in jail, the accused shall have a jury trial. To that extent, the Constitution would be followed.

But, Mr. President, by what right or by what split-level reasoning do we assume to ourselves the authority to go half the way, but not all the way? By what authority do we have a right to say to a man whose punishment will be a sentence of 46 days in jail, "You will have a jury trial," but to say to a man whose punishment will be a sentence of 45 days in jail, "You will not get a jury trial"? I consider that discrimination, Mr. President.

To provide for split-level procedure in connection with the provision of a trial by jury or the failure to provide a trial by jury, and to draw the line of distinction at the point of a 45-day sentence in jail, is a wilfull, arbitrary, political compromise. It is a split-level, partisan, political compromise on the part of some of the leaders—and I speak of them with all deference—of the two national parties. Such a provision has no business in serious legislation which will affect 170 million people.

Again I ask, what right do we have to say that a man who is to receive a sentence of 45 days in jail shall not have a jury trial, but that a man who is to receive a sentence of 46 days or more in jail shall have a jury trial? There is no basis for making such a distinction.

Therefore, I believe this provision is contrary to the Constitution. The Congress has no power to make a division on this subject, because the Constitution made no such division. We have to take all the Constitution or leave it all, insofar as the jury system is applied. By means of the original Senate amendment, the Senate followed that part of the Constitution.

But now we have before us an amendment which is neither fish nor fowl; it is neither wholly inside nor wholly outside the Constitution. It recognizes the validity of the constitutional requirement, but it does not follow it up. Thus we are flirting with a constitutional provision older than the pages on which the original Constitution itself was written, a provision reflected in every State constitution, and reflected in the English Constitution long before it was written into our own—namely, the provision for the right of trial by jury in criminal cases.

Let me issue another warning in regard to the effect of this proposed legislation. It would continue the trend to transfer to our equity courts more and more of our criminal law, thus disturbing the original purpose of, and doing violence to, our system of jurisprudence.

Every time such a transfer is made, it is an admission by us of a lack of faith in our basic institutions. That is the case when we seek to shortcut, to supply so-called quicker remedies. When we do that, I believe we do our basic institutions a great disservice. I believe we load them down with cases with which they will not be able to cope, in the application of the truly equitable principles upon which cases of that type are based.

Mr. President, these are some of the most serious matters to which we should give careful consideration. We should continue to devote grave, searching, and careful thought to this bill, which already has been debated at length, although it has not yet received the microscopic study, analysis, and recommendations of a Senate committee of experts who are capable of passing properly on these matters.

Talk about consuming time, Mr. President. This amendment is new matter injected by the House of Representatives, and it concerns some of the most far-reaching principles which have been debated in the Senate this year, and some of the most basic concepts of the American system of justice. It is less than 24 hours since this amendment officially came to this body. Approximately the first 6 hours thereafter were devoted by the Senate to debate on, and the passage of, other major legislation. As I said last evening, some of those 6 hours on yesterday were taken up by the debate on an appropriation bill, by means of which the Congress appropriated more than $3 billion of the money of the taxpayers—more than enough money to operate the entire Federal Government just a short 25 years ago.

Another 1 of those 6 hours, last evening, was devoted to consideration of the bill dealing with the salaries of the Post Office employees.

Another 1 of those 6 hours was devoted to consideration of the bill which affects the salaries of the so-called classified employees of the Federal Government—nationwide, and, in fact, worldwide.

Following the debate upon those far-reaching measures, yea-and-nay votes were taken in the Senate.

Thereafter, the Senate adjourned after 10 p. m. However, upon our return this morning, some Members asked, "Why are you not ready to vote?"

Mr. President, this measure, including this amendment, deserves the utmost of careful weighing and consideration. I should like very much to have a chance to engage in real legal research, in order to develop just what are the implications of this amendment. With all deference to everyone else, I say that I do not believe the amendment has ever been studied from that point of view. Instead, it was written in a spirit of so-called compromise; but it was done in a political atmosphere, in an attempt to get something—anything—done.

This split-level concept of the right of trial by jury according to the quantity of punishment is a monstrous innovation in American law. I repeat that, in my opinion, it raises a serious constitutional question. To me, there is a serious constitutional question as to whether such a provision is permissible under the sixth amendment.

In some respects it has been held that the offense must be grave, if the protection of this amendment is to be invoked in securing the right to trial by jury. But under the pending compromise plan, we could have a given set of acts, the gravity of which would not be affected by the quantity of punishment meted.

I do not believe that a statute which makes a jury trial dependent upon the degree of punishment—which is largely in the discretion of the judge who issued the original order, heard the contempt proceedings, and fixes the punishment—is constitutional. In an effort to make this provision more palatable, the authors of this compromise plan have provided that the judge may, at his discretion, employ a jury in the contempt proceeding. But trial by a jury is a right which should not be placed at the discretion of any public official, because such a plan changes the nature of our judicial process. A subsequent trial de novo with a jury, which may be available to the accused, makes this fundamental right dependent on double jeopardy.

By the way, Mr. President, I have been asked this question, as a lawyer: If a person had been convicted by a judge, and had been sentenced to more than 45 days in jail and to the payment of a fine of $300 or more, were subsequently charged with the commission of a crime, and if he then asked for a jury trial, would his prior conviction by the judge be admissible in evidence, in the trial before the jury? I unhesitatingly say I do not think it would. I do not think that is a criticism which could be made of the bill, because certainly if one is to be given a new trial, it means no evidence of conviction on prior trial before a judge would be admissible, and I am sure no judge would let such evidence in.

Mr. President, continuing with my statement, the risk the accused would run is a grave one. Besides the strain of being subjected to a second trial, he would incur the expenses of that trial, and the punishment might be equally as great as or greater than that imposed by the judge sitting alone in the previous proceeding. As a lawyer it would be difficult to advise a client whether this remedy should be pursued, because of the risk of incurring even greater penalties than those previously prescribed, and, as a lawyer, I believe this provision to be unconstitutional.

The so-called saving grace of the amendment, relating to jury trial where the punishment is above 45 days or there is a fine of $300 imposed, will have, for practical purposes, very, very little application. The so-called little people, whom I mentioned a while ago, would virtually all be included among those who would be subjected to so-called smaller penalties. Whatever virtue the amendment may have, in practical reality, that is one of the bases for my legal objection. The virtue is it is provided, unless the judge otherwise rules, all of that group would have a jury trial. Certainly, should the bill become law, that would be the least any judge should do, in my opinion, and if the bill does become law, I hope it will be what a judge will do.

Mr. President, I have concluded my remarks, and I yield the floor.

Mr. EASTLAND. Mr. President, this compromise is not in fact a compromise, and it is a part of an attack, which for several years has been gaining in intensity, against the people of the South. We have a peculiar racial condition in the Southern States. The people of both races have found that there is greater harmony, less friction, and less tension when the races live side by side but under separate conditions.

Racial segregation, Mr. President, is not a badge of inferiority for any man or for any race, but it has been found that both races can make more progress, can better develop their own cultures under separate conditions, when each has its own institutions.

I believe, and I am confident that the vast majority of the American people believe, in the economic equality of all races and of all men. A great majority of the people, both in the North and in the South, draw the line where questions of social equality and social relationships enter the picture. I think that better results would be achieved in settling this controversy if the people in each of the great areas of the country realized that there is very little difference between them in what they believe and what they practice. The position of the Southern States and of the southern people has been greatly misrepresented throughout the country. A high barrage of propaganda, most of it false, has been directed against the southern people. I think it is going to be necessary for the Southern States, acting through their State governments, to lay their case at the bar of public opinion, and to give the people of the country the facts as to conditions in the Southern States.

We have more Negro schoolteachers, Negro college professors, and Negro professional men than live in any other section of the country. We have more property owners among the Negro race in the South than live in any other section of the United States. Since public opinion is the law, since public opinion, in the last analysis, writes court decisions, since public opinion, in the last analysis, enacts statutes and laws and passes bills in the Senate and in the House of Representatives, I think it is essential that the southern people lay their side of the controversy before the Nation, and that it be done by their State governments and with the use of State funds.

In the light of that statement, Mr. President, I am going to discuss this afternoon the bill which is before the Senate.

Mr. President, while we have debated this bill for weeks, somehow the festering germs which it contains continue to thrive, apparently beyond the antiseptic powers of the Senate. It still contains provisions creating a Commission for the purpose of prying into State, local, and individual affairs. It still creates another personnel pyramid in the Department of Justice. It still confers unusual and unnecessary powers upon the Attorney General. And, now, Mr. President, as the bill comes back to us from the House of Representatives, it substitutes trial by jury at the discretion of the judge for trial by jury as a statutory right.

Although I have discussed some of these objectionable features in my previous statements on this floor, I think I should reemphasize some of these points, and I certainly intend to discuss this new proposal which has been thrust upon us by the House of Representatives.

I shall start with the Commission, because that is where the bill starts.

Mr. President, the Commission proposed by H. R. 6127 is no more nor no less than a super Federal grand jury to be armed with the power of subpena and coercive process. Its powers are so broad, general, and ill-defined that it amounts to a blind authority and a blank check being given by Congress to the executive branch of the Government. It carries within its authorization the power to intimidate, harass, and punish law-abiding citizens. It is designed to invade and subvert the constitutional guaranties and limitations contained in the Bill of Rights.

I deny that the Constitution gives to this Congress any right to constitute such a Commission. The investigative and factfinding power of the Senate or House of Representatives must be geared to a legislative purpose. There is no legislative purpose set forth for this Commission. It does not pretend to be a regulating body or agency. At best it proposes a gigantic fishing expedition into an undefined and uncharted sea. Can Congress delegate to an executive commission powers and duties that are in excess of its own authority? Can it permit an agent to perform acts prohibited to the principal? Of course not, and this is the purpose that the proposed bill seeks to effectuate.

The President needs no legislative authority to establish executive commissions for any proper purpose that he desires. The only reason he comes to Congress to constitute such a Commission is to obtain the plenary powers necessary to a grand inquisition: coercive process, contempt proceedings for disobeying directions of the Commission, and perjury indictments for false swearing.

The creation by Congress of a Commission in the executive branch with subpena and contempt powers is subject to the test of a proper constitutional delegation of powers. Where such Commission, as in H. R. 6127, is created for the purpose of investigating and witch-hunting, it is an illegal delegation of the legislative prerogatives and is proscribed by the Constitution. Commissions established with these powers to regulate legitimate objects within the purview of the executive are lawful creations. Such is not the case in H. R. 6127.

In my judgment, the Supreme Court has attempted to circumscribe the investigatory powers of Congress far beyond the limits permitted by the Constitution under the division of powers. However, the rules applied by the Court in regard to the operation of Senate and House of Representatives committees must necessarily be applied with even greater stringency and force when Congress attempts to delegate a part of its legislative function to an independent executive Commission divorced entirely from the control and direction of Congress.

The Department of Justice is the legally constituted agency to "investigate allegations that certain citizens are being deprived of their right to vote and have their vote counted by reason of their color or race." There are multitudes of laws on the statute books to protect this right to vote and have the vote counted. There also exists sufficient law enforcement machinery to bring offenders to justice. Any investigation that need be conducted for a legitimate legislative purpose should be made by the Senate Judiciary Committee or House of Representatives Judiciary Committee. This is a fixed and immutable principle of the Constitution.

The bill proposes that Congress authorize the establishment of a roving Presidential Commission with authority to wander to and fro over the geographical confines of the United States for the purpose of investigating such a vague and unlimited matter as "legal developments constituting a denial of equal protection of the laws" under the 14th amendment to the United States Constitution.

What could be the justification for the establishment of any such Presidential Commission? Congress is already empowered with the duty to conduct such investigations through the instrumentalities of existing Congressional committees both in the House and the Senate which are operated by men who are elected by the American people to legislate for them and who must necessarily take the political consequence of any errors committed in such investigations. If this Presidential Commission is created, on the other hand, its members and personnel would not be responsible to the electorate for any action which they might take.

It is important to realize that there are no criminal provisions overtly stated in this part of the bill. It is ostensibly not a penal statute but one claimed to be established for factfinding purposes With the possible exception of the contempt powers contained therein, the penal provisions are not highlighted by specific delineation. This does not mean, however, that there are no penal overtones or ulterior purposes in mind. On the contrary, a factfinding commission, if misused, can be one of the most vicious instrumentalities for future penal action that man can devise. In this case, since the Commission has such vast authority to investigate, it may well become the instrument by which the Department of Justice, not possessed of the power of subpena, may seek to develop criminal cases.

There is no question but that it is a mistake for Congress to create such a roving commission as proposed in H. R. 6127. This Commission could harass the American people beyond measure in the proposed investigations, because the bill contains no standards whatsoever as to what the phrase "the equal protection of the law" means, and in addition, this clause of the 14th amendment is so broad as to cover every economic, political, and other activity carried on under State statutes and municipal ordinances.

There is no question but that the Commission will create evil in the relationship between the races in this country. This is because the subject matter of the bill, by its very nature, will attract to it complainants who are socially maladjusted. Such persons suffer from persecution complexes and delusions of racial grievances and they will pour out their imagined wrongs in numbers equal to the sands of the deserts.

As a consequence of the matters which the Commission will handle, its activities will undoubtedly foment considerable bitterness in the area of racial relations.

There is no question in my mind that the great forward steps of harmony among the races in this country will be damaged by the bitterness resulting from political machinations within the Commission.

In addition, the Commission will readily be used as a means of exploiting so-called minority groups for political purposes.

Our attention should be directed to this unusual procedure of setting up an executive commission by legislative enactment. This has seldom been done in our jurisprudence. Commissions, however, as instrumentalities for gathering facts are a well-known procedural device but their establishment does not require Congressional action.

It is recalled that the last Commission on Civil Rights was established by Executive order and it seemed to handle its job without the need of an act of the National Legislature. If the President wishes a commission to study this problem, he is over 4 years late in asking Congress for it as well as being over 5 years late in setting it up himself by Executive order.

As to the cost of this Commission, we have no estimate or budgetary figures. The law is poorly worded without proper safeguards on the public purse. The travel and subsistence expense provisions empower the members and personnel to live, if they do desire, on a continuous junket, for there is no place within the political confines of our Government that does not have some question of civil rights under its nebulous definition in recent years.

An examination of the duties of the Commission indicates a complete lack of "words of art." Certainly, a definition section should have been provided as proper draftsmanship. What, for instance, does the phrase "equal protection of the laws under the Constitution" mean? This clause is, as everyone knows, a provision of the 14th amendment and Corpus Juris Secundum alone contains 250 pages of categories encompassed within its terms. Actually, "equal protection of the laws" means what is contained in court cases and decisions as they are issued. It is a very nebulous phrase and certainly should not be used as a criteria to determine the duties of a Commission such as is established in this bill. A study of the Court decisions on equal protection of the laws will convince anybody that the Commission will have its job cut out for it, for they will be dealing purely in the field of intangibles.

It may be recalled that this Commission idea sprang out of the recommendation of the Truman Commission some 10 years ago, whose report is entitled "To Secure These Rights." Thus, we have an oddity of one commission making a big investigation and recommending another commission be established. That is why these commissions are referred to in popular parlance as revolving commissions, for one only ends to create another, and as they roam to and fro throughout the country eking out the people's sustenance, bureaucratic government inevitably grows stronger and the rights of the people in their States and localities wax weaker.

All this is a kind of legislative, executive, bureaucratic, perpetual motion, the one difference being that Mr. Truman's Commission wanted a perpetual existence and the one in the pending bill seems to prefer the procedure of expiring every 2 years with the recommendation that a new one be created.

The bill dovetails the Commission into the establishment of a new Civil Rights Division in the Department of Justice. Of course, pressure groups will insist that this Division act as their guardian masquerading as they will as so-called minority groups. There is no question in my mind but that the Attorney General in this Division will employ swarms of personnel which will be, to say the least, a feather in the Executive's political nest.

H. R. 6127 is deliberately designed to confer upon the Attorney General autocratic and despotic powers more used in a totalitarian country than a republic such as ours. Such powers are incompatible with the office of chief law officer of a democracy having, as we do, a government of laws rather than of men.

The Commission is granted the subpena power for both witnesses and the production of papers. There should be strong objection to the granting of such an extreme power, as the subpena.

Commissions created as a Government device for factfinding are well-known entities in Anglo-Saxon law, but it has been generally considered that the use of subpenas is neither needed nor called for. The subpena is a punitive measure generally reserved for penal process whereby powers are granted to force or coerce the production of testimony otherwise unavailable. Factfinding, by its very nature, does not require this extreme measure, and one is forced to conclude that the insertion of this power in a bill of this type is done advisedly so as to harass and punish innocent peoples in their home localities.

The Truman Commission on Civil Rights did not have this power nor do many of the subcommittees and special committees in Congress. When the legislative branch of the Government grants a subpena power to any entity, it has always done so circumspectly, for it is too dangerous an instrumentality to treat in a cavalier fashion.

We are beginning to see the reason why the Executive wishes a Commission set up by Congress rather than one by Presidential order. The Executive wants the subpena power and he cannot get it by Presidential order. If he wants the power, he intends to use it, and when he uses it he destroys his Commission's purpose of factfinding and turns his entity into a witch hunt.

It can be stated categorically that the very people who support this bill are the one and same who unmercifully criticized the House Un-American Activities Committee because of its use of this very same subpena power. What is sauce for the goose apparently is not sauce for the gander in this case.

A further device is conferred upon the Commission by arming it with contempt powers. This is an outright criminal matter, yet the bill is presented to us in the benign climate of brotherhood and brotherly love. We see now why it was said earlier that the bill has penal overtones of very serious import, for when we arm anyone with the one-two punch of subpena and contempt, we have armed him to the teeth and created a monstrosity of power which tends to corrupt.

In the debates in the House, proponents of the bill readily admitted that this Commission will be used in furtherance of the forced program to integrate the schools. This also is coercion and belies the factfinding features of the bill.

As to the volume of work that must be undertaken by the Commission, it is astronomical, and after it is done the results will be picayunish. It is a known fact that more complaints are made in the field of civil rights than in any other field. Testimony at a previous time furnished by the Honorable Tom Clark shows that in 1940, 8,000 civil-rights complaints were received with prosecutions recommended in 12 cases, including the Hatch Act violations. In 1942, 8,612 complaints were received and prosecuted action taken in 76 cases, the report being silent as to the number of convictions. In 1944, 20,000 complaints were received, and 64 prosecutions undertaken, but it is not revealed how many were convicted.

As to the substance of these complaints, attention is directed to an unhappy experience before the Senate Judiciary Committee in the 84th Congress. When the Attorney General testified he stated that in a certain locality in Mississippi before citizens were permitted to register to vote they had to answer the question, "How many bubbles in a bar of soap?" This testimony was given, leaving no doubt that this question was only asked of Negro voters. Upon cross-examination, the Attorney General was asked why he did not prosecute this case under existing civil-rights statutes. He stated he did so investigate and on being further pushed, he finally admitted that there was no factual justification for it for he could not secure a true bill. In other words, it was a trivial complaint without factual justification.

It is interesting to note that in public hearings on two occasions, the NAACP took the position that they had no desire for the creation of such a Commission. It could be possible that the Attorney General wishes the Commission for purposes other than the protection of civil rights.

It is noticed that the bill does not contain any prohibition against the gathering of evidence by the method of wiretapping.

The last thought on the Commission concerns its constitutionality. The sponsors of the bill blandly reassure us that there are no constitutional questions involved since the Government obviously has the right to make a finding of facts in order to govern. This is perhaps true, but when we leave the realm of factfinding and enter the realm of investigation, we have assumed the duty of acting constitutionally.

It is obvious that this Commission is an investigatory body, as shown by its subpena and contempt powers, and it is axiomatic that the Federal Government should have authority to conduct investigations only in those areas in which it has delegated authority to act. Since this Commission is attempting to act in areas other than those permitted by the Constitution, I feel certain that it is an invalid enactment.

It could very possibly be that the Commission's report would affirmatively state that the one thing we do not need is the rest of this bill. But need it or not, it is there. Since it is there, we need to reexamine it and to determine the nature of the departure from the principle endorsed by the Senate.

Mr. President, on the night of August 1, the Senate of the United States marched up the hill of principle and firmly implanted a pennant of freedom, the right of trial by jury, where all could see it. In the weeks since that time the Senate has basked in the splendor available only to those who, through arduous struggle, have attained the summit. Now, Mr. President, it is proposed that from this lofty peak of principle the Senate straggle down the hillside to the valley of expediency from which we so recently emerged. Indeed, we are back at the basement bargain counter where price is more to be esteemed than sense; where quality is unimportant and quantity takes on luster. We are now told that we must have something and that to get it, we must sell our birthright for a mess of potage. We must surrender the right of trial by jury and accept in its stead the discretion of the judge.

I cannot so easily surrender convictions that to me are basic. I cannot accede to the entreaties that we yield to the demands to satisfy the hunger of a bear whose appetite never wanes. I speak with some knowledge on this point for I have watched the maneuvering year after year to provide sustenance to these pressure groups. For years, the demands were for an antilynching bill, an FEPC bill, an anti-poll-tax bill. To the eternal credit of the Senate of the United States, those outlandish and unconstitutional proposals were never approved.

Now, however, the prize has proved too great. What is the prize? An anticipated bloc of votes in the northern metropolitan cities. This is the prize which has brought us to the verge of passing a bill which is just as loosely drawn as its predecessors and which, in the light of calmer days, I predict the Senate will regret having endorsed in any form. In an endeavor to obtain the votes of minority pressure groups in the northern cities, it is now proposed that the rights of American citizens to the protections normally afforded in criminal cases be denied or severely restricted through the use of proceedings in equity, such as permanent and temporary injunctions. The accent is on speed rather than upon excruciating care, and it is therefore legislation which deviates from the spirit and intent of the language of the Constitution as given to us by the Founding Fathers. In this debate, Mr. President, we have ignored the presumption of innocence that normally would attach in any criminal case. We have not required that the necessity for this legislation be established beyond all proof of doubt. We have not even required that its necessity be shown by a preponderance of the evidence. We have been referred to a series of statistics which are suspect at the outset, for I am informed that such statistics are not available through the regular election officials. It was developed during the debate that in most cases these were merely estimates but they were used as if they were citations of offenses against the dignity and majesty of the United States Government. Since when has the Senate disregarded the burden of proof which must rest on those who propose additional laws for our statute books? Ironically, in the latter days of the previous debate on this subject attempts were made to make it appear that those who were against this legislation should demonstrate that there was no need for its enactment. What a perversion of the ordinary legislative processes this is. But, nevertheless, that is the position in which we now find ourselves. We are asked to conduct ourselves as reasonable men, when reason itself has been discarded. We are asked to accept proposals which we believe to be adverse to the relationships between the various peoples of the United States. What is reasonable, Mr. President, about the injection into State and local affairs of a federally created Commission with the power to probe minutely into the business affairs, the economic affairs, the social and political affairs of the people of our country? What is reasonable about a bill which enlarges the size of the Department of Justice so that the "eager beavers" may justify their new personnel pyramid by further interference in local affairs? What is reasonable about a bill which sweeps away all the prior protections afforded by the Constitution in criminal cases and seeks to invoke the dangerous principle of criminal equity?

Mr. President, when the day comes that we can look back at this period with some degree of calm, I think we shall mourn the fact that we here substituted criminal equity for criminal law. In the name of, and for the sake of, convictions we now propose to forsake the long established remedies against the commission of acts which constitute crime and substitute in its stead untried, but dangerous, procedures affording only the most limited protections to those accused. Most regrettably, this is being done in the name of liberalism but it is, in fact, the most reactionary tendency which has pervaded our legislative scene since the establishment of the Constitution.

Mr. President, I want to be candid with my colleagues. I have made no secret of my opposition to this bill, no matter what amendments were adopted to it. I think the procedure employed is undesirable, and I expect that at some future time we will see its use against other areas of the country and against other groups in the United States. Then the error may be apparent to those who today advocate the procedure. However, even though I am opposed to the proposed legislation in principle, I intend, because of the parliamentary situation, to discuss specifically the inadequacies of the amendment which we are now being offered as a substitute for the desirable language previously adopted by the Senate.

In all my years in the Senate there has been no question so thoroughly discussed as the right to trial by jury, yet so completely misunderstood. It almost seems that the issue has been buried under its own detail of explanation. What is the existing law? What was the Senate amendment, and how did it change the existing law? What is the House compromise and how does it, first, change the Senate position, and second, jibe with existing law?

Where have we been and what finally reposes in this Chamber? If any issue has played the game of musical chairs, it is this issue of trial by jury, and I, for one, fear that the fading chords of the melody in the Senate will leave this great constitutional right standing alone.

It has been said that only trash is enacted in the closing days of the Congress. The overwhelming desire for speed, to get away, to get home, clouds judgment and levels like a scythe both the wheat and chaff before it.

I earnestly feel that the record should show this peculiar legislative legerdemain whereby the issue of jury trial has been turned into chaos.

The existing law comprises 4 statutes and 1 rule.

Title 18, United States Code, section 401, defines the power of the United States courts to punish contempts of their authority. Punishment by fine or imprisonment at the court's discretion is permitted in three classes of cases: First misbehavior in the court's presence or so near thereto as to obstruct the administration of justice; second, misbehavior of the court's own officers; and, third, disobedience of lawful writs.

Title 18, United States Code, section 402, provides penalties for criminal contempts. Any person who willfully disobeys a writ, if the act of disobedience also constitutes a crime under a State or Federal law, shall be punished by a fine or imprisonment. The fine may be paid to the United States or to the complainant or prorated among complainants. The fine cannot exceed $1,000 nor may the jail sentence exceed 6 months. To this there are two exceptions: First, those contempts in the face of the court or so near thereto as to obstruct justice; and, second, the section does not apply where the suit is brought in the name of the United States or on its behalf.

Title 18, United States Code, section 3691, provides for jury trial in criminal contempts. If the contempt is a willful disobedience of a writ, and if the act of disobedience also constitutes a crime under Federal or State law, the accused is entitled to a jury trial with the same two exceptions as in section 402 of the same Code title, namely, first, where the contempt takes place in the face of the court or so near thereto as to obstruct justice; and, second, where the suit is brought in the name of the United States or on its behalf.

Title 18, United States Code, section 3692, provides for jury trial in contempt cases involving labor disputes. By this provision, labor receives a jury trial in all cases except where the contempt takes place in the face of the court or so near thereto as to obstruct justice; thus, in those cases where the suit is brought in the name of the United States or on its behalf, a contemptuous laborer receives a jury trial preferentially over other contemnors.

Rule 42 of the Federal Rules of Criminal Procedure applies to criminal contempts. There are two avenues of procedure. The first one involves summary disposition; and the second one involves disposition, upon notice and hearing.

As to the first, a judge may punish a criminal contempt summarily if he certifies that he heard it or that it took place in the presence of the court.

As to the second, all other criminal contempts are prosecuted upon notice, and the defendant receives a jury trial in those cases provided by statute. The usual bail provisions are allowed, and the judge must disqualify himself if the contempt involves disrespect to him personally.

The foregoing, Mr. President, is a paraphrase of the existing law.

When the Senate received H. R. 6127 from the House, the bill precipitated the debate which opened up for the first time the scope and seriousness of the proposed legislation. Some 15 amendments were adopted, the most important of which were those striking out part III and inserting a provision for jury trial in criminal contempt cases. It is now proposed to dilute and render effete the right of trial by jury. A complete understanding of the pending amendment requires an analysis of the Senate amendment and a comparison with the existing law and with the compromise amendment. Again there is an attempt to foist upon us the fiction and fallacy that this is a mild proposal. Therefore, it is asked, why should there be complaints? Not long ago, as we recall, the House bill was characterized as a mild form of proposed legislation relating to voting rights. Now—when, in effect, the right to jury trial is destroyed—we are asked to believe that it is the most mild and most innocuous compromise.

How one can compromise a constitutional right, I fail to understand. Perhaps the most lamentable and vicious feature of this situation is the recognition in this Chamber that the so-called House compromise is the epitome of miscraftsmanship. The thing to do, it is claimed, is to correct the situation at the next session, by means of general legislation. If I were to vote knowingly for proposed legislation which I believe faulty, I would be violating my convictions.

The Senate jury-trial amendment granted such a trial in criminal contempt cases, and, in doing so, changed the existing law in four salutary respects:

First. It did away with the statutory definition of criminal contempt when such contempt had to depend upon an act which also was a violation of a State or Federal law. This turned the definition of criminal contempt back to the common law.

Second. It eliminated the provision whereby a fine in a criminal contempt case could be paid to a private party, the complainant, or prorated among a number of complainants. This obviously is a proper correction, for in criminal contempt the purpose of the action is to protect the respect for the sovereign, and not, as in civil contempt, to remedy a situation, as by the payment of money damages.

Third. The punishment is limited to a fine of $1,000 or 6 months' incarceration. A careful reading of existing law will reveal that where the United States brings the suit, there is no jury trial; and also the statutory limit on the punishment to a fine of $1,000 or 6 months in jail is avoided. The Senate amendment corrects this.

Fourth. The amendment provides for no jury trial for criminal contempts committed by the officers of the court in carrying out their duties. No criticism may be leveled at this provision, for the court must have control of its own employees or else suffer irreparable damage to its own integrity or sovereignty.

There remains to be seen what change has been wrought by the House so-called compromise amendment. It is a misnomer to label it "a compromise," for actually it cancels or repeals the Senate amendment, by substituting the vaguest wording I have ever studied. This so-called compromise applies to the provisions of H. R. 6127 only, and thereby at its outset creates different preferential classes of defendants. As will be pointed out later, there are contained within the amendment itself categories of defendants, as standards for jury trial—some depending upon money, some on length of sentence, some on the whim of the judge, and, occasionally, some on the election of the defendant. Superimposed upon all of this is the provision for the chancery judge's right to have advisory juries. So there could be two sets of juries, each with a different jurisdiction, some whose verdicts would be binding, and some whose verdicts would be merely advisory.

The compromise amendment, which applies only to the bill itself and to criminal contempts, grants the right to fine up to $1,000 or imprisonment up to 6 months, with a discretionary right for the judge either to grant or to withhold a jury trial. If the fine, however, exceeds $300 or if the jail sentence exceeds 45 days, the accused may, upon demand, have a jury trial as a matter of right, de novo. The only exception is the logical one found in the statutory law, as it existed in common law, whereby there may be summary punishment where the contempt takes place in the face of the court or so near thereto as to obstruct justice.

This amendment is pure judicial chaos. Both the judge, the prosecutor, the defendant, and the public would be without knowledge of the course of the trial.

Under the compromise amendment, it is now proposed that the trial of cases of criminal contempt arising under the provisions of this so-called civil-rights bill, may be had either with or without a jury. When the bill passed the Senate, the bill provided that a defendant in such cases was entitled, as a matter of right, to a trial by jury. Now, however, it is proposed that the discretion of the judge be substituted for trial by jury as a matter of right. When the bill passed the Senate, it provided for the maximum fine and term of imprisonment which could be imposed, and at least that provision has not been eliminated. However, now it is proposed that a subceiling be provided in the case of the punishment to be inflicted on a contemnor, so that whenever a court proceeded without a jury, the limitation on the punishment would be a fine of $300 or imprisonment for 45 days. Thus, not content with the elimination of trial by jury as a matter of right, the current proposal would place a premium upon the heads of those who might secure a jury trial. The price of trial by jury, it seems, is the willingness to subject one's self to an increase in the fine by more than three times the subceiling and an increase in the term of imprisonment by more than four times the subceiling. Under the current proposal, if a defendant is tried for criminal contempt before a judge and a sentence greater than a fine of $300 or imprisonment for more than 45 days is imposed, the accused must then decide whether he wishes a trial de novo, in which case he will subject himself to greater pains and penalties for his exercise of a right which the Founding Fathers thought important enough to include in the Constitution by direct reference at least four times. This new proposal places the accused in the untenable position of having to judge for himself, after conviction and sentence, whether he will risk the imposition of greater penalties in order to secure a determination by his peers of his guilt or innocence.

This is probably the oddest procedure that the Senate has ever been called upon to approve. It is a proposal so ridiculous that had it been proposed at any other time or at any other place, it would have brought cries of derision rather than statements of approval. We seem to have forgotten in the Senate of the United States that the due process of law clause of the Constitution applies to procedures equally as it does to substantive law. I do not see how it can be concluded that there is due process of law procedurally when the accused is confronted with the dilemma presented to him by this proposal. In effect, the judge at the outset must decide whether he wants to stop at the first plateau or try for the $64,000 question. Presuming the judge determines not to try the case with a jury, then later invokes a higher penalty than the subceiling imposed by the amendment, the accused must then decide whether he will take what has been imposed upon him, even though it may be higher than subceiling, or take a trial de novo by jury, in which case he may incur a higher penalty than that inflicted by the judge.

At the time the Senate was considering a straight jury trial amendment there were many who said that its adoption would interfere with the judicial processes and the ability of the court to see that its orders were executed. I marvel at the ability of those who made that statement to accept this amendment which is far more cumbersome and therefore more of an interference with the judicial processes. Under the Senate amendment it would have been relatively simple for the judge to impanel a jury in each case involving a charge of criminal contempt. Now, however, the judge must determine at the outset, before having heard any pleadings, whether the offense is sufficiently flagrant that he ought to impanel a jury and thereby permit the higher penalty to be imposed in the event of conviction. A judge under the proposed procedure must determine not only that the contempt committed constitutes a criminal contempt and he must also determine that it is not a direct contempt, but, he must further determine whether he will hear the evidence and then at the risk of a demand for a trial de novo impose a greater sentence than 45 days imprisonment or a $300 fine. In addition, I want to invite the attention of the Senate to the fact that if this proposal is adopted, there is no limitation in time on the right of the accused to demand a trial de novo. Indeed, the contemnor, if convicted, may take his appeal to the Court of Appeals and perhaps apply for a writ of certiorari to the Supreme Court, and, failing these remedies, then demand a trial de novo which, under the proposed legislation, the court must grant. How is it possible for those who so recently claimed to be defending the processes of the court to accept this sort of meddlesome procedure? Is this improving the administration of justice?

There is yet another danger which I see in this proposal aside from the dilemma in which it places both the accused and the judge. I see in this proposal an opportunity for the clever judge to state at the outset of the proceedings for criminal contempt that he is going to impanel the jury under his general equity powers. At the conclusion of the proceedings, if the jury then returns a verdict of not guilty, the judge could then say that under his general chancery powers he thanked the jury for its advice but that in his judgment the defendant was guilty and he was, therefore, going to sentence him to 45 days in jail and a $300 fine. If, on the other hand, the jury brought in a verdict of guilty, the judge might then, having satisfied the limited requirements of this section, impose the heavier penalty, although in fact the jury was little more than an advisory jury whose expression of verdict the court could have chosen to disregard entirely.

When all of these things are considered, I fail to see how anyone can arrive at the conclusion that what is proposed here satisfies the constitutional requirement of due process of law. This proposal is nothing but an expedient admittedly patterned after a police court procedure, and the Senate of the United States is now asked to adopt legislation which would apply police court procedure to a Federal District Court. This is irresponsible.

Suppose that an accused under this amendment is tried by the court without a jury and sentenced to a term in excess of the limit sought by the House amendment. Suppose, further, that on an appeal the appellate court reduced the term of the sentence to less than 45 days. What, I ask the Senate, would be the rights of the defendant in that instance? Under the terms of the House amendment, would he have the right to insist upon a jury trial after the appellate court had reduced the sentence to a term less than 45 days? Even if this question should be answered in the affirmative, however, it must be apparent that such a proposal places the defendant in an unenviable dilemma insofar as his rights are concerned. He must at this instance determine whether after conviction his chances before a jury are sufficient to warrant the risk of the imposition of an even greater penalty. He must also consider the expense of the trial—the cost of printing of briefs, for instance. In addition, while the defendant in such case, under the provisions of part IV, would be entitled to request the court to furnish him with counsel in the first instance, I should like to ask if under this proposal he would be entitled to such assistance in the trial de novo and the subsequent appeals which might result from the trial de novo? If he is not, certainly the additional cost resulting from attorneys' fees might be listed as an additional deterrent against the exercise by the defendant of the statutory right supposedly furnished by this amendment.

Mr. President, I don't know how others view this proposal, but it appears to me that the confusion which would undoubtedly result from the application of this proposal would invariably lead the court to proceed against an alleged contemnor through the avenue of civil contempt where a jury trial is not available, in order to avoid the pitfalls inherent in this proposal. Thus, as a practical matter, instead of conferring a right of trial by jury in cases of criminal contempt, the proposed amendment might well operate to deprive defendants of a right which it is clear the Senate of the United States intended they should have.

In this regard, I think the Senate should remember that under the Federal Rules of Criminal Procedure, a judge has some discretion as to whether he will proceed against a defendant for criminal or civil contempt. If he chooses to charge mere disobedience, as contrasted with willful disobedience, he may proceed under civil contempt. Thus, by omitting a charge of willfulness and under the guise of securing compliance with the order of the court, punishment could be imposed under this measure without any trial by jury, and this may be precisely the direction which prosecutions for contempt may take if the garbled language of the House amendment is approved by the Senate.

I think, Mr. President, that it might prove helpful if I would review precisely what the situation is now with respect to the right of a defendant accused of committing an act for the purpose of denying another the right to vote. Under present law, this is a criminal offense and, as in the case of all criminal offenses, the accused would be afforded the right of trial by jury. With passage of this bill, however, the threat to accomplish the same act may lead to the imposition of an injunction by a court of equity. Whereupon the same act, which constitutes a criminal offense, would then subject an individual to prosecution for both the criminal offense and likewise for contempt of court. This proposal was designed for that purpose. This is admitted by the principal sponsor, the Department of Justice. The Assistant Attorney General in Charge of the Criminal Division at one time stated that if trial by jury were granted, it would defeat the purposes of this bill. I can only take that to mean that this bill was designed to avoid trial by jury. But the Senate in its wisdom decided that a trial by jury should be had in proceedings for criminal contempt when the object was to punish rather than to secure compliance. Now we are at the point of retreating from this position to a point where a jury trial is available only at the discretion of the judge whenever he imposes too severe a penalty.

In urging the rejection of H. R. 6127 I seek earnestly to preserve the American constitutional and legal systems for all Americans of all races and all generations.

Diligent efforts have been made to present H. R. 6127 in the guise of a meritorious and mild bill. It is in truth, as I have shown, as drastic and indefensible a legislative proposal as was ever submitted to any legislative body in this country. This legislation has been presented to Congress at a time when never-ending agitation on racial subjects by both designing and sincere men impairs our national sanity and diminishes in substantial measure the capacity of our public men to see the United States steady and to see it whole.

This legislation is based on the weird and strange thesis that the best way to promote the civil rights of some Americans is to strip other Americans of civil rights equally as precious and to reduce the supposedly sovereign States with their political subdivisions to meaningless zeros on the Nation's map.

The only reason advanced by the proponents of H. R. 6127 for urging its enactment is, in essence, an insulting and insupportable indictment of a whole people. They charge that southern officials and southern people are generally faithless to their oaths as public officers and jurors, and for that reason can be justifiably denied the right to invoke for their protection in courts of justice constitutional and legal safeguards erected in times past by the Founding Fathers and the Congress to protect all Americans from governmental tyranny.

This body must pause and ponder the indisputable fact that the provisions of this legislation are far broader than the reason assigned for urging its enactment. If this bill can be used to make second-class litigants out of southerners involved in civil rights cases today, it can be used with equal facility tomorrow to reduce other Americans involved in countless other cases to the like status of second-class litigants. In its final essence, the legislation ignores the primary lesson taught by history, which is that no man is fit to be trusted with unlimited governmental power. It attempts to vest in a single fallible human being, the temporary occupant of the political office of Attorney General, regardless of his character or qualifications, despotic powers which have no counterpart in American history and which are repugnant to the basic concepts underlying and supporting the American constitutional and legal systems.

I would be derelict in my elected duty if I did not resist legislation such as this to the very limit of my abilities.

LEAVE OF ABSENCE—FELICITATIONS TO THE MORSE FAMILY UPON THE APPROACHING MARRIAGE OF THEIR DAUGHTER JUDY

During the delivery of Mr. EASTLAND'S speech,

Mr. MORSE. Mr. President, I ask unanimous consent to be excused from further attendance upon sessions of the Senate through Saturday of this week.

The PRESIDING OFFICER (Mr. McNAMARA in the chair). Does the Senator from Mississippi yield for that purpose?

Mr. EASTLAND. I yield for that purpose provided I do not lose my right to the floor.

The PRESIDING OFFICER. Without objection, the request of the Senator from Oregon is granted.

Mr. MORSE. Mr. President, in making this request I express my very deep thanks and appreciation to the Senator from Montana [Mr. MANSFIELD], who is paired with me on the civil-rights matter. I shall continue, of course, to vote against the bill, which I consider to be a sham bill. That is all the conference report is, in my opinion.

I now ask unanimous consent to introduce, out of order a bill, and ask to have printed in the RECORD a statement explaining the bill.

The PRESIDING OFFICER. Does the Senator from Mississippi yield for that purpose?

Mr. EASTLAND. I yield, provided I do not lose my right to the floor, and provided I am not charged with two speeches.

The PRESIDING OFFICER. With that reservation, the bill will be received and appropriately referred, and the statement submitted by the Senator from Oregon will be printed in the RECORD.

Mr. MORSE. I suggest that my interruption be printed elsewhere in the RECORD so that it will not interrupt the continuity of the speech of the Senator from Mississippi.

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

The bill introduced by Mr. MORSE, together with the statement submitted by him, will be found elsewhere in today's RECORD under the appropriate heading.

Mr. GORE. Mr. President, will the Senator from Mississippi yield to me?

Mr. EASTLAND. I yield under the same conditions as previously mentioned.

Mr. GORE. I understand that the distinguished senior Senator from Oregon is traveling to the beautiful and romantic Northwest for the purpose of giving his lovely daughter in marriage to a handsome, promising young Lochinvar.

Mr. MORSE. The Senator is quite right. Not only is the Northwest romantic, but I am going there to witness the culmination of one of the most beautiful romances I have ever seen. As a father I am very proud; and I am sure that under the circumstances the Senate will excuse me from further attendance through Saturday. However, if the Senate is still in session on Monday I shall be back to speak at some length against the conference report.

Mr. GORE. I am sure that the Senate will excuse the distinguished Senator, because of the wonderful mission upon which he is going. He has worked very hard during this session. His labors have borne wonderful fruit. He goes with the good wishes of the Senate, and particularly of the junior Senator from Tennessee. May love add years to his life.

I send to the lovely daughter and her groom best wishes for future happiness, and Godspeed.

Mr. MORSE. I appreciate the kind words of the Senator very much, because of the friendship I have for the Senator from Tennessee.

I should like to ask him to perform a mission for me. Although I have sent the Senator-elect from Wisconsin a telegram, I should like to delegate to the Senator from Tennessee the mission of saying to the new Senator from Wisconsin, when he arrives tonight, that I am delighted to welcome, from my boyhood State, another Senator who exercises an honest independence of judgment on the merits of issues as he sees them. If the Senator from Tennessee will deliver that message, he will be rendering a great personal favor to me.

I thank the Senator from Mississippi for his usual courtesy and kindness in permitting me to interrupt his speech.

Mr. EASTLAND. Mr. President, I desire to join in everything the distinguished Senator from Tennessee has said. I offer my congratulations to my distinguished friend from Oregon, with whom I seldom agree. Notwithstanding our frequent disagreements, we are good friends.

Mr. MORSE. I appreciate the Senator's good wishes; and I also appreciate very much his sincere friendship.

Mr. WILEY. Mr. President, will the Senator from Mississippi yield to me?

Mr. EASTLAND. I yield, under the same conditions as previously stated.

Mr. WILEY. I am very happy that I entered the Chamber just when I did, because I want the distinguished Senator from Oregon to convey my love and affection to his very lovely daughter. I feel that, in a way, I helped to raise her. For many years we lived in the same apartment house. The girls grew up together. I have a very affectionate regard for her. I wish for her, in her new adventure, a great deal of love and a great deal of success.

May the journey of the Senator from Oregon be full of good things.

Mr. MORSE. I appreciate very much the Senator's good wishes.

I think I should remind the Senator that Judy always refers to him as her "favorite Dutch uncle."

Mr. WILEY. "Uncle Alex."

Mr. MORSE. Yes. I appreciate very much the wonderful things my friend from Wisconsin has done for her.

Mr. PURTELL. Mr. President, will the Senator from Mississippi yield to me?

Mr. EASTLAND. I yield, under the same conditions as previously mentioned.

Mr. PURTELL. I should like to join my colleague from Tennessee in congratulating the Senator from Oregon, on behalf of the minority leader, and also on behalf of myself, as acting minority leader. I wish him not only a happy journey, but a happy reception in his hometown.

I wish the Senator from Oregon would extend to Mrs. Morse, on behalf of my wife and myself, our felicitations.

Mr. MORSE. I very much appreciate the Senator's kind words.

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

Mr. EASTLAND. I yield under the same conditions as previously stated.

Mr. LANGER. I join my associates in wishing the distinguished Senator from Oregon and his wife, and the entire Morse family every happiness. He is a great adornment to the Senate. The people over the United States know what a very fine family the Morse family is.

I hope the daughter and her husband will be very happy.

Mr. MORSE. I thank the Senator from North Dakota very much. I should like to have him express to Mrs. Langer our appreciation for this message.

I wish to say to my dear friend from North Dakota, as I leave, that I am again indebted to him for the inspiration he has afforded me this year, by his great courage and dedication to public service, which he has always demonstrated as a Senator from North Dakota.

EXCHANGE OF LANDS TO PROVIDE A SITE FOR SIBLEY MEMORIAL HOSPITAL

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate temporarily lay aside the pending business and proceed to the consideration of Calendar 1107, H. R. 8918.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 8918) to further amend the act of August 7, 1946 (60 Stat. 896), as amended by the act of October 25, 1951 (65 Stat. 657), to provide for the exchange of lands of the United States as a site for the new Sibley Memorial Hospital; to provide for the transfer of the property of the Hahnemann Hospital of the District of Columbia, formerly the National Homeopathic Association, a corporation organized under the laws of the District of Columbia, to the Lucy Webb Hayes National Training School for Deaconesses and Missionaries, including Sibley Memorial Hospital, a corporation organized under the laws of the District of Columbia, and for other purposes.

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

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

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to accomplish the following:

First. Authorize the Administrator of the General Services Administration to exchange, at fair market value, the land now occupied by the Hahnemann Hospital, Kirby and N Streets NW., for approximately 12 acres of land on the Dalecarlia Reservoir tract formerly used by the National Training School for Girls, but abandoned by the District of Columbia government in March 1957, Second. Provide for the orderly dissolution of the Hahnemann Hospital and its merger with the Sibley Memorial Hospital.

Third. Permit the lien that was attached to the Hahnemann Hospital land to be transferred to the new Sibley Memorial Hospital which will be constructed on the Dalecarlia site and consolidated with the lien to be established as the result of this new construction.

Extend to other hospitals constructed under the Hospital Center Act the privilege of transferring to their new sites any liens in favor of the United States against the lands such hospitals formerly occupied.

Mr. President, I ask unanimous consent to insert in the Record at this point a statement prepared by the very able senior Senator from Oregon [Mr. Morse], who has spent considerable time in connection with this proposed legislation, and who spoke to me on several occasions in an attempt to get the measure considered before he was called away.

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

Statement by Senator Morse

The purpose of this bill is to accomplish the following:

1. Authorize the Administrator of the General Services Administration to exchange, at fair market value, the land now occupied by the Hahnemann Hospital (Kirby and N Streets NW.) for approximately 12 acres of land on the Dalecarlia Reservoir tract formerly used by the National Training School for Girls, but abandoned by the District of Columbia government in March 1957.

2. Provide for the orderly dissolution of the Hahnemann Hospital and its merger with the Sibley Memorial Hospital.

3. Permit the lien that was attached to the Hahnemann Hospital land to be transferred to the new Sibley Memorial Hospital which will be constructed on the Dalecarlia site and consolidated with the lien to be established as the result of this new construction.

4. Extend to other hospitals constructed under the Hospital Center Act the privilege of transferring to their new sites any liens in favor of the United States against the lands such hospitals formerly occupied.

Hearings on the companion bill (S. 1760) were held by the Subcommittee on Public Health, Education, Welfare, and Safety, on June 21, 1957, and July 31, 1957, and in addition, the members of the subcommittee inspected the site area on July 10, 1957, accompanied by the District Commissioners and their staff, representatives of the Corps of Army Engineers, officials of the General Services Administration, and private proponents and opponents of the legislation.

The physical inspection of the proposed hospital area caused the subcommittee to request additional information from the Corps of Army Engineers and the District government about buildings and structures within the drainage area of the reservoir used by the Corps of Engineers and the Army Map Service for purposes unconnected with the water supply of the District. In the opinion of the committee the replies received and the testimony taken upon these aspects of the water supply problem of the District of Columbia greatly weakened the case made for vesting the control of this 12-acre site with the Corps of Army Engineers as vitally necessary to the preservation of the water supply of the District.

The committee found that the use of the 12-acre Loughboro site, which is outside the drainage area of the Dalecarlia Reservoir, would not within the next 40 to 50 years be needed for a water-use facility per se, and it concludes that the hospital-site purpose is in the public interest as the highest use of this land.

With respect to the provision permitting the transfer to new sites of existing encumbrances on the old site properties occupied by hospitals affected by the legislation, the committee is of the opinion that the District will suffer no long-range financial hardship from the deferment of the payment of these liens.

I should like to make it perfectly clear to the Senate that the Corps of Army Engineers has been most cooperative and helpful to the committee. The representative of the corps who testified before the committee, was open, frank, and I may say a skillful advocate, in his defense of the Army's position in this matter. That the committee on the basis of all the evidence came to a decision other than that desired by the Army engineers, should in no way be construed as a criticism of Colonel Sumner. He is a very able officer, who made an excellent presentation of, in the opinion of the subcommittee, an inherently weak case. The decisions that were taken many years in the past to locate the Beach Erosion Board and the Army Map Service on the Dalecarlia reservation cannot in justice and fairness be charged to him, and these decisions were the factors that among others carried weight with the committee.

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

The bill was ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the bill was passed be reconsidered.

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

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Colorado to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

INVESTIGATION BY TARIFF COMMISSION CONCERNING TUNGSTEN PRICES

Mr. MALONE. Mr. President, I submit for myself, the Senator from Nevada [Mr. Bible], the Senator from Wyoming [Mr. Barrett], and the Senator from Montana [Mr. Murray], a resolution, and ask that it lie on the table so that other Senators may join in it if they care to.

Mr. President, it is a simple resolution, directing the Tariff Commission to make an investigation of the difference in cost between domestically produced tungsten ore and concentrates and foreign-produced tungsten ore and concentrates, and report the results of its investigation on or before March 1, 1958.

The purpose of this resolution is to put the matter squarely up to the President under the escape clause.

Neither the escape clause or the peril point provisions have been effective for the survival of American industries—but this is just another arrow in the bow and we are overlooking nothing to keep this Nation self-sufficient in the production of this indispensible mineral in war and peace.

The real solution is allowing the 1934 Trade Agreements—so-called reciprocal trade—Act to expire in June next year, 1958, and then the Tariff Commission, an agent of Congress, will take over and continually adjust the flexible duty or tariff on the basis of fair and reasonable competition.

Under the 1934 Trade Agreements Act, 34 foreign competitive nations are now sitting in Geneva, Switzerland, dividing the American markets between them.

The PRESIDING OFFICER. For what period of time does the Senator desire to have the resolution lie on the table?

Mr. MALONE. Until called up by the majority leader.

The PRESIDING OFFICER. Without objection, the resolution will be received and lie on the table.

Mr. JOHNSON of Texas. Mr. President, I may say that I have not talked to the minority leader about the resolution, but I have conferred with the very able Senator from Nevada and the chairman of the Finance Committee. If it is agreeable, the Senator could have the resolution lie on the table for the next 2 days. Is that agreeable?

Mr. MALONE. Until the majority leader sees fit to call it up. I have discussed this matter with the chairman of the Finance Committee, the Senator from Virginia [Mr. Byrd], the Senator from Oklahoma [Mr. Kerr], and the Senator from Pennsylvania [Mr. Martin], the senior members of the committee.

Mr. JOHNSON of Texas. Has the Senator from California [Mr. Knowland] cleared it?

Mr. MALONE. The Senator from California has cleared it.

Mr. JOHNSON of Texas. I have no objection to its present consideration.

Mr. MALONE. I should like to have it considered now, if it is agreeable.

Mr. ALLOTT. Mr. President, I have not heard the resolution read. I was called off the floor.

Mr. JOHNSON of Texas. Mr. President, may we have the resolution stated?

The PRESIDING OFFICER. The resolution will be read.

The legislative clerk read the resolution (S. Res. 195) as follows:

Resolved, That the United States Tariff Commission is hereby directed, pursuant to section 336 of the Tariff Act of 1930, as amended (19 U. S. C. 1336), to make an investigation of the differences in the cost of production of domestically produced tungsten ore and concentrates and the cost of production of foreign-produced tungsten ore and concentrates, and to report the results of its investigation on or before March 1, 1958.

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

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

Mr. JOHNSON of Texas. Mr. President, the distinguished Senator from Nevada has talked to me about this matter. I think this is a proper procedure. I would favor the resolution. We are now in the closing days of the session.

Certainly, I would not want the Senate to conclude its session without taking action on the resolution.

I wish to be positive that the Record shows the distinguished Senator from Nevada [Mr. MALONE] has cleared this with the minority leader [Mr. KNOWLAND].

Mr. MALONE. I have cleared it with the minority leader.

Mr. JOHNSON of Texas. And that he has cleared it with the ranking minority member of the Committee on Finance, the Senator from Pennsylvania [Mr. MARTIN]. Is that correct?

Mr. MALONE. That is correct.

Mr. JOHNSON of Texas. The distinguished chairman of the Committee on Finance is present in the Chamber. I should like to have him make a brief statement as to whether he is in accord with this action.

Mr. BYRD. Mr. President, I have conferred with the Senator from Navada. I can see no objection to the adoption of the resolution.

Mr. ALLOTT. Mr. President, reserving the right to object—and I shall not personally object—this is a matter in which a great many people have been interested. It occurs to me that many Members, particularly members of the Committee on Interior and Insular Affairs, might wish to have an opportunity to join in sponsorship of the resolution. I personally should like to have an opportunity to join in the submission of the resolution. I think perhaps other Senators might wish to do so, also.

Mr. JOHNSON of Texas. I ask unanimous consent that the Senator from Colorado [Mr. ALLOTT] be listed as a cosponsor.

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

Mr. ALLOTT. I have no objection to the resolution.

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

The resolution (S. Res. 195) was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

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

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Colorado to lay on the table the motion of the Senator from Texas to reconsider.

The motion to lay on the table was agreed to.

STATUTORY DEBT LIMIT

Mr. BYRD. Mr. President, I should like to state that I had a conference with the Secretary of the Treasury, Mr. Robert B. Anderson, with respect to the debt limit.

The Secretary of the Treasury today personally delivered to me as chairman of the Senate Finance Committee a letter relative to the public debt situation which I make public herewith.

In the current debt situation, the Secretary of the Treasury has taken proper and appropriate action in notifying the Congress and the spending agencies of the Federal Government with respect to the narrow fiscal margin on which the Government of the United States is operating.

With the Federal debt virtually at the $275 billion statutory ceiling, I am convinced that holding the present limit is the best control over expenditures now available to the Congress. The Secretary did not request immediate increase in the ceiling, and I would oppose an increase under any circumstances short of dire national emergency, after the executive branch of the Government exhausted its authority to control expenditures.

By allowing the huge accumulation of unexpended balances in prior appropriations, now approximately $70 billion, in addition to the new appropriations just enacted, the Congress has virtually destroyed its control over the rate of expenditures by Federal agencies, and from a practical standpoint the debt ceiling at this time is the one remaining safeguard.

Secretary Anderson has very properly called upon the spending agencies to hold expenditures to the absolute minimum in order to avoid necessity for requesting an increase in the debt limitation when Congress reconvenes in January, and I join him in this demand.

Mr. President, I ask unanmious consent that the letter from Mr. Anderson be printed in the Record at this point.

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

My Dear Mr. Chairman: As I assume the responsibilities of the Office of Secretary of the Treasury and review the situation which confronts the Treasury for the fiscal year which began July 1, I am concerned with the small margin which present forecasts indicate will exist between our financial requirements and the statutory debt limitation of $275 billion.

During the past 3 years, the Treasury has been operating under temporary year-to-year increases in this limitation—$6 billion increases during fiscal years 1955 and 1956 and $3 billion for the year ended June 30, 1957. Even with this leeway, the effective management of Treasury financing has been difficult and, at times, more costly expedients had to be adopted to operate within the debt limit.

In part, the difficulty is caused by the seasonal peaks in collection of corporate income taxes. While the corporate collection plan has been changed by law and collections are gradually being leveled off, it will take 2 more years before corporate tax collections are on a relatively even quarterly basis. In the meantime, the Treasury must borrow large sums in the first half of the fiscal year (July–December) to meet expenditures and pay off such borrowing in the last half of the fiscal year. This happens even though we operate with a budget surplus, as has been the case during 1956 and 1957 and as estimated for 1958.

The best present estimates for the current fiscal year indicate that, during the period October 1957, until March 1958, we shall be within a few hundred million dollars of the $275 billion debt limit with, at times, very small cash balances. This not only interferes with orderly debt management but gives little margin to meet unexpected contingencies.

However, realizing the importance of keeping within the lowest practicable debt limit, we are ready to try to operate within the present limit. We can do so safely only if there is full understanding of the problem on the part of both the executive departments and the Congress.

Within the administration, this matter has been discussed fully, and I can assure you that every effort will be made to operate within the President's budget.

It is possible that, despite our best endeavors, situations might develop requiring an increase in the debt limit. However, I hope that, by mutual cooperation, we can avoid that contingency.

I have felt I would be remiss in my duties if I failed to bring a current analysis of this matter to the attention of the Finance Committee of the Senate at this time. I am sending a similar letter to the chairman of the House Committee on Ways and Means.

Sincerely yours,

Robert B. Anderson,
Secretary of the Treasury.

WILLIAM HOWARD TAFT CENTENNIAL

Mr. BRICKER. Mr. President, William Howard Taft, 27th President and 10th Chief Justice of the United States, was born in Cincinnati, Ohio, on September 15, 1857. Since the Congress will not be in session on the 100th anniversary of his birth, I want to take this opportunity to review briefly his splendid career of unselfish public service.

Of all the men who have attained high public office I think William Howard Taft is the most underrated. This relative obscurity is due in part to Taft's innate modesty and in part to an amiability so great that it tended to overshadow a really first-rate mind. It would be a pity if future generations remember William Howard Taft only for the fact that he alone served America both as its President and on the Supreme Court of the United States.

Bill Taft, "Will" to his intimate friends, was the son of a distinguished father and the father of a distinguished family. His father achieved success at both bench and bar after coming to Cincinnati from Vermont in 1838. Judge Alphonso Taft was Secretary of War and Attorney General in Grant's Cabinet and Minister to Austria and Russia under President Arthur.

In the memoirs of Mrs. William Howard Taft we read of his parents:

> Judge Alphonso and Mrs. Taft had created a family atmosphere in which the children breathed in the highest ideals, and were stimulated to sustained and strenuous intellectual and moral effort in order to conform to family standards. They had an abiding confidence in the future of their children which strongly influenced the latter to justify it.

Those same ideals, pursued through four generations, have helped to make the Taft family one of the first families of America.

From Woodward High School in Cincinnati young Will Taft went to Yale. He graduated in 1878 standing second in a class of 132. His affection for Yale and the importance he attached to education were shown by his return to New Haven after leaving the White House. With almost every important job in the world open to him, he chose to be professor of constitutional law at Yale from 1913 to 1921.

Just 9 years after graduating from the Cincinnati Law School in 1880, Taft had important backing for a vacancy on the United States Supreme Court. Although he was then only 32 years of age, he had already served 2 years on the Superior Court of Ohio. He had already demonstrated his ability in private practice and as a prosecuting attorney. The appointment to the Supreme Court did not come to Taft in 1889, but it always remained his dearest hope.

Taft became Solicitor General of the United States in 1890 and United States circuit judge for the 6th judicial circuit in 1892. He served as a Federal circuit judge until 1900.

By 1900 Judge Taft, then only 43, was widely recognized as one of the best lawyers in America. Such recognition in itself was unusual because Taft was not a corporation lawyer in any sense of the word. It was that legal specialty which, in 1900, produced fame and its attendant rewards.

In 1900 Taft's eventual appointment to the Supreme Court was as certain as such an appointment can ever be. He felt then, as he did following his appointment in 1921, that the Supreme Court "next to my wife and children, is the nearest thing to my heart in life." No wonder Taft hesitated when President Roosevelt offered him the job of President of the Philippine Commission.

It was Elihu Root, then Secretary of War, who played the role of Dutch uncle. As Taft later recalled, Root said:

> You have had an easy time of it holding office since you were 21. Now your country needs you.

Root added:

> You may go on holding the job you have in a humdrum, mediocre way. But here is something that will test you; something in the way of effort and struggle, and the question is, will you take the harder or the easier task?

William Howard Taft, characteristically, heeded the call of duty.

In the march of the Filipinos to full self-government, no man deserves greater credit than William Howard Taft. He firmly rejected rule by the bayonet and all other forms of colonialistic oppression. Just as firmly he rejected the utopian counsel of those who would have applied abstract principles of government to the Philippines which were utterly unadapted to their stage of development. The enlightened rule of the Taft Commission in the Philippines is still a worthy model for governments which seek to extricate themselves from the dead end of colonialism or which seek to avoid more subtle forms of imperialism.

Taft summarized his policy in these words:

> We hold the Philippines for the benefit of the Filipinos, and we are not entitled to pass a single act or to approve a single measure that has not that as its chief purpose.

Taft applied that policy to himself. When the cherished offer of appointment to the Supreme Court finally came in January 1903, Taft declined it because his work in the Philippines was unfinished. When, as President, Taft signed the commission of Edward D. White as Chief Justice, he remarked:

> There is nothing I would have loved more than being Chief Justice of the United States. I cannot help seeing the irony in the fact that I, who desired that office so much, should now be signing the commission of another man.

After serving as Secretary of War and general troubleshooter for Theodore Roosevelt from 1904 to 1908, Taft became a candidate for the Presidency. He was nominated on the first ballot by the Republican Party at its convention in Chicago. He defeated William Jennings Bryan in the November election by an electoral vote of 321 to 162.

During the administration of President Taft many progressive reforms were instituted. A Department of Labor was created, the civil service was extended, the budget was brought under executive supervision and control, inordinately high tariffs were reduced, the Standard Oil and tobacco trusts were dissolved, and peace with honor was maintained. Time does not permit me to elaborate on the commendable achievements of the Taft administration. But in the light of all that was done, it is still hard to understand why the Republican Party split so disastrously in 1912.

Taft's biographer, Henry F. Pringle, suggests that it was Taft's "inability to popularize or make exciting his accomplishments." There is certainly some truth in this conclusion, surprising though it is in view of Taft's Cincinnati newspaper experience and family connections. Taft himself, after reviewing in 1912 all that had been accomplished in 4 years, wrote in a letter to his wife, Helen:

> It is a very humdrum, uninteresting administration, and it does not attract the attention or enthusiasm of anybody, but after I am out I think that you and I can look back with some pleasure in having done something for the benefit of the public weal.

Taft's failure to popularize his administration was not due entirely to inability. For example, he rejected the idea that the President should "play the part of a universal providence and set all things right." He considered it more important to fight monopoly by litigation than by press releases. When his Secretary of the Interior was unjustly attacked, he refused to fire him, saying:

> Life is not worth living and office is not worth having if, for the purpose of acquiring the popular support, we have to do a cruel injustice or acquiesce in it.

And, finally, Taft did not take the easy road to popularity which then lay in the direction of threatening or making war on some weak neighbor of the United States.

Taft achieved his life-long ambition in 1921 when President Harding appointed him Chief Justice of the United States Supreme Court. The years from 1921 to 1930 were the golden years of Taft's life. For example, he wrote in 1925 that "in my present life I don't remember that I ever was President."

When Taft finally realized his ambition, he gave to the Supreme Court all that he had. His schedule called for 4 hours of Court work and 8 hours of work outside of the Court each day that the Court was in session. By 1926 he was forced to ease up because he had worked so zealously as Chief Justice that he impaired his health.

Under the Chief Justiceship of William Howard Taft, the Court was more unified than it has been at any time since. The Supreme Court enjoyed more prestige than it has ever known under any of his successors.

In regard to Taft's decisions on the Supreme Court, it would be a mistake to label them either as liberal or as conservative. Some critics of Taft's opinions who describe them as conservative or even reactionary, tend to ignore the nature of the judicial function. The Supreme Court, then as now, was required to interpret a large body of Federal legislation, some of which might be described as reactionary in character. William Howard Taft, however, never believed that a member of the United States Supreme Court should assume the role of a superlegislator.

Chief Justice Taft forged several strong links in the chain of a broad commerce power extending from John Marshall's decision in Gibbons against Ogden down to the present time. He breathed new life into the Sherman Antitrust Act which had been the subject of several mutilating constructions.

Perhaps more important to the Supreme Court than any decision in which Chief Justice Taft participated, was his successful advocacy of the Judiciary Act of February 13, 1925. It was this measure of judicial reform which relieved the Court's docket of intolerable congestion. By making much of the jurisdiction of the Supreme Court discretionary rather than obligatory, the Judiciary Act of 1925 enabled the Supreme Court to concentrate on important constitutional issues and on other cases of great national importance. Chief Justice Taft's vigorous lobbying for the bill was perhaps his most important contribution to the Supreme Court.

William Howard Taft was preeminently a man of peace. He viewed with extreme distaste the experiences of the United States in the Spanish-American War and the belligerent attitude assumed by the United States in relation to some of the countries of Central and South America. As President, he firmly resisted war with Mexico.

President Taft did more to advance the cause of international arbitration than any of his predecessors in office. The biggest block to arbitration as an alternative to war was the question of national honor. When Taft was asked if he would arbitrate a question of national honor, he said frankly, "I am not afraid of that question, of course I would." However, it is important to recognize that Taft was realistic on the subject of international law. He realized that it was both intolerable and impractical to vest any international tribunal with jurisdiction over political issues involving possibly the life and death of sovereign nations. He insisted that arbitration be limited to justiciable issues such as, for example, the kind of issue recently represented in the Suez Canal controversy.

It is indeed unfortunate that the Senate of the United States was unwilling to accept without crippling reservations the arbitration treaties which President Taft had worked out with England and with France. It is also unfortunate that other countries, particularly Germany, withdrew from the negotiations spearheaded by Taft and Secretary of State Knox. If the Senate and the civilized world had followed Taft's lead in this matter, World War I might have been avoided.

Taft also was a realist on the subject of the League of Nations. He vigorously condemned Woodrow Wilson's stubbornness in refusing to make any concessions to public opinion in the United States and he condemned with equal vigor the isolationists of that time who wanted no part of the League. If Taft's views on the League of Nations had been accepted, World War II might have been avoided. This is, of course, pure speculation, but no reasonable man would argue that the world would be any worse off today if the views of William Howard Taft had prevailed.

William Howard Taft died in Washington on March 8, 1930, and was buried in Arlington National Cemetery. I hope very much that the 100th anniversary of the birth of William Howard Taft, which falls on September 15 of this year, will be the occasion for recalling and signalizing his many and varied achievements.

FIFTIETH ANNIVERSARY OF FIRST CONFERENCE OF GOVERNORS FOR PROTECTION OF NATURAL RESOURCES OF THE UNITED STATES

The PRESIDING OFFICER (Mr. LANGER in the chair) laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 35) to provide for the observance and commemoration of the 50th anniversary of the first conference of State governors for the protection, in the public interest, of the natural resources of the United States, which were, on page 1, strike out all after the title down to line 1, page 3; on page 3, line 10, strike out "Interior" and insert "Interior and Chief of Engineers, Department of Army"; on page 4, line 5, strike out "Chairman shall, with the advice of the Commission", and insert "President of the United States may"; on page 4, line 6, after "include" insert "not more than"; on page 4, line 8, after "and" insert "not more than"; on page 5, line 2, strike out "1958." and insert "1958, but neither the Commission nor such committees, task forces, or advisory groups shall solicit funds from the general public."; and on page 5, line 9, after "resolution," insert "not to exceed $20,000.".

Mr. MANSFIELD. Mr. President, the House of Representatives has passed with amendments Senate Joint Resolution 35 to establish a Conservation Anniversary Commission to observe the 50th anniversary of the first conference of State governors, called by President Theodore Roosevelt in 1908, on conservation problems.

After conferring with the distinguished chairman of the Interior and Insular Affairs Committee and other Members on both sides of the aisle, I move that the Senate disagree to the amendments of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. MURRAY, Mr. NEUBERGER, Mr. CARROLL, Mr. MALONE, and Mr. KUCHEL conferees on the part of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 1645. An act to authorize the Secretary of he Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road widening purposes;

S. 2500. An act to make uniform the termination date for the use of official franks by former Members of Congress, and for other purposes; and

S. J. Res. 18. Joint resolution to authorize and request the President to issue a proclamation in connection with the centennial of the birth of Theodore Roosevelt.

The message also announced that the House had passed the bill (S. 2792) to amend the Immigration and Nationality Act, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the joint resolution (S. J. Res. 35) to provide for the observance and commemoration of the 50th anniversary of the first conference of State governors for the protection, in the public interest, of the natural resources of the United States, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 6322) to provide that the dates for submission of plan for future control of property and transfer of the property of the Menominee Tribe shall be delayed; asked a conference with the Senate on the disagreeing votes of the two Houses thereon and that Mr. HALEY, Mr. ENGLE, Mr. ASPINALL, Mr. MILLER of Nebraska, and Mr. PERRY were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 3028. An act to provide for the relief of certain female members of the Air Force, and for other purposes;

H. R. 3625. An act to amend section 214 of the Interstate Commerce Act, as amended, to prevent the use of arbitrary stock par values to evade Interstate Commerce Commission jurisdiction; and

H. R. 3940. An act to grant certain lands to the Territory of Alaska.

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 6562. An act to clarify the law relating to leasing of lands within Indian reservations in Alaska, and for other purposes;

H. R. 6760. An act to grant to the Territory of Alaska title to certain lands beneath tidal waters, and for other purposes;

H. R. 8030. An act to amend the Agricultural Adjustment Act of 1938 with respect to acreage history; and

H. R. 8256. An act to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social security benefits and to provide additional exemptions for age and blindness, and to exempt from personal property taxation in the District of Columbia boats used solely for pleasure purposes, and for other purposes.

The message further announced that the House had agreed to the amendments of the Senate numbered 1½, 2, and 3 to the concurrent resolution (H. Con. Res. 172) to establish a joint Congressional committee to investigate matters pertaining to the growth and expansion of the District of Columbia and its metropolitan area, and that the House had agreed to the amendment of the Senate numbered 1 to the concurrent resolution, with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 2603. An act to amend the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 3, 1896;

H. R. 2462. An act to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes;

H. R. 2474. An act to increase the rates of basic salary of employees in the postal field service; and

H. R. 3377. An act to promote the national defense by authorizing the construction of aeronautical research facilities and the acquisition of land by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research.

THE PROBLEMS OF THE SHEEP INDUSTRY

Mr. BARRETT. Mr. President, four years ago the sheep business was in a bad way. The sheep industry was sick, in fact, very sick. It needed mighty strong medicine if it was going to get well. It got it. The Wool Act of 1954 did the job. As a result, Mr. President, the sheep industry of our country is now improving in good shape. True, this great industry is not completely out of the woods, but it has made splendid progress. However, Mr. President, the Wool Act expires after payments on next year's wool clip. The Wool Act must be extended for another four years if we are to keep the sheep industry safely on the road to recovery. I rise today, Mr. President, to speak on the operation of the Wool Act.

As everyone knows, Mr. President, livestock is the basic industry of the Western

States. The economy of 200 counties in the Mountain West can be maintained in a sound and prosperous condition only with a thriving livestock industry. Grass is the main crop harvested from about 90 percent of the West's 800 million acres. The western empire represents a little more than one-third of the entire area of the United States. Today nearly 12 million head of sheep are grazing on the ranges of the 11 Western States gathering the products of the soil and processing them for utilization in our economy. The vast expanse of rangelands in the Western States is suitable largely for grazing cattle and sheep. It represents a wise and proper use of that great natural resource. The conversion of grass into food and fiber is an important contribution to our economy, but in addition, gathering the grass is an important factor in reducing the danger of fire in our large and priceless forests. To use these lands wisely and in the public interest is imperative from a national standpoint. It is important also that these lands be used to maintain the traditional balance in numbers between sheep and cattle. Both industries are of vital importance not only to the Western States but to the country as well.

From January 1, 1942, to January 1, 1957, the sheep population of the United States dropped from 49,807,000 to 26,370,000 head. The sheep population today is the lowest in 75 years. Our country has grown from 80 million people in 1880 to 172 million, yet we have less sheep today than in 1880.

Statistics tell the story better than words, Mr. President. Strange as it may seem, the sheep industry suffered its greatest blow during the dark days of World War II, when it was so terribly important to produce food and fiber for the war effort. The liquidation took place in the midst of the war and at the very time the Army and Navy Munitions Board had advised the Congress that "wool is a strategic and critical material necessary for the security of the Nation."

The price of wool was frozen at 41 cents a pound at the time of Pearl Harbor. It remained at that price during the entire war. The operating expenses of the wool growers increased by leaps and bounds all along the line, and thousands of wool growers went out of business because they could not make both ends meet. Since their ranch properties were suitable only for livestock, many growers went into the cattle business and, as a result, our cattle population increased year after year until it reached an all-time high of 97 million head a couple of years ago. At the same time sheep numbers in this country dropped nearly 50 percent to an all-time low. The unprecedented liquidation in sheep numbers brought about a tremendous shift by old-time wool growers into the cattle business. For two long decades our domestic wool growers had been confronted with a difficult and uncertain outlook in the market place. To make matters worse, the tariff on wool was reduced by 25 percent in 1948. This was a body blow to the wool growers of the country. To make matters even worse, with every rise in the general level of prices and costs in recent years the protection provided by the tariff was further reduced. Today, Mr. President, the tariff affords the growers protection equivalent to only about 17 percent of the price they receive for their wool, compared with protection of 77 percent in 1930. The dislocation in the sheep industry became so acute that the Department of Agriculture found it necessary in 1951 to make this statement in its yearbook:

> We want to keep our wool industry vigorous because wool is essential to our national health and security; the Armed Forces consider wool a strategic and essential material. Domestic wool production, even in peacetime, has never been equal to consumption. Normally we produce only from one-fourth to one-third of our total requirements. To meet any emergency we should produce at least two-thirds of our normal requirements of apparel wool.

There is no doubt that the wool growers of America were in a desperate condition when this Administration came into power. The price-support program of loans and purchases for wool at 90 percent of parity had proved completely ineffective. The end result of the Government-support program was to stockpile domestic wool in the hands of the Government while foreign producers captured the American market practically in its entirety. The Commodity Credit Corporation acquired a great deal of our production of wool each year. The constantly increasing stockpile in its hands exerted a depressing influence on the growers' market.

It was generally agreed at the time that the wool industry of America was at the crossroads and that it would be completely wiped out if we did not take drastic action. At that time the military reported that it took 135 pounds of wool to equip and maintain a soldier in the field and that our annual production would equip less than 2 million boys. The danger of relying upon imports which must be shipped over highly vulnerable sealanes extending over thousands of miles is apparent when one realizes that 85 percent of the cargoes bringing strategic materials to our shores from Africa were sunk en route.

Recognizing the desperate condition confronting the wool growers of America at that time, President Eisenhower on July 9, 1953, directed the Tariff Commission to institute an investigation of the effects of imports on the domestic wool-price-support program, and also requested the Secretary of Agriculture to supplement that investigation by a broader study of the domestic factors which contributed to the decline in the wool industry. The President called upon the Secretary to make constructive suggestions which would promote a sound and prosperous domestic wool industry.

The Tariff Commission on February 19, 1954, reported to the President in these words:

> * * * The best evidence of the comparative costs of domestic and foreign wools is to be obtained from data on mill consumption and imports. From these, it is clear that foreign wools laid down in the United States duty paid have generally been available below the sale and CCC loan prices of domestic wools on a comparable basis * * * *

* * * * *

> The Commission concludes that imports are materially interfering with and are tending to render ineffective the price-support program for wool. For reasons already cited, there is no certainty that the legislatively prescribed production goal for wool can, as a practical matter, be achieved without resorting to measures outside the framework of the present price-support program for wool * * * *

DOMESTIC WOOL PRODUCTION UNDER THE SPECIAL LEGISLATION FROM WYOMING

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

Mr. BARRETT. I am glad to yield to the distinguished Senator from Nevada.

Mr. MALONE. Mr. President, I should like to ask the distinguished Senator from Wyoming if the legislation does not expire on 1958; that is 1958 is the last effective year?

Mr. BARRETT. It expires after the payments are made for 1958. The final date on the Act is March 31, 1959, but that is for the clip of wool produced in 1958.

Mr. MALONE. The effective date is 1958?

Mr. BARRETT. The Senator is correct.

Mr. MALONE. So long as the 1934 Trade Agreement Act is in full force and effect, and tariffs and duties are regulated by the 34 competitive foreign nations of Geneva, Switzerland, under the General Agreement on Tariffs and Trade, there is no recourse for the wool growers except through special legislation. Is that correct?

Mr. BARRETT. The Senator is correct.

Mr. MALONE. If the 1934 Trade Agreement Act, the so-called Reciprocal Trade Agreement Act, was allowed to expire in June of next year, and in the meantime the Act to which the Senator refers was extended to cover the period until the regulation of flexible duties and tariffs would revert to the Tariff Commission, an agent of Congress under the 1930 Tariff Act, so that there would be a regular adjustment of the flexible duty or tariff on the basis of fair and reasonable competition, then no further special legislation would be required after the 1930 Act had again become effective.

Mr. BARRETT. The Senator is correct. The presumption in the Wool Act was based on the fact that the tariff as it existed at that time would not be interfered with. If it were increased, the price of domestic wool would be raised accordingly, and there would be very little necessity for having any incentive payments.

Mr. MALONE. Mr. President, I should like to ask the Senator one more question. Has there not been a continual decrease in the annual production of wool in the United States over a long period of time, due to the virtual free trade policy under the 1934 Trade Agreements Act?

Mr. BARRETT. In 1942 the sheep population of the country was 49 million head, and today it is 26,370,000 head. Therefore, today it is approximately one-half of what it was in 1942.

Mr. MALONE. And it is still being reduced. Is that correct?

Mr. BARRETT. It has been holding its own during the last year or two.

Mr. MALONE. But the trend generally over the years has been down. Is that correct?

Mr. BARRETT. It certainly has.

Mr. MALONE. Is it not a fact that before there was any interference with the regular adjustment of duties and tariffs, which were always used roughly, to make up the difference between the wages and cost of doing business including taxes in this country and similar wages and cost in the chief competing nation on each product, we were producing somewhere in the neighborhood of one-third of all the wool consumed in this country?

Mr. BARRETT. At one time our production of wool was around 400 million pounds. That was approximately two-thirds of our consumption at that time.

Mr. MALONE. Roughly, what is the percentage of our consumption of wool today?

Mr. BARRETT. We are producing about 232 million pounds of shorn wool. I believe our consumption is roughly about twice as much as that.

Mr. MALONE. We are producing, then, roughly one-half of our consumption at the present time.

Mr. BARRETT. At the present time; that is true.

Mr. MALONE. I asked these pertinent questions to complete the record, since the Senator from Wyoming, I know, is very well informed on the subject, and he had a great deal to do with the original legislation, which we propose now to extend. I know of no better way to do the job. I thank him for the effective work he has done. I thought the record should be complete.

Mr. BARRETT. I thank the Senator for his contribution.

Mr. President, something had to be done and various measures were considered to improve the outlook for domestic wool growers. A good many of us contended that an adequate tariff to compensate between differences in the cost of production abroad as compared to those at home was the proper remedy. State Department officials were adamant in their opposition to a protective tariff because of international complications. Also, there were those who felt that a high tariff would adversely affect the competitive position of wool with other fibers. The Commodity Credit Corporation had already acquired a stockpile of 150 million pounds of wool under the Government support at 90 percent of parity. It was apparent to all that to support wool prices at a higher level would only result in the Government acquiring more wool and storing it in Government warehouses all over the country, while foreign producers supplied an increasingly larger proportion of our market demand.

Wool occupies a unique position in our agricultural economy. We have surplus supplies of every agricultural commodity save and except wool and sugar. We produce less than a third of our domestic demand for each of those crops. The Sugar Act, in my opinion, has proved sound and equitable for both the producers and consumers. At the time it was considered imperative that a workable plan be designed to revive and rehabilitate the sheep industry.

In January 1954 President Eisenhower sent a message to the Congress recommending the adoption of certain proposals for the relief of the wool industry in the following language:

> Price support for wool above the market level has resulted in heavy accumulations of wool, now nearly 100 million pounds, by the Commodity Credit Corporation and the substitution of imported for domestic wool in our home consumption. Two-thirds of the wool used in the United States is imported, yet our own wool piles up in storage.
>
> A program is needed which will assure equitable returns to growers and encourage efficient production and marketing. It should require a minimum of governmental interference with both producers and processors, entail a minimum of cost to taxpayers and consumers; and align itself compatibly with over-all farm and international trade policies.
>
> It is recommended that—
>
> 1. Prices of domestically produced wool be permitted to seek their level in the market, competing with other fibers and with imported wool, thus resulting in only one price for wool—the market price.
>
> 2. Direct payments be made to domestic producers sufficient, when added to the average market price for the season, to raise the average return per pound to 90 percent of parity.
>
> 3. Each producer receive the same support payment per pound of wool, rather than a variable rate depending upon the market price he had obtained. If each grower is allowed his rewards from the market, efficient production and marketing will be encouraged. This has the further advantage of avoiding the need for governmental loans, purchases, storage, or other regulation or interference with the market. Further, it imposes no need for periodic action to control imports in order to protect the domestic price support program.
>
> 4. Funds to meet wool payments be taken from general revenues within the amount of unobligated tariff receipts from wool.
>
> 5. Similar methods of support be adopted for pulled wool and for mohair, with proper regard for the relationships of their prices to those of similar commodities.

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

Mr. BARRETT. I yield to the distinguished Senator from South Dakota.

Mr. MUNDT. First I should like to associate myself with the compliments paid to the distinguished Senator from Wyoming by our colleague from Nevada [Mr. MALONE].

Mr. BARRETT. I thank the Senator.

Mr. MUNDT. On the floor of the Senate, the Senator from Wyoming is generally recognized as the leader of the Senate from the standpoint of protecting the best interests of the wool producers.

Mr. BARRETT. The Senator is very generous in his remarks.

Mr. MUNDT. He has done a fine job of keeping together the Members of the Senate who are interested in this particular proposal, and I am happy to join with him today in introducing a bill to continue the Wool Act on the statute books.

Mr. BARRETT. I appreciate the very valuable help of the Senator from South Dakota in getting the bill introduced and supported by so many Senators.

Mr. MUNDT. In considering an agricultural product which is in deficit supply, when we are actually consuming domestically more than twice as much as the producers are able to provide domestically, and when that product, in turn, is selling below parity, it is obvious that there is something about the national tariff policy which is injurious to the producers of the commodity. That is the situation which confronts us in the wool industry.

Mr. BARRETT. The Senator is correct.

Mr. MUNDT. As a consequence, in lieu of having the adequate protection which they require, the wool producers, in conjunction with Members of the House of Representatives and Members of the Senate, have worked out special legislation designed to meet the specific problem of the wool producer created by the national tariff policies, which were felt by the State Department and others to be essential to international goodwill.

Mr. BARRETT. The Senator is entirely correct. He has stated the situation far better than I could, and I agree with him 100 percent.

Mr. MUNDT. I am confident, because of the essential equity of the situation, insofar as the wool producers are concerned, when the bill comes before the Committee on Agriculture and Forestry, of which I am a member, it will receive strong and favorable support. I am hopeful and confident that the Senate, in its good judgment, will enact the required legislation.

Mr. BARRETT. I thank the Senator for his very fine contribution. I am sure he will be a powerful influence on the Committee on Agriculture and Forestry, and that we will get a favorable report from his committee on the bill; and I am certain the Senate will pass the necessary legislation next year.

Mr. MUNDT. I am equally confident that on that occasion we will have the pleasure of again hearing the distinguished Senator from Wyoming before our committee as the prime ace witness in support of the proposed legislation.

Mr. BARRETT. I thank the Senator.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. BARRETT. I will be delighted to yield to my distinguished colleague from South Dakota.

Mr. CASE of South Dakota. Mr. President, I wish to join in what my colleague from South Dakota [Mr. MUNDT] and other Senators have said with respect to the leadership of the Senator from Wyoming on wool legislation. He certainly has handled well the responsibility which rested upon a leader from a Western State who has been aware of the situation in the wool industry during the last quarter of a century. The Senator from Wyoming, both in the House of Representatives and in the Senate, has been most active in this field.

Mr. BARRETT. I may say to my distinguished colleague from South Dakota that I cannot take a great deal of credit for that fact, for the simple reason that I was engaged in the sheep business for 35 years and I learned many things about the industry the hard way.

Mr. CASE of South Dakota. Last Saturday afternoon, Mr. President, it was my privilege to see one of the leading men of the sheep industry of western South Dakota, Otto Wolff, with whom I think the Senator from Wyoming is familiar. In talking with Mr. Wolff I found he, who is a relatively large operator, feels that both for those who have a great deal of money invested and for those who have smaller sums invested in the sheep industry, the legislation which the Senator from Wyoming now seeks to have enacted would constitute a very beneficial and stabilizing influence.

Mr. BARRETT. I am sure that is true, and I believe the wool growers not only of our States but of the whole country feel the same way about the Wool Act.

Mr. CASE of South Dakota. I believe the public at large may not realize the essentiality of sheep growing as an industry for the country. I need not say to the Senator from Wyoming that we learn by experience. In World War I and in World War II we learned that wool is essential material and we went to great lengths at that time to keep it out of the hands of the enemy. Now we are trying to keep a sheep-growing industry and a wool-producing industry alive in the United States. The present legislation has proved its value in that regard, and I certainly am happy to join with the Senator from Wyoming in the introduction of the bill he is proposing.

Mr. BARRETT. I thank the Senator and I could not agree with him more.

I call attention, Mr. President, to the fact that in his message President Eisenhower recommended that the "wool payments be taken from general revenues within the amount of unobligated tariff receipts from wool." It was therefore assumed that the tariff on wool would not be reduced during the life of the Wool Act. When the Senate Committee on Agriculture and Forestry was conducting its 1954 hearings on the wool bill, the chairman very kindly permitted me to sit with the committee and to interrogate the witnesses. I asked Assistant Secretary of Agriculture Ross Rizley about the use of tariff receipts to make the wool payments and the following colloquy took place:

> Senator BARRETT. Might I ask Mr. Rizley one question? In your statement you say the tariff established to protect the industry would be continued. I assume by that you meant the present tariff of 25½ cents would be continued?
>
> Mr. RIZLEY. That is correct.
>
> Senator BARRETT. During the life of this program?
>
> Mr. RIZLEY. That is correct.
>
> Senator BARRETT. I want to congratulate the Assistant Secretary of Agriculture on a fine statement, Mr. Chairman.

Mr. President, extensive hearings were conducted by the Committees on Agriculture of both the Senate and House and the National Wool Act of 1954 was approved by the President on August 25, 1954. The five important provisions of that Act are as follows:

First. The Congress declared its policy to encourage an annual production of 300 million pounds of shorn wool in order to promote the general economic welfare and to protect the national security.

Second. It established an incentive price to encourage larger production.

Third. The competitive position of wool with other fibers in the free market is not affected by the payments authorized to growers to bring their income from wool up to the incentive level.

Fourth. It was directed that not to exceed 70 percent of the accumulated totals of the specific duties collected on imports on wool and wool manufactures beginning January 1, 1953, be used to finance the incentive payments.

Fifth. It established a self-help feature whereby wool growers can work together more effectively in developing and financing advertising and sales promotion programs to improve the demand for the industry's products and thereby increase the prices received in the free market. Under Section 708 of the Act the wool growers were provided a means of raising funds to promote their products. It was provided that the funds for financing such programs shall be obtained by deductions from the payments to growers. The method approved is quite similar to the way funds are collected from wool growers in Australia, New Zealand, and South Africa for the worldwide promotion and advertising of wool.

A number of prominent national farm organizations, including the National Grange, supported the bill before the Senate and House committees.

As shown by a letter dated March 10, 1954, addressed to Hon. CLIFFORD HOPE, the chairman of the Committee on Agriculture of the House of Representatives, and recorded in committee hearings at that time, Allan B. Kline, the President of the American Farm Bureau Federation, recommended enactment of the wool bill including the broadening of the self-help features of Section 8 of the bill, now Section 708 of the Wool Act. I ask unanimous consent, Mr. President, that the letter from Allan B. Kline, President of the American Farm Bureau Federation, be printed in the RECORD at this point in my remarks.

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

AMERICAN FARM BUREAU FEDERATION,
Washington, D. C., March 10, 1954.
Hon. CLIFFORD R. HOPF,
House of Representatives,
Washington, D. C.

DEAR MR. HOPE: The American Farm Bureau Federation recommends the enactment of H. R. 7775 with amendments as proposed herein.

The American Farm Bureau Federation believes that Government payments to farmers are not a desirable substitute for price supports or a satisfactory means of bringing income into agriculture. On the other hand, we do not support the principle that payments should never be used to support farm returns. We supported the Agricultural Act of 1948 which contained carefully circumscribed authority which could have been used to make payments on wool.

It is our belief that the peculiar circumstances surrounding the production and marketing of wool justify providing carefully prescribed authority for the use of payments to support returns of wool producers. Most important of these circumstances is that wool is a commodity for which the major portion of our needs is imported and for which United States production, even with a 90 percent of parity support, is declining. In the case of wool, the operation of the present price-support program has tended to pile up domestic production in the hands of Government and to substitute foreign wool in consumption outlets.

We believe that it is desirable for the United States to maintain production of wool at a level sufficient to meet a certain percentage of our national needs for wool. To do so, under present conditions, it is obvious that it must be supported at a relatively high level. In order to meet this objective and at the same time encourage domestic wool going into consumption rather than into storage, the payment method of supporting the income of wool producers appears to represent a desirable approach.

The following changes in H. R. 7775 are respectfully recommended:

1. Pulled wool should not be included in the payment program. The inclusion of pulled wool would result in substantial payments to slaughtering establishments without materially contributing to the objective of maintaining increased wool production in this country.

2. Section 8 should be amended to provide that in addition to sales promotion programs, the marketing agreements may include provision for research and education with respect to the production and marketing of wool and wool products.

It would be appreciated if this letter is included as a part of the printed record of this subject.

Very sincerely,
ALLAN B. KLINE,
President.

Mr. DWORSHAK. Mr. President, will the Senator from Wyoming yield?

Mr. BARRETT. I shall be delighted to yield to my distinguished colleague from Idaho.

Mr. DWORSHAK. Will the Senator from Wyoming tell us whether there is general agreement now throughout the wool industry concerning the efficacy of this program and its resultant stabilization of the industry?

Mr. BARRETT. I would say there is as near unanimous agreement in support of this program as could be had for any similar program throughout the whole country, including particularly the Western States.

Mr. DWORSHAK. What is the alternative to this plan if it is not continued? Would there be a gradual dwindling of wool production in this country with eventual extermination of the industry and complete reliance upon foreign sources for our wool?

Mr. BARRETT. I will say to my distinguished colleague that if the Wool Act is not extended, and if an adequate tariff is not imposed on imports of wool, then the liquidation of the domestic sheep industry is a certainty over a period of years, and an extremely short period at that.

Mr. DWORSHAK. Has it not been the experience of our Government and the American people in past emergencies when it was necessary to have an increase in the availability of wool that reliance upon foreign sources has proved not only embarrassing but extremely expensive?

Mr. BARRETT. It has proved very embarrassing to this country on a number of occasions. As I pointed out earlier in my remarks, we lost about 85 percent of our cargoes of wool coming in from South Africa during World War II. That was a pretty rough experience, I may say to my distinguished colleague from Idaho.

Mr. DWORSHAK. Does the Senator from Wyoming recall during World War II, when there developed a shortage of wool for our Armed Forces within the borders of the United States, that the price situation became acute, and as a result the price of Australian wool virtually doubled overnight?

Mr. BARRETT. That is true, and very unfortunately the OPA set the ceiling on the price of wool at 41 cents a pound on a grease basis and maintained it there all during the war, and that started the liquidation of the sheep industry that I spoke of a moment or so ago.

Mr. WATKINS. Mr. President, will the Senator from Wyoming yield further?

Mr. BARRETT. I shall be delighted to yield to my distinguished colleague from Utah.

Mr. WATKINS. I did not hear the first part of the Senator's speech. Did the Senator say anything about the condition of the wool industry at the time this Wool Act was enacted?

Mr. BARRETT. I mentioned that a short while ago. I said it was in a desperate condition and it took legislation of this type to correct the situation and to put the wool industry on its feet, and at the present time a splendid recovery is in process. If the Wool Act is extended, I believe the domestic sheep industry will eventually return to its former position of a strong, sound and prosperous industry.

Mr. WATKINS. I noted a few moments ago something was said about whether or not this program received the general approval of the wool industry and whether the people who are engaged in that industry are back of it.

Mr. BARRETT. I say the sheep growers are 100 percent back of this piece of legislation, and I am sure that they want it reenacted at the next session of the Congress.

Mr. WATKINS. Mr. President, let me say to the Senator from Wyoming that not more than an hour ago I was speaking by telephone to Mr. Marsh, the Executive Secretary of the National Wool Growers Association. His headquarters are in Salt Lake City, Utah. In my conversation with him, he said he thinks substantially all the wool growers are very much in favor of this program, and that, as a matter of fact, the funds necessary to make the program operate during the coming year will be only approximately one-half of the funds required for this purpose in the past year, because of the great recovery which has been made as a result of this outstanding piece of legislation.

Mr. BARRETT. The Senator from Utah is eminently correct. The fact is that for the first year of the program the cost was approximately $56 million. The cost for the second year was slightly less. But the price of wool has improved so that the cost of the program in 1957 will probably be approximately $23 million, or less than half the cost of the program in the first year.

Mr. WATKINS. As I understand, the money for the program is not actually appropriated from the Treasury.

Mr. BARRETT. That is correct. It comes from the tariff receipts on wool imported into the United States. So the tariff does double duty. In the first place, the proceeds from the tariff of 25½ cents a pound on clean wool imported into the United States are paid into the Treasury as customs receipts, and then paid to the producers in the United States as an incentive for increasing their production of wool. So the tariff does double duty.

Mr. WATKINS. Mr. President, I appreciate very much the remarks of the Senator from Wyoming. I desire to compliment him on his great service to the wool industry for the past 20 years, both in the House of Representatives, before he came to the Senate, and now as a distinguished Member of the Senate, and, prior to his service in the Senate, when he was Governor of the great State of Wyoming.

Mr. BARRETT. I thank the Senator from Utah.

Mr. CURTIS. Mr. President, will the Senator from Wyoming yield to me?

The PRESIDING OFFICER. (Mr. SCOTT in the chair). Does the Senator from Wyoming yield to the Senator from Nebraska?

Mr. BARRETT. I yield to the distinguished Senator from Nebraska.

Mr. CURTIS. I am very much interested in what has been said by the Senator from Wyoming, the Senator from Utah, and other Senators about the success of the program and its diminishing cost. The measure which was enacted and which was supported by all of us 4 years ago was not only a necessary piece of legislation; but is it not also the opinion of the Senator from Wyoming that it has had marked success, far beyond what we really hoped for at that time?

Mr. BARRETT. It certainly has. The program has proved to be most effective for reviving the sheep industry in the United States. But, as I shall point out a little later in the course of my remarks, the renewal of the Wool Act is essential for the welfare of this country.

Mr. CURTIS. Probably it is true that a number of Senators would prefer a different approach in order to give domestic wool producers a just share of our domestic market at a fair price.

Mr. BARRETT. And I am one of them. I would much prefer to have an adequate tariff which would protect the industry.

Mr. CURTIS. Likewise, the junior Senator from Nebraska takes that view. However, in view of all the circumstances and all the policies of the Government, and all the commitments made, and all the other factors, which we of the area which is directly interested in this matter must face as realities, this measure is perhaps the best legislative answer at which we can arrive.

Mr. BARRETT. That is my conclusion. I certainly agree with the Senator from Nebraska on that point.

Mr. CURTIS. And the anticipated costs—unlike those of most Government programs—instead of increasing, are likely to decrease; are they not?

Mr. BARRETT. That is correct.

Mr. CURTIS. Coming from a State which is vitally interested in the soundness of the economy relating to the production of wool and sheep and lambs and also the feeding of a great many lambs, I was happy to have an opportunity to join with the distinguished Senator from Wyoming in the introduction of the bill; and I shall be happy to do what I can to secure its enactment at an early date.

I wish to say that all of us are very appreciative and very much indebted to the distinguished Senator from Wyoming for the leadership he has given in connection with this matter and for the position he has taken in connection with matters relating to wool, the production of sheep, reclamation and irrigation, agriculture generally, the development of our natural resources, and the oil industry. The leadership he has given to the Senate and the influence he has exerted have been very, very helpful not only to the economy of the West, but also to the economy of the entire country. His efforts in spearheading the drive for the extension of the Wool Act are greatly appreciated. As the leading Senator of both parties in the taking of steps in the interest of the West, the Senator from Wyoming is doing an outstanding job.

Mr. BARRETT. Mr. President, I certainly thank the Senator from Nebraska for his kind remarks.

I may say that my State produces the lambs which eventually find their way into his State and are fattened in the North Platte Valley of western Nebraska. As a matter of fact, with my partner I produced thousands of lambs year after year and saw them shipped to western Nebraska and fattened for the markets in Omaha.

Mr. CURTIS. They are finished and slaughtered in Nebraska. Although some sheep are raised in Nebraska——

Mr. BARRETT. That is correct.

Mr. CURTIS. Yet Nebraska is as directly interested in the soundness of the economy of the sheep growers as is any other State of the Union. As I said a moment ago, the people of Nebraska realize their indebtedness to the distinguished Senator from Wyoming for exercising his fine leadership in this body in order to have this Act extended.

Mr. BARRETT. I thank the Senator from Nebraska for his very kind words.

Mr. CARLSON. Mr. President, will the Senator from Wyoming yield to me?

Mr. BARRETT. I am delighted to yield to my distinguished colleague, the Senator from Kansas.

Mr. CARLSON. Mr. President, I do not wish to let this opportunity pass without expressing my appreciation to the distinguished Senator from Wyoming, on behalf of the sheep growers and wool producers of Kansas and, in fact, of the entire Nation.

Mr. CURTIS. I thank the Senator from Kansas; it is very kind of him to say that.

Mr. CARLSON. I know of his great interest in this work. It was my privilege to serve as Governor of the State of

Kansas at the time when the distinguished Senator from Wyoming served as Governor of the State of Wyoming, and I am familiar with the work he did, not only in behalf of the wool and sheep industry, but also in behalf of agriculture as a whole and the problems of the West, which I assure the Senator from Wyoming are mutually the problems of all our States.

Again the Senator from Wyoming has taken the lead in extending this Act, which is so important to the wool growers.

So I desire to express to him my personal appreciation.

Mr. BARRETT. Mr. President, I thank the Senator from Kansas. I am very happy that he has joined in sponsoring this proposed legislation, which we hope will be enacted at the next session of Congress.

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

Mr. BARRETT. I am delighted to yield to my distinguished friend, the Senator from Montana.

Mr. MANSFIELD. Mr. President, I am very happy, indeed, to be one of the cosponsors of the bill the distinguished Senator from Wyoming has just introduced.

I know he has had vast experience in the sheep industry, over a period of many years; and I know that his experience covers many facets of that industry, which is so important to our area.

I am delighted to have this opportunity to commend not only the Senator from Wyoming for the initiative he has consistently shown, but also to commend the Administration for the interest it has taken in the sheep industry and the lift it has given to our people. As a result, they have found it possible to emerge from a depression and make some approach to stability.

Frankly, I wish I could say the same for some of the other aspects of the agricultural program of this Administration; but I cannot.

However, I think I should give credit where credit is due; and this Administration has done a good job in rehabilitating the sheep industry, which in my opinion was on the way out in the Rocky Mountain area.

I think the distinguished Senator from Wyoming in his many years of fine service, both in the House of Representatives and in the Senate, has shown great foresight and leadership; and I desire to commend him for the active part he has taken in this field.

Mr. BARRETT. Mr. President, I wish to thank my friend, the distinguished Senator from Montana, for his kind remarks.

I may say to him that it is my judgment that we have come to the time when we must deal with agricultural commodities one at a time and try to find a solution for them, as we have done, first, for sugar and then for wool. I hope that if we are able to liquidate the tremendous surpluses the Commodity Credit Corporation has had on its hands for a long time, perhaps we can get down to business and can work out a sound agricultural program, commodity by commodity.

I thank the Senator from Montana for his kind remarks.

Mr. WATKINS. Mr. President, will the Senator from Wyoming yield further to me?

Mr. BARRETT. I am glad to yield again to my distinguished colleague, the Senator from Utah.

Mr. WATKINS. Mr. President, I have appreciated the comments of my colleagues which I am glad to endorse, during the time that the Senator from Wyoming has yielded to them, in respect to this very important matter.

I am very happy, indeed, also to be associated with the Senator from Wyoming, as a cosponsor of this important piece of proposed legislation. My State has relied on the sheep industry for many years for one of its greatest economic supports. When the growers of sheep and producers of wool suffer, the whole State is in trouble. Merchants, schools, and all our activities face difficulty.

Mr. BARRETT. The Senator is correct in that statement.

Mr. WATKINS. We have to rely upon the sheep industry for a great deal of the tax revenues which help us in many of our activities. When the sheep growers are in trouble it is difficult to maintain some of the country schools, especially in the areas where the sheepmen usually have their ranges and where the sheep are taxed. That is where we have one of the great problems in our State in getting enough revenues for the country school districts.

Mr. BARRETT. The Senator is correct.

Mr. WATKINS. Will the Senator agree with me that the more or less abolition of the tariff support of many of our western industries has had a harmful effect, and that the so-called reciprocal trade arrangement has not worked too well with respect to the interests of the Intermountain States?

Mr. BARRETT. The Senator is absolutely correct. As I have pointed out heretofore, the tariff on wool was lowered in 1948 from 35 cents a pound to 25½ cents a clean pound. That lowering of the tariff compounded the difficulties of the sheep industry of this country.

Mr. WATKINS. May I call the Senator's attention to another industry in the Intermountain States which have likewise been affected, namely, the lead and zinc industry.

Mr. BARRETT. There can be no question about that.

Mr. WATKINS. That industry is now in the same position as the wool industry was in a few years ago. That industry certainly requires protective relief in order to keep it from going completely out of business.

Mr. BARRETT. I certainly agree with the Senator from Utah, and I joined with him in an effort to get some help through the Tariff Commission, so that an import fee of some character may be imposed for the benefit of the lead and zinc industry. I know that industry needs help badly. That is what I meant a moment ago when I said to my distinguished friend from Montana [Mr. MANSFIELD] I think it is imperative that we take up all the agricultural commodities one after the other and try to find a solution that will fit each particular case. The same thing should be done for other farm commodities as the Congress has done for sugar and later for wool. I think the same solution could easily be applied to lead and zinc, with respect to which our domestic production is deficient to meet the needs of our economy.

Mr. MANSFIELD. Mr. President, will the Senator yield at that point, in view of the statement he has just made?

Mr. BARRETT. I yield to the distinguished Senator from Montana.

Mr. MANSFIELD. I would express the hope that the President, under the authority he has by virtue of the escape clause in the Reciprocal Trade Agreement, would give us in our part of the country, both Republicans and Democrats, some relief from the depression now facing the lead and zinc industry. It is too late for legislation. We need help. Our mines are closing down. Shafts are being flooded. Timbers are falling in. If we do not get some help, I dislike to think what will happen.

Mr. BARRETT. I agree with the Senator. As I interpret the position of the President, he proposes to do that very thing. I hope he sees to it that the Tariff Commission acts very promptly on the request before it, and that the President will act under the escape-clause provision of the Reciprocal Trade Agreement, and impose fees or tariffs on imports of lead and zinc.

Mr. MANSFIELD. The Senator is correct, because we need action now.

Mr. BARRETT. I agree with the Senator.

Mr. WATKINS. Mr. President, will the Senator yield so that I may make an observation on the remarks of the Senator from Montana?

Mr. BARRETT. I yield to the Senator from Utah.

Mr. WATKINS. I am glad to have the observations of the Senator from Montana. I may say that in the last few days I have been in close conference with representatives of the lead and zinc industry. Within a very few days that industry is going to file its application with the Tariff Commission for relief under the escape-clause provision of the Reciprocal Trade Agreement. We have already had a statement by the President of the United States in answer to Mr. Cooper, Chairman of the Ways and Means Committee of the House, in which he said that he had an understanding the industry would file an application for relief with the Tariff Commission, and that the President would cooperate at least to the extent of asking the Commission to expedite that proceeding, just as rapidly as it can be carried forward in a practical way.

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

Mr. BARRETT. I yield to the distinguished Senator from Arizona.

Mr. GOLDWATER. In connection with the colloquy between the distinguished Senator from Utah and the distinguished Senator from Wyoming just a few moments ago, regarding the effect of a lack of tariff, I should like to point out some very interesting figures which I have before me. These figures are not so recent as I would like to have them, but they indicate that in 1910 we had 39,644,000 sheep on our ranges. In 1942, we had 49,346,000 head of sheep on our ranges. But in 1953, which is the latest year for which I have the figures available, we had only 27,857,000.

There has been a constant decline in the sheep population since the peak of the war years, which was 49 million in 1942, and 44 million in 1944. I wanted to point those figures out.

Mr. BARRETT. I thank the Senator for his helpful contribution.

Mr. GOLDWATER. I may say I am very happy to join the Senator as a cosponsor of his bill. The sheep growers of Arizona are interested in the constant concern of the Senator from Wyoming for them.

Mr. BARRETT. I am delighted to have my distinguished colleague from Arizona as a cosponsor of this proposed legislation.

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

Mr. BARRETT. I yield to the distinguished Senator from Montana.

Mr. MANSFIELD. I should like to bring out one point. As the Senator from Arizona stated, the sheep population has been declining, but the imports from overseas have been increasing, and that is the squeeze in which the sheep industry has found itself in the past years.

Mr. BARRETT. The Senator is eminently correct.

Mr. ALLOTT. Mr. President, will the Senator from Wyoming yield?

Mr. BARRETT. I yield to my distinguished colleague from Colorado.

Mr. ALLOTT. I must apologize for interrupting the Senator at this point, but he was kind enough to provide me with a copy of his very comprehensive speech, which very adequately and very well covers the situation with respect to wool.

If I may, without embarrassing him, I should like to say that no Member of the Senate has done so much to create a constructive program and an atmosphere in which our sheep growers and the sheep industry may be able to live, as the Senator from Wyoming has done. I know I will be embarrassing him by my saying that, he being the extremely modest man that he is, but, nevertheless, that fact should be known throughout the West and by those who are engaged in the wool industry.

Mr. BARRETT. Let me say to my distinguished colleague that he is far more generous than he should be in his remarks about me, but, nevertheless, I appreciate them.

Mr. ALLOTT. I understated my praise of him because my command of English is not completely adequate to the occasion.

On page 12 of the Senator's speech, he refers to a 25½-cent tariff. Later in the speech the Senator discusses this matter. However, as we go deeper into an inflationary period, a fixed tariff becomes less and less significant, does it not?

Mr. BARRETT. The Senator is eminently correct, and I may say it would be extremely difficult to impose an adequate tariff. I have thought about that matter. I think it would take a tariff of well over $1 a pound on a clean basis to protect the industry.

Mr. ALLOTT. In that respect, that industry is in somewhat the same situation as the tungsten industry, which would require a 300 percent ad valorem duty in order to protect it.

Mr. BARRETT. I am afraid the Senator is correct.

Mr. ALLOTT. May I state one other thought? I think we have gotten into a free-trade era, and I believe we should do all the trading with the world we can. However, if we are competing with countries which do not pay their laborers adequate wages, we really will not receive the advantages of so-called free trade, will we?

Mr. BARRETT. The Senator is correct.

Mr. ALLOTT. If we deal with countries and trade with countries which pay their workers very substandard wages, compared to the wages in the United States, the money involved in the trade will not go toward raising the standard of living in those countries and creating a demand for more goods or creating a demand for capital wealth. Most of the money will go to the owner of the sheep or the owner of the mine or whatever it may be, as well as taxes to the government involved, but such trade certainly does not succeed in bringing about what was the ideal of the people who proposed free trade in the first place, which was the raising of the standard of living of the people of the other countries.

Mr. BARRETT. The Senator is entirely correct. I think the end result will not be to raise the standard of living of our competitors in foreign lands but to decrease the standard of living of our own people. That is a very discouraging situation.

Mr. ALLOTT. That brings up a final question, which is this: If we engage in this competition in the world market for wool, for example, with countries which pay substandard wages, and we import wool or are able to do so at much lower prices, without some protection such as the Wool Act affords, will we not eventually deplete the wool industry and the sheep industry to a point of danger, so that when we get into a situation such as we faced at the beginning of World War II we shall have no industry, with no way of creating it overnight, in a year, or even in 2 or 3 years?

Mr. BARRETT. The Senator is correct. We could not create it in a much longer period of years, I may say.

Mr. ALLOTT. I want to thank the Senator for permitting me to interrupt him, because I have to leave the Chamber for a few minutes.

I hope the people of the West know I sincerely mean what I say about the work of the Senator from Wyoming, and I hope they realize the great contribution he has made to the wool and sheep industry of the West.

Mr. BARRETT. I thank the Senator very much for his kind remarks.

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

Mr. BARRETT. I am delighted to yield to the distinguished senior Senator from Nebraska.

Mr. HRUSKA. I should like, Mr. President, to associate myself with the other remarks commending the Senator from Wyoming for his very fine analysis and presentation of the National Wool Act extension bill. With his usual characteristic thoroughness and his systematic legal mind he is producing something here which I am sure will be of great assistance when it comes to the final consideration of the proposed legislation.

Mr. President, I think the Senator from Wyoming would be interested in knowing that I received this morning a telegram from the Nebraska Wool Growers Association, signed by Dwight Holloway, its Vice President, who states that it is his understanding that the Wool Act expires next year. He reports that the sheep industry has agreed unanimously to support the extension of the Act, which has proved to be as sound as any agricultural legislation developed to date. He states further that the Nebraska Association has been advised that the Senator from Wyoming has introduced proposed legislation to cover the extension of the Act, and that the legislation was originally sponsored by the present Administration and has the full support of the Department of Agriculture.

Mr. Holloway states further that he would appreciate any support which the Senator from Nebraska can accord the Senator from Wyoming in this venture. I want to assure the Senator from Wyoming that any act on my part which be of avail will certainly be cheerfully extended toward that end.

Mr. BARRETT. I thank the distinguished Senator from Nebraska. I want to say that he very readily agreed to be one of the cosponsors of this bill. I appreciate his help very, very much.

Mr. HRUSKA. I thank the Senator from Wyoming.

Mr. MARTIN of Iowa. Mr. President, will the Senator yield?

Mr. BARRETT. I am delighted to yield to my distinguished colleague, the Senator from Iowa.

Mr. MARTIN of Iowa. Mr. President, I have likewise received word from the wool growers of Iowa. I am very proud to join with the Senator from Wyoming as a cosponsor of the proposed legislation.

Mr. BARRETT. I appreciate that statement very, very much. I was delighted when the distinguished junior Senator from Iowa and his colleague the senior Senator from Iowa [Mr. HICKENLOOPER] agreed to become cosponsors of the bill.

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

Mr. BARRETT. I am delighted to yield to the distinguished Senator from Minnesota.

Mr. THYE. Mr. President, I commend the distinguished Senator from Wyoming for having spoken on the question of extending the National Wool Act, which has served so very notably to further the interests of the sheep industry. This Act has increased the number of flocks of sheep throughout the United States in the various diversified areas of the Nation where the small flocks are possible. For size, those flocks cannot be compared to those found on the big range areas, where there are large flocks.

We must continue to produce the domestic wool needs of this Nation, for they represent a part of our national defense or military needs. We can only produce the needed wool provided we have the flocks of sheep. We will not have the flocks required unless there is some incentive, because of the cost of caring for the sheep and handling them on the range area where the flocks are large.

Mr. BARRETT. I may say to the Senator that he could not state the case any better or any stronger. While we do have large flocks of sheep in the Mountain West, nevertheless, the small numbers on the farms in the Senator's State as well as in Ohio and Indiana and in all of what we call the Native States amount in the aggregate to nearly as much as our large herds in the West.

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

Mr. BARRETT. I yield further.

Mr. THYE. The Wool Producers and Wool Growers Association of Minnesota is in full support of this proposed legislation. In fact, they have urged that the Act be extended. I think it is an absolute national defense requirement that the Act be extended, because only if this legislative proposal is approved will the sheep growers have the incentive necessary to continue to provide the small flocks in the diversified area of the agricultural section of the Nation. In the West, without this sort of an incentive, we are not going to have the continued range operation in the sheep industry.

Mr. BARRETT. The Senator is absolutely correct. I thank the Senator for his worthwhile contribution.

Mr. President, under the Wool Act the tariff was called upon to do double duty. In the first place, it afforded a measure of protection to the domestic industry and, in the second place, money collected on competitive foreign wool would be used to pay the grower the price he should receive but cannot receive because of an inadequate and insufficient tariff. This is a more reasonable approach to the problem than would be a subsidy program designed to take dollars directly out of the taxpayers' pockets.

It took longer than was expected for the industry to get back on a free-market basis after having relied on loan and purchase programs as means of price support for a number of years. The drop in wool prices during the transition period from fixed levels of support to a free market was much greater than had been expected.

In carrying out the Wool Act the Secretary of Agriculture announces the incentive price for shorn wool in the fall of the year for the marketing year beginning the next spring so as to permit growers to plan their production of the next year. The incentive price for shorn wool is established at such level as the Secretary determines to be necessary to encourage an annual production of 300 million pounds of shorn wool on a grease basis, after consultation with producer representatives, and after taking into consideration prices paid and other cost conditions affecting sheep production. However, the Act provides that the price of wool shall not exceed 110 percent of parity. It should be pointed out here that the payments have never been set at the full 110 percent of parity. In fact, the effective parity price for shorn wool for this year is a trifle over 65 cents per pound and so the incentive level of 62 cents is less than parity.

The operating costs of the wool growers of the country have increased materially since the Secretary fixed the incentive level in 1954 at 62 cents for the 1955 clip. In December 1954 the index of prices paid by farmers for goods and services used in the production of agricultural products including interest, taxes, and wages was 284 compared to 1910–14 prices. It is now 301, which represents an increase of 6 percent between December 1954 and July 1957. It would seem that the Secretary should give careful consideration to an increase in the incentive level for the 1958 clip.

The Act further provides that it must be kept within a level where the total of all payments shall not at any time exceed an amount equal to 70 percent of the specific duties collected on imports of wool and wool manufactures beginning January 1, 1953. The incentive level has been held at 62 cents per pound so far during the life of the Wool Act. At the end of the marketing year payments are made to the growers to bring the national average received by all growers for shorn wool up to the incentive level of 62 cents per pound. Payments are made at the percentage rate required to bring the national average price for wool sold in the open market up to the incentive level established by the Secretary. By making the payments on a percentage basis, quality production is recognized. Judge Ross Rizley, who was Assistant Secretary of Agriculture in 1954, stated the case for incentive payments in this way:

> Payments on a percentage basis would encourage wool growers to obtain the best possible price for their wool in the open market by improvement of the quality of their wool through better breeding and care, better preparation for market, and better marketing. It will result in each producer's total returns reflecting the proper market differential for grade and quality and at the same time avoid Government appraisal for grade and shrinkage.

This rate is applied to the net sales proceeds received by each grower for shorn wool to determine the amount of his incentive payment. With an incentive level of 62 cents per pound as established for the years 1955, 1956, and 1957, and in the case of the 1955 marketing year, the growers received an average price of 42.8 cents per pound. The payment rate was, therefore, 44.9 percent, computed as follows:

	Cents
Incentive price	62.0
Average price assumed received	42.8
Difference	19.2
Shorn wool payment rate, percentage necessary to bring 42.8-cent average up to 62-cent level	44.9%

The difference between the average price of 42.8 cents received by the growers and the incentive level of 62 cents being 19.2 cents, it follows that 19.2 cents is 44.9 percent of the 42.8 cents and growers for that year were paid 44.9 percent of the price they received for their wool for the 1955 marketing year.

The average price received by growers for their wool at the end of the last marketing year under the old loan price support program in March 1955 was 49 cents per pound. After the Wool Act went into effect the price of wool declined for the balance of that year and in January 1956 the average price was 38 cents per pound. The price of wool remained at a relatively low level until about a year ago, but since then there has been substantial improvement and the national average is now over 55 cents per pound.

The average price received by growers for shorn wool during the 1955 marketing year ending March 31, 1956, was 42.8 cents per pound and for the 1956 marketing year ending March 31, 1957, was 44.3 cents per pound. These averages were determined by the Agricultural Marketing Service on the basis of prices reported by producers in their applications for payment as filed during each of the marketing years and were announced by late June following the close of the marketing year. The shorn wool incentive payment rate required to bring the average return per pound up to the incentive level was 44.9 percent for the 1955 marketing year and 40 percent for the 1956 marketing year.

It is certain now that the average price the growers will receive for their wool for the 1957 marketing year commencing on April 1 last will be about 10 cents a pound higher than last year. The Department reports that the average price received by growers for the first 4 months of the 1957 marketing year, being the months of April through July 1957, is 54½ cents per pound. The following table shows the average price received by growers on a month-by-month basis since April 1955.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

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

The average price of wool sold on a month-to-month basis throughout the country computed by weighting State prices by estimated sales of shorn wool since the Wool Act has been in effect is as follows:

1955 marketing year:	Cents
April 1955	46.5
May	45.6
June	45.0
July	44.9
August	42.7
September	41.6
October	39.0
November	38.3
December	39.4
January 1956	37.8
February	39.3
March	40.3
1956 marketing year:	
April 1956	41.2
May	42.2
June	42.4
July	42.3

1956 marketing year—Continued	Cents
August	41.3
September	42.2
October	44.8
November	46.5
December	47.6
January 1957	48.9
February	48.5
March	51.4
1957 marketing year:	
April 1957	50.9
May	55.2
June	56.4
July	55.6

Mr. BARRETT. Mr. President, under the provisions of the Wool Act, an amount equal to 70 percent of the specific duties on wool and wool manufactures collected beginning January 1, 1953, are available for incentive payments to growers. The payments for the 1955 marketing year totaled a little less than $58 million as compared to a little more than $53 million for the 1956 marketing year, and based on the average price the growers received for their wool so far this year it is estimated that the total cost for incentive payments for the 1957 marketing year will be only $21 million.

The wool industry is now operating on a reasonably sound and stable basis. The Wool Act has succeeded in stabilizing the wool business in a fairly good fashion. It appears now that there will be a balance of $37,192,000 remaining in the fund after all payments are made for the 1958 marketing year, ending March 31, 1959. The following table indicates the receipts and expenditures under the Act.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

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

Projections of assumed payments under wool payment program and duty collections available for payments through the 1958 marketing year with incentive price at 62 cents

Period	Price of wool (cents)	Total payments [1]		Duty collections available for payments	
		Year	Cumulative	Year	Cumulative
Jan. 1, 1953-Mar. 31, 1955, actual					$68,655,000
1955 marketing year, actual	42.8	$58,000,000	$58,000,000	$31,480,000	100,135,000
1956 marketing year	41.3	[2] 53,100,000	111,100,000	28,157,000	128,292,000
1957 marketing year, projected	55.0	[2] 21,000,000	132,100,000	[3] 30,000,000	158,292,000
1958 marketing year, projected	55.0	[2] 21,000,000	153,100,000	[3] 32,000,000	190,292,000

[1] Assuming no payments will be required to support the price of mohair.

[2] At $3,000,000 for each 1 cent the national average price received by growers for wool is below the incentive level of 62 cents.

[3] Allows for increased imports to offset CCC-owned wools previously available to domestic manufacturers.

Mr. BARRETT. Mr. President, for the 12-year period, 1942 through 1953, the tariff on wool amounted to $1,284,884,092 or an average of over $100 million a year. During that period over $385 million from the customs receipts on wool was set over to the Secretary of Agriculture for use under Section 32 of the Agricultural Adjustment Act and during the same period of time a total of $1,658,000,000 was allocated for use under Section 32 from all customs receipts. It is significant to note, Mr. President, that 86 different agricultural commodities were benefited by the use of tariffs, including the tariff on wool during that 12-year period, but not 1 cent of Section 32 funds was used to help the sheep industry.

The figures were supplied by the Treasury Department for the years 1942 to 1953 inclusive.

Mr. President, I ask unanimous consent that the table furnished me by the Treasury Department be printed in the RECORD at this point as a part of my remarks.

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

Year	Total computed duties	Duties on wool and manufactures	Ratio of duties on wool to total duties
			Percent
1942	$318,480,571	$112,973,246	35.4
1943	391,540,025	134,360,307	34.3
1944	368,234,490	114,378,891	31.0
1945	382,211,613	144,039,378	37.6
1946	$482,860,279	$167,758,902	34.7
1947	427,678,670	95,071,850	22.2
1948	404,777,910	81,409,809	20.1
1949	364,618,107	58,039,722	15.9
1950	522,336,599	94,293,824	18.0
1951	591,261,382	103,170,493	17.4
1952	570,062,081	103,622,707	18.1
1953	584,349,802	75,768,963	13.02

Mr. BARRETT. Mr. President, the following table shows the imports of dutiable wool for consumption, actual weight, for the years 1900 and each 5 years thereafter together with each year from 1941 to date.

Mr. President, I ask unanimous consent that the table referred to be printed in the RECORD at this point as a part of my remarks.

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

1900	27,823,946
1905	96,066,030
1910	136,868,042
1915	233,123,977
1920	216,630,750
1925	163,085,570
1930	70,135,000
1935	28,957,306
1940	197,783,768
1941	613,638,000
1942	794,493,000
1943	648,924,000
1944	547,725,000
1945	675,673,000
1946	811,909,000
1947	438,752,000
1948	416,261,000
1949	262,277,000
1950	402,033,000
1951	430,614,000
1952	379,677,000
1953	260,804,000
1954	159,580,000
1955	169,054,000
1956	151,839,000

Mr. BARRETT. As I have indicated before, Mr. President, the total specific duties on wool for the 1955 marketing year totaled $44,972,000 and 70 percent thereof, or $31,480,000, was credited to the wool incentive payment fund. The total for the marketing year 1956, which ended on April 1 last, of specific duties collected amounted to $40,226,000 and the amount credited to the incentive payment fund was $28,157,000. Under the Wool Act payments are limited to 70 percent of the specific duties collected on imports of wool and wool manufactures beginning January 1, 1953. The following table shows the specific duties for the years 1948 to 1954 inclusive together with the 1955 and 1956 marketing years.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

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

Duties collected on wool and wool manufactures imported into the United States

[In thousands of dollars]

Period	Specific duties	Specific of compound	Total specific duties	70 percent of total specific
1948	63,826	3,233	67,059	46,941
1949	42,752	3,011	45,763	32,034
1950	68,361	5,306	73,667	51,567
1951	69,870	7,068	76,938	53,857
1952	66,501	8,396	74,897	52,428
1953	43,732	7,001	50,733	35,513
1954	30,873	5,399	36,272	25,390
1955 marketing year	36,691	8,281	44,972	31,480
1956 marketing year	30,061	10,165	40,226	28,157

Mr. BARRETT. It is true that the growers received a higher price for their wool under the price-support program in effect prior to the Wool Act. For the first year or so under the Wool Act there was a decline in the price of domestic wool. The decline in the transition to a free market resulted in total payments under the Wool Act much higher than was anticipated. Some adjustment in the price of wool was occasioned by declines in the world market. In addition, the stocks of wool carried over from the previous price-support program tended to depress the price the growers received in the market place. When the Wool Act went into effect the Commodity Credit Corporation had on hand about 150 million pounds of wool. This stockpile has operated as a continuing threat to the market price during the life of the Wool Act. The Department of Agriculture is to be commended for the orderly manner in which it has liquidated the stockpile. In November 1955 the Department instituted a program calling for the sale each month by competitive bids of a total of not to exceed 6,225,000 pounds of wool in order to have the least possible adverse effect upon market prices. The limit was established so that there would be no uncertainty on the part of either the grower or the trade as to the rate the CCC wools would be placed on the market. In addition to the sales in the domestic market, the CCC has bartered over 12 million pounds of the stockpile wools to Turkey for strategic materials. The stockpile has been reduced to 20 million pounds which is less than 2 weeks' consumption at the current rate and its depressing influence on growers' prices has been practically eliminated.

Although the market has been quite slow during the summer, still the CCC wool stocks are moving at about $1.60 per clean pound for Graded Territory fine wool compared with $1.25 2 years ago and $1.50 for one-half blood compared with $1.15 in 1955 and $1.30 for three-eighths blood wool compared with $1.05 of 2 years ago. Over 170 of the grades and classes accumulated in the CCC inventory under the price-support loan programs have been completely liquidated and the remaining wools are of five standard grades and classes.

At this point in my remarks I wish to pay tribute to Preston Richards, longtime employee of the Department of Agriculture. He was Vice President of the Commodity Credit Corporation and Deputy Administrator for Price Support of the Department's Commodity Stabilization Service. Unfortunately, while still a young man, Mr. Richards died early this week. I wish to pay tribute to him for his fine services in the disposition of the stockpile of wool and the exchange and barter of wool with Turkey, as well as sales of wool in the open market.

The following table, Mr. President, shows in detail the amounts and grades of wool in the stockpile on July 1 last.

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

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

Inventory of CCC-owned wool as of July 1 last and the selected prices

	Inventory July 1, 1957		Price per pound, clean basis, Boston		
			Minimum prices accepted		
	Grease basis	Clean basis	November 1955	Latest sales	Schedule prices [1]
Graded Territory and Texas wool:	*Thousand pounds*	*Thousand pounds*			
Fine 64s and finer:					
Strictly Staple	183	66	--------	$1.66	$1.75
Staple and good French Combing	6,645	2,592	$1.25	1.64	1.71
Average and good French Combing	1,452	523	1.20	1.55	1.65
½ Blood, 60s, 62s: Staple and good French Combing	6,442	2,834	1.15	1.52	1.55
⅜ Blood, 56s, 58s: Staple and good French Combing	7,717	3,704	1.05	1.30	1.34
Total all classes (5)	22,439	9,719	--------	--------	--------

[1] Prices at which handlers are authorized to sell wool without limit (103 percent of 1954 loan rates plus selling commission).

Mr. BARRETT. As I indicated earlier, the Commodity Credit Corporation has disposed of nearly its entire stockpile of wool in a good and businesslike fashion. I have selected various dates since the Commodity Credit Corporation instituted the sale of its wool in November 1955 to show the price received for selected grades and classes at the opening of competitive bids at the sales on the weeks selected together with the total amount of wool sold at that time.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

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

Date opening	Graded Territory—Staple and Good French Combing				Graded Fleece—Staple and Good French Combing				Sales all classes (1,000 pounds)
	Fine	½	⅜	48-50's	Fine	½	⅜	48-50's	
1955									
Dec. 6	$1.28	$1.17	$1.075	$0.97	$1.173	$1.13	$0.98	$0.92	6,245
1956									
Jan. 3	1.32	1.202	1.11	1.04	1.25	1.142	1.055	1.012	3,005
Feb. 7	1.34	1.255	1.165	1.07	-------	1.19	1.105	1.05	3,033
July 3	1.321	1.25	1.151	1.053	1.255	-------	1.071	.96	3,184
July 17	1.32	1.251	1.511	1.051	-------	-------	-------	.961	1,378
Aug. 28	1.35	1.262	1.171	--------	1.25	-------	-------	1.00	918
Sept. 4	1.35	1.261	1.161	1.05	1.26	-------	-------	1.00	1,782
Sept. 18	1.43	1.286	1.177	1.068	1.33	1.26	-------	1.021	1,931
Oct. 2	1.44	1.30	1.19	1.07	1.34	1.261	1.151	1.03	3,019
Nov. 13	1.531	1.411	1.27	1.16	1.415	1.275	1.181	1.101	2,010
Nov. 20	1.551	1.452	1.281	1.161	-------	1.323	1.182	1.105	1,866
Dec. 4 [1]	1.71	1.55	1.34	1.22	1.63	-------	1.24	1.16	3,015
1957									
Jan. 2	$1.643	$1.501	$1.30	$1.16	-------	$1.385	$1.182	--------	1,700
Feb. 5	1.641	1.521	1.31	1.17	-------	-------	1.201	--------	2,365
Feb. 12	1.64	1.521	1.311	--------	-------	-------	-------	$1.05	227
Apr. 16	1.623	1.50	1.302	1.16	-------	-------	1.16	--------	3,834
May 7	1.65	1.52	1.316	1.183	-------	-------	1.21	--------	2,404
May 21	1.662	1.52	1.31	--------	-------	-------	-------	--------	604
May 28 [1]	-------	1.55	1.34	1.22	-------	-------	-------	--------	597
June 11	1.64	-------	1.311	--------	-------	-------	-------	--------	121
July 9	1.65	1.50	1.30	--------	-------	-------	-------	--------	492
July 16	-------	1.51	1.301	--------	-------	-------	-------	--------	613
July 30	-------	-------	1.30	--------	-------	-------	-------	--------	80

[1] Sales at "Schedule Prices" in addition to the sales by competitive bid.

Mr. BARRETT. The following table indicates the disposition of the shorn wool in its stockpile by the Commodity Credit Corporation since the Wool Act has been in operation. The sales for each month, together with the amount of shorn wool on hand at the end of each month, are shown in the table. The following table shows that in June of this year the total wool in the stockpile amounted to 22,439,000 pounds, but as of this date it is down to 20 million with about 1½ million pounds yet to be selected on the barter deal for strategic materials with Turkey.

Mr. President, I ask unanimous consent to have the table printed in the RECORD at this point.

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

Sales and other dispositions

[In thousands of pounds]

Month	Sales				Remaining in inventory, shorn, greasy
	Competitive bid	Schedule prices	Barter exchange	Total	
1955					
Oct	--------	--------	--------	--------	141,499
Nov	6,244	--------	--------	6,244	135,302
Dec	6,245	--------	--------	6,245	129,302
1956					
Jan	6,263	--------	--------	6,263	121,009
Feb	6,211	--------	--------	6,211	115,201
Mar	1,995	--------	--------	1,995	113,964
Apr	1,967	--------	--------	1,967	112,123
May	5,891	--------	--------	5,891	107,673
June	3,918	--------	--------	3,918	105,163
July	6,226	--------	--------	6,226	100,048
Aug	5,701	--------	--------	5,701	96,077
Sept	6,225	--------	--------	6,225	90,102
Oct	6,228	--------	--------	6,228	83,874

Sales and other dispositions—Continued

[In thousands of pounds]

Month	Sales				Remaining in inventory, shorn, greasy
	Competitive bid	Schedule prices	Barter exchange	Total	
Nov	6,225	--------	--------	6,225	77,648
Dec	6,231	3,139	--------	9,370	68,275
1957					
Jan	6,234	288	--------	6,522	61,242
Feb	3,648	988	--------	4,636	56,961
Mar	1,782	--------	--------	1,782	55,169
Apr	6,233	7,923	--------	14,156	41,020
May	4,057	3,289	10,641	17,987	23,031
June	592	--------	--------	592	22,439

Mr. BARRETT. The Wool Act also provides for the support of mohair prices to be accomplished by payments similar to those in the case of shorn wool. The support price for mohair has been set at 70 cents per pound for each of the marketing years to date. The prices received by growers in the free market have been above the 70-cent support level and consequently payments have not been required. However, mohair growers should obtain and hold sales documents for use in support of their applications in the event payments should become necessary.

Also, payments are made under the Act for lambs marketed with their wool in order to avoid causing unusual shearing of lambs prior to marketing solely for the purpose of getting the payment on shorn wool and in that way disrupt normal marketing practices. Payments are made on all sales of unshorn lambs irrespective of whether the lambs are sold for replacement, feeding, or slaughter. If the new owner sells the lambs without shearing them, his payment is adjusted downward by this same amount.

In this way, the original producer and the later breeder or feeder-owner shares in the payments. Payments are made only on lambs that have never been shorn. Growers are required to report on their applications the date, number of head, and live weight of unshorn lambs purchased to the Agricultural Stabilization Committee county office in order for it to make the adjustment in their payments to eliminate duplication with changes in ownership.

The average weight of wool per hundredweight of live lamb is figured at 5 pounds for payment purposes. Because lamb wool is normally coarser in grade and shorter in staple length than the average United States shorn wool clip, lamb wool value for payment purposes has been set at 80 percent of shorn wool value. Assuming the incentive price for shorn wool is 62 cents and the average price received by growers for wool sold during the marketing year is 50 cents, the payment rate for unshorn lambs would be 48 cents per hundredweight figured as follows.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

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

	Cents
Incentive price	62.0
Average price received by growers from shorn wool during the year	50.0
Difference	12.0
80 percent of difference to adjust for grade and staple	9.6
Unshorn lamb (pulled wool) payment rate (5 pounds of wool per hundredweight)	48.0

Mr. BARRETT. Wool payments are made only to bona fide producers. Growers must have owned the animals from which the shorn wool was sheared or the unshorn lambs for a period of at least 30 days and must so certify on their applications for payment. In the case of shorn wool, the applicant must have owned the animals at the time of shearing but the wool may have been shorn from them any time during the 30-day period.

The payments are made by the Agricultural Stabilization and Conservation office serving the county in which the grower's farm or ranch headquarters is located. Each application must be supported by the sales document covering the sale of shorn wool or unshorn lambs for which payment is requested. Applications for payment should be filed with the local ASC county office promptly after the grower completes his sales for the marketing year but no later than April 30 after the close of the marketing year. The incentive price for shorn wool has been established at 62 cents per pound for each marketing year of the program to date.

The rates for payments on sales of unshorn lambs for the 1955 marketing year were 77 cents per hundredweight and for the 1956 marketing year 71 cents per hundredweight. The incentive payment for shorn wool to each producer amounted to $44.90 for the 1955 marketing year for every $100 received from the sale of shorn wool and $40 for the 1956 marketing year.

Mr. President, because of the fact that the method of computing the payments under various circumstances is somewhat intricate, I am submitting herewith examples of payments under six different sets of cases.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

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

The examples are based on a United States average price of shorn wool at 50 cents per pound and accordingly the payment rates are 24 percent for shorn wool and 48 cents per hundredweight for unshorn lambs (pulled wool).

1. Shorn wool, with no purchases of unshorn lambs:

Net sales proceeds from 6,000 pounds of shorn wool at 50 cents: $3,000.

Payment rate: 24 percent.

Incentive payment: $720.

2. Unshorn lambs (pulled wool), with no purchases of unshorn lambs:

Net weight of 300 unshorn lambs sold: 21,000 pounds.

Payment rate per hundredweight of unshorn lambs: 48 cents.

Unshorn lamb (pulled wool) payment: $100.80.

3. Shorn wool, all from lambs purchased unshorn:

Net proceeds from sale of 2,100 pounds of shorn wool at 50 cents: $1,050.

Shorn wool payment rate: 24 percent.

Gross payment: $252.

Less amount due on weight of unshorn lambs purchased: 21,000 pounds.

Payment rate per hundredweight of unshorn lamb, at 48 cents: $100.80.

Incentive payment: $151.20.

4. Shorn wool, partly from lambs purchased unshorn:

Net proceeds from sale of 4,200 pounds of shorn wool at 50 cents: $2,100.

Shorn wool payment rate: 24 percent.

Gross payment: $504.

Less amount due on weight of unshorn lambs purchased: 21,000 pounds.

Payment rate per hundredweight of unshorn lamb, at 48 cents: $100.80.

Incentive payment: $403.20.

5. Unshorn lambs, all purchased unshorn:

Weight of 300 unshorn lambs sold: 30,000 pounds.

Less weight of 300 unshorn lambs purchased: 21,000 pounds.

Net weight produced: 9,000 pounds.

Payment rate per hundredweight of unshorn lamb: 48 cents.

Unshorn lamb (pulled wool) payment: $43.20.

6. Unshorn lambs, partly purchased unshorn:

Weight of 600 unshorn lambs sold: 60,000 pounds.

Less weight of 300 unshorn lambs purchased: 21,000 pounds.

Net weight produced: 39,000 pounds.

Payment rate per hundredweight of unshorn lamb: 48 cents.

Unshorn lamb (pulled wool) payment: $187.20.

Mr. BARRETT. Mr. President, it is expected that the payments under the Act for 1956 will total over $53 million but the breakdown by States is not available as yet. However, the total payments under the first year of the Act amounted to $57,584,951, distributed among the States in the following fashion.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

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

Payments under the National Wool Act of 1954

WOOL PAYMENTS UNDER THE 1955 PROGRAM THROUGH APR. 30, 1957

State	Marketings covered by payments		Amount of payments				
	Shorn wool	Unshorn lambs, liveweight	Shorn wool	Unshorn lambs	Total	Promotion deductions	Paid producers
	Thousand pounds	*Thousand pounds*					
Maine	126	360	$27,828	$2,797	$30,625	$1,436	$29,189
New Hampshire	36	36	7,610	271	7,881	382	7,499
Vermont	49	166	10,815	1,153	11,968	569	11,399
Massachusetts	63	44	15,120	338	15,758	650	15,108
hode Island	10	16	2,029	100	2,129	105	2,024

Payments under the National Wool Act of 1954—Continued

WOOL PAYMENTS THROUGH APR. 30, 1957, FOR 1955 MARKETING YEAR—Continued

State	Marketings covered by payments		Amount of payments				
	Shorn wool	Unshorn lambs liveweight	Shorn wool	Unshorn lambs	Total	Promotion deductions	Paid producers
	Thousand pounds	*Thousand pounds*					
Connecticut	32	6	$7,008	$30	$7,038	$325	$6,713
New York	1,178	5,600	247,406	47,890	295,296	14,575	280,721
New Jersey	52	302	11,248	2,328	13,576	670	12,906
Pennsylvania	1,493	2,520	326,300	19,481	345,781	16,186	329,595
North Atlantic	3,039	9,050	655,664	74,388	730,052	34,898	695,154
Ohio	11,157	31,130	2,263,344	245,152	2,508,496	127,134	2,381,362
Indiana	3,841	21,708	734,676	167,568	902,244	49,263	852,981
Illinois	4,981	34,366	905,170	253,886	1,159,056	66,997	1,092,059
Michigan	3,586	14,510	718,188	109,926	828,114	43,111	785,003
Wisconsin	1,762	9,878	337,858	79,121	416,979	22,554	394,425
North Central Eastern	25,327	111,592	4,959,236	855,653	5,814,889	309,059	5,505,830
Minnesota	6,271	35,518	1,141,044	271,858	1,412,902	80,265	1,332,637
Iowa	10,242	80,092	1,974,040	605,381	2,579,421	142,471	2,436,950
Missouri	5,592	38,448	1,104,014	304,544	1,408,558	75,148	1,333,410
North Dakota	5,402	27,918	975,672	214,776	1,190,448	67,975	1,122,473
South Dakota	10,503	54,280	2,024,151	428,057	2,452,208	132,171	2,320,037
Nebraska	3,701	55,548	626,785	425,590	1,052,375	64,780	987,595
Kansas	3,685	24,302	609,187	200,859	810,046	48,997	761,049
North Central Western	45,396	316,106	8,454,893	2,451,065	10,905,958	611,807	10,294,151
Delaware	18	34	3,768	261	4,029	196	3,833
Maryland	219	844	42,286	6,586	48,872	2,610	46,262
Virginia	1,583	14,908	327,979	110,986	438,965	23,280	415,685
West Virginia	1,493	11,472	331,019	86,177	417,196	20,663	396,533
North Carolina	189	1,072	43,127	5,526	48,653	2,427	46,226
South Carolina	38	62	8,605	473	9,078	416	8,662
Georgia	98	150	21,621	1,149	22,770	1,053	21,717
Florida	16	2	2,964	233	3,197	160	3,037
South Atlantic	3,654	28,544	781,369	211,391	992,760	50,805	941,955
Kentucky	3,822	29,804	807,696	215,723	1,023,419	53,121	970,298
Tennessee	1,360	11,550	296,393	89,530	385,923	19,372	366,551
Alabama	261	878	52,414	6,663	59,077	3,048	56,029
Mississippi	376	780	70,479	7,053	77,532	4,152	73,380
Arkansas	299	1,586	59,647	11,011	70,658	3,786	66,872
Louisiana	423	230	84,233	1,499	85,732	4,348	81,384
Oklahoma	1,724	9,316	265,396	70,800	336,196	21,902	314,294
Texas	49,754	26,218	9,600,356	204,535	9,804,891	510,650	9,294,241
South Central	58,019	80,362	11,236,614	606,814	11,843,428	620,379	11,223,049
Montana	14,817	25,614	3,007,808	198,131	3,205,939	160,979	3,044,960
Idaho	13,369	96,692	2,566,868	674,248	3,241,116	179,317	3,061,799
Wyoming	19,238	26,626	3,390,438	205,067	3,595,505	205,697	3,389,808
Colorado	14,276	99,628	2,657,720	758,375	3,416,095	192,574	3,223,521
New Mexico	12,329	4,984	2,004,627	38,266	2,042,893	125,786	1,917,107
Arizona	3,368	11,734	642,736	91,633	731,369	39,545	694,824
Utah	11,614	46,326	2,229,410	357,027	2,586,437	139,298	2,447,139
Nevada	3,161	6,526	639,362	50,253	689,617	34,877	654,738
Washington	3,243	16,130	603,686	124,170	727,854	40,495	687,361
Oregon	7,149	21,520	1,475,537	168,374	1,643,911	82,252	1,561,659
California	22,248	95,084	4,683,270	730,858	5,414,128	270,022	5,144,106
West	124,812	450,864	23,901,462	3,396,402	27,297,864	1,470,842	25,827,022
United States	260,247	996,518	49,989,238	7,595,713	57,584,951	3,097,790	54,487,161

Mr. BARRETT. Under an agreement with the Secretary of Agriculture, as provided in Section 708 of the National Wool Act, growers have approved a deduction of 1 cent per pound for shorn wool and 5 cents per hundredweight for unshorn lambs to be used for the advertising and sales promotion of wool and lamb. Such deductions for the 1955 marketing year totaled $3,098,904, and it is expected that the deductions for the 1956 marketing year will be approximately the same. This self-help program, under Section 708, is carried on by the American Sheep Producers Council, which was established for that purpose by sheep producers and producer organizations. These advertising and sales promotion efforts financed by the growers are designed to increase returns from the sale of their products in the free market and thereby lessen the amount of payments required.

Mr. President, the production of shorn wool in the 13 western sheep States, including Texas and South Dakota, for this year is estimated at 155 million pounds, which represents a reduction of about 5 percent over last year. The sheep population in these States for this year is estimated at 17,524,000 head compared to 18,317,000 head last year. The reduction in numbers is accounted for largely because of the drought that prevailed throughout the entire area for the last few years. Wyoming, South Dakota, and Arizona are the only States among the group that show an increase in the number of sheep shorn this year over last. Because Wyoming is an average State, I trust that I will be pardoned somewhat for mentioning my State specifically.

It seems to me that the operation of the Wool Act and moisture conditions are entitled to equal consideration for bringing about a rather healthy and prosperous condition among the wool growers of Wyoming. Recently a new high price of 24 cents was announced for ewe lambs and 20 cents for wether lambs in my State. As high as 74 cents was reported recently in western South Dakota for choice clip of wool and sales of old ewes at $10 a head have been noted.

Recently Dr. A. F. Vass, long-time professor of agricultural economics at the University of Wyoming, stated that it costs Wyoming wool growers well over $26 million to produce a crop of wool and lambs for market. He compiled the figures after an extensive study and broke down the total annual costs in this manner.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

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

Ranch labor	$10,000,000
Supplies (including gas and oil)	4,600,000

Feed	$2, 920, 000
Shearing	992, 000
Taxes	1, 043, 000
Grazing fees and leases	1, 035, 000
Interest	3, 636, 000
Depreciation	1, 533, 000
Ram replacement	735, 000
Total	$26, 450, 000

Mr. BARRETT. The cost of operation varied in different sections of the State. In the Big Horn Basin area it cost the growers an average of $13.84 per sheep to carry on their annual operations. The cost was less in the Red Desert section in the southern part of the State but costs ran up to $17 a head per year in Crook and Weston Counties in the northeast part of the State.

In my State of Wyoming the average price received by the growers for their wool during the 1955 marketing year was 39.2 cents per pound and there was paid to 3,178 growers a total of $3,377,913.42. In the 1956 marketing year the average price received was 41.6 cents and payments were made to 3,254 growers totaling $3,623,679.97.

The payments earned by growers, county by county, were relatively the same in 1956 as in 1955. The following table shows the payments by county and the average price per pound received by the growers in Wyoming for the 1955 marketing year and the average price received county by county during the 1956 marketing year, as well as the first 4 months of the 1957 marketing year.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

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

Wyoming shorn wool payment program, county by county in Wyoming

County	Incentive payments shorn wool Apr. 1, 1955, to Mar. 31, 1956	Average price of wool per grease pound (cents)					
		Apr. 1, 1955, to Mar. 31, 1956	Apr. 1, 1956, to Mar. 31, 1957	April 1957	May 1957	June 1957	July 1957
Albany	$37, 758. 86	33. 6	33. 6	52. 5	49. 1	47. 4	46. 6
Big Horn	228, 277. 33	39. 0	39. 1	49. 8	52. 5	52. 3	49. 3
Campbell	201, 345. 28	43. 3	43. 2	55. 7	54. 7	54. 6	52. 8
Carbon	482, 823. 89	36. 5	36. 4	45. 3	49. 6	47. 3	50. 2
Converse	163, 234. 59	39. 6	39. 6	58. 8	53. 8	50. 4	53. 0
Crook	110, 376. 34	48. 3	48. 3	61. 7	60. 4	61. 9	58. 3
Fremont	185, 945. 32	39. 5	39. 3	52. 8	52. 1	53. 0	52. 4
Goshen	24, 643. 91	35. 3	35. 4	----------	----------	----------	53. 9
Hot Springs	72, 243. 17	38. 6	38. 6	52. 2	49. 0	51. 7	55. 1
Johnson	214, 509. 13	39. 6	39. 6	53. 7	50. 6	50. 2	50. 5
Laramie	113, 389. 00	37. 4	37. 4	50. 0	55. 4	53. 9	51. 9
Lincoln	247, 648. 76	39. 2	39. 2	50. 0	----------	----------	----------
Natrona	272, 139. 62	35. 3	36. 8	----------	----------	47. 7	51. 8
Niobrara	72, 999. 48	40. 0	40. 0	55. 5	56. 0	53. 1	58. 0
Park	136, 829. 84	41. 5	41. 5	----------	----------	52. 6	----------
Platte	17, 986. 47	33. 7	33. 7	17. 1	50. 0	----------	60. 6
Sheridan	90, 322. 75	44. 2	44. 2	54. 1	52. 0	56. 2	55. 1
Sublette	24, 825. 19	44. 7	44. 9	----------	54. 4	55. 8	55. 8
Sweetwater	295, 133. 21	37. 6	37. 6	----------	----------	52. 2	52. 7
Teton	1, 273. 62	47. 9	47. 9	----------	----------	----------	----------
Uinta	166, 445. 87	40. 5	40. 5	----------	56. 0	52. 1	54. 0
Washakie	190, 911. 99	42. 6	42. 6	52. 2	57. 5	59. 3	53. 5
Weston	26, 849. 80	43. 1	43. 1	----------	59. 3	54. 0	50. 1
State average	$3, 377, 913. 42	39. 2	41. 6	55. 0	51. 3	51. 1	52. 3

Mr. BARRETT. Mr. President, because of the fact that the price of wool improved considerably in the latter half of the 1956 marketing year, I have broken down the reports from Wyoming for that year on a month-to-month basis.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

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

	Average price pound (cents)
April 1956	39. 3
May 1956	37. 8
June 1956	39. 5
July 1956	39. 4
August 1956	39. 9
September 1956	39. 8
October 1956	39. 7
November 1956	39. 6
December 1956	40. 5
January 1957	42. 5
February 1957	41. 1
March 1957	44. 8
Average price per pound for 1956 marketing year	41. 6

Mr. BARRETT. Mr. President, early this fall the Secretary of Agriculture will announce incentive payments for the final year of the 1954 Wool Act beginning on April 1 of next year and ending March 31, 1959. As I pointed out before, costs of production have continued to rise since the incentive price of 62 cents was first announced in 1954.

Without a question of doubt the incentive payment program under the National Wool Act has restored initiative and enterprise to our domestic wool industry. It is encouraging the development of a sound domestic industry and laying the basis for increased production of wool important for national security and for our general economic welfare. It is providing the necessary price assistance to our domestic wool growers without involving the Government in the wool merchandising business.

It is a trifle early to measure the full effectiveness of the incentive program toward encouraging a larger production of shorn wool in accordance with the intent of the Act. The growers did not receive their first payments until a year ago and the payments now being made for the 1956 marketing year supply 2 years of tangible benefits upon which to draw conclusions with regard to the accomplishments of the program to date. It must be borne in mind that sheep and wool production is a longtime enterprise and increases in production will be only gradual at best, and it will take some time to bring our annual domestic production of shorn wool to the goal of 300 million pounds set by the Act.

Reports have indicated greater demand for breeding ewes and replacement stock during last year which shows the likelihood of increased production of sheep and wool as forage and range conditions permit. Production of shorn wool last year continued at the low level of around 232 million pounds.

Legislation extending the National Wool Act should be enacted early in 1958 so that growers can be assurred of continuance of the needed price assistance after March 31, 1959, and can plan their sheep and wool production operations accordingly. After long and careful study the National Wool Act of 1954 was found by the industry and by the executive branch of the Government as well as by the Congress to be the most effective and practical measure to handle a price situation which is peculiar to our domestic wool growers. After 2 years of operation the wool program is generally considered to be sound and effective.

Mr. President, I have in my possession a copy of a letter from an official of one of the large chemical companies of the country addressed to an acquaintance of mine in which he states:

> You probably also know that the United States has never been a very important wool producer. Most of the wool we use is imported, which makes the country dependent upon foreign sources and subject to severe shortages in times of war or national stress.

As a matter of fact, Mr. President, the 13 range States, which include the States of Wyoming, Montana, Idaho, Colorado, New Mexico, Arizona, Utah, Nevada, Washington, Oregon, California, as well as Texas and South Dakota, had nearly twice as many sheep in 1884 as we have in the whole country today.

The following table shows the number of stock sheep on the farms and ranches in the 13 range States and in the United States in selected peak and low years from 1867 to 1939 and annually thereafter.

Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

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

Number of stock sheep and lambs

[In thousands]

	13 range States	United States
1867	7, 411	44, 997
1871	9, 565	34, 963
1884	24, 526	51, 101
1897	23, 488	38, 891
1909	31, 131	47, 098
1923	22, 810	32, 597
1934	34, 060	48, 244
1937	31, 640	45, 251
1939	31, 811	45, 463
1940	32, 162	46, 266
1941	33, 016	47, 441
1942	34, 444	49, 346
1943	33, 537	48, 196

Number of stock sheep and lambs—Con.

[In thousands]

	13 range States	United States
1944	31,177	44,270
1945	28,241	39,609
1946	25,536	35,525
1947	22,656	31,805
1948	21,091	29,486
1949	19,335	26,940
1950	18,753	26,182
1951	19,414	27,253
1952	19,524	28,050
1953	19,030	27,857
1954	18,471	27,079
1955	18,464	27,137
1956	18,145	27,012
1957	17,288	26,370

Mr. BARRETT. Mr. President, the sheep population in the country dropped 2 percent this year over 1956. Texas showed a drop of 14 percent. Arizona, Wyoming, and South Dakota showed a slight increase but the 13 Western States, including Texas and South Dakota, showed a drop of 5 percent in 1957 over 1956.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a table showing the trend country-wide by divisions and States.

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

Stock sheep and lambs on farms and ranches, by States

[In thousands]

State or division	1942	1952	1953	1954	1955	1956	1957
North Atlantic	766	446	480	487	500	515	537
East North Central	4,523	2,489	2,645	2,604	2,602	2,545	2,563
West North Central	8,394	4,408	4,443	4,402	4,509	4,669	4,846
South Atlantic	980	741	762	763	768	816	831
South Central	12,645	7,333	6,793	6,567	6,706	6,519	5,840
Montana	3,853	1,707	1,656	1,606	1,606	1,590	1,526
Idaho	1,858	1,050	1,050	1,040	1,030	999	999
Wyoming	3,654	2,107	2,065	2,003	1,903	1,941	1,960
Colorado	1,889	1,299	1,299	1,293	1,241	1,216	1,167
New Mexico	2,103	1,392	1,320	1,242	1,215	1,178	1,172
Arizona	719	378	410	438	412	416	422
Utah	2,137	1,412	1,426	1,383	1,383	1,369	1,355
Nevada	698	485	475	466	457	448	448
Washington	583	304	304	295	283	269	250
Oregon	1,577	723	745	790	822	822	822
California	2,977	1,670	1,720	1,700	1,700	1,700	1,632
Western States	22,048	12,527	12,470	12,256	12,052	11,948	11,753
Texas	10,332	6,071	5,525	5,249	5,354	5,086	4,374
United States	49,346	27,944	27,593	27,079	27,137	27,012	26,370

Mr. BARRETT. Mr. President, one must take into consideration the terrific change in the purchase power of the dollar when he considers the price received for a given commodity over a long period of years. The prices received by the growers for their cattle over the years have increased proportionately more than the prices growers received for their wool or sheep. The following table shows the relative prices of wool, sheep, lambs, and beef in 1910 and each 5 years thereafter until 1950 and annually thereafter.

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

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

Average prices received by farmers per pound of shorn wool and per hundredweight of sheep, lambs, and beef cattle, United States, 1910–57

Year	Wool per pound	Sheep per hundredweight	Lambs per hundredweight	Beef cattle per hundredweight
	Cents			
1910	21.7	$4.99	$6.16	$4.86
1915	22.1	5.30	6.98	6.28
1920	45.5	8.17	11.64	8.71
1925	39.5	7.56	12.40	6.53
1930	19.5	4.74	7.76	7.71
1935	19.3	3.75	7.28	6.04
1940	28.4	3.95	8.10	7.56
1945	41.9	6.38	13.10	12.10
1950	62.1	11.60	25.10	23.30
1951	97.0	16.00	31.00	28.70
1952	53.3	10.10	24.30	24.30
1953	54.9	6.66	19.30	16.30
1954	53.2	6.14	19.10	16.00
1955	42.6	5.81	18.40	15.60
1956	42.7	5.64	18.50	14.90
1957 (mid-July)	--------	6.10	19.80	18.40

Mr. BARRETT. Mr. President, the production of shorn wool in the 11 public-land States every 5 years from 1910 to 1955 and for each year thereafter shows clearly the great change in our sheep industry. I ask unanimous consent that a table showing statistics for these years be printed in the RECORD at this point in my remarks.

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

State and division	1910	1915	1920	1925
Montana	38,061	27,184	16,800	20,158
Idaho	16,366	14,852	17,600	15,438
Wyoming	41,723	28,736	20,655	22,500
Colorado	8,178	7,668	6,266	6,956
New Mexico	14,602	16,427	12,555	12,033
Arizona	6,666	7,510	7,654	6,252
Utah	16,542	14,689	16,170	18,438
Nevada	8,029	8,485	8,467	7,560
Washington	4,164	4,463	5,481	4,750
Oregon	20,721	15,690	17,388	16,958
California	14,803	13,152	19,616	21,572
Western	189,855	158,856	148,652	152,615
United States	305,834	241,175	250,888	253,203

State and division	1930	1935	1940	1945
Montana	34,034	32,364	29,624	23,707
Idaho	18,156	18,980	16,627	11,825
Wyoming	29,702	30,153	31,718	24,700
Colorado	13,446	12,369	14,170	12,885
New Mexico	16,870	15,768	16,446	13,868
Arizona	5,640	4,907	4,371	3,567
Utah	24,440	19,125	18,507	14,229
Nevada	7,944	6,256	5,416	4,424
Washington	6,175	6,486	5,446	3,977
Oregon	21,420	18,609	14,016	8,300
California	25,779	24,288	23,415	20,408
Western	203,606	189,305	179,756	141,890
United States	352,129	361,531	372,014	307,949

State and division	1950	1955	1956	1957
Montana	12,662	15,553	14,651	14,627
Idaho	9,400	10,384	9,878	9,590
Wyoming	17,120	18,762	20,120	18,788
Colorado	11,098	11,515	10,760	10,633
New Mexico	11,309	11,111	10,849	10,509
Arizona	2,886	3,006	3,024	3,061
Utah	10,856	12,610	12,741	12,358
Nevada	3,578	4,080	4,042	3,873
Washington	2,598	2,802	2,607	2,465
Oregon	5,366	6,723	6,647	6,494
California	14,936	15,666	15,666	14,936
Western	101,809	112,215	110,806	107,334
United States	215,422	233,370	232,126	226,021

Mr. BARRETT. Mr. President, in 1938 the first loan program for wool was enacted. It is interesting to note the trend in sheep population and wool production together with wool imports.

The following table shows the price the growers received for their wool together with the support level.

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

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

Domestic production and wool imports as well as wool prices and payments

Year	Million pounds domestic greasy shorn basis		Wool price	
	Wool production, shorn	Wool imports for consumption [1]	Received by producers	Support level
			Cents per pound	*Cents per pound*
1938	360	45	19.1	18.0
1939	362	133	22.3	18.0
1940	372	269	28.4	--------
1941	388	761	35.5	--------
1942	388	1,039	40.1	--------
1943	379	903	41.6	41.7
1944	338	784	42.3	42.4
1945	308	950	41.9	41.9
1946	281	1,075	42.3	42.3
1947	251	580	42.0	42.3
1948	232	560	49.2	42.3
1949	213	352	49.4	42.3
1950	217	568	62.1	45.2
1951	228	618	97.1	50.7
1952	233	565	54.1	54.2
1953	332	377	54.9	53.1
1954	236	236	53.2	53.2
1955	234	256	42.8	62.0
1956	232	236	44.3	62.0

[1] Apparel wool converted to domestic greasy shorn equivalent on basis scoured yield equal to 44 percent of greasy shorn wool.

Mr. BARRETT. Mr. President, from 1952 to 1954 inclusive, the price of wool country-wide averaged 54 cents per pound. The first year of the Wool Act, from April 1955 to March 1956, the average price was 42.8 cents per pound. As shown by the following table, the average price received by the growers for their wool was 44.3 cents for the 1956 marketing year. The table also shows that the average price has increased from 41.3 cents in April 1956 to 55.6 cents per pound in July of this year.

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

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

1956 marketing year:	*(Cents)*
April 1956	41.3
May 1956	41.4
June 1956	41.9

1956 marketing year:	(*Cents*)
July 1956	41.5
August 1956	41.6
September 1956	41.4
October 1956	44.3
November 1956	45.0
December 1956	46.2
January 1957	47.2
February 1957	47.5
March 1957	48.7
Average	44.3
1957 marketing year:	
April 1957	50.9
May 1957	55.2
June 1957	56.4
July 1957	55.6

Mr. BARRETT. Mr. President, as I pointed out earlier, the 1954 Wool Act went into effect under rather adverse circumstances. In the first place, a corrective movement was under way in the world market which caused a reduction in world prices, and in the second place, the Commodity Credit Corporation had accumulated a stockpile of 150 million pounds of wool which served to depress wool prices in our country. The return to a free market after prices had been supported for a good many years also had an adverse effect on wool prices. In addition, most of the larger wool producing States were struck by a drought that extended 4 or 5 years during the life of the Wool Act until this year. As a consequence, the sheep population as a whole has not increased since 1955. While it must be admitted that increased operating costs and inadequate prices for sheep products contributed to the drop, yet it must be admitted that the major factor in the reduction in the sheep numbers was the prolonged and devastating drought covering the range States of the western empire.

Experienced observers in the livestock field have maintained that the Wool Act saved the wool industry from complete liquidation and offered the necessary incentive to encourage the wool growers of the country to continue their operations. There are many favorable factors operating to the advantage of the growers at the present time. Adequate, if not abundance of, moisture has returned to the range in almost every wool producing State. The stockpile of wool in the hands of the Commodity Credit Corporation has just about been liquidated. The bulk of the 1957 wool clip has been sold at better prices than for quite some time. Wool is moving into consumption rather than into warehouses for storage.

The advertising and self-help promotion program under Section 708 of the Act approved by producers in a referendum held in 1955 is making substantial progress. Over a million dollars has been spent for lamb advertising and a fund of $800,000 has been allocated for wool promotion.

The major portion of the world promotion and advertising program is being handled by the Wool Bureau. Some time back the Bureau issued this statement:

> The impact of the program is evidenced by the increasing interest and enthusiasm on the part of the various segments of the wool textile industry, the increasing amount of tie-in cooperation by retailers across the country, and by the large number of consumer inquiries received to date. The position of wool in the United States improved during the year 1956–57. Consumption of apparel wool at the mill level was 5 percent greater in the calendar year 1956 than in the preceding year. Production of civilian woolen and worsted apparel fabrics was likewise up 8 percent in 1956 as compared with the year before. These continuing gains mean that from 1954 to 1956 wool regained 21 percent of the losses in mill consumption of apparel wool which it sustained from 1950 to 1954. Similarly, it regained 65 percent of its losses from 1950 to 1954 in the production of woolen and worsted women's wear fabrics—and 73 percent of its losses in the production of men's wear fabrics.
>
> These gains have extended through all categories of apparel, but—predominantly this past year—in women's coats and lighter-weight dresses, men's outer coats and sport wear, and men's and women's sweaters. The renewed interest in wool sweaters is particularly gratifying—as it also is in women's wool swimming suits, a category which had been completely lost to other fibers. In fact, because of the campaign's influence on various segments of the industry, wool today is an established fabric in women's wear resort and spring lines, as well as in travel clothes.

Mr. President, as I pointed out earlier in my remarks, livestock is the basic industry in the Western States. A review of the economy of the Western States indicates that the sheep and wool industry stands third in economic importance in Wyoming and Nevada; fourth in New Mexico; fifth in Idaho, Utah and Montana; sixth in Arizona, Colorado, Oregon, South Dakota and Texas; ninth in California; and tenth in Washington. That indicates clearly, Mr. President, the tremendous importance of this great industry to the economy of the country and particularly to the Western States.

When the wool bill passed the Senate in 1954 it did not have a termination date and the Committee on Agriculture of the House placed a four-year limitation on the Act but it indicated in its report on the bill it hoped and believed the program would provide a relatively permanent solution to the wool problem. The Committee felt, however, that since the program was new and different that it would be well to review its operation after a time.

In view of the splendid results achieved by the Wool Act, it seems to me, Mr. President, that the conclusion is irresistible and that the Congress has no alternative but to extend the Act for another four years in the public interest, not alone for the benefit of the wool growers of the country but for the Western States and the country as a whole.

Mr. President, I ask unanimous consent to have inserted in the body of the RECORD at this point a copy of the bill extending the Wool Act which I introduced earlier for myself and Mr. O'MAHONEY, Mr. AIKEN, Mr. ALLOTT, Mr. ANDERSON, Mr. BEALL, Mr. BENNETT, Mr. BIBLE, Mr. BRICKER, Mr. CARLSON, Mr. CARROLL, Mr. CASE of South Dakota, Mr. CHAVEZ, Mr. CHURCH, Mr. CURTIS, Mr. DWORSHAK, Mr. GOLDWATER, Mr. HICKENLOOPER, Mr. HRUSKA, Mr. HUMPHREY, Mr. JACKSON, Mr. KENNEDY, Mr. KNOWLAND, Mr. KUCHEL, Mr. LANGER, Mr. MAGNUSON, Mr. MALONE, Mr. MANSFIELD, Mr. MARTIN of Iowa, Mr. McNAMARA, Mr. MORSE, Mr. MUNDT, Mr. MURRAY, Mr. NEUBERGER, Mr. PAYNE, Mr. POTTER, Mr. REVERCOMB, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mr. SYMINGTON, Mr. THYE, Mr. WATKINS, Mr. YARBOROUGH, and Mr. YOUNG.

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

> *Be it enacted, etc.*, That section 703 of the National Wool Act of 1954 is amended by striking out "March 31, 1959" and inserting in lieu thereof "March 31, 1963".

THE AGRICULTURAL RECORD

Mr. MARTIN of Iowa. Mr. President, during recent months there have been many misleading and inaccurate statements made about the record of the Eisenhower administration in agricultural matters.

It is only fair that we set the record straight with the facts.

While every effort is being made to bring about further improvements in the overall agricultural picture, it is well to note the outstanding record of accomplishments during the Eisenhower administration.

Because of distorted statements about agriculture which have had widespread publicity, it becomes especially important that we list and discuss the true facts. A brief summary of accomplishments in agriculture during the past 4½ years is as follows:

First. Farm income is increasing for the second consecutive peacetime year—the only such increases since 1947. Figured on a per farm basis, the increase from 1955 to 1956 was 7 percent.

Second. The index of farm prices has risen 3 points during the past month, according to the United States Department of Agriculture report of July 31 while the index of prices paid by farmers declined 1 point. The parity ratio index has risen 2 points to 84.

Third. Prices farmers receive have increased each month since February. The index of prices received by farmers is at the highest level since August 1954.

Fourth. Farmers received about $15 billion from marketing in the first 7 months of 1957 compared with $14.8 billion for the corresponding months a year earlier.

Fifth. Farm assets are at an all-time high and farms have only $12 in debts for each $100 of assets. Farm ownership is at a record high and only 1 out of 3 farms has a mortgage.

Sixth. Exports of farm commodities in fiscal 1957 were at an all-time high in both quantity and value and they establish foreign markets which will be of great benefit to American farmers for many years to come.

Seventh. Surplus holdings of Commodity Credit Corporation have been reduced by approximately one-sixth during the last 16 months.

Eighth. Family farms continue to dominate the agricultural scene as large-scale farms are about 4 percent of all commercial farms, about the same as 30 years ago. A greater percentage of farmers left the farms during the last few months of the Truman Administration than during the entire Eisenhower Administration.

Ninth. There has been a 37-percent increase in farmers participating in programs of the Soil Conservation Service during the past 4 years and a similar increase in practices undertaken through the agricultural conservation program.

Tenth. The rural development program is underway in 24 States and is being expanded.

Eleventh. For the Nation as a whole, the total of businesses and services pushed above the $400 billion mark during the latter part of 1955. It went on up to $424 billion in 1956 and is moving on up to even higher levels this year. This prosperity gives stronger markets for farm products.

Before elaborating on these accomplishments and others, it is well to examine the historical facts which surround this general subject. The facts are that this administration has inaugurated a program of solutions for agricultural problems which replaces the previous administration's program of stopgap measures.

The previous administration refused to use production controls which were available. Long after it was apparent that demand was decreasing and price-depressing surpluses were being accumulated, production controls were still not initiated. As late as 1952, Secretary of Agriculture Brannan failed to order acreage allotments for 1953 crops of leading basic commodities. Instead, the Secretary issued a call for continued all-out production.

It seems very strange but undoubtedly significant that this action was taken just prior to the elections of 1952 when principles of sound economics and basic ethics should have outweighed political expediency. But they did not and price-depressing surpluses filled our elevators and warehouses to overflowing.

Farmers in 1953 grew the third largest cotton crop on record, the fourth largest wheat crop, and well over 3 billion bushels of corn.

In spite of these facts, there has been an attempt, and in some cases it has been unfortunately successful, to confuse the American people and make it appear that policies of the present administration are responsible for surplus problems. But the facts prove that this administration received an unwanted inheritance of vast surpluses and a rapidly declining farm parity index.

During the last 2 years of the Democratic administration, farmers of this Nation suffered the greatest decrease in parity of any 2-year period in our history. From a high point of 113 in February 1951, parity level began to spin downward. By October 1951, it was down to 105. The fall continued to 100 in April of 1952 and by January 1953 had plummeted to 95.

The facts stand. Within the short space of 23 months, the Democrats allowed the farm parity level to decline 19 points.

The parity ratio in February 1953, the first full month under Republican stewardship, was 94. Price-depressing surpluses had been accumulated and other serious agricultural problems were inherited by the new administration, but the downward momentum of falling farm prices was lessened and now in recent months has actually been reversed as farm prices are moving upward. It is true that further declines in farm income occurred under the present administration but the parity index has remained relatively stable, averaging 86 from February 1953 through July 1957, a period of 54 months.

The significant fact is that farm income is on the increase with the index of farm prices rising 3 points during the past month while the index of prices paid by farmers declined 1 point. Now that the administration program is going into effect, farm prices are on the upswing.

An effort has been made by some to make an unfavorable and unfair comparison of current peacetime farm prices with inflationary prices caused by war and the insatiable demands of war. Persons who make these comparisons certainly do not wish to claim responsibility for the war and neither can they logically claim credit for inflated wartime prices.

Recent accomplishments have been brought about through a reasonable, logical farm program. When the present administration came into office, it called for reinstatement of adjustment programs, but they, of course, could not be effective until 1954. It was actually the 1955 crop before the beneficial effects of the flexible support program went into operation and in the meantime, the great surplus buildup was already out of hand.

The facts stand that the Republicans were saddled for 2 years with unsound unrealistic farm programs that had been inherited from the previous administration. Only now is agriculture beginning to recover from its trip into an economic wonderland.

The flexible support program has been combined effectively with the transitional aspects of the soil-bank program as we move toward full parity for agriculture in the market place. It is significant to note that both the Democrats and the Republicans endorsed the flexible support program in their 1948 party platforms as the most logical peacetime program for agriculture. Not until the presidential campaign of that year did support programs become a political issue. Prior to that time, Secretaries of Agriculture under both Republicans and Democrats had advocated flexible supports and had unanimously warned of catastrophes under rigid supports in time of peace.

Secretaries of Agriculture Clinton P. Anderson and Henry A. Wallace oftentimes spoke out in favor of flexible programs and administered the Department on that basis. The range of support levels directed or authorized by Federal legislation on basic commodities in 1933 to 1937 was 55 to 76 percent of parity. In the period 1938 to 1940, it was 52 to 75 percent.

Only during World War II and in times of emergency, including the vast recovery program under the Marshall plan, were supports held at 90 percent or above. In 1951, they were authorized at 80 to 90 percent; in 1952, at 75 to 90 percent. In 1953 to 1954, they were set rigidly at 90 percent, and in 1955, 82½ to 90 percent. At the present time, support levels are authorized from 75 to 90 percent.

We do not need the artificial stimulus of rigid supports in time of peace that have been deemed necessary to achieve maximum production in time of war. In fact, farm legislation based on rigid formulas can only result in more production, price-depressing surpluses and chaos in agriculture.

The objective of this administration is to place agriculture on a sound, peacetime foundation with farmers obtaining full parity prices for farm products in the market place.

Secretary of Agriculture Ezra Taft Benson has done an outstanding job of administering the Department, starting with a needed and effective reorganization of the various agencies under his direction during the first few days of 1953. The record speaks for itself in the summary of accomplishments which only last week were prepared for each of the agencies within the Department.

Let me cite some examples:

COMMODITY CREDIT CORPORATION

In the last 16 months, CCC's total investment in price support commodities has been reduced by nearly $1½ billion—from a peak of $8.9 billion early in 1956 to approximately $7.5 billion by mid-1957. In the last 4 years commodities costing the Government $9.6 billion have been moved out of the CCC inventory. CCC has recovered a total of $6.7 billion on these operations, of which $4.1 billion (about 60 percent) were dollar sales through normal trade channels. With barter operations included, total dollar sales reach $5 billion.

The Department has been aggressive also in the use of donations wherever it was most helpful in meeting nutritional needs. Useful outlets—largely donations—have been found for more than 5 billion pounds of dairy products. Through this program great numbers of people in the United States and abroad have been able to raise their dietary levels. It has also prevented wasteful deterioration—which can easily be the result when perishable commodities such as dairy products are held too long in storage.

SOIL BANK

Through the acreage reserve of the soil bank, over 21.3 million "allotment" acres of basic crops—wheat, corn, cotton, rice, and tobacco have been taken out of production this year. Participating farmers, if they remain in compliance with agreements, will be eligible for payments of slightly over $614 million. By crops, the "allotment" acres put in the 1957 acreage reserve are: Wheat, 12,785,000; corn, 5,235,000; cotton, 3,015,000; rice, 242,600; and tobacco, nearly 80,000. Nearly 7 million additional acres of cropland have been put in the soil bank conservation reserve so far under contracts running 3, 5, or 10 years. Payments on these contracts total $108.3 million.

The soil bank has greatly reduced total production of American farms in this time of surplus and is combined with the highly beneficial aspects of conserving our soil and water for a time of national emergency or future years when our growing population will require maximum efficient use of every acre to adequately feed and clothe our citizens.

FOREIGN AGRICULTURAL SERVICE

United States agricultural exports were at an alltime high in fiscal year 1957, totaling $4.7 billion. This total is 16 percent above the previous record of $4 billion in fiscal year 1952, at the time of the Korean war, and 35 percent above the $3.5 billion in fiscal year 1956.

This attests to the effective job this administration is doing in seeking new markets for agricultural products.

Figures released by the Foreign Agricultural Service of this Department prove this record was achieved without disrupting trade programs of other countries as 1956 estimates of agricultural exports by foreign countries are also the highest on record.

In real dollars (calculated to eliminate price changes), exports by foreign countries of 52 major agricultural commodities had a value of $16.1 billion in the 1956 marketing year. This compares with $15.5 billion in 1954 and $15 billion in 1953.

SOIL CONSERVATION SERVICE

Soil and water conservation work for which USDA's Soil Conservation Service has responsibility has moved ahead decisively in three major aspects since January 1, 1953. Soil conservation district farmers have increased their acreages of land planned and treated. Several hundred communities have initiated, for the first time, local action to obtain attention to watershed problems. And a new approach to solution of the special problems of the vast Great Plains area has been launched.

Numbers of soil conservation districts went from 2,493 on January 1, 1953, to 2,744 on January 1, 1957, a 10-percent increase. Acreage in districts jumped 14 percent to 1,565,209,153 acres. And in that same period, numbers of farmers and ranchers cooperating with their districts increased by 37½ percent to nearly 1,700,000.

THE GREAT PLAINS PROGRAM

Climaxing a series of Great Plains conferences, beginning with a Governors Conference at the White House in April 1954 and recommendations of the President to the Congress on January 11, 1956, and March 5, 1957, there is now ready for operation a Great Plains conservation program. This is providing an important new conservation tool in the form of long-term cost-sharing contracts which support conservation plans of operations that will help to minimize climatic hazards and protect lands from erosion and deterioration by natural causes.

AGRICULTURAL-CONSERVATION PROGRAM

Under the agricultural-conservation program, a farmer or rancher may obtain cost-sharing assistance through his agricultural stabilization and conservation county committee to enable him to carry out needed conservation. The Government generally pays about half the cost of approved practices. The farmer or rancher pays the balance and installs or arranges for the installation of the practices.

Under the 1955 ACP, new or additional practices were established on 1,142,025 farms and ranches in the 48 States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands. This was 46,395 more than in 1954.

The 419 million acres on farms participating in the 1955 ACP constituted 34 percent of all the farmland in the United States and Territories.

FARMERS HOME ADMINISTRATION

In the past 4 years the administration has sponsored measures which have expanded the regular loan services of the Farmers Home Administration and increased the number of credit services the agency provides.

For example, the maximum amount that a family-type farmer may be indebted for operating credit has been raised, under certain conditions, from $10,000 to $20,000. Real-estate loans may now be made primarily for refinancing debts. In connection with the rural development program, operating and farm development loans are now available to eligible farmers who have part-time employment off the farm. Permanent authority has been established for farm housing loans. Soil and water conservation loans are now available throughout the United States. A special credit program has been devised to help farmers and ranchers in the Great Plains area make proper use of their land. Several types of emergency loans are now available.

The total volume of loans made and insured by the agency has reached a new high each year since 1953. Approximately $356 million was advanced in fiscal 1957. This compares to $229 million in 1953.

The major objective of the Farmers Home Administration—to strengthen the position of farm families on family-type farms—remains unchanged. Supervision in the development of balanced systems of farming is provided to the extent needed with each loan. Loans are made by the agency only when farmers and ranchers are temporarily unable to obtain needed credit from other sources.

RURAL ELECTRIFICATION ADMINISTRATION

From fiscal year 1953 the program has shown a steady advance to the fiscal year 1957 peak of $440,434,375 in loan authorizations and loans to borrowers amounting to $300,461,514.

The telephone program is currently at its peak. It has grown from a fiscal 1950 authorization of $25 million and loans of $3.4 million to an authorization of $133,326,176 and loans of $81,729,000 in fiscal 1957.

FOREST SERVICE

Operation Outdoors is an example of the many progressive advancements made in the Forest Service under this administration.

Recreational visits to the national forests have doubled since 1950, totaling now an estimated 55 million visits. Campgrounds and picnic areas are overloaded. Sanitation facilities are inadequate, and in many places public health is endangered by pollution of water supplies. Fireplaces where fires can be made safely are wholly inadequate to meet the need; and controlling large fires resulting from escape of campfires started in unsafe unauthorized places is extremely costly. Assistant Secretary Peterson took the intiative in developing a 5-year action program—now widely publicized as "Operation Outdoors"—to meet this situation aggressively and adequately. Additional funds were requested in the President's budget for the fiscal year 1958, and Congress appropriated most of the money requested. Work already is under way to rehabilitate existing badly deteriorated facilities, to expand campgrounds and picnic areas, and to build new ones.

FEDERAL EXTENSION SERVICE

Outstanding advancements have been made to provide an even more effective program for rural America through the Extension Service.

FARMER COOPERATIVE SERVICE

The Farmer Cooperative Service has intensified its work to help cooperatives increase their operating efficiency in marketing farm products and obtaining farm supplies for farmers.

AGRICULTURAL RESEARCH SERVICE

Recent research accomplishments, many of them attained by scientist teams representing the Department and the State agricultural experiment stations, benefit all phases of agriculture.

They include such developments as Pima S-1, the new long staple cotton variety that can compete in yield and quality with foreign-grown cottons; the mono-germ sugar beet seed that opens the way to complete mechanization of sugar-beet production, and hybrid sorghums that this year made up a large part of the total United States sorghum acreage. They include such livestock advances as the development of a vaccine that may save poultrymen $50 million a year from visceral lymphamatosis disease; a dietary control for parakeratosis in swine; and the discovery of parthenogenesis in turkeys, that gives scientists a new weapon with which to attack the most serious problems facing the turkey industry—those in connection with the fertility and hatchability of eggs. Chemists have developed an important market for animal and vegetable fats as plasticizers (softeners) in the manufacture of vinyl plastics; engineering studies of air movement through stored grains has made on-the-farm forced-air drying of corn commonplace; entomologists have devised a method of screwworm control that will ultimately result in the eradication of this pest from the Southeast; soil scientists have broadened the opportunity for farming western saline soils, by discovering that crops planted on the sloping shoulder of a well-rounded seedbed tolerate many times more salinity than crops planted in the center of a high flat bed; and human nutritionists have determined the content of pantothenic acid—an essential B vitamin—in 161 foods.

FARM CREDIT ADMINISTRATION

For 14 years, farmers wanted the Farm Credit Administration to be an independent agency. Secretary of Agriculture Benson, through his many years of experience as a farmer and as former executive secretary of the National Council of Farmer Cooperatives, recognized the value of having the FCA farmer-owned and controlled. This has been accomplished.

AGRICULTURAL MARKETING SERVICE

Excellent work is being done by the Agricultural Marketing Service in expanding markets for all agricultural products. Savings in handling crops and spoilage losses are being brought about through replacement of obsolete and inefficient facilities with modern buildings and equipment designed by the Marketing Research Division of AMS. Significant changes in standards and grades are being established, to the benefit of both producer and consumer.

RURAL DEVELOPMENT PROGRAM

In the past 12 months, the new rural development program has grown into a truly national program, with effective organization and project development going forward in half the States. There is growing interest in this balanced approach to rural area development, and increasing national attention to the basic needs of low-income rural areas.

During this period—since September 1956—the Department of Agriculture was able for the first time to contribute funds to the program for special extension services, conservation assistance, and basic economic research in selected areas.

This assistance has made possible a greatly expanded rural development program in the States. On June 30, 1956, less than 10 States had undertaken to organize pilot county programs on a systematic basis. By June 30, 1957, this number had risen to 24 States, with several others planning to enter the program. At present, there are 49 "pilot or demonstration" counties and eight trade areas—of two or more counties each.

Most of these counties and areas have formed committees of local farm, business, and civic leaders to help guide rural development at the local level. Efforts of these leaders, working closely with Government agency personnel, have already produced a great variety of economic projects—resource surveys, vocational training classes in trades and industry, renovation of small industry, better established rural community clubs, night classes in improved farming and market development. These are a few of the many projects reported.

Nearly 100 basic economic and social surveys covering farm-family living, manpower resources, employment needs, industrial sites, and so forth, have been started or completed in the pilot rural development areas. Information obtained through these surveys is used in formulating development projects.

CONCLUSION

There are some who attempt to misrepresent these accomplishments by making comparisons with inflated price indexes in time of war or recovery from war. No one should be fooled by agricultural statistics based on casualty lists. The facts comprise the record. The record is one of outstanding accomplishment with further improvements under way by the Eisenhower-Benson administration for a prosperous, peacetime agriculture.

INSIDE RUSSIA

Mr. HUMPHREY. Mr. President, the future of the Free World may depend upon how well we understand the nature and innerworkings of Communist Russia, and the attitudes of the Russian people themselves.

Every effort that can contribute to such an understanding is a valuable contribution toward the preservation of our freedom.

During June, Mr. Malcolm Muir, president and editor in chief of Newsweek magazine, made a tour of the Soviet Union. As a trained and thoughtful observer, Mr. Muir returned with impressions and observations that should be of valuable assistance to everyone seriously interested in development of improved international relations. For that reason, Mr. President, I ask unanimous consent to have printed in the RECORD some excerpts from notes prepared by Mr. Muir on his trip, for the use of Newsweek's editors.

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

EXCERPT FROM NOTES PREPARED BY MALCOLM MUIR, PRESIDENT AND EDITOR IN CHIEF OF NEWSWEEK, ON HIS VISIT IN JUNE 1957, TO THE SOVIET UNION

MY TALKS WITH MALENKOV AND MIKOYAN

I had an animated three-quarter-of-an-hour discussion with Georgi Malenkov, who later proved to be the leader in the plot to overthrow Khrushchev, and Anastas Mikoyan, who, it turned out, was supporting Khrushchev.

Mikoyan began by saying: "Why do you just see the important people? Get around Russia and talk to the common people, and you will realize how much sense they have, how much they hate war, and what this country is really like." He continued, "We do not want war, but if you don't, why do you permit your generals to make such speeches about how they can bomb us to extinction? Our generals would not be allowed to talk the way yours do. Our people want peace. Some of your people do, too, but your leaders do not listen to the right people." He said, "Your country does not know the horrors of war; it has never been invaded as ours has. We do not want war but our soldiers are not afraid to fight. You know what their record is, and they are ready again to die for their country if need be."

I reminded Mikoyan that in the United States it was the people who decided, through their Congressmen, the amount of money to be spent on defense, that it was the responsibility of our generals, and our politicians to inform our public of the warlike intentions of the Russians, of their duplicity in controlling their satellites, and all of their many actions which forced us to distrust them. I told him that "some of our generals and politicians are beginning to believe that you do not want war but, to use an American boxing expression, we dare not let down our guard as you have not yet justified by your actions that amount of confidence in you." He said, "We admire your country, we think it is a great Nation, and I am not saying this merely as a compliment."

After many pleasantries by Malenkov, Mikoyan picked up the conversation again and began talking about Newsweek. He asked me whether, if I found on my trip that Newsweek was wrong on the subject of Russia, I could and would change our policy. I said that I definitely could and would, but that I had to be shown. This brought a most enthusiastic toast on the part of both Mikoyan and Malenkov.

Mikoyan finally said, "This has been a good meeting," and then expressed the highest regards for President Eisenhower, which he said they had held ever since he came to Russia to be decorated.

HIGHLIGHTS OF CONVERSATIONS WITH OTHER MEMBERS OF MINISTRIES AND THE PRESS

G. A. Zhukov, Chairman of the New State Committee on Cultural Relations With Foreign Countries

Mr. Zhukov discussed the obstacles to better understanding between our countries, admitting that some of the faults are theirs but insisting that more are ours. He thought that neither side should give up its good propaganda, but that we both should abandon our bad. He asked if I did not think it was silly for us to spend millions urging the Russians to "throw off their masters" and trying to spread discontent while they in turn spend millions to jam our broadcasts.

Zhukov had on his desk excerpts from the current American newspapers. He cited many instances of what he called "our interference with the internal affairs of Russia." He quoted a recent dispatch describing Senator MORSE's proposal for a Committee for the Liberation of the Satellite and Baltic Countries, and asked how we would like them to suggest a committee to liberate Texas. I of course called him on comparing the status of Texas with Poland and the other countries.

The editor of Tass doubletalks

Mr. Palgunov, editor of Tass, like so many Russians, is a past master at dialectical doubletalk. He heartily seconded my own statements on the importance of a better understanding between our two peoples and the responsibility of the press to contribute to this cause. When I suggested, however, that the American magazines and newspapers with international circulation be allowed to distribute throughout Russia, he said that this was not a good idea because the number of people who could read English was so small compared with the total population that the papers "could not be expected to be helpful."

When I tried to get an expression of opinion as to the value of our Russian-language paper America and their English-language paper U. S. S. Russia," he sidestepped by saying that he had not read copies of either magazine and, therefore, could not express an opinion, but he would think their limited circulation would make them quite ineffective.

The editors of Pravda hold forth

The two editors of Pravda responsible for their American desk talked about our bases, our pointing atomic cannon at Russia, and questioned the sincerity of our desire for peace. They admitted that there were certain elements in the United States who were as much for peace as were the Russians, but that there were other powerful elements who wanted to maintain a war economy. They tried to dodge being specific, but when I pressed them they named Foster Dulles as No. 1 because he was "the richest international lawyer who had made his money out of defending corporations and protecting their antisocial practices." They then ran down the entire list of big businessmen in the administration, and wound up citing the influence of the big oil companies on our

Middle East policies. I gave them the works in rebuttal but they were unconvinced.

An editorial staff is worried

My next appointment was with Mr. Malnikov, editor of International Affairs, and his staff. Here again their first questions had to do with the reasons why our generals and admirals made such warlike statements and why, if we were not intent on war, did we ring Russia with bases? The editor of their paper who also spends a great deal of time lecturing throughout the country said that the one question always asked him is, "What can we do about the bases? Can they mean anything other than that America is intent on war?"

I explained that it was necessary for us to have these bases because we did not have confidence in the men in the Kremlin, and how shocked the American public was when Russia refused to give back to the Poles, the Czechs, the Hungarians, and the other countries their freedom. There followed a long exposition of the party line to the effect that these countries, even including Hungary, have their freedom.

My reply was that as long as you take the kind of action that you did in Hungary you are going to have to be ringed by bases and we can never give them up. This seemed to upset them very much.

The Baibakov interview on industrial decentralization

N. Baibakov, Chairman of the State Planning Committee of the R. S. F. S. R. and First Deputy Chairman of the Council of Ministers devoted two hours to answering my questions and explaining Gosplan to me in detail. Internal dissension over this revolutionary plan of handling the Soviet economy was one of the principal factors in the Kremlin shakeup.

I asked whether the reorganization of industry on such a vast scale would not make it difficult for them to reach their production goals set for 1957. He stated frankly that many individual difficulties and serious problems would crop up that some industries might not make their 1957 goals, but that others would more than meet theirs and that, on the whole, the 1957 goal for industrial production would be met.

I obtained so much detailed information from Mr. Baibakov on the operations of this farflung program that I am making it the subject of a special memorandum. Suffice it to say that the concept is tremendous in scope. If it works, it may well bring about the industrial revolution that is their aim. If it fails, it could result in chaos. But its very success could spell great trouble for the masters in the Kremlin. A decentralized industry, freed from the bureaucrats in Moscow, might well demand greater freedom from the political dictators in the Kremlin. This is the crucial issue in the recent battle in the Kremlin. Molotov, Malenkov, Kaganovich and company were the conservatives who feared just such an eventuality and therefore fought it to the bitter end.

We call on the only woman member of the Presidium

Madam Furtseva, the only woman member of the Presidium and a protege of Khrushchev, gave us the complete propaganda treatment on the peace-loving attitude of the Russian people, their real friendship for America, etc., etc., as well as the familiar question, "How can you convince us that you want peace when you have ringed us with bases?" She also talked about the fear of war on the part of the people. She then said, "You musn't be jealous of our efforts to catch up with your productive capacity. We cannot have a better standard of living until we have achieved many production goals, and this should not make you jealous."

THE RUSSIANS ARE PAST MASTERS AT USING TOURISM AS A MEANS OF PROPAGANDA

Tourism is being used to build in the minds of the Russian people and the satellite and neutral states the feeling that everything Russian is supreme. Moscow was jammed with organized tours of peasants from Uzbek, Turkemenia, Kasahstan and all the vast areas of the Soviet Union as well as East Germans, Chinese, Poles, Hungarians, Czechs, and some from India, Burma, and the southeast Asian and Middle Eastern states.

The tourists are being shown all of the grandeur of Moscow, its permanent and impressive Agricultural Fair, its marble platformed subway, its museums, its modern skyscrapers, the famous and towering Moscow University, a tour through the Kremlin, a reverent view of the two dead boys in the Mausoleum, and all the rest.

In Leningrad, they tour the Hermitage and the old Winter Palace of the Czars. They are taken to the Summer Palace of the Czars at Peterhof, and to the country palace of Catherine the Great at Tsarskoe Selo. It is interesting the way they parade before these tourists all of the tradition of Russia which they have destroyed.

SOME CONCLUSIONS

Can the Russian people be reached by our propaganda?

Ever since the revolution the Russian leaders have been carrying out a master plan to fan the flames of a fanatical pride in Mother Russia, the achievements of its people and to keep from them anything that could shake their belief that all things Russian are best.

I suppose their success is the greatest example in history of how complete control by a powerful few over every means of communication can condition the minds of the many.

They have been so brainwashed that it is impossible to get over to them by usual methods of propaganda any conception of our way of life and the true meaning of democracy. Our Voice of America, when and if it reaches them, may help. I am convinced, however, that an understanding of our institutions, or our standard of living, can only be achieved by encouraging an exchange of industrial, agricultural, scientific, and cultural groups, as well as plain tourists in ever increasing numbers, even though we may run the risk of adding some spies to those who are now here.

Can the Russian people be aroused to revolt against their masters?

I discussed this subject with every well-informed European I met, some of whom have been in Russia for a very long time. I first asked if the great pride in their country was universal or if it was mainly a Muscovite manifestation. I was told that as you get farther from Moscow the degree of pride and enthusiasm is not as apparent but that it is basically there. They say that this pride in and love of country on the part of the peasants goes very deep and that, while there is dissatisfaction in some spots, we should not be misled into thinking of the Russians as a downtrodden race, crushed under the heel of their masters, waiting to revolt. It is true that there is political unrest in many of the villages and dissatisfaction with the way things are being handled. There is discord in Georgia, where Stalin came from. There is some grumbling among the journalists, authors, and other groups of the intelligentsia such as the teachers, but nowhere near enough to justify being called an underground movement. There are also certain disgruntled factions in the army, but no more than one might find in many countries and, if war came, they would fight with the same fanatical zeal as they did against Germany.

It may be hard to realize it, but the truth is that these people on the whole are better off than they were under the Czars, even though by our standards their living standard is very low. Those who should know say it is wishful thinking to feel that we could arouse them to revolt. Of course, a distinction must be made between their attitude and that of the people in the satellite states toward their Russian overlords.

It is believed that a change toward their masters in the Kremlin must come from within. As their productive wealth increases with the exploitation of their resources and their growth as an industrial nation, the upper class, consisting of the management group, the engineers, technicians, artists, writers, and teachers, will become very large. These, together with the bureaucrats—vast numbers of whom are being decentralized under Khrushchev's Gosplan—are the haves in this have not nation. They are the first ones who will want freedom from an all-powerful police state, and in this evolutionary process lies the best hope of weakening from within the hold of the Kremlin.

I firmly believe that this evolutionary process can be stimulated by exposing as many as possible to the American way of life as suggested previously.

Are the Russians sincere in wanting disarmament?

Here again, informed people feel that the Kremlin must work toward disarmament but not primarily because of pressure by the Russian people for a higher standard of living. They cannot carry on a war economy, the enormous housing program, the expansion of industry as outlined in their sixth 5-year plan, continue their extravagant expenditures on public works to feed the ego of their people, and make good on promises of aid to all of the neutral countries—where they are in direct competition with us—and to their satellites. It just can't be done.

Recognizing also that East and West are approaching a nuclear stalemate, it is logical that they should try to divert part of their resources from war production to peaceful economic penetration. Right now it looks as if they are trying to trick us into a piecemeal disarmament program from which they could switch back to a war economy far more easily than we could. We can afford to go more slowly on disarmament than they. The longer they wait the greater strain there will be on their economy.

Barriers in the road to peaceful coexistence

The lives of the Russian people have been so conditioned by their masters over these last 40 years that one gets an uneasy feeling of a united nation driving toward a common goal. Even though the motives of the masters may be different from those of the people, their objective seems the same: The domination of as much of the world as possible by the superior Russian race. Their minds work differently from ours; we are truly planets apart in our thinking; and we cannot win them over to our point of view by the use of our logic. Nor can we let down our guard, as they will be quick to take advantage of it. We must continue to talk bases, weapons, and air power loud and long enough to make them realize our guard is not down, and yet not press their fear of war so far that in desperation they will strike back.

Mutual fear, distrust, and total lack of understanding are the biggest barriers to finding a means of coexistence. Therefore, the road is a slippery and dangerous one and far more complex for us than for them. With its entire strategy controlled by a few men, Soviet Russia can switch from a war to a peace economy and back again, as best suits their strategy, free from the pressures of public opinion. Each western move, on the other hand, must be weighed in the light of its effect upon the economies, the public opinion, and the political reactions in the United States, the United Kingdom, and France, as well as in the smaller NATO countries. By the time we have been able to agree on a strategic move the Russians could have run around our flank and attacked from a different direction.

After all of this pessimism I still have a feeling that this vast and growing nation, just beginning to feel its strength, needs and wants peace, and that we must continually strive to unlock the door that will lead to it.

CIVIL RIGHTS ACT OF 1957

The Senate resumed the consideration of the amendments of the House of Representatives to Senate amendments Nos. 7 and 15 to the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

Mr. HOLLAND. Mr. President, on August 7 last, I stated on the floor of the Senate my objections to the passage of the so-called civil-rights bill, H. R. 6127, in the greatly amended and vastly improved form in which it emerged from Senate debate and was passed by the Senate. It is unnecessary for me to restate at this time my fundamental objections to the passage of coercive Federal legislation in this field. I stand upon my position, as stated several times in the Senate debate and as summarized in my remarks of August 7, which appear on pages 13838–13841 of the CONGRESSIONAL RECORD.

I regret, Mr. President, that the form in which this bill comes back before the Senate, not from conference, but after additional amendments adopted by the other body, makes it necessary for me to state my strong objections to the enactment of this proposed legislation in its present mutilated form.

All of us recognize that compromise is frequently necessary to the passage of legislation. I do not object, therefore, to the fact that the bill now before us is a compromise bill, but I do object to the nature and substance of the compromise, which I regard as extremely objectionable.

In his able discussion of the present measure the chairman of the House Committee on the Judiciary, the distinguished gentleman from New York [Mr. CELLER], discussed this question of compromise as it affects this bill in the following words:

> Many of us wanted and wholeheartedly worked for a strong bill, wanted no watered-down one. Others with sincere convictions sought the defeat of any civil-rights bill. Neither side won; neither side lost.

I respectfully, but completely, disagree with the distinguished gentleman in his statement that "neither side won; neither side lost," in agreeing upon the final House compromise on the jury-trial provision adopted by the Senate. It is my strong belief that everybody who has convictions on either side of this jury-trial question would lose greatly by the adoption of the proposed jury-trial compromise. The first portion of the compromise, upon which I shall comment briefly, is as follows:

> *Provided further*, That in any such proceeding for criminal contempt, at the discretion of the judge, the accused may be tried with or without a jury.

Remembering that there is a fundamental principle involved here, which is that jury trials in criminal prosecutions under American law are a part of the constitutional rights of every accused person, it seems to me that the provision which I have just quoted does violence to the convictions of both those who believe that accused individuals do have a constitutional right to jury trials in criminal cases and those who believe that since such right to jury trial does not apply, customarily, in equity cases, the right can be nullified by merely transferring what has always been a criminal trial to the jurisdiction of the equity courts. It is clear that the strong beliefs of both of the groups which I have just mentioned, which I think include practically every Member of the Senate, on one side or the other, are violated by the compromise provision that I have just quoted, which allows the trial judge in every case, and at his sole discretion, to decide whether the person accused of criminal contempt may be tried with or without a jury. This provision certainly gives offense to those of us who believe that the Constitution does grant to every accused the right of trial by jury in criminal cases and that such right cannot be lawfully taken away by us or by any judge. And I believe that this provision, in giving to the trial judge the right in his sole discretion to allow trial for criminal contempt by jury, is equally offensive to the convictions of those who feel that such a provision is disruptive of the processes of courts of equity and that it destroys their ability to uphold their own dignity, jurisdiction, and power. Such provision might easily bring about a situation under which accused persons appearing before one judge in a district would be granted the right of trial by jury, whereas if they appeared before another judge in the same district their right of trial by jury would be denied. In addition, the provision might easily bring about a condition under which accused persons in one district would be uniformly granted the right of trial by jury whereas in an adjoining district such right would be withheld and denied. I do not see how it would be possible to frame a law which would be more confusing than this, more destructive of individual rights, and more violative of the principle that our laws should be enforced uniformly and that our Government should be a government of definite, certain, and understandable law, and not a government of men, dependent in fundamental matters upon the discretion of a presiding judge.

But the proposed compromise does not end with the extremely bad provision which I have just discussed, but continues further to pile uncertainty upon uncertainty and, I think, absurdity upon absurdity—for the proposed compromise continues in these words:

> *Provided further, however*, **That in the** event such proceeding for criminal contempt be tried before a judge without a jury and the sentence of the court upon conviction is a fine in excess of the sum of $300 or imprisonment in excess of 45 days, the accused in said proceeding upon demand therefor shall be entitled to a trial de novo before a jury which shall conform as near as may be to the practice in other criminal cases.

Restated briefly, in the event a trial judge has refused the defendant a jury, conducted the trial without a jury, entered a verdict of guilty, and imposed a sentence of a fine in excess of $300 or imprisonment for longer than 45 days, the last provision would allow the defendant thus found guilty and sentenced by the judge to set aside the trial and verdict of the judge in his sole discretion by demanding a trial by jury. In such case he would receive a trial de novo before a jury in conformity with the practice in other criminal trials.

Mr. President, how absurd a proposal this is. Apparently some are so anxious to pass a bill and so zealous in their desire to claim the credit for the passage of a so-called civil-rights bill, regardless of what it contains, that they are willing to include this particular compromise provision, which I think is so monstrous as to do violence to every concept of fair judicial procedure. In substance, this provision would allow the determination of the judge that the accused was not entitled to have a jury trial to stand until the trial was completed and the judge had entered the verdict and imposed the sentence. Then if the sentence is for more than 45 days or $300, two new conditions immediately come into play. First, the defendant is entitled to a jury trial, notwithstanding the fact that the judge has earlier ruled that he is not so entitled; and, second, the defendant can invoke his new right to a jury trial in such case at his own sole option so as to reverse the decision of the judge, insist upon trial by jury, and have the trial all over again before a jury which in its judgment could enter a verdict undoing all that the judge had done in the earlier trial.

Mr. President, I do not believe I ever heard anybody seriously suggest heretofore a criminal law under which a defendant who does not like his trial and sentence by the judge can make the same court do it all over again, not by going through some appellate procedure but simply by his own demand. Mr. President, I think I realize the outcome of the approaching vote on this bill, but I could not sit idly by without comment when proposals as absurd as those which I have discussed and which are contained in the so-called compromise are being seriously considered by serious-minded legislators whom I know to be men of conscience, conviction, and long experience in the art of lawmaking.

Mr. President, to me it is completely obvious that this matter is being decided in an atmosphere of supreme scrambling for political advantage. I feel sure that every member of the Senate knows in his heart of hearts that such is the case. I could not and I shall not criticize others for any decision they may reach in this matter, but I do want to call to their clear attention the fact that the knowledge of the political implications which dominate the present scene is not confined to the Congress. The public generally is completely aware of the situation and its respect for and confidence in the Congress will certainly not be enhanced, and I think will be diminished greatly by the adoption of this ludicrous compromise.

All of us have had ample evidence of the fact that the press, the radio, the public generally know that we are playing the rankest sort of politics with this measure. I have seen any number of well considered editorials which establish that charge, and I feel that for the record I should include two of the ablest among these editorials so that it may clearly appear that what we are about to do in adopting the pending measure is done with full knowledge of the fact that we are operating in a goldfish bowl and that everybody knows just what sort of a job of political maneuvering is nearing completion. The first editorial which I shall read in part into the RECORD appeared in the Washington Daily News of last Friday, August 23, under the title "Let's Go." That editorial, written by a capable editorial writer and one who in the light of subsequent developments can lay full claim to being an excellent prophet and a soothsayer, reads in part as follows:

LET'S GO

> The GOP civil-rights compromise offer would establish a kind of misdemeanor contempt of court in addition to the criminal classification.
>
> There would be no jury trials if penalties were limited to $300 fine and 90 days in jail. If greater penalties were contemplated, there would be jury trials.
>
> This provision is mainly a face-saver—

Mr. President, I hope Senators will listen to this, because it shows a deliberate opinion stated by a responsible editorialist as to the quality of the negotiations and machinations which have been going on relative to the bill—

> This provision is mainly a face-saver for the Northern Members of Congress who have been stalling the civil-rights bill since the amended version came out of the Senate. Some modification of it says to a $289.98 fine and 47½ days in jail will, in turn, save the opposition face. Then maybe the bill can be passed and Congress can go home.
>
> Not justice but political advantage is the obvious motive for the endless maneuvering on civil rights. In our opinion the country is getting weary of it.

Mr. President, the editorial writer almost hit the nail on the head. He missed the amount of the compromise fine—the compromise to the compromise—by $10.02 and the amount of the compromise jail sentence by 2½ days. His suggestion was that the amended version of the compromise which would allow a saving of face for supporters of the bill on both sides of the political fence, would be a $289.98 fine and 47½ days in jail. I think that his strongest paragraph and one which should make the Senate stop, look, and listen, even at this late date reads "not justice but political advantage is the obvious motive for the endless maneuvering on civil rights. In our opinion the country is getting weary of it."

Mr. President, there have been times in the past when I think the country has been weary of long discussion in the Senate. Sometimes it has been referred to as a filibuster. I predict in this particular situation Senators are going to find that the country indeed is weary of endless negotiations, of endless political shenanigans which have gone on in the effort to take credit for this so-called civil-rights bill which has practically nothing in the way of substantial civil rights in it.

Mr. President, the second editorial which I shall include, in part, in my remarks comes from the Tampa Sunday Tribune of August 25, after the amended version of the compromise had seen the light and appeared in full in the press.

Mr. President, this is an excellent editorial by a very fine editorialist. I am only sorry that the distinguished occupant of the chair cannot have the privilege of seeing the cartoon which accompanies it, which I shall try to describe in a few moments.

The Tribune editorial, which bears the title "To Congress a Platypus Is Born," reads, in part, as follows:

> Looking over the latest and final compromise bill on civil rights, we are convinced that Congress and mother nature have at least one thing in common: Both can give birth in moments of stress or caprice to strange hybrids unlike anything else in the biological (or political) kingdom.
>
> The House has crossbred Democratic and Republican versions of the so-called jury-trial amendment, and come up with a design historians may describe as the duck-billed platypus of American jurisprudence. The platypus is somewhat duck and somewhat mammal. The new compromise is somewhat trial-by-jury and somewhat trial-by-judge, with fur and feathers haphazardly intermingled.
>
> As we get it, the compromise would work like this in the enforcement of voting rights:
>
> If a person is accused of criminal contempt for violating a judge's order, the court can decide whether to permit or deny a jury trial.
>
> In either case, the top penalty would be 6 months' imprisonment and $1,000 fine.
>
> But if the judge tried it himself, and imposed more than 45 days and $300, then the defendant could ask that his case be tried again and this time by jury.
>
> This may well prove the oddest judicial design ever written into the criminal law. If a defendant doesn't like his sentence, he can make the court do it all over again.
>
> Yet it is but slightly more bizarre than the first compromise which the Republicans unveiled a couple of days earlier with great fanfare.
>
> Under this offering, a choice was up to the judge. He could have jailed a man without trial for not more than 90 days, or he could have called a jury trial with a maximum penalty of 180 days.
>
> In other words, the judge would have determined the penalty ahead of the verdict. Before the evidence was heard, the judge would have been forced to decide if the defendant was merely moderately and academically contemptuous or guilty of revolving, free-wheeling contempt. This, too, was an ingenious plan; we have long labored under the idea the sentence came last.
>
> This first, or Republican, compromise was a transparent plan to try and put the Republican label back on the bill which Democrats had put through the Senate. Democrats didn't take it. The last plan, the compromised compromise, is probably acceptable to majorities in both Houses because both Democrats and Republicans will be able to claim the bill is theirs.

The PRESIDING OFFICER (Mr. CASE of New Jersey in the chair). The Chair hopes the Senator from Florida will be so good as to follow through on his suggestion about attempting to give a description of the cartoon. The Chair would indeed be pleased.

Mr. HOLLAND. The Chair is very gracious. I can assure the Chair that he shall have the pleasure of hearing my description of that immediately.

Mr. President, I am extremely sorry that the rules of the Senate do not allow me to include as part of my remarks the very fine cartoon by that skilled cartoonist George White, which appears in connection with the editorial.

If the distinguished occupant of the chair will listen carefully I think he will hear something described that will bear repeating to those fine children of his, because I find the cartoon most interesting, and I am sure they will too.

This cartoon shows a scene in a zoo, with an American citizen gazing in complete astonishment and utter disbelief at a new animal, the Congressional duck bill, the jury-trial compromise, exhibited in a tank on which is marked "Duck-Billed Platypus." The duck bill of this weird animal protrudes above the surface of the water. His timid eyes are visible, showing the greatest degree of apprehension as he peers out at the startled citizen. His feet, of course, are off the ground, as might be expected. The hairy body of the animal terminates in an impressive groundhog tail and the cartoonist makes it very clear that Mr. John Q. Citizen, seeing for the first time the jury-trial compromise, is gazing upon a monstrosity the like of which he never even dreamed of before.

Mr. President, the editorial makes clear and sharp analytical comment on both the original compromise offered by the Republicans and the last plan which it calls the compromised compromise. The most cynical note in this editorial, which clearly emphasizes the political aspects of this matter, is the last sentence which I have quoted, and which reads:

> The last plan, the compromised compromise is probably acceptable to majorities in both Houses because both Democrats and Republicans will be able to claim the bill is theirs.

Speaking deliberately and seriously, Mr. President, I think the amendments adopted in the other body are a sorry mess of incongruities and that no sound credit or good results can accrue to anyone for their adoption, no matter how conscientious their objectives have been or how zealously anxious they are to enact a statute which may be referred to as a civil-rights law. I hope, therefore, against every reasonable expectation, that the House amendments may be rejected by the Senate.

Mr. President, in closing, let me say that I agree completely with the distinguished senior Senator from North Carolina [Mr. ERVIN] in his able statement to the effect that no good could possibly result from a prolonged discussion of the pending measure.

Mr. President, I am prepared to yield the floor.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I am happy to yield to my distinguished friend from North Carolina.

Mr. ERVIN. I ask the Senator if he agrees with me that there is one thing that can be said both about the animal depicted in the cartoon and the House amendment, the jury-trial provision, namely, that for the first time in human experience we find a complete disproof of the statement of the writer of the Book of Ecclesiastes, that there is nothing new under the sun?

Mr. HOLLAND. The Senator is exactly correct; and when I look at the face of John Q. Citizen in the cartoon, who is gazing with utter disbelief and incredulousness at the monstrous animal presented to his view, I can almost hear the words which Phineas T. Barnum put into the mouth of a citizen under a similar situation, when the citizen, upon looking at a giraffe, said, "There just ain't no such animal." [Laughter.]

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

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

Mr. EASTLAND. I desire to congratulate the distinguished senior Senator from Florida, who has made one of the ablest arguments I have heard made in the Senate during the 15 years I have been a Member.

Mr. HOLLAND. I thank the Senator warmly, and express my appreciation for his kind remarks.

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

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECESS TO 8:45 P. M.

Mr. JOHNSON of Texas. Mr. President, earlier this morning we had scheduled speakers for the day, and attempted to estimate the number of speakers. In connection with the next speaker, we had estimated that we would reach him about 9 o'clock. We are running a little ahead of schedule. Therefore, there are no speakers available at this time. We do not desire to have a vote on the bill until every Senator has had an opportunity to express himself, and we do not wish to take advantage of any Senator, or inconvenience any Senator more than is necessary.

Therefore I ask unanimous consent that the Senate stand in recess until 8:45 p. m. At 8:45 p. m. we will reconvene and I shall suggest the absence of a quorum. I assume that by 9 o'clock the speaker will be ready to proceed.

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

There being no objection, the Senate (at 7 o'clock and 38 minutes p. m.) took a recess until 8:45 p. m.

AFTER RECESS

On the expiration of the recess, the Senate reassembled, when called to order by the Vice President.

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

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McNAMARA. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FREAR in the chair). Without objection, it is so ordered.

Mr. THURMOND. Mr. President, I rise to speak against the so-called voting-right bill H. R. 6127, which bill was passed by the House of Representatives. It came to the Senate without being referred to a committee and was placed on the Senate Calendar, which is something unusual and out of ordinary procedure. The bill was then amended by the Senate and returned to the House, after which time the House amended it again by adopting what was called a compromise. The compromise as well as the bill is entirely unreasonable, and I hope that the Senate will not pass the bill.

There are mainly three reasons why I feel the bill should not be passed. The first is that it is unnecessary.

STATE LEGISLATION PROTECTING THE VOTING RIGHTS OF CITIZENS

Every State has enacted some legislation making it unlawful to intimidate a voter or to hinder him in the exercising of his voting rights. Penalties have been provided for such violations.

I now expect to take up the voting laws in each of the 48 States and show that each of the States affords adequate protection to the voting right. The first is Alabama.

Alabama: Unless otherwise designated, references are to the code, 1940, title 17:

Intimidating or hindering voter: It is a corrupt practice for any person on election day to intimidate an elector or an election officer, or to obstruct, hinder, or prevent or to attempt to obstruct, hinder, or prevent the forming of lines of the voters awaiting their turn to enter the election booths (sec. 285).

It is a corrupt practice for any person directly or indirectly to hire a person to take a place in line or to otherwise obstruct, hinder, or prevent the forming of the line of voters awaiting their turn to enter the polling place (sec. 286).

Penalty: Any person who does any act declared to be a corrupt practice under the election laws of the State shall be guilty of a misdemeanor, and, on conviction, must be fined not more than $500, and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than 6 months at the discretion of the court (sec. 332).

Attempt to influence voter: Any person who by corrupt means attempts to influence any elector in giving his vote, or deter him from giving the same, or to disturb, or to hinder him in the free exercise of the right of suffrage, at any election, must, on conviction, be fined not less than $50 nor more than $500 (sec. 304).

Disturbing elector on election day: Any person who, on election day, disturbs or prevents or attempts to prevent any elector from freely casting his ballot, must, on conviction be fined not less than $500 nor more than $1,000, and also be sentenced to hard labor for the county, or be imprisoned in the county jail for not less than 6 months nor more than 1 year (sec. 306).

Employer intimidating employee: Any employer or officer of an employer corporation, who attempts by coercion, intimidation, or threats to discharge or lessen wages, to influence the vote of an employee or who demands an inspection of employee's ballot, shall be guilty of a misdemeanor, punishable by a fine of not less than $500 (secs. 317, 318).

Arizona: Unless otherwise designated, references are to Revised Statutes, Annotated, 1956, title 16:

Coercion or intimidation of elector: It is unlawful for a person, directly or indirectly, to use or threaten to use force, violence, or restraint, or in any other manner to intimidate a person in order to induce him to vote or refrain from voting for a particular person or measure, or to commit such acts on account of a person's having voted or refrained from voting at an election.

It is unlawful for a person, by abduction, duress, or any forcible or fraudulent device, to hinder, prevent, or otherwise interfere with the free exercise of the elective franchise by any voter, or to compel him to either vote or refrain from voting at an election, to vote or refrain from voting for a particular person or measure.

Violation of this provision by a person, whether acting in his individual capacity or as an officer or agent of a corporation, is a misdemeanor, punishable by a fine not exceeding $5,000 (secs. 16-1303, 16-1305).

Intimidation of elector by employer: It is unlawful for an employer to place written or printed material in pay envelopes or, within 90 days prior to an election, to put up notices or placards, etc., in the place of employment, containing express or implied threats intended to influence the political opinions or actions of employees.

Violation of this provision by an employer, whether an individual or an officer or agent of a corporation, is a misdemeanor, punishable by a fine not exceeding $5,000 (sec. 16-1304).

Changing vote of elector by corrupt means: It is unlawful for a person by force, threats, menaces, bribery, or any corrupt means, either directly or indirectly, to attempt to influence an elector in casting his vote or to deter him from casting his vote, or to attempt to awe, restrain, hinder, or disturb an elector in the free exercise of the right of suffrage, or to defraud an elector by deceiving him and causing him to vote for a different person or measure than he intended. A person violating this provision is guilty of a felony (sec. 16-1307).

Primary: The penal provisions involving crimes against the elective franchise apply to general, primary, and special elections (sec. 16-1311).

Arkansas: Unless otherwise designated, references are to Statutes 1947, Annotated, 1956 replacement:

Intimidation of electors: It shall be unlawful for any person to threaten or attempt to intimidate any elector or his family, his business, or his profession, and it shall also be unlawful to attempt to prevent any qualified elector from voting at any primary election. Violation of this provision shall be deemed a misdemeanor, punishable by a fine of not over $500 (sec. 3-1414).

Intimidation of voters: No person shall coerce, intimidate, or unduly influence any elector to vote for or against the nominee of any political party or for or against any question or candidate, by threat of personal violence or of ejectment from rented premises, of foreclosure of mortgage, of discharge from employment, of any action at law or equity or of expulsion from membership in any church or society. Violation of this provision shall be deemed a felony, punishable by imprisonment in the penitentiary for from 1 to 3 years (sec. 3-1415).

California: Unless otherwise designated, references are to Elections Code Annotated—West's—1955:

Hindering public meeting: Every person is guilty of a misdemeanor who, by threats, intimidation, or unlawful violence, willfully hinders or prevents electors from assembling in public meetings for consideration of public questions (sec. 5004).

Intimidating voter: Every person or corporation is guilty of a misdemeanor, who directly or indirectly uses or threatens to use force, violence, restraint, or inflicts or threatens to inflict any injury, damage, harm, or loss or other forms of intimidation to compel a person to vote or refrain from voting at any election (sec. 1158).

Interference with free exercise of elective franchise: Every person or corporation is guilty of a misdemeanor who, by abduction, duress, or any forcible or fraudulent means, impedes or prevents the free exercise of the elective franchise by any voter; or who compels or induces a voter either to give or refrain from giving his vote at any election or to vote or refrain from voting for a particular person (sec. 11582).

Election officers: Any election officer who induces or attempts to induce any voter either by menace or reward, to vote differently from the way he intended to vote, is guilty of a felony (sec. 11583).

Threat by employer: Any employer, whether a corporation or natural person, is guilty of a misdemeanor, if he encloses material in the pay envelopes containing threats, express or implied, intended to influence political opinions or actions of employees, or who within 90 days before an election exhibits any placard, etc., in the place of employment, containing such threats (secs. 11584, 11585).

Penalty: Any corporation guilty of intimidating a voter shall forfeit its charter (sec. 11586).

Misdemeanor: Unless a different penalty is prescribed, a misdemeanor is punishable by imprisonment in the county jail for not more than 6 months or by fine of not over $500, or by both (Penal Code, sec. 19).

Scope of penalty provisions: All penalty provisions listed above apply to both final elections and primary elections (sec. 11500).

Colorado: Unless otherwise designated, references are to Revised Statutes, 1953, chapter 49:

Intimidation unlawful: It shall be unlawful for any person, directly or indirectly, to use force, violence or restraint, or to inflict or threaten to inflict any injury, harm or loss or other forms of intimidation to induce or compel a person to vote or refrain from voting for any particular person or measure at any election. It shall be unlawful for any person, by abduction, duress, or any forcible or fraudulent means to impede or prevent or interfere with the free exercise of the elective franchise of any voter. It shall be unlawful for an employer, whether corporation, firm, or person, to enclose material in the pay envelopes, containing threats, express or implied, intended to influence the political opinion or actions of employees, or within 90 days before an election, to display placards in the place of employment, containing such threats (sec. 49-21-5).

Penalty: Any person convicted of violating the above provision shall be guilty of a misdemeanor, and punished by a fine of not over $1,000 or by imprisonment in the county jail for not more than 1 year, or by both (secs. 49-21-5, 49-21-9).

Discharge or promotion illegal: It shall be unlawful for any corporation or any of its officers to influence or attempt to influence, by force, violence, or restraint or by inflicting or threatening to inflict injury, harm or loss, or by discharging from employment or promoting in employment, or by other intimidation, any employee to vote or refrain from voting at any election or for any particular candidate. Violation of this provision shall be deemed a misdemeanor and shall be punishable as outlined in the "Penalty" provision above. In addition a corporation shall forfeit its charter and right to do business in the State (sec. 49-21-6).

Connecticut: Unless otherwise designated, references are to 1955 Supplement to the General Statutes:

Interference with electors in voting: Any person who does any act which invades or interferes with the secrecy of the voting or causes the same to be invaded or interfered with, shall be imprisoned for not more than 5 years (sec. 843d).

Primaries: Any person who influences or attempts to influence the vote or speech of any person in a primary, caucus, or convention by force or threat, shall be fined not less than $25 nor more than $100, or imprisoned not less than 7 days nor more than 3 months, or be both fined and imprisoned (sec. 821d).

Employers' threats: Any person who, within 60 days before an election attempts to influence any employee in his vote, by threats of withholding employment or who dismisses an employee because of the way he voted at an election, shall be fined from $100 to $500 or be imprisoned for from 6 to 12 months, or be both fined and imprisoned (sec. 842d).

Delaware: Unless otherwise designated references are to Code, Annotated, 1953, title 15:

Intimidation by election officer: An election officer who in any way attempts to intimidate or coerce any voter in the marking of his ballot or in the choice of the candidates for whom he votes, or who willfully discloses the manner in which any person has voted, shall be guilty of willful and malicious perjury (as violating his oath of office) and in addition to the penalties for perjury, shall be fined not more than $500, and may be imprisoned for not more than 2 years (sec. 5125).

Intimidation by employer: If any person or corporation hinders, controls, coerces, or intimidates any employee in the exercise of his right to vote at any general, special, or municipal election by threats of depriving him of employment, every elector, so aggrieved, may bring a civil action and recover $500 from such employer (secs. 5162, 5163).

Civil remedy: Any qualified elector who is prevented from voting at any election because of intimidation or threats, or because of the requirement of unconstitutional qualifications, may bring a civil action against the person who promoted such interference, and the court or jury may give exemplary damages (sec. 5304).

Primaries: Whoever, at any primary election, attempts to influence an elector in giving his vote, by force, threat, or intimidation, or prevents or hinders or attempts to prevent or hinder any qualified voter from exercising the rights of suffrage, shall for each offense, be fined not more than $200 or imprisoned not more than 2 years, or shall both be fined and imprisoned (sec. 3168 (a)).

Florida: Unless otherwise designated, references are to Statutes Annotated, 1955 Supplement:

Corruptly influencing voting: Whoever, by bribery, menace, threat, or other corruption whatsoever, directly or indirectly, attempts to influence or deceive an elector in giving his vote, or to deter him from giving the same, or disturbs or interferes with him in the free exercise of the right of suffrage at any election, shall be guilty of a misdemeanor upon the first conviction and of a felony upon the second conviction (sec. 104.061).

Felony penalty: The penalty for every felony under the election laws, not otherwise specifically provided, shall be imprisonment in the State prison for not more than 1 year or a fine of not more than $5,000, or both (sec. 104.40).

Threats of employers: It shall be unlawful for any person, firm, or corporation to discharge or threaten to discharge any employee for voting or not voting in any State, county, or municipal election for any candidate or measure. Any person violating this provision shall be guilty of a misdemeanor. If a firm or corporation violates this provision, each officer or agent who participated in the violation shall be punished for a misdemeanor, and the firm or corporation, shall, in addition, be fined not more than $1,000 (sec. 104.081).

Georgia: Unless otherwise designated, references are to Code Annotated, 1933:

Improper voting; disorderly conduct: No person outside a voting room or voting booth shall in any manner, either by words or gestures, attempt to influence or interfere with any voter who is in said room or booth preparing his ballot; nor shall any person enter any booth while a voter is in there; nor shall any person commit any act of disorder, or be guilty of any disorderly conduct in or near the voting rooms or booths (sec. 34-1909).

Violation of this provision shall be a misdemeanor (sec. 34-9918).

Primary: All penal laws relating to illegal practices in general elections are extended to all primary elections held for State, county, or municipal offices (1955 Supp., sec. 34-9933).

Idaho: Unless otherwise designated, references are to code, 1948:

Intimidation, corruption, and frauds: Every person, who, by force, threats, menaces, bribery, or any corrupt means, directly or indirectly, attempts to influence an elector in giving his vote or to deter him from giving same, or to awe, restrain, hinder, or disturb him in the free exercise of his right of suffrage, or defrauds an elector at an election by deceiving him and causing him to vote differently than he intended, or who, being an officer of any election, induces or attempts to induce any elector, by menace or reward, to vote differently than he desired, is guilty of a misdemeanor (sec. 18-2305), punishable by imprisonment in a county jail for not more than 6 months, or by a fine of not over $300, or by both (sec. 18-113).

Interference with election: Any person who willfully disturbs any election place, or is guilty of riotous conduct near such place with intent to disturb same, or interferes with the access of electors to the polling place, or interferes in any manner with the free exercise of the election franchise of any of the voters there assembled, is guilty of a misdemeanor, punishable as stated above (sec. 18-2313).

Attempt to influence vote: No person shall attempt to influence the vote of any elector by means of a promise of a favor, or by means of violence or threats of violence, or threats of withdrawing custom or business dealing, or enforcing of a debt, or discharging from employment, or bringing a suit or criminal process, or any other threat of injury to be inflicted on him, or by any other means (sec. 18-2319). Violation of this provision is punishable by a fine not exceeding $1,000, or by imprisonment in the State prison not exceeding 5 years, or by both (sec. 18-2315).

Illinois: Unless otherwise designated, references are to Smith-Hurd Annotated Statutes, 1944, chapter 46:

Offenses involving polling places: No person shall interrupt, hinder, or oppose any voter while approaching the polling place for the purpose of voting. Violation of this provision is punishable by a fine of from $50 to $500, or by imprisonment in the county jail for not more than 1 year, or by both, in the discretion of the court, for each offense. It shall be the duty of judges of election to enforce this provision (sec. 29-14).

Miscellaneous offenses: Any person, who, at a primary or any election, shall (1) by force, threat, menace, intimidation, bribery, or otherwise unlawfully, directly or indirectly, induce or attempt to induce any voter or any person to exercise the right of franchise, or to vote for or against any person or measure, or (2) intentionally practice any fraud on any elector regarding his ballot, or (3) otherwise defraud him of his vote, or (4) by unlawful means prevent or attempt to prevent any voter from attending or voting at an election or primary, shall be fined not more than $5,000 or imprisoned in the county jail for not more than 1 year, or imprisoned in the penitentiary for from 1 to 5 years (sec. 29-16).

Indiana: Unless otherwise designated, references are to Burma Statutes Annotated, 1949, replacement:

Using violence, threats, or restraint: Whoever, for the purpose of influencing a voter, by violence or threats, seeks to enforce the payment of a debt, or ejects or threatens to eject a person from any house he may occupy, or begins a criminal prosecution, or injures the business or trade of a person, or threatens to withhold the wages of or to dismiss from service, any laborer in his employ, or refuses to allow such employee time to vote, shall be guilty of a felony (sec. 29-5941).

Coercion by election board officer: Any member of a precinct election board, who attempts, by persuasion, menace, or reward to induce any elector to vote for any person, shall be guilty of a misdemeanor (sec. 29-5935).

Defrauding voter: Whoever fraudulently causes or attempts to cause any voter, at any election, to vote for a different person than he intended, shall be guilty of a misdemeanor (sec. 29-5938).

Bribery or threat by candidate: Whoever gives or offers a bribe or makes a threat to procure his election to any office, shall be guilty of a felony (sec. 29-5907).

Threats by employer: Every employer who places written or printed material in the pay envelopes, or, within 90 days prior to an election or primary, exhibits placards, etc., in his place of employment, containing express or implied threats intended to influence the political opinions or actions of such employees, shall be guilty of a misdemeanor (sec. 29-5711).

Felonies, penalty: A person, convicted of a felony under the election laws, shall be imprisoned for from 1 to 5 years in either the State prison or the reformatory, as may be required by law, and shall be disfranchised for any determinate period, to which may be added a fine of from $50 to $1,000 (sec. 29-5964).

Misdemeanors, penalty: Any person convicted of a misdemeanor under the election laws may either be fined from $1 to $500, or be imprisoned in either the county jail or the State farm for from 30 days to 1 year, or by both such fine and imprisonment, and shall be disfranchised for any determinate period not to exceed 5 years (sec. 29-5965).

Iowa: Unless otherwise designated, references are to Code Annotated, 1949:

Prohibited acts: Interrupting, hindering, or opposing any voter while in or approaching the polling place for the purpose of voting, or interfering or attempting to interfere with a voter when inside the closed space or when marking his ballot, are prohibited on any election day (sec. 49.107).

Any violation of these provisions is punishable by a fine of from $5 to $100, or by imprisonment for from 10 to 30 days in the county jail, or by both (sec. 49.108).

Duress to prevent voting: If any person unlawfully and by force or threats of force prevents or attempts to prevent an elector from giving his vote at any public election, he shall be imprisoned in the county jail for not more than 6 months, and fined not more than $200 (sec. 738.13).

Procuring vote by duress: If any person, by means of violence, threats of violence, or threats of withdrawing custom or business dealing, or enforcing the payment of debts, or bringing a civil or criminal action or by any other threat of injury, endeavors to procure the vote of any elector, at any election, or the influence of any person over other electors, either for himself or for or against any candidate, he shall be fined not more than $500 or imprisoned in the county jail for not more than 1 year (sec. 738.15).

Intimidation by employer: Any employer who shall refuse to allow an employee 2 hours to vote at a general election or who shall reduce his wages for such privilege, or who shall attempt to influence an employee's vote by reward or by threats of discharge, or shall otherwise attempt to intimidate an employee from exercising his right to vote, shall be fined not less than $5 nor more than $100 (sec. 49.110).

Kansas: Unless otherwise designated, references are to General Statutes Annotated, 1949:

Unlawful attempt to deter voting: If any person, by menaces, threats, or force, or other unlawful means, directly or indirectly attempts to influence a voter in giving his vote, or to deter him from giving the same, or hinders him in the free exercise of his right of suffrage, at any election, he shall be guilty of a misdemeanor, punishable by a fine of not over $500, or by imprisonment in the county jail for not more than 1 year (sec. 21-815).

Hindering voters: Any person who shall willfully hinder the voting of others shall be punished by a fine of from $10 to $100, or by imprisonment in the county jail for from 10 to 30 days or by both (sec. 25-1717).

Hindering voters at polls: No person shall interrupt, hinder, or oppose any voter while approaching the polling place for the purpose of voting. Violation of this provision is punishable by a fine of from $25 to $100, or by imprisonment in the county jail for from 10 to 30 days, or by both such fine and imprisonment, for each offense (sec. 25-1719).

Kentucky: Unless otherwise designated, references are to Kentucky Revised Statutes, 1953:

Interfering with election: Any person who unlawfully prevents or attempts to prevent any voter from casting his ballot, or intimidates or attempts to intimidate a voter to prevent him from casting his ballot, shall be confined in the penitentiary for from 1 to 5 years for each offense (sec. 124.140).

Coercion by employer: No person shall coerce an employee to vote for any political party or candidate for nomination or election to any office in the State, or threaten to discharge an employee for exercising his right of suffrage or for voting for any candidate, nor shall an employer circulate statements that employees are expected to vote for any candidate, party, or measure (sec. 123.110 (1)).

Any person who violates this provision shall be fined from $1,000 to $5,000, or imprisoned in the county jail for not more than 6 months, or shall be both so fined and imprisoned (sec. 123.990 (13)).

Louisiana: Unless otherwise designated, references are to Revised Statutes Annotated, West's, 1951:

Primary: No person shall intimidate any voter at a primary election. Violation of this provision is punishable by a fine of from $50 to $500 and imprisonment for from 6 months to 2 years (sec. 18.369 (8)).

Obstructing voter: No person shall willfully and without lawful authority obstruct, hinder, or delay any voter on his way to a polling place to vote in an election. Violation of this provision is punishable by a fine of not over $1,000, or imprisonment for not more than 1 year (secs. 18.587, 18.589).

Hindering voters: Prior to or during an election, no person shall willfully hinder the voting of others. Violation of this provision is punishable by a fine of not over $1,000 or imprisonment for not more than 1 year (secs. 18.736, 18 589).

Public intimidation: The use of violence, force, or threats upon a voter in a general, primary, or special election to influence his conduct, is deemed public intimidation and is punishable by a fine of not over $1,000, or imprisonment with or without hard labor for not more than 5 years, or both (sec. 14.122 (4)).

Maine: Unless otherwise designated, references are to Revised Statutes, 1954, chapter 5:

Interfering with voter: Any person who shall interfere or attempt to interfere with any voter while inside the voting enclosure or while marking his ballot shall be fined from $5 to $100. Election officers shall report any such person to a police officer or constable, whose duty it shall be to see that the offender is duly brought before the proper court (sec. 107).

Corruption at elections: Whoever by menace, bribery, or other corrupt means, directly or indirectly attempts to influence a voter in giving his vote or to induce him to withhold his vote, or hinders or disturbs him in the free exercise of his right of suffrage at any election, shall be fined not more than $500, or imprisoned for not more than 11 months, and shall be ineligible to office for 10 years (sec. 109).

Maryland: Unless otherwise designated, references are to Annotated Code of Maryland, Flack, 1951, article 33.

Hindering voters: If, at any general, special or primary election, any person shall by force, threat, menace, intimidation, or bribery, either directly or indirectly influence or attempt to influence any voter in giving his vote or hinder or attempt to hinder a voter from freely voting or induce him to vote, such person shall be imprisoned in jail or in the penitentiary for from 6 months to 5 years (sec. 179).

Coercion by employer: Any employer, whether an individual or a corporation, who shall deny an employee time off for voting at a general, special, or primary election or shall directly or indirectly hinder him from exercising his right to vote freely or shall attempt to influence his vote by threats concerning his employment, shall be guilty of a misdemeanor, punishable, for each offense, by a fine of not over $500 or imprisonment in jail for not over 6 months, or both, in the discretion of the court (sec. 180).

Massachusetts: Unless otherwise specified, references are to Annotated Laws, Michie, 1953 edition.

Corrupt practice by candidate: A candidate is deemed to have committed a corrupt practice if he fraudulently and willfully obstructs and delays a voter in a general election, primary or caucus (ch. 55, secs. 27, 29).

If five or more persons have reason to believe that a corrupt practice has been committed by any successful candidate, other than a candidate for the United States Congress or the general court, such voters may apply to a justice of the superior court sitting in equity in Suffolk County, for leave to bring an election petition declaring the election of such candidate void (ch. 55, sec. 28).

A candidate found guilty, upon an election petition, of such corrupt practice who forfeits his office, or who is convicted in a criminal proceeding of violating a law relating to corrupt practices in elections, shall be disqualified to hold office and to vote, for 3 years (ch. 55, sec. 37).

Interfering with voter: Whoever willfully and without lawful authority hinders, delays, or interferes with a voter while on his way to a primary, caucus, or election, or while within the guardrail, or while marking his ballot, or while voting or attempting to vote, shall be fined not more than $500, or imprisoned not more than 1 year (ch. 56, sec. 29).

Obstructing voting: Whoever willfully obstructs the voting at a primary, caucus, or election shall be fined not more than $100 (ch. 56, sec. 30).

Coercion by employer: No person shall by threats to discharge or to reduce wages, or promises of rewards, attempt to influence his employee to either give or withhold a vote, nor shall he discharge an employee or reduce his wages because he gave or withheld a vote. Violation of this provision is punishable by imprisonment for not more than 1 year (ch. 56, sec. 33).

Michigan: Unless otherwise designated, references are to Statutes, Annotated, 1956 Revision, title 6.

Violation deemed felony: Any person who shall, by menace, bribery, or other corrupt means, directly or indirectly, attempt to influence any elector in giving his vote or to deter him from or interrupt him in giving same at any general or primary election, shall be guilty of a felony (sec. 6.1932 (a)), punishable by a fine not exceeding $1,000, or by imprisonment in the State prison for not more than 5 years, or by both, in the discretion of the court (sec. 6.1935).

Coercion by employer: It shall be unlawful for an employer, whether an individual, firm, or corporation, to enclose written or printed matter in the pay envelopes, or within 90 days before a primary or general election, to exhibit a placard, etc., in establishment where his workers will see it, containing express or implied threats concerning employment, intended to influence the political opinion or actions of his employees (sec. 6.1912). Violation of this provision is deemed a misdemeanor (sec. 6.1931 (d)), punishable by a fine not exceeding $500, or by imprisonment in the county jail for not more than 90 days, or by both, in the discretion of the court (sec. 6.1934).

Minnesota: Unless otherwise designated, references are to Statutes, Annotated, 1946.

Coercing voters: Any person who, within or without any polling place, directly or indirectly uses or threatens to use force, violence, or restraint, or causes or threatens to cause damage, harm, or loss to any person, with intent to induce or compel a person to vote or refrain from voting or to vote in a particular way at any election, or who by abduction, duress, or other fraudulent device, impedes the free exercise of the right of franchise at any election, shall be guilty of a gross misdemeanor (sec. 210.05).

Undue influence by candidate: No person shall, directly or indirectly, use or threaten to use force, coercion, violence, restraint, or undue influence or shall inflict or threaten to inflict any injury, loss, or harm, upon any person in order to compel him to vote or refrain from voting in any particular way; nor shall anyone by abduction, duress, or fraudulent means impede or prevent the free exercise of the franchise by any voter at a primary or election or to induce an elector to give or refrain from giving his vote at a primary or election (sec. 211.12). Violation of this provision is deemed a gross misdemeanor (sec. 211.30).

Refusing employee election privilege: Any person who, as principal or as agent for another, shall directly or indirectly refuse, abridge or interfere with the election privileges of an employee, shall be guilty of a misdemeanor (sec. 210.11).

Coercion by employer: No employer or his agent shall make any verbal or written, express or implied threats against his employees, involving their employment, with the intention of influencing their political opinion or action (sec. 211.24). Violation of this provision by any person as an individual shall be deemed a gross misdemeanor (sec. 211.30). Violation by an officer or agent of a corporation shall be punished by a fine of from $100 to $5,000, or by imprisonment in the State prison for from 1 to 5 years or by both (sec. 211.28). Violation by an officer shall be deemed prima facie evidence of violation by the corporation. It is made the duty of the county attorney to conduct prosecutions under this chapter (211) on proper complaint.

Mississippi: Unless otherwise designated, references are to code, 1942.

Intimidating electors: Whoever shall procure or endeavor to procure the vote of any elector or the influence of any person over electors, at any election, by violence, threats of violence, threats of withdrawing trade, or of enforcing a debt, or of bringing civil or criminal action, or of inflicting any injury, shall be imprisoned in the county jail for not more than 1 year, or shall be fined not more than $1,000, or shall be both so fined and imprisoned (sec. 2032).

Intimidating electors: Any person who shall by illegal force or threats of force, prevent or attempt to prevent any elector from giving his vote, shall be punished by imprisonment in the penitentiary for not more than 2 years, or in a county jail for not more than 1 year, or by a fine of not over $500, or by both fine and imprisonment (sec. 2106).

Coercing employees in primary: It shall be unlawful for any employer, whether an individual, firm, or corporation, to directly or indirectly coerce his employees to vote for any particular person or party in a primary election, by express or implied threats involving their employment (sec. 3172). Violation of this provision is punishable by a fine of not over $500 or imprisonment in the county jail for not more than 1 year, or both, and if violation is by a candidate, he shall forfeit his nomination (sec. 3193 (a)).

Missouri: Unless otherwise designated, references are to Vernon's Annotated Statutes, 1952.

Violence to influence voter: Any person who shall, directly or indirectly, use or threaten to use force, violence or restraint, or shall inflict or threaten to inflict any injury, damage, or loss upon or against any person in order to compel him to vote or refrain from voting at any election, or who shall by abduction, fraud or duress, impede or prevent the free exercise of the franchise by any elector or shall thereby induce him to vote or refrain from voting, shall be imprisoned in the county jail for from 1 month to 1 year (sec. 129.050).

Intimidating voters: If any person by menaces, threats or force, or other unlawful means, attempts to influence any qualified voter in giving his vote, or to deter him from giving same, or to disturb or hinder him in the free exercise of his right of suffrage at any election, he shall be adjudged guilty of a misdemeanor (sec. 129.430).

Interference with voter: Any person who shall interfere or attempt to interfere with any voter when inside the guardrail or when marking his ballot, shall be deemed guilty of a misdemeanor (sec. 129.880).

Coercion by employer: Every person, whether an individual employer or an officer or agent of a firm or corporation, who shall directly or indirectly discharge or attempt to discharge any employee for his political opinions or who shall coerce or threaten to coerce, intimidate, or bribe any employee in an attempt to influence him to vote or refrain from voting for any candidate or measure at any election, shall be deemed guilty of a felony, punishable by imprisonment in the penitentiary for from 2 to 5 years (sec. 129.080).

Violation of this provision by a corporation shall be held as a forfeiture of its charter or franchise, which may be so adjudged in a suit brought by the county or circuit prosecuting attorney or by the attorney general (sec. 129.070).

Denial of time to vote: Any person or corporation who shall deny an employee a certain time for voting without a penalty or reduction in wages, shall be guilty of a misdemeanor, punishable by a fine of not over $500 (1956 Supp., sec. 129.060).

Montana: Unless otherwise designated, references are to Revised Codes, 1947.

Intimidating electors: Every person who, directly or indirectly, by force, threats, menaces, bribery, or other corrupt means, attempts to influence an elector in giving his vote, or to deter him from giving same, or who attempts by any means to awe, restrain, hinder or disturb any elector in the free exercise of his right of suffrage, is guilty of a misdemeanor, punishable by a fine of not over $1,000, or imprisonment of not over 1 year, or both (sec. 94–1411).

Preventing public meetings of electors: Every person who, by threats, intimidation, or violence, willfully hinders or prevents electors from assembling in a public meeting for the consideration of public questions, is guilty of a misdemeanor (sec. 94–1419).

Coercion by employer: It shall be unlawful for any employer, whether individual or corporation, to enclose printed or written material in the pay envelopes, or, within 90 days prior to an election, to display placards, etc., in his working establishment, containing express or implied threats or promises regarding their employment, with the intention of influencing the political opinion or actions of his employees. Violation of this provision by an individual is a misdemeanor, punishable by a fine of from $25 to $500, and imprisonment for not over 6 months in the county jail. Violation by a corporation is punishable by a fine of not over $5,000, or forfeiture of its charter, or both (sec. 94–1424).

Nebraska: Unless otherwise designated, references are to Revised Statutes, 1943, reissue of 1952.

Registration: If at any registration of voters, any person, by force, threat, menace, intimidation, bribery, or other unlawful means, shall prevent, hinder, or delay any qualified person from being registered, he shall be guilty of a felony, punishable by imprisonment in the State prison for from 1 to 5 years (sec. 32–1224 (7)).

Obstructing voters: It shall be unlawful for any person to willfully or wrongly obstruct or prevent persons from voting who have the right to do so, at any election. Violation of this provision is a misdemeanor, punishable by imprisonment in the county jail for from 1 to 6 months. This shall apply to all elections and caucuses (sec. 32–1237 (2)).

Coercion by employer: It shall be unlawful for any person, firm, or corporation to coerce or attempt to coerce an employee in his voting at any caucus, convention, or election by threats concerning his employment. Violation of this provision is punishable by a fine of not over $100, or imprisonment in the county jail for not over 30 days (sec. 32-1223).

Nevada.

Coercion of voters: Every person who shall, directly or indirectly use or threaten to use force, coercion, violence, restraint, or undue influence or other means or who shall inflict or threaten to inflict injury, damage or harm, or publish or threaten to publish any fact concerning a person in order to induce him to vote or refrain from voting for any candidate, party, or measure, or who shall by abduction, fraud, or duress, or by threats to discharge an employee, impede or prevent a voter from exercising freely his right of suffrage, shall be guilty of undue influence and shall be punished as for a gross misdemeanor (Laws, 1951, ch. 242, p. 360).

Time off to vote: Any employer who shall deny an employee certain time for voting without penalty or reduction in wages, shall be guilty of a misdemeanor (Laws, 1955, ch. 203, p. 301).

New Hampshire: Unless otherwise designated, references are to Revised Statutes Annotated, 1955.

Intimidation: If any person shall, directly or indirectly, by threats, intimidation, or bribery, induce or attempt to induce any voter to stay away from, or to avoid voting at, or to vote for or against any candidate in any town meeting, primary, or election, he shall be fined not more than $500 or imprisoned for not more than 3 months (sec. 69: 11).

New Jersey: Unless otherwise designated, references are to Statutes Annotated, 1940, title 19.

Obstructing voter: A person who shall, on election day, obstruct or interfere with any voter, shall be guilty of a misdemeanor, punishable by a fine of not over $500, or by imprisonment for not more than 1 year, or both (1956 Supp., sec. 19: 34-6).

Intimidating voters: No person shall, directly or indirectly, use or threaten to use force, violence, or restraint, or shall inflict or threaten to inflict any injury, damage, harm, or loss on any person in order to induce him to vote or refrain from voting at any election, or for any particular person, or on account of such person having voted or refrained from voting at any election (1956 Supp., sec. 19: 34-28).

Hindering voter: Whoever shall, at any election, in any way, willfully hinder or prevent a voter from casting his legal vote, knowing such person to have a right to vote, shall be guilty of a misdemeanor, punishable by a fine of $500, or imprisonment in the State prison for 3 years, or both (sec. 19: 34-20).

Interfering with voter: Any person who shall, by abduction, duress, force, or fraud, impede, prevent or interfere with the free exercise of the elective franchise by any voter, or induce him to vote or refrain from voting at any election or for any particular candidate shall be guilty of a misdemeanor (secs. 19: 34-29, 19: 34-31). An employer who shall so act toward an employee shall be guilty of a misdemeanor, punishable by fine of not over $2,000, or imprisonment for not over 5 years, or both (sec. 19: 34-27), and any corporation so acting, shall forfeit its charter (sec. 19: 34-31).

Expenditures prohibited: No person shall contribute money toward the hiring of a person to obstruct, hinder, or prevent the forming of lines of voters awaiting their turn to enter a polling place to vote (sec. 19: 34-38 d).

Coercion by employer: No employer shall insert written or printed material into the pay envelopes, or, within 90 days before an election, shall exhibit placards, etc., in his establishment, containing express or implied threats relative to their employment, with the intention of influencing the political opinions or actions of his employees (sec. 19: 34-30).

Violation of this provision is punishable as for Interfering with voter, above.

New Mexico: Unless otherwise designated, references are to Statutes, 1953, Annotated.

Intimidating voter: Any person who shall willfully coerce, browbeat, intimidate, or threaten any voter within a polling place, or shall attempt to do so in order to influence the voter in marking his ballot, shall be guilty of a misdemeanor, punishable by a fine of not over $200, imprisonment for not more than 6 months, or both (sec. 3-8-29).

Intimidation: Any person who shall, directly or indirectly, use force, violence or restraint or shall inflict or threaten to inflict injury, damage, or loss on any person to induce him to vote or refrain from voting for any candidate, party or measure, or who shall by abduction, fraud, or duress, impede or prevent the free exercise of his right of suffrage by any elector, shall be guilty of a felony, punishable by a fine of from $500 to $1,000, or by imprisonment in the penitentiary for from 1 to 5 years, or by both (sec. 3-8-17).

Coercion by employer: Any employer, whether individual, firm, or corporation, who shall directly or indirectly discharge or threaten to discharge any employee on account of his political opinion, or who shall by corrupt means attempt to induce him to vote or refrain from voting for any candidate or measure, shall be fined from $100 to $1,000, or imprisoned for not more than 6 months, or both (sec. 3-18-15).

New York: Unless otherwise designated, references are to Penal Law (McKinney's), 1949.

Hindering voter: Any person who willfully and unlawfully hinders or delays or aids in obstructing or delaying an elector on his way to register or vote or while he is attempting to register or vote in a general or special election, is guilty of a misdemeanor (sec. 764 (3)).

Intimidation of elector in military service: Any person, who, directly or indirectly by menace, bribery, or other corrupt means attempts to control an elector in the military service of the United States in the exercise of his election rights, or who annoys, injures, or punishes him for the manner in which he exercises those rights, is guilty of a misdemeanor for which he may be tried in the future when in the State, and upon conviction of which he shall thereafter be ineligible to any office in the State (sec. 771).

Intimidation of electors: It shall be unlawful for any person to intimidate, threaten, or coerce, or to attempt to intimidate, threaten, or coerce any person for the purpose of interfering with his right to vote or to vote as he may choose. Violation of this provision shall be punishable by a fine of not over $1,000, or imprisonment for not over 1 year, or both (sec. 772-a (1)).

Duress and intimidation of voters: Any person or corporation who directly or indirectly uses or threatens to use force, violence, or restraint, or threatens to inflict any injury, damage, or loss on, or otherwise intimidates, any person in order to induce him to vote or to refrain from voting at any election for or against any person or measure, or to refrain from registering to vote, or for having registered and voted, or for having refrained from registering and voting, or who by abduction, duress, or fraud interferes with his free exercise of his right of suffrage, is guilty of a misdemeanor and, if a corporation, shall in addition forfeit its charter (sec. 772 (1) (2)).

Coercion by employer: Any employer who inserts in the pay envelopes written or printed matter, or, within 90 days before a general election displays placards, etc., in his establishment, containing express or implied threats relating to their employment, intended to influence the political opinion or actions of his employees, is guilty of a misdemeanor, and if a corporation, shall in addition forfeit its charter (sec. 772 (3)).

North Carolina: Unless otherwise designated, references are to General Statutes, 1952 Recompilation.

Interference with voters: Any person who shall interfere with or attempt to interfere with any voter when inside enclosed polling space or when marking his ballot, shall be guilty of a misdemeanor and shall be fined or imprisoned or both, in the discretion of the court (sec. 163-176).

Intimidation: Any person who shall, in connection with any primary or election, directly or indirectly, discharge or threaten to discharge from employment, or otherwise intimidate or oppress any qualified voter on account of any vote such voter may cast or intend to cast or not to cast, or which he may have failed to cast, shall be guilty of a misdemeanor and shall be fined or imprisoned, or both, in the discretion of the court (sec. 163-196 (6)).

North Dakota: Unless otherwise designated, references are to Revised Code of 1943.

Hindering electors: Every person who by force, threat, bribery, or other corrupt means, directly or indirectly, attempts to influence an elector in giving his vote at any election, or to deter him from giving his vote, or who attempts by any means to owe, restrain, hinder, or disturb an elector in the free exercise of his right of suffrage or to induce him to vote differently than he intended to vote, is guilty of a misdemeanor, punishable by a fine of from $100 to $1,000 and by imprisonment in the county jail for from 3 months to 1 year and shall forever be disfranchised and ineligible to any office of trust or profit within the State (sec. 12-1106).

Obstructing elector: Every person who willfully and without authority, obstructs, hinders, or delays any elector on his way to the polls to vote, is guilty of a misdemeanor (sec. 12-1111).

Unlawful influence: Every person, who, willfully, by unlawful arrest, force and violence, threats of violence, intimidation, threats of withdrawing trade or of enforcing payment of debts, or of bringing civil or criminal action, or by any other threat of injury, endeavors to prevent an elector from freely giving his vote at any election, or hinders him from voting or attempts to influence his vote, is guilty of a misdemeanor (sec. 12-1121).

Ohio: Unless otherwise designated, references are to Revised Code, Page's, 1954.

Congregating at the polls: Nobody shall congregate in or about a voting place during the voting, so as to hinder an elector in registering or casting his ballot, after having been ordered by the election officer to disperse. Violation of this provision is punishable by a fine of from $20 to $300, or imprisonment for not more than 6 months, or both (sec. 3599.30).

Intimidation: No person shall before, during or after any primary, convention, or election, attempt by intimidation, coercion, or other unlawful means to induce a delegate or an elector to register or to vote, or to refrain from registering or from voting for a particular person or measure.

Violation of this provision is deemed bribery and is punishable by a fine of not over $1,000, or imprisonment of from 1 to 3 years, or both, and if offender is a candidate for office or has been elected to office, he shall forfeit such nomination or office (1956 Supp., sec. 3599.01 (B)).

Coercion by employer: No employer shall insert in pay envelopes or shall post on placards, etc., any express or implied threats concerning their employment, with intent to influence the political opinion or votes of his employees.

Violation of this provision is a corrupt practice, punishable by a fine of from $500 to $1,000 (sec. 3599.05).

Second offense: Any person who is again convicted of a violation of the election laws, whether for the same offense or not, shall be fined from $500 to $1,000, or imprisoned for from 1 to 5 years, or both, and in addition shall be disfranchised (1956 Supp., sec. 3599.39).

Oklahoma: Unless otherwise designated, references are to Statutes, Ann., 1937, title 21.

Obstructing elector on way to polls: Every person who willfully and without authority, obstructs, hinders, or delays any elector on the way to the polls to vote, is guilty of a misdemeanor (sec. 186).

Preventing public meeting: Every person, who, by threats, intimidation, or unlawful violence, willfully hinders or prevents electors from assembling in, or prevents an elector from attending public meeting to consider public questions, is guilty of a misdemeanor (secs. 212, 213).

Intimidating voter: Every person who willfully, by unlawful arrest, force, violence, threats, or intimidation, prevents or attempts to prevent an elector from freely giving his vote at an election or attempts to hinder him from voting or to cause him to vote for any person or candidate, shall be fined from $50 to $1,000 (sec. 214).

Illegally influencing vote: Every person who procures or attempts to procure the vote of any elector either for himself or for or against any candidate, by means of violence, threats of violence, threats of withdrawing trade, of enforcing payment of debts, of bringing civil or criminal action, or any other threats of injury, shall be fined not more than $1,000 and imprisoned in the county jail for not over 6 months (sec. 215).

Intimidations: If any person in any manner intimidates or attempts to intimidate or deter anyone from voting at a general or primary election, he shall be fined not less than $10, or be imprisoned for not more than 3 months (title 26, sec. 479).

Coercion by employer: Every employer, whether individual, firm, or corporation, who denies employees certain time for voting in an election, shall be deemed guilty of a misdemeanor, punishable by a fine of from $50 to $500 for each elector so denied, and every agent of employer who violates this provision, shall in addition to the fine, be imprisoned in the county jail for from 2 to 6 months (title 26, sec. 438).

Employer corporation: Any corporation which attempts to influence the votes of its employees or of other persons by threat, intimidation, bribe, or other corrupt means, shall be guilty of a misdemeanor, punishable by a fine of from $500 to $5,000, and the person acting as its agent, who so acts shall be fined from $500 to $1,000 and imprisoned in the county jail for from 60 to 120 days (title 26, sec. 440).

Oregon: Unless otherwise designated, references are to Revised Statutes, 1955.

Undue influence: No person shall directly or indirectly use or threaten to use force, coercion, violence, restraint, or undue influence or inflict or threaten to inflict harm or damage on any person in order to induce him to vote or refrain from voting for any candidate, party, or measure. No minister, priest, or officer of a church, shall otherwise than by public speech or print persuade any voter to vote or refrain from voting for any candidate, party, or measure. No person shall by abduction, fraud or duress, impede or prevent any voter in the free exercise of the franchise in any election.

Violation of this provision shall be punished as for a corrupt practice (sec. 260.300), by imprisonment in the county jail for not more than 1 year, or by a fine of not more than $5,000 or both (sec. 260.510).

Interference with voter: No person shall interfere or attempt to interfere with any voter when inside the enclosed space or when marking his ballot (sec. 260.640 (4)). Violation of this provision is punishable by a fine of from $50 to $200 (sec. 260.640 (6)).

Intimidation of voter: No person shall by menace, threat, or violence, whether armed or unarmed, intimidate or prevent any person from voting, or attempt to do so. Violation of this provision is punishable by imprisonment in the county jail for from 3 months to 1 year (sec. 260.720).

Coercion by employer: No person or corporation shall directly or indirectly use or threaten to use force, violence or restraint or shall inflict or threaten to inflict any injury, harm, or loss, on any of his employees to compel them to register or to vote or refrain from registering or from voting at any election or for or against any person or measure.

No person or corporation shall by abduction, fraud, or duress, attempt to hinder, prevent, or otherwise interfere with the free exercise of the elective franchise by any of his employees.

No such employer shall insert in the pay envelopes any written or printed matter, or within 90 days before a general election display placards, etc., which shall contain express or implied threats intended to influence the political opinion or votes of his employees.

Violation of this provision is a misdemeanor (sec. 260.730), punishable by a fine of from $100 to $1,000, and if a corporation, by forfeiture of its charter in addition (sec. 260.740).

Pennsylvania: Unless otherwise designated, references are to Purdon's Statutes Annotated, 1938, title 25.

Interference with primaries and election: If any person shall block up the avenue to the door of any polling place or shall attempt to do so, or shall use intimidation, threats, force, or violence, to unduly influence or overawe any elector or to prevent him from voting or to restrain his freedom of choice at a primary or election, he shall be guilty of a misdemeanor, punishable by a fine of not over $1,000, or by imprisonment of from 6 months to 5 years, or by both, in the discretion of the court (sec. 3527).

Duress and intimidation: Any person or corporation who directly or indirectly (a) uses or threatens to use force, violence, or restraint, or inflicts or threatens to inflict injury, harm, or loss on any person in order to induce him to register or vote or refrain from registering or from voting at any election or for or against any person or measure, or for having so registered, voted, or refrained, or (b) by abduction, fraud, or duress impedes or hinders any voter from freely exercising his right of suffrage, or (c) being an employer, inserts in the pay envelopes written or printed matter or within 90 days before an election or primary exhibits placards, etc., containing express or implied threats concerning their employment, with the intention of influencing the political opinion or votes of his employees, shall be guilty of a misdemeanor, punishable by a fine of not over $1,000, or by imprisonment of the offending officers or agents for not more than 1 year, or by both, in the discretion of the court (sec. 3547).

Rhode Island: Unless otherwise designated, references are to General Laws of 1938, chapter 325.

Intimidation: Every person who shall directly or indirectly use any threat or employ any means of intimidation for the purpose of influencing an elector to vote or withhold his vote at any election, for or against any candidate or measure, shall be punished by a fine of from $500 to $1,000, or by imprisonment for from 6 months to 2 years or by both in the discretion of the court, and shall be disfranchised (sec. 5).

Coercion by employer: Any person, being an employer, who within 90 days before a general election inserts written or printed matter into the pay envelopes of employees or exhibits placards in his establishment, containing express or implied threats relating to their employment, intended to influence the political opinion or actions of his employees, shall be punished by a fine of from $500 to $1,000, or by imprisonment for from 6 months to 2 years, or by both, in the discretion of the court, and shall thereafter be disfranchised and ineligible for public office. If employer is a corporation, it shall forfeit its charter (sec. 5).

South Carolina: South Carolina constitution election provisions:

Article 1, section 9:

ARTICLE 1, SECTION 9: SUFFRAGE

The right of suffrage, as regulated in this constitution, shall be protected by law regulating elections and prohibiting, under adequate penalties, all undue influences from power, bribery, tumult, or improper conduct.

ARTICLE 1, SECTION 10: ELECTIONS FREE AND OPEN

All elections shall be free and open, and every inhabitant of this State possessing the qualifications provided for in this constitution shall have an equal right to elect officers and be elected to fill public office.

ARTICLE 2, SECTION 5: APPEAL; CRIMES AGAINST ELECTION LAWS

Any person denied registration shall have the right to appeal to the court of common pleas, or any judge thereof, and thence to the supreme court, to determine his right to vote under the limitations imposed in this article, and on such appeal the hearing shall be de novo, and the general assembly shall provide by law for such appeal, and for the correction of illegal and fraudulent registration, voting, and all other crimes against the election laws.

ARTICLE 2, SECTION 8: REGISTRATION PROVIDED; ELECTIONS; BOARD OF REGISTRATION; BOOKS OF REGISTRATION

The general assembly shall provide by law for the registration of all qualified electors, and shall prescribe the manner of holding elections and of ascertaining the results of the same: *Provided*, At the first registration under this constitution, and until the 1st of January 1898, the registration shall be conducted by a board of three discreet persons in each county, to be appointed by the Governor, by and with the advice and consent of the senate. For the first registration to be provided for under this constitution, the registration books shall be kept open for at least 6 consecutive weeks; and thereafter from time to time at least 1 week in each month, up to 30 days next preceding the first election to be held under this constitution. The registration books shall be public records open to the inspection of any citizen at all times.

ARTICLE 2, SECTION 15: RIGHT OF SUFFRAGE FREE

No power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage in this State.

SOUTH CAROLINA CODE—TITLE 23

23-73. Appeal from denial of registration

The boards of registration to be appointed under section 23-51 shall be the judges of the legal qualifications of all applicants for registration. Any person denied registration shall have the right of appeal from the decision of the board of registration denying him registration to the court of common pleas of the county or any judge thereof and thence to the supreme court.

23-74. Proceedings in court of common pleas

Any person denied registration and desiring to appeal must within 10 days after written notice to him of the decision of the board of registration file with the board a written notice of his intention to appeal therefrom. Within 10 days after the filing of such notice of intention to appeal, the board of registration shall file with the clerk of the court of common pleas for the county the notice of intention to appeal and any papers in its possession relating to the case, together with a report of the case if it deem proper. The clerk of the court shall file the same and enter the case on a special docket to be known as calendar No. 4. If the applicant desires the appeal to be heard by a judge at chambers he shall give every member of the board of registration 4 days' written notice of the time and place of the hearing. On such appeal the hearing shall be de novo.

23-75. Further appeal to supreme court

From the decision of the court of common pleas or any judge thereof the applicant may further appeal to the supreme court by filing a written notice of his intention to appeal therefrom in the office of the clerk of the court of common pleas within 10 days after written notice to him of the filing of such decision and within such time serving a copy of such notice on every member of the board of registration. Thereupon the clerk of the court of common pleas shall certify all the papers in the case to the clerk of the supreme court within 10 days after the filing of such notice of intention to appeal. The clerk of the supreme court shall place the case on a special docket, and it shall come up for hearing upon the call thereof under such rules as the supreme court may make. If such appeal be filed with the clerk of the supreme court at a time that a session thereof will not be held between the date of filing and an election at which the applicant will be entitled to vote if registered the chief justice or, if he is unable to act or disqualified, the senior associate justice shall call an extra term of the court to hear and determine the case.

23-100. Right to vote

No elector shall vote in any polling precinct unless his name appears on the registration books for that precinct. But if the name of any registered elector does not appear or incorrectly appears on the registration books of his polling precinct he shall, nevertheless, be entitled to vote upon the production and presentation to the managers of election of such precinct, in addition to his registration certificate, of a certificate of the clerk of the court of common pleas of his county that his name is enrolled in the registration book or record of his county on file in such clerk's office or a certificate of the secretary of state that his name is enrolled in the registration book or record of his county on file in the office of the secretary of state.

23-349. Voter not to take more than 5 minutes in booth; talking in booth, etc.

No voter, while receiving, preparing and casting his ballot, shall occupy a booth or compartment for a longer time than 5 minutes. No voter shall be allowed to occupy a booth or compartment already occupied by another, nor to speak or converse with anyone, except as herein provided, while in the booth. After having voted, or declined or failed to vote within 5 minutes, the voter shall immediately withdraw from the voting place and shall not enter the polling place again during the election.

23-350. Unauthorized persons not allowed within guardrail; assistance

No person other than a voter preparing his ballot shall be allowed within the guard rail, except as herein provided. A voter who is not required to sign the poll list himself by this title may appeal to the managers for assistance and the chairman of the managers shall appoint one of the managers and a bystander to be designated by the voter to assist him in preparing his ballot. After the voter's ballot has been prepared the bystander so appointed shall immediately leave the vicinity of the guard rail.

23-656. Procuring or offering to procure votes by threats

At or before every election, general, special, or primary, any person who shall, by threats or any other form of intimidation, procure or offer or promise to endeavor to procure another to vote for or against any particular candidate in such election shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than $100 nor more than $500 or be imprisoned at hard labor for not less than 1 month nor more than 6 months, or both by such fine and such imprisonment, in the discretion of the court.

23-657. Threatening or abusing voters, etc.

If any person shall, at any of the elections, general, special, or primary, in any city, town, ward, or polling precinct, threaten, mistreat, or abuse any voter with a view to control or intimidate him in the free exercise of his right of suffrage, such offender shall upon conviction thereof suffer fine and imprisonment, at the discretion of the court.

23-658. Selling or giving away liquor within 1 mile of voting precinct

It shall be unlawful hereafter for any person to sell, barter, give away, or treat any voter to any malt or intoxicating liquor within 1 mile of any voting precinct during any primary or other election day, under a penalty, upon conviction thereof, of not more than $100 nor more than 30 days' imprisonment with labor. All offenses against the provisions of this section shall be heard, tried, and determined before the court of general sessions after indictment.

23-659. Allowing ballot to be seen, improper assistance, etc.

In any election, general, special, or primary, any voter who shall (a) except as provided by law, allow his ballot to be seen by any person, (b) take or remove or attempt to take or remove any ballot from the polling place before the close of the polls, (c) place any mark upon his ballot by which it may be identified, (d) take into the election booth any mechanical device to enable him to mark his ballot, or (e) remain longer than the specified time allowed by law in the booth or compartment after having been notified that his time has expired and requested by a manager to leave the compartment or booth and any person who shall (a) interfere with any voter who is inside of the polling place or is marking his ballot, (b) unduly influence or attempt to influence unduly any voter in the preparation of his ballot, (c) endeavor to induce any voter to show how he marks or has marked his ballot, or (d) aid or attempt to aid any voter by means of any mechanical device whatever in marking his ballot shall be fined not exceeding $100 or be imprisoned not exceeding 30 days.

23-667. Illegal conduct at elections generally

Every person who shall vote at any general, special, or primary election who is not entitled to vote and every person who shall by force, intimidation, deception, fraud, bribery, or undue influence obtain, procure, or control the vote of any voter to be cast for any candidate or measure other than as intended or desired by such voter or who shall violate any of the provisions of this title in regard to general, special, or primary elections shall be punished by a fine of not less than $100 nor more than $1,000 or by imprisonment in jail for not less than 3 months nor more than 12 months or both, in the discretion of the court.

South Dakota: Unless otherwise designated, references are to Code of 1939.

Unlawful influence of voters: Every person who directly or indirectly, willfully, by force or violence, or unlawful arrest, or abduction, duress, damage, harm or loss, or by fraud, or by threats to use any such means, or by threats to bring civil or criminal action, or to withdraw trade or to enforce payment of debts, or to inflict any injury on the voter or other person, attempts to intimidate a voter into voting or refraining from voting for any candidate or measure, or who does any of these things because a voter has already voted or refrained from voting for any candidate or measure, or who willfully and without lawful authority obstructs, hinders, or delays any elector on his way to the polls to vote, is guilty of a misdemeanor (sec. 13.0913).

Obstructing public meeting of electors: Every person who by threats, intimidation, or unlawful force or violence, willfully hinders or prevents electors from assembling in public meeting for considering public questions, or who so hinders or prevents any elector from attending any such meeting, is guilty of a misdemeanor (sec. 13.0915).

Primary: Any person who shall in any way obstruct the voting of any elector at a primary election, or intimidate any elector from attending a primary or voting thereat shall be guilty of a misdemeanor (sec. 16.9907).

Coercion by employer: Any person who shall deny an employee certain time for voting at a general election without penalty or reduction in wages, shall be guilty of a misdemeanor (sec. 16.9922). This shall only apply in the case of an employee who does not have a period of 2 consecutive hours during the time the polls are open when he is not required to be at work (Laws, 1955, ch. 57, p. 157).

Any employer who shall insert written or printed matter into the pay envelopes of employees or shall within 90 days prior to an election exhibit placards, etc., containing express or implied threats regarding their employment, with the intention of influencing the political opinion or votes of his employees, shall be guilty of a misdemeanor, and if a corporation, shall forfeit its charter (sec. 13.0914).

Tennessee: Unless otherwise designated, references are to Code Annotated, 1955.

Intimidation: It is a misdemeanor for any person, directly or indirectly, by force or threats, to prevent or attempt to prevent an elector from voting at a primary or general election or to inflict or threaten to inflict injury, damage or harm or other means of intimidation upon any person in order to compel him to vote or refrain from voting for any person or measure or because he has already so voted or refrained from voting (sec. 2-2211).

Coercion by employer: It shall be unlawful for an employer to coerce or direct any employee or to threaten to discharge him, in order to induce him to vote or refrain from voting for any candidate at a primary or general election or for any measure. It shall be unlawful to discharge an employee for his having voted or refrained from voting or for his having voted for or against any candidate or measure. Violation of these provisions is punishable by a fine of from $1,000 to $5,000, or imprisonment in the county jail or workhouse for not more than 6 months, or both, and in addition thereto, if employer is a corporation, by forfeiture of its charter and right to do business in the State (sec. 2-2236).

It is a misdemeanor for an employer, within 90 days of an election or primary, to display placards, etc., in his establishment, containing express or implied threats relating to their employment, intended to influence the political opinions or actions of his employees (sec. 2-2237).

Texas: Unless otherwise designated, references are to Vernon's Penal Code, Annotated 1951.

Intimidation by election officer: Any election officer who shall, by violence or threats of violence, attempt to influence the vote of an elector for or against any particular candidate, shall be fined not over $1,000 (art. 220).

Intimidation of electors: Whoever shall by force or intimidation, obstruct or influence, or attempt to obstruct or influence any voter in his free exercise of the elective franchise, shall be fined from $100 to $500, and in addition thereto, may be imprisoned in jail for not more than 1 month (art. 256, 255).

Election for constitutional amendments: Any election officer or any other person within 100 feet of the voting box on election day, who shall intimidate or attempt to intimidate any qualified voter from voting on any question submitted to the people for amending the constitution of the State, or who shall attempt to influence his vote, shall be fined from $50 to $500 (art. 272).

Person in service of United States: Any person in the civil or military service of the United States in Texas, who by threats, bribery, menace, or other corrupt means, controls or attempts to control the vote of an elector, or annoys, injures, or punishes him for the manner in which he has exercised his right of elective franchise, shall be fined not more than $500, and may be arrested and tried at any future time when he may be found in Texas (art. 258).

Coercion by employer: Whoever shall deny an employee the privilege of attending the polls without penalty or deduction of wages, shall be fined not more than $500 (art. 209).

Utah: Unless otherwise designated, references are to Code Annotated, 1953.

The following provisions apply to general, special, and primary elections (sec. 20-13-20):

Disturbance: Any person who so interferes with the voters at any election as to prevent such election from being fairly held, is guilty of a felony (sec. 20-13-3), punishable by a fine of not over $1,000, or by imprisonment in the State prison for not more than 5 years or by both (sec. 20-13-4).

Intimidation: It shall be unlawful for any person, directly or indirectly, to use force, violence, or restraint, or to inflict or threaten to inflict any injury, damage, harm, or loss, or other form of intimidation on any person to induce him to vote or refrain from voting for any person or measure at any election, or on account of such person having voted or refrained from voting at any election. It shall be unlawful for any person, by abduction, fraud, or duress, to impede, prevent, or otherwise interfere with the free exercise of the elective franchise by any voter. Violation of these provisions is a misdemeanor (sec. 20-13-6).

Coercion by employer: It shall be unlawful for an employer, whether individual, firm, or corporation, to enclose in pay envelopes of employees, written or printed matter, or within 90 days of any election, to exhibit placards, etc., containing express or implied threats concerning their employment, intended to influence the political opinion or actions of employees. Violation of this provision is a misdemeanor (sec. 20-13-6).

It shall be unlawful for any corporation or its agent to influence or attempt to influence any employee, by force, violence or restraint or by inflicting or threatening to inflict injury or damage, or by discharging from employment or promoting in employment, or by any other form of intimidation, to vote or not to vote at any election or for any person or measure. Violation of this chapter is a misdemeanor, in addition to punishment for which, a corporation shall forfeit its charter and right to do business in the State (sec. 20-13-7).

Any person who shall refuse to allow an employee certain time off for voting without penalty or reduction in wages, shall be guilty of a misdemeanor. This shall not apply to employees who are paid by the hour (sec. 20-13-18).

Vermont: Unless otherwise designated, references are to Statutes, Revision of 1947.

Interference with voter: A person who interferes with a voter when inside the guardrail, shall be fined $50. The election officers shall see that the offender is duly prosecuted (sec. 379).

Undue influence: A person who attempts by bribery, threats, or any undue influence to dictate, or control, or alter the vote of a freeman about to be given at a general election shall be fined not more than $200 (sec. 388).

Hindering voting: A person who willfully hinders the voting of others during an election, shall be fined $50 (art. 390).

Primary: The above provisions under "undue influence" and "hindering voting" shall also apply to primary elections (sec. 391).

Virginia: Unless otherwise designated, references are to Code of 1950.

Intimidation of voters: If it shall appear at an election that the voters are being intimidated or coerced from any source in the exercise of their suffrage by bystanders about the polling place, or that voters are being hindered or tampered with in any way so as to prevent their casting a secret ballot, the judges of election may order the person engaged in so intimidating, coercing, or hindering the voters, to cease such action, and if he does not forthwith desist, the judges or a majority of them may order the arrest of such person by anyone authorized to make arrests, and may confine him in the county or city jail for not over 24 hours, and such person, upon conviction thereof, shall be punished as for a misdemeanor (sec. 24-190).

Voting offenses: If any person, by threat or bribery, attempts to influence any elector in giving his vote, or attempts to deter him from giving his vote, he shall be confined in jail for not more than 1 year and fined not over $1,000 (sec. 24-450).

Registration: Any registration officer who willfully or maliciously rejects from registering any person, contrary to law, shall be deemed guilty of a misdemeanor (sec. 24-453).

Misdemeanor: A misdemeanor, under the election laws, unless otherwise specified, is punishable by a fine of not over $1,000, or by confinement in jail for not over 12 months, or both (sec. 24-455).

Washington: Unless otherwise designated, references are to Revised Code, 1951, title 29.

Hindering electors: Any person who uses menace, force, threat, or corrupt means, at or prior to any election, toward any elector to hinder or deter him from voting at such election, or authorizes another to do so, shall be guilty of a felony. Any election officer who, by menace, persuasion, or reward, attempts to induce an elector to vote for any person, shall be guilty of a gross misdemeanor (sec. 29.85.060).

Influencing voter: Any person who directly or indirectly, by menace or other corrupt means, attempts to influence a person in giving or refusing to give his vote in any election, or deters, disturbs, hinders, persuades, threatens, or intimidates any person from giving his vote therein, shall be guilty of a misdemeanor, punishable by a fine of not over $250 or by imprisonment for 6 months or both (sec. 29.85.070).

Recall: Every person shall be guilty of a gross misdemeanor, who by any corrupt means or by threats or intimidation, interferes with or attempts to interfere with the right of any legal voter to sign or not to sign any recall petition, or to vote for or against any recall (1953 Supp., sec. 29.82.220 (5)).

West Virginia: Unless otherwise designated, references are to Code of 1955, Annotated (Michie).

Interference with voter: Any person who shall, by any manner of force, fraud, menace, or intimidation, prevent or attempt to prevent any voter from attending any election or from freely exercising his right of suffrage thereat, shall be guilty of a misdemeanor, punishable by a fine of not over $1,000 or by confinement in the county jail for not over 1 year, or both, in the discretion of the court (sec. 164).

Threat of violence: Any person who shall directly or indirectly, use or threaten to use force, violence, or restraint, or shall inflict or threaten to inflict injury, harm, or loss, or other form of intimidation on any person in order to induce him to vote or refrain from voting or on account of his having voted or refrained from voting at any election, or who shall by abduction, fraud, or duress, prevent or impede any voter from exercising freely his right of suffrage or shall thereby compel him to either vote or refrain from voting for or against any particular candidate or measure, shall be guilty of a misdemeanor, punishable by a fine of not over $10,000, or by confinement in jail for not over 1 year (sec. 191 (c)).

Coercion by employer: Any employer, whether individual or corporation, who prints on pay envelopes of employees or on placards, etc., in his establishment, express or implied threats relating to their employment, intended to influence the political opinion or votes of his employees, shall be guilty of corrupt practices, punishable by a fine of from $1,000 to $20,000, or by imprisonment in jail for not more than 1 year, or both (sec. 169 (1)).

Any employer who shall give any notice or information to his employees containing any threat, either express or implied, intended to influence the political view or actions of his employees, shall be guilty of a misdemeanor, punishable by a fine of not over $10,000, or by confinement in jail for not over 1 year (sec. 191 (d)).

Wisconsin: Unless otherwise designated, references are to Statutes, 1951.

Threats: Every person who shall directly or indirectly, use or threaten to use force, violence, or restraint in order to compel any person to vote or refrain from voting at any election, or who shall by abduction, fraud, or duress, impede or prevent the free exercise of the franchise at any election, or shall thereby induce an elector to give or refrain from giving his vote at any election for or against any particular candidate or measure, shall be punished by imprisonment in the county jail for from 1 month to 1 year (sec. 346.17, renumbered sec. 12.52 by Laws, 1955, ch. 696, sec. 160).

Coercion by employer: No employer shall distribute among his employees any printed or written matter containing express or implied threats relating to their employment, calculated to influence the political opinion or actions of his employees (sec. 12.19). Penalties for violation of this provision refer to violations by candidates or their committees (sec. 12.28).

Wyoming: Unless otherwise designated, references are to Wyoming Compiled Statutes Annotated, 1945.

Interfering with election: Any person who shall during an election, willfully hinder the voting of others, shall be fined from $25 to $100 (sec. 31-2309).

Misconduct: No person shall attempt to influence the vote of election by means of violence or threats of violence or threats of withdrawing trade, or enforcing payment of a debt, or discharging from employment, or bringing a civil or criminal action or any other threat of injury to be inflicted on him (sec. 31-2312 (8)).

No person shall prevent or attempt to prevent any qualified elector from voting (sec. 31-2312 (10)).

Violation of these provisions is punishable by imprisonment in the county jail for not over 6 months, or by fine of not over $500, or both (sec. 31-2312 (22)).

Mr. President, I have read the election laws.

The PRESIDING OFFICER (Mr. CLARK in the chair). The Senate will be in order. The Chair cannot hear the Senator from South Carolina.

Mr. THURMOND. I have read the election laws of every State in the Union, from Alabama to Wyoming, showing that the States now have, on their statute books and in their constitutions, provisions to protect the right to vote. The accuracy of the statutes which I have just recited is confirmed by the Legislative Reference Service of the Library of Congress.

No one can say that any State, from Alabama through Wyoming, does not have statutes to protect the right to vote.

The bill before the Senate is called a right-to-vote bill. Why is it called that? Every State has statutes to protect the right to vote. The sovereign States are protecting their citizens in the right to vote. Yet there is a big cry and a big hue about a voting law. As a matter of fact, the only thing that instigated this bill was the desire of both parties, the Democratic and the Republican, to play to minority votes. That is the purpose of the bill. It is purely political. Why do we need a Federal law when every State has a statute to protect the right to vote? And who is in a better position to protect the right to vote than the officials of the States?

Suppose the voting laws of all the States were abrogated and violated. Does the Federal Government have a police system which would enable it to send officials into every State to police the election laws of every State? If so, it would change our entire conception of the Government of this Nation.

The Constitution of the United States was written in 1789, in Philadelphia. It was ratified by nine Colonies which made them States and created the Union; 2 years later the Bill of Rights was adopted; and in the 10th amendment, which is a part of the Bill of Rights, it is provided that all powers not specifically delegated to the Federal Government are reserved to the States. There is nothing in the Constitution that delegates those powers to the Federal Government. Therefore, those rights are reserved to the States, and it is unlawful and unconstitutional for Congress to attempt to pass a law that will set up an administration which will attempt to bring about a policing of all the elections in all the 48 States of this Nation.

Some persons say, "Well, the States won't enforce the voting laws. We have got to have a Federal law. Some States deny the vote to citizens." I question that. Has there been a single instance brought before the Judiciary Committee of the Senate of the United States and proof presented that anyone has been denied the vote? From my understanding, and from the minority report which was submitted by some members of the Judiciary Committee, that has not been the case. So why does the Federal Government want to enter a field into which it has no constitutional authority to enter? As a matter of fact, the Federal Government already has a statute, I say to those who say the States are not protecting the right to vote. I am wondering if the Members of the Senate and of the House of Representatives have overlooked the Federal statute. I shall read that statute, so that Senators can know that we now have a Federal statute to protect the right to vote.

I shall read several provisions. The last one is the most applicable, and one on which I shall comment a little more, but I want to start with chapter 29 of title 18 of the Criminal Code and Criminal Procedure.

That is the United States Code, Criminal Code, and Criminal Procedure. Chapter 29 is entitled "Elections and Political Activities."

Section 591 reads:

Definitions:

When used in sections 597, 599, 602, 609, and 610 of this title—

The term "election" includes a general or special election, but does not include a primary election or convention of a political party.

But under a decision of the Supreme Court, in a case which went up from my own State of South Carolina, it was held that the primary election was a part of the election machinery; and the decision was rendered on that subject.

The term "candidate" means an individual whose name is presented for election as Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, whether or not such individual is elected;

The term "political committee" includes any committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates or presidential and vice presidential electors (1) in two or more States, or (2) whether or not in more than one State if such committee, association, or organization (other than a duly organized State or local committee of a political party) is a branch or subsidiary of a national committee, association, or organization;

The term "contribution" includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement to make a contribution, whether or not legally enforceable;

The term "expenditure" includes a payment, distribution, loan, advance, deposit, or gift of money, or anything of value, and includes a contract, promise, or agreement to make an expenditure, whether or not legally enforceable;

The term "person" or the term "whoever" includes an individual, partnership, committee, association, corporation, and any other organization or group of persons;

The term "State" includes Territory and possession of the United States. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 719; May 24, 1949, ch. 139, sec. 9, 63 Stat. 90.)

SEC. 592. Troops at polls.

Whoever, being an officer of the Army or Navy, or other person in the civil, military, or naval service of the United States, orders, brings, keeps, or has under his authority or control any troops or armed men at any place where a general or special election is held, unless such force be necessary to repel armed enemies of the United States, shall be fined not more than $5,000 or imprisoned not more than 5 years, or both; and be disqualified from holding any office of honor, profit, or trust under the United States.

This section shall not prevent any officer or member of the Armed Forces of the United States from exercising the right of suffrage in any election district to which he may belong, if otherwise qualified according to the laws of the State in which he offers to vote. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 719.)

SEC. 593. Interference by Armed Forces.

Whoever, being an officer or member of the Armed Forces of the United States, prescribes or fixes or attempts to prescribe or fix, whether by proclamation, order, or otherwise, the qualifications of voters at any election in any State; or

Whoever, being such officer or member, prevents or attempts to prevent by force, threat, intimidation, advice, or otherwise any qualified voter of any State from fully exercising the right of suffrage at any general or special election; or

Whoever, being such officer or member, orders or compels or attempts to compel any election officer in any State to receive a vote from a person not legally qualified to vote; or

Whoever, being such officer or member, imposes or attempts to impose any regulations for conducting any general or special election in a State, different from those prescribed by law; or

Whoever, being such officer or member, interferes in any manner with an election officer's discharge of his duties—

Shall be fined not more than $5,000 or imprisoned not more than 5 years, or both; and disqualified from holding any office of honor, profit, or trust under the United States.

This section shall not prevent any officer or member of the Armed Forces from exercising the right of suffrage in any district to which he may belong, if otherwise qualified according to the laws of the State of such district. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 719.)

I shall now comment on section 594, which is entitled "Intimidation of Voters." I cannot help but believe that

Members of Congress in some way must have overlooked this statute, if they believe a Federal statute is essential on this subject, which I do not. This is the way the section reads:

SEC. 594. Intimidation of voters.

Whoever intimidates, threatens, coerces, or attempts to intimidate, threaten, or coerce, any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, Presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories and possessions, at any election held solely or in part for the purpose of electing such candidate, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 720.)

Mr. President, I do not think this statute is constitutional, in section 594, because I think the question is a matter reserved to the States. Since evidently there were people who thought the Federal Government did need to enter this field and who must have felt that it would not be unconstitutional for the Federal Government to enter it, this section was adopted. This section provides, as I have just read, for the punishment of anyone who attempts to intimidate, threaten, or coerce any other person for the purpose of interfering with his right to vote or to vote as he may choose.

What is the purpose of the bill now under consideration, H. R. 6127? It is called the right-to-vote bill. The Federal statute here, in section 594 of title 18, Criminal Code and Criminal Procedure, is just as plain on the subject as it can be. There is the Federal statute on the question of voting. I do not like it, because I do not think the Federal Government has jurisdiction in this field, but we have the statute, in section 594.

If there has been any violation of voting rights in this country, if there has been a single case of any person who claims that he has been intimidated or threatened or coerced to vote, the Federal Government has the power, under that statute, to punish anyone if he is convicted for such offense.

Either this statute has not been enforced, if there have been violations, or else there have been no violations. So when the Federal Government asks that another voting law be passed, such as House bill 6127, it is admitting 1 of 2 things: Either there have been no violations of the rights of people to vote, or the Justice Department is not enforcing the law on this subject.

I do not see what good it would do to enact another statute. What good would another statute do, if we have a statute already on the books? I have heard of no cases brought under this statute. There must not have been any violations. If there have been violations, the Federal Government has failed to prosecute violators, which it could do under this law.

SEC. 595. Interference by administrative employees of Federal, State, or Territorial governments.

Whoever, being a person employed in any administrative position by the United States, or by any department or agency thereof, or by the District of Columbia, or any agency or instrumentality thereof, or by any State, Territory, or possession of the United States, or any political subdivision, municipality, or agency thereof, or agency of such political subdivision or municipality (including any corporation owned or controlled by any State, Territory, or possession of the United States or by any such political subdivision, municipality, or agency), in connection with any activity which is financed in whole or in part by loans or grants made by the United States, or any department or agency thereof, uses his official authority for the purpose of interfering with, or affecting, the nomination or the election of any candidate for the office of President, Vice President, Presidential elector, Member of the Senate, Member of the House of Representatives, or Delegate or Resident Commissioner from any Territory or possession, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.

This section shall not prohibit or make unlawful any act by any officer or employee of any educational or research institution, establishment, agency, or system which is supported in whole or in part by any State or political subdivision thereof, or by the District of Columbia or by any Territory or possession of the United States; or by any recognized religious, philanthropic, or cultural organization. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 720.)

SEC. 596. Polling Armed Forces.

Whoever, within or without the Armed Forces of the United States, polls any member of such forces, either within or without the United States, either before or after he executes any ballot under any Federal or State law, with reference to his choice of or his vote for any candidate, or states, publishes, or releases any result of any purported poll taken from or among the members of the Armed Forces of the United States or including within it the statement of choice for such candidate or of such votes cast by any member of the Armed Forces of the United States, shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both.

The word "poll" means any request for information, verbal or written, which by its language or form of expression requires or implies the necessity of an answer, where the request is made with the intent of compiling the result of the answers obtained, either for the personal use of the person making the request, or for the purpose of reporting the same to any other person, persons, political party, unincorporated association or corporation, or for the purpose of publishing the same orally, by radio, or in written or printed form. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 720.)

SEC. 597. Expenditures to influence voting.

Whoever makes or offers to make an expenditure to any person, either to vote or withhold his vote, or to vote for or against any candidate; and

Whoever solicits, accepts, or receives any such expenditure in consideration of his vote or the withholding of his vote—

Shall be fined not more than $1,000 or imprisoned not more than 1 year, or both; and if the violation was willful, shall be fined not more than $10,000 or imprisoned not more than 2 years, or both. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 721.)

SEC. 598. Coercion by means of relief appropriations.

Whoever uses any part of any appropriation made by Congress for work relief, relief, or for increasing employment by providing loans and grants for public-works projects, or exercises or administers any authority conferred by any appropriation act for the purpose of interfering with, restraining, or coercing any individual in the exercise of his right to vote at any election, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 721.)

SEC. 599. Promise of appointment by candidate.

Whoever, being a candidate, directly or indirectly promises or pledges the appointment, or the use of his influence or support for the appointment of any person to any public or private position or employment, for the purpose of procuring support in his candidacy shall be fined not more than $1,000 or imprisoned not more than 1 year, or both; and if the violation was willful, shall be fined not more than $10,000 or imprisoned not more than 2 years, or both. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 721.)

SEC. 600. Promise of employment or other benefit for political activity.

Whoever, directly or indirectly, promises any employment, position, work, compensation, or other benefit, provided for or made possible in whole or in part by any act of Congress, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in any election, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 721.)

SEC. 601. Deprivation of employment or other benefit for political activity.

Whoever, except as required by law, directly or indirectly, deprives, attempts to deprive, or threatens to deprive any person of any employment, position, work, compensation, or other benefit provided for or made possible by any act of Congress appropriating funds for work relief or relief purposes, on account of race, creed, color, or any political activity, support of, or opposition to any candidate or any political party in any election, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both. (June 25, 1948, ch. 645, sec. 1, 62, Stat. 721.)

SEC. 602. Solicitation of political contributions.

Whoever, being a Senator or Representative in, or Delegate or Resident Commissioner to, or a candidate for Congress, or individual elected as, Senator, Representative, Delegate, or Resident Commissioner, or an officer or employee of the United States or any department or agency thereof, or a person receiving any salary or compensation for services from money derived from the Treasury of the United States, directly or indirectly solicits, receives, or is in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever, from any other such officer, employee, or person, shall be fined not more than $5,000 or imprisoned not more than 3 years or both. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 722.)

SEC. 603. Place of solicitation.

Whoever, in any room or building occupied in the discharge of official duties by any person mentioned in section 602 of this title, or in any navy yard, fort, or arsenal, solicits or receives any contribution of money or other thing of value for any political purpose, shall be fined not more than $5,000 or imprisoned not more than 3 years, or both. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 722; October 31, 1951, ch. 655, sec. 20 (b), 65 Stat. 718.)

SEC. 604. Solicitation from persons on relief.

Whoever solicits or receives or is in any manner concerned in soliciting or receiving any assessment, subscription, or contribution for any political purpose from any person known by him to be entitled to, or receiving compensation, employment, or other benefit provided for or made possible by any act of Congress appropriating funds for work relief or relief purposes, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 722.)

SEC. 605. Disclosure of names of persons on relief.

Whoever, for political purposes, furnishes or discloses any list or names of persons receiving compensation, employment or benefits provided for or made possible by any act of Congress appropriating, or authorizing the appropriation of funds for work relief or relief purposes, to a political candidate, committee, campaign manager, or to any person for delivery to a political candidate, committee, or campaign manager; and

Whoever receives any such list or names for political purposes—

Shall be fined not more than $1,000 or imprisoned not more than 1 year, or both. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 722.)

SEC. 606. Intimidation to secure political contributions.

Whoever, being one of the officers or employees of the United States mentioned in section 602 of this title, discharges, or promotes, or degrades, or in any manner changes the official rank or compensation of any other officer or employee, or promises or threatens so to do, for giving or withholding or neglecting to make any contribution of money or other valuable thing for any political purpose, shall be fined not more than $5,000 or imprisoned not more than 3 years, or both. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 722.)

SEC. 607. Making political contributions.

Whoever, being an officer, clerk, or other person in the service of the United States or any department or agency thereof, directly or indirectly gives or hands over to any other officer, clerk, or person in the service of the United States, or to any Senator or Member of or Delegate to Congress, or Resident Commissioner, any money or other valuable thing on account of or to be applied to the promotion of any political object, shall be fined not more than $5,000 or imprisoned not more than 3 years, or both. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 722.)

SEC. 608. Limitations on political contributions and purchases.

(a) Whoever, directly or indirectly, makes contributions in an aggregate amount in excess of $5,000 during any calendar year, or in connection with any campaign for nomination or election, to or on behalf of any candidate for an elective Federal office, including the offices of President of the United States and presidential and vice presidential electors, or to or on behalf of any committee or other organization engaged in furthering, advancing, or advocating the nomination or election of any candidate for any such office or the success of any national political party, shall be fined not more than $5,000 or imprisoned not more than 5 years, or both.

This subsection shall not apply to contributions made to or by a State or local committee or other State or local organization or to similar committees or organizations in the District of Columbia or in any Territory or possession of the United States.

(b) Whoever purchases or buys any goods, commodities, advertising, or articles of any kind or description, the proceeds of whch, or any portion thereof, directly or indirectly inures to the benefit of or for any candidate for an elective Federal office including the offices of President of the United States, and presidential and vice-presidential electors or any political committee or other political organization engaged in furthering, advancing, or advocating the nomination or election of any candidate for any such office or the success of any national political party, shall be fined not more than $5,000 or imprisoned not more than 5 years, or both.

This subsection shall not interfere with the usual and known business, trade, or profession of any candidate.

(c In all cases of violations of this section by a partnership, committee, association, corporation, or other organization or group of persons, the officers, directors, or managing heads thereof who knowingly and willfully participate in such violation, shall be punished as herein provided.

(d) The term "contribution," as used in this section, shall have the same meaning prescribed by section 591 of this title. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 723.)

The PRESIDING OFFICER (Mr. CLARK in the chair). The Senate will be in order. The Chair cannot hear the Senator from South Carolina. The Senator may proceed.

Mr. THURMOND. I continue by reading section 609:

SEC. 609. Maximum contributions and expenditures.

No political committee shall receive contributions aggregating more than $3 million, or make expenditures aggregating more than $3 million, during any calendar year.

For the purposes of this section, and contributions received and any expenditures made on behalf of any political committee with the knowledge and consent of the chairman or treasurer of such committee shall be deemed to be received or made by such committee.

Any violation of this section by any political committee shall be deemed also to be a violation by the chairman and the treasurer of such committee and by any other person responsible for such violation and shall be punishable by a fine of not more than $1,000 or imprisonment of not more than 1 year, or both; and, if the violation was willful, by a fine of not more than $10,000, or imprisonment of not more than 2 years, or both. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 723.)

SEC. 610. Contributions or expenditures by national banks, corporations or labor organizations.

It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any corporation whatever, or any labor organization to make a contribution or expenditure in connection with any election at which presidential and vice presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this section.

Every corporation or labor organization which makes any contribution or expenditure in violation of this section shall be fined not more than $5,000; and every officer or director of any corporation, or officer of any labor organization, who consents to any contribution or expenditure by the corporation or labor organization, as the case may be, and any person who accepts or receives any contribution, in violation of this section, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both; and if the violation was willful, shall be fined not more than $10,000 or imprisoned not more than 2 years, or both.

For the purposes of this section "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exist for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 723; May 24, 1949, ch. 139, sec. 10, 63 Stat. 90; Oct. 31, 1951, ch. 655, sec. 20 (c), 65 Stat. 718.)

SEC. 611. Contributions by firms or individuals contracting with the United States.

Whoever, entering into any contract with the United States or any department or agency thereof, either for the rendition of personal services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof, or selling any land or building to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress, during the period of negotiation for, or performance under such contract or furnishing of material, supplies, equipment, land, or buildings, directly or indirectly makes any contribution of money or any other thing of value, or promises expressly or impliedly to make any such contribution, to any political party committee, or candidate for public office or to any person for any political purpose or use; or

Whoever knowingly solicits any such contribution from any such person or firm, for any such purpose during any such period—

Shall be fined not more than $5,000 or imprisoned not more than 5 years, or both. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 724.)

SEC. 612. Publication or distribution of political statements.

Whoever willfully publishes or distributes or causes to be published or distributed, or for the purpose of publishing or distributing the same, knowingly deposits for mailing or delivery or causes to be deposited for mailing or delivery, or, except in cases of employees of the Post Office Department in the official discharge of their duties, knowingly transports or causes to be transported in interstate commerce any card, pamphlet, circular, poster, dodger, advertisement, writing, or other statement relating to or concerning any person who has publicly declared his intention to seek the office of President, or Vice President of the United States, or Senator or Representative in, or Delegate or Resident Commissioner to Congress, in a primary, general, or special election, or convention of a political party, or has caused or permitted his intention to do so to be publicly declared, which does not contain the names of the persons, associations, committees, or corporations responsible for the publication or distribution of the same, and the names of the officers of each such association, committee, or corporation, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 724; Aug. 25, 1950, ch. 784, sec. 2, 64 Stat. 475.)

Mr. President, I have read those Federal statutes to show that we have in title 18, chapter 29, provision for elections and political activities, and the specific section to which I referred and attempted to emphasize, section 594, provides especially for the punishment of anyone who intimidates, threatens, or coerces any other person for interfering with his right to vote or to vote as he may choose. That is in the Federal statutes.

Again I ask, Why does the Congress need to pass another law when we have a law, a law with teeth in it, a law that provides a punishment of as much as $1,000 or imprisonment for as long as one year, or both? In other words, under this statute, the Federal Government through the Justice Department, can prosecute any person who intimidates, threatens, or coerces another person for the purpose of interfering with his right to vote and to vote as he chooses. If we have that kind of law on the books now, why do we need another law? As I stated a few moments ago, I do not think the Federal Government has jurisdiction in this field. But they have entered this field, and laws on the subject have been enacted. Section 594 gives the Federal Government all the authority it needs to protect the right to vote in any State of this Nation. Section 594 makes provision for specific punishment if anyone violates the section and attempts to deny the right to vote, or threatens, intimidates, or coerces one in his right to vote and to vote as he chooses.

So with every State in the Nation having laws on the subject to protect the right to vote, and with the Federal Government having laws on this subject to protect the right to vote, why do we need to pass another bill, another bill which is unconstitutional, another bill which violates the Constitution of the United States? I will come to that later on in my address. We cannot compromise the Constitution of the United States.

I am going to take up after a while a decision which shows that criminal contempt is a crime, and if criminal contempt is a crime, then it falls within the category of the provision of the Constitution of the United States which says that a man charged with a crime is entitled to a jury trial. It does not specify by degree. If he is entitled to a jury trial, he is entitled to it. The Senate passed a bill with an amendment providing for jury trial. The bill went back to the House, the House amended it, and added a provision that the judge in his discretion could try the case if the punishment was not over 45 days or a fine of $300. That is not what the Constitution says. The Constitution does not provide that a man is entitled to a jury trial under certain conditions, if the House had fixed the fine at $1 instead of $300 and denied a man the right of a trial by jury, in my opinion it still would have been unconstitutional. I shall develop that more as my address goes on.

Mr. President, I shall now take up specific points of the proposed compromise on the jury trial provisions of H. R. 6127, so as to point out the lack of constitutionality of the provisions in connection with contempt of court proceedings.

A so-called compromise has been reached among advocates of civil-rights legislation—H. R. 6127—whereby a jury trial would be given in certain criminal contempts of Federal courts.

The purpose of this speech is to point out the objectionable features of the proposed compromise and to show conclusively that it is unconstitutional.

The proposed jury-trial amendment being part V of H. R. 6127 reads as follows:

> PART V—TO PROVIDE TRIAL BY JURY FOR PROCEEDINGS TO PUNISH CRIMINAL CONTEMPTS OF COURT ARISING OUT OF CIVIL-RIGHTS CASES AND TO AMEND THE JUDICIAL CODE RELATING TO FEDERAL JURY QUALIFICATIONS
>
> SEC. 151. In all cases of criminal contempt arising under the provisions of this act, the accused, upon conviction shall be punished by fine or imprisonment or both: *Provided, however,* That in case the accused is a natural person the fine to be paid shall not exceed the sum of $1,000, nor shall imprisonment exceed the term of 6 months: *Provided further,* That in any such proceeding for criminal contempt, at the discretion of the judge, the accused may be tried with or without a jury: *Provided further, however,* That in the event such proceeding for criminal contempt be tried before a judge without a jury and the sentence of the court upon conviction is a fine in excess of the $300 or imprisonment in excess of 45 days, the accused in said proceeding, upon demand therefor, shall be entitled to a trial de novo before a jury, which shall conform as near as may be to the practice in other criminal cases.
>
> This section shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders, or process of the court.
>
> Nor shall anything herein or in any other provision of law be construed to deprive courts of their power, by civil contempt proceedings, without a jury, to secure compliance with or to prevent obstruction of, as distinguished from punishment for violations of, any lawful writ, process, order, rule, decree, or command of the court in accordance with the prevailing usages of law and equity, including the power of detention.
>
> SEC. 152. Section 1861, title 28, of the United States Code is hereby amended to read as follows:
>
> "1861. Qualifications of Federal jurors.
>
> "Any citizen of the United States who has attained the age of 21 years and who has resided for a period of 1 year within the judicial district, is competent to serve as a grand or petit juror unless:
>
> "(1) He has been convicted in a State or Federal court of record of a crime punishable by imprisonment for more than 1 year and his civil rights have not been restored by pardon or amnesty.
>
> "(2) He is unable to read, write, speak, and understand the English language.
>
> "3. He is incapable, by reason of mental or physical infirmities to render efficient jury service."

Mr. President, those are the provisions of the so-called compromise.

I wish to have all other Members of the Senate and all other citizens of these United States know just what the compromise provides.

First, Mr. President, this amendment is clearly unconstitutional because of vagueness.

It is an established principle of constitutional law that crimes must be clearly defined. If this amendment were enacted, persons charged with contempt would be deprived of their liberty and property without due process of law, in violation of the 14th amendment to the Federal Constitution. Due process of law requires that one shall not be held criminally responsible under a statute by which offenses are so indefinitely defined or described as not to enable one to determine whether or not he is committing them.

This point is clearly brought out in Willoughby on the Constitution of the United States, in the second edition, third volume, at page 1727. Here is what this great authority on the Constitution has to say on this point:

> 1142. Crimes must be clearly defined.
>
> Due process of law requires that one shall not be held criminally responsible under statutes by which offenses are so indefinitely defined or described as not to enable one to determine whether or not he is committing them. "A statute which either forbids or requires the doing of an act in terms so vague that men of common intelligence must necessarily guess at its meaning and differ as to its application violates the first essential of due process of law." *Connally v. General Construction Co.* (269 U. S. 385).

The first sentence of the proposed amendment—section 151—refers to criminal contempt and provides for punishment upon conviction. The first proviso of the first sentence refers to natural persons; and for such natural persons, the fine is limited to $1,000 or—in the alternative—imprisonment is limited to 6 months. This first proviso is obviously drafted to bring the offense within the present definition of "misdemeanor," as classified by the Congress in the adoption of title 18 of the United States Code on June 25, 1948. Section 1 of title 18, United States Code, classifies offenses against the United States as follows:

> 1. Offenses classified:
>
> Notwithstanding any act of Congress to the contrary:
>
> (1) Any offense punishable by death or imprisonment for a term exceeding 1 year is a felony.
>
> (2) Any other offense is a misdemeanor.
>
> (3) Any misdemeanor, the penalty for which does not exceed imprisonment for a period of 6 months or a fine of not more than $500, or both, is a petty offense.

The second proviso of the first sentence still refers to criminal contempt, and vests in the Federal district judge the discretion to determine whether the person accused of contempt is to be tried with or without a jury.

The third proviso of the first sentence, still referring only to criminal contempts, says that where the district judge proceeds summarily—without benefit of a jury—to convict the accused and fine him or her for more than $300 or imprison him or her for more than 45 days, then the person so convicted—fined or imprisoned—may demand a trial de novo. It is assumed that trial de novo contemplates a trial anew of the entire controversy, including the hearing of evidence, as though no previous action had been taken. In *Pittsburgh S. S. Co.* v. *Brown* ((1948 Ct. App. Ill.) 171 Fed. 2d 175, 177), "trial de novo" is defined as an entirely new trial, but that was a civil case. The term "trial de novo" nowhere appears in criminal cases referred to in volume 42 A, Words and Phrases, 1952 edition or 1957 supplement.

The second sentence of the amendment, without any reference to "criminal contempt" or without defining or differentiating between "criminal contempt" and "civil contempt," proceeds to make the provisions of the first sentence inapplicable to those contempts "committed in the presence of the court or so near thereto as to interfere directly with the administration of justice" and likewise inapplicable to "misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders or process of the court." In other words this second sentence deals with certain "contempts" and with "misbehavior of any officers of the court" and excludes such "contempts" and "misbehavior of any officer of the court" from the provisions of the Civil Rights Act—H. R. 6127. In other words, the second sentence says that if any contempt is committed in the presence of the court, or so near thereto as to interfere directly with the administration of justice, it is not dealt with in the Civil Rights Act—H. R. 6127. Likewise excluded from coverage by the Civil Rights Act—H. R. 6127—would be "the misbehavior, misconduct, or disobedience of any officer of the court" in respect to any writ, order, or process of court issued presumably under authority of the Civil Rights Act—H. R. 6127.

The last sentence of the amendment—section 151—simply tries to restate the proposition now appearing in section 401 of title 18, United States Code, that a court of the United States has power to punish contempts of its authority. However in restating that posposition, this last sentence refers to "civil contempts," whereas section 401 refers to "contempt of its—the court's—authority." Thus we see the last sentence of the amendment, section 151, refers to "civil contempt," as distinguished from the first sentence, which deals with "criminal contempt."

Nowhere in the amendment is any definition given of either "criminal contempt" or "civil contempt"; nor has Congress ever attempted to draw any such distinction. The sole provision attempting to draw a distinction between criminal and civil contempt is contained in rule 42 (b) of the Federal Rules of Criminal Procedure in the requirement that the notice with respect to a criminal contempt shall describe it as such. The Advisory Committee on Rules, appointed by the United States Supreme Court pursuant to the act of June 29, 1940—Fifty-fourth United States Statutes at Large, page 686—to assist in the preparation of rules of pleading, in their notes indicate that the requirement of notice written into rule 42 (b) was "intended to obviate the frequent confusion between criminal and civil contempt proceedings" pursuant to the suggestion made in *McCann* v. *New York Stock Exchange* ((2d Cir., 1935) 80 F. 2d 211). See Civil and Criminal Contempt in the Federal Courts, report of Los Angeles Bar Association, 17 Federal Rules Decisions 167–182—1955. The Supreme Court itself has belabored the distinction between civil and criminal contempts. For the Court's distinction see *Bessette* v. *W. B. Conkey Co.* ((1904) 194 U. S. 324, 328).

A contempt statute certainly comes within the due process of law requirements of the Constitution. To substantiate this point, I refer again to Willoughby on the Constitution of the United States, page 1727, section 1141. In this section Willoughby points out that a contempt which is not committed in open court does require due process of law for the defendant. The United States Supreme Court, in an opinion by Chief Justice Taft, held on April 13, 1925, that all the guaranties of due process of law are available to a person charged with contempt. *Cooke* v. *United States* ((1925) 267 U. S. 517.) Thus it is quite clear that the amendment—section 151—as now drafted would subject a person to criminal prosecution for a statutory offense so indefinitely defined or described as not to enable him to determine whether or not he is committing that offense. *Connally* v. *General Construction Co.* ((1926) 269 U. S. 385); *International Harvester Co.* v. *Kentucky* ((1914) 234 U. S. 216); *Collins* v. *Kentucky* ((1914) 234 U. S. 634).

Second. This amendment is unconstitutional, in violation of the fifth amendment prohibiting double jeopardy.

That provision of the amendment which permits the accused to be tried a second time by a jury for the same offense following conviction in a summary proceeding violates the fifth amendment to the United States Constitution, which declares "nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb."

In ex parte Grossman the Supreme Court stated that contempt is an "offense" within the meaning of the pardoning power of the President granted in article II, section 2, clause 1 of the enumerated powers of the President. Clause 1 declares the President "shall have power to grant reprieves and pardons of offenses against the United States, except in cases of impeachment." Chief Justice Taft in *ex parte Grossman* ((1925) 267 U. S. 87, 107) quoting *Myers* v. *United States* ((1924) 264 U. S. 95, 104–105).

If contempt is an offense when it comes to the pardoning power of the President, it certainly is an offense under the fifth amendment. Thus reading the language of the amendment—section 151—in pari materia with the decisions in ex parte Grossman and Myers against United States, for the Congress to grant a second trial following conviction, with the same defendant, the same charges, and the same evidence, would place the defendant in double jeopardy.

The proposal—section 151—even if it were not in violation of the fifth amendment, would place Congress in the position of gambling with the rights of our citizens. Suppose a judge tries a man or woman and finds the person guilty. The press reports this fact to the public and such cases are bound to stir the public interest. The person so convicted is then tried again on the same evidence. Any jury is bound to be influenced.

In addition, what basis or standard of conduct is to be the determining factor as to whether the judge imposes the lesser fine or sentence and lets his verdict stand or imposes the greater fine or punishment and moves the case along to a jury trial. There would be no uniformity in the application of the proposed statute—section 151—and the entire procedure would be awkward, cumbersome, and impracticable.

(Although Mr. THURMOND had not concluded his speech at this point, but continued for some time, in view of the circumstances, the following matters, which were ordered to be printed at the end of his speech, are printed at this place in the RECORD:)

SENATOR FROM WISCONSIN

During the delivery of Mr. THURMOND's remarks,

Mr. JOHNSON of Texas. Mr. President, will the distinguished Senator from South Carolina yield to me, with the understanding——

Mr. THURMOND. I will yield for a question.

Mr. JOHNSON of Texas. Mr. President, I should like to ask the Senator if he would be agreeable to yielding to me for the purpose of making a brief announcement, with the understanding that the announcement appear at the conclusion of his remarks, with the further understanding that when he resumes after the interruption it will not be counted as a second speech, and with the further understanding that the Senator retain the floor.

Mr. THURMOND. If unanimous consent is obtained, and there is no objection on the part of the majority leader or minority leader, I will do so.

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I am pleased to announce that the Senator-elect, Mr. WILLIAM PROXMIRE, from the State of Wisconsin, who was on yesterday chosen by the citizens of Wisconsin in a landslide vote, is present, ready, and prepared to take the oath of office.

I should like to read at this time into the RECORD of the Senate a telegram sent at 12:52 today, as follows:

> Hon. FELTON M. JOHNSTON,
> *Secretary of the United States Senate,*
> *Capitol Building, Washington, D. C.:*
>
> On the basis of unofficial returns of the vote cast August 27, 1957, for the United States Senator Mr. WILLIAM PROXMIRE is the United States Senator-elect from Wisconsin for the residue of the unexpired term ending January 3, 1959. Official certificate of election will follow upon completion of official canvass of vote cast.
>
> STEWART G. HONECK,
> *Attorney General,*
> WARREN R. SMITH,
> *State Treasurer,*
> *Members of the Board of State Canvassers.*

Mr. President, the United Press ticker, at 4:17 this afternoon, carried the following statement:

> MADISON, WIS.—The State board of canvassers today agreed to certify WILLIAM PROXMIRE's senatorial victory and allow him to go to the Senate before the official canvass.
>
> The board will certify PROXMIRE's election to the Senate clerk late today. He could take office Thursday.
>
> Declaring a candidate elected before the official canvass is believed to be unprecedented in Wisconsin elections.

Gov. Vernon W. Thomson said, "We are not going to stand on technicalities. We want Wisconsin to have representation in the United States Senate as soon as possible."

The Senate clerk has informed the canvass board that Proxmire's rapid certification would be acceptable on the basis of his wide margin of victory in the unofficial election tallies.

I read from the records of the Senate in a case directly in point, wherein the late Senator Hoey presented the Senator-elect from North Carolina, his colleague, Mr. Willis Smith:

SENATOR-ELECT FROM NORTH CAROLINA

Mr. Hoey. Mr. President, I present herewith a letter from the executive secretary of the State board of elections of North Carolina, showing that Willis Smith received a majority of the votes cast for United States Senator for the unexpired term of the late Senator Broughton, ending January 2, 1955. The State board of elections does not meet until tomorrow, and the certificate of election has not been officially issued. There is no controversy, and the certificate will be issued tomorrow. I ask unanimous consent that I may be permitted to file the statement today and the official certification tomorrow, and that the Senator-elect, who is present, may be permitted to take the oath of office.

The Vice President. Is there objection to the unanimous-consent request of the senior Senator from North Carolina?

Mr. Wherry. I have no objection.

Mr. Lucas. I have no objection. (Extract from Congressional Record, volume 96, part 12, p. 15772.)

Mr. President, I ask unanimous consent to have printed in the Record at this point as a part of my remarks a memorandum prepared by the Parliamentarian of the Senate, entitled "Administration of oath to Senators-elect or designate prior to receipt of credentials by the Senate."

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

ADMINISTRATION OF OATH TO SENATORS-ELECT OR DESIGNATE PRIOR TO RECEIPT OF CREDENTIALS BY THE SENATE

There have been 10 instances since 1924 when Senators elected or appointed to fill vacancies in the Senate were sworn in, by unanimous consent, prior to the receipt by the Senate of duly issued certificates of election or appointment.

In each case there was transmitted to the Vice President or the Secretary of the Senate a telegram or letter from State officials having authority to issue such certificates that the Senator-elect named had received a majority of the votes cast, and that certificates of election or appointment were being transmitted by mail to the President or Secretary of the Senate.

The case most directly in line with the present Wisconsin situation seems to be that of Senator Willis Smith, who was elected Senator from North Carolina on November 7, 1950, to fill the vacancy in the term expiring January 3, 1955.

The Congress on September 23, 1950, adjourned until November 27, of that year. On the opening day of the adjourned session, namely, November 27, 1950, Mr. Hoey, of North Carolina, presented a letter from the executive secretary of the State Board of Elections of North Carolina showing that Mr. Smith had received a majority of the votes cast for Senator, but that the State board of elections would not meet until the next day and therefore the certificate of election had not been officially issued. He further stated there was no controversy about the matter.

By unanimous consent, the oath was then administered to Mr. Smith. See attached excerpt from the Congressional Record.

(Note.—Of the 10 Senators referred to, 5 were Republicans, and 5 were Democrats.)

Mr. JOHNSON of Texas. The memorandum reads, in part:

> There have been 10 instances since 1924 when Senators elected or appointed to fill vacancies in the Senate were sworn in, by unanimous consent, prior to the receipt by the Senate of duly issued certificates of election or appointment.

As soon as I received this memorandum and the telegram from the Secretary, a copy of which was sent to Hon. Richard M. Nixon, President of the United States Senate, I conferred with my colleague, the distinguished minority leader [Mr. Knowland] and asked him to give consideration to the possibility of swearing in the Senator-elect upon his arrival in Washington this evening. My colleague, the minority leader, in his usual courteous manner, agreed to consider the matter, and stated that he would review the precedents.

After reviewing them, he informed me that he thought it desirable that the Senate have on file a communication from the Governor of the State.

The statement made to the press by the Governor, which is in my possession, reads:

> We are not going to stand on technicalities. We want Wisconsin to have representation in the United States Senate as soon as possible.

In view of that statement, I urged the minority leader to contact the Governor by telephone, which he was unable to do until about 6:30. I understand from the minority leader that he had a conversation with the Governor by telephone. The Governor was not in his office, but the Governor informed him that he would dispatch a telegram, as requested, and that the telegram would be available early tomorrow.

Therefore, I should like to announce that, although we had hoped, expected, and believed, in line with the precedents, that it would be possible to have the oath administered to our colleague this evening, in view of the fact that it was not convenient or possible for the Governor to send the telegram, and we have not received the telegram, it will not be possible to administer the oath this evening.

It is expected that, upon receipt of the telegram tomorrow morning, the proceedings of the Senate will be interrupted at that point. I should like to inform the press and the friends of the Senator-elect that, when we receive the telegram, we shall ask that the Senate proceed to administer the oath to the Senator-elect.

Mr. KNOWLAND. Mr. President, will the Senator yield to me under the same conditions under which he secured the floor from the distinguished Senator from South Carolina?

Mr. JOHNSON of Texas. I yield.

Mr. KNOWLAND. The distinguished majority leader has made a factual statement of the situation, in which I concur, with this additional observation.

Normally, the procedure in the Senate is for a Senator-elect or a Senator-designate to present himself to take the oath of office, at the same time presenting a certificate duly made out and attested. Normally, such certificate is signed by the governor and attested by the secretary of state. That is the procedure which I believe applies to 90 percent of the cases of Senators sworn in, or perhaps even a far larger percentage. That is the proper and orderly procedure as we normally know it.

It is true, as the majority leader has pointed out, that there have been exceptions to that general rule.

Mr. JOHNSON of Texas. If the Senator will permit an interruption, I should like to point out that there have been 10 such instances in recent years, in which, by consent of all Members of the Senate—and there is no dispute that consent is required—the oath of office was administered previous to the receipt of the certificate by the Senate. The only point I wish to make is that consent is not given.

Mr. KNOWLAND. That is correct; but I also wish the Record to be clear, because I think it is an important matter in this body, where precedents are important. So far as I know, with the exception of the single precedent of the North Carolina case, in which the late distinguished Senator Hoey presented his colleague-designate, Senator Willis Smith, the other cases generally followed this pattern: the certificate of election or appointment had been duly made by the governor in the home State, and had been attested to by the secretary of state, and was in the mail.

However, because of the delays in the mail and the passage of time, the governor or the secretary of state—and I have the precedents before me—had sent a telegram stating that the certificate was in order, that it was in the mail, on the way to the Senate, and that the governor or the secretary of state was notifying the Senate to that effect. Under those circumstances, the oath has been administered.

In the case in North Carolina, in which a particular precedent was set, the late Senator from North Carolina rose in the Senate. He had previously filed a certificate of some kind—I have not seen the exact document—in which it was stated that, on the very next day, the official canvassing board would complete the official canvass of the vote, and would mail the official certificate to the Senate. Because of the circumstances existing at that time it was felt highly desirable for the oath to be administered to the Senator-elect, Mr. Smith. There was no contest in that case, just as there is none in this case. In view of the fact that on the next day the official canvass would take place, the Senate accepted the telegram and the statement of the Senator from North Carolina.

This case is slightly different, inasmuch as, as I understand, the official canvass would normally not take place for perhaps a week or 10 days. I do not wish to state that as an absolute fact, but it is my understanding that it is not a case in which the canvassing board would make the official canvass tomorrow. Normally, it would not be made for a week or 10 days.

Under those circumstances, I thought the Senate, for its own protection, in addition to having the telegram from 2 of the 3 members of the canvassing board saying that, on the face of the unofficial returns, Mr. Proxmire had been elected—and I know of no one who disputes that fact—we should have a telegram from the Governor of the State.

The same procedure should apply whether the governor be a Republican or a Democrat. He is the highest responsible official in the State. We should have a communication from him stating to us that the canvassing board had furnished him the necessary information, and that as soon as the official canvass was completed, the necessary certificates would be forwarded to the Senate.

I felt that the distinguished Senator-elect from Wisconsin, Mr. Proxmire, would not in any way lose any of his rights. It is not as though we were about to adjourn sine die and that an inequity might be experienced by him because he had not taken his oath of office. I informed the distinguished majority leader that that was my feeling in the matter.

I had communicated with the Governor of Wisconsin. I was informed that he was not in Madison but was en route from Madison to Milwaukee. I did get in touch with him, but not until approximately 6 o'clock. As the Senator from Texas has said, the Governor told me that as soon as he returned to Madison—he would be in his office first thing in the morning—he would send a telegram to the Secretary of the Senate, Mr. Felton Johnston, to that general effect. Under all the circumstances, I thought the Senate would be better protected by having a telegram from the Governor, and I said that I would take that position whether the Senator-designate was a Republican or a Democrat.

Mr. JOHNSON of Texas. I am not criticizing the conduct of the minority leader. I should like to suggest only that if he talked to the Governor of Wisconsin at 6 o'clock and the Governor felt at 6 o'clock as he felt at 4 o'clock, that he wanted Wisconsin to have full representation in the United States Senate as soon as possible—and I assume that Western Union is still operating—that in 4½ hours a telegram could have been received from the Governor of Wisconsin. It is not a matter of great moment. We are prepared to wait for a telegram, and the Senator-elect is prepared to wait for it even though it is a little disappointing. The only announcement I would like to make is that when the Governor desires to send the telegram, and follow through on the announcement he made earlier in the day, the Senator-elect is ready and willing to take his oath of office.

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

Mr. JOHNSON of Texas. I yield.

Mr. KNOWLAND. I ask unanimous consent to have printed at this point in the Record the other cases which have been referred to heretofore, the predominant number of which are cases in which the certificate had been signed and attested to and were merely being delayed in being forwarded.

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

CREDENTIALS—INSTANCES OF OATH ADMINISTERED TO SENATORS PRIOR TO RECEIPT OF CREDENTIALS

RICE W. MEANS, OF COLORADO

On December 1, 1924, the President pro tempore (Albert B. Cummins, of Iowa) laid before the Senate a telegram from the State canvassing board of Denver, Colo., stating it had convened on that day and canvassed the votes cast at the general election held November 4 for United States Senator to fill the vacancy caused by the death of Senator Nicholson, and that a certificate of election had been issued to Rice W. Means, who received the highest number of votes for the office.

No objection was made to the administration of the oath to Mr. Means. (Senate Journal, 68th Cong., 2d sess., p. 4.)

BENNETT C. CLARK, OF MISSOURI

On February 3, 1933, the President pro tempore (George H. Moses, of New Hampshire) laid before the Senate a telegram from the Governor of Missouri, stating that on that day he had appointed Hon. Bennett C. Clark to fill the vacancy caused by the resignation of Hon. Harry B. Hawes, and that a certificate of appointment had been mailed to Mr. Clark.

Mr. Robinson, of Arkansas (the minority leader), said: "Mr. President, Mr. Clark is present and ready to take the oath of office. I ask unanimous consent that he be permitted to take the oath."

No objection was made, and Mr. Clark thereupon took the oath. (Congressional Record, vol. 76, pt. 3, p. 3237.)

CARL A. HATCH, OF NEW MEXICO

On January 3, 1935, the Vice President (John N. Garner, of Texas) laid before the Senate a telegram from the Governor of New Mexico, dated January 2, 1935, and attested by the secretary of state, as follows:

"The President of the Senate of the United States:

"This is to certify that on the 6th day of November 1934, Carl A. Hatch was duly chosen by the qualified electors of the State of New Mexico a Senator from said State to fill the vacancy in the term ending January 3, 1937, caused by the resignation of Sam G. Bratton.

"Done at the executive office this the 2d day of January 1935.

"Witness my hand and the great seal of the State of New Mexico.

"Certificate follows by airmail."

Mr. Hatch took the oath of office. (Congressional Record, vol. 79, pt. 1, p. 4.)

WARREN R. AUSTIN, OF VERMONT

On January 3, 1935, during the presentation of credentials of Senators elected on November 6, 1934, Mr. McNary, of Oregon, said:

"Mr. President, under the statute of the State of Vermont, the canvassing board cannot convene until the 9th of January, as authorized by the legislature. In lieu of the usual credentials, therefore, I offer a certificate of the Secretary of State and the Governor of the State of Vermont showing the election, precinct by precinct and poll by poll, of Warren R. Austin as Senator from the State of Vermont. When the certificate shall be issued and received, I will offer it for filing in the Senate."

Mr. Robinson, of Arkansas, the majority leader, said: "Mr. President, I understand there are a number of precedents for the request of the Senator from Oregon, and also that no question has arisen or has been suggested to the Senate as to the election of the Senator from Vermont. I therefore make no objection."

The oath was administered to Mr. Austin. (Congressional Record, vol. 79, pt. 1, p. 7.)

The formal certificate of election was received on January 15 (p. 432).

MON C. WALLGREN, OF WASHINGTON

On December 19, 1940, Mr. Barkley, of Kentucky, presented a telegram from Senator Lewis B. Schwellenbach, of Washington, dated December 16, 1940, stating that he was that day submitting his resignation as Senator to the Governor of Washington, effective at 12 o'clock noon on that day.

Mr. Barkley then presented a telegram from the Governor of Washington, dated December 18, 1940, stating that he had that day appointed Mon C. Wallgren to fill the unexpired term caused by Senator Schwellenbach's resignation, and that certificate of appointment was being sent that day by airmail.

Mr. Barkley asked unanimous consent that Mr. Wallgren be permitted to take the oath of office, and no objection was made. (Senate Journal, 76th Cong., 3d sess., p. 801.)

JAMES OLIVER EASTLAND, OF MISSISSIPPI

On June 30, 1941, Mr. Bilbo, of Mississippi, presented a telegram from the Governor of that State, dated June 30, 1941, addressed to the Secretary of the Senate, stating that he had that day commissioned James Oliver Eastland United States Senator to succeed the late Senator Pat Harrison, and that the commission had been sent by airmail to the President of the Senate.

Mr. Bilbo asked unanimous consent that Mr. Eastland be permitted to take the oath of office, and no objection was made. (Congressional Record, vol. 87, pt. 5, p. 5745.)

ARTHUR E. NELSON, OF MINNESOTA

On November 18, 1942, Mr. McNary, by unanimous consent, presented a telegram from the secretary of state of Minnesota, as follows:

St. Paul, Minn.,
November 18, 1942.

Colonel Halsey,
Secretary of the Senate, Capitol,
Washington, D. C.:

Minnesota Canvassing Board yesterday declared Arthur E. Nelson duly elected United States Senator, short term, November 3 to January 3. Certificate to that effect special delivery airmail mailed yesterday.

Mike Holm,
Secretary of State.

The Vice President (Henry A. Wallace) said: "Is there objection to the Senator-elect from Minnesota taking the oath on the basis of the telegram just read?"

There was no objection, and the oath was administered to Mr. Nelson. (Congressional Record, vol. 88, pt. 7, p. 8923.)

ADMINISTRATION OF OATH TO SENATOR-ELECT WILLIS SMITH, OF NORTH CAROLINA, PRIOR TO RECEIPT OF CREDENTIALS

Hon. Willis Smith was elected at the general election on November 7, 1950, to fill out the unexpired term of Senator Broughton, deceased, expiring January 2, 1955. The canvassing board of the State, however, had not met when the Senate reconvened on November 27, but was to meet on the 28th. When the Senate opened, Senator Hoey, of North Carolina, made the following statement and request:

"Mr. President, I have presented to the Secretary of the Senate a certified statement with reference to the election of Willis Smith as United States Senator from North Carolina. The State board of elections does not meet until tomorrow, and the certificate of election has not been officially issued. There is no controversy, and the certificate will be issued tomorrow. I ask unanimous consent that I may be permitted to file the statement today and the official certification tomorrow, and that the Senator-elect, who is present, may be permitted to take the oath of office."

Senator Wherry, of Nebraska, and Senator Lucas, of Illinois, having stated there was no objection on their part, the oath of office was administered to Mr. Smith by the Vice President. (CONGRESSIONAL RECORD, vol. 96, pt. 12, p. 15772.)

ADMINISTRATION OF OATH TO SENATOR-ELECT DWORSHAK, OF IDAHO, PRIOR TO RECEIPT OF CERTIFICATE OF ELECTION

On November 28, 1950, the following proceedings occurred with reference to the administration of the oath to Hon. HENRY DWORSHAK as Senator-elect from the State of Idaho for the unexpired term ending January 2, 1951:

"Mr. WHERRY. I ask the Senator [Mr. O'MAHONEY] to yield for a matter of personal privilege, that is, for the administration of the oath of office to Hon. HENRY C. DWORSHAK as a Senator from the State of Idaho. I have a telegram in my hand from the Governor of the State of Idaho certifying to his election. The telegram reads as follows:

"BOISE, IDAHO, *November 27, 1950*.

"Hon. LESLIE L. BIFFLE,

"*Secretary, United States Senate:*

"Idaho official canvass complete show HENRY C. DWORSHAK elected to United States Senate for unexpired term ending January 2, 1955. Certificate in mail.

"C. A. ROBINS,
"*Governor, State of Idaho*.

"While the official document has not yet been received, yet the Senate gave unanimous consent yesterday to the swearing in of Senator-elect Smith of North Carolina, under the same conditions and, if there is no objection, I should like very much to have the Senator from Idaho sworn in.

"The VICE PRESIDENT. Does the Senator from Wyoming yield for that purpose?

"Mr. O'MAHONEY. I yield.

"The VICE PRESIDENT. If the Senator-elect will come forward, the Chair will administer the oath of office to him.

"Mr. DWORSHAK, escorted by Mr. Wherry, advanced to the desk, and the oath prescribed by law was administered to him by the Vice President." (CONGRESSIONAL RECORD, vol. 96, pt. 12, p. 15919.)

ADMINISTRATION OF OATH PRIOR TO RECEIPT OF CREDENTIALS—RICHARD M. NIXON, OF CALIFORNIA

On December 4, 1950, Mr. KNOWLAND (California) presented a telegram from the Governor of California, stating that on December 1 he had appointed RICHARD M. NIXON a Senator to fill the vacancy created by the resignation of Mr. Downey on November 30, and that on that day he had mailed a certificate of appointment to Mr. NIXON at Washington. The certificate not having been received, on request of Mr. KNOWLAND, the oath was administered to Mr. NIXON by the Vice President (Mr. Barkley), no objection having been made. (CONGRESSIONAL RECORD, Vol. 96, pt. 12, p. 16042.)

Mr. KNOWLAND. I quite agree that under the Constitution no State can be deprived of its representation in the Senate without its consent. I also know that the Senate should lean over backward at all times to be sure that each State has its full representation. If we were confronted with a situation in which a yea-and-nay vote was about to be had in the Senate on a vital question, we might have a different situation. I might say that such a situation would deserve different treatment. So far as I know, however, we are engaged in a prolonged discussion, which will last for several hours. Neither Wisconsin nor Mr. PROXMIRE will be deprived of any rights by Mr. PROXMIRE taking his oath of office tomorrow. I believe that the orderly procedures of the Senate and the precedents of the Senate will be better protected by having the highest official in the State, the chief executive of the State, send a telegram to the Secretary of the Senate attesting to the facts.

Mr. JOHNSON of Texas. I merely would add that the Governor of Wisconsin, who earlier in the day announced that he wanted Wisconsin to have the Senator sworn in as early as possible, has found it impossible to send a telegram to the Senate in 4½ hours. I only wish to make it clear to the friends of the Senator-elect and the press that when the Governor of Wisconsin decides to file a telegram with Western Union, we will make an attempt to have the Senator-elect sworn in. The Governor of Wisconsin made the announcement regarding the representation of Wisconsin in the Senate earlier in the day.

I have every reason to assume that he meant what he said. So far as I know, Western Union is still in business.

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

Mr. JOHNSON of Texas. In a moment I shall yield. It has been some 4½ hours since the Governor was contacted. The last time the press contacted the Governor, he said, "We want Wisconsin to have representation in the United States Senate as soon as possible."

I want the people of Wisconsin to know that it was possible for Wisconsin to have a second Senator in the Senate at about 9 o'clock, and that the only reason the oath was not administered to the second Senator was that the Governor had not sent a telegram and that the minority leader had requested that the telegram be in hand.

I cannot agree with the minority leader that we can forecast how many votes we will have tonight. He is a well-informed, as well as a well-advised man. He is also an even-tempered man. But even he was caught off base last night, as was I, by a motion, which was voted on at a late hour.

It may be that while we are waiting on a wire from Wisconsin a Senator will make a motion tonight, and it may be that Wisconsin would like to have its vote recorded. It will be unable to have its vote recorded, not because of the precedent in the Hoey case, but because we are not going to allow the oath to be administered to the Senator-elect until the Governor of the State, who wants full representation of the State in the Senate, sends a telegram. I assume the Governor of Wisconsin left the impression with the Senator from California that he wanted the Senator-elect to take the oath. Is that correct?

Mr. KNOWLAND. The Governor made it perfectly clear that he was going to send the telegram when he got back to his office in Madison in the morning. He asked the minority leader if that would be satisfactory to him, and the minority leader informed him that in his judgment it would be.

Mr. JOHNSON of Texas. It is satisfactory to the minority leader, and I am sure it is satisfactory to the Governor. I should like to point out that it is quite disappointing to a man who has received a vote of confidence from his people and who has come here, in the expectation the oath would be administered to him this evening. I am sorry it is necessary to have the swearing in go over until tomorrow, but apparently that is all that can be done. I hope that at the earliest time in the morning when Western Union opens for business, and when the Governor decides that he can confirm what he said to the press, a telegram may be forthcoming.

Mr. KNOWLAND. Mr. President, I am frankly surprised a little——

Mr. JOHNSON of Texas. I ask the Senator to wait a moment. The Senator from Tennessee [Mr. KEFAUVER] has been on his feet. I first yield to him.

Mr. KEFAUVER. I know that quite a number of people came from Wisconsin with the Senator-elect and that many of his friends are very eager to be here at the time the Senator-elect takes the oath. Does the minority leader have any indication when the Governor will send the telegram, or when the minority leader will recognize the fact that Mr. PROXMIRE has been elected in Wisconsin?

Mr. JOHNSON of Texas. I believe the minority leader recognizes that fact already. I believe the minority leader wants to be cooperative. I think it is the minority leader's expectation that the Senator-elect will be sworn in by noon tomorrow. That is in accordance with the conversation he had with me earlier. If that is not correct, I will be glad to have him correct it. I yield to the minority leader for that purpose.

Mr. KNOWLAND. I will say to the majority leader that we expect to have a telegram in the morning, and I see no reason why the oath could not be administered around noon tomorrow, or whenever the telegram is received.

If the Senator will extend the courtesy of yielding to me further, I should like to say that I am a little surprised at the Senator's statement. I do not believe any criticism is due the Governor of Wisconsin. I called him at 6 o'clock. I was not notified of this until about 4 o'clock this afternoon, or perhaps a little later, and I immediately tried to reach the Governor at Madison. He had left the capital for Milwaukee. I finally did reach him, and I explained the situation to him. I thought that under the procedures of the Senate and under the precedents I had read, the Senate of the United States, as an institution, was entitled to have from the highest executive officer of the State a telegram of the type I have described. I think that is good procedure.

Mr. JOHNSON of Texas. Mr. President——

Mr. KNOWLAND. The Senator had yielded to me.

Mr. JOHNSON of Texas. I had yielded to the Senator, but I should like to say at this point that I agree with the Senator that we are entitled to receive a telegram. I express the hope that the Governor will go ahead and dispatch it.

Mr. KNOWLAND. If the Governor of the State is now away from the capital, but if he is going to be in his office in the morning, I do not believe it is either fair or equitable to criticize him. If any criticism is due in this regard, it is due to the minority leader. I suggested to the Governor that I thought it would be perfectly appropriate, when he returned to his office at Madison in the morning, for him to send the telegram at that time. The people of Wisconsin themselves delayed some 4 months in filling this vacancy. There is no undue delay in this regard. I think the procedure is in keeping with the precedents of the Senate, and I do not think it has warranted any criticism of the Governor of Wisconsin. If the Governor dispatches the telegram in the morning, as I expect he will do, I believe he will not be subject to any criticism in that regard. I think the Senate of the United States, in the swearing in of a new Member of this body, who will represent, in part, one of the 48 States in the Union, is entitled to more than a news ticker slip or more than a statement by two of the three members of an official board. We do not have the unanimous decision of the board, because I understand the secretary of state was not available when the other two members met and sent the telegram which has been referred to. Under the circumstances, I think we are entitled to receive from the chief executive of the sovereign State of Wisconsin a telegram such as the one I have indicated. I hope in the future this discussion will be helpful to the Senate, and I hope, whether the vacancy is a Republican or a Democratic vacancy, and whether the vacancy is in the North, South, East, or West, that the Senate will protect its own prerogatives and will at least have from the chief executive of the State an indication that is in keeping with the laws and the general customs of the State.

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

Mr. JOHNSON of Texas. Mr. President, I should like to reply to the Senator from California.

First of all, no one is criticizing the Governor. We are merely pointing out that at 6 o'clock the Governor, pursuant to a suggestion I made a little after 4 o'clock that the Senator-elect would like to take the oath this evening, was so notified, and at 11 o'clock the Senate has not received the telegram which had been requested. That is a matter completely within his jurisdiction. I do not criticize him.

I should like to point out that the Senator-elect was elected. The Senator elect is present and ready to take the oath. The Senator from California was notified to that effect, and a special request was made that he attempt to follow the last precedent we had, and permit the Senator-elect to take the oath. He said he wanted to talk to the Governor. He did talk to him at 6 o'clock. I do not know what transpired in that telephone conversation.

I make no criticism of the minority leader or the Governor. There are many people who wanted to know when the swearing-in ceremony was going to take place. I attempted to announce to the Senate that it could not take place tonight, for the reasons given. It may very well be that the Governor was in touch with the telephone company, but was unavailable to Western Union. It may be that in his good judgment he preferred the telegram to be sent tomorrow. I do not know and I do not particularly care. I merely want the RECORD to show that we made the request, that we followed the precedents of the Senate, that we asked the consideration of the minority leader and the Governor of the State. I do not ask that the Senator-elect be administered the oath until the Governor has been heard from; but I hope he will be heard from in the morning; and if he is, when he is, I shall ask that the oath be administered.

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

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

Mr. KNOWLAND. I have tried to state the situation as clearly as I could. I have stated the reasons, which I believe to be sound. The fact of the matter is that in all the 10 precedents mentioned by the majority leader, in all of which the certificate had been signed by the Governor, had been attested to by the secretary of state, and was actually in the mail, on the way to Washington, and the Governor of the State or the secretary of state had sent a telegram—even under those conditions the only way a Senator-elect or a Senator-designate could take his oath of office would be by the unanimous consent of the 95 other Senators of this body.

I have tried to cooperate with the Senator from Texas and told him as minority leader I would do everything possible to facilitate the taking of the oath tomorrow by the Senator-elect from the State of Wisconsin.

Mr. JOHNSON of Texas. Does the Senator object to my announcing that fact?

Mr. KNOWLAND. No; I do not, but I believe the criticism of the Governor is unwarranted.

Mr. JOHNSON of Texas. I am not criticizing the Governor.

Mr. KNOWLAND. I leave that to the record. I believe the Senator has.

Mr. JOHNSON of Texas. The Senator can leave it to the record. The Governor said, "We want Wisconsin to have representation in the United States Senate as soon as possible." I submit the Senator-elect is in the Chamber, that the Governor was notified some 5 hours ago, that Western Union is still operating, and Wisconsin is still deprived of a vote in this body. Let the record speak for itself; and if there is a Senator here who can speak with cool authority when the roll is called, let him stand up.

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

Mr. JOHNSON of Texas. Yes, I yield to the Senator from Vermont.

Mr. AIKEN. I merely wanted to say there may be an explanation for this delay. I was Governor of a State for 4 years, and I do not believe that any governor would send a telegram of the type which is expected to be received from the Governor of Wisconsin until the telegram had been carefully gone over by the attorney general of the State, to make sure that the Governor had the right to send such a telegram and that it complied with the laws of the State. I think that is possibly the explanation.

Mr. JOHNSON of Texas. I am confident there are explanations. I simply want the country to be on notice that tomorrow, when the Governor of Wisconsin decides to send a telegram which says in effect what he said to the press early today, the oath will be administered. I also point out to my delightful friend from Vermont, since he is concerned with the Attorney General's opinion, that the Attorney General is one of the persons who signed the telegram attesting to the election of the Senator, and evidently he is a member of the State board of canvassers.

Mr. AIKEN. I do not know but that the Attorney General has already gone over a proposed telegram.

Mr. JOHNSON of Texas. He has. He has telegraphed the Vice President to that effect, and I hold in my hand a telegram from the State board of canvassers.

Mr. AIKEN. I would not expect a governor to send a telegram of that kind without having it scrutinized by the Attorney General, to make sure the governor had the right to send such a telegram, and that the wording was correct. I know as governor I would not do otherwise.

Mr. JOHNSON of Texas. I would not know what the Governor of Wisconsin would wish to require before he sent such a telegram. I did not have a conversation with him. I do know the Attorney General telegraphed. I do know that the Governor has stated publicly that he does not want to stand on technicalities. He wants Wisconsin to have full representation in the United States Senate as soon as possible; and I submit that if we follow the most recent precedent of the Senate in the Hoey case, the State of Wisconsin would now have full representation by two Senators. When the State has it I think will depend upon when the telegram arrives. The only purpose of the Senator from Texas was to make a simple announcement, in line with the Hoey precedent.

The Senator-elect is present, ready to take the oath; and except for the fact that the minority leader wanted a telegram from the Governor, and except for the fact that the Governor was away from his office, and except for the fact that he talked to him at 6 o'clock and he had not sent the telegram, the oath would have been administered by now. When that will come about, I do not know. I hope it will be at an early date.

I now yield to my friend from California.

Mr. KNOWLAND. Mr. President, at this point in the RECORD I ask unanimous consent that there be printed rule VI relative to the presentation of credentials, and the form of credentials which are expected of a Senator-elect or a Senator-designate of the United States.

Mr. JOHNSON of Texas. Mr. President, I have no objection to that. I do not wish to make the point that unanimous consent is required for the swearing in ceremony. We all know that it is. The point I want to make to my gracious friend from California is that unanimous consent has not been given.

The PRESIDING OFFICER. Is there objection?

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

RULE VI

PRESENTATION OF CREDENTIALS

1. The presentation of the credentials of Senators elect and other questions of privilege shall always be in order, except during the reading and correction of the Journal, while a question of order or a motion to adjourn is pending, or while the Senate is dividing; and all questions and motions arising or made upon the presentation of such credentials shall be proceeded with until disposed of.

2. The Secretary shall keep a record of the certificates of election of Senators by entering in a well-bound book kept for that purpose the date of the election, the name of the person elected and the vote given at the election, the date of the certificate, the name of the governor and the secretary of state signing and countersigning the same, and the State from which such Senator is elected.

On January 4, 1934, the Senate agreed to the following:

Resolved, That, in the opinion of the Senate, the following are convenient and sufficient forms of certificate of election of a Senator or the appointment of a Senator to be signed by the executive of any State in pursuance of the Constitution and the statutes of the United States:

"CERTIFICATE OF ELECTION

"To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

"This is to certify that on the — day of ———, 19———, A ——— B ——— was duly chosen by the qualified electors of the State of ——— a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January, 19———.

"Witness: His excellency our governor ———, and our seal hereto affixed at ——— this — day of ———, in the year of our Lord 19———.

"By the governor:

"C——— D———,
"Governor.

"E——— F———,
"Secretary of State."

"CERTIFICATE OF APPOINTMENT

'To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

"This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of ———, I, A——— B———, the governor of said State, do hereby appoint C——— D——— a Senator from said State to represent said State in the Senate of the United States until the vacancy therein, caused by the ——— of E——— F———, is filled by election as provided by law.

"Witness: His excellency our governor ———, and our seal hereto affixed at ——— this ——— day of ———, in the year of our Lord 19———.

"By the governor:

"G——— H———,
"Governor.

"I——— J———,
"Secretary of State."

Resolved, That the Secretary of the Senate shall send copies of these suggested forms and these resolutions to the executive and secretary of each State wherein an election is about to take place or an appointment is to be made in season that they may use such forms if they see fit. (Senate Journal 17, 73-2, January 4, 1934.)

Mr. KEFAUVER. Mr. President, will the Senator from Texas yield to me?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Tennessee?

Mr. JOHNSON of Texas. I yield.

Mr. KEFAUVER. Of course, it is customary for the senior Senator from the State in question to escort a Senator-elect to the desk, to take the oath of office.

When the Senator-elect arrived, I saw the senior Senator from Wisconsin [Mr. WILEY] ready to escort him to the desk. Is there any question in that connection?

Mr. JOHNSON of Texas. There is not the slightest question, so far as I know.

The only observation I should like to make is that many questions were raised about when the Senator-elect would be sworn in. I attempted to announce that the Senator-elect was present and was willing to be sworn in whenever unanimous consent could be obtained. The obtaining of unanimous consent was dependent upon the request made of the Governor at 6 p. m. We thought the telegram from him would be obtained immediately, because of the announcement the Governor had made at 4 o'clock. However, that telegram has not been forthcoming.

Therefore, I should like to have the Senate be on notice and the Senator-elect be on notice and his friends be on notice that when the telegram arrives, the Senate will proceed to have the oath of office administered, if unanimous consent is then given.

We realize that unanimous consent is required, and that any one Senator can then object.

Therefore, I am not now making a unanimous-consent request, because I have been informed by the minority leader that unless and until the Governor sends the telegram, unanimous consent will not be given. I have also been informed that the telegram will be here before noon, tomorrow.

The Senator-elect and his friends may be on notice that when the telegram arrives, we shall take judicial notice of it, and shall proceed to ask that the oath be administered.

Mr. President, I thank my friend, the Senator from South Carolina [Mr. THURMOND], for his courtesy. I trust that he appreciates the situation which prompted our unusual request of him.

Mr. THURMOND. Mr. President, I have been very glad to yield.

AUTHORIZATION FOR SUBCOMMITTEE ON DISARMAMENT TO SUBMIT A REPORT SUBSEQUENT TO SINE DIE ADJOURNMENT

Mr. HUMPHREY. Mr. President, I ask unanimous consent to submit a report of the Subcommittee on Disarmament following the adjournment of the Congress.

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

PERSONNEL POLICIES IN THE DEPARTMENT OF DEFENSE

During the delivery of Mr. THURMOND's speech,

Mr. GOLDWATER. Mr. President, the most serious threat to the potential of the United States to defend itself through the strategy of retaliation, or even the strategy of long defense, is the constant drain on our trained manpower. I have discussed this problem with hundreds of enlisted men and officers during my annual tours of duty with the Air Force and during the many visits I make to posts in the course of a year. I find, almost universally, that men do not want to leave the service, but they are forced to do it for economic reasons. In my opinion, the Cordiner report is the solution to this problem, inasmuch as it is based upon the recognition of skill and ability, instead of longevity or rank. Incentive has been the driving force in the American economy. It should likewise be the driving force in the professional Army—in the Navy, Marines, and Air Force.

Hearings on S. 2014 have been started.

This urgent need to retain the right kind of personnel in our Armed Forces is the most pressing issue in the entire realm of national defense. The chiefs of the uniformed services and the Chairman of the Joint Chiefs of Staff, as well, have stated this to be true. They recognize the problem as the one most basic to providing in the most economical and sensible way the kind of efficient defense we must have. No other single problem reaches in magnitude the gravity of this problem of manning our Armed Forces with the caliber of leaders and technicians so necessary for the protection of our country.

These hearings and the testimony given in them will do more than anything has yet done to arouse the people to the want for new and realistic personnel policies within the Department of Defense. The people of this country must be given the means to understand the problems confronting a serviceman, to know those things which weigh against his decision to stay in the service. Once they know, they will rush to support measures aimed at alleviating the plight in which the serviceman now finds himself.

To adequate housing, limited fringe benefits, inequitable pay, and a general lack of professionalism and organizational esprit de corps are working against our service members. Improved housing, readjusted pay scales and the inauguration of remedial personnel policies will cause the esprit to rise and the high rate of personnel turnover to taper off. Not only will efficiency improve but many billions of dollars will be saved.

I am appalled at the recent statistics published on the resignations among the graduates of West Point and Annapolis. These are the men in whom we have invested large sums of money for training. Yet they are resigning—leaving the services in large numbers. Just recently the newspapers carried the story of West Point's class of 1954. Exactly 3 years after their graduation, and on the first instance of their becoming eligible, about 10 percent of the graduates of that class submitted their resignation. Undoubtedly, others of the class will follow. Why are they leaving the service, and why is the investment of more than $2 million spent in training these 48 young officers being lost? The answer is simple. The beckoning of much higher pay and the greater opportunities for advancement in civilian employment is only part of the answer. The shedding of many worries over such things as housing and the indifference of the public to their profession is the other side of why these high potential young men are stepping out of uniform.

Not only the class of 1954 from West Point, but men of many classes from both of the service academies are resigning in significant numbers. One of the most dramatic cases is that of Navy Capt. Chester W. Nimitz, Jr., son of the fighting admiral, who recently resigned. His pay, he claimed, and rightfully so, had not kept pace with living costs. When the services lose officers with such distinguished records and with the potential for high command as possessed by Captain Nimitz they are suffering losses for which they can never be compensated.

Businessmen in all corners of commerce and industry recognize the logic and practicality of the proposals contained in the Cordiner committee report on which S. 2014 is based. The bill calls for the acceptance and implementation of these proposals into legislation. Passage of the bill will improve the combat effectiveness of our Armed Forces while, at the same time, saving up to $5 billion annually in national defense expenditures.

I predict that we will follow the lead of the Government of Canada which recently adopted measures similar to those contained in S. 2014, especially with respect to the adjustment of pay as an incentive to the members of the armed services. An aroused public and the expression of public opinion, I feel certain, will follow the hearings and indicate the public demand for a solution to the personnel retention problem in the Department of Defense.

Mr. President, I ask unanimous consent that an article entitled "New Worry for Military—Young Officers Leaving," published in the August 30 issue of the U. S. News & World Report, be printed in the Record as a part of my remarks.

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

New Worry for Military—Young Officers Leaving

(Best trained career officers are now quitting the military in droves. In some cases, rate is highest since World War I. Worried chiefs of Army, Navy, Air Force are all trying new policies to combat the trend, hope for a real pay boost to help.)

Armed services of the United States, already faced with deep cutbacks in total manpower, now find that they are losing the cream of their officer corps—career military leaders educated at West Point and Annapolis—in near-record numbers.

Resignations, made or threatened by career officers, are starting to cause real alarm in all three services at a time when Congress is opening hearings on military incentive pay. Latest reports show this:

The Army, on the basis of resignations in recent weeks, now expects to lose more than one-fourth of its officers from the 1954 class of the United States Military Academy. This is the highest rate of resignation for a West Point class since World War I. West Pointers are committed to serve for 3 years, so this is the most recent class of graduates to show resignations.

The Air Force, concerned, polled its own career officers, who come from both West Point and Annapolis. Of these, 21 percent are now undecided about staying in uniform, while 4.1 percent definitely plan to get out. This could mean a 25-percent loss of career Air Force officers in the period just ahead.

Navy career officers, too, are starting to resign at a faster clip, with 200 resignations in the first half of 1957 and many more expected in the second half. The Annapolis class of 1950, committed to serve 4 years of active duty, has seen 29 percent of its members leave the Navy or Marine Corps.

REASONS FOR RESIGNING

What's behind these increasing resignations by officers who had planned to make the military service a career? To help find out, the Army ordered its generals to interview all career officers who resign.

Prosperity, with the opportunities now offered in civilian life, is given as the principal reason in nearly half of those interviews. The biggest group of officers resigning—24.7 percent—simply quit to take better jobs in private industry. Some—10.3 percent—planned to get more schooling in preparation for civilian careers. A few—5.9 percent—had no specific job in mind, but wanted more money than a military career offered. The rest of this group—3.6 percent—gave as their reason the slowness of promotion in the armed services.

Family situations account for about a quarter of the current resignations, the Army interviews discovered. Lack of stability for the officer's family was given as the chief reason for resigning in 9.2 percent of the cases, personal family problems in 7.2 percent, family finances in 3.5 percent, prolonged separations from the family in 3.3 percent, substandard housing, 2.2 percent, too many moves, 2.1 percent.

Of the other resignations, 8.6 percent were said to stem from a lack of adjustment to military life.

WHAT TO DO?

To combat the increase in resignations caused by such factors, the services are trying many things.

Steps already have been taken, for example, to provide longer assignments for career officers in order to require fewer moves. New legislation is being pushed to improve the quality of family housing on military posts. Medical and dental care for officers' families has been broadened. An outstanding officer promotion program is being tried, to step up advancement for some. Opportunities are being provided for officers to go to school at Government expense.

LURE OF HIGH PAY

But, to combat the lure of higher pay in civilian life, the services are able to do little except press for adoption of the incentive-pay plan proposed by the Cordiner committee, appointed by the President to study the problem of turnover in the Armed Forces.

How serious is the loss of these Academy-trained career officers? In testimony to Congress last week, Ralph Cordiner observed: "When [the graduates] depart, the Armed Forces suffer a loss in continuity, loyalty, and professional leadership that is never quite made up."

Mr. GOLDWATER. Mr. President, I wish to thank the distinguished Senator from South Carolina for yielding to me on a matter in which he has a great interest because of his long connection with the Reserve and Regular military forces of our country.

Mr. THURMOND. It was a pleasure to yield to the able Senator from Arizona, who is one of the great patriots of this country, who has a vital interest in national defense, and who made such an outstanding record in World War II.

Mr. GOLDWATER. I thank the Senator.

ADDITIONAL RECORD MATTERS

By Mr. HOLLAND:

Article entitled "The House Versus the Senate," written by Representative Eugene J. McCarthy, and published in the New York Herald Tribune of recent date.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 28, 1957, he presented to the President of the United States the following enrolled bills:

S. 1153. An act for the relief of Zdenka Sneler;

S. 1167. An act for the relief of John Nicholas Christodoulias;

S. 1175. An act for the relief of Helene Cordery Hall;

S. 1241. An act for the relief of Edward Martin Hinsberger;

S. 1290. An act for the relief of Lee-Ana Roberts;

S. 1293. An act for the relief of Elthaniahu (Eton) Yellin;

S. 1306. An act for the relief of Pao-Wei Yung;

S. 1307. An act for the relief of Toribia Basterrechea (Arrola);

S. 1308. An act for the relief of Carmen Jeanne Launois Johnson;

S. 1335. An act for the relief of Sandra Ann Scott;

S.1370. An act for the relief of Wanda Wawrzyczek;

S. 1387. An act for the relief of Rebecca Jean Lundy (Helen Choy);

S. 1421. An act for the relief of Ansis Luiz Darzins;

S. 1482. An act to amend certain provisions of the Columbia Basin Project Act, and for other purposes;

S. 1496. An act for the relief of Nicoleta P. Pantelakis;

S. 1685. An act for the relief of Sic Gun Chau (Tse) and Hing Man Chau;

S. 1736. An act for the relief of Rosa Sigl;

S. 1767. An act for the relief of Eileen Sheila Dhanda;

S. 1783. An act for the relief of Randolph Stephan Walker;

S. 1804. An act for the relief of Marjeta Winkle Brown;

S. 1815. An act for the relief of Nicholas Dilles;

S. 1817. An act for the relief of John Panagiotou;

S. 1838. An act for the relief of Charles Douglas;

S. 1848. An act for the relief of Michelle Patricia Hill (Patricia Adachi);

S. 1896. An act for the relief of Maria West;

S. 1902. An act for the relief of Belia Rodriguez Ternoir;

S. 1910. An act for the relief of Salvatore Salerno;

S. 1962. An act to authorize the Secretary of Agriculture to convey a certain tract of land owned by the United States to the Perkins Chapel Methodist Church, Bowie, Md.;

S. 2003. An act for the relief of Jozice Matana Koulis and Davorko Matana Koulis;

S. 2063. An act for the relief of Guy H. Davant;

S. 2095. An act for the relief of Vaclav Uhlik, Marta Uhlik, Vaclav Uhlik, Jr., and Eva Uhlik;

S. 2165. An act for the relief of Gertrud Mezger;

S. 2229. An act to provide for Government guaranty of private loans to certain air carriers for purchase of modern aircraft and equipment, to foster the development and use of modern transport by such carriers, and for other purposes;

S. 2434. An act to amend the act entitled "An act to provide books for the adult blind";

S. 2438. An act to amend the District of Columbia Business Corporation Act;

S. 2460. An act to authorize the transfer of certain housing projects to the city of Decatur, Ill., or to the Decatur Housing Authority; and

S. 2603. An act to amend the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 3, 1896.

THE CORDINER REPORT

During the delivery of Mr. THURMOND's speech,

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

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Arizona?

Mr. THURMOND. I yield for a question.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the distinguished Senator from South Carolina may yield to the junior Senator from Arizona for the purpose of making a few remarks relative to the Cordiner report and S. 2104.

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

Mr. THURMOND. Not if unanimous consent is obtained and it is not construed that I am speaking more than one time while making this address. If that is the case, I shall be pleased to yield to my distinguished colleague, the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I include that in my unanimous-consent request.

The PRESIDING OFFICER. It is the understanding of the Chair that the Senator from South Carolina does not wish to lose his right to the floor.

Mr. THURMOND. That is correct.

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

Mr. MANSFIELD. Mr. President——

The PRESIDING OFFICER. The Senator from Montana.

Mr. MANSFIELD. May I ask, what is the request?

The PRESIDING OFFICER. The request of the Senator from Arizona is that he be permitted to make some remarks without the Senator from South Carolina losing the floor.

There being no objection, it is so ordered.

Mr. GOLDWATER. Mr. President, I further ask unanimous consent that the remarks I make may appear elsewhere in the RECORD than in the remarks of the distinguished Senator from South Carolina.

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

Mr. GOLDWATER. Mr. President, on yesterday—just a few hours ago—I addressed myself to S. 2104. I desire to address myself to the same measure again today in a little more lengthy fashion, because this session is drawing to a close, and I want the record to be complete on this matter before the session resumes in January.

I say that because I want my colleagues to have available to them some studies which have been made by members of my staff, which I inserted in the RECORD earlier, but which I feel have not been fully read or understood by Members of the Senate.

Mr. President, Congress, in 1926, enacted legislation designed to provide more effectively for the national defense by increasing the efficiency of the Air Corps of the United States Army. The bill, among many other things, elevated the military air arm of the Army from the status of a service to that of a corps. In addition, the legislation recognized that the newly established Air Corps needed highly qualified personnel to maintain its complicated equipment.

This latter matter had received considerable attention by a special aircraft committee of the House of Representatives and the President's Aircraft Board, known respectively as the Lampert committee and the Morrow Board. Both of these committees, and particularly the Lampert committee, recommended:

> That additional compensation necessary to secure an adequate number of competent mechanics to maintain aircraft in efficient operation, be provided; that such mechanics should be relieved of routine military duty.

Under the existing law, enlisted personnel in the Army were classified in seven pay grades from $21 to $126 a month. In addition to these basic pay rates, Congress, by act of June 3, 1916, as amended by act of June 4, 1920, established a system of bonus pay for certain specialists ranging from $3 to $30 a month.

It was brought out in the hearings of 1926 that these bonuses were not sufficient to attract and retain required Air Corps skills in view of the fact that:

> In the automobile industry the average monthly wage of those who do the same kind of work is $150.22 a month. In the airmail service the average wage is $154.04.

Based upon the justification presented by the Air Corps, the act of July 2, 1926 (Public Law 446) provided:

> Enlisted men of the fourth, fifth, sixth, and seventh grades in the Air Corps who have demonstrated their fitness and shown that they possess the necessary technical qualifications therefore and are engaged upon the duties pertaining thereto may be rated as air mechanics, first class, or air mechanics, second class, under such regulations as the Secretary of War may prescribe. Each enlisted man while holding the rating of air mechanic, first class, and performing the duties as such shall receive the pay of the second grade, and each enlisted man while holding the rating of air mechanic, second class, and performing the duties as such shall receive the pay of the third grade: *Provided*, That such number as the Secretary of War may determine as necessary, not to exceed 14 percent of the total authorized enlisted strength of the Air Corps, shall be rated as air mechanics, first class, or air mechanics, second class.

Taking the then existing pay rates, any man in the fourth, fifth, sixth, or seventh pay grades who held the rating of air mechanic, first class, would be entitled to receive the pay of a second-grade airman, or $84. Any man in these grades classed as an air mechanic, second class, would receive the pay of an enlisted man of the third grade, which at that time was $72.

It should be noted that the Secretary of War determined the number of ratings that were needed but he was limited by law to restrict the number of ratings not to exceed 14 percent of the authorized strength of the Air Force. For example, the act of July 2, 1926, which laid down a 5-year program of expansion of the Army Air Corps, both as to equipment and personnel, established a force of 1,800 planes, 1,650 officers, and 15,000 enlisted personnel in the Air Corps. Actually, however, as of June 1928 the Air Corps had 9,493 enlisted men of which 305 were rated as air mechanics, first class, and 577 were rated as air mechanics, second class. On June 30, 1930, the Air Corps had 12,034 enlisted personnel, of which 616 were rated as air mechanics, first class, and 882 were rated as air mechanics, second class. In 1941—the last year that this system of classification was used—the enlisted strength of the Air Corps totaled 133,775, of which 3,713 were rated as first class air mechanics and 4,753 were rated as second class air mechanics.

In the hearings of 1941 before the Senate subcommittee of the Committee on Military Affairs, which preceded the enactment of the Pay Readjustment Act of 1942, an Interwar, Navy, Treasury, and Commerce Departments Committee, reporting on the specialist rating system, stated:

> Theoretically the system is good, but as a matter of practical application, it is not satisfactory. Modern equipment, its maintenance, repair, and operation requires that many of these specialists exercise command incident to the supervision as well as the instruction of others. Many of the duties for which specialists' ratings were designed require highly intelligent and able men who are either not to be found in the lower grades or who should not be kept there. It is recommended that specialist ratings be paid on the basis of grades rather than trades. If this is done grades would be used in lieu thereof by the Army and Marine Corps as it now done in the Navy and Coast Guard.

It was brought out in the hearings that the Air Corps was abolishing these specialist ratings "as fast as they—the Air Corps—can reprint the Tables of Organization." Therefore, under the Pay Readjustment Act of 1942—Public Law 607, 77th Congress—specialists' pay ratings were abolished and the monthly base pay of enlisted personnel ranging from $50 tc $138 was established.

ORDER FOR ADJOURNMENT TO 10 O'CLOCK A. M. TODAY AND FOR LIMITATION ON STATEMENTS DURING THE MORNING HOUR

During the delivery of Mr. GOLDWATER's speech while Mr. THURMOND had the floor,

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

Mr. THURMOND. I am glad to yield, provided I do not lose the floor, and provided I am not charged with a second speech.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it adjourn to meet at 10 o'clock a. m.

The PRESIDING OFFICER (Mr. Clark in the chair). Is there objection to the request?

Mr. PURTELL. Mr. President, may I hear the request?

Mr. MANSFIELD. The request is that when the Senate meets today, it meet at 10 o'clock a. m.

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

Mr. MANSFIELD. At that time there will be the usual morning hour. I ask that statements in connection therewith be limited to not to exceed 3 minutes.

Mr. PURTELL. What is the request, Mr. President?

The PRESIDING OFFICER. The request of the Senator from Montana is that when the Senate adjourns, it adjourn to meet at 10 o'clock a. m. today. There will be the usual morning hour, and the Senator from Montana asks that statements in connection therewith be limited to 3 minutes.

Without objection, it is so ordered.

The Senator from Arizona [Mr. Goldwater] temporarily has the floor, by agreement with the Senator from South Carolina.

Mr. GOLDWATER. The junior Senator from Arizona merely wished to acknowledge the usual optimism of the junior Senator from Montana. The junior Senator from Arizona feels that we shall be here at 10 o'clock this morning.

Mr. PURTELL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Connecticut, recognizing that the Senator from South Carolina has the floor?

Mr. GOLDWATER. We will protect his right to the floor.

Mr. PURTELL. Let me make the observation——

The PRESIDING OFFICER. Does the Senator from South Carolina permit the Senator from Connecticut to have the floor briefly, without the Senator from South Carolina losing the floor?

Mr. THURMOND. With regard to the request which was made, I do not think it would apply unless I am through speaking. I do not know how long I shall require to complete my address.

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

The PRESIDING OFFICER. Does the Senator from South Carolina yield for that purpose?

Mr. GOLDWATER. The Senator would not lose the floor so long as he has the floor; and if he should continue until 10 o'clock the request of the acting majority leader would be invalid, would it not?

The PRESIDING OFFICER. It is the understanding of the Chair that the request of the Senator from Montana is dependent on the Senator from South Carolina having yielded the floor. The Chair asks the Senator from Montana if that is not a correct understanding.

Mr. MANSFIELD. That is correct. My request was the usual formality, and it would apply only in case the Senator from South Carolina had completed his speech, and the Senate met in a new session. I think the usual procedure should be observed.

The PRESIDING OFFICER. Without objection, the request of the Senator from Montana is agreed to.

The Chair now asks the Senator from South Carolina whether he desires to yield to the Senator from Connecticut?

Mr. GOLDWATER. The Senator from Arizona has the floor, with the understanding that the Senator from South Carolina will not lose the floor.

The PRESIDING OFFICER. That is the understanding. The Senator from Connecticut requests the floor.

Mr. GOLDWATER. He requests me to yield.

Mr. PURTELL. I ask if the Senator from Arizona will yield for a question?

The PRESIDING OFFICER. The Senator from Arizona does not have the floor.

Mr. GOLDWATER. The Senator from Arizona does have the floor, having been yielded to by the Senator from South Carolina under the agreement that the Senator from South Carolina will not lose the floor.

The PRESIDING OFFICER. When the colloquy appears in the Congressional Record, it will show that the Senator from Connecticut is recognized.

Mr. PURTELL. It is quite a while since I started to ask my question. However, I still shall ask it. Is it not the Senator's belief that if we continue operating the way we have been for the last 20 minutes, probably we will be here until 10 o'clock tomorrow morning?

Mr. GOLDWATER. The Senator from Arizona would observe that probably we will be. He would observe further that, so long as we have ruined the summer, we might as well wreck it.

Mr. PURTELL. I should like to ask a further question. I assure the Senator from Arizona that it is his prerogative to determine what he wishes to do with his summer. It so happens that there are other Senators, and many attachés of the Senate, who do not feel as the Senator from Arizona does about wrecking the night or the summer.

Mr. GOLDWATER. I might observe that it is a very pleasant evening. Furthermore, it is only 1:40 in the morning. I am sure that the Senator from Connecticut has been up as late as 1:40 in the morning on other occasions, and perhaps many times, without such pleasant company. I am sorry to keep others up, but we have not had an occasion to get together like this in about 4 years, and I do not want to miss an opportunity like this.

The PRESIDING OFFICER. The Chair would observe that he is very much interested in the Senator's statement on the Cordiner report, because the Chair finds himself in agreement with the Senator from Arizona in that regard.

Mr. GOLDWATER. If the Senator from Connecticut will permit me to continue, he will be able to have the floor in about an hour and a half. I should like to continue with my remarks.

Mr. PURTELL. Will the Senator assure me that I shall have the floor in an hour and a half?

Mr. GOLDWATER. I cannot assure the Senator of that because in an hour and a half I intend to be in bed. He will have to ask the junior Senator from South Carolina, who is a very courteous gentleman, and who, I am sure, will be glad to yield to the Senator from Connecticut.

Mr. PURTELL. I very much hope that the Senator from Arizona will continue to read from the Congressional Record for an hour and a half. If I were certain that I would have the floor in an hour and a half, I would assure the Senator that I would then very quickly finish my remarks and suggest that the Senate adjourn until tomorrow.

Mr. GOLDWATER. I have only about 2 minutes more of material to read from the Record. If the Senator from Connecticut will resume reading his paper, I will resume reading from the Congressional Record.

An analysis as to how effective the air mechanic specialist ratings were in improving the retention of airmen in the Air Corps can be gleaned from a review of the Air Corps reenlistment rate for the period fiscal year 1926 to 1940. These statistics are contained in table 2. Table 3 shows the reenlistment rates in the infantry corps for certain comparable years. It is realized, of course, that the comparatively better reenlistment rate in the Air Corps was naturally due in some part to such factors as glamour of the Air Force, and opportunities for receiving training in skills that would be of value in a civilian occupation. It is also recognized that the economic consequences following the stock market crash of October 1929 also played a large part in influencing enlisted military personnel to reenlist. However, this latter factor was equally as true of the infantry as it was of the Air Corps. Yet from the statistics given, the rate of Air Corps retentions was considerably greater than it was for the infantry. Thus it should be concluded that special pay attractions offered air mechanic specialists did play a large part in improved Air Corps retention rates in the pre-World War II period.

I ask unanimous consent to have printed in the Record at this point, as a part of my remarks, the three tables which appear on page 2223 of the Congressional Record of February 19, 1957.

There being no objection, the tables were ordered to be printed in the Record, as follows:

Table 1.—*Act of June 10, 1922, Public Law 235, 67th Cong.—Monthly base pay of enlisted men of the Army and Marine Corps*

Grade:	*Amount*
1st	$126
2d	84
3d	72
4th	54
5th	42
6th	30
7th	21

Table 1.—*Act of June 10, 1922, Public Law 235, 67th Cong.—Monthly base pay of enlisted men of the Army and Marine Corps*—Continued

Specialist ratings:	
1st	$30
2d	25
3d	20
4th	15
5th	6
6th	3

Table 2.—*Air Corps reenlistments, fiscal years 1926–40*

Fiscal year	Air Corps total enlisted strength (end of fiscal year)	Number discharged		Number reenlisted within 3 months after discharge	Percent rate
		Expiration of service	Other [1]		
1926	8,723	1,585	1,949	1,262	35
1927	9,077	2,410	2,087	1,735	38
1928	9,493	1,619	2,110	1,605	43
1929	10,890	1,739	2,295	2,025	50
1930	12,034	2,703	2,470	2,817	54
1931	13,194	2,443	1,859	2,947	68
1932	13,369	2,964	1,742	3,401	73
1933	13,497	3,849	1,637	4,132	75
1934	14,314	3,257	910	3,341	80
1935	14,719	2,931	1,414	3,565	82
1936	15,640	3,368	1,241	3,785	82
1937	17,299	3,704	1,795	4,100	74
1938	18,909	3,034	1,570	3,967	86
1939	20,838	3,799	2,780	5,318	81
1940	47,812	4,643	8,448	12,479	91

[1] Honorable causes such as: Return from overseas with less than 2 months' service retainability, disqualified as flying cadet, special cases, accept appointment as officer, enter flying training.

Table 3.—*Infantry reenlistments*

[Sample year]

Fiscal year	Total Infantry enlisted strength	Number discharged		Number reenlisted within 3 months after discharge	Percent rate
		Expiration of service	Other [1]		
1926	40,344	8,955	6,624	5,504	36
1927	39,574	12,208	6,624	7,596	41
1930	41,259	11,533	5,486	8,056	48
1931	40,569	9,497	3,652	7,604	57
1933	39,049	10,993	4,544	11,492	70
1934	39,476	8,629	2,027	7,001	69
1937	54,707	8,361	4,634	8,021	61
1938	57,293	7,667	5,467	8,341	64

[1] Honorable causes such as: Return from overseas with less than 2 months service retainability, disqualified as flying cadet, special cases, accept appointment as officer, enter flying training.

Mr. GOLDWATER. In conclusion, I merely wish to say I have read portions from the Record which now appear in small type, so as to promote them to large type, in order that Senators may read them in the Record tomorrow.

I also wish to point out that some of the things which the Cordiner report suggests were in effect from 1926 until 1940, and that during those years the reenlistment rate in the Air Corps was at an extremely high level. It is my opinion that if the provisions of the Cordiner report are applied, particularly to the lower grades we would be able to retain those skills not only in the Air Force, but also in the Army, Navy, and Marine Corps.

Again I find myself indebted to the distinguished junior Senator from South Carolina, and I wish to thank him again for allowing me the same privilege today that he allowed me yesterday of commenting on this very important subject.

Mr. THURMOND. The Senator from Arizona is perfectly welcome. I was very happy to yield to him.

Incidentally, if my distinguished friend from Connecticut is tired or sleepy, I do not wish to detain him, because I am sure he would not vote for any motion I would make. I will therefore be very glad to excuse him.

Mr. PURTELL. I did not hear the remarks of the distinguished Senator. My attention was diverted.

Mr. THURMOND. If the distinguished Senator from Connecticut, my good friend, is tired or sleepy, or wants to go home, it is perfectly all right with me. I shall not detain him. I doubt that he would vote for my motion anyway.

Mr. PURTELL. I wish to tell the distinguished Senator from South Carolina, tired as I am, I would not deny myself the privilege of listening to his fine remarks.

Mr. THURMOND. I thank the Senator.

(At this point, at 2 o'clock a. m., Thursday, August 29, 1957, with Mr. Thurmond still speaking, the printing of the proceedings and debates of the Senate for the session beginning Wednesday, August 28, at 10 o'clock a. m., was suspended; but will be continued in the next edition of the Congressional Record.)

NOMINATIONS

Executive nominations received by the Senate August 28, 1957:

Department of State

Gerard C. Smith, of the District of Columbia, to be an Assistant Secretary of State, vice Robert R. Bowie.

In the Navy

The following named captains of the Medical Corps and the Supply Corps of the Navy for temporary promotion to the grade of rear admiral in the staff corps indicated, subject to qualification therefor as provided by law:

MEDICAL CORPS

Edward C. Kenney

SUPPLY CORPS

Lionel C. Peppell
Thomas A. Long

In the Marine Corps

The following-named officers of the Marine Corps for temporary appointment to the grade of major general, subject to qualification therefor as provided by law:

Roberts, Carson A.
Berkeley, James P.
Weller, Donald M.

The following-named officers of the Marine Corps for temporary appointment to the grade of colonel, subject to qualification therefor as provided by law:

Beeman, Theodore F.
Meyerhoff, Wilbur F.
Gallagher, Frank E., Jr.
Smart, Henry J.
Wismer, Ralph M.
Dooley, George E.
Mickey, Ross S.
Owens, Robert G., Jr.
Ahern, Thomas J.
Marshall, David E.
Gilliam, William M.
White, John A.
Larsen, Carl V.
Waters, George F., Jr.
Moss, Richard I.
Thompsan, Eugene N.
Stevens, John W., II
Oelrich, Martin E. W.
Gray, Joseph A.
Rooney, John T.
King, Louis N.
Platt, Jonas M.
Appleyard, James O.
Holomon, Walter
Drake, Clifford B.
Baker, Charles R.
Armstrong, Robert H.
Robinson, Wallace H., Jr.
Lawton, Crawford B.
Hooper, Marshall J.
Riche, Hulon H.
Bell, James O.
Johnston, Paul T.
Bergren, Orville V.
Cornell, Walter F.
Wilson, Elliott
Kelly, Bernard T.
Kolb, Karl W.
Cortelyou, Stoddard G.
Souder, William H., Jr.
Gomez, Andre D.
Kantner, George B.
Smoak, Tolson A.
Pregnall, Daniel S.
Oddy, Robert J.
Banning, Virgil W.
Wyczawski, Richard W.
Nihart, Franklin B.
York, Howard A.
Finn, Edward V.
Crockett, Winsor V., Jr.
Croizat, Victor J.
Fusan, Ernest C.
Warren, Charles E.
Batterton, Roy J., Jr.
Anderson, Earl E.
Taplett, Robert D.
Humphreys, Wilson F.
Harwick, Victor J.
Hitt, Wade H.
Houser, Robert H.
Peters, Tillman N.
Barnum, Allen T.
Merchant, Robert A., Jr.
Benson, Alexander R.
Jones, John H.
Martin, Marlin C., Jr.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 28, 1957:

United States District Judge

Roby C. Thompson, of Virginia, to be United States district judge for the western district of Virginia.

Territory of Hawaii

William Francis Quinn, of Hawaii, to be Governor of the Territory of Hawaii.

Secretary, Territory of Hawaii

Farrant Lewis Turner, of Hawaii, to be Secretary of the Territory of Hawaii.

Collector of Customs

John E. Paterson, of Alabama, to be collector of customs for customs collection district No. 19, with headquarters at Mobile, Ala.

Frank A. Thornton, of California, to be collector of customs for customs collection district No. 25, with headquarters at San Diego, Calif.

Olivia C. Erpenbach, of Minnesota, to be collector of customs for customs collection district No. 35, with headquarters at Minneapolis, Minn.

The Coast and Geodetic Survey

John A. Benning, for permanent appointment to the grade of ensign in the Coast and Geodetic Survey.

WITHDRAWAL

Executive nomination withdrawn from the Senate August 28, 1957:

Postmaster

Lee L. Altemose, to be postmaster at Tatamy, in the State of Pennsylvania.

HOUSE OF REPRESENTATIVES

Wednesday, August 28, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Eternal God, our Father, may this be a day of noble and worthy achievement and at the evening hour may we receive the benediction which Thou dost bestow upon the faithful.

Grant that in all our plans and purposes we may be eager to seek and possess the certainty of Thy gracious presence, the counsel of Thy divine wisdom, and the consolation of Thy understanding heart.

Give us the blessings of insight and inspiration, and may we live out each day in faith, in faithfulness, and in the fear of the Lord.

When we come to the close of this session of the Congress may we have within our hearts the testimony that in all our efforts and work we have sought to do that which is well pleasing unto Thee. Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 2462. An act to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; and

H. R. 2474. An Act to increase the rates of basic salary of employees in the postal field service.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 2377) entitled "An act to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses," and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. O'MAHONEY, Mr. EASTLAND, and Mr. DIRKSEN to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 969) entitled "An act to prescribe the weight to be given to evidence of tests of alcohol in the blood or urine of persons tried in the District of Columbia for operating vehicles while under the influence of intoxicating liquor," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CLARK, Mr. BIBLE, and Mr. JAVITS to be the conferees on the part of the Senate.

ATOMIC RADIATION

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, the recently disclosed testimony of Lewis Strauss, chairman of the Atomic Energy Commission, that the radium dial of a wristwatch delivers far more radiation "than all that received from the accumulated fallout to date" is typical of the deception and misinformation to which the American public has long been subjected on this critically important issue.

In the first place, it is impossible to compare point radiation from a watch dial with total body radiation, both external and internal. In the second place, we know that fallout does not collect uniformly. Individual communities, as Mr. Strauss certainly knows, have received as much radiation from a single test as the average level predicted for the general population covering a 30-year period. Surely Mr. Strauss must remember the 1953 atomic shot which for 16 days resulted in atmospheric contamination in the area of St. George, Utah—population 4,545—atmospheric contamination which during one 24-hour period was 1,260 times greater than the provisional permissible concentrations established for radiation workers by the National Committee on Radiation Protection of the National Bureau of Standards.

It is equally hard to believe that Mr. Strauss has forgotten the radioactive cloud resulting from the shot on April 25, 1953, which deposited on a motel on United States Highway 91 the heaviest dose of fallout ever recorded in the United States on an inhabited place outside the immediate test site. It is significant that no public statement of the incident was made until 3 months later and that no record has been kept of the names of the 15 tourists who were exposed.

At a time when all intelligent people are concerned about the biological and genetic effects of radiation, Mr. Strauss continues to put forth his soothing assurances that both the pathologic and genetic harm from radiation fallout have been exaggerated by irresponsible, overly emotional, or politically biased individuals.

Apparently, Mr. Speaker, there is only one person to go to to get the right answer—and that is Strauss. The only trouble is that most of the information available to him is withheld from the American public on the basis that it might jeopardize our national security.

On August 19, for example, the Associated Press reported Strauss as saying that he is convinced the Russians are not "anywhere near the position that we are in the development of atomic energy." This earth-shaking pronouncement, however, was neither conceived nor uttered on August 19. On the contrary, it was an extract of testimony which Mr. Strauss gave before a House appropriations subcommittee on July 10.

The hearing transcript—according to the Associated Press—indicated much of Mr. Strauss' testimony was off the record and not made public.

At this same off-the-record hearing on July 10, Mr. Strauss also briefed the subcommittee on AEC efforts to produce "clean" atomic weapons. Despite the fact that this information was withheld from the American public, Mr. Strauss since has berated and derided those who criticize either the scientific feasibility of cleaner bombs or their development as the savior of civilization.

Mr. Strauss says that these critics, whatever their motivation, have one thing in common: ignorance. It doesn't seem to have occurred to Mr. Strauss that he, as much as any single individual, has contributed to public misunderstanding and ignorance by withholding the factual information upon which sound judgment can be based.

Several weeks ago, Mr. Speaker, I informed Secretary of Defense Wilson of the death from cancer of three former servicemen who during their tour in the Army were exposed to the effects of nuclear testing. The young men were in their late twenties and they died within a year of each other. I suggested to Secretary Wilson that consideration be given to initiating a medical case history study of present and former servicemen who have been exposed to atomic fallout.

Soon thereafter I received a reply from Dr. Frank Berry, the Assistant Secretary of Defense, Health and Medical, expressing interest in the deaths which I reported and his willingness to investigate them further. I was informed, however, that medical science tends to disprove the possibility of any causal relationship between the development of cancer and prior exposure to atomic radiation.

This, of course, is much the same position which the Atomic Energy Commission has taken. For example, it emphatically rules out any possibility of a connection between a 1955 detonation and the death from leukemia of 7-year-old Martin Bardoli a year and a half later. Although the AEC has stated that leukemia can be induced only by much larger doses of radiation than Martin could have received, the fact is that the AEC does not know exactly how much radiation exposure the boy received as a result of radioactive fallout from the explosion.

In like fashion, the AEC disclaims any possibility of a connection between its experiments and the development of cancer in Mrs. Dan Sheehan, who at the time of the 1953 test lived just outside the area of the Nevada test site.

Nor does the AEC believe that the sudden and complete loss of hair which scores of Nevada citizens have suffered results from low level doses of radiation fallout, as charged by the victims.

And what of the death of thousands of sheep grazing near the test site during operation Upshot-Knothole in 1953? There being no visible damage to the animals, the AEC denied responsibility and refused compensation to the owners. For the 16 horses which incurred visible burns, however, prompt settlement was made.

In the past 10 days, Mr. Speaker, I have received letters from people all over the country who take a contrary view to that of the Atomic Energy Commission and Department of Defense. From Wachula, Fla., I received a letter from Anna V. Conner telling me that her son, William M. Conner, was in the early Bikini bomb tests. She states that shortly thereafter a mole on his neck became malignant, that he was operated on in October of 1947 and given radical surgery to try to save him, but that it was not successful.

An Army major at the 97th General Hospital in Germany has written to me suggesting that—

> Some provision should be made to ascertain the possible delayed adverse effects on the health of Government employees probably or directly caused through radiation exposure, especially in the research area. Radioactivity injury—

Says the major—

> is not like others. It may be delayed effect for 10 or more years. More study on this is urged.

A Knoxville attorney has written to say that he is handling the claims for the next of kin of former employees at the AEC experimental facility at Oak Ridge, Tenn. These victims of cancer, I am informed, were also exposed to heavy doses of atomic radioactivity.

Also of interest is the letter I recently received from Dr. G. Francis Nauheimer, director, Glare Research Institute, Chicago, Ill. Dr. Nauheimer states that the Nevada testing site is "used more to explode atomic garbage than to test war missiles, and the AEC is extremely careless in allowing military and other personnel to enter such sites too soon after the explosion of atomic radiation."

Mr. Speaker, the atomic age which we have entered into poses many mysteries. It also confronts us with many dangers, the greatest of which is that we will assume more knowledge than we actually have.

Perhaps the Department of Defense and the Atomic Energy Commission are right. Perhaps there is no connection between atomic radiation and death from cancer. But until we are certain, until we are absolutely certain, every conceivable precaution must be taken. It is for this reason that I again urge the Department of Defense and other Government agencies to consider keeping a current medical history of servicemen, civilian Government employees, and others who are exposed to the effects of nuclear radiation arising out of experiments conducted by the Atomic Energy Commission.

LET US HAVE ONE-PRICE COTTON

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I have previously addressed the House on the inequities of the two-price cotton system whereby foreign textile producers can purchase American surplus cotton abroad at prices substantially lower than those prevailing in the American market for American producers.

The Senate Monday took a step forward in trying to provide a solution to the cotton-price problem which has been another burden to our New England textile industry, already beset by wage differentials, excessive taxes, power costs, market accessibility and other factors. It passed S. 314, sponsored by our former esteemed colleague, Senator MARGARET CHASE SMITH, of Maine.

Under the provisions of S. 314, the Secretary of Agriculture will make available to our American textile mills 750,000 bales of surplus cotton at such prices as may be necessary to enable the American producers to regain their share of export markets.

I urge the House to take early action on this meritorious bill and I hope that it will have the support it deserves. It's time that we put a stop to the two-price cotton program which has only served to hasten the liquidation of our New England textile mills.

In this connection, Mr. Speaker, I include in the RECORD a recent excellent article in the New Bedford, Mass., Standard-Times, which outlines the support of the Textile Workers Union of America for the Smith bill, S. 314.

The material follows:

[From the New Bedford (Mass.) Standard-Times of August 8, 1957]

TWUA OFFERS ALTERNATIVE COTTON PLAN

The cotton mill workers are in approximate agreement with the position taken by the American Cotton Manufacturers Institute that continuation of the present two-price system for American cotton is intolerable. They regard it as extremely disadvantageous to the entire cotton textile industry—to workers, the management, and the stockholders, as well as to the consumers.

Since it boosts the cost of cotton to the mills, it greatly increases the price of cotton goods, it puts the domestic producers of cotton goods at great competitive disadvantage, helps to shrink the market for cotton fabrics, and is a factor in forcing the mills to curtail operations.

In a letter to the Standard-Times, George Carignan, director and financial secretary of the New Bedford branch of the Textile Workers Union of America, CIO, cites on behalf of the New Bedford joint board, the organization's concern over the cotton problem and its damaging effect on the cotton manufacturing industry.

Carignan urges the elimination of the two-price system and offers an extended analysis of the cotton industry's problems and their causes, made by the TWUA research department. This analysis also offers several suggestions for solution of the problem.

TWUA SUGGESTS PROGRAM

As a substitute for the present 2-price system, the following 1-price system of cotton-price supports with compensatory subsidy payments to the cottongrowers is proposed by the TWUA:

"A single price, determined on the open market, for raw cotton, to equalize domestic and world prices.

"Compensatory production payments to farmers, equal to the difference between the price received and the support price for that portion of the crop used for domestic consumption or that produced under a defined marketing program.

"Maximum production payments of $10,000 to any single enterprise; under present price-support levels, this would mean payments for approximately 400 bales.

"We have also proposed that, pending the adoption of this program, support be given to the Smith bill (S. 314), which would authorize the Secretary of Agriculture to make available to American textile manufacturers of cotton products for export the surplus cotton owned by the Commodity Credit Corporation at such prices as the Secretary determines will allow the United States cotton textile industry to regain the level of exports of cotton products maintained by it during the period 1947 through 1952 and to meet competition from foreign imports."

SEVERAL BILLS PROPOSE CHANGE

Several bills are now before Congress, and well attended hearings on them have been in progress before the House Committee on Agriculture.

H. R. 7816, introduced by Representative JONES (Democrat, Missouri), has received some favorable consideration. It provides for the establishment each year of a national marketing quota for cotton to be at least equal to the estimated domestic consumption plus exports of cotton for the marketing year, and also for cotton-price supports at a level of 95 percent of the estimated world price for cotton of comparable quality.

These price supports shall be available to those growers who cooperate with the United States Department of Agriculture in its efforts to control cotton acreage, and they shall be payable in the form of equalization payments from the Department of Agriculture to the buyer of the cottongrower's cotton provided he has advanced to the cottongrower a price equal to the current value of the cotton plus the amount of the equalization payment."

The cottongrower is eligible for equalization payments only to the extent of his share of the domestic cotton consumption market. That part of his crop outside of his percentage of the domestic market is considered theoretically to be for export and on this part of his crop he receives no equalization-payment money.

In order to prevent the large growers of cotton from reaping a bonanza from the equalization payments, it is proposed to limit the amount of equalization payment to not more than $10,000 to any one enterprise.

WHOLESALING IN THE AGE OF THE ATOM

Mr. OSMERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. OSMERS. Mr. Speaker, the President has called a 3-day conference on technical and distribution research for the benefit of small business. One of the most important groups taking part will be wholesalers, a group which has been making increasingly important contributions to our economic growth. They have, in return for this outstanding service, been treated like the proverbial redheaded stepchild.

The peculiar injustice of this attitude on the part of the Government and the public was brought home to me the other day by the man who is taking over the direction of the National Association of Wholesalers. "We talk about the American standard of living," he said, "and point with pride to our low-cost system of mass production, but none of this would be possible without a highly developed system of distribution." Whereupon he proceeded to put me straight with regard to some of the economic facts of life.

In the first place, this business of distribution employs over 17 million persons—or about one-quarter of the total labor force, including the Armed Forces—and it was, in 1956, a $527 billion business. And again, the largest, fastest-growing group is the wholesaling group. The 1954 census of business reveals wholesalers' sales volume to be over $100 billion a year with 2.6 million employees. Wholesaling is the big business in big cities. In New York the total volume of wholesale trade is 4 times that of retail sales, in Chicago and St. Louis the ratio is 2½ to 1, in Philadelphia 2 to 1, and in San Francisco wholesaling is 3 times as large as retailing.

However, it is not size that makes them important, it is what they do. We can begin to get an idea of the value of their services when we read that many economists firmly believe that the failure of distribution in the 1930's was one of the big factors in the depression. We begin to appreciate the scope of their activities when we realize that they perform 47 different functions for industry and the public. Let us take a look at some of them, financing, for instance.

People in general realize what a potent factor consumer credit has been in raising our standard of living, but most of them associate it with retailers only. Let me offer an interesting example of what the wholesaler does to support this factor of our economy. Merchant wholesalers' credit extension on December 31, 1954, was $12.2 billion, or about 1 month's customers' sales during which time retailers operated on wholesalers' funds, and they were, at the same itme, warehousing another 1 month's supplies to the tune of $13.1 billion. They were performing these financial feats of strength on margins that, someone has said, would be considered ridiculous by any other segment of our economy.

Another outstanding service they offer, to both industry and the general public, is a streamlined supply line, which is the result of uniting in one operation services that must otherwise be duplicated by every manufacturer, every retailer, because while you might, to a limited degree, replace the wholesaler by yourself performing some of his functions, you cannot eliminate the functions themselves. I would also like to mention just one order filled by one wholesaler for a retail druggist. This particular order, and it was not being offered as particularly unusual, included 83 items, from 68 suppliers in 35 cities in 20 States. The wholesaler had it assembled and ready for delivery in less than 2 hours.

There is another way in which wholesalers save time. You may or may not know it, but today's really large drugstores stock an average of some 30,000 or 40,000 items. Even allowing for the fact that some manufacturers' representatives might be selling several items, it would take one man 2 or 3 years, working full 8-hour days, to see them all; and he would have no time left for the other facets of his business. You can perhaps begin to see why wholesalers are growing so fast; we need them. It pays to use their services. One industry in Illinois switched to wholesalers—after 30 years of direct selling—because investigation proved that this method of distribution would be more profitable to them.

As a nation we are becoming more and more conscious of the way our homes look. We are becoming more and more concerned that they be beautiful as well as comfortable. With regard to many items that make our homes more comfortable or more functional, it is of no particular importance that items in the homes of several of our friends or neighbors exactly duplicate our own. When we select an item like wallpaper, however, we want something that is distinctly our own.

Mass production makes it possible to produce wallpapers of good design at low cost, but it is the wholesaler—buying these designs in carload lots and then breaking bulk and sending so much of it to Philadelphia, so much to Chicago, so much of it to Washington—who makes it possible for us to choose from a variety of good designs.

Why, then, if wholesalers perform such vital services, do some of us still regard them as unproductive parasites? Well, there is a well-thought-out line of economic reasoning that accounts for this to some extent, but I think there may be an even simpler psychological explanation.

In a primitive economy an individual was self-sufficient, more or less. He was both producer and consumer. He produced objects that were useful to him. This was utility of form. This was something concrete, something he could see. Now that civilization has become more complex and labor more specialized, consumers still see only the utility of form, want to pay only for that. This utility of form is only one-fourth of the picture. While the producer-consumer in a primitive economy was producing utility of form he was also producing three other utilities which he took for granted, because they were intangibles that he could not see. He was also producing utilities of time, place, and possession.

A. L. Meyers defines "production" as "the creation of economic value by the addition of utilities to goods." Of the four utilities just mentioned, distribution creates the last three. Wholesalers not productive? On the contrary, they would seem to be about as busy a productive group as one could find. I would like to quote an authority, Carl Menger, founder of the Austrian school of economics, on this subject. In Principles of Economics, Mr. Menger says:

> Implicit in what has been said is an explanation of the source from which all the thousands of persons who are intermediaries in trade derive their incomes. Because they do not contribute directly to the physical augmentation of goods, their activity has often been considered unproductive. But an economic exchange contributes, as we have seen, to the better satisfaction of human needs, and to increase of the wealth of the participants just as effectively as a physical increase of economic goods. All persons who mediate exchange are therefore—provided always that the exchange operations are economic—just as productive as the farmer or the manufacturer. For the end of economy is not the physical augmentation of goods but always the fullest possible satisfaction of human needs. Tradespeople contribute no less to the attainment of this end than persons who were, for a long time, and from a very one-sided point of view, exclusively called productive.

We have spent a lot of time this session alleviating, or laying the groundwork for alleviating, unfair tax burdens, and redressing various grievances of one type or another. When we return to our respective communities, we should, it seems to me, spend a little time looking at the essential service performed by our friends, the wholesalers. Our misconceptions with regard to wholesalers will automatically be corrected when we fully realize the value of their services in such a complex civilization as ours.

Most of us are thoroughly familiar with the function of the manufacturer in our economic system. He has spent a lot of time and money seeing to it that we are. Most of us are familiar with retail functions. The retailer, too, has spent time and money acquainting us with his service and relative importance—we meet him face to face almost every day. About the wholesaler we know very little, and most of what we know may be based on hearsay. Wholesalers have invested very little time and/or money in developing educational channels of communication with the general public. Who knows? Even their suppliers and customers—the manufacturers and retailers of the Nation—may not truly understand the wholesalers' contribution to our economy.

Let us all take a look at this little-known but most important behind the scenes group of businessmen and workers. These people are performing an indispensible service in this atomic age.

ONE HUNDREDTH ANNIVERSARY OF THE BIRTH OF WILLIAM HOWARD TAFT

Mr. Brown of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, this year, on September 15, we celebrate the centennial of a native Ohioan who achieved worldwide recognition. I speak of William Howard Taft, who, with honor and dignity, achieved fame as a statesman and jurist and filled the first position in this Nation, that of President, with greatness and distinction. But he did more: William Howard Taft gave his fellow men an example to follow. He was a man who governed his every action with a sense of honesty and duty which benefited all mankind.

The son of a brilliant lawyer who had been Attorney General of the United States and a foreign minister, William Howard Taft was born September 15, 1857, in Cincinnati, Ohio. Anxious to follow in his father's and grandfather's steps, the young Taft chose law as his life's work. He graduated from Yale, second in his class, in 1878. Returning to the city of his birth, he received his law degree from the Cincinnati Law School and was admitted to the Ohio bar 2 years later. His formal education completed, William Howard Taft began his enviable career of public service.

Throughout his long life of selfless public service, he was a man seemingly relaxed and carefree, but was, nonetheless, a harsh critic of himself. Trained in the field of law, Taft's first position was that of law reporter for the local Times and later for the Cincinnati Commercial. Politics seemed to come natural to the young reporter, and it was not long before he became politically active locally. Leaving his newspaper work, William Howard Taft became assistant prosecuting attorney for Hamilton County, following which he left public office for a short time to practice law. In 1887 he once again answered the call of civic duty and accepted a position as judge of the superior court in Cincinnati. Next, the future President became the Solicitor General of the United States, and 2 years later, was named United States circuit court judge and dean of the Law School of the University of Cincinnati.

The many contributions of William Howard Taft in the field of law were not unnoticed. In 1900, President McKinley appointed him first Governor of Philippines. He performed his duties in this office so nobly that he won lasting fame for his accomplishments in the islands' progress and development. He served ably as Secretary of War under Theodore Roosevelt, who, in turn, endorsed him for the Republican Presidential nomination in 1908. On March 4, 1909, William Howard Taft ascended to the highest office of the United States, becoming our 27th President.

His term of office expired, and Taft was not reelected. He did not, however, retire. Once again, he became an educator and assumed the position of Kent professor of law at Yale, serving until 1921. This same year, President Harding named him Chief Justice of the United States Supreme Court, the highest honor that could come to an ex-President. In this position Taft realized his fondest dreams as to service and accomplishment in the profession of law.

Looking back on his career, one can readily see that William Howard Taft has left a standard to which all men in public positions should aspire. He accomplished much of great value in all the various positions he held, whether they were local office, in education, the Philippine Islands, the Cabinet, the White House, or the Supreme Court. So it is only fitting and proper we pay homage to William Howard Taft, one of Ohio's most illustrious sons, on the 100th anniversary of his birth. As a man, he was steadfast in the pursuit of that which he believed was right, yet tolerant of the views of others; he worked in the best interests of his fellow men; he performed his various duties faithfully, ably, and well; he lived a life of morality and service which has been an inspiration to millions of Americans. His name will live in the ever unfolding story of this great Republic.

SUGGESTIONS TO CONGRESSMEN

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, we are about to go home to our constituents, the American people, citizens of the greatest nation in the world's history. I have three suggestions: I urge their merit to your favorable attention and action.

First, let us advise our constituents accurately and honestly about our Government's problems and about our Congress, of which we have the honor and responsibility of membership.

Second, let us inspire by our own example the constituents in each of our respective Congressional districts, with the pride and high privilege of being American citizens.

Third, let us encourage our constituents, whether they are Democrats or Republicans, to be active in support of our form of constitutional government. Let us urge and encourage them to participate on a high level of attitude and motive in citizenship responsibilities.

Certainly it will do our Nation a great blessing and a great, resulting benefit if we will do this; it will also do us, as individual representatives and as American citizens, a like blessing. It will be an honorable discharge of an obligation. It will be enriching to the cause of the best interests of our beloved Nation, for us all, in our respective Congressional districts, or wherever we may find ourselves during this recess, to inspire, to encourage, and, by our own examples, honestly lead our fellow Americans to even a higher level of citizenship thinking, action, and discharge of the responsibilities of our God-given privileges as American citizens.

TIME OF MEETING OF THE 2D REGULAR SESSION OF THE 85TH CONGRESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 453) setting the time for the meeting of the second regular session of the 85th Congress.

The Clerk read the title of the joint resolution.

The Clerk read the joint resolution, as follows:

> *Resolved, etc.*, That the second regular session of the 85th Congress shall begin at noon on Tuesday, January 7, 1958.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the concurrent resolution (H. Con. Res. 172) to establish a joint Congressional committee to investigate matters pertaining to the growth and expansion of the District of Columbia and its metropolitan area, with Senate amendments thereto, concur in Senate amendments Nos. 1½, 2, and 3, and concur in Senate amendment No. 1 with an amendment.

The Clerk read the title of the concurrent resolution.

The Clerk read the Senate amendments as follows:

> Senate amendment No. 1½: Page 2, line 14, strike out "January 31, 1958," and insert "January 31, 1959."
>
> Page 2, line 17, after "terminate" insert "but the joint committee shall make a progress report on its activities by January 31, 1958."
>
> Page 3, after line 3, insert:
>
> "SEC. 5. The expenses of the joint committee, through January 31, 1958, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the joint committee."

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Senate amendments Nos. 1½, 2, and 3 were concurred in.

The SPEAKER. The Clerk will report Senate amendment No. 1.

The Clerk read as follows:

> Page 1, line 2, strike out all after "concurring)," down to and including "Representatives," in line 6, and insert "That there is hereby established a joint Congressional committee to be composed of three members of the Committee on the District of Columbia of the Senate, to be appointed by the chairman of such committee, and three members of the Committee on the District of Columbia of the House of Representatives, to be appointed by the chairman of such committee."

Mr. SMITH of Virginia. Mr. Speaker, I offer an amendment to the Senate amendment.

The Clerk read as follows:

> Amendment offered by Mr. SMITH of Virginia: Strike out all after the word "Senate," and insert "to be appointed by the chairman of such committee, and three members of the Committee on the District of Columbia of the House of Representatives, to be appointed by the Speaker of the House of Representatives."

The amendment to the Senate amendment was agreed to.

The Senate amendment as amended was concurred in.

A motion to reconsider was laid on the table.

AMENDMENT OF DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAX ACT OF 1947

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8256) to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social-security benefits and to provide additional exemptions for age and blindness, and to exempt from personal property taxation in the District of Columbia boats used solely for pleasure purposes, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

> Page 4, line 14, strike out "sec. 47-1507b (a) (13)" and insert "(sec. 47-1557b (a) (13)."
>
> Page 4, line 25, strike out "wife, living" and insert "wife living."
>
> Page 5, line 21, strike out "1352" and insert "1352),".
>
> Page 6, line 15, strike out "1957" and insert "1957,".
>
> Page 6, line 19, strike out "business" and insert "business,".
>
> Page 6, line 23, strike out "business" and insert "business,".
>
> Page 6, line 25, strike out "business" and insert "business,".
>
> Page 7, line 6, strike out "$5,000 and provided further that" and insert "$5,000: *And provided further*, That."
>
> Page 7, line 7, strike out "year" and insert "year,".
>
> Page 7, line 18, strike out "business" and insert "business,".

Page 7, lines 20 and 21, strike out "business" and insert "business,".

Page 7, line 24, strike out "business" and insert "business,".

Page 8, line 1, after "required" insert "(1)."

Page 8, line 4, after "Columbia," insert "(2) of any person licensed under chapter II, section 26, of the 'Life Insurance Act', approved June 19, 1934 (48 Stat. 1125, ch. 672; sec. 35-425, D. C. Code, 1951), for the purpose of acting within the District of Columbia for any life insurance company as a general agent, agent, or solicitor in the solicitation or procurement of applications for insurance."

Page 8, line 4, strike out "and no" and insert "or (3) of any person engaged in the ministry of healing by prayer or spiritual means alone and who is a member of a church or denomination whose tenets and teachings include the practice of such healing. No."

Page 8, line 14, strike out "joint venturer" and insert "joint venture."

Page 8, line 15, after "Columbia." insert "The license required to be obtained under the provisions of this subsection shall be in addition to all other licenses, fees, and permits required by law."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. MARTIN. Reserving the right to object, Mr. Speaker, will the gentleman explain the Senate amendments?

Mr. McMILLAN. Several amendments were written into this legislation purely for clarification. There are, however, two amendments of major importance.

First an amendment to section 7 of the bill would add to those exempted from the licensing requirements persons licensed under chapter II, section 26, of the Life Insurance Act, approved June 19, 1934, when such persons are acting under their license, for any life insurance company as a general agent, agent, or solicitor in the solicitation or procurement of applications for insurance.

Another amendment written to the bill on the floor of the Senate would exempt any person engaged in the ministry of healing by prayer or spiritual means alone and who is a member of a church or denomination whose tenets and teachings include the practice of such healing.

It was certainly not the intention of either the committee of the House or the committee of the Senate to reach this particular class of people and this amendment simply assures that they will be excluded from this law.

The total loss in revenue because of these two amendments amounts to approximately $52,500.

Mr. MARTIN. These amendments have the approval of the committee?

Mr. McMILLAN. Yes, of the committee; and of the two ranking Members on the gentleman's side of the aisle, the gentleman from Illinois [Mr. SIMPSON] and the gentleman from Minnesota [Mr. O'HARA].

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, I am today inserting in the body of the RECORD a statement of the activities of the House District Committee of which I am privileged to be chairman. My committee has worked long hours and diligently in an effort to assist the people of our Nation's Capital in solving their problems. We have at all times used our best efforts to keep the Nation's Capital the most beautiful capital in the world.

I want to take this opportunity to congratulate every member of the House District Committee for their untiring efforts and the excellent cooperation they have given me in our efforts to keep the Nation's Capital one of the greatest cities in the world. There are approximately 253 nationwide conventions held here in the city of Washington each year and people from every State in the United States attend these conventions. I have had numerous letters from people visiting Washington on sightseeing tours and business trips expressing great pride in their Capital and the Members of Congress who have assisted in keeping Washington a beautiful city.

I have been a member of the House District Committee for approximately 20 years and have spent hundreds of hours of valuable time trying to keep the Nation's Capital a beautiful and a decent place in which to live. The Members of Congress who have served on the House District Committee with me have given their valuable time and, I believe, that our efforts are generally appreciated by our constituents and the people throughout the United States. I fully realize that we do not receive very many thanks from people who are privileged to reside here in the city of Washington; however, this is the Nation's Capital and our interests should be directed toward keeping the city of Washington a decent place for our constituents to visit. The Constitution of the United States places this responsibility directly upon the shoulders of the Members of Congress and I am happy that I have been able to be of some assistance in writing legislation and providing the tools for the appointed District officials to properly protect our Nation's Capital.

I am enclosing a list of the bills the House District Committee has passed during the first session of the 85th Congress:

H. R. 2018, Lorton Reformatory, sell gun carriages and gun mountings.

H. R. 192, Board of Education members, removed for cause.

H. R. 3400, disclosure of character of solicitations in District of Columbia.

H. R. 1937, stadium, provide for in District of Columbia.

H. R. 6454, retirement of teachers, amend act.

H. R. 6508, uniform succession of real and personal property in cases of intestacy.

H. R. 4932, police band director, increase in rate of compensation.

H. R. 7249, reciprocal support, provide for in District of Columbia.

H. R. 6517, police, firemen, amend retirement act.

H. R. 7835, hospital center, amend act.

H. R. 6306, 14th Street bridge, increase appropriation for construction of.

H. R. 6258, amend act relating to license fees for trailers and antique automobiles.

H. R. 4813, Auditorium Commission, extend life of.

H. R. 3486, Simultaneous Death Act, apply in District of Columbia.

H. R. 4840, Metropolitan Police Relief Association, incorporate.

H. R. 4874, Columbia Historical Society, exempt certain property from taxation.

H. R. 7785, Juvenile Court Judge, provide for.

H. R. 8256, Income and Franchise Tax Act, amend.

H. R. 7409, Oldest Inhabitants, District of Columbia, transfer of property to.

H. R. 6259, Revenue Act of 1937, amend relative to marine insurance.

H. R. 5893, Board of Education, borrow vehicles for driver-training.

H. R. 7349, bonds, exemption of in criminal cases, amend act.

H. R. 7568, service, grade of inspector and private, deemed service in same grade.

H. R. 7863, A, B, C, Act, amend, tax stamp on wine.

H. R. 7825, B'nai B'rith, exempt certain property from taxation.

H. R. 8918, site, Sibley Memorial Hospital.

H. R. 7450, Police and Firemen's Retirement Act, amend to cover widows and orphans and retired police and firemen.

H. R. 7467, directors, trustees, certain trust companies, amend law with respect to citizenship and residence qualifications.

H. R. 9285, St. Thomas' Literary Society, amend charter of.

S. 768, Rochambeau Bridge, name of east 14th Street bridge.

S. 1576, war memorials, exempt materials from sales tax.

S. 1264, National Trust for Historic Preservation.

S. 1586, American Historical Society, exempt from taxation.

S. 969, drunken driven, tests for.

S. 2438, District of Columbia Corporation Act, to amend (in lieu of H. R. 8220).

LEASING OF LANDS WITHIN INDIAN RESERVATIONS IN ALASKA

Mr. ENGLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6562) to clarify the law relating to leasing of lands within Indian reservations in Alaska, and for other purposes, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert "That the withdrawal and reservation of the north half, section 33, township 28 south, range 56 east, Copper River meridian, near Klukwan, Alaska, by an order of the Secretary of the Interior dated April 27, 1943, for school, health, and other purposes, under the provisions of the act of May 31, 1938 (52 Stat. 593), is hereby revoked.

"SEC. 2. The reservation established by Executive Order No. 1764, dated April 21, 1913, and amended as to the boundaries thereof by Executive Order No. 3673, dated May 15, 1922, for the use of the natives of Alaska residing near the village of Klukwan, is hereby enlarged to include the north half of said section 33.

"SEC. 3. Said reservation, as so enlarged, may be leased for mining purposes by Chilkat Indian Village organized under the provisions of the act of June 18, 1934 (48 Stat. 984), as amended by the act of May 1, 1936 (49 Stat. 1250), with the approval of the Secretary of the Interior, in accordance with the provisions of the act of May 11, 1938 (52 Stat. 347), as amended or supplemented."

Amend the title so as to read: "A bill relating to the north half of section 33, township 28 south, range 56 east, Copper River meridian, Alaska."

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

GRANTING TO TERRITORY OF ALASKA TITLE TO CERTAIN LANDS BENEATH TIDAL WATERS

Mr. ENGLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6760) to grant to the Territory of Alaska title to certain lands beneath tidal waters, and for other purposes, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, lines 1, 2, and 3, strike out "as the outer limit to which manmade facilities may be permitted to extend into Federal waters."

Page 2, line 3, after *"Provided,"* insert "That the pierhead line shall be a line parallel to the existing line of mean low tide at such distance offshore from the line of mean low tide that said pierhead line shall encompass, to the landward, all stationary, manmade structures (but shall not encompass any part of breakwaters, bridges, or piers used for vessel dockage which part extends beyond such a parallel line marking the seaward extremity of other manmade structures) which were in existence as of February 1, 1957, to the seaward of the particular townsite for which the pierhead line is being established, and shall encompass no more: *And provided further.*"

Page 2, line 11, after "line." insert "For the purposes of this act, the term 'line of mean high tide' shall mean the meander line as heretofore established by Government survey, or, in the event that such a survey has not been made, the present line of mean high tide."

Page 2, line 19, after "Territory" insert "in the same manner and subject to the same conditions as set forth in this act for lands lying offshore of townsites which are now surveyed."

Page 3, line 14, after "tract" insert *"Provided,* That all oil, gas, or other minerals shall be reserved to the Territory in the event that any part or all of said granted lands are sold or disposed of to a political subdivision or to any other person or organization, such minerals to be subject to exploitation under mineral lease from the Territory only."

Page 4, line 5, after "SEC. 3." insert "Any lands which are (1) within the purview of section 2 (a) of this act, and (2) situated to the seaward of the 'coastline' as that term is defined in section 2 (c) of the Submerged Lands Act of 1953 (67 Stat. 29), shall be subject to the said Submerged Lands Act and, as to such lands, the Territory shall have equal title, right, and interest as is accorded to States which are subject to that act in relation to their similar lands; all other lands which come within the purview of section 2 (a) of this act shall be subject to the provisions of this act."

Page 4, line 5, after "of" insert "the first sentence of this section and the operation of."

Page 6, line 22, after "is" insert "now or in the future."

Page 7, line 4, strike out all after "lines" down to and including "waters," on line 6.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

GRANTING CERTAIN LANDS TO THE TERRITORY OF ALASKA

Mr. ENGLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3940) to grant certain lands to the Territory of Alaska, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 9, after "supra" insert: *"And provided further,* That the Territory of Alaska may not sell or convey any part or all of said property to any person or organization other than a political subdivision of said Territory for less than fair market value."

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. GROSS. Mr. Speaker, reserving the right to object, is this the bill that deals with tidelands?

Mr. ENGLE. I yield to the Delegate from Alaska, Mr. BARTLETT, to answer the inquiry.

Mr. BARTLETT. That was the previous bill.

Mr. GROSS. That was the previous bill?

Mr. BARTLETT. Yes

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MENOMINEE TRIBE

Mr. ENGLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6322) to provide that the dates for submission of plan for future control of property and transfer of the property of the Menominee Tribe shall be delayed, with amendments of the Senate thereto, disagree to the Senate amendments, and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. HALEY, ENGLE, ASPINALL, MILLER of Nebraska, and BERRY.

AMENDING AGRICULTURAL ADJUSTMENT ACT OF 1938 WITH RESPECT TO ACREAGE HISTORY

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8030) to amend the Agricultural Adjustment Act of 1938 with respect to acreage history, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 6, strike out "1957" and insert "1956."

Page 1, line 7, strike out all after "farm" down to and including "programs)" in line 10.

Page 2, line 5, after "farm", insert "but the 1956 acreage allotment of any commodity shall be regarded as planted under this section only if the owner or operator of such farm notified the county committee prior to the 60th day preceding the beginning of the marketing year for such commodity of his desire to preserve such allotment."

Page 2, line 9, strike out "wheat or rice" and insert "the commodity."

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. AUGUST H. ANDRESEN. Mr. Speaker, reserving the right to object, will the gentleman explain this matter?

Mr. MATTHEWS. I will be delighted to do so.

In enacting the Soil Bank Act, Congress provided, as an additional inducement to farmers to underplant their acreage allotments, that they would receive full credit for history purposes for any acres not planted if the county committee was notified in advance of the farmer's intention not to plant his full allotment.

After a year of administering this provision, the Department of Agriculture suggested that it could see no real reason for requiring farmers to notify the county committee of their intention to underplant their acres.

The Committee on Agriculture concurred with the Department in this matter and reported the bill H. R. 8030, which has the sole purpose of relieving farmers of the necessity of notifying the county committee in advance that they will underplant their acres. For the years 1957 through 1959—the duration of the Soil Bank Act—farmers will receive credit for history purposes for allotted acres not planted, without special notice to the county committee.

The Senate has made three clarifying amendments to this bill. They do not change the substance or intent of the bill as described in the House report but merely make it clear that the acreage underplanted in 1956 is to be counted for history purposes if the farmer did file the required notice with the county committee, that acreage released under surrender and reapportionment provisions of law will not be counted as acreage planted, and that the bill applies equally to all allotted crops.

Mr. AUGUST H. ANDRESEN. The sole purpose is to protect the historic acreage on the farm?

Mr. MATTHEWS. The gentleman is absolutely correct.

Mr. AUGUST H. ANDRESEN. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Florida [Mr. MATTHEWS]?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

CAREER COMPENSATION ACT OF 1949

Mr. BROOKS of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3028), an act to provide for the relief of certain female members of the Air Force, and for other purposes, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, after line 19, insert:

"SEC. 4. The Career Compensation Act of 1949, as amended (37 U. S. C. 231 et seq.), is further amended by adding the following new section at the end thereof:

"'§ 534. Regulations affecting pay and allowances

"'No regulation under this act, or any other law relating to pay and allowances of military personnel, shall be prescribed by the Secretary of a military department within the Department of Defense, relating to the pay and allowances of members of the Armed Forces under such military department, unless such regulation be first approved under procedures prescribed by the Secretary of Defense. Regulations of the Secretaries of the Treasury, Commerce, and Health, Education, and Welfare, which relate to similar items of pay and allowances authorized for members of the Coast Guard, the Coast and Geodetic Survey, and the Public Health Service, shall, to the extent practicable, agree with regulations so approved. Nothing in this section shall prevent the Secretary of Defense or the Secretaries of the Treasury, Commerce, and Health, Education, and Welfare from securing from the Comptroller General an advisory ruling with respect to a proposed regulation especially affecting the department or departments under such Secretary's jurisdiction.'

"SEC. 5. The analysis to the Career Compensation Act of 1949, as amended, is amended by adding the following new section caption:

"'SEC. 534. Regulations affecting pay and allowances.'"

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. BROOKS]?

Mr. MARTIN. Reserving the right to object, will the gentleman explain the bill, please?

Mr. BROOKS of Texas. I will be glad to.

The bill provides for the validating of payments to women members of the Air Force which were paid because they were living with their husbands while the Government would provide them with single quarters. They did not want to live in barracks. The Air Force paid them a quarters allowance. This legislation validates those payments, and the amendment of the Senate provides that future such requests must be approved by the Secretary of Defense.

Mr. BASS of Tennessee. Mr. Speaker, reserving the right to object, will this make possible the payment of Air Force personnel who were denied payments by Congress because their wives happened to be stationed at the same base, but they were not given joint quarters?

Mr. BROOKS of Texas. I believe this takes care of all the problems of female members of the Air Force who were paid as a result of that problem.

Mr. BASS of Tennessee. But it would not take care of the male members of the Air Force whose wife was a civilian employee on the same base but they were not given joint quarters?

Mr. BROOKS of Texas. This deals with women only.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

CONSENT CALENDAR

The SPEAKER. The Clerk will call the first bill on the Consent Calendar.

PAYMENT OF BENEFITS TO WIDOWS OF CERTAIN FORMER EMPLOYEES OF LIGHTHOUSE SERVICE

The Clerk called the bill (S. 235) to increase from $50 to $75 per month the amount of benefits payable to widows of certain former employees of the Lighthouse Service.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, at the request of the gentleman from Michigan [Mr. FORD] I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

USE OF CERTAIN LANDS FOR CEMETERY PURPOSES IN NORTH CAROLINA

The Clerk called the bill (H. R. 1262) to authorize and direct the Administrator of Veterans' Affairs to accept certain land in Buncombe County, N. C., for cemetery purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to accept for and in the name of the United States from the city of Asheville, N. C., by deed satisfactory to the Attorney General of the United States, title to two tracts of land in Buncombe County, N. C., being a portion of the property owned by the city of Asheville, known as the Riverside Cemetery, and to maintain such tracts for the burial of veterans of the Armed Forces of the United States who die in the Veterans' Administration Hospital, Oteen, N. C.

SEC. 2. The tracts of land referred to in the first section are a portion of that property conveyed to the city of Asheville by the Asheville Cemetery Co., July 2, 1955, by deed recorded in book 760 at page 407 in the office of the register of deeds for Buncombe County, N. C., which said property is known as the Riverside Cemetery and is shown on a plat recorded in plat book 26 at page 106 of the Buncombe County register, and more particularly described as follows:

Tract I: Beginning at a concrete monument (formerly iron pin) (formerly an old poplar tree) in a corner of the southern boundary of the property deeded to the city of Asheville by the Asheville Cemetery Co. dated July 2, 1955, and recorded in deed book 760 at page 407 of the Buncombe County registry; said beginning point and concrete monument is located by measuring from a 2-inch iron fence post in concrete in the easternmost corner of said property described in said deed book 760 at page 407, the following courses and distances: North 83 degrees 50 minutes west 166.6 feet to a white oak; south 60 degrees 00 minutes west 142.2 feet to an iron pin; south 43 degrees 45 minutes west 194.5 feet to the beginning concrete monument of this tract I herein described; runs thence from said beginning point with the southern boundary line of the property described in said deed book 760 at page 407, the following courses and distances: South 36 degrees 12 minutes west 107.2 feet to a Spanish oak; south 70 degrees 41 minutes west 194.5 feet to an iron pin; south 59 degrees 37 minutes west 66 feet to a concrete monument; north 85 degrees 30 minutes west 576.5 feet to a stake; thence leaving said southern boundary line of said property described in said deed book 760 at page 407 and runs north 17 degrees 15 minutes east 38.2 feet to a stake; thence north 58 degrees 33 minutes east 110.4 feet to a stake; thence north 24 degrees 43 minutes east 107 feet to a stake in the southern margin of a cemetery road, known as Parker Road; thence with the southern margin of said Parker Road the following courses and distances: South 65 degrees 17 minutes east 64.1 feet to a stake; south 87 degrees 47 minutes east 157.3 feet to a stake; north 84 degrees 58 minutes east 161.6 feet to a stake; south 86 degrees 32 minutes east 188.4 feet to a stake; north 68 degrees 28 minutes east 35 feet to a stake; north 49 degrees 58 minutes east 77.2 feet to a stake; thence leaving said southern margin of said Parker Road and running south 48 degrees 39 minutes east 117.5 feet to the place of beginning.

Tract II: Beginning at a stake in the northern margin of a cemetery road, known as Parker Road, which said road has been hereinbefore referred to in tract I above, which said beginning stake is located by measuring from the beginning concrete monument hereinbefore referred to in tract I above, the following courses and distances: North 48 degrees 39 minutes west 117.5 feet to a stake in the southern margin of said Parker Road; thence with the southern margin of said Parker Road, south 49 degrees 58 minutes west 77.2 feet to a stake; south 68 degrees 28 minutes west 35 feet to a stake; north 86 degrees 32 minutes west 61.2 feet to a stake; thence crossing said Parker Road, north 37 degrees 10 minutes west 26.35 feet to the beginning stake of this description of tract II; thence running from this beginning stake of tract II, north 37 degrees 10 minutes west 68.9 feet to a stake; north 47 degrees 52 minutes east 49.5 feet to a stake; south 46 degrees 48 minutes east 29 feet to a stake; north 44 degrees 58 minutes east 28.3 feet to a stake; north 35 degrees 22 minutes west 165.3 feet to a stake in the eastern margin of a cemetery road, known as Shuford Road, thence runs with the eastern margin of said Shuford Road, north 00 degrees 02 minutes west 23.1 feet to a stake; thence leaving said Shuford Road south 45 degrees 10 minutes east 179.8 feet to a stake; thence north 69 degrees 06 minutes east 73.3 feet to a stake; thence south 43 degrees 31 minutes east 83.9 feet to a stake in the northern margin of said Parker Road; thence runs with the northern margin of said Parker Road south 49 degrees 58 minutes west 123.4 feet to a stake; south 68 degrees 28 minutes west 27.5 feet to a stake; north 86 degrees 32 minutes west 74 feet to the place of beginning.

With the following committee amendment:

Page 5, line 6, insert:

"SEC. 3. As a condition precedent to the transfer of land authorized by section 1, evidence of title and a land survey, if required by the Government, shall be furnished by and at the expense of the city of Asheville, N. C."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING DISPOSAL OF CERTAIN UNCOMPLETED VESSELS

The Clerk called the bill (H. R. 8547) to authorize the disposal of certain uncompleted vessels.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

AMENDING SECTIONS 22 AND 24 OF THE ORGANIC ACT OF GUAM

The Clerk called the bill (H. R. 4215) amending sections 22 and 24 of the Organic Act of Guam.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

NATIONAL CONSERVATION ANNIVERSARY COMMISSION

The Clerk called the resolution (S. J. Res. 35) to provide for the observance and commemoration of the 50th anniversary of the first conference of State governors for the protection, in the public interest, of the natural resources of the United States.

There being no objection, the Clerk read the Senate Joint Resolution, as follows:

Whereas the year 1958 marks the fiftieth anniversary of the first conference of State governors ever held in the history of the United States; and

Whereas President Theodore Roosevelt, who called the conference, in his opening address on May 13, 1908, said in part:

"So vital is this question of conservation, that for the first time in our history the chief executive officers of the States separately, and of the States together forming the Nation, have met to consider it. It is the chief material question that confronts us, second only—and second always—to the great fundamental question of morality.

"The occasion for the meeting lies in the fact that the natural resources of our country are in danger of exhaustion if we permit the old wasteful methods of exploiting them longer to continue. In the development, the use, and therefore the exhaustion of certain of the natural resources, the progress has been more rapid in the past century and a quarter than during all preceding time of history since the days of primitive man.

"All these various uses of our natural resources are so closely connected that they should be coordinated, and should be treated as part of one coherent plan and not in haphazard and piecemeal fashion"; and

Whereas this first conference of governors, in complete agreement with the thinking of President Theodore Roosevelt, adopted unanimously a series of resolutions calling for a national policy and programs that would preserve and protect the forests, the water and streams, the soil and the range, wildlife, the minerals, fuels, and all other natural resources; and

Whereas this action by the State governors, assembled together for the first time in history, gave formal approval to the conservation movement in the United States; and

Whereas the problems involving the protection, development, and wise use of our natural resources are as great today, if not greater than ever before, as pointed out by President Dwight D. Eisenhower at the Mid-Century Conference on Resources for the Future held in Washington, District of Columbia, in December 1953; and

Whereas it has been emphasized repeatedly by both Democratic and Republican Presidents of the United States since Theodore Rosevelt that conservation of our natural resources is a bipartisan, continuing, and never-ending struggle that should have the interest and support of all citizens; and

Whereas the conservation of natural resources is the key to the future because the very existence of our Nation depends on conserving and making wise and efficient use of the resources which are the foundations of its life; and

Whereas it is vital for the continued welfare and prosperity of our citizens that conservation policies be followed in the future for the protection of our natural resources which will make certain that the purpose of "conservation is the greatest good of the greatest number for the longest time"; and

Whereas the most effective way of maintaining such conservation policies is for the greatest possible number of citizens to maintain a continuing interest in the problem of conserving our natural resources; and

Whereas this interest of all citizens will be aroused, renewed, and stimulated through the proper observance of the golden anniversary of the first conference of State governors, which was on conservation problems: Therefore be it

Resolved, etc., That (a) there is hereby established a Commission to be known as the National Conservation Anniversary Commission (hereinafter referred to in this joint resolution as the "Commission").

(b) The Commission shall be composed of the following members: The President of the United States, who shall be honorary chairman, the Secretary of Agriculture, and the Secretary of the Interior, ex officio; the President of the Senate and four Members of the Senate appointed by him; the Speaker of the House of Representatives and four Members of the House of Representatives appointed by him. The Commission members shall serve without compensation and shall select a chairman from among their number. The Chairman shall, with the advice of the Commission, expand its membership to include 15 representatives of national nonprofit organizations dedicated to conservation of various natural resources and 10 citizens at large from private life.

SEC. 2. It shall be the duty of the Commission to prepare and carry out a comprehensive plan for the observance and commemoration of the 50th anniversary of the 1st conference of State governors on conservation in the United States and generally promote among all citizens a realization of the importance of protecting the natural resources of the United States. In the preparation of such plan, the Commission shall have the cooperation and assistance of all departments and agencies of the Federal Government. It shall also cooperate with the governors of the individual States in order that there may be proper coordination and correlation of plans for such observance. The Commission is authorized to appoint such volunteer special project committees, task forces, and advisory groups as will advance its work, and it shall seek the cooperation of all citizens, and of groups and associations with activities in the conservation field, in bringing conservation's importance to public attention during the year 1958.

SEC. 3. (a) The Commission is authorized to appoint and prescribe the duties and fix the compensation of such employees as are necessary in the execution of its duties and functions.

(b) There is hereby authorized the appropriation of such sums as may be necessary to carry out the purposes of this joint resolution, including all necessary traveling and subsistence expenses incurred by the members and employees of the Commission. All expenditures of the Commission shall be allowed and paid upon presentation of itemized vouchers therefor, approved by the chairman of the Commission.

(c) The Commission shall cease to exist not later than 1 year after the date of the observance of the golden anniversary.

With the following committee amendments:

Amendment 1: Strike out all language on pages 1, 2 and 3 between the title and the enacting clause.

Amendment 2: Page 3, line 10, strike "Interior," and insert "Interior and Chief of Engineers, Department of the Army."

Amendment 3: Page 4, line 5, strike the words "Chairman shall, with the advice of the Commission," and insert "President of the United States may."

Amendment 4: Page 4, line 6, after the word "include" insert the words "not more than."

Amendment 5: Page 4, line 8, after the word "and" insert the words "not more than."

Amendment 6: Page 5, line 2, strike "1958," and insert "1958, but neither the Commission nor such committees, task forces, or advisory groups shall solicit funds from the general public."

Amendment 7: Page 5, line 9, after the word "resolution," insert "not to exceed $20,000."

The committee amendments were agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RECREATIONAL ASPECTS OF WATERSHED PROJECTS

The Clerk called the bill (H. R. 5497) to amend the Watershed Protection and Flood Prevention Act.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BOW, Mr. ENGLE, and Mr. BOLAND objected.

TENNESSEE RIVER BASIN WATER POLLUTION CONTROL COMPACT

The Clerk called the bill (H. R. 6701) granting the consent and approval of Congress to the Tennessee River Basin water pollution control compact.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent and approval of Congress is given to the Tennessee River Basin Water Pollution Control Compact, as hereinafter set out. Such compact reads as follows:

"TENNESSEE RIVER BASIN WATER POLLUTION CONTROL COMPACT

"Article I

"The purpose of this compact is to promote effective control and reduction of pollution in the waters of the Tennessee River Basin through increased cooperation of the States of the basin, coordination of pollution control activities and programs in the basin, and the establishment of a joint interstate commission to assist in these efforts.

"Article II

"The party States hereby create the 'Tennessee River Basin Water Pollution Control Commission,' hereinafter referred to as the 'commission,' which shall be an agency of each party State with the powers and duties set forth herein, and such others as shall be conferred upon it by the party States or by the Congress of the United States concurred in by the party States.

"Article III

"A. The party States hereby create the 'Tennessee River Basin Water Pollution Control District,' hereinafter called the 'district,' which consists of the area drained by the Tennessee River and its tributaries.

"B. From time to time the commission may conduct surveys of the basin, study the pollution problems of the basin, and make comprehensive reports concerning the prevention or reduction of water pollution therein. The commission may draft and recommend to the parties hereto suggested legislation dealing with the pollution of waters within the basin or any portion thereof. Upon request of a State water pollution control agency, and in a manner agreed upon by such agency and the commission, the commission shall render advice concerning the various governments, communities, municipalities, persons, corporations or other entities with regard to particular problems connected with the pollution of waters. The commission shall present to the appropriate officials of any government or agency thereof its recommendations relating to enactments to be made by any legislature in furthering the intents and purposes of this article. The commission, upon request of a member State or upon its own instance may, after proper study, and after conducting public hearings, recommend minimum standards of water quality to be followed in the several areas of the district.

"Article IV

"The commission shall consist of three commissioners from each State, each of whom shall be a resident voter of such State. The commissioners shall be chosen in the manner and for the terms provided by the laws of the State from which they are appointed, and each commissioner may be removed or suspended from office as provided by law of the State from which he is appointed.

"Article V

"A. The commission shall elect annually from its members a chairman and a vice chairman to serve at its pleasure. It shall adopt a seal and suitable bylaws for its management and control. The commission is hereby authorized to adopt, prescribe, and promulgate rules and regulations for administering and enforcing all provisions of this compact. It may maintain one or more offices for the transaction of its business. Meetings shall be held at least once each year. It may determine duties, qualifications and compensation for and appoint such employees and consultants as may be necessary and remove or replace them.

"B. The commission shall not compensate the commissioners for their services but shall pay their actual expenses incurred in and incidental to the performance of their duties.

"C. The commission may acquire, by gift or otherwise, and may hold and dispose of such real and personal property as may be appropriate to the performance of its functions. In the event of sale of real property, proceeds may be distributed among the several party States, each State's share being computed in a ratio to its contributions; and in the event of dissolution of the commission, the property and assets shall be disposed of and proceeds distributed in a like manner.

"D. Each commissioner shall have one vote. One or more commissioners from a majority of the party States shall constitute a quorum for the transaction of business, but no action of the commission imposing any obligation on any party State or any municipality, person, corporation, or other entity therein shall be binding unless a majority of all of the members from such party State shall have voted in favor thereof. The commission shall keep accurate accounts of all receipts and disbursements, and shall submit to the governor and the legislature of each party State an annual report concerning its activities, and shall make recommendations for any legislative, executive, or administrative action deemed advisable.

"E. The commission shall at the proper time submit to the governor of each party State for his approval an estimate of its proposed expenditures. The commission shall subsequently adopt a budget and submit appropriation requests to the party States in accordance with the laws and procedures of such States.

"F. The commission shall not pledge the credit of any of the party States. The commission may meet any of its obligations in whole or in part with funds available to it, from gifts, grants, appropriations, or otherwise, provided that the commission takes specific action setting aside such funds prior to the incurring of any obligation to be met in whole or in part in this manner. Except where the commission makes use of funds already available to it, the commission shall not incur any obligations prior to the making of appropriations adequate to meet the same.

"G. The accounts of the commission shall be open at any reasonable time to the inspection of such representatives of the respective party States as may be duly constituted for that purpose. All receipts and disbursements of funds handled by the commission shall be audited yearly by a qualified public accountant, and the report of the audit shall be included in and become a part of the annual report of the commission. The commission shall appoint an executive director. The commission shall also appoint a treasurer who may be a member of the commission. The executive director shall be custodian of the records of the commission with authority to attest to and certify such records and copies thereof under the seal of the commission. The commission shall require bonds of its executive director and treasurer in the amount of at least 25 percent of the annual budget of the commission.

"Article VI

"Each of the commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party States. In determining these amounts, the commission shall prorate one half of its budget among the several States in proportion to their land area within the district, and shall prorate the other half among the several States in proportion to their population within the district at the last preceding Federal census.

"Article VII

"A. It is recognized, owing to such variable factors as location, size, character, and flow, and the many varied uses of the waters subject to the terms of this compact, that no single standard of sewage and waste treatment and no single standard of quality of receiving waters is practical and that the degree of treatment of sewage and industrial wastes should take into account the classification of the receiving waters according to present and proposed highest use, such as for drinking water supply, industrial, and agricultural uses, bathing and other recreational purposes, maintenance and propagation of fish life, navigation, and disposal of wastes.

"B. The commission may establish reasonable physical, chemical, and bacteriological standards of water quality satisfactory for various classifications of use. It is agreed that each of the signatory States through appropriate agencies will prepare a classification of its interstate waters in the district in entirety or by portions according to present and proposed highest use, and for this purpose technical experts employed by appropriate State water pollution control agencies are authorized to confer on questions relating to classification of interstate waters affecting two or more States. Each signatory State agrees to submit its classification of its interstate waters to the commission for approval. It is agreed that after such approval, all signatory States through their appropriate State water pollution control agencies will work to establish programs of treatment of sewage and industrial wastes which will meet standards established by the commission for classified waters. The commission may from time to time make such changes in definitions of classifications and in standards as may be required by changed conditions or as may be necessary for uniformity and in a manner similar to that in which these standards and classifications were originally established.

"Article VIII

"A. A State pollution control agency of any party State may certify to the commission an alleged violation of the commission's standards of quality of water entering said State. Upon such certification the commission may call a hearing at which the appropriate State pollution agencies shall be represented. If the commission finds a violation has occurred, is occurring, or is likely to recur, it shall make recommendations as to the manner of abatement of the pollution to the appropriate water pollution control agency of the party State within which the violation has occurred, is occurring, or is likely to recur. In the event that commission recommendations made pursuant to the preceding provisions of this article do not result in compliance within a reasonable time, the commission may, after such further investigation if any as is deemed necessary and proper and after a hearing held in the State where a violation occurs or has occurred, issue an order or orders upon any municipality, person, corporation, or other entity within said party State violating provisions of this compact by discharging sewage or industrial wastes into the waters of the district which flow through, into, or border upon any party State. Such order or orders may prescribe the date on or before which such discharge shall be wholly or partially discontinued, modified, or treated, or otherwise disposed of. The commission shall give reasonable and proper notice in writing of the time and place of the hearing to the municipality, person, corporation, or other entity against which such order is proposed except that when the commission shall find that a public health emergency exists, it may issue such an order pending hearing. In all such instances, the hearing shall be promptly held and the order shall be withdrawn, modified, or made permanent within 30 days after hearing. No order prescribing the date on or before which such discharge shall be wholly or partially discontinued, modified, or treated, or otherwise disposed of, shall go into effect upon a municipality, person, corporation, or other entity in any State unless and until it receives the approval of a majority of the commissioners from each of not less than a majority of the party States, provided that such order receives the assent of not less than a majority of the commissioners from such State.

"B. It shall be the duty of the municipality, person, corporation, or other entity within a party State to comply with any such order against it or him by the commission, and any court of competent jurisdiction in any of the party States shall have jurisdiction, by mandamus, injunction, specific performance, or other form of remedy, to enforce any such order against any municipality, person, corporation, or other entity domiciled, located or doing business within such State: *Provided, however,* Such court may review the order and affirm, reverse, or modify the same in any appropriate proceeding brought and upon any of the grounds customarily applicable in proceedings for court review of administrative decisions. The commission or, at its request, the attorney general or other law enforcing official of the appropriate State shall have power to institute in such court any action for the enforcement of such order.

"Article IX

"Nothing in this compact shall be construed to limit the powers of any party State, or to repeal or prevent the enactment of any legislation, or the enforcement of any requirement by any party State, imposing any additional conditions and restrictions to further reduce or prevent the pollution of waters within its jurisdiction.

"Article X

"A. Nothing contained in this compact shall be construed so as to conflict with any provision of the Ohio River Valley Water Sanitation Compact or to impose obligations on any party State inconsistent with those which it has undertaken or may undertake by virtue of its membership in said compact: *Provided,* That nothing contained in this article shall be deemed to limit the commission's power to set higher standards for the waters of the Tennessee River Basin Water Pollution Control District or any portion thereof than those required for the Ohio River Valley Water Sanitation District.

"B. Nothing contained in this compact shall be deemed to give the commission any regulatory power or jurisdiction over any aspect of pollution abatement or control within the district unless existing or future pollution of such waters does or is likely to affect adversely the quality of water flowing among, between, into or through the territory of more than one party State.

"Article XI

"Any two or more of the party States by legislative action may enter into supplementary agreements for further regulation and abatement of water pollution in other areas within the party States and for the establishment of common or joint services or facilities for such purpose and designate the commission to act as their joint agency in regard thereto. Except in those cases where all member States join in such supplementary agreement and designation, the representatives in the commission of any group of such designating States shall constitute a separate section of the commission for the performance of the function or functions so designated and with such voting rights for these purposes as may be stipulated in such agreement: *Provided,* That, if any additional expense is involved, the member States so acting shall appropriate the necessary funds for this purpose. No supplementary agreement shall be valid to the extent that it conflicts with the purposes of this compact and the creation of such a section as a joint agency shall not affect the privileges, powers, responsibilities, or duties of the member States participating therein as embodied in the other articles of this compact.

"Article XII

"This compact shall enter into force and become effective and binding when it has been enacted by the Legislature of Tennessee and by the legislatures of any one or more of the States of Alabama, Georgia, Kentucky, Mississippi, North Carolina, and Virginia and upon approval by the Congress of the United States and thereafter shall enter into force and become effective and binding as to any other of said States when enacted by the legislature thereof.

"Article XIII

"This compact shall continue in force and remain binding upon each party State until renounced by act of the legislature of such State, in such form and manner as it may choose; provided that such renunciation shall not become effective until 6 months after the effective date of the action taken by the legislature. Notice of such renunciation shall be given to the other party States by the secretary of state of the party State so renouncing upon passage of the act.

"Article XIV

"The provisions of this compact or of agreements thereunder shall be severable and if any phrase, clause, sentence, or provision of this compact, or such agreement, is declared to be contrary to the Constitution of any participating State or of the United States or the applicability thereof to any State, agency, person, or circumstance is held invalid, the constitutionality of the remainder of this compact or of any agreement thereunder and the applicability thereof to any State, agency, person, or circumstance shall not be affected thereby, provided further that if this compact or any agreement thereunder shall be held contrary to the Constitution of the United States or of any State participating therein, the compact or any agreement thereunder shall remain in full force and effect as to the remaining States and in full force and effect as to the State affected as to all severable matters. It is the legislative intent that the provisions of this compact shall be reasonably and liberally construed."

SEC. 2. The consent of Congress is given to any of the States of Alabama, Georgia, Kentucky, Mississippi, North Carolina, Tennessee, and Virginia to become a party to the Tennessee River Basin water-pollution-control compact in accordance with its terms.

SEC. 3 (a). The President shall appoint a Federal representative to the Tennessee River Basin Water Pollution Control Commission. Such representative shall maintain liaison between the Federal Government and the commission, and from time to time shall report on the activities of the commission to the President, either directly or through such agency or official of the Government as the President may specify, and to the Congress.

(b) Such representative shall receive compensation and travel expenses, including per diem in lieu of subsistence, in the manner provided for experts and consultants in sections 5 and 15 of the Administrative Expenses Act of 1946, except that (1) the time limitation with respect to the length of services authorized in such section 15 shall not apply, (2) the per diem rate of compensation for such representative shall be such amount, not in excess of $100, as is established by the President, and (3) the total compensation paid in any calendar year to such representative shall not exceed $15,000. A retired military officer of the United States or a retired civilian employee of the United States may be appointed to serve as such representative without prejudice to his retired status, and shall receive compensation as authorized in this subsection except that his retired pay or annuity under Federal law and compensation under this subsection shall not exceed $15,000 in any calendar year. If an employee of the United States is appointed to serve as such representative in addition to his regular duties as such employee, he shall serve without additional compensation. Compensation paid under the authority of this subsection shall be paid from funds appropriated to the Executive Office of the President for salaries in the White House office.

(c) Such representative shall be provided with necessary office space, consulting, engineering, and stenographic service, and other administrative services by such agency of the Government as may be designated by the President. Travel and other expenses for such representative shall be paid from funds appropriated to such agency.

SEC. 4. Copy of any supplementary agreement entered into pursuant to article XI of the Tennessee River Basin Water Pollution Control Compact set forth in section I of this act shall be transmitted to the President, the President of the Senate, and the Speaker of the House. No such supplementary agreement shall become effective if, within the first period which consists of 90 calendar days in a session of the Congress and which follows the date on which such agreement is first received by either the President of the Senate or the Speaker of the House of Representatives, the Congress by concurrent resolution disapproves of such agreement.

SEC. 5. The right to alter, amend, or repeal this act is expressly reserved.

With the following committee amendment:

Page 16, strike out lines 10 through 21, inclusive, and insert in lieu thereof the following:

"SEC. 4. No additional power or duty proposed to be conferred upon the Tennessee River Basin Water Pollution Control Commission by the party States under authority of article II of the compact set forth in the first section of this act, and no supplementary agreement entered into pursuant to article XI of such compact, shall be effective until specifically approved by the Congress of the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MONUMENT SYMBOLIZING IDEALS OF DEMOCRACY

The Clerk called the bill (H. R. 8290) to authorize the erection of a national monument symbolizing the ideals of democracy in the fulfillment of the act of August 31, 1954 (68 Stat. 1049), "An act to create a National Monument Commission, and for other purposes."

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the present consideration of the bill?

Mr. **HAGAN**. Mr. Speaker, I object.

Mr. **GROSS**. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

PENSIONS FOR SERVICE IN MORO PROVINCE

The Clerk called the resolution (H. J. Res. 73) placing certain individuals who served in the Armed Forces of the United States in the Moro Province, including Mindanao, and in the islands of Leyte and Samar after July 4, 1902, and their survivors, in the same status as those who served in the Armed Forces during the Philippine Insurrection and their survivors.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM of Iowa. Mr. Speaker, I am advised by the gentleman from Illinois [Mr. O'HARA], that he plans to call this resolution up under suspension of the rules today. I therefore ask unanimous consent that the resolution be passed over without prejudice.

The SPEAKER. It will not come up today.

Is there objection to the request of the gentleman from Iowa?

There was no objection.

ADVERTISEMENT OF MAIL ROUTES

The Clerk called the bill (H. R. 9240) to revise certain provisions of law relating to the advertisements of mail routes, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first sentence of section 245 of the act of June 8, 1872 (17 Stat. 313), as amended (18 Stat. 235, 66 Stat. 286; 39 U. S. C. 426), is amended by striking out "approved by a postmaster, and in cases where the amount of the bond exceeds $5,000, by a postmaster of the 1st, 2d, or 3d class," and inserting in lieu thereof "approved as the Postmaster General shall direct."

SEC. 2. When advertising is required under section 3709 of the Revised Statutes (41 U. S. C. 5) or any other law, the Postmaster General shall advertise, for a period of not less than 20 days, for bids for a contract for transporting the mails, unless he shall publish with the advertisement a finding that the public exigencies surrounding the particular contract require a shorter period.

SEC. 3. The following provisions of law are hereby repealed:

(1) the paragraph relating to the advertisement of mail lettings under the heading "Office of the Fourth Assistant Postmaster-General," contained in the act of May 12, 1910 (36 Stat. 366; 39 U. S. C. 421); and

(2) the first section of the act of July 26, 1892 (27 Stat. 268), as amended (54 Stat. 228; 39 U. S. C. 422).

SEC. 4. This act shall not apply to contracts for the transportation of mail—

(1) by mail messengers under the act of March 3, 1887, as amended (24 Stat. 492, 68 Stat. 1116; 39 U. S. C. 578),

(2) by highway post office service under the Highway Post Office Service Act of 1955 (70 Stat. 781; Public Law 862, 84th Cong.; 39 U. S. C. 1051–1056), and

(3) by steamships under section 5 of the act of May 17, 1878 (20 Stat. 62; 39 U. S. C. 449).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTABLISHING FISH HATCHERY IN NORTHWESTERN PENNSYLVANIA

The Clerk called the bill (H. R. 662) to provide for the establishment of a fish hatchery in the northwestern part of the State of Pennsylvania.

Mr. ASPINALL. Mr. Speaker, reserving the right to object, I wish to ask the sponsor of the bill whether or not the Department downtown favors the enactment of this legislation; and, if so, what is the contemplated cost?

Mr. GAVIN. This is a bill that comes from the Committee on Merchant Marine and Fisheries. It is an authorization bill. I would like to point out to the gentleman that the Allegheny River Reservoir has been authorized for construction, an appropriation has been established to initiate construction commencing in 1958. When constructed, this reservoir will create an artificial lake 29 miles long in the northwestern part of the State of Pennsylvania. It will be one of the largest inland lakes in the eastern part of the United States.

Mr. ASPINALL. The gentleman from Pennsylvania does not have to sell me on the legislation; I am for it; I just want to know what the cost is to be.

Mr. GAVIN. I would say that the cost would be considerably less than the million dollars the gentleman has in mind.

Mr. ASPINALL. Would the gentleman state definitely that the cost would not exceed a million dollars?

Mr. GAVIN. I cannot estimate, as the plans and specifications have not been completed and estimated costs determined; however, it is my opinion the cost will not be anywhere near a million dollars.

Mr. ASPINALL. If I understand, the gentleman then promises that if the cost does go in excess of a million dollars he will come back to Congress for authorization?

Mr. GAVIN. I certainly will be glad to do so.

Mr. ASPINALL. Mr. Speaker, I withdraw my reservation of objection.

Mr. GAVIN. I thank the gentleman from Colorado.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to establish, construct, equip, operate, and maintain a new fish hatchery in the northwestern part of the State of Pennsylvania.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOOD SUPPLIES FOR MIGRATORY WATERFOWL

The Clerk called the bill (H. R. 6959) to authorize the Secretary of the Interior to cooperate with Federal and non-Federal agencies in the augmentation of natural food supplies for migratory waterfowl.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purpose of assuring a sufficient food supply for migratory birds by augmenting available sources where conditions warrant such action, the Commodity Credit Corporation shall make available to the Secretary of the Interior such wheat, corn, or other grains, acquired through price-support operations and certified by the Commodity Credit Corporation to be available for purposes of this act or in such condition through spoilage or deterioration as not to be desirable for human consumption, as the Secretary of the Interior shall requisition pursuant to section 2 hereof. With respect to any grain thus made available, the Commodity Credit Corporation may pay packaging, transporting, handling, and other charges up to the time of delivery to one or more designated locations in each State.

SEC. 2. Upon a finding by the Secretary of the Interior that the supply of migratory birds is threatened by lack of sufficient food, the Secretary of the Interior is hereby authorized and directed to requisition from the Commodity Credit Corporation and to make available to Federal, State, or local governmental bodies or officials, or to private organizations or persons, such grain acquired by the Commodity Credit Corporation through price-support operations in such quantities and subject to such regulations as the Secretary determines will most effectively augment normal food supplies along the routes of the usual flight patterns.

SEC. 3. With respect to all grain made available pursuant to section 2, the Commodity Credit Corporation shall be reimbursed by the Secretary of the Interior for its expenses in packaging and transporting such grains for purposes of this act.

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to reimburse the Commodity Credit Corporation for its investment in the grain transferred pursuant to this act.

With the following committee amendments:

On page 2, beginning at line 7, delete the entire section 2, and insert in lieu thereof the following new section 2:

"SEC. 2. Upon a finding by the Secretary of the Interior that the supply of migratory birds is threatened by lack of sufficient food, the Secretary of the Interior is authorized to requisition from the Commodity Credit Corporation and to make available to Federal agencies or to the appropriate State conservation agency for feeding on wildlife refuges, wildlife management areas, or other lands owned, leased, or otherwise controlled or managed for wildlife purposes by Federal or State governmental agencies, such grain acquired from the Commodity Credit Corporation in such quantities and subject to such conditions as the Secretary determines will most effectively augment normal migratory bird food supplies. The Secretary may prescribe regulations that he considers to be in the public interest for the purpose of carrying into effect the provisions of this section."

On page 2, beginning at line 18, delete the entire section 3, and insert in lieu thereof the following new section 3:

"SEC. 3. There are authorized to be appropriated such amounts as may be necessary to enable the Secretary of the Interior to reimburse the Commodity Credit Corporation for its expenses in packaging, transporting, and handling grain made available to Federal agencies pursuant to this act."

On page 3, delete the entire section 4.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REMOVING LIMITATION ON PROPERTY AT AUSTIN, TEX.

The Clerk called the bill (H. R. 7964) to remove the limitation on the use of certain real property heretofore conveyed to the city of Austin, Tex., by the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of General Services shall convey to the board of trustees of the Austin Independent School District, Travis County, Tex., without consideration therefor, all right, title, and interest of the United States in and to the real property conveyed to the city of Austin, Tex., under authority of the act entitled "An act to authorize the Secretary of War to convey to the city of Austin, Tex., a tract of land in said city for educational purposes," approved March 5, 1888 (25 Stat. 44).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CREDITING OF CERTAIN LEGISLATIVE SERVICE FOR CIVIL-SERVICE RETIREMENT PURPOSES

The Clerk called the bill (H. R. 8424) to include certain service performed for Members of Congress as annuitable service under the Civil Service Retirement Act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any person serving as a Congressional employee (as defined in the Civil Service Retirement Act) on January 3, 1957, may include, in computing his annuitable service, any period during which he was employed by, and paid from the personal funds of, a Member of Congress (as defined in the Civil Service Retirement Act), if (1) he was employed by such Member in his Congressional capacity, (2) such employment, and compensation received therefor, is (A) certified to by such Member, or (B) established by other evidence satisfactory to the Civil Service Commission if such Member is deceased or incapacitated, within a period of 90 days after the date of enactment of this act, and (3) such employee deposits, to the credit of the civil service retirement and disability fund, the sum required by section 4 of the Civil Service Retirement Act covering such employment.

Mrs. PFOST. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. PFOST: On page 2, immediately following line 7, insert the following:

"SEC. 2. The amount of annuity payable to any person by reason of the enactment of the first section of this act shall not exceed $4,000 per annum."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 77 (C) (6) OF THE BANKRUPTCY ACT

The Clerk called the bill (H. R. 982) to amend section 77 (c) (6) of the Bankruptcy Act.

Messrs. **CRETELLA, MORANO,** and **SEELY-BROWN** objected.

FRANKING PRIVILEGE FOR FORMER MEMBERS OF CONGRESS

The Clerk called the bill (S. 2500) to make uniform the termination date for the use of official franks by former Members of Congress, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the second sentence of section 7 of the act of March 3, 1875 (39 U. S. C. 329), is amended by striking out the words "for the period of 9 months after" and by inserting in lieu thereof "until the 30th day of June following."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JEWISH WAR VETERANS NATIONAL MEMORIAL

The Clerk called the bill (H. R. 109) to incorporate the Jewish War Veterans, United States of America, National Memorial, Inc.

The **SPEAKER.** Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask a few questions of some member of the Committee on the Judiciary, either the author of the bill or someone else. Does this provide a Federal charter?

Mr. CELLER. This provides a Federal charter; however, only for a national shrine. It does not provide a national charter for recruiting members or anything like that. This shrine is to be erected in Washington, in which there will be housed relics of those who fought in the various wars, in other words, Jewish war veterans.

Mr. GROSS. Were hearings held on this bill?

Mr. CELLER. Yes.

Mr. GROSS. Before the Committee on the Judiciary?

Mr. CELLER. By Mr. FRAZIER's subcommittee. If Mr. FRAZIER is here, I will yield to him.

Mr. GROSS. Let me say to the gentleman from New York that I have had a bill before his committee for a number of years. Hearings have been held on that bill which would provide a Federal charter for a veterans organization. As of this date I have had no success whatever in getting the bill to the House floor for consideration. Therefore, I am not constrained at this time to permit a Federal charter being granted to a veterans organization for any purpose so long as I cannot get consideration for the bill I have before the committee.

Mr. CELLER. I assure the gentleman we would be very happy to give him every reasonable consideration on his bill. I do not know what the bill is.

Mr. GROSS. The answer I have been given is that Federal charters are not being approved. That is the answer I have received from the Committee on the Judiciary.

Mr. CELLER. No. I think the gentleman got the information that the Committee on the Judiciary at that particular time was flooded with many bills of this type. We wanted a breathing space so we could adequately consider these matters. Comes the next session and I can assure the gentleman he will be given very earnest consideration.

Mr. GROSS. Does it take from 1950 to 1957 to provide a breathing space for the committee? In other words, does it take some 7 years?

Mr. CELLER. Of course not. If the gentleman will let me know the nature of his bill, I will be very glad to give him proper consideration and to get some action.

Mr. GROSS. I am sure this is not an emergency measure, so under the circumstances, Mr. Speaker, I feel that I must ask unanimous consent that this bill be passed over without prejudice until the next session when consideration may also be given to the bill I have introduced.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

SURVIVOR BENEFITS FOR MEMBERS OF CONGRESS

The Clerk called the bill (H. R. 8606) to amend the Civil Service Retirement Act with respect to annuities of survivors of employees who are elected as Members of Congress.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) section 6 (f) of the Civil Service Retirement Act is amended by striking out the words "or survivor of a Member."

(b) Section 10 (c) of such act is amended by striking out "If an employee dies after completing at least 5 years of civilian service, or a Member dies after completing at least 5 years of Member service", and inserting in lieu thereof the following: "If an employee or a Member dies after completing at least 5 years of civilian service."

(c) Section 10 (d) of such act is amended by striking out "If an employee dies after completing 5 years of civilian service or a Member dies after completing 5 years of Member service" and inserting in lieu thereof the following: "If an employee or a Member dies after completing at least 5 years of civilian service."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CITY OF COUNCIL BLUFFS, IOWA

The Clerk called the bill (H. R. 8928) to amend the act of June 9, 1880, entitled "An act to grant to the corporate authorities of the city of Council Bluffs, in the State of Iowa, for public uses, a certain lake or bayou situated near said city."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act of June 9, 1880, entitled "An act to grant to the corporate authorities of the city of Council Bluffs, in the State of Iowa, for public uses, a certain lake or bayou situated near said city" (21 Stat. 171), is hereby amended by the insertion of a period immediately after "fifth principal meridian of Iowa", and by the deletion of all thereafter.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CODE OF ETHICS FOR GOVERNMENT SERVICE

The Clerk called House Concurrent Resolution 175.

There being no objection, the Clerk read the House concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the following code of ethics should be adhered to by all Government employees, including officeholders:

CODE OF ETHICS FOR GOVERNMENT SERVICE

Any person in Government service should:

1. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department.
2. Uphold the Constitution, laws, and legal regulations of the United States and of all governments therein and never be a party to their evasion.
3. Give a full day's labor for a full day's pay; giving to the performance of his duties his earnest effort and best thought.
4. Seek to find and employ more efficient and economical ways of getting tasks accomplished.
5. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept, for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.
6. Make no private promises of any kind binding upon the duties of office, since a Government employee has no private word which can be binding on public duty.
7. Engage in no business with the Government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.
8. Never use any information coming to him confidentially in the performance of governmental duties as a means for making private profit.
9. Expose corruption wherever discovered.
10. Uphold these principles, ever conscious that public office is a public trust.

The House concurrent resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FISH FARMING

The Clerk called the bill (S. 1552) to authorize the Secretary of the Interior to establish a program for the purpose of carrying on certain research and experimentation to develop methods for the commercial production of fish on flooded rice acreage in rotation with rice field crops, and for other purposes.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

CITY OF LAS VEGAS, NEV.

The Clerk called the bill (S. 1645) to authorize the Secretary of the Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road-widening purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the Secretary of the Interior is authorized and directed to grant and convey to the city of Las Vegas, Nevada, without consideration, and subject to such conditions as the Secretary may deem necessary, perpetual easements for road widening purposes in two small strips of land in the city of Las Vegas, Nevada, owned by the United States (under the jurisdiction of the Fish and Wildlife Service, Department of the Interior), described as follows:

PARCEL NO. 1

The east 45 feet of the west 75 feet of the north 507 feet of the northwest quarter of the northwest quarter of section 30, township 20 south, range 61 east, Mount Diablo meridian; save and except the north 40 feet thereof.

PARCEL NO. 2

A strip of land 10 feet wide in the northwest quarter northwest quarter of said section 30 having for its beginning corner a point 30 feet east and 30 feet south of the northwest corner of said section; thence north 89 degrees 23 minutes 45 seconds east with a line 30 feet south of and parallel with the north line of said section a distance of 869.42 feet (approximately) to the east line of the aforesaid land of the United States; thence south 13 degrees 41 minutes west 10.32 feet (approximately) to the southeast corner of said 10-foot strip herein described; thence south 89 degrees 23 minutes 45 seconds west with a line 40 feet south of and parallel with the north section line 866.87 feet (approximately) to a point 30 feet east and 40 feet south of the northwest section corner; thence north 10 feet to the beginning.

The above-described two parcels contain 0.68 acre, more or less.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CASPER-ALCOVA IRRIGATION DISTRICT

The Clerk called the bill (S. 1996) to approve the contract negotiated with the Casper-Alcova Irrigation District, to authorize its execution, to provide that the excess-land provisions of the Federal reclamation laws shall not apply to the lands of the Kendrick project, Wyoming, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the contract with the Casper-Alcova Irrigation District, Kendrick project, Wyoming, approved by the District Board of Commissioners on February 26, 1957, which has been negotiated by the Secretary of the Interior pursuant to subsection (a) of section 7 of the Reclamation Project Act of 1939 (53 Stat. 1192; 43 U. S. C. 485f) is hereby approved, and the Secretary is hereby authorized to execute said contract on behalf of the United States.

SEC. 2. The excess-land and antispeculation provisions of the Federal reclamation laws (act of May 25, 1926, sec. 46, 44 Stat. 636, 649, 43 U. S. C. sec. 423e) shall not apply to the lands of the Kendrick project, Wyoming, and any agreements heretofore made by any landowners of Kendrick project lands with the United States to conform their excess lands to such provisions may be disregarded by such landowners. The provisions of this section 2 are intended to meet the special conditions existing on the Kendrick project, Wyoming, and shall not be considered as altering the general policy of the United States with respect to the excess-land provisions of the Federal reclamation laws.

SEC. 3. The part of the cost of operation and maintenance of Seminole Dam and Reservoir and Alcova Dam and Reservoir of the Kendrick project, Wyoming, incurred by the United States for the calendar year 1958, which is properly allocable for payment by project irrigation water users, is hereby assigned to be repaid from Kendrick project power revenues.

With the following committee amendments:

Page 1, line 3, following the word "That" insert the words ", subject to the provisions of section 2 of this act."

Page 2, line 5, strike out the sentence: "The excess-land and antispeculation provisions of the Federal reclamation laws (act of May 25, 1926, sec. 46, 44 Stat. 636, 649, 43 U. S. C., sec. 423e) shall not apply to the lands of the Kendrick project, Wyoming, and any agreements heretofore made by any landowners of Kendrick project lands with the United States to conform their excess lands to such provisions may be disregarded by such landowners." and insert in lieu thereof: "The limitations on acreage and restrictions on delivery of water to excess lands under the Federal reclamation laws shall apply to the lands of the Kendrick project, Wyoming, except that 480 irrigable acres shall, in this instance, be substituted for 160 irrigable acres."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to approve the contract negotiated with the Casper-Alcova Irrigation District, to authorize its execution, and for other purposes."

A motion to reconsider was laid on the table.

RICE ACREAGE ALLOTMENTS

The Clerk called the bill (H. R. 8490) to amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice-acreage allotments.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. May I ask what disposal was made of the bill S. 1552, Calendar No. 275?

The SPEAKER. The bill was passed over.

REMOVING LIMITATION ON CLAIMS ARISING OUT OF AIRCRAFT CRASH

The SPEAKER. The Chair recognizes the gentleman from Massachusetts [Mr. LANE].

Mr. LANE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the next bill on the Consent Calendar (H. R. 8868) to remove the present $1,000 limitation which prevents the settlement of certain claims arising out of the crash of an aircraft belonging to the United States at Worcester, Mass., on July 18, 1957.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the $1,000 limitation on claims contained in the paragraph under the center heading "Claims" in title II of the Department of Defense Appropriation Act, 1958, shall not apply with respect to claims arising out of the crash on July 18, 1957, at Worcester, Mass., of an aircraft belonging to the United States and being operated on a routine training flight by a member of the Air National Guard while on a camp of instruction.

SEC. 2. No part of the amounts awarded under this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN REVISIONS OF THE IMMIGRATION AND NATIONALITY LAWS

Mr. CELLER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2792) to amend the Immigration and Nationality Act, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted, etc., That subparagraph (B) of section 101 (b) (1) of the Immigration and Nationality Act is amended to read as follows:

"(B) a stepchild, whether or not born out of wedlock, provided the child had not reached the age of 18 years at the time the marriage creating the status of stepchild occurred: or"

SEC. 2. Section 101 (b) (1) of the Immigration and Nationality Act is amended by adding at the end thereof the following new subparagraphs:

"(D) an illegitimate child, by, through whom, or on whose behalf a status, privilege, or benefit is sought by virtue of the relationship of the child to its natural mother;

"(E) a child adopted while under the age of 14 years if the child has thereafter been in the legal custody of, and has resided with, the adopting parent or parents for at least 2 years: *Provided*, That no natural parent of any such adopted child shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under this act."

SEC. 3. Section 203 (a) (1) of the Immigration and Nationality Act is amended by striking out "him." and inserting in lieu thereof the following: "or following to join him.".

SEC. 4. (a) On or before June 30, 1959, special nonquota immigrant visas may be issued to eligible orphans as defined in this section who are under 14 years of age at the time the visa is issued. Not more than two such special nonquota immigrant visas may be issued to eligible orphans adopted or to be adopted by any one United States citizen and spouse, unless necessary to prevent the separation of brothers or sisters.

(b) When used in this section, the term "eligible orphan" shall mean an alien child (1) who is an orphan because of the death or disappearance of both parents, or because of abandonment or desertion by, or separation or loss from, both parents, or who has only one parent due to the death or disappearance of, abandonment, or desertion by, or separation or loss from the other parent and the remaining parent is incapable of providing care for such orphan and has in writing irrevocably released him for emigration and adoption; (2) (A) who has been lawfully adopted abroad by a United States citizen and spouse, or (B) for whom assurances, satisfactory to the Attorney General, have been given by a United States citizen and spouse that if the orphan is admitted into the United States they will adopt him in the United States and will care for him properly and that the preadoption requirements, if any, of the State of the orphan's proposed residence have been met; and (3) who is ineligible for admission into the United States solely because that portion of the quota to which he would otherwise be chargeable is oversubscribed by applicants registered on the consular waiting list at the time his visa application is made. No natural parent of any eligible orphan who shall be admitted into the United States pursuant to this section shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

(c) Any visa which has been or shall be issued to an eligible orphan under this section or under any other immigration law to a child lawfully adopted by a United States citizen and spouse while such citizen is serving abroad in the United States Armed Forces, or is employed abroad by the United States Government, or is temporarily abroad on business, shall be valid until such time, for a period not to exceed 3 years, as the adoptive citizen parent returns to the United States in due course of his service, employment, or business.

(d) The Attorney General may, pursuant to such terms and conditions as he may by regulations prescribe, adjust the status to that of an alien lawfully admitted for permanent residence, as of the date of his arrival in the United States, in the case of an alien who was paroled into the United States under section 212 (d) (5) of the Immigration and Nationality Act if such alien at the time of his arrival in the United States was an eligible orphan as defined in section 5 of the Refugee Relief Act of 1953, as amended, and was, or thereafter has been, adopted by a United States citizen and spouse in a court of proper jurisdiction.

SEC. 5. Any alien, who is excludable from the United States under paragraphs (9), (10), or (12) of section 212 (a) of the Immigration and Nationality Act, who (A) is the spouse or child, including a minor unmarried adopted child, of a United States citizen, or of an alien lawfully admitted for permanent residence, or (B) has a son or daughter who is a United States citizen or an alien lawfully admitted for permanent residence, shall, if otherwise admissible, be issued a visa and admitted to the United States for permanent residence (1) if it shall be established to the satisfaction of the Attorney General that (A) the alien's exclusion would result in extreme hardship to the United States citizen or lawfully resident spouse, parent, or son or daughter of such alien, and (B) the admission to the United States of such alien would not be contrary to the national welfare, safety, or security of the United States; and (2) if the Attorney General, in his discretion, and pursuant to such terms, conditions, and procedures as he may by regulations prescribe, has consented to the alien's applying or reapplying for a visa and for admission to the United States.

SEC. 6. Notwithstanding the provisions of section 212 (a) (6) of the Immigration and Nationality Act as far as they relate to aliens afflicted with tuberculosis, any alien who (A) is the spouse or child, including the minor unmarried adopted child, of a United States citizen, or of an alien lawfully admitted for permanent residence, or (B) has a son or daughter who is a United States citizen or an alien lawfully admitted for permanent residence, shall, if otherwise admissible, be issued a visa and admitted to the United States for permanent residence in accordance with such terms, conditions, and controls, if any, including the giving of a bond, as the Attorney General, in his discretion, after consultation with the Surgeon General of the United States Public Health Service, may by regulations prescribe: *Provided*, That the Attorney General shall promptly make a detailed report to the Congress in any case in which the provisions of this section are applied: *Provided further*, That no visa shall be issued under the authority of this section after June 30, 1959.

SEC. 7. The provisions of section 241 of the Immigration and Nationality Act relating to the deportation of aliens within the United States on the ground that they were excludable at the time of entry as (1) aliens who have sought to procure, or have procured, visas or other documentation, or entry into the United States by fraud or misrepresentation, or (2) aliens who were not of the nationality specified in their visas, shall not apply to an alien otherwise admissible at the time of entry who (A) is the spouse, parent, or a child of a United States citizen or of an alien lawfully admitted for permanent residence; or (B) was admitted to the United States between December 22, 1945, and November 1, 1954, both dates inclusive, and misrepresented his nationality, place of birth, identity, or residence in applying for a visa: *Provided*, That such alien described in clause (B) shall establish to the satisfaction of the Attorney General that the misrepresentation was predicated upon the alien's fear of persecution because of race, religion, or political opinion if repatriated to his former home or residence, and was not committed for the purpose of evading the quota restrictions of the immigration laws or an investigation of the alien at the place of his former home, or residence, or elsewhere. After the effective date of this act, any alien who is the spouse, parent, or child of a United States citizen or of an alien lawfully admitted for permanent residence and who is excludable because (1) he seeks, has sought to procure, or has procured, a visa or other documentation, or entry into the United States, by fraud or misrepresentation, or (2) he admits the commission of perjury in connection therewith, shall hereafter be granted a visa and admitted to the United States for permanent residence, if otherwise admissible, if the Attorney General in his discretion has consented to the alien's applying or reapplying for a visa and for admission to the United States.

SEC. 8. The Secretary of State and the Attorney General are hereby authorized, in their discretion and on a basis of reciprocity, pursuant to such regulations as they may severally prescribe, to waive the requirement of fingerprinting specified in sections 221 (b) and 262 of the Immigration and Nationality Act, respectively, in the case of any nonimmigrant alien.

SEC. 9. In the administration of the Immigration and Nationality Act, the Attorney General is authorized, pursuant to such terms and conditions as he may by regulations prescribe, to adjust the status to that of an alien lawfully admitted for permanent residence in the case of (A) an alien, physically present within the United States on July 1, 1957, who is the beneficiary of an approved visa petition for immigrant status under section 203 (a) (1) (A) of the Immigration and Nationality Act filed on his behalf prior to the date of enactment of this act, and (B) his spouse and children physically present within the United States on July 1, 1957. This section shall be applicable only to aliens admissible to the United States except for the fact that an immigrant visa is not promptly available for issuance to them because the quota of the quota area to which they are chargeable is oversubscribed. Upon the payment of the required visa fee and the adjustment of status under this act, the Attorney General shall record the alien's lawful admission for permanent residence as of the date of the order adjusting status. Nothing contained in this section shall be held to repeal, amend, or modify any of the provisions of the act of June 4, 1956 (70 Stat. 241), nor shall any person acquiring exchange visitor status subsequent to the enactment of that act, and who has not received a waiver pursuant thereto, be eligible for adjustment of status under this section. Pursuant to such terms and conditions, and in accordance with such procedure, as he may by regulations prescribe, the Attorney General is authorized to grant nonquota status, and a nonquota immigrant visa shall be issued, to the otherwise admissible spouse and child of any alien specified in clause (A) whose status has been adjusted under this act if the marriage by virtue of which such relationship exists occurred prior to July 1, 1957.

SEC. 10. The quota deductions required under the provisions of the following acts are terminated effective July 1, 1957—

(1) section 201 (e) (2) of the Immigration and Nationality Act;

(2) the Displaced Persons Act of 1948, as amended (62 Stat. 1009, 64 State. 219; 65 Stat. 96);

(3) the act of June 30, 1950 (64 Stat. 306); and

(4) the act of April 9, 1952 (66 Stat. 50).

SEC. 11. Section 323 of the Immigration and Nationality Act is amended by adding at the end thereof the following new subsection:

"(c) Any such adopted child (1) one of whose adoptive parents is (A) a citizen of the United States, (B) in the Armed Forces of the United States or in the employment of the Government of the United States, or of an American institution of research recognized as such by the Attorney General, or of an American firm or corporation engaged in whole or in part in the development of foreign trade and commerce of the United States, or a subsidiary thereof, or of a public international organization in which the United States participates by treaty or statute, and (C) regularly stationed abroad in such service or employment, and (2) who is in the United States at the time of naturalization, and (3) whose citizen adoptive parent declares before the naturalization court in good faith an intention to have such child take up residence within the United States immediately upon the termination of such service or employment abroad of such citizen adoptive parent, may be naturalized upon compliance with all the requirements of the naturalization laws except that no prior residence or specified period of physical presence within the United States or within the jurisdiction of the naturalization court or proof thereof shall be required, and paragraph (3) of subsection (a) of this section shall not be applicable."

SEC. 12. Any alien eligible for a quota immigrant status under the provisions of section 203 (a) (1), (2), or (3) of the Immigration and Nationality Act on the basis of a petition approved by the Attorney General prior to July 1, 1957, shall be held to be a nonquota immigrant and, if otherwise admissible under the provisions of that act, shall be issued a nonquota immigrant visa: *Provided*, That, upon his application for an immigrant visa, and for admission to the United States, the alien is found to have retained his relationship to the petitioner, and status, as established in the approved petition.

SEC. 13. Notwithstanding any other provision of law—

(a) Any alien admitted to the United States as a nonimmigrant under the provisions of either section 101 (a) (15) (A) (i) or (ii) or 101 (a) (15) (G) (i) or (ii) of the Immigration and Nationality Act, who has failed to maintain a status under any of those provisions, may apply to the Attorney General for adjustment of his status to that of an alien lawfully admitted for permanent residence.

(b) If, after consultation with the Secretary of State, it shall appear to the satisfaction of the Attorney General that the alien is a person of good moral character, that he is admissible for permanent residence under the Immigration and Nationality Act, and that such action would not be contrary to the national welfare, safety, or security, the Attorney General, in his discretion, may record the alien's lawful admission for permanent residence as of the date of the order of the Attorney General approving the application for adjustment of status is made.

(c) A complete and detailed statement of the facts and pertinent provisions of law in the case shall be reported to the Congress with the reasons for such adjustment of status. Such reports shall be submitted on the first day of each calendar month in which Congress is in session. If, during the session of the Congress at which a case is reported, or prior to the close of the session of Congress next following the session at which a case is reported, either the Senate or the House of Representatives passes a resolution stating in substance that it does not favor the adjustment of status of such alien, the Attorney General shall thereupon require the departure of such alien in the manner provided by law. If neither the Senate nor the House of Representatives passes such a resolution within the time above specified, the Secretary of State shall, if the alien was classifiable as a quota immigrant at the time of his entry, reduce by one the quota of the quota area to which the alien is chargeable under section 202 of the Immigration and Nationality Act for the fiscal year then current or the next following year in which a quota is available. No quota shall be so reduced by more than 50 percent in any fiscal year.

(d) The number of aliens who may be granted the status of aliens lawfully admitted for permanent residence in any fiscal year, pursuant to this section, shall not exceed 50.

SEC. 14. Except as otherwise specifically provided in this act, the definitions contained in subsections (a) and (b) of section 101 of the Immigration and Nationality Act shall apply to section 4, 5, 6, 7, 8, 9, 12, 13, and 15 of this act.

SEC. 15. (a) Notwithstanding the provisions of section 20 of the Refugee Relief Act of 1953, as amended (67 Stat. 400; 68 Stat. 1044), special nonquota immigrant visas authorized to be issued under section 3 of that act which remained unissued on January 1, 1957, shall be allotted, and may be issued by consular officers as defined in the Immigration and Nationality Act, in the following manner:

(1) Not to exceed 2,500 visas to aliens described in paragraph (1) of section 4 (a) of the Refugee Relief Act, as amended;

(2) Not to exceed 1,600 visas to aliens described in paragraphs (9) or (10) of such section 4 (a);

(3) All the rest and remainder of said visas to aliens who are refugee-escapees as defined in subsection (c).

(b) The allotments provided in subsection (a) of this section shall be available for the issuance of immigrant visas to the spouses and unmarried sons or daughters under 21 years of age, including stepsons or stepdaughters and sons or daughters adopted prior to July 1, 1957, of persons referred to in subsection (a) of this section if accompanying them: *Provided*, That each such alien, as described in this section, is found to be eligible to be issued an immigrant visa and to be admitted to the United States under the provisions of the Immigration and Nationality Act: *Provided further*, That all special nonquota immigrant visas authorized to be issued under this section shall be issued in accordance with the provisions of section 221 of the Immigration and Nationality Act: *Provided further*, That a quota number is not available to such alien at the time of his application for a visa.

(c) (1) For purposes of subsection (a), the term "refugee-escapee" means any alien who, because of persecution or fear of persecution on account of race, religion, or political opinion has fled or shall flee (A) from any Communist, Communist-dominated, or Communist-occupied area, or (B) from any country within the general area of the Middle East, and who cannot return to such area, or to such country, on account of race, religion, or political opinion.

(2) For the purposes of this section, the term "general area of the Middle East" means the area between and including (1) Libya on the west, (2) Turkey on the north, (3) Pakistan on the east and (4) Saudi Arabia and Ethiopia on the south.

(d) Except as otherwise provided in subsection (a) of this section, nothing in this section shall be held to extend the Refugee Relief Act of 1953, as amended (67 Stat. 400; 68 Stat. 1044), and nothing in this section shall be held to authorize the issuance of special nonquota immigrant visas in excess of the number provided in section 3 of that act.

SEC. 16. In the administration of section 301 (b) of the Immigration and Nationality Act, absence from the United States of less than 12 months in the aggregate, during the period for which continuous physical presence in the United States is required, shall not be considered to break the continuity of such physical presence.

The SPEAKER. Is a second demanded?

Mr. KEATING. Mr. Speaker, I demand a second.

Mr. CELLER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 216]

Abbitt
Alger
Allen, Calif.
Anderson, Mont.
Anfuso
Bailey
Barden
Beamer
Bolton
Bray
Buckley
Cannon
Clevenger
Curtis, Mass.
Dawson, Ill.
Dellay
Dempsey
Dies
Farbstein
Fascell
Flood
George
Gordon
Green, Oreg.
Griffiths
Gwinn
Harden
Harvey
Hillings
Hoffman
Holifield
Holtzman
Horan
Jackson
Kearney
Kearns
Kilburn
Kirwan
Krueger
LeCompte
Lesinski
Loser
McConnell
McDonough
Magnuson
Mailliard
Mason
Miller, Calif.
Moulder
Nicholson
Norblad
Pilcher
Powell
Preston
Prouty
Rains
Robsion, Ky.
Sadlak
Scott, N. C.
Scrivner
Sikes
Siler
Smith, Calif.
Smith, Kans.
Teague, Calif.
Thompson, N. J.
Udall
Vinson
Vursell
Walter
Wier
Williams, N. Y.
Withrow
Young
Younger

The SPEAKER. On this rollcall 347 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CERTAIN REVISIONS OF THE IMMIGRATION AND NATIONALITY LAWS

The SPEAKER. The gentleman from New York [Mr. CELLER] is recognized.

Mr. CELLER. Mr. Speaker, I yield myself 5 minutes.

The SPEAKER. The gentleman from New York may proceed.

Mr. CELLER. Mr. Speaker, I should like to read a letter I received from our colleague, the gentleman from Pennsylvania [Mr. WALTER] who is now in the hospital:

> DEAR MANNIE: As you know, due to a most untimely accident, I am confined to Georgetown Hospital.
>
> I trust that you with the help of our colleagues on the committee, will pilot through the House, the Senate immigration bill, S. 2792, with amendments which I have worked out in order to bring it in line with my own bill, H. R. 8123.
>
> This is very important legislation. It is humanitarian and meritorious. We worked on it for several months; and I hope that my colleagues will follow your lead and secure expeditious House action.
>
> With best regards,
>
> FRANCIS.

The bill S. 2792 is, indeed, as the gentleman from Pennsylvania has stated, humanitarian in its purpose. Many of the provisions stress the reuniting of families, a principle, I am sure, no one would oppose. In the past the Congress has had to put into motion all of the machinery for a private bill, which can now be eliminated by enactment of this legislation. Some 800 private bills now before the committee are covered by the general provisions of this Senate bill.

This committee, and I am sure many Members, has received hundreds and hundreds of beseeching letters requesting the enactment of private bills now before us dealing for example, with the entrance of adopted children and the uniting of families. Failure to enact this legislation would dash the hopes of American couples who await the enactment of this bill so that they can go forward with the adoption of children.

There is no change at all—none whatsoever I want to assure the Members—in the screening process provided by the Immigration and Nationality Act of 1952. It makes no changes—no changes whatsoever, in the controversial issue of the national origins quota system. It does not provide for any unused quotas to be distributed or redistributed among nations.

Every Member has had experience with the hardship cases of individual constituents on the very measures that are covered by this bill. There are those who say the legislation does not go far enough, but I believe few can find objection to dealing with the hardship cases that this bill covers. The Committee on the Judiciary with its experience of thousands upon thousands of private bills has found this legislation both necessary and proper.

It is very interesting to note that this Senate bill now before us has had a very wide sponsorship, the Senators coming from the farflung regions of the Nation. I will give you but a few: Senator KENNEDY, Senator WATKINS, Senator HUMPHREY, Senator DIRKSEN, Senator PASTORE, Senator LAUSCHE, Senator CLARK, Senator NEUBERGER, Senator JACKSON, and Senator KEFAUVER. You will notice the bipartisan sponsorship endorsement by Members of each region of the Nation. It passed the Senate by an overwhelming majority of 65 to 4.

The bill takes care of about 1,500 orphans each year, over a 2-year period so that you will have approximately 3,000 orphans coming in. It provides for the unused Refugee Relief Act numbers which were allotted but unused to the extent of 18,656.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. CELLER. Mr. Speaker, I yield myself 3 additional minutes.

Mr. Speaker, there is provision for the admission of 2,500 German expellees, 1,600 Dutch nationals, and fourteen-thousand-odd who have escaped from Communist or Communist-dominated lands or refugees from the Middle East who covet entrance into this country.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Ohio.

Mr. FEIGHAN. I would like to ask the gentleman if in connection with the definition involving flight from a Communist-dominated or Communist-occupied territory it is the intention of the Congress that it would exclude all persons who have freely departed or will depart from Communist-dominated or Communist-occupied areas, including persons who depart from such areas who hold exit permits issued by the Communist regime in control of such area?

Mr. CELLER. I must say emphatically "No" to the first part of the gentleman's question. But the very fact that they have some sort of exit visa or exit permission from the Communist-dominated country would absolutely exclude them from entrance under the provisions of section 15 of this bill since an alien leaving such territory with the Communist's blessing or with a Communist exit visa or with a Communist passport, could not establish himself to be a refugee-escapee in flight.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield for a correction?

Mr. CELLER. I yield to the gentleman.

Mr. FEIGHAN. There have been persons who were residents of Red China who have come from Red China, who were in possession of certain so-called foreign passports or passports issued by the U. S. S. R. and in possession of exit permits granted by the Red Chinese Government who have been admitted to the United States as eligible immigrants under the immigration and nationality law.

Mr. CELLER. If that has happened then somebody violated the law and the responsible individual in the administrative agency should get his knuckles cracked or even, beyond that, be dismissed from the Service because he violated the law that we have on the statute books.

Mr. CHELF. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. CHELF. Does this not apply chiefly to the so-called White Russians who were loyal to the Czars and for that reason hate communism with a passion?

Mr. CELLER. There is a provision concerning 500 of those refugees—mainly White Russians—who escaped to China during the Russian Revolution of 1917. They are the ones the gentleman from Ohio has in mind.

Mr. CHELF. They fought the Communists and they hate the Communists.

Mr. CELLER. In addition the bill makes provision for adjustment of status of approximately 400 specialists and skilled workers who are in this country and would permit the entry in nonquota status of their families, their spouses, their children. Approximately 1,500 persons would be covered by this section. We give permanent status to 839 parolee children who are already in this country. We give nonquota status to first, second, and third preference immigration applicants who have registered before July 1, 1957; and for whom petitions have been approved. The first preference is an essential worker or specialist whose skill is needed in this country. The second preference covers parents of United States citizens. The third preference covers spouses and unmarried minor children of lawfully resident aliens.

In addition we do away with the former mortgaging of various quotas in the various countries. Some of the countries have quota mortgages that are carried forward for many years. In the case of Estonia, the mortgage will not be terminated until 2146; the Greek quota is presently mortgaged to 2018; the Latvian quota to the year 2274. So, in a true humanitarian spirit we do away with these mortgages, and that, in and of itself, will save us countless private bill considerations.

I do indeed hope that this bill will meet the unqualified approval of this House.

Mr. RODINO. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New Jersey, a member of the committee.

Mr. RODINO. Is it not a fact that the fundamental principle behind the provisions and the most important provisions of this bill is the reunification of families?

Mr. CELLER. That is correct.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. GROSS. Has the gentleman stated why this is called up under suspension of the rules, it being a Senate bill? Where is the House bill?

Mr. CELLER. The reason why we are taking up the Senate bill is that it would get expeditious action, there would be no need of going to conference. The Senate bill is not too unlike the House bill. There are some changes which we are making. Many of them are technical changes, clarification of language. If we accept the Senate bill it would involve very little difficulty, if any at all, getting the Senate to approve. Our intelligence service, you might call it, tells us that the Senate will not object and we will have expeditious action.

Mr. GROSS. May I point out to the gentleman that as of 2 or 3 minutes ago there was no copy of the Senate bill available on this side of the aisle.

Mr. CELLER. The Senate acted on the bill on August 21. There has been no time for printing the Senate act. Copies of the bill as reported by the Senate are available and the official copy is on the Speaker's desk. I hope that will not influence the gentleman in anywise.

I wish to include a section-by-section analysis of the bill, with amendments, at this point:

S. 2792

SECTION 1

This section clarifies the status of stepchildren under the Immigration and Nationality Act. The word "stepchild" has been administratively ruled to exclude from benefits the child born out of wedlock prior to an alien woman's marriage to a United States citizen.

SECTION 2

Section 2 grants to illegitimate children immigration status identical with that enjoyed by legitimate children as far as the relationship between the natural mother and the child is concerned.

This section also proposes that a child adopted while under the age of 14 years, shall have the status of a natural-born child for immigration purposes, if such child has been in the legal custody of, and has resided with, the adoptive parents for at least 2 years.

A technical amendment is proposed (page 2, line 10) to bring this section into accord with section 4 of the bill insofar as curtailment of parental privileges of the natural parent under the Immigration and Nationality Act is concerned.

SECTION 3

This section relates to the spouse and children of the alien who has been admitted as a first preference applicant. His family would benefit by his first preference status if following him, as well as if accompanying him. Benefits under present law are extended only to the accompanying spouse and child.

SECTION 4

Section 4 of the bill grants nonquota immigrant status to alien children under 14 years of age adopted by United States citizens abroad or coming to the United States for the purpose of adoption. The authorization to grant nonquota status to such eligible children is extended to June 30, 1959.

An amendment is proposed, to add a subsection which appears in the House bill, H. R. 8123, to permit visas issued under this section to be valid up to 3 years in the case of children adopted by United States citizens residing abroad temporarily on business or in the military or civilian service of the United States.

Another subsection taken from the House bill, H. R. 8123, provides for the adjustment of status of 839 alien children adopted by United States citizens abroad and admitted to the United States under parole after the expiration of the Refugee Relief Act of 1953, as amended.

SECTION 5

Section 5 would grant discretionary authority to the Attorney General to waive grounds for exclusion—specifically crimes and prostitution—in the cases of spouses, parents, or children (including minor adopted children), of United States citizens or lawfully resident aliens, if they are otherwise admissible.

The Senate bill has been modified by the inclusion of language appearing in the House bill, H. R. 8123, to add the requirement that there be a showing of extreme hardship and a finding that such admission would not be contrary to the national welfare, safety, and security of the United States.

SECTION 6

This section permits the entry, under bond and medical safeguards, of close relatives of the United States citizens and of aliens lawfully admitted for permanent residence notwithstanding the fact that the immigrant may be afflicted with tuberculosis.

The proposed amendment would bring this section into accord with a similar waiver proposed in the House bill, H. R. 8123. In each case the Attorney General shall submit a report to the Congress and the authority contained in this section will expire on June 30, 1959.

SECTION 7

This section condones the misrepresentations regarding nationality and place of birth made by displaced persons and refugees while applying for immigrant visas. The misrepresentations were made by a considerable number of recent immigrants (displaced persons) fearful of forcible repatriation to Communist-dominated countries.

This section also provides for leniency in the consideration of visa applications made by close relatives of United States citizens and aliens lawfully admitted for permanent residence who in the past may have procured documentation for entry by misrepresentation.

SECTION 8

Under this section, the Secretary of State and the Attorney General, acting jointly, are granted discretionary authority to waive, on a basis of reciprocity, fingerprinting requirements in the case of nonimmigrant aliens (visitors, tourists, artists, businessmen, students, treaty traders, newspapermen, etc.).

SECTION 9

This section authorizes the Attorney General to adjust the status of approximately 800 alien skilled specialists, where such skilled specialists have been in the United States on July 1, 1957, and the first preference petition is filed by their American employer prior to the date of the enactment of the bill; and to provide nonquota status for their spouses and children in order that they may join them here.

A technical amendment is proposed, utilizing language appearing in the House bill, H. R. 8123, to insure compliance with the act of June 4, 1956, in the cases of exchange visitors within the purview of that act.

(An amendment to correct a typographical error—"sections" to be changed to "section" is also offered.)

SECTION 10

As of July 1, 1957, all "mortgages" imposed on various immigration quotas under the Displaced Persons Acts of 1948 and 1950, as well as under the two "Sheepherders Acts" enacted in 1950 and 1952, respectively, will be wiped out. Under this provision of the bill, the immigration quota for 14 eastern European countries will be restored to the full size as provided by law. At the present time, under the "mortgage" provision, only one-half of those quotas is available.

The proposed amendment to provide that quota deductions terminate on July 1, 1957, will aid the Quota Control Office in its bookkeeping. This language follows the House bill, H. R. 8123.

SECTION 11

This section provides expeditious naturalization for minor adopted children whose adoptive United States citizen parent is stationed abroad temporarily in the military or civilian service of the United States or temporarily on business, as specified.

(An amendment is proposed to correct a typographical error—"adopted parent" should read "adoptive parent.")

SECTION 12

Nonquota status is being granted under this section to first, second, and third preference immigrants comprising skilled specialists, parents of United States citizens, and spouses and children of aliens admitted for permanent residence, if petitions conferring such preferential status were approved by the Immigration and Naturalization Service prior to July 1, 1957.

SECTION 13

This section proposes that the Attorney General—after consultation with the Secretary of State—may adjust the status of certain high ranking foreign diplomats or foreign delegates to the United Nations and their immediate families who have come to the United States as diplomatic representatives and because of the fact that they broke with their government, cannot return to their homes. The Attorney General will have to report to Congress on each case and the proposed adjustment of status would become final if either the Senate or the House of Representatives does not pass a resolution objecting to such granting of immigrant status. Not more than 50 persons may receive the benefits of this section in any single fiscal year. Servants of diplomats and clerical personnel of foreign diplomatic missions are not included in the amendment.

Technical amendments are offered to bring this section into accord with the similar section in the House bill, H. R. 8123.

SECTION 14

Section 14 of this bill provides that pertinent definitions under the Immigration and Nationality Act be applicable under this act.

SECTION 15

A total of 18,656 nonquota immigrant visas allocated—but not used—under the Refugee Relief Act of 1953, as amended, are being made available under this section to two categories of immigrants specified in the

1953 law, namely: expellees of German ethnic origin residing in West Germany or in Austria, and to refugee-escapees as defined (including escapees from Communist dominated or occupied territories, as well as certain escapees from the Middle East).

An amendment is proposed to strike out the far eastern European refugees appearing in paragraph 3 of subsection (a) of this section, since any qualified escapees would also be defined under the term "refugee-escapee."

NEW SECTION 16

This section provides leniency in the administration of naturalization laws as they pertain to the 5 years residential retention requirement in the case of a child born abroad of one parent who is a citizen of the United States, while the other parent is an alien. Such child's residence in the United States would not be deemed to have been interrupted by absences totaling not more than 12 months.

This section appeared in the bill, H. R. 8123, and had the unanimous approval of the committee.

Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. FEIGHAN].

Mr. FEIGHAN. Mr. Speaker, I wish to make this clear in the first instance, that while this bill has some very fine fringe benefits, which I support, I am opposed to the bill.

The gentleman from Iowa [Mr. GROSS] has just asked how this Senate bill 2792 happens to come here. This is not the House bill, H. R. 8123, which was agreed upon by the House Committee on the Judiciary and by the subcommittee as the bill that was going to be called up. All of a sudden we hear about a change. This bill now is before us under these additional strange circumstances where it is not permissible to offer any amendment, because it is felt that there might be a reasonable discussion as to what is in the bill and possibly it could not squeeze through so hurriedly.

There are fundamental differences in this Senate bill that are not in the House bill. These fundamental differences were considered by the House full Committee on the Judiciary and turned down. They were, again, considered by the subcommittee of the House Committee on the Judiciary and were turned down. It was agreed by the subcommittee that we were going to call up the House bill with one amendment which would knock out section 4 (a) (11), which provided permission for 1,099 so-called White Russians residing in Red China to come to this country.

What the Senate bill does is bring forth an absolutely new concept of a definition of a so-called refugee-escapee. It has never been determined what such a person is or who specifically would qualify under this term. Yet under this entirely new and undefined term there is permission for approximately 14,000 people who are so-called escapee-refugees, whatever that may mean, to come into this country. They will come from the general area of the Middle East. That area is far greater than that encompassed by the Eisenhower doctrine. There were never any hearings whatever on this new definition. We heard no testimony from the Eisenhower administration whether the President understands what this new definition means, whether it is consistent with our national policy in that critical area of the world and whether it is acceptable.

The fact is, the countries and areas from which these people will come include, among others, Libya, Egypt, Turkey, Iran, Iraq, Syria, Jordan, Saudi Arabia, Israel, Afghanistan, Pakistan, Ethiopia, Eritrea, Somaliland, Anglo-Egyptian Sudan, Cyprus, Lebanon, and Yemen.

We have had no hearings whatever with reference to the provisions of this bill. In the Senate they had only 1 or 2 witnesses before they brought the bill out. As the gentleman from Iowa [Mr. GROSS] said, we do not have copies of this bill before us. The bill has not been printed. Even in the House Committee on the Judiciary there is not one single copy of the bill we are acting on now.

I appreciate the fact that the distinguished chairman of the Committee on the Judiciary has made it clear, beyond any doubt, that it is the intention of Congress to put a complete stop to the admission of people into the United States from Communist, Communist-occupied, or Communist-dominated areas who freely leave such areas by virtue of exit permits granted by the Communist regimes in control of such areas. This understanding has particular reference to so-called White Russians residing in or who resided in Red China and who enter Hong Kong from Red China en route to countries of the Free World, including the United States. By preventing the admission into the United States of such individuals, the Members of the House have struck a significant blow against the worldwide espionage apparatus of the Kremlin.

For those Members of the House who have not had an opportunity to read my minority views on the House bill, I include them, as follows:

MINORITY VIEWS

H. R. 8123 is by no means to be considered as a remedy to the basic immigration problems which have long been before Congress. At best, it contains some fringe benefits for certain types of cases for which the present law offers no remedy.

The serious defects of this bill are as follows:

NEED TO PROVIDE FOR POLITICAL AND RELIGIOUS ASYLUM

1. It offers no remedy for the embarrassing position our Government found itself in during October 1956 when the Hungarian freedom revolution created a new group of refugees from Communist tyranny and oppression who sought asylum in the Free World. Most of the nations of the Free World responded to this situation quickly by offering resettlement opportunities to these fighters for human freedom. Our Government was unable to take effective action. Consequently President Eisenhower issued a directive to the Attorney General to admit some of the Hungarian refugees into our country.

With the fast-moving events in Poland and the restlessness so manifest in East Germany, we should be prepared in the event of another freedom revolution to take quicker and more affirmative action than our response in the Hungarian revolt. This is the least we, as responsible leaders of the Free World, can do in such circumstances.

STATUS OF HUNGARIAN FREEDOM FIGHTERS

2. It completely neglects the 28,000 Hungarian refugees who were admitted as parolees under President Eisenhower's directive. On the one hand, the President has been condemned for taking this action to show our sympathy with the Hungarian fight for freedom while, on the other hand, nothing is done to resolve the legal dilemma the President found himelf in last November. Keeping these people in a parolee status indefinitely minimizes the good will we created throughout the world by taking them into our country in the first instance. Moreover, the indefinite parolee status cannot help but, with the passing of time, set the Hungarian refugees apart from the rest of American society, a situation which can have very harmful consequences. A remedy should be promptly provided so that the Justice Department can begin to take steps to finalize the status of these newcomers.

A BREACH IN THE SECURITY OF THE UNITED STATES

3. It authorizes the reenactment of section 4 (a) (11) of the Refugee Relief Act of 1953, which expired December 31, 1956. That section reads as follows:

"Not to exceed 2,000 visas to refugees, residing within the district of an American consular office in the Far East: *Provided*, That such visas shall be issued only in said consular office district and only to refugees who are not indigenous to the area described in this paragraph."

The grave danger exists that through the reenactment of section 4 (a) (11), the door will be opened to admission into the United States of more so-called White Russians who reside in Red China.

It is well known that all these so-called White Russians leave Red China with exit permits granted by the Communist authorities and the majority have valid U. S. S. R. passports in their possession. It is not unreasonable to question the political reliability of persons who are able to secure and maintain valid U. S. S. R. passports because the Kremlin exercises rigid control over those who get such passports and for what purpose. Nor is it unreasonable to question the political reliability of persons who are able to secure exit permits from the Red Chinese authorities, when these same Red Chinese detain hundreds of United States military and civilians against their will and imprison many of them in filthy Communist jails.

After a personal investigation into this matter in the Far East, I called to the attention of the proper United States Government authorities the fact that no field security investigation was made on these so-called White Russians before they were sent to countries of the Free World from Hong Kong. In response to my queries on this breach in the Free World security, the International Cooperation Administration, the agency which paid the expenses of moving these so-called White Russians from Hong Kong to countries of the Free World, replied as follows:

"It is, of course, true that no on-the-spot field investigation of these refugees by United States personnel is currently possible on the mainland of China."

If H. R. 8123 becomes law, the danger of large-scale infiltration into this country by Russian agents as an integral part of the Russian international Communist conspiracy and by pro-Russian imperialists is imminent.

H. R. 8123 DIMS THE SPARK OF FREEDOM BEHIND THE IRON CURTAIN

In its present form H. R. 8123 will dim the spark of freedom behind the Iron Curtain. It denies political asylum to those who would dare to stand up and fight against Russian communism. At this very moment Polish patriots are striking against the Russian tyrants who occupy their homeland. I want these brave patriots fighting for the cause of their nation's independence and fighters for freedom in other enslaved nations to know that the door to political asylum in the United

States has been opened to them. I am also mindful of those 20,000 escapees from the Tito tyranny in Yugoslavia who are now living in camps in Austria awaiting resettlement in countries where human freedom is a reality. H. R. 8123 totally ignores this need and, in fact, keeps a tight lock on the door to political asylum in the United States to people who stand up and fight against tyranny and human slavery.

While H. R. 8123 may carry some long-overdue relief for special categories of immigrants or prospective immigrants, these benefits are far outweighed by neglect of the basic immigration problem which has confronted Congress in the past and which will continue as a serious problem so long as the tyranny of communism exists in the world. For this reason I voted against it in the committee.

Following the printing of the committee report which includes my minority views, the chairman of the subcommittee [Mr. WALTER] took up with me the problem of the so-called White Russians. He offered to exclude any benefits for them from the House bill. With this understanding, I then agreed to support H. R. 8123, with the other reservations contained in my minority views. Therefore, it was my intention to support H. R. 8123 when it came before the House.

In opposing S. 2792 I am standing firmly by my commitment to my colleague from Pennsylvania [Mr. WALTER], and my views expressed in the House committee report.

Mr. KEATING. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, before discussing S. 2792, I feel I must register emphatic protest against the manner in which this immigration legislation has been handled. A complicated matter such as this should never come before us under the restrictive practices inherent in proceedings under suspension of the rules. There is no adequate debate. No opportunity is afforded for amendment. There is no chance for a motion to recommit. We are faced with a take-it-or-leave-it proposition. There are many points of view on this important subject. There are many persons and organizations who desire to be heard, both pro and con. This arbitrary method of legislating at the very end of the session is not responsible and is not fair to the membership.

But despite my strong misgivings about the way we are going about meeting this problem, I cannot withhold my support from S. 2792, the bill before us. This bill contains many excellent features. It embodies no provisions with which I disagree. My objection is to what it does not contain rather than to what it does contain. It is a skeleton where there should be a robust body.

The President has recommended some sweeping revisions in our immigration laws to wipe out numerous inequities and discriminatory provisions. It has not been possible to obtain any hearings on this legislation or any of the other bills submitted by various members. The chairman of the House Immigration Subcommittee has, however, now indicated that he will hold full hearings on all proposed immigration law changes next January, at which everyone will have an opportunity to be heard to express his viewpoint. In the light of that commitment, I urge support for the bill before us today.

Briefly, S. 2792 provides for the admission to the United States of certain worthy and deserving orphans and relatives of American citizens. It provides for the entry of certain skilled specialists and grants permanent residence annually to some 50 foreign diplomats who break with their government. The measure also allows the discretionary waiver of the fingerprinting requirement which has proven so obnoxious to many visitors to our shores.

One of the most important provisions of this bill is one that I have urged for a long time—that is, the reuniting of families tragically separated by the end of the Refugee Relief Act or the filling of quotas, or both. Under terms of this section, many families who sent their breadwinner on ahead to America, fully expecting to follow soon, will be relieved of the needless suffering and heartache of prolonged separation. Their speedy reunion will represent a victory for the American tradition of living up to its promises, whether implied or direct.

Especially worthy of note in this measure is the provision made for the use of left-over visas from the Refugee Relief Act. Under terms of this bill, they can be distributed not only among some of the classes of aliens listed in that law, which has now expired, of course, but also among aliens who have fled from Communist persecution or from cruel tyranny in Nasser's Egypt, and who cannot return because of fear of further persecution on account of race, religion, or political origin.

About 14,500 visas will be made available to such escapees under this provision, and the recipients will include those noble and courageous Hungarian anti-Communists now tragically stranded in European camps, and those Jews and Christians viciously stripped of their property and ruthlessly exiled from Egypt, who now wander aimlessly the map of the Middle East and Europe.

While this provision will enable the use of only a limited number of visas for those worthy people, it is a step in the right direction; and, with wise and fair administration, it can serve to great advantage in our cold-war struggle with our Communist foes. It will demonstrate to the world that we intend to participate fully and with confidence in further humanitarian moves to help those escaping from tyranny. Enactment of this portion of S. 2792, coupled with the future enactment of the provisions for relief of escapees which are contained in the measure recommended by the administration, will encourage other groups to rise up against their tyrannical masters, confident that a lasting haven awaits them in America.

Another provision in this bill, which was also contained in H. R. 4205, the bill I sponsored to carry out the President's recommendations, will eliminate the onerous mortgages which have built up on some quotas. These mortgages, piled up under the Displaced Persons Acts, have served to dim the hopes of many a fine immigrant from small-quota countries. By elimination of these accruals, there will be made available, on a worldwide basis, about 8,000 additional visas.

Though this is a small number, its importance in terms of the normal reputation of the United States is tremendous. It is high time that Congress did away with an unrealistic system which has resulted in filling the quotas of some countries for as much as hundreds of years into the future. I have long advocated this most worthy revision in the law. It furnishes further justification for support of this measure.

The bill before us would also permit the Attorney General, under proper safeguards, to waive certain minor offenses and affliction with tuberculosis as grounds for excluding close relatives of American citizens or lawfully resident aliens who desire to come here to live. This likewise represents a partial adoption of the provisions of the President's recommendations.

S. 2792 incorporates other provisions of my bill designed to carry out the President's program. For example, there are amendments permitting the spouse and children of first preference skilled immigrants to join their husband and father in this country; for the expeditious naturalization of adopted children who are going abroad with a parent who is stationed overseas in our Armed Forces or in the employ of the United States Government or an American firm; and for relief from deportation of certain aliens who, for fear of forcible repatriation behind the Iron Curtain, misrepresented their identity when applying for visas under the Displaced Persons Acts.

These are all relatively minor, though not unimportant reforms, which deserve the backing of all Members.

There is, however, one outstanding void in S. 2792—as well as in the bill reported out by the House Judiciary Committee—which should be noted, and noted well. It is regrettable in the extreme that both committees turned their backs on the homeless exiles who have risked their all in Hungary in the name of freedom.

One of the provisions of my bill, which I also offered as an amendment in the committee, would have defined the authority for, and the proper procedure to be followed in paroling refugees and escapees seeking asylum in the United States. The committee should give full consideration to this problem in its hearings next January, and come up with a definite and unequivocal answer.

The committee turned thumbs down completely on the amendment I offered to establish a procedure to enable these brave people, after thorough screening, to acquire permanent residence. Without the assurance of a permanent home here, these courageous sufferers face a dismal prospect, a troubled and stateless future, with no guaranty of ever acquiring permanent residence, or the ultimate goal of American citizenship.

It is clear there has been much confusion concerning this situation. Let me emphasize that no one—at any time—sought a change in the law which would have given all the paroled Hungarians permanent residence in the

United States immediately. As a matter of fact, what the President recommended—and my bill, H. R. 4205, and my amendment in committee embodied—was that they should be required to wait at least 2 years before they could even apply to the Attorney General for an adjustment of their status to that of permanent residence. During that period their background and conduct could be fully checked and appraised.

What is needed, Mr. Speaker, and what I shall again press for in the next session, is precise and immediate legislation which will provide the machinery whereby paroled aliens may at least apply for permanent residence status.

The pall of anxiety and uncertainly which hangs over these brave Hungarian freedom fighters in our midst must be removed by Congress as soon as possible. Let us assure them—in no uncertain terms—that the United States means what it says—that the asylum we offer is a real asylum, a real haven from the oppressive powers of the world. Let us give these worthy aliens who have come to live with us a future filled with hope, rather than one clouded with needless uncertainty.

In sum, Mr. Speaker, I support this quarter-loaf measure not because it answers the needs of the country and not because it makes all the necessary revisions in the immigration laws, but because it represents substantial progress and exhibits a recognition by Congress of some of its responsibilities in this vital field of legislation.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield.

Mr. GROSS. Will the gentlemen tell me how many additional aliens this will permit to come to the United States?

Mr. KEATING. I cannot answer the overall question, for I have never had it presented to me in that way. During the debate I will try to inform the gentleman.

Mr. CELLER. Mr. Speaker, if the gentleman will yield, over a 2-year period in all categories there will be about 60,000.

Mr. KEATING. How many?

Mr. CELLER. Sixty thousand.

Mr. KEATING. Mr. Speaker, I now yield 5 minutes to the gentleman from Maryland [Mr. HYDE], member of the subcommittee which considered this legislation.

Mr. HYDE. Mr. Speaker, I rise in support of this legislation. I do not want to take the time now to get into a debate over the method of bringing this particular provision before us. There is something to be said for some of the protests that have been made, but I do not believe we should get into that for this reason: I have yet to find anybody on the committee—that is, the full Judiciary Committee—or others who are familiar or somewhat familiar with the provisions of this particular legislation, who disagree with the humanitarian purposes of the provisions of the bill now before us as amended.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman briefly, but my time is limited.

Mr. FEIGHAN. I agree with the gentleman that people are in favor of the humanitarian purposes of the bill; but as the gentleman from New York just stated, the full committee turned down an amendment which the Senate bill offers.

Mr. HYDE. Let me say to the gentleman from Ohio, I think our amendment to the Senate bill will prevent the people from coming from Red China about whom the gentleman from Ohio is concerned.

Mr. FEIGHAN. It takes care of them by deleting the provision, but in this new definition "refugee-escapees" it might include them.

Mr. HYDE. Of course, I disagree with the gentleman that that will be the effect. That is an argument that lawyers can engage in, but I think we have taken care of the thing the gentleman fears.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. If I understand, it is the intent that it not have that effect.

Mr. HYDE. That is the intent, that it not have that effect. The gentleman from Massachusetts is correct. I should think that every Member of the House would be more than glad to see the provisions of this bill adopted, because, for one thing, it will relieve most of us of the burden of many of these private bills, with which we are confronted every year, to take care of distressing situations where families are separated and seeking to be joined, where we are attempting to bring over children who have been adopted by citizens or permanent residents of this country, or in distress situations where one member of the family may be suffering from a disease or might have been guilty of some minor offense which has the effect of keeping that member of the family from accompanying the rest when they come to this country. This bill will take care of those situations and relieve the Members of the House from the difficulty of handling those bills. It will relieve the Committee on the Judiciary of the burden of sitting week after week considering hundreds and hundreds of these cases and will, of course, greatly relieve the burden of the Private Calendar. It is provided in this bill that the Attorney General can waive a lot of provisions with respect to health requirements and with respect to prohibitions because of minor criminal offenses. In that connection I should point out that, the Attorney General will be required to report back to the House on his action with respect to these people for whom a waiver has been granted.

Another thing this bill will do will be to admit many skilled specialists into the country. I have always felt that it was rather ridiculous for us to have in our immigration law a provision which says: Here is a person who has scientific and technical skill that this country must have; and then, on the other hand, say that in order to get the person with that skill he has got to come within an immigration quota. That seems ridiculous, because we admit when we allow a person who is a skilled specialist to come in that we need him; however, our law says that we need them but they must conform to some quota.

I hope we can go further than this bill goes in legislation which we will consider next year.

Mr. KEATING. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, I too wish that we could have taken this legislation up under conditions which would permit the adoption of amendments, because I have one or two I should like to offer. But I certainly am not going to oppose this bill because of that fact. I support it wholeheartedly. There is nothing bad in it. It cannot harm our country; it can only bring benefit, and it will very greatly help many people and many families who sorely need that help.

I want to make a statement for the record to guide those who will administer the bill's provisions with respect to certain groups that ought to be given special preference in allotting the 14,000 visas provided for refugee-escapees. The first is a small group of aliens who were employed by the United States Government in the refugee relief program at the time that program expired and whose applications have been completely processed. In the last minute rush there were not enough visas to take care of all of them and their families. They had helped others get visas and did not take care of themselves in time. This group involves 2 who were employees in Athens and 4 in Hong Kong, and their wives and children—a total of about 20 persons. The American consuls and other officials under whom these aliens worked are familiar with these cases; in fact, it is our own officials that are urging their admission at the earliest possible date. They should be first in line for the 14,000 visas that are made available in section 15 for refugee-escapees. None are finer or more deserving.

A second group in Hong Kong consists of 42 Chinese of unusually high caliber and outstanding attainments. They are engineers, doctors, scholars, accountants, and other professional people. They and their families—a total of about 100 persons—had been processed and approved but failed to receive visas before expiration of the Refugee Relief Act. They are the sort of highly trained persons who have greatest difficulty in adjusting to refugee conditions but refuse to return to Communist enslavement. They also can contribute most to our country. I discussed this group with Chairman WALTER, whose misfortune and unavoidable absence today we all so deeply regret, and he agreed they are exactly the kind of immigrant we want most.

Mr. Speaker, it is sometimes said that these refugee visas should be granted strictly on a basis of first come first served. It ought to be made clear that such is not the intent of the Congress. It is a privilege to be admitted to the United States as an immigrant and the privilege should go first to those who are most needy and will bring most to our country. We have seen in the past certain pressure groups or economic groups that were interested in bringing in refugees to work in their own businesses. They were organized. They provided sponsors and got their applications in first—and they got the visas. They wanted laborers to work in their kitchens, laundries, or other establishments. Such immigrants are naturally most valuable to those businesses, and I have nothing against them; but it is scholars and scientists and other persons of superior intellectual attainments who are of most value to our country and should be given higher priority.

Mr. Speaker, I should like to make it clear in the record that it is our intent that those who administer this program give primary consideration, in granting these visas, to bona fide refugees from Communist—or other persecution, who have special abilities, training or skills which will make them of maximum value to the United States of America.

Mr. CELLER. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. McCormack].

Mr. PASSMAN. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. McCORMACK. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report on the bill H. R. 9302. The bill may not come back, but we are going to try to get it over here.

The SPEAKER pro tempore (Mr. Engle). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. McCORMACK. Mr. Speaker, may I say to the gentleman from Louisiana [Mr. Passman] that I was very glad to yield to him for that unanimous-consent request. We all hope that they will get together and that we will be able to dispose of the bill.

Mr. PASSMAN. It would take an optimist to have those views.

Mr. McCORMACK. Mr. Speaker, while the present bill does not constitute a major revision of the existing basic immigration law, nevertheless it is a bill that liberalizes, in a number of important respects, the present law. While some of us feel that the bill does not go as far as we would like to see it go, nevertheless it is a decided step forward in bringing humane considerations to countless thousands of human beings. This bill will benefit relatives of many thousands of Americans and others legally in the United States. It will also allow for some 8,000 additional admissions every year by canceling the mortgages on quotas incurred under the old Displaced Persons Act; make available about 18,000 unused visa numbers which expired under the Refugee Relief Act; permit the unlimited immigration of orphans over a 2-year period, as well as other beneficial provisions. In relation to the 2-year period with regard to orphans, the debate in both branches of Congress clearly indicates that it is the intention to extend this provision.

The pending bill represents, for this session, a compromise of divergent views, and is a decided step in the right direction. It will enable happiness to be brought to countless thousands of persons, both in the United States and in countries abroad. While, personally, I would like to see the bill go further, nevertheless I wholeheartedly subscribe to the provisions of the pending bill, representing progress, and hope that it will be enacted into law during this session of Congress.

I thoroughly understand the position of my friend from Ohio [Mr. Feighan]. I am in accord with his views, but that does not stop me from supporting the bill. His views can be taken care of later on. We should not defeat this bill simply because of dissatisfaction in one or two respects. I hope the bill will pass.

Mr. KEATING. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky [Mr. Chelf].

Mr. CELLER. Mr. Speaker, I yield the balance of my time to the gentleman from Kentucky.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. CHELF. I yield to the gentleman from Florida.

Mr. HALEY. Will the gentleman tell the House if this bill as it is now before the House with the amendments proposed, somewhat brings it in line with the proposed bill of the gentleman from Pennsylvania [Mr. Walter]?

Mr. CHELF. That is right.

Let me say at the outset that this is not the Walter bill, H. R. 8123. It is the Senate bill, S. 2792, but with amendments. We feel that it will parallel and be in line with the bill of our able chairman [Mr. Walter], who, as you know, suffered a broken hip and is now undergoing surgery at Georgetown Hospital. Let me say that Tad Walter has urged all of his colleagues both on the committee and in this House, to support this legislation.

Mr. RODINO. Mr. Speaker, will the gentleman yield?

Mr. CHELF. I yield to the gentleman from New Jersey.

Mr. RODINO. Is it not a fact that many of the private immigration bills have not been acted upon by the committee up until now because they have not had the time to be taken care of in this bill.

Mr. CHELF. That is substantially true, for this reason: There have been hundreds and hundreds of private immigration bills introduced every session by the various Members of the House and the Senate. It is a very difficult task for the subcommittee to hear each and every individual Member. We always do them the courtesy of hearing them and we give them priority, of course, but it does take time. This bill will obviate the necessity for the introduction of these hundreds of bills and relieve not only the individual Members of the House but certainly your committee of a terrific workload. They take up the time of the member sponsoring the legislation, your Committee on Immigration, and, the House.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. CHELF. I yield to the gentleman from Mississippi.

Mr. COLMER. As I understand, there was an effort made to get a much more liberal bill than this, but this is in the nature of a compromise.

Mr. CHELF. That is right.

Mr. COLMER. In the final analysis, it is a liberalization over existing law?

Mr. CHELF. It is a bill that will not please, shall I say, our most liberal friends, and by the same token I do not think it will make our most conservative friends happy, but it is a compromise and is an honest attempt to get together and to secure some legislation that is desperately and sorely needed, especially for orphan children and people who are already legally here and whom we can help reunite with members of their families. But the main thing I should like to have all of you definitely understand is that this particular piece of legislation does not change the national origin quota system or rewrite our basic, fundamental immigration and naturalization laws. If it did, frankly, I would not be here speaking for it.

Mr. COLMER. As I understand, it is a compromise bill?

Mr. CHELF. It is a compromise bill.

Mr. COLMER. It is a liberalization over existing law.

Mr. CHELF. Yes, because among other things it allows the entry of poor little orphan children who have been adopted by mothers and fathers of America.

Since we have touched on this thing, I hate to say this, and I offer no apologies, but I was left an orphan at the age of 5, therefore I never knew the tender, sweet love of a mother or the warm handclasp or the counsel of a father; and let me tell you this, it is no fun to be kicked and slapped around in an orphans asylum. For that reason, I am proud to stand here today and try to help these poor homeless orphan kids abroad to have homes here in America. I drafted the section of the Displaced Persons Act of 1948 that first gave recognition and admission to homeless, destitute children.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. CHELF. I yield.

Mr. FEIGHAN. I think it should be made patently clear that the Walter bill, H. R. 8123, never included the new concept of the definition of escapee-refugee as set forth in the Senate bill by which over 14,000 would be admitted into the United States. The House Committee on the Judiciary turned down such proposal.

Mr. CHELF. Let me say to the gentleman from Ohio, and I respect him and honor him, we voted his views down in the full committee.

Mr. Speaker, I had not planned to speak on this legislation until I received word that our distinguished and beloved chairman, Tad Walter, had been hospitalized for surgery on a broken hip. We all pray for his full and complete recovery—and soon.

Mr. Speaker, this is not a Hungarian, Polish, Italian, German, Greek, or any other specific nationality bill. It is an all-nations bill, and one that I sincerely believe will be approved by all Americans. For instance, this bill does not do all that our most liberal friends want done. Specifically, it does not change the national origin quota system or rewrite our basic, fundamental immigration and naturalization laws. While it does not go as far as the liberal heart desires, nevertheless, it frankly goes a little further than the conservative heart would counsel. In other words, this definitely is a compromise piece of legislation.

Mr. Speaker, the purpose of this bill is to provide a nonquota status with certain specific limitations for eligible orphans, close relatives of United States citizens and lawfully resident aliens, skilled specialists who are temporarily in the United States, and the balance of the so-called refugees and expellees who were not able to qualify for visas before the expiration of the Refugee Act of 1953.

Provision is made herein for expeditious naturalization in the cases of adopted children and citizenship retention requirements are liberalized for children acquiring United States citizenship through birth abroad to United States citizen parents. The bill further provides for the complete termination of the so-called quota mortgages imposed on various countries by the Displaced Persons Act of 1948. For instance—little Latvia's quota is mortgaged to the year 2274. The bill also has a section that permits discretionary waiver of the fingerprinting that is now required in the case of nonimmigrants who are visitors, tourists, students, newspapermen and others, on a basis of reciprocity. It would also allow a very limited number of accredited high-ranking foreign diplomatic or international officials to adjust their status to that of aliens lawfully admitted for permanent residence. To be more specific, it would provide a haven here in America for diplomats of countries who may either defect or whose country might be commandeered by the Russians.

This legislation also grants permanent residence to those unfortunate people who were forced under the Displaced Persons Act of 1948 to misrepresent not only their nationality but their place of birth as well, for fear of repatriation to Soviet Russia or to other countries dominated by Communist governments. This especially applies to the White Russians. This bill also permits the entry, under proper bond and medical safeguards, of close relatives of United States citizens and aliens lawfully admitted for permanent residence, although such immigrants may have been afflicted with tuberculosis. There is an amendment that provides that in every individual case the Attorney General must report to the Congress. Such authority expires on June 30, 1959. In addition, nonquota status is granted under this bill to first-, second-, and third-preference immigrants, comprising parents of United States citizens and wives and children of aliens admitted for permanent residence, if such petitions conferring such preferential status were approved by the Immigration Service prior to July 1, 1957. It also contains a provision that will clarify the application of that provision of the Immigration and Nationality Act which bars from entry into the United States immigrants who may have committed a crime involving moral turpitude. The Attorney General is granted authority to waive various crimes provided such is not against the best interest of the United States. This one provision alone would alleviate the necessity of the introduction of hundreds of private bills for persons who are otherwise eligible but who may have been tried and convicted for having stolen food, clothing, or other things of little value during or after World War II. This authority given to the Attorney General would help to reunite families where severe hardship exists.

Another provision makes available approximately 18,500 nonquota immigrant visas for expellees of German ethnic origin, residing in West Germany or Austria, and also for Dutch nationals. These visas had not been applied for at the time of the expiration of the act providing such.

Mr. Speaker, I deeply and genuinely sympathize with all of these gallant and brave Hungarian, Polish, and other patriots who are striking telling sledgehammer blows against the chains of their Russian dictators who dominate and occupy their native land. Under the parole provision of existing law of the Immigration and Naturalization Act, approximately 27,000 of these brave Hungarians were admitted as parolees to this country last year when they needed succor and asylum. The fact that this bill does not provide a nonquota permanent residence for them at this time is not to be construed that your committee is not in sympathy with the problem. It was determined by the majority of your committee that it was to the best interest of America that these folks remain in parole status here in this country until such time as adequate and thorough checks have been made on their past political activities. In other words, we want to ascertain whether or not they fled Hungary as patriots fleeing communism, or as Communists who at the very beginning were being run out by Hungarian patriots. There is a vast difference and while we want to be kind and charitable—we must be most careful in the best interests of America.

Mr. Speaker, in conclusion let me reiterate that this is not a perfect bill; nevertheless, in my humble judgment it is a fair one because it extends succor, hope, and the anticipation of a happy tomorrow to many thousands of homeless, friendless people and it does it in such a way and in such numbers that by accepting them into our hearts and our homes, as we now plan—it will not be like taking in all of our neighbors and our friends on the block to such an extent that it will crowd our own families out of our houses right into our own backyards.

I sincerely urge your support of this bill and I read the following copy of a letter that I received from our good friend **Tad Walter**:

House of Representatives,
Committee on the Judiciary,
Washington, D. C., August 27, 1957.

Hon. Emanuel Celler,
Chairman, Committee on the Judiciary, House of Representatives,
Washington, D. C.

Dear Mannie: As you know, due to a most untimely accident, I am confined to Georgetown Hospital.

I trust that you, with the help of our colleagues on the committee, will pilot through the House the Senate immigration bill, S. 2792, with amendments which I have worked out in order to bring it in line with my own bill, H. R. 8123.

This is very important legislation. It is humanitarian and meritorious. We worked on it for several months and I hope that my colleagues will follow your lead and secure expeditious House action.

With best regards.

Sincerely yours,

Francis E. Walter,
Chairman.

Mr. BARRETT. Mr. Speaker, it is indeed regrettable that this bill before us today to amend the Immigration and Nationality Act, S. 2792, is being considered under the suspension of the rules of the House, because by so doing the Members vitally interested in its passage will have no opportunity to offer amendments.

While I wholeheartedly support this bill but favored the House version, H. R. 8123, I honestly do not feel either bill extends enough privileges to the intending immigrants.

It is evident that a more liberal immigration policy is necessary in view of the thousands of immigrants who were not given proper consideration when the Refugee Relief Act of 1953 expired in 1956. While this bill now under consideration would not extend the Refugee Relief Act, it would permit the entry into the United States of those applicants in the so-called pipeline status. It would permit hundreds of refugees and relatives to join their families in America and current figures obtained from the Department of State indicate that approximately 58,868 applications were in the various stages of processing when the Refugee Relief Act expired. Included in this number were 22,866 Italian refugees and relatives.

Mr. Speaker, for the past 5 years I have been working on legislation that, in effect, would unite families here in the United States. It seems to me that the 18,765 unused visas under the Refugee Relief Act should, as a matter of national interest, justice, and equity, be made available to these unfortunate people.

According to the figures I received this morning from the Visa Office of the Department of State, 190,235 visas were issued under the Refugee Relief Act before the expiration date of December 31, 1956; although 314,551 applicants applied. Of the 209,000 persons authorized to be admitted, 18,765 visas were unused by German and Austrian expellees, Dutch nationals, and non-Asian refugees in the Far East.

In section 15 (a) of the bill now being considered 4,600 visas have been set aside for German and Austrian expellees, Dutch nationals, and refugees residing within the district of an American consular office in the Far East.

I think we all know that the Dutch and German quotas are now open in the first, second, third, and fourth preference categories and easily available to anyone desiring to emigrate to the United States. I understand the number of visas under the act available to the aliens in the Far East was not exhausted because there were not enough applicants for the visas remaining unused when the act expired. Therefore, I can see no logical reason why subsections (1), (2), and (3) of section 15 (a) of S. 2792 should remain in the bill. Why should these visas be made available to the Germans and the Dutch when they failed to use their allocation of numbers under the Refugee Relief Act?

I firmly believe the visas allocated under section 15 (a) should be made available to those nationals anxious to emigrate to America and cannot because of the oversubscription of their quotas. It is high time we take care of these "pipeline" cases. As a humanitarian Nation, we should legislate in the interest of the family group and give those who want to become Americans every chance.

Mr. RODINO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, I wholeheartedly support the purposes of this bill. This is not the time to stress its omissions in relation to existing immigration law, but rather to look at its merits, as far as they go. To say that I approve of this bill is not to say that I would not have wished to have gone beyond the scope it presently embraces; it is not to say that agreement on this bill bars any effort to try to go further, particularly with reference to a revision of our national origins quota system which this bill does not touch.

As I view this bill, I find the purpose behind it both humanitarian and in the best interest of the United States. It provides nonquota status for eligible orphans. It gives nonquota status to close relatives of United States citizens and lawfully resident aliens. It likewise gives such status to skilled specialists temporarily within the United States. It revives the use of numbers under the Refugee Relief Act, already expired, for those countries which could not use the previously allotted numbers prior to the expiration date. Moreover, it permits expeditious naturalization for adopted children and is of considerable help for children born abroad to United States citizen parents. It terminates the quota mortgage provision of the Displaced Persons Act of 1948. It further provides for the discretionary waiver of the fingerprint requirement on the basis of reciprocity and helps defectors who occupy the highest foreign diplomatic posts to adjust their status. It permits the entry of those afflicted with TB to join their families in the United States under the proper safeguards. Another good provision is that relating to refugees from the Mid-East who seek asylum from Communist or Communist-dominated countries.

We find, then, that the fundamental principle behind the most important provisions of this bill is the reunification of families, a principle to which all must subscribe. In this bill we move forward to remove the personal tragedy of the split and separated families. If for no other reason, and other reasons do exist, we must welcome the enactment of this legislation. We are not a people to turn aside from the knowledge of personal hardship when it lies within our power to mitigate that hardship. One of the most compelling reasons for the enactment of this bill I find in the provision for eligible orphans. It is not only the providing of a home and parents for bereft, innocent children of foreign descent, but it is also the knowledge that the personal happiness of a large number of American households that are childless and seek the fulfillment of family life that urge support of this bill. In the United States we find a most serious situation: Only one couple out of 10, seeking to adopt children, can have their wishes met through the adoption of American children. Consequently, as we all know, a most vicious gray market in baby adoption has sprung up throughout the breadth of the land. I contend that the adoption of this bill will go a long way in breaking this traffic in human hopes and fears. It is estimated that some 50,000 aliens will benefit. But that can be multiplied threefold when we consider how many American families will profit. This is a family bill—a bill for the family—the American family. In all conscience, we can do no less.

I sincerely and fervently hope that we will not stop with this bill, but that the Congress, recognizing the need for further changes in all immigration laws, will act to cure other deficiencies still remaining to be dealt with.

Mr. KEATING. Mr. Speaker, I ask unanimous consent that the remarks of the gentleman from Ohio [Mr. Dennison] may be inserted in the Record at this point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DENNISON. Mr. Speaker, although I share the many misgivings as to this method of legislation, I am aware of the fact that this bill before us provides some of the relief in hardship cases which many of us have worked for. First, and most important, it will bring together many families who were separated when the Refugee Relief Act expired. I, therefore, support this legislation to revise the immigration laws to bring such families together again, to permit the entry of adopted children and stepchildren, many of whom are now suffering loneliness and hardship because of their inability to be reunited with their lawful parents, and which also provides for the entry of persons with special skills who might contribute greatly to the economy and welfare of our country.

While this bill does not go as far as I would like to see it go, it does correct these injustices.

When the Refugee Relief Act expired thousands of families were separated. In many cases the head of the family had come to this country before the others to prepare the way for his loved ones, not realizing that the law would expire before the families were joined. Many such persons are now residents of the 11th District of Ohio which I have the great honor to represent in Congress. Many countries are represented and in my district there are a particularly large number of people from Greece and Italy who were caught by the expiration of this act. Those who have already migrated to America are among the best citizens of our communities. They represent the finest tradition of American citizenship. But in the midst of all the blessings they enjoy as Americans, there is always the heartache in being separated from their loved ones. We can correct this situation now by passing this bill and completing the great purposes of the Refugee Relief Act.

I introduced a bill, H. R. 8926, to accomplish these purposes and to also admit the 58,000 refugees who were left in the pipeline because processing of their papers had not been completed when the act expired. I hope in the next session of Congress we may give consideration to that measure. In the meantime the present bill is a good beginning and it does accomplish the noble purpose of reuniting families and in allowing children to join their parents. I urge your full support of the measure.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, I am going to support the bill before us, S. 2792 as amended by this House, which will liberalize the Immigration and Nationality Act. However, my support of this measure should not be construed as complete satisfaction with the actions of the Senate and House committees in revising the immigration law now on the books.

Bills which were filed by myself, H. R. 93 and H. R. 4086, and bills filed by many other Members of this House and Members of the Senate provided for a much more realistic approach to the present problem. I realize that the bill before us, in these last hours of the session, is probably the best measure that we can expect to have enacted into law this year. It does not grant all that I would like to see, but it is certainly a step in the right direction. Under its provisions, thousands of families will be reunited because loved ones, whose petitions for entry into the United States were approved before July 1, 1957, will soon be coming to our shores.

In the next session of Congress I think that we will have to face this immigration problem squarely and realistically. The act needs to be thoroughly overhauled and the national quotas must be based on the 1950 census, not the unrealistic 1920 census.

Mr. Speaker, with permission I would like to have printed here with my remarks editorials from the Washington Post and Times Herald, August 26, 1957, and the Springfield, Mass., Daily News, August 22, 1957, which I urge my colleagues to read:

[From the Washington Post and Times Herald of August 26, 1957]

QUARTER LOAF

The fundamental inequity of the immigration laws—the archaic national origins quota system—would remain uncorrected by the immigration law amendments passed by the Senate and given a good chance for adoption by the House in this session. Also, the 27,000 Hungarian refugees admitted under the parole provisions of the old law still would face a future of altogether needless uncertainty. It is especially difficult to understand why there is any substantial Congressional opposition to giving these refugees the opportunity to seek citizenship.

But the quarter loaf of immigration law reform which now seems to be assured of enactment this year is still a good deal more than had been expected, and some of the new provisions would be most helpful. Through elimination of the mortgages on country quotas which piled up under the Displaced Persons Acts, and through revival of the expired visas under the Refugee Relief Act, 27,000 additional immigrants could be admitted. Some 30,000 relatives of refugees already here and an unlimited number of orphans could come in, and there would be relief for other special and hardship situations.

Of particular value is the proposed elimination of the fingerprinting requirement for nonimmigrant visitors. This has served little purpose, since all countries frequently resort to diplomatic cover for spies and can thus avoid the fingerprinting. But the requirement has given Russia a propaganda talking point, since Moscow imposes no such condition, and some cultural exchanges have been impossible because of general dislike of the rule. Congress ought to enact these relatively minor, though not unimportant reforms, and then get down to business on a real modernization of the quota system and regularization of the status of the Hungarian parolees.

[From the Springfield (Mass.) Daily News of August 22, 1957]

KENNEDY BILL PASSES

The Senate has passed the Kennedy immigration bill which will admit 60,000 more refugees to the United States, and the bill will now go to the House where it will almost certainly be passed.

The bill contains none of the major recommendations made by President Eisenhower, who had hoped that the McCarran-Walter Act would really be put under the knife. Many Senators likewise wanted to have a more liberal bill, but they knew that such a bill would never be enacted this year. So, they passed a bill which they believe will be able to win approval, and thus help at least 60,000 refugees.

As Senator JOHN F. KENNEDY, of Massachusetts, one of the bill's sponsors, said: "This bill does not contain many provisions which I and many others interested in a more liberal immigration policy would desire but it does represent a significant step forward and will relieve some of the more pressing immigration problems with which we are currently faced."

When it is impossible to get an ideal bill passed, it is wise to advance the best possible measure. The Founding Fathers saw the wisdom of adopting the Constitution even though it did not yet contain the Bill of Rights.

President Eisenhower may not be pleased that the Senators failed to follow his recommendations for carving the McCarran-Walter Act, but the Republicans cannot make much of this failure without reflecting credit on ex-President Truman, who tried to stop the act in the first place with a veto in 1952, and without putting a cloud over those Republicans who zealously lined up with southern Democrats to pass the act over the President's veto.

Mr. KEATING. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BURNS of Hawaii. Mr. Speaker, in urging favorable consideration of S. 2792 at this time by the Members of the House, I am conscious of the fact that in the absence of the printed copy of the bill as it passed the other body, and a report thereon, the Members of this House—myself included—do not have available all of the information that should be at hand. However, if we are to have a bill in this session of the Congress, it will have to be S. 2792.

On January 29, 1957, I introduced H. R. 4189, a bill to provide for adoption of 10,000 orphans under 12 years of age, and to permit their permanent residence in the United States. In addition, I have introduced more than a score of bills to permit the entry into the United States of close relatives of American citizens. S. 2792 is a bill which combines the purposes of H. R. 4189 and the private bills which I have introduced. It is a bill which demonstrates to the world the great charity of Americans.

As the distinguished Senator from Mississippi, the Honorable JAMES O. EASTLAND, the very able chairman of the Judiciary Committee of the Senate, pointed out in debate in that body, this bill is a humanitarian enterprise in which we as Americans should engage. The 2-year provision without numerical limitation on adoptions affords a period of fair trial during which an opportunity would be afforded for determination as to the need for renewal. The reuniting of families by allowing entry of those families of people who legally came into the United States accords with our traditions of fairness and justice.

While unfamiliar, as I mentioned earlier, with all the provisions of this bill, I am sure that the support of the very able, knowledgeable, and distinguished chairman of the Immigration and Naturalization Subcommittee of the Judiciary Committee of this House, the Honorable FRANCIS WALTER, for this bill, as expressed in the letter read, should resolve the doubts of some Members as to the wisdom of supporting this bill.

The Judiciary Committee, and in particular, the chairman, the eminently qualified gentleman from New York, the Honorable EMANUEL CELLER, as well as the other members of the committee particularly concerned, are to be complimented for bringing this matter up at this time so that this Congress will not adjourn without a bill in these areas where true charity is so greatly needed.

I express the sincere thanks and appreciation of my constituents to them and to all Members of Congress for their consideration of this measure, and urge favorable action.

Mr. CURTIS of Massachusetts. Mr. Speaker, I rise in support of this bill. It makes some valuable and much-needed changes in the immigration laws, which will provide relief in many types of hardship cases, and will make for a more fair administration of the law.

Among the helpful provisions in this bill are those which will revive unused visas authorized under the Refugee Relief Act which expired last December; wipe out mortgages on future quotas which resulted from former laws admitting displaced persons but requiring that their numbers be charged to future quotas; authorize the waiving of the fingerprinting of visitors and others; liberalize provisions as to adopted children, hardship cases, skilled specialists, refugees from behind the Iron Curtain.

These provisions will make possible the reuniting of families, and prevent the hardships of family separations sometimes resulting from technicalities in the present law. They will extend the hand of friendship and hospitality to many orphans and to children under 14 adopted by United States citizens. They will bring help to many oppressed people—all in accordance with the best traditions of the United States.

A half a loaf is better than none, and this bill should certainly be supported despite the fact that it fails to act on major amendments recommended by the President, such as changes in the quota system, and regularization of the status of parolees from Hungary. The chairman of the House Subcommittee on Immigration has already announced extensive hearings on the question of these further amendments to the law, and it is certainly desirable that action be taken along the lines recommended by the President to remove what he referred to as discriminatory features in the existing law.

The bill now before the House is good as far as it goes, but it does not go far enough.

Mr. LANE. Mr. Speaker, I rise in support of the bill which seeks to amend the Immigration and Nationality Act.

I have listened attentively to the remarks of the previous speakers, all of whom have spoken in favor of this legislation with the exception of the gentleman from Ohio [Mr. FEIGHAN]. Members from both sides of the aisle have outlined to you the provisions of this bill and offered various reasons in support of this type of legislation. I do wish to associate myself with them in favoring this omnibus bill.

I sincerely regret, however, that the chairman of the Subcommittee on Immigration of the House Committee on the Judiciary is unable to be present here today with us to give to the House his views on this most important subject matter. I know of no man in the Congress who is more conversant with immigration and naturalization bills than the gentleman from Pennsylvania [Mr. **Walter**]. Knowing that he has met with a most unfortunate accident, and realizing that he will be confined to the Georgetown Hospital for some period of time, I feel that I speak the sentiment of every Member of the House when I say that it is our hope and our desire and our wish that he will have a speedy and full recovery. For the past several months, Mr. **Walter** personally has given a considerable amount of work and time and effort to this bill. His committee, both the majority and minority members, have likewise worked diligently by his side. He reported this proposal to the full Committee on the Judiciary, explained the bill at great length, and his recommendations and that of his subcommittee were adopted almost unanimously.

I am satisfied that passage of this piece of legislation will mean much to him during his convalescence since he will now know that his hours of work have not been in vain.

This bill will provide a nonquota status for eligible orphans, close relatives of United States citizens, and lawfully resident aliens and skilled specialists now temporarily within the borders of the United States. It will relieve the situation of the remaining refugees and expellees who failed to qualify for visas before the expiration of the Refugee Relief Act. It will afford waivers of specific causes for exclusion to prevent hardship in certain cases.

Under the provisions of this bill, expeditious naturalization will be provided in the case of adopted children and the retention of citizen requirements are liberalized for children accorded United States citizenship through parents outside the United States to citizen parents. The quota mortgage under the Displaced Persons Act is terminated.

This bill, Mr. Speaker, in my estimation will do much to reunite families and to properly provide for the admission of the orphans. Of course, I heartily approve of this bill, although I would prefer to have other provisions placed in the bill to take care of other serious conditions, which are now prevalent.

As one member of the Judiciary Committee, I hope that the House will pass this bill with a substantial majority so that the rules may be suspended and the bill sent to the White House for the President's signature.

Mr. HAGEN. Mr. Speaker, I wish to address myself to those portions of this proposal which deals with the problem of necessary importation of sheepherders from the Basque areas of France and Spain with particular emphasis on Spain.

It is my understanding that we are considering a Senate proposal rather than the House Judiciary Committee proposal; however, both of them propose that the mortgages against the Spanish quota derived from the Displaced Persons Act and from the various special acts heretofore passed dealing with immigration of needed sheepherders will be abated.

This mutual provision is significant. It conforms to a recommendation contained in a report of House Judiciary Committee Subcommittee No. 1 dated February 14, 1957 pursuant to House Resolution 107 of the 85th Congress. I am citing this recommendation and action to lead into the subject of other actions recommended in such report.

For a variety of reasons it is necessary for the sheep industry of this country to import persons to perform the duties of sheepherders. Some of these reasons are too delicate to discuss in public. Others are not. It is a known fact that the life of a sheepherder is a lonely isolated one and that only an indecisive minority of Americans will seek such employment. Other reasons exist for the difficulty of obtaining domestic labor to perform such necessary tasks.

In recognition of this situation the Congress has heretofore passed special legislation admitting foreign sheepherders. This legislation was somewhat unsatisfactory for the reason that it absorbed quota entries of countries which had low quota allotments. For this reason said Subcommittee No. 1 early in 1957 made a study of this problem. One of its recommendations is incorporated in H. R. 8123 and the counterpart in the other body. I wish to take this occasion to invite attention to one other recommendation contained in the report of such committee.

At the bottom of page 4 of the report of such subcommittee we find the following quotation:

> It is recommended that the practice of admitting alien sheepherders under special legislation should be discontinued and that the problem of supplying legitimate needs of the American sheep-raising and woolgrowing industry, should be met administratively under existing law, specifically under section 101 (a) (15) (H) (ii) of the Immigration and Nationality Act, which section is being used for the purpose of supplying other branches of the American economy with needed workers. It does not appear necessary that the importation of a relatively small number of sheepherders from Spain should be regulated by intergovernmental agreements similar to an agreement under which a much larger number of Mexican workers are entering the United States.

This report and recommendation thereof are being ignored by the Immigration and Naturalization Service in practical effect. The need for such workers is admitted in such report. In spite of that fact it appears that the Immigration and Naturalization Service is not taking those steps which would make possible the admission of the necessary workers. This situation I feel to be a direct contravention of the recommendation of a committee of Congress and I would hope that the Judiciary Committee of the House would seek to correct the actions of such Service.

The Immigration and Naturalization Service has delegated to the Labor Department the job of determining the need for temporary entrants under said section 101 (a) (15) (H) (ii). The Labor Department has flown in the face of the House committee in denying determination of need and has refused to certify the admission of any Basque sheepherders on the basis of a domestic labor shortage. This decision is patently erroneous and the decision of the Labor Department should be amended; however the Labor Department is not the pressure point in this situation. Its activities merely represent a voluntary submission to it of a question of fact by the Immigration and Naturalization Service.

The Immigration and Naturalization Service should either ignore the recommendation of the Labor Department on this particular issue or should delegate the factfinding duty to the appropriate State employment agencies. Unless such action takes place the wool and sheep industries in California and other States will be in desperate trouble. Some favorable action has to occur immediately and I invite the attention of the chairman of the House Judiciary Committee, the distinguished gentleman from New York, to this situation which, in a sense, amounts to an affront to his committee by an arm of the executive branch of our Government.

Mr. SANTANGELO. Mr. Speaker, I favor the passage of Senate bill S. 2792, which will permit 60,000 worthy aliens to enter the United States. This bill is a step in the right direction, although it is a very short step.

For the 60,000 aliens who shall benefit by this bill, it is a long stride to America, freedom and reunion with their families. The authors of this legislation deserve commendation and praise for the passage of this bill, and while, in my opinion, it does too little, it is not too late.

This bill is humanitarian in purpose, compromising in spirit, and recognizes inequities in our present immigration law, which cry out for revision. The wails of anguish of separated families have reached our ears, and we have heard. The groans of refugees from communistic oppression have been faintly heard in the din of hysterical outbursts and propaganda. In this bill, we have provided for the use of leftover visas from the Refugee Relief Act, which expired in December of 1956. These can be distributed, not only among some of the classes of aliens listed in that law, but also among the aliens who have fled from oppression in Hungary or Egypt.

The most humanitarian and noble provision deals with the admission of orphans. Many American couples denied the blessings of parenthood will be able to hold the warm hand of an orphan child, who in turn, will know the tender love of a mother and the handclasp and counsel of a father. Truly, these are hands forming a bridge across the seas.

In our joy of seeing the passage of this legislation, we forget temporarily its shortcomings. The quota system which relegates certain peoples to second-class citizenship and the discriminatory provisions against naturalized citizens contained in the present law should be modified. Unused quotas should be reallocated and distributed. Our economy can profit by a fresh stream of skilled specialists and persons who appreciate freedom and opportunity.

Our Lady of Liberty holds high her lamp beside the golden door, smiles faintly, and once again, extends her welcome. While the doors to democracy have not been fully opened by this bill, the door to democracy is ajar.

I favor wholeheartedly the passage of this bill.

The SPEAKER. The question is—will the House suspend the rules and pass the bill, S. 2792, as amended?

The question was taken, and the Speaker announced that two-thirds appeared to have voted in the affirmative.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 295, nays 58, not voting 79, as follows:

[Roll No. 217]

YEAS—295

Adair
Addonizio
Albert
Allen, Ill.
Anderson, H. Carl
Andresen, August H.
Arends
Ashley
Ashmore
Aspinall
Auchincloss
Avery
Ayres
Baker
Baldwin
Baring
Barrett
Bass, N. H.
Bass, Tenn.
Bates
Baumhart
Becker
Beckworth
Belcher
Bennett, Mich.
Bentley
Betts
Blatnik
Boggs
Boland
Bolling
Bosch
Bow
Boykin
Boyle
Breeding
Brooks, Tex.
Broomfield
Brown, Mo.
Brown, Ohio
Brownson
Broyhill
Budge
Burdick
Bush
Byrd
Byrne, Ill.
Byrne, Pa.
Byrnes, Wis.
Canfield
Carnahan
Carrigg
Cederberg
Celler
Chamberlain
Chelf
Chenoweth
Chiperfield
Christopher
Chudoff
Church
Clark
Coad
Cole
Collier
Cooley
Corbett
Coudert
Cramer
Cretella

Cunningham, Iowa
Cunningham, Nebr.
Curtin
Curtis, Mass.
Curtis, Mo.
Dague
Davis, Tenn.
Dawson, Utah
Delaney
Dempsey
Dennison
Denton
Derounian
Devereux
Diggs
Dingell
Dixon
Dollinger
Donohue
Dooley
Dorn, N. Y.
Doyle
Durham
Dwyer
Eberharter
Edmondson
Elliott
Engle
Evins
Fallon
Farbstein
Fenton
Fino
Fogarty
Forand
Ford
Forrester
Fountain
Frazier
Frelinghuysen
Friedel
Fulton
Garmatz
Gavin
Granahan
Gray
Green, Pa.
Griffin
Gubser
Hagen
Hale
Halleck
Hardy
Harrison, Nebr.
Haskell
Healey
Hébert
Henderson
Heselton
Hill
Hoeven
Holland
Holmes
Holt
Hosmer
Huddleston
Hull
Hyde
James
Jarman

Jenkins
Jennings
Jensen
Johnson
Jonas
Jones, Ala.
Judd
Karsten
Kean
Kearns
Keating
Kee
Keeney
Kelley, Pa.
Kelly, N. Y.
Kilday
Kilgore
King
Kirwan
Kluczynski
Knox
Knutson
Laird
Lane
Lanham
Lankford
Latham
Lennon
Lipscomb
McCarthy
McCormack
McCulloch
McFall
McGovern
McGregor
McIntire
McIntosh
McVey
Macdonald
Machrowicz
Mack, Ill.
Mack, Wash.
Madden
Marshall
Martin
May
Meader
Merrow
Metcalf
Michel
Miller, Md.
Miller, Nebr.
Miller, N. Y.
Montoya
Moore
Morano
Morgan
Morris
Moss
Moulder
Multer
Mumma
Natcher
Neal
Nimtz
O'Brien, Ill.
O'Brien, N. Y.
O'Hara, Ill.
O'Hara, Minn.
O'Konski
O'Neill
Osmers

Ostertag
Passman
Patman
Patterson
Pelly
Perkins
Pfost
Philbin
Pillion
Poage
Poff
Porter
Price
Prouty
Rabaut
Radwan
Ray
Reed
Rees, Kans.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riehlman
Roberts
Rodino
Rogers, Colo.
Rogers, Mass.
Rooney

Roosevelt
Santangelo
St. George
Saund
Saylor
Schenck
Schwengel
Scott, Pa.
Scudder
Seely-Brown
Sheehan
Shelley
Sheppard
Sieminski
Simpson, Pa.
Sisk
Smith, Miss.
Smith, Wis.
Spence
Springer
Staggers
Stauffer
Sullivan
Taber
Talle
Taylor
Teller
Tewes

Thomas
Thompson, La.
Thompson, Tex.
Thomson, Wyo.
Thornberry
Tollefson
Trimble
Ullman
Utt
Vanik
Van Pelt
Van Zandt
Wainwright
Watts
Weaver
Westland
Wharton
Widnall
Wigglesworth
Willis
Wilson, Calif.
Wilson, Ind.
Wolverton
Wright
Yates
Zablocki
Zelenko

NAYS—58

Abernethy
Alexander
Andrews
Bennett, Fla.
Berry
Brown, Ga.
Burleson
Colmer
Cooper
Davis, Ga.
Dorn, S. C.
Dowdy
Feighan
Fisher
Flynt
Gary
Gathings
Grant
Gregory
Gross

Haley
Harris
Harrison, Va.
Hemphill
Herlong
Hess
Ikard
Johansen
Jones, Mo.
Kitchin
Landrum
Long
Mahon
Matthews
Mills
Minshall
Murray
Norrell
Polk
Reece, Tenn.

Riley
Rivers
Robeson, Va.
Rogers, Fla.
Rogers, Tex.
Rutherford
Scherer
Scott, N. C.
Selden
Shufford
Simpson, Ill.
Smith, Va.
Tuck
Vorys
Whitener
Whitten
Williams, Miss.
Winstead

NOT VOTING—79

Abbitt
Alger
Allen, Calif.
Anderson, Mont.
Anfuso
Bailey
Barden
Beamer
Blitch
Bolton
Bonner
Bray
Brooks, La.
Buckley
Cannon
Clevenger
Coffin
Dawson, Ill.
Dellay
Dies
Fascell
Flood
George
Gordon
Green, Oreg.
Griffiths

Gwinn
Harden
Harvey
Hays, Ark.
Hays, Ohio
Hiestand
Hillings
Hoffman
Holifield
Holtzman
Horan
Jackson
Kearney
Keogh
Kilburn
Krueger
LeCompte
Lesinski
Loser
McConnell
McDonough
McMillan
Magnuson
Mailliard
Mason
Miller, Calif.
Morrison

Nicholson
Norblad
Pilcher
Powell
Preston
Rains
Robsion, Ky.
Sadlak
Scrivner
Sikes
Siler
Smith, Calif.
Smith, Kans.
Steed
Teague, Calif.
Teague, Tex.
Thompson, N. J.
Udall
Vinson
Vursell
Walter
Wier
Williams, N. Y.
Withrow
Young
Younger

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Walter and Mr. Keogh for, with Mr. Brooks of Louisiana against.

Mr. Anfuso and Mr. Fascell for, with Mr. Siler against.

Mr. Buckley and Mr. Holtzman for, with Mr. Abbitt against.

Until further notice:

Mr. Hays of Ohio with Mr. Alger.
Mr. Lesinski with Mr. Horan.
Mr. Thompson of New Jersey with Mr. Vursell.
Mr. Young with Mr. Dellay.
Mr. Miller of California with Mr. Clevenger.
Mr. Dies with Mr. McDonough.
Mr. Dawson of Illinois with Mr. Bray.
Mr. Bailey with Mrs. Bolton.
Mr. Anderson of Montana with Mr. Mailliard.
Mr. Holifield with Mr. Norblad.
Mr. Hays of Arkansas with Mr. Gwinn.
Mr. Powell with Mrs. Harden.
Mr. Preston with Mr. Sadlak.
Mrs. Blitch with Mr. Robsion of Kentucky.
Mr. Pilcher with Mr. Harvey.
Mr. Vinson with Mr. Hillings.
Mr. Loser with Mr. Hoffman.
Mr. Coffin with Mr. Allen of California.
Mr. Flood with Mr. Beamer.
Mr. Gordon with Mr. Jackson.
Mrs. Green of Oregon with Mr. Kearney.
Mr. Rains with Mr. Kilburn.
Mr. Wier with Mr. Teague of California.
Mr. Udall with Mr. Withrow.
Mr. Magnuson with Mr. Younger.
Mr. Barden with Mr. Smith of California.
Mr. Sikes with Mr. Krueger.
Mr. Teague of Texas with Mr. Mason.
Mr. Morrison with Mr. LeCompte.
Mr. Bonner with Mr. Williams of New York.
Mr. Steed with Mr. Hiestand.
Mr. McMillan with Mr. Nicholson.
Mr. Cannon with Mr. Smith of Kansas.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

A similar House bill (H. R. 8123) was laid on the table.

JEWISH WAR VETERANS NATIONAL MEMORIAL

Mr. CELLER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 109) to incorporate the Jewish War Veterans, U. S. A., National Memorial, Inc.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the following-named persons, to wit: William Berman, Portland, Maine; Joseph Gilman, Manchester, N. H.; Capt. Louis Albrand, Burlington, Vt.; Mrs. Ethel Cohen, Providence, R. I.; Paul Robin, Providence, R. I.; Fred S. Harris, Meriden, Conn.; Edward Lettick, New Haven, Conn.; William Carmen, Boston, Mass.; Mrs. Sarah Stone, Boston, Mass.; Harry D. Henshel, New York, N. Y.; Capt. Joshua Goldberg, United States Navy, New York, N. Y.; Sol Masch, New York, N. Y.; Sam Slutsky, Peekskill, N. Y.; I. T. Rockman, Harrisburg, Pa.; Harry Schaffer, Pittsburgh, Pa.; Dr. David Coyne, Hoboken, N. J.; Edward Nappen, Atlantic City, N. J.; Howard M. Berg, Wilmington, Del.; Samuel Michaelson, Baltimore, Md.; Louis E. Spiegler, Washington, D. C.; Joseph F. Barr, Washington, D. C.; Joseph A. Reshefsky, Portsmouth, Va.; Edward Leyton, High Point, N. C.; Dr. Harry Appell, Charleston, S. C.; Harry Harrison, Atlanta, Ga.; Paul Ginsberg, Atlanta, Ga.; Harry Cohen, Miami Beach, Fla.; Louis B. Lepp, Birmingham, Ala.; Philip Katz, Louisville, Ky.; Dr. Yale Burke, South Bend, Ind.; Harry T. Madison, Detroit, Mich.; William Bobier, Cleveland, Ohio; Samuel Shaikewitz, St. Louis, Mo.; Maj. Gen. Julius Klein, Chicago, Ill.; Nathan Rakita, Milwaukee, Wis.; Myer Dorfman, St. Paul, Minn.; Hyman Greenspan, Dallas, Tex.; Harold Freeman, Phoenix, Ariz.; Harry Pells, Denver, Colo.; Hy Weitzman, San Bernardino, Calif.; Don Kapner, Seattle, Wash.; Sherman Z. Lipstein, Omaha, Nebr.; William Stern, Fargo, N. Dak.; David A. Baitch, Portland, Oreg.; and their associates and successors, are hereby created a body corporate by the name of "Jewish War Veterans, U. S. A., National Memorial, Inc." (hereinafter referred to as the "corporation").

SEC. 2. The object, purposes, and activities of the corporation shall be—

(a) to maintain and conduct a national memorial and museum dedicated to and commemorating the service and sacrifice of Americans of the Jewish faith, and especially those who died, in the armed services of the United States during a period of war;

(b) to acquire and maintain the necessary building or buildings in the District of Columbia for the purpose of housing the said national memorial museum as well as the national headquarters of the Jewish War Veterans of the United States of America, and the national headquarters of the National Ladies' Auxiliary, Jewish War Veterans of the United States of America, and the utilization of the facilities of such building or buildings and the said national headquarters to gather, collate, edit, publish, and exhibit the memorabilia, data, records, military awards, decorations, citations, et cetera, for the purposes of preserving the memories and records of patriotic service performed by men and women of the Jewish faith while in the armed services of the United States of America in time of war;

(c) to do all such acts as are necessary or convenient to attain the objects and purposes here in set forth, to the same extent and as fully as any natural person could or might do, and as are not forbidden by law or by this certificate of incorporation or by the bylaws of this corporation, including the power to borrow money;

(d) as a nonprofit corporation, none of the income of which shall accrue to any member as such, to purchase, lease, sell, mortgage, hold, receive by gift, devise or bequest, or otherwise acquire or dispose of such real or personal property as may be necessary to the purposes of this corporation;

(e) to accept gifts inter vivos, bequests, benefactions, or property, real or personal of any kind or nature deemed pertinent or useful by the said corporation for the purpose of carrying forward the objectives herein stated;

(f) to have offices within or without the District of Columbia and promote and carry on its objects and purposes in the States or Territories of the United States; and

(g) to have perpetual succession and power—

(1) to sue and be sued;

(2) to adopt and alter a corporate seal;

(3) to adopt bylaws not inconsistent with law;

(4) to adopt emblems and badges, and have the sole and exclusive right to the use thereof; and

(5) to do all and any things and acts necessary and proper to carry into effect the purposes of the corporation.

SEC. 3. The corporation shall acquire any or all of the assets of the existing organization created under the laws of the District of Columbia, known as "Jewish War Veterans, U. S. A., National Memorial, Inc.", upon discharging or satisfactorily providing for the payment and discharge of all its liabilities.

SEC. 4. The governing body of the corporation shall consist of a board of trustees, who shall be elected by the national executive committee, Jewish War Veterans of the United States of America, from the membership of the Jewish War Veterans, United States of America, and the National Ladies Auxiliary, Jewish War Veterans of the United States of America, for such terms, and in such numbers as shall be decided upon by the said national executive committee. The meetings of such board of trustees, and the procedure thereat, shall be pursuant to the decision of the said board of trustees.

SEC. 5. On or before the 1st day of April of each year, the corporation hereby created shall make and transmit to the Congress, a report of its proceedings for the year ending December 31 preceding, including a full, complete, and itemized report of receipts and expenditure, of any kind. Said report shall be printed as a public document.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO PREVENT THE USE OF ARBITRARY STOCK PAR VALUES

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3625) to amend section 214 of the Interstate Commerce Act, as amended, to prevent the use of arbitrary stock par values to evade Interstate Commerce Commission jurisdiction, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, strike out lines 6 to 9, inclusive, and insert:

"(1) changing the proviso in the first sentence to read '*Provided, however*, That said provisions shall not apply to such carriers or corporations where the value of capital stock or principal amount of other securities to be issued, together with the value of capital stock and principal amount of other securities then outstanding, does not exceed $1 million, nor to the issuance of notes of a maturity of 2 years or less and aggregating not more than $200,000, which notes aggregating such amount including all outstanding obligations maturing in 2 years or less may be issued without reference to the percentage which said amounts bear to the total amount of outstanding securities'; and"

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CENTENNIAL OF THE BIRTH OF THEODORE ROOSEVELT

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (S. J. Res. 18) to authorize and request the President to issue a proclamation in connection with the centennial of the birth of Theodore Roosevelt.

The Clerk read the title of the joint resolution.

The Clerk read the joint resolution as follows:

Resolved, etc. That the joint resolution entitled "Joint resolution to establish a commission for the celebration of the one hundredth anniversary of the birth of Theodore Roosevelt," approved July 28, 1955 (69 Stat. 348), is amended by adding at the end thereof the following new section:

"SEC. 9. The President is authorized and requested to issue a proclamation, inviting the people of the United States to observe the centennial anniversary of the birth of Theodore Roosevelt, which will occur in 1958, with appropriate ceremonies and activities during that year."

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMITTEE ON RULES

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

MUTUAL SECURITY

Mr. PASSMAN submitted a conference report and statement on the bill (H. R. 9302) making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes.

POSTAL SAVINGS SYSTEM

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MARSHALL. Mr. Speaker, on April 3 the Committee on Post Office and Civil Service favorably reported H. R. 5883, a bill to provide for the orderly and economical discontinuance of the Postal Savings System. This action followed hearings on a number of bills, including one of my own, to end this outmoded and costly service of Government. Some of us were disappointed that the bill as reported did not provide for faster liquidation since deposits are declining rapidly and there is ample evidence that many accounts exist only because they have been forgotten or are regarded as too insignificant for reinvestment or deposit in other savings facilities.

Favorable reports on the legislation have been received from the Post Office Department, the Comptroller General, and the Treasury Department. In addition, the report on business enterprise made by the Commission on Organization of the Executive Branch (Hoover Commission) in May 1955 recommended liquidation of the service.

While the bill will not come before us in these closing days of the session, I want to urge Members of the House to look into the situation in their own districts after adjournment. The pattern is the same in virtually every post office in the Nation. Deposits are declining. Withdrawals are continuing at an accelerated rate as interest rates increase on savings bond and other savings programs. Post offices are wasting time on this needless banking venture that could better be devoted to the mail service. It is my hope that Members of the House will solicit the views of the postmasters who are familiar with the situation in their communities since I am convinced that they will then recognize the importance of discontinuing this unnecessary activity.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. MARSHALL. I yield.

Mr. REES of Kansas. I just want to commend the gentleman for the effort he has made in securing the approval of the legislation to which he has just referred.

NINETEEN HUNDRED AND FIFTY-SEVEN WORLD'S CONSERVATION EXPOSITION AND PLOWING CONTESTS, PEEBLES, OHIO

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. POLK] is recognized for 15 minutes.

Mr. POLK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. POLK. Mr. Speaker, I have asked for this time to tell the Members of the House about the World Conservation Exposition and Plowing Contests which will be held in Ohio on September 17, 18, 19, and 20, 1957. The location of the contests is near Peebles in Adams County. This county is a part of the district I have the privilege of representing.

I believe it is significant, and I am very proud to tell the House about the work of the committee in charge which is largely made up of farmers and businessmen in Adams County, Ohio. They have worked very hard to organize and promote this exposition and world's plowing contests. It is the first time that the world's plowing contests have been held in the United States. Fourteen countries will participate in these contests. On September 17, there will be held the State plowing contest. This will be followed by the national plowing contests with which, I believe, you are all familiar, and after the national plowing contests there will be the world plowing contests. On behalf of the committee in Adams County, Ohio, I want to extend a very cordial invitation to all Members of the House and their constituents to come to the State of Ohio to Adams County this coming September 17, 18, 19 and 20, for I know that if you do come, you will witness one of the finest agricultural expositions that has ever been held anywhere. I would like to mention a few of the names of the promoters of this exposition and the contest. I am sorry I do not have the names of all the persons who have worked on it.

The officials of the 1957 World's Conservation Exposition and Plowing Contests, Inc., are Mr. Earl K. DeVore, Winchester, Ohio, general chairman; Mr. Robert C. Miller, farm program director, radio TV station WLW, Cincinnati, Ohio, cochairman; Mr. Ellis Dorton, Peebles, Ohio, vice chairman; Mr. Carey W. Richey, Peebles, Ohio, secretary-treasurer; and Mr. Paul Wilson, Peebles, Ohio, assistant secretary-treasurer.

To these men and to their associates, I want to extend my most hearty personal congratulations for the fine work they have done in bringing this international event to Ohio and to Adams County and to the Sixth Congressional District of Ohio.

The following is the full program of events planned for the World's Conservation Exposition and Plowing contests on September 17 to 20, 1957:

PEEBLES, OHIO.—Four full days jampacked with action and excitement await visitors to the 1957 world's conservation exposition and fifth world's plowing contests here in Adams County, Ohio, September 17, 18, 19, and 20. This world's fair of agriculture will be the largest one-time, all-inclusive agricultural event ever held in the United States.

Champion 2-man plowing teams from 14 countries will compete in the world plowing contests, September 19–20, the first time this event has been held on American soil. Countries represented in this event include: Belgium, Canada, Denmark, Finland, France, Great Britain, Holland, Italy, New Zealand, North Ireland, Norway, Sweden, United States, and West Germany. The world champion will be announced at the master plowmen's banquet in the Peebles High School gymnasium the evening of September 20.

The Ohio State plowing eliminations are scheduled September 17, with the winners and champions from the 14 other States competing in the national matches the following day. The winners of the national matches will compete in the 1958 world contests in Germany.

Invocation and flag-raising ceremonies and a military band concert are scheduled at 9 each morning. There will be a daily appearance by the world-famous 102-piece United States Army Field Band.

A complete women's program will be presented in the family living center each day, featuring a daily style show by the J. C. Penney Co., using both New York and Adams County models.

The activities field will offer a chance to see some 20 top border collies in action September 17–19 in the fourth annual supreme championship trials of the North American Sheep Dog Society. Tractor-tipping demonstrations will be offered twice daily, plus exhibition shooting by Herb Parsons, the world's greatest marksman, September 19–20.

WLW's Everybody's Farm Hour and a talent show will be presented daily from the headquarters platform from 12 to 1 p. m.

Invitations have been extended to many dignitaries, both in this country and overseas, with acceptances already having been received from Secretary of Agriculture Ezra Taft Benson and Ohio's Gov. C. William O'Neill. Governor O'Neill is scheduled to deliver the main address on opening day, with Secretary Benson the featured speaker September 18 following the national plowing matches.

A Queen of the Furrow will be selected from contestants in 88 Ohio counties to reign over the entire event.

Continuous free wagon tours over a 4½-mile route plus more than 100 acres of commercial and educational exhibits will give visitors a chance to inspect the latest in farming methods and equipment.

WORLD'S CONSERVATION EXPOSITION AND PLOWING CONTESTS, INC.

TENTATIVE SCHEDULE OF EVENTS

Tuesday, September 17

10:30–11:30: Ohio State contour plowing contest.

1–2:15: Ohio State level land plowing contest.

(Winners to compete in national matches the following day.)

Continuous free wagon tours—4½-mile route.

Headquarters Platform

9–9:15: Invocation and flag raising ceremony.

9:15–10: Welcome, introductions, and announcements; concert by Wright-Patterson Air Force Band.

10–10:30: Boy Scout program.

12–1: Talent show and broadcast of Everybody's Farm Hour, station WLW.

2–3: Concert by 102-piece United States Army Field Band.

3: Presentation of awards to State plowing winners.

Introductions.

Address by Ohio's Gov. C. William O'Neill.

Family Living Center

9:40: Invocation.

9:45–10:30: Future Farmers of America.

10:45–11:15: Future Homemakers of America.

1–1:30: Style show (J. C. Penney Co.).

2–2:30: 4-H talent show.

Activities Field

Supreme championship trials—North American Sheep Dog Society (top border collies in action).

Tractor tipping demonstrations.

Wednesday, September 18

10:30–11:30: National contour plowing contest.

1–2:15: National level land plowing contest.

(Winners to compete in Germany in 1958 world contests.)

Continuous free wagon tours—4½-mile route.

Headquarters Platform

9–9:15: Invocation and flag-raising ceremony.

9:15–10: Welcome, introductions, and announcements; concert by Wright-Patterson Air Force Band.

12–1: Talent show and broadcast of Everybody's Farm Hour, station WLW.

2–3: Concert by 102-piece United States Army Field Band.

3: Presentation of awards to national plowing winners.

Introductions.

Address by Secretary of Agriculture, Ezra Taft Benson.

Family Living Center

9:25: Invocation.

9:30–10:15: Home lighting demonstration (Columbus and Southern Ohio Electric Co.).

10:30–11:15: Style show (J. C. Penney Co.).

1:30–2: "The Man at the Plowing Contest" (interview).

"The Family Farm—Its Future" (forum).

2:15–2:45: Style show (J. C. Penney Co.)

Activities Field

Supreme championship trials—North American Sheep Dog Society (top border collies in action).

Tractor tipping demonstrations.

Thursday, September 19

11:30–2: World plowing contest (stubble), 14 countries.

Continuous free wagon tours, 4½-mile route.

Headquarters Platform

9–9:15: Invocation and flag-raising ceremony.

9:15–10: Welcome, introductions, and announcements; concert by Women's Air Force Band.

10:30: Plowmen's parade.

12–1: Talent show and broadcast of Everybody's Farm Hour, station WLW.

2–3: Concert by 102-piece United States Army Field Band.

3: Dedication of Cairn of Peace.

Family Living Center

9:25: Invocation.

9:30–10: Style show (J. C. Penney Co.).

10:30–11:15: You Are Queen of the Furrow, Mrs. Loa D. Whitfield, Ohio State University.

1–1:30: Home wiring demonstration (Columbus and Southern Ohio Electric Co.).

1:45: Presentation of the Queen of the Furrow.

2–2:30: Style show (J. C. Penney Co.).

Activities Field

Exhibition shooting by Herb Parsons.

Tractor tipping demonstrations.

Supreme championship trials, North American Sheep Dog Society (top border collies in action).

Friday, September 20

11:30–2:30: World plowing contest (sod)—14 countries.

Continuous free wagon tours—4½-mile route.

Headquarters Platform

9–9:15: Invocation and flag-raising ceremony.

9:15–10: Welcome, introduction, and announcements; concert by 102-piece United States Army Field Band.

10:30: Plowmen's parade.

12–1: Talent show and broadcast of Everybody's Farm Hour, station WLW.

2–3: Concert by Women's Air Force Band.

3: Speaking program.

Family Living Center

9:25: Invocation.

9:30–10:30: Frozen food packaging demonstration (Ohio State Extension Service).

"Frozen Foods for Your Table" (Dr. Wilbur Gould and Pauline E. Gruner).

"Frozen Meats" (Robert Havener, meat specialist, Ohio State University Extension Service).

10:45–11:30: Style show (J. C. Penney Co.).

1–1:45: Grange program (Roy Battles, assistant to the master of the National Grange; Ohio Grange "Family of the Year").

2–2:30: Style show (J. C. Penney Co.).

Activities Field

Exhibition shooting by Herb Parsons.

Tractor tipping demonstrations.

Peebles High School

6:30 p. m.: Master plowmen's banquet (announcement of world plowing champion, Queen of the Furrow program, introductions and presentation of guests, special 30-minute broadcast on WLW radio, special entertainment).

Canada Announces Entrants in World Plowing Contest

Peebles, Ohio.—A 23-year-old choir singer and a 40-year-old grandfather will represent Canada in the 1957 world plowing contests here, September 19–20.

The vocalist is Hugh Baird, winner of the 1956 Esso silver plow, Canada's top plowing award. Under his father's tutelage, Baird entered his first plowing match at the age of 14. In 1954 he was the Esso tractor champion and top winner in the open and best-plowed land classes at Chilliwack, British Columbia. In 1956 he won the Canadian plowing championship and the Esso trophy at the international plowing match at Brooklin, Ontario.

A leader in junior-farmer activities and a past president of the Port Perry fair board, Baird is a soloist with Ontario County's junior farmer choir. He works a 150-acre farm near Blackwater, Ontario, with his father—specializing in beef, cattle, hogs, and grain.

Stanley Willis, Baird's running mate in the world tournament, was the only grandfather in the Canadian championships last year when he qualified as a contestant in the world match. A grower of seed potatoes on a 60-acre farm near Charlottetown, Prince Edward Island, Willis twice has been provincial plowing chamipon and three times winner of the Queen County matches. He is a director of the Plowing Association of Queen County and president of the Cornwall District Artificial Insemination Association.

Harvey Hawkey, 63-year-old Kingston dairyman, has been appointed manager of the Canadian team. A well-known figure in Canadian plowing circles, Hawkey is a past president of the Frontenac County Plowing Association and the Ontario Plowmen's Association.

Baird and Willis will be in competition with 2-man teams from 13 other countries for the world-plowing championship. Competing countries include: Belgium, Canada, Denmark, Finland, Great Britain, Holland, Italy, New Zealand, North Ireland, Norway, Sweden, United States, and West Germany.

The United States contestants in the 1957 world contests are Lawrence Goettemoeller, of Ohio, and John Daniels, of Illinois.

Adams County Opens Homes to Exposition Visitors

Peebles, Ohio.—More than 20 percent of Adams County residents have offered their homes to visitors during the 1957 World's Conservation Exposition and Fifth World's Plowing Contests to be held here, September 17, 18, 19, and 20.

The housing committee for this first world's exposition ever to be held in the United States has been hard at work reserving rooms for visitors. The committee, with members living in Manchester, West Union, Sinking Springs, Peebles, Seaman, and Winchester, thus far has procured rooms with bath facilities in 1,000 Adams County homes. Other reservations have been made in motels and hotels within a 60-mile radius.

In providing rooms in private homes—the toughest assignment—committee members have made house-to-house canvasses, assuring visitors of only the finest accommodations.

Mrs. James Wolfe, West Union, chairman of the housing committee, is planning still additional rooms, but admits the 20 percent promised to date isn't bad.

The World's Plowing Contest will feature champion plowmen from 14 foreign countries competing in this world series of agriculture.

Peebles, Ohio.—Organization for the 1957 World's Conservation Exposition and Plowing Contests is so complete that one committee chairman, for instance, directs the activities of nine subcommittees hard at work on preparations. This exposition being held for the first time in the United States will be September 17, 18, 19, and 20 at Peebles, Ohio.

An example of Adams Countians' thoroughness in attacking this huge problem of handling thousands of visitors from all over the world is the organization of the health and safety committee. This major committee has nine active subcommittees which already have arranged for such important exposition items as daily trash disposal; first-aid stations with doctors and nurses; rest rooms; civilian defense; route markings; parking; police protection; fire prevention; and adequate water supplies.

This health and safety committee is but one composed entirely of Adams County residents who are determined to make the first exposition held in the United States the greatest in its history.

Fourteen nations will be represented in the world's plowing contests, the granddaddy of all competition and the world series of farming.

Airstrip Carved From Rolling Ohio Farmland

Peebles, Ohio.—A 3,000-foot airstrip has been carved out of the rolling hillsides near here in preparation for the 1957 World's Conservation Exposition and fifth world's plowing contests, September 17, 18, 19 and 20.

Many visitors to the event will arrive by air, and the seeded airstrip will safely handle twin-engine aircraft. The strip originally was built to accomodate several hundred light airplanes that will participate in a Flying Farmers' Day demonstration. An Air Force jet display of airpower, helicopter demonstrations, and small aircraft exhibits also will be offered.

Construction of this airstrip was made possible by the concerted efforts of the International Harvester Co. and the Rish Equipment Co., International Harvester distributor with main offices in Bluefield, W. Va., and branch offices in Ohio. These firms supplied a TD–18 track-type tractor and a tow scraper for the leveling work. These companies also have contributed equipment for other construction projects at the exposition site.

Competition in the world plowing contests September 19–20, the first time this event ever has been held in the United States, will bring together champion plowmen from 14 countries. The Ohio and national plowing contests, a complete conservation exposition, women's program, and educational and commercial exhibits also will be featured.

World Plowing Contests Boon to World Peace

Peebles, Ohio.—"Friendly international competition is a great stimulus to world peace," according to James Frame, West Union, Ohio, chairman of the Health and Safety Committee for the Fifth Annual World's Conservation Exposition and Plowing Contests, to be held in Peebles, Ohio, September 17, 18, 19, and 20.

Mr. Frame, whose ancestors originally settled in Adams County as a result of land grants for Revolutionary War veterans, has been a lifelong resident of this hilly farming country. He now operates a retail store in the county seat, West Union.

Typical of the enthusiastic effort being expended by Adams Countians to make this worldwide exposition a great success, Mr. Frame regards this show as a great boon to world peace and amity, as well as an international conservation promotion.

Mr. Frame, in commenting on the value of the World's Conservation Exposition and Plowing Contests, said: "There is so much talk about war with great nations flexing their muscles, that I believe people should talk and act peace through international competitive events. Our plowing contest here will show the world Adams County stands for peace and the promotion of good will."

World-Famous Army Field Band To Appear in Ohio in September at World's Conservation Exposition

Peebles, Ohio.—The world-famous United States Army Field Band from Washington, D. C., will appear daily at the 1957 World's Conservation Exposition and Plowing Contests here in Adams County, September 17, 18, 19, and 20.

Exposition officials point out that many visitors from other countries may find the 100-piece Army Field Band a familiar sight, due to the fact that the unit has traveled more than a quarter of a million miles—much of this in Great Britain, Canada, and continental Europe, as well as in the United States and Mexico. World competition in the plowing contests (September 19–20) will bring together champion plowmen from 14 countries, and visitors from these and other countries.

It is estimated that more than 7 million persons the world over have heard music at its best from the "kings of the highway" since the unit was officially organized March 21, 1946. The War Department's decision to form the band for a tour to sell defense bonds stipulated that each member be not only a first-class musician, but also a combat infantryman. So successful was the initial bond-selling tour that the group was nicknamed the "million dollar band."

The field band has performed before audiences in such world-famous places as Carnegie Hall, the Hollywood Bowl, the San Francisco Opera House, London's Royal Festival Hall, the Salzburg Music Festival in Austria, the Champs Elysees Theater in Paris, and the Edinburgh Festival in Scotland.

The field band is under the direction of Maj. Chester E. Whiting. A featured portion of each performance is the 30-voice soldiers chorus, directed by M. Sgt. Arthur V. Donofrio.

Another highly entertaining feature is a drum novelty act. Six men of the percussion section manipulate their drumsticks with such grace and precision that professional jugglers admire and applaud their efforts.

A combination of continuous rehearsal and constant supervision has blended the many and diversified talents of the soldier musicians into an organization which is famous the world over for its perfection and versatility.

The only major Armed Forces musical organization authorized by Congress to make concert tours at Government expense, the United States Army Field Band (102 strong) travels with all instruments, uniforms, and stage settings in a 9-vehicle convoy, and the group can be all set up and ready for a performance 20 minutes after reaching its destination.

Some 300,000 people are expected to visit the 4-day exposition, which marks the first time the world plowing competition ever has been held on American soil since its inception in 1953. Elaborate plans are being capably handled by the volunteer committeemen in Adams County to house, feed, and transport the thousands of visitors who will flock into this southern Ohio community September 17–20.

WORLD CONSERVATION EXPOSITION TO SHOW BETTER LIVING THROUGH PROPER LAND-LIVESTOCK MANAGEMENT

PEEBLES, OHIO.—Showing better living through good land and livestock management is the aim of the World's Conservation Exposition planners as they prepare the 2,500-acre site northeast of here for visitors from all over the world on September 17, 18, 19, and 20. The exposition, the first of its kind ever held in the United States, is being held in conjunction with the fifth annual world plowing contests.

For 3 years, agronomists, conservationists, and farmers have been working toward improving the productivity of the land through the latest recommended soil management practices. In September, the fields of the area will greet visitors with a colorful record of their achievements.

After soil tests had been made for the various farms, more than 400 tons of fertilizer were applied to some 650 acres of cropland and pastures.

Although these fertilizer applications are considered standard procedure for reclaiming farms in this area, at least twice as much was applied per acre as was generally being used previously. This increased application was necessary to complete the improvement project in the 3-year period. The soil, mostly residual limestone, required very little additional lime.

Agronomists then made suggestions about seedings for the various areas, and the farmers tried to plant at the proper times and under favorable conditions. Already this system is showing results in excellent wheat stands and up to 120-bushel-per-acre corn. The average corn yields in Adams County for the 10-year period 1945–54 was only 45.6 bushels per acre.

Some pasture lands were treated with fertilizer, after which trash seedings in contour strips were made. The recommended mixtures of birdsfoot trefoil, clovers, alfalfa, and grasses will be pointed out to the visitors in September.

In both the pastures and meadows, control areas have been set up to illustrate the improvement possible by proper farming methods.

Anyone taking either of the four-and-a-half-mile tours of the exposition site may view these scenes and learn how man can cooperate with nature in turning back the clock on depleted soils.

The Ohio State plowing eliminations will be held September 17, and the national plowing matches, September 18. The world contests, September 19–20, will feature competition between champion plowmen from 14 countries.

MONETARY POLICIES AND PROBLEMS

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 45 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include such extraneous matter as may be pertinent.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, in the previous Congress, and again in the present Congress, the House considered the question whether there should be an investigation and study of the Nation's monetary and credit system. These considerations grew out of resolutions introduced by me.

Consequently, I have received a number of letters asking questions about the history of this matter. Quite a few of these letters have come from college professors in political science and economics. One of the most frequent requests is for transcripts of the testimony of witnesses—including Hon. W. Randolph Burgess, Under Secretary of the Treasury—who appeared before the Rules Committee of the House earlier this year. Other letters have asked for such things as a chronology of events, a summary of the party votes, and a résumé of the issues.

The purpose of my remarks today is to try to supply these things.

As I have already pointed out, the testimony of the Under Secretary of the Treasury, and the testimony of the other witnesses about which inquiries are being made, was given before the Rules Committee of the House. The Rules Committee is, of course, an internal committee of the House. As a usual matter it does not hear outside witnesses—that is, witnesses other than Members of the House—and normally the committee does not print the record of its proceedings.

When the Rules Committee was considering a rule for House Resolution 85, however, the committee did invite, and hear, several outside witnesses. This was in February and March of this year. The outside witnesses, in addition to Mr. Burgess, were: Mr. Allan Sproul, former president of the Federal Reserve Bank of New York; Mr. Kenton R. Cravens, president of the Mercantile Trust Co. of St. Louis, Mo.; and Mr. Frazar B. Wilde, chairman of the Research and Policy Committee, Committee for Economic Development, who is also president of the Connecticut General Life Insurance Co.

The transcript of these hearings has not been printed for the reasons I have already indicated. Manifestly, however, there is a proper public interest in this record, and in order to satisfy requests for copies of the testimony, I will ask to be inserted in the RECORD, following these remarks, those portions of the transcript covering the testimony of the outside witnesses, plus the transcript of my own statement.

Several other Members of the House also testified on this matter, but I have not consulted with these Members as to whether they would like their testimony included, and hence I will not ask that their testimony be inserted at this time.

As to the chronology of events, the votes and the issues, I will try to summarize these as clearly as the subject matter permits.

PARTY VOTES ON RESOLUTIONS TO INVESTIGATE

Both of the resolutions introduced by me would have provided—if they had been adopted—for the investigation to be made by the Committee on Banking and Currency of the House. They were as follows:

In the 84th Congress, the resolution was House Resolution 210, introduced April 8, 1955. This was considered by the House on June 15, 1955, and was rejected by a vote of 214 to 178. The debate may be found in the CONGRESSIONAL RECORD for that date.

In the 85th Congress, the resolution was House Resolution 85, introduced January 7, 1957. This was considered by the House on March 27, 1957, and rejected by a vote of 225 to 174. The debate may be found in the CONGRESSIONAL RECORD for that date.

In 1955, 177 Democrats voted for the resolution, and 29 voted against it; 1 Republican voted for the resolution, and 185 voted against it.

In 1957, 172 Democrats voted for the resolution, and 38 voted against it; 2 Republicans voted for the resolution, and 187 voted against it.

REASONS FOR INVESTIGATION

With respect to the considerations which weighed on the voters, these have been presented in a complex setting, but after a consideration of the record the issues will, I think, appear both clear and consistent.

As to the reasons why such an investigation should be made, the first and foremost reason, it has seemed to me is this: There has not been for many decades a thorough investigation of our monetary and credit system, undertaken with a view to a critical appraisal of the system itself, and with a view, possibly, to broadgage legislation for improving the system. In these decades, new kinds of financial institutions and new financial practices have come into being and these have become weighty factors in our economic system. The vastly expanded Federal debt has placed public debt management in a considerably different role, with a considerably different influence on the Nation's supply of money and credit, from anything experienced prior to the last two decades. Finally, the financing needs of industry, trade, and consumers have all changed in many important respects.

Furthermore, by mid-1953 it had become evident that the Treasury and the Federal Reserve System had embarked upon certain new policies for the managing of the Federal debt and for managing the Nation's money and credit affairs which would affect—for better or for worse—the Nation's whole economic life. Clearly these policies would affect the cost of carrying the Federal debt and affect both the cost and the success of a number of programs—including social, economic, and national defense programs—for which specific legislative enactments had been made over the preceding years.

CONGRESS HAS THE RESPONSIBILITY

Finally, as to the reasons why the investigation should be made by a committee of Congress, these are basic: The Constitution assigns to Congress the powers of issuing money and regulating the value thereof, as well as the power of borrowing money on the credit of the United States. It is for the reason of Congress' clear and undivided responsibility over monetary affairs that the Federal Reserve System functions by law as an arm of Congress, on a delegation of legislative powers, with supposedly complete independence from executive control.

Manifestly, then, since Congress has the duty of framing legislation, it also has the duty of investigating and gaining a firsthand understanding of the matters on which it is to legislate. Needless to say, the Committees on Banking and Currency of the Senate and the House have been given jurisdiction over these matters, and it is through these committees that the respective Houses of Congress keep themselves informed on banking and currency matters.

OPPOSITION'S ARGUMENTS IN 1955

Arguments against the investigation, on the other hand, have been more varied and complex. The opposition, which includes first and foremost the Republican leadership and the big financial interests, have given different reasons for their opposition at different times.

In 1955, the principal arguments made against House Resolution 210 were (a) that the proposed investigation was not needed and (b) that such an investigation would be dangerous, in that it might upset the Nation's prosperity. For example, the gentleman from Illinois [Mr. Allen], who led the opposition's debate, likened the proposed investigation to our boyhood inclinations toward "meddling" with watches. He said:

> When the watch was running well, we probably meddled with it, experimented and pulled it apart, and then it did not run. I think we have that same analogy here. (Vol. 1, pt. 6, Congressional Record, 84th Cong., 1st sess., p. 8311.)

In a similar vein, the gentleman from Michigan, Mr. Wolcott, painted a picture of increasing prosperity and he, too, saw, somehow, a danger that a study of money and credit matters might dampen the prosperity. He said:

> We cannot afford to take any chances with that kind of prosperity.
>
> * * * * *
>
> This is a dangerous resolution, it is a dangerous study, and the resolution should be defeated. (Vol. 1, pt. 6, Congressional Record, 84th Cong., 1st sess, pp. 8312–8313.)

NEED FOR INVESTIGATION BECOMES RECOGNIZED

In the year and a half following the rejection of my resolution, however, the need for such an investigation became increasingly recognized. In this period the Treasury and the Federal Reserve intensified their application of the "tight" money and high-interest policies, with direct and recognizable effects upon large segments of the population. Many of these events were subject of comment by me and other Members in numbers of speeches which may be found in the Congressional Record over this period.

By late fall of 1956, protests were being voiced by State and local governments whose plans for building schools, building roads, and building other badly needed facilities were being disrupted. Complaints were being heard from farmers, from home builders, and from small-business people in all lines. Even a few big businesses in Government-regulated fields were feeling the pinch. As a consequence, a subcommittee of the Joint Economic Committee of which I was then chairman held hearings with the Federal Reserve Board and a number of prominent business leaders early in December of 1956. If it had not been clear before, these hearings left no doubt that a thoroughgoing investigation was in order, and in public demand.

NEW RESOLUTION IS COUNTERED BY A PRESIDENTIAL PROPOSAL

Consequently, when the new Congress convened I introduced House Resolution 85—on January 7—to authorize the Committee on Banking and Currency of the House to make an investigation.

By this time, the old arguments against such an investigation began to give way to a rather complicated series of maneuvers to head off the investigation.

When the President read his state of the Union message on January 10, the Congress heard an unequivocal statement that "the time has come to conduct a broad national inquiry." This statement contained, however, a bright new idea as to how the inquiry should be made. Without reference to the proposed Congressional investigation which was then pending, the President asked Congress to authorize him to appoint a commission of "qualified citizens" to make the investigation, saying that the administration would then "develop and present to Congress any legislative proposals that might be indicated." Specifically, the President's message said:

> I believe the time has come to conduct a broad national inquiry into the nature, performance, and adequacy of our financial system, both in terms of its direct service to the whole economy and in terms of its function as the mechanism through which monetary and credit policy takes effect. I believe the Congress should authorize the creation of a commission of able and qualified citizens to undertake this vital inquiry. Out of their findings and recommendations the administration would develop and present to the Congress any legislative proposals that might be indicated for the purpose of improving our financial machinery.

THE PRESS BECOMES CONFUSED

Whatever the merits or demerits of the President's proposal, it served to create considerable confusion in the public press, which is, of course, prone to become confused at times when such issues arise. A large segment of the press pictured the "Patman resolution" as something which had been inspired by the President's proposal and intended to thwart the administration's forward-looking program.

The way Business Week reported the matter in its March 2 issue was particularly interesting to me, as the distinguished editor of this magazine is a close student of the monetary issue and had testified at the hearing I conducted in the previous December. It said:

> When President Eisenhower, in his state of the Union message, asked for a monetary commission to study the adequacy of the Nation's financial institutions, Congressional approval seemed inevitable.
>
> Then came a resolution by Representative Wright Patman, Texas Democrat, who has made a career in Congress of fighting big-money interests and Wall Street. He proposed a similar study by Congress.

To give another example, on March 14, the day after the Rules Committee finally acted on my resolution, the Washington Post and Times Herald reported this event under the heading: "House Unit Rejects Ike Credit Study," saying:

> The House Rules Committee recommended yesterday that the House Banking Committee make a "full and complete investigation and study" of national monetary and credit policies.
>
> In doing so, it, in effect, rejected President Eisenhower's request that Congress authorize him to appoint a commission to undertake such a study.
>
> * * * * *
>
> Representative Wright Patman, Democrat, of Texas, author of the resolution to keep the probe in the hands of the Banking Committee, told the rules group the commission study proposed by the Executive could turn out to be a banker-guided study.

Finally, 10 days after my resolution had been rejected by the House, the New York Journal of Commerce was still telling its readers—April 17—editorially:

> President Eisenhower originally proposed a monetary investigation to be conducted by a commission of private citizens. * * *
>
> It isn't working out that way. First, Representative Patman, the archenemy of so-called "tight money," tried to put the inquiry into the hands of the House Banking Committee.

HASTY BANKERS' BILLS FAILED TO "GRAB THE BALL"

Following the President's request for authority to appoint a commission of private citizens, this request was quickly put into the form of a bill and simultaneously introduced, on January 14, in both the Senate and the House, by the ranking minority member of the Senate Committee on Banking and Currency [Mr. CAPEHART], and the ranking minority member of the House Committee on Banking and Currency [Mr. TALLE]. These are S. 599 and H. R. 2891.

On hasty consideration the President's request seemed to put the House in the tactical position of having to choose between his request and the resolution of a Member of the House. Thus it seemed, briefly, that should a vote come, the President's request would at least provide a rallying point on which the Members of his own party could muster solid opposition to any Congressional investigation.

On more mature reflection, however, it became apparent that there were certain weaknesses in the President's proposal which might result in its failure to draw an issue. In the first place, it was at least highly doubtful whether the President needed any additional authority to appoint a commission of private citizens to make the study—he had previously appointed a variety of such commissions to make studies in other fields without requesting any authority for doing so. Furthermore, an investigation by a commission made up of private bankers—as it was assumed the President's commission would be made up—seemed hardly to satisfy the Congressional prerogatives and responsibilities imposed by the Constitution.

REPUBLICANS OFFER MODIFIED BANKERS' BILL

Accordingly, the House author of the administration's bill made two separate modifications to his original bill. The first provided for Congressonal representation on the proposed commission—a feature which clearly called for House action and was thus certain to involve House Resolution 85 in a popularity contest with the President. The second, made when passage of House Resolution 85 later came to seem both likely and imminent, extended the offer of Congressional representation—to a point where such representation might pass for equal representation with the executive branch.

Specifically, the first of the amended bills, H. R. 3660, was introduced on January 24. It provided for a Commission to consist of 9 citizens to be appointed by the President and, on the Congressional side, to consist of the chairmen and the ranking minority members of both the Senate and the House Committees on Banking and Currency. It also provided that the President would designate the chairman and the vice chairman. Thus, while this bill called for no more than 5 of the President's 9 citizens to be of the same political party, the bill would nevertheless have created a highly one-sided body—from the standpoint of Executive control—as well as, possibly, from the standpoint of party control.

"COMPROMISE" BILL OFFERED TO BLOCK INVESTIGATION

Next came H. R. 6332, which was introduced on March 25—after the Rules Committee had finally reported House Resolution 85. This was billed as a compromise plan, offered for the purpose of defeating House Resolution 85.

For example, the Wall Street Journal, on March 27, announced H. R. 6332 under the caption: "Administration Offers Compromise To Block House Monetary Study," saying:

> The administration came up with a new compromise Monetary Commission proposal in a last-minute effort to defeat a proposed study by the House Banking Committee.
>
> The administration compromise would give Congress a 50-percent representation on the proposed Commission.
>
> The House heads into a showdown vote—probably late today—on a proposal by Representative PATMAN, Democrat, of Texas, to have the House Banking Committee conduct a far-reaching investigation of Federal monetary and credit policies. Both Republican and Democratic leaders concede the vote will be very close, splitting almost completely along party lines.
>
> However, in a final attempt to win a few Democratic votes against the Patman proposals, the administration has modified its original proposal for an investigation by a group of private citizens appointed by the President.
>
> The President and Congressional Republican leaders at the weekly White House conference yesterday announced their support of the Talle bill.

The "compromise" bill not only seemed to provide an arguing point that Congressional representation would be equal to the President's, on the commission which this bill proposed, but that party representation also might be equal. The bill called for 8 members to be appointed by the President "from private life"; 4 Members of the House, to be appointed by the Speaker of the House; and 4 Members of the Senate, to be appointed by the President of the Senate. But since the President was to appoint half of the members, and his Vice President was to appoint another fourth of the members, the bill hardly provided assurance that the commission would be of such independence as to investigate matters that might embarrass the administration or, as for that matter, to recommend legislation which leaders of the financial community might regard as distasteful.

The American Banker on March 27 was equally proud of the administration's maneuvers to beat the proposed investigation. It said:

> ADMINISTRATION ACTS TO BALK PATMAN RULE OF CREDIT PROBE—ASKS LARGER COMMISSION ON EVE OF HOUSE DEBATE
>
> The administration plan came on the eve of House debate on Representative PATMAN's strategy to have the House Banking Subcommittee * * *.
>
> In President Eisenhower's weekly meeting with Republican leaders in Congress, House GOP Leader MARTIN and Senate GOP Chief KNOWLAND decided that the 12-member commission would better serve the public interest.

REPUBLICANS MADE INVESTIGATION A PARTY ISSUE

As already indicated, House Resolution 85 was in the hands of the Rules Committee from January 7 to March 20. It was during this period that the Rules Committee held hearings, off and on, and invited witnesses from the executive branch and private banking circles. Business Week of March 2 reported that:

> The Patman resolution has languished for 2 months in the Rules Committee, which decides what measures will be considered by the House. Three hearings have been held, but they have been 2 and 3 weeks apart.
>
> Foes: The reason for stringing them out apparently is to provide time to work out a compromise suitable to both Congress and the President. Even with the backing of House Speaker SAM RAYBURN, PATMAN is probably bound to lose if the Republicans make it a partisan issue. And there is every indication that they will. On the thesis that it's the President's proposal against a Democratic proposal, they plan to go down the line against PATMAN, if his resolution reaches the floor. To their number you would have to add a smattering of conservative Democrats.

After the Rules Committee reported House Resolution 85 and it became apparent that the House would thus vote on the issue, the Wall Street Journal of March 20 reported on a meeting of the Republican Policy Committee of the House, the purpose of which was to solidify Republican opposition and also to set a meeting for the following Monday to "work up steam" against the resolution. The Wall Street Journal said:

> HOUSE REPUBLICANS PLAN TO FIGHT CONGRESSIONAL MONETARY POLICY INQUIRY
>
> WASHINGTON.—House Republicans lined up solidly in opposition to a Democratic proposal for a House Banking Committee investigation of Federal financial and monetary policy.
>
> The House Republican Policy Committee at a meeting late yesterday endorsed instead an administration proposal for an investigation by a commission mostly of private citizens, with some Members of Congress on the commission. The Policy Committee called a conference of all House Republicans for Monday to work up steam against the Banking Committee investigation.
>
> The investigation, proposed by Representative PATMAN, Democrat, of Texas, has been approved by the House Rules Committee and will probably come up for a House vote next week. Republicans are hopeful that their lines will hold fast and that they will pick up enough Democratic votes to defeat the Patman proposal.

The tenor of the argument against the resolution, both before the Rules Committee and in the debate in the House was (a) an investigation by the Banking and Currency Committee of the House—or any other single body—would not have sufficiently broad representation; (b) Congress ought to give the President what he had asked for; and (c) an investigation conducted by a subcommittee of which I would be chairman would not be objective. Before the Rules Committee there was also an argument that the Committee on Banking and Currency would not be able to obtain the assistance of experts, whereas the President's commission could do so; but this argument was dropped after I obtained telegrams from a large number of college professors who offered assurance that the academic community, at least, would cooperate with a committee of Congress.

The arguments, however, probably changed no votes.

THE ADMINISTRATION'S BEHIND-THE-SCENES EFFORT TO PREVENT PROBE

Clearly, big business, big bankers, and the administration did not want an investigation; and the reasons for opposing the investigation—whatever the reasons may have been—were so strong that an all-out drive was made to prevent an investigation.

Mr Thomas L. Stokes, in his syndicated column of March 7, said:

> One of the most intriguing behind-the-scenes battles in years is now being waged by the Eisenhower administration to prevent a Congressional investigation of monetary policy and Federal financial institutions.
>
> * * * * *
>
> But the administration, with the backing of powerful financial interests, did not let up; in fact, it redoubled its efforts.

The newspaper Labor, on March 16, reported:

> Significant developments on the banking front reveal a struggle of vital importance to the pocketbooks of the American people. On one side are bankers, their big-business allies, and the Eisenhower administration; on the other, a group of Democratic Congressmen headed by Wright Patman, of Texas. * * *
>
> * * * * *
>
> A few days ago, however, the (House Rules) Committee took the almost unprecedented step of listening to a high administration official, Under Secretary of the Treasury, W. Randolph Burgess. * * * He urged the committee to shelve a bill introduced by Patman. * * * Burgess said the administration is against the Patman bill and wants the study to be made by a private commission of "experts," whom Eisenhower would appoint.
>
> Also, Senator Alexander Wiley, Republican, of Wisconsin, revealed a number of letters he has received from big-business men, urging that Congress adopt the Eisenhower banking study plan. The letters were written by such men as Eugene Holman, chairman of Standard Oil of New Jersey; President C. G. Mortimer of the giant General Foods combine; high officials of a number of railroads; and many other heads of large corporations.

The New York Journal of Commerce—itself an opponent of the probe—said:

> Weeks of behind-the-scenes effort to block a Congressional investigation of monetary institutions will come out into the open on Capitol Hill. * * * The strategy is directed from the White House and is aimed at postponing a vote on the Patman investigation. * * * Therefore, the White House-directed plan is to keep all (Republican) Members in line.

BANKERS LOBBIED TO DEFEAT INVESTIGATION

On April 9, the American Banker, considering what the bankers' position should be toward a possible investigation by the Senate Finance Committee, thought the situation complicated, recalling that the financial community had thrown its full weight behind defeat of the resolution proposed by Representative Wright Patman. It said:

> **Situation Complicated**
>
> The situation for banking as respects this committee is complicated by the fact that the financial community threw its full weight behind the defeat of the resolution proposed by Representative Wright Patman, who had sought to have a House subcommittee, which he heads, control a proposed monetary commission and its study of money and credit policies. (The full House Banking Committee approved it and sent it to the floor where it met defeat.)

The Machinist on April 11 said:

> Defeat of the probe—called the most important issue facing this Congress—came after the Eisenhower administration and the Nation's banking interests put on the pressure. The administration said it wanted its own investigation by a 16-member commission—half appointed by the President. The bankers wanted no probe at all.

Shortly after House Resolution 85 was voted down in the House, Mr. Drew Pearson made a passing reference to the "bankers' lobby," in his syndicated column of March 30, saying:

> **Bankers' Lobby Operates**
>
> While the Senate rackets committee was getting the headlines, White House pressure was being put on Congressional leaders regarding an investigation into something far more fundamental—the cost of living, tight money, and the extent of inflation.
>
> * * * * *
>
> Long-distance phone calls had gone out to bankers in southern cities nearest Washington to come to Washington immediately and switch Democratic votes. The bankers' lobby was successful.

Actually, it was my understanding that the American Bankers Association's drive to defeat House Resolution 85 went a great deal further than calling its members from Southern States to Washington. This drive—or so I was told—included a program of having at least one banker from each Congressional district make a personal call on his Representative.

ABA SHARES CREDIT WITH "SUPERB PERFORMANCE" OF GOP LEADERSHIP

In any case, the magazine Banking, which is the journal of the American Bankers Association, came rather close to crediting the defeat of House Resolution 85 solely to its members' activities. For example, on page 40 of the May issue, Banking carries a headline "Bankers' Prestige," under which the editor first credits the defeat of the investigation to the bankers' "numerous telegrams, telephone calls, and letters," but then, as a second thought, shares the credit with the "superb performance" of the Republican leadership. It said:

> Both in connection with Senate passage of the Robertson bill and House defeat of the Patman inquiry, Senators and Representatives reported that they received numerous telegrams, telephone calls, and letters from individual commercial bankers, emphasizing the effect of these matters upon commercial banking.
>
> In the Senate, these communications resulted (coincidentally or otherwise) in greater attention and attendance by Senators to the debate on the Robertson bill than has occurred in a long time in the case of legislation lacking broad, public interest.
>
> Sponsors of the Patman resolution credited these banker communications with the defeat of the subcommittee inquiry. Seasoned observers, however, would not evaluate this banker expression of sentiment as the decisive factor. President Eisenhower backed the broader-gauge financial inquiry. House GOP leadership under Representative Joe Martin, Republican, Massachusetts, and his assistant, Representative Charles Halleck, Republican, Indiana, turned in a superb performance from the standpoint of a purely political operation. They lost only two Republican votes in the House.

G. O. P. FORGETS IT ASKED FOR PROBE

In conclusion, it seems fair to say that what the big bankers, the Republican leadership and the President wanted was no investigation, and not just an alternative method of investigation. Despite the glowing statement in the President's state of the Union message as to the need for an investigation, Republican demands for such an investigation, since House Resolution 85 was voted down, have been faint—if at all audible. Recently the President has been expressing "disappointment" in the performance of this Congress, and the White House has been giving out lists of the "important" things which the President has asked for and did not get. The President's request for a monetary investigation has not been among the things listed. It would appear that either the Republican leadership has forgotten that it asked for such an investigation, or with House Resolution 85 out of the way, the President's request is no longer important.

TESTIMONY BEFORE THE RULES COMMITTEE OF THE HOUSE ON HOUSE RESOLUTION 85

As I indicated earlier in this statement, there have been a number of requests for copies of the testimony of Hon. W. Randolph Burgess, Under Secretary of the Treasury, and copies of the testimony which was given by some of the other outside witnesses who were heard by the Rules Committee on House Resolution 85, which was to authorize an investigation of monetary problems. Since this testimony has previously not been made public, and there is a proper public interest in it, I am inserting in the Record herewith the testimony of each of the outside witnesses, plus, in addition, my own testimony before the Rules Committee:

Hearings on H. Res. 85, Authorizing the Committee on Banking and Currency To Conduct Studies and Investigations, and To Make Inquiries, Relating to the Operation of the Monetary and Credit Structure of the United States; and H. R. 3660, To Establish a National Monetary and Financial Commission

House of Representatives,
Committee on Rules,
Washington, D. C., February 28, 1957.

The committee met at 10:37 a. m., pursuant to call, in room G–12 of the Capitol, Hon. Howard W. Smith (chairman) presiding.

The Chairman. Mr. Wilde, we will hear you first.

STATEMENT OF FRAZAR B. WILDE, CHAIRMAN, RESEARCH AND POLICY COMMITTEE, COMMITTEE FOR ECONOMIC DEVELOPMENT, AND PRESIDENT, CONNECTICUT GENERAL LIFE INSURANCE CO.

Mr. Wilde. Mr. Chairman and gentlemen, I have a statement to make in behalf of the Research and Policy Committee of the Committee for Economic Development, of which I am the chairman.

May I also identify myself as an insurance executive, and in that capacity I have to direct, through our committees, the investment of the company's funds. That is my principal activity.

I inject that thought to explain that this matter is one that I have dual interest in, both from the standpoint of CED and as a practicer in the markets, day in and day out.

May I read this to save the time of the committee?

The Chairman. Go right ahead, Mr. Wilde. Proceed in your own way.

Mr. Wilde. I am grateful for the opportunity you have afforded me to present the views of the Research and Policy Committee of the Committee for Economic Development on a proposed study of monetary and financial policy.

From the beginning of its studies 15 years ago, CED has believed that proper monetary and financial policy is essential for the health and vigor of our economy, and we have emphasized that broad understanding is essential for proper policy.

In a statement issued in 1953 we said of monetary policy:

"It permits the Government to exercise a major influence over the general conditions that create stability or instability without requiring or permitting the Government to direct the activities of individuals, businesses or banks; but, partly because of its indirectness, monetary policy is not as well understood by the public as its importance requires."

As long ago as 1948 CED recommended the establishment of a national commission to study monetary and financial policies. I quote our recommendation as then made:

"We believe that Federal financial policy can be carried out with existing knowledge and instruments in such a way as to make a major contribution to economic stability. In any case, we must do what we can now, with the knowledge and instruments we have. At the same time we should be considering how we can improve our instruments and policies for the future. It is now over 35 years since there has been an overall review of our financial structure and problems. In that period there have been drastic changes in our monetary and banking laws, in the size of our budget and debt, in the Government's role as a source of credit, and in America's position in the world economy. The committee recommends that a temporary commission be established to make a comprehensive study of the possibilities of improving the structure and policies of monetary, budgetary, and related institutions.

"In this recommendation the committee is suggesting a broadening of the scope of inquiry beyond that indicated by many recent proposals for a national monetary commission. The monetary problem is inseparable from the problems of budgetary policy, debt management, and savings institutions. A comprehensive examination should also cover our international as well as our domestic financial policies. The whole field should be within the purview of the commission, and for this reason we suggest the term 'Commission on National Monetary and Financial Policy.'

"The commission should, we think, be established by act of Congress, in such manner that its recommendations, when arrived at, will have Congressional support and the confidence of the public. It should be nonpartisan and include private as well as public members.

"It would be impossible and undesirable to try to spell out the agenda for such a commission fully at this time. It should have a broad charter, adequate staff, and time to pursue the problem of improving Federal financial policy, wherever it may lead."

May I recall again this is 1948. So we have been thinking about this for a long time.

Two months ago, on January 17, 1957, Mr. J. Cameron Thomson, vice chairman of CED, and I repeated this recommendation. We said, in part:

"No aspect of public policy is more important than financial policy to the growth and stability of a free economy. The use of monetary restraint as a major tool for preventing inflation in the past year has raised a number of questions about our financial policies and institutions.

"We are not suggesting that the criticisms implicit in these questions are well founded, but the continued existence of these questions indicates that the conditions which prompted our 1948 suggestion for the establishment of a commission still prevail.

"Either there are important deficiencies in our present financial system or there is widespread misunderstanding of the system. It is as important to correct the misunderstanding as to correct the deficiencies that might be found.

"We believe that a comprehensive and objective study by a national commission could make a major contribution to improving the system and understanding of it."

I have made copies of the 1948 and 1957 statements available to this committee.

May I now emphasize a few points:

1. Our recommendation for a study does not rest on the belief that there are or are not important deficiencies in our financial system. We believe that the study should start with an open mind on this question.

2. Our main need at the present time is study and public education. Even if the financial system were technically perfect, it could not operate well without public understanding. If changes are needed, they can only be achieved if public understanding is improved. This means, in my opinion, that the study should be undertaken with no mandate to produce recommendations for legislation.

3. The subject to be studied is broad, deep, and difficult. It will take a great deal of time. I can say this from experience. We have been working in this area in CED for many years. We have never found it easy or quick to reach conclusions. Moreover the time cannot be all staff time. The members of the commission will have to be prepared to devote much of their own time.

4. The main consideration governing the composition of the Commission is the one cited in our 1948 report. The Commission should be set up in such a way that its findings will have Congressional support and the confidence of the public. This means that it should include some Members of Congress and some private citizens. The case for including Members of Congress is simply that there are some exceedingly well qualified men in each House and that their participation would increase the acceptance of the study's findings in the Congress and in the country. The case for including private citizens is similar. There are in private life a number of men of great wisdom, experience and objectivity in the fields to be studied. They represent backgrounds and viewpoints not found in the Congress and would make a major contribution to the quality of the results. In view of the national importance of the subject, a number of outstanding private citizens would probably be willing to give their full time to this study. It is important that at least some members of the Commission be able to give full time to the study, and this could not be achieved if the Commission consisted entirely of Members of Congress.

Holding hearings would not be an adequate substitute for having a number of private members of the Commission. There is all the difference in the world between testifying before a Congressional committee and serving as a responsible member of a group that must work through problems to reach a consensus.

May I call your attention to the discussion on this subject by Alfred C. Neal, President of CED, testifying before the Joint Economic Committee on February 1, 1957.

5. The terms of reference of the study should be stated broadly, to leave the Commission maximum freedom. The inquiry should cover the following subjects, among others:

(a) Has the growth of nonbank financial intermediaries, both private—such as savings and loan associations, finance companies, and insurance companies—and public, such as FNMA, impaired the effectiveness of Federal Reserve action to promote economic stability?

I append a list of some of the more important financial institutions.

(b) How is the impact of general monetary restriction distributed among different classes of borrowers and lenders? Is this distribution discriminatory, unfair, or bad for the economy in comparison to the alternatives, which may be inflation, higher taxes or selective controls? How could the distribution of the burden of preventing inflation be improved?

(c) What criteria should be followed by the Federal Reserve in deciding when to tighten or relax credit? What criteria should be used by the Federal Reserve in choosing among alternative techniques for controlling the supply of money and credit, such as changes in reserve requirements, changes in discount rates and open-market operations? Should the Federal Reserve restrict its open-market operations to short-term Federal securities?

(d) Should authority be delegated to a Federal agency to control the terms of consumer credit? Should similar authority be extended to other types of credit?

(e) Is the supply of savings adequate to meet the needs of our growing economy? If not, how should Federal policies with respect to financial institutions, taxation or other matters be modified to increase the supply of savings?

(f) In what proportion should reliance be placed on monetary and fiscal policies to achieve economic stability?

(g) Are the existing arrangements for coordinating monetary and credit policies and for assuring consistency of these policies with other economic policies of the Government satisfactory?

I hope that it will be the judgment of Congress that the best minds in the country, in and out of Congress, should be enlisted to give these and other fundamental questions about monetary and financial policy the thorough and objective study they deserve.

May I add, Mr. Chairman, that in the 1908 commission, composed entirely of Members of Congress, we were dealing with a relatively simple situation, almost entirely a matter of bank money, to make the system more flexible particularly for farmers and businessmen. Now we are dealing with an exceptionally complex and broad area, with this type of legislation that is indicated in this bill, and it is said by most people it is imperative to get a broad commission that can bring to Congress and the people the benefits of many broad points of view and many experiences. Such a commission might properly be large in order to get that comprehensive treatment and could work through subcommittees.

Now, that previous Congressional group, you will recall, took 4 years to report, and I don't think the present temper of the people or the Congress wants to take too long a time; yet, this is an enormously complex subject.

There is a point made here which I would like to emphasize, as I think it is true of most of us: That holding hearings, bringing in experts before a group, isn't a substitute for the kind of forum that will give the most information to the Congress.

I am talking about private committee meetings where people spend a long time swapping views, back and forth, get to know each other by first name, Congress gets the benefit of knowing experts, businessmen, and vice versa. It is the way that the full truth and all the shades could be developed.

I would like to illustrate what I mean. I just wrote down types of economic areas that ought to be represented: Commercial banking, obviously; investment banking; savings and loans; the academic; and the long-term lenders, such as insurance companies—and, not by way of making nominations, but illustrating the type of people, such people as: Arthur Burns; Ned Brown, of Chicago; Randy Burgess; Sumner Slichter; Allan Sproul; Allan Kline; Robert Nathan.

I just do that to illustrate my thinking in these different areas and not to suggest that those are the only people available.

Gentlemen, I think that is the main burden of my story.

The CHAIRMAN. Mr. COLMER, have you any questions?

Mr. COLMER. Obviously not, Mr. Chairman, I just got in.

The CHAIRMAN. Mr. ALLEN.

Mr. ALLEN of Illinois. First of all, Mr. Wilde, I want to say I just got your splendid statement you just made and I agree with you 100 percent, especially with that part in which you indicate the things you say need to be done.

There are quite a number of things that you mention here that it is hoped to be accomplished, especially in regard to the men of wisdom and experience in the banking and business and commercial fields out in private industry.

I have checked the biographies of the Members of Congress. Maybe they aren't all complete, but I find in the Members of Congress on the Banking and Currency Committee—and I don't know about Mr. HEALEY, of New York, or ANDERSON of Montana, or BREEDING, of Kansas, because their biographies are not in or are not available at this time, as far as I am concerned, and, although I don't mean to say the members of the Banking and Currency Committee aren't well qualified, nevertheless, I find—there are only 3 or 4 on the Banking and Currency Committee who have any experience in this field, and they are:

Mr. TALLE, of Iowa; he has been an educator in economics, political science teacher, lecturer.

Mr. KILBURN, of New York, vice president of the New York Trust Co.

Mr. BASS, of New Hampshire, trustee of the New Hampshire Savings Bank.

Mr. McVEY has been a lecturer in that field.

Outside of that, the biographies don't show any member of the Banking and Currency Committee has had any banking experience as has been connected with banks or any kind of commercial companies.

I think you have given us something to think about. Maybe we should bring a few in here to give this matter their full time, which the Members of Congress can't do.

Mr. PATMAN, who is here, is probably one of the hardest working Members in Congress. He is a power on the Banking and Currency Committee. He is on the Joint Committee on the Economic Report. I believe he is vice chairman of that committee. He is also chairman of the Small Business Committee. He would probably, I think, if his resolution goes through, be chairman of this committee or commission.

So, I think you have given us something to think about and, inasmuch as there have been and are few on that Banking and Currency Committee, according to my observation, who have been in Congress a long while and who have the necessary experience, maybe it would be just as well to have a few outsiders, some who have devoted their lives to this field; and, after reading what you have to say, I think it should be investigated and studied.

Mr. WILDE. I have no intent to be in derogation of the Congress—I have great respect for it, and I think there are men in every field of our activity in the Congress who know much about it—but I think the time factor is terribly important and the opportunity, if that would be the judgment of the committee, to broaden it, to get great benefits from it, would be of great assistance to the Congress if they found legislation was needed. Certainly, such a commission isn't going to write the legislation. It is going to be done by the whole Congress, operating through its committees.

Mr. ALLEN. In other words, this is rather delicate and complex. It gets more complex and delicate to me every time I hear a witness. So, I am personally in hearty accord with what you have said.

That is all, Mr. Chairman.

Mr. WILDE. I have done a few minor things in this field, working in Washington and in this area, working for the Federal Reserve and on a few committees, and this particular field, considering all the time I have been in finance, is unbelievably complex today.

You can see from that list——

Mr. ALLEN. I think that old saying that there is no substitute for experience is certainly apropos, and I would say, everything being equal, those who have dealt in this field, given their full time and all their life to it, would be in a better position to know the answers than someone who could come in and just give part time to the proposition.

That is all, Mr. Chairman.

The CHAIRMAN. Mr. MADDEN, do you have any questions?

Mr. MADDEN. Mr. Wilde, with regard to this list on the back page, what are these institutions and what do they represent? Why were they attached to the statement?

Mr. WILDE. They were an attempt on my part to show the wide distribution of institutions that are in the business of either saving or loaning money, running all the way from commercial banks down to special instruments that the Congress has set up.

You see, for example, the Federal National Mortgage Association, which is colloquially called Fannie May. I believe the present budget has upward of $2 billion in it for their operation—a billion seven perhaps. That is a brandnew thing.

Most of these are brandnew.

At the time of the original inquiry, in 1908, I don't believe even the first group amounted to very much, and most of these others on the list didn't even exist. Government, through instrumentalities, wasn't in the business of collecting and loaning money.

So, the purpose was just to show—and it is probably not complete—the spread of financial life today.

Mr. MADDEN. That is all.

The CHAIRMAN. Mr. BROWN.

Mr. BROWN of Ohio. Mr. Wilde, I am sorry I wasn't here when you started your statement, but I have read it with considerable interest and I think you have made a pretty good point and a pretty good case.

The work that has to be done is so complex and involves so many different organizations and institutions that there is some doubt whether Congress itself, or a committee, could possibly do this spadework of getting the information that is necessary for Congress later on to make a base for any legislative action it might desire to take.

Ten years ago last month I introduced legislation in Congress, as a result of the general feeling during the war and before that our Government bureaucracy had spread all over the lot and something had to be done to bring it under control, for a joint Congressional and civilian commission to be set up on a bipartisan basis to study the organization of the Government. That afterward became known as the first Hoover Commission, and the legislation was unanimously passed by both bodies, with the support of both parties, and that committee called into service some 330 or 340 of the most distinguished Americans that it could find—from education and from labor and from business and industry—to assist the committee or the Commission in task-force studies of these different problems, and then reports were made to the Congress, and recommendations, which were contained in some 25 volumes.

As a result of the work of that first Commission, between two and a half and three billion dollars a year have been saved in the operation costs.

The Congress took these reports and recommendations, as made by that bipartisan Commission, and used them as the basis for legislative action, the President using them as the basis for Executive orders and the agencies for administrative orders.

The reason why that Commission was created—and then the second Commission to go into matters a little more extensively was created—was because the Congress itself, through no committee, could do that kind of work. It was just too big and too comprehensive a job.

The two Commissions spent nearly 5 years, and the Congress is still working, considering many of the recommendations made by those two Commissions. The cost was very slight in comparison with the savings. I think the first Commission cost ran right at $2 million altogether.

It seems to me this problem is extremely important when you take into consideration the number of different institutions that will be affected——

Mr. WILDE. Yes.

Mr. BROWN of Ohio. And anything that we do in connection with the monetary and the credit structure of this country will affect every citizen of the United States, especially if we make any mistakes.

Mr. WILDE. Oh, yes.

Mr. BROWN of Ohio. So, it might be well to have checks and balances—first, the commission that will make these studies; then give the benefits of their findings and reports to the Congress, and then the Congressional committees, in finality, will have to pass upon them and decide which are good or bad or what ought to be done in view of the conditions that the commission finds and reports as factual information and material.

I recall the first Hoover Commission found there was something like, I think, 93 different lending agencies within the Federal Government alone, and I think this list of yours, while it is very good, is not as comprehensive as it might be. I can think of several myself—several different organizations and institutions—that will be vitally interested in anything that we might do relative to the monetary system.

This just doesn't affect the Banking and Currency Committee alone. For instance, we have pending now in the Ways and Means Committee of the House legislation which would take away from municipal and local bonds and State bonds the exemption from Federal taxation which we now have on the interest paid, which would change entirely the picture of floating necessary bond issues by the State and local governments for State and local construction, education, and so forth, and so on.

What would be the effect of that on the States and getting the schools that we need, and so forth, and so on, the highways that we must build, the city buildings and services we use these funds for?

There are just thousands of these situations that can arise, and I think the problem is of such proportions that it needs the best brains of the entire country, just not in Congress, although I do admit probably the greatest brains in the country are centered right here in the Congress; but we can use a little help from outside, in my opinion, Mr. Wilde.

That is what I am trying to drive at, and I would hope that a little later on you might be able to furnish us with an expanded list as you give some thought to this problem.

That is all, Mr. Chairman.

The CHAIRMAN. Mr. DELANEY.

Mr. DELANEY. No questions.

The CHAIRMAN. Mr. TRIMBLE.

Mr. TRIMBLE. I hesitate to ask questions because, as I said the other day, this is such a complicated question, where even a whisper can shake the foundations of our financial system. However, I know so little about it that a whisper from me won't hurt, I think.

I represent a district in north Arkansas of small farmers and small-business men. I live on a farm myself. A 500-acre farm is a big farm in our district, and a million-dollar investment in business is big.

A lot of my constituents talk to me when I am at home, and they write to me while I am here. They are worried about the whole general situation. I don't know whether they are right or wrong but, on the theory that my constituents are always right, I sympathize with them.

Now, with regard to this Commission, whatever it is, that is set up, maybe one person would be better than a whole group to hear the whole, vast panorama of this situation as it affects everybody and then hear people from every affected group.

Now, about the interest rates: The people in my district are disturbed to no end. They say that the larger businesses of the country don't have to borrow money; they can go out and expand without having to borrow money. So, the high interest rates don't affect them. They can just move out and expand wherever they please. However, in my section, they have to borrow money, and the rates are up, it contracts the business expansion of the—I don't want to say little business—small business, which is really the foundation stone of our people.

I don't know whether that is true or not, but I hope whatever is done in this business will be done with full and complete integrity and with a lot of commonsense because I want it to be made so plain that even a Congressman like me can understand it. If I can understand it, then my 350,000 constituents can understand it.

Mr. Wilde. May I comment, Mr. Congressman?

Mr. Trimble. Yes.

Mr. Wilde. I think you are perhaps illustrating the point I am trying to make—that the wide diversity of interests needs to have people who understand it.

You are talking about largely agricultural credit and small-business credit.

Agricultural credit divides between capital for long-term improvement—buying land, and so forth—which we lend and other insurance companies—I think the supply of such capital, in combination with the land banks, has been quite adequate, at least up until the last year, and I haven't heard very much about stringency even then; I know we have continued to make loans, and we make them in your territory—and, on the other hand, the short-term loans of the bank to make a crop, and so forth, to hold some stock.

I want to add the rates have not been high. They have been running around 5 percent, which certainly is not an onerous rate and historically is a pretty normal rate.

The lowest agricultural mortgage rates that I know of were about 4 percent, and that would be some exceptionally strong land, say, in Illinois or some place like that that has what we call a community value.

I do not know what the bank rates are for short-run money. They may have gone up quite a bit.

There are those two things and, as I say, to me it illustrates the point that a commission ought to have an Allen Kline or someone else who understands the agricultural problem, which is interrelated, of course, with all the rest.

In the small-business field, which, of course, obtains throughout the country, you have a very involved situation from my point of view. You have the practical problem of enough equity so that lending institutions can afford, with safety, to lend their money because all of us are trustees of the other fellow's money. We just can't accept high credit risks.

One of the major problems of small business is they don't have equity; they don't have protection above it, the tax laws or the willingness of rich people to speculate because they don't have the money.

There is a great lack of equity money for small business. If that was there, then the various institutions would be able to loan more money in the primary position.

Mr. Trimble. That is one thing about which I, of course, don't know what needs to be done.

Mr. Wilde. Yes.

Mr. Trimble. I know what needs to be done, but I don't know how to do it.

Mr. Wilde. Yes.

Mr. Trimble. The small farmers and the small-business men are having a rough go in my section. They are just having a devil of a time.

Mr. Wilde. You have some doing awfully well, Congressman. They have loans and they make prompt payments.

Mr. Trimble. Yes. They manage, but they are having a tough time.

Twenty-one of the rural electric co-ops that serve us on our farms have 11,000 connections. As I left to come up here in December, 2,100 of those are idle. The people have left, moved out, and gone to another job where they can make ends meet.

That is too big a percentage of people having trouble.

The Chairman. Do you have any more questions, Judge?

Mr. Trimble. No.

The Chairman. Mr. Scott.

Mr. Scott of Pennsylvania. No questions.

The Chairman. Mr. Thornberry.

Mr. Thornberry. As I understand, you are convinced this study ought to be made?

Mr. Wilde. Oh, yes; I am very much convinced of it, both in all the research we have done and my personal observation in the last 20 years.

Mr. Thornberry. And you have no fear that a study by a commisison such as you recommend would in any way have a harmful effect over the country?

Mr. Wilde. No. On the contrary, I think it would be constructive and would bring out for public scrutiny and discussion some of the involved elements that are in the picture.

Mr. Thornberry. But you don't think that Congress, which in the end is responsible to the people of the country, through a recognized committee, ought to make the study?

Mr. Wilde. Yes; I do. I think the Congress should make the study in combination with a business group.

I think it should be a mixed commission, if that is the proper term, because I think it is very desirable to have Congressmen putting in as much time as they can; but there are a good many thousand man-hours involved in this to do a thorough job, and I imagine the businessmen, the professors, and others might put in more hours than some of the Congressional men might be able to put in.

I would like to see them both joined at the start, myself.

Mr. Thornberry. But you don't think that Congress, through a committee, should do it itself?

Mr. Wilde. I think that the Congress, operating strictly through its own committee, wouldn't get the result that the Congress, itself, needs and wants. I don't think it can put in enough full time, and I don't think—as I have said here, if you call in an expert, he is in a different status; but if you make him a part of the team and do like business does—sit around a table and yak-yak back and forth—that may have a colloquial connotation in it—you get more information and more balance out of it.

Mr. Thornberry. Would you say your approach in this regard is peculiar only to this field?

Mr. Wilde. No. I think it is becoming common in many fields. For example, I have just done this in a small way in Connecticut. Several of us in finance and several from the legislature, the senate, and the house, were asked to study road financing for Connecticut, and I think it was very useful to us who don't understand the political problems and was useful to the legislators who don't understand quite as well at times the business problems.

So, there is a minor illustration of just what I am saying. I am not talking here right from the book. I am talking from quite a bit of practical experience.

Mr. Thornberry. What I am asking is: Are you becoming more and more convinced from what you say that the legislative body or Congress is now in such a situation that it is not equipped or able to inquire into fields for which Congress is responsible to the people of the United States regardless of what the field is?

Mr. Wilde. No. I think there could be very specific, narrow areas where it is perfectly practical for a commission of Congress, and then to call in a few people.

I can't think of something offhand, but there must be such things.

This is terrifically involved and interrelated and complex.

The Congressman is trying to low rate himself in saying he doesn't understand it. None of us understand it too well. I am exceptionally humble myself about it and I have studied it and worked in it for more than 20 years.

Mr. Thornberry. You indicated a moment ago the type of people that you thought could well serve on the Commission and you referred to them as you were referring to your list, and I noticed that you referred to the commercial banks; secondly, the insurance companies, and I think one of the group.

Mr. Wilde. Investment.

Mr. Thornberry. I understand what you are doing. You are naming people and individuals.

I have a feeling, Mr. Wilde, as Mr. Trimble has indicated, a great many people in this country are deeply concerned about this type of thing. Even Congressmen and responsible people in government are not entirely willing to just trust to the people who are concerned about these other credit institutions to have anything to do with the inquiry.

Would you think you would be on sound ground if you would have people who were not directly affected by such an inquiry being members of the Commission?

Mr. Wilde. Of course, I wouldn't because, to me, the success of this country depends upon mutual understanding and cooperation between the various elements in the economy—agriculture, labor, business, and so forth—and the legislative branch, and I think our society has become so much more involved in all respects that the only way it can work to the best advantage is by joining forces in these types of things, and I don't think that there is anybody in this or in academic areas that is going to try to put something over on somebody else. They couldn't do it if they tried, and they wouldn't try, and a group like this would work cooperatively to try to arrive at the truth.

I have confidence in the people and in the Government, but I think we are asking our legislators—even at the State level, and certainly at the Federal level—to undertake an enormous chore under today's economy, where it is so involved and there is so much Government participation that I think it has got to work better if there is joint operations and not as though one stood over here and one over here and didn't trust the other.

I feel very strongly that way.

Mr. Thornberry. I believe that is all. Thank you, Mr. Chairman.

The Chairman. Mr. Bolling.

Mr. Bolling. Mr. Wilde, Mr. Brown referred at some length to the operation of the Hoover Commission—the first Hoover Commission and the second.

I am much more familiar with the operations of the first Hoover Commission than I am of the second.

He also mentioned the fact there were in task forces of the Hoover Commission some three-hundred-odd highly qualified individuals in the specialized fields in which they worked.

It happens I know something of the technique being used by the Committee on Ways and Means. They have established advisory groups, advisory groups which, as I understand it, have the opportunity to sit back and, as you put it, yak-yak a great deal.

I am unable to see the remarkable gain in a commission which is composed of those who have the ultimate responsibility plus those who have the specialized operating knowledge when the Congress or a committee of the Congress has perfect opportunity to create all the circumstances that you suggest. It can have the staff, which presumably would be drawn from the highest qualified people in the country. It can have the interchange of views through the task-force technique, so well used by the Hoover Commission, and it can then exercise the responsibility that no commission, Hoover Commission or other commission, can take away from it of digesting, pulling together the best product of the best people in the United States.

This is what is going to happen ultimately. Inevitably, the legislation is going to be passed by the normal processes of Congressional action.

Mr. WILDE. Sure.

Mr. BOLLING. It just seems to me what a mixed commission does—and I think this is very well illustrated by the comparative lack of success of implementation of the second Hoover Commission's reports—is, in effect, prolong the process. It has a study. The Congressman goes through the same study.

I believe this is historically accurate in relation to what happened before. There were two sets of studies in 1907, and then, finally, there was a legislative committee study.

One of the things that disturbs me about the mixed commission is that I cannot see the advantages you ascribe to it, and I do see the disadvantage of additional time.

Would you comment on that?

Mr. WILDE. Well, of course, we are dealing in two different experiences. Yours is largely legislative, I take it. Mine is in business and partial exposure. It is a matter of opinion, of course, rather than a matter of absolute evidence and proof.

My own feeling, as I have said, is that we would move faster if there was a mixed commission where small units of it were exploring the different areas and putting it all together.

I cannot see that the Hoover Commission can be distinguished in its task forces because it was doing or trying to do things which affected the organization of Washington, and that involves a great many personal equations and settled habits, both of the legislative and of the executive.

This is dealing in a more impersonal field and with very complicated interrelationships of money, banking, and credit and financial structure, and I think it is quite a different type of animal and lends itself to this mixed-commission approach more efficiently and with more speed.

I think the evidence of the other commission, which took 4 years and, I presume, had able men on it and had a very much simpler problem than is confronting the country today, is an indication of what I am talking about; and I don't quite visualize the flow from any recommendations that might develop to the legislative Hall would be delayed by this process. I would think they would be accelerated.

Mr. BOLLING. The point I am trying to make is that it seems to me the legislature, itself, if it undertakes the study, if it is determined that changes in the legislation are important, then it is fairly obvious the legislative committee is, in itself, in the best position to proceed. Having made the study, it has cut off a step.

I don't see where you cut out of the process any of the outside-of-Congress experts from all the different types of credit institutions.

It seems to me, actually, one can assure a broader look through a Congressional study than through a mixed-commission study, because it is inevitable that a person from one kind of business is going to have, to a degree, not the prejudices, but the views of that particular kind of business.

Mr. WILDE. Sure.

Mr. BOLLING. How big do you envisage such a mixed commission—27 men—in order to get the point of view of all the different credit institutions?

How are you going to get real representation on a mixed commission unless you make it so large as to be clearly unwieldy?

It seems to me in any method of technique, in any technique that is used, you are going to have to use the task-force method, and I see no reason why the Congress can't do that as well as a mixed commission.

Mr. WILDE. Congressman, I would answer you to this extent: In numbers, I think 8 or 10 would cover the area, because you do it by type of business. Commercial banking might have 2 people; investment banking might have 1 or 2 people; insurance company only 1; savings and loan maybe 1, and the academic might have 2.

You can easily cover the economy with 8 or 10 people, and if there were 6, 8, or 10 from the 2 branches of the Congress, you wouldn't have a very large group, and you would have the advantage of working together to the extent that the Congressmen could.

If you use the experts and put them on a different status, file all their reports—I don't understand how you gentlemen in the Congress can read things, you're so loaded with every kind of a report. If you are participating in the thing, you would get some of it by osmosis as you went along.

Mr. BOLLING. I won't pursue it any further.

Mr. O'NEILL. No questions.

The CHAIRMAN. Did you finish, Mr. BOLLING?

Mr. BOLLING. Yes; I have.

The CHAIRMAN. Mr. O'NEILL, do you have any questions?

Mr. O'NEILL. No questions.

The CHAIRMAN. Thank you very much.

Mr. COLMER. Mr. Chairman.

The CHAIRMAN. Wait just a minute.

Mr. COLMER.

Mr. COLMER. As I stated a moment ago, I was unfortunately detained and didn't hear all of your statement, Mr. Wilde, but I have since glanced over it, and I have listened to the questions and answers. I just merely wanted to take this time to express my appreciation of your organization, that is, the Committee for Economic Development. I think it has done a splendid job, a great public service.

I have had occasion in the past, as a Member of Congress, to work with some of your people, notably one of your previous presidents, Marion Folsom, and who now is, of course, a member of the President's Cabinet.

I just wanted to take this opportunity to commend you and your organization for the splendid public service that you render, an unselfish service, except, I suspect, it is selfish in the extent that all of us are interested in maintaining and perpetuating the American system.

Thank you, Mr. Chairman.

Mr. WILDE. Thank you, Mr. Chairman and gentlemen, very much for giving me this opportunity to brag on CED a little bit.

The CHAIRMAN. We are very glad to have you with us this morning.

Mr. WILDE. Thank you.

The CHAIRMAN. We have with us Mr. Randolph Burgess, Under Secretary of the Treasury.

Mr. Burgess, we will be very happy to hear from you at this time.

STATEMENT OF HON. W. RANDOLPH BURGESS, UNDER SECRETARY OF THE TREASURY

Secretary BURGESS. Mr. Chairman, gentlemen: I have no written prepared statement.

The CHAIRMAN. Proceed in your own way, then.

Secretary BURGESS. Thank you, sir.

I might first call to your attention what undoubtedly you have in mind—the position on this subject by the administration.

The President in his state of the Union message made a statement on that point.

Do you already have that in the record?

Would you care to have me read that?

It is very brief.

The CHAIRMAN. Go right ahead.

Secretary BURGESS. "Essential to the stable economic growth we seek is a system of well-adapted and efficient financial institutions. I believe the time has come to conduct a broad national inquiry into the nature, performance, and adequacy of our financial system, both in terms of its direct service to the whole economy and in terms of its function as the mechanism through which monetary and credit policy take effect.

"I believe the Congress should authorize the creation of a commission of able and qualified citizens to undertake this vital inquiry. Out of their findings and recommendations the administration would develop and present to the Congress any legislative proposals that might be indicated for the purpose of improving our financial machinery."

Then in the Economic Report that was just developed in just a little different language, but along the same line. May I quote that, under the heading "Improving Private Financial Facilities and Promoting Thrift":

"The exceptionally heavy demands which economic expansion is placing on credit and capital markets have directed attention increasingly to questions concerning the adequacy of our financial facilities and of the laws and regulations which govern their operation.

"Alert to these problems, the Senate Committee on Banking and Currency during the past year made an extensive and constructive investigation of Federal laws affecting financial institutions.

"The impact on the economy of monetary policies designed to restrain inflationary measures has also become increasingly a matter of public concern. There is need at this time of a thorough study of recent changes in our financial structure and practices covering the activities of public as well as private agencies and of the legislative and administrative steps needed to improve our facilities for meeting credit and capital requirements and for exercising appropriate controls over credit.

"The state of the Union message recommended that the Congress authorize a national monetary and financial commission to perform this important task. The commission should be composed of distinguished citizens of outstanding competence and experience in the range of questions to be studied."

In accordance with that recommendation, there were bills introduced in the Congress by Senator CAPEHART and some of his associates in the Senate Banking Committee and Mr. TALLE in the House.

The administration is not wedded to any single method of doing this job.

I think the history of these investigations—I have had some connection with some of them—depends on the quality of the people and their breadth of background and understanding, their knowledge and experience that they bring to bear on this work.

There have been a good many forms of commission. During Mr. Wilde's testimony, there was reference to the National Monetary Commission that did its work prior to the passage of the Federal Reserve Act. That was an outstanding job. That was, as I recall, composed of 9 Members of the House and 9 Members of the Senate. They associated with themselves a great many very competent people in subgroups, put out a bookshelf of some 20 volumes.

There have been down the years a great many studies—some of them good; some of them useless waste of time.

I was a member of the Harriman Commission on Foreign Economic Policy back in 1947. That was composed of citizens outside of the Congress. Its findings were considered very carefully by the Congress and resulted in the formation of the Marshall plan.

There is a great deal of experience abroad. I suppose the most famous commission on this subject is the Macmillan Commission in England. I just pulled that out the other day and was looking at it. That was a commission with some members of Parliament, but mostly of distinguished citizens of one kind or another. I have the list of them here. There are 14 of them, and they put out a report which had very great influence on British policy over the succeeding years.

The objective is to get a number of people working at this thing of very great competence who can examine the question, examine witnesses, material, and so forth, who have time to devote to it and who will do a job for us in this difficult field. It hasn't been completely surveyed for a long time. We have had piecemeal shots at it.

I think that job that Senator Robertson's committee has done in the Senate is an extraordinarily able piece of work. He has had a group of consultants who have worked with him and has turned out a bill which differs in details. There is a great deal of valuable material in bringing up to date a number of our legislative laws. It hasn't attempted to deal with some of these broad policy matters, and it is those that we ought to get into and make a thorough study.

We have considered this very carefully and, among different members of the administration, our desire is there should be the most competent, broad, and able job done here.

Our thought, embodied in those first bills was that men who can be detached for this purpose for a couple of years, who weren't burdened with the routine of the Congress, could do the job most competently.

If, in your wisdom, you want to associate Members of the Congress with some outside people and can shape up a commission that you can get with some of the very best people, for it takes the best—this is not a matter of just hearing some witnesses and compiling a lot of information. Unless the people on the commission have experience and the judgment on the subject to weigh the evidence, impartially and ably, this isn't going to amount to anything. It is just going to take an enormous amount of time of busy people away from their work and not do the job.

So, our emphasis is on quality of people.

You have before the Congress at the present a number of bills. If some of these bills are passed, you would be having the House Committee on Banking and Currency conducting a separate investigation and at the same time have the Senate Banking Committee doing exactly the same thing, and those of us who will have to give a great deal of time preparing material for it will simply not be able to give it the attention—any one committee—that we ought to, and we will be running off in several directions and you won't get the same focus of attention and interest in the country that you would if you could get together a group that commanded the confidence all through the country and was able to get the time of the best people to serve as experts and come before it.

That, I believe, is the way I would state the principle, as I see it, Mr. Chairman.

I was interested in Mr. Wilde's testimony and am in very close agreement with that.

The Chairman. Thank you, Mr. Secretary.

Secretary Burgess. I think that is all I have to say directly. I will be glad to try to answer questions that the gentlemen may have.

The Chairman. Mr. Colmer, do you have any questions?

Mr. Colmer. Just briefly, Mr. Chairman.

Mr. Secretary, do I understand you correctly, first, that you are of the opinion that such a study should be made?

Secretary Burgess. Yes, sir; we are, very definitely.

Mr. Colmer. Then the only question that you have is how it is to be set up, the mechanics of it?

Secretary Burgess. That is correct; yes, sir.

Mr. Colmer. And the personnel?

Secretary Burgess. That is correct.

Mr. Colmer. Mr. Secretary, some of us who are not too familiar with this broad subject and the fiscal, monetary affairs of the country, and so on, are very concerned, as a result of the testimony of some of the witnesses here, that such an investigation and study might result in some unfavorable reaction upon our economy, upon our business, and so on, generally. You don't see that in such a proposal?

Secretary Burgess. Well, sir, that would all depend on the character of the investigation. If this is done by impartial people, who approach it without preconceived opinions and don't make it a witch hunt, I don't see that it is going to do any damage.

We welcome, I think, a very careful and objective inquiry.

Mr. Colmer. Then, sir, third, and finally, can you see any effect that this might have, one way or the other, upon the peril of inflation that is threatening us?

Secretary Burgess. Well, sir, I would hope that might be one of the questions that this commission would consider—whether we have in our armament all the weapons that we need to combat inflation; whether the Federal Reserve fiscal and monetary policy acting alone are adequate; whether they need any form of supplement.

I think that is one of the things they might consider. It is a very, very important question, I am sure.

Mr. Colmer. Thank you, sir.

That is all, Mr. Chairman.

The Chairman. Mr. Allen.

Mr. Allen of Illinois. Yes.

Mr. Secretary, I am sorry you weren't here to hear as I did, Mr. Wilde, who is chairman of the Research and Policy Committee of the Committee for Economic Development. He made an excellent statement.

First of all, I want to say I heartily agree with what you have said. I think we need some men of experience here, practical men, impartial men, people who have the confidence of the people throughout the country.

Many of us don't realize the problem in that field, and here we are getting into problems in a most complex and delicate field.

The thing that has occurred to me—and I know that the Members of Congress—all of us—are very busy people: If we wouldn't have this commission, we would have to turn it over to the Banking and Currency Committee and I believe much of the work would have to be done by the staff members.

Secretary Burgess. That is right.

Mr. Allen of Illinois. I don't know the salaries of these staff men here and what they can pay them, but it is just a few thousand dollars a year and I, personally, wonder whether or not you can hire, with good experience, somebody in this field or that field at a few thousand dollars a year; and, after all, they would be the ones who, to a large measure, would be responsible for bringing forth properly the facts. In other words, these staff members have a great influence here. I have been here in Congress now going on 26 years, and I know that these staff members do have great influence on the Members. They have to rely on their judgment.

So, I repeat, it occurs to me whether you can get outstanding men, who know much about the credit of agriculture, small business or commercial loans, for that small compensation.

Secretary Burgess. I'll tell you, Mr. Congressman, you can't.

Mr. Allen of Illinois. You can or can't?

Secretary Burgess. You cannot.

I have had a great deal of experience——

Mr. Allen of Illinois. That is my judgment——

Secretary Burgess. Yes.

Mr. Allen of Illinois. Since I have been around the Hill——

Secretary Burgess. Yes.

Mr. Allen of Illinois. That it is nearly impossible to bring somebody down here for a few thousand dollars a year who is an expert in the particular field.

Secretary Burgess. In the case of the Aldrich Commission, the National Monetary Commission, they were able to get some of the very best people in the country to contribute, men like Professor Sprague of Harvard—and I can't give you the names of all of them; but I have been over their volumes. It was a beautiful job.

They just wouldn't come and work for just one committee of Congress, doing a job like this, I can assure you.

Mr. Allen of Illinois. I know now, for instance, there are some bills here to raise some minor Federal workers, to raise their salaries, in minor jobs, some departments.

Secretary Burgess. Yes.

Mr. Allen of Illinois. Because they aren't getting sufficient salaries to keep good men.

Secretary Burgess. Yes.

Mr. Allen of Illinois. I doubt whether you can get at the present time anyone too well learned in the subject involved here.

That is one thought.

The next thought I have is about the size of the committee that my good friend, Mr. Bolling, brought up.

It has been suggested here that this commission might be composed of 5 or 6 outsiders and 4 Members of Congress. That wouldn't be as unwieldy as this Banking and Currency Committee which, I believe, consists of 30 people—I think that is the number on the Banking and Currency Committee—and then you go into subcommittees. Then you bring in other members, other people in the various fields, who ought to be brought in.

So, it would be more unwieldy to have the 30 members of the Banking and Currency Committee, with different thoughts along those lines, than to bring in perhaps 5 or 6 different commission members and 2 members maybe on the Banking and Currency Committee from each side.

So, from that standpoint, I can't see that it would be any better than just having this commission at the moment.

Another thing I mentioned before you arrived was this: I looked over the biographies of the various members of the Banking and Currency Committee. Maybe they didn't include everything, but most of those do when we put our names down there. We tell all about ourselves, that is, the good things. However, I notice there are only about four on that committee who have had any experience on banking or who have been associated with any of these loans or banks or anything of that nature.

So, I think that factor, itself, as far as I am concerned, is very important.

Maybe it might be well to bring in a few outsiders.

I want to thank you. I, personally, appreciate your testimony.

Secretary **Burgess**. Thank you, sir.

Mr. **Allen** of Illinois. I think probably this will be worked out all right.

That is all, Mr. Chairman.

The **Chairman**. Mr. **Madden**.

Mr. **Madden**. No questions.

The **Chairman**. Mr. **Brown**.

Mr. **Brown** of Ohio. Mr. Burgess, in reply to a question asked by Mr. **Colmer**, if I understood you correctly, you said a study of this kind could be very effective and very worthwhile if it is conducted in an unbiased, nonpartisan, or bipartisan, or nonprejudiced way.

Secretary **Burgess**. Right.

Mr. **Brown** of Ohio. However, you didn't give the other alternative. Suppose it should be conducted by individuals who had some bias and some prejudice and some preconceived convictions and ideas as to how to operate our monetary and financial system in this country; then, what would the situation be?

Secretary **Burgess**. Mr. **Brown**, I think, in the first place, it could not command the service and the interest of the people of the country who are in the best position to contribute to a very fine study.

In the second place, I think if it were biased there would be that danger that Representative **Colmer** has referred to—that is, if there were headlines which reflected a bias or which were accusatory of the way things had been administered, or handled in terms of a witch hunt, I think it could do a good deal of damage.

Mr. **Brown** of Ohio. Is this economy of ours and our financial structure in such a delicate balance today that some ill-advised action or statement of someone in authority in connection with such an investigation, could trigger off a progressively bad result?

Secretary **Burgess**. I have great faith in our economy. I think it will take a lot, but I can assure you, Mr. Congressman, that it would shake the confidence of the people in the Congress if the Congress undertook to make this kind of an investigation in an inadequate and partial and biased manner.

Mr. **Brown** of Ohio. I am not sure just how much confidence the people of the country have in the Congress to start with.

Secretary **Burgess**. Well——

Mr. **Brown** of Ohio. So, I am not particularly concerned with the confidence of the people in the Congress; but I am very much concerned as to whether or not we may do something here that will shake the confidence of the American people in the financial soundness and stability of not only our Government, but our entire monetary and fiscal systems clear down to the grassroots.

I have been through a few depressions myself and so-called panaceas and sometimes just the wrong word said or the wrong thing done has a bad effect.

Is that——

Secretary **Burgess**. Let me put it this way: It occurs to me, Mr. **Brown**, that if the investigations of this committee, whatever it was, appeared to be threatening the functions of the Federal Reserve System—I believe that could do great damage in the country.

The country has great faith at the moment in the integrity and honesty and courage of the fellows who are running the Federal Reserve System, and I think, if they got the impression that this inquiry was directed to undermining that, that that could really create difficulty in that direction.

Mr. **Brown** of Ohio. You feel some such study as has been proposed by both the President and Mr. **Talle**, and others on the Banking and Currency Committee—and I understand Mr. **Capehart** and others in the Senate—is in order, if properly conducted?

Secretary **Burgess**. Yes, sir.

Mr. **Brown** of Ohio. If it is to be done, if I understood your answers to the question, you feel that the best way would be through the commission form of activity?

Secretary **Burgess**. Yes, sir.

Mr. **Brown** of Ohio. And then, next, if it would not take that form of investigation or study, do you think it should be a joint committee of Congress or just a committee from one branch or the other, or from both?

Secretary **Burgess**. By all means joint because—I speak for the people who have got to furnish the information—if we are going to have two separate committees at work here, the difficulty about getting up suitable material and taking care of it is a terrific burden; but, more than all else, this Commission, both in terms of getting the right people to come as witnesses, in getting the right people to come as staff assistants, as aides to it, and its findings, if it is going to do any good, has got to command the confidence of the people of the country, and the joint commission that had on it both Senators and Representatives and people from private life of experience and reputation, would certainly command very much more of all those things than simply a single committee of the House or the Senate.

Mr. **Brown** of Ohio. Of course, if there was any legislation found necessary to be put through the Congress, it would have to pass both Houses?

Secretary **Burgess**. Certainly.

Mr. **Brown** of Ohio. Both House and Senate?

Secretary **Burgess**. Yes.

Mr. **Brown** of Ohio. Both bodies?

Secretary **Burgess**. Yes.

Mr. **Brown** of Ohio. My good colleague from Missouri, Mr. **Bolling**, was concerned over whether the naming of the Commission wouldn't result in delay.

It has been my experience on commissions that the commissions generally do spadework and get a lot of the roughage out of the way and bring up facts and information for the use, first, of the commission on which to base its report and recommendations, which are then made available to Congress, with all that testimony, so that the Congress doesn't have to go over all of it again but does have something to refer to; and in that respect I disagree with my friend and think that a commission operation is very helpful because it does save the time of Congress and the Congressional committees.

I would like to comment on one other thing and ask one other question about something you said.

You expressed the opinion, as I recall and understand, that a single committee of the Congress could not get the type of assistants on its staff that a Federal or National commission could obtain, recognized as a servant of all the American people; is that correct?

Secretary **Burgess**. I am sure that is correct, Mr. Congressman.

Mr. **Brown** of Ohio. In that connection, I would just like to point out, from my own experience, the Hoover Commission—and I speak specifically of the first one—did obtain the services of about 330, as I recall, or a few more, of the topflight individuals in this country to assist on task-force services, assisting the Commission, and practically all of them, outside of a few college officials or educators, were serving without compensation.

I recall very vividly how former President Hoover, as Chairman of that Commission, would call in men the Commission decided it would like to have to go into various problems—experts in that field—and he would say something to them like this: "You know, Mr. Burgess, this country has been good to you. You were raised on a farm out in Iowa, but you have come a long way and made a success in life, and you can afford to give 3 months or 6 months of time to your Government. Now you are drafted. We want you in here."

I recall distinctly on 1 task force, dealing with the insurance problem that confronted the Congress and the Nation—for veterans and for servicemen, we had 7 presidents of insurance corporations, the largest in the country, serve and give the benefit of their advice, and they brought in their own statisticians and their own experts, actuaries and all, to study the system that we had here and to go over it, and they brought in recommendations that have not only saved the American people a great deal of tax money, but have been of real benefit to the veterans of this country and helped them on their insurance problems.

Secretary **Burgess**. That is true.

Mr. **Brown** of Ohio. I recall we had presidents of railroads who dealt with some of the transportation problems that didn't affect them at all.

Is that your idea as to the type of men you ought to have on this commission and that they ought to be drafted into public service?

Secretary **Burgess**. I think that is a very good illustration.

In this particular area, one would, of course, seek people who had both experience and objectivity.

I think you would have very much more chance of getting them with a distinguished commission, recognized as such, men of leadership and reputation who would work with the Members of the Congress.

Of course, I am enormously impressed with the workload the Members of Congress carry, and members of this House Banking Committee. It includes very many good friends of mine. I have been before the committee over the years a great many times. They are fine people, but they carry an enormous volume of work, and I don't think they can detach themselves for this kind of thing in anything like the way that the task requires.

Mr. **Brown** of Ohio. One other question and I am through, Mr. Chairman.

Mr. Burgess, you have been around a long, long while, like some of the rest of us old-timers——

Secretary **Burgess**. Much too long, I am afraid.

Mr. **Brown** of Ohio. And you have seen some of these commissions and read and studied their work over the years—the Randall Commission, the Harriman Commission, the Hoover Commission, the different ones. Have you ever heard or known of any of these individuals who served on these various commissions being men who have done something that was against the interest of the country or in the personal interest of themselves?

Has there ever been any question as to their integrity or their patriotism, to your knowledge?

Secretary **Burgess**. I don't recall any cases, Mr. Congressman.

Mr. **Brown** of Ohio. I can't recall any.

That is all, Mr. Chairman.

The **Chairman**. Mr. **Delaney**.

Mr. **Delaney**. Just one question: From your remarks, Mr. Secretary, I gather a study of this type would take considerable time. As a matter of fact, you mentioned it would take many years.

Secretary **Burgess**. I thought of 2 years in the bill that Senator **Capehart** presented, and Mr. **Talle**.

I think 2 years is indicated, or approximately 2 years. It is quite a chore.

Mr. **Delaney**. Then, after the committee reported, we would have several bills unquestionably and we would go through the same routine here in Congress, so that no action on this could be anticipated at this session of the Congress?

Secretary BURGESS. I would think that is certainly true; yes.

Mr. DELANEY. Thank you.

That is all.

The CHAIRMAN. Mr. THORNPERRY.

Mr. THORNBERRY. I believe not at this time.

The CHAIRMAN. I beg your pardon.

Mr. THORNBERRY. I believe not.

The CHAIRMAN. Mr. SCOTT.

Mr. SCOTT of Pennsylvania. Yes, Mr. Chairman.

Mr. Secretary, I have this concern, and that is that we have seen in the past some situations where staff members appear at the inception of a task of this kind with some fixed orientation arising perhaps from their former employment in or outside of the Government and, as compared with a Commission, such as in Mr. TALLE's bill, it seems to me that the Talle proposal would permit the interplay of a great many viewpoints, that the conclusions would be hammered out at the level where the ultimate recommendation is to be made rather than evolved at a staff level and then passed on to men who are admittedly distinguished and competent, but not experts in those fields, and I am wondering if that isn't one of the difficulties in asking Congress to pass on this kind of a delicate question.

Secretary BURGESS. That is one of the very great difficulties. Of course, we find it generally in all our work—how far you trust your staff people and how far you are able to review the results yourselves and make sure that they are absolutely correct.

Of course, it is a problem we have in administration all the time, bridging that gap.

The CHAIRMAN. Gentlemen, I have to go to the floor and handle a resolution. I won't be long, I hope. Mr. COLMER will take over.

Mr. SCOTT of Pennsylvania. I have 1 or 2 brief questions.

I have served on four other committees of this House and, frankly, the recommendations of the staff are usually based on so much work and research which is not available to us or which it isn't possible for us to evaluate that there is certainly a great temptation to simply accept what the staff members suggest, and I am wondering if a Congressional report coming out, let's say, with restrictions against the whole credit system as now constituted might not present, let's say, to the small-business man of the country, harassed by their own credit problems, a far more complicated and perhaps dangerous situation.

Someone has spoken of the kind of report which might trigger off an economic change here.

Don't you think that, should there be a report which represents perhaps, in its final result, the recommendations of staff members, such a report might have the effect, conceivably of triggering off an undesirable economic result?

Secretary BUGRESS. Well, it could, Mr. Congressman.

I think there are two ways that could happen.

Gentlemen, if we do on this an inadequate job, recognized as such through the country, as not a good job, two things will happen: Either they will simply ignore it—it will be just pure waste of energy for everybody who takes part—or else it may do some real damage.

Mr. SCOTT of Pennsylvania. Thank you.

That is all.

Mr. COLMER (presiding). Mr. BOLLING.

Mr. BOLLING. Mr. Secretary, you are familiar with the work in a rather more limited field—2 subcommittees of the Joint Economic Committee, 1, I think in the 81st Congress and 1 in the 82d Congress, on the subject.

Secretary BURGESS. The Douglas committee and the Patman committee; yes, sir.

Mr. BOLLING. Recognizing these were more limited inquiries than that proposed, what was your opinion of the competence and objectivity of those two inquiries?

Secretary BURGESS. I thought the first committee, the Douglas subcommittee, did a first-class job. They had extended hearings. There was a great deal of hard work done. It was a joint group. Members of both Houses attended. They had an extremely competent staff man, Lester Chandler of Princeton, who took that job, and the report was, I think, a very helpful job. I think it made possible the accord between the Federal Reserve and the Treasury that followed.

The second report, I think, accomplished nothing.

Mr. BOLLING. As to the objectivity of the conduct of the second——

Secretary BURGESS. I think it was just pretty good.

Mr. BOLLING. Just pretty good?

Secretary BURGESS. Just pretty good.

Mr. BOLLING. In that you would disagree, then, I take it, with most of the editorial writers of the banking journals and others who almost universally praised the objectivity of the second?

Secretary BURGESS. Well, I think the chairman conducted the hearings in a statesmanlike fashion, but I think when it came to the report that the report lacked objectivity on a number of points.

Mr. BOLLING. I take it, Mr. Burgess, you don't object to people having opinions?

Secretary BURGESS. Not at all. That is fine. I even have some myself, even after serving 4 years in the Treasury.

Mr. BOLLING. So, your concern is not with the opinion of individuals?

Secretary BURGESS. No; not at all.

Mr. EOLLING. You mentioned several times in your original testimony that we would have to have the best people, and impartial people, on this commission. I take it the original concept of the administration was not to have a mixed commission?

The recommendation, as I understood it, was for a commission of citizens, and the original legislation first proposed, I take it, at the request of the administration, was for a citizens' commission?

Secretary BURGESS. That would be our No. 1 choice because we thought in that way the work would march forward most promptly, that you would have the least, shall we say, political overtones—they sometimes do get into these things—and the job would go forward best; and we recognize the Congress is very busy, and would be busy passing immediately on bills in this area, on which they have to take a position, while at the same time the subject is being discussed by the commission objectively.

I think that was found to be the case in the Randall Commission. That was a mixed commission, and it was discovered, I think, the Members of Congress on it had difficulty in harmonizing the positions they had to take, which were partly political positions, in the Congress at the same time they were sitting on this other commission objectively as individuals.

It is a very difficult thing to harmonize sometimes.

Mr. BOLLING. Mr. Burgess, you speak of the best people and impartial people.

Secretary BURGESS. Yes, sir.

Mr. BOLLING. Not citing any names necessarily, could you give me an example of what, in your idea, would constitute the best people and impartial people to serve on this commission—by kind, if not by name?

Secretary BURGESS. Well, by kind, a man like Allan Sproul, who was a public servant all his life and is now retired from the Federal Reserve System. So, he has no obligations to anybody. I think he would be a very good member of this commission.

I think a man like the witness you had just before me would make a very good member of the commission, Frazar Wilde. He is connected with an insurance company, not one of the big five. He has worked with the CED people. He has had broad experience. I think he would make a good member of such a commission.

One could go on. We are rich in good people in this country.

Mr. BOLLING. Do I gather, then, your idea would be that the people who should be members of the commission would be those who had had vast experience in one of the savings and lending fields?

Secretary BURGESS. I think it should include someone of that sort, but I think it should also include people from the academic field.

I mentioned Lester Chandler, who was the expert for the Douglas committee, who was professor at Princeton, who has had no connections with, had no money, no eleemosynary return from serving private industry. clude someone of that sort, but I think it Reserve Bank of Philadelphia, but a thoroughly able and competent student.

There should be other men from the academic field, I think.

You might find somewhere a college president who—well, I'll give you a man—Harold Dodd who has just retired as president of Princeton, who is an historian, a very able, balanced person, great public devotion.

Mr. BOLLING. And these people, the academic people, you feel would give to the commission the noninstitutional representation?

Secretary BURGESS. Yes. I'd try to balance it off. I'd certainly try to get someone who had experience in the field of labor and who knew that area, somebody who knew the farm field.

You certainly would want somebody who knew rural credit. The problem of rural credit is one of the real problems here.

I think somebody ought to take a look at all the agencies that make loans to farmers. There are more agencies making loans to farmers than you can count on your fingers and toes.

Another is the point—somebody raised the question—of small business and the capital supply for small business. Somebody ought to take a look at that, and I would try to find a man, businessman, who served small business as one of this group.

Mr. BOLLING. So, you envisaged a really balanced commission in which most of the economic interests of the country, both financial and otherwise, would be somewhat represented?

Secretary BURGESS. Yes; represented.

I think you have to be very careful in trying to get people who are not special pleaders for their own particular field, and you can find such people. Of course, the danger is you get people who are.

That is one of the difficulties about a mixed commission.

To get representation from this group will take 9, 12, to 15 people, and to add to that your Members of Congress involves you, perhaps, in a pretty big commission; but that is one of the details.

Mr. BOLLING. You aren't particularly concerned about the number of people on the commission?

What would be the largest number?

Secretary BURGESS. It shouldn't get too big. I think nine would be an ideal number. Fifteen would be suitable. I am a little afraid if it ran very much over that, but that is a matter of judgment.

You might manage 17, 19, but to get really first-class people, it would be easier to ask them to be members of a 9-man commission than 15 because a person is diluted a good deal. He thinks, "Well, this isn't so much. I am just 1 of 21."

It is a little harder to get him to do the job that way than if it is a smaller group.

Mr. BOLLING. Thank you, sir.

Mr. COLMER. Mr. O'Neill.

Mr. O'NEILL. Mr. Burgess, recently Mr. Hoover was a prophet of doom and gloom, and immediately the stock market went down a few points.

With inflation the way it is, what effect do you believe a study, either by the Congress or by a joint committee, would have on the economy of the Nation today?

Secretary **BURGESS.** I heard Mr. Hoover speak.

If I might say, Mr. Chairman, I think the difficulty we encounter frequently here is you can't put the subjunctive into a newspaper headline.

What Mr. Hoover said was: If we violate economic laws long enough, they are going to turn around and bite us; but, of course, the headlines never get the "if."

The effects of this commission on business and on sentiment, I think, all depends on how it is done.

If you have the kind of commission that we have been talking about and I think you people want, I don't worry about its disturbing sentiment.

If you have unbiased and objective people who examine these things carefully, I think it will add to confidence rather than the reverse.

Mr. O'NEILL. One other thing, Mr. Burgess: Here we are supposedly the world's greatest legislative body.

Secretary **BURGESS.** We are.

Mr. O'NEILL. We are.

You haven't enough confidence that this body could get dedicated men to do a job without bringing in substantial businessmen?

Secretary **BURGESS.** It is conceivable; yes. I think it is.

Mr. O'NEILL. How about these men you mentioned that you would like to see working in the committee?

They are dedicated men, and wouldn't they work as part of a task force?

Secretary **BURGESS.** My judgment, Mr. Congressman, is they would not agree to serve with an investigation simply committed by one committee of this body. They wouldn't think it was good enough.

Mr. O'NEILL. That is all.

STATEMENT OF KENTON R. CRAVENS, PRESIDENT OF MERCANTILE TRUST CO., ST. LOUIS, MO., MARCH 6, 1957.

Mr. CRAVENS. I have a brief statement, Mr. Chairman, and it might be well to read, to begin with.

I am Kenton R. Cravens, president of Mercantile Trust Co., St. Louis, Mo. I have asked for this opportunity to comment on H. R. 85 because of my strong personal interest in its general subject matter.

As chairman of the advisory committee to the Senate Committee on Banking and Currency for the Study of Federal Statutes Governing Financial Institutions and Credit, I have had opportunity to study the need, possible scope, and best means of conducting a study of the Nation's monetary and credit structure. There seems to be general agreement as to the need for such a study and reasonable agreement as to its scope. Apparently a real difference of opinion exists, however, as to who is going to do the job.

Possibly the best way to resolve this question would be to review the scope of such a study so as to more accurately appraise the necessary qualifications of those who should be charged with the responsibility.

The advisory committee recommendation on this subject reflects largely my own thinking. That committee recommendation reads in part, as follows:

"The establishment of a commission for the purpose of making an objective study and appraisal of the use of monetary controls to stabilize the Nation's economy and the impact of such controls upon the American system of free enterprise, and of the adequacy and responsibility of all financial institutions as custodians of the Nation's savings, to provide, individually and collectively under existing laws, the State and national financial needs for the continuing growth of our dynamic economy, giving appropriate consideration to deposit and savings insurance programs, the essentiality of Government lending and investing, and the tax burden on debtors, creditors, and equity owners."

Thus, the study would be one of existing financial institutions. I emphasize that it is not the role of such a commission to conduct a continuous review of current monetary policies. To the extent of the need therefor, such reviews have been and will be made by the appropriate committees of the Congress. Nor would it be the purpose of a study to criticize such reviews or to supplant them. The monetary system is a creation of the Government and appropriate legislative committees and the executive branch should review its functions whenever they deem it necessary. The problem to which a national monetary and financial institutions study would address itself is far more basic in that it would study the financial systems themselves.

As you can see, a study of the character which I have in mind is in the nature of a fact-gathering undertaking. Such study will require much work by students of the problems under the guidance of practical men of broad experience and perspective. There is no need for self-serving arguments at this time. If the study is to be conducted with an air of objectivity, it must be outlined and guided by the best and most capable students of the problems. This must be the fundamental objective. Upon completion, the study must be as impartial and factual as possible.

The advisory committee believed that these objectives could best be achieved by submitting the direction of the study to men who are extraordinarily well informed about the problems. Such men can properly be drawn with some degree of preponderance from the financial field and other fields of economic endeavor. It goes without saying that the men must be able to see the problems of all industries as well as the problems confronting their own industry.

To assure this objective, the advisory committee recommended the composition of the Commission as follows:

(a) That it must be composed of not less than 12 and not more than 17 members.

(b) That the legislative branch of the Government be represented thereon by not less than 4 and not more than 6 members, consisting of the chairmen and the ranking members of the Banking and Currency Committees of the House of Representatives and of the Senate.

(c) That the remaining members of the Commission be appointed by the President of the United States without regard to their place of residence, their occupation, or whether they are members of the majority or the minority party of the Congress, but with regard only to the fact that each shall be an outstanding American citizen; and, lastly,

(d) That the President of the United States appoint from among the members of the Commission a Chairman thereof.

I think Congressional representation on such a Commission is both desirable and necessary. The results of the study undoubtedly will be the basis of some new legislation, or at least will receive the scrutiny of the Congress. It is thus necessary that the legislative point of view should be kept in mind at all times; but a commission composed of just one committee of one House of the Congress is far too restrictive and cannot hope to achieve beneficial results. One reason for this is that an urgency exists, both as to getting the study under way and completing it promptly, and the Congress is already literally snowed under with work. The urgency to which I refer is the fact that no one knows yet whether or not we have brought business cycles under control. Thus, we need an answer to that question without delay.

This is not exactly what I mean. What I do mean to state is that we need to study the problem, study it as carefully as we can, and it would be a tragic mistake to find out later that a careful study would have helped us to avoid some tragedy.

To reiterate, we are not advocating, nor is anyone advocating, this is the time to legislate about existing problems. This study should be a truly national one and only if it is conducted on the broadest kind of basis can it command complete public confidence, the necessity for which is apparent to all. The adoption of H. R. 85 would preclude this kind of a study. So, I respectfully urge, with the greatest emphasis at my command, that this committee and the Congress consider with approval a broader approach to the problem than is contemplated by H. R. 85.

The **CHAIRMAN.** Thank you, Mr. Cravens.

Do you wish to add anything to your statement?

Mr. CRAVENS. No. I think that summarizes my own strong personal views about the problem. I realize it is an area that can provide many different opinions. Anything more I would say would simply reemphasize that which I have said.

The **CHAIRMAN.** Mr. **COLMER**, do you have any questions?

Mr. COLMER. I don't think I have any questions at this time.

The **CHAIRMAN.** Do you have any questions, Mr. **ALLEN**?

Mr. ALLEN. I certainly want to compliment you, Mr. **CRAVENS**. I think you have said a lot in a few words, and I certainly agree with you a hundred percent.

Do I understand that you say this Commission—you recommend the Commission—should consist of perhaps an agricultural authority, an insurance authority, maybe a labor authority, and so on, with representation from all fields? That is what I understand you to mean. Is that true?

Mr. CRAVENS. My own thinking on that would be that the President would try to get—and get—the required number of public representatives and screen them on the basis of their basic qualifications, and not have them represent any particular interest.

I think it would be a mistake to have one man dedicated to representing labor, one man dedicated to representing capital, one man dedicated to representing agriculture. I think he would want to screen them as to their basic qualifications, their ability to be objective, and, above all, to see that they had no affiliations or had no direct representations.

I think we would get a better job on that kind of a basis.

Mr. ALLEN. Then, of course, you would want authorities in all the various fields?

Mr. CRAVENS. That is correct.

Mr. ALLEN. That is one of the objections many of us have in regard to H. R. 85.

We know that you can't get men of too much learning to come in. We know about the important part that a staff plays. We know that you can't get experts, generally speaking, for the small compensation that the staff would receive.

That is the reason, perhaps, it would be better to have some people with a background of long experience instead of perhaps staff people, coming in at a low salary, who aren't experienced in the field and with probably the things this committee or commission would cope with.

That is all.

The **CHAIRMAN.** Mr. **MADDEN**.

Mr. MADDEN. No questions.

The **CHAIRMAN.** Mr. **DELANEY**.

Mr. DELANEY. Mr. Cravens, you have considered this subject for a considerable time;

you have studied this problem for a considerable time; have you not?

Mr. Cravens. The focusing of this has been done since all of us in our group started tackling the problem; and, of course, when you start getting into one of those situations, you get into it far more deeply than you would normally.

Mr. Delaney. You state here: "As chairman of the advisory committee to the Senate Committee on Banking and Currency," and so on.

Mr. Cravens. Yes, sir.

Mr. Delaney. As of necessity, you must have given considerably more thought to the subject than you would under normal circumstances.

Mr. Cravens. That is correct.

Mr. Delaney. We have had other experts here who have also had some opinions and have made a great deal of study in this regard.

Do you think something can be gained by putting all those people together and arriving at probably some agreement on, and some arbitration of, the problems we have confronting us?

Do you think the members of the Banking and Currency Committee could evaluate the testimony of such men as yourself? When we get all through, they have got to sell the idea to the entire Congress in order to put it over.

Mr. Cravens. Sure.

Mr. Delaney. You have some definite views, I presume.

Mr. Cravens. Yes. I told you this kind of problem has a lot of room for many views.

I have never seen a time when qualified people got around the table that something good didn't come out of it, if that is your question.

Mr. Delaney. Yes. That is substantially it.

There are other groups, chairmen of other groups, who have studied this problem, and who have also testified here, and I presume they have arrived at some definite ideas.

Now, the Congress eventually has to pass on it. I don't know who could be better qualified to pass on it than someone who listens day in and day out, over a long period of time, because they eventually have to make the recommendations to the Congress.

Many of the groups that have made studies must have come to some conclusions. Isn't that so?

Mr. Cravens. Yes; that is correct.

The conclusions that I came to and my group came to I have stated in this statement.

Mr. Delaney. It should be studied; further studied.

Could you tell us just what the problems are, the immediate, pressing problems, at this time?

Mr. Cravens. I wonder if I might answer that question with a worksheet of mine which spells out perhaps in more detail the very summarized objective I have put in.

Would you like me to?

Mr. Delaney. I would be glad to hear it.

Mr. Cravens. There are six paragraphs.

As I look upon the scope and the work of some kind of a group that you put together on this, in more detail they would follow something like this:

Area 1: The matters of chartering, examining, and supervising all financial institutions in the United States which are custodians of the savings and other funds of the people, and as the same are respectively related to the needs of the public in our present-day economy, and the question of the advisability of continuing the existence of the present dual system of banking as compared with creating a federally chartered branch banking system.

Let me stop right there. Now, all that means is that we ought to see whether or not our present banking system and our present financial institutions are supplying the credit with even balance over the country that our economy needs.

We have a different type of economy than 10 years ago and 20 years ago.

Area 2: The question of whether financial institutions can adequately service the credit needs—that is, the need for equity funds as well as debt funds—of the present-day economy and the problem of defining the fields in which each type of financial institution can best contribute to those needs.

It was not many years ago that the banking system supplied only 90-day, short-term credit. Today we find it in all kinds of hybrid types of credit—term loans of 10, 12, 15 years; 3-to-5-year consumer-credit loans; mortgage credit up to 30 years, and so forth.

I think that is a great area that we need to study.

Who is going to supply the various types of credit and equity to keep this economy of ours going?

Area 3: The matter of overall tax burden—State, local, as well as Federal—on financial institutions, including the tax position of governmental lending agencies, and the relationship which the tax burden of a particular type financial institution has to the availability of investment capital for its own account and to its contribution in supplying the credit needs of our present-day economy, and the question of whether or not the present tax laws are disproportionately responsible for the increasing demand for loans from financial institutions.

An example: Under the present tax laws, the burden is all on debt rather than equity. A corporation can deduct the interest on its debt, but it can't deduct the dividends on its stock.

So now we have created a tremendous debt load on corporations—possibly too great. I don't know, but that is an area we ought to study.

Area 4: The problem of what constitutes appropriate protection to the depositors and account holders of financial institutions by means of Federal or State insurance programs, and the matter of the adequacy, feasibility, and insurability, if you please, of such protection, with particular reference to the practical cost for the protection, on whom the burden of the cost should fall, and the manner in which the protection should be represented to the people.

For example, there we represent to the people that every deposit up to $1,000 and every share account up to $1,000 in savings and loans is fully protected. I just can't believe there are enough resources to do it if we had a tremendous economic collapse. Yes, under most conditions, they are protected; but to represent to the people that in any event they are protected, to me, is immoral.

That is an area that ought to be studied.

Area 5: The matter of existing programs for insuring a financial institution is a question of what conditions such programs are intended to provide insurance against, the problem of whether or not the present level of the accumulated reserves is or is not adequate, and so forth.

Area 6: The matter of a complete review of our central banking system, as related to its responsibility in the field of monetary and credit controls, to determine the adequacy of its present powers and the impact which the exercise of particular powers has upon our present economy, and the different types of financial institutions; the matter of reserve requirements of member banks of the Federal Reserve System; the question of the value of such reserves as monetary control measures; the problem of the impact which the use of such reserves makes upon the banking system generally; the matter of the Federal Reserve System's control generally over the banking system and in fields other than monetary and credit control; the matter of comparative value of selective as against quantitative controls, and the effectiveness of each on the monetary and credit management, each different type of financial institution and the public generally; the problems existing in the area of monetary and credit management as a result of the Government's activities in investing and lending fields and in the money market; and, last, and I think probably equally important for this group to consider, the matter of Government lending and credit, and the laws under which their activities are conducted, with particular regard to:

(a) What is and what is not essential to the common good;

(b) The long-range effects on the Nation's economy;

(c) Achieving better coordination among the many Government lending agencies; and

(d) The question of whether or not such activities are eroding the private enterprise system by, in effect, subsidizing inefficient management at the expense of efficient management.

Now, those are just a few of the things and, if you sit and dig and dig and dig, you can see how broad the scope becomes.

Mr. Delaney. You could go very far afield there. For example, you could go into taxation, which wouldn't come within the scope of this committee either, that is, the taking of credit for debt and interest payments, while you are not permitted to take your dividend credit. That would go into another field and another avenue.

That pretty well answers my question.

The Chairman. Mr. Trimble, do you have any questions?

Mr. Trimble. No questions.

The Chairman. Mr. Thornberry.

Mr. Thornberry. Mr. Cravens, I have been impressed with your statement. I think you have tried to state—and have done so—briefly the objectives in mind.

I have been a little concerned about some of the statements that have been made about some fear of a depression if Congress, through a regularly recognized committee, were to go into the problems for which Congress is responsible. I don't believe you express that fear, recognizing the Congress has the responsibility.

I am impressed by one part of your statement where you say a study by just one committee of one House of Congress cannot hope to achieve beneficial results.

Now, I note from what you have said here, you have been chairman of an advisory committee to a committee of the other body. You wouldn't say that study did not achieve any beneficial results; would you?

Mr. Cravens. If it had been in the area of a monetary study, it would have achieved no beneficial results, although that isn't a good choice of words.

Obviously, any group, conscientiously working on a problem, regardless of how limited it may be, does produce a lot of valuable things; but my concept of this problem is that it would have such a broad national base that, to the ultimate, major objective, it would not produce any major beneficial results.

Mr. Thornberry. I understand that—and I am not quarreling with you in the idea, from what you have said from your worksheet, that with the study you have in mind what you are trying to do is have a broad scope—but what I am concerned about is, regardless of personalities, which I think have entered into some of this, and which I think is unfortunate, ultimately—and you recognize it in your statement, even though you go ahead and later say it can't achieve beneficial results; you must know from your service—it must have been a valuable service from what you said in your statement—that what the Senate committee has done did at least achieve one result in your mind, regardless of what somebody else may say, that you needed a broader study of the monetary system—a committee of Congress does have a responsibility to the Congress and ultimately to the people who send us here for certain objectives, and you wouldn't say a committee of Congress should be prevented from inquiring in the field; would you?

Mr. CRAVENS. Let's take the answer to your question in two parts.

The first part was that the committee I represented did not have on it any Members of Congress. It was a 27-man group, and the job that was put before it was a very small and narrow one compared to this kind of a job; but, even in that particular case, it made its findings, and did its work, and it came up with its conclusions, independently of Congress, so that in effect it was an outside group, and then it made its very point to Congress, which is entirely what I envisage in a proper monetary commission—that it does its work over its allotted time, and then prepares its report to Congress for its action, scrutiny, or whatever it pleases.

Now, I go a step further, and I say it is much better to have a partnership, have the most experienced Members of Congress in that field in partnership with students of the problem, and I think you will achieve better results, even better than we achieve without any partnership.

Mr. THORNBERRY. I think whatever I would say would be argumentative, but I don't believe you did respond to the second part, and that is ultimately the Congress, through its committees, and——

Mr. CRAVENS. Oh, yes.

Mr. THORNBERRY. Having the determination for what should be done.

Mr. CRAVENS. I made that point.

Mr. THORNBERRY. I think that is right, and I just wanted to point that out.

The CHAIRMAN. Mr. BROWN just came in.

Mr. BROWN. I have no questions.

The CHAIRMAN. Mr. BOLLING.

Mr. BOLLING. Mr. Cravens, this point that Mr. THORNBERRY was making is one that concerns me a great deal.

I don't quite follow the thinking that recognizes that Congress has these responsibilities, and if there should be any legislative recommendations, ultimately must act, and yet, at the same time, the implication of your statement that the Congress is incompetent to do the work that leads up to its action.

Mr. CRAVENS. I would have to take issue with you. I would like you to show me any word or any sentence in my statement that in any way indicted the competency of any Member of Congress or any committee thereof.

Mr. BOLLING. I didn't say you said any individual was incompetent, but the burden of the statement and the burden of the approach is that it is not a good idea to have either the full committee or a subcommittee of the full committee charged, under our rules, with the responsibility for this area of legislation do the whole job for which it is responsible.

It seems to me the very technique that was used in the advisory committee of which you were chairman demonstrates very clearly that the Congress and a committee of the Congress, of a single part of the Congress, of the Senate, can get the most competent advisers to sit down and do the most thorough job of advising the Congressional committee as to what its decisions might be.

It seems to me the very committee of which you were the chairman demonstrates how easy it is for Congress to get good people to work out these things.

Mr. CRAVENS. Well, you are missing a very important step there. Yes, the responsibility rests with the Congress; yes, there are undoubtedly many students and technical people who can do a fine job in research work and other factfinding undertakings, but it seems to me that Congress should be the first one to want in between them and this fact gathering, shall we say, professional staff, as you are talking about, a group of men——

Mr. BOLLING. That isn't what I was talking about, if I may interrupt. I was talking about the kind of group you served on.

Mr. CRAVENS. Well——

Mr. BOLLING. I am not talking about the staff in this case. I am talking about the capacity.

Mr. CRAVENS. You have got exactly the same thing there, and it would be exactly the same thing between the staff of the committee of Congress, of the Senate, and the supervising agencies. They developed all the technical data. They did the fact gathering, and this committee did nothing but screen it, appraise it, fit it, and come up with a package that the Senate committee could look at.

That is exactly what you have got in this type of monetary Commission I have got. That is what they would do, and you have done a tremendous job for Congress and for the Nation, it seems to me.

Then you have got one other point: You want—and must have—the broadest kind of public confidence in this.

I have a feeling you will command more confidence if you spread it, than you will if you keep it in either one of the committees of the Congress. I think a joint undertaking is a better way.

The CHAIRMAN. Thank you very much, Mr. Cravens. We are glad to have had you with us this morning.

Mr. CRAVENS. Thank you very much.

The CHAIRMAN. Mr. Allan Sproul, formerly president of the Federal Reserve Bank of New York, is listed as our next witness.

Mr. Sproul, we are happy to have you with us, and we will be glad to hear from you.

You may proceed in your own way.

STATEMENT OF ALLAN SPROUL, FORMER PRESIDENT OF THE FEDERAL RESERVE BANK OF NEW YORK, MARCH 6, 1957

Mr. SPROUL. Thank you.

Mr. Chairman, as you said, I am a former president of the Federal Reserve Bank of New York. I am now a resident of California and director of the American Trust Co. in San Francisco, a director of the Kaiser Aluminum & Chemical Corporation of Oakland, and a part-time worker in my own mental and spiritual garden.

I have here a brief statement I would like to read.

I have sought and I appreciate this opportunity to be heard by your committee on the question of how an inquiry into the nature, performance, and adequacy of our financial system might best be conducted in the interests of the people of the United States, having due regard for the nature and organization of our political institutions.

I am assuming that we are all now pretty well agreed that it is time for such an inquiry. This does not mean, necessarily, that there are such serious defects in the present workings of our financial system as to require major changes and adjustments. Nor does it mean that we have overlooked the dangers of tampering with the sensitive mechanism of a money economy. It reflects, rather, the coming together of a number of suggestions from various sources that, despite the hazards, it is time for a broad, fundamental study to improve our knowledge of the workings of our present system, to see if there are ways in which our performance can be improved, and to increase that public understanding of the operations of the system which is necessary if it is to work most effectively, no matter how it is organized and operated.

My own views are that the best way to proceed with such a study is as the President suggested in his state of the Union message, and as is contemplated in one of the pairs of bills, H. R. 2891 and S. 599, which have been introduced in the Congress. I suggest that it is preferable to proceed in this way, with a small commission of competent citizens, rather than with a mixed Congressional-citizen committee or directly through committees or subcommittees of the Congress, for the following reasons:

1. There are two major kinds of inquiries into the workings of our financial system, and into the methods and administration of monetary and credit policy. One is the continuing scrutiny of performance and the examination of those responsible for that performance, which is clearly the function of Congressional committees or subcommittees. The other is the periodic survey, at relatively long intervals, of the development of our financial system over time, the appraisal of its performance, and the means of its possible improvement. Such a study should be divorced as far as possible from a preoccupation with specific current problems which may warp judgment and prejudice opinion.

2. What is now contemplated, I assume, is the second kind of inquiry. It will require the uninterrupted and uninhibited attention of those who undertake it, over a long period of time. I cannot see how Members of the Congress, with the hundreds of demands which have a proper call on their time and attention, can possibly devote themselves to this one subject in the way I conceive to be necessary. Here is no question of relative competence, but a real question of the best use of available resources.

3. An inquiry of such special character and of such fundamental and long-range significance should be able to command the services of an outstanding staff; of people who have been willing to abandon other more permanent pursuits in order to participate in this undertaking. I think that it will be possible to recruit such a staff only if this inquiry is set apart, by its character, and by the composition of the membership of the commission, from the continuing flow of inquiries which are undertaken by committees of the Congress. It must have a special prestige which will make the best people in the country willing to interrupt their regular careers in order to serve as its staff.

4. One seeming solution of this problem, a mixed Congressional-citizen commission, seems to me to have a special disadvantage. It introduces into the proposed commission, men who have a prior obligation to the Congress to which they were elected and to the committees of the Congress to which they have been appointed. They really cannot commit themselves fully to anything before it comes before them in their legislative capacity, and they certainly should not and cannot commit their colleagues on committees or in the Congress.

5. The job now to be done, as I see it, is one to be completed in steps. The first step would be a broad survey of the whole terrain by a commission of competent, objective civilians, divorced from partisan public and special private interests, and shielded as far as possible from the pressures and the noise of what may be current controversy. The second step would be the sifting of the findings of this commission by the executive and legislative branches of the Government, and the consideration of possible legislation by the appropriate committees of the Congress. And the third step would be action by the Congress on whatever proposals grow out of this study and this sifting. There is no real question of prerogatives or jurisdiction here, and final responsibility will rest with the Congress, of course. The real question is how best to get the job done in the public interest.

I submit that a study by a citizen commission is most likely to start us on the road to this ultimate objective. In the words of

Woodrow Wilson, the study should be undertaken "in the spirit of those who question their own wisdom and seek counsel and knowledge, not shallow self-satisfaction or the excitement of excursions whither they cannot tell."

The **CHAIRMAN**. Mr. Sproul, would you care to add anything to your statement?

Mr. **SPROUL**. No; I have nothing to add, Mr. Chairman.

The **CHAIRMAN**. Mr. **COLMER**, do you have any questions to ask of Mr. Sproul?

Mr. **COLMER**. Yes, Mr. Chairman.

Mr. Sproul, in the language of Woodrow Wilson, my knowledge is so shallow on this whole subject that I approach it with great humility and timidity.

As I understood from the reading of your statement, you don't exactly approve of either of the proposed bills, that you think there should be a commission set up composed of citizens generally rather than Members of Congress?

Mr. **SPROUL**. Yes; that is right.

Mr. **COLMER**. And you would have representatives on that commission from the various segments of our economy?

Mr. **SPROUL**. No. I have no candidates for such a commission. That is a job for the appointive power with all the resources that sit at its command for combing the country and drafting the men best suited for the job; but I can say that I do not conceive of this commission as being dominated by any special interest, and certainly not banker-dominated, nor dominated by any special group or made up of representatives of special groups.

I conceive of it as a commission made up of men who by reason of the breadth of their experience and the quality of their judgment would be competent to study and evaluate the opinion of others and the work of an expert staff and to reach sound conclusions in the public interest.

I find it just as repugnant to believe that there are not such citizens as to believe that Members of Congress are swayed by private interests in legislating for the public weal.

Mr. **COLMER**. I think I could comment on that, sir, but I don't know that it would add anything.

I find that Members of Congress sometimes——

Mr. **BROWN**. Are pretty human.

Mr. **COLMER**. Are rather human, amenable to pressures, as well as sometimes citizens concerned about their own interests which are involved; but, as I say, that does not add anything to the statement.

Mr. Sproul, you have had a great deal of experience in this field. You are not apprehensive right now, with the situation being what it is in our economy, that a study might have some rather serious results affecting the stock market, et cetera?

Mr. **SPROUL**. No, I am not. A study such as we are discussing here—I think a long-range study lasting over perhaps 2 years, of fundamental aspects of our financial institutions and their operations—I don't think would have such adverse effects, or possible adverse effects. It comes perhaps at a fortunate time, when we are not faced with the collapse, the imminent collapse, of any of our financial institutions, and when we are not trying to remedy a serious, current, or immediate situation.

Mr. **COLMER**. I am sure how I feel about it—and maybe I shouldn't say I am sure you agree with that, but I am sure in my own mind—that the threat of inflation, continued inflation, is a rather serious one, is it not?

Mr. **SPROUL**. Well, I think there are forces in our economy which constantly create upward pressures on prices and, insofar as that can be called inflation, I think there is a continuing threat of inflation; but at the moment it is not so serious a threat as, again I say, to cause a study, a long-range study, such as this to be interpreted as an attempt to meet a present and critical situation.

Mr. **COLMER**. Do I understand from that statement, sir, that you are of the opinion that the inflationary trend is not serious?

Mr. **SPROUL**. No. I say I think there are forces in the economy which constantly raise and create the threat of inflationary pressures. There are other forces which combat that, and there are some weapons and measures in the hands of the monetary authorities and the fiscal authorities which can combat those pressures.

I do not see that the threat of inflation at the moment is a critical and urgent one which needs a study such as this to head it off, and, therefore, I don't see that a study such as this would be interpreted as an attempt to meet a critical, emergency situation.

Mr. **COLMER**. Just along that line—incidentally, I am a babe in the woods in this thing, as I told you, to start with.

Mr. **SPROUL**. Yes.

Mr. **COLMER**. Just what is it that demands such a study now, in just a brief sentence, if you will, please?

Mr. **SPROUL**. Yes. I think it is a necessity for informing ourselves better of the nature and character and functioning of all of our financial institutions, public and private; the necessity of informing ourselves better than we are now informed as to how those financial institutions have their contact with the money market of the country; the necessity of informing ourselves better how the monetary authorities reach through to those financial institutions by way of the money market, and the necessity of informing ourselves better how fiscal and monetary actions may be used to preserve the stability of the dollar while promoting stable economic growth in the country.

Mr. **COLMER**. Then do I understand it would be largely educational?

Mr. **SPROUL**. No. I think it might well lead, after this phase process which I have suggested, to the consideration of legislation; but I certainly think it would be impossible now to prejudge and forecast what such legislation might be. I think that it would be wholly foreign to the whole idea of the study, which is to go at it, as far as possible, without preconceptions of what legislative ends you might ultimately reach.

Mr. **COLMER**. Do you agree with Mr. Cravens, as I got the import of his statement, along that line, that in the selection of these people, these experts, and so on, the personnel of the commission, the question of political alignment shouldn't be considered, but they should be selected purely upon their qualifications?

Mr. **SPROUL**. Yes. In the first phase, as I conceive it, they should be selected on the basis of their broad qualifications of experience and demonstrated wisdom and judgment, and not even experts, necessarily. The experts would be the staff who would be selected by them to do the spadework and make the studies for them.

Mr. **COLMER**. Of course, as you know—if you don't, I will educate you a little bit—the system in the political field is to make the selections upon a basis of political alignment, not less than so many from the party in the majority and not less than so many from the minority.

I quite agree with both of you on that. I don't think that is material.

Mr. Chairman, I can't contribute anything to this matter.

The **CHAIRMAN**. Mr. **ALLEN**.

Mr. **ALLEN**. No. I don't have any questions.

The **CHAIRMAN**. Mr. **MADDEN**?

Mr. **BROWN**?

Mr. **BROWN**. As I understood your statement, Mr. Sproul, and as I interpret it myself, you would have the feeling, whether it be a civilian commission responsible to the President and the Congress, or a joint committee of the Congress, or a committee from one branch of the Congress, that the membership of that committee should be made up of men who do not have any preconceived ideas and viewpoints that they have expressed publicly or any criticisms against this or that activity or this or that function of the Government, so as to be entirely free, at least in the public mind, regardless of how they might attempt to be impartial, and so that in the public mind there would be confidence that this was an impartial investigation and not an investigation to put over any particular idea as to how to handle our banking system and our national economy generally?

Mr. **SPROUL**. That is right. I think as far as possible these men should not be grinding any particular axes or promoting any particular point of view in the studies of this commission.

Mr. **BROWN**. Regardless of whether it is a commission or a committee of the Congress, do you feel it would be possible to find men of that type who would be so objective that even their past experiences or their own experiences or interests or views wouldn't creep into the action of this group?

Mr. **SPROUL**. I think it should be possible to find a small civilian commission which would qualify under those specifications.

You would know better than I whether it would be possible within the ranks of Congress to find a similar group. I do think, however, the Members of the Congress are called upon, by their daily labors, to take positions on various current and prospective problems which perhaps would lessen the chance of finding such men there to make such a study as is suggested here.

Mr. **BROWN**. It has been my experience with public officials—and that includes Members of Congress—that they are just a little reluctant to admit they are wrong on something or other they have done.

We, here in Congress, generally try to defend our votes and our positions on public issues, and we, of course, unlike private individuals, are on public record where we have more or less committed ourselves to certain philosophies or programs, so that it is pretty difficult at times to disassociate ourselves from this or that stand, even if you are convinced in your own mind and soul that you made a mistake before.

Would that also apply to civilians?

Mr. **SPROUL**. It would apply to some extent to civilians. I think we are all, to the extent we have expressed ourselves publicly, reluctant to backtrack; but civilians don't have to express themselves publicly as often as Congressmen do, and it would be less apt to have a record, past record, which would color current and future thinking.

Mr. **BROWN**. I make the honest part of my living, as I said here before, out of the newspaper business, and, despite my attempts to disassociate myself from the newspaper business, when I consider different pieces of legislation coming before this Congress, I do have confronting me—and I realize and I do appreciate—the fact that I understand or believe I understand the problems of a publisher, and I do sort of have a bit of prejudice in that direction.

I sometimes think that Mr. Allen, for instance, doesn't understand the problems of the newspaper business like I do, and he doesn't appreciate the difficulties that confront us. So that leads me to this question: You have been head of the Federal Reserve Bank of New York, and you know its workings and you understand the banking business. If you were on this Commission, do you think you could set that aside completely and not particularly have the viewpoint of the Federal Reserve System, based on your experience and knowledge of it, and maybe be in the same position that I am with Mr. Allen and say, "Well, you are just a little stupid; you don't understand the problem like I do"?

Mr. Sproul. Of course, if I were on such a commission, my views would be somewhat influenced by my experience in the Federal Reserve System; but I can say this: A career in the Federal Reserve System is a career, as I have experienced it and as I believe it to be, in the public service, which would not interfere with an objective approach to problems of this sort.

I think that may be a very special case—that you are not serving private interests in the Federal Reserve System; you are not serving banking interests; you are in the public service while you are in the Federal Reserve System, and it would be an easy step from there to the work of such a committee as this.

Mr. Brown. Of course, you have made the point—and I think it is a very good point—that the man who has spent his life in the banking business or in the investment field or in Federal Reserve work, or this or that, has a greater experience and is in a better position to investigate and study all of these problems than those of us of Congress who have not been connected with financial and monetary activities, and I think you have also made a very good point, Mr. Sproul, and it certainly has been my experience in 20 years here, that Members of Congress, as individuals, do not have time to go out and do the spadework that is necessary to get the information and the material upon which they should base their judgment, using their own commonsense, as representatives of the people, in determining what legislative action or anything should be taken.

I have watched these committees of Congress work for a good many years, and before that in the legislature of my own State, and usually the work of a committee depends not only upon the intelligence and the ability of the members of that committee, and the soundness of a suggestion, but upon the type of staff and the type of information they are able to obtain, and they usually have to lean on someone else to get that information and factual data or they don't function well.

I have seen some committees and, if I might be a little disrespectful, I have seen some chairmen of committees—not in this body, of course, but in another legislative body—who have gained great credit in the public mind despite the fact they didn't have anything to do with it. The work was done by somebody else who helped them, and all they did was come out and act as a mouthpiece to give it to the public and to the Congress.

I think you have made two very good points this morning, and I think you have had a very logical as well as a short presentation of the problem. It concerns all of us greatly because I am convinced there isn't any Member of Congress but what wants to do the best thing in connection with seeing to it that we have a stable, proper, monetary system, and something that will help perhaps prevent inflation and also prevent deflation.

The credit system of this country right now is in a situation where I think it deserves a great deal of study, and it must have it. I am a little worried, to be frank about it, about some of the situations that now exist.

That is all, Mr. Chairman.

The Chairman. Mr. Delaney.

Mr. Delaney. Just one question: I believe you stated it would take at least 2 years to make a study of the scope you have in mind. That means we couldn't anticipate any action in the present Congress?

Mr. Sproul. That is right.

Mr. Delaney. Thank you.

The Chairman. Mr. Thornberry.

Mr. Thornberry. I have no questions.

The Chairman. Mr. Scott.

Mr. Scott. No questions.

The Chairman. Mr. Bolling.

Mr. Bolling. Mr. Sproul, in your statement you had a very powerful paragraph dealing with the necessity for having absolute objectivity—it was much better stated than this—with no self-interest, and so on. Over the years, in all the administrations, there have been a great many Presidential commissions. Do you know of a single Presidential commission that has come up with a recommendation which was contrary to the opinion of that administration?

Mr. Sproul. No, but that doesn't mean there haven't been any. It just reflects possibly my ignorance of the findings of all of the Presidential commissions; but, as I understand the present situation, the executive branch of the present administration has not announced any views or opinions with respect to our financial institutions and their workings, so that there wouldn't be that question. You wouldn't have to face that question in the commission, as to whether it was differing with, or agreeing with, or compromising with, an executive view.

Certainly, for my part, I think such a commission could and should differ with the executive view if the evidence brought before the study may indicate the necessity or desirability of such difference.

Mr. Bolling. Thank you, Mr. Sproul.

The Chairman. Mr. O'Neill.

Mr. O'Neill. No questions, Mr. Chairman.

The Chairman. Thank you very much, Mr. Sproul. We appreciate your coming in.

Mr. Sproul. Thank you for giving me the opportunity to come in.

Hearings on House Resolution 85, Investigation of Monetary Problems

House of Representatives,
Committee on Rules,
Washington, D. C., March 13, 1957.

The committee met, pursuant to notice, at 10:40 a. m., in room G–12, United States Capitol. Hon. Howard W. Smith (chairman) presiding.

Present: Representatives Smith (presiding), Colmer, Madden, Delaney, Trimble, Thornberry, Bolling, O'Neill, Allen, Brown, Latham, and Scott.

The Chairman. Mr. Patman, I'm sorry that I didn't know we were going to meet at 11 o'clock.

Mr. Patman. If you can give me 15 minutes, I will get through.

The Chairman. That will be fine. Does anybody else want to be heard any further on this Patman resolution?

Go ahead, Mr. Patman.

STATEMENT OF HON. WRIGHT PATMAN, REPRESENTATIVE IN CONGRESS FROM THE FIRST DISTRICT, STATE OF TEXAS

Mr. Patman. With your permission we have here and will have distributed a copy of my statement and a copy of an article from the Review of Economics and Statistics, published by Harvard University Press, concerning an investigation that was conducted by me as chairman in 1952, which, of course, is, I think, very fine from the viewpoint of the committee and the chairman.

I want to thank the committee for this opportunity to appear before you. I know it has required a great deal of patience on the part of the members to sit here and listen to extensive testimony on this resolution.

It is apparent, however, from the distinguished witnesses who have asked to appear before you and testify on House Resolution 85 that the subject matter of the resolution is considered to have more than just passing significance.

If there were any doubts at the start of this hearing about the intense national interest in our monetary policies, the state of our financial structure and institutions, the Government's lending and insuring agencies, and the Government's role in monetary affairs, then those doubts should be resolved by now.

Therefore, I am not going to take up the time of the committee today in restating the reasons for this study or the matters that need looking into.

However, I do want to put into the record the statement I sent to the members following my earlier appearance before the committee which covered those points.

May I have that permission, Mr. Chairman?

The Chairman. Yes.

(The document referred to is as follows:)

"STATEMENT BY WRIGHT PATMAN, MEMBER OF CONGRESS, CONCERNING HOUSE RESOLUTION 85, FEBRUARY 20, 1957

"Mr. Chairman and members of the committee, at the last meeting of the Rules Committee, I explained why I believe a full and complete study of our national monetary and credit policies and the adequacy of our financial facilities is needed. I also gave the reasons why I felt that Congress rather than the Executive or outsiders named in part by the Executive should conduct this study.

"Following my presentation, it became clear from the questioning that your committee wanted to know what specific objectives I had in mind in offering this resolution; what specific areas did I feel ought to be looked into.

"Let me say first, in answer to the chairman's question as to whether I think the Banking Act of 1935—the Glass-Steagall Act—should be amended, that it will depend upon the findings that the committee makes after it has looked into the functioning of our financial facilities. If it is found that any changes in the laws and regulations governing their operation are needed to improve our ability to meet the credit and capital requirements of an expanding economy and to preserve our competitive enterprise system, then amendments may be suggested to strengthen existing banking laws, including the Glass-Steagall Act.

"Another question by Representative Colmer was directed toward the problem of inflation control. This unquestionably should be an important part of the study. One of the things that has impressed me is that rather severe monetary restraints have been imposed—six increases in the rediscount rate in 1 year—and interest rates have been forced up clear across the board without visibly curbing important price increases. It is also evident that general credit controls impose excessive burdens upon some groups in the economy who scarcely affect inflationary trends while other groups that exercise an important role in the inflationary spiral are scarcely touched by general credit controls.

"So the study should very definitely look into the effectiveness and adequacy of Federal Reserve techniques for fighting inflation. Of course, in this whole question of what constitutes inflation, we should want to look into the distinctions between normal and necessary expansion and an inflationary trend. And, similarly, in fighting inflation with monetary weapons, we will want to make sure that we don't promote monopoly and keep postponing urgent school construction and housing. So we will have to find ways and means of permitting certain public programs to move ahead and small business to get the credit it needs.

"These are only a few of the questions that would be covered by the study. There are many others. Let me mention briefly some others I think will need careful study:

"1. The question of required reserves of member banks needs looking into, particularly the level of reserve requirements and differential reserve requirements.

"2. When first conceived by Carter Glass, the Reserve System was supposed to be essentially a system of regional banks designed to assure that credit would flow in needed amounts to the different regions of the country. The regional system was supplanted by a central bank in 1935. Now we find that chronic deficits in credit are being experienced by some regions while credit is plentiful in others. I note, for example, that FNMA will buy mortgages at 95 in some regions and say 91 or 88 in others. In other words, this is a reflection that money is more accessible in some places than others. The study should find out the extent of these variations; what causes them; and how they can be overcome.

"3. Many new and greatly expanded sources of credit have developed in the last 20 years that are out of reach of monetary controls. Institutions that compete for savings and make credit available are subject to different regulations and laws. We need to look at the laws and regulations governing all public and private institutions.

"4. Finally, there is this question of the status and responsibility of the Federal Reserve System.

"Let me point out several things we need to consider. There are no vacuums. As nature abhors a vacuum, so does politics. The question of control of the Federal Reserve is a very vital question that affects the life of every single American. It affects our free-enterprise system.

"It is contended that the Federal Reserve should be kept free from political pressures. But what about other kinds of private pressure and influence? What safeguards or controls does the public have to assure that such influences are not being exerted?

"Well, it is said that the Federal Reserve is responsible to Congress and that this affords the protection the people need. But how responsible is the Federal Reserve to Congress? I have here in my hand correspondence between the Chairman of the Federal Reserve, the chairman of the House Government Operations Committee and the Controller of the General Accounting Office. The correspondence discloses that the Chairman of the Federal Reserve refused to allow the Controller of the GAO to conduct an audit in accordance with instructions from the chairman of the House Government Operations Committee. This was a case of the agent refusing to make an accounting to the principal.

"Let me show you what is involved here.

"Many Members complain about waste and uncontrolled expenditures of taxpayers' funds. I have yet to hear a single Member complain that he has no way of controlling a single penny that is spent by the Federal Reserve, which gets its funds from the taxpayers and is a public agency of the Congress.

"Here are some figures that may interest you.

"From 1946 to 1956, the 12 Federal Reserve banks received interest on United States Government securities and profit from sales of such securities amounting to a total of $4,002,588,985. Their net current expenses, excluding outlays for which they were reimbursed by other public agencies with public funds, totaled $1,008,041,364. In other words, the interest they received from the Treasury made it unnecessary for them to come to Congress to ask for appropriations and thus Congress could not control or review expenditures of public funds.

"Let me point out that the powerful New York Federal Reserve Bank received nearly $1 billion from the Treasury in interest and from profit on sales of United States securities in the same period. Again, it spent $216 million for net current expenses out of public funds over which Congress had no control and no power to review or audit.

"So it seems to me that an important area for study by the committee will of necessity be the question of responsibility and accountability of the Federal Reserve."

I have asked to be heard briefly at this time so that I might have the opportunity to respond to some of the objections that have been raised against a single Congressional committee conducting the proposed monetary study.

You have heard the witness for the administration, Dr. Burgess, state quite unequivocally that he was certain no single committee of the Congress could command the services of the very best experts and technicians needed to help do this job, while a commission appointed by the President would have no difficulty getting them to serve.

When I heard Dr. Burgess make that statement, I was shocked. I just did not believe that our fine economists, monetary experts, and other technicians would refuse to cooperate with a single Congressional committee.

So I sent a telegram out to a group of outstanding economists at the universities and in private research organizations.

I asked them whether Congress could count on nonpartisan expert assistance, such as their own, in the event a Congressional study went forward. Here are the replies I received.

I will read one of them. I sent out about 35, Mr. Chairman, and I got about 30 replies back. I think that is pretty good. I never had that percentage before on anything else that I sent out.

Dr. Galbraith, professor of economics of Harvard University, said this in his telegram, and here are the telegrams that I received—every one of them.

"You can certainly count on every assistance. There is a tradition of candid and friendly cooperation between Congressional committees and economic experts, and you have done much to foster it yourself. A Congressional study, which in the nature of the case, will be broadly based and conscious of all people and points of view, would be far more attractive to independent scholars than a commission dominated by the administration. The latter would be handicapped for obvious reasons in examining present policies including those affecting farmers and small-business men as well as the reasons for the failure to control living costs. As a result there would be overwhelming temptation to bury the important issues in generalities and words. Am not being critical. This is usual result when an interested body, whatever the party, examines itself."

That is signed by Dr. Galbraith. We had similar telegrams pledging academic assistance—telegrams from Dr. Clark, professor of economics, Columbia University; Dr. Heller, professor of economics; John H. Kareken, and Harlan M. Smith, University of Minnesota; Dr. Seymour E. Harris, professor of economics and chairman of department of economics, Harvard University; Dr. Paul M. O'Leary, professor of economics, Cornell University; Dr. Alvin H. Hansen, Harvard University; Prof. Everett E. Hagen, MIT; Benjamin Higgins, professor of economics, Massachusetts Institute of Technology; William H. Miernyk, director, bureau of business research, Northeastern University; Dr. Sidney Rolfe, economist, Commercial Investment Trust, Financial Corp., New York; Dr. V. Lewis Bassie, director, bureau of business research, University of Illinois; Arthur R. Burns, Columbia University; and Leon H. Keyserling. You know who he is here.

H. Christian Sonne, chairman, board of trustees, National Planning Association; Richard A. Lester, chairman, department of economics, Princeton University; Prof. Paul A. Samuelson, MIT; Prof. Lorie Tarshis, Stanford University.

Prof. Edwin E. Witte, chairman of the department of economics, University of Wisconsin; William Haber, professor of economics, University of Michigan; Howard R. Bowen, president, Grinnell College; Jesse Burkhead, professor of economics, Syracuse University; Prof. James Tobin, Yale University; Robert R. Nathan Associates, Inc., here in town.

Dr. Gerhard Colm, director of research, National Planning Association; Prof. Ben W. Lewis, Oberlin College; and others that have come in since this was mimeographed.

I don't think you could have had a better response than that. I think it shows conclusively that Dr. Burgess was wrong as was Mr. Cravens, of St. Louis. Mr. Cravens said something to the effect that a single committee of a single House couldn't do the job, but in responding to Mr. THORNBERRY's question, he said he was chairman of a group working with a single committee on the Senate side, so that contradicts that on its face.

These telegrams should remove any doubts about whether a single Congressional committee, can get objective, unbiased, outstanding experts from private life and from our great universities to serve and assist on the proposed monetary study.

In addition to the objection that a single committee might not be able to recruit a staff of sufficient standing to help do an effective job, some witnesses expressed the fear that a study undertaken by a Congressional committee might be limited in its usefulness, since Congressmen have to take public positions on the issues.

There were some statements made that probably the study would not be an objective one or something like that and too much bias. The truth is, I am probably the least biased person that has appeared on this, because I know so much less than these fellows like Mr. Sproul and Mr. Burgess. They have more bias because they have more things to be biased on.

It was stated that great harm could result from a study undertaken by members who appeared to have preconceived ideas and prejudices toward current monetary policies and the regulation of financial institutions.

I am certain that if a Congressional monetary study goes forward, it will be conducted as others have been in the past, in an impartial, objective manner.

It should be obvious, however, that in a field as controversial as this one, the experts in the field and those who have studied it over the years would have to be pretty unusual not to have a point of view.

In this connection, when Dr. Burgess testified, he mentioned three outstanding persons whom he felt would be qualified to serve on the proposed Commission. I have a very high regard for their objectivity and expertness in the field, but I would like to point out that they definitely have expressed themselves publicly on important questions which a monetary commission would consider.

For example, Dr. Burgess mentioned Prof. Lester Chandler of Princeton, whom I respect and have known for many years, as someone he would like to see on the Commission.

Yet he did not seem to think that Professor Chandler's role in the Congressional hearings leading to the 1951 accord between the Treasury and Federal Reserve indicated he had any preconceived ideas or would necessarily be prejudiced on the subject of the independence of the Federal Reserve.

Dr. Burgess also proposed Mr. Allan Sproul, whom I admire and respect, too, as a prospective candidate for the Commission. I do not say that Mr. Sproul's long association with the Federal Reserve Bank of New York and his service as vice chairman of the Open

Market Committee should render him ineligible. But I do say that after 30 years of service with the Federal Reserve, Mr. Sproul has a point of view.

Mr. Sproul has on many public occasions clearly expressed himself on important questions that will come up in this study. For example, Mr. Sproul is on record in favor of direct Federal Reserve authority to regulate consumer and mortgage credit financing.

Mr. Sproul has also stated publicly that he is opposed to having the expenditures of the Federal Reserve banks brought under the budgetary control of Congress and subsequent review by the General Accounting Office.

These represent substantial issues, which should be considered in any monetary study. Clearly, Mr. Sproul has preconceived ideas on these subjects.

Dr. Burgess suggested that Mr. Frazar Wilde would make a fine member of the proposed Commission, and I do not doubt it. But it is equally true that Mr. Wilde has certain notions and ideas about the role of monetary policy in our economy.

As chairman of the Research and Policy Committee, of the Committee for Economic Development, Mr. Wilde has expressed his views on many of the issues which will be covered by the proposed monetary study.

As president of the Connecticut General Life Insurance Co., Mr. Wilde has to look at questions of monetary policy from the practical business point of view. This is not to say, however, that Mr. Wilde would lend his support to policies which he did not believe were in the public interest.

The point I am making is that intelligent, observant individuals have points of view and they cannot shut them out from their thinking just because they are called upon to sit upon a commission and study questions that will affect public policy.

It would be foolish for me, too, to deny that I do not have firm convictions on important issues of monetary policy, I was chairman of a Congressional subcommittee which conducted hearings and issued a report on general credit and debt-management problems. Dr. Burgess praised those hearings in a speech he made December 29, 1953, at a joint meeting of the American Economic Association and the American Finance Association here in Washington at the Statler Hotel.

Referring to what he called "a milestone perhaps in the history of finance in this country," he said, "was the fact of the Douglas and Patman reports." "These reports," he added, "built up a volume on this whole subject of money that is most impressive. And the reports as they came out educated public opinion."

I might mention, too, that those hearings and the report of the subcommittee were characterized as highly valuable and completely objective by newspapers and magazines, including the banking magazines, which at the start of the hearings voiced doubts about the chairman's desire to give all the interested parties a fair and impartial hearing. I would like to offer for the record some of those evaluations of the Patman subcommittee's 1952 study.

I would like to put them in the record, Mr. Chairman, if you please. This is one I called to your attention a while ago, and you have a copy before you now, from the Harvard University Press.

(The documents referred to appear at the end of Mr. PATMAN's testimony.)

I want to say a word now about the analogy drawn by Representative BROWN frequently during these hearings, between the Hoover Commission and the type of body that would be best suited to conduct the proposed monetary and financial institutions study.

As Representative BROWN knows, the Hoover Commission was established to deal with the reorganization of the entire executive branch. No single committee of Congress was authorized to do the job. Every committee of the Congress would have had to be called in. More important, the function of the Hoover Commission was to make reorganization plan recommendations. Under the Reorganization Act, the writing of reorganization plans was expressly made an Executive responsibility. Congress could not initiate them. Congress cannot even change a reorganization plan which the Executive submits. If the Congress fails to act, the plan becomes law.

That is why it was not improper for the Executive to take the leading responsibility for the Hoover Commission study and why the Executive-appointed-commission approach was logical as furnishing a basis for a reorganization plan.

The initiative and responsibility in the field of reorganization of the executive branch was clearly the Executive's under the Reorganization Act of 1946.

But does it necessarily follow that the Hoover Commission approach should be applied to an inquiry into national monetary policy and our financial institutions which will provide the basis for Congressional legislation and policy determination in this field?

The answer is "No." Indeed, just the reverse is true.

At the very beginning of the Constitution, article I, section 8, the Congress is given the inescapable constitutional responsibility for determining monetary policy. The Executive clearly does not have any responsibility, other than the responsibility to administer the policy we determine.

The issue as between a National Monetary Commission, a majority of whose members would be appointed by the President, with a mandate to make studies and recommendations for monetary legislation, and a Congressional committee study, clearly involves a constitutional question.

In the monetary field, Congress must write the entire legislation by itself. The Executive has no authority whatsoever in this field, other than to sign or veto the bills, which Congress initiates, and carry out the provisions of such bills as become law. The Executive cannot and should not be permitted to intrude into the monetary field, unless Congress desires to abdicate its constitutional responsibility.

If the Congress is to carry out its constitutional duty, it—and not the Executive—must assume the leading responsibility for any study or studies directed toward implementing its own clear constitutional obligation.

I insist that the proposal to authorize a national monetary commission, such as is envisaged under H. R. 3660, with a majority of its appointees, and its chairman and vice chairman named by the President places in the Executive the leading responsibility for a study directed toward helping Congress implement its constitutional obligation to determine monetary policy, and thus is violative of the separation of powers provided by the Constitution.

You have heard it argued that experts should be on the Commission to aid the Members of Congress. Regarding this, the administration bill provides for more experts than it does Members of Congress.

The President is authorized under H. R. 3660 to appoint 9 private citizens, while only 4 members are to be appointed from the Congress. This is putting the experts on top, not on tap.

Who will the experts be? It is clear they will come from the field of private banking. Otherwise, then what is the reason for section 2 (e) of H. R. 3660 which is designed to exempt the President's appointees from provisions of the Code which are applicable to cases of conflict of interest?

I am afraid that under the guise of seeking to aid Members of Congress, the Commission study proposed by the Executive could turn out to be a banker-guided study.

Surely Congress would not want itself placed in the position of appearing to favor a banker-guided study of monetary policy over a Congressional committee study.

If expert assistance is needed, then it is the responsibility of the Congress to designate the experts it needs and keep them on tap—not on top.

For the Executive to be given authority to name the experts to assist Congress in carrying out its constitutional responsibility in the monetary field is just as inappropriate as it would be for Congress to appoint the Director of the Bureau of the Budget to help the President discharge his constitutional responsibilities.

Furthermore, Congress is being asked by the Executive to participate in the anomalous spectacle of authorizing the President to take primary responsibility in appointing a group whose ultimate function will be to advise the Congress on how to legislate in the monetary field.

Time and time again in recent years, the Congress has been urged to turn over its legislative responsibilities to the Executive.

Congress sooner or later—and I hope it is soon—will have to face up to the question of performing its responsibilities under the Constitution and of carrying out the duties directly entrusted to it by the people who elected us.

If we abdicate our responsibility; if we say that the problems of government have grown too complicated and too complex for us; if we agree that the Executive and his appointed experts should, in the words of Representative BROWN, "bring up facts and information * * * and recommendations for us" so that "the Congress doesn't have to go all over it again," then we are deceiving the people who elected us.

We are, in effect, admitting that we are unable to do the job the people elected us to do. Moreover, we are admitting that our present system of government doesn't work when we say that Congress can't work without the President assuming part of its legislative responsibility.

In conclusion, let me say this. The Committee on Rules of the House of Representatives has a unique opportunity here. If after these hearings, the Committee on Rules rejects the National Monetary Commission proposed in H. R. 3660 and other variations thereof designed to bypass a Congressional study and approves House Resolution 85, it will not only have made it unequivocally clear that it has confidence in a committee of the House to perform its duties competently and without bias in an area within its jurisdiction but, more than that, it will have rejected an attempt at Executive usurpation and obstruction of Congressional investigative power.

By approving House Resolution 85, the Rules Committee will be reaffirming the right of Congress to act in a field in which it has clear constitutional responsibility, without awaiting the pleasure and process of the Executive.

It will help restore public confidence in the Congress.

Members of the Banking and Currency Committee are not so overburdened that they cannot find time to devote to this highly important problem of monetary policy.

And we reject the view that the highest and best judgment in this field is that of the experts. On a matter which affects the welfare of every citizen—affects the whole economy of the United States—I say the highest and best judgment is the Congressional judgment, rather than expert judgment, precisely because our judgment is a general judgment. It is representative of, and similar to, public judgment.

That is the essence of our democratic, representative government.

Thank you, Mr. Chairman.

The Chairman. Any questions?

Mr. Allen. I have a question.

The Chairman. Did you have any?

Mr. Madden. No. I asked Mr. Patman the other day when he was up here. I am very much for your resolution and want to commend you on your statement here.

Mr. Patman. Thank you, sir.

Mr. Allen. At the bottom of page 1, you say you sent this telegram. Do you have a copy of that telegram?

Mr. Patman. Yes, sir. I thought I had it, the telegram. This is the third statement I have gotten up for this committee.

Mr. Allen. Will you read the telegram?

Mr. Patman. I will put it in the record.

Mr. Allen. Do you have the telegram itself?

Mr. Patman. I am trying to shorten it, and I left it out of this statement, but I quoted what it contained.

Mr. Allen. I would like to have you read it to me now.

Mr. Patman. I don't have it now.

Mr. Allen. Does one of your assistants have it now?

Mr. Patman. I am asking him to look it up. Wait just a minute.

This is Washington, D. C., March 1, 1957. "Those opposing Congressional study of monetary policy and financial institutions warning that unless guided by banking communities there will be no hope of getting high level expert assistance. Can Congress count on effective nonpartisan assistance such as your own in event Congressional study goes forward? This, of course, implies no personal commitment to serve, but expressions of your own attitude."

Mr. Allen. Will you read that again, please?

Mr. Patman. This is addressed alike to Dr. Galbraith and all the different ones here.

Mr. Allen. What was the telegram? Read it slowly.

Mr. Patman. "Those opposing Congressional study of monetary policy and financial institutions warning that unless guided by banking community there will be no hope of getting high level expert assistance.

"Can Congress count on effective nonpartisan assistance such as your own in event Congressional study goes forward? This, of course, implies no personal commitment to serve but expressions of your own attitude."

Mr. Allen. I don't recall any evidence when they said there was hope of getting any.

Mr. O'Neill. A flat statement by Burgess when I asked him.

Mr. Bolling. Absolutely flat statement.

Mr. Allen. No hope of getting any?

Mr. Patman. Yes.

Mr. O'Neill. I said to Mr. Burgess, I recall, "We are supposedly the world's greatest legislative body." He says, "No supposedly, you are."

I said, "Do you mean to tell me, in your opinion that we, as this great legislative body, couldn't get competent help unless we put it into the hands of the President or put it into the hands of a bipartisan committee, as you say. I mean a committee of Congress and members outside of Congress?" He said, "Very definitely you couldn't."

Mr. Allen. No hope.

Mr. O'Neill. You must have the transcript here.

Mr. Patman. I have it quoted here. May I read it?

"Secretary Burgess. By all means joint because—I speak for the people who have got to furnish the information—if we are going to have two separate committees at work here, the difficulty about getting up suitable material and taking care of it is a terrific burden; but, more than all else, this commission, both in terms of getting the right people to come as witnesses, in getting the right people to come as staff assistants, as aids to it, and in its findings, if it is going to do any good, has got to command the confidence of the people of the country, and the joint commission that had on it both Senators and Representatives and people from private life of experience and reputation, would certainly command very much more of all those things than simply a single committee of the House or the Senate.

"Mr. O'Neill. One other thing, Mr. Burgess: here we are supposedly the world's greatest legislative body.

"Secretary Burgess. We are.

"Mr. O'Neill. We are.

"You haven't enough confidence that this body could get dedicated men to do a job without bringing in substantial businessmen?

"Secretary Burgess. It is conceivable; yes. I think it is.

"Mr. O'Neill. How about these men you mentioned that you would like to see working in the committee?

"They are dedicated men, and wouldn't they work as part of a task force?

"Secretary Burgess. My judgment, Mr. Congressman, is they would not agree to serve with an investigation simply conducted by one committee of this body. They wouldn't think it was good enough."

They say that is a reflection upon our system of government.

Mr. Allen. If you take out that one sentence, yes. You are asking this group of people—what did you say about nonpartisan?

Mr. Patman. Let me read you what Burgess said before so as to also make it more enlightening to you.

You are probably forgetting something he said. Dr. Burgess said: "You have before the Congress at the present a number of bills. If some of these bills are passed, you would be having the House Committee on Banking and Currency conducting a separate investigation and at the same time have the Senate Banking Committee doing exactly the same thing, and those of us who will have to give a great deal of time preparing material for it will simply not be able to give it the attention—any one committee—that we ought to, and we will be running off in several directions and you won't get the same focus of attention and interest in the country that you would if you could get together a group that commanded the confidence all through the country and was able to get the time of the best people to serve as experts and come before it."

Now let me read you the telegram I sent out.

Mr. Allen. About the nonpartisan.

Mr. Patman. "Those opposing Congressional study of monetary policy and financial institutions warning that unless guided by banking communities there will be no hope of getting high level expert assistance. Can Congress count on effective nonpartisan assistance such as your own in event Congressional study goes forward? This, of course, implies no personal commitment to serve, but expressions of your own attitude."

Mr. Allen. What would any nonpartisan American, how else could he answer the telegram? I am reading the answer from J. M. Clark, professor of economics, Columbia University.

"I am not a financial expert; am sure experts willing to cooperate in proposed inquiry."

That is one. They couldn't do anything but answer the way you write the telegram. Could they say "No," the people wouldn't be willing to give the advice to a Congressional committee? Would it be possible to get a different answer? Here is a couple of more of them from Prof. Ben W. Lewis, Oberlin College.

"Congress can always count on high level expert assistance from economics profession whether for Congressional committees or Presidential committees authorized by Congress."

How else can they answer those things? How would any American answer if you get a letter, can we count on you to help a Congressional committee?

Mr. Patman. Mr. Burgess answered it differently. He said we wouldn't.

He said our House wasn't big enough. That is an attack on the system of government.

Mr. Allen. The way the telegram is worded you couldn't expect some American college professor to write back, "You can't count on us."

Sure, they are compelled to answer your telegram that way. Here is one:

"I am confident that expert nonpartisan assistance will be available for any dispassionate inquiry into monetary policy.

"Prof. James Tobin,
"*Yale University.*"

What else could a person answer but come back with those kinds of replies?

Mr. Patman. It answers Dr. Burgess. He said we couldn't get the right kind of people.

Mr. Allen. Robert Nathan & Associaties says:

"Responding your wire wish to assure you that we would certainly be prepared to assist any group authorized by the Congress to study monetary policies and financial institutions."

How else could an individual American answer a telegram as you have worded it there? Could he write back saying, "No, you can't depend upon people not to cooperate with the Congressional committee any more than if they ask you to start beating the wife."

Mr. O'Neill. They can answer it as Seymour Harris answered it:

"Badly need investigation of the monetary problems; this investigation should be undertaken by the Congress not by the administration."

They all have the same opportunity.

The Chairman. I have to remind you there is a quorum call on.

Mr. Allen. That's the only question. I couldn't conceive of any American writing back differently saying that for nonpartisan advice and assistance.

Mr. Patman. I couldn't conceive of Dr. Burgess making up such a statement.

Mr. Latham. I have a few questions and Mr. Scott has a few.

The Chairman. Mr. Scott is not here.

Mr. Latham. He went to answer the quorum call. I suggest that we answer the quorum call and ask the witness to come back.

The Chairman. Do you want to come back a little later?

Mr. Delaney. I think we could try to finish up with this witness.

The Chairman. Let's come back after the quorum call.

(Recess.)

The Chairman. Any further questions of Mr. Patman?

Mr. Scott?

Mr. Scott. Mr. Latham has some questions.

The Chairman. Mr. Latham said Mr. Scott wanted to ask a question.

Mr. Allen. Let them go ahead.

Mr. Latham. Mr. Patman, I think that reading the telegrams which you sent out I can understand why you got the answers that you did. I think that you have in the telegram, you assume or state certain things which are not the fact. For instance, you say, "Those opposing congressional study of monetary policy" and then later on "Can Congress count on effective," and so on. Actually what you propose with your resolution is really a subcommittee study; isn't it? It is not the whole Congress.

Mr. Patman. It is the committee that has jurisdiction of the subject, the Banking and Currency Committee.

Mr. LATHAM. It would be a subcommittee of the full committee?

Mr. PATMAN. The whole committee or a subcommittee.

Mr. LATHAM. I think that destroys the whole basis of your attack on the statements of Mr. Burgess who was here. Because his thought was directed, his thought that it would be difficult to get some of these prominent people to lend their full assistance to an inquiry was directed to the idea that this was going to be carried on by a subcommittee of the full committee of the Congress and not by the Congress itself.

It would be different in the whole Congress, if this were a full Congressional proposition.

Mr. PATMAN. The whole House would be doing it if the House passed a resolution the House would be backing it.

Mr. LATHAM. That is what you say in this telegram and that is why you got those replies. But actually it is a subcommittee investigation.

Mr. PATMAN. I don't agree with you. It is the House of Representatives investigation.

Mr. LATHAM. It is, in a sense, but actually it is going to be done by a subcommittee and that was certainly what Mr. Burgess was directing his remarks at in my humble opinion.

Mr. PATMAN. May I invite your attention to the fact that he used the phrase, "A single Congressional committee"?

Mr. LATHAM. The telegram doesn't say that, it speaks about Congress.

Mr. PATMAN. We are talking about different things.

Mr. LATHAM. Of course, people will cooperate with Congress. I believe there is another statement in your telegram.

Mr. PATMAN. What is it?

Mr. LATHAM. Isn't this untrue? You say here, "Those opposing Congressional study warn that unless guided by banking community."

Mr. PATMAN. That's right.

Mr. LATHAM. Who has suggested that this study as proposed by Mr. TALLE would be guided by a banking community? I haven't heard that, I don't think.

Mr. PATMAN. I am sure the gentleman knows that Mr. Burgess' recommendation would be looked upon favorably by the President to select the ones who know more about this than anybody else. I don't think anybody doubts that.

Mr. LATHAM. My recollection is that Mr. Wilde specifically stated that we should have some banking representation, from academic thinkers, Members of Congress—he suggested labor. You put a completely false assumption in that telegram.

Mr. PATMAN. I don't agree with you.

Mr. LATHAM. When you say you "warn," that it is going to be "guided by the banking community."

Mr. PATMAN. That's right.

Mr. LATHAM. That wasn't what I heard around this table.

Mr. PATMAN. Now listen to this: Mr. Burgess even says if you will read this language carefully in effect, that he is going to have to write the speeches and he can't afford, he doesn't have the time to write speeches for both sides. You read his statement now.

Mr. LATHAM. I don't recall any testimony in that sense.

Mr. PATMAN. It is pretty far reaching.

Mr. LATHAM. I have a pretty clear recollection that most of these men who testified said that it should be broad, it should be representative of all the phases of governmental life and financial life and certainly not limited as you say in this telegram to being guided by banking interests.

Mr. PATMAN. I think that is the issue. That is my opinion of the issue. Whether we will have a banker study or by the Congress.

Mr. ALLEN. Will you yield, Mr. LATHAM?

Mr. LATHAM. Yes.

Mr. ALLEN. Why didn't you put this telegram in your statement when you put the replies in? Isn't that natural when you receive letters back?

Mr. PATMAN. Let me answer that.

Mr. ALLEN. Isn't that a natural thing to do?

Mr. PATMAN. This is the third mimeographed statement I got up. Every time it looked like I would have less time. The first two I had it in there. I sent over to the office to get copies. I kept trying to reduce it in size.

Mr. ALLEN. When you have 11 pages, isn't it natural when you send out a telegram——

Mr. PATMAN. That's why I put it in the first time. I put it in. But you kept putting me off and putting me off. I had to change it and reduce it in size and I was reducing it in size.

Mr. ALLEN. It was just 7 lines out of 11 pages.

Mr. LATHAM. Do you think that Congress ought to do its constitutional duty to study that thing?

Mr. PATMAN. I certainly do.

Mr. LATHAM. Did you vote for the resolution yesterday passing the buck to the President on the budget?

Mr. PATMAN. That wasn't passing the buck. If he didn't say something in his message about it, I wouldn't have voted for that resolution.

The CHAIRMAN. The resolution yesterday took a full day, so let's not get into that.

Mr. SCOTT. Mr. Chairman?

Mr. PATMAN. I could ask you for the same thing.

The CHAIRMAN. If you get started on that, you will be here all day and I want to go. Mr. SCOTT?

Mr. SCOTT. Mr. PATMAN, your telegram does not state that it is an expression of opinion on your part as you indicated a moment ago. It states, it uses the very ancient technique of "they" or "those" meaning some dangerous or sinister—that you, I don't know why I lost that word—that some sinister element is behind it. This is an ancient technique in Washington. They are those that would destroy your liberty. They would do you harm. You start this telegram off by saying, without identifying and without evidence here which I have heard to support it, that "Those opposing a Congressional study of monetary policy"—may I point out first of all that "those" are not identified; they are made to appear sinister; that the references to a Congressional study of monetary policy, which many economists who may not carefully follow all the proceedings of the Congress and reports in the press would be justified in assuming could also refer to the administration proposal, which is a proposal to include Members of Congress in a study and therefore is in part a Congressional study of monetary policy, and I ask you if the use of the words "Congressional study of monetary policy" and the use of the vague word "those" did not prevent you from securing a fair and adequate reply from these economists?

Mr. PATMAN. I don't think so. If I had sent that telegram to Mr. Sproul, he would have replied "No"; or to Mr. Wilde, he would have said "No"; or Mr. Cravens, he would have said "No."

Mr. SCOTT. Then you knew who not to send the telegram to?

Mr. PATMAN. Some didn't reply. Those who replied preferred a Congressional study. And everybody knows that Congress acts through committees.

Mr. SCOTT. Did anybody, in so many words, ever in any part of his testimony warn that unless Congress was guided by the banking community, using that phrase, that you couldn't get expert assistance?

Mr. PATMAN. Mr. Burgess said that.

Mr. SCOTT. Did he use the phrase "banking community"?

Mr. PATMAN. He went further than that. He reflected on you, Mr. SCOTT.

Mr. SCOTT. Will you show me where he said that?

Mr. PATMAN. He reflected on you and the House of Representatives. He said we just couldn't do the job. We thought we were big enough to do the job.

Mr. SCOTT. He never used the phrase "banking community."

Mr. PATMAN. I am using that as an interpretation of what he is trying to do. I don't think any of us believe anything else.

Mr. SCOTT. If you had said in this telegram, "In my opinion," there are certain people including Mr. Burgess who oppose a Congressional study of monetary policy, what do you think of that, would you have gotten the same telegram?

Mr. PATMAN. I sent the telegram and I had the right to fix it up the way I wanted.

Mr. SCOTT. I agree on the fixing. I have analyzed the replies you received. They made no sense to me until I saw the telegram. There are 25 replies and, even on the basis of a heavily double-barreled loaded wire, you only draw 4 replies which stoutly favor a "Congressional study," even in the broad sense of the term; one specifically states that he favors a coordinate study—incidentally, the only man replying who seems to understand what this is all about. One reserves his opinion as to which course to pursue. And 19 definitely do not comment as to which course is preferable; that is, the administration bill or your committee study.

Mr. BROWN. He should have asked which they wanted.

Mr. SCOTT. That is my point. You should have given them a choice if it was to be an objective report as to whether they preferred the administration proposal or your proposal. But my point is even where you did not give them the choice, even with a loaded telegram, 19 of these 25 economists are too smart to come back and say that they favor what you want in your wire. I will read you the gentlemen who did.

Mr. PATMAN. You have criticized the word "they."

Mr. SCOTT. Yes.

Mr. PATMAN. The newspapers over the country generally refer to "they"—Cravens, Wilde, Sproul, and Burgess—as opposing a Congressional study. "They"—that word is used by the newspapers all over the country. It was well understood when I say "they."

Mr. SCOTT. I don't believe the average busy economist would assume by the word "they" exactly what you assumed by that. Nor would all the people in this room draw that assumption. Out of the 4 people who favor the Congressional study, you have quoted 3 on your first page. They are Galbraith, Heller, Harris, and on the next page, Mr. Miernyk, whereas even Leon Keyserling does not give you an affirmative answer. He simply says he will be glad to help a Congressional study.

Mr. PATMAN. May I invite your attention to one point that is being overlooked in your questioning? I asked them one specific question. Let me read that question.

"Can Congress count on effective nonpartisan assistance such as your own in the event Congressional study goes forward?" That is the question I asked.

Mr. SCOTT. Your question is not quite that. Your question says, "Can Congress count on effective nonpartisan assistance such as your own in event Congressional study goes forward?" Relating then back, however, to the fact that there are some sinister sources who oppose any Congressional study which in turn would indicate that these same people have no confidence in the Members of Congress who would be chosen on the administration proposal.

Mr. Patman. But may I suggest too that Dr. Burgess has said they wouldn't serve and this was to find out if they would serve and every one of them said he would serve or at least said we could get support.

Mr. Scott. Would you be willing to trust your judgment on the opinion of economists here by sending a telegram to all of the economists in all of the colleges of the country, the head economist in each college and university, a simple telegram saying, "Do you favor the administration proposal or the Patman proposal?"

Would you be willing to rely on the judgment that you got back from them?

Mr. Patman. I am not doing that. You can do it if you want to. I am satisfied with the answers I got.

Mr. Scott. One other thing, Mr. Patman, and that is you expressed some concern about the fact that some of the people who were suggested by Mr. Burgess would not be, could not be objective in this committee.

Mr. Patman. I didn't say they couldn't be objective. I said they had a point of view.

Mr. Scott. I said you implied they could not be objective because you said they had a point of view.

Mr. Patman. That doesn't mean they can't be objective. I have a point of view and I can be objective and my record in Congress is convincing that I can be objective and have been objective although I have a point of view.

Mr. Scott. In developing the theory of nonobjectivity——

Mr. Patman. I didn't use that word.

Mr. Scott. In developing the theory of nonobjectivity, you use the words—if you follow me you will notice that as a former professor I try to use very exact language. I said you used the words "clearly Mr. Sproul has preconceived ideas on these subjects." Is it wrong to have a preconceived idea on these subjects?

Mr. Patman. That is not wrong. I am defending that right.

Mr. Scott. Why was it necessary to go into the point of view and preconceived ideas?

Mr. Patman. They were attacking me because I have a point of view.

Mr. Scott. You see no harm in these people serving because they have a point of view.

Mr. Patman. Not on that account.

Mr. Scott. I think that is all.

Mr. Latham. Will the gentleman yield?

Mr. Scott. Yes.

Mr. Latham. I think this is kind of important.

Mr. Patman. Since he brought that out, I must read what I said: "I have a very high regard for their objectivity and expert competence in the field but I would like to point out they definitely have expressed themselves publicly on monetary questions which the monetary commission would consider."

Mr. Scott. Have you not expressed yourself also, Mr. Patman?

Mr. Patman. Certainly I have. I don't know of anybody interested in Government that hasn't expressed himself.

Mr. Scott. If you have a point of view and someone else has a contrary point of view, wouldn't it be advisable to have both of you on a committee so we can hammer out some conclusions on it and have debate?

Mr. Patman. They should not necessarily be on the Commission but they should be heard and considered.

Mr. Scott. Then it would be better to have the people with your point of view on top and the people with the different point of view on tap.

Mr. Patman. I have demonstrated that I can conduct an objective investigation and I prefer that kind of an investigation.

Mr. Latham. You answered a moment ago answer to a question by Mr. Scott that "Those opposing"—those words in the telegram referred to the witnesses who were here, including Sproul, Burgess, and Wilde.

Mr. Patman. Cravens.

Mr. Latham. Yes. You say in the telegram further, "Warning that unless guided by the banking community." Can you point to a statement by any of those witnesses that unless guided by a banking community they would be against this proposal?

Mr. Patman. The President in appointing the Commission will leave monetary matters to Mr. Burgess. That is the reason he is brought down from New York with four other directors of the Federal Reserve bank to have control of monetary policy. You know and I know that the President would appoint whoever Mr. Burgess wanted; that would be a banker-guided group.

Mr. Latham. Wait a minute now.

Mr. Patman. That is my belief. I doubt if you have a different view.

Mr. Latham. I know that is my belief. Can you point to any testimony of any one of those men who warned that unless guided by the banking community they would be against this proposal?

Mr. Patman. Well, Mr. Burgess is, No. 1, a banker community man. He has demonstrated that many times and he told us that we couldn't do the job. The House of Representatives couldn't do the job. We were too small.

Mr. Latham. I know, but you cannot point to any slightest scintilla of evidence in the testimony.

Mr. Patman. That is right there. Mr. Burgess said we want an administration group, an Eisenhower-appointed group.

Mr. Latham. He didn't say that.

Mr. Patman. He testified to it. I will strike out the word "Eisenhower." A group appointed by the President. I know who he would appoint and I doubt if you have any contrary opinion. You know who he would appoint. He would appoint the people that Mr. Burgess wanted appointed.

Mr. Latham. They proposed to appoint somebody, someone from labor.

Mr. Patman. One witness might have said that, but Mr. Burgess didn't say that.

Mr. Latham. That's all, Mr. Chairman.

The Chairman. Thank you, gentlemen. Any further questions?

Mr. Scott. Could I ask one question? I noticed the reference to New York here. Is there anything per se evil in the banking community of New York that leads you to say that?

Mr. Patman. Oh, no. I don't hate New York just because there are a few selfish, greedy fellows up there. You have them in every town in the country.

Mr. Allen. May I ask one question? I can't find it here. When Mr. Multer testified, he said something about the big banks lobbying and gobbling up the little banks. I can't find that in this testimony now, where I asked you those questions but in your statement I don't see it here.

Mr. Multer. Are you referring to my testimony?

Mr. Allen. Yes.

Mr. Multer. It was handed to me this morning and I haven't had a chance to review it.

Mr. Allen. I can't find in this transcript where you said that; I know you said it here.

I know I asked you about that question and requested you, if you would reconsider it. I don't find it in the official transcript where you said that.

Mr. Multer. I have not read the transcript and I have made no changes or corrections in that yet. You and I did have a considerable discussion about the big banks gobbling up the little banks.

Mr. Allen. I have the part where I asked you, but I can't locate your statement. It is in here where I ask you this question, "Don't you want to reconsider about the banks gobbling up the small people," and I had you reconsider it, but in your statement here I can't find where you said that.

Mr. Multer. Somebody has edited what I said, because, Mr. Allen, I did say what you say.

Mr. Allen. I asked you if you didn't want to reconsider it. I can't find where you said it here in this transcript.

Mr. Multer. May I suggest, Mr. Allen, that I have thought about what you and I were discussing. I have no desire to change what I said about the big banks gobbling up the small banks. I think even Attorney General Brownell agrees with me in that statement, if not in that exact language; in substance he agrees with me, so far as lobbying is concerned, may I say the banks have every right to lobby as any other American citizen has and to that extent I think you are right, that has no place in this record.

Mr. Allen. It is out of that unless I can't find it.

Mr. Patman. May I briefly comment on one statement the gentleman from Pennsylvania made, Mr. Scott, and that is that every point of view should be on the Commission and I said, No, they should be heard but they shouldn't necessarily be on the Commission. The reason for that is that Members of Congress bet their political lives every day when they vote on questions.

They have more at stake than anybody else because they have everything, their whole record and their future at stake. They are going to do their very best to arrive at the right decision on these questions. A committee composed of Members of Congress, they have reasons to do exactly the right thing, whereas a commission composed of people outside of Congress who are not elected, they have nothing to lose and this resolution proposing the Presidential study even exempts them from the conflict of interest and from all criminal prosecutions in the event they do not protect the public interest.

So there is a big difference. And a person sitting on that committee who has his political life at stake and who is elected to serve the people and one who is not elected to serve the people and who is exempt from any prosecutions.

Mr. Scott. Would the gentleman permit a comment there? In reference to the fact that we in Congress are always betting our political lives and that we have something to lose if we don't do the right thing, let's look at the other side of the shield. If we are on a Congressional committee, is it not also true that perhaps politically we may have something to gain if we reach certain conclusions?

Mr. Patman. If we do the right thing.

Mr. Scott. According to our views. If we come to certain conclusions, we as Congress also induced by the lure of gain as well as restrained by the threat of loss.

Mr. Patman. By doing the right thing.

Mr. Scott. According to our lights.

Mr. Patman. The only way to remain in politics and stay winning is to do the right thing.

Mr. Colmer. While we are getting into this academic discussion, may I suggest off the record——

(Discussion off the record.)

The Chairman. Is that all, gentlemen? Thank you very much.

Mr. Patman. Thank you, sir.

SUBCOMMITTEE ON GENERAL CREDIT CONTROL AND DEBT MANAGEMENT; JOINT COMMITTEE ON THE ECONOMIC REPORT

(Speech of Hon. Wright Patman, of Texas, in the House of Representatives, Saturday, June 28, 1952)

Mr. Patman. Mr. Speaker, a little over a year ago, Senator O'Mahoney, chairman of the Joint Committee on the Economic Report, appointed a Subcommittee on General Credit Control and Debt Management. I am chairman of this subcommittee; the other members are Mr. BOLLING and Mr. WOLCOTT, of this House, and Senators DOUGLAS and FLANDERS.

As many of you may remember, there was a great deal of criticism of this subcommittee, particularly in the financial press, by persons who were misinformed concerning our intentions. These criticisms had no effect on the members of the subcommittee, as we knew that we had no intention other than to conduct a thorough and objective inquiry, and we had confidence in one another.

In the early summer of 1951 the subcommittee secured the services of Dr. Henry C. Murphy as economist. Dr. Murphy has had a long and distinguished career as a public servant. For 13 years, from 1935 to 1948, he was attached to the Office of the Secretary of the Treasury, after 1939 holding the position as assistant director of research and statistics. Since September 1949 he has been Chief of the Finance Division in the Research Department of the International Monetary Fund, from which position he was borrowed by the subcommittee. For a number of years prior to 1935 he was in private business in Detroit. He holds degrees from several colleges and universities, including a doctor's degree from Brown University. He is the author of a well-known text, "The National Debt in War and Transition." A large part of the credit for organizing and directing this inquiry must be given to Dr. Murphy. His work has been characterized by a high proficiency, forcefulness, and above all fairness. The subcommittee was extremely fortunate to obtain a man of his caliber as directing economist.

In addition to Dr. Murphy, Dr. Grover Ensley, staff director of the Joint Committee on the Economic Report, has been particularly helpful. Indeed the entire staff of the committee should be commended. Without their assistance this inquiry could never have been made.

During the summer and early fall Dr. Murphy prepared a searching series of questions addressed to various classes of respondents, the questions for each being tailored in accordance with their interests and special sources of information. In preparing these questions, Dr. Murphy had the close cooperation of the Federal Reserve System, the Treasury, and many members of the financial and academic communities. The questions were released to the public in the form of a pamphlet published by the subcommittee last October.

The response, both inside and outside the Government, and especially from the Treasury and the Federal Reserve System, was magnificent. The answers of all respondents were published by the subcommittee in February of this year in a two-volume document entitled "Monetary Policy and the Management of the Public Debt; Their Role in Achieving Price Stability and High-Level Employment." This document has been widely acclaimed as the most valuable sourcebook of material on monetary policy and debt management that has been published in many years. Originally issued as a joint committee print, it has since been reprinted as a public document by resolution of the Senate.

The subcommittee held hearings from March 10 through March 31. We heard witnesses representing all phases of opinion, including both public officials and leaders of the financial and academic communities. In the course of these hearings we built up a record which I know will be of use to Congress and its committees and to the public generally for many years to come.

The printed record of the subcommittee's hearings was released to the public recently, and the subcommittee has now prepared and will soon issue its report. I think this time is opportune, therefore, to place in the RECORD some clippings from newspapers, magazines, and financial services and some extracts from comments made by witnesses at the hearings which bear on the significance of the task undertaken by the subcommittee and the way in which it has addressed itself to this task.

This material is as follows:

"[From the Washington Post of March 7, 1952]

"PATMAN TO EVALUATE SNYDER'S DEBT POLICY

"(By J. A. Livingston)

"The hearings scheduled to start on Monday before Representative WRIGHT PATMAN'S Subcommittee on General Credit Control and Debt Management will not lead immediately to new legislation. They're primarily explorative. Yet they have special significance. They will help to determine the place of John W. Snyder among the great, near-great, or not-so-great American Secretaries of the Treasury.

"For this, Snyder has a sympathetic committee chairman. Snyder has favored a low-interest policy to keep down the cost of carrying the Federal debt. And PATMAN, a Democrat from Texas, has long been partial to low interest rates on Government securities.

"Nevertheless, in the questionnaires sent out by PATMAN to the Treasury, the Federal Reserve, the Council of Economic Advisers, and other Government agencies his low-interest bias has been imperceptible. The document is a landmark in monetary history. The replies have been well documented, carefully reasoned, and are unusually complete. Henry C. Murphy, the committee economist, who drafted the questions and 'nursed' the replies, has provided reading matter for monetary experts, college professors, and students for years to come.

"For the first time, Snyder has bared the events, from the Treasury viewpoint, which led up to the accord with the Federal Reserve Board a year ago. He goes into great detail, in 189 pages, to explain the pros and cons of Treasury policy. His answers to a similar questionnaire from a Subcommittee on Money and Credit headed by Senator PAUL H. DOUGLAS in 1949 were brief and took less than 20 pages. DOUGLAS has been an outspoken critic of the Treasury's policy. He objected to the policy of pegging Government bond prices.

"Both the Douglas and Patman subcommittees are divisions of the Joint Committee on the Economic Report, with no power over legislation. Thus, DOUGLAS got nowhere in sponsoring a resolution to protect the Federal Reserve from Treasury domination. Legislation on money and credit originates in the Banking and Currency Committees, headed by Senator Burnet R. Maybank, Democrat, of South Carolina, and Representative BRENT SPENCE, Democrat, of Kentucky.

"One measure of the success of a Secretary of the Treasury is the cost of the debt. And Snyder, throughout his term of office, has tried to keep the cost down. That's why he resisted the efforts of the Federal Reserve Board to reduce supporting prices for Government bonds. If prices of Government bonds drop, interest rates rise.

"There's another measure of a Secretary of the Treasury: Has he kept his financial house in order?

"When Snyder took office, at the end of June 1946, the total debt was $268 billion. Today it is down to $257 billion. But the composition of the debt has changed radically. The amount of nonmarketable United States securities has increased from 30 percent to 45 percent, largely because large investors, such as insurance companies and individuals, have not been attracted to long-term Treasuries at a 2½-percent rate.

"As a consequence, Snyder has used short-term obligations to pay off long-term issues. Thus, half of the marketable issues outstanding today are due or callable in 1 year or less, as against 33 percent when he took office, as the following table shows:

	June 1946	Today
	Percent	*Percent*
Under 1 year	33	50
1 to 5 years	18	20
Over 5 years	49	30

"It won't be easy for Snyder to float large long-term bond issues in the near future, say, for 6 months. Just as such bonds were not easily salable when large investors feared depegging, now long-terms are not readily salable because large investors want the market to be thoroughly tested after the depegging.

"Snyder may have time to rearrange the composition of the debt if the Democrats win the election and he continues in office. But if the Republicans are victorious in November, he will turn over to his successor a big job of housekeeping. The new Secretary of the Treasury will have to refund what Snyder has unfunded.

"Snyder has compromised. To reduce the cost of carrying the debt he has reduced the maturity. The Patman questionnaire and hearings will help to determine the economic wisdom of that compromise. But time also will be necessary to fix Snyder's place in history: Will the 2½-percent long-term rate be ultimately validated by the market?"

"[From the Washington Post of March 13 1952]

"PATMAN IN THE CHAIR

"Only in one country, so far as we know, is credit policy debated on the front page, and that is Sweden. In this the Swedes have a true sense of values. For the management of the supply of bank credit (which is by far the bulk of the money in circulation) has, obviously, all-important repercussions on the people's livelihood. Here, however, the subjects gets attention mainly on the financial pages—though the flare-up a year ago between the Federal Reserve System and the Treasury, both of which have credit-creating powers, became public property. The flareup occurred when the Federal Reserve wanted to tighten credit availablity and the Treasury to keep it easy. The quarrel was composed by an accord last March 5 which went some way in meeting the Federal Reserve point of view.

"Now the subject has been reopened in an investigation by a five-man subcommittee of the Joint Committee on the Economic Report under Representative WRIGHT PATMAN. Nearly a year ago, Mr. PATMAN announced the investigation. In the meantime he has been assailed as a money crank and an easy-money addict who would not listen to reason and who wanted to rub out the independence of the Federal Reserve System. Exactly the contrary has proved to be the case. No chairman could be more judicial-minded, none more willing to allow the arguments pro and con to be heard. Indeed, yesterday he acknowledged the enlightenment that had been forthcoming in the colloquies between Senator DOUGLAS and Federal Reserve and Government witnesses, particularly Leon Keyserling.

"*The investigation arm at its best*

"Senator DOUGLAS wants to turn the accord of last March into a statutory enactment, and to strengthen it in behalf of Federal Reserve independence. He wants the Federal Reserve authorized to assume primary responsibility for regulating the supply and cost of credit. Thus the Treasury would have to play second fiddle in this respect to the

Federal Reserve. When these proposals were made, this newspaper felt they were inadvisable. We still think they are. At the same time we welcome the thorough airing which the problem is getting. Senator DOUGLAS has an acute and highly informed mind on this as on a score of other problems of government, and the rubbing of it against the minds of the money experts in Federal Reserve and Government service is producing testimony of the utmost value in forming opinion and policy. Here is the investigation arm at its best."

"[From the New York Herald Tribune of February 29, 1952]

"MONETARY POLICY BATTLE IS SPARKED BY UNITED STATES POLL—TOP FEDERAL, PRIVATE EXPERTS ROLL OUT GUNS

"(By Edwin L. Dale, Jr.)

"WASHINGTON, February 28.—The Treasury, the Federal Reserve Board, and Reserve bank presidents, President Truman's Council of Economic Advisers, and several hundred private experts rolled out their heavy artillery today to fight the battle of monetary policy—the question of the effectiveness, desirability, and safety of a general tightening of credit and rise in interest rates to prevent inflation.

"At the end of 1,302 pages, the field was strewn with wounded arguments and, despite agreement on many points and a willingness to cooperate, the issue was still very much in question.

"The battle of words was fought in the form of detailed and lengthy replies to a questionnaire sent out last fall by a subcommittee of the Congressional Joint Economic Committee, headed by Representative WRIGHT PATMAN, Democrat, of Texas. The replies made public today covered a wide range of subjects, but by far the greatest space was devoted to monetary policy. The answers are believed to be the most complete review of the subject in a generation or more.

"The official and unofficial experts disagreed on:

"1. What is likely to happen after the Reserve Board clamps down on credit and the creation of deposit money by squeezing bank reserves.

"2. The effect of a credit tightening move on Treasury borrowing and the public debt.

"3. The meaning of what actually happened in this field between the end of World War II and the present.

"All agree on inflation peril

"And they implied disagreement on what ought to be done in the near future, when inflationary forces (they all agreed) will be present and the Treasury will have to borrow up to $10 billion in the market.

"Ranged on one side was the Federal Reserve, whose hardest hitting arguments were presented not by the Board itself but in the joint replies of the presidents of the 12 Federal Reserve banks. The Federal Reserve believes strongly in monetary policy and, while accepting other responsibilities such as assisting in Treasury financing, has few doubts that credit tightening is a good instrument in almost any inflationary circumstance.

"On the other side was the Treasury, whose views were presented by Secretary John W. Snyder. Mr. Snyder accepted the proposition than expansion of the money supply is undesirable in inflationary conditions, but his argument left little doubt that he believes monetary policy is overrated in its effectiveness and must be used with caution.

"In the middle, but leaning toward the Treasury viewpoint, was the Council of Economic Advisers. One member of the Council, John D. Clark, didn't participate.

"Four hundred private experts reply

"And up and down the spectrum of opinion were the 400 private economists, bankers, insurance company executives, and Government security dealers who answered the questionnaire. The published replies revealed that frequently 2 experts in the same specialty were 180° apart in their judgment of a detail of policy or of its entirety.

"The disagreement in theory and practice extended down, in some instances, to the most minute detail. For example:

"The Treasury and CEA contended that the effectiveness of monetary policy in curbing expansion of bank loans (and thus the money supply) is limited by the fact that banks, in the present period of a huge public debt, can always replenish their funds by allowing maturing short-term Treasury securities to 'run off'—that is, accept cash for them.

"The Reserve bank presidents called this an 'apparent, but not an actual, loophole' and said the device is possible for an individual bank but not all lenders unless the 'System purchases enough of the refunding issues to supply the Treasury with the cash to pay off holders of maturing securities.'

"The disagreements between the Federal Reserve and Treasury began soon after the war, the compendium reveals. In their discussions of such an issue as removal of the 'preferential discount rate' in 1945, the answers show, in Mr. Snyder's words, this difference of emphasis:

" 'The most important economic question that confronted the country (we felt) as the war ended was how to expedite the reconversion process and maintain a high level of employment and production * * *. The Federal Reserve expressed concern mainly about the inflationary aspects of the reconversion period.'

"Disagreement after Korea

"But the real disagreement, and the striking difference of analysis in what happened, came after Korea. Mr. Snyder described a Treasury refunding operation announced on August 18, 'identical with the terms of the issues offered in connection with the last previous refunding operation—the refunding of the issues which had matured on June 1 and July 1.'

"The Reserve, he said, promptly took action to raise the rediscount rate, allowed short-term rates on Government securities to fall, and the result 'was a significant financing failure for the Federal Government.' A side result, he said, were forced purchases of securities by the Reserve with a net inflationary, not deflationary, effect. A comparable situation, he added, developed in November.

"The Reserve saw the same events entirely differently. Mr. Snyder's offering, according to the bank presidents, was 'unfortunate' in having the same terms as a pre-Korea issue. The System's 'only course' was to try to restrain credit expansion by allowing a falling off in the short-term market while still offering to buy the Treasury's maturing issues.

"The Reserve Board's chief concern before the 'accord' of last March was the unloading of Government bonds by institutional investors through sales to the 'Reserve in a pegged market, with consequent expansion of bank reserves.'

"Snyder ignores point

"Mr. Snyder did not even mention the point, merely pointing out, acidly, that 'the net result of Federal Reserve open market operations from August 21, 1950, through the end of the year was an increase in the System's open market account of over $2,500,000,000.' This, he said, 'was debt monetization'—just what the Reserve was trying to prevent.

"In three different places the Reserve Board's reply indicates that its monetary operations, particularly after the 'accord,' were a major factor in the halt in inflationary pressures in the last 9 months of last year. Mr. Snyder scarcely touches on the subject. The Council of Economic Advisers gives other factors far more credit.

"The basic disagreement over policy, to be described tomorrow, is summed up this way.

"Council of Economic Advisers: 'Restraint in the management of open market policy (the chief instrument of monetary policy, as all sides agree) will probably become more important during the next stage of the mobilization period.'

"Reserve bank president: 'We believe that in an inflationary period general credit and monetary policies should be directed toward restraining inflationary pressures, whether or not the Treasury is expected to have to carry out large borrowing or refunding operations in the foreseeable future."

"[From the New York Herald Tribune of March 16, 1952]

"PATMAN PROBE NO HEADLINER, BUT IT'S VITAL—GROUP WELL POSTED ON TOUGH MONETARY ISSUES

"(By Edwin L. Dale, Jr.)

"WASHINGTON, March 15.—In a week that saw Congressional committees investigating such matters as the Institute of Pacific Relations and ship transactions get into table-pounding, angry denunciation of witnesses (and vice versa), another committee—with far fewer potentialities for headlines—was quietly and calmly inquiring this week into a matter of ultimately far greater importance.

"The five members of the Subcommittee on Monetary and Debt Management Problems of the Joint Committee on the Economic Report, headed by Representative WRIGHT PATMAN, Democrat, of Texas, wanted to know how to stop the seemingly continuing decline in the value of the dollar. They wanted to know how much the support operations of the Federal Reserve System in the Government security market after Korea contributed to the inflation of that time.

"They wanted to know about the Government debt, and the creation of bank reserves, and the money supply and equally arcane matters. And what's more, they did not come into the matter cold; they had done some homework, and they moved around familiarly in the difficult field.

"On a high plane

"What's more, individual members often disagreed sharply with the viewpoints expressed by the witnesses present; but, except for some vitriol in the exchanges between Senator PAUL H. DOUGLAS, Democrat, of Illinois, and Secretary of the Treasury John W. Snyder, the week's hearings were conducted entirely on a plane of high debate and never of political or emotional argument.

"Perhaps typical of the atmosphere was the phrase used by Senator DOUGLAS after a long, intense colloquy with Chairman Leon H. Keyserling, of the President's Council of Economic Advisers. The two had disagreed right down the line, after a great deal of preliminary sparring to get their respective viewpoints clearly stated.

"Senator DOUGLAS, without a note of criticism or sarcasm, finally remarked: 'The issue is clearly joined.'

"Chairman PATMAN, who is viewed with alarm by defenders of the Federal Reserve System, conducted the hearings with studied impartiality. His own questions indicated he still has many of the ideas that his critics worry about, but there was—this week at least—no effort to do more than get a little further elaboration of those ideas from the witnesses.

"Got little encouragement

"Significantly, he got little encouragement on any of them, even from witnesses who might be expected to share his viewpoint on many phases of the monetary problem.

"The other members of the committee are Representative Jesse P. Wolcott, Republican, Michigan, generally regarded as a sort of senior spokesman of conservative Republicans on economic matters in the House; Senator **Ralph Flanders**, Republican, Vermont, the slow-speaking, bushy-mustached businessman from New England, whose questions are often sparkled with dry wit and were invariably brief and penetrating, and Representative **Richard Bolling**, Democrat, Missouri, the 'youngster' on the committee and clearly a 'liberal,' who admits, 'I am there to learn,' but whose careful queries impressed many observers with how quickly the learning process has taken place.

"One of the surprises of the hearings was the number of spectators. Day after day their number approached or passed the 100 mark, though far more exciting things were going on on Capitol Hill. It's a fairly safe bet that few of them were disappointed at the performance—despite the lack of fireworks."

"[From the Wall Street Journal of February 29, 1952]

"FISCAL FORUM—PATMAN MAKES PUBLIC THE ANSWERS TO QUESTIONS ON MONETARY POLICY

"(By George E. Cruikshank)

"Washington. — Representative **Patman**, Democrat, of Texas, made public what the Nation's leading economic and fiscal experts—both in and out of Government—think of this country's monetary policies and the management of the public debt.

"The information comes in the form of answers to a questionnaire sent out by Mr. **Patman** last fall. He heads a committee which is investigating the Government's postwar monetary policies. On one important point—Federal Reserve Board support of the Government bond market—some observers here think the answers show that the Reserve Board and the Treasury have finally buried the hatchet and agreed that there should be limited support of Government bonds. Other observers think the answers leave the feud essentially where it was, with the Treasury still hankering for stronger Federal Reserve support of the bonds.

"Hearings start March 10

"The answers to Mr. **Patman**'s questions fill 2 volumes and cover some 1,300 pages. They will serve as a basis for hearings which are scheduled to begin on March 10. Any doubts as to the proper interpretation of the answers are expected to be dispelled at those hearings when the individuals come up for direct questioning by the committee members.

"Secretary Snyder's answers to the questions dwelled at length on the market for Government securities. Time and again, the Secretary cited the need for a sound market for Government securities, but he made it clear that rigidly fixed prices were neither necessary nor desirable.

"At another point he emphasized: 'I consider the term "stable market" as we think of it in the Treasury as a market in which prices and yields fluctuate within a moderate range over a considerable period, but without exhibiting any pronounced upward or downward trend.

"'I do not consider it to mean a pegged market in which fluctuations are prevented by means of fairly rigid support operations on the part of the Federal Reserve.'

"Prior to the Secretary's statement, it was widely held that the Treasury wanted the Federal Reserve to support Government bond prices at par or above by buying the securities whenever they were offered for sale. Mr. Snyder, in coming out for a stable market, did not say whether the Federal Reserve should keep the security market stable at prices above or below par. This was taken by some to mean that the Reserve System's new policy has been accepted by the Treasury. Other observers noted, however, that Mr. Snyder urged the postwar period as an example of stability, and that is precisely the time during which all the feuding has been going on.

"Answers from CEA

"Those who thought the Secretary's statements showed administration acceptance of the Reserve Board's policy of limited support for Government bonds, got further encouragement from the answers sent in by the President's Council of Economic Advisers.

"The Council, too, came out for a stable market for Government bonds and opposed a rigid pegged market. However, the Council's answers were submitted by only 2 of the 3-man body. Leon Keyserling and Roy Blough submitted answers to the Patman questionnaires, while John Clark—the third member—did not contribute. This was taken to mean by some that Mr. Clark did not agree with his colleagues on limited bond support.

"Another hot issue—White House control of the Federal Reserve Board—received considerable attention by the Treasury, the FRB, and the CEA in their answers.

"Representative **Patman**, a known advocate of putting the Reserve Board under the thumb of the Chief Executive, will get no support from the Board and, apparently, no direct support from the Treasury or the CEA.

"In answer to question 9—What provision, if any, is there for resolving policy conflicts between the Treasury (or other agencies of the executive branch) and the Federal Reserve System? Do you believe that this power should lie with the President (or already does under the Constitution)?—Secretary Snyder replied:

"'There is no doubt that the Federal Reserve System could conceivably impede, if not actually obstruct, Government policies which the President has announced and, indeed, on which he may have been actually elected or reelected to office. The President has complete power over the Secretary of the Treasury. He has no such powers over the members of the Board of Governors. Hence, since the President does not have the power of removal, it would appear to me that he is without power effectively to direct.

"'I do not recommend that it be changed.'

"No authority to solve conflicts

"Secretary Snyder, later on in his answer to the same question, said the biggest disvantage to the present arrangement was that no specific authority existed to resolve any 'irreconcilable' conflicts between the President and Treasury and the Federal Reserve.

"He listed the present methods for ironing out policy conflicts as: The give and take resulting from discussion around the conference table; the force of public opinion; Congressional action.

"'I do not suggest that the President should be given any powers which he does not now have to resolve such disputes,' the Secretary emphasized.

"Secretary Snyder urged the creation of a small consultative and discussion group within the Government to consist of the Secretary of the Treasury, the Chairman of the Federal Reserve Board, the Director of the Budget, the chairman of the Council of Economic Advisers and the Chairman of the Securities and Exchange Commission. This group would act as a top advisory group to the President on broad questions of monetary and fiscal policy. It would meet with the President for informal discussions as often as desired.

"'In other words' the Secretary replied, 'I recommend to the committee no drastic changes in order to resolve disputes.'

"Federal Reserve Board Chairman William McChesney Martin's answers to the Patman question about executive control over the Federal Reserve proved no surprise. A stanch advocate of an independent board, Mr. Martin answered:

"'It is essential to the effective performance of the system's unique function that the independence of the judgment reposed by Congress in the board and the open market committee be preserved'."

"[From the Wall Street Journal of March 3, 1952]

"SNYDER TO LEAD OFF HEARINGS ON POSTWAR UNITED STATES MONETARY POLICIES—PATMAN GROUP INQUIRY TO BEGIN NEXT MONDAY; AT LEAST 26 WITNESSES SCHEDULED TO TESTIFY

"Washington.—Treasury Secretary John Snyder will be lead-off witness in the long-planned Congressional hearings on the Nation's postwar monetary policies.

"Representative **Wright Patman**, Democrat, of Texas, chairman of a subcommittee of the Joint Committee on the Economic Report, said his group would hear from at least 26 witnesses during the course of its investigation which is scheduled to begin March 10.

"The committee will delve into recent developments and appropriate future policy in the fields of money, banking and credit, management of the Nation's public debt, and the adequacy of the country's banking system to serve the needs of depositors and borrowers.

"William McChesney Martin, Jr., Chairman of the Federal Reserve Board, is slated to appear March 11. Leon Keyserling and Roy Blough, of the President's Council of Economic Advisers, testify the following day.

"A. L. M. Wiggins, chairman of the Atlantic Coast Line Railroad Co. and former Under Secretary of the Treasury, is scheduled to come before the committee on Friday, March 14, along with Preston Delano, Comptroller of the Currency.

"Late last week the Patman subcommittee released a 1,300-page compendium of material on monetary policy and management of the public debt. The information was in the form of answers to questionnaires sent to more than 1,000 financial experts in and out of Government. Those answers will serve as a basis for the hearings."

"[From the New York Journal of Commerce of February 29, 1952]

"SNYDER, RESERVE STILL SPLIT ON CREDIT POLICY—REPLIES TO JOINT CONGRESS UNIT REVEAL BASIC DIFFERENCES—TREASURY HEAD IS DISTRUSTFUL OF TRADITIONAL RESTRAINT MOVES BACKED BY MARTIN

"(By Joseph R. Slevin)

"Washington, February 28.—The Treasury and the Federal Reserve Board, which reconciled their immediate differences over fiscal and monetary policy in a full accord early last March, still hold widely divergent views on how they can best work for a stable economy now and under various hypothetical conditions in the future.

"The Federal Reserve Board believes now as it did last March that substantial reliance should be placed on the traditional methods of achieving general credit restraint through open-market operations, rediscounting, and manipulating reserve requirements.

"Snyder is cautious

"Secretary of the Treasury John Snyder still distrusts these techniques and is opposed to anything more than an ultracautious use of them, because he fears that general restraints might upset the Government bond market and make it difficult, if not impossible, for him to carry out Government financing operations.

"These conclusions emerge from the replies that Snyder and Federal Reserve Board Chairman William McC. Martin, Jr., have submitted in answer to questions from the subcommittee on general credit control and debt management of the Congressional Joint Economic Committee.

"The Congressional group published the Snyder and Martin answers in a 1,302-page compendium today, along with responses from the Federal Reserve bank presidents, Council of Economic Advisers, three other Federal agencies, State bank supervisors, bank and life insurance company executives, economists, and Government bond dealers.

"The subcommittee, under the chairmanship of Representative **WRIGHT PATMAN**, Democrat, of Texas, is investigating fiscal and monetary policies and relationships between the Reserve System and the Treasury. It plans to hold public hearings beginning Monday, March 10.

"Two types of questions

"Declaring that the subject matter before the group is immense, Mr. **PATMAN** said in a foreword to the compendium that two types of questions stand out as focal points of the committee's investigations. He named these as (1) the proper machinery for the formulation of monetary policy and (2) the proper content of monetary policy.

"The compendium is notable for the comprehensive nature of the answers it contains and for the manner in which it has succeeded in airing the varying Federal Reserve and Treasury views. Mr. **PATMAN** characterized the volumes as by far the best sourcebook of materials on general credit control and debt management which has been assembled in our generation.

"Mr. Snyder's and Mr. Martin's answers demonstrate that the Treasury and the Federal Reserve achieved a modus vivendi last March but did not reach philosophical agreement on the monetary and fiscal policies that should be employed to stem inflation.

"At the same time, their responses strongly suggest that a complete philosophical reconciliation of the theories of the two agencies is not likely and that no more be anticipated than the negotiation of effective working agreements to deal with specific situations.

"Have different goals

"This is so because the Treasury, on the one hand, appears to be primarily concerned that monetary restraints be used in such a way that its financing activities can be successfully carried out in a Government bond market that is permitted only modest fluctuations.

"The Federal Reserve, on the other hand, has monetary restraint as its primary objective and apparently believes that Treasury financing should be subordinated to economic stability and effected in a market that is attuned to the requirements of the national economy rather than to those of Treasury Department management officials.

"These divergent theories resulted in a violent disagreement between the two agencies that was reconciled—in the Federal Reserve's favor—in the accord of last March.

"The accord covered a number of points. Its chief consequence, however, was that it freed the Federal Reserve from its obligation to support the long-term Government bond market.

"The Federal Reserve had supported the long-term market since early in World War II. This policy had resulted in its pouring large quantities of cash into the spending stream as it sought to prevent a decline in the prices of Governments by buying bonds from banks and insurance companies which were making investments elsewhere.

"Continued after Korea

"This policy was continued in the months after Korea because Secretary Snyder, faced with enormous rearmament financing problems, wanted the assurance of a stable bond market. In January of 1951 Snyder publicly announced that Treasury financing would be carried out within the 2½-percent long-term rate pattern that the Reserve had been maintaining.

"However, in February the Reserve advised Snyder that it could no longer go along with this policy. Then, on March 8, the accord was negotiated.

"Government bonds have since fallen bedow par, and the going market rate now is in the neighborhood of 2.7.

"Credit seen tightened

"Mr. Martin's answers make it clear that the Board believes this action helped last spring to break the inflationary spiral. The Chairman contends that letting the prices of Governments fall tightens credit for a number of reasons, chief among them being the reluctance of institutional investors to sell their securities at a loss.

"The sharpest cleavage between Secretary Snyder and Mr. Martin appears in their discussions of the effectiveness of open-market operations and the Federal Reserve bank discount rate. The Board's position is that open-market operations not only can directly restrain credit expansion by making investors reluctant to dispose of their Governments but also make the discount rate effective, since investors will seek to obtain their commercial paper at the Reserve banks once the selling of Governments has been made less attractive.

"Secretary Snyder contends that changes in the structure of commercial bank portfolios makes these traditional monetary contol weapons much less effective than they once were. Pointing out that banks now hold much larger proportions of Government securities than they did 20 or 40 years ago, he maintains that Federal Reserve efforts at credit restraint are 'more likely' to result in banks attempting to liquidate their Governments than in their curtailing their loan expansion.

"Fears bond dumping

"At the same time, Secretary Snyder expressed grave concern that falling prices of Governments might result in nonbank investors, such as insurance companies, dumping their holdings. He emphasizes that 'no precise forecast' can be made of the probable results of general credit restraint on bank and nonbank holders.

"'The impossibility under present conditions of measuring in advance the effects of a general restrictive credit policy,' he says, 'means that sudden and severe declines in the market prices of Government securities may be produced by what was intended to be a moderate degree of credit restriction. This provides a strong reason for caution.

"'Sudden and severe declines in the market prices of Government securities,' he continues, 'might be shocking to public confidence. They might be embarrassing to many financial institutions owning large portfolios of Government and other high-grade securities, particularly those with small amounts of stockholder capital relative to their total assets.

"'Such declines,' the Secretary stresses, 'would complicate the Treasury's financing problems.'

"Backs orderly markets

"Against this view, Mr. Martin says, in his only direct discussion of market stability, that the Reserve System believes in 'orderly markets.' He defines these as markets that are not subject to erratic movements but that 'do not preclude broad movements that reflect changes in basic underlying forces.'

"Mr. Martin says, referring pointedly to Secretary Snyder's reluctance to see the interest rate rise that 'if Government securit'es are available on terms that make them attractive to the market, they will not require open-market operations in a volume that would be in conflict with the credit and monetary objectives appropriate to the period.'

"As for Secretary Snyder's fear that investors will sell their Governments and get all the cash they need if prices go down, Mr. Martin argues at length that: (1) If the Federal Reserve does not buy them there will be no increase in inflationary bank reserves; (2) as prices go down the yields will make the securities more attractive to investors; (3) banks will become increasingly reluctant to sell and take losses as prices go down, and (4) bank sales and bank redemptions of maturing issues will be limited by the need of banks to maintain the liquidity of their portfolios.

"A similar psychology, Mr. Martin says, governs life-insurance firms and mutual savings banks."

"[From the New York Evening Post of October 17, 1951]

"POWER-POLICY FIGHT

"(By Sylvia F. Porter)

"The power-policy conflict which has smoldered between our National Treasury and our central bank for almost 39 years is breaking into the open again.

"This week, a Congressional subcommittee, headed by Representative **WRIGHT PATMAN**, Democrat, of Texas, is quietly launching an intensive probe into the operations of these two fiscal giants of America—to determine what and how close should be their relationship, who should settle their feuds when they explode, whether in this critical era it is possible to have an independent central bank or whether you and I must take the risks inherent in giving our President more authority over our banking system.

"This has been the key fiscal debate of our century—the relationship between our Treasury and Federal Reserve System.

"For Congress has given to the Federal Reserve System (our central bank) the authority to smooth out economic peaks and panics through regulating the supply of money and credit in our land.

"When the Reserve clamps down on our supply of money and credit—as it did last spring, for instance—it can seriously hurt you, as a businessman or builder, home buyer or user of installment credit. Yet when it clamps down, it is fighting inflation at its source.

"At the same time, Congress has given to the Treasury the authority to manage the public debt. The Treasury now has a $255 billion debt to manage; it has to borrow billions every few weeks; it has to have a receptive market when it borrows. It can be as badly hurt by a Reserve move to tighten credit as you or I can be.

"When the Reserve tightened the money screws last spring, the Treasury was put on a spot; it was forced to pay much more interest on its loans, to add to the already staggering cost of our debt.

"It's a constant dilemma, a basic conflict. Those who want to give more power to the Treasury fear that the Reserve, in its zeal to curb inflation, could really send us spinning from boom to bust.

"Those who want to maintain a truly independent central bank fear that the Treasury, in its zeal to manage the debt, could really send us into an even more dangerous inflation. And they warn that all nations going socialistic have first taken over their banking systems and they point to the lesson of England.

"This is a measure of the issues at stake in this probe. They make most other investigations seem superficial in the extreme.

"The conflict crashed the front pages last spring—but after a few awful weeks, the Reserve won and major credit-tightening steps were taken. Then Reserve Board Chairman McCabe resigned; William McChesney Martin moved over from a Treasury under secretaryship to chairmanship of the Reserve Board; Snyder and Martin were and are friends; the general outside belief was that all was serene.

"But not so. This fight goes far beyond personalities. So now PATMAN is reviving the debate, is sending tough, detailed questionnaires to Martin, to Snyder, to the presidents of the 12 Reserve banks, to the 48 State banking supervisors, to key bankers, etc.

"The answers to the questionnaires should be back by the year end. Public hearings are scheduled for early 1952. This story will be front-page news again in a couple of months.

"And the debate is more significant than ever. More significant even than in 1913 when our Federal Reserve System was created. More significant even than in 1935 when that System was overhauled to meet the banking crises of the depression thirties.

"For how this conflict finally is resolved will have a direct impact on the life of every American. It is no exaggeration to say it actually could help decide the ultimate economic fate, the financial strength of America itself."

"[From the Philadelphia Inquirer of February 29, 1952]

"MONETARY ISSUES AIRED BY OFFICIALS

"WASHINGTON, February 28.—Secretary of the Treasury John W. Snyder called for a new top-level council of Government officials to nip in the bud conflicts between Federal agencies over key monetary issues.

"Chairman William M. Martin of the Federal Reserve Board indicated he would go along with such a proposal.

"Their views were expressed in answer to a long list of questions on how best to promote national welfare through monetary and credit policies and avoid the booms and busts that have marked America's economy in the past.

"Replies released

"The questions were submitted to Government officials and more than 1,000 private bankers, brokers, and businessmen by a joint Congressional subcommittee on monetary policy.

"More than 400 replies, covering 1,300 printed pages, were released today. Representative WRIGHT PATMAN, Democrat, of Texas, subcommittee chairman, said they made up the best symposium on such issues in our generation.

"The subcommittee will start hearings on the issues March 10.

"In the background was a sharp dispute over basic policy between the Treasury and Federal Reserve Board which stirred financial circles last year.

"Accord reached

"The question was whether the Reserve Board should go on supporting the prices of Government securities, thereby keeping interest rates low. The controversy ended in an accord under which the Board buys only enough securities to keep an orderly market. It has let interest rates rise and prices on Government bonds fall.

"This raises the cost of carrying the huge national debt, but the Board contends it saves the Government money in the long run by curbing inflation.

"The conflict brought demands from some legislators that the Reserve Board be put under control of the White House, which already directly controls the Treasury.

"Change opposed

"Both Snyder and Martin agreed today that under present laws the Reserve Board is independent of the President. In fact, Snyder noted, it is possible that the Board could impede, if not actually obstruct, policies proclaimed by the President.

"But they both opposed changing this setup. They emphasized that the Treasury and Reserve Board have now reached an accord which is working well."

"[From the Dallas News of March 23, 1952]

"OPINIONS VARY ON HOW TO STOP BIG DEPRESSION

"WASHINGTON, March 22.—Two weeks of Congressional digging into Federal monetary policy and how best to steer clear of inflation or depression have made it clear the Nation's top experts are sharply divided on many broad, basic, and vital issues.

"A Senate-House subcommittee so far has heard from 19 Government officials, private economists, and university professors. More than a dozen others will be heard in 10 days to 2 weeks more of hearings.

"All of the witnesses thus far have agreed that monetary policy—the Government's program for regulating the supply of money—can be one of the keys to preventing or softening the booms and busts that have pockmarked America's economy in the past.

"But beyond that the authorities have split. Representative PATMAN, Democrat, of Texas, subcommittee chairman, told a reporter today the lawmakers will wait until all views are in and then consider specific recommendations.

"There is growing talk of a possible resolution expressing the views of Congress on issues which at times have brought conflict between the Government's chief financial agencies—the Treasury and the Federal Reserve System.

"One issue is whether the Federal Reserve System should keep its independent position as 'the Supreme Court of Finance,' as some witnesses called it.

"In tightening the money supply to restrain inflation, the Federal Reserve Board tends to make it harder—and more costly—for the Government to borrow money. This has brought the Board into conflict with the White House and the Treasury in the past, although the agencies are working harmoniously on the surface right now."

"[From the Odessa (Tex.) American of March 23, 1952]

"CONGRESSMEN OPEN DEBATE ON MONDAY

"WASHINGTON.—Congressmen puzzling over the basic monetary policy of the United States enter the open-debate phase of their study Monday.

"In the past 2 weeks the Patman subcommittee of the Senate-House Economic Committee has quizzed 19 Government and private experts about Government borrowing, management of the $259 billion national debt, and control of the Nation's supply of money.

"For the coming week Subcommittee Chairman WRIGHT PATMAN, Democrat, of Texas, has planned 4 free-for-all roundtable debates by a new set of 22 keymen from the United States economic world.

"By June PATMAN's five-man subcommittee hopes to piece together a complete analysis of monetary policy and debt management. It is expected to couple this with a set of recommendations for change, or no change, in the present situation.

"Three central questions confront the investigators:

"How important is it to the economy as a whole that the Government have a certain monetary policy?

"What is the present policy and is it correct?

"Who should direct it—the White House, the Treasury, the Federal Reserve System, or all three?

"Witnesses' opinions have split 50–50 on all three problems, and PATMAN refused Saturday to predict his group's final conclusions.

"The Patman inquiry was inspired by a policy 'accord' reached by the Treasury and the Federal Reserve Board of Governors just 1 year ago, after months of wrangling over who did what to the Government bond market.

"Government borrowing is done by selling bonds and other Government securities. The Reserve had a policy of buying these securities on the open market when public demand was low in order to keep their prices at par or higher. The accord recognized the abandonment of that policy, and since then prices of Government securities have fallen.

"For example, 2¼-percent bonds maturing in 1962 sold at 100.20 before the accord and now are 97.28."

"[From the American Banker (the only daily banking newspaper) of February 29, 1952]

"PATMAN REPORT REVEALS SNYDER BACKING FEDERAL RESERVE BOARD INDEPENDENCE

"WASHINGTON, February 28.—The much-discussed report of the special subcommittee of the Joint Economic Committee of Congress, under the chairmanship of Representative WRIGHT PATMAN, of Texas, was made public today. One volume of the two-volume report comprised the views of the Secretary of the Treasury on problems of debt management, monetary policy, and credit, and those of the Chairman of the Federal Reserve Board on these and related topics.

"Of significance is the fact that the report reveals the Secretary of the Treasury recommending against any change in the independent status of the Federal Reserve Board.

"As was expected, the history of the recent 'accord' over debt management was featured especially in the replies to questions formally asked of the Secretary of the Treasury. The Chairman of the Federal Reserve Board devoted relatively less space to the subject.

"As has been frequently recorded in the American Banker, despite other news reports, no important differences now exist between the two agencies.

"Important in the questions and their replies is the underlying thesis of Representative PATMAN, namely, the advisability of the executive branch of the Government exercising greater control over the 'independent' Federal Reserve System.

"In the formal replies from the Secretary of the Treasury and the Federal Reserve no support is found for greater Presidential control over the Federal Reserve.

"The latter, however, admits that it is now regularly clearing major communications to Congress and plans for requesting new legislation through the Bureau of the Budget. The Bureau is, in effect, a part of the White House. It operates directly under the direction of the President.

"Secretary of the Treasury John W. Snyder pointed out that the President cannot, even if he wished, remove a Reserve Board Governor.

" 'Since the President does not have the power of removal, it would appear to me,' he says, 'that he is without power effectively to direct the Board.'

"As to a change, the Secretary added: 'Whether or not this situation should be changed is a matter for the Congress to decide. I do not recommend that it be changed.'

"Suggests discussion group

"In a discussion of the differences that grew over debt-management policy between the Federal Reserve under the chairmanship, first of Marriner S. Eccles and then under Thomas B. McCabe, the Secretary saw nothing wrong in efforts of the President to seek to have the differences composed by discussions around a table.

"Mr. Snyder suggested 'the creation of a small consultation and discussion group' be set up within the Government. This would be composed of the Chairman of the Reserve Board, the Secretary of the Treasury, the Director of the Budget, the Chairman of the

Council of Economic Advisers, and the Chairman of the Securities and Exchange Commission.

" 'I would have this group meet informally but regularly and frequently for the purpose of discussing domestic monetary and fiscal matters with each other,' he said.

"He would have this group call in heads of the lending agencies, when matters relating to their activities were under discussion.

"Secretary Snyder said the proposal was an adaptation of one of the reports of the Hoover Commission designed to coordinate financial operations of the Government.

"What it would do

"The Secretary believed that such a group would serve two major purposes:

"1. 'By regular and periodic meeting and discussion * * * differences of opinion will become less likely to develop. It is so much easier to settle any prospective differences of opinion around a table before they become fixed in mind or before they have been publicly announced.

"2. 'The group would act as a top-level advisory group to the President on broad questions of monetary and fiscal policy. It could meet with him for informal discussions, and could report to him preferably on an informal and confidential basis as often as desired.'

"The Secretary added after making the proposal:

" 'As you see, I recommend no drastic changes in order to resolve disputes. I think that they will be resolved as most disputes are if discussion and negotiation are encouraged and facilitated.'

"That there was a sharp division of methods and means for meeting economic changes occasioned just prior to and immediately following the affair in Korea, is detailed in the Treasury's reply to the Patman committee.

"Difference in methods

"In perspective as afforded in the replies of both Secretary Snyder and Chairman Martin, the differences lay largely in methods of achieving a common objective. Chairman Martin appraised the differences:

" 'The differences that arose reflected differences in judgment as to evaluation of the two objectives and as to the effectiveness and consequences of measures that might be taken.'

"There is no doubt, however, that before the publicized 'accord' was reached, the Treasury had difficulties. Secretary Snyder indicated considerable concern as a result of the Korean war. He sought to avoid sharp fluctuations in Government securities.

"He said he found that, despite all arguments, the Federal Reserve 'wanted to raise short-term interest rates.' The Treasury had earlier gone along. However, at that time, the Secretary feared more world involvement than he did inflation. He said he was not unaware of the latter for he had asked Congress for sharply higher taxes.

"The Federal Reserve, however, was placing great reliance on 'traditional measures of general credit restraint which involved a declining securities market and increases in interest rates. It was in this specific area that disagreements between the Treasury and the Federal Reserve arose.'

" 'Financing failures'

"The Secretary told of 'financing failures' of Treasury financing, despite, in one case, when he said the Treasury sought to follow Reserve proposals.

"However, the answers of the Federal Reserve and the Treasury were the same on the present 'accord,' apparently indicating full cooperation though the Treasury is revealed as much less impressed with the argument that higher interest rates are especially effective of themselves as instruments of credit control than is the Federal Reserve.

"A large portion of the volume is given over to discussion of interest rates in relation to credit controls and to statistics and charts.

"The second volume of the two-volume report includes the replies received from the Comptroller of the Currency, the President's Council of Economic Advisers, the Chairman of the Federal Deposit Insurance Corporation, about half of the State supervisors, Government bond market specialists, life-insurance officials, and others. These concern chiefly subjects more closely related to their specialized activities.

"Patman's philosophy

"Open hearings are scheduled by March 10 when officials will be questioned on the basis of their replies.

"The philosophy back of the questions asked by Representative PATMAN is revealed in his foreword to the 1,300-page report.

"After crediting the replies by saying this 'compendium constitutes in my judgment by far the best sourcebook of materials on general credit control and debt management' ever attempted, he pointed out that present governmental machinery is based chiefly on discretion.

"Mr. PATMAN added that the Reserve System is answerable only to Congress presumably. However, Congress is not constituted for more than overall directions. He argues that it might thus be better for the executive agencies to participate as creatures of Congress.

"Mr. PATMAN said it is 'of the utmost importance to insure the continuation of the participation of business and agriculture (and possibly labor) in the formulation of monetary policy.'

"The coming hearings, he said, would be for the purpose of sifting arguments pro and con on this and on various proposed means of credit controls, such as special Reserve requirements.

"Committee Chairman PATMAN admitted no easy solution to problems which he labels as immense. He added that 'only one result' of the present deliberations 'can be confidently predicted: That is, that the fundamental issues involved will be found vastly too complex to permit of facile generalization.' "

"[From Banking (the official journal of the American Bankers Association) of May 1952]

"THE PATMAN HEARINGS HIGHLIGHT A PERMANENT PROBLEM

"(By Raymond Rodgers)

"In the 46th verse of the 1st chapter of the Gospel according to St. John, the categorical question, 'Can anything good come out of Nazareth?' is asked, and the answer is, 'Come and see.' It is with such a spirit that bankers should study the hearings of the Patman Subcommittee on General Credit Control and Debt Management of the Joint Committee on the Economic Report, to gage their probable consequences to banking and business.

"The importance of these hearings can hardly be overemphasized. Their importance and basic scope is indicated by the title of the two volumes giving the replies and excerpts from the replies to the questionnaires sent out last October; Monetary Policy and the Management of the Public Debt—Their Role in Achieving Price Stability and High Level Employment. The 1,302 pages of formal testimony contained in these 2 volumes might well be made required reading for all bankers and advanced banking students.

"The committee

"To say that the results, so far, at least, have been a pleasant surprise to those in banking is indeed an understatement. The same ground had been covered 2 years earlier by Senator DOUGLAS and his subcommittee. Dr. Henry C. Murphy, the economist to the present subcommittee, who largely determined the witnesses and character of the hearing, had been identified with the Treasury. And most disquieting of all, the chairman, Representative WRIGHT PATMAN, had, through long years of earnest effort, achieved a reputation, second to none, as an inflationist. In fact, his reputation as an inflationist was so well established that many could think of him only in the terms which Emerson once used when he said of another, 'What you are * * * thunders so that I cannot hear what you say.'

"Despite the fears, the conduct of the chairman has been, in the words of observers, impeccable. He has not tried to force his opinions on the subcommittee but has been willing to let the witnesses be heard. Whether this is because he has been subdued by the unanimity of the public opposition to chaining the Federal Reserve to the Treasury chariot, or is from some other reason, the fact is that a hearing and not an investigation is being conducted. Dr. Murphy and the staff, likewise, are to be congratulated. They have done a searching, comprehensive, competent, and fair job. Senator DOUGLAS and the other members of the subcommittee who have special competence and experience in the field of banking and credit may be expected to make the most of the wealth of material presented."

"[From Banking (the official journal of the American Bankers Association) of May 1952]

"WASHINGTON

"(A monthly column reviewing Washington developments of interest to bankers)

"(By Lawrence Stafford)

"Whether or not the Patman committee proposes to change any of the rules of debt and credit management, this Capital generally appraises the operation of that committee as constructively useful.

"Sometime this month the Patman group will attempt to draft a report and possible recommendations for the Congressional Joint Committee on the Economic Report, of which it is a subcommittee.

"Supplementing the similar background covered some time ago by the Douglas committee, the Patman committee has illuminated the current monetary picture with a wealth of authoritative background. That background has included both facts and opinions. The opinions have been those of the outstanding governmental and financial leaders of the land.

"This inquiry well planned

"What is said to make this committee's inquiry especially valuable is its technique of operation, devised by Dr. Henry C. Murphy, chief of staff, and Representative PATMAN. They designed questionnaires especially adapted to bringing out the viewpoints of various persons and occupations—Federal debt managers, Federal monetary managers, bank supervisors, bankers, insurance men, Government bond dealers, and so on.

"The questions were pointed—almost to the stage of embarrassment. Yet the persons questioned were given considerable time to order their thinking on these controversial issues. This remarkable technique appeared to be adapted to the complex subject matter. In the more usual case, persons called into public hearings, even on an inquiry mission of the sort the Patman committee undertook, must almost improvise their answers on the spot.

"So the public hearings were taken after the written answers were filed, and hence on further, more mature reflection.

"Basic harmony found to exist

"Fundamentally, the oral hearings made no basic, or even important modification from the underlying situation as reported on the written questionnaire, detailed in the April issue of Banking. That basic situation is that there exists, after the ordeal of trial by experience and questionnaire, a basic harmony among monetary managers, and in particular between the Treasury and Federal Reserve Board.

"The Board's return to orthodox thinking and toward reliance on such orthodox monetary mechanisms as open-market operations and the discount rate was further confirmed. So was the Board's abandonment of its predilection for the pegged-market days, to embrace new, novel, and untried monetary mechanisms.

"During the hearings the only important difference between the Reserve Board and the Treasury was whether there should be established a domestic advisory council of leading officials on monetary matters, somewhat similar to the National Advisory Council on International Monetary and Financial Problems.

"Secretary Snyder definitely thought this would be helpful in effecting a greater coordination among all Federal officials on credit and monetary control. The Board was fearful of it, particularly that the Reserve might be overweighted in such a council.

"*Committee work was educational process*

"As Senator RALPH E. FLANDERS, Republican, of Vermont, said, the committee's operations gave everybody an education, not merely the professionals in money management and debt operations, but the general public as well.

"'The chief value of the inquiry has been to remove the veils of mystery and misconception that have obscured the real nature and purpose of the Federal Reserve from public understanding,' he said.

"Thus, the committee adduced ample testimony to point up the limitations of monetary policy as an instrument for achieving wonders in controlling inflation or deflation.

"*Handling public debt an art*

"Witnesses, such as A. Lee M. Wiggins, former president of the ABA, and former Under Secretary of the Treasury, made it clear that the business of handling the public debt and operating monetary controls was something beyond a tight mechanistic concept and something of an art, even if Mr. Wiggins did not quite express it that way.

"Other witnesses freely criticized the Government, and accused the administration of devising numerous programs which made for inflation, regardless of what steps were taken ostensibly to control inflation.

"For this liberality, freedom, and diversity of testimony, Chairman PATMAN is freely given large credit. Mr. PATMAN is said to have refused no single witness a chance to testify. Although he had given the impression of hostility to the Federal Reserve prior to the course of hearings, the Representative's conduct impressed observers as something between that of a fair judge who wanted to hear everyone completely out, and an earnest student anxious to learn every side of each controversial issue.

"*Patman modifies views*

"'I am highly pleased with the job which was done by the Federal Reserve and the Treasury at these hearings,' said Mr. PATMAN.

"'What pleased me was that these official witnesses supported the Employment Act of 1946 as national policy proclaimed by Congress, an act of which I was the author in the House.

"'This act sets forth a good policy, although I'll admit it could be strengthened. I think perhaps it gives too much emphasis upon the inflationary side of Government action, and does not emphasize sufficiently the necessity at times of deflationary action and the further need for protecting a sound dollar.'

"Mr. PATMAN for a long time had favored having the Federal Reserve banks, in gradual stages, absorb about half the Federal debt so as to save the payment of interest. 'I still think this could be done, and save the payment of $3 billion annually of interest, but I am not going to advocate it. I am not going to advocate it at the present time because I am frankly afraid to trust Congress. The Congress is inclined to take the easy way.'

"The Texas Representative noted that, when Congress refuses to raise taxes and provide for tough price control, it is not a time to lessen the burden of the Federal debt.

"*Wolcott comments*

"'For the first time there has been outlined in one place, for the benefit of those who care to read about it, the whole panoply of moves which the Roosevelt and Truman administrations have sponsored over nearly two decades to promote—to consciously promote—inflation in the United States,' said Representative JESSE P. WOLCOTT, Republican, Michigan, another member of this committee.

"'One of the benefits of the Patman committee hearings is that some highly credible testimony has at last been brought to bear on this point. I think that the committee's inquiry has been useful on that score in showing that the administration has been more concerned with deflecting from itself and placing upon this or that element of the economy, the bankers or others, blame for the inflation it has caused. This has been the administration's true aim, rather than one of dealing effectively with inflation'."

"[From the Burroughs Clearing House (House organ of the Burroughs Adding Machine Co.) of April 1952]

"A VERITABLE 'BRITANNICA OF BANKING'—THE PATMAN HEARINGS—THEY LAY THE GROUNDWORK FOR A CONGRESSIONAL REVIEW OF THE ENTIRE BODY OF FINANCIAL AND MONETARY LEGISLATION

"(By John H. Donoghue)

"When the Hatfields and the McCoys put away their muskets and struck up an agreement to live together in peace, it was natural for folks to wonder why they ever took to feudin' in the first place.

"The Congress of the United States reacted with similar curiosity when the Treasury Department and the Federal Reserve Board jointly announced, on March 4, 1951, that they had reached an accord, bringing to an end the dispute that lay between them.

"Why was an accord necessary? The question has weighed heavily on the minds of the key legislators who are responsible for writing the laws of banking and finance. Both the Treasury and the Federal Reserve Systems are creatures of Congress; both operate under its laws. If these two great institutions are found working at cross purposes and publicly disputing about it, does not the fault lie with the Congress itself for writing one law for the Treasury and a contrary one for the Federal Reserve?

"The product of these questions was the investigation conducted in March 1952, a year after the accord, by a subcommittee of the Joint Committee on the Economic Report. Beginning on March 10 and continuing daily throughout the remainder of the month, the hearings became popularly known as the Patman hearings since the chairmanship of the five-man bipartisan panel of Senators and Representatives was held by Congressman WRIGHT PATMAN, Democrat, of Texas. This title has helped to distinguish the present set of hearings from those conducted by the same subcommittee in 1951, during the chairmanship of Senator PAUL H. DOUGLAS, Democrat, of Illinois.

"The Patman hearings were by no means confined to a rehash of the Douglas committee's output. In fact, the real importance of the investigation is the groundwork which it has laid for a painstaking review of the entire body of fiscal and monetary legislation by Congress.

"The immensity of the task undertaken by Mr. PATMAN and his colleagues almost eludes comprehension. And the value of the record now compiled is likely to increase with the passage of years, for it serves as a background pattern of the Nation's foremost economic opinion, into which future monetary proposals and actions should be made to fit. It will be hard for anybody to offer a theory or scheme affecting public debt or private credit without finding the arguments for and against it already set forth in the Patman record.

"Therein lies the true value of the Patman research. It did not settle the variance of attitudes between the Treasury and the Federal Reserve, and nobody really expected that. But the investigation did assemble a very great number of competent judgments on the relative importance of various factors that affect the economic welfare of the people, and also a large variety of informed guesses as to what will be the outcome when this or that policy is adopted in the face of several hypothetical situations that may arise in the Nation's economy.

"Appropriately, the first witnesses who appeared before the committee were the two principal fiscal and monetary officials of the United States. John W. Snyder, Secretary of the Treasury, and William McChesney Martin, Jr., Chairman of the Board of Governors of the Federal Reserve System, were the key managers whose policies were under scrutiny—one managing debt, the other credit. The importance attached to the testimony of these two key witnesses is obvious from a glance at the two-volume compendium of questionnaire replies issued by the committee shortly before the hearings began. Volume No. 1 of 600 pages is devoted to the views expressed by these 2 men. Volume No. 2, also 600 pages, is given over to the other 1,000 persons, including Federal Reserve bank presidents and the President's Council of Economic Advisers, to whom the committee addressed opinion-seeking questionnaires.

"The major message of the hearings therefore, was expressed on March 10 and 11 when Secretary Snyder and Reserve Chairman Martin occupied the witness chair in the ornate, marble-lined Senate caucus room. Both of these sessions lasted full days and they set the pitch for the remaining 3 weeks of hearings.

"Confronting Secretary Snyder and Board Chairman Martin was a panel of five seasoned interrogators. The one they kept their eyes on, however, was Subcommittee Chairman PATMAN, a debater of great skill. It was Mr. PATMAN who vocally declined to join the chorus of congratulations when the Treasury and the Federal Reserve announced the burial of the hatchet.

"Four of the members were repeaters from the former Douglas subcommittee: Mr. Patman, Senator Douglas, Senator Ralph E. Flanders, Republican, of Vermont, and Representative Jesse P. Wolcott, Republican of Michigan. The fifth subcommittee member was Representative Richard Bolling, Democrat, of Missouri, taking the place of the deceased Representative Frank Buchanan.

"Sharing the spotlight with Chairman PATMAN was Senator DOUGLAS. He came to the hearings not to learn but to teach, and in this respect he differed markedly from Chairman PATMAN. Mr. DOUGLAS is a confirmed believer in the efficacy of traditional monetary measures in controlling the cyclical movements of the economy.

"Before the hearings began the Illinois Senator had it all worked out that the reason for the price inflation following the Korean outbreak was the timidity of the Federal Reserve Open Market Committee. His doggedly held position is that the Federal Reserve could and should have refused to purchase the $3,500,000,000 of Government securities that it actually acquired during the 8 months between the Korean outbreak and the March 4, 1951, agreement with the Treasury. To be sure, Mr. Douglas has not flatly declared that a cutoff of Federal Reserve purchases would have forestalled the damage done to the value of the United States dollar during those months. But he does stand firmly on the ground that the Federal Reserve, by continuing its security buying to the tune of $3,500,000,000, must accept a goodly share of the responsibility for permitting the inflation to take place, for it was this $3,500,000,000 of Federal Reserve credit that turned up in the jump from $16 billion to $19 billion of member bank reserves during the same period. It was a short leap for the Illinois Senator from this $3 billion increase of bank reserves to the $10 billion increase of bank loans. Thus, briefly, runs the Douglas theory of what happened in the inflationary months following Korea.

"Senator Douglas spared no effort to make Secretary Snyder and Reserve Board Chairman Martin become converts to his theory on post-Korean inflation. At one time when Secretary Snyder was on the witness stand, the Illinois Senator began dumping glassful after glassful of water into a tumbler before him, shouting for more water and generally inundating the hearing room, to illustrate the proposition that an increase of money and credit supply is disastrous.

"Secretary Snyder refused to acknowledge that he had ever insisted that the Federal Reserve support the market for Government securities. Even under the most persistent questioning, he would go no further than to acknowledge that a stable market is desirable for Government financing. As for conflicts of objectives with the Federal Reserve, he insisted that these could be worked out by cooperation.

"Mr. Snyder added one proposal to his testimony, possibly for the purpose of giving the subcommittee something to chew on, in a suggested money and credit advisory board which would assist the heads of the Treasury and the Federal Reserve in their efforts to cooperate. He was careful to specify that the advisory board would have no power but to advise.

"Chairman Martin, of the Federal Reserve, warmly defended the March 1951 accord. He had a personal feeling in the matter, for he was the Assistant Secretary of the Treasury who spent weeks of day-and-night toil in the negotiations that led up to the agreement.

"It became apparent during the Martin testimony that some fairly sharp exchanges of opinions took place between the Federal Reserve Board and a number of the Nation's leading bankers prior to March 1951. Senator Douglas called upon Reserve Chairman Martin to produce a number of letters from bankers and others urging the Federal Reserve Board to increase interest rates long before it was actually done. When Mr. Martin protested, the five subcommittee members agreed to look over the letters in private.

"The importance of the bankers' letters is that they support the Douglas estimation of the effectiveness of monetary restraint as the traditional and legally intended method of regulating the relation of money supply to demand. He needed this support because he was not getting very much from the two top witnesses, Snyder and Martin. It was obvious that a majority of the Federal Reserve Board, during the months immediately after Korea, did not agree with the bankers and economists who insisted that interest rates be moved upward—and promptly.

"Thus, it was the theory of monetary controls that was on trial. As witness after witness came to the stand, additional new attitudes and appraisals came to light. But there was full agreement on one thing—that Senator Douglas had accurately pinpointed the issue by asserting, and inviting denials, that inflation would have been materially lessened if the Treasury-Federal Reserve accord had taken place many months earlier."

"[From the Commercial and Financial Chronicle of April 10, 1952]

"WASHINGTON AND YOU

"Washington, D. C.—Now that the Patman committee has concluded its hearings about the Federal Reserve System and Treasury financing, there is a unanimous agreement that Representative Wright Patman, Democrat, Texas, was the greatest surprise of the entire hearing.

"Mr. Patman had long advocated a shifting of about half the Treasury debt to the Federal Reserve to save interest, and he was an advocate of subordinating the Federal Reserve to the national administration.

"The Congressman is unlikely to renew these recommendations, and his long study particularly is not expected to result in even a proposal to directly subordinate the Federal Reserve to the Treasury or the administration. He may propose some ideas about greater supervision and liaison which will be unpalatable to the Federal Reserve, but he is expected to stop short considerably of submerging the independence of the Federal Reserve in making monetary policy.

"Actually, Representative Patman gave the clear impression of having definitely learned something by the hearings, and of having profited by what he learned in modifying his views. Mr. Patman has become a more mellow man.

"What has pleased witnesses before the Patman hearings, however, has been the liberality with which he listened to views contrary to those he was alleged to hold. The chairman of this special committee took pains to let any and all advocates of all points of view have their full say, and he did not decline a hearing to a single individual who asked to appear. Far from turning the hearing into a drumhead court for 'funny money,' Representative Patman appeared to most witnesses as a rather mature, subdued, and considerate judge who wanted to hear all parties out."

"REPORTING ON GOVERNMENTS

"(A weekly news service on U. S. Government securities)

"New York City,
"February 23, 1952.

"Dear Sir: The Patman subcommittee's public hearings on debt management and fiscal policies—past, present, and future—will open March 10. Top Government and Federal Reserve officials, leading bankers, economists, life insurance company executives, etc., are slated to testify, to answer the most searching questions on credit policy and Reserve-Treasury relationships publicly. The hearings are scheduled to last about 3 weeks. The program calls for a report by the subcommittee to the full Joint Committee on the Economic Report by May. In the words of Dr. Henry C. Murphy, economist to the Patman subcommittee, 'This will be the biggest inquiry into our monetary system since 1911—the inquiry 41 years ago which led to the creation of the Federal Reserve System.' In the words of another Washington official who has been intimately connected with the subcommittee's preparations, 'This will be quite a show and in its more serious and fundamental way, will rival any of the Congressional probes we've seen in the last couple of years.' And every effort will be made to focus attention on the debates and issues involved, to alert the public to the probe's importance.

"On October 12, the subcommittee sent its questions on general credit control and debt management to about 1,100 sources. For weeks, a staff has been processing the answers and within a few days a compendium will be published—including the answers from Federal Government and Reserve officials in full and summaries and extracts of the others.

"The book will run about 1,500 pages. The Reserve's answers alone are sufficient to fill an ordinary-sized book.

"This in itself is a monumental piece of work. One official who has studied the answers goes so far as to state, 'After this book is available, every textbook on debt management and fiscal policy will need rewriting for this is history as it is being made.'

"You who are reading this bulletin are the men to whom this inquiry is addressed. You are the participants in this financial drama; you are the audience, too. A large number of you received and answered the subcommittee's questionnaire. And while few of you probably will read the 1,500-page compendium and few of you will be able to attend the public hearings, you are and will be vitally involved in what is going and will go on.

"Thus, this letter is written as a preliminary report to give you the background and to outline the issues before the public hearings start. There has been some attempt to minimize the significance of the subcommittee because of the likelihood that no legislation will result from its hearings. This is akin to missing the forest because of the trees. We repeat again the opening lines of our letter of September 1, 1951: 'The power-policy conflict that raged between our Treasury and central bank during the first half of this year has a counterpart in virtually every country of the Western World. Few investors realize that they have been—and still are—in the middle of one of the great fiscal debates of the century. Nevertheless, this is a hard, sharp fact. The final word on the Treasury-central bank controversy in our country has not been written.'

"Those words hold today as they held then. Within this framework of reference, we submit in this letter (a) quick facts about the subcommittee and the questionnaire to help you avoid confusion; (b) an analysis of the two great questions involved; (c) a preview of the debate expected between supporters of the Reserve and supporters of the Treasury; (d) observations and forecasts.

"Quick facts about the subcommittee

"This is the second full-dress inquiry into fiscal and debt management policies and problems in less than 3 years. The first inquiry was managed by a subcommittee headed by Senator Paul H. Douglas, of Illinois, and resulted in the now-famous call by Douglas for a reaffirmation of the Reserve's independence regardless of the dislocations that would follow. There is no question that the Douglas subcommittee's report played an important part in influencing Reserve psychology in late 1950 and early 1951.

"Now this inquiry takes place after the unpegging. An entirely different atmosphere exists. This is a period of remobilization. This is the start of a phase of deficit financing. In 1949, those testifying in favor of an unpegged market could only guess what might happen. Now they have a record to which to point.

"This subcommittee consists of: Representative Wright Patman, Democrat, of Texas, as chairman; and Senator Douglas, of Illinois; Senator Flanders, of Vermont; Representative Bolling, of Missouri; Representative Wolcott, of Michigan.

"Because of the makeup of the committee, both a majority and a minority report may result. It's improbable that Douglas and

PATMAN could compromise their own viewpoints to the extent permitting a report which both could sign with satisfaction.

"As important to you as the hearings will be the 1,500-page compendium of answers to the Patman questionnaire. Printed in full will be the answers of the Treasury Secretary, the Reserve Board Chairman, the Council of Economic Advisers, and other Government officials. There will be summaries and extracts of the rest. The Douglas subcommittee had nothing as complete as this with which to work. We've never had anything like it either.

"The two great issues at stake

"There has been much emphasis in newspaper and magazine editorials in recent months on PATMAN's bias for the Treasury, his supposed hate for the Federal Reserve, his oft-expressed inclination toward cheap and ample money. There also has been considerable sniping at his choice of Murphy as economist, for Murphy was a top economist for the Treasury through the war years and the angle mentioned is that Murphy's sympathies would incline toward the Treasury.

"This is awfully superficial stuff, though. Neither PATMAN nor Murphy could—even if they would—stop those testifying from stating their beliefs and highlighting the conflicts and issues at stake. Digging beneath the superficialities, here are the two great questions which will be brought out at the hearings and which are of such deep concern to you:

"(1) How shall monetary policy in this country be formulated? There are various factions—such as the Treasury, the Federal Reserve Board, the President's Economic Council, groups of private bankers and insurance company executives, and the inclinations of each often differ, often are in obvious conflict.

"Who, then, shall be dominant? Why? What shall be the relationship among them, how shall it be defined, how shall it be maintained, and in times of conflict particularly, where shall the ultimate control lie?

"This truly is basic. And for many of you, the question itself is relatively new. There was a long period, for instance, during which private bankers pretty much called the tune ('Wall Street settled it'). There was a period during which the New York Reserve Bank seemed more powerful than the Federal Reserve Board in Washington. There was a prolonged era during which the Treasury was completely dominant (you lived through this one). There was the period during which insurance companies were liquidating ineligibles on so gigantic a scale that one might even tag that the phase of insurance-company control. Now there's a so-called accord, and the question is surrounded by obscurities. Who? How? Why?

"If by chance you consider this theoretical, just ponder for an instant the practical applications. Were the Treasury in control today, 2½ percent would be the long-term rate, par would be the bottom price, 4 percent VA mortgages hardly would be going begging, your entire investment policy would be different. If the conflict between the two fiscal giants flares up again—and it very well may—your portfolio policy would be directly involved.

"It would be a near miracle if the Patman subcommittee's hearings were to result in any real settlement of this problem. But they surely will highlight the issue and by so doing, give us needed guidance.

"(2) And second, what shall be the policy now? Neutrality on the part of the Reserve, permitting prices to fluctuate in a wide range, and the market to decide the trend of interest rates? Greater recognition of the Treasury's financing-refunding problems and a modification of the Reserves program? Should the Treasury go out and compete for long-term funds, regardless of cost? Should it continue emphasizing short-term financing despite the dangers?

"As participants in the market, you understandably might be more interested in the answers to this question. Throughout World War II, your problem as far as the Government market was concerned, was of kindergarten proportions: rates were set, huge bank financing was the rule, you simply played the pattern of rates. Now you're playing in the postgraduate league, and you realize that whatever answers are made to the second question will affect your actions in every other high grade market, and your income-profits position down the line.

"The debate between the Treasury and Reserve

"We have been amazed when we have heard presumably informed investors speak of the March 1951 accord as settling the power-policy conflict between the two fiscal agencies. The accord decided very little; it met the short-term but not the long-term issues; in military parlance, it was an armed truce, not a peace. At the very top level, Secretary Snyder and Reserve Board Chairman Martin are friendly, but Snyder, as we have reported to you, is not convinced that what was done was right and is not resigned to the changes. At the lower technical and staff levels, the experts are in frequent consultation, and thus there is better understanding of the problems on each side, but understanding is far from a synonym for agreement.

"The answers of the Reserve to the Patman questions will be an exhaustive argument for an independent Federal Reserve System able to pursue alternative programs of restraint, neutrality, and ease as economic conditions dictate. And the Reserve will urge understanding of the fact that such programs must affect interest rates for the Government as well as for private lenders, and when the Treasury borrows, it must compete for and hold its place in the market.

"The answers of the Treasury to the Patman questions will be an exhaustive argument for a system under which the Reserve cooperates with the Treasury to maintain confidence in the Government market and in Government credit. And the Treasury will urge understanding of the fact that it is charged with the tremendous responsibility of financing and refunding in multibillion-dollar terms, and every tiny interest rate rise adds tens of millions to debt costs.

"This will be just a starter. And the opinions we've seen run all the way from a castigation of the Reserve to a denunciation of the Treasury—with every shading in between. The debate, we repeat, is in its infancy.

"Observations and forecasts

"It's most improbable that there will be any legislative results; this isn't a legislative committee, and that is not an objective. But the impact of the debate will be deep and will grow with time, we believe.

"From what we have read and heard, we would anticipate considerable clarification of the present situation and probable actions just from the discussions and the answers to the questionnaire. We hope to submit digests of the important answers after we have had time to study the 1,500-page book.

"Today, the accord is working—not excellently, but fairly well. Compromises are to be expected in the near future, too, so the real test of the relationships may be postponed for a while.

"But a real test will come. It certainly will come if there is a recession followed by another manufactured inflationary upsurge, and then the Reserve must meet what it deems its responsibilities while the Treasury is financing a deficit. Then issue (1) will be on the table for all to see. And that's why we so strongly recommend that you follow these hearings, that's why we believe this inquiry will turn over of great importance.

"Yours very truly,

"S. F. PORTER."

"[A news service on U. S. Government securities]

"THE GOLDSMITH WASHINGTON SERVICE,

"*March 15, 1952.*

"First week of Patman subcommittee hearings most interesting in my 15 years of reporting. Testimony covered 553 typewritten pages—open hearings will last 2 and maybe 3 weeks longer. Write Joint Economic Committee for schedule, anybody may attend. We hope to hook up important testimony last week with that in coming weeks.

"Chairman PATMAN was praised Monday by committee members and Snyder and Tuesday by Martin for excellent work of Henry Murphy in working on and cooperating with Federal Reserve and Treasury and preparation of such fair answers to questionnaires. And PATMAN has been praised by all witnesses so far for judicial conduct of hearings—but there are 3 to 4 or 5 weeks to go—some question motives and think conduct could change to free-for-all—which might have market influence particularly if general news is dull and daily press coverage more complete.

"This week Senator DOUGLAS carried the ball and pressed Secretary Snyder—Federal Reserve Chairman Martin—and Council of Economic Advisers Chairman Keyserling to answer whether (1) Federal Reserve purchases of $3,500,000,000 Government securities in the 8 months following Korea—potential basis for $18 billion commercial bank loan expansion and the actual increase of $10 billion commercial bank deposits were materially responsible for the 18½ percent increase in prices. (2) Conversely whether failure of the Federal Reserve to purchase Governments on balance since the accord has been a major factor for inflationary lull since accord was adopted on March 5 and Government securities market unpegged.

"At the beginning of the hearings Monday morning Senator DOUGLAS said Snyder's answers were entirely unsatisfactory, but in the afternoon Snyder conceded that he hoped 'that we can avoid any situation like that in the future.' Felix Belair's story summarized that hearing more fully in New York Times, March 11.

"DOUGLAS also criticized Snyder for pages 72, 73, and 74 in part I of Treasury answers to the questionnaire, which he said impugned the integrity of former Chairmen Thomas McCabe and Marriner Eccles, and asked PATMAN that they both be asked to appear before the committee. See paragraph 5, page 3, or last letter. PATMAN invited them, reporter later that the time allotted them was satisfactory—but had not received unqualified acceptance. They may not be heard till end of scheduled hearings and McCabe and Eccles could prolong hearings for several days, and then Snyder and Martin might ask time for rebuttal—unlikely. Meanwhile pressures will be brought to bear to have them testify or withhold testimony.

"On Tuesday morning Martin had excellent prepared statement—only 5 pages—with supplementary brief of important answers 7 pages. Write Elliott Thurston, Federal Reserve Board, for copies of each."

"MARCH 29, 1952.

"Last week I heard the greatest debate of my lifetime between Senator PAUL H. DOUGLAS and the Chairman of the Council of Economic Advisers. They debated the fundamentals of economic policy. Involved was the difference between socialism and capitalism—the question of whether to control the economic system by monetary controls or so-called overall shotgun controls as opposed to direct controls was raised."

"[Excerpts from statements made in the hearings]

"HON JOHN W. SNYDER, SECRETARY OF THE TREASURY

"The hearings which are beginning this morning represent the culmination of a number of months of intensive study and preparation of replies to the questions raised by your subcommittee. Anyone who has worked on this complex project cannot help but be impressed with the scope and searching nature of the questions which were asked. In our already heavy work schedules it was not easy to find the time to set down the pros and cons of the many issues presented for generalized discussion in the questionnaire. In view of the importance of the study, however, we felt that time must be found; and I am very glad that we were able to give full and considered replies to all of the questions submitted to us.

"I believe that everyone who reads the written replies received by the subcommittee will feel, as I do, that the body of material which you have assembled will be of great value in the field of debt management and monetary policy for many years to come. Not one point of view, but many points of view—I am almost tempted to say all points of view—seem to have been elicited by the subcommittee in the written answers to the various questionnaires which were sent out. A policy record, in the most fundamental sense, is not only a record of decisions made and actions taken—it is a record of appraisals, of conclusions, and of judgments. Those who replied to the subcommittee's questionnaires, it seems to me, have attempted to be fully responsive in this fundamental sense.

"I want to say here, Mr. Chairman, that I do hope that these 1,300 pages will be read with a great deal of care, and carefully digested by all people who are charged with any part of the preparation of the studies and the formulations of decisions in connection with debt management and monetary policies.

"I want to add my words to those of your colleagues who have addressed their remarks previously to the complimentary appreciation of what has gone ahead in laying the groundwork for these hearings. I think that we could well say that this has been the most carefully and most studiously prepared hearing on this subject that we have experienced. I am extremely hopeful that out of this fine foundation will grow discussions and studies that will be extremely helpful in the great problems we have in the future (hearings, pp. 7–8)."

"HON WILLIAM M'C. MARTIN, JR., CHAIRMAN, BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

"In coming before you today I should like to express what I know has been in the minds of all of us in the Federal Reserve System in preparing the answers to your questionnaire. We have welcomed this opportunity to put down on paper our concepts of what our function is in the governmental structure and in the economy. You gave us a heavy load of homework and we have all profited by it. I know that for me it has been more than a refresher course—it has been a liberal education in what I prefer to call reserve banking, rather than central banking operations. The task of preparing answers to the comprehensive and searching questions has been formidable and I will not pretend that I approached it without some reluctance. Now that the task is done and the results are published I realize how worth while has been the time and effort expended not only by those of us in the System but by the many others to whom you addressed questionnaires. Irrespective of the conclusions you may reach as a committee, you have assembled a body of information that I think will prove to be invaluable for a long time to all who are interested in the special problems of general credit control and debt management.

"Beyond that, however, we have all genuinely welcomed this inquiry. The Federal Reserve System is a servant of the Congress and, through you, of the people of the United States. You created it, you can abolish or change it. Our task is to carry out your will and it is our duty to lay before you all the facts at our command for which you ask and to give you our best judgment on these important matters (hearings, pp. 73–74)."

"A. L. M. WIGGINS, CHAIRMAN OF THE BOARD OF DIRECTORS OF THE ATLANTIC COAST LINE RAILROAD CO. AND THE LOUISVILLE & NASHVILLE RAILROAD CO.; FORMERLY UNDER SECRETARY OF THE TREASURY; FORMERLY PRESIDENT OF THE AMERICAN BANKERS ASSOCIATION

"The questionnaires and the answers that were sent out and received, in my opinion, constitute the most valuable collection of thinking in the field of money, in money management, problems of debt management, and other collateral questions that I have found anywhere.

"I have read the entire 1,300 pages of this report since it was published about—since I got a copy about 10 days ago, and it is very instructive and illuminating and I congratulate the committee on the character of the questions (hearings, p. 220)."

"MARION B. FOLSOM, TREASURER OF THE EASTMAN KODAK CO.; CHAIRMAN, BOARD OF TRUSTEES, COMMITTEE FOR ECONOMIC DEVELOPMENT

"Forward steps in money and debt policy during the past year have been due to improved appreciation of the fundamental issues. The investigation conducted by the subcommittee under Senator DOUGLAS made a major contribution to this improvement. We are confident that the present investigation will make a similarly important contribution to better understanding and thereby to better policy (hearings, p. 296.)"

"J. CAMERON THOMSON, PRESIDENT, NORTHWEST BANCORPORATION; CHAIRMAN, COMMITTEE ON MONETARY, FISCAL, AND DEBT POLICY, COMMITTEE FOR ECONOMIC DEVELOPMENT

"We have found the problems of monetary policy exceedingly difficult. The materials you have already published have demonstrated that the work of your committee will contribute a great deal to our study, and we are happy to participate in your investigation.

* * * * *

"We are confident that the work of your subcommittee, like the work of its predecessor subcommittee under the chairmanship of Senator DOUGLAS, will be a major step in the development of a succeessful program for the avoidance of serious inflation or depression.

* * * * *

"We were talking, before the hearing started, about how available these reports are going to be made. I think along the lines you are talking about these reports ought to get very widespread circulation. I am going to get some for each officer in our corporation. They put together a lot of valuable information and you have drawn out answers from people that have not been had in recent years. The record of the two hearings is the best source of information as to the developing monetary policies of the country and the value of these powers, and I believe they should get as wide a circulation as possible (hearings, pp. 296, 305, 315)."

"AUBREY G. LANSTON, PRESIDENT, AUBREY G. LANSTON & CO., UNITED STATES GOVERNMENT SECURITY DEALERS

"Many have commented on the public service rendered by the committee's publication of two volumes on the subjects of debt and money management and on the exceptional work of the staff headed by Dr. Murphy and on the high quality of the replies. It is a real achievement (hearings, p. 389)."

"DONALD B. WOODWARD, SECOND VICE PRESIDENT, THE MUTUAL LIFE INSURANCE COMPANY OF NEW YORK

"I want to congratulate this committee and its staff director most warmly on the invaluable information you have collected and published. Your two volumes are a classic, and they and the hearings enrich the literature immeasurably. Everyone is in your debt. I am deeply honored to be asked to appear before a body that has so distinguished itself (hearings, p. 602)."

"WESLEY LINDOW, VICE PRESIDENT, IRVING TRUST CO., NEW YORK CITY

"You have made a fine contribution in publishing the two volumes based on the answers to your questionnaires on monetary policy and the management of the public debt (hearings, p. 629)."

"ROY L. REIERSON, VICE PRESIDENT, BANKERS TRUST CO., NEW YORK CITY

"The questions posed by this committee in its questionnaires were excellently designed to point up the issues encountered in the difficult task of determining debt management and credit policies under inflationary conditions, and the answers will be an invaluable source book of material in this field for many years to come. The full and free exchange of ideas at these hearings is helping to illuminate some areas not wholly covered in the questionnaire and to discuss problems raised by some of the answers received. It is a privilege to be here (hearings, pp. 636–637)."

"H. CHRISTIAN SONNE, CHAIRMAN OF THE BOARD, AMSINCK, SONNE & CO., CHAIRMAN, BOARD OF TRUSTEES, NATIONAL PLANNING ASSOCIATION

"I welcome the broad-gaged examination of the problem, undertaken by this subcommittee. The material published in the background volumes in itself is a treasure of information and is very valuable for every student of the subject.

"At the request of the Joint Committee on the Economic Report, the NPA sponsored a meeting on fiscal policy of a group of prominent economists from all over the country in September 1949. In October 1951 we had a similar meeting on monetary policy. Each of these meetings resulted in a statement on which the majority of the participants agreed. I was pleased to note that the statement resulting from NPA's October 1951 conference is included in one of the background volumes published by this subcommittee (hearings, p. 844)."

"MONETARY POLICY AND THE MANAGEMENT OF THE PUBLIC DEBT; THE PATMAN INQUIRY[1]

(From the Review of Economics and Statistics, May 1953—Harvard University Press)

"(By James Tobin, professor of economics, Yale University)

"The documents produced by the Patman inquiry are a remarkable contribution to

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[1] Monetary Policy and the Management of the Public Debt: Their Role in Achieving Price Stability and High-Level Employment.

1. Replies to Questions and Other Material for the Use of the Subcommittee on General Credit Control and Debt Management, Joint Committee on the Economic Report, 82d Cong., 2d sess. Washington: U. S. Government Printing Office; 1952; two parts. Pt. 1, pp. xvii+632. Pt. 2, pp. vii+633–1302.

2. Hearings before the Subcommittee on General Credit Control and Debt Management, Joint Committee on the Economic Report, 82d Cong., 2d sess., March 10–31, 1952.

monetary literature. The first title, 'Compendium' for short, consists of replies to questions propounded by the committee. The first volume of the compendium contains the careful answers of the Treasury and the Board of Governors of the Federal Reserve System to the lengthy questionnaires submitted to them. The second volume includes replies from the presidents of Federal Reserve banks, the Council of Economic Advisers, Federal and State bank-examining authorities, the Reconstruction Finance Corporation, economists, bankers, life-insurance executives, and dealers in United States Government securities. The questionnaires varied with the respondent and were designed to obtain both factual information and expressions of opinion. The answers provide a wealth of legal, institutional, statistical, and historical information. Whether you wish, for example, a complete chronology of Federal Reserve policy actions since 1914, a summary of the reserve requirements of nonmember banks, a world survey of Treasury-central bank relationships, or a study of the density of banking offices relative to population in the several States, the Patman compendium is your source. The replies also provide a variety of opinion, comment, and theory concerning the role of monetary policy in the postwar United States economy.

"The second title, 'Hearings' for short, reports oral testimony on these same subjects and includes also numerous documents and written statements submitted to the committee. The committee heard testimony from the principal contributors to the compendium and from many others; the witnesses represented a wide variety of experience, interest, and viewpoint. The hearings include four panel discussions on aspects of monetary policy. Two of these, 'How should our monetary and debt-management policy be determined?' (pp. 747 ff.) and 'What should our monetary and debt management policy be?' (pp. 685 ff.), are especially deserving of the attention of the reader who can only hit the high spots of these volumes.

"The third title, 'Report' for short, gives the findings and recommendations of the committee majority, with dissenting observations by Senator Douglas. The report is an admirable review of the events investigated by the committee; and its findings on the issues discussed in the compendium and hearings are, in my opinion, well balanced and moderate. For this report, and indeed for the skillful design of the whole inquiry, there can be no doubt that Henry C. Murphy, the committee's economist, deserves tremendous credit.

"It is patently impossible for a review to do justice to the masses of material in these three documents. I hope I have given some idea of their scope. For the rest, I shall confine myself to three major topics of the committee's inquiry: (1) the Treasury-Federal Reserve conflict, (2) the theory of the operation of monetary controls, (3) the place of monetary restriction in an anti-inflationary program.

"Drama: The Treasury-Federal Reserve conflict

"The struggle between the Treasury and the Federal Reserve gave to monetary theory and policy a dramatic interest which economic issues seldom achieve. The drama is now over. The accord of March 1951 and the Patman inquiry were its concluding acts. The advent of new leadership in the Treasury makes it unlikely that the struggle will be resumed.

"As the last act of the drama, the Patman inquiry was anticlimactic. The Douglas committee, which investigated the same subject in 1949, had strongly criticized the Treasury and had recommended Federal Reserve independence in the formation of credit policy. This token of Congressional sentiment, even though the mandate to the two agencies favored by Senator Douglas was never passed, may well have stiffened the Federal Reserve in the subsequent conflict. (See hearings, p. 535.) The Patman investigation, it was widely predicted and feared, was to be the Treasury's day of revenge and a challenge to the independence of the Federal Reserve. Nothing of the sort happened. The inquiry only consolidated the victory the Federal Reserve had already won in March 1951. Representative Patman conducted the inquiry, so far as a reader can discern, with the utmost fairness and impartiality. Although he was widely regarded beforehand as an "easy money" man, he gave no sign of dissatisfaction with the accord. He proved to be less interested in issues of monetary policy—except for selective credit controls, of which he strongly disapproved—than in emphasizing that the Federal Reserve System is a public agency responsible to Congress, not a chain of bankers' banks. Some of the organizational recommendations in the report reflect this concern, but none would significantly weaken the autonomy of the Federal Reserve.

"The extent of the Federal Reserve victory is indicated by changes in Federal Reserve attitudes on two proposals: one for an advisory council on monetary policy and one for granting the Board of Governors discretion to impose supplementary reserve requirements. In the days of its weakness the Federal Reserve had supported similar proposals. Now its spokesmen opposed them.

"In 1949 Chairman McCabe, of the Board of Governors, and the presidents of the Reserve banks indorsed the Hoover Commission recommendation for a national monetary and credit council to facilitate consultation among the Treasury, the Federal Reserve, and the major Federal credit agencies.[2] Such a council was one of the recommendations of the Douglas committee. In the Patman investigation, Secretary Snyder, who had given the plan only lukewarm support in 1949, revived the proposal. The Federal Reserve was now cool to the proposal, and Senator Douglas even colder. Formerly the council was considered an opportunity for increasing Federal Reserve influence with executive agencies; now it was viewed as a threat to Federal Reserve independence. The Patman committee majority nevertheless recommended the establishment of a council by Executive order as an experiment.

"The shift of attitude on supplementary reserves is of greater importance. In 1947 the Board of Governors sought powers to require supplementary bank reserves in Government securities, as a step toward insulating the public debt from the interest rate fluctuations incident to a flexible monetary policy. As late as May 1951, 2 months after the accord, the report of the President's four-member committee on this problem (Defense Mobilizer Wilson, Secretary Snyder, Chairman Martin of the Board of Governors, and Chairman Keyserling of the Council of Economic Advisers) stated, "Within a few days the Board of Governors will ask the Congress to consider definitive legislation providing for supplementary (reserve) requirements" (hearings, p. 132). The request was never made. By the time of the Patman inquiry, the Board of Governors had apparently been won over to the view of President Sproul of the New York bank, who had always opposed the scheme. Federal Reserve spokesmen were extremely cool to any innovation in reserve requirements. Practical difficulties which had not seemed insurmountable before seemed so now. Having waged and won a fight on the moral principle that you cannot have your cake and eat it too, the Federal Reserve was in no mood to look with favor on devices for reconciling flexibility of monetary policy and stability of Government securities prices. The committee majority did not agree. Representative Bolling repeatedly inquired why the Board should not have supplementary powers over reserves as a standby even if they were not immediately needed, and he never got a good answer. The report favored granting such powers and pointed out that the time to provide them is precisely when they are not needed. But in the absence of a specific proposal by the Federal Reserve, this recommendation is certain to remain an expression of sentiment rather than a basis for legislation. Since the Federal Reserve was riding as high in the sympathy and esteem of Congress and the public as it is ever likely to be, its unreceptiveness to additional power may in future prove to be unfortunate. It is all very well to say there is no need for insulation when, under the Board's monetary policy, long-term Governments fall no lower than 95. But if it becomes necessary to let them fall to, say, 80, the old dilemma will recur and the Board might again wish for a way out.[3] For there is no evidence that the Federal Reserve has either the disposition or the political strength to heed the extremists who would have it hew to the monetary line, letting bonds fall where they may.

"The Patman inquiry was not only the last act of the Treasury-Federal Reserve drama. It was a revival of the whole play for the benefit of a wider audience, and it provided most of us with a much better view of the preceding acts than we had originally. Both the Treasury (compendium, pp. 50–74) and the Board of Governors (compendium, pp. 346–363) provided narratives of the events from the end of the war to the accord. The Treasury's account is both more informative and more combative, although their newfound friendship put both agencies under restraint in discussing their past differences.[4] The Federal Reserve reply is really given by President Sproul's testimony (hearings, pp. 519–523, 541–543) on the period from August 1950 on, a narrative to which two other key Federal Reserve figures, Mr. Eccles and Mr. McCabe, signified their concurrence. Further light on the history of the struggle is shed by the confidential correspondence between the two agencies from June 1950 to March 1951 (hearings, pp. 942–966), published by the committee over the cogent objection of Mr. Martin concerning the effects of this practice on the public service. Finally, the historically minded reader should not omit the account by Aubrey Lanston (compendium, pp. 1253–1265) of the market's

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Washington: U. S. Government Printing Office; 1952; pp. v+993.

3. Report of the Subcommittee on General Credit Control and Debt Management, Joint Committee on the Economic Report, 82d Cong., 2d sess. Washington: U. S. Government Printing Office; 1952; pp. vi+80.

[2] Joint Committee on the Economic Report, A Compendium of Materials on Monetary, Credit, and Fiscal Policies (81st Cong., 2d sess.; S. Doc. No. 132), pp. 77–79, 180–186.

[3] A supplementary reserve requirement such as the Board proposed in 1947 would not eliminate the possibility of declines in long-term bond prices. But it would, even if indirectly, remove some of the pressure on the long-term market. To the extent that short-term debt was locked in the banks, the supply of short-terms to other investors would be diminished. The resulting rate structure would increase the willingness of these investors to hold long-terms. Or the Treasury and Federal Reserve could, without expanding bank reserves, reduce the outstanding supply of long terms and satisfy the needs of nonbank investors for short-term obligations.

[4] Compare the preaccord letter of the Treasury General Counsel to the Joint Committee on the Economic Report, General Credit Control, Debt Management, and Economic Stabilization, pp. 38–40.

day-by-day reactions to the pulling and hauling between the agencies.

The report itself (pp. 25–28) provides an excellent and judicious summary of these events. On the evidence, there is no reason to doubt the committee's conclusion that the record shows principally the actions of men of good will trying to work out the solution for an exceedingly complex problem. Nor is the record a history of Treasury domination of an unwilling Federal Reserve, suddenly ended in 1950–51 by an abrupt turn of the worm. Ever since the war, beginning with the question of termination of the preferential discount rate, the Federal Reserve has been pecking away at the structure of interest rates inherited from the war. The Treasury has resisted and delayed each step, but eventually the Treasury has always yielded. (Almost invariably the initial Treasury view is that any change in the status quo is risky—depression or war may be coming—or unnecessary or both.) Throughout the period the Federal Reserve has influenced not only the structure of rates but the types and maturities of Treasury issues. Only once, in the refunding operation in the fall of 1950, did the struggle explode into openly conflicting actions by the two agencies. The Treasury learned its lesson, and its next refunding followed Federal Reserve recommendations. Ultimately, in early 1951, the Federal Reserve had nothing left to peck at except the 2½-percent long-term rate itself. Once again, in spite of some public verbal combat and the enlistment of the President on the Treasury side, the Federal Reserve prevailed. The accord came only 1 month after it was proposed to the Treasury by the Open Market Committee and only 2 months after the first intimation that the Federal Reserve had its eyes on the long-term rate. As in previous instances, the Treasury followed Federal Reserve advice regarding types and maturities of securities to issue.

"Naturally the spheres of decision of the two agencies and their relationships with each other were problems of great concern to the committee. Both agencies took the attitude that the status quo, vague and informal though it may be, was satisfactory. Leave us alone, they said in effect, and we can work things out in cooperation and harmony. Skeptical outsiders were more worried about defining formally the spheres and powers of the two agencies. Most respondents were for asserting and safeguarding the independence of the Federal Reserve from the executive, and there was considerable support for a mandate of the kind advocated by Senator DOUGLAS. Others held that "independence" is an unrealistic slogan, because monetary policy neither can nor should be made in a compartment separate from the other economic policies of the Government. In the panel discussion on this subject (hearings, pp. 747 ff.) G. L. Bach and Harold Stein were persuasive advocates of this viewpoint, arguing that it is more important to enhance the influence of the Federal Reserve in the administration than to attempt to increase its independence. Some of the recommendations of the committee majority were directed to this end: in particular, the proposal that the Chairman of the Board of Governors have Cabinet rank and be designated, from the membership of the Board,[5] for a 4-year term concurrent with that of the President; and the proposal for a consultative and advisory council on monetary problems.

"Theory: Operation of monetary controls

"The Patman inquiry inspired, both in written replies and in oral testimony, numerous expositions of the theory of monetary control. A large majority of the respondents assigned to general monetary controls considerable influence on the level of economic activity. Only a few voiced the skepticism of their effectiveness so common 5 or 10 years ago. These volumes are impressive evidence of the rediscovery of money, as Howard Ellis has called this reversal in economic fashion.

"The fluctuation of economic thought on the importance of the money supply is an interesting phenomenon in itself. Like the rise and fall of other fashions in the social sciences, it does little credit to our science. Neither the initial skepticism about money nor its recent rediscovery has been solidly grounded on empirical evidence. Skepticism arose from the apparent impotence of monetary measures from 1929 on, received intellectual support from the Keynesian revolution,[6] and acquired reinforcement from an uncritical exaggeration of the importance and relevance of empirical findings that businessmen assign interest rates a low rank among factors influencing investment decisions. To some extent, skepticism grounded in the inadequacy of monetary measures to stimulate recovery from depression was applied to the opposite problem of preventing inflation. The reversal of fashion has had perhaps an even thinner empirical foundation. No new evidence has been adduced to prove the importance of monetary factors,[7] or to reverse previous impressions of the insensitivity of businessmen and other spenders to interest rates. The new confidence in the power of monetary weapons has been acquired just by giving the matter further thought—often, one suspects, wishful thought. Absence is said to make the heart grow fonder, and to monetary policy has been attributed power to avoid the evils which flourished during its suspension in the interests of debt management. If the performance of the economy in response to monetary controls between the wars was an inadequate basis for pessimism about their efficacy, the performance of the economy since the war in the absence of monetary controls is surely an inadequate basis for optimism.

"The important varieties of monetary theory espoused to the committee may be, with some violence to the individualities of some respondents, classified into three schools. One group, whose intellectual headquarters is Chicago, believes that aggregate spending is sensitive enough to the rate of interest, and hoarding insensitive enough, to make the quantity theory a good approximation. A second group agrees that the issue hinges on the sensitivity of spenders and hoarders to interest rates. But this group is skeptical about the interest-elasticity of spending and is impressed more with the variability than with the constancy of monetary velocity. These two schools fit easily into the traditional framework of monetary discussion. Their disagreement, although it contributes to a marked difference in policy recommendations, is less a difference of theory than of empirical judgment. In the panel discussion (hearings, pp. 685 ff.) Milton Friedman and Paul Samuelson represented ably these two points of view.

"The third school, however, sets forth a new theory of monetary control which claims that both of the old schools are asking the wrong questions. Under the leadership of Robert V. Roosa[8] and others, the new theory has developed and spread rapidly in recent years. It has been inspired by postwar Federal Reserve policy, before and after the accord; the theory, in turn, inspires the policy. The Federal Reserve replies in the Compendium indicate that it is the official rationale of current policy. Because of its intellectual interest and its evident practical importance, the new theory deserves careful examination. In the Patman inquiry only Professors Samuelson and Whittlesey (hearings, pp. 691–710, 736–743) gave it the critical attention which it merits.

"According to this theory, monetary controls work much more through restricting the availability of credit than through increasing its cost, much more through restraints on lenders than through reactions of borrowers. It is possible, according to the theory, to curtail spending significantly by limiting the availability of bank reserves, without raising significantly market rates of interest. Some upward pressure on rates there is bound to be. But this is largely incidental, and one cannot judge the impact of a monetary restriction by the height to which it pushes interest rates. There are evidently two related parts to this proposition. The first is that it is possible to restrict reserves without raising interest rates appreciably. The second is that such restriction will curtail aggregate demand. Thus the new theory provides an answer to those of the other two schools who question the importance of fractional increases in interest rates. The significance of the new doctrine may be most clearly appreciated from the fact that it implies that monetary restriction will curtail aggregate demand even if the most extreme skepticism about the interest-elasticity of borrowing and spending were justified.

"To put the theory in an over-formal but nonetheless perhaps an illuminating way, the substance of it is that an increasing yield on Government bonds is an extremely good substitute for a high yield. At a given interest rate, the demand to hold Government bonds, relative to other assets, will be higher if the interest rate is increasing or has recently increased than if it is stable. This is due to a combination of factors neglected in the older theories: first and most important, imperfections in the money markets which prevent the yields on other assets from adjusting to compensate for the increased attractiveness of Government bonds; second, irrational and conventional behavior by financial institutions, so that portfolio decisions are not based wholly on yield comparisons but partly on considerations such as a reluctance to realize capital losses; third, uncertainties and expectations associated with increases in bond yields, which may make both borrowers and lenders appraise the economic future with more caution. Against these factors works the more familiar speculative effect: expectations and fears that interest rates will continue to rise tend to reduce the demand for bonds. But the new theory contends that if the favorable factors are skillfully exploited by the central bank, they will more than offset the speculative effect.

"The consequences of a restriction of bank reserves are, according to the theory, as follows: The central bank restricts reserves by

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[5] Board members, according to the majority report, should have terms of 6 instead of 14 years, be eligible for reappointment, be reduced in number from 7 to 5, be chosen without geographical restraints, and receive increased salaries.

[6] Formally Keynes' theory justifies skepticism about monetary policy only in special circumstances. But Keynes himself and many Keynesians believed these circumstances to be typical of modern economies.

[7] Milton Friedman has presented figures showing a fairly close correspondence between the monetary expansions and the price inflations associated with three wars (Price, Income, and Monetary Changes in Three Wartime Periods, American Economic Review, 42 (Proceedings, 1952), pp. 612–625). Even accepting an interpretation of these data favorable to the quantity theory, it remains quite possible that over shorter spans of time the relationship between money and prices is loose.

[8] See his essay, Interest Rates and the Central Bank, Money, Trade, and Economic Growth, pp. 270–295. For the development of the doctrine, beginning with prewar writings, see pp. 275–276 of this essay and the works there cited.

selling Government securities or by lowering the price at which it will buy them. In either case there is some increase in their yield. This increase in yield deters banks and other lending institutions from selling Government securities to make alternative loans and investments. It deters them for two principal reasons. First, they do not like to take a capital loss on Government securities, even if an alternative asset offers a higher yield.[9] Second, and more important, the increase in yield makes Government securities more attractive relative to alternative investments because the rates on other assets are kept from rising by institutional rigidities in the market. Lenders will, therefore, ration credit to private borrowers, and some willing borrowers will simply not be accommodated. For example, convention will keep the rate charged by banks to their commercial customers from rising; loan applications, which previously would have been accepted, will be refused. Again, the rate on mortgages will be sticky, in part because of Government regulations; fewer mortgages will be bought. Similarly, corporations and State and local governments will find it impossible to float bond issues to finance investment projects. In all of these cases, it is argued, the disappointed borrower and spender does not have open to him in the market the alternative of offering a higher rate and obtaining the funds. Hence, even if borrowers are not likely to be deterred by higher interest charges, even if it is true that spending is insensitive to interest-rate levels, monetary restriction is effective in curtailing spending.

"This argument relies, as Professor Samuelson pointed out, on an increase in the imperfection of the market as a consequence of the initial rise in bond yields. There must be more rationing of credit than there was before. The importance of the argument depends on the persistence of the increase in imperfection. If the rates available to private borrowers are fixed for a long period, the theory uncovers important new potentialities for monetary control. If these rates are within a short time free to adjust upward to compensate for the increased yield and attractiveness of Government securities, the contribution of the new theory is more modest. It points out some dynamic effects, neglected by the older theories, which temporarily enhance the influence of a monetary restriction. But as these effects wear off, the lasting influence of the restriction depends on the answer to the questions the older theories ask: How interest-elastic are the demands for the alternatives to bonds, goods, and cash? As the transient effects die, lenders will satisfy the needs of borrowers who are willing to pay higher rates. In order to do so, they will shift out of Government securities; and given the volume of bank reserves, security yields will rise. To the extent that the increase in bond yields induces corporations and individuals to hold securities rather than cash reserves, lenders are provided with funds to satify the needs of borrowers who were previously rationed out of the market. In the ultimate equilibrium, rates on different assets will stand in a normal relationship to each other; the former degree of market imperfection will be restored; and the effect on spending will depend on what the monetary restriction has done to the level of interest rates and how borrowers and spenders react to that. Even so, the transient effects may be exceedingly useful to a central bank which wishes to dampen spending without raising interest rates much, or fears that demand is in any case not very responsive to the level of rates. If the inflationary pressure which the central bank wishes to oppose is itself temporary, the transient effects may be enough to do the job. Otherwise it would be necessary to administer successive doses of the medicine until the level of interest rates is pushed high enough to handle the situation.

"The strength and persistency of these availability effects are empirical questions crucial to the new monetary theory. Inferences on the subject are drawn from events following the accord. But this should be done with great caution. Certainly the general economic stability of 1951 and 1952, compared with 1950, cannot be considered proof of the effectiveness of monetary policy, any more than it can be considered proof of the effectiveness of the direct controls introduced in 1951. Many other explanations of this phenomenon are at hand. But even if more specific evidence indicated that monetary policy should receive substantial credit for halting the inflation, the accord had unique characteristics which limit its usefulness as a basis for generalization. It was a departure from a policy and a rate to which the market had long been accustomed. It was natural for the market to react with confusion and imperfection and to transmit the change only slowly to the rates on private credit. Once the market is again accustomed to flexibility of basic rates, it may adjust with more speed. The first dose of the new medicine is likely to be the most effective, and it can only be administered once.

"The evidence that the accord produced substantial effects of the kind envisaged by the new theory is not, in any case, impressive. (See testimony of Professor Whittlesey, hearings, pp. 698–710.) Bank loans continued to grow. Insurance companies continued to dispose of Government securities in favor of other assets, even though by 1951 they had reduced Governments to something like a normal proportion of their portfolios. Although some new bond issues may have been postponed following the accord, the statistics of new issues suggest that it was not long before it was possible to place issues at rates acceptable to the market. (Professor Whittlesey argued also that anticipation of the accord greatly increased security offerings in the first quarter of 1951.)

"In assessing the inflexibility of lending rates in the face of monetary restriction, it is essential to remember that lenders have at their disposal a number of devices for raising the effective rate of interest to the borrower while the nominal quoted rate remains the same. Bankers, for example, can be more insistent that borrowers keep certain amounts on deposit. Their replies to the committee (compendium, pp. 1133–46) indicate that in many cases this was in fact their reaction to monetary tightness in 1950 and 1951.

"It is easy to understand why the new theory of monetary control should be eagerly seized as the rationale of Federal Reserve policy. For it offers the hope that monetary policy can be effective without the large fluctuations of interest rates which used to be considered essential. And even now, for better or for worse, the Federal Reserve is not realistically free to pursue a policy which disregards the prices of Government bonds. A great deal of Federal Reserve and Treasury effort must still, as ever since the war, be devoted to increasing private investors' willingness to hold Government securities by measures other than increasing their yields.[10] The new theory reaches the cheerful conclusion that these measures will also be an effective curb on private spending, because they reduce the availability of credit to private borrowers.

"Such a policy does not imply that rates must never rise; indeed occasional small changes in rates are, according to the theory, necessary to bring into play the effects on which the policy relies. It does require that, at any given level of rates, private willingness to hold Government securities be as large as possible and, consequently, the supply of bank reserves and of money as small as possible. To this end the Treasury and Federal Reserve have available many devices; for example, judicious adjustment both of the types and maturities of public debt instruments and of the composition, in distinction to the size, of the Federal Reserve's Government portfolio; "moral suasion" to prevent holders of Government securities from selling—this went to extremes in 1950, and the Open Market Committee has now penitently forsworn its use (see compendium, pp. 630–632, 1253–1256, and hearings, pp. 398–400); setting the rediscount rate in such relation to the short-term government rate as to induce banks in need of reserves to borrow them, so that both the traditional distaste of bankers for indebtedness and the Federal Reserve's discretionary powers in respect to the privilege of rediscounting may be exploited; "pinning in" private bond holdings by penalizing sales, redemptions, or conversions before maturity with capital losses; manipulation of market uncertainties and expectations about future rates. Experience with this kind of policy has led to increased awareness of lags, imperfections, and institutional conventions in the money markets. These the policy seeks to exploit to make monetary measures effective, at least temporarily. As the market adapts itself to one measure, the ingenuity of the monetary authorities may be taxed to find another.

"Only the future will tell whether this kind of monetary policy will do the job to the satisfaction of the monetary authorities themselves, or whether in the end they will conclude that monetary control can only be successful through the more pronounced changes in interest rates on which central banks traditionally relied in the past.

"Policy: Monetary restriction in an anti-inflationary program

"Concerning the wisdom of the accord, the Patman inquiry disclosed virtually no dissent. Many thought that par support should have been abandoned earlier; almost no one, except an occasional banker, thought it should have been perpetuated. Concerning the importance of the accord, there was considerable disagreement. Senator DOUGLAS and Professor Friedman were inclined to blame the 1950 inflation on the failure of the Federal Reserve to cease support at that time, and to attribute the stability of 1951 and 1952 to the new policy. Most others, including Federal Reserve spokesmen, were more modest in their claims for monetary measures. At the opposite extreme, Mr. Keyserling thought monetary policy a relatively insignificant factor both before and after the accord. But even he did not suggest that the accord was bad policy.

"There was, however, substantial division of opinion on how far monetary policy should be pushed. At one extreme is Professor Friedman's position that it should be pushed as far as necessary to remove any inflationary pressure which fiscal policy does not remove, regardless of the consequences in the

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[9] The replies of insurance executives (Compendium, pp. 1234–1244) do not provide unequivocal support to the view that they are irrationally "pinned in" to Government securities by capital losses. (Neither do the figures on changes in insurance company portfolios since the accord.) Several executives explicitly denied that such losses were of any concern if higher yielding investments were available. Others consider losses a deterrent, but it is not clear that they meant anything more than that higher yields on Governments make them more competitive with other assets.

[10] And evidently by means other than compulsion. As noted above, the Federal Reserve is now not interested in supplementary reserve proposals designed to "insulate" part of the debt.

Government securities markets. At the other—if we leave aside the bizarre views of Mr. John D. Clark (compendium, p. 892)—Mr. Keyserling found so many disadvantages in higher interest rates that he would rely on direct controls instead of monetary restriction to supplement fiscal policy and would indeed prefer moderate inflation to the consequences of higher interest rates. In between, most respondents found some reasons for placing limits on monetary restriction, though their limits would be less confining than Mr. Keyserling's.

"Reasons for limiting reliance on monetary restriction fall into two classes: those connected with the public debt, and those which would have force even if the public debt did not exist or were insulated. For the most part, the reasons offered of the first class will not survive rational examination. Long ago Paul Samuelson demonstrated that the solvency of banks and other financial institutions is not threatened by a decline in Government bond prices.[11] As for the higher interest charges to the Treasury, the issue is essentially the same as in the old controversy on the burden of the debt. It may seem strange to hear "after all, we owe it to ourselves" from financiers pleading for higher interest rates rather than from Harvard professors dispelling alarm over the size of the debt. But the substantial truth of the argument holds in either context. The only objection to a rise in debt charges is the friction and possible injury to incentives involved in taxing to pay the interest without unwelcome distributional consequences.[12]

"More weight must be assigned the second class of reasons for limiting monetary policy. Prevention of inflation is not the only national economic objective. There are several instruments available for preventing inflation, and they can be combined in varying proportions. Among the several combinations which can do the anti-inflationary job, the optimum mix of policy instruments is the one most favorable to other social objectives. The Patman inquiry inspired surprisingly little discussion of this problem. The prevalent assumption seemed to be that, since an adequate anti-inflationary program is unlikely to be adopted, the best tactic is to urge stronger measures all around. This may be a realistic view, but is it the proper attitude to take in advising a committee of Congress? Congress, after all, has the authority to decide how much use shall be made of all anti-inflationary weapons. Should one say to Congress, in effect: We know you fellows haven't the guts to raise taxes, so you'd better go all out for monetary restriction? Or should one offer some guidance on the relative degrees to which Congress should rely on tax policy, monetary restriction, and direct controls?

"One formula which often seems implicit[13] in discussions of the problem is that the budget should be balanced and any remaining inflationary pressure removed by monetary means. Although this prescription has the practical appeal that a balanced budget may be the best one can expect from Congress, it is not consistent with the countercyclical fiscal policy, including surpluses in boom times, which economists have been educating the public to accept. Moreover, should the formula apply regardless of the size of the budget? A large balanced budget would put more of a burden on monetary measures than a small one.

"The choice between monetary restriction and tax increases is largely a choice between consumption and investment. (It is not entirely so, both because taxes may deter investment as well as consumption, and because monetary restriction, even excluding selective credit controls, may curtail consumption as well as investment.) Mr. Keyserling's objection to heavy reliance on general credit control was that he preferred to obtain resources for defense from consumption rather than from investment. Furthermore, given a decision that investment must bear a certain share of the burden, what lines of investment should be curtailed? General monetary restriction will result in one pattern; direct controls in another. Mr. Keyserling was not sure he would like the pattern of private investment produced by general monetary restriction. Professor Friedman and other exponents of the free market were sure they would not like a pattern produced by direct controls. Incidentally, if the description of the money market given by the new monetary theory is correct, the choice is less between a pattern produced by the price system and one produced by direct controls than between a pattern produced by decentralized rationing of credit and one produced by governmental controls of materials allocations and prices. These issues are, much more than the charges on the national debt, the ones to consider in judging the extent to which inflation should be fought by monetary weapons.

"Another relevant consideration is the expected duration of the inflationary pressure and the economic forecast after it subsides. Experience with high and variable rates of interest during a period of inflationary pressure may well decrease the demand for bonds in the future and make it more difficult to achieve the lower rates suitable to a deflationary economic climate. Therefore, it can reasonably be argued (see report, p. 35, and statement of Roy Blough, hearings, p. 253), a temporary inflationary storm should be fought by measures which can be more easily put into reverse. But the importance of this consideration should not be exaggerated, even if the assumption that normal economic weather is deflationary is accepted. Just as there are other ways of dealing with inflation, so there are other ways of coping with deflation; indeed it is widely agreed that monetary measures are less effective against deflation than against inflation. The economy will not be doomed to depression just because the monetary authorities find it takes time to undo the uncertainties and expectations about interest rates created by their previous anti-inflationary moves. If the long-run economic outlook is really deflationary, the central bank will be able in time to bring rates back down to their preinflation levels both by monetary expansion and by gradually reducing investors' rate expectations and uncertainties.

"In recent years the subject of monetary policy has excited emotion as well as analysis. The end of the Treasury-Federal Reserve conflict has made the subject one of less absorbing interest, but also one which can be approached with less passion and more perspective. The volumes produced by the Patman inquiry will contribute to the serious study of monetary problems for a long time to come."

EDUCATION OF EXCEPTIONAL CHILDREN

The SPEAKER. Under previous order of the House, the gentlewoman from Missouri [Mrs. SULLIVAN] is recognized for 40 minutes.

Mrs. SULLIVAN. Mr. Speaker, since this 1st session of the 85th Congress is so near adjournment that no new legislation introduced now could possibly be considered in these final hours, I should perhaps apologize to the membership for asking for this special allotment of time today in order to discuss a bill which has not yet even been introduced.

On the other hand, this proposed measure deals with a matter of such really desperate concern to so many millions of American families and to so many charitable and educational organizations that I feel I am warranted in bringing it to the attention of the House now as a basis for discussion and analysis and study over the coming months of the Congressional recess.

For one thing, I know that a large number of Members share my interest in this urgent problem of meeting the educational challenge of the so-called exceptional child, and I invite their review of the approach which I have attempted to develop. I have been working on this proposal for many months and still have 1 or 2 details to iron out but I believe I can do that in time to introduce the bill itself before we adjourn this week. In the meantime, I would like now to outline its general features and provisions.

Subsequently, during the recess period, until the 2d session convenes in January, I am hopeful that this proposal will receive the widest possible discussion and analysis among all of the many groups directly interested or concerned. Then, if it is determined to be as workable as I believe it can be, I hope we can obtain prompt action on the bill early next year, in time to put it into operation for the last half of this present fiscal year.

During the recess, I would be more than pleased to receive any comments or criticisms on the bill from interested Members of the House and Senate, and from any other individuals or groups concerned with the need for providing more adequate educational opportunities for exceptional children.

COVERS ALL AREAS OF EXCEPTIONALITY

While there is nothing revolutionary or unprecedented in the approach my proposed bill would take, I am informed that the bill will be, when introduced, the first and only bill before Congress to establish in one single, broad, unified Federal grant program a plan to help

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[11] The Effect of Interest Rate Increases on the Banking System, American Economic Review, 35 (1945), pp. 16–27.

[12] On the other hand, objections to insulation devices designed to save interest charges on the Treasury without hamstringing the Federal Reserve seem equally insubstantial. A rise in the interest rates the Treasury pays may do little harm, but neither is it a good thing in itself. The argument, frequently encountered in these volumes, that the Government should be as subject to the discipline of the capital market as any other borrower is inconsistent with the argument that higher interest charges do not matter. If the transfer of interest from taxpayer to bondholder is properly of little concern to the Government, why should a high market rate deter the Government from spending? It is true, of course, that resources should be diverted from private investment to public investment only if they have as high a marginal social productivity in public use as in private. But the connection between this principle of rational allocation and the interest rate the Treasury has to pay to borrow is surely extremely tenuous.

[13] For fairly explicit statements of this formula, see the reply of Milton Friedman (compendium, p. 1069), and the statement of Lester V. Chandler in General Credit Control, Debt Management, and Economic Mobilization (Joint Committee on the Economic Report, 82d Cong., 1st sess.), p. 65.

train urgently needed teachers in every major category of exceptional children.

Most of the Congressional activity in this respect up to now has been directed at the problems of educating the mentally retarded child. Thanks to the pioneering work in this field by the House Appropriations Subcommittee for the Department of Labor and the Department of Health, Education, and Welfare, the subcommittee headed by Congressman **JOHN E. FOGARTY**, of Rhode Island—one of our great humanitarians in the Congress—we now have under way through the Office of Education an extensive research program on teaching techniques for helping mentally retarded children.

In addition, both last year and this year the Senate has passed bills to establish a scholarship and fellowship program for training teachers in this same field of teaching the retarded. Furthermore, Mr. **FOGARTY**'s subcommittee this year has called for some new thinking by the Office of Education on the best methods of providing better educational opportunities for children with speech and hearing defects—another sizable group of exceptional children; in fact, I think it is the largest single category of such children.

The bill which I plan to introduce in the next few days, on the other hand, will cover not only these groups but all other major categories of what the educators call exceptionality. It will provide a program of Federal scholarships and fellowships to individuals, and grants to colleges and universities to stimulate the training of some of the many thousands of specially equipped professional people needed in all of these fields, as teachers in the elementary and secondary schools, as supervisors of such teachers, and, at the college level, as teachers of advanced education courses and as researchers in the areas of exceptional children.

THE PROBLEM FACED BY THE EXCEPTIONAL CHILD IN SCHOOL

Mr. Speaker, while all of us are endowed with individual qualities and characteristics which distinguish us from each other, most of us are blessed with a kind of normal averageness, if that is the word, of physical appearance and mental capacity which enables us from childhood on to submerge comfortably in the group—in the crowd—if we so desire, and travel life's road at a comparatively easy pace. Most of the institutions with which we come in contact, the tools we must use, the clothes we wear, the homes in which we live, the specifications for most jobs, and the schools in which we learn, particularly the schools, are geared or tailored pretty much to the norm. I said we are blessed with this averageness because certainly as children we shrink at the idea of being visibly or demonstrably different.

But while most children seem to fit a comfortable pattern, others, a very select few, are touched by God with such great gifts of mind and perception as to stand out for their brilliance; and still others, millions of others, are chosen for reasons known only to God for the special testing and trial of another form of differentness, that is, in having to shoulder physical, mental, or emotional handicaps or disabilities.

To romanticize this situation, it is easy to think that the gifted child has everything in his favor with the world as his oyster, and the handicapped child inevitably has some inner fire and drive to enable him to overcome his physical limitations and achieve the greatness which has come to so many in similar circumstances, great poets, musicians, teachers, physicians, and so on, who were handicapped and who nevertheless achieved great things in spite of, if not because of, those physical handicaps.

But let us not forget that children do not suck knowledge out of their thumbs. They must be taught and often it is a painstakingly difficult—incredibly difficult—and skilled task to teach some unfortunate children anything, to teach others the minimum of those things they must learn and know in order to live useful lives, and to teach still others all they can learn profitably.

WASTAGE OF HUMAN RESOURCES

In this respect, the greatly gifted child and the handicapped child share some common and often serious problems in the educational process and thus are placed together by educators under the heading of exceptional. For the procedures set up to teach the so-called normal or average child do not begin to reach the educational needs of the different child—the exceptional one. As a consequence, the exceptional child—gifted or handicapped—is robbed of some of his educational birthright.

Some millions of children of school age are not in any school at all because of the existence of this problem. Some of these receive some help from the school system, but the problem is enormous, and the needs generally are not being met.

In addition, many others attend school but find it often a frustrating experience, a place of confusion and torment, because they are just not geared for the classroom routine. They need classroom work specially planned for their abilities or handicaps. A capable youngster with a serious speech or hearing or visual defect can be made to feel dumb; an emotionally disturbed youngster can be a distracting influence on an entire class; a gifted youngster can sit and vegetate in pure boredom in a class which he tends to find a prison for his imagination or feel out of it in a class of older children who are nearer his mental capacity.

This is the problem faced by the exceptional child, and by his parents, and by all of us. Because the specialized equipment or the special techniques—or, most important, the specially trained teachers—are not available, the exceptional child suffers from unrealized educational opportunities, and his family is often caught in an agonizing situation. I think all of us know of such families and the problems they face. And lastly, we as a nation suffer in terms of a tragic wastage of human resources, of skills and abilities we cannot afford to waste.

I am not going to put this in terms of cold war or West versus East or the fact that the Soviet Union is outstripping us in the education of scientists and engineers and technicians. True, a gifted child whose talents are wasted because he is not stimulated to learn to his full capacity might otherwise become a great inventor or scientist whose discoveries could bolster our defenses, but that is not the point I wish to make. I should like to present this problem not in terms of national defense but in terms of what is right and fair to American children and to our society, which could be enriched by the contributions of all of these exceptional children if given the opportunity to learn and contribute to their full capabilities.

FOUR TO SIX MILLION SCHOOL-AGE CHILDREN

Who are these children? And how many are there?

They are, as I said, the mentally superior, on the one hand, and the mentally retarded, on the other. In addition, they include the crippled and deformed, including the cerebral palsied; the deaf and the hard-of-hearing; the blind and the partially seeing; the speech-defective; the undervitalized; those with special health problems, including the cardiopathic, epileptic, and tuberculous; the emotionally maladjusted, and the delinquent.

There is no exact count available on the number of children in each of these groups, but the estimates considered most reliable, based on spot studies by localities and national organizations, place the total somewhere between 4 and 6 million children in the school ages between 5 and 17.

In 1954, Romaine P. Mackie and Lloyd M. Dunn of the United States Office of Education reported—"with some reluctance," they said, because of the lack of exact information—that informed estimates showed the following incidence of exceptional children of school age for the year 1952:

Blind and partially seeing	68,000
Crippled	510,000
Special health problems	510,000
Deaf and hard of hearing	510,000
Speech handicapped	680,000
Socially maladjusted	680,000
Mentally retarded	680,000
Gifted	680,000

Mr. Speaker, I think there might well be some surprise at the size of those in the gifted category, those with I. Q.'s of above 125, for according to this tabulation, the intellectually superior equal in round numbers the number of mentally retarded children of school age.

THE AMERICAN PROMISE OF EQUALITY OF OPPORTUNITY

As I said, most of our attention in the Congress has been focused on the admittedly serious educational problems of the mentally retarded. They need help. They deserve help. And we are providing research, at least, in this field, with the good prospect of enacting legislation to help train more teachers in the specialized skills of teaching mentally retarded children. The Senate has twice passed such a bill.

But this overall problem is so big we cannot restrict any solution just to this one group of exceptional children. And certainly our resources are adequate to enable us to provide help in all of these categories I mentioned.

In 1954, the Office of Education held a conference on qualification and preparation of teachers of exceptional children, and in the course of the conference a proposed Creed for Exceptional Children was presented by Leonard Mayo, director of the Association for the Aid of Crippled Children, and was accepted by the conference and by the Office of Education, which has since published it. I am going to include the full text of that Creed for Exceptional Children at the conclusion of my remarks, as exhibit A, but right now I would like to quote a few passages from it.

This document states:

> We believe in the American promise of equality of opportunity, regardless of nationality, cultural background, race, or religion.
>
> We believe that this promise extends to every child within the borders of our country no matter what his gifts, his capacity, or his handicaps.
>
> We believe that the Nation as a whole, every State and county, every city and hamlet, and every citizen has an obligation to help in bringing to fruition in this generation the ideal of a full and useful life for every exceptional child in accordance with his capacity: the child who is handicapped by defects of speech, of sight, or of hearing, the child whose life may be adversely influenced by a crippling disease or condition, the child whose adjustment to society is made difficult by emotional or mental disorders, and the child who is endowed with special gifts of mind and spirit.

TRAINED MIND AND WARM HEART

The final paragraph of this document states:

> Above all, we believe in the exceptional child himself; in his capacity for development so frequently retarded by the limits of present knowledge; in his right to a full life too often denied him through lack of imagination and ingenuity on the part of his elders; in his passion for freedom and independence that can be his only when those who guide and teach him have learned the lessons of humility, and in which there resides an effective confluence of the trained mind and the warm heart.

Mr. Speaker, I have quoted only portions of the document, the Creed for Exceptional Children, and I hope those who read these remarks in the CONGRESSIONAL RECORD will read the full text of this inspiring declaration. I prize a framed copy of it in my office, and I will readily acknowledge that I have borrowed very heavily from it, deliberately, for the language of the preamble of the bill which I am introducing.

I think those few passages I quoted sum up a philosophy with which we must agree wholeheartedly if we truly mean to see to it that each child in this great country shares equally in the opportunity to learn. We know that each cannot learn at the same speed or to the same degree. But for those who can absorb knowledge and skills, we must make sure the opportunity exists for the child to benefit to the full extent possible.

We do that now for adults, and for children reaching maturity, in connection with vocational training and vocational rehabilitation. We provide the means by which men and women and young men and young women, with physical handicaps can be helped and taught to qualify for skilled employment. Wonders are being performed under this program.

But why must we wait until the handicapped child is almost grown and ready for employment to begin thinking of his need in this respect? If we can perform wonders now in the rehabilitation process—and we can—then think how much more we could accomplish with that same individual if we began his specialized education as a youngster and geared it to his capabilities just as we later gear the vocational rehabilitation program to the physical capabilities of the individual?

SPECIALIZED TEACHING TECHNIQUES

Special educational techniques for the exceptional child would eliminate a tremendous amount of emotional stress for many of these children in the growing-up stage and thus help make better citizens of them and better communities for all of us.

Special education does not always and invariably involve special classes, but it does involve specialized teaching. In this connection, I think one of the best statements of the problem which I have seen was made in the annual report of the Ames, Iowa, public schools for 1954–55, in which Walter L. Hetzel stated:

> It must always be remembered that the education of exceptional children has basic concepts and goals in common with the education of all children. The same principles of child development prevail. A deaf child is a child with a hearing handicap. As a child, he has all the needs, desires, and physical energy of children in general. Basically, the only way in which he differs from an average child is his inability to hear; and because of this hearing handicap, he is unable to speak.
>
> This difference makes it necessary to plan his education with special consideration for his disabilities. The mentally retarded child, the child with visual impairment, the crippled child, and every other exceptional child has fundamental motives and drives common to children in general; but along with those common characteristics, there is in each case a specific handicap or exceptional condition that requires an adjustment or special service in his educational program.
>
> That program should be designed with full recognition of (a) his likeness to normal children, and (b) his special needs. This, in brief, constitutes the modern approach to the education of exceptional children.

EDUCATORS AWARE OF AND DISTURBED BY PROBLEM

Mr. Speaker, in discussing this problem today and in presenting my bill for referral to committee in the next few days, I do not want to give the impression that this is some new and uncharted field, or that I have discovered the existence of a previously unrecognized problem. Every family which has an exceptional child knows of the existence of this problem. So does every teacher who struggles with the task of trying to accommodate such a child in a group of 35 or 40 or more other youngsters, when there is insufficient space and not enough teaching hours in the day to cope with such tremendous classes. Our school administrators know of the problem, and so does the Office of Education, which has published much on it.

Many schools and many school systems are trying determinedly to meet the challenge which this problem presents. I was amazed at the number of Catholic schools, for example, set up specifically to meet the needs of exceptional children. I was also deeply impressed by the tremendous amount of literature on this problem. I am going to include, I might say, for printing in the RECORD, an excellent digest of this material as prepared for me in the Library of Congress.

TEACHER SHORTAGE IS BASIC FACTOR

One theme runs through all of this material, and is voiced again and again by Federal officials, State and local school administrators, and all of the experts in this field. It is this:

The problem is serious not because there is a lack of techniques or knowledge for helping these children, but because of a lack of trained teachers specially qualified to use these techniques and skills.

If it were possible to underline any of my remarks or place them in italics in the RECORD for emphasis, that is the one sentence in this whole report which I would underline. For it is the key to the problem, and thus I have made it the basic factor in my bill.

According to the research material prepared for me by the Library of Congress, there are today perhaps 25,000 specially trained schoolteachers equipped or certified to provide the specialized teaching required for various types of exceptional children. Some of the States have gone into the leadership on this in setting up certification standards for teaching exceptional children and many have established on a mandatory basis classes for certain physically handicapped and mentally retarded children.

Furthermore, at least 133 colleges and universities are now presenting sequences of courses leading to degrees for teachers or supervisors or researchers in various areas of exceptionality, and the increase in interest in this work on the part of the colleges and universities in recent years has been extremely gratifying.

Nevertheless, the number of teachers specially trained in these fields is so small compared with the magnitude of the need that any program to help in the education of exceptional children must start—and must concentrate on—assuring the training of many more teachers, and men and women to teach such teachers.

I am informed that a conservative guess on the number of elementary and secondary schoolteachers needed in these fields would be 100,000—4 times the 25,000 teachers now reported to have these specialized skills. And even that number, I am told, would not assure a desirable or practical ratio of teachers to students needing this specialized help.

PURPOSE OF PROPOSED BILL

One estimate which has been submitted to me—and the reasoning behind it can be found in the research material provided by the Library of Congress analyzing the ratio of teachers in various categories of exceptionality to the number of children in each group—shows a need of not 100,000 such specialized teachers right now, but rather 223,500. Of course, when we only have 25,000 now, it is perhaps idle to think in terms of obtaining 10 times that many. I would be happy, indeed, in the coming decade, if we could just double the number of those presently available. But while the bill I have prepared is ambitious for this program, it cannot even begin to do that job, or anything remotely approaching it.

The purpose of my bill is not to have the Federal Government proceed to do the job, but just lead the way, to provide a limited number of scholarships and fellowships to teachers and prospective teachers to encourage them to go into this field where they are so desperately needed; to provide some assistance to the colleges and universities pioneering in this work to enlarge facilities or obtain specialized equipment; and, above all, to stimulate the States and the localities not only to recognize their obligations—most of them do now—but rather to see the way to setting up the specialized classes or programs which are so necessary, knowing that under this bill more and more qualified teachers will be coming out of the advanced training courses prepared to take over such programs and build their effectiveness.

The Sullivan bill would work in this fashion:

AWARDS TO INDIVIDUALS

Beginning in this present fiscal year, and extending over 7 years, the Office of Education could award a total of $18,500,000 to teachers and prospective teachers for specialized training, primarily at the graduate level, in the field of education of exceptional children. The appropriations authorized for this purpose would be limited to $500,000 for the current fiscal year ending next June 30, increasing each fiscal year thereafter by $1 million until a maximum of $3,500,000 a year was reached in the fiscal year ending June 30, 1961. This amount would continue each year, then, until the end of the fiscal year 1964. These grants would carry such stipends as the Commissioner of Education would determine, but the basic idea is that, by providing for living expenses as well as tuition or other expenses, they particularly enable men and women already engaged in the teaching profession to feel that they can afford to go back to school for this specialized advanced training.

UNDERGRADUATES COULD BE INCLUDED

The money would be allocated on a strict ratio among the States, based on the school populations of the respective States. If there were not enough successful applicants from any State to use up the State's full allocation in any 1 year, the remaining amount would revert to the Treasury. It could not be reallocated among other States.

Although the program is intended primarily to attract teachers with degrees for advanced training at the graduate level, there is a special provision in the bill to permit the Commissioner, when he deems that advisable, to make awards also for study at the undergraduate level. Thus, if there should be a limited number of graduate teachers in a particular State who were interested in going into this field, there would still be opportunity for the Commissioner to make awards to teachers who have not yet earned degrees or to residents of the State who have never taught professionally but who want to enter this field of teaching the exceptional child. But the primary emphasis of the bill, as I said, is on work at the graduate level.

The awards of scholarships and fellowships would be made directly to the individual recipient, not to the colleges or universities offering specialized courses. Since more institutions of higher learning are entering this field year by year, the recipient would thus have a free choice of institutions, providing, of course, that the recipient attended an accredited institution which offered appropriate courses in this field.

AWARDS TO INSTITUTIONS

An additional total amount of $2,500,000 would be authorized for appropriation during the 7-year program for grants to colleges and universities, primarily for installation of specialized equipment or facilities for training teachers in the fields of exceptional children. This particular item is not allocated on a State-by-State basis, nor is there a limitation on how much of the $2,500,000 could be appropriated in any 1 fiscal year. The basic idea in connection with this phase of the bill is to give the Commissioner of Education an opportunity to help schools actively engaged in teacher-training work to expand facilities, to put in necessary laboratories, and so on.

The Commissioner would be free to use some of it in order to help an institution of higher education expand its faculty in order to establish courses in teacher training in the exceptionality categories. But I repeat, the emphasis intended on the use of this money is for things, rather than personnel. The amount of money involved is really so small that it could be used up quickly and to little overall effect if much of it were to go to schools to hire personnel, but I would not want to tie the Commissioner's hands too tightly if it should be determined by those best in a position to know the facts, that substantial portions of the awards to institutions should be made for that purpose.

Conceivably the best use to which this $2,500,000 might be put could even be for the purpose of setting up summer workshops or institutes at a number of centrally located colleges and universities. I just throw that out as a possibility, knowing that the summer institute idea has been used with very great success in the National Science Foundation program for high school teachers of science and mathematics.

ADVISORY COMMITTEES

Rather than try to spell out in every detail how these funds would have to be used to achieve the greatest effectiveness, I have provided in the bill for the creation of an advisory committee to assist the Commissioner in determining the areas and priorities of need in the award of grants to individuals and institutions, and in setting the standards for making the awards.

The advisory committee would be composed of people conversant with the overall educational needs of exceptional children, which is broad enough in phraseology, I hope, so that it could include outstanding lay people and other professionals, not just professional educators. To assure full participation by the professional educators now engaged in this work, I suggest in the bill the establishment of advisory panels of specialists in special education for each of the various categories of exceptional children who could advise the Commissioner on particular problems and needs in their respective fields.

COOPERATION WITH THE STATES

There is one other provision of the proposed bill which I believe warrants mention at this time, a provision calling for close and continuing and affirmative cooperation with the various State educational agencies to keep them fully informed of all developments under this program.

In this connection, the Commissioner of Education is instructed to notify the appropriate State officials of the names and home addresses of each resident of their State who is studying under a scholarship or fellowship grant under this program, and the field of study each is pursuing, so that the States can then bring up whatever ammunition they can to attract these teachers to positions back in their home States.

Of course, no teacher receiving a grant would or could be required to promise to teach in a particular State as a condition to receiving the award; so they will be free agents in that respect. But the States should be encouraged to try to get these people to come back to the home State so that the schools there can benefit, and the children can benefit, from the skills which these teachers will have acquired with Federal help.

The theory behind this section on cooperation with the States is that if the State agencies are keyed into the program, and are kept fully informed of all developments under it, and are consulted on the needs for specialized teachers in their States, they in turn will develop a greater awareness of those needs and the potentials of educating their exceptional children more effectively. They will thus also be encouraged, I believe, to develop more statewide programs and stimulate the local communities to set up special classes in these areas of specialized need.

That, in substance, Mr. Speaker, is the bill which I am getting ready for introduction in the next few days. Those Members who have been interested in this field of legislation will recognize in my bill some similarities as well as many differences in comparison with those bills which have been introduced heretofore, and which deal only with the stimulation of teacher training for the mentally retarded.

COMPARISON WITH BILLS FOR MENTALLY RETARDED

The leading bill on that subject, S. 395 by Senator HILL and others, which just passed the Senate for the second time a few days ago, would authorize a program of grants to colleges and universities to enable them to set up training courses in this field, and also to enable the colleges to award fellowships, with the institutions themselves selecting the recipients.

A second part of that bill would authorize grants to State educational agencies to enable them to award fellowships and traineeships for training personnel in working with mentally retarded children.

As I said earlier, the needs of the mentally retarded children are urgent, but so are those of the children in other areas of exceptionality. That is why I have attempted to cover all of them in one bill. And having the grants to individuals made directly from the Federal Government to the recipients rather than through intermediary agencies will make it possible for these fellowships to be allocated on a strict State formula basis, with due consideration for the needs in each area of exceptionality on a national basis—since this is a national problem. If they were to be awarded through the schools, for instance, it is inevitable, I believe, for the emphasis to shift toward the specialties of each school involved. Furthermore, I would rather see the recipients of these awards have freedom of choice in selecting their school, rather than have to go to a particular college or university in order to qualify for an award under this program.

In this respect, my bill follows the example of the GI bill and also the pattern of the fellowships awarded each year by the National Science Foundation for advanced study in the sciences. The National Science Foundation, however, is directed in its authorization act only to seek where possible—it is not hard and fast—to allocate its fellowships among residents of the various States on an equitable basis, whereas my bill requires a strict allocation of the fellowships among the States on a formula basis.

BILL FOR RETARDED STIMULATED THINKING ON PROBLEM

Mr. Speaker, I have made several comments on the bill for teacher training and assistance in the field of retarded children in comparing it with the bill I have been preparing, and in pointing out that I do not think it covers the full area of urgent need. But I certainly do not want to give the impression of being critical of that bill. I readily admit that it started my thinking on this whole problem.

After having received some correspondence on this problem of the mentally retarded child from people in the St. Louis area, I became quite interested in the bill proposing the program for mentally retarded work and seriously considered introducing in the House a companion measure to the one introduced in the Senate by Senator Hill.

In pursuit of that thought, I found myself learning more and more about the scope of the problem involving all of these exceptional children, including the very gifted or mentally superior child, and eventually came more and more to the conclusion that all of these areas of exceptionality required our attention and our help.

For instance, a communication I received on this from a mother in St. Louis, who forwarded some material from the St. Louis Association for Retarded Children, Inc., placed this problem first in terms of the mentally retarded. I include her letter of last October and my reply, as follows:

October 9, 1956.

Mrs. John B. Sullivan,
Congresswoman, Third District, Missouri,
New House Office Building,
Washington, D. C.

My Dear Mrs. Sullivan: Enclosed is a statement made by Mr. Ackerman before the Missouri legislative committee on June 7, 1956. It lists reasons why classes for trainable mentally retarded children are badly needed and gives specific amendments to the present law, a copy of which you will also find enclosed.

I am availing myself of the kind invitation in your newsletter to express my views on legislation with which I am directly concerned. My child is retarded because of a severe emotional disturbance and our public-school system has no place for him. For his sake and for the sake of other retarded children and those who love them, I am asking you to do what you can toward securing educational legislation that will help all children.

Though mine is a personal and humanitarian reason, you will find that Mr. Ackerman has also mentioned some practical reasons.

Thank you for the newsletters. You show such genuine and sincere concern for the welfare of all people that it is indeed a pleasure to read them and a privilege to be able to state my problem personally.

Sincerely yours,
———— ————.

October 12, 1956.

Dear ————: Thank you for sending me the statement by Frank Ackerman on behalf of the various Missouri organizations interested in a State educational program for retarded children. I am extremely interested in this problem. Of course the amendment Mr. Ackerman favored is one involving State law rather than Federal law, but at the same time there is a very necessary role by the Federal Government, it seems to me, in this whole problem.

I think what I will do is refer this matter to the United States Commissioner of Education for his views on the kind of legislation that we can pass in Washington which would best help Missouri and other States to solve their problems in providing the best educational program possible for retarded children.

I appreciate your writing to me. I will do everything I can to follow up on it.

With best wishes, I am,
Sincerely yours,
Leonor K. (Mrs. John B.) Sullivan,
Member of Congress, Third District, Missouri.

REQUEST TO OFFICE OF EDUCATION FOR INFORMATION

I then, Mr. Speaker, addressed the following letter to the Acting United States Commissioner of Education, Dr. Wayne Reed:

October 12, 1956.

Dr. Wayne Reed,
Acting Commissioner, Office of Education, Department of Health, Education, and Welfare, Washington, D. C.

Dear Mr. Reed: Could you please tell me in some detail what the Federal Government, through the Office of Education, or through the vocational rehabilitation program or through any other program or agency, is doing to help the States in the matter of educating mentally retarded children. There has been some discussion of this problem in the Missouri Legislature and in that connection it has been noted that Federal grants to schools and fellowship stipends to trainees to help finance teacher-training programs have been assured. I would like to know just exactly what is being done.

Along the same lines, I would appreciate very much your views on what the Federal Government could do and what it should do in meeting what is certainly a serious need affecting a great many families in a most heartbreaking way. Have you recommended any legislation? Could you give me your thinking on what would be the most practical type of legislation to help meet this problem?

With best wishes, I am,
Sincerely yours,
Leonor K. (Mrs. John B.) Sullivan,
Member of Congress, Third District, Missouri.

His reply, on October 24, spelled out in some detail the activities of the Office of Education in the field of the mentally retarded and other exceptional children, and discussed the mentally retarded bill as an administration measure. The letter follows:

Department of Health,
Education, and Welfare,
Office of Education,
Washington, D. C., October 24, 1956.

Hon. Leonor K. Sullivan,
House of Representatives.

Dear Mrs. Sullivan: This will acknowledge receipt of your letter of October 12, requesting information as to what the Federal Government, through the Office of Education or through the vocational rehabilitation program or other programs or agencies, is doing to help the States in the matter of educating mentally retarded children.

For many years, the Office of Education has given attention to the educational needs of mentally retarded children. The Office maintains a Section on Exceptional Children and Youth which serves the mentally retarded as well as other exceptional children. The Section collaborates with other units of the Office and outside agencies in preparing studies and reports, gives consultative service and information particularly to State departments of education, colleges, and universities preparing teachers of exceptional children, national organizations, other Government agencies, citizens' groups, and individuals. It conducts certain special studies on such needs as the education of mentally retarded children, instruction to children in hospitals, or the special school housing needs of handicapped children. Currently a new special study is being undertaken on the needs of severely retarded (trainable) children. Examples of publications reporting such studies are enclosed.

You point particularly to the need for teacher-training programs. Within the last 3 or 4 years, the Office has been giving leadership to a nationwide study on the qualification and preparation of teachers of exceptional children. This study has been guided by both a national committee and an Office of Education policy committee and includes the opinions of about 2,000 educators in various parts of the Nation. Copies of four of the reports from this study are enclosed. The reports from this study include also Teachers of Children Who Are Mentally Retarded, now in press.

During the current year, another activity has been added to the Office of Education which is specifically for the mentally retarded. As you know, the regular appropriation to the Office made by the 84th Congress for the current year provided $675,000 for research on educational problems of the mentally retarded. This program, which is conducted under the provisions of Public Law 531, 83d Congress, is just now beginning. The United States Public Health Service also is conducting research in this field.

At the request of this Department, the bill S. 3620 "to encourage expansion of teaching and research in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies" was introduced in the 2d session of the 84th Congress and passed by the Senate on June 11, 1956. Congress adjourned, however, before action on the measure was completed by the House. Companion bills, H. R. 10620, H. R. 11253, H. R. 10452, and H. R. 11674, had been introduced in the House and were pending before the Committee on Education and Labor. Accordingly, no Federal funds are now available for traineeship purposes in this field.

The Federal-State vocational rehabilitation program extends rehabilitation services to mentally retarded persons of employable age. During fiscal 1955, a total of 531 mentally retarded persons were established in employment through this program. In addition, the Office of Vocational Rehabilitation is supporting several research and demonstration projects in the vocational rehabilitation of the mentally retarded.

Your interest in this important field of education is appreciated and if we can be of further service to you in this or other matters, please let us know.

Sincerely yours,
WAYNE O. REED,
Acting Commissioner of Education.

Last January, shortly after returning to Washington, I took up this problem with the new Commissioner of Education, Dr. Lawrence G. Derthick, in the following letter:

JANUARY 28, 1957.

Dr. LAWRENCE G. DERTHICK,
United States Commissioner of Education, Department of Health, Education, and Welfare, Office of Education, Washington, D. C.

DEAR MR. DERTHICK: I would like very much to be brought up to date on the subject of research on educational problems of the mentally retarded as a followup to the letter from the Office of Education of last October 24, in reply to my letter of October 12.

According to the CONGRESSIONAL RECORD, Senator HILL has introduced S. 395, which I assume is the same as S. 3620 of the 84th Congress. Is this substantially the same legislation the President said in his budget he would recommend in a later message to Congress? Or is something further or different planned? If so, can you tell me, generally, what is intended?

The letter of October 24 stated that out of the 1957 fiscal year appropriation of the Office of Education, $675,000 had been allocated for research on educational problems of the mentally retarded. This was more than half the appropriation for research projects, I note. The new budget, for the 1958 fiscal year, shows a substantial increase in the overall amount for the Office of Education for research projects: $2,300,000 as against $1,020,190 for the current year. Do you intend allocating a proportionate amount of this higher figure for mentally retarded studies?

I would appreciate any further information you can provide at this time on the study now underway, plus any information you may have on what the Public Health Service is doing in this field. How is that budgeted—under NIH?

Please excuse so many demands upon you in one letter but, as I am sure you understand, I feel I should have this information if I intend to try to help on getting funds for this work.

Sincerely yours,
LEONOR K. (MRS. JOHN B.) SULLIVAN,
Member of Congress,
Third District, Missouri.

MISSOURI DOING OUTSTANDING WORK

At the same time, and in view of the outstanding work which was being done in this field by the Department of Education of Missouri, I wrote as follows to H. Pat Wardlaw, assistant commissioner:

JANUARY 28, 1957.

Mr. H. PAT WARDLAW,
Assistant Commissioner, Department of Education, State of Missouri, Division of Public Schools, Jefferson City, Mo.

DEAR MR. WARDLAW: Some time ago, a St. Louis mother of a mentally retarded child wrote to me and sent me a copy of the material the St. Louis Association for Retarded Children had presented before the Missouri legislative committee last June, dealing with the need for classes for trainable mentally retarded children. She said she just wanted to keep me informed on this in case there was any way I could help.

I subsequently inquired of the Commissioner of Education on just what the Federal Government was doing or was planning in this field, and what kind of legislation would be helpful. I particularly noted in the St. Louis association's statement that the appeal to the State legislative committee was based, to some extent, on the assurance of Federal grants to schools and fellowship stipends to trainees to help finance teacher training. As you probably know, however, the assured Federal funds were not actually authorized in the 84th Congress, although the bill did pass the Senate to authorize such appropriations.

My writing to you came about in this way: Among the material sent to me by the Office of Education to show the kind of research work now under way into the problems of teaching the mentally retarded (I think something like $675,000 was appropriated for that for the current fiscal year—1956-57) was a very impressive publication put out by the Missouri Department of Education. I noted that you had a part in that and wrote a preface for it—the publication, Education of Adolescents Who Are of Retarded Mental Development, prepared by a committee headed by Richard S. Dabney. In view of your direct interest in and knowledge of this serious social and educational problem, I would like your advice on the merits of the legislation passed by the Senate last year (S. 3620 of the 84th Congress) and whether you think it would be a good idea for me to introduce it in the House.

In his budget for the 1958 fiscal year, the President said he intended recommending new legislation dealing with the problems of educating the mentally retarded but I suspect it is pretty much this same bill of last year. I have asked the Office of Education about that but so far have not had any reply on that point.

I would like your guidance on what you think would be the best approach insofar as Federal legislation is concerned—whether the kind of bill which passed the Senate which provided for these grants to the schools and colleges for training of teachers—or what. I would also like to be brought up to date on what the State is doing about special classes for these children.

Incidentally, in leafing through the budget, I note that the President this year is asking the full $29,267,081 for vocational education, plus $4 million for practical nurse training, plus $228,000 for fishery trades, or a total of $33,750,881 (if the Budget Bureau's addition is correct—I haven't added those up myself). Knowing how concerned you were in previous years about the reluctance of the White House to ask for the full $29 million amount (which Congress provided, anyway), I thought you'd like to have this information (if you don't already have it).

I hope you don't mind my turning to you for the kind of information outlined above. As I said, I thought of you in this connection after seeing the very excellent booklet your department put out on teaching the mentally retarded. You have every right to be proud of that booklet.

With my kindest regards, I am,
Sincerely yours,
LEONOR K. (MRS. JOHN B.) SULLIVAN,
Member of Congress,
Third District, Missouri.

In his reply, which I include below, Mr. Wardlaw gave me the best insight I had obtained up to that time into the real scope of the problem. As his reply indicates, I apparently failed to include in the letter I had sent him a copy of the bill I was asking him to analyze for me and he was not completely familiar with all of the details of S. 395 or its predecessor. I might explain that I subsequently sent him a copy and he agreed its provisions for training teachers for work with mentally retarded children would be very helpful in Missouri and elsewhere.

DIRE NEED FOR TEACHERS IN ALL SPECIAL AREAS

But in his reply of February 1, he really started me thinking on this overall problem by two statements which I want to emphasize now.

Pointing out how the National Science Foundation fellowships provide not only tuition but an additional stipend which serves as a financial inducement in getting teachers to take advanced training in science and mathematics instruction, Mr. Wardlaw said:

> It is generally believed that the best teachers in the area of special education are good, experienced elementary teachers with additional training in the areas necessary for the teaching of handicapped children. Such people, however, are already trained as regular elementary teachers and are regularly certified as such. They will not, therefore, generally go on to school to obtain additional training as special education teachers without some sort of scholarship or financial inducement.

He then added this paragraph which I believe in looking back on it probably sparked the bill which I am introducing:

> The special education program for orthopedics, mentally retarded and deficient, speech defectives, deaf and hard of hearing has undergone some slight changes in Missouri during the past 2 years because of State legislation, but the program is very effective and is expanding rapidly. Much interest is being shown at the present time, and bills have been introduced in the Missouri General Assembly which will no doubt cause the program to be improved and increased very rapidly. There is a dire need for teachers in all of these special areas in Missouri at the present time.

His letter follows in full:

DEPARTMENT OF EDUCATION,
STATE OF MISSOURI,
Jefferson City, February 1, 1957.

The Honorable LEONOR K. SULLIVAN,
United States Representative,
House Office Building,
Washington, D. C.

DEAR MRS SULLIVAN: We greatly appreciate your remarks about the bulletin of the Missouri Department of Education in the special education area. We have certainly received many favorable comments on it from people both inside and outside our State. Two additional publications in the special education area are in the process of development, and I am sure that the three of them will help very much in the development of our special education program. There is so much interest in special education throughout the country at the present time that I am sure we cannot neglect its promotion.

The University of Missouri at Columbia has a fine program for the training of teachers in special education areas, and many of the other colleges and universities also do fine work in that area. Our problem in Missouri is not in the area of setting up training programs but in getting teachers and prospective teachers to enroll in such programs. There are perhaps other States whose colleges and universities have not yet developed programs and might, therefore, have more information than do we regarding the need of such legislation as was proposed in S. 3620 of the 84th Congress. It is very probable that the United States Office of Education in Washington would have information regarding need in this area, and it is also possible that such information in this area might be obtained from Dr. Edgar Fuller, executive secretary, National Council of Chief State School Officers, Washington, D. C. He can well speak the general concensus of the 48 State departments of education regarding any proposed legislation.

Apparently the efforts of various organizations and foundations to further the training of science and mathematics teachers are producing results, because such efforts usually are of the nature of the provision of scholarships and financial inducement. It is generally believed that the best teachers in the area of special education are good, experienced elementary teachers with additional training in the areas necessary for the teaching of handicapped children. Such people, however, are already trained as regular elementary teachers and are regularly certified as such. They will not, therefore, generally go on to school to obtain additional training as special education teachers without some sort of scholarship or financial inducement.

The special education program for orthopedics, mentally retarded and deficient, speech defectives, deaf and hard of hearing, has undergone some slight changes in Missouri during the past 2 years because of State legislation, but the program is very effective and is expanding rapidly. Much interest is being shown at the present time, and bills have been introduced in the Missouri General Assembly which will no doubt cause the program to be improved and increased very rapidly. There is a dire need for teachers in all of these special areas in Missouri at the present time.

I appreciate your very fine letter and also the information about the budget requests in vocational education. We are certainly able to make fine use of funds under the full appropriation of the George-Barden Act and hope that the same appropriation can be continued for the coming year. We have also employed a fine supervisor for our practical nurse training program, and the program is well underway. Because of all of these things we are rather optimistic in Missouri, and I want personally to thank you for all of the fine things you have done to help. You have certainly been responsive to my previous letters, and I appreciate it. I wish I could give better suggestions than I have regarding S. 3620 or any similar bill. If I understand that bill correctly, it would provide help to schools and colleges for the training of teachers, and I am not too well versed on such needs. I do know we need more well-trained teachers in all areas. If the bill concerned appropriations or grants which would be distributed through this department, I assure you that we would have the necessary information and very definite opinions about it. It is difficult, though, for us to advise regarding grants that go directly to colleges and universities, because we do not have responsibility regarding them and really do not have the necessary information.

Kindest personal regards and best wishes to you. Please write whenever you feel that we may be able to provide information that will be helpful to you.

Respectfully yours,

H. PAT WARDLAW,
Assistant Commissioner, Division of Instruction, Director, Vocational Education.

By that time, Mr. Speaker, I was able to make the following status report to the mother who had written me earlier describing the problems of training or educating mentally retarded children:

FEBRUARY 6, 1957.

DEAR ———: Sometime last fall you wrote to me to express your interest in improved educational opportunities for trainable mentally retarded children and sent me a copy of the material presented before the Missouri legislative committee by the St. Louis Association for Retarded Children, Inc.

Since then, although I have written to you only once before to acknowledge the material you sent me and to express my interest, I have been in touch with a number of agencies to find out more about the possible role that the Federal Government could play in this important area of education. I am now waiting for some followup material from the United States Commissioner of Education.

In the meantime, I thought you would be interested in these facts:

The United States Office of Education is currently spending $675,000 on research on educational problems of the mentally retarded under a new law which we passed in the 83d Congress. I have inquired of the Commissioner whether an increase is being sought for next year. If so, I will certainly support it.

A bill to encourage the expansion of teaching and research in the education of mentally retarded children through grants to State institutions and agencies was passed by the Senate last year but was not acted on in time for approval by the House. A new bill has been introduced this year in the Senate. I am looking into it and may introduce a companion measure in the House although that will depend on advice I receive from certain experts in this field.

The Missouri State Department of Education has been doing some outstanding work, according to the United States Office of Education, in the preparation of material for teachers to help them teach the mentally retarded. I have written to Mr. H. Pat Wardlaw, assistant commissioner of the Missouri Department of Education, for suggestions on possible Federal aid in this field. His view is that the greatest help could be through the scholarship approach. Mr. Frank Ackerman, in the statement which you sent me last year, indicated such an approach would be extremely helpful.

I am writing you now not to attempt to persuade you that any of these battles have been won but just to keep up to date on what I have been doing in response to the letter you sent me last October. I am impressed by the need in this field and I am glad you took the time to interest me in it as you did.

Sincerely yours,

LEONOR K. (MRS. JOHN B.) SULLIVAN,
Member of Congress,
Third District of Missouri.

WHAT OFFICE OF EDUCATION IS DOING FOR RETARDED

In March, I received the following reply from Dr. Derthick:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
OFFICE OF EDUCATION,
Washington, D. C., March 1, 1957.

Hon. LEONOR K. SULLIVAN,
United States House of Representatives.

DEAR MRS. SULLIVAN: I am pleased to respond to your letter of January 28, 1957.

You inquired whether S. 395 is the same as S. 3620. The bill, S. 395, is identical with S. 3620, 84th Congress, which was introduced at the request of this Department to carry out its recommendations in this field.

The appropriation for the Office of Education in fiscal year 1957 carried $1,020,000 for cooperative research. Of this amount, $675,000 has been reserved for cooperative research on educational problems of the mentally retarded; and $345,000 was set aside for support of cooperative research in other educational fields. The appropriation of these funds was authorized under Public Law 531, 83d Congress.

As of February 15, 1957, the Office of Education has negotiated 30 contracts for research on education of the mentally retarded and 25 contracts for research in other fields. We are currently negotiating contracts for additional studies which have received favorable review by our Research Advisory Committee; of these, 18 are in the field of the mentally retarded, and 10 are in other fields. These contracts will utilize either the full amount, or very nearly the full amount, of the Congressional appropriation for fiscal year 1957.

With regard to fiscal year 1958, the total amount requested in the President's budget for the cooperative research program is $2,300,000. Most of this money will be required for the continuation of contracts entered into in the fiscal year 1957. The continuation of these projects is, of course, dependent upon the appropriation of the necessary funds by Congress. If Congress grants the $2,300,000 requested, we estimate that approximately $1,200,000 will be required for the continuation of research on the mentally retarded, and approximately $500,000 for the continuation of research on other projects. This will leave about $600,000 for new projects to be started in fiscal year 1958. Since we cannot forecast exactly what kinds of proposals for research we will receive in 1958, it is difficult to estimate what proportion of the $600,000 will be devoted to research on education of the mentally retarded. According to Public Law 531, all proposals are first screened by a group of educational research specialists. The recommendations of this group will weigh heavily in deciding which proposals for research are accepted and supported by the Office of Education. There is no doubt that we will continue to receive research proposals in the field of the mentally retarded; and that research in this area will continue to receive favorable recommendation by the Research Advisory Committee and support by the Office of Education.

The Department has a fourfold attack now in progress on the general problem of the mentally retarded. Participating in this attack are the Office of Education, the National Institutes of Health, the Children's Bureau, and the Office of Vocational Rehabilitation. We are sending copies of your letter to the other agencies for their response.

I trust that I have answered your requests and will be pleased to answer any further questions. Your interest in our program is deeply appreciated.

Sincerely yours,

L. G. DERTHICK,
Commissioner of Education.

NEEDS IN FIELD OF SPEECH AND HEARING DEFECTS

Shortly thereafter, Mr. Speaker, I received letters from several educators in the St. Louis area urging my support of an amendment to provide an appropriation of $1 million for speech and hearing rehabilitation work. As the correspondence which follows would indicate, I was quite puzzled at first in trying to learn if this was for vocational rehabilitation, for the Office of Education, or what. As I recall, a number of Members were interested in pursuing this matter but we had difficulty for a while in running it down. The following sample of this correspondence with the Reverend R. A. Johnston, director of our outstanding department of speech at St. Louis University, shows how this developed:

ST. LOUIS UNIVERSITY,
March 16, 1957.

Hon. LEONOR K. SULLIVAN,
Member of Congress, Third Congressional District of Missouri, 1313 New House Office Building, Washington, D. C.

DEAR MRS. SULLIVAN: I understand that Congress is at this time considering an amendment to the bill appropriating funds for educational advancement. It is my understanding that this amendment involves Federal grants totaling $1 million to be allocated to educational institutions offering post baccalaureate graduate teaching programs at the master's degree level, in the science of hearing and speech for rehabilitation workers and teachers. It would provide for salaries of faculty members, fellowships for graduate students and accessory costs.

The field of speech and hearing rehabilitation has become a highly specialized science with a great need for teachers trained at the graduate level. I should like to call to your attention that the department of speech at St. Louis University has initiated such a program in teacher training at the graduate level. Our chief problem arises from the fact that students in this area who take professional positions in the public-school system after being graduated with college degrees, find it very difficult to leave their practices and take up further graduate study without some sort of financial aid. Training programs such as ours at St. Louis University will never be able to meet the needs of the community unless qualified graduate students are given the financial aid they need to pursue advanced study.

Might I urge you not only to lend your support to this amendment, but also to bring to the attention of Congress the importance of having a national organization, such as the Speech and Hearing Association of America, designated to participate in planning the standards and methods of disbursement of this much needed educational fund.

Sincerely,
R. A. JOHNSTON, S. J.,
Director, Department of Speech.

MARCH 19, 1957.

Rev. R. A. JOHNSTON, S. J.,
Director, Department of Speech,
St. Louis University,
St. Louis, Mo.

DEAR FATHER JOHNSTON: We have contacted just about every agency of the Government which would have anything whatsoever to do with the matter you brought to my attention and I am afraid that what it comes down to is this:

Your organization, the Speech and Hearing Association, has apparently alerted all of its members to write to Members of Congress on this matter but has neglected to contact us directly to explain exactly in what appropriations item this fund is to be placed or how it might be done. Even the Appropriations Committee staff reported it was in the dark on this thing.

Would you make sure that the association itself sends me a letter explaining just how it is proposing that this fund be set up—that is under the specific appropriations item?

With kindest regards, I am,
Respectfully yours,
LEONOR K. (MRS. JOHN B.) SULLIVAN,
Member of Congress,
Third District, Missouri.

Rev. R. A. JOHNSTON, S. J.,
Director, Department of Speech, St. Louis University, 3650 Lindell Boulevard, St. Louis, Mo.

DEAR FATHER JOHNSTON: The House Appropriations Committee has just reported out the appropriation bill for the Department of Health, Education, and Welfare, and has also made public the hearings which it conducted behind closed doors. I have found in the transcript of their hearings enough information to enable me better to understand the request that you sent to me in your letter.

As I piece it together from the hearings, apparently a Dr. Bill Wilkinson, of Nashville, Tenn., spoke privately with Congressman FOGARTY, of Rhode Island, chairman of the Appropriations Subcommittee, about the desirability of a training program for teachers. However, since there never has been any legislation to authorize Federal grants for scholarship or teacher training, no appropriation could be provided for that purpose.

We have the same problem in connection with mentally retarded children. There is a research program in effect through the Office of Education but the big need now seems to be to train teachers and that would require separate legislation.

Chairman FOGARTY asked the Office of Education to make a study of what could be done in this field with, say $1 million, and the answer was that they could probably provide 2 scholarships of $4,200 each, per year, for 2 years to 15 universities for doctoral advance graduate study to prepare teachers to work with teachers—in other words, for college and university staff people; an average of 2 doctoral training grants of $4,200 each for 1 year to each State and Territory for promising teachers; plus a flat amount of $15,000 each to 20 universities for improving facilities for practice teaching, observation, and personnel.

Now this was nothing more than a rough idea of what they could do. The Appropriations Committee had the following to say about it in its report which has just been submitted to us:

"It has been conservatively estimated that, exclusive of the deaf, there are 1½ million school-age children with speech and hearing disorders. The schools have an unusual opportunity to help these children. Many with defects, especially if discovered early in childhood, could be made completely normal; others have conditions which cannot be corrected but could be improved. Children with speech disorders comprise our largest single group of handicapped children. According to leading authorities, 2 to 5 percent of our school-age population have speech defects sufficiently severe to interfere with their educational, social and emotional adjustment. An additional number have sufficient hearing impairment to require special educational provisions. They number from one-half to 1 percent of the school-age population. While something is being done by the Nation's schools to meet the special needs of these children, it is estimated that not more than 1 out of 4 speech-handicapped pupils is receiving remedial speech instruction. There are no reliable estimates of the number of neglected hard-of-hearing children, but it is known that services for these children are even less adequate. In view of the seriousness of this situation the committee requests the Office of Education to be prepared to present a program, next year, aimed at solving this problem of giving adequate educational opportunities to children with speech and hearing defects. While the most obvious program would seem to be teacher training the committee will leave to the professional judgment of the officials of the Office of Education, the determination of what will best meet this situation."

So you can see that what they are saying is for you people in the field and for the Office of Education to come forward with a good solid proposal. Perhaps the bill I have been considering introducing regarding retarded children could be made to cover also this area for grants to teachers of children with speech and hearing disorders. I will look into that possibility and let you know.

I am sorry that I sounded so puzzled by your previous letter but the appropriation process is so very complex that unless we know what the item is or where it is to appear, it is almost impossible to do anything about it until the appropriations bill has been reported out.

With kindest regards, I am,
Respectfully yours,
LEONOR K. (MRS. JOHN B.) SULLIVAN,
Member of Congress,
Third District, Missouri.

APPROPRIATIONS SUBCOMMITTEE EXAMINES PROBLEM

As this correspondence shows, the Fogarty subcommittee had gone into this matter in closed hearing and it was only after the transcript of the hearings was made public that we could learn what had been discussed. I was tremendously impressed by the discussion on this whole matter of exceptional children which occurred in the hearings.

I am going to include those few pages out of the transcript because they show in very interesting fashion the work of the Office of Education in this field of exceptional children. I particularly want to point up, first, however, what Commissioner Derthick said at one point in those hearings:

I have been a local school superintendent and, knowing that if we could have competent instruction for these little fellows, 5 and 6 and 7 and 8 and 9 years of age, we could correct their speech problem so they wouldn't suffer social and economic handicaps as adults; every time I see a grown person with a speech difficulty it is just a tragedy to think that could have been prevented.

About 10 years ago when we started the program, we couldn't get a trained teacher. It was just practically impossible. Now and through the years, we couldn't attract them very well from outside, but what we have done is to send them away to colleges where the training is given. It is given a great many places now, but there again it is pretty hard to ask teachers on their relatively low salaries, and not paid during the summer, to go ahead and take this training after maybe they have masters degrees. So what we have tried to do is to get local civic clubs and junior chambers of commerce to raise money to send them away; but that isn't the way it ought to be done, and you can't get enough of that to meet the demand.

I would say a program of fellowships and scholarships in this field would be an awfully good thing.

TERRIFIC SHORTAGE OF TRAINED TEACHERS

Later in the hearing, when asked about the idea of a $1 million program for fellowships in the speech and hearing area of exceptionality, Dr. Derthick said:

If a practical program of scholarships could be devised, it would speed up relieving this urgent need.

These people are in terrific short supply—and not only in this phase of education with exceptional children, special education, but in the field of the educable mentally retarded and the trainable mentally retarded and the other phases—those who work with children with cerebral palsy and general crippling conditions and so forth. There is a terrific shortage of trained teachers in all of these fields. We finally had to resort—and it was inadequate—to the method of trying to raise a little scholarship money and encouraging teachers to spend their own money to begin to get this training.

Now the colleges and universities have responded to the challenge, and they have expanded their programs of training tremendously, but the difficulty is getting teachers to staff the positions.

Mr. Speaker, the text of the appropriations hearing transcript on this discussion of the exceptional children problem, and also a subsequent report filed with the subcommittee by Dr. Derthick showing how $1 million could be used, or might be used, to help meet the educational needs of children with speech and hearing defects now follow:

EXCERPTS FROM HOUSE APPROPRIATIONS SUBCOMMITTEE HEARINGS

DIFFERENCE BETWEEN EXCEPTIONAL AND MENTALLY RETARDED CHILDREN

Mr. **FOGARTY**. What is the difference between exceptional children and mentally retarded children?

Dr. **CONRAD**. The exceptional children include the crippled, the blind, the hard of hearing, the cerebral palsied——

Mr. **DERTHICK**. As well as the gifted.

Dr. **CONRAD**. As well as the gifted.

So, it includes the whole gamut of exceptionality.

Mr. **FOGARTY**. But many people refer to a mentally retarded child as an exceptional child?

Dr. **CONRAD**. He is.

Mr. **DERTHICK**. He is.

He is one category in that big classification.

Mr. **FOGARTY**. That certainly is a field where much more work can be done than is being done.

Mr. **DERTHICK**. Yes.

Mr. **FOGARTY**. I have found this stimulation by the Federal Government is reacting in the different States and localities; also many more private groups have been formed in the last year or two, and there is a general increase in concentration on this particular problem.

Mr. **DERTHICK**. It is remarkable. It is remarkable, the amount of interest that is being generated in the local communities over this country.

BENEFIT TO CEREBRAL-PALSIED CHILDREN FROM MENTAL RETARDATION RESEARCH

Mr. **FOGARTY**. Cerebral palsy is very close to that question of mental retardation, isn't it?

The line of demarcation there is very thin; isn't that so?

Mr. **DERTHICK**. Of course, the cerebral-palsied child may oftentimes be a very bright child.

Mr. **FOGARTY**. But many with cerebral palsy have some degree of retardation?

Mr. **DERTHICK**. Yes; that is true.

Dr. **CONRAD**. In other words, it is a matter of multiple defects.

Mr. **FOGARTY**. And work that might be accomplished through this program on research for the mentally retarded could be effective as far as those with cerebral palsy is concerned?

Dr. **CONRAD**. We are certainly open to good research studies in the line of cerebral palsy, and so on; but they have to come forward or we have to stimulate them.

Mr. **DERTHICK**. As Mr. Fogarty well says, some of the products of the research here might be applicable to these other fields.

Dr. **CONRAD**. Oh, yes.

Mr. **MCKONE**. I think we might say, also, we are tied in very closely with the National Institutes of Health on this program. We have Dr. Van Slyke, of the National Institutes of Health, on our advisory committee.

COMMITTEE INTEREST IN RESEARCH ON MENTAL RETARDATION

Mr. **FOGARTY**. You know, this committee stimulated interest in this field of research on mental retardation a couple of years ago in asking you to do something about it in the field of education. Also 2 years ago we gave the Public Health Service $750,000 to start a medical research program in this field; last year we gave the Children's Bureau a couple of million dollars in the field. So, we hope this program won't get lost by being mixed in with other programs. We hope we will get some results shortly, and I think we will.

I think this advisory committee you have is a good one and, now that we are really started in that field, I think you are headed in the right direction.

It might be a little more money than some people want to spend; but, as far as I am concerned, I think we can spend a lot more than we are spending.

Dr. **REED**. One of the problems that concerned us a great deal in the early stages of the research program was a matter of how we could get projects that would cover many of the problems that we are facing in the field of mental retardation; and it has been surprising how, as we see in the projects that have already been approved in this area, that if the research materializes the way it seems to be going now, we will have some good answers to many of the problems in the whole area of mental retardation.

OTHER RESEARCH PROJECTS IN EDUCATIONAL FIELD

Mr. **DERTHICK**. I wonder if you would be interested in any thumbnail sketches of some other research projects?

Mr. **FOGARTY**. Yes. Go ahead.

Mr. **DERTHICK**. There are a number of these that interest me from my local experience.

This whole field of education for exceptional children has been one that has fascinated me because these children have been neglected so long and because we had none of it in the system in which I served.

There is a project going on in Indiana to study why the 10 percent of the top 25 percent of high-school graduates didn't go to college, because that is a fact in Indiana—that 10 percent of this top 25 dropped out between high school and college. Of course this study is going to probe into and open up areas of interest and investigation in the relationship of the universities to the field—what could these universities do to attract these young people that they are not doing; the whole question of guidance programs in high schools; the financial factors involved, and why these bright youngsters in such large numbers do not go to college; what about the home situations; how do those influences come to bear on this situation, and so on.

That is only one of the many contracts that have been signed, and I think when the results of this study come out it is going to mean that universities are going to change their whole relationships with the field.

It is going to mean that high schools are going to adapt curricula. They are going to change guidance programs. It is going to influence relationships with the homes. It will probably promote the visiting-teacher program.

It is really exciting to contemplate what is going to happen by way of change when these answers to questions that we haven't had the answers for come forward.

Up in Syracuse, they are doing a job on the educational factors in juvenile delinquency; there again, they will be exploring: What are the conditions in the home? What are the conditions at the school? What does the school need to do or can it do that it is not doing to reduce these factors and to control them?

I, myself, have seen this partnership between the school worker that we call the visiting teacher who goes into the home and sees what influences are playing upon the child, enlist other community agencies, reorganizes the forces playing on that child and brings about transformations.

Sometimes, it's very small things in a child's life that frustrates it and turns it in the wrong direction at the wrong time.

So, I see in this research program, small though it is, one of the most promising developments in American education, cutting across many phases of American life and educational activities. Certainly I think we should be indebted to the initiative this committee is taking also in encouraging this program.

TEACHING CHILDREN WHO HAVE DEFECTIVE HEARING OR SPEECH

Mr. **FOGARTY**. What about this problem of training or teaching hard-of-hearing children and those who have speech defects?

Mr. **DERTHICK**. I think we might make use of Dr. Mackie, who is a specialist in this whole field of special education, in telling us about that.

NOTE.—In the following, the transcript of Dr. Mackie's verbal testimony was rewritten to read as printed.

Dr. **MACKIE**. I appreciate the opportunity of saying something about this.

We have made a study in the Office of Education on the qualifications and preparation needed by teachers of various types of exceptional children. This broad study included the collection of information and opinions about the competences and professional preparation required to teach hard-of-hearing children and children with speech disorders. The purpose of the study was to try to identify and describe the distinctive competences that are needed by personnel who are to work with these children as well as with other types of handicapped children.

Mr. **FOGARTY**. Now, right there, as far as the teaching of the deaf are concerned, or doing research with the deaf, as distinguished from those who are hard of hearing, Gallaudet College is interested in doing some research——

Dr. **MACKIE**. That is right.

Mr. **FOGARTY**. On just the deaf.

Dr. **MACKIE**. Yes.

Mr. **FOGARTY**. They would have nothing to do with the hard of hearing.

Would there be any overlapping in your work?

Dr. **MACKIE**. There are 22 colleges in this country training teachers to work with the deaf, and Gallaudet is one of them, and it would be one good laboratory for study.

Mr. **FOGARTY**. But Gallaudet is the only college that teaches the deaf?

Dr. **MACKIE**. That teaches only for deaf college students; that is right.

Mr. **FOGARTY**. It is the only one in the world, isn't it?

Dr. **MACKIE**. It is the only one specifically for them, although there are many deaf students at hearing colleges throughout the Nation, and deaf students in these hearing colleges are sometimes partly supported by State funds.

STEPS TO OBTAIN COMPETENT HEARING AND SPEECH PROFESSIONALS

Mr. **FOGARTY**. You go ahead now and tell me what you are doing in the field of education of and training teachers for those who are hard of hearing and those with speech defects.

QUESTIONNAIRE SURVEY ON COMPETENCE NEEDED BY TEACHERS

Dr. **MACKIE**. In the study we just conducted, which was a cooperative study—and not quite completed—the Office worked with about 2,000 people in the Nation securing opinions about the competences needed by teachers and the types of experiences that contribute to their preparation. We used two methods to do this:

We used a questionnaire and we used committees of experts.

We are issuing statements, reporting the findings of people, and in doing this we worked with colleges and universities, the State departments of education and local school systems.

RESULTS OF SURVEY

Mr. **Fogarty**. What about the results?

Dr. **Mackie**. Well, I didn't come prepared particularly today on the deaf and hard of hearing, but I think I could summarize by saying the teachers——

Mr. **Fogarty**. This isn't the deaf and hard of hearing now. It is those who are handicapped with deficits in speech and hearing. I am trying to confine it to that area.

Dr. **Mackie**. All right.

Mr. **Fogarty**. I am interested right now in the speech and hearing defects.

Dr. **Mackie**. Well, they do come up with some results like this: That there are distinctive competences. There is a body of knowledge that these teachers need to have. They need to understand the physical aspects of the voice mechanism or of the hearing mechanism——

Mr. **Fogarty**. These special teachers?

Dr. **Mackie**. Yes, these special teachers—and they need to be able to understand and to interpret the doctor's report.

Some of the hard-of-hearing children are quite severely hard of hearing, and they may need to do a good deal of speech correction. Even though they are able to speak, they may not speak correctly. For example the teacher needs to read and to help them regain voice control. She may also need to teach lipreading.

STEPS TO CORRECT TEACHER SHORTAGE

Mr. **Fogarty**. Now that we know what is needed in these teachers, what have we done to see to it that we have some trained teachers in that field?

Mr. **Derthick**. May I, Mr. Chairman, turn the question just a little?

Mr. **Fogarty**. I will tell you the point I am trying to make. I have in mind correspondence which I have received: "Assuming the population of Rhode Island to be 1 million," although it is only eight hundred and some thousand, "and, without knowing the school population, one could assume that a minimum of 50 hearing and speech professional workers are needed in the State. five persons are now registered from Rhode Island in the directory of the American Speech and Hearing Society and only one is certified.

"This picture varies little in other States as personnel is not available."

Now, what are we doing in that field to see to it that that situation is corrected?

Dr. **Mackie**. Speech-handicapped children comprise the largest area of handicapped children, and although something is being done to prepare teachers there is a great shortage—I think there were 115 colleges and universities preparing teachers for speech correction in 1954. There are not as many preparing teachers in the hard of hearing. This is more generally considered a dual function and although in actual practice the colleges are placing more emphasis on preparing teachers in speech than in hearing. Most of them are being prepared as speech correctionists.

Coming from the Office of Education studies are some general recommendations for preparation of teachers. Colleges should have people who have experience in the field; laboratory facilities—places where student teachers can go and work with children who have speech and hearing defects.

POSSIBLE PROGRAM FOR CHILDREN WITH SPEECH AND HEARING DEFECTS

Mr. **Fogarty**. What would you do if you were given a million dollars in this field for fellowships and salaries of faculty members, with funds for research, in connection with teaching programs for——

Mr. **Derthick**. Mr. Chairman, would you pardon me for just a minute?

It is hard for me to keep still on that, because I have been frustrated by the problem.

I have been a local school superintendent and knowing that if we could have competent instruction for these little fellows, 5 and 6 and 7 and 8 and 9 years of age, we could correct their speech problem so they wouldn't suffer social and economic handicaps as adults; every time I see a grown person with a speech difficulty it is just a tragedy to think that could have been prevented.

About 10 years ago, when we started the program, we couldn't get a trained teacher. It was just practically impossible. Now and through the years, we couldn't attract them very well from outside, but what we have done is to send them away to colleges where the training is given. It is given a great many places now, but there again it is pretty hard to ask teachers on their relatively low salaries, and not paid during the summer, to go ahead and take this training after maybe they have masters degrees.

So what we have tried to do is to get local civic clubs and junior chambers of commerce to raise money to send them away; but that isn't the way it ought to be done, and you can't get enough of that to meet the demand.

I would say a program of fellowships and scholarships in this field would be an awfully good thing.

Dr. **Mackie**. Yes, thank you, Dr. Derthick.

Mr. **Fogarty**. What would you think——

Dr. **Mackie**. Probably every State——

Mr. **Fogarty**. Excuse me just 1 minute.

Dr. **Mackie**. Excuse me.

GRANTS FOR SCHOLARSHIPS AND TRAINING

Mr. **Fogarty**. What would you think of a proposal of Federal grants-in-aid to institutions for about a million dollars for a postbaccalaureate teaching program at the masters degree level in the science of hearing and speech and for training of teachers and professional workers?

How would that sound to you?

Mr. **Derthick**. You mean for the institutions to use this grant in scholarships?

Mr. **Fogarty**. These would be Federal grants to the institution.

Mr. **Derthick**. Of course. I haven't thought through the method of doing it, but I do know, to meet the short supply, if a practical program of scholarships could be devised, it would speed up relieving this urgent need.

Mr. **Fogarty**. Have you heard of Dr. Bill Wilkinson, of Nashville, Tenn.?

Mr. **Derthick**. Yes, sir.

Mr. **Fogarty**. He has been very active in this field, I know.

Mr. **Derthick**. Yes.

Dr. **Reed**. Mr. Chairman.

Mr. **Fogarty**. Is that all you want to say about it?

Mr. **Derthick**. No.

Dr. **Mackie**. Could I say something on this?

SPECIFIC REQUIREMENTS AND COMPETENCE NEEDED BY TEACHERS

I think there are some specific competences needed by teachers that may be different from those needed in working with adults.

This opinion was reported by the teachers and educators who made contributions to the nationwide study. Speech teachers need to have some competences and certain experiences to work with groups of children in schools.

There may be some common elements with rehabilitation, but there are some different—very different—requirements for teachers.

Mr. **Fogarty**. Could that be possible—assuming a State like Rhode Island had a million population, that a minimum of 50 hearing-speech professional workers are needed; and they only have five?

Is it that bad, nationwide?

Dr. **Mackie**. Yes.

Mr. **Derthick**. Well, it doesn't sound too far out of line to me, because these people are in terrific short supply—and not only in this phase of education with exceptional children, special education, but in the field of the educable mentally retarded and the trainable mentally retarded, and the other phases—those who work with children with cerebral palsy, and general crippling conditions, and so forth.

There is a terrific shortage of trained teachers in all these fields. We finally had to resort—and it was inadequate—to the method of trying to raise a little scholarship money and encouraging teachers to spend their own money to begin to get this training.

Now the colleges and universities have responded to the challenge, and they have expanded their programs of training tremendously, but the difficulty is getting teachers to staff the positions.

PERCENT OF SCHOOL-AGE CHILDREN WITH SPEECH AND HEARING DEFECTS

Dr. **Mackie**. About 5 percent of the school-age population—2 to 5 percent—have speech and hearing problems.

Mr. **Fogarty**. What is the school population?

Dr. **Mackie**. About 34 million. And the speech group is the largest group of all exceptional children—the children with speech handicaps—and the next largest would be those with mental retardation.

Dr. **Conrad**. Yes.

Dr. **Mackie**. So, every State ought to have some facilities for preparing teachers in at least these two fields.

OPTIMUM NUMBER OF STUDENTS FOR ONE TEACHER

Dr. **Conrad**. How many students can one teacher take care of?

Dr. **Mackie**. If the children have completely speech problems, 75 to a hundred children. Seventy-five is considered a reasonable load; but if you have children who are hard of hearing, especially, the severely hard of hearing may need to be grouped in classes where you would have maybe 1 teacher to 15 children; something like that.

Mr. **Fogarty**. So, we have over a million children——

Dr. **Mackie**. Yes.

Mr. **Fogarty**. Going to school who need some sort of attention in that field——

Dr. **Mackie**. That is right.

Mr. **Fogarty**. Of hearing and speech defects?

Mr. **Mackie**. That is right.

Mr. **Fogarty**. When you deal with the ones who are hard of hearing, you put your finger on one of our most acute problems, because many of the hard-of-hearing children have not been identified.

Mr. **Derthick**. Of course, methods of detection are being improved all the time, but in most of the schools I would say they might go on without being detected; and maybe they have got good minds, but they are not achieving in school and neither the parents nor the teachers have found out what is wrong.

Dr. **Mackie**. Could I say what this research program in mental retardation has done? It has brought new life to the whole educational program. We have had many requests for funds for study, and in other fields of the handicapped, people ask: "Can we get money to study the hard-of-hearing child? Can we get money to study the blind? Can funds be obtained only if the topic is about the blind, mentally retarded, and so on?"

Increasingly we are getting more requests of this nature.

COVERAGE UNDERTAKEN IN STUDIES ON MENTAL RETARDATION

The studies we now have under cooperative research cover problems of mentally retarded children of a wide age range. They cover urban and rural problems; they cover the residential, the day school, and so on; they are pretty widely distributed in the States. At first, we didn't think we were going to get enough requests on the basic problem of learning. How do these children learn? If we can get a better understanding of what they learn and how do they learn and under what circumstances, then we can begin to plan our programs; we can improve our programs.

We have a good many studies now on basic learning.

FACILITIES FOR CEREBRAL PALSIED CHILDREN

Mr. FOGARTY. It is a pretty sad thing when a child, 8, 9, 10 years of age is refused education because he happens to have cerebral palsy or some form of mental retardation, which happens in many, many areas. The teacher just doesn't have the time to spend with 1 or 2 such children in that classroom of 25 or 30 or 40 and, as a result——

Dr. MACKIE. Or she may not have the competence to deal with the problem.

Mr. FOGARTY. No.

Dr. MACKIE. The problem of cerebral palsy is quite complicated.

Mr. DERTHICK. I have had citizens and taxpayers tell me that program costs too much. I have said, "If you had a child with that handicap, would it cost too much?"

Mr. FOGARTY. That is right. It wouldn't cost too much if they had a child in that condition.

Dr. MACKIE. There are two ways of looking at it: One is the humanitarian, which you just pointed out; and the other is from the cold economic standpoint. We just can't afford it.

Mr. FOGARTY. That is a cold approach.

Dr. MACKIE. That is a cold approach, but maybe it isn't quite so cold, either. If we don't take care of them, we leave it to the family.

Mr. FOGARTY. That is a good approach to that person who says it costs too much money.

METHOD PROPOSED FOR HANDLING GRANTS IN FIELD OF SPEECH AND HEARING DEFECTS

Dr. REED. Mr. Chairman, to come back to your original question, if we were going to make grants in the area, if we tried to do something about having more teachers in the area that you just mentioned, we would probably have to approach it from the trainee and fellowship grants to train at the doctor's level for professors at colleges and universities and the researchers and the supervisors in local systems and State departments first. Then, after you get the highly prepared individuals, later on you could come into the preparation of teachers; but if we had a scholarship program to train teachers, there simply would not be the professional people at the colleges and universities. So, it seems to me you would have to approach it first in getting the higher level people first, and then probably have some grants to help the institutions establish training areas.

You see, some of the colleges and universities train just one area, and very few of our colleges train in all areas. In other words, that is the approach we are using in this proposed bill for fellowship and trainee grants in the field of mental retardation.

Dr. MACKIE. If I might go one step further, you asked a question which I didn't answer. You asked how we would go about it if money were available.

I think the first thing would be to take this group of colleges and universities which we studied rather thoroughly to find out about their resources and select those that have sequences of preparation, that is, those that are giving enough instruction so they give a fairly well-balanced program, and then explore to see if they have enough community resources to give the student-teacher the kinds of practice teaching and observation that ought to be given, and then try to get programs through the colleges and universities in those States. Then I suppose the next step would be to work with colleges and universities that have the resources and wish to open new programs.

One of the things that teachers all over the Nation have indicated is that they want instructors who have had experience in teaching in the areas in which they instruct students. They also want places where they can see children. This means that communities which do not have any classes or opportunities to observe in clinics, do not have very good resources for training special teachers.

Mr. FOGARTY. All right.

Mr. MACKIE. I think we should say the nationwide response to the cooperative research funds for mental retardation shows the appreciation of eagerness of people to get the answers to many of the questions.

Mr. FOGARTY. When it is possible to see what can be done with some of these children, I don't know why more work wasn't attempted in this field long, long ago, because you can get results.

Mr. DERTHICK. You can.

Dr. MACKIE. Definitely.

Mr. FOGARTY. In the past, they were given up.

Mr. DERTHICK. Yes.

REPORT TO HOUSE APPROPRIATIONS SUBCOMMITTEE

POSSIBLE EDUCATIONAL PROGRAMS FOR CHILDREN WITH SPEECH AND HEARING DEFECTS

(The following was submitted at the request of the committee. Discussion of this subject appears in connection with hearings on the salaries and expenses of the Office of Education which begin on p. 301.)

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
March 8, 1957.

Hon. JOHN FOGARTY,
House of Representatives.

DEAR MR. FOGARTY: In accordance with your request, our staff has prepared the enclosed draft plan for educational programs for children and youth with speech defects and impaired hearing. The plan was pointed specifically to your question of what could be done with approximately $1 million to meet educational problems in this field.

It should be pointed out that the enclosed plan has not been cleared through the usual budgetary channels and is not a proposal to increase the Office of Education budget.

If there is any further information which you desire, please do not hesitate to let me know.

Sincerely yours,
L. G. DERTHICK,
Commissioner of Education.

THE NEED FOR PERSONNEL TO CONDUCT EDUCATIONAL PROGRAMS FOR CHILDREN AND YOUTH WITH SPEECH DEFECTS AND IMPAIRED HEARING

It could be conservatively estimated that, exclusive of the deaf, there are 1½ million school-age children with speech and hearing disorders. The schools have an unusual opportunity to help these children. Many with defects, especially if discovered early in childhood, could be made completely normal; others have conditions which cannot be corrected but could be improved. Most hard-of-hearing children, even though cure for them is not possible, can be helped through speech training and lipreading to obtain an education and a means of communication with their fellows.

Children with speech disorders comprise our largest single group of handicapped children. According to leading authorities, 2 to 5 percent[1] of school-age population have speech defects sufficiently severe to interfere with their educational, social, and emotional adjustment. An additional number (although not deaf) have sufficient hearing impairment to require special educational provisions. They number from one-half to 1 percent[2] of the school-age population.

While something is being done by the Nation's schools to meet the special needs of these children, it is estimated that not more than 1 out of 4 speech-handicapped pupils is receiving remedial speech instruction; the number of neglected hard-of-hearing children is difficult to estimate, but it is known that services for these children are even less extensive or adequate.

Both the speech and hearing-impaired children represent a group for whom the schools could render a most valuable service. The most serious obstacle to progress is the lack of qualified teachers. Many more with distinctive competence and specialized preparation will be required. These educators are needed not only to work directly with children, but also to staff the teacher-education institutions and to give supervisory leadership to State and local school systems.

According to recent statistics,[3] about 3,000 teachers of speech-defective and hard-of-hearing children were reported to be working in the Nation's public schools.[4] It is well known that many of these teachers are carrying such large enrollments of speech-defective children that their work is ineffective. It is probable that 15,000 to 18,000 teachers would be needed to meet the demands of the schools.

The colleges and universities in this country have recognized this problem, and are making an effort to meet the need for speech correctionists and teachers of the hard of hearing, but many of these teacher-preparation institutions are understaffed and lacking in the facilities essential for the technical program of training educators for this work.

Through a recent study[5] of the Office of Education, 115 colleges reported some opportunities for the preparation of speech correctionists,[6] but the same colleges reported only 112 full-time staff members in speech correction and only 61 in speech and hearing. Relatively few of these colleges and univer-

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[1] Report of the American Speech and Hearing Association Committee on the Mid-Century White House Conference, Speech Disorders and Speech Correction, Journal of Speech and Hearing Disorders, 17: 129–137 (June) 1952.

[2] Figures supplied by the American Hearing Society.

[3] Mabel C. Rice and Arthur S. Hill. Biennial Survey of Education in the United States, 1952–54, ch. V; Statistics of Special Education for Exceptional Children, 1952–53. Washington, U. S. Government Printing Office, 1954.

[4] Only approximately 1 out of 20 of this number were working with the hard of hearing.

[5] Romaine P. Mackie and Lloyd M. Dunn. Colleges and University Programs for the Preparation of Teachers of Exceptional Children. Office of Education Bulletin, 1954, No. 13.

[6] About half of this number also listed opportunities for the preparation of teachers for hard-of-hearing children.

sities—perhaps 15 to 25—appear to have the facilities to conduct doctoral programs. Many of the others seem to be inadequately staffed and otherwise ill-equipped even for the training of undergraduate students in this area. These colleges participating in the Office study granted, in 1953 (according to their reports), only 30 doctors degrees in speech correction, and 3 in speech and hearing. Further, they reported only about 250 master's degrees in these areas. A poll was made in the study just referred to on the types of special teachers which were in greatest demand. Replies showed that the largest number of requests was for teachers of the mentally retarded, and the second largest for teachers of speech and hearing.

Increasingly, it is also being recognized that these teachers should be prepared to work with both speech defectives and hard-of-hearing children. Evidence of this is found in the State certification requirements.[1] In 1953, 30 States had State certification standards for teachers of the speech handicapped and 27 for teachers of the hard of hearing. Of this number, 10 had joint certification standards for speech handicapped and hard of hearing.

In order to solve this problem, fellowships and scholarships should be made available specifically for the preparation of such personnel. While this ultimate purpose would be to increase the number of well-qualified teachers to work directly with children and youth, the first step should be the provision of fellowships at the doctoral level and financially adequate to attract promising teachers and supervisors. Emphasis in the next 2 or 3 years should be on this part of the program. Some of these individuals would then become professors in colleges and universities—thus increasing the teacher-education capacities of the existing programs. Others could head programs in other colleges. Still others would assume positions of leadership and supervision in State and local school systems and give their attention directly to the expansion and improvement of educational programs for children in the Nation's schools.

If approximately $1 million were available, funds might best be used in the following way:

1. Training grants to qualified colleges and universities for grants for doctoral advanced graduate study to prepare teachers to work with children who have speech and hearing disorders. The purpose would be to prepare individuals to give leadership to programs of teacher-preparation in colleges and universities, to serve as college and university staff members, and to serve as supervisors in State and local school systems. (2 scholarships of $4,200 each per year for 2 years to 15 universities)	$252,000
2. An average of 2 doctoral training grants in the education of speech and hearing disorders to each State and Territorial department of education to be awarded to promising teachers or supervisors in the respective State or local school systems. (2 scholarships of $4,200 each for 1 year to 53 States or Territories)	445,200
3. A flat amount to colleges and universities to aid in improving the facilities for practice teaching, observation, and for personnel in the 20 universities. ($15,000 each)	$300,000
4. For administration of the program in the Office of Education	50,000
Total	1,047,200

REQUEST FOR DRAFT OF BILL COVERING ALL EXCEPTIONALITIES

Mr. Speaker, following the extended, almost knockdown battle in the House over every item in the appropriation bill for the Department of Labor and the Department of Health, Education, and Welfare, during which we came within a single vote of having the item slashed to ribbons for research through the Office of Education on the problems of educating the mentally retarded, I wrote again to Commissioner Derthick asking his office to draft for me a bill to carry out the overall kind of program I had by then become convinced was needed. That letter follows, along with Dr. Derthick's reply explaining that while the Office of Education would be glad to give me all the information I might need, they could not draft the bill I had requested:

APRIL 11, 1957.

Dr. LAWRENCE G. DERTHICK,
United States Commissioner of Education, Department of Health, Education, and Welfare, Office of Education, Washington, D. C.

DEAR DR. DERTHICK: Those of us in the House who opposed the indiscriminate slashing of the budget for the Department of Health, Education, and Welfare are still shaking a bit over the narrow escape of the Office of Education on your cooperative research fund and I am glad enough votes were switched on the rollcall to save the appropriation but it was too close for comfort, as I am sure you will agree.

Thanks to the extensive correspondence which I have had with the Office of Education since last October, I was conversant with the needs for this money, particularly in the field of research in the training of retarded children, and I like to think that my efforts had some effect in switching votes to get the appropriation through the House. Now I want to make a bargain with you.

As you know, I have been inquiring about the kind of legislation which would be effective in establishing Federal scholarships or fellowships to encourage the training of teachers in this field of working with retarded children. Since taking up that matter with your office, I have learned of a similar need for encouraging graduate work among teachers going into the fields of teaching children with speech and hearing defects.

I know from the Appropriation Committee hearings that you submitted an outline of how a $1-million-a-year-grant program could be operated in this field if you had legislative authority and if it were considered desirable. I am also familiar with your reservations about it and the fact that no such program has been recommended by your agency or the Bureau of the Budget, so I know that your hands are tied somewhat in that respect.

But the more I think about this whole subject, the more I am convinced that what we need is not a piecemeal special program for training grants for teachers of retarded children under one law and other piecemeal program under a different law for grants for teachers of children of hearing and speech defects, and then perhaps a third law dealing with grants for teachers of gifted children or other children in the so-called exceptional category. Why not one bill, one law, which sets up a program for Federal scholarships to encourage teachers to take graduate training, or perhaps specialized undergraduate training, covering all of these fields, applying to both the handicapped and the gifted children, applying to all of these very unusual teaching situations?

I repeat that I know your hands are tied in voicing opinions on this matter or in recommending legislation except through regular departmental and governmental channels. On the other hand, I know that your office has the knowledge and the know-how when it comes to drafting legislation in this field, and so I am turning to you to ask you if you can have prepared for me in your agency, not as an official Office of Education bill or recommendation, but just as a favor to a Member of Congress specifically requesting it, a bill which would carry out the purposes I have outlined and which would apply to teachers of retarded children, teachers of children with speech and hearing defects, teachers of any other so-called exceptional children, covering this entire field.

I would want the kind of bill that you people feel would cover the areas of greatest need in this respect. I would want the authorization it contained to provide for sufficient funds to carry out a really meaningful program based on the best judgment of the experts in your agency.

Can this be done? How long would it take? Would you have to get any special clearance from the Secretary or from the Bureau of the Budget to provide this service to me?

Please let me know if there would be any difficulty in this respect, because I can always go the Legislative Reference Service of the Library of Congress, or to the Office of the Legislative Counsel in the House for services of this nature, but if I did so, I would have to specify exactly what the legislation I wanted drafted should contain and I am not sure that I know, that is why I turn to you and your agency where you have the expert knowledge in this field.

With kind regards, I am,
Sincerely yours,
LEONOR K. (MRS. JOHN B.) SULLIVAN,
Member of Congress, Third District, Missouri.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
April 24, 1957.

Hon. LEONOR K. SULLIVAN,
House of Representatives.

DEAR MRS. SULLIVAN: This is in reply to your good letter of April 11 in which you requested our help in the preparation of a bill to provide for assistance to encourage the training of teachers of exceptional children.

Permit me first to express our sincere appreciation for your stanch support of the Department's budget, which included the necessary funds for the Office of Education. The interest and concern that you and other Members have shown regarding our programs is most gratifying.

We are pleased to have the opportunity, upon request, to supply information and render technical services to Members of the Congress on matters coming within the competence of the Office. We are not equipped, however, to do technical drafting of legislation, nor, as a matter of policy, do we recommend to individual Members of Congress specific proposals for inclusion in draft bills.

However, I feel certain that we can be of assistance to you in developing specifications for a bill. We can furnish you pertinent facts, so far as they are available to us, concerning the quantitative need for teachers in this field, existing training programs, problems in obtaining suitably trained teachers of exceptional children, and information regarding the administration of

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[1] Romaine P. Mackie and Lloyd M. Dunn. State Certification Requirements for Teachers of Exceptional Children. Office of Education Bulletin 1951, No. 1.

grant programs. We may also be able to suggest alternative approaches to the problems involved.

Such information would enable you to determine what specifications your bill should contain. The House Legislative Counsel could then do the technical drafting from your specifications. If this arrangement is satisfactory to you, please let me know and we shall make arrangements to develop information for your purposes.

I want to thank you again for your helpful interest in the Office of Education and in the cause of education generally. Also, with the thought that you may find it useful, we are enclosing a recent report on the provisions of State laws relating to education of exceptional children.

Sincerely yours,

L. G. Derthick,
United States Commissioner of Education.

LEGISLATIVE REFERENCE SERVICE UNDERTAKES RESEARCH TASK

Subsequently, therefore, I addressed the following letter to Dr. Ernest S. Griffith, director of the Legislative Reference Service of the Library of Congress:

May 8, 1957.

Dr. Ernest S. Griffith,
Director, Legislative Reference Service,
The Library of Congress,
Washington, D. C.

Dear Dr. Griffith: I have become very interested in the problem of providing improved educational opportunities for various types of children, broadly referred to as in the exceptional category. My interest was aroused originally by parents of mentally retarded children in my district who referred to the difficulties of having such children trained or educated to their full capacities.

The Office of Education has a program underway now of research into the problems of teaching the mentally retarded child—and this is very useful and important—but as I understand it, one of the greatest needs is for specially trained teachers in this field. In the last Congress, the Senate passed a bill, S. 3620, to authorize the granting of fellowships and traineeships to assist the colleges in developing teachers in this specialized field, but the bill did not come up in the House.

A similar bill, S. 395, has been introduced by Senator Hill in this Congress. I had been thinking of introducing its companion in the House until certain other things were called to my attention. I have been told that the problem is equally serious in training teachers who can in turn train children with speech and hearing defects. I have also been informed that we have a similar problem in training teachers who can specialize in the education of exceptionally able children. In other words, there is a shortage of adequately trained teachers for teaching a great many different groups of so-called exceptional children, and it is not restricted just to the mentally retarded group.

For that reason, I recently wrote to the Office of Education asking if they could prepare for me a bill which would carry out their best judgment as to the kind of legislation which would be most effective in meeting this overall problem. I enclose a copy of my letter and also of Dr. Derthick's reply which arrived during the Easter recess.

You will note from Dr. Derthick's reply that he offers to be of assistance to me in providing pertinent facts and so on, but says the Office of Education cannot actually draft a bill or even recommend specific proposals for it.

I think, under the circumstances, therefore, my best approach would be to ask you to put one of your fine people to work getting from the Office of Education the kind of facts Dr. Derthick's letter says they are prepared to give. I would be more than willing to depend upon the informed judgment of the Legislative Reference Service, then, in determining for me what the bill I have in mind should actually include.

There is a job here which has to be done if we are to meet a serious social problem and a serious educational problem. We have rather elaborate programs under way now for Federal scholarship aid in the scientific fields. I think it is equally important to make sure that we have the trained teachers we need to get the most out of the educational capabilities of the handicapped children and of the exceptionally gifted children.

I would appreciate it very much if the Legislative Reference Service could undertake this assignment.

With kind regards, I am,

Sincerely yours,

Leonor K. (Mrs. John B.) Sullivan,
Member of Congress,
Third District, Missouri.

That probably constitutes enough background correspondence, Mr. Speaker, to show the origin and development of portions of this bill. I have always felt that in introducing a measure, especially one which seeks to chart a somewhat new approach, a Member can perform a valuable service to those interested in the subject matter of the bill by showing how the idea happened to come into being. Perhaps I have overdone it here. I hope not.

But I have traced the sources responsible for planting the idea in my mind of having one overall program for all of these areas of exceptionality, rather than a series of separate, piece-meal programs.

What I have not mentioned is the truly outstanding help in determining the details of the legislation given me by the Legislative Reference Service in response to my letter to Dr. Griffith.

LIBRARY EXPERTS EXTREMELY HELPFUL

Mr. Charles Quattlebaum, specialist in education for the Legislative Reference Service, who has provided committees of Congress time after time with outstanding analyses of educational issues, directed the research on this for me, interviewed the experts in the Office of Education, and described for me the areas of need and the various approaches which would be attempted. Many things in the bill represent ideas which he suggested. The actual drafting of the bill, of course, was not done in the Library of Congress. A draft was prepared by the House Legislative Counsel based on Mr. Quattlebaum's research, and subsequently I have been working out refinements to fit the final decisions which I have made on the bill's provisions. In any effort of this nature there are many alternatives, and the Member must make these final choices and decisions—others can advise us but we must decide exactly what we want our bills to provide.

But I deeply appreciate the work of Mr. Quattlebaum and of Mr. Herman A. Sieber, research assistant in education and government in the Legislative Reference Service Senior Specialists Division, who assisted Mr. Quattlebaum in this project and prepared, under Mr. Quattlebaum's direction, a comprehensive digest of information on the issue which gave me the facts I needed to make my decisions.

That digest, and also a compilation made for me by Mr. Sieber listing the colleges and universities in each State offering courses in special attention in the field of exceptional children provide very valuable background material, Mr. Speaker, and I am including those two documents for printing at the end of my remarks, as separate exhibits B and C, following the Creed for Exceptional Children.

In expressing appreciation for the assistance I have received on this proposal from many sources, I must certainly include Mr. Charles B. Holstein, who organized the project for me and assisted me on it at every stage of the way.

COLLEGES BECOMING INCREASINGLY CONCERNED

In the research material which will appear at the conclusion of my statement, I would like to call attention particularly to the listing of colleges because it shows that in most of our States there are at the present time outstanding institutions offering courses of teacher-training in one or more areas of exceptionality. A bill such as this will stimulate these colleges to expand this work, and will encourage other institutions to get into it. The fact that each State would have an allotment of fellowships or scholarships would be a spur to institutions in those States not now offering programs in this field to get into it quickly.

The colleges and universities seem to be most interested at this time in courses in speech correction, followed by those in the area of hearing defects, and, of course, this is understandable since these groups together represent probably the largest numerical concentration among exceptional children.

But it is interesting to note that a couple of universities have initiated courses to train teachers equipped to teach gifted children; a few more have entered the partially seeing, the blind, the special health problem, the crippled and the socially maladjusted areas, and a substantial number offer specialized courses in the fields of teaching the deaf and mentally retarded.

A report for 1954 showed 4,600 students were majoring in these specialized areas, a total of 5,700 took single courses in specialized areas, and 1,549 received degrees in one or another of these areas of exceptionality.

So it is evident that much is being accomplished by the schools in training teachers and prospective teachers. But the problem is so great and the needs so acute that we must take effective action through a Federal program—not to do the job for the States and localities; it is primarily their problem and their task—but rather to stimulate their efforts, to provide guidance and assistance, and especially to help now to train the specialists who in turn can train more teachers, supervisors and researchers in these areas.

Make it worthwhile for the skilled teacher to go on in this work—to take advanced training—and you will have really dedicated people on the college faculties and in the elementary and secondary school classrooms.

Perhaps then we can again read the Creed for Exceptional Children in the next 7, 8, or 9 years and know that we did not hide from the problem—that we saw the need and we rose to its challenge.

We believe—

Says this creed in one paragraph—

that the teachers of exceptional children must possess the personality, develop the understanding, and acquire the knowledge and skill through special preparation that will enable them to inspire and motivate, as well as teach, the art of making a living and a life.

Mr. Speaker, for a fraction of the money we spend in this Federal Government on less urgent, less vital and less lasting causes than the happiness of millions of handicapped American children, we could go a long way toward providing just that kind of dedicated teacher.

Through the bill which I have prepared, the Exceptional Children Educational Assistance Act, we can pave the way for the education of thousands of such teachers.

Mr. Speaker, if we spent on the average over the next 7 years only three one-hundredths of 1 percent of what we spend on alcoholic beverages alone each year, we could help assure the specialized teachers needed to enable these 6 million or so schoolchildren to get the kind of education they need and deserve. $3 million a year represents only about one thirty-three one thousandths of our annual spending for alcoholic beverages.

It only represents about 36 hours—one and a half day's—operation of the soil bank, that is all, or about 30 minutes' worth of expenditures for defense.

The entire $21 million this program would cost over the 7 years is hardly enough to buy a few bombers—perhaps 2 B-52's and a B-58, without spare parts.

Certainly we cannot neglect our defense needs, and I do not suggest it. But I deeply feel that this $21 million, at an average cost of $3 million a year for 7 years, would be the best bargain in the entire Federal budget.

EXHIBIT A—CREED FOR EXCEPTIONAL CHILDREN ACCEPTED BY THE UNITED STATES OFFICE OF EDUCATION CONFERENCE ON QUALIFICATION AND PREPARATION OF TEACHERS OF EXCEPTIONAL CHILDREN

(Presented by Leonard Mayo, director, Association for the Aid of Crippled Children, on October 29, 1954)

We believe in the American promise of equality of opportunity, regardless of nationality, cultural background, race, or religion.

We believe that this promise extends to every child within the borders of our country no matter what his gifts, his capacity, or his handicaps.

We believe that the Nation as a whole, every State and county, every city and hamlet, and every citizen has an obligation to help in bringing to fruition in this generation the ideal of a full and useful life for every exceptional child in accordance with his capacity; the child who is handicapped by defects of speech, of sight, or of hearing, the child whose life may be adversely influenced by a crippling disease or condition, the child whose adjustment to society is made difficult by emotional or mental disorders, and the child who is endowed with special gifts of mind and spirit.

We believe that to this end the home of the exceptional child, the schools, the churches, and the health and social agencies in his community must work together effectively in his behalf.

We believe that for most exceptional children their parents and teachers are the master architects essential to the planning and building of their future.

We believe, therefore, that every appropriate resource of the community must be mobilized, if need be, to aid in maintaining his family life at an adequate social and economic level, and in furnishing guidance and encouragement to his parents.

We believe that the teachers of exceptional children must possess the personality, develop the understanding, and acquire the knowledge and skill through special preparation that will enable them to inspire and motivate, as well as teach, the art of making a living and a life.

We believe that the cooperative efforts of parents and teachers must be encouraged, sustained, and supplemented by teacher education institutions with curricula and programs based on the knowledge and skills needed in the education of exceptional children by State departments that will develop challenging standards of program operation and work with teachers in establishing sound certification procedures; by local school systems that will recruit and employ teachers who are qualified by personality and special preparation; by health and welfare agencies that will provide diagnosis and evaluation, medical and psychiatric care, and social services.

We believe that research designed to increase present knowledge of personality and the learning process and studies aimed at the improvement of programs of special education are essential to further progress.

We believe in the sensitive interpretation of the exceptional child and his needs by teachers and others in order that an attitude favorable to his acceptance and development may be engendered and sustained in the community.

Above all, we believe in the exceptional child himself; in his capacity for development so frequently retarded by the limits of present knowledge; in his right to a full life too often denied him through lack of imagination and ingenuity on the part of his elders; in his passion for freedom and independence that can be his only when those who guide and teach him have learned the lessons of humility, and in whom there resides an effective confluence of the trained mind and the warm heart.

EXHIBIT B

SPECIAL EDUCATION FOR EXCEPTIONAL CHILDREN—A DIGEST OF FACTS, FIGURES, AND COMMENTS

The Library of Congress, Washington, D. C., Legislative Reference Service. Prepared by Herman A. Sieber, research assistant in education and government, under the direction of Charles A. Quattlebaum, specialist in education

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PART I. ASPECTS OF THE PROBLEM

A. The children concerned. The term, "exceptional children," applies to those boys and girls whose physical, social, intellectual, and emotional characteristics represent an exceptionality.[1] Estimates of the number of exceptional, or atypical, children, for whom special education programs are usually considered necessary, range from 4 to 6 million.

B. Identification of exceptional children. In almost all fields of exceptional children, there are, on the average, two secondary handicaps per child. Other markworthy factors complicating the gathering of accurate data as to the total number of exceptional children are: (1) the degree of accuracy of diagnosis and measurement of the exceptionalities concerned, (2) reluctance of some parents to identify homebound children, and (3) local differences in classification standards.[2] No complete census has ever been made of the number of exceptional children in the United States.

The United States Office of Education has undertaken a conservative estimate of the number of exceptional children of school age. Mackie and Dunn who prepared the Office of Education estimate, have written:

"The best that can be done is to use the percentage of incidence based on spot studies made by national organizations and local communities. The figures are presented with some reluctance, since there is need for research to determine better estimates. * * * In the estimates which follow, it is assumed that the exceptional child is included once—under the major handicapping condition, although it is known that many of these children have secondary disabilities."[3]

TABLE 1.—*Incidence of exceptionality and estimated number of school-age exceptional children, 1952*

Area of exceptionality [1]	Estimated number of school-age children (in round numbers)	Percentage of incidence
Blind and partially seeing	68,000	0.20
Crippled	510,000	1.50
Special health problems	510,000	1.50
Deaf and hard of hearing	510,000	1.50
Speech-handicapped	680,000	2.00
Socially maladjusted	680,000	2.00
Mentally retarded	680,000	2.00
Gifted	680,000	2.00
Total	4,318,000	12.70

[1] There is disagreement as to how the areas of exceptionality should be defined. All told, 13 areas of primary exceptionality have been noted: (1) Intellectually incapable, neither trainable nor educable, I. Q. below 25; (2) mentally deficient but trainable, I. Q. between 25 and 50, (3) educable mentally retarded, I. Q. between 50 and 75; (4) crippled and deformed, including the cerebral palsied; (5) deaf; (6) hard of hearing; (7) blind; (8) partially seeing; (9) speech-defective; (10) undervitalized, those with special health problems, including the cardiopathic, epileptic, and tuberculous; (11) emotionally maladjusted; (12) delinquent; and (13) intellectually superior, highly gifted, I. Q. usually above 125.

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[1] National Society for the Study of Education. Forty-ninth Yearbook. Pt. II. Chicago, University of Chicago Press, 1950, p. 3.

[2] Baker, Harry J. Introduction to Exceptional Children. New York, Macmillan, 1953, pp. 458-465.

[3] Mackie, Romaine P. and Lloyd M. Dunn. College and University Programs for the Preparation of Teachers of Exceptional Children. Washington, Government Printing Office, 1954, p. 3. (U. S. Office of Education Bulletin 1954, No. 13.)

Mackie and Dunn made the following comment on the significance of their incidence table:

"This * * * is not the complete story. To include only children in the age group 5 through 17 would not give an adequate picture of those in need of assistance from the schools."[4]

A report on State provisions for special education, prepared by the Laws and Legislation Branch of the United States Office of Education in 1956 indicated that:

"Most States, recognizing the need for early identification and admission of handicapped children, specify an early age or leave the minimum open; a few States extend the maximum beyond the legal school age."[5] Legally specified age limits for the physically and mentally handicapped range from age 3, in 8 States, to age 35, in 4 States.[6]

C. The specialness of exceptional children. The Creed for Exceptional Children, accepted by the United States Office of Education Conference on Qualification and Preparation of Teachers of Exceptional Children, points to the specialness of exceptional children:

"We believe in the American promise of equality of opportunity, regardless of nationality, cultural background, race, or religion.

"We believe that this promise extends to every child within the borders of our country no matter what his gifts, his capacity, or his handicaps.

"We believe that the Nation as a whole, every State and county, every city and hamlet, and every citizen has an obligation to help in bringing to fruition in this generation the ideal of a full and useful life for every exceptional child in accordance with his capacity; the child who is handicapped by defects of speech, of sight, or of hearing, the child whose life may be adversely influenced by a crippling disease or condition, the child whose adjustment to society is made difficult by emotional or mental disorders, and the child who is endowed with special gifts of mind and spirit.

"We believe that for most exceptional children their parents and teachers are the master architects essential to the planning and building of their future.

"We believe that the teachers of exceptional children must possess the personality, develop the understanding, and acquire the knowledge and skill through special preparation that will enable them to inspire and motivate, as well as teach, the art of making a living and a life.

"Above all, we believe in the exceptional child himself; in his capacity for development so frequently retarded by the limits of present knowledge; is his right to a full life too often denied him through lack of imagination and ingenuity on the part of his elders; in his passion for freedom and independence that can be his only when those who guide and teach him have learned the lessons of humility, and in whom there resides an effective confluence of the trained mind and the warm heart.[7]

"'Remember,' wrote Graham and Barrow in the Nation's Schools, 'the exceptional child in your community is asking only for his birthright—an equal opportunity to obtain a full education which will help him acquire the social pattern necessary to live well with his fellow man.'[8]

"Describing them as 'the forgotten ones,' Jenks reminded: 'These exceptional children are, first and foremost, children—more like the average child than unlike him.'[9]

In the Annual Report of the Ames (Iowa) Public Schools, 1954–55, Schoolman Hetzel elaborated:

"It must always be remembered that the education of exceptional children has basic concepts and goals in common with the education of all children. The same principles of child development prevail. A deaf child is a child with a hearing handicap. As a child he has all the needs, desires, and physical energy of children in general. Basically, the only way in which he differs from an average child is his inability to hear; and, because of this hearing handicap, he is unable to speak. This difference makes it necessary to plan his education with special consideration for his disabilities. The mentally retarded child, the child with visual impairment, the crippled child, and every other exceptional child has fundamental motives and drives common to children in general; but along with those common characteristics there is in each case a specific handicap or exceptional condition that requires an adjustment or special service in his educational program. That program should be designed with full recognition of (a) his likeness to normal children and (b) his special needs. This, in brief, constitutes the modern approach to the education of exceptional children."[10]

The White House Conference on Child Health and Protection, called by President Herbert Hoover, in 1931 declared that few investments of taxpayers' money had yielded as large a return as that invested in vocational rehabilitation. The conference asked:

"If such results can be obtained by the special training of disabled adults, who have in large measure lost the plasticity and adaptability of youth, how much more can be accomplished through the special treatment and training of handicapped children?[11]

D. Special education, what it is and how it got started: The term "special education" refers to all those adjustive instructional services which are especially planned for exceptional children of preschool, elementary, and secondary, school age. It does not include remedial instruction in subject matter for those children of approximately normal behavior and ability who, for some reason, fall short of expected achievement.

The approach of special education is defined by Jenks as follows:

"Since these children cannot accommodate themselves to the curriculum, we must adjust the curriculum to them. The school is built for the children and not vice versa. We must consider the whole child, his abilities as well as his disabilities."[12]

Modern special education is usually considered to have started in the Halle, Germany, experiment in 1859, and the Boston day class for the deaf 10 years later. The following chart, compiled from several sources, presents a brief summary of the historical beginnings of special education.[13]

TABLE 2.—*Chronology of "special education" programs, 1700–1957*

Program	Date	Place
Selection of gifted children for special education.	([1])	Ottoman Empire (Saleiman).
1st classes for blind	1784	Paris, France.
1st residential school for handicapped in United States (for deaf).	1817	Hartford, Conn.
1st school for mentally retarded.	1859	Halle, Germany.
1st day class for deaf	1869	Boston, Mass.
1st class for speech defectives.	1887	Potsdam, Germany.
1st school for mentally retarded in United States.	1897	Springfield, Mass.
1st day classes for blind, crippled.	1900	Chicago, Ill.
1st school for gifted in United States.	1901	Worcester, Mass.
1st open-air program for undervitalized.	1903	Germany.
1st school for hard-of-hearing.	1904	New York.
1st special classes for crippled children.	1907	Massachusetts.
1st public school class for speech-defective.	1908	New York.
1st open-air class for undervitalized.	1908	Providence, R. I.
1st class for partially seeing.	1908	England.
1st American classes for partially seeing.	1909	Cleveland, Ohio.

[1] 16th century.

E. The State programs. Some type of special education has been authorized, with or without financial assistance, in all 48 States. The following table indicates the number of States with legal provisions for special education in the various fields of exceptionality, as of December 1955:[14]

TABLE 3.—*Number of States with legal provisions for special education, by fields of exceptionality, as of December 1955*

Field of exceptionality	Type of provision		Number of States
	Mandatory [1]	Permissive [2]	
Physically handicapped	17	31	48
Educable mentally retarded	15	31	46
Trainable mentally deficient	6	13	19
Maladjusted and delinquent	3	12	15
Gifted [3]	-------	1	1

[1] Mandatory legislation requires establishment of services under certain conditions.

[2] Permissive legislation states that local districts may provide services for exceptional children.

[3] Pennsylvania.

Because of the differing needs of the children in the various areas of exceptionality, special education of today follows five organizational patterns: (1) Special schools and classes for longtime placement, (2) special classes for short-term placement, (3) home or hospital instruction, (4) special supplementary instructional services, and (5) residential school programs.[15]

These organizational patterns reflect three types of programs: (1) Cooperative, in which the child carries on part of his program in a regular classroom but receives help and/or equipment and instruction, (2) segregated, in which special classrooms are used, and (3) integrated, in which a visiting teacher serves the child in his regular classroom.[16]

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[4] Mackie, Romaine P. and Lloyd M. Dunn. College and University Programs for the Preparation of Teachers of Exceptional Children. Op. cit., p. 4.

[5] A Report on State School Law: Special Education of Exceptional Children. School Life, November 1956, p. 7.

[6] Ibid., p. 7.

[7] Mayo, Leonard W.

[8] Graham, Ray and J. M. Barrow. Plan a Place for the Exceptional Child. The Nation's Schools, July 1956, p. 54.

[9] Jenks, William F., C. SS. R. The Forgotten Ones—Our Exceptional Children. Washington, the Catholic University of America Press, 1955, p. iii.

[10] Hetzel, Walter L. Annual Report of the Ames (Iowa) Public Schools, 1954–55, as quoted by the American School Board Journal, December 1955, p. 16.

[11] White House Conference on Child Health and Protection. Special education—the handicapped and the gifted. New York, Century, 1931, p. 4.

[12] Jenks, William F., C. SS. R. The Forgotten Ones—Our Exceptional Children. Op. cit. p. iii.

[13] Principal sources: Baker, Harry J. Introduction to Exceptional Children. Op. cit. 500 pp. Jenks, William F., C. SS. R. The Exceptional Child in Catholic Education. National Catholic Educational Association Bulletin, May 1954. Reprint, unpaged.

[14] A report on State school law: Special Education of Exceptional Children. Op. cit., pp. 7–10.

[15] Rice, Mabel C., and Arthur S. Hill. Statistics of Special Education, 1952–53. Washington, Government Printing Office, 1954, pp. 1–3. (Biennial Survey of Education in the United States.)

[16] Jenks, William F., C. SS. R. The Exceptional Child in Catholic Education. Op. cit. unpaged.

According to Jenks:

"The vast majority of our exceptional children can be integrated into the regular class; another large segment will need special services, but only a small group will need special classes. All will need certified trained teachers."

F. The number of special teachers available. It is usually estimated that there are 25,000 special teachers. The most recent United States Office of Education statistics show:

"Fourteen thousand three hundred and sixteen special-education teachers in city school systems. Approximately 3,000 teachers working in residential schools, and at least 2,500 giving hospital and home instruction. Still others not reported are in nursery schools * * * in private schools * * * (and) in small local school systems in rural areas. If allowance is made for the teachers not reported, the total number 25,000 is easily justifiable."[17]

The following table, showing the number of exceptional children and their teachers in special schools and classes only, is based on data reported by the United States Office of Education in its Biennial Survey of Education in the United States, 1952-54:[18]

TABLE 4.—*Number of pupils, elementary and secondary, and teachers, full time and part time in special schools and classes, 1952-53*

Area of exceptionality	Pupils		Teachers[1]		Approximate number pupils per teacher
	Elementary	Secondary	Full time	Part time	
Mentally retarded (educable)	80,363	28,540	6,411	300	[2] 16
Mentally retarded (severe)	4,515	147	320	36	[2] 16
Special health problems	10,166	1,289	788	80	13
Crippled	15,924	1,889	1,378	120	12
Deaf	3,446	489	451	28	8
Speech defective	254,179	52,568	2,011	245	136
Blind	658	181	89	6	9
Gifted	3,683	19,233	722	204	23
Partially seeing	6,544	1,470	621	26	13
Hard of hearing	9,680	2,252	400	80	24

[1] A teacher serving more than 1 type of exceptional child is reported only with the type to which she devotes the major portion of time.

[2] Represents the average number of pupils per teacher for both educable and severely mentally retarded pupils.

"It seems quite evident that the smaller classes which are characteristic of service in these two areas of special education are the result of emphasis upon the acceptance of children who are more severely handicapped."[22]

Approximate pupil-teacher ratios for the various areas of exceptionality are useful, however (as has already been pointed out), to the extent that they can be applied against the estimated incidence of children in the various areas of exceptionality in order roughly to determine the present need for teachers.

The following table gives relevant data:

TABLE. 6.—*Practical pupil-teacher ratio and number of teachers needed, by field*

Area of exceptionality	Estimated number of school-age children[1]	Practical pupil-teacher ratio[2]	Number of teachers needed (rounded)
Blind and partially seeing	68,000	11	6,000
Crippled	510,000	12	42,500
Special health problems	510,000	13	39,000
Deaf and hard of hearing	510,000	23	22,000
Speech handicapped	680,000	136	5,000
Socially maladjusted	680,000	25	37,000
Mentally retarded	680,000	16	42,500
Gifted	680,000	23	29,500
Total	4,316,000	----------	223,500

[1] Table 1.

[2] Table 4.

G. The supply-demand ratio. A good indicator of the teacher need for each area of exceptionality is the supply-demand ratio.

The following table presents the rank order of the frequency of special teachers needed and available in the various areas of exceptionality. These rankings are based on a response to a questionnaire sent to 329 school administrators and professors of special education by the United States Office of Education.[19]

Mackie and Dunn commented:

"A comparison of the requests for teachers and their availability is both interesting and significant. There are few requests, for example, for teachers of the partially seeing and for teachers of the blind, but even so, it is rather difficult to find qualified persons in the areas when they are needed."[20]

H. The number of special teachers needed. The literature in special education usually expresses the teacher-need as 4 times the available number; that is, 100,000.

Mackie and Dunn wrote that probably the teacher-need figure of 100,000 should be reexamined. They gave one example to illustrate this:

"On a basis of an average class enrollment of 18, it seems reasonable to estimate that approximately 40,000 teachers are needed in the area of mentally retarded alone. This leaves only 60,000 for all other types of exceptionality and for personnel who would occupy administrative and college teaching positions."[21]

TABLE 5.—*Demand-supply frequency of special teachers*

Area of exceptionality	Rank order (frequency of requests)	Rank order (difficulty in securing teachers)
Mentally retarded	[1] 1	4
Speech handicapped	2	[2] 10
Deaf	3	[3] 1
Hard of hearing	4	5
Crippled	5	8
Socially maladjusted	6	3
Blind	7	2
Partially seeing	8	6
Special health problem	9	9
Gifted	[4] 10	7

[1] Highest demand.

[2] Highest availability (supply).

[3] Lowest availability (supply).

[4] Lowest demand.

Generally, the pupil-teacher ratios for exceptional children are, as might be expected, lower than the one existing in the regular classroom. Dividing the number of pupils per teacher into the estimated number of school-age children (table 1) will support the conclusion that certainly no less than 100,000 special teachers will be needed to provide adequate instructional services for the four to six million exceptional children.

I. The practical pupil-teacher ratio. Representations of a summary pupil-teacher ratio for exceptional children have little if any value. Furthermore, it is not possible to establish an ideal and practical pupil-teacher ratio which would not have to be continually revised as more severely handicapped children are accepted for special education. During the period 1947-52, the average number of pupils per teacher of crippled childen declined from 14.3 to 11.9 and, for children with special health problems, from 24.4 to 13.2. Rice and Hill commented that:

Table 6 has its obvious shortcomings, but it does show that many special teachers are needed. Furthermore, it indicates that the teacher-need figure of 100,000, in Mackie and Dunn's words, "should be reexamined."

J. The effect of the shortage. The obvious effect of the teacher shortage is that education-needy exceptional children are not sharing in the American educational experience.

A publication by the United States Office of Education has indicated that "not more than a quarter of the Nation's handicapped and gifted children are receiving the special help which they need. In almost every case, the lack of qualified teaching personnel is the basic reason for this unfortunate situation. In many communities where public support is excellent and financing assured, school systems are unable to establish programs because they cannot find a teacher with the special competencies essential to effective work with the particular type of exceptional child for whom the service is to be established."[23]

Baker made the same point:

"The training of teachers for exceptional children has been one of the major problems in the development of an adequate program. Often a school system has been forced to abandon its proposed program for some type of special class when no teachers were available in that particular field. * * * It was a very striking phenomenon that during the days of the greatest general-teacher surplus there was a shortage of teachers trained for special education. When there is a general shortage of teachers the problem becomes very acute."[24]

K. What is being done. The following table shows, for the academic year 1953-54, (1) the number of universities offering sequences of preparation, (2) the number of students enrolled in those courses, (3) the number of

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[17] Mackie, Romaine P., and Lloyd M. Dunn. College and University Programs for the Preparation of Teachers of Exceptional Children. Op. cit., p. 4.

[18] Rice, Mabel C., and Arthur S. Hill. Statistics of Special Education for Exceptional Children, 1952-53. Op. cit., pp. 15-16; table 1, p. 19.

[19] Mackie, Romaine P. and Lloyd M. Dunn. College and University Programs for the Preparation of Teachers of Exceptional Children. Washington, Government Printing Office, 1954, pp. 6-7. (U. S. Office of Education Bull. 1954, No. 13).

[20] Mackie, Romaine P. and Lloyd M. Dunn. College and University Programs for the Preparation of Teachers of Exceptional Children. Op. cit., p. 7.

[21] Mackie, Romaine P. and Lloyd M. Dunn. College and University Programs for the Preparation of Teachers of Exceptional Children. Op. cit., p. 5.

[22] Rice, Mabel C. and Arthur S. Hill. Statistics of Special Education for Exceptional Children, 1952-53. Op. cit., p. 16.

[23] Mackie, Romaine P., and Lloyd M. Dunn. College and University Programs for the Preparation of Teachers of Exceptional Children. Op. cit., p. 1.

[24] Baker, Harry J. Introduction to Exceptional Children. Op. cit., pp. 455-457.

faculty members involved, and (4) the number of degrees conferred. These data are based on responses to a United States Office of Education questionnaire sent to institutions of higher learning offering such sequences of preparation. One hundred and twenty-eight institutions, representing approximately nine-tenths of the colleges and universities, gave information on these items.

TABLE 7.—*Statistical summary of faculty strength and student enrollment at colleges and universities, academic year 1953–54,[1] showing number of institutions offering sequences of preparation; faculty members, students enrolled, and degrees conferred*

A	B	C	D	E	F
Area of exceptionality	Universities offering sequences of preparation	Total full-time and part-time faculty members	Total students majoring in specialized areas	Total students taking single courses in specialized areas	Number of degrees granted [2]
Blind	3	7	33	67	20
Crippled	14	35	156	136	58
Deaf	24	94	195	76	67
Gifted	2	2	21	34	2
Hard of hearing	68	26	61	100	7
Mentally retarded	40	137	805	624	285
Partially seeing	7	10	30	66	9
Socially maladjusted	10	8	82	174	20
Special health problems	5	3	60	18	3
Speech correction	116	342	2,330	2,719	725
Speech and hearing	1	167	600	423	230
2 or more areas of exceptionality other than speech and hearing		55	228	20	122
Overall		11		[3] 1,255	1
Total	[4] 128	897	4,601	5,712	1,549

[1] Mackie, Romaine P. and Lloyd M. Dunn. Programs for the Preparation of Teachers of Exceptional Children. Op.cit., pp. 12, 137, 42, 44, 91 (errata).

[2] Jan. 1-Dec. 3, 1953.

[3] Enrolled in survey courses.

[4] Number of institutions in the United States offering sequences of preparation for teachers in 1 or more areas of exceptionality. 42 institutions offer specialized curricula in only 1 area; 73 offer specialized curricula in 2 to 5 areas; 7 offer specialized curriculums in 6 or more areas.

L. The need for meeting the shortage with qualified teachers. The need for meeting the shortage of teachers in special education with qualified teachers is understood in two-thirds of the States where special credentials for teachers in one or more areas of exceptionality are required by law. The following table breaks down the incidence of such certification requirements in the 32 States, by areas of exceptionality.[25]

TABLE 8.—*Number of States with requirements for special credentials for teachers of exceptional children*

Area of exceptionality	Number of States
Speech	30
Hard of hearing	27
Mentally retarded	22
Crippled	22
Socially maladjusted	9
Blind	13
Partially seeing	21
Deaf	18
Gifted	1
Special health problems	12
Special credential valid for teaching in area of exceptionality, no special certification required	16
Special credentials for teachers in 1 or more area of exceptionality required	32

Mackie and Dunn wrote:

'The close relationship between the extent of special certification and number of teacher-education and public school programs is striking." [26]

M. A continuing problem. The percentage of incidence of exceptional children has not been reduced appreciably by modern medical science.

It is true, of course, that many diseases have been demobilized, thereby saving countless boys and girls from the consequent disabling effects of the diseases.

It is also true, however, that medical progress in another field has made it possible for just as many boys and girls, who would have died in a former day, to survive. These children unfortunately survive with physical, emotional, or mental disabilities that will distinguish them educationally as exceptional.

Furthermore, it appears that it will take quite some "doing" to remove the factors responsible for the shortages in special education. Mackie and Dunn concluded:

"Many factors are responsible for this lag on the part of the schools. Among these are lack of personnel, inadequate housing, transportation problems, and difficulties encountered in screening, diagnosis, and placement. Most serious of all is the lack of qualified teachers." [27]

PART II. SOME COMMENTS BY AREAS OF EXCEPTIONALITY

A. The visually defective (blind and partially seeing). Mackie and Cohoe, in a publication on teachers for partially seeing children, have written:

"Generally a child is considered partially seeing if his visual acuity in the better eye, with correction, is 20/70 or less and he uses sight as his chief channel of learning. Special services and materials should be available insofar as they are needed to assist the child in realizing his optimum physical, mental, social, and vocational potentialities. Specialized knowledge, skills, and abilities, over and above those required by the regular classroom teacher, are required by the teacher of partially seeing children." [28]

Berthold Lowenfeld, pleading for special education for the blind, has written:

"The blind want to live as independent individuals who are conscious and desirous of fulfilling their economic and social obligations to the community, but do not hesitate to be bold if ignorance or prejudice denies them their full rights as citizens." [29]

Jacobus Tenbroeck has called for a bill of rights for the blind, "not declaring our independence from society but our need of being integrated into it; not guaranteeing special favors and position, but equality of treatment; not glossing over our weaknesses or limitations, but recognizing us for what we are, normal human beings, or at least as normal as human beings are; a bill of rights according us a fair chance to live socially useful lives." [30]

B. The speech defective. Johnson said in 1950 that: "there should be 1 speech correctionist to approximately every 4,000 pupils. Estimating very conservatively that only 5 percent of the pupils will be found to have significant speech problems, there will be 200 children needing speech correction among every 4,000 pupils." [31]

Pintner, Eisenson, and Stanton defined defective speech as follows:

"Speech may be considered defective when it is not easily audible and intelligible to the listener. Speech is defective if it is vocally or visibly unpleasant or labored in production. Finally speech is defective if it is inappropriate to the individual in regard to his mental and chronological age, sex, and physical development." [32]

C. The maladjusted. The White House Conference on Child Health and Protection in 1931 commented:

"Hospital facilities for mental patients in the United States * * * outrank the combined total of all other diseases. If the cost of crime and court procedures of cases with mental disease or with advance symptoms of delinquency are added to the hospital costs already cited, the price will become more exorbitant than even a wealthy and charitable minded nation can long afford.

"The nervous and emotionally unstable constitute a large majority of the total number of behavior problems. The third group is know as the delinquent. * * * The establishment of special schools and special classes should be greatly increased in order to meet this need." [33]

Carrington said:

"Emotionally and socially handicapped children * * * have hostilities, idiosyncrasies and psychic disfigurements of such dimension that they need individual care not always available in the classroom. These pupils need security, affection, and satisfaction out of life of a socially approved sort. They need to be helped on their way to emotional maturity." [34]

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[25] Mackie and Dunn. State Certification Requirements for Teachers of Exceptional Children. Bulletin 1954, No. 1. U. S. Government Printing Office. 60 pp.

[26] Mackie and Dunn. State Certification Requirements for Teachers of Exceptional Children. Op. cit., p. 7.

[27] Mackie and Dunn. State Certification Requirements for Teachers of Exceptional Children. Op. cit., p. 1.

[28] Mackie, Romaine P. and Edith Cohoe. Teachers of Children Who Are Partially Seeing. Washington, Government Printing Office, 1954, pp. 1, 5, 44. (U. S. Office of Education Bulletin 1956, No. 4.)

[29] Lowenfeld, Berthold. The Child Who Is Blind, in What Is Special About Special Education. Washington, D. C., International Council for Exceptional Children, 1953, pp. 5–11.

[30] Tenbroeck, Jacobus. A Bill of Rights for the Blind. Outlook for the Blind, December 1948, pp. 310–314.

[31] Johnson, W. Speech Handicaps. Part II. The Education of Exceptional Children. Forty-Ninth Yearbook, National Society for the Study of Education. Chicago, University of Chicago Press, 1950. Pp. 185–86.

[32] Pintner, R., J. Eisenson, and M. Stanton. The Psychology of the Physically Handicapped.

[33] White House Conference on Child Health and Protection, 1931, Op. cit., pp. 491, 496, 502.

[34] Carrington, Evelyn M., the Exceptional Child—His Nature and His Need. Texas State College for Women, 1951, p. 13.

Walsh, on the scope of the problem, has written:

"The socially maladjusted child who is most frequently in the forefront of public attention is the child who is labeled 'the juvenile delinquent.' The problem is of such scope that the entire community must be concerned. A democratic philosophy of education holds the school responsible for the education of all the children of all the people."[35]

The National Conference on Prevention and Control of Juvenile Delinquency, on the need for special teachers for the maladjusted, said:

"An atmosphere of mutual respect and affection should permeate the classroom and should result in wholesome and effective teacher-pupil relationship. Since all the classroom activities center about the teaching personality, the teacher herself should be a well-adjusted and wholesome individual."[36]

In defining the regular teacher, an Arizona workshop on the problem pointed out the need for special teachers of the maladjusted: "a skilled, professionally trained person, an expert in the field of education. It is not to be expected, or even desired, that she should also be an expert in treating emotional problems. Helping children now, while they are still children, in school, is especially important, because for many it is the only help they will ever get."[37]

Baker, in an article about the problem child, commented:

"It was the job of the school to teach those who were able to learn, and if learning did not take place or there was maladjustment in behavior, it was not the duty of the school to do anything about it. In recent years the concept that the school must teach good social living and citizenship as well as subject matter has changed the point of view."[38]

D. The gifted. On the shortage of developed mindpower a publication of the Fund for the Advancement of Education has said that:

"The importance of accommodating the individual differences of young people of similar age is widely recognized, yet many of our conventional academic arrangements inhibit the nurturing of these individual talents and capacities.

"The most critical requirement is to attract into teaching enough of the Nation's finest quality manpower, for it takes talent to produce talent."[39]

On the need for teachers of the gifted Brown wrote:

"In short, among the various devices we have discussed for aiding gifted children, there is no cheap substitute for skilled teaching by highly educated and resourceful and devoted teachers."[40]

Shaffer said:

"Interest in the pupil of unusual mental capacity has been stimulated by the Nation's growing need for highly trained specialists. Roughly 5 percent of the general population rates 125 [I. Q.] or higher. Such children need superior teachers who are fully versed in their special field and have talent for creative teaching."[41]

Passow wrote about the need for enrichment of the curriculm for the gifted:

"Enrichment for the gifted child is of particular concern to the public school because a curriculum which satisfies a large majority of children may not necessarily care for outstanding students. Society must expect rewarding returns from the gifted child to warrant additional investment in his education. Are we short changing the gifted? When we deny precious youngsters the full development of their potential, we not only cheat them—we rob society of precious human resources."[42]

E. The crippled. The White House Conference on Child Health and Protection in 1931 made the following observation:

"The education of the crippled child is not philanthropy—it is enlightened self-interest. It is manifest that teachers of crippled children must have exceptional qualifications and training. Michael Dowling said: 'I believe that the saddest sight in the world is that of a crippled child sitting at the window each morning watching his brothers and sisters go forth to school.'"[43]

F. The deaf and hard of hearing. The United States Office of Education, in a publication on teachers of deaf children, declared:

"The education of the deaf child is a difficult process. Who is competent to teach the deaf child? It is in the teacher herself that the dynamic power for development of competencies resides. Those who administer or supervise State and local programs have an obligation to foster the greatest possible development of their teachers in service. Instruction of the deaf is one of the more technical fields. Because teachers of the deaf are more difficult to secure than any other in the field of education, and because their preparation is relatively expensive, it would seem that additional scholarships should be made available to those wishing to teach the deaf."[44]

Baker, in his textbook on exceptional children, has written:

"The Federal census has been making special listings of the deaf, beginning in 1830. In round number the number of the totally deaf approximately equals the number of blind. * * * A committee on hard-of-hearing children of the American Federation of Organizations for the Hard of Hearing reported in 1926 that 14 percent of pupils have hearing defects. Whether this estimate is entirely correct or not, it is probably close enough to the real facts to show that impaired hearing is a problem of great magnitude.

"The education of the deaf is a highly specialized and intensive type of education. The teachers must be especially well-trained. When it is considered what education really accomplishes for deaf children in training them to speak and otherwise live normal lives socially, as well as psychologically, the greater cost is well repaid."[45]

G. The undervitalized. The White House Conference on Child Health and Protection in 1931 commented:

"Under the term 'lowered vitality' are included all those types of cases which, without distinct or visible evidence, physically handicap a child. There is a great need for special education and training of all cases of lowered vitality. Educators in America have believed, for the most part, that American schools were providing equal opportunity for all children to develop their abilities to the fullest extent. It is gradually becoming apparent that such is not the case.

"The slogan of the educators of the handicapped should be: 'An expert and technically trained teacher for every physically handicapped child in the United States.' The teacher is the basic factor in educating, training, and placement."[46]

H. The intellectually impaired. The United States Children's Bureau has estimated:

"Out of each 1,000 of the population, 30 are mentally retarded. Of this 30, 25 are educable and 4 are trainable and 1 is totally dependent."[47]

On degrees of impairment, an article in the Encyclopedia of Educational Research contains this statement:

"From an educational standpoint, those children who appear to be permanently incapable of profiting to any considerable extent from the regular curriculum of the schools and who are regarded as trainable rather than educable, and, hence, permanently socially inadequate and vocationally incompetent, have been most frequently classified as mentally defective, mentally deficient, or feebleminded, in contract to those who are rated as merely backward, retarded, or dull normal, and who are potentially capable of achieving social and economic independence."[48]

Spencer has added:

"While the educational goal for the retarded child is essentially the same as for normal—the fullest possible development of the individual—it must be approached through somewhat different approaches and techniques."[49]

Hill wrote:

"About three-quarters of a million school-age children in the United States are mentally retarded with respect to their learning abilities. Most of them are capable of making considerable progress in the basic educational skills; a much smaller number have competence only for personal and social improvement; only a very small percentage require permanent custodial care.

"One of the most baffling problems met in establishing new programs for severely mentally retarded children concerns the employment of qualified teachers."[50]

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[35] Walsh, Mary E., the Socially Maladjusted Child and the School. In Jenks, William F., C. SS. R., the Atypical Child. Washington, the Catholic University of America Press, 1954, pp. 68–92.

[36] National Conference on Prevention and Control of Juvenile Delinquency. Report on School and Teacher Responsibilities. Washington, Government Printing Office, 1947, p. 21.

[37] Workshop in the Education of the Exceptional Child, Tempe, Arizona State College, 1955, pp. 59–69.

[38] Baker, Harry J. The Problem Boy in School. Federal Probation, VI, No. 2, 1942, p. 23.

[39] The Fund for the Advancement of Education. They Went to College Early. Evaluation Report No. 2, New York, 1957, p. 11.

[40] Brown, Spencer. How Educate the Gifted Child? Commentary, June 1956, p. 539.

[41] Shaffer, Helen B. Schooling for Fast and Slow Learners. Editorial Research Reports, November 23, 1955, pp. 824, 826.

[42] Passow, A. Harry, Are We Short Changing the Gifted? The School Executive, December 1955, pp. 55, 57.

[43] White House Conference on Child Health and Protection, op. cit, pp. 19, 73, 85.

[44] Machie, Romaine P., et al., Teachers of Children Who Are Deaf. Washington, Government Printing Office, 1955, pp. 1, 2, 54 (U. S. Office of Education Bulletin 1955, No. 6).

[45] Baker, Harry J. Introduction to Exceptional Children. New York, Macmillan, 1953. Pp. 82, 123.

[46] White House Conference on Child Health and Protection. Op. cit., pp. 385, 397, 407–408.

[47] The Child Who Is Mentally Retarded, Washington, Government Printing Office, 1956, p. 11 (U. S. Children's Bureau Folder No. 43, 1956).

[48] Encyclopedia of Educational Research, (Revised edition). New York, Macmillan, 1950, p. 726.

[49] Spencer, Steven M., Retarded Children Can Be Helped, The Saturday Evening Post, Oct. 11, 1952, p. 110.

[50] Hill, Arthur S., The Forward Look: The Severely Retarded Child Goes to School, Washington, Government Printing Office, 1952, p. 32 (U. S. Office of Education Bulletin, 1952, No. 11).

EXHIBIT C—COLLEGES AND UNIVERSITIES IN THE UNITED STATES OFFERING COURSES IN SPECIAL EDUCATON FOR EXCEPTIONAL CHILDREN

(Prepared at the request of the Honorable LEONOR SULLIVAN, by H. A. Sieber, research assistant)

Colleges and universities having programs for the preparation of teachers of exceptional children, academic year 1954

State	Institution	Special education program
Alabama	University of Alabama	Speech correction.
	Birmingham, Southern College.	Speech and hearing.
Arizona	University of Arizona	Speech correction, speech and hearing.
Arkansas	University of Arkansas	Speech correction.
	Arkansas State College	Deaf.
California	Chico State College	Speech correction, speech and hearing.
	College of the Pacific	Speech correction, speech and hearing, socially maladjusted.
	Fresno State College	Speech correction.
	Los Angeles State College	Deaf, mentally retarded, speech correction, speech and hearing.
	Occidental College	Speech correction.
	San Diego State College	Mentally retarded, speech correction.
	San Francisco State College.	Blind, crippled, deaf, hard of hearing, mentally retarded, partially seeing, socially maladjusted, speech correction, blind and partially seeing, deaf and hard of hearing, and others.
	San Jose State College	Speech correction, speech and hearing.
	Stanford University	Do.
	University of California at Berkeley.	Mentally retarded, socially maladjusted, mentally retarded and socially maladjusted.
	University of California at Los Angeles.	Speech correction.
	University of California at Santa Barbara.	Do.
	University of Southern California.	Deaf, hard-of-hearing, speech correction.
	Whittier College	Speech correction.
Colorado	University of Denver	Mentally retarded, speech correction, speech and hearing.
Florida	Florida State University	Mentally retarded, speech correction, speech and hearing, overall.
	University of Florida	Mentally retarded, speech correction, speech correction and hearing, overall.
	University of Miami	Speech correction.
Georgia	University of Georgia	Do.
Illinois	Bradley University	Do.
	College of St. Francis	Do.
	Eastern Illinois State College.	Do.
	Elmhurst College	Do.
	Illinois State Normal University.	Crippled, deaf, hard-of-hearing, mentally retarded, partially seeing, socially maladjusted, special health problem, speech correction, overall.
	Northern Illinois State Teachers College.	Speech correction.
	Northwestern University	Speech correction, hearing.
	Rockford College	Do.
	Southern Illinois	Mentally retarded, speech correction, hearing.
	University of Chicago	Socially maladjusted, speech correction.
	University of Illinois	Deaf, mentally retarded, speech correction.
Indiana	Ball State Teachers College.	Speech correction, hearing.
	Indiana State Teachers College.	Mentally retarded, speech correction, hearing.
	Indiana University	Speech correction, hearing.
	Purdue University	Do.
Iowa	Grinnell College	Speech correction.
	State University of Iowa	Crippled, speech correction, hearing.
Kansas	Fort Hays Kansas State College.	Speech correction.
	Kansas State Teachers College.	Mentally retarded, socially maladjusted, speech correction.
	Municipal University of Wichita.	Crippled, deaf, hard-ot-hearing.
	Municipal University of Wichita.	Speech correction, hearing, deaf, crippled, hard-of-hearing.
	University of Kansas	Deaf, hard-of-hearing, mentally retarded, socially maladjusted, speech correction.
Kentucky	University of Kentucky	Speech correction, hearing.
Louisiana	Louisiana State University.	Speech correction.
Maryland	University of Maryland	Speech correcting, hearing.
Massachusetts	Boston University	Blind, speech correction, hearing.
	Emerson University	Speech correction, hearing.
	Smith College	Deaf.
Michigan	Michigan State Normal College.	Crippled, deaf, mentally retarded, partially seeing, speech correction.
	Wayne University	Crippled, deaf, hard-of-hearing, mentally retarded, partially seeing, socially maladjusted, special health problem, speech correction, others.
	Western Michigan College of Education.	Speech correction, hearing.
Minnesota	University of Minnesota	Crippled, mentally retarded, speech correction, hearing, others.
Mississippi	Mississippi Southern College.	Do.
	University of Mississippi	Speech correction, hearing.
Missouri	Central Missouri College	Speech correction.
	St. Louis University	Do.
	Southwest Missouri College.	Do.
	University of Missouri	Speech correction, crippled.
	Washington University	Deaf, hard-of-hearing, speech correction.
Nebraska	University of Nebraska	Speech correction, hearing.
New Jersey	New Jersey State Teachers College.	Mentally retarded, speech correction, hearing, others.
New York	Brooklyn College	Mentally retarded, speech correction.
	City College of the City of New York.	Mentally retarded.
	Hunter College of the City of New York.	Blind, crippled, deaf, gifted, partially seeing, special health problems, others.
	New York University	Mentally retarded.
	Queens College of the City of New York.	Speech correction, hearing.
	State University of New York College for Teachers at Buffalo.	Crippled, mentally retarded, speech correction, partially seeing, others.
	State University of New York Teachers College at Geneseo.	Mentally retarded, speech correction.
	Syracuse University	Crippled, deaf, mentally retarded, partially seeing, speech correction, hearing, others.
	Teachers College of Columbia University.	Deaf, hard-of-hearing, mentally retarded, partially seeing, crippled, special health problems, others.
North Carolina	Eastern Carolina College	Speech correction.
North Dakota	State Teachers College	Do.
	University of North Dakota.	Speech correction, hearing.
Ohio	Bowling Green State University.	Do.
	Kent State University	Mentally retarded, speech correction, deaf, hard-of-hearing.
	Ohio State University	Mentally retarded, speech correction, hearing, others.
	Ohio University	Speech correction, hearing.
	Western Reserve University.	Speech correction, deaf, hard-of-hearing.
Oklahoma	University of Oklahoma	Mentally retarded.
	University of Tulsa	Speech correction, hearing.
	Oklahoma College for Women.	Deaf.
Pennsylvania	Franklin and Marshall College.	Speech correction, hearing.
	Marywood College	Mentally retarded.
	Mount Mercy College	Speech correction.
	Pennsylvania State University.	Gifted, mentally retarded, speech correction, hearing.
	State Teachers College, Bloomsburg.	Mentally retarded, speech correction, hearing.
	State Teachers College, California.	Mentally retarded, speech correction.
	Temple University	Speech correction.
	University of Pittsburgh	Deaf, mentally retarded, speech correction, hearing.
South Dakota	University of South Dakota.	Speech correction, hearing, others.
Tennessee	George Peabody College for Teachers.	Mentally retarded, speech correction, hearing, others.
	University of Tennessee	Deaf, others.
	Vanderbilt University	Speech correction, hearing.
Texas	North Texas State College	Speech correction.
	Southern Methodist University.	Do.
	Southwest Texas State Teachers College.	Crippled, mentally retarded, speech correction.
	Texas State College for Women.	Speech correction.
	University of Houston	Mentally retarded, speech correction, hearing.
	University of Texas	Mentally retarded, speech correction, hearing, others.
Utah	University of Utah	Speech correction, deaf, hard-of-hearing.
Virginia	University of Virginia	Speech correction, hearing.
Washington	University of Washington	Do.
Wisconsin	Marquette University	Speech correction.
	University of Wisconsin	Do.
	Wisconsin State College	Mentally retarded, speech correction, deaf, hard-of-hearing, others.
Wyoming	University of Wyoming	Speech correction.
District of Columbia.	Catholic University of America.	Do.
	Gallaudet College	Deaf.
	George Washington University.	Speech correction.

DECEPTION ON NATURAL GAS ISSUE

Mr. RHODES of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, my colleagues interested in natural gas legislation will be interested in an article which appears in the August 1957 issue of the Independent Petroleum Association of America Monthly, the national magazine published by the IPPA.

The title to the article is "Nonpartisan Study Supports Gas Producers' Position on Regulation." It was based on a 49-page study of the Regulation of Natural Gas, written by James W. McKie, associate professor of economics and business administration at Vanderbilt University and issued last month by the American Enterprise Association. The article in the IPPA monthly says that the American Enterprise Association is "a nonpartisan research organization which examines the implications of current and prospective legislation." It goes on to say that "as an independent agency, it maintains objectivity in analyzing national issues, but takes no stand either in favor of or against legislation."

Curiously enough, the AEA study concludes:

> There appears to be no decisive reason why market competition cannot generally regulate the field price of natural gas in the public interest.

Of course, this is the position taken by Mr. Russell B. Brown, general counsel of the IPPA in hearings this year on natural-gas legislation conducted by the Interstate and Foreign Commerce Committee. The IPPA article states:

> This conclusion did not come from a company statement, a trade association resolution, or the oil trade press. It was the conclusion of a 49-page study on the Regulation of Natural Gas issued at mid-July by the nonpartisan American Enterprise Association, Inc. * * *
>
> It is an extremely readable and logical analysis of the concept of public utility regulation, the competitive nature of natural-gas production, and the unworkable entanglements which would be involved in cost-base regulation of the producing industry.

Mr. Speaker, I am surprised that the great oil-producing industry would resort to such deception in labeling the American Enterprise Association as a nonpartisan research organization, in an effort to gain support for natural-gas legislation which is so obviously contrary to the best interests of the gas-consuming public.

Many of my colleagues will remember the work of the Buchanan lobby investigation committee during the 81st Congress. If they will refer to a report of this committee on the American Enterprise Association—House Report No. 3233, 81st Congress, 2d session, December 28, 1950—they will recognize that the IPPA has tried to promote the natural-gas bill under the blessing of a so-called objective research organization which was exposed by the Buchanan committee as a front for special interest points of view.

The AEA received sizable contributions during that period from America's largest oil, gas, and pipeline companies, many of whom were represented by witnesses appearing before our committee in support of the natural-gas bill.

It is an insult to Members of Congress for the IPPA to parade the American Enterprise Association as the source of an impartial study justifying their stand on the natural-gas bill in view of the past activities of this lobby front organization. I quote from pages 19 and 20 of the lobby committee's conclusions of its study of the American Enterprise Association:

> In AEA's case there is no reason to accept its claims of objectivity and impartiality when every material circumstance points to a contrary conclusion.
>
> AEA's claims of scholarly disinterest would be of less importance if the recipient of AEA analyses and studies had some means of judging whether or not these claims were wanting in substance. Full knowledge of AEA's sources of financial support, for example, is essential to such judgment; but since AEA has not filed reports under the Federal Lobbying Act, this information is simply not readily and continuously available.

The lobby committee further concluded:

> AEA's standing under the Lobbying Act is clear. The only criteria which govern the act's applicability to any group are intent by the group to influence legislation and the expenditure of substantial amounts of money for this purpose. The activities of the American Enterprise Association meet both these conditions.

I emphasize the next conclusion:

> The money expended is substantial, and the activities engaged in have unquestionably exerted more than passing influence on legislation, and have been intended to have influence on legislation. Certainly it cannot be argued that AEA desires that its activities should have no such influence at all. To the extent, then, that AEA seeks to affect the determination of legislative policy, directly or indirectly, its finances and techniques should be fully disclosed under the Lobbying Act. This is the only means by which Congress and the public can judge whether or not AEA's claims of disinterest are, in fact, valid.

Mr. Speaker, the American Enterprise Association has never registered under the Lobbying Act, despite this finding of the committee. We must reasonably conclude, therefore, that its true purposes would be embarrassingly revealed by a regular reporting of the sources of its funds and for this reason it has not done so.

The committee report finally concluded:

> We repeat our conviction that AEA can render a useful service by its intelligent presentation of industry's point of view. This point of view is both too important and too honorable, however, to be hidden behind a self-serving facade of objectivity to which no tests of interest can presently be applied.

The report was approved by the late chairman of the Lobby Committee, Hon. Frank Buchanan, of Pennsylvania, the gentleman from Georgia [Mr. LANHAM], the gentleman from Oklahoma [Mr. ALBERT], and the gentleman from California [Mr. DOYLE].

Mr. Speaker, this study of the American Enterprise Association on the natural gas issue cannot be seriously considered as an objective study, but merely an obvious attempt to deceive Congress and influence public opinion, to improve the chances of enactment of H. R. 8525 in the next session of the 85th Congress.

LEGISLATIVE PROGRAM FOR TOMORROW

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN. Mr. Speaker, I wonder if the gentleman from Massachusetts can tell us the program for tomorrow and next week.

Mr. McCORMACK. Confining myself to tomorrow, if the mutual assistance conference report is agreed on, of course that will be taken up.

Then there are three suspensions. H. R. 6006, the Antidumping Act.

H. R. 6908, a bill relating to the Philippine Islands to authorize modification and extension of the program of grants-in-aid for the Republic of the Philippines, for the hospitalization of certain veterans, and so forth. The gentleman will remember that was on the suspension list several weeks ago and it was not called up at that time.

Then there is House Joint Resolution 73, placing certain individuals who served in the Armed Forces of the United States in the Moro Province, including Mindanao, and in the islands of Leyte and Samar after July 4, 1902, and their survivors, in the same status as those who served in the Armed Forces during the Philippine Insurrection and their survivors.

Then there are four resolutions reported out of the Rules Committee. One, House Resolution 275, amending House Resolution 157 of the 85th Congress, permitting overseas travel for the Committee on Agriculture.

House Resolution 384, for the same purpose relating to the Committee on Ways and Means.

House Resolution 395, providing for travel on the North American Continent, by the Committee on Merchant Marine and Fisheries.

House Resolution 412, providing for overseas travel during the 85th Congress for the Committee on Government Operations.

Mr. MARTIN. Can the gentleman tell us one reason why the Committee on Agriculture or the Committee on Government Operations should travel abroad?

Mr. McCORMACK. I am just announcing the program for tomorrow. These resolutions were reported out by the Committee on Rules.

I would assume that some member of the Committee on Agriculture could best answer for that committee. I see the gentleman from Texas [Mr. POAGE] here.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. Yes, I yield; I would like information.

Mr. POAGE. I think possibly the best answer is that the Committee on Agriculture is charged with the responsibility of supervising the administration of Public Law 480, which involves an additional billion dollars just voted about 2 weeks ago by this House, and a probable request for another billion dollars coming down from the Executive the first day of January.

With those staggering sums of money which are entirely dependent upon legislation from the Committee on Agriculture, that is probably the greatest reason for making some on-the-ground and on-the-spot checks that I know of.

Mr. MARTIN. That is a very smooth answer, but the gentleman does not think he is going to find out anything or facilitate the sending of agricultural products abroad that he could not do if he stayed in this country?

Mr. POAGE. I certainly do, and that can be attested by the gentleman just standing by my side who was present down in Rio de Janeiro. I think our very presence there resulted in the signing of a $40 million contract. I certainly do.

Mr. McCORMACK. The gentleman from Texas has answered the question of the gentleman from Massachusetts. It is a matter that can be discussed more fully tomorrow when the resolution comes up.

Does the gentleman from Massachusetts desire to pursue his question about the Government Operations Committee?

Mr. MARTIN. Yes.

Mr. McCORMACK. Of course, the gentleman knows that that is a very important committee of the House.

Mr. MARTIN. Yes, but they are supposed to be supervising the departments and not assuming the jurisdiction of other committees either. I realize that, too.

Mr. McCORMACK. The Committee on Government Operations, of course, is very careful. The gentleman from Massachusetts who is talking is a member of that committee. I can assure the gentleman that the committee acted wisely, and the Rules Committee wisely reported out the resolution. But I see our distinguished friend from Virginia [Mr. HARDY] here. He might give the gentleman more specific information.

Mr. HARDY. Mr. Speaker, if the gentleman will yield, I will be glad to respond with respect at least to the subcommittee of which I am chairman.

Mr. MARTIN. I yield.

Mr. HARDY. This subcommittee does expect to go overseas. We are charged with the responsibility of supervising operations of the Department of State and related agencies, including ICA. We have under study now some particular subjects relating to foreign aid and our overseas State Department activities which we intend to look into.

Mr. MARTIN. I thought the Committee on Appropriations looked after foreign aid and those other matters.

Mr. HARDY. If the gentleman will yield further, I was referring to the rules of the House; rule 11, section 8, specifically charges us with the responsibility.

Mr. MARTIN. Does the gentleman think he could get a quorum in Paris?

Mr. HARDY. I would hate to try to answer that for the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield.

Mr. GROSS. If I may ask a question of the distinguished majority leader: Are these four resolutions to be called up under suspension of the rules?

Mr. McCORMACK. No.

Mr. GROSS. They will be subject to amendment; is that correct?

Mr. McCORMACK. No; not unless the Member in charge of the resolution for the Rules Committee yields for that purpose. There will be an hour's debate. Unless the Member in charge of the bill yields for that purpose, no amendment can be offered, and I doubt if any Member in charge of one of these resolutions would yield for that purpose.

Mr. GROSS. I would be very much surprised if they would yield.

Mr. McCORMACK. It is not a question of whether you would be surprised. If the gentleman himself was handling a resolution, I am sure he would not yield for the purpose of offering an amendment.

Mr. GROSS. If I thought the amendment was a good one, I would.

Mr. McCORMACK. The gentleman would not do it without Rules Committee action, would he?

Mr. GROSS. I do not know about that.

Mr. McCORMACK. I want to protect the gentleman from himself.

Mr. GROSS. What I would like to do is somehow or other put the brakes on the spending of these counterpart funds. I would like to see the committees spend their own money and be a little more discreet and circumspect in reference to how much they spend. I would like to see these resolutions come out with a provision in the resolution providing that the committee money be spent for these trips abroad with an accounting back to the committee, so that somebody may know how much is spent and for what it is spent.

Mr. McCORMACK. Those are all matters for debate when the resolution comes up.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Virginia.

Mr. HARDY. I would like to assure the gentleman from Iowa that, insofar as our subcommittee is concerned, we will probably use counterpart funds; but, if we do, every dollar will be accounted for, and I hope it will be available for the Members of the House to see.

THE LATE LINCOLN FILENE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The **SPEAKER.** Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, a great man, a great American, Lincoln Filene, of Boston, Mass., dean of American retailers, died yesterday at the age of 92 years. Mr. Filene was the last of a period of outstanding leaders in the merchant-retailer field. He was a man who was respected deeply, not only in the United States but throughout the world.

Lincoln Filene led an active life, continuing as a dominant figure in his company, Federated Department Stores, until a few months ago.

It was my pleasure to have known Mr. Filene, as well as his brother Edward, for a number of years. I valued very much their friendship.

Both brothers built up, in Boston, the William Filene Son Co., originally founded by their father, which company, for years, was recognized as New England's outstanding store in its particular field.

Lincoln Filene was not only a pioneer in retailing, but a power in business circles, and also in the social and economic field. In management, he was recognized as one of the most progressive leaders of our country.

Some 40 years ago, the William Filene & Son Co., under the leadership of Lincoln Filene and his brother Edward, was the first company and store of its kind in the country to establish a minimum wage for women and children. They did this voluntarily and before any legislation was enacted into law. His company was the first large company in the retail field to inaugurate Saturday closings during the summer months; to give paid vacations to its employees and to adopt the 5-day, 40-hour week. These are illustrations of the progressive leadership of Lincoln Filene.

Mr. Filene was one of the founders of the American Arbitration Association, and he worked untiringly to establish ethical codes to eliminate unfair business practices. In 1916, prior to the establishment of the association, under his leadership, was founded the Retail Research Association.

Lincoln Filene was a close and valued friend of President Franklin D. Roosevelt. During the social and economic and political rehabilitation of America under the leadership of Franklin D. Roosevelt, Lincoln Filene actively supported the progressive legislation of that period.

He treated his employees as equals—as human beings. He recognized that the economic advancement of those employed was not only for their best interest but for the best interest of business, and of our country. He was years ahead of his competitors in progressive thought and action.

Lincoln Filene loved his fellowman. "Love thy neighbor" were not mere words to him, but to Lincoln Filene they meant what they said. He not only believed in the commandment "Love thy neighbor," but he lived in accordance with this great commandment of God.

In terms of years Lincoln Filene lived a rather long life, but his life was a fruitful one. He was in fact always young, because he was ever looking forward and not backward in his considerations of public questions, and in his relationship with his fellowman.

In his death, America has lost a great man—and even more a good man—who was for decades one of America's foremost citizens.

To his loved ones left behind, I extend my deep sympathy in their bereavement.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I would like to express my very very deep regret and sorrow at the passing of Mr. Filene. The gentleman from Massachusetts knows full well, as I do, what he has given to the Commonwealth of Massachusetts, his home State, in a business way and in a philanthropic way. He was a very public-spirited citizen. He had countless friends and many know of his fine deeds and contributions to art and living, who never even saw him. It is sad to have those who have added greatly to our welfare leave us, but they have bequeathed us a fine legacy of accomplishments to try to emulate. My deepest sympathy goes to his relatives.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Roosevelt, for 5 days on account of official business.

Mr. Abbitt (at the request of Mr. Smith of Virginia) on account of illness in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Edmondson, for 15 minutes, tomorrow.

Mrs. Rogers of Massachusetts, for 5 minutes, today.

Mr. Coffin, for 10 minutes, today.

Mrs. Rogers of Massachusetts, for 5 minutes on tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mrs. Sullivan the remarks she will make under special order today and to include therein extraneous matter which she has had made up on the subject of education.

Mr. Henderson.

Mr. Dague.

Mr. Multer and to include extraneous matter.

Mr. Aspinall and to include extraneous matter.

Mr. May and to include extraneous matter.

Mr. Sheehan and to include extraneous matter.

Mr. Jensen.

Mr. Lanham and include extraneous matter.

Mr. Celler (at the request of Mr. McCormack) in three instances and to include extraneous matter.

Mr. Garmatz (at the request of Mr. McCormack) and to include extraneous matter.

Mr. Watts (at the request of Mr. McCormack) and to include extraneous matter.

Mr. Shelley (at the request of Mr. McCormack) and to include extraneous matter.

Mrs. Dwyer.

Mr. Gavin and to include extraneous matter.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2462. An act to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes;

H. R. 2474. An act to increase the rates of basic salary of employees in the postal field service; and

H. R. 3377. An act to promote the national defense by authorizing the construction of aeronautical research facilities and the acquisition of land by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2603. An act to amend the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 3, 1896.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 38. An act to amend the Tariff Act of 1930 to provide for the temporary free importation of casein;

H. R. 110. An act to amend section 372 of title 28, United States Code;

H. R. 277. An act to amend title 17 of the United States Code entitled "Copyrights" to provide for a statute of limitations with respect to civil actions;

H. R. 499. An act to direct the Secretary of the Navy or his designee to convey a 2,477.43-acre tract of land, avigation, and sewer easements in Tarrant and Wise Counties, Tex., situated about 20 miles northwest of the city of Fort Worth, Tex., to the State of Texas;

H. R. 896. An act to amend title 10, United States Code, to authorize the Secretary of the Army to furnish heraldic services;

H. R. 1214. An act to authorize the President to award the Medal of Honor to the unknown American who lost his life while serving overseas in the Armed Forces of the United States during the Korean conflict;

H. R. 1318. An act for the relief of Thomas P. Quigley;

H. R. 1324. An act for the relief of Westfeldt Bros.;

H. R. 1394. An act to authorize the sale of certain keys in the State of Florida by the Secretary of the Interior;

H. R. 1591. An act for the relief of the Pacific Customs Brokerage Co., of Detroit, Mich.;

H. R. 1733. An act for the relief of Philip Cooperman, Aron Shriro, and Samuel Stackman;

H. R. 1937. An act to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes;

H. R. 2136. An act to amend section 124 (c) of title 28 of the United States Code so as to transfer Shelby County from the Beaumont to the Tyler division of the eastern district of Texas;

H. R. 3367. An act to amend section 1867 of title 28 of the United States Code to authorize the use of certified mail in summoning jurors;

H. R. 3877. An act to validate a patent issued to Carl E. Robinson, of Anchor Point, Alaska, for certain land in Alaska, and for other purposes;

H. R. 4144. An act to provide that the commanding general of the militia of the District of Columbia shall hold the rank of brigadier general or major general;

H. R. 4191. An act to amend section 633 of title 28, United States Code, prescribing fees of United States commissioners;

H. R. 4193. An act to amend section 1716 of title 18, United States Code, so as to conform to the act of July 14, 1956 (70 Stat. 538-540);

H. R. 4609. An act to further amend the act entitled "An act to authorize the conveyance of a portion of the United States military reservation at Fort Schuyler, N. Y., to the State of New York for use as a maritime school, and for other purposes," approved September 5, 1950, as amended;

H. R. 4992. An act for the relief of Michael D. Ovens;

H. R. 5061. An act for the relief of Harry V. Shoop, Frederick J. Richardson, Joseph D. Rosenlieb, Joseph E. P. McCann, and Junior K. Schoolcraft;

H. R. 5810. An act to provide reimbursement to the tribal council of the Cheyenne River Sioux Reservation in accordance with the act of September 3, 1954;

H. R. 5811. An act to amend subdivision b of section 14—discharges, when granted—of the Bankruptcy Act, as amended, and subdivision b of section 58—notices—the Bankruptcy Act, as amended;

H. R. 5920. An act for the relief of Pedro Gonzales;

H. R. 6172. An act for the relief of Thomas F. Milton;

H. R. 6868. An act for the relief of the estate of Agnes Moulton Cannon and for the relief of Clifton L. Cannon, Sr.;

H. R. 7686. An act to provide for the conveyance to the State of Florida of a certain tract of land in such State owned by the United States;

H. R. 7654. An act for the relief of Richard M. Taylor and Lydia Taylor;

H. J. Res. 230. Resolution to suspend the application of certain Federal laws with respect to personnel employed by the House Committee on Ways and Means in connection with the investigations ordered by H. Res. 104, 85th Congress;

H. J. Res. 313. Resolution designating the week of November 22-28, 1957, as National Farm-City Week;

H. J. Res. 351. Resolution to establish a Lincoln Sesquicentennial Commission; and

H. J. Res. 430. Resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 35 minutes p. m.) the House adjourned until tomorrow, Thursday, August 29, 1957, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLMER: Committee on Rules. House Resolution 275. Resolution amending House Resolution 157, 85th Congress; without amendment (Rept. No. 1264). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 395. Resolution to amend House Resolution 149, 85th Congress; without amendment (Rept. No. 1265). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 412. Resolution to authorize the House Committee on Government Operations to conduct studies and investigations outside the United States during the 85th Congress; without amendment (Rept. No. 1266). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 384. Resolution to amend House Resolution 104 of the 85th Congress; without amendment (Rept. No. 1267). Referred to the House Calendar.

Mr. PASSMAN. Committee of conference. H. R. 9302. A bill making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 1268). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURNS of Hawaii:

H. R. 9499. A bill to amend the Hawaiian Organic Act to increase the amount of total indebtedness that may be incurred by the Territory of Hawaii; to the Committee on Interior and Insular Affairs.

H. R. 9500. A bill to permit certain sales and exchanges of public lands of the Territory of Hawaii to persons whose lands or property were destroyed by a tidal wave of March 9, 1957; to the Committee on Interior and Insular Affairs.

H. R. 9501. A bill to approve joint resolution 28 enacted by the Legislature of the Territory of Hawaii in the regular session of 1957, relating to the conditions and terms of right of purchase leases; to the Committee on Interior and Insular Affairs.

H. R. 9502. A bill to authorize certain exchanges of public lands of the Territory of Hawaii; to the Committee on Interior and Insular Affairs.

H. R. 9503. A bill to authorize an appropriation for the construction of a second bore to Wilson Tunnel, Island of Oahu, T. H.; to the Committee on Interior and Insular Affairs.

By Mr. COAD:

H. R. 9504. A bill to increase from $600 to $800 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. EBERHARTER:

H. R. 9505. A bill to provide assistance to communities, industries, business enterprises, and individuals to facilitate adjustments made necessary by the trade policy of the United States; to the Committee on Ways and Means.

By Mr. ELLIOTT:

H. R. 9506. A bill to provide for national scholarships for college and university undergraduate study; to the Committee on Education and Labor.

By Mr. GUBSER:

H. R. 9507. A bill to provide that the President shall designate one agency of the Federal Government to conduct all security investigations of civil officers and employees of the United States, and of persons who apply for employment as such officers and employees; to the Committee on Post Office and Civil Service.

By Mr. HOLT:

H. R. 9508. A bill to reduce individual and corporate income taxes by 5 percent, to reduce the alternative tax on net long-term capital gains to 12½ percent, and to increase from $600 to $800 the personal income-tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

By Mr. McCARTHY:

H. R. 9509. A bill to amend paragraph 1774 of the Tariff Act of 1930 with respect to the importation of certain articles for religious purposes; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H. R. 9510. A bill to amend the Legislative Appropriation Act, 1956, to eliminate the requirement that the extension, reconstruction, and replacement of the central portion of the United States Capitol be in substantial accord with scheme B of the architectural plan of March 3, 1905; to the Committee on Public Works.

By Mr. THOMPSON of New Jersey:

H. R. 9511. A bill to amend title I of the Federal-Aid Highway Act of 1956 to provide that the Secretary of the Interior shall approve the acquisition of certain lands of national historical significance, or interests therein, for highway purposes; to the Committee on Public Works.

By Mr. UTT:

H. R. 9512. A bill to provide for certain preliminary actions that need to be taken before Federal supervision over Indian affairs in California can be terminated; to the Committee on Interior and Insular Affairs.

By Mr. CELLER (by request):

H. J. Res. 454. Joint resolution to establish a policy for the determination of rights of the Government and its employees in inventions made by such employees and to set forth criteria to be used in making such determinations; to the Committee on the Judiciary.

By Mr. HOSMER:

H. J. Res. 455. Joint resolution proposing an amendment to the Constitution with respect to the admission of new States as sovereign States of the United States; to the Committee on the Judiciary.

By Mr. PILLION:

H. J. Res. 456. Joint resolution proposing an amendment to the Constitution with respect to the admission of new States as sovereign States of the United States; to the Committee on the Judiciary.

By Mr. WILLIAMS of Mississippi:

H. J. Res. 457. Joint resolution proposing an amendment to the Constitution with respect to the admission of new States as sovereign States of the United States; to the Committee on the Judiciary.

H. J. Res. 458. Joint resolution proposing an amendment to the Constitution of the United States to prevent interference with, and to eliminate limitations upon, the power of the States to regulate health, morals, education, domestic relations, all property rights, transportation wholly within their borders, the election laws, with the limitations contained in this proposed amendment, and good order therein; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HOSMER:

H. R. 9513. A bill for the relief of Floyd Kenneth Nichols; to the Committee on the Judiciary.

By Mr. JENNINGS:

H. R. 9514. A bill for the relief of Valleydale Packers, Inc.; to the Committee on the Judiciary.

By Mr. KING:

H. R. 9515. A bill for the relief of Stig Villgott Bertil (Ehrnlund) Ernlund; to the Committee on the Judiciary.

By Mr. SMITH of Virginia:

H. R. 9516. A bill for the relief of Hertha Zimmermann Gray; to the Committee on the Judiciary.

By Mr. UTT:

H. R. 9517. A bill for the relief of Clarence E. Hatton and his minor daughter, Joan Hatton; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Federal Employees Invention Rights

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 28, 1957

Mr. CELLER. Mr. Speaker, as chairman of the House Judiciary Committee, which has jurisdiction over patents I have introduced, by request, legislation intended to secure the rights of Federal employees in inventions which they make while in the employ of the Government of the United States. The purpose of this legislation is twofold. First, it secures patent rights for the employee-inventor, and second, it protects the Government, under certain circumstances, in its free use of those inventions if it desires to use them.

This legislation was prepared by Capt. Marcus B. Finnegan and Richard W. Pogue, and is the result of their research, which is embodied in a legal article entitled "Federal Employee Invention Rights—Time To Legislate"—volume 55, Michigan Law Review, page 903, 1957. In their work they had the help and criticism of the Commissioner of Patents, and the Chief of the Patents Division of the Judge Advocate General, Department of the Army, and the Director of the Patents Legal Division of the Office of Naval Research.

Federal employee invention rights are presently covered by Executive Order No. 10096, and a literal interpretation of that order requires the Government to take full title from an employee-inventor when his invention is made or developed during working hours or with some contribution by the Government. Such a rule tends to discourage incentive in employees. Government agencies, fortunately, have been administering this rule liberally, so that present practice in the departments permits the employee to have commercial rights in his invention, with royalty-free license in the Government except when the employee is specifically hired to do research and development.

The instant legislation sets up standards to guide Government agencies in dealing equitably with this problem, giving to employees either outright title or commercial rights to the invention, with a royalty-free license to the Government. Where an employee is specifically hired or assigned to duty to make the invention, the Government would, of course, keep full title to the invention.

In introducing this legislation, by request, I hope that wide distribution will be made of the bill so that interested parties may study the measure and submit comments to the Congress.

The Honorable Samuel K. McConnell, Jr.

EXTENSION OF REMARKS

OF

HON. PAUL B. DAGUE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 28, 1957

Mr. DAGUE. Mr. Speaker, on yesterday when so many of our colleagues took the occasion to heap well-deserved praise upon our distinguished colleague and fellow Pennsylvanian, SAM McCONNELL, most of us who are members of his delegation withheld our tribute for fear of overdoing the demonstration.

Let it not be said, however, that we are unappreciative of the prestige his exemplary conduct as a Member of this body has brought to our delegation and to the Keystone State. Rather let it be understood that we have already conveyed to our distinguished associate the affectionate regard and deep appreciation in which we have always held him.

Many of the attainments of this experienced legislator are those enjoyed by a majority of the Members of this House to a more or less high degree; namely, honesty, integrity, dedication to duty, and an undeviating patriotism. SAM, however, possesses the one quality not too frequently in evidence here and that quality is humility, a humility that prevented him from carrying into debate that acrimony, which in so many cases has left wounds slow to heal, and which left him calm and smiling at the end of a legislative bout regardless of whether he lost or won.

All of us are loath to see SAM leave the Congress and yet we know that his decision has been based solely on his conviction that a wider field has been opened to him. As one who by his day-to-day conduct has evidenced an abiding love and respect for his fellow men we know that he will take to his new field of endeavor the highest of humanitarian concept and that our loss will be more than offset by the contribution he will make in the never-ending battle against cerebral palsy.

We are all mighty fond of you, SAM, and we shall never forget your many kindnesses and the leveling influence your presence has had upon us. Our hearts' desire centers in your future success and in the hope that you will never forget these friends who will continue to make prideful reference to the rewarding years of association with you.

Federal-State Relationships

EXTENSION OF REMARKS

OF

HON. EDWIN H. MAY, JR.

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 28, 1957

Mr. MAY. Mr. Speaker, this fall, the Intergovernmental Relations Subcommittee, in which I am a Member, chaired by the very capable gentleman from North Carolina [Mr. FOUNTAIN] will hold a series of hearings throughout the United States dealing with the very important subject of Federal, State, and local relationships.

The Federal Government has come to play a role of increasing significance in relation to the affairs of the States, the municipalities, and the individual citizens themselves. One of the most important aspects of the involvement of the Federal Government at the State level has been the grants-in-aid programs. Many of these programs have performed a very useful and clearly defined function. Over a period of time, however, two significant trends have developed which deserve careful consideration. First is an increasing attitude on the part of many of the States that they must depend more and more upon the Federal Government for the solution of their problems which can only lead eventually to a lack of initiative at the State and local level.

In the second place, a certain amount of confusion has developed on the part of not only the people but their elected Representatives as to what areas properly lie within the jurisdiction of the Federal Government, the State or the Municipality.

It is my hope that the message of the President at the recent Governors Conference, the Kestnbaum report and the coming investigation by the Intergovernmental Relations Subcommittee will serve to clarify the areas of responsibility which accrue to the Federal Government, the State governments as well as their units and subdivisions.

I submit at this time for the RECORD a study of the Federal grants-in-aid to the State of Connecticut, its units and its individuals. I believe that these figures will be of help to the officials of the State and the municipalities who may wish to express their views on this important subject before the hearings which will be held in Boston and Hartford, Conn.

Federal grants-in-aid to State of Connecticut, local units, and payments to individals, 1956

DEPARTMENT OF AGRICULTURE	
1. Agricultural experiment stations	$285, 044
2. Cooperative agricultural extension work	230, 217
3. State and private forestry cooperation (forest-fire cooperation)	60, 127
4. Agricultural conservation program	461, 963
5. School-lunch program	707, 048
6. Special school-milk program	442, 510
7 Cooperative projects in marketing	18, 901
8. Removal of surplus agricultural commodities	951, 595
9. Donation of agricultural commodities through Commodity Credit Corporation	685, 068
10. Commodity Credit Corporation value of dealers' certificates issued incident to supplying feed to farmers in drought-stricken areas	107, 383
Total	3, 949, 856
DEPARTMENT OF COMMERCE	
1. Civil Aeronautics Administration Federal airport programs	31, 482
2. Bureau of Public Roads, regular grants	3, 604, 116
Total	3, 635, 593
DEPARTMENT OF DEFENSE	
1. Army National Guard	3, 119, 564
2. Air Force National Guard	1, 780, 038
3. Lease of flood-control lands, Army	465
Total	4, 900, 067
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE	
1. Colleges for agriculture and mechanic arts	90, 023
2. Cooperative vocational education and rehabilitation	315, 367
3. Education of the blind, American Printing House for the Blind	3, 392
4. Old-age assistance	7, 504, 080
5. Aid to the permanently and totally disabled	1, 115, 854
6. Aid to dependent children	4, 133, 307
7. Aid to the blind	163, 434
8. Maternal and child health services	144, 763
9. Services for crippled children	211, 583
10. Child-welfare services	68, 449
11. Venereal disease control	2, 414
12. Tuberculosis control	48, 759
13. General health assistance	92, 646
14. General health assistance, poliomyelitis, emergency grants	25, 920
15. Poliomyelitis vaccination program, emergency grants	346, 065
16. Mental health activities, regular grants	35, 671
17. Heart disease control, regular grants	16, 331
18. Hospital survey, planning and construction	111, 646
19. Cancer control, regular grants	27, 694
20. National Heart Institute activities	160, 763

Federal grants-in-aid to State of Connecticut, local units, and payments to individuals, 1956—Continued

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—Con.	
21. National Cancer Institute activities	$370,872
22. National Mental Health Institute activities	535,275
23. National Arthritis and Metabolic Disease Institute activities	161,256
24. National Neurological Diseases and Blindness Institute activities	99,277
25. National Institute of Allergy and Infectious Diseases	36,173
26. Division of Research Grants and Fellowships	149,645
27. Office of Vocational Rehabilitation	440,459
28. Office of Vocational Rehabilitation training and traineeships	7,547
29. Maintenance and operation of schools	1,196,544
30. School construction and survey	1,413,804
Total	19,029,019
HOUSING AND HOME FINANCE AGENCY	
1. Annual contributions, Public Housing Authority	1,862,987
2. Urban planning assistance, regular grants	44,079
3. Urban renewal fund (slum clearance and urban redevelopment)	70,003
Total	1,977,069
DEPARTMENT OF THE INTERIOR	
1. Wildlife restoration	92,185
DEPARTMENT OF LABOR	
1. Unemployment Compensation and Employment Service Administration	3,526,827
2. Unemployment compensation for veterans	343,785
3. Unemployment compensation for Federal employees	151,875
Total	4,022,487
VETERANS' ADMINISTRATION	
1. Homes for disabled soldiers and sailors	520,674
2. Supervision of on-the-job training	27,249
3. Readjustment benefits and vocational rehabilitation	7,884,436
4. Automobiles for disabled veterans	20,783
Total	8,453,142
FEDERAL CIVIL DEFENSE ADMINISTRATION	
1. Federal contributions, emergency grants	195,774
2. Disaster relief, emergency grants	126,404
Total	322,178
NATIONAL SCIENCE FOUNDATION	
1. Research grants	415,053
2. Fellowship awards	62,536
Total	477,589
Total grants-in-aid	46,859,190

One Hundred and Fiftieth Anniversary of the Establishment of the American Agency System of Insurance Selling

EXTENSION OF REMARKS

OF

HON. JOHN C. WATTS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 27, 1957

Mr. WATTS. Mr. Speaker, on September 4 next in Lexington, Ky., a program observing and commemorating the 150th anniversary of the founding of the American Agency System of insurance selling will be held. It is most interesting to recall that on October 6, 1807, Alexander Henry, a director of the Insurance Company of North America, urged his fellow board members to broaden their sphere of business operation and as he put it make a determined "march to the frontier."

As a result of this pioneering spirit, there was established an agency in Lexington, Ky.—the first agent being Mr. Thomas Wallace, a prominent merchant of the area.

The status of the pioneer agent was very different from that of today's independent insurance agent. The activities of early agents were restricted largely to soliciting business and surveying property with all final and binding decisions being made by the head office of the company, and in the early days the agent's remuneration was small and unstable. As the American Agency System developed the agent's duties and responsibilities were enlarged and his remuneration was placed on a percentage basis. In the 1850's the insurance agent received the authority to issue policies and became not merely a solicitor but a true agent of the company.

In 1957, as the 150th anniversary of the American Agency System is celebrated, the independent local insurance agent occupies a place of major importance not only in the insurance industry but in the Nation's free enterprise system.

To permanently commemorate this historic event a memorial plaque is to be dedicated during the celebration activities of this 150th anniversary. The inscription thereon is most fitting and proper:

> Here in the thriving frontier town of Lexington, Ky., in 1807, the American Agency System of bringing insurance protection to America's families, businesses and institutions was begun when Thomas Wallace, prominent merchant, was appointed an agent of Insurance Company of North America.
>
> Thus, a free people, with initiative and enterprise, created a system of providing for their own security through independent local businessmen that spread throughout America, enabling the Nation to grow and prosper.

The vision and foresight evidenced so many years ago is truly characteristic of the American people.

It affords me real pleasure to extend my sincere congratulations to the Insurance Company of North America Companies and to all insurance companies upon this particular occasion. They are to be commended for the manner in which they have maintained the progressiveness, the boldness, and the vigor upon which Alexander Henry's vision and foresight was grounded.

I personally extend my sincere congratulations and good wishes.

Protecting the Citizenship of Naturalized Clergymen

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 28, 1957

Mr. MULTER. Mr. Speaker, on January 3, 1957, I introduced H. R. 791 to amend the Immigration and Nationality Act to provide that clergymen who are naturalized citizens shall not lose their nationality by residence abroad, even though they are not representatives of American organizations, if they devote full time to their clerical duties.

Until about 20 years ago we found that many clergymen and members of religious orders were coming to the United States to help meet the religious needs of our communities. Since World War II this situation has reversed itself, and now the entire world is drawing on our theological schools for its graduates. These men and women are being called upon to serve abroad, and some of them, while otherwise willing to do so, refuse for the reason that they are naturalized citizens and would lose their citizenship by accepting such extended employment abroad.

In order to eliminate this hardship, I introduced H. R. 791, which would protect the citizenship of these naturalized clergy, provided that such persons register each year at the appropriate Foreign Service office.

The second part of my bill would restore citizenship status to those persons fulfilling religious assignments abroad at the time of the enactment of the Immigration Act in 1952, who lost their citizenship rights for that reason. Such persons would be restored to citizenship by taking the required oaths referred to in section 310 (a) of the Immigration Act.

I have kept in more or less constant communication with the House Judiciary Committee about this bill and had been led to believe that it would be incorporated into the next immigration bill brought before the House for action.

It is indeed regrettable that S. 2792 which was passed today under suspension of the rules did not contain any such provisions.

The bill being considered under suspension of the rules was not open for amendment and I therefore had no opportunity to offer my bill as an amendment thereto.

I urge the House Judiciary Committee to take action on my bill or incorporate it into an overall immigration bill early in the next session of Congress.

Tito: Moscow's Trojan Horse

EXTENSION OF REMARKS

OF

HON. TIMOTHY P. SHEEHAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 28, 1957

Mr. SHEEHAN. Mr. Speaker, Dr. Slobodan Draskovich, formerly of the University of Belgrade, now residing in Chicago, has written a book entitled "Tito: Moscow's Trojan Horse"—Regnery, Chicago, 1957—which I would like to bring to the attention of the Congress and the American public because of Dr. Draskovich's interesting observations in light of the political developments in Eastern Europe over the last decade.

Dr. Draskovich, son of Milorad Draskovich, was born in 1910. His father was Minister of the Interior in Yugoslavia, and was assassinated by the Communists in 1921. Slobodan received his law degree from the University of Belgrade. Later, he received his doctor of philosophy in economics from the University of Munich. During World War II he was a prisoner of war in Italy and Germany. He came to the United States in 1947. An author of many articles and several pamphlets pertaining to political economy, in February 1949 he testified before a Senate Judiciary subcommittee on how official representatives—probably referring to Yugoslav diplomats in United States—had aided Yugoslav propaganda activities in the United States. Tito: Moscow's Trojan Horse, is his first book published in English.

The author's thesis is that the tragic and glaring disparities between facts and Western opinion about Tito and "Titoism" compel him to expose to the world the realities of the Moscow-Belgrade entente. At length, he develops this facet of his report. He says, in part:

> In the 7 years which had elapsed since the Kremlin-Tito break of June 28, 1948, both the Soviet leaders and Tito had had enough time to study the nature, causes and consequences of their conflict, to determine a line of action and to pursue a policy which would lead to the liquidation of the rift.
>
> During all that time neither side had done anything to harm any fundamental interest of the other. There had been mutual accusations, insults and recriminations. But they were devoid of any serious political meaning and intent. What Moscow held against Tito were either arbitrary inventions (such as the subordination of the CPY to the People's Front, or the subordination of the workers to the peasants in Yugoslavia) or carbon copies of the Kremlin policies (acceptance of aid from Western democracies; capitalist reforms in the economic section, such as decollectivization of agriculture or free market for some products; liberalization of the regime and Communist self-criticism). What Tito held against Moscow was equally untenable. The Soviet Union was notoriously an imperialistic power, but since its very foundation in 1917, not only since 1948. And all Yugoslav Communists had known it and approved it. Without Soviet imperialism there would have been no Communist Yugoslavia, as Tito openly admitted. As for the accusations of "police state," lack of democracy, bureaucratic rule, Tito was shouting in a mirror. The Soviet Union was a police state, a ruthless bureaucratic dictatorship, but so was Yugoslavia. The Kremlin had its secret police NKVD; Tito had his secret police UBDA.
>
> So in the whole Communist world, after the initial surprise and shock, nobody paid any attention to the reciprocal mudslinging and shadowboxing, which were keeping the Western wishful thinkers busy and happy.
>
> But the Soviet-Yugoslav relations were not only devoid of mutual hostility. They were never strained beyond mutual irritations and they never for a single moment affected their dedication to the one and only ultimate aim of Communist world conquest, nor did they affect their basic relationship of anti-democratic allies. Within the Communist camp, they were disputing. On the world plane, they were both unchangeably dedicated to the subversion and destruction of the Free World.

No longer defined as a mere provincial—Yugoslavia—ideology, the Communists have artfully amplified the Titoist concept to represent independent national communism wherever it is possible to establish it. But this national idea, observes Dr. Draskovich, is an intrinsically Communist scheme concocted by Moscow and Tito, with full mutual understanding, to confuse and ultimately conquer the West.

Dr. Draskovich emphasizes that Titoism is not an anti-Soviet drive, but Moscow's weapon against the West. Tito's current policy of peaceful conviviality between the East and West camps is but a facade for the scheme mapped out by the Communists. Communists, as we have seen, have the greatest interest in keeping complex political issues as confused as possible.

The author devotes a great deal of space to the Belgrade-Moscow rift of 1948 and suggests that Moscow has done great services to Tito by attacking and denouncing him just enough to feed "the West's delusion about Tito's resistance to and political warfare against Soviet imperialism."

In an engaging though somewhat repetitive style, the author has indicated what he recognizes of the strategy of the Kremlin to penetrate and annihilate the very spiritual and political fiber of the Free World with Yugoslavia's Tito as their Trojan horse. As in the case of Troy's fateful legacy—the gift of the Greek wooden horse—subversion, espionage and sabotage are the disruptive goals of the Communist international conspiracy. It is deduced from Dr. Draskovich's book that Moscow has set Yugoslavia as an experimental camp for its Machiavellian intents to follow throughout the satellite bloc.

Bitterly deploring what he terms the West's "criminal folly" of assisting Tito morally and materially, Draskovich argues that in no other important issue has the West lost its political equilibrium and its acumen for political analysis and sound judgment to such an appalling degree as in the case of Tito and Titoism. At this point, we should recall our grand giveaway program which has funneled $734,304,000 to Yugoslavia since June 30, 1945. For good measure, in wheat alone, for the period January–April 1957, 19,567,000 bushels of wheat valued at $33,615,000 were given to Tito. How distant is the day when our country will come to the realization that to receive capitalist assistance is no Communist sin, that it will make easier the achievement of Communist objectives?

Of the book's many enlightening subsections, to quote a few: "Is the downfall of communism imminent?" "Tito's different foreign policy," "The pitfalls of Yugoslav 'different' communism," "Tito and Communist world monolithism," one arrested my attention which I would like to cite in part. It concerns the pirating of democratic words by the Communist camp for the obvious purpose of confusing the people. So great has been the impact of the war of words in our century that in World War II the identity of democratic-Communist vocabulary facilitated the capitulation of 10 European states to the Red camp. We remember Albania, Bulgaria, Latvia, Lithuania, Estonia, Eastern Germany, Hungary, Yugoslavia, Poland, and Rumania. Says Dr. Draskovich:

> The thorough confusion which reigns in the realms of terminology and semantics in the cold war, is unfortunately a source of weakness for the democracies, and a source of strength for communism. Most of the terms are used by both sides: freedom, justice, peace, civil and human rights, progress, humanity, welfare of the people. They obviously belong to the democratic vocabulary. However, the democracies have allowed their vocabulary to be used by the Communists, who have adulterated their contents and adapted them to Communist ends. And since the democratic side did not fight back to protect the original meaning of its own vocabulary, the U. S. S. R. and Communists everywhere were able to promote communism by using democratic concepts and terms. And so, for example, at Yalta, the Soviets violated the democratic sense of the agreements, but not the Communist sense. The tragedy of the West is that the difference between the two was not raised in Yalta. Since Yalta, little has been done to retrieve from the Communist vocabulary the stolen concepts and slogans of democracy. In any study of communism it is indispensable to clarify the democratic terms they use to destroy democracy and to expose the Communist semantics; that is, the meaning which Communists give to various political terms.

Dr. Draskovich's book is a challenging treatise which speaks of his love of freedom.

> Since all men do not draw the same conclusions from the same facts—

He tells his readers—

> I have made clear the values and yardsticks on which my considerations and conclusions are based: The preeminence of spiritual values in the life of human society, the absolute importance of individual and national freedom and human dignity, the rights and interests of all free people and of all the oppressed who fought to preserve their freedom and who are fighting to regain it.

The Need for Young Physicians

EXTENSION OF REMARKS

OF

HON. JOHN E. HENDERSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 28, 1957

Mr. HENDERSON. Mr. Speaker, we Americans pride ourselves in the great medical advances that have been made in the past generation, but if there is no one to prescribe and administer the medications, our advances mean little. One of the fears in every household is that of not being able to contact a doctor in time of need. Small communities in southeastern Ohio face just this problem.

As the older physicians leave the scene, there are no new ones to take over the practice. The trend to specialization, the migration of medical practitioners to the cities, and many other factors have all contributed to the shortage of country doctors today.

In my own district, such a situation has arisen and is repeated often throughout the country in many communities. When this happens, there is cause for general concern in the community which must then set about to meet this problem as best it can. The medical profession is helpful, of course. Yet, it must be recognized that medical services for rural areas are often most unfortunately neglected.

The problem in the community of Batesville, in Noble County, Ohio, illustrates this situation. The need for a physician has been called to my attention and the difficulties the community has encountered in its search to find a replacement for its former physician who died recently. Unfortunately, this search has not met with success to date. What this fine village is experiencing may be multiplied many times throughout the country.

American Bar Association Endorses Arbitration Bill

EXTENSION OF REMARKS

OF

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 28, 1957

Mr. GARMATZ. Mr. Speaker, it is highly gratifying to advise the Members of the House of Representatives that most favorable action on the arbitration bill, H. R. 7577, which I introduced, has been taken by the American Bar Association. This nationwide organization of lawyers at its recent meeting gave attention to the provisions of my bill upon the convening of the house of delegates, the policymaking body of the American bar.

Previously the association's committee on arbitration and maritime law had given thorough study to the provisions of H. R. 7577 and had recommended favorable action. The board of governors of the association thereupon approved the recommendation after which the bill was placed on the agenda of the house of delegates. Upon it being reached, the recommendation was unanimously adopted and favorable action urged by the Congress of the United States.

I submit this information for the benefit of my fellow Members in the hope that before the next session they will take occasion to study the provisions of this bill and will subsequently give their support to it.

The statement concerning the action to which I have referred has been published in the American Bar News, volume 2, No. 8, August 15, 1957, page 3, as follows:

SUMMARY OF HOUSE OF DELEGATES ACTIONS IN NEW YORK

Maritime arbitration: Upon board of governors recommendation, the house adopted a resolution by the standing committee on admiralty and maritime law calling for ABA approval of H. R. 7577, or a similar bill. The measure would remedy present jurisdictional and procedural defects in the United States Arbitration Act. The main provisions of the pending bill seek to give statutory force to judicially recognized standards governing the selection and conduct of arbitrators, to make the statute of limitations applicable in arbitration proceedings, and to provide a means of correcting errors of law in awards in maritime arbitrations.

New Passenger Liner for the Pacific

EXTENSION OF REMARKS

OF

HON. JOHN F. SHELLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 28, 1957

Mr. SHELLEY. Mr. Speaker, the Members of the House of Representatives are aware that their colleagues from the San Francisco Bay area are deeply concerned with maintaining the vigor and effectiveness of the American merchant marine, including shipbuilding and all of the many supporting activities in the American economy. We are vitally interested in making sure that the American-flag shipping companies operating in the Pacific Ocean remain strong and competitive so that the employment and purchasing which they generate shall continue as a major source of business activity in the many west coast communities. To maintain the level of merchant marine activity, it is absolutely essential that the American-flag vessels be replaced as they reach obsolescence.

It has been a matter of great satisfaction to all of us in the San Francisco Bay area that the American-flag steamship companies engaged in foreign trade which are headquartered in our area have all begun to replace their vessels with modern ships. These replacement programs are proceeding satisfactorily as as far as freight ships are concerned. However, we are now faced with the need for construction of a large, modern, fast passenger liner for the essential trade route from California to the Orient. By terms of its contract with the Maritime Administration for this route, the American President Lines is required to build such a vessel during 1958.

The needs of foreign commerce and defense on this trade route justify a vessel of approximately 26 knots with a capacity for 1,400 passengers. In order to facilitate this program, I have joined with Congressman Bow in introducing yesterday a bill authorizing construction of such a vessel by the United States and its sale to the American President Lines under the terms of the Merchant Marine Act of 1936, which act of Congress has been an outstanding success over a period of more than 20 years in dealing with a complicated but vital section of our national policy.

The Do It Yourself Farm Program

EXTENSION OF REMARKS

OF

HON. BEN F. JENSEN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 28, 1957

Mr. JENSEN. Mr. Speaker, after many years of searching for a cure-all farm program dictated from Washington, D. C., and paid for by all our taxpayers, the farmers, especially our grain and livestock farmers, find their economy in a disturbing, unstable condition. Never do they know just what to expect from one crop year to the next. Always the question those farmers ask, is what kind of a farm program will we get next year? Will we get higher or lower supports. Will the Soil Bank Act be extended? Or will the whole Federal farm program be scuttled? It is no wonder they are asking those questions. You and I would be asking those same questions if we were in their shoes. The only honest answer must be that only time will tell.

There was a day, and not so long ago, when the Members of Congress from agricultural States held the balance of power in Congress when legislation beneficial to all our farmers was at stake, but the exit from the farms to the cities has considerably weakened that power. Then, too, the southern farm bloc, who are in control of farm legislation in Congress, are not concerned about the grain and livestock farmers of the Middle West. Add to that the Members of Congress in both parties from the large consuming centers who want cheap food and feed for the people they represent. They constantly complain about farm subsidies, and say their people just do not like to pay taxes to subsidize our farmers while at the same time their cost of living is constantly going up. We keep explaining to them that the farmers receive only about 40 cents of the dollar they pay for food. Yes, the time may come when the whole Federal farm program might be scuttled, and that time may come sooner than we think. So we best play safe and start now to put into effect a supplemental farm program which does not depend on acts of Congress or anyone else, except being up to those who live in the breadbasket of America.

Now, of course, the question will be asked, by what magic can that be accomplished? The answer is by no magic means, but simply by doing that which should have been done long years ago. Is it any wonder that we have great surpluses of grain? Listen to this. Before the advent of the auto, truck, and tractor, our horses and mules ate the crops produced on 43 million acres of our land. Since that time per-acre production has increased by leaps and bounds, adding to our price-depressing surpluses, except in time of war when we were not only feeding ourselves, but also many of our allies to a very great degree; and that was accomplished even though over 3 million young farmers were serving in the Armed Forces all over the wide world. Produce, produce, produce, was the order from Washington to our farmers, and they did produce, and are still producing to the end, may I say, and the records will prove my statement, that the American people are today spending less than 26 percent of their income for food; while the rest of the people of this world are spending an average of over 65 percent of their income for food.

Now getting back to the problem of the hour. I said we best start now to put another or supplemental farm program, so to speak, into effect, because of the situation I have explained. I am sure that everyone who has studied the problems of our livestock and grain farmers of the Middle West is well aware that we must find more new uses for grain in order to stabilize grain prices, and which in turn will stabilize livestock prices all at a higher level, so that the farmers' dollar will be worth 100 cents at the counter.

Mr. Speaker, as you know, Senator KARL MUNDT of South Dakota and I introduced a bill in the 1956 and 1957 sessions of Congress, which provided that all motor fuel shall contain at least 5 percent blend of agricultural alcohol—agrol—made from grains which are declared in surplus by the Commodity Credit Corporation, but it seems a majority of the members of the Agriculture Committees of Congress, most of whom are from the oil-producing Southern States, are not at all interested in our bill. One of them was at least honest enough to say he would have to oppose our bill because a lot of oil was produced in his State. So Senator MUNDT and I and others have come to the definite conclusion that there is an effective solution to the problems, and that is "Do it yourself, Mr. Midwest Farmer."

Here is the plan in a nutshell. Feed our surplus grain in liquid form to the Iron Horse, just as we used to feed it in the raw to our horses and mules. Now of course that is not a new idea; nonetheless, it is more necessary now than ever before that we carry the idea through to reality. After much thought this is what we suggest.

Form an organization; call it "The Do It Yourself Farm Association" or any other appropriate title. Membership to include farmers, businessmen, and everybody who will sign a pledge to buy, say, at least one barrel—50 gallons—of undiluted grain alcohol, or 250 gallons of gasoline which contained at least 5 percent grain alcohol, from a local gasoline station, or direct from the organization representative located in each respective trade territory, in the event no dealer in that territory cooperated in the program—that pledge to constitute his or her membership dues in the organization, except for a small voluntary contribution to defray necessary expenses for stationery, stamps, and a limited amount for secretarial hire to distribute membership blanks, and so forth.

We are now told that grain alcohol produced from corn, for example, costing the refinery $1.50 per bushel can be sold to the consumer for about $1 per gallon retail, and that the added miles per gallon from gasoline mixed with grain alcohol will almost, if not fully, offset the cost of the alcohol, to say nothing about a smoother running motor. What is true of corn is almost equally true of wheat, especially soft, low-grade spring wheat. Also we are told that a bushel of low-grade corn contains almost as much alcohol as the higher grades. Each will make about 2½ gallons to the bushel. Now, of course, you are asking yourself, Where will this alcohol be made? There were a number of grain alcohol distilling plants built during the war years in the Grain Belt that are now standing idle or almost idle. One such plant is in Omaha, Nebr., and another at Davenport, Iowa, which would go into production as soon as sufficient orders were received, and certainly large and small distilling plants would spring up all over the Grain Belt as soon as the demand justified the investment. Hence, a new great industry would be in the making, giving employment to townfolks and to many farmers who have extra time off the farm. Some may say such a program would take a long time in bringing the desired results, and our answer is to the contrary, for the very simple reason that even though it would take possibly 2 years to get into full distillation production, the general knowledge that the price depressing surpluses were being gradually reduced to the level of the ever-normal granary would almost immediately have good and great effect on the market for both grain and livestock.

Mr. Speaker, may I say again that the time has come when the Midwest grain and livestock farmer should waste no time in putting this program into effect for the very reasons Senator MUNDT and I and others so humbly and sincerely recommend. God helps those who help themselves. We Americans dare never forget that admonition.

The Plight of Certain of Our Aged Folks

EXTENSION OF REMARKS
OF
HON. LEON H. GAVIN
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 28, 1957

Mr. GAVIN. Mr. Speaker, in the past several weeks we have discussed legislation that would give our country authority to spend some $3 billion presumably to aid and assist foreign nations. We provide this assistance on the theory that it will better the economic condition of friends abroad and thus strengthen the democratic way of life as contrasted with communism throughout the world. Certainly we all want to help friendly nations, and as good neighbors it is well that we give attention to their needs. We have been most generous in the past on matters of economic and military aid to promote peace and stability throughout the world. While today our thoughts are centered on how we can help foreign nations help themselves, I cannot help but feel that we have some home problems that need attention. Concentrating on poverty abroad to the exclusion of our own needy just does not make sense to me. Charity begins at home.

I am thinking particularly of the plight of certain of our aged folks. We have in this country some 14 million who are 65 years and over. About 2½ million of these are on old-age assistance, where their average monthly pension is less than $60 a month—these are our unfortunate and needy elders—they are not on social security nor do they have retirement. They have to depend upon this dole of $60 or less to keep themselves alive from one month to the next. It is obvious that no one can live in health and decency on this pittance. I hate to think of this session of Congress coming to a close without doing something about this home problem. It involves 2½ million of our very own senior citizens. You do not have to go around the world to extend aid to humankind; it is needed right here in our own country. During the coming year let us do a little soul searching and see if we cannot come up with something better for these old folks, at least in partial keeping with what we are about to do for foreign peoples throughout the world.

Shell, British Petroleum, and American Express Co. Capitulate to Arab Blackmail

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 28, 1957

Mr. CELLER. Mr. Speaker, realizing they cannot defeat Israel in military combat, the Arab States have banded together in an endeavor to strangle Israel by economic boycott. The Arabs have been staging this economic quarantine of Israel since 1948. But their three latest successes with Shell, British Petroleum, and American Express Co. have exacerbated the seriousness of this situation.

The action of Shell and British Petroleum is not without political significance. The British Government has a 51-percent interest in British Petroleum. This decision, therefore, of British Petroleum to pull out of Israel was made, undoubtedly, with the consent of the British Government. There have been some dubious excuses that the pullout was due to lack of business. These excuses will not wash. Both of these companies have yielded to Arab blackmail. Their operations in Israel were most attractive. They have a 9-year profit record in Israel. The latest figures available show, for example, that the business of Shell in Israel amounted to almost $20 million during the calendar year of 1956. Since the total supply of petroleum products in Israel during the calendar year of 1956 amounted to roughly $40 million, it can be seen that the share of the Shell Co. was about 50 percent of the entire sales.

Since the early beginnings of the British mandate over Palestine, Shell has maintained the largest operation of any single company in Palestine and, subsequently, in Israel. It maintained this large volume of business in the infant State of Israel despite Arab boycott pressure since 1948. In fact, Shell has been the backbone of Israel's entire fuel economy. It has supplied oil, shared in the operation of oil refineries of Haifa, operated the largest network for commercial distribution of gasoline, liquid cooking gas, insecticides, and various other byproducts. Shell practically had a monopoly in the supply of machine oils for all the industrial needs of Israel. The sudden withdrawal of Shell is bound to be felt in the many fields of Israel's economy. It will unquestionably also hurt many American business investments in Israel, since it will make more difficult the position of American businesses which have resisted the pressure of the Arabs. The London Times and Economist have stated that this ostensibly commercial decision is, in fact, the beginning of a turnabout of British policy, indicating the desire of the British to reestablish themselves in favor of the Arabs—almost at any price. I point out that there is an oil adviser to the British Foreign Office, who is Harold Beeley. The decision of Shell is a triumph of Beeley. He is an Israeliphobe, as was his former employer, Ernest Bevin, the erstwhile Foreign Minister of Great Britain.

The director general of the Arab boycott office stated over the Damascus radio, January 19, 1957, "Continuation of the present policies is likely to lead to the elimination of Israel."

Already, in these past years, the burden on Israel's economy and financial resources, caused by the Arab boycott, has virtually wiped out the benefits of economic aid annually extended to Israel by the United States Government.

Dag Hammarskjold has stated that the Arab boycott is a deadweight on united efforts for settlement in the Middle East. Thus, the action of these two British companies can only serve to encourage the Arabs in their ambition to bring about a total collapse of Israel. The Washington Post, on August 5, 1957, declared that anything that seems to be knuckling under to this boycott will invite more highhandedness and it is to be hoped that the British Government will consider fully the psychological implications of a withdrawal. The August issue of Fortune magazine points out that the boycott has been strictly observed by the Middle East oil companies anxious to please their Arab landlords. Fortune says that Aramco has reportedly gone so far as to threaten to cancel its contract with European firms producing such innocent apparatus as floating roofs for water tanks if those firms do business with Israel.

Now we have the American Express Co. which joins those who would put the squeeze on Israel. It, too, has shut up shop in Israel after many years of successful operations—first under the British mandate and then under the Government of Israel. From the very day of the opening of their office in Tel Aviv they have been under constant pressure to sever their connections with Israel and were threatened with trouble in their offices in Arab countries. Now the American Express Co. has decided to take the line of least resistance and to close shop in Israel. All it has now in Israel is a mere agent who can only provide inferior service. For an international tourist company to work through an inferior facility and not through its own office, is to provide inadequate service as well as a complete cessation of some services. A full-fledged office of the American Express in any country receives passengers at the airport or the harbor, accompanies them to hotels after making hotel reservations, and so forth. A single agent cannot offer such facilities and provide such service. He works on his own account and cannot charge the wages of his personnel to the principal company with whom he only has a contract. The agent will take care of passengers only if they call on him. He cannot possibly be as effective with reference to hotel reservations, obtaining space on boats and airlines, as is a strong company like the American Express which enjoys the maximum cooperation of airlines and maritime companies.

The American Express also gives the argument that it in no sense yielded to external pressure and that its decision was purely a business one based on lack of demand at a continued loss. The facts do not bear out this assertion.

Americans interested in Israel cannot be mere bystanders and observers in this attempt to kill off Israel, nor should the United States Government be unconcerned with the change of attitude of the British Foreign Office and its return to the old, discredited policy of appeasement of the Arabs. The Arab boycott has spread so far as to cause blacklisting of American citizens who happen to be Jews and are directly or indirectly concerned with American firms that have done business in Arab lands. Firms that have Jewish directors or Jewish executives or employees are the object of Arab spleen.

As a Member of Congress, I cannot view with complacency this admitted economic rape of Israel and this vile discrimination against many American citizens because of their faith.

The American Express Co. has heretofore enjoyed the goodwill of Americans of all faiths. I have always used American Express money orders on my travels abroad. I shall never do so again. I shall refrain from purchase of these certificates as a protest against this unwarranted and unfair operation. Likewise, the Shell Oil Co. has heretofore earned the goodwill of Americans of all faiths. Last year its gross intake totaled $1,365,000,000. That company has a responsibility to American public opinion, especially when their activities, like succumbing to Arab extortion, involve them in international politics and international relations and affect world peace. As a protest against the Shell Oil Co., I shall never again fill my car with Shell oil or use any of its products.

If my fellow Americans join me in this protest, I shall be greatly gratified. I hope that this statement will be widely broadcast among the users of all gasoline products. Too little has been bruited about in the press and over the airways as to the actions of American Express and Shell Oil Co., as well as British Imperial Oil. I am sure that when the public knows about these matters, it will act in a way not unlike my own. It is also hoped that various organizations may become apprised of these facts to the end that suitable action can be taken by their members individually, if not collectively.

Intergovernmental Relations Study

EXTENSION OF REMARKS
OF

HON. FLORENCE P. DWYER

OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 28, 1957

Mrs. DWYER. Mr. Speaker, recently the Intergovernmental Relations Subcommittee of the House Government Operations Committee opened an important new phase of its extensive studies in the field of relations between the Federal Government and State and local governments.

This study—aimed at exploring the broad and complex area of intergovernmental relations, including the Federal grants-in-aid programs under which States and localities match or participate in Federal funds for a wide variety of projects—will take the subcommittee into 10 different regions of the United States this fall.

Recently, the subcommittee under the chairmanship of the distinguished gentleman from North Carolina [Mr. FOUNTAIN], prepared the groundwork for these nationwide hearings through the hearing of testimony by a series of nationally recognized authorities in this field.

These witnesses included Mr. Meyer Kestnbaum, who gave outstanding and valuable service as chairman of the Commission on Intergovernmental Relations; Mr. Philip M. Talbott, president of the Chamber of Commerce of the United States; Dr. Harley Lutz, Government finance consultant to the National Association of Manufacturers; Mr. Andrew Biemiller, director of the department of legislation, American Federation of Labor and Congress of Industrial Organizations; Mr. Patrick Healy, Jr., executive director of the American Municipal Association; Mr. Orin F. Nolting of the International City Managers' Association; Mr. Bernard Hillenbrand of the National Association of County Officials; the Honorable Frank P. Zeidler, mayor of the city of Milwaukee, and two distinguished Members of the House of Representatives who served on the Kestnbaum Commission, the Honorable BROOKS HAYS, of Arkansas, and HAROLD C. OSTERTAG, of New York.

I am sure all of us in this body realize the important significance of such a study. In recent years, there has been increasing emphasis on the constant growth of Federal grants-in-aid programs, and a rising sentiment for curbing this trend toward greater and greater centralization of Government in Washington.

Just recently, as you know, President Eisenhower focused national attention on this problem in an address before the governor's conference at Williamsburg when he urged the States to take the initiative toward assuming a greater responsibility for these programs.

To have a broader understanding of the scope of this problem, it is necessary to view the growth of Federal grants-in-aid programs.

The system of Federal grants-in-aid to State and local governments began in the early days of the Republic with the institution of land grants to States to promote education. But, with the ratification of the 16th—income tax—amendment in 1913 providing a new Federal revenue potential, the cash-grants system really began to expand.

By 1920, total Federal grants in aid had risen to $77 million annually from $5½ million in 1915. By 1925, the total was $114 million, and by 1937 some 20 grants-in-aid programs were costing the taxpayers over $290 million each year.

Each year since 1937, with the exception of 1946, the annual outlay for grants in aid has increased. By 1952, the cost of 48 different Federal programs had mushroomed to nearly $2½ billion, or 8 times the 1937 total. In 1956, grants in aid had risen to nearly $3.7 billion; in 1957 to $4.3 billion, and the estimate for fiscal 1958 is $5.3 billion. The 1957 and 1958 figures, of course, include Federal Aid Highway Trust Fund expenditures.

Thus we see that Federal involvement in grants-in-aid programs has been increasing steadily.

The big questions, of course, are just how this trend toward centralization of authority and responsibility can be reversed effectively, and how the States and municipalities can take up the slack if the Federal Government steps out of many of these programs which various segments of our population now consider essential.

It is my hope that the Intergovernmental Relations Subcommittee, as a result of the study it now is engaged in, will be able to help chart an effective approach to this problem at all levels of government.

In closing, I would like to note that I feel the Members of Congress would find it most enlightening—if they already have not done so—to study an itemized breakdown of Federal funds going into their respective States for various programs.

In preparation for the subcommittee hearings, I made such an analysis for my home State of New Jersey. The results showed a far greater participation in Federal programs than I had anticipated. For the information of Members of Congress, I am entering that analysis into the RECORD, to show what just one of the 48 States is receiving from Washington.

The New Jersey aid figures are as follows:

Direct Federal grants in aid to New Jersey, fiscal year 1956

Agricultural experimental stations	$338,916
Cooperative agricultural extension work	317,510
School lunch program	1,467,597
Cooperative projects—marketing	24,338
State and private forestry cooperative	118,391
Commodity Credit Corporation	1,615,207
Special school milk program	1,009,440
Removal of surplus agricultural commodities	2,550,650
Civil aero-Federal airport program	355,050
Bureau public roads—highway construction	10,183,697
Agricultural, mechanical, college grants	118,233
Cooperative vocational education	643,742
School construction and survey, emergency	508,546
Maintenance, operating schools, emergency	1,419,670
Venereal disease control	43,892
Tuberculosis control	125,037
General health assistance	231,712
Polio emergency grants	106,600
Mental health activities	85,551
Cancer control	65,090
Heart disease control	24,889
Polio vaccine program	852,144
Hospital construction, survey, planning	93,632
Construction community facilities	8,170
Maternal and child health services	157,365
Crippled children services	213,833
Child welfare services	81,091
Old age assistance	8,581,678
Aid to dependent children	5,057,865
Aid to permanent, totally disabled	1,741,503
Aid to the blind	450,615
Printing for the blind	7,873
Vocational rehabilitation	724,549
Wildlife restoration	103,777
Migratory bird conservation	48
Unemployment compensation, employment service	9,886,842
Civil defense—emergency grants	180,091
Civil defense—disaster relief	100,000
Urban renewal	2,277,676
Urban planning assistance	24,710
FHA regular grants	5,353,954
Homes for disabled soldiers, sailors	113,179
VA on-job training, supervision	15,301
Total grant payments (43 programs) direct	57,379,654

Federal-aid payments other than direct grants and loans, fiscal 1956

Agricultural conservation program	$597,694
National Guard, Air Force	1,804,070
National Guard, Army	10,835,749
National Cancer Institute, research	102,038
National Institute Allergy, Infectious Diseases, research	53,654
National Heart Institute, research	$31,137
National Institute Mental Health, research	27,832
Division Research, grants	40,702
National Mental Health Institute, traineeship	12,000
National Mental Health Institute, training	13,083
National Institute Neurological Diseases, Blindness, fellowship	1,542
National Cancer Institute, fellowship	8,974
National Heart Institute	1,730
National Mental Health Institute, fellowship	2,400
Unemployment compensation, veterans	1,349,433
Unemployment compensation, Federal employees	1,070,516
National Science Foundation, research	276,430
National Science Foundation, fellowships	95,855
Automobiles for disabled veterans	48,000
VA readjustment benefits and vocational rehabilitation	12,658,439
Total payments (20 programs)	29,031,149
Total grants in aid to New Jersey (63 programs) in both categories	86,410,803

Lead and Zinc Tariff Bill and the Escape Clause

EXTENSION OF REMARKS

OF

HON. HENDERSON LANHAM

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 28, 1957

Mr. LANHAM. Mr. Speaker, I was greatly interested in the disposition of the lead and zinc tariff bill. It came before the Committee on Ways and Means from which it never emerged even though it was supported by both the Department of the Interior and the State Department.

From the experience with this bill it has become clear that we have done a full circle under the trade-agreements program.

The Congress in 1934 delegated authority to the President to make trade agreements. This was an indication that the Congress itself no longer wished to write the tariff itself.

Seventeen years of trade-agreement making by the Executive had by 1951 convinced the Congress that it was desirable to tighten the reins on the delegated authority. It had become clear that the State Department, which actually negotiated the trade agreements was not a very zealous guardian of the interests of American industry, labor, and farmers but was inclined to cut tariffs without making sure that its ready wielding of the knife would not cripple some of our industries.

In 1951 Congress accordingly adopted the escape-clause amendment to the Trade Agreements Act. The purpose was to provide injured industries with a remedy. Should serious injury occur or be threatened to an industry it could go to the Tariff Commission and apply for relief in the form of a higher duty, that is, a restoration of the duty cut that had previously been made by the State Department in a trade agreement.

This sounded good, and should have made it possible to live with the trade-agreements program. The trouble was that the Tariff Commission was not given the final word under the escape clause. It could only recommend action to the President.

After some 50 cases were processed in the 5 or 6 years of the escape clause's existence it became apparent that the law was returning an extremely low yield. The President rejected most of the Tariff Commission's recommendations, including a half dozen unanimous decisions. Industry naturally became discouraged.

Among these was the lead and zinc industry which went before the Tariff Commission in 1953 under the escape clause. The Commission rendered a unanimous decision recommending an increase in the tariff. In 1954 the President rejected the decision.

In 1957 the industry, still facing great difficulty with import competition, decided to go to Congress rather than the escape-clause route. The Ways and Means Committee, however, pointed out that the President already had adequate authority to provide relief to the industry. That left the lead and zinc industry with no place to go other than back to the Tariff Commission.

This provides a very clear example of what may be expected in the future if the remedies provided by law fail to provide the relief that could reasonably be expected from the pertinent legislation. Other industries such as textiles, plywood, tuna, and so forth, are finding themselves in the same position as the lead and zinc industry. They do not look kindly on the Executive veto that prevents a reasonable remedy from being carried out.

They know that in the last analysis recourse to Congress is their only hope so long as the Executive obstinancy persists, as it has now done for six years. I do not quarrel with the action of the Ways and Means Committee. I think it simply brings to a head something that has been evident for some time.

Under leave to extend my remarks in the RECORD I include a letter that appeared in the Washington Post on this subject, written by O. R. Strackbein.

OTHER WAYS TO HELP

You are to be congratulated for printing the letter from Senator WATKINS of Utah in your issue of Aug. 19 under the heading "Worse Than It Sounds." The Watkins letter was in reply to your editorial of the same title, devoted to the proposed tariff on lead and zinc that is before Congress.

Senator WATKINS' letter brings some much-needed commonsense and down-to-earth facts to bear on the lead and zinc tariff question. It is in strong contrast to the undiluted sensationalism of Drew Pearson and the tortuous cartoonery of Herblock on the subject—albeit, quite naturally, not as interesting.

Your own editorial in reply to Senator WATKINS under the title, "Other Ways To Help," is also helpful in bringing to light the real issues.

You urge the lead and zinc industry to go back to the Tariff Commission under the escape clause for a remedy. You overlook the fact that not only this industry was before the Commission in 1954 and obtained a unanimous recommendation to the President only to be turned down but that this experience has been the usual one and not the exception—to the extent that the escape clause has become worse than useless.

That is exactly why the lead and zinc industry went to Congress and that is exactly why more and more other industries are going and will go to Congress.

The President as advised by the State Department has choked off the channel of relief provided by Congress. This is what has built the pressure that you bewail. The primary responsibility for the regulation of foreign trade is on Congress, put there by the Constitution.

Congress delegated some of this authority to the Executive but the latter has ignored the clear intent of Congress. What should Congress then do? What should the industries do when they find their remedy at law smothered by the Executive?

You say we should perhaps give production bonuses to the lead and zinc industry. That route has already been traveled its full length through the stockpile. In any case, if the industry were helped thus to produce and sell its products, would that not result as effectively in choking down imports as would a higher tariff? And would that hurt Canada, Mexico, and Peru any less?

The best way to meet this situation would be through a combination of tariff and quota under which an appropriate sharing of the market between imports and domestic producers could be worked out. Or would that be too sensible and not sensational enough for Messrs. Pearson and Herblock?

O. R. STRACKBEIN,
Chairman, Nationwide Committee of Industry, Agriculture, and Labor on Import-Export Policy.
WASHINGTON.

Testimony of Paul Sayres Before Committee on Agriculture and Forestry, June 26, 1957

EXTENSION OF REMARKS
OF

HON. HUBERT H. HUMPHREY

OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Wednesday, August 28, 1957

Mr. HUMPHREY. Mr. President, in June of this year the Senate Committee on Agriculture and Forestry held hearings on the policies and operations of Public Law 480, 83d Congress. This is a vital law providing for the disposal abroad of our surplus agricultural commodities. As such it is a key to our foreign policy. One of the witnesses at the hearings was a distinguished and successful New York businessman, Mr. Paul Sayres, president of the Paul Sayres Co., engaged for the last 28 years in food distribution in New York City.

He appeared on June 26, and I considered his testimony to be most interesting and important.

Mr. Sayres plans to go to India in behalf of himself and a committee of the food distribution industry. I have asked Mr. Sayres to report to me his observations and recommendations. This trip is in the national interest, but it is being financed completely by Mr. Sayres. I ask unanimous consent to have Mr. Sayres' testimony printed in the RECORD.

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

TESTIMONY OF PAUL SAYRES BEFORE COMMITTEE ON AGRICULTURE AND FORESTRY, JUNE 26, 1957

Mr. SAYRES. Senator HUMPHREY, Senator MUNDT, and members of the committee, my name is Paul Sayres, of Paul Sayres Co., presently engaged for the last 28 years in food distribution in New York City.

It is with deep feeling and a sense of urgency that I am here today to discuss with you the workings of Public Law 480 and to explore the various avenues by which disposal abroad of our surplus agricultural commodities in food, under this law, can be most effectively accomplished and best utilized to advance the interests of the United States in world stability and harmony.

I should first like to commend you purposeful gentlemen, and you, Senator HUMPHREY, for conducting this hearing and bringing into proper perspective the great importance of this subject, and the international implications involved to our Nation.

There has been a great deal of debate here only recently on the subject of foreign aid, with the pros and cons of to what extent we should help friendly nations, capturing headlines throughout the country as well as the fervor of Congress.

It is not my intention to get into this debate on foreign aid. Today, we are discussing surpluses, honest surpluses of the most essential commodity relevant to man—food. Surpluses that do not do one any good by being surplus. Surpluses that are an economic liability at home, but which put to the proper use in effectively organized disposal programs to needy friends abroad can be translated into not only an economic boon, but a social-ideological one as well. That the use of our surpluses in such a manner may also be classified as a form of foreign aid is incidental.

My primary purpose today is to express my views and those of many others of this country's food industry on what we feel has been largely overlooked by our Government in its pursuit of good will through foreign aid under Public Law 480.

In the final analysis, the problem evolves into three separate segments: how we can do a more effective job; how foreign nations can best utilize their food supplies; and how we can dramatize our humanitarian efforts in keeping with our dignity as a great Nation.

In these endeavors our country is performing in a manner akin to any company with an item to sell. but we are selling ideas and good will in a market where the world's future is at stake. Any good salesman sees to it that his client makes the most effective use of the purchased item. It is our obligation to ourselves as well as to these nations to help them achieve the maximum benefits from the foodstuffs we provide to them. This calls for much greater application of food-distribution assistance.

It is for these reasons that I feel most strongly that Public Law 480 is in need of guidance from this country's food industry; guidance and cooperation completely disassociated from politics. I think that no one here will disagree that people working successfully in our food industry, day in and day out, are well qualified to help their Government.

You might not be aware of this, but the food industry of the United States, as such, is by far the largest industry in dollar volume in the world.

In food distribution, as in many other fields, the United States possesses the most advanced methods and techniques and it must be a part of the machinery of Public Law 480 to help other countries achieve for themselves more efficient food distribution.

Senator Humphrey. Does the Government make available funds to the food industry, or have any programs with your industry for the advancement of food distribution? I ask that question because you know the Government does make available to some of the commodity groups funds for the development of markets.

Mr. Sayres. But I do not believe as far as distribution of foods, which is the thing that I am covering here, that any funds have been available. If they have been, I do not know of them.

Senator Humphrey. Has there been any encouragement to you?

Mr. Sayres. None that I know of.

Senator Humphrey. We will talk about this as we go along.

Mr. Sayres. India, with a population more than double that of the United States, is a country moving steadily to greater prominence on the international scene. Occupying a key geographic position in the Asias, India, as a country of great potential and important meaning to the Free World, is one specific area where we can be of particularly meritorious service.

I propose that to upgrade the food distribution machinery of Public Law 480 we utilize the services of a food industry committee, composed of 4 or 5 leading representatives of our food industry—manufacturers, brokers, wholesalers, retailers.

I have discussed this solution with a number of top level authorities in our food industry and find them not only receptive but enthusiastic. In fact, I have available right now the men to make up such a committee, a Committee on Food Distribution Assistance for India. Others, naturally, can be set up for other countries.

My colleagues and I feel so strongly about such a program that we want to do something on our own as a contribution of the food industry to the people and the governments of our own country and those of friendly nations. I am now in the process of formalizing plans to go to India, with the encouragement of others of the food industry.

Whether our committee is successful or not will depend on our getting the full cooperation of the pertinent government agencies. Problems cannot be solved properly unless they are fully understood, and the only way to understand them is to see them and evaluate them at first hand.

I am sure you understand that unless we get that cooperation it will be very difficult to succeed.

Such committees would function by studying the food distribution system of the country involved, speaking with representatives of government and industry of those countries and then attempting to draw up specific techniques for improving the flow of foodstuffs in these countries in a workable plan that will promote the maximum from our shipments under Public Law 480 and that takes into consideration the social, national and religious makeup of that country.

It may be advisable to establish small field offices in these countries to work with the food industry there. This would be another matter for study.

I understand this is possible under Public Law 480. Such offices not only could provide a continuing flow of information and suggestions, but also would prove invaluable as a public information branch for this country, helping friendly peoples to efficiently utilize their food supplies, suggesting spoilage control and preservation techniques, practical and economic recipes, packaging and marketing data and so forth.

If we are to spend our money and resources, it is our duty to our people and to the world to spend wisely and properly to achieve the utmost value. We have before us an inspired opportunity to use American ingenuity and know-how to foster good will and to dramatize the overwhelming advantages of the democratic way over the forces of tyranny. Guns cannot mold man's ideas. But people, decently fed, can stand up and do things for themselves and are not apt to be swayed by false doctrines and ideologies.

In our surpluses, Public Law 480, and with experienced industry men, we have the three essential tools to convert a liability at home into an immeasurable asset in the interests of our democratic principles and world stability.

So let's do the job right.

Senator Humphrey. Mr. Sayres, first of all I want to personally congratulate you on your fine statement and to congratulate the industry that you so ably and capably represent. Also, it is heartening and very encouraging to have a man like yourself come before a committee of Congress and indicate to us a specific plan, as well as your willingness to undertake some effort to forward this plan.

As I understand it you are planning on going to India?

Mr. Sayres. That is right.

Senator Humphrey. And as I understand it you are planning on going on your own resources, there is no government trip or anything like that?

Mr. Sayres. That is right.

Senator Humphrey. Well again, I want to wish you a very pleasant trip, but also an informative one. In your testimony you say, "My colleagues and I feel so strongly about such a program that we want to do something on our own as a contribution of the food industry to the people and the governments of our own country, and those of friendly nations."

For that I commend you and congratulate you on your patriotic service. Then you say, "I am now in the process of formalizing plans to go to India, with the encouragement of others of the food industry. Whether our committee"—quoting now again from your statement—"is successful or not will depend on our getting the full cooperation of the pertinent governmental agencies." Do you mean the full cooperation of our United States Government agencies?

Mr. Sayres. Both of the United States Government agencies and the Indian counterparts.

Senator Humphrey. I see.

Mr. Sayres. I mean, I feel that we just cannot get the information that we need in order to get a proper plan that will really be worthwhile and workable, unless we are able to see the thing firsthand and know what we are contending with.

Senator Humphrey. So you would like to be able to visit with the man or woman who is in charge of, let us say, the food ministry or the agricultural ministry, people in the Government?

Mr. Sayres. Yes.

Senator Humphrey. Of India?

Mr. Sayres. Yes.

Senator Humphrey. As well as our own people prior to your leaving?

Mr. Sayres. That is right, and also while I am there.

Senator Humphrey. And visit our own people in the Embassy and the ICA and others while you are there?

Mr. Sayres. Yes, for assistance to the point where we can actually find out what we need to know if we are going to do the job.

Senator Humphrey. There is no reason that should not be forthcoming. I will be more than happy, as one individual and the presiding officer of this subcommittee to send a letter to our Ambassador asking that he give you all possible cooperation. And this will, of course, extend all the way through our United States mission in India. The same thing can be done, I suggest, with the Indian Ambassador in Washington, who would be a good contact for you before you leave—Ambassador Mehta, he is a fine man, a businessman from India, a good friend of mine personally, and an able and extremely capable representative of his country.

I would suggest that you meet with him before you go.

Mr. Sayres. I would be very happy to do so.

Senator Humphrey. We will be very happy to make any arrangements if you need them, since you are going to go, and I wish I was going with you——

Mr. Sayres. Come along——

Senator Humphrey. I guess I better stay home for a while. While you are there, and you are going to make this study, I wish you would share with us your views and observations when you come back. I do not have any powers of appointment but I would like to have you bring to my attention on your return whatever observations you have and conclusions, to act as a sort of reporter for me. Can you do that?

Mr. Sayres. I will be very happy to do that.

Senator Humphrey. Since I cannot take the trip I will let you do all the work.

Mr. Sayres. I will be very happy to do that, and I am sure you are going to be of great assistance in seeing that something is done about this if we bring back the correct data.

Senator Humphrey. I would like to review what you have in mind and what your findings are when you return. We will cooperate with getting the necessary introductions. Is that all right?

Mr. Sayres. That is wonderful.

Senator Humphrey. And you can go with the blessings—if they mean anything—you have my blessings, but I suggest you get somebody else's too.

Mr. Sayres. I think I will need them.

Senator Humphrey. I think that is just wonderful. I am very pleased with your statement. Thank you for coming down. I understand you have to catch an airplane. I hope I have not kept you too long.

Mr. Sayres. We will have just time to get it. Thank you very much.

Senator Humphrey. Good luck to you and have a nice trip.

Mr. Sayres. Thank you.

The House Versus the Senate

EXTENSION OF REMARKS
OF
HON. SPESSARD L. HOLLAND
OF FLORIDA
IN THE SENATE OF THE UNITED STATES
Wednesday, August 28, 1957

Mr. HOLLAND. Mr. President, several days ago I noticed in the New York Herald Tribune an excellent article by Hon. Eugene J. McCarthy, a member of the Committee on Ways and Means of the House of Representatives, entitled "The House Versus the Senate." The article was written in such scholarly style

I thought it ought to be in the RECORD where all Senators and Representatives and others could read it. I ask unanimous consent that the article be printed in the RECORD.

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

THE HOUSE VERSUS THE SENATE

(By EUGENE J. MCCARTHY)

(Representative MCCARTHY, a member of the Ways and Means Committee of the House of Representatives, is a Democrat from Minnesota.)

It seems to be fashionable these days to criticize the House of Representatives, the greatest forum of the people in our Federal Government. Sniping and carping at the operation of the House has been growing over the last few years. The House has been compared unfavorably with the Senate as a place of achievement.

Is this criticism valid? How badly are improvements needed? How does the House really compare with the Senate in terms of accomplishment, of casting light on great national problems, of providing legislative cures?

The effectiveness of the House of Representatives, its organization, its procedures and its relationships to the Senate and to the executive branch of the Government—all of these are important questions that deserve studious, objective, and serious attention.

In the 167 years since the adoption of the Constitution there have been many changes in the Government of the United States, but certainly one of the most significant of these changes has been that of the shift in the power of relationship of the House of Representatives and the Senate. While upper or second legislative bodies in other countries have declined in importance, some disappearing altogether and others surviving as little more than symbols, the Senate of the United States has grown in power and in authority.

The first great impetus to an increase in Senate power arose out of the controversy leading up to the Civil War. After the war the Senate assumed more and more initiative in the introduction of legislation and became bolder in insisting on Senate modifications of legislation.

As governmental activities have expanded, the power of the Senate to confirm appointments both in the judiciary and in the executive offices has become increasingly important.

Similarly in the area of foreign affairs the Senate's power has increased as foreign policy has become more significant in our national life.

Along with the advantages derived from these historical changes, the Senate has had the help of a number of institutional advantages. The 6-year term in the Senate, plus the experience of its Members, and its continuity as a body, give it a stability and strength lacking in the House of Representatives. On a purely arithmetical basis, a Senator's vote on a legislative proposal is worth approximately four times that of a vote of a House Member. Senate rules and practices regarding committee assignments multiply this power. House Members are permitted to serve on only one major committee—Senators may serve on more than one. House committees usually have from 2 to 3 times as many members as do Senate committees. The importance of a single vote in a Senate committee of 15 is really worth more than twice that of a single vote in a House committee of 30 members.

The House, as critics have said, has limited its effectiveness somewhat by its own rules. Great debates today are the Senate debates. Debate in the House was effectively limited by rules changes brought about under Speaker Tom Reed in the last decade of the 19th century. These changes did prevent obstruction and delay in the general legislative process, but at the same time practically destroyed effective House debates. As a result, public interest, at least as reflected in the press, is generally concentrated not on what is said in House debate, but rather on the outcome of the vote.

The important consideration is not the feelings of House Members, but rather that of the consequences for the country of the predominance of the Senate. The fact that the Senate generally proposes to spend more money than does the House, or that it has gained power while the House has been losing it, need not in itself be disturbing. If the Senate is a truly representative body, and it is operating effectively and responsibly as the dominant body, it should perhaps be allowed to continue in its position of power. If, on the other hand, the Senate is not truly representative, if it is not as effective or fully responsible as it should be, there is reason for concern. If a case can be made for the system of legislative checks and balances, with the Senate acting principally as a check on the House of Representatives, if it is desirable to have some specialization and differentiation of function between the House and the Senate, then the problem of distribution of power is a matter of concern to the citizens of the United States.

Obviously the Senate is not as representative as is the House. Although there is need for more even apportionment of Congressional districts, representation in the House of Representatives is still much closer to popular representation than it is in the Senate, where the millions of citizens of the State of New York and the fewer than 200,000 citizens of the State of Nevada are equally represented by two Senators. The House remains more truly the people's branch of the Government. Moreover, since all House Members are elected every 2 years, membership in that body more accurately reflects changes in popular opinion and judgment than does membership in the Senate, in which in every term of Congress some two-thirds of the Members have been carried over from previous elections.

The increase in the power of the Senate has disturbed the system of checks and balances, which was reasonably conceived, and has tended to destroy differentiation of function between the House and Senate. There is evidence that the Senate is trying to do too many things to do all effectively—to formulate and review foreign policy, to check on the Executive appointments, both before and after they are made, to check on the administration continuously, to cover the whole field of legislation, and to look after the needs of a statewide constituency.

The consequences of the seniority system are much more serious in the Senate than they are in the House, where larger membership makes control by committee chairmen more difficult, and where respect for the office and jurisdiction of the chairmen is not as great as it is in the Senate. Senators are generally responsive to all, or nearly all, local and special interests of their States. House Members are directly responsive only to those in their respective districts.

A strong President providing leadership to the country and strengthening the House of Representatives, can stand against the Senate. To do so, however, the President usually must have dramatic issues and critical conditions, as in the case of war or domestic disturbance comparable to the great depression.

The principal defense of the House against the loss of its power to the Senate has been, in recent years, the strength of its leadership. A man like Speaker SAM RAYBURN, backed by committee chairmen and members of the House, has successfully stood against the Senate, but, as a matter of fact, strong House leadership has consistently been more successful in opposition to Executive proposals than it has been to those of the Senate. What is needed is an institutional strengthening of the House of Representatives—the reestablishment of the House of Representatives as the predominant governmental body.

The House should assert itself in competition with the Senate in the field of general legislation, but more particularly when questions of revenue and of appropriations are in dispute. The House should insist that it be given more voice in foreign affairs. The Senate should be encouraged to give special attention to Government service and to assume the responsibility for the effective and efficient administration of Government affairs, and for the quality and conduct of both civil service and appointed personnel.

House rules should be changed in order to allow House Members to sit on more than one major committee and to allow more liberal debate, with the possibility of great debates again in the House of Representatives. House Members, too, should become more active in national party activities and should insist on their greater recognition in national conventions.

There is need for better organization in the House of Representatives; for greater party cohesion and party responsibility; for more unity, integrity, and function of the House; and for a greater will on the part of its Members to stand as a body, on a bipartisan basis when necessary, against either the Senate or the executive branch of Government.

If the House is to "decidedly predominate," as James Madison stated that it should at the time of the drafting of the Constitution, these are the changes that are needed rather than superficial changes such as modification of the seniority system and the rather empty suggestions of greater individual determination, responsibility, and attention to duty as suggested by some critics.

Address by Hon. James Roosevelt Before American Medical Center Annual Auxiliary Dinner, Denver, Colo.

EXTENSION OF REMARKS

OF

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 28, 1957

Mr. ASPINALL. Mr. Speaker, one of the most successful charitable institutions of Colorado, indeed of our entire Nation during the first part of this century, has been the American Medical Center, formerly known as the Jewish Consumptive Relief Society of Denver, Colo. Its good deeds and unselfish service to countless thousands is an enviable record of people of good will.

Following in the magnanimous tradition of the other members of his distinguished family, our colleague, JAMES ROOSEVELT of California, has given unstintingly of his time for many years in the service of this fine organization. His generous work and constructive efforts have been highly appreciated by all of those who have worked with him in this cause and especially by the recipients of the services afforded by this institution.

On August 3 of this year, our colleague JAMES ROOSEVELT, addressed the members and friends of the organization at the annual auxiliary dinner held in Denver, Colo. The address is replete with valuable material and is a statement of the program of the American Center for the year.

I take great pleasure in inserting this address in the CONGRESSIONAL RECORD so that my colleagues may have the advantage of the information which it contains.

The address follows:

REMARKS OF HON. JAMES ROOSEVELT, JCRS–AMERICAN MEDICAL CENTER ANNUAL AUXILIARY DINNER, DENVER, COLO., SATURDAY, AUGUST 3, 1957

Friends, when Kipling wrote that "East is east and west is west and never the twain shall meet," he certainly didn't reckon with our JCRS–American Medical Center. For here we are tonight, a Congressman from California talking to a group of charmingly effective auxiliary and advisory board leaders from New York, Washington, and other eastern communities at this inspiring western city in the foothills of the Rockies.

Why is this so? Why do so many of us, from such widely scattered backgrounds and geography, come together with such wonderful unity and kinship? Whence this warmth of feeling that entwines us—or entwains us, if I may—with a sense of dedication and loyalty I have not experienced since the days I worked with my father and the people of the Warm Springs Foundation?

For me the answer is one word—devotion.

Think for a moment of this amazing town of Spivak, with which we have been renewing an old and deep acquaintance these last few days. You won't find it on the map, not even a dot. Yet you will find it warmly remembered in the hearts of tens of thousands of people in communities stretching from sea to shining sea. For this little town of Spivak—our JCRS–American Medical Center—is truly a unique town that only real devotion itself could build.

Its very founding was an act of faith and love. You will recall, I am sure, how a small group of workingmen moved with deepest compassion at the sight of fellow humans trekking to Denver for relief of their consumption and literally dying in the streets for lack of facilities, chipped in $1.10 to set up 6 tents and a wood structure. Look how we have grown in 53 years, with our wonderful structures of health and healing and the city coming to our very doors with its modern shopping center.

But over the span of unfolding decades and steady growth, our unique open door policy has remained constant. In 1957, as in 1904, we still only ask, "Are you ill? Are you in need? You are welcome here." To the victim of cancer, tuberculosis and chest diseases today, as to the victim of consumption yesterday, our hospital offers a rather rare and unusual handclasp. Most hospitals are unwilling to tie up their beds with patients needing prolonged treatment and care. Let it be said to the glory of our hospital that we welcome patients in all stages of disease for an unlimited period of time. You have seen our doctors and nurses and medical team work far beyond the call of duty. You have talked to our patients and heard them glow about the most potent wonder drug they receive here—devotion. It is inspiring to realize how many lives we have saved; how much anguish we have saved loved ones; how rich a contribution we have made to the medical arsenal of our Nation. I know you were as thrilled as I to hear Dr. Selfe report that in the 3 years since the inauguration of our cancer service, we have handled 227 cases and snatched many fellow humans from the very valley of the shadow of death.

But can we sit back feeling that we have licked the problem? Certainly not. Your presence here tonight underscores your understanding of the need for continued and heightened effort. The enemy we are fighting is a formidable one. The United States Public Health Service informs me that 28 million Americans are now afflicted with chronic diseases, half of them under 45 years of age.

This is truly our Nation's number one medical problem. Chronic diseases are costing Americans 1 billion days of disability, the services of 1 million workers, and the lives of 1,100,000 each year. This cost in lives is appalling; but the cost to the living is more than the Nation can afford. Victory over death and disability from major diseases depends on dollars to pay for brains, training, buildings, and equipment, all of which can be produced with your help and the understanding of an enlightened public.

This year, some $45.5 million is being spent by all sources on cancer research, or about $1.75 per American now alive who will eventually die of cancer unless new treatment, cures, or preventive measures are found. In contrast the polio people allocated $2,905 per expected death in 1955, the windup year of the research that led to the Salk vaccine.

I am strongly suggesting here that what we need is a crusade to conquer cancer, tuberculosis, and other chronic diseases through an all-out partnership of Government, science, and public philanthropy.

I am happy to learn that thanks to our fair and stalwart ladies our research into cancer, tuberculosis, lung cancer, and other vital areas will be augmented through their help in supplementing the $77,000 grant from the Ford Foundation and completing the Dr. Philip Hillowitz Laboratory.

Like yourselves, perhaps, I have often wondered what is the "mah-nish-ta-naw" of our institution. (I participated in the Passover Seder at our hospital, and remember how the Haggadah starts with its haunting questioning, "mah-nish-ta-naw.") What then makes our hospital so different from all the rest? What motivates these wonderful women of ours in their tireless toiling, filling canisters, enlisting the participation of friends and neighbors, planning luncheons and fashion shows and spending long hours in all-out participation? What inspires our business leaders here to give so generously of their crowded time and energy? The answer goes deep into our Judeo-Christian tradition. You delegates from our auxiliaries throughout the Nation and you warm-hearted men give the inspiring affirmation, "Yes, we are our brother's keeper. Yes, we love our neighbor as ourselves." Your thanks can be most eloquently found in the letters of our patients. Many of these patients have come here to die. They return to live. What greater personal reward can we have than the feeling that you and I and so many others have made this possible?

I feel prouder of myself as a human being when I pick up the recent issue of our bulletin and see this letter from a young Jewish patient:

"I don't think that all the money in the world could buy this friendly consideration for one another that I find here. There is still hope for the human race; atom bomb or no atom bomb, I believe once again people are here to stay and I am proud to be part of them."

Since we are a family together, may I share something with you about which we are not so proud?

You have visited the Texas Building. On its first floor, you have heard the busy steps of doctors and nurses as they work to bring new life to victims of cancer. On the second and third floors, however, there are no footsteps. There are only empty corridors and waiting beds. What a challenge that is. We have the skills and the staffs to save lives. There are human beings waiting for those beds. They have turned to us in their anguish and suffering. And we hear their cries; for our ears are sensitivity attuned.

Yet, ironically, despite our unique open-door policy, we cannot admit them.

Why not?

Money.

It costs us $5,000 a year to take care of one patient. To operate our hospital at full capacity, we must raise $1,250,000 annually, compared to our current income of $700,000. It is to step up our fund-raising and to provide 100 more beds to victims of TB, cancer, and allied diseases that we are now launching our national development program.

I am happy to announce the recommendations of the national development committee to the board of trustees. I am sure that these recommendations constitute the beginning of an effective program to put every facility of the hospital to its fullest use for better service to patients, and to enable us to do our share in the overall research into the fight against cancer and chest disease.

The budget this year calls for an increase of $125,000 over the existing agreement with President Winocur if the aim of operating the hospital at full capacity is to be realized. I have every confidence that the board of trustees will find a way to raise this additional money that will fill our empty beds.

The national office will soon be moved to Denver, where the office of the national executive director will be based. Mr. Jack Miller, because he is unable to move to Denver, has agreed to remain as director of the eastern region, and a new national director will be appointed shortly. Mr. Miller's help and guidance in working out a plan for the years ahead has been invaluable. Although tonight he is working on resolutions at the office and cannot be at the dinner with us, I know you all join me in expressing my heartfelt and sincere thanks to him for his tireless devotion to the hospital, and for the wonderful job he has done.

Four regional offices will be set up in the East, Middle West, Southwest, and Far West. They will help the existing auxiliary and member groups coordinate the work of forming new groups and developing new sources of funds.

I am happy and pleased to announce the recommendation of the National Development Council for the appointment of Mrs. Sara Zeecov to the board of trustees. She will be the national director of the ladies auxiliaries with an office and staff in Philadelphia. To carry out her important work she has plans for an expanding staff.

The National Development Council has held healthy and constructive discussions with the medical advisory board, which I am sure will lead to an even better medical program.

Each generation must accept new responsibilities. Our fathers have built structures of healing and faith. We must maintain and extend them. Our JCRS has a glorious past. The future of our American Medical Center looms wonderously before us. With renewed loyalty and with devotion, we rededicate our efforts to mankind's noblest cause—to alleviate suffering humanity with humanity.

German Recovery—And Elections

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 28, 1957

Mr. CELLER. Mr. Speaker, the Western Powers are confronted with the serious and extreme dilemma of Europe.

There is not a single European power that can cope with the Soviet empire. However, in combination, the European powers are more than a match for Russia. These European powers are endeavoring now, under the tutelage of the United States, to weld themselves into a combination, witness Euratom, the common European market, called Euromarket, and the Coal and Iron Community. All this constitutes a decided push toward European unity. Indeed, properly combined, these European powers have a greater population, a greater developed industrial capacity, and much higher technical skill than the Russians. If these European nations are divided and unable to take common action, they can, indeed, be cut to pieces.

No chain is stronger than its weakest link. We must strive to make every one of these European nations strong—the stronger the better. We must, in particular, make Germany strong, despite the fact that she has been our erstwhile enemy.

Germany occupies a most strategic position in Europe. We cannot afford, for our own protection, to leave any stone unturned to make Germany the strongest bastion of the Western Powers.

If a third war should come upon us, no one can foretell the result. The period that would follow would be horrendous and terrible. In all likelihood, the Communist empire would fall apart. Most empires built, in turn, by revolution collapse when involved in a general war. Napoleon discovered this, to his sorrow; so did Hitler. Such a war would be Russia against the world. Russia would lose. But would Europe be saved? That is far from certain.

This dilemma of Europe is also the dilemma of the United States. If Russia would win and Western Europe were to fall permanently under Russian sway, says A. A. Berle, Jr., in his Tides of Crisis, "the United States would be a lonely country, indeed."

What can we do to make Germany stronger? Must we not see to it that those personalities like Conrad Adenauer remain in power? He has been in part the mastermind of the miracle of German recovery. There are evidences on all sides of the remarkable economic advance of the Federal Republic. After the war the German economy presented a picture of absolute chaos. Its currency was unstable, its cities were in ruins; 500 million cubic yards of rubble had to be removed; railroad and motor traffic had shrunk to a mere fraction of former volume; the German merchant marine no longer existed; and every day found thousands of refugees pouring into Western Germany from pre-Hitler German territories in the east. The dismantling of the industrial plants for reparations had further reduced the productive capacity. There was a dreadful breakdown in all moral standards.

But a combination of intelligent economic planning, with the determination of all citizens to work with might and main, has brought about the great miracle of German recovery. Not only to Conrad Adenauer, the Chancellor, but to the Minister of Economics, Ludwig Erhard, belongs much of the credit for bringing Germany out of financial and economic confusion and chaos into financial and economic strength and stability.

There is an interesting article about this recovery by Hans Otto Wesemann in the Atlantic Monthly of March 1957, and I herewith submit a paragraph therefrom:

> Hundreds of thousands of Germans have justified this faith in their initiative, each in his own fashion. Most impressive of all, perhaps, were the accomplishments of those who fled across the "green border" from the Soviet zone of occupation, bringing with them nothing but a few plans or drawings, and the knowledge of how to build up a business. Here and there they found a town or village which was willing to place idle land or a heap of ruins at their disposal, and perhaps aided them to start anew by extending credit to them. They traveled on freight trains or bicycles all over the country, digging up machinery here and there, starting up production on the most modest basis, then plowing their profits back into expansion. The apparent mystery of this development is clarified by an incident that took place in the British sector of Berlin, where shortly after the end of the war a Soviet officer had directed the total dismantling of a world-famous electronics plant. A few years later he visited the same plant, to find thousands of workers employed at thousands of machines. "We made a mistake," he commented. "We should not have removed the machines, but the people." (It should be kept in mind, of course, that after 1949 the Western Powers reversed their position on restricting German industry and began to encourage the expansion of production.)

Recently, the three major Western Powers and West Germany issued the now famous Berlin Declaration. Here are the principal points of the declaration: First, a European settlement depends on the free election of a new all-German government. Second, the West has never required as a condition of reunification that a reunited Germany join the North Atlantic Treaty Organization. If the German people should choose NATO, the West would offer assurances to the Soviet Union. Third, initial steps in the field of disarmament should lead to a comprehensive agreement which presupposes a prior solution of the problems of unification. The West does not intend to enter into any agreement on disarmament which would prejudice the reunification of Germany.

This declaration was timed as a means of helping Chancellor Adenauer and his colleagues in the elections to be held this coming month. I think it will have a good effect on the elections and Adenauer will be reelected. The opposition is headed by Erich Ollenhauer, chairman of the Social Democrats. Lacking issues of a domestic nature, Ollenhauer has seized upon this Berlin Declaration and has called it disappointing. Ollenhauer believes that this declaration has hurt the German chances of unification of East and West Germany. Ollenhauer and the Social Democrats are certain that unity can be achieved only if the Bonn government withdraws from the Western alliance and the Bonn government negotiates independently with Moscow. Thus, our ace in the hole is Adenauer, and certainly not Ollenhauer. Small wonder, therefore, that as another boost to Adenauer the State Department recently stated that the Eisenhower administration currently had in mind an approach rather than a concrete plan for disposing of enemy assets seized in World War II.

President Eisenhower has issued a White House statement promising eventually a solution of the problem of alien enemy assets. He assured Adenauer and the world, in fact, that the solution would be in accordance with the principles governing the comity of nations. The administration stated that its aim was to restore "the historic American policy of maintaining the sanctity of private property, even in wartime."

If all this is true the many conflicting legal and practical issues which have bedeviled the problem for more than a score of years will be reconciled. This problem involves the fate of nearly $600 million worth of assets, primarily German, but in part Japanese. These assets were seized by the American Government during the war. There is also involved American counterclaims for war damages. There is likewise involved the international agreements under which the Allied Nations, including the United States, pledged themselves to retain the seized assets in lieu of reparations, while the German government undertook to compensate its nationals for such assets. These agreements have complicated the problem these many years.

The administration proposes to complete the sale of the seized properties which are expected to bring some $541 million for the German assets and some $54 million for the Japanese assets. The administration and President Eisenhower have promised to pay in full all legitimate American war claims. This, of course, the administration assumes will remove one argument for holding on further to the assets. Thereafter, as previously agreed upon, German and Japanese individuals will receive up to $10,000 in compensation; the balance of the assets will be prorated among the remaining owners, both individuals and corporations.

The New York Times in an editorial emphasized these observations and applauded the pledges of the administration.

The solution suggested is in line with the settlement of the problem made with Italy concerning seized Italian assets. This settlement was made in 1947.

According to administration sources, this action, when consummated, might well be deemed an act of grace. The administration apparently hopes, also, that this pledge will have a desirable effect upon the electorate in West Germany and will give to Adenauer's candidacy a genuine lilt and lift. Undoubtedly President Eisenhower promised Chancellor Adenauer a declaration of this sort when the Chancellor recently visited the White House.

It is interesting to note that in the past, particularly under Chancellor Bismarck, the German political and military strategists claimed that the cornerstone of Germany's foreign policy should be "a reinsurance treaty" with Russia. Now the political strategists of West Germany under Chancellor Adenauer believe that the linchpin of the Federal Republic's strength is "a reinsurance treaty" with NATO and the Western allies. I believe by the end of the year the Federal Republic will have become the most important continental member of NATO. West Germany is bound to dominate the "Little Europe" of the Coal and Steel Community, Euratom, and the Euromarket. West Germany will be able to exert a great influence on United States policy. If developed and used properly, Germany's great miracle of recovery, with a remarkable Adenauer victory, could be used by the United States and the Western allies to deal with and cut down the truculence of Russia.

Mr. Khrushchev, wise and foxy, knows of the strength in Adenauer and timed his recent visit to East Germany in an all-out effort to defeat Adenauer in the forthcoming German elections. It is part of the Soviet campaign to wreck the North Atlantic Alliance. Fortunately, his loudly hailed demonstrations of so-called indestructible Soviet and East German friendship were deemed a flop. Surrounded by steel-helmeted members of the East German Red Army—creation of the Soviets—Khrushchev denounced both Chancellor Adenauer and the United States for rearming West Germany. The language of his attack against us was most vitriolic. He sounded off in a way to help, indirectly, the opponents of Adenauer, namely, those led by Ollenhauer. That visit of Khrushchev to East Berlin and East Germany is clearest justification of our more than friendly attitude toward Adenauer and our rooting for him for reelection.

It may be that this kind of intervention in the politics of another country is very new to us. We get a little embarrassed when we are reminded of it. But we are now a world power and it is essential for us to express keen interest in certain elections. Frankly, we have been known to favor Latin American claimants for offices for many years. Such intervention, therefore, is not entirely unprecedented. Frankly, it would be insane not to offset and counterbalance the effects of Khrushchev's visit to East Berlin.

The Adenauer story is like a romance. It is the country hicktown boy who made good. He first saw Paris and Rome and Washington when he was 75 years old. For 70 years his was the life of mediocrity in and around Cologne. He was its town councilor. He arose to lord mayor and remained such 16 years. The Nazis deposed him. He remained in the political background during the Hitler regime, was twice arrested by his hoodlums and twice set free.

In 1945 American occupation forces rediscovered him and again set him up as lord mayor of Cologne.

He became chairman of the biggest branch of the Christian Democratic Union and in September 1949 he formed the first government with a majority of two votes in the Bundestag. He has been Chancellor ever since.

His has been a consistent policy of reconciliation with the West.

As was stated by Terence Prittee recently:

> He preserved in the face of the occupiers of his country a dignity that was virtually unique, thus marking himself out as the best man to deal with them on behalf of his fellow Germans. In them he inspired confidence alike by his refusal to complain about material discomforts and by his steely insistence on getting on with the tasks of political organization. Work and responsibility were making him into a younger, healthier man.
>
> He was given a unique chance by the cold war. This put him on the path which the Western Powers were bound to tread—that of consolidating a Western Germany of 50 million people politically, economically, and spiritually and incorporating it in a Western defense system and in a Europe in process of unification. The milestones along this path have been the Petersberg agreement (for converting the Allied Military Government into a High Commission which administered under the terms of the Occupation Statute), the entry of West Germany into the Coal and Steel Community and the Council of Europe, the Bonn and Paris agreements which conferred sovereignty and the right to rearm, and German entry into NATO and WEU.

An exasperated comment of a political opponent of Chancellor Adenauer as "Der Alte's" seeming indestructibility was, "at his age men never die."

Now at 81 he campaigns like one at 41. He dominates the present campaign with his amazing personality, whistlestopping with a 30-man party in a special campaign train—not unlike the Eisenhower or Stevenson technique—the candidate Adenauer warned that his rivals would weaken ties with the United States and the West so that we Germans would cease to exist as a free people.

Also I have naught but praise for the efforts afoot to reestablish diplomatic relations between West Germany and Israel. I understand that the Chancellor is sympathetic to this idea and desires to further relations of peace and accord with Israel.

The Premier of Israel David Ben-Gurion is desirous of such a proposal being fulfilled. He recently said in the Israel Parliament that the Germany of today is not the same country as that of the Nazi regime. He pointed out that despite the skeptics, Bonn had scrupulously observed its reparations agreements both with respect to Israel and to the Jews in general. Germany is fulfilling an important role in a united Europe, he pointed out, and Israel must look forward to establishing relations with that entire region, particularly since the Jewish state is planning to embark on gigantic projects which are well beyond the strength of Israel and world Jewry alone.

Indeed we do well to support "Der Alte."

SENATE

THURSDAY, AUGUST 29, 1957

[Continuation of Senate proceedings of Wednesday, August 28, 1957, from 2 a. m. Thursday, August 29]

Mr. THURMOND. Mr. President, I now wish to take up Chief Justice Taft's opinion on jury trials in contempt cases. Considerable has been said about what Chief Justice Taft said concerning contempt and jury trials. Chief Justice Taft was at one time President of the United States, and he was Chief Justice of the United States. He was a great man and a great American. His opinions are highly revered, but some of his opinions have been quoted out of context or when not applicable. I wish to take up at this time his opinions on jury trials in contempt cases.

On June 5, 1957, at his White House press conference, President Eisenhower in answer to a question asked by the National Negro Press Association as to how he stood on the jury-trial amendment to the so-called civil-rights bill quoted President Taft as being opposed to a jury trial in contempt cases. President Eisenhower stated that Mr. Taft made this statement when he was President in 1908 and there is no evidence that he ever changed his mind.

In the first place the statement was not made by Mr. Taft while President. The statement was made by Mr. Taft in a political speech at Cincinnati, Ohio, on Tuesday, July 28, 1908, in acceptance of the Republican nomination for President. Mr. Taft at the time was Secretary of War. He did not become President until March 4, 1909.

In this political speech Mr. Taft also said a trial by jury in contempt cases was never known in the history of the jurisprudence of England, or America, except in the constitution of Oklahoma. See Presidential Addresses and Papers, William H. Taft, 1910 ed., page 26.

Also in this speech Mr. Taft said the popular impression that a judge, in punishing for contempt of his own order, may be affected by a personal feeling was unfounded.

Did Mr. Taft change his mind when he became Chief Justice? He most assuredly did. He not only changed his mind on the subject of whether jury trials were had at common law in contempt cases but also changed his mind about judges having personal vindictiveness in contempt orders.

While Chief Justice of the Supreme Court Mr. Taft delivered the opinion in *Ex parte Grossman* ((1924) 267 U. S. 87) and cited eight cases at common law to show that in England a jury trial was had in contempt cases. This decision was rendered by him in upholding a pardon granted by President Hoover to a man imprisoned by a United States district judge in Illinois for contempt in a summary proceeding. Chief Justice Taft declared at page 118 of volume 267, United States Reports:

> The King of England before our Revolution, in the exercise of his prerogative, had always exercised the power to pardon contempts of court, just as he did ordinary crimes and misdemeanors and as he has done to the present day. In the mind of a common-law lawyer of the 18th century the word pardon included within its scope the ending by the King's grace of the punishment of such derelictions, whether it was imposed by the court without a jury or upon indictment, for both forms of trial for contempts were had. *Thomas of Chartham* v. *Benet of Stamford* ((1313), 24 Selden Society, 185); *Fulwood* v. *Fulwood* ((1585), Toothill, 46); *Rex* v. *Buckenham* ((1665), 1 Deble 751, 707, 852); Anonymous (1674), Cases in Chancery (238); *King and Codrington* v. *Rodmap* ((1630), Cr. Car. 198); *Bartram* v. *Dannett* ((1676), Finch, 253); *Phipps* v. *Earl of Angelsea* ((1721), 1 Peere Williams, 696).

In all probability Mr. Taft was induced to recognize the fact that jury trials were customarily had at common law in contempts as a result of research conducted by the distinguished historian of English law Mr. W. S. Holdsworth. The efforts of this great historian were first made public in 1909 after Mr. Taft had made his earlier statement.

Mr. Holdsworth declared that the only cases in which contempts were punished summarily was where the contemnor confessed his guilt. If he did not confess the accused was tried by the ordinary course of law which meant trial by jury. To quote Mr. Holdsworth:

> A History of English Law, volume III, pages 392–393. * * * But all through the medieval period, and long afterwards, the courts, though they might attack persons who were guilty of contempts of court, could not punish them summarily. Unless they confessed their guilt, they must be regularly indicted and convicted. Mr. Fox has given a list of 40 cases of various contempts—insults to the judges, an assault on the attorney general, beating jurors, striking a witness, trampling on a writ of prohibition—in all of which the offender was tried by the ordinary course of law. That this was the correct course to pursue was stated by Anderson, C. J., in 1599.

In another opinion while Chief Justice Mr. Taft changed his mind about the immunity of Federal judges from vindictiveness in issuing contempt orders.

On November 19, 1923, in a concurring opinion in *Craig* v. *Hecht* (263 U. S. 255 at p. 279), the Chief Justice said:

> The delicacy there is in the judge's deciding whether an attack upon his own judicial action is mere criticism or real obstruction, and the possibility that impulse may incline his view to personal vindication, are manifest. But the law gives the person convicted of contempt in such a case the right to have the whole question on facts and law reviewed by three judges of the circuit court of appeals who have had no part in the proceedings, and if not successful in that court, to apply to this Court for an opportunity for a similar review here.

Mr. President, on June 10, 1957, the Supreme Court delivered an opinion in the case of Reid against Covert. Since this opinion deals with the question "the right of trial by jury," I think it is advisable for the Senate to consider this decision of the Supreme Court. I shall read a number of pages from the opinion and a concurring opinion by Justice Frankfurter.

Some of the material in this opinion necessarily discusses the background of the cases. However, I believe it appropriate to read this material because it is necessary to a full understanding of this decision which upheld the constitutional right of trial by jury which H. R. 6127 would deny under certain conditions. I read from the opinion of the Court:

> SUPREME COURT OF THE UNITED STATES, NOS. 701 AND 713, OCTOBER TERM, 1955—CURTIS REID, SUPERINTENDENT OF THE DISTRICT OF COLUMBIA JAIL, APPELLANT, *v.* CLARICE B. COVERT; NINA KINSELLA, WARDEN OF THE FEDERAL REFORMATORY FOR WOMEN, ALDERSON, WEST VIRGINIA, PETITIONER, *v.* WALTER KRUEGER, ON REHEARING, JUNE 10, 1957
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> Mr. Justice Black announced the judgment of the Court and delivered an opinion, in which the Chief Justice, Mr. Justice Douglas, and Mr. Justice Brennan join.
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> These cases raise basic constitutional issues of the utmost concern. They call into question the role of the military under our system of government. They involve the power of Congress to expose civilians to trial by military tribunals, under military regulations and procedures, for offenses against the United States thereby depriving them of trial in civilian courts, under civilian laws and procedures and with all the safeguards of the Bill of Rights. These cases are particularly significant because for the first time since the adoption of the Constitution wives of soldiers have been denied trial by jury in a court of law and forced to trial before courts-martial.
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> In No. 701 Mrs. Clarice Covert killed her husband, a sergeant in the United States Air Force, at an airbase in England. Mrs. Covert, who was not a member of the armed services, was residing on the base with her husband at the time. She was tried by a court-martial for murder under Article 118 of the Uniform Code of Military Justice (UCMJ). The trial was on charges preferred by Air Force personnel and the court-martial was composed of Air Force officers. The court-martial asserted jurisdiction over Mrs. Covert under Article 2 (11) of the UCMJ, which provides:
>
> "The following persons are subject to this code:
>
> "(11) Subject to the provisions of any treaty or agreement to which the United States is or may be a party or to any accepted rule of international law, all persons serving with, employed by, or accompanying the Armed Forces without the continental limits of the United States."
>
> Counsel for Mrs. Covert contended that she was insane at the time she killed her husband, but the military tribunal found her guilty of murder and sentenced her to life imprisonment. The judgment was affirmed by the Air Force Board of Reviews (16 CMR 465) but was reversed by the Court of Military Appeals (6 USCMA 48), because of prejudicial errors concerning the defense of insanity. While Mrs. Covert was being held in this country pending a proposed retrial by court-martial in the District of Columbia, her counsel petitioned the district court for a writ of habeas corpus to set her free on the ground that the Constitution forbade her trial by military authorities. Construing this court's decision in *United States ex rel. Toth* v. *Quarles* (350 U. S. 11), as holding that "a civilian is entitled to a civilian trial" the district court held that Mrs. Covert could not be tried by court-martial and ordered her released from custody. The Government appealed directly to this court under, title 28, United States Code, section 1252. See Three Hundred and Fiftieth United States Reports, page 985.
>
> In No. 713 Mrs. Dorothy Smith killed her husband, an Army officer, at a post in Japan where she was living with him. She was tried for murder by a court-martial and despite considerable evidence that she was insane was found guilty and sentenced to life imprisonment. The judgment was approved by the Army Board of Review (10 CMR 350, 13 CMR 307), and the Court of Military Appeals (5 USCMA 314). Mrs. Smith was then confined in a Federal penitentiary in West Virginia. Her father, respondent here, filed a petition for habeas corpus in a district court for West Virginia. The petition charged that the court-martial was without jurisdiction because article 2 (11) of the UCMJ was unconstitutional insofar as it authorized the trial of civilian dependents accompanying servicemen overseas. The district court refused to issue the writ (137 F. Supp. 806), and while an appeal was pending in the Court of Appeals for the Fourth Circuit we granted certiorari at the request of the Government (350 U. S. 986).
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> The two cases were consolidated and argued last term and a majority of the Court, with 3 Justices dissenting and 1 reserving opinion, held that military trial of Mrs. Smith and Mrs. Covert for their alleged offenses was constitutional. Three hundred and fifty-first United States Reports, page 470, 487. The majority held that the provisions of article III and the fifth and sixth amendments which require that crimes be tried by a jury after indictment by a grand jury did not protect an American citizen when he was tried by the American Government in foreign lands for offenses committed there and that Congress could provide for the trial of such offenses in any manner it saw fit so long as the procedures established were reasonable and consonant with due process. The opinion then went on to express the view that military trials, as now practiced, were not unreasonable or arbitrary when applied to dependents accompanying members of the Armed Forces overseas. In reaching their conclusion the majority found it unnecessary to consider the power of Congress "To make rules for the Government and regulation of the land and naval forces" under article I of the Constitution.
>
> Subsequently, the Court granted a petition for rehearing. Three Hundred and Fifty-second United States Reports, page 901. Now, after further argument and consideration, we conclude that the previous decisions cannot be permitted to stand. We hold that Mrs. Smith and Mrs. Covert could not constitutionally be tried by military authorities.
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> I
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> At the beginning we reject the idea that when the United States acts against citizens abroad it can do so free of the Bill of Rights. The United States is entirely a creature of the Constitution. Its power and authority have no other source. It can only act in accordance with all the limitations imposed by the Constitution. When the Government reaches out to punish a citizen who is abroad, the shield which the Bill of Rights and other parts of the Constitution provide to protect his life and liberty should not be stripped away just because he happens to be in another land. This is not a novel concept. To the contrary, it is as old as government. It was recognized long before Paul successfully invoked his right as a Roman citizen to be tried in strict accordance with Roman law. And many centuries later an English historian wrote:
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> "In a settled colony the inhabitants have all the rights of Englishmen. They take with them, in the first place, that which no Englishman can by expatriation put off, namely, allegiance to the Crown, the duty of

> obedience to the lawful commands of the Sovereign, and obedience to the laws which Parliament may think proper to make with reference to such a colony. But, on the other hand, they take with them all the rights and liberties of British subjects; all the rights and liberties as against the prerogative of the Crown, which they would enjoy in this county."

The rights and liberties which citizens of our country enjoy are not protected by custom and tradition alone, they have been jealously preserved from the encroachments of Government by express provisions of our written Constitution.

Among those provisions, article III, section 2, and the fifth and sixth amendments are directly relevant to these cases. Article III, section 2, lays down the rule that—

> "The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed."

The fifth amendment declares:

> "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger."

And the sixth amendment provides:

> "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed."

The language of article III, section 2, manifests that constitutional protections for the individual were designed to restrict the United States Government when it acts outside of this country, as well as here at home. After declaring that all criminal trials must be by jury, the section states that when a crime is "not committed within any State, the trial shall be at such place or places as the Congress may by law have directed." If this language is permitted to have its obvious meaning, section 2 is applicable to criminal trials outside of the States as a group without regard to where the offense is committed or the trial held. From the very first Congress, Federal statutes have implemented the provisions of section 2 by providing for trial of murder and other crimes committed outside the jurisdiction of any State "in the district where the offender is apprehended, or into which he may first be brought." The fifth and sixth amendments, like article III, section 2, are also all inclusive with their sweeping references to "no person" and to "all criminal prosecutions."

This Court and other Federal courts have held or asserted that various constitutional limitations apply to the Government when it acts outside the continental United States. While it has been suggested that only those constitutional rights which are "fundamental" protect Americans abroad, we can find no warrant, in logic or otherwise, for picking and choosing among the remarkable collection of "Thou shalt nots" which were explicitly fastened on all departments and agencies of the Federal Government by the Constitution and its amendments. Moreover, in view of our heritage and the history of the adoption of the Constitution and the Bill of Rights, it seems peculiarly anomalous to say that trial before a civilian judge and by an independent jury picked from the common citizenry are not fundamental rights. As Blackstone wrote in his Commentaries:

> "The trial by jury ever has been, and I trust ever will be, looked upon as the glory of the English law. And if it has so great an advantage over others in regulating civil property, how much must that advantage be heightened when it is applied to criminal cases. * * * [I]t is the most transcendent privilege which any subject can enjoy, or wish for, that he cannot be affected either in his property, his liberty, or his person, but by the unanimous consent of 12 of his neighbors and equals."

Trial by jury in a court of law and in accordance with traditional modes of procedure after an indictment by grand jury has served and remains one of our most vital barriers to governmental arbitrariness. These elemental procedural safeguards were embedded in our Constitution to secure their inviolateness and sanctity against the passing demands of expediency or convenience.

The keystone of supporting authorities mustered by the Court's opinion last June to justify its holding that article III, section 2, and the fifth and sixth amendments did not apply abroad was *In re Ross* (140 U. S. 453). The Ross case is one of those cases that cannot be understood except in its peculiar setting; even then, it seems highly unlikely that a similar result would be reached today. Ross was serving as a seaman on an American ship in Japanese waters. He killed a ship's officer, was seized and tried before a consular court in Japan. At that time, statutes authorized American consuls to try American citizens charged with committing crimes in Japan and certain other non-Christian countries. These statutes provided that the laws of the United States were to govern the trial except:

> "Where such laws are not adapted to the object, or are deficient in the provisions necessary to furnish suitable remedies, the common law and the law of equity and admiralty shall be extended in like manner over such citizens and others in those countries; and if neither the common law, nor the law of equity or admiralty, nor the statutes of the United States, furnish appropriate and sufficient remedies, the ministers in those countries, respectively, shall, by decrees and regulations which shall have the force of law, supply such defects and deficiencies."

The consular power approved in the Ross case was about as extreme and absolute as that of the potentates of the non-Christian countries to which the statutes applied. Under these statutes consuls could and did make the criminal laws, initiate charges, arrest alleged offenders, try them, and after conviction take away their liberty or their life—sometimes at the American consulate. Such a blending of executive, legislative, and judicial powers in one person or even in one branch of the Government is ordinarily regarded as the very acme of absolutism. Nevertheless, the Court sustained Ross' conviction by the consul. It stated that constitutional protections applied "only to citizens and others within the United States, or who are brought there for trial for alleged offenses committed elsewhere, and not to residents or temporary sojourners abroad." Despite the fact that it upheld Ross' conviction under United States laws passed pursuant to asserted constitutional authority, the Court went on to make a sweeping declaration that "[t]he Constitution can have no operation in another country."

The Ross approach that the Constitution has no applicability abroad has long since been directly repudiated by numerous cases. That approach is obviously erroneous if the United States Government, which has no power except that granted by the Constitution, can and does try citizens for crimes committed abroad. Thus the Ross case rested, at least in substantial part, on a fundamental misconception and the most that can be said in support of the result reached there is that the consular court jurisdiction had a long history antedating the adoption of the Constitution. The Congress has recently buried the consular system of trying Americans. We are not willing to jeopardize the lives and liberties of Americans by disinterring it. At best, the Ross case should be left as a relic from a different era.

The Court's opinion last term also relied on the Insular Cases to support its conclusion that article III and the fifth and sixth amendments were not applicable to the trial of Mrs. Smith and Mrs. Covert. We believe that reliance was misplaced.

The Insular Cases can be distinguished from the present cases in that they involved the power of Congress to provide rules and regulations to govern temporarily territories with wholly dissimilar traditions and institutions whereas here the basis for governmental power is American citizenship. None of these cases had anything to do with military trials and they cannot properly be used as vehicles to support an extension of military jurisdiction to civilians. Moreover, it is our judgment that neither the cases nor their reasoning should be given any further expansion. The concept that the Bill of Rights and other constitutional protections against arbitrary government are inoperative when they become inconvenient or when expediency dictates otherwise is a very dangerous doctrine and if allowed to flourish would destroy the benefit of a written Constitution and undermine the basis of our Government. If our foreign commitments become of such nature that the Government can no longer satisfactorily operate within the bounds laid down by the Constitution, that instrument can be amended by the method which it prescribes. But we have no authority, or inclination, to read exceptions into it which are not there.

II

At the time of Mrs. Covert's alleged offense, an executive agreement was in effect between the United States and Great Britain which permitted United States military courts to exercise exclusive jurisdiction over offenses committed in Great Britain by American servicemen or their dependents. For its part, the United States agreed that these military courts would be willing and able to try and to punish all offenses against the laws of Great Britain by such persons. In all material respects, the same situation existed in Japan when Mrs. Smith killed her husband. Even though a court-martial does not give an accused trial by jury and other Bill of Rights' protections, the Government contends that section 2 (11) of the UCMJ, insofar as it authorizes the military trial of dependents accompanying the Armed Forces in Great Britain and Japan, can be sustained as legislation which is necessary and proper to carry out the United States obligations under the international agreements made with those countries. The obvious and decisive answer to this, of course, is that no agreement with a foreign nation can confer power on the Congress, or on any other branch of Government, which is free from the restraints of the Constitution.

Article VI, the supremacy clause of the Constitution, declares:

> "This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land."

There is nothing in this language which intimates that treaties and laws enacted pursuant to them do not have to comply with the provisions of the Constitution. Nor is there anything in the debates which accompanied the drafting and ratification of the Constitution which even suggests such a result. These debates as well as the history that surrounds the adoption of the treaty provision in article VI make it clear that the reason treaties were not limited to those made in pursuance of the Constitution was so that agreements made by the United States under the Articles of Confederation, including the important peace treaties which concluded the Revolutionary War, would remain in effect. It would be manifestly contrary to the objectives of those who created the Constitution, as well as those who were responsible for the Bill of Rights—let alone alien to our entire constitutional history and tradition—to construe article VI as permitting the United States to exercise power under an international agreement without observing constitutional prohibitions. In effect, such construction would permit amendment of that document in a manner not sanctioned by article V. The prohibitions of the Constitution were designed to apply to all branches of the National Government and they cannot be nullified by the executive or by the executive and the Senate combined.

There is nothing new or unique about what we say here. This court has regularly and uniformly recognized the supremacy of the Constitution over a treaty. For example, in *Geofroy* v. *Riggs* (133 U. S. 258, 267), it declared:

"The treaty power, as expressed in the Constitution, is in terms unlimited except by those restraints which are found in that instrument against the action of the Government or of its departments, and those arising from the nature of the Government itself and of that of the States. It would not be contended that it extends so far as to authorize what the Constitution forbids, or a change in the character of the Government or in that of one of the States, or a cession of any portion of the territory of the latter, without its consent."

This Court has also repeatedly taken the position that an act of Congress, which must comply with the Constitution, is on a full parity with a treaty, and that when a statute which is subsequent in time is inconsistent with a treaty, the statute to the extent of conflict renders the treaty null. It would be completely anomalous to say that a treaty need not comply with the Constitution when such an agreement can be overridden by a statute that must conform to that instrument.

There is nothing in *Missouri* v. *Holland* (252 U. S. 416), which is contrary to the position taken here. There the Court carefully noted that the treaty involved was not inconsistent with any specific provision of the Constitution. The Court was concerned with the 10th amendment which reserves to the States or the people all power not delegated to the National Government. To the extent that the United States can validly make treaties, the people and the States have delegated their power to the National Government and the 10th amendment is no barrier.

In summary, we conclude that the Constitution in its entirety applied to the trials of Mrs. Smith and Mrs. Covert. Since their court-martial did not meet the requirements of article III, section 2, or the fifth and sixth amendments we are compelled to determine if there is anything within the Constitution which authorizes the military trial of dependents accompanying the Armed Forces overseas.

III

Article I, section 8, clause 14, empowers Congress "To make rules for the government and regulation of the land and naval forces." It has been held that this creates an exception to the normal method of trial in civilian courts as provided by the Constitution and permits Congress to authorize military trial of members of the armed services without all the safeguards given an accused by article III and the Bill of Rights. But if the language of clause 14 is given its natural meaning, the power granted does not extend to civilians—even though they may be dependents living with servicemen on a military base. The term "land and naval forces" refers to persons who are members of the armed services and not to their civilian wives, children, and other dependents. It seems inconceivable that Mrs. Covert or Mrs. Smith could have been tried by military authorities as members of the land and naval forces had they been living on a military post in this country. Yet this constitutional term surely has the same meaning everywhere. The wives of servicemen are no more members of the land and naval forces when living at a military post in England or Japan than when living at a base in this country or in Hawaii or Alaska.

The Government argues that the necessary and proper clause, when taken in conjunction with clause 14, allows Congress to authorize the trial of Mrs. Smith and Mrs. Covert by military tribunals and under military law. The Government claims that the two clauses together constitute a broad grant of power without limitation authorizing Congress to subject all persons, civilians and soldiers alike, to military trial if necessary and proper to govern and regulate the land and naval forces. It was on a similar theory that Congress once went to the extreme of subjecting persons who made contracts with the military to court-martial jurisdiction with respect to frauds related to such contracts. In the only judicial test a Circuit Court held that the legislation was patently unconstitutional. *Ex parte Henderson* (11 Fed. Cas. 1067, No. 6349).

It is true that the Constitution expressly grants Congress power to make all rules necessary and proper to govern and regulate those persons who are serving in the land and naval forces. But the necessary and proper clause cannot operate to extend military jurisdiction to any group of persons beyond that class described in clause 14—"the land and naval forces." Under the grand design of the Constitution civilian courts are the normal repositories of power to try persons charged with crimes against the United States. And to protect persons brought before these courts, article III and the fifth, sixth, and eighth amendments establish the right to trial by jury, by indictment by a grand jury, and a number of other specific safeguards. By way of contrast the jurisdiction of military tribunals is a very limited and extraordinary jurisdiction derived from the cryptic language in article I, section 8, and, at most, was intended to be only a narrow exception to the normal and preferred method of trial in courts of law. Every extension of military jurisdiction is an encroachment on the jurisdiction of the civil courts, and, more important, acts as a deprivation of the right to jury trial and of other treasured constitutional protections. Having run up against the steadfast bulwark of the Bill of Rights, the necessary and proper clause cannot extend the scope of clause 14.

Nothing said here contravenes the rule laid down in *McCulloch* v. *Maryland* (4 Wheat. 316, at 421), that:

"Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the Constitution, are constitutional."

In McCulloch this Court was confronted with the problem of determining the scope of the necessary and proper clause in a situation where no specific restraints on governmental power stood in the way. Here the problem is different. Not only does clause 14, by its terms, limit military jurisdiction to members of the land and naval forces, but article III, section 2 and the fifth and sixth amendments require that certain express safeguards, which were designed to protect persons from oppressive governmental practices, shall be given in criminal prosecutions—safeguards which cannot be given in a military trial. In the light of these as well as other constitutional provisions, and the historical background in which they were formed, military trial of civilians is inconsistent with both the letter and spirit of the Constitution.

Further light is reflected on the scope of clause 14 by the fifth amendment. That amendment which was adopted shortly after the Constitution reads:

"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger."

Since the exception in this amendment for cases arising in the land or naval forces was undoubtedly designed to correlate with the power granted Congress to provide for the government and regulation of the armed services, it is a persuasive and reliable indication that the authority conferred by clause 14 does not encompass persons who cannot fairly be said to be in the military service.

Even if it were possible, we need not attempt here to precisely define the boundary between civilians and members of the land and naval forces. We recognize that there might be circumstances where a person could be in the armed services for purposes of clause 14 even though he had not formally been inducted into the military or did not wear a uniform. But the wives, children, and other dependents of servicemen cannot be placed in that category, even though they may be accompanying a serviceman abroad at Government expense and receiving other benefits from the Government. We have no difficulty in saying that such persons do not lose their civilian status and their right to a civilian trial because the Government helps them live as members of a soldier's family.

The tradition of keeping the military subordinate to civilian authority may not be so strong in the minds of this generation as it was in the minds of those who wrote the Constitution. The idea that the relatives of soldiers could be denied a jury trial in a court of law and instead be tried by courts-martial under the guise of regulating the Armed Forces would have seemed incredible to those men, in whose lifetime the right of the military to try soldiers for any offenses in time of peace had only been grudgingly conceded. The founders envisioned the Army as a necessary institution, but one dangerous to liberty if not confined within its essential bounds. Their fears were rooted in history. They knew that ancient republics had been overthrown by their military leaders. They were familiar with the history of 17th century England, where Charles I tried to govern through the army and without Parliament. During this attempt, contrary to the common law, he used courts-martial to try soldiers for certain nonmilitary offenses. This court-martialing of soldiers in peacetime evoked strong protests from Parliament. The reign of Charles I was followed by the rigorous military rule of Oliver Cromwell. Later, James II used the army in his fight against Parliament and the people. He promulgated articles of war (strangely enough relied on in the Government's brief) authorizing the trial of soldiers for nonmilitary crimes by courts-martial. This action hastened the revolution that brought William and Mary to the throne upon their agreement to abide by a bill of rights which, among other things, protected the right of trial by jury. It was against this general background that two of the greatest English jurists, Lord Chief Justice Hale and Sir William Blackstone—men who exerted considerable influence on the founders—expressed sharp hostility to any expansion of the jurisdiction of military courts. For instance, Blackstone went so far as to assert:

"For martial law, which is built upon no settled principles, but is entirely arbitrary in its decisions, is, as Sir Matthew Hale observes, in truth and reality no law, but something indulged rather than allowed as a law. The necessity of order and discipline in an army is the ony thing which can give it countenance; and therefore it ought not to be permitted in time of peace, when the king's courts are open for all persons to receive justice according to the laws of the land."

The generation that adopted the Constitution did not distrust the military because of past history alone. Within their own lives they had seen royal governors sometimes resort to military rule. British troops were quartered in Boston at various times from 1768 until the outbreak of the Revolutionary War to support unpopular royal governors and to intimidate the local populace. The trial of soldiers by courts-martial and the interference of the military with the civil courts aroused great anxiety and antagonism not only in Massachusetts but throughout the colonies. For example, Samuel Adams in 1768 wrote:

"[I]s it not enough for us to have seen soldiers and mariners forejudged of life, and executed within the body of the county by martial law? Are citizens to be called upon, threatened, ill-used at the will of the soldiery, and put under arrest, by pretext of the law military, in breach of the fundamental rights of subjects, and contrary to the law and franchise of the land? * * * Will the spirits of people as yet unsubdued by tyranny, unawed by the menaces of arbitrary power, submit to be governed by military force? No! Let us rouse our attention to the common law—which is our birthright, our great security against all kinds of insult and oppression."

Colonials had also seen the right to trial by jury subverted by acts of Parliament which authorized courts of admiralty to try alleged violations of the unpopular Molasses and Navigation Acts. This gave the admiralty courts jurisdiction over offenses historically triable only by a jury in a court of law and aroused great resentment throughout the colonies. As early as 1765 delegates from nine colonies meeting in New York asserted in a declaration of rights that trial by jury was the inherent and invaluable right of every citizen in the colonies.

With this background it is not surprising that the Declaration of Independence protested that George III had affected to render the military independent of and superior to the civil power and that Americans had been deprived in many cases of the benefits of trial by jury. And those who adopted the Constitution embodied their profound fear and distrust of military power, as well as their determination to protect trial by jury, in the Constitution and its amendments. Perhaps they were aware that memories fade and hoped that in this way they could keep the people of this Nation from having to fight again and again the same old battles for individual freedom.

In the light of this history, it seems clear that the founders had no intention to permit the trial of civilians in military courts, where they would be denied jury trials and other constitutional protections, merely by giving Congress the power to make rules which were necessary and proper for the regulation of the land and naval forces. Such a latitudinarian interpretation of these clauses would be at war with the well-established purpose of the founders to keep the military strictly within its proper sphere, subordinate to civil authority. The Constitution does not say that Congress can regulate the land and naval forces and all other persons whose regulation might have some relationship to maintenance of the land and naval forces. There is no indication that the founders contemplated setting up a rival system of military courts to compete with civilian courts for jurisdiction over civilians who might have some contact or relationship with the Armed Forces. Courts-martial were not to have concurrent jurisdiction with courts of law over nonmilitary America.

On several occasions this Court has been faced with an attempted expansion of the jurisdiction of military courts. *Ex parte Milligan* (4 Wall. 2), one of the great landmarks in this Court's history, held that military authorities were without power to try civilians not in the military or naval service by declaring martial law in an area where the civil administration was not deposed and the courts were not closed. In a stirring passage the Court proclaimed:

"Another guaranty of freedom was broken when Milligan was denied a trial by jury. The great minds of the country have differed on the correct interpretation to be given to various provisions of the Federal Constitution; and judicial decision has been often invoked to settle their true meaning; but until recently no one ever doubted that the right of trial by jury was fortified in the organic law against the power of attack. It is now assailed; but if ideas can be expressed in words, and language has any meaning, this right—one of the most valuable in a free country—is preserved to everyone accused of crime who is not attached to the Army, or Navy, or militia in actual service."

In *Duncan* v. *Kahanamoku* (327 U. S. 304), the Court reasserted the principles enunciated in *Ex parte Milligan* and reaffirmed the tradition of military subordination to civil authorities and institutions. It refused to sanction the military trial of civilians in Hawaii during wartime despite Government claims that the needs of defense made martial law imperative.

Just last term, this Court held in *United States ex rel. Toth* v. *Quarles* (350 U. S. 11), that military courts could not constitutionally try a discharged serviceman for an offense which he had allegedly committed while in the Armed Forces. It was decided (1) that since Toth was a civilian he could not be tried by military court-martial, and (2) that since he was charged with murder, a crime in the constitutional sense, he was entitled to indictment by a grand jury, jury trial, and the other protections contained in article III, section 2 and the fifth, sixth, and eighth amendments. The Court pointed out that trial by civilian courts was the rule for persons who were not members of the Armed Forces.

There are no supportable grounds upon which to distinguish the Toth case from the present cases. Toth, Mrs. Covert, and Mrs. Smith were all civilians. All three were American citizens. All three were tried for murder. All three alleged crimes were committed in a foreign country. The only differences were: (1) Toth was an exserviceman while they were wives of soldiers; (2) Toth was arrested in the United States while they were seized in foreign countries. If anything, Toth had closer connection with the military than the two women for his crime was committed while he was actually serving in the Air Force. Mrs. Covert and Mrs. Smith had never been members of the Army, had never been employed by the Army, had never served in the Army in any capacity. The Government appropriately argued in Toth that the constitutional basis for court-martialing him was clearer than for court-martialing wives who are accompanying their husbands abroad. Certainly Toth's conduct as a soldier bears a closer relation to the maintenance of order and discipline in the Armed Forces than the conduct of these wives. The fact that Toth was arrested here while the wives were arrested in foreign countries is material only if constitutional safeguards do not shield a citizen abroad when the Government exercises its power over him. As we have said before, such a view of the Constitution is erroneous. The mere fact that these women had gone overseas with their husbands should not reduce the protection the Constitution gives them.

The Milligan, Duncan, and Toth cases recognized and manifested the deeply rooted and ancient opposition in this country to the extension of military control over civilians. In each instance an effort to expand the jurisdiction of military courts to civilians was repulsed.

There have been a number of decisions in the lower Federal courts which have upheld military trial of civilians performing services for the Armed Forces in the field during time of war. To the extent that these cases can be justified, insofar as they involved trial of persons who were not members of the Armed Forces, they must rest on the Government's war powers. In the face of an actively hostile enemy, military commanders necessarily have broad power over persons on the battlefront. From a time prior to the adoption of the Constitution the extraordinary circumstances present in an area of actual fighting have been considered sufficient to permit punishment of some civilians in that area by military courts under military rules. But neither Japan nor Great Britain could properly be said to be an area where active hostilities were underway at the time Mrs. Smith and Mrs. Covert committed their offenses or at the time they were tried.

The Government urges that the concept in the field should be broadened to reach dependents accompanying the military forces overseas under the conditions of world tension which exist at the present time. It points out how the war powers include authority to prepare defenses and to establish our military forces in defensive posture about the world. While we recognize that the war powers of the Congress and the Executive are broad, we reject the Government's argument that present threats to peace permit military trial of civilians accompanying the Armed Forces overseas in an area where no actual hostilities are underway. The exigencies which have required military rule on the battlefront are not present in areas where no conflict exists. Military trial of civilians in the field is an extraordinary jurisdiction, and it should not be expanded at the expense of the Bill of Rights. We agree with Colonel Winthrop, an expert on military jurisdiction, who declared: "A statute cannot be framed by which a civilian can lawfully be made amenable to the military jurisdiction in time of peace."

As this Court stated in *United States ex rel. Toth* v. *Quarles* (350 U. S. 11), the business of soldiers is to fight and prepare to fight wars, not to try civilians for their alleged crimes. Traditionally, military justice has been a rough form of justice emphasizing summary procedures, speedy convictions, and stern penalties with a view to maintaining obedience and fighting fitness in the ranks. Because of its very nature and purpose the military must place great emphasis on discipline and efficiency. Correspondingly, there has always been less emphasis in the military on protecting the rights of the individual than in civilian society and in civilian courts.

Courts-martial are typically ad hoc bodies appointed by a military officer from among his subordinates. They have always been subject to varying degrees of command influence. In essence, these tribunals are simply executive tribunals whose personnel are in the executive chain of command. Frequently, the members of the court-martial must look to the appointing officer for promotions, advantageous assignments, and efficiency ratings—in short, for their future progress in the service. Conceding to military personnel that high degree of honesty and sense of justice which nearly all of them undoubtedly have, the members of a court-martial, in the nature of things, do not and cannot have the independence of jurors drawn from the general public or of civilian judges.

We recognize that a number of improvements have been made in military justice recently by engrafting more and more of the methods of civilian courts on courts-martial. In large part these ameliorations stem from the reaction of civilians, who were inducted during the two World Wars, to their experience with military justice. Notwithstanding the recent reforms, military trial does not give an accused the same protection which exists in the civil courts. Looming far above all other deficiencies of the military trial, of course, are the absence of trial by jury before an independent judge after an indictment by a grand jury. Moreover, the reforms are merely statutory; Congress—and perhaps the President—can reinstate former practices, subject to any limitations imposed by the Constitution, whenever it desires. As yet it has not been clearly settled to what extent the Bill of Rights and other protective parts of the Constitution apply to military trials.

It must be emphasized that every person who comes within the jurisdiction of courts-martial is subject to military law—law that is substantially different from the law which governs civilian society. Military law is, in many respects, harsh law which is frequently cast in very sweeping and vague terms. It emphasizes the iron hand of discipline more that it does the even scales of justice. Moreover, it has not yet been definitely established to what extent the President, as Commander in Chief of the Armed Forces, or his delegates, can promulgate, supplement, or change substantive military law as well as the procedures of military courts in time of peace, or in time of war. In any event, Congress has given the President broad discretion to provide the rules governing military trials. For example, in these very cases a technical manual issued under the President's name with regard to the defense of insanity in military trials was of critical importance in the convictions of Mrs. Covert and Mrs. Smith. If the President can provide rules of substantive law as well as procedure, then he and his military subordinates exercise legislative, executive, and judicial powers with respect to those subject to military trials. Such blending of functions in one branch of the Government is the objectionable thing which the draftsmen of the Constitution endeavored to prevent by providing for the separation of governmental powers.

In summary, "it still remains true that military tribunals have not been and probably never can be constituted in such way that they can have the same kind of qualifications that the Constitution has deemed essential to fair trials of civilians in Federal courts." In part this is attributable to the inherent differences in values and attitudes that separate the Military Establishment from civilian society. In the military, by necessity, emphasis must be placed on the security and order of the group rather than on the value and integrity of the individual.

It is urged that the expansion of military jurisdiction over civilians claimed here is only slight, and that the practical necessity for it is very great. The attitude appears to be that a slight encroachment on the Bill of Rights and other safeguards in the Constitution need cause little concern. But to hold that these wives could be tried by the military would be a tempting precedent. Slight encroachments create new boundaries from which legions of power can seek new territory to capture. "It may be that it is the obnoxious thing in its mildest and least repulsive form; but illegitimate and unconstitutional practices get their first footing in that way; namely, by silent approaches and slight deviations from legal modes of procedure. This can only be obviated by adhering to the rule that constitutional provisions for the security of person and property should be liberally construed. A close and literal construction deprives them of half their efficacy, and leads to gradual depreciation of the right, as if it consisted more in sound than in substance. It is the duty of courts to be watchful for the constitutional rights of the citizen, and against any stealthy encroachments thereon." Moreover we cannot consider this encroachment a slight one. Throughout history many transgressions by the military have been called slight and have been justified as reasonable in light of the uniqueness of the times. We cannot close our eyes to the fact that today the peoples of many nations are ruled by the military.

We should not break faith with this Nation's tradition of keeping military power subservient to civilian authority, a tradition which we believe is firmly embodied in the Constitution. The country has remained true to that faith for almost 170 years. Perhaps no group in the Nation has been truer than military men themselves. Unlike the soldiers of many other nations, they have been content to perform their military duties in defense of the Nation in every period of need and to perform those duties well without attempting to usurp power which is not theirs under our system of constitutional government.

Ours is a Government of divided authority on the assumption that in division there is not only strength but freedom from tyranny. And under our Constitution courts of law alone are given power to try civilians for their offenses against the United States. The philosophy expressed by Lord Coke, speaking long ago from a wealth of experience, is still timely:

"God send me never to live under the law of conveniency or discretion. Shall the soldier and justice sit on one bench, the trumpet will not let the cryer speak in Westminster Hall."

In No. 701, *Reid* v. *Covert*, the judgment of the district court directing that Mrs. Covert be released from custody is affirmed.

In No. 713, *Kinsella* v. *Krueger*, the judgment of the district court is reversed and the case is remanded with instructions to order Mrs. Smith released from custody. Reversed and remanded.

Mr. Justice Whittaker took no part in the consideration or decision of these cases.

Supreme Court of the United States, Nos. 701 and 713, October Term, 1955—Curtis Reid, Superintendent of the District of Columbia Jail, Appellant, *v.* Clarice B. Covert; Nina Kinsella, Warden of the Federal Reformatory for Women, Alderson, West Virginia, Petitioner, *v.* Walter Krueger, on Rehearing June 10, 1957

Mr. Justice Frankfurter, concurring in the result.

These cases involve the constitutional power of Congress to provide for trial of civilian dependents accompanying members of the Armed Forces abroad by court-martial in capital cases. The normal method of trial of Federal offenses under the Constitution is in a civilian tribunal. Trial of offenses by way of court-martial, with all the characteristics of its procedure so different from the forms and safeguards of procedure in the conventional courts, is an exercise of exceptional jurisdiction, arising from the power granted to Congress in article I, section 8, clause 14, of the Constitution of the United States "To make rules for the Government and regulation of the land and naval forces." *Dynes* v. *Hoover*, (20 How. 65); see *Toth* v. *Quarles* (350 U. S. 11); Winthrop, Military Law and Precedents (2d ed. 1896), 52. Article 2 (11) of the Uniform Code of Military Justice, 64th United States Statutes at Large, pages 107, 109, title 50, United States Code, section 552, and its predecessors were passed as an exercise of that power, and the agreements with England and Japan recognized that the jurisdiction to be exercised under those agreements was based on the relation of the persons involved to the military forces. See the agreement with Great Britain (57 Stat. 1193, E. A. S. No. 355) and the United States of America (Visiting Forces) Act (1942, 5 and 6 Geo. 6, ch. 31); and the 1952 administrative agreement with Japan (3 U. S. Treaties and Other International Agreements 3341, T. I. A. S. No. 2492).

Trial by court-martial is constitutionally permissible only for persons who can, on a fair appraisal, be regarded as falling within the authority given to Congress under article I to regulate the "land and naval forces," and who therefore are not protected by specific provisions of article III and the fifth and sixth amendments. It is, of course, true that, at least regarding the right to a grand-jury indictment, the fifth amendment is not unmindful of the demands of military discipline. Within the scope of appropriate construction, the phrase "except in cases arising in the land and naval forces" has been assumed also to modify the guaranties of speedy and public trial by jury. And so, the problem before us is not to be answered by recourse to the literal words of this exception. The cases cannot be decided simply by saying that since these women were not in uniform, they were not "in the land and naval forces." The Court's function in constitutional adjudications is not exhausted by a literal reading of words. It may be tiresome, but it is nonetheless vital, to keep our judicial minds fixed on the injunction that "it is a Constitution we are expounding." *M'Culloch* v. *Maryland* (4 Wheat. 316, 407). Although Winthrop in his treatise states that the Constitution "clearly distinguishes the military from the civil class as separate communities" and "recognizes no third class which is part civil and part military—military for a particular purpose or in a particular situation, and civil for all other purposes and in all other situations. * * *" Winthrop, Military Law and Precedents (2d edition 1896), 145, this Court, applying appropriate methods of constitutional interpretation, has long held, and in a variety of situations, that in the exercise of a power specifically granted to it, Congress may sweep in what may be necessary to make effective the explicitly worded power. See *Jacob Ruppert* v. *Caffey* (251 U. S. 264) especially 289 and following; *Purity Extract Co.* v. *Lynch* (226 U. S. 192, 201); *Railroad Commission* v. *Chicago, Burlington & Quincy R. Co.* (257 U. S. 563, 588). This is the significance of the necessary and proper clause, which is not to be considered so much a separate clause in article I, section 8, as an integral part of each of the preceding 17 clauses. Only thus may be avoided a strangling literalness in construing a document that is not an enumeration of static rules but the living framework of Government designed for an undefined future. *M'Culloch* v. *Maryland* (4 Wheat. 316); *Hurtado* v. *California* (110 U. S. 516, 530-531).

Everything that may be deemed, as the exercise of an allowable judgment by Congress, to fall fairly within the conception conveyed by the power given to Congress "to make rules for the government and regulation of the land and naval forces" is constitutionally within that legislative grant and not subject to revision by the independent judgment of the Court. To be sure, every event or transaction that bears some relation to "the land and naval forces" does not ipso facto come within the tolerant conception of that legislative grant. The issue in these cases involves regard for considerations not dissimilar to those involved in a determination under the due process clause. Obviously, the practical situations before us bear some relation to the military. Yet the question for this Court is not merely whether the relation of these women to the "land and naval forces" is sufficiently close to preclude the necessity of finding that Congress has been arbitrary in its selection of a particular method of trial. For although we must look to article I, section 8, clause 14, as the immediate justifying power, it is not the only clause of the Constitution to be taken into account. The Constitution is an organic scheme of government to be dealt with as an entirety. A particular provision cannot be dissevered from the rest of the Constitution. Our conclusion in these cases therefore must take due account of article III and the fifth and sixth amendments. We must weigh all the factors involved in these cases in order to decide whether these women dependents are so closely related to what Congress may allowably deem essential for the effective "government and regulations of the land and naval forces" that they may be subjected to court-martial jurisdiction in these capital cases, when the consequence is loss of the protections afforded by article III and the fifth and sixth amendments.

We are not concerned here even with the possibility of some alternative nonmilitary type of trial that does not contain all the safeguards of article III and the fifth and sixth amendments. We must judge only what has been enacted and what is at issue. It is the power actually asserted by Congress under article I, section 8, clause 14, that must now be adjudged in the light of article III and the fifth and sixth amendments. In making this adjudication, I must emphasize that it is only the trial of civilian dependents in a capital case in time of peace that is in question. The Court has not before it, and therefore I need not intimate any opinion on, situations involving civilians, in the sense of persons not having a military status, other than dependents. Nor do we have before us a case involving a noncapital crime. This narrow delineation of the issue is merely to respect the important restrictions binding on the Court when passing on the constitutionality of an act of Congress. "In the exercise of that jurisdiction, it is bound by two rules, to which it has rigidly adhered, one, never to anticipate a question of constitutional law in advance of the necessity of deciding it; the other never to formulate a rule of constitutional law broader than is required by the precise facts to which it is to be applied. These rules are safe guides to sound judgment. It is the dictate of wisdom to follow them closely and carefully." *Steamship Co.* v. *Emigration Commissioners* (113 U. S. 33, 39).

We are also not concerned here with the substantive aspects of the grant of power to Congress to make rules for the Government and regulation of the land and naval forces. What conduct should be punished and what constitutes a capital case are matters for Congressional discretion, always subject, of course, to any specific restrictions of the Constitution. These cases involve the validity of procedural conditions for determining the commission of a crime in fact punishable by death. The taking of life is irrevocable. It is in capital cases especially that the balance of conflicting interests must be weighted most heavily in favor of the procedural safeguards of the Bill of Rights. Thus, in *Powell* v. *Alabama* (287 U. S. 45, 71), the fact "above all that they stood in deadly peril of their lives" led the Court to conclude that the defendants had been denied due process by the failure to allow them reasonable time to seek counsel and the failure to appoint counsel. I repeat. I do not mean to imply that the considerations that are controlling in capital cases involving civilian dependents are constitutionally irrelevant in capital cases involving civilians other than dependents or in noncapital cases involving dependents or other civilians. I do say that we are dealing here only with capital cases and civilian dependents.

The Government asserts that civilian dependents are an integral part of our Armed Forces overseas and that there is substantial military necessity for subjecting them to court-martial jurisdiction. The Government points out that civilian dependents go abroad under military auspices, live with military personnel in a military community, enjoy the privileges of military facilities, and that their conduct inevitably tends to influence military discipline.

The prosecution by court-martial for capital crimes committed by civilian dependents of members of the Armed Forces abroad is hardly to be deemed, under modern conditions, obviously appropriate to the effective exercise of the power to make rules for the Government and regulation of the land and naval forces when it is a question of deciding what power is granted under article I and, therefore, what restriction is made on article III and the fifth and sixth amendments. I do not think that the proximity, physical and social, of these women to the land and naval forces is, with due regard to all that has been put before us, so clearly demanded by the effective Government and regulation of those forces as reasonably to demonstrate a justification for court-martial jurisdiction over capital offenses.

The Government speaks of the "great potential impact on military discipline" of these accompanying civilian dependents. This cannot be denied, nor should its implications be minimized. But the notion that discipline over military personnel is to be furthered by subjecting their civilian dependents to the threat of capital punishment imposed by court-martial is too hostile to the reasons that underlie the procedural safeguards of the Bill of Rights for those safeguards to be displaced. It is true that military discipline might be affected seriously if civilian dependents could commit murders and other capital crimes with impunity. No one, however, challenges the availability to Congress of a power to provide for trial and punishment of these dependents for such crimes. The method of trial alone is in issue. The Government suggests that if trial in an article III court subject to the restrictions of the fifth and sixth amendments is the only alternative, such a trial could not be held abroad practicably, and it would often be equally impracticable to transport all the witnesses back to the United States for trial. But although there is no need to pass on that issue in this case, trial in the United States is obviously not the only practical alternative and other alternatives may raise different constitutional questions. The Government's own figures for the Army show that the total number of civilians (all civilians serving with, employed by, or accompanying the Armed Forces overseas and not merely civilian dependents) for whom general courts-martial for alleged murder were deemed advisable was only 13 in the 7 fiscal years, 1950–56. It is impossible to ascertain from the figures supplied to us exactly how many persons were tried for other capital offenses, but the figures indicate that there could not have been many. There is nothing to indicate that the figures for the other services are more substantial. It thus appears to be a manageable problem within the procedural restrictions found necessary by this opinion.

A further argument is made that a decision adverse to the Government would mean that only a foreign trial could be had. Even assuming that the NATO Status of Forces Agreement, (4 U. S. Treaties and Other International Agreements 1792, T. I. A. S. No. 2846) covering countries where a large part of our Armed Forces are stationed, gives jurisdiction to the United States only through its military authorities, this court cannot speculate that any given nation would be unwilling to grant or continue such extraterritorial jurisdiction over civilian dependents in capital cases if they were to be tried by some other manner than court-martial. And even if such were the case, these civilian dependents would then merely be in the same position as are so many Federal employees and their dependents and other United States citizens who are subject to the laws of foreign nations when residing there. See also the NATO Status of Forces Agreement, supra, article VII, sections 2, 3.

The Government makes the final argument that these civilian dependents are part of the United States military contingent abroad in the eyes of the foreign nations concerned and that their conduct may have a profound effect on our relations with these countries, with a consequent effect on the Military Establishment there. But the argument that military courts-martial in capital cases are necessitated by this factor assumes either that a military court-martial constitutes a stronger deterrent to this sort of conduct or that in the absence of such a trial no punishment would be meted out and our foreign policy thereby injured. The reasons why these considerations carry no conviction have already been indicated.

I therefore conclude that in capital cases the exercise of court-martial jurisdiction over civilian dependents in time of peace cannot be justified by article I, considered in connection with the specific protections of article III and the fifth and sixth amendments.

Since the conclusion thus reached differs from what the Court decided last term, a decent respect for the judicial process calls for reexamination of the two grounds that then prevailed. The court sustained its action on the authority of the cases dealing with the power of Congress to make all needful rules and regulations for the territories, reinforced by *In re Ross* (140 U. S. 453), in which this Court, in 1891, sustained the criminal jurisdiction of a consular court in Japan. These authorities grew out of, and related to, specific situations very different from those now here. They do not control or even embarrass the problem before us.

Legal doctrines are not self-generated abstract categories. They do not fall from the sky; nor are they pulled out of it. They have a specific judicial origin and etiology They derive meaning and content from the circumstances that gave rise to them and from the purposes they were designed to serve. To these they are bound as is a live tree to its roots. Doctrines like those expressed by the Ross case and the series of cases beginning with *American Insurance Co.* v. *Canter* (1 Pet. 511), must be placed in their historical setting. They cannot be wrenched from it and mechanically transplanted into an alien, unrelated context without suffering mutilation or distortion. "If a precedent involving a black horse is applied to a case involving a white horse, we are not excited. If it were an elephant or an animal ferae naturae or a chose in action, then we would venture into thought. The difference might make a difference. We really are concerned about precedents chiefly when their facts differ somewhat from the facts in the case at bar. Then there is a gulf or hiatus that has to be bridged by a concern for principle and a concern for practical results and practical wisdom." Thomas Reed Powell, Vagaries and Varieties in Constitutional Interpretation 36. This attitude toward precedent underlies the whole system of our case law. It was thus summarized by Mr. Justice Brandeis: "It is a peculiar virtue of our system of law that the process of inclusion and exclusion, so often employed in developing a rule, is not allowed to end with its enunciation and that an expression in an opinion yields later to the impact of facts unforeseen." *Jaybird Mining Co.* v. *Weir* (271

U. S. 609, 619 (dissenting)). Especially is this attitude to be observed in constitutional controversies.

The Territorial cases relied on by the Court last term held that certain specific constitutional restrictions on the Government did not automatically apply in the acquired Territories of Florida, Hawaii, the Philippines, or Puerto Rico. In these cases, the Court drew its decisions from the power of Congress to "make all needful rules and regulations respecting the Territory * * * belonging to the United States," for which provision is made in article IV, section 3. The United States from time to time acquired lands in which many of our laws and customs found an uncongenial soil because they ill accorded with the history and habits of their people. Mindful of all relevant provisions of the Constitution and not allowing one to frustrate another—which is the guiding thought of this opinion—the Court found it necessary to read article IV, section 3 together with the fifth and sixth amendments and article III in the light of those circumstances. The question arose most frequently with respect to the establishment of trial by jury in possessions in which such a system was wholly without antecedents. The Court consistently held with respect to such Territory that Congressional power under article IV, section 3 was not restricted by the requirement of article III, section 2, clause 3, and the sixth amendment of providing trial by jury.

"If the right to trial by jury were a fundamental right which goes wherever the jurisdiction of the United States extends, or if Congress, in framing laws for outlying territory belonging to the United States, was obliged to establish that system by affirmative legislation, it would follow that, no matter what the needs or capacities of the people, trial by jury, and in no other way, must be forthwith established, although the result may be to work injustice and provoke disturbance rather than to aid the orderly administration of justice. If the United States, impelled by its duty or advantage, shall acquire territory peopled by savages, and of which it may dispose or not hold for ultimate admission to statehood, if this doctrine is sound, it must establish there the trial by jury. To state such a proposition demonstrates the impossibility of carrying it into practice. Again, if the United States shall acquire by treaty the cession of territory having an established system of jurisprudence, where jury trials are unknown, but a method of fair and orderly trial prevails under an acceptable and long-established code, the preference of the people must be disregarded, their established customs ignored and they themselves coerced to accept, in advance of incorporation into the United States a system of trial unknown to them and unsuited to their needs. We do not think it was intended, in giving power to Congress to make regulations for the territories, to hamper its exercise with this condition." *Dorr* v. *United States* (195 U. S. 138, 148.)

The fundamental right test is the one which the Court has consistently enunciated in the long series of cases—e. g., *American Ins. Co.* v. *Canter* (1 Pet. 511); *De Lima* v. *Bidwell* (182 U. S. 1); *Downes* v. *Bidwell* (182 U. S. 244); *Dorr* v. *United States* (195 U. S. 138); *Balzac* v. *Porto Rico* (258 U. S. 298)—dealing with claims of constitutional restrictions on the power of Congress to make all needful rules and regulations for governing the unincorporated territories. The process of decision appropriate to the problem led to a detailed examination of the relation of the specific territory to the United States. This examination, in its similarity to analysis in terms of due process, is essentially the same as that to be made in the present cases in weighing Congressional power to make rules for the government and regulation of the land and naval forces against the safeguards of article III and the fifth and sixth amendments.

The results in the cases that arose by reason of the acquisition of exotic territory do not control the present cases for the territorial cases rest specifically on article IV, section 3, which is a grant of power to Congress to deal with territory and other Government property. Of course the power sought to be exercised in Great Britain and Japan does not relate to territory. The Court's opinions in the territorial cases did not lay down a broad principle that the protective provisions of the Constitution do not apply outside the continental limits of the United States. This Court considered the particular situation in each newly acquired territory to determine whether the grant to Congress of power to govern territory was restricted by a specific provision of the Constitution. The territorial cases, in the emphasis put by them on the necessity for considering the specific circumstances of each particular case, are thus relevant in that they provide an illustrative method for harmonizing constitutional provisions which appear, separately considered, to be conflicting.

The Court last term relied on a second source of authority, the consular court case, *In re Ross* (140 U. S. 453). Pursuant to a treaty with Japan, Ross, a British subject but a member of the crew of a United States ship, was tried and convicted in a consular court in Yokohama for murder of a fellow seaman while the ship was in Yokohama Harbor. His application for a writ of habeas corpus to a United States circuit court was denied, 44 F. 185, and on appeal here, the judgment was affirmed. This Court set forth the ground of the circuit court, "the long and uniform acquiescence by the executive, administrative and legislative departments of the Government in the validity of the legislation," 140th United States Reports, at page 461, and then stated:

"The circuit court might have found an additional ground for not calling in question the legislation of Congress, in the uniform practice of civilized governments for centuries to provide consular tribunals in other than Christian countries * * * for the trial of their own subjects or citizens for offenses committed in those countries, as well as for the settlement of civil disputes between them; and in the uniform recognition, down to the time of the formation of our Government, of the fact that the establishment of such tribunals was among the most important subjects for treaty stipulations. * * *

"The treatymaking power vested in our Government extends to all proper subjects of negotiation with foreign governments. It can, equally with any of the former or present governments of Europe, make treaties providing for the exercise of judicial authority in other countries by its officers appointed to reside therein.

"We do not understand that any question is made by counsel as to its power in this respect. His objection is to the legislation by which such treaties are carried out * * *.

"By the Constitution a government is ordained and established 'for the United States of America,' and not for countries outside of their limits. The guarantees it affords against accusation of capital or infamous crimes, except by indictment or presentment by a grand jury, and for an impartial trial by a jury when thus accused, apply only to citizens and others within the United States, or who are brought there for trial for alleged offenses committed elsewhere, and not to residents or temporary sojourners abroad. * * * The Constitution can have no operation in another country. When, therefore, the representatives or officers of our Government are permitted to exercise authority of any kind in another country, it must be on such conditions as the two countries may agree, the laws of neither one being obligatory upon the other. The deck of a private American vessel, it is true, is considered for many purposes constructively as territory of the United States, yet persons on board of such vessels, whether officers, sailors, or passengers, cannot invoke the protection of the provisions referred to until brought within the actual territorial boundaries of the United States." (140 U. S., at 462–464.)

One observation should be made at the outset about the grounds for decision in Ross. Insofar as the opinion expressed a view that the Constitution is not operative outside the United States—and apparently Mr. Justice Field meant by "United States" all lands over which the United States flag flew, see John W. Burgess, How May the United States Govern Its Extra-Continental Territory? (14 Pol. Sci. Q. 1 (1899))—it expressed a notion that has long since evaporated. Governmental action abroad is performed under both the authority and the restrictions of the Constitution—for example, proceedings before American military tribunals, whether in Great Britain or in the United States, are subject to the applicable restrictions of the Constitution. See opinions in *Burns* v. *Wilson* (346 U. S. 137).

The significance of the Ross case and its relevance to the present cases cannot be assessed unless due regard is accorded the historical context in which that case was decided. Ross is not rooted in any abstract principle or comprehensive theory touching constitutional power or its restrictions. It was decided with reference to a very particular, practical problem with a long history. To be mindful of this does not attribute to Mr. Justice Field's opinion some unavowed historical assumption. On behalf of the whole court, he spelled out the considerations that controlled it:

"The practice of European governments to send officers to reside in foreign countries, authorized to exercise a limited jurisdiction over vessels and seamen of their country, to watch the interests of their countrymen and to assist in adjusting their disputes and protecting their commerce, goes back to a very early period, even preceding what are termed the Middle Ages. * * * In other than Christian countries they were, by treaty stipulations, usually clothed with authority to hear complaints against their countrymen and to sit in judgment upon them when charged with public offenses. After the rise of Islamism, and the spread of its followers over eastern Asia and other countries bordering on the Mediterranean, the exercise of this judicial authority became a matter of great concern. The intense hostility of the people of Moslem faith to all other sects, and particularly to Christians, affected all their intercourse, and all proceedings had in their tribunals. Even the rules of evidence adopted by them placed those of different faith on unequal grounds in any controversy with them. For this cause, and by reason of the barbarous and cruel punishments inflicted in those countries, and the frequent use of torture to enforce confession from parties accused, it was a matter of deep interest to Christian governments to withdraw the trial of their subjects, when charged with the commission of a public offence, from the arbitrary and despotic action of the local officials. Treaties conferring such jurisdiction upon these consuls were essential to the peaceful residence of Christians within those countries and the successful prosecution of commerce with their people." One Hundred and Fortieth United States Reports, at page 463.

"It is true that the occasion for consular tribunals in Japan may hereafter be less than at present, as every year that country progresses in civilization and in the assimilation of its system of judicial procedure to that of Christian countries, as well as in the improvement of its penal statutes; but the system of consular tribunals * * * is of the highest importance, and their establishment in other than Christian countries, where our people may desire to go in pursuance of commerce, will often be essential for the protection of their persons and property" (id., at 480).

It is important to have a lively sense of this background before attempting to draw on the Ross case. Historians have traced grants of extraterritorial rights as far back as the permission given by Egypt in the 12th or 13th century B. C. to the merchants of Tyre to establish factories on the Nile and to live under their own law and practice their own religion. Numerous other instances of persons living under their own law in foreign lands existed in the later pre-Christian era and during the Roman Empire and the so-called Dark and Middle Ages—Greeks in Egypt, all sorts of foreigners in Rome, inhabitants of Christian cities and states in the Byzantine Empire, the Latin kingdoms of the Levant, and other Christian cities and states, Mohammedans in the Byzantine Empire and China, and many others lived in foreign lands under their own law. While the origins of this extraterritorial jurisdiction may have differed in each country, the notion that law was for the benefit of the citizens of a country and its advantages not for foreigners appears to have been an important factor. Thus, there existed a long-established custom of extraterritorial jurisdiction at the beginning of the 15th century when the complete conquest of the Byzantine Empire by the Turks and the establishment of the Ottoman Empire substantially altered political relations between Christian Europe and the Near East. But commercial relations continued, and in 1535 Francis I of France negotiated a treaty with Suleiman I of Turkey that provided for numerous extraterritorial rights, including criminal and civil jurisdiction over all disputes among French subjects. (1 Ernest Charrière, Negotiations de la France dans le Levant 283.) Other nations and eventually the United States in 1830 (8 Stat. 408), later negotiated similar treaties with the Turks. (For a more complete history of the development of extraterritorial rights and consular jurisdiction, see 1 Calvo, Le Droit International Théorique et Pratique (5th ed., Rousseau, 1896), 2–18, 2 id., 9–12; Hinckley, American Consular Jurisdiction in the Orient, 1–9; 1 Miltitz, Manuel des Consuls passim; Ravndal, The Origin of the Capitulations and of the Consular Jurisdiction, S. Doc. No. 34, 67th Cong., 1st sess. 5–45, 56–96; Shih Shun Liu, Extraterritoriality, 23–66; Twiss, The Law of Nations (1884 ed.), 443–457.)

The emergence of the nation-state in Europe and the growth of the doctrine of absolute territorial sovereignty changed the nature of extraterritorial rights. No longer were strangers to be denied the advantages of local law. Indeed, territorial sovereignty meant the exercise of sovereignty over all residents within the borders of the state, and the system of extraterritorial consular jurisdiction tended to die out among Christian nations in the 18th and 19th centuries. But a new justification was found for the continuation of that jurisdiction in those countries whose systems of justice were considered inferior, and it was this strong feeling with respect to Moslem and Far Eastern countries that was reflected, as we have seen, in the Ross opinion.

Until 1842, China had asserted control over all foreigners within its territory (Shih Shun Liu, op. cit. supra, 76–89) but, as a result of the Opium War, Great Britain negotiated a treaty with China whereby she obtained consular offices in five open ports and was granted extraterritorial rights over her citizens. On July 3, 1844, Caleb Cushing negotiated a similar treaty on behalf of the United States (8 Stat. 592). In a letter to Secretary of State Calhoun, he explained: "I entered China with the formed general conviction that the United States ought not to concede to any foreign state, under any circumstances, jurisdiction over the life and liberty of a citizen of the United States, unless that foreign state be of our own family of nations—in a word a Christian state." Quoted in 7 Op. Atty. Gen. 495, 496–497. Later treaties continued the extraterritorial rights of the United States, and the treaty of 1903 contained the following article demonstrating the purpose of those rights:

"The Government of China having expressed a strong desire to reform its judicial system and to bring it into accord with that of western nations, the United States agrees to give every assistance to such reform and will also be prepared to relinquish extra-territorial rights when satisfied that the state of the Chinese laws, the arrangements for their administration, and other considerations warrant it in doing so" (33 Stat. 2208, 2215).

The first treaty with Japan was negotiated by Commodore Perry in 1854 (11 Stat. 597). It opened two ports, but did not provide for any exercise of judicial powers by United States officials. Under the treaty of 1857 (11 Stat. 723), such power was given, and later treaties, which opened up further Japanese cities for trade and residence by United States citizens, retained these rights. The treaty of 1894, effective on July 17, 1899, however, ended these extraterritorial rights and Japan, even though a non-Christian nation, came to occupy the same status as Christian nations (29 Stat. 848). The exercise of criminal jurisdiction by consuls over United States citizens was also provided for, at one time or another, in treaties with Borneo (10 Stat. 909, 910); Siam (11 Stat. 683, 684); Madagascar (15 Stat. 491, 492); Samoan Islands (20 Stat. 704); Korea (23 Stat. 720, 721); Tonga Islands (25 Stat. 1440, 1442) and, by virtue of most-favored-nation clauses, in treaties with Tripoli (8 Stat. 154); Persia (11 Stat. 709); the Congo (27 Stat. 926); and Ethiopia (33 Stat. 2254). The exercise of criminal jurisdiction was also provided for in a treaty with Morocco (8 Stat. 100), by virtue of a most-favored-nation clause and by virtue of a clause granting jurisdiction if "any citizens of the United States * * * shall have any disputes with each other." The word "disputes" has been interpreted by the International Court of Justice to comprehend criminal as well as civil disputes. *France* v. *United States* (I. C. J. Rept. 1952, p. 176, 188–189.) The treaties with Algiers (8 Stat. 133, 224, 244); Tunis (8 Stat. 157); and Muscat (8 Stat. 458) contained similar disputes clauses.

The judicial power exercised by consuls was defined by statute and was sweeping:

"Jurisdiction in both criminal and civil matters shall, in all cases, be exercised and enforced in conformity with the laws of the United States, which are hereby, so far as is necessary to execute such treaties, respectively, and so far as they are suitable to carry the same into effect, extended over all citizens of the United States in those countries, and over all others to the extent that the terms of the treaties, respectively, justify or require. But in all cases where such laws are not adapted to the object, or are deficient in the provisions necessary to furnish suitable remedies, the common law and the law of equity and admiralty shall be extended in like manner over such citizens and others in those countries; and if neither the common law, nor the law of equity or admiralty, nor the statutes of the United States, furnish appropriate and sufficient remedies, the ministers in those countries, respectively, shall, by decrees and regulations which shall have the force of law, supply such defects and deficiencies." (Rev. Stat. sec. 4086.)

The consuls, then, exercised not only executive and judicial power, but legislative power as well.

The number of people subject to the jurisdiction of these courts during their most active periods appears to have been fairly small. In the Chronicle & Directory for China, Japan, and the Philippines, for the year 1870, there is a listing of the total number of foreign, not just United States, residents in these three places. The list is 81 pages long, with a total of some 4,500 persons (pp. 54–134). This same publication gives the following information about Japan. "The number of foreigners settled in Japan is as yet very small. At the end of the year 1862, the foreign community at Kanagawa, the principal of the three ports of Japan open to aliens, consisted of * * * 38 Americans * * * and in the latter part of 1864 the permanent foreign residents at Kanagawa had increased to 300, not counting soldiers, of which number * * * about 80 [were] Americans. * * * At Nagasaki, the second port of Japan thrown open to foreign trade by the Government, the number of alien settlers was as follows on the 1st of January 1866: * * * American citizens, 32. * * * A third port opened to European and American traders, that of Hakodadi, in the north of Japan, was deserted, after a lengthened trial, by nearly all the foreign merchants settled there * * *." (Appendix, p. 353.) The Statesman's Yearbook of 1890 shows: China at the end of 1888: 1,020 Americans (p. 411); Japan in 1887, 711 Americans (p. 709); Morocco, 1889 estimate: "The number of Christians is very small, not exceeding 1,500" (p. 739). The Statesman's Yearbook of 1901 shows: China at the end of 1899: 2,335 Americans (p. 484); Japan, December 31, 1898, just before the termination of our extraterritorial rights: 1,165 Americans (p. 809); Morocco: "The number of Christians does not exceed 6,000; the Christian population of Tangier alone probably amounts to 5,000" (p. 851). These figures of course do not include those civilians temporarily in the country coming within consular jurisdiction.

The consular court jurisdiction, then, was exercised in countries whose legal systems at the time were considered so inferior that justice could not be obtained in them by our citizens. The existence of these courts was based on long-established custom and they were justified as the best possible means for securing justice for the few Americans present in those countries. The Ross case, therefore, arose out of, and rests on, very special, confined circumstances, and cannot be applied automatically to the present situation, involving hundreds of thousands of American citizens in countries with civilized systems of justice. If Congress had established consular courts or some other nonmilitary procedure for trial that did not contain all the protections afforded by article III and the fifth and sixth amendments for the trial of civilian dependents of military personnel abroad, we would be forced to a detailed analysis of the situation of the civilian dependent population abroad in deciding whether the Ross case should be extended to cover such a case. It is not necessary to do this in the present cases in view of our decision that the form of trial here provided cannot constitutionally be justified.

The Government, apparently recognizing the constitutional basis for the decision in Ross, has, on rehearing, sought to show that civilians in general and civilian dependents in particular have been subject to military order and discipline ever since the colonial period. The materials it has submitted seem too episodic, too meager, to form a solid basis in history, preceding and contemporaneous with the framing of the

> Constitution, for constitutional adjudication. What has been urged on us falls far too short of proving a well-established practice—to be deemed to be infused into the Constitution—of court-martial jurisdiction, certainly not in capital cases, over such civilians in time of peace.

Mr. President, the decision which I have read in the RECORD is in the case of Curtis Reid, Superintendent of the District of Columbia Jail, Appellant, against Clarice B. Covert, and Nina Kinsella, Warden of the Federal Reformatory for Women, Alderson, W. Va., petitioner, against Walter Krueger. The opinion, which was written by Mr. Justice Black, was concurred in by the Chief Justice, Mr. Justice Douglas, and Mr. Justice Brennan. It pointed out clearly that even though the court-martial so provided, the jury trial could not be denied to civilians accompanying the Armed Forces. It is very clear on that point.

There was a concurring opinion, which I have just included in the RECORD, by Justice Frankfurter, which upholds that contention.

There is no question that under the United States Constitution citizens are entitled to a trial by jury. It cannot be left to the discretion of a Federal judge to say whether he is going to grant a trial by jury. It cannot be left to the Congress to say that if the punishment is only a $300 fine or 45 days imprisonment we will let the judge try the case, but if it is above that the defendant can get a jury trial. That simply does not make sense. It violates the Constitution and is in derogation of the administration of justice in this country. As someone has said, it is a split-level statute.

Mr. President, on May 9, 1957, before the mountain and plain regional meeting of the American Bar Association in Denver, Colo., Associate Justice William J. Brennan, Jr., of the Supreme Court, made an address on our judicial systems. In this address he discussed the advantages of our traditional jury-trial system. Because of the clear, straightforward nature of this address, I want to quote the following statement made by Justice Brennan. This is what he said:

> We hear much, for example, of the proposal that we turn all automobile-accident litigation over to an administrative agency. The idea is that, because automobile litigation accounts for a major part of court business, the simple solution is to dispose of the problem by throwing it out the window. What an abject abdication of our profession's responsibility to provide judicial justice for our citizens. But, at best, there is utterly no hope for that idea, at least not in our lifetimes, when the job of judicial reform must be done. It will be a long day before our society will pay the price of damages for every automobile injury or death without regard to the fault of the person injured or killed. There is no true analogy between compensation for the injured workman who helps produce goods or services for profit, where the cost is passed on to the consumer in the price of the goods or services, and compensation to the automobile victim, where the cost would have to be borne by all of us.
>
> Another nostrum is that, because jury trials take more time than trials before a judge without a jury, the easy answer to calendar congestion is to get rid of jury trials in automobile accident cases. Actual studies are being made to prove that the average jury trial in a negligence case takes more time than a nonjury trial of a negligence case. I question the need for a study to prove something that every judge and lawyer knows. Of course jury trials usually take more time than nonjury trials. But those who propose this suggest also that fairer justice will result if a judge, unprejudiced for one side or the other—they really mean that juries are prejudiced in favor of plaintiffs—disposes of them. I doubt that that proposition can withstand analysis. As a trial judge I was always interested in how often the jury brought in the same verdict on liability that I would have reached. And that seems to be the experience of trial judges generally. A recent survey proved that in upwards of 85 percent of the cases the trial judge reported that the jury reached the result on liability that he would have reached. Moreover, the idea that juries go haywire in fixing damages where plaintiffs prevail should be looked at a little more closely. I think at least that judge-decided verdicts under the Federal Tort Claims Act (no jury trial is had under that act) do not persuade the Department of Justice that juries are any less conscientious in fixing damages. I know that at times juries do go overboard. But I can count on the fingers of one hand the instances in my time as a trial judge when I felt it necessary to set aside verdicts because they had done so. My experience left me with the definite impression that jurors almost always do try to fix damages within allowable limits.
>
> I think, at all events, this proposal to abolish jury trials in automobile accident cases also faces an almost insurmountable hurdle. The success of our British brothers in abolishing jury trials should not mislead us. American tradition has given the right to trial by jury a special place in public esteem that causes Americans generally to speak out in wrath at any suggestion to deprive them of it. Perhaps the emotion generated by proposals to modify or deny the right has its roots in the Jacksonian era of distrust of the legal profession and the insistence upon the people's control of the administration of justice. Perhaps it is a survival of the same thing which gave us the elective system of judges in most States and in some, as in my own, New Jersey, actual lay participation on the bench. One has only to remember that it is still true in many States that so highly is the jury function prized, that judges are forbidden to comment on the evidence and even to instruct the jury except as the parties request instructions. The jury is a symbol to Americans that they are bosses of their government. They pay the price, and willingly, of the imperfections, inefficiencies and, if you please, greater expense of jury trials because they put such store upon the jury system as a guaranty of the preservation of their liberties. The road of him who would take away jury trial in automobile accident cases is a long and rocky one.
>
> I submit that it is a sorry response to the litigant who suffers from long delay in having his accident suit tried that we can offer no relief beyond "let's throw accident litigation out of the courts," or "let's deny the victim the right of a jury trial." Our profession must stand up and reject those nostrums. We know now that there are judicial structures and techniques of judicial administration which not only can cope with problems of calendar control but to far more significant purposes can also measurably assist in our ceaseless striving to give better justice. Our need is to get up our courage to fight for these things and to do battle with the powerfully entrenched opponents of any reform who too often take their position out of self-interest without sufficient consideration of what is best in the people's interest. It doubtless is true that achievement of a modernized, efficient judicial structure requires far-reaching legislative and constitutional changes in most jurisdictions. But, far better to do the arduous labor of getting that essential job done than to promote equally drastic changes which are nothing more than a humiliating confession of defeat.
>
> Let us not forget that the integrity and efficiency of the judicial process is the first essential in a democratic society. The confidence of the people in the administration of justice is a prime requisite for free representative government. The public entrusts the legal profession with the sacred mission of dealing with the vital affairs that affect the whole pattern of human relations and certainly has a stake entitling it to demand not only that judges dispense justice impartially and fairly but also that judicial business shall be handled and disposed of by a modernized process which assures a minimum of friction and waste, for such a process also plays a large role in the achievement of impartial and fair justice for all litigants. There is actually no difference between the business of judicial administration and the business of running an industrial or commercial enterprise in the sense that the efficient and businesslike conduct of each means better service for the public. An inefficient and wasteful judicial administration actually can and often does result in a denial of justice, however earnestly an honest and upright judge may strive to prevent that lamentable result.
>
> I think it is not difficult to account for today's heightened interest on the part of the general public throughout our Nation and, indeed, the Free World in the improvement of the process for administering justice. That growing interest is in large measure a product of the tumultuous times in which we live. For these are not only times which have produced a monstrous threat to all freedom, but, by the very reason of that threat, are times which have induced in free peoples everywhere an ever intensifying critical self-examination of the institutions upon which their freedoms depend—an insistence upon exposure of the imperfections of those institutions, a peremptory demand upon those who are entrusted with those institutions to improve and strengthen them the more surely to withstand the onslaught bent upon their destruction. It is but natural then that the judicial process should come under examination, for never was it more true than today that "Justice, sirs, is the chiefest interest of man on earth."

Mr. President, I submit, just as Justice Brennan has quoted here, which never was more true than today:

> Justice, sirs, is the chiefest interest of man on earth.

I contend that since our forefathers placed in the Constitution and in the Bill of Rights provisions which are so plain it seems no one could misinterpret them, providing for trial by jury in criminal cases, there can be no question that jury trials are not only desirable but are demanded under the Constitution. There should be no doubt in the mind of anyone, if he studies the Constitution, that the so-called compromise which tends to compromise the Constitution of the United States is not a just, is not a fair, is not a wise, and is not a constitutional provision, and that this bill should be killed.

Mr. President, one of the most interesting books ever written on the American system of Government was by Alexis de Tocqueville, a young Frenchman who wrote a book entitled "Democracy in America" after visiting this country during the 1830's. One of the chapters of his book was entitled "Trial by Jury in the United States Considered as a Political Institution."

I shall read excerpts from this chapter because it provides an excellent insight into the prestige attained by the system of jury trial from the observation of an unbiased observer.

[From de Tocqueville's Democracy in America, written after visiting America in the 1830's]

Trial by Jury in the United States Considered as a Political Institution

Trial by jury, which is one of the forms of the sovereignty of the people, ought to be compared with the other laws which establish that sovereignty: Composition of the jury in the United States; effect of trial by jury upon the national character; it educates the people; how it tends to establish the influence of the magistrates and to extend the legal spirit among the people.

Since my subject has led me to speak of the administration of justice in the United States, I will not pass over it without referring to the institution of the jury. Trial by jury may be considered in two separate points of view: as a judicial, and as a political institution. * * *

My present purpose is to consider the jury as a political institution; any other course would divert me from my subject. Of trial by jury considered as a judicial institution I shall here say but little. When the English adopted trial by jury, they were a semibarbarous people; they have since become one of the most enlightened nations of the earth, and their attachment to this institution seems to have increased with their increasing cultivation. They have emigrated and colonized every part of the habitable globe; some have formed colonies, others independent states; the mother country has maintained its monarchial constitution; many of its offspring have founded powerful republics; but everywhere they have boasted of the privilege of trial by jury. They have established it, or hastened to reestablish it, in all their settlements. A judicial institution which thus obtains the suffrages of a great people for so long a series of ages, which is zealously reproduced at every stage of civilization, in all the climates of the earth, and under every form of human govment, cannot be contrary to the spirit of justice.

But to leave this part of the subject. It would be a very narrow view to look upon the jury as a mere judicial institution; for however great its influence may be upon the decisions of the courts, it is still greater on the destinies of society at large. The jury is, above all, a political institution, and it must be regarded in this light in order to be duly appreciated.

By the jury I mean a certain number of citizens chosen by lot and invested with a temporary right of judging. Trial by jury, as applied to the repression of crime, appears to me an eminently republican element in the government, for the following reasons.

The institution of the jury may be aristocratic or democratic, according to the class from which the jurors are taken; but it always preserves its republican character, in that it places the real direction of society in the hands of the governed, or of a portion of the governed, and not in that of the government. Force is never more than a transient element of success, and after force comes the notion of right. A government able to reach its enemies only upon a field of battle would soon be destroyed. The true sanction of political laws is to be found in penal legislation; and if that sanction is wanting, the law will sooner or later lose its cogency. He who punishes the criminal is therefore the real master of society. Now, the institution of the jury raises the people itself, or at least a class of citizens, to the bench of judges. The institution of the jury consequently invests the people, or that class of citizens, with the direction of society.

In England the jury is selected from the aristocratic portion of the nation; the aristocracy makes the laws, applies the laws, and punishes infractions of the laws; everything is established upon a consistent footing, and England may with truth be said to constitute an aristocratic republic. In the United States the same system is applied to the whole people. Every American citizen is both an eligible and a legally qualified voter. The jury system as it is understood in America appears to me to be as direct and as extreme a consequence of the sovereignty of the people as universal suffrage. They are two instruments of equal power, which contribute to the supremacy of the majority. All the sovereigns who have chosen to govern by their own authority, and to direct society instead of obeying its directions, have destroyed or enfeebled the institution of the jury. The Tudor monarchs sent to prison jurors who refused to convict, and Napoleon caused them to be selected by his agents.

However clear most of these truths may seem to be, they do not command universal assent; and in France, at least, trial by jury is still but imperfectly understood. If the question arises as to the proper qualification of jurors, it is confined to a discussion of the intelligence and knowledge of the citizens who may be returned, as if the jury was merely a judicial institution. This appears to me the least important part of the subject. The jury is preeminently a political institution; it should be regarded as one form of the sovereignty of the people; when that sovereignty is repudiated, it must be rejected, or it must be adapted to the laws by which that sovereignty is established. The jury is that portion of the nation to which the execution of the laws is entrusted, as the legislature is that part of the nation which makes the laws; and in order that society may be governed in a fixed and uniform manner, the list of citizens qualified to serve on juries must increase and diminish with the list of electors. This I hold to be the point of view most worthy of the attention of the legislator; all that remains is merely accessory.

I am so entirely convinced that the jury is preeminently a political institution that I still consider it in this light when it is applied in civil causes. Laws are always unstable unless they are founded upon the customs of a nation; customs are the only durable and resisting power in a people. When the jury is reserved for criminal offenses, the people witness only its occasional action in particular cases; they become accustomed to do without it in the ordinary course of life, and it is considered as an instrument, but not as the only instrument, of obtaining justice.

When, on the contrary, the jury acts also on civil causes, its application is constantly visible; it affects all the interests of the community; everyone cooperates in its work; it thus penetrates into all the usages of life, it fashions the human mind to its peculiar forms, and is gradually associated with the idea of justice itself.

The institution of the jury, if confined to criminal causes, is always in danger; but when once it is introduced into civil proceedings, it defies the aggressions of time and man. If it had been as easy to remove the jury from the customs as from the laws of England, it would have perished under the Tudors, and the civil jury did in reality at that period save the liberties of England. In whatever manner the jury be applied, it cannot fail to exercise a powerful influence upon the national character; but this influence is prodigiously increased when it is introduced into civil causes. The jury, and more especially the civil jury, serves to communicate the spirit of the judges to the minds of all the citizens; and this spirit, with the habits which attend it, is the soundest preparation for free institutions. It imbues all classes with a respect for the thing judged and with the notion of right. If these two elements be removed, the love of independence becomes a mere destructive passion. It teaches men to practice equity; every man learns to judge his neighbor as he would himself be judged. And this is especially true of the jury in civil causes; for while the number of persons who have reason to apprehend a criminal prosecution is small, everyone is liable to have a lawsuit. The jury teaches every man not to recoil before the responsibility of his own actions and impresses him with that manly confidence without which no political virtue can exist. It invests each citizen with a kind of magistracy; it makes them all feel the duties which they are bound to discharge toward society and the part which they take in its government. By obliging men to turn their attention to other affairs than their own, it rubs off that private selfishness which is the rust of society.

The jury contributes powerfully to form the judgment and to increase the natural intelligence of a people; and this, in my opinion, is its greatest advantage. It may be regarded as a gratuitous public school, ever open, in which every juror learns his rights, enters into daily communication with the most learned and enlightened members of the upper classes, and becomes practically acquainted with the laws, which are brought within the reach of his capacity by the efforts of the bar, the advice of the judge, and even the passions of the parties. I think that the practical intelligence and political good sense of the Americans are mainly attributable to the long use that they have made of the jury in civil causes.

I do not know whether the jury is useful to those who have lawsuits, but I am certain it is highly beneficial to those who judge them; and I look upon it as one of the most efficacious means for the education of the people which society can employ.

What I have said applies to all nations, but the remark I am about to make is peculiar to the Americans and to democratic communities. I have already observed that in democracies the members of the legal profession and the judicial magistrates constitute the only aristocratic body which can moderate the movements of the people. This aristocracy is invested with no physical power; it exercises its conservative influence upon the minds of men; and the most abundant source of its authority is the institution of the civil jury. In criminal causes, when society is contending against a single man, the jury is apt to look upon the judge as the passive instrument of social power and to mistrust his advice. Moreover, criminal causes turn entirely upon simple facts, which commonsense can readily appreciate; upon this ground the judge and the jury are equal. Such is not the case, however, in civil causes; then the judge appears as a disinterested arbiter between the conflicting passions of the parties. The jurors look up to him with confidence and listen to him with respect, for in this instance, his intellect entirely governs theirs. It is the judge who sums up the various arguments which have wearied their memory, and who guides them through the devious course of the proceedings; he points their attention to the exact question of fact that they are called upon to decide and tells them how to answer the question of law. His influence over them is almost unlimited.

If I am called upon to explain why I am but little moved by the arguments derived from the ignorance of jurors in civil causes, I reply that in these proceedings, whenever

> the question to be solved is not a mere question of fact, the jury has only the semblance of a judicial body. The jury only sanctions the decision of the judge; they sanction this decision by the authority of society which they represent, and he by that of reason and of law.
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> The jury, then, which seems to restrict the rights of the judiciary does in reality consolidate its power; and in no country are the judges so powerful as where the people share their privileges. It is especially by means of the jury in civil causes that the American magistrates imbue even the lower classes of society with the spirit of their profession. Thus the jury, which is the most energetic means of making the people rule, is also the most efficacious means of teaching it how to rule well.

Mr. President, De Tocqueville contributed a great deal to literature and to society. He was a Frenchman who came to our country and studied our form of government. He was so impressed that he wrote the chapter on trial by jury, in which he emphasized the fact that the jury is the heart of the administration of justice in a democracy.

On Friday, July 5, 1957, there was printed in the State, a newspaper published in Columbia, S. C., an article quoting the then president of the American Bar Association, Mr. David F. Maxwell, on the subject of jury trials.

I believe Mr. Maxwell is a member of the Philadelphia bar, of which our distinguished Presiding Officer [Mr. CLARK] is also a member. I am sure that the Presiding Officer, as well as the Senate, will be interested in what Mr. Maxwell had to say on the subject of jury trials, and that the views expressed by him will be of interest to everyone who believes in constitutional government. I read as follows:

> The president of the American Bar Association today answered charges that trial by jury is an outmoded, time-consuming process which can be replaced by more efficient legal procedure.
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> David F. Maxwell, of Philadelphia, who heads the lawyers organization, said instead that jury trials are the ultimate protection against invasion of personal freedom.
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> He spoke at the diamond jubilee celebration of the State Bar of Texas.
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> "Too many persons today are prone to view trial by jury solely as a factfinding device, and hence expendable, if as good or better a method can be devised," he said.
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> These critics are influenced, Maxwell said, by the late Supreme Court Justice Oliver Wendell Holmes who wrote that an experienced judge should be able to represent the commonsense of the community far better than the average jury.
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> The Pennsylvania attorney said, "Such a contention presupposes the ability of the trial judge to discard foibles and prejudices built up within himself through his personal experience and background," adding that a group of average citizens can mete out more even justice than can the most competent and experienced judge.
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> "So let us in this country take warning," he said. "The jury alone is able to function as the thin wedge of reserved power that separates our system of law from the monolithic, totalitarian despotism behind the Iron and Bamboo Curtains."

Mr. President, an editorial appeared in the Greenville (S. C.) News of June 6, 1957. It is entitled "Jury Trial Is at Heart of Rights Issue" and has this to say on the jury-trial issue:

> The day after it was reported from Washington that the administration would protest the southern claim that the so-called civil-rights bill would deny the right to trial by jury, the Judiciary Committee of the United States Senate approved an amendment intended to guarantee that right to persons who might come under an injunction authorized in the proposed law.
>
> In his several appearances before the Senate and House committees studying the various proposals, Attorney General Brownell tried to claim that a trial by jury would not be denied. He had rough going, and at times was downright evasive, when Senator SAM J. ERVIN, of North Carolina, began to cross-examine him on his statements.
>
> Senator ERVIN, an eminent lawyer and a former member of his State's supreme court, is of the opinion that trial by jury not only would not be guaranteed under the bills as submitted, but could be denied. Certainly, it would be possible for the courts to deny a jury hearing and a judge, if he chose, could sit in judgment on the testimony as well as the law.
>
> Speaking for the administration, Attorney General Brownell is taking his case to the House of Representatives, but the action of the Senate committee on Monday indicates that even a number of northern Democrats and Republicans have been convinced of the facts.
>
> The jury trial issue came up in this way:
>
> Among the bills included in the civil rights packages (various versions of which have been offered by the administration and by individuals and groups of Democratic and Republican Members of Congress) is one which would set up a special civil rights division of the Department of Justice.
>
> It would be manned by a number of assistants to the Attorney General and would have the authority to initiate civil suits against persons accused of violating the civil rights of others or whom it might have reason to believe were about to violate such rights.
>
> (At present, it is a criminal offense to violate the civil rights of another. But a person accused of violating such laws has the right to be arraigned before a grand jury and to be tried by a petit jury.)
>
> The administration proposal—and members of both parties have supported this or made similar proposals of their own—is to transfer civil rights cases from the criminal to the civil side of the Federal courts. The Government itself would bring such suits, with or without the request of the allegedly injured persons.
>
> The Government could ask for and obtain an injunction forbidding anyone to do certain things, such as to refuse a voting certificate to a certain person or to oppose an integration order issued against a certain school. Such action on the part of the defendant might be a violation of an injunction or it might be a violation of a criminal law on civil rights.
>
> But in such cases, the Government would bring the individual before the judge on a charge of contempt. And the judge could convict and sentence the individual without a trial by jury.
>
> That is what prompted the southern amendment to the bill aimed at assuring a jury trial. And that is the principle Mr. Brownell is assailing in his statements to Congress.
>
> He does not deny that trial by jury would be denied the defendants. He merely says the amendment would make the bill ineffective and would weaken the power of the Federal courts to enforce their orders. He says this power to punish for contempt has long been available to the Government in other Federal cases.
>
> That much is true. When the Government brings a civil suit and obtains an injunction, contempt can be adjudged and punished without a jury. But these are cases entirely different from those Mr. Brownell proposes to bring in the name of civil rights.
>
> In this instance, Mr. Brownell is trying to do in a roundabout way what the Constitution forbids him to do directly; that is, try and convict a person for an alleged crime without a jury.

Mr. President, here is an editorial from the Charleston (S. C.) News and Courier of April 17, 1957. It is entitled "Senator O'MAHONEY Understands Threat to Liberty in Civil-Rights Bill" and has this to say:

> Speaking at the annual banquet of the Hibernian Society in Charleston, March 18, 1947, Senator JOSEPH C. O'MAHONEY, of Wyoming, stressed the fact that the United States has repudiated the doctrine of arbitrary power.
>
> This week, 10 years after he made this statement, Senator O'MAHONEY gave evidence that he believes what he said. The Democratic Senator lined up with southern critics of the so-called civil-rights bill. He said he was in favor of a civil-rights bill but one that is conceived in justice and freedom rather than in any thought of punishment.
>
> Senator O'MAHONEY told reporters that the proposed Presidential Civil Rights Commission to investigate complaints of civil-rights violations could easily do more harm than good. And with respect to another part of the bill vigorously opposed by southern Senators, he said, "I don't think we should be afraid of a jury trial in matters of this kind." In announcing his stand on the legislation, he said that the South has made many striking advances in racial relations, while such relations in some other parts of the country have worsened.
>
> Senator O'MAHONEY's stand on the civil-rights bill is of major significance. His statement shows that the South is gaining ground in its battle to convince other regions that the force bills are a threat to the liberties of all Americans.
>
> Senator O'MAHONEY is not a western conservative like, say, Senator BARRY GOLDWATER, Republican, of Arizona, who might be expected to line up with southern conservatives. The Senator from Wyoming is a western liberal and an oldtime supporter of the New Deal. Hence his acceptance of some of the southern constitutional arguments is all the more meaningful.
>
> If Senator O'MAHONEY is convinced that the right to jury trial and other parts of our heritage are being threatened by the civil-rights bill, the likelihood of convincing other northern and western Senators is considerable.
>
> In order to overcome the propaganda barriers of the NAACP and convince these Senators, the South must continue to argue its case—and on the highest level. Senator SAM ERVIN of North Carolina has done especially fine work this session in accomplishing just that.
>
> The other task facing southerners is that of insisting on respect for law and order throughout our region. The enemies of the South must not have any excuse for urging Federal intervention. Hoodlumism must be put down. The ignorant elements who join the Ku Klux Klan must be made to realize they are under the eyes of local and State police. Responsible men must stay active in movements such as the citizens council, and prevent infiltration by troublemakers or hotheads.
>
> If the South can speak with dignity in Washington and act with honesty and good sense at home, there will be more Senator O'Mahoneys who will realize southerners are fighting the good fight for American liberties.

Mr. President, here is another article from the Charleston (S. C.) News and Courier. It is entitled "Trial by Jury Right of All Americans" and it appears in the June 5, 1957, issue of the News and Courier, and has this to say:

> A guaranty of trial by jury, squeezed into a civil-rights law by vote of a Senate subcommittee, has been hailed as a southern victory.
>
> This victory—though it is little more than solace in a string of defeats—in fact belongs to the American Republic. Southerners are not alone in danger. If the Federal Government can deprive southerners of the right of trial by jury, on the ground that they are unfair to Negroes, it can do the same to citizens of other regions on equally flimsy grounds.
>
> Thanks to the NAACP and its political allies, defense of Negroes' civil rights is popular today. Even at the sacrifice of rights of all citizens, restrictive laws have won serious support. The News and Courier finds biting irony in the need for Congress to guarantee the right of trial by jury. Americans have been brought up in the belief that the United States Constitution meant what it said in guaranteeing them this right.
>
> Nowadays, the ruling clique no longer trusts ordinary people to govern themselves. Juries, they fear, will bring in unjust verdicts. The bosses prefer to entrust such delicate matters as civil rights to handpicked Federal judges, who are screened by the Department of Justice and appointed by the President. With both national parties committed to the NAACP program, no lawyer who takes a strong stand against that program stands much chance of appointment. As older judges die or retire, Attorney General Brownell will make sure, insofar as he is able, that replacements have a "liberal" view of race.
>
> With administration of election laws removed from the hands of elected State officials and placed under Federal appointees, government is being removed ever further from the people. The jury system, safeguard of Anglo-Saxon liberty, may yet be a victim of alien notions now gathering power in our Republic.

Mr. President, I have an article from the May 10, 1957, issue of the Charleston, (S. C.) News and Courier. It is entitled "The Civil-Rights Fight and Trial-by-Jury Issue" and was written by the distinguished southern newspaperman, Dr. John Temple Graves. Here is what it has to say on the jury-trial issue:

> "Backward, turn backward,
> O Time in thy flight * * *"
>
> Time accommodates.
>
> Its comment on jury trials last week overlooked the Federal march of time.
>
> Admitting that the trial-by-jury issue has come to dominate the civil-rights fight, the magazine pontificated that "the contempt citation is the judiciary's historic enforcement tool." It avowed that "jury trials in contempt cases have absolutely no basis in equity or constitutional law and precious little legislative sanction."
>
> The trick in this extraordinary statement is in Time's small print at the bottom of the page. It explains there that "with a single exception (the Norris-La Guardia Act covering labor disputes) trial by jury has never been required in contempt cases to which the United States Government was a party." With the United States Government proposing now to be a party to just about everything in heaven, earth, and the waters beneath—a new situation exists.
>
> The Constitution loves the principle of trial by jury and says so over and over again. That great basic principle, rather than any technicality, is what is involved for the South.
>
> Call it contempt or something else, let the Government be a party or not a party, what concerns us and what concerned the makers of the Constitution is that citizens in handcuffs shall not be adjudged by those who put the handcuffs on them, that the right of an accused to be properly tried in the Anglo-Saxon ideal shall not be abridged in the name of contempt or participation of the Government.
>
> The Constitution speaks for this principle in article 3. The fifth amendment speaks for it, and the sixth, and the seventh.
>
> Nothing in the whole instrument is more emphatic.

Mr. President, I have an editorial from the April 8, 1957, issue of South, the news magazine of Dixie. It is entitled "Force Bill 'Liberals' Would Kill Jury Trial." Here is what it has to say:

> It is incredible that those who like to boast that they are liberals and protectors of individual rights are crying the loudest for the currently misnamed civil-rights legislation which would deny alleged violators the right to trial by jury. The politically inspired anti-South force bill package has induced such a state of hypnosis in the self-styled liberals that they want to replace constitutional guaranties of civil liberties with their own false notions of civil rights.
>
> If the question of race were not at issue, the very people who are pressing for passage of this abominable travesty on constitutional principle would be the first to denounce it for discarding the sacred right of trial by jury. At the outset the legislation violates the rights spelled out in article III, section 3, and by the seventh amendment, one of the historic ten making up the Bill of Rights. It would empower the United States Attorney General to seek injunctions against persons suspected of being about to violate the so-called civil-rights measure. Then a Federal judge, acting also as prosecutor and jury, would decree a whole community or State in contempt. An individual cited for contempt would be tried without a jury by the judge who cited him.
>
> The proponents of this evil proposal know exactly what they are doing. By design they are taking away the right of jury trial. In fact, they are bold to say that if they did not set aside the right of trial by jury, they could not get convictions in the South. To allow jury trials, they say, would be to gut the bill. Attorney General Brownell is horror struck at the thought that the no-jury-trial provision be stricken. President Eisenhower, who violates a campaign pledge made at Miami by pushing this legislation, says he would have to get Brownell's opinion as to whether to sign or veto a civil-rights bill containing the assurance of jury trial in contempt cases. The civil strife proponents protest that this guaranty—in the Constitution which Eisenhower, Brownell, and all Congressmen are sworn to uphold—would cripple the bill. Has the President so soon forgotten that he said at Miami, 2 weeks before the election, that civil-rights problems should be handled to the greatest extent on a local and State basis?
>
> Surely our liberals know that Hitler, Mussolini, and all tyrants from the time of King John (until forced to sign the Magna Carta) opposed jury trials because they would cripple their programs.

Mr. President, I have an article from the April 14, 1957, issue of the Greenville, S. C., News. It is entitled "Jackie Robinson on Meet the Press: Negro Athlete Favors Jury Trials" and has this to say:

> Jackie Robinson, Negro baseball star, when asked if he favored jury trials for civil-rights defendants, said Sunday night he would personally prefer a jury trial.
>
> The National Association for the Advancement of Colored People strongly opposes a jury trial guaranty in criminal injunction cases arising under the bill.
>
> Robinson is leading the NAACP's freedom-fund campaign for a million dollars to attain first-class citizenship for all members.
>
> The former Brooklyn Dodger told an NBC Meet the Press television panel that he did not know what the million dollars would be spent for—possibly for lawsuits against school segregation.
>
> He said he favored the civil-rights bill but knows very little about it.
>
> Frank Van Der Linden, this newspaper's Washington correspondent, asked the questions about the civil-rights bill.

This is a man, Mr. President, who favors the civil-rights bill, but even he says he favors a trial by jury.

That is what the House did on this so-called compromise. In effect, they have nullified the right of trial by jury. There are very, very few instances in which a judge, when he finds a man guilty of contempt, would give a sentence of more than 45 days in prison or a fine of more than $300. That simply means the practical effect is that the jury trial has been completely nullified.

As I have said earlier, and as I will say later in my address, the right of jury trial is something the Constitution grants to the citizens of the United States. The Congress does not have the authority to take the jury trial away from the people of America.

Mr. President, I have an excerpt from an editorial from the August 26, 1957, issue of the Columbia (S. C.) Record. It is entitled "Jury-Trial Compromise No Compromise," and this is what it has to say:

> The "compromise" on the jury-trial amendment to the civil-rights bill, worked out between the House and Senate leaders of both parties, is anything but a genuine compromise. It is a nullification of the jury-trial principle, for which the southern Democrats fought so valiantly in the Senate.
>
> The amendment written into the bill by the Senate provided that in all cases of criminal contempt defendants should be entitled to jury trials, guaranteed by the Constitution to all persons accused of crime. This applied not only to criminal contempt charges growing out of voting-right cases, but also to other criminal contempt proceedings as well.
>
> The so-called compromise allows jury trials only in voting-rights cases and then only after a defendant has been tried and convicted without a jury trial and sentenced to more than 45 days' imprisonment and a $300 fine. In such a case the defendant could ask for a jury trial and the case would then be tried de novo before a jury. But no jury, of course, could try such a case de novo in fact. Every juror would know that the defendant had been found guilty by a judge and given more than a minimum sentence. This is a condition precedent to a jury trial in these voting-right cases. And no jury trial under such circumstances is anything approaching the right of trial by jury guaranteed by the Constitution.

Mr. President, I have an editorial from the August 25, 1957, issue of the Charleston (S. C.) News and Courier. It is entitled "Jury Trial 'Compromise' Is False Bait in Wicked Trap for Liberty," and here is what it has to say:

> A proposed compromise now pending in Congress is as wicked and immoral, in our

opinion, as total denial of trial by jury under Federal election laws.

Reports from Washington indicate a likelihood that the civil rights force bill may be rammed through Congress with this compromise to grease the way. Perhaps the northern scrambles for Negro votes and their "liberal" southern allies have the power in Congress to enact this hateful law. They should not get even silent support from anyone who loves the American Republic.

The compromise is really no compromise at all. It would grant the opportunity to seek a new trial before a jury by a defendant in an election case who had received a sentence greater than a $1,000 fine or 45 days in jail.

The amount there, incidentally, Mr. President, should be corrected. Instead of a $1,000 fine, it should be a $300 fine.

But the size of a fine and the duration of imprisonment are not the key issue in this legislation. Penalties may be amended once the principle is set up. Besides, imprisoning State election officials even for a short time could rig the outcome of voting.

The key issue here is whether the liberty of a citizen, and the constitutional rights of the States to conduct free elections, should be sacrificed for the sake of current political advantage of national parties and politicians.

As I have said before, Mr. President—to digress there—the only purpose of this so-called right-to-vote bill is to advance the cause of the national political parties with the minorities and to advance the cause of certain politicians. If it were not for the purpose of both parties playing to the minorities and advancing the cause of certain politicians to high offices, I do not believe this bill would ever have been introduced. It is a disgrace to the United States even to have the Congress consider such an abominable and obnoxious bill.

Behind this force bill lies a game of power politics. Both national parties are struggling to control the votes of herded Negroes in big northern cities and their liberal allies. These bloc voters are believed to hold the balance of political power in the United States.

Buried beneath the nauseating political greed that has produced this force bill are principles once dear to Americans. The bill has many of the earmarks of totalitarian government that the Constitution was built to prevent.

Among these earmarks are Federal control of elections, seizing the power of the ballot box from the people most likely to be affected; substitution of judges for juries in enforcement of the law; and secrecy in working up prosecutions.

The bill would set up a powerful commission on the phony pretense of guarding voting rights of minority groups. This Commission's actions would be shielded from public view. Persons are forbidden under penalties to make known what it is doing. The Star Chamber—a tyrannous device once used by English Kings—thus would be imposed for the first time on the United States.

Southerners may be overwhelmed by superior force, but they should go down fighting every step of the way.

In honorable defeat they may sound an alarm to fellow Americans not yet awake to dangers to the Republic. Passage of the civil-rights force bill would be a defeat for all citizens of whatever race or region, for it would help to set the stage for dictatorship and oppression. The compromise on which passage now seems to hinge is only a deceptive detail in a dirty business.

Mr. President, I have here an excellent editorial from the Washington Evening Star of July 12, 1957. It is an editorial full of quotes, but the editor made his point well in this editorial without even having to insert his own comments. Here is what the editorial says:

BROWNELL *v.* NORRIS

Attorney General Brownell (in a letter explaining the civil-rights bill):

"Enactment of legislation providing for jury trial in contempt cases arising out of governmental litigation would undermine the authority of the Federal courts by seriously weakening their power to enforce their lawful orders. The effect of adopting current proposals for jury trial would be to weaken and undermine the authority of the Federal courts by making their every order, even when issued after due hearing and affirmed on appeal, reviewable by a local jury. * * *

"Furthermore the proposed amendment to existing procedures that is being advocated under the innocuous slogan of jury trial would permit practical nullification of the effectiveness of the proposed civil-rights legislation. The enforcement of any court order may require prompt and vigorous action if it is to be effective. Prompt action will often be vital in civil-rights cases, especially election cases, where the registration period or the election may pass while enforcement is delayed. The injection of a jury trial between an order of a court enjoining discrimination against Negroes in an election, and the enforcement of that order would provide numerous opportunities for delay beyond the time when the order could have practical effect."

The late Senator George W. Norris (insisting on the right of trial by jury, by Congressional enactment, in every case of indirect contempt):

"I agree that any man charged with contempt in any court of the United States * * * in any case, no matter what it is, ought to have a jury trial."

I wish to repeat that statement. He said:

I agree that any many charged with contempt in any court of the United States * * * in any case, no matter what it is, ought to have a jury trial.

Under the proposed compromise amendment which came from the House, the people will not get a jury trial. In 99 percent of the cases the judge will sentence people without a jury trial. It is said, "Well, they are able to get a jury trial if the fine is more than $300 or if the imprisonment is for more than 45 days."

That is not the point. The point is that in 99 percent of the cases the compromise would deny to the citizens a jury trial, which is guaranteed to them by the Constitution. Congress should not be a party to violating the Constitution of the United States by passing the compromise amendment.

I continue to read from the editorial:

"It is no answer to say that there will sometimes be juries which will not convict. That is a charge which can be made against our jury system. Every man who has tried lawsuits before juries, every man who has ever presided in court and heard jury trials, knows that juries make mistakes, as all other human beings do, and they sometimes render verdicts which seem almost obnoxious. But it is the best system I know of. I would not have it abolished; and when I see how juries will really do justice when a biased and prejudiced judge is trying to lead them astray I am confirmed in my opinion that, after all, our jury system is one which the American people, who believe in liberty and justice, will not dare to surrender. I like to have trial by jury preserved in all kinds of cases where there is a dispute of facts."

Mr. President, I have before me an editorial from the Greenville (S. C.) News of March 29, 1957, entitled "How Secure Is Right of Jury Trial?"

It reads:

HOW SECURE IS RIGHT OF JURY TRIAL?

Rather smugly, perhaps, we Americans have taken for granted our right to a trial before a jury when we stand accused of violating the law.

So fixed in our system of jurisprudence and our common concepts of justice is the jury trial that few of us ever have stopped to consider the difference between having our guilt or innocence determined by a group of ordinary citizens and having a judge, a creature of the Government, mete out justice singlehandedly, as he alone sees it.

Article III, section 2 of the United States Constitution, says that "the trial of all crimes, except in cases of impeachment, shall be by jury."

The sixth amendment, article VI of the Bill of Rights, spells out further the right to the accused in criminal proceedings "to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed. * * *

It goes on to guarantee the accused the right to be informed specifically of the charges against him, to confront the witnesses against him, to subpena witnesses in his favor, and to be represented by counsel.

The seventh amendment, article VII of the Bill of Rights, provides that in suits at common law the right of trial by jury shall be preserved.

One would think that, with all these references in the Constitution, the right to a jury trial would be secure. But liberal elements, including our own Department of Justice, advocating passage of proposed civil-rights legislation are teaching us that this basic right is not so secure as we might have thought.

For the bills now before the Congress would, in fact, deny persons accused of violating the civil rights of others the right of a trial by a jury of citizens of their State and district. And the NAACP and Attorney General Brownell are insisting on this provision of the bill. Attempts of southern Senators and Congressmen to write into it a guaranty of that right have thus far been beaten down.

If the bill is enacted, the Government would be empowered to bring civil, rather than criminal charges, against an individual accused of violating someone else's rights. He would be prosecuted by a Government attorney before a Federal judge, who might be sent in from outside his State, who would pass on the facts as well as the law and would pass sentence.

The accused would be just as apt to go to jail on the civil charge as he would if he were charged with a criminal offense in which the jury trial would be guaranteed. Indeed, the chances of his going to jail might be even greater.

But that is only part of it.

The bill would create a new division in the Justice Department with an unlimited number of lawyers employed to investigate and bring civil-rights suits. This division could bring suit in behalf of a named plaintiff, even though that individual had never raised a complaint. If the individual did complain, the Government would bear the whole cost of prosecuting his case.

The defendant, on the other hand, would find himself faced with the necessity of hiring a lawyer and, perhaps, of going through a long series of court proceedings that could very well break him financially.

This could become vicious persecution instead of reasonable prosecution.

This threat of persecution is no less real in another phase of the proposed civil-rights legislation relating to the creation of a commission empowered to investigate alleged incidents of discrimination, economic boycotts, and the like.

If this plan became a reality, a citizen accused of discriminating against a member of a minority, or of applying economic pressure against him, could be ordered to report to a place in Washington at a given time and be subjected to an investigation. His need for counsel and, hence, the expense of defending himself, could be just as great as it would be if he were accused of some crime.

All of this is being proposed in the name of civil rights by persons calling themselves liberals.

How can we create rights by destroying rights? And how liberal is it?

Mr. President, I wish to repeat a paragraph in the editorial which I believe is most important. It should appeal to every lawyer, and, in fact, to every citizen. It reads:

> The bill would create a new division in the Justice Department with an unlimited number of lawyers employed to investigate and bring civil-rights suits. This division could bring suit in behalf of a named plaintiff, even though that individual had never raised a complaint.

Mr. President, I believe we are setting a very dangerous precedent when the Government can bring suits of the kind provided in the civil-rights bill, even if an individual does not complain. The Government can file a suit in behalf of an individual, even if the individual has not complained, and it can bring a suit for an individual who has complained. In either case, the Government can substitute its name in behalf of the defendant in bringing the case.

Furthermore, the Government would bear the cost of prosecuting the case. The poor defendant must pay his own expense. If an individual wishes to bring a case in court, why should he not pay his own expense? Why should the Federal Government bear the expense of a person whose statement may be true or which may not be true? I can foresee untold litigation. I can see all kinds of fabrications being made in order to have cases brought. It is a dangerous bill, Mr. President. It is far more dangerous than I believe the average man on the street has been able to understand. The average man in the street does not realize what is in the bill. I cannot imagine why Members of Congress would even consider passing such a bill. Again I say that it would not even have been introduced, in my opinion, or given any consideration at all, if it were not purely a political bill.

Mr. President, I have an editorial published in the Greenville (S. C.) News of February 26, 1957, entitled "Civil-Rights Bills Threaten Liberty."

CIVIL RIGHTS BILLS THREATEN LIBERTY

(EDITOR'S NOTE.—The following editorial is taken from a statement prepared by the editor of the News at the request of the Governor of South Carolina. The statement is to be offered to the subcommittee of the House Judiciary Committee this afternoon by representatives of this State who are appearing in opposition to the civil-rights bills.)

The civil-rights bills of 1957, like those proposed during the last 20 years and more by individuals of both parties and by administrations of both parties, are anachronistic.

An anachronism is something that is misplaced in time. In this instance, it is a throwback to a more primitive age which is, at best, a misfit and, at worst, a destructive force in the age in which it occurs.

And when intelligent and otherwise dedicated men ignore more pressing and more serious problems and pass up greater opportunities for service to deliberately create such an anachronism, the result is bound to be tragic.

Even if we could assume, which we cannot, that the broad and untested powers these proposed laws would confer on an already oversized and unwieldy Federal bureaucracy would always be wisely and fairly administered, the need for them, if it ever existed, has long since passed.

The purposes now claimed for them have been better served by processes springing from the people themselves than ever they can be by pressure and threat of punishment imposed upon the people by an omnipotent and omnipresent "Big Brother" sort of government.

Furthermore, the instruments now proposed to protect liberty and to uplift men are such as to be capable of being used to destroy liberty and to oppress men.

To appreciate the origin of the civil-rights bills and the natural resistance to them in many parts of the country, especially the South, one must consider them in their proper perspective with past history and present trends.

To put it bluntly, this legislation grows out of a latter day extension of the overzealous efforts of the abolitionists, who profited and were exalted during the era preceding the War Between the States. It is being pushed in the same sort of spirit that motivated the vengeant and vindictive planners and executors of the reconstruction.

Not even during the tragic and oppressive reconstruction did a Congress, which was dominated by radicals and in which the conquered South had few friends and spokesmen, see fit to enact such laws as now proposed.

There was military occupation and corrupt government imposed from Washington, but there was no permanent board of inquisitors that could be turned into an agency of harassment and intimidation. There was injustice, but there was no permanent overturning of the processes of the courts.

Purged by bloodshed of the sin of slavery, which was not his alone, nor his country's alone, the southern white resisted the reconstruction. He resisted it because he feared, with justification, that it was intended to take from him in order to give to the Negro. He resists court-decreed integration and the civil-rights proposals for the same reason—again with justification for his fears.

NEGRO IS MISLED

The Negro was misled in those days, and he is being misled now.

The end of the abominable institution of slavery was inevitable, and it could have been accomplished without fratricide and without threatening the Union and creating abiding bitterness. At its end, the Negro was led to believe he could switch from the status of slave to that of master. In some instances, for a time, he did. In others, he was promised "40 acres and a mule," but more often than not he didn't know what to do with the 40 acres and he never got the mule.

The Negro again is being falsely led to believe that integration will solve all of his remaining problems and that all he needs to realize the millennium is a few more court decrees and Federal laws. He has been led to believe that political largesse will bring to him those things that he can best realize by earning and exercising the rights and privileges already available to him.

Until fairly recent decades, southern whites and Negroes engaged in a pathetic sort of competition for the lesser degree of poverty, but they have made progress together and they have achieved a mutual understanding. Education and a rising prosperity were easing the old bitterness and misunderstanding and improving relations between the races at a rate that has been positively amazing.

The tragedy of this era is that, since 1954, with the Supreme Court decision in the school cases, and especially since the renewal of agitation of civil-rights legislation with almost virulent vigor, this progress has been slowed down. And the Negro stands to lose the most. The bitterness and the old suspicions are being revived.

A few years ago in a prosperous South Carolina industrial city, a joint committee of white and Negro citizens conducted a survey of the needs of the Negro community, ranging from health and housing to transportation and recreation. Much progress came of it.

Also, a few years ago, with the help of the newspapers and interested white citizens, certain racial barriers in the public hospital were broken down and qualified Negro doctors were granted staff privileges for the first time on full equality with their white colleagues.

Along about the same time, the newspapers and interested white citizens campaigned for better housing for Negroes. City substandard housing laws were strengthened and better enforcement machinery established. The improvement in rental property has been marked.

Also, it was urged that property be made available to Negroes of means who wanted to build better homes away from congested areas in which Negroes tend to congregate. Subsequently, a fairly exclusive Negro residential section, near white neighborhoods, was started. There were no objections.

PROGRESS IS SLOWED

This sort of things would be more difficult now, if not impossible, in no small part because the Negro is reluctant to cooperate. Both he and his white friends are subject to pressure and unpleasantness from radical elements among their respective races. The Negro apparently has been led to believe the moon may be within his grasp; and lawless and more extreme whites have been aroused.

In many cities in the South, the newspapers have sought for years to treat the Negro with the dignity any citizen deserves in their handling of the news. Special sections devoted to news of the Negro community, often prepared by Negro reporters, were started. Until recently, there was no protest. Now there are murmurs, direct protests, and anonymous letters.

None of this has to do with integration. Neither race is ready for integration, and may never be. But if they become so it will be on the only basis of successful close human association—natural affinity, mutual appreciation, and individual choice. Neither court decrees nor laws can create these conditions.

In his speech on conciliation with the American Colonies in 1775, Edmund Burke said, "I do not know the method of drawing up an indictment against a whole people."

With the help of the proposed legislation, and the injunctive process, the Federal courts may one day find such a method, but the result will be the destruction, not the preservation of civil rights.

Burke also said in his Thoughts on the Cause of the Present Discontent in 1770 that, "When bad men combine, the good must associate; else they will fall one by one, an unpitied sacrifice in a contemptible struggle."

This cause is not the South's alone. The extension of the judicial process into areas it was not intended to reach and stretching it for purposes it is incapable of serving; the striking down of the police power of the States in field after field; the unprecedented use of the injunctive power without jury trial to punish for contempt persons not before the court; all of these, as able judges and lawyers are solemnly warning, threaten the future security of all Americans.

The granting of the powers the Justice Department is now asking can only hasten this process. Even the layman can see that. The proposed commission, with power to investigate and harass at its own will could, in the wrong hands, become an instrument of coercion and intimidation.

Like other Americans, no southerner of good conscience condones the denial of rights, either by violation of the law or by threat or violence. But the atmosphere created by agitation is not only inciting lawless elements to violence, but is making such incidents even harder to deal with.

Of laws we have aplenty. The Federal Government has ample power to deal with the violations the Attorney General alleges but doesn't specify. The States have laws against violence, and many of them, like South Carolina, have laws making violation of any citizen's rights a crime.

They should be left free to enforce them.

Mr. President, I have an editorial from the Orangeburg (S. C.) Times and Democrat of June 5, 1957. It is entitled "On Jury Trials." This is what it has to say on this subject:

The committee in the Senate which has been considering the civil-rights bill has added an amendment to the bill which would allow persons accused of contempt to be given jury trials. Many Senators who were and are in favor of the civil-rights bill are supporting this amendment.

We do not see how Congress can go wrong in providing jury trials for persons accused of contempt. While we do not wish to join in a wholesale assault on the judiciary of this Nation, it is nevertheless true that the judiciary—like the other branches of the Government—must have its limitations.

No one branch of our Government functions perfectly, nor is it made up of perfect citizens. The judicial branch has assumed increasing power in recent years and it would be wise to safeguard the right of persons to a trial by jury because of what might follow if this right is denied citizens. It may be that only one issue is involved at present, but the future might well turn up an undesirable situation in which the principle wherein judges who find American citizens guilty of contempt, exercise such unlimited powers concerning various issues and freedom that any bill limiting the right of jury trial would be a tragedy and result in injustice to many Americans.

We do not believe that any one section of the country has a monopoly on all the good people in the United States. We believe that trial by jury is the best possible system establishing guilt and that the people themselves, who make up our juries, will come nearer seeing that justice is done than any group, acting individually, no matter how talented the various individuals may be.

Mr. President, I have an editorial from the Columbia (S. C.) State of June 5, 1957. It is entitled "A Wise Provision," and here is what it has to say on the question of jury trials:

Administration forces fell before six Democrats and a Republican on the Senate Judiciary Committee who insisted upon including in the so-called civil-rights bill a proviso guaranteeing trial by jury to persons accused in court in civil-rights cases. In supporting the amendment as a poor substitute for killing the bill, Senator EASTLAND explained that the section would give civil-rights defendants the same right now enjoyed by trade unionists in labor injunction cases.

The development does not, however, meet with the approval of Attorney General Brownell, who has been playing out of position before now in lobbying for controversial and doubtful legislation, arraying section against section and class against class. He complains the proviso would permit practical nullification of proposed civil-rights legislation. In the words of Orphan Annie, "Would that be bad?"

One wonders just what the advocates of such legislation are after. Could they be seeking to destroy the Constitution?

Everything considered, the section guaranteeing jury trials to defendants in civil-rights cases follows the orderly procedure defined by the Founding Fathers as to the rights and dignity of the individual. Trial by jury is one of the cardinal triumphs of our Constitution as inherited from Magna Carta. There is no reason why any exception should be made to gratify the unilateral zeal of special interests of self-appointed reregulators.

Mr. President, I have an editorial from the Nashville (Tenn.) Banner, of July 10, 1957. Here is what it has to say:

A PRINCIPLE OF RIGHTS: SOUTH MAKING ITS POINT

More Senators, it appears, are seeing the validity of the South's insistence on trial by jury as a fixed point of law and due process—bone of contention with the civil-rights brigade. They are seeing, surely, what logic underscores: that if this principle falls under the impact of biased thinking against the South, it falls for all. It is not, therefore, a regional issue, but national. The southern protest is not addressed to a narrow, selfish view, but to a view exactly as broad as the Constitution—and as far reaching.

Senator O'MAHONEY, of Wyoming, has paid tribute to the fairness of southern colleagues—having spoken out prior to this showdown for the stated right of due process; and recognizing the progress already made, and voluntarily, on race relations. As a further point of edification, the fact of voting rights enjoyed and practiced in the South should be laid before him.

Who, influenced by propaganda to the contrary, has bothered to examine the record in State after State? By what process of competent investigation have these civil-rights firebrands arrived at a conclusion of wholesale indictment?

Voting is a privilege, as well as a duty, of citizenship, asserted and protected by law. With that principle there can be no quarrel. The issue is invasion by Federal authority, and methods of enforcement begetting strife by the measures of force contemplated in this iniquitous legislation.

There are States, outside the South, where people of voting age are denied the right to vote—Indians, for example. Negro citizens do vote, under the same rules of eligibilty applied in the case of white citizens; and if any Senator doubts that, he should come this way and watch.

In Tennessee, and other Southern States, he would find Negroes holding public office. In Nashville they elect their own representatives to city council; they have membership on the school board. They staff their schools. They are employed on the police department and the fire department.

Facts, it appears, are coming out in the Senate and registering—and they are facts answering organized diatribe; substantiating both the concept of justice and of constitutional law.

The South does not stand at the bar of public opinion convicted—just accused. It is not on the defensive. It is defending a basic right of responsible treatment, and the place of that defense is the floor of the Senate.

As manifested by the implied readiness of opponents to concede the trial-by-jury point, its stand to date is influencing that decision. It cannot compromise any principle to the detriment of established, constitutional rights, much less yield to the whip of caprice.

A column written by Dr. John Temple Graves, one of the outstanding men in the South and in the Nation, printed in the Charleston, S. C., News and Courier of July 8, 1957, is entitled "South's Most Civil Right Is Right To Be Let Alone," reads as follows:

"The right to be let alone."

That is our most civil liberty.

Remember it and be of good cheer as Senators from the South fight against the so-called civil-liberty bill.

Civil liberty is indivisible.

It is the whole Constitution, the whole ideal. When you sacrifice one part for another you decrease and endanger the total. When the right to jury trial is impeached to save the right to vote there is net loss, and the same loss runs the whole constitutional gamut.

Basically, all American rights are civil rights. States' rights are civil. The rights of Congress against the Supreme Court are civil, and of the executive against each, and vice versa.

And when the Federal Government (or the State) invades areas never intended or authorized there is violation of the most civil right of all—the right to be let alone.

If the Founding Fathers made a mistake, if they failed to look ahead enough, if they should have anticipated a future so social and interrelated that nothing short of a totalitarian central government and law would serve, we should face it and get a new Constitution. Certainly we should not undertake to cover the situation by ignoring the Constitution in *one* place and insisting on it in another, sacrificing one civil right to make another safe.

Most of us believe no mistake was made, that liberty and justice can still be had in the great terms of the Constitution.

If the President could just be reached on this jury-trial issue in the civil-force bill, many of us who go on liking him believe he would see the South's case as the Nation's. The Baltimore Sun nails it thus: "The injunction contemplated would forbid actions already forbidden under Federal criminal laws. This being so, the injunction procedure is obviously a judicial shortcut, and one which would deprive those cited for contempt of a right which would be guaranteed them under the Federal Constitution (if they) were indicted for the same offense. It is proposed to assure one right—the right to vote—by ignoring another right—the right to a jury trial."

As pointed out here many times, jury trials should be stretched just as far as contempt is stretched, you would think. The civil-rights bill would stretch contempt into areas that ordinarily involve jury trial. It should not be permitted to deny jury trial, therefore, on the plea that contempt cases don't allow for them.

Mr. President, I have an editorial from the Charleston (S. C.) News and Courier of July 4, 1957, entitled "Unless Citizens Fight Against Tyranny Independence Will Perish in the United States of America":

The 181st anniversary of the signing of the Declaration of Independence in 1776 today finds independence at low ebb in these United States.

There is a real question as to whether Americans of this day are capable of keep-

> ing whatever measure of independence is left to them, let alone restoring lost liberties.
>
> The original Independence Day was celebrated a long time ago.
>
> The national memory of what it means is dim. There is a certain amount of speechifying by political leaders. And the White House will hand reporters a mimeographed Fourth of July statement, written by one of the President's ghostwriters.
>
> But the deep meaning of the day will not be especially clear to millions of Americans who are looking forward to a long weekend at the beach or other pleasure resorts.
>
> There is no reason why the Fourth of July should be a long-faced affair. Nor is there any reason why it should be just another holiday—another day for family picnics, parties, and romping in the surf.
>
> Except for a few lines of it embodied in newspaper stories, no one will read the Declaration of Independence. And yet our ancestors read it with the greatest care, for it touched their lives.
>
> It is an angry document, full of resentment toward a government that was steadily pushing Americans into a corner. Finally, in the Declaration, the people said they had enough.
>
> Throughout June 1957 the American people were being pushed into a corner, precisely as the people of the province of South Carolina and 12 other colonies were being pushed in the broiling summer of 1776. No one attacked Sullivan's Island last month, except possibly mosquitoes. But liberties of South Carolinians and their fellow citizens in 47 States were under attack.
>
> Who knows it? Who cares? Today Fort Moultrie, which should be a national shrine, is padlocked and the grounds overgrown with grass. Today, grass is growing over American liberties.
>
> Americans cared in 1776. Of George III, the signers said: "The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States. To prove this, let facts be submitted to a candid world."
>
> And so they submitted the facts. They said that King George "has combined with others to subject us to a jurisdiction foreign to our Constitution and unacknowledged by our laws; giving his assent to their acts of pretended legislation; for depriving us in many cases of the benefits of trial by jury; for taking away our charters, abolishing our most valuable laws and altering fundamentally the forms of our governments; for suspending our legislatures and declaring themselves invested with power to legislate for us in all cases whatsoever."
>
> Does this have a familiar ring?
>
> Is not the Congress, on recommendation of the President, preparing a civil-rights bill that would deny trial by jury to some Americans? Isn't the Supreme Court striking down State laws, abolishing important laws of Congress and altering fundamental forms of our State and Federal governments? Isn't the Supreme Court legislating school laws for the South?
>
> The answer to all these questions is "Yes."
>
> The Declaration of Independence says that it is the duty of a free people, when a design to reduce them to despotism has been perceived, to provide new guards for their future security.
>
> That is what Americans living in 1957 must do. There is no need for flag-waving demonstrations—nothing of that sort. All that is needed is for millions of Americans to halt one moment, in the midst of holiday pleasure, to resolve that they will support their elected representatives in setting up new guards agains tyranny.
>
> Unless there is such a resolve, there won't be much independence to celebrate in the years ahead.

Mr. President, I have an editorial from the July 9, 1957, Charleston (S. C.) News and Courier entitled "People Should Accept No Compromise on States Control of Elections":

> Talk about compromise on civil rights force bills before Congress is in the news from Washington. What goes on behind the scenes the public seldom knows at the time, and doesn't always find out later. We speak with no knowledge other than what we read in press dispatches.
>
> The comment of Senator MUNDT, Republican, of South Dakota, who has predicted a compromise in time to let the Senate adjourn by mid-August, is especially interesting. He said the compromise would be one "for which the South can't vote, but one with which the South can live." The terms of the compromise would be to guarantee the right of Negro and other minority groups to vote without harassment.
>
> Qualified Negroes, like qualified white people, already have a right to vote. Race agitators from time to time dig up cases of alleged intimidation of Negro voters in the South. No doubt there are voting irregularities in the South, as in other regions of the country. In the areas that the News and Courier knows about, Negroes register and vote without hindrance. If there is widespread violation of anybody's civil rights we are not aware of it. The big question is not so much whether and where violations may occur, but who has authority to enforce guaranties of the rights.
>
> Heretofore in our country the States have set up and supervised elections within their borders. We strongly believe that the future of the American Republic depends on saving a balance of power between State and Federal authorities. Control of the ballot and voting procedures is essential to that balance.
>
> The force bill now before Congress, generally known as the civil-rights bill, would set up new Federal machinery, armed with power to imprison without trial by jury, to manage racial aspects of elections. It would be a short step to amend this law to put other, perhaps all, election machinery into Federal hands. Thus some of the safeguards—precious few of them remaining—would disappear.
>
> Compromise on the force bill is a compromise with freedom. Today the Southern States may seem to be the target. But the danger exists for all 48 States.
>
> Perhaps the danger cannot be avoided in the present mood of our Government. Senator MUNDT, in the past a stanch supporter of States rights, has forecast a compromise "with which the South can live," even though it cannot vote for the compromise.
>
> The South could not live with Reconstruction after the Civil War. Some of the proposals today seem designed to revive the spirit of Reconstruction. The News and Courier does not believe the South can live with that spirit now any better than it could live with it 80 years ago.
>
> For that reason we reject any compromise with basic rights and basic freedom.
>
> If the South loses to superior power, either in the form of votes in Congress or any other form of force, let it not be said that the South gave its consent. Someday, if it is not then too late, the rest of the country may come to its senses. The South may be able to hasten that day by resisting wreckers of the Republic. If the people of the United States realized what was being done to their country, they would not offer up the South as a sacrifice, nor compromise with liberty.
>
> The South might be able to live with compromise, but not at the same time with pride and self-respect.

Mr. President, there have been a number of occasions on which I have spoken before the subcommittees of the Committees on the Judiciary of the House and Senate, and on the floor of the Senate, in opposition to the provisions of H. R. 6127 and the other so-called civil-rights bills which were introduced both in the House and in the Senate. The first of these statements was made before the Committee on the Judiciary of the House of Representatives on February 26. Because a good portion of the statement was made with reference to certain so-called civil-rights bills then being considered, but which are not now before the Senate, I have edited out portions of the statement. I now read my statement as edited.

> I am here today to oppose the so-called civil-rights bills.
>
> Tyranny by any other name is just as bad.
>
> In other countries tyranny has taken the forms of fascism, communism, and absolute monarchy. I do not want to see it foisted on the American people under the alias of "civil rights."
>
> Real civil rights and so-called civil rights should not be confused. Everybody favors human rights. But it is a fraud on the American people to pretend that human rights can long endure without constitutional restraint on the power of government.
>
> The actual power of the Federal Government should not be confused with power longed for by those who would destroy the States as sovereign governments.
>
> USURPATION BY JUDICIARY
>
> There have been a number of instances of attempted and real usurpation of power by the Federal Government, which these pending bills would attempt to legalize, expand, and extend.
>
> The most notorious illustration of this type of usurpation is the May 17, 1954, school segregation decision by the United States Supreme Court. Since that time there have been several other decisions by the Court which I think have wakened people all over the country who previously paid little attention, or cared little, what the result might be in the school segregation cases.
>
> There are two recent cases. One arose in Pennsylvania and one in New York. The Pennsylvania case is *Pennsylvania* v. *Steve Nelson*, decided April 2, 1956, dealing with the right of the State to take action against a Communist. The Supreme Court of the United States ruled that because there was a Federal sedition law, the State of Pennsylvania had no authority in that field. The laws of 42 States were invalidated by the decision. Even the protest of the Department of Justice that the laws of the States did not interfere with enforcement of the Federal law did not stop the Court.
>
> The author of the Federal law, the Honorable HOWARD SMITH, of Virginia, has stated there was no intent embodied in the Federal act to prohibit the States from legislating against sedition.
>
> The second case to which I refer arose when the city of New York dismissed from employment a teacher who had refused to disclose whether he was a Communist when questioned by duly constituted authority. Here again the United States Supreme Court ruled against the power and authority of the local government contained in the charter of the city of New York.
>
> USURPATION BY EXECUTIVE
>
> Now let me refer briefly to some attempts at usurpation of the rights of the States by the executive branch of the Federal Government. Administrators in some Federal departments and agencies have issued directives having the effect of laws which have never been enacted by the Congress.
>
> A specific illustration is that of the Civil Aeronautics Administration issuing a directive last year to withhold Federal funds from

facilities in the construction of airports where segregation of the races is practiced.

There is absolutely no basis in law for this administrative action, but by use of a directive or an edict the administrator effected a result just as though a law had been enacted.

Other attempts at Federal interference from the executive branch with the rights of the individual citizen is demonstrated by the Contracts Compliance Commission. This Commission has dictated that contractors working on Federal projects must employ persons of both the white and Negro races, whether the contractors wish to do so or not. The strength of the Commission lies in the power to withhold contracts, or threatening to do so, if a contractor fails to carry out the dictates of the Commission.

ATTEMPTED USURPATION BY CONGRESS

I can think of no better illustration of attempted usurpation of the rights of the States by the legislative branch of the Federal Government than what is going on here now. I believe that the Congress, by attempting to enact these so-called civil-rights bills, is invading the rights of the States.

NO DOUBT AS TO CONSTITUTION

Wherever a person lives in this country, whatever political faith he holds, whatever he believes in connection with any matter of interest, he has one firm basis for knowing his rights. Those rights are enumerated in the Constitution of the United States. I believe in that document. I believe that it means exactly what it says, no more and no less.

If American citizens cannot believe in the Constitution, and know that it means exactly what it says, no more and no less, then there is no assurance that our representative form of government will continue in this country.

I believe that people all over the country are beginning to realize that steps should be taken to preserve the constitutional guaranties which are being infringed upon in many ways.

I believe we should also take steps to regain for the States some of the powers previously lost in unwarranted assaults on the States by the Federal Government.

STATE OFFICIALS UNDERSTANDING

The administration of laws relating to civil rights is being carried out much more intelligently at the local levels of government than they could ever possibly be administered by edicts handed down from Washington. State officials and county officials know the people and know the problems of those people. Most officials of the Federal Government in Washington know much less about local problems than do the public officials in the States and in the counties.

If these so-called civil-rights bills should be approved, then we must anticipate that the Federal Government, having usurped the authority of local government, will try to send Federal detectives snooping throughout the land. Federal police could be sent into the home of any citizen charged with violating the civil-rights laws.

If there are constitutional proposals here which any of the States wish to enact, I have no objection to that. Every State has the right to enact any constitutional law which has not been specifically delegated to the Federal Government in the Constitution.

On the other hand, I am firmly opposed to the enactment by Congress of laws in fields where the Congress has no authority, or in fields where there is no necessity for action by the Congress.

From my observations, I have gained the strong feeling that most of the States are performing their police duties well. I believe that the individual States are looking after their own problems in the field of civil rights better than any enactment of this Congress could provide for, and better than any commission appointed by the Chief Executive could look after them.

Mr. KNOWLAND. Mr. President, will the Senator from South Carolina yield for a question, with the understanding that he will not lose his right to the floor, and the understanding that it will not be considered a second speech or jeopardize the Senator's right to the floor?

Mr. THURMOND. If unanimous consent is granted, under the conditions which the distinguished Senator has outlined, I will be pleased to yield.

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

Mr. KNOWLAND. Mr. President, I shall preface my question by this brief statement of fact, namely, since the House has adopted a sine die adjournment resolution, and there is no fixed period for adjournment, and the Senate can, and in my judgment will, continue in session as long as it is necessary to complete its business, I put these questions in all seriousness to the distinguished Senator from South Carolina:

First. What is the Senator's purpose by his interesting but prolonged remarks? Is it a matter of education of the Senate or of the country?

Second. Is it to establish a record of discussion on the floor of the Senate?

Third. Is it merely to delay a vote on the civil rights bill, which is the pending business?

Fourth. Is it to prevent a final vote on H. R. 6127, the so-called civil rights bill?

Fifth. Is it to make friends and to influence other Senators in the southern position?

Sixth. Is it to emphasize to the Senate the need for a change, beginning in January, of rule XXII?

There may be other reasons, but I should be very much interested—and I believe the Senate would be interested also—if the Senator from South Carolina would agree to indicate the purpose of his prolonged address.

Mr. THURMOND. I would merely say that my purpose in making the extended address is for educational purposes—to educate the Senate and the people of the country. There is no question in my mind that the so-called civil-rights bill violates the Constitution of the United States. I do not believe the Senator was in the Chamber when I spoke earlier and cited a decision pointing out that criminal contempt has been held to be a crime and that under the Constitution of the United States it is provided that a man charged with crime shall get a jury trial.

The so-called compromise bill provides that if a person is sentenced by a judge by being fined more than $300 or imprisoned for more than 45 days, he will get a jury trial. The Constitution does not say that. The Constitution provides that if he is charged with a crime, he shall get a jury trial.

I believe in the Constitution. I believe that the Constitution is clear. I hope the Senator will take the time one of these days—probably he will not have an opportunity soon—to read the address I have made in which I have gone into these matters and have tried to delineate them and point them out for the benefit of the American people, as well as for the benefit of the Senate.

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

Mr. THURMOND. I am confident that the pending bill is a dangerous bill in a number of ways. I have pointed out that it is necessary that every State in the Nation have laws to protect the right to vote. The Senator's own State of California has such laws. I started with the State of Alabama and read the laws for every State. Those laws were confirmed to be accurate by the Library of Congress. I read the State laws beginning with Alabama and ending with Wyoming. Every State in the Nation has laws to protect the right to vote.

I say there is no need for the pending bill. This is a matter that comes under the Constitution, and it should be left to the States. It is a State matter. It is not a Federal matter.

Furthermore, the Federal Government has invaded the field. It has already invaded the field. I believe it made a mistake when it did so.

I should like to invite the attention of the Senator—again I do not believe he was in the Chamber when I referred to it previously—section 594 of chapter 29 of title 18 of the United States Code. That section provides:

> Whoever intimidates, threatens, coerces, or attempts to intimidate, threaten, or coerce, any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories and possessions, at any election held solely or in part for the purpose of electing such candidate, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.

Mr. KNOWLAND. Mr. President, will the Senator yield again under the same conditions?

Mr. THURMOND. That is the Federal law today. If anyone is being denied his right to vote today he has recourse to that statute. If anyone is being denied the right to vote and complains about it, the Justice Department fails to do its duty if it fails to prosecute under that section of the Federal statute. Either that condition exists or there are no just complaints. The Committee on the Judiciary held hearings for months on the question, and it did not have before it one valid complaint. It had some fictitious complaints from a parish in Mississippi. It turned out that they asked a witness to return the next day, but he did not return, and it proved that the whole testimony was a fabrication, according to the chairman of the committee.

Therefore, there are State laws which protect the right to vote, and there is a Federal law which protects the right to vote. Under that act, if a man is tried, he would have a right to trial by jury. Under the so-called compromise, if he is tried, he would not have the right of trial by jury if the sentence were less than $300 or if the imprisonment were for less than 45 days.

Ninety-nine percent of all the criminal contempt cases would fall within that sphere. I was a circuit court judge for 8 years and heard cases all over South Carolina. I cannot remember the case of even one man who was sentenced by me or by any other circuit court judge in South Carolina for contempt of court for longer than 45 days in jail.

Therefore, the effect of the so-called compromise is to deny to the citizens of South Carolina and of the United States the right to a jury trial, as is guaranteed in several places in the Constitution. That is the reason I have made this extended address. It is to call to the attention of the Senate and to the people of the Nation that the pending bill is a dangerous bill. In my opinion, it is purely a political bill.

Mr. KNOWLAND. Mr. President, will the Senator yield under the same conditions as heretofore stated?

Mr. THURMOND. I yield under the same conditions.

Mr. KNOWLAND. I can assure the Senator, whether we make that proviso in our remarks back and forth, the Senator will be fully protected in his rights to the floor.

Mr. THURMOND. I shall be pleased to yield to the Senator from California under those conditions.

Mr. KNOWLAND. I did listen to the earlier part of the Senator's address. I was in the Chamber at the time. I must confess that for several hours I did get some sleep and was able to freshen up and to change my clothes, and I am now back in the Chamber.

Mr. THURMOND. I notice that the Senator looks very fresh at about 6:45 in the morning.

Mr. KNOWLAND. Yes. I am glad to be here with the Senator. Of course, the question which obviously disturbed a majority of the two Houses of Congress was that the statutes which are now on the statute books were not effective in protecting those constitutional rights. The Senators who felt that way are just as sincere as the Senator from South Carolina. I know the Senator from South Carolina has a deep conviction and is one of the ablest Members of the Senate. However, I refer to the provisions of section 1 of the 15th amendment to the Constitution, which provides:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2 of the 15th amendment reads:

> The Congress shall have power to enforce this article by appropriate legislation.

Both sections point up the fundamental constitutional right of American citizens and clearly underscore the fact that Congress not only has the right, but the responsibility in this field.

The Senator may feel that in his State or perhaps in other States—and I have no doubt it is true in many areas of the South—there is no problem relative to the voting rights of American citizens. But at least the predominant opinion in Congress indicates that there is also a strong feeling that in many areas—and this may not be related only to the South, for that matter—the full rights under the 15th amendment are not being effectively implemented. It was for that reason that the House, by a vote, I believe, of more than 2 to 1, and the Senate finally by a very substantial majority, passed the bill, which is now going through another legislative process. It finally came back to the Senate floor after the House had concurred and amended the Senate version, as the House had a right to do.

My only point is that obviously the Senate of the United States is going to stay in session and complete work on the proposed legislation. It may sit for the remainder of the week, and it may sit next month and, if necessary, the month after that. I wish to emphasize to the Senator from South Carolina that, so far as the recommendations of the minority leader might be followed—and I know of no difference of opinion so far as the majority is concerned, although I cannot speak for the majority, and I would not attempt to do so—there will be no sine die adjournment resolution adopted by the Senate which would permit Congress to adjourn the first session of the 85th Congress until we have completed the work on the pending legislation, which is the civil-rights bill, and completed the work on the proposed legislation dealing with the mutual aid appropriation bill. Therefore, there is no fixed hour and date of adjournment.

I was wondering, therefore, why the Senator was making his extended address, and that is the reason I asked the questions I asked of him. He said he was making the address for the purpose of an educational campaign, for the benefit of the country and the Senate. I was wondering whether he hoped to prevent passage of the bill or merely delay its passage, or whether he had some other reason in mind.

Mr. THURMOND. In answer to the distinguished Senator, I wish to say that I should be highly pleased if the bill did not pass. I should like to ask the Senator this question: Under the statute which I have just read—and that is not a State statute, but a Federal statute, which provides "whoever intimidates, threatens, coerces, or attempts to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote as he may choose," and so forth, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both—is there any deficiency in the statute? Is that not as clear as it can be? If anyone interferes with another's right to vote, or intimidates, or if he threatens or coerces, he shall be punished. Is that not what it says? If that is the case, why does the Senator believe we should have another statute on voting added to it? Is this statute deficient? The Senator says the present laws are defective, as I understand. The statute I have read is a criminal statute. It will punish a guilty person by fining him for as much as $1,000 and could send him to jail for a year. In what respect does the Senator believe the statute is defective?

Mr. KNOWLAND. I shall not at this hour get into a detailed legal argument, because I am not a lawyer, but a newspaperman; furthermore, I would not attempt to put myself up against the distinguished Senator from South Carolina, who has been a judge in his own State and has been for a long time a distinguished member of the bar. I have listened to the arguments on the floor of the Senate. I have read a number of the reports and the proceedings, and I have had some discussions with people who are familiar with the circumstances connected with the subject. I do know that those in the Department of Justice who have been concerned with this problem apparently feel that that statute is not effective so far as the constitutional rights of American citizens are concerned.

Secondly, I am not in a position to argue with the Senator relative to what the legal definition of coercion is. I do say to the Senator that I believe there are various forms of coercion, some of which might be very difficult to prove in a court of law, but which might still be equally effective in keeping people from exercising their voting rights.

The coercion might consist of economic pressure, or there might be some difficulty about finding work in a community or there might be the difficulty of a small merchant maintaining his business. It might be very difficult to trace such things to the fact that a person had tried to go to a voting place on voting day to cast his vote. Nevertheless, such coercion could be quite effective in keeping a person from exercising his right to the voting franchise.

It is also true that in the debate which has taken place on the floor of the Senate it was disclosed that in one of the parishes or voting districts in a Southern State which had been mentioned on the floor of the Senate, there had been the situation where certain facts were laid before a grand jury in that particular State, and the facts were very clear, but still no action was taken in that particular situation.

I will say to the Senator that it should be remembered that the bill has now been stripped practically to a voting-rights bill.

Furthermore, I certainly believe that the fundamental right of an American citizen in this day and age should be protected, because every citizen has the right to vote. If that right is assured to a citizen, in time he may help himself secure the other civil rights to which he is entitled and which are guaranteed to him by the 14th amendment. The bill before us, as I say, is primarily a voting-rights bill. Those who have had some responsibility in this field—and I think some knowledge of it also—feel that the procedure outlined in the bill would at least facilitate the exercise of the voting rights of American citizens in all sections of the country.

Mr. THURMOND. I might say to the distinguished Senator that he is one of the ablest Members of the Senate. Even though he is not a lawyer, he knows a statute when he hears one read. The criminal statute I have read is just as plain as any criminal statute can be. I am in favor of having every qualified voter enjoy the right of franchise. I want to say that in my State every qualified voter has that privilege. No one—white, colored, or anyone else—is denied the right to vote in South Carolina. The statute I have read protects people from being coerced and intimidated and threatened in any way. If there is any violation of law now, a person who is discriminated against may go to the Department of Justice, and under the statute I have read a violator of that statute will be either sent to jail or fined or both. What the proposed compromise would do would be to take away that right of trial by jury.

Mr. KNOWLAND. Mr. President, will the Senator yield under the same conditions?

Mr. THURMOND. I yield under the same conditions.

Mr. KNOWLAND. I will say that both the original bill as passed by the two Houses and the final form now before us are not intended to deprive anyone of his vote, but to encourage the constitutional right of people to enjoy the right to vote. The fact of the matter is that quite a due process procedure is set up. If a person comes forward and alleges that he has been denied the right, there is a procedure set up by which he may go into Federal court, under his constitutional right, under the 15th amendment and the other constitutional rights he has, and make certain allegations. The judge must make certain findings. If he finds the facts are correct, he issues a court order, directed to what we in our State would call the registrar of voters, but what in other States might be the county clerk, or whatever else he might be, and says, in effect, "You are violating the constitutional rights of this man. He is being discriminated against under the laws of this State. Put him on the registration rolls."

If the local official complies with the law and complies with the Constitution, nobody is fined, and nobody goes to jail. It is only if the local official or the local individuals involved in the case ignore the order of the court and, in effect, say that "we will not comply with the order seeking to protect the constitutional rights of American citizens," that the judge may, under either civil contempt, which may be used in most cases, and may in most cases be effective, or under the criminal contempt provisions, impose the penalties.

So this bill is not seeking to punish people. To the contrary, it is seeking to gain for American citizens the very fundamental right to vote. If nobody is denied the right to vote in the State of the Senator from South Carolina, there will not be a single citizen in the State of South Carolina who will be involved in either a civil or criminal contempt. If nobody is being denied the right to vote in any other State, there will not be a single citizen, man or woman, who will be involved in either civil or criminal contempt under this bill. There will not be large numbers of persons who will be fined or jailed for 10 days or 30 days or 45 days, to force compliance with the constitutional rights of American citizens. That is going to be so only if the conditions which the Senator says prevail in his State do not prevail in other areas of the country and large numbers of American citizens are denied their constitutional rights. It seems to me it is all clear and simple. The Senator has nothing to fear in his own State or in any other State, because if nobody is being denied the right to vote, nobody can be punished by either civil or criminal contempt proceedings under the bill.

Mr. THURMOND. I should like to say, in reply to that statement, whether a single person in South Carolina would be affected by the bill or not would not change my opinion about the bill, because the bill as passed by the House affects American citizens everywhere. The bill the Senate passed delineated and made a distinction between civil contempt, the purpose of which is to bring about compliance with an order, and criminal contempt, the purpose of which is to punish for a crime.

A criminal contempt has been held, in a court decision which I cited earlier today, to be a crime. Criminal contempt is a crime. The bill as passed by the House provides for punishment for criminal contempt and provides that a judge can try the case, in his discretion. The defendant does not get a jury trial for a criminal contempt unless the punishment goes beyond 45 days or beyond a $300 fine. I am not concerned about the people of South Carolina violating the voting rights of citizens, because I do not think anybody in South Carolina is violating anyone's voting rights. I presume this bill is aimed chiefly at helping the Negroes, is it not, Senator?

Mr. KNOWLAND. No. The bill would be aimed at any American citizen, without regard to race, creed, or color, whose voting rights under the 15th amendment would be denied.

Mr. THURMOND. As a matter of fact, it is the Negro whom it is chiefly aimed to help. Is that not a fact?

Mr. KNOWLAND. I suppose most allegations of a denial of voting rights come from colored citizens of the United States, but I assume the same situation might apply to Indians, in some instances, or might apply to others who might be entitled, under the Constitution, to the right to vote; but it is not aimed at any one race or one section of the country. The Constitution, as the Senator well knows, and I think would not dispute, applies to all 48 States of the Union, and not merely to a part of the Union.

Mr. THURMOND. I am sure that is correct, but I refer to the practical purpose of the bill. I understood that was so admitted, and one reason why the right of trial by jury was attempted to be taken away was that southern juries would not convict in cases involving the right of Negroes to vote.

For the Senator's information, in my State I would like him to know that in the 1952 election President Eisenhower lacked just a few votes of carrying the State. The Negroes voted in heavy numbers. The Negro newspaper, the Lighthouse and Informer, of Columbia, S. C., published by and for Negroes, bragged about the fact that they were responsible for winning the State for Stevenson. It said that more than 80,000 of them had voted in that election, and that represented about one-fourth of the entire votes cast in that general election. The Negroes of our State comprise only 40 percent of the population. If they voted to the extent of almost one-fourth of all the votes cast in that election—and they probably voted more, because they admitted they cast that many—I think it is indicative that the Negroes are voting in large numbers. Of course, they are not so well qualified to vote as are the white people. I do not know of a Negro in South Carolina who is qualified and wants to vote who is denied that privilege. So Negroes are voting in my State.

Mr. KNOWLAND. I might say to the Senator I was in his State in 1952. I happened to travel with then General Eisenhower, who was a candidate for the presidency before he became President of the United States. I attended meetings with the President-to-be. The point I want to make perfectly clear is that I do not dispute the fact, as stated by the distinguished Senator, that a large number—perhaps a good majority—of the Negro citizens of this country or of his State may be registered Democrats. I think they may continue to vote for the Democratic ticket, so far as that is concerned. They may have been responsible, as the Senator says, for having carried South Carolina for Stevenson——

Mr. THURMOND. That is what they said.

Mr. KNOWLAND. Or, at least, that is what they said; but that would not change my viewpoint in the slightest, as a Republican, if they were entitled as American citizens to vote, even though they were responsible for the defeat of my party in that State. I might say that in the northern areas, the heavily populated areas, with large Negro populations, for the most part Negroes have voted the Democratic ticket, and generally for New Deal candidates, and it certainly is not politically advantageous to my party when they vote that way. That still would not change my viewpoint that, if they are American citizens and if under the Constitution they are entitled to the right of any other citizen to vote, which the Constitution clearly gives them, both the Senate and the House, as well as the executive branch of the Government and the local public officials and the national public officials, have the responsibility to see that they are not denied the right to vote and to exercise their constitutional rights, whether the citizens may be predominantly Democratic, predominantly Republican, or predominantly Independent.

That point is not at issue here. The issue is whether they are entitled, under the qualifications of the State laws, and under the Constitution of the United States, to vote. If they are, they should be assured that every public official who raises his hand to support both the State and National Constitution has the responsibility to see that citizens get the right to vote when they want to exercise it. In this country, we do not have coerced voting, where citizens have to go to the polls. But if citizens want to do so, they should be allowed to do so, without any direct intimidation or without any of the more subtle, indirect intimidations or coercions which sometimes can be practiced, as the distinguished Senator knows.

Mr. THURMOND. I should like to ask the Senator if he has had evidence presented to him which has convinced him that there is a need for this bill to be passed, in spite of all the laws the States have to protect the right to vote, and in spite of section 594 of the United States criminal code which protects the right to vote. Has the Senator ever had evidence presented to him that convinced him it is necessary to pass the bill, in spite of the laws of the States and the Federal statutes?

Mr. KNOWLAND. I will say to the Senator if I did not feel that it was both necessary and desirable to pass the bill, I would not have supported it. I believe there have been sufficient facts presented to indicate that a bill of this type is both necessary and desirable.

I have never taken the position on the floor, or publicly or privately, in which I have made a blanket indictment and stated that southern juries would not convict, because I have the highest respect for the people of the South, for their responsibilities of citizenship, for their loyalty to this country, and for the fact that they have served in uniform side by side with citizens from other sections of the country in fighting off our enemies in the various struggles in which this Nation has been engaged. I have never suggested that there should be a blanket indictment of a whole people under any circumstances. I do not now say that the facts outlined by the Senator from South Carolina, with respect to his own State, are not correct. Of course, I do not know his State as well as does the Senator from South Carolina, but if he tells me that there are no cases where a person is deprived of his right to vote, where a Negro citizen, if he possesses precisely the same qualifications that would be expected of a white citizen——

Mr. THURMOND. None that I know about.

Mr. KNOWLAND. That he has exactly the same rights to register, exactly the same rights to vote, I take the Senator's word for it, because I have great respect for him. I will say, however, that in the facts presented by the Attorney General's office before the committee, relative to another State in the broad general area of the South—I might say the same thing might apply in an area of the North or the West, for that matter, because what we are seeking to protect is the rights of American citizens in all 48 States of the Union—it was shown that large numbers of persons who had been registered were purged from the registration rolls. The predominant number, if not all of the purgees, were members of the Negro race, with very few, if any, members of the white race. Purely on the law of averages, to a reasonable man, one would not have to be a lawyer to know that it does not seem to be a matter of chance. Then when they sought to re-register, according to the facts presented, the local registrar indicated, though there were several thousand of them, he could not register more than 50 a day. That meant those persons had to stand in line for long periods of time, which would naturally be a discouraging thing in trying to get back on the registration rolls.

There was used the apparently rather interesting and novel provision of verbal question. I doubt very much whether many, if any, Members of the Senate could have answered some of the questions which were asked. If a question was answered one way, that apparently was not the right answer. If the question was answered the other way, which any reasonable person might have done, that apparently was not the right answer. Perhaps the same position would have been taken by the local registrar if the citizen involved had been of any other race, but, again, to a reasonable person it seems that there was at least an effort made to discourage American citizens from exercising the right of franchise.

I again reiterate that, to the best of my knowledge and belief, that occurrence did not take place in the State of South Carolina.

The Senator has made a very fine statement of the rights the citizens of his State enjoy. I think all Americans will rejoice in that fact. I want to say there is nothing in the proposal before the Senate which will in the least change the power of the States to prescribe the qualifications of their voters. They have that right under our Federal system. I think, however, the States have the obligation not merely to give lip service to, but to follow both the letter and the spirit of the Constitution, and that whenever such qualifications are prescribed, whatever they may be, they should be applied impartially and equitably to every American citizen, regardless of his race, color, creed, or previous condition of servitude.

Those are the words of the Constitution. Those are the words that every citizen occupying a position as a registrar, a county clerk, or a local voting commissioner has a full obligation to comply with. Such persons should not apply one rule to one group of citizens and a different rule to a different group of citizens. If they will apply the laws with equity and with impartiality, then they have nothing to fear in the slightest in the way of either civil or criminal contempt under this bill, at least in my judgment.

Mr. THURMOND. I should like to ask the Senator from California one more question, and with that I will desist.

Although the Senator is not a lawyer, he is one of the best read men in the United States. I imagine he is an expert on the Constitution, also, because he is a very deep student.

I wonder how the Senator could agree to this compromise, which would deprive people in criminal contempt cases of the right to a trial by jury, when the Constitution is so clear on that point?

Mr. KNOWLAND. I will say to the Senator that I will leave the matter to the lawyers, to debate later the specific point which the Senator mentions. I, at least, have heard of no section of the country where there is a provision for a trial by jury in an equity proceeding where there is a contempt of the court.

Mr. THURMOND. I am speaking of criminal contempt.

Mr. KNOWLAND. I know, but I am speaking also of a contempt of the court in carrying out its order in an equity proceeding.

Mr. THURMOND. In reply to that I will say to the Senator I agree that in civil contempt cases under the present law the court has the right to use its power to bring about compliance with an order, in civil contempt cases. However, I am speaking of criminal contempt cases, which are provided for in the compromise bill. The bill provides for criminal contempt actions.

Criminal contempt is a crime. I have here a decision which sustains that point. Since criminal contempt is a crime, there is a right to a trial by jury.

The Constitution of the United States in article III, section 2, says this:

> The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; * * *.

The sixth amendment reads:

> In all criminal prosecutions—

That is what we are referring to. We refer to a criminal prosecution for criminal contempt. It is a prosecution by the judge, who is the prosecutor, the legislature, the judge and the jury.

The court has held that criminal contempt is a crime, and the Constitution makes reference to all criminal prosecutions. We refer here to a criminal prosecution.

The sixth amendment says:

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed,* * *.

And so forth.

In the seventh amendment to the Constitution there is also a reference to a jury trial. The amendment I have read is exactly to the point.

If the Senator had provided in the compromise bill that the judge could impose a sentence of imprisonment for 1 day—not 45 days, but even 1 day—or a fine of even $1 in a criminal-contempt case, he would be giving the judge the power to try a man without a jury in violation of the Constitution, even though the punishment would be negligible.

What I am opposed to is the fact that the compromise bill, the way it is written and the way it has come to the Senate, violates the Constitution of the United States. I am vitally concerned about that.

Mr. KNOWLAND. If the Senator will yield further, then I shall not interrupt him any more.

All I can say to the distinguished Senator from South Carolina is that the highest law officers of the Government of the United States are the Attorney General of the United States and representatives of the Department of Justice.

They, too, have sworn to uphold the Constitution of the United States. The most able lawyers in the Department of Justice have looked over the proposed legislation, as well. In their judgment, it is constitutional and it does not violate the Constitution of the United States.

The Senator is entitled, of course, to make the assertion that in his judgment the provision is not constitutional. Such arguments come up even before the Supreme Court of the United States, as the distinguished Senator knows, from time to time, as well as before other courts. Sometimes the judges can agree by a unanimous vote as to what they think is constitutional or what they think is unconstitutional. However, over the long period of our history there have been many notable cases relative to the constitutionality of some act of Congress or the constitutional rights of some individual as to which the Supreme Court of the United States, which is the highest judicial tribunal of the land, has divided on a 5-to-4 decision.

The Senator's assertion that the provision is not constitutional—I am sure the Senator would be the first to admit—does not make it unconstitutional. I quite admit that the assertion of any qualified lawyer on this side, who might make the assertion the provision was constitutional, would not, by that assertion, make it so. Nor would the opinion of the Attorney General make it so.

At least I do not want the record to show that merely by having the Senator make the assertion that in his judgment it is not constitutional, necessarily, ipso facto, that assertion makes a fact.

Mr. THURMOND. Of course, we remember also that the Attorney General in the original bill wanted to transfer these matters to the equity side of the court to deprive citizens of the right of jury trial. We have to keep that in mind.

Mr. KNOWLAND. If the distinguished Senator will yield further, I wish to thank him for his courtesy in yielding. I hope he has enjoyed our discussion as much as I have. I hope perhaps it has been a brief respite to him, under all the circumstances. I would stay to listen to the Senator, but I have a breakfast engagement with the President at the White House. I know under those circumstances the distinguished Senator will excuse me.

Mr. THURMOND. It is a pleasure to yield to the distinguished Senator, for whom I have such high admiration.

Mr. President, I continue to read my statement:

BILL OF RIGHTS GUARANTIES

Before taking up specific provisions of several of the bills pending before the committee, I should like to read for you two of the basic provisions in the Bill of Rights.

The ninth amendment to the Constitution provides:

"The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people."

The 10th amendment to the Constitution provides:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

Those last two amendments of the Bill of Rights make clear the intent of the Founding Fathers. Their intent was that all rights not specifically listed, and all powers not specifically delegated to the Federal Government, would be held inalienable by the States, and the people.

BILL OF RIGHTS UNALTERED

This basic concept of the Bill of Rights has never been constitutionally amended, no matter what the Federal courts have done, no matter what the executive branch of the Federal Government has done, and no matter what the Congress might have done or attempted to do in the past. The people and the States still retain all rights not specifically delegated to the Federal Government.

Let us also consider these proposals from a practical standpoint.

What could be accomplished by a Federal law embodying provisions which are already on the statute books of the States that cannot be accomplished by the State laws? I fail to see that any benefit could come from the enactment of Federal laws duplicating State statutes which guarantee the rights of citizens. Certainly the enactment of still other laws not approved by the States could result only in greater unrest than has been created by the recent decisions of the Federal courts.

MR. DOOLEY WAS RIGHT

The truth is very much as Mr. Dooley, the writer-philosopher, stated it many years ago, that the Supreme Court follows the election returns. If he were alive today, I believe Mr. Dooley would note also that the election returns follow the Supreme Court.

And now it looks as if some people are trying to follow both the Supreme Court and the election returns.

Having made these general comments, I would like to comment specifically on some of the pending proposals. First, on the proposal for the establishment of a Commission on Civil Rights.

COMMISSION UNNEEDED

There is absolutely no reason for the establishment of such a commission. The Congress and its committees can perform all of the investigative functions which would come within the sphere of constitutional authority.

I do not believe the members of any commission, however established, could represent the views of the people of this country as well as the Members of Congress can. I hope that the members of this committee and the Members of the Congress will not permit themselves to be persuaded that anyone else can look after the problems of the people any better, or as well, as the Congress can.

Furthermore, there is no justification for an investigation in this field.

I hope this committee will recommend against the establishment of such a commission.

Another bill would provide for an additional Assistant Attorney General to head a given by the Attorney General last year be-partment. I have searched the testimony given by the Attorney General last year before the committees of the Congress with regard to this proposal, and I have found no valid reason why an additional Assistant Attorney General is needed.

I can understand how an additional Assistant Attorney General might be needed if the Congress were to approve a Civil Rights Division and enact some of the other proposals in the so-called civil-rights bills. But they are proposals not dealing with criminal offenses—they deal with efforts of the Justice Department to enter into civil actions against citizens.

If the Justice Department is permitted to go into the various States to stir up and agitate persons to seek injunctions and to enter suits against their neighbors, then the Attorney General might need another assistant. However, the Justice Department should avoid civil litigation, instead of seeking to promote it.

I hope the members of this committee will recognize this proposal as one which could turn neighbor against neighbor, and will treat it as it deserves by voting against it.

WORSE THAN EX POST FACTO

Another proposal of the so-called civil-rights bills is closely related to the one I have just discussed. It would provide that—

"Whenever any persons have engaged or about to engage in any acts or practices which would give rise to a cause of action * * * the Attorney General may institute for the United States, or in the name of the United States but for the benefit of the real party in interest, a civil action or other proper proceeding or redress or preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order."

Now that proposal is one which I would label as even more insidious than any ex post facto law which could possibly be imagined.

An ex post facto law would at least apply to some real act committed by a person which was not in violation of law at the time. The point is, however, in such instance the person would actually have committed the act.

This proposal would permit the Justice Department to secure an injunction from a Federal judge or to institute a civil suit on behalf of some person against a second person when the latter had committed no act at all. An injunction might be secured from a Federal judge charging a violation of the law without any evidence that a person even intended to do so.

How any person could support by oath a charge as to whether another person was about to engage in violating the law is beyond my understanding.

Many of the pioneers who settled this new continent came because they wanted to escape the tyranny of European despots. They wanted their families to live in a new land where everybody could be guaranteed the right to trial by jury, instead of the decrees of dictators.

Congress, as the directly elected representatives of the people, should be the last to consider depriving the people of jury trials. We should never consider it at all. But, if this proposal to strengthen the civil-rights statutes is approved, that would be its effect.

AGENTS COULD MEDDLE

Under this provision, the Attorney General could dispatch his agents throughout the land. They would be empowered to meddle with private business, police elections, intervene in private lawsuits, and breed litigation generally. They would keep our people in a constant state of apprehension and harassment. Liberty quickly perishes under such government, as we have seen it perish in foreign nations.

A further provision of that same proposal would permit the bypassing of State authorities in such cases. The Federal district courts would take over original jurisdiction, regardless of administrative remedies, and the right of appeal to the State courts.

STATE COURTS STRIPPED

This could be a step toward future elimination of the State courts altogether. I do not believe the Congress has, or should want, the power to strip our State courts of authority and vest the Federal courts with that authority.

Still another proposal among the so-called civil-rights bills would "provide a means of further securing and protecting the right to vote." I have had a search made of the laws of all 48 States and the right to vote is protected by law in every State.

SOUTH CAROLINA CONSTITUTION PROTECTS VOTER

In South Carolina, my own State, the constitution of 1895 provides in article III, section 5, that the general assembly shall provide by law for crimes against the election laws and, further, for right of appeal to the State supreme court for any person denied registration.

The South Carolina election statute spells out the right of appeal to the State supreme court. It also requires a special session of the court if no session is scheduled between the time of an appeal and the next election.

Article II, section 15 of South Carolina's constitution, provides that no power, civil or military, shall at any time prevent the free exercise of the right of suffrage in the State.

In pursuance of the constitutional provisions, the South Carolina General Assembly has passed laws to punish anyone who shall threaten, mistreat, or abuse any voter with a view to control or intimidate him in the free exercise of his right of suffrage. Anyone who violates any of the provisions in regard to general, special, or primary elections, is subject to a fine and/or imprisonment.

In this proposed Federal bill to "protect the right to vote," a person could be prosecuted or an injunction obtained against him based on surmise as to what he might be about to do. The bill says that the Attorney General may institute proceedings against a person who has engaged or "is about to engage in" any act or practice which would deprive any other person of any right or privilege concerned with voting.

UNCONSTITUTIONAL AMENDING

I believe the effect of enactment of such legislation as these proposals would be to alter our form of government, without following the procedures established by the Constitution.

I believe the effect of enacting these bills into law would be to take from the States power and authority guaranteed to them by the Constitution.

In recent years there have been more and more assaults by the Federal Government on the rights of the States, as the Federal Government has seized power held by the States. In many instances, I believe, this has been done without a constitutional basis.

The States have lost prestige. But more important, the States have lost a part of their sovereignty whenever the Federal Government has taken over additional responsibilities. That loss might seem unimportant at the time, but gradually it could become a major part of the sovereignty of the States.

Officials of the Federal Government, whether in the executive, legislative, or the judicial branch, should not forget to whom they owe their allegiance. Each of us owes his allegiance to the Constitution and to the people—not to any agency, department, or person. We have taken an oath to support and defend the Constitution.

We must take into account the facts as they really are, and not be panicked by the organized pressures which so often beset public officials.

STATES CREATED UNION

We must not lose sight of the fact that the States created the Federal Union; the Federal Government did not create the States.

All of the powers held by the Federal Government were delegated to it by the States in the Constitution. The Federal Government had no power, and should have no power, which was not granted by the States in the Constitution.

If this Congress approves the legislation embodied in the bills pending before the committee, it will be an unwarranted attempt to seize power not rightfully held by the Congress or by any branch of the Federal Government.

I hope this committee will consider these facts and recommend the disapproval of these bills.

Mr. President, that was the statement I made before the Judiciary Committee of the House of Representatives on February 26.

Mr. President, on August 6 I made my third address on the floor of the Senate in which I voiced my vigorous objections to a number of provisions contained in H. R. 6127, as amended by the Senate, which was the least obnoxious of all the many obnoxious forms of this bill.

I shall now repeat my several objections to this milder form of the bill as I stated them on August 6. These were my words at that time:

Mr. President, I am opposed to the creation of a Commission on Civil Rights as proposed in part I of H. R. 6127.

To begin with, there is absolutely no need or reason for the establishment of such a Commission. If there were any necessity for an investigation in the field of civil rights, such an investigation should be conducted by the States or by an appropriate committee of the Congress, acting within the jurisdiction of Congressional authority. It should not be done by a commission.

I also object to part I of H. R. 6127 because of the fact that it places duties upon the Commission and endows it with powers which no governmental commission should have.

In fact, Mr. President, the language of the bill proposing to establish this Commission is so broad and so general that it may encompass more evils than have yet been detected in it.

Under its duties and powers the Commission would be able to subpena citizens to appear before it to answer questions on many subjects outside the scope of elections and voting rights.

Section 104 (a) provides the Commission shall—

"(1) Investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based."

Mr. President, the bill, in part IV, contains an additional protection of the voting right of citizens above and beyond present State and Federal laws. Provision is made for enforcement of part IV, and there were already sufficient enforcement provisions to carry out the intent of the existing State and Federal laws. I do not see how a commission could enhance officers nor the powers of law enforcement officers nor the enforcement and punitive authority of the courts.

I can see no valid reason why a commission should be created, in addition to the legal enforcement procedures, unless the purpose is for the Commission to stir up litigation among our people.

This bill has been advertised, promoted, any ballyhooed as a right-to-vote bill. However, I want to cite two paragraphs which give broad authority for investigations other than alleged violations of a person's right to vote.

Section 104 (a) provides the Commission shall—

"(2) Study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

"(3) Appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution."

Instead of limiting the power of the Commission, these two paragraphs provide it with carte blanche authority to probe into and meddle into every phase of the relations existing between individuals which the Commission and members of its staff could conjure up.

I want to call particular attention to a divergence in language between paragraphs 2 and 3. Paragraph 2 refers to a study of "legal developments constituting a denial of equal protection." Paragraph 3 says "appraise the laws and policies of the Federal Government with respect to equal protection."

The significant thing here is the omission of the specific intent of paragraph 2. Although the language of paragraph 2 is obscure and omits a governmental reference, it obviously must refer to State and local governments, else it would be redundant and have no meaning at all.

Also, as I pointed out, investigations conducted under paragraphs 2 and 3 could go far afield from the question of voting rights. The Commission could exert its efforts toward bringing about integration of the races in the schools, and elsewhere, under the authorization of these two paragraphs. Combining its authority to investigate on an unlimited scale and its authority to force witnesses to answer questions, the Commission would have a powerful weapon.

Mr. President, I do not believe the people of this country realize the virtually unlimited powers of inquiry which would be placed in the hands of this political Commission. While the Commission would have no power to implement its desires, I do not believe the people of this country want such a totalitarian type of persuasion imposed upon them.

Part I of H. R. 6127 purports to create a Civil Rights Commission. Actually, it would create a traveling investigation commission.

Section 103 (b) of part I also would place tremendous power within the grasp of the Attorney General with reference to members of the Commission "otherwise in the service of the Government." The clear implication is that whoever drafted this scheme to send traveling agents over the country intended to make use of certain members of the executive branch of the Federal Government. I don't believe it would be necessary to look further than the Justice Department to determine where Commission members already in Government service would be secured. By placing his employees on the Commission, the Attorney General would transform the traveling agents into an additional investigative arm of the Justice Department.

Mr. President, I next call attention to the potential abuse found in section 102 (g) under the innocuous title, "Rules of Procedure of the Commission." That section provides that "no evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission evidence or testimony taken in executive session shall be fined not more than $1,000, or imprisoned for not more than 1 year."

In an editorial of July 26, 1957, the Washington Post very correctly pointed out how this section could be used to imprison reporters and other citizens for disclosure of what a witness might voluntarily tell them. This editorial provides a penetrating and enlightening criticism of this section. Because of its pertinency and fine analysis, I shall read the last three paragraphs of the editorial which is entitled "Open Rights Hearings," which states:

"The bill contains an invitation to the Commission to operate behind closed doors.

It provides that 'if the Commission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall * * * receive such evidence or testimony in executive session. * * *" Some closed sessions may be necessary to avoid unfair reflections upon individuals, but these should certainly be an exception to the general rule. In our opinion, this section ought to be rewritten in more positive vein to provide that sessions of the Commission should be open to the public, unless it should find that closed hearings were essential to avoid unfairness.

"The House also wrote into the bill a dangerous section providing for the fining or imprisonment for not more than 1 year of anyone who might 'release or use in public,' without the consent of the Commission, any testimony taken behind closed doors. If the Commission should choose to operate under cover, without any valid reason to do so, newspaper reporters and other citizens could be jailed for disclosure of what a witness might voluntarily tell them. This is a penalty that has been shunned even in matters affecting national security. Such a provision is an invitation to abuse and a serious menace to the right of the people to know about the activities of governmental agencies.

"It is well to remember that this would not be merely a study commission. In addition it would be under obligation to investigate allegations that persons were being deprived of their rights under the 14th and 15th amendments. It could subpena witnesses and documents and appeal to the courts for enforcement of such edicts. Its powers would be such that it should be held to scrupulous rules of fairness. To encourage the Commission to operate in secret, and then to penalize news mediums and citizens for disclosing what should have been public in the first place, would be the sort of mistake that Congress ought to avoid at the outset."

Mr. President, I think the points made in the editorial are clear and valid. Secrecy in the activities of such a Commission could only lead to a denial of the rights of an individual rather than to protection of his rights.

Another subject which must not be passed over is the subpena power of the Commission. Section 105 (f) provides that "Subpenas for the attendance and testimony of witnesses or the production of written or other matter may be issued in accordance with the rules of the Commission."

Mr. President, many of the committees and special committees of the Congress do not have this power. The Truman Commission on Civil Rights did not have it. The subpena is a punitive measure, generally reserved for penal process whereby powers are granted to force testimony which would not otherwise be available. If the proposed Commission were simply a factfinding Commission and nonpolitical, the extreme power to force testimony by the use of a subpena would not be needed.

Neither would the power contained in section 105 (g) which provides that Federal courts shall have the power, upon application by the Attorney General, to issue "an order requiring" a witness to answer a subpena of the Commission and "any failure to obey such order of the court may be punished by said court as a contempt thereof."

The power of subpena in the hands of a political commission and the additional power to enforce its subpenas by court order diverge from the authority of the traditional American factfinding commission.

I look with suspicion upon such a Commission so endowed with authority, and I object to its establishment.

Mr. President, I want to discuss another reason, briefly, why I would be opposed to the establishment of the Commission proposed in part 1 of H. R. 6127. Every appropriation bill which has come before the Senate this year has been reduced by the Senate below the budget request. The people of this country have called upon the Members of Congress to reduce the costs of government, not to increase them by creating new agencies or commissions.

The advocates of the Commission might argue that the cost of its operation would not be great, but nowhere in the records of the hearings have I found an estimate of what the total cost would be. If the Commission were to exist only for the 2 years provided in the bill, the compensation and per diem allowance of Commission members would amount to more than a quarter of a million dollars, not counting their travel allowances.

Since there is no limitation on the number of personnel which might be appointed by the Commission, there is no way to estimate the ultimate cost of personnel salaries and expenses. Since the Commission is designed to travel over the country at will, very heavy travel expenses undoubtedly would be incurred.

The taxpayers would never know how many of their tax dollars were wasted by virtue of the seemingly innocuous language in section 105 (e). Unknown, concealed costs are not, however, the only dangers lurking in that subsection. A serious departure from sound legislative procedure is also involved.

In the past, when creating an agency or commission, Congress retained control of its creation by the appropriation power. This is a wonderful check. Mr. President, against the abuse or misuse of Commission authority. Scrupulous care should be taken to preserve it.

However, section 105 (e) provides that "all Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties."

Thus the Civil Rights Commission could call on the other governmental agencies to perform many of its tasks. Congressional control over the Commission would be much less than if the Commission had to depend on its own appropriations and would not be permitted to use the resources of other agencies. Once the Commission is created, only another law can check its activity during the period of its existence.

Another thing that concerns me about this Commission is the fact that once a Government agency or commission is established, nothing else on earth so nearly approaches eternal existence as that Government agency or commission. Mr. President, I feel that the 2-year limitation placed upon the Commission in this bill would simply be a starting point, and the people of this country should realize that at this time.

With further reference to section 104 (a), I want to point out the use of the mandatory word shall. This word requires the Commission to investigate all sworn allegations submitted to the Commission of any citizen allegedly being deprived of his right to vote.

But the provision neglects to require that such allegations be submitted by parties in interest—not simply by some meddler who seeks to create trouble between other persons. This is another provision of this bill similar to section 131 (c) which would permit the Attorney General to make the United States a party to a case without the consent of the party actually involved.

Another objection to 104 (a) is that under this provision a person could make an allegation to the Commission against a person who was not even a citizen of the same State. Even so, under the mandatory language of section 104 (a), the Commission would be required to make an investigation of the charges.

Since the Commission is limited by section 102 (k) to subpenaing witnesses to hearings only within the State of residence of the witness, there would be no opportunity in such a situation for the accused to confront his accuser. Charges against a person should not be accepted by the Commission unless the accuser is a citizen of the same State as the person he is charging with a violation of the law.

Also, Mr. President, once the Commission has received the sworn allegation, there is no requirement that other testimony received relating to the allegation be taken under oath. Failure to make all persons giving testimony subject to perjury prosecutions in the event they testify to falsehoods would surely destroy the value of any such testimony received.

The Commission could and might adopt a rule to require sworn testimony; but I should not like to see the Senate leave that point to the discretion of the Commission because, in my judgment, the Congress should require that practice to be followed.

Mr. President, as I stated earlier, it is my view that an inquiry into the field of civil rights, or so-called civil rights, is entirely unnecessary at this time. The laws of the States and the Federal laws are being enforced effectively.

Should there come a time when information might be needed on this subject, the Congress should not delegate its authority to a commission. In such a delicate and sensitive area, the Congress should proceed with deliberation and care. The appropriate committees of the Congress itself should hold hearings limited to the jurisdiction of the Congress, and the Congress should make its own determination as to the need for legislation.

There is no present indication that any such study will be needed.

Part II of the bill still provides for the appointment of one additional Assistant Attorney General in the Justice Department. As I have stated in previous addresses, there is absolutely no need for an additional Attorney General to be appointed at a cost to the taxpayers of $20,000 per year.

Of course, that would merely be a small part of the total cost because a large staff of lawyers would also be employed.

The other provisions of the bill do not necessitate the establishment of a civil-rights division in the Justice Department, because there is no indication there would be any substantial increase in such cases with which the Department should be concerned.

As a matter of fact, even those who have advocated passage of H. R. 6127 have admitted time and again here in the Senate that there has been a steady decrease in the number of civil-rights cases throughout the country.

Since there has been a decrease in civil-rights cases, and since there is no indication that any increase should be expected, I can see absolutely no reason for the expansion of the present civil-rights section of the Justice Department into a Civil Rights Division with an additional Assistant Attorney General in charge.

Mr. President, in view of the fact that sufficient justification has not been presented for the appointment of an additional Assistant Attorney General, I hope the Senate will not approve such additional expenditures as would be required for this purpose. In my opinion, the Attorney General has failed entirely to show a need for an additional assistant.

Part III of the bill as amended has been thoroughly discussed and I shall not dwell on that at this time.

Part IV, which is the section dealing with what the advocates of the bill have said was the entire purpose of the bill, still has provisions which are objectionable to me. Section 131 (c) still contains language which, to me, borders on an effort at thought control instead of providing an unneeded additional guaranty of the right to vote. Also, it gives the Attorney General undue authority. The section reads as follows:

"(c) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person."

As long ago as February 26, when I appeared before the special Judiciary Subcommittee of the House of Representatives to testify against pending civil-rights bills, I expressed my opposition to the language contained in the section I have just quoted. I do not believe it possible for the Attorney General, for any of his representatives, or for anybody else to determine what is in another person's mind and whether he is about to engage in some violation of the law.

If the Attorney General should attempt to ascertain what is going on in the minds of other persons, he will need soothsayers and prophets instead of an additional Attorney General.

I object to this language because I do not believe it possible for any witness to testify truthfully that he knows another person was about to violate the law, unless some overt action had been taken by the accused person.

Mr. President, an attempt to apply this provision against American citizens would be completely out of keeping with the guaranties of personal freedom contained in the Constitution and in the Bill of Rights.

I object also to the authority granted the Attorney General in section (c) to "institute for the United States, or in the name of the United States," a civil action or other court proceeding on behalf of a person without the consent of that person. Individuals have adequate legal remedies which they themselves may institute on their own behalf. It is not necessary to give the Attorney General this extreme power of absolute discretion to be exercised as he desires on behalf of some individual who may not wish to take court action or to have anybody else take such action on his behalf.

If one of the duties of the proposed additional Assistant Attorney General would be to seek out persons and insist upon entering the courts on their behalf, this provision, combined with part II, provides another objection to the appointment of an Assistant Attorney General.

The American system has never condoned the idea that a third party should stir up trouble between two other persons. Instead, the American system abhors troublemakers, especially when troublemaking takes the form of barratry. This form of troublemaking has been looked down upon much in the same way other lawyers look down upon their colleagues who chase ambulances.

The United States Government should not be placed in this position of disrepute, and certainly it should not be called upon to bear the expenses of such court proceedings.

Another particularly obnoxious provision is found in section 131 (d) which provides that—

"(b) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

No legitimate reason has been presented as to why administrative remedies and remedies provided in the courts of the States, should not be exhausted prior to Federal district courts taking jurisdiction in election-law violations.

This could be a step toward future elimination of the State courts altogether. I do not believe the Congress has, or should want, the power to strip our State courts of authority and to vest it in the Federal courts. Some of the advocates of H. R. 6127 have spoken out strongly on behalf of the Federal courts during the debate on the jury-trial amendment. I wish they were equally as vehement in their defense of our State courts.

There is no reason to permit an individual to bypass the administrative agencies of his own State and the courts of his own State in favor of a Federal court when the matter involved is principally a State matter. If a person should be dissatisfied with the results obtained in the State agency and courts, he could then appeal from the decision. But until he has exhausted established remedies, he should not be permitted to bypass them.

The laws of all the 48 States contain provisions protecting the right to vote. No additional protection is needed beyond existing State and Federal laws.

In my own State of South Carolina, the constitution of 1895 required the general assembly to provide by law for the punishment of crimes against the election laws. That has been done. The State constitution further required a provision to permit a person to appeal to the State supreme court if he should be denied registration. The election law spells out the right of appeal to the State supreme court, and requires that the court hold a special session if one is not scheduled between the time of an appeal and the next election.

South Carolina's constitution also provides that no power, civil or military, shall at any time prevent the free exercise of the right of suffrage in the State. In pursuance of this constitutional provision, the South Carolina General Assembly has enacted laws for the punishment of anyone who threatens, mistreats, or abuses any voter in an effort to control or intimidate him in the free exercise of his right of suffrage. These laws apply to all elections. Anyone who violates these laws is subject to a fine and/or imprisonment.

Mr. President, in view of the existing laws of the States and the existing Federal laws, I now contend, as I have contended since the so-called civil-rights bills were introduced, that any qualified voter in the United States is fully protected in his right of suffrage.

This bill, H. R. 6127, is unnecessary. It is an encroachment upon the rights of the States, and it infringes upon the rights of individuals when the Attorney General is empowered to take action on the behalf of any person without his consent.

I believe this bill should be rejected, because of the various unnecessary and unconstitutional provisions which I have discussed.

Part V of the bill, which was added to insure and provide for trial by jury in proceedings to punish criminal contempts, is an amendment which I approved and voted for, but I do not consider it as strong as desirable. In my opinion, the bill which the senior Senators from Mississippi and Virginia and I introduced in the Senate last March should be approved, to provide best for the right of trial by jury for every American citizen.

However, the addition of part V to the bill makes it much less objectionable than the bill would have been without the assurance of trial by jury in criminal-contempt proceedings contained in part V.

Mr. President, I want to reiterate my previous assertions that this bill is unnecessary, and in some respects unconstitutional.

H. R. 6127 in its original form carried the label of being a right-to-vote bill; but when we unwrapped the package here in the Senate and examined it carefully, as we have, we found the label was entirely misleading.

The so-called civil-rights bill should have been entitled "A bill to empower the Attorney General to deprive certain citizens of their right to trial by jury." Also, it should have been labeled as an implement intended to be used to force integration of the races in the public schools.

Happily, we examined the contents of the package, stripped off the old label, and advertised the deception so that every citizen could recognize the dangers wrapped in the package.

The amendments which have been enacted have reduced the power which was intended to be placed in the hands of the Attorney General. They have removed the authority for the use of military forces in cases of alleged civil-rights violations. They have made the proposed Commission answerable to Congress as well as to the President, and have provided for the members to be subject to confirmation by the Senate. They have better defined and narrowed the powers of Federal judges in contempt proceedings. All of these amendments have vastly ameliorated the original obnoxiousness of H. R. 6127. However, nothing could entirely remove the objectionable features of this packaged bill of goods, submitted to the American people under a deceptive label.

I shall vote against passage of H. R. 6127, because I believe that in so doing I shall be casting a vote for the preservation of our liberties, and for the preservation of constitutional government in this country.

Mr. President, that was the statement which I made on the floor of the Senate in which I voiced vigorous objection to a number of provisions contained in H. R. 6127 as amended by the Senate. Of course, the Senate bill was the least obnoxious of all the many obnoxious forms of the bill.

Mr. President, I now wish to discuss part IV of H. R. 6127 and the 15th amendment to the Constitution.

PART IV—TO PROVIDE MEANS OF FURTHER SECURING AND PROTECTING THE RIGHT TO VOTE

Part IV of the proposed civil-rights bill confers on the Attorney General the right to bring civil action and seek an injunction in a Federal district in the name of the United States if he believes any person is violating or about to violate either of two laws presently existing for the protection of voters.

Let us examine the two laws the Attorney General seeks to enforce by civil suit or injunction.

The first of these laws, presently appearing as section 2004 of the Revised Statutes of 1874—title 42, United States Code, section 1971—is actually section 1 of the old Enforcement Act of May 31, 1870—Sixteenth United States Statutes at Large, page 140. This bill, S. 810 and H. R. 1293, passed the respective Houses of Congress without debate on its merits under the rule on motion. This bill as it passed Congress contained in its second section a definite provision that civil damages to the aggrieved might be recovered through civil suit in the Federal courts. Furthermore, it provided for the obtaining of political office by civil suit through quo warrant proceedings in Federal courts.

On May 20, 1870, an attempt was made in the Senate to allow third parties to sue in behalf of the aggrieved party. This is the same proposal contained in the present bill whereby the Attorney General would be allowed to bring civil action and seek injunctions. Even this radical 41st Congress would not accept any such proposition providing double penalties. The proposition in the present bill would provide double penalties because present law contained in both title 18, Section 242—Deprivation of Rights Under Color of Law—and title 42, Section 1971—Race, Color, or Previous Condition Not To Affect Right to Vote—afford appropriate criminal and civil remedy.

To show how the Senate in 1870 rejected such an idea of double penalties, let us examine the colloquy in the Senate on the proposal to allow someone other than the aggrieved to bring civil suit—Congressional Globe, volume 93, 41st Congress, 2d session, 1870, pages 3563-3564:

> Mr. Warner. I understand I am in order in offering to amend the amendment.
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> The Presiding Officer. The amendment to the amendment is in order.
>
> Mr. Warner. I will repeat it, then, for the information of the Senate. I move to amend the Senate bill in section 2, line 15, by striking out the words "the person aggrieved thereby" and inserting "any person who shall sue for the same."
>
> Mr. Edmunds. I hope that this amendment will not be agreed to. There are now two views taken of this branch of the bill as it stands. One is that there ought not to be any provision at all for the party aggrieved; that it ought all to be out; and another view is that taken by my friend from Alabama, that it does not go far enough; that we ought not to confine this redress to the person whose vote is refused. The committee considered both those views, and thought, in analogy to State legislation and to the simple proprieties of justice, that this middle ground was the true one.
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> If a voter is deprived of his right to vote by the misconduct of an official, it is a personal grievance to him, an actionable injury, for which all civilized laws give him redress in some form. It is true that in most States and countries no specific amount of damages is allowed, for the reason that it is thought safer, inasmuch as that might be a matter of speculation, to leave it under the circumstances of each case to be great or small, as a jury shall think it wise to make it. But in applying the 15th amendment, which is intended to secure the rights of a large class of the population of the United States, and to secure their rights in courts which may be supposed not to be altogether friendly, by juries who may be supposed not to be altogether friendly, in communities where the local officers are found to be those who deny the rights that the 15th amendment secures, we thought it wise not to leave it to an unfriendly jury to give only 1 penny damages, if a man under the 15th amendment was deprived of a right he had, but to fix the sum the party should be entitled to recover as his damages; and on the other hand, in a community where juries might be very favorable to the party aggrieved, we thought it right to impose upon juries a limit above which they ought not to go; so that they should not either give no damages at all nor excessive damages.
>
> This branch of the section, therefore, is framed upon that theory. It is to give to the person aggrieved, as damages for the deprivation of his rights as a citizen, a private right of his own, a right to sue, which all laws give; it would not be necessary to put that into the statute—he would have the right of action; but to fix the amount for each specific wrong to him whch he should be entitled to recover. Then we provide in another part of the bill, and perhaps in the same section, just as we ought to do if we are to have any law at all, that the officer guilty of this wrong to the citizen is also guilty of an offense against the public, a criminal misdemeanor, for which he may be indicted and fined, of course within certain limits, in the discretion of the court. I submit to my friend from Alabama whether, on the whole, this middle ground, which is defensible both by philosophy and by analogy, is not the true one.
>
> Mr. Warner. I desire to make this bill as effective for the purpose intended as possible. The persons who will be aggrieved, particularly in our section of the country, will in the main be ignorant and timid persons, who will be afraid to sue. The fact that they may be afraid to go to the polls and vote is evidence that they will not perhaps have the courage and fearlessness to sue; but there may be some third party who would be willing to enforce the penalty. I think in the great majority of cases the person aggrieved would not avail himself of this provision.
>
> Mr. Edmunds. Then, I suggest to my friend that he would not be entitled to any action at all under this section, because this is not a section to give every man $500 who is afraid to offer to do what he has a right to do; but it is to give him as damages the sum of $500 for a positive and specific denial to him of the exercise of a right that he attempts to exercise; otherwise, he would have no cause of action. You cannot give a right of action to anybody because he is intimidated. The intimidation part of the law must be purely criminal, and is found in another part of the bill.
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> Mr. Warner. But my amendment would give a remedy by enabling any other person than the party aggrieved to enforce the penalty. The party aggrieved I think in most cases would fail to enforce it; but some other party might.
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> Mr. Edmunds. Some other party may in his name.
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> Mr. Pool. I desire to say a word in regard to the particular amendment now pending. This bill is for the purpose of enforcing the 15th amendment, which applies to colored voters, most of whom reside in the section of the country from which the Senator from Alabama and myself come. The great and most effectual means used to interfere with their exercise of the right secured to them by the 15th amendment is by intimidation, by violence. I think that the penalty which is named in this second section, to be enforced by the party aggrieved, would never be put into operation at all. The purpose of the bill is to protect those citizens against intimidation from voting.
>
> I confess that there is something in the suggestion of the Senator from Vermont, that there is no intimidation in this particular section aimed at. But, sir, it is perfectly sure that the very same means of intimidation which prevents a colored citizen from voting will be resorted to to prevent him from bringing this penal action, and unless the section is amended as suggested by the Senator from Alabama, I do not believe that an action will ever be brought in those States, because it is much more difficult for one of those citizens to bring and maintain a criminal action than it is for him to perform the single act of voting.
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> Mr. Edmunds. Will my friend permit me to make a suggestion right there?
>
> Mr. Pool. Certainly.
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> Mr. Edmunds. If you take out this penalty, as it is called, really liquidated damages, from the person who is aggrieved, whose right is denied, and who has suffered injury, and give it to anybody who will sue for it, it becomes a pure penalty. Then the question is, whether you can have a bill which contains double penalties; whether you are to punish, in the strict sense of punishment, a man twice for the same offense; because my friend will see that the section, in addition to giving these damages to the party aggrieved as damages, makes it a criminal misdemeanor, punishable on indictment and conviction by a fine of not less than $500 and imprisonment not less than a month nor more than a year. I suggest to my friend, who is a cultivated and educated lawyer, whether he would not in court find himself in great difficulty with a bill of double penalties, which were purely such.
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> Mr. Pool. I have never examined that question under the laws of the United States. I only know that is frequently done in my own State. We have statutes with double penalties, as referred to by the Senator, and we have never had any difficulty in that State with regard to them.
>
> But I understood the committee to mean by this section that there was danger in the States where it is principally to apply of not being able to obtain a grand jury who will find a bill of indictment, and that in the event no bill of indictment could be found before a grand jury the party aggrieved, or, if amended as the Senator from Alabama suggests, any person in the community may still punish the offender by bringing a penal action. It seems I had mistaken the purpose of the committee entirely from what is said by the Senator from Vermont. I think, nevertheless, the amendment had better be made, unless there really be that legal objection which the Senator suggests as to double penalties, so that it could not, under the laws of the United States and the practice of the United States courts, be enforced. If that were so, it would be conclusive that the amendment ought not to be adopted. I did not understand the Senator as expressing the positive opinion that such could not be done.

Now, Mr. President, I shall discuss injunctions issuing from Federal district judges on the question of a person's qualification for voting.

The civil-rights bill in part IV confers on the district courts of the United States jurisdiction to issue injunctions in civil-rights actions and it is to be assumed that these injunctions will concern, among other supposed rights, the right to vote.

Actually appropriate remedy already exists where a person's civil rights are violated. Section 242 of title 18, United States Code, provides a penalty and damages may be recovered in a civil action. The West Virginia Jehovah's Witnesses case is a typical example of adequate remedy existing in such cases. In this case, the United States attorney was unable to get an indictment by the grand jury. He therefore proceeded to prosecute by information, as provided by rule 7 (a) of the Federal Rules of Criminal Procedure, and subsequently got a conviction. The information charged that two public officers, acting under color of law, had willfully deprived their victims of the Federal rights of free speech, freedom of religion, the right not to be deprived of liberty without due process of law, and the right to equal protection of the laws. The conviction was upheld by the United States court of appeals—*Catlette* v. *U. S.* ((1943) 132 F. 2d 902. Civil suits were brought by the Witnesses against their prosecutors—those who had deprived them of their rights—and a settlement was made totaling $1,170 in damages which was paid.

How can the Congress vest jurisdiction in Federal courts to determine the qualifications of voters and allow Federal judges to issue injunctions in effect requiring that certain persons—the judge thinks are qualified—shall be registered and allowed to vote?

The qualifications of voters are fixed and enumerated in the constitution of each sovereign State. For purposes of determining who is entitled to vote in each State for United States Representatives and Senators, the Federal Constitution simply adopts such qualifications as the State has fixed for voting for members of that State's legislature.

The language of article I, section 2, clause 3 of the United States Constitution reads:

> The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Similarly, the 17th amendment adopts for the purpose of electing United States Senators such qualifications as the States have fixed:

> The Senate of the United States shall be composed of 2 Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have 1 vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

In the fixing of qualifications of voters the States are limited only by the 15th amendment and the 19th amendment in that the right to vote may not be denied because of race or color or sex, respectively.

That the respective States determine who are entitled to vote has never been seriously controverted. The United States Supreme Court has repeatedly declared that the right to vote comes from the State. In declaring sections 3 and 4 of the old Enforcement Act of May 31, 1870, unconstitutional, the Supreme Court in 1875 said—*U. S.* v. *Reese* ((1875) 92 U. S. 214, 217, 218); also *Butts* v. *Merchants and Miners Transportation Co.* ((1913) 230 U. S. 126):

> The 15th amendment does not confer the right of suffrage upon anyone. It prevents the States, or the United States, however, from giving preference, in this particular, to one citizen of the United States over another on account of race, color, or previous condition of servitude. Before its adoption, this could be done. It was as much within the power of a State to exclude citizens of the United States from voting on account of race, etc., as it was on account of age, one race having certain qualifications are permitted by law to vote, those of another having the same qualifications must be. Previous to this amendment, there was no constitutional guaranty against this discrimination; now there is. It follows that the amendment has invested the citizens of the United States with a new constitutional right which is within the protecting power of Congress. That right is exemption from discrimination in the exercise of the elective franchise on account of race, color, or previous condition of servitude. This, under the express provisions of the second section of the amendment, Congress may enforce by appropriate legislation.
>
> This leads us to inquire whether the act now under consideration is appropriate legislation for that purpose. The power of Congress to legislate at all upon the subject of voting at State elections rests upon this amendment. The effect of article 1, section 4, of the Constitution, in respect to elections for Senators and Representatives, is not now under consideration. It has not been contended, nor can it be, that the amendment confers authority to impose penalties for every wrongful refusal to receive the vote of a qualified elector at State elections. It is only when the wrongful refusal at such an election is because of race, color, or previous condition of servitude, that Congress can interfere, and provide for its punishment. If, therefore, the third and fourth sections of the act are beyond that limit, they are unauthorized.

Thus, if the 15th amendment has not conferred the right to vote upon anyone, how can Congress give a Federal judge authority to confer that right by injunction?

The Attorney General knows that it is a settled principle of law that an injunction will not issue to prevent a crime. At the present time the laws governing enforcement of civil rights are criminal statutes and as such he seeks to have them reenacted as civil statutes so he can secure injunctions. An injunction is really a serious proposition.

Actually an injunction is a proceeding in equity and not of law and under this principle since all of the States have adequate procedure for determining the qualifications of voters in courts of law, injunctions cannot issue in such cases.

An injunction is actually the giving of validity to a judge's own individual opinion. The injunction had its origin during the reign of Henry VIII when Cardinal Wolsey augmented the authority of the Court of Chancery in exercising his equitable authority over everything that could be a matter of judicial inquiry. Both Wolsey and his successor, Sir Thomas More, were severely criticized by the English judiciary for issuing injunctions in equity and thereby substituting their individual opinions for the verdict of a jury in a common law court—the Law magazine, London, volume XXVII, 1870, pages 1–25.

Such great importance is attached to the issuance of an injunction that Lord Correnham in his judgment in *Brown* v. *Newall* ((1870), 2 M. and C. 558, 570), said:

> Now, that that ex parte injunction was an order which ought not to have been made, is not in dispute. It has been subsequently dissolved, and nothing is attempted (570) to be said in support of it at the bar; and it is impossible that it could have been sustained. The order was a departure from the known and established rule and practice of this court. Nothing is so difficult as to bring within any general rule every case in which a special injunction ought to be granted; but, when an action has regularly proceeded, and is on the very eve of trial, an ex parte injunction to stop it is an order such as I have not before seen. The vice chancellor appears to have stated that the order was made under some misapprehension of the facts; and indeed it is quite obvious that it must have been so, for the vice chancellor could not have made the order if the facts had been thoroughly understood. It is very probable that some facts were then supposed to exist which did not actually exist.

I am not entitled, however, to assume that the order was made upon any other grounds than those stated in the affidavit which was used upon the application for the injunction; and I am, therefore, to see whether, on that affidavit, the parties have suppressed or misrepresented facts in such a way as was calculated to induce the court to grant the injunction.

I am most unwilling to lay down any rule which should limit the power and discretion of the court as to the particular cases in which a special injunction should or should not be granted; but I have always felt—and since I have been upon the bench I have seen no reason to alter my opinion—that extreme danger attends the exercise of this part of the jurisdiction of the court, and that it is a jurisdiction which is to be exercised with extreme caution. It is absolutely necessary that the power should exist, because there are cases in which it is indispensable; but I believe that practically it does as much injustice as it promotes—571—justice; and it is, therefore, to be exercised with extreme caution. The court can have no ground upon which it can proceed, in granting an ex parte injunction, but a faithful statement of the case; and where the court has found a party misstating the case, either by misrepresentation or suppression, the court has always exercised its jurisdiction, for the purpose of repressing that practice; and I am desirous to abstain from putting, by anticipation, a limit to that power. The extent to which the court is to go in so doing is only to be determined by the case itself; but then it must appear, upon the affidavits, that there was such misrepresentation. Now the affidavit upon which the ex parte injunction was obtained certainly does not state all the facts; but the question is, whether there was any such suppression or misstatement as to lead the court to grant the injunction. I do not find on that affidavit that description of misrepresentation or suppression which, in my opinion, presented a case likely to procure a judgment on the application, but different from the case which really existed.

Thus we can easily see, even if we had the power, that it would be a dangerous experiment to allow Federal district judges to issue injunctions on simple ex parte affidavits as is proposed in the present bill. And it might be possible under this proposal to assign New York or Vermont Federal judges to a crowded injunction calendar in Virginia to determine who is qualified to vote in that State. Section 134 of title 26, United States Code, simply requires that a district judge reside in the district or one of the districts for which he is appointed and does not preclude his assignment to another district. In fact, Chief Justice Warren under section 292 of the Judicial Code—title 28, United States Code—may assign California judges to South Carolina:

> **Sec. 292. District judges:**
>
> **(a) The chief judge of a circuit may designate and assign one or more district judges within the circuit to sit upon the court**

> of appeals or a division thereof whenever the business of that court so requires. Such designations or assignments shall be in conformity with the rules or orders of the court of appeals of the circuit.
>
> (b) The chief judge of a circuit may, in the public interest, designate and assign temporarily any district judge of the circuit to hold a district court in any district within the circuit.
>
> (c) The Chief Justice of the United States may designate and assign temporarily a district judge of one circuit for service in another circuit, either in a district court or court of appeals, upon presentation of a certificate of necessity by the chief judge or circuit justice of the circuit wherein the need arises. (June 25, 1948, ch. 646, sec. 1, 62 Stat. 901.)

The Federal Enforcement Act of 1870 attempted to do just what this bill seeks to do, that is, take away from the States the control of their elections and place that control in the hands of federally appointed officials. If anyone has any doubts about the failure of the Enforcement Act or even its constitutionality he should read the various decisions of the United States Supreme Court declaring almost every section of the act unconstitutional. When Congress finally got around to repealing that act in 1893 here are some of the frauds cited in Congress as reasons for repeal. They included 19,000 fraudulent naturalization certificates being issued by a single judge in New York State. They included payment in fees from the United States Treasury to a single Federal supervisor of elections and commissioner of the Federal court the sum of $145,000. Interestingly enough, repeal was initiated by a New York Congressman. See CONGRESSIONAL RECORD, volume 25, pages 1959, 1808.

Mr. President, on Tuesday afternoon, August 27, I made a motion in the Senate to have H. R. 6127 in its so-called compromise form referred to the Senate Judiciary Committee. I pointed out that I believed it to be a dangerous procedure to allow bills to come over from the House of Representatives and be placed on the calendar of the Senate without being referred to the appropriate committee. However, my motion was voted down 66 to 18, so the bill is now before the Senate for consideration.

Since very few Members of the Senate were present at that time to hear my objections to the present version of H. R. 6127, I shall present my arguments again.

Mr. President, I was bitterly opposed to the passage of H. R. 6127 in the form which was approved by the Senate. I am even more bitterly opposed to the acceptance of this so-called compromise which has come back from the House of Representatives.

Later on I want to comment on various provisions of the entire bill, but at this time I am directing my comments at the specific provisions of the so-called compromise. In my view, it is no less than an attempt to compromise the United States Constitution itself.

In effect, it would be an illegal amendment to the Constitution because that would be the result insofar as the constitutional guaranty of trial by jury is concerned.

Article III, section 2, of the Constitution provides that—

> The trial of all crimes, except in cases of impeachment, shall be by jury.

Again in the sixth amendment—in the Bill of Rights—it is provided that—

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

The fifth and seventh amendments to the Constitution provide additional guaranties of action by a jury under certain circumstances. The fifth amendment refers to the guaranty of indictment by a grand jury before a person shall be held to answer for a crime. The seventh amendment guarantees trial by jury in common-law cases.

These guaranties were not included in our Constitution without good and sufficient reasons. They were written into the Constitution because of the abuses against the rights of the people by the King of England. Even before the Constitution and the Bill of Rights were drafted, our forefathers wrote indelibly into a historic document their complaints against denial of the right of trial by jury.

That document was the Declaration of Independence.

After declaring that all men are endowed with certain unalienable rights, including life, liberty, and the pursuit of happiness, the signers of the Declaration pointed out that the King had a history of "repeated injuries and usurpations, all having in direct object to the establishment of an absolute tyranny over these States." Then they proceeded to the listing of a bill of particulars against the King.

He was charged with "depriving us in many cases of the benefits of trial by jury."

That is what the Declaration of Independence contained. The King was charged, among other things, with depriving the American people of the benefit of trial by jury.

That is the very thing I am fighting for—the right of trial by jury, which is contained in the Constitution, and embodied in it in quite a number of places. The compromise bill which comes from the House attempts to compromise the Constitution of the United States. The bill does not provide for a trial by jury unless the penalty is more than 45 days' imprisonment or more than a $300 fine. That is a compromise of the Constitution.

Mr. President, when our forefathers won their freedom from Great Britain, they did not forget that they had fought to secure a right of trial by jury. They wrote into the Constitution the provisions guaranteeing trial by jury. Still not satisfied, they wrote into the Bill of Rights 2 years later the 3 specific additional provisions for jury action.

When the original Constitution was written there was placed in it article III, section 2, which guarantees the right of trial by jury. Then the Bill of Rights was adopted, and that right was provided in three different places.

It is a well-known fact that there was general dissatisfaction with the Constitution when it was submitted to the States on September 28, 1787, because it did not contain a Bill of Rights.

A majority of the people of this country, under the leadership of George Mason, Thomas Jefferson, and others, were determined to have spelled out in the Constitution in the form of a Bill of Rights those guaranties of personal security which are embodied in the first 10 amendments.

It was 9 months after the Constitution was submitted to the States before the ninth State ratified the Constitution, thus making it effective.

Although by that time it was generally understood, and pledges had been made by the political leaders of the day, that a Bill of Rights would quickly be submitted to the people, 4 of the 13 States still were outside the Union.

Nineteen months after the Constitution was submitted to the States, George Washington was inaugurated on April 30, 1789, as our first President. Even then, however, North Carolina and Rhode Island remained outside the Union for several months, North Carolina ratifying on November 21, 1789, and Rhode Island on May 29, 1790.

The reluctance of all the States to enter the Union which they had helped to create clearly demonstrated how strong the people felt about the necessity of including a Bill of Rights in the Constitution. The Constitution might never have been ratified had it not been for the assurances given to the people by Hamilton, Madison, and other political leaders that a Bill of Rights would be drafted as soon as the Constitution was ratified. Leaders of that day carried out the mandate of the people, and the Bill of Rights with its guaranties of trial by jury was submitted to the States on September 25, 1789.

In 1941, the late John W. Davis, that great constitutional lawyer and onetime Democratic nominee for President, was asked to state what the Bill of Rights meant to him. "The Bill of Rights," he declared, "denies the power of any government—the one set up in 1789, or any other—or of any majority, no matter how large, to invade the native rights of a single citizen."

Mr. Davis continued his definition with the following:

> There was a day when the absence of such rights in other countries could fill an American with incredulous pity. Yet today, over vast reaches of the earth, governments exist that have robbed their citizens by force or fraud of every one of the essential rights American citizens still enjoy. Usage blunts surprise, yet how can we regard without amazement and horror the depths to which the subjects of the totalitarian powers have fallen?
>
> The lesson is plain for all to read. No men enjoy freedom who do not deserve it. No men deserve freedom who are unwilling to defend it. Americans can be free so long as they compel the governments they themselves have erected to govern strictly within the limits set by the Bill of Rights. They can be free so long, and no longer, as they call to account every governmental agent and officer

> who trespasses on these rights to the smallest extent. They can be free only if they are ready to repel, by force of arms if need be, every assault upon their liberty, no matter whence it comes.

Mr. President, this bill is an assault upon our liberty. The United States is a constitutional government, and our Constitution cannot be suspended or abrogated to suit the whims of a radical and aggressive minority in any era.

The specific provisions in the Constitution and the Bill of Rights guaranteeing trial by jury have not been repealed. Neither have they been altered or amended by the constitutional methods provided for making changes in our basic law if the people deem it wise to make such changes.

Nevertheless, in spite of the prevailing constitutional guaranties of trial by jury, we are here presented with a proposal which would compromise the provisions of the Constitution—yes, in my opinion, amend the Constitution illegally.

This compromise provides that in cases of criminal contempt, under the provisions of this act, "the accused may be tried with or without a jury" at the discretion of the judge.

It further provides:

> That in the event such proceeding for criminal contempt be tried before a judge without a jury and the sentence of the court upon conviction is a fine in excess of $300 or imprisonment in excess of 45 days, the accused in said proceeding, upon demand therefor, shall be entitled to a trial de novo before a jury.

Mr. President, the first of the provisions I have just cited, giving discretion to a judge whether or not a jury trial is granted in a criminal case, is in direct conflict with the Constitution.

When our forefathers met in 1787 in Philadelphia they wrote in article III, section 2, of the Constitution that in all crimes except treason a man shall be entitled to a jury trial. In several places in the Bill of Rights they wrote it again, with special emphasis in the sixth amendment that a man is entitled to a jury trial. Yet the compromisers brought forth a compromise which attemps to compromise the Constitution of the United States. We cannot compromise the Constitution of the United States. The compromise would have been unconstitutional if it had provided that if a judge wanted to punish for criminal contempt he could sentence the defendant to serve 1 day or fine him $1. He has no right to fine him $1 or give him 1 day's punishment in prison without a jury trial, because the Constitution says that in a criminal case a man charged with crime is entitled to a jury trial.

I cited last night a decision which holds that criminal contempt is a crime. If criminal contempt is a crime, then a man charged with criminal contempt is entitled to a jury trial under the provisions of the Constitution of the United States, and this so-called compromise which has come to the Senate is an effort of the Senate and the House of Representatives to get together, but in the effort to get together and pass a political bill—and that is all it is—they have been willing to compromise the Constitution of the United States.

The Constitution does not provide for the exercise of any discretion in a criminal case as to whether the person accused shall have a jury trial. The Constitution says, "The trial of all crimes except in cases of impeachment shall be by jury."

The sixth amendment says, "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury."

The Constitution does not say in some crimes. The Constitution says in all crimes. The Constitution does not say trial may be by jury. The Constitution says trial shall be by jury.

How, then, Mr. President, can we be presented with this compromise? How can we be asked to accept a proposal so clearly in conflict with and in violation of the Constitution?

The Constitution makes no exception to the trial by jury provision in criminal cases in the event contempt is involved.

If the Constitution had had an exception in it and read, "This shall not apply to criminal contempt or crimes of criminal contempt," then there would be some basis for the Congress to legislate. But it did not make such an exception. Let me repeat and let me emphasize. The Constitution says "The trial of all crimes shall be by jury"—not all crimes except those involving contempt, but all crimes.

What power has been granted to this Congress to agree to any such proposal when it is in such complete contradiction to the Constitution? There is no power except the power of the people of this Nation by which the Constitution can be amended. The power of the people cannot be infringed upon by any lesser authority.

As the directly elected representatives of the people, this Congress should be the last body to attempt to infringe upon the authority which is vested solely in the people.

We are here dealing with one of the basic legal rights and one of the most vital personal liberties guaranteed under our form of government. But the proposed compromise insists that the treasured right of trial by jury be transformed into a matter of discretion for a judge—for one person—to decide whether it shall be granted or withheld.

What right has a Federal judge to use his discretion and tell a man he can be tried by a jury? The Constitution says if a man is charged with a crime he is entitled to be tried by a jury if he wants to be tried by a jury. In the Constitution there is no exception of criminal contempt or any exception that gives a judge the power to try a man so charged rather than a jury.

We are dealing with the basic rights of the people of this Nation and we should be careful to protect those precious rights which have been handed down to us by our forefathers. This compromise attempts to make trial by jury a matter of degree, as stated in the second part of the provision which I quoted. We cannot make trial by jury a matter of degree. If the Constitution gives a man the right of trial by jury, he has that right and we cannot take it away from him. The Congress cannot take it away. Furthermore, this compromise pretends to let the judge try the case if he wants to do so, in his discretion. Then if he finds the defendant ought to be punished by a fine in excess of $300 or by imprisonment in excess of 45 days, the man is entitled to a trial by jury. Do you not know, Mr. President, that if a judge has already tried a man, and then the defendant asks for a jury trial, the judge's decision is bound to affect the jury in the case strongly, even if it were constitutional for that to be done, which it is not?

Under this proposal if a man were to receive a sentence of a fine of $300 or 45 days in prison he would be deprived of his right of trial by jury except at the discretion of the judge. On the other hand, if a dollar were added to the amount of money, or even 1 cent, and a day, or even an hour, to the length of punishment, that man would be granted a new trial with a jury deciding the facts.

Mr. President, this is not something which can be compromised. I realize that Congress may want to get away from Washington. We have had a long, hard session. I also realize that both national parties are playing to the minorities by means of the right-to-vote bill, when each State in the Nation has laws on its books to protect the right to vote, and section 594 of the Federal Code of Criminal Procedure protects the right to vote. Yet, as a political gesture, both parties are making this play to try to claim credit. Watch my prediction that in the elections of 1958 both parties will try to claim that they got the civil-rights bill through the Congress.

Why are we not more interested in preserving the Constitution? Are we going to violate the Constitution by passing a political civil-rights bill in order to give thunder and political fodder to politicians to enable them to garner votes? Which is more important, the Constitution of this country or the political parties vying for the votes of minorities?

I wish to see the right to vote exercised by every man who is qualified to vote and who wants to vote. If he is entitled to vote, I want to see him vote. But the true purpose of this bill is not to insure the right to vote, because we have statutes in every State, and we have statutes on the Federal Code of Criminal Procedure now already that punish people interfering with anybody trying to vote. If the statutes we now have on the books are not being enforced, what good will it do to put another statute on the books? If the Justice Department is claiming that there are any individuals who have been denied their right to vote, why does it not prosecute them under the present law, which is completely adequate? And if no people have been denied the right to vote, then why is it claimed that this bill is necessary?

The right of trial by jury is too dear a right to be measured in dollars and cents and in terms of days and hours. The right of trial by jury is guaranteed by the Constitution. It is the vital principle upon which our form of government is based. Principle is not a matter of degree.

Perhaps the House and the Senate wanted to get together and they thought this was the only way they could do it, but I want to tell the American people when they did get together and brought forth this compromise they violated the Constitution of the United States. This proposed compromise is a true child of the parent bill. Like father, like son; a chip off the old block. Both are bad.

Under this proposal, if a man were to receive a sentence of a fine of $300 or 45 days imprisonment, he would be deprived of his right of trial by jury, except at the discretion of the judge. On the other hand, if a dollar were added to the amount of the fine—or even 1 cent—and if a day, or even an hour, were added to the length of imprisonment, that man would be granted a new trial, and a jury would decide the facts.

Mr. President, this is not something which can be compromised. The right of trial by jury is too dear a right to be measured in dollars and cents or in terms of days and hours. The right of trial by jury is guaranteed by the Constitution. It is a vital principle upon which our form of government is based. Principle is not a matter of degree.

The proposed compromise is a true child of the parent bill—like father, like son, or a chip off the old block. Both are bad. But the provisions of the compromise are even worse than the provisions of the bill which I opposed when it was passed by the Senate.

The inclusion by the Senate of part V, with its jury-trial provision, made the bill a vast improvement over the radical bill which was sent to us from the House of Representatives.

However, the present unconstitutional compromise now makes part V conform with the obnoxious provisions which were in the original bill. In the name of constitutional government, I hope a majority of the Senate will vote against this proposal.

The principal purpose of this bill which the House has returned to the Senate is political. Both parties fear the bloc voting of the pivotal States. Both parties want to be in position to claim credit for the passage of what is being called a civil-rights bill. Both parties hope to be able to capitalize on the passage of a bill such as this one in the congressional elections of 1958, and then to carry those gains into the presidential election of 1960.

Propaganda and pressure exerted upon the Congress and upon the American people explain how such a bill as this one came to be considered at all. Stewart Alsop, the newspaper columnist, only last week stated the simple facts of the case.

He said that behind the shifting, complex, often fascinating drama of the struggle over civil rights, there is one simple political reality—the Negro vote in the key industrial States in the North. That is, of course, in hard political terms, what the fight has been all about.

Those are the words of Stewart Alsop; and he is not a southerner, so far as I know.

To explain his point, he cited the situation prevailing in New York, Pennsylvania, and Illinois. Pointing out that the Negro vote can be absolutely decisive in these States, Mr. Alsop stated that it is almost inconceivable that any presidential candidate could lose those three States and win an election.

The following four paragraphs are quoted directly from Mr. Alsop's column:

> In 1954, Averell Harriman was elected Governor of New York by less than 15,000 votes over Senator IRVING IVES. According to Harris' analysis, Harriman polled a whopping 79 percent of the Negro vote. Negro voters thus supplied Harriman with his margin of victory several times over. Two years later, the Democrats had dropped some 90,000 Negro votes to the Republicans—or about 6 times the number of votes IVES needed to defeat Harriman.
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> Or take another close race—the victory of Senator JOSEPH CLARK, of Pennsylvania, over the Republican incumbent, Senator James Duff, in 1956. Again, CLARK just squeaked in, with a plurality of less than 18,000 votes. CLARK, despite the Supreme Court, carried the Negro vote by a huge 76 percent margin, which was worth about 150,000 votes to him. Suppose the Negro vote had dropped off as sharply in Pennsylvania as it did in Illinois, where it nosedived from 75 percent in 1952 to 58 percent in 1956. Then Duff would be in the Senate by a comfortable majority, and CLARK would be practicing law.
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> Other examples could be cited, like that of Senator PAUL DOUGLAS, of Illinois, who owes about 60 percent of his 1954 plurality to the Negro vote. But the lesson is clear enough. If the Republicans can attract something approaching half the Negro vote in the Northern States, the Republican Party will then be the normal majority party in those States.
>
> Read the role of big States in which the Negroes can be expected to poll 5 percent or more of the total vote—not only New York, Pennsylvania, and Illinois, but such States as Michigan, Ohio, New Jersey, California. It then becomes clear what is at stake in the civil-rights struggle—nothing less than the future balance of political power in the Nation.

But, Mr. President, are we going to compromise the Constitution, whether we lose an election or not? Which is more important—to win an election or to preserve the Constitution? It is about time that both parties began to consider the welfare of the country and to determine whether the Constitution is of more importance, or whether winning an election is of more importance.

Mr. President, the advocates of this proposed legislation may believe it fits their objective today; but I am convinced that if this bill is enacted into law, eventually it will be just as undesirable to its advocates as it is to me.

No explanation of the bill can alter the fact that it was, and is now, under the proposed compromise, a force bill. Its purpose is to put a weapon of force into the hands of the Attorney General and into the hands of Federal judges to exercise arbitrarily.

Just as the Attorney General can decide arbitrarily whether to prosecute a case, so now this compromise provides Federal judges with authority to exercise discretion in applying the law.

Under the provisions of the compromise, jury trial may be granted or withheld on any grounds whatsoever in the mind of a judge, so long as the sentence he metes does not exceed the maximum limit set for denying trial by jury.

The proponents of the bill claim it would strengthen the rights of individuals. In contrast to this claim, the bill actually would strengthen the bureaucratic power of the Attorney General and the arbitrary authority of Federal judges.

No new right is granted by this bill. No old right held by the people is better protected. The substance of the bill is to deprive the people of a right held under the Constitution.

When the bill was debated in the Senate, many authorities were quoted on the importance of trial by jury. At that time I quoted the great legal mind of 18th century England, Blackstone. Because of the authoritative place he holds in jurisprudence, I wish to quote him again at this time. This is what Blackstone had to say:

> The trial by jury ever has been, and I trust ever will be, looked upon as the glory of the English law. And if it has been so great an advantage over others in regulating civil property, how much must that advantage be heightened when it is applied to criminal cases. * * * It is the most transcendent privilege which any subject can enjoy, or wish for, that he cannot be affected either in his property, his liberty, or his person, but by the unanimous consent of 12 of his neighbors and equals. A constitution, that I may venture to affirm has, under providence, secured the just liberties of this Nation for a long succession of ages. And therefore a celebrated French writer, who concludes, that because Rome, Sparta, and Carthage have lost their liberties, therefore those of England in time must perish, should have recollected that Rome, Sparta, and Carthage, at the time when their liberties were lost, were strangers to the trial by jury.

That is what Blackstone, the leading legal light the world has known, had to say. I wish to repeat one of his sentences:

> And therefore a celebrated French writer, who concludes, that because Rome, Sparta, and Carthage have lost their liberties, therefore those of England in time must perish, should have recollected that Rome, Sparta, and Carthage, at the time when their liberties were lost, were strangers to the trial by jury.

Mr. President, a trial by jury is one of the bedrocks of this democracy. It is one of the bedrocks of this Nation. It is one of the bedrocks of this Government. When we talk to people in the street and to laymen generally about taking away their right of trial by jury, they cannot understand it, because they know that the Constitution provides that a man shall have a trial by jury when he is charged with the commission of a crime.

At another point, Blackstone further declared his faith in trial by jury in these words:

> A competent number of sensible and upright jurymen, chosen by lot * * * will be found the best investigators of truth, and the surest guardians of public justice. For the most powerful individual in the State will be cautious of committing any flagrant invasion of another's right, when he knows that the fact of his oppression must be examined and decided by 12 indifferent men, not appointed till the hour of trial; and that, when once the fact is ascertained, the law must of course redress it. This, there-

> fore, preserves in the hands of the people that share which they ought to have in the administration of public justice.

Mr. President, the wisdom of Blackstone's words is undeniable. The liberty of every citizen must continue to be protected by the right of trial by jury. This is not a right which applies to one person and is denied another. The Constitution makes no exception in its guaranty of trial by jury to every citizen.

On May 9, 1957, Associate Justice Brennan of the United States Supreme Court delivered an address in Denver, Colo. In that address, Justice Brennan dealt with the subject of trial by jury, and made the following statement:

> American tradition has given the right to trial by jury a special place in public esteem that causes Americans generally to speak out in wrath at any suggestion to deprive them of it. One has only to remember that it is still true in many States that so highly is the jury function prized, that judges are forbidden to comment on the evidence and even to instruct the jury except as the parties request instructions. The jury is a symbol to Americans that they are bosses of their Government. They pay the price, and willingly, of the imperfections, inefficiencies and, if you please, greater expense of jury trials because they put such store upon the jury system as a guaranty of their liberties.

Mr. President, that is a significant statement to me, coming from a member of the present Supreme Court. I will not predict what the Court might do when the constitutionality of the denial of trial by jury as embodied in this so-called compromise is presented to the Court.

However, I shall not be surprised if the Court declares the bill unconstitutional, because on June 10, 1957, in Reid against Covert, the so-called military wives case, the Supreme Court issued a strong opinion on behalf of trial by jury. In that case the Court said:

> Trial by jury in a court of law and in accordance with traditional modes of procedure after an indictment by grand jury has served and remains one of our most vital barriers to governmental arbitrariness. These elemental procedural safeguards were embedded in our Constitution to secure their inviolateness and sanctity against the passing demands of expediency or convenience.

And further:

> If * * * the Government can no longer satisfactorily operate within the bounds laid down by the Constitution, that instrument can be amended by the method which it prescribes. But we have no authority to read exceptions into it which are not there.

If the people of this Nation want Federal judges to have the power to punish persons for criminal contempt by sentences of either days, weeks, or months in jail, or by fines of dollars, they can amend the Constitution and provide for it. If the people of this country want Federal judges to have the discretion of determining whether a person shall have a jury trial or not, then they can amend the Constitution and so provide. There is no provision and no exception for either instance in the present Constitution.

That is certainly a clue to what might be expected from the Court when it is called upon to decide the constitutionality of part 5 of H. R. 6127 as it has been amended by this so-called compromise.

I think what the Supreme Court did in the Reid against Covert case might be a clue to what it might do, or what might be expected of the Court, when it is called upon to decide the constitutionality of part 5 of H. R. 6127 as it has been amended by this so-called compromise.

Many claims have been made that this is a bill to protect the individual's right to vote. The evidence proves that there are more than adequate laws in all of the States to protect the right to vote. I requested the Library of Congress to make a study of the laws of the States by which the right to vote is protected in each State. A summary of these laws was submitted to me, and I request that this summary be printed in the RECORD at the conclusion of my remarks.

As to my own State of South Carolina, I shall discuss at some length the constitutional and statutory safeguards protecting a citizen's right to vote.

The people of my State vote. I am in favor of qualified people voting. All the people of my State vote if they are qualified.

Whence comes this hue and cry? Those raising it have not presented the matter to the Judiciary Committee, so the chairman of that committee may hold hearings. They have held hearings for weeks and months on the subject, and the proponents of the bill have failed to present evidence to show that people do not have the right to vote.

It is inescapable, as I have said, that this is a political bill and not a bill to provide the right to vote. The people already have that privilege.

If any such incident as a refusal to permit a citizen to vote had occurred, justice would have been secured in the courts of South Carolina.

The Federal Government has no monopoly over the administration of justice. The people of the States are interested in justice just as are the officials of the Federal Government, but I shall return to that subject in a few minutes and go into the matter of the Federal statutes a little more fully.

We have Federal statutes to protect the right to vote, if the voters are not satisfied with the State statutes, and certainly the Federal statutes protect them.

I say that the Negro citizens in South Carolina are safeguarded in their rights; and the payment of a poll tax is not required.

Both white and Negro citizens exercise their franchise freely in South Carolina. Our requirements are not stringent. As I have said, South Carolina does not require the payment of a poll tax as a prerequisite to voting. Registration is necessary only once every 10 years.

When I was Governor of South Carolina, I recommended that the poll tax be repealed as a prerequisite to voting. The legislature acted promptly and submitted the matter to the people, and the people voted in favor of repeal of the poll tax as a prerequisite to voting. The legislature approved it, and we have no poll tax in my State as a prerequisite to voting.

Proof that Negroes vote in large numbers in South Carolina, if proof is desired, can be found in an article which was published following the general election in 1952 in the Lighthouse and Informer, a Columbia, S. C., Negro newspaper. In its issue of November 8, 1952, the Lighthouse and Informer discussed the results of the election and declared that "estimates placed the Negro votes at between 60,000 and 80,000 who actually voted."

This represents almost one-fourth of the votes cast in that election. I did not see an estimate of the Negro votes in the 1956 general election, but reports which came to me indicated there was another large turnout.

Mr. President, I shall now read the provisions of the South Carolina constitution which protect a citizen's right to vote:

SOUTH CAROLINA CONSTITUTION ELECTION PROVISIONS

> Article 1, section 9, suffrage: The right of suffrage, as regulated in this constitution, shall be protected by law regulating elections and prohibiting, under adequate penalties, all undue influences from power, bribery, tumult, or improper conduct.
>
> Article 1, section 10, elections free and open: All elections shall be free and open, and every inhabitant of this State possessing the qualifications provided for in this constitution shall have an equal right to elect officers and be elected to fill public office.
>
> Article 2, section 5, appeal; crimes against election laws: Any person denied registration shall have the right to appeal to the court of common pleas, or any judge thereof, and thence to the supreme court, to determine his right to vote under the limitations imposed in this article, and on such appeal the hearing shall be de novo, and the general assembly shall provide by law for such appeal, and for the correction of illegal and fraudulent registration, voting, and all other crimes against the election laws.
>
> Article 2, section 8, registration provided; elections; board of registration; books of registration: The general assembly shall provide by law for the registration of all qualified electors, and shall prescribe the manner of holding elections and of ascertaining the results of the same: *Provided*, At the first registration under this constitution, and until the 1st of January 1898, the registration shall be conducted by a board of three discreet persons in each county, to be appointed by the Governor, by and with the advice and consent of the senate. For the first registration to be provided for under this constitution, the registration books shall be kept open for at least 6 consecutive weeks; and thereafter from time to time at least 1 week in each month, up to 30 days next preceding the first election to be held under this constitution. The registration books shall be public records open to the inspection of any citizen at all times.
>
> Article 2, section 15, right of suffrage free: No power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage in this State.

In addition to these general provisions of the constitution protecting the right to vote, I shall now read specific statutory provisions contained in the South Carolina Code. I believe it is especially appropriate that I do so in view of the fact that it has been charged that South Carolina, as well as other States, has failed to protect the right of citizens to vote.

The charge is false. The right of every citizen to vote in South Carolina is protected, and I want the record to be clear; therefore, I cite the following provisions of law in South Carolina:

SOUTH CAROLINA CODE

TITLE 23

23-73. Appeal from denial of registration.

The boards of registration to be appointed under section 23-51 shall be the judges of the legal qualifications of all applicants for registration. Any person denied registration shall have the right of appeal from the decision of the board of registration denying him registration to the court of common pleas of the county or any judge thereof and thence to the supreme court.

23-74. Proceedings in court of common pleas.

Any person denied registration and desiring to appeal must within 10 days after written notice to him of the decision of the board of registration file with the board a written notice of his intention to appeal therefrom. Within 10 days after the filing of such notice of intention to appeal, the board of registration shall file with the clerk of the court of common pleas for the county the notice of intention to appeal and any papers in its possession relating to the case, together with a report of the case if it deem proper. The clerk of the court shall file the same and enter the case on a special docket to be known as Calendar No. 4. If the applicant desires the appeal to be heard by a judge at chambers he shall give every member of the board of registration 4 days' written notice of the time and place of the hearing. On such appeal the hearing shall be de novo.

23-75. Further appeal to supreme court.

From the decision of the court of common pleas or any judge thereof the applicant may further appeal to the supreme court by filing a written notice of his intention to appeal therefrom in the office of the clerk of the court of common pleas within 10 days after written notice to him of the filing of such decision and within such time serving a copy of such notice on every member of the board of registration. Thereupon the clerk of the court of common pleas shall certify all the papers in the case to the clerk of the supreme court within 10 days after the filing of such notice of intention to appeal. The clerk of the supreme court shall place the case on a special docket, and it shall come up for hearing upon the call thereof under such rules as the supreme court may make. If such appeal be filed with the clerk of the supreme court at a time that a session thereof will not be held between the date of filing and an election at which the applicant will be entitled to vote if registered the chief justice or, if he is unable to act or disqualified, the senior associate justice shall call an extra term of the court to hear and determine the case."

In other words, in our State if anybody has an appeal and it goes before the trial judge and he denies it, the supreme court will go into session in order to hear such a case so as to be sure that nobody is deprived of the right to vote:

23-100. Right to vote.

No elector shall vote in any polling precinct unless his name appears on the registration books for that precinct. But if the name of any registered elector does not appear or incorrectly appears on the registration books of his polling precinct he shall, nevertheless, be entitled to vote upon the production and presentation to the managers of election of such precinct, in addition to his registration certificate, of a certificate of the clerk of the court of common pleas of his county that his name is enrolled in the registration book or record of his county on file in such clerk's office or a certificate of the secretary of state that his name is enrolled in the registration book or record of his county on file in the office of the secretary of state.

23-349. Voter not to take more than 5 minutes in booth; talking in booth, etc.

No voter, while receiving, preparing and casting his ballot, shall occupy a booth or compartment for a longer time than 5 minutes. No voter shall be allowed to occupy a booth or compartment already occupied by another, nor to speak or converse with anyone, except as herein provided, while in the booth. After having voted, or declined or failed to vote within 5 minutes, the voter shall immediately withdraw from the voting place and shall not enter the polling place again during the election.

23-350. Unauthorized persons not allowed within guard rail; assistance.

No person other than a voter preparing his ballot shall be allowed within the guard rail, except as herein provided. A voter who is not required to sign the poll list himself by this title may appeal to the managers for assistance and the chairman of the managers shall appoint one of the managers and a bystander to be designated by the voter to assist him in preparing his ballot. After the voter's ballot has been prepared the bystander so appointed shall immediately leave the vicinity of the guard rail.

23-656. Procuring or offering to procure votes by threats.

At or before every election, general, special or primary, any person who shall, by threats or any other form of intimidation, procure or offer or promise to endeavor to procure another to vote for or against any particular candidate in such election shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than $100 nor more than $500 or be imprisoned at hard labor for not less than 1 month nor more than 6 months, or both by such fine and such imprisonment, in the discretion of the court.

23-657. Threatening or abusing voters, etc.

If any person shall, at any of the elections, general, special or primary, in any city, town, ward or polling precinct, threaten, mistreat or abuse any voter with a view to control or intimidate him in the free exercise of his right of suffrage, such offender shall upon conviction thereof suffer fine and imprisonment, at the discretion of the court.

23-658. Selling or giving away liquor within 1 mile of voting precinct.

It shall be unlawful hereafter for any person to sell, barter, give away or treat any voter to any malt or intoxicating liquor within 1 mile of any voting precinct during any primary or other election day, under a penalty, upon conviction thereof, of not more than $100 nor more than 30 days' imprisonment with labor. All offenses against the provisions of this section shall be heard, tried and determined before the court of general sessions after indictment.

23-659. Allowing ballot to be seen, improper assistance, etc.

In any election, general, special, or primary, any voter who shall (a) except as provided by law, allow his ballot to be seen by any person, (b) take or remove or attempt to take or remove any ballot from the polling place before the close of the polls, (c) place any mark upon his ballot by which it may be identified, (d) take into the election booth any mechanical device to enable him to mark his ballot, or (e) remain longer than the specified time allowed by law in the booth or compartment after having been notified that his time has expired and requested by a manager to leave the compartment or booth and any person who shall (a) interfere with any voter who is inside of the polling place or is marking his ballot, (b) unduly influence or attempt to influence unduly any voter in the preparation of his ballot, (c) endeavor to induce any voter to show how he marks or has marked his ballot, or (d) aid or attempt to aid any voter by means of any mechanical device whatever in marking his ballot shall be fined not exceeding $100 or be imprisoned not exceeding 30 days.

23-667. Illegal conduct at elections generally.

Every person who shall vote at any general, special, or primary election who is not entitled to vote and every person who shall by force, intimidation, deception, fraud, bribery, or undue influence obtain, procure, or control the vote of any voter to be cast for any candidate or measure other than as intended or desired by such voter or who shall violate any of the provisions of this title in regard to general, special, or primary elections shall be punished by a fine of not less than $100 nor more than $1,000 or by imprisonment in jail for not less than 3 months nor more than 12 months or both, in the discretion of the court.

Mr. President, the provisions of the South Carolina Constitution and the provisions of the South Carolina statutes, which I have just read, prove the absolute lack of necessity for additional protection of the right to vote in my State. Also, the summary of the laws of other States, which I have requested to be printed in the RECORD at the conclusion of my remarks, proves that there is no necessity for greater protection of the right to vote in any other State.

The claim that this is a right-to-vote bill is completely without foundation. If the advocates of this so-called civil-rights bill want to deny the right of trial by jury to American citizens, they should proclaim their objective and seek to remove the guaranty of trial by jury from the Constitution. They should follow constitutional methods. Then the people of this Nation would not be misled, as some have been, to think that H. R. 6127 would give birth to a right to vote for anybody—a right already held by those it purports to help.

Mr. President, I also object to part I of this bill which would create a Commission on Civil Rights. To begin with, there is absolutely no need or reason for the establishment of such a commission. If there were any necessity for an investigation in the field of civil rights, it should be conducted by the States, or by an appropriate committee of the Congress within the jurisdiction held by the Congress.

The Congress should not delegate its authority to a commission. In such a delicate and sensitive area, the Congress should proceed with great deliberation and care. There is no present indication that any such study will be needed in the foreseeable future.

The establishment of a Commission as proposed in this bill is most unwise.

Section 104 (a) of part I provides the Commission shall—

(2) Study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

(3) Appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

These two paragraphs provide the Commission with absolute authority to probe into and to meddle into every phase of the relations existing between individuals, limited only by the imagination of the Commission and its staff.

The Commission can go far afield from a survey on whether the right to vote is protected. Through the power granted in the paragraphs I have cited, the Commission could exert its efforts toward bringing about integration of the races in the schools and elsewhere. It would be armed with a powerful weapon when it combined its investigative power and its authority to force witnesses to answer questions.

I do not believe the people of this country realize the almost unlimited powers of inquiry which would be placed in the hands of this political Commission. I do not believe the people of this country want to have such a strong-arm method of persuasion imposed upon them. Section 105 (f) of part I provides that "subpenas for the attendance and testimony of witnesses or the protection of written or other matter may be issued in accordance with the rules of the Commission."

This is an unusual grant of authority. Many of the committees and special committees of the Congress do not have this power. The Truman Commission on Civil Rights did not have it. The subpena is a punitive measure, generally reserved for penal process whereby powers are granted to force testimony which would not otherwise be available. If the proposed Commission were simply a factfinding commission and nonpolitical, the extreme power to force testimony by the use of a subpena would not be needed. The power of subpena in the hands of a political commission and the additional power to enforce its subpenas by court order diverge from the authority usually held by traditional factfinding groups.

There are several grounds for serious objection to section 104 (a) of part I. This section permits complaints to be submitted to the Commission for investigation, but it does not require the person complaining to have a direct interest in the matter. This means, of course, that any meddler can inject himself into the relationship existing between other persons. It opens the door for fanatics to stir up trouble against innocent people.

This section opens the door wide for such organizations as the NAACP, the ADA, and others to make complaints to the Commission with little or no basis for doing so.

If an NAACP official in Washington made a complaint against a citizen of South Carolina, the South Carolina citizen would not have the opportunity of confronting his accuser unless the accuser appeared voluntarily.

Although part I requires sworn allegations to the Commission, there is no requirement that testimony taken by the Commission be taken under oath. Failure to make all witnesses subject to perjury prosecutions by placing them under oath would certainly make testimony of little value. The Commission might adopt a rule to require sworn testimony, but this should not be left to the discretion of the Commission. It should be written into law.

There are many other objections to part I which were pointed out during the debate before the Senate passed its version of the bill. I shall not go into them further at this time.

Part II of the bill provides for the appointment of an additional Assistant Attorney General in the Justice Department. Since the Justice Department already has a section to handle civil-rights cases, there is no reason to create this new position. The creation of a new division would require many additional attorneys and other employees in the Justice Department. The Department has not disclosed how many additional lawyers, clerks, and stenographers it would plan to employ.

A Civil Rights Division in the Justice Department is not needed because there is no indication that there will be any increase in the number of civil-rights cases which are now being handled by a section in the Department.

The Attorney General had a most difficult time trying to show that an additional Assistant Attorney General was needed, and he failed completely in his efforts to do so. As a matter of fact, even those who have advocated passage of H. R. 6127 have been forced to admit time after time that conditions relating to civil-rights matters have been steadily improving all over the country.

Since conditions have improved, and there is no indication that conditions will change unless the Attorney General and the Civil Rights Commission create trouble, there is absolutely no justification for the appointment of an additional Assistant Attorney General in charge of civil-rights matters in the Department of Justice.

Mr. President, permit me to digress in order to discuss certain matters pertaining to the Bill of Rights.

I have before me a book entitled "Our Bill of Rights: What It Means To Me—A National Symposium," edited by James Waterman, Wisconsin:

FOREWORD

Things of the spirit never die. They flame anew each time they are under fire. They are flaming high at this moment.

Bombs may blow the body to bits, but they bind the soul together.

This book is testimony to the spirit of man; to his personality; to his right to be decent.

From the beginning of time men have had to fight for this sort of life. The fight has never been easy, but it has always been won.

As long as men believe in freedom they will achieve it. The Dark Ages shall not return.

When freedom dies man lives on his knees. When freedom lives man walks erect.

The Bill of Rights is our prayer book and our promise of salvation. The cause of freedom is the cause of God. That is the dedication of this volume.

None of us is wise enough to say finally what one event is the greatest in our history. There are some that cry aloud for that description:

The Declaration of Independence; the Treaty of Paris, ending the Revolutionary War; the adoption of the Constitution; the pronouncement of the Monroe Doctrine; the Emancipation Proclamation; the end of the War Between the States; the war for freedom and democracy, begun in 1917—and still going on.

I have left to the last, although it belongs at the top, the formulation and adoption of the Bill of Rights—the first 10 amendments to the Constitution, adopted by the baby nation December 15, 1791.

In this group of principles are to be found the soul and spirit of the Constitution. With the Bill of Rights added, the Constitution becomes nearly a perfect thing. Without the bill, the seven articles of the original draft are largely given over to the protection of property.

Jefferson, shocked by the omissions in the Constitution, as promulgated in 1789, while he was United States Minister to France (another type of France than Vichy represents today), drafted the additions to our great charter. Thus we were given the four freedoms by which we grew strong in self-reliance, in courage, in independence, and in self-respect.

The amendments gave us free speech, free press, free worship, free assembly, and also the right to petition. They gave us full protection of the citizen against oppression; the right of trial by jury and, generally, the right of the individual against the state. Jefferson said himself, speaking in the prophetic tone that is true of great men:

"The Bill of Rights is what the people are entitled to against every government."

This publication is testimony to an immortal writing that will live with the Ten Commandments, the Sermon on the Mount, Magna Carta, and those other great fountains of faith by which men live.

Today we fight again for the ideals that democracy gives to us as rights. We shall never lose them; the whole world some day will achieve them.

To help all of us to realize the high privilege we have of living under the Bill of Rights, the thoughts contained herein were put in words by men and women who believe the fires of freedom must always burn brightly and sometimes fiercely. Now is one of those times.

HERBERT BAYARD SWOPE,
Chairman, Bill of Rights Sesquicentennial Committee.

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* * * * *

America is face to face with certain grim realities. It is apparent that the expense attached to the defense effort will run into an appalling sum. The sweeping readjustments that will eventually reach every family are becoming clearer by the day. The need for redirection of our whole economy in order to supply plants which manufacture implements of war with an abundance of raw materials is now painfully obvious.

Yes, the world that we know is being refashioned. But so be it, and although the disappearance of familiar patterns and habits of living brings a momentary shock, there must be no regrets, no longing backward glances. Neither can we afford to hang our heads, wring our hands and insist that we cannot defend democracy without destroying it. After all, the only disaster that will overtake us is the disaster that comes from indecision and inaction.

I like to remind myself of the origin of the Bill of Rights. It came into being at a time of great distress and clearly represented the desires of the people who had paid a high price for their independence, and were determined to keep it. Since that time it has weathered an internal conflict, foreign wars, periods of economic depression. Even during these emergencies there has been no foreshortening of the scope of the Bill of Rights, nor has its fundamental character been altered. Invariably after these crises have passed each American has turned his face homeward and found, to his intense joy, his personal liberty inviolate. This augurs well for the future. Perhaps the destructive forces loose in the world will assume more awesome proportions than any yet seen; perhaps the dangers and hardships of the civilian population will be greater than ever before; but I cannot believe that these new developments will serve to swerve us from our course any more than the vicissitudes of the past.

Undoubtedly it will mean a vigilant citizenry constantly on guard. But we have that. Undoubtedly it will mean leadership of the highest quality, but we have that, too. In fact, I can think of no more impressive reiteration of belief in the Bill of Rights than that made by Franklin D. Roosevelt in his message to Congress last January:

> "In the future days which we seek to make secure, we look forward to a world founded upon four essential human freedoms.
>
> "The first is freedom of speech and expression—everywhere in the world.
>
> "The second is freedom of every person to worship God in his own way—everywhere in the world.
>
> "The third is freedom from want. * * *
>
> "The fourth is freedom from fear. * * *
>
> "That is no vision of a distant millennium. It is a definite basis for a kind of world attainable in our own time and generation. That kind of world is the very antithesis of the so-called new order of tyranny which the dictators seek to create with the crash of a bomb.
>
> "This Nation has placed its destiny in the hands, heads, and hearts of its millions of free men and women, and its faith in freedom under the guidance of God. Freedom means the supremacy of human rights everywhere. Our support goes to those who struggle to gain those rights and keep them. Our strength is our unity of purpose.
>
> "To that high concept there can be no end save victory."

Mr. President, those were the words of the late President Franklin D. Roosevelt, in speaking of the Bill of Rights, which guarantees a jury trial to the people of the United States, but which the so-called compromise civil-rights bill would deprive the people of.

I read further:

> We accept our liberty, as we do our health, pretty much as a matter of course, hardly giving it a thought until we begin to lose it. Then we become conscious of how much it means.
>
> Experience throughout the long period of human history teaches that liberty must be won in every generation and can be held only by eternal vigilance. As foes of freedom the aggressors reappear with different weapons, but always with the same aim—to destroy the souls of freemen.
>
> That religion and democracy are closely linked together is a truism proved amply in the history of our country. The American colonies were settled by men and women seeking a free life, as well as a home for freedom. Religion was written prominently into their agreements, covenants, pacts, and constitutions, but the early colonists made no provision for the the free exercise of religion. Those who had fled before the demands of conformity later determined by law that others must conform or get out of the colony. It was said of Governor Endicott of the Massachusetts Bay Colony, if he had found toleration in his dictionary, he would have cut the word out, just as he drew his sword and cut the red cross out of the English flag because it represented the ancient Catholic faith of England. This attitude, formulated into law and supported by stern preaching, led to the founding of Rhode Island by Roger Williams and his associates. They were the first ones to put into practice the principle of the independence of the individual conscience even beyond the grants of liberty by the State. Maryland was founded by a small company of Catholics seeking freedom of worship in 1634, only 14 years after the Protestant Pilgrims had landed at Plymouth.
>
> Under Lord Baltimore's liberal rule there developed a large degree of freedom in religion, as well as a remarkable advance in democratic procedure. The people of Maryland not only took part in making their laws but were given power to originate laws. No other colony at the time enjoyed quite as much freedom, and in 1649 the assembly passed the Toleration Act which confirmed by law these liberties. Following this action, Maryland became the refuge not only for the oppressed Catholics from England, but Protestants from some of the other American colonies, Puritans from Virginia, Quakers, and others who found congenial homes in this colony.

It is true that the Toleration Act was not very broad in that it tolerated only those of the Christian religion, but it was a step forward on the road to liberty and marked a greater advance than anything even in England at the time. It remained for the colony at Providence, R. I., to advance the act of toleration by granting full religious freedom to Christians and Jews and even to those without any religious affiliation or belief. The act affirmed "that men of all religions should live unmolested so long as they behaved themselves."

The Bill of Rights provides for freedom of religion. Our Bill of Rights provides for many vital rights which we enjoy.

The study of the Constitution should be an essential part not only of the education of the American youth, but of all Americans, and especially those who have become naturalized citizens of this great Nation. While all of us cannot be trained in the technicalities of the law, we should have some idea of our fundamental institutions. We need to know their relationship to our daily life, the reasons for their existence, and the benefits we derive from them, as well as the importance to ourselves of their perpetuation. The Constitution is not self-perpetuating by any means; if it is to survive it will be because it has the support of the people—not passive, but active public support. This means making adequate sacrifice to maintain that which is of the greatest benefit to the greatest number.

The Constitution has its roots in the great and heroic past of the English-speaking race. Today, under that Constitution which was adopted through the blood and sweat of the pioneers of our country, the safeguard of personal liberty is ever present. Under our great Bill of Rights our governmental power is divided into three parts. The first is the power granted to the Central Government; the second that reserved to the States; and the third, and by far the most important, although at times the fact may not be generally recognized, the power reserved to the people under the many inhibitions upon both State and Federal legislation.

In the turmoil which now seems to have engulfed the entire world, the citizens of the United States should well remember particularly that it is the people, those who go to make up the great cross-section of this country, who must guard the ramparts from the ever-increasing dangers of nazism, fascism, and communism. Our Constitution is the final safeguard of every right that is enjoyed by any American citizen. So long as it is observed, those rights will be secure, but should it fall into disrespect or disrepute the way of orderly, organized government as we have known it for the past 150 years will be at an end.

When the Federal Constitution was on September 28, 1787, submitted by Congress to the legislatures of the several States for ratification, there was very strong opposition to its adoption in all the States. The Democrats, under the leadership of Thomas Jefferson, feared that the provisions of the instrument would unduly abridge States rights and result in a Government too highly centralized for their views. It was necessary for nine States to ratify the Constitution before it could take effect. It was not until June 21, 1788, that the ninth State, New Hampshire, gave its approval. The States which had not ratified up to that time were Virginia, New York, North Carolina and Rhode Island. Virginia and New York gave their assent in 1788. When President Washington was inaugurated on April 30, 1789, on the steps of the Federal Hall in New York, neither North Carolina nor Rhode Island had ratified and, therefore, were not States of the United States. These two reluctant States did, however, come into line. North Carolina ratified on November 21, 1789, and Rhode Island on May 29, 1790.

The Bill of Rights was a pacer in the democratic movement in America and as such is entitled to all the prestige of leadership. Yet it really took a century after its enactment for American women to procure the 19th amendment to the Federal Constitution which compelled reluctant States to grant them the basic right of the free—the right to vote. Non-Christian men and freethinkers of their sex more readily wrested from State legislatures the guaranty of their civil rights.

But even the original Bill of Rights would have been a dead letter if dauntless men and women, risking death, had not taught the public to listen without rioting to opinions which it abhorred.

That educational process enabled the letter of the law to live in practice, or application, for the American way of life. In celebrating the original Bill of Rights now, we should celebrate with it the courage and skill of the men and the women who made tolerance a fact as well as a principle of law. The open forum, so characteristic of American democracy, owes its inception and its continuation to persons of both sexes who insisted that law and practice were parts of the same thing.

That rights carry duties has become a third aspect of democratic evaluations, nurtured on free debates. It is increasingly understood in America that liberty could become license; that rights if viewed as extreme personal privileges could reduce society to anarchy. There is today, in connection with rights, the wide prevalence of the philosophy that rights are granted to individuals in order that they may develop their talents for competent voluntary cooperation in the thought and action essential to the strength of society, to general welfare, and to the very endurance of civil liberties themselves.

A history of civilization could be written around the derivation of the privileges that constitute our Bill of Rights. The emphasis would be not on rulers and governments but on the struggle mankind has waged for centuries to obtain recognition of the rights of individual men. These rights are guaranties necessary to any people who wish to live in the free atmosphere of liberty. They are the foundation of any government that exists by the free will of the governed and not by the military force of self-appointed rulers.

The history of our own Bill of Rights is fired with the determination of the American people to preserve their liberties as individuals living in a free state. It is significant that these first 10 amendments in our Constitution were drawn from earlier declarations of rights which a number of the Original Thirteen States had formulated for themselves before they joined the Union. They not only served as models for our Federal Constitution but became basic patterns for new democracies all over the world.

Today there is abroad in the world a monstrous force that would set the clock back and reestablish regimes that rank the state above the individual. Already in many lands fundamental rights have been destroyed; and the existence of our own is threatened. Such crises have occurred before in the history of man but never with such ruthless vehemence and on such a worldwide scale.

Mr. President, there are many objections to H. R. 6127, but the strongest objection is the failure to give a jury trial. I wish now to present to the Senate some information on the jury trial and I shall go into the historical development of the jury system. This information is coming from the History of the Jury System, by Maximus A. Lesser, instructor of political science, New York Evening High School. Some very important points are brought out here about the jury system which are pertinent to this debate.

HISTORICAL DEVELOPMENT OF THE JURY SYSTEM

(By Maximus A. Lesser)

CHAPTER I. GENERAL CHARACTERISTICS OF THE JURY

The subject we propose to investigate is the historical genesis and gradual development of an institution which, today is an inseparable element of English jurisprudence and an important factor in the administration of justice, wherever the English or common law, "* * * the State's collected will, o'er thrones and globes elate, sits empress, crowning good, repressing ill."

This purpose is not free from difficulties, for, while the nature and functions of the tribunal, as today existent, are sufficiently well comprehended, still the origin of that institution and the successive steps by which it was evolved are less clearly understood and subject to considerable misconception, as is evinced by the many and conflicting theories advanced in explanation thereof. It is the object of this treatise to reconcile, as far as may be, these various views, to give to each well sustained suggestion its proper weight and effect during the formative period, and to trace its influence in the production of the result. The method of treatment is, in general, chronological; for the English jury is so closely interwoven with the historical and political development of the English nation, that every component which contributed to the formation and completion of the latter had a concomitant effect upon the former; accordingly, the history and features of each foreign factor will be described in connection with that period of our history at which it first made itself felt. For to the jury may be truly applied, what Maine says of law, that it is a matter of growth, the result of the needs of the community in which it originated; and an institution—as another writer well observes—which "does not owe its existence to any positive law; it is not the creature of an act of Parliament establishing the form and defining the functions of the new tribunal. It arose * * * silently and gradually out of the usages of a state of society which has forever passed away." We will, in the first place, regard its general aspect and characteristics as beheld today, and then proceed to consider whether, and in what respects, it is resembled by institutions of early days. The body with which we have to deal—in the language of an able Scotch jurist—"is the institution by which disputed facts are to be decided for judicial purposes in the administration of civil or criminal justice, and which is in modern times familiar to us under the denomination of trial by jury. * * * The etymological derivation of the term is obviously from juro, to swear, whence we find this institution called in forensic Latin jurata, and the persons composing it jurati. * * * When the object is inquiry only, this tribunal is sometimes called an inquest or inquisition, as in the instance of a grand jury or coroner's inquest; but when facts are to be determined by it for judicial purposes, it is always styled a jury."

This board of inquiry, then, is composed of "a body of men taken from the community at large, summoned to find the truth of disputed facts. Their office is to decide upon the effect of evidence and thus inform the court truly upon the question at issue, in order that the latter may be enabled to pronounce a right judgment. But they are not the court itself nor do they form part of it; and have nothing to do with the sentence which follows the delivery of their verdict." While, concerning the third characteristic element of our jury, De Lolme wrote that they who have the power to discriminate between disputed facts and "to whom the law has thus exclusively delegated the prerogative of deciding that a punishment is to be inflicted—those men without whose declaration the executive and the judicial powers are both thus bound down to inaction, do not form among themselves a permanent body, who may have had time to study how their power can serve to promote their private views or interest; they are men selected at once from among the people, who perhaps never were before called to the exercise of such a function, nor foresee that they ever shall be called to it again."

In other words, the jury is the sole judge of the weight of evidence adduced and the arbiter of compensation for contracts broken or injuries sustained, and is composed of men selected by lot and "sworn to declare the facts of a case as they are delivered from the evidence placed before them"—its province being to determine the truth of facts or the amount of damages in civil, and the guilt or innocence of the accused in criminal, cases.

This province is confined by the following limitations:

(1) It is restricted to the consideration of matters proved by evidence at the trial;

(2) It is subject to the instructions of the judge, concerning the rules of law applicable;

(3) It is influenced by the directions of the judge, as to weight, value, and materiality of evidence;

(4) It is affected by the selection of the jurors from the locality of the action, whence they discharge their duties with a certain amount of independent local knowledge, whilom "counted on, and deemed essential to a just consideration of the case."

Two other qualifications may be added. After the rendition of a verdict in a civil case, it is still within the power of the trial judge to modify or even annul the same, in a proper case; for instance, "because the verdict is for excessive or insufficient damages, or otherwise contrary to the evidence or contrary to law."

Again, in a criminal case, a verdict of conviction, even when accompanied by a recommendation of mercy, does not control the sentence to be meted out by the presiding magistrate, who may impose the highest or lowest or any intermediate penalty prescribed by law as proper for the offense committed.

How, then, did this institution, whose features as currently administered have just been described, originate? What are the sources from whence it arose, and the forces by which it was developed? Did it spring forth, like Minerva from the brain of Jupiter, ready for action and fully equipped with forensic vesture and legal armament, or was its development the result of the gradual accretion of successive strata of growth? As stated above, various and conflicting theories are advanced to answer these queries.

"Many writers of authority," says Canon Stubbs, "have maintained that the entire jury system indigenous in England, some deriving it from Celtic tradition based on the principles of Roman law, and adopted by the Anglo-Saxons and Normans from the people they had conquered, others have regarded it as a product of that legal genius of the Anglo-Saxons of which Alfred is the mythic impersonation, or as derived by that nation from the customs of primitive Germany or from their intercourse with the Danes. Nor even, when it is admitted that the system of recognition was introduced from Normandy, have legal writers agreed as to the source from which the Normans themselves derived it. One scholar maintains that it was brought by the Norsemen from Scandinavia; another, that it was derived from the processes of the Canon Law; another, that it was developed on Gallic soil from Roman principles; another, that it came from Asia through the Crusades." An

American authority insists that it "is undoubtedly a development of English institutions and civilization." Again, it is suggested that it was borrowed by the Angles and Saxons from their Slavonic neighbors in northern Europe; it has been traced to the assises de Jerusalem of Godfrey de Bouillon; it is even claimed to be of divine origin; and, finally, a French scholar despairingly exclaims: "Son origine se perd dans la niut de temps."

According to Robertson, "the true answer is, that forms of trial resembling the jury system in various particulars are to be found in the primitive institutions of all [Aryan] nations. That which comes nearest in time and character to trial by jury is the system of recognition by sworn inquest, introduced into England by the Normans * * * the instrument which the lawyers in England ultimately shaped into trial by jury." The name "Recognition," Bracton tells us, is deduced from the fact that the participants "acknowledged" a disseisin or dispossession by their verdict, and the inquest itself was "directly derived from the Frank capitularies, into which it may have been adopted from the fiscal regulations of the Theodosian Code and thus own some distant relationship with the Roman jurisprudence." This is the system which, Lord Campbell writes, "in the fifth Norman reign had nearly superseded the simple juridical institutions of our Anglo-Saxon ancestors;" while an eminent American jurist, after observing that investigation has shown among Norman legal usages traces more closely resembling our form of jury trial than anything afforded by the system of the Anglo-Saxons, concludes:

"We regard it, therefore, as certain that all these influences contributed to establish this mode of trial in England, and to shape it as we know it to exist there. Indeed, it was not until all of them had had an opportunity of completing their work, that we find what we should now call a jury."

A due regard for the definiteness of legal phraseology calls for some comment on the meaning of "law and fact," terms so frequently employed in the course of this work. Law, in its widest sense, is a rule of action; in its technical sense, it is a general rule of human action, taking cognizance only of external acts, enforced by a determinate human authority paramount within a state. Whether the rule so enforced be moral or pernicious, is impertinent to the question. "The existence of law is one thing, its merit or demerit another." Again, "although human actions are the subject-matter about which law is conversant, they are not essential to its existence; for the rule is the same, whether its application is called forth or not. * * * The rule continues in abstraction and theory, until an act is done on which it can attach. * * * The maxim, ex facto oritur jus must be understood in this sense; and the duty of judicial tribunals, consequently, embraces the investigation of doubtful or disputed facts, as well as the application of the principles of jurisprudence to such as are ascertained."

Fact is a term most difficult to define—so much so that Mr. Justice Stephen (in the third edition of his Digest of the Law of Evidence) abandoned the attempt previously made. Webster's definition (ed. 1859) is: "Anything done, or that comes to pass; an act; a deed; an effect produced or achieved; an event." Negatively, a learned American jurist suggests that "nothing is a question of fact which is not a question of the existence, reality, truth of something." Anything which is the subject of testimony is "matter of fact," while "matter of law" is the general law of the land of which courts take judicial cognizance. Evidence is the means or method by which a fact under judicial examination may be proved or disproved. Whether there be any evidence, is a question for the judge. Whether sufficient evidence, is for the jury."

In any event, it is clear that the formula of Coke, hereinabove quoted, "was never meant to be taken absolutely * * *. It relates to issues of fact, and not to the incidental questions that spring up before the parties are at issue. The jury has to do with only a limited class of questions of fact, namely, questions of ultimate fact." "In general, issues of fact, and only issues of fact, are to be tried by jury; when they are so tried, the jury and not the court are to find the facts, and the court and not the jury is to give the rule of law; the jury are not to refer the evidence to the judge and ask his judgment upon that, but are to find the facts which the evidence tends to establish, and may only ask the court for judgment upon these."

Mr. President, I shall next take up the history of the jury system of the Anglo-Saxons:

CHAPTER VI—THE SYSTEM OF THE ANGLO-SAXONS

As regards the manner of men who now directed the destinies of England—for under that name (derived from the Angles) the island is henceforth known—and who indelibly impressed their characteristics upon it, and concerning their status in the scale of civilization, a graphic description is afforded us by the same historian. They "were little removed from the original state of nature; the social confederacy among them was more martial than civil; they had chiefly in view the means of attack and defense against public enemies, not those of protection against their fellow citizens; their possessions were so slender and so equal that they were not exposed to great danger, and the natural bravery of the people made every man trust to himself and to his particular friends for his defense. * * * An insult upon any man was regarded by his relations and associates as a common injury; they were bound by honor, as well as by a sense of common interest, to revenge his death or any violence which he had suffered; they retaliated on the aggressor by like acts of violence; and if he were protected, as was natural and unusual, by his own clan, the quarrel was spread still wider and bred endless disorders in the nation."

Such, then, was the state of civilization which the Saxons enjoyed, and such the social and political structure which superseded the administration of the Romans. For almost four centuries the seven Anglo-Saxon kingdoms—true to the characteristics of their founders—present a history of uninterrupted warfare, bloodshed and internecine strife, though Christianity had meanwhile prevailed among them. Wessex, however, gradually acquired the hegemony, and in A. D. 827 its King Egbert succeeded in securing his acknowledgment as supreme head of the heptarchy, with which event the history of the English nation properly begins.

Concerning their civil and social condition at this period, after a sojourn of 400 years on English soil, it appears that "though they had been so long settled in the island [they] seem not as yet to have been much improved beyond their German ancestors, either in arts, civility, knowledge, humanity, justice, or obedience to the laws. * * * Bounty to the church atoned for every violence against society." It cannot be doubted that, under ordinary circumstances, nationalization would have paved the way to improvements in the administration of justice, which, under the primitive system and the constant wars of the Saxons, had sadly degenerated. For, since "their language was everywhere nearly the same, their customs, laws, institutions, civil and religious * * * a union also in government opened to them the agreeable prospect of future tranquility. * * * But these flattering views were soon overcast by the appearance of the Danes, who, during some centuries, kept the Anglo-Saxons in perpetual inquietude, committed the most barbarous ravages upon them, and at last reduced them to grievous servitude."

The first great landmark in the history of English law is the reign of King Alfred (871–901), who, after he had restored peace, and either settled the Danes in or expelled them from the country, turned his attention to the administration of justice, which had become a mere name. His political and juridical institutions are recorded by Hume, as follows: "That he might render the execution of justice strict and regular, he divided all England into counties; these counties he divided into hundreds, and the hundreds into tithings. Every householder was answerable for the behavior of his family * * *. Ten neighboring householders were formed into one corporation, who, under the name of a tithing, decennary, or fribourg, were answerable for each other's conduct, and over whom one person, called a tithingman, headbourg, or borsholder, was appointed to preside. Every man was punished as an outlaw who did not register himself in some tithing.

"By this institution, every man was obliged from his own interest to keep a watchful eye on the conduct of his neighbors; and was in a manner surety for the behavior of those who were placed under the division to which he belonged. Whence these decennaries received the name of frankpledges. The borsholder summoned together the whole decennary to assist him in deciding any lesser difference which occurred among the members. In appeals from the decennary, or in controversies arising between members of different decennaries, the case was brought before the hundred, which consisted of 10 decennaries or 100 families of freemen, and which was regularly assembled once in 4 weeks for the deciding of causes. (Leg. Edw. c. 2.)

"Their method of decision deserves to be noted, as being"—at least in our historian's opinion—"the origin of juries. * * * Twelve freeholders were chosen, who, having sworn (together with the hundred or presiding magistrate of that division) to administer impartial justice, proceeded to the examination of that cause which was submitted to their jurisdiction. And besides these monthly meetings of the hundred, there was an annual meeting appointed * * * for the inquiry into crimes, the correction of abuses, and other matters of public concern. If a further appeal were desired, or in controversies between members of different hundreds, the case was brought before the freeholders of the county (or shire) over whom the bishop together with the alderman presided. A final appeal lay to the King himself.

"Formerly the alderman possessed both the civil and military authority; but Alfred * * * appointed also a sheriff in each county, who enjoyed a coordinate authority with the former in his judicial (as distinguished from the military) function. His office also empowered him to guard the rights of the crown in the county, and to levy the fines imposed."

Such was the system established by Alfred, and adhered to by his successors as far as those turbulent times permitted. For its promotion and perpetuation, as well as for the guidance of the magistrates, on whom the duty to administer it was incumbent, the same king—according to our historical guide—"framed a body of laws which, though now lost, served long as the basis of English jurisprudence, and is generally deemed the origin of what is denominated the common law." While his judgment concerning the paternity of the system is, that "the similarity of these institutions to the customs of the ancient Germans, and to the Saxon laws during the heptarchy, prevents us from regarding Alfred as the sole author of this plan of government, and leads us rather to think that he contented himself with reforming, extending, and executing the institutions which he found previously established."

Thus far Hume, whose profound historical researches, combined with his early legal training, certainly entitle his opinion to much weight. But the existence, among the Saxons, of any institution resembling the jury has been hotly contested, and the dispute whether it was known to the Anglo-Saxons or introduced as a result of the Norman conquest, may be thus summarized: Coke (in his Institutes) Spelman (Glossarium Archaiologicum) Blackstone (Com. III, ch. 23) Nicholson (preface to Wilkin's Anglo-Saxon Laws) and Turner (Hist. Anglo-Saxons, IV, book XI, ch. 9) ascribe it to Saxon paternity. On the other hand, Hickes (Dissert. Epist. p. 34) Reeves (Hist. Eng. Law, I, 22, 24) and Palgrave (Rise and Progress of Commonwealth, I, 243) claim with equal confidence that it was introduced by or at least derived from the Normans and was not of Anglo-Saxon origin.

So Judge Cooley (Am. Cycl. IX 722) approvingly observes that "so many of the attendant circumstances indicate that it was a Norman institution, bestowed upon his English subjects by a Norman king, that Sir Francis Palgrave has not hesitated to consider our jury trial as derived directly from Norman law"; and Mr. Macclachlan (Eng. Cycl. III, 24) remarks: "Without entering minutely into this controversy, it may be stated that the traces of the trial by jury, in the form in which it existed for several centuries after the conquest, are more distinctly discernible in the ancient customs of Normandy than in the few and scanty fragments of Anglo-Saxon law which have descended to our time."

The conclusion reached by Mr. Forsyth affords perhaps the fairest statement of the case, and may be advantageously quoted in this place: "It may be confidently asserted that trial by jury was unknown to our Anglo-Saxon ancestors; and the idea of its existence in their legal system has arisen from a want of attention to the radical distinction between the members or judges composing a court, and a body of men set apart from that court, but summoned to attend in order to determine conclusively the facts of the case in dispute. This is the principle on which is founded the intervention of a jury; and no trace whatever can be found of such an institution in Anglo-Saxon times.

"If it has existed," he continues, "it is utterly inconceivable that distinct mention of it should not frequently have occurred in the body of Anglo-Saxon laws and contemporary chronicles which we possess, extending from the time of Ethelbert (568–616) to the Norman Conquest (1066). Those who have fancied that they discover indications of its existence during that period, have been misled by false analogies and inattention to the distinguishing features of the jury trial which have been previously pointed out. While, however, we assert that it was unknown in Saxon times, it is nevertheless true that we can recognize the traces of a system which paved the way for its introduction, and rendered its adaptation at a later period [the reign of Henry II] neither unlikely nor abrupt. * * * Of the exact mode in which trials were conducted in these [ante-Norman] courts, we know little; but the Anglo-Saxon laws and contemporaneous annals make frequent mention of two classes of witnesses, who play a most important part in the judicial proceedings of the time." These are compurgators and official witnesses, who, together with other features of their system, will be more fully considered hereafter.

With the demise of King Alfred, his system gradually lost ground. "During the reign of eight kings who succeeded Alfred," wrote Gilmans, "the country suffered constant invasions from Denmark, which became so oppressive that in 991 the King, Ethelred II, agreed to pay the Danes 10,000 pounds, called danegelt, to buy immunity. This sum was raised by a tax on land, the first one recorded in English history." Eleven years later the same King planned and partly executed a general massacre of foreigners in the island (Danemort) which led to a fierce attack from the Danes, to the expulsion of the King, and to the establishment of Sweyn as ruler of England. His son Canute married Ethelred's widow, a sister of the Duke of Normandy, in order, as it were, to legitimize his title, to strengthen his alliances, and to make secure the succession of his line.

When Canute, the Dane, mounted the English throne (1014) it might be supposed that he would transplant to, and incorporate in the system of, England the Danish quasi-jury or Nævninger—an institution common, with modifications, to all the Scandinavian nations—which derived its appellation from the fact of being composed of a fixed number of men (usually 12) named by the inhabitants of each district; a majority of those so chosen was competent to render a decision (subject to the ratification of the bishop and 8 best men of the district) in civil suits; while in criminal cases the accuser was obliged to convince the Nævn by sworn evidence of the truth of his charge, before the accused would be subjected to a public trial—this institution thus combining the functions of grand and petit jury with the exercise of judicial powers.

Canute, however, who was a lineal descendant of Alfred, and desirous of emulating that monarch, adopted a policy of conciliation toward the English. He had his succession to the throne ratified by a general assembly (Witenagemot) and publicly consented to restore and observe the Saxon customs and laws. In 1030, he addressed a letter "To all the Nations of the English"—under which designation he also meant to include the Danes, Swedes, and Norwegians—in which he said: "Be it known to you all, that I have dedicated my life to God, to govern my kingdom with justice, and to observe the right in all things." That is, he refrained from making any essential innovations or alterations in the systems (political or judicial) to which his several dominions were accustomed, and in consequence Danish rule had no tangible formative effect on English jurisprudence.

The last of the Saxon line who ruled in England—chosen by the people when Sweyn's family became extinct—was Edward the Confessor (1042–66) whom Hume deems commendable for his attention to the administration of justice, and his compiling for that purpose a body of laws which he collected from the laws of Ethelbert, Ina, and Alfred. This compilation, though now lost (for the laws that pass under Edward's name were composed afterward) was long the object of affection to the English nation..

CHAPTER VII—FORMS OF TRIAL AND TRIBUNALS AMONG THE SAXONS

Having examined the social and political status of the Saxons in England, as evidenced by their history and environment, we may expect to find, on considering the judicial institutions, their personal characteristics reflected therein. Here, as there, we distinguish the same primitive system of administration, the same rudimentary ideas of right, the same regard for the efficacy of clerical absolution, the same adherence to old and meaningless forms, and the same reverence for the vis major.

The judicial system of the Anglo-Saxons depended for its administration on, and consisted of, four distinct factors or elements: these were, sectatores or suitors of court, the secta or suit of witnesses, official witnesses, and compurgators. These have been generally confounded or at least not clearly distinguished, and the misconception of their proper functions has given rise to many ingenious theories. In general it may be said that of all these functionaries the first class only performed judicial duties; the second and the third were species of witnesses; the fourth officiated (at least originally) in criminal cases only, while none of them were jurors. A delineation of the functions of each will be given, and a distinction attempted.

The name of sectatores is applied by Forsyth to the limited number of freemen "who attended the hundred, county and manorial courts, to try offenses and determine disputes there; * * * and the obligation to attend was in the nature of a tenure, for neglect of which they might be distrained to appear." For, in accordance with the customs of those days, "to do suit at a county or other inferior court was * * * one of the common tenures by which land was held, and the suitors, called sectatores, or * * * at a later period pares, were therefore bound to give their attendance." Anciently their number appears to have depended on chance or convenience; nor do they appear to have acted always under the sanction of an oath; for to Reeves "it seems that causes in the county and other courts were heard and determined by an indefinite number of persons called sectatores," of whom "the frequent mention," he continues, "is no proof of juries, properly so-called, being known to our Saxon ancestors." It would seem that this form of judicial tribunal was the modified outcome of a feature of the elaborate county system established by Alfred, and a result of the alterations necessitated and the encroachments caused by the incessant warfare prevalent after the death of that monarch, which must have greatly affected his system of government. The whole matter, however, is involved in much obscurity, and will be resumed, to some extent, in the chapter treating of the judicium parium.

Concerning the second of the four classes, Professor Robertson observes: "The trial per sectam * * * resembled in principle the system of compurgation. The plaintiff proved his case by vouching a certain number of witnesses (secta) who had seen the transaction in question, and the defendant rebutted the presumption thus created by vouching a larger number of witnesses on his own side." It was thus an application to civil suits of the principle, which governed the system of compurgation in relation to criminal causes. At a later period in Saxon history, however, it seems that compurgation was also extended to (and thus superseded the use of the secta in) * * * civil proceedings; or, at least, that the term "compurgation" was employed to designate both the criminal and the civil (i. e., the sectatory) method. Indeed, the very name of secta became an alternative term for sectatores—the judges above described—which led to the confounding of the one with the other, and bred endless confusion and mistake.

At a more advanced period of the Anglo-Saxon dominion, when the defects of their mode of evidence and system of trial became perceptible even to their untutored minds, an attempt was made to partially remedy these defects by the official appointment in each district of sworn witnesses, whose duty it was to attest therein all sales, endowment of a woman ad ostium ecclesiae, and the execution of charters. They were not subject to cross-examination, and their oath was decisive in case of dispute. Later, persons peculiarly qualified by circumstances (though not preappointed), were similarly sworn to prove age, ownership of chattels, and the death of one in whose estate dower was claimed. Hence in the Year Books (16 Edw. II, 507, A. D. 1323) we read complaint that one "may name ses cosyns et ses auns, who by his procurement will decide against us."

The most important of the four elements, and that destined to play the largest part in the development of trial by jury, was compurgation. Under the Saxon system, in criminal cases the charge of the prosecutor or accuser sufficed to put the accused on his defense.

This defense was by means of the process of compurgation, which was in vogue among the various Teutonic nations (12 being the usual number) and rested on the maxim: "Nobilis homo ingenuus—cum duodecim ingenuis se purget." Compurgators may be defined as persons, who supported by their oaths the credibility of the party accused, pledging their belief in the latter's denial of the charge brought against him.

These were in no sense witnesses, for they might be wholly ignorant of the real facts in dispute; nor were they a jury, for no evidence was submitted to their consideration. They were merely friends of the party who summoned them; they knew his character, and by their united oaths they at once attested that character and their confidence in his truthfulness and the justice of his cause.

This mode of trial was brought into England by the Saxons, and Judge Cooley thus describes it: "Then the party accused—or, in later times, the party plaintiff or defendant—appeared with his friends, and they swore, he laying his hand on theirs and swearing with them, to the innocence of the accused, or to the claim or defense of the party. Little is certainly known either of the origin or of the extent, in point of time or of country, over which the trial by compurgators prevailed; but it must have had great influence over the subsequent forms of procedure. It fixed the number of the traverse (i. e., the petit or trial) jury at 12, that being the common number of compurgators * * * and this was a great improvement on the varying and sometimes very large number in Greece and Rome."

Where the compurgators coincided in a favorable declaration, there was a complete acquittal. But if the accused was unable to present a sufficient number of these purgers; or, "if the party had been before accused of larceny or perjury, or had otherwise been rendered infamous and was thought not worthy of credit—he was driven to make out his innocence by an appeal to heaven, in the trial by ordeal," which was practiced either by the boiling water or the red-hot iron; the former being supplied to the common people, while the latter was reserved for the nobility. The nature of this institution is so curious and interesting, and its peculiarities throw so much light on the character of that age, as to warrant a fuller consideration of this primitive predecessor and sometime competitor of our criminal jury.

If the accused was sentenced to undergo the ordeal by hot water, "he was to put his head into it or his whole arm, according to the degree of the offense: if it was by cold water, his thumbs were tied to his toes, and in this posture he was thrown into it. If he escaped unhurt by the boiling water (which might easily be contrived by the art of the priests), or if he sunk in the cold water, which would certainly happen, he was declared innocent. If he was hurt by the boiling water or swum in the cold, he was considered as guilty."

Mr. LONG. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator yield for a question?

Mr. THURMOND. I will yield for a question.

Mr. LONG. Will the Senator tell me the name of the case he is reading?

Mr. THURMOND. It is the History of the Jury Trial.

Mr. LONG. I thank the Senator.

Mr. THURMOND. This so-called amendment that came from the House does not provide for a jury trial unless the judge in his discretion sees fit to give one; or unless he imposes punishment of more than 45 days' imprisonment or a fine of more than $300.

Mr. LONG. Will the Senator yield for a further question?

Mr. THURMOND. I will yield for a question.

Mr. LONG. Is the Senator quoting at this point from a particular case, and, if so, will the Senator give us the name of the case?

Mr. THURMOND. I am not quoting from a case at this particular time. I am going back into the History of the Jury Trial.

Mr. LONG. I thank the Senator.

Mr. THURMOND. And to show how through the life of this Nation the jury trial has developed.

Mr. LONG. I thank the Senator.

Mr. THURMOND. And how our forefathers in writing the Constitution put into it by article III, section 2, under which a man charged with a crime is entitled to a trial by jury.

To remove any further doubt, when the Bill of Rights was written the same provision was made in several places. The sixth amendment of the Bill of Rights guarantees a man charged with a crime the right to a jury trial.

During the night, probably about 4 or 5 o'clock this morning, I did cite a case holding that criminal contempt is a crime. If criminal contempt is a crime, then a man who is being tried for criminal contempt is entitled to a jury trial under the Constitution.

Mr. LONG. Will the Senator yield for another question?

Mr. THURMOND. I yield.

Mr. LONG. Does the Senator know whether it has ever been held that criminal contempt is not a crime under the law of the Nation?

Mr. THURMOND. I do not know of any decision in the courts where criminal contempt has not been considered a crime, and I have had all the authorities and ran them down. Criminal contempt is a crime. We have a decision on that point. When a man is charged with criminal contempt, he is entitled to a trial by jury. However, under this proposal, the so-called compromise which came from the House, he will not get a jury trial unless the judge, out of the goodness of his heart, says "I think you are entitled to a jury trial, and I am going to give you one."

Mr. LONG. I thank the Senator.

Mr. THURMOND. Or unless the judge tries him first and finds him guilty and finds that he should be punished by more than 45 days' imprisonment or $300 fine, in which event he can give him a new trial. The judge tries him once, and then he will be tried again. I think there again the so-called compromise is unconstitutional because you cannot put a man in jeopardy two times. If he is tried once, he has been in jeopardy and he cannot be put in jeopardy again.

The whole thing is a concoction to get a compromise on something for civil rights. It is purely an endeavor to get some kind of compromise; but it violates the Constitution, and I hope the Senate and the Congress will not pass it. Even people who believe in civil rights and have fought for civil rights are of that opinion.

The distinguished Senator from Minnesota [Mr. HUMPHREY] has made many speeches on civil rights. I remember one he made in 1943 at the Democratic Convention in Philadelphia, which I did not like at all because I am a States righter and not a so-called civil righter. I believe in real civil rights, but not the kind of civil rights which are being alleged here.

I do not know how Senators who really believe in civil rights and who know the Constitution can vote for a bill which flatfootedly violates several provisions of the Constitution.

Mr. LONG. Will the Senator yield for a further question?

Mr. THURMOND. I yield.

Mr. LONG. Does the Senator know of any greater civil right any person possesses in any nation than the right to a trial by a jury of his peers and his neighbors when he is accused of a crime?

Mr. THURMOND. I cannot imagine any civil right I would rather possess were I charged with a crime. I do not know of any civil right that is more vital to the people of the United States than the right of trial by jury. I do not know of any civil right that one could envision that could be more important. The right of trial by jury is most important because a man may be tried for his life. If he is not tried for his life, he can be put in prison. He can have his liberty taken away from him.

It is only after trial by jury that a man in this Nation can have his liberty taken away from him. I do not want a judge to try me if I ever have to be tried. I want 12 of my peers, 12 of my fellow countrymen, as the Constitution provides.

Mr. LONG. Does the Senator yield further?

Mr. THURMOND. I yield.

Mr. LONG. Is not the right to trial by jury, in which a person accused of a crime to challenge any prejudiced person who might be on the jury venire one of the possible differences between the free system of government that exists in this Nation and other free nations as compared to the system of government that exists in Communist nations?

Mr. THURMOND. The Senator is eminently correct. The Senator has the vision to see and realize the importance of what jury trial means to the people of this Nation.

I quoted during the night Associate Justice Brennan of the Supreme Court. I do not think a man could have made a stronger address than he made on the jury-trial question. Justice Brennan made a powerful argument for a jury trial even in automobile-accident cases. Even where property is involved—not liberty, not life, but property—he believed there should be protection to the citizen through jury trial. Under the so-called compromise civil-rights bill a judge can put a man in jail for 45 days, and some judges will do so if they have the opportunity. They will make it exactly 45 days if they want to punish a man.

Mr. LONG. Will the Senator yield for a further question?

Mr. THURMOND. I yield.

Mr. LONG. Under the facts stated in regard to the situation in Washington Parish, La., it was contended that more than 1,000 colored people were denied voting rights. I am not sure if that was correct or not. Perhaps those people should or should not be on the rolls. But assuming the charge was correct, it would be possible for a judge in that case to put a person in jail for 4,500 days without a jury trial, alleging that there were 1,000 different offenses.

Mr. THURMOND. I see no reason why he could not, if he tries the defendant on each separate offense, which I think he would have to do to sentence him for more than 45 days. If he tries the accused for one act of depriving a person of his right to vote, there would be only one act, and 45 days in my opinion would be the limit. But if a judge saw fit to try a man and sentence him to prison for 45 days, he could try him again on another charge with respect to a man who claims his rights were violated in connection with voting and the defendant could be given another 45 days. I do not think there is any limit to that. I think he could keep filing them.

Mr. LONG. Is it not conceivable following such a procedure a judge could put a man in jail for his natural lifetime without a jury trial? Suppose he alleges that the defendant prevented 2,000 people from registering. That would be 90,000 days he could put the man in jail without a jury trial.

Mr. THURMOND. While I think theoretically that is possible, I do not think actually it would be practicable. But it is theoretically possible to do that.

I wish to read the distinguished Senator what Associate Justice Brennan said:

> American tradition has given the right to trial by jury a special place in public esteem that causes Americans generally to speak out in wrath at any suggestion to deprive them of it.

What is the Congress doing here if they let a judge try a man for criminal contempt, which is a crime?

I quote Associate Justice Brennan further:

> One has only to remember that it is still true in many States that so highly is the jury function prized that judges are forbidden to comment on the evidence—

In my State they cannot comment on the evidence and I do not believe they can in the State of the Senator from Louisiana, can they? In a few cases I believe they can.

Mr. LONG. No; not in a criminal case.

Mr. THURMOND. I do not believe they can even instruct the jury except as the parties request instruction. In some States the judge cannot charge the jury at all except where the parties request him to instruct, so jealously is the right of trial by jury regarded, leaving to the 12 fellow countrymen, 12 peers of the defendant, the authority to decide the case.

I wish to quote further from Associate Justice Brennan:

> The jury is a symbol to Americans that they are bosses of their Government. They pay the price, and willingly, of the imperfections, inefficiencies, and, if you please, greater expense of jury trials because they put such store upon the jury system as a guaranty of their liberties.

Mr. LANGER. Will the Senator yield for a question?

Mr. THURMOND. I yield for a question to my distinguished colleague from North Dakota.

Mr. LANGER. I regret that because of my ill health, of which the Senator is aware, I was unable to be here.

Mr. THURMOND. I am sorry, too. I thought about the distinguished Senator a great deal and inquired about him.

Mr. LANGER. I am sure during the night sometime the distinguished Senator from South Carolina discussed how the jury system came into being; is that correct? The divine right of kings principle was set aside and the jury system installed in its place.

Mr. THURMOND. That is right. I am going now into the history of the jury system. That is the very thing I am discussing now.

Mr. LANGER. The distinguished Senator knows that in the State of South Carolina—and, I might say, it is true in some of the other States—the higher courts have set aside verdicts of guilty because of the presence of prejudiced jurors or jurors who did not tell the truth on their examination, when they were asked if they knew anything about the facts.

We have always been extremely jealous under the Constitution to see that every defendant receives a fair and honest trial. I know that there have been such cases in the State of South Carolina as the type to which I have referred.

Mr. THURMOND. Exactly. I was a trial judge for 8 years, and came into close contact with jurors. I know how jurors feel. I know how the people feel. The citizens of this country believe in the jury system. It is a part of their nature to believe in the jury system. Those who have talked with me do not like the fact that the bill provides for compromising the Constitution in order to get a compromise civil-rights bill. We should not compromise the Constitution. That is exactly what this so-called compromise bill does, on the jury-trial question.

Mr. LANGER. I am sure that when the distinguished Senator was a judge, if any efforts were made to influence a jury, either by telephone or letter, if the judge became aware of it, he promptly declared a mistrial.

Mr. THURMOND. The Senator is correct. Any judge would set aside a verdict if a juror were influenced.

Judges are human. Some people look upon a Federal judge as sacrosanct, so to speak—clothed with a robe, high, mighty, and arrogant. They are human, and they are subject to the errors of human nature, just as any other citizen is. They should not be entrusted with this great power, involving the liberty of our people, in violation of the Constitution.

Mr. LANGER. The distinguished Senator knows that once in a while there is a dishonest judge. Is not that true?

Mr. THURMOND. I presume it is. However, I have never heard of any in South Carolina.

Mr. LANGER. We had a very dishonest Federal judge in the State of North Dakota at one time. I had personal experience with him. Time and again during my service in the Senate I have charged that judge with being dishonest. He is still alive. I did not rely upon Congressional immunity. I have made that statement often. I have never been sued for it, and I know very well that I never will be.

Mr. THURMOND. I am sure that the distinguished Senator would not want such a judge to try him for criminal contempt, which is a crime. I am certain that the distinguished Senator from North Dakota would want a jury to try him. Is not that correct?

Mr. LANGER. That is certainly correct. I believe that in the State of South Carolina, or any other State, the people will insist not only on good, honest judges, but also on seeing to it that the jury system is kept unimpaired.

Mr. THURMOND. Some of the proponents of the bill think they are going to punish the South. However, the bill applies to every American. The bill will fly back in the faces of some of its proponents and their friends, and they will be surprised.

Mr. LANGER. I thank the distinguished Senator.

Mr. THURMOND. It is a pleasure to discuss this question with the distinguished Senator from North Dakota.

I was discussing the history of the jury system.

I continue to read from "History of the Jury System," in the chapter entitled "Trials and Tribunals Among the Saxons."

> It will be observed that it was the priests who had charge of administering these tests of innocence—termed judicia dei—and they doubtless reaped a rich harvest from the monopoly of this privilege, commensurate with the wealth and the guilt of the accused.

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

Mr. THURMOND. I am pleased to yield for a question.

Mr. LANGER. In view of the fact that I mentioned a dishonest judge, I should like to give an illustration of how a dishonest judge operates.

In the first place, when it is desired to obtain a jury which is dishonest, a special assistant United States marshal will be appointed. The marshal will walk into a store, for example, and say, "Mr. Jones, I would like to have you take 100 subscriptions to a certain newspaper." The man behind the counter might say, "Why should I take a hundred subscriptions?" The marshal may say, "We are fighting the Governor of the State."

If the man takes 100 subscriptions, and pays $100, or $1 apiece for a year, his name goes into the jury box; and if he does not subscribe, his name does not go into the jury box.

In the case to which I have reference, the slips which were put into the box were different. The names of those who were prejudiced against a defendant would be written on wide slips. The names of those who were not so prejudiced were written upon narrow slips. A clerk was conniving with the judge. I may say that later the clerk went to the penitentiary. He would feel around until he felt a broad slip, and withdraw that slip.

A Federal judge has a vast amount of power. A judge may say, "I am not going to allow any of the defense lawyers to examine any prospective jurors. Let them write out their questions and submit them to me, and I will ask the prospective jurors whether or not they are prejudiced, or what answers they have to the questions."

Two or three days might be consumed in the effort to get a fair jury; but because of the fact that the Federal judge will not allow the lawyers for the defendant to ask any questions, the judge will finally get a jury which has not been thoroughly examined from the viewpoint of the defendant.

That is not all. A dishonest judge, by the tone of his voice, can let the jury know what he himself thinks of the case. For example, the defendant may be giving testimony, and if the United States attorney interrupts him the Federal judge may say, "Well, let the defendant tell his story," with a sneer on his face, for the benefit of the jury.

When it comes to his instructions, he may, in a very low tone of voice, give the instructions he is required to give which are favorable to the defendant. Then he raises his voice and makes gestures which let the jury know that he does not believe the defendant to be innocent. He tries to impress the jury by his loud tone of voice and the things he says in his instructions, which tend to prejudice the jury.

I have seen it happen. I myself was a trial lawyer. I served at one time as attorney general of my State, and later as governor of the State.

As I have previously stated, a Federal judge has a vast amount of power. He can name special bailiffs if he decides that the number of bailiffs in the court is not sufficient. He can appoint half a dozen or a dozen more, and have them carry revolvers to impress the rank and file of the jurors with the great importance of the case.

A Federal judge can claim that his life is in danger, and he can have Federal troops escort him back and forth between the courthouse and the hotel. A Federal judge can have airplanes flying over the courthouse, to repel the mob, for the purpose of impressing the jury with the gravity of the case which is pending before it.

I have gone all through that experience. When I came to the Senate one of the charges brought against me was with respect to the four Federal cases in which I, as governor of the State, was tried.

A Federal judge who is dishonest, with all the power he has, need not be afraid of any governor, because he holds his position for life. During the history of the United States there have been only five impeachments of Federal judges.

I well remember a case which was brought before I became a Member of the Senate. Senator Josiah Bailey, a very distinguished Senator, said to me in connection with that case, "I voted 'not guilty' on all counts except the last one. I voted 'guilty' on the last one."

It was the fact that he voted "guilty" on that count which resulted in the impeachment of the judge.

We must take into consideration the money that is required, the lawyers who are required, and so forth. The Senate does not like to take up an impeachment case. Yet, that is the only remedy a poor man has in the matter of impeaching a dishonest Federal judge.

I am frankly delighted that the distinguished Senator from South Carolina has been going into the history of how the jury trial originated. There was a great battle to obtain the right of trial by jury on behalf of the people of England before they ever achieved their goal. One of the very first of the English juries was sent out by the judge time and time again and asked to bring in a verdict of guilty, and the jury refused to do so. They were out for many hours defying the judge. Finally, the judge said he would put them in jail.

One of the greatest calamities that could possibly occur in this country or in any other country would be to have the "divine right of kings" come back and the jury system made inoperative.

I wish to thank the distinguished Senator from South Carolina for bringing the matter to the attention of the Senate.

Mr. THURMOND. The able and distinguished Senator from North Dakota is to be commended for his statement.

Mr. President, it is not a question of civil rights. They have hooked to it an unconstitutional provision. It is now a question of whether we shall vote for a bill that violates the Constitution and takes away from citizens the right to a trial by jury.

I believe it was at Runnymede, in 1215, that there were wrenched from King John certain rights for the benefit of the people which were written into a paper known as the Magna Carta. One of the rights wrenched from King John and which the people had cherished so long and which had been denied them was the right of trial by jury.

Mr. President, our Declaration of Independence starts out by citing grievances, among which was the fact that in many instances the citizens of the Colonies had been tried without a jury. That was one of the grievances brought up and included in the Declaration of Independence.

When our Constitution was written our forefathers had heard their fathers speak of how in generations back the people had suffered persecution. That was why many of them came to these shores, to enjoy liberty and freedom. After studying the governments of the world at that time our forefathers finally decided on the tripartite system of government, with its three branches, executive, legislative, and judicial, which could check on each other.

They did not stop with that, Mr. President. The States organized their governments on the same basis, so that what we have is what is known as a compound Republic. We have a division of power between the States and the Federal Government. We have a division of power between the different branches on the national level and on the State level. Our forefathers, when they wrote the Constitution in Philadelphia in 1787, were determined that one thing that would be contained in it would be the right of trial by jury. It is found in article III, section 2, and it provides that the trial of all crimes except cases of impeachment shall be by jury. It does not make any other exceptions for civil rights or anything else. It provides that all crimes except that of impeachment shall be tried by jury and that the trial shall be held in the State in which the crime was committed.

Even after the Constitution was written, three distinguished men attending the Convention would not sign it. They were George Mason, of Virginia, who was the author of the Bill of Rights; John Randolph, of Virginia, another very prominent citizen; and Elbridge Gerry, of Massachusetts. They refused to sign the Constitution even after it was written.

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

Mr. THURMOND. I yield for a question.

Mr. JOHNSON of Texas. Mr. President, would the Senator from South Carolina be willing to yield to me for the purpose of submitting a unanimous-consent request to the Senate to the effect that when the Senator-elect from Wisconsin appears the telegram of the Governor of the State of Wisconsin may be read and the oath be administered by unanimous consent of the Senate, without my friend from South Carolina losing the floor thereby, and that his remarks thereafter shall not count as a second speech against him, and that this interruption be placed in another portion of the RECORD?

Mr. THURMOND. Mr. President, I yield under those conditions.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senator-elect from Wisconsin appears in the Chamber the clerk may read the telegram from the Governor of Wisconsin and that the Senate give its consent to the oath being administered to the Senator-elect.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas? The Chair thinks it also includes the provision that the Senator from South Carolina [Mr. THURMOND] shall not lose the floor.

Mr. JOHNSON of Texas. All the conditions enumerated, Mr. President.

Mr. KNOWLAND. Mr. President, reserving the right to object—and, of course, I shall not object—I should like to be associated with the unanimous-consent request made by the distinguished majority leader.

Mr. JOHNSON of Texas. Mr. President, I make the request on behalf of the minority leader and myself. I wish to make it abundantly clear that when the Senator-elect from Wisconsin appears consent will have already been given to his being sworn in after the telegrams have been read; and that the Senator from South Carolina will still retain the floor and will be protected in his right to the floor and in the fact that he has made only one speech on this subject. Also, Mr. President, I request that the interruption be placed in the RECORD at the conclusion of the remarks of the Senator from South Carolina.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the request is agreed to.

Mr. JOHNSON of Texas. I thank the Senator from South Carolina for yielding.

Mr. THURMOND. Mr. President, I was engaged in colloquy with the Senator from North Dakota [Mr. LANGER] at the time when we were interrupted. I should like to continue the colloquy with him.

Mr. President, I thank the distinguished Senator from North Dakota for his questions and for bringing out the points he did. What I started to say is that when the Constitution Convention was held in Philadelphia in 1787 for the purpose of writing a constitution, the deputies, as they were called then, were confronted with the very difficult proposition of how the States would have representation. The large States wanted representation in proportion to population; the small States wanted representation according to States, regardless of size. Of course, they reached a compromise, and we have the two bodies of Congress. The Senate has an equal number of Senators from each State, regardless of the size of the State, and the House of Representatives is based on population. That is only one of the many intricate problems which had to be fought and settled by the Convention. It was a very difficult task to bring about the adoption of the Constitution.

Mr. LANGER. Will the Senator yield for a question at this point?

Mr. THURMOND. I yield.

Mr. LANGER. The Senator from North Dakota as the distinguished Senator from South Carolina knows, is very much interested in the small States. The two Senators from North Dakota are very much interested in the small States. They have been battling and fighting for the rights of the small States. Today there are six States which never have had any Cabinet members. For example, take the State of Florida. It has now for 107 years been a member of this Union. Yet the State of Florida has never had a member of the Cabinet, although the city of New York under Franklin Roosevelt at one time had six from the State of New York.

Take the State of Nevada. Nevada had an Ambassador. The State of South Dakota has never had one. Montana never has had one. Idaho never has had one. The Senator from North Dakota finally succeeded in getting one for North Dakota, the first one after 62 years of statehood. It seems to me that the Senators from these States and from the States of smaller population a long time ago ought to have gotten together and said to the State Department, "We demand that citizens of the States of lesser population also have some appointments as ambassadors, or occasionally have a man appointed to the Cabinet of the President of the United States.

Mr. THURMOND. I thoroughly agree with the Senator, and what I said was by way of illustration.

Mr. LANGER. Yes.

Mr. THURMOND. The point I started to make was this: There were so many problems confronting the deputies in Philadelphia that they had a very hard time drafting a constitution and even after it was drafted, it would not have been ratified if they had not promised the leading political leaders of the day that there would be a Bill of Rights. That is the only way they were able to have the Constitution adopted; and even then, George Mason, of Virginia; John Hancock, of Massachusetts; Elbridge Gary, of Massachusetts, refused to sign it. They did not want to take for granted any question about the rights to which the people were entitled, and one of the precious rights in which they were most interested was the right of trial by jury. The right of trial by jury was not only written in article III, section 2 of the Constitution, but in several places in the Bill of Rights. The right of trial by jury has been handed down to us as part of our Government as a great heritage, and we do not want to run the risk of losing that precious right.

Mr. LANGER. Will the Senator yield for a question?

Mr. THURMOND. I yield.

Mr. LANGER. Is it not true at the present time in one foreign country after another, to whom we have been sending foreign aid and with whom we fought in World War II, later in the Korean war—one of the very things we are advocating in these countries are reforms which will provide trial by jury. Is that not correct?

Mr. THURMOND. I understand we have been advocating that other countries, in which we have been trying to help the people to set up democratic governments, accord the right of trial by jury. It is going to look a little inconsistent to those people to whom we have held out trial by jury as the ideal, when we pass a bill which proposes to take away trial by jury.

Some persons do not feel this is important; some of them say, "Well it is a compromise. The House held to a certain idea and the Senate another; and it is a matter of getting together as best they could."

But this is a vital question. There is nothing more important, no right more important than that of trial by jury.

Mr. LANGER. I assume the Senator means a fair trial, an honest trial.

Mr. THURMOND. Exactly.

Mr. LANGER. The experience the Senator has had as judge ably demonstrated that, did it not?

Mr. THURMOND. My experience has been that a jury will come nearer rendering a fair verdict than a judge will, because there are 12 men on the jury—and Mr. Justice Brennan concurs in this—who hear the evidence and reach a conclusion. It is a most important matter; yet here in this so-called civil rights bill——

Madam President, may we have order, please?

The PRESIDING OFFICER (Mrs. SMITH of Maine in the chair). The Senate will be in order.

The Senator will proceed.

Mr. THURMOND. The effect of the so-called civil-rights bill is to amend the Constitution. The Constitution says, in article III, section 2, that "the trial of all crimes, except cases of impeachment, shall be by jury," and then in the sixth amendment to the Constitution the statement is made again. It says, "In all"—it does not say in some—it does not say in all but civil rights; it makes no exception. It says:

> In all criminal prosecutions the accused shall enjoy the right to a speedy and a public trial, by an impartial jury of the State * * * to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses.

And so forth. instead of that, this civil-rights bill now includes an amendment—which has been added by the House of Representatives—which gives the judge the power to make the decision, without a trial by jury, unless the fine exceeds a certain amount of money or unless the period of incarceration exceeds a certain number of days.

Mr. LANGER. Madam President, will the Senator from South Carolina yield further?

The PRESIDING OFFICER (Mrs. SMITH of Maine in the chair). Does the Senator from South Carolina yield further to the Senator from North Dakota?

Mr. THURMOND. I yield.

Mr. LANGER. Is it not true that one of the arguments used when the right of women's suffrage was asked for, was that women should have the right to sit on juries?

Mr. THURMOND. That is correct.

When I was Governor of South Carolina, I recommended that women be allowed to sit on the juries. I think it is very wholesome to have that allowed. Such a law has not yet been passed in South Carolina, but I think it will be; in my opinion, that time will come.

Mr. LANGER. We who live in North Dakota have had such a law for many years, and it works very satisfactorily.

Mr. THURMOND. I so understand.

In some States, women are allowed to serve on juries, if they wish, but they are not forced to do so. In other States, women must serve on juries, if called. In other States, women do not have to serve at all on juries.

Madam President, the bill of rights—and the right of trial by jury is the heart of the bill of rights—is the most precious document of the American people.

Madam President, let me say to the distinguished Senator from North Dakota that when the Declaration of Independence was written, it included a very definite reference to trial by jury. I wish to read part of the Declaration of Independence, in order to remind the distinguished Senator from North Dakota of that fact.

Mr. LANGER. Madam President, I shall be very glad to have the Senator from South Carolina do so.

Mr. THURMOND. Madam President, I read now from the Declaration of Independence:

> When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.
>
> We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed, that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such Government, and to provide new guards for their future security. Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States. To prove this, let facts be submitted to a candid world.
>
> He has refused his assent to laws, the most wholesome and necessary for the public good.
>
> He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them.
>
> He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature, a right inestimable to them and formidable to tyrants only.
>
> He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.
>
> He has dissolved representative houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

A little later in the Declaration of Independence, we find the following——

Mr. LANGER. Madam President, it is very interesting to hear the Declaration of Independence read.

Mr. THURMOND. It is, indeed.

I read further from the Declaration of Independence:

> He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the State remaining in the meantime exposed to all the dangers of invasion from without, and convulsions within.
>
> He has endeavored to prevent the population of these States; for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands.
>
> He has obstructed the administration of justice by refusing his assent to laws for establishing judiciary powers.
>
> He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.
>
> He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.
>
> He has kept among us, in times of peace, standing armies without the consent of our legislatures.
>
> He has affected to render the military independent of and superior to the civil power.
>
> He has combined with others to subject us to a jurisdiction foreign to our Constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation:
>
> For quartering large bodies of armed troops among us:
>
> For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these States:
>
> For cutting off our trade with all parts of the world:
>
> For imposing taxes on us without our consent:
>
> For depriving us in many cases, of the benefits of trial by jury.

That was one of the cardinal points which was set forth in the Declaration of Independence, namely, that the King of England had deprived the colonists "in many cases, of the benefits of trial by jury."

Mr. LANGER. I thank the distinguished Senator from South Carolina.

(At this point Mr. THURMOND in accordance with the previous unanimous-consent agreement, yielded to Mr. JOHNSON of Texas for the purpose of having the Senator-elect from Wisconsin take the oath of office. By agreement, the proceedings incident thereto appear in the RECORD at the conclusion of Mr. THURMOND'S speech.)

The VICE PRESIDENT. Pursuant to the order, the Chair recognizes the Senator from South Carolina.

The Senate will be in order.

Mr. THURMOND. Mr. President, a good many Senators were not here when I presented my views earlier during this debate, and I shall take a few minutes now to express a few points which I should like to have them hear.

Mr. President, I was bitterly opposed to the passage of H. R. 6127 in the form which was approved by the Senate. I am even more bitterly opposed to the acceptance of this so-called compromise which has come back from the House of Representatives.

Later on I want to comment on various provisions of the entire bill, but at this time I am directing my comments at the specific provisions of the so-called compromise. In my view, it is no less than an attempt to compromise the United States Constitution itself.

In effect, it would be an illegal amendment to the Constitution because that would be the result insofar as the constitutional guaranty of trial by jury is concerned.

Article III, section 2, of the Constitution provides that—

> The trial of all crimes, except in cases of impeachment, shall be by jury.

Again in the sixth amendment—in the Bill of Rights—it is provided that—

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

The fifth and seventh amendments to the Constitution provide additional guaranties of action by a jury under certain circumstances. The fifth amendment refers to the guaranty of indictment by a grand jury before a person shall be held to answer for a crime. The seventh amendment guarantees trial by jury in common law cases.

As I have stated earlier today, I cited a decision during this debate to show that criminal contempt is a crime. Since criminal contempt is a crime, a man charged with criminal contempt is entitled to a jury trial. I know of no way, under the Constitution, by which a man charged with a crime can be denied a trial by jury.

Since the decision I have cited shows that criminal contempt is a crime, it simply follows that a man charged with criminal contempt is entitled to a trial by jury.

These guaranties to which I referred, in article III, section 2, of the Constitution and in the fifth and seventh amendments, were not included in our Constitution without good and sufficient reasons. They were written into the Constitution because of the abuses against the rights of the people by the King of England. Even before the Constitution and the Bill of Rights were drafted, our forefathers wrote indelibly into a historical document their complaints against the denial of the right to trial by jury. That document was the Declaration of Independence. I am going to read the section of the Declaration of Independence in which our forefathers with courage and stamina severed their relations with the mother country, Great Britain, and established their own government. A list of grievances against the King was set forth in that document and among those grievances there was one pertaining to trial by jury. It reads as follows:

> Depriving us in many cases of the benefits of trial by jury.

In other words, those who signed the Declaration of Independence gave as one of the reasons for declaring their independence and for cutting loose from the King the fact that they had been deprived in many cases of the benefits of trial by jury. Therefore we can see with that incentive in mind in writing the Declaration of Independence why there was such a strong urge in writing the Constitution to include in it a provision for trial by jury, and then later in writing the Bill of Rights, to provide a trial by jury without the exceptions which are contained in this so-called compromise that came from the House of Representatives.

Mr. President, when our forefathers won their freedom from Great Britain, they did not forget that they had fought to secure a right of trial by jury. They wrote into the Constitution the provisions guaranteeing trial by jury. Still not satisfied, they wrote into the Bill of Rights 2 years later the 3 specific additional provisions for jury action.

It is a well-known fact that there was general dissatisfaction with the Constitution when it was submitted to the States on September 28, 1787, because it did not contain a Bill of Rights. A majority of the people of this country, under the leadership of George Mason, Thomas Jefferson, and others, were determined to have spelled out in the Constitution in the form of a Bill of Rights those guaranties of personal security which are embodied in the first 10 amendments.

It was 9 months after the Constitution was submitted to the States before the ninth State ratified the Constitution, thus making it effective.

Although by that time it was generally understood, and pledges had been made by the political leaders of the day, that a Bill of Rights would quickly be submitted to the people, 4 of the 13 States still were outside the Union.

Nineteen months after the Constitution was submitted to the States, George Washington was inaugurated on April 30, 1789, as our first President. Even then, however, North Carolina and Rhode Island remained outside the Union for several months, North Carolina ratifying on November 21, 1789, and Rhode Island on May 29, 1790.

The reluctance of all the States to enter the Union which they had helped to create clearly demonstrated how strong the people felt about the necessity of including a Bill of Rights in the Constitution. The Constitution might never have been ratified had it not been for the assurances given to the people by Hamilton, Madison, and other political leaders that a Bill of Rights would be drafted as soon as the Constitution was ratified. Leaders of that day carried out the mandate of the people, and the Bill of Rights with its guaranties of trial by jury was submitted to the States on September 25, 1789.

In 1941, the late John W. Davis, that great constitutional lawyer and onetime Democratic nominee for President, was asked to state what the Bill of Rights meant to him.

The Bill of Rights, he declared—

> denies the power of any Government—the one set up in 1789, or any other—or of any majority, no matter how large, to invade the native rights of a single citizen.

Mr. Davis continued his definition with the following:

> There was a day when the absence of such rights in other countries could fill an American with incredulous pity. Yet today, over vast reaches of the earth, governments exist that have robbed their citizens by force or fraud of every one of the essential rights American citizens still enjoy. Usage blunts surprise, yet how can we regard without amazement and horror the depths to which the subjects of the totalitarian powers have fallen?
>
> The lesson is plain for all to read. No men enjoy freedom who do not deserve it. No men deserve freedom who are unwilling to defend it. Americans can be free so long as they compel the governments they themselves have erected to govern strictly within the limits set by the Bill of Rights. They can be free so long, and no longer, as they call to account every governmental agent and officer who trespasses on these rights to the smallest extent. They can be free only if they are ready to repel, by force of arms if need be, every assault upon their liberty, no matter whence it comes.

Mr. President, this bill is an assault upon our liberty. The United States is a constitutional Government, and our Constitution cannot be suspended or abrogated to suit the whims of a radical and aggressive minority in any era.

The specific provisions in the Constitution and the Bill of Rights guaranteeing trial by jury have not been repealed. Neither have they been altered or amended by the constitutional methods provided for making changes in our basic laws if the people deem it wise to make such changes.

Nevertheless, in spite of the prevailing constitutional guaranties of trial by jury, we are here presented with a proposal which would compromise the provisions of the Constitution—yes; in my opinion, amend the Constitution illegally.

This compromise provides that in cases of criminal contempt, under the provisions of this act, "the accused may be tried with or without a jury" at the discretion of the judge.

It further provides:

> That in the event such proceeding for criminal contempt be tried before a judge without a jury and the sentence of the court upon conviction is a fine in excess of $300 or imprisonment in excess of 45 days, the accused in said proceeding, upon demand therefor, shall be entitled to a trial de novo before a jury.

Mr. President, the first of the provisions I have just cited, giving discretion to a judge whether or not a jury trial is granted in a criminal case, is in direct conflict with the Constitution.

The Constitution does not provide for the exercise of any discretion in a criminal case as to whether the person accused shall have a jury trial. The Constitution says "The trial of all crimes except in cases of impeachment shall be by jury."

The sixth amendment says:

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury.

The Constitution does not say in some crimes. The Constitution says in all crimes. The Constitution does not say trial may be by jury. The Constitution says trial shall be by jury.

How, then, Mr. President, can we be presented with this compromise? How can we be asked to accept a proposal so clearly in conflict with and in violation of the Constitution?

The Constitution makes no exception to the trial by jury provision in criminal cases in the event contempt is involved. Let me repeat and let me emphasize. The Constitution says "the trial of all crimes shall be by jury"—not all crimes except those involving contempt, but all crimes.

What power has been granted to this Congress to agree to any such proposal when it is in such complete contradiction to the Constitution? There is no power except the power of the people of this Nation by which the Constitution can be amended. The power of the people cannot be infringed upon by any lesser authority.

As the directly elected representatives of the people, this Congress should be the last body to attempt to infringe upon the authority which is vested solely in the people.

We are here dealing with one of the basic legal rights and one of the most vital personal liberties guaranteed under our form of government. But the proposed compromise insists that the treasured right of trial by jury be transformed into a matter of discretion for a judge—for one person—to decide whether it shall be granted or withheld.

This compromise attempts to make trial by jury a matter of degree, as stated in the second part of the provision which I quoted.

Under this proposal, if a man were to receive a sentence of a fine of $300 or 45 days' imprisonment, he would be deprived of his right of trial by jury, except at the discretion of the judge. On the other hand, if a dollar were added to the amount of money, or even 1 cent, and a day, or even an hour, to the length of imprisonment, that man would be granted a new trial with a jury deciding the facts.

Mr. President, this is not something which can be compromised. In this day and time I wonder, sometimes, if there is not too much compromise. It does my heart good to see a man with strong convictions, a man who believes in something, a man who stands for something and who is not willing to compromise on everything when there is a vital principle at stake.

Mr. President, I realize that legislation to a large extent is compromise. That is perfectly legitimate when it does not involve the Constitution. But when it involves the Constitution, there should be no compromise. There should have been no compromise on this bill which comes back to the Senate from the House. There can be no compromise with reference to the manner in which the bill was amended.

The right of trial by jury is too dear a right to be measured in dollars and cents or in terms of days and hours. The right of trial by jury is guaranteed by the Constitution. It is a vital principle upon which our form of Government is based. Principle is not a matter of degree.

This proposed compromise is a true child of the parent bill—like father, like son, or a chip off the old block. Both are bad. But the provisions of the compromise are even worse than the provisions of the bill which I opposed when it was approved by the Senate.

The enactment in the Senate of part V, with its jury-trial provision, was a vast improvement over the radical bill which was sent to us from the House of Representatives.

However, this unconstitutional compromise now makes part V conform with the obnoxious provisions which were in the original bill. In the name of constitutional government., I hope that a majority of this Senate will vote against this proposal.

The principal purpose of this bill which the House has returned to the Senate is political. Both parties fear the bloc voting of the pivotal States. Both parties want to be in position to claim credit for the passage of what is being called a civil-rights bill. Both parties hope to be able to capitalize on the passage of a bill such as this one in the Congressional elections of 1958, and then to carry those gains into the presidential election of 1960.

Propaganda and pressure exerted upon the Congress and upon the American people explain how such a bill as this one came to be considered at all. Stewart Alsop, the newspaper columnist, only last week stated the simple facts of the case.

He said that—

> Behind the shifting, complex, often fascinating drama of the struggle over civil rights, there is one simple political reality—the Negro vote in the key industrial States in the North. That is, of course, in hard political terms, what the fight has been all about.

VISIT TO THE SENATE OF 12 MEMBERS OF THE ITALIAN CHAMBER OF DEPUTIES

Mr. AIKEN. Mr. President, will the Senator from South Carolina yield?

Mr. THURMOND. I will yield for a question.

Mr. AIKEN. Mr. President, I should like to ask the Senator if he will yield in order that I may introduce to the Senate 12 members of the Italian Chamber of Deputies.

Mr. THURMOND. Mr. President, I will yield under certain conditions, namely, that the Senator from Vermont gets unanimous consent of the Senate for me to yield to him, that I shall not lose my right to the floor, and that it shall not be counted as a second speech when I resume.

Mr. AIKEN. Mr. President, with that understanding I ask unanimous consent that the Senator from South Carolina may yield for the purpose stated.

The PRESIDING OFFICER (Mr. BUSH in the chair). Is there objection? The Chair hears none.

Mr. AIKEN. Mr. President, I wish to introduce to the Senate 12 members of a committee of the Italian Chamber of Deputies, corresponding to the Agricultural Committee, who are standing in the rear of the Chamber.

[Applause, Senators rising.]

Mr. AIKEN. Mr. President, I thank the Senator from South Carolina for yielding.

Mr. THURMOND. Mr. President, I should like to join the Senator from Vermont in extending a welcome to these distinguished guests of the United States Senate.

The PRESIDING OFFICER. The Senator from South Carolina may proceed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 1996) to approve the contract negotiated with the Casper-Alcova Irrigation District, to authorize its execution, to provide that the excess-land provisions of the Federal reclamation laws shall not apply to the lands of the Kendrick project, Wyoming, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 109. An act to incorporate the Jewish War Veterans, U. S. A., National Memorial, Inc.;

H. R. 662. An act to provide for the establishment of a fish hatchery in the northwestern part of the State of Pennsylvania;

H. R. 1262. An act to authorize and direct the Administrator of Veterans' Affairs to accept certain land in Buncombe County, N. C., for cemetery purposes;

H. R. 6701. An act granting the consent and approval of Congress to the Tennessee River Basin Water Pollution Control Compact;

H. R. 6959. An act to authorize the Secretary of the Interior to cooperate with Federal and non-Federal agencies in the augmentation of natural food supplies for migratory waterfowl;

H. R. 7964. An act to remove the limitation on the use of certain real property heretofore conveyed to the city of Austin, Tex., by the United States;

H. R. 8424. An act to include certain service performed for Members of Congress as annuitable service under the Civil Service Retirement Act;

H. R. 8606. An act to amend the Civil Service Retirement Act with respect to annuities of survivors of employees who are elected as Members of Congress;

H. R. 8868. An act to remove the present $1,000 limitation which prevents the settlement of certain claims arising out of the crash of an aircraft belonging to the United States at Worcester, Mass., on July 18, 1957;

H. R. 8928. An act to amend the act of June 9, 1880, entitled "An act to grant to the corporate authorities of the city of Council Bluffs, in the State of Iowa, for public uses, a certain lake or bayou situated near said city";

H. R. 9240. An act to revise certain provisions of law relating to the advertisements of mail routes, and for other purposes; and

H. J. Res. 453. Joint resolution establishing that the 2d regular session of the 85th Congress convene at noon on Tuesday, January 7, 1958.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 175) proposing a code of ethics for Government service, in which it requested the concurrence of the Senate.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles, and referred, as indicated:

H. R. 662. An act to provide for the establishment of a fish hatchery in the northwestern part of the State of Pennsylvania; and

H. R. 6959. An act to authorize the Secretary of the Interior to cooperate with Federal and non-Federal agencies in the augmentation of natural food supplies for migratory waterfowl; to the Committee on Interstate and Foreign Commerce.

H. R. 1262. An act to authorize and direct the Administrator of Veterans' Affairs to accept certain land in Buncombe County, N. C., for cemetery purposes; to the Committee on Labor and Public Welfare.

H. R. 6701. An act granting the consent and approval of Congress to the Tennessee River Basin water pollution control compact; to the Committee on Public Works.

H. R. 7964. An act to remove the limitation on the use of certain real property heretofore conveyed to the city of Austin, Tex., by the United States; to the Committee on Government Operations.

H. R. 109. An act to incorporate the Jewish War Veterans, U. S. A., National Memorial, Inc; and

H. R. 8868. An act to remove the present $1,000 limitation which prevents the settlement of certain claims arising out of the crash of an aircraft belonging to the United States at Worcester, Mass., on July 18, 1957; to the Committee on the Judiciary.

H. R. 8424. An act to include certain service performed for Members of Congress as annuitable service under the Civil Service Retirement Act;

H. R. 8606. An act to amend the Civil Service Retirement Act with respect to annuities of survivors of employees who are elected as Members of Congress; and

H. R. 9240. An act to revise certain provisions of law relating to the advertisements of mail routes, and for other purposes; to the Committee on Post Office and Civil Service.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 175) was referred to the Committee on Post Office and Civil Service, as follows:

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the following code of ethics should be adhered to by all Government employees, including officeholders:

CODE OF ETHICS FOR GOVERNMENT SERVICE

Any person in Government service should:

1. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department.

2. Uphold the Constitution, laws, and legal regulations of the United States and of all

governments therein and never be a party to their evasion.

3. Give a full day's labor for a full day's pay; giving to the performance of his duties his earnest effort and best thought.

4. Seek to find and employ more efficient and economical ways of getting tasks accomplished.

5. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept, for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.

6. Make no private promises of any kind binding upon the duties of office, since a Government employee has no private word which can be binding on public duty.

7. Engage in no business with the Government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.

8. Never use any information coming to him confidentially in the performance of governmental duties as a means for making private profit.

9. Expose corruption wherever discovered.

10. Uphold these principles ever conscious that public office is a public trust.

CIVIL RIGHTS ACT OF 1957

The Senate resumed the consideration of the amendments of the House of Representatives to the amendments numbered 7 and 15 to the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

Mr. THURMOND. Mr. President, to explain his point Mr. Alsop cited the situation prevailing in New York, Pennsylvania, and Illinois. Pointing out that the "Negro vote can be absolutely decisive in these States," Mr. Alsop stated that it is "almost inconceivable that any presidential candidate could lose those three States and win an election."

In other words, Mr. Alsop says that the whole civil-rights fight is purely political, and the effect of it is that both parties are vying to get the Negro vote in the doubtful States.

To explain his point he cited the situation prevailing in New York, Pennsylvania, and Illinois, pointing out that the Negro vote can be absolutely decisive in those States. Mr. Alsop stated that it is almost inconceivable that any Presidential candidate could lose those three States and win the election.

I shall not take any more further time to present the analysis he made, but he went into considerable detail.

Mr. President, the advocates of this proposed legislation may believe it fits their objective today, but I am convinced that if this bill is enacted into law eventually it will be just as undesirable to its advocates as it is to me.

No explanation of this bill can alter the fact that it was, and is now, under the proposed compromise, a force bill. Its purpose is to put a weapon of force into the hands of the Attorney General and into the hands of Federal judges to exercise arbitrarily. Just as the Attorney General can decide arbitrarily whether or not to prosecute a case, so now this compromise provides Federal judges with authority to exercise discretion in applying the law. Jury trial may be granted or withheld on any grounds whatsoever in the mind of a judge so long as he does not exceed the maximum limit prescribed for denying trial by jury.

The proponents of this bill claim it would strengthen the rights of individuals. In contrast to this claim the bill actually would strengthen the bureaucratic power of the Attorney General and the arbitrary authority of Federal judges. No new right is granted by this bill. No old right held by the people is better protected by it. The substance of the bill is to deprive the people of a right held under the Constitution.

When this bill was debated in the Senate, many authorities were quoted on the importance of trial by jury. At that time I quoted that great legal mind of the 18th century of England, Blackstone, because of the authoritative place he holds in jurisprudence.

I have also quoted heretofore and cited a case which holds that criminal contempt is a crime. That is a decision I have heretofore reviewed. I might refer to it again for the benefit of any who missed it because that is an important point. I do not believe that some of the lawyers in the Congress have realized that criminal contempt is a crime.

Bessett v. *W. B. Conkey Co.* (194 U. S. 324) says a contempt proceeding is criminal in its nature. *Ex parte Grossman* (267 U. S. 87) says a criminal contempt committed by disobedience of an injunction issued by the district court to abate a nuisance in pursuance of the prohibition law is an offense against the United States, and within the pardoning powers of the President under article II of the Constitution.

The Conkey case I just referred to, volume 194 United States Reports, page 324, defines civil and criminal contempt, pointing out that the latter, criminal contempt, is criminal and punitive in its nature, and the Government, the courts, and the people are interested in their prosecution.

If criminal contempt is a crime, as the United States Supreme Court decision holds it is, then under the Constitution of the United States a man charged with criminal contempt is entitled to a jury. There is no ifs, ands, and buts about it. There can be no exceptions.

Article III, section 2 of the Constitution provides:

> The trial of all crimes, except in cases of impeachment, shall be by jury.

Again in the sixth amendment in the Bill of Rights, it is provided:

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Mr. President, when this bill was previously debated in the Senate, I cited Blackstone as an authority, and I may cite him again today, but I want to refer to a portion of this bill, to show how it violates the Constitution on the jury trial question.

Mr. LANGER. Will the Senator yield for a question?

Mr. THURMOND. I will be pleased to yield to my distinguished friend for a question.

Mr. LANGER. Could the Senator from South Carolina tell us how it happened that the Federal judges encroached upon the rights of defendants? How did they come to hold that contempt of court was not a crime?

Mr. THURMOND. There is a long story about contempt and how it arrived at where it is now.

I might say, in brief, and that is what my distinguished friend is interested in, that under the present law a man charged with criminal contempt gets a jury trial unless the Government is a party to the suit, and in labor disputes defendants get a jury trial even if the Government is a party to the suit.

Under this so-called compromise which the House sent to the Senate, that will not be the case unless a judge in his discretion sees fit to give the defendant a jury trial, or the judge tries him and decides he wants to punish him to a greater extent than a $300 fine or a 45 days' prison sentence, in which event he would then have a jury trial.

Mr. President, under the version of the bill which was passed by the House of Representatives, the Attorney General could substitute the government for a private party, and thereby could deprive an individual of a jury trial.

But the Senate amended the bill as passed by the House of Representatives; and the Senate sent the bill, as thus amended, back to the House of Representatives. The Senate, by means of one of its amendments, drew a distinction and delineated between civil contempt and criminal contempt. The amendment provided that if the purpose of the action the judge wished to obtain was compliance with his order, in the case of something to be done in the future, failure to comply with the order would constitute civil contempt; but if the purpose was to punish for something done in the past, failure to comply with the judge's order would constitute criminal contempt.

The Senate amended the bill, as I have stated, and returned the bill, as thus amended, to the House of Representatives. Then the House of Representatives added the amendment which I believe violates the Constitution.

Mr. LANGER. I thank the Senator from South Carolina.

Mr. THURMOND. It has been a pleasure, I assure the distinguished Senator from North Dakota.

Mr. President, because of the authoritative place that Blackstone holds in jurisprudence, I wish to quote him at this time. Every lawyer respects Mr. Blackstone. He said:

> The trial by jury ever has been, and I trust ever will be, looked upon as the glory of the English law.

That is what Blackstone said about trial by jury—that it is "the glory of the English law."

Blackstone further said:

> And if it has been so great an advantage over others in regulating civil property, how much must that advantage be heightened when it is applied to criminal cases. * * * It is the most transcendent privilege which any subject can enjoy, or wish for, that he cannot be affected either in his property, his liberty, or his person, but by the unanimous consent of 12 of his neighbors and equals. A constitution, that I may venture to affirm has, under Providence, secured the just liberties of this Nation for a long succession of ages. And therefore a celebrated French writer, who concludes, that because Rome, Sparta, and Carthage have lost their liberties, therefore those of England in time must perish, should have recollected that Rome, Sparta, and Carthage, at the time when their liberties were lost, were strangers to the trial by jury.

In other words, Rome, Sparta, and Carthage did not have trial by jury when their people lost their liberties.

At another point, Blackstone further declared his faith in trial by jury in these words:

> A competent number of sensible and upright jurymen; chosen by lot * * * will be found the best investigators of truth and the surest guardians of public justice. For the most powerful individual in the State will be cautious of committing any flagrant invasion of another's right, when he knows that the fact of his oppression must be examined and decided by 12 indifferent men, not appointed till the hour of trial; and that, when once the fact is ascertained, the law must of course redress it. This, therefore, preserves in the hands of the people that share which they ought to have in the administration of public justice.

Mr. President, that is what Mr. Blackstone said. No brighter legal mind ever shone in the brilliant galaxy of Anglo-Saxon jurisprudence.

Mr. President, the wisdom of Blackstone's words is undeniable. The liberty of every citizen must continue to be protected by the right of trial by jury. This is not a right which applies to one person and is denied to another. The Constitution makes no exception in its guaranty of trial by jury to every citizen.

On May 9, 1957, Associate Justice Brennan, of the United States Supreme Court, delivered an address in Denver, Colo. In that address, Justice Brennan dealt with the subject of trial by jury, and he made the following statement:

> American tradition has given the right to trial by jury a special place in public esteem that causes Americans generally to speak out in wrath at any suggestion to deprive them of it. * * * One has only to remember that it is still true in many States that so highly is the jury function prized, that judges are forbidden to comment on the evidence and even to instruct the jury except as the parties request instructions.

Mr. President, in my State the judge charges the jury as to the law, but he cannot comment on the facts. In some States a judge is not even permitted to charge the jury, unless the parties to the suit request it.

I read further from the address by Associate Justice Brennan, of the United States Supreme Court:

> The jury is a symbol to Americans that they are bosses of their Government. They pay the price, and willingly, of the imperfections, inefficiencies and, if you please, greater expense of jury trials because they put such store upon the jury system as a guaranty of their liberties.

Mr. President, those are the words of Associate Justice Brennan, in speaking about jury trials. I do not know how he could have stated the matter in much stronger terms.

Mr. President, that statement by Associate Justice Brennan is most significant, to me, in that it comes from a member of the present Supreme Court of the United States. I shall not predict what the Court may do when the question of the constitutionality of the denial of trial by jury, as embodied in the so-called compromise, is presented to the Court. However, I shall not be surprised if the Court declares the bill to be unconstitutional, because on June 10, 1957, in the case of Reid against Covert, the so-called military wives case, the Supreme Court issued a strong opinion on behalf of trial by jury. In that case the Court said—and this is the Supreme Court of the United States speaking:

> Trial by jury in a court of law and in accordance with traditional modes of procedure after an indictment by grand jury has served and remains one of our most vital barriers to governmental arbitrariness.

Mr. LANGER. Mr. President, will the Senator from South Carolina yield for a question?

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Does the Senator from South Carolina yield to the Senator from North Dakota?

Mr. THURMOND. I yield.

Mr. LANGER. If the Congress can say to the people of the United States that a Federal judge has absolute power to forbid a jury trial if the sentence is not more than 45 days in jail or a fine of not more than $300, and if such a law is held constitutional, what would there be to stop a future Congress from changing the amounts to 10 times those—in other words, let us say, to 450 days in jail and a fine of $3,000, or even more? As I see it, the distinguished Senator from South Carolina is fighting for a principle.

Mr. THURMOND. Exactly. The principle—not the exact amount of the punishment or the exact amount of the fine—is the important consideration in this case.

Mr. LANGER. In other words, the Senator from South Carolina is chiefly concerned with the principle, rather than with the exact amount of the punishment—whether it be 45 days in jail or a fine of $300, or whether it be more than that; is that correct?

Mr. THURMOND. Exactly.

Mr. LANGER. Certainly it is a fact that the Congress should not give to any Federal judge the power to levy fines of $300 or to imprison for 45 days, without a jury trial.

Mr. THURMOND. The Senator is eminently correct. The Congress does not have power to do it if it wants to.

Mr. LANGER. In my opinion, you certainly quoted excellent authority to sustain that view.

Mr. THURMOND. I thank the Senator very much.

These elemental procedural safeguards were embedded in our Constitution to secure their inviolateness and sanctity against the passing demands of expediency or convenience.

And further:

> If * * * the Government can no longer satisfactorily operate within the bounds laid down by the Constitution, that instrument can be amended by the method which it prescribes. But we have no authority to read exceptions into it which are not there.

If the Constitution provided that a Federal judge could give to a defendant a jury trial if he wanted to do so, or to refuse it if he wanted to do that, then there would be authority for what the House sent to the Senate. If the Constitution provided that in cases of criminal contempt defendants would be excepted from the jury trial, the House would have been legally justified in passing what they did. But there is no exception to the right of jury trial in the Constitution or in the Bill of Rights.

The Constitution will first have to be amended in order that this so-called compromise bill, which has passed the House and is before the Senate, can be upheld.

I cannot say what the Supreme Court will do, no one can say, but I do not see how they could make any other holding in view of the Constitution and the Bill of Rights. That is certainly what may be expected from the Court, in view of the statement I just quoted from Justice Brennan, when it is called upon to decide the constitutionality of part V of H. R. 6127 as it has been amended by this so-called compromise.

Many claims have been made that this is a bill to protect the individual's right to vote. The evidence proves that there are more than adequate laws in all the States to protect the right to vote. I requested the Library of Congress to make a study of the laws of the States by which the right to vote is protected in each State, and I spoke on them during the night, starting with Alabama, and covered every State, including Wyoming.

I cited the law and the section of the code, including North Dakota and all the States. They all have laws to protect the right to vote. In a few minutes, I am going to cite a Federal section to show that there is a Federal law already on the subject; so, if a Federal law were desired on the subject, we already have one.

I think it is a matter that ought to be left to the States, but if people disagree about that, and if it is within the jurisdiction of the Federal Government, we already have a statute on the subject. But this bill is a violation of the Constitution on the right to a jury trial question, regardless.

Mr. LANGER. Will the Senator yield for a question?

Mr. THURMOND. I yield.

Mr. LANGER. Would the Senator be kind enough to read the statutes in South Carolina and Mississippi, if he has them?

Mr. THURMOND. Many claims have been made that this is a bill to protect the individual's right to vote. The evidence proves that there are more than adequate laws in all the States to protect the right to vote. As to my own State of South Carolina, I shall discuss at some length the constitutional and statutory safeguards protecting a citizen's right to vote. I shall discuss them in a few minutes.

I do not know of a single case having arisen in South Carolina in which a potential voter has charged that he has been deprived of his right to vote. Had such an instance occurred, justice would have been secured in the courts of South Carolina. The Federal Government has no monopoly over the administration of justice.

Both white and Negro citizens exercise their franchise freely in South Carolina. Our requirements are not stringent. South Carolina does not require the payment of a poll tax as a prerequisite to voting.

When I was Governor of South Carolina, on May 1, 1947, I recommended to the State legislature that it repeal the poll tax as a prerequisite to voting.

The legislature took favorable action and submitted the question to a vote of the people at the next general election, which was in November 1948.

The people voted favorably on the amendment, and then in January 1949, or early in 1949, the legislature ratified the action of the people. Our poll tax was eliminated as a prerequisite to voting. So we have no poll tax in my State as a prerequisite to voting. We have a school tax, but no one has to pay to vote. Moreover, registration is necessary only once every 10 years.

Proof that Negroes vote in large numbers in South Carolina—if proof is desired—can be found in an article which was published following the general election in 1952 in the Lighthouse and Informer, a Columbia (S. C.) Negro newspaper. In its issue of November 8, 1952, the Lighthouse and Informer discussed the results of the election and declared that: "Estimates placed the Negro votes at between 60,000 and 80,000 who actually voted."

This represents almost one-fourth of the votes cast in that election. I did not see an estimate of the Negro votes in the 1956 general election, but reports which came to me indicated there was another large turnout.

Mr. President, I shall now read the provisions of the South Carolina Constitution which protect a citizen's right to vote:

SOUTH CAROLINA CONSTITUTION ELECTION PROVISIONS

ARTICLE 1, SECTION 9. SUFFRAGE

The right of suffrage, as regulated in this constitution, shall be protected by law regulating elections and prohibiting under adequate penalties, all undue influences from power, bribery, tumult, or improper conduct.

ARTICLE 1, SECTION 10. ELECTIONS FREE AND OPEN

All elections shall be free and open, and every inhabitant of this State possessing the qualifications provided for in this constitution shall have an equal right to elect officers and be elected to fill public office.

ARTICLE 2, SECTION 5. APPEAL; CRIMES AGAINST ELECTION LAWS

Any person denied registration shall have the right to appeal to the court of common pleas, or any judge thereof, and thence to the supreme court, to determine his right to vote under the limitations imposed in this article, and on such appeal the hearing shall be de novo, and the general assembly shall provide by law for such appeal, and for the correction of illegal and fraudulent registration, voting, and all other crimes against the election laws.

ARTICLE 2, SECTION 8. REGISTRATION PROVIDED; ELECTIONS; BOARD OF REGISTRATION; BOOKS OF REGISTRATION

The general assembly shall provide by law for the registration of all qualified electors, and shall prescribe the manner of holding elections and of ascertaining the results of the same: *Provided*, At the first registration under this constitution, and until the first of January 1898, the registration shall be conducted by a board of three discreet persons in each county, to be appointed by the Governor, by and with the advice and consent of the senate. For the first registration to be provided for under this constitution, the registration books shall be kept open for at least 6 consecutive weeks; and thereafter from time to time at least 1 week in each month, up to 30 days next preceding the first election to be held under this constitution. The registration books shall be public records open to the inspection of any citizen at all times.

ARTICLE 2, SECTION 15. RIGHT OF SUFFRAGE FREE

No power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage in this State.

In addition to these general provisions of the constitution protecting the right to vote, I shall now read specific statutory provisions contained in the South Carolina Code. I believe it is especially appropriate that I do so in view of the fact that it has been charged that South Carolina, as well as other States, has failed to protect the right of citizens to vote.

The charge is false. The right of every citizen to vote in South Carolina is protected, and I want the RECORD to be clear; therefore, I cite the following provisions of law in South Carolina:

SOUTH CAROLINA CODE—TITLE 23

23-73. APPEAL FROM DENIAL OF REGISTRATION

The boards of registration to be appointed under section 23-51 shall be the judges of the legal qualifications of all applicants for registration. Any person denied registration shall have the right of appeal from the decision of the board of registration denying him registration to the court of common pleas of the county or any judge thereof and thence to the supreme court.

23-74. PROCEEDINGS IN COURT OF COMMON PLEAS

Any person denied registration and desiring to appeal must, within 10 days after written notice to him of the decision of the board of registration, file with the board a written notice of his intention to appeal therefrom. Within 10 days after the filing of such notice of intention to appeal, the board of registration shall file with the clerk of the court of common pleas for the county the notice of intention to appeal and any papers in its possession relating to the case, together with a report of the case if it deem proper. The clerk of the court shall file the same and enter the case on a special docket to be known as Calendar No. 4. If the applicant desires the appeal to be heard by a judge at chambers he shall give every member of the board of registration 4 days' written notice of the time and place of the hearing. On such appeal the hearing shall be de novo.

23-75. FURTHER APPEAL TO SUPREME COURT

From the decision of the court of common pleas, or any judge thereof, the applicant may further appeal to the supreme court by filing a written notice of his intention to appeal therefrom in the office of the clerk of the court of common pleas within 10 days after written notice to him of the filing of such decision and within such time serving a copy of such notice on every member of the board of registration. Thereupon the clerk of the court of common pleas shall certify all the papers in the case to the clerk of the supreme court within 10 days after the filing of such notice of intention to appeal. The clerk of the supreme court shall place the case on a special docket, and it shall come up for hearing upon the call thereof under such rules as the supreme court may make.

I do not know of any other State which gives this protection.

If such appeal be filed with the clerk of the supreme court at a time that a session thereof will not be held between the date of filing and an election at which the applicant will be entitled to vote if registered the chief justice or, if he is unable to act or disqualified, the senior associate justice shall call an extra term of the court to hear and determine the case.

The supreme court will be called together to hear one man's case on appeal. What more can we do than that? We have, first, the board of registration; next the court of common pleas, and then the supreme court. The supreme court will hold an extra session, if necessary, to hear the appeal, and even if there is only one man who feels that he has been disenfranchised, or disqualified, for any reason, to receive a registration certificate.

23-100. RIGHT TO VOTE

No elector shall vote in any polling precinct unless his name appears on the registration books for that precinct. But if the name of any registered elector does not appear or incorrectly appears on the registration books of his polling precinct he shall, nevertheless, be entitled to vote upon the production and presentation to the managers of election of such precinct, in addition to his registration certificate, of a certificate of the clerk of the court of common pleas of his county that his name is enrolled in the registration book or record of his county on file in such clerk's office or a certificate of the secretary of state that his name is enrolled in the registration book or record of his county on file in the office of the secretary of state.

In other words, if he loses his certificate, or has any trouble with the board—the books are filed there—if his name is on the book, the clerk will give him a certificate. If it is not there, he can even go to the secretary of state at Columbia, if there is any local prejudice or other trouble. He can go to the State capital, and obtain a certificate from the secretary of state. That is the protection we give. We have some others.

23-349. VOTER NOT TO TAKE MORE THAN 5 MINUTES IN BOOTH; TALKING IN BOOTH, ETC.

No voter, while receiving, preparing, and casting his ballot, shall occupy a booth or compartment for a longer time than 5 minutes. No voter shall be allowed to occupy a booth or compartment already occupied by another, nor to speak or converse with anyone, except as herein provided, while in the booth. After having voted, or declined or failed to vote within 5 minutes, the voter shall immediately withdraw from the voting place and shall not enter the polling place again during the election.

23-350. UNAUTHORIZED PERSONS NOT ALLOWED WITHIN GUARDRAIL; ASSISTANCE

> No person other than a voter preparing his ballot shall be allowed within the guardrail, except as herein provided. A voter who is not required to sign the poll list himself by this title may appeal to the managers for assistance and the chairman of the managers shall appoint one of the managers and a bystander to be designated by the voter to assist him in preparing his ballot.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. THURMOND. I am glad to yield.

Mr. LANGER. A little while ago the distinguished Senator said that he had before him the election laws of all 48 States.

Mr. THURMOND. That is true.

Mr. LANGER. Are not the laws of South Carolina more liberal than those of other States?

Mr. THURMOND. I think they are more liberal with respect to voting. I think we have gone further than have most of the other States. We repealed the poll-tax requirement. We have given every opportunity to everyone to vote. I do not know of anyone in my State today who is denied the right to vote if he wishes to vote.

Our requirements are not too severe. The only requirement is that the voter must be able to read or write the Constitution. The Constitution was used in order to have reference to some document. Anyone who can read and write can read the Constitution as well as he can read anything else. Or if he cannot do that, he must own $300 worth of property. If he meets either requirement, he can vote.

Mr. LANGER. The Senator stated that there was a Federal law in this connection.

Mr. THURMOND. Yes.

Mr. LANGER. May we have the Federal statute read?

Mr. THURMOND. Mr. President, the Senator from North Dakota has just asked me about the Federal law on the books with regard to voting. I should like to have the Senator from North Dakota and other Senators hear this. I ask the distinguished Senator from South Dakota [Mr. CASE] and other Senators to listen to the statute I am about to read. Last night I made the point that every State in the Union has laws on this subject. Of course, if the Senator from South Dakota has already made up his mind, I do not wish to take his time. Will he give me his attention for just a moment?

Mr. CASE of South Dakota. The Senator from South Dakota is listening.

Mr. THURMOND. I do not wish to take the Senator's time if his mind is made up. But if his mind is open, I want him to hear this.

I made the statement last night that every State in the Nation has statutes to protect the right to vote. I called upon the Library of Congress to compile those statutes, and I read them into the RECORD. They will be found in my speech. Starting with Alabama and going through Wyoming, every State has laws protecting the right to vote.

But some people say that we need Federal laws. I do not believe many people know that we have Federal statutes on the subject. For some reason or other they must have overlooked them. I wish to read the Federal law at this time to show that there is a Federal law on the statute books. It is designated as section 594 of chapter 29, title 18, of Criminal Code and Criminal Procedure. It reads as follows:

594. INTIMIDATION OF VOTERS

> Whoever intimidates, threatens, coerces, or attempts to intimidate, threaten or coerce, any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the Office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories and possessions, at any election held solely or in part for the purpose of electing such candidate, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both. (June 25, 1948, ch. 645, sec. 1, 62 Stat. 720.)

If anyone intimidates, threatens, or coerces another with respect to voting, or with respect to how he wishes to vote, or for the purpose of interfering with his right to vote, or to vote for whomever he chooses, there is a Federal statute under which a Federal judge can send him to jail for 1 year, or fine him $1,000. There is already a Federal statute on the subject. So why pass the bill coming from the House, or any other bill to provide the right to vote?

The statute which I have just read is a criminal statute. It enables the Federal Government, if it wishes to protect the right to vote, to protect any man's right to vote, because it can put a man in jail for as long as 1 year, or fine him $1,000 if he interferes with the right of anyone to vote.

The only difference is that this is a criminal statute, and if a man were prosecuted under this statute he would get a jury trial. If we believe in the Constitution and in jury trials, we want to preserve that right anyway. The Constitution is clear on the question of jury trials. Article III, section 2, is specific on it. The Bill of Rights contains several references to it. The sixth amendment, in the Bill of Rights, is directly to the point.

I have before me a decision—I do not know whether the Senator heard it or not—which upholds the contention that criminal contempt is a crime. If criminal contempt is a crime, then a man is entitled to a trial by jury under the Constitution of the United States if he is charged with criminal contempt.

If there have been complaints to the Federal Government in any State of the Nation about people not being allowed to vote, why has not the Justice Department taken action under the statute to which I have just referred, and put offenders behind bars or fined them if they interfered with the right of other people to vote?

The Federal Government has the power to do it. It is not necessary for it to have more power. The accused should have a jury trial. This is a free country. The mere fact that a jury returns a verdict which one of the parties may not like is no excuse for abolishing the jury trial.

Either the Federal Government is not doing its duty in protecting people who have complained to it that they could not vote for one reason or another, or that voting has been interfered with for one reason or another, and has not given the proper protection to those people who complained to it, or there have been no complaints.

If there have been any complaints, it was the duty of the Department of Justice to take action, and they could take action under the statute I have cited. There is no use beating about the bush and saying there is a duty to pass a right to vote bill. There is such a law on the statute books. Every State in the Union has such a law. The United States Code contains a provision protecting the right to vote. Let the Attorney General enforce this statute I have cited. If he has received any complaint from South Carolina about any man not voting, or has received a complaint from any other State, it is his duty to take action under the statute, and see that the one who interferes is punished. He can be put in jail for a year or fined $1,000.

Mr. President, I am merely desiring to call this to the attention of Senators who are in the Chamber at this time, because so many of them do not seem to understand that we now have a Federal law on the books, section 594, which provides for the protection of voting rights. I do not know how it could be made any stronger.

The Senator from North Dakota was asking about the South Carolina statute. I read from the statutes:

> After the voter's ballot has been prepared the bystander so appointed shall immediately leave the vicinity of the guard rail.

23-656. PROCURING OR OFFERING TO PROCURE VOTES BY THREAT

> At or before every election, general, special, or primary, any person who shall, by threats or any other form of intimidation, procure or offer or promise to endeavor to procure another to vote for or against any particular candidate in such election shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than $100 nor more than $500 or be imprisoned at hard labor for not less than 1 month nor more than 6 months, or both by such fine and such imprisonment, in the discretion of the court.

23-567. THREATENING OR ABUSING VOTERS, ETC.

> If any person shall, at any of the elections, general, special, or primary, in any city, town, ward, or polling precinct, threaten, mistreat, or abuse any voter with a view to control or intimidate him in the free exercise of his right of suffrage, such offender shall, upon conviction thereof, suffer fine and imprisonment, at the discretion of the court.

23-658. SELLING OR GIVING AWAY LIQUOR WITHIN 1 MILE OF VOTING PRECINCT

> It shall be unlawful hereafter for any person to sell, barter, give away, or treat any voter to any malt or intoxicating liquor within 1 mile of any voting precinct during any primary or other election day, under a a penalty, upon conviction thereof, of not more than $100 nor more than 30 days imprisonment with labor. All offenses against the provisions of this section shall be heard, tried, and determined before the court of general sessions after indictment.

23–659. ALLOWING BALLOT TO BE SEEN, IMPROPER ASSISTANCE, ETC.

In any election, general, special, or primary, any voter who shall (a) except as provided by law, allow his ballot to be seen by any person, (b) take or remove or attempt to take or remove any ballot from the polling place before the close of the polls, (c) place any mark upon his ballot by which it may be identified, (d) take into the election booth any mechanical device to enable him to mark his ballot or (e) remain longer than the specified time allowed by law in the booth or compartment after having been notified that his time has expired and requested by a manager to leave the compartment or booth and any person who shall (a) interfere with any voter who is inside of the polling place or is marking his ballot, (b) unduly influence or attempt to influence unduly any voter in the preparation of his ballot, (c) endeavor to induce any voter to show how he marks or has marked his ballot or (d) aid or attempt to aid any voter by means of any mechanical device whatever in marking his ballot shall be fined not exceeding $100 or be imprisoned not exceeding 30 days.

23–667. ILLEGAL CONDUCT AT ELECTIONS GENERALLY

Every person who shall vote at any general, special, or primary election who is not entitled to vote and every person who shall by force, intimidation, deception, fraud, bribery or undue influence obtain, procure, or control the vote of any voter to be cast for any candidate or measure other than as intended or desired by such voter or who shall violate any of the provisions of this title in regard to general, special, or primary elections shall be punished by a fine of not less than $100 nor more than $1,000 or by imprisonment in jail for not less than 3 months nor more than 12 months or both, in the discretion of the court.

Mr. President, I believe what I have read covers the constitutional provisions and the statutory provisions. Does not the Senator from North Dakota think those provisions add to the protection of voters?

Mr. LANGER. Will the Senator be kind enough to repeat the Federal statute?

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Does the Senator from South Carolina yield to the Senator from North Dakota?

Mr. THURMOND. I yield for a question.

Mr. LANGER. I am particularly interested in where the Federal statute states that one can be both fined and imprisoned.

Mr. THURMOND. It says "or both."

> Whoever intimidates, threatens, coerces, or attempts to intimidate, threaten or coerce, any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories and possessions, at any election held solely or in part for the purpose of electing such candidate, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.

But such person can get a jury trial, though. In other words, that is just another crime. It is like when a man is charged with murder or any other crime. He will have a jury trial. If he is found guilty, then the judge can sentence him to $1,000 or 1 year in prison, or both. That is a strong statute.

Mr. LANGER. I want to thank the distinguished Senator for bringing that to the attention of the Senator from North Dakota.

Mr. THURMOND. The Senator is entirely welcome.

I think it is a statute that a good many people may have overlooked. There has been so much talk about the right to vote and people not having the right to vote protected until I thought the Senate and the people of the Nation ought to know that not only every State has laws protecting the right to vote, but the Federal Government also has on the statute books a statute protecting the right to vote. As I stated, that is section 594, of chapter 29, title 18, Criminal Code and Criminal Procedure.

Mr. President, the provisions of the South Carolina constitution and the provisions of the South Carolina statutes, which I have just read, prove the absolute lack of necessity for additional protection of the right to vote in my State.

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

The PRESIDING OFFICER. Will the Senator yield to the Senator from North Dakota?

Mr. THURMOND. I will be glad to yield to my distinguished friend.

Mr. LANGER. For a question?

Mr. THURMOND. For a question.

Mr. LANGER. Have there been any decisions by the South Carolina Supreme Court on any of the statutes which the distinguished Senator has read?

Mr. THURMOND. I do not recall offhand that any cases have gone to the supreme court. In our State everybody registers and votes who wants to, and I guess that is probably the reason there have been no cases taken to the supreme court.

Mr. LANGER. I thank the Senator.

Mr. THURMOND. The Senator is welcome.

Mr. President, also, the summary of the laws of other States, which I have requested to be printed in the RECORD at the conclusion of my remarks, prove there is no necessity for greater protection of the right to vote in any other State.

The claim that this is a right to vote bill is completely without foundation. If the advocates of this so-called civil-rights bill want to deny the right of trial by jury to American citizens, they should proclaim their objective and seek to remove the guaranty of trial by jury from the Constitution. They should follow constitutional methods. Then the people of this Nation would not be misled, as some have been, to think that H. R. 6127 would give birth to a right to vote for anybody—a right already held by those it purports to help.

Mr. President, I also object to part I of this bill which would create a Commission on Civil Rights. To begin with, there is absolutely no need or reason for the establishment of such a commission. If there were any necessity for an investigation in the field of civil rights, it should be conducted by the States, or by an appropriate committee of the Congress within the jurisdiction held by the Congress.

The Congress should not delegate its authority to a commission. In such a delicate and sensitive area, the Congress should proceed with great deliberation and care. There is no present indication that any such study will be needed in the foreseeable future.

The establishment of a commission as proposed in this bill is most unwise.

Section 104 (a) of part I provides the Commission shall—

> (2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and
>
> (3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

These two paragraphs provide the Commission with absolute authority to probe into and to meddle into every phase of the relations existing between individuals, limited only by the imagination of the Commission and its staff.

The Commission can go far afield from a survey on whether the right to vote is protected. Through the power granted in the paragraphs I have cited, the Commission could exert its efforts toward bringing about integration of the races in the schools and elsewhere. It would be armed with a powerful weapon when it combined its investigative power and its authority to force witnesses to answer questions.

I do not believe the people of this country realize the almost unlimited powers of inquiry which would be placed in the hands of this political Commission. I do not believe the people of this country want to have such a strong-arm method of persuasion imposed upon them. Section 105 (f) of part I provides that "subpenas for the attendance and testimony of witnesses or the protection of written or other matter may be issued in accordance with the rules of the Commission."

This is an unusual grant of authority. Many of the committees and special committees of the Congress do not have this power. The Truman Commission on Civil Rights did not have it. The subpena is a punitive measure, generally reserved for penal process whereby powers are granted to force testimony which would not otherwise be available. If the proposed Commission were simply a factfinding commission and nonpolitical, the extreme power to force testimony by the use of a subpena would not be needed. The power of subpena in the hands of a political commission and the additional power to enforce its subpenas by court order diverge from the authority usually held by traditional factfinding groups.

There are several grounds for serious objection to section 104 (a) of part I. This section permits complaints to be submitted to the Commission for investigation, but it does not require the person complaining to have a direct interest in the matter. Mr. LANGER, I should like to have the Senator hear this. This means, of course, that any meddler can inject himself into the relationship existing between other persons. It opens the door for fanatics to stir up trouble against innocent people, to involve neighbor against neighbor. This section opens the door wide for such organizations as the NAACP, the ADA, and others, to make complaints to the Commission with little or no basis for doing so. If an NAACP official in Washington made a complaint against a citizen of South Carolina, the South Carolina citizen would not have the opportunity of confronting his accuser unless the accuser appeared voluntarily.

Although part I requires sworn allegations to the Commission, there is no requirement that testimony taken by the Commission be taken under oath. Failure to make all witnesses subject to perjury prosecutions by placing them under oath would certainly make the testimony of little value. The Commission might adopt a rule to require sworn testimony, but this should not be left to the discretion of the Commission. It should be written into law.

There are many other objections to part I which were pointed out during the debate, before the Senate passed its version of the bill. I shall not go into them further at this time.

Part II of the bill provides for the appointment of an additional Assistant Attorney General in the Justice Department. Since the Justice Department already has a section to handle civil-rights cases, there is no reason to create this new position. The creation of a new division would require many additional attorneys and other employees in the Justice Department. The Department has not disclosed how many additional lawyers, clerks, and stenographers it would plan to employ.

A civil-rights division in the Justice Department is not needed, because there is no indication that there will be any increase in the number of civil-rights cases which are now being handled by a section in the Department.

The Attorney General had a most difficult time trying to show that an additional Assistant Attorney General was needed; in fact, he failed completely in his efforts to do so. As a matter of fact, even those who have advocated passage of H. R. 6127 have been forced to admit time after time that conditions relating to civil-rights matters have been steadily improving all over the country. Since conditions have improved and since there is no indication that conditions will change—unless the Attorney General and the Civil-Rights Commission create trouble—there is absolutely no justification for the appointment of an additional Assistant Attorney General in charge of a Civil Rights Division of the Justice Department.

Part III of the bill, as originally written—which was completely obnoxious—was removed. I have several times stated my views on part IV. I object to its grant of dictatorial power to the Attorney General. The Congress should never agree to place such authority in the hands of any one official of the Government.

Another particularly obnoxious provision is found in section 131 (d) which reads as follows:

> (d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

Mr. LANGER. Mr. President, will the Senator from South Carolina yield to me?

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Does the Senator from South Carolina yield to the Senator from North Dakota?

Mr. THURMOND. I shall be glad to yield for a question.

Mr. LANGER. As I understand, in the case of the existing section 594, during all these years the Attorney General of the United States has had the power to enforce that section, and he has had the assistance of the United States attorneys in every State of the Union, and they have had the help of their assistants; is that correct?

Mr. THURMOND. That is correct.

Mr. LANGER. In some of the States there are eastern districts, northern districts, southern districts, and western districts—for instance, as in the case of New York; is that correct?

Mr. THURMOND. That also is correct.

Mr. LANGER. And each of those districts has United States attorneys and assistant United States attorneys and United States marshals; is that correct?

Mr. THURMOND. That is correct.

Mr. LANGER. So all the necessary machinery for the enforcement of section 594, to protect the voting right of any citizen of the United States who may have had his voting right denied, has been in existence all during this period of time; is that correct?

Mr. THURMOND. That is correct.

Mr. LANGER. Can the distinguished Senator from South Carolina name a single case in which the Attorney General of the United States has tried to enforce any of these statutes?

Mr. THURMOND. In reply to the question of the distinguished Senator, I will say that I do not know about the situation in other States; but as for the situation in my own State, I have not heard of such a case. However, I can see why that would be; I can understand why probably there would not be any such cases in South Carolina. That is because anyone in South Carolina who wishes to register to vote, has no trouble doing so. But I have not heard that any cases of this sort have been brought in other States. Such cases may have been brought in other States, but I have not heard of any.

Mr. LANGER. Will the Senator from South Carolina yield further?

Mr. THURMOND. I shall be pleased to yield for a question.

Mr. LANGER. I wish to ask what additional power the Attorney General will have, if a new Assistant Attorney General is appointed, inasmuch as the Attorney General already has the help of other Assistant Attorneys General and the help of United States attorneys, whose appointments have to be approved by the Senate; they cannot be appointed until the Congress has consented to the appointments.

Mr. THURMOND. In reply to the question asked by the Senator from North Dakota, I would say that I see no need for an additional Assistant Attorney General—who, if appointed, would receive a large salary. I see no need for the appointment of an additional Assistant Attorney General, because the Department of Justice already has a civil-rights section; and there has been no evidence of any need for a big division, similar to the one now proposed to be created. I think the establishment of such a division would simply mean the payment of more salaries and a larger Federal payroll and more taxes on the backs of the American people.

Mr. LANGER. Mr. President, will the Senator from South Carolina yield for a further question?

Mr. THURMOND. I yield for a question.

Mr. LANGER. In other words, there has never been a time when, under present law, the Department of Justice could not have presented a case of that sort before a grand jury, if the Department had wished to do so; is that correct?

Mr. THURMOND. Exactly. If there had been any complaint in either North Dakota or South Carolina, let us say, to the effect that someone had not been able to vote, although he was eligible to vote, all the Department of Justice would have had to do would have been to have the United States attorneys in those States look into the matter and take whatever action would have been appropriate under the circumstances.

Mr. LANGER. I thank the Senator from South Carolina.

Mr. THURMOND. I thank the Senator from North Dakota for his questions.

Mr. President, a moment ago I read the provisions of section 131 (d). It simply means that the district courts can, under that provision, bypass the State procedures, the administrative remedies under the State laws, and can take action, and thus can cause much tension, embarrassment, and trouble, although it is not necessary to do so. If anyone cannot obtain justice through the administrative remedies of his State, then of course he will be able to go to the district attorneys, and they can prosecute under the Federal statute I have just read. But the use of the existing remedies under the State laws should first be required—which is the usual procedure one would follow.

No legitimate reason has been presented as to why administrative remedies and remedies provided in the courts of the States should not be exhausted prior to having Federal district courts take jurisdiction in cases of election-law violations.

In other words, I believe in letting the States run their business, if they will. A Federal statute already is in existence; and if there is need to use it, it can be used. But why not let the States handle the matter of voting and the other matters which are reserved to them under the Constitution? Let the States handle them. Then, if the States fail to do so or if they fall down in the performance of their duty, section 594 is in existence, and it can be used as a hammer with which they can be clubbed to death, if need be.

The present proposal could be a step toward future elimination of the State courts altogether. I do not believe the Congress has, or should want, the power to strip our State courts of authority, and to vest it in the Federal courts. Some of the advocates of H. R. 6127 spoke strongly on behalf of the Federal courts, during the debate on the jury-trial amendment. I wish they were equally as vehement in their defense of our State courts.

There is no reason to permit an individual to bypass the administrative agencies of his own State and the courts of his own State in favor of a Federal court when the matter involved is principally a State matter. If a person should be dissatisfied with the results obtained in the State agency and courts, he could then appeal from the decision. But until he has exhausted established remedies, he should not be permitted to bypass them. That is the point I made just a few minutes ago.

I shall not go into further details with reference to the provisions of this part of the bill, but I am just as strongly opposed to it as I was when it was first introduced. I shall continue to oppose such grants of power to the Attorney General or to any other official.

Mr. President, I based my opposition to H. R. 6127 throughout its consideration in the Senate on three principal points. I am convinced the bill is unconstitutional in several respects which I have cited. I know that it is unnecessary because the right to vote is fully protected in every State and under the laws of the United States where applicable.

Finally, I know that the enactment of such legislation is extremely unwise.

It is unwise because the sure result of passing this bill would be to destroy a great deal of the good feeling existing between the white and the Negro races, not only in the South but in every community where a substantial number of Negroes live. Nothing would be gained, but much would be lost.

The Civil Rights Commission, by using its powers to attempt to force integration of the races, is bound to create suspicion and tension between the races to an even greater degree than the suspicion and tension which was created by the 1954 Supreme Court decision in the school segregation cases.

Unbiased persons who are familiar with the segregation problem, and who observed the detrimental result of the Supreme Court decision, know that a traveling investigation commission and a meddling Attorney General could bring about chaos in racial relations.

The chaos would not be confined to the South because the provisions of this bill will apply to every citizen in every State. However, the Attorney General, in exercising the discretion granted him, along with the extraordinary powers also granted him, must be expected to confine his investigations and his court actions to the States of the South.

The South has often been derided and condemned on charges of sectionalism, but if the advocates of this legislation believe they will create greater unity instead of greater division in this country by the enactment of this bill, they are entirely mistaken.

George Washington in his Farewell Address used his strongest language against those who would divide our country and urged a unity of spirit. He said:

> In contemplating the causes which may disturb our Union, it occurs, as a matter of serious concern, that any ground should have been furnished for characterizing parties by geographical discriminations—northern and southern, Atlantic, and western—whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heartburnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection.

H. R. 6127 is a blueprint for suspicion, confusion, and disunity.

The laws of the Nation are dependent upon the customs and traditions of the people. Unless law is based upon the will of the people, it will not meet with acceptance.

Government in this country derives no power except the power coming from the people. Laws which are not based on the Constitution, which is the basic statement of the will of the people, cannot be justified on any ground.

Mr. President, when there is so much evidence that this bill is unconstitutional, unnecessary, and unwise, it should never be approved. Force may subjugate the human body, but force by itself can never change the human mind. Laws, like leaders, must be of the people, by the people, and for the people.

H. R. 6127 fails to measure up by any standard. It should be rejected. I appeal to every Member of this body who believes in constitutional government and the sovereignty of the people to vote against this bill.

Mr. President, this bill, as I have stated before, has been widely called a right-to-vote bill. That is a completely misleading term. The bill, as I have stated, in my opinion, is unnecessary because we have laws in every State to protect the right to vote. We have laws by the Federal Government to protect the right to vote. In the sections I have cited, a man can be punished severely for any interference with the right to vote.

(At this point Mr. THURMOND yielded to Mr. JOHNSON of Texas and other Senators, who requested the transaction of certain business, all of which appears in the RECORD following Mr. THURMOND's speech.)

Mr. THURMOND. Mr. President, we have the finest Nation in the world. We have the finest Government in the world. In 1787 our forefathers met in Philadelphia and wrote a document called the Constitution. It was simply a compact between the States. Our forefathers came to this country to get away from tyranny. They had been punished many times without juries. They had been denied the right to worship as they pleased. They have been denied the right of freedom of speech. They had been denied the right of assemblage. They had been denied the right to petition the government, and they had been denied many other rights which we take as a commonplace in this country. They came here to enjoy the benefits of the Government they would establish to provide them those rights. After the States operating as colonies for a while felt the need of a central government for purposes of national defense, for purposes of commerce, for purposes of postal service, trade, and other reasons, they decided to form a union. They met in Philadelphia in 1787, and with deputies from all the 13 States attending that conferential meeting, all except Rhode Island—at that time Rhode Island was in the hands of radicals and ignored the whole proceeding—all with the exception of that one State, had deputies at the Constitutional Convention.

They wrote a document to delegate certain of their powers—there were States before there was a Federal union, of course—to the Federal Government for the purpose of forming a union and a central government which could do certain things for the States better than they themselves could do them.

At that convention there was a very difficult situation. The delegates had to start from scratch, so to speak, to write the basic law for a new nation. Much discussion and debate occurred there, but after working together for several months in Philadelphia they finally arrived at a document, or a compact, which was signed by the representatives of the States, delegating certain powers to the Central Government.

Three of the delegates attending the convention were not pleased, and did not sign it. I believe I stated this morning who they were. They were George Mason, of Virginia; John Randolph, of Virginia; and Elbridge Gerry, of Massachusetts. The other delegates signed their names, except one, who left, but had his friend sign it.

The document was then presented to the States for ratification. Within due time ratification was had, but there was considerable opposition at the convention, and when the question of ratification arose, the main objection which was raised was that there was not spelled out in the Constitution a bill of rights. Some of the most powerful leaders in the States opposed ratification for that reason. Those who did not sign in Philadelphia opposed it chiefly, I understand, for that reason.

The Bill of Rights is a document which we cherish. The Bill of Rights is the finest civil-rights bill in the world. The Bill of Rights is a genuine civil-rights bill. That document provides us with the fundamental civil rights which we enjoy in this country today.

One of the bases of the Bill of Rights—and I like to call it the heart of the Bill of Rights—is the right of trial by jury. In the Bill of Rights, the sixth amendment is a trial-by-jury amendment. It provides specifically that any person charged with a crime shall be tried by a jury. I have previously brought out today that criminal contempt is a crime, and therefore, since it is a crime, a person charged with criminal contempt is entitled to a trial by jury.

The bill which passed the House is a compromise, as most legislation is. Some people may have felt that that was the best the House and Senate could do, because the conferees got together and reconciled the differences between the two Houses. Ordinarily that principle would be sound in connection with legislation, but it is not sound here, because the effect of the so-called compromise would be to violate the Constitution of the United States.

If the so-called compromise had provided that a judge, in his discretion, could try a man for criminal contempt, I would have opposed it just as much if no punishment whatever were involved, because the Constitution says that a man is entitled to a trial by jury when he is prosecuted for a crime. There is no discretion in the Constitution. There is no proviso in the Constitution. There is no exception in the Constitution. The Constitution is perfectly clear on that point.

If the punishment provided in the bill in the House had called for 1 day's imprisonment, or a fine of $1, I would be just as bitterly opposed to it. The Constitution of the United States provides that if a man is charged with a crime he is entitled to a jury trial. Under the decision which I have cited here twice today, I believe, holding that criminal contempt is a crime, it is clear that a man charged with criminal contempt is entitled to a jury trial.

I do not believe that the compromise amendment is valid. I do not think it is constitutional. The amendment of the distinguished Senator from Wyoming [Mr. O'MAHONEY] delineated and defined civil contempt and criminal contempt, and provided that civil contempt proceedings were for the purpose of bringing about compliance, in which case the order would be issued prior to the act, and that criminal contempt proceedings were to punish, in which case the order would be issued after the act. If the House had accepted it, the American people would be guaranteed trial by jury in the event of a charge of criminal contempt, which is a crime.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me for a question?

Mr. THURMOND. I yield for a question.

Mr. O'MAHONEY. I wish to ask the Senator if I understood him correctly to say that in his opinion the so-called jury-trial provision of the bill which has been returned to us by the House is invalid and unconstitutional?

Mr. THURMOND. That is my opinion.

Mr. O'MAHONEY. I wish to say to the Senator from South Carolina that I completely agree with that opinion. It is impossible to govern the right of trial by jury by the discretion of the judge, according to the penalty he conceives he intends to inflict.

I should like to ask the Senator another question.

The PRESIDING OFFICER. Does the Senator from South Carolina yield for a further question?

Mr. THURMOND. I yield to the distinguished Senator.

Mr. O'MAHONEY. I ask the distinguished Senator from South Carolina if he agrees with me that the question of jury trial should be reexamined as soon as conveniently possible, and that I would be doing a wise thing if, when the new session of Congress assembles, I should introduce a repetition of the general jury-trial amendment, firm in the belief that the advocates of civil rights, upon examination of the pretended amendment which has come to us from the House, will discover that they have bought a pigeon instead of a swallow.

Mr. THURMOND. In reply to the Senator's question, I will say that I agree with him that the bill should be reexamined; but I think the reexamination should take place before Congress passes the bill, and not wait until next January.

Mr. O'MAHONEY. If the Senator will permit me to make this comment—will the Senator yield?

Mr. THURMOND. I will yield for a question.

Mr. O'MAHONEY. I shall frame it in the form of a question. Does not the Senator agree that we are all weary and worn down; that most of us are almost as tired as is the Senator himself; and that perhaps when we return in January in the full vigor of our bodies and minds we shall be able to do a better job than we can do at this session of the Congress? I am going to introduce a jury-trial amendment in the next session in the firm belief that this jury-trial amendment accomplishes nothing; that it does not at all help the advocates of civil rights.

Mr. THURMOND. In reply to the Senator's question I will say that I have been on my feet for the past 17 hours, and I still feel pretty good. But I agree that it has been a long, tough session. But even though it has been a long, tough session I do not think we ought to quit now and pass a bill that the Senator and I both feel is unconstitutional. I think we should refer it to the committee, which I tried to do the other night but was unsuccessful in my attempt. But I think this bill should not be passed at this session. I believe the Senator would prefer that it not be passed; but if it is passed, of course I should be delighted to have the Senator offer an amendment to correct the unconstitutional portion of it when we return in January. But I really do not see why we should have to pass an unconstitutional piece of legislation if we can avoid it.

Mr. O'MAHONEY. Mr. President, will the Senator from South Carolina yield for another question?

Mr. THURMOND. I yield for another question.

Mr. O'MAHONEY. This question is a little different from the one I asked before. I am wondering if the Senator from South Carolina would cooperate with me in enabling me to pass a bill which does not involve any constitutional question. The Senate passed the bill without any opposition at all, and the House has returned it to the Senate with an amendment. I should like to move that the House amendment be concurred in by the Senate, and thus get the bill disposed of.

Mr. THURMOND. If the Senator will ask unanimous consent for me to yield to him on condition that I can retain the floor, and, further, that I shall not be charged with a second speech when I resume the discussion of the present subject——

The PRESIDING OFFICER. Does the Senator from Wyoming ask unanimous consent based on those conditions?

Mr. O'MAHONEY. I do, Mr. President.

Mr. THURMOND. Mr. President, I should like to ask the Senator from Wyoming this question: This is not a civil-rights bill, as I understand, is it?

Mr. O'MAHONEY. No; it is not.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wyoming? The Chair hears none.

APPROVAL OF CONTRACT WITH THE CASPER-ALCOVA IRRIGATION DISTRICT, WYOMING

The PRESIDING OFFICER (Mr. HOLLAND in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 1996) to approve the contract negotiated with the Casper-Alcova Irrigation District, to authorize its execution, to provide that the excess-land provisions of the Federal reclamation laws shall not apply to the lands of the Kendrick project, Wyoming, and for other purposes, which were, on page 1, line 3, after "That" insert, "subject to the provisions of section 2 of this act,"; on page 2, line 5, strike out all after "SEC. 2." down through and including "landowners." in line 12, and insert:

> The limitations on acreage and restrictions on delivery of water to excess lands under the Federal reclamation laws shall apply to the lands of the Kendrick project, Wyoming, except that 480 irrigable acres shall, in this instance, be substituted for 160 irrigable acres.

And to amend the title so as to read: "An act to approve the contract negotiated with the Casper-Alcova Irrigation District, to authorize its execution, and for other purposes."

Mr. O'MAHONEY. Mr. President, I move that the Senate concur in the amendment of the House.

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

The motion was agreed to.

Mr. O'MAHONEY. I thank the Senator from South Carolina.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 281. An act for the relief of Jaffa Kam;

S. 684. An act for the relief of Ilse Striegan Bacon;

S. 880. An act for the relief of Necmettin Cengiz;

S. 882. An act for the relief of Pauline Ethel Angus;

S. 1456. An act for the relief of Refugio Guerrero-Monje;

S. 1467. An act for the relief of Itsumi Kasahara;

S. 1635. An act for the relief of Maria Talloura Boisot;

S. 1835. An act for the relief of Maria Domenica Ricci;

S. 1921. An act for the relief of Maria Goldet;

S. 2028. An act for the relief of Sherwood Lloyd Pierce;

S. 2041. An act for the relief of Sala Weissbard; and

S. 2204. An act for the relief of Margaret E. Culloty.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 1645. An act to authorize the Secretary of the Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road widening purposes;

S. 2080. An act relating to the computation of income for the purpose of payment of death benefits to parents or pension for non-service-connected disability or death in certain cases;

S. 2500. An act to make uniform the termination date for the use of official franks by former Members of Congress, and for other purposes; and

S. J. Res. 18. Joint resolution to authorize and request the President to issue a proclamation in connection with the centennial of the birth of Theodore Roosevelt.

CIVIL RIGHTS ACT OF 1957

The Senate resumed the consideration of the amendments of the House of Representatives to the amendments numbered 7 and 15 to the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The **PRESIDING OFFICER**. The Senator from South Carolina may proceed.

Mr. **THURMOND**. Mr. President, I was speaking a few moments ago about the States and the Federal Government. I should like to remind the people of this country that we had States before we had a union, and that the only power the Federal Government had and the only power the Union had was the power delegated by the States in Philadelphia in 1787 and in the amendments to the Constitution since that time. All other powers which have not been delegated to the Federal Government are reserved to the States or to the people.

I think the bill which is under consideration is unconstitutional. I think it is invalid. I think we are doing a useless thing. The proponents of the bill who feel that they are helping people, in my judgment, are going to find that there is just a lot of lost motion involved, because I do not believe the Supreme Court will hold this bill constitutional. I do not see how it could hold it constitutional. This compromise bill which came from the House leaves it entirely up to a Federal judge to say whether or not he is going to give a man a jury trial. That is not what our forefathers wrote into the Constitution. This bill provides that a judge shall decide whether he will grant a jury trial. Suppose he decides he will not grant a jury trial and then tries the defendant. Suppose he decides that the man ought to be imprisoned for more than 45 days or should pay a fine of more than $300. Then the case must be tried all over again.

That is another reason why I think the bill is unconstitutional. When we once try a man we put him in double jeopardy by trying him again.

So I think we are doing a useless thing here to pass a bill to provide that a judge can try a man and then, if he imposes above a certain sentence, the man can ask for a jury trial and then a jury can try the man. He would be tried twice. That is not only unconstitutional, it is also unfair, because if a judge tries the man himself and fines him more than $300 or sentence him to be imprisoned more than 45 days, then there is a trial de novo, as they call it.

But the judge's finding of guilt is bound to influence the jury when the jury tries him a second time. It is my opinion that the man can plead double jeopardy. The distinguished Presiding Officer was a distinguished judge in Texas. Any lawyer knows that we cannot try a man more than once for the same offense. The bill coming from the House would allow the man to be tried twice.

Mr. President, I want the American people to know what they are getting in this bill. They are getting a bill under which a judge can try a man and a jury can then try the same man. It is unconstitutional, in my opinion. Furthermore, I think it is extremely unfair, because the judge has already expressed his opinion, and if he is the judge who tries the case a second time he would be bound to show his feelings during the trial. Even if he did not show his feelings during the trial, in my opinion, his feelings would enter into the sentence after the trial.

Mr. President, there are many things in this bill. I am not against civil rights, and I am not against voting. As I have said, the finest civil rights are those in the Bill of Rights. I am for genuine civil rights, not this so-called political civil rights.

Both national parties that are pushing civil rights bills, this right to vote and other bills, are not doing it because they love the Negro. The southern white man does more for the Negro than any other man in any part of the country. This bill is motivated purely by politics. It is a political bill.

We might as well face the facts as they are. Both parties are trying to play to get the Negro vote, and, in some States, if the Negroes vote as a bloc, which they snould not do, they are herded to the polls like sheep and voted. If they vote as individual citizens, which they should, this would not occur. But for some reason, both parties think that they are going to vote as a bloc. I do not know how a few leaders do it, or just how it is done. But it is unfortunate, and it is unfair to the Negro, because it takes him out of the category of an individual. It takes away his dignity. It takes away his sanctity as an individual, in which he can take pride in himself, his accomplishments and his race and not be led around like a bull with a ring in his nose. But that is the feeling of both parties in this country. They think they can vote the Negroes in a bloc, and they are making this play on these civil rights bills, so-called. They are not civil rights bills. They are so-called civil rights bills. The politicians are pushing these so-called civil rights bills to make a play and try to get the vote of the Negroes in certain doubtful States.

I have some good friends who are Negroes. I have helped many of them. I have represented them in lawsuits. I have loaned them money. I value the friendship of many Negroes, and I hate to see them treated like they are being treated. I hope that their real leaders, their genuine leaders, who are sincerely interested in them, will wake up some day and inform the members of their race just what is going on.

Mr. President, there is no need in the world to pass this bill. In the wee hours last night, when most Senators were sleeping, I was here talking, and after I had the Library of Congress, Legislative Section, prepare for me, and I put into the Record at that time, statutes which provide voting rights in all the States of the Nation.

The Congressional Record of last night contains those statutes of all the States from Alabama to Wyoming. In every one of the States of the Nation there are statutes that protect the right to vote. There is not a single one of the 48 States that does not have statutes to protect the right to vote.

Why does the Federal Government have to have this bill passed? Is it not practically an insult to the States?

It is.

"We need it. The States will not enforce their laws?" If that be the case, all the Government has to do is to enforce the Federal statute I referred to today. Title 18, section 594, is the number of that Federal statute, which provides punishment for anyone who intimidates, coerces, or threatens any person for interfering with any other person in voting. That statute is as clear as a crystal. It provides for a fine of $1,000, or punishment of 1 year in prison, for anyone who interferes with the right of another citizen to vote. So, if there is anybody in this country today who is prevented from voting, all he has to do is to report it to the district attorney in his State, of if he prefers, to write the Justice Department. He can take that course, and action can be taken under that statute which is already on the books.

Why put another statute on the books? Why put another statute which the Supreme Court will very probably hold to be unconstitutional? I do not know what the Supreme Court will hold. I do not like to take any chances with the Supreme Court.

At any rate, the Constitution of the United States is clear, the wording is simple. Any seventh-grade child can read article III, section 2, of the Constitution of the United States and see that any citizen charged with a crime is entitled to a jury trial. He can also read the sixth amendment to the Constitution, one of the amendments in the Bill of Rights, and see that any man charged with a crime is entitled to a jury trial.

It is very difficult to understand why the Congress, which is supposed to be composed of the brightest intellects in the country, or some of the brightest intellects, would pass a bill of this kind.

Yet, if the Congress passes such a bill, this so-called compromise bill on voting rights, it will certainly amaze me if the Supreme Court does not hold it to be unconstitutional. I shall be badly disappointed if the Congress passes it.

Of course, under the pressure of different organizations, leftwing organizations, ADA and NAACP, both parties are dancing like jitterbugs on the civil-rights question, because they want to carry the doubtful States where the Negroes, although only a small percentage, if they vote in a block, can swing a State.

I think it will be a great pity if the Congress passes this bill. I hate to see it pass such an unnecessary bill.

It seems to me that every Representative in Congress and every Senator is practically insulting his home State if he votes for this bill. He is practically saying to the governor of his State and the legislators of his State, "Although you have bills to protect voting rights, we have no confidence in you and although we have one Federal law, we are going to pass another Federal law, and ram it down your throats whether or not you want it." I think it is almost an insult to the States.

I suggest that they write the governors of their States and see how many of them want this bill passed. I am wondering how many Senators in this body and how many House Members have checked with the governors to find out if they want this unconstitutional monstrosity passed by the Congress.

I do not believe 10 percent of the governors of the Nation would say, "We are weaklings, and we want you to pass a strong civil-rights bill because we do not have the courage to do it. We do not have the courage to protect our people."

As a matter of fact, Mr. President, the States already have laws on that subject, and I have read them into the RECORD. The voting-rights statutes of the States have been read into the CONGRESSIONAL RECORD, in the case of every State of the Union. Those who read the CONGRESSIONAL RECORD will find them set forth there.

Mr. President, if any Senator, on either side of the aisle, can state why it is necessary to enact another Federal law to protect the right to vote, I should like to have him do so, provided I am able to yield for that purpose without losing the floor and without having the remarks I make after yielding for that purpose counted as a second speech by me. I challenge any Senator on either side of the aisle to answer this question: Why is another Federal law needed in order to protect the right to vote, when there is already on the statute books section 594, which reads in part as follows:

> Whoever intimidates, threatens, coerces, or attempts to intimidate, threaten, or coerce, any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose.

In other words, one who intimidates, threatens, or coerces a voter, or even attempts to intimidate, threaten, or coerce him, may, under the provisions of this statute, be prosecuted. He may be prosecuted, not only if his purpose is to interfere with the right of such other person to vote, but also if his purpose is to interfere as to the person for whom such other person may wish to vote.

Mr. President, are there teeth in this statute? There certainly are. This statute provides that anyone who intimidates, threatens, or coerces, or attempts to intimidate, threaten, or coerce, any other person, or attempts to interfere with his voting for whomever he wishes to vote for, can be prosecuted in a Federal court and can be fined $1,000 or sentenced to a prison term of 1 year. Do not those provisions constitute teeth and strength in the existing law? Of course they do.

If there is in the United States, today, any person who is having any trouble in exercising his voting right, again I say that all he has to do is contact the Department of Justice or the district attorney in his home State, and action can be taken under this Federal law to punish any person who interferes with his right to vote.

Inasmuch as section 594 is an existing Federal statute on that subject, why is it necessary to enact another Federal statute dealing with the right to vote? It would be absolutely useless, unnecessary, and futile to enact another Federal statute on that subject; it would be a great mistake to do so, especially in view of the fact that such a statute would be unconstitutional.

Mr. President, please understand that I do not even concede that the Federal Government has a right to enter this field. Instead, I believe that these matters should be handled by the respective States. However, the Federal Government is already in this field—under the provisions of section 594, by means of which a person can be fined as much as $1,000 or put in jail for as long as one year, if he tries to interfere with the right of someone else to vote.

Since the Federal Government already is in this field, why should another Federal law on the same subject be enacted?

Mr. President, every day that passes, the Federal Government, here in Washington, D. C., is whittling away the rights of the States. It hurts me to see the Federal Government invade fields which are reserved to the States. I deeply regret that a bigger and more powerful Federal Government is being built up in Washington, D. C. This Central Government has become tremendously top-heavy. I should like to see the States have more power.

Since World War II, the Communists have taken over approximately 17 countries. In doing so, they did not invade by means of troops using bayonets and tanks; those countries were not taken over in that way by the Communists. Instead, the Communists proceeded by way of infiltration. Poland was taken over by the Communists with the aid of some of the Poles. Czechoslovakia was taken over by the Communists with the aid of some of the Czechs. China was taken over by the Communists with the aid of some of the Chinese. The Communists have been able to infiltrate into the central governments; they have been able to worm their way into the police systems, and then into the election systems. Then, before one could realize it, the countries were taken over by the Communists.

Mr. President, why have the Communists been able to take over those countries? Since the end of World War II, they have been able to take over 17 countries, with populations totaling between 600 million and 800 million. The Communists have been able to do that because each of those countries has had a strong central government; and when the Communists obtained control of that central government, they were able to take over control of the entire country.

Mr. President, the more we in the United States build up power in a strong central government, the more risk we run from the standpoint of subversive activities and infiltration. If the people of the United States have the vision to keep the 48 States strong—each with its own election laws and its own police system—there will be no way by means of which the United States can be taken over by subversion. But if more and more power is given to our Central Government, after a while the States will be nothing but territories, and will not have any power.

Mr. President, the so-called civil-rights bill which the Congress is about to pass would simply take power away from the States and would give it to the Federal Government.

A Senator might say, "I should vote for the bill because it will help me in the elections." Mr. President, Senators had better begin to think more about the welfare and safety of their country, and less about the elections.

Mr. President, I am convinced that we must protect the States. The Constitution now protects them; but the Supreme Court and the Congress and the executive branch of the Government have been taking steps—by handing down decisions, passing laws, and issuing regulations and edicts—which violate the rights of the States and take away from the States the power they have.

Mr. President, this development cannot continue to occur, if our country is to be safe. I am disturbed for the safety of my country.

I am a brigadier general in the Army Reserve and if our country becomes engaged in an armed conflict, I am ready to serve. But we must keep our country stronger, or we shall find it engaged in conflict.

One of the ways to weaken it is to weaken the States, as we are doing today, and to keep taking away the powers of the States and building up a powerful Central Government in Washington. It is the greatest mistake in the world. It was not contemplated when our Constitution was written.

Our forefathers decided they would delegate a few powers to the Federal Government, and they spelled them out in the Constitution. All one has to do is to get the Constitution and read it. It spells out just what powers the Congress has, what powers the Federal Government has, but all other powers are reserved to the States and to the people thereof. At the rate we are going now, we will not have any States after a while. The Federal Government will have all the power.

Mr. President, some time ago I read a book by a man by the name of James Jackson Kilpatrick, of Richmond, Va., printed by the Henry Regner Co., of Chicago, entitled "The Sovereign States."

I wish every American could read this book. I am going to read some excerpts from it today. I should like to have Senators listen to some of the passages in this book. This man is a great writer, a true patriot, and a great American.

First, I am going to read a passage by John C. Calhoun, one of the five alltime great Senators, recently selected to have his portrait placed in the Senate reception room. John C. Calhoun, I think, is one of the greatest men this country has produced. I nominated him to be selected to have his portrait placed here, and I am proud the committee selected it. He was a man who had keen vision and a proper conception of the Constitution.

There is one page in the beginning of the book by him that I want to read; it is very short.

This is what he says:

FOREWORD

> The great and leading principle is, that the General Government emanated from the people of the several States, forming distinct political communities, and acting in their separate and sovereign capacity, and not from all of the people forming one aggregate political community; that the Constitution of the United States is, in fact, a compact, to which each State is a party, in the character already described; and that the several States, or parties, have a right to judge of its infractions; and in case of a deliberate, palpable, and dangerous exercise of power not delegated, they have the right, in the last resort, to use the language of the Virginia resolutions, "to interpose for arresting the progress of the evil, and for maintaining, within their respective limits, the authorities, rights, and liberties appertaining to them."
>
> This right of interposition, thus solemnly asserted by the State of Virginia, be it called what it may—State right, veto, nullification, or by any other name—I conceive to be the fundamental principle of our system, resting on facts historically as certain as our revolution itself, and deductions as simple and demonstrative as that of any political or moral truth whatever; and I firmly believe that on its recognition depend the stability and safety of our political institutions.
>
> JOHN C. CALHOUN.
>
> FORT HILL, *July 26, 1831.*

This was John C. Calhoun.

He wrote that at Fort Hill, and if any Senators want to know where it is, it is at Simpson College. In fact, his home was at the college.

Mr. President, my statement was that Fort Hill is at Simpson College in South Carolina. Of course, that is the greatest college in the United States.

This book on the sovereign State was written, as I have said, by James J. Kilpatrick. First, I want to take up his introduction, and then I want to present some excerpts from the book:

INTRODUCTION

> Among the more melancholy aspects of the genteel world we live in is a slow decline in the enjoyment that men once found in the combat of ideas, free and unrestrained. Competition of any sort, indeed, seems to be regarded these days, in our schools and elsewhere, as somehow not in very good taste. Under the curious doctrines of the Fair Trade Act, vigorous salesmanship is unfair, and retailers are enjoined against discommoding their fellows. Mr. Stevenson's criticism of the administration's foreign policy, during the last presidential campaign, was not that the policies were so very wrong: they were not bipartisan. With a few robust exceptions, our writers paint in pastels; our political scholars write a sort of ruffled-sleeve, harpsichord prose. We duel with soft pillows, or with buttoned foils; our ideas have lace on them; we are importuned to steer, with moderation, down the middle of the road.
>
> These chamber music proprieties I acknowledge, simply to say, now, that the essay which follows should not be misunderstood. May it please the court, this is not a work of history; it is a work of advocacy. The intention is not primarily to inform, but to exhort. The aim is not to be objective; it is to be partisan.
>
> I plead the cause of States rights.
>
> My thesis is that our Union is a Union of States; that the meaning of this Union has been obscured, that its inherent value has been debased and all but lost.
>
> I hold this truth to be self-evident: That government is least evil when it is closest to the people. I submit that when effective control of government moves away from the people, it becomes a greater evil, a greater restraint upon liberty.
>
> My object is not to prove that the powers and functions of government have grown steadily more centralized, more remote from the people, for that proposition requires no proof; it requires only that one open one's eyes. Rather, my intention is to plead that the process of consolidation first be halted, then reversed, toward the end that our Federal Government may be strictly limited to its constitutional functions and the States may again be encouraged to look after their own affairs, for good or ill.
>
> A long time ago, the geometric mind of Edmund Pendleton offered a theorem. The State and Federal Governments, he said, must follow the path of parallel lines. Others have conceived the relationship in terms of spheres, separate but touching. The idea, when all this began, was that neither authority would encroach upon the other; and in the beginning, it was more feared that the States would usurp Federal powers than the other way around.
>
> Now the rights and powers of the States are being obliterated. The encroachments of the Federal Government have widened its road to a highway and narrowed the road of the States to a footpath. Having deceptively added a dimension to the Federal line, the broad constructionsts declare their faithful adherence to the plans of the original draftsmen. Soon, a geometry unknown to Pendleton can proclaim the apparent miracle of parallels that meet this side of infinity.
>
> I do not know that the sovereign powers of the States may be regained at all. Justice Salmon P. Chase once remarked, with great satisfaction, that State sovereignty died at Appomattox. But I do most earnestly believe that an effort must be made to regain these powers. The alternative is for American Government to grow steadily more centralized, steadily more remote from the people, steadily more monolithic and despotic.
>
> Only the States themselves can make the effort; which is to say, only the people of the States. Only if the citizens of Virginia, as Virginians; or of Texas, as Texans; or of Iowa, as Iowans, insist upon a strict obedience to the spirit of the 10th amendment, can the Federal juggernaut be slowed. Only if the people evidence a determination once more to do for themselves can the essential vitality of a responsible and resourceful society be restored.
>
> I do not despair. So long as the I-beams and rafters of the Constitution remain undisturbed, the ravages of Federal encroachment may be repaired. A latent yearning for personal liberty, an inherited resentment against the authoritarian state, a drowsing spirit of independence—these may yet be awakened.
>
> But again, the States, as States, will have to do it.
>
> It will not be easy. In many influential quarters, it will not be popular. It is a sweet narcotic that centralists sell.
>
> Yet there is high example to be found in what the States have done before to preserve their identity. They have not always been spineless. In times past they have resisted, now successfully, now unsuccessfully; but even in their failures, something has been gained merely in the assertion of State convictions.
>
> My purpose here is first to examine the bases of State sovereignty; then to follow the State and Federal relationship from its beginnings under the Articles of Confederation through its refinement in the Constitution; next to review some of the comment on the role the States were expected to play. The place of the States scarcely had been fixed, it will be submitted, before advocates of consolidation began to whittle it down—first in the Chisholm case, which led to the 11th amendment, and more memorably in the Alien and Sedition Acts, which led to the "Doctrine of '98" and the Kentucky and Virginia resolutions of that year. It is proposed to follow this doctrine of the States' "right to interpose," in its various forms and applications down through the years, with particular emphasis upon the dangers of judicial encroachment and the need for State resistance against it. Finally, I have in mind to marshal some of the evidence which supports the case for the South in its immediate conflict with Federal authority, and to review other recent events that seem to me usurpations of the States' reserved powers.
>
> So much, then for the plan of this book. The political heirs of Alexander Hamilton and John Marshall will not care much for it.
>
> J. J. K.
>
> RICHMOND, VA., *September 1956.*

That was the introduction to the book The Sovereign States, by James J. Kilpatrick. James J. Kilpatrick is one of the greatest editors in the Nation today. I will read certain excerpts from the book, beginning on page 3. First I will read a quotation opposite page 3:

> The States within the limitations of their powers not granted, or, in the language of the 10th amendment, "reserved," are as independent of the General Government as the General Government, within its sphere, is

> independent of the States. (Justice Samuel Nelson, *Collector* v. *Day* (1871).)

Mr. Kilpatrick has done a fine job and rendered a great service to this country in writing this book:

> "The true distinction," said Mr. Pendleton, with some irritation, "is that the two governments are established for different purposes, and act on different objects."

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. THURMOND. I am pleased to here yield to the distinguished Senator from Louisiana, for a question.

Mr. LONG. Did I correctly understand the Senator to make the statement that, according to the preface or introduction to the book, the book would be displeasing to those who agreed with Alexander Hamilton, who was one of the authors of the Federalist Papers, the forerunner of the American Constitution?

Mr. THURMOND. That is correct. The editor said that the political heirs of Alexander Hamilton and John Marshall would not care much for the book.

Alexander Hamilton was a great American, but his philosophy was different from that of Thomas Jefferson. They were both great Americans, but Alexander Hamilton believed more in the theory of a strong Central Government, with the power residing in Washington. Thomas Jefferson's idea was that the power should remain with the States, and that only so much power should be given to the Federal Government as was necessary to perform its functions as delineated in the Constitution.

The Senator has probably read many books about Hamilton. In one of such books his philosophy is described in this way:

> Speaking of education, Alexander Hamilton's thought was to select some of the brightest young men and educate them, to make them leaders. Thomas Jefferson's philosophy was to give all an opportunity, and let the leaders rise where they would.

So, when Kilpatrick wrote this statement I am confident that he was contrasting the philosophy of Hamilton more or less with that of Thomas Jefferson.

Hamilton was a very able man, one of the greatest Americans this country has produced; but his philosophy, as the Senator well knows from studying his life and history, was different from that of Thomas Jefferson.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. THURMOND. I am pleased to yield for a question.

Mr. LONG. Is it the view of the Senator that Alexander Hamilton would ever for a moment have approved of any proposal whereby an American accused of a crime would have been denied the right to present his case before a jury of impartial people who would hear the case, judge the evidence, and find him guilty or innocent?

Mr. THURMOND. In reply, I will say no. I think Alexander Hamilton and Thomas Jefferson both would have approved of trial by jury. They were both delegates to the Constitutional Convention, and they both rendered magnificent service in many ways.

Mr. LONG. Mr. President, if the Senator will further yield, I believe he will find that Thomas Jefferson was not a delegate to the Constitutional Convention.

Mr. KNOWLAND. Mr. President, did the Senator yield for a question or a statement?

Mr. LONG. The Senator yielded for a question.

Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from South Carolina yield for a question?

Mr. THURMOND. I yield to the Senator from Louisiana for a question.

The Senator is correct about Thomas Jefferson. I had in mind Madison.

Mr. LONG. Does not the Senator realize that Thomas Jefferson was not a delegate to the Constitutional Convention? The Senator is perhaps confusing the Constitutional Convention with the convention which adopted the Declaration of Independence. Thomas Jefferson was the drafter of the American Declaration of Independence. Is not the Senator perhaps confusing the Constitutional Convention with the fact that Thomas Jefferson was one of those who participated in drafting the Declaration of Independence? Thomas Jefferson was the American Ambassador to France at the time the Constitution was drafted.

Mr. THURMOND. That is correct. Thomas Jefferson was Ambassador to France, but Alexander Hamilton was a delegate from New York State, and he signed the Constitution. In fact, he was the only delegate from New York State who signed the Constitution.

When I spoke a few minutes ago about Jefferson, I was thinking about Madison. Madison signed the Constitution, as did Blair. Both were from Virginia. George Washington presided over the Convention.

Mr. LONG. Is there any doubt in the Senator's mind that, so far as Alexander Hamilton was concerned, he would never for a moment have contested the right of any citizen to be tried before a jury if he were accused of a crime?

Mr. THURMOND. I agree. If he had taken any other position, he would not have signed the Constitution.

As I have stated, Alexander Hamilton was the only delegate from the State of New York who signed the Constitution as representing the State of New York. In the original Constitution, article III, section 2, provided for jury trial.

Mr. LONG. Is it not, therefore, true that insofar as the right of a citizen to be tried by jury for a crime is concerned, Alexander Hamilton and Thomas Jefferson would have agreed 100 percent that the freedoms guaranteed Americans under their form of government included the right to be tried by a jury of their own neighbors, in the area where the crime was committed, in the event they were accused of committing a crime?

Mr. THURMOND. I can yield only for a question. I shall be glad to express myself after the Senator has concluded. Let the Senator ask any question he wishes. I yield for a question.

Mr. LONG. Is it not correct to state that, although the book from which the Senator is reading may not reflect the views of Alexander Hamilton, it is nevertheless correct to state that Alexander Hamilton and Thomas Jefferson would both have agreed that anyone accused of a crime should have the right to be tried before a jury of his neighbors?

Mr. THURMOND. I thoroughly agree. In my judgment, if Alexander Hamilton and Thomas Jefferson were living today, and both were Members of the Senate, both would be fighting for the right to a jury trial, as provided in the Constitution of the United States.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. THURMOND. I shall be glad to yield for a further question.

Mr. LONG. Is it not correct to say that so far as we can determine there has never been a man who served in this body, and who was regarded as a great statesman, who has ever at any time advocated that American citizens should be denied their right to be tried by a jury in the event they were accused of committing a crime against the United States or against a State?

Mr. THURMOND. I think the able Senator is eminently correct. I do not know of a great man in our history, any man whom I would consider great, whose name is on the lips of the people—I cannot think of a single one in our history who would take a position in opposition to jury trials.

Mr. LONG. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from South Carolina yield to the Senator from Louisiana?

Mr. THURMOND. I yield for a question.

Mr. LONG. Is it not correct to paraphrase more or less the words of Shakespeare, that those American politicians who have fought against the freedom of Americans to be tried by a jury when accused of a crime have been politicians who more or less strutted and strutted their brief hour on the stage to be heard from no more?

Mr. THURMOND. I do not think any man who takes a stand against giving a person a jury trial will be long remembered after he has gone or when his record is searched and it is found that he opposed a jury trial. I think we would immediately call for a reappraisal of his whole life in the event he had been considered a great man previous to that time.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. THURMOND. I yield for a question.

Mr. LONG. Is it not true that men like George Norris, William Borah, and Robert M. La Follette, who fought through the years for the right of trial by jury, have statues standing in the Hall of Fame in the Capitol Building?

Mr. THURMOND. The Senator is eminently correct. In fact, there is a quotation from George Norris which I read last night. If I can put my hand on it I should like to read it to the Senator from Louisiana. I have never read a stronger statement in behalf of a jury trial. He said that in all cases a man should have a jury trial. The distinguished Senator from Virginia [Mr. BYRD] and the distinguished Senator from Mississippi [Mr. EASTLAND], and I introduced a bill in March to provide the very type of jury trial which Senator Norris recommended.

Mr. LONG. Mr. President, will the Senator from South Carolina yield for a further question?

Mr. THURMOND. I yield for a further question.

Mr. LONG. The Senator from South Carolina having made a great study of all these matters involving jury trials, the freedom of Americans, and States rights, can he now name from memory a single one of those Senators who made a fight down through the years to deny American citizens of the right of trial by jury?

Mr. THURMOND. I could not name a single man whom I considered a great man or a great Senator who opposed jury trials.

Mr. LONG. Does the Senator recall the names of any Americans who have served in this body and who have made a fight against the right of a man accused of a crime to be tried by a jury? Can the Senator offhand recall the name of any such person?

Mr. THURMOND. I cannot recall the name of any American of any stature within my recollection who has opposed jury trials.

Mr. LONG. Mr. President, will the Senator from South Carolina yield for a further question?

Mr. THURMOND. I yield for a further question.

Mr. LONG. Is the Senator aware of the fact that Senator Borah's statue is just outside the main entrance of the Senate Chamber, immediately outside the door?

Mr. THURMOND. That is correct. I see it every time I go through the door.

Mr. LONG. Is the Senator aware of the fact that Senator William E. Borah, a great constitutional lawyer, even though he came from a very small Western State, population considered, was seriously considered by the Republican Party as its nominee for the Presidency of the United States?

Mr. THURMOND. I have been told that. I did not know the Senator personally; only through reputation. But I know he was a great American. He declared on April 8, 1930:

> I am not contending here that labor organizations can at any time employ threats, force, or violence or intimidation. They must keep within the law—

He was referring there to jury trials in labor cases.

I have a long report including a speech by Senator Norris on May 2, 1930. I read it last night——

Mr. LONG. Mr. President, will the Senator from South Carolina yield for a question at that point?

Mr. THURMOND. I shall be pleased to yield for a question.

Mr. LONG. Is it not true that those who oppose the right of jury trials are basically those who do not believe in the freedoms that Americans enjoy under the Constitution?

Mr. THURMOND. I certainly agree with the Senator. I think the jury trial is one of the greatest freedoms we have. I look upon it as the heart of the Bill of Rights.

Mr. LONG. Mr. President, will the Senator from South Carolina yield for a further question?

Mr. THURMOND. I yield for a question.

Mr. LONG. Is it not true that persons who fear that juries may not convict guilty persons are those who really have very little confidence in the determination of people to uphold free government?

Mr. THURMOND. It seems to me they could not have much confidence in human nature; otherwise they would favor jury trials. To be tried by a man's neighbors, his peers, his fellow men, is the fairest way a man could be tried. I sat on the bench for 8 years and tried many cases, but I always felt much better about it when a jury passed on the question. I watched closely the verdicts of juries. I was deeply impressed. I feel that juries come nearer to meting out justice to criminals than it can be done in any other way.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. THURMOND. I yield for a question.

Mr. LONG. Recognizing the fact that it is possible for a jury to turn a guilty person free, is it not also true that the freedoms which Americans enjoy under their Constitution were calculated in such fashion as to express the philosophy that it is better to turn 9 guilty men free than to send 1 innocent man to the penitentiary or to his death?

Mr. THURMOND. I never did go on the theory of nine guilty ones being turned loose. There is no doubt that there is a common saying to that effect. If I had to make a decision as to whether I would turn 9 guilty ones loose, or put 1 innocent man in prison, I would turn the 9 loose. I think that would be the thinking and the feeling of the average American.

Mr. LONG. Will the Senator yield for a further question?

Mr. THURMOND. I will be pleased to hear it.

Mr. LONG. Does not this logic become conclusively clear when we contemplate for a moment a capital punishment case where it is possible to put an innocent man to death? In such a situation, would it not be better for the court to turn 9 culprits loose rather than to kill 1 innocent man?

Mr. THURMOND. I agree with the Senator.

Mr. LONG. I thank the Senator.

Mr. THURMOND. There is no question about it. Some juries make mistakes. Anybody in any kind of work makes mistakes. Everybody has weaknesses and there are bound to be errors. Judges make mistakes. Of course, often a judge's philosophy is different.

Mr. LONG. Will the Senator yield for a further question?

Mr. THURMOND. I shall be glad to hear it.

Mr. LONG. In view of the fact that anyone can make mistakes, is it not somewhat better that the scales of justice should be weighted a little in favor of finding a person innocent when there is a considerable doubt as to whether the person is innocent or guilty?

Mr. THURMOND. Our law is based on the presumption that a man is innocent until he is proven guilty beyond a reasonable doubt. That is a common legal principle that any lawyer knows about who has practiced any criminal law. I do not know precisely what the Senator had in mind on that, though, for this reason: I do not think if a man is given a jury trial, a jury necessarily lets him go free. I think a jury is going to do what it thinks is right unless it is biased, or has been approached in some way, or influenced in some way. Of course, that happens sometimes. It does not happen often, but I think it does happen sometimes.

Mr. LONG. Will the Senator yield for a further question?

Mr. THURMOND. I will be pleased to hear it.

Mr. LONG. Can the Senator imagine a judge who issues an order ordering the entire world to comply with his injunction as being as fair and impartial as a jury before which a case involving a violation of his order should be tried?

Mr. THURMOND. When a judge hears a contempt case he is the legislator, he is the prosecutor, he is the judge, and he is the jury. If I were a judge and if such a law as is here proposed were on the books, if I were back on the bench, and if I had to act under this type law, I would submit it to the jury anyway.

Mr. LONG. Will the Senator yield for a further question?

Mr. THURMOND. I will be pleased to hear it.

Mr. LONG. In view of the fact that it is contemplated that a judge makes a law by issuing the injunction and then cites the individuals whom he cares to cite, can the Senator think of anything any more inappropriate than the judge who makes the law, addressed to individuals, should be the same person to try the same individuals for violating his own order? Does the Senator not believe that any judge worthy of the name would at least want to have a jury to prove that justice is being done to people who violated his own order?

Mr. THURMOND. I think the Senator is eminently correct. It is unfortunate that a judge who issues an order of contempt has to try the case, because he has already made up his mind to a certain degree. Of course, that might be removed. But still he has made up his mind, or he would not issue the order.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. THURMOND. I yield for a further question.

Mr. LONG. Is it not true that a person who is responsible for issuing the edict and commanding people to do certain things at his discretion should be the last person to make the final decision on who should be punished for not obeying his order?

Mr. THURMOND. I agree with the Senator. In fact, this is known as injunction-made law. That is what it is. It is injunction-made law, and it is bad law. It is much better to have a jury trial. That is the American way of doing things. That is one of the grievances complained of by those who signed the Declaration of Independence, as I have brought out, namely, that in a great many cases they were denied jury trials. Provisions for jury trial are embodied in several places in the Bill of Rights and the Constitution, so there is no question about the whole intent of our judicial system. Our administration of justice has been based upon jury trials. I think it is one of the most fundamental principles embodied in our type of government.

If this so-called compromise amendment were to go a little bit further, it would sound more like a Communist amendment.

I do not believe I read what Senator Norris said about jury trial. He said:

> I wonder if a suffering people, whose forefathers fought for liberty, are going to give up the idea of it in this day and age, in this civilized day, and are going to submit to injunction-made law.

He was wondering whether they were going to submit to it.

1. THE BEGINNINGS

"The true distinction," said Mr. Pendleton, with some irritation, "is that the two governments are established for different purposes, and act on different objects."

This was on the sunny afternoon of Thursday, June 12, 1788, in the New Academy on Shockoe Hill in Richmond. The Virginia Convention had been grappling for 10 days with the new Constitution, and Edmund Pendleton, aging and crippled, had been sitting in dignified silence for as long as he could stand it. Patrick Henry, who was a hard man to live with at any time, was being especially difficult. Once before, on the 5th, Pendleton had attempted to soothe him, but Henry was not to be soothed.

The State and Federal Governments would be at war with one another, Henry had predicted, and the State governments ultimately would be destroyed and consolidated into the General Government. One by one their powers would be snatched from them. A rapacious Federal authority, ever seeking to expand its grasp, could not be confined by the States.

"Notwithstanding what the worthy gentleman said," remarked Mr. Pendleton with some warmth, for there were times when he regarded Mr. Henry as neither worthy nor a gentleman. "I believe I am still correct, and insist that, if each power is confined within its proper bounds, and to its proper objects, an interference can never happen. Being for two different purposes, as long as they are limited to the different objects, they can no more clash than two parallel lines can meet. * * *"

They were big ifs that Edmund Pendleton, a judicious man, here used as qualifications. If the State and Federal Governments were each confined within its proper bounds, he said, the clash could never come. But the Federal Government could not be kept confined, even as Henry feared, and the clash did come. It continues to this day. Mr. Pendleton's geometry was fine, but his powers of prophecy (for he believed that each government could be kept in check) were sadly in error.

To understand how the parallel lines of State and Federal powers have turned awry, it is necessary to look back at the period before these lines were drawn. The acts of ratification by Virginia and her neighbors were acts of sovereign States. At stake was their consent to a written constitution. How, it may be inquired, did they come to be sovereign States? What is this concept of State sovereignty?

It would be possible, in any such review, to go back to the great roots of Runnymede, but it will suffice to begin much later, in the turbulent summer of 1776. The startling commitments of Lexington and Concord were behind us then; the bitter trials of White Plains, Vincennes, Camden, and Yorktown still lay ahead. March and April and May had passed—a time of bringing forth of newness, of fresh hope—and great human events had run their course. Now, in June, a resurgent people made the solemn decision to dissolve the political bands which had connected them with another. Thus Jefferson's draft began, thus the Continental Congress adopted it at Philadelphia; from this moment Americans unborn were to date the years of their independence.

The eloquent beginning of the Declaration—the assertion of truths self-evident and rights beyond alienation—is well known: It is a towering irony that Jefferson, whose convictions were cemented in the inequality of man, should have his precise phrase corrupted by the levelers of a bulldozer society. The Declaration's beginning is too much recited and too little read.

What counts, for our present purpose, is not the first paragraph, but the last. Let us inquire, What, precisely, was it that we declared ourselves to be that Fourth of July? Hitherto there had been colonies subject to the King. That form of government would now be abolished. We would now solemnly publish and declare to a candid world—what? That the people of the colonies had formed a free and independent nation? By no means. Or that they were henceforth a free and independent people? Still no.

This was the declaration: "That these United Colonies are, and of right ought to be, free and independent States." Not one State, or one Nation, but in the plural—States; and again, in the next breath, so this multiple birth could not be misunderstood, "that as free and independent States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do."

It had opened, this Declaration, as an enunciation of what often are termed the "human rights," but it concluded, in the plainest terms, as a pronouncement of political powers—the political powers of newly created States. And these powers of war and peace, these powers of alliance and commerce, were published not as the powers of a national government, but as powers henceforth asserted by 13 free and independent States.

To be sure, the States were united. Their representatives styled themselves Representatives of the United States of America, in Congress assembled, but it was not the spokesmen of a nation who gathered in parliament. These were States in Congress. "One out of many," it is said. In a sense, yes. But the many remained—separate States, individual entities, each possessed, from that moment, of sovereign rights and powers.

Certainly Jefferson so understood our creation. "The several States," he was to write much later, "were, from their first establishment, separate and distinct societies, dependent on no other society of men whatever."

So Mr. Justice Samuel Chase comprehended it: He considered the Declaration of Independence, "as a declaration, not that the United Colonies jointly, in a collective capacity, were independent States, etc., but that each of them was a sovereign and independent State, that is, that each of them had a right to govern itself by its own authority, and its own laws without any control from any other power on earth." From the Fourth of July, said Chase, "the American States were de facto as well as de jure in the possession and actual exercise of all the rights of independent governments. * * * I have ever considered it as the established doctrine of the United States, that their independence originated from, and commenced with, the declaration of Congress, on the Fourth of July 1776; and that no other period can be fixed on for its commencement; and that all laws made by the legislatures of the several States, after the Declaration of Independence, were the laws of sovereign and independent governments."

So, too, the sage and cool-minded Mr. Justice Cushing: "The several States which composed this Union * * * became entitled, from the time when they declared themselves independent, to all the rights and powers of sovereign States."

Even Marshall himself had no doubts: In the beginning, "we were divided into independent States, united for some purposes, but in most respects sovereign." The lines which separate the States, he later remarked, were too clear ever to be misunderstood.

And for a contemporary authority, it is necessary only to turn to Mr. Justice Frankfurter, who some years ago fell to discussing the dual powers of taxation preserved under the Constitution: "The States," he said, "after they formed the Union"—not the people, but the States, "continued to have the same range of taxing power which they had before, barring only duties affecting exports, imports, and on tonnage." Regrettably, Mr. Justice Frankfurter appears in more recent times to have lost his concept of States forming a Union.

It is no matter. Evidence of the States' individual sovereignty is abundantly available. Consider for example, the powers asserted on the part of each State in the Declaration "to levy War, conclude Peace, and contract Alliances." Surely these are sovereign powers. The States exercised them, as States, in the Revolutionary War. But it is of value to note that New York also very nearly exercised her war powers to enter into formal hostilities with the State of Vermont. Tensions reached so grave a point that Massachusetts, in 1784, felt compelled to adopt a formal resolution of neutrality, enjoining her citizens to give "no aid or assistance to either party," and to send "no provisions, arms, or ammunition or other necessities to a fortress or garrison" besieged by either belligerent. When New York adopted a resolution avowing her readiness to "recur to force," Vermont's Governor Chittenden (whose son was to be heard from 30 years later in another row) observed that Vermont "does not wish to enter into a war with the State of New York." But should this unhappy contingency result, Vermont "expects that Congress and the 12 States will observe a strict neutrality, and let the contending States settle their own controversy."

They did settle it, of course. New York and Vermont concluded a peace. The point is that no one saw anything especially remarkable in two separate sovereignties arraying themselves against each other. Vermont was then an individual political entity, as remote at law as any France or Italy. And New York, though a member of the Confederation, and hence technically required to obtain the consent of Congress before waging war, had every right to maintain a standing army for her own defense.

The status of the individual States as separate sovereign powers was recognized on higher authority than the proclamations of

Vermont and Massachusetts. It is worth our while to keep in mind the first article of the treaty of September 3, 1783, by which the War of the Revolution came to an end:

"His Britannic Majesty acknowledges the said United States, viz., New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, to be free, sovereign, and independent States; that he treats with them as such."

More than 5 years earlier, a treaty of amity and commerce with France had established the same sovereign status of the contracting parties. Louis XVI treated with the 13 American States, but he recognized each of them as a separate power. And it is interesting to note that Virginia, feeling some action desirable to complete the treaty, prior to action by Congress, on June 4, 1779, undertook solemnly to ratify this treaty with France on her own. By appropriate resolution, transmitted by Governor Jefferson to the French minister at Philadelphia, the sovereign Commonwealth of Virginia declared herself individually bound by the French treaty. In terms of international law, Virginia was a nation; in terms of domestic law, she was a sovereign State.

2. THE STATE

To review the process by which the colonies became States is not necessarily to answer the basic question, What is a State? It is a troublesome word. The standard definition is that a State is "a political body, or body politic; any body of people occupying a definite territory and politically organized under one government, especially one that is not subject to external control." Chief Justice Chase, in *Texas* v. *White,* put it this way: "A State, in the ordinary sense of the Constitution, is a political community of free citizens, occupying a territory of defined boundaries, and organized under a government sanctioned and limited by a written constitution, and established by the consent of the governed." In the Cherokee case, John Marshall described a State as "a distinct political society, separated from others, capable of managing its own affairs and governing itself."

Thus, variously, a State is defined as a body, a community, and a distinct society. Plainly, mere boundary lines are not enough; a tract of waste and uninhabited land cannot constitute a State. Nor are people, as such, sufficient to constitute a State. James Brown Scott once offered this clear and succinct definition:

"The State is an artificial person, representing and controlled by its members, but not synonymous or identical with them. Created for a political purpose, it is a body politic. It is a distinct body, an artificial person; it has a will distinct from its members, although its exercise is controlled by them; it has rights and duties distinct from its members, but subject to being changed by them; it may hold property distinct from its members, but in trust for them; it may act separately and distinctly from them and bind them by its acts, but only insofar as it is authorized by the law of its creation, and subject to being changed by the source of that power."

Thus the State is seen as a continuing political being, controlled by its citizens and yet controlling them. The State can be bound in ways that its own people cannot be bound; it can exercise powers that no citizen or group of citizens may exercise for themselves. The State may buy, sell, hold, grant, convey; it may tax and spend; it may sue, and if it consent, be sued; it exists to create law and to execute law, to punish crime, administer justice, regulate commerce, enter into compacts with other States. Yet there is no State until a community of human beings create a State; and no State may exist without the will and the power of human beings to preserve it.

It is this combination of will and power which lies at the essence of the State in being. This is sovereignty. In the crisp phrase of John Taylor, of Caroline, sovereignty is "the will to enact, the power to execute." Long books have been written on the nature of sovereignty, but they boil down to those necessities: The will to make, the power to unmake.

It was this power, this will, that the people as States claimed for themselves in 1776. Henceforth, they said, we are sovereign: The State government is not sovereign, nor is any citizen by himself sovereign. By the "sovereign State" we mean us citizens, the State; we collectively, within our established boundaries; this community of people; we alone who are possessed of the power to create or to abandon.

God knows it was a great, a priceless, power these people as States claimed for themselves. True, not everyone saw it that way. Mr. Justice Story, for one, never grasped the concept of States. Nor did Jackson. Albert J. Beveridge, in his biography of Marshall, refers sneeringly to the States as "these pompous sovereignties," but in a way, Beveridge's is perhaps a high acknowledgment of the simple truth: These infant States were sovereignties, and the people within them were proudly jealous of the fact. They saw themselves, in Blackstone's phrase, "a supreme, irresistible, absolute, uncontrolled authority." This, among other things, was the aim they had fought for. It cannot be imagined that they ever would have relinquished this high power of sovereignty except in the most explicit terms.

3. THE ARTICLES OF CONFEDERATION

In time, the Continental Congress gave way to the Articles of Confederation. The articles merit examination with the utmost care; they are too little studied, and there is much to be learned from them.

First proposed in 1778, the articles became binding upon all the States with Maryland's ratification in 1781. Throughout this period, as the war ran on, each of the States was individually sovereign, each wholly autonomous. Mr. Justice Iredell was to observe, in 1795, that had the individual States decided not to unite together, each would have gone its own way, because each "possessed all the powers of sovereignty, internal and external * * * as completely as any of the ancient kingdoms or republics of the world, which never yet had formed, or thought of forming, any sort of Federal union whatever."

But they did form a Federal union—a "perpetual union between the States of New Hampshire, Massachusetts Bay, Rhode Island, and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia." They styled themselves, "The United States of America," and in the very second article of their compact, they put this down so no one might miss it:

"Each State retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Confederation expressly delegated to the United States in Congress assembled."

The third article is almost equally brief, and may be quoted in less space than would be required to summarize it:

"The said States hereby severally enter into a firm league of friendship with each other, for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever."

There will be seen, in these opening paragraphs, the genesis of constitutional provisions that were to follow in less than a decade. Here is the forerunner of the 10th amendment, with its reservation of undelegated powers to the State or to the people; here are the aims set forth of "common defense" and the "general welfare."

The fourth article advanced other phrases that have come down to us: The free inhabitants of each State ("paupers, vagabonds, and fugitives from justice excepted") were to be entitled to "all the privileges and immunities of free citizens in the several States." Here, too, one finds the provision, later to be inserted substantially verbatim in article IV of the Constitution of 1787, providing for the extradition of fugitives. Here the States mutually agreed that "full faith and credit shall be given in each of these States to the records, acts, and judicial proceedings of the courts and magistrates of every other State."

The fifth article provided for representation of the States in Congress. There were to be no less than 2, no more than 7 delegates from each State. They would assemble on the first Monday in November of every year. In this Congress, each State cast one vote; each State paid the salary and maintenance of its own delegates. These provisions, of course, were later abandoned; but we may note that the fifth article prohibited delegates to the Congress from "holding any office under the United States for which he or another for his benefit receives any salary, fees, or emolument of any kind," and also provided that "freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress." Both provisions were to turn up later in article I, section 6, of the Constitution.

The sixth and seventh articles dealt generally with limitations upon the States in terms of foreign affairs and the waging of war. Again, many a familiar phrase leaps from this much-maligned compact of Confederation. No State, nor the Congress, was to grant a title of nobility; no two or more States were to enter into any treaty, confederation, or alliance without the consent of the other States in Congress assembled; no State was to keep vessels of war in time of peace ("except such number as shall be deemed necessary by the United States in Congress assembled"), nor was any State to engaged in war without the consent of Congress "unless such State be actually invaded by enemies, or * * * the danger is so imminent as not to admit of a delay * * *."

The eighth article provided for defraying the expenses of war among the State "in proportion to the value of all land within each State," and the ninth article dealt with the powers of Congress. Once more, the origin of a dozen specific phrases in our present Constitution is evident. Congress was given the "sole and exclusive right and power of determining on peace and war." It was to enter into treaties and alliances, establish certain courts, fix standard weights and measures, and establish post offices. But the Congress alone could do almost none of these things—it could exercise no important power—without the consent of nine of the member States.

The remaining 4 articles are of less interest and concern, although it may be noted that in 3 places, the framers of the Articles of Confederation provided that their union was a permanent union. The articles were to be inviolably observed by the States the delegates respectively represented, "and the union shall be perpetual."

4. WE, THE PEOPLE

Of course, it wasn't perpetual at all. Before 6 years had elapsed, the States came to recognize grave defects in the Articles of Confederation. And because they were sovereign States—because they had the will to enact and the power to execute, because they who had made could unmake—they set out to do the job again.

What they made, this time, was the Constitution of the United States. So much has been writen of the deliberations that summer of 1787 in Philadelphia—so many critics have examined every word of the great document which came forth—that probably no new light can be shed upon it here. Yet the constitutions of most States command their citizens to recur frequently to fundamental principles and the commandment is too valuable an admonition to be passed by. There is much of interest to be found if one examines the Constitution, the debates and the commentaries of the time, in terms of the relationship there established between the States and the new Federal Government they formed.

It may be inquired, was sovereignty here surrendered in whole or in part? What powers were delegated, what powers retained?

Mr. KNOWLAND. Mr. President, I do not want the Senator to strain his voice but I do have some responsibilities as minority leader. I do not think the Senator is making any motion, but I should at least like to know what is going on in the Senate Chamber.

Mr. THURMOND. Mr. President, I yield for a question if the Senator has a question.

Mr. KNOWLAND. My question is, Would the Senator speak up? I do not want him to strain his voice, but I should like him to speak a little louder so I shall be sure no motions are being made or anything of that sort. I do have some responsibility here.

Mr. THURMOND. I suggest that the Senator move closer to me.

Mr. KNOWLAND. Under the rules of the Senate, which are now being strictly enforced, both Senators being in their respective seats, and this happening to be my seat as the minority leader, I urge my request of the Senator.

Mr. THURMOND. We might get unanimous consent to allow the Senator to come closer to me if he wishes. I do not think my colleagues will raise any point. There is an excellent seat here, I may say to the Senator.

Mr. KNOWLAND. I am very well satisfied with the seat to which I am assigned.

Mr. THURMOND. Mr. President, I continue to read:

What were the functions to be performed by the States in the future? Was it ever intended that the States should be reduced to the weakling role thrust upon them in our own time? We must inquire whether this proud possession of State sovereignty, so eloquently proclaimed in 1776, so resolutely affirmed in the articles of 1781, so clearly recognized in the events of the time, somehow vanished, died, turned to dust, totally ceased to exist in the period of the next 6 years.

Now, the argument here advanced is this—it is the argument of John Taylor of Caroline and John Randolph of Roanoke—that sovereignty, like chastity, cannot be surrendered in part. This was the argument also of Calhoun: "I maintain that sovereignty is in its nature indivisible. It is the supreme power in a State, and we might just as well speak of half a square, or half a triangle, as of half a sovereignty." This was the position, too, of the bellicose George Troup of Georgia, of Alexander H. Stephens, of Jefferson Davis. It is the position of plain commonsense: Supreme and ultimate power must be precisely that. Finality knows no degrees. In law, as in mountain climbing, there comes a point at which the pinnacle is reached; nothing higher or greater remains. And so it is with the States of the American Union. In the last resort, it is their prerogative alone (not that of Congress, not that of the Supreme Court, not that of the whole people) to make or unmake our fundamental law. The argument here is that the States, in forming a new perpetual union to replace their old perpetual union, remained in essence what they had been before: Separate, free, and independent States. They surrendered nothing to the Federal Government they created. Some of their powers they delegated; all of their sovereignty they retained.

It is keenly important that this distinction be understood. There is a difference between sovereignty and sovereign power. The power to coin money, or to levy taxes, is a sovereign power, but it is not sovereignty. Powers can be delegated, limited, expanded, or withdrawn, but it is through the exercise of sovereignty that these changes take place. Sovereignty is the moving river, sovereign powers the stone at the mill. Only while the river flows can the inanimate stone revolve. To be sure, sovereignty can be lost—it can be lost by conquest, as in war; the extent or character of sovereignty can be changed, as in the acquisition or relinquishment of territory or the annexation of new peoples; sovereignty can be divided, when two States are created of one. But properly viewed, sovereignty is cause; sovereign powers, the effect: The wind that blows; the branches that move. Sovereignty is the essence, the life spirit, the soul: And in this Republic, sovereignty remains today where it was vested in 1776, in the people. But in the people as a whole? No. In the people as States.

The delusion that sovereignty is vested in the whole people of the United States is one of the strangest misconceptions of our public life. This hallucination has been encouraged, if not directly espoused, by such eminent figures as Marshall, Story, and Andrew Jackson. It is still embraced by excessively literal and unthinking fellows who read "we the people" in the preamble to the Constitution, and cry triumphantly, "that means everybody." It does not; it never did.

The preamble to the abandoned Articles of Confederation, it was noted, declared the articles "binding between the States of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York," and so forth. The preamble offered by the Convention of 1787, reads:

"We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

The opening few words were questioned repeatedly by Patrick Henry in the Virginia Convention of 1788. He kept asking querulously, what was meant by "we the people," but he got no very satisfactory answer for his pains. Governor Randolph ducked the question, and Pendleton missed the point. Pendleton asked, rhetorically, "who but the people have a right to form government?" and the answer, obviously, in America, is "no one." Then Pendleton said this:

"If the objection be, that the Union ought to be not of the people, but of the State governments, then I think the choice of the former very happy and proper. What have the State governments to do with it?"

Again, the obvious answer is, "The State governments have nothing to do with it," but that was not the question Henry asked. There is a plain distinction between "we the States" and "we the State governments," for States endure while governments fall. It was Madison who came closest to answering the insistent Henry. Who are the parties to the Constitution? The people, said Madison, to be sure, are the parties to it, but "not the people as composing one great body." Rather, it is "the people as composing 13 sovereignties." And he added:

Mr. LANGER. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from North Dakota?

Mr. THURMOND. I yield for a question.

Mr. LANGER. I ask the distinguished Senator from South Carolina when he was a judge in South Carolina?

The PRESIDING OFFICER. The Chair cannot hear. Will the Senator speak a little louder?

Mr. THURMOND. From 1938 to 1946, 8 years.

Mr. LANGER. The Senator was a circuit judge, was he not?

Mr. THURMOND. Yes; in the highest trial court in the State. About half that time I was in the Army, overseas.

Mr. LANGER. I thank the Senator.

Mr. THURMOND. Continuing to quote from the Kilpatrick book:

"Were it * * * a consolidated government, the assent of a majority of the people would be sufficient for its establishment; and, as a majority have adopted it already, we remaining States would be bound by the act of the majority, even if they unanimously reprobated it * * * But, sir, no State is bound by it, as it is, without its own consent."

Col. Henry Lee took the same point of view in responding to Patrick Henry. Lighthorse Harry spoke as other proponents of the Constitution did, in irritation and perplexity. He could not comprehend why Henry's question should even be asked. Obviously, the "we the people" mentioned in the preamble—the "we the people" there and then engaged in ratifying the Constitution—were we "the people of Virginia." If the people of Virginia "do not adopt it, it will always be null and void as to us."

Here Lee touched and tossed aside what doubtless was so clear to others that they could not understand what Henry was quibbling about. Of course, "we the people" meant what Madison and Lee found so obvious: It meant "we the people of the States." Why argue the point? "I take this," said Randolph testily, "to be one of the least and most trivial objections that will be made to the Constitution."

The self-evident fact, as plain as the buttons on their coats, was that the whole people, the mass of people from Georgia to New Hampshire, obviously had nothing to do with the ratification of the Constitution. The basic charter of our Union never was submitted to popular referendum, taken simultaneously among the 3 million inhabitants of the country on some Tuesday in 1788. Ratification was achieved by the people of the States, acting in their sovereign capacity not as "Americans," for there is no "State of America," but in their sovereign capacity as citizens of the States of Massachusetts, New York, Virginia, and Georgia.

This was the sovereign power that sired the new Union, breathed upon it, gave it life—the power of the people of the States, acting as States, binding themselves as States, seeking to form a more perfect union not of people but of States. And if it be inquired, as a matter of drafting, why the preamble of the Articles of Confederation spelled out 13 States and the preamble of the Constitution referred only to "we the people," a simple, uncomplicated explanation may be advanced: The framers of the Constitution, in the summer of 1787, had no way of knowing how many States would assent to the compact.

Suppose they had begun the preamble, as they thought of doing, "We the people of New Hampshire, Massachusetts Bay, Rhode Island," etc., and the State of Rhode Island had refused to ratify? It very nearly did. It was not until May 29, 1790, by a vote of 34 to 32 that Rhode Island agreed to join a union that actually had been created with New Hampshire's ratification nearly 2 full years before. Given a switch of two votes, Rhode Island might have remained, to this day, as foreign to the United States (in terms of international law) as any Luxembourg or Switzerland.

Some of these forebodings clearly passed through the minds of the delegates at Philadelphia. When the preamble first appears in the notes, on August 6, it reads: "We the people of the States of New Hampshire, Massachusetts," etc., "do ordain, declare and establish the following Constitution." In that form it was tentatively approved on August 7. But the preamble, in that form, never is mentioned again. When the document came back from the Committee on Style in early September, the preamble had been amended to eliminate the spelled-out names of States, and to make it read simply that "we the people" ordain and establish. The change was not haggled over. No significance was attached to it. Why arouse antagonism in New York or North Carolina (where there was opposition enough already) by presuming to speak, in the preamble, as if it were unnecessary for New York or North Carolina even to debate the matter? The tactful and prudent thing was to name no States. Only the people as States could create the Union; only the people in ratifying States would be bound, as States, by its provisions.

5. THE STATES IN THE CONSTITUTION

In the end, that was the way the compact read. It bound States—"The ratification of the conventions of nine States shall be sufficient for the establishment of this Constitution between"—between whom?—"between the States so ratifying the same." Not among people; it was "between States." And this proposal was put forward "by the unanimous consent," not of delegates assembled or of people gathered, but by "the unanimous consent of the States present the 17th day of September in the year of our Lord 1787 * * *."

On the plain evidence of the instrument itself, it is therefore clear: States consented to the drafting of the Constitution; States undertook to bind themselves by its provisions. If 9 States ratified, the Constitution would bind those 9; if 10, those 10. Rhode Island had not even attended the convention; "poor, despised Rhode Island," as Patrick Henry later was to describe her, could stay aloof if she chose. There was no thought here of people in the mass. There was thought only of people as States, and while the new Constitution would of course act directly upon people—that was to be its revolutionary change—it would reach those people only because they first were people of States.

The one essential prerequisite was for the State, as a State, to ratify; then the people of the State would become themselves subject to the Constitution. No individual human being, in his own capacity, possibly could assent to the new compact or bind himself to its provisions. Only as a citizen of Virginia or Georgia or Massachusetts could he become a citizen also of the United States.

Madison recognized this. He acknowledged in his famed Federalist 39 that ratification of the Constitution must come from the people "not as individuals composing one entire nation, but as composing the distinct and independent States to which they respectively belong." "Each State," he said, in ratifying the Constitution, "is considered as a sovereign body, independent of all others, and only to be bound by its own voluntary act." This fact lay at the essence of the Federal Union being formed. The States, and within them their local governments, were to be "no more subject, within their respective spheres, to the general authority, than the general authority is subject to them, within its own sphere." The jurisdiction of the Federal Government was to extend "to certain enumerated objects only, and leaves to the several States a residuary and inviolable sovereignty over all other objects." Even the most casual reading of the Constitution, it may be submitted, abundantly supports Madison's comment here.

Mr. LANGER. Mr. President, will the Senator from South Carolina yield for a question?

Mr. THURMOND. I shall be glad to yield to the able Senator from North Dakota for a question.

Mr. LANGER. I should like to ask whether at any time in the history of South Carolina the courts permitted a defendant to be tried without a jury.

Mr. THURMOND. In South Carolina anyone who wishes a jury may have one. There are a few instances where both sides agree to be tried without a jury, by the court. But a defendant is entitled to a jury trial in my State, as is the case in other States which follow the Constitution.

Mr. LANGER. In what year was South Carolina admitted to the Union? It was one of the original colonies, was it not?

Mr. THURMOND. In 1789. It was the eighth State admitted to the Union.

Mr. LANGER. Mr. President, will the Senator from South Carolina yield further for a question?

Mr. THURMOND. I shall be pleased to yield for a question.

Mr. LANGER. Even at that time in South Carolina a defendant had the right to a jury trial, did he not?

Mr. THURMOND. That is correct.

Mr. LANGER. That has been the law continuously up to the present time?

Mr. THURMOND. That is correct. A defendant in South Carolina is always entitled to a jury trial when charged with a crime.

Mr. LANGER. Is that also true in North Carolina?

Mr. THURMOND. I would not attempt to speak for North Carolina, but I feel quite certain that that is a fact. I believe nine States ratified the Constitution before North Carolina did. So North Carolina came in after the Union was formed. So did Rhode Island. Rhode Island was the only State that did not send representatives to the Constitutional Convention in Philadelphia in 1787. The reason for that was that Rhode Island was in the hands of radicals at that time and it did not send any deputies.

Mr. LANGER. Mr. President, will the Senator from South Carolina yield for a further question?

Mr. THURMOND. I yield.

Mr. LANGER. Is it true that in every State in the United States under our Constitution a defendant has the right to a trial by jury in a criminal case?

Mr. THURMOND. In every State of the United States a defendant charged with a crime has the right of trial by jury. Some persons confuse magistrate courts or minor courts, but even there, although we may not see it, there is a jury box.

Most persons, unless they are lawyers, do not know that defendants are entitled to a jury trial in those courts. There is a jury box hidden somewhere. Nine out of ten do not ask for a jury trial; that is, in cases where the punishment is a fine of $100 or 30 days. But even there if a man says "Wait a minute, Mr. Recorder; I want a trial before a jury," it must be given to him.

Mr. LANGER. That is true, for example, if a man is arrested and charged with spitting on the sidewalk or with stealing one cent?

Mr. THURMOND. Any crime.

Mr. LANGER. In other words, trial by jury is fundamental?

Mr. THURMOND. That is correct; and rightly so, because that was one of the grievances pointed out a little earlier today that our forefathers listed in the Declaration of Independence. That was one grievance charged against the King, that in many cases persons had been denied trial by jury. That is written definitely into the Constitution. The right of trial by jury was included in several places in the Bill of Rights. The sixth amendment provides that a man charged with a crime is entitled to a jury trial. That was because our forefathers were taking no chances on not having a jury trial assured to them under the Constitution.

In the seventh amendment it is provided, also, and there is another provision, I believe, in the fifth amendment, that a man must be indicted by a grand jury before he is tried.

Under the bill that came from the House a grand jury will not pass on the question at all. Under this so-called compromise, a man is taken before a judge and is tried. He is not even asked if he wants a trial by a jury. But in the usual procedure, when the Constitution is followed, a man has to be indicted by a grand jury. In my State 18 grand jurors have to agree to a true bill before a man can be brought up for trial. He has a trial before a petit jury. In Federal courts a man can be indicted by a grand jury or on information, but in State courts a man is indicted by a grand jury. But in all the history of judicial administration in this country it has been clear that the American people have been entitled to a jury trial, and it goes back even further than the Declaration of Independence. It goes back to the Magna Carta, when the citizens of England wrung from King John in the year 1215, at Runnymede, certain rights for the people. I presume you and I, Mr. President, would call them civil rights, more or less, or corresponding to our Bill of Rights. But the people wrung from King John certain rights, and one of those rights was that a man charged with a crime would be entitled to a jury trial. So, going back to the year 1215, on down to this time, our people have had a jury trial.

Mr. LANGER. Mr. President, will the Senator yield further for a question?

Mr. THURMOND. I will yield for a further question.

Mr. LANGER. Is it the opinion of the Senator from South Carolina that of all the 10 amendments in the Bill of Rights the very heart and very core of the 10 amendments is the right of the defendant to be tried by a jury?

Mr. THURMOND. All the 10 amendments known as the Bill of Rights are important, but I think the trial-by-jury provision as generally spoken of is the heart of the Bill of Rights. That is the importance attached to it. It is generally spoken of as the heart of the Bill of Rights. In other words, if there should be cut out of the Bill of Rights the right of a trial by jury you have cut the heart of the Bill of Rights out; it would be excised.

What is it to have freedom of speech or freedom of religion or freedom of the press or right to petition the Government or the right to assemble, all of which are guaranteed by the Bill of Rights, or to keep troops from being quartered in our homes, or all the other things guaranteed by the Bill of Rights, if some tyrant, whether a Federal district judge, or any other kind of tyrant, can take a man and himself try him without a jury and put him in prison; and, of course, if a man is in prison he cannot enjoy his civil rights?

Mr. LANGER. Mr. President, I thank the distinguished Senator. We have gotten down to the very core of this entire proposal.

Mr. THURMOND. I thank the Senator very much. I appreciate his deep interest in this matter. The able and distinguished Senator from North Dakota has manifested an unusual interest in the right of trial by jury. He has the vision to see the importance of trial by jury and to see how this proposed bill the House has passed is attempting to bypass the Constitution and in doing so, of course, is violating the Constitution and therefore is a bill the Congress ought to kill.

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

The PRESIDING OFFICER. Does the Senator from South Carolina yield further to the Senator from North Dakota?

Mr. THURMOND. I will be pleased to yield to the Senator from North Dakota.

Mr. LANGER. For 4 years I was attorney general of my State.

Mr. THURMOND. I understand the Senator made a very distinguished record as attorney general of the State of North Dakota.

Mr. LANGER. During that time, of course, I had a great deal to do with juries.

Mr. THURMOND. I am sure the Senator did.

Mr. LANGER. And in every single case I submitted to a court a jury trial had been waived.

Mr. THURMOND. Every case the Senator tried I imagine was before a jury.

Mr. LANGER. That is correct.

I should like to ask the distinguished Senator from South Carolina whether in his experience in South Carolina it is true that the average defendant can get better justice from a jury than he can from a judge, no matter how honest and fair the judge may be?

Mr. THURMOND. Regardless of how fair and impartial the judge is or wants to be, it is my judgment from my experience on the bench for 8 years—and as I said for about half of that time I was in the Army during World War II—and from my practice of law before then, since 1930 when I was admitted to the bar—and after I left the Governor's office in January 1951, I practiced until I came to the Senate—I consider that juries give fair verdicts, and I think it would be destroying the administration of justice if we should take any step to hamper or injure or impair in any way the jury system of the United States.

Mr. LANGER. Again I want to thank the Senator.

Mr. THURMOND. Mr. President, I read further:

> But the Constitution ought not to be read casually. Viewed from the standpoint of State and Federal relations, what does the Constitution say and do? The rubrics do not demand, before an ordinary mortal may explore the question, that he be ordained a constitutional lawyer or put on the chasuble of the bench. Our Constitution is not the property of a juridical clergy only. The laity may read it too, and with equal acuity and understanding. The terms are not ambiguous.
>
> The first thing to note, perhaps, is that the words "State" or "States" appear no fewer than 94 times, either as proper nouns or pronominals, in the brief 6,000 words of the original 7 articles. The one theme that runs steadily through the whole of the instrument is the knitting together of States: It is a union that is being formed, and while the people are concerned for themselves and their posterity, the Constitution is to be established binding States.
>
> Legislative powers, to begin at the beginning, are vested not in one national parliament of the people, but in a Congress of the United States. The word "Congress" was chosen with precision; it repeated and confirmed the political relationship of the preceding 11 years, when there had been first a Continental Congress and then a Congress under the Articles of Confederation.
>
> This Congress is to consist of two Houses. The first is the House of Representatives, whose Members are to be chosen "by the people of the several States." And here, in the very second paragraph, the framers encountered and opportunity to choose between a "national" and a "federal" characteristic: They might have established uniform national qualifications for the franchise, but they did not. Electors qualified to vote for candidates for the House of Representatives are to have "the qualifications requisite for electors of the most numerous branch of the State legislature."
>
> Representatives and direct taxes are to be apportioned—how? "Among the several States which may be included within this Union, according to their respective numbers." How is this enumeration to be determined? The provision should be noted with care, for it is the first of four clauses that speaks eloquently of the plural nature of our Union: "The actual enumeration shall be made within 3 years after the first meeting of the Congress of the United States, and within every subsequent term of 10 years, in such manner as they shall by law direct." Now, the antecedent of they is not "Congress." but "United States." Nowhere in the whole of the Constitution or in any of the subsequent amendments is the United States an "it." The singular never appears.
>
> What else sheds light in the second section of article I? We find that "each State shall have at least one Representative," whereupon follows a rollcall of the States themselves: "Until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse 3, Massachusetts 8," and so forth. And when vacancies happen "in the representation from any State," the Governor thereof is to issue a writ of election.
>
> The dignity and sovereignty of States are made still more evident in the composition of the Senate. It is to be composed "of two Senators from each State," and whereas Representatives are required to be inhabitants of the States "in which" they shall be chosen, Senators must be inhabitants of the States "for which" they shall be chosen.
>
> It is in section 4 that the first grant of authority to the Federal Government appears: "The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but"—and here the qualified concession—"the Congress may at any time by law make or alter such regulations, except as to the places of chusing Senators."
>
> The delegations of power to a federal government appear most fully, of course, in section 8, but it is worth noting that not all the powers delegated to Congress are exclusive and unqualified powers. Thus, the Congress may raise and support armies, "but no appropriation of money to that use shall be for a longer term than 2 years." Thus, the Congress may provide for organizing, arming, and disciplining the militia, and for governing such part of the militia as may be employed in the service of the United States, but there is reserved "to the States respectively" the appointment of officers and the authority to train their militia according to regulation established by Congress. Thus, too, Congress may exercise Federal authority over federally owned property within the States, but how is such property to be acquired? The authority of the Congress extends only to those places "purchased by the consent of the legislature of the State in which the same shall be," and this applies not only to military and naval installations but also to "other needful buildings."
>
> Several provisions in section 9 merit attention. As a concession to the slave trade—one of the essential compromises without which the Constitution never would have come into being at all—it was provided that "the migration or importation of such persons as any of the States now existing shall think proper to admit," shall not be prohibited prior to 1808. Then follow seven paragraphs of specific restrictions upon the powers of Congress. The privilege of the writ of habeas corpus shall not be suspended; no bill of attainder or ex post facto law shall be passed; no direct tax shall be levied except according to the census of the people as a whole; no tax or duty shall be laid on articles exported "from any State"; and—again emphasizing the separateness of the member States forming the Union—no preference shall be given by any regulation of commerce or revenue of the ports of one State over those of another: nor shall vessels bound to, or from, one State, be obliged to enter, clear, or pay duties in another."
>
> In section 10, the States undertook to restrict themselves. No State shall enter into any treaty, alliance, or confederation; no State shall coin money or make anything but gold and silver legal tender; no State shall make any law impairing the obligation of contracts. Yet even here, the prohibitions are not without qualification.

> Thus, the States reserved to themselves the right to levy tariffs on imports or exports sufficient to execute their inspection laws; and though the fact is often forgotten, the States even reserved to themselves the solemn power they had claimed under the Articles of Confederation, to "engage in war," as States, if "actually invaded, or in such imminent danger as will not admit of delay."

Mr. LANGER. Mr. President, will the Senator from South Carolina yield for a question?

The PRESIDING OFFICER (Mr. ELLENDER in the chair). Does the Senator from South Carolina yield to the Senator from North Dakota?

Mr. THURMOND. I am pleased to yield for a question.

Mr. LANGER. I am very curious. I ask the Senator from South Carolina whether he knows how the House of Representatives arrived at the decision to provide for a maximum of 45 days and $300 in this instance. Why did not the House of Representatives decide to make the maximum number of days 50, and why did it not choose, as the maximum amount of fine, $250 or $500?

Mr. THURMOND. I should like to answer the question the distinguished Senator asked, but I cannot do so. I was not consulted about this compromise. All I know about it is that I heard the majority leader make an announcement, following the taking of action in the House of Representatives. And then I read about it in the newspaper.

But I had understood—and the distinguished Senator from California [Mr. KNOWLAND] can correct me about this if I am mistaken—that there was an effort on the part of the Republicans to provide for 60 days. But, since the Senate had not voted for any provision of this sort, but had voted only for a straight jury-trial provision, 45 days was selected as a compromise. That is my understanding of the matter. I pass on to the Senator from North Dakota only what I heard. But perhaps the Senator from California can answer the question. At any rate, even if 60 days had been originally proposed, and finally 45 days was decided on, the Senate got the worst end of the bargain.

However, even if the provision had been for only 1 day, in my opinion the principle would be the same, because under the Constitution a citizen is entitled to a jury trial; and the Congress has no power to pass a law providing that a Federal judge or any other judge can deprive a citizen of a jury trial. However, under this proposal, a judge would be able, in two ways, to deprive a citizen of a jury trial. In the first place, the Federal judge could decide whether he wanted to allow the person to have a jury trial in the first instance. If the judge decided that there could be a jury trial, the citizen would have a jury trial. If the judge decided that there would not be a jury trial, the judge himself would try the case.

Next, if the judge decided to try the case himself, without a jury, the judge would proceed to try it. If, at the conclusion of the case, the judge were to determine that the punishment he would mete would be more than 45 days imprisonment or a fine of more than $300, the judge would then give the citizen another trial. In other words, this provision of the compromise would give the judge the option of trying the citizen in the first place, and it would give the judge the option of deciding how much punishment he would mete, and then the amount of punishment imposed would determine whether the citizen would receive still another trial.

All those exceptions are entirely foreign to the Constitution. The Constitution provides that a man charged with the commission of a crime is entitled to a jury trial. That provision is as plain as can be. Any child in the fifth grade in school can read it and understand it, and there should not be any difficulty in understanding it.

However, as I have understood in arriving at the compromise an attempt was made to get together on some provision; and the result was a monstrosity. It turned out to be an unconstitutional provision, in my opinion.

Mr. LANGER. Mr. President, will the Senator from South Carolina yield again?

Mr. THURMOND. I am glad to yield.

Mr. LANGER. What I should like to know is this: Is there any precedent, anywhere in the entire United States, for a measure such as this, by means of which a defendant could be tried by a judge, if the sentence imposed were imprisonment for not more than 45 days, or any other number of days, or the imposition of a fine of any size; but that if the term of imprisonment were longer or the amount of the fine were greater, there must be a jury trial? Can the Senator from South Carolina name any precedent at all for such a provision?

Mr. THURMOND. I know of no place in the United States where a person charged with a crime does not have a jury trial. Even under the present criminal-contempt procedure, under existing law, if one is charged with criminal contempt, he is entitled to a jury trial. I know of no instance in any part of the United States, from Maine or the State of Washington on the north, to California, Arizona, New Mexico, Texas, Louisiana, Florida, or any of the other States in the southern part of the Nation, in which one who is charged with the commission of a crime does not have a trial by jury. It seems to me that in the conference, some one or more of the conferees should have raised the point, "This provision would be contrary to the Constitution, and we cannot include such a provision." It seems to me some of the conferees would have suggested that the Constitution provides to the contrary. There is a decision which can be cited on that point; I think I have called it to the attention of the distinguished Senator from North Dakota. The decision in that case holds that criminal contempt is a crime; and, since it is a crime, one charged with criminal contempt is entitled to a jury trial. If there is to be passed a bill providing punishment for criminal contempt, it should provide for a jury trial. I know of no way to get around a jury trial in this matter because the Constitution has laid down the law. That is basic law.

The Constitution can be amended. Congress can submit an amendment to it. There are four ways to amend the Constitution, and it can be amended so as to provide that a Federal judge in his discretion can give a man a jury trial. Then the compromise would be legal, and what it proposes would be effective. It would be valid.

As the Senator from Wyoming [Mr. O'MAHONEY] said today, confirming my judgment, as it stands now it is not valid. I think it is unconstitutional. The Senator from Wyoming expressed his opinion likewise. We could amend the Constitution to provide for it. Congress could pass a law to provide that a Federal judge could punish a man for contempt, by so many days' imprisonment, or by a fine of so many dollars. We could do that, but it has not been done. Until the Constitution is amended in the manner provided in the Constitution itself, we must abide by it. I know that many people in this country would like to get around the Constitution, and it looks as if they have been doing so.

The Supreme Court has been rewriting the Constitution in some cases, and other branches of the Government at times have encroached upon the Constitution because there is divisional power between the Federal Government and the State governments. When we cross the line of the State government, as here, without constitutional authority, we violate the Constitution.

The States entered into this pact, the Constitution, about which we are talking so much, and in this pact they delegated to the Union only certain things, and they are just as plain as they can be. They are listed in the Constitution. I should like to read to the distinguished Senator what the Constitution says on that point.

Article I, section 1, provides:

> All legislative powers herein granted shall be vested in the Congress of the United States, which shall consist of a Senate and House of Representatives.

I will not take the time to go through all that. I will skip to the pertinent portions.

Section 7 of article I provides:

> All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.
>
> Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President of the United States; if he approve, he shall sign it, but if not he shall return it, with his objections to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration, two-thirds—

I will skip to section 8. That is more pertinent. This is what the Congress has power to do. The powers are listed.

> The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises

shall be uniform throughout the United States.

To borrow money on credit of the United States;

To regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

The PRESIDING OFFICER. Will the Senator suspend to receive a message from the President of the United States?

Mr. THURMOND. Certainly.

MESSAGE FROM THE PRESIDENT

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

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate a message from the President of the United States submitting the nomination of Edward L. McCarthy, to be United States marshal for the district of Rhode Island, which was referred to the Committee on the Judiciary.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House has passed, without amendment, the bill (S. 2413) to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district.

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills and joint resolution of the House:

H. R. 2075. An act for the relief of Albert Heinze;

H. R. 2904. An act for the relief of the Knox Corp., of Thomson, Ga.;

H. R. 3468. An act for the relief of J. A. Ross & Co.; and

H. J. Res. 374. Joint resolution for the relief of certain aliens.

CIVIL RIGHTS ACT OF 1957

The Senate resumed the consideration of the amendments of the House of Representatives to Senate amendments Nos. 7, and 15 to the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The PRESIDING OFFICER. The Senator will proceed.

Mr. THURMOND. I continue to read from article 1, section 2:

> To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States.

Congress would not have the power to pass bankruptcy laws, indeed Congress could not pass a law on any subject except for the power given to it by the Constitution. This provision I have read is the basis for our bankruptcy law.

> To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures.
>
> To provide for the punishment of counterfeiting the securities and current coin of the United States.
>
> To establish post offices and post roads.

That is your authority for the Federal Government to act in that field.

> To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.
>
> To constitute tribunals inferior to the Supreme Court.

That gives authority to Congress to establish certain courts of appeals and district courts. They are inferior tribunals, that is inferior to the United States Supreme Court.

> To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.
>
> To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.
>
> To raise and support armies, but no appropriation of money to that use shall be for a longer term than 2 years.

But no appropriation of money for that purpose shall be for a longer term than 2 years. We cannot appropriate money for the Defense Establishment for more than 2 years because the Constitution limits it. If we should attempt to do that, we would go beyond the Constitution.

I think that is a suggestion which may apply to foreign aid. If we should commit ourselves for 5 years or 10 years, I think that would be unconstitutional. But some of the defense items are classified under the term "foreign aid."

> To provide and maintain a Navy;
>
> To make rules for the government and regulation of the land and naval forces;
>
> To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.
>
> To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.

I want to read that last part again. I wish to call attention to a point:

> Reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.

Do you not know, Mr. President, that if that section was not in the Constitution the Federal Government would be appointing the officers of the National Guard? That is the reason the Government cannot do it: the Constitution reserves that power to the States.

> To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding 10 miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings;

For that reason the Federal Government cannot go to Louisiana, North Dakota, South Carolina, or New Hampshire and buy a piece of land until the legislature passes an act approving such purchase. Under the provision the State must approve the transaction with respect to property within its borders, whether it owns the property or not, before the Federal Government can get it. Of course, the Government could condemn it; but if it followed the Constitution it would not be able to take it. The Constitution reserves that power to the States.

> To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.
>
> SEC. 9. The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to year 1808, but a tax or duty may be imposed on such importation, not exceeding $10 for each person.
>
> The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

Regardless of what a State wishes to do, the United States Constitution provides that a writ of habeas corpus shall not be suspended unless—note the exception—"unless when in cases of rebellion or invasion the public safety may require it."

> No bill of attainder or ex post facto law shall be passed.
>
> No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

We have the income-tax amendment to the Constitution. The 16th amendment to the Constitution provides that Congress can levy an income tax. That is the only authority in the Federal Government to levy an income tax. It does not inherently have that authority. The Federal Government can do only what the States gave it the authority to do when they entered into the compact in Philadelphia in 1787, and the amendments which have been adopted since then. Two years later, in 1789, the States adopted the 10 amendments known as the Bill of Rights, for which there was so much sentiment. I do not believe the Constitution would have been ratified if the delegates to the convention had not promised the Bill of Rights would be submitted, and it was submitted and adopted 2 years after the convention, in 1789.

> No tax or duty shall be laid on articles exported from any State.
>
> No preference shall be given by any Regulation of Commerce or Revenue to the ports of one State over those of another; nor shall vessels bound to, or from, one State be obliged to enter, clear, or pay duties in another.
>
> No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

That is the only reason the States do not impose duties on some articles; otherwise they would probably do it, but under the Constitution they cannot do it.

> No title of nobility shall be granted by the United States: And no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

In other words, if I were an ambassador in London and the Queen of England wished to confer on me a title or wished to give me extra compensation for some reason, I could not take the title or compensation unless Congress permitted it. Congress would have to pass an act to permit it.

> SEC. 10. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

In other words, that goes right down the line to support the point I make. So the Constitution provides exactly what the Federal Government can do. What hurts me is to see some distinguished Members of Congress, able men who believe in the division of powers between the Federal and State Governments—or I always thought they did—going along with the bill, because this is a bill that takes power away from the States and gives it to the Federal Government.

The matter of elections is left up to each State. That power was not delegated. The qualifications for electors, the holding of elections, and all relevant matters were reserved to the States. There has been a movement, I understand, to get the Congress to pass a bill eliminating the poll tax. I believe I told the Senate this morning, or this afternoon, that when I was Governor, I recommended that the poll tax be removed in my State, and it was removed. But Congress may not pass a law to do it. It could do it, but it would be unconstitutional for the reason that there is a provision of the Constitution which states that the qualifications of electors shall be left to each State. Therefore, New Hampshire has qualifications and, if the people of that State wish to make as a qualification for voting in that State the payment of a poll tax, they have a right to do so. The only way such a measure could be enacted legally, if it were going to be the law nationwide, would be for Congress to submit an amendment to the Constitution eliminating the poll tax.

The Senator from Florida [Mr. HOLLAND] has now pending a proposed constitutional amendment to eliminate the poll tax, amending the Constitution. To do that would be legal; it would be constitutional, and it would be proper. Personally I think it is better to leave to each State the power to fix the qualifications for voting of its citizens. In my State, as I have said, we have very low qualifications. We have heard much about people in my State not voting. I believe more people vote in my State than vote in New York, because New York has a much higher standard for voting. That State requires, I believe someone said, a high-school education. Someone else said it requires a grade-school education. It is certainly one of the two. In my State we require only that a man be able to read and write the Constitution, or that he own $300 worth of assessed property. So our requirements for voting are not stringent. They are not nearly as strict as they are in New York. I do not know about the requirements in the State of the Senator from North Dakota.

A few years ago I was Governor of South Carolina. At that time a bill was pending in Congress to remove the poll tax on a nationwide basis. Congress was to do it. It would have been just as unconstitutional as this so-called compromise, whose proponents are trying to get it through the Congress, to deprive the people of a jury trial.

Mr. LANGER. I thank my distinguished friend.

Mr. THURMOND. The Senator is welcome.

Mr. President, I do not believe that American history is taught sufficiently in our high schools and colleges. I do not believe that a course in government is taught in our high schools and colleges. I come in contact with a great many intelligent people, people who have been educated, big financiers who have made a great deal of money, and many others; yet they do not know the fundamentals of the Constitution. It is because they have not studied it. I think the people of the country would be wise to study the Constitution. I think it is more important today than ever before for the people to study it and be able to delineate the powers of the Federal Government, and learn what the Federal Government has not the power to do.

For example, the Congress has no power to abolish the poll tax as a prerequisite for voting, because the qualifications of voters are left to each State.

There are a great many things which Congress cannot do. Yet pressure is brought on Members of Congress, and they vote for certain measures anyway, because of the pressure.

Why do Senators think this so-called compromise on the civil rights bill is being pressed? Why is there any civil rights bill before us? Why call this measure a right-to-vote bill? It is a perfect farce. It is not a right-to-vote bill.

As I have stated, every State in the Union has statutes providing for the right to vote. The Federal Government has statutes providing for the right to vote.

Why is such a bill as this being considered at this time? Because there are pressures on Members of Congress to do so. Some Members of Congress attempted to do so, even though they were doubtful of the constitutionality of the measure. The Senator from Wyoming [Mr. O'MAHONEY] stated earlier in the day that he did not think the jury trial amendment which was put in the compromise bill in the House was constitutional. He said he would offer an amendment in January to correct it.

I would rather see him vote against it now. If the bill should pass anyway, he could later offer his amendment. But if a bill is unconstitutional, I think it is better for us not to vote for it. I think Members of Congress must develop stamina, fortitude, and courage to resist pressures, and to stand by the Constitution. If we do not do so, as I stated earlier in the day, we shall keep whittling away the rights of the States until, after a while, the States will not have any rights. There will be a powerful Central Government—and it will be a powerful monster, too. Everything will radiate from Washington.

I understand there is a movement on foot to establish a national police system. It is desired to convert the FBI, which is purely an investigative agency, into a law-enforcement agency. It is not a law-enforcement agency. Congress would not have the right to establish a national police agency, because under the Constitution the police power is reserved to the States.

However, this investigative agency, the FBI, is in a different situation. It does not do police work. It apprehends criminals and works with the States, and cooperates in the execution of Federal laws, apprehending violators and bringing them to trial. But it is not a police agency. I am glad that Mr. J. Edgar Hoover said that he was opposed to a national police system. I am sorry to see that the President has been recommending a bill to provide Federal aid to education by way of construction of school buildings. I have been amazed at the fact that so many people are not acquainted with the fact that in the entire Federal Constitution there is not a sentence which contains the word "education." The word "education" is not to be found in the United States Constitution. Therefore, since the States did not delegate the field of education to the Federal Government, the Federal Government has no jurisdiction in that field, unless we amend the Constitution and give the Federal Government jurisdiction in the field of education.

We can amend the Constitution. We can follow one of the four methods of amending the Constitution, and give the Federal Government authority in that field, if that is the wise thing to do, which I do not think it is. However, that is the way it must be done. We have no authority to appropriate money for Federal aid to education. I know that the President's intentions are good. However, at Columbia University several years ago he was against Federal aid to education. At any rate, it would be a great mistake for the Federal Government to enter the field of education.

After we begin giving money for Federal aid to education by way of construction, the next demand from the powerful National Education Association, which I understand is building a tremendous office building in Washington, will be for a supplement to the salaries of teachers. The National Education Association will bring pressure on Members of Congress, as do other pressure organizations, and will say, "We need supplements to teachers' salaries."

When we enact legislation for Federal aid to construct the buildings, and to provide supplements to teachers' salaries, the Federal Government will be asked to pay a larger share of such salaries, and there will be more and more control to go with it. Before we know it, there will be Federal control of education, and the parents of the Nation will find their children studying books selected in Washington, instead of by the people in Delaware, North Dakota, and South Carolina.

It is a great mistake for us not to follow the Constitution. If the Constitution needs amending, we can amend it. There is a provision for amending it, and it should be amended from time to time. There have been 22 amendments since it was adopted. In 1789 the first 10 amendments were adopted. Since then 12 other amendments have been adopted. There are now 22 amendments to the Constitution.

We were talking about the 16th amendment awhile ago, the income-tax amendment. I think most people feel that it is necessary, although the income tax appears high. Therefore there had to be a way to bring it about. Congress could not pass an income-tax law. It had no authority to do so until the Constitution had been amended to give Congress the power to do it.

I think it is important to understand what we mean by the division of powers between the Federal Government and the State governments. We have a compound Republic. It is a compound Republic because there are Federal powers and State powers. There are three branches in the Federal Government, each of which checks on the others, with the exception of the Supreme Court. It has practically no check on it, and it has gone wild.

There are three branches in the State governments. Each is supposed to be a check on the others.

There are two checks on the Supreme Court. In the first place, we can impeach Supreme Court justices. However, the House must do the impeaching, and the Senate sits as a jury to hear the case. So, there is not much the Senate can do from that standpoint.

The other one is that, under the Constitution, the appellate power of the Supreme Court can be controlled by the Congress, so that if Congress saw fit to pass a bill to limit the appelate power of the Supreme Court, Congress would have that right. The Constitution gives it the power to do that. Many persons think we have to amend the Constitution before we can do that.

Mr. KNOWLAND. Mr. President, will the Senator from South Carolina yield for a question?

Mr. THURMOND. I yield for a question.

Mr. KNOWLAND. Would the Senator say that would be a form of cruel and inhuman punishment to impose upon his colleagues?

Mr. THURMOND. I would say it is cruel and inhuman punishment to impose on the citizens of America if we pass a bill without providing for a jury trial.

(Manifestations of applause in the galleries.)

The PRESIDING OFFICER. The galleries will be in order.

Mr. THURMOND. I have received letters from a number of States, and I have been in California. I spent a week there in the fall of 1953. Starting at Long Beach and ending up at San Francisco, I made addresses all the way up the coast. I even went to Bakersfield and saw an old friend of the Senator from California there. I talked with many persons there. Unless they have had a change in sentiment, they think, just as the people of South Carolina do, that there should be jury trials.

Mr. KNOWLAND. Mr. President, will the Senator from South Carolina yield for a further question?

Mr. THURMOND. I yield for a question.

Mr. KNOWLAND. Does not the distinguished Senator also think that the people of California are interested in the 15th amendment to the Constitution, assuring all American citizens the right to vote?

Mr. THURMOND. I am sure that the people of California are, and I am sure the people of South Carolina are. The people of South Carolina have done something about it, just as have the people of California. Last night, when the distinguished Senator from California was resting comfortably, I was speaking here and trying to rouse the people of America concerning the dangers of taking away their right of trial by jury. I placed in the RECORD the statutes of California on that subject, and here is what they provide:

> California: Unless otherwise designated, references are to Elections Code Annotated—West's—1955:
>
> "Hindering public meeting: Every person is guilty of a misdemeanor who, by threats, intimidation, or unlawful violence, willfully hinders or prevents electors from assembling in public meetings for consideration of public questions (sec. 5004).
>
> "Intimidating voter: Every person or corporation is guilty of a misdemeanor, who directly or indirectly uses or threatens to use force, violence, restraint, or inflicts or threatens to inflict any injury, damage, harm, or loss or other forms of intimidation to compel a person to vote or refrain from voting at any election (sec. 1158).
>
> "Interference with free exercise of elective franchise: Every person or corporation is guilty of a misdemeanor who, by abduction, duress, or any forcible or fraudulent means, impedes or prevents the free exercise of the elective franchise by any voter; or who compels or induces a voter either to give or refrain from giving his vote at any election or to vote or refrain from voting for a particular person (sec. 11582).
>
> "Election officers: Any election officer who induces or attempts to induce any voter either by menace or reward, to vote differently from the way he intended to vote, is guilty of a felony (sec. 11583).
>
> "Threat by employer: Any employer, whether a corporation or natural person, is guilty of a misdemeanor, if he encloses material in the pay envelopes containing threats, express or implied, intended to influence political opinions or actions of employees, or who within 90 days before an election exhibits any placard, etc., in the place of employment, containing such threats (secs. 11584, 11585).
>
> "Penalty: Any corporation guilty of intimidating a voter shall forfeit its charter (sec. 11586).
>
> "Misdemeanor: Unless a different penalty is prescribed, a misdemeanor is punishable by imprisonment in the county jail for not more than 6 months or by fine of not over $500, or by both (Penal Code, sec. 19).
>
> "Scope of penalty provisions: All penalty provisions listed above apply to both final elections and primary elections (sec. 11500)."

Those are statutes of the State of California, and they are good statutes.

Mr. KNOWLAND. Mr. President, will the Senator from South Carolina yield for a further question?

Mr. THURMOND. I yield for a question.

Mr. KNOWLAND. Does the Senator not recognize the fact that under the voting rights bill which the Senate is attempting to pass but which the Senator from South Carolina has, for the moment, successfully prevented the Senate from passing, there is not a single individual who can be cited for either civil or criminal contempt if another American citizen is deprived of his right to vote under the Constitution? So, if the Senator is correct in his statement that no person is deprived of his right to vote in his State—and I feel certain that no American citizen is denied the right to vote in my State—neither California nor South Carolina would cite any public official or other person criminally unless they were depriving people of their right to vote under the laws of the State.

Mr. THURMOND. I think some part of the Union could nullify the Constitution, just as I think some juries turn loose some defendants who are guilty. Some judges will make mistakes, too. But why do we not let the States alone and let them handle their own problems? I know the southern people and I know they are doing all they can for the Negro.

I see my friend the Senator from Kentucky [Mr. COOPER] sitting next to the Senator from California. He feels that his State is doing all it can. I know the State of Mississippi, from which come my good friends, Senator EASTLAND and Senator STENNIS, is doing all it can. We cannot change customs overnight. We have to let the local people work these things out. But Congress did not care to let the local people work these things out.

All that is necessary is to have enforcement of the Federal statute. There is a Federal statute, to which I called attention today. For the benefit of Senators who were not here at the time, I may say that this statute provides that whoever intimidates, threatens, or coerces, or attempts to intimidate, threaten, or coerce, any person, for the purpose of interfering with the right of such other person to vote, or to vote as he may choose, is guilty of a crime, punishable by a $1,000 fine or by imprisonment of 1 year.

Mr. COOPER. Will the Senator yield?

Mr. THURMOND. I yield for a question.

Mr. COOPER. Does the Senator know that there has never been any question, since the War Between the States, about the Negro population in

Kentucky having the right to vote, and exercising that right?

Mr. THURMOND. I have never heard any question about it. I simply say that in my State the Negroes are voting in large numbers. They claimed the credit for carrying the election for Stevenson in 1952, and at that time there was a very close election. They claimed they cast more than 80,000 votes, which was about 25 percent of the total. Their own newspaper contained that information. I have a clipping from that newspaper, the Lighthouse and Informer. So they are certainly voting in my State, and I am sure they are voting in the Senator's State.

Is it not better to let the local people work out these problems, rather than to rush things on them, and try to change their customs overnight?

As a matter of fact, if you gentlemen want to take any action, however, if the proponents of this bill are not satisfied—I do not think the distinguished Senator is dissatisfied—with the enforcement by the governors of the States of the Nation—and the governors are the chief executive officers of the States and are responsible for enforcing the law—or if the Federal Government is not satisfied with the enforcement being given by the governors to the voting laws of the States to protect the rights of people to vote, then why do they not enforce the Federal statute, which is already on the books?

Mr. COOPER. Because of the Senator's kind reference, I should like to ask a question as follows: Does the Senator know that in Kentucky all citizens, including all Negroes, have had, since the War Between the States, the right to vote, have exercised that right, and that it has never been questioned?

Mr. THURMOND. I am sure that is the case, because I have heard that they vote there. They are voting in the South in larger numbers than ever before. No persons in my State are deprived of the right to vote. If they are qualified to vote, they are allowed to vote. Of course, no man who is not qualified ought to be allowed to vote. New York State has a much higher standard, as I said a while ago, than we have. If a person can merely read or write in my State, he can vote. In New York one has to be a high-school graduate, I believe or at least has to meet a literacy test. So we are not nearly so strict in South Carolina as they are in New York.

The Senator comes from a border State. Kentucky is a great State. I suggest to the Senator, however, since he is from a border State that went in part with the North and in part with the South, that the Senator stick with the South.

Mr. COOPER. Mr. President, I will ask the Senator if it is not true that Kentucky had to make that choice almost a hundred years ago and they chose to stick with the Union?

Mr. THURMOND. Mr. President, if there is any Member in the Senate who is not satisfied with the voting protection given by the governors and the other officials of the States of the Nation, again I say that all they have to do is to call upon the Justice Department to enforce section 594. It is now against the Federal law to intimidate, threaten, or coerce, or to attempt to intimidate, threaten, or coerce, any voter, in any way, shape, or form. That is the Federal statute which is on the books now. Why not enforce that statute? What is the idea of coming here with a right-to-vote bill? That is a big, high-sounding word that does not mean anything. If we pass this bill, we will pass an unconstitutional bill. It will be all right if the Justice Department will enforce section 594. I believe they are enforcing it. Is there anyone that thinks they are not enforcing this law? Is there anyone who thinks the present administration is not enforcing section 594?

If the Justice Department are enforcing this law, they are protecting people in this matter now. If they are not enforcing this law, let them enforce it and that will protect them. Either the Justice Department are not enforcing this law, if they have had complaints, or they have not had any complaints.

Has the Justice Department had complaints, such as we have been hearing about, that many people have been denied the right to vote? We hear that in the South many people are denied the right to vote. What is there now; what has there been in the past 5 years to keep the Attorney General from going to any Southern State to enforce this statute? It is a Federal statute. The Attorney General not only has the right to enforce it, but he has the duty. If there have been any complaints about people in the South not voting, I have not heard of them. But if there have been any complaints about them not voting, then the Justice Department ought to do something about it. If the Justice Department has taken no action to enforce this statute, it shows one of two things: The Department has not had anybody objecting, or, if there were objections, it ignored them and did not do its duty by enforcing the statute. The point is there is a Federal statute now, so why pass another bill? All the Congress needs to do is to follow the Constitution. If we will follow the line of demarcation in the Constitution between the powers delegated to the Federal Government and the powers reserved to the States, we will not get into difficulties about all these different things.

If a bill were introduced to repeal the poll tax as a prerequisite to voting, there would not be any question but that the Congress would not consider it because it would be unconstitutional. The qualifications of voting are reserved to the States. Why can we not look at it from that viewpoint and not try to say whether it is a good bill or a bad bill? On the right to vote bill, should there be any question whether we are going to accept this compromise? I do not think there should be any question at all, because the Constitution says a man charged with a crime is entitled to a jury trial. The court decision which I have before me holds that criminal contempt is a crime.

Mr. President——

The PRESIDING OFFICER (Mr. Frear in the chair). The Senator from South Carolina.

Mr. THURMOND. I will proceed now, if there are no further questions.

The PRESIDING OFFICER. The Senator from South Carolina has the floor.

Mr. THURMOND. Article III, defining the judicial power of the United States, contains several provisions of interest in this review.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. THURMOND. I will yield to the able Senator for a question.

Mr. LANGER. Is it correct that under Federal statute 594 there can be imposed a fine of $1,000 or imprisonment of 1 year in jail?

Mr. THURMOND. That is correct.

Mr. LANGER. The compromise right to vote bill cuts it down to a fine of $300 and 45 days in jail. If the judge determines that the defendant ought to suffer a greater penalty than that, the case has to go to a jury.

Mr. THURMOND. In reply to the Senator, I will say if this bill is passed, of course I am expecting it to be held unconstitutional as soon as it can be tested. But until that is done, they will have a choice.

There could be a prosecution under the Federal statute, which is section 594; or such a person could be taken before a Federal judge, and the Federal judge could decide whether he wanted to try the case. If the judge decided he was in a hurry to take a vacation trip, he could simply say, "I will try the case myself." Then, under the provisions of the compromise measure, the judge would try the case; and the person being tried could not complain.

Let me ask the Senator from North Dakota what he would do. Suppose he were to find himself in such a situation; and suppose the judge were to say to him, "Mr. Langer, I will not give you a jury trial. I will try you myself"—and then the judge would rear back on his haunches and would grin.

What would the Senator from North Dakota do under those circumstances? There would be nothing he could do, because the judge would have a right to try him under the provisions of the compromise measure which has come to us from the House of Representatives.

Mr. LANGER. Mr. President, will the Senator from South Carolina yield for another question?

The PRESIDING OFFICER (Mr. Frear in the chair). Does the Senator from South Carolina yield to the Senator from North Dakota?

Mr. THURMOND. I shall be pleased to yield for a question.

Mr. LANGER. Inasmuch as section 594 is on the statute books, why is not this right-to-vote bill entirely superfluous?

Mr. THURMOND. Mr. President, the Senator from North Dakota has put his finger on exactly what I have been discussing in the Senate for—let me see, Mr. President, how long has it been?

The PRESIDING OFFICER. Twenty-one hours.

Mr. THURMOND. No; Mr. President, it has been 22 hours and 10 minutes. [Laughter.] For 22 hours and 10 minutes I have been trying to emphasize that point—namely, why is this compromise necessary, when a Federal statute on this subject is already on the statute books? It provides for a fine of $1,000 or imprisonment of 1 year in jail.

If the Department of Justice is interested in the persons who are alleged to have been deprived of the right to vote—regardless of whether they are whites, Negroes, or others—why does not the Department of Justice take action to enforce section 594 and thus protect the right to vote? The Department of Justice can do that under section 594. That is up to the Department of Justice. I do not know what the Department will do; that is up to the Department of Justice.

Mr. **LANGER**. Mr. President, will the Senator from South Carolina yield for another question?

Mr. **THURMOND**. I yield for a question.

Mr. **LANGER**. During the last 5 years, has anyone been arrested under section 594?

Mr. **THURMOND**. In reply to the question of the distinguished Senator from North Dakota, I wish to say that I have never heard that anyone in my State has been tried under that statute. So there is no use in having the representatives of the Department of Justice come to South Carolina and say that people there are deprived of the right to vote, because if anyone representing the Department of Justice does come to South Carolina and does make such a statement, I will tell him that it is his own fault, for those in the Department of Justice have failed to do their duty; they have a law under which they can punish such persons, but they have not done so. Either no one in South Carolina is deprived of the right to vote, or else the Department of Justice has failed to do its duty.

Mr. **LANGER**. I thank the Senator from South Carolina. I get the point very clearly.

Mr. **THURMOND**. Let me ask whether there are any more questions.

The **PRESIDING OFFICER**. Does the Senator from South Carolina yield the floor?

Mr. **THURMOND**. Mr. President, I shall proceed. I am just trying to find a section of the Constitution to which I wish to refer.

Mr. **LANGER**. Mr. President, while the Senator from South Carolina is doing that, will he yield for another question?

Mr. **THURMOND**. I shall be pleased to yield for a question.

Mr. **LANGER**. Can the Senator from South Carolina tell the Senate how many years ago section 594 was enacted into law?

Mr. **THURMOND**. I believe it was in 1939.

Mr. **LANGER**. Do I correctly understand that since that time, there has been no prosecution under that provision of law? Is that true, so far as the Senator from South Carolina knows?

Mr. **THURMOND**. I have not heard of a single prosecution in South Carolina under that statute.

Mr. **LANGER**. Has the Senator heard of one in any other State?

Mr. **THURMOND**. If there has been one, I have not heard of it. I would not say there has not been one in some other State, but I do not know of a case of that sort which has been tried in the Federal courts. Some have been tried in the State courts; we are enforcing our State laws.

But I have not heard of a case in which anyone has been tried under this Federal statute—which carries with it a heavy penalty, namely, a fine of $1,000 or imprisonment in jail for 1 year. I have never heard of anyone who has been tried under that law. But, Mr. President, of course I am not surprised at that, because in South Carolina, everyone who wishes to register to vote and to vote, does register and does vote, if he is qualified. So I do not think it likely that there would be any cases of that sort in South Carolina.

Mr. President, there have been insinuations to the effect that the Southern States are denying some people the right to vote. I think insinuations about any States should stop—whether that be Northern States, Southern States, Eastern States, or Western States. All of us are Americans. We have a great country. In all the wars the United States has ever fought, the United States has had brave soldiers from all sections of the country. It is very bad to have people in one section of the country try to snipe at people in another section of the country. That is the very thing George Washington warned against in his Farewell Address.

Mr. **LANGER**. Yes, I am familiar with that admonition by George Washington.

Mr. **THURMOND**. Mr. President, if anyone in the South has been intimidated or coerced or threatened with regard to voting—if anyone in any Southern State has been treated in that way—the district attorney in the State can take action any day he wishes to; and if the Department of Justice does not do it, the Department is failing to perform its duty with respect to such violations; or else there are no violations of that sort. So evidently there have not been any violations of that sort in the State of South Carolina, or else no one has complained about them. As a matter of fact, I am quite sure that there have not been any violations of that sort in my State, because, as I have said, anyone in South Carolina who wishes to vote, and who is qualified to vote, and who registers, can vote.

Mr. President, I should like to read what George Washington said.

Sometimes, Mr. President, when I see the able Senator from Kentucky [Mr. COOPER] sitting in his seat in this Chamber—so able a judge and lawyer, and a fine soldier in World War II; and when I see in the Chamber the distinguished senior Senator from Michigan [Mr. POTTER], who lost both of his legs in that war; and when I see my other fellow veterans who are distinguished Members of this body or are distinguished Members of the House of Representatives, and then when I see matters of a sectional nature brought up here, and when one group wishes to try to have enacted into law a measure aimed at punishing another section of the country, it makes my heart ache. My colleagues who are veterans did not feel that way when they were serving in the Armed Forces overseas; they did not feel that way when they were in uniform. If the Members of Congress from various sections of the United States would just accord to all the other States the same respect that they expect to have accorded to their own States I am sure that we would not be having this trouble; and then I would not have been speaking here on this subject for more than 22 hours in an effort to arouse the American people.

The **PRESIDING OFFICER**. For 22 hours and 10 minutes.

Mr. **THURMOND**. No, Mr. President, for 22 hours and 20 minutes. [Laughter.]

I would not be trying to arouse the American people if it were not necessary. But why should the North want to pick on those of us who live in the South? Why do the people in New York want to pick on us? Why do the people in New Jersey want to pick on us? Or why do the people of any other section of the country want to pick on us? We think we are fairly good people. We think we are patriotic. The Members of Congress from the Southern States want to work together with all the other Members of Congress.

Mr. President, I want to extend every courtesy to every other Member of Congress, and I want to see those who live in any particular section of the country extend to the rest of the people of the country the same courtesy that they expect to have extended to themselves.

But, Mr. President, I can tell you this: This right-to-vote bill—and I say this because I know something about its history—is aimed at the South. It is aimed at the South; and it hurts me to see that done, because South Carolina is not guilty, and this bill should not be enacted. I do not believe the other Southern States are guilty. The Southern States have done their part in every way. As I have said, the people of the Southern States have fought for their country and have served in public office in every way. They have been honorable people.

Yet, in order to try to win the votes of certain minority blocs, some pressure groups are willing to punish us, to put us under the heel, and to grind and grind and grind us. I am getting tired of it.

(Manifestations of applause by the occupants of the galleries.)

The **PRESIDING OFFICER**. The doorkeepers must keep the galleries in order.

Mr. **COOPER**. Mr. President, will the Senator yield?

Mr. **THURMOND**. I yield.

Mr. **COOPER**. A minute ago the Senator spoke very generously of our association and friendship during World War II. I know that he did not mean to intimate that there was any intention upon the part of the Senator from Kentucky, in his vote on the civil-rights bill, to show any bias or prejudice toward his own people in the South.

Mr. **THURMOND**. I am sure that there was not, Senator.

Mr. COOPER. Does the Senator remember?

Mr. THURMOND. I remember, and I say to the Senator from Kentucky he is one of the finest and most gracious gentlemen I have known.

The Senator from Kentucky is not one of those ardent proponents of the bill who is trying to ram the bill home. I do not know how he is going to vote, but he is a good constitutional lawyer. I hope he will not vote for it. I hope he will think over the jury trial issue and not vote for it.

He has not been one of those who has been baiting the South.

Mr. COOPER. The Senator from Kentucky is a good friend of the Senator from South Carolina, but the Senator from Kentucky will vote for civil rights. He intends to vote for the bill this evening or at some later time.

In the debate he said again and again that he believes in the juries in the South, and that the people of the South would respect the law and would follow the law. I am sure the Senator from South Carolina knows that the Senator from Kentucky said that.

Mr. THURMOND. I am sure he did say that.

The only thing is that if the Senator feels that the South obeys the law, I do not understand why he should want to have this bill passed.

I will get on with what George Washington said.

Mr. President, George Washington, in his Farewell Address, used his strongest language against those who would divide our country; he urged a unity of spirit. He said:

> In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by geographical discriminations—northern and southern—Atlantic and western; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heartburnings which spring from these misrepresentations: they tend to render alien to each other those who ought to be bound together by fraternal affection.

That was George Washington speaking.

George Washington wanted to see the people from the North to the South, and to the East and the West, bound together with a fraternal feeling. He wanted a fraternal attitude manifested.

Why should we not manifest a fraternal attitude on these matters? Why should we not try to help another section, and not sponsor legislation which is aimed at any particular section, merely to try to get votes to win an election?

I have said, and I repeat, that since every State in the United States from Alabama to Wyoming has laws on its books to protect the right to vote, and since the Federal Government has a statute on its books to protect the right to vote, there is no need for this bill.

I say, and I repeat, that I think the bill is purely political, and I think that both parties have been trying to grab the ball to see who could get the spotlight for the elections coming up in 1958.

Article III, defining the judicial power of the United States, contains several provisions of interest in this review. We may note, for example, two further uses of the plural: First, the judicial power is to extend "to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority." Second, treason against the United States is to consist "only in levying war against them, or in adhering to their enemies." Because the authority of the Court will be considered at length in a later chapter, it will suffice here merely to point out that nowhere in article III is the Court given jurisdiction over controversies between a State and the United States. That proposal was specifically advanced during the convention, and specifically rejected.

Every section—indeed, every paragraph—of article IV touches upon the Federal nature of the Union. Full faith and credit are to be given, in each State, to the acts and judicial proceedings of every other State. If this were not a Federal Union, the provision would be nonsense. Beyond this, the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States. A person charged in any State with crime, who shall flee from justice and be found in another State, shall be delivered upon demand to be removed to the State having jurisdiction of the crime.

Then comes the provision that Northern States were to flout over a period of 30 years: "No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered upon claim of the party to whom such service or labor may be due."

Finally, we may note in article IV the provision for admitting new States into this Union (not this Nation, but this Union): "No new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned as well as of the Congress."

Article V had best be quoted in full. It has not been changed by so much as an apostrophe in the years since it came from Philadelphia in September of 1787. It still fixes and defines the sovereign power:

Pause for a moment over this article of the Constitution. We are dealing here with Taylor's "will to enact" and "power to execute"; we are dealing with Marshall's "power to make and unmake." It was plainly envisioned by the framers that their work would require amendment through the years. "That useful alterations will be suggested by experience, could not but be foreseen," Madison was to write. There was a double aim in the provision, even a triple aim. Aricle V, Madison tells us, was intended, first, to guard equally against too-easy amendment on the one hand and too-difficult amendment on the other. It was drafted, secondly, to permit amendments to originate both with the Federal and with the State Governments. But it was intended, finally, to leave the ultimate decision upon changing the Constitution to the sovereign States themselves—not to the people as a mass, nor even to a bare majority of the States as such. It was recognized that the great, overriding principle of protection for minorities should apply here as bindingly as it was to apply elsewhere. If one-fourth of the States plus one should object to a change in the Constitution—even if that change were desired by three-fourths minus one (and even if this larger fraction should include the great bulk of the total population)—the change could not be engrafted to the Constitution.

Article VI is brief. Its first provision covers debts and engagements entered into under the Articles of Confederation and continues these obligations under the proposed new Constitution; its third provision prohibits any religious test as a qualification for public office and requires an oath to support the Constitution of all public officers, both State and Federal.

It is the second provision that merits brief attention in this summary review:

"This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."

Let us go back: What is to be supreme? Three things. First, "this Constitution." Secondly, "laws of the United States which shall be made in pursuance thereof." Third, treaties made "under the authority of the United States." That is all. Not Executive orders of the President. Not even judgments of the Supreme Court. The Constitution, the laws made in pursuance thereof, the treaties.

In passing, note the phrase "law of the land." It stems originally from the Magna Carta; but as it appears in the Constitution, "law of the land" was merely a substitution, proposed by the committee on style, for "law of the several States and their citizens and inhabitants." The object was to extend this new supreme law to Territories as well as to the States. And this phrase, "law of the land," is as close as the Constitution ever comes to suggesting a "nation." Actually the word "nation" or the word "national" never appears in the Constitution.

The aim, we will recall, was to form "a more perfect Union." Representatives and taxes were to be apportioned among the several States which may be included "within this Union." The militia may be called forth to execute "the laws of the Union." The President is to provide Congress with information on the "state of the Union." New States are to be admitted "into this Union." The guaranty of a republican form of government goes "to every State in this Union." But never, at any point, are the United States described, in the Constitution, as comprising a "nation."

This is not to contend, of course, that ours is not a Nation, or that the Federal Government does not operate nationally. It is only to suggest that the deliberate terms of the Constitution speak for themselves, and should be heeded: Our country is, first and foremost, originally and still, a Union of States. And when we speak of the law of the land, it should be kept steadily in mind that the land is a Federal Union, in which each of the States stands coequal with every other State. The Constitution is supreme not only in its authority over each State, but also in its protection over each State. And each State, each respective State, is entitled to rely upon the Constitution as embodying supreme law that all other States must adhere to with equal fidelity, like it or not, until the Constitution be changed by the States themselves.

Note, too, the careful qualification that defines laws enacted by the Congress. Just any laws of the United States are not enough: Laws, to be binding, must be laws made in pursuance of the Constitution. Any attempted statutes that invade the residuary authority of the States, Hamilton tells us, "will be merely acts of usurpation, and will deserve to be treated as such." And he adds, at another point, that:

"There is no position which depends on clearer principles than that every act of a delegated authority, contrary to the tenor of the commission under which it is exercised, is void. No legislative act, therefore, contrary to the Constitution, can be valid. To deny this, would be to affirm that the deputy is greater than his principal; that the servant is above his master; that the representatives of the people are superior to the people themselves; that men acting by virtue of powers, may do not only what their powers do not authorize, but what they forbid."

Surely, it may be urged that precisely the same standard must be applied to other branches of the Federal Government—the executive and judicial no less than the legislative. By extension, thus, judgments of the Court, to be supreme law of the land, must be made pursuant to the Constitution. A judgment of the Court, so violative of the clear terms and understandings of the Constitution as to invade the residuary authority of the States, must also be regarded as a usurpation, and should deserve to be treated as such. The argument will be pursued at greater length hereafter.

Finally, this brief examination of the Constitution from the standpoint of the States may be concluded with a second look at article VII. It should be read carefully, for this is the clause that binds: "The ratification of the conventions of 9 States"—not, again, the approval of a majority of the people in a popular referendum, but the ratification of 9 States—"shall be sufficient for the establishment of this Constitution between the States so ratifying the same."

Thus, on September 17, the Convention concluded its work. George Washington, as President of the Convention, transmitted the document to the Congress. A prophetic sentence appeared in his letter, as he mentioned the compromises necessary for the surrender of sovereign powers: "It is at all times difficult to draw with precision the line between those rights which must be surrendered, and those which may be reserved." The States had done the best they could through their delegates. Eager to consolidate their Union, each State had been disposed "to be less rigid on points of inferior magnitude than might have been otherwise expected." They launched the ship.

"Well, Doctor," said the lady to Mr. Franklin, "what have we got, a republic or a monarchy?"

"A republic," replied the doctor, "if you can keep it."

It is pretty hard to keep when bills are introduced to violate the Constitution by chipping off and whittling away the rights of the States in an effort, it seems, to reduce them to colonial status.

Continuing the quotation from the Kilpatrick book:

6. THE PROPHETIC MR. HENRY

For the States' understanding of what the Constitution was to mean to them, as States, we can look not only to the internal evidence of the Constitution itself, but to the debates in the ratifying conventions and to some of the contemporary criticism, notably in the Federalist papers. We can look, also, to some of the pronouncements of the Supreme Court from time to time, and to the writings of scholars of our own day.

The evidence is overwhelming. By written compact, solemnly ratified, the States agreed mutually to delegate certain of their sovereign powers to a Federal Government. They enumerated these powers. All other powers they reserved to themselves, and these reserved powers did not need to be enumerated: the reserved powers constituted all inherent powers of sovereign States not specifically abridged.

So plain was this understanding that the feeling most frequently encountered, in reading comments of the period, is one of incredulity that anyone should doubt it.

"The proposed Constitution," said Hamilton, "so far from implying an abolition of the State governments, makes them constituent parts of the national sovereignty by allowing them a direct representation in the Senate, and leaves in their possession certain exclusive and very important portions of sovereign power."

So, too, said Madison:

"It is to be remembered that the General Government is not to be charged with the whole power of making and administering laws. Its jurisdiction is limited to certain enumerated objects which concern all the members of the Republic, but which are not to be attained by the separate provisions of any. The subordinate governments, which can extend their care to all other objects which can be separately provided for, will retain their due authority and activity."

Neither Hamilton nor Madison could quite imagine the Federal Government ever seriously encroaching upon the States.

"Allowing the utmost latitude to the love of power which any reasonable man can require," said Hamilton, "I confess I am at a loss to discover what temptation the persons intrusted with the administration of the General Government could ever feel to divest the States of the authorities of that description. The regulation of the mere domestic police of a State appears to me to hold out slender allurements to ambition. Commerce, finance, negotiation, and war seem to comprehend all the objects which have charms for minds governed by that passion; and all the powers necessary to those objects ought, in the first instance, to be lodged in the national depository."

Then he added, with a singular absence of prophecy:

"The administration of private justice between the citizens of the same State, the supervision of agriculture and of other concerns of a similar nature, all those things, in short, which are proper to be provided for by local legislation, can never be desirable cares of a general jurisdiction. It is therefore improbable that there should exist a disposition in the Federal councils to usurp the powers with which they are connected. * * *

"It will always be far more easy for the State governments to encroach upon the national authorities, than for the National Government to encroach upon the State authorities."

That is where he was wrong. In other words, Hamilton had no idea that the Federal Government would ever attempt to encroach on the rights of the States. In his day it looked to him as if it would be easier for the States to encroach on the rights of the Federal Government than for the Federal Government to encroach on the rights of the States. But in recent years do-gooders, welfare-staters, and left-wingers, and other pressure groups are trying to transform this Government. They are trying to make of it a national government. It is not a national government; it is a Federal Government. The States came together in a federation and formed this Government. That is the conception which I hope we can get over to the people of the Nation, that our Government is not a national government; it is a Federal Government made by the States coming together and forming a federation and signing the compact which became the Constitution. Therefore we have a Federal Government, not a national government. I hope we shall never have a national government. We must stop the Federal usurpation that is now going on and has been going on for some years.

Madison, also, imagined that the Federal Government would "be disinclined to invade the rights of the individual States, or the prerogatives of their governments." For his part, Hamilton thought it more probable that the States would encroach upon the Federal Government, and he imagined that in such contests the State governments, because they "will commonly possess most influence" over the people, would dominate Federal agencies "to the disadvantage of the Union." However, all such conjectures Hamilton viewed as "extremely vague and fallible." He preferred to assume that the people "will always take care to preserve the constitutional equilibrium between the general and the State governments."

In No. 45, Madison treated at considerable length the widespread apprehension that the States would be obliterated. Some of his comments have been outdated; what he has to say about the election of Senators, for example, unhappily has been superseded by the misfortune of the 17th amendment. Some of his other observations, dealing with functions of what was to become the Bureau of Internal Revenue, may occasion some wary reflection on the lengths by which even a Madison could miss his guess. But as contemporary evidence of the role guaranteed to the States, No. 45 justifies quotation at some length:

"The State governments will have the advantage of the Federal Government, whether we compare them in respect to the immediate dependence of the one on the other; to the weight of personal influence which each side will possess; to the powers respectively vested in them to the predilection and probable support of the people; to the disposition and faculty of resisting and frustrating the measures of each other.

"The State governments may be regarded as constituent and essential parts of the Federal Government; whilst the latter is nowise essential to the operation or organization of the former. Without the intervention of the State legislatures, the President of the United States cannot be elected at all. They must in all cases have a great share in his appointment, and will, perhaps, in most cases, of themselves determine it. The Senate will be elected absolutely and exclusively by the State legislatures. Even the House of Representatives, though drawn immediately from the people, will be chosen very much under the influence of that class of men, whose influence over the people obtains for themselves an election into the State legislatures. Thus, each of the principal branches of the Federal Government will owe its existence more or less to the favor of the State governments, and must consequently feel a dependence, which is much more likely to beget a disposition too obsequious than too overbearing toward them. On the other side, the component parts of the State governments will in no instance be indebted for their appointment to the direct agency of the Federal Government, and very little, if at all, to the local influence of its members.

"The number of individuals employed under the Constitution of the United States will be much smaller than the number employed under the particular States. There will consequently be less of personal influence on the side of the former than of the latter. The members of the legislative, executive, and judiciary departments of 13 and more States, the justices of peace, officers of militia, ministerial officers of justice, with all the county, corporation, and town officers, for 3 millions and more of people, intermixed, and having particular acquaintance with every class and circle of people, must exceed, beyond all proportion, both in number and influence, those of every description who will be employed in the administration of the Federal system. Compare the members of the three great departments of the 13 States, excluding from the judiciary department the justices of peace, with the members of the corresponding departments of the single government of the Union; compare the militia officers of 3 millions of people with the military and marine officers of any establishment which is within the compass of probability, or, I may add, of possibility, and in this view alone, we may pronounce the advantage of the States to be decisive.

"If the Federal Government is to have collectors of revenue, the State governments will have theirs also. And as those of the former will be principally on the seacoast, and not very numerous, whilst those of the latter will be spread over the face of the country, and will be very numerous, the advantage in this view also lies on the same side. It is true, that the confederacy is to possess, and may exercise, the power of collecting internal as well as external taxes throughout the States; but it is probable that this power will not be resorted to, except for supplemental purposes of revenue; that an option will then be given to the States to supply their quotas by previous collections of their own; and that the eventual collection, under the immediate authority of the Union, will generally be made by the officers, and according to the rules, appointed by the several States. * * *

"The powers delegated by the proposed Constitution to the Federal Government are few and defined. Those which are to remain in the State governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce; with which last the power of taxation will, for the most part, be connected. The powers reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the State.

"The operations of the Federal Government will be most extensive and important in times of war and danger; those of the State governments in times of peace and security. As the former periods will probably bear a small proportion to the latter, the State governments will here enjoy another advantage over the Federal Government. The more adequate, indeed, the Federal powers may be rendered to the national defense, the less frequent will be those scenes of danger which might favor their ascendancy over the governments of the particular States.

"If the new Constitution be examined with accuracy and candor, it will be found that the change which it proposes consists much less in the addition of new powers to the Union, than in the invigoration of its original powers. The regulation of commerce, it is true, is a new power; but that seems to be an addition which few oppose, and from which no apprehensions are entertained. The powers relating to war and peace, armies and fleets, treaties and finance, with the other more considerable powers, are all vested in the existing Congress by the Articles of Confederation. The proposed change does not enlarge these powers; it only substitutes a more effectual mode of administering them."

Even John Marshall, who did more than any man in our history to aggrandize the Federal Government and to weaken the States, never doubted the basic structure of divided powers. Consider, briefly, his comment in the famed case of *McCulloch* v. *Maryland*. The case arose when Congress established the Bank of the United States, and Maryland undertook to levy a tax upon the bank's Baltimore branch; James McCulloch, the cashier, refused to pay the tax, and Maryland sued.

The legal questions were two: Did Congress have power to incorporate the bank, and secondly, did Maryland have power to tax it? Marshall answered the first one "Yes," the second, "No." With the bulk of his reasoning, strict constructionists and apostles of States rights will disagree: Marshall's sophisticated mind did not boggle at stretching "necessary" to mean "convenient." In considering the actual act of ratification by which the Union was formed, Marshall was not much impressed by the fact, which he could not escape, that the people met in State conventions. "Where else should they have assembled?" he asked. But even here, a couple of sentences merit quotation as evidence from the States greatest detractor:

"It is true, [the people] assembled in their several States—and where else should they have assembled? No political dreamer was ever wild enough to think of breaking down the lines which separate the States, and of compounding the American people into one common mass. Of consequence, when they act, they act in their States."

Marshall went on in his opinion to confuse "States" and "State governments," thus setting up a convenient strawman to batter down. No one ever had contended that the Constitution was ratified by State governments, but Marshall, with a glittering display of intellectual swordsmanship, neatly skewered the nonexistent objection. Then he went on to say:

"This Government is acknowledged by all to be one of enumerated powers. The principle that it can exercise only the powers granted to it would seem too apparent to have required to be enforced by all those arguments which its enlightened friends, while it was pending before the people, found it necessary to urge. That principle is now universally admitted. But the question respecting the extent of the powers actually granted is perpetually arising, and will probably continue to arise, as long as our system shall exist."

True enough, the question of "the extent of powers" does continue to arise to this day, though the doctrines of Marshall have so pervaded public thinking that it often is forgotten that the Federal Government has any limitations whatever. But the separateness of the States and the nature of their delegated powers were clearly recognized when the Constitution was created. The prophets who foresaw the trend toward consolidation—notably Patrick Henry and George Mason—were told they were old women, seeing ghosts.

Consider, if you will, the debate on ratification in Virginia. The transcript offers some absorbing reading. If the clash of a Henry and a Mason with a Pendleton and a Madison does not prompt reflection upon subsequent corruption of the Constitution, at the very least their battle must lead to regrets at the decline in the quality of today's legislative debates. There were giants in those days. This was, to paraphrase Marshall, a Constitution they were debating. What was said of the relationship of the States and the Federal Government?

Go back in time. This was a sultry summer in Richmond. At least twice the brief convention was interrupted by thunder storms so severe the delegates were forced to recess. Tempers flared sharply. At one point Edmund Randolph, infuriated with Patrick Henry, was prepared to let their friendship "fall like Lucifer, never to rise again." They began on Monday, June 2; they adjourned sine die on Friday, June 27. Into those 4 weeks, the Virginians of 1788 packed a world of profound reflection upon the meaning and intention of the Constitution.

Edmund Pendleton served as president of the Virginia convention. He was a remarkable man: lawyer, scholar, statesman, thinker. In advocating ratification, Pendleton was joined by James Madison, John Marshall, Edmund Randolph, and Light Horse Harry Lee. They carried the day against Patrick Henry and George Mason, as leading opponents of the proposition.

The convention scarcely had begun before Henry established the broad spread of argument. He did not propose to abide by any parliamentary decision to debate one clause at a time. Before the convention in Philadelphia the previous summer, said Henry, a general peace and a universal tranquillity had prevailed. Now he was "extremely uneasy at the proposed change of government." He swept the room with a cold eye: "Be extremely cautious, watchful, jealous of your liberty. Instead of securing your rights, you may lose them forever."

George Mason came to his side. He charged that the new Constitution would create "a national government, and no longer a confederation." He especially denounced the authority proposed in the general government to levy direct taxes. This power, being at the discretion of Congress and unconfined, "and without any kind of control, must carry everything before it." "The idea of a consolidated government," he said, "is totally subversive of every principle which has hitherto governed us. This power is calculated to annihilate totally the State governments. * * * These two concurrent powers cannot exist long together; the one will destroy the other; the general government, being paramount to and in every respect more powerful than the State governments, the latter must give way to the former."

Then Mason voiced the argument that is as applicable in the mid-20th century as it was toward the end of the 18th:

"Is it to be supposed that one national government will suit so extensive a country, embracing so many climates, and containing inhabitants so very different in manners, habits, and customs? It is ascertained, by history, that there never was a government over a very extensive country without destroying the liberties of the people. * * * Popular governments can only exist in small territories."

On Thursday, June 5, Pendleton undertook to respond to Henry and to Mason. Was the proposed government, he inquired, truly a consolidated government? Of course not. "If this be such a government, I will confess, with my worthy friend, that it is inadmissible. * * *" The proposed Federal Government, he said, "extends to the general purposes of the Union. It does not intermeddle with the local, particular affairs of the States. * * * It is the interest of the Federal to preserve the State governments; upon the latter the existence of the former depends. * * * I wonder how any gentleman, reflecting on the subject, could have conceived an idea of the possibility of the latter."

Henry conceived it. He conceived it very clearly. The proposed Constitution, he felt, was "extremely pernicious, impolitic and dangerous." He saw no jeopardy to the people in the Articles of Confederation; he saw great jeopardy in this new Constitution. And he had this to say:

"We are descended from a people whose government was founded on liberty: Our glorious forefathers of Great Britain made liberty the foundation of every thing. That country is become a great, mighty, and splendid nation; not because their government is strong and energetic, but, sir, because liberty is its direct end and foundation. We drew the spirit of liberty from our British ancestors: By that spirit we have triumphed over every difficulty. But now, sir, the American spirit, assisted by the ropes and chains of consolidation, is about to convert this country into a powerful and mighty empire. If you make the citizens of this country agree to become the subjects of one great consolidated empire of America, your government will not have sufficient energy to keep them together. Such a government is incompatible with the genius of republicanism."

And note this prophetic observation:

"There will be no checks, no real balances, in this government. What can avail your specious, imaginary balances, your rope-dancing, chain-rattling, ridiculous ideal checks and contrivances?"

What indeed? What have these ideal checks and balances availed the States in the 20th century? Henry saw the empty prospect: "This Constitution is said to have beautiful features; but when I come to examine these features, sir, they appear to me horribly frightful. Among other deformities, it has an awful squinting; it squints toward monarchy; and does not this raise indignation in the breast of every true American?"

It was monarchy, per se, that Henry foresaw. And it was despotism at the hands of a general government that he feared.

"What are your checks in this Government?" he kept asking.

No one ever answered him accurately, though half a dozen members of the Convention undertook to refute Henry and to allay his apprehensions. Randolph, replying to the objection that the country soon would be too large for effective government from the capital, commented that "no extent on earth seems to me too great," but he added, "provided the laws be wisely made and executed." It has proved to be a large qualification.

Madison also responded to Henry's general objection that the liberty of the people was in danger: "Since the general civilization of mankind," he said, "I believe there are more instances of the abridgment of the freedom of the people by gradual and silent encroachments of those in power, than by violent and sudden usurpations."

Follow closely what Madison had to say next. He is expounding the relationship of the State and Federal Governments as he, above all men, understood it:

"Give me leave to say something of the nature of the Government. * * * There are a number of opinions; but the principal question is, whether it be a federal or consolidated government. In order to judge properly of the question before us, we must consider it minutely in its principal parts. I conceive myself that it is of a mixed nature; it is in a manner unprecedented; we cannot find one express example in the experience of the world. It stands by itself. In some respects it is a government of a federal nature; in others it is of a consolidated nature. * * * Who are parties to it?"

Note this, especially; it was quoted earlier but it bears repetition:

"The people—but not the people as composing one great body; but the people as composing 13 sovereignties."

Francis Corbin, one of the ablest political students of his time, then joined Madison in soothing the growing fear that the Federal Government might one day absorb the State Governments. "The powers of the General Government," he said, "are only of a general nature, and their object is to protect, defend, and strengthen the United States; but the internal administration of government is left to the State legislatures, who exclusively retain such powers as will give the States the advantages of small republics, without the danger commonly attendant on the weakness of such governments."

Henry, undaunted, straightened his red wig and returned to the debate. "That government is no more than a choice among evils," he remarked, "is acknowledged by the most intelligent among mankind, and has been a standing maxim for ages." He could not accept the idea that this new government would be "a mighty benefit to us."

"Sir, I am made of so incredulous materials, that assertions and declarations do not satisfy me. I must be convinced, sir. I shall retain my infidelity on that subject till I see our liberties secured in a manner perfectly satisfactory to my understanding."

This exchange occurred on Friday, June 16. The following Monday, Henry renewed his assault:

"A number of characters, of the greatest eminence in this country, object to this government for its consolidating tendency. This is not imaginary. It is a formidable reality. If consolidation proves to be as mischievous to this country as it has been to other countries, what will the poor inhabitants of this country do? This government will operate like an ambuscade. It will destroy the State governments, and swallow the liberties of the people, without giving previous notice."

Madison came back with fresh replies and new remonstrances. The States were safely protected, he assured the Virginia convention. And renewing the arguments he had advanced in the Federalist, "There will be an irresistible bias toward the State governments." It was utterly improbable—almost impossible—that the Federal Government ever would encroach upon the States. "The means of influence consist in having the disposal of gifts and emoluments, and in the number of persons employed by and dependent upon a government. Will any gentleman compare the number of persons which will be employed in the General Government with the number of those which will be in the State governments? The number of dependents upon the State governments will be infinitely greater than those on the General Government. I may say, with truth, that there never was a more economical government in any age or country, nor which will require fewer hands, or give less influence."

Pendleton again gained the floor to tackle Henry's objection. We are told, he said, "that there will be a war between the two bodies equally our representatives, and that the State government will be destroyed, and consolidated into the General Government. I stated before, that this could not be so. The two governments act in different manners, and for different purposes—the General Government in great national concerns, in which we are interested in common with other members of the Union; the State legislature in our mere local concerns. * * * Our dearest rights—life, liberty and property—as Virginians, are still in the hands of our State legislature."

Patrick Henry remained unconvinced. His opinion and Madison's were "diametrically opposite." The mild-mannered Madison said the States would prevail. Henry, a dramatic and eloquent speaker, feared the Federal Government would prevail. Bring forth the Federal allurements, he cried, "and compare them with the poor, contemptible things that the State legislatures can bring forth. * * * There are rich, fat, Federal emoluments. Your rich, smug, fine, fat, Federal officers—the number of collectors of taxes and excises—will outnumber anything from the States. Who can cope with the excise man and the tax men?"

Henry did not imagine that the dual governments could be kept each within its proper orbit. "I assert that there is danger of interference," he remarked, "because no line is drawn between the powers of the two governments, in many instances; and where there is a line, there is no check to prevent the one from encroaching upon the powers of the other. I therefore contend that they must interfere, and that this interference must subvert the State government as being less powerful. Unless your government have checks, it must inevitably terminate in the destruction of your privileges."

William Grayson, burly veteran of the Revolution, was another member of the Virginia convention who clearly perceived the absence of effective checks and balances. "Power ought to have such checks and limitations," he said, "as to prevent bad men from abusing it. It ought to be granted on a supposition that men will be bad; for it may be eventually so."

Grayson was here discussing his apprehensions toward the powers vested by article III in the Supreme Court of the United States. "This Court," he protested, "has more power than any court under heaven." The Court's appellate jurisdiction, especially, aroused his alarm: "What has it in view, unless to subvert the State governments?"

Mr. President, only in the past few months this Court rendered a decision which struck down the sedition statutes in 48 States and two Territories, merely because the Federal Government had a statute on sedition. The Supreme Court held that because of that fact, the Federal Government had preempted the whole field, and struck down the State statutes on sedition. Sedition means overthrowing the Government. That is the practical effect of it.

Steve Nelson, in Pennsylvania, was convicted under Pennsylvania law. He appealed his case to the United States Supreme Court, and the Court turned him loose, on the ground that when the Federal sedition statute was enacted, that statute preempted the field. Thus it struck down all the State statutes on the subject. Forty-two States and two Territories had statutes on the subject.

Judge Howard Smith in the House, who was the author of the bill, said there was no such intention on his part when he introduced the bill. There was even a provision in the bill that the State laws should not be affected. Yet the Supreme Court struck down the sedition statutes in 42 States and two Territories. Nine men overruled the legislatures of 42 States, and would have overruled the supreme courts in 42 States if their statutes had been tested.

In New York a man named Slochower was employed by the City College of New York. The charter of the City College provides that if any schoolteacher takes refuge behind the fifth amendment, upon being asked by an official body about his Communist connections, he shall be automatically dismissed. He was questioned by an official body. He was automatically dismissed. But what happened? The Supreme Court reinstated him in his job. City College of New York cannot control its own faculty because of these nine men in Washington. Forty-eight State legislatures cannot have sedition statutes because of these nine men in Washington.

Out in New Mexico a man applied for membership in the bar. A similar situation occurred in California. One of the men was admittedly a former Communist. The bar did not want him to become a member. Certainly the bar board should have discretion enough to determine whether a man had the character to be admitted. The board turned him down.

In the other case the man refused to answer questions about his Communist connections. Both of those men—one a former Communist, the other tied in with the Communists—were refused licenses to practice law, one in New Mexico and the other in California. But the nine men comprising the Supreme Court ordered those boards to give the applicants their licenses.

Also, in California there were 14 Communists convicted of actually organizing Communist cells. They were preaching the doctrine of communism. They were convicted in the California court. The case was appealed to the United States Supreme Court. What did that Court do? It turned five of them loose and gave the other nine a new trial. It virtually held, in fact, that one can preach communism all he wants to. So long as the organizing does not begin until a future day, it will be all right. In other words, there would have to be action to put it into effect immediately under the holding of the Court.

How are we going to protect this Government? How is the FBI going to protect it? How are the people of California going to protect it when they catch people who are actually organizing Communist cells and who are advocating communism and preaching communism, and then the Supreme Court turns them loose, laying down a dangerous doctrine—and it is a dangerous doctrine to which I just referred.

Then there is the Watkins case, Mr. President, which has hampered investigations by the Congress. The Supreme Court handed down a decision after Watkins had been convicted of contempt and turned him loose. The Court, in effect, held that a member of the counsel or someone who wanted to ask questions would have to explain the questions to the witness. A smart witness would never admit he understood or comprehended what was meant.

In the city of Washington, Mr. President, one of the most dangerous decisions, I think, that has ever been handed down involved the man Mallory, who raped a white woman. He was caught the next day. He was caught about 2 o'clock. Along about 8 or 9 o'clock he was given a lie-detector test, and he confessed the crime and admitted that he raped the white woman. The officers could not get hold of the United States Commissioner that night, and had to wait until the next morning, about 9 o'clock. They held the admitted criminal from about 2 o'clock one day to 9 o'clock the next day, and in the meantime he gave a confession to the police in Washington. He was tried, convicted, and sentenced to death. He had confessed his crime. But the case was appealed to the Supreme Court. What did those nine men do with it? They reversed the decision and said the police had held the man too long.

What is going to happen in this Nation if police officers cannot hold criminals from 2 o'clock one day to 9 o'clock the next day, especially when those criminals have confessed to their crimes?

Heretofore in judicial administration there has been no particular time fixed. A person could be held a reasonable time before arraignment. Under this decision the man would have to confess at just about the time he was arrested, because the Supreme Court held that after he is arrested he is under coercion; and because he was held that short time the Supreme Court reversed the case, and the district attorney said there would not be any use to try it again; that the evidence depended on the confession.

As a result of that case, the Chief of Police in Washington said it would be very difficult to apprehend and detect criminals and arrest them hereafter and be able to make the evidence stand up in court. He called it a terrible handicap to law enforcement in such cases.

Mr. President, there are other decisions the Supreme Court has handed down about which I should like to tell the Senate. The Court seems to get its greatest delight out of turning loose Communists.

The record is disgraceful. The FBI, the law-enforcement agencies, police officers chase down Communists and narcotic people—and they are hard to catch. Then the Supreme Court reverses decisions and turns them loose and they walk the streets, as did the confessed rapist who was sentenced on his own confession. It is a disgrace to this Nation.

Mr. President, I still think this compromise bill is unconstitutional, but with the present Supreme Court no one can predict what they will do about it.

It was John Marshall, who 15 years later would do so much to justify Mason's apprehensions, who undertook to allay his fears now. The Federal Government, he insisted, certainly would not have the power "to make laws on every subject." Could Members of the Congress make laws affecting the transfer of property, or contracts, or claims, between citizens of the same State?

"Can they go beyond the delegated powers? If they were to make a law not warranted by any of the powers enumerated, it would be considered by the judges as an infringement of the Constitution which they are to guard. They would not consider such a law as coming under their jurisdiction. They would declare it void."

Marshall saw no danger to the States from decrees of the Supreme Court: "I hope that no gentleman will think that a State will be called at the bar of the Federal court. * * * It is not rational to suppose that the sovereign power should be dragged before a court."

Madison, Monroe, and others joined Marshall in defending the third article. Their debate was long and detailed. Much of it was concerned with questions of pleading and practice. But after several days, they went on to other aspects of the Constitution: The prospect of judicial despotism was recognized by the few, and denied by the many.

7. THE STATES RATIFY

In the end, Virginia ratified. It was a close vote. A motion to postpone ratification until amendments, in the nature of a bill of rights, could be considered by "the other States in the American confederacy," failed by 88 to 80. Then the main question was put, and this was what Virginia agreed to. It merits careful reading:

"We, the delegates of the people of Virginia, * * * having fully and freely investigated and discussed the proceedings of the Federal Convention, and being prepared, as well as the most mature deliberation hath enabled us, to decide thereon, do, in the name and in behalf of the people of Virginia, declare and make known, that the powers granted under the Constitution, being derived from the people of the United States, be resumed by them whensoever the same shall be perverted to their injury or oppression, and that every power, not granted thereby, remains with them, and at their will; that, therefore, no right, of any denomination, can be canceled, abridged, restrained, or modified, by the Congress, by the Senate or House of Representatives, acting in any capacity, by the President, or any department or officer of the United States, except in those instances in which power is given by the Constitution for those purposes; and that, among other essential rights, the liberty of conscience and of the press cannot be canceled, abridged, restrained, or modified, by any authority of the United States."

The vote on that main question was 89 to 79, but even that narrow margin of approval was predicated upon a gentlemen's agreement that the Virginia convention would recommend a number of amendments, in the form of a Bill of Rights, to be presented to the first Congress. And the first of these recommended amendments reads: "That each State in the Union shall respectively retain every power, jurisdiction, and right, which is not by this Constitution delegated to the Congress of the United States, or to the departments of the Federal Government."

By the time Virginia completed ratification, of course her decision no longer carried compelling importance. The Virginia convention had opened on June 2, not quite 2 weeks after South Carolina, on May 23, had become the eighth State to ratify. But while the Virginians were debating the issue, New Hampshire, on June 21, had become No. 9: The new union had been formed, and the Constitution had become binding upon the nine States "ratifying the same." It has ever been Virginia's fate to make the right decisions, but to put off making them as long as possible.

In this consideration of State and Federal relationships, there is something to be learned from the other resolutions of ratification. The easy ones came first: Delaware came first, on December 7, 1787, "fully, freely, and entirely" approving and assenting to the Constitution; and then, in quick succession, Pennsylvania on December 12, after a bitter fight; New Jersey on December 18, and Georgia—Georgians had not even read the Constitution—on January 2, 1788. Connecticut followed a week later, with a comfortable vote of 128 to 40.

Then a month's hiatus set in. Massachusetts did not become No. 6 until February 7, and her approval of this "explicit and solemn compact" was not unqualified:

"It is the opinion of this convention that certain amendments and alterations in the said Constitution would remove the fears and quiet the apprehensions of many of the good people of this commonwealth, and more effectually guard against an undue administration of the Federal Government."

It will come as no surprise that the very first amendment recommended by Massachusetts was "that it be explicitly declared that all powers not expressly delegated by the aforesaid Constitution are reserved to the several States to be by them exercised."

Two months later, on April 28, Maryland ratified. Then there was another lapse of nearly a month before South Carolina, on May 23, became No. 8. South Carolina accompanied her resolution of ratification with a pointed statement that she considered it essential "to the preservation of the rights reserved to the several States" and for the freedom of the people, that the State's right to prescribe the manner, time, and places of Congressional elections "be forever inseparably annexed to the sovereignty of the several States." Then South Carolina added:

"This convention doth also declare that no section or paragraph of the said Constitution warrants a construction that the

> States do not retain every power not expressly relinquished by them and vested in the General Government of the Union."
>
> New Hampshire, in voting its approval on June 21, closely paralleled the action of Massachusetts, but New Hampshire's declaration as to reserved powers was even more explicit. The people of New Hampshire wanted it understood that all powers not "expressly and particularly delegated" were reserved.

Mr. LANGER. Mr. President, will the Senator from South Carolina yield for a question?

Mr. THURMOND. I am pleased to yield.

Mr. LANGER. Was the action of the South Carolina convention unanimous? [Laughter.]

Mr. THURMOND. I do not recall, from reading the history of that matter, whether it was unanimous or not. The action of the South Carolina convention was not unanimous when it acted on the question of adopting the resolution of ratification for the admission of South Carolina to the Union. South Carolina was the eighth State to be admitted to the Union. New Hampshire was the ninth. New Hampshire's action resulted in the formation of the Union; ratification by nine States was required in order to form the Union.

After that, Massachusetts, New York, North Carolina, and Rhode Island ratified the Constitution and became members of the Union.

Mr. LANGER. I thank the Senator from South Carolina.

Mr. THURMOND. I am not sure whether the action by the South Carolina convention was unanimous or not.

Mr. LANGER. I know the Senator from South Carolina, who has been a very distinguished governor of his State, is very well informed in regard to such matters.

Mr. THURMOND. As stated in the book, The Sovereign States—

> South Carolina accompanied her resolution of ratification with a pointed statement that she considered it essential "to the preservation of the rights reserved to the several States" and for the freedom of the people, that the State's right to prescribe the manner, time, and places of Congressional elections "be forever inseparably annexed to the sovereignty of the several States."

Then South Carolina added:

> "This convention doth also declare that no section or paragraph of the said Constitution warrants a construction that the States do not retain every power not expressly relinquished by them and vested in the General Government of the Union.

I construe that declaration to be part of the resolution of ratification, which was not adopted unanimously.

Mr. LANGER. I thank the distinguished Senator from South Carolina.

Mr. THURMOND. I have been glad, Mr. President, to have the Senator from North Dakota ask these questions.

Mr. President, a few years ago, when I was a young State senator, I made a commencement address in another county, about 40 miles from my home. The commencement was held in a long school building in which the acoustics were very bad. People in the rear could not hear, and looked as if they were going to sleep—and maybe they were. So I raised my voice, and said, "Ladies and gentlemen, I want you to know that I am speaking for the future citizens of South Carolina." By raising my voice, I woke up the people in the rear of the room; and one fellow rose up, shook his head, and said, "Well, brother, if you speak much longer, they will soon be here, too." [Laughter.]

Mr. President, I feel so good that I believe I could speak quite a long time. [Laughter.]

Mr. President, I felt it my duty to make sure that I had not failed to exert every effort to emphasize the dangers of this bill.

I began speaking at 8:50 last night. It is now 5 minutes after 9. I shall conclude my remarks in a very few minutes.

Mr. President, in closing, I desire to remind the Senate that every State in the Nation has laws to protect the right to vote; and the Federal Government has a statute which protects the right to vote. In my opinion, Mr. President, this bill is unconstitutional, for the reasons I have stated during this debate.

This so-called compromise, which came to the Senate from the House of Representatives, permits a Federal judge to decide whether he will try one who is charged with criminal contempt, or whether he will permit him to be tried by a jury. The bill further provides a Federal judge with the discretionary power—if he does not try the person, without a jury—to decide what punishment he will impose. If he imposes a fine greater than $300 or imprisonment for more than 45 days, the defendant can then demand a jury trial. That process could result in two trials in the case of a defendant charged with criminal contempt. I believe that would be unconstitutional. Under our system of jurisprudence, a man can never be put in jeopardy more than once for the same offense. Furthermore, if a judge should find such a person guilty, as a result of the first trial, we can realize what effect that would have on the jury which would be used in the second trial.

Mr. President, I should like to remind the Senate of the decision I have cited today, which holds that criminal contempt is a crime. That decision says criminal contempt is a crime. The Constitution says a man charged with a crime is entitled to a jury trial. The Constitution makes no exceptions.

The pending bill, which has come to the Senate from the House of Representatives, has now been amended in such a way that it could not conform to the Constitution.

Mr. President, in spite of the great amount of debate and discussion which previously have taken place on the subject of House bill 6127, I felt that this bill was of such importance to the citizens of the United States that it was my duty to make sure that I had not failed to exert every effort again to emphasize the dangers of the bill. I have spoken several times on it before.

Mr. President, I wish to say that my action was taken entirely on my own volition. I believe that every Senator must follow the dictates of his own conscience, in connection with such matters. I do not believe that the action of any other Senator should be judged according to the action I have taken.

Mr. President, if I have helped to bring home to the American people, the citizens of this Nation, the heartfelt conviction which I hold, namely, that this bill is unwise, unnecessary, and unconstitutional, then I shall have done what I believe to be my duty.

I should like to believe that some have been convinced by my arguments, and that my arguments have been accepted on the basis on which I intended them to be accepted—as arguments against what I am convinced is bad proposed legislation, proposed legislation which never should have been introduced, and which never should be approved by the Senate.

Mr. President, I urge every Member of this body to consider this bill most carefully. I hope the Senate will see fit to kill it.

I expect to vote against the bill. [Laughter.]

Mr. President, I wish to extend my sincerest gratitude to the officials of the Senate, to those who have come in to listen to this debate, to the various Senators who have listened to this debate from time to time; to the clerks and the attachés, and to all who did everything they could to make me as comfortable as possible during the 24 hours and 22 minutes I have spoken.

Mr. President, I am deeply grateful for these courtesies, and again I want to thank the Presiding Officer and the others for their courtesies extended to me, and with this I now give up the floor, and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the order for the rollcall be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATOR FROM WISCONSIN

At 1 o'clock and 5 minutes p. m. Thursday, August 29, 1957, Mr. JOHNSON of Texas said: Mr. President, will the Senator from South Carolina yield to me?

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from Texas?

Mr. THURMOND. I yield for a question.

Mr. JOHNSON of Texas. Mr. President, will the Senator from South Carolina yield to me, in accordance with the agreement previously reached, under the conditions previously stated, so the Senator-elect from Wisconsin may present himself?

Mr. THURMOND. I yield in accordance with that agreement.

Mr. JOHNSON of Texas. Mr. President, the Senator-elect, Mr. WILLIAM PROXMIRE, of the State of Wisconsin, comes to the Senate today with an overwhelming mandate from the people of Wisconsin. His victory represents the unity which has been achieved in every part of the State, by people from every walk of life.

Mr. President, we are very happy to welcome the Senator-elect from Wisconsin and the entire State of Wisconsin into the ranks of the Senate majority.

Pursuant to the consent previously given, I ask unanimous consent that it now be in order for the Senator-elect to proceed to the desk and to have the oath of office administered, immediately following the conclusion of the reading of the two telegrams which are at the desk, one being from the board of State canvassers, and the other being from the Governor of Wisconsin.

The **VICE PRESIDENT.** Without objection, it is so ordered.

The telegrams will now be read.

The telegrams were read, as follows:

MADISON, WIS.,
August 28, 1957, 2:07 p. m.
Hon. FELTON M. JOHNSTON,
Secretary of the United States Senate,
Capitol Building, Washington, D. C.:

On the basis of unofficial returns of the vote cast August 27, 1957, for United States Senator, Mr. WILLIAM PROXMIRE is the United States Senator-elect from Wisconsin for the residue of the unexpired term ending January 3, 1959, official certificate of election will follow upon completion of official canvass of vote cast.

STEWART G. HONECK,
Attorney General,
WARREN R. SMITH,
State Treasurer,
Members of the Board of State Canvassers.

MADISON, WIS.,
August 29, 1957, 9:54 a. m.
Hon. FELTON M. JOHNSTON,
Secretary of the United States Senate,
Capitol Building, Washington, D. C.:

Unofficial election returns show WILLIAM PROXMIRE elected to the United States Senate for the balance of the term expiring January 3, 1959. Request no delay in swearing in Wisconsin's newly elected Senator. Upon receipt of official canvass I, as transmitting officer, will promptly forward official return.

VERNON W. THOMSON,
Governor, State of Wisconsin.

The **VICE PRESIDENT.** If the Senator-elect from Wisconsin will come to the desk, the oath of office will be administered to him.

Mr. **PROXMIRE**, escorted by Mr. WILEY, advanced to the desk; and the oath of office prescribed by law was administered to him by the Vice President.

[Applause on the floor and in the galleries.]

The Senator-elect thereupon subscribed to the oath in the official oath book.

Mr. **THURMOND.** Mr. President, I should like to ask unanimous consent for leave to speak to the new Senator without my losing the floor.

Mr. **KNOWLAND.** I did not hear the Senator's request for unanimous consent.

Mr. **THURMOND.** I ask unanimous consent for leave to speak to the new Senator, without my losing the floor, and without having another speech being counted against me.

Mr. **KNOWLAND.** I have no objection.

Thereupon Mr. THURMOND greeted the new Senator from Wisconsin.

Mr. **THURMOND.** Mr. President, may we have order, please?

CIVIL-RIGHTS ACT OF 1957

The Senate resumed the consideration of the amendment of the House of Representatives to Senate amendments Nos. seven and 15 to the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

Mr. **ELLENDER.** Mr. President, this morning I was aroused to come to the Senate at 10 o'clock to make the short speech I have to deliver. I have been sitting in my place now for 11 hours and 45 minutes awaiting my opportunity. While I am on my feet I wish to compliment the distinguished junior Senator from South Carolina [Mr. THURMOND] for his great feat of endurance. I know what an ordeal he went through. I wish to say that I held title of the longest filibuster for about 2 or 3 years until another idiot, in the person of the senior Senator from Oregon [Mr. MORSE] beat my record. [Laughter.]

But there is one record I hold which I do not believe anyone will ever exceed. It was established about a year after I became a Member of the Senate over 19 years ago, and I was successful in holding the floor for 6 successive days by unanimous consent, and speaking from 6 to 8 hours. So I know the ordeal through which my good friend from South Carolina went in the 24 hours he spoke.

Mr. President, I am opposed to the so-called compromise of H. R. 6127. As I have stated previously, the entire concept of the measure is repugnant to our Constitution and the separation of Federal and State powers provided under that Constitution. The bill, as it passed the Senate, was opposed by me and by a number of other Senators because it permits unwarranted and unjustified interference by the Federal Government of one of the most basic rights of the States, the right to fix qualifications of voters without interference from the Central Government. I am still opposed to it for that reason. Moreover, it still involves the creation of a super grand jury with nationwide jurisdiction, authorized and empowered to rove at will over the length and breadth of our country ferreting ways and means of injecting the heavy hand of the Federal judiciary into the electoral processes of our States.

But, Mr. President, the Senate bill provided one important safeguard against the exercise of tyrannical power by the Attorney General and the Federal judiciary: The right to trial by jury in all cases arising under it.

The Senate adopted the jury trial amendment by a substantial margin. Senators favoring it made logical and well-reasoned speeches urging its adoption. The Senate was convinced that guaranteeing trial by jury to all persons charged with what amounts to a criminal offense was the only proper thing to do.

Now, in the closing hours of this session of Congress, a small group of willful men in the House of Representatives, led by persons who have only minute numbers of Negroes in their Congressional districts, have determined to play politics once again with the so-called right-to-vote bill.

They, along with some Members of this body, have evidently forgotten the admonition of the distinguished junior Senator from Wyoming [Mr. O'MAHONEY], myself and others who warned that the Nation cannot afford to sacrifice the basic right of trial by jury in order to allegedly further safeguard another right, the right to vote.

I make that statement, Mr. President, because the jury trial amendment has not only been compromised, it has been brutally raped and almost nullified. The entire Constitution has been seduced and subverted by the sanctimonious sabotage of self-seeking pressure groups.

The Senate demonstrated, by voting overwhelmingly to adopt the jury trial amendment, that the right to trial by jury must remain equal to and as important as, the right to vote.

The so-called compromise amendment adopted by the House provides for jury trial as a matter of right only if the penalty to be imposed exceeds 45 days in jail or a fine of $300. This appears to be not only acceptable, but actually pleasing, to the so-called liberals in Congress.

Is it not strange now, Mr. President, that the very same Members of the Congress who cry in one breath that we must not encumber the right to vote with dollar qualifications, such as the poll tax, are now clamoring for and supporting an amendment which places a dollar value on jury trials?

This compromise is an abomination for no other reason than it puts a price tag on the right of trial by jury.

Of course, some of the membership of the other body would have our people believe that the alleged compromise merely brings the jury-trial feature of this bill into line with a District of Columbia law. This is not only poppycock; it is foolishness.

Here is the District of Columbia law from which the compromise was patterned and with which the jury trial would be alined. It is found in section 616 of title 11 of the District of Columbia Code:

> Prosecutions in the police court shall be on information by the proper prosecuting officer. In all prosecutions within the Constitution of the United States, the accused would be entitled to a jury trial, the trial shall be by jury, unless the accused shall in open court expressly waive such trial by jury and request to be tried by the judge, in which case the trial shall be by such judge, and the judgment and sentence shall have the same force and effect in all respects as if the same had been entered and pronounced upon the verdict of a jury.
>
> In all cases where the accused would not by force of the Constitution of the United States be entitled to a trial by jury, the trial shall be by the court without a jury, unless in such of said last-named cases wherein the fine or penalty may be more than $300, or imprisonment as punishment for the offense may be more than 90 days, the accused shall demand a trial by jury, in which case the trial shall be by jury. In all cases where the said court shall impose a fine it may, in default of the payment of the fine imposed, commit the defendant for such a term as the court thinks right and proper, not to exceed 1 year. (June 17, 1870, 16 Stat. 153, ch. 133; Mar. 3, 1891, 26 Stat. 848, ch.

> 536; Mar. 3, 1901, 31 Stat. 1196, ch. 854, Sec. 44; Mar. 3, 1925, 43 Stat. 1120, ch. 443, sec. 4.)

Senators will note that this language is confined to prosecutions before the police court of the District of Columbia. The police court, incidentally, became part of the municipal court in 1942 under the Consolidation Act.

With this in mind, let us look at the jurisdiction of the police court, now part of the municipal court. Section 602 of title 11 of the District of Columbia Code enunciates that jurisdiction. It reads as follows:

> The said court shall have original jurisdiction concurrently with the District Court of the United States for the District of Columbia, except where otherwise expressly herein provided, of all crimes and offenses committed in the said District not capital or otherwise infamous and not punishable by imprisonment in the penitentiary, except libel, conspiracy, and violation of the post-office and pension laws of the United States; and also of all offenses against municipal ordinances and regulations in force in the District of Columbia. The said court shall also have power to examine and commit or hold to bail, either for trial or further examination, in all cases, whether cognizable therein or in the District Court of the United States for the District of Columbia. (June 17, 1870, 16 Stat. 153, ch. 133; Mar. 3, 1891, 26 Stat. 848, ch. 536; Mar. 3, 1901, 31 Stat. 1196, ch. 854, sec. 43.) (District of Columbia Code.)

In other words, Mr. President, by adopting the so-called jury-trial compromise, the pattern of jury trials in contempt cases before Federal district courts has been cut from the same cloth as I have heretofore stated as that covering trials in the District of Columbia police court, now part of the District's municipal court system.

During initial Senate debate on this bill, I warned that one of its byproducts would be the conversion of our Federal district courts into police courts. Evidently proponents of this legislation have now come into agreement with me, in a somewhat devious fashion. I might suggest, however, that instead of adopting an amendment which would reduce our Federal district courts to the same level as the old police court of the District of Columbia, it would be wise and more prudent to elevate the District's police court, now part of the municipal court, to the same level as the district courts insofar as jury trials are concerned.

It is also interesting to note, Mr. President, that those who so magnanimously declare that the new language merely brings policy governing jury trials under the pending bill in line with Congressional policy governing the District of Columbia, overlook one important fact. The trials which the new language would govern in this bill would be conducted by district courts. The policy in the District of Columbia, to which I have referred, controls only the actions of the District of Columbia municipal courts, not the United States District Court for the District of Columbia. Thus, once again, we have concrete proof that the amendment drags our Federal district courts down to the same level as the municipal court of the District of Columbia insofar as trial by jury is concerned.

I remind Senators that the only reason jury trials are not guaranteed in some proceedings before the District of Columbia municipal court is because that court has jurisdiction only over a limited number of offenses, all of which are of minor significance, such as violations of traffic regulations.

The reason why such minor infractions as these are not within the classes of offenses for which trial by jury is guaranteed under the Constitution is not complex—it has its roots in the English common-law tradition that petty criminal acts were not triable before a jury.

Thus, it appears to me that the liberals have impaled themselves upon the horns of a dilemma in this regard. They state on one hand that the right to vote is so basic, so precious, that it must be protected at any cost. Hence, it must follow logically that a violation of that right is a criminal act of a serious nature. Yet, the Senate is almost being horsewhipped into following a jury-trial precedent which has its only applicability in one area of the law—that covering minor, petty offenses.

Is it not illogical, Mr. President, for the Senate to plunge headlong into the adoption of this obnoxious legislation under the prodding of those who claim that violation of the right to vote is a heinous act, yet, when we seek to erect basic safeguards against persons accused of perpetrating such vile deeds, we are told that those safeguards are not necessary because they do not apply to the minor crimes within the jurisdiction of the District of Columbia's police court?

Let those who demand this compromise version decide whether this bill is fish or fowl.

If the right to vote is so basic that it must be protected as the measure before us proposes, then an act violating that right is a serious offense, and an accused should be accorded the right of trial by jury.

On the other hand, if the right to vote is to be relegated to the minor types of offenses within the jurisdiction of the District of Columbia police court, where there is no jury trial as a matter of right unless penalties imposed exceed certain dollar limits, then it is nothing less than constitutional larceny for the Senate to rob the States of their right to fix voter qualifications, under the guise of protecting the right to vote.

I would remind Senators again that the acts this bill would render punishable are not such that should be withdrawn from the protection of trial by jury. Senators will notice that one of the acts made grounds for seeking an injunction is a conspiracy to interfere with voting rights. Once an injunction issued, a conspiracy directed at that objective would be subject to punishment for contempt. In effect, the court could punish for conspiracy.

If the punishment meted out were less than the dollar limits or period of time recited in the pending bill, the accused would not be given a jury trial. Yet, in at least one case, the Supreme Court has ruled that the crime of conspiracy is an infamous crime within the meaning of the sixth amendment, and that an attempt to punish a conspiracy without trial by jury—no matter what the degree of punishment might be—was a violation of the Constitution.

I refer Senators to the case of *Callan* v. *Wilson* (127 U. S. 540), decided in 1888. In that case, several residents of the District of Columbia were charged with conspiring to deprive certain musicians of work by threatening to suspend them from a musicians union unless they paid their dues. The accused were convicted in the District of Columbia police court without a jury and fined $25. The petitioner, Callan, brought habeas corpus proceedings, and lost in the lower courts. However, he perfected an appeal to the Supreme Court of the United States, claiming that the provision of District of Columbia law dispensing with a jury trial in prosecutions by an information before the District of Columbia police court were unconstitutional, and that he was being wrongfully detained.

In finding for Callan and ordering his discharge from custody, the Supreme Court of the United States, speaking through Mr. Justice Harlan, said:

> Without further reference to the authorities, and conceding, that there is a class of petty or minor offenses, not usually embraced in public criminal statutes and not of the class or grade triable at common law by a jury, and which, if committed in this District, may, under the authority of Congress, be tried by the court and without a jury, we are of opinion that the offense with which the appellant is charged does not belong to that class. A conspiracy such as is charged against him and his codefendants is by no means a petty or trivial offense (*Callan* v. *Wilson,* supra, at 555).

Later, the Court added:

> These authorities are sufficient to show the nature of the crime of conspiracy at common law. It is an offense of a grave character, affecting the public at large, and we are unable to hold that a person charged with having committed it in this District is not entitled to a jury, when put upon his trial. The jurisdiction of the police court, as defined by existing statutes, does not extend to the trial of infamous crimes or offenses punishable by imprisonment in the penitentiary. But the argument, made in behalf of the Government, implies that if Congress should provide the police court with a grand jury, and authorize that court to try, without a petit jury, all persons indicted, even for crimes punishable by confinement in the penitentiary, such legislation would not be an invasion of the constitutional right of trial by jury, provided the accused, after being tried and sentenced in the police court, is given an unobstructed right of appeal to, and trial by jury in, another court to which the case may be taken. We cannot assent to that interpretation of the Constitution.
>
> SYLLABUS
>
> Except in that class or grade of offenses called petty offenses, which, according to the common law, may be proceeded against summarily in any tribunal legally constituted for that purpose, the guaranty of an impartial jury to the accused in a criminal prosecution, conducted either in the name, or by or under the authority of, the United States, secures to him the right to enjoy that mode of trial from the first moment, and in whatever court, he is put on trial for the offense charged. In such cases a judgment of conviction, not based upon a verdict of guilty by a jury, is void.
>
> To accord to the accused a right to be tried by a jury, in an appellate court, after

> he has been once fully tried otherwise than by a jury, in the court of original jurisdiction, and sentenced to pay a fine or be imprisoned for not paying it, does not satisfy the requirements of the Constitution. When, therefore, the appellant was brought before the Supreme Court of the District, and the fact was disclosed that he had been adjudged guilty of the crime of conspiracy charged in the information in this case, without ever having been tried by a jury, he should have been restored to his liberty (*Callan* v. *Wilson*, supra, at 556–557).

In other words, Mr. President, in the case just cited, the Supreme Court of the United States held that a conspiracy was a crime of such magnitude that it could not be withdrawn from the protection of trial by jury, even though the dollar amount of the fine imposed was within the maximum stated in the statute governing the District of Columbia police court.

The Senate should also realize the burden the new language places upon an individual charged with violating one of the injunctions issued under the authority of this bill. Instead of having to undergo the expense and trouble of only one trial, a defendant would have to pay for and endure two.

This would result simply because, after hearing the evidence, the judge could decide to impose a penalty exceeding $300 or 45 days in jail. If he did, the defendant would be entitled, as a matter of right, to demand a new trial, with a jury. Thus, in order to obtain the right of jury trial, as compromised in the pending bill, a defendant would have to subject himself to another trial. In effect, he would have to agree to be tried twice for the same offense.

Lawyers do not try cases for charity, Mr. President. Court costs are frequently not insignificant. Besides, the personal anguish to a defendant in having to be tried twice, the expense of supporting two trials would be most burdensome, to say nothing of the loss of time to an accused involved under such a procedure.

It is my considered judgment, Mr. President, that the compromise bill is no compromise at all. Rather, it is an abject yielding by the Senate—which inserted the jury-trial requirements as a matter of basic principle—of its judgment to that of a very few—a small group of men who desire to use the constitutional rights of American citizens as steppingstones to the political plum tree.

I emphasize with all the strength I have that the Senate will have assisted, aided, and abetted, the perpetration of a monstrous civil wrong under the guise of protecting civil rights if it passes this bill. I plead with Senators to vote down the so-called House compromise, to stand firm on the jury-trial amendment approved by the Senate. Senators who supported the jury-trial amendment did so, I am convinced, because a matter of principle was involved. Yet, now we are being asked, if not almost compelled, to abandon this position of principle and to temper it on the anvil of the almighty dollar. If the Senate felt a few weeks ago that the right to trial by jury in cases arising under this bill should be guaranteed as a matter of principle, then how can we now agree to pervert that principle by tying it to a sum of money, or a length of time?

I am going to vote against this so-called compromise, and I urge all my colleagues to do likewise. My only regret is that the pressure for adjournment is so great that those of us who seriously, conscientiously, and for good cause oppose this bill cannot obtain sufficient time to discuss it in detail—to lay its faults bare before the bar of public opinion.

I have on my desk in my office a speech covering over 1,500 pages. I had planned to make it should the necessity arise. I think the occasion for its delivery has arrived, and I am ready and willing to begin delivering it. However, I am a realist, Mr. President. I have discussed this matter with a number of my colleagues and it is obvious that proponents of the bill, as it has been compromised, are so numerous that they are able, and also willing and anxious, to choke off debate by invoking cloture at the earliest moment. Under the circumstances, it would be a futile gesture to attempt to obtain sufficient time to properly present the ugly picture of this bill to the American people.

I warn those who have been hypnotized by the legislative snake charmers who advocate this alleged compromise that they are making a bed of thorns for themselves. I urge all Senators to vote against this bill.

ORDER OF BUSINESS

During the delivery of Mr. THURMOND's speech,

Mr. JOHNSON of Texas. Mr. President, will the Senator from South Carolina yield for a question?

Mr. THURMOND. I yield.

Mr. JOHNSON of Texas. Will the Senator yield under the same conditions under which he yielded earlier in the day, so that I may ask unanimous consent that the Senate concur in House amendments on minor bills, with the understanding that when he shall resume his remarks it shall not be counted as an extra speech on the part of the Senator, and with the further understanding that he shall not lose the floor?

Mr. THURMOND. I am pleased to yield with that understanding.

The PRESIDING OFFICER. The understanding of the Chair is that the request of the majority leader is that the Senator addressing the Senate be allowed to yield to him so that he may ask for action on minor bills, with the understanding that the Senator shall not lose his place on the floor. Is there objection? The Chair hears none.

FAVORING SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the concurrent resolution (S. Con. Res. 40) favoring the suspension of deportation in the cases of certain aliens, which was, on page 4, strike out line 8.

Mr. JOHNSON of Texas. Mr. President, on August 5, 1957, the Senate passed Senate Concurrent Resolution 40, to record Congressional approval of suspension of deportation in certain cases in which the Attorney General had suspended deportation for more than 6 months. Subsequent to this action, the Immigration and Naturalization Service requested that one case included in the concurrent resolution be deleted and returned to the jurisdiction of that service. On August 22, 1957, the House of Representatives passed Senate Concurrent Resolution 40, with an amendment to delete the one case.

The amendment is acceptable and I move that the Senate concur in the House amendment to Senate Concurrent Resolution 40.

The motion was agreed to.

LETIZIA MARIA ARINI

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1972) for the relief of Letizia Maria Arini, which were, on page 1, line 3, strike out "paragraph" and insert "paragraphs (9) and", and on page 1, line 9, strike out "paragraph" and insert "paragraphs."

Mr. JOHNSON of Texas. Mr. President, on August 5, 1957, the Senate passed S. 1972, to waive a ground of inadmissibility in behalf of the wife of a United States citizen. On August 22, 1957, the House of Representatives passed S. 1972, with amendments.

There is no objection to the amendments. I move that the Senate concur in the House amendments to S. 1972.

The motion was agreed to.

MRS. AHSAPET GAMITYAN

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1049) for the relief of Mrs. Ahsapet Gamityan, which was, to strike out all after the enacting clause and insert:

> That the Attorney General is authorized and directed to cancel any outstanding order and warrant of deportation, warrants of arrest, and bonds, which may have issued in the case of Mrs. Ahsapet Gamityan. From and after the date of the enactment of this act, the said Mrs. Ahsapet Gamityan shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

Mr. JOHNSON of Texas. Mr. President, on August 5, 1957, the Senate passed S. 1049, to grant the status of permanent residence in the United States to the beneficiary. On August 22, 1957, the House of Representatives passed S. 1049, with an amendment to merely cancel outstanding deportation proceedings in behalf of the beneficiary.

The amendment is acceptable, and I move that the Senate concur in the House amendment to S. 1049.

The motion was agreed to.

DANIEL ALCIDE CHARLEBOIS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1271) for the relief of Daniel Alcide

Charlebois, which was to strike out all after the enacting clause and insert:

> That the Attorney General is authorized and directed to cancel any outstanding order and warrant of deportation, warrants of arrest, and bonds, which may have issued in the case of Daniel Alcide Charlebois. From and after the date of the enactment of this act, the said Daniel Alcide Charlebois shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

Mr. JOHNSON of Texas. Mr. President, on August 5, 1957, the Senate passed S. 1271, to grant the status of permanent residence in the United States to the beneficiary. On August 22, 1957, the House of Representatives passed S. 1271, with an amendment to merely cancel outstanding deportation proceedings in behalf of the beneficiary.

The amendment is acceptable, and I move that the Senate concur in the House amendment to S. 1271.

The motion was agreed to.

JUNKO MATSUOKA ECKRICH

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1321) for the relief of Junko Matsuoka Eckrich, which were, in line 3, strike out "paragraph" and insert "paragraphs (9) and", and in line 9, strike out "paragraph" and insert "paragraphs."

Mr. JOHNSON of Texas. Mr. President, on July 8, 1957, the Senate passed S. 1321, to waive a ground of inadmissibility in behalf of the wife of a United States citizen. On August 6, 1957, the House of Representatives passed S. 1321, with amendments to waive an additional ground for exclusion.

The amendments are acceptable, and I move that the Senate concur in the House amendments to S. 1321.

The motion was agreed to.

FAVORING SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the concurrent resolution (S. Con. Res. 41) favoring the suspension of deportation in the case of certain aliens, which were, on page 3, strike out line 4; on page 4, strike out line 5; on page 4, strike out line 12; on page 4, strike out line 15; and on page 4, strike out line 22.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate concur in the amendments of the House.

The motion was agreed to.

COMMITTEE MEETING DURING SENATE SESSION

During the delivery of Mr. THURMOND's speech,

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations be permitted to sit during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I make that same request for that committee for the remainder of the week.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMISSION TO COMMITTEES TO FILE REPORTS

During the delivery of Mr. THURMOND's speech,

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on Banking and Currency be permitted to file a report during the adjournment of the Senate summarizing its activities during the 85th Congress, 1st session.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. I also ask unanimous consent that during the recess of the Senate the Select Committee on Improper Activities in the Labor or Management Field be permitted to file a report, and the Committee on Government Operations be permitted to file a report of the Permanent Subcommittee on Investigations.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

IMPORT EXCISE TAX ON LEAD AND ZINC

During the delivery of Mr. THURMOND's speech,

Mr. MURRAY. Mr. President, as has been pointed out on this floor many times recently, the domestic lead and zinc producing industries are in dire straits as a result of dumping of these commodities on the American market by foreign producers.

On July 19 the administration recommended to the Congress that it impose an import excise tax on lead and zinc. Hearings were held both by the Ways and Means Committee of the House of Representatives and the Finance Committee of the Senate.

At the conclusion of the Ways and Means Committee hearings, Chairman JERE COOPER, of that committee, addressed a letter to President Eisenhower pointing out that the President, under the so-called escape-clause provision of the Trade Agreements Extension Act of 1951 and the national security amendment—section 7 of the Trade Agreements Extension Act of 1955—had an avenue under which he, the President, could provide relief from import competition and suggested that such a course be followed.

Chairman COOPER stated in his letter to the President, and I now quote:

> It is clear that in this instance you have not made recourse to existing administrative procedures which are available to provide relief to these industries.

On August 23 President Eisenhower replied to Chairman COOPER's letter in which Mr. Eisenhower stated that in the event the involved industries initiated an escape-clause proceeding before the Tariff Commission and I quote from his letter:

> I would request the Tariff Commission to expedite its consideration of the matter.

Because of the importance of this correspondence, I ask unanimous consent that Chairman COOPER's letter to the President and the President's reply to that letter be carried in the body of the RECORD for today.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

AUGUST 16, 1957.

The PRESIDENT,
The White House.

MY DEAR MR. PRESIDENT: I am writing to you in connection with the proposal of the Honorable Fred A. Seaton, Secretary of the Interior, on behalf of the administration, for the enactment of sliding-scale import excise taxes on lead and zinc.

Although the communication from Secretary Seaton on this subject was not received by the Committee on Ways and Means until June 19, 1957, at a time when the session was far advanced and the committee was diligently following an agenda previously determined by it, due to the importance of the subject and due to conditions in the lead and zinc industry as depicted by the communication of the Secretary, the committee broke into its agenda and conducted hearings on August 1 and 2, 1957.

I have now had time to carefully review and study the testimony which was presented to the committee at the public hearing on this important subject. It is my sincere conviction that you already have authority, previously delegated to you by the Congress in the trade agreements legislation, to afford relief to domestic industries from import competition in appropriate cases. The testimony of your representatives at the public hearings, in conjunction with the written recommendation of the Secretary of the Interior, indicates that the lead and zinc industries properly constitute such a case in the opinion of the administration. The testimony further shows that your present authority is adequate to afford the relief which you have recommended to the Congress.

As you will recall, one of the principal purposes of the so-called escape-clause provision (sec. 7 of the Trade Agreements Extension Act of 1951) and the national security amendment (sec. 7 of the Trade Agreements Extension Act of 1955) was to afford you an avenue under which you can provide relief from import competition to domestic industries according to the procedures and standards set forth therein. As may further be recalled, the committees of the Congress and the Congress in past years have devoted much time, thought, and attention to providing you with these powers so that our domestic industries can be afforded protection in appropriate cases and so that the national interest can be served by Presidential action without resort to further legislation.

It is clear that in this instance you have not made recourse to existing administrative procedures which are available to provide relief to these industries. In addition you have not advised the Congress that your existing authority under the escape clause and the national security amendment is inadequate in these matters generally, although a subcommittee of the Committee on Ways and Means last fall specifically called upon the administration for any recommendations which it might have for modifying or strengthening these provisions of existing legislation.

The testimony presented to the Committee on Ways and Means during the course of the public hearings on August 1 and 2, 1957, indicated that the proposal for a sliding-scale import excise tax on lead and zinc is almost identical in major respects with the recommendations of the Tariff Commission made to you under the lead and zinc escape-clause proceeding in 1954. You rejected this recommendation, stating among other things, that the proposed relief did not meet the needs of these industries. The testimony of your representatives further indicated that the situation today in the lead and zinc industries is substantially the same as it was at the time of the escape-clause investigation by the Tariff Commission and your rejection of the unanimous finding of the Tariff Commission.

The testimony at the public hearings also clearly showed that the proposal which the Secretary of the Interior now recommends on behalf of the Administration is almost identical in effect to a proposal that was before the Committee on Ways and Means in 1953 and on which a strongly adverse report was submitted by the State Department. The State Department set forth ten reasons why this proposal was inadvisable and contrary to the national interest. This report was made a part of the recent public hearings.

The proposal which the Administration has now recommended would not become effective, in event of its enactment, until January 1, 1958. Yet, under the national security amendment any relief found appropriate could be put into effect by you almost immediately. Also, under the escape clause I see no reason why you cannot direct the Tariff Commission to report to you within a stated time as to measures which it may deem appropriate for relief of these industries, and I see no reason why you could not have done so on June 19, the date of the proposal, or even earlier for that matter. It is clear from the testimony presented to our committee, aside from the merits of the proposal, that relief can be afforded by you much more speedily than would be the case even with enactment of the proposal.

As you of course know, I have been a strong and consistent supporter of the reciprocal trade agreement program since the inception of the program in 1934. I have consistently supported and worked for proposals which you have made to continue our foreign trade policies, including, for example, your proposal during the last Congress and in this Congress for approval by the Congress for membership in O. T. C.

You have gone on record strongly supporting the reciprocal trade agreements program. At your request the Congress has provided three extensions of your authority during your Administration. An important consideration of the Congress in providing these extensions was the fact that should trade-agreements concessions result in such import competition that domestic industries are injured or are threatened with injury you would have the authority where it is in the national interest to relieve domestic industries of such injury.

I cannot refrain from expressing to you my very great concern as to the impact of a proposal such as the one which your administration has made concerning lead and zinc on the whole structure of the trade-agreements program. In stating this, I do not intend to imply that the lead and zinc industries may not need relief. My concern is due to the fact that this proposal would completely bypass existing authority given you in present trade-agreements legislation. You are asking the Congress to do that which you already have ample authority to do. The authority which you have is not selective, but broad and general, and applies to any and all industries which are injured or threatened with injury as a result of trade-agreements concessions. I am sure you are aware of the fact that there are many other industries that are asking for relief from import competition. Among these are textiles, velveteen, and ginghams; tunafish, hardwood-plywood, stainless-steel flatware, fluorspar, natural gas, petroleum, and many others. There are numerous bills now pending before the Committee on Ways and Means which would provide relief from import competition on the above specified items and many additional ones. I am confident that you would not want to see the Congress bypass and undermine your present authority under trade-agreements legislation by acting on individual items.

I sincerely urge you to personally review the situation in the lead and zinc industries and the proposal submitted to the Congress. Upon such a review, I am sure you will be convinced as I am that you do have ample authority to provide such relief as you deem necessary in the national interest to the lead and zinc industries. I am also confident that you will agree that to bypass the existing provisions of our trade-agreemnts law will undermine the trade-agreements program.

I can only observe in closing that there is considerable sentiment that, in the absence of your exercising such authority as you may have for an expansion of our foreign trade and the protection of domestic industries, the Congress will be forced to study again the delegation of authority made to you under the trade-agreements legislation. This is an eventuality which neither you nor I would contemplate with equanimity.

The other 14 Democratic members of the Committee on Ways and Means concur with me in this letter.

Very cordially yours,

Jere Cooper,
Chairman, Committee on Ways and Means.

The White House, *August 23, 1957.*

The Honorable Jere Cooper,
Chairman, Ways and Means Committee, House of Representatives, Washington, D. C.

Dear Mr. Chairman: I appreciate having your letter concerning the administration's proposal for sliding-scale import excise taxes on lead and zinc. It is gratifying to know that your committee is giving attention to the distressed condition of the lead and zinc mining industries.

In 1954, as you pointed out, the Tariff Commission recommended higher duties for lead and zinc under the escape clause of the Trade Agreements Extension Act of 1951. But other means were available at that time both to meet the public need and afford the relief immediately necessary. Such means were found in the program of increased purchases of domestic ores for the stockpile and the barter of surplus agricultural commodities in exchange for foreign lead and zinc. These programs had the advantage of increasing our inventories of these materials as a security measure while, at the same time, removing price depressing excess supplies from the domestic and world markets. Recently, however, the attainment of our stockpile goals has necessitated adjustments in these programs, and the problem of distress has reappeared.

As I indicated in my press conference on August 21, my view with respect to maintaining the integrity of section 7 of the Trade Agreements Extension Act of 1951 is as one with yours and, I am sure, with that of all the members of the House Ways and Means Committee. H. R. 6894, as you know, is the sole exception proposed by this administration in over 4½ years. In view of this fact, I think you will agree that such exceptions are not proposed lightly.

The special circumstances of this case that suggest the desirability of following the legislative route were set forth by administration witnesses before both your committee and the Senate Finance Committee.

It is understood, of course, that the initiation before the Tariff Commission of an escape-clause proceeding by the industry is available in the last instance. It is my understanding that the industry will take such course if the Congress does not pass the requested legislation. In that event, I would request the Tariff Commission to expedite its consideration of the matter.

You mentioned the possibility of relief through the national-security amendment of the Trade Agreements Extension Act of 1955. Although a continuously productive mining industry is of fundamental importance to the national security, it is deemed appropriate in present circumstances to invoke the relief afforded by the escape clause of the Trade Agreements Extension Act of 1951 if the Congress does not enact H. R. 6894. The importance of this industry to a strong national defense should, however, not be overlooked.

I share your belief that expansion of foreign trade is in the best interests of the United States and I reiterate my conviction that such an objective can best be implemented by reciprocal trade agreements programs.

Sincerely,

Dwight D. Eisenhower.

NOMINATIONS OF GERARD C. SMITH AND DR. HENRY VAN ZILE HYDE

During the delivery of Mr. Thurmond's speech,

Mr. GREEN. Mr. President, late yesterday afternoon the Senate received the nomination of Gerard C. Smith, of the District of Columbia, to be an Assistant Secretary of State. Mr. Smith would be in charge of policy planning.

The rules of the Committee on Foreign Relations require that nominations lie over 6 days before they can be considered. The rules also require that public hearings be held on nominations to positions in this category.

In view of the apparently imminent adjournment of Congress, it would not be possible to act on the nomination unless these rules were waived. Although this could be done by a majority vote of the committee, it is my feeling—and the feeling of such members of the committee as I have been able to consult—that it would be unwise to do so. This nomination is to one of the most important positions in the Department of State, and it should not be considered in haste.

Failure of the Senate to act on the nomination will not appreciably interfere with the work of the Department of State. The President can give Mr. Smith a recess appointment. He can also send the nomination back to the Senate in the next session, and it can then be considered in orderly fashion.

I want to make it clear that lack of Senate action on the nomination in the current session is without prejudice to consideration of the matter next year.

Finally, I might say also, Mr. President, that there is also pending before the Committee on Foreign Relations the nomination of Dr. Henry Van Zile Hyde of Maryland to be the United States Representative on the Executive Board of the World Health Organization. This nomination was received subsequent to the last meeting of the Foreign Relations Committee, and it is also being passed over without prejudice. I am informed that no meeting of the World Health Organization Executive Board is scheduled until January, so that there will be no embarrassment if the nomination is not confirmed at this session.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House insisted upon its amendments to the joint resolution (S. J. Res. 35) to provide for the observance and commemoration of the 50th anniversary of the first conference of State governors for the protection, in the public interest, of the natural resources of the United States, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. **Frazier**, Mr. **Ashmore**, and Mr. **Keeney** were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 3028. An act to provide for the relief of certain female members of the Air Force, and for other purposes;

H. R. 3625. An act to amend section 214 of the Interstate Commerce Act, as amended, to prevent the use of arbitrary stock par values to evade Interstate Commerce Commission jurisdiction;

H. R. 3940. An act to grant certain lands to the Territory of Alaska;

H. R. 6258. An act to amend the act entitled "An act to provide additional revenue for the District of Columbia, and for other purposes", approved August 17, 1937, as amended;

H. R. 6562. An act relating to the north half of section 33, township 28 south, range 56 east, Copper River meridian, Alaska;

H. R. 6760. An act to grant to the Territory of Alaska title to certain lands beneath tidal waters, and for other purposes;

H. R. 8030. An act to amend the Agricultural Adjustment Act of 1938 with respect to acreage history; and

H. R. 8918. An act to further amend the act of August 7, 1946 (60 Stat. 896), as amended by the act of October 25, 1951 (65 Stat. 657), to provide for the exchange of lands of the United States as a site for the new Sibley Memorial Hospital; to provide for the transfer of the property of the Hahnemann Hospital of the District of Columbia, formerly the National Homeopathic Association, a corporation organized under the laws of the District of Columbia, to the Lucy Webb Hayes National Training School for Deaconesses and Missionaries, including Sibley Memorial Hospital, a corporation organized under the laws of the District of Columbia, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Proposed Transfer by Navy Department of Plane Personnel Boat to City of Green Cove Springs, Fla.

A letter from the Acting Secretary of the Navy (Material), reporting, pursuant to law, that the city of Green Cove Springs, Fla., had requested the Navy Department to transfer a 24-foot plane personnel boat, for use in river accident rescue operations by that city; to the Committee on Armed Services.

Report on Prime Contract Procurement Actions With Small and Large Concerns for Work in the United States

A letter from the Assistant Secretary of Defense (Supply and Logistics), transmitting, pursuant to law, reports on Army, Navy, and Air Force prime contract procurement actions with small and large concerns for work in the United States, for the fiscal year 1957 (with accompanying reports); to the Committee on Banking and Currency.

Report on Notice for Disposal of Certain Extra Long Staple Cotton

A letter from the Administrator, General Services Administration, transmitting, pursuant to law, a proposed notice of a proposed disposition from the national stockpile of approximately 134,384,000 pounds of extra long staple cotton (with accompanying papers); to the Committee on Government Operations.

Provision of War Risk and Certain Marine and Liability Insurance for American Public

A letter from the Acting Secretary of Commerce, transmitting, pursuant to law, a report on the provision of war-risk insurance and certain marine and liability insurance for the American public, as of June 30, 1957 (with an accompanying report) to the Committee on Interstate and Foreign Commerce.

Final Report on Administration of Refugee Relief Act of 1953, as Amended

A letter from the Secretary of State, transmitting, pursuant to law, the final report in respect of the administration of the Refugee Relief Act of 1953, as amended, which expired on December 31, 1956 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by My Maryland Post, No. 126, the American Legion, Department of Maryland, favoring the enactment of legislation to provide all known means of safeguarding the health and lives of all Americans from the dangers of the threatened influenza epidemic; to the Committee on Labor and Public Welfare.

The petition of E. K. Nelson, of Jenkintown, Pa., praying for the enactment of legislation to prohibit labor racketeering; to the Committee on Labor and Public Welfare.

A telegram from the Metropolitan Club of America, Inc., Grand Rapids, Mich., signed by Rolland W. Hess, national recording secretary, embodying a resolution favoring the enactment of House bill 2474, to provide increased compensation for postal employees; ordered to lie on the table.

RESOLUTION OF STATE SENATE OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. President, I have just received from the Senate of the State of New Jersey a resolution which was adopted on August 19 with regard to the drought situation in our State.

I ask unanimous consent that this resolution be printed in the Record in connection with my remarks, and be appropriately referred.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

Whereas the State of New Jersey has been visited with one of the most disastrous droughts which has occurred in many years; and

Whereas the farmers of the State have suffered and will continue to suffer tremendous losses by reason of damage to their crops occasioned thereby; and

Whereas the President of the United States has been requested to determine that the State is a disaster area, so that Federal aid may be made available to those suffering damage by reason of the drought and said request has been denied: Now, therefore, be it

Resolved by the New Jersey Senate, That—

1. The President of the United States is hereby respectfully requested to reconsider his determination that the farming areas of this State do not constitute disaster areas and to determine them as such disaster areas in order that Federal aid may be available to those persons who would be entitled thereto as a result of such determination.

2. The Secretary of the Senate is hereby directed to forward a copy of this resolution, duly signed by the President and attested by the Secretary, to the President of the United States and to each of the United States Senators, and each Member of the House of Representatives, from New Jersey.

Albert McCoy,
President of the Senate.

Attest:

Henry H. Patterson,
Secretary of the Senate.

RESOLUTIONS OF GENERAL FEDERATION OF WOMEN'S CLUBS

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the Record the resolutions adopted at the 66th annual convention of the General Federation of Women's Clubs, at Asheville, N. C., June 3-7, 1957.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

Resolutions Passed at 66th Annual Convention, Asheville, N. C., June 3-7, 1957

TELEVISION SERVICE

Whereas the consideration of the best interests of the greatest number of people has always been of paramount importance to the General Federation; and

Whereas television vitally affects the interest of all the general public: Therefore

Resolved, That the General Federation of Women's Clubs in convention assembled, June 1957, urges the Congress of the United States and/or governmental agencies, when evaluating and licensing any development in the use of television, to keep in the forefront of their thinking the necessity of assuring a freedom of choice in the selection of programs while at the same time insuring the maintenance of free television service as it now exists, and further improvement of such television service for all our people.

Mrs. Samuel J. McCartney,
Chairman, Communications Department.

Approved:

Mrs. J. Howard Hodge,
Chairman, Citizenship Division,
Public Affairs Department.

PREPAREDNESS DAY

Whereas the date, December 7, should be forever engraved upon the minds of the people of the United States as a day of supreme tragedy due to unpreparedness; and

Whereas there is much concern in the minds of our people and in the Congress of the United States that the lessons so dearly learned in the attack upon Pearl Harbor should not be forgotten, but should serve as incentives for an adequate national defense: Therefore

Resolved, That the General Federation of Women's Clubs in convention assembled, June 1957, expresses its approval and support of the proposed legislation by the Congress of the United States which names December 7 Preparedness Day, and asks that appropriate observance take place annually.

Mrs. GERALD WHITAKER,
Chairman, National Defense Division.
Approved:
Mrs. J. HOWARD HODGE,
Chairman, Public Affairs Department.

LIMITATION OF CAMPAIGN EXPENDITURES

Whereas the disclosure of heavy expenditures in the recent national campaign has shocked the Nation and the situations so presented constitute a definite threat to the continuance of free elections in the United States: Therefore

Resolved, That the General Federation of Women's Clubs in convention assembled, June 1957, declares its conviction that—

1. Reforms in the laws governing political campaign spending are imperative;
2. There should be an enforceable and enforced ceiling placed upon campaign expenditures, both personal and total;
3. There should be a full public accounting of campaign funds;
4. A standardized system of reporting campaign funds should be established which will eliminate the loopholes existing in the law now governing such expenditures.

Mrs. J. HOWARD HODGE,
Chairman, Public Affairs Department.

POULTRY INSPECTION

Whereas poultry is a major item in the diet of the American public; and

Whereas the General Federation of Women's Clubs is vitally concerned with the health of the family, and realizes that the health of our people is menaced by the fact that mandatory ante mortem and post mortem inspection is not required of poultry processed for human consumption: Therefore

Resolved, That the General Federation of Women's Clubs in convention assembled June 1957, urges Congress to enact legislation which will require that poultry placed on sale and intended for human consumption be inspected by the United States Meat Inspection Division of the United States Department of Agriculture under the same conditions as now obtain in the case of meat and meat products.

Mrs. J. R. PATTERSON,
Chairman, Health and Welfare Division.
Approved:
Mrs. WALTER V. MAGEE,
Chairman, Community Affairs Department.

PRISON REFORM

Whereas the concept of punishment alone as a deterrent to crime has been outmoded by statistics and by modern scientific studies of treatment of criminals which take into account the physical, sociological, mental and spiritual aspects of personality; and

Whereas use of enlightened modern methods often develops responsible, law abiding citizens with consequent reduction of repeated offenses and recommitments; and

Whereas incarceration usually demonstrates that the inmate did not adapt himself to an accepted pattern of behavior, and since it is an established fact that the vast majority of prisoners will return to the outside world to be absorbed by their communities: Therefore

Resolved, That the General Federation of Women's Clubs in convention assembled June 1957, urges its member clubs to continue to study, and to urge their legislators to study recent advances in the conservation of human resources through psychological evaluation and wise use of all available methods of rehabilitation, and further, to encourage prison boards and administrators to take advantage of every possible resource in order that prisoners may be provided with and make use of:

1. Psychological evaluation and psychiatric treatment when indicated;
2. Adequate health standards and correction of physical defects where possible;
3. Remedial education;
4. Suitable job training;
5. Opportunity for religious education and counseling;
6. Opportunity for development of latent abilities for better use of leisure time; and further

Resolved, That efforts be made to improve rehabilitative services through raising educational and training standards of prison personnel and to provide adequate followup services upon release of prisoners in order to assist them in their adjustment as productive members of society.

Mrs. ALBERT KUSHNER,
Chairman, Rehabilitation Division.
Approved:
Mrs. WALTER V. MAGEE,
Chairman, Community Affairs Department.

RESTRICTIVE ACTION IN MUSICAL ACTIVITIES

Whereas the General Federation of Women's Clubs has consistently held that the cultural value of music and music study are integral parts of the educational experience, and should be available to the young people of America; and

Whereas the leadership of certain professional groups has opposed school bands and orchestras, musical instruction by radio, noncommercial radio programs by student musicians, and has interfered with the school activities involving music instruction to the detriment of the education and development of young people; and

Whereas there have been instances where interference with the conduct of music camps, a program with which the general federation has long been associated, has hampered activities in such camps, and seems to have as its purpose the destruction of such camps: Therefore

Resolved, That the General Federation of Women's Clubs in convention assembled, June 1957:

1. Protests restrictive action by any group or individual affecting the musical education of students or their participation in musical activities, including music camps;
2. Recommends that such legislation as is now in force be invoked;
3. Strongly urges that additional legislation be enacted which can control the situation.

Mrs. WM. H. HASEBROOCK,
Chairman, Fine Arts Department.

Amend resolution entitled "roads and roadside development," by rescinding and substituting the following:

"ROADS AND ROADSIDE DEVELOPMENT

"Whereas the demands of rapidly growing traffic necessitate vast roadbuilding programs; and

"Whereas the Federal Government is engaged in superhighway construction across the Nation at a cost of billions of dollars; and

"Whereas, the problems of highway safety and conservation in roadside development are a constant and immediate concern to motorists and to communities adjacent to the highways: Therefore

"Resolved that the general Federation of Women's Clubs, in convention assembled, June 1957, and its member clubs continue in the effort to preserve the natural beauties of the landscape and to keep the roadsides free of litter and disfiguring structures; and further

"Resolved that the General Federation of Women's Clubs records its support of strict controls of roadside development through zoning regulations and well-designed planting for safety, beauty, and economy of maintenance; and further

"*Resolved*, That the General Federation of Women's Clubs urges its member clubs to support legislation providing proper development of highway programs using the scientific skills of highway engineers, landscape architects, and planning boards.

"Mrs. B. V. TODD,
"*Chairman, Safety Division, Public Affairs Department.*"

Amend resolution on self-determination of peoples by adding:

"*Be it further resolved*, That the General Federation of Women's Clubs strongly condemns the use of mental or physical brutality and/or coercion on the part of an occupying power against a people seeking freedom.

"Mrs. ZAIO WOODFORD SCHROEDER,
"*Chairman, International Affairs Department.*"

MAINTENANCE OF STRONG UNITED STATES ARMED FORCES

Whereas the deterrence of wars, and achieving victory in case wars are forced upon us, are basic national objectives demanding an every-ready system of adequate forces in all branches of the military system; and

Whereas it is obvious that the conditions of future warfare will render impossible systems of deliberate mobilization and unhurried training after an emergency situation has developed; and

Whereas it is the moral responsibility of the people and the Government of the United States to provide all members of the military service, every protection which physical fitness and adequate training in military science can give them;

Resolved, That the General Federation of Women's Clubs in convention assembled, June 1957, declares its conviction that this Nation should maintain its military forces in adequate quality and numbers; in strength and equipment; and in organization and deployment so as to permit it to meet fully its obligation:

1. To deter war in all forms;
2. To achieve victory in waging either atomic or non-atomic war should such be forced upon us.

Mrs. GERALD WHITAKER,
Chairman, National Defense Division.
Approved:
Mrs. J. HOWARD HODGE,
Chairman, Public Affairs Department.

ANNUAL NATIONAL TEACHERS DAY

Whereas the General Federation of Women's Clubs has shown continued interest in the educational progress of the United States; and

Whereas it further recognizes the need for a positive program to stimulate citizens' interest in educational problems; therefore

Resolved, That the General Federation of Women's Clubs, in convention assembled, June 1957, respectfully requests the President of the United States to issue a proclamation officially declaring the observance of a day during National Education Week each year to be known as Teachers' Day; and further

Resolved, That the General Federation adopt Teachers' Day as a nationwide project, for the purpose of giving recognition to the teaching profession for its great influence on the training and development of character of our children.

The General Federation of Women's Clubs recognizes and endorses the progress that has been made in establishing some special honor for teachers.

Mrs. AUBREY MAUNEY,
President, North Carolina Federation of Women's Clubs.
Approved:
Mrs. JOHN L. WHITEHURST,
Chairman, Education Department.

RESOLUTION OF BLINDED VETERANS ASSOCIATION, INC.

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the

Blinded Veterans Association, Inc., of Washington, D. C., at its convention held at Hartford, Conn., on August 24, 1957, reaffirming their faith and trust in the basic rights guaranteed all citizens by the Constitution of the United States, and that no further legislation is needed to guarantee these rights to blind persons.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution 9 Adopted by the Blinded Veterans Association, 12th Annual Convention, Hartford, Conn.

Whereas the Blinded Veterans Association, Inc., is a national membership organization composed entirely of blind individuals; and

Whereas this association has, since its inception in 1945, recognized its constitutional right to organize nationally and locally without restriction by any Federal or local laws; and

Whereas the association does, in fact, work closely with Federal, State, and local governmental and voluntary agencies serving blind persons, and has, in turn, been consulted by these agencies; and

Whereas the association, in its efforts to promote higher standards of service for all blind people in the United States, recognizes the value of a constructive approach to achieve this objective; and

Whereas S. 2411 and H. R. 8609, which have been introduced in the 85th Congress, appear redundant in the light of the above and would seem to serve no practical purpose, and, in fact, may be detrimental to the best interests of all blind persons: Now, therefore, be it

Resolved, That the members of the Blinded Veterans Association in national convention assembled in the city of Hartford in the State of Connecticut on August 24, 1957, do hereby reaffirm their faith and trust in the basic rights guaranteed all citizens by the Constitution and Bill of Rights of the United States and believe no further legislation is needed to guarantee these rights to blind persons; and be it further

Resolved, That the members of the Blinded Veterans Association do hereby offer the full cooperation of the association and its members to Members of Congress interested in raising standards of services to blind persons; and be it further

Resolved, That copies of this resolution be sent to all Members of the Senate and House of Representatives of the United States; to the executive directors of the American Association of Workers for the Blind, the American Association of Instructors of the Blind, the American Foundation for the Blind, the National Federation of the Blind, and the Council of State Agencies for the Blind; and to the officials of Government and voluntary agencies serving blind persons in the United States.

RESOLUTION OF LOWER YELLOWSTONE RURAL ELECTRIC ASSOCIATION, SIDNEY, MONT.

Mr. MURRAY. Mr. President, I ask unanimous consent to have printed in the Record a resolution unanimously adopted at a special meeting of the board of trustees of the Lower Yellowstone Rural Electric Association, of Sidney, Mont., on August 14, 1957. The resolution expresses the trustees' wholehearted support of the REA Administrator, Dave Hamil.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Whereas Dave Hamil, REA Administrator is doing a first-rate job of administering the rural electrification and telephone program on a nonpartisan basis without being influenced by political, private or industrial factions; and

Whereas reports and rumors indicate the interference and pressure by the Secretary of Agriculture and others: Now, therefore,

Mr. President, we request that you give Dave Hamil a clean bill of health for the fine forthright job he has been and is doing in administrating the electric and telephone program for rural people and that you reprimand and stop the departmental heads of your administration (who are permitting themselves to be influenced against the REA Administrator) from interfering in any form.

Respectfully submitted.

C. R. Thiessen,
Secretary.

RESOLUTIONS OF DEPARTMENT OF NEVADA, THE AMERICAN LEGION, REGARDING PROPOSED INCREASES IN SERVICE-CONNECTED DISABILITY COMPENSATION

Mr. MALONE. Mr. President, the 39th annual department convention of the department of Nevada, the American Legion at Elko, Nev., August 15 to 17, 1957, passed seven very pertinent and timely resolutions:

RESOLUTIONS

Service-connected disability compensation.

The veterans' employment service.

Foreign aid.

Status of forces agreement.

The Bricker amendment.

Red China.

The McCarran-Walter Immigration Act.

Our new department commander for 1957 and 1958 is Victor F. (Vic) Whittlesea.

The new president of the women's auxiliary is Mrs. Leona Smith.

I am glad to say that the service-connected compensation bill S. 52 was passed by both Houses of Congress and signed by the President.

Mr. President, I ask unanimous permission to have the resolutions appear at this point in the Record as a part of my remarks.

Mr. President, the resolutions passed by my department of Nevada, American Legion, correctly represents the thinking of Americans throughout the Nation.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

Resolution, Service-Connected Disability Compensation

Whereas H. R. 52, a bill to provide increases in service-connected disability compensation and to increased dependency allowance, passed the House of Representatives May 13, 1957; and

Whereas on July 22, 1957, this bill was favorably reported by the Senate Committee on Finance for consideration of that body; and

Whereas since this action information has been given to the public that the Executive Office of the President, Bureau of the Budget, under the signature of Percival Brundage, Director, opposes the enactment of this legislation which presages a possible Presidential veto, should the bill pass the Congress as seems possible at this session: Be it

Resolved by the 39th annual department convention of the Department of Nevada of the American Legion in convention assembled at Elko, Nev., August 15–17, 1957, Urge upon our Senators and Representative in Congress from Nevada that they support early action on this worthy measure before their respective Houses to the end that the measure may be passed at the present session of Congress; and be it further

Resolved, That in the event of a Presidential veto of this measure they support a resolution to enact the legislation over such veto; and be it further

Resolved, That a copy of this resolution be forwarded immediately upon adoption to the Senators from Nevada and the Representative in Congress for their consideration at the present session of Congress.

Resolution, Supporting the Veterans' Employment Service

Whereas by the passage of the Servicemen's Readjustment Act of 1944, Public Law 346 (better known as the GI bill of rights) Congress reaffirmed the will of the Nation to provide for the readjustment of veterans to civilian life; and

Whereas the American Legion has, and always will, be a strong voice in seeing to it that service to veterans for which they, by reason of wartime service, are entitled; and

Whereas with the inclusion of the Korean veteran under the GI bill, there is still a great need for service to this group; and

Whereas because of the age bracket of World War I veterans, and some World War II veterans, there is an ever-increasing need that emphasis be placed on an older-worker program, this need becoming more and more urgent each year: Now, therefore, be it

Resolved by the delegates assembled at this 39th American Legion convention held at Elko, Nev., August 15–17, 1957, That there be no cutback in appropriations to the Veterans Employment Service and the Bureau of Veterans' Reemployment Rights, Department of Labor, or curtailment of service to veterans by that agency thereby assuring that the programs as outlined under Public Law 346 be continued.

Resolution, Foreign Aid

Whereas the annual appropriations of this country for foreign aid are reaching stupendous proportions, this year higher than ever before, and the distribution of the tax dollar of American citizens is definitely without the approval of the majority of American citizens; and

Whereas much of the appropriations goes to countries that are not allies of the United States and in most cases are aiding and abetting the Communist cause throughout the world; and

Whereas economic and military aid to Yugoslavia and Poland, two Communist controlled countries which are now scheduled to receive millions of American tax dollars, as well as other Communist nations which will also be the recipients of our millions, cannot do anything but harm to the United States: Now, therefore, be it

Resolved, by the 39th department convention of the American Legion at Elko, Nev., August 15–17, 1957, That we are strenuously opposed to either economic or military foreign aid to any nation within the Communist sphere of influence, and especially opposed to supplying any such nations any arms, ammunition, or aircraft or other machinery of war and urgently request our Senators and Representatives in Congress to do all possible to prevent such aid or equipment to be supplied such nations. (This is particularly directed to present situations where we are contemplating such action with Poland and Yugoslavia the recipients.)

Resolution Re Status of Forces Agreement

Resolved, That it is the sense of the American Legion that the rights of our own citizens should not be sacrificed while the rights of freedom and self-government are secured to the peoples of other nations and that in order to insure justice, maintain the rights and privileges for our citizens who are serving with our Armed Forces in other countries, and to promote the general welfare, the President should forthwith address to the North Atlantic Council, as provided for by article XVII of the NATO Status of Forces Agreement, a request for revision of article VII of such agreement for the purpose of eliminating or modifying article VII so that the United States may exercise exclusive criminal jurisdiction over American military personnel stationed within the boundaries of parties to the treaty and that the President should take similar action with regard to the administrative agreement with Japan, as amended, and all other international agreements which give criminal jurisdiction over our Armed Forces to foreign governments which are parties thereto.

RESOLUTION, BRICKER AMENDMENT

Whereas: The American Legion, Department of Nevada, has previously gone on record as being in favor of the Bricker or a similar amendment limiting the treaty making powers of the executive branch of our Government: Now, therefore, be it

Resolved, by the 39th department convention of the American Legion at Elko, Nev., August 15-17, 1957, That we reiterate our previous stand in favor of the Bricker or a similar amendment and again urge our Representatives in Congress to do whatever is possible to put same in effect.

RESOLUTION, RED CHINA

Whereas, many of our so-called allies are propagandizing and pressuring this country to recognize Communist Red China; and

Whereas, this Nation should never sacrifice its principles and admit to the United Nations Organization, and to our family of friends this murderous, traitorious nation that has cruelly tortured hundreds of American soldiers and civilians and has broken all the laws of decency in conducting war and has broken every agreement and treaty they have made with us; Now, therefore, be it

Resolved, by the 39th department convention of the American Legion at Elko, Nev., August 15-17, 1957, That we reiterate our previous stand against admission of Communist Red China to the United Nations Organization or recognition of Red China by the United States and urge our Representatives in Congress to oppose any action by the United States of America that would allow this to happen.

RESOLUTION SUPPORTING MCCARRAN-WALTER IMMIGRATION ACT

Whereas there is now on the statute books of the United States the McCarran-Walter Immigration Act of 1952 which controls immigration to this country; and

Whereas this law establishes fair and just quotas for admittance of aliens desiring to come to this country and is a recodification of all previous immigration laws and regulations and has been endorsed by over 100 patriotic organizations, the FBI, the Department of Justice, and many other organizations and individuals conversant with the problems of immigration; and

Whereas again this year there is a movement on action to do away with many of the protective provisions of this law and allow an influx of possibly undesirable persons to enter this country without regard to the carefully thought-out safeguards established by this law, or any recognition of the fair quotas established by said law; and

Whereas these demands for revision of the McCarran-Walter Immigration Act are mostly from vociferous minority groups, American do-gooders and anti-Communists and subversive and Communist groups who are against any safeguards that would prevent the admittance of subversives and Communists; and

Whereas indiscriminate entry of foreign aliens to our country would increase our problems of employment, housing, schools, and other problems caused by lowering the bars of the present national origins quota system: Be it

Resolved, by the 39th department convention of the American Legion at Elko, Nev., August 15-17, 1957, in regular meeting assembled, That we are strenuously opposed to any action of any kind that would destroy the efficacy of the McCarran-Walter Immigration Act and allow entry of aliens without any of the safeguards provided by said act and that we respectfully request our Senators and Congressmen in Washington to do all in their power to maintain the McCarran-Walter Immigration Act in its present form on the statute books of this country without any lowering of the various restrictions by special permit, Presidential decree, or otherwise.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 2864. A bill to provide for the appointment of additional judges for the Court of Appeals for the Second Circuit and the district courts for the southern and eastern districts of New York (Rept. No. 1157).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 1714. A bill for the relief of Roma H. Sellers (Rept. No. 1161); and

S. 2840. A bill to create a new and separate judicial district in California and to create a new division for the northern district in said State (Rept. No. 1158).

By Mr. O'MAHONEY, from the Committee on the Judiciary, without amendment:

S. J. Res. 131. Joint resolution authorizing the President to issue a proclamation calling upon the people of the United States to commemorate with appropriate ceremonies the 100th anniversary of the admission of the State of Oregon into the Union (Rept. No. 1159).

By Mr. McCLELLAN, from the Committee on Government Operations, without amendment:

H. R. 7964. An act to remove the limitation on the use of certain real property heretofore conveyed to the city of Austin, Tex., by the United States (Rept. No. 1160).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAVEZ:

S. 2878. A bill to authorize the granting of mineral rights to certain homestead patentees who were wrongfully deprived of such rights; to the Committee on Interior and Insular Affairs.

S. 2879. A bill for the relief of Hiroyasu Hatakeyama; to the Committe on the Judiciary.

By Mr. HOLLAND:

S. 2880. A bill to amend paragraph (k) of section 403 of the Federal Food, Drug, and Cosmetic Act, as amended, to define the term "chemical preservative" as used in such paragraph; to the Committee on Labor and Public Welfare.

By Mr. LANGER:

S. 2881. A bill for the relief of Paul Hegedus; to the Committee on the Judiciary.

By Mr. ALLOTT (for himself and Mr. CARROLL):

S. 2882. A bill to authorize the Administrator of General Services to convey certain lands in the State of Colorado to the city of Denver, Colo.; to the Committee on Government Operations.

By Mr. SMITH of New Jersey (for himself, Mr. CASE of New Jersey, Mr. CLARK, and Mr. HUMPHREY):

S. 2883. A bill to amend the Legislative Appropriation Act, 1956, to eliminate the requirement that the extension, reconstruction, and replacement of the central portion of the United States Capitol be in substantial accord with scheme B of the architectural plan of March 3, 1905; to the Committee on Public Works.

(See the remarks of Mr. SMITH of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. SALTONSTALL (by request):

S. 2884. A bill for the relief of Earl R. Rawson; and

S. 2885. A bill for the relief of Eleanor Constan; to the Committee on the Judiciary.

INVESTIGATION OF LABOR-MANAGEMENT RELATIONS AT THE SANDIA CORP., NEW MEXICO

Mr. CHAVEZ submitted the following concurrent resolution (S. Con. Res. 51), which was referred to the Joint Committee on Atomic Energy:

Whereas the national security requires uninterrupted operations of vital atomic installations under contract with the Atomic Energy Commission;

Whereas disputes between labor unions and management at the Sandia Corp. atomic installation at Albuquerque, N. Mex., frequently require the intervention of the atomic energy labor-management panel:

Whereas the Director of the Federal Mediation and Conciliation Service has publicly criticized the Sandia Corp. at Albuquerque, N. Mex., for its inability to negotiate successfully collective bargaining agreements with labor unions representing its employees without the intervention of the atomic energy labor-management panel, and further has stated that labor-management negotiations at the Sandia Corp. have been referred to the atomic energy labor-management panel more often than those of any other atomic installation in the United States;

Whereas the revenues of the Sandia Corp., and hence the wages paid its employees, derive exclusively from public funds disbursed to it under contract by the Atomic Energy Commission; and

Whereas it is in the national interest that negotiation of collective bargaining agreements at atomic installations under contract with the Atomic Energy Commission should be conducted in a manner as to avoid work stoppages and consequent injury to the Nation's atomic energy program: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on Atomic Energy is authorized and directed to make a full and complete investigation and study of labor-management relations at the Sandia Corp., for the purpose of determining what action can be taken to improve such relations and thereby help assure continuity of operation of publicly financed atomic energy programs vital to the Nation's security.

The committee shall report its findings, together with such recommendations as may be desirable, to the Senate and to the House of Representatives at the earliest practicable date, but not later than February 1, 1958.

INVESTIGATION OF LOSSES TO PERSONS BY DEPREDATIONS OF WILDFOWL AND ANIMALS FROM FEDERAL WILDLIFE REFUGES

Mr. LANGER sudmitted the following resolution (S. Res. 196), which was referred to the Committee on the Judiciary:

Resolved, That a subcommittee of the Committee on the Judiciary, consisting of three Senators appointed by the chairman, is authorized and directed (1) to make a full and complete study and investigation with respect to damage to crops and other losses sustained by persons living in the vicinity of Federal wildlife refuges and other Federal reservations, by reason of depredations by wildfowl and animals from such refuges or reservations, and (2) to recommend to the Committee on the Judiciary such measures as it may deem desirable for the relief of persons sustaining such damage or loss.

ELIMINATION OF REQUIREMENT FOR REMODELING OF CENTRAL PORTION OF CAPITOL BUILDING

Mr. SMITH of New Jersey. Mr. President, on behalf of myself, my colleagues, the junior Senator from New Jersey [Mr. CASE], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Pennsylvania [Mr. CLARK], I introduce, for appropriate reference, a bill to prevent the emasculation of this lovely Capitol Building.

During the 1st session of the 84th Congress, the Congress unfortunately added a provision to the Legislative Appropriation Act of 1956 which authorized an extension of the Capitol in order to provide for additional offices and restaurant facilities, but required such extension to conform with the so-called plan B which was submitted to the Congress in 1905. The substance of plan B provides that the east facade of the central block of the Capitol be torn down and extended 32 feet 6 inches to the east.

Mr. President, this scheme not only will cost the American taxpayers an exorbitant sum of money for the additional space which will be obtained, but it will also do violence to the architectural beauty of this grand structure. The plan has been roundly criticized by the American Institute of Architects at 5 of their annual conventions, including the last 3 meetings in 1955, 1956, and 1957. I cannot believe that there is any justification for proceeding to emasculate this building in such a manner.

The purpose of this bill is to repeal the restrictive language which binds the Architect of the Capitol to undertake the expansion of the Capitol facilities in accordance with this plan.

I ask unanimous consent that the bill may lie open for a period of 24 hours for the purpose of permitting additional Senators to join in cosponsorship.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from New Jersey.

The bill (S. 2883) to amend the Legislative Appropriation Act, 1956, to eliminate the requirement that the extension, reconstruction, and replacement of the central portion of the United States Capitol be in substantial accord with scheme B of the architectural plan of March 3, 1905, introduced by Mr. SMITH of New Jersey (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

AIR TRAINING FACILITIES

Mr. SYMINGTON. Mr. President, I have written a letter to the Secretary of the Air Force, and inasmuch as the subject matter of the letter has been discussed in the Senate, I ask unanimous consent that my letter to the Secretary be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 24, 1957.

Hon. JAMES H. DOUGLAS,
Secretary of the Air Force,
Washington, D. C.

DEAR MR. SECRETARY: In a letter to you of August 20, Senator NEUBERGER said that on Wednesday, August 14, he "appeared before the Task Force on Air Training Facilities, a subcommittee of the Senate Armed Services Committee under the chairmanship of Senator STUART SYMINGTON."

As I discussed with Senator NEUBERGER this morning, this was not a meeting of this task force. It was a conference, called at the request of Senator JACKSON, who asked that there be present members of the Air Force who knew about this matter and a representative of the General Accounting Office.

No stenographer was present, no record was kept of the conference, and therefore no conclusions were reached.

Sincerely yours,

STUART SYMINGTON.

LETTER OF GORDON GRAY, DIRECTOR OF THE OFFICE OF DEFENSE MOBILIZATION, TO CHAIRMAN OF MONOPOLY SUBCOMMITTEE OF SENATE JUDICIARY COMMITTEE

Mr. DIRKSEN. Mr. President, in the course of the hearings of the Antitrust and Monopoly Subcommittee of the Senate Judiciary Committee on the question of the issuance of tax amortization certificates to the Idaho Power Co., a colloquy developed when Mr. Gordon Gray, Director of the Office of Defense Mobilization, appeared before the committee, as result of which Mr. Gray, either expressly or by implication, was in effect charged with an attempt to conceal certain information from the subcommittee.

Speaking for myself, let me voice my complete confidence in the integrity of Mr. Gray, and his constant effort to disclose all information which the subcommittee requests.

Since the charges appeared, Mr. Gray submitted his views in a letter to Senator KEFAUVER under date of August 27, covering the question of the issuance of tax amortization certificates, and I requested that his letter be inserted in the CONGRESSIONAL RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF DEFENSE MOBILIZATION,
Washington, D. C., August 27, 1957.

The Honorable ESTES KEFAUVER,
United States Senate,
Washington, D. C.

DEAR SENATOR KEFAUVER: Because there have been public charges to the effect that I attempted to conceal evidence from the Subcommittee on Antitrust and Monopoly when I testified before the subcommittee on the issuance by ODM of accelerated tax amortization certificates to the Idaho Power Co., I should like to set forth the following facts which demonstrate why I could not produce Secretary of the Interior Fred A. Seaton's letter of March 11, addressed to Dr. Flemming, at the time I appeared before the Byrd committee on May 9 and at my first appearance before your committee on May 21. These facts will also explain why Secretary Seaton's letter involved a serious question of executive privilege.

On October 25, 1955, the Department of the Interior through Assistant Secretary Aandahl, who was the customary channel for such communications, advised ODM that the application of the Idaho Power Co. for tax amortization with respect to Oxbow and Brownlee met the criteria then applicable and recommended that necessity certificates be issued covering 60 and 65 percent respectively, of the cost of the projects.

On March 13, 1957, Dr. Arthur S. Flemming, whom I was to succeed as ODM Director the next day, handed to me a letter and one carbon copy, dated March 11, 1957, that he had received from Secretary Seaton recommending against the issuance of the certificates to the Idaho Power Co. Dr. Flemming told me that he had examined carefully the arguments that had been advanced against issuing the certificates and had concluded that these applications, as far as the law and regulations were concerned, could not be differentiated from the other applications that had been granted. He stated that he felt that Secretary Seaton's recommendation grew out of a general disapproval of the basic criteria that had been applied to all cases under the electric power goal. He stated further, however, that he had not issued the certificates before leaving office because of his inability to explore the matter thoroughly with Secretary Seaton by reason of the latter's illness.

In due course I concluded on the basis of my own judgment that certificates of necessity should not be denied under the criteria obtaining at the time of the Idaho Power Co.'s applications. My studies confirmed that Secretary Seaton's objections were not germane to the question of whether the governing criteria warranted issuance of the certificates.

On April 10, I notified Mr. Elmer Bennett, then Assistant to the Secretary of the Interior (the Secretary still being in the hospital), that I had concluded that the certificates of necessity should not be denied to the Idaho Power Co. under the criteria obtaining at the time of the company's applications, and that in my opinion, Secretary Seaton's letter did not discuss whether the company's application met the governing criteria but whether the governing criteria were in fact wise. Mr. Bennett and I agreed that the governing regulations did not provide for this type of recommendation, and that the Secretary's letter, therefore, did not have any legal status under the regulations in this particular case. In view of this, it was agreed that the Secretary's March 11 letter could appropriately be withdrawn, the decision to issue the certificates having been made by ODM.

On April 17, following a telephone conversation between Mr. Bennett and Mr. Charles Kendall, General Counsel of ODM, the Secretary's letter, together with the carbon copy, was returned to the Department of the Interior and I believed that it had thereby been withdrawn for the reasons stated above.

On the same day, April 17, Mr. Bennett sent me a suggested change in the proposed ODM press release concerning the issuance of the certificates to the Idaho Power Co. which he stated had been cleared with the Secretary in the hospital. This suggested change was incorporated in the press release which was actually issued except that in a paragraph which read: "In accordance with then accepted procedures and criteria, established by the ODM, the Department of the Interior on October 25, 1955, recommended that necessity certificates be issued on both projects", the word "accepted" was changed to "applicable." While it was clear to me that Secretary Seaton continued to disapprove the criteria on which certificates within the electric power goal were based, I nevertheless believed, since his letter of March 11 had been withdrawn, and the press release with respect to the issuance of the certificates had been cleared with him, that the Secretary did not regard his letter as an official expression of the views of the Department in this respect and that he did not wish to make what I therefore believed to be his personal views, as set forth in the letter, a matter of record. Based on this belief (although subsequently the Secretary apprised me of the fact that my belief was incorrect) the Secretary's views were clearly privileged and I was under a duty not to discuss them.

At the time of my appearance before the Byrd committee and of my earlier appearance before your subcommittee, no one in ODM had the original or any copy of Secretary Seaton's letter. It was not until after Secretary Seaton returned to his desk and we met for the first time on this matter on May 25, that I learned that he considered his letter of March 11 to be an official expression of the position of his Department. Upon learning this, it was agreed on May 27 that Secretary Seaton's letter of March 11 would be returned to ODM, and that I would furnish the original of the letter to your subcommittee as soon as possible and that the Department of the Interior would furnish the subcommittee with a copy. This was done on Monday, May 27th.

I should appreciate your making this letter a part of the record of your investigation.

Sincerely,

GORDON GRAY,
Director.

THE FACTS ABOUT THE SENATE RESTAURANT

Mr. DIRKSEN. Mr. President, much has been said on the floor of the Senate over a period of time about the operation, management, prices, and service of the Senate restaurant. Some of this has been critical, and I believe the time has come, in the interest of truth, to place the facts before the people and before the Senate.

The Nationwide Food Service of Chicago, which operates the Senate restaurant and other food establishments for the benefit of the Senate and its employees and guests, carries on this operation. This includes the cafeteria in the Senate Office Building, the coffee shop in the Senate Office Building, the snack bar in the Capitol, and the dining room in the Capitol, including quite a number of rooms which are used for private dining purposes.

For the week of August 19 to August 24, 1957, these various facilities served 21,955 patrons or guests and the income derived therefrom was $13,303.40.

The Senate dining room is open from 8 in the morning until the Senate goes out of session and of particular importance in this connection is the fact that 89 percent of the business done is handled between the hours of 11 a. m. and 3 p. m., making it in fact a single-meal operation. In the hours from 8 until 11 in the morning and from 3 in the afternoon until closing time is a period of low income and consequently a losing period for the restaurant since it is necessary to carry a staff during these periods.

Since the restaurant management does not know when the dining room will close in the evening, it is always necessary to maintain a standby staff which is large enough to handle a heavy dinner business if the Senate stays in session until a late hour.

Senate Members are fully aware of the fact that the Senate may adjourn or recess at 5 o'clock, 7 o'clock, 10 o'clock or some hour in the early morning but no matter when it may close, the restaurant must maintain service during that period.

To secure employees on such an unpredictable basis, it is obviously necessary for management to pay for 5 hours of work even though they may work for a shorter period and it is also necessary to pay time and a half for overtime, whether it constitutes extra help which may be brought in or whether they be full-time employees. Consequently, the employees must be paid even though the Senate adjourns the session early in the day and no dinner business develops.

When the Senate is not in session, the food facilities are maintained for a 4- or 5-month period on a reduced basis. Here again, the restaurant income drops to less than half its normal volume and, while it can operate with a reduced staff, it is impossible to actually reduce the staff to the same proportion as the drop in income. Then, too, it is necessary as a practical matter to retain key employees during the months that the Senate is in adjournment, if management is to have ready an efficient and trained force when the Senate returns in January.

It is quite evident to any observer that the present dining area is entirely too small for the volume of business which develops during the lunch period, and this has provoked some criticism from Senate Members and others. The fact that it is difficult to use side stands in connection with restaurant service has manifestly prevented the use of certain available space and this in turn necessitates more frequent and longer trips to the service pantry in order to serve the patrons.

Let me point out also that the kitchen is located down two flights of stairs below the pantry and this requires the maintenance of a very considerable utility force to help bring trays of food to the service pantry. Since it is not feasible to hire these people for just the 2-hour period when they are needed, it becomes necessary to carry them on the payroll for a longer period in order to retain their services. Finally, let me say that here as elsewhere there has been an upward trend in overall food prices, which must be absorbed, and it is my considered opinion that the prices and the service of the restaurant facilities, when considered in the light of the tremendous handicaps with which they are confronted, is, indeed, outstanding.

One other bit of testimony might be of interest and that is that the Senate restaurant has steadily reduced the losses compared with other years. As an example, for the period July 1, 1957, to August 3, 1957, the loss on the entire food operation was $6,131.96. This is one-half of the loss which was sustained for a comparable period in 1956.

I believe that the management and the personnel of the Senate Restaurant deserve high commendation for the way they have performed under great difficulty.

THE MUTUAL-SECURITY PROGRAM

Mr. SMITH of New Jersey. Mr. President, in connection with the mutual-security program, I want to take this opportunity to pay a tribute to my colleagues in the Senate. As my friends know, I have been deeply interested in our foreign policy ever since I came to the Senate 13 years ago and I have been particularly interested in helping, as best I could, in the development of our so-called foreign-aid program. I was one of those who worked continuously with the study we had made last year of the new approach to the mutual-security program and was most hopeful that the reports of the investigators whom we chose from among the most expert in the country would be accepted as a basis for the new approach. The results of these studies and the independent studies that the President had made gave us what might be called a new look on our mutual-security program. There was no difference of opinion by any of those who participated in the studies as to the need to continue the program and especially the need for the support of our military aid and defense assistance for our allies in various parts of the world.

Also it was felt that from the standpoint of the underdeveloped countries we should provide for a long-range revolving loan fund to enable those countries to secure their economic stability and to aid them in developing their own freedom, independence, and self-determination so that they could remain among the nations dedicated to freedom. This is a critical issue of our foreign policy and I believe is the strongest supporting pillar of the President's whole program.

Reviewing the action of the Senate, I call attention to the fact that the President originally asked for $3.8 billion. The Senate reported a bill authorizing $3.6 billion. The Senate vote on this authorization bill was 57 to 25. The Senate brought the House appropriation bill in conference up to $3.3 billion and finally, in the Appropriations Committee, the Senate restored $500 million of the House slash of $800 million bringing the appropriation up to $3,025 billion. The Senate vote on this appropriation was 62 to 25. We have now witnessed the most unfortunate development, namely the unwillingness of the House to go above $2.7 billion for the final appropriation for fiscal 1958. This is a devastating defeat not only for the President, but for the safety of America. However, I want to take this opportunity to pay a tribute to our Senate leadership—our majority leader, the Honorable LYNDON B. JOHNSON and our minority leader, the Honorable WILLIAM F. KNOWLAND. Their work was one of the finest evidences of bipartisan teamwork and last ditch fighting in support of the administration and the security of our country.

The only conclusion I can possibly draw from this development is that there are those in the House and especially on the House Appropriations Committee who are determined to destroy the mutual security program. The matter needs our immediate attention and at the beginning of next year we must press the fight vigorously to present to the American people the issue involved in these unfortunate developments this year.

MAJOR ISSUES FACING WISCONSIN

Mr. WILEY. Mr. President, I ask unanimous consent that in the final edition of the CONGRESSIONAL RECORD there be printed a statement by myself on the subject of the principal issues of interest to the people of Wisconsin and the Nation.

The PRESIDING OFFICER (Mr. FREAR in the chair). Without objection it is so ordered.

THE LEGISLATION OF THE 85TH CONGRESS

Mr. WILEY. Mr. President, I ask unanimous consent that in the final edition of the RECORD it contain a statement which I am preparing on the subject of the legislation acted upon during the first session of the 85th Congress, and the subjects which await our attention in the second session, convening next January 7.

The PRESIDING OFFICER. Without objection, it is so ordered.

CIVIL RIGHTS ACT OF 1957

The Senate resumed the consideration of the amendment of the House of Representatives to Senate amendments Nos. 7 and 15 to the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

Mr. WATKINS. Mr. President, the civil rights bill compromise which has come over from the House for action in the Senate is not all that I had hoped for, but it is about all that can be expected under the circumstances. Most controversial legislation finally emerges as a result of compromises. The present bill is no exception. With jury trials limited to voting rights only, some of the major objections I had to the Senate bill have been eliminated.

I believe the bill as amended is one that will make for decided progress toward the objective of protecting the civil rights of the colored people of this Nation. Whether it will be effective will depend largely upon the attitude of the white people of the States where colored people have been essentially denied the right to vote. If white people in these areas act in good faith, the measure will be effective. Without their cooperation the law will be difficult to enforce. I have a very firm conviction that the people will act in good faith.

It was stated in Congressional debate that southern juries will convict in criminal contempt proceedings if a case has been made that the court's orders have, in fact, been violated. The proof of this claim, and the effectiveness of the new law, now is entirely up to the people of the States where it is claimed that voting rights of colored people have been denied.

With the passage of this measure, the eyes of the whole Nation will be upon the officials and the people of the States affected. The power of public opinion should go a long way to help correct a situation that has long been unfair to our colored citizens. Every American citizen should be allowed to vote, no matter what his color, creed, or economic status may be. The Constitution guarantees this right to all citizens of this land of the free.

Next year is an election year. The Civil Rights Commission provided for in the bill should be in operation well ahead of that election. It should throw some needed light on conditions affecting voting rights. Colored people will more than ever be interested in voting, and I hope that their constitutional rights will be preserved, as President Eisenhower has so vigorously insisted.

The American people will be watching to see what the response will be to the first civil rights law in more than 80 years. I sincerely hope that the compromise remedy, worked out in lengthy and difficult consideration in the Congress, will prove effective.

Mr. President, I shall vote for the compromise.

Mr. BYRD. Mr. President, I have already spoken at length in opposition to this proposed legislation, but I wish again to make very clear my strong opposition to this so-called civil-rights bill now pending.

When this bill was before the Senate previously, I enumerated all of the rules which were broken in its highly unorthodox consideration, and predicted that nothing but bad legislation would come of such rule-breaking procedure as was being used to force the bill into law.

After the bill was passed by the Senate, and sent back to the House of Representatives, it was subjected again to more unusual treatment.

In the ordinary routine the House would have accepted the Senate amendments, or called for a conference. But, did this bill get the ordinary routine? No. It was given a procedure unused in the House for years. It was submitted to the full House for amendment.

Personally, I believe the underlying purpose of this legislation was misguided and generally bad. The first House bill was greatly improved by Senate amendments, and the Senate is to be highly commended for the watering-down job it did under the harsh parliamentary circumstances which were forced upon it.

A victory for good government was won in knocking out the vicious part III which would have set up star-chamber proceedings for the very broad field of civil rights. In the Federal-election section of the Senate bill, we provided for jury trials in alleged criminal-contempt cases.

There is not adequate time for study of the provisions of the House amendments. But, I am advised that under the pending language a Federal judge, in his discretion, without trial by jury, may haul citizens before him on criminal-contempt charges, in civil-rights cases, and fine them up to $300 or put them in jail for 6 weeks.

It is true that trial by jury in such cases can be granted by Federal judges, and I assume that many Federal judges will grant jury trial; but jury trials in all criminal proceedings should be the inalienable right of every citizen.

Where the penalty is more than $300 fine, or jail sentence of a month and a half, the citizen is dealt with more magnanimously. He may request a trial by jury, at his own expense and before the same judge who has already prejudged his case and convicted him.

I have noted the majority leader's proposal for a thorough study of the question of trial by jury in criminal-contempt cases. I hope some good will come of it. I wish it had been made before the proposed procedure became such an important part of the pending bill.

The Senate cannot overlook the fact that the bill now before us would establish a snooping Commission authorized to go abroad in the land stirring up trouble; and provides, further, for a new Division in the Department of Justice, with a special Assistant Attorney General, fortified with all the investigation powers of the Department, for operations in this delicate field. It will be easy to foment strife through these activities in which allegations, supported and otherwise, will be made.

No good can come out of legislation characterized by the kind of consideration given this bill, and I am unwilling to carry acquiescence in any part of it on my conscience.

I can remember the reaction of shock which spread instantaneously across the country when the senior Senator from Georgia [Mr. RUSSELL] pointed out that the armed might of the military forces of the United States could be used under the infamous part III of the bill.

I remember the reaction of surprise, even by Members of Congress, when, during the previous Senate debate, equally iniquitous provisions were pointed out in other sections of the bill.

I am aware of a tremendous reaction at the moment to the so-called compromise adopted by the House.

What has been compromised is the right of an American to trial by jury in criminal cases.

I deny the publicized contention that this bill represents an improvement over the Senate bill. Nothing is improved under a statute which would allow innocent people to suffer severe punishment at the whim of a Federal judge without being able to submit proof of their innocence to a jury of their fellow citizens who owe no allegiance to a politically appointed Attorney General.

The Nation will regret enactment of this bill as it stands, just as it regrets the actions of a Supreme Court which hands down political-social decisions which undermine our fundamental principles of government, which preempts State laws, which lightly frees a felon guilty of horrible crime to roam the community, which opens up FBI confidential files, and which strikes down the will of a private citizen which has stood for decades.

I am opposed to this bill. It deserves the Senate's most vigorous rejection.

Mr. SMATHERS. Mr. President, I voted for the Senate version of the civil-rights bill when it passed the Senate on August 7. I am prepared now to vote for—and would like to vote for—that bill again. I thought the Senate bill was a sensible civil-rights bill. It embodied two basic principles. It protected the right of qualified citizens to vote regardless of race, color, or creed, and it reaffirmed and strengthened the basic right of trial by jury for all citizens who are charged with criminal contempt or crime.

The House of Representatives has now sent us a compromise version of that bill. It retains all the provisions with respect to voting rights, but, in my judgment, it effectively destroys the protection of trial by jury in criminal-contempt cases which we in the Senate had put into the bill. In my opinion, the basic civil right of trial by jury is as fundamental and precious as is the right to vote. The Constitution of the United States mentions specifically in four separate instances the importance of trial by jury. It mentions voting rights in only one section.

I do not believe that we, as responsible legislators adhering to basic democratic principles, should be willing to sacrifice the basic right of trial by jury, even to get a provision which has as its purpose the protection of voting rights. I do not believe we should exchange one fundamental civil right in order to try to strengthen or improve another. I do not believe that it is judicious, nor wise, nor fair to try to give to one group of citizens the full enjoyment of one civil right, by taking away from other groups of our citizens other more fundamental civil rights.

For these reasons, I shall not support this compromise version of the so-called civil-rights bill.

Mr. SCOTT. Mr. President, we have been through a long and laborious ordeal concerning the civil-rights bill that is now before us.

I will not dwell at any length, but there are 1 or 2 points that I would like to make concerning the bill.

Everybody, naturally, strives for the day when all sections of this Nation can come before the bar of public opinion with clean hands concerning their social, economic, and political problems.

I would be the last to say that there never has been a Negro in the South denied the right to vote, but the matter is not as serious and the problems are not as extensive as many people would try to lead the public to believe.

Of course, we have our soft spots in the South, and there are soft spots in the North, but we are fast reaching the day when demagogs dare not dabble in our race problems.

People everywhere are realizing that these are problems that must be settled man to man and neighbor to neighbor.

Once we realize this, once we face the facts about the workings of the social structure of democracy, then everyone will know that human relations is something the makers and molders of laws and orders had best leave to the hearts and minds of men.

With these thoughts as a background, I once again ask the Members of the Senate to search deep into their souls before casting a final vote on the bill before us. If this is done I think the Senate will defeat the bill.

There are a great many reasons why the Senate would be well advised to defeat the bill before it.

As I have said, the bill itself is not as harsh as it could be, but the important point is this: Its ultimate effect—be it damage or benefit—will depend upon how it is administered.

This, Mr. President, is the danger in this whole area of problems—in this whole business of the day-to-day relations between men.

If the bill becomes law, and is administered with restraint and reason, then that is one thing.

But if it is administered with the idea of getting mass blocks of votes in the big cities from minority groups, then those responsible will be guilty of the sorriest crime of our times.

This is the fear that is held in the hearts of the people of the South—this is the danger of this whole bill—because if it happens you will see violence and bloodshed.

Nobody will deny that we have made a great deal of progress in race relations in the South in the past generation. In recent years this progress has been frustrated to an extent by several decisions of the Supreme Court, but basically we are still people of good will and we want to keep it that way.

To pass this bill and have it administered by careless and reckless people would bring about complete chaos in the South. There is too much at stake to take such a chance.

The South, Mr. President, is on the move. We are rounding out our economy with industrial expansion and more diversified agriculture. We are building schools and hospitals and health centers and recreational facilities at a rate that is unbelievable under present conditions.

We of the South, Mr. President, are determined to continue our progress, and we resent the idea of outsiders trying to coach us from the sidelines.

I ask, therefore, that we not be hindered; that we not be interfered with; that we are left to solve our own problems.

Mr. HILL. Mr. President, I had concluded when the Senate adopted the jury-trial amendment on August 2 by the substantial vote of 51 to 42 that this body had acted with finality in rejecting the plea of advocates of civil-rights legislation that in the name of buttressing the right to vote it was necessary to deny the right to trial by jury. Today, however, we find ourselves once again fighting the same old battle for individual liberty. The most recent threat to personal freedom is presented to us under the banner of a compromise—a compromise that is held out to us as a constructive proposal, which comes halfway between the stand of the Senate in favor of jury trials and the insistence of the House of Representatives that this ancient bastion of human liberty be denied under this bill. I submit, Mr. President, that this proposal is not and cannot be regarded as a compromise. It is, rather, an abdication of principle.

I am categorically opposed to this strange proposal to give to the unfettered discretion of a Federal judge the power to determine whether a person shall or shall not be entitled to a trial by jury. I strongly believe that the proposal is unconstitutional, and if the proponents of the so-called compromise are successful in securing its enactment I should devoutly hope that the judiciary would strike the measure down. I am also opposed to the compromise because it would reverse a legislative history of 126 years' duration, in which the Congress has repeatedly expressed itself in favor of preserving and extending the right to trial by jury, as opposed to restricting it or abolishing it in the wake of powerful pressures arising out of the political issues of the day. The American people are innately contemptuous of despotic power whether it be exercised by king, dictator, or judge, and I believe that the arbitrary powers the compromise would grant to Federal judges might well bring the entire judiciary into disrepute.

In recent years the judiciary has evinced growing and thoughtful concern for the preservation and strengthening of the right to trial by jury. In the course of this debate there have been those who have argued that Congress has no legitimate concern to provide for jury trials in cases of criminal contempt. They have insisted that when we set a jury between an accused person in a contempt proceeding and summary punishment we question and affront the dignity of the court and the power of the court to vindicate its dignity. I submit, Mr. President, that in recent expressions of Justices of the Supreme Court of the United States there are voiced admonitions against those who would recklessly abandon such constitutional guaranties as the right to trial by jury in the name of preserving the dignity of the courts.

It certainly in no wise can be argued that the jury-trial amendment which the Senate adopted is either unconstitutional or an extension of statutory rights of which the courts themselves would disapprove. In the case of *Michaelson* v. *United States* (266 U. S. 42), the Supreme Court of the United States clearly disposed of any doubts in this regard. Justice Sutherland, in delivering the opinion of the Court, said:

> The simple question presented is whether Congress may require a trial by jury upon the demand of the accused in an independent proceeding at law for a criminal contempt which is also a crime. In criminal contempts, as in criminal cases, the presumption of innocence obtains. Proof of guilt must be beyond reasonable doubt and the defendant may not be compelled to be a witness against himself, *Gompers* v. *Bucks Stove and Range Co.* (221 U. S. 418). The fundamental characteristics of both are the same. Contempts of the kind within the terms of the statute partake of the nature of crimes in all essential particulars. "So truly are they crimes that it seems to be proved that in the early law they were punished only by the usual criminal procedure."

The Court further states:

> The statutory extension of this constitutional right to a class of contempts which are properly described as criminal offenses does not, in our opinion, invade the powers of the courts as intended by the Constitution or violate that instrument in any other way.

In the case of *Sacher et al.* v. *United States* (343 U. S. 1 (1952)), two Justices took the position that even in cases of direct criminal contempt an accused person is constitutionally entitled to a trial by jury.

The Sacher case grew out of a turbulent 9-month trial of 11 Communist leaders on charges of violating the Smith Act. Defendants' counsel in the presence of the trial judge and in the face of repeated warnings from him that their conduct was regarded as contemptuous persisted in a course of conduct that was highly contemptuous and that tended to disrupt and delay the trial and possibly cause a mistrial. When the verdict of the jury had been returned the trial judge, without further notice or hearing immediately filed a certificate under rule 42 (a) of the Federal Rules of Criminal Procedure summarily finding such counsel guilty of direct criminal contempt and sentenced them to imprisonment. Although the majority of the Court upheld the power of the trial judge under rule 42 (a) to impose such punishment, Justices Black, Frankfurter, and Douglas dissented.

In his dissenting opinion, Justice Black listed the reasons why the conviction ought to have been reversed, among which was:

> Petitioners were constitutionally entitled to have their guilt or innocence of criminal contempt decided by a jury.

The opinion further states:

> I would reverse on the further ground that petitioners are entitled to all the constitutional safeguards provided to protect persons charged wih crime, including a trial by jury.
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> Article III, section 2, of the Constitution provides that "the trial of all crimes * * * shall be by jury." Not satisfied with this single protection for jury trial, the founders reemphasized the guaranty by declaring in the sixth amendment that "in all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury * * *." And the fifth amendment provides that "no person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury. * * *" These contempt proceedings are "criminal prosecutions" brought to avenge an alleged public wrong. Petitioners were imprisoned for terms up to 6 months, but these terms could have been longer. The Government's position in *United States* v. *United Mine Workers of America* (330 U. S. 258) was that the amount of punishment for the crime of contempt can be fixed at a judge's discretion, with no limit but the eighth amendment's prohibition against cruel and unusual punishment. Certainly, petitioners have been sentenced for crimes. Consequently, these lawyers have been wrongfully deprived of the jury benefits of the foregoing constitutional provisions unless they are inapplicable to the crime of contempt.
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> There are, undoubtedly, sayings in some past opinions of this Court broad enough to justify what was done here. Indeed, judges and perhaps lawyers pretty generally subscribe to the doctrine that judicial institutions would be imperiled if judges were without power summarily to convict and punish for courtroom offenses. Our recent decisions, however, have expressed more cautious views about the judicial authority to punish for contempt. Returning to the early views of this Court, we have marked the limits of that authority as being "the least possible power adequate to the end proposed." In re Oliver (333 U. S. 257, 274), and cases there cited. The end proposed is power adequate in the court to preserve order and decorum and to compel obedience to valid court orders. To achieve these ends—decorum and obedience to orders—courts must have power to act immediately, and upon this need the power of contempt rests. Concurring opinion, *United States* v. *United Mine Workers of America*, supra (330 U. S. 331–332). Measured by this test, as Judge Charles Clark's dissenting opinion pointed out, there was no necessity here for Judge Medina's summary action, because the trial was over and the danger of obstructing it was passed. For the same reason there was no longer need, so far as that trial was concerned, to try petitioners for their courtroom conduct without benefit of the Bill of Rights procedural safeguards.
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> A concurring judge in the court of appeals feared that it might bring about "demoralization of the court's authority" should any one other than Judge Medina try the case. The reason given was: "For instance, in all likelihood, at a trial of the lawyers, Sacher would introduce the testimony of himself and others in an effort to prove that he was not 'angrily shouting,' as charged in specification VII, and did not speak 'in an insolent manner,' as charged in specification VIII; Gladstein would similarly seek to prove there he did not 'angrily' advance 'toward the bench' or make remarks in a 'truculent manner,' as charged in specification VIII, and did not speak to the judge 'in a sarcastic and impertinent manner,' as charged in specification VI"; etc. (182 F. 2d 416, 461). What would be wrong with this? Are defendants accused by judges of being offensive to them to be conclusively presumed guilty on the theory that judges' observations and inferences must be accepted as infallible? There is always a possibility that a judge may be honestly mistaken. Unfortunately, history and the existence of our Bill of Rights indicate that judicial errors may be from worse causes.
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> The historic power of summary contempt grew out of the need for judicial enforcement of order and decorum in the courtroom and to compel obedience to court orders. I believe the idea of judges having unrestricted power to bypass the Bill of Rights in relation to criminal trials and punishments is an illegitimate offspring of this historic coercive contempt power. It has been said that such a "summary process of the Star Chamber slipped into the common law courts," and that the alleged ancient history to support its existence is "fiction." With the specific reservation that I think summary contempt proceedings may be employed solely to enforce obedience and order, and not to impose unconditional criminal punishment. I agree with this statement by Mr. Justice Holmes: "I would go as far as any man in favor of the sharpest and most summary enforcement of order in Court and obedience to decrees, but when there is no need for immediate action, contempts are like any other breach of law and should be dealt with as the law deals with other illegal acts." (*Toledo Newspaper Co.* v. *United States* (247 U. S. 402, 425–426).)
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> I believe these petitioners were entitled to a jury trial. I believe a jury is all the more necessary to obtain a fair trial when the alleged offense relates to conduct that has personally affronted a judge. The majority here and the majority below appear to have affirmed these convictions on the assumption that appellate review so fully guarantees a fair trial that it is an adequate substitute for trial by jury. While I agree that the power of lawyer-judges to set aside convictions deemed prejudicial or erroneous is one vital safeguard of liberty, I cannot agree that it affords the full measure of security which the Constitution has provided against unjust convictions. Preference for trial by a jury of laymen over trial by lawyer-judges lies behind the constitutional guaranty of trial by jury. I am among those who still believe in trial by jury as one of the indispensable safeguards of liberty.

Justice Douglas also declared:

> I also agree that petitioners were entitled by the Constitution to a trial by jury.

These opinions clearly reflect the growing emphasis in juridical thinking on the sanctity of the constitutional right of trial by jury in prosecutions for crimes and the insistence that a prosecution for a criminal contempt is a prosecution for a crime.

In a more recent case, *Offutt* v. *United States* (348 U. S. 11 (1954)), we find similar expressions of the Justices regarding the constitutional right to trial by jury in criminal contempt cases.

In the Offutt case during the course of a criminal trial in a United States district court the judge became personally embroiled with the defense counsel during which the judge displayed animosity and a lack of proper judicial restraint. At the close of the trial, acting under rule 42 (a) of the Federal Rules of Criminal Procedure, the judge summarily found the defense counsel guilty of criminal contempt for "contumacious, and unethical conduct during the trial" and ordered him imprisoned for 10 days. The court of appeals agreed that the counsel was guilty of reprehensible misconduct but found that "appellant's conduct cannot fairly be considered apart from that of the trial judge" and reduced the punishment to 48 hours.

The Supreme Court held that in the exercise of the Court's supervisory authority over the administration of criminal justice in the Federal court the contempt conviction should be set aside and the cause be remanded to the district court with a direction that the contempt charges be retried before a different judge, citing *Cooke* v. *United States* (267 U. S. 518).

Several Justices joined in the opinion of the Court and concurred in the reversal and remand of the case for hearing before another judge. They stated that "they would go further, however, and direct that petitioner be accorded a jury trial for reasons set out in the dissents in *Sacher* v. *United States* (343 U. S. 1, 14–23), and *Isserman* v. *Ethics Committee* (345 U. S. 927).

I wish to emphasize that these opinions go much further than the jury trial amendment the Senate adopted, first, because they state that an accused has a constitutional right to a jury trial in a criminal contempt proceeding, whereas the O'Mahoney amendment merely sought to provide a statutory right of trial by jury, and secondly, the opinions which I have quoted extend the constitutional right of trial by jury to cases of direct criminal contempt, whereas the O'Mahoney amendment would extend this cherished liberty only to cases involving indirect criminal contempt.

A recent expression of the Supreme Court of the United States was given in the jointly decided cases of Reid against Covert and Kinsella against Krueger, listed as Nos. 701 and 713 of the October term, 1955, decided on June 10, 1957. These were the famous cases involving the wives of servicemen who had been convicted by military tribunals of having murdered their husbands, who were serving in the armed services abroad. I need not recite all the facts in the cases but the Court had originally decided that the military trials of Mrs. Smith and Mrs. Covert were constitutional, 351st United States Reports, pages 470, 487. The majority in those cases held that the provisions of article III and the fifth and sixth amendments, which require that crimes be tried by a petit jury after indictment by a grand jury did not protect an American citizen when he was tried by the American Government in foreign lands for offenses committed there. The Supreme Court subsequently granted a petition for rehearing, 352d United States Reports, page 901.

I realize, of course, that these cases do not precisely involve the question of whether a person is constitutionally entitled to the right of trial by jury in a prosecution for criminal contempt. The decision in the combined cases, however, clearly shows the emphasis that the Supreme Court of the United States places upon the sanctity of the right to trial by jury and indicates that with the recently changed composition of the Court there was no hesitancy on the part of the majority of the members to upset even a recent case on the constitutional ground that the right to trial by jury had been denied.

Let us consider some of the passages from the majority opinion. The opinion declares:

> The rights and liberties which citizens of our country enjoy are not protected by custom and tradition alone, they have been jealously preserved from the encroachments of Government by express provisions of our written Constitution.
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> Among those provisions, article III, section 2, and the fifth and sixth amendments are directly relevant to these cases. Article III, section 2, lays down the rule that:
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> "The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed."
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> The fifth amendment declares:
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> "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger."
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> And the sixth amendment provides:
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> "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed."
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> The language of article III, section 2 manifests that constitutional protections for the individual were designed to restrict the United States Government when it acts outside of this country, as well as here at home. After declaring that all criminal trials must be by jury, the section states that when a crime is "not committed within any State, the trial shall be at such place or places as the Congress may by law have directed." If this language is permitted to have its obvious meaning, section 2 is applicable to criminal trials outside of the States as a group without regard to where the offense is committed or the trial held. From the very first Congress, Federal statutes have implemented the provisions of section 2 by providing for trial of murder and other crimes committed outside the jurisdiction of any State "in the district where the offender is apprehended, or into which he may first be brought." The fifth and sixth amendments, like article III, section 2, are also all inclusive with their sweeping references to "no person" and to "all criminal prosecutions."
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> This Court and other Federal courts have held or asserted that various constitutional limitations apply to the Government when it acts outside the continental United States. While it has been suggested that only those constitutional rights which are "fundamental" protect Americans abroad, we can find no warrant, in logic or otherwise, for picking and choosing among the remarkable collection of "Thou shalt not" which were explicitly fastened on all departments and agencies of the Federal Government by the Constitution and its amendments. Moreover, in view of our heritage and the history of the adoption of the Constitution and the Bill of Rights, it seems peculiarly anomalous to say that trial before a civilian judge and by an independent jury picked from the common citizenry are not fundamental rights. As Blackstone wrote in his Commentaries:
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> "The trial by jury ever has been, and I trust ever will be, looked upon as the glory of the English law. And if it has so great an advantage over others in regulating civil property, how much must that advantage be heightened when it is applied to criminal cases. * * * It is the most transcendent privilege which any subject can enjoy, or wish for, that he cannot be affected either in his property, his liberty, or his person, but by the unanimous consent of 12 of his neighbors and equals."
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> Trial by jury in a court of law and in accordance with traditional modes of procedure after an indictment by grand jury has served and remains one of our most vital barriers to governmental arbitrariness. These elemental procedural safeguards were embedded in our Constitution to secure their inviolateness and sanctity against the passing demands of expediency or convenience.

Then at another point the opinion declares:

> Colonials had also seen the right to trial by jury subverted by acts of Parliament which authorized courts of admiralty to try alleged violations of the unpopular Molasses and Navigation Acts. This gave the admiralty courts jurisdiction over offenses historically triable only by a jury in a court of law and aroused great resentment throughout the Colonies. As early as 1765 delegates from nine colonies meeting in New York asserted in a declaration of rights that trial by jury was the inherent and invaluable right of every citizen in the Colonies.
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> With this background it is not surprising that the Declaration of Independence protested that George III had "affected to render the military independent of and superior to the civil power" and that Americans had been deprived in many cases of "the benefits of trial by jury." And those who adopted the Constitution embodied their profound fear and distrust of military power, as well as their determination to protect trial by jury, in the Constitution and its amendments. Perhaps they were aware that memories fade and hoped that in this way they could keep the people of this Nation from having to fight again and again the same old battles for individual freedom.

Because of these and other Supreme Court opinions which could be cited, I assert that there is reason to believe that if we pass a law which gives to a Federal judge the authority to decide whether an accused person shall or shall not have the right to a trial by jury in cases of indirect criminal contempt the courts will strike the measure down and brand it as an unconstitutional infringement of the right guaranteed in article III, section 2 of the Constitution and in the sixth amendment.

Similarly, the adoption of the proposed compromise would reverse the 126-year history of public policy declared by Congress, which has been to extend rather than restrict the right to trial by jury. Following the impeachment trial of Judge Peck in 1831, Congress adopted the Buchanan-Webster amendment extending the jury trial right, which has been recodified as section 401 of title 18 of the Criminal Code. The long line of judicial abuses and aggressions in cases arising out of labor disputes lead to the enactment of a provision in the Clayton Act of 1914, which has been recodified as sections 402 and 3691 of title 18. These sections likewise extend rather than restrict the right to trial by jury. The Norris-La Guardia Act of 1932 was an additional recognition by Congress of the importance of extending the statutory right to jury trial. Even as late as 1948 a provision of the Norris-La Guardia Act was recodified and reenacted as section 3692 of title 18. There, again, it was declared by Congress to be the public policy of the United States to preserve and extend the right to trial by jury.

Despite these facts of legislative and judicial history of the United States, we are today told that in order to satisfy a majority in the House of Representatives we must compromise the constitutional principle guaranteed in article III, section 2 of the Constitution and in the sixth amendment. We are told that we must nullify and reverse the 126-year legislative history of extending the right to trial by jury. We are told that, despite the growing concern in modern juridical thinking in favor of broad extensions in the interpretation of the constitutional right to trial by jury, that precious right should be freely given or freely taken away upon the whim and caprice of a single man.

In addition to the fact that the proposal now before us is clearly an abdication of the principles embodied in our constitutional and statutory laws and judicial decisions, the proposal otherwise is bound to be productive of great evil and may well bring the entire judiciary into scorn, ridicule, and disrepute.

In the first place, despite the fact that the so-called compromise has been modified since its original presentation last week, it still requires a Federal district judge to prejudge the facts in a case before he can make a determination as to whether or not an accused person shall be entitled to the right to a trial by jury. It would invite a judge to make his decision upon the basis of hearsay, newspaper articles, and insinuations and unsubstantiated assertions whispered into the ear of the judge. I agree with those who assert that any good judge would grant the right to trial by jury, but we cannot assume such beneficence or wisdom on the part of all men having life tenure of office when we are considering granting them such broad and unlimited authority. As Senator ERVIN has stated regarding so many other features of the pending measure, this proposal gives to a single official broad powers which no bad man ought to have and no good man ought to want.

In the second place, the so-called compromise injects, for the first time, into our Anglo-American jurisprudence the strange and alien philosophy that the fundamental democratic process of trial by jury is not a matter of right but is rather a privilege which can be granted or denied on the basis of considerations other than legal—on the basis of financial or fiscal considerations. Such a fiscal determination by an economy-minded judge might be a fine of exactly $300, which means that the accused has been "$300 bad" and that he shall be denied his right to a trial by jury. If, on the other hand, a more free-spending judge regards the defendant as having been "$300.01 bad," then, lo and behold, 1 penny's difference assures him his constitutional right to trial by jury.

Under the so-called compromise, a judge with a bent more toward imposing imprisonment as punishment for criminal contempt, might order the defendant to be incarcerated. He might determine that the accused has been "45 days bad," to the very second, and thus there will be no jury trial for the likes of him. If, however, a judge should prescribe a sentence of 45 days and 1 minute, then the accused would be given his jury trial.

In other words, the strange and alien philosophy which prompted this latest proposal declares that if a man is a little bad he has no right to a jury trial, whereas if he is very bad he shall be given that right.

I contend, Mr. President, that it is patently ridiculous to assert that the safeguard of trial by jury should be granted or denied at the sufferance of a single man. It is ridiculous to assert that the right of trial by jury should be granted or denied on the basis of 1 cent in fines. It is ridiculous to assert that our basic democratic process of trial by jury should be granted or denied on the basis of 1 day, 1 hour, 1 minute, as part of a defendant's sentence to jail. Is a paltry sum or a fleeting moment to determine the precious right to trial by jury?

The compromise proposal, on the pretense of doing away with that which has ben so erroneously called second-class citizenship, is in fact providing for a second-class contempt—a contempt proceeding whereby the basic rights of a free people may arbitrarily be swept away and an accused person be left shorn of the basic safeguards that protect him from tyranny.

In the third place, in many instances it would strip from the Federal judge his right and duty to be a fair and impartial arbiter of the rights of an accused person. In cases where the judge decides to impose a fine in excess of $300 or a jail sentence in excess of 45 days, the accused person could demand a trial de novo before a jury. We would then behold the incredible spectacle of the judge who previously had made the law the defendant was accused of violating, who had indicted the accused, who had tried the accused, who had found the accused to be guilty, and who had affixed the sentence, presiding at the jury trial in which the accused would theoretically have a fair and impartial judgment rendered. Such a strange and indefensible procedure, I submit, Mr. President, can only be calculated to engender contempt in the minds and hearts of a free people for any man who possesses such powers.

As I have previously emphasized, the Founding Fathers embodied in the Constitution and the Bill of Rights their determination to protect trial by jury. Thus they sought to avert the necessity of having to fight again and again the same old, hard-won battles for individual freedom. They would never have dreamed, I am sure, that despite their efforts to secure forever cherished liberties such as the right to trial by jury, in the Senate today we would find ourselves fighting the battle for individual freedom. We are fighting that battle against those who seem to regard trial by jury as a thing of another day, another year, another age; as a ragged, old relic of bygone years that perhaps has served its purpose well, but has no place in the fast-moving, dynamic, modern America. Perhaps they are willing to shed a tear at its passing, in loving memory of its past greatness in protecting against tyranny. But they are not willing to let affection for tried and true institutions quell the tempest generated by powerful pressures or misguided zeal. Thus, they are willing to say to the constitutionally ordained institution of trial by jury: "Up to a point, you did your job well, and we are grateful. We shall always have sweet memories of you, and pay you our tribute whenever the opportunity conveniently presents itself. But when you do not serve our purposes, you must hie thee off to other realms, where people still cherish this ancient bastion of human liberty. And so we bid you a fond farewell."

Mr. President, the right to trial by jury in all criminal prosecutions is exactly what the Constitution says it is: It is a right—not a privilege, not special treatment, not an institution to be bargained away or to be granted or denied at the discretion of one man or any group of men. As Jeremiah Black said:

> I prove my right to a trial by jury as I would prove my title to an estate if I held in my hand a solemn deed conveying it to me, coupled with undeniable evidence of long and undisturbed possession under and according to the deed. There is the charter by which we claim to hold it. It is called the Constitution of the United States. It is signed by the sacred name of George Washington, and by 39 other names only less illustrious than his. They represent every independent State then upon this continent, and each State afterwards ratified their work by a separate convention of its own people. Every State that subsequently came in acknowledged that this was the great standard by which their rights were to be measured. Every man that has ever held office in the country from that time to this, has taken an oath that he would support and sustain it through good report and through evil.

Mr. President, I reiterate, for all those who will listen, that the sixth amendment to the Constitution provides:

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, * * *.

As Jeremiah Black further declared:

> Is there any ambiguity there? If that does not signify that a jury trial shall be the exclusive and only means of ascertaining guilt in criminal cases, then I demand to know what words or what collocation of words in the English language would have that effect? Does this mean that a fair, open, speedy, public trial by an impartial jury shall be given only to those persons against whom no special grudge is felt by the Attorney General, or the Judge Advocate, or the head of a department? Shall this inestimable privilege be extended only to men whom the administration does not care to convict? Is it confined to vulgar criminals, who commit ordinary crimes against society, and shall it be denied to men who are accused of other offences? * * * No; the words of the Constitution are all embracing "As broad and general as the casing air."

Mr. President, the sanctity of the tradition and guaranty of trial by jury were enshrined in these immortal words:

> I do not assert that the jury trial is an infallible mode of ascertaining truth. Like everything human, it has its imperfections. I only say, that it is the best protection for innocence and the surest mode of punishing guilt that has yet been discovered. It has borne the test of a longer experience, and borne it better, than any other legal institution that ever existed among men. England owes more of her freedom, her grandeur, and her prosperity, to that than to all other causes put together. It has had the approbation not only of those who lived under it, but of great thinkers who looked at it calmly from a distance, and judged it impartially * * * and no people ever adopted it once and were afterward willing to part with it.

Mr. President, I want the record to be abundantly clear that I was never counted among those who inherited that great safeguard of personal freedom, the institution of trial by jury, who enjoyed its benefits and its blessings, and who "were afterward willing to part with it."

In a moment of impatience for adjournment, let us not unadvisedly vote to have the Senate abdicate its historic role as the impregnable fortress of constitutional liberty. Let us strike this measure down, so that all the world shall know that the Senate will not compromise with principle, for compromise with principle is nothing more or less than surrender of principle. The Senate has already made its stand—I would hope, its irrevocable stand—in behalf of the principle of trial by jury. Let us neither retreat 1 inch nor surrender a single principle of justice where the rights and freedom of our people are at stake. Let us purge this legislation from the Halls of Congress, so that men may always say, "Here was the Senate in its finest hour, rendering its highest service to the American people."

Mr. President, some time ago, the Senator from Rhode Island [Mr. GREEN], the distinguished and able chairman of the Senate Foreign Relations Committee, requested the junior Senator from Alabama [Mr. SPARKMAN] to undertake for this committee the important assignment of visiting the countries of the Far East and of southeast Asia, and making to the committee recommendations regarding these vital areas. The junior Senator from Alabama agreed to the assignment, and a date was set well beyond what was expected to be the date for the sine die adjournment of Congress.

The assignment called for an extensive itinerary throughout these great and vital areas of the world. The assignment was of such a nature that details had to be worked out in advance of departure from this country. Schedules and appointments had to be arranged and transportation planned.

Plans in connection with the assignment were completed last week, and Senator SPARKMAN's departure was scheduled for last Saturday night.

Senator SPARKMAN met with the southern Senators of our group in Senator RUSSELL's office on Saturday morning, and would not consent to leave on the assignment until he was assured by Senator GREEN of a live pair in connection with the vote to be taken on the amendments of the House to the amendments of the Senate numbered 7 and 15 to House bill 6127.

The junior Senator from Alabama [Mr. SPARKMAN] has been a bulwark in the fight to kill this politically inspired and unnecessary legislative proposal, or, failing that, to eliminate from the bill its worst and most dangerous provisions. We are all indebted to him for his contribution in this momentous fight.

Were he here today, he would speak out in opposition to the passage of this proposed legislation. He prepared a statement to be used as part of his planned speech. I ask unanimous consent that this statement be printed in the RECORD immediately following the comments I have just made.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT PREPARED BY SENATOR SPARKMAN IN OPPOSITION TO THE CIVIL RIGHTS BILL

We from the South have worked together from the very beginning in opposition to the so-called civil rights bill. We have felt completely justified in doing so because of the great harm the bill would do.

Many Democrats and Republicans outside the South agreed with us regarding some of the most vicious and most dangerous provisions of the original bill. With their help we have been able to eliminate many of the worst features of the bill.

It was clear to most Members of the Senate, to many Members of the House, and to Americans all over the Nation that the bill as originally drawn would have gone far toward destroying the authority of State and local governments, and also toward destroying the right of jury trial guaranteed by the Constitution. The results would have been calamitous.

The very foundations on which this country has grown to be great, and has become a beacon of democracy and individual freedom for all the nations of the world, would have been done irreparable harm. A sufficient number understood these dangers to help us from the South to make major changes in the bill and to remove much of its danger.

Now we have before us a compromise of the Senate version of the bill. We from the South—and I dare say the same is true of many outside the South—do not like this compromise. We recognize, though, the cold hard reality that majorities in both Houses of Congress are in a mood to pass the bill with the compromise, and to adjourn Congress. As strong as members of our southern group oppose this bill and as great as we believe the danger in the long run to be, we cannot but recognize and at the same time deplore the great odds against us.

I want to point out that none of us from the South who have opposed every word and every comma of this bill from the start was a party to working out the compromise.

The compromise goes far toward restoring to the bill one of the dangerous features removed in the Senate—the impairment of jury trials.

To me it came personally as a great surprise.

I have known all the Federal judges in Alabama for years. They are good friends of mine. They are all honorable men steeped deeply in the Constitution and in the desire to preserve the constitutional rights that have given to the people of this Nation the greatest protection ever accorded by any government to its people. I believe they recognize the importance of trial by jury. I have confidence in their acting to uphold and to preserve this great constitutional right.

Even should they do so, however, and even should the same be true of every judge in every state of this Nation, the compromise presented to the Senate is unwise.

Some, of course, will argue that where a man is to be imprisoned for 45 days or less and is not to be fined in excess of $300 in criminal contempt cases, there is no justification for grave concern. Some will contend that the penalty is too small to cause concern, that right of jury trial in cases in excess of these penalties gives sufficient protection to the jury principle.

I disagree wholeheartedly with any such claims. People receiving such penalties will rightfully consider them severe, and they will want jury trials.

I submit that the denial of one's liberty under such circumstances for even 1 day without a trial by jury of his peers is abhorrent to freemen and does great damage to our judicial system.

The important thing to remember is that this compromise will take away the absolute right to trial by jury secured by the constitution to every citizen accused of crime.

This is the right that we fought on the Senate floor for a period of several weeks to retain. This is the right that Senators from all parts of the country fought shoulder to shoulder to write into this legislation. This is the right that our forefathers struggled for centuries to establish. It was the abuse of this right by the King of England that caused the colonies to revolt, and our Founding Fathers to write into the Constitution the guaranty of jury trial.

The compromise is clearly unconstitutional. I cannot conceive of the members of the Supreme Court, once the matter is before them, taking any action other than to declare it unconstitutional.

I realize that the bill, even with the compromise provision in it, is a much less vicious and a much less dangerous bill than that originally drawn by the Attorney General and sent to the Congress by the President of the United States. Even so, it is still a bad bill and it should be given a permanent burial.

This bill was conceived in political iniquity. It will do the Negro more harm than good. It will serve to drive further apart the leaders of both races in the South where the problem is the greatest. It will create disunity among our people at a time when unity is sorely needed.

The bill is completely unnecessary. The Negro has made tremendous gains in the South during the last 25 years. As the economy of the South has improved so have the living standards of both our Negro and white citizens. Along with better living standards and an improved economy have come improved race relations.

As the education level of the Negro has improved he has registered and voted. The Southern Regional Council reported recently that during the last 10 years the percentage of Negro voters in the South has increased by 500 percent.

Negro teachers with similar training and experience receive the same salaries as do white teachers. School facilities for Negroes are rapidly being equalized with those of whites and in many cases far excel those of whites.

Until the Supreme Court decision on school desegregation and the agitation from outside sources thereafter, racial relations between the Negroes and whites of the South were on a friendly basis.

Since the Supreme Court decision, race relations have deteriorated. The leaders of the two races are no longer able to sit down together and work out problems to the mutual satisfaction and advantage of both races. Our people have grown fearful and resentful.

This bill will simply serve to create more hard feelings and more distrust among our people. It will further impair the progress our people have made. I repeat, it is completely unnecessary and the ills it will create will plague us in the years ahead.

Mr. CASE of South Dakota. Mr. President, the House of Representatives has concurred in the amendments of the Senate with two amendments, which are amendments to Senate amendments Nos. 7 and 15.

The amendment of the House of Representatives to Senate amendment No. 15 modifies the so-called trial-by-jury provisions which were adopted by the Senate. That has been discussed by others.

The amendment of the House of Representatives to the amendement of the Senate No. 7 deals with the problem of protection for newspaper reporters, radio commentators, and others who might, without permission, publish information developed by the proposed Commission in executive sessions. I rise to speak on this other amendment.

The problem sought to be met by means of that amendment was brought out in comments made on the bill after it had been passed by the Senate. I speak, therefore, for the benefit of the legislative history of the amendment.

Subsection (g) of section 102 of the bill, as originally passed by the House of Representatives, and also as passed by the Senate, read, and reads, as follows:

> (g) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission evidence or testimony taken in executive session shall be fined not more than $1,000, or imprisoned for not more than 1 year.

Mr. President, some of the newspaper publishers of the country and members of the fourth estate generally feared that the last sentence of subsection (g) might imperil reporters who reported information, which they might obtain through their natural initiative, which paralleled or was identical to evidence developed in the executive sessions of the commission.

It will be noted that the subsection provides that—

> Whoever releases or uses in public without the consent of the Commission evidence or testimony taken in executive session shall be fined not more than $1,000, or imprisoned for not more than 1 year.

A parliamentary problem developed by reason of the fact that that language of the bill as passed by the House of Representatives was not disturbed by the amendments adopted in the Senate. The bill went back to the House with that paragraph untouched and hence not in disagreement. Under the rules pertaining to conferences, Mr. President, and under the House rules applicable to House bills returned from the Senate, sentences not disturbed or changed by amendment in Senate passage of a bill are not subject to direct change by conferees or by motions to concur with an amendment on the floor of the House.

Senate amendments may be accepted by the House or they may be accepted with a modification by concurrence with an amendment either on the floor or in connection with a conference report.

The problem of those concerned by the possible application of the penalty subsection to news reporters, however, was that paragraph (g), the penalty subsection of section 102, was not amended in any way—hence not in disagreement.

In thinking over that problem, after it developed, and in reading the amendments which had been adopted, however, it occurred to me that one of the amendments which was adopted by the Senate related to that subject matter, in a way, and that therefore, since that amendment which had been adopted by the Senate would be within the purview of conferees, it would also be within the power of the House to deal with by an amendment to the Senate amendment.

That is the course which has been followed in the bill as it is now before us for final action.

I now invite the attention of the Senate to amendment No. 7 of the Senate, which was a part of the amendment to section 105, offered by the distinguished minority leader, the Senator from California [Mr. KNOWLAND], dealing with the powers of the Commission.

Paragraph (b) of section 105, as it originally passed the House of Representatives, provided that the Commission could accept and utilize the services of voluntary and uncompensated personnel.

Objection was made to that by various Members of the Senate. I recall that the distinguished Senator from Georgia [Mr. RUSSELL], thought that would interfere with the proper functioning of the Commission, and, perhaps, make it a creature of some existing agency.

In any event, the Senator from California proposed an amendment to section (b) which struck out the language providing for the utilization of voluntary and uncompensated personnel, and proposed, instead, this amendment, which the Senate adopted:

> (b) The Commission shall not accept or utilize services of voluntary or uncompensated personnel.

In reading that amendment over, after the bill had passed the Senate, it occurred to me that it offered a way to meet the problem raised in the section to which I have previously alluded with regard to the unauthorized release of testimony.

Since the ban on the release or use of testimony was on testimony or evidence taken in executive session, it would naturally follow under the Knowland amendment that the only persons present in executive session would be members of the Commission or employees of the Commission, or persons employed or compensated by the United States to take the testimony, or transcribers of the testimony whose services would be compensated by the United States, or employees, perhaps, of the Government Printing Office whose services would also be compensated by the United States; and that news reporters would not be present in executive sessions of the Commission and would not be persons compensated by the United States.

Therefore on the 19th of August I made the suggestion on the floor of the Senate—and my remarks appear at pages 15131 and 15132 of the RECORD—that to the language of the Knowland amendment numbered 7 on page 7 of the bill, we could add certain words to define "whoever", as used in the section relating to the unauthorized use of evidence or testimony——

So I suggested that we add to the amendment offered by the Senator from California, and adopted by the Senate, certain language to define the word "whoever" as used in the section relating to the release or use of evidence or testimony without permission.

I suggested that the amendment might read, taking up the words of the Senator from California:

> The Commission shall not accept or utilize services of voluntary or uncompensated personnel—

And adding these additional words—

> and the term "whoever" as used in section 2, subsection (g), hereof shall be construed to mean a person whose services are compensated by the United States.

In addition to bringing that to the attention of the Senate, in the morning hour, August 19, I supplied copies of it to the distinguished Senator from California, to the Senator from New Mexico [Mr. ANDERSON], and to others, and to some of the leaders or possible conferees on the part of the House of Representatives, if the bill should go to conference.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. CASE of South Dakota. I yield to the Senator from California.

Mr. KNOWLAND. I wish to say that the Senator from South Dakota has made an accurate statement of the situation. He not only made on the floor the statement to which he refers, but he sent letters together with copies of certain suggested language to me and to the majority leader and to a number of other Senators, and, as he pointed out, also, to some of the possible House conferees.

When this bill got to the House and had been delayed for some time, and then finally there were suggestions being made of a way whereby acceptable language might be worked out, and the other problems had been solved, at informal meetings I discussed with the distinguished majority leader and with some of the leadership in the House the question of solving this problem which had caused some concern to the press of the country. The language which was suggested was the language which the Senator from South Dakota had previously proposed and of which advised a number of other Senators. That language, after having been gone over by the majority leader and the minority leader and the leadership of the House was found to be acceptable, and the fact that the Senate had amended the section to which the Senator has alluded made it possible to make this correction when the House concurred with amendments. The Senator is to be thanked for developing this record; he has made an excellent contribution toward solving the problem which had existed.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. Mr. President, I deeply appreciate the remarks of the distinguished minority leader.

I yield to the Senator from New York.

Mr. JAVITS. I should like to join the majority leader in commendation of the Senator from South Dakota. I raised the question after the third reading of the bill. I stated that I could see no other way in which the correction could be made possible, although, if the Senate and the House had adopted the same language, a concurrent resolution might have been in order before the President signed any bill. The Senator from South Dakota made a very wise and a very resourceful suggestion. He solved that dilemma for all of us, and I think both the Senate and the press should be very grateful to him for having made this excellent contribution.

Mr. CASE of South Dakota. I appreciate the remarks of the Senator from New York. I did think it would be better to handle it directly in the bill itself than to try to do it by concurrent resolution, which might or might not be adopted before the President signed the bill. To try to take care of a situation by the adoption of a concurrent resolution, in an attempt to amend a bill which has not been enacted, has always seemed to me of dubious quality if direct amendment was possible.

By making the direct amendment in the bill itself before it is finally passed, we have taken care of the situation beyond doubt or question.

Mr. President, I should like to incorporate in my remarks at this point the remarks I made on the 19th of August, together with a brief colloquy I had with the Senator from New Mexico [Mr. Anderson] and the Senator from New York [Mr. Javits], in order that the entire history of the amendment might appear in the Record.

There being no objection, the material will be printed in the Record, as follows:

The Civil-Rights Bill

Mr. Case of South Dakota. Mr. President, there has been some reference in the press, and also some concern expressed, as to whether paragraph (g) of section 102 of the so-called civil-rights bill would imperil newspaper reporters who on their own initiative and by their own ability obtained information concerning evidence or testimony given at an executive session of the Civil Rights Commission. The difficulty arises under the rules of both the Senate and the House which provide that language in a bill which has not been changed by either House may not be altered by conferees.

I believe an answer can be found by an addition to the amendment which was adopted to section 105, relating to the powers of the Commission. That amendment of the Senate, which is numbered 7, struck out certain language and inserted the following:

(b) The Commission shall not accept or utilize services of voluntary or uncompensated personnel.

The problem which arises with respect to paragraph (g), and the $1,000 fine provided therein, to which fear is expressed that reporters may become liable, could be corrected by adding to the amendment numbered 7 which I have read, these words:

"And the term 'whoever' as used in paragraph (g) of section 102 hereof shall be construed to mean a person whose services are compensated by the United States."

Mr. President, the reason I believe that language would reach the problem is that paragraph (g) states:

"No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission evidence or testimony taken in executive session shall be fined not more than $1,000, or imprisoned for not more than 1 year."

Since it is proposed by the amendment already adopted by the Senate to provide that "the Commission shall not accept or utilize services of voluntary or uncompensated personnel," the only persons who would be present at an executive session would be employees compensated by the United States.

Secondly, if we add to paragraph (b), which reads "The Commission shall not accept or utilize services of voluntary or uncompensated personnel," the words "and the term 'whoever' as used in paragraph (g) of section 102 hereof shall be construed to mean a person whose services are compensated by the United States," it would automatically exclude reporters of newspapers or radio or other media of public information.

Mr. Anderson. Mr. President, will the Senator yield?

Mr. Case of South Dakota. I yield.

Mr. Anderson. I merely wish to say that I am very anxious to have this difficulty resolved. I am glad the Senator from South Dakota has devoted his time in trying to resolve it. I hope it may be resolved so that the section in the bill will clearly make it possible for a newspaper reporter to develop a story without being in danger because he does so.

Mr. Case of South Dakota. Under a rule which the House sometimes adopts, the House takes a bill from the desk of the Speaker to the end—and the term "to the end" is used—that amendments of the Senate be concurred in, or that amendments of the Senate be agreed to with certain amendments.

The adoption of that rule takes the place of a conference. If it is a concurrence with an amendment, then the additional amendment would have to come to the Senate for concurrence in the modification.

That is why I am suggesting this procedure, since it has been suggested that the House is considering the possibility of a rule which would concur with certain amendments, presumably limiting the jury-trial provision to criminal contempt cases arising under the act itself.

Mr. Javits. Mr. President, will the Senator yield?

Mr. Case of South Dakota. I yield.

Mr. Javits. I am very glad to hear the suggestion made by the Senator from South Dakota. The Senator will remember that I called to the attention of the Senate this very grave problem. I hope it will be worked out in a way which will be permissible under the rules of the House. All of us should be very grateful to the Senator from South Dakota for making the suggestion, which is so obviously based on careful and considered judgment.

Mr. Case of South Dakota. I thank the Senator from New York. He is familiar with the rules of the House and knows the parliamentary problem which exists.

Mr. CASE of South Dakota. In conclusion, I merely wish to say that there should be no doubt of any kind now that the press of the country and the reporters generally are exempted from any applicability of the penalty provided for unauthorized disclosure of evidence taken before the Commission in executive session. Members of the press could not be considered to be persons compensated by the United States, so that if they developed information in some way, they would not come under the penalty provisions.

In closing, I should like to recall, in essence, what I said earlier during the debate when the bill was before the Senate. That this Congress is to pass this civil-rights bill is due in large degree to the determined, unwavering, iron will of the distinguished minority leader, the senior Senator from California [Mr. Knowland]. It was his action that kept the bill before the Senate when it came over from the House of Representatives. It was his motion that made it the pending business of the Senate. He resisted every effort to sidetrack it. He worked steadily to improve the bill and to preserve it when others might have given up. In this he was joined by the distinguished majority leader, the Senator from Texas [Mr. Johnson].

The cooperation of others and the spirit of trying honestly to serve our common country, exhibited by Members on both sides of the aisle and on both extremes of the issue, so to speak, must also be credited for the enactment of this legislation. There has been debate. There has been difference of opinion. But there has not been blind, stubborn, unreasoning bitterness. So we come to this point of final voting on the amended bill as modified by House amendments to Senate amendments.

This bill, when enacted into law, will be an outstanding piece of legislation so far as the Eisenhower administration is concerned. Civil-rights legislation has been a part of the Eisenhower program. It is the first major legislation of this character in some eighty-odd years.

This bill will be an effective piece of legislation, in my judgment.

It provides for a Civil Rights Commission with powers to investigate and recommend. If it did nothing more than that, it would represent a great social advance without question.

Then there is the provision for an additional Assistant Attorney General.

There are the specific provisions of part IV to protect the right to vote.

This is a well-rounded piece of legislation. Possibly, it is not entirely satisfactory to every Member of the Senate but it has worked its way through the procedures of the House of Representatives and of the Senate in the best parliamentary traditions.

Changes may come with experience in operation, but I predict that this Civil Rights Act of 1957 will be a landmark in the legislative history and the social and political history of the United States.

Mr. LONG. Mr. President, during the past 2 months my opposition to the so-called civil-rights bill has been made amply clear to the Senate and to the Nation. I urge the Senate to reject the so-called compromise bill.

The bill as it passed the Senate protected in his right to a jury trial every citizen who is charged with criminal contempt. That provision has been eliminated by the House. The bill before us makes it a matter of discretion with the judge. In other words, a citizen's right to a jury trial is made a matter of discretion at the whim of a Federal judge. A citizen's right in this Nation should not depend upon the caprice of a Federal judge appointed for life and beyond account to the electorate. If the measure is passed in its present form, Senators will live to regret voting for it. If it should pass, as I fear it will, I shall immediately start working to restore the right of citizens to a jury trial. I urge my southern friends as well as all Senators who voted for the jury-trial provision of the bill as passed by the Senate to join me at the beginning of the next session to stop and reverse the process of stripping citizens of their constitutional rights before it goes further.

Meanwhile, I expect to use my best efforts to persuade every judge in Louisiana to accord every citizen his right to a jury trial, as a judge may do if he desires. In that way I hope to prevent the evil in the bill from injuring citizens in Louisiana, in the event the bill should pass.

It would be a serious mistake for Congress to eliminate the due process of justice which citizens enjoy under the Constitution and replace it with the contempt powers of a Federal court. Government by contempt will achieve little more than contempt for Government.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on concurring in the amendments of the House to Senate amendments Nos. 7 and 15.

Mr. KNOWLAND and Mr. MANSFIELD asked for the yeas and nays.

The yeas and nays were ordered.

Mr. TALMADGE. Mr. President, H. R. 6127 was passed by the House of Representatives and reached the floor of the United States Senate without any significant change from the iniquitous version submitted to Congress by Attorney General Brownell.

As taken up initially by the Senate, it was a force bill of the rankest order. It would have conferred upon the Attorney General of the United States unlimited power to harass, intimidate, and control the thoughts and actions of all Americans in all areas of human conduct. It would have empowered the President of the United States—or the Attorney General acting for him—to use the full armed might of the Nation to force integration of the races in every facet of life, public and private, in the South. It would have repealed the constitutional right of trial by jury.

Seventeen determined southern Senators—with all odds against them—set out to do what their counterparts in the House of Representatives were unable to do: to eliminate the more vicious provisions of this monstrous legislation. The success of their skillful, courageous efforts and the effectiveness of their persuasive, dignified arguments speak for themselves.

The measure as the Senate returned it to the House of Representatives was an emaciated shadow of its former brute self.

The Senate version struck out those provisions which would have restored bayonet rule and authorized the use of the Army, Navy, and Marine Corps to force racial integration in the South.

The Senate version eliminated those provisions which would have given the Attorney General dictatorial powers to regiment the thoughts and actions of the American people.

The Senate version contained an ironclad guaranty that the constitutional right of trial by jury would be respected and upheld in all cases of criminal contempt arising under it.

The success of the southern Senators in pyramiding their 17 votes to win these herculean victories for constitutional government and individual liberty was beyond their fondest original expectation. As repugnant as are the remaining provisions to constitutional principle and States rights, it nevertheless had to be admitted, even by advocates of the measure, that southern Senators gained far more than they lost.

It had been hoped that the House of Representatives would sustain the full gains made by the Senate.

Unfortunately, however—through a so-called compromise which compromises at best principle and at worst the Constitution of the United States—the jury-trial guaranty was sacrificed.

After only an hour's delay, the House returned the bill to the Senate.

The problem then confronting southern Senators was how best to protect the interests of their constituents.

Certain Members of the House of Representatives presumed to advocate that we conduct a filibuster against the bill.

I do not know why these men arrogated unto themselves greater wisdom than the combined intellect of 16 southern Senators. It could not possibly be because they were more successful in eliminating the more vicious and iniquitous provisions of the bill.

To be sure, the fact that a grandstand of long-winded speeches would be immediately popular with our constituents—who, like us, are unalterably opposed to this bill in any form—was not lost upon us.

But reason dictated that, in determining our course of action, we should measure the gains we had made against the potential losses.

The facts we had to face were these:

First. It would be impossible for 17 Senators to conduct a filibuster until the convening of the 86th Congress in January 1959. Debate in the Senate can be limited by 64 votes, and with 79 Members of the Senate favoring a civil-rights bill, there exist 15 votes more than the number necessary to impose gag rule at will.

Second. There is pending in a subcommittee of the Rules Committee of which I am chairman 7 different resolutions—Senate Resolutions 17, 19, 21, 28, 29, 30, and 32—to liberalize the provisions of Senate rule XXII, under which debate in the Senate can be limited. Those resolutions contain an aggregate of 54 signatures—5 more than necessary to pass any one of them.

As chairman of that subcommittee, I have been successful in my insistence upon full hearings on, and thorough study of, these resolutions before any action is taken on them. Because of the present complexion of the Rules Committee, it is well known that any filibuster attempt would result in the reporting of one or more of these pending resolutions and the imposition of a much stronger cloture rule, which would further limit the ability of individual Senators to protect their constituents.

Third. The majority of the Members of the Senate—by at least 3 to 1—favors a stronger bill than the one presently under consideration. This is evidenced by the fact that, in voting on amendments to parts III and IV of the bill, 12 to 15 Senators voted with the South on one amendment, only to vote against it on the other.

There is considerable sentiment on the part of the President and the majority of the Members of both Houses of Congress to add a new section III to this bill which would empower the Attorney General, without jury trial, to force complete integration of our society. During the course of prolonged debate, such action still could be taken.

Fourth. Next year is a Congressional election year. Both the Democratic and Republican Parties—aided and abetted by the White House and the Vice President—undoubtedly will demand next January that this same Congress pass a much stronger civil-rights bill, probably with FEPC provisions. These efforts will again require determined opposition on the part of southern Senators, and our success will depend in large measure upon the good will of Senators from other areas of our country.

Should we destroy what good will remains among independent Senators of this Congress, the passage of new, radical civil-rights legislation, with FEPC provisions, will be a foregone conclusion.

For these reasons, it was the unanimous opinion of the 16 dedicated southern Senators that no organized filibuster against the Brownell bill be conducted on the floor of the Senate.

Speaking for myself, Mr. President, I have represented, and will continue to represent, my constituents and our beloved State of Georgia to the best of my ability and according to the dictates of my conscience.

I have never compromised principle, and I never will.

But I declare to this Senate, the Nation, and the world, Mr. President, that neither will I allow those who are uninformed as to the facts and circumstances to stampede me into acts which I am convinced would, in the long run, wreak unspeakable havoc upon my people.

And it is to them, Mr. President, that I leave the judgment of my decision and action.

Mr. KNOWLAND. Mr. President, during the course of this debate, I have differed on numerous occasions with the distinguished junior Senator from Georgia [Mr. TALMADGE]. He has thought that this approach to the pending bill was wrong, and I have thought that it was right. I respect him for his opinions, and I believe he respects me and those who have differed with him for our opinions.

Anyone who knows the Senate of the United States is aware of the fact that the overwhelming majority of the Senate desires to pass a voting rights bill. There can be no question that had the majority desired to do so, cloture could have been invoked to pass the bill in its present form, with votes to spare.

As one who has served in the Senate for over 12 years, I honor the Senate of the United States and its great tradition. One of these traditions is that of free debate.

During the entire debate up until yesterday, the discussion was both germane and helpful. Up until then, the debate had contributed to the working out of amendments and modification of the bill, some very substantial in character.

Because of the high standard of the general debate, the majority properly decided neither to circulate a cloture petition nor to attempt to invoke cloture. Had the Senate been blocked by dilatory tactics and obstructionism in debate, we would have had no other choice. That this condition did not come about is due to the restraint and the statesmanship of the opponents of the proposed legislation and to the reasonableness and the moderation of the proponents.

It has been a hard fight. I hope it leaves no scars that cannot be quickly healed.

We honor and we respect our colleagues from the South who have made an honorable and a determined fight against heavy odds. Their fight resulted in substantial amendments to the bill as it came to the Senate from the House of Representatives. I hope and believe that the Commission that will be appointed by the President of the United States under this bill will be a fair and moderate one in its approach to the great problems involved.

I make this final plea tonight particularly addressed to our colleagues from the South. Let no gulf divide us. Let us close ranks as Americans and try for just solutions to our common problems.

Mr. JOHNSON of Texas. Mr. President, there are times when men must take a long, hard look at practicalities.

This is one of those occasions.

I agree with those of my colleagues who believe that the House amendment is inferior to the Senate's version of the jury trial. I do not agree with those who maintain that it is a compromise of principle which cannot be accepted.

In my view, the principles of the Senate's jury-trial amendment have been left intact. The deficiencies of the House version have been grossly exaggerated.

The House version is not a big bad wolf with sharpened fangs and steel-tipped claws ready to leap upon innocent people. The fears in this respect cannot, in my opinion, be justified.

Neither is the House amendment a plumed knight in shining armor ready to ride to the rescue of innocent maidens. The hopes of its backers, in my opinion, are somewhat premature.

Let us be frank with all our people. The House amendment is purely and simply compromise language—the price that must always be paid for the passage of effective legislation in a controversial field.

I am no lawyer. I am not going to make a constitutional argument. But I am capable of recognizing reason and practicality.

And the practicalities are that the chances of a criminal contempt trial without a jury under this amendment are extremely remote. When they occur, the offenses will be minor and petty—about on the level of a traffic court.

No prudent judge is going to undertake a case without a jury when he will probably have to try it twice. He will call for the jury the first time—and save himself and the community some headaches.

Let us look at the other side of the coin.

This is the first civil-rights bill to pass this Congress in 82 years. It was passed solely because the Senate debated the issue in an atmosphere of reason.

If this bill is not approved, the next one will be debated in the heat of partisan politics. And neither our country nor any of its parts will benefit.

Our choice is clear.

We can pass reasonable legislation which applies to our whole country now. Or we will find punitive, vengeful legislation passed in the not too distant future.

The bill before us is a positive step forward—constructive and not punitive. The House amendment, even though I believe it is inferior to the Senate version, is a reasonable price to pay in order to remove this question from the debates in the Halls of Congress.

Let us close out this issue now and pass the bill.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. JAVITS. Mr. President, I shall not detain the Senate for more than a few minutes, but I think it is absolutely necessary that I make a brief statement. I do not believe an adequate record has been made as to the constitutionality of the new jury-trial provision.

I also believe it is necessary to say something on the other side of the coin, in view of the fact that there are some here who will endeavor to overturn what we hope will be done tonight.

For myself, Mr. President, I should like to say that the civil-rights bill does not live up to what I though we would create in the way of our first civil-rights bill in 82 years, but it is an effective step forward in a key area, which is voting rights. The bill does contain a practical solution to the jury-trial amendment, which I consider to be constitutional.

However, I think it is only fair to say that in the days ahead, I shall seek other civil-rights legislation in company with other Senators who are similarly minded, which I believe is essential to our people and our time.

Certainly, I think the next step must encompass the civil rights given to our citizens under the equal protection clause of the Constitution. Whatever still remains to be done along that line, there should at least be full agreement on the bill before us.

This action tonight will represent an advance of law which we as a Nation should make at this time. This proposal to safeguard voting rights should meet all points of view except the point of view of those who would have no civil-rights legislation whatever on the Federal level, and even such persons have conceded the critical importance of protecting the sanctity of the voting right.

While this bill represents only the beginning, it is a good beginning. It is an historic step ahead to demonstrate the recognition by the Congress of a long-neglected duty to enact civil-rights legislation.

Mr. President, as to constitutionality, the bill which we have before us, with the House amendments to the Senate amendments 7 and 15, makes a distinction between civil and criminal contempt. That item has been pointed out as evidence of unconstitutionality, yet that very distinction is made in the Gompers against Bucks Stove and Range case, a leading Supreme Court case.

Second, it is said that a splitting point in the bill is on the ground of punishment or the amount of punishment, which would make the law unconstitutional. I do not believe that is so, because there is no constitutional right to a trial by jury in the Federal courts, and therefore we are considering, in effect, a right created by statute. The citation on that is *Eilenbecker* v. *Plymouth County* (134 U. S. 31).

Third, and very importantly, Mr. President, there has been much talk of double jeopardy. There is no double jeopardy involved in the acceptance of the House amendment, because a jury trial can come only on the request of the defendant himself. Only then can the defendant obtain a jury trial de novo. The fundamental Hornbook law is that double jeopardy is a personal privilege which can be waived. It will be waived when the jury trial is requested. I cite in this regard *Brewster* v. *Swope* (180 F. 2d 984), *Himmelfarb* v. *United States* (175 F. 2d 924), *Brady* v. *United States* (24 F. 2d 397, cert. den. 278 U. S. 603), and *United States* v. *Harriman* (130 F. Supp. 198).

For these reasons, Mr. President, I believe if the bill is enacted into law it will be entirely constitutional, and I think those statements should appear of record in our deliberations.

Finally, Mr. President, as the lowest-ranking Member here, I think, except for the Member sworn in today, I should like to pay my tribute to the indefatigable courage and determination of my own leader, the minority leader on this side [Mr. KNOWLAND] who brought this bill to the calendar and, to use a very ordinary phrase, which is very true in his case, bulled it through to this day. I should like to pay my tribute to the majority leader [Mr. JOHNSON of Texas] who, by the exercise of tactical brilliance, I think rarely seen in the history of our country, brought together the necessary marshaling of forces actually to enact the bill into law. I think the country owes both of these men a debt of very deep gratitude.

I have always had the conviction that civil-rights legislation had to be bipartisan. The majority leader and minority leader have certainly proved it.

SEVERAL SENATORS. Vote! Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas that the Senate agree to the House amendments to Senate amendments Nos. 7 and 15 to H. R. 6127, an act to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States. On this question the yeas and nays have been ordered, and the Clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORE (when his name was called). Mr. President, on this vote I have a pair with the senior Senator from North Carolina [Mr. ERVIN]. If he were present he would vote "nay." If I were permitted to vote, I would vote "yea." I withhold my vote.

Mr. GREEN (when his name was called). On this vote, I have a pair with the Senator from Alabama [Mr. SPARKMAN]. As I have said before, I asked Senator SPARKMAN to undertake for the Senate Foreign Relations Committee an assignment essential to the welfare and defense of the Nation.

He did so with the understanding that I would give him a live pair.

Were he here he would vote "nay." Were I at liberty to vote, I would vote "yea." I withhold my vote.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the senior Senator from Oregon [Mr. MORSE]. If the senior Senator from Oregon [Mr. MORSE] were present and voting, he would vote "nay." Were I at liberty to vote, I would vote "yea." I withhold my vote.

Mr. MURRAY (when his name was called). On this vote, I have a pair with the senior Senator from South Carolina [Mr. JOHNSTON]. If the senior Senator from South Carolina [Mr. JOHNSTON] were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

The vote was recapitulated.

Mr. DOUGLAS. Mr. President, let me ask whether the clerk announced that the Senator from South Carolina [Mr. JOHNSTON] voted in the affirmative.

The VICE PRESIDENT. The Chair will have the clerk examine the vote.

The Chair is informed that the Senator from South Carolina [Mr. JOHNSTON] is not recorded.

Mr. DOUGLAS. Mr. President, I understood the clerk to state, on the recapitulation of the vote, that the Senator from South Carolina [Mr. JOHNSTON] had voted in the affirmative. I realize that that was not the case and that if he had been present, he would have voted in the negative, although, of course, if the Senator from South Carolina had been present and had voted, I would wish that he had voted in the affirmative.

However, the fact is that the senior Senator from South Carolina did not vote, being absent.

Mr. MANSFIELD. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from North Carolina [Mr. ERVIN], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Oklahoma [Mr. KERR], the Senator from Oregon [Mr. MORSE], the Senator from West Virginia [Mr. NEELY], and the Senator from Alabama [Mr. SPARKMAN], are absent on official business.

I further announce that, if present and voting, the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ] and the Senator from West Virginia [Mr. NEELY] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Ohio [Mr. BRICKER], the Senator from Kansas [Mr. CARLSON], and the Senator from Indiana [Mr. JENNER] are necessarily absent.

The Senator from Maryland [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], and the Senator from Nevada [Mr. MALONE] are absent on official business.

The Senator from Kentucky [Mr. MORTON] is detained on official business.

If present and voting, the Senator from Ohio [Mr. BRICKER], the Senator from Maryland [Mr. BUTLER], the Senators from Indiana [Mr. CAPEHART and Mr. JENNER], the Senator from Nevada [Mr. MALONE], the Senator from Kentucky [Mr. MORTON], and the Senator from Maine [Mr. PAYNE] would each vote "yea."

The result was announced—yeas 60, nays 15, as follows:

YEAS—60

Aiken
Allott
Barrett
Beall
Bennett
Bible
Bush
Carroll
Case, N. J.
Case, S. Dak.
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Douglas
Dworshak
Flanders
Frear
Goldwater
Hayden
Hennings
Hickenlooper
Hruska
Humphrey
Ives
Jackson
Javits
Johnson, Tex.
Kefauver
Kennedy
Knowland
Kuchel
Langer
Lausche
Magnuson
Martin, Iowa
Martin, Pa.
McNamara
Monroney
Mundt
Neuberger
O'Mahoney
Pastore
Potter
Proxmire
Purtell
Revercomb
Saltonstall
Schoeppel
Smith, Maine
Smith, N. J.
Symington
Thye
Watkins
Wiley
Williams
Yarborough
Young

NAYS—15

Byrd
Eastland
Ellender
Fulbright
Hill
Holland
Long
McClellan
Robertson
Russell
Scott
Smathers
Stennis
Talmadge
Thurmond

NOT VOTING—21

Anderson
Bricker
Bridges
Butler
Capehart
Carlson
Chavez
Ervin
Gore
Green
Jenner
Johnston, S. C.
Kerr
Malone
Mansfield
Morse
Morton
Murray
Neely
Payne
Sparkman

So the motion that the Senate concur in the amendments of the House of Representatives to Senate amendments Nos. 7 and 15 to H. R. 6127 was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the motion was agreed to be reconsidered.

Mr. KNOWLAND. Mr. President, I move that the motion to reconsider be laid on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from California to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that I may have inserted in the body of the RECORD a memorandum concerning the constitutionality of the provisions concerning trial with and without a jury contained in part V of the civil-rights bill.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM CONCERNING THE CONSTITUTIONALITY OF THE PROVISIONS CONCERNING TRIAL WITH AND WITHOUT A JURY CONTAINED IN PART V OF THE CIVIL-RIGHTS BILL

The contention that the provisions contained in part V of the civil-rights bill now embodied in House Resolution 410 relating to trial with and without a jury in cases of criminal contempt arising under its provisions conflict with the guaranties of the Federal Constitution are completely without merit. The questioned provisions of the bill read as follows:

"*Provided further*, That in any such proceeding for criminal contempt, at the discretion of the judge, the accused may be tried with or without a jury: *Provided further, however*, That in the event such proceeding for criminal contempt be tried before a judge without a jury and the sentence of the court upon conviction is a fine in excess of the sum of $300 or imprisonment in excess of 45 days, the accused in said proceeding, upon demand therefor, shall be entitled to a trial de novo before a jury, which shall conform as nearly as may be to the practice in other criminal cases."

It has long been established in both Federal and State courts that criminal contempts may be tried by the court without a jury, without conflicting with any constitutional guaranty of the right to jury trial in criminal cases. *Eilenbecker* v. *Plymouth County* (134 U. S. 31, 1890); *Gompers* v. *Buck Stove and Range Company* (221 U. S. 418, 1911). Congress itself has repeatedly enacted laws authorizing the United States to seek injunctive relief from the Federal courts while at the same time providing that criminal contempts committed in violation of court orders under such statutes should be tried by the court without a jury, and all such statutes have been held constitutional. Among them are the following:

Title 7 U. S. C., section 216, Packers and Stockyards Act; section 292, Associations of Agricultural Producers Restraining Trade; section 499h (d), Perishable Agriculture Commodities Act, 1930; section 608a (6), Agricultural Adjustment Act.

Title 7 United States Code, section 1600, Federal Seed Act.

Title 12 United States Code, section 1731b, National Housing Act.

Title 15 United States Code, sections 4, 9, Sherman Act; section 25, Clayton Act; section 53, Federal Trade Commission re False Advertising; section 68e, Wool Products Labeling Act; section 69g, Fur Products Labeling Act; section 77t (b), Securities Act of 1933; section 77uuu, Trust Indenture Act; section 78u (e), Securities Exchange Act of 1934; section 79r (f), Public Utilities Holding Company Act; section 80a–34, 35, 51 (e), Investment Co. Act; section 80b–9 (e), Investment Advisors Act; section 522, Associations monopolizing trade in aquatic products; section 715i, Interstate Transportation of Petroleum Products; section 717s, Natural Gas Act; section 1195 (a), Flammable Fabrics Act.

Title 16, United States Code, section 825m, Federal Power Act.

Title 27, United States Code, section 207, Federal Alcohol Administration Act.

Title 29, United States Code, section 160 (j) (1), National Labor Relations Board orders; section 178, National Emergency Strikes; section 217, Fair Labor Standards Act.

Title 33, United States Code, section 519, Bridges Over Navigable Waters; section 921, Longshoremen's and Harbor Workers' Compensation Act.

Title 42, United States Code, section 2280, Atomic Energy Act.

Title 43, United States Code, section 1062, enclosures of public lands.

Title 47, United States Code, section 36, landing submarine cables; section 401 (b) Communications Act of 1934; section 5 (8), 16 (12), 43, Interstate Commerce Act.

Title 49, United States Code, section 322 (b), Federal Motor Carrier Act; section 647 (a), Civil Aeronautics Act; section 916 (b), Water Carriers Act; section 1011, 1017 (b), Freight Forwarders Act.

Title 50, United States Code Appendix 2156, Defense Production Act.

It is equally well established that minor criminal offenses may be tried without a jury. *Callan* v. *Wilson* (127 U. S. 540); *Schick* v. *United States* (195 U. S. 65); *District of Columbia* v. *Colts* (282 U. S. 63); *District of Columbia* v. *Clawans* (300 U. S. 617). *State Ex Rel. Sellars* v. *Parker* ((1924) 87 Fla. 181); *Loeb* v. *Jennings* (133 Ga. 797); *Ex Parte Wooten* ((1884) 62 Miss. 174); *Ex Parte Garner* (246 S. W. 371 (1922)), Texas Criminal Appeals.

Congress has provided for the trial of minor offenses without a jury in the District of Columbia by the enactment of section 11–616 of the District of Columbia Code, which provides: "where the accused would not by force of the Constitution of the United States, be entitled to a trial by jury, the trial shall be by the court without a jury, unless in such of said last-named cases wherein the fine or penalty may be more than $300 on imprisonment or punishment for the offense may be more than 90 days, the accused shall demand a trial by jury, in which case the trial shall be by jury." and that section has been held to be constitutional. *District of Columbia* v. *Clawans* (300 U. S. 617).

Laws have been enacted in many States to provide for the trial of minor criminal offenses without a jury and none of these laws has been held unconstitutional. Among such States are Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, and Virginia.

The provision in the bill for a trial de novo before a jury upon demand of a defendant in the event the sentence after conviction by the court exceeds a fine of $300 or imprisonment in excess of 45 days is a privilege for the benefit of a defendant and therefore could not violate his personal rights. Furthermore, such a provision for trial de novo before a jury on demand of a defendant has historical precedents, the constitutionality of which has not been questioned. Examples are found in the laws of the following States:

ALABAMA

The Code of Alabama (1940), title 13, sections 326 and 423, provides that a misdemeanor trial in the county court and before a justice of the peace shall be without a jury, and that after conviction the defendant may demand by way of an appeal to the county court and secure as a matter of right a trial de novo before the circuit court with a jury.

ARKANSAS

The Arkansas Statutes (1947) Annotated, sections 44–115 and 44–116, provide that all trials before the police court and the mayor's court "for violation of the bylaws or ordinances of any city or incorporated town shall be before the mayor [police judge] without the intervention of a jury." These sections also provide that after conviction the defendant may demand and secure a trial de novo before a jury in the circuit court.

The provisions of the bill with respect to trial are, therefore, entirely consistent with constitutional principles and with legislative and judicial precedent.

Mr. JOHNSON of Texas. Mr. President, we must have order. We are going to transact a lot of public business before we finish this evening, and if Senators will give their attention and the Senate will remain in order, we will be able to do so.

Mr. MANSFIELD. Mr. President——

Mr. JOHNSON of Texas. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, the vote this evening was epochal in the annals of the Senate and of the country. We have completed legislating on one of the most important bills ever to come before the Senate of the United States. We have acted in a spirit of reason and logic. We have acted without rancor. We have acted with a minimum of emotion. I think the credit for the performance which this body has undertaken in the past two months should go to the distinguished minority leader, the senior Senator from California [Mr. KNOWLAND] a man of great integrity, a fair-minded man, a reasonable man. Also sharing in that credit is the distinguished majority leader, the senior Senator from Texas [Mr. JOHNSON], who has indicated, if there was ever any doubt in anyone's mind, that he is a political strategist of the highest order. He has been able to bring reason and understanding to divergent groups on this side, just as the minority leader has been able to do the same on the other side. In my opinion, the Senate of the United States and the United States of America can well be proud of the action which was taken in this body this evening; and I sincerely hope that the recognition, which is the just due of the distinguished minority leader and the distinguished majority leader, will be given to them not only in the press of the country today, but in the history books of the country in the future.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the distinguished senior Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, from this side of the aisle I want to join with the distinguished Senator from Montana in what he has just said. I have always been proud to be a Member of this body. I have been prouder than ever to have been a Member the past few weeks. During that period of time I have watched our colleagues debate a matter that means much to every citizen, particularly to those in certain sections of this country. Yet, at all times the debate has been conducted without rancor, with great sincerity, and with great care to discuss the main question, the settlement of which meant so much to all of us, without undertaking to bring into the debate extraneous issues. That has been possible because of the leadership on both sides of the aisle.

I do not know of a time since I have been a Member of this body when Members on both sides of the aisle have to a greater extent turned to their leaders to give them guidance and help wherever they could. So the majority leader and the minority leader both deserve much commendation for the way in which this debate has proceeded. At the same time, I think every Member of this body deserves commendation when we consider the depth of the problem, what its solution means to so many people, and the spirit in which it has been discussed during the past few weeks. I am proud to join with my colleague from Montana in his most appropriate expressions.

Mr. MANSFIELD. Mr. President, I may say that while the House spent 2 days in considering this measure, the Senate of the United States spent 2 months. The Senate refined this measure, removed from it the bugs and the gimmicks, and brought into being a bill which is enforceable. There were great expectations that there would be a filibuster. There has been no filbuster. A record has been set. Every Senator has had an opportunity to speak freely and as long as he wanted to. I think that we have a right on this great evening in the history of our country to be proud of the record of the Senate of the United States.

Mr. SMITH of New Jersey. Mr. President, I should like to identify myself with the remarks just made by the Senator from Montana and the Senator from Massachusetts. I have been a Member of this body for 13 years, and I feel that what has happened tonight is the greatest event in the entire time I have been here. I go further than that: I feel that we are on the road to one of the biggest forward steps since the Civil War, in that after a long debate, marked by a spirit of amity and friendship and affection on both sides of the aisle, there has been evolved a measure of paramount importance to the future of our country. I want to do all I can to join with the others in saying that we owe that result to our two leaders, the majority leader, the Senator from Texas [Mr. JOHNSON] and the minority leader, the Senator from California [Mr. KNOWLAND]. It is a great event in my life to have them here at this time, since there have been previous occasions when we were unable to deal with such a matter because we did not have the spirit that has been shown at this time in this debate. It has been a wonderful debate. The passage of the bill is a great victory for civil rights in the United States of America.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I yield.

Mr. HUMPHREY. I should like to say this evening that the bill which has just been passed as a result of the vote of the Senate is a good, effective, meaningful piece of legislation. If its enforcement is conducted in the same spirit of reason and reasonableness that has characterized its consideration and passage, this legislation will mean a better America. I have read many press reports about the tactics and the strategy which have been used in bringing about the passage of this measure.

Mr. President, the truth is that it takes a good deal of legislative skill and procedural knowledge to guide any piece of proposed legislation so highly controversial as this through the two Houses of Congress. It also takes something else. It takes more than cleverness. It takes more than tactics. It takes more than being smart. It takes a sense of conviction, and a deep respect for one's fellow man.

When the history of this period is written, I hope it will be forgotten that skill and strategy, and cleverness and legislative maneuvering were required to put the measure through the two Houses of Congress. I hope it will be remembered that there were men and women in both Houses of Congress who deeply believed in the purposes for which the legislation is designed. Because of that belief and that conviction they found the perseverance and strength to be able to see that the legislation was finally consummated.

As a Member of the Senate I have long looked forward to the day when we could say that Congress passed legislation which assures civil rights to all the people of this land. That day has arrived. I wish to say to my friends who were in opposition to the bill that those of us who supported it admire and respect the temperance and the reasonableness of their arguments. I know of many a Senator who restrained himself, and many a Senator who has literally taken his political life in his hands and placed it in jeopardy. I believe the future will underscore the fact that those Senators did what was right. By their reasonableness, by their good faith, in the days to come they will be enriched in spirit and in political strength because of the manner in which they conducted themselves. The Senate, during the weeks of debate on the bill, has fulfilled the promise of representative government. I am proud to have been a Member of the Senate during this historic period.

ESTABLISHING OF DATE OF 2D SESSION OF 85TH CONGRESS

Mr. JOHNSON of Texas. Mr. President, I ask the Chair to lay before the Senate House Joint Resolution 453.

The VICE PRESIDENT laid before the Senate the joint resolution (H. J. Res. 453) to establish the date of the 2d regular session of the 85th Congress, which was read the first time by its title, and the second time at length, as follows:

Resolved, etc., That the 2d regular session of the 85th Congress shall begin at noon on Tuesday, January 7, 1958.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent for the immediate consideration of the joint resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

LET US BUILD SCHOOLS

Mr. McNAMARA. Mr. President, I feel it necessary to end this session of Congress as I began it—with a few remarks on the vital need for Federal assistance for school construction.

On January 7, I introduced on this floor the first bill of the 85th Congress—a bill proposing a $2 billion, 2-year emergency Federal program to assist States to build schools.

I said at the time, as I have since, that I was not insisting on my bill or my particular formula.

But I was insisting on Congressional action—already far too long delayed—to meet the shocking shortage of classrooms throughout the country.

Today, nearly 8 months later, the 1st session of the 85th Congress is about to end.

Before the final adjournment bell, we will have our usual few hours of self-congratulation over our modest accomplishments—and then we will go home.

But next week, Mr. President, another bell will ring.

That is the bell summoning some 39 million children to the Nation's elementary schools.

Their ranks have been swelled by roughly a million since the same bell rang last year.

What will they find this year, Mr. President, as they embark on another year of schooling?

Will they find that during the summer months, the builders have been constructing new monuments to education in the form of modern, uncrowded schoolhouses?

In some areas they will find these new buildings—in areas where the school districts are moderately wealthy or where the tight-money market has not yet quite closed its stranglehold on the economy.

But in far too many areas, they will find the same antiquated facilities, firetraps, and outgrown structures where the children will be stacked like cordwood in the classrooms.

No matter how good the teachers—or how spirited the will to learn—the serious overcrowding of classrooms cannot fail to have a negative effect on the quality of education.

In a great many sections of the country, the children have been—and will be again—on half-day school sessions.

This is a very serious drawback to the quality of education at any school level.

But many of the children just beginning their education next week—in kindergarten and the first few grades—will start out going only half days.

This is the really criminal part of Congress' failure to meet the crisis.

These children just starting school are in their formative years. They are supposed to be learning study and social habits that will stay with them throughout their school years and into adult life beyond.

By launching them into education on an abbreviated and crippled schedule we are doing them a tremendous amount of harm that may never be undone.

As we leave for our recess, I hope that the thought of these crowded schools will plague every Member of this Congress—and give him many uneasy moments until we meet here again next year.

A few statistics to keep in mind while they are glad-handing constituents in the coming months ahead are these:

Our refusal to act in the field of Federal aid for school construction means that the new school year will begin with a shortage of 159,000 classrooms—at the very least.

The school population has grown 5½ million in the past 5 years and it is expected to rise another 6 million in the next 5 years.

At the current rate of building, the classroom deficit will have grown to at least 179,000 by that time. And this does not include replacing obsolescent and destroyed schools.

These are weighty figures to ponder.

But high figures are not strangers to the Senate.

Just a few days ago, we voted around $3 billion for mutual security. We voted some $34 billion for national defense and almost $1 billion for public-works projects.

These are worthy undertakings. They will help us remain a strong and secure Nation.

Yes, we even voted nearly $100 million so that the United States Information Agency can tell the rest of the world what a great Nation we are.

What will USIA tell the world about America's schools? I don't envy the propagandists the job of answering that question.

Will they tell the world that America is the richest nation on earth—yet it is content to let its children learn the three R's in overcrowded, antiquated, and understaffed classrooms?

Will they tell the world that America can pass out $3 billion to other nations—and not spend one dollar to replace the firetraps that too often pass for schools?

Will USIA tell the world that we can spend nearly $34 billion for defense—and not one penny on our potentially greatest weapon—the education of our children and proper development of their brainpower?

And how will USIA explain our underpaid force of teachers—a force now understaffed by 135,000?

Foreigners often believe that the American mind is a bit odd—and they may be right, at that.

The Senate leaders were content this year—as in 1956—to let the House take the initiative on the school program.

What happened this year in the House? The bill was defeated by a vote of 208 to 203. Just three votes meant the difference between victory for the children and defeat.

I do not intend to pass on the motives of the Members of the House who could easily have salvaged victory from defeat.

I can, however, comment on the man who has displayed such a shocking lack of leadership in this field—the man who easily could have provided the necessary three votes and many more.

That man is the President of the United States.

I think we have all learned a great deal about him this year as a result of his activities on the budget, civil rights—and Federal aid for school construction.

We have learned not to rely on anything he says because when the time comes for action he will say something different—or nothing at all.

But while we can heap some well-earned abuse on the President, we as the Senate cannot ignore our responsibility.

After all, Congress must pass the laws.

Our lack of action should weigh heavily upon us.

It is growing late now, Mr. President, but it is not too late for the 85th Congress to meet its responsibility to the children of America.

We can do that when we meet here again next January—and I urge my colleagues to think about this during adjournment. We will not long continue to be the most powerful Nation in the world if we continue our neglect of our future leaders.

WILLIAM HOWARD TAFT

Mr. LAUSCHE. Mr. President, in view of the fact that the Congress will not be in session on September 15, I wish to comment briefly on the career of one of Ohio's great citizens, William Howard Taft, who was born on September 15, 1857.

Ohio has been the birthplace of several Presidents and its citizens have pointed with pride to the contributions to our national history made by William Howard Taft, both during his term as 27th President of these United States and during his fine service on the Supreme Court of the United States.

Successfully following his chosen profession of law, Taft was early recognized as a capable and efficient lawyer. As the prosecuting attorney of Hamilton County, as a judge on the State supreme court at the age of 32, as Solicitor General of the United States, and as a Federal circuit judge, the recognition of his judicial abilities was ably demonstrated.

His readiness to serve his country, and his ability to grasp new responsibilities was shown by his appointment to be president of the Philippine Commission, under President Theodore Roosevelt. His successful leadership in establishing democratic principles in the Philippines brought him personal acclaim and the admiration of the citizens of the Philippines.

In recognition of his talents, President Roosevelt named Taft as Secretary of War in his Cabinet and in 1909, the people elected him to the highest office in the land, the Presidency.

As President, Taft gave the Nation a conservative and sound administration. Legislation to control monopolies was enacted and the Department of Labor was established. His administration was one of peace and prosperity.

In 1921, he again was called to serve his country as Chief Justice of the United States Supreme Court and in this office he found the climactic satisfaction of a mind devoted to the legal profession and dedicated to public service.

Citizens of Ohio, of all political persuasions are mindful of President Taft's life of service and along with the illustrious name of the late Senator Robert Taft, will long be remembered in Ohio as a name synonymous of public service and dedication to the common welfare of our beloved country.

It is my sincere hope that this centennial anniversary of President Taft's birth will be fittingly remembered by the citizens, not only of Ohio, but by all Americans.

MUTUAL SECURITY APPROPRIATIONS, 1958—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, the distinguished Senator from Arizona [Mr. HAYDEN] has waited for some time to call up the conference report on the mutual security appropriation bill. I wish to congratulate him on his diligence and great effort to produce effective appropriation bills, and to curtail expenditures in our Government. I hope the report may be considered at this time, and that it may be adopted.

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9302) making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 30, 1957, p. 16743, CONGRESSIONAL RECORD.)

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CASE of South Dakota. Mr. President, some weeks ago I watched with some interest the panel discussion by Mrs. Clare Boothe Luce and Edward R. Murrow following Mr. Murrow's television interview with Tito.

Having served in the House of Representatives with Mrs. Luce, I wrote her my opinion of what I thought was a brilliant analysis of the Tito interview. Subsequently she wrote me and enclosed a copy of a letter which she had sent to the New York Times. That letter was published in the New York Times of Sunday, July 28, 1957. It is a very scintillating analysis of the Tito interview. Because of its application to our foreign aid policy and our relations with Yugoslavia, I ask unanimous consent that the letter of Mrs. Luce be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

TITO'S POLICIES ASSESSED: THREAT TO SOVIET EMPIRE SEEN IN IDEOLOGICAL DIFFERENCES

(NOTE.—The writer of the following letter, playwright and former Member of Congress, served until recently as United States Ambassador to Italy.)

To the EDITOR OF THE NEW YORK TIMES:

On June 30 I participated in the panel discussion which followed Edward R. Murrow's televised interview with Tito.

Since that time a steady stream of letters has crossed my desk, many commending the points I sought to make in the interview, some contending that any optimistic view of Tito's regime or any attempt to justify United States policy toward Yugoslavia constituted a complete endorsement of his dictatorship.

Nothing I said was meant to justify the persecution of Roman Catholicism in Yugoslavia, and of such leaders as Cardinal Stepinac, or Tito's suppression of free speech and the imprisonment of Djilas, which continue throughout history to be very black marks against Tito.

Rather, I sought to isolate those elements in Tito's policies which can give all freemen some hope that the Soviet imperium is breaking up, and that communism itself as an ideology is doomed to failure for the very simple reason that, put into practice, it must continuously lose out, especially in economic competition with free countries.

DIFFERENCES ABOUT COMMUNISM

As the interview unfolded, while Tito continued to play down the size of the ideological differences between communism in Yugoslavia and in the Soviet Union, it became more and more evident that they are not only big, they are tremendous, and that if Tito himself did not play them down he might be inviting a serious rupture with Moscow on the grounds of ideological heresies. For they are not only differences of a practical order between two Communist nations. They are theoretical differences about communism itself.

It also became evident during the interview that Tito was equally aware that if his heresies were to be too openly embraced and too swiftly put into action by the eastern satellites they could lead Poland, Czechoslovakia, and Rumania into open conflict with the Soviet Union, a conflict which would result either in their sharing the tragic fate of Hungary or in opening a third world war.

In the panel discussion that followed the interview, I sought to define Tito's ideological heresies:

First, the right of a Communist country to national independence from Moscow. It is the exercise of this right by any nation under Kremlin control that has come to be called Titoism. Tito's contention, that Communist states should be equal and sovereign, flies, if not in the face of classic Marxism, certainly in the face of Lenin communism, as interpreted by the Kremlin's ideological exegetes.

SATELLITES' INDEPENDENCE

Tito first raised it in 1948, when he insisted that he and the leaders he chose would run Yugoslavia and kicked all Russian stooges out of his country. Since that time Tito has been more or less continually raising the question not only of the independence of Yugoslavia but of all the satellites.

Speaking of recent events in Poland, Tito said, "I think Poland is striving to go along its own path. * * * Since the time when Gomulka came into power, Poland has succeeded in settling its internal problem * * * [this] has a positive influence on neighboring countries."

Tito then made it clear that what he feared during the Hungarian revolution was not that Hungary should acquire independence, but that the struggle if carried too far too fast (which happened) must result in Soviet armed intervention (which happened).

He repeatedly stressed that, while he was firmly for the independence of all the satellites, they must make haste slowly, since there was a real risk of a third world war if complete independence were sought too rapidly, and especially if the independence movement openly included the desire to get rid of not only the Soviet politicians but of communism as well, which happened in Hungary.

AGREEMENT WITH MAO'S VIEWS

His insistence on his own independence and the eventual independence of his satellite neighbors is the first great heresy of Tito. This heresy threatens Moscow with the breakup of its western empire.

Moreover, the interview made it plain that Tito is encouraging and applauding expressions of this same heresy in the Far East. Referring to Mao Tse-tung's recent speech, which struck a distinctly Titoist note or two, Tito said, "Mao Tse-tung said many things which could be classed as new. * * * I am pleased that our views * * * are to a great extent identical."

The second hersey of Tito is the assertion of the theoretical right of an independent Communist nation to create not only its own foreign policies but its own political and economic institutions. This right is, of course, the inescapable corollary of the right to national independence. But it strikes at the very heart of the Marx-Lenin dogma that communism must develop everywhere, in every nation, according to the party line as given by Moscow.

Consequently Titoism threatens to disrupt not only the physical control of the Soviet Union over the satellites, but its ideological control over Communist parties within every nation, including the capitalist nations. The denial of the Kremlin's teaching and the Kremlin's authority to teach is, by the standards of all Communists up to now, a heresy of a major order.

The last, and perhaps in the long run the most dangerous, heresy of Tito is the new emphasis he is giving to the decentralization of economic and political processes within his country.

In the practical application of his theoretical right to develop socialism according to the specific needs of his country Tito has already created economic and political institutions unique in the Communist world.

Collectivization of the farms was abandoned some years ago. And, "already a few years ago," said Tito, "we have passed to a * * * wide decentralization of government in the economic as well as the administrative field. One of the most pronounced characteristics of our system is the handing over of the factories to the workers' self-government. Then the creation of the communes * * * a new internal administrative organization."

TENET OF DEMOCRACY

These processes Tito defends as a new form of socialism. But whatever name Tito chooses to call these processes of decentralization, the Kremlin itself cannot be deceived: decentralization of political and economic power is the major tenet of political and economic democracy in capitalistic western countries.

Tito has far to go before he ranks as more than a very lukewarm fellow-traveler of capitalism. He will never, in his own time, willingly become less than a complete dictator.

But the real question decentralization raises is that Tito's present long-range aim, the diffusion of political power and economic wealth—is in fact if not in theory the very aim of what President Eisenhower calls "people's capitalism."

Both American idealism and American pragmatism should dictate to the United States to be patient with Tito when he insists on describing this slow Yugoslav evolution toward western-style sovereign political and economic democracy as communism. A rose by any other name will smell as sweet.

CLARE BOOTHE LUCE.

RIDGEFIELD, CONN., *July 19, 1957*.

Mr. JOHNSON of Texas. Mr. President, I should like to appeal to Members of the Senate to let us complete action on the conference report on the mutual security appropriation bill. I should like to ask for the yeas and nays on the conference report, so that Members will know that we will vote on it very shortly. I now ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I wish to ask the Senator from Arizona a very brief question. Amendment No. 17 in the conference report on the mutual security appropriation bill refers to section 102 of the bill, having to do with publicity and propaganda. It is my understanding there was no intent on the part of the conferees in redrafting the section to change the basic law concerning publicity and propaganda in the mutual security program. Is that correct?

Mr. HAYDEN. That is correct. The basic law on this subject, known as the Dworshak amendment, was adopted to the Mutual Security Act of 1952.

The conference report which referred to the Dworshak amendment contained a paragraph which I ask unanimous consent to have placed in the RECORD at this point.

Without objection, the paragraph was ordered to be printed in the RECORD, as follows:

> The committee of conference recognized the desirability of preventing any use of funds for propaganda in support of the mutual security program. At the same time there should not be any interference with the supplying of full information to the Congress and to the public concerning the operations of the mutual security program. The committee of conference believes that it is possible for those responsible for the administration of the Mutual Security Act to maintain a sharp distinction between propaganda and the supplying of information as to the results attained under the program, and that this section of the conference agreement should not interfere with the recognized procedures for keeping the public and the Congress informed.

Mr. HAYDEN. The new section 102 underlines the purpose of the Dworshak amendment that no funds shall be used for propaganda within the United States. It is not intended to prohibit and it does not prohibit the President or the International Cooperation Administration or the Departments of State and Defense from giving the American people information about the operations of those agencies or the uses to which they are putting the money appropriated for the mutual security program or what the American people are getting for their money.

Mr. SMATHERS. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield to the Senator from Florida.

Mr. SMATHERS. I should like to ask the Senator from Arizona a question. I notice from the report, amendment No. 14 eliminates the appropriation of $20 million by the Senate for the Latin American Economic Development Fund. As to amendment No. 12 it is stated, "The conferees are agreed that not less than $20 million of this appropriation shall be for Latin America." Was it the feeling of the conferees that the $20 million which was stricken in amendment No. 14 would be taken from the special assistance fund, as provided in section 400 (a)?

Mr. HAYDEN. Thereby even more than $20 million would be available, whereas originally not more than $20 million would be available.

Mr. SMATHERS. In view of the action of the conferees, is it the belief of the conferees and of the Senator that the $20 million can be used in the same fashion as originally contemplated by the provisions of section 400 (b)?

Mr. HAYDEN. Yes.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement I have prepared in connection with this amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SMATHERS

I cannot help but express a keen sense of disappointment over the conference report on the foreign aid appropriations bill, though I recognize that our Senate conferees fought valiantly for the measure as passed by the Senate.

In the mutual security authorization bill, I was successful in getting the Senate Foreign Relations Committee to recommend and the Senate to adopt an amendment which I proposed setting up a Special Economic Development Fund for Latin America in the amount of $25 million. The Senate Appropriations Committee recommended an appropriation of $20 million and the Senate agreed to the recommendation by giving it overwhelming support. The funds under this program were to be utilized for the purpose of promoting health, education, sanitation, and land resettlement projects in Latin America on a 90 percent loan basis. It was no give away or handout proposal. Last year the Congress provided $15 million for this purpose and the good will engendered by the program which was started is inestimable. It was a program which the Latin Americans long sought from its good neighbor, the United States. It was a program which made it possible for our Latin American friends to maintain their own self-respect.

The House, on the other hand, though it accepted the authorization measure, failed to appropriate any funds for this worthwhile constructive program. Though recognizing that the House was operating under an atmosphere of economy, I cannot help but believe that they failed to fully realize the full beneficial effect of this program in our relations with Latin America. Knowing of the many friends which Latin America has in the House of Representatives, I am still hopeful that in a future supplemental appropriations bill they will see fit to correct what I believe to be an unintentional and harmful mistake with respect to our relations with our good neighbors to the south.

From my understanding of the conference report, some ground was held by our conferees. I would now like to ask the distinguished chairman if I am correct in the understanding that under the special assistance program, that the conferees were in full agreement that no less than $20 million of the $226 million appropriated are to be earmarked for Latin America?

With this understanding, though I have serious reservations with respect to other items in the foreign-aid program, I will reluctantly support the conference report.

Since hope springs eternal, I trust that I am not being too optimistic in entertaining the hope that at a later date when supplemental appropriations are being considered, that both the Senate and the House will see fit to appropriate sufficient moneys to continue the program which I proposed and had adopted last year designed solely for the purpose of further improving our good neighbor relations and increased trade with Latin America.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Pennsylvania.

Mr. CLARK. Will the Senator from Arizona agree with me that the colloquy between us with respect to section 102 yesterday still represents the legislative history with respect to section 102, having to do with the right of the ICA to continue to inform the American people with respect to their programs?

Mr. HAYDEN. I stated that yesterday. I repeated it this evening. That understanding is correct.

Mr. SMITH of New Jersey. Mr. President, in connection with the mutual security program, I want to take this opportunity to pay a tribute to my colleagues in the Senate. As my friends know, I have been deeply interested in our foreign policy ever since I came to the Senate 13 years ago and I have been particularly interested in helping as best I could, in the development of our so-called foreign aid program. I was one of those who worked continuously with the study we had made last year of the new approach to the mutual security program and was most hopeful that the reports of the investigators whom we chose from among the most expert in the country would be accepted as a basis for the new approach. The results of these studies and the independent studies that the President had made gave us what might be called a new look on our mutual security program. There was no difference of opinion by any of those who participated in the studies as to the need to continue the program and especially the need for the support of our military aid and defense assistance for our allies in various parts of the world.

Also it was felt that from the standpoint of the underdeveloped countries we should provide for a long-range revolving loan fund to enable those countries to secure their economic stability and to aid them in developing their own freedom, independence, and self-determination so that they could remain among the nations dedicated to freedom. This is a critical issue of our foreign policy and I believe is the strongest supporting pillar of the President's whole program.

Reviewing the action of the Senate, I call attention to the fact that the President originally asked the $3.8 billion. The Senate reported a bill authorizing $3.6 billion. The Senate vote on this authorization bill was 57 to 25. The Senate brought the House appropriation bill in conference up to $3.3 billion and finally in the Appropriations Committee, the Senate restored $500 million of the House slash of $800 million bringing the appropriation up to $3.025 billion. The Senate vote on this appropriation was 62 to 25. We have now witnessed the most unfortunate development, namely the unwillingness of the House to go above $2.7 billion for the final appropriation for fiscal 1958. This is a devastating defeat not only for the President but for the safety of America. However, I want to take this opportunity to pay a tribute to our Senate leadership—our majority leader, the Honorable Lyndon B. Johnson and our minority leader, the Honorable William F. Knowland. Their work was one of the finest evidences of bipartisan teamwork and last ditch fighting in support of the administration and the security of our country.

The only conclusion I can possibly draw from this development is that there are those in the House and especially on the House Appropriations Committee who are determined to destroy the mutual security program. The matter needs our immediate attention and at the beginning of next year we must press the fight vigorously to present to the American people the issue involved in these unfortunate developments this year.

Mr. HAYDEN. Mr. President, I move that the Senate insist on its amendment numbered 15.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to.

Mr. HAYDEN. Mr. President, I ask unanimous consent to have printed in the Record at this point a table which reflects the action of the two Houses on the mutual security appropriation bill, as well as the final amounts agreed to in conference.

There being no objection, the table was ordered to be printed in the Record, as follows:

Mutual security program, fiscal year 1958

[In thousands of dollars]

	Appropriation, 1957	1958 authorization				1958 appropriation				Final appropriation compared with—			
		Request	Senate	House	Conference	Estimate	House	Senate	Conference	1957 appropriation	1958 estimate	House	Senate
MUTUAL DEFENSE ASSISTANCE													
Military assistance:													
Appropriation	2,017,500	1,900,000	[1] 1,800,000	1,500,000	1,600,000	1,600,000	1,250,000	1,475,000	1,340,000	−677,500	−260,000	+90,000	−135,000
Unobligated and unreserved balance	195,500	(2)	(2)	(2)	(2)	538,800	538,800	538,800	538,800	+343,300	---------	---------	---------
Total, military assistance	2,213,000	1,900,000	1,800,000	1,500,000	1,600,000	2,138,800	1,788,800	2,013,800	1,878,800	−334,200	−260,000	+90,000	−135,000
Defense support:													
Appropriation	1,161,700	900,000	[3] 800,000	600,000	750,000	750,000	585,000	689,000	689,000	−472,700	−61,000	+104,000	---------
Unobligated balance	---------	---------	---------	---------	---------	---------	36,000	36,000	36,000	+36,000	+36,000	---------	---------
Total, defense support	1,161,700	900,000	800,000	600,000	750,000	750,000	621,000	725,000	725,000	−436,700	−25,000	+104,000	---------
Total, mutual defense assistance	3,374,700	2,800,000	2,600,000	2,100,000	2,350,000	2,888,800	2,409,800	2,738,800	2,603,800	−770,900	−285,000	+194,000	+135,000
ECONOMIC AND TECHNICAL COOPERATION													
Development assistance:													
Appropriation	250,000	---------	---------	---------	---------	---------	---------	---------	---------	−250,000	---------	---------	---------
Unobligated balance	---------	(2)	(2)	(2)	(2)	52,000	52,000	52,000	52,000	+52,000	---------	---------	---------
Total, development assistance	250,000	---------	---------	---------	---------	52,000	52,000	52,000	52,000	−198,000	---------	---------	---------
Development loan fund	---------	500,000	[4] 500,000	500,000	[5] 500,000	500,000	300,000	400,000	300,000	+300,000	−200,000	---------	−100,000
Technical cooperation:													
General authorization:													
Appropriation	135,000	151,900	151,900	151,900	[6] 151,900	151,900	113,000	114,900	113,000	−22,000	−38,900	---------	−1,900
Unobligated balance	---------	---------	---------	---------	---------	---------	12,000	12,000	12,000	+12,000	+12,000	---------	---------
Total, general authorization	135,000	151,900	151,900	151,900	151,900	151,900	125,000	126,900	125,000	−10,000	−26,900	---------	−1,900
United Nations program	15,500	15,500	15,500	15,500	15,500	15,500	15,500	15,500	15,500	---------	---------	---------	---------
Organization of American States	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	---------		---------	---------
Total, technical cooperation	152,000	168,900	168,900	168,900	168,900	168,900	142,000	143,900	142,000	−10,000	−26,900	---------	−1,900
Total, economic and technical cooperation	402,000	668,900	668,900	668,900	668,900	720,900	494,000	595,900	494,000	+92,000	−226,900	---------	−101,900

[1] Also authorized $1,500,000,000 for fiscal year 1959.

[2] Unobligated balances authorized to be continued available.

[3] Also authorized $710,000,000 for fiscal year 1959.

[4] Also authorized additional $750,000,000 borrowing authority for each of fiscal years 1959 and 1960.

[5] In addition, $625,000,000 authorized in fiscal year 1959 on no-year basis.

[6] Authorized to remain available until expended.

Mutual security program, fiscal year 1958—Continued

[In thousands of dollars]

	Appropriation, 1957	1958 authorization				1958 appropriation				Final appropriation compared with—			
		Request	Senate	House	Conference	Estimate	House	Senate	Conference	1957 appropriation	1958 estimate	House	Senate
OTHER PROGRAMS													
Special assistance, general authorization		300,000	250,000	250,000	250,000	250,000	175,000	225,000	225,000	+225,000	−25,000	+50,000	
Special assistance, Latin America			25,000	25,000	25,000	25,000		20,000			−25,000		−20,000
Special Presidential fund	100,000									−100,000			
Joint control areas	12,200	11,500	11,500	11,500	11,500	11,500	11,500	11,500	11,500	−700			
Intergovernmental Committee for European Migration	12,500	(7)	(7)	(7)	(7)	12,500	12,500	12,500	12,500				
United Nations refugee fund	1,900	2,233	2,233	2,233	2,233	2,233	2,233	2,233	2,233	+333			
Escapee program	6,000	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500	−500			
United Nations Relief and Works Agency: Unobligated balance	45,300	(2)	(2)	(2)	(2)	23,800	23,800	23,800	23,800	−21,500			
United Nations children's fund	10,000	11,000	11,000	11,000	11,000	11,000	11,000	11,000	11,000	+1,000			
North Atlantic Treaty Organization		(7)	(7)	(7)	(7)	2,700	1,500	1,500	1,500	+1,500	−1,200		
Ocean freight	2,500	2,200	2,200	2,200	2,200	2,200	2,200	2,200	2,200	−300			
Control Act expenses	1,175	1,300	1,000	1,000	1,000	1,000	1,000	1,000	1,000	−175			
Administrative expenses:													
International Cooperation Administration	29,018	35,000	33,000	32,500	32,750	32,750	32,750	32,750	32,750	+3,732			
State Department	4,577	(7)	(7)	(7)	(7)	4,577	4,577	4,577	4,577				
Atoms for peace:													
Appropriation	5,500	7,000	7,000	7,000	7,000	7,000				−5,500	−7,000		
Unobligated balance							4,450	4,450	4,450	+4,450	+4,450		
Total, atoms for peace	5,500	7,000	7,000	7,000	7,000	7,000	4,450	4,450	4,450	−1,050	−2,550		
Total, other programs	230,670	375,733	348,433	347,933	348,183	391,760	288,010	358,010	338,010	+107,340	−53,750	+50,000	−20,000
Total, mutual security:													
Appropriation	3,766,570	3,844,633	3,617,333	3,116,833	3,367,083	3,386,860	2,524,760	3,025,660	2,768,700	−997,810	−618,100	+244,000	−256,900
Unobligated balances	210,800	614,600	614,600	614,600	614,600	614,600	667,050	667,050	667,050	+426,250	+52,450		
Total	4,007,370	4,459,233	4,231,933	3,731,433	3,981,683	4,001,460	3,191,810	3,692,710	3,435,810	−571,560	−565,650	+244,000	−256,900
Add continuing authorizations		19,777	19,777	19,777	19,777								
Comparable totals		4,479,010	4,251,710	3,751,210	4,001,460								

[2] Unobligated balances authorized to be continued available.

[7] Continuing authorizations already in law: For ICEM and NATO, unlimited; for State Department administrative expenses, not to exceed $7,000,000 per annum.

Mr. HAYDEN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a summary table showing the budget estimates for 1958, the amounts passed by the House, the amounts passed by the Senate, the amount provided by the public law finally enacted, and the differences between the budget estimates and the public law.

The budget estimates or appropriation requests total $64 billion plus, the public law or the amount enacted total $59 billion, a reduction from the estimates in the amount of approximately $5 billion. This constitutes a reduction of 7.7 percent. There is also included a table which is designed to reconcile the amounts in the January budget of new obligational authority with the budget estimates considered by the two Committees on Appropriations.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Table of appropriation bills, 1958—85th Cong., 1st sess.

	Budget estimate (1)	Passed by House (2)	Passed by Senate (3)	Public law (4)	Difference (col. 1 minus col. 4)	Percent of reduction
Agriculture	$3,965,446,617	$3,692,889,757	$3,668,972,157	$3,666,543,757	−$298,902,860	7.5
Commerce	871,513,000	653,685,060	613,584,290	597,790,225	−273,722,775	31.4
Defense	36,128,000,000	33,562,725,000	34,534,229,000	33,759,850,000	−2,368,150,000	6.6
District of Columbia	25,504,450	22,504,450	23,004,450	22,504,450	−3,000,000	11.8
General Government	20,921,870	16,021,370	16,010,370	16,010,370	−4,911,500	23.5
Independent offices	5,923,195,000	5,385,201,700	5,378,504,800	5,373,877,800	−549,317,200	9.3
Interior	515,189,700	454,395,700	457,152,600	456,189,600	−59,000,100	11.5
Labor-Health, Education, and Welfare	2,981,277,581	2,846,831,581	2,885,290,781	2,871,182,781	−110,094,800	3.7
Legislative	108,271,443	78,370,285	104,844,660	104,844,660	−3,426,783	3.2
Mutual security	3,386,860,000	2,524,760,000	3,025,660,000	2,768,760,000	−618,100,000	18.2
Public works	876,453,000	814,813,023	884,151,323	858,094,323	−18,358,677	2.1
State, Justice, Judiciary	665,649,802	563,799,793	563,085,293	562,891,293	−102,758,509	15.4
Treasury-Post Office	3,965,291,000	3,884,927,000	3,884,927,000	3,884,927,000	−80,364,000	2.0
Additional Post Office, 1958	149,500,000	133,000,000	133,000,000	133,000,000	−16,500,000	11.0
Supplemental, 1958	1,973,767,827	1,581,590,587	1,824,001,547	1,734,011,947	−239,755,880	12.1
Atomic Energy Commission	2,491,625,000	2,299,718,500	2,323,632,500	2,323,632,500	−167,992,500	6.7
Total	64,048,466,290	58,515,233,806	60,320,140,771	59,134,110,706	−4,914,355,584	7.7

NOTE.—Does not include permanent authorizations estimated in budget at $8,028,790,630.

FISCAL YEAR 1958

Reconciliation of January budget figure for new obligational authority of $73.3 billion with budget estimates of appropriations of $64 billion

[In billions]

(1)	(2)	(3)	(4)
Budget estimates for appropriations submitted to Appropriations Committees			$64.0
Permanent appropriations requiring no action by Congress			+8.0
Items included in budget document for new obligational authority not submitted to Appropriations Committees for appropriations:			
Mutual Security Program:			
January budget	$4.400		
Message of Aug. 14	−3.387		
		$1.013	
Department of Agriculture:			
Regular items	.254		
Debt receipt items	.509		
		.763	
Housing legislation (debt receipt item)		1.025	
Military public works		.457	
School construction		.451	
Defense Department		.136	
Veterans' Administration		.100	
St. Lawrence seaway (debt receipt item)		.035	
Allowance for contingencies and miscellaneous items not submitted (net)		.675	
			+4.6
Total			76.6
Deduct: Post office amounts included in budget estimate of appropriations but not included in new obligational figure in budget			−3.3
January budget figure of new obligational authority			73.3

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. RUSSELL. Mr. President, the yeas and nays have been ordered.

The VICE PRESIDENT. On this question the yeas and nays have been ordered, and the Secretary will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from North Carolina [Mr. ERVIN], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Oklahoma [Mr. KERR], the Senator from Oregon [Mr. MORSE], the Senator from West Virginia [Mr. NEELY], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

On this vote, the Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from South Carolina [Mr. JOHNSTON]. If present and voting, the Senator from New Mexico would vote "yea" and the Senator from South Carolina would vote "nay."

The Senator from Oklahoma [Mr. KERR] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from Oklahoma would vote "nay" and the Senator from Alabama would vote "yea."

I further announce that if present and voting, the Senator from West Virginia [Mr. NEELY] would vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Ohio [Mr. BRICKER], the Senator from Kansas [Mr. CARLSON], and the Senator from Indiana [Mr. JENNER] are necessarily absent.

The Senator from Maryland [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], and the Senator from Nevada [Mr. MALONE] are absent on official business.

The Senator from Vermont [Mr. FLANDERS] and the Senator from Kentucky [Mr. MORTON] are detained on official business.

If present and voting, the Senator from Vermont [Mr. FLANDERS] and the Senator from Kentucky [Mr. MORTON] would each vote "yea."

On this vote the Senator from Maryland [Mr. BUTLER] is paired with the Senator from Ohio [Mr. BRICKER]. If present and voting, the Senator from Maryland would vote "yea" and the Senator from Ohio would vote "nay."

On this vote the Senator from Indiana [Mr. CAPEHART] is paired with the Senator from Nevada [Mr. MALONE]. If present and voting, the Senator from Indiana would vote "yea" and the Senator from Nevada would vote "nay."

Also, on this vote the Senator from Maine [Mr. PAYNE] is paired with the Senator from Indiana [Mr. JENNER]. If present and voting, the Senator from Maine would vote "yea" and the Senator from Indiana would vote "nay."

The result was announced—yeas 59, nays 19, as follows:

YEAS—59

Aiken
Allott
Beall
Bennett
Bush
Carroll
Case, N. J.
Case, S. Dak.
Church
Clark
Cooper
Cotton
Dirksen
Douglas
Fulbright
Gore
Green
Hayden
Hennings
Hickenlooper
Hill
Holland
Humphrey
Ives
Jackson
Javits
Johnson, Tex.
Kefauver
Kennedy
Knowland
Kuchel
Lausche
Magnuson
Mansfield
Martin, Iowa
Martin, Pa.
McNamara
Monroney
Mundt
Murray
Neuberger
O'Mahoney
Pastore
Potter
Proxmire
Purtell
Revercomb
Saltonstall
Schoeppel
Scott
Smathers
Smith, Maine
Smith, N. J.
Symington
Thye
Watkins
Wiley
Williams
Yarborough

NAYS—19

Barrett
Bible
Byrd
Curtis
Dworshak
Eastland
Ellender
Frear
Goldwater
Hruska
Langer
Long
McClellan
Robertson
Russell
Stennis
Talmadge
Thurmond
Young

NOT VOTING—18

Anderson
Bricker
Bridges
Butler
Capehart
Carlson
Chavez
Ervin
Flanders
Jenner
Johnston, S. C.
Kerr
Malone
Morse
Morton
Neely
Payne
Sparkman

So the report was agreed to.

Mr. HAYDEN. Mr. President, I move that the Senate insist upon its amendment numbered 15.

The motion was agreed to.

Mr. THYE. Mr. President, this completes the consideration of the appropriation bill, and I should like to be recognized in order to pay tribute to the chairman, the Senator from Arizona [Mr. HAYDEN]. The chairman has been present at practically all the committee hearings and committee sessions. It is difficult to understand how he was able to devote so much time and to carry through in such a manner as he has during the lengthy hearings which were conducted and which were necessary in the development of the appropriation bills.

I simply want to invite attention of this Senate to the splendid service to his country the Senator from Arizona [Mr. HAYDEN], as chairman of the Appropriations Committee, has rendered.

REDUCTION IN APPROPRIATION BELOW THE BUDGET REQUESTS

Mr. JOHNSON of Texas. Mr. President, now that the Senate has acted upon the last of the appropriation bills, it is possible to get a picture of the accomplishments this year.

All of us, I believe, recall the statement by the Secretary of Treasury concerning the budget. The then Secretary said it would have to be cut to avoid a hair-curling depression.

I have before me figures which have been prepared by my staff. They show that when all the bills are taken into account, this Congress has reduced the President's budget by $5,927,495,584—9.1 percent.

I hope that is enough to avoid having our hair curled by former Secretary Humphrey. But in any event it is gratifying. It represents a substantial saving from the appropriations which were requested.

I ask unanimous consent that the table prepared by my staff be printed in the RECORD as part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD as follows:

Budget estimates:	
Regular bills submitted	$56,046,713,463
Post Office supplemental	149,500,000
Mutual security	4,400,000,000
Supplemental	1,973,767,827
Atomic energy	2,491,625,000
Total	65,061,606,290

Appropriations made:	
Regular bills enacted	$52, 174, 706, 259
Post Office supplemental	133, 000, 000
Mutual security	2, 768, 760, 000
Supplemental	1, 734, 011, 947
Atomic energy	2, 323, 632, 500
Total	59, 134, 110, 706
Total reduction from estimates	5, 927, 495, 584
Percentage reduction	9. 1

THE NEW AIR FORCE ACADEMY CHAPEL

Mr. FLANDERS. I have before me a drawing which shows the new chapel to be built at the Air Force Academy in Colorado Springs, Colo. It is a strange creation. I exhibit it to my colleagues.

I have written a letter to the Secretary of the Air Force on that subject, which I now read:

> August 28, 1957.
>
> Hon. James H. Douglas,
> *Secretary of the Air Force,*
> *Washington, D. C.*
>
> Dear Mr. Secretary: I have been astonished to find that the properly criticized design for the chapel at the Air Force Academy at Colorado Springs has been appropriated for in the supplemental appropriation bill. As a member of the Defense Subcommittee of the Appropriations Committee I had an opportunity to look over the designs for the Academy 2 years ago and in my judgment they seemed satisfactory for their purposes throughout except for this chapel.
>
> A chapel building for the Air Force should inspire reverence and the spirit of worship. There isn't a scintilla of reverence or worship in this building. It is just something dreamed up by the architects to be as different as possible from any proper house of worship.
>
> A chapel for worship does not have to be a classical structure. It does not have to be Romanesque. It does not have to be Gothic. It does not have to be Renaissance. It does not have to be Baroque. It does not have to be Georgian. It can be as plain and simple as a Quaker meetinghouse. It can be as modern as is the rest of the design of the Academy.
>
> Any of these things it can be. But it cannot be the antithesis of reverence and worship. The proposed structure is a deliberate insult to God Almighty. I hope you will take a look at it yourself and pass judgment upon it.
>
> Please stop it.
>
> Sincerely yours,
> Ralph E. Flanders.

Mr. ALLOTT. I should like to associate myself with the remarks of the Senator from Vermont [Mr. Flanders], on his letter to the Secretary of the Air Force respecting the Air Force Academy.

Despite the opinions of many Members of Congress, and many, many other people throughout the length and breadth of the United States, 2 years ago with respect to the construction of a chapel at the Air Force Academy, we are now faced with a design of that chapel which, I would say, in even modest language, is more atrocious than the first. I do not know what concept of worship the architects of the structure may have. I know that this chapel design resembles nothing that has ever been seen or dreamed of in the minds of sane men. It is my sincere hope that somewhere along the way the Secretary of the Air Force, and members of the Armed Services Committee and the Appropriations Committee will see fit to take another look at the designs for the Air Force Academy near Colorado Springs, particularly the so-called chapel bearing in mind the need for an edifice for worship which will more nearly approximate the ideas, the ideals, the concepts and the customs of this country.

Mr. STENNIS. Mr. President, will the Senator yield to me?

Mr. ALLOTT. I am happy to yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I wish to commend the Senator from Colorado for the remarks he has made with reference to the Air Force Academy chapel which is being constructed in the Senator's home State. This afternoon I saw a representation of what the chapel will be if built. I served on the subcommittee of the Committee on Armed Services which approved the authorization for the chapel. We thought it would be more a cathedral than it would be a chapel, since they were asking $3,000,000 to build it, as I recall.

I was so shocked when I saw the representation this afternoon that I intend to protest to the Air Force. If the Air Force does not withhold action and have new plans prepared, I shall feel compelled to introduce a resolution to cancel the authorization for the chapel until it can be further considered.

I thank the Senator.

Mr. ALLOTT. I appreciate the remarks of the Senator from Mississippi.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield to the able Senator from Virginia.

Mr. ROBERTSON. Mr. President, I am quite familiar with the subject which has been discussed. We now have serving the third Secretary of the Air Force since this project was started.

When the project was begun the first Secretary of the Air Force to consider it assured me the chapel would not be built along the lines now indicated.

The second Secretary of the Air Force to serve assured me that the chapel would not be built in this manner.

We now have a report on the design, as the Senator from Colorado has said, which is worse than the array of wigwams, or whatever one might call the design, and it is planned to build the chapel along those lines. It is planned to build it of a combination of glass and aluminum.

As the Senator from Vermont [Mr. Flanders] has stated, never in this country or abroad in any civilized land has anybody ever attempted to worship any known God in a building of such a character.

In spite of all the protests we have made for 3 consecutive years, the Chicago architects have been determined to go ahead with this chapel, and the third Secretary of the Air Force to consider it, we understand, has now O. K.'d the design, although it is going to be the most expensive church in the most expensive school this Nation has ever built.

The entire project is going to cost about twice what we had contemplated, and the initial cost of the project is more than all we have spent in its entire history on the United States Military Academy at West Point.

Mr. O'MAHONEY and Mr. NEUBERGER addressed the chair.

Mr. ALLOTT. I yield first to the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, I ask the Senator from Colorado to yield to me for the purpose of presenting a conference report.

Mr. ALLOTT. I shall be glad to yield to the Senator from Wyoming, with the understanding that I may retain the floor after the conference report is acted upon.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield to me for a moment?

Mr. ALLOTT. I am happy to yield to the Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, we have an important conference report to consider. We are going to ask for the yeas and nays as soon as the conference report is called up. I should like all Senators to be on notice that it is a conference report relating to S. 2377, the bill providing procedures for the production of Government records.

When we conclude action on the conference report, we shall take up S. 2792, the immigration bill which recently passed the Senate, and to which the House has added some amendments. We will wish to ask concurrence in the House amendments.

I hope we will be able to have the yea-and-nay vote as soon as possible, so that Senators who may not be interested in participating in the other discussions can answer to their names when the roll is called, and afterward we can have consideration of some noncontroversial bills and discussion of other matters.

Mr. ALLOTT. Mr. President, I desire to conclude in 30 seconds, if I may, and then I shall yield for the presentation of the conference report.

I consider the design of the chapel offensive to the inherent religious beliefs of the American people. It is my sincere hope that enough pressure will be brought to get this whole matter reconsidered, so that all Americans may then feel that this chapel is really a house of God.

I yield the floor.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. ALLOTT. I have yielded the floor.

PROCEDURES FOR THE PRODUCTION OF GOVERNMENT RECORDS IN CRIMINAL CASES—CONFERENCE REPORT

Mr. O'MAHONEY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That chapter 223 of title 18, United States Code, is amended by adding a new section 3500 which shall read as follows:

"'§ 3500. Demands for production of statements and reports of witnesses

"'(a) In any criminal prosecution brought by the United States, no statement or report in the possession of the United States which was made by a Government witness or prospective Government witness (other than the defendant) to an agent of the Government shall be the subject of subpena, discovery, or inspection until said witness has testified on direct examination in the trial of the case.

"'(b) After a witness called by the United States has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce any statement (as hereinafter defined) of the witness in the possession of the United States which relates to the subject matter as to which the witness has testified. If the entire contents of any such statement relate to the subject matter of the testimony of the witness, the court shall order it to be delivered directly to the defendant for his examination and use.

"'(c) If the United States claims that any statement ordered to be produced under this section contains matter which does not relate to the subject matter of the testimony of the witness, the court shall order the United States to deliver such statement for the inspection of the court in camera. Upon such delivery the court shall excise the portions of such statement which do not relate to the subject matter of the testimony of the witness. With such material excised, the court shall then direct delivery of such statement to the defendant for his use. If, pursuant to such procedure, any portion of such statement is withheld from the defendant and the defendant objects to such withholding, and the trial is continued to an adjudication of the guilt of the defendant, the entire text of such statement shall be preserved by the United States and, in the event the defendant appeals, shall be made available to the appellate court for the purpose of determining the correctness of the ruling of the trial judge. Whenever any statement is delivered to a defendant pursuant to this section, the court in its discretion, upon application of said defendant, may recess proceedings in the trial for such time as it may determine to be reasonably required for the examination of such statement by said defendant and his preparation for its use in the trial.

"'(d) If the United States elects not to comply with an order of the court under paragraph (b) or (c) hereof to deliver to the defendant any such statement, or such portion thereof as the court may direct, the court shall strike from the record the testimony of the witness, and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared.

"'(e) The term "statement", as used in subsections (b), (c), and (d) of this section in relation to any witness called by the United States, means—

"'(1) a written statement made by said witness and signed or otherwise adopted or approved by him; or

"'(2) a stenographic, mechanical, electrical, or other recording, or a transcription thereof, which is a substantially verbatim recital of an oral statement made by said witness to an agent of the Government and recorded contemporaneously with the making of such oral statement.'

"The analysis of such chapter is amended by adding at the end thereof the following:

"'3500. Demands for production of statements and reports of witnesses.'"

And the House agree to the same.

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. O'MAHONEY. Mr. President, the conference report has been unanimously signed. The conferees of the Senate and of the House all agreed to the report.

The purpose of the bill is to protect the files of the Government against unwarranted disclosure and at the same time to preserve due process of law for defendants in criminal cases. There was no objection to the measure in the conference. We completed the discussion in less than an hour. I believe this is a very excellent piece of legislation.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays on agreeing to the conference report.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays.

The VICE PRESIDENT. The yeas and nays have been requested. Is there a sufficient second?

The yeas and nays were ordered.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. Mr. President, have the yeas and nays been ordered?

The VICE PRESIDENT. The yeas and nays have been ordered.

Mr. O'MAHONEY. Mr. President, I yield to the Senator from West Virginia [Mr. REVERCOMB].

Mr. REVERCOMB. I appreciate the Senator's yielding to me so that I may ask a question.

Mr. O'MAHONEY. Mr. President, may we have order in the Chamber?

The VICE PRESIDENT. The Senate will be in order.

Mr. REVERCOMB. I thank the Senator very much.

It is extremely important, I believe, that we know, Mr. President, what changes were made in the conference relating to the bill which was passed by the Senate on this subject. I should appreciate it if the Senator from Wyoming would state what changes were made in the bill as it now comes back for consideration by the Senate.

Mr. O'MAHONEY. Mr. President, I am very happy to respond to that inquiry. The conference report is based upon the bill which was passed by the Senate. The House conferees agreed to substitute the principal text of the Senate report.

There were two views with respect to the language which was contained in the Senate bill. There was some fear upon the part of the Department of Justice that the Senate bill would create a greater latitude for the examination of irrelevant reports of agents. The language which was devised by the conferees has cleared up the doubts of the Department of Justice and the doubts which were expressed upon the floor of the Senate during the debate last Monday night.

The second matter had to do with the definition of the statements that were involved in the procedures for production. Instead of reciting it in the body of the bill, we wrote a new subsection on definitions. Perhaps it would be well for me to read the subsection, which is very brief:

> (e) The term "statement," as used in subsections (b), (c), and (d) of this section in relation to any witness called by the United States, means—
>
> (1) a written statement made by said witness and signed or otherwise adopted or approved by him; or
>
> (2) a stenographic, mechanical, electrical, or other recording, or a transcription thereof, which is substantially verbatim recital of an oral statement made by said witness to an agent of the Government and recorded contemporaneously with the making of such oral statement.

That is the new language which was added in the definitions for the bill. In subsection (a) there was no reference at all to the Federal Rules of Criminal Procedure or to the contents of subsection (b), (c), and (d).

Mr. REVERCOMB. Mr. President, will the Senator from Wyoming yield for a question?

Mr. O'MAHONEY. I yield.

Mr. REVERCOMB. When the bill was before the Senate, quite a discussion occurred as to the difference between "records" and "recordings." Is the definition which has been read by the Senator from Wyoming sufficiently comprehensive to deal with the records of the Federal Bureau of Investigation?

Mr. O'MAHONEY. It deals only with those records which relate to the testimony of a Government witness, and when the subject matter is testimony in a particular case in which a motion is made for the production of such records. They must be relevant. They must be competent. If there is any doubt about that on the part of the Government, the Government may ask that the records be presented to the trial judge, for his examination in chambers.

Mr. REVERCOMB. Will the Senator from Wyoming yield for another question?

Mr. O'MAHONEY. Certainly.

Mr. REVERCOMB. Then I gather from the statement the Senator from Wyoming has made that the word "record", as used, means the record pertinent to the testimony of the witness.

Mr. O'MAHONEY. The word "record" appears in the title. In the definition we speak of—

> (2) a stenographic, mechanical, electrical, or other recording, or a transcription thereof, which is a substantially verbatim recital of an oral statement made by said witness to an agent of the Government and recorded contemporaneously with the making of such oral statement.

Instead of the noun "record," we have the verb "record" in the past tense, namely, "recorded," and also in the present tense.

Mr. REVERCOMB. Mr. President, will the Senator from Wyoming yield further to me?

Mr. O'MAHONEY. I yield.

Mr. REVERCOMB. Does the definition of "records" which have been made or which must be produced, include memoranda made by an agent of the Government or any other statement which may have been obtained and signed?

Mr. O'MAHONEY. I think it would include a memorandum made by an agent of the Government of an oral statement made to him by a Government witness, but not by a third party.

Mr. JAVITS. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I am happy to yield to the junior Senator from New York.

Mr. JAVITS. As a practical matter, then, what has been done with the so-called records provision is to tie it down to those cases in which the agent actually purports to make a substantially verbatim recital of an oral statement that the witness has made to him—not the agent's own comments or a recording of his own ideas, but a substantially verbatim recital of an oral statement which the witness has made to him, and as transcribed by him; is that correct?

Mr. O'MAHONEY. Precisely.

Mr. JAVITS. I note from the report that the reference to the Rules of Criminal Procedure has been eliminated. Does that leave the matter as follows: That when the Government has the document defined as a statement, and when it is in its possession, and has been made by a Government agent, then, no matter how it is produced—whether produced pursuant to the Rules of Criminal Procedure or produced pursuant to the rather precise rule in the decision in the Jencks case, or for any other reason—if it is that kind of a statement, the court acquires, with respect to that statement, rights which are specified in this measure; is that correct?

Mr. O'MAHONEY. So long as it is a relevant and competent statement and deals with the testimony of the Government witness.

Mr. JAVITS. That is to say, in the case of a Government witness who has testified.

Mr. O'MAHONEY. Exactly.

Mr. JAVITS. Then the words, as the Senator from Wyoming has read them, must apply; is that correct?

Mr. O'MAHONEY. Yes; and I think it should be made clear that all the procedure must occur after the Government witness produced by the United States has testified, and not before.

Mr. JAVITS. Yes; but the amendment contains the safeguard provided by the amendment submitted by the Senator from Nebraska [Mr. HRUSKA], namely, that in the interests of justice, there may be an adjournment.

Mr. O'MAHONEY. I am happy to say that both the amendment proposed by the Senator from Nebraska [Mr. HRUSKA] on the floor of the Senate—which I accepted during the debate—and the amendment submitted by the junior Senator from New York [Mr. JAVITS]—which I also accepted—are retained in the conference report.

Mr. JAVITS. One final question, which I think will button this up: If the Government chooses not to deliver the information, then the court has rather complete powers with respect to either declaring a mistrial or striking out the evidence, as the interests of justice may dictate, subject to appeals.

Mr. O'MAHONEY. That is correct.

Mr. JAVITS. All that is retained in the conference report.

Mr. O'MAHONEY. Yes; and all that goes up on appeal, if the defendant asks for it.

Mr. JAVITS. I thank the Senator from Wyoming.

Mr. MUNDT. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. MUNDT. I realize that the conference committee, operating under the pressure of time, has not had time to submit the report in the way in which it normally would be done—namely, by having a statement by the managers on the part of the House, and by having a printed report. I realize that there is a report, but that it was prepared on a duplicating machine.

I wonder whether the Senator from Wyoming intends to incorporate that copy of the report in the RECORD, preceding the taking of the vote this evening.

Mr. O'MAHONEY. If I correctly understand the question the Senator from South Dakota asks—and my doubt regarding it arises only because of the difficulty of hearing what the Senator from South Dakota has said, inasmuch as while he has been asking the question, other Senators have been talking—his question can be answered, I believe, by a brief reading of the provision.

Let it be understood that we are trying to define what is meant by the term "statement" in the body of the measure.

First, it is—

> a written statement made by said witness and signed or otherwise adopted or approved by him.

In addition to such statements, we have oral statements; and the type of oral statements referred to is defined in the second clause, which reads as follows:

> (2) a stenographic, mechanical, electrical, or other recording, or a transcription thereof, which is a substantially verbatim recital of an oral statement made by said witness to an agent of the Government and recorded contemporaneously with the making of such oral statement.

The VICE PRESIDENT. Will the Senator from South Dakota repeat his inquiry?

Mr. MUNDT. Yes, Mr. President. I do not think the Senator from Wyoming quite understood my inquiry, although I am grateful for the information provided in his reply.

My question is this: In view of the fact that the conference report has come to us so late, so that the statement of the managers on the part of the House, which normally is printed, could not be sent to the Government Printing Office and printed in time for our inspection at this time, I believe the Senator from Wyoming has referred to a duplicated statement of the report, as signed by the conferees.

Mr. O'MAHONEY. The written statement by the managers on the part of the House was not in my hands. It was not presented to me. It was presented in the House of Representatives. It is not here.

But I am stating to the Senate the understanding of all the conferees, both those of the House and those of the Senate.

Mr. MUNDT. I think a statement by the managers on the part of the House will appear in today's issue of the CONGRESSIONAL RECORD, as a part of the action taken by the House. Is that correct.

Mr. O'MAHONEY. I think that is correct. I am expecting that to happen.

Mr. CLARK. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield to the Senator from Pennsylvania.

Mr. CLARK. As I understand the conference report, as explained to the Senate by the able Senator from Wyoming, who has worked so hard and so long to get a satisfactory report in this situation——

Mr. O'MAHONEY. It was hammered out on the anvil of hard work.

Mr. CLARK. Yes. As I understand, the elimination of the reference to the Federal rules, in the redraft presented by the conference committee, does not indicate, and is not intended in any way to indicate, that this measure is intended to amount to a change in any way of the Federal Rules of Criminal Procedure.

Mr. O'MAHONEY. We are not dealing with the Federal Rules of Criminal Procedure. We are dealing only with the proceedures to be followed in the production of these reports.

Mr. CLARK. As I understand, the Senate is to vote on the conference report without having the benefit of any managers' written report as to what was decided in the conference. Therefore, I, for one, at least—and I think all my colleagues, too, must do likewise—must vote on this measure without having studied such a conference report. Therefore, the legislative history as regards the vote to be taken in the Senate, when the Senate votes on the report—and let me say that I shall vote for the report—will show that when the Senate votes on it, it will do so without having adopted, approved, or in any way considered the statement of the managers on the part of the House, which will be filed later on.

I should like to state——

Mr. O'MAHONEY. Mr. President, let me say this to the Senator from Pennsylvania, in order to keep the record straight: It is not the custom of conferees on the part of the Senate to prepare a written report. It is the custom of the conferees on the part of the House to file a statement of the views of the House managers.

Mr. CLARK. Will the Senator yield?

Mr. O'MAHONEY. Yes.

Mr. CLARK. I quite agree with the Senator from Wyoming. My only point is that those of us who are about to vote for this measure—and I shall vote for it—will vote for it on the understanding of what it contains, as stated by the distinguished Senator from Wyoming. For myself, I have some doubts as to whether this measure is constitutional; but I shall vote for it with the conviction that if it is unconstitutional, if it violates due process, we can leave that to the courts.

Mr. KEFAUVER. Will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. KEFAUVER. Let me inquire of the chairman of the subcommittee and the chairman of the conference committee whether the word "records" includes photostats of documents and pictures, all of which are very important in the presentation of a criminal case, and just where they fall within this definition?

Mr. O'MAHONEY. We are not dealing with records in the sense of the question asked by the Senator from Tennessee. We are dealing only with records which are included in the definition here, statements by the witness, which have been approved by him or signed by him or otherwise approved by him, and then oral statements which have been recorded—oral statements made by the witness to an agent of the Government. This is tied directly to statements made by a Government witness to an agent of the Government after the witness has testified, and not to any other records of the FBI or of any other Government bureau.

Mr. KEFAUVER. As I understood one part of Judge Brennan's opinion—and there is some language that might be considered in conflict—could be interpreted as justifying a requirement, for instance, that certain photostats of records or of pictures be submitted for examination by the defendant or his counsel. What happened in that regard?

Mr. O'MAHONEY. I do not recall any language in the decision of Justice Brennan that deals with that. If the pictures have anything to do with the statement of the witness—with either the written statement or the oral statement—of course that would be part of it; but whatever is produced must be related to the evidence of the witness who has testified before the court in the criminal case.

Mr. KEFAUVER. I did not mean that his opinion specified pictures or photostats; but I thought that the general, broad statements of his opinion might include that kind of documentary evidence.

Mr. O'MAHONEY. I will say to my friend from Tennessee that the language submitted by the conference report covers every statement that was made in the opinion.

Mr. KEFAUVER. Very well; I think that is sufficient. I thank the Senator from Wyoming.

Mr. DIRKSEN. Mr. President——

Mr. O'MAHONEY. I yield to the Senator from Illinois, who was one of the conferees.

Mr. DIRKSEN. Mr. President, I want to be recorded as being in support of the general conclusion of this matter, and, having heretofore ventilated the anxiety of the Department of Justice concerning it, to state that the revised text has the concurrence of the Department of Justice.

Mr. COOPER. Mr. President——

Mr. O'MAHONEY. I yield to the Senator from Kentucky.

Mr. COOPER. I do not desire to delay the vote on the conference report, but I want to say that the conference report does not say "due process." It will be remembered that when the Senate bill showed two lines of approach, there was an effort made by quite a number of courts to secure clarification. Yet, at the same time we were assured that a bill would be written or passed by the Senate which included "due process."

Mr. O'MAHONEY. Mr. President, I am confident that this bill does not invade "due process." I would not have signed the report if I had any conception that it had that effect.

Mr. COOPER. I am certain of that, but I should like to ask a specific question or two with relation to the legislative history, because in the debate on the floor other language was offered which was rejected by the Senate, upon the thesis that it did invade due process. Now there is new language in the bill regarding records which will be produced upon the request of a defendant, which differs from the language of the bill which was passed by the Senate. I have read the conference report, and it says, as I recall, that statements signed by the witness, and approved and adopted, or approved and adopted, shall be produced, and, second, that stenographic, mechanical, or electrical recordings——

Mr. O'MAHONEY. Or other recordings.

Mr. COOPER. Of statements made by a witness, which are in essence verbatim statements, and which are made contemporaneously at the time of the oral statement, shall be admitted. I want to ask the distinguished Senator if, in his opinion, the conference report limits or narrows in any way the holding of the Jencks case as to the totality of the statements of a witness which must be produced.

Mr. O'MAHONEY. In that part of the opinion of the majority of four of the Supreme Court in the Jencks case, which referred to the case of Gordon against the United States, and which defined the purpose of the production of the statements or the records, that part of the decision is completely sustained by this bill.

Mr. COOPER. I say that because I have great respect for the desire of the FBI to protect its records, and I said in the debate on the floor, when the Senate passed this bill, that we all wanted to assist so far as possible in that purpose. But, I say, overriding that aim is the objective and the right of every defendant to have due process. Whether it is the FBI, whether it is any other law agency, we know that due process must be accorded a defendant. I accept the statement of the distinguished Senator that, in his opinion—and I know that he is familiar with the Jencks case from one end to the other—the conference report does not limit the production of the records in such a way as to invade due process to a defendant.

Mr. O'MAHONEY. I am confident that it does not.

The VICE PRESIDENT. The question is on agreeing to the conference report. The yeas and nays have been ordered, and the Clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from New Mexico [Mr. Anderson and Mr. Chavez], the Senator from North Carolina [Mr. Ervin], the Senator from Rhode Island [Mr. Green], the Senator from South Carolina [Mr. Johnston], the Senator from Oklahoma [Mr. Kerr], the Senator from Oregon [Mr. Morse], the Senator from Montana [Mr. Murray], the Senator from West Virginia [Mr. Neely], and the Senator from Alabama [Mr. Sparkman] are absent on official business.

I further announce that if present and voting, the Senator from New Mexico [Mr. Chavez], the Senator from North Carolina [Mr. Ervin], the Senator from Rhode Island [Mr. Green], the Senator from South Carolina [Mr. Johnston], the Senator from Oklahoma [Mr. Kerr], the Senator from Montana [Mr. Murray], the Senator from West Virginia [Mr. Neely], and the Senator from Alabama [Mr. Sparkman] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. Bridges] and the Senator from Maine [Mr. Payne] are absent because of illness.

The Senator from Ohio [Mr. Bricker], the Senator from Kansas [Mr. Carlson], and the Senator from Indiana [Mr. Jenner] are necessarily absent.

The Senator from Maryland [Mr. Butler], the Senator from Indiana [Mr. Capehart], and the Senator from Nevada [Mr. Malone] are absent on official business.

The Senator from Vermont [Mr. Flanders] and the Senator from Kentucky [Mr. Martin] are absent on official business.

If present and voting, the Senator from Ohio [Mr. Bricker], the Senator from Maryland [Mr. Butler], the Senators from Indiana [Mr. Capehart and Mr. Jenner], the Senator from Nevada [Mr. Malone], the Senator from Vermont [Mr. Flanders], the Senator from Kentucky [Mr. Martin], and the Senator from Maine [Mr. Payne] would each vote "yea."

The result was announced—yeas 74, nays 2, as follows:

YEAS—74

Aiken
Allott
Barrett
Beall
Bennett
Bible
Bush
Byrd
Carroll

Case, N. J.
Case, S. Dak.
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Douglas
Dworshak
Eastland
Ellender
Frear
Fulbright
Goldwater
Gore
Hayden
Hennings
Hickenlooper
Hill
Holland
Hruska
Humphrey
Ives
Jackson
Javits
Johnson, Tex.
Kennedy
Knowland
Kuchel
Lausche
Long
Magnuson
Mansfield
Martin, Iowa
Martin, Pa.
McClellan
McNamara
Monroney
Mundt
Neuberger
O'Mahoney
Pastore
Potter
Proxmire
Purtell
Revercomb
Robertson
Russell
Saltonstall
Schoeppel
Scott
Smathers
Smith, Maine
Smith, N. J.
Stennis
Symington
Talmadge
Thurmond
Thye
Watkins
Wiley
Williams
Yarborough
Young

NAYS—2

Kefauver
Langer

NOT VOTING—20

Anderson
Bricker
Bridges
Butler
Capehart
Carlson
Chavez
Ervin
Flanders
Green
Jenner
Johnston, S. C.
Kerr
Malone
Morse
Morton
Murray
Neely
Payne
Sparkman

So the report was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the conference report was agreed to.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consideration of executive business.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. MONRONEY, from the Committee on Post Office and Civil Service:

John W. Loughnane, to be postmaster at Belgrade, Mont.; and

R. Ray Heath, to be postmaster at Stillwater, Okla.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the calendar will be stated.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. JOHNSON of Texas. Mr. President, among the list of postmaster nominations, I ask unanimous consent that the nomination of Martin T. Southard to be postmaster at Stokesdale, N. C., be returned to the Committee on Post Office and Civil Service.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, in the case of all the other postmaster nominations, I ask that they be considered en bloc.

The VICE PRESIDENT. Without objection, the remaining postmaster nominations will be considered en bloc; and, without objection, they are confirmed.

IN THE ARMY

The Chief Clerk proceeded to read sundry nominations in the Army.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Army nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Army will be considered en bloc; and, without objection, they are confirmed.

IN THE AIR FORCE

The Chief Clerk proceeded to read sundry nominations in the Air Force.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the nominations in the Air Force be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

NOMINATIONS PLACED ON THE VICE PRESIDENT'S DESK

The Chief Clerk proceeded to read sundry Armed Services nominations placed on the Vice President's desk.

Mr. JOHNSON of Texas. I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered en bloc; and, without objection, they are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be notified forthwith of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

TRANSFER OF AMERICAN SHIPPING TO FOREIGN REGISTRY

Mr. WILLIAMS. Mr. President on March 14, 1957, Congressman ZELENKO, of New York, raised a rather interesting question concerning the manner in which the Maritime Administration is permitting ships under American flags to be transferred to foreign registry, thereby resulting in a substantial windfall to the companies which had previously purchased these same ships at a greatly reduced price on the basis that they would be kept under the American flag.

The particular case to which he had reference on that date was their decision approving Mr. Onassis' transfer of 14 ships from American registry to foreign registry, thereby resulting in approximately $20 million windfall profit, the net proceeds of which were then used to establish a trust fund for his children.

Later I shall ask to incorporate in the body of the RECORD the Maritime Administration's report on this transaction along with a chart showing the original cost of the 14 ships involved to the Government and the net price for which they were sold by the Government at the end of the war.

This report will show the average price received by the Government for the tankers as being about $1½ million each and about $470,000 each for the two cargo ships.

The Maritime Administration in the same report confirms that the value of these ships when transferred to a foreign flag automatically increases based upon today's valuations to $3,400,000 each for the tankers and $1,500,000 each for the Liberty dry-cargo vessels.

This means that the permission granted by the Maritime Administration to Mr. Onassis to transfer these ships from American flag to foreign registry resulted in more than doubling their valuation as compared to the original cost of 10 years ago, or a windfall of approximately $20 million.

The Maritime Administration points out that in turn for this favorable concession the Onassis group have agreed to have constructed in this country three new tankers of not less than 198,450 deadweight tons with the proviso that should they not live up to this latter contract to construct these three ships they would pay a forfeit of approximately $8 million.

Even if they forfeit this last agreement the company still stands to win $12 million by the agreement. The company cannot lose; the American taxpayers can.

Last year Congress rejected the request of certain companies for permission to transfer their ships from American registry to foreign registry on the basis that the resulting windfall profits were not warranted. The ships had been sold at a greatly reduced price in order to keep them under American flag and the whole purpose of this policy would be defeated by making exemptions. If the ships were to be sold promiscuously under foreign registry then the American taxpayers should have reaped the benefits resulting from the greater world valuation. The Maritime Administration by executive decisions is granting these requests which were denied by Congressional action. Congress should give this new policy of the Maritime Administration their careful scrutiny.

At this point I ask unanimous consent to have incorporated in the RECORD as a part of my remarks the report of the Maritime Administration which shows hows Mr. Onassis, the Greek shipowner, created a trust fund for his children with the $20 million windfall profit resulting from these maritime rulings.

There being no objection, the report was ordered to be printed in the Record, as follows:

Department of Commerce,
Maritime Administration,
Washington, D. C., April 9, 1957.
Hon. John J. Williams,
United States Senate,
Washington, D. C.

Dear Senator Williams: The receipt is acknowledged of your letter of March 25, 1957 enclosing a copy of an article which appeared in the Wilmington Morning News of March 15, 1957, concerning a proposed arrangement between the Maritime Administration and Mr. Aristoteles Onassis involving the construction of new tankers. In connection therewith you request a complete report on the transaction, with particular reference to certain phases thereof, as listed in your letter.

On December 10, 1956, the Maritime Administrator granted approval in principle, pursuant to sections 9 and 37 of the Shipping Act, 1916, as amended of the transfer to Panamanian or Liberian ownership and Panamanian or Liberian registry and flag of 11 United States flag T–2 tankers, the tanker *Olympic Games*, and 2 Liberty dry-cargo ships, in consideration for the construction in the United States by United States Petroleum Carriers, Inc., or any United States affiliate or subsidiary thereof, for United States documentation and operation, of 3 new tankers aggregating not less than 198,450 deadweight tons, as follows: One to be 100,000 deadweight tons or more, with trial speed of 18.5 knots and service speed of 17.5 knots; and two of the *World Glory* type to be of 46,000 deadweight tons or more, with speed of 16.9 knots or more.

The above approval in principle was subject to the terms and conditions set forth in part I, paragraph B and part III, paragraph A of the notice of policy setting forth the Maritime Administration's foreign transfer policy, effective November 5, 1956 (copy attached).

On January 25, 1957, the Maritime Administration formalized the approval granted in principle on December 10, 1956, of the trade-out-and-build proposal described above, by the execution of appropriate contracts with respect to the new ships, and also with respect to the vessels to be transferred to Liberian registry and flag. The Maritime Administration's transfer orders, in evidence of its approval pursuant to sections 9 and 37 of the Shipping Act, 1916, as amended, have been issued for 12 of the vessels—the remaining 2 orders, covering 2 Liberty dry-cargo vessels, are to be issued upon payment of the mortgage indebtedness due the Maritime Administration with respect to each ship. Attached is copy of executed contract No. MA–1439 dated January 25, 1957, between the Department of Commerce, Maritime Administration, and Victory Carriers, Inc., with respect to the construction of the three new tankers, namely builder's hulls Nos. 1671, 1672 and 1681. This contract contains the essence of the Maritime Administration's approval of the trade-out-and-build program of Victory Carriers, Inc. Your attention is called to paragraph 2 of said contract, which provides for the payment of liquidated damages to the Maritime Administration, in the event the new ships are not constructed and documented under United States laws within the time limit prescribed.

Listed hereunder are the answers to your specific points of inquiry concerning the subject proposal:

1. The name of the company, a list of the officers or directors, and the amount of actual paid-in capital by the stockholders.

A. The name of the corporation which has agreed to construct the three new vessels for United States documentation is Victory Carriers, Inc., which is a Delaware corporation with an authorized capital of 2,000 shares of no par value stock, all of which has been issued and is presently outstanding and is owned by United States Petroleum Carriers, Inc. The officers and directors of Victory Carriers, Inc., are: Granville Conway, president and director; Nicolas Cokkinis, vice president and director; Peter Spalding, vice president; Thomas R. Lincoln, vice president; Charles S. Cunningham, director; John C. Griswold, director; Edmond J. Moran, director.

United States Petroleum Carriers, Inc., is a Delaware corporation with an authorized capital of 1,000 shares of no par value stock, all of which has been issued and is presently outstanding. Seven hundred and fifty shares of the stock are held by Grace National Bank of New York, as trustee of the trust established under agreement dated August 10, 1956, between Aristoteles S. Onassis, an Argentine citizen, and said bank (referred to as the trustee of the Onassis trust). The remaining 250 shares are owned by Sociedad Industrial Maritima Financiera Ariona, Panama, S. A., a Panamanian corporation. The latter corporation is owned or controlled by Mr. Aristoteles S. Onassis and Messrs. N. Konialides, an Argentine citizen, and C. Konialides, a Uruguyan citizen.

2. The total expected cost of the tankers, broken down per ship:

A. On December 28, 1956, the Maritime Administration was furnished with an executed copy of construction contract dated December 13, 1956, by and between Bethlehem Steel Co. and Victory Carriers, Inc., which provides for the construction at Quincy, Mass., of 2 steel, single screw, steam turbine propelled, bulk oil tankers, builder's hulls Nos. 1671 and 1672, and 1 steel, twin screw, steam turbine propelled, bulk oil tanker, builder's hull No. 1681, the total of maximum designed deadweights of such vessels to be about 198,450 tons.

As of March 8, 1957, Victory Carriers, Inc, had already paid $1,795,500 on account of the construction of these ships.

Under the construction contract the construction cost is $51,300,000, the contract price for the three vessels to be constructed. The construction contract also provides for the completion and delivery of the vessels as follows:

Hull No. 1671, on or before August 31, 1959.

Hull No. 1672, on or before January 31, 1960.

Hull No. 1681, on or before June 30, 1960, which dates are subject to the force majeure clause.

3. The extent of the Government financing, either in the form of construction differential, subsidy, or Government guaranties of mortgages.

(a) The interest rate involved in the guaranteed mortgage and the terms of payment.

A. There has been no financial assistance granted by the Maritime Administration in connection with the construction of the three new tankers by Victory Carriers, Inc., either in the form of construction differential subsidy, or insured mortgage guaranty, or other forms of Government aid.

4. The name of each tanker, Liberty ship, or other ship which the Maritime Administration has authorized transferred from American flag to foreign flag.

A. The names, owners, and types of United States-flag vessels approved for transfer to Liberian registry and flag without change in United States citizen ownership, in connection with the new construction, are as follows:

United States, Petroleum Carriers, Inc., *Arickaree,* T–2 tanker; *Battle Rock,* T–2 tanker; *Camp Namanu,* T–2 tanker; *Fort Bridger,* T–2 tanker; *Lake George,* T–2 tanker; *Stony Point,* T–2 tanker.

Victory Carriers, Inc., *Heywood Broun,* Liberty cargo; *Lewis Emery Jr.,* Liberty cargo.

Western Tankers, Inc., *McKittrich Hills,* T–2 tanker; *Montebello Hills,* T–2 tanker; *William A. M. Burden,* T–2 tanker; *Olympic Games,* tanker.

Trafalgar Steamship Corp., *Federal,* T–2 tanker; *Republic,* T–2 tanker.

4a. With the name of each tanker or other type of ship include information as to the date this ship was constructed, the total construction cost, the date the ship was sold to Mr. Onassis or his company, and the net amount after all allowances received by the Government for such ship.

A. See attachment 2.

4b. The estimated valuation of each of these ships if placed under foreign flag and eligible for resale in world markets.

A. Under foreign registry the estimated valuation on a restricted basis, of the 14 vessels will be: $3,400,000 for each T–2 tanker, and the *Olympic Games,* and $1,500,000 for each of the Liberty dry cargo vessels. However, these ships are not eligible for resale except with prior Maritime Administration approval.

5. If Mr. Onassis is merely transferring these tankers and Liberty ships to a foreign flag company of his own, then I want this information:

A. On January 29, 1957, the Maritime Administrator approved, in principle only, the transfer of the above-listed vessels, after their documentation under Liberian flag, to a Liberian corporation or corporations to be formed. The Maritime Administrator's approval in principle contemplated that the president and a majority of the directors of the said corporation or corporations would be citizens of the United States, that 75 percent of the stock in said corporation or corporations would be owned by a trustee for the benefit of the children (United States citizens) of Mr. A. S. Onassis, and that the trustee so appointed for the children would be an individual or corporation acceptable to the Maritime Administration.

5a. The amount of money involved in the transfer and the names of the companies being transferred from and to.

A. The approval granted in principle on January 29, 1957, as referred to above, has not yet been formalized and the amount of purchase price or other monetary consideration involved in the proposed transfer of ownership, as well as the name or names of the Liberian purchasers or transferees, has not yet been filed with the Maritime Administration.

5b. After being transferred to one of his foreign flag companies would he need any further permission from the Maritime Administration if he desired to sell them in the world market?

A. The Maritime Administration has statutory control, under section 37 of the Shipping Act, 1916, as amended, so long as the present emergency exists, of the transfer to foreign ownership of the Liberian vessels. Pursuant to the terms of its formal approval of any transfer of these vessels to Liberian ownership, the Maritime Administration has contractual control over any subsequent changes in ownership of the vessels involved for the balance of the 20-year life of the ships, or for the duration of the national emergency, whichever is the longer period.

5c. The same information as to world market valuation as indicated in question 4b.

A. The answer to your question 5c would appear to be the same as the answer given to your question 4b.

Sincerely yours,
Clarence G. Morse,
Maritime Administrator.

Statement showing date of construction, construction cost, sales price, and other data with respect to certain vessels now owned by United States Petroleum Carriers or Victory Carriers, Inc., or United States affiliated companies

Name of ship and company to which sold by USMC	Type	Date of construction	Construction cost	Date of title transfer	Statutory sales price	Class allowance	Net sales price
American Marine Corp.:[1]							
Battle Rock	T-2 tanker	Mar. 30, 1944	$3,210,851	Mar. 29, 1948	$1,601,211.86	$23,218.00	$1,577,993.86
Camp Namanu	do	May 26, 1944	2,819,618	Mar. 26, 1948	1,617,822.50	39,538.00	1,578,284.50
Stony Point	do	Apr. 18, 1943	4,065,683	Apr. 14, 1948	1,505,352.00	23,150.00	1,482,202.00
(Now owned by U. S. Petroleum Carriers.)							
American Republics Corp.:[1]							
Federal	do	Dec. 10, 1944	3,132,554	May 4, 1948	1,674,701.24	95,051.18	1,579,650.06
Republic	do	July 31, 1944	3,325,139	Apr. 30, 1948	1,626,404.85	58,306.00	1,568,098.85
(Now owned by Trafalgar Steamship Corp.)							
Pacific Tankers, Inc. (now Western Tankers, Inc.):							
McKittrick Hills	do	Dec. 15, 1944	3,083,473	Mar. 16, 1948	1,690,094.67	38,140.00	1,651,954.67
Montebello Hills	do	Nov. 22, 1944	3,170,005	Feb. 27, 1948	1,687,692.28	26,770.00	1,660,922.28
United States Petroleum Carriers:							
Arickaree	do	Mar. 11, 1943	4,770,279	Apr. 2, 1948	1,505,352.00	66,474.00	1,438,878.00
Fort Bridger	do	July 29, 1944	4,083,653	Feb. 26, 1948	1,601,490.36	19,090.25	1,582,400.11
Lake George	do	Sept. 18, 1943	2,778,490	Mar. 18, 1948	1,550,549.35	116,978.00	1,433,571.35
Victory Carriers, Inc.:							
Lewis Emery, Jr.	Liberty dry-cargo (EC2-S-C1)	Oct. 25, 1943	1,685,682	Feb. 26, 1951	544,506.00	74,725.00	469,781.00
Heywood Broun	do	Sept. 15, 1943	1,642,115	Feb. 24, 1951	544,506.00	73,474.00	471,032.00
Union Sulphur Co.,[1] *Wm. A. M. Purden* (now owned by Western Tankers, Inc.).	T-2 tanker	May 7, 1943	4,019,376	Mar. 2, 1948	1,505,352.00	86,238.50	1,419,113.50
Western Tankers, Inc.,[2] *Olympic Games*	Tanker of 18,151 deadweight tons	(3)	(4)				

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[1] These companies not affiliated with any of the so-called Onassis companies.

[2] This vessel was built in the United States for foreign-flag ownership, operation, for 1 of the foreign corporations of the Onassis group. In 1950, this vessel was documented under United States laws, pursuant to a condition of the approval granted by the Maritime Administration of the transfer to foreign ownership and registry of the damaged T-2 tanker *Herman F. Whiton*.

[3] 1948, Sparrows Point, Md.

[4] No data, see footnote 2.

LET THE LADY HOLD UP HER HEAD

Mr. NEUBERGER. Mr. President, on the day that we are scheduled to act on the conference report which reflects the enlightened immigration proposals of the junior Senator from Massachusetts [Mr. KENNEDY], I should like to make available to my colleagues an eminent address on our national immigration policies which Senator KENNEDY delivered to the Washington chapter of the American Jewish Committee on June 4, 1957. The title of this able essay is "Let the Lady Hold Up Her Head," which symbolizes the desire of the Senator from Massachusetts to bring into living reality the great humanitarian promise inherent in the Statue of Liberty, which commands the entrance to New York Harbor. I am pleased to be a cosponsor of Senator KENNEDY'S bill (S. 2792).

I believe that any openminded citizen reading this address by Senator KENNEDY will come to realize that every one of us, except for fullblooded American Indians, is either an immigrant or the descendant of immigrants. Therefore, as the Senator from Massachusetts emphasizes, "our policy should be generous; it should be fair; it should be flexible." I ask unanimous consent that the address by Senator KENNEDY be printed in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

LET THE LADY HOLD UP HER HEAD—REFLECTIONS ON AMERICAN IMMIGRATION POLICY

(By Senator JOHN F. KENNEDY, of Massachusetts)

I've heard it said that one of the reasons Queen Isabella of Spain was so eager to support Columbus' voyage was to make certain that all the heathens beyond the horizon were converted to her own religion.

The story has it that Luis Santangel, Chancellor of the Spanish Exchequer, was having much difficulty persuading Ferdinand to finance Columbus' explorations, because the King's advisers had told him no gold would be found beyond the seas. So Santangel decided to appeal to other motives. Within earshot of the Queen, who was a devout Catholic, he asked the King: "Does your Grace feel no responsibility to convert the inhabitants beyond the sea of darkness to the true faith?"

"Madre de Dios," exclaimed the Queen. "I had never thought of that. If My Lord, the King, will not give the Italian the money he needs to save those poor lost souls, I will pawn my jewels and finance him myself."

The King who could not bear the thought of the royal jewels in a pawnshop, quickly agreed to advance the money.

Queen Isabella was not alone in her desire. In the years that followed, Sir Walter Raleigh, and later Governor Winthrop, also wanted these shores kept virgin for their own kind of people. But luckily for all of us, history decided differently. Columbus and the English were followed by waves of Germans, Irish, Italians, Slavs. And far from remaining a nation of one creed, this new land became an amalgamation such as had never before been created.

Each wave disliked and distrusted the next. The English said the Irish "kept the Sabbath and everything else they could lay their hands on." The English and the Irish distrusted the German who "worked too hard." The English and the Irish and the Germans disliked the Italians; and the Italians joined their predecessors in disparaging the Slavs. By the time Robert Louis Stevenson made his journey across the new land he found Americans united in only one thing—their distrust of the heathen Chinee whom he himself looked upon with wonder and awe, because "their forefathers," as he pointed out, "watched the stars before mine had begun to keep pigs."

E PLURIBUS UNUM

Fortunately for America, a few pioneers saw the value of accepting all races and faiths. When Roger Williams was expelled from the Puritan colonies, he founded Rhode Island as a polyglot refuge. William Penn made a point of welcoming all comers. In 1654 the first group of Jewish settlers landed in New Amsterdam. And by 1737 the Irish were already celebrating St. Patrick's Day in Boston.

The assimilation of this heterogeneous tide was not an easy accomplishment. As early as the Presidency of John Adams, the alien and sedition laws were passed. The Know-Nothing Party flourished before the Civil War; and for several generations thereafter the Ku Klux Klan rode furiously in the night. But today the Klan is more laughed at than feared. In 1916, one Madison Grant, official of the American Museum of Natural History, wrote a pseudoscientific, violently anti-immigrant book entitled "The Passing of the Great Race." But in 1952, a group of world renowned anthropologists reported unequivocally to UNESCO that there is no basis for ideas of racial purity or superiority.

Today, some few may try to maintain the fiction that they are of purer stock or superior breed, but their pretense is transparent. The Nation got a hearty chuckle when FDR addressed the Daughters of the American Revolution as "fellow immigrants." And Sinclair Lewis described Martin Arrowsmith as "a typical purebred Anglo-Saxon American—which means that he was a union of German, French, Scotch-Irish, perhaps a little Spanish, conceivably a little of the strains lumped together as Jewish, and a great deal of English, which is itself a combination of primitive Britain, Celt, Phoenician, Roman, German, Dane, and Swede."

America today is a product of its immigrants—and a product that is the envy of the world. We recognize that the new amalgamated man, a strictly made-in-America product, is the stronger and fresher because he has borrowed the best strains of many lands.

A STEP BACKWARD

But in spite of this knowledge, our Nation's attitude toward immigrants has changed considerably. If Emma Lazarus were writing today, her famous lines "give me your tired, your poor" would have to be amended to read "as long as they come from northern Europe, are not too tired or too poor or slightly ill, and can document all their activities for the past 2 years."

Our present immigration laws furnish a quota system of national origins with indefensible overtones of racial preference. The laws impose a ridiculous superstructure of regulations that lead to what Dostoevsky cunningly described as "administrative ecstasy." Walt Whitman's songs of the open gate have given way to the mournful strains of Gian Carlo Menotti's The Consul.

President Truman warned when he vetoed the McCarran Act that "the idea behind the discriminatory policy was, to put it baldly, that Americans with English or Irish names were better people and better citizens than Americans with Italian or Greek or Polish names. * * * Such a concept is utterly unworthy of our traditions and our ideals." And yet, as we well know, despite the veto, the law went into effect—ironically on Christmas Eve.

The inequities of this legislation have raised the number of private immigration bills from 100 in the 78th Congress to 2,000 in the 84th. Private immigration bills make up about half of our legislation today.

In my own office I have interceded on behalf of innumerable immigrants who bumped their heads against our barrier of regulations. An Italian immigrant, living with his small children in Massachusetts, could not bring his wife to the United States because she had stolen a pair of shoes in 1913, and a bundle of sticks for her fire in 1939. It took an act of Congress to reunite this family.

IMMIGRATION AND FOREIGN POLICY

As a member of the Foreign Relations Committee I am deeply disturbed by the frustrations and resentments created abroad by our immigration laws. Immigration policy, I maintain, is as integral a part of foreign policy as economic aid or propaganda broadcasts. Nothing is more personal, or translated more easily into terms of human understanding or misunderstanding. The alien rebuffed, the relative of an American citizen sweating out a quota, the refugee languishing in camp—all belie the picture we try to create of America. The foreign observer whom we hope to win to our way of thinking is likely to tell us that what we do speaks so loudly, he cannot hear what we say.

When the restrictive immigration laws of 1924 were drawn up, with their provisions for Japanese exclusion, the Japanese Ambassador warned they would create resentment in that country. Japanese intellectuals, in particular, were sensitive to the implication of racial inferiority inherent in such legislation. Twenty-eight years later, after a brutal, bitter war, a number of experts informed the President's Commission on Immigration and Naturalization that the exclusion clause had indeed contributed to the growth of anti-American feeling in Japan and helped create the climate leading to Pearl Harbor.

On the other hand, immigration policy can also be used as a positive instrument of foreign affairs. The absence of quotas within the Western Hemisphere is an invaluable adjunct to the good-neighbor policy.

Whether we identify immigration policy with foreign policy or not, our friends do—including some of our own partners in NATO, against whom we discriminate. And our enemies so identify it also. In 1948 a number of Italian Americans wrote to relatives in Italy, urging them to vote against the Communists, and describing the American way as the route to abundance. The Reds countered with propaganda blasts pointing out that the Americans were not very willing to share their abundance. In a recent Korean broadcast, Radio Moscow emphasized that the McCarran Act was based on the Nazi theory of racial superiority. It pointed out that a person born of a Japanese mother and a British father was held by the United States to be Japanese for immigration purposes, regardless of where he was born—and that this was true only for orientals.

Consider that the Asia-Pacific Triangle, as it is called, contains 50 percent of the world's population, and America 6 percent. Is it wise foreign policy for 6 percent to hold 50 percent in contempt?

NEEDED: A NEW LOOK AT IMMIGRATION POLICY

In recent years we have undertaken a new look in military policy. I suggest that we also need a new look in immigration policy. In the 84th Congress I introduced a bill to establish a sort of Hoover Commission on immigration and naturalization policy, and I still think some such unemotional, nonpolitical study is necessary. Our immigration laws have devolved into such a tangled mess that nobody quite knows what they are. Yet the inequities and preference quotas they perpetuate are a national disgrace and a handicap abroad.

There are some immediate remedies which could be applied. For instance, the quotas should be based on the 1950 census instead of the 1920 census. This would allow 65,000 more immigrants per year. But we also need immediate revision of the quota system itself—under which England's quota is never filled while that of Greece is mortgaged into the 21st century. These mortgages should be wiped out, and the unused quotas of one country should be available for redistribution to other countries.

With respect to the specific problem of refugees, I am introducing legislation to admit some 89,000 emergency immigration cases. They include wives and children of refugees already admitted under the Refugee Relief Act of 1953. They include a number of aliens who secured assurances of jobs and homes under that act but were caught in the squeeze when the act expired. There is also provision for 20,000 refugees and escapees from communism now residing in Austria and the NATO countries; 4,000 orphans and 5,000 refugees—Jews, Italians, and Greeks expelled from Egypt. I do not pose this as a solution to all the problems of immigration, but only as a quick answer to the most urgent needs. I still hope that Congress in the near future will reexamine our whole immigration policy to adapt it to our role of world leadership.

This new policy should not only amend the unreasoned restrictions of the present law, it should shape immigration to foreign policy. It should provide, for instance, for some measure of flexibility to take care of sudden developments like the expulsion of Jews from Egypt or the revolt in Hungary.

The executive branch, it is true, does have a legal measure of flexibility now in the parole provision; but this was not designed to take care of the kind of emergency situation I have in mind. It has been used only in the case of the Hungarian escapees, and the Attorney General has declined to apply it equally to the Middle East.

A new, enlightened policy of immigration need not throw open the floodgates to a wave of immigrants we could not absorb or would not want for some valid reason of national interest. But we must avoid what the Massachusetts poet John Boyle O'Reilly once called, "organized charity, scrimped and iced, in the name of a cautious, statistical Christ."

Our policy should be generous; it should be fair; it should be flexible. With such a policy we could take up the other problems of the world with clean hands and a clean conscience. And the lady in the harbor could hold up her head as well as her lamp.

OREGON ECONOMIC PROBLEMS—EDITORIAL BY SENATOR NEUBERGER FROM PORTLAND JOURNAL

Mr. NEUBERGER. Mr. President, the Oregon Daily Journal in my home city of Portland has been performing a public service in presenting a wide range of viewpoints and opinions as to how the economic difficulties confronting the State of Oregon may best be corrected and resolved.

Many statistics—as well as actual hardship among numerous people—have demonstrated that Oregon has not been sharing in the so-called nationwide prosperity. For example, average incomes in Oregon were $202 higher than the national average during 1947, but $10 below the national average in 1956.

In keeping with other brief Senate speeches which I have made to call to the attention of my colleagues some of the Federal policies which are urgently needed by our State of Oregon, I ask unanimous consent to have printed in the body of the RECORD a guest editorial which I contributed to the Oregon Daily Journal of August 24, 1957, as one of a series, on this vital topic. The title of this guest editorial is "Oregon Must Let Mind Be Bold, Seek Industries."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OREGON MUST LET MIND BE BOLD, SEEK INDUSTRIES

(By RICHARD L. NEUBERGER, U. S. Senator from Oregon)

Every American region heavily reliant on lumber has had to produce some new form of permanent payrolls to take up the slack in saw-timber employment. This happened in New England, in the lake States and in the South. It explains why, for the last 4 years, I have been talking and writing about the growing crisis confronting our State. It tells why average incomes in Oregon were $202 above the national average in 1947 but $10 below in 1956.

Let me emphasize that Oregon is not gripped by depression. The whole country still responds to the vast $44 billion which the Government is pumping into the economy for armaments. But Oregon is a long way from sharing in the nationwide boom.

I should like to describe some of the things which a number of us have been attempting to do about this grave and urgent situation:

The administration's tight-credit policy has choked off new housing starts. Oregon lumber is geared to the housing market. After all, a home buyer must pay $8,760 in interest alone if he purchases a $15,000 house at 5 percent. To try to stimulate housing production, I joined with nine other Senators in a bipartisan plea directly to the President to lower FHA downpayments. We also have opposed the constant increase in interest rates.

Pulp mills could assure greater stability of employment in timber communities. That is why I risked political criticism to urge, as early as 1955, that subalpine stumpage be made available for this purpose. In British Columbia, for example, lumber production has risen 38 percent since 1939, but pulp has soared 180 percent. I have asked the Forest Service to determine the feasibility of small, community-financed pulp plants. Its technicians have informed me that mills with a daily capacity as small as 25 tons might be operated successfully in Oregon.

Low-cost power is the key to payrolls. That explains why we have fought for projects like John Day, Hells Canyon, and the Canadian storage. I have favored Federal dams not for political reasons, but because the Bonneville industrial rate of 2.1 mills a kilowatt-hour has never been matched by private utilities. With modern steam plants generating for 3.5 mills in the Ohio Valley, how can 6-mill private power bring new factories to distant Oregon?

If we develop further supplies of low-cost Columbia River power, much of that energy should be used primarily to create new industrial payrolls. That is why I have introduced an amendment to the preference clause to give industry a higher priority than household use when new power comes on the line.

High freight rates are throttling our ability to sell Oregon goods and produce in the major markets of the East. We have introduced legislation to repeal the 3 percent Federal freight tax. We also are seeking abandonment of the Pittsburgh-plus system of ratemaking, which discourages processing of raw materials in the Western States.

Only a small segment of Oregon agriculture qualifies for Federal price-support payments. We have worked for the two-price plan for wheat, for broadening of Public Law 480 to sell surplus Oregon fruits and grain abroad, for including row crops in soil-bank benefits, and for a basin account to underwrite irrigation projects like that on the Crooked River with a portion of power revenues. This would help to give Oregon farmers a measure of equality with those who raise favored commodities such as corn or tobacco.

There are other avenues of encouragement too numerous to cite here. Oregon, I think, must heed the vigorous wisdom of Justices Holmes and Brandeis when together they wrote: "If we would guide by the light of reason, we must let the mind be bold."

AMENDMENTS OF IMMIGRATION AND NATIONALITY ACT

Mr. JOHNSON of Texas. Mr. President, I ask that the Chair lay before the Senate the message from the House of Representatives on Senate bill 2792.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 2792) to amend the Immigration and Nationality Act, and for other purposes, which were, on page 2, line 10, strike out "years." " and insert "years: *Provided*, That no natural parent of any such adopted child shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under this act." "; on page 3, line 22, strike out "this" and insert "the Immigration and Nationality"; on page 3, after line 22, insert:

> (c) Any visa which has been or shall be issued to an eligible orphan under this section or under any other immigration law to a child lawfully adopted by a United States citizen and spouse while such citizen is serving abroad in the United States Armed Forces, or is employed abroad by the United States Government, or is temporarily abroad on business, shall be valid until such time, for a period not to exceed three years, as the adoptive citizen parent returns to the United States in due course of his service, employment, or business.
>
> (d) The Attorney General may, pursuant to such terms and conditions as he may by regulations prescribe, adjust the status to that of an alien lawfully admitted for permanent residence, as of the date of his arrival in the United States, in the case of an alien who was paroled into the United States under section 212 (d) (5) of the Immigration and Nationality Act if such alien at the time of his arrival in the United States was an eligible orphan as defined in section 5 of the Refugee Relief Act of 1953, as amended, and was, or thereafter has been, adopted by a United States citizen and spouse in a court of proper jurisdiction.

On page 4, line 7, after "residence" insert "(1) if it shall be established to the satisfaction of the Attorney General that (A) the alien's exclusion would result in extreme hardship to the United States citizen or lawfully resident spouse, parent, or son or daughter of such alien, and (B) the admission to the United States of such alien would not be contrary to the national welfare, safety, or security of the United States; and (2)"; on page 4, line 25, strike out "prescribe." and insert "prescribe: *Provided*, That the Attorney General shall promptly make a detailed report to the Congress in any case in which the provisions of this section are applied: *Provided further*, That no visa shall be issued under the authority of this section after June 30, 1959."; on page 7, line 1, strike out "sections" and insert "section"; on page 7, line 15, strike out "241)." and insert "241), nor shall any person acquiring exchange visitor status subsequent to the enactment of that Act, and who has not received a waiver pursuant thereto, be eligible for adjustment of status under this section."; on page 8, line 2, strike out all after "are" down through and including "Act—" in line 3, and insert "terminated effective July 1, 1957—"; on page 9, line 1, strike out "adopted" and insert "adoptive"; on page 10, line 5, strike out all after "provisions," down through and including "Act," in line 8; on page 10, line 11, after "If" insert ", after consultation with the Secretary of State,"; on page 10, line 13, after "character," insert "that he is admissible for permanent residence under the Immigration and Nationality Act,"; on page 12, line 4, strike out "allotted" and insert "allotted,"; on page 12, line 6, strike out "Act" and insert "Act,"; on page 12, strike out lines 13 and 14; on page 12, line 15, strike out "(4)" and insert "(3)"; on page 12, line 23, after "alien" insert ", as described in this section,"; and on page 14, after line 3, insert:

> SEC. 16. In the administration of section 301 (b) of the Immigration and Nationality Act, absences from the United States of less than twelve months in the aggregate, during the period for which continuous physical presence in the United States is required, shall not be considered to break the continuity of such physical presence.

Mr. JOHNSON of Texas. Mr. President, this is the immigration bill, which recently was passed by the Senate. It is an important piece of legislation in which I am deeply interested, and to which I have given much time and attention.

I call the message to the attention of the Senator from Massachusetts [Mr. KENNEDY], who has been handling the bill.

Mr. KENNEDY. Mr. President, the amendments which the House added improve the bill. They are all of a technical and clarifying nature. All of them improve the bill. I believe that is the opinion also of the Senator from Mississippi [Mr. EASTLAND], the chairman of the committee.

I am hopeful that the Senate will concur in the House amendments. I so move.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the report was agreed to.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana.

The motion to lay on the table was agreed to.

ORDER FOR CALL OF THE CALENDAR TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that it be in order on tomorrow, after the morning business, at a time to be announced, to call up bills on the calendar which are cleared for action but which have not been called up by motion.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

INVESTIGATION OF ANTITRUST AND ANTIMONOPOLY LAWS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 1095, Senate Resolution 166.

I will say to Senators, so far as I am aware, there will be no rollcalls tonight. If anything controversial comes up, I will ask that it go over until tomorrow. There are 8 or 10 bills we would like to call. We have had them cleared by the majority and the minority policy groups. If a controversy develops, I will ask that they go over until tomorrow. Any Senator who desires may retire from the Chamber. I thank them for their cooperation.

The VICE PRESIDENT. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 166) amending Senate Resolution 57, 85th Congress, authorizing an investigation of antitrust and antimonopoly laws and their administration.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. JOHNSON of Texas. Mr. President, I should like to inform the Senate that this is a resolution to continue the investigation of antitrust and antimonopoly laws. The minority leader has approved taking up the resolution by motion. It was held up on the last calendar call. Since then a study of the resolution has been made, and it has been included for action. I hope the Senate will adopt it.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution (S. Res. 166) was agreed to, as follows:

> *Resolved*, That Senate Resolution 57, 85th Congress, agreed to January 30, 1957 (authorizing an investigation of antitrust and antimonopoly laws and their administration), is hereby amended by striking out "$225,000" and inserting in lieu thereof "$275,000."

ELECTION OF TWO COUNTY COMMITTEES IN CERTAIN COUNTIES UNDER SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to consideration of Calendar No. 1063, H. R. 8508.

The VICE PRESIDENT. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 8508) to provide that there shall be two county committees elected under the Soil Conservation and Domestic Allotment Act for certain counties.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief explanation of the bill.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

> The Soil Conservation and Domestic Allotment Act provides for the election of one county committee in each county, to be utilized in administering that act and other agricultural programs. For many years, without any apparent authority, two county committees have been elected in each of the four counties named in the bill. Due to geographic location, number of farms, and other factors, other agricultural agencies and the county governments, as well as the committees here concerned, have operated two offices in each of these counties; and this method of administration has worked out very well. Recently it was brought to the attention of the Department that this method was not in accordance with law, and the State committees have now been notified that only one committee should be elected.
>
> This bill would provide for two county committees in each of the four counties and thereby maintain the existing arrangement, which is the result of a need for two offices and which has worked very well.

The VICE PRESIDENT. The bill is open to amendment. If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

ADDITIONAL OFFICE SPACE IN HOME DISTRICTS FOR CONGRESSMEN, DELEGATES, AND RESIDENT COMMISSIONERS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1147.

The VICE PRESIDENT. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 9282) to provide additional office space in home districts of Congressmen, Delegates, and Resident Commissioners.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

The VICE PRESIDENT. The bill is open to amendment.

If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

TELEPHONE AND TELEGRAPH SERVICE FURNISHED MEMBERS OF THE HOUSE OF REPRESENTATIVES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1148, H. R. 9406.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 9406) to amend the act of June 23, 1949, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a biennial rather than an annual basis.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

The VICE PRESIDENT. The bill is open to amendment.

If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

PRINTING AS HOUSE DOCUMENT MATERIAL RELATING TO CENTRAL VALLEY PROJECT, CALIF.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1149, House Concurrent Resolution 176.

The VICE PRESIDENT. The concurrent resolution will be stated.

The LEGISLATIVE CLERK. A concurrent resolution (H. Con. Res. 176) authorizing the printing as a House document of certain material relating to the Central Valley project of California, and providing for additional copies.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the concurrent resolution was considered and agreed to.

PRINTING OF HOUSE DOCUMENT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1150, House Concurrent Resolution 188.

The VICE PRESIDENT. The concurrent resolution will be stated.

The LEGISLATIVE CLERK. A concurrent resolution (H. Con. Res. 188) authorizing the printing as a House document of the document entitled "Congress and the Monopoly Problem: 56 Years of Antitrust Development, 1900–1956."

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the concurrent resolution was considered and agreed to.

SUBSISTENCE ALLOWANCE FOR GRAND AND PETIT JURORS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1152, H. R. 3370.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 3370) to amend section 1871 of title 28, United States Code, to increase the mileage and subsistence allowances of grand and petit jurors.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to, and the Senate proceeded to consider the bill.

The VICE PRESIDENT. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

TARIFF TREATMENT OF ISTLE OR TAMPICO FIBER

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 882, H. R. 7096.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 7096) to amend paragraph 1684 of the Tariff Act of 1930 with respect to istle or Tampico fiber.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

Mr. BEALL. Mr. President, I have an amendment——

Mr. CASE of South Dakota. Mr. President, reserving the right to object, may I ask that the amendments be read?

Mr. BEALL. I ask the clerk to read the amendment.

The VICE PRESIDENT. The clerk will state the committee amendments.

Mr. JOHNSON of Texas. Mr. President, may we have order in the Chamber?

The VICE PRESIDENT. The committee amendments will be stated.

Mr. CASE of South Dakota. Mr. President, reserving the right to object to the consideration of the bill, and not knowing what the amendment——

Mr. JOHNSON of Texas. Mr. President, I ask that the bill go over. I ask the Senator from Maryland to confer with the Senator from South Dakota to see if he can clear the bill.

The VICE PRESIDENT. The bill will go over.

Mr. CASE of South Dakota subsequently said: Mr. President, I wish to say I had objected to the consideration of Calendar No. 882 for the reason that it dealt with the tariff. I had heard that there was a possibility that an amendment would be offered to put mica on the free list. I do not know whether that was a committee amendment or not. I understand the amendment proposed to be offered by the Senator from Maryland [Mr. BEALL] referred to putting wool on the free list. I would have objected to the consideration if it meant putting wool on the free list. Therefore, I respectfully request that Order No. 882, dealing with the Tariff Act, not be passed on a consent call.

Mr. JOHNSON of Texas. We are not passing anything on the Consent Calendar. Bills are being called up by motion. The fact that the Senator from South Dakota wants time to study it is sufficient to have the bill go over. I ask that the bill go over so that the Senator from South Dakota may discuss it with the Senator from Maryland.

The VICE PRESIDENT. The bill will be passed over.

INCREASE IN SALARIES OF CERTAIN EXECUTIVES OF THE ATOMIC ENERGY COMMISSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1185, H. R. 8994.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 8994 to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, the Senator from Washington [Mr. JACKSON] has a brief explanation to make of the bill.

Mr. JACKSON. Mr. President, the bill has the unanimous approval of the Joint Committee on Atomic Energy. It passed the House of Representatives unanimously. It will equalize salaries of all officials and top executives of the Atomic Energy Commission with those of other executives in the executive branch and in the independent agencies.

I ask unanimous consent that I may include in the RECORD at this point a statement on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JACKSON

The purpose of this bill, as set forth in the report of the Joint Committee on Atomic Energy (S. Rept. No. 790) is to equalize the salaries of the Commissioners and top executives of the Atomic Energy Commission with those of other executives in the executive branch and in the independent agencies.

Last year Congress enacted the Federal Executive Pay Act of 1956. That act raised the salaries of executives generally in the executive branch and in the independent agencies, and it is the purpose of this bill to provide equal treatment for the executives of the Atomic Energy Commission.

The background of this bill is set forth in the committee report, Senate Report No. 790.

Last year the Joint Committee unanimously recommended a salary bill for AEC executives, contingent upon passage of the Federal Executive Pay Act, but that act passed late in the session, and the AEC salary bill was not considered by the Congress. This year the Joint Committee again considered the question and has recommended unanimously this legislation to bring the AEC executives up to the same salary levels as those of other executives.

This bill raises the salary of the Chairman of the Commission from $20,000 per annum to $22,500 per annum, which is on the same level as the Under Secretary of State and the Deputy Secretary of Defense. Prior to the Federal Executive Pay Act of 1956, the Chairman of the Commission was on the same level with those other offices, but he is now receiving a lesser salary. The purpose of this bill is to equalize this situation.

Other salaries of AEC executives are raised as follows:

The other four Commissioners of the Atomic Energy Commission, from $18,000 to $22,000; the General Manager, who is the chief executive officer, from $20,000 to $22,000; the division directors from $16,000 to $19,000; and the General Counsel from $16,000 to $19,500. The bill also establishes the position of Deputy General Manager at a maximum salary of $20,500; three Assistant General Managers or their equivalent at maximum salary of $20,000; and a maximum of six other Executive Manager positions at a salary not to exceed $19,000 per annum.

Thus the bill affects only the Commissioners and top executives in the AEC. The Joint Committee has studied this bill carefully, and all of these increases are consistent with the provisions of the Federal Executive Pay Act as applicable to other agencies, and are only intended to provide fair and equal treatment to AEC executives.

The executives of the Atomic Energy Commission are responsible for administering our entire atomic-energy program for both military and peaceful purposes. Just last week, the Congress authorized and appropriated more than $2 billion to run this program during the next fiscal year. If we are to have a well-run program, I think it is important that we have good executives to direct that program. The total investment of the taxpayers of our country in atomic energy is now more than $17 billion.

Only this month Dr. Tom Johnson, Director of the Division of Research, left the AEC to go with private industry. I am sure that many other executives in the Commission have received similar attractive financial offers to leave the AEC and go with private industry.

Also, late this year or early in 1958 the Commission will move to a new headquarters building near Germantown, Md., about 30 miles outside of Washington, D. C. It is a real possibility that they will lose many of their employees, including some of the top executives. In order to try to prevent this loss, and to equalize the salaries of AEC executives with executives in other agencies of the Federal Government, I urge the Senate to enact S. 2672, in accordance with the unanimous recommendation of the members of the Joint Committee.

The VICE PRESIDENT. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

CONVEYANCE OF LAKE OR BAYOU TO CITY OF COUNCIL BLUFFS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from further consideration of H. R. 8928, and that the Senate proceed to its consideration.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 8928) to amend the act of June 9, 1880, entitled "An act to grant to the corporate authorities of the city of Council Bluffs, in the State of Iowa, for public uses, a certain lake or bayou situated near said city."

The VICE PRESIDENT. Is there objection to the request of the Senator from Texas?

Mr. PURTELL. Mr. President, what is the calendar number?

Mr. JOHNSON of Texas. It is not on the calendar. The bill just came over from the House.

The VICE PRESIDENT. Without objection, the Committee on Interior and Insular Affairs is discharged from the further consideration of the bill.

Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

CONTINUATION OF PROVISIONS OF TITLE II OF THE FIRST WAR POWERS ACT OF 1941

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1186, H. R. 7536. I announce that this will be the last bill we shall take up tonight.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 7536) to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act of 1941.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. WATKINS. Mr. President, reserving the right to object——

Mr. JOHNSON of Texas. Mr. President, I moved that the Senate proceed to the consideration of Calendar 1186, H. R. 7539. It was a motion, not a unanimous consent request.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. O'MAHONEY. Mr. President, this bill has been unanimously approved by the Committee on the Judiciary. It is an essential bill. The act which it extends expired on the 30th of June 1957. The Defense Department needs an extension of the act, as set forth in the report. Otherwise, there would be large claims against the United States if this relief were not granted.

Mr. THYE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. THYE. I wish to say the bill has been approved by the Calendar Committee, and I believe that every objection to and every question about the bill have been cleared.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that there may be printed in the RECORD a statement explaining the bill, together with letters from various departments affected, setting forth their interpretations.

There being no objection, the statement and letters were ordered to be printed in the RECORD, as follows:

This bill extends authority first conferred upon the President by the Congress at the outset of World War II. It was reactivated during the Korean conflict. It is essentially emergency legislation which has survived the periods of its creation and re-creation. The authority which it confers has been redelegated by the President to several agencies of the Government, among them the Departments of Defense, Army, Navy, Air Force, commerce, Agriculture and Interior, the Atomic Energy Commission, the Government Printing Office, the General Services Administration, the Tennessee Valley Authority, the Federal Civil Defense Administrator, and the National Advisory Committee for Aeronautics. Under this authority these executive departments and agencies are empowered to amend or modify Government contracts without additional consideration, where, for example, an actual or threatened loss on a defense contract will impair the productive capacity of a contractor whose continued existence is necessary to the national defense. Officials likewise may make advance payments on contracts to be executed in the future or to extend delivery or completion dates in certain cases. Mistakes and ambiguities in contracts may be rectified and indemnity payments may be guaranteed for otherwise noninsurable risks. Oral agreements may be formalized. These are certainly extraordinary powers and their extension at a time when the United States is not engaged in any conflict should be permitted only upon a detailed showing of their necessity. Time, and the press of other matters, however, has not permitted such a detailed examination. However, the committee has secured certain commitments from the principal departments and agencies engaged in the use of this authority with respect to its use. It has been agreed, for example, that it will not be used for the purpose of avoiding competitive bidding. It has also been agreed that it will not be used as authorization for the waiver of any bid, payment, performance, or other bonds required by law. It is further agreed that it would not be used as authorization for the making of any progress payments, nor for the formalization of any informal commitment except where exigencies of time have made immediate formalization of the agreement impracticable. It also has been agreed that this authority shall not be used to increase the contract price beyond the lowest competitve bid previously submitted where the competitive bids were disregarded and contracts entered into by negotiation. These commitments do not, by all means, cover all the adverse possibilities which are inherent in the continued extension of this authority. However, such adverse possibilities as remain must be balanced against the need of the departments of Government to make arrangements vital to the national defense in periods of international uncertainty.

The committee sought to bring as nearly into balance, as possible, in the time remaining, the needs of the executive departments and the necessity for protection against possible abuses of authority.

While I would have preferred to examine this authority in detail by full and complete hearings, I recognize, as did the committee, that such a procedure late in the Congressional session was simply not possible. Consequently, the committee has chosen this course of extending the authority with certain commitments as the best avenue remaining by which to accomplish the desired ends of both the Senate and the executive departments.

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., August 27, 1957.
Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary, United States Senate.

DEAR SENATOR EASTLAND: In your letter of August 26, 1957, you explained that if the Senate Judiciary Committee reported H. R. 7536, a bill to extend title II of the First War Powers Act, with an amendment, the bill might not be enacted this year. You also stated that if the principal agencies exercising the authority granted by this act agreed to apply such authority only to contracts entered into on or before June 30, 1957, the committee would report the bill without amendment.

The proposed limitation on the application of this authority would have the effect of preventing the Commission from using the authority of title II of the First War Powers Act when entering into contracts after June 30, 1957; in amending or modifying such contracts; and in making advances under such contracts.

This authority has been exercised only in a limited number of situations by the Commission because of other special authority available to the Commission. For example, the President may, pursuant to section 162 of the Atomic Energy Act of 1954, exempt the Commission from the provisions of law relating to contracts when he has determined that such action is essential in the interest of the common defense and security. In addition, authority to make advance payments under many contracts is provided in the Atomic Energy Act of 1954, and additional authority to indemnify contractors against nuclear hazards is contained in H. R. 7383, which has been enacted by the Congress and sent to the President.

In view of the fact that the other authority mentioned above that is available to the Commission appears adequate for most of the contingencies that may arise, we have no objection to limiting the application of title II of the First War Powers Act as desired by the Senate Committee on the Judiciary.

The Bureau of the Budget has informed us that there is no objection to the submission of these comments.

Sincerely yours,
K. E. FIELDS.
General Manager.

TENNESSEE VALLEY AUTHORITY,
Knoxville, Tenn., August 27, 1957.
Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary, United States Senate, Washington, D. C.

DEAR SENATOR EASTLAND: This is to advise you in response to your letter of August 26, that in the event H. R. 7536, to extend the authority of title II of the First War Powers Act, is approved in the present session of Congress, the Tennessee Valley Authority will use the authority granted thereunder only with respect to contracts entered into on or before June 30, 1957.

Sincerely yours,
HERBERT D. VOGEL,
Chairman of the Board.

GENERAL SERVICES ADMINISTRATION,
Washington, D. C., August 28, 1957.
Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary, United States Senate, Washington, D. C.

DEAR SENATOR EASTLAND: Your letter of August 26, 1957, advised us that your committee had voted to report H. R. 7536, a bill to extend the authority of title II of the First War Powers Act, on condition that the principal departments and agencies to which this authority has been delegated would agree in writing to restrict their use of that authority.

If H. R. 7536 is passed, this agency will not use title II of the First War Powers Act as authority for (1) negotiating contracts in order to avoid competitive bidding; (2) making progress payments; (3) waiving performance, payment, bid, or other bonds; (4) entering into informal commitments to be finalized at a subsequent date, except when a transaction is of such extreme urgency that there is not time for preparation of the formal contract; or (5) amending without consideration contracts entered into by negotiation after rejection of all bids (under section 302 (c) (13) of the Federal Property and Administrative Services Act of 1949) so as to increase the contract price above the amount of the low bid received.

We will also be prepared to report to your committee at the next session of Congress concerning all contracts entered into pursuant to the authority provided in title II.

I hope that these commitments will be satisfactory, and that H. R. 7536 may be enacted before the adjournment of the Congress, as we consider it most important that the title II authority be available for use in a limited number of cases arising out of our defense activities.

Sincerely yours,
FRANKLIN G. FLOETE,
Administrator.

NATIONAL ADVISORY COMMITTEE
FOR AERONAUTICS,
Washington, D. C., August 27, 1957.
Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary, United States Senate, Washington, D. C.

DEAR SENATOR EASTLAND: In accordance with your letter dated August 26, 1957, the National Advisory Committee for Aeronautics agrees that the authority of title II of the First War Powers Act, delegated to NACA by Executive Orders No. 10210 and 10216, dated February 2, 1951, and February 23, 1951, respectively, will be applied only to contracts entered into on or before June 30, 1957.

The authority under title II was last used by NACA on July 30, 1956.

Sincerely yours,
J. F. VICTORY, *Acting Director.*

DEPARTMENT OF AGRICULTURE,
Washington, August 27, 1957.
Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary, United States Senate.

DEAR SENATOR EASTLAND: This is in reference to your letter of August 26, regarding H. R. 7356, a bill to extend the authority of title II of the First War Powers Act and the committee's agreement to report this bill upon the express condition that the principal departments and agencies to whom this authority has been delegated agree in writing to apply such authority only to contracts entered into on or before June 30, 1957.

This Department agrees to apply the authority of title II of the First War Powers Act only to contracts entered into on or before June 30, 1957.

Sincerely yours,
E. T. BENSON, *Secretary.*

UNITED STATES GOVERNMENT
PRINTING OFFICE,
Washington, D. C., August 28, 1957.
Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary, United States Senate, Washington, D. C.

DEAR SENATOR EASTLAND: Receipt is acknowledged of your August 26 letter concerning the action of the Committee on the Judiciary on H. R. 7536.

I have been hopeful that the War Powers Act would be extended allowing the Government Printing Office to negotiate contracts when and if necessary subject, of course, to the review of the Congressional Joint Committee on Printing which approves all of our contracts.

Our use of the authority was under stringent control and has been held to the barest minimum to meet needs of the Government which could not be otherwise satisfied.

We have no contracts in force on or before June 30, 1957, which would require an extension of the authority.

In view of the presentation made by you in your August 26 letter, we agree to not use the authority for contracting after June 30, 1957.

Very truly yours,
RAYMOND BLATTENBERGER,
Public Printer.

GENERAL COUNSEL,
DEPARTMENT OF DEFENSE,
August 27, 1957.

Hon. JAMES O. EASTLAND,
Senate Office Building,
Washington, D. C.

DEAR SENATOR EASTLAND: This letter is written in reply to yours of August 26, 1957, with respect to H. R. 7536, in which you stated that your committee at its meeting August 26, 1957, agreed to report favorably H. R. 7536 upon certain conditions.

The Secretary of Defense has requested that I advise you that the Department of Defense undertakes that the military departments will not use title II of the First War Powers Act, if extended by H. R. 7536, as the authority for any of the following actions:

1. For negotiation of contracts without formal competitive bidding or for the elimination of formal advertising requirements in connection with the letting of contracts;
2. For authorizing the waiver of any bid, payment, performance, or other bonds required by other laws;
3. For authorizing the making of any progress payment;
4. For increasing (in case after rejection of all competitive bids a contract has been entered into by negotiation under the authority of 10 U. S. C. 2304 (a) (15)) the amount of the contract price in such a case to a figure higher than the lowest competitive bid among those rejected;
5. For the formalization of informal commitments made hereafter, except in the case where exigencies of time requirements make formalization at the time impracticable.

I am sure you understand that in making the above undertakings we do not mean to indicate that the Department of Defense has in fact been following these practices, but we understand the desire of your committee to have these positive assurances.

We greatly appreciate the willingness of your committee to consider this means of meeting the situation created by the imminent adjournment of Congress. We shall, of course, keep careful records of any use at all of the authority under title II in the event that H. R. 7536 is passed and shall be prepared to report to you fully at the next session of Congress as to such use.

We shall send you for the information of yourself and your associates a separate memorandum which will indicate some of the most important situations which occasionally arise and which can be dealt with in the interests of defense under title II but which otherwise may be impossible to meet under other authority.

Sincerely,
ROBERT DECHERT,
General Counsel, Department of Defense.

The **VICE PRESIDENT.** The bill is open to amendment.

If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

JOINT COMMITTEE TO INVESTIGATE MATTERS PERTAINING TO GROWTH AND EXPANSION OF THE DISTRICT OF COLUMBIA

The **VICE PRESIDENT** laid before the Senate the amendment of the House of Representatives to the amendment of the Senate numbered 1 to the concurrent resolution (H. Con. Res. 172) to establish a joint Congressional committee to investigate matters pertaining to the growth and expansion of the District of Columbia and its metropolitan area, which was, in line 3 of the Senate matter, strike out all after the word "Senate," and insert "to be appointed by the chairman of such committee, and three members of the Committee on the District of Columbia of the House of Representatives, to be appointed by the Speaker of the House of Representatives.

Mr. BIBLE. Mr. President, I move that the Senate agree to the amendment of the House to the amendment of the Senate numbered 1.

The VICE PRESIDENT. The question is on agreement to the motion of the Senator from Nevada.

The motion was agreed to.

ORDER FOR ADJOURNMENT TO 9 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it stand in adjournment until 9 o'clock tomorrow morning.

Mr. WATKINS. Mr. President, reserving the right to object——

Mr. JOHNSON of Texas. I am not making a motion. I am asking that the order be entered.

Mr. WATKINS. I hope the Senator will, because I would like to get home and get cleaned up. Why not make the hour 10 o'clock?

Mr. JOHNSON of Texas. I may say to the Senator from Utah that when the Senate convenes at 9 o'clock, there will be a morning hour, and he may come in at his convenience.

Mr. WATKINS. There is certain proposed legislation in which I am interested, and which I should like to have taken care of.

Mr. JOHNSON of Texas. The Senator from Utah always takes care of legislation he is interested in. I do not know of any Senator who does a better job in the Senate in doing that. When the Senate convenes there will be a prayer, then there will be a morning hour. The Senator from Utah rarely occupies much of the Senate's time in the morning hour. There will be a number of insertions in the RECORD, a number of brief speeches, some for world consumption, some for national consumption, and some for home consumption. By the time that is completed, the Senator from Utah may get here and join us, so we may complete our business and go home.

Mr. President, I will revise my request. The Senator from Utah has made a good suggestion. I ask unanimous consent that when the Senate adjourns today, it adjourn to convene at 9 o'clock today. [Laughter.]

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

CONVEYANCE OF CERTAIN LAND BY THE SECRETARY OF THE ARMY TO THE COUNTY OF LOS ANGELES, CALIF.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1135, H. R. 230. This is a very important bill and it concerns the State of California, from which the Vice President and the minority leader come, and I am vitally interested in it myself. I should like to have the minority leader give a brief explanation of the bill.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 230) to require the Secretary of the Army to convey to the county of Los Angeles, Calif., certain portions of a tract of land heretofore conditionally conveyed to such county.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. KNOWLAND. Mr. President, this bill was unanimously reported from the Committee on Armed Services. The purpose of the bill is to require the Secretary of the Army to convey to the county of Los Angeles, Calif., all right, title, and interest of the United States in and to certain portions of a tract of land heretofore conditionally conveyed to such county. This is one of a series of relinquishments of residual rights of the United States in portions of this property.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

Mr. KNOWLAND. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. WATKINS. I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Utah to lay on the table the motion of the Senator from California.

The motion to lay on the table was agreed to.

CHESAPEAKE AND OHIO CANAL NATIONAL HISTORICAL PARK

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1179, S. 77.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 77) to establish the Chesapeake and Ohio Canal National Historical Park and to provide for the administration and maintenance of a parkway in the State of Maryland, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 3, line 3, after the words "in the", to insert "provisions of the"; on page 4, line 9, after the word "parkway", to strike out "connection, by way of" and insert "approximately twenty-five miles, traversing generally"; in line 11, after the word "Hill" to strike out "Ridge"; in line 12, after the numerals "51", to strike out "and"; in line 13, after the word "and", to insert "extending to", and on page 5, line 13, after the word "thereof", to insert a colon and "*And provided further,* That designation of lands for Chesapeake and Ohio Canal National Historical Park purposes shall not debar, or limit, or abridge its use for such works as Congress may in the future authorize for improvement and extension of navigation, or for flood control, or irrigation, or drainage, or for the development of hydroelectric power or other purposes."

So as to make the bill read:

Be it enacted, etc., That (a) there is hereby established the Chesapeake and Ohio Canal National Historical Park, for the purpose of preserving and interpreting certain property in the State of Maryland for the benefit and inspiration of the people. The park, as initially established, shall comprise that particular property in Federal ownership containing not to exceed 4,800 acres, and situated along the line of the Chesapeake and Ohio Canal between the terminus of the George Washington Memorial Parkway, above the Great Falls of the Potomac River and a point within or in the vicinity of the city of Cumberland, Md., as may be determined by the Secretary of the Interior. The park may comprise such additional lands as may be acquired pursuant to subsection (b) hereof: *Provided,* That the total area of such park, including land already in Federal ownership, shall not exceed 15,000 acres.

(b) The Secretary of the Interior is hereby authorized to acquire in such manner as he may consider to be in the public interest such lands and interests in lands in the State of Maryland in the vicinity of the canal and existing Government canal property as he deems desirable for the purposes of the said park.

(c) Subject to the purposes and general requirements of this act, the Secretary of the Interior is authorized to cooperate with the State of Maryland, with its political subdivisions and with other Federal agencies, in promoting such land use or development programs, through cooperative agreements or leases for terms not to exceed 50 years, as will further the objectives for the park and of the State of Maryland concerning wildlife propagation, wilderness conservation, public recreation, and related purposes.

(d) The authority granted in the act of September 22, 1950 (64 Stat. 905), to effect land exchanges for the purposes of the proposed Chesapeake and Ohio Canal Parkway and in the provisions of the act of August 1, 1953 (67 Stat. 359), to grant easements for rights-of-way through, over, or under lands along the line of the Chesapeake and Ohio Canal is hereby continued and may hereafter be exercised by the Secretary of the Interior with respect to lands included in the Chesapeake and Ohio Canal National Historical Park. The Secretary is authorized also to convey such Chesapeake and Ohio Canal lands within and in the vicinity of Cumberland, Md., which are not included in the Chesapeake and Ohio Canal National Historical Park in exchange for other land or interests therein of approximately equal value that are authorized by this act to be acquired for the park.

Notwithstanding section 1 (a) of the act of May 29, 1930 (46 Stat. 482, 483), that portion of the Chesapeake and Ohio Canal between the terminus of the George Washington Memorial Parkway above Great Falls and Point of Rocks, in the State of Maryland, shall hereafter be part of the Chesapeake and Ohio Canal National Historical Park.

(e) Any funds that may be available for purposes of administration of the Chesapeake and Ohio Canal property above the Great Falls terminus of the George Washington Memorial Parkway may hereafter be used by the Secretary for the purposes of the Chesapeake and Ohio Canal National Historical Park.

SEC. 2. (a) In accordance with the purposes of this act and to facilitate access to and enjoyment by the public of the scenic and recreational values of the Chesapeake and Ohio Canal National Historical Park and the Potomac River Valley, there is hereby authorized to be established, without regard to the maximum acreage limitation prescribed in section 1, of this act, a scenic parkway approximately 25 miles, traversing generally Town Hill and other suitable terrain, between Maryland Route 51 in the general vicinity of Paw Paw, W. Va., and extending to the existing Long Ridge Road near Woodmont, Md., such parkway connection to be a part of the aforesaid Chesapeake and Ohio Canal National Historical Park.

(b) The Secretary of the Interior is authorized to accept on behalf of the United States, donations of land and interests in lands for purposes of the parkway provided for in section 2 (a) of this act. The right-of-way for such parkway shall be of such width as to comprise not more than an average of 100 acres per mile for its length.

SEC. 3. (a) Within 5 years after the approval of this act, the Secretary of the Interior shall file with the National Archives a map showing the lands within the maximum authorized acreages prescribed in subsections 1 (a) and 2 (b) of this act which are to comprise the Chesapeake and Ohio Canal National Historical Park and Parkway, respectively: *Provided,* That the filing of such map shall not affect the authority of the Secretary subsequently to acquire, in accordance with subsections 1 (b) and 2 (b), non-Federal lands within the boundaries of the park and parkway as depicted on said map. Such historical park and parkway shall be administered under the general laws and requirements governing areas of the national park system in such manner as to preserve the historic, scenic, and recreational values and features thereof: *And provided further,* That designation of lands for Chesapeake and Ohio Canal National Historical Park purposes shall not debar, or limit, or abridge its use for such works as Congress may in the future authorize for improvement and extension of navigation, or for flood control, or irrigation, or drainage, or for the development of hydroelectric power or other purposes.

(b) The enactment of this act shall not affect adversely any valid rights heretofore existing within the areas hereby established as the Chesapeake and Ohio Canal National Historical Park and Parkway.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STATEMENT BY SENATOR RUSSELL

Mr. RUSSELL. Mr. President, sometimes I make mistakes of which I never have knowledge, but when I do make them and have them called to my attention, I am always glad to correct them.

On Tuesday, August 27, I made a lapsus lingua which caused me to be rather critical of my distinguished friend from Illinois [Mr. DIRKSEN]. I found I was entirely at fault. I arise for the purpose of correcting my mistake and apologizing to the Senator from Illinois. In undertaking to withdraw a quorum call, which already had been withdrawn, I inadvertently said I asked to withdraw the call for the yeas and nays. It was purely a slip of the tongue. I was not undertaking to withdraw the yeas and nays, which had been requested by the Senator from California and sufficiently seconded. If I had been aware of the fact that I had made the error, I certainly should not have spoken in the same sharpness to my distinguished friend from Illinois.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. DIRKSEN. The statement of the Senator is only further testimony of the graciousness, spirit of fairness, and the honorable dealing of my distinguished friend from Georgia. I am deeply grateful to him.

Mr. RUSSELL. I do not deserve the compliment.

MARTIN WUNDERLICH CO.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1187, H. R. 2654, a bill for the relief of the Martin Wunderlich Co.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 2654) for the relief of the Martin Wunderlich Co.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD a statement of purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the proposed legislation is to pay the Martin Wunderlich Co., a partnership, of Omaha, Nebr., the sum of $111.539.59 in full settlement of all claims against the United States arising out of the company's contract with the Bureau of Reclamation for the construction of the Vallecito Dam on the Pine River in Colorado.

It is understood that this sum is not to be added to the costs allocable to water users, in accordance with the desires of the Department of Interior.

The Martin Wunderlich Co., a partnership, entered into a contract with the Bureau of Reclamation on March 14, 1938, for the construction of the Vallecito Dam on the Pine River in Colorado and completed this work to the satisfaction of the Bureau in 1941. During performance various disputes arose, the principal one concerning the amount of equitable adjustment due on acount of a change under the contract known as change order No. 3. The contracting officer and, on appeal, the Department head, allowed an increase of $44,208.85 on account of the said change.

The contract contained an article which provided that all disputes involving questions of fact were to be decided by the contracting officer with a right of appeal to the head of the Department whose decision was stated to be final and conclusive upon the parties. The language of that article was as follows:

"Article 15. Disputes: Except as otherwise specifically provided in this contract, all disputes concerning questions of fact arising under this contract shall be decided by the contracting officer subject to written appeal by the contractor within 30 days to the head of the Department concerned or his duly authorized representative, whose decision shall be final and conclusive upon the parties thereto. In the meantime the contractor shall diligently proceed with the work as directed."

The company would not accept this amount because it would not reimburse the company for its costs. (Ultimately the claimant did accept that amount when it was clear that acceptance would not prejudice its claim for a larger amount awarded it in a Court of Claims judgment.)

The case was promptly filed in the Court of Claims which held that the decision of the contract officer and the head of the Department was arbitrary, capricious, and grossly erroneous. Thus it was found that the Wunderlich claim was soundly based and in its judgment entered on June 5, 1950, the Court of Claims ruled that the plaintiff was entitled to recover $164,760.83 on the contested claim and $7,541.40 on the uncontested claim. The Government appealed to the Supreme Court which granted certiorari, and on November 26, 1951, reversed the decision of the Court of Claims, not upon the merits of the claim but upon the ground that the ruling of the Department could not be rejected "in the absence of fraud or such gross mistake as would necessarily imply bad faith, or a failure to exercise an honest judgment."

The issue, therefore, is whether the Wunderlich claimant should be denied its extra costs because, although the Court of Claims held that the action of the Department was "arbitrary, capricious, and grossly erroneous" it was not asserted to be fraudulent or in bad faith. This committee is of the opinion that in these circumstances, since Congress promptly amended the law so as to eliminate fraud or bad faith as a necessary element in a claim for an award, the effect upon the claimant is unduly harsh.

Shortly after the Supreme Court rendered its decision in 1951, several bills were introduced in both Houses of Congress to overcome the effect of the decision and cure the manifestly unjust situation. One bill, S. 2487, passed the Senate during the 82d Congress, but reached the House too late for action during that session. During the 83d Congress S. 24 was passed by both Houses and became Public Law 356. This law restored the earlier standards of judicial review, and permits the Court of Claims to set aside administrative decisions on the ground of fraud, including arbitrary or capricious action, and requires that administrative decisions must also be supported by substantial evidence. In the report of the House committee on S. 24, House Report 1380, 83d Congress, second session, the following observation was made concerning the need for corrective legislation:

"After extensive hearings it has been concluded that it is neither to the interests of the Government nor to the interests of any of the industry groups that are engaged in the performance of Government contracts to repose in Government officials such unbridled power of finally determining either disputed questions of law or disputed questions of fact arising under Government contracts, nor is the situation presently created by the Wunderlich decision consonant with tradition that everyone should have his day in court and that contracts should be mutually enforceable."

In the majority opinion of the Supreme Court reversing the decision of the Court of Claims in the Wunderlich case it was stated that "if the standard of fraud that we adhere to is too limited, that is a matter for Congress."

It is, therefore, apparent that the Supreme Court was well aware of the inflexibility of the narrowness of the grounds for review which were fixed by its decision.

It is contended that the Wunderlich Co. should not be entitled to the relief which H. R. 3274 asks, for the reason that its case has been finally disposed of by the decision of the Supreme Court in reversing the findings of the Court of Claims in its favor, prior to the passage of Public Law 356, which was approved on May 11, 1954 (68 Stat. 81); and further, because this law covered only "any suit now filed or to be filed."

It is noted that inasmuch as the language of Public Law 356 reads exactly upon the decision reached by the Court of Claims in the Wunderlich case, the claimant's problem falls squarely within that area of difficulty which the said public law sought to remedy.

In the aforementioned House report on S. 24, the House committee states:

"Many of the contracts upon which present disputes are pending were entered into prior to the time that the Wunderlich case was decided, and at a time when the persons involved therein understood that judicial review was available to them on a less restricted basis than that of fraud. The committee believes that all such persons should receive the protection which would be afforded by this proposed legislation, but it does not believe that it would be practicable to reopen cases which have heretofore been decided by the courts."

The reason for this limitation against retroactivity was apparently based upon the fear that if the bill were made retroactive it would bring about a flood of cases. The attorneys who represented the Wunderlich Co. in the courts testified at hearings held in connection with Public Law 356 but made no attempt to have the bill made retroactive so as to apply to the Wunderlich claim. Specifically, one of the attorneys testified that he was aware that the proposed legislation would not apply to the Wunderlich Co. and stated "I think possibly Mr. Wunderlich should ask for specific relief later."

The committee notes that in the legislative history of S. 24, the House committee struck all after the enacting clause and rewrote the bill, specifically using the language "any suit now filed or to be filed." The committee further notes that the House Judiciary Committee has, in this session of Congress, approved this and one other bill directly relating to the circumstances disclosed in the Wunderlich decision, and two other bills indirectly bearing upon this decision. The committee draws the following conclusions from this situation: (1) that although the House committee originally insisted upon having no retroactive provision in Public Law 356, that the House committee now feels that the equities involved in these cases are sufficient to warrant private relief; (2) the fear, that passage of S. 24 with a retroactive provision would bring about a large number of like claims, was groundless, in view of the limited number of private claim bills of this type filed in this and the preceding Congresses.

The Department of the Interior is opposed to the enactment of this bill unless the Congress decides first that the standards laid down by Public Law 356 shall be applied in a case which had been finally adjudicated before it became law, and, secondly, that those standards, including the burden of proof which they impliedly require a claimant to bear, are met in this case.

The Department of Justice is opposed to the enactment of this bill.

The amount of this claim is for the moneys determined by the Court of Claims to be due the claimant less the money which the claimant has already received from the Government.

After careful consideration of the foregoing facts, particularly in view of the fact that the Court of Claims found the moneys to be due the claimant on the precise grounds set out in Public Law 356, and further in view of the obvious inequity of this situation with regard to the claimant and the very limited number of other persons similarly situated, the committee recommends that this bill be favorably considered.

Attached hereto and made a part hereof is the report of the Department of the Interior, the Justice Department, House Report No. 1380, of the 83d Congress, and other pertinent material.

The VICE PRESIDENT. The question is on the third reading and passage of the bill.

The bill (H. R. 2654) was ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana to lay on the table the motion of the Senator from Texas to reconsider.

The motion to lay on the table was agreed to.

LEASING OF SPACE FOR FEDERAL AGENCIES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1180, S. 2533.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2533) to amend the Federal Property and Administrative Services Act of 1949, to authorize the Administrator of General Services to lease space for Federal agencies for periods not exceeding 15 years, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, I desire to have this bill the unfinished business. We shall not act on it tonight. We shall call the calendar tomorrow and attempt to clear up all bills on it.

PROPOSED LEGISLATION TO INCREASE ANNUITIES FOR CIVIL SERVICE RETIREES AND WIDOWS

Mr. SMATHERS. Mr. President, there is pending on the Senate Calendar proposed legislation to provide an increase in the annuities for our civil-service retirees and their widows. Proposed legislation is also pending on the House side, and though not as liberal as the proposed legislation reported out by the Senate Post Office and Civil Service Committee, would grant a 10-percent increase.

I strongly urge that action be taken to bring one or the other of the measures up for consideration, for I sincerely hope to be able to vote for an increase in benefits for those deserving senior citizens before the session ends.

We in the Congress have, in my opinion, a moral responsibility to these retirees who have spent the best part of their lives faithfully serving their Government. We know that they purchased their annuities with 100-cent dollars and that they are now being paid back in dollars which have decreased to 49 cents in value. Today many of them are finding it difficult to even exist due to the high cost of living. They were the victims of galloping inflation, and continue to be the victims of creeping inflation. Now, in their advanced years, many of them are sick and disabled and look to the Government which they have served well to render justice in the twilight years of their lives.

The economic plight in which many of these retirees now find themselves is a desperate one indeed. It is one which we in the Congress cannot and should not ignore. I am hopeful, therefore, that there is yet time to work out the parliamentary situation so that this Congress can adjourn sine die with a feeling of satisfaction and comfort that justice has been done to this deserving class of our citizens.

SUMMARY OF PROGRESS MADE IN HEARINGS BY SUBCOMMITTEE ON ANTITRUST AND MONOPOLY

Mr. KEFAUVER. Mr. President, I wish to make at this time a limited summary of the progress made in the hearings on the steel industry which have been conducted by the Subcommittee on Antitrust and Monopoly. At the very outset I wish to make it clear that what I have to say here represents my own personal interpretation and is not in the nature of a committee report, which will come later when the hearings on the steel industry have been completed. Owing to the press of business in the closing days of this session, it has not been possible for us to fulfill our original objective, which was to complete the hearings on the steel industry before Congress adjourned. It is our intention to resume the hearings some time early in October. Following the completion of our hearings on the steel industry it is our intention to make an inquiry into administered prices in the farm machinery industry.

In our hearings on the steel industry we have been concerned with three principal issues:

First. What is the cost of the recent price increases?

Second. Have these price increases exceeded the wage increase?

Third. How effective is competition in the steel industry in protecting the public interest?

As to the first, it is important to distinguish between the cost of the price increase to the steel-consuming industries from the ultimate cost to the consumer. The representative of the United Steelworkers Union pointed out that by the time an increase in the price of steel reaches the consumer in the form of consumer goods, it has been pyramided by the markups of successive manufacturers and distributors so that the ultimate cost to the consumer is substantially greater than the immediate cost to steel buyers.

But leaving this consideration aside, we have made a detailed, product-by-product, market-by-market tabulation of just the cost of the price increase to direct buyers of steel. To put it another way, this represents the increased gross revenue received by the steel industry as a result of the price increase. Our estimate of the annual cost of the $6-a-ton increase in the price of carbon steel on July 1 of this year is $460 million. This is an underestimate, however, since it does not include alloy steel—which was also increased in price—or tinplate—which had its price increased 2 months earlier. When allowance is made for alloy steel and tinplate, the total is increased to $540 million.

But this estimate is limited to the price increase occurring last month. There have been other price increases in the steel industry during the last 12 months. In August 1956, following the strike, the price was increased by $8.50 a ton. Then throughout the year there has been a series of increases in the so-called extras, which are charges for particular specifications as to size, dimensions, quality, and so forth. In its issue of July 8 of this year, the trade journal, Steel, estimated that the cost of these increases during the period December 1956 to March 1957, together with a few increases in base prices amounted to an average of $5 a ton. Thus, if we add to the $6 increase of last July, the $8.50 increase of the previous August and this $5 increase in extras, we arrive at a total average increase in the price of steel during the last 12 months of $19.50 a ton. If a $6-a-ton increase represents an increase in total costs to steel buyers of around $500 million, a price increase of $19.50 means a total increased cost of $1.6 billion. Inasmuch as the United States Steel Corp. accounts for approximately 30 percent of the industry, its increased revenues as a result of these price increases should be in the neighborhood of $500 million per year.

The arithmetic employed by both the United States Steel Corp. and the United Steelworkers Union is extremely simple. What is involved is a multiplication of the number of man-hours required to produce a ton of finished steel times the amount by which wages per man-hour were increased under the provisions of the second year of the wage contract. As to the former, three separate methods of estimation all arrive at roughly the same figure of around 15½ man-hours per ton of finished steel for the first half of 1957. These estimates are based upon figures issued by the American Iron and Steel Institute or supplied by the corporation itself. However, there is substantial disagreement on the other factor, the amount of the wage increase per man-hour. United States Steel holds that the figure is 21 cents; the union that it is only 16.4 cents. When each is multiplied by the factor of 15.5 man-hours per ton of finished steel, the increase in costs range from $3.25 per ton—according to the company's wage estimate—to $2.54 per ton—according to the union's estimate.

But whether one uses the steel company's estimate or that of the union, it is obvious that there is a substantial gap between the $6 price increase and the amount by which its wage costs were increased—the gap ranging from $2.75 to $3.50 per ton.

United States Steel contends that in addition to the wage increase, increases in prices were also necessitated by increases in materials, equipment and services which it has to purchase. This the union questions, pointing to the recent decreases in the price of steel scrap and other materials used by the steel industry.

This whole matter of costs and prices requires further investigation. But at this point I wish to make it clear that the extent to which the subcommittee will be able to get at the facts is limited by the refusal of the United States Steel Corp. to provide the subcommittee with its unit cost figures, broken down into materials, labor and the other principal elements of costs. Even though the subcommittee offered to combine these figures with those of other firms so that there would be no disclosure of any single firm, United States Steel persisted in its refusal.

The conclusion that the price increase of July 1957 is substantially in excess of the increase in costs resulting from the wage increase is supported by an analysis of what happened after the price increase of last year, as reflected in profit rates for the first half of this year. Charts were put into the record which indicate that the rate of profit on stockholders' investments, after taxes, for the first 6 months of 1957 was substantially above the levels that would have been anticipated on the basis of the historical relationship between percent of capacity operated and rate of profit. This was true of both the industry as a whole and the United States Steel Corporation alone. These showings strongly suggest that the increase in price following the wage settlement in August 1956 was substantially greater than the increase in costs.

The third and perhaps the most important question of concern to the subcommittee is whether competition in the steel industry is sufficiently effective to constitute an adequate protector of the public interest. The evidence which we have received on this issue bears on concentration and price identity. With respect to the former, the evidence indicates that not only is the steel industry highly concentrated but that the level of concentration has been rising during recent years. Between 1947 and 1954 the four largest companies increased their share of value added by manufacture from 50 to 55 percent in the blast furnace, steel works and rolling mills industry. Perhaps of even greater significance is the commanding position which United States Steel holds among the largest companies. Of the 33 steel products for which total capacity exceeds 500,000 tons, United States Steel has the largest capacity for 25 and the second largest capacity for 6. United States Steel has more than 40 percent of the capacity for 10 products, and more than 30 percent for 17. Moreover, there are 13 products for which United States Steel has both 33 percent or more of the total industry capacity and a lead of at least 10 percentage points over its nearest rival.

As to price identity, evidence was put into the record showing that the price increases made by the other major producers following the lead of United

States Steel on July 1, 1957, were, with few exceptions, exactly the same as the increase by United States Steel.

In addition, the record includes instances of identical bidding in which United States Steel and at least one other major steel producer quoted prices to a Government purchasing agency which were precisely identical. For example, on November 19, 1954, the Springfield Armory at Springfield, Mass., opened bids on alloy steel bars, general purpose. One of the items for which bids were requested bore these specifications: alloy steel bars, FS-8620, HR, as rolled 7/16-inch diameter resulph. .035-.050 grain size 5-8ASTM, shall cold shear without cracking, in 10-12-foot lengths. Pricing on a delivered basis, that is, all transportation charges prepaid to destination—Springfield Armory—the bid of United States Steel per pound was 0.09305 cent. The bid of Bethlehem Steel was 0.09305 cent per pound.

When asked to explain how these identical bids occurred, Mr. Roger Blough, chairman of the board of United States Steel, replied:

> My concept is that a price that matches another price is a competitive price. If you don't choose to accept that concept, then, of course, you don't accept it. In the steel industry we know it is so.

Referring to a city where the price of a certain steel product was $5 a ton higher than the price of United States Steel, Mr. Blough stated:

> I would say that the buyer * * * in that situation has this choice. He chooses to buy from one company at $5 higher. He chooses to buy from our company at $5 lower. Now if you call that competition and a desirable form of competition, you may have it your way. I say that the buyer has more choice when the other's fellow's price matches our price" (tr., p. 778).

On this question of competition in the steel industry, the central fact is that when United States Steel raises its price, it does so with the almost certain knowledge, based on years of experience, that its so-called competitors will make the same increase. This raises the further question of whether there is any conceivable increase that United States Steel might put into effect which the other producers would not follow. And, if so, how much is it? How high can United States Steel raise its price and be reasonably certain that the other producers will follow along with identical increases?

During the investigation of the steel industry conducted by the Temporary National Economic Committee under the chairmanship of the Senator from Wyoming [Mr. O'MAHONEY], Mr. Eugene Grace, the longtime president of the Bethlehem Steel Corp. was asked, "Do you remember any instances where you didn't follow them—United States Steel—up?" Mr. Grace's answer was "No"—hearings before the TNEC, 76th Congress, 2d session, page 10603.

It is this issue of price leadership by United States Steel to which the subcommittee will devote its principal attention when hearings are resumed in October, at which time the first witness will be the Bethlehem Steel Corp.

In closing, I want to say that the hearings have thus far evoked a widespread response from people throughout the country. Letters have been received from persons in all walks of life—housewives, retired people on pensions, farmers, small businessmen, lawyers, members of the clergy, doctors, professors, schoolteachers, and others. They represent a virtual cross-section of the American populace at the grassroots level.

The majority of these letters are handwritten, and range from angry denunciations of the steel industry to reasoned refutations of its principal arguments. Many contain a moral overtone to the effect that it is simply not right for the managers of big business to raise their prices when by so doing they work such hardship on so many people. There is displayed here a mood and a sense of injustice which corporate managers will do well not to ignore when they are considering the extent of their next price increase.

With the thought that the views which they express might be of general interest to the various committees of Congress that are struggling to cope with this problem of inflation, I now ask unanimous consent to have printed in the RECORD excerpts from a more or less representative group of these letters.

There being no objection, the excerpts from the letters were ordered to be printed in the RECORD, as follows:

From Mr. John S. Campbell, Slater, Mo.:

"Chairman Blough says that you do not understand competitive enterprise and it must be a deep dark mystery. Ask him if he understands why United States Steel stocks are selling for 10 times the 1947 price, while No. 2 corn in Chicago is selling for two-thirds of the 1947 price. Ask him why farmers who produce 60 percent of the Nation's raw material are receiving less than 4 percent of the national income. Ask him what part of the remaining 40 percent is pig iron. There is much about competitive enterprise that the American consumer cannot understand."

From Mr. Fred Sondheim, Forest Hills, Long Island:

"United States Steel has split 6 for 1 in the last 10 years so that the old stock, which used to sell at 100 is equal to 420 at present price of 70. The per share earnings which were $5 to $8 per share on the old stock, are now at the rate of $36 to $40 per share on the old basis. In view of this terrific success, why must United States Steel raise prices continually? Surely they have beat the inflation, better than most of us."

From Dr. Arthur A. Calix, Decatur, Ala.:

"Thank you very much for instigating an investigation of the new price hike in steel prices. We cannot stand any more shrinkage of our dollar."

From Mr. I. Kremen, Palo Alto, Calif.:

"I applaud the intention of the Senate Anti-Monopoly Subcommittee to investigate the recent price increases instituted by the steel industry. I feel this investigation might also well be extended to other industries where, in my opinion, conditions approaching monopoly exist. These lead to suppression of competition and unwarranted and inflationary price increases.

"I feel the dangers of inflation are reaching the critical point and are a serious menace to our country. It seems to me that the causes of inflation are threefold: (1) excessive pricing by some business (2) excessive Federal spending (3) annual wage demands by labor.

"I wish your committee godspeed and good luck in your endeavors."

From Dean Fred J. Holly, department of economics, University of Tennessee, Knoxville, Tenn.:

"I hope that you will give some emphasis in your investigation of the steel industry to the use of 'plow-backs' for financing expansions. As you know, the steel industry uses plow-backs to the almost complete exclusion of external capital sources. Then, the industry stresses the need for price increases to permit further increases in earnings for plow-back purpose. This is a far cry from the theoretical workings of a private enterprise economy. It should be a fruitful field for investigation."

From Mr. H. H. McIntyre, Billings, Mont:

"Just a word to thank you for the excellent work you are doing in your investigation in connection with the terrible inflation we are all experiencing.

* * * * *

"I firmly believe in this highly mechanized age where we are all dependent on the products of steel, that the price of steel alone can materially affect the cost of nearly everything that we use. If this industry could be thoroughly investigated and made to show exactly where they are rigging prices, and such prices could be adjusted properly, we could all get along much better.

"I might cite for example a few years back when the average man made $10 a day, he could buy a very good car for $1,000. All right now that same man makes $20 per day, so he should be able to buy a good car for $2,000, but such is not the case, he must pay at least $3,000 and to buy the same quality he used to buy for $1,000, he must pay $4,000. This difference is too much and I firmly believe if properly investigated, they cannot prove to anyone's satisfaction where it is going except into excessive profits, labor and taxes notwithstanding."

From Mr. Logan B. English, Paris, Ky.:

"Allow me to voice my unreserved approval of the proposed investigation of the steel price raise. I know nothing of the ramifications of the causes and effects attending this hike. But I have a very definite feeling that there is a lot in this matter that is unspeakably reprehensible. Mr. Hood as a representative of United States Steel, has shown a scornful disregard of the President's courteous but urgent request that both management and unions assist in halting inflation. Apparently Mr. Hood has not only done nothing, and intends doing nothing, to help in this matter but will show a callous unconcern in the future of the catastrophic consequences most certainly precipitated. By accepting a hugh salary for himself * * * and for his many fellow executives he has inspired and encouraged the union to come and get 'its take.' * * * I am toughly committed to free enterprise but when management of any sort whatsoever uses free enterprise as a license to injure and jeopardize our whole economy I feel that something very decisive needs to be done.

"Mr. KEFAUVER, I am just a dirt farmer. I have done all right until the last 3 years of these 25 years. Even now we can stand the low prices we get for our products. But we cannot stand these spiraling costs together with low prices. In this respect conditions are worsening rather than improving. What is happening to the farmer most surely will happen to every segment of our economy as grass roots troubles gradually creep through and up our national welfare. So I want to wish you Godspeed as you undertake this difficult job in our national interest."

From Mr. H. A. Lomax, Jr., Orlando, Fla.:

"In your forthcoming investigation of the steel industry I hope you let the chips fall where they may and give them hell. The steel industry deserves a good investigation as they are flagrantly disregarding the public good and feeding the fires of inflation. This last $6 a ton raise was unnecessary. I hope you recommend wage and price controls.

"We the public (not the union members) are being viciously squeezed between higher prices and higher taxes. I hope you have the backbone to recommend price and wage controls for a period of time until we can stabilize inflation."

From Mr. A. W. Owens, Sr., Rock Hall, Md.:

"You will remember the I. G. Farben cartel that through secret agreements set prices that robbed the people. This is just what the steel companies and oil interests are doing to the Nation today. I am convinced there is collusion and secret agreement in the steel industry and also the oil companies.

"These companies have defied the Government, as witness a short time ago when the Government would not allow a quick writeoff for expansion, they said, if no quick writeoff we will raise the price of steel. Which they did.

"I also think there is collusion between these companies and labor. Labor has defied the antitrust laws."

From Mr. Joseph A. Kondash, Madison, N. J.:

"It was with great interest * * * to discover that the Senate Antimonopoly Committee is considering investigating price fixing and price rigging in the steel industry. Such a timely action is in the public interest and cannot be called partisan in nature since it was only a matter of a few days previous thereto that President Eisenhower had asked business to curb prices to stall any inflationary trend. Said action on the part of United States Steel discloses the monopolistic and dictatorial strata upon which such mammoth corporations operate in utter disregard for the public welfare and demonstrates a purely selfish interest of nest-feathering, in my opinion.

* * * * *

"Come what may, the monopolistic tendencies and mergers that have been taking place must be curbed and large industries must be forced, if they do not acquiesce, to allow competition, whether the industry be heavy or light, large in size or small."

From Mr. R. R. White, Detroit, Mich.:

"Note with interest you are going to investigate steel and copper. It's surely not only high time to investigate, but also to do something definite about it.

"Whenever there is a price change, firms are all the same to a fraction of a cent, and companies cannot guess identical prices."

From Mr. R. V. Zahner, Sewickley, Pa.:

"Though not in the habit of letter writing, I can't resist sending you a note of thanks for what you are doing for the millions in my state of life in investigating the arbitrary and needless increases in the cost of commodities and utilities such as metals, oils, natural gas, etc.

* * * * *

"From such of Blough's remarks as have reached the papers, either he never took any economics courses higher than grammar school, or thinks the public never did. Has he no conception of the vast ramifications of his business, not only with respect to consumers' goods, but also how it affects the cost of capital goods, new plants, etc., in every other industry, hence pyramids and doubles back into consumer prices almost ad infinitum, and is he really naive enough to think that we poor installment buyers will pay only the ton rate of increase for each ounce of steel that is in our paltry purchases?"

From the Reverend Hinson V. Howlett, South Dartmouth, Mass.:

"A release from President Walter P. Reuther, of the UAW, tells of deep satisfaction concerning your plans and those of your Antitrust and Monopoly Subcommittee of the Judiciary Committee of the Senate, to investigate 'price increases in "administered price" industries' including 'petroleum, steel, newsprint, many types of food, automobiles, and farm machinery.'

"Let us, too, rejoice.

"We are grateful for this promised undertaking, that, in our judgment, is so timely. And, we are grateful to President Reuther, and the UAW, for having us on the mailing list—and sending us the glad tidings.

"Would you be so kind as to have your office put us on the mailing list for any releases on the progress of the investigation, and copies of the proceedings of the hearings? (We shall always be grateful to you for the material on the juvenile delinquency investigations.) We should, also, be grateful for references to the CONGRESSIONAL RECORD, where there are speeches that you have made concerning this 'price investigation,' or speeches by others, and any account of the progress of the undertaking.

"Glad that you are so good as to represent so many of us in the Congress, outside of your immediate constituency."

From Mr. Wayne Ulbrecht, Rockford, Ill.:

"Read where you are checking price fixing. Thank God, it's about time someone started checking those companies to protect the buying public.

* * * * *

"Price fixing is all over. Just get someone to start enforcing the law."

From Miss Agnes Morris, Portland, Oreg.:

"Just last week I heard that you are the chairman of the committee to investigate means of halting this inflation. It is heartening that, at least, there is a beginning to attack this destroyer of our economic status.

"Here is the personal angle which we are facing, namely the pensioners and fixed-income groups. We are getting panicky when we shop for food. Here in a Nation where there is surplus, some people do not have enough of proper foods to eat. For no reason at all, except greed, prices rise from anywhere from a cent to 5 and 10 cents on an article. Is this reasonable and patriotic?

* * * * *

"Please do something."

From Mr. Harold Kumm, Vienna, Va.:

"I notice that you intend to look into the operation of administered price industries. In this connection, I believe that you would find a most interesting example in the conduct of the ——— company and its so-called competitors.

* * * * *

"But what does this company do when the President asks industry and labor to hold the price line? Their contribution is a price increase of 14 percent in the price of their leading product.

"This price increase is not presented openly. It is brought about by packing 2 pounds and 10 ounces in a 3-pound box. The price remains the same, but the amount is reduced. This device offers great success with the unwary. This was illustrated yesterday when we asked some friends whether they had noticed the change in weight. They had not. They certainly were surprised when they dug out some of the old boxes and compared them with the new and found that the weight had been changed."

From Mr. Alex Staber, Braddock, Pa:

"I'm sure you have many facts and much information to show that the steel companies continue to increase their profits by constantly increasing the price of steel.

"I am including some information about the cost of producing steel that may have been overlooked by your committee. I am referring to the price of the scrap that is used in making steel.

"At the present moment the price of scrap is between $10 and $20 less a ton than it was a year ago.

"It has been stated that the steel industry would use 40,000,000 tons of scrap in 1957. Of this amount the steel industry itself would return 40 to 50 percent of that amount from its own operations. But the other 20,000,000 tons bought at a saving of at least $10 a ton compared to 1956 would be an extra profit of at least $200,000,000.

"In addition the steel process uses large amounts of copper and aluminum. Copper a year ago was somewhere in the neighborhood of 45 cents a pound and today it is 28 cents a pound. The price of aluminum has also dropped.

"Despite these drops in the price of its raw materials the price of steel has not been cut.

"I am sure your committee can produce excellent results in proving that the steel companies contribute immensely to the inflation through their terrific profits."

From Miss Mary Boyd Ayer, Coronado, Calif.:

"Locally, prices increased immediately after it was announced that the price of steel was going to increase; no one waits until after the price of steel increases to raise prices.

* * * * *

"The steel representative appears to distort the truth as much as Hitler and the Russian leaders. I know what steel has done to inflation and have been personally affected by it since the early 1940's and steel prices have cause my savings to dwindle in value. Naturally the steel representatives would seek to justify his prices.

"Everyone knows that we have another round of inflation ever time there is an increase in steel prices; the steel representative knows it.

"Inflation is a disease, and price raising has become a habit. When is it going to stop?"

From Dr. Robert W. Rosen, market research director of Metalworking magazine:

"Enclosed is a special analysis of the relation between steel wage and price increases which would be of interest to you and Mr. Blair.

"Analysis of the data published by industry spokesmen clearly indicates that—

"1. Rising labor costs exerted only a modest upward push on steel prices;

"2. Increases in steel prices between 1940 and 1956 were 3.6 times larger than that required to cover wage increases;

"3. Labor has benefited far less from price increases than have other factors of production."

From Rabbi Elihu Kasten, Oceanside, N. Y.:

"My warmest congratulations to you on the pertinent facts your committee has revealed.

"I thought you would be interested in the enclosed which has been sent to all clergymen and religious institutions."

(NOTE.—The enclosure to which he refers is a printed copy of Mr. Roger Blough's opening statement to the subcommittee, sent out over the name of Phelps A. Adams, executive director, public relations department, United States Steel Corp.)

INFLATIONARY PRESSURES

Mr. MARTIN of Pennsylvania. Mr. President, in the course of his testimony during the recent hearings before the Finance Committee, William McChesney Martin, Jr., Chairman of the Federal Reserve Board, made a statement which I think deserves the serious attention of every American.

Mr. Martin stated:

> We must never forget that the worst kind of slavery is the slavery under borrowed money.

At this point the distinguished chairman of the Finance Committee, the Senator from Virginia [Mr. BYRD], observed:

> You have just made one of the wisest statements I have ever heard.

Mr. President, I am in complete agreement with the statement of Mr. Martin and the comment of the Senator from Virginia [Mr. BYRD].

Excessive debt is one of the great dangers confronting our Nation, whether contracted by individuals, corporations, or Government. Debt is particularly damaging to Government. Money borrowed by individuals or corporations for investment in the expansion of productive capacity under private enterprise can earn money, but borrowing to support government spending is lost, so far as earning power is concerned. In addition, governmental debt increases the inflationary pressures which threaten our economic stability.

We are all aware that inflation is sweeping the world. It is stimulated when people feel that their medium of exchange will be lower in value in the future than at present, and that they had better convert their money into articles they can use.

A table prepared by U. S. News & World Report shows the drop in purchasing power of money from 1947 to 1957, in various countries of the world. I ask unanimous consent that it be printed, at this point, as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Drop in purchasing power of money from 1947 to 1957

	Down (percent)
Switzerland	11
India	18
United States	20
Belgium	22
West Germany	24
Italy	27
Ireland	29
Canada	29
Denmark	30
Netherlands	32
Norway	33
Sweden	34
Spain	38
Britain	38
Mexico	47
Australia	53
Finland	59
France	63
Greece	65
Japan	65
Brazil	72
Chile	94

Mr. MARTIN of Pennsylvania. Mr. President, a share of the blame for the current inflation can be placed on the great expansion that has taken place in the money supply, particularly in the 16 years since 1940.

On June 30, 1892, the money supply per capita was $59.32. At that time currency outside of banks was about 40 percent of the total money supply. Forty years later, or June 30, 1932, the per capita money supply was $161.99, but the currency outside of banks was only 30 percent of the total money supply. On June 29, 1940, the money supply per capita was $292.61, but the currency outside of banks was only about 20 percent of the total money supply. On June 30, 1956, the per capita money supply was $791.40. The demand deposits in 16 years had risen from $31 billion to $104 billion and the currency outside of banks had risen from $6,699,000,000 to $28,284,000,000. The per capita supply of dollars had increased more in 16 years than in the 38 years preceding 1940.

Mr. President, the figures I have given appear in a table furnished by the Board of Governors of the Federal Reserve System, and I ask unanimous consent that this table be printed in the RECORD as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Money supply

	Total demand deposits (not including U. S. Government deposits)	Currency outside banks	Total money supply	Money supply per capita	Population
	Millions	*Millions*	*Millions*		*Thousands*
June 30, 1892	$2,880	$1,015	$3,895	$59.32	65,666
June 30, 1900	4,420	1,331	5,751	75.58	76,094
June 30, 1932	15,625	4,616	20,241	161.99	124,949
June 29, 1940	31,962	6,699	38,661	292.61	132,122
June 30, 1956	104,744	28,284	133,028	791.40	168,091

Mr. MARTIN of Pennsylvania. Mr. President, right now we should be using everything within our means to check the inflationary spiral. Inflation can destroy the strongest government. It inflicts, severe hardship upon everyone who has savings or a fixed income.

In a recent issue of my hometown newspaper, the Washington, Pa., Observer, there was published a fine editorial entitled "Only This Nation Can End Inflation." I ask unanimous consent that this article be printed in the body of the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ONLY THIS NATION CAN END INFLATION

The dispute over inflation grows with every rise in the price of products.

Just now officials of big steel companies are defending their price increases as necessary and compelled by wage increases.

Labor and some other agencies dispute the claim, saying that the raises are not justified to their full extent by increased costs due to wage increases, or that they are not justified for the reason that the increased wages are balanced by increased production.

Robert C. Tyson, chairman of the finance committee of United States Steel, rejects arguments that the company's profits are big enough to absorb increased costs. He says:

"The records of United States Steel cumulatively and convincingly show that as long as nationwide wage inflation continued at rates exceeding the increases in productivity, price inflation will be compelled."

The public's interest is not so much whether price inflations are justified by wage inflation as in the fact that we have inflation and that it has reached the point where it constantly races ahead of wages and salaries. Americans want to find a way to keep up with inflation.

They do not object to such forms of inflation as raise the cost of living if their incomes are raised to balance inflationary increases in costs. In other words, if benefits are greater than the cost, inflation will not hurt.

But American inflation, as reflected in living costs for many months now, has reached the point where it does not bring proportionately increased buying income. Where it will go from there is something a bit uncertain, but all economists fear that it will lead to sudden deflation. Even Russia is in danger from inflation, but she could control deflation by enslavement of people.

The situation is not peculiar to the United States, but the dangers here are made worse by what is happening in other countries. Virtually all nations are in the throes of over-inflation. France has had to devalue her franc again. American money is less inflated than that of other countries.

And the world economic situation is such that a breakdown in the economy of any of a half dozen or more nations could bring a breakdown the world over.

Perhaps the cure for inflation is to be found in other parts of the world. Perhaps if the economy of France, or Britain, or Italy, Peru, or Argentina, or any of several others, could be straightened out it would help ours and that of the rest of the world.

But this Nation is still the world's economic leader. Other nations base their economy on ours; their money gains or loses its exchange value in relation to ours. We have it in our power to destroy almost any government in the world by manipulations of its monetary values.

Inflationary evils serious enough to wreck the world may come elsewhere, but it would seem that only this Nation has the power to end that inflation. That is, if we do have it.

And this Nation does not have that power unless labor and capital can come to some kind of agreement to end the wage-price-increase spiral which is steadily lifting inflation to the point that each increase in wages and each boost in prices simply adds danger.

This Nation has to find the cure for the cause, and thus end the inflation spiral. Otherwise the entire world may feel the effects of deflation someday.

PANAMA CANAL: TERMINAL LAKE MODERNIZATION PROGRAM DERIVED FROM WORLD WAR II EXPERIENCE

Mr. MARTIN of Iowa. Mr. President, I present, for appropriate reference, and ask unanimous consent to have printed at this point in the RECORD, a special report of the General Board of the Navy to the Secretary of the Navy dated September 30, 1943, which summarizes preliminary naval studies on the terminal lake-third locks plan for the major operational improvement of the Panama Canal and gives its recommendation, together with a preliminary statement of my own.

The VICE PRESIDENT. Without objection, the statement and the report will be appropriately referred and printed in the RECORD.

There being no objection, both the statement and indicated General Board report were referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

PRELIMINARY STATEMENT BY SENATOR MARTIN OF IOWA

In my statement to the Senate in the CONGRESSIONAL RECORD of June 21, 1956, I quoted a previously classified preliminary report prepared at the request of the Secretary of War by Gov. Glen E. Edgerton of the

Panama Canal dated January 17, 1944, relative to proposals for the elimination of the Pedro Miguel locks, which report was supplied at my request by the Assistant Secretary of the Army, Hon. George H. Roderick.

The report of Governor Edgerton approved in principle and recommended to the Secretary of War for thorough investigation a proposal for the major operational improvement of the Panama Canal known as the terminal lake-third locks plan, which had been developed during 1942 and 1943 in the Department of Operation and Maintenance of the Panama Canal as the result of experience in World War II. It warned, however, that sea-level advocates would oppose unjustifiably any expensive change in the present plans on the grounds that it would defer the time when conversion of the existing canal to a sea-level waterway might otherwise be authorized. Moreover, it revealed that the terminal-lake proposal had been transmitted to the Secretary of War by the Secretary of the Navy on September 7, 1943, with a request for study of the subject so that the practicability and advisability of the program might be discussed jointly and the President advised in the premises. The Secretary of the Navy at the same time also submitted the plan to the President.

The 1944 Edgerton report lists some of the key documents concerning the conception and study of the plan in the canal organization and its review in the Department of the Navy.

On my request to the Secretary of the Navy, Hon. Thomas S. Gates, Jr., the Department of the Navy on July 3, 1957, transmitted to me copies of the principal 1943-44 naval documents concerning its initial review and study of terminal lake proposal, which have had their security classification removed.

The essentials of those naval views were summarized in a report by the Chairman of the General Board of the Navy to the Secretary of the Navy dated September 30, 1943, submitted after a visitation in the Canal Zone by a member of the Board and extensive consultations with Panama Canal and naval officials, and experienced canal pilots.

The indicated documents start with submission of the plan on June 17, 1943, to the Department of the Navy and end with an analysis of the indicated Edgerton report under the date of March 18, 1944. Notwithstanding their advisory and preliminary nature, certain information and principles concerning canal problems developed in these documents are fundamental. To that extent, they represent the considered opinions of some of the most distinguished naval officers of the 20th century, who, as members of the General Board or in administrative capacities in the Department of the Navy, participated in the naval review.

Based primarily on practical considerations of navigation and marine operations, the reports fully favored modification of the authorized third locks project to provide a summit-level terminal lake anchorage in the Pacific sector of the canal to serve as a traffic mobilization basin corresponding with that at Gatun in the Atlantic end. The General Board, in its report to the Secretary of the Navy on September 30, 1943, recommended that the Navy Department "strongly endorse the subject plan at the appropriate time."

Furthermore, after considering the relative merits of the types of canal, which has always been a subject of keen controversy for reasons not remotely related to navigation, the report expressed the following conclusion: "The General Board is much impressed by the great preponderance of evidence in favor of the lock type and considers that the opinions presented, supported as they are by experience, fully justify the abandonment of the idea of a sea-level canal across the Isthmus of Panama."

After receipt of the 1944 Edgerton report to the Secretary of War on elimination of the Pedro Miguel locks, previously mentioned, the Secretary of the Navy referred it to the General Board, where it was studied and summarized in a report to the Chairman of the Board dated March 18, 1944. This report reiterated the September 30, 1943, General Board recommendation that the Navy Department strongly support the terminal lake proposal at the appropriate time, which, it prophetically estimated would be "well into the future."

These 1943 and 1944 naval recommendations, it should be emphasized, were made prior to the advent of the atomic bomb, when the controlling considerations in canal planning were capacity, operational, engineering, and economic. Thus, the repeated suggestions by its advocates that the sea level project has had unqualified support in the past of the General Board is not only erroneous but definitely misleading.

Following the military use of the atomic bomb, Panama Canal officials, through administrative channels, sought and secured enactment of Public Law 280, 79th Congress, approved December 28, 1945, authorizing the Governor of the Panama Canal to make a comprehensive review and study of the means for increasing the capacity and security of the Panama Canal to meet the future needs of interoceanic commerce and national defense, including consideration of canals at other locations and a restudy of the authorized third lock project. It is, I believe, significant that this legislation was enacted after the death of President Franklin D. Roosevelt to whom the terminal lake proposal had been submitted in 1943 and who is reported to have been favorably disposed thereto.

The original third lock project, it should be noted, had been suspended in May 1942 after expenditure of $75 million mostly on lock site excavations at Gatun and Miraflores. These excavations, in event of resumption of construction, would be substantial contributions toward completion of the authorized project as improved through adaptation to the principles of the terminal lake proposal.

The hearings prior to the enactment of Public Law 280, 79th Congress, were held on November 15, 1945, in executive session; and maritime interests, including the Navy, were not represented. The only witness was the Governor of the Panama Canal (J. C. Mehaffey), who, it is noted, did not inform the Committee on Merchant Marine and Fisheries about the official views of the Navy.

When questioned by a member of the committee as to whether he approved the terminal lake proposal in principle, Governor Mehaffey stated: "In general, yes; if the third locks were constructed, I believe we would recommend a modification of the original project to include the terminal lake." (See Executive Hearings on Panama Canal Facilities before Committee on Merchant Marine and Fisheries, November 15, 1945, p. 9.) This was the second formal approval of the terminal lake proposal by a Governor of the Panama Canal for the major modification of the existing waterway.

Under an extreme interpretation of the security and national defense factors of the statute as paramount and controlling, the report of this governor's inquiry, which was transmitted to the Congress on December 1, 1947, and significantly, without Presidential approval, comment, or recommendation, advocated only the sea-level project for major construction at Panama.

Regardless of the official concurrences in the main premises of the report, security and national defense, that may have been made by certain executive agencies, the extensive and rigorous clarifications of these and other vitally important phases of the canal problem since its submission to the Congress and the subsequent tremendous advances in the destructive powers of modern weapons culminating in the H-bomb, have, in the opinion of many distinguished independent physicists, nuclear warfare engineering, and other experts, served to restore the canal situation to what it was in 1943, when the terminal lake-third locks plan, developed as the result of war experience, was first supported in principle by both Panama Canal and naval authorities and submitted to the President. Thus, the Panama Canal problem consists of a combination of capacity, engineering, marine operational, and constructional planning to secure the best operational canal for the transit of vessels practicable of economic attainment.

Hence, the views of the Department of the Navy, as developed in the September 30, 1943, report of the General Board, constitute a state paper of primary importance.

When judged by its consequences, which have been far reaching, the development of the terminal lake-third locks proposal was one of the great constructive projects to grow out of World War II. Its story forms an important chapter in Isthmian history which emphasizes further that questions of major interoceanic canal policy are not proper matters for exclusive control by ex parte or routine administrative groups, which, in the normal course of events, would expect to benefit from their own recommendations. The United States has had enough of organized drives for predetermined objectives at Panama that have disregarded costs and consequences.

As previously expressed in my statement to the Senate of June 21, 1956, all of these facts add up to indicate the absolute importance for prompt authorization by the Congress to secure an independent inquiry of the entire interoceanic canals problem along the line contemplated in the bipartisan measures now pending in both Houses. A series of crises affecting the operation of the canal, the latest of which are a shortage of water in the summit level coupled with the highest traffic volume in history, stress the necessity for timely legislation before an overwhelming crisis forces hasty action.

REPORT BY THE GENERAL BOARD OF THE NAVY ON THE TERMINAL LAKE-THIRD LOCKS PLAN, SEPTEMBER 30, 1943

From Chairman General Board.
To the Secretary of the Navy.
Subject: Panama Canal, Plan for improvement.
Reference: (a) ComFifteen letter 15 ND/HG/(03) of 17 June 1943, and enclosures.

1. By the fifth endorsement of the reference, the Secretary of the Navy has directed the General Board to study a proposed plan for the improvement of the operating features of the Panama Canal and to make recommendation. The plan and several alternative schemes for its accomplishment are now being considered by the Governor of the Panama Canal and until his investigations are completed neither the Secretary of War nor the Secretary of the Navy will have the benefit of the Governor's expert engineering and operating advice. Therefore, the Board assumes that studies of the subject by the Navy Department are now of a preliminary nature, with the view primarily of determining the Navy's special interest in the project as a whole, to be presented to the War Department when appropriate.

2. It is to be noted that there is now in existence an approved plan for the improvement of the canal, authorized by Congress and referred to hereinafter as the third lock program. The purpose of this program is to increase the capacity of the canal, to permit transit of large naval vessels, and to attain greater security from bombing attack. Work on this program was actually begun in 1940 but was suspended in 1942 in favor

of projects deemed more essential to the successful prosecution of the war.

3. The controlling feature of the subject plan is the creation of a summit level anchorage in Miraflores Lake in order to provide a traffic expansion chamber at the Pacific terminal. By making provision for safe summit level anchorages for vessels as they emerge from the Gaillard Cut, the transit of the cut becomes independent of Pedro Miguel locks which now constitute the bottleneck of the canal. The purpose of the plan is to improve marine operating conditions, reduce accidents, reduce the time of transit, and reduce the wear on piloting personnel. Essential to its accomplishment are the removal of the Pedro Miguel locks and the construction of one or more sets of triple-lift locks on the general site of the Pacific entrance to the canal.

4. This plan is not a new concept but is, rather, an old one backed by the force of operating experience gained during the 29 years that the canal has been in operation. The need for capacious summit-level anchorages at both ends was early recognized but the canal, as it stands today, meets that need at Gatun only. Colonel Sibert, the builder of Gatun locks, wanted to place all Pacific locks in one structure as at Gatun but the Pacific locks had already been started and the change would have involved a delay in the opening of the canal. The President decided against the proposal because a change in plans might have been construed, by the proponents of a sea-level canal, as evidence of the weakness of a lock canal. Prior to this, in 1906, Mr. Stevens had recommended to Congress the combination of all Pacific locks into one structure. Going as far back as 1879, the French Engineer de Lepinay had proposed the creation of a large artificial summit-level lake at each terminal, to be connected with sea level by locks. Years later his proposal was adopted at the Atlantic terminal and took the form of Gatun Lake. But there is no equivalent at the Pacific terminal.

5. The present anchorage space at Gatun supplies a stopover station for both north and southbound vessels and permits unrestricted operation of Gatun locks. At Pedro Miguel there is no comparable anchorage space for ships as they emerge from Gaillard Cut. The Pedro Miguel locks are located squarely in the south end of the cut and they restrict passage through the cut to the capacity of the locks. While northbound traffic can and does enter the cut at lockage intervals, southbound vessels cannot arrive in the cut any faster than they can be received at the Pacific locks. Vessels have to approach the latter locks in a relatively narrow passage; they cannot anchor for they would swing into a rocky bank; they cannot slow too much or they will lose steerageway and drift ashore. The resulting dispatching problem causes delays, at times endangers the canal and ships, and wears out piloting personnel. The situation is aggravated because the canal between Pedro Miguel and Bohio is subject to dense fog. When there is fog in the cut, vessels, after leaving the locks, can only tieup to the north wall at Pedro Miguel. When the north wall is filled to capacity all northbound traffic must stop and Pedro Miguel lockages and Miraflores lockages must cease.

6. The facts presented in the preceding paragraphs have been extracted from the enclosures to the reference. The latter were prepared by the present port captain at Balboa, Comdr. Miles P. DuVal, United States Navy, as a result of his own experience and study, and in collaboration with other canal authorities as well as with the commandant, 15th Naval District. These enclosures present a well-rounded picture of present operating conditions, and their difficulties, together with alternative schemes for solving the major problems. Included therewith is an exhaustive discussion, ably presented, of the marine features of the sea-level type of canal, as compared with the lock type. The General Board is much impressed by the great preponderance of evidence in favor of the lock type an considers that the opinions presented, supported as they are by experience, fully justify the abandonment of the idea of a sea-level canal across the Isthmus of Panama.

7. That part of the third-lock program which has to do with the Pacific terminal locks is closely related to the subject under discussion. Adopted when war began to threaten, the third-lock program is, in principle, an acceptance of the present arrangement of the Pacific locks. Under this program the new and larger locks would be placed at a distance from the present locks in order to disperse the lock structures and lessen the chances of danger from bombing attack. There would be 1 new triple-lift lock at Gatun, 1 new two-lift lock at Miraflores, and a new single-lift lock at Pedro Miguel, the last named located on a new channel which, passing Cerro Paraiso on its south and west sides would connect Miraflores Lake with the entrance to the Gaillard Cut.

8. Suspension of work on this program has taken place at a stage in its completion that affords an opportunity to reexamine its features, some of which appear to introduce additional dangers and complications and others to continue present difficulties. If the program were to be carried through, the bottleneck of Pedro Miguel would be perpetuated and any chance of providing an essential traffic reservoir at Miraflores would be lost. The turns in the new channel (one of which amounts to 47°17′), and its intersection with Gaillard Cut, would become new foci of accidents. It has also been developed that the proposed new Pedro Miguel Lock would be on the worst foundation of all locks. But, fortunately, there has been no excavation along the line of the proposed new channel around Cerro Paraiso and the subject plan does not, therefore, call for the abandonment of any work already completed under the third-lock program. On the other hand, the excavation which has already been accomplished in anticipation of the erection of the new (third) Miraflores two-lift lock is available for use in connection with a set or sets of triple-lift locks as contemplated in the subject plan.

9. All of the schemes suggested as suitable for making effective the subject plan, include provision for maintaining traffic during the reconstruction period. Of the three schemes suggested by Commander DuVal, the papers submitted to the Board indicate preference for scheme C, an arrangement in which the present Miraflores Locks are abandoned, three new sets of triple-lift locks placed near the third lock site, and dispersion obtained by increasing the spacing between the locks. The Bureau of Yards and Docks in its (second) endorsement on the reference presents a fourth scheme which proposes the construction of a single set of triple-lift locks on the present Miraflores site and of two new sets of triple-lift locks near the third lock site. This plan offers advantages from the standpoint of maintenance of canal traffic at the expense of longer time to complete. Both of these latter schemes utilize the cut already excavated, although neither suggests the extent to which the new sets of locks should be separated from each other in order to attain greater security from bombing attacks.

10. Disability of the canal may be from damage at a single point, or from damage at several points through a large-scale attack. The extent of damage to a group of locks from a single hit is increased when one set of that group has any part of its structure, or operating equipment, in common with another set; this is the present situation, all existing locks being in pairs. It does not follow, however, that immunity from damage can be secured merely by increasing the space between the several sets of locks, or by separating the groups. Each set may be attacked separately and, if not successfully defended, all sets, even though widely separated, may be destroyed by a single large-scale attack. The breaching of all the gates (including the emergency gates), of only one upper lock, regardless of its location with respect to another set, would disable the entire canal by lowering the water level. The Pedro Miguel Locks provide a case in point; although they are located at some distance from Miraflores, the destruction of the gates of one set would render the Gaillard Cut unnavigable. When the restrictions imposed by the size and topography of the Canal Zone are taken fully into account, it seems apparent that the greatest dispersion possible does not render the canal secure against large-scale bombing attacks. The present locks are not dispersed; their security lies in their degree of invulnerability, their defense, and in the precautions taken to prevent surprise.

11. For these fundamental reasons the General Board, although not competent to base its opinions on technical grounds, believes that sound engineering, and safety and facility of marine operation, are the primary considerations to be balanced against questions of dispersion or separation of the locks. Above all, the latter should not be allowed to obscure the necessity for a traffic expansion chamber at the Pacific terminal, the controlling feature of the subject plan. The cut already excavated under the third-lock program establishes the distance between the new and the present Miraflores Lock sites. Assuming that this cut will be utilized, whatever plan is finally adopted, the Board believes that further questions of vulnerability and security from bombing attack should be left to those responsible for the design of the locks, and those charged with the defense of the canal.

12. Appendix A, attached hereto, summarizes the marine advantages claimed for the subject plan, regardless of the particular scheme adopted for its accomplishment. All of these advantages will accrue to the Navy in moving its ships quickly and in large numbers from one ocean to the other as strategic and tactical considerations may dictate. The General Board, itself strongly in favor of the basic idea, has been unable to detect, either in any correspondence, or in conversation, any opposition thereto. A member of the Board, during a recent visit to the Canal Zone, noted the same favorable reaction during all discussions, including those he had with Governor Edgerton. With the canal authorities, including experienced pilots, and the commandant, 15th Naval District, all favorably disposed, the project at present resolves itself into a question of practical ways and means which, as noted earlier herein, are being investigated by the Governor.

13. As a result of its study, the General Board recommends that the Navy Department strongly endorse the subject plan at the appropriate time.

A. J. HEPBURN.

APPENDIX A

MARINE ADVANTAGES OF PROPOSED PLAN FOR IMPROVEMENT OF PANAMA CANAL

Provides safe summit level anchorage for vessels as they emerge from the cut.

Eliminates Pedro Miguel Locks as the bottleneck of the canal.

Makes transit of cut independent of Pedro Miguel Locks.

Simplifies problem of dispatching.

Reduces time of transit.

Increases safety of transit.

Makes operation of Miraflores Locks independent of fog in Gaillard Cut.

Increases traffic capacity.

Eliminates lockage surges from cut as a navigational hazard.

Increases usable dry season storage in summit level.

CIVIL RIGHTS

Mr. CLARK. Mr. President, now that the civil rights bill has been passed and is on its way to the President, some of us are concerned as to how the Commission and the additional Assistant Attorney General will be financed.

I wonder it the distinguished minority leader would be able to give us some assurance that appropriations will be available from which the Commission, as well as the Assistant Attorney General, can be adequately financed, so that we can go home with a conviction that the members of the Commission can be appointed soon and go to work, without there being the necessity for any other appropriation.

Mr. KNOWLAND. Mr. President, I will say to the Senator from Pennsylvania that I cannot give a complete and categorical answer to his inquiry. I believe, however, that there are sufficient funds in the Department of Justice appropriations, in the case of the Assistant Attorney General. In the case of the Commission, if necessary there are sufficient funds in the President's special emergency funds at least to get the Commission started on its work.

Mr. CLARK. I thank the Senator from California.

Mr. JAVITS. Mr. President, will the Senator inform us as to whether he thinks the work will be impeded by the need for getting confirmation of the Director of the Commission?

Mr. KNOWLAND. I will say to the Senator, again I would not want to give a categorical answer to the Senator in that regard, but I hope, in the same spirit that the legislation was passed, that when the names are sent to the Senate and we have reconvened, there will be no unnecessary delay in having confirmation of the nominations.

Mr. JAVITS. Does the Senator believe these positions are subject to recess appointments?

Mr. KNOWLAND. I believe they are.

Mr. JAVITS. I thank the Senator.

ADDRESS BY LEWIS A. LAPHAM, PRESIDENT OF GRACE LINE, INC.

Mr. BEALL. Mr. President, in connection with the most recent developments in our maritime history, Mr. Lewis A. Lapham, president of Grace Line, Inc., delivered a constructive and interesting address which justifies the attention and reading of Members of the Congress and of the public generally. The speech was delivered at the christening of the steamship *Santa Rosa* on August 28, when interested supporters of the American merchant marine journeyed to Newport News to see two ships of the same name—one a replacement of the other, floating side by side. The modern ship just off the ways will replace the steamship *Santa Rosa* which for 25 years has transported thousands of Americans between our ports and ports of South America.

Mr. Lapham is one of the outstanding shipping officials of our country and has maintained the highest standards to which the Grace Line has adhered over decades of successful operations. In view of the importance of this ceremony and of the appropriateness of Mr. Lapham's remarks, I ask unanimous consent that the text of his address be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF LEWIS A. LAPHAM, PRESIDENT, GRACE LINE, INC.

It goes without saying that this day is a marvelously pleasant and memorable one for the Grace Line. Traditionally, I suspect, I should speak about the new ship, the new *Santa Rosa*, which looms above us. But like most ships, this one will speak for herself, and if you will forgive a certain prejudice, I think she will speak better than most, as has her predecessor, the old *Santa Rosa*, laying off in the James River before you and getting ready even now to whistle her namesake here hail and farewell.

But I would rather speak, briefly, of what is behind the ship and how she came to be.

She will be the first passenger vessel built and launched in the shipping industry's overall replacement program, and she marks as well the first building of the Grace Line's own construction program, the largest by far the line has undertaken in its hundred years of existence. But her building has not just happened in this year of 1957. Far from it.

She is part of a program that began, in essence, in 1936 with the passage of the Merchant Marine Act in that year. It is an act that has been most faithfully and intelligently administered by the responsible Government agency, and at no time, incidentally, better administered than under its present leadership. And it is an act that has been equally faithfully and intelligently complied with by the industry it serves.

This ship is the first of a program that will send down the ways some 300 United States flag vessels over the next 12 years or so, a fleet of the finest, safest, and most effective ships afloat. It is a joint program of the industry and the Government, planned to provide an oceangoing transportation service for the overseas trade and support of a nation that demands and should have, the best.

All these things can be planned, of course, and talked about, but someone has to transmit the plans to paper and the paper to ships, and that just doesn't happen either. And I go no further with these remarks before expressing the Grace Line's warm and deep appreciation to Mr. William Francis Gibbs, who designed this ship, and to Newport News, who built it. The superb talents and craftsmanship that have gone into this new *Santa Rosa* make themselves manifest without any added comment from me, or anyone else. The performance is even more impressive when you consider that it was a bare 7½ months ago that some of us were here to see the keel plate for this same ship swung into place.

As for our sponsor today, she bears the most famous name in United States shipping history and we are delighted to have her. And a special touch of history is additionally with us in the person of the young maid of honor, Miss Carolyn Flint, a descendant of one of the families whose firm, Chapman & Flint, many years ago in Bath, Maine, built the clipper ship forerunners of the present Grace Line fleet.

The line has a host of other friends here, from the Federal Maritime Administration and other Government agencies, from the shipping world and its related industries, and to them all may I say, many, many thanks—we are complimented by your presence and are happy to have you with us, I promise you.

But nothing perhaps more significantly emphasizes the continuity of the program I have been talking about, of this lengthy maritime tradition, past, present and future, than the presence out there in the James River of the old *Santa Rosa*. She has had a long, proud service, in peace and in war, under her country's flag. And this occasion, unique, I suspect in seagoing history, is a fine climax for her honorable career.

REPORT ON 85TH CONGRESS, 1ST SESSION

Mr. JAVITS. Mr. President, under the heading of "85th Congress, 1st session, Final Report," I ask unanimous consent to have printed in the RECORD a report of the happenings of this session of the Congress.

There being no objection, the report was ordered to be printed in the RECORD, and will appear hereafter.

DEATH OF PETER K. MORSE, DEPUTY GENERAL COUNSEL, INTERNATIONAL COOPERATION ADMINISTRATION

Mr. MANSFIELD. Mr. President, it was with profound regret that I learned of the untimely death of Peter K. Morse, Deputy General Counsel of the International Cooperation Administration. Mr. Morse was killed in an automobile accident on Monday near Sharon, Mass. Mr. Morse was well and favorably known to many members of the Committee on Foreign Relations because of his work during the past several years in the presentation of the executive branch position on the foreign-aid programs.

Mr. Morse, who was 38 years of age at the time of his death, was a native of Detroit, Mich. He had served in the United States Navy from 1942 to 1946. He was a graduate of the University of Michigan and the Harvard Law School, where he was case editor of the Harvard Law Review. After having been associated for 3 years with a New York law firm he joined the legal staff of the Economic Cooperation Administration in August 1949. He had been given progressively increasing responsibility in the administration of the mutual-security program in the 8 years since that time. He became Deputy General Counsel of ICA in 1956 and he had been serving as Acting General Counsel during the past 6 months.

The Government of the United States has lost a devoted public servant. It is my hope that Peter Morse's family and friends can take comfort from the widespread appreciation of this fact.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

RESOLUTIONS OF AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD three resolutions adopted by the delegates to the convention of the American Federation of Government Employees at the Hotel Statler, Boston, Mass., August 5–9, 1957, concerning Federal employees and employment conditions.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

Resolution 15, Increased Benefits for Federal Employees in Hazardous Occupations

Whereas employees of United States naval and VA hospitals and United States penal and mental institutions are engaged in hazardous work; and

Whereas these Federal employees are engaged in hazardous occupations such as all types of employment involving the custody, care, and/or treatment of fellow humans and the protection of public properties are not receiving adequate compensation or retirement benefits; and

Whereas determination by Federal administrative officials is overly restrictive in allowing recognition of hazardous-type employment: Therefore, be it

Resolved, That the Massachusetts State Federation of Labor urge the Congress of the United States of America to increase the compensation and retirement benefits of these Federal employees and provide for a more liberal interpretation of hazardous-type occupations.

Submitted by Delegate John S. Gannon, lodge 1088, American Federation of Government Employees, Boston, Mass.

Resolution 15 adopted by delegates in convention at Hotel Statler, Boston, Mass., August 5 to 9, 1957.

Resolution 16, Maintaining Watertown and Springfield Arsenals

Whereas the Watertown Arsenal and the Springfield Armory are Federal field establishments that have greatly contributed to the defense needs of the nation and the prosperity of the Commonwealth over the past century; and

Whereas both these traditional defense activities have been subjected to a series of adverse administrative actions which have curtailed their scope of operations; and

Whereas such curtailment of operation has unduly hurt the economic well-being of the Commonwealth and the defense readiness of the Nation: Therefore be it

Resolved, That the Massachusetts State Federation of Labor in Convention go on record and urge the Congress of the United States of America to provide for and insure the continued operation of the Watertown Arsenal and the Springfield Armory at a higher plain and wider scope of operations as an aid to bolster the economy of the Commonwealth of Massachusetts and improve the defense preparedness of the Nation.

Submitted by delegate John S. Gannon, Lodge 1088, American Federation of Government Employees, Boston, Mass.

Resolution 16 adopted by delegates in convention at Hotel Statler, Boston, Mass., August 5 to 9, 1957.

Resolution 54, Maintaining Employment Levels at Boston Naval Shipyard

Whereas the Boston Naval Shipyard draws its employees from every part of the Commonwealth more particularly within a radius of 60 miles from the city of Boston; and

Whereas each city and town therein is greatly affected by the financial stability of these employees; and

Whereas any proposed layoff which will affect every trade and occupation and result in many professional and technical men and skilled mechanics seeking work in other States; and

Whereas the Navy has announced an economy cut of several fighting ships from the active fleet, that could mean diverting Boston repair work to other shipyards; and

Whereas any reduction in the appropriation for the Boston Naval Shipyard and any further cutback in work would increase unemployment in this area to an untenable degree: Therefore be it

Resolved, That the Massachusetts State Federation of Labor delegates in convention urge the Congress of the United States to take action as may be necessary to compel the Department of Defense to maintain the present standard of employment and work at the Boston Naval Shipyard; and be it further

Resolved, That copies of these resolutions be transmitted to the President of the United States, to each Member of the Massachusetts Congressional delegation, to the Secretary of Defense, to the Secretary of the Navy.

Submitted by delegate John S. Gannon, Lodge 1088, American Federation of Government Employees, Boston Naval Shipyard.

Resolution 54 adopted by delegates in convention at Hotel Statler, Boston, Mass., August 5-9, 1957.

REPORT ENTITLED "OPERATION OF ARTICLE VII, NATO STATUS OF FORCES TREATY" (S. REPT. NO. 1162)

Mr. FLANDERS. Mr. President, the full Committee on Armed Services on August 22 approved the report of the Armed Services Subcommittee on the Operation of Article VII of the NATO Status of Forces Treaty and other foreign jurisdictional arrangements. This report covers a review of these arrangements from December 1, 1955, through November 30, 1956. Separate comment is also made on the Girard case.

Mr. President, I submit this report from the Committee on Armed Services and request unanimous consent that it be printed, with illustrations.

The VICE PRESIDENT. The report will be received and printed, as requested by the Senator from Vermont.

STATEHOOD FOR ALASKA AND HAWAII—REPORTS OF A COMMITTEE—MINORITY VIEWS (S. REPTS. NO. 1163 and 1164)

Mr. JACKSON. Mr. President, by direction of the Committee on Interior and Insular Affairs, I submit a report on the bill (S. 49) to provide for the admission of the State of Alaska into the Union, and also the bill (S. 50) to provide for the admission of the State of Hawaii into the Union. I ask unanimous consent that the minority may file a report during the present session of the Congress or during the adjournment of the Congress.

The VICE PRESIDENT. The reports will be received, and the bills will be placed on the calendar; and, without objection, the reports will be printed, and the request of the Senator from Washington is granted.

ADDITIONAL BILLS INTRODUCED

By unanimous consent, Mr. Yarborough introduced the following bills, which were read twice by their titles and referred as indicated:

S. 2886. A bill to authorize continuing studies of the biology, propagation, catch, and abundance of species of fish and shrimp that are of interest to sport and commercial fishermen in waters adjacent to certain areas in the State of Texas so that appropriate measures for protecting the environment and increasing the abundance of such species of fish and shrimp may be taken; to protect the whooping crane and the lands upon which it is dependent by the establishment of a wildlife sanctuary in the State of Texas, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. YARBOROUGH (for himself and Mr. Byrd):

S. 2887. A bill to amend title I of the Federal-Aid Highway Act of 1956 to provide that the Secretary of the Interior shall approve the acquisition of certain lands of national historical significance, or interests therein, for highway purposes; to the Committee on Public Works.

CONSERVATION OF FISH AND WILDLIFE IN THE STATE OF TEXAS

Mr. YARBOROUGH. Mr. President, there is a great need in the State of Texas and in the country to enlarge our program of fish and wildlife conservation. The extinction of the passenger pigeon, heath hen, Labrador duck, and numerous other American native birds of great economic and cultural value are pointed examples of our wastefulness with our natural resources in the past and our need for conservation now. The land is filling up with people and there is less and less natural habitat and unpolluted waters for our native animals and birds to rest upon, feed in, and drink.

We must move fast if we are to save many species of our beautiful wildlife. Many are threatened with extinction.

The fishermen of the gulf coast are interested in a program which will preserve and propagate the marine life that contribute to their livelihood.

All Americans and all Canadians have followed with close interest as the whooping crane population of the world dwindled. Only a handful of these beautiful birds are alive today, and unless further steps are taken to preserve and protect this species of fowl, we are likely soon to be without these fine and lovely creatures. They are the tallest wild birds in America today.

Mr. President, we also need additional study of the fish and marine life resources of this country.

Mr. President, I introduce, for appropriate reference, a bill that would not only provide for protecting the environment and increasing the abundance of marine life, but would also establish a wildlife sanctuary in the State of Texas for whooping cranes and other wildlife.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2886) to authorize continuing studies of the biology, propagation, catch, and abundance of species of fish and shrimp that are of interest to sport and commercial fishermen in waters adjacent to certain areas in the State of Texas so that appropriate measures for protecting the environment and increasing the abundance of such species of fish and shrimp may be taken; to protect the whooping crane and the lands upon which it is dependent by the establishment of a wildlife sanctuary in the State of Texas, and for other purposes, introduced by the Senator from Texas [Mr. YARBOROUGH] was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

PRESERVATION OF CERTAIN LANDS OF NATIONAL HISTORICAL INTEREST

Mr. YARBOROUGH. Mr. President, under the Federal interstate road program, certain historical shrines and monuments are in grave danger of being destroyed by the routing of Federal highways, and doubtless in the future, many other shrines of great cultural and historic value to our people will be destroyed unless laws are enacted to preserve them.

One such historic shrine which has been placed in jeopardy by the recently announced routing of an interstate highway in New Jersey is the Morristown National Historical Park and the Revolutionary War headquarters of Gen. George Washington. The National Park Service has protested the proposed new route for the highway.

In 1949 the Congress chartered the National Trust for Historic Preservation to further the national policy of preserving cultural or historic monuments and shrines, set forth in the Historic Sites Act of 1935, which act was sponsored by the Senator from Virginia [Mr. BYRD] and Representative Maury Maverick. The Senator from Virginia [Mr. BYRD] has joined me in sponsoring a bill to amend the Federal Highway Act of 1956, to provide that the Secretary of the Interior shall give his written opinion that land sought for a highway right-of-way and paid for with Federal funds, will not adversely affect the national policy of preserving for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States, before the land can be bought.

Therefore, on behalf of myself, and the Senator from Virginia [Mr. BYRD], I introduce, for appropriate reference, a bill to amend title I of the Federal Aid Highway Act of 1956 to provide that the Secretary of the Interior shall approve the acquisition of certain lands of national historical significance, or interests therein, for highway purposes, and ask that it be appropriately referred.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2887) to amend title I of the Federal-Aid Highway Act of 1956 to provide that the Secretary of the Interior shall approve the acquisition of certain lands of national historical significance, or interests therein, for highway purposes, introduced by Mr. YARBOROUGH (for himself and Mr. BYRD), was received, read twice by its title, and referred to the Committee on Public Works.

CREATION OF A COAL RESEARCH AND DEVELOPMENT COMMISSION—ADDITIONAL COSPONSOR OF BILL

Mr. MARTIN of Pennsylvania. Mr. President, I ask unanimous consent that the name of the Senator from Kentucky [Mr. COOPER] may be added as a cosponsor of the bill (S. 2877) to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission and for other purposes, introduced by me, for myself and my colleague, the junior Senator from Pennsylvania [Mr. CLARK].

The VICE PRESIDENT. Without objection, it is so ordered.

TRIAL OF MEMBERS OF THE ARMED FORCES FOR CRIMINAL OFFENSES COMMITTED IN FOREIGN COUNTRIES—ADDITIONAL COSPONSORS OF RESOLUTION

Mr. SMATHERS. Mr. President, I wish to announce that Senators BIBLE, BRIDGES, BUTLER, CURTIS, EASTLAND, GOLDWATER, HOLLAND, JOHNSTON of South Carolina, MALONE, MCCLELLAN, MUNDT, POTTER, ROBERTSON, STENNIS, TALMADGE, YOUNG, and ERVIN have indicated their desire to join me as cosponsors of the resolution (S. Res. 163) favoring trial by the United States, where primary jurisdiction is conferred upon it by treaty, of members of the Armed Forces for criminal offenses committed in foreign countries, submitted by me on July 15, 1957. I ask unanimous consent that their names be added as cosponsors of the resolution the next time it is printed.

The VICE PRESIDENT. Without objection, it is so ordered.

ADJOURNMENT TO 9 A. M. TODAY

Mr. MANSFIELD. Mr. President, in accordance with the order previously entered, I now move that the Senate be in adjournment until 9 o'clock this morning.

The motion was agreed to; and (at 12 o'clock and 59 minutes a. m. on Friday, August 30) the Senate adjourned, the adjournment being, under the order previously entered, until 9 o'clock a. m. the same day.

A NOMINATION

Executive nomination received by the Senate August 29, 1957:

UNITED STATES MARSHAL

Edward L. McCarthy, of Rhode Island, to be United States marshal for a term of 4 years for the district of Rhode Island, vice Howard S. Proctor, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 29, 1957:

IN THE ARMY

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major generals

Brig. Gen. Theodore Scott Riggs, O17076.

Brig. Gen. Garrison Barkley Coverdale, O17148.

Brig. Gen. Hugh Mackintosh, O17716.

To be brigadier generals

Col. Herbert Voivenelle Mitchell, O18073.
Col. Willis Almeron Perry, O18131.
Col. Harrison Alan Gerhardt, O18697.
Col. Charles John Timmes, O29777.
Col. Richard John Meyer, O19147.
Col. Samuel Edward Gee, O19251.

The nominations of Col. John R. Jannarone and 154 other officers for appointment in the Regular Army of the United States, which were confirmed today, were received by the Senate on August 16, 1957, and appear in full in the Senate proceedings of the CONGRESSIONAL RECORD for that date beginning with the name of Col. John R. Jannarone which is shown on page 15060, and ending with the name of Edward L. Witzell, which is shown on the said page.

IN THE AIR FORCE

The following officers under the provisions of section 8066, title 10, United States Code, to be assigned to positions of importance and responsibility in the United States Air Force, designated by the President in rank as follows:

To be general

Lt. Gen. Leon William Johnson, 88A (major general, Regular Air Force).

To be lieutenant generals

Maj. Gen. Francis Hopkins Griswold, 94A, Regular Air Force.

Maj. Gen. William Fulton McKee, 467A, Regular Air Force.

Maj. Gen. William Dole Eckert, 560A, Regular Air Force.

IN THE NAVY AND IN THE MARINE CORPS

The nominations of James S. Webb, Jr., and 717 other officers for appointment in the Navy and Marine Corps, which were received by the Senate on August 16, 1957, and which were confirmed today, may be found in full in the Senate proceedings of the CONGRESSIONAL RECORD of August 16, 1957, under the caption "Nominations," beginning with name of James S. Webb, Jr., which is shown on page 15060, and ending with the name of Richard C. Yessi, which is shown on page 15063.

The nominations of Edward G. Goodman and 44 other officers for temporary or permanent promotion in the Navy or the Marine Corps, which were received by the Senate on August 21, 1957, were confirmed today, and may be found in full in the Senate proceedings of the CONGRESSIONAL RECORD for that date, beginning with the name of Edward G. Goodman, appearing under the caption "Nominations" on page 15502.

POSTMASTERS

ALABAMA

Henry L. Mullins, Andalusia.
Grady J. Taylor, Spruce Pine.
Hughie J. McInnish, Union Springs.

ARIZONA

Ruth M. Despain, Bagdad.
Opal V. Chambers, Cashion.

ARKANSAS

Bart M. Price, Cove.
Mitchell A. McCoy, Kingsland.
Dillard H. Collins, Salem.
Elbert R. Upshaw, Turrell.
Vernoy V. Godwin, Warren.
Lewis A. J. Booth, Williford.

CALIFORNIA

Jay C. Andes, Biggs.
Alfred E. Rider, Burney.
Eldrude E. Case, Butte City.
Marguerite I. Wilson, Dutch Flat.
Richard L. Bernard, Gonzales.
Arthur M. Webb, Mammoth Lakes.
Evelyn O. Pedroia, Monte Rio.
Berniece K. Williams, Rheem.

COLORADO

Ben H. Cox, Springfield.

CONNECTICUT

John Shanaghan, East Haddam.
Raffaele A. DePanfilis, South Norwalk.
Helen L. Clough, Tolland.
Dorothy B. Tuller, West Simsbury.

FLORIDA

Charles Wyland, Fort Myers Beach.
William C. Davis, Leesburg.
Virginia D. Welch, Waldo.
Carl David Lippincott, Jr., Zephyrhills.

GEORGIA

Martha W. Sanders, Jeffersonville.
Mittie F. Jones, Lavonia.
William Avery Bryant, Lexington.
Mary M. Pitts, Rabun Gap.
Edward J. Snow, Sr., Rebecca.
Dennis R. DeLoach, Statesboro.
Bertha C. Taylor, Tallulah Falls.
John Clyde Twiggs, Sr., Young Harris.

ILLINOIS

James S. Rutter, Addison.
Inez F. Smith, Brookport.
Melvin V. Mader, Forest Park.
Harry C. Bunting, Fowler.
Alden L. McCaw, Leaf River.
Robert C. Peterson, Lynn Center.
John Paul Smothers, Marion.
Mary E. Ayres, Moro.
Carroll D. Barnes, Mount Auburn.
Darwin E. Porterfield, Mount Erie.
William V. Martin, Odell.
Roy George Fraser, Roxana.
Emery E. Tipsord, Saybrook.
Josephine C. Hanfelder, South Roxana.
Hugh H. Holsapple, Toledo.
Charles R. Simmons, Venice.

INDIANA

Lela E. Neptune, Brooklyn.
Leonard E. Taylor, Fairland.
Virgil R. McVay, Fortville.
John S. Solomon, Manilla.
Orlyn J. Clawson, San Pierre.
Max E. Martin, Windfall.

IOWA

Francis Darwin Smith, Cleghorn.
Bryce L. Bremser, Dow City.
William L. Talbot, Keokuk.
Robert W. Grote, Portsmouth.
Kenneth D. Cunningham, Rippey.
Richard A. Chancellor, St. Ansgar.
LeRoy E. Larson, St. Olaf.
Ross G. Hauser, Union.
Ernest K. Woods, Woodburn.

KANSAS

John K. Wells, Coffeyville.
Velma M. Peters, Lorraine.
James W. Brown, Strong City.

KENTUCKY

William T. Brooks, Jr., Buffalo.
Glenn House, East Bernstadt.
John C. Hicks, Hindman.
Acton R. Anderson, Mayfield.
Eleanor R. Millis, Russell.

LOUISIANA

Clarence A. Rousse, Sr., Buras.
Louise M. Gibbs, Longstreet.
Ralph J. Treuil, Sr., Port Sulphur.
Katherine M. Boucher, Springhill.
Christine R. Anderson, Venice.

MARYLAND

Reginald E. Wolfe, Freeland.
Richard R. Sinnisen, Keedysville.

MASSACHUSETTS

John S. Conway, Nantucket.
Dorothy E. Strong, Stow.

MICHIGAN

Marian G. Decker, Auburn Heights.
Gordon Arthur Young, Coloma.
Albert V. Morgan, Croswell.
Woodrow C. Rowell, Kalkasa.
Eilleen D. Wood, Lacota.
Norman F. Smith, Marlette.
Chauncey A. Gulette, Pearl Beach.
Chester J. Orr, Standish.
Harold George Weller, Whitmore Lake.

MINNESOTA

Gustav A. Marohn, Annadale.
Raymond O. Halvorson, Ceylon.
William A. Larson, Crookston.
Bertha H. Swenson, Dawson.
Julian V. Dalum, Hoffman.
Miles O. Olson, Isle.
Stanley F. Drips, Rochester.
Vernon R. Flint, St. Charles.

MISSISSIPPI

Henry W. Jones, Brandon.
Cecil R. Dubuisson, Long Beach.
Emma J. Cummings, Pheba.
Harvey C. Mitchell, Jr., Plantersville.
John H. Hobdy, Waynesboro.
L. Jones Hand, West.

MISSOURI

J. B. Gregory, Amsterdam.
Samuel K. Bartlett, Bogard.
Virginia L. Ward, Bonne Terre.
Otto W. Buescher, Columbia.
Theodore R. Shell, De Soto.
Tony E. Cates, Ellsinore.
Curtis M. Cook, Festus.
Harold G. McLeland, Gorin.
Lena V. McMurry, Moscow Mills.
Clyde R. Muller, Sweet Springs.

NEBRASKA

Arthur G. Pohl, Hampton.
Donald S. Wightman, Wayne.

NEW HAMPSHIRE

Warren F. Metcalf, Tilton.

NEW JERSEY

Alice M. Dwyer, Hopatcong.
Holger G. Holm, Metuchen.
George C. Koeppel, Pennington.
M. Elizabeth Mathis, Rancocas.
George W. Stader, South Amboy.
Gerard G. Eisson, Whippany.

NEW MEXICO

Otto Klaudt, Deming.
Solomon G. Alvarez, Las Cruces.

NEW YORK

Alton G. Snyder, Atlanta.
Alta P. Johnson, Blue Moutain Lake.
Bernard J. Davis, Bouckville.
Alden Francis Matt, Canajoharie.
Robert J. Gardner, Croghan.
Francis B. Crowley, East Rockaway.
Leo J. Morgan, Farmingdale.
Francis W. Robinson, Fort Edward.
Harold E. Coyne, Remsen.
Dorothy E. Forsman, Rhinecliff.
Glenn E. Bock, Sherman.
Margaret M. Cutler, Upper Jay.
Harry C. Hager, Watertown.
Raymond P. Cary, West Coxsackie.
Charles J. Ryemiller, Jr., West Sand Lake.
Howard V. Galer, Worcester.
Dalton H. Newton, Yorkshire.

NORTH CAROLINA

Ruth A. Farrior, Calypso.
William T. Stokes III, Graham.
Annie B. Smith, Guilford.
Calvin Turner Draper, Jackson.
Grady S. Tucker, Locust.
Mary R. Titman, Lowell.
Steven Andrew Gaydek, Maury.
James J. Lee, Jr., Mebane.
Jake H. Wright, Jr., Middlesex.
James H. Canipe, Morven.
William K. Delbridge, Norlina.
Lola A. Woody, Saxapahaw.
Alice H. Graves, Seagrove.
Robert W. Sharpe, Sharpsburg.
Robert W. Loflin, Trinity.

NORTH DAKOTA

Robert M. Otterson, Aneta.
George J. Dietz, Belfield.
Maurice A. Ellingrud, Buxton.
Donald C. Ditch, Douglas.
Gertrude E. Anderson, Epping.
Charles S. Moores, Finley.
Donald C. Hawley, Hope.
Myron Halstenson, Niagara.
Mons K. Ohnstad, Jr., Sharon.

OHIO

Robert C. Anderson, Clarksburg.
Kenneth W. Folsom, Columbia Station.
Frank A. Kitts, Kitts Hill.
Fern L. Graver, Lindsey.
Ned J. Reynolds, Sterling.
Vera Gail Slater, The Plains.

OKLAHOMA

Frances L. McFadyen, Anadarko.
Martin M. Cassity, Ardmore.
Hobart F. R. Higdon, Avant.
Rae R. Toney, Bennington.
Thornton J. Lucado, Jr., Blanchard.
Buster E. Barker, Boswell.
Hershell S. Harper, Broken Arrow.
William A. Craig, Miami.
Carson Scott, Okmulgee.
Wayne Coffman, Pauls Valley.
W. Galen Dunn, Shawnee.
John D. Jordan, South Coffeyville.
Leonard W. Booker, Stroud.

OREGON

Kenneth V. Richards, Cottage Grove.

PENNSYLVANIA

Mark D. Reber, Centerport.
William E. Miller, Chadds Ford.
Fernando J. Perott, Emeigh.
William J. Hlavats, Glassport.
Elmer E. Mower, Marcus Hook.
Harold J. Niemeyer, Newtown Square.

SOUTH CAROLINA

Linder Lee Ray, St. Matthews.
James T. Claffy, Eastover.

TENNESSEE

Daniel E. Porter, Adams.
Dale L. Marion, Blountville.
Vance T. Tankersley, Cornersville.
Dan L. Clapp, Corryton.
Jim N. Bone, Cumberland Furnace.
Ralph B. Gilliland, Harriman.
Frank Melson, Lutts.
Evelyn E. Roach, New Market.
David A. Weaver, Persia.
Iriene A. Roblin, Pressmen's Home.
Della G. Henard, Russellville.
John E. Carter, Sparta.
William Raymon Kea, Waynesboro.

TEXAS

Roland W. Davie, Grand Prairie.
Neil O. Clute, Jewett.
Jeffie M. Griffith, Lockney.
Birdie L. Lindsey, Simms.
Frances E. Renfro, West Columbia.
John L. Pevey, Woodson.

UTAH

John B. Nelson, Goshen.

VERMONT

Ralph W. Reirden, Richford.

VIRGINIA

C. Ronald Woodrum, Staunton.

WASHINGTON

Ernest R. Meier, Arlington.
Howard W. Grending, Benton City.
Herbert L. Coon, Bremerton.
Ann M. Ingraham, Burton.
John C. Nowadnick, Chehalis.
Melvin LaHammer, Darrington.
Otis K. Hill, Goldendale.
Lawrence V. Grape, Ione.
Roy E. Rettig, Kenmore.
Mary Elizabeth Morrow, Lacey.
Theodore H. Biermann, Lind.
Genevieve K. Simm, Metaline Falls.
Pauline G. Stewart, Milton.
Arthur J. Freeborg, Moses Lake.
August E. Tornow, Mossyrock.
Richard H. Vaughn, Mountlake Terrace.
Mayme C. Ross, Mukilteo.
Marguerite T. Christie, Nahcotta.
Homer A. Smithson, Jr., Peshastin.
Paul E. McMahan, Randle.
Chauncey F. Arnold, Silverdale.
Eleanor G. Monson, Silvana.
Emil E. Bruno, South Cle Elum.
Harlan M. Shepardson, Toledo.

Chesla D. Williams, Tonasket.
Calvin M. Langfield, Trout Lake.
Wanda G. Wyatt, Union.
Albert J. Ricard, Uniontown.
Ivan K. Keve, Waitsburg.

WEST VIRGINIA

Verla O. Eary, Fayetteville.
Ruth J. Cochran, Mona.

WISCONSIN

Joseph A. Battalio, Clinton.
Charles A. Hall, Gresham.
Frederick M. Griswold, Lakemills.
Warren R. Erdmann, Oakfield.
Arthur G. Mehring, Port Washington.
Roger W. Most, Prescott.
William R. Barnard, Reedsville.
Chester J. Kuroski, Schofield.
Roy H. Andrews, Sharon.
Norbert F. Schumerth, West De Pere.

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 29, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, may we begin each new day with the unshakable confidence that our lives are in Thy divine keeping and control.

We thank Thee for the glad and glorious assurance that no needed blessing wilt Thou withhold from us if we do justly, love mercy, and walk humbly with the Lord.

Inspire us with a strong and steadfast faith as we seek and strive continuously to achieve for ourselves and all mankind a larger measure of the more abundant life.

May we never become weary in welldoing and allow our energies to be depleted by fear and worry.

Grant that when we falter and fail we may not lose heart or hope for Thou art always ready to restore and rehabilitate us if we are willing to try again.

In Christ's name we offer our prayer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, informing the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On August 21, 1957:

H. R. 1672. An act for the relief of the legal guardian of Frederick Redmond;

H. R. 1861. An act for the relief of George W. Arnold;

H. R. 2045. An act for the relief of Robert D. Miller, of Juneau, Alaska;

H. R. 2264. An act for the relief of Donald F. Thompson;

H. R. 2460. An act to improve the career opportunities of nurses and medical specialists of the Army, Navy, and Air Force;

H. R. 2674. An act for the relief of Morris B. Wallach;

H. R. 2740. An act for the relief of Mrs. Harriet Sakayo Hamamoto Dewa;

H. R. 2950. An act for the relief of Lt. Col. Emery A. Cook;

H. R. 2985. An act for the relief of Alton B. York;

H. R. 3440. An act for the relief of Mr. and Mrs. Allan Schlossberg;

H. R. 3473. An act to authorize and direct the Secretary of the Interior to sell certain public lands in the State of California;

H. R. 4830. An act to authorize revision of the tribal roll of the Eastern Band of Cherokee Indians, North Carolina, and for other purposes;

H. R. 5492. An act to amend the act of August 31, 1954 (68 Stat. 1044) to extend the time during which the Secretary of the Interior may enter into amendatory repayment contracts under the Federal reclamation laws, and for other purposes;

H. R. 5679. An act to authorize amendment of the irrigation repayment contract of December 28, 1950, between the United States and the Mirage Flats Irrigation District, Nebr.;

H. R. 6517. An act to provide for the retirement of officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, and of certain officers and members of the United States Secret Service, and for other purposes;

H. R. 7540. An act to amend Public Law 815, 81st Congress, relating to school construction in federally affected areas, to make its provisions applicable to Wake Island;

H. R. 8643. An act to authorize the construction of certain works of improvement in the Niagara River for power, and for other purposes;

H. R. 8996. An act to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; and

H. J. Res. 275. Joint resolution transferring to the Commonwealth of Puerto Rico certain archives and records in possession of the National Archives.

On August 22, 1957:

H. R. 1058. An act to preserve the key deer and other wildlife resources in the Florida Keys by the establishment of a National Key Deer Refuge in the State of Florida;

H. R. 1460. An act for the relief of Tom R. Hickman and others;

H. R. 1562. An act for the relief of Maj. John P. Ruppert;

H. R. 1682. An act for the relief of Edward J. Moskot;

H. R. 1864. An act for the relief of Mrs. Lidie Kammauf;

H. R. 2049. An act for the relief of Mrs. Blanche Houser;

H. R. 2937. An act for the relief of Clarence L. Harris;

H. R. 3723. An act for the relief of Maj. Gen. Julius Klein;

H. R. 4023. An act for the relief of Oswald N. Smith;

H. R. 5627. An act for the relief of Mrs. Emma Hankel; and

H. R. 6527. An act for the relief of Horace Collier.

On August 23, 1957:

H. R. 1473. An act for the relief of Richardson Corp.

On August 26, 1957:

H. R. 232. An act to amend the Internal Revenue Code of 1954 with respect to the readjustment of tax in the case of certain amounts received for breach of contract, and to restrict the issuance of certificates for rapid amortization of emergency facilities;

H. R. 2928. An act for the relief of Harry and Sadie Woonteiler;

H. R. 3281. An act for the relief of Howard S. Gay;

H. R. 4154. An act for the relief of the legal guardian of Thomas Brainard, a minor;

H. R. 4520. An act to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating between the United States and Alaska;

H. R. 8090. An act making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes; and

H. J. Res. 323. Joint resolution to facilitate the admission into the United States of certain aliens.

On August 27, 1957:

H. R. 52. An act to provide increases in service-connected disability compensation and to increase dependency allowances.

On August 28, 1957:

H. R. 787. An act to authorize the exchange of certain lands between the United States of America and the State of California;

H. R. 993. An act to provide for the conveyance of certain land by the United States to the Cape Flattery School District in the State of Washington;

H. R. 1259. An act to clear the title to certain Indian land;

H. R. 1349. An act for the relief of John J. Fedor;

H. R. 1365. An act for the relief of Elmer L. Henderson;

H. R. 1424. An act for the relief of Sylvia Ottila Tenyi;

H. R. 1595. An act for the relief of Vanja Stipcic;

H.R. 1652. An act for the relief of Rajka Markovic and Krunoslav Markovic;

H. R. 1678. An act to provide for the quitclaiming of the title of the United States to the real property known as the Barcelona Lighthouse site, Portland, N. Y.;

H. R. 1797. An act for the relief of Maria Sausa and Gregorio Sausa;

H. R. 1826. An act to authorize the sale of certain lands of the United States in Wyoming to Bud E. Burnaugh;

H. R. 1851. An act for the relief of Dezrin Boswell (also known as Dezrin Boswell Johnson);

H. R. 1953. An act to provide that checks for benefits provided by laws administered by the Administrator of Veterans' Affairs may be forwarded to the addressee in certain cases;

H. R. 2058. An act for the relief of Franklin Institute of the State of Pennsylvania;

H. R. 2237. An act authorizing the transfer of certain property of the Veterans' Administration (in Johnson City, Tenn.) to Johnson City National Farm Loan Association and the East Tennessee Production Credit Association, local units of the Farm Credit Administration;

H. R. 2354. An act for the relief of the estate of Leatha Horn;

H. R. 2741. An act to authorize and direct the Administrator of Veterans' Affairs to convey certain lands of the United States to the Hermann Hospital Estate, Houston, Tex.;

H. R. 2816. An act to provide for the conveyance of Esler Field, La., to the parish of Rapides in the State of Louisiana, and for other purposes;

H. R. 2973. An act for the relief of the estate of William V. Stepp, Jr.;

H. R. 2979. An act for the relief of Mary Hummel;

H. R. 3025. An act to authorize the Secretary of the Navy to surrender and convey to the city of New York certain rights of access in and to Marshall, John, and Little Streets adjacent to the New York Naval Shipyard, Brooklyn, N. Y., and for other purposes;

H. R. 3184. An act for the relief of Gordon Broderick;

H. R. 3246, An act to authorize the exchange of lands at the United States Naval Station, San Juan, P. R., between the Commonwealth of Puerto Rico and the United States of America;

H. R. 3658. An act to liberalize certain criteria for determining eligibility of widows for benefits;

H. R. 3819. An act to amend section 331 of title 28, United States Code, to provide representation of district judges on the Judicial Conference of the United States;

H. R. 4344. An act for the relief of Malone Hsia;

H. R. 4447. An act for the relief of W. R. Zanes & Co., of Louisiana, Inc.;

H. R. 5168. An act for the relief of William Henry Diment, Mrs. Mary Ellen Diment, and Mrs. Gladys Everingham;

H. R. 5288. An act for the relief of Orville G. Everett and Mrs. Agnes H. Everett;

H. R. 5707. An act for the relief of the A. C. Israel Commodity Co., Inc.;

H. R. 5757. An act to increase the maximum amount payable by the Veterans' Administration for mailing or shipping charges of personal property left by any deceased veteran on Veterans' Administration property;

H. R. 5924. An act relating to the International Convention To Facilitate the Importation of Commercial Samples and Advertising Matter;

H. R. 6080. An act to provide for the conveyance of certain property of the United States in Gulfport, Miss., to the Gulfport Municipal Separate School District;

H. R. 6166. An act for the relief of Michael S. Tilimon;

H. R. 6521. An act to modify section 3 of the act of June 30, 1945 (59 Stat. 265);

H. R. 7051. An act to stimulate industrial development near Indian reservations;

H. R. 7467. An act to amend the act of March 3, 1901, with respect to the citizenship and residence qualifications of the directors or trustees of certain companies in the District of Columbia;

H. R. 7825. An act to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation, in the District of Columbia;

H. R. 7914. An act to amend the Career Compensation Act of 1949 to provide incentive pay for human test subjects;

H. R. 8005. An act to provide for the conveyance of interests of the United States in and to fissionable materials in certain tracts of land situated in Cook County, Ill., and in Buffalo County, Nebr.;

H. R. 8076. An act to provide for the termination of the Veterans' Education Appeals Board established to review certain determinations and actions of the Administrator of Veterans' Affairs in connection with education and training for World War II veterans;

H. R. 8079. An act to amend the Act of June 20, 1910, by deleting therefrom certain provisions relating to the establishment, deposit, and investment of funds derived from land grants to the States of New Mexico and Arizona;

H. R. 8429. An act to amend the Vocational Rehabilitation Act;

H. R. 8531. An act to provide an interim system for appointment of cadets to the United States Air Force Academy for an additional period of 4 years;

H. R. 8586. An act for the relief of Pasquale Pratola;

H. R. 8705. An act to permit articles imported from foreign countries for the purpose of exhibition at the Saint Lawrence Seaway Celebration, to be held at Chicago, Ill., to be admitted without payment of tariff, and for other purposes;

H. R. 8929. An act to amend the act of August 27, 1935, as amended, to permit the disposal of lands and interests in lands by the Secretary of State to aliens;

H. R. 8992. An act to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes;

H. R. 9131. An act making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes;

H. R. 9188. An act to amend the act to authorize the Secretary of the Navy to transfer to the Commonwealth of Massachusetts certain lands and improvements comprising the Castle Island Terminal Facility at South Boston in exchange for certain other lands;

H. R. 9379. An act making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes;

H. J. Res. 339. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 367. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 393. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain persons; and

H. J. Res. 410. Joint resolution to facilitate the admission into the United States of certain aliens.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McBride, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 8918. An act to further amend the act of August 7, 1946 (60 Stat. 896), as amended by the act of October 25, 1951 (65 Stat. 657), to provide for the exchange of lands of the United States as a site for the new Sibley Memorial Hospital; to provide for the transfer of the property of the Hahnemann Hospital of the District of Columbia, formerly the National Homeopathic Association, a corporation organized under the laws of the District of Columbia, to the Lucy Webb Hayes National Training School for Deaconesses and Missionaries, including Sibley Memorial Hospital, a corporation organized under the laws of the District of Columbia, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 2080. An act relating to the computation of annual income for the purpose of payment of pension for non-service-connected disability or death in certain cases.

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to the bill (H. R. 6258) entitled "An act to amend the act entitled 'An act to provide additional revenue for the District of Columbia, and for other purposes', approved August 17, 1937, as amended."

The message also announced that the Senate disagrees to the amendments of the House to the joint resolution (S. J. Res. 35) entitled "Joint resolution to provide for the observance and commemoration of the 50th anniversary of the first conference of State governors for the protection, in the public interest, of the natural resources of the United States," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Murray, Mr. Neuberger, Mr. Carroll, Mr. Malone, and Mr. Kuchel to be the conferees on the part of the Senate.

HON. STERLING COLE

Mr. HESS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HESS. Mr. Speaker, I, like most—perhaps all—of the Members on the floor today, have had the good fortune to know many good men—many kind men—and even perhaps a few great men.

In my own case, I have known few who have had all of these qualities at the same time. I have, however, been fortunate enough to know at least one man like this.

I am speaking of the gentleman who represents the 37th District of New York, Sterling Cole—Stub to most of us.

Stub and his lovely wife and his three sons have been close and dear friends of me and my family for many, many years. I have always thought that my feelings for Stub have been returned by him. I feel that this is so.

We all know that Stub will be the undoubted choice as Director General of the newly created International Atomic Energy Agency. His choice for this most important international position is one of the wisest selections made within my own personal memory, and that, in the Congress alone, goes back almost 30 years.

There is no need to review Stub's career. All of us are familiar with his long service on the Naval Affairs Committee and on its successor, the Armed Services Committee. We all know of his service since its creation on the Joint Committee on Atomic Energy, of which he was chairman during the 83d Congress.

To my mind—and I do not expect any disagreement from any Member of the House—Stub Cole possesses a peculiar genius for legislation. He has a precise and analytical mind which in many ways reminds us of philosophers of days gone by, who in their teachings and writings have formed the basis for the best things in the thinking of civilized peoples today.

But his genius is one that is tempered by a deep warmth, and a deep understanding of other men and of their problems. It is tempered also by a kindness which is almost inconsistent with his other great qualities.

Most of us can recall the days when the amendments to the Atomic Energy Act were on the floor, about 3 years ago. Most of us here in the House are not learned in the technology of atomic energy. Many of us are even unfamiliar with the terms which are used by the scientists in describing what they have done and what they hope to do. But can any one of us say that when Stub Cole completed his explanation of those amendments, and how they would affect the then Atomic Energy Act, he did not feel that he had had presented to him in the clearest and most understandable fashion one of the most complicated pieces of legislation which has ever been presented on the floor of this House?

While there is argument and disagreement among many Americans today as to what our role should be in international affairs, there can be no disagreement that we are irrevocably committed to a most important role in these affairs. If we must be so involved—and I am making no judgment at this time as to whether we should or not—must we not then arm ourselves in our international relations with the best minds, the broadest visions—and the most experienced people we can find?

The United States has done this in the selection of Stub Cole for Director General for the International Atomic Energy Agency. He will bring to that position the same qualities that have made him a great Member of Congress—and he will bring more than that. He will bring a broad culture, a wide and intelligent view of the atom in international affairs. And more than that, a sound technical background of our own and foreign nuclear energy programs.

The House of Representatives is losing Stub Cole. The country—and, indeed, the world—is gaining a leader of vision and courage.

He has my best wishes, and I am certain, the best wishes of all of the Members of the House of Representatives for success and happiness in his new undertaking.

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana.

There was no objection.

Mr. HÉBERT. Mr. Speaker, I want to join my good friend, the gentleman from Ohio, in pausing at this moment to pay tribute to the gentleman from New York, Sterling Cole. I feel certain that elaborate phrases and multiple superlatives would add little to the record which Sterling Cole has made as a Member of this body. The record which he himself has written and the affection which he holds in our hearts is beyond description.

Personally I have enjoyed a close friendship with Sterling Cole since I came to to this body. It is refreshing to know that he will be back with us in 4 years, because it is merely a leave of absence he is taking. I think when he leaves us for that 4 years he will go with the knowledge that he has the good wishes and well meaning of every Member of this House on both sides of the aisle.

To Sterling Cole may I say, continue to serve your country well, but come back as soon as you can.

Mr. COLMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COLMER. Mr. Speaker, I have just learned of this development in connection with our friend, the gentleman from New York [Mr. Cole]. I want to add my word of appreciation for the outstanding service of an outstanding Member of this House, whom I have had the privilege to serve with these many years.

Stub Cole, as he is affectionately known to his friends, can well retire from this body with the knowledge and the consciousness of having well performed his duties to his constituency and to his country as a Member of this body. I along with other Members have long observed with approval the sterling conduct of our colleague.

While I am sure that like a limited number of others of us he leaves this Chamber with some misgivings as to his accomplishments during the years of his service for the perpetuation of this splendid Republic and its institutions, he may be assured that he leaves with the respect and confidence of all of us. Mr. Speaker, I join with my colleagues in wishing him much success in his new field of endeavor, a job for which he is eminently qualified.

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I have mixed emotions on our colleague, Sterling Cole, leaving the Congress. I rejoice in the fact that he will be Director General of the International Atomic Energy Agency. It is a recognition of the man he is: One of character and great ability. He has few, if any, equals; and certainly no one is better qualified than he for the tremendously important work he will be undertaking.

At the same time, I have a feeling of deep distress that he is leaving the Congress. It stems, at least in part, from a personal selfishness, a realization that I will not have this more or less fraternal association with someone for whom I have such an affectionate regard as I have for Sterling Cole. I will miss him personally.

The Congress will miss him. He came here in the 74th Congress when I did. Over the years I have been privileged to sit next to him as a member of our Committee on Armed Services. His contribution to the work of our committee, and to the work of the Congress as a whole, is beyond measure. Without the slightest fanfare, but in his quiet, painstaking manner he applied the keen, analytical mind with which he is endowed to the problems to be solved and questions to be resolved.

And he did likewise as a member of the Joint Committee on Atomic Energy. When that committee brought matters before us we all listened with respect to his views, well knowing his conclusions were based on facts, and they were facts that he gathered from painstaking study.

Yes, I rejoice in knowledge that such a competent man will head up such an important agency. I am also distressed that this Congress will be without him. I do not know how he can possibly be replaced. As a personal friend, I will miss my close association with him. As Members of Congress, we will miss him in our deliberations.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and also ask unanimous consent that all Members may be permitted to extend their remarks at this point in the Record with regard to Sterling Cole.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. JENKINS. Mr. Speaker, I want to join with the other Members who have heretofore spoken with reference to my good friend Hon. Sterling Cole.

I am a member of the Joint Committee on Atomic Energy of the House of Representatives. This is the committee upon which Mr. Cole has served for several years and this is the committee upon which he has demonstrated his great ability as a scholar and as a legislator.

I think that Mr. Cole knows more about atomic energy and its development than any man in America.

I am sorry to see him leave this Congress but he will enter a new field and I daresay that he will soon be considered as one of the most capable men in the world. We will always be proud of his ability and his accomplishments.

MUTUAL SECURITY APPROPRIATION ACT, 1958

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. PASSMAN. Mr. Speaker, there have been some erroneous figures reported in the press as to what happened yesterday in the conference between the House and Senate on the foreign-aid appropriation bill. The House had reduced the authorizing legislation by $809,650,000. We changed only 3 items in the conference, those items totaling $244 million. The House receded on that amount. The Senate receded on $256,900,000. It was suggested that in order not to reflect unfavorably upon the prestige of the Senate, their conferees would like to indicate a higher figure, but we did not yield to the suggestion. However, the press indicated this morning that the Senate had yielded only on $225,900,000. This was either because an influential Member of the other body had misstated facts, or else because of erroneous reporting, which resulted in that inaccurate figure being published. I certainly hope the press will check into what actually happened and correct their earlier figures, which did not accurately reflect the factual results of the conference.

REDUCTION IN GOVERNMENT SPENDING

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ABERNETHY. Mr. Speaker, I hope that in the months between now and reconvening of the Congress in January the administration will take to heart some of the lessons it should have learned during the present session.

I hope it has learned that the people of the United States and the Members of the Congress who reflect the will of the people want a Federal budget which is not a dollar larger than prudence and efficiency will bear.

The Budget Bureau and every department of the Government are now at work on the 1959 budget to be submitted to us next January. The administration has plenty of time between now and then to strip off all the fat and give us a budget of bone and muscle—and no more.

During this session this Congress has been engaged in a great struggle to reduce the swollen budget sent to us last January. With the Government so big it is difficult for Congress, in the time it has, to find all the places in which an excessive budget can prudently be cut. Actually, the reductions should be made in the agencies and departments. The cutting of the Federal budget for 1959 should be done right now—while it is in the making. It should be done by the administration itself.

I earnestly hope that President Eisenhower has given, or will now give, all the would-be spenders in the Government stern instructions to keep requests at the minimum. I also hope that news of the public demand for economy has seeped down into the agencies and that future requests for appropriations will contain no frills and no furbelows.

One thing can be promised for sure: If next January the Congress receives another inflated budget, the hue and cry which will be aroused from one end of this Nation to the other will be such that the budget-cutting efforts we have been forced to make this year will seem pale by comparison.

When the Eisenhower administration assumed power in 1953 it immediately set about reducing the budget which had been bequeathed it by President Truman. I was in sympathy with the Eisenhower administration's early efforts to get the cost of Government down. In fact, I supported the effort.

Since then a case of the creeps has infested the administration. It lost its desire for economical Government. From every department comes demands for more and more money. On every hand the demands have been creeping upward. The result, as we all know, was the highest peacetime budget in the history of this Nation.

I say again, Mr. Speaker, that the time to cut the 1959 budget is not next year. The time to cut it is right now while it is being put together in the departments and in the Bureau of the Budget.

I cannot say now to what level the fiscal 1959 spending bill can be reduced. I cannot give a figure and perhaps no man can. But I do know this, the reduction which the Nation is demanding will not be satisfied with a reduction measured in millions. It must be in billions.

The time to do it is right now, while the budget is in the making.

CIVIL FUNCTIONS APPROPRIATIONS

Mr. PORTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon.

There was no objection.

Mr. PORTER. Mr. Speaker, the President's apparent determination to block unbudgeted new starts for the Corps of Engineers is more than a threat to the welfare of the Congressional Districts where such starts are now slated by law. It is an affront to Congress and to our system of government by law.

The President is not above the law. His sworn duty is to obey and carry out our laws.

The American Law Division of the Library of Congress has advised me that impounding such appropriations has no lawful basis. Indeed, this is obvious. Congress authorizes and makes the appropriations. The President signs the bills. He is not allowed to veto particular items, yet that is what we have reason to believe he will again try to do, indirectly, by orders to the Bureau of the Budget.

In my Congressional District only one unbudgeted new start is provided in the civil functions appropriations bill which just became law; namely, Fall Creek Reservoir, for which $150,000 has been appropriated to begin planning. This is an $18,800,000 flood control project, the need for which has been well established. The million dollars appropriated to start the great John Day Dam on the Columbia may also be held up, to the lasting detriment of the Pacific Northwest.

Is the President above the law? I do not believe he is.

THE TEXTILE INDUSTRY

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. COFFIN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COFFIN. Mr. Speaker, I want to acquaint the House with a problem of deepening intensity and widening scope which should occupy its most serious efforts as soon as the next session convenes. I want also to spell out the parliamentary hurdles that prevent this matter from being acted on during this session.

The problem relates to the textile industry. It is a problem for both North and South, for cotton grower and consumer, for the broker, the manufacturer, the merchant, and the exchanges.

Recognizing the emergency facing our cotton mills, some of us sought to face one of these problems by introducing legislation which would make cotton available to our own mills at such prices as would enable them to regain their share of the world market.

This legislation, introduced by Senator SMITH of Maine, passed in the other body last Friday. Knowing the desperate need for immediate help, I and my colleagues from Maine have explored every possible means of gaining consideration of the bill, even at this late date. Congressman McINTIRE and I canvassed the leadership on both sides, including Speaker RAYBURN, Majority Leader McCORMACK, and Minority Leader MARTIN. We found that under the practice of the House, S. 314 could not legitimately be placed on the calendar under suspension of the rules, since we could not guarantee that the legislation was of noncontroversial character. Moreover, S. 314 had not been considered by the committee, which had in fact tabled all cotton legislation until January 1958.

We then conferred at length with the chairman of the Agriculture Committee, the gentleman from North Carolina [Mr. COOLEY]. We found that it was, from a realistic viewpoint, impossible to convene the committee and expect quick agreement on S. 314, even if such agreement could bring the matter to the floor. In talking with the gentleman from North Carolina [Mr. COOLEY] and with members of the cotton subcommittee, we were assured that this matter would be again most seriously considered early in January with the objective of securing legislation which would end the present threat to our textile industry.

Therefore, Mr. Speaker, I urge that the distinguished Committee on Agriculture place the ever more serious cotton and textile problem first on its agenda next January.

RICE ACREAGE ALLOTMENTS

Mr. THOMPSON of Texas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8490) to amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 353 (b) of the Agricultural Adjustment Act of 1938, as amended, be amended (1) by inserting in the first sentence thereof the words "in the State" immediately following the words "persons who have produced rice", (2) by inserting in the second sentence thereof the words "in the State" immediately following the words "persons who will produce rice" and immediately following the words "but who have not produced rice", and (3) by adding at the end of subsection (b) a new sentence reading as follows: "The planting of rice in 1957 or any subsequent year on a farm for which no rice acreage allotment was established shall not make the farm eligible for an allotment as an old farm or the producers on the farm eligible for allotments as old producers under this section: *Provided, however,* That by reason of such planting the farm or the producers, as the case may be, shall not be considered as ineligible for a new farm allotment or new producer allotment, as the case may be, under the preceding sentence of this subsection."

SEC. 2. Section 353 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof a new subsection (f) reading as follows: "(f) Notwithstanding any other provision of this section, the acreage allotment established, or which would have been established, for a farm or any part thereof which is removed from agricultural production because of acquisition in 1955 or thereafter by any Federal, State, or other agency having a right of eminent domain shall be placed in an allotment pool and shall be used only to establish allotments for other farms owned or acquired by the owner of the farm or any part thereof so acquired by such agency: *Provided*, That such owner must make application therefor within 3 years after the end of the calendar year in which such farm or any part thereof was removed from agricultural production: *Provided further*, That the allotment so made for any farm, including a farm on which rice has not been planted to any of the five crops of rice preceding the crop for which the allotment is made, after taking into consideration the allotment acreage which was placed in the pool from the farm or any part thereof acquired from the applicant, shall be comparable with the allotments established for other farms in the same area which are similar except for the past acreage of rice."

SEC. 3. Section 356 of the Agricultural Adjustment Act of 1938, as amended, is amended (1) by adding at the end of subsection (a) a new sentence reading as follows: "Effective beginning with the 1958 crop, the rate of penalty on rice shall be 65 percent of the parity price per pound for rice as of June 15 of the calendar year in which the crop is produced.", and (2) by adding at the end of such section a new subsection (h) reading as follows: "(h) Whenever, in any marketing year, marketing quotas are not in effect with respect to the crop of rice produced in the calendar year in which such marketing year begins, all marketing quotas applicable to previous crops of rice shall be terminated, effective as of the first day of such marketing year. Such termination shall not abate any penalty previously incurred by a producer or relieve any buyer of the duty to remit penalties previously collected by him."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

POSTAL RATE INCREASE

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include a telegram.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ALLEN of Illinois. Mr. Speaker, I have here a telegram sent by the Postmaster General to the majority leader of the United States Senate, Senator LYNDON JOHNSON, which reads as follows:

> AUGUST 28, 1957.
>
> Hon. LYNDON JOHNSON,
> *Majority Leader, United States Senate,*
> *Washington, D. C.:*
>
> In the public interest, I respectfully appeal to you and all Members of the United States Senate to take such measures as are necessary to secure the passage by the Senate at this session the postal rate increase bill that will yield approximately half a billion dollars a year in new revenues, thereby providing revenues to reduce the current $2 million a day operating loss to the Post Office Department. The anticipated $686 million postal deficit for this fiscal year will bring the total losses of the 12 postwar years to more than $6 billion. This amount, in most part, is an unconscionable subsidy to the large users of the mails at the expense of the American taxpayer. This legislation was passed by the House of Representatives weeks ago by the overwhelming vote of 256 to 129. Hearings have been held again and again and representatives of all affected groups have been heard in recent days. I respectfully urge the Congress to enact at this session this legislation, thereby contributing to the maintenance of a balanced Federal budget, providing an added safeguard against the necessity of an increase in the national debt ceiling and helping to bring about eventual tax relief for millions of taxpayers.

This telegram is signed by Arthur E. Summerfield, Postmaster General.

The SPEAKER. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. BURDICK. Mr. Speaker, for 20 years I have done very little quoting in my extensions of remarks. But this session has kept up so long I am entirely out of ideas of my own and I, therefore, ask unanimous consent to extend in three instances quotations.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

RESOLUTIONS OF KANSAS DEPARTMENT OF AMERICAN LEGION

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include two resolutions.

The SPEAKER. Is there objection to re request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I believe Members of the House will be interested in reading two resolutions adopted by the Kansas Department of the American Legion at its State convention held at Hutchinson, Kans., August 23–25, 1957. Here is what they say:

> Whereas the Armed Forces of the United States are continuing to discharge or release thousands of war veterans, many of whom are disabled and will need counseling, and employment assistance; and
>
> Whereas a majority of these war veterans are young and had no civilian employment experience before their service with the Armed Forces, and many of them will seek the help of the Veterans Employment Service to obtain gainful employment: Now, therefore, be it
>
> *Resolved*, That the Department of Kansas of the American Legion in regular convention in the city of Hutchinson, August 23–25, 1957, endorse this essential service and urge the Congress to appropriate sufficient funds to enable the Veterans Employment Service to do adequately the job so necessary to the security and welfare of the veterans; and be it further
>
> *Resolved*, That a copy of this resolution be forwarded to the national adjutant, the director of the economic commission of the American Legion, for appropriate action at the national convention in Atlantic City, N. J., September 16–19, 1957, and that copies be forwarded to our delegation in Congress, and to our United States Senators, urging them to give this resolution appropriate consideration.
>
> Whereas we are shocked by the announcement made by the United States Far East Command in Tokyo that Sp3c. William Girard of the United States Army will be surrendered to Japanese authorities for prosecution on a homicide charge while on duty on a military reservation occupied by the United States forces, and while discharging an assignment given him by his superior officers; and
>
> Whereas the ratification on July 15, 1953, of the Status of Forces Treaty of the North Atlantic Treaty Organization, and similar agreements with other nations, has deprived our servicemen of the traditional protection extended by our Constitution and enjoyed by United States servicemen on foreign soil, and now subjects our men to trial, imprisonment, and even the death penalty under foreign laws in foreign courts and prisons: Now, therefore, be it
>
> *Resolved*, That the American Legion, Department of Kansas, petition our representatives in the Congress of the United States to support legislation which will nullify that part of the NATO treaty and similar agreements referring to the status of forces and which deprives American servicemen of the protection of the United States Constitution, when serving in more than 50 countries in the world; and be it further
>
> *Resolved*, That a copy of this resolution be sent the Honorable ANDREW F. SCHOEPPEL and the Honorable FRANK CARLSON, our United States Senators, and our Representatives in Congress.

HON. STERLING COLE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, since our colleague, STERLING COLE, first came to the Congress I have watched his career with the greatest of interest. I know of his tremendous work in the Committee on Naval Affairs and at the time of unification how he helped save the naval station and how he saved and kept intact the Marine Corps. I have watched his most marvelous work in the atomic-energy field. I know everyone here rejoices that he has become such an outstanding expert in that field, and he will do much, I believe, to save the world from annihilation, and to develop industry and help in that field. I wish him Godspeed. I am grateful to him and to his wonderful family for what they have contributed to us here in Washington. He will take to his new international position a brilliant mind and dedicated service.

PERSONAL ANNOUNCEMENT

Mr. CURTIS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CURTIS of Massachusetts. Mr. Speaker, I desire to state that I was necessarily absent at the time of the following four rollcall votes, and that had I been present I would have voted as follows:

Rollcall No. 202 of August 21, 1957, relating to the conference report on the supplemental appropriation bill for 1958. On a motion that the House recede and concur on Senate amendment No. 6, striking out funds for an additional airport in or near Washington, D. C., had I been present my vote would have been "nay."

Rollcall No. 203 of August 21, 1957, relating to the same conference report. On a motion that the House recede and concur with Senate amendment No. 54, providing an additional $475,000 for general construction under civil functions, Department of Defense, had I been present my vote would have been "nay."

Rollcall No. 204 of August 21, 1957, relating to the appropriation bill, 1958, for the Atomic Energy Commission. On final passage of the bill with an amendment, had I been present my vote would have been "yea."

Rollcall No. 205 of August 22, 1957, relating to a resolve for the printing of 500,000 additional copies of House Document No. 232, 84th Congress, known as The Capitol; the question was on agreeing to the resolution. Had I been present my vote would have been "nay."

OLIVER AGAINST HALE CONTESTED-ELECTION CASE (H. DOC. NO. 237)

The SPEAKER laid before the House the following communication from the Clerk of the House, which was read and referred to the Committee on House Administration and ordered printed:

AUGUST 29, 1957.

The honorable the SPEAKER,
House of Representatives.

SIR: I have the honor to lay before the House of Representatives the contest for a seat in the House of Representatives from the First Congressional District of Maine, James C. Oliver against Robert Hale, notice of which has been filed in the office of the Clerk of the House; and also transmit herewith original testimony, papers, and documents relating thereto.

In compliance with the act approved March 2, 1887, entitled "An act relating to contested-election cases," the Clerk has opened and printed the testimony in the above case, and such portions of the testimony as the parties in interest agreed upon or as seemed proper to the Clerk, after giving the requisite notices, have been printed and indexed together with notice of contest, and the answer thereto and original papers and exhibits have been sealed up and are ready to be laid before the Committee on House Administration.

Two copies of the printed testimony in the aforesaid case have been mailed to the contestant, and the same number to the contestee, which, together with the briefs of the parties, when received, will be laid before the Committee on House Administration, to which the case shall be referred.

Very truly yours,
RALPH R. ROBERTS,
Clerk, United States House of Representatives.

THE PRIVATE CALENDAR

The SPEAKER. Under the previous order of the House, the calling of bills on the Private Calendar is now in order.

The Clerk will call the calendar.

GLADYS ARBUTUS JOEL

The Clerk called the bill (H. R. 5222) for the relief of Gladys Arbutus Joel.

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent that this bill may be recommitted to the Committee on the Judiciary.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

WOLFGANG JOCHIM HERMAN SCHMIEDCHEN

The Clerk called the bill (S. 1414) for the relief of Wolfgang Jochim Herman Schmiedchen.

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

ACME RAG & BURLAP CO. ET AL.

The Clerk called the bill (S. 1805) for the relief of persons and firms for the direct expenses incurred by them for fumigation of premises in the control and eradication of the khapra beetle.

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

MRS. CATHERINE POCHON DIKE

The Clerk called the bill (H. R. 8139) for the relief of Mrs. Catherine Pochon Dike.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Mrs. Catherine Pochon Dike, who lost United States citizenship under the provisions of section 407 of the act of October 14, 1940, may be naturalized by taking prior to 1 year after the effective date of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said act. From and after naturalization under this act, the said Mrs. Catherine Pochon Dike shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAFFA KAM

The Clerk called the bill (S. 281) for the relief of Jaffa Kam.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Jaffa Kam shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ILSE STRIEGAN BACON

The Clerk called the bill (S. 684) for the relief of Ilse Striegan Bacon.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Ilse Striegan Bacon shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare may deem necessary to impose: *Provided*, That if the said Ilse Striegan Bacon is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NECMETTIN CENGIZ

The Clerk called the bill (S. 880) for the relief of Necmettin Cengiz.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Necmettin Cengiz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAULINE ETHEL ANGUS

The Clerk called the bill (S. 882) for the relief of Pauline Ethel Angus.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, the alien, Pauline Ethel Angus, may be granted a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act and upon compliance with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REFUGIO GUERRERO-MONJE

The Clerk called the bill (S. 1456) for the relief of Refugio Guerrero-Monje.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Refugio Guerrero-Monje shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ITSUMI KASAHARA

The Clerk called the bill (S. 1467) for the relief of Itsumi Kasahara.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Itsumi Kasahara shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HELEN DEMOUCHIKOUS

The Clerk called the bill (S. 1582) for the relief of Helen Demouchikous.

Mr. AVERY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

MARIA TALIOURA BOISOT

The Clerk called the bill (S. 1635) for the relief of Maria Talioura Boisot.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Maria Talioura Boisot, shall be held and considered to be the natural-born alien child of Pauline Boisot, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DELFINA CINCO DE LOPEZ

The Clerk called the bill (S. 1636) for the relief of Delfina Cinco de Lopez.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of subsection (a) of section 201 and subsection (b) of section 202 of the Immigration and Nationality Act, Delfina Cinco de Lopez shall be classified as an immigrant under the provisions of section 101 (a) (27) (C) of that act.

With the following committee amendment:

On page 1, line 3, after the word "of", insert "subsection (a) of section 201 and."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA DOMENICA RICCI

The Clerk called the bill (S. 1835) for the relief of Maria Domenica Ricci.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Maria Domenica Ricci, shall be held and considered to be the natural-born alien child of Luciano Ricci, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA GOLDET

The Clerk called the bill (S. 1921) for the relief of Maria Goldet.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Maria Goldet shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SHERWOOD LLOYD PIERCE

The Clerk called the bill (S. 2028) for the relief of Sherwood Lloyd Pierce.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Sherwood Lloyd Pierce shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALA WEISSBARD

The Clerk called the bill (S. 2041) for the relief of Sala Weissbard.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Sala Weissbard may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARGARET E. CULLOTY

The Clerk called the bill (S. 2204) for the relief of Margaret E. Culloty.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (1) of the Immigration and Nationality Act, Margaret E. Culloty may be granted a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of said act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANTIDUMPING ACT, 1921

Mr. COOPER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 6006) to amend certain provisions of the Antidumping Act, 1921, to provide for greater certainty, speed, and efficiency in the enforcement thereof, and for other purposes.

The Clerk read as follows:

Be it enacted, etc., That section 201 of the Antidumping Act, 1921 (19 U. S. C. 160), is amended as follows:

(1) By striking out "he shall forthwith authorize" in subsection (b) and inserting in lieu thereof "he shall forthwith publish notice of that fact in the Federal Register and shall authorize."

(2) By adding at the end of such section the following new subsection:

"(c) The Secretary, upon determining whether foreign merchandise is being, or is likely to be, sold in the United States at less than its fair value, and the United States Tariff Commission, upon making its determination under subsection (a) of this section, shall each publish such determination in the Federal Register, with a statement of the reasons therefor, whether such determination is in the affirmative or in the negative."

SEC. 2. Subsections (b) and (c) of section 202 of the Antidumping Act, 1921 (19 U. S. C. 161 (b) and (c)), are amended to read as follows:

"(b) In determining the foreign market value for the purposes of subsection (a), if it is established to the satisfaction of the Secretary or his delegate that the amount of any difference between the purchase price and the foreign market value (or that the fact that the purchase price is the same as the foreign market value) is wholly or partly due to—

"(1) the fact that the wholesale quantities, in which such or similar merchandise is sold or, in the absence of sales, offered for sale for exportation to the United States in the ordinary course of trade, are less or are greater than the wholesale quantities in which such or similar merchandise is sold or, in the absence of sales, offered for sale in the principal markets of the country of exportation in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, then for exportation to countries other than the United States).

"(2) other differences in circumstances of sale, or

"(3) the fact that merchandise described in subdivision (C), (D), (E), or (F) of section 212 (3) is used in determining foreign market value,

then due allowance shall be made therefor.

"(c) In determining the foreign market value for the purposes of subsection (a), if it is established to the satisfaction of the Secretary or his delegate that the amount of any difference between the exporter's sales price and the foreign market value (or that the fact that the exporter's sales price is the same as the foreign market value) is wholly or partly due to—

"(1) the fact that the wholesale quantities in which such a similar merchandise is sold or, in the absence of sales, offered for sale in the principal markets of the United States in the ordinary course of trade, are less or are greater than the wholesale quantities in which such or similar merchandise is sold or, in the absence of sales, offered for sale in the principal markets of the country of exportation in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, then for exportation to countries other than the United States),

"(2) other differences in circumstances of sale, or

"(3) the fact that merchandise described in subdivision (C), (D), (E), or (F) of section 212 (3) is used in determining foreign market value,

then due allowance shall be made therefor."

SEC. 3. The heading and text of section 205 of the Antidumping Act, 1921 (19 U. S. C. 164), are amended to read as follows:

"FOREIGN MARKET VALUE

"SEC. 205. For the purposes of this title, the foreign market value of imported merchandise shall be the price, at the time of exportation of such merchandise to the United States, at which such or similar merchandise is sold or, in the absence of sales, offered for sale in the principal markets of the country from which exported, in the usual wholesale quantities and in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, or if the Secretary determines that the quantity sold for home consumption is so small in relation to the quantity sold for exportation to countries other than the United States as to form an inadequate basis for comparison, then the price at which so sold or offered for sale for exportation to countries other than the United States), plus, when not included in such price, the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition packed ready for shipment to the United States, except that in the case of merchandise purchased or agreed to be purchased by the person by whom or for whose account the merchandise is imported, prior to the time of exportation, the foreign market value shall be ascertained as of the date of such purchase or agreement to purchase. In the ascertainment of foreign market value for the purposes of this title no pretended sale or offer for sale, and no sale or offer for sale intended to establish a fictitious market, shall be taken into account. If such or similar merchandise is sold or, in the absence of sales, offered for sale through a sales agency or other organization related to the seller in any of the respects described in section 207, the prices at which such or similar merchandise is sold or, in the absence of sales, offered for sale by such sales agency or other organization may be used in determining the foreign market value."

SEC. 4. (a) The heading and text of section 203 of the Antidumping Act, 1921 (19 U. S. C. 165), are amended to read as follows:

"CONSTRUCTED VALUE

"SEC. 206. (a) For the purposes of this title, the constructed value of imported merchandise shall be the sum of—

"(1) the cost of materials (exclusive of any internal tax applicable in the country of exportation directly to such materials or their disposition, but remitted or refunded upon the exportation of the article in the production of which such materials are used) and of fabrication or other processing of any kind employed in producing such or similar merchandise, at a time preceding the date of exportation of the merchandise under consideration which would ordinarily permit the production of that particular merchandise in the ordinary course of business;

"(2) an amount for general expenses and profit equal to that usually reflected in sales of merchandise of the same general class or kind as the merchandise under consideration which are made by producers in the country of exportation, in the usual wholesale quantities and in the ordinary course of trade, except that (A) the amount for general expenses shall not be less than 10 percent of the cost as defined in paragraph (1), and (B) the amount for profit shall not be less than 8 percent of the sum of such general expenses and cost; and

"(3) the cost of all containers and coverings of whatever nature, and all other expenses incidental to placing the merchandise under consideration in condition, packed ready for shipment to the United States.

"(b) For the purposes of this section, a transaction directly or indirectly between persons specified in any one of the paragraphs in subsection (c) of this section may be disregarded if, in the case of any element of value required to be considered, the amount representing that element does not fairly reflect the amount usually reflected in sales in the market under consideration of merchandise of the same general class or kind as the merchandise under consideration. If a transaction is disregarded under the preceding sentence and there are no other transactions available for consideration, then the determination of the amount required to be considered shall be based on the best evidence available as to what the amount would have been if the transaction had occurred between persons not specified in any one of the paragraphs in subsection (c.).

"(c) The persons referred to in subsection (b) are:

"(1) Members of a family, including brothers and sisters (whether by the whole or half blood), spouse, ancestors, and lineal descendants;

"(2) Any officer or director of an organization and such organization;

"(3) Partners;

"(4) Employer and employee;

"(5) Any person directly or indirectly owning, controlling, or holding with power to vote, 5 per centum or more of the outstanding voting stock or shares of any organization and such organization; and

"(6) Two or more persons directly or indirectly controlling, controlled by, or under common control with, any person."

(b) Sections 201 (b), 202 (a), 209, and 210 of the Antidumping Act, 1921 (19 U. S. C., secs. 160 (b), 161 (a), 168, and 169), are amended by striking out "cost of production" each place it appears and inserting in lieu thereof "constructed value."

SEC. 5. Section 212 of the Antidumping Act, 1921 (19 U. S. C. 171), is renumbered as section 213, and such act is amended by inserting after section 211 the following:

"DEFINITIONS

"SEC. 212. For the purposes of this title—

"(1) The term 'sold or, in the absence of sales, offered for sale' means sold or, in the absence of sales, offered—

"(A) to all purchasers at wholesale, or

"(B) in the ordinary course of trade to one or more selected purchasers at wholesale at a price which fairly reflects the market value of the merchandise.

without regard to restrictions as to the disposition or use of the merchandise by the purchaser except that, where such restrictions are found to affect the market value of the merchandise, adjustment shall be made therefor in calculating the price at which the merchandise is sold or offered for sale.

"(2) The term 'ordinary course of trade' means the conditions and practices which, for a reasonable time prior to the exportation of the merchandise under consideration, have been normal in the trade under consideration with respect to merchandise of the same class or kind as the merchandise under consideration.

"(3) The term 'such or similar merchandise' means merchandise in the first of the following categories in respect of which a determination for the purposes of this title can be satisfactorily made:

"(A) The merchandise under consideration and other merchandise which is identical in physical characteristics with, and was produced in the same country by the same person as, the merchandise under consideration.

"(B) Merchandise which is identical in physical characteristics with, and was produced by another person in the same country as, the merchandise under consideration.

"(C) Merchandise (i) produced in the same country and by the same person as the merchandise under consideration, (ii) like the merchandise under consideration in component material or materials and in the purposes for which used, and (iii) approximately equal in commercial value to the merchandise under consideration.

"(D) Merchandise which satisfies all the requirements of subdivision (C) except that it was produced by another person.

"(E) Merchandise (i) produced in the same country and by the same person and of the same general class or kind as the merchandise under consideration, (ii) like the merchandise under consideration in the purposes for which used, and (iii) which the Secretary or his delegate determines may reasonably be compared for the purposes of this title with the merchandise under consideration.

"(F) Merchandise which satisfies all the requirements of subdivision (E) except that it was produced by another person.

"(4) The term 'usual wholesale quantities,' in any case in which the merchandise in respect of which value is being determined is sold in the market under consideration at different prices for different quantities, means the quantities in which such merchandise is there sold at the price or prices for one quantity in an aggregate volume which is greater than the aggregate volume sold at the price or prices for any other quantity."

SEC. 6. The amendments made by this act shall apply with respect to all merchandise as to which no appraisement report has been made on or before the date of the enactment of this act; except that such amendments shall not apply with respect to any merchandise which—

(1) was exported from the country of exportation before the date of the enactment of this act, and

(2) is subject to a finding under the Antidumping Act, 1921, which (A) is outstanding on the date of enactment of this act, or (B) was revoked on or before the date of the enactment of this act, but is still applicable to such merchandise.

The SPEAKER. Is a second demanded?

Mr. REED. Mr. Speaker, I demand a second.

Mr. COOPER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, H. R. 6006 is designed to amend the Antidumping Act so as to provide for greater certainty, speed, and efficiency in its enforcement. The bill was drafted by the Treasury Department in accordance with the directive of Congress contained in section 5 of the Customs Simplification Act of 1956—Public Law 927, 84th Congress—which called for a review of the operation and effectiveness of the Antidumping Act by the Secretary of the Treasury. A report was made pursuant to this provision of the law and was submitted on February 1, 1957. The Committee on Ways and Means recently conducted public hearings on the Treasury recommendations and other proposals to amend the Antidumping Act. The recommendations of the Treasury Department for amendment of the Antidumping Act, as further amended by your committee, constitute the bill now before the House.

H. R. 6006 has three principal features:

First. Assessment of dumping duties: Assessment of dumping duties is provided for in the present law if there are (a) sales at less than fair value of imported merchandise, and (b) injury to an industry in the United States resulting therefrom. Due to the wording of section 205 of the present law defining "foreign market value," and to Treasury rulings and court decisions construing this wording, it is possible to have situations arise where sales at less than fair value and injury are found, but where no duties can be collected. The bill would revise this wording and is thus designed to put an end to this type of situation which can now arise.

Second. Definitions: The new definitions of certain terms enacted in the Customs Simplification Act of 1956—Public Law 927, 84th Congress—would be incorporated into the Antidumping Act by the bill, with occasional modifications necessitated by the differences between the process of valuation for ordinary duties and the calculations of dumping duties. Customs officials would thereby be enabled in large measure to apply a similar set of definitions both in the calculations of ordinary duties and of dumping duties.

Third. Public notice and reports: Provision is made by the bill, as amended, for mandatory public notice when there is reason to believe or suspect sales of imported merchandise at a dumping price, and mandatory public notice by the Treasury Department and the Tariff Commission of their decisions in dumping cases, whether affirmative or negative, and the publication of reports containing the reasons therefor.

The present bill embodies all the amendments which the Treasury Department is prepared to recommend at the present time. The Treasury Department feels that no further amendment of the act is called for in the light of its experience in the administration of the act and that further amendment of the act should be made, if at all, at a future time when its probable results can be more clearly analyzed.

The Committee on Ways and Means received testimony and has had bills referred to it which would involve more extensive amendment to the Antidumping Act than is provided for in the present bill. Suggestions have been advanced for the amendment of the Antidumping Act to provide for a statutory definition of fair value, definition of the terms injury and industry to shift the burden of proof, for judicial review of the determinations of the Treasury Department and the Tariff Commission, Presidential review of dumping findings, and so forth. Consideration of these aspects of the act would involve reexamination of the basic policy issues involved in antidumping legislation. There is a wide divergence of views as to what the appropriate policy objectives of antidumping legislation should be and how they may best be implemented. Indeed, the views expressed to the Committee on Ways and Means on these matters were often diametrically opposed. Your committee is of the opinion that these matters require careful and detailed study and that amendment of the act in these respects at this time would be premature. The amendments to the Antidumping Act contained in H. R. 6006 are of a technical nature and do not involve any change in the basic policy of the act.

Mr. Speaker, I urge adoption of the bill by the House.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield to the gentleman.

Mr. GROSS. What possible effect would this legislation have upon the dumping of Polish hams in this country?

Mr. COOPER. The same effect it would have on any other merchandise.

Mr. GROSS. Who determines whether a product is being dumped? Is that within the province of the Secretary of Commerce, the President, or whom?

Mr. COOPER. The Secretary of the Treasury. There are two important elements to bear in mind under the antidumping law which was enacted in 1921. The first is that the Secretary of the Treasury must find that there is dumping and the Tariff Commission must find injury to some American industry.

Mr. GROSS. Then is it discretionary with the Secretary of the Treasury?

Mr. COOPER. It is discretionary with the Secretary of the Treasury within the limits set out in the law.

Mr. GROSS. What is this language in the report which apparently gives discretion on the basis of "other circumstances of sale?" Is there wide discretionary power to take in other elements such as foreign policy?

Mr. COOPER. It is discretionary with the Secretary of the Treasury to impose the dumping duties in proper cases. The present bill does not change existing law except to try to make it clearer and to add speed and efficiency to the administration of the present law.

Mr. GROSS. Is this language new—other circumstances of sale—or is that the present law?

Mr. COOPER. My recollection is that that is to conform the antidumping law to language in the customs provisions in the present law.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, I wish to express my objection to the enactment of H. R. 6006. To my mind it represents legislation advanced by the Treasury Department on the basis of inadequate consideration of the issues involved in the Antidumping Act. The Committee on Ways and Means acted in good faith in reporting out this legislation in an effort to accommodate the needs of the Treasury Department as these needs were expressed to the committee by that Department. The committee reports that the amendments to the Antidumping Act incorporated in H. R. 6006 simply constitute technical amendments to the act and do not represent an expression of opinion on the part of the committee as to the policy reflected in the administration of the act by the Treasury Department. I regard that as commendable caution on the part of the committee. Certainly the Treasury Department in its report on the administration of the Antidumping Act made pursuant to a provision of the Customs Simplification Act of 1956 did not provide any reasoned analysis of the Antidumping Act and the problems that have arisen in its administration. It construed its instructions in the Customs Simplification Act very narrowly. In the face of the controversy that has arisen over the Antidumping Act, it is entirely appropriate for the committee to reserve its judgment on any of the elements of this controversy.

I agree that the whole question of the policy represented by the Antidumping Act and the way in which it is to be implemented deserves the most careful and detailed study. The Treasury Department has not given the matter such study and our committee was not able to give the matter such study under the pressure of business of the first session and in the light of the complexities in the legislation that became apparent during the public hearings which our committee conducted in the last 3 days of July.

I would go further and say that it is even ill advised to enact the present legislation and to put into effect the amendments to the Antidumping Act contained in it. The amendments to the act contained in H. R. 6006 were not, I believe, adequately considered in terms of all their implications and ramifications. The Treasury Department contends that the major amendment contained in H. R. 6006—that is, the change in the definition of the term foreign market value—is required to correct an anomaly in the act. It is quite clear, and the Treasury does not deny it, that this so-called anomaly is of the Treasury Department's own creation and could be rectified by the Treasury Department on its own initiative. Moreover, this anomaly which has been in existence over 2 years as a result of certain Treasury regulations has not embarrassed the Treasury Department at all in the administration of the act to date and the Treasury Department admits that in the foreseeable future its correction will only serve the interest of one small segment of American industry. In this respect this bill constitutes special-interest legislation of the most narrow sort.

Let me say a word about this so-called anomaly that has arisen. It must be understood that in order to find dumping such as to warrant the imposition of dumping duties, the law provides that a class or kind of merchandise must be sold in the United States at less than its fair value and that such sales should be injurious to American industry. If such findings are made then dumping duties can be assessed equal to the difference between the foreign market value of the dumped goods and the price at which they are sold in the United States. The term fair value is nowhere defined in the act. For 34 years—from 1921 when the act was first enacted until early in 1955—the Treasury Department by regulation defined the term fair value as being identical with the term foreign market value as defined in the act. This definition was affirmed by the courts in several cases. Suddenly, in 1955, the Treasury Department decided to revise substantially the definition of fair value. To have done so after 34 years of established administration of the Act constituted an arrogation of legislative power on the part of the Treasury Department.

In order to bring the definition of foreign market value into conformity with the Treasury Department's definition of fair value the Congress is asked to amend the definition of foreign market value as it is presently and clearly defined in the law. This is what the Treasury asks us to do in H. R. 6006. It is in effect asking the Congress implicitly to approve of the Treasury Department's action in 1955 in redefining, by regulation, the term fair value. The Treasury Department has contended insistently that foreign market value had to be redefined by law to remove this anomalous situation. But since the anomaly arose because of the unilateral decision of the Treasury Department, why did not the Treasury Department remove this fictitious anomaly by withdrawing its redefinition of fair value? Cannot the situation arise again in the future where the Treasury Department will again, on its own discretion, revise the basic policy of the Antidumping Act by amending the definition of fair value once again and then come to Congress and ask that this anomalous situation be corrected once again?

Mr. Speaker, can the Congress be in a position of continually accommodating the legislation to the changes in policy in the administration of the Antidumping Act that the Secretary of the Treasury may wish to make at any time in the future? Can it do so without giving regard and attention and study to the question of what the appropriate policy for the Antidumping Act should be? Can it leave that to the Treasury Department and merely perform a cleanup function for that Department? I say it cannot and it should not. I say that the Congress must give careful attention to all the issues involved in the Antidumping Act and its administration and resolve these issues clearly and intelligently by legislation. We should not act on H. R. 6006 until we have done so. We should not accommodate the Treasury's so-called needs in the administration of the Antidumping Act until we have had an opportunity to assess and evaluate the administration of the act by the Treasury. Let me make myself clear. We need an Antidumping Act that will be effective in counteracting unfair and injurious price practices in international trade. But this basic policy objective is not spelled out in the act and the Treasury's administration of the act shows no clear and unambiguous recognition of what the basic policy of the act should be.

The Treasury Department has not been particularly helpful or constructive in identifying and evaluating the policy issues in this act. There are many features of this act about which the Committee on Ways and Means has received detailed comment and detailed suggestions. I am much disturbed, for example, by the absence of any provisions for judical review of the findings of the Treasury Department and the Tariff Commission under this act. I do not think that it is good procedure to permit the administrative agencies to exercise wide discretion in the administration of an act and to make decisions that can have far-reaching effects on American citizens and American business without the requirement that these decisions shall be subject to judical review. I am disturbed that there is no provision in the act such as that contained in the Trade Agreements Act with respect to other procedures for Presidential review of dumping findings. The administration of the Antidumping Act can have far-reaching effects on our international commerce and on our foreign trade relations with many countries. It is an important part of our foreign trade policy and therefore actions recommended under it are properly the subject for Presidential review.

Mr. Speaker, I do not believe that enactment of H. R. 6006 will reflect credit on the Congress. This legislation is not necessary. What is needed is a thoroughgoing review and study of the whole subject of our antidumping legislation and pending such a study no action would be the preferred and desirable course.

Mr. REED. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, the Customs Simplification Act of 1956 directed the Secretary of the Treasury after consultation with the United States Tariff Commission to conduct a review of the operation and effectiveness of the Antidumping Act of 1921, as amended, and report to the Congress with respect to his recommendations for amendments to the act which he considered desirable to provide for greater certainty, speed, and efficiency in the enforcement of the act. The legislation before this distinguished body today had its genesis in that study and essentially embodies the legislative recommendations of the Department of the Treasury. The Committee on Ways and Means has considered the legislation in public hearings and of course in executive session.

Mr. Speaker, before commenting on the legislation I would like to commend the Treasury Department for its work on this legislation and particularly commend the distinguished Assistant Secretary of the Treasury, the Honorable David W. Kendall, who directed the effective work done in the preparation of this legislation. Mr. Kendall and his associates who have worked to achieve this distinguished accomplishment can take justifiable pride in the development of this legislation.

The purpose of the Antidumping Act is to protect domestic producers from the injurious effects of the dumping of foreign merchandise in this country. Since its enactment the Antidumping Act has been the subject of little change until 1954 when it was amended to transfer some of the responsibility for the administration of the act to the Tariff Commission. Previous to that time the act had been administered under the exclusive jurisdiction of the Department of the Treasury.

The legislation before the House today can generally be said to make four principal changes in the basic law. These may be briefly enumerated as follows: First, the definition of the term foreign market value which is the basis for calculating the special dumping duty, would be amended so as to conform that definition to the definition of fair value set forth in the Treasury Department's regulation of April 8, 1957; second, the definition of certain terms contained in the Antidumping Act are changed so as to conform with the new definitions for these same terms which were provided for in the Customs Simplification Act of 1956; third, the adjustment allowed in the foreign market value taking account of quantity discounts would be changed so that considerations could be given to any difference in price due to differences in the quantities sold in the home and United States markets; and fourth, public notice and reports would be required by the Department of the Treasury and by the Tariff Commission of their decisions rendered with respect to dumping cases.

Mr. Speaker, during the work on this legislation by the Committee on Ways and Means in executive session two of the distinguished Republican members of the committee expressed an interest in offering further amendments to the legislation to improve the protection afforded domestic industry against dumping practices. My friends and colleagues, the gentleman from Pennsylvania [Mr. SIMPSON] and the gentleman from Wisconsin [Mr. BYRNES], worked diligently and effectively to accomplish this purpose. Unfortunately time considerations were thought to preclude a thorough consideration of the amendments in which these members were interested. The Treasury Department has been made aware of the nature of these amendments and it is my hope and expectation that the Treasury Department in consultation with the United States Tariff Commission will make a careful study of these amendments during the adjournment period so that the Congress may receive the benefits of such a review when it next convenes.

In its broadest sense dumping is an operation in which a foreign producer temporarily offers his product well below the average market price. This may be done by a foreign producer to relieve him of a large inventory or it may be a planned program the purpose of which is to demoralize the market in a local area by selling below cost to drive out a competitor.

Experience demonstrates that even though the consumer may get a much lower price for an article dumped on our market this is only temporary until our domestic producer is destroyed, then the foreign price is advanced far higher than the domestic price. Many of our domestic industries are suffering destructive competition from abroad as a result of dumping. There are countries that resort to cartels as a means of dumping to kill competition. Tariffs are only partially effective in meeting the cartel threat to our domestic market. To really protect our market from the dumping of foreign goods requires an effective antidumping law, which I think we have before this House today.

Mr. Speaker, before I close I want to say this: I have been here about 40 years. In the First World War we tried to build up our chemical industry in this country. We did succeed in building it up. Then Germany, after it became rehabilitated after the war, started dumping chemicals here, with the result that it absolutely destroyed every chemical industry in this country. Then we had to start all over again. The result is that now we have a fine chemical industry all through the South and the North, yet we still have a threat from that and some other source. This act is to prevent anything happening such as did happen before.

You will find that that is true of your textiles, too. You will have dumping here in spite of the arrangements that have already been made with other countries. The textile mills of the South are going to be ruined by dumping unless legislation of this nature and some supplemental legislation is enacted to protect this country.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. REED. I yield to the distinguished gentleman from West Virginia briefly for a question.

Mr. BAILEY. Is it not true that the weakness in this legislation is that it fails to define injury and fails to provide any responsible department or individual to determine injury?

Mr. REED. I do not consider this or any other law that we enact as perfect law. It is about the best that could be worked out at the present time. It is something that will have to be studied all the time with changing conditions in the world and depending on what the countries do with their currencies and many other factors, of course. The other countries want to get into this market, the greatest market in the world. I want to say right here and now that our domestic market is the very heart of this Nation. When we surrender our domestic market, we throw our people out of employment. That is what brings on depressions. And it is bound to happen if we surrender our domestic market. These people have been rehabilitated at the expense of billions of dollars. Their machinery has been set up to compete with us and to cut our own throat. The time has come now when we must protect this market or we are going to go down under competition from abroad.

Mr. BAILEY. I agree with the gentleman's desire to protect our small American producers, but I fail to see anything in this legislation which will do that very thing. It does not do it and this legislation is not any better than the existing law.

Mr. REED. Well, I can only say to the gentleman that some people are natural pessimists and do not believe in anything. I do appreciate that my colleague is a strong protectionist.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. REED. I yield.

Mr. GROSS. I, too, agree with the gentleman from New York in his desire to protect American industry and American production. At the moment, I am very much concerned with this trade deal that has been started with Poland. What are we going to get dumped on us from Communist Poland now by virtue of this $90 million to $100 million trade deal that the executive department is just embarking on?

Mr. REED. So far as that is concerned, we are going to have trouble from every country where they have cheaper labor than we have and where they have all this machinery which we have financed in those countries. This is only a step in the right direction to see if we cannot stop this. This will take care of your Polish ham situation.

Mr. GROSS. I am glad to take the gentleman's word for it. I regret that I am not better informed on the provisions of this bill, but I am glad to take the gentleman's word for it, that this is a step in the right direction. My concern is whether it even begins to go far enough to meet the situation that is presently before us, and the potential dangers of the situation.

Mr. REED. I agree with the gentleman that there is a dangerous situation developing all the time in this country. We have to protect this market. I have been in the Congress a long time. I have seen what has happened to industries in this country. I know what is happening to some of our industries now and not confined to any special part of the country, but all over the country. What we are trying to do is to protect our American industry. I have worked for protection here in the Congress for the full 40 years that I have been here. I have worked for protection every minute that I have been here. I have always worked to protect our markets.

Mr. GROSS. For instance, in this Polish trade deal, as I understand it, we ship the Poles machine tools, electronic equipment, and other products of our highly skilled industries. Apparently machine tools are no longer considered to be strategic. And in return for that, we get Polish hams and textiles and a long list of other products already in adequate or surplus supply from our own farms, industry, and labor.

Mr. REED. Well, I know that we have somebody to blame in this country for that. I remember in Italy seeing our tractors there which they could not use because the gasoline to run most of the tractors was about a dollar a gallon and they could not afford to use them. The tractors were rusting away and rotting away. That is what has been happening right along. I saw $10 million worth of machinery in a warehouse in Greece which they could not use. They bought back this machinery at a nominal sum and it was sold at a low price to people and it just sends the price up for our people here at home. I know something about these things that are going on.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. REED. I yield.

Mr. BROWN of Ohio. I have asked the gentleman from New York to yield simply because I want to say that having had the pleasure of serving with the gentleman from New York for 20 years, I have never seen a Member of this House who has worked more diligently throughout his career in the Congress to protect American labor and industry from unfair foreign competition. The gentleman from New York is the dean of Republicans in this House. He has served ably and well and I, as one Member of the Congress, am willing to accept the statements he has made here on the floor of the House with reference to this legislation being the best that we could get under the circumstances. I am happy to note that the gentleman from New York says there is still much to be done, and that he will be on the alert as usual to do whatever he can to protect us from foreign competition.

Mr. REED. I thank the distinguished gentleman from Ohio for his kind remarks.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. REED. I yield.

Mrs. ROGERS of Massachusetts. I say amen, amen, and amen to the observation of the gentleman from Ohio. The work of the gentleman from New York [Mr. REED] has been outstanding. He has worked ceaselessly. Not only for the protection of industry and labor in the United States but for the general welfare of the country. He is a great American and patriot, a man of great ability and integrity. The Congress can point with great pride that he is one of our Members.

Mr. REED. I thank the gentlewoman. I cannot plead guilty to all of these fine compliments, but they do sound pleasing to me.

Mr. Speaker, in closing I would like to express before the membership of the House of Representatives my compliments to the distinguished chairman of the House Committee on Ways and Means, the gentleman from Tennessee [Mr. COOPER], on the manner in which he guided the committee's work on this subject and on the fairness and effectiveness which he has served as chairman during the 84th Congress and the 1st session of the 85th Congress. I am confident that I speak for the entire membership of the committee when I state that the leadership of the gentleman from Tennessee has been an inspiration to us all.

Mr. COOPER. Mr. Speaker, I yield myself 1 minute simply in order to express my sincere appreciation to my distinguished colleague, the gentleman from New York, for his very kind and generous remarks.

Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks at this point in the RECORD on the pending bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COOPER. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to extend their remarks in the RECORD on the pending bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. REED. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Speaker, as has just been said by the gentleman from New York [Mr. REED], this bill is a step in the right direction. I voted for the bill in the committee, and it is my intention to vote to suspend the rules and pass it at this time.

I believe the bill will aid somewhat in the making of determinations as to whether or not commodities are being offered for sale in this country at less than fair value. I believe it may speed up some of the determinations in that area as made by the Treasury Department.

But even though it is a step in the right direction, Mr. Speaker, it is a very small step, and there are some real long steps that should be taken if we are really going to afford American industry protection against discriminatory practices.

This bill does not have anything to do with the normal problems of the import and export trade, the problems that we normally try to correct by tariffs, such as the low cost of production in other countries as opposed to cost of production here; this bill deals with the subject of discriminatory prices. The antidumping law is supposed to protect domestic industry from the unfair practice of a foreign competitor offering a commodity for sale in this country at a price lower than he offers it in the markets of the world or in his home markets. This results in unfair competition with domestic industry. At times foreign-produced items are even offered for sale here below their cost of production.

That is the type of thing the antidumping act is supposed to attack and give protection against. But, Mr. Speaker, I say that even with this bill we are not going to give the industry of this country the protection it needs against discrimination of this kind and against unfair trade practices.

We are not asking in this bill, nor is anybody who asks for a stronger antidumping bill, seeking to have an advantage given to our domestic producers, even though we feel they are entitled to a certain advantage over foreign producers; we are just asking that by and large in the market place they be treated fairly and squarely, and that we protect them against unfair practices, one of which certainly is discriminatory prices.

Under present law there first must be a determination by the Treasury Department as to whether there is a sale at less than fair value. That in itself, however, does not give anybody any protection; they still have to go to the Tariff Commission and get a determination that an industry in this country is being injured. There is the crux of the matter, the difficulty of proving in many of these cases that injury actually is resulting or is likely to result. It is my view, Mr. Speaker, that corrective action must be taken in that area.

In the committee I offered an amendment to this bill to provide that dumping duties shall be applied unless there is a finding by the Tariff Commission that nobody would be injured. At the present time you start out with the assumption that even though a sale is being made below fair value, even though there is price discrimination, that no injury will result. The law requires that the matter must be referred to the Tariff Commission and no protection is afforded unless the commission makes an affirmative finding that an industry is being injured by the discriminatory practice. That is where you get into trouble.

I would suggest Mr. Speaker, that starting with the premise that price discrimination, sales here of foreign commodities at less than fair value, is bad, we should provide that antidumping duties should be imposed unless there is a showing that nobody is likely to be injured by the price discrimination. There is no purpose to be served in applying an antidumping duty if no domestic producer is likely to be injured by it. However, if we assume, as we certainly should, that the practice of offering foreign made goods for sale here in competition with domestic producers at less than fair value is unfair and practices that should be frowned upon, why should not corrective action be automatic rather than to be dependent upon the difficulties that result under the present law which requires a positive finding by the Tariff Commission that some industry is going to suffer injury.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from West Virginia.

Mr. BAILEY. I would like to commend the gentleman from Wisconsin for his views. He has done much to enlighten the Members of the House on this legislation and I believe if his amendment had been adopted it would have been wholesome legislation.

Mr. BYRNES of Wisconsin. I thank the gentleman. I hope that we pass this bill today and I trust that the other body will try to attack this matter of making the injury test effective in the protection of our industries. Unless something is done in this regard the law will never be administered so as to carry out the basic intent of Congress which is that domestic industry shall not be injured by unfair practices.

Mr. COOPER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

MODIFICATION AND EXTENSION OF PROGRAM OF GRANTS-IN-AID TO THE REPUBLIC OF THE PHILIPPINES FOR THE HOSPITALIZATION OF CERTAIN VETERANS

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 6908) to authorize modification and extension of the program of grants-in-aid to the Republic of the Philippines for the hospitalization of certain veterans, to restore eligibility for hospital and medical care to certain veterans of the Armed Forces of the United States residing in the Philippines, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act to assist by grants-in-aid the Republic of the Philippines in providing medical care and treatment for certain veterans", approved July 1, 1948 (50 App. U. S. C., secs.

1991–1996), is amended by striking out the first four sections therein and inserting in lieu thereof the following: "That the President is authorized to assist the Republic of the Philippines in providing medical care and treatment for veterans in need of such care and treatment for service-connected disabilities through grants for a period of not more than 10 consecutive years, beginning with the year 1950, to reimburse the Republic of the Philippines for expenditures incident to the hospitalization of veterans in need thereof for service-connected disabilities. The total of such grants for any 1 calendar year shall not exceed the following amounts: For any year before 1955, $3,285,000; for 1955, $3 million; for 1956, $2,500,000; for 1957, $2 million; for 1958, $1,500,000; and for 1959, $1 million. If agreement is reached to modify the pain of assistance as provided for in paragraph (1) of section 2 of this act, the grants covering the first half of 1958 may be as much as $1 million.

"SEC. 2. The President, with the concurrence of the Republic of the Philippines, is authorized to modify the existing agreement between the United States and the Republic of the Philippines entered into to effectuate this act in either or both of the following respects:

"(1) To provide that in lieu of any grants being made after July 1, 1958, under section 1 of this act, the Administrator of Veterans' Affairs may enter into a contract with the Veterans' Memorial Hospital, with the approval of the appropriate department of the Government of the Republic of the Philippines under which the United States will pay for hospital care in the Republic of the Philippines of veterans determined by the Veterans' Administration to need such hospital care for service-connected disabilities. Such contract must be entered into before July 1, 1958, may be for a period of not more than 5 consecutive fiscal years beginning July 1, 1958, and shall provide for payments for such hospital care at a per diem rate to be jointly determined for each fiscal year by the two Governments to be fair and reasonable; but the total of such payments plus any payments for authorized travel expenses in connection with such hospital care shall not exceed $2 million for any one fiscal year. In addition, such modified agreement may provide that, during the period covered by such contract, outpatient treatment for veterans determined by the Veterans' Administration to be in need thereof for service-connected disabilities shall be provided by the Veterans' Administration under the conditions and subject to the limitations on outpatient treatment applicable generally to beneficiaries under Veterans Regulation No. 7 (a). In addition, such agreement may provide for the payment of travel expenses pursuant to the first section of the act of March 14, 1940 (54 Stat. 49; 48 U. S. C. 76), in connection with hospital care or outpatient treatment furnished them.

"(2) To provide for the use by the Republic of the Philippines of beds, equipment, and other facilities of the Veterans Memorial Hospital at Manila, not required for the hospitalization of veterans for service-connected disabilities, for the hospitalization of persons at the discretion of the Republic of the Philippines. If such agreement is modified in accordance with this paragraph, such agreement (A) shall specify that priority of admission and retention in such hospital shall be accorded veterans needing hospitalization for service-connected disabilities, and (B) shall not preclude the use of available facilities in the hospital on a contract basis for the hospitalization, examination, or outpatient treatment of persons eligible therefor from the Veterans' Administration.

"SEC. 3. The Veterans' Administration is authorized to provide the outpatient treatment specified in paragraph (1) of section 2 either through facilities maintained by the Veterans' Administration in the Republic of the Philippines or by contracting for such outpatient care.

"SEC. 4. For the purposes of this act the term—

"(1) 'veterans' means persons who served in the organized military forces of the Government of the Commonwealth of the Philippines while such forces were in the service of the Armed Forces of the United States pursuant to the military order of the President of the United States, dated July 26, 1941, including among such military forces organized guerrilla forces under commanders appointed, designated, or subsequently recognized by the Commander in Chief, Southwest Pacific Area, or other competent authority in the Army of the United States, and who were discharged or released from such service under conditions other than dishonorable;

"(2) 'service-connected disabilities' means disabilities determined by the Veterans' Administration under laws which it administers to be connected with the service described in paragraph (1) of this section."

SEC. 2. Such act is further amended by adding at the end thereof the following new section:

"SEC. 7. The amendments made to the first four sections of this act by the act enacting this section shall not affect the availability and use of appropriations made before the date of enactment of this section for the purposes of this act as it then existed."

SEC. 3. (a) Paragraph IV of Veterans Regulation No. 6 (a), as amended (38 U. S. C. Ch. 12A), is hereby amended by inserting after "*Provided*, That" the following: "the Administrator of Veterans' Affairs may, in his discretion, furnish medical or hospital care, including treatment in the Republic of the Philippines for disabilities due to service in the Armed Forces of the United States to otherwise eligible veterans, irrespective of citizenship status or nature of residence: *And provided further*, That."

(b) Section 524 of the Veterans' Benefits Act of 1957 is amended to read as follows:

"Hospital care and medical services abroad

"SEC. 524. (a) Except as provided in subsections (b) and (c), the Administrator shall not furnish hospital or domiciliary care or medical services outside the continental limits of the United States, or a Territory, Commonwealth, or possession of the United States.

"(b) The Administrator may furnish necessary hospital care and medical services for any service-connected disability—

"(1) if incurred during a period of war, to any veteran who is a citizen of the United States temporarily sojourning or residing abroad except in the Republic of the Philippines; or

"(2) whenever incurred, to any otherwise eligible veteran in the Republic of the Philippines."

"(c) Within the limits of those facilities of the Veterans Memorial Hospital at Manila, Republic of the Philippines, for which the Administrator may contract, he may furnish necessary hospital care to a veteran of any war for any non-service-connected disability if such veteran is unable to defray the expenses of necessary hospital care. The Administrator may enter into contracts to carry out this section."

(c) Section 521 of the Veterans' Benefits Act of 1957 is amended by striking out "section 510 (a) (1) and section 510 (b) (2)" and inserting "sections 510 (a) (1), 510 (b) (2), and 524 (c)."

SEC. 4. (a) Title V of the Veterans' Benefits Act of 1957 is amended by adding at the end thereof the following new part:

"PART D—HOSPITAL AND MEDICAL CARE FOR COMMONWEALTH OF THE PHILIPPINES ARMY VETERANS

"Grants to the Republic of the Philippines

"SEC. 531. The President is authorized to assist the Republic of the Philippines in providing medical care and treatment for Commonwealth Army veterans in need of such care and treatment for service-connected disabilities through grants to reimburse the Republic of the Philippines for expenditures incident to hospital care of Commonwealth Army veterans in need thereof for such disabilities. The total of such grants shall not exceed $1,500,000 for the calendar year 1958, and $1,000,000 for the calendar year 1959. If agreement is reached to modify the plan of assistance as provided for in paragraph (1) of section 532, the total of grants for 1958 up to July 1 may be as much as $1,000,000.

"Modification of agreement with the Republic of the Philippines effectuating the act of July 1, 1948

"SEC. 532. The President, with the concurrence of the Republic of the Philippines, is authorized to modify the agreement between the United States and the Republic of the Philippines respecting hospitals and medical care for Commonwealth Army veterans (63 Stat. 2593) in either or both of the following respect:

"(1) To provide that in lieu of any grants being made after July 1, 1958, under section 531, the Administrator may enter into a contract with the Veterans Memorial Hospital, with the approval of the appropriate department of the Government of the Republic of the Philippines, under which the United States will pay for hospital care in the Republic of the Philippines of Commonwealth Army veterans determined by the administrator to need such hospital care for service-connected disabilities. Such contract must be entered into before July 1, 1958, may be for a period of not more than five consecutive fiscal years beginning July 1, 1958, and shall provide for payments for such hospital care at a per diem rate to be jointly determined for each fiscal year by the two governments to be fair and reasonable; but the total of such payments plus any payments for authorized travel expenses in connection with such hospital care shall not exceed $2,000,000 for any 1 fiscal year. In addition, such modified agreement may provide that, during the period covered by such contract, medical services for Commonwealth Army veterans determined by the administrator to be in need thereof for service-connected disabilities shall be provided either in Veterans' Administration facilities, or by contract, or otherwise, by the administrator in accordance with the conditions and limitations applicable generally to beneficiaries under section 512.

"(2) To provide for the use by the Republic of the Philippines of beds, equipment, and other facilities of the Veterans Memorial Hospital at Manila, not required for hospital care of Commonwealth Army veterans for service-connected disabilities, for hospital care of other persons in the discretion of the Republic of the Philippines. If such agreement is modified in accordance with this paragraph, such agreement (A) shall specify that priority of admission and retention in such hospital shall be accorded Commonwealth Army veterans needing hospital care for service-connected disabilities, and (B) shall not preclude the use of available facilities in such hospital on a contract basis for hospital care or medical services for persons eligible therefor from the Veterans' Administration.

In addition, such agreement may provide for the payment of travel expenses pursuant to section 2101 for Commonwealth Army veterans in connection with hospital care or medical services furnished them.

"Supervision of program by the President

"SEC. 533. The President, or any officer of the United States to whom he may delegate his authority under this section, may from time to time prescribe such rules and regulations and impose such conditions on the receipt of financial aid as may be necessary to carry out this part.

"*Definitions*

"SEC. 534. For the purposes of this part—

"(1) The term 'Commonwealth Army veterans' means persons who served before July 1, 1946, in the organized military forces of the Government of the Philippines, while such forces were in the service of the Armed Forces pursuant to the military order of the President dated July 26, 1941, including among such military forces organized guerrilla forces under commanders appointed, designated, or subsequently recognized by the Commander in Chief, Southwest Pacific area, or other competent authority in the Army of the United States, and who were discharged or released from such service under conditions other than dishonorable.

"(2) The term 'service-connected disabilities' means disabilities determined by the administrator under laws administered by the Veterans' Administration to have been incurred in or aggravated by the service described in paragraph (1) in line of duty."

SEC. 5. Section 2105 (a) of the Veteran's Benefits Act of 1957 is amended by inserting immediately after "1941," the following: "including among such military forces organized guerrilla forces under commanders appointed, designated, or subsequently recognized by the Commander in Chief, Southwest Pacific area, or other competent authority in the Army of the United States,".

SEC. 6. Section 2306 of the Veterans' Benefits Act of 1957 is amended by inserting "(a)" immediately after "SEC. 2306." and by adding at the end thereof the following new subsection:

"(b) The availability and use of appropriations heretofore made for the purposes of the act of July 1, 1948 (60 Stat. 1210; 50 App. U. S. C., secs. 1991–1996), shall not be affected by the repeal of such act."

SEC. 7. Paragraph (203) of section 2202 of the Veterans' Benefits Act of 1957 is amended (1) by inserting "(A)" immediately after "(203)"; (2) by striking out "1938" and inserting "1948"; and (3) by adding at the end thereof the following:

"(B) The act of July 1, 1948 (62 Stat. 1210; 50 App. U. S. C., secs. 1991–1996)."

SEC. 8. The table of contents in the first section of the Veterans' Benefits Act of 1957 is amended by inserting immediately below:

"SEC. 527. Persons eligible under prior law."
the following:

"PART D—HOSPITAL AND MEDICAL CARE FOR COMMONWEALTH OF THE PHILIPPINES ARMY VETERANS

"SEC. 531. Grants to the Republic of the Philippines.

"SEC. 532. Modification of agreement with the Republic of the Philippines effectuating the act of July 1, 1948.

"SEC. 533. Supervision of program by the President.

"SEC. 534. Definitions."

The SPEAKER. Is a second demanded?

Mrs. ROGERS of Massachusetts. Mr. Speaker, I demand a second.

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, in the 80th Congress, Public Law 865 was enacted to provide medical care for veterans who served in the organized military forces of the Commonwealth of the Philippines while such forces were in the service of the Armed Forces of the United States pursuant to the military order of the President on July 26, 1941. This law authorized an appropriation of $22,500,000 for the construction and equipping of a hospital in the Philippines to be known as the Veterans' Memorial Hospital. It was opened on November 20, 1955, and the construction cost was approximately $9,400,000.

The same act provided for an appropriation of not more than $3,285,000 as grants-in-aid during each of the ensuing 5 fiscal years for the operation of the hospital and the treatment of service-connected disabled veterans.

This hospital has operated well and has met a real need of these people who fought in behalf of the United States. In addition, it has served as a teaching hospital in a limited fashion for medical personnel in Southeast Asia. It is considered one of the best, if not the best, hospitals in that entire area.

While the American Government has a continuing responsibility in this field, the Philippine Government in fact and in theory controls this hospital and this is as it should be. The present bill is an effort to make the fact more abundantly clear by providing:

First. That the Veterans' Memorial Hospital may be used for cases other than those involving service-connected disabilities.

Second. Authorizing treatment of service-connected veterans on an outpatient basis.

Third. Extending the period of assistance from December 31, 1959, to June 30, 1963.

Fourth. Placing overall ceiling of $2 million for this purpose in any 1 year.

The bill also authorizes the treatment of American veterans who are in need of hospital care and who are residing, either temporarily or permanently, in the Philippines. Formerly such care was provided only for those residing there on a temporary basis. In this connection, the separate amendment which I have offered at the direction of the committee, provides that veterans suffering from non-service-connected disabilities who need medical care and who reside there shall be treated the same as veterans residing in the United States insofar as non-service-connected hospital care is concerned.

The bill is recommended by the Veterans Administration, as well as the Department of State and it is estimated that the maximum net cost of this bill will be approximately $8,500,000 over a 5-year period.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Florida.

Mr. HALEY. Mr. Speaker, I think this is a good bill and I shall support it, but I want to call the attention of the distinguished gentleman from Texas to the fact that we in these United States need some hospitals, too. I am sure he is well aware of the critical situation that we have in the State of Florida. I have had a bill before the committee for a long time providing for the building of a thousand-bed hospital in Florida. May I ask the chairman of the Committee on Veterans' Affairs if he can give me any indication of what might happen to some of our servicemen who so badly need facilities of this kind?

Mr. TEAGUE of Texas. The gentleman from Florida knows that the Administration today has the authority to build this hospital in Florida and I do not think any useful purpose could be gained by passing a bill to further authorize the construction when today the Administration has the authority to construct the hospital.

Mr. HALEY. The gentleman is well aware of the critical need for this facility in Florida. We need this hospital and I believe we are entitled to some consideration in this Congress for that hospital.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, this is a most excellent bill. It will help the United States, and it will also help our very best ally and our very best friend in all the world.

Mr. Speaker, at this time I yield 5 minutes to the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. Mr. Speaker, I agree with what the previous speakers have said about the value and validity of this legislation. I have visited this hospital in the Philippines and I know its size and its qualities.

I think we are all anxious to see the utmost use made of it. Here is an institution which is designed for medical, beneficial use. It should be made as productive as possible. Therefore, Mr. Speaker, I think this is good legislation. I believe it will accomplish the ends outlined by the gentleman from Texas [Mr. TEAGUE], and I recommend its passage.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I should like to add to that, that had we had such an institution heretofore, we could have saved a great many lives, because there were no suitable and adequate facilities for the veterans when they suffered so much for us. I am delighted that it is about to pass, Mr. Speaker.

A significant feature of this bill is the increased control the VA would have over admissions. At present VA determines service connection, but the Philippine Government determines medical need and actually admits. Under H. R. 6908, VA would make all determinations.

Some of those now hospitalized likely could have their medical needs met by outpatient treatment at a lesser expense if such were available. This would be provided for 5 years by H. R. 6908 for Philippine Army and guerrilla veterans.

Philippine Scouts—except those recruited under Public Law 190, 79th Congress for occupation duty—and other United States veterans with World War II service would be provided hospitalization and outpatient treatment for service-connected disabilities regardless of nature of residence or citizenship. The Scouts in this group served in Regular United States Army by voluntary enlistment while the Philippines were a possession of the United States. They suffered heavy casualties on Bataan in 1942, and only about 7,500 of the 12,000 serving in 1941 survived the fighting and the Japanese occupation.

The provision of medical care for the Scouts and other United States veterans residing in the Philippines would only restore benefits available before 1946 when the Philippines became independent and provisions restricting care in foreign countries to United States citizens temporarily residing there for service-connected disabilities applied.

A further significant feature of the bill is that the Philippine Government would be permitted to use for other purposes, at their expense, those beds in the veterans' hospital not required for the service-connected disability cases. Admission of such patients would afford a wider variety of clinical material and such utilization of the presently vacant beds should improve medical care through attraction of the best medical talent.

The bill contains a limitation of $2 million a year for hospitalization of the Philippine veterans presently eligible for treatment. The cost of this part of the bill for the first year and a half would be partially offset by the present authorization of $1,750,000 for reimbursement of the Philippine Government between July 1, 1958, and December 31, 1959.

As the New York Times says, in an editorial June 3, 1957, and I agree with every word they say, "most important, this Philippine memorial hospital could be made an invaluable place for research and training in the field of tropical medicine. The possibilities presented are enormous and the hospital and medical center could become the greatest and most useful memorial to the fruitful Philippine-American association. The background for such a project is almost ideal. The Philippines have been a magnificent laboratory in the field of tropical medicine for almost three generations. In addition to this scientific background, however, is the geographical background. Manila could become a training point for young men from Thailand, Vietnam, Cambodia, Laos, and even Indonesia and Malaya. It could become a truly Asian health center. This is not an idle dream. It is a practical possibility."

The SPEAKER. The question is, Will the House suspend the rules and pass the bill, H. R. 6908, as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PENSIONS FOR SERVICE IN MORO PROVINCE

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H. J. Res. 73) placing certain individuals who served in the Armed Forces of the United States in the Moro Province, including Mindanao, and in the islands of Leyte and Samar after July 4, 1902, and their survivors, in the same status as those who served in the Armed Forces during the Philippine Insurrection and their survivors, as amended.

The Clerk read as follows:

Whereas the Philippine Insurrection was ended by the Presidential proclamation of July 4, 1902, in all parts of the Philippine Archipelago except in the country inhabited by the Moro tribes to which the proclamation did not apply; and

Whereas it was necessary for the Government of the United States to employ its Armed Forces, including insular forces, against numerous inhabitants of the country inhabited by the Moro tribes who were in armed insurrenction against the authority of the United States and/or political subdivisions thereof until in the year of 1913; and

Whereas notwithstanding the aforementioned proclamation, armed hostilities did continue in the islands of Leyte and Samar after July 4, 1902, necessitating the employment of the Armed Forces of the United States, including insular forces, against numerous inhabitants of the said islands who were also in armed insurrection against the authority of the United States and/or political subdivisions thereof; and

Whereas it has ever been the policy of the Congress to enact uniform and all-inclusive pension legislation for the relief of former members of the Armed Forces who were employed in upholding and/or enforcing the authority of the United States and its political subdivisions in the States, Territories, and insular possessions, thereof: Now, therefore, be it

Resolved, etc., That (a) section 401 of the Veterans' Benefits Act of 1957 is amended to read as follows:

"DEFINITIONS

"SEC. 401. For the purposes of this title—

"(1) The term 'Spanish-American War' includes, in the case of any veteran, any period of service performed by him after July 15, 1903, and before January 1, 1914, if during such period of service such veteran served in the active military or naval service in the Moro Province, including Mindanao, and the islands of Leyte and Samar, before the first day following the last armed engagement between the military or naval forces of the United States and inhabitants of the Philippine Islands in the province or island in which he served.

"(2) The term 'World War I' includes, in the case of any veteran, any period of service performed by him after November 11, 1918, and before July 2, 1921, if such veteran served in the active military, naval, or air service after April 5, 1917, and before November 12, 1918."

(b) The table of contents in the first section of such act is amended by striking out—

"SEC. 401. Definition."

and inserting in lieu thereof:

"SEC. 401. Definitions."

The SPEAKER. Is a second demanded?

Mrs. ROGERS of Massachusetts. Mr. Speaker, I demand a second.

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, this bill seeks to provide pension at Spanish American War rates to veterans and their dependents who served in the Moro Province, including Mindanao and the islands of Leyte and Samar after July 4, 1902, and prior to January 1, 1914.

The rates of pension payable to Spanish American War veterans today vary from $68.73 to $135.45 per month. For widows the general pension is $54.18 monthly, or $67.73 if the widow was the wife of the veteran during his period of service.

This resolution is similar in purpose to bills which have been considered several times by the Congress in recent years. The last time that this legislation, or legislation similar to it, was reported was in the 84th Congress but it failed of final passage as was the case in the 83d Congress. The same situation prevailed during the 80th Congress. A slightly different proposal was passed by both Houses of the Congress in the 78th Congress and was vetoed by the President.

The bill will cover very few. The best estimate which the committee has been able to obtain is that approximately 500 veterans and 300 widows are involved. This is indeed a small group and in view of the average age of the veteran being estimated at 78, it is readily apparent that the legislation will have limited application.

The period of service is one in which there were considerable hostilities and over 15 Congressional Medals of Honor were awarded for service during this period.

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. O'HARA] the author of the resolution.

Mr. O'HARA of Illinois. Mr. Speaker, in explanation of the fact that House Joint Resolution 73 was introduced by the gentleman from Illinois, I wish to say that this comes only from the circumstance that I am the last veteran of the war with Spain in this body. I deeply appreciate the warm friendship accorded by the chairman and the members of the Committee on Veterans' Affairs and by my colleagues on both sides of the aisle.

I am filled with emotion for the understanding and the recognition in comradeship that so often in this body, composed of many veterans of later and larger wars, have been accorded to the just causes of a war so long ago and of which the gentleman from Illinois is the sole survivor in this chamber.

This bill is one of 10 measures of similar character. The authors of the other 9 all have worked diligently and devotedly and are jointly responsible, with the gracious approval of the leadership of both the majority and the minority, for bringing up this proposed legislation under suspension of the rules and before the final days of the 1st session of the 85th Congress have ended.

House Joint Resolution 73, while it bears the name of the gentleman from Illinois for the reason given, is equally the bill of the gentleman from Iowa [Mr. CUNNINGHAM], the gentleman from Indiana [Mr. DENTON], the gentleman from Alabama [Mr. ELLIOTT], the gentleman from Louisiana [Mr. LONG], the gentleman from Washington [Mr. MACK], the gentlewoman from Massachusetts [Mrs. ROGERS], the gentleman from Kentucky [Mr. SILER], the gentleman from Wisconsin [Mr. VAN PELT], and the gentleman from Minnesota [Mr. WIER].

It is a most representative array. Some are Democrats, some are Republicans. The East, the West, the North and the South all are represented. For all my comrades of the war with Spain, their families and their friends, from the bottom of my heart I voice our thanks.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I am happy to yield to the distinguished majority leader.

Mr. McCORMACK. Mr. Speaker, I think it is only fair that the record should show that the gentleman from Illinois [Mr. O'Hara] has devoted himself untiringly to get this resolution out of committee and bring it into the House today. The gentleman has been most pleasantly and persuasively persistent and I might say that it would be most difficult for the leadership on both sides to resist not only the personality, but the charm and the logic of my friend from Illinois. It is only right that those who benefit from the passage of this resolution know of the great services rendered by my friend from Illinois [Mr. O'Hara].

Mr. O'HARA of Illinois. Mr. Speaker, I deeply appreciate the sentiment of the majority leader. The gentleman from Massachusetts has been a tower of strength in times of need, blending the qualities of wise and firm leadership with the qualities of sweet and understanding friendship. I am deeply grateful to the leadership on both sides, to our beloved Speaker, and our beloved former Speaker, Minority Leader Martin, for the help that so unfailingly and with such gracious generosity they have extended not merely to me, but through me to my comrades in a war of more than half a century ago. I am deeply grateful, too, to the great and outstanding veteran of World War II, who is chairman of the Committee on Veterans' Affairs [Mr. Teague], to the gentlewoman from Massachusetts [Mrs. Rogers], and to each and every member of the committee.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I gladly yield to the gentlewoman from Massachusetts, whose labors in many Congresses have enthroned her in the hearts of America's veterans.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the Spanish-American War veterans owe the gentleman from Illinois a debt of gratitude for getting this bill and a similar bill out of the committee and onto the floor and passed. As the gentleman knows, this same bill, practically, has passed the Congress several times. I know how hard the gentleman has worked for his colleagues, the veterans of the Spanish-American War, and for their widows. We hope the bill will pass the House and that it will pass the other body also.

Mr. O'HARA of Illinois. May I say to the gentlewoman from Massachusetts that I was deeply moved the other day when in the closing days of this session she took the well of the House to prod the other body into following our example in voting relief to the widows of the veterans of the Spanish-American War, who are struggling along on very little money and are greatly in need. The House in its generosity passed the bill early in the session giving this relief. We hope that in the remaining hours or days of the session favorable action will be taken in the other body.

Mrs. ROGERS of Massachusetts. May I ask the gentleman if 15 of the men covered by this bill were not Congressional Medal of Honor men?

Mr. O'HARA of Illinois. That is the fact. Fifteen Congressional Medals of Honor were issued to American soldiers serving in the Philippines in the Moro Provinces after the 4th day of July 1902.

This bill should have been enacted a long, long time ago.

Many things happened in the period of the War With Spain that are difficult for later generations to grasp. It all came from our state of total unpreparedness. There were no records, except the scantiest, very little medicine, unfit food. Missions were executed without the formality of authorizing orders. Ships of war put to sea, and in some instances were actually in combat before members of their crews had been sworn in, the actual mustering in being delayed until the immediate emergency was over, a circumstance that has operated to deny to some of the naval veterans of the War With Spain the pension rights that they unquestionably had earned but which could not be shown by the records. I hope that this injustice can be corrected while the last Spanish-American War veteran yet remains in the Halls of Congress.

The bill now under consideration corrects the injustice from which the veterans of certain campaigns in the Philippines long have suffered. I will explain it briefly.

The Philippine Insurrection was officially ended July 4, 1902, by proclamation. But it actually continued very much longer in the Moro Province and on the islands of Leyte and Samar. From February 1903 to January 27, 1913, there were no less than 105 battles in which American troops were engaged. There were 1,514 deaths from battle wounds and disease. These are from the figures furnished by the Archivist of the United States.

If any further proof were necessary of the intense nature of this fighting, the conditions under which it was waged, and the sublime manner in which our troops met the challenge, it is furnished by the fact mentioned by Mr. Rogers that a total of 15 Congressional Medals of Honor were conferred upon its participants.

Yet, all during the years since the Congress voted pensions to the veterans of the war with Spain, the expedition into China, and the campaigns in the Philippines, the veterans in the Moro Province and on the islands of Leyte and Samar, who stood the brunt of 105 battles, suffered death casualties of 1,514, and won 15 Congressional Medals of Honor, have been left out in the cold. It is unthinkable that this should continue.

It must be borne in mind that the Spanish War pension list is intended to cover not only those who fought against Spain but, as well, those who were engaged in the resultant insurrection in the Philippines and in the Boxer Expedition. The plain fact is that the arbitrary fixing of July 4, 1902, in an official proclamation, by inadvertence cut out the veterans in that area of events and years who had done the hardest fighting sustained over a longer period of time when certainly the fighting and the dying went on, regardless of what the official proclamation said.

How did it happen? The answer is simple. The troops that remained in the Moro Province and on the islands of Leyte and Samar were regulars. The pay for a private was something like $14 a month, as I recall. The volunteers had gone home. Everyone of course was rejoicing at their return. No one was thinking of the regulars back in the Moro Province and in the islands of Leyte and Samar fighting and dying. When July 4, 1902, was set as the shutoff date they were so engrossed in the job at hand that they could do nothing about it. The fact is they were so busy in the job of fighting and dying that they did not even know that someone was issuing a proclamation that the fighting and dying had ended.

Now they are old men, those who survived the campaigns, and only a few are left. That which they earned by their service, their sacrifice, and their suffering, too long has been withheld. I hope and pray that before the last of the little band that remains has passed to his reward, a great injustice, springing from an inadvertence and the muddled conditions of the times, will have its remedy in the enactment of House Joint Resolution 73.

Mr. TEAGUE of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Indiana [Mr. Denton].

Mr. DENTON. Mr. Speaker, I am wholeheartedly in favor of House Joint Resolution 73, introduced by the gentleman from Illinois. I introduced a similar resolution, House Joint Resolution 178.

This resolution would extend pension benefits under the laws reenacted by Public Law 269, 74th Congress, August 13, 1935, as now or hereafter amended, to persons who served with the United States military or naval forces in Moro Province, or in the islands of Samar and Leyte, after July 4, 1902, and prior to January 1, 1914, and to their unremarried widows, child, or children. I have heard from a number of these veterans living in Indiana, and I am convinced that they have a good case.

This bill, as House Joint Resolution 110, passed the House of Representatives at the last session of Congress; but no action on the resolution was taken in the Senate. I introduced a similar bill, House Joint Resolution 249. A slightly different bill was passed by both Houses of Congress in the 78th Congress and vetoed by the President. In the 79th Congress an identical bill was passed by the House, but died in the Senate, and a like bill was reported favorably by the 80th Congress.

The bill covers a comparatively few individuals. The present estimate places the number at approximately 500 and approximately 300 widows. Assuming these figures to be correct, and considering the rates of pensions applicable to both veterans and widows, it appears the maximum first-year cost would be $798,000. Due to the advanced age of the veterans, the cost would drop sharply with each succeeding year. The average age of the veterans is estimated to be at least 80, and the death rate is rapid for this age group.

The hostilities in which these men were engaged were the very longest in which American troops were ever engaged. They lasted for nearly 12 years. During that time there were nearly 150 bloody engagements and the casualties are numbered in the thousands. The enemy was a formidable one. Our very best officers who were to become famous in World War I received much of their combat experience in these hostilities. The names of Pershing, Wood, Bliss, and March are indelibly inscribed upon the records of these hostilities. These troops under that leadership pacified more than 57,000 square miles of the Philippine Archipelago. They fought to uphold and/or enforce the authority of the United States on United States soil. Fifteen of them were awarded the very highest decoration within the gift of this Government—the Congressional Medal of Honor; and now, after a 43-year wait, they seek a reasonable measure of relief at the hands of the Government they served so long and so well.

My understanding is that this legislation has been opposed in previous years because the hostilities occurred after the official ending date of the Philippine Insurrection. The 150 engagements, therefore, are termed "peacetime police actions." However, since July 4, 1904—the official ending date of the Philippine Insurrection—we have cheerfully legislated war veteran benefits for the veterans of the peacetime police action in Korea, and we have pensioned the veterans of still another peacetime police action, known as the Boxer Rebellion. Likewise, in 1927, the Congress, following the long-established national policy of caring "for him who shall have borne the battle, and for his widow and orphan," pensioned the veterans of numerous undeclared Indian hostilities from the year of 1817 through 1898. These laws are still in force. The enactment of this House joint resolution, therefore, would be in line with traditional policy, instead of establishing a precedent. It would correct an inequality of some 34 years' duration. Actually, there is reason to believe that the Congress fully intended to include this group in Public Law 256, 66th Congress. That act includes all veterans of the Philippine Insurrection, as well as the veterans of the cited peacetime Boxer Rebellion, but that act did not fix beginning and ending dates for either of these conflicts, and it was not until after the enactment of this law that those who served after July 4, 1902, were denied veteran status. The War Department ruled them out on a weak technicality, but before so doing had awarded all veterans who participated in the Philippine hostilities from the official date of the insurrection, that is, April 12, 1899, through 1913, identical Philippine campaign medals.

As this House joint resolution recites, the Congress has heretofore wisely pensioned those who were engaged in similar hostilities to uphold and/or enforce the authority of the United States in its Territories and insular possessions; and since the average age of the veterans under consideration is now more than 80 years, I urge the House to leave no stone unturned to pension these old veterans before it is forever too late. Since there are so few of them living, the cost would be slight when compared with other Government expenditures.

The SPEAKER. The question is, Will the House suspend the rules and pass House Joint Resolution 73 as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

A motion to reconsider was laid on the table.

AUTHORIZING THE SPEAKER TO DECLARE A RECESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that for the balance of this session it may be in order for the Speaker to declare a recess at any time subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

KNOX CORP., THOMSON, GA.

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2904) for the relief of the Knox Corp., of Thomson, Ga., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 2, lines 1 and 2, strike out "in excess of 10 per centum thereof."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. MARTIN. Reserving the right to object, Mr. Speaker, I understand the only change in this bill is to eliminate the 10-percent proviso as to legal fees.

Mr. LANE. That is the only change.

Mr. MARTIN. The reason you make the change is that no lawyer is connected with the case?

Mr. LANE. That is the right answer.

Mr. GROSS. Reserving the right to object, Mr. Speaker, what is this bill all about?

Mr. LANE. The author of the bill is right here. It is a private claims bill. It has already passed the House. The Senate amended it by striking out the attorneys' fee proviso of the bill. We find that no attorney handled this bill, so we are willing to strike out the 10-percent clause.

Mr. GROSS. May I ask the gentleman handling the bill if this is going to cost the Federal Government any money?

Mr. LANE. Yes, it will; $7,809. It is a private claims bill. It has already passed the House.

Mr. GROSS. I guess that will not contribute too much to the necessity for raising the debt ceiling.

I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

J. A. ROSS & CO.

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3468) for the relief of J. A. Ross & Co., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 6, strike out "$34,624.64" and insert "$17,410.08."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. MARTIN. Mr. Speaker, reserving the right to object, as I understand the House passed the bill with the amount of about $34,000 in it and the other body reduced it to $17,000 and you are accepting the amendments of the other body.

Mr. LANE. The minority leader is quite right. The bill originally called for $34,624 and now the other body has reduced it to $17,410. The author of the bill, who is the gentleman from Illinois [Mr. SHEEHAN] is agreeable to accepting the amendment.

Mr. MARTIN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

ALBERT HEINZE

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2075) for the relief of Albert Heinze, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 11, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. MARTIN. Mr. Speaker, reserving the right to object, I understand this is similar to the first bill that was presented and that the 10 percent is eliminated because there is no lawyer connected with the case.

Mr. LANE. Exactly so. This bill was introduced by the gentleman from Ohio [Mr. BETTS] and we find out now there is no attorney and we are quite agreeable to that proviso being stricken from the bill.

Mr. MARTIN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H. J. Res. 374) for the relief of certain aliens, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendment, as follows:

> Page 1, line 5, after "Kukic," insert "Lino Aguilon Reyes."

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. MARTIN. Mr. Speaker, reserving the right to object, I understand that this is an amendment to include one person who was left out.

Mr. FEIGHAN. Yes; this resolution was passed by the House and contained provision for permanent residence for about 10 aliens. When it went to the other body, the other body amended it on the floor and added the beneficiary provided for in the bill introduced by the gentleman from Iowa [Mr. TALLE], which was passed by the House previously.

Mr. MARTIN. Mr. Speaker, I withdraw my reservation of objection.

Mr. GROSS. Mr. Speaker, reserving the right to object, and I shall not object, I was very much interested yesterday when the immigration bill was passed in the House by the statements of some of the sponsors of the bill that it would obviate the necessity for having bills on the private calendar to handle immigration cases in the future. I seem to recall that when the McCarran-Walter Act was passed, we heard similar statements from the sponsors of that legislation that it would obviate the necessity of having long Private Calendars handling immigration cases—admitting aliens into this country by that method. I am going to be very much interested with the passage of the bill yesterday to see what happens to the Private Calendars with respect to the admission of aliens in the next session of the Congress. Seeing will be believing.

Mr. KEATING. Mr. Speaker, reserving the right to object, I would simply like to say to the gentleman from Iowa, it is true that both of these pieces of legislation would reduce the number of private bills, but we will never have a situation where they will all be eliminated.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

JUDGESHIP FOR THE DISTRICT OF SOUTH DAKOTA

Mr. CELLER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2413) to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

> *Be it enacted, etc.*, That the President is authorized to appoint, by and with the advice and consent of the Senate an additional district judge for the district of South Dakota as authorized by paragraph (3) of section 2 (b) of the act of February 10, 1954. The second sentence of such paragraph, which prohibits the filling of the first vacancy occurring in the office of district judge for said district, is hereby repealed. In order that the table contained in section 133 of title 18 of the United States Code will reflect the change made by this act in the number of permanent judgeships for the district of South Dakota, such table is amended to read as follows with respect to said district:

"Districts	Judges
* * * * *	
South Dakota	2
* * * * * * * *"	

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING HOUSE COMMITTEE ON GOVERNMENT OPERATIONS TO CONDUCT STUDIES AND INVESTIGATIONS OUTSIDE THE UNITED STATES DURING 85TH CONGRESS

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 412) to authorize the House Committee on Government Operations to conduct studies and investigations outside the United States during the 85th Congress, and ask for its present consideration.

The Clerk read the resolution, as follows:

> *Resolved*, That in performing the duties set forth in clause 8 of rule XI of the Rules of the House of Representatives, during the 85th Congress the Committee on Government Operations, or any subcommittee thereof when authorized by the committee, is authorized to conduct studies and investigations, and exercise the powers conferred by such clause 8, outside the United States.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON WAYS AND MEANS

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules I call up the resolution (H. Res. 384) to amend House Resolution 104 of the 85th Congress and ask for its immediate consideration.

The Clerk read as follows:

> *Resolved*, That section 2 of House Resolution 104 of the 85th Congress, authorizing the Committee on Ways and Means to conduct thorough studies and investigations of all matters coming within the jurisdiction of such committee, is amended by inserting on page 1, line 9, after the word "within" the words "or without."

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDING HOUSE RESOLUTION 157, 85TH CONGRESS

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules I call up the resolution (H. Res. 275) and ask for its immediate consideration.

The Clerk read as follows:

> *Resolved*, That House Resolution 157, 85th Congress, is amended by striking out the words "within the United States" where they appear on page 3, line 6, of said engrossed resolution and inserting in lieu thereof the words "within or without the United States."

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDING HOUSE RESOLUTION 149, 85TH CONGRESS

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules I call up the resolution (H. Res. 395) to amend House Resolution 149, 85th Congress, and ask for its immediate consideration.

The Clerk read as follows:

> *Resolved*, That House Resolution 149, 85th Congress, 1st session, is amended by inserting on page 2, line 15, of the said resolution, after the word "possessions," the phrase "and elsewhere within the North American Continent,".

Mr. COLMER. Mr. Speaker, I yield myself such time as I may need.

The SPEAKER. The gentleman from Mississippi is recognized.

Mr. COLMER. Mr. Speaker, the three resolutions just adopted, and the present resolution, all authorize certain committees of the House to do such traveling in the performance of their duties as provided in the resolution.

There is some question in the minds of some people about these resolutions. Personally, I am not prepared either to justify or to criticize in any particular case. I do know that in many cases these missions are justified, and we must assume that they will be and are justified in the present instance.

Mr. Speaker, I yield the usual time to the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. MEADER] and ask unanimous consent that he may speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MEADER. Mr. Speaker, I ask unanimous consent to revise and extend and to include certain tables in my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MEADER. Mr. Speaker, I have just introduced a bill to provide payments in lieu of taxes to local units of government on certain industrial plants owned by the United States.

In the 84th Congress I introduced a similar bill which became Public Law 388, signed by the President August 12, 1955. That law, for a temporary period of 4 years, requires the Federal Government to make payments in lieu of taxes on property previously owned by the Reconstruction Finance Corporation or any of its subsidiaries. It has provided relief to many municipalities, school districts, counties, and townships hard pressed financially because of the costs of services they rendered for which the Federal Government made no contribution.

Mr. Speaker, the properties covered by the legislation are in the custody of the Department of Defense or the General Services Administration. I requested both to supply me with information on the plants covered by Public Law 388 and the amounts paid to local units of government under that law. I incorporate the results of this inquiry at this point in my remarks:

DEPARTMENT OF DEFENSE

Payments in lieu of State and local taxes made by the Department of Defense under provisions of Public Law 388, 84th Cong., as reported to Mr. Claude M. Hirst, Department of Health, Education, and Welfare, from Mar. 30, 1956, to present time

Paid by—	Date of payment	Payment made to—	Paid for period	Amount paid	Property
Department of the Air Force	Mar. 30, 1956[1]	Lynn, Mass	(2)	$20,700.16	(3).
Do	do	Everett, Mass	(2)	87,438.00	(3).
Do	do	Adrian, Mich. (not including Madison Township).	(2)	87,195.19	(3).
Do	do	Toledo, Ohio	1st half of 1955 taxes	15,579.27	(3).
Do	do	Milwaukee, Wis	(2)	40,106.33	(3).
Do	Apr. 5, 1956[1]	Madison Township, Mich	(2)	31,515.78	(3).
Department of the Navy	do	Lynn, Mass	(2)	90,681.38	(3).
Department of the Air Force	May 10, 1956	County treasurer, Cuyahoga County, Ohio	(2)	6,615.43	Air Force plant No. 41.
Do	May 17, 1956	County treasurer, Broome County, N. Y.	1955 and 1956	123,506.95	(3).
Department of the Army	June 12, 1956	Receiver of taxes, Burlington, N. J.	(2)	59,994.80	Burlington ordnance plant, New Jersey.
Do	June 25, 1956[1]	Lima, Ohio	(2)	11,871.82	Lima ordnance steel foundry.
Department of the Navy	July 3, 1956[1][4]	Tax collector, town of Southington, Conn.	(2)	104,061.76	(4).
Do	July 19, 1956	City of Newark, N. J	(2)	14,636.16	(3).
Department of the Air Force	Aug. 7, 1956	County treasurer, Erie County, N. Y.	1955 and 1956 taxes with exception of school taxes; only 1956 *school* taxes paid.	171,121.62	Air Force plant No. 40, Tonawanda, N. Y.
				107,731.87	Air Force plant No. 18, Kenmore, N. Y.
Department of the Navy	Aug. 3, 1956	Collector, Tinticum Township, Pa.	(2)	105,705.09	Navy plant in Lester, Pa.
Do	Aug. 20, 1956[1]	Lebanon, Pa	Calendar year 1955	9,000.00	Navy plant in Lebanon, Pa.
			Jan. 1–June 30, 1956	4,050.00	
Department of the Air Force	Aug. 21, 1956[1]	Treasurer, Los Angeles County	1955 taxes	4,097.21	Norwalk tank farm.
Do	Aug. 28, 1956	Treasurer, Marion County, Ind	1st half of 1955 taxes	82,074.74	Air Force plant No. 26.
Department of the Navy	Aug. 2, 1956	Newark, N. J	1956 taxes	14,567.04	(3).
Do	Aug. 31, 1956	City of Poughkeepsie, N. Y	1956 taxes on real property and school taxes, July 1, 1956–June 30, 1957.	10,080.00	(3).
Do	do	do	1956 taxes on real property and school taxes, July 1, 1955–June 30, 1956.	19,962.00	(3).
Do	do	do	1955 taxes on real property and school taxes, Jan. 1–June 30, 1955.	14,241.60	(3).
Department of the Air Force	Sept. 28, 1956	County treasurer, Lucas County, Ohio.	2d half of 1955 taxes	15,579.27	(3).
Do	Oct. 2, 1956	City treasurer, Lynn, Mass	Taxes, calendar year 1956	22,231.04	(3).
Do	Oct. 16, 1956	Treasurer, Van Buren Township, Wayne County, Mich.	1955 taxes	9,511.23	(3).
Do	do	Town collector, Grafton, Mass	1956 taxes	46,641.00	(3).
Do	Oct. 17, 1956	City collector, Everett, Mass	do	92,807.00	(3).
Do	June 4, 1956	Treasurer of King County, Seattle, Wash.	1955 taxes	155,533.58	Boeing plant at Renton, Wash.
Do	Oct. 19, 1956	Town of Stratford, Conn	do	718.56	(3).
Department of the Navy	Oct. 23, 1956	City collector, Lynn, Mass	1956 taxes	97,387.72	(4).
Department of the Air Force	Oct. 31, 1956[1]	Treasurer, city of Adrian, Mich	do	35,025.55	(3).
Department of the Navy	Oct. 30, 1956	City of Rochester, N. Y	1955 taxes	34,103.25	(3).
			1956 taxes	35,811.00	(4).
Department of the Air Force	Dec. 4, 1956[1]	Treasurer, Marion County, Indianapolis, Ind.	(2)	82,074.74	(3).
Do	Dec. 10, 1956	City of Kenmore, N. Y	School taxes, fiscal year Sept. 1, 1956–Aug. 31, 1957.	33,269.50	(3).
Do	do	City of Tonawanda, N. Y	do	51,750.00	(3).
Department of the Army	Sept. 28, 1956	City of St. Louis, Mo	1955 taxes	49,841.71	St. Louis ordnance steel foundry (plancor 1672).
Do	Oct. 4, 1956	County of Contra Costa, Calif	do	93,420.98	Pacific ordnance steel foundry, Pittsburg, Calif. (plancor 516).
Do	Sept. 14, 1956	Muskegon County, Mich	do	86,951.72	Continental Motors Corp., Muskegon, Mich. (plancor 166).
Department of the Navy	Dec. 17, 1956	Ewing Township, Mercer County, N. J.	do	44,619.18	Naval Air Test Turbine Station, Trenton, N. J.
Department of the Air Force	Dec. 31, 1956	Adrian, Mich	Tax year 1957	74,659.73	(3).
Do	Jan. 3, 1957	Sedgwick County, Kans	do	325,325.45	(3).
Do	Jan. 8, 1957	Madison Township, Lewanee County, Mich.	County, fiscal year ending Dec. 31, 1956; school, fiscal year ending June 30, 1957; township, fiscal year ending Jan. 3, 1957.	51,550.69	(4).
Department of the Navy	Jan. 14, 1957	Collector, town of Southington, Conn.	1956 taxes	110,183.04	Naval industrial reserve aircraft plant, Southington, Conn.
Do	Jan. 24, 1957	Collector, St. Louis County, Mo.	1955 taxes	[4]35,431.29	Naval industrial reserve aircraft plant, St. Louis, Mo.
Do	do	Collector, Borough of Teterboro, N. J.	1956 taxes (full payment)	3,899.87	Naval industrial reserve aircraft plant, Teterboro, N. J.
Do	do	Collector, county of Tarrant, Tex.	Taxes 1955 (partial payment)	1,413.00	Naval industrial reserve aircraft plant, Saginaw, Tex.
Do	do	Collector, township of Tinticum, Pa.	1955 taxes (partial payment)	8,160.02	Naval industrial reserve aircraft plant, Lester, Pa.
Do	do	do	1956 taxes	8,211.25	Do.
Do	Jan. 28, 1957	Township of Saginaw, Tex	1955 taxes	2,015.00	Naval industrial reserve aircraft plant, Saginaw, Tex.

See footnotes at end of table.

DEPARTMENT OF DEFENSE—Continued

Payments in lieu of State and local taxes made by the Department of Defense under provisions of Public Law 388, 84th Cong., as reported to Mr. Claude M. Hirst, Department of Health, Education, and Welfare, from Mar. 30, 1956, to present time—Continued

Paid by—	Date of payment	Payment made to—	Paid for period	Amount paid	Property
Department of the Air Force	Feb. 25, 1957	Treasurer, Hamilton County, Ohio.	1955 taxes ½ of 1956 taxes	$75,081.00 38,805.76	Lockland, Ohio, plant.
Do	Mar. 1, 1957	City treasurer, Williamsport, Pa.	1955 and some of 1956 taxes Balance of 1956 tax	2,509.12 1,319.18	(3).
Department of the Navy	March 1957	Collector of taxes, Franklin County, Ohio.	1955 taxes	161,000.00	Naval industrial aircraft plant, Columbus, Ohio.
Do	Mar. 18, 1957	City of Rochester, N. Y	Jan. 1-June 30, 1957	19,282.95	Naval industrial ordnance plant, Rochester, N. Y.
Department of the Air Force	Apr. 1, 1957	Cuyahoga County, Ohio	July 1, 1955 to Dec. 31, 1955, taxes.	6,615.43	(3).
Do	Apr. 8, 1957	Treasurer of Lucas County, Ohio.	1st half of calendar year 1956	14,549.95	(3).
Do	do	Treasurer, Van Buren Township, Wayne County, Mich.	County, fiscal year ending Nov. 30, 1957; township, fiscal year ending Mar. 31, 1957; school, fiscal year ending June 30, 1957.	9,654.07	(3).
Department of the Air Force	do	County treasurer, Broome County, N. Y.	School tax, Sept. 1, 1956 to Aug. 31, 1957, and county and town taxes for calendar year 1957.	78,926.75	(3).
Department of the Navy	Apr. 11, 1957	Collector of taxes, County of Dallas.	Interim payment for 1955 taxes	57,000.00	(3).
Do	do	Collector, Grand Prairies Independent School District.	do	90,000.00	(3).
Department of the Air Force	Apr. 15, 1957	County treasurer, Cuyahoga County, Ohio.	½ calendar tax year, 1956	7,147.22	Air Force plant No. 41.
Department of the Navy	Apr. 18, 1957	Collector of revenue, Jackson County, Mo.	1955 taxes	295,077.60	(3).
Department of the Air Force	Apr. 24, 1957	City treasurer, city of Williamsport, Pa.	For 1957 city and library tax, Williamsport, Pa.	594.07	Air Force plant No. 32.
Department of the Navy	Apr. 25, 1957	Lebanon, Pa., School District	Calendar year 1956	5,100.00	(3).
Department of the Air Force	May 20, 1957	Collector, Cook County, Ill.	1955 taxes due on June 1, 1956	972,409.57	(3).
Do	May 14, 1957	City treasurer, city of Milwaukee, Wis.	(2)	[6] 2,678.96	(3).

[1] Reported by letter this date, actual date of payment unknown.
[2] Period paid for unknown.
[3] Name of property unknown.
[4] Payment made after close of fiscal year 1956.
[5] Full payment.

[6] Amount paid was $2,678.96; the total amount claimed by city of Milwaukee was $41,661.68. Although Department of the Air Force agreed that figure represented total tax payable, amount of $38,982.72 was offset against that amount pursuant to Opinion of Comptroller General B-130749, Apr. 17, 1953. Thus balance actually paid to city is amount of $2,678.96.

General Services Administration—Obligations for payment in lieu of taxes for 1956 tax year from 1957 fiscal year appropriation

[Authorized by act of Aug. 12, 1955 (Public Law 388, 84th Cong.)]

Location	Identity	Estimated payments
Alabama: Gadsden	Republic Steel	$37,889
California:		
Chula Vista	Rohr Aircraft	59,969
El Segundo	Douglas Aircraft	17,249
Manteca	Permanente Metals	10,288
Connecticut: Canaan	New England Lime	19,558
Illinois: Chicago	Eversharp, Inc	3,441
Louisiana: Lake Charles	Mathieson Alkali	8,898
Michigan:		
Bay City	Dow Chemical Co	7,959
Saginaw	General Motors	35,810
Montana:		
Butte	Domestic Manganese	1,442
Columbus	Anaconda Copper Mining	1,173
Nebraska: Omaha	Alcohol Plant	44,151
New Jersey: Newton	Anken Film Co	211
New York:		
Brooklyn	Merganthaler Linotype	61,457
Schenectady	General Electric	46,463
Syracuse	do	31,788
Tahawus	National Lead Co	67,020
Utica	Utica Drop Forge	3,549
Valley Stream	Columbia Aircraft	13,254
New York—Continued		
Wingdale	Amco Magnesium	$51,612
North Carolina: Burlington	Firestone Tire & Rubber	30,566
Ohio:		
Hamilton	American Rolling Mill	3,738
Luckey	Magnesium Reduction	10,738
Painesville	Clifton Products	1,999
Do	Diamond Magnesium	21,235
Troy	Waco Aircraft	7,057
Warren	Republic Steel	3,307
Youngstown	do	11,528
Pennsylvania:		
Chester Springs	Franklin Graphite	1,674
Erie	Aluminum Forgings	48,513
Homewood	Westinghouse	2,821
Indiana	McCreary Tire & Rubber	2,244
New Castle	United Engineering	79,766
Washington:		
Renton	Pacific Car & Foundry	16,622
Marble	Elector-Metallurgical Quarry	2,071
Spokane	Elector-Metallurgical Plant	29,945
Total		797,026

Mr. Speaker, Public Law 388 had two defects which were recognized at the time. First, the law was temporary, expiring January 1, 1959. Second, it was found necessary to employ an arbitrary formula for describing the type of Federal property to which it applied. Many federally owned industrial plants on which in equity and good conscience contributions should be made to localities do not come within the 4 corners of Public Law 388, either because they never were owned by Reconstruction Finance Corporation or any of its subsidiaries, or because the title had not remained continuously in the United States as was required by the terms of Public Law 388.

I am sure those who supported Public Law 388 with me recognize those defects and are as anxious as I to correct them by making the law permanent and by adopting a more equitable formula for the description of Federal property subject to payments in lieu of taxes.

Accordingly, over the past several months, I have conducted a study aimed at achieving the above objectives. I employed on my staff a legal assistant, Mr. James A. Flynn, who worked with me and with the legislative counsel and attorneys and others in the agencies having custody of the properties concerned. The result of that study is the bill I introduced today. I hope it will meet with the approval of my colleagues in the Congress and will be promptly enacted into law. I am confident that no justification exists for resistance to the legislation by any agency in the executive branch of the Government. I am introducing it at this time so that during the recess of the Congress the committee may have ample time to obtain the views and reports of the agencies in the executive branch. That will make it possible for action to be taken on the bill early in the 2d session of the 85th Congress.

Mr. Speaker, I want to call attention to the unique character of this legislation and its fundamental philosophy. It is not a grant-in-aid from the Federal Government to local governments. It is not based upon the principles of hardship or need. It is not a handout. It is recognition that local governments must pay out of their own treasuries money to provide services for the benefit of the Federal Government on property it owns in the jurisdiction of the local government. Local governments provide roads and streets, sewers and gutters, police protection, fire protection, school facilities, and a host of other benefits. The federally owned industrial plant receives those benefits equally with a privately owned industrial plant adjoining it. Yet, without the legislation, because of the Federal Government's immunity from taxation by local governments, Uncle Sam will be getting a free ride; and to the extent that local taxes are escaped, the Federal Government will be draining from the treasuries of financially hard pressed local governments an unjust enrichment for the Federal Treasury.

Mr. Speaker, we have all witnessed, particularly in the last three decades, the tremendous growth in the National Government at Washington and a comparative lessening of importance of State and local governments. The tremendous sums taken from the people of the United States by the Federal Government for the cost of its operations has absorbed a higher and higher percentage of the total tax base and have made it more and more difficult for local governments to raise the funds necessary for their operations.

The effect of Public Law 388 and the bill I have introduced today is to offset the trend toward concentration of power and aggrandizement of the Federal Government at the expense of local governments. It does this by establishing the principle that the Federal Government should pay its fair share of the cost of services rendered for its benefit by local governments. To the extent payments are made in lieu of taxes the strength and the financial stability of the localities covered by the legislation are enhanced. Thus, my legislation is a step, if only a minor one, in the direction of greater democracy and improved self-government by contributing to the vitality of those units of government which are closest to the people.

Mr. Speaker, we are all aware of the tendency of agencies in the executive branch of the Government, notably the Department of Defense, to hoard whatever they have, particularly when they can do so at no expense. Requiring Federal agencies to make payments in lieu of taxes on properties benefiting from services by local governments and justifying the amounts of those payments to Congressional committees in their budget presentations may tend to discourage executive agencies from hoarding property not needed for any legitimate Government purpose. Thus, properties which ought to be declared surplus may be liquidated and the capital investment they represent either used to reduce the public debt or to contribute to reduction in taxes.

Mr. Speaker, I believe the legislation I have introduced is in the public interest and ought promptly to be enacted.

The text of the bill is as follows:

Bill to amend the Federal Property and Administrative Services Act of 1949 to provide for making payments in lieu of taxes with respect to certain industrial manufacturing plants owned by the United States

Be it enacted, etc., That the table of contents contained in the first section of the Federal Property and Administrative Services Act of 1949 is hereby amended by inserting immediately below

"Sec. 705. Effective date."

the following:

"TITLE VIII—INDUSTRIAL MANUFACTURING PLANTS

"Sec. 801. Declaration of policy.
"Sec. 802. Definitions.
"Sec. 803. Payments in lieu of taxes on industrial manufacturing plants.
"Sec. 804. Limitations."

SEC. 2. Such act is hereby further amended by adding at the end thereof the following:

"TITLE VIII—INDUSTRIAL MANUFACTURING PLANTS

"Declaration of policy

"SEC. 801. It is hereby declared to be the policy of the Congress to relieve States and local taxing authorities of the burdens placed upon them due to the tax-exempt status of certain industrial manufacturing plants owned by the United States.

"Definitions

"SEC. 802. As used in this title—

"(a) The term 'State' means each of the several States of the United States, and the Territories of Alaska and Hawaii.

"(b) The term 'real property' means (1) any interest in land, and (2) any improvement made thereon, if for the purpose of taxation such interest or improvement is characterized as real property under the applicable law of the State in which such land is located.

"(c) The term 'local taxing authority' means any county or municipality, and any subdivision of any State, county, or municipality which is authorized by law to levy and collect taxes upon real property.

"(d) The terms 'real property tax' and 'real property taxes' do not include any special assessment levied upon real property while title thereto is held by the United States, except any special assessment levied after January 1, 1959, the major portion of which is levied against real property which is privately owned.

"(e) The term 'Government department' means any department, agency, or instrumentality of the United States.

"(f) The term 'industrial manufacturing plant' means—

"(1) a national industrial reserve or departmental reserve plant in idle status; and

"(2) any other plant which is primarily engaged in the production, manufacture, fabrication, assembly, or repair of articles, goods, or wares and which is not an integral part of, and also is not used for purposes incidental to, Government facilities not engaged in production, manufacture, fabrication, assembly, or repair. A suspension of production, manufacture, fabrication, assembly, or repair shall not be construed to remove any plant from the provisions of this paragraph.

"Payments in lieu of taxes on industrial manufacturing plants

"SEC. 803. Where an industrial manufacturing plant is located on any real property in the custody or control of any Government department, then on each date occurring on or after January 1, 1959, on which real property taxes levied by any State or local taxing authority with respect to any period become due, such Government department shall pay to the appropriate State and local taxing authorities an amount equal to the amount of the real property tax which would be payable to each such State or local taxing authority on such date if legal title to such real property had been held by a private citizen on such date and during all periods to which such date relates.

"Limitations

"SEC. 804. (a) The failure of any Government department to make, or to make timely payment of, any payment authorized by section 803 shall not subject—

"(1) any Government department, or any person who is a subsequent purchaser of any real property from any Government department, to the payment of any penalty or penalty interest, or to any payment in lieu of any penalty or penalty interest; or

"(2) any real property or other property or property right to any lien, attachment, foreclosure, garnishment, or other legal proceeding.

"(b) No payment shall be made under section 803 with respect to any real property—

"(1) which is taxable by any State or local taxing authority under any provision of law, or with respect to which any payment in lieu of taxes is payable under any provision of law other than this title; or

"(2) unless such property (A) was acquired by the United States after December 31, 1945, or (B) was owned by the Reconstruction Finance Corporation (as defined in section 702) after December 31, 1945, notwithstanding any subsequent transfer thereof from such corporation to any Government department or person.

"(c) Nothing contained in this title shall establish any liability of any Government department for the payment of any payment in lieu of taxes with respect to any real property for any period before January 1. 1959."

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from Iowa, Mr. Speaker.

Mr. GROSS. With the exception of the last resolution, these resolutions will enable other committees, some of which already have that authority, to travel abroad. Is that not correct?

Mr. COLMER. I am not sure I understood the question. The gentleman said they already had the authority.

Mr. GROSS. Some have the authority, do they not?

Mr. COLMER. They have limited authority. This is specific authority.

Mr. GROSS. Not limited as to the expenditure of funds. Is not that correct?

Mr. COLMER. That is something with which the Committee on Rules has nothing to do.

Mr. GROSS. At the rate of exodus already started I wonder if there will be any counterpart funds left by the end of the year.

Mr. COLMER. I am sorry, I cannot answer the gentleman.

Mr. GROSS. I wonder if the gentleman agrees with me that it is about time these committees—their staffs and the Members of Congress, and that includes both this body and the other body, pay for their travel and other necessary expenses out of funds appropriated to the committees? In other words, if they use counterpart funds, buy the counterpart funds and pay for them in American dollars, and then come back here and submit full and public accounts. That is the way I think this thing should be done.

I say to the gentleman that at the rate this foreign travel is being expanded and in some cases abused, Congress is going to have a beautiful scandal in its collective lap. Some of this spending in the past has been for junketing on the part of Members of Congress.

I am not going to force the issue on these resolutions at this late date, but certainly something ought to be done next year by the Committee on Rules or whatever committee has the authority to regulate this thing.

Mr. COLMER. Mr. Speaker, in reply to the gentleman's statement, the gentleman is usually correct in his position here on this floor in looking after the interests of the taxpayers of this country. I am sure that wherever these funds are used they ought to be accounted for, and I agree with the gentleman.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER. The Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 24 minutes p. m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

(The recess having expired, the House was called to order by the Speaker at 4 o'clock and 51 minutes p. m.)

HOUR OF MEETING AUGUST 30

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SIGNIFICANCE OF WISCONSIN ELECTION

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SMITH of Wisconsin. Mr. Speaker, since the upset election in Wisconsin last Tuesday the question everybody asks is, "What happened in your State?"

The answer, as I see it, Mr. Speaker, is that the people in Wisconsin have rebelled against excessive and oppressive Government spending. This is a matter that transcends party lines.

Upon the election of President Eisenhower in 1952 there was great hope throughout the country that economy would be the order of the day in Washington, that in some way he would bring an end to the prolific spending policies that prevailed in previous administrations.

We have now reached a point midway in the term of the President and yet there is not less spending but more. I can hear the rejoinder, Mr. Speaker, that much of this spending is caused by the so-called cold war situation and this may be true to some degree. At this moment, however, the American people are discouraged and dismayed by the insistence of the President that he must have every cent he has asked for in the foreign-aid program and money for all the other items in his budget request.

In the State of Wisconsin, the people have been protesting and on last Tuesday—at the ballot box—they had an opportunity to register this protest and they did so with a vengeance. I daresay that if other elections were held today or tomorrow in various other States, the result would be the same.

Just today, Mr. Speaker, I received a post card in which a voter expressed his views, perhaps crudely, but he says and I quote:

> I take the liberty of writing to you in regard to restoring the cut in the foreign giveaway program. This is outrageous as many here think and it is hoped that Members of Congress will insist upon the cut.

To restore the cut in funds that the House made in the appropriation for foreign aid is indeed outrageous, Mr. Speaker. Why is it that Congress is so far behind the thinking of the people? They do not approach this matter in terms of political parties but in terms of their own welfare.

The result in the Wisconsin election should be a warning not only to Wisconsin and to Wisconsin Republicans but to both political parties through the Nation. This Wisconsin result can well be a barometer of what can happen in the next election to every incumbent, Democrat and Republican alike.

Mr. Speaker, I submit that the Wisconsin vote was a repudiation of the philosophy that we can go on eternally spending and giving our money away under the guise of national security. As has been said, "We cannot spend ourselves rich," nor can we spend ourselves secure. This the people seem to know even if our leaders do not.

BUSINESS OF THE HOUSE TOMORROW

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I take this time to ask the distinguished majority leader, if I might have his attention, what it is that brings the House into session at 10 o'clock tomorrow morning? Can the gentleman state what the business of the House will be tomorrow morning at 10 o'clock?

Mr. McCORMACK. A meeting at 10 o'clock seemed to be advisable in the minds of the leadership because nobody knows what is likely to break. If the situation should develop where we can dispose of matters tomorrow——

Mr. GROSS. The gentleman is being "iffy."

Mr. McCORMACK. The gentleman asked me a question and I will answer. If we can dispose of matters tomorrow the meeting at 10 o'clock would enable this to be accomplished more effectively than if we met at 12 o'clock.

Mr. GROSS. Now, if, if, as the gentleman says, thus and so takes place, then we will accomplish something more effectively by coming in at 10 o'clock tomorrow. Let me ask the gentleman this question.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. GROSS. Mr. Speaker, I make the point of order a quorum is not present.

The SPEAKER. The Chair allowed the gentleman to take all the time he asked for.

Mr. GROSS. The gentleman from Massachusetts took most of my time.

The SPEAKER. The gentleman asked a question and the gentleman from Massachusetts tried to answer it. Does the gentleman insist on his point of no quorum?

Mr. GROSS. Mr. Speaker, I withdraw the point of no quorum.

APPOINTMENT AS MEMBERS OF THE UNITED STATES GROUP OF THE NORTH ATLANTIC TREATY PARLIAMENTARY CONFERENCE

The SPEAKER. The Chair desires to announce that pursuant to the provisions of Public Law 689, 84th Congress, the Chair appoints as members of the United States Group of the North Atlantic Treaty Parliamentary Conference the following Members on the part of the House: Mr. HAYS of Ohio; Mr. McCARTHY, of Minnesota; Mr. SMITH of Mississippi; Mr. DOLLINGER, of New York; Mr. SELDEN, of Alabama; Mr. LECOMPTE, of Iowa; Mr. BECKER, of New York; Mr. CANFIELD, of New Jersey; and Mr. CORBETT, of Pennsylvania.

BUSINESS OF THE HOUSE TOMORROW

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DAVIS of Georgia. Mr. Speaker, I yield to the gentleman from Iowa.

Mr. GROSS. Now that the important business of appointing delegates to go to London on the annual junket, known as the Interparliamentary Union Conference has been consummated, the gentleman from Iowa would like to ask the gentleman from Massachusetts, the distinguished majority leader, if things do not develop as the gentleman thinks they will or hopes they will in the other body, are we going to have indefinite recesses tomorrow and sit around waiting for the other body to make up its collective mind to send some legislation to the House? How much longer are we going to sit at the throne of the other body and wait?

Mr. McCORMACK. The gentleman from Iowa, I am sure, gives the gentleman from Massachusetts credit for advising the House as to any situation.

Mr. GROSS. Oh, well——

Mr. McCORMACK. One thing I have never been guilty of is trying to be coy with my associates. I have always been as frank as I could be. I cannot answer the gentleman's question, neither can anyone else. I am not going to be caustic with my friend, who has been unnecessarily caustic with me, and I can be if I want to be, but I am not going to be caustic because I am unable to answer the question except, in my judgment and the judgment of the leadership, it is in the interest of the membership of the House to meet tomorrow at 10 o'clock. What will happen, I do not know. I hope for the best.

FIFTIETH ANNIVERSARY OF STATE GOVERNORS' CONFERENCE

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (S. J. Res. 35) to provide for the observance and commemoration of the 50th anniversary of the 1st conference of State governors for the protection, in the public interest, of the natural resources of the United States, with House amendments thereto, insist upon the amendments of the House and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New York? (After a pause.) The Chair hears none, and appoints the following conferees: Messrs. FRAZIER, ASHMORE, and KEENEY.

SOVIET ICBM UPGRADES UNITED STATES NAVY ROLE

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, Soviet claims to development of a missile capable of striking any place in the world with destructive accuracy may or may not be true. If they are true, the Soviets still are faced with a production problem of considerable magnitude. The real significance of the Soviet announcement is to highlight the ever-increasing role the United States Navy must play in the Nation's slowly evolving new defense concept.

It is a concept which must be based on atomic armed seaplanes, self-guided missiles, and an atomic-powered fleet.

As long as the retaliatory mission of our Strategic Air Command is tied to land-based bombers or land-based intercontinental missiles, a large number of which must be based in the continental United States, American homes, cities, and factories remain prime targets for surprise destruction by such weapons as the Soviet ICBM. Sixteen million casualties were estimated during last year's Civil Defense Administration's mock nationwide drill based on surprise attack.

But exactly the same circumstances and conditions can be applied to any system of Soviet offense based on ICBM missiles to be fired against the world from Soviet territory. Any such weapons land based within Soviet domains simply invite destruction of Soviet home territory. The whole history of Soviet international relations since World War I reveals a paranoic fear of destruction of home territory. In the interval between the two World Wars, Communist ideology as expressed by Marx and Engles was second placed to Stalinist 5-year plans aimed almost exclusively at moving old industries and creating new ones behind the protective wall of the Caucasus out of the historic path of invaders of the Russian Empire. This precaution spelled ultimate defeat for Hitler's invaders. Since World War II the same pattern has been starkly evident, both under Stalin's final regime and those that have followed to the present moment.

Momentarily the United States will have developed the ideal weapons system effective against the precise Soviet fear that can contain its aggressive desires, and at the same time relieve the continental United States from the threat of the Red ICBM.

Polaris, the Navy's newest ballistic missile, is well toward final development. It will be capable of being fired from submarines at ranges up to 1,500 miles. Combined with the long-range, high-speed and stealthy surprise of the Navy's new atomic submarines, its striking range will place 90 percent of Soviet industry and warmaking capability under the positive threat of accurate United States retaliation. It will place all but the most remote Red ICBM missile-launching sites under the same threat of retaliation. These are the exact circumstances the Soviets least want to see brought about.

But our eggs are not all in this basket. Superrange, atomic-armed seaplanes are now being developed by the Glen L. Martin Co. These can be tendered by atomic-powered ships with unlimited cruising ranges. Like the submarine fleet, this fleet can move from place to place about the world on predetermined, but irregular schedules. It would be almost impossible for an enemy to locate and destroy either type fleets. Both would stand almost completely free from surprise attack and constantly capable of accomplishing the destruction of the Soviet homeland which the Red rulers most fear.

With our retaliatory defense machinery completely mobile and away from our homes and factories, there is no foreseeable way the Soviets could use their ICBM to make an effective surprise attack against it. Without assurance of first destroying our ability to inflict death and destruction behind the Iron Curtain there is little likelihood that the Soviet ICBM would be fired on American homes and factories, for there could be no possible chance of ultimately defeating us.

It is up to the Congress and to the responsible officials in the Department of Defense to recognize these changed circumstances of our defense and this imperative need to renovate our defense concepts.

Added together they mean a prime reliance on the modern United States Navy as the country's strongest arm of defense.

THE FOURTH INDIANA DISTRICT

Mr. ADAIR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ADAIR. Mr. Speaker, it has been my custom, since being elected to the House of Representatives, to conduct an official tour of the eight counties in the Fourth Indiana District following the adjournment of the Congress.

Inasmuch as the Congress has been in such a long session this year, I am planning this official tour later than usual, but want very much to meet personally with constituents. This affords an excellent opportunity to learn, at first hand, the views and problems of our citizens. Also, we may exchange ideas on legislative and governmental matters to be given consideration during the next session of Congress.

For example, in reviewing some of the legislative actions of this session, it is my firm conviction that people generally wanted reduction of governmental expenditures. While the Congress did not reduce budget requests as much as I had hoped, I personally voted to cut appropriations by more than $7 billion. All of the cuts I voted for were not sustained by a majority in the House and Senate, but in the final analysis Congress did trim the budget about $5 billion.

Again, with respect to the mutual security program—better known as the foreign aid bill—I voted against this proposal. The people of the fourth district, generally, I believe, are strongly against giving away our American dollars for these purposes of doubful merit. I feel that we can accomplish far more through the voluntary programs like CROP or CARE, and missions established by our churches in foreign lands than by pouring out our taxpayers' money. It has been shown by overseas reactions among many of the foreign countries that we have not won friends nor influenced people as we wished and expected by doling out to them foreign aid funds.

In maintaining the peace, it seems to me that this Congress has upheld the arm of the President as a strong guard against communism and has also shown the free nations of the world that our greatest desire is to halt aggression and force.

Domestically, I have supported legislation to broaden benefits and help those who have been pressed by inflation. This includes those on pensions and retirement as well as those who have faced the need for public assistance even in our unprecedented prosperity.

Moreover, in my efforts to serve best the people of our district and our beloved country, I have consistently endeavored to see that the problems of veterans, farmers, labor, and business have received proper attention and consideration.

Even so, there is much unfinished business left behind by this first session of the 85th Congress. It is my feeling that when we return home and talk personally with the people, we will be in a better position next January to carry out their wishes in legislative and governmental matters.

That is why I am particularly pleased that I can announce this district tour. Also, to state that the Congressional office in the district will soon be opened in room 310 of the Federal Building at Fort Wayne where I welcome visits from constituents to discuss and assist them with any governmental problems they may have. During adjournment, of course, our Washington office also will be open to serve the public.

It is my plan to be present for consultations with constituents in the courthouse in each of the county seat cities of the following counties—Adams, Wells, Whitley, DeKalb, Noble, LaGrange, and Steuben. After the tour is completed, for the eighth county—Allen—the Congressional office will be open at Fort Wayne, as stated above.

Here are the dates, times, and places of the official tour:

Thursday, October 3: Wells County, 10 a. m. until 4 p. m., courthouse, Bluffton.

Friday, October 4: Adams County, 10 a. m. until 4 p. m., courthouse, Decatur.

Monday, October 7: Steuben County, 10 a. m. until 4 p. m., courthouse, Angola.

Tuesday, October 8: Lagrange County, 10 a. m. until 4 p. m., courthouse, Lagrange.

Wednesday, October 9: Noble County, 10 a. m. until 4 p. m., courthouse, Albion.

Thursday, October 10: Whitley County, 10 a. m. until 4 p. m., courthouse, Columbia City.

Friday, October 11: De Kalb County, 10 a. m. until 4 p. m., courthouse, Auburn.

WILLIAM HOWARD TAFT

Mr. HESS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HESS. Mr. Speaker, 100 years ago on September 15, this year, William Howard Taft was born in Cincinnati, Ohio. As a native and lifelong resident of Cincinnati, I cannot permit to pass unnoticed, an anniversary which I am sure every Member will want to honor.

William Howard Taft was born in Cincinnati on September 15, 1857. This year, therefore, marks the centennial of his birth. It is entirely proper that his countrymen should mark the occasion by paying tribute to the memory of one of the best-loved Americans of his time—or any time. The only man thus far to hold, respectively, the offices of both President and Chief Justice of the United States, his career as we view it—a quarter of a century and more after its close—is as rich in contribution as it is unique in scope.

There is a certain comfortable reassurance, a fundamental rightness about that long and fruitful life so that, pondering over the history of those times, instinctively one realizes, "This was a good life. Here was a great public servant." One of the noblest human traits, to me known, is the average man's instinctive recognition of goodness and fundamental integrity encountered in another, and no man ever came into the presence of William Howard Taft without becoming instantly aware that here indeed was a man without malice or guile. He had absolute integrity. He was, in the words of a friend, "honest, simply honest, transparently honest." His character was like a highly polished crystal, reflecting and throwing off light, impervious to soil or stain.

Mr. Speaker, I cannot, of course, in the very brief time at my disposal, attempt even the barest outline of a life of public service which began soon after Taft's admission to the Ohio bar in 1880 at the age of 22, and continued almost uninterruptedly until the end, half a century later. His first public office was that of assistant prosecuting attorney for Hamilton County, Ohio—to which he was appointed the year after he was admitted to the bar. In the following year he was appointed collector or internal revenue for Cincinnati.

Taft's real public career began with his appointment to fill an unexpired term on the Superior Court of Ohio. In the judicial life Taft found his true vocation; he never ceased to long for it, and through all the long busy years as Solicitor General of the United States, Governor General of the Philippines, Secretary of War, and finally President of the United States, his heart turned ever toward the judicial bench.

It was, therefore, one of the most fitting and satisfactory conclusions in American public life that, after a lifetime of unselfish service to his country and to the little brown brothers, as he used to call the people of the Philippines; after the vicissitudes of the Presidency—the only shadowed chapter in a life otherwise singularly sunny—a great public servant at last came into his own, and William Howard Taft ascended the bench as Chief Justice of the United States.

Years before when, as President, Taft signed the commission of Edward Douglass White as Chief Justice, he sighed, "To think I am giving this commission for the office I wanted myself." And now Taft was Chief Justice—succeeding the very man he had himself appointed so long ago. I repeat, it was one of the happiest, most fitting conclusions of a great and noble life of which history bears record.

William Howard Taft brought to the great office of head of the most august judicial court on earth that broad and balancing serenity which had characterized his long and illustrious career. He brought more than that—he brought profound legal knowledge and rich experience in the world of affairs. More and greater than all of this, he brought to the supreme bench the sympathy and understanding of one who knew and loved his fellow men. He brought integrity.

The people of Cincinnati and the members of the William Howard Taft Memorial Association pay tribute on the centennial of his birth to William Howard Taft with pride and deep affection arising from the contemplation of an honorable, useful, and noble life.

POST OFFICE AND FEDERAL BUILDING FOR COUNCIL BLUFFS, IOWA

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. Mr. Speaker, on January 14, 1957, I had inserted in the CONGRESSIONAL RECORD, along with my own remarks, the unbelievable but true story about the long and futile fight for a new post office and Federal building for Council Bluffs, Iowa—a city of 50,000 people—by Frank M. Lane.

That story gives cause for those responsible to hang their heads in shame.

Here is a very short synopsis of the story:

In 1950 the old, but very serviceable and beautiful post office and Federal building was condemned, and in 1951 torn down. Had a few thousand dollars been spent on the underpinnings of that building, it would have served its purpose for at least another 50 years, but, no, it was torn down and the old material sold for a pittance—and mind you, that was done before any plans, or appropriations, were even in the making for a new building. An old unsuitable pavilion was then rented for the post office by Uncle Sam for $1,000 per month, and about a dozen Federal offices were scattered all over town, costing the Government an additional $800 per month, or thereabout, while the Federal court is housed in the county courthouse, and that situation still exists this very minute.

Now, I will bring this sad spectacle up to date.

As is general knowledge, in the session of the 1953 Congress passed the Lease-Purchase Act. Its purpose was to build such Federal buildings, financed by private capital and Uncle Sam to pay rent for a period up to 20 years on such a basis as to amortize the cost of the building, after which it would become the property of Uncle Sam. Congress approved many scores of such building projects in 1954 and 1955—in every State of the Union. The Council Bluffs building was placed No. 1 on that list because it was the place where such a building was most needed. Plans and specifications were drawn for our building, as was the case for a number of other buildings on the approved list. Bids were called for in 1956, but by that time interest rates had risen to a point where only one contract could be let—all the other bids were rejected, including the bids for the Council Bluffs building, because those bids were above the maximum costs as designated by Congress.

About 60 days ago, the Senate amended the original Lease-Purchase Act in such a way as to permit these buildings to be constructed under that act—but, lo and behold, another big monkey wrench was thrown into the machinery by the House Committee on Public Works. To the great surprise—

and may I say the disgust—of a majority of the Members of the House of Representatives, the House Public Works Committee by a strict party vote turned thumbs down on the Senate-amended Lease-Purchase Act, and voted out a bill that is completely new, which provides for direct appropriation from the United States Treasury in the amount of $1,500,000,000 over a 5-year period, to build such Federal buildings.

Now, to show the inconsistency of their bill, the committee approved six large Federal buildings to be built here in the District of Columbia under the rental amortization plan—so, the lease-purchase plan is good for the District of Columbia, but bad for Council Bluffs, say they.

Now the facts are, the least informed Member of Congress knows full well that the next Congress, or any Congress in the foreseeable future, will not appropriate such a large sum of money for this purpose. So I daresay there can be but one answer—and only one answer—for the action taken by that committee on this matter; which is that, next year being an election year, they hope to pass some kind of a bill through Congress to build these buildings, and thereby make political hay while it is fresh on the voter's mind.

The bill which the committee voted out then had to go to the House Rules Committee, where it is buried deep for this session because, had the bill come to the floor of the House, the amended Senate bill could easily have been substituted for the committee bill, and the powers that be in the House know it only too well.

That completes the sad story up to date.

Where we go from here, only time can tell.

A BILL TO EXTEND THE NATIONAL WOOL ACT OF 1954

Mr. THOMSON of Wyoming. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. THOMSON of Wyoming. Mr. Speaker, I am joining with several of my colleagues this date in introducing a bill to extend the National Wool Act of 1954 for an additional 4 years to March 31, 1963. The act is presently due to expire March 31, 1959. It is essential, however, that legislation be enacted early in the next session to extend the act, if we are to avoid the harmful effect of uncertainty within the industry.

Wool and sugar are two of the few, if not the only two, major agricultural crops which we produce in this country that are not produced in surplus or in excess of our rate of consumption. We produce in this country less than half the wool which we consume. Nevertheless, prior to enactment of the National Wool Act of 1954, the sheep and wool industry in the United States was in difficult straits and the situation was constantly becoming worse. The total number of sheep raised in the United States had dropped from 49,346,000 in 1942 to 27,079,000 in 1954. This drop can be attributed mainly to price ceilings during the war and increase in imports during the war and thereafter in the face of rising costs to domestic producers. Even so, the tariff on wool was further reduced by over 25 percent in 1948, or reduced from 35 cents a clean pound to 25½ cents. The American producer could simply not compete with the lower living standards and the lower wages and lower cost of production in other areas. The result was a shift in production from sheep to cattle. The result, in my opinion, was to depress the cattle market and to contribute substantially to our overall agricultural problem. By far the greatest portion of our farm income comes from livestock and livestock products. We were faced with another very real problem. Wool is an important strategic material. Our domestic production was far below the safe level for our national security and was continually decreasing.

In addition to that, under a conventional-type support program, the stockpile of wool was building up Government storage at taxpayers' expense, which further depressed the market price. This stockpile had grown to 150 million pounds. Faced with this situation, in 1954, on the recommendations of the administration, the National Wool Act of 1954 was passed. It does not provide for an agricultural payment in the conventional sense; it provides for payment in lieu of tariff, payable solely out of 70 percent of the tariff revenues on the wool that is imported, and is not payable from the revenues collected from general taxes. This is known as an incentive payment. The effect has been to strengthen our domestic wool industry and to strengthen domestic prices. The Government surplus stockpile has been reduced from 150 million pounds to about 20 million pounds. In the first years, payments ran much larger than expected. The effect of the act is now being reflected. Domestic prices are improved and the payment will be reduced to an estimated $21 million for the current clip, as compared to payments of $58 million in the initial year of operation. The decline in our sheep numbers has been slowed. The act is tending to achieve its goals. An extension, however, in the first part of the next session is essential to permit uninterrupted improvement. The improvement is not limited to the woolgrowers. It extends to the processers and manufacturers. The extension of this act is important to the Nation as a whole.

I urge that such be made the first order of business in the next session.

I personally believe that the true solution of this problem and the problems of an increasing number of our domestic industries is by adequate tariffs or import quotas. I do not believe that we can maintain the pay scale paid to our American workers, maintain our American industries and jobs, or preserve our American standard of living unless this is done. I believe that it is in the best interests of the Free World that such be done. In doing so we can still permit friendly nations to share in the growth of America and the expansion of our markets. I believe that such general legislation should be favorably considered. Until that is done, however, it is essential that we extend the National Wool Act of 1954.

THE UNITED STATES AND ITS ECONOMIC, POLITICAL, AND MILITARY POWER

Mr. SCOTT of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCOTT of Pennsylvania. Mr. Speaker, these closing weeks of this first session have produced a truly remarkable spectacle.

We have witnessed the birth, early adolescence and frightening maturity of a new faction of advocates of dollar-economy.

Against a background of the greatest economic, political, and military power ever amassed by a single nation—the United States—these new-found disciples of thrift have deliberately and consciously distorted the praiseworthy virtue of economy to undermine the principal bulwark against global communism.

At a time when the Soviet Union is announcing new and successful ventures into military strength, ill-advised cuts in our own budget have served only to weaken our own strength.

At a time when the United States is more prosperous than ever; when the grave Syrian crisis further establishes the dangerous instability of the Middle East; when every valid sign indicates an intensification of the struggle against Communism, these new architects of economy have deliberately chipped and hacked away—in the best manner of political vandalism—at the very keystone of the world's freedom loving nations.

The effects of these economies are fearsome, indeed.

Our Air Force must reduce its manpower and the number of its air groups.

It has, and it must continue to, slow down the production of supersonic fighters and the B-52 jet bombers.

When the full impact of this so-called economy wave has manifested itself, we may even perceive the absorption of our Tactical Air Command by the Strategic Air Command, simply because the richest nation in the world hasn't provided enough money to maintain both.

Our Navy is cutting back its personnel. Rather than building the fighting vessels every recognized authority says we need, we are in the process of deactivating ships.

At this moment the Navy is engaged in the drastic slowdown or total elimination of 64 stations or naval facilities.

Our Army must reduce its strength to 16 divisions by the end of this year.

Many installations are already scheduled for closing by the end of this year—and more next year.

No one—least of all, I—will quarrel with the concept of a balanced national economy.

No one recognizes more clearly than I that calculated risks are a part of all military planning.

No nation can—or should—attempt to achieve absolute security.

But I do question—and question closely—the wisdom and timing of the leaders of this House in the exercise of their recently discovered passion for pennypinching.

I go even further.

I see in this spectacle of the capricious dilution of our military strength a measure of mischief and political irresponsibility that is, to say the least, awful.

And I make this charge specifically in light of the fact that ways and means have been available to the leaders of this House for several months to bring about genuine savings in Federal expenditures—savings that could combat our other major foe, inflation, and still permit us to fight, at full strength, communism.

Last week—in fact, on August 22—I introduced a bill, H. R. 9415, to amend the Internal Revenue Code of 1954 to provide a revision of personal and corporate tax schedules.

My bill, which is identical to another, H. R. 6452, introduced by Mr. Sadlak, of Connecticut, last March, provides for a sensible reduction in individual income tax rates in each bracket and of corporate income tax rates over a period of 5 years, beginning January 1, 1958.

These downward adjustments in tax schedules, provided for in my bill, have a threefold goal:

First. To increase individuals' standard of living by allowing them to retain a larger portion of their real earnings.

Second. To encourage business—especially small business—to expand and grow, thereby enriching our national economy.

Third. To provide for a regular flow of revenues for the orderly retirement of our national debt each year.

But I must emphatically state that I do not now—nor shall I ever—sponsor or support any legislation to reduce taxes if such legislation carries as its price the foolhardy, Alice-in-Wonderland-type of tampering with our national functions, such as defense of this Nation and aid for our allies, bound to us in the common cause against communism.

With equal emphasis I state to the leaders of this House that if their burning interest in economy bore the stamp of authenticity, they could have achieved their savings in Federal expenditures long before this—and without jeopardizing our national welfare—by enacting into law a measure that has been before them since June 7, 1957.

I refer to a bill, H. R. 8002, introduced 3 months ago by Mr. Rogers of Florida, the companion bill to S. 434, known as the Kennedy-Payne bill.

This legislation, as every Member of this House is aware, implements one of the most far-reaching fiscal reforms proposed by the Citizens Committee for the Hoover Report.

It is devoid of political bias.

Its sponsors include Democratic and Republican leaders of the Senate.

The best known and most respected authorities on fiscal management of both parties have given this measure their unqualified endorsement.

That he who runs may read, I summarize here briefly the intent of H. R. 8002:

It provides that appropriations would be granted for the oncoming fiscal year instead of in a lump sum for an entire program as is now the case.

The advantages and attributes of this bill are myriad.

It permits Congress to adhere to its constitutional duty of custodian of the public funds with genuine realism.

It would provide Congress with the means of reviewing annually the spending activities and the programs of each of the spending agencies.

It would in no way hamper or curtail, executive agencies from entering into long-range programs, spanning several years, for it permits the authorization of long-range contracts, and limits only actual appropriations to 1 year.

The Director of the Bureau of the Budget, the Secretary of the Treasury, the Comptroller General of the United States—indeed, every responsible official—has testified before committees of this House that as of today there exists some $70 billion in carryover appropriations—or roughly the equivalent of the budget for fiscal 1958.

The hard, cold fact of the matter is that it is possible that this $70 billion can be spent by the spending agencies without the Congress actually knowing where a single dollar of it goes—or why.

The record is replete with shocking instances of uncontrolled and unsupervised spending, as permitted under the present system of appropriating funds for executive agencies.

We know that in 1953 Congress appropriated $12.5 billion for guns and other weapons for use in the Korean war.

The war ended within a month of the new budget year.

Years later in May 1957, the Army was still spending this $12.5 billion—and Congress had not a single method or means of reviewing that spending.

I am not singling out just this one instance.

Every executive department of the Government, large or small, operates under the same loose, inexcusable system of gigantic grants without even cursory review of spending.

Apart from recapturing the $70 billion which I mentioned before, fiscal experts, irrespective of party, have uniformly stated that, were H. R. 8002 enacted into law, savings amounting to $3 billion a year could be achieved under our present or comparable rates of spending.

There is nothing complex or intricate in the system of accounting called for in H. R. 8002.

If appropriations are to be determined on an annual accrued expenditure basis, it means only two things:

First. The United States Government will buy only what it needs and pay only for what it gets.

Second. Congress will have at hand a constant means of fulfilling its role as watchdog over the needs of the Nation.

If there is anything revolutionary or dangerous in this philosophy I fail to see it.

And I am happy to know that in this conviction of mine I am joined by Americans such as former President Herbert Hoover, Joseph P. Kennedy, Solomon C. Hollister, Sidney A. Mitchell and Robert G. Storey—not forgetting for a moment the 47 Members of the Senate, including Democratic Senator Byrd, who sponsored and voted for S. 434.

In fact the only question in my mind today is "why have the leadership of this Congress, so recently imbued with an all-consuming fear of inflation that they would toy with the welfare of this Nation, failed to apply their talents for money-saving along the lines spelled out in H. R. 8002?"

Why are we subjected to economy measures that can only injure us, while those measures which can help us lie neglected in some pigeonhole?

Why is a dollar saved sensibly and rationally less valuable than one saved by foolhardiness?

Why must "economy" wear the cloak of politics, when the garb of fiscal prudence and intelligent planning is just as handy and certainly far better fitting to the needs and obligations of the United States?

I realize full well that too little time remains for deliberate and conscientious action on H. R. 8002, and the resulting bill which would grow out of such action—H. R. 9415.

But in the ensuing months between now and the opening of the second session of this Congress enough time does remain for my colleagues to do a bit of what we call in scholastic circles "outside reading."

I recommend to them most highly a farcical novel entitled "Brewster's Millions" by George McCutcheon.

This is not a facetious suggestion.

The analogy between the sorry Mr. Brewster and the present sorry plight of the United States Congress is too perfect for jokemaking.

Mr. Brewster, you will recall, was confronted with the problem of spending himself broke before he could be assured of receiving additional funds.

Whether we like it or not, we, by law, require the executive departments to spend themselves broke before they, too, can receive additional funds.

The greatest tragedy of all is that while, "Brewster's Millions" was a work of fiction, the millions with the allocation of which we are entrusted are the realistic fruits of the efforts of millions of hard-working, patriotic Americans, to whom this Congress and every Congress, owes an everlasting obligation.

REPORT ON THE 1ST SESSION OF THE 85TH CONGRESS

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HENDERSON. Mr. Speaker, as the 1st session of the 85th Congress draws to a close, I wish to make some observations with regard to what it has accomplished and what it has failed to accomplish, as well as to discuss the stand that I have taken on some of the more controversial measures which were considered here. We have been in Washington a long time this year in a session of unusual duration, and without some sort of a final report it is difficult to recall the important events which have transpired since last January 3.

One thing is notable. Although the number of bills which have been introduced in the House is nearly 10,000, with approximately 3,000 more in the Senate, the number of bills which have been approved and signed by the President—something more than 250—is a mere fraction of the total which were introduced. There have been very few measures which could be regarded as being of major legislative importance. In many ways that is a good record because I am firmly convinced that it is as essential for a Congress to resist wholesale enactment of bad or questionable legislation as it is to consider and pass beneficial legislation. Regimentation is one of the great problems facing America today—regimentation which has come from congressional anxiety that there might be some field of endeavor or activity which has not been controlled. Therefore, I repeat that the fact that few major bills were passed might well be generally characterized as an advantage for the citizens of America.

MIDDLE EAST RESOLUTION

When Congress convened on January 3, the world was in the midst of a crisis which had occurred because of the situation in Suez in which the Egyptian Government had seized the canal. France, Britain, and Israel had crossed the Egyptian frontier in a military engagement. From a small beginning, it was clear that the most serious consequences could have developed. As a result, President Eisenhower asked the Congress to propose a resolution of strength and to authorize him to move boldly both diplomatically and militarily in the Middle East to lessen the threat of general war. The President also requested that he be given power to expend for this program up to $200 million from funds which had been authorized by a previous Congress, but which had not yet been expended. In spite of the urgency of this legislation, Congress moved with shocking leisureliness. It was not until January 30 that the resolution passed the House. It was not agreed to by the Senate until March 5.

TAX REDUCTION

The taxpayers of America received no relief from the first session of the 85th Congress. No substantial tax reduction bills were enacted and few were given the courtesy of consideration. Yet the tax revenue under existing laws increased from $68,165,000,000 in fiscal 1956 to $70,989,000,000 in fiscal 1957 because of the economic growth of the Nation. Rather than a tax reduction, legislation was enacted to extend for another year the old emergency wartime excise taxes in order to maintain tax income at the present high level. The Tax Rate Extension Act of 1957, which extended these wartime tax rates, was approved by Congress on March 28 and by the President on the following day. This was the second important bill to become law during the year and, in fact, the 12th bill of any sort, important or trivial, to be passed in the first 3 months of 1957.

HOUSING ACT

The Housing Act of 1957 was the third major bill which the Congress considered and this was not approved until after the session was more than 6 months old. I think it fortunate that this bill did not authorize any additional public housing. The bill did amend the Housing Act with regard to units already authorized and, in addition, contained provisions with regard to college and military housing, FHA loans, reduced downpayment requirements, and other modifications of the FHA and FNMA activities to permit builders to provide, and homeowners to acquire, additional private housing.

GIVEAWAY

The Mutual Security Act, or foreign-aid bill, is a proposition which provides for the transfer of about $3 billion of wealth from this Nation to countries abroad. I opposed this bill because I believe foreign aid has become an ill-considered implement upon which too much foreign policy reliance has been placed. Funds used for this costly program could be applied at home in view of our national debt and the oppressive burden on our taxpayers. Too often, nations, though they may be in need, fail to appreciate the sacrifice we in America are making and continue to regard with suspicion the seemingly bountiful and inexhaustible pot of gold which our Government doles out. In many nations abroad, this has developed into outright enmity. It is a tragic commentary that in our well-meaning haste to spend money abroad, we find American administrators of the foreign-aid program zealously digging up projects that are not needed, wanted, or understood in the nation receiving the benefits.

VETERANS LEGISLATION

The final bill which is given a rating of "major" in this first session of Congress deals with veterans benefits. Few bills for veterans were considered by the 85th Congress. However, one such bill was approved by the House and Senate providing for a 10-percent increase in compensation for those disabled veterans with service-connected disabilities. Other veterans bills have been passed by the House, but are still to be considered by the Senate. These include an increase in pensions for widows of the Spanish-American War, the Boxer Rebellion, and the Philippine Insurrection. Another bill liberalized criteria under which the eligibility of widows of all wars are computed. Other measures of widespread importance to veterans are still to be considered next year.

SCHOOL CONSTRUCTION

Very few bills were killed during the session by action on the floor of the House. By and large, those measures which had stimulated considerable opposition were held in committee until a more propitious occasion. However, one bill, the School Construction Assistance Act of 1957, which sought to inaugurate a Federal spending program to supplement a purely local function of providing educational facilities, was substantially defeated. I opposed this measure.

POSTAL RATES

For the second successive year, the House passed a bill to provide for an increase in postage rates from 3 cents to 4 cents on first-class mail, from 6 cents to 7 cents on airmail, and a general overall increase on other types of mail. However, the Senate has not seen fit to act upon this legislation in 1957.

CIVIL RIGHTS

The major legislation incorporated in the civil-rights bill which provided for the protection of the voting rights of all Americans, received a mixed reaction. The House passed one version of this legislation, which I approved, and the Senate, after prolonged debate, voted a watered-down version. After weeks of waiting, bickering, and shuffling, a compromise was finally advanced which is acceptable to most Members of Congress. The jury-trial issue was resolved by permitting a defendant to obtain a jury trial if his initial trial before a judge resulted in a sentence in excess of $300 fine or 45 days in jail.

APPROPRIATION BILLS

Even though the Nation might endure without the enactment of new laws and, in fact, might be better off if none were enacted, one function—one painful function—of Congress requires action each year. That is the appropriation of money. Annually, Congress is required to appropriate sufficient funds from the tax revenues or other sources of Federal income to conduct the operation of the Government for the next fiscal year. This is accomplished by the enactment of appropriation bills. The following appropriations were made:

Appropriation bills for 1958	Amount originally proposed	Passed by House	Amount in final bill
Treasury-Post Office	$3,965,291,000	$3,884,927,000	$3,884,927,000
Interior	515,189,700	454,395,700	456,189,600
General Government matters	20,921,870	16,021,370	16,010,370
Independent offices	5,923,195,000	5,385,201,700	5,373,877,800
Labor-Health, Education, and Welfare	2,981,277,581	2,846,831,581	2,871,182,781
District of Columbia (Federal payment)	25,504,450	22,504,450	22,504,450
Commerce	871,513,000	653,685,060	597,790,225
State, Justice, Judiciary	665,649,802	563,799,793	562,891,293
Agriculture	3,965,446,617	3,692,889,757	3,666,543,757
Legislative	108,271,443	78,370,285	104,844,660
Defense	36,128,000,000	33,562,725,000	33,759,850,000
Public works (exclusive of AEC-TVA)	876,453,000	814,813,023	858,094,323
Supplemental (post office)	149,500,000	133,000,000	133,000,000
Supplemental, 1958	1,973,767,827	1,581,590,587	1,734,011,947
Mutual security	3,386,860,000	2,524,760,000	2,768,760,000
Atomic energy	2,491,625,000	2,299,718,500	2,323,632,500
Total	64,048,466,290	58,515,233,806	59,134,110,706

The totals above do not reflect certain other costs which the Nation's taxpayers are called upon to assume. One huge item is the fixed charge of approximately $7,360,000,000 which represents interest on our huge public debt. Happily, this debt, now in the neighborhood of $270 billion, has been reduced by $5,200,000,000 during the past 3 years.

Many Members had misgivings with regard to the amounts included in these appropriation bills. I shared many of those misgivings. In fact, in every instance in which there was a possibility of voting for responsible reductions, I am recorded as having favored such cuts.

In one of the appropriation bills, 14 amendments were voted upon with an aim of effecting a reduction. I am proud to have been one of those who voted in favor of each of those 14 amendments. Inasmuch as funds are necessary for the conduct of legitimate functions of the Government, I voted in favor of each of the appropriation bills in their final form except the supplemental appropriation bill for 1958 and mutual security appropriation bill. On the latter bill, I was recorded in opposition. I consider this function a most questionable one in view of the manner in which it has been conducted in the past.

FARM LEGISLATION

The session produced very few bills that might be considered helpful or beneficial to the farming industry. One bill of some note was similar to one I had introduced providing for the reduction of controls over grain production by making it possible for a farmer to raise up to 30 acres of wheat without regulation or without restraint so long as that wheat was used on the farmer's premises. My own provision proposed to lift the acreage restrictions entirely. I look foward expectantly to the day when farm controls and regimentation of all farm activities can be removed and I will work toward hastening that day in every way possible.

COMMITTEE WORK

During this session I have been a member of the Banking and Currency Committee which is charged with the responsibility of regulation of the Federal financial institutions and those institutions subject to Federal control and with many other fiscal and monetary considerations. Bills considered include measures to extend the life of the Small Business Administration, to increase the authority of the Export-Import Bank, to prevent the stagnation of the building and loan industry by holding companies, the Housing Act of 1957, and the Financial Institutions Act which is designed to recodify and up-date the laws with regard to the financial institutions of the country.

BILLS INTRODUCED

Legislative procedures being what they are and party control in Congress being what it is, usually few bills by Members of the minority party in Congress are privileged to be considered and enacted. Consequently, with the Democrat Party in power during the 85th Congress, few bills by Republicans were considered and approved. Nevertheless, all Members introduce bills to pave the way for future consideration and to add support to others who have introduced legislation as well as to put forward concepts which are believed to be advisable with regard to necessary legislation. As I mentioned at the outset of this report, it is my own belief that the Nation needs fewer, rather than more, laws. I introduced a very small number. One bill which I introduced received recognition and the philosophy behind it was considered as the House approved a Democrat-authored bill to permit farmers to raise up to 30 acres of wheat so long as the feed and seed was used on the premises. My own bill, which I would have preferred, was one which would have permitted unlimited acreage so long as the same purpose was observed.

Another one of my bills would have made the Small Business Administration a permanent agency. Under existing legislation the Small Business Administration was due to go out of existence in 1957. Although my Committee on Banking and Currency approved the provision for permanent status in a bill revamping the functions of the Small Business Administration, as finally enacted after a struggle with the Senate during its filibuster over civil rights, extension of the Small Business Administration was granted for only 1 year.

Earlier, I mentioned my criticism of the fact that no actual consideration was given to a tax reduction. I am firmly convinced that one of the serious threats to small business, to the independent grocer, to the small manufacturer, even to the farmer, lies in the tax structure of the Nation. Big business, large corporations, wealthy enterprises, can obtain tax advantages through the use of accounting procedures that the little fellow lacks the resources to duplicate. I, therefore, joined several other Members of Congress in introducing legislation designed to give a tax break to the small-business man by a reduction in taxes, slight as it might be, and also by permitting small enterprises to have a tax advantage in plowing back funds to be reinvested into their business for growth and development. I regret that the leadership in Congress did not permit bills of this type to be considered.

A problem of considerable concern to me and one which is in the minds of fully half of the residents of the 15th District and throughout the Nation is the difficulty of finding employment for older persons. I have introduced legislation which would provide a tax incentive for employers who would hire more than the normal amount of older people so that persons past middle age who enjoy good health, by reason of the tremendous strides that have been made in the fields of medicine and mental hygiene, could find useful and gainful employment. This bill joins those of other Members of Congress which would prohibit discrimination in employment of persons past 40 and these meritorious objectives are gathering dust in the legislative pigeonholes in the 85th Congress.

ECONOMY

It was not a wave of hysteria that swept through the hills of southeastern Ohio, but a rugged determination on the part of analytical constituents that economy in government is an urgent necessity. Ever since we deserted the philosophy of those who framed our Constitution, which limited our powers to tax ourselves, ever since the day that the 16th amendment was enacted providing for the levying of an income tax of unlimited amounts according to the whims of Congress and the prodding of pressure groups, this Nation has known little about the blessings of economy. The economy demand that was heard from the taxpayers in the early part of 1957 had most beneficial results upon Congress as will be noted from the fact that the total appropriations for the year are almost $5 billion or 7.7 percent less than had been originally proposed. In addition to supporting each of those cuts or reductions, I made it a part of my own program in voting to approve many measures which would lead to economy in the operation and cost of our Government and which could not endanger its security or efficient functioning. In fact, in February of 1957, I joined with my colleagues from Ohio in signing a declaration of economy which stated the following:

> The Ohio Republican delegation in the United States House of Representatives, after careful study and evaluation, has unanimously agreed that a substantial reduction of the $72 billion budget will be in the best interests of the people of the United States.
>
> It was further agreed that every proposed reduction in the budget, which does not curtail essential services or endanger the security of our country, will be supported.

It is my belief that I consistently followed that declaration of policy, in fact, my record of economy votes was noted in the Congressional Quarterly as being the second highest in the State of Ohio and among the highest for the entire Nation.

PROGRAM FOR NEXT YEAR

Predictions are difficult, of course, but with the second session of Congress coming just 4 short months from now, it is anticipated that some of the measures which will face Members of Congress will be those to augment postal rates, to decontrol the production of natural gas, to work out some of the problems in the National Highway Act, and I most sincerely hope, measures to provide for a tax reduction which will remove some of the oppressive burden from the shoulders of harassed taxpayers. I intend to work for that end, both to the point of obtaining a general tax reduction and toward obtaining an equitable tax responsibility.

THE LESSON OF KOREA BROUGHT HOME

The SPEAKER. Under previous order of the House, the gentleman from Oklahoma [Mr. EDMONDSON] is recognized for 15 minutes.

Mr. EDMONDSON. Mr. Speaker, the Navy League has rendered a service to all Members of Congress by this week making available to each Member a copy of a historic book, The Sea War in Korea, by Comdr. Malcolm W. Cagle and Comdr.

Frank A. Manson, of the United States Navy.

The Manson-Cagle history of the Korean conflict, written from the standpoint of naval officers with outstanding combat records, is replete with significant lessons for this Nation in 1957.

Perhaps one of the most important lessons of the new publication is the strong case which it makes for balance in our Armed Forces, both between the services and within the services.

Although we had the atomic weapon throughout the Korean conflict, it was fought in its entirety with conventional weapons and conventional forces, and the Navy's mission in getting our troops to the battlefront and keeping them supplied was of critical importance.

Another lesson is the importance of amphibious warfare—and The Sea War in Korea emphasizes effectively the teamwork and coordination between and among the services which are essential to effective amphibious operations.

In an eloquent foreword to the book, the importance of readiness for what might be called a "limited war" in this year of 1957 is well stated by Adm. Arleigh A. Burke, Chief of Naval Operations. In Admiral Burke's own words, the first lesson of the Korean War is that—

> The military forces of the United States must be vigilant and ready to defeat aggression in any area and in any form, whether it be large or small, atomic or conventional.

And it is still true, as Admiral Burke states, that control of the sea is prerequisite to victory in modern war.

Perhaps the most timely lesson of all, as this Nation discusses the possibilities of disarmament with the Communist world, can be found in this quotation from Vice Adm. C. T. Joy, who was Chief of the U. N. Command Truce Delegation Team:

> During the last 10 months of my tour in the Far East I was fortunate, or unfortunate, enough to face our common enemy across the conference table. If there are still those in the Free World who believe that the enemy can be moved by logic, or that he is susceptible to moral appeal, or that he is willing to act in good faith, those remaining few should immediately disabuse themselves of that notion. It was a mistake to assume, or even hope, that the enemy was capable of acting in good faith. Future textbooks can set down the maxim that the speed with which agreement is reached with the Communists varies directly as the military pressure applied, and that the worth of any agreement is in proportion to the military strength you are able and willing to apply to enforce it.
>
> As for the future, it should be clear that there is nothing inevitable about the onward and upward progress of the United States or the United Nations. In fact there is nothing inevitable about our survival. History is littered with the graves of civilizations that assumed all is well. All is not well. We will survive and progress to the extent that we are aware of the enemy who threatens us, and to the extent that we stay strong enough to meet him in the arena of his choosing.

As this country moves today to reduce our military forces, to place fighting ships in mothballs, and to slow down the development of missiles, it is well indeed to ponder the words of Vice Admiral Joy, and the many lessons of the sea war in Korea.

It is especially gratifying to me that one of the authors of this book, the Sea War in Korea, is the young Oklahoman who has established one of the outstanding records in the Navy of any man from our State who has served in that great force. Commander Manson with this book has given to the Congress and to the country a message well worth pondering in this year of 1957.

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, I wish to associate myself with the remarks made by my distinguished colleague from Oklahoma concerning Comdr. Frank A. Manson and the part Commander Manson had in writing The Sea War in Korea.

Commander Manson is a very close friend of mine, and I have been privileged to be associated with him in both an official and personal capacity. He is a profound student of history and has a very keen and analytical mind. His devotion to the Navy and its role in our struggle to preserve liberty is unsurpassed. Commander Manson's untiring efforts reflect great credit upon himself and are indicative of the very highest traditions of the United States Navy.

The Sea War in Korea should be read by every Member of this House. It is not a dull history. It is a stirring chronology of the valiant efforts made by our Navy in combating communism in the Far East. It points up the fact that eternal vigilance is the price of liberty and that this Nation must be prepared at all times on land, in the air, and on the high seas if we are to remain a free and independent people.

I commend Commander Manson for his part in bringing this vital message to the American people, and I hope that The Sea War in Korea will be read by everyone who has a part in the shaping of the destiny of this Nation.

RETIREMENT FOR CAPITOL PERSONNEL

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the House passed unanimously yesterday a very crippling amendment to the retirement bill affecting certain personnel here at the Capitol, H. R. 8424. I think it was because of an inadvertence or a misunderstanding of the provisions of the amendment. I believe that the Senate will rectify it later, because it should be rectified.

NATIONAL GRANGE HEADQUARTERS

The SPEAKER. Under previous order of the House, the gentlewoman from Idaho [Mrs. PFOST] is recognized for 5 minutes.

Mrs. PFOST. Mr. Speaker, I want to add my voice to those of my colleagues who have spoken out on this floor against razing the National Grange headquarters, and the other structures on Jackson Place, to make way for a mammoth office building to house the swelling White House staff.

If ever there was an example of waste, inefficiency and sheer disregard for the rights of others, this is it. The National Grange headquarters is a beautiful, modern structure built with the pennies, dimes, and dollars of American farm families, and belongs to them. The other buildings scheduled to be torn down are either handsome, up-to-date office buildings which the Government could use as they are, or are interesting structures which are intimately tied in with 19th century Washington. A tasteful blend of the old and the new gives Jackson Place a flavor of its own, a flavor which is cherished not only by those who live here, but those who come to visit.

Yet, on July 17 of this year, the President transmitted to the Congress, with his blessing, the recommendations of his Advisory Commission on Presidential Office Space, that the entire row on Jackson Place be torn down, with the exception of the Decatur House at one end and a similar structure at the other, and that a gigantic new office building be thrown up in between.

And do you know how the ground on which the Grange building now stands would be used under this plan? For lawn. Lawn to show off the Decatur House.

Mr. Speaker, everyone agrees that the Decatur House should be preserved. The home of Commodore Stephen Decatur, who fought the Barbary pirates, is a showplace which has been little changed down through the years. But it is generally estimated that the Federal Government will have to pay $500,000 for the Grange property if it is acquired by the General Services Administration by condemnation. Add to this the cost of tearing it down, and the cost of clearing the site and putting it in grass, and you will have the most expensive lawn in America. I think the country can well do without this bit of grass at this time when we are trying so hard to cut our expenditures.

Many distinguished architects and the National Trust for Historic Preservations, which is congressionally chartered, have strongly recommended that the Jackson Place buildings be preserved, and that the new Federal office building be confined to that portion of square No. 167 which fronts on 17th and H Streets. This would give additional office space to the White House staff at a location which is just across the street from the wing now used for offices.

The President's Advisory Commission has also proposed razing the historic old State, War and Navy building, which stands across the street from the White

House in another direction, to make way for another new office building. This is one of the most perfect examples of French Renaissance architecture in the United States. It is a Washington landmark.

It has been estimated that it would cost a cool $6 million just to tear down this well-built structure. It seems to me this $6 million might well be used to alter the interior of the present building and make a more useful arrangement of the rooms.

Because I feel that both the razing of the Jackson Place row of buildings, and the old State, War and Navy building, would be unforgivably wasteful and unwise, I have introduced a bill (H. R. 9323) to prohibit Government agencies from acquiring or using the National Grange headquarters' site without specific congressional approval, and to provide for the renovation of the old State Department building.

I am inclined to agree with my colleague, Congressman **Frank Thompson**, of New Jersey, principal sponsor of this bill, that "the President plans for 2 office buildings to house his expanded staff constitute a 48-carat, multimillion-dollar boondoggle."

THE 85TH CONGRESS

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. **Vanik**] is recognized for 30 minutes.

Mr. VANIK. Mr. Speaker, as this 1st session of the 85th Congress draws to a close, it is fitting to analyze its record of accomplishments and shortcomings. Whether the record may afford proof or not, it has been a busy session of long hours and tense, hard work. A deep sense of purpose seemed to prevail throughout the sessions every day. This Congress vigorously worked to reduce Federal expenditures with a minimum loss of public service and with an alert respect for the national security. This Congress is distinguished for the scholarly debate on the civil-rights issue and the forging of the first "civil rights" bill in 82 years.

Since January 3, the House has been in session 138 days. Almost 1,200 bills were passed by the House which resulted in 179 public laws to date. Of 220 rollcalls, I missed only 6 of which only 2 were issue votes, an attendance record of 96 percent.

I want now to discuss vital questions which confronted this congressional session with particular emphasis on those issues substantially affecting my community, Cleveland's east side, the growing city of Garfield Heights and the village of Newburgh Heights, the finest congressional district in America.

THE BUDGET, FISCAL POLICY, AND TAX REDUCTION

Citizens everywhere have been clamoring for a reduction in our burdensome Federal taxes. Earlier this year tax reduction seemed possible. However, inflation had its most serious effect on Government itself. The same or even less military hardware would cost more money. The spiraling increase in the cost of handling the Federal debt induced by administration policies, in addition to the inflationary rise in the price of Government procurement, made futile the aggressive efforts by Congress to reduce the cost of Government. It was soon apparent that a tax cut was not in the picture this year.

In addition to inflation, the administration's policy of "tight money" and unrestrained interest rates has permitted inflation to invade the money markets at a brutal expense to the Government itself. In 1952 interest on the public debt was $5.9 billion, while in 1958 this interest cost has risen to $7.3 billion, an increase of $1.4 billion or a 24 percent increase in the interest charges on the public debt. Inflation and the skyrocketing cost of interest on the public debt have resulted in the regrettable fact that the public debt has risen from $259.2 billion at the end of 1952 to $270.6 billion at the end of fiscal 1957.

The President's budget estimate of $71.8 billion was under heavy assault in Congress. After vigilant efforts, approximately $5 billion have been pruned from contemplated Federal expenditures. Congress to date has appropriated $56.3 billion plus an estimated $3.4 billion for the mutual security program plus the sum of $7.4 billion as interest on the public debt or a total expenditure of approximately $67 billion.

America must attack its indebtedness with the same spirit and vigor with which it attacks other enemies of the national security. This struggle must take place on two fronts: Firstly, to reduce Federal expenditures, and secondly, to resist the tremendous pressures by special groups to work out tax saving advantages at the expense of the Federal Treasury.

The tremendous pressure for tax reduction has been generated by corporate enterprise and the higher income groups which seek more income after taxes for so-called investment in new enterprise. Some segments of this corporate enterprise have enjoyed tax depreciation benefits which deferred taxable income for a future time. A reduction in corporate taxes for these favored enterprises would result in a multiplied loss to the Federal Treasury from these sources.

Early this year and after an exhaustive study, I was the first Member of Congress to attack the tax avoidance practices of American corporations engaging in foreign oil exploitation. Our Government was spending millions and pledging American lives to resist Communist advances in the Middle East. For the same ostensible purposes our Government was providing weapons and support to guarantee the tenure of Middle East governments, including the protection of King Saud and the vital oil contracts into which he entered with American corporations. American men and money were pledged to defend King Saud from enemies without his nation and people from within who may have had some argument with his concept of social justice. It was indeed shocking, therefore, to learn that in spite of the tremendous contribution of the American people to the successful development of the Middle East oil industry, highly profitable to certain American corporations, taxes on income in excess of one-quarter billion dollars annually escaped the United States Treasury. The American corporations legalized this tax diversion by arranging with King Saud to convert their royalty obligations fixed by contract to a tax imposed by the foreign government and therefore exempt from United States taxation. This expressed the selfish contempt by profit-hungry corporations to the American people and their Government, which guaranteed the integrity of profitable oil contracts which would otherwise be meaningless paper.

It is morally unjust to permit such tax escapes to exist when so many individuals are overwhelmed with their tax burdens. Congress has become concerned with this problem, and the possibility of eliminating tax depletion allowances at least for American operators abroad is being considered.

If fiscal prudence were the test applied to our national affairs, the national indebtedness of this country should be attacked with as much vigor as any other enemy of the national security. If our Nation will insist on collecting the income taxes rightfully due and owing this country, if tax loopholes under which American corporations engaged in oil production at home and abroad will be required to pay taxes which they rightfully owe this country, if the use of the quick depreciation privilege is immediately terminated, and if the American people would support their representatives in Congress in an all-out struggle against national indebtedness, the job could be done in a remarkably short period of time. The advantage to the American people would far outweigh the temporary gains that might result from small tax reductions now. If apprised of all of the facts, I believe the American people would support policies to make our Government economically stronger.

In the final analysis, the greatest bulwark of strength which our Nation possesses in the event of contingent depression or war is the fiscal stability that only a reduced public indebtedness can produce. Our democracy must be economically sound to survive. Sound national credit is as important a weapon for the national security as any developed by modern research.

However, if the Congress next year feels that a distribution should be made of any accumulated surplus resulting from budget reduction and if our economy should prove to need the added stimulation of more disposable income, I will do everything in my power during the coming session of Congress to support a tax reduction which will redound to the benefit of the family by increasing exemptions. Dependency exemptions must be realistically adjusted to the real cost of supporting dependents before any other group receives tax-cut consideration. The family is the bulwark of American life, and family life must be given this help long overdue.

NATIONAL DEFENSE AND MUTUAL SECURITY

The most costly item by far in the national budget was the appropriation of $33.7 billion for the security of the Nation. This was $2.3 billion less than the President had requested, and it was the considered judgment that if our Nation was to err in this item, it would be wiser to err on the side of more defense rather than less. The cost of more complex and intricate military equipment was increasing and economies would have to be brought about at the price of declaring obsolete many established activities of the national defense.

First it was the Navy declaring the Army methods obsolete because of immobility. Then the Air Force declared the basic techniques of both the Army and the Air Force obsolete and inadequate. Now the intercontinental ballistic missile with an atomic warhead, threatens the positions of all other established activities of national defense.

This is a time of radically changing concepts of national defense. The result will probably provide a valuable and important place for all defense activities with emphasis on missile warfare in the future which will require more expensive equipment and more highly trained personnel.

On the problems of our national security I deem it extremely important to take the counsel of our experts after discounting the factor of service rivalries. While service rivalries may be expensive, they may, in some way, compensate for their added cost by presenting constant competition of ideas as to which device or method will more adequately defend our Nation. It is obvious in any case that adequate defense can be brought about with fewer men in the military service. Those who remain must receive intense training and retraining. It is hoped that the draft of our young men may soon be terminated and that in keping with new policies in the Defense Department, incentive pay and other career incentives might end the draft and produce an adequate supply of men and women dedicated to serve in the armed services and keep up with its changing requirements.

The reduced appropriations for the Defense Department have already been felt throughout the Cleveland area. Many of our smaller plants and defense suppliers and subcontractors are already feeling the effect of defense cutbacks. While this will undoubtedly result in the displacement of many people from their jobs, it is far better that this changeover in production be experienced at a time of high productivity rather than in a recessive period, and it must be remembered that defense spending should be for the national defense rather than for the creation of job stability.

In the mutual security program the Congress agreed upon an appropriation of $3.4 billion, approximately $1 billion less than the President's request, and time can only tell whether this is an adequate amount. Uninformed people are opposed to our foreign aid program as a costly and useless expenditure of American funds. The disclosure of unwise expenditures and activities has not added to the popular support of this program. Our Congressional committees have made a vigilant effort to control and more effectively regulate activities included in the program.

The fact is that the mutual-security program has strengthened free Europe. In 1956, for example, when our contribution to the European NATO countries amounted to $1.7 billion, our NATO partners in Europe expended for defense $13 billion or almost 90 percent of their defense expenditures combined. In addition, the nations receiving military assistance from us have spent for defense about $5.50 for every dollar that we have put into such assistance. This essential mutuality in the defense activities of America and its Free World partners is a great source of strength in the effort to insure lasting peace and security. Without our mutual-security program the Governments of France, Italy, and West Germany may have been forced into unfortunate alliances with Soviet Russia. Without this program the Government of South Korea would be in precarious jeopardy, and without the support of governments of the Middle East, there would be no possible halt to aggression through the Middle East and into Africa.

While we recognize the importance of our mutual security program, we must at the same time convince cur friends abroad that there must be a determined and steady retrenchment in the spending of our Nation abroad. There is a limitation to our financial strength, and while we are happy to assist them in the reconstruction of their economies and in the rehabilitation of their national defense, they are rapidly approaching the time of self-reliance in these vital areas.

INFLATION AND THE SHRINKING DOLLAR

The flight of the dollar from value is the most pressing problem of our times. The administration blames the rise in spending over income, individual, corporate, and government. The figures show, however, that individual consumer spending is levelling off. Congress has made vigorous efforts to restrain Government spending. Corporate spending for expansion has continued without restraint, unaffected by rising money costs because these have been included in higher prices and the internal generation of capital through stock and debenture sales. In the Banking Committee, I extensively questioned William McChesney Martin on this issue and did not receive conclusive replies.

Through Congressional hearings, the process of "administered prices," those brought about by agreement rather than by completion, were brought to the light of day.

I took every opportunity to call Congressional attention to the effect of rising prices which came to my attention. Specifically, I protested the "administered" price increase in steel and called attention to the collusive nature of the cigarette price increases administered by five great tobacco companies. In addition, I protested the increases demanded by the Nation's airlines on the basis that passenger miles doubled since 1952 with the same equipment and schedules. It occurred to me that premium jet equipment should be paid for by the special travelers who demanded faster transportation. The great masses of American people are turning to air transport, frequently the only type available, and demand established safe planes rather than high-speed luxury jets designed for long distance expense-account travelers. The Government through the CAB administers airline prices and should grant only such price increases as can be clearly justified.

THE FARM PROBLEM

Most city residents consider themselves far removed from the problems of the farmer, but their welfare is more involved than they may believe. Farm prosperity is directly related to urban prosperity since the flow of farm produce to the market is rivaled by the movement of city products to the farm areas.

Something is drastically wrong with a national farm policy which results in a 5-year decline of 27 percent in net farm income. This is augmented by the fact that the Nation has been losing 100,000 farms annually. Farm net income of $11.5 billion in early 1957 is slightly more than one-half of the $5 billion farm-help budget request of the President. How much closer can America come to the state farms?

It was quite obvious that the soil bank program was a failure as administered. It failed to make a worthwhile contribution to the increase and stabilization of farm income. I opposed the continuance of this program as a dole to the farmer, producing nothing more than a half-billion dollar headache for the American people.

QUICK TAX WRITEOFFS

During my time in the Congress, I have taken the floor numerous times to criticize the unwarranted granting of quick tax-amortization writeoffs which were being made by the Office of Defense Mobilization to numerous industries throughout the Nation. The fast tax writeoffs were started during the Korean war to allow tax benefits to industry as an inducement to expand production of defense needs in short supply. My opposition was based upon the loss of considerable tax revenues and the discrimination which resulted in favor of those corporations favored for the tax-writeoff privilege.

When it was disclosed that the Government's loss in tax revenues in the form of postponed taxes would total $5 billion in addition to $3 billion in interest charges on necessary Treasury borrowings resulting from the tax postponement, the Congress acted and terminated the program as of December 1959. In the intervening period, writeoffs will be allowed only for specialized defense items or atomic-energy requirements. In any event, the long struggle against this form of tax giveaway was near a close.

VETERANS' LEGISLATION

This session did not produce much legislative gain to the veteran. Service-connected compensation for veterans, less the total and additional allowances for dependents, would amount to 10 percent. The rate for total disability was increased 24 percent from $181 to $225 monthly. The legislation also increased certain statutory awards for specific disabilities.

The veterans' direct loan housing law does not apply in urban areas. The rising rates of interest have the effect of terminating the GI loan program in the Cleveland area after existing commitments are exhausted. Seventy-six percent of the veterans of the Cleveland area who have never exercised their GI loan rights may have permanently lost them.

ATOMIC-ENERGY DEVELOPMENT

One of the most serious discussions in the current session of Congress centered upon the position of America in the atomic development field. Progress in England was obviously more rapid. While it seemed obvious that our Nation was far out in front in the development of atomic weapons, possessed of horrid potentials of destruction, it was apparent also that we were trailing in the development of peacetime uses of atomic energy. To stimulate peacetime development in America, Congress enacted a program of insurance indemnification to protect against tremendous losses which might result from a nuclear accident.

The protection of our citizens from the hazards of nuclear accidents was as much an issue as our progress in nuclear research. In view of the fact that a nuclear-reactor powerplant of the so-called hot-breeder type was being constructed at Lagoona Beach, at the southwest corner of Lake Erie, I was especially concerned, particularly since the Atomic Energy Commission's own reports on theoretical possibilities and consequences of major accidents in large nuclear powerplants indicated that under adverse combinations of conditions people could be killed at distances up to 15 miles and injured at distances of about 45 miles with property damages ranging from a half million dollars to about seven billion dollars.

It was my view that the Lagoona Beach site was too close to major urban centers for the most dangerous type of nuclear reactor and that a more remote location should have been selected. I was first in the House to introduce legislation providing for the establishment of a Committee on Reactor Safeguards to review safety studies and report on the adequacy of proposed reactor safety standards. This legislation was incorporated into the legislation which passed the House and will serve in a considerable way to provide for safe atomic development.

It was also my view that our Nation should urge the termination of further "A" and "H" bomb tests. The scientific revelations on the harmful and disastrous effects of fallout were startling. On the floor of Congress I deplored the apparently deliberate suppression of available scientific data on the subject during last year's political campaign.

POSTAL RATES AND SALARY INCREASES

For many years I have felt that postal employees were subsidizing the postal service by wage scales far out of line with the rising cost of living and the highly regulated conditions of their employment. Because of this the families of postal workers were forced to supplemental work to avoid a plummeting standard of living.

Before the Post Office and Civil Service Committee, I argued for a long-overdue adjustment in postal salaries to preserve the morale and to continue the tenure of trained and able workers. Subsequently, I joined in the signing of a discharge petition to force favorable action on this legislation by the House.

At the same time I exercised every effort to oppose the administration's desire to increase the cost of first-class mail from 3 cents to 4 cents. From all of the evidence submitted I was convinced that first-class mail was operating at a profit and that the postal deficit was brought about by the high costs of 2d-, 3d-, and 4th-class mail, otherwise known as junk mail. The magazine and newspaper publishers were attempting to push the burden of mail cost onto the user of ordinary first-class mail. It was my point of view that the only factors involved in mail rates were weight, time, and distance. While letters seldom arrived on an expected schedule, magazines always did. They should pay their proper share of costs.

I took the floor to speak out against the use of the mails to merchandise food and the so-called junk mail. I displayed to my colleagues a 6-ounce package of dog food and a 4-ounce package of salad dressing, which came to my home through the mails. Packages of this type multiplied by the multitude of homes on a postal home-delivery route must contribute to the postman's despair.

Notwithstanding this, if there was any promise that the postal service would improve and that postal salaries would be increased with a 4-cent stamp, I may have supported the proposal. My deep fear is that the President would approve a postal rate increase and veto a postal salary bill.

SOCIAL SECURITY AND WELFARE LEGISLATION

The 520,766 Ohioans receiving Federal Social Security benefits received no cost of living adjustment. Over nine million Americans are receiving social security benefits at a monthly rate of almost one-half billion. This is becoming a tremendous factor in providing funds for consumer goods consumption and the resulting employment created.

The only legislative change this session extends until July 1, 1958 the time for disabled persons to file applications to preserve their rights for old-age, survivor, and disability insurance.

During the House debate on the Welfare Department appropriations, I supported appropriations for adequate social security administration and took the floor to save the apprentice-training program from serious cutback.

IMMIGRATION

I introduced legislation to liberalize the immigration laws and to eliminate the discriminatory national origins concept. America must perpetuate its traditional place in world history as a place of refuge for the oppressed and as a citadel of hope and freedom. This cannot be achieved with arbitrary and discriminatory bars to immigration. This country must always maintain a sensible and humane policy toward those who hope for citizenship. Can those who are early settlers disclaim the quality of latter day pilgrims? In a recent television show which I saw, a young man whose parents were foreign born exclaimed indignantly to the proud old American stock parents of his finance, "My parents didn't come to America on the *Mayflower*. They came over much later, when the immigration laws were far more strict."

Since the world-shaking revolts of last October, I closely followed the Hungarian refugee problem. At Camp Kilmer I saw the first refugees arrive and since that time extensive efforts were made through my office to reconcile refugees with their Cleveland relatives. The Hungarian refugee program had two purposes, humanitarian and to provide relief to countries which provided refuge. Austria would have collapsed under refugee pressure. The almost 33,000 Hungarian parolees admitted to the United States are far less proportionate than those absorbed by Canada and the countries of free Europe.

Whether our country was fully aware of the consequences or not, we encouraged the people of Hungary to revolt against their oppressors, to leave their families, and to abandon their homes. They could not return to Hungary with any sense of security and they could not be expected to live out their lives in the refugee camps. It was only decent of America to do its share. It was only fitting that the parolee program be extended to a fair proportion of the Hungarian refugees in Yugoslavia who, through circumstances, found themselves fleeing to Yugoslavia instead of Austria.

The status of the Hungarian parolees in America is a problem which must be resolved in the next session of Congress. In the meanwhile, the refugees are marrying American citizens and giving birth to American children. If the law does not soon respond, the issue will become moot.

In the closing hours of this legislative session the Congress passed a stopgap immigration bill which, although weaker than hoped for, at least was aimed at alleviating hardship conditions arising out of the separated families occurring with the immigration of some of its members under the displaced persons and refugee relief programs. The mortgages imposed on various immigration quotas of Eastern European countries under the Displaced Persons Acts have been eliminated. It reallocates over 18,000 leftover immigrant visas which were not used by the time of the expiration of the Refugee Relief Act last December, with about 14,000 visas going to escapees from Iron Curtain countries. The bill permits a total of more than 60,000 aliens to enter the United States over the next 2 years.

The measure grants nonquota immigrant status until June 30, 1959, to alien children under 14 adopted by United States citizen abroad or coming to the United States for the purposes of adoption. In addition, the entry of certain immigrants afflicted with tuberculosis is permitted, provided they are close relatives of United States citizens or of aliens lawfully admitted for permanent residence and provided also that they are under bond and adequate medical safeguards are taken.

Finally, the Secretary of State and the Attorney General are granted joint discretionary authority to waive, on a basis of reciprocity, fingerprinting requirements in the case of nonimmigrant aliens. It was our Nation's fingerprinting requirements of cultural exchange visitors which resulted in the cancellation this year of the Cleveland Orchestra's appearance scheduled in Prague and threatened the conduct of the winter Olympics in California in 1960.

HOUSING AND URBAN RENEWAL

The housing pressures of the Cleveland area received very little relief by way of Federal legislation this year. The administration's tight money policy pressured interest rates upward and closed out the GI loan program for all practical purposes. Clevelanders, particularly those of the low and moderate income groups, were forced into secondary mortgage markets, with interest rates running close to usurious limits of 8 percent. Most hopeful buyers were forced to defer home purchase plans because of inability to meet high downpayment requirements of local banks and lending institutions. FHA loans were not abundant, and most builders scrapped extensive homebuilding plans depressing new home starts to postwar lows. In Cleveland the result was less housing for more people.

Some slight relief was provided in the Housing Act of 1957 which I have labeled the Not Much Housing Act. FHA downpayments were reduced from 5 percent on the first $9,000 and 25 percent of the excess to 3 percent of the first $10,000 of value, 15 percent of the value between $10,000 and $16,000, and 30 percent of the excess. These provisions tend to benefit higher cost home buyers rather than the multitudes of citizens needing low-cost housing.

When the administration slashed urban renewal allocations, I protested on the floor of the House. The Congress extended urban renewal and slum clearance for 1 additional year, and the administration about-faced and restored the slash in the program.

The housing problem in our community seems to worsen. New areas of blight develop more rapidly than community renewal and rehabilitation. This is a problem national in scope which can be resolved only with Federal leadership.

THE NATURAL-GAS BILL

Only the Clevelander who has compared natural-gas prices in other communities is in a position to really know the favorable conditions under which natural gas is made available in the Cleveland area. My winter gas bill for a 6-room house in Cleveland runs about $17 per month. In a smaller house in Washington, with milder weather, the natural gas charges exceed $41 per month. Gas is reasonably priced in Cleveland, and we must vigorously fight to preserve the Federal Natural Gas Act which insures Government vigilance in natural gas pricing. Otherwise we would be at the mercy of the Southwestern States gas producing interests who could impose their price demands on our gas-dependent community.

Early in June I testified before the Interstate and Foreign Commerce Committee opposing legislation destroying Federal regulation of natural-gas pricing. It was my opinion that enactment of this legislation would impose higher gas charges on our citizens equivalent to the cost of 2½ extra months per year at winter-month price levels.

The legislation was passed out by the Interstate and Foreign Commerce Committee. Prior to the time it was considered by the powerful House Rules Committee, I prepared a petition which was signed by 58 Members of the House advising the Rules Committee of their desire to speak in opposition to the bill. Several weeks ago, proponents of the legislation announced their decision to defer further action on the bill until next year.

Drew Pearson recently reported that this decision was the result of the efforts of some young, vigorous Congressmen, led by TORBERT MACDONALD, of Massachusetts, JOHN DINGELL, of Michigan, and CHARLES VANIK, of Cleveland.

The gas-bill fight is not over. Next year the oil and gas industry will exert every effort to pass this legislation destroying effective Federal regulation of natural gas and which would result in a price increase for everyone.

WATER DIVERSION AND THE PORT OF CLEVELAND

In order to protect the interests of the port of Cleveland, I appeared before the Public Works Committee on March 27 and opposed the efforts of Chicago to increase withdrawal of water from 1,500 cubic feet per minute to 2,500, on a 3-year trial basis. Chicago needs this water to flush its sewage down the drainage canal. Such water diversions are seldom temporary and tend to defer the construction of necessary sewage treatment facilities.

On the same day Admiral Spencer, of the Lake Carriers Association, with headquarters in Cleveland, called attention to the lowering of lake levels. He stated that on the first day of navigation this year, the lakes were nearly 2 feet lower than they were in 1953. In view of that lowering the level of the lakes at this time by even 1 inch through the additional diversion of 1,000 cubic feet per second will affect the carrying capacity of nearly every vessel on nearly every trip, with a total annual reduction in carrying capacity of the Great Lakes fleet by about 1,200,000 tons. Chicago is already depressing the lakes by 3 inches below normal levels. This additional diversion will lower the lakes by another inch.

When we recognize that the entry channel into Cleveland Harbor is 25 feet deep, while the Cuyahoga River has a 23-foot depth, developed at a tremendous public expense, every inch of water is important.

When we look out over Lake Erie, it seems like a tremendous unlimited supply of water—but it is not enough to allow for extensive pollution or diversion by Great Lakes cities. We must plan for the days when new urban communities, miles from the water's edge, will look to the Great Lakes for lifegiving industry and agriculture-supporting fresh water.

This year Congress appropriated funds necessary to replace Cuyahoga River bridges with safe, modern structures to facilitate the movement of shipping as well as traffic. The next major effort will be directed to deepening the harbor and river channels in time to accomodate the St. Lawrence Seaway traffic.

CIVIL RIGHTS

In several respects the 85th Congress thus far promises to have a distinguished place in American Congressional history. It has been able to accomplish—in a limited way—what no other Congress since Civil War Reconstruction days could achieve—the enactment of a civil-rights bill. While the final product is a diluted version of the more liberal proposal passed by the House of Representatives, it nevertheless represents a step forward and provides a legal framework upon which future improvements can be made.

At the beginning of this session of Congress early in January, I was pleased to participate in an informal organization of some 80 northern and western liberals deeply concerned in the enactment of an adequate civil-rights bill. As one of the members of this liberal group, I was proud of the manner in which partisanship and personalities gave way in an effort to bring about the enactment of an effective civil-rights bill in the House of Representatives.

On January 28, 1957, I introduced H. R. 3793, a civil-rights bill patterned after the legislation introduced by the gentleman from New York, the Honorable EMANUEL CELLER, chairman of the House Judiciary Committee, and on February 6, 1957, I testified before the House Judiciary Committee and urged the enactment of this vital legislation as a practical approach and constructive step forward in establishing better human relations in America. Although this proposal only partially fulfilled the need, it represented the very minimum that Congress could do to estabilsh uniform standards of human decency throughout America. Although this legislation left untouched vast areas of civil rights in America which remain the work of a future Congress, it represented only a moderate step forward.

I pointed out that the problem of integrating American life is not a local problem, that to the South it means the breakdown of separate social systems developed over the generations, that the universal dignity which will ultimately develop in the mainstream of southern life will increase productivity, develop a deeper sense of social responsibility, and preserve and protect the greatest asset with which the South is blessed—its people of all races and colors and creeds. I pointed out that the North has an abundance of prejudice problems which will probably provide more labor than the South for the Civil Rights Commission for the reason that prejudice can be seen to take effect at the city limits and that few areas in the new dominions of northern suburbia are feasibly and practically available to all Americans. The migration of city dwellers into the new confused outposts of suburbia are frequently motivated by a desire for a segregated community and segregated schools. Friendly, warm communities are not friendly and warm to everybody. Community clubs are designed for segregation by clubby covenants which blaspheme that dignified word. Their ostensible purpose is to preserve community life. Their practical purpose is to discriminate and segregate. Banks and lending institutions have had their part in isolating these communities from tolerance by a segregation loan policy.

The problems of the North are in many respects more difficult than those of the South. The difference is that the North tries where the South is inclined to despair.

After the legislation was reported out by the Judiciary Committee, civil-rights legislation appeared to be permanently suppressed by the Rules Committee, and in order to force the legislation from the Rules Committee, Representative JAMES ROOSEVELT filed a discharge petition to force the legislation to the floor. On April 29, 1957, I was the third Member of Congress to sign the discharge petition to expedite action on this vital and important legislation before the end of the current legislative session. On July 7, I took the floor to support the use of the injunctive process in civil-rights legislation on the basis that the use of injunction in this area would be creating a living law, facing up to the practicality of an existing situation and seeking to avoid injury to citizens threatened by deprivation of the right to vote before that injury occurs. On Monday, June 10, 1957, I took the floor in general debate on the civil-rights legislation and pointed out that the cause of civil rights and civil liberties received its first impetus in modern times in the administration of the late Franklin Delano Roosevelt and that these aims were revived and carried on by former President Harry Truman, who in 1948 listed civil-rights objectives and endeavored to carry them on.

On June 13 I took the floor again to oppose amendments which sought to destroy the legislation, while on June 17 it was necessary again to take the floor and argue against the so-called jury trial amendment on the basis that the injunctive power of our courts is a modern approach to the need for avoiding and eliminating injuries to the rights of persons before they develop, that the use of the injunctive power will grow rather than diminish. I argued that the injunctive process will undoubtedly prove a most useful device for protecting the rights and liberties of every American citizen.

As the civil-rights legislation left the House, it was a good, sound bill, and its purposes were seriously impaired by the amendments which were adopted by the Senate. Although my first reaction was that the legislation was fatally revised by the Senate, upon more considered judgment I came to realize that the legislative process seldom results in perfect legislation, that because of compromises which are wrought in the nature of the legislative process, it is essential to fight for the ideal by accepting the best that can be achieved on the theory that improvements to the law are a continuing process and the work of a future Congress. As a matter of fact, if Congress enacted only perfect laws, it would soon legislate itself out of business.

As finally drafted, the Civil Rights Act of 1957 provides for a bipartisan Commission with subpena powers to call witnesses and investigate civil-rights violations. A Civil Rights Division is established within the Justice Department under the supervision of an Assistant Attorney General who may institute injunctive proceedings in the name of the United States Government and on behalf of an aggrieved person to prevent acts designed to keep voters from the polls. This preventive action, as opposed to punitive action under present law, which is operative only after an act has been committed, is a new weapon of enforcement. It permits the Attorney General to bypass State local courts and go directly into Federal courts. It overcomes those State statutes which have been resurrected to prohibit organizations from filing suits on behalf of persons who are unable to do so themselves because of financial situation or intimidation.

The jury trial feature which has been made a part of the injunctive enforcement of voting rights applies only to criminal contempt proceedings designed to punish a person for willful disobedience of an injunction or other court order. Even there the judge may exercise discretion; the accused may be tried with or without a jury. However, if the judge tries the case without a jury, in the event of a conviction if the fine should exceed $300 or imprisonment of 45 days, the accused upon demand is entitled to a new trial before a jury. The accused is not entitled to jury trial if the fine does not exced this $300 or imprisonment, the maximum 45 days. If the accused does demand or is granted a jury trial, a conviction can draw maximum penalties of $1,000 or 6 months imprisonment. It is expected, however, that most voting cases will be disposed of through civil contempt proceedings aimed at securing compliance with a court order in which the accused is not entitled to a jury trial.

The significant fact is that for the first time in 82 years the Congress of the United States has placed itself on record in support of the civil rights of its citizens. The test of this legislation will not be in the convictions or imprisonment which it may produce. The test will be in the civil-rights violations it may discourage. It is to be hoped that the mandate of this legislation will fix itself clearly in the mind of every citizen to the end that he will not impair or interfere with the voting rights or civil liberties of his fellowmen.

If the spirit of this legislation is wholeheartedly accepted by the American people everywhere, no further legislation may be required. Our hope is that true tolerance will become habit and custom throughout the American scene.

AFTER ADJOURNMENT PLANS

After the close of this session of Congress, and until we reconvene in January, I will be available daily at my Cleveland office, 506 Federal Building on Cleveland's Public Square. The telephone number is Cherry 1-7900. A great many problems and inquiries were referred to my office during the course of the session which must be resolved. In addition, I want to personally meet as many constituents as possible. This is difficult but important work, but I consider it a Congressman's duty to courteously interpret the activities of the Federal Government to the individual citizen. The citizen is the root of all governmental authority, and he has the right to know the reasons behind the law or administrative act. He also has the right to express his opinions on public business to his elected representative. The individual citizen's sound and constructive ideas may well be the basis for writing new laws or rewriting the old.

THE LATE COL. THOMAS F. SULLIVAN

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, throughout our country there are many public officials in nonelective office, who have, and are rendering a lifetime of public service, honorable men and women devoted to their public trust. One of such fine public officials, who died a few days ago, was Col. Thomas F. Sullivan, police commissioner of the city of Boston. Tom Sullivan, as he was affectionately called, was well known throughout the country, numbering among his friends leaders from all walks of life. Among his close friends were Cardinal Spellman, Archbishop Cushing, President Franklin D. Roosevelt, President Harry S Truman, and countless others.

The respect held for Colonel Sullivan was deep and profound.

In time of war, in the Spanish-American War, Police Commissioner Sullivan served our country with fidelity and bravery.

Prior to his appointment as police commissioner of the city of Boston, in 1943, in which position he served until the time of his death, Colonel Sullivan served for a period of 20 years as chairman of the Boston Transit Commission. In this position he handled countless millions of dollars for the city of Boston without the slightest breath of criticism being directed at him. He was deeply respected for his ability, his honorableness and his devotion to duty. Above all, he was deeply respected for his honesty. He was a man of profound faith.

In addition, Colonel Sullivan held other public positions of trust and responsibility. His whole life was an active one, devoted to the public service of the city of Boston and the Commonwealth of Massachusetts, and, in time of war, to his country.

It can truly be said of Colonel Sullivan that he performed every duty in the best interest of the people he so unselfishly served.

Colonel Sullivan was a close and valued friend of Mrs. McCormack and myself. We respected him deeply. We valued his friendship.

During his lifetime Colonel Sullivan made marked contributions toward the preservation and strengthening of our country.

In Colonel Sullivan the Commonwealth of Massachusetts and the city of Boston have lost one of their outstanding citizens.

Mrs. McCormack joins with me in extending to Mrs. Sullivan and her daughter our deep sympathy in their great loss and sorrow.

ASIATIC FLU VACCINE

Mrs. **ROGERS** of Massachsuetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. **ROGERS** of Massachusetts. Mr. Speaker, I should like to ask any member of the Committee on Appropriations or any member of the committee that handles public health matters if there is enough money available to send the protective vaccine against the Asiatic flu to the States, because there is some question of there being enough money for that.

Mr. **TABER**. There was money put into the bill to cover that situation. I assume it was enough, because we have not heard anything more.

Mrs. **ROGERS** of Massachusetts. I am delighted. I know the gentleman wants to take care of the life and health of the people of the country.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. O'Hara of Illinois, for 20 minutes today.

Mr. Fogarty, for 20 minutes today.

Mrs. Frost, for 5 minutes today.

Mrs. Rogers of Massachusetts, for 5 minutes, on tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Sisk.

Mrs. Kee and to include extraneous matter.

Mr. Fernós-Isern.

Mr. McCulloch.

Mr. Henderson and to include extraneous matter.

Mr. Scherer.

Mr. Cole.

Mr. Hill.

Mr. Carrigg.

Mr. Reece of Tennessee (at the request of Mr. Baker) and to include extraneous matter.

Mr. Metcalf and to include extraneous matter.

Mrs. Granahan and to include extraneous matter.

Mr. Nimtz.

Mr. Powell in five instances and to include extraneous matter; and Mr. Cooley and Mr. Fogarty, and to include extraneous matter (all at the request of Mr. McCormack).

Mr. Keating and to include extraneous matter.

ENROLLED BILLS SIGNED

Mr. **BURLESON**, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3028. An act to provide for the relief of certain female members of the Air Force, and for other purposes;

H. R. 3625. An act to amend section 214 of the Interstate Commerce Act, as amended, to prevent the use of arbitrary stock par values to evade Interstate Commerce Commission jurisdiction;

H. R. 3940. An act to grant certain lands to the Territory of Alaska;

H. R. 6258. An act to amend the act entitled "An act to provide additional revenue for the District of Columbia, and for other purposes," approved August 17, 1937, as amended;

H. R. 6562. An act relating to the north half of section 33, township 28 south, range 56 east, Copper River meridian, Alaska;

H. R. 6760. An act to grant to the Territory of Alaska title to certain lands beneath tidal waters, and for other purposes;

H. R. 8030. An act to amend the Agricultural Adjustment Act of 1938 with respect to acreage history; and

H. R. 8918. An act to further amend the act of August 7, 1946 (60 Stat. 896), as amended by the act of October 25, 1951 (65 Stat. 657), to provide for the exchange of lands of the United States as a site for the new Sibley Memorial Hospital; to provide for the transfer of the property of the Hahnemann Hospital of the District of Columbia, formerly the National Homeopathic Association, a corporation organized under the laws of the District of Columbia, to the Lucy Webb Hayes National Training School for Deaconesses and Missionaries, including Sibley Memorial Hospital, a corporation organized under the laws of the District of Columbia, and for other purposes.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The **SPEAKER** announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 1645. An act to authorize the Secretary of the Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road-widening purposes;

S. 2080. An act relating to the computation of income for the purpose of payment of death benefits to parents or pension for non-service-connected disability or death in certain cases;

S. 2500. An act to make uniform the termination date for the use of official franks by former Members of Congress, and for other purposes; and

S. J. Res. 18. Joint resolution to authorize and request the President to issue a proclamation in connection with the centennial of the birth of Theodore Roosevelt;

BILLS PRESENTED TO THE PRESIDENT

Mr. **BURLESON**, from the Committee on House Administration, reported that that committee did on August 28, 1957, present to the President, for his approval, bills of the House of the following titles:

H. R. 2462. An act to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes;

H. R. 2474. An act to increase the rates of basic salary of employees in the postal field service; and

H. R. 3377. An act to promote the national defense by authorizing the construction of aeronautical research facilities and the acquisition of land by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research.

ADJOURNMENT

Mr. **WHITENER**. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.), under its previous order, the House adjourned until tomorrow, Friday, August 30, 1957, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1173. A letter from the Clerk, House of Representatives, relative to the contest for a seat in the House of Representatives from the First Congressional District of Maine, James C. Oliver against Robert Hale (H. Doc. No. 237); to the Committee on House Administration and ordered to be printed.

1174. A letter from the Assistant Secretary of the Navy (Material), relative to a proposal by the Department of the Navy to transfer a 24-foot plane personnel boat (hull No. C-15755), with engine, to the city of Green Cove Springs, Fla., pursuant to title 10, United States Code, section 7308; to the Committee on Armed Services.

1175. A letter from the Assistant Secretary of Defense (Supply and Logistics), transmitting reports on Army, Navy, and Air Force prime contract procurement actions with small and large concerns for work in the United States completed during the 12 months of fiscal year 1957, pursuant to Public Law 268, 84th Congress; to the Committee on Banking and Currency.

1176. A letter from the Acting Secretary of the Interior, transmitting a copy of an application for a loan under the provisions of Public Law 984, 84th Congress (Small Reclamation Projects Act of 1956) as amended by Public Law 47, 85th Congress, as well as a report on the Harlingen division of the lower Rio Grande rehabilitation project, Texas, as prepared by the regional director of the Bureau of Reclamation; to the Committee on Interior and Insular Affairs.

1177. A letter from the Acting Secretary of Commerce, transmitting a report on war-risk insurance and certain marine and liability insurance for the American public as of June 30, 1957, pursuant to title XII of the Merchant Marine Act of 1936, as amended; to the Committee on Merchant Marine and Fisheries.

1178. A letter from the Secretary of State, transmitting the final report in respect of the administration of the Refugee Relief Act of 1953, as amended; to the Committee on the Judiciary.

1179. A letter from the Administrator, General Services Administration, transmitting a notice of a proposed disposition from the national stockpile of approximately 134,384,000 pounds of extra long staple cotton less 50,000 bales (approximately 25 million pounds) authorized to be withdrawn therefrom by Public Law 96, 85th Congress, pursuant to the Strategic and Critical Materials Stock Piling Act (53 Stat. 811, as amended, 50 U. S. C. 98b (e)); to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MASON: Committee on Ways and Means. H. R. 7628. A bill to amend part III of subchapter O of chapter 1 of the Internal Revenue Code of 1954; without amendment (Rept. No. 1269). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H. R. 9518. A bill to extend the National Wool Act of 1954; to the Committee on Agriculture.

By Mr. BUDGE:

H. R. 9519. A bill to extend the National Wool Act of 1954 (68 Stat. 910); to the Committee on Agriculture.

By Mr. COLE:

H. R. 9520. A bill to authorize the transfer of Sampson Air Force Base to the State of New York for park and recreation purposes; to the Committee on Armed Services.

By Mr. HALEY:

H. R. 9521. A bill to amend paragraph (k) of section 403 of the Federal Food, Drug, and Cosmetic Act, as amended, to define the term "chemical preservative" as used in such paragraph; to the Committee on Interstate and Foreign Commerce.

By Mr. KEATING:

H. R. 9522. A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize the disposal of surplus property to certain welfare agencies; to the Committee on Government Operations.

By Mrs. KEE:

H. R. 9523. A bill to amend the Internal Revenue Code of 1954 to increase the depletion allowance for coal and lignite; to the Committee on Ways and Means.

H. R. 9524. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MEADER:

H. R. 9525. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide for making payments in lieu of taxes with respect to certain industrial manufacturing plants owned by the United States; to the Committee on Government Operations.

By Mr. NATCHER:

H. R. 9526. A bill to create a National Coal Research and Development Commission; to the Committee on Interior and Insular Affairs.

By Mr. PERKINS:

H. R. 9527. A bill to create a National Coal Research and Development Commission; to the Committee on Interior and Insular Affairs.

By Mr. REUSS:

H. R. 9528. A bill to amend the Social Security Act and the Internal Revenue Code so as to increase the benefits payable under the Federal old-age, survivors, and disability insurance program; to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to both men and women at age 60; to increase the amount of outside earnings permitted without deductions from benefits thereunder, and for other purposes; to the Committee on Ways and Means.

By Mr. RIVERS:

H. R. 9529. A bill to provide for a survey of the Coosawhatchie and Broad Rivers in South Carolina, upstream to the vicinity of Dawson Landing; to the Committee on Public Works.

By Mr. SISK:

H. R. 9530. A bill to provide for certain preliminary actions that need to be taken before Federal supervision over Indian affairs in California can be terminated; to the Committee on Interior and Insular Affairs.

By Mr. THOMSON of Wyoming:

H. R. 9531. A bill to provide for distribution of moneys received from mineral lands; to the Committee on Interior and Insular Affairs.

H. R. 9532. A bill to extend the National Wool Act of 1954 (68 Stat. 910); to the Committee on Agriculture.

By Mr. TOLLEFSON:

H. R. 9533. A bill to authorize certain compensation to members and former members of the uniformed services who were confined as prisoners of war or who evaded capture for a period of 1 year or more, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ULLMAN:

H. R. 9534. A bill to amend title I of the Housing Act of 1949 to authorize in certain cases financial assistance for community relocation; to the Committee on Banking and Currency.

H. R. 9535. A bill to extend the National Wool Act of 1954 (68 Stat. 910); to the Committee on Agriculture.

By Mr. VANIK:

H. R. 9536. A bill to amend title III of the National Housing Act to provide that the Federal National Mortgage Association may allow a discount of up to 5 percent to mortgagors who make accelerated lump-sum payments under mortgages held by such association; to the Committee on Banking and Currency.

H. R. 9537. A bill to amend the Federal-Aid Highway Act of 1956 to provide that no Federal funds shall be used to pay for the cost of relocating utility facilities, and for other purposes; to the Committee on Public Works.

H. R. 9538. A bill to amend the Communications Act of 1934, so as to direct the Federal Communications Commission to prescribe a schedule of fees to be paid by holders of broadcasting station licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. ASPINALL:

H. R. 9539. A bill to extend the National Wool Act of 1954 (68 Stat. 910); to the Committee on Agriculture.

By Mr. BURNS of Hawaii:

H. R. 9540. A bill to cancel a pending land transactions with the division of national missions of the Methodist Church and the Territory of Hawaii; to the Committee on Interior and Insular Affairs.

H. R. 9541. A bill to amend the Hawaiian Organic Act, and to approve an amendment to the Hawaiian land laws with respect to leases; to the Committee on Interior and Insular Affairs.

H. R. 9542. A bill to remove certain restrictions on the travel of certain aliens from the Territory of Hawaii to any other place under the jurisdiction of the United States; to the Committee on the Judiciary.

H. R. 9543. A bill to provide for the conveyance of certain real property used by the University of Hawaii to the board of regents of such university, for the use and benefit of such university; to the Committee on Interior and Insular Affairs.

By Mr. EBERHARTER:

H. R. 9544. A bill to amend the Internal Revenue Code of 1954 to terminate the provision for the use of certain methods and rates in computing the depreciation deduction; to the Committee on Ways and Means.

By Mr. GUBSER:

H. R. 9545. A bill to amend section 222 of the National Housing Act to provide that the widow of a serviceman shall be exempt from payment of mortgage insurance premiums thereunder on the same basis as the serviceman himself; to the Committee on Banking and Currency.

By Mr. MULTER:

H. R. 9546. A bill to provide for the grading of meat and for informing the ultimate user of such grade; to the Committee on Agriculture.

By Mr. PATTERSON:

H. R. 9547. A bill to amend Public Law 38, 81st Congress, to provide authority for the Secretary of Agriculture to make certain production disaster loans, and for other purposes; to the Committee on Agriculture.

H. R. 9548. A bill to amend Public Law 38, 81st Congress, to provide authority for the Secretary of Agriculture to make certain production disaster loans, and for other purposes; to the Committee on Agriculture.

By Mr. ROGERS of Colorado:

H. R. 9549. A bill to authorize the Administrator of General Services to convey certain lands in the State of Colorado to the city of Denver, Colo.; to the committee on Government Operations.

By Mr. THOMSON of Wyoming:

H. R. 9550. A bill to authorize the Administrator of General Services to convey certain lands in the State of Wyoming to the city of Cheyenne, Wyo.; to the Committee on Government Operations.

By Mr. WHARTON:

H. J. Res. 459. Joint resolution proposing an amendment to the Constitution with respect to the admission of new States as sovereign States of the United States; to the Committee on the Judiciary.

By Mr. FULTON:

H. J. Res. 460. Joint resolution to establish a Joint Committee on Earth Satellites and the Problems of Outer Space; to the Committee on Rules.

By Mr. GWINN:

H. J. Res. 461. Joint resolution proposing an amendment to the Constitution depriving the Federal Government of the power to impose estate and gift taxes; to the Committee on the Judiciary.

By Mr. GROSS:

H. Res. 413. Resolution creating a standing Committee on Small Business in the House of Representatives; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H. R. 9551. A bill for the relief of Francesca Magazzeni; to the Committee on the Judiciary.

By Mr. BOLAND:

H. R. 9552. A bill for the relief of Harvey-Whipple, Inc.; to the Committee on the Judiciary.

By Mr. BONNER:

H. R. 9553. A bill for the relief of Elizabeth Alida Tate; to the Committee on the Judiciary.

By Mr. DINGELL:

H. R. 9554. A bill for the relief of Theodore Demos Gundunas and his wife, Amelia Gundunas; to the Committee on the Judiciary.

By Mr. GUBSER:

H. R. 9555. A bill for the relief of Pacita A. Crabtree; to the Committee on the Judiciary.

By Mr. HENDERSON:

H. R. 9556. A bill for the relief of Irmgard Johanna Thompson; to the Committee on the Judiciary.

By Mr. HESELTON:

H. R. 9557. A bill for the relief of Araxe Papazian; to the Committee on the Judiciary.

By Mr. HOLTZMAN:

H. R. 9558. A bill for the relief of Anahid and Vahan Murachanian; to the Committee on the Judiciary.

By Mrs. KELLY of New York:

H. R. 9559. A bill for the relief of Hugh McKay; to the Committee on the Judiciary.

By Mr. KILDAY:

H. R. 9560. A bill for the relief of Salvador Gamez-Torres; to the Committee on the Judiciary.

By Mr. LANE:

H. R. 9561. A bill for the relief of Joseph Bell, Herman Karp, Hyman M. Oberman and Abraham Smith; to the Committee on the Judiciary.

By Mr. MACDONALD:

H. R. 9562. A bill for the relief of Arnold N. Pinto; to the Committee on the Judiciary.

H. R. 9563. A bill for the relief of Young Su Wah, Young Mun Bun, and Young Mun Wei; to the Committee on the Judiciary.

By Mr. PATTERSON:

H. R. 9564. A bill to provide for Federal grants to the Blinded Veterans Association, Inc., to aid in the establishment of a program of assistance for blinded veterans of the Armed Forces of the United States; to the Committee on Veterans' Affairs.

By Mr. SCOTT of Pennsylvania:

H. R. 9565. A bill for the relief of Mercedes Garcia; to the Committee on the Judiciary.

By Mr. SEELY-BROWN:

H. R. 9566. A bill for the relief of Khalil S. A. Aoun; to the Committee on the Judiciary.

By Mr. WOLVERTON:

H. R. 9567. A bill for the relief of Lai Chong; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H. R. 9568. A bill for the relief of Ioanna Nterlis, Panagiotis Nterlis and Andreas Nterlis; to the Committee on the Judiciary.

By Mr. ZELENKO:

H. R. 9569. A bill for the relief of Dr. Helen Kodza (Dr. Helen Codzavouyuki); to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

338. By the SPEAKER: Petition of the commander, My Maryland Post No. 126, American Legion, Seat Pleasant, Md., requesting enactment of legislation to provide all known means of safeguarding the health and lives of all Americans from the dangers of the threatened influenza epidemic, and directing the executive branch of our Government to take adequate and immediate steps to safeguard our people; to the Committee on Interstate and Foreign Commerce.

339. Also, petition of William Dane, Marrero La., requesting a full-scale public inquiry into the conduct of the United States Custom Department in respect to the handling of the well-known Charolais cattle deal; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Libya Celebrates Sixth Anniversary of Independence

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 29, 1957

Mr. POWELL. Mr. Speaker, when I came back from the Bandung Conference, I announced that I would address the United States Congress each time there was an anniversary of one of the 29 participating nations in the Asian-African Conference on friendly terms with the United States.

Congress will not be in session when Libya celebrates her sixth anniversary of independence on December 24, 1957, hence I wish to take this opportunity to send greetings to the people of Libya, His Majesty Mohamad Idris Al Mahdi Al Senussi, and His Excellency Saddigh Muntasser, Ambassador of Libya, in honor of this event.

On December 24, 1951, King Idris proclaimed "to the noble people of Libya that in fulfillment of their endeavors and of the United Nations resolutions of November 21, 1949, our beloved country has, with the help of God, attained independence." Both the League of Nations and the United Nations had proclaimed the concept of international responsibility for less fortunate peoples. Libyan independence became for many states the expression of this concept and of the assertion of the rights of nationalism.

Since 1951, Libya has been moving slowly but concretely in the direction of political maturity; its governmental institutions have assumed greater substance and authority; its economy has been bolstered by foreign grants and technical assistance; and its people have grown increasingly to accommodate themselves to the existence of national institutions which are somewhat more powerful and far more impersonal than those of the tribe or the family. In addition, the Libyan Government has enhanced its prestige and underlined the country's strategic importance in the Mediterranean area by concluding special agreements with the United States and United Kingdom permitting the establishment of western troops and bases in Libya. Libyan foreign policy has shown a marked friendliness to the United States and a growing understanding and appreciation of the threat of international communism.

We are proud of the progress being made by Libya and happy that we are able to assist. The orderly development of the new states of Africa to political stability and economic well-being is a source of gratification.

A Congressman Should Visit With His Constituents

EXTENSION OF REMARKS

OF

HON. WILLIAM M. McCULLOCH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 29, 1957

Mr. McCULLOCH. Mr. Speaker, I believe that a Congressman should be in his district to confer and visit with his constituents whenever official duties do not require him to be in Washington.

When Congress adjourns in a few days, I expect to return home and to be available for conferences and visits with residents of the Fourth District in the courthouse of each county seat between 8 a. m. and 4 p. m., in accordance with the following schedule:

Allen County, Lima: Thursday, September 19.

Auglaize County, Wapakoneta: Tuesday, September 17.

Darke County, Greenville: Wednesday, September 18.

Mercer County, Celina: Monday, September 16.

Miami County, Troy: Tuesday, September 24.

Preble County, Eaton: Wednesday, September 25.

Shelby County, Sidney: Thursday, September 26.

No appointments will be necessary. Any problem with, or opinion concerning, the Federal Government will be proper subject for conference.

Of course, I will be glad to see residents of the district, in my Piqua office, any time that Congress is not in session, except on the days scheduled above.

Surplus Property for Worthy Agencies

EXTENSION OF REMARKS

OF

HON. KENNETH B. KEATING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 29, 1957

Mr. KEATING. Mr. Speaker, I have today introduced a bill to make certain welfare and recreation agencies eligible for Federal surplus property.

Under the present law, such surpluses can go only to medical institutions, health centers, schools, colleges, and related organizations. The proposed bill would broaden eligibility to include agencies such as the Salvation Army, YMCA, YWCA, Travelers Aid, and similar organizations.

The bill grew out of recommendations drawn up by a National Welfare Assembly Committee, which included members drawn from American Foundation for the Blind, Child Welfare League of America, Council of Jewish Federations and Welfare Funds, Council on Social Work Education, Girl Scouts, National Council of Churches of Christ in America, National Federation of Settlements and Neighborhood Centers, National Jewish Welfare Board, National Recreation Association, Salvation Army, United Community Funds and Councils, Young Men's Christian Association, and Young Women's Christian Association. In addition, the following organizations also expressed their interest in this subject: American Hearing Society, Board of Hospitals and Homes of the Methodist Church, National Catholic Community Service, and United HIAS Service.

The present law, which limits eligibility for surplus Government property to educational and health organizations, should be expanded to include worthy welfare and recreational agencies. These include settlement houses, homes for the aged, youth centers, character building agencies, and adoption centers.

These agencies are doing a magnificent job of helping our young people, our aged, and many of our needy citizens. They need and can make good use of surplus property in their work.

Since the Department of Health, Education, and Welfare cooperated with the National Welfare Assembly Committee in drawing up the agreement out of which this bill grew, it deserves wide support and should be acted upon as soon as possible after Congress reconvenes in January.

We should leave no stone unturned in helping these fine organizations pursue their objectives, for in the end their success will mean a better America for all.

Hon. Samuel K. McConnell

EXTENSION OF REMARKS

OF

HON. STERLING COLE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 29, 1957

Mr. COLE. Mr. Speaker, it is my genuine regret that I was not present in the Chamber of the House on Tuesday last, when some Members, including yourself, gave expression of their high respect and esteem for our distinguished colleague of Pennsylvania, who is resigning from this body soon.

It was not long after Sam came to the Congress approximately 10 years ago that I became impressed with his high character and sound judgment. He was always of even temper, always friendly and gracious, always a gentleman with never an unkind word, always calm and deliberate. He was the kind of legislator who appeals to his colleagues and associates to a very high degree. We shall miss him in this Chamber.

His good advice will be needed in years to come and, personally, I will miss his friendship which I have treasured highly. In our regret, however, Mr. Speaker, there is consolation in the thought that Mr. McCONNELL is leaving us in order to render service to the unfortunate persons suffering from physical handicap. I am sure that he, too, must have some misgivings in leaving the Congress, but I am confident that he is motivated by the high sense of duty which has been characteristic of him, and his desire to be of genuine help to his fellow man, Mr. Speaker, we wish him God's speed and good health.

Retirement of Elton Layton

EXTENSION OF REMARKS

OF

HON. JOSEPH L. CARRIGG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 29, 1957

Mr. CARRIGG. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, may I note with a touch of personal sadness the resignation of Elton Layton as clerk of the Interstate and Foreign Commerce Committee of the House of Representatives.

Although Mr. Layton has resided in Virginia for many years, I still dispute Congressman BROYHILL's claim that Elton is his No. 1 constituent. I feel that because of the fact that Elton for many years was a resident of my own district I can also lay claim to him.

Since coming to Washington and particularly since he began his work on the Interstate and Foreign Commerce Committee, he has endeared himself to the members of that committee under whom he has served over the years and his gracious and courteous manner to those who have had dealings with the committee certainly has given him stature of such a nature that two Congressmen could claim him as their own.

Elton Layton comes from Matamoras, Pike County, Pa., where his twin sister, Mrs. Elda Lord, still resides. He is the son of the late Cora Layton Hine, of Matamoras and Orson, Pa.

Mr. Layton started work on his 16th birthday in 1906 as a stenographer with the Erie Railroad Co. in New York City and, after working 5 years with them, he accepted a better position with the Borden Condensed Milk Co. in New York City. Five years later he accepted a position in the Quartermaster General's Office of the War Department here in Washington. He was soon promoted to secretary to the Quartermaster General of the Army. In this position he came into contact with Members of Congress, one of whom, Hon. Samuel E. Winslow, had taken note of his ability and offered him his present position which he accepted at the beginning of the 67th Congress in 1921. It is believed that no one on Capitol Hill has ever continuously served as a clerk of any committee for that length of time.

It is my sincere hope and prayer that Almighty God will shower His choicest blessings upon Elton and his family during the years to come.

Congressman Nimtz Plans Tour of 25 Cities in Third District of Indiana

EXTENSION OF REMARKS

OF

HON. F. JAY NIMTZ

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 29, 1957

Mr. NIMTZ. Mr. Speaker, in order to bring the services of my Congressional office directly to the people in their home communities, I am planning an official business tour of 25 cities and towns in the Third Indiana District while Congress is in recess.

My 1957 grassroots tour has been scheduled for September 16 through September 20 and will include visits to 7 communities in Elkhart County, 6 in St. Joseph County, 7 in La Porte County and 5 in Marshall County.

A temporary office will be established in a central location in each community where I will have an opportunity to meet local constituents and discuss with them current problems and policies of the Federal Government.

A member of my Washington office staff will accompany me and we will welcome the chance to be of service to any and all callers. No advance appointments will be necessary.

After 8 busy months in Washington, I am eager to return to Indiana and renew my personal contacts with friends in the Third District. This tour will give me an opportunity to do so and it also will make it possible for me to report directly to the people on my stewardship in Congress.

During the Congressional recess my office at 301 Federal Building, South Bend—Telephone, Central 4-5616—will be open daily to answer any inquiries from constituents. My office in Washington also will remain open to assist visitors from the district.

The complete schedule for my September tour of the district follows:

MONDAY, SEPTEMBER 16

Lakeville, Town Hall, 9 a. m.
Plymouth, Court House, 10 a. m.
Bourbon, News-Mirror office, 2 p. m.
Argos, Town Hall, 3 p. m.
Culver, Post Office, 4 p. m.

TUESDAY, SEPTEMBER 17

Michigan City, Court House, 10 a. m.
Westville, Public Library, 1 p. m.
Union Mills, Fire Station, 2 p. m.
Wanatah, H. W. Welkie office, 3 p. m.
La Crosse, Town Hall, 4 p. m.

WEDNESDAY, SEPTEMBER 18

North Liberty, Post Office, 9 a. m.
Walkerton, Town Hall, 10 a. m.
La Porte, Court House, 11 a. m.
Rolling Prairie, Fire Station, 3 p. m.
New Carlisle, Town Hall, 4 p. m.

THURSDAY, SEPTEMBER 19

Osceola, Fire Station, 9 a. m.
Elkhart, Court House, 10 a. m.
Middlebury, First State Bank, 2 p. m.
Bristol, Town Hall, 3 p. m.
Granger, Post Office, 4 p. m.

FRIDAY, SEPTEMBER 20

Wakarusa, Exchange State Bank, 9 a. m.
Goshen, Court House, 10 a. m.
New Paris, State Bank, 2 p. m.
Nappanee, City Hall, 3 p. m.
Bremen, Town Hall, 4 p. m.

Cambodia Celebrates Its Fourth Anniversary of Independence, November 9, 1957

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL, JR.
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 29, 1957

Mr. POWELL. Mr. Speaker, when I came back from the Bandung Conference, I announced that I would address the United States Congress each time there was an anniversary of one of the 29 participating nations in the Asian-African Conference on friendly terms with the United States.

Because the Congress will not be in seession at the time of the event, I wish to take this opportunity to congratulate the people of Cambodia, His Majesty King Norodom Sihanouk, and His Excellency Nong Kimmy, Ambassador of Cambodia on the occasion of the celebration of the fourth anniversary of independence of Cambodia, November 9, 1957.

The people of Cambodia have displayed courage and scored no small victories on their path to independence. Cambodia became an associated state within the French Union as a result of the French-Cambodian Treaty of November 8, 1949. Following additional arrangements with France, the Cambodian King proclaimed national independence on November 9, 1953. International recognition was accorded Cambodian sovereignty in the Geneva Declaration of July 21, 1954.

Cambodia and the United States have enjoyed close friendship and cooperation. According to Secretary Dulles:

> United States policy in Cambodia is based on a simple precept: That is, the United States through its military and economic aid programs seeks to assist the Cambodian Government in its endeavor to maintain the sovereign independence of the Kingdom. This assistance is extended only at the wish of the Royal Cambodian Government, which officially requested military aid on May 20, 1954, and military and economic aid on September 1, 1954.

The United States considers it to be in its national interest to help in the economic and social advancement of all free nations. The best way that we in America can maintain our own independence is to help other countries maintain their independence. Only by granting full independence to the Asiatic peoples can the Communists be deprived of the contention that they are liberating those peoples from colonial rule. Full sovereignty for all people is the only way to rally them at this hour to the cause of the West and to persuade them that it is in their own interests to fight to the death against the Communists.

As one who deeply believes in freedom, democracy, and the importance of achieving a better understanding among all nations, I want to again extend warm greetings to the people of Cambodia, and wish them every success.

Latin American Policy

EXTENSION OF REMARKS
OF
HON. B. CARROLL REECE
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 29, 1957

Mr. REECE of Tennessee. Mr. Speaker, I have on several occasions during the last few months, addressed the House indicating my concern over the campaign of the gentleman from Oregon against several Latin American republics. I honestly feel that his activities are contrary to the best interests of our national security and the welfare of amicable hemispheric relations. I have tried to be quite objective in my comments on the gentleman's activities and have raised numerous questions which he has seen fit either to evade or to leave unanswered. If these questions were fully and completely answered by the gentleman, the House might be in a better position to judge his actions in light of full disclosure. I would like to take this opportunity to repeat some of my questions posed on July 19, and August 9, 1957, in the fond hope that the gentleman will see the benefit of complete and candid replies in the interest of a full understanding of his objectives.

I have stated that the gentleman foments revolution and in support of this assertion, I quoted his words of June 13, 1957, on this floor. "Do I foment revolution against dictators? Yes; gladly, and until I die." I asked the gentleman if he still adheres to this position or has he seen the folly of an American representative fomenting revolution against friendly Allied countries.

I have asserted that from a reading of certain Costa Rican newspapers it would appear that the gentleman's statements and actions were an intrusion into the foreign policy prerogatives of the executive branch of the Government. In order to judge the correctness of my assertion I have, on several occasions, asked the gentleman to make available to the House all his public and private statements made in the Caribbean area. He has consistently refused to do so.

I have repeatedly questioned the gentleman concerning his weekend excursions to Costa Rica and Colombia in the company of a female employee of the Library of Congress. I have asked the gentleman to explain why this employee, Mrs. Bennett, was given equal pictorial and editorial billing by Costa Rican newspapers and why she was termed "a collaborator of the gentleman from Oregon." Also, I have asked that the gentleman make known the extent of the expenses defrayed by the Government of Costa Rica and a Colombian newspaper. I brought to the gentleman's attention the fact that the Associated Press, under dateline June 15, reported that Mr. and Mrs. Porter arrived in Costa Rica on that date. I asked the gentleman if the Associated Press had confused Mrs. Bennett with Mrs. Porter and, if not, were Mrs. Porter's expenses defrayed similarly. None of these questions have been answered.

As regards the gentleman's attitude toward the propriety of the Library of Congress providing the services of Mrs. Bennett, I have inquired of the gentleman if he believes that those services are proper. I raised the question of conflict of interest in Mrs. Bennett, a Federal employee of the United States, accepting emoluments from foreign governments. I ask the gentleman if he had sought a ruling on this question from the Attorney General of the United States. There has been no answer.

I felt that in light of my assertions concerning the improper actions of Mrs. Bennett, it would be helpful to judge their correctness if the gentleman from Oregon were to make available a summary of Mrs. Bennett's actions and public statements in the Caribbean. Such might explain her widespread press coverage in Costa Rica. No such information has been forthcoming from the gentleman.

The gentleman has stated that the military advantage of aid to certain Latin American countries is only fancied but he admits that the Department of Defense asserts that the military advantage gained thereby is very real. I have asked the gentleman if he considers himself a more qualified judge of military requirements than the Department of Defense. The question remains unanswered.

I agree with the gentleman that the Communist danger in Latin America can be more attributed to subversion than invasion but that there is no difference in the end result. I asked the gentleman if he is aware that the Red government of Guatemala established by subversion was overthrown by Castillo Armas just in time to prevent the arrival of Soviet arms in a Swedish ship.

The gentleman has stated on numerous occasions that everyone in the State Department below the post of Assistant Secretary for Inter-American Affairs agrees with his policies. In the interest of the continuation of our good-neighbor policy, I ask the gentleman to make public the names of those State Department officials who are not in sympathy with this long-established bipartisan policy. Again, the gentleman has failed to produce.

The gentleman has stated that he has been "lionized by the people of Costa Rica." In this regard, I asked the gentleman what connection there was between his fervent reception in Costa Rica and his introduction of an amendment to the mutual security bill which would have cut off aid to Costa Rica's archenemy, Nicaragua.

I ask the gentleman to explain the meaning of the overwhelming defeat of his amendment to the mutual security bill particularly in light of the fact that he had brought these amendments and his report thereon to the attention of every Member of this body 2 weeks before the vote was recorded.

I have asked the gentleman why he does not consult with the House Committee on Foreign Affairs or the Secretary of State before making his radical charges against the governments of allied countries. Again, no satisfactory answer was forthcoming.

These and many other questions designed to reach a better understanding of the objectives of the gentleman from Oregon remain unanswered. I have no means of knowing whether the gentleman will ever choose to reply but in the absence of any explanation from the gentleman, I conclude his silence is a tacit admission of the veracity of my assertions.

Courteous, Considerate, Efficient Service

EXTENSION OF REMARKS

OF

HON. KATHRYN E. GRANAHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 29, 1957

Mrs. GRANAHAN. Mr. Speaker, as we come to the final hours of this session of Congress, I want to take this opportunity to express my personal appreciation to the fine group of young men who serve us here in the House as page boys, doorkeepers, messengers, and in a variety of other capacities.

They are uniformly courteous, considerate, helpful in a million ways, and provide us with very efficient service. When one considers that there are 435 Members of the House of Representatives, and that we are all on constant call when the House is in session—with messages from our offices, visits to the floor with friends and constituents who have come to see the House in action, and the constant summoning of the telephone—it is a wonder these House employees I mentioned can find the energy to carry back and forth all of the many messages and to run all of the many errands which are their duty during a day when the House meets.

I would like to pay particular tribute to the fine work of C. H. "Colonel" Emerson, and "Charlie" Hackney, in directing the work of the telephone pages in the Cloakroom, and "Art" Cameron, overseer of the group, as well as the boys themselves—particularly "Ken" Harding, "Dan" Corcoran, "Bob" Gandel, "Joe" Saunders, "Bill" Grotefeld, and John Larkin. They have been wonderful to me.

Mr. Turner Robertson, chief page, is one of the outstanding employees of the House, and I know I speak for all of the Members when I say how much we appreciate the fine way he directs the bench pages, the door pages, the phone pages—the entire group.

Professional Visual Care for War Veterans

EXTENSION OF REMARKS

OF

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 29, 1957

Mr. SISK. Mr. Speaker, the Committee on Veterans' Affairs has reported favorably to this House H. R. 6719, which we may anticipate will be before the House for action shortly after we convene in January. I would like to commend this legislation to the Members and urge that during the recess they take the opportunity to examine it. The bill would provide urgently needed salary adjustments to the professional personnel of the Veterans' Administration. I am convinced these adjustments are not only merited, but that they are most necessary if we are to secure for veterans the high caliber health and hospital services they deserve.

I would like particularly to address my remarks and draw the Members' attention to section 5 of H. R. 6719, which would provide a long overdue recognition of the services and accomplishments of the optometric profession and would enable the Veterans' Administration to make far better use of optometrists in providing visual care for veterans.

About 10 years ago the Congress directed that the armed services commission optometrists. As a consequence, more than 300 doctors of optometry are on active duty with professional status as commissioned officers of the military services, holding ranks as high as lieutenant colonel in the Army, captain in the Navy, and major in the Air Force. Under present regulations, doctors of optometry, graduates of accredited and recognized colleges requiring 5 or 6 years of college work leading to doctors' degrees, are classified as technicians, grades 5 to 7, by the Veterans' Administration and are paid and treated as such. As a consequence, fewer than 10 optometrists are employed by the Administration throughout the country. Unfortunately, the veterans and taxpayers are the ones who suffer through this inconsistent discrimination.

I do not think there can be any doubt of the ultimate economy and improved visual care which would result if the Congress enacts the authorizing provisions of section 5 of H. R. 6719 and if a strengthened program of visual care of veterans is conscientiously formulated by the Veterans' Administration. Doctors of optometry are providing about 75 percent of the visual care in the United States and it is unthinkable that we should deny this same visual attention to veterans.

Doctors of optometry are intensively trained to test and diagnose visual defects and to consider test results and prescribe appropriate corrective lenses and devices. This training to diagnose, to analyze, and to prescribe are the phases of their work in the visual health field which merit professional recognition, for they require the exercise of independent, trained judgment. Doctors of optometry are thus differentiated from nurses, laboratory workers, and other technicians who carry out orders given them by a doctor.

Doctors of optometry are also intensively trained to recognize diseases of the eyes, though treatment of diseases by medicine or surgery is outside their field. When a patient exhibits symptoms of disease, he is referred to a specialist in diseases of the eye in exactly the same manner as your family medical doctor refers patients to specialists when diagnosis and treatment are not in the medical field in which his services will provide the attention and expert handling required.

During committee consideration of this legislation, two objections were raised to the provisions of section 5 giving professional status to doctors of optometry. It was said this should not be done because the present professional staff of the Veterans' Administration is designated as the "Medical Service," and optometrists are not medical doctors. To me, such an argument completely lacks substance and is a quibbling over words. It would be far better to rename the division as "Health Service," than to deprive veterans of this care—if any recognition is to be given to such an argument.

More serious was the allegation that optometrists are not professionally trained. I looked into this, because I certainly do not want to bring about unskilled or untrained visual care. I find that every college in this country giving a degree as doctor of optometry maintains a professional school of optometry with high requirements for admission, including at least 2 years of preprofessional training at the college level, with a minimum of 3 or 4 additional years of professional study, requiring 5 or 6 years of college training in all. This compares favorably with the requirements of other professions concerned with health care and exceeds a number of them.

I think the Members will agree that this requirement, together with the provisions of section 5 authorizing the Veterans' Administrator to determine requirements for eligibility, effectively insure the highest professional standards. I feel it is unfortunate that misleading statements were made to the committee in this regard.

There is a larger and perhaps a more important principle involved in the legislation we consider which bears on health care for veterans, servicemen, and others entitled to such care. I think it would be most unfortunate if we became so circumscribed and bound to the canons and beliefs and theories of any one school or branch of the healing art that we could not take advantage of the services offered by another branch. We all may suffer if we are blind to the advances of science and the formulation of new theories which, perhaps, do not fit into the thinking of older schools. We cannot afford to trust our health and well-being exclusively to a monopoly of thought.

Puerto Rico and Its Governor

EXTENSION OF REMARKS
OF

HON. A. FERNÓS-ISERN

RESIDENT COMMISSIONER FROM PUERTO RICO
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 29, 1957

Mr. FERNÓS-ISERN. Mr. Speaker, during the first session of this Congress there have appeared in the RECORD sundry statements with reference to various aspects of Latin American policy in general and to policies concerning the Caribbean area in particular. Although I am the only person in the Congress who represents a Caribbean community, I have not felt inclined to participate. However, in a spirit of fairness and justice to my constituents in general and to the chief executive of the Commonwealth of Puerto Rico, Gov. Luis Muñoz-Marín, in particular, I must now make the present statement. But, before I proceed, may I say that it is not my intention to engage in debate with any of my colleagues who have preceded me. I merely wish to set the record straight in what concerns Puerto Rico and its Governor.

Many, if not most, of the Members know Governor Muñoz-Marín, and I know that those who do have always had a high respect for him. In this regard, I must express my deep appreciation for what our colleague from California [Mr. JACKSON], had to say in his remarks on Monday. Perhaps it is unnecessary that I may say anything on this subject, but men pass on while the printed word remains. The record might be confusing if the Resident Commissioner of Puerto Rico were to remain silent.

I shall begin by observing that the powers and functions of the government of the Commonwealth of Puerto Rico are about the same as the functions and powers of the government of any State of the Union, and that the United States Government operates in Puerto Rico in the same way as it does in any State of the Union.

I observe, too, that there are only 65 miles of water between the Dominican Republic and Puerto Rico. Whatever the political conditions in the Dominican Republic may be, it is a fact that a substantial number of Dominican citizens have chosen to exile themselves from their native country, and that Puerto Rico, as well as New York, and certainly other places in the United States, have become their havens. Whether they live in Puerto Rico, New York, or Miami, they live under the same United States laws. I can understand that the feelings between these exiles and officials of their own government may be taut and tense. It does not require much imagination to conceive it. But no matter how strained those relations may be, I do not believe that such a situation should justify transgressions of the boundaries of propriety as to either of them in dealing with or referring to or passing judgment on the acts of officials of the United States Government or of the State governments, including the Commonwealth of Puerto Rico.

There is an instance which I shall point out where I think such boundaries have been transgressed. In a letter recently inserted in the RECORD, accusations have been made by a Dominican official with respect to the Governor of Puerto Rico for the reason that the latter granted an interview in his office in San Juan to a gentleman of Dominican extraction, a resident of the city of New York, who was then visiting Puerto Rico. He was accompanied by a former president of the Dominican Senate who has been a resident of Puerto Rico for many years. These gentlemen are known to be opponents of the present Dominican administration. No evidence, whatever, except supposition and speculation, has been given to consider the visit of this gentleman to Puerto Rico as anything improper. But it seems that, in the opinion of the Dominican official, the officials of the government of Puerto Rico are under an affirmative obligation to refuse to receive callers, or in any way communicate with persons who happen to be opponents of the present Dominican administration.

We in Puerto Rico live under the laws of the Commonwealth and the laws of the United States and no other. It is not our concern what political habits in other countries may be.

The Governor of Puerto Rico would not refuse to confer at any time with his own political opponents. It seems absurd that he may be expected to refuse to confer with anyone merely because that person is somebody else's opponent.

Suppression of freedom of thought, expression and association in Puerto Rico cannot be imposed either by direction or indirection from within; less so, by indirection from without.

Rights and privileges recognized in the United States are as sacred in Puerto Rico as anywhere in the Union. The citizens of the Commonwealth of Puerto Rico fully expect such rights always to be so maintained.

Iran Celebrates the Birthday of the Shah

EXTENSION OF REMARKS
OF

HON. ADAM C. POWELL, JR.

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 29, 1957

Mr. POWELL. Mr. Speaker, when I came back from the Bandung Conference, I announced that I would address the United States Congress each time there was an anniversary of one of the 29 participating nations in the Asian-African Conference on friendly relations with the United States.

Congress will not be in session when Iran celebrates the birthday anniversary of the Shah on October 26, 1957; hence, I wish to take this opportunity to send greetings to His Imperial Majesty Mohammed Reza Shah Pahlavi and the people of Iran in honor of this event.

After a decade of almost continual foreign menace and internal strife, Iran today is experiencing recovery. Internal order, a pro-Western foreign policy, and a modest start on the profound economic and social reforms considered essential for long-term stability have been effected.

A major factor in the improvement of the country's position has been the cooperation extended through the United Nations and the United States technical assistance programs which have been operating in Iran since 1949 and 1950, respectively. These programs have met with much enthusiasm in Iran. Greater progress is still needed, and efforts are being exerted toward that end.

Although much remains to be done, there is much that is positive and satisfactory in the present Iranian situation. Iran has consistently demonstrated her confidence in the principle of collective security and helps to form a bulwark against communism. Menaced for centuries by the Soviet dreams of expansion, Iran has a life-and-death interest in the collective security aims of the Baghdad Pact and the Eisenhower doctrine.

As one who deeply believes in freedom, democracy, and the importance of achieving a better understanding among all nations, I want to take this opportunity to wish Iran every success.

Politics Stalemate Farm Legislation—Benson Exploits Disunity Among Farmers

EXTENSION OF REMARKS
OF

HON. HAROLD D. COOLEY

OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 29, 1957

Mr. COOLEY. Mr. Speaker, as the 1st session of the 85th Congress draws to a close, it occurs to me that I should advise the Congress and the country concerning the work of the House Committee on Agriculture during the weeks and months of the present session. I also feel that I should discuss some of the problems with which the members of our committee have been confronted and say something about the present plight of American farmers.

Such a report, to convey to the Nation a true accounting, must bring forward at the outset the name of Mr. Ezra Taft Benson, Secretary of Agriculture.

BENSON RETURNS FROM THE WILDERNESS

In the closing weeks of this Congress, when the Secretary of Agriculture, under normal circumstances, would be in Washington eagerly pressing all matters vital to the well-being of farmers, everyone was wondering as to the whereabouts of Mr. Benson. His absence seemed to be shrouded in some sort of mystery. The President indicated at a news conference that the Secretary was out in the country getting grassroots opinion on a new farm program. Apparently the President did not know where the Secretary was nor did he know what he was doing. But now the veil of mystery has been lifted and we are told that the Secretary has been wandering in the wilderness for 50 days and nights. He says he was inspecting national forests. We, of course, hope that he found everything well in the wilderness. Actually, the farmers of America think that the Secretary has been in "a wilderness" since the beginning of his administration. Ever since he has been in public office we have been hoping that the Secretary would come up with some new idea, but to this good day he has neither presented a single new thought nor a single new idea. His one purpose has been to drive down farm prices and income.

CONGRESS ALERT TO FARMERS' NEEDS

Mr. Speaker, there has never been a session of Congress in which the Members who are interested in the well-being of agriculture have worked more diligently, more faithfully, or with a greater dedication, in behalf of those millions of our citizens who live and labor on the farms of our country. I commend those Members of both parties who have proven themselves to be devoted friends of agriculture.

PARTISAN POLITICS PLAYS A PART

Unfortunately, partisan politics has lifted its ugly head in our committee room. The problems of agriculture are paramount and should be considered in an atmosphere which is entirely free from partisan politics and political expediency. Members of our committee of both parties are devoted to the cause of agriculture and to the well-being of all the people of our Nation, but we are divided along party lines and in such a situation the farmers of the Nation are the ones who suffer.

When the 85th Congress convened in January the agricultural economy, after 4 long years of steady and devastating deterioration, was still growing progressively worse. Secretary Benson was winning the great battle to bring down prices and to lower farm income. Never on any occasion has he championed the cause of farmers. Many farm families, unable to make ends meet, have moved into towns and cities seeking jobs which were not available. Others were holding on to their land only by privation and by increasing their debts. Many operators of larger farms were hard-pressed. Meanwhile, other great segments of our economy continued to enjoy unparalleled prosperity.

SITUATION DEMANDED ACTION

This Congress immediately set to work to undo the damage that had been done to the farm program in the 4 years of Mr. Benson's reign; to take whatever legislative steps were needed to restore stability to agriculture—and thus to bring our farm people into equal partnership in the rewards of American free enterprise.

But, Mr. Speaker, our efforts have been nullified by the Secretary of Agriculture, Mr. Benson.

The deep concern of the Members of this House for the well-being of agriculture is vividly spread in the records of our Committee on Agriculture, which it is my privilege and honor to serve as chairman. These records show that the Members of this body have introduced in this session 513 bills, intended to improve the conditions on our farms and our committee has taken final action on 272 of these bills.

Our committee, with its 18 subcommittees, has conducted 176 hearings and study sessions. We studied all the bills carefully and, as is the custom, selected those we deemed to be worthy of early action and submitted them to the Secretary of Agriculture.

Mr. Speaker, the House, the Congress, the farmers of America, should know this:

We sent 125 bills to the Secretary. Mr. Benson approved only 16 of these bills. He disapproved or proposed substantial changes in all the others or did not express an opinion at all. He rejected all legislation proposing fundamental improvements in the operation of farm laws to increase the income of farm families.

We sent to him bills proposing revisions in the present loan and acreage allotment program. We forwarded to him bills proposing two-price or domestic parity systems for various commodities which would let these crops move competitively into world markets while maintaining a reasonable price in our domestic markets. We sent to him proposals for production payments, compensatory payments, or marketing equalization payments to farmers. He returned them with the Department's stamp of disapproval.

BENSON WOULD DESTROY PARITY PRINCIPLE

Instead, Mr. Benson sent us his own proposal, that the flexible 75 to 90 percent of parity supports for the major crops, the sliding scale which he installed, now be discarded and that he be given absolute authority, at his own personal discretion, to fix the supports of major crops at zero to 90 percent, or to eliminate the program completely. In effect, Mr. Benson's program for agriculture is that we make him the czar of agriculture.

Needless to say, no Democrat would touch Mr. Benson's bill; and likewise, it is to the credit of the Republican Members of the Congress that they, too, have washed their hands of this new effort of the Secretary to destroy the parity principle which the farmers of America were so long in winning and which the Nation had come to accept as sound and fair. Agriculture is in the middle of a sad and sorry situation when the Secretary of Agriculture is not able to persuade and prevail upon any member of his own political party to introduce legislation which he proposes.

Mr. Speaker, although Mr. Benson cannot find support in the Congress for this new mischief he proposes, we have learned that when the Secretary disapproves a measure it is doomed. This is the lesson the President taught us last year when he vetoed H. R. 12, the bill which sought to stop the downward flexing of farm prices and to restore 90 percent of parity price supports.

Thus, the threat of veto, at Mr. Benson's signal, thwarts the Congress.

THE SECRETARY EXPLOITS DISUNITY

Moreover, the Secretary does not rely entirely upon the veto, nor upon the fortunes of his bills in the Congress, to accomplish his ends. He has a third design. It is the most crafty, and the most cunning, of all. It is contemptible and unforgivable. We have it from no less a source than the Wall Street Journal, which supports Mr. Benson's policies, that the administration is exploiting disunity among farmers to bring down farm prices. The following is from the front page of this newspaper's edition of August 2:

> Benson maneuvers to blunt opposition to his drive for lower price supports.
>
> He'll seek power to ease planting curbs right away if props drop. Aids figure fatter harvests would offset the initial pinch of lower prices on farm income. Benson will hold out hope that controls would die eventually. He'll promise to use prop-cutting power moderately, trim supports to world market levels in easy stages.
>
> Administration strategists aim to exploit splits within commodity groups. They play California cottongrowers against Dixie producers in the push for lower fiber props. Officials make the most of intercrop jealousy. Benson plans to ask authority to lower dairy support floors; spokesmen for major crops complain mandatory dairy props incur heavy losses.
>
> Benson's foes fail to agree on an alternative. Some Democrats plug hard for direct payments to farmers. Others refuse to swallow the idea. Benson's backers take cheer from the opposition's distress.

A BATTLE WON AND LOST

Mr. Speaker, only a few short years ago we were confident that a long, hard, and sometimes bitter struggle had been won. We thought that at long last agriculture had been accepted in equal partnership to share equitably in the rewards of free enterprise along with all other segments of our society.

Today we find ourselves embattled perhaps as never before.

Farmers are again the poor relations in the Nation's economy. The parity principle is under assault, and has been shaken to its very foundation. Crop is pitted against crop, region against region, organization against organization. This disunity is being exploited to rob the farmer of the rewards for his work.

The situation we confront today is strangely and ominously reminiscent of the state of agriculture 25 years ago.

There are many Members of this House who can remember—and some will never forget—the late 1920's when agriculture went into a devastating decline. Our farmers called for help. The rest of our economy—much as today—was preoccupied with prosperity, and the farmers' cries scarcely were heard.

Ultimately, in the early 1930's, the ruin of agriculture ran its inevitable course, and our whole economy tumbled into a great depression.

It was then that this country came to a realization of the importance of agri-

culture to the strength and prosperity of our whole economy. That was when our farm program was born.

Mr. Speaker, in a few days we shall be back home, in our districts among the good people who sent us here, and in our daily associations we shall be giving accounts of our stewardship. Our farmer friends will want to know why agriculture is depressed—why the farm program that operated so well so long and at so little expense is not now working to help them—why farm families are not sharing in the Nation's prosperity—why nothing has been done.

I am going to tell the truth. I am going to tell my farmer friends about Mr. Benson, and about those who hold his hand. My people are going to hear from me two stories: One, a 20-year story; the other, a 4-year story.

THE 20-YEAR STORY

The 20-year story, which began in 1933, is an account of the accomplishment of the parity principle—agriculture's magna carta. The income of agriculture multiplied sixfold, sevenfold, or eightfold in those two decades. For 11 consecutive years prior to 1953, the average prices paid to farmers were at or above 100 percent of parity. Rural people were able to buy the conveniences and comforts hitherto available only to those who resided in the cities and towns. The blessings of electricity were taken into the rural areas. Farmers became financially able to mechanize their farms and to apply the new sciences, to bring the blessings of abundance at low cost to this country. Farmers, with the means to do it, devoted their resources and energies to the restoration and conservation of their most precious resource, the soil. Better farm income created greater markets for industries in the cities, made jobs, and kept factory wheels turning.

During those 20 years the output per farm increased by 100 percent, so that now each farmworker feeds 20 persons. As a consequence of this new efficiency in agriculture American families have had available to them more and better food, for an expenditure of a smaller percentage of their total income, than in any other period of history. Although in recent years retail prices have increased as farm prices declined, even today the average hourly wage of industrial workers will buy twice as much food as in 1929.

Our accomplishments in agriculture were phenomenal. What did this 20-year program cost?

The Commodity Credit Corporation supported the prices of the major storable crops for the 20 years prior to 1953, not at a loss, not at a cost, but at an actual profit of $13 million. For these two decades the CCC price supports on basic crops, nonbasics, perishables and nonperishables, storables and nonstorables—potatoes, eggs, wool, and everything else—amounted to only $1,064,000,000.

The total losses on all price-support programs through the Commodity Credit Corporation on all commodities amounted to only $1,064,000,000. I emphasize the fact that this was a cumulative loss for 20 years; to show just how negligible this loss really was, and in fairness to farmers the cumulative losses should be related to cumulative gains for the same period of time. The cumulative farm marketings for the same 20 years, 1933–52 inclusive, amounted to more than $390 billion. The cumulative national income for the same 20 years amounted to over $3 trillion. So in fairness, we must relate price-support losses both to farm income and to national income to realize just how negligible the losses really are.

THE 4-YEAR STORY

Now let us look at the 4-year story which began in 1953, and which continues—though we pray that it may not be for long.

First, we recall that 1953 was the year in which the assault was launched upon the parity principle—the Secretary of Agriculture began shouting to the country: "The farmer is pricing himself out of his markets"—and here is the story:

Farm prices dropped in 1953 to 92 percent of parity, to 89 percent in 1954, 84 percent in 1955, to 82 percent in 1956, and prices in July 1957 were running below July of 1956 in terms of parity.

Farm net income dropped from $14,256,000,000 in 1952 to $11,800,000,000 in 1956.

Farm-mortgage debt has risen from $6,600,000,000 in 1952 to approximately $10 billion today.

Whereas the CCC price-support program for 20 years cost $1,064,000,000, the losses for the 4 years, 1953 through 1956, were 3 times the combined total of the previous 20 years—slightly over $1 billion in 20 years, and $3 billion in 4 years. Meanwhile, CCC investments in surpluses increased from $2,452,000,000 in 1952 to $8,211,000,000 as of January 1, 1957.

Briefly, in 4 years Mr. Benson has lost 3 times as much money in CCC price supports as this program cost in the previous 20 years; at the end of the 4 years he has 3 times more surplus on hand than he had when he started; farm prices are down 18 percent and farm income down 15 percent.

Mr. Speaker, thus is the dreary 4-year story of the farmer's income going down and the costs to the Government going up.

FACTS AND FIGURES

To aid the Members in pointing concisely to what has taken place, and what is taking place, in agriculture, I am inserting at this point certain facts and figures. But before submitting these facts and figures I want to emphasize that Secretary Benson has had more money, more personnel, and more power and authority than any other Secretary of Agriculture in the history of this Republic. He has had more committees, more commissions, and personal advisers than any other Secretary in history. When he took office our agricultural budget was only $1,817,000,000. The last Benson proposed was for approximately $5 billion, amounting to almost 50 percent of the total net income of all the farmers of America during the year 1956. Only a small part of this gigantic sum actually went into the pockets of farmers.

CCC PRICE SUPPORT LOSSES

As of January 1, 1953: $1,064,617,225.

As of January 1, 1957: $4,005,229,643.

(NOTE.—The losses in 4 years, from January 1953 through 1956, were about three times the total of losses during the previous 20-year history of CCC price support operations.)

Twenty-year loss (1933–52): $1,064,617,225.

Loss (1953 through 1956): $2,940,612,418.

CCC OPERATIONS IN BASIC CROPS ONLY (COTTON, WHEAT, TOBACCO, CORN, RICE, AND PEANUTS)

January 1, 1953 (at the end of 20 years): $13,011,290 profit.

January 1, 1957 (4 years later): $1,222,671,853 loss.

(NOTE.—A $13,011,290 profit over a 20-year period of CCC price supports on the basics turned into an $8 million loss within 4 months after Mr. Benson took office. In 4 years under Mr. Benson losses on the basics amounted to $1,235,683,243 compared to the $13 million plus profit in the previous 20 years. These losses have been piling higher since January 1, 1957.)

(NOTE.—The CCC support program for cotton, over 20 years, showed a profit of over $268 million. But this profit has been wiped out, by a cotton program loss of over a half billion dollars in the last 18 months.)

Losses on dairy products

Up to Jan. 1, 1953	$121,523,383
Since Jan. 1, 1953, to Jan. 1, 1957	1,161,871,659
Dairy program total	1,283,395,042

(By the end of June 1957 the dairy program losses had exceeded $1,400,000,000.)

CCC INVESTMENTS

Total CCC investments (inventory and loans) as of Jan. 1, 1953	$2,452,000,000
Total CCC investments (inventory and loans) as of Jan. 1, 1957	6,211,000,000
Total increase in 4 years	5,759,000,000

CCC investments by crops (inventory and loans)

Crop	Amount	Value
Cotton:	*Bales*	
Jan. 1, 1953	1,097,000	$166,779,000
Jan. 1, 1957	10,263,000	1,723,711,000
Wheat:	*Bushels*	
Jan. 1, 1953	467,847,000	1,081,545,000
Jan. 1, 1957	1,039,029,000	2,683,452,000
Corn 7:		
Jan. 1, 1953	368,349,000	587,274,000
Jan. 1, 1957	1,199,688,000	2,045,551,000
Rice:	*Hundredweight*	
Jan. 1, 1953	168,000	878,000
Jan. 1, 1957	22,372,000	173,848,000
Peanuts:	*Pounds*	
Jan. 1, 1953	192,528,000	22,644,000
Jan. 1, 1957	336,435,000	35,664,000
Tobacco:		
Jan. 1, 1953	544,067,000	250,373,000
Jan. 1, 1957	1,075,660,000	673,554,000
Dairy products:		
Jan. 1, 1953		8,445,000
Jan. 1, 1957		111,031,000

Farmers (1952 and 1956)

	1952	1956
Farmers' net income (billions)	$14.3	$11.8
Farmers' share of food dollar (cents)	47	40
Prices paid by farmers, index	287	286
Prices received by farmers, index	288	235
Parity ratio	100	82
Number of farms	5,421,000	4,964,000

PER CAPITA INCOME (1956)

People on farms: $889 (down $64 per person since 1952).

Nonfarm people: $2,010 (up $177 per person since 1952).

COMPARISONS

Average of farm prices in 1956 down 18 percent from 1952.

Net farm income in 1956 was 15 percent below 1952.

CONTRAST

Hourly earnings industrial workers in 1956 up 19 percent since 1952.

Net corporation dividend payments in 1956 up 33 percent since 1952.

Farm prices (as percentage of parity)

	Percent
1942	105
1943	113
1944	108
1945	109
1946	113
1947	115
1948	110
1949	100
1950	101
1951	107
1952	100
1953	92
1954	89
1955	84
1956	82

Cash receipts of farmers (not including Government payments)

1932	$4, 748, 000, 000
1947	29, 664, 000, 000
1948	30, 253, 000, 000
1951	32, 909, 000, 000
1952	32, 538, 000, 000
1955	29, 264, 000, 000
1956	29, 999, 000, 000

Net income of farmers (including Government payments)

1932	$1, 928, 000, 000
1947	17, 191, 000, 000
1948	15, 943, 000, 000
1951	14, 802, 000, 000
1952	14, 256, 000, 000
1955	11, 340, 000, 000
1956	11, 836, 000, 000

National income

1932	$43, 049, 000, 000
1948	208, 980, 000, 000
1951	250, 779, 000, 000
1952	266, 406, 000, 000
1955	296, 379, 000, 000
1956	314, 471, 000, 000

Mr. Speaker, these are the facts and the figures. I will tell my people the truth, that the 20-year story is the triumph of the parity principle and its meaning in a better life for farm families, more and better food for a smaller part of the paychecks of consumers and a modest cost to the Government; that the 4-year story is of the dismantling of this hard-won parity principle and what this has meant in new deprivations for farmers and huge costs to the Government.

MORE TROUBLE AHEAD

Now, where do we stand today?

I regret that I must tell my farmer friends that the worst seems yet to come.

Those who are tearing down the parity principle—the farmers' Magna Carta—thus far have accomplished their ends principally by destruction of the 90-percent of parity price supports and the substitution of a sliding, flexible, lower support system, down to 75 percent of parity for the major storable crops.

Now, as I have heretofore mentioned, the Secretary of Agriculture has sent to the Congress a proposal that he be given absolute power, in his own personal discretion, to support the basic crops at 0 to 90 percent of parity, or to eliminate supports completely. He evangelizes a free-market and free-price route for agriculture.

I can see nothing but farm bankruptcy in such a policy.

THE NATURE OF THE FARM PROBLEM

Agriculture alone cannot live under one system and the rest of the economy under another. Wages do not fluctuate with supply and demand. Labor has its minimum wage and collective bargaining laws. Supply and demand have little influence on the cost of transportation, electric power, and telephone service. Industry puts a price tag on what it produces.

Agriculture is the only major element of our total economy that has no device outside of Government, to pattern its production to market needs. Farmers have no way of measuring what should be their individual contributions to a balanced national supply of food and fiber, without Government help. Farmers have virtually no bargaining power in the commerce they conduct.

Shall we say to the farmers of America that you shall go into the market places with what you produce and, hat in hand, ask: "What will you give me?"

The farm families on these broad lands are the primary producers of the wealth of this Nation. Yet, in 1956, although they comprised 13.2 percent of our population, they received only 6.3 percent of our national income. Income of all farm workers last year averaged only 78 cents an hour, for their labor and their management. The average wage of industrial workers increased to $2.08 an hour. The per capita income of the 22,250,000 people living on farms amounted to only $889—and a third of this was from off-farm sources such as part-time jobs in town—while the per capita income of our nonfarm population soared to $2,010.

Yet we have before the Congress, directly from the Secretary of Agriculture, a proposition for the further dismantling of price supports—a proposition that would totally wreck the parity principle, which is agriculture's only recognized means of determining the inequity of its position in relation to the rest of our economy and society.

THE ANTIFARMER CAMPAIGN

Perhaps never in history, as in the last 4 years, has 1 segment of our society been singled out for such lambasting, such slander, and generally such cruel treatment as has been administered to the farmers of America.

Through every medium, through press releases, through radio and television, in speeches, thousands upon thousands of words have been beamed to city dwellers. With evil sounding overtones, such words as "surpluses," "controls," "subsidies," "waste," have been drummed into city ears. Our customers in town have been told that the farmer is pricing himself out of his markets, with a hint that he is living a high life on Government checks. The farmers have been denounced, ridiculed, and vilified from one end of the land to the other by people in high places.

Moreover, as I have pointed out to the House, a successful attempt has been made to divide farmers, to set one group, one region, one organization against another.

The great shibboleth of the exploiters of disunity is the one word: "Freedom."

Never has one word embracing a noble aspiration of a people been more soiled in its usage. The American farmer is the most independent, the most freedom-loving individual on earth. The question is: Shall we let the exploiters use this virtue to permanently repress our farm families and to make them content with a lesser share in the rewards of America's free enterprise?

Industry and business manage, adjust, and control production and the flow of goods offered for sale. We are told that if farmers enter into a program to pattern their production to the measure of their markets they are surrendering their freedom.

Industry and business put a price tag on the goods they produce and merchandise, but the farmer is propagandized that if he enters into an arrangement to use the pricing principles that are necessary to the success of any enterprise, he will lose his independence and his liberties.

The exploiters would deny to the farmers the recourse to their Government such as has been used to restrain the impact of the free play of supply and demand in industry and business and has mitigated and tempered the hazards of working and trading in industry and business.

Let me make my own position clear.

I shall work to the limit for the real independence of farmers, and of all Americans; but I shall never brood on the farmers' loss of their freedom to go bankrupt and their freedom to become again the paupers in this Nation's economy.

The free-market and free-price route that is now being preached for agriculture, while the farmers' production costs are fixed high by the protections afforded all others in our economy, will surely put our farmers at the mercy of a world price.

We shall not submit to reducing the American farmer to the rank of world peasant.

Many of us representing agricultural districts supported the laws that have brought a new era of prosperity to the laboring man. We supported the enactments that have created the economic climate for the greatest business prosperity in our history. I would not repeal these statutes.

We supported and fought for the laws that established the parity principle for agriculture. We shall not rest until the befuddled foes of equity for agriculture are routed out of administrative places in Washington and the farmers' position of due reward for enterprise is restored and secured.

PROPAGANDA CAMPAIGN PLANNED

Mr. Speaker, I have information to the effect that officials of the Department of Agriculture are now preparing for perhaps the greatest program of propaganda that has yet been undertaken. I am advised that workers in the Department of Agriculture have been directed to prepare and to present facts and figures in such fashion as to indicate that all is well on the farm front, that farmers are not really hurting and are not in distress. Under the guise of summarizing accomplishments under the Eisenhower administration, officials of the Department will try to show that farmers are riding on a rosy road to prosperity.

Soon we may expect the entire propaganda potential of the Department of Agriculture to be beaming misleading information to the people of the country. Perhaps officials of the Department of Agriculture will indicate:

That farm prices have turned the corner, that they are higher than a year ago.

That farm income is headed up for the first time in a peacetime year since 1947; that farm assets are at an all-time high, and that only 1 out of 3 farms is burdened with a mortgage.

That exports are larger than ever before.

That surplus holdings of the Commodity Credit Corporation are being drawn down. That markets are returning and surpluses are disappearing.

Our farmers have learned that when Mr. Benson says things are getting better it is time for agriculture to get ready for something worse. Certainly, when Mr. Benson reports that farm prices have turned the corner, he will not mention the fact that farm costs are climbing faster than prices and that farm prices in July of this year were below the prices of July of last year in terms of parity. I am quite certain that the Secretary of Agriculture will not mention the hundreds of millions of dollars of losses incurred and the hundreds of millions of dollars paid out in subsidies which are responsible for increases in exports and some slight reduction in the inventories of the Commodity Credit Corporation. Actually Mr. Benson would probably do farmers a favor if he would withhold this new and bright presentation which he is planning, for we see and realize that in the past, whenever he talks up prices, parity has gone down. Here are some of the things Benson has said in the past and here is what has happened to parity every time he has talked of prices:

Date	Benson said—	Parity stood at (percent)—
Feb. 11, 1953	"Analysis leads us to expect no major changes (in farm price) during the next several months."	94
Apr. 7, 1953	"Our analysis * * * anticipate that prices of farm products during the spring and summer will be steady."	92
Oct. 21, 1953	"It's my belief that the major price declines are behind us."	90
June 30, 1954	"It (last month's 4-percent farm-price decline) does not indicate a general weakening in the farm-price structure."	88
Jan. 7, 1955	"I am convinced that for agriculture the road ahead will be smoother than the one we have been traveling."	86
June 15, 1955	"I am confident that we have seen the worst of the transition which agriculture goes through following every major war."	84

Mr. Benson talked some more in 1956 and the level of farm prices dropped to 82 percent of parity.

In reviewing the records and summarizing accomplishments, no doubt the Secretary will lay considerable stress on the achievements of the rural development program. The farmers will recall that this program was launched in the wake of searing criticism of the Secretary early in his administration when his aids made statements to the effect that "inefficient" farmers should stop trying to farm and find jobs in industry. By the operation of this program, Secretary Benson cannot kid small farmers into believing that he and his associates have had a change of heart.

Mr. Benson spoke a few weeks ago in Minnesota. Mrs. Margaret Terning of Cokato, Minn., daughter of one of the township's finest farmers and wife of another one of the area's finest farmers, asked the Secretary: "How is the farmer to meet his obligations in the face of lower farm prices and rising costs?" Mr. Benson's reply: "Seek other employment."

During the entire time that Mr. Benson has served as Secretary of Agriculture he has had in mind and has worked diligently to accomplish one goal, and that is to lower farm prices and bring down farm income. His sliding scale is sliding the farmers of America into bankruptcy.

FARMERS MUST STAND TOGETHER

Mr. Speaker, we shall never accomplish an equitable position for agriculture in Washington unless there is behind us, at the grassroots, a mobilization of purpose, understanding and action in a united agriculture.

Those of us in Washington who have the interest of agriculture at heart will never impose a program upon farmers. We shall not act until we know what farmers want.

Our weakness in the Congress at this moment is the disunity in the ranks of agriculture. The house of agriculture is divided. This is the work of the Secretary of Agriculture and those who support him. The exploiters are using the disunity they have created to tear down the parity principle.

There have been reports in the press that political overtones are evident, that the declining farm population may be a factor in the calculations, and the strategists, playing for political power by repressing farm prices, may reason that they will more than offset losses in the dwindling rural vote if they pick up additional support in the cities.

This is a sorry business, but I have no fear of it.

Our problem is to bring agriculture into one community of purpose and effort.

AMERICA'S STRENGTH

We may then convince the Nation that the interests of our great rural and urban populations are one and the same, that they are tied inextricably together.

We may then show America where her essential strength lies. We may point out that in America 1 farm worker feeds 20 persons, while in Russia agriculture requires the labor of fully one-half the total population. We shall emphasize that the efficiency of our farmers along with the moral fiber of a free people, is the basic difference in the stature of a democratic America and a communistic Russia. We shall sink home the fact that, while one-half Russia's total population works on farms and still cannot meet the Communists' need for food and fiber, in America the efficiency of our farmers releases 90 percent of our work for other employment—in factories, in mines, in shops, in transport, in all the other pursuits which—with the abundance of food and fiber from our farms—makes the United States standard of living the object of longing of peoples the world over.

We shall tell our story. We shall spread the truth about agriculture.

Once we in agriculture are united—once we put our house back together—I am supremely confident that our friends in the towns and the cities, and their representatives in the Congress, will insist—as a matter of self-interest and of simple American justice—that our parity principle be restored, that farm families share fairly in the rewards of enterprise, and that they enjoy a full partnership in the blessings of this capitalistic system which has made our abundance and our strength the envy of the world.

Saudi Arabia Celebrates King Saud's Anniversary of Accession to the Throne, November 12, 1957

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL, JR.
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 29, 1957

Mr. POWELL. Mr. Speaker, when I came back from the Bandung Conference I announced that I would address the United States Congress each time there was an anniversary of one of the 29 participating nations in the Asian-African Conference on friendly terms with the United States.

Inasmuch as the Congress will not be in session at the time of the event, I wish to take this opportunity to extend greetings to the people of Saudi Arabia, His Majesty Saud Ibn Abdul Aziz al Saud, and His Excellency Sheikh Abdullah Al-Khayyal, Ambassador of Saudi Arabia, upon the occasion of the celebration of the fourth anniversary of King Saud's accession to the throne of Saudi Arabia, November 12, 1957.

The Arabian Peninsula is the cradle of the modern Arab people. Since the consolidation of the Saudi kingdom in 1925, Saudi Arabia has been the largest and in many ways the most important of the states of the peninsula. The United States has had relations of special importance with Saudi Arabia for over two decades and looks forward to continued cooperation. Firmly committed against communism, King Saud follows his father's traditional policy of close friendship with the United States.

Upon this occasion of the celebration of the fourth anniversary of the accession of King Saud, I pray for divine guidance of the leaders and people of this noble country. May they discover what is basically just within the vexing issues upon which they are called upon to make their decisions. And may love fill the hearts of citizen of Saudi Arabia so that peace may be more surely secured and brotherhood helped to come alive for the peoples of the world.

Department of Health, Education, and Welfare

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 29, 1957

Mr. FOGARTY. Mr. Speaker, these are the closing moments of the first session of the 85th Congress. There is some pressing business still to come before the House prior to adjournment. The important items of business on our agenda are well known to all of us in Congress, as they are to the Nation. Only a matter of the utmost urgency should be brought up on the floor if it is a departure from the specific issues that await our consideration.

I am convinced that the irresponsible and arbitrary actions of the Bureau of the Budget—actions which reverse the considered judgment of Congress and flout the expressed will of the American people—constitute a matter of such urgency.

I am talking about the apparently deliberate refusal of the Executive Office of the President's Bureau of the Budget to permit the executive agencies to spend, or even to plan to spend, the sums of money appropriated by Congress and approved by the President as the necessary and proper expenditures for these agencies and departments.

I will not generalize. Let me be specific.

On June 27 of this year, the Congress voted an appropriation bill for the Department of Health, Education, and Welfare. Two days later, the President signed this bill into the law of the land. Among other vitally important programs for which this bill provided—programs which affect all Americans in a very direct and personal way, like social security, education, vocational rehabilitation, and food and drug regulations—there were eight appropriations totaling $211 million for research against cancer, heart disease, mental illness, and the other diseases that kill and cripple millions of Americans each year.

I do not need to tell my colleagues that this year, perhaps more than any other year in recent history, appropriation bills have been considered with great care; nor do I need to tell my colleagues why this has been true. In most instances, the administration's appropriation requests have been cut back, reflecting the commitment of Congress to reduce unnecessary Federal spending and stop the threatening upward spiral of inflation.

In some individual instances, however, the Congress voted more funds than the administration requested. This is one of its responsibilities, in the final analysis—to review these requests for funds, to evaluate them, and to act on them—to cut them, approve them, or increase them, according to the considered best judgment of the Congress in session. A cornerstone of our constitutional system rests on this authority and responsibility of Congress to set the fiscal and legislative base for the programs of the executive branch of the Federal Government.

In the case of the medical research programs of the National Institutes of Health—after weeks of hearings and discussions involving literally hundreds of witnesses before both Houses of Congress—we provided a modest increase in the requested funds from $190 million to $211 million. I will highlight the importance of these appropriations with four simple statements of fact: First, these funds support more than one-third of all the medical research done in this country today; second, many of the great recent advances against disease have resulted from research supported by these appropriations; third, the experience of both Houses of Congress over a period of many years has been that these programs have been accorded, because they have merited, the confidence and respect of our country's scientific institutions and of people everywhere; and fourth, the effect of denying a large part of the needed funds for these programs, or of creating a feeling of uncertainty as to their availability, is sure to be seriously damaging and may be catastrophic.

Despite these facts, and despite their knowledge of the conviction of Congress that these programs should receive sustained and farsighted support, a handful of the President's advisers have apparently decided that the full amount of the funds appropriated for the National Institutes of Health shall not be spent—although Congress, and the President want it to be available if needed. Even today, nearly 2 months after President Eisenhower signed the bill into law, and after an incredible series of contradictory and delaying acts, the situation is far from clear. Those who direct these programs have been told they are permitted to spend—and this only after some extreme pressure on the Bureau of the Budget from Congress and from the Secretary of Health, Education, and Welfare, Mr. Folsom—most, but still not all, of what they need in the first quarter of fiscal year 1958. They still do not know, and Secretary Folsom does not know, what they will be permitted to spend for the rest of the fiscal year by those omniscient and omnipotent manipulators of the Federal fiscal processes who advise the President but do not feel compelled to carry out his orders after he has appraised their advice and made his decision.

I will not go into any of the harrowing details. A simple chronology of the events related to the National Institutes of Health appropriation since June 27 will make my point.

On that date, their bill, which increased the President's appropriation request by $21 million, was passed and sent to the White House.

On June 29, the President signed the bill into law.

Yet the day before, June 28, the Director of the Bureau of the Budget had issued instructions which not only forbade spending at the level approved by the President the next day, but—incredible as it sounds—directed a pattern of spending which for the National Institutes of Health would be actually below what the President had asked Congress to appropriate in the first place.

On August 7, the Bureau of the Budget advised Secretary Folsom that it could not make up its mind about the full year, but that he would have to cut roughly $17 million out of the first quarter's spending for the eight appropriations.

On August 13, Secretary Folsom asked the Bureau of the Budget to reconsider, and they yielded a little bit.

On August 20 Secretary Folsom again asked them to reconsider, and they yielded a little bit more.

It is not for me to say how much effect was made by the inquiries of Congress as to the status of these matters during the time they were in negotiation. A committee of the Senate chaired by the distinguished Senator from Alabama, LISTER HILL, looked into it. A committee of the House, which I am privileged to chair, looked into it twice. I cannot feel that it was a very rewarding experience for any of us. Certainly there has been no clarification either as to general policy or as to specific intent on the part of the Bureau of the Budget. The National Institutes of Health are still nearly $800,000 short of their needs for research in their own laboratories in Bethesda during the first quarter. And they still have no idea how much, during the remainder of the year, they will be permitted to spend of the total of $211 million appropriated for the medical research they conduct and the research and training they support among the Nation's medical schools and universities.

I am sure it must be apparent, even to the uninitiated, that medical research cannot go forward in the face of these fiscal uncertainties. Those who do research and those who foster environments where creative research can thrive have every right to expect stability and continuity in that part of their support derived from the Federal Government. They do not expect arbitrary and capricious action of the kind that has characterized the Bureau of the Budget's handling of these appropriations this year. Such actions sow seeds of uncertainty and indecision among the scientific community and do irreparable damage of a deep and lasting nature.

I want to emphasize what I mean by the National Institutes of Health. It is not, as some may think, just a group of laboratories in Bethesda, Md. They are part of it, and they do splendid work, and they must be supported at adequate levels so their scientists can continue to make the outstanding contributions to the Nation's health that they have made in the past.

Much more important, however, is the fact that through the National Institutes of Health a large segment of all the medical research in this country is supported. Thus we are not concerned here with the simple maintenance of a Government bureau. When doubt and uncertainty creep into the fiscal picture, it shakes the entire medical school and university world by undermining their confidence in the stability of Government support. The Congress by its actions and the Public Health Service by its wise and careful administrative leadership have gradually built up this confidence as these programs have come into being and developed in size and in stature since World War II. I am sure it is the intention of every Member of Congress that the scientists and scientific institutions who are part of this national research effort against disease should not feel insecure in this support. Yet we find that all of the confidence that has been built up through the years can be undermined by a few people in the Budget Bureau who do not understand the significance of stable support and apparently do not care if our medical research effort is strong or weak, as long as they can juggle figures to what they think to be their own advantage.

Last year, nearly 7,000 research projects in 700 research institutions all over the country were supported by these funds. More than 3,000 people were being trained for careers in medical science and related fields. These are not statistics. They are people, and they are the people who are and will be the producers of new knowledge which will benefit all mankind. They know, as you and I know, and as all thoughtful people know, that medical research cannot be turned on and off like a faucet under the hand of some master planner.

Yet not 2 weeks ago, I had a desperate call from a distinguished scientist. He had trained for a career in medical research and teaching—long, hard years of specialized work in which the only rewards were those satisfactions that come to a scientist in the accomplishment of the progressive steps of his career. He had submitted an application for research grant support from the National Institutes of Health. That application was reviewed by the groups of non-Federal scientists and laymen who advise the Surgeon General on the scientific merits of each application. The project was recommended highly, and the Surgeon General approved it. The scientist was notified of this action, but at the same time he was told that it was dependent on the availability of funds. So far so good. But now came the impact of the Bureau of the Budget. The scientist wants to make the study, his institution supports him, the project is found worthy of support by an outstanding scientific review panel, the Surgeon General wants to support the study, the Congress appropriates funds which permit such support, the President signifies his assent—and yet there follows a period of shilly-shallying, of backing and filling, of delay and confusion. The weeks pass. The scientist is uncertain. He wants to think everything is all right. To do the study, he has to make his plans, hire technical staff, arrange for laboratory space, reapportion part of his teaching load. These things must be done in the spring and early summer if they are to meet the needs of the academic year. Yet Public Health Service officials are not permitted to definitely commit the funds to him. There was something in one of the Bureau of the Budget's directives about not approving any new grants. Other bureaucratic phrases fly thick and fast. They add up to the fact that the scientific administrator in Washington cannot tell the scientist in the university that the funds are on their way. And so he, having once had confidence in the stability and leadership of this federally supported research program, has to call me, his Congressman, to see if I can help resolve his bewilderment.

I must say, with a great deal of chagrin, that I was not able to give him, nor was I even able to find out, the answers.

I am disturbed to think what might have happened on these apportionments had Congress not happened to be in session during the period of time when this sequence of contradictions and equivocations took place.

Let me remind you, too, that this is not an isolated instance. Last year, for example, and in connection with these same appropriations I have been discussing, the techniques were different but the apparent intent was the same. Again the Bureau of the Budget withheld the right to spend appropriated funds. They said, in effect, spend at a curtailed rate until you have justified to our satisfaction that you can spend the newly appropriated amount wisely—and then made sure they were not satisfied until the year was more than one-quarter gone, thus assuring themselves of savings which were in fact forced by these delaying tactics and resulted in a shrunken program.

I have talked about this issue in terms of medical research not because it is unique, but because it so clearly makes the point. Other Public Health Service programs have been similarly affected, as have other important functions throughout the Department of Health, Education, and Welfare, whose programs are so intensively scrutinized by the appropriation committee of the House which it is my privilege to chair.

I cannot say from firsthand experience whether the same situation prevails among other agencies. I doubt, however, if there are many whose appointed heads are as forthright and as consistent as Secretary Folsom. Although he must have been subjected to tremendous pressures from the President's budget intermediaries, he has steadfastly refused to compromise his principles or the Department's program. It is ironic indeed that he must make such fights within his own family, but he is the more to be praised for standing up for what he thinks is right.

It is altogether inappropriate and perhaps impolitic for me to interpret his position. I would have to guess from his actions, however, that he believes in careful budget formulation and thoughtful budget defense, followed by prudent administration of appropriated funds so that if there are savings, they are the product of economical administration rather than the arbitrary prejudgment of a group of slide-rule experts whose calculations totally ignore the substance of the programs involved and their present and potential meaning to the American people.

It is my conviction, gentlemen, that if this trend is permitted to continue, it will make a mockery of the established and proved appropriation processes of Congress. We can hold all the hearings we want, and render the most considered judgment of which we are capable in the public interest, but it has no meaning if the Bureau of the Budget—with or without Presidential instruction or that of the assistant President—interferes with the orderly processes of government by imposing fiscal restraints in direct contravention of the will of Congress. And they do this on the slender pretext of the Antideficiency Act, which was designed to prevent overspending by executive agencies, and not to superimpose their judgment on that of Congress.

I do not suggest that there is any grand strategy behind this series of moves. It would be unthinkable that—having capitalized on the plans for extending traditional and creating new programs which the public wants—this administration could now abandon them and deliberately contrive enforced savings so that there can be a possibility of a tax reduction in an election year at the expense of the health of the American people. I would rather think that it is merely shortsighted budget maneuvering on the part of a handful of misguided people that underlies these events.

For I know, as you my colleagues know, what is at stake. It is not merely an issue between the legislative and executive branches—although preservation of our respective roles is of the utmost importance. Just as important, however, is the fact that those who direct the affected programs cannot do what clearly needs to be done in the public interest.

Let me illustrate, again, from the National Institutes of Health.

During the first quarter of the fiscal year, the Bureau of the Budget—after first trying to withhold $17 million for these programs—finally withheld just over $700,000 appropriated by Congress for laboratory research and clinical investigations at Bethesda. This is still under appeal, but even if the appeal is won, a great deal has been lost—confidence and morale, to be sure, but also definitive studies of the kind not one of us would wish to see curtailed. Let me cite a few: research on the Asian influenza vaccine and on the disease itself; marked expansion of studies of radiation as part of the broad field of physical biology; a new study centered in Panama and dealing, among other things, with the continuing threat of yellow fever; a new project which initiates a program of research against mental illness within expanded clinical facilities at St. Elizabeths; a comprehensive, multidiscipline study of the biological aspects of aging; an expansion of the promising research field represented by viruses and cancer; establishment of studies in both metabolic and infectious diseases, using animals in germ-free environments as the research tools.

The successful conduct of research of this kind is certain to yield important advances in medical science and may mean the difference for many Americans between health and productivity on the one hand, and death and disability on the other.

It is not, of course, only the research programs of the Institutes that are affected. In combination, the restrictions placed on initial spending and the uncertainties over how much can be spent during the full year are certain to inflict damage on all of the major programs of the Department, including other activities of the Public Health Service.

The Department, as you know, is fairly young. But it is composed of a number of established activities. Grouping them together as the Department of Health, Education, and Welfare was a great forward step. In addition to giving the individual programs a frame of reference, it also permits and encourages a coherent and unified attack on certain major problems with which the Department is faced. And now these complex programs are also impeded by false economy and threatened by budgetary confusion.

A typical example is in the work of the Department related to our older citizens—the aged and infirm. I have pressed the Department hard for 3 years to assert more leadership in this field. Finally they have at least made a good beginning. Elements of the Department's new and promising program are found in the Social Security Administration, the Office of Education, the Office of Vocational Rehabilitation, and all three bureaus of the Public Health Service, as well as in the Secretary's own office. And now even this good start is being cut back. Does the Bureau of the Budget really think they know better than the whole Department how appropriated funds for these programs can most effectively be spent? Is there any one of them who knows anything at all concerning the substance of these programs which they so casually reduce or destroy?

The same thing can be said for mental health and mental retardation. I have discussed and studied this field in general and in specific for almost all of my 17 years in Congress. This does not qualify me as an expert. But I know that this is a problem of immediate and alarming proportions. The mentally ill, the severely disturbed, the psychologically or physically handicapped children—I am convinced that we cannot and must not fail to do whatever we can on their behalf. And yet we find research and study in this field being forbidden even though Congress has made money available—even to the unbelievable point of impeding the small beginning made by the Office of Education in studies of how better to teach the mentally retarded up to their optimum educational level.

I say we cannot permit a handful of numbers experts in the Bureau of the Budget to decide whether such studies should or should not be undertaken. With me, this is both a practical matter and a matter of principle.

I call upon the administration to cease these confusing, delaying, and damaging practices. I shall watch the fiscal events of this year with a great deal of interest. If there is no improvement during the next budget and appropriation cycle, I will most certainly seek full discussion and appropriate action to assure Congress and the American people that this disturbing threat to our system of government is remedied.

But this is not enough, because this is remedial and not immediate action. I also call upon the President of the United States to take steps now to untie the hands of the program people in his executive branch. I cannot believe that he knows what is happening in his name. He has gone on record many times to confirm his belief in and support of medical research. He cannot be aware that his own staff is undercutting programs which reflect his own convictions.

I am sure that the remarks I make here to alert the House of Representatives will be brought to his personal attention. I feel sure that when he knows the facts, he will order the Bureau of the Budget to stop this highhanded and destructive practice at once.

Keenotes

EXTENSION OF REMARKS

OF

HON. ELIZABETH KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 29, 1957

Mrs. KEE. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I include the following:

KEENOTES

(By Representative ELIZABETH KEE)

I am writing Keenotes this week slightly ahead of my usual schedule. The House of Representatives is momentarily expecting the fall of the gavel denoting adjournment of the 1st session of the 85th Congress. Should this occur before the weekend, I plan to leave Washington immediately to return to the fifth district and a prolonged round of visits with all my good friends and constituents back home. It will be good to see the hills of West Virginia again.

Meanwhile my time is divided between trying to complete bits of unfinished business at my desk and scurrying through the subway to the Capitol in answer to the quorum bells summoning Members to the floor to vote on the spate of bills—the unfinished business—which always seems to flood Congress in the final days of any session.

It is, of course, much too early to pass judgment on the record which the 85th Congress has written for itself thus far. Many political writers will, however, attempt to do so, using as a basis the extent to which the administration's recommendations and program have been enacted into law. This is hardly a sound appraisal.

Both the administration and the Congress are answerable to the people and no Congress can acquit itself of its grave responsibilities by becoming a rubber stamp of approval for anything and everything an administration might propose. In this respect, the 85th Congress has, I feel, acted with wisdom and restraint. It has considered each of the President's legislative recommendations with great thoroughness and in terms of the national interests. It has not permitted itself to be coerced into hasty decisions by the pressures of political expediency and it has maintained an attentive ear for the wishes of the people rather than for the whimsies of the White House.

I use the word "whimsies" purposefully for I know of no better way to describe the administration's constantly shifting position on its own legislative proposals. Every effort to pin the administration down to a firm stand on any given issue, at any given moment, has proved a frustrating experience for both its most ardent supporters and its most vigorous opponents, alike. Take the very important matter of the budget, for example.

After severely criticizing the spending policies of his predecessors in office, the President in January submitted to Congress a budget calling for the greatest peacetime spending in the history of the country, a record of $7.8 billion. In July, he issued instructions to his Cabinet members to hold expenditures in their departments down to the $70 billion level of the preceding (1957) fiscal year.

When his own Secretary of the Treasury denounced the 1958 budget as too large, the President, gravely agreeing that this was so, invited the Congress to cut it. But hardly had Congress settled down to this challenging task, than the President appeared on television to warn the American people that any cuts in the appropriations he had requested for his defense and foreign-aid programs would seriously imperil the national security.

The administration has been equally vague and indecisive about other of the long list of recommendations in its program. The need for school construction legislation was pointed up as urgent and then when the bill was before the House, the something less than lukewarm enthusiasm for it emanating from the White House, helped its opponents to defeat the bill.

Passage of the first civil-rights bill to get through Congress in 80 years also had legislators going around in circles. The administration would compromise. It wouldn't compromise. It insisted upon section III. It didn't care about section III. No bill at all was better than enactment of the Senate version. With modifications, it would accept the Senate version. Small wonder, then, that many Members of Congress were hard put to know just where the administration stood on this most critical legislation.

Reviewing the events of this session in my own mind as I write this, I am more than satisfied that the 85th Congress, in its first session, has dealt conscientiously and responsibly with the problems and the affairs of the Nation. Where no emergencies existed, it has wisely refrained from hasty action. It has delved beneath the surface of each legislative proposal, cautiously exploring what far-reaching effects it might have upon our people.

Above all, it has responded notably to the public demand for economies in government. It has known how to be generous where generosity was called for, as witness the pay raises voted the hard-pressed postal and classified employees of the Federal Government. But it has also known how to eliminate nonessential spending when the benefits received were not equal to the dollars spent.

In fact, a major portion of the 85th Congress' time so far has been devoted to the budgetary and bookkeeping problems of the Nation, and in the years ahead the American taxpayer may be very happy that it was.

And now, wishing everyone in the Fifth District a very pleasant Labor Day, I look forward to seeing all of you in person shortly.

Vietnam Celebrates Second Anniversary of Independence

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 29, 1957

Mr. POWELL. Mr. Speaker, because Congress will not be in session on the occasion of the celebration of the second anniversary of the proclamation of the Republic of Vietnam on October 26, 1957, I wish to take this opportunity to send warm greetings to the people of Vietnam, President Ngo Dinh Diem, and His Excellency Tran Van Chuong, Ambassador of Vietnam, in honor of this event.

In 2 short years of independence free Vietnam has made commendable progress toward stability, security, and strength. Vietnam can justly take pride in her notable accomplishments. They have laid the foundation for even more satisfying development in the future. Among the factors that explain the remarkable rise of free Vietnam from the shambles created by many years of murderous civil and international war, the division of the country at Geneva, and the continuing menace of predatory communism, there is the dedication, courage, and resourcefulness of President Diem himself. In him, his country has found a truly worthy leader whose integrity and devotion to his country's welfare have become generally recognized among his people. Asia has given us in President Diem another great figure, and the entire Free World has become the richer for his example of determination and moral fortitude.

The United States is proud to be on the side of the effort of the Vietnamese people under President Diem to establish freedom, peace, and the good life. The United States wishes to continue to assist and to be a loyal and trusted friend of Vietnam. President Diem during his recent visit to the United States said on May 13, 1957:

> You all know what we have achieved during the last 2 years. Most people know that we could not have succeeded as we did without American material aid. But not many know that equally important for our survival was your moral aid, a kind of aid that usually does not come from governments but from the people directly. * * *
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> Recently, we and our friends talked much about our need for leadership on other levels than the political—for leadership in the cultural, technical, and economic fields. In order to build a stable economy, which is the necessary basis for democracy, we do indeed need such leaders whom we now so desperately lack. This is why we welcome your technical advisers, whether they come from your Government, from private industry, from universities, or from foundations.
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> We welcome such help, but even more we would welcome support for our efforts to train our own technicians. Although we want your advisers in our country, we aspire also in this effect toward fuller independence. We must multiply our efforts to educate our youth for these great new tasks.

Vietnam is a great temptation for the Communists. Vietnam is the gateway to the invasion of southeast Asia and to its immense resources in manpower and raw materials. President Diem has said:

> We all still live in great peril of losing out to a determined enemy who is active along a front line that circles the whole globe. Fate has put us at a crucial spot on the border between democratic freedom and Communist tyranny. Your aid enables us to hold this crucial line, and to hold it at less expense to you, and at less danger to the world than you could have done it yourselves. * * * We need you. * * * Our people hate war, but they also hate to be slaves.
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> If attacked, we shall fight again. Your aid and your friendship will help us fight well and, we hope, successfuly. We will then surely not fight for Vietnam alone. And if we, as we pray, are spared such a conflict, it may well be because the enemy is afraid of our determination and strength. In any case, and whatever the future will bring, we shall repay the debt we owe to the Free World.

We are proud of the progress being made by Vietnam and happy that we are able to assist. The orderly development of the new states of southeast Asia to political stability and economic well-being is a source of gratification. As one who deeply believes in freedom, democracy, and the importance of achieving a better understanding among all nations, I wish Vietnam every success which she so richly deserves.

Serious Problems in Agriculture

EXTENSION OF REMARKS

OF

HON. WILLIAM S. HILL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 29, 1957

Mr. HILL. Mr. Speaker, this first session of the 85th Congress is at an end. For more than 7 months we have been in session wrestling with the problems facing our country. Millions of words have been recorded on the floor and in the committee hearings of the House, but very little in the way of constructive legislation has been enacted. It is not my purpose to find fault with the inaction of the Congress. It is a normal thing for the first session of a Congress to produce less in the way of final legislation than does the second session, but I wonder if it is normal to spend thousands of hours in session in committee and on the floor and produce but a fraction of the program that has been suggested by the President or by the Members who have introduced more than 10,000 bills embodying their ideas of needed legislation.

My primary interest in the Congress for many years has been in the fields of small business and agriculture. On occasion I have taken the floor to outline suggestions which my thinking and study in these fields have convinced me are needed to solve some of the serious problems facing these two segments of our economy.

In agriculture particularly are we facing serious difficulties about which little is being done. When we close the books on this session of Congress, we will have to conclude that no major farm legislation will have been enacted by the Congress. However, the Committee on Agriculture, on which I have the honor to serve, has done a world of work in committee, and many hearings have been held. Much testimony has been heard on major agricultural problems, and certainly during the 2d session of the 85th Congress this House will have an opportunity to consider fundamental changes in the approach toward the solution of the difficulties. As I said in an address on this floor last year, changes must be made in our basic agricultural legislation to bring it in conformance with the era in which we live. Our present price and production control legislation had its genesis in the postwar depression following World War I. The skid of prices received for farm products in 1919 and 1920 brought home sharply the importance of our agricultural economy to the economy of our Nation as a whole. Failure to solve or ease the problem at that time, in my opinion, paved the way for the depression of the early thirties.

In 1933 a determined effort to bolster the farm economy saw a movement toward managed prices and production that resulted in the Agriculture Act of 1938. This act, with minor amendments, is still the basic agricultural act under which most of our farm programs are operated.

These programs were depression born and geared to an emergency that had little or no relation to present-day economic factors. I find no fault with the attempt to help the farmer at that time, but I am certain that experience has shown that the type of programs devised would not solve the problems that arose when the tremendous energies of our agricultural producers met the challenge to feed the Free World during World War II, the Korean war, and the immediate postwar period.

Agriculture is not like most production processes where adjustment can be made by shutting down an assembly line or abandoning a line of production when the demand has slackened or ceased. The success with which the challenge of the war years was met is to be commended, but the gradual readjustment of world markets to improved local conditions without a corresponding adjustment of our own production and marketing has led to a disjointed imbalance which has caused much of the serious difficulty into which agriculture has been plunged. It is to the credit of this administration that the problem has not achieved disastrous proportions.

The specter of ever-increasing surpluses and ever-increasing production was met with increased production controls while the price support program attempted to compensate the farmer for reduced plantings. How inefficient this process really is can best be illustrated by what is happening to our basic crops under the basic Agriculture Act of 1938, as amended. Cotton is probably the best, or perhaps I should say the worst, example of outmoded programs attempting to aid a crop and by this assistance practically ruining the cotton producers.

It is abundantly clear that high-level rigid price supports are not good for the cotton industry. Our cotton loses out in markets both at home and abroad. Stiff competition from synthetic fibers and from expanding foreign cotton production abroad means that our growers cannot find a market and cotton is piled in Government warehouses.

By our own actions we are pricing our cotton out of important market outlets. Our rigid high supports for cotton enable competitors—the synthetic fiber producers and foreign cotton growers—to expand their production and take over an increasing number of our cotton customers. As the saying goes, we "hold an umbrella over our competition." All of this happens because we were unwilling to recognize the basic fact that competitive prices for cotton are still highly important in holding and broadening domestic and foreign markets for the output of our efficient cotton farms.

High, rigid price supports, which discourage domestic consumption and exports, are largely responsible for cotton backing up into the hands of the Federal Government. When that happens, severe acreage curtailment is necessary.

There is a growing realization today that we must be able to sell our cotton to people—not to the Commodity Credit Corporation via the price-support route. The CCC itself consumes no cotton; it is people who do. People—not the CCC—make up the lasting and permanently profitable market that cotton must have.

Official reports of the Department of Agriculture reveal some very interesting facts about plantings and production of cotton. In the 1934–38 period the average of cotton acreage in the United States was more than 29 million acres a year. For 1957 the acreage is down to 14.2 million acres. Despite these drastic reductions in acreage, the United States had 60 percent of the world's accumulated cotton stocks on August 1, 1956.

During the same periods that domestic producers were being forced to reduce their cotton acreage drastically, foreign countries, spurred on by our price support umbrella over the world market, increased their cotton acreage by leaps and bounds.

During the 1934–38 period Syria planted 74,000 acres of cotton. In 1956 their cotton acreage was 675,000 acres—nine acres for every one planted prior to World War II.

Mexico increased its plantings from 680,000 acres in the 1934–38 period to more than 2,690,000 acres in 1955—nearly 4 times as many acres as in the prewar period.

Prior to World War II Turkey planted approximately 621,000 acres. By 1955 plantings were nearly 2½ times as large, or more than 1,500,000 acres.

Production yields kept pace with these increased plantings, and American producers have been producing for storage instead of consumption. The price umbrella made it possible for foreign countries to undersell United States price supported cotton. The obvious result is the loss of actual and potential foreign markets.

Certainly what is true concerning the loss of markets for cotton will positively apply to every other type and kind of farm commodity that depends on foreign consumption for the disposition of the surplus.

The failure of the price-support programs as provided for under the basic act of 1938 is not so much the failure of inactivity—we have attempted with patchwork amendments to bolster the act on a hit-and-miss basis—but the failure to proceed vigorously with corollary programs to keep it modern.

In the face of outmoded programs that need changing, we have made some progress. Last year, net realized farm income was 4 percent above 1955—the first peacetime year in which net farm income increased since 1947. Computed on a per farm basis the increase amounts to 7 percent.

For the first half of this year, realized net farm income was at the rate of about $12.1 billion, 2½ percent higher than in the first half of 1956.

Prices which farmers received for crops and livestock in the month ending July 15 rose 1 percent. At the same time, farmers' costs of production and living supplies fell one-third of 1 percent during the same month.

Market prices for cattle and hogs have been running $2 to $3 per 100 pounds above a year ago. Meat consumption last year averaged 167 pounds per person—the highest in more than 50 years.

Milk prices received by farmers have averaged higher, above the previous year at this time, for the third consecutive year.

Exports in farm commodities in fiscal 1957 were the highest in history. Most of this was due to increased activity made possible by the administration sponsored Agricultural Trade Development and Assistance Act of 1954 (Public Law 480).

Government-owned surpluses are being reduced. Commodity Credit Corporation investments in price supported commodities were about $7.6 billion on May 31, 1957, a net reduction of about $900 million since May 31 of 1956, and a reduction of about $1.3 billion below the peak holdings of February 1956.

Farm values reached an alltime high in March of this year, up 7 percent over the previous year.

An alltime high of $176 billion in total agricultural assets was again set January 1, 1957. Farmers have only about $12 in debts for each $100 of assets they own. Only about 1 farm of each 3 has a mortgage. Farm ownership is at an alltime high. There are fewer tenants as compared to farm owners than ever before.

Over 94 percent of all farms have electricity.

Despite cries about the plight of the family farm and its disappearance from the scene, we find that large-scale farms are only about 4 percent of all farms—the same as 30 years ago.

Most of this strengthening in agriculture has been due to the reduction of surpluses. The results of the soil bank and surplus disposal programs are serving to halt the trend of lowered farm net income.

Address by the Honorable Frank M. Coffin, of Maine, to the Maine Soil Conservation District Supervisors Association Annual Meeting, Thorndike Hotel, Rockland, Maine, August 29, 1957

EXTENSION OF REMARKS
OF

HON. LEE METCALF

OF MONTANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 29, 1957

Mr. METCALF. Mr. Speaker, one of the most critical, and most challenging issues before this Congress is the great need for more adequate conservation legislation. As the demands on our land and water resources increase, our responsibility to conserve and use wisely the resources we have is more imperative than ever.

Our distinguished colleague from Maine, Mr. COFFIN, has made some pertinent and imaginative suggestions on this subject. In a speech to the Maine soil conservation district supervisors, Mr. COFFIN outlined an approach to improving our program for tree planting and land utilization. This is a subject of considerable interest to the people of Maine, of course, but his suggestions in the following speech merit the attention of conservationists in the entire Nation:

President Sanborn, Chairman Harriman, Commissioner Newdick, supervisors, and friends, having emerged from the heat and humidity of Washington and the last frantic days of the Congressional session, I welcome the opportunity to be with you in this pleasant Maine setting tonight. I am not sure that my function should be that of a speaker in your program, but rather that I should be playing a more appropriate role as a listener.

One of the great pleasures and satisfactions of my first months in Congress has been the opportunity to learn more about the problems and programs of agriculture. I confess that my joy would be more complete if I had all the answers to the problems, but for the present I shall content myself with learning and some tentative explorations in the fields of agricultural policy. From what I have observed of the battles raging among the so-called farm bloc in Congress, caution seems the better part of valor.

I am not here, tonight, to tell you how to solve the problem of surpluses, the increasing squeeze of lower farm prices and higher costs of operation, and the gigantic challenge of our productive capacity. I am here as a layman who must weigh in the balance the conflicting proposals which appear in Congress and vote for legislation which will benefit you and the consuming public. I am here to examine one phase of agriculture, to stimulate some inquiry in an area which is of great importance to our entire Nation, and particularly to the State of Maine. That area lies in the great field of conservation and land utilization.

I would like to call to your attention tonight a little bit of the past, a larger chunk of the present, and a glimpse of the future.

The first settlers on this continent found an abundant land waiting for tillage, presenting vast opportunities for the production of food and fiber. As the eastern seaboard was settled, and as land—once rich—was depleted, the pioneers moved westward for richer soil. The land has been cultivated, bared, and in many areas of the country stripped of its productive capacity.

The political emphasis in the last few years has been on the problem of surpluses in certain commodities, but the day is coming when we may be plagued—not with surpluses—but with a shortage of arable land on which to produce enough food and fiber for ourselves and others.

Fortunately, the warnings of the early conservationists have been heeded, and since the thirties we have been making great strides in correcting some of the abuses which have been so wasteful of land and water resources in the past.

We in Maine can be proud of the record we are building in the field of conservation. The work which you and your fellow agriculturists are doing is an inspiration to anyone who takes the time to study the results of your work.

Approximately 95 percent of the farms and farmland in Maine are within the boundaries of the State's 15 farmer-organized soil conservation districts. Maine's high-ranking position so close behind the 16 States that are 100 percent covered by such districts is doubly significant.

It reflects the progressive manner in which the State's landowners and operators have taken advantage of the district machinery provided by the 1941 State law for local, democratic organizations to deal more effectively with individual and community soil and water conservation problems. In addition, it points up the tremendous responsibilities of local leadership in advancing the State's basic agricultural economy. These responsibilities rest upon the shoulders of the 45 locally chosen soil conservation district supervisors and the State Soil Conservation Committee.

Agricultural production represents a better than $200 million annual cash business in Maine. Nothing can be more important to the longtime health of this or any other State's agricultural productive capacity than the protection and improvement of its basic soil and water resources.

Maine's soil conservation districts—with 15 years of progressively successful experience and accomplishment behind them—are looked to for continued effective leadership, through their elected supervisors, in maintaining our productive agricultural resources for continuing use. The 10 years of effective work in the Knox-Lincoln district are a challenge to the future, as is the experience in the other districts of the State.

Maine's soil and water conservation program has been built on sound foundations, since the original establishment of the erosion control demonstration project in the Aroostook County potato area in the midthirties. It has advanced through the teamwork of local farm and business community leaders, the college of agriculture, experiment station, and extension service at the university, and various other local, State, and Federal agencies, including the Soil Conservation Service, and other divisions of the United States Department of Agriculture.

The statistics showing the present level of activity in the soil conservation districts of Maine are most impressive. Nearly 8,000 cooperators, with a million and a half acres are participating in your program. Two thousand six hundred of these cooperators are located in my own Congressional District. In the Second District alone over one and a quarter million acres of soil surveys have been completed, and basic plans for 1,543 farms have been drawn up.

Conservation applied on the land is the physical measure of success of the soil and water conservation effort to which the Nation has addressed itself during the last quarter of a century. Another dependable yardstick of our advancement in basic resources preservation is the unprecedented public concern over the conservation, development, and most efficient use of our water, timber, grass, and wildlife resources.

The soil conservation district program has, with the cooperation of local, State, and Federal interests, given us a great democratic experiment and an adventure in initiating and implementing practical conservation action. Under the watchwords "conservation, development, self-government" this program provides an outstanding example of democracy in action.

Congress, meanwhile, has a continuing history of providing broadened soil and water conservation authorizations as need has dictated, and of making necessary appropriations to carry them out. Admittedly, the funds made available for the Federal share of technical and other conservation participation have not always been as much as were desired or could be used effectively by local soil conservation districts or other conservation users and assisting agencies. But these appropriations have been increased year by year in an attempt to keep up as nearly as possible with obviously growing district and other needs and demands.

Technical assistance under the 1935 Soil Conservation Act, through the Department of Agriculture's Soil Conservation Service, remains, of course, the backbone of the Federal contribution to the national action program of soil and water conservation, supplemented by the important cost-sharing assistance of the agricultural conservation program. Both have stood the test of soundness in purpose and results through more than two decades of operation.

Of similar promise in a broader field of conservation need is the opportunity opened up by the 1954 Watershed Protection and Flood Prevention Act for still wider cooperative action in dealing with water supply and management problems extending beyond agricultural lands and individual properties to entire communities or metropolitan areas.

So far, no immediate appropriate watersheds for use of the new Watershed Act apparently have been programed in Maine; but undoubtedly further study of likely watershed areas, as local community interest develops, will confirm the need and the opportunities for small watershed projects similar to those getting under way in neighboring Northeastern States.

Particularly as it was broadened in 1956 to include more multiple-purpose municipal and industrial water supply needs, drainage and other purposes, the Watershed Act has a place in the overall soil and water conservation potential of the southeastern area and other parts of the State.

We do not have as serious flood-prevention situations to cope with as are found in other parts of the country, but there is always a need for conserving the moisture in the soil for crop and pasture production, for streambank protection—especially in handling snow-melt runoff—drainage rehabilitation of wetter croplands, and so on. Land use treatments with the practices being used in the soil conservation districts are basic to any watershed treatment; and the Watershed Act may well operate to facilitate and strengthen the soil conservation districts' going programs.

There have been, of course, other important conservation measures provided by recent Congresses.

There is the Water Facilities Act for making direct or insured loans through private banking sources and the Farmers Home Administration for soil and water conserving or drainage facilities and reforestation.

In addition, a provision has been inserted in the revised Internal Revenue Code, making it possible for farmers to treat expenditures for a number of soil conservation measures as current expenses that may be deducted from farm income for income tax purposes.

Another, the Great Plains conservation program, ties together more closely Federal, State, and local technical, financial, and other conservation efforts on a primarily conservation land-use basis. It is, at present, limited to the Great Plains area, but it could suggest similar application in principle elsewhere.

There is the newer Soil Bank Act with its conservation reserve features for helping landowners to get less productive acreage into permanent trees or grass crops, or into use for water storage. It is regrettable that more emphasis has not been placed on the soil conservation features of this act, rather than the present public stress on getting crops out of production.

The very circumstances of such broadened conservation authorizations and programs point up the fact that the resources conservation job, though well advanced in general, is not finished anywhere, and it is only well begun elsewhere. The fine accomplishment in erosion control and conservation land-use methods in the Maine potato country, for example, by no means indicate that the whole task is finished even there, much less in the State as a whole.

There are comparatively new-found problems coming into focus. Good agricultural land is being withdrawn from production and taken over for suburban building and industrial sites, highways, airfields, and various other nonagricultural uses. Conservationists, agricultural interests, and planning authorities alike have been growing more and more conscious of the vast, so-called strip cities spreading over the countryside before the onrush of fast increasing populations and urban concentrations—and of the land and water problems developing in their wake.

Even in Maine, areas like those around Portland and Bangor, especially with the influx of summer residents, have not escaped this trend. Now is the time for us to act.

Now is the time to make sure we do not waste the resources of this verdant State. We must treasure our two jewels of great price—our unsurpassed 85 percent forest cover and our unequalled annual rainfall. Now is the time to put our minds and hands to the task of preserving our land and water resources before they are lost forever.

Faced with the problems of our peculiar soil conditions, confronted with changing market patterns, we should adapt ourselves to the most useful and productive use of our land.

To me, one of the great opportunities presented to us is the potential development of our forest resources to meet the ever increasing demand for wood and wood products. New uses are being found for wood. As long ago as 1947 I was impressed with a challenging book entitled "The Coming Age of Wood."

Greater demands are being placed on the available supply of wood and lumber products. With forest development we can preserve our land and water resources and provide greater economic opportunities for our farmers and for our manufacturers and workers.

A start has been made in this area, but it is only the beginning. The problems of long-term investment, the hazards of fire, the steady drain of taxes, and the delayed return on tree planting make it almost impossible for many of our farmers to consider going into tree farming on the scale which is necessary if we are to meet this challenge.

Under the Soil Bank Act, for example, a relatively small acreage of land can be planted to trees, with Government assistance for planting and land rental payments. We have substantial acreages of land that were cropped at one time, but which are not qualified for soil-bank payments under existing requirements of the act because they are not cultivated at the present time.

In the current session of Congress I drafted a bill which I introduced with Representative MCINTIRE, seeking to amend the Soil Bank Act by providing for participation by those who "plant and maintain trees for the contract period on specifically designated acreage of land on the farm which was once used in the production of such crops and is still suitable therefor."

This problem of land that has been abandoned to cropping use is particularly challenging from the standpoint of getting more needed conservation planting done in Maine. The need for some workable incentive or other solution persists beyond the present facilities of the soil-conservation districts themselves for expanding this part of their regular soil-conservation program.

We cannot afford to have our former croplands grow up to useless hardwood brush. We cannot allow the opportunity of wood utilization and supply to pass us by.

My soil bank bill, H. R. 6303, offered a tentative approach to the problem. The Agriculture Department has not looked on this suggestion with a kindly eye. Before we can arrive at a practical solution it will be necessary for us to explore the possibilities of some pilot projects similar to those pursued under the original Soil Conservation Act of the 74th Congress, which later developed into the very effective watershed program.

Several possibilities suggest themselves. Some require Federal action, some State participation, and all demand the cooperative effort of farmers and farm leaders like yourselves.

There is the possibility of expanded Federal-State participation and cost-sharing in actual tree planting. There is the suggestion of long-term Federal loans for tree farming, where conservation practices are followed. There is the proposal for deferred taxation on land planted to trees under such a program. And, there is the thought of cooperative tree farming by groups of farmers, where the resources of a single farmer are not sufficient to carry the load. There may be other avenues which can be followed in approaching this challenge.

This, to me, is one of the soundest ways in which we can help to preserve the identity of our family farmers. This, to me, is one of the most effective means of preserving the beauty and productive grandeur of our State—it is a means of preserving a way of life that is dear to us all.

Soil conservation districts offer the logical means through which we can deal with these farm and watershed programs locally. No one knows the problems better than the district supervisors and the district cooperators, or has had more sound experience in the field of resource conservation, in Maine and throughout the country.

There are today 2,770 soil conservation districts, including 93 percent of the Nation's farms and ranches, and 88 percent of its farmland. As of January 1, 1957, nearly 1,140,000 district cooperators had basic conservation plans on nearly 320 million acres. Soil surveys, on which are based the conservation farm plans that guide the application of soil and water conservation practices on the land, had been made on more than 500 million acres in the districts.

Applications for Federal assistance on projects through the Watershed Protection and Flood Prevention Act, meanwhile, totaled 742 to August 26, 1957. That many had been made by local communities, approved by their States and forwarded to Washington. A total of 278 of these had been authorized for planning assistance. Fifty-five already were approved for operations. Conservation and land-treatment and flood-prevention work is well along, also, in the 58 pilot small-watershed projects, along with similar flood-prevention work on subwatersheds in 11 major authorized watersheds under the 1944 Flood Control Act.

This progress and accomplishment is made possible by bringing to bear the human and physical resources of many individuals and many communities on the common problem, from Maine to California, from Florida to Washington State. The results obtained stem from the initiative, leadership and hard work of nearly 14,000 soil conservation district supervisors and one and three-quarter million district cooperators—like those in the 15 soil conservation districts of our own State of Maine.

In January I hope to implement some of the suggestions I have made tonight with further legislation to encourage the expansion of our tree planting program. I hope you will give considerable thought to the tentative proposals I have made with a view to advising me on the wisdom and practicability of these or other approaches.

I am therefore seeking your assistance during the next 4 months to discuss various kinds of pilot projects that might well be incorporated in such legislation. This process of analysis and creative thinking on your part will contribute immeasurably to our chances of success. I say this with such experience as I have gained in the legislative process. Over 15,000 bills are filed each session. Only a few reach final passage. Those bills which contain not only a fruitful idea but which are accompanied by the down-to-earth support of citizens who know the problems which the legislation aims to solve have the best chance of success.

You have the experience and the knowledge necessary for sound recommendations. The success of any such program will depend on your contributions. As a Representative in Congress I can help you with enabling legislation.

I can think of nothing more appropriate than a new and needed approach to land stewardship originating in the State of Maine.

Department of State Historical Division

EXTENSION OF REMARKS

OF

HON. JOHN E. HENDERSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 29, 1957

Mr. HENDERSON. Mr. Speaker, before this session ends, I wish to comment upon a matter which has been of long-standing concern to me—the operation of the Department of State Historical Division, particularly as it relates to the publication of the records of our recent diplomatic history. The place of Dr. Donald Dozer in the controversy which has arisen over this question is well known. For those who are not aware of his part in the argument, I believe it can be stated fairly and briefly that this gentleman was summarily fired, without a hearing, from the Historical Division as a result of his honest belief that it is the proper function of a historian and scholar to insist that the people be apprised of such facts as exist when the divulgence of such information does not compromise our national security.

Dr. Dozer is an Ohioan and a native of the 15th Congressional District which I have the honor to represent here. His career as a scholar has been a most distinguished one and, through my friendship with him, I know that his integrity is beyond reproach. He has a long and brilliant record as a teacher of American diplomatic history, inter-American relations and other subjects in the historical field at Boston University, the University of Maryland, the American University, and the strategic Intelligence School of our Armed Forces. He has achieved membership in Phi Beta Kappa and other societies as a result of his outstanding scholarship.

After wartime service in several Federal agencies, Dr. Dozer joined the Latin American Division of the Department of State. For that position, he was recommended by Dr. James P. Baxter III, formerly of Harvard University and now president of Williams College, and by Mr. John C. Dreier, who is now our ambassador to the Organization of American States. From 1944 through 1947, Dr. Dozer's high competence was rewarded by steady advancement. In 1947, he was placed in charge of the Division of Research for American Republics in the intelligence organization of the State Department. Four years later, Dr. Dozer transferred to the Historical Division as assistant to the Chief of the Division, Mr. G. Bernard Noble. In this position his duties were defined as follows:

> Under general supervision, serves as adviser to the Chief of the Division of Historical Policy Research, GS-170-15-4476, on new historical research problems and projects which initially require consideration by the Chief of the Division. In this connection, provides technical advice and assistance in studying and analyzing such projects, particularly those which cut across branch lines.
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> Deals with assignments involving the planning and assimilation by the Division of projects arising as a result of recent developments and happenings in our foreign relations such as the war in Korea, our relationships with the countries of Europe under the Atlantic Pact and the historical issues leading up to its establishment, and similar events in our foreign relations, as well as special historical background papers which require special and expeditious handling. Advises and assists the Chief of the Division in regard to the planning, objectives, approach, content, analysis and conclusions to be developed with respect to such problems and projects as they relate to the historical aspects of our foreign relations.
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> As an expert in the field of intelligence research, reviews completed projects and studies for the purpose of assuring the proper treatment and integration of both historical and intelligence aspects; and assures that top policy officials of the Department are apprised of any problems which require special treatment and interpretation because of the unique and complex intelli-

gence and historical issues involved in our foreign relations.

During Dr. Dozer's more than 15 years of Government service, including more than 11 years in the State Department, all of his performance ratings were either very good, satisfactory, or excellent. They commended him particularly for his industry, cooperativeness, and subject competence. These commendations were signed by all his supervisors including Dr. Roland D. Hussey, now professor of Latin American history at the University of California at Los Angeles, Mr. Ellis O. Briggs, now American Ambassador to Brazil, and Dr. Allan Evans, Director of the Office of Intelligence Research.

Dr. Evans, who knows Dr. Dozer well, has praised him as a meticulous scholar by training, anxious to avoid any danger of falling into prejudiced or distorted judgment, and abiding carefully by established evidence.

Prof. William L. Langer, Coolidge professor of history at Harvard University, who became well acquainted professionally with Dr. Dozer while he was serving as Chief of the Research and Analysis Branch of the Office of Strategic Services and later as special assistant to the Secretary of State in charge of intelligence work, says that he formed a high regard for Dr. Dozer both as a man and as a scholar. He adds that Dr. Dozer was highly esteemed by his colleagues as an able, hard-working, and devoted analyst. Col. William A. Eddy, who replaced Professor Langer as special assistant to the Secretary of State for intelligence in 1946 and who, like Dr. Dozer, was a former student at Wooster College, knows Dr. Dozer well as a friend and former colleague and has indicated his high opinion of his work and his administrative activities. Mr. Park Armstrong, Colonel Eddy's successor as special assistant to the Secretary of State for intelligence from 1947 until his resignation early this year, has written that Dr. Dozer is, in his opinion, an outstanding figure in the Latin American field:

> He possesses a profound knowledge of the historical, sociological, and economic background of the area and, as well, a thorough understanding of the current scene. He has a unique intellectual aptitude for the interpretation of present conditions and developments and a decided facility for its expression.

Dr. Dozer, as assistant to the Chief of the Historical Division, Mr. Noble, was commended by his chief in November 1951 as follows:

> Performance very satisfactory in all assignments thus far undertaken. Has shown great interest, initiative, competence, and cooperative spirit in work.

In his performance rating a year later in December 1952 Dr. Dozer was commended as follows by the same chief:

> Overall work performance is very satisfactory in all assignments within the range of his interest. This applies particularly to the field of United States relations with Latin America in which he has special competence.

All of Dr. Dozer's performance ratings up to the last one, dated May 22, 1955, were similarly laudatory.

In his State Department work Dr. Dozer, while still in the intelligence organization, qualified for and received civil-service status on the GS–15 register. Throughout his State Department service he possessed top-secret clearance; that is, he was authorized to see all documents having the highest security classifications "top secret" and "eyes only" needed for his work. He was designated as the sole representative of the State Department in Washington to attend the second Latin American Intelligence Conference at Quarry Heights in the Panama Canal Zone in 1948. In the same year he was included as a member of the United States delegation to the Ninth International Conference of American States and attended that conference at Bogotá, Colombia, as assistant technical secretary of the American delegation.

Dr. Dozer's association with the State Department ended in January 1956 as a result of differences precipitated by his insistence upon the prompt, careful, and unexpurgated publication of diplomatic papers in fulfillment of the commitments publicly assumed by the Department in 1953 and 1954.

I believe it is advisable to recapitulate the record of events which led to this disagreement. In 1953 when the Eisenhower administration came into office the Historical Division in the State Department, which was responsible for the publication of the diplomatic papers of this Government, had allowed them to fall 18 years in arrears. These papers had been published only through 1934 and thus covered only the first 2 years of the Roosevelt administration.

In May 1953 the State Department under a new administration proposed to expedite the publication of these records. Assistant Secretary of State Mr. Carl McArdle promised in a letter which was published in the Supplemental Hearing on Departments of State, Justice, and Commerce appropriations for 1954, first, that the Department of State would bring the publication of these volumes as up to date as possible; second, that if additional funds could be made available the State Department would give priority to the full story of the United States relations with China, 1941–50; and, third, that the documents on the wartime conferences among the heads of the Allied Governments in World War II would be ready for publication within a year; that is, by June 30, 1954. The Department of State thus offered to break the long silence of the previous 18 years and inform the American people of the negotiations that had been carried on with foreign nations in their name by their responsible officials during the crucial periods before, during, and immediately after World War II.

This broad program of publication was entrusted to the Historical Division, which had been headed by Mr. G. Bernard Noble since 1946. His assistant was Dr. Donald M. Dozer. Dr. Dozer has publicly asserted that from the beginning this program of publication was subjected there to delays, sabotage, and expurgation of records. In fact, Dr. Dozer and other members of the division were not even assigned to the compilation of the wartime conferences until nearly 6 months later although those records had been promised to be ready for publication within a year. The assignment of one member of the division to this urgent project was postponed because priority was given to three other projects: These so-called priority projects were the great seal of the United States, buildings occupied by the Department of State, and portraits of the Secretaries of State.

Leads to material indispensable for the completion of the project, as, for example, the John Paton Davies notes of the Cairo Conference, papers in the Franklin D. Roosevelt Library at Hyde Park, and papers of Alger Hiss and Secretary Stettinius, were either not followed up or were followed up ineffectually by the responsible officials of the Division. After Dr. Bozer was finally given responsibility in October 1953 for compiling the records of the Cairo-Teheran Conferences of 1943, he met his deadline and had his compilation ready for publication by June 30, 1954.

Meanwhile at the congressional hearings on the State Department in April 1954, the Deputy Assistant Secretary of State for Public Affairs reiterated the commitments made a year earlier that the historical division would finish the compilation of papers of all 12 of the wartime conferences by June 30, 1954. In addition, he promised specifically that the Malta-Yalta, Potsdam, and Cairo-Teheran volumes would be published by June 30, 1955. He promised also that within 4 years, that is by June 30, 1957, the Historical Division would publish a total of 41 volumes, including the annual volumes of foreign relations, at the rate of 8 volumes for fiscal 1954, 11 volumes for fiscal 1955, 11 volumes for fiscal 1956, and 11 volumes for fiscal 1957. Congress thereupon appropriated a quarter of a million dollars for this specific purpose, during the fiscal year 1955.

In the 4 years 1953–57 Congress has appropriated close to a million dollars to the Historical Division of the State Department for this program. What has been accomplished? Where are the diplomatic papers that the State Department explicitly promised to lay before the American people? Most of them still remain hidden behind the iron curtain of the Historical Division. Of the five volumes of papers on the wartime conferences which were promised, only one—the Malta-Yalta volume, compiled originally in uncensored form by Mr. Bryton Barron and later censored prior to publication—has been published. Four years and a million dollars after the launching of this speedup program the Historical Division is still 18 years in arrears in the publication of the annual volumes of the diplomatic papers of this Government.

If a decision was ever made at top levels in the Government to kill this program and to continue to withhold from the American people the secret diplomatic record of their Government during the war and postwar periods, that decision was never made known either to Dr. Dozer or to the Congress, which has continued for 4 years to appropriate all the money requested for it by the State Department.

On the contrary, the Historical Division was told officially in 1953 that this program was strongly backed by the White House. President Eisenhower himself publicly endorsed it in a press conference in April 1955.

It seems apparent that the forces in the State Department which have succeeded in delaying the overdue publication of these diplomatic papers have fully succeeded in ridding the Historical Division of both Dr. Dozer and Mr. Bryton Barron. These gentlemen were the two spokesmen within the Department whose insistence upon full and honest reporting caused an internal argument which culminated in their dismissal.

I believe that my colleagues here will agree that it is a most anomalous situation when trained, professional men such as Dr. Dozer and Mr. Barron are pilloried for their insistence that a department of Government carry out its stated commitments. We find such developments hard to imagine when they occur in Government. When such arbitrary action takes place, it is possible that the Department has discharged the wrong men. Although harmony may now prevail in the State Department's Historical Division, the problems which this incident discloses lead only to the conclusion that overhauling of the Division is needed and is, in fact, very long overdue.

The release of Dr. Dozer under the guise of inefficiency is a transparent ruse which hardly needs comment here in view of his services to the Department over many years. The unfortunate aspect of this affair is that it casts a cloud over the professional ability and standing of this fine and able gentleman. It is ironic indeed that this should occur to a fine scholar whose only fault was to pursue too diligently the ethics of his profession—namely, the objective reporting of facts. If the Historical Division wishes to rewrite history or to suppress information for narrowly political reasons, I feel certain that no scholar wishes to be associated with this process of "doublethink."

In this sense, Dr. Dozer's experience has been a service to the Nation. The fact that the unfortunate conditions it showed to exist in an important agency of Government are uncorrected is tragic indeed. Although objective scholarship is obviously persona non grata in the State Department, we can rejoice that Dr. Dozer's refusal to distort the truth about the conduct of our foreign affairs represents the kind of scholarship which is in the best tradition of American principles. I congratulate this gentleman and I feel certain that my feelings in this regard are shared throughout his profession and by those many public figures and newspapers who have spoken out in Dr. Dozer's cause.

Congressional Investigation of International Labor Organization Imperative

EXTENSION OF REMARKS

OF

HON. GORDON H. SCHERER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 29, 1957

Mr. SCHERER. Mr. Speaker, the Senate recently considered a resolution (S. J. Res. 73) to raise the ceiling on United States contributions to the International Labor Organization from $1,750,000 a year to $3,000,000 a year.

The Senate approved an increase of $250,000, which would raise the ceiling to $2,000,000 a year.

The resolution has now been referred to the House Foreign Affairs Committee. It will come up for discussion and action at the next session. It would be most constructive, therefore, to give the questions raised by this resolution some study in the meantime—and I therefore propose to go into it today, with the hope and expectation that what I have to say may lead to a closer examination of the advisability of the ILO budget increase.

Just what is the ILO?

Most of us know that it is a holdover from the League of Nations, and that it is now one of the agencies of the United Nations.

We know that it holds an annual conference every June in Geneva, attended by representatives of labor, employers, and government from each of its 78 member countries.

We know that the ILO is presumed to concern itself with the welfare and the standards of living of the workingman, all over the world.

We are told by the Labor Department, the State Department, and various international idealists, that the ILO is a vital instrument for the preservation of world peace.

But all of this still leaves us in the dark. I repeat—just what is the ILO, and what does it do?

Fortunately, we have available factual information on this subject, gathered from people who have had ample experience in ILO conferences. I refer in particular to William L. McGrath, of my own city of Cincinnati, who served for 6 years as a member of the United States employer delegation to the ILO, and has also served a 3-year term as a member of its governing body.

Mr. McGrath's reports on the actual workings of the ILO have aroused the National Association of Manufacturers and the United States Chamber of Commerce, which nominate the employer delegation to the ILO, to the point that these two organizations have seriously questioned the advisability of further participation in the ILO. They sent a delegation this year practically under protest, at the urgent insistence of the Government, and have recommended that the Congress of the United States conduct a searching joint investigation as to the advisability of the United States continuing to remain a member of the ILO.

The concern of the NAM and the United States Chamber of Commerce lies in the fact that the ILO has long since ceased to be a body devoted to the affairs of labor, and has instead become a political forum and propaganda agency devoted chiefly to fostering the philosophy of socialism, communism, and nationalization of industry.

To further its purposes the ILO uses the convention device. As you know, a convention is, in effect, a draft of a basic law which, when ratified by member countries, stands as a treaty among the nations which have ratified it.

ILO conventions can be, and are, used as the framework for specific legislation in countries all over the world. Left-wing political orators use them to lend support to their campaign proposals. From the standpoint of ideologies the ILO is probably the most influential propaganda organization in the world today; and this propaganda is in the main absolutely contrary to the beliefs and principles of the United States.

We, that is, the great majority of us, believe in freedom for the individual; the ILO is dedicated to mastery by government. The underlying intent of practically every ILO proposal put forward in recent years has been along the lines of more power for government, more control by government, more regimentation by government, more regulation by government—until the state would be the complete master of human destinies and affairs.

In its earlier days the ILO devoted itself to subjects concerned directly with labor. But then, in 1944, the ILO passed the so-called Declaration of Philadelphia, which said, among other things, that it was a responsibility of the ILO to examine and consider all international economic policies and measures in the light of the attainment of conditions under which human beings pursue their material well-being and their spiritual development.

By incorporating this declaration in its constitution, the ILO assumed the presumed right to draft proposed international laws on any subject under the sun; and that is exactly what it has proceeded to do. Let me give you some examples:

The ILO has drafted a proposed international law to the effect that government should give people money for illness, injury, childbirth, unemployment, old age, invalidity, which is defined as the inability to engage in any gainful activity, and a morbid condition. Interwoven in the provisions of this convention is a complete system of socialized medicine.

The ILO has drafted a proposed international law to the effect that all private employment agencies should be put out of business, and all employment placement should be concentrated in the hands of government. If government can tell people where they must go for jobs, government can direct the destiny of mankind.

The ILO has drafted a proposed international law to the effect that government should pay benefits to employed women at the time of childbirth, that the children should be put into a government-run nursery, and that interruptions of mothers' working time for purposes of nursing the baby should be counted as working hours and paid for as such by the employer. I am told that when this convention was being drafted, an argument arose as to whether the convention should prescribe that a woman should nurse her baby for 1 hour during the working day, or for 2½ hours.

The ILO enacts recommendations as well as conventions—and in its recommendations it can give its socialistic ambitions full sway, for recommendations are pure propaganda, and do not have to be held within bounds which are practical for ratification purposes.

In 1955 the ILO passed a recommendation to the effect that in each country the public authorities, meaning government, should take over the education of all youngsters on the farm, providing them with textbooks, and teachers, prescribing examination requirements, and providing buildings, transportation, equipment, and so forth. This was a blueprint for the Communist technique of forcing young minds into the pattern prescribed by government.

In that same year the ILO recommended that the competent authority—meaning government—should prepare suggestions and guidance for the operation of canteens and cafeterias in industrial plants, subject to legal enforcement. In short, government is going to prescribe what people shall eat.

The ILO also enacts resolutions. One of its resolutions, passed under the pretext of dealing with unemployment, prescribed that government should take over production, allocation of markets, distribution of products, price fixing, wage fixing, financing—in fact, all phases of the economic system—and in addition, prescribed how workers should use their leisure time.

The ILO has what it calls a program of technical assistance. Theoretically, the ILO is supposed to send out experts to underdeveloped countries to help them increase productivity. But a large share of the technical assistance projects undertaken by the ILO turn out to be projects having to do with giving government a greater voice in the affairs of men.

For instance, the ILO calls the setting up of a social security system, the organization of a labor department, the establishment of a cooperative, the undertaking of a manpower survey, technical assistance. It is my suspicion that the technical assistance of the ILO consists largely of providing assistance in the promotion of socialism.

The Socialists took control of the ILO some years ago, when socialism took a firm hold in Europe. The underdeveloped countries of the Far East, impressed with Socialist ideas, followed the European pattern. Then in 1954 the Communists came back into the ILO in a big way. Russia returned as three nations—the U. S. S. R., the Ukraine, and Byelorussia—and began to bring its satellites back in full strength.

Today the Soviet countries have a solid block of 36 potential votes in the ILO, as compared to 4 for the United States.

The recent Communist invasion of the ILO has operated to push the nature of its proposals further to the left. While the Socialists and the Communists compete for followers, they nevertheless agree on certain basic theories such as nationalization of industry and government regimentation.

The net result is that today, as I said before, the ILO is spreading the doctrines of socialism and collectivism all over the world.

The Labor Department and the State Department say that the ILO represents an opportunity to sell the American way of life and the competitive system to the rest of the world. But have our Government delegates ever stood up at an ILO conference and made such an attempt? The answer is "No."

The employer and worker delegates from the free countries of the world have tried to have the so-called employer and worker delegates from the Soviet nations disqualified, on the ground that they cannot possibly represent free associations of employers and workers, and are merely stooges of their governments and the Communist Party. But has the United States Government helped in this effort? Again, the answer is "No." Our Government's policy has been simply to accept the doctrine of coexistence.

In short, the Socialists and the Communists have been gaining increasing headway in the ILO, and the influence of the United States has been growing less and less.

Hour after hour, in the plenary sessions, I am told, the Reds condemn our way of life and make frequent abusive reference to the United States—and for the most part we just sit and take it.

And is an international forum in which free enterprise is damned by a continuous flow of leftwing and Communist oratory of any possible help in selling the philosophy of the United States or in the preservation of world peace?

This brings me to the question of the proposed increase in our annual contribution to the ILO. We are asked to give more money to an organization in which our influence has been growing steadily less, and which is becoming increasingly successful in selling the rest of the world the very principles to which we are most opposed.

But that is just the beginning of the budget story. The detailed facts are almost incredible.

The United States pays 25 percent of the ILO budget; the other 77 nations pay the rest. This means that we bear one-fourth of the cost, and have one-seventy-eighth of the votes.

Sixty-four member nations of the ILO pay a total of 24.07 percent of its budget. In short, 64 nations, all rolled together, pay less than the United States; and yet those 64 nations, which include the smaller, underdeveloped and Socialist nations, can completely outvote the United States on any issue.

In 1955 the budget was apportioned among 66 member nations. But then the three Russian nations, the U. S. S. R., the Ukraine, and Byelorussia, came back in, and Honduras also joined. These 4 new members contributed 11.5 percent of the ILO budget. As a result, 41 nations got reductions in percentage allocations of ILO expense. But did the United States get a reduction? The answer is "No." For some years there has been a persistent drive within the ILO to get an even higher percentage from the United States of America.

The 1958 budget for the ILO contemplates a further percentage reduction for 27 member nations.

Now, in the face of the facts I have previously given you, let me ask this simple question—why should our country provide additional financing to an organization which is dedicated to the destruction of the very principles for which our country stands?

Of course, there are people who gaily assume that everything is for the good and that the ILO must be a noble enterprise because of its announced intentions. There are also people who may feel that the interests of the United States are well protected in the ILO because Mr. David Morse, Director General of the ILO, is an American citizen.

I would like to say a few words about Mr. Morse. Back in the Roosevelt era he was General Counsel of the National Labor Relations Board, and then became Under Secretary of Labor. He headed the Government delegation to the ILO, and then in 1948 was elected its Director General. This was a natural progression, the implications of which you can judge for yourselves.

When the Russians came back into the ILO, bringing their satellites with them in full force, Mr. Morse took a very factual view of the situation. After all, they represented a substantial increase in the ILO budget.

At the May meeting of the governing body this year, the question arose as to the reelection of Mr. Morse as Director General. His term was to expire in 1958. The governing body voted to extend his term for 5 more years.

Speaking in support of that proposal, Mr. Arutiunian, representing the Government of the U. S. S. R., said that he wished to stress the fact that Mr. Morse had been personally responsible to a very large extent for "certain developments in ILO activities in recent years"; that during his directorship it had become a universal organization, which made it possible to organize cooperation between countries which had different social and economic systems.

Following his reelection, Mr. Morse "hinted"—according to the Christian Science Monitor of June 27—that he would submit formal proposals soon for full ILO recognition of employer delegates for Communist countries.

I draw no implications and make no criticism of Mr. Morse. The executive head of an international organization owes his allegiance to that organization, and must shape his policies in line with majority opinion of its membership.

When he assumed his office, Mr. Morse took the following oath:

> I solemnly undertake to exercise in all loyalty, discretion, and conscience the functions that have been entrusted to me as Director General of the International Labor Office, to discharge these functions and regulate my conduct with the interests of the International Labor Organization alone in view, not to seek or accept instructions in regard to the performance of my duties from any government or other authority external to the International Labor Organization, and at all times to uphold the constitution of the International Labor Organization.

It is my understanding that Mr. Morse is an exceptionally able man, which he must be to hold the position he does. I simply wish to point out that the fact that Mr. Morse is an American citizen does not make him, in the ILO, an official representative of the interests of the United States. To carry through his job with honesty and integrity, he must follow the thinking of majority ILO membership, and such thinking is contrary to the philosophy of the United States.

I would like to mention another individual currently in the limelight in connection with ILO affairs, Joseph E. Johnson, president of the Carnegie Endowment for International Peace.

Last year, when the NAM and the United States chamber launched a serious blast of criticism of the ILO, the administrative branch of the Government set up an independent committee composed of college professors to look into the matter. Mr. Johnson was the chairman.

The Johnson committee came up with a report to the effect that, although there were many things wrong with the ILO, it was nevertheless a glorious institution. I have always been intrigued by the unfailing instinct of people in Government to select a committee chairman who will come up with a report which suits their purposes.

Mr. Johnson showed up this June as one of the advisors on the United States Government delegation to the ILO Conference in Geneva. No doubt this is merely a singular coincidence.

I think it is high time that the Congress of the United States turned the spotlight on the ILO.

The Congress has not been in the least backward in turning the spotlight on organized labor. Why should we hesitate as far as the ILO is concerned? It is rather interesting that, when Dave Beck was wanted by Senator McCLELLAN's committee, the first story was that he could not come because he was on his way to attend an ILO meeting in Hamburg. I believe the time has come for the Congress to take a new look at this whole ILO proposition.

I should like to explore this pertinent question—can anyone from the Labor or State Department, or any place else, point specifically to any particular advantage or accomplishment gained for the people of the United States as a result of our participation in the ILO?

I say that either the United States should be more effective in the ILO than it is now, or we should get out of it—one or the other.

But the correct answer can only be obtained by really digging into the subject. That is why I think we should have a joint Congressional investigation.

Mr. McGrath, who has devoted many months of time and effort to the ILO, was once told by a member of the State Department that as to ILO matters there were "global considerations which no mere businessman could be expected to understand." Perhaps there are global considerations which no mere Congressman can be expected to understand. If so, I would like to know what they are.

It is my present intention to introduce at the next session of the Congress a joint resolution calling for a complete investigation of the International Labor Organization.

SENATE

FRIDAY, AUGUST 30, 1957

The Senate met at 9 o'clock a. m.

Rev. Albert P. Shirkey, D. D., minister, Mount Vernon Place Methodist Church, Washington, D. C., offered the following prayer:

God of our fathers, the alpha and omega, the beginning and the end, we call upon Thee for Thy benediction upon our President, every Member of the Senate, and all members of our Government. Take these weary servants of the people and refresh them by Thy grace. Enlighten them for these closing hours of decision. May God's presence protect them on their homeward journey, and make their hearts glad in the thanks of a grateful nation for their unselfish service.

What has been done in this Chamber that is weak make strong, overrule all things done in error, and forgive that which has been done for political profit at the cost of a nation's integrity and strength. Bless without measure the good things that have been undertaken for God and humanity.

Gracious God, save us from our enemies without who seek our destruction, and help us to overcome by faith the enemies within of fear and confusion, to the end that we may become a wiser and stronger Nation and a better leader in the world.

In the name of Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings for the legislative days of August 28 and August 29 was approved without reading.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 1636) for the relief of Delfina Cinco de Lopez, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 6006. An act to amend certain provisions of the Antidumping Act, 1921, to provide for greater certainty, speed, and efficiency in the enforcement thereof, and for other purposes;

H. R. 6908. An act to authorize modification and extension of the program of grants-in-aid to the Republic of the Philippines for the hospitalization of certain veterans, to restore eligibility for hospital and medical care to certain veterans of the Armed Forces of the United States residing in the Philippines, and for other purposes;

H. R. 8139. An act for the relief of Mrs. Catherine Pochon Dike;

H. R. 8490. An act to amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments; and

H. J. Res. 73. Joint resolution placing certain individuals who served in the Armed Forces of the United States in the Moro Province, including Mindanao, and in the islands of Leyte and Samar after July 4, 1902, and their survivors, in the same status as those who served in the Armed Forces during the Philippine Insurrection and their survivors.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated:

H. R. 6006. An act to amend certain provisions of the Antidumping Act, 1921, to provide for greater certainty, speed, and efficiency in the enforcement thereof, and for other purposes; and

H. J. Res. 73. Joint resolution placing certain individuals who served in the Armed Forces of the United States in the Moro Province, including Mindanao, and in the islands of Leyte and Samar after July 4, 1902, and their survivors, in the same status as those who served in the Armed Forces during the Philippine Insurrection and their survivors; to the Committee on Finance.

H. R. 6908. An act to authorize modification and extension of the program of grants-in-aid to the Republic of the Philippines for the hospitalization of certain veterans, to restore eligibility for hospital and medical care to certain veterans of the Armed Forces of the United States residing in the Philippines, and for other purposes; to the Committee on Labor and Public Welfare.

H. R. 8139. An act for the relief of Mrs. Catherine Pochon Dike; to the Committee on the Judiciary.

H. R. 8490. An act to amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments; to the Committee on Agriculture and Forestry.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on Thursday, August 29, 1957, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 1645. An act to authorize the Secretary of the Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road widening purposes;

S. 2080. An act relating to the computation of income for the purpose of payment of death benefits to parents or pension for non-service-connected disability or death in certain cases;

S. 2500. An act to make uniform the termination date for the use of official franks by former Members of Congress, and for other purposes; and

S. J. Res. 18. Joint resolution to authorize and request the President to issue a proclamation in connection with the centennial of the birth of Theodore Roosevelt.

RECOMMENDATION OF APPOINTMENT OF SENATOR PASTORE TO THE UNITED STATES DELEGATION TO THE FIRST GENERAL CONFERENCE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

Mr. JOHNSON of Texas. Mr. President, there are few Americans who have devoted their talents to the problems involved in atomic energy with more energy and more selflessness than has the distinguished junior Senator from Rhode Island [Mr. Pastore].

The Senator from Rhode Island [Mr. Pastore] is one of the ablest and hardest working Members of the United States Senate; and he is an effective legislator, with the tenacity and the determination that get things done.

One of his special projects has been the International Atomic Energy Agency, recently approved by the Senate. He has given it careful thought and careful study, and has contributed to the understanding of its meaning.

For these reasons, Mr. President, I take a great deal of personal pleasure in recommending his appointment to the United States delegation to the First General Conference of the International Atomic Energy Agency. I know that all Members of the Senate will have complete confidence in the high quality of the service the junior Senator from Rhode Island [Mr. Pastore] will perform.

Mr. MANSFIELD. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield to my friend.

Mr. MANSFIELD. I should like to join the distinguished majority leader in the recognition being given to our colleague, the Senator from Rhode Island [Mr. Pastore].

There is no Member of this body who is more assiduous in his application to duty, no Member of this body who has taken a greater interest in the affairs of his State, and no one who has applied himself more thoroughly, in a detailed manner, to the questions relative to the development of the atom and hydrogen weapons, as well as to the experiments which take place in the area of the peaceful development in this new scientific field.

I would say that the State of Rhode Island is indeed fortunate to have a man of Senator Pastore's ability representing it in the Senate, and the Nation is indeed blessed that we have in him a man who will represent all of us so conscientiously and capably at the forthcoming conference.

Mr. JOHNSON of Texas. I thank the Senator from Montana very much.

TRANSACTION OF ROUTINE BUSINESS

The VICE PRESIDENT. In accordance with the order entered on yesterday, there is a limitation of 3 minutes on statements made during the morning hour today. Morning business is now in order.

REPORT OF NATIONAL TRUST FOR HISTORIC PRESERVATION

The VICE PRESIDENT laid before the Senate a letter from the secretary, National Trust for Historic Preservation, Washington, D. C., transmitting, pursuant to law, a report of that trust for the calendar year 1956, which, with the accompanying documents, was referred to the Committee on Interior and Insular Affairs.

RESOLUTION OF EXECUTIVE COMMITTEE OF ARKANSAS BAR ASSOCIATION

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the Record a resolution adopted by the executive committee of the Arkansas Bar Association, relating to the appointment of a judge of the United States District Court for the Eastern District of Arkansas.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

RESOLUTION OF EXECUTIVE COMMITTEE OF ARKANSAS BAR ASSOCIATION

Whereas the retirement of Judge Thomas C. Trimble of the United States District Court for the Eastern District of Arkansas has produced a very substantial backlog of cases, both criminal and civil, which are urgently in need of disposition; and

Whereas the normal volume of judicial work handled by Chief Judge Harry J. Lemley of the United States District Courts for the Eastern and Western Districts of Arkansas and by Judge John E. Miller of the United States District Court for the Western District of Arkansas occupies the full time of these judges so that they cannot take over and dispose of the volume of litigation heretofore handled by Judge Trimble's court; and

Whereas there are many lawyers in Arkansas qualified by training, experience, temperament, and character to be fit and outstanding members of the Federal judiciary; and

Whereas great injustice to the public has been worked because of the absence of a full-time judge for the eastern district of Arkansas, whether the problem is viewed from social, civic, or economic point of view; and

Whereas the truism that "Justice delayed is justice denied" has been abundantly demonstrated in the eastern district of Arkansas since January 14, 1957: It is therefore

Resolved by the executive committee of the Arkansas Bar Association in meeting assembled this date at the office of the association in Little Rock, That:

1. The Attorney General of the United States be urged to recommend to the President of the United States the name or names of a suitable person or persons to be appointed judge of the United States District Court for the Eastern District of Arkansas, and that the President of the United States promptly act thereon;

2. That a copy of this resolution be transmitted immediately to the Attorney General of the United States, the President of the United States, to the American Bar Association committee on Federal judiciary, and to all Members of the United States Senate and the United States House of Representatives from Arkansas.

Dated this August 28, 1957.

STATEHOOD FOR ALASKA AND HAWAII—MINORITY VIEWS (PT. 2 OF S. REPTS. 1163 AND 1164)

Under authority of the order of the Senate of August 29, 1957,

Mr. MALONE, as a member of the Committee on Interior and Insular Affairs, submitted his minority views on the bill (S. 49) to provide for the admission of the State of Alaska into the Union, and (S. 50) to provide for the admission of the State of Hawaii into the Union, which were ordered to be printed as part 2 of Senate Reports Nos. 1163 and 1164, separately.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DOUGLAS (for himself, Mr. Kennedy, Mr. Ives, Mr. Murray, and Mr. McNamara):

S. 2888. A bill to provide for registration, reporting, and disclosure of employee welfare and pension benefit plans; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Douglas when he introduced the above bill, which appear under a separate heading.)

By Mr. BEALL (for Mr. Neely):

S. 2889. A bill for the relief of Luna Maria Pennacchia and her children; to the Committee on the Judiciary.

By Mr. KUCHEL:

S. 2890. A bill for the relief of Carmen Amelia Piedra (Carmita Piedra); to the Committee on the Judiciary.

By Mr. CURTIS (for Mr. Hruska):

S. 2891. A bill to amend the statute relating to the punishment of contempt of Congress; to the Committee on the Judiciary.

(See the remarks of Mr. Curtis when he introduced the above bill, which appear under a separate heading.)

By Mr. DOUGLAS:

S. 2892. A bill for the relief of Branislav (Branko) Horvat and Dragomir (Drago) Horvat; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 2893. A bill for the relief of George Melnichenko; to the Committee on the Judiciary.

By Mr. JACKSON:

S. 2894. A bill for the relief of Norma Matilda Brown; to the Committee on the Judiciary.

By Mr. O'MAHONEY (for himself and Mr. Carroll):

S. 2895. A bill to limit the percentage depletion allowance for oil and gas wells to oil and gas wells located in the United States and its Territories and possessions; to the Committee on Finance.

(See the remarks of Mr. O'Mahoney when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND:

S. 2896. A bill to require disclosure by aliens entering the United States with diplomatic or semidiplomatic status to disclose any past connection with the espionage service or secret police of any Communist or Communist-dominated nation;

S. 2897. A bill making it a criminal offense for any alien to enter the United States on a diplomatic passport under an alias or any name other than his own true and full name;

S. 2898. A bill making it a criminal offense to enter into collusion with any foreign government to evade the laws and regulations of the United States relating to the issuance and use of passports;

S. 2899. A bill providing for the loss of citizenship of United States nationals who assist in the communization of any foreign state or accept employment under a Communist foreign government;

S. 2900. A bill to amend the statute relating to the punishment of contempt of Congress;

S. 2901. A bill to require the furnishing of certain information by holders of passports issued under authority of the United States;

S. 2902. A bill to authorize the Attorney General to parole into the United States certain aliens whose testimony is sought by any committee of the Congress; and

S. 2903. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. O'MAHONEY:

S. 2904. A bill to amend section 132 of the Legislative Reorganization Act of 1946, relating to Congressional adjournment; to the Committee on the Judiciary.

(See remarks of Mr. O'MAHONEY when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself and Mr. JACKSON):

S. 2905. A bill to authorize the Secretary of the Interior to provide a headquarters site for Mount Rainier National Park in the general vicinity of Ashford, Wash., and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. FREAR:

S. 2906. A bill to provide for the increase, modernization, and stockpiling of railroad equipment in order to meet the needs of the commerce of the United States, of the postal service, and of the national defense; to create and establish a public agency with powers to carry out the provisions of this act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. FREAR when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY:

S. 2907. A bill to provide assistance to communities, industries, business enterprises, and individuals to facilitate adjustments made necessary by the trade policy of the United States; to the Committee on Finance.

(See the remarks of Mr. KENNEDY when he introduced the above bill, which appear under a separate heading.)

By Mr. CARROLL:

S. 2908. A bill to establish a Great Plains Administration; to provide for the control of floods and the alleviation and control of drought conditions in the Great Plains region; to provide for the more effective conservation, development, and use of the resources of the Great Plains; to provide for the administration of Federal programs in such region so as to meet more effectively the distinctive needs and problems of the region; and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. CARROLL when he introduced the above-mentioned bill, which appear under a separate heading.)

By Mr. STENNIS:

S. 2909. A bill to amend section 9 of the Air Force Academy Act; to the Committee on Armed Services.

(See the remarks of Mr. STENNIS when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE of New Jersey:

S. 2910. A bill for the relief of Antonio Leonardo Ventura; to the Committee on the Judiciary.

By Mr. KENNEDY:

S. 2911. A bill to provide for the preparation of a compilation of educational material concerning communism, as contrasted with Americanism, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. KENNEDY when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY:

S. J. Res. 132. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

(See the remarks of Mr. KENNEDY when he introduced the above joint resolution, which appear under a separate heading.)

AMENDMENT OF RULE RELATING TO REFERENCE OF CERTAIN HOUSE BILLS TO COMMITTEES

Mr. SALTONSTALL. Mr. President, I am submitting for appropriate reference a resolution amending rule XIV of the Senate rules. My purpose in doing so is to invite thoughtful consideration of a change to settle the conflict between rule XIV and rule XXV. Rule XXV, as amended by the Legislative Reorganization Act of 1946, provides that all bills, resolutions, and so forth, "shall be referred" to the appropriate legislative committee. Rule XIV, on the other hand, establishes a procedure for placing a House-passed bill on the calendar upon objection to further proceedings on the bill by one Senator after the second reading, but prior to reference of the bill to a committee.

When rule XXV was adopted, apparently no consideration was given to the conflict with rule XIV. The conflict has arisen several times, however, and always on matters in which there was great divergence of opinion.

On May 3, 1948—CONGRESSIONAL RECORD, volume 94, part 4, pages 5168–5169, of the 80th Congress, 2d session, former Senator Downey, of California, objected to further proceedings on the tidelands bill after the second reading. The Chair ruled that the bill should be placed on the calendar and it was. On the very next day the Senator from Arkansas [Mr. FULBRIGHT]—CONGRESSIONAL RECORD, volume 94, part 4, pages 5219–5229 of the 80th Congress, 2d session—attempted to have the same procedure carried out with relation to the oleomargarine tax repeal bill. An objection was made to this procedure, and a debate followed on the point of order raised by the Senator from Arkansas relating to the priority of rules XIV and XXV. The late Senator Vandenberg, as Presiding Officer, submitted to the Senate the question on the point of order. The bill was referred to committee.

Recently when H. R. 6127, the civil-rights bill, was received from the House, the same conflict arose when the minority leader, the Senator from California [Mr. KNOWLAND], objected to further proceedings after second reading. A point of order objecting to this procedure was overruled by the Vice President, and the bill was placed on the calendar—CONGRESSIONAL RECORD, 85th Congress, 1st session, pages 9778–9828.

I have taken part in all of these discussions and participated in the procedural debate over the interpretation of the rules; as a result, I believe that this conflict should be resolved and language offered to the Senate which will settle the difference of opinion over the interpretation of rules. The need for clarification of these rules was ably pointed out as long ago as 1948 by the late Senator Vandenberg, when he was President pro tempore, during the debates of that year—CONGRESSIONAL RECORD, volume 94, part 4, page 5223, of the 80th Congress, 2d session.

The clarification which my resolution suggests provides that if objection is made to further proceedings after the second reading of any measure that comes over from the House, the question shall be put by the Presiding Officer to the Senate whether the bill should be referred to a committee or placed on the calendar. By majority vote and without debate, the Senate shall determine the disposition of the measure.

I have conferred with both the Parliamentarian and legislative counsel, and I believe the suggestion is in a satisfactory form for the consideration of the Committee on Rules and Administration.

This conflict does not arise often, but when it does arise, it is generally on a matter of national interest. For this reason, I believe that if the amendment is considered worthy, it may avoid in the future a debate on questions of procedure rather than merit.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 197) submitted by Mr. SALTONSTALL, was referred to the Committee on Rules and Administration, as follows:

Resolved, That rule XIV of the Standing Rules of the Senate is amended—

(a) by renumbering sections 5 and 6 as 6 and 7, and

(b) by striking out section 4 and inserting in lieu thereof the following:

"4. Every bill and joint resolution reported from a committee not having previously been read, shall be read once, and twice, if not objected to, on the same day, and placed on the calendar in the order of their reading when reported.

"5. In the case of any bill or joint resolution of the House of Representatives, if objection is made to the second reading of such bill or joint resolution on the same day as the first reading thereof, such bill or joint resolution shall be laid before the Senate on the next legislative day by the Presiding Officer and shall be read the second time. The Presiding Officer shall then submit to the Senate the question, 'Shall this bill (or joint resolution, as the case may be) be referred to the committee having legislative jurisdiction thereof?' which shall be determined without debate. If the question is decided in the affirmative, the bill or joint resolution shall be referred to the committee having legislative jurisdiction. If the question is decided in the negative, the bill or joint resolution shall be placed on the calendar."

EXTENSION OF GREETINGS TO THE PEOPLE OF THE FEDERATION OF MALAYA ON THEIR INDEPENDENCE

Mr. SMITH of New Jersey. Mr. President, on August 31, the Government of the Federation of Malaya will achieve its independence as a sovereign nation within the British Commonwealth. This action will bring to seven the number of nations, now free, which before World War II were under British control.

We in America congratulate the people of the Government of the Federation of Malaya on this historic occasion, and are proud to welcome them into the ranks of the free nations.

Mr. President, on behalf of the Senator from Rhode Island [Mr. GREEN], and myself, I submit a resolution, for the immediate consideration of which I request unanimous consent. The resolution extends the most cordial greetings of the Senate to the Legislative Assembly of the Government of the Federation of Malaya, on the occasion of the independence of the Government of the Federation of Malaya.

The VICE PRESIDENT. The resolution will be read for the information of the Senate.

The legislative clerk read the resolution (S. Res. 198) as follows:

Whereas it is the policy of the Government of the United States to encourage the orderly evolution of peoples throughout the world toward self-government or independence; and

Whereas the people of the United States support the concept that other peoples should have an opportunity freely to choose their own national destiny under circumstances which will enable them to assume and maintain an equal station among the free nations of the world; and

Whereas the Government of the Federation of Malaya is achieving independence on August 31, 1957: Now, therefore, be it

Resolved, That the Senate of the United States extend its most cordial greetings to the Legislative Assembly of the Government of the Federation of Malaya on the occasion of the independence of the Government of the Federation of Malaya, express the earnest hope that the Assembly and the people of the Government of the Federation of Malaya will enjoy continuing success in the development of a sovereign democratic state, and reaffirm the friendship of the people of the United States for the people of the Government of the Federation of Malaya.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. GREEN. Mr. President, it gives me great satisfaction to join with my distinguished colleague from New Jersey in welcoming this new nation to the family of nations, and I do so with particular pride because this welcome comes from two of the smallest States in the United States. Representing Rhode Island, as I do, I can speak for the oldest sovereign State in the Western Hemisphere greeting the newest State on the other side of the world.

Mr. SMITH of New Jersey. I thank the Senator.

The VICE PRESIDENT. Without objection, the resolution is agreed to.

AMENDMENT OF RULE XXV BY CREATING A COMMITTEE ON CLAIMS AND CHANGING PROVISIONS AS TO SERVICE ON COMMITTEES

Mr. EASTLAND submitted the following resolution (S. Res. 199), which was referred to the Committee on Rules and Administration:

Resolved, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) amending subparagraph 17 in paragraph (k) of section (1) by inserting after the word "Measures" a comma and the following: "other than private bills and resolutions,", and

(2) inserting in section (1) after paragraph (o) the following new paragraph:

"(p) Committee on Claims, to consist of nine Senators, to which committee shall be referred all private bills and resolutions concerning claims against the United States and all proposed legislation, messages, petitions, memorials, and other matters relating thereto."

SEC. 2. Effective for the remainder of the 85th Congress, section (4) of rule XXV of the Standing Rules of the Senate is amended to read as follows:

"(4) (a) Each Senator shall serve on 2 standing committees and no more; except that not to exceed 21 Senators of the majority party who are members of the Committee on the District of Columbia, the Committee on Government Operations, the Committee on Post Office and Civil Service, or the Committee on Claims may serve on 3 standing committees and no more.

"(b) In the event that during the 85th Congress members of 1 party in the Senate are replaced by members of the other party, the 30 third-committee assignments shall in such event be distributed in accordance with the following table:

"Senate seats		Third-committee assignments	
Majority	Minority	Majority	Minority
48	48	23	7
49	47	21	9
50	46	19	11
51	45	17	13".

SEC. 3. Effective at the beginning of the 86th Congress, section (4) of rule XXV of the Standing Rules of the Senate is amended to read as follows:

"(4) Each Senator shall serve on 2 standing committees and no more; except that not to exceed 19 Senators of the majority party, and not to exceed 7 Senators of the minority party, who are members of the Committee on the District of Columbia, the Committee on Government Operations, the Committee on Post Office and Civil Service, or the Committee on Claims, may serve on 3 standing committees and no more."

SEC. 4. The Committee on Claims is authorized and directed as promptly as feasible after its appointment and organization to confer with the Committee on the Judiciary for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters theretofore referred to the Committee on the Judiciary during the 85th Congress which are within the jurisdiction of the Committee on Claims.

STUDY OF ACTIVITIES IN CERTAIN CENTRAL AND SOUTH AMERICAN COUNTRIES INIMICAL TO INTERESTS OF COUNTRIES FRIENDLY TO THE UNITED STATES

Mr. CURTIS submitted the following resolution (S. Res. 200), which was referred to the Committee on Foreign Relations:

Whereas activities directed toward the removal of heads of governments in certain Central American and South American countries seek to depose leaders of governments friendly to the United States; and

Whereas these activities may be a cumulative effort tending toward a conspiracy to depose heads of governments inimical to international communism: Therefore, be it

Resolved, That the Senate Committee on Foreign Relations, or a subcommittee thereof, make appropriate studies of these activities for the purpose of advising the Senate whether the Monroe Doctrine is being violated and whether existing statutes and treaties enable the United States to take any actions that may be necessary or desirable to avoid encroachment upon governments of Western Hemispheric countries who seek to resist international communism.

WELFARE AND PENSION PLANS DISCLOSURE ACT

Mr. DOUGLAS. Mr. President, on behalf of myself, and the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. IVES], the Senator from Montana [Mr. MURRAY], and the Senator from Michigan [Mr. MCNAMARA], I introduce, for appropriate reference, a bill entitled "Welfare and Pension Plans Disclosure Act."

This proposed legislation is the result of several years' study by various subcommittees of the Senate Committee on Labor and Public Welfare. The investigation of welfare and pension plans was begun in 1954 under the chairmanship of the Senator from New York [Mr. IVES], and continued with three sets of hearings in 1955 and 1956 by the subcommittee of which I was chairman. The bill drafted by that subcommittee was reintroduced in this Congress as S. 1122 and furnished the basic framework for this new bill.

The present proposed legislation is specifically the work of the Special Subcommittee on Welfare and Pension Plans Legislation, of which the able junior Senator from Massachusetts [Mr. KENNEDY] is chairman. After extensive legislative hearings, this clean bill was drafted and has been reported favorably from the special subcommittee, and it is expected that action will be taken by the full Labor and Public Welfare Committee early in the next session of Congress. The chairman of the subcommittee, Mr. KENNEDY, has graciously invited me to introduce the revised bill, although I am no longer on the committee, and I am very glad to continue to be associated with the efforts to secure favorable consideration for it.

The bill provides for the registration and annual reporting to the Federal Government of specified financial and other information covering the operation of employee welfare and pension benefit plans and the disclosure of such information to the public and to interested parties.

The administration of the act would be placed in the Department of Labor.

The bill covers virtually all welfare and pension benefit plans except those administered by a governmental instrumentality. However, during the first 2 years following the enactment of this legislation, plans covering fewer than 100 employees are not required to file annual reports. In addition, should the Secretary find that compliance with the act would be burdensome on certain categories of plans covering fewer than 100 employees—classified on the basis of the number of employees covered—he could exempt them from both the registration or reporting requirements of the act for such period as he deems desirable.

The bill provides for an advisory council to assist and advise the Secretary in carrying out the purposes of this act.

The bill provides penalties for making false entries or statements and for embezzlement or other violations. It also provides penalties for kickbacks and other forms of self-dealing.

Provisions are made in the legislation for cooperation with States having employee welfare and pension benefit statutes with a view to the establishment of standards reporting forms and to assist the States in the discharge of their responsibilities in this area. In the case of multi-State plans the act provides that no person shall be required to file with agencies of States having disclosure statutes except those of the State in which the plan has its principal office.

The requirements of the act would be in force for 4 years following the date of enactment.

I want to congratulate the special subcommittee which has been working on this bill and particularly its chairman, Senator KENNEDY, for the constructive steps it has taken to advance the favorable consideration of this needed measure. The changes made in the new bill have clarified and strengthened it in many respects, and I hope the measure will have the broad support which this thoughtful work of the subcommittee deserves.

On two points, however, I believe the present bill may be further improved by the Labor Committee.

The first and most serious of these matters is in the disclosure provisions in section 7 (2), where the persons responsible for the management of the plans are required to provide information only to those participants or beneficiaries who request it. Limiting disclosure in this section to those who request the information, in my judgment, would make the bill fall far short of its basic objectives, to keep all participants and beneficiaries fully informed about the status of their welfare and pension plans, to let so much daylight into the operation of the plans that potential wrongdoers may be deterred, and to provide the greatest possible assistance to the self-policing of the operation of such plans.

My doubt about the present draft of the bill is that the very plans which may be most in need of the fullest disclosure and most careful scrutiny by their covered workers may also be the ones in which because of intimidation or other reasons, the workers are most reluctant or fearful about requesting financial information on the plans. If disclosure on the other hand is automatic, the participants and beneficiaries do not have to face the dangers of economic reprisals to secure information. And workers who may have been both uninformed and apathetic about the status of their welfare and pension plans may develop a greater interest in their operation and negotiation and be stimulated to greater participation in the affairs of their union or of the company by which they are employed.

The second point on which I have a question is whether the figure of $50,000 in section 6 (e) (1) (D) may not be too large. In small funded plans it might permit a fairly heavy concentration of the fund in one security without the necessity of reporting it.

I hope both of these matters may have the full committee's careful consideration before its final action on the bill.

Mr. President, I ask unanimous consent that the bill, together with a section-by-section analysis of its provisions, may be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the RECORD.

The bill (S. 2888) to provide for registration, reporting, and disclosure of employee welfare and pension benefit plans, introduced by Mr. DOUGLAS (for himself, Mr. KENNEDY, Mr. IVES, Mr. MURRAY, and Mr. McNAMARA), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2888

A bill to provide for registration, reporting, and disclosure of employee welfare and pension benefit plans

Be it enacted, etc., That this act may be cited as the "Welfare and Pension Plans Disclosure Act."

FINDINGS AND POLICY

SEC. 2. (a) The Congress finds that the growth in size, scope, and numbers of employee welfare and pension benefit plans in recent years has been rapid and substantial; that the continued well-being and security of millions of employees and their dependents are directly affected by these plans; that they are affected with a national public interest; that they have become an important factor affecting the stability of employment and the successful development of industrial relations; that they have become an important factor in commerce because of the interstate character of their activities, and of the activities of their participants, and the employers, employee organizations, and other entities by which they are established or maintained; that they substantially affect the revenues of the United States because of the billions of dollars involved in these plans and the fact that their income in many cases is exempt from taxation under the income tax laws, and a great percentage of the costs of and contributions to these programs are deductible in computing taxable income for the purposes of such laws; that owing to the lack of public and employee information concerning their operation, gross abuses and opportunities for abuses have developed in the management and operation of some of these plans to the detriment of the beneficiaries, and without uniform minimum legislative safeguards may gravely threaten the soundness and stability of these plans, undermine public confidence in them, endanger responsible management-labor relations, and result in loss of revenue to the United States; and that it is therefore desirable in the interests of employees and their beneficiaries, for the protection of the revenue of the United States, and to provide for the general welfare and the free flow of commerce, that disclosure be made with respect to the operation and administration of such plans.

(b) It is hereby declared to be the policy of this act to protect interstate commerce, the revenue of the United States, and the interests of participants in employee welfare and pension benefit plans and their beneficiaries and the interests of employers and the public in such plans, to conserve the moneys involved in such plans so as to assure that they are utilized for their intended purposes, and to provide adequate safeguarding thereof, by requiring the registration and reporting to the Federal Government of financial and other information with respect thereto, and disclosure of such information.

DEFINITIONS

SEC. 3. (a) When used in this act—

(1) The term "employee welfare benefit plan" means any plan, fund, or program which is communicated or its benefits described in writing to the employees, and which was heretofore or is hereafter established by an employer or by an employee organization, or by both, for the purpose of providing for its participants or their beneficiaries, through the purchase of insurance or otherwise, medical, surgical, or hospital care or benefits, or benefits in the event of sickness, accident, disability, death, or unemployment.

(2) The term "employee pension benefit plan" means any plan, fund, or program which is communicated or its benefits described in writing to the employees, and which was heretofore or is hereafter established by an employer or by an employee organization, or by both, for the purpose of providing for its participants or their beneficiaries, by the purchase of insurance or annuity contracts or otherwise, retirement benefits, and includes any profit sharing plan which provides benefits at or after retirement.

(3) The term "employee organization" means any labor union or any organization of any kind, or any agency or employee representation committee, association, group, or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning an employee welfare or pension benefit plan, or other matters incidental to employment relationships; or any employees' beneficiary association organized for the purpose, in whole or in part, of establishing such a plan.

(4) The term "employer" means any person acting directly as an employer or indirectly in the interest of an employer in relation to an employee, and includes a group or association of employers.

(5) The term "employee" means any individual employed by an employer.

(6) The term "participant" means any employee or former employee of an employer or any member of an employee organization who is or may become eligible to receive a benefit of any type from an employee welfare or pension benefit plan, or whose beneficiaries may be eligible to receive any such benefit.

(7) The term "beneficiary" means a person designated by a participant or by the terms of an employee welfare or pension benefit plan who is or may become entitled to a benefit thereunder.

(8) The term "person" means an individual, partnership, corporation, mutual

company, joint-stock company, trust, unincorporated organization, association, or employee organization.

(9) The term "Secretary" means the Secretary of Labor.

(10) The term "State" means any State of the United States, the District of Columbia, the Territories of Alaska and Hawaii, Puerto Rico, the Virgin Islands, and the Canal Zone.

(11) The term "commerce" means trade, commerce, transportation, or communication among the several States, or between any foreign country and any State, or between any State and any place outside thereof.

(b) Any two or more employee welfare benefit plans or any two or more pension benefit plans shall be considered to be "related plans" for the purposes of this act if they have substantially common officers or administrators, cover employees of the same employer, or are otherwise established, operated, or administered on a common basis.

COVERAGE

SEC. 4. (a) Except as provided in subsection (b), this act shall apply to any employee welfare or pension benefit plan if—

(1) it provides benefits for employees employed in two or more States;

(2) some or all of the benefits thereunder are provided by or through the facilities of a service or other organization having its principal office outside of the State in which the principal office of the plan is located;

(3) it is established or maintained by any employer or employers engaged in commerce or in any industry or activity affecting commerce or by any employee organization or organizations representing employees engaged in commerce or in any industry or activity affecting commerce or by both; or

(4) the income of such plan is claimed to be exempt from taxation under the provisions of the Internal Revenue Code of 1954 by reason of its nature or activities, or the costs of or contributions to such plan are claimed as allowable deductions in computing taxable income under such provisions.

(b) This act shall not apply to an employee welfare or pension benefit plan if—

(1) such plan is administered by the Federal Government or by the government of a State, by a political subdivision of a State, or by an agency or instrumentality of any of the foregoing;

(2) such plan was established and is maintained for the purpose of complying with applicable workmen's compensation laws; or

(3) such plan is exempt from taxation under section 501 (a) of the Internal Revenue Code of 1954 and is administered as a corollary to membership in a fraternal benefit society described in section 501 (c) (8) of such code or by an organization described in section 501 (c) (3) of such code.

REGISTRATION

SEC. 5. (a) The person or persons, as defined by the Secretary, charged with or having responsibility for the overall management of any employee welfare or pension benefit plan shall register such plan with the Department of Labor in accordance with this section. Except as provided by section 8 (b), employee welfare or pension benefit plans established prior to the effective date of this act shall be registered within 90 days after the promulgation by the Secretary of the applicable regulations, and such plans established on or after the effective date of this act shall be registered within 90 days after their establishment or after the promulgation of such regulations, whichever is later.

(b) The registration of an employee welfare or pension benefit plan shall be in the form prescribed by the Secretary, shall be signed by the person or persons charged with or having responsibility for the overall management of the plan, and shall include their names and addresses, their official positions with respect to the plan, and their relationship, if any, to the employer or to any employee organization; the approximate number of persons covered or expected to be covered by the plan; the type and scope of the plan; whether the plan is mentioned in a collective bargaining agreement; copies of the plan or of the bargaining agreement, trust agreement, contract, or other instrument, if any, under which the plan was established and is operated; the source of the financing of the plan and the identity of any organization through which benefits are provided; whether the records of the plan are kept on a calendar year basis, or on a policy or other fiscal year basis, and if on the latter basis, the date of the end of such policy or fiscal year; and such other related data and information as the Secretary shall determine to be necessary to carry out the policy of this act. Amendments to the registration reflecting changes in the data and information included in the original registration, other than data and information also required to be included in annual reports under section 6, shall be filed with the Department of Labor, at such time or times, and in such form, as the Secretary shall by regulation prescribe.

REPORTING

SEC. 6. (a) The person or persons, as defined by the Secretary, who are charged with or have responsibility for the overall management of any employee welfare or pension benefit plan shall file with the Department of Labor an annual report with respect to such plan. Such report shall be filed within 120 days after the end of the calendar year (or, if the records of the plan are kept on a policy or other fiscal year basis, within 120 days after the end of such policy or fiscal year) but, except as provided by subsections (a) and (b) of section 8, not more than 1 year after the date of its registration under section 5, and annually thereafter.

(b) A report under this section shall be in such form as the Secretary shall prescribe, shall be signed by the person or persons by whom it is required to be filed, and each such report shall include the following, together with such related data and information as the Secretary shall determine to be necessary in the public interest and to carry out the policy of this act:

(1) The name, address, and description of the plan or program, including the type of plan and the type of administration; the schedule of benefits; copies of any substantial changes in the plan or in the trust agreement, contract, or other instrument under which the plan was established and is operated, which have been made since the previous filing; and the names, titles, and addresses of any trustee or trustees and of any person or persons charged with or having responsibility for the overall management of the plan, and their official positions with respect to the plan, and their relationship, if any, to the employer or to any employee organization, and any other offices, positions, or employment held by them.

(2) The amount contributed by the employer or employers; the amount contributed by the employees; the amount of benefits paid or otherwise furnished; the number of employees covered; a detailed statement of assets, liabilities, receipts, disbursements, and other financial activities of the plan; the salaries and fees charged to the plan, to whom paid, in what amount, and for what purposes. The information required by this paragraph shall be certified to by an independent certified or licensed public accountant, based upon a comprehensive audit made on behalf of the participants and conducted in accordance with accepted standards of auditing, but nothing herein shall be construed to require such an audit of the books or records of any bank, insurance company, or other institution providing an insurance, investment, or related function for the plan, if such books or records are subject to examination by any agency of the Federal Government or the government of any State.

(c) If some or all of the benefits under the plan are provided by an insurance carrier or service or other organization such report shall include with respect to such plan (in addition to the information required by subsection (b)) the following, together with such related information as the Secretary shall determine to be necessary in the public interest and to carry out the policy of this act:

(1) The premium rate or subscription charge and the total premium or subscription charges paid to each such carrier or organization and the approximate number of persons covered by each class of such benefits.

(2) The total amount of premiums received, the approximate number of persons covered by each class of benefits, and the total claims paid by such carrier or other organization; dividends or retroactive rate adjustments, commissions, and administrative, service, or other fees (other than routine fees not in excess of $50 paid in connection with determining the eligibility of individuals for insurance or for receipt of benefits) or other specific acquisition costs, paid by such carrier or other organization; any amounts held to provide benefits after retirement; the remainder held by such carrier or other organization; and the names and addresses of the brokers, agents, or other persons to whom commissions or fees were paid, the amount paid to each, and for what purpose: *Provided*, That if any such carrier or other organization does not maintain separate experience records covering the specific groups or programs it serves, the report shall include in lieu of the information required by the foregoing provisions of this paragraph (A) a statement as to the basis of its premium rate or subscription charge, the total amount of premiums or subscription charges received from the plan, and a copy of the financial report of the carrier or other organization and (B), if such carrier or organization incurs specific costs in connection with the acquisition or retention of any particular plan or plans, a detailed statement of such costs.

Such insurance carrier or organization shall certify to the person or persons charged with or having responsibility for the overall management of the plan, within 90 days after the end of each policy year, the information necessary to enable such person or persons to comply with the requirements of this subsection and subsection (e) (2), and a copy of such certification shall accompany such report.

(d) Details relative to the manner in which any funds held by an employee welfare benefit plan are held or invested shall be reported as provided under paragraphs (B), (C), (D), and (E) of subsection (e) (1).

(e) Reports on employee pension benefit plans shall include, in addition to the applicable information required by the foregoing provisions of this section, the following, together with such related information as the Secretary shall determine to be necessary in the public interest and to carry out the policy of this act:

(1) If the plan is funded through the medium of a trust, the report shall include—

(A) the type and basis of funding, actuarial assumptions used, the amount of current and past service liabilities, and the number of employees, both retired and nonretired, covered by the plan;

(B) a summary statement showing the assets of the fund, broken down by types, such as cash, investments in governmental obligations, investments in nongovernmental bonds, and investments in corporate stocks. Such assets shall be valued on the basis regularly used in valuing the investments held in the fund and reported to the United States Treasury Department if a statement of the assets of the fund is required to be filed annually with the United States Treasury Department, or shall be valued on such basis as is prescribed by the Secretary if such a statement is not so required to be filed with the United States Treasury Department;

(C) a detailed list, including information as to cost, present value, and percentage of the total fund, of all investments in securities or properties of the employer and of each other party in interest as defined by the Secretary;

(D) a detailed list, including information as to cost, present value, and percentage of the total fund, of all investments in a security or property (other than obligations the interest or principal of which is guaranteed by the United States), if the cost or present value thereof, whichever is lower, exceeds 5 percent of the fund or $50,000 whichever is larger, or 10 percent of the current value of the outstanding securities or obligations of any one issuer;

(E) a detailed list of all loans made to the employer and to each other party in interest as defined by the Secretary.

(2) If the plan is funded through the medium of a contract with an insurance carrier, the report shall include—

(A) the type and basis of funding, actuarial assumptions used in determining the payments under the contract, the amount of current and past service liabilities based on those assumptions, and the number of employees, both retired and nonretired, covered by the contract; and

(B) except for benefits completely guaranteed by the carrier, the amount of all reserves accumulated under the plan.

(3) If the plan is unfunded, the report shall include the total benefits paid to retired employees for the past 5 years, broken down by year; the number of employees, both retired and nonretired, covered by the plan; any actuarial assumptions or evaluations made during the last 5-year period; and a statement reflecting the average age and duration of employment of the employees, the average salary or wage if the benefits are related to salaries or wages, and the average age of the retired employees, for any one year during the last 5 years next preceding the filing of the report.

DISCLOSURE

SEC. 7. Disclosure of information contained in a registration or annual report or other document filed under this act shall be made to the participants and their beneficiaries and other persons as follows:

(1) The Secretary shall make copies of such registration, annual report, or other document available for examination in the public documents room of the Department of Labor; and

(2) The person responsible for the overall management of the plan shall make copies of such registration, annual report, or other document available upon request for examination by any participant or beneficiary at the principal offices of the plan, and shall provide information from any such registration, report, or other document, in as brief summary form as the Secretary shall prescribe to carry out the policy of this act, to each participant or beneficiary requesting it.

PLANS COVERING FEWER THAN 100 EMPLOYEES

SEC. 8. (a) Section 6 shall not apply to any employee welfare or pension benefit plan which, together with any related plan or plans, covers fewer than 100 employees until the expiration of 2 years following the date of enactment of this act.

(b) The Secretary may exempt from the requirements of section 5, relating to registration, or section 6, relating to annual reports, or of both such sections, for such indefinite or other period or periods as he may determine, any category or categories of employee welfare or pension benefit plans (classified on the basis of the number of employees covered) which together with any related plans cover fewer than 100 employees, if he finds that compliance would be unduly burdensome to such plans or, because of the number of such plans, would place an undue administrative burden on the Department.

(c) During any period for which an employee welfare or pension benefit plans is exempt under subsection (a) or subsection (b) from the requirements of section 5 or section 6 it shall not be required to make disclosure as required by section 7, but in lieu thereof the person or persons having responsibility for the overall management of such plan shall make available for inspection by any participant or beneficiary or other interested person at the principal offices of the plan or such other place as may be prescribed by the Secretary such of the information specified by section 6 as may be requested, except that the information specified by subsection (b) (2) of such section shall not be required to be certified to by an independent public accountant as provided in such subsection unless the Secretary deems such certification necessary to carry out the policy of this act and so provides in his regulations.

ADVISORY COUNCIL

SEC. 9. (a) There is hereby established an Advisory Council on Employee Welfare and Pension Benefit Plans (hereinafter referred to as the "Council") which shall consist of 13 members to be appointed in the following manner: 1 from the insurance field, 1 from the corporate trust field, 2 from management, 4 from labor, and 2 from other interested groups, all appointed by the Secretary from among persons recommended by organizations in the respective groups; and 3 representatives of the general public appointed by the Secretary.

(b) It shall be the duty of the Council to advise the Secretary with respect to the carrying out of his functions under this act, and to submit to the Secretary recommendations with respect thereto. The Council shall meet twice each year and at such other times as the Secretary requests.

(c) The Secretary shall furnish to the Advisory Council an executive secretary and such secretarial, clerical, and other services as are deemed necessary to the conduct of its business. The Secretary may call upon other agencies of the Government for statistical data, reports, and other information which will assist the Council in the performance of its duties.

(d) Appointed members of the Council shall be paid compensation at the rate of $50 per diem when engaged in the work of the Council, including travel time, and shall be allowed travel expenses and per diem in lieu of subsistence as authorized by law (5 U. S. C. 73b–2) for persons in the Government service employed intermittently and receiving compensation on a per diem when actually employed basis.

POWERS OF THE SECRETARY

SEC. 10. (a) The Secretary is authorized to prescribe such rules and regulations as may be necessary to carry out the provisions of this act.

(b) The Secretary is authorized to utilize any information submitted under the provisions of this act for statistical and research purposes and to compile and publish such studies, analyses, reports, and surveys as he deems appropriate.

(c) The Secretary is authorized to make such studies as he deems necessary to serve as a basis for making recommendations for further legislation concerning matters to which this act relates.

(d) The Secretary is authorized to make such expenditures and, subject to the civil-service laws and the Classification Act of 1949, as amended, to appoint and fix the compensation of such personnel, including attorneys, as may be necessary to perform the functions imposed by this act. Attorneys appointed under this section may appear for and represent the Secretary in any litigation, but such litigation shall be subject to the direction and control of the Attorney General.

(e) All pertinent accounts, correspondence, memorandums, papers, books, and other records of any employee welfare or pension benefit plan shall be subject at any time or from time to time to such reasonable, periodic, special, or other examinations by representatives of the Department of Labor as the Department may deem necessary to accomplish the policy of this act.

STUDIES WITH RESPECT TO STANDARDS OF CONDUCT AND CIVIL SUITS

SEC. 11. The Secretary shall cause to be conducted a study for the purpose of determining the desirability and feasibility (1) of establishing and requiring compliance with standards of conduct in matters concerning the management and operation of employee welfare and pension benefit plans by persons serving as officers, agents, employees, trustees, or custodians of such plans or otherwise occupying positions of responsibility in, or exercising authority or control over, the management or operation of such plans or having a fiduciary relationship to such plans or their participants or their beneficiaries, and (2) of authorizing the Secretary to institute civil suits against any such persons who have been guilty of gross misconduct or gross abuse of trust in respect of any employee welfare or pension benefit plan for the purpose of enjoining such persons from further serving in such capacities, or for the purpose of recovering from them on behalf of the plan the amounts of any financial losses suffered by the plan or its participants or their beneficiaries by reason of such misconduct or abuse of trust. Upon the conclusion of such studies the Secretary shall transmit to the Congress his conclusions and recommendations with respect thereto.

INVESTIGATIONS; INJUNCTIONS

SEC. 12. (a) The Secretary may, in his discretion, make such investigations as he deems necessary to determine whether any person has violated or is about to violate any provision of this act or any rule or regulation thereunder, and may require or permit any person to file with it a statement in writing, under oath or otherwise as the Secretary shall determine, as to all the facts and circumstances concerning the matter to be investigated. The Secretary is authorized, in his discretion, to publish information concerning any such violations, and to investigate any facts, conditions, practices, or matters which he may deem necessary or proper to aid in the enforcement of the provisions of this act or in the prescribing of rules and regulations thereunder.

(b) For the purposes of any investigation provided for in this act, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (15 U. S. C. 49, 50), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary of Labor or any officers designated by him.

(c) Whenever it shall appear to the Secretary that any person is engaged or about to engage in any acts or practices which constitute or will constitute a violation of the provisions of this act, or of any rule or regulation thereunder, he may in his discretion bring an action in the proper district court of the United States, or United States court of any Territory or other place subject to the jurisdiction of the United States, to enjoin such acts or practices, and upon a proper showing a permanent or temporary injunction or restraining order shall be granted without bond. The Secretary may transmit such evidence as may be available concerning such acts or practices to the Attorney General, who may, in his discretion, institute the necessary investigations and criminal proceedings.

(d) The district courts of the United States, and the United States courts of any Territory or other place subject to the jurisdiction of the United States, shall have jurisdiction, for cause shown, to restrain violations of, to enforce any duty created by, or to compel disclosure of any information required to be submitted to the Secretary in accordance with this act or the rules and regulations thereunder. All actions under this subsection shall be brought on behalf of the Secretary.

PENALTIES

Sec. 13. (a) Any person who willfully violates or fails to comply with any provision of this act or the rules or regulations promulgated thereunder shall be fined not more than $5,000, or imprisoned not more than 5 years, or both.

(b) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any registration, report, certification, or other document or information required under the provisions of this act or the rules or regulations promulgated thereunder, shall be fined not more than $5,000, or imprisoned not more than 5 years, or both.

(c) Any person who makes any false entry in any book, record, report, or statement required by law or appropriate regulation thereunder to be kept or made for any such welfare or benefit plan, with intent to injure or defraud such plan or any participant or beneficiary thereunder, or to deceive anyone authorized or entitled to examine the affairs of such plans, or who willfully destroys any such books, records, reports, or statements unless authorized by appropriate regulations, shall be fined not more than $5,000, or imprisoned not more than 5 years, or both.

(d) Any person who embezzles, steals, or unlawfully and willfully abstracts or converts to his own use or to the use of another, any of the moneys, funds, securities, premiums, credits, property, or other assets of any employee welfare or pension benefit plan, or of any fund connected therewith, shall be fined not more than $10,000, or imprisoned not more than 5 years, or both.

(e) Any person charged with or having responsibility for the overall management of any employee welfare or pension benefit plan, or being an officer, trustee, custodian, or employee of any such plan, or an officer of any employer any of whose employees are covered by such plan, or an officer or employee of any employee organization any members of which are covered by such plan, who receives or agrees to receive any fee, kickback, commission, gift, or thing of value with intent to have his decision or action on any question or matter concerning the procurement of property or insurance or other services for or in connection with such plan influenced thereby; and any person who pays or agrees or attempts to pay any fee or commission or makes or agrees or attempts to make any gift or transfers or agrees or attempts to transfer anything of value to any person charged with or having responsibility for the overall management of any employee welfare or pension benefit plan, or to any officer, trustee, custodian, or employee of any such plan, or officer of any employer any of whose employees are covered by such plan, or officer or employee of any employee organization any members of whch are covered by such plan, with intent to influence or attempt to influence his decision or action on any question or matter concerning the procurement of property or insurance or other services for or in connection with such plan, shall be fined not more than $5,000, or imprisoned not more than 5 years, or both. Nothing contained in this subsection shall be construed to prohibit the payment to or acceptance by any person of usual salary or compensation for necessary services performed in the regular course of his duties as such an officer or employee.

TERMINAL DATE

Sec. 14. This act shall be effective for a period of 4 calendar years from the date of its enactment. On or before January 1 of each year, the Secretary shall make a complete and comprehensive report to the Congress of his operations under this act. The report filed on or before January 1, 1961, shall include the recommendations of the Secretary as to the continuance, simplification, or modification of this act.

COOPERATION WITH OTHER FEDERAL AGENCIES

Sec. 15. (a) The heads of other Federal departments and agencies shall cooperate with the Secretary in furnishing information, data, reports, and such other material as may be necessary to the effective administration and enforcement of this act. The Secretary shall make available to the Internal Revenue Service such of the information furnished to or obtained by the Department of Labor under this act as the Secretary of the Treasury may need for the purpose of enabling such Service to administer more effectively the Federal income tax laws. The Secretary shall also provide for the making available of information furnished by employee welfare and pension benefit plans pursuant to this act to other departments and agencies of the Government to assist in the performance of the functions of such departments and agencies. The secretary shall cooperate and consult with the Secretary of the Treasury, the Secretary of Commerce, the Chairman of the Securities and Exchange Commission, the Secretary of Health, Education, and Welfare, and the Chairman of the Board of Governors of the Federal Reserve System, and with the heads of such other departments and agencies as he deems appropriate regarding the administration of this act, and with the consent of the respective heads of such departments and agencies may utilize the facilities of such departments and agencies for such research and other purposes as the Secretary deems appropriate.

(b) In order to avoid burdensome and unnecessary effort and expense to employee welfare and pension benefit plans and to the Government resulting from a multiplicity of forms, the Secretary shall consult and cooperate with the heads of the various departments and agencies of the Government with a view to developing standardized forms for use in the reporting of information relating to such plans required by this act, the internal revenue laws, or other laws of the United States, or regulations promulgated thereunder.

COOPERATION WITH STATES

Sec. 16. (a) The Secretary shall consult and cooperate with any State officers or agencies having responsibility for the administration of State laws requiring the disclosure of information concerning employee welfare and pension benefit plans, with a view to developing standardized forms for such purpose, developing means of facilitating compliance with such laws, and avoiding burdensome and unnecessary effort and expense resulting from a multiplicity of forms. Before prescribing forms under this act for registration and reporting, and for summaries which may be required for distribution to participants and beneficiaries, the Secretary shall obtain information with respect to the format and content of forms employed in connection with such State laws, and shall have in mind the requirements of such State laws in prescribing forms under this act.

(b) In order to assist the States to discharge such responsibilities as they may have with respect to employee welfare and pension benefit plans, the Secretary shall by regulation require the persons responsible for the registration, reporting, and summaries required by this act to file copies of such documents, or any portions thereof, with a State agency upon its request.

(c) In the case of an employee welfare or pension benefit plan providing benefits to employees employed in two or more States, no person shall be required by reason of any law of any such State to file with any State agency (other than an agency of the State in which such plan has its principal office) any information included within a registration, report, summary, or other document filed pursuant to this act if copies of such registration, report, summary, or other document are filed with the State agency, and if copies of such summary or such portions of the registration, report, or other document, as may be required by the State agency, are distributed to participants and beneficiaries in accordance with the requirements of such State law with respect to scope of distribution. Nothing contained in this subsection shall be construed to prevent any State from obtaining such additional information relating to any such plan as it may desire, or from otherwise regulating such plan.

EFFECT OF OTHER LAWS

Sec. 17. The provisions of this act, except section 12 (d) and section 16 (c), and any action taken thereunder shall not be held to exempt or relieve any person from any liability, duty, penalty, or punishment provided by any present or future law of the United States or of any State affecting the operation or administration of employee welfare or pension benefit plans, or in any manner to authorize the operation or administration of any such plan contrary to any such law.

SEPARABILITY OF PROVISIONS

Sec. 18. If any provision of this act or the application of such provision to any person or circumstance is held invalid, the remainder of this act and the application of such provision to other persons or circumstances shall not be affected.

The section-by-section analysis presented by Mr. Douglas is as follows:

Section-by-Section Analysis of the Welfare and Pension Plans Disclosure Act

SECTION 1. SHORT TITLE

This section provides that the act may be cited as the "Welfare and Pension Plans Disclosure Act."

SECTION 2. FINDINGS AND POLICY

(a) The findings recognize the tremendous growth of these plans, the millions of employees and dependents affected, the billions of dollars involved, the preferential tax treatment given the plans, their effect upon commerce, the unavailability of information to participants with respect to their operation, and the abuses which have developed in some of them in the absence of legislative safeguards.

(b) The policy is to protect the interests of the participants, the beneficiaries, and the public by requiring registration, reporting, and disclosure of information concerning the operation of such plans.

SECTION 3. DEFINITIONS

Section 3 (a) (1), "Employee Welfare Benefit Plans," and (2) "Employee Pension Benefit Plans": The plan must be established by an employer or by an employee organization, or by both, and the plan, or the benefits which it provides, must be communicated to the employees in writing.

Section 3 (a) (3), "Employee Organization": The definition includes any employee benefit association.

Section 3 (a) (9): The "Secretary," who is charged with the administration of the act, is the Secretary of Labor.

Other terms defined include "employer," "employee," "participant," "beneficiary," "person," "Secretary," "State," "commerce," "related plans.'

SECTION 4. COVERAGE

The act applies to all plans which actually operate in interstate commerce (subsec. (a) (1) and (2)); or are established or maintained by employers or by employee organizations representing employees who are engaged in interstate commerce or are in an industry or activity affecting interstate commerce (subsec. (a) (3)). The act also applies to any plan where the income of the plan is claimed to be exempt from tax, or where the cost of or contributions to any such plan are claimed as deductions from income under the Internal Revenue Code. Subsections (a) (1) and (2) base jurisdiction on the actual interstate activities of the plan. Subsection (a) (3) employs the National Labor Relations Act and Taft-Hartley Act jurisdictional concepts, and subsection (a) (4) is based upon the tax treatment of the plans and of the employer contributions thereto.

Section 4 (b) exempts plans if (1) they are administered by Federal or State government, or by a political subdivision or instrumentality thereof; (2) they are established for the purpose of complying 'with workmen's compensation laws; or (3) they are administered as a corollary to membership in fraternal benefit societies exempt under section 501 (c) (8) of the Internal Revenue Code or by an educational or eleemosynary organization exempt under 501 (c) (3) of the IRC. Compulsory temporary disability insurance would not be included if administered by a State agency, but if self-insured or insured through a commercial carrier, they are included.

SECTION 5. REGISTRATION

All plans are required to register with the Department of Labor, except that the Secretary may exempt plans covering fewer than 100 employees as provided in section 8 (b). The registration requires information with respect to the identity, type, and size of the plan and such related information as the Secretary may deem necessary.

SECTION 6. REPORTING

All plans must report annually to the Department of Labor, except that plans of fewer than 100 employees are exempted for 2 years by section 8 (a) and for any such additional period as the Secretary may deem necessary under section 8 (b).

The annual reports require a description of the plan and its benefits and information with respect to its financial operation which is to be based upon a certified audit.

If the plan is insured, additional pertinent information relating to premiums, claims, commissions, fees, etc., is to be certified to by the insurance or other organization. If a pension plan is funded, in addition to information relating to receipts, disbursements, and financial position, actuarial information is required.

In a trusteed plan, a summary statement as to the composition of the investment portfolio is also required, except that full details are required with respect to investments in securities or property of and/or loans to employers, sponsors, or other parties in interest, or if the investment in any one security or property amounts to more than 5 percent of the fund or 10 percent of the current value of the securities of any one issuer. Profit-sharing plans with pension features are treated the same as trusteed pension plans.

Unfunded pension plans are also required to file actuarial information and information with respect to the operation of the plan.

SECTION 7. DISCLOSURE

It is the intent of the act to permit public disclosure of the information filed in the registration, annual report or other document furnished under the act at the principal offices of the plan and in the public document rooms of the Department of Labor, and to provide information to each beneficiary requesting it in as brief summary form as the Secretary shall prescribe to carry out the policy of the act.

SECTION 8. PLANS COVERING LESS THAN 100 EMPLOYEES

The bill gives a 2-year moratorium to all plans covering less than 100 employees from the reporting provisions, and gives the Secretary of Labor discretionary authority to exempt such small plans from either the registration or the reporting requirements for such further periods as he deems necessary, if he determines that such registration or reporting would be too burdensome on such plans or if the administration of them would be too burdensome on the Department. However, such exempted plans are otherwise required to comply with the act and the beneficiaries thereof may, upon request, obtain the same information at the plan headquarters that would be required in the registration and report.

SECTION 9. ADVISORY COUNCIL

The council consists of 13 members appointed by the Secretary and includes 2 members from management, 1 from insurance, 1 from banking, 4 from labor, 2 from other interested groups, and 3 public members.

SECTION 10. POWERS OF THE SECRETARY

This section grants various powers to the Secretary such as the power to make rules and regulations, the authority to make studies and to recommend legislation, the authority to hire employees and the authority to make examinations of records of employee welfare and pension benefit plans.

SECTION 11. STUDIES WITH RESPECT TO STANDARDS OF CONDUCT AND CIVIL SUITS

The Secretary is charged with the responsibility of conducting a study and making recommendations deemed feasible with respect to standards of conduct in matters concerning the management and operation of employee welfare and pension benefit plans and with respect to the advisability of authorizing the Secretary to institute civil suits against plan officials for gross misconduct or gross abuse of trust for the purpose of removing or disbarring such officials and recovering losses from them on behalf of the plan or beneficiaries.

SECTION 12. INVESTIGATIONS AND INJUNCTIONS

This section gives the Secretary the usual authority to make investigations necessary to determine whether the act has been or is being violated, to apply to Federal courts for subpenas, and to apply to the appropriate Federal court for injunctive relief to prevent violations of the act.

SECTION 13. PENALTIES

Section 13 provides criminal sanctions for violations of the act, perjury in registration or report statements, false entries in books or records, embezzlement from welfare or pension funds, and for paying or receiving kickbacks, commissions, or anything of value for influencing the procurement of insurance or other services or property incident to the operation of an employee benefit plan.

SECTION 14. TERMINAL DATE

Section 14 provides that the act shall be effective for a period of 4 calendar years from the date of its enactment and requires the Secretary to make an annual report to the Congress.

SECTION 15. COOPERATION WITH OTHER FEDERAL AGENCIES

Section 15 (a) provides for general cooperation between Federal agencies and particularly with the Secretary of the Treasury.

Section 15 (b) requires the Secretary to consult and cooperate with the heads of the various Government agencies with a view toward developing standardized forms.

SECTION 16. COOPERATION WITH THE STATES

Section 16 would supersede State laws with respect to employee benefit plan registration, reporting and disclosure, in the case of multi-State plans, except in the State of the plan's home office, if copies of the information required by the Federal act are supplied the State agency and the State requirements with respect to scope of distribution of information to beneficiaries are met.

SECTION 17. EFFECT OF OTHER LAWS

This section provides that (except as provided under section 12 (d) and section 16 (c)) any action taken under this act shall not exempt or relieve persons from liabilities or duties provided by any laws of the United States or of any State affecting the operation or administration of employee welfare or pension benefit plans.

PUNISHMENT FOR CONTEMPT OF CONGRESS

Mr. CURTIS. Mr. President, on behalf of my very distinguished colleague, the senior Senator from Nebraska [Mr. HRUSKA], I introduce, for appropriate reference, a bill to amend the statute relating to the punishment of contempt of Congress. I ask unanimous consent that a statement prepared by my colleague in reference to the proposed legislation, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 2891) to amend the statute relating to the punishment of contempt of Congress, introduced by Mr. CURTIS (for Mr. HRUSKA), was received, read twice by its title, and referred to the Committee on the Judiciary.

The statement presented by Mr. CURTIS is as follows:

STATEMENT BY SENATOR HRUSKA

I have today requested my colleage, the junior Senator from Nebraska [Mr. CURTIS] to introduce on my behalf, a bill which has for its purpose an amendment of the contempt of Congress statute made necessary by the decision of the United States Supreme Court in the so-called Watkins case.

One of the most troublesome features of the Supreme Court decision in the Watkins case was the apparent holding that the pertinency of a question must be explained to the witness so that he understands it, before he can be required to answer. This rule would be, of course, administratively impossible.

By amendment of the statute governing Congressional contempt (2 U. S. C. 192) it is believed this problem can be overcome.

My bill seeks to accomplish this result. It would operate to restore the right of Congress to judge the pertinency of its questions.

It should be noted that in the Watkins decision, the court did not rule that the committee had no right to ask a question for lack of pertinency, or had no right to judge the pertinency of its own questions; but only that, under the contempt statute, and in a criminal prosecution, the witness (the defendant-to-be) was entitled to have the pertinency of the question as certain as any other element of the case against him.

This proposed amendment will meet the court's requirement by specifically providing that the question is pertinent unless the witness objects, and that if the witness objects and the committee rules the question is pertinent, that ruling is controlling.

Of course, no statute could give the committee the right to make a wholly unreasonable ruling, and, therefore, no legislation could take away from the court a right of review including the right to review the question of pertinency. However, it is believed that enactment of the amendment here proposed would change the basis of such review, so that whereas the court now looks to the substantive question of pertinency, after enactment of this proposed amendment, the court would look to the reasonableness of the committee's ruling. In effect, this amounts to a prima facie presumption of pertinency where the committee has ruled that a question is pertinent, and a defendant claiming that a question was not pertinent would have to bring forth evidence to show that it was not.

In order that the full import of the amendment may be more readily understood, section 192 of the United States Code, if this amendment is approved, will read in full as follows:

"Every person who having been summoned as a witness by the authority of either House of Congress to give testimony or to produce papers upon any matter under inquiry before either House, or any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or any committee of either House of Congress, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the question under inquiry, shall be deemed guilty of a misdemeanor, punishable by a fine of not more than $1,000 nor less than $100 and imprisonment in a common jail for not less than 1 month nor more than 12 months: *Provided,* That for the purposes of this section any question shall be deemed pertinent unless timely objection is made thereto on the ground that such question lacks pertinency, or when such objection is made, if such question is ruled pertinent by the body conducting the hearing; and on any question of pertinency, the ruling of the presiding officer shall stand as the ruling of the body unless reversed on appeal."

LIMITATION OF PERCENTAGE OF DEPLETION ALLOWANCE FOR OIL AND GAS WELLS

Mr. O'MAHONEY. On behalf of the Senator from Colorado [Mr. Carroll] and myself, I introduce for appropriate reference a bill to limit the percentage-depletion allowance for oil and gas wells to the United States, its Territories and possessions. The purpose of this bill is to repeal the depletion allowance which, I think, now is rather recklessly allowed to the producers of foreign oil, to the great disadvantage of the domestic producers of oil.

The report recently filed by myself with the Judiciary Committee on the petroleum investigation, Investigation No. 19, reads as follows:

> It is recommended that the 27½-percent depletion allowance granted petroleum producers be limited to production within the United States and its Territories.

I ask unanimous consent that there be printed in the Record, as part of my remarks, an extract from the report which was filed. The extract refers to depletion.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the extract will be printed in the Record.

The bill (S. 2895) to limit the percentage-depletion allowance for oil and gas wells to oil and gas wells located in the United States and its Territories and possessions, introduced by Mr. O'Mahoney (for himself and Mr. Carroll), was received, read twice by its title, and referred to the Committee on Finance.

The extract from the report presented by Mr. O'Mahoney is as follows:

[From Statement by Garith M. Nevill, assistant counsel, appendix to report]

Depletion

During the course of the oil hearings considerable testimony was developed concerning depletion allowances granted American oil companies on foreign crude production. At one point Senator Carroll developed that such costs as dry holes, terminal facilities, exploration and development, depreciation, losses, royalties, and rentals are all deductible expense items. Then, in addition, the producing companies can take a further deduction for percentage depletion based on 27½ percent of gross income.[1]

The concept of a depletion allowance or special tax deduction [2] for the exhaustion of oil and gas properties was originated in 1913 as a domestic measure aimed at obtaining greater domestic production during a period of world crisis. The history of cost and subsequently percentage depletion, shows that originally it was adopted by the Congress as a formula permitting a more rapid recovery of investment, as an inducement to obtain greater production of oil and gas at a time when foreign production by American companies was of little importance to the overall economy.

As first approved by Congress, depletion allowance on oil and gas was a tax exempt deduction from operating income granted to cover capital consumed in the operation of the oil or gas well. The capital in question was the value of the property as of March 1, 1913, or the cost, if acquired after this date. Once this capital investment had been recovered, the allowance was no longer available. In 1918, the base was enlarged to cover the value of the property at the time of the discovery or within 30 days thereafter. Then, to overcome administrative difficulties from the use of discovery value, percentage depletion was introduced in 1926. A figure of 27½ percent of gross income was selected to give approximately equal dollar deductions as had been allowed under the 1918 statute. This method, unlike the cost and discovery value methods, has no overall limit so that deductions continue as long as the property is producing income.

The effort and concern today, as it was just prior to World War I and in 1918 when the basic concept of depletion allowance on oil and gas was introduced into the tax structure, is to encourage exploration and development of new oil reserves within the continental United States to assure a safe productive capacity and supply of petroleum in time of war or national emergency. That this concept of aiding domestic production of oil and gas is the currently accepted justification for depletion allowance is borne out by Congressional action taken during World War II when percentage depletion was extended in 1942 to 3 nonmetals and in 1943 to 10 additional nonmetallic minerals. Furthermore, the 1942 and 1943 expansions of percentage depletion were limited in the enabling legislation to the period of the war emergency to encourage domestic production of minerals needed to meet wartime demands.

In February 1955, the Cabinet Committee on Energy Supplies and Resources Policy issued a report in which the following statement is found:

"Present tax provisions on coal, oil, and gas production have been an important factor in encouraging development of energy sources at a pace about in keeping with demand. Any changes which may be proposed in the future must be analyzed in terms of their probable effect on development of domestic resources needed for economic progress and national defense as well as the fiscal and tax policies of the Government."

Although the domestic industry is finding more oil and gas than it produces, the rate of this increase in proven reserves has been declining in the past several years. Hence, as pointed out by the Cabinet Committee, every inducement should be given to encourage domestic exploration as against overseas development. This approach is clearly within past Congressional intent, as expressed in the tax legislation affecting depletion allowances and national defense considerations.

Assuming justification for the 27½-percent foreign percentage depletion allowance formula in 1926, such depletion allowance is inconsistent with the original legislation to encourage domestic discovery, since yields, costs, and producing areas are so different today from what they then were. It would seem that today percentage depletion on foreign oil gives the foreign operator a special tax advantage over the domestic producer.[3] This condition in itself could result in some inducement to an American company to select foreign development over domestic. For example, where the costs of extraction abroad are low relative to the value of the oil and gas produced, the 27½-percent depletion allowance, when translated into dollars, is much greater on the oil produced than when applied to high-cost domestic production. The amount of the deduction, under the present law, cannot exceed 50 percent of net in any one year. This may result in the domestic producer not being able to take advantage of the full 27½-percent depletion allowance unlike the low-cost foreign producer who is not apt to be affected by this 50-percent limitation. A high net return possible on low-cost Middle East production could result in a much greater dollar allowance on a barrel-for-barrel basis to the producing company than would be possible under a lower net return realized on high-cost domestic oil.

Mr. W. A. Delaney at one point in his testimony compared an average daily production per well in Oklahoma of 9 barrels with that of Kuwait of around 7,600 barrels.[4] There is a tremendous dollar advantage of percentage depletion allowance of Kuwait production as compared to Oklahoma. Thus, foreign depletion has the effect of needlessly widening the profit spread between domestic and foreign oil. This increases the commercial advantage of importing, thus further limiting the domestic market.

As the domestic market is cut back the cost of the reduced production is increased on a per barrel basis. Mr. Delaney, when describing in his testimony such costs, stated:

"The cost of producing oil is related to the number of barrels of oil produced over the man-hours involved plus the cost of material and supplies that are required to furnish and service the wells."[5]

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[1] Hearings, pp. 1412, 1425, 1426.

[2] Current Antitrust Problems, pt. II, pp. 592–595, Celler committee.

[3] Hearings, pp. 1436, 1453.

[4] Hearings, p. 887.

[5] Hearings, p. 887.

The present system of percentage depletion conceived to increase domestic exploration and production is actually weighted in favor of foreign investment. Full depletion allowance on foreign production results in increased exploration for foreign oil. As foreign production is increased, the economic survival of the small, independent domestic producer is further jeopardized by loss of both domestic and foreign markets. Mr. Whiteford of Gulf Oil, during his appearance before this subcommittee, testified that:

"No country develops oil reserves except to the extent that it may have prospective markets." [6]

Subsidized foreign oil is one of the most direct of all ways to reduce market prospects for the domestic product.

As pointed out above, the economic defense of generous percentage depletion results from national policy to provide an incentive or subsidy for certain selected minerals for reasons of national defense and domestic economic advancement. The incentive value of percentage depletion for domestic production of oil and gas has been blunted by extending the favors to all the world, thus defeating the original concept. At one point in the record Senator KEFAUVER elicited a statement from Mr. Rathbone, of Jersey, that foreign operations were much more profitable than domestic but cost savings on foreign production could not be passed on to the domestic consumer without putting domestic independents out of business. Mr. Rathbone stated that domestic producers are not in a sound economic position:

"He has not been so far the last several years, and the evidence on that, I believe, is indisputable. It is perfectly true that profits from our foreign operations * * * are very large and, as I said to you, I certainly would not want in any way to ever be accused of trying to utilize profits from foreign operations to destroy anything in the United States."

If the consumer cannot obtain the foreign product at a lower price [7] and the domestic industry is endangered by a restriction of markets,, why should the taxpayer be asked to continue to subsidize foreign production only to make profits for the foreign operator?

A discontinuance of foreign depletion would, at least in the short run, result in the payment of more tax dollars to the United States Treasury. A tabulation placed in the record by Aramco during the hearings [8] shows that on the present tax base the United States Treasury would obtain from Aramco $61 million plus in 1955 and an estimated $63 million plus in 1956 if the foreign depletion allowance was removed from the tax statutes. The schedule submitted by Aramco is as follows:

SCHEDULE II.—*Effect of percentage depletion on aggregate United States taxes*

[Thousands of dollars]

	1955	1956 estimated
1. Taxable net income	339, 831	353, 178
2. Percentage depletion	148, 167	152, 006
3. Taxable net income without percentage depletion	487, 998	505, 184
4. United States income tax without percentage depletion	61, 010	63, 233

For the above reasons, it is suggested that this subcommittee may wish to recommend that the 27½ percent depletion allowance granted petroleum producers be limited to production within the United States and its Territories.

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[6] Hearings, p. 1259.

[7] Hearings, p. 880.

[8] Hearings, p. 1441.

AMENDMENT OF LEGISLATIVE REORGANIZATION ACT RELATING TO ADJOURNMENT OF CONGRESS

Mr. O'MAHONEY. Mr. President, I introduce for appropriate reference a bill to amend section 132 of the Legislative Reorganization Act of 1946, relating to Congressional adjournment. The bill is identical to one which I introduced on August 2, 1955, the purpose of which was to end the midsummer madness in which we indulge at almost every session of the Congress. The purpose of the bill was to enable the Congress to adjourn during the heat of summer, and return later in the fall.

I ask unanimous consent to have printed in the RECORD the remarks which I made on August 2, 1955.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the remarks will be printed in the RECORD.

The bill (S. 2904) to amend section 132 of the Legislative Reorganization Act of 1946, relating to Congressional adjournment, introduced by Mr. O'MAHONEY, was received, read twice by its title, and referred to the Committee on the Judiciary.

The remarks presented by Mr. O'MAHONEY are as follows:

AMENDMENT OF LEGISLATIVE REORGANIZATION ACT RELATING TO ADJOURNMENT OF CONGRESS

Mr. O'MAHONEY. Mr. President, I introduce, for appropriate reference, a bill to amend the Legislative Reorganization Act, in the hope that it may afford the Committee on Rules and Administration in the next session an opportunity to bring an end to this midsummer madness in which we indulge about this time every session.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2752) to amend section 132 of the Legislative Reorganization Act of 1946, relating to Congressional adjournment, introduced by Mr. O'MAHONEY, was received, read twice by its title, and referred to the Committee on Rules and Administration.

LET US END THIS MIDSUMMER MADNESS

Mr. O'MAHONEY. The logjam in which this session of Congress is coming to an end dramatically illustrates the necessity for an amendment of the Legislative Reorganization Act which requires adjournment on July 31. Although this is a requirement which is more honored in the breach than in the observance, and although the leadership has made every effort to complete the work of Congress in an orderly manner, the plain fact is that the work is not completed and cannot be completed when so many Members of Congress are in a rush to go to Russia, to Europe, to Asia, and sometimes home. The acting majority leader [Mr. Clements] has been particularly effective, but procedural reform is overdue.

The result of the present system is that the advocates of immensely important legislation are clamoring for last-minute action and seeking to push through bills even though the Members as a whole, including even the members of the committees to which the bills are assigned, have not had the opportunity to read the measures or the reports thereon which have been hastily prepared.

The sad fact is that this method of legislating can only result in undermining the legislative powers of Congress. We have more business affecting everybody in the Nation than ever before in history. Witness, for example, the housing bill. This program was initiated during the Roosevelt-Truman administrations. It has been adopted by President Eisenhower. It is opposed by substantial numbers of his own party. The House, in order to effect a compromise, struck all public housing from the bill. The conference restored 45,000 units of the 135,000 President Eisenhower wanted. The Wherry housing law, which allowed private construction of dwellings at airbases and military stations of all kinds, has been repealed, and all of this has been transferred to the Department of Defense. Members of the Armed Services Committee themselves were doubtful of the wisdom of the change.

Whatever may be the merits about this measure, it illustrates the haste in which legislation is being pushed through in the last days of a midsummer session, when, because of the heat, Members are physically worn out by prolonged sessions of both the committees and the two Houses. It may truthfully be called a midsummer's madness, for neither the committees nor either House can properly legislate in the atmosphere which here exists.

The theory of the Legislative Reorganization Act was that committees should never be permitted to meet during a session of either House. They have been meeting day and night during these closing sessions.

The remedy is to revise the Legislative Reorganization Act so that Congress may recess during the hot summer days and Members may take their vacations in their homes or wherever the essential investigatory duty of Congress calls. I am, therefore, introducing a bill to amend the law by providing that both Houses shall be in recess from the middle of July to the second Monday in September of each year unless otherwise provided by Congress. This would eliminate the mad rush in the heat of July and August, and would enable Congress to give intelligent and orderly attention to the legislation before it during the fall, with ample time to adjourn for Christmas.

I hope the Committee on Rules and Administration in the next session will hold hearings on this bill.

I ask unanimous consent that the text of the bill be printed in the RECORD at this point.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

"*Be it enacted, etc.*, That (a), section 132, of the Legislative Reorganization Act is amended to read as follows:

"'SEC. 132. The two Houses of Congress shall be in recess during the period beginning on July 15 and ending on the second Monday in September, in each year, unless otherwise provided by the Congress.'

"(b) The amendment made by this act shall be effective beginning with the 2d session of the 84th Congress."

HEADQUARTERS SITE FOR MOUNT RAINIER NATIONAL PARK

Mr. MAGNUSON. Mr. President, on behalf of myself, and my colleague, the junior Senator from Washington [Mr. JACKSON], I introduce, for appropriate reference, a bill to authorize the Secretary of the Interior to provide a headquarters site for Mount Rainier National Park in the general vicinity of Ashford, Wash. The transfer of the National Park Service headquarters from Longmire to Ashford, just outside the park, is part of the National Park Service's mission 66 plans for Mount Rainier National Park.

It is necessitated by the fact that the present headquarters site and equipment storage area at Longmire is subject to annual flooding, and that the condition of buildings at the existing headquarters is such that they will very soon have to be replaced.

The Park Service has advised us that the cost of replacing the existing buildings at their present location and providing adequate protection against spring floods will be at least as costly as moving the headquarters outside the park where not only will the headquarters be free from flood threat, but also it will be comparatively free from heavy snow.

ing the summer season when the flood

The move also will enable the Park Service to turn the existing headquarters site at Longmire into a picnic area dur- threat each year has ended, thus making available a badly needed additional large picnic area.

The purpose of introducing this proposed legislation at this time is so that the Congress may act on it early in the next session and the Park Service may have authority to acquire the land it requires for its new headquarters before the land is taken for other purposes or before the land value increases greatly.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2905) to authorize the Secretary of the Interior to provide a headquarters site for Mount Rainier National Park in the general vicinity of Ashford, Wash., and for other purposes, introduced by Mr. MAGNUSON (for himself and Mr. JACKSON), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

PROPOSED RAILROAD EQUIPMENT ADMINISTRATION ACT

Mr. FREAR. Mr. President, I introduce, for appropriate reference, a bill to create a governmental agency for financing railroad equipment. I ask unanimous consent that a statement, prepared by me, relating to the bill, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 2906) to provide for the increase, modernization, and stockpiling of railroad equipment in order to meet the needs of the commerce of the United States, of the postal service, and of the national defense; to create and establish a public agency with powers to carry out the provisions of this act; and for other purposes, introduced by Mr. FREAR, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce

The statement presented by Mr. FREAR is as follows:

STATEMENT BY SENATOR FREAR—PROPOSAL COVERING CREATION OF GOVERNMENTAL AGENCY FOR FINANCING RAILROAD EQUIPMENT

PLAN

1. A new Government agency shall be created, to be known as the Railway Equipment Agency, or with some similar nomenclature, with initial capital of $500 million, with the understanding that more will be advanced by the Government from time to time as may be needed.

2. The railroads shall have the right to apply to this Equipment Agency for long-term net leases for such new equipment as they may desire. The exact length of such leases shall be on the same basis for all companies, but shall be varied in term, taking into consideration, the true economic life of the type of equipment in question. For example, diesels probably should be leased for 15 years and freight cars for 20 years, and passenger equipment perhaps on a 10-year basis.

3. The basic rental shall be determined in accordance with the following principles:

(a) During the term of the lease, the rental shall be sufficient to completely amortize the cost of the equipment, less the estimated scrap value of the equipment at present-day prices.

(b) The interest factor shall be one-quarter of 1 percent above the estimated cost of money to the Agency for the length of period involved.

(c) Interest shall be calculated on the declining balance with respect to that portion of the cost which is amortized, and on a straight line basis with respect to the portion that is not amortized, that is, estimated scrap value.

(d) The rental shall be absolutely net and all repairs of whatsoever nature shall be made by the leasing railroad.

4. The agency shall have the right to borrow up to four times its capital; in other words, up to 80 percent of the cost of the equipment. At the end of the lease for any equipment, the governmental body having control over the stockpiling of strategic materials for national-defense purposes shall have the option of purchasing any equipment it desires from the transportation agency at the fair value of the equipment, to be determined at that time. Any equipment not thus purchased for stockpiling for defense purposes shall be sold for scrap by the transportation agency, with the proceeds recaptured by the transportation agency.

5. Any lessee, subject to the approval of the Equipment Agency, may assign its lease to any other railroad in the event it no longer has a demand for the equipment, but in no event shall the new lessee receive a lease other than for the balance of the period remaining to the original lessee. Also, in the event that any lessee defaults under the terms of its lease, the Equipment Agency may recapture the equipment and re-lease it to another railroad for the remaining balance of the term, but in no event for a longer period.

6. In the event there are more applications for equipment than can be handled expeditiously (this is particularly likely to be true not only at the outset but in the event of emergencies or in periods of an upsurge in traffic), the principle of allocation shall apply.

ADVANTAGES OF PLAN

A. From the standpoint of the Government:

1. The plan as outlined will not cost the Government anything, as contrasted to the subsidies handed out to other segments of the transportation industry. In addition, it is probable that the one-fourth of 1 percent interest differential, plus the differential between the current estimated scrap value and the ultimate scrap value or proceeds realized from sale to the Government stockpiling agency, should be sufficient to pay the costs of administration, give the Government a return on its funds, and ultimately the return of its initial capital.

2. The Government will be assured that the railroad industry will be maintained in first-class condition, prepared for any emergency, and with adequate capacity.

3. The Government will have an opportunity to stockpile a substantial amount of equipment against a war emergency at a relatively low cost.

4. The Government will be assured of protection of the capacity of the railway equipment industry, so vital in the event of an emergency.

5. Maintenance of the physical condition of the railroads at a high level will serve as a stimulant to the peacetime economy and should bring in additional revenues in the form of income.

B. From the standpoint of the railroad industry:

1. It should be possible for the railroad industry to put its entire plant in first-class condition without damaging its credit. This is true not only with respect to rolling stock but road as well, since funds thus released from the equipment budget will be available for modernization of yards, signal control, and the roadway generally.

2. Such a program should make it possible for the industry to expand its capacity, thus insuring its participation in the expanding economy and stimulating the latter by providing a modern, efficient, low-cost transportation system to serve its needs properly, and also further aiding the economy through its increased purchases, and on a more regularized basis, from the whole railroad equipment industry.

3. With a modernized, efficient plant, the industry should operate more efficiently, thereby keeping costs of transportation at the lowest practicable level and at the same time earning profits.

4. As a result of the Government agency placing the orders for much of the equipment, a far greater degree of standardization of equipment should be possible, thus reducing the overall cost of equipment and thus holding down the cost of transportation.

5. Through the program outlined, the railway equipment industry should be able to put its production on much more of a mass-production basis, expand its capacity and strengthen its position.

6. If the Government finds itself in the position of leasing equipment to the railroads, then obviously, because of its financial stake in the railroad industry, it will naturally have an interest in the railroads' welfare.

7. This plan embraces the principle of the user paying full cost for Government services rendered. Therefore, if it goes through, it should strikingly point up by comparison the fact that certain other segments of the transportation industry are not paying their way.

8. By virtue of the fact that the proposed lease arrangement would be with a Government agency rather than a private corporation, all tax questions are automatically resolved. The lease arrangement would provide what is tantamount to realistic depreciation geared to the actual econmic life of the equipment. Of course, in this connection we would get the depreciation in the form of tax deductible rental.

9. An additional objection to the present pattern of leasing equipment from a private corporation is that it is costly by reason of the loss of the residual value. Under this plan the railroad at least gets credit for the estimated scrap value of the equipment.

C. From the standpoint of the public:

1. The public in general, both individually and through industries, will thus be assured of the finest in low-cost mass transportation at the lowest possible cost.

2. This is adopting 100 percent the Eisenhower administration policy that industry should pay as it goes for services rendered by the Government.

Overall, the simplicity of the plan itself has much to recommend it, together with one other important fact, namely, that it is possible to work it out on a completely voluntary basis. It is not necessary for all railroads in the industry to approve of the plan or to participate in it, but it would be available to all, and over a period of time it would appear almost a certainty that the industry as a whole would utilize it.

TRADE ADJUSTMENT ACT OF 1957

Mr. KENNEDY. Mr. President, I introduce, for appropriate reference, a bill to provide assistance to communities, industries, business enterprises, and individuals to facilitate adjustments made necessary by the trade policy of the United States. I ask unanimous consent that a statement, prepared by me, relating to the bill, be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the Record.

The bill (S. 2907) to provide assistance to communities, industries, business enterprises, and individuals to facilitate adjustments made necessary by the trade policy of the United States, introduced by Mr. Kennedy, was received, read twice by its title, and referred to the Committee on Finance.

The statement presented by Mr. Kennedy is as follows:

Statement by Senator Kennedy

The reciprocal trade agreements which this country has maintained with other nations have always had my fullest support. It is evident that if the United States is to carry out its role of world leadership, economically as well as politically, the lowering of tariff barriers must be systematically pursued.

At the same time, it is unfair to expect a certain few industries in this country to bear the brunt of our international trade policies. The sudden economic reversal which these industries suffer is the result of governmental action in lowering tariffs. It is therefore the responsibility of the Government to at least lighten the blow.

When imports reach the peril point and threaten domestic industry, great pressure is brought to bear upon the Federal Tariff Commission and upon the President to restore tariffs or impose quotas. It is my belief that the President should be provided with another alternative—namely, to assist the businesses, individuals, and communities affected to convert to new areas of production.

A bill which I am introducing today, to be known as the Trade Adjustment Act of 1957, would afford the Federal Government a means of helping businesses and individuals to help themselves. Briefly, it would extend for a limited period of time such help as the Federal Government is able to render to retrain individuals to new jobs, render technical and financial assistance for conversion of plants to other items of production, and assist communities in their efforts to attract new types of industry.

This proposed legislation would be triggered by the invoking of the escape clause of the Trade Agreements Extension Act of 1951. When the Tariff Commission recommended to the President that a particular industry was being seriously affected, the President could either restore tariffs, impose quotas, or do nothing. In the latter event, he would turn the case over to a Trade Adjustment Board which would invoke the provisions of this act to aid the injured parties.

The Board would determine whether the benefits applicable should be extended to the business, worker, or community organization applying.

What type of assistance could the Government extend? For a company, the Government could give technical assistance to determine what new lines of production would be profitable; rapid amortization benefits for building new plants; or loans through the Small Business Administration for capitalizing new equipment. For individual workers, there would be extension of unemployment compensation to supplement that provided by the State; eligibility for social security at age 60; and for workers young enough to be retrained to new jobs, assistance for a limited period of retraining. For community redevelopment corporations, there would be technical information and advice plus loans to implement their plans.

These measures were first recommended by the so-called Bell Commission, which was set up to study trade and tariff policy and made its report to the President in 1953. The Commission was organized under the able leadership of Daniel W. Bell, president of the American Security and Trust Co., of Washington, D. C. The Commission concluded that while there was no basis for compensating industries for lost trade in a free-enterprise system, there is good reason for helping industries faced with keener import competition to adjust their production to a more diversified line of products which they can produce without the need of tariffs. United Steelworkers President David J. McDonald, a leading member of the so-called Randall Commission which reported on foreign economic policy in 1954, endorsed this proposal. He pointed out that unemployment of any magnitude is of concern to the Government and that unemployment caused by Government action, as in the lowering of tariffs, should be of particular concern to the Government.

If all the industries affected by lowered tariffs were located in industrial centers where workers could find new jobs on their own, the problem would not be so severe. Unfortunately, many of these plants are located in small towns or one-industry communities where dislocated workers cannot find new work. Retraining to new skills will be of great help to the younger workers. For those 60 and over, new jobs are almost impossible to find as anyone who has faced the problems of the senior workers knows only too well. The Government, when it is responsible for their unemployment, has an obligation to see that they are adequately provided for. The provision to make them eligible for social security at 60 would accomplish this.

The effectiveness of community redevelopment corporations, when they can muster enough resources, has been demonstrated in my home State of Massachusetts (Lawrence, Mass.).

But these redevelopment corporations, particularly in today's tight-money market, are hard put to borrow the necessary funds without help from the Federal Government.

It must be emphasized that this bill creates no new bureaucracy. The services for the large part already exist in scattered agencies. Rather, this bill provides a coordinating board, made up of officials within these agencies, to direct toward tariff adjustment relief whatever capacities lie within the Federal Government. The services within the Labor Department, the Department of Commerce, and the Small Business Administration, for instance, would be coordinated and stepped up, utilizing existing personnel and technical facilities. The costs would thus be minimal; but the benefits to the economy in preventing unemployment and wastage of industrial equipment and manpower, would be considerable.

The intent of Congress, in writing reciprocal trade legislation, was clearly to prevent ruinous competition to any one industry from import trade. Inclusion of "peril point" and "escape clause provisions," authorizing increased tariffs or quotas when an industry is seriously threatened, makes that clear. But to date, out of 82 applications for relief by "injured" parties, the Tariff Commission recommended 25 for approval, but only 7 have been granted by the President—fur felt hats, hatter's fur, dried figs, alsike clover seed, watches, bicycles and toweling. I am not berating the reluctance to use the escape clause; the President should not, of course, use the "escape clause" too liberally if we are to be consistent in our stated objective of gradually reducing trade barriers throughout the world. I only point out that as far as providing relief for affected industries it has been of very little utility.

It is our hope in presenting this bill that the President will be given an instrument whereby our trade policies can be vigorously pursued, and at the same time whatever detrimental effects may result within our own boundaries can be spread over the whole economy. The whole economy benefits from freer trade. The whole economy, then, and not individual businesses and workers should help bear the burden of the transition of trade policies.

This measure would make the most of American industry's demonstrated flexibility. The rapid conversion and reconversion of plants in World War II showed the resiliency of our industry. But this was not accomplished without substantial Government assistance and governmental measures to make the transitions more smooth. It is particularly true of small industries that assistance is required during the conversion period.

In a free enterprise system, businesses and workers must be prepared to accept dislocations which result from changes in the market, new technology, or changing tastes. But when their dislocation is caused by governmental action, the Government cannot ignore its responsibility to help industries, workers and communities adjust to the new economic conditions.

ESTABLISHMENT OF A GREAT PLAINS ADMINISTRATION

Mr. CARROLL. Mr. President, a distinguished Colorado publisher and veteran newspaperman, who is also the State chairman of the Democratic Party of Colorado, Mr. Fred Betz, has been serving, at a great personal sacrifice, as my administrative assistant during the past 8 months. It is appropriate at this time that I commend Mr. Betz for the extraordinary, selfless, and invaluable service he has rendered me. I am grateful to him for many things, but especially am I grateful for the dogged attention he gave one of the most critical natural problems of our region—the recurrent drought cycle in the Great Plains. Largely through Mr. Betz' creative efforts and his diligent research, I am now about to introduce a bill to establish a Great Plains Administration. This bill is designed to furnish an instrumentality with which the people of the semiarid areas of the Great Plains may constantly study, assess, and review the programs now in operation, programs established to meet the recurrent drought cycle. This bill is concerned with drought control and flood control.

I especially call the attention of the Members of the Senate, and also the attention of the Members of the House of Representatives, to this important piece of proposed legislation, because it has a broad concept embracing hundreds of counties located in 10 States of the Great Plains region.

Over 20 years ago, a very great President, the late Franklin D. Roosevelt, began to take steps to treat seriously the problem of recurrent drought in the Great Plains area. On July 22, 1936, President Roosevelt appointed a Great Plains Drought Area Committee to carry on a study looking toward the most efficient utilization of the natural resources of the Great Plains area. On February 10, 1937, he transmitted to the Congress the report of the committee, entitled "The Future of the Great Plains." President Roosevelt also recommended the establishment of a Great Plains territorial agency.

Early this year the present President of the United States, Dwight D. Eisenhower, made an airplane trip to that great Middle Western area of this Nation. He, too, recognized and acknowledged the importance of meeting the challenging problems which affect the Great Plains.

Mr. President, as a result of months of work, during which contacts have been made with numerous farmers, scientists, educators, and agricultural leaders in the Great Plains States, and after we had assembled the recommendations from noted farm authors and others who have lived with and studied the problems indigenous to the Great Plains region, we have drafted a comprehensive Great Plains bill.

I now introduce the Great Plains bill, and ask that this bill be referred to the Committee on Public Works. I also ask that a statement I have prepared describing the purpose of the bill, together with a section-by-section analysis of it, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and will be appropriately referred; and, without objection, the statement will be printed in the RECORD.

Mr. CARROLL. Mr. President, I ask unanimous consent that the bill be referred to the Committee on Public Works.

The VICE PRESIDENT. The Chair will inform the Senator from Colorado that the reference to the bill is for the Chair to decide, after consultation with the Parliamentarian.

Mr. CARROLL. Mr. President, before I made the request, I conferred with the Parliamentarian.

The VICE PRESIDENT. Very well; the bill will be received and referred to the Committee on Public Works; and, without objection, the statement will be printed in the RECORD.

The bill (S. 2908) to establish a Great Plains Administration; to provide for the control of floods and the alleviation and control of drought conditions in the Great Plains region; to provide for the more effective conservation, development, and use of the resources of the Great Plains; to provide for the administration of Federal programs in such region so as to meet more effectively the distinctive needs and problems of the region; and for other purposes, introduced by Mr. Carroll, was received, read twice by its title, and referred to the Committee on Public Works as follows:

Be it enacted, etc.

SHORT TITLE AND TABLE OF CONTENTS

SECTION 1. This Act divided into sections according to the following table of contents may be cited as the "Great Plains Administration Act".

TABLE OF CONTENTS

GREAT PLAINS REGION (DEFINITION)

SEC. 2. For the purposes of this Act, the Great Plains region (hereinafter referred to as the "region") shall be deemed to consist of—

(a) that portion of the State of Colorado consisting of the counties of Las Animas, Baca, Bent, Prowers, Huerfano, Pueblo, Otero, Crowley, Kiowa, Cheyenne, Lincoln, El Paso, Elbert, Douglas, Jefferson, Adams, Morgan, Weld, Logan, Sedgwick, Phillips, Yuma, Washington, and Kit Carson.

(b) that portion of the State of Kansas consisting of the counties of Russell, Osborne, Smith, Phillips, Rooks, Ellis, Rush, Pawnee, Edwards, Kiowa, Comanche, Clark, Ford, Hodgeman, Ness, Trego, Graham, Norton, Decatur, Sheridan, Gove, Lane, Finney, Gray, Meade, Seward, Haskell, Scott, Logan, Jewel, Mitchell, Lincoln, Ellsworth, Rice, Stevens, Grant, Kearney, Wichita, Thomas, Rawlins, Cheyenne, Sherman, Wallace, Greeley, Hamilton, Stanton, Morton, Republic, Cloud, Ottawa, Saline, McPherson, Reno, Kingman, Barber, Pratt, Stafford, and Barton.

(c) that portion of the State of Montana consisting of the counties of Park, Garfield, Rosebud, Powder River, Custer, Carter, Fallon, Daniels, Sheridan, Glacier, Roosevelt, Pondera, McCone, Richland, Teton, Cascade, Dawson, Prairie, Wibaux, Meagher, Sweetgrass, Wheatland, Judith Basin, Toole, Liberty, Chateau, Fergus, Stillwater, Carbon, Golden Valley, Yellowstone, Big Horn, Treasure, Musselshell, Petroleum, Hill, Blaine, Phillips, and Valley.

(d) that portion of the State of Wyoming consisting of the counties of Sheridan, Johnson, Laramie, Platte, Goshen, Niobrara, Converse, Natrona, Weston, Crook, and Campbell.

(e) that portion of the State of Oklahoma consisting of the counties of Beckham, Roger-Mills, Dewey, Custer, Cimarron, Texas, Beaver, Harper, Woods, Alfalfa, Major, Woodward, Ellis, Washita, Kiowa, Tillman, Jackson, Greer, and Harmon.

(f) that portion of the State of Nebraska consisting of the counties of Knox, Pierce, Madison, Platte, Nance, Merrick, Hamilton, Clay, Nuckolls, Thayer, Webster, Adams, Hall, Howard, Greeley, Wheeler, Holt, Boyd, Keya Paha, Garfield, Valley, Sherman, Buffalo, Kearney, Franklin, Harlan, Phelps, Dawson, Loup, Rock, Brown, Blaine, Gosper, Furnas, Cherry, Thomas, Logan, Lincoln, Frontier, Red Willow, Hayes, Hitchcock, Hooker, McPherson, Grant, Arthur, Keith, Perkins, Chase, Dundy, Sheridan, Garden, Deuel, Cheyenne, Morrill, Box Butte, Boone, Custer, Dawes, Sioux, Scotts Bluff, Banner, and Kimball.

(g) that portion of the State of South Dakota consisting of the counties of Marshall, Day, Clark, Beadle, Sanborn, Davison, Douglas, Charles Mix, Jerauld, Aurora, Brule, Gregory, Brown, Spink, McPherson, Edmunds, Faulk, Hand, Buffalo, Tripp, Lyman, Hughes, Sully, Potter, Walworth, Campbell, Hyde, Carson, Dewey, Armstrong, Stanley, Jones, Melette, Todd, Bennett, Washabaugh, Jackson, Haakon, Ziebach, Perkins, Meade, Pennington, Custer, Shannon, Washington, Fall River, Lawrence, Butte, and Harding.

(h) that portion of the State of North Dakota consisting of the counties of Sargent, Ransom, Barnes, Griggs, Steele, Nelson, Grand Forks, Walsh, Pembina, LaMoure, Dickey, Logan, McIntosh, Emmons, Sioux, Morton, Grant, Stark, Hettinger, Adams, Slope, Bowman, Golden Valley, Billings, Dunn, Mercer, Oliver, Williams, McKenzie, Bottineau, Renville, Eddy, Williams, Divide, Burke, Mountrail, McLean, Burleigh, Kidder, Stutsman, Foster, Wells, Sheridan, Ward, McHenry, Pierce, Benson, Ramsey, Cavalier, Towner, and Rolette;

(i) that portion of the State of New Mexico consisting of the counties of Colfax, Mora, San Miguel, Torrance, Guadalupe, Lincoln, De Baca, Chaves, Eddy, Lea, Roosevelt, Curry, Quay, Harding, and Union; and

(k) that portion of the State of Texas consisting of the counties of Dallam, Hartley, Oldham, Deaf Smith, Parmer, Castro, Bailey, Lamb, Cochran, Hockley, Yoakum, Terry, Gaines, Dawson, Andrews, Martin, Sherman, Moore, Potter, Randall, Swisher, Glasscock, Midland, Ector, Crane, Loving, Winkler, Ward, Mitchell, Nolan, Jones, Fisher, Scurry, Throckmorton, Haskell, Hale, Lubbock, Lynn, Bordon, Howard, Stonewall, Kent, Garza, Baylor, Knox, King, Dickens, Crosby, Wichita, Wibarger, Hardeman, Foard, Cottle, Motley, Floyd, Childress, Hall, Briscoe, Collingsworth, Donley, Armstrong, Wheeler, Gray, Carson, Hutchinson, Roberts, Hemphill, Lipscombe, Ochiltree, and Hansford.

FINDINGS AND DECLARATION OF POLICY

SEC. 3. (a) The Congress hereby finds—

(1) the Great Plains region has distinctive characteristics in respect of climate, topography, and resource use which are substantially different from those prevailing in adjacent regions, and which are particularly marked by alternating extremes of floods and drought;

(2) these characteristics are of fundamental importance in shaping living and employment conditions within the region and in fixing the pattern of its economy and its culture;

(3) these special characteristics require special plans and programs to meet the distinctive needs and problems of the region;

(4) these plans and programs must be developed and carried out on a comprehensive basis to meet the needs of the region and its people as a whole;

(5) heretofore there have been no adequate means for developing and administering the special plans and programs which are required to meet the distinctive needs of the region; and the lack of such plans and programs has resulted in a failure to use the resources of the region most advantageously, and particularly has contributed to the excessive damage from recurring flood and drought conditions within the region;

(6) excessive damage which has resulted from recurring disasters from both floods and drought in the past has cost the region and the Nation far more than would adequate and comprehensive measures to prevent and control such damage.

(7) the development and carrying out of comprehensive plans and programs designed especially to enable the region to meet the special needs and problems arising from its distinctive characteristics in respect of climate, topography, resources, and economic and living conditions will increase the prosperity of the region, will promote the general welfare of its inhabitants, will conserve its resources, will foster trade and commerce among the States within the region and between these States and other States as well as foreign countries, will increase the revenues of and strengthen State and local governments within the region, and will contribute to the economic strength, well-being, and defense of the Nation.

(8) the first and most urgent phase of plans and programs for the region should be directed especially toward the alleviation of and relief from conditions resulting from the devastating floods and the extreme

drought, both of which have recently occurred or now prevail within the region.

(b) It is the purpose and policy of this Act to provide means for the development and carrying out of comprehensive plans and programs designed especially to meet the distinctive needs and problems of the Great Plains region; to provide for the administration of Federal programs in such region so as to meet more effectively its distinctive needs and problems; to provide for the more effective conservation, development, and use of the resources of the region; to assist in improving economic conditions within the region and in promoting the general welfare of its inhabitants; and especially to provide for the alleviation and control of flood and drought conditions in the region. It is the policy of this Act to attain these objectives (1) in a manner which will encourage people within the region to engage in agriculture and other pursuits in a manner properly adapted to the distinctive conditions of the region, and (2) in a manner which will foster suitable development and support for urban communities and trading centers within the region and adequate to meet its needs. It is the policy of this Act that its objectives shall be carried out with the fullest possible participation by the people of the region and by their State and local governments.

(c) The Congress finds that the purposes and policies of this Act can best be accomplished by establishing a regional agency of the Federal Government, to be located in the region, which will devote its full time and attention to plans and programs for meeting the distinctive needs and problems of the Great Plains.

GREAT PLAINS ADMINISTRATION

SEC. 4. (a) To assist in carrying out the purposes of this Act, there is hereby created a body corporate which shall be known as the "Great Plains Administration" (referred to in this Act as the "Administration") and which shall be an instrumentality of the United States.

(b) The Administration shall maintain its principal office at a convenient place in the region.

(c) The Administration shall be held to be an inhabitant and resident, within the meaning of the laws of the United States relating to the venue of civil suits, of any judicial district, in whole or in part, within the region in which the Administration carries on activities at the time of the commencement of suit: *Provided*, That the Administration may be sued in the district court of the United States for any such district without regard to the amount in controversy. Any proceeding brought against the Administration in a court of any State may be removed by the Administration to the district court of the United States for the district in which such proceeding is pending, and, to effect such removal, it shall not be necessary that any other party or parties defendant join in the petition for removal.

BOARD OF DIRECTORS

SEC. 5. (a) The management of the Administration shall be vested in a board of five full-time Directors, who shall be appointed by the President, by and with the advice and consent of the Senate. The Chairman of the Board shall be designated by the President. Each of the Directors shall be a bona fide resident of the region at the time of appointment, and each Director shall maintain his residence in the region. No two Directors shall be appointed from the same State to serve on the Board at the same time. Not more than three Directors shall be members of the same political party. The Board shall be responsible for policy, directive, and general supervisory functions. The Board shall appoint a chief executive officer who shall be responsible to the Board and shall perform such functions as the Board may determine.

(b) The terms of office of the Directors first taking office after the enactment of this Act shall expire as designated by the President at the time of nomination, two at the end of the second year, two at the end of the fourth year, and one at the end of the sixth year after the date of enactment of this Act. A successor to a Director shall be appointed in the same manner as the original Directors and shall have a term expiring six years after the expiration date of the term for which his predecessor was appointed, except that a Director appointed to fill a vacancy in the Board occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(c) Vacancies in the Board, so long as there be two Directors in office, shall not impair the powers of the Board to act, and two Directors shall constitute a quorum for the transaction of the business of the Board.

(d) Each Director shall be a citizen of the United States and shall receive a salary at the rate of $20,000 a year. When required by their official duties to be away from their official headquarters, Directors may be paid their actual traveling expenses and a per diem allowance in lieu of subsistence.

(e) All members of the Board shall be persons who profess a belief in the feasibility and wisdom of this Act. No Director shall, during his continuance in office, be engaged in any other business.

(f) In December of each year, the Board shall submit to the Congress a report covering the activities of the Administration during the preceding fiscal year.

STATE AND LOCAL PARTICIPATION

SEC. 6. (a) The Administration shall seek the advice, assistance, and participation of the people of the region and their State and local governments and organizations, public and private, to the fullest practicable extent, in the formulation and execution of programs designed to carry out the purposes of this Act. To this end, the Administration shall make arrangements for consultation and interchange of views with appropriate representatives of State and local governments, of the educational, agricultural, labor, and business interests, and of the general public of the region. The Administration shall make arrangements for such consultation and interchange of views with respect to all phases of its activities and at all appropriate places throughout the region, and shall establish such advisory boards and councils as may be necessary or appropriate to achieve the objectives of this section. Any advisory board or council may submit for inclusion in the annual report of the Board its comments in summary form on those policies of the Administration with which it is concerned, and such comments or a summary thereof shall be included in the annual report. For the periods during which they consult with the Administration away from their regular places of work, such representatives and members of such boards and councils may, in the discretion of the Administration, receive their actual traveling expenses and a per diem allowance in lieu of subsistence.

(b) The Administration shall furnish to interested individuals, groups, organizations, and enterprises within the region any technical information, research, or other forms of assistance, information, or advice which are obtainable from the various departments, agencies, and instrumentalities of the Federal Government and which would be useful in carrying out the purposes and policies of this Act.

(c) The Administration is authorized to provide technical assistance to State and local governments, and other groups and organizations, within the region to assist in accomplishing the purposes and policies of this Act. Such assistance shall include studies evaluating the needs of, and developing potentialities for, the economic and cultural growth of the localities within the region. Such assistance may be provided by the Administration through members of its staff or through the employment of private individuals, partnerships, firms, corporations, or suitable institutions, under contracts entered into for such purpose.

DEVELOPMENT OF PLANS AND PROGRAMS

SEC. 7. (a) Working in cooperation with local, State, and regional groups, both public and private, the Administration shall develop plans and programs for carrying out the purposes and policies of this Act. Such plans and programs shall be made available to State and local governments and to private persons and groups insofar as they relate to functions which might be performed by them, respectively, to assist in carrying out such policies and purposes, and shall be submitted to the President and the Congress, and made available to the appropriate departments and agencies of the Federal Government, insofar as they relate to the nature, extent, and timing of Federal programs, projects, and activities in the region.

(b) Such plans and programs shall, among other things, provide for—

(1) the control of floods and the conservation and use of the waters of the region;

(2) fostering the use of the lands of the region for the purposes for which they may be best suited, and the most efficient conservation and management to assure the protection of watersheds and the permanent and increasing usefulness of cultivated lands, grazing lands, and forests;

(3) fostering the protection, development, and improvement of cultivated, grazing, and forest lands by flood control, irrigation, drainage, clearing, reforestation, reseeding, or otherwise;

(4) preventing of irreparable waste of natural resources from droughts, winds, floods, duststorms, and soil erosion;

(5) fostering a permanently prosperous and well balanced agriculture within the region;

(6) the conservation, management, and rehabilitation of birds, fish, and other wildlife through the development, protection, and management of such wildlife and their habitat, and the control of losses from disease or other causes;

(7) with special regard for depletable resources and for the great fluctuations that are characteristic of the region, fostering the use of the mineral, forest land, water, fish, and other resources of the region, and fostering other projects and activities and the development of industries, to assure a balanced and stable economic development, and to preserve and enhance social and cultural values;

(8) fostering the study of the region's problems by its citizens and the dissemination of the results of such study;

(9) the establishment and maintenance of recreational areas and facilities, including wilderness areas, and the protection of scenic and scientific values.

(c) Such plans and programs shall, among other things, set forth—

(1) the nature, extent, general location, sequence, and timing of major projects and activities recommended;

(2) the method by which such major projects and activities are proposed to be undertaken, including the arrangements recommended or agreed to for joint and cooperative action by the Administration, other Federal agencies, and State, local, and other agencies;

(3) with respect to each major proposed Federal project or activity, information as to the economic aspects and effects of such project or activity, including, where appropriate, estimates of costs and benefits, of the allocation of costs to the various purposes to be served, and of amounts to be repaid by the beneficiaries.

(d) The Administration shall, in cooperation with other Federal agencies concerned, prepare and submit annually to the President in connection with its budget program, and to the Congress in its annual report, a statement and explanation of the anticipated program, for the next succeeding fiscal year and such ensuing periods as the Administration may determine, for the initiation and prosecution by the Administration and other Federal agencies of all major Federal projects and activities having to do with the conservation, development, and use of the natural resources of the region, or otherwise affecting the purposes of this Act.

EMERGENCY PLANS FOR FLOOD AND DROUGHT RELIEF

SEC. 8. The Administration shall give first priority to the development of plans and programs for relief from, and alleviation of, flood damage and drought conditions recently sustained or now prevailing in the region and for the prevention and control of damage from floods and drought in the future. It shall submit plans to the Congress for emergency flood and drought relief at the earliest possible date and shall submit to the Congress further plans and programs under this section from time to time as soon as practicable.

GENERAL POWERS

SEC. 9. (a) The Administration shall have succession in its corporate name; may adopt and use a corporate seal which shall be judicially noticed; may adopt, amend, and repeal bylaws; may sue and be sued in its corporate name without regard to the provisions of title 28, United States Code, section 507; and may settle and adjust claims held by it against other parties or persons and by other parties or persons against it, for which purpose the Administration shall have, with respect to claims within the scope of title 28, United States Code, chapter 171 (tort claims procedure), the functions assigned to the Attorney General by that chapter.

(b) Subject to the policies, conditions, and limitations stated in this Act, and within the limits of funds appropriated therefor, the Administration is authorized to construct, operate, and maintain projects (including standby facilities), and to carry out activities (1) for the control and prevention of floods; (2) for the conservation and reclamation of lands and land resources; (3) for the development and conservation of forest, mineral, and fish and wildlife resources; (4) for the generation, transmission, and disposition of electric energy; (5) for the promotion of navigation; (6) for otherwise carrying out the purposes and policies of this Act; and (7) for the execution of such other responsibilities as are vested in the Administration by or pursuant to this Act; and, in connection with any of the foregoing, for the development and conservation of recreational resources and for the promotion of sanitation and pollution control.

(c) To the extent found necessary or appropriate in carrying out the foregoing subsection, or other provisions of law, but subject to the conditions and limitations herein stated, the Administration is authorized and shall have the power—

(1) to acquire real and personal property, including any interest therein, by purchase, lease, condemnation, exchange, transfer, donation, or otherwise, and to sell, lease, exchange, or otherwise dispose thereof, including donations incident to experimentation, demonstrations, or other similar uses (without regard to section 3709 of the Revised Statutes, as amended); and to obtain services by contract, donation, or otherwise;

(2) to make payments with respect to the conservation or use of land or other resources;

(3) to provide such crop insurance and to make loans for such agricultural, industrial, and commercial purposes, and upon such terms and conditions, as the Administration may determine to be appropriate for carrying out the purposes and policies of this Act;

(4) to hold such hearings and take such testimony as it may deem advisable;

(5) to conduct economic, scientific, and technologic investigations and studies, to establish, maintain, and operate research facilities, and to undertake experiments and practical demonstrations;

(6) to make grants to colleges, universities, or other organizations or persons for conducting research;

(7) to disseminate information to help achieve the purposes and policies of this Act;

(8) subject to provisions of law specifically applicable to Government corporations, to determine the necessity for and the character and amount of its expenditures and the manner in which they shall be incurred, allowed, and paid; and

(9) to enter into such contracts and agreements, and to take such actions, as may facilitate the exercise of the powers now or hereafter conferred upon it by law.

(d) The Administration may construct or operate any of its projects or conduct any of its activities through or in cooperation with other departments and agencies of the United States; and it may do so through or in cooperation with States, counties, municipalities, cooperatives, individuals, educational and scientific institutions or other bodies or agencies, public or private. The Administration is authorized to use its funds in carrying out such joint and cooperative arrangements. Departments and agencies of the United States are hereby authorized to participate in the construction or operation of such projects or the conduct of such activities on terms mutually agreeable to the department or agency involved and the Administration.

(e) The Administration shall carry out its construction work by contract so far as practicable: *Provided*, That nothing herein shall be construed to prevent the Administration from undertaking construction work directly in case of emergency or unusual circumstances, in cases where no reasonable bids are received from contractors, or where necessary to provide steady employment for maintenance crews.

(f) Title to all property, with the exception of that owned by the United States and entrusted to the Administration as agent of the United States, shall be taken in the name of the Administration: *Provided*, That the title to real property acquired in the name of the Administration shall be subject to approval by the Attorney General, but the Administration may prior to approval of title by the Attorney General use such property for any purpose or in any manner permitted by the provisions of this Act. Conveyances of real and personal property, or interests therein, shall be in the name of the Administration or the United States of America, depending on the holder of the title, and may be by warranty deed, bill of sale with warranty of title, or otherwise, which may be executed by such person or persons as the Board may designate.

(g) All condemnation proceedings on behalf of the Administration shall be had in the name of the Administration. In such proceedings, and with respect to any property which the Administration is authorized to condemn pursuant to this section, the Administration shall have the rights conferred upon the United States by the Act of August 1, 1888 (25 Stat. 357), as amended, and by the Act of February 26, 1931 (46 Stat. 1421), the provisions of both of which are hereby declared to be applicable to proceedings brought by the Administration to the same extent as though it were expressly mentioned therein, except insofar as they are inconsistent with this subsection: *Provided*, That the Administration shall be represented by the Attorney General, or an attorney or attorneys acting under his authority (which attorneys may be employees of the Administration), in all court proceedings brought for the purpose of property condemnation.

PROTECTION OF EXISTING WATER RIGHTS

SEC. 10. Nothing in this Act shall be construed as affecting or intended to affect or in any way to interfere with any vested right acquired under the laws of any State or Territory relating to the control, appropriation, use, or distribution of water used in irrigation or for other purposes; and nothing herein shall in any way affect any right of any State or of the Federal Government or of any landowner, appropriator, or user of water in, to, or from any interstate stream, or the waters thereof: *Provided*, That nothing in this section shall be construed to limit the authority of the Administration to acquire real or personal property, or any interest therein.

PAYMENTS IN LIEU OF TAXES

SEC. 11. (a) It is the policy of this Act that the finances of the State governments and subdivisions thereof shall not be impaired through the removal of taxable property from their tax rolls or through the creation of special requirements for State and local government services. In administering this section the Administration shall be guided by the general objective of avoiding, insofar as feasible, inequities between State and local taxpayers on the one hand, and Federal taxpayers on the other, in the distribution of governmental costs and burdens.

(b) The Administration, upon application made on behalf of any State or subdivision thereof, shall make payments in lieu of State and local property taxes ad valorem with respect to its real property and its tangible personal property with fixed situs: *Provided, however*, That such payments shall not be made with respect to property, or any improvements thereon, which has never been subject to such taxes, unless the United States or any agency or instrumentality thereof has been required, prior to the acquisition of such property by the Administration, under any statute, or agreement authorized by any statute, to make payments in lieu of taxes thereon or to pay any portion of the revenue derived therefrom or from its use or products, in which case payments as required by this section shall be made on such property, but not on any improvements thereon made subsequent to acquisition by the United States or any agency or instrumentality thereof. In determining the amount of any payment to a State or subdivision thereof, the Administration shall be guided by (1) the average amount of such taxes, if any, levied upon the property in the last two years during which the property was privately owned; (2) the current level of property tax rates and assessed valuations; (3) the average amount of the last two annual payments, if any, under the provisions of any statute, or agreement authorized by any statute, previously applicable, which required the United States or any agency or instrumentality thereof to make any payments in lieu of taxes thereon or to pay any portion of the revenue derived therefrom or from its use or products; (4) the amount of increases in taxable values and other benefits arising from the activities of the Administration; (5) the special requirements for State and local government services arising from the activities of the Administration; (6) the provision by the Administration, as an incident to its activities, of any services usually provided by State or local governments; and (7) any other relevant facts.

The payments provided for in this section shall be paid to the respective officers or agencies of the taxing authorities to which taxes would be paid had the property remained in private ownership, or to which payments would be made pursuant to law except for enactment of this Act, for distribution in the same manner and in the same proportions as the taxes or other payments in lieu of which the payments herein required are made or in such other manner or proportion as may be determined pursuant to State law.

(c) The Administration may make payments to State or local governments to help defray the expense of any special requirements for State and local government services arising from the activities of the Administration. In determining the necessity for and amount of any such payment, the Administration shall take into account (1) the amount of additional expense incurred by the State or local government in meeting these special requirements, (2) any payments in lieu of taxes made pursuant to paragraph (b) hereof, (3) the provision by the Administration, as an incident to its activities, of any services usually provided by State or local governments, and (4) any other relevant facts.

(d) The provisions of any other statute requiring the United States or any agency or instrumentality thereof to make any payments in lieu of taxes on property or improvements thereon, or to pay any portion of the revenue derived from such property, or its use or products, shall be inapplicable to any property or activities of the Administration after the date of acquisition of such property by the Administration.

(e) For the purposes of this section, property owned or acquired by the United States and used or held by the Administration shall be deemed to have been acquired by the Administration.

(f) The payments authorized under this section are in lieu of taxation and the Administration, its property, franchises, and income are hereby expressly exempted from taxation in any manner or form by any State, county, municipality, or any subdivision or district thereof. The determination by the Administration of the necessity of making any payments under this section and of the amounts thereof shall be final.

(g) The Administration shall, not later than five years after the enactment of this Act, submit to the Congress a report on the operation of the provisions of this section, including (1) a statement of the amount and distribution of payments made hereunder; (2) an appraisal of the effect of the operation of the provisions of this section on State and local finances, the benefits of the program of the Administration to the States receiving payments hereunder, and the effect of such benefits in increasing taxable values within such States; and (3) such other data, information, and recommendations as may be pertinent to future legislation.

GOVERNMENT CORPORATION CONTROL ACT

SEC. 12. Section 101 of the Government Corporation Control Act is amended by inserting "Great Plains Administration;" after "Saint Lawrence Seaway Development Corporation;".

PERSONNEL PROVISIONS

SEC. 13. (a) The Administration shall, without regard to any other laws, rules, or regulations relating to the employment or payment of employees of the United States, except the Veterans' Preference Act of 1944 to the extent that it otherwise is applicable, employ and fix the compensation of such officers, employees, attorneys, agents, and consultants as are necessary for the transaction of its business, define their duties, require bonds of such of them as the Board may designate, the premiums for which shall be paid by the Administration, and provide a system of organization to fix responsibility and promote efficiency. It shall be the general policy of the Administration to employ residents of the region rather than nonresidents to the extent that such policy does not impede the most effective administration of this Act. Any employee of the Administration may be removed in the discretion of the Board. No regular officer or employee of the Administration shall receive a salary in excess of that received by the Directors. Subject to the provisions of this Act, the Administration is authorized to deal collectively with its employees through representatives of their own choosing and is authorized to enter into written or oral contracts with such employee representatives.

(b) Employees of the Administration shall have rights with respect to security of tenure comparable to those provided by the civil-service laws, and shall be protected to substantially the same extent as persons subject to such laws. Employees acquired by transfer from other establishments or agencies of the United States shall retain all pay, leave, and retirement credits which they held at the time of such transfer and, in case they subsequently are retransferred to positions under the civil-service laws, shall be credited for the purpose of seniority with the time spent as an employee of the Administration.

(c) In the employment, selection, classification, and promotion of officers and employees of the Administration, no political test or qualification shall be permitted or given consideration, but all such employments and promotions shall be given and made on the basis of merit and efficiency. It shall be unlawful for the Board to make or assist in the making of or cause to be made any employment, selection, classification, or promotion of any officer or employee of the Administration on the basis of or because of any political qualification or test, and if any Director violates this provision he shall be guilty of an offense against the United States, and upon conviction thereof shall be fined not more than $5,000 or imprisoned not more than one year, or both. Any officer or employee of the Administration who is found to be guilty of a violation of this subsection shall be removed by the Board.

(d) The benefits of the Federal Employees' Compensation Act shall extend to persons given employment under the provisions of this Act; and the right to benefits under such Act of September 7, 1916, as amended, shall be exclusive and in place of any and all other liability of the Administration and the United States to pay damages or workmen's compensation to such persons, or to the dependents, next of kin, or legal representative of such persons, or to any person otherwise entitled to recover damages, on account of injury or death within the purview of such Act.

The provisions of the Davis-Bacon Act, as amended, shall apply to all contracts in excess of $2,000 to which the Administration is a party and which require the employment of laborers or mechanics in the construction, alteration, maintenance, or repair of its buildings, dams, locks, or other structures or facilities, except that the powers of the Comptroller General of the United States thereunder with respect to payment of amounts withheld from contractors shall be exercised by the Administration with respect to funds within its control. In the determination of such prevailing rate or rates, due regard shall be given to those rates which have been secured through collective agreement by representatives of employers and employees.

(f) The Administration is authorized to request the assistance and advice of any officer, agent, or employee of any executive department, independent office, or agency of the United States to enable the Administration the better to carry out its powers successfully. The executive departments and independent offices and agencies of the United States are authorized to make such officers, agents, and employees available to the Administration with or without reimbursement upon terms mutually agreeable to such department, independent office, or agency and the Administration.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 14. To carry out the purposes of the Act there are hereby authorized to be appropriated a sum not to exceed $7,500,000 for the fiscal year ending June 30, 1958, and such additional sums as may be necessary for subsequent fiscal years.

SEPARABILITY PROVISIONS

SEC. 15. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

The statement presented by Mr. CARROLL is as follows:

STATEMENT BY SENATOR CARROLL—SUMMARY OF GREAT PLAINS ADMINISTRATION BILL

PURPOSE

The purpose of this bill is to provide regional plans and policies and a regional agency of the Federal Government to deal with the distinctive problems of the Great Plains.

The people of the Great Plains have been caught in the grip of devastating floods and drought from time to time. Floods and drought are the result of the forces of nature, but much of the damage is the result of the shortsightedness of man. We may not be able to prevent floods and drought, but we can do a much better job of preparing for them. Indeed we can and we must do a much better job of utilizing the resources of the Plains in normal times as well as times of extreme weather conditions.

The fact is that the Plains area is different from other parts of the country and requires different treatment. There is rarely enough water, although the shortage is worse at some times than at others. Then at other times the region is swept by terrible floods. Life in the Plains and the use of their resources have to be adapted to control floods and to make the most of the rainfall in the years when it comes and to hold down the damage in years of drought. It is possible to do this, but it will require foresight and intelligent planning for the future. That is what this bill is designed to provide.

In the past, the Great Plains region has never had the kind of planning that is necessary to meet the special problems arising from its varying and normally semi-arid climate. Instead, the region has been dominated by policies and customs framed to meet the needs of more humid areas, which are quite different. The result has been a tragic waste of both human and natural resources. Disaster has struck the Plains time and again, and the people have been prepared neither to prevent it nor to weather it. The havoc of the recent drought and floods is only the latest example.

It is only common sense to develop plans which will prevent such excessive waste in the future. These plans must be properly adapted to the region's semi-arid and unpredictable climate, because it is this distinctive climate which largely determines the living conditions and the economic status of the people who live in the Great Plains region.

The reasons for failure to develop programs adapted to the special needs of the Plains are many. Basically, the difficulty stems from the fact that no one has felt the primary responsibility for developing such programs. In a sense, the Plains areas have been in the position of stepchildren. The reasons for this are in large part geographical.

The Great Plains region consists of a part of 10 different States (North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, New Mexico, Colorado, Wyoming, and Montana). In each case, it is a sparsely inhabited part of the State, containing a minority of the population. The area does not contain a single State capital, a single State university, and only one State agricultural college. It contains no large cities and few medium sized ones. It simply has not been the prime interest and the first concern of the instruments of either State or Federal governments. When this fact is coupled with the additional fact that the needs of the region are quite distinctive and different from those of other areas, it can be seen why the special programs required for the best use of the plain's resources have not been developed.

It is true that the Department of Agriculture and the Department of the Interior have taken some steps to adapt their programs to the conditions of the Great Plains. And the Great Plains Council has provided a measure of coordination among the agencies concerned with the problems of the Plains. However, this machinery has not proved adequate to provide the really concentrated and comprehensive attack on the special problems of the Plains which the circumstances require.

While the special needs and problems of the Plains portion of each State are quite different from those of the other portion of the same State, they are very similar to those of the Plains portions of the other States. This very strongly indicates that the sensible approach to these special needs and problems is a regional one covering as a whole those portions of the 10 States which comprise the Great Plains. This would in no way interfere with the jurisdiction of the States over the areas in question, but rather it would aid them in finding common solutions to common problems.

It should be noted that this bill will not interfere with the comprehensive development of the Missouri River Basin or the other river basins which contains parts of the Plains. What it will do, within the framework of the comprehensive river basin development, is to provide for the more effective treatment of the distinctive problems of the semiarid areas comprising the Plains.

The basic approach of the bill is to provide for the preparation and execution of long range plans and programs to develop the region and its resources. The primary responsibility for the Federal aspects of this task would be vested in a five-man Great Plains Administration ("Administration") created by the bill. This Administration would work closely wth the Senate and local governments and with private groups within the region. It would also cooperate with other Federal agencies administering programs within the region, and help to coordinate their programs so that they will be adapted to the region's special requirements. Insofar as practicable, the objective would be to have the necessary Federal programs carried out through other agencies; but the Administration would be authorized to administer programs itself when necessary to accomplish the bill's objectives.

The bill also recognizes that the most pressing problems of the Great Plains arise from the terrible drought and floods which afflict it. Accordingly, the bill provides that first priority shall be given to programs of flood and drought relief and the prevention of damage from floods and drought.

DIGEST BY SECTIONS

Section 1 contains a short title and table of contents.

Section 2 defines the geograhpical boundaries of the Great Plains region.

Section 3 contains Congressional findings that the Great Plains have distinctive characteristics in respect of climate, topography, and resource use which require special plans and programs. This section also declares the policy of Congress to provide these special plans and programs on a comprehensive regional basis.

Section 4 creates the Great Plains Administration and provides that it shall be located within the region.

Section 5 provides that the Administration shall have a bipartisan Board of five Directors, with staggered 6-year terms, all of whom must be residents of the Great Plains.

Section 6 provides for full cooperation with State and local governments, and private groups, in the administration of the bill. It also provides for furnishing them with information and technical assistance to help accomplish the purposes and policies of the bill.

Section 7 provides that the Administration shall develop plans and programs for meeting the special problems of the Plains. These plans and programs will be made available to State and local governments and private persons where appropriate, and will be submitted to the President and the Congress as a basis for guiding Federal activities within the region.

Section 8 provides that the administration shall give first priority to plans and programs for flood and drought relief and protection against future damage from floods and drought.

Section 9 contains the general powers of the Administration. These include the normal powers of Government corporations and, within the limits of future Congressional appropriations, include authority to engage in projects and activities for resource development, to acquire and dispose of property, to make conservation payments, to make loans for agricultural, industrial, and commercial purposes, to hold hearings and conduct research, to make research grants, and to disseminate information. This section also authorizes the Administration to conduct its activities through or in cooperation with other Federal agencies, State and local agencies, and private groups.

Section 10 provides for full protection of existing water rights.

Section 11 provides for payments to State and local governments in lieu of taxes with respect to property held by the Administration.

Section 12 provides that the Administration shall be subject to the provisions of the Government Corporation Control Act.

Section 13 contains personnel provisions which authorize the Administration to set up a personnel system for its employees on a merit basis comparable to the regular Federal civil service.

Section 14 authorizes the appropriation of $7,500,000 to carry out the purposes of the bill during the fiscal year ending June 30, 1958, and the appropriation of such sums as may be necessary to carry out such purposes thereafter.

Section 15 contains the regular separability provision.

Mr. CARROLL. The reason I have requested that the bill be referred to the Committee on Public Works is that it is so comprehensive it involves flood-control programs, drought-control programs, soil-conservation programs, credit programs; it involves the whole field of agriculture and public works.

As I have stated, the purpose of the bill is to provide studies and analysis and coordination of regional plans and policies in the Great Plains area. It establishes a regional agency of the Federal Government to deal with the distinctive cyclical drought problems of the Great Plains. The history of the people of the Great Plains is a repetition of devastating floods and burning droughts. Flood and drought are the works of nature, but much of the damage is the result of the shortsightedness of man. We may not be able to prevent floods and droughts, but we can do a much better job of preparing for them.

Indeed, we can and must do a much better job of utilizing the resources of the Plains in normal times, in order that we properly prepare for the periods of extreme weather conditions.

The Great Plains region consists of parts or all of 10 different States: Colorado, Kansas, Montana, Wyoming, Oklahoma, Nebraska, South Dakota, North Dakota, New Mexico, and Texas.

I have set forth in my statement a digest of the sections of the comprehensive bill, and I direct attention to section 9, which contains the general powers of administration. What the bill proposes is the appointment of a Great Plains Administration with a bipartisan board of five directors who will come from the area and who will be selected by the President of the United States. It is important to note that this Great Plains Administration will be located in the Great Plains region, will be directed by Great Plains residents and will devote itself solely to the problems growing out of the recurrent Great Plains drought.

Under section 14, the bill asks for a very small appropriation of $7½ million for the establishment and operation of the Great Plains Administration.

Mr. President, I make one more unanimous-consent request. I ask unanimous consent that there be printed in the body of the RECORD the text of the bill, as well as the statement outlining its purposes, so all Senators, Representatives, staffs of universities, and people of the entire area may have access to it. At the beginning of the next session of Congress, I hope we shall be able to hold extensive hearings and bring before the committees of Congress distinguished authorities of the Great Plains area, including farmers, farm experts, educators, scientists from the universities, as well as authors and public leaders who have made extensive studies of this subject over many years.

AMENDMENT OF SECTION 9 OF THE AIR FORCE ACADEMY ACT

Mr. STENNIS. Mr. President, I feel compelled to introduce, for appropriate reference, a bill which, in effect, removes the $3 million authorization for the Air Force Academy Chapel previously authorized by the Senate and agreed to in conference in the consideration of H. R. 8240.

Earlier this year, the Air Force requested an additional $21,341,000 for further development of the Air Force Academy. This amount, had it been authorized, would have given the Air Force better than $147 million for its Academy. The Armed Services Committee reduced this $21 million to a sum slightly less than $10 million, but included in the amount authorized and appropriated was $3 million to construct the chapel, an edifice which, in my mind, should be more appropriately called a cathedral.

Subsequent to this action, I had occasion to see a model of the planned chapel. As I said here on the floor yesterday, I was shocked. There can be no doubt that the Air Force must have a facility for religious services at the Academy and it must have a good one, but I cannot acquiesce to the construction of one predicated on the design contemplated.

Mr. President, this bill reduces the authorization previously recommended by the Armed Services Committee and granted by the Senate and House conferees by $3 million—the amount the Air Force says it needs to construct a chapel. It is not the intent to forever deny the Air Force authorization or funds for such a facility, but rather cause that Department to withhold action until a new design predicated on good taste can again be presented to Congress.

Religious worship is an absolute necessity in our way of life and especially at military installations, and I believe it is also true that belief and faith come first. The place of worship comes second. We shall expect the Department of the Air Force to provide the opportunity for religious worship in the various faiths and to eventually construct an edifice which will do honor to these faiths.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2909) to amend section 9 of the Air Force Academy Act, introduced by Mr. STENNIS, was received, read twice by its title, and referred to the Committee on Armed Services.

PREPARATION OF COMPILATION OF EDUCATIONAL MATERIAL CONCERNING COMMUNISM

Mr. KENNEDY. Mr. President, I introduce for appropriate reference, a bill to provide for the preparation of a compilation of educational material concerning communism, as contrasted with Americanism and for other purposes.

Our Congressional committees have produced, as is well known, a considerable body of literature in various forms dealing not only with the Communist conspiracy but also with the ideology, the objectives, and the strategy and tactics of this oldest modern form of totalitarianism.

The very profusion and total volume of Congressional productions has made it difficult for them to register in the vicinity even of a single target. The situation so far as the public mind is concerned is that the impression created is one of shots being scattered more or less at random in various directions. A carefully selected and well-edited and annotated collection of the Congressional documents bearing on the subject of communism would strengthen the hands of the Congress and enable the vast amount of time, energy, and money that various committees have expended to achieve a maximum impact in informing and educating the American people.

In addition to the need of an annotated collection from the standpoint of the general public, there is particular need of such a volume or volumes in relation to the schools of America and the growing conviction that the facts about communism and totalitarianism must be communicated to our youth as a part of the regular school curriculum. In this connection it is notable that the Commonwealth of Pennsylvania has already taken steps to institute such instruction throughout the school system and that the Senators from Pennsylvania have requested the Legislative Reference Service of the Library of Congress to prepare an annotated bibliography for the use of pupils and teachers in Pennsylvania.

Other States have a similar program under consideration and there is a committee of prominent educators and other representative Americans called the Committee on American Education and Communism which has undertaken to foster a program of this kind throughout our country. Prof. William Yandell Elliott, of Harvard, is the chairman of this committee and Dr. Charles Wesley Lowry, chairman and executive director of the Foundation for Religious Action in the Social and Civil Order, is its secretary. A conference was held last July at the Harvard University Summer School on Teaching the Nature of Communism in the American School Curriculum. A number of superintendents of schools from various parts of the United States and several State commissioners of education were present at this conference. The headline speaker at the conference was the Honorable James B. Conant, ex-president of Harvard and former Ambassador to the Federal Republic of Germany.

PRECEDENTS

Two precedents which it may be useful to have in mind in connection with the project of an annotated collection of Congressional documents dealing with communism in theory and practice are (a) Documents of the Foundation of the Union—House Document No. 398, 69th Congress; and (b) the admirable and elaborate volume on our Federal Constitution, prepared by the Legislative Reference Service, under the direction of Dr. Edward S. Corwin, of Princeton University. In addition, it should be noted that an annotated collection, such as is proposed, would be a useful supplement to the bibliography which the Legislative Reference Service has already prepared and is about to make available at the request of the Senators from Pennsylvania.

BACKGROUND

Communism in its modern form made its appearance 109 years ago, with the publication of the Communist Manifesto. Leninism was born 60 years ago. On November 8, 1957, it will be 40 years since the Bolshevik counterrevolution in Russia.

This movement, communism, is much more than a specter haunting Europe or even our whole globe. It is a fearsome reality—a totalitarian empire which holds in its iron grip one-third of the world.

The strength of this ideology from the beginning has been that it concentrated first on intellectuals. It cannot go on to its strategy of getting hold of the masses unless it has first gained ardent and fanatical converts among potential leaders. These leaders must have the ability to handle ideas. An immediate example of this that is well worth noting is our neighbor to the south, British Guiana.

It is surely clear by now that the chief weapons which we have for meeting the challenge of communism, apart from necessary but essentially negative deterrent military power, are weapons of the mind and spirit. It is ideas which ultimately rule the world. In addition, there must be clear and full knowledge of the basic facts of our world as a whole, including the nature of communism in all its phases. The purpose of our educational system is to communicate to the youth of the land the facts and ideas necessary both for abundant living and for meeting the issues of life and death in today's dangerous world.

If this reasoning is sound, then it is most urgent that the American educational system tackle in earnest the task of teaching American youth to confront the reality of totalitarianism in its toughest, most militant form, which is communism, with the facts and values of our American heritage.

It was to meet this challenge and to do it in a practical and realistic way that the Committee on American Education and Communism was established in September 1956. The organization which was inspired to establish this special, autonomous committee was the now-well-known Foundation for Religious Action in the Social and Civil Order, an all-faith group established in 1953 with Dr. Charles Wesley Lowry as chairman and with Dr. Edward L. R. Elson, minister of the National Presbyterian Church in Washington, as cochairman. The purpose of Frasco was and is to unite men and women of all faiths in meeting with the resources of religious faith the great issues and challenges that arise in the social and civil order. It is a nonsectarian movement practical in aim, and for this reason has been able to gain wide support among leaders of all faiths.

The objectives of the Committee on American Education and Communism, headed by Dr. William Yandell Elliott and Dr. Lowry, are more limited. They are special educational objectives. These objectives are to advise and guide on an entirely voluntary basis the superintendents, principals, teachers, and school board members of our American schools and to promote in addition a general public awareness of the need for specific instruction in the facts about communism and totalitarianism in the general framework of a comparison of social and political systems in standard courses in the American school curriculum, especially at the high school and junior high school levels. It is felt also that there is a great and crying need for specific courses which will train our teachers, both those who are now teaching but do go to summer school or could be persuaded to attend institutes and workshops for credit in approved summer sessions, and the young people now in teachers colleges and other colleges preparing to be the teachers of tomorrow.

Such is the suggestive and significant background of the annotated collection of Congressional documents proposed in this bill.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2911) to provide for the preparation of a compilation of educational material concerning communism, as contrasted with Americanism, and for other purposes, introduced by Mr. KENNEDY, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

PROPOSED AMENDMENT OF CONSTITUTION RELATING TO ELECTION OF PRESIDENT AND VICE PRESIDENT

Mr. KENNEDY. Mr. President, I introduce, for appropriate reference, a joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President. The purpose of the proposed legislation is to amend the Constitution so that the electoral college will be abolished, while retaining the present system of electoral votes and the existing allocation of such votes to each State. Furthermore, the amendment will not change the present system of counting all of the electoral votes for the candidate who received the greatest number of votes in any State.

The proposal would also prevent the election of a President and Vice President from different political parties and retain the present provision which discourages nomination of presidential and vice-presidential candidates from the same State. In the event that no candidate receives a majority of the electoral vote, the election would be decided by a joint meeting of all Senators and Representatives voting as individuals in a public rollcall.

I commend this joint resolution to the Senate for study and consideration. Last year, the Senate considered at length various proposals to change our present electoral college system of choosing the President and Vice President of the United States. At the conclusion of this debate, the Senate returned to committees for further study the proposals which had been placed before it.

The extended and incisive debate last year showed lack of agreement on the proposals, all of which would have altered the existing balance of electoral votes among the States. I believe that the Senate can agree on the following propositions:

First. The Electoral College, a confusing and potentially dangerous anachronism, should be abolished.

Second. In presidential elections where no candidate receives a majority of the electoral votes the choice should be by the Congress as a whole, and should be by open rollcall vote, and not by secret ballot.

Third. Provision should be made to preclude election of a President and Vice President from different political parties.

It is my earnest hope that this joint resolution will be the subject of complete hearings in the near future and that it may be reported out for consideration by the Senate in the next session.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 132) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President, introduced by Mr. KENNEDY, was received, read twice by its title, and referred to the Committee on the Judiciary.

LOAN, GRANT, OR OTHER AID AGREEMENTS WITH CERTAIN NATIONS—ADDITIONAL COSPONSOR OF BILL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the name of the distinguished junior Senator from Pennsylvania [Mr. CLARK] be added as a cosponsor of the bill (S. 2828) to authorize the President under certain conditions to permit the entering into of loan, grant, or other aid agreements with certain nations, introduced by the distinguished Senator from Massachusetts, on August 21, 1957.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. HILL:

Address delivered by him on May 27, 1957, at the dedication of the Alben W. Barkley Room, in the Mary I. King Library, at the University of Kentucky.

Address delivered by him before the Alabama Library Association, at Tuscaloosa, Ala., on April 12, 1957.

By Mr. HUMPHREY:

Address prepared by him for delivery before the annual convention of the American Soybean Association on August 27, 1957.

By Mr. BARRETT:

Statement by him on the retirement of Lewis E. Hoffman from the Department of the Interior.

By Mr. WILEY:

Statement by him regarding the role of women in American life, together with a list of Wisconsin women in State administration.

NOTICE OF HEARINGS ON SENATE BILL 1870, TO MAKE PERFORMANCES OF COPYRIGHTED MUSIC IN JUKEBOXES PUBLIC PERFORMANCES FOR PROFIT

Mr. O'MAHONEY. Mr. President, I desire to give notice with respect to Senate bill 1870—to amend section 1 (c) of title 17 of the United States Code with regard to the rendition of musical compositions on coin-operated machines, a bill now before the Congress, which amends the Copyright Act so as to make performance of copyrighted music in jukeboxes public performances for profit. A hearing will be held on the bill later in the year. The exact date of the hearing I cannot fix at the present time; but I want those who are interested in the proposed legislation—and many persons from coast to coast are interested in it—to know that the bill has not been forgotten, but that hearings will be held on it by the Judiciary Committee's Subcommittee on Patents, Trademarks, and Copyrights.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar. On the Executive Calendar there are two postmaster nominations.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the calendar will be stated.

POSTMASTERS

The legislative clerk read the nomination of John W. Loughnane to be postmaster at Belgrade, Mont.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of R. Ray Heath to be postmaster at Stillwater, Okla.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these two nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate resumed the consideration of legislative business.

ACCOMPLISHMENTS OF THE 1ST SESSION OF THE 85TH CONGRESS

Mr. JOHNSON of Texas. Mr. President later in the day, I shall have a brief statement to make on the constructive work of this 1st session of the 85th Congress. But at this time I wish to call the attention of my friends on the other side of the aisle to the fact that, at various times and upon various occasions during this session, while they have been in the minority, and with a Republican administration in the White House, the Senate has confirmed more than 44,000 nominations which have been sent to this body by the President. The Senate has just completed action on the last two nominations on the Executive Calendar.

Later in the day, I shall place in the RECORD a tabulation of the number of days the Senate has been in session, the number of hours it has been in session, the total number of measures passed, and the total number of nominations acted upon. I believe the tabulation will be extremely revealing and enlightening even to my colleagues.

Until yesterday, the Senate had been in session 846 hours, on 142 days, had passed 1,130 bills, and had acted on a little more than 44,000 nominations.

At this session the Senate has not passed as many public laws as those which have been passed during some first sessions of the Congress; but I would remind my colleagues that dozens and dozens and dozens of bills have cleared both bodies and are awaiting reports from the departments and signature by the President. I know that action will be taken at an early date, and that none of us will be disappointed in the way the President handles his duties.

THE FISHING INDUSTRY

Mr. SALTONSTALL. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Massachusetts will state it.

Mr. SALTONSTALL. Is the Senate still proceeding in the morning hour?

The VICE PRESIDENT. It is.

Mr. SALTONSTALL. Mr. President, one of the most pressing problems which the New England economy faces involves the present predicament of our fishing industry, particularly the groundfish industry. Through the years, the industry has experienced a steady decline in terms of employment, plant facilities, fishing fleet, and annual catch. Five reasons have been assigned for the difficulties of the industry.

First, the industry is required to build its ships in this country under existing statutes. Competitor nations enjoy construction costs greatly reduced from those our industry must pay in this country. Second, all the forms of insurance which fishing-vessel owners must carry for a variety of reasons are extremely expensive, and in many cases the cost is prohibitive. Third, our industry competes with foreign industries which in almost all cases are heavily subsidized by their own governments. Fourth, some of our mutual-aid spending for the technical and economic development of friendly allies has been used to assist their fishing industries, and thereby gives them an added advantage over our own industry. Finally, for reasons of international relations and our national security, the fishing industry has twice been denied the tariff relief which, after full investigation, the Tariff Commission felt was economically completely justified.

While in many instances it might be possible to suggest that an industry proceed on its own to seek solutions to its own problems, it is difficult for the Federal Government to overlook its responsibility to the fishing industry, in view of the governmental actions which have contributed heavily to its present economic dilemma. Its economic decline in recent months has been so sharp that possible sources of credit have dried up and chances for expansion are practically nonexistent. With heavy costs of their own and with low-cost import competition, the industry has reached a point where it must have immediate assistance.

A committee was formed in New England to aid and assist the groundfish industry. The committee has made a number of recommendations. I ask unanimous consent to have printed at this point in the body of the RECORD the four points which have been suggested by the industry as possible means of Federal assistance.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

FOUR RECOMMENDATIONS OF THE FISHING INDUSTRY

1. Government aid in a program aimed at equalizing the cost of vessel insurance with that of foreign competitors.
2. Long-term loan programs for shore plants for working capital, plant modernization, and expansion.
3. Government aid in a program designed to equalize cost of vessels with that of foreign competitors.
4. An equalization program designed to eliminate the differential between cost of domestic production and selling price of foreign imports in the domestic market. This program to include provision for minimum operating price to fishermen and vessel owners.

Mr. SALTONSTALL. Mr. President, regardless of whether these possible remedies hold the key to relief for the industry, some Congressional attention must be devoted to this problem in the early days of the next session. I have asked the Department of Interior to conduct a study during the recess of Congress, and to submit recommendations which may be offered in the form of proposed legislation at the start of the next session. It is imperative that we devote our best thinking and our most expert judgment to this problem, lest we lose an industry which has made great contributions to our national welfare and security, and has been a great and dependable source of domestic food supply.

Mr. President——

The VICE PRESIDENT. The Senator from Massachusetts.

THE AMERICAN MERCHANT MARINE

Mr. SALTONSTALL. Mr. President, I should like to take a few minutes this morning to bring to the attention of the Senate certain developments affecting our American merchant marine.

For a good part of my life, I have been very much interested—both as a public official and as a private citizen—in the maritime industry. It has been my privilege to follow the industry—its problems and its prospects—from the vantage points of both the Senate Appropriations Committee and the Senate Armed Services Committee. I gained a modest knowledge of the shipbuilding industry through a close association with our Massachusetts shipyards — important segments of the economy of the Commonwealth.

I have been very much encouraged by the progress which the Maritime Administration, under the able leadership of Clarence Morse, has made, with the active cooperation of ship operators, in initiating a long-range ship-replacement program. The program is an essential one, as I see it, since so many of the vessels in our merchant fleet which were built during World War II will be obsolete in just a few years. The problem of replacement is one which had to be faced, and both the industry and the Government can be proud that they have met it head on.

Because I do not want unnecessarily to take the time of my colleagues this morning, I shall not elaborate on the essentiality of an American merchant fleet and American shipbuilding, both in peace and in war. The alternative to a strong, healthy industry is total dependence on foreign skills, foreign construction, and foreign shipping. The adoption of such an alternative would, I am sure all will agree, seriously jeopardize the American economy and seriously impair our Nation's security.

So, recognizing the indispensability of a strong American maritime industry, I wish to congratulate both the Government and the industry for going forward with plans for the replacement of our merchant fleet. Rather than wait until the total need is upon us—a course which would have imposed a tremendous demand on our shipbuilding capacity and on the National Treasury—the administration sat down with the industry and developed a phased program involving long-term contracts with the ship operators and the gradual replacement of their ships over a period of 10 or 15 years. This makes sense. It is sound business. It is economical. It is prudent. It will provide stable workloads for our shipyards, and will maintain them at the levels adequate for mobilization purposes—this in contrast to the peaks and valleys which in the past have plagued our shipbuilding industry.

All of us are cognizant of the dependence of our Nation on merchant shipping in time of emergency, but sometimes we overlook the contribution it makes to our peacetime economy. I am informed, for example, that over 300,000 employees in the State of Wisconsin depend upon American merchant ships to carry a substantial portion of their products to foreign ports. I am told that over 1 million jobs in the State of Texas depend in part on foreign trade and the need for American shipping. The automobile industry, so important to Michigan and nearby States, depends on 250 or 300 materials which must be brought in by ship from over 50 foreign countries.

We need a strong merchant marine, and it is vital that the ship-replacement program now underway be continued on a scheduled basis. Any interruption would be expensive and, in a real sense, perilous.

It is my understanding that ship-construction contracts soon to be awarded will exhaust the funds currently available for ship replacement. Those who have responsibility for the program must come to the Congress in the next session to present plans for sustained activity which will insure a satisfactory level of shipbuilding employment and—equally important—guarantee the gradual replacement of our merchant fleet in the years ahead. It cannot be done piecemeal. The Congress must have a realistic appraisal of our needs and the costs.

I am confident that the Congress of the United States will give its careful and sympathetic attention to a well presented program for vessel replacement on a sound, stable, economical basis.

Mr. President——

The VICE PRESIDENT. The Senator from Massachusetts.

THE COTTON TEXTILE INDUSTRY

Mr. SALTONSTALL. Mr. President, a number of responsible persons in Massachusetts who are engaged in the cotton-textile industry have been very much concerned with the effect of our national cotton policy on the economy of New England and, indeed, on the economy of the entire country, as well.

For many years we have had a policy which supports the prices of several of our important agricultural products—among them, cotton. I certainly am not an expert on agricultural matters, but I should like to pass on to my colleagues in the Senate some of the reports I have been receiving as to the present situation of our cotton-textile industry.

Our people are concerned primarily because of the fact that, under the national policy, they are required to pay high prices for raw materials. This, in itself, places them at a serious competitive disadvantage with respect to competition from beyond our shores—competition made very much more difficult because of lower wage rates abroad. But, unfortunately, the problem does not stop there. It is compounded by the law which was passed by the Congress last year, which permits the sale of American raw cotton in foreign markets at current world prices—prices which are considerably below the supported domestic price. The inevitable result has been that competitors from other nations have an additional benefit, in that because of import restrictions they can purchase the same American cotton which our domestic textile manufacturers are compelled to buy at several cents a pound greater than the world price.

The net result is that while domestic textile manufacturers must purchase their raw materials at the higher prices, and are precluded by law from purchasing cheaper foreign cotton, their competitors are permitted to manufacture goods from raw materials, even American cotton, which they can buy at the lower world price and can fabricate at wage rates far below American standards.

The competitors from other countries, with the single exception of Japan, with whom we have a voluntary agreement, can bring unlimited quantities of cotton-textile products into American markets.

I am afraid that the entire situation is an unhealthy one, not only for the domestic manufacturer, but also for our cotton farmers. I believe that both of these groups have a common interest in a sound, stable market for finished cotton products; and I fear that the policy which we now follow is having a damaging effect on that market. I hope the Federal Government, which developed the policy, and therefore must bear the responsibility for its results, will reexamine the entire situation in the very near future.

PERSONAL STATEMENT BY SENATOR SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. President, on this, the final day of the 1st session of the 85th Congress, and before the oratory begins, which I assume will come a little later, I rise informally at this time to express my personal appreciation for the accomplishment which the leadership on both sides of the aisle have achieved this session and the courtesies they have constantly extended to all of us. I address myself to the majority leader, the Senator from Texas [Mr. JOHNSON], who is sitting to my left, and also the able whip on the Democratic side, the Senator from Montana [Mr. MANSFIELD], two very dear friends of mine, for whom I have the deepest affection. I also refer, of course, to my beloved minority leader, the Senator from California [Mr. KNOWLAND], who is not present in the Chamber at the moment. I feel we have had a spirit of friendly cooperation. We have had differences at times, but there has been a spirit of amity which I have not experienced before in all the time I have been a Member of the Senate. I desire to record that statement publicly, and thank them very much for all they have done for us who are toiling in the vineyard.

I also wish to express my gratitude to those who have served at the front desk, in the performance of their many tasks, for the many courtesies they have extended to me.

I did not feel I could leave today without expressing my very deep appreciation.

Mr. JOHNSON of Texas. Mr. President, I wish to express my gratitude to my beloved friend from New Jersey, who always has a complete understanding and a constructive approach to the many problems we face each day. I believe him to be one of the great patriots I have known, and I feel it has been a privilege and an honor to serve with him.

Mr. MANSFIELD. Mr. President, I wish to associate myself with the statement of the able majority leader, and thank the Senator from New Jersey for his kind remarks this morning. It has been a pleasure to work with him. He has always placed the interests of the country ahead of the interests of party. So long as we can operate the affairs of the country on that basis, the country is in good hands.

THE MAJORITY LEADER OF THE SENATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a column written by Roscoe Drummond, which appeared in the New York Herald Tribune of today. Mr. Drummond makes some interesting comments concerning the majority leader, the distinguished Senator from Texas [Mr. JOHNSON].

There being no objection, the column was ordered to be printed in the RECORD, as follows:

KEEP YOUR EYE ON LYNDON JOHNSON

(By Roscoe Drummond)

The most enhanced political figure to emerge from this 1st session of the 85th Congress is the Democratic majority leader, Senator LYNDON JOHNSON, of Texas.

It is no more than stating the facts to say that Senator JOHNSON:

Increased greatly his influence in Congress.

Enhanced his standing in the country.

Expanded his control of his own party.

Rescued the two most critical parts of the President's program—the Eisenhower Middle East doctrine and foreign aid.

Shaped the right-to-vote law as it finally emerged more than any other leader of the Senate, Democratic or Republican.

Emerged as an outstanding challenger for the next Democratic presidential nomination.

That's something. It's more than something and I think I am not overstating it.

Senator JOHNSON's political achievements during the past 8 months have been varied and decisive and substantial.

He saved the Eisenhower doctrine from debilitating delay in the Senate. He did it by biding his time and then coming forward with a revision of the Dulles draft which both improved the resolution and made Congress a participant instead of a rubber stamp. Then he marshaled most of his own party behind the result and contributed to the 72-to-19 vote which passed it—after which Mr. Eisenhower was on the telephone to express his appreciation.

That was the first significant action of this session of Congress. Its last significant action found Senator JOHNSON in the same role. The House of Representatives hacked the President's mutual security appropriations to bits. Would the Senate repair the damage? This week Mr. Eisenhower bid the Texas Senator to the White House for a private conference after which the Senate Appropriation Committee restored $500 million in mutual security funds. Whatever is ultimately salvaged will be due in large part to Mr. JOHNSON's influence and resourcefulness.

In the right-to-vote law Senator JOHNSON played a part which the most earnest civil-rights advocates would criticize. They would say—and they are right—that more than anyone else he brought about the dilution of the bill and the ultimate compromise.

But it was also Senator JOHNSON's generalship which averted a southern filibuster, which kept in the bill the maximum the Senate was prepared to accept, and which contributed so much to its final passage.

If you think the Senate did wrong in cutting back the civil-rights bill, much of the blame goes to JOHNSON. If you think the Senate acted responsibly and usefully in passing a compromise bill, much of the credit goes to JOHNSON.

* * * * *

The full meaning of what Senator JOHNSON did in behalf of his own party in the right-to-vote fight is widely realized.

He saved the Democratic Party from tearing itself apart over this issue.

He shaped a law which drew five southern Senators to its support.

He prevented the Republican Party from walking off the field with all the honors, held their political gains to the minimum.

He proved himself the ascendant leader of the whole Democratic Party in Congress, northern and western liberals as well as southern conservatives.

He is no longer just the leader of the Democratic Party in Congress. He is a—if not the—principal spokesman of the Democratic Party in the country.

Because he voted for and is an architect of the right-to-vote law, he is the first southern Democratic leader since the Civil War to be a serious candidate for presidential nomination and, if nominated, to have a fair chance of winning.

Senator JOHNSON may or may not want the nomination, may or may not get it. If he doesn't get it, no one will have more to say about who does get it.

TOLL AND WIRE TELEVISION

Mr. CURTIS. Mr. President, I have studied with considerable interest the remarks made in the Senate last Friday, August 23, by the senior Senator from Michigan [Mr. POTTER] on toll or pay television. I commend the Senator from Michigan for his forthright statements on this important subject, and I agree wholeheartedly with his observations. I do not favor pay television.

The Senator from Michigan cautioned that the Federal Communications Commission should not even authorize a pilot test of toll television. I am informed that some Senators have had informal assurances from members of the Federal Communications Commission that no action will be taken without Congressional authorization. In that regard, I believe it absolutely essential that the Federal Communications Commission make no decision until Congress has had an opportunity to thoroughly and carefully consider proposed legislation; and until the American public, through their elected representatives, have had a chance to voice their opinions.

Congress should take cognizance of the reality of television as it exists today: its unprecedented growth in the span of a few short years; its social, political, and economic impact; its existence as a new dimension in America in which over 35 million families have a multi-billion-dollar investment. Television has long been regarded as a national medium—a public property that belongs to no group or individual. If this property is to be preempted, the consent of those most affected should be sought. The decision should be that which will best serve the public interest.

Another problem now appears on the horizon, equally serious and important, equally deserving of serious Congressional consideration. That is the matter of wire television. I am informed that wire television is about to come into being without so much as one iota of control by the Federal Communications Commission. There simply is no jurisdiction by which the Federal Communications Commission can regulate this medium of transmission.

This raises several questions. Should wire television be regulated, and, if so, to what extent? A second question is whether broadcasters should be permitted in the field of wire television. Clearly, legislative hearings should be held to decide these issues.

It is now clear that the Federal Communications Commission has assumed jurisdiction of toll television, in spite of the fact that considerable doubt has been expressed as to the legality of that assumption of authority. Admonitions against ill-advised action have been voiced repeatedly. If the Federal Communications Commission ignores the warnings and caution expressed in the Senate by many of my colleagues, I think it should be made abundantly clear that a pilot test—no matter where or for how long—gives no individuals or groups the right or privilege to continue, provides no foot in the door, and the voice of the people is eventually heard through its Congress.

Mr. President——

The VICE PRESIDENT. The Senator from Nebraska.

THE DIGNITY OF LABOR DAY

Mr. CURTIS. Mr. President, it is very fitting that next Monday, the Nation will observe Labor Day, a day set aside to honor the men and women who toil. We must never lose sight of the true significance of that day. The working people of America are in every sense, and in the finest sense, individuals, possessed of individual rights, interested in their families and in the growth and prosperity of the country. They are interested in our prized institutions, in their communities, in their churches and schools. They are fine, upright, outstanding, patriotic citizens—our very best.

I make this statement because in this day when an investigation involving labor and management relationships is in progress, the impression must never be given that we are pointing a finger at labor. No such thing is happening. It may be that certain union organizations are on trial. It very definitely is true that some union leaders are on trial, and it is very definitely true that all the major union leaders have a responsibility that they may or may not live up to.

It is also very true that perhaps the Congress has not enacted all the laws that it should have enacted for the benefit of the men and women who work, and for the protection of their rights, and for the protection and benefit of the public.

With that in mind, Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial entitled "The Dignity of Labor Day," appearing in the August 1957 issue of the Labor Digest, published in Indianapolis, Ind., together with the editor's note that precedes the editorial.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE DIGNITY OF LABOR DAY

(EDITOR'S NOTE.—A man in his late eighties, a retired union official whose name once was well known in every American city, came into our office one day recently, carrying the Labor Digest editorial which is reprinted below. He had had it framed under glass and had taken it from the wall of his home. It was, he explained, our Labor Day editorial of 1946. He suggested that it be reprinted because, he said, it was as timely today as it was 5 years ago. Our friend was a pioneer of the labor movement. More than half a century ago he toured the country as an organizer, traveling in freight trains and day coaches, often sleeping in livery barns. "Unionism was and still is well nigh a religion with me," he said. "But I am an American first. I hate the proposal that America contains a working class and I dread the socialistic aims of present-day union leaders which would reduce free men to slavery under a supergovernment. The fathers of the labor movement recognized this evil threat and steered clear of politics.")

Twenty thousand marched in New York's first Labor Day parade held on the first Monday in September 1887. New York State had made this date a legal holiday.

A New York morning paper said: "And another good thing was that the legal holiday left many businessmen at leisure to look on, and the dignity of the parade made a good impression on them, an impression that will be remembered when discussion of the attitude of the unions comes up again."

Lots of water has gone under the bridge since that day in 1887.

Today, if a proportionate number of union members marched in a Labor Day parade, more than 800,000 would be in line. But they would not march with dignity as patriotic Americans. Many would wear sneers and carry banners attacking the Nation which has given them an incomparably better life than they knew in the lands abroad which gave many of them birth. There would be slogans demanding the destruction of American freedom and the substitution therefor of regimentation managed by roughnecks with outlandish accents and no love for the land which nourishes them. Some would shout praises of Soviet Russian dictatorship and curses on the democratic nations who are alert to Red ambitions.

BLAME FOR SHORTAGES

The public which once looked with respect and sympathy on labor's aspirations, would view the demonstration with sullen disapproval—a disapproval which will one day turn to active hostility. The public vastly outnumbers the organized and organizable workers. On the public's side are hundreds of thousands of union members who were dragooned into outfits for which they have no sympathy and at whose hands they have suffered.

We are supposed to rejoice on this holiday and eulogize the sons of toil. But usurping leaders, unaccustomed and unfit for power, have made that impossible. We will take no holiday from blasting the evils of political unionism until a balance of justice between unions and public is established.

FATHERS OF UNIONISM

We yearn for the leadership of Sam Gompers, John Mitchell, Jim Lynch, and Owen Miller—men who would fight hard but honorably for a better life for the worker while still prizing the privilege of living in a land of freedom and opportunity. They and their fellows laid the foundation of American unionism and won for it the respect that enabled its growth.

They viewed unionism as purely economic and opportunistic. They demanded fair wages, reasonable hours, decent working conditions, and respect for the rights of producers. They rejected the idea that any system which would anchor a man to his trade or economic status could increase his happiness. Gompers fought off all attempts to involve unions in partisan politics. "A man's social and philosophic views are his own," he said. He tossed aside suggestions for laws that would compel men to join unions and invented the term "voluntarism" to designate his doctrine. That is why the Labor Digest has always fought the closed shop and the union shop and fought for the principles of the right-to-work laws in the various States.

If Gompers and his like could have survived, or if their true followers had remained at the helm of labor, the growth of the movement would have been as great numerically as it has been under present-day leaders. It would also have been sound and productive instead of causing the world's greatest and richest nation to flounder in a mire of economic confusion.

> We greet Labor Day, 1957, not with rejoicing but with hope—hope nourished by the belief that the patience of the public and of the Nation's statesmen with the vandalism of radical and dishonest labor leadership is nearing its limit.
>
> When this happens all of us—unionists, enterprisers, and the public—will then find richer, happier lives.
>
> May labor soon again march with dignity and Labor Day again take on its true significance.
>
> EDITOR.

WASTE IN NATIONAL DEFENSE

Mr. SYMINGTON. Mr. President, the United States has fallen behind Russia in development of the intercontinental ballistic missile because of this administration's policy of "false security to justify false economy."

We are properly indignant because a young warrant officer in a far northern outpost caused the waste of $33,000 of surplus equipment.

But we are comfortably complacent about the fact that in effect the present administration is directing the management of the Department of Defense to throw away $33,000 every 3 minutes, 24 hours a day, 365 days a year, through waste in manpower alone.

These figures can be computed by anyone, on the back of an envelope, from the testimony of the chairman of the Defense Department's own manpower committee.

If this enormous waste caused us no sacrifice of national security it would still be outrageous. As it is, the manner in which our defense superiority has been dribbled away is nothing short of tragic; and we have no savings to show for it.

Mr. President, we have both the right and the duty to ask, What is the administration going to do about it?

The PRESIDING OFFICER (Mr. CURTIS in the chair.) Is the Senator from Oregon seeking recognition?

Mr. NEUBERGER. I should like to be recognized, Mr. President.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

MODIFICATION OF RULE XXII

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement released today by me on behalf of myself, the Senator from Illinois [Mr. DOUGLAS], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Michigan [Mr. MCNAMARA], and the Senator from Pennsylvania [Mr. CLARK], dealing with rule XXII of the Senate.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> Recent events in the Senate have strengthened our determination to exert maximum efforts during 1958 to modify rule XXII of this body.
>
> When debate becomes not an instrument for information or education, but merely for the purpose of obstructionism or exhibitionism, then unlimited debate has ceased to fulfill a useful function.
>
> There has taken place on the Senate floor an episode which demonstrates that rule XXII can be used to prolong debate which serves no essential legislative function. Such events confirm our long-standing view that rule XXII is in need of drastic modification. A majority of Senators should have the opportunity to act when they are ready to act.
>
> PAUL H. DOUGLAS.
> HUBERT H. HUMPHREY.
> RICHARD L. NEUBERGER.
> PAT MCNAMARA.
> JOSEPH S. CLARK.

EFFECT ON GOVERNMENT PROJECTS AND AGENCIES OF BUDGET DIRECTIVE OF JUNE 28, 1957

Mr. NEUBERGER. Mr. President, the 1st session of the 85th Congress soon will adjourn and many of us will return to our home States believing that Congress has provided adequately for carrying on essential functions of the Federal Government for the remaining months of the 1958 fiscal year. I fear, however, that a little-noted directive of the Bureau of the Budget to various departments and agencies may nullify some of this session's achievements in providing funds for programs consistent with the needs of the Nation.

I base this forecast on information I have received in response to inquiries about the first effects of a letter from Budget Bureau Director Percival Brundage to department heads of June 28, 1957, instructing them to take positive action to keep expenditures for fiscal 1958 at or below the level for the fiscal year 1957. Mr. Brundage said in his letter that this was the request of the President to all agencies.

In addition, the Budget Bureau's directive said that appropriation action in connection with appropriations for major capital outlay and development—construction, procurement, research, and so forth—should reflect the postponement of a significant part of the obligations planned in the budget for 1958. In my opinion, this instruction for postponement means that the administration may be planning to delay construction of major projects in the Pacific Northwest and elsewhere in the Nation or defer programs in defiance of congressional approval.

This directive was first brought to public attention in a story in the Washington Post and Times Herald of July 12, 1957, and some of its implications were developed at a hearing before the House Subcommittee on Appropriations, under the able interrogation of its chairman, Representative CLARENCE CANNON, of Missouri.

I ask unanimous consent to have printed at this point in my remarks the Budget Bureau letter of directions for allotment of funds during 1958, which had not been a matter of public knowledge until Mr. CANNON obtained its insertion in the hearing record last month.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> EXECUTIVE OFFICE OF THE PRESIDENT,
> BUREAU OF THE BUDGET,
> *Washington, D. C., June 28, 1957.*
>
> Hon. LEWIS L. STRAUSS,
> *Chairman, United States Atomic Energy Commission, Washington, D. C.*
>
> MY DEAR MR. STRAUSS: The President has requested that all agencies in the executive branch keep the rates of commitments, obligations, and expenditures for fiscal year 1958 at or below the level for the fiscal year 1957, to the extent feasible, and that I inform you of the necessary procedures for achieving this purpose. This task can best be accomplished by positive action on the part of each agency head. The apportionment and allotment system offers an existing administrative channel for each agency head to accomplish these purposes. Therefore, appropriate action along these lines should be reflected in the initial request for apportionment for 1958 appropriations and in requests for subsequent revisions of apportionments, as well as in allotment action within the agency, following these guidelines:
>
> 1. As a general rule, requests for apportionment and the allotments of funds shall be based upon holding obligations to absolute minimum levels. In most cases direct obligations should not rise above the level for the fiscal year 1957. Exceptions may be made with respect to that portion of appropriations which is for cash payments not controllable by administrative action (certain grants, annuities, indemnities, insurance losses, etc.), and with respect to uncontrollable workload and new legislation specifically endorsed as a part of the President's program. In any case where special circumstances (including those referred to above) prevent the agency from operating at or below the 1957 levels, the agency head shall submit a statement of reasons therefor to accompany the apportionment requests. For all appropriations, however, there should be a critical analysis of all activities, and advantage should be taken of every possibility for reductions; apportionments in all cases should be consistent with allowable sums being used in planning the 1959 budget. The sums available in excess of minimum needs will be placed in reserves for contingencies.
>
> 2. In the case of those appropriations that are for major capital outlay and development—construction, procurement, research, etc.—the requests for apportionment and the allotments should reflect the postponement of a significant part of the obligations planned in the budget for 1958.
>
> 3. In general, separate quarterly apportionments and allotments will be made for object class "01 Personal services." Exceptions will be made on a selective basis where regular apportionments and allotments, or other administrative arrangements, will effectively control the numbers of personnel.
>
> 4. Apportionments and allotments shall be revised throughout the year to provide for additional savings. After the close of each of the first three quarters, subsequent apportionments and allotments for operating programs will be reviewed in the light of program progress and costs, and action taken wherever possible, both to reserve unobligated balances remaining from the quarter just closed and to adjust subsequent quarters' figures to take into account lower rates of obligations actually achieved in the preceding period. Also, those savings which are made a matter of record in public statements on the basis of agency claims of such savings will be specifically identified and reserved.
>
> Sincerely yours,
> PERCIVAL BRUNDAGE,
> *Director.*

Mr. NEUBERGER. Mr. President, subsequent information coming before the Senate indicates that letters of identical context were distributed generally by the Bureau of the Budget to other agencies.

The full meaning of this directive and its impact on operation of the machinery of Federal Government has not been fully recognized, in my opinion. It has made the President's 1958 budget meaningless. Its net effect seems to be a complete circumvention of congressional directives, as represented by action on appropriations, and a direct contradiction of the administration's viewpoint, expressed earlier this year by Mr. Brundage, that there was no specific area in which the budget could be reduced. Despite the lack of information on possible avenues for reduction of the largest peacetime budget in history, the Congress subsequently reduced the allocations in many categories.

It was not until a few days ago that the first effects of Mr. Brundage's directive to reduce fund allotments to or below 1957 levels—in spite of action taken by Congress—were indicated by reports received from my home State of Oregon. The State of Oregon has few military installations, but one of these is the Ordnance Ammunition Depot in Umatilla County. I was told that the curtailment of maintenance and operation funds during the first quarter of fiscal 1958 might seriously affect employment levels at the depot. Upon inquiry to the Department of the Army. I was informed that a cut in funds had indeed been ordered. In a letter from the Department of the Army, I was advised that—

> In this case, 21 percent of the fiscal year 1959 appropriation is the limit for the first quarter. The reduction at Umatilla appears to be about $125,000 rather than $300,000 in the first quarter, fiscal year 1958.

The letter further stated:

> Reductions in the maintenance and operation funds frequently result in a requirement for the reduction in force of personnel. A reduction in force action has not yet been submitted to the Army staff by the technical service, although this does not preclude such action in the near future. The Department of the Army realizes the sensitivity of Umatilla County as a surplus labor area and will attempt to place as many personnel as possible if reduction in force does take place.

I have no doubt that similar results are being felt elsewhere in the country where military installations exist. However, the implications for the State of Oregon are particularly ominous because of business doldrums which clutch our State's economy. Total employment in Oregon in all nonagricultural lines was 511,800 in July 1956. A year later—in July 1957—it had dropped to 505,900. Further reduction in activities in business, industry, agriculture, or Government is not favorable to the State's prosperity.

As a result of this disturbing report, I have made a preliminary check with other Federal agencies operating in Oregon to determine what effect the reduction in allotments will bring. On August 22, 1957, a letter was sent to Mr. Marling Ankeny, Director of the United States Bureau of Mines, expressing concern over the indicated curtailments. The Senate Interior and Insular Affairs Committee, of which I am a member, has devoted considerable time to a study of long-range minerals program proposals. I asked Mr. Ankeny about the curtailment of funds and whether this will result in reduction of personnel and what programs of the Bureau would be immediately affected.

Mr. Ankeny replied that the Bureau in company with all other Federal agencies, is under instruction to effect savings in current appropriations. In applying an apportionment for the first quarter of the current year, the Bureau of the Budget suggested totals that were approximately 12 percent below the current rate of expenditure within the appropriation for conservation and development of mineral resources and 6 percent in health and safety.

He added:

> Having intensified all activities in accordance with increases in appropriations for the current fiscal year, the subsequent advice on reduced apportionment required abrupt curtailment of activity at many sites. The ultimate effect of this reduction cannot be fully assessed until we are advised with regard to possible limitations of a similar nature during any of the remaining quarters of this year. As of now, we assume that we can support our programs at the fiscal year 1957 rate.
>
> We are attempting to accomplish this without reducing personnel or closing any facilities. However, rigid limitations are going to have to be applied to all operating expenditures. The new activities, for which increases were approved in the current budget, will be deferred.

It is evident that the Budget Bureau order has resulted in much confusion in program planning. Mr. Ankeny's disclosure that new activities approved by Congress will be deferred is a signal of what may be expected in other spheres of Government where Congress—recognizing the need for new undertakings—has authorized their start during the current year, not at some future date fixed by the Budget Bureau. Comparatively speaking, the Bureau of Mines is not a large Government agency, but its contribution to advancement of technology and the Nation's economy and to its defenses has certainly justified its existence. For instance, the process for manufacture of the new metal of the atomic age, zirconium, was first developed at a Bureau of Mines laboratory in Albany, Oreg. Only 12 years ago the first 90 grams of zirconium was produced at the Bureau of Mines laboratory, but in that brief span its value to our atomic energy defense program has become so great that production goals have been set at many hundreds of thousands of pounds annually. It was zirconium from the Albany Bureau of Mines plant which cloaked the atomic charge in the submarine *Nautilus* when it made its historic 60,000-mile voyage.

Can such scientific and engineering advances be achieved for our Nation on 12 percent cuts in funds? Likewise, what happens to health and safety inspection which affects men working underground in all parts of the Nation when allotments are reduced by 6 percent? And what of the contemplated deferral of new activities authorized by Congress? Economy in Government is a commendable objective, but I question its attainment at the expense of national progress.

Funds for United States Forest Service and Bureau of Land Management activities in my State also were affected by the order. This is an especially crucial matter in my home State of Oregon because more than 50 percent of the land area is federally owned, much of it in forested slopes administered by the Forest Service and the Bureau of Land Management. Reductions in the programs of these two agencies would have serious repercussions on Oregon's economy. Lumber is our No. 1 industry, and now suffers from effects of the administration's tight-money policy. Restricting the work of the agencies would merely add to the industry's burdens. Moreover, the Federal funds expended on some Forest Service and Bureau of Land Management programs return profit to the Federal Treasury. What kind of economy is achieved by cutting funds for agency programs that more than pay for themselves and enhance Federal income?

I think the Senate may be interested in knowing the profitable financial results which have been achieved in recent years by Bureau of Land Management programs for the controverted Oregon & California Railroad lands in my State. In fiscal 1956, BLM revenues from timber sales on Oregon & California land totaled $21,605,000. Of this total, $11,909,000 was returned to county governments for their use, cost of administration was $1,584,000, reimbursement to the Treasury for access-road funds advanced was $4,295,000, leaving a sum of $3,817,000 covered to the Federal Treasury as net profit. In 1957, revenues from Oregon & California lands were $19,067,000, administrative expenses were $2,247,000, and net profit to the Treasury was $2,519,840.

In regard to Forest Service apportionments, I have been informed by Acting Secretary of Agriculture, True D. Morse, that "Forest Service items do not involve reductions which would result in serious impairment of programs planned for 1958." I hope that his belief is proven by subsequent events, although I have doubts as to how this may be done in view of the approved apportionment cutting the vital forest roads and trails program by $1,570,770 below the 1957 level. This is one phase of Forest Service activity that pays off to the Federal Treasury because the existence of access roads increases competitive bidding in Federal timber sales and results in higher prices for stumpage in the national forests. It is difficult for me to understand why a Forest Service activity which returns profit to the Federal Treasury was thus curtailed. The only possible effects will be to make it more difficult to harvest mature timber and to reduce competition in sales bidding. I hope that steps will be taken to restore these profitable activities of the Forest Service and Bureau of Land Management to the full scale approved by Congress through the fiscal 1958 appropriations.

Mr. President, the possible impact of reduction in BLM allotments is detailed in a copy of a telegram to Budget Director Brundage which was sent to me by Mr. Joseph W. McCracken, executive vice president of Western Forest Industries Association. I ask unanimous consent to have printed at this point in my remarks Mr. McCracken's telegram of August 22, 1957, which cogently explains lumber industry objections to reduction of allotments. Other Senators will understand, I am sure, why this organization would object to curtailment of programs which are profitable to the Government and also essential to the operating ability of many timber and logging companies.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

PORTLAND, OREG., *August 22, 1957.*
Hon. PERCIVAL BRUNDAGE,
Director, Bureau of the Budget,
Washington, D. C.:

Western Forest Industries Association, composed of numerous timber operators who are critically dependent upon Federal timber for their raw material, are gravely concerned at report that current quarterly apportionment of appropriation for Oregon and California forestry and road construction is below amount for last year's corresponding quarter even though both budget and appropriation were increased for current year.

This is season of year when large part of fieldwork is done preparing timber sales for next calendar year. Inadequate funds and personnel during first and second quarter will seriously curtail sale offerings next year, disrupt businesses and numerous timber operators, and deprive Government of substantial revenue.

In addition prosecution of intensive forest inventory as recommended both by the Congress and administration will be seriously hampered and completion further delayed. In turn this will delay recalculation and increase of allowable cuts and result in further loss to Government of timber values from overripe stumpage which under sound yield should be harvested now.

If Oregon and California program is to be operated on sound basis comparable to operation of private forestry lands it requires continuity and expansion of program. Money expended is quickly returned with profit to Treasury.

Failure to invest money allocated by Oregon and California counties to road construction and replanting programs constitutes no gain for Treasury. Such funds will either be expended later or ultimately returned to counties. Moreover, failure of the Government to invest county funds for such purposes constitutes loss to Government in that access to stands of deteriorating timber is not achieved and unproductive lands remain barren. There also seems moral question whether Federal Government should retain for interest-earning purposes funds contributed by Oregon and California counties for construction and acquisition of roads.

WESTERN FOREST INDUSTRIES ASSOCIATION,
JOSEPH W. MCCRACKEN,
Executive Vice President.

Mr. NEUBERGER. I am particularly concerned, Mr. President, with the section of the administration's directive which calls for postponement of construction on new projects. First construction funds for the 1,100,000-kilowatt John Day power, navigation, and flood-control dam on the Columbia River was provided by Congress at this session. Power from this dam is vitally needed in the Pacific Northwest States. Evidence of this is found in the fact that the Bonneville Power Administration will halt all deliveries of interruptible power at midnight on August 31, owing to continued low floods in the river. Every hour that passes without delivery of this power to industries of my region will cost the Federal Treasury money. It means loss of revenue to the Treasury because sale of interruptible power is an important factor in the revenues of the Bonneville system, and is vital to operations of some 17 industrial plants in Pacific Northwest States. Yet, if the start of construction is delayed on the John Day Dam prospects for a more adequate power supply will go glimmering.

Mr. President, other implications of the administration's curtailment of appropriations which represent unsound and unwise so-called economy could be described at length. But I think the instances which I have cited illustrate that the application of across-the-board cuts proposed by the Bureau of the Budget may have far-reaching effects on operations of the Federal Government. I hope that before the adjournment of Congress, the appropriate committees of the Senate will have an opportunity to determine the overall impact of Mr. Brundage's directive. If such committee action is possible, I am sure that one thing will be made obvious—the Bureau of the Budget directive has made a mockery out of the congressional appropriation process.

I ask unanimous consent, Mr. President, to have printed with my remarks letters from the Bureau of Mines and from the Department of the Army, both dated August 26, 1957, describing the effects of the allotment reductions.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
BUREAU OF MINES,
Washington, D. C., August 26, 1957.
Hon. RICHARD L. NEUBERGER,
United States Senate,
Washington, D. C.

DEAR SENATOR NEUBERGER: Reference is made to your letter of August 22, 1957 requesting information on a report that funds for Bureau of Mines operations had been curtailed.

The Bureau, in company with all other Federal agencies, is under instruction to effect savings in current appropriations. In applying an apportionment for the first quarter of the current year, the Bureau of the Budget suggested totals that were approximately 12 percent below the current rate of expenditure within the appropriation for conservation and development of mineral resources and 6 percent in health and safety. However, the rate proposed by the Bureau of the Budget was in no case lower than that maintained during the last fiscal year.

Having intensified all activities in accordance with increases in appropriations for the current fiscal year, the subsequent advice on reduced apportionment required abrupt curtailment of activity at many sites. The ultimate effect of this reduction cannot be fully assessed until we are advised with regard to possible limitations of a similar nature during any of the remaining quarters of this year. As of now, we assume that we can support our programs at the fiscal year 1957 rate.

We are attempting to accomplish this without reducing personnel or closing any facilities. However, rigid limitations are going to have to be applied to all operating expenditures. The new activities, for which increases were approved in the current budget, will be deferred.

We are in the process of seeking an adjustment in the apportionment figure using the events cited in your letter as justification.

Sincerely yours,
MARLING J. ANKENY,
Director.

DEPARTMENT OF THE ARMY,
OFFICE OF THE SECRETARY OF THE ARMY,
Washington, D. C., August 26, 1957.
Hon. RICHARD L. NEUBERGER,
United States Senate.

DEAR SENATOR NEUBERGER: This is in reply to your recent inquiry regarding prospects at Ordnance Ammunition Depot, Ordnance (Umatilla County), Oreg. You have inquired specifically as to curtailment of maintenance and operation funds during the first quarter of fiscal year 1958, and the effect such a reduction may have on employment levels.

A cut in the maintenance and operation funds has become necessary as a result of a Secretary of Defense directive requiring limitation of expenditure ceilings. In this case, 21 percent of the fiscal year 1958 appropriation, is the limit for the first quarter. The reduction at Umatilla appears to be about $125,000 rather than $300,000 in the first quarter, fiscal year 1958.

Reductions in the maintenance and operation funds frequently result in a requirement for the reduction in force of personnel. A reduction in force action has not yet been submitted to the Army staff by the technical service, although this does not preclude such action in the near future. The Department of the Army realizes the sensitivity of Umatilla County as a surplus labor area and will attempt to place as many personnel as possible if a reduction in force does take place.

You will be advised prior to public announcement if a reduction in force occurs.

Sincerely,
DONALD T. KELLETT,
Lieutenant Colonel, GS, Office, Chief of Legislative Liaison.

REPORT ON ACTIVITIES OF THE CONSULTATIVE SUBCOMMITTEE ON STATE DEPARTMENT ORGANIZATION AND PUBLIC AFFAIRS OF THE COMMITTEE ON FOREIGN RELATIONS

Mr. MANSFIELD. Mr. President, before this session comes to a close I should like to make a brief report to the Senate on the activities of the Consultative Subcommittee on State Department Organization and Public Affairs of the Committee on Foreign Relations.

I have had the honor to be chairman of this subcommittee during the 1st and 2d sessions of the 84th Congress and this 1st session of the 85th Congress. During this time the membership of the subcommittee has remained constant. The other members of the subcommittee are the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Oregon [Mr. MORSE], the Senator from North Dakota [Mr. LANGER], the Senator from California [Mr. KNOWLAND], and the Senator from Indiana [Mr. CAPEHART].

The terms of reference of the subcommittee are as follows:

This subcommittee is concerned with the management and administration of the State Department, including the International Cooperation Administration, the formulation of policy, and the coordination of foreign policy actions within the executive branch. It is likewise concerned with the operations of the United States Information Agency and with the State Department's liaison with public organizations in the United States concerned with foreign policy.

Problems of interest to this subcommittee include such matters as Foreign Service and departmental personnel, relations between the State Department and other Government agencies, personnel security, the educational exchange program, and the overseas information program.

Problems of personnel, administration, and organization of agencies of the executive branch are usually intricate and difficult. For most people it is a time-consuming subject if one is to be a master of the necessary details. A consultative subcommittee can therefore be especially useful in this field in sifting out the major policy issues in legislation for consideration by the standing committee. A consultative subcommittee can also be useful in holding off-the-record discussions from time to time with representatives of the agencies whose responsibilities fall under the jurisdiction of the committee. These informal discussions always increase mutual understanding of the issues. Very often a consultative meeting of our subcommittee has made possible the solving of small problems before they became big problems, and has prevented misunderstandings.

The Consultative Subcommittee on State Department Organization and Public Affairs over the last 3 years has held a series of informal meetings with representatives of the Department of State and the United States Information Agency. These meetings have proved very worthwhile, certainly from the point of view of the Committee on Foreign Relations, and I think, also in the opinion of the executive branch.

I should like to mention a few of the subjects which we have discussed with representatives of the executive branch. One main topic has been the reorganization of the Department of State personnel system, which has been underway since 1954. Members of this body are familiar in general with the recommendations of the so-called Wriston Committee with respect to the integration of the Foreign Service of the United States and a large portion of the employees of the departmental service. The Wriston Committee also made important recommendations with respect to training and recruitment for the Department of State. From time to time the consultative subcommittee has discussed with representatives of the Department of State the progress which has been made in improving the administration of the Department.

A second subject for discussion in the consultative subcommittee has been a series of actions to improve the Foreign Service of the United States. I am happy to say that during the period while I have been chairman of the subcommittee the organization of the Foreign Service has been improved and the benefits to which Foreign Service personnel are entitled have increased, so that the Foreign Service is now much better able to attract and hold people of high quality and dedication to the public service.

A third area of concern to the consultative subcommittee in its discussions with representatives of the executive branch has been the operation of the new United States Information Agency. Since the USIA is a relatively new agency and has expanded substantially in recent years it has had more than the usual number of growing pains and problems. Several meetings of the subcommittee have been occupied with discussions of the need for increased career opportunities for the personnel of the United States Information Agency.

I turn now, Mr. President, to several of the legislative measures to which I believe the Subcommittee on State Department Organization and Public Affairs has made a contribution. Most of these measures were formally referred to the subcommittee, but in some of them subcommittee members have taken an active interest without formal reference to the subcommittee or meetings of the subcommittee.

First, I shall mention a subject which is still active and on which no legislative conclusion has been reached. The able senior Senator from Massachusetts [Mr. SALTONSTALL] on May 25, 1956, introduced Senate Resolution 272, which was referred to the subcommittee on June 22, 1956. This resolution called for a study to be made of recruitment and training in the Foreign Service of the United States. The able minority leader, the Senator from California [Mr. KNOWLAND] and I have recently introduced S. 2749, which would provide for the establishment of a United States Foreign Service Academy. This whole subject has been under study since the end of the 2d session of the 84th Congress by the staff of the Committee on Foreign Relations. The Department of State has prepared a great deal of useful material for the use of the committee. The heavy pressure of business of the Committee on Foreign Relations this year has prevented completion of the study, but I anticipate that a report will be made to the Subcommittee on State Department Organization and Public Affairs prior to the opening of the 2d session of the 85th Congress.

Perhaps the first act to which the consultative subcommittee gave consideration was Public Law 250 of the 84th Congress. This act amended the basic legislation of the Department of State by adding three additional posts of Deputy Under Secretary of State. The subject was discussed by the subcommittee early in June 1955 and a bill to carry out the new policy was introduced on June 14, 1955, and passed the Senate on June 17, 1955. The bill became law on August 3, 1955. I believe there is general agreement that the increased responsibilities of the United States in world affairs demanded this provision of additional top-level positions in the Department, and that the work of the Department has been facilitated by this strengthening of the organizational structure.

I shall next refer to Public Law 555 of the 84th Congress, which was approved on June 4, 1956. This act amended the United States Information and Educational Exchange Act of 1948 to require a person who is admitted to the United States as an exchange visitor to return to his own country and live there for a period of 2 years before he can become eligible for permanent reentry into the United States. On the initiative of the distinguished Senator from Arkansas [Mr. FULBRIGHT] this problem was explored at a subcommittee meeting on July 20, 1955, at which it was agreed that the practice of exchange visitors obtaining authorization to remain in the United States tended to defeat a primary objective of the exchange program. This objective is the return to their own country of exchangees in order that they might impart to their friends and associates their impressions of the United States and its culture. The bill, S. 2562, to curtail this practice, was passed by the Senate on May 3, 1956.

Public Law 828 of the 84th Congress, which was approved on July 28, 1956, is an important product of the subcommittee's work. This act made a number of changes in the Foreign Service Act of 1946, which, I think, have made service in foreign posts more attractive to capable American men and women. The act increased salaries of chiefs of mission, added two new classes to the Foreign Service schedule and adjusted the salaries of all classes in the Foreign Service, and authorized improved commissary service, medical benefits, and recreational facilities for our overseas employees. The bill, S. 3481, to accomplish this purpose was introduced by the distinguished Senator Walter George on March 19, 1956 and was referred to the subcommittee the following day. After a hearing by the subcommittee, the bill was approved by the full committee and it passed the Senate on April 12, 1956. I believe the changes in the Foreign Service Act brought about by Public Law 828 of the 84th Congress have made possible a better administration of the Foreign Service and the maintenance of adequate career incentives.

I shall now mention a bill which although passed by the Senate in the last Congress and reintroduced in both Houses again this session, has not yet become law. I refer to S. 3638 of the last Congress and S. 1583 of this Congress, both of which propose amendments to the United States Information and Educational Exchange Act of 1948. The amendments relate to administrative matters, methods of operation, and requirements for reporting to the Congress affecting the United States Information Agency and the educational exchange program operated by the Department of State. These bills include the substance of two other bills, S. 631 and S. 2410 of the last Congress. The Subcommittee on State Department Organization and Public Affairs has held two extensive hearings on the subject, first on July 20, 1955 and again on April 17, 1956. The controversial portion of the bill is the authorization for the Director of the United States Information Agency to establish a career category of officers to be known as United States information officers. These officers would have substantially the same status as Foreign Service officers with respect to pay, job security, benefits and retirement, although they would be in a separate service. This subject will, I am sure, be given further study in the 2d session of the 85th Congress.

I should like to close this report, Mr. President, by referring briefly to a topic closely related to the bills which I have just discussed; namely, the question whether the International Cooperation Administration and the United States Information Agency should be made integral parts of the Department of State, rather than being semiautonomous and separate agencies as they are today. I shall not discuss the merits of the arguments today, and I realize that there are legitimate differences of opinion on this subject. I think that I have made my own position clear from time to time, and that is that ICA and USIA should be much more closely tied in with the Department of State. In line with the recommendations of the Senate Committee on Appropriations, I hope that the Committee on Foreign Relations, and its Subcommittee on State Department Organization and Public Affairs in particular, will give some special attention to this subject in the next session of the Congress.

Mr. President, I would be remiss in my duty as chairman of the Consultative Subcommittee on State Department Organization and Public Affairs if I did not in this report commend Secretary of State Dulles for his wholehearted cooperation; Mr. Loy Henderson, for the many hours he spent with the subcommittee answering questions and giving us information concerning the workings of the Department of State; and Assistant Secretary of State, I. W. Carpenter, Jr., who has been a tower of strength, and who has helped to keep the committee informed on all developments within the State Department which were within the purview of the subcommittee. These men have done a good job for the State Department. They have worked closely with Congress, and they should be given much of the credit for the improvements which have been made in the Department with which they are associated.

Mr. President, I ask unanimous consent that the text of the public laws to which I have referred be printed in the RECORD at this point as a part of my remarks.

There being no objection, the texts were ordered to be printed in the RECORD, as follows:

PUBLIC LAW 555, 84TH CONGRESS, CHAPTER 356, 2D SESSION

S. 2562

An act to amend the United States Information and Educational Exchange Act of 1948, as amended

Be it enacted, etc., That section 201 of the act of January 27, 1948 (Public Law 402, 80th Cong., 62 Stat. 6, as amended by sec. 402 (f) of the Immigration and Nationality Act, 66 Stat. 163) entitled "An act to promote the better understanding of the United States among the peoples of the world and to strengthen cooperative international relations" is amended by inserting "(a)" after the section number and by adding a new paragraph reading as follows:

"(b) No person admitted as an exchange visitor under this section or acquiring exchange visitor status after admission shall be eligible to apply for an immigrant visa, or for a nonimmigrant visa under section 101 (a) (15) (H) of the Immigration and Nationality Act, or for adjustment of status to that of an alien lawfully admitted for permanent residence, until it is established that such person has resided and been physically present in a cooperating country or countries for an aggregate of at least 2 years following departure from the United States: *Provided*, That upon request of an interested Government agency and the recommendation of the Secretary of State, the Attorney General may waive such 2-year period of residence abroad in the case of any alien whose admission to the United States is found by the Attorney General to be in the public interest: *And provided further*, That the provisions of this paragraph shall apply only to those persons acquiring exchange visitor status subsequent to the date of the enactment hereof."

Approved June 4, 1956.

PUBLIC LAW 828, 84TH CONGRESS, CHAPTER 770, 2D SESSION

S. 3481

An act to amend the Foreign Service Act of 1946, as amended, and for other purposes

Be it enacted, etc., That this act may be cited as the "Foreign Service Act Amendments of 1956."

SEC. 2. Section 411 of the Foreign Service Act of 1946, as amended, is amended by striking out the second sentence of that section and substituting in lieu thereof the following: "The per annum salaries of chiefs of mission within each class shall be as follows: Class 1, $27,500 per annum; class 2, $25,000; class 3, $22,500; and class 4, $20,000."

SEC. 3. Section 412 of such act is amended to read as follows:

"SEC. 412. There shall be 10 classes of Foreign Service officers, including the classes of career ambassador and of career minister. The per annum salary of a career ambassador shall be $20,000. The per annum salary of a career minister shall be $17,500. The per annum salaries of Foreign Service officers within each of the other classes shall be as follows:

Class 1	$14,600	$15,000	$15,400	$15,800	$16,200	$16,600	$17,000
Class 2	12,600	12,900	13,200	13,500	13,800	14,100	14,400
Class 3	10,600	10,900	11,200	11,500	11,800	12,100	12,400
Class 4	9,000	9,250	9,500	9,750	10,000	10,250	10,500
Class 5	7,400	7,650	7,900	8,150	8,400	8,650	8,900
Class 6	6,100	6,300	6,500	6,700	6,900	7,100	7,300
Class 7	5,100	5,250	5,400	5,550	5,700	5,850	6,000
Class 8	4,300	4,450	4,600	4,750	4,900	5,050	5,200
	5,350."						

SEC. 4. Section 414 (a) of such act is amended by striking out the word "six" and inserting the word "eight" in lieu thereof; and by striking out the number "6" and inserting in lieu thereof the number "8".

SEC. 5. Section 516 of such act and the heading thereto is amended by striking the words "class 6" wherever they appear therein and inserting the words "class 8" in lieu thereof.

SEC. 6. Section 517 of such act and the heading thereto is amended by striking the heading thereto and substituting in lieu thereof "Admission to classes 1 to 7, inclusive"; by striking in the aforementioned section the number "6" wherever it appears therein and inserting in lieu thereof the number "8"; by striking out in the aforementioned section the number "5" wherever it appears therein and inserting in lieu thereof the number "7"; and by striking out the word "forty" and inserting in lieu thereof the words "one hundred and seventy-five"; by inserting before the period at the end of the second sentence the following: "as a Foreign Service officer"; and by adding after the second sentence a new sentence which shall read as follows: "Notwithstanding the above provisions of this section, the limitation on the maximum number of appointments authorized herein shall not be applicable in the case of any person appointed or assigned by the Secretary of State as a Foreign Service Reserve officer and who thereafter has served in a position of responsibility in such capacity for the required period prior to appointment as a Foreign Service officer."

SEC. 7. Section 634 (b) of such act is amended by striking the words "classes 4 or 5", and inserting in lieu thereof the words "classes 4, 5, 6 or 7"; by striking the words "class 4" and inserting in lieu thereof the words "classes 4 or 5"; and by striking the words "class 5" and inserting in lieu thereof the words "classes 6 and 7".

SEC. 8. Section 635 of such act and the heading thereto and section 637 (a) of such Act are amended by striking the number "6" wherever it appears therein and by inserting in lieu thereof the number "8".

SEC. 9. (a) Section 821 (a) of such act is amended by striking the word "thirty" and inserting in lieu thereof, the word "thirty-five", and by inserting after the first sentence the following new sentence: "However, the highest five years of service for which full contributions have been made to the Fund shall be used in computing the annuity of any Foreign Service officer who serves as chief of mission and whose continuity of service as such is interrupted prior to retirement by appointment or assignment to any other position determined by the Secretary to be of comparable importance."

(b) Section 821 (b) of such act is amended by striking the phrase "for the 5 years next preceding his retirement" and inserting in lieu thereof "as computed in accordance with subsection (a) of this section."

SEC. 10. Section 871 of such act is amended by striking the word "thirty" and inserting in lieu thereof the word "thirty-five."

SEC. 11. Section 902 of such act is amended to read as follows:

"SEC. 902. The Secretary may, under such regulations as he may prescribe, make an allotment of funds to any post to defray the unusual expenses incident to the operation and maintenance of official residences suitable for principal representatives of the United States at that post."

SEC. 12. (a) Section 921 of such act is amended (1) by inserting "(a)" immediately after "SEC. 921.", (2) by striking out "and pursuant to appropriations therefor,", and (3) by amending the proviso in the second sentence to read as follows: "*Provided*, That an amount equal to the amount expended for such services shall be covered into the Treasury as miscellaneous receipts."

(b) Section 921 of such act is further amended by adding at the end thereof the following new subsections:

"(b) The Secretary, under such regulations as he may prescribe, may authorize and assist in the establishment, maintenance, and operation, by officers and employees of the Service, of non-Government-operated commissary and mess services and recreation facilities at posts abroad, including the furnishing of space, utilities, and properties owned or leased by the United States for use by its diplomatic and consular missions. The provisions of the Foreign Service Buildings Act, 1926, as amended (22

U. S. C. 292-300), may be utilized by the Secretary in providing such assistance. Commissary or mess services and recreation facilities established pursuant to this subsection shall be made available, insofar as practicable, to officers and employees of other Government agencies and their dependents who are stationed abroad. Such services or facilities shall not be established in localities where another United States agency operates similar services or facilities unless the Secretary determines that such additional services or facilities are necessary.

"(c) Notwithstanding the last paragraph under the heading 'Subsistence Department' in the act of March 3, 1911 (10 U. S. C. 1253), or the provisions of any other law, charges at any post abroad by a commissary or mess service or recreation facility authorized or assisted under this section shall be at the same rate for all civilian personnel of the Government serviced thereby, and all charges for supplies furnished to such a service or facility abroad by any Government agency shall be at the same rate as that charged by the furnishing agency to its civilian commissary or mess services or recreation facilities.

"(d) Notwithstanding the provisions of section 5 of the act of July 16, 1914, as amended (5 U. S. C. 78), the Secretary may authorize any principal officer to approve the use of Government-owned vehicles located at his post for transportation of United States Government employees who are American citizens, and their dependents, to and from recreation facilities when public transportation is unsafe or is not available."

SEC. 13. Section 941 of such act is amended to read as follows:

"SEC. 941. (a) In the event an officer or employee of the Service who is a citizen of the United States incurs an illness or injury while such person is located abroad, which requires hospitalization or similar treatment, and which is not the result of vicious habits, intemperance, or misconduct on his part, the Secretary may, in accordance with such regulations as he may prescribe, pay for the cost of treatment of such illness or injury.

"(b) In the event a dependent of a United States citizen officer or employee of the Service who is stationed abroad, incurs an illness or injury while such dependent is located abroad, which requires hospitalization or similar treatment, and which is not the result of vicious habits, intemperance, or misconduct on his part, the Secretary may, in accordance with such regulations as he may prescribe, pay for that portion of the cost of treatment of each such illness or injury that exceeds $35 up to a maximum limitation of 120 days of treatment for each such illness or injury, except that such maximum limitation shall not apply whenever the Secretary, on the basis of professional medical advice, shall determine that such illness or injury clearly is caused by the fact that such dependent is or has been located abroad.

"(c) After sufficient experience in the operation of the medical protection plan authorized in subsections (a) and (b) of this section has been obtained, as determined by the Secretary, and if he considers that the benefits so authorized can be provided for as well and as cheaply in other ways, the Secretary may, under such regulations, and for such persons, locations, and conditions as he may deem appropriate, and within the limits prescribed in such subsections, contract for medical care pursuant to such arrangements, insurance, medical service, or health plans as he may deem appropriate."

SEC. 14. (a) Section 942 (a) of such act is amended to read as follows:

"SEC. 942. (a) In the event an officer or employee of the Service who is a citizen of the United States or his dependents incurs an illness or injury requiring hospitalization, [illegible] the result of vicious habits, intemperance or misconduct, while stationed abroad in a locality where there does not exist a suitable hospital or clinic, the Secretary may, in accordance with such regulations as he may prescribe, pay the travel expenses of such person by whatever means he shall deem appropriate and without regard to the Standardized Government Travel Regulations and section 10 of the act of March 3, 1933, as amended (68 Stat. 808, 5 U. S. C. 73b), to the nearest locality where a suitable hospital or clinic exists, and on his recovery pay for the travel expenses of his return from such hospital or clinic. If any such officer, employee, or dependent is too ill to travel unattended, the Secretary may also pay the round-trip travel expenses of an attendant or attendants."

(b) Section 942 (b) of such act is amended by inserting the words "a physician" and a comma immediately following the phrase "the services of"; and by inserting immediately following the words "a nurse" a comma and the phrase "or other medical personnel".

SEC. 15. Section 943 of such act is amended to read as follows:

"PHYSICAL EXAMINATIONS AND COSTS OF INOCULATIONS

"SEC. 943. The Secretary shall, under such regulations as he may prescribe, provide for physical examinations for applicants for employment and for officers and employees of the Service who are citizens of the United States, and for their dependents, including examinations necessary to establish disability or incapacity in accordance with the provisions of section 831, and shall provide for administering inoculations or vaccinations to such officers and employees and their dependents."

SEC. 16. (a) Foreign Service officers presently serving in the class of career ambassador and the class of career minister shall receive the salary prescribed for career ambassadors and for career ministers, respectively, by section 412 of such act, as amended.

(b) Foreign Service officers and Reserve officers in the other classes shall be transferred to the new classes established by section 412 of such act, as amended, as follows: Officers of class 1 to the new class 1; officers of class 2 to the new class 2; officers of class 3 to the new class 3; officers of class 4 to the new classes 4 or 5 as determined by the Secretary, in accordance with the second sentence of this subsection; officers of class 5 to the new class 6; and officers of class 6 to the new class 7. In accordance with such regulations as the Secretary may prescribe there shall be transferred to the new class 4 those officers of the present class 4 who either are receiving the sixth through the eighth step rates of the present class 4 or who were eligible and were recommended for promotion by the selection board next preceding the effective date of this act. All remaining officers in the present class 4 shall be transferred to the new class 5.

(c) Each officer transferred pursuant to paragraph (b) of this section shall, under such regulations as the Secretary may prescribe, receive basic salary at that one of the rates of the class to which he is transferred which shall, as nearly as possible, correspond to the salary he is receiving at the time of transfer, except that no officer shall suffer a reduction in basic salary as a result thereof.

(d) Service in a former class shall be considered as constituting service in the new class for the purposes of determining (1) eligibility for promotion, in accordance with the provisions of section 622, and (2) liability for separation, in accordance with the provisions of section 633. Officers who are transferred to new class 7 in accordance with paragraph (b) of this section shall continue to occupy probationary status pursuant to section 635.

(e) Officers transferred in accordance with the provisions of this section shall receive credit for time served in a previous class toward in-class promotion in accordance with section 625.

(f) The class and salary adjustments made pursuant to paragraphs (a), (b), and (c) of this section and the salary increases for chiefs of mission authorized by section 2 of this act shall be made effective as of the first day of the first pay period which begins after the date of enactment of this act or on the first day of the first pay period which begins after July 1, 1956, whichever shall be later.

SEC. 17. A new section 936 is hereby added to such act as follows:

"APPLICATION OF ANNUAL AND SICK LEAVE ACT OF 1951

"SEC. 936. The Annual and Sick Leave Act of 1951, as amended (5 U. S. C. 2061 and the following), shall apply to career ministers and Foreign Service officers, who are not serving as chiefs of mission or who are not serving in a position in the department which requires appointment by the President, by and with the advice and consent of the Senate, and to Foreign Service Reserve officers who are commissioned as diplomatic or consular officers, or both, in accordance with section 524 of the Foreign Service Act of 1946, as amended, notwithstanding the provisions of section 202 (c) (1) (A) of the Annual and Sick Leave Act of 1951, as amended."

SEC. 18. Notwithstanding the provisions of this Act, existing rules, regulations of or applicable to the Foreign Service of the United States shall remain in effect until revoked or rescinded or until modified or superseded by regulations made in accordance with the provisions of this act, unless clearly inconsistent with the provisions of this act.

Approved July 28, 1956.

PUBLIC LAW 250, 84TH CONGRESS, CHAPTER 576, 1ST SESSION

S. 2237

An act to amend the act of May 26, 1949, to strengthen and improve the organization of the Department of State, and for others purposes

Be it enacted, etc., That section 1 of the act of May 26, 1949 (63 Stat. 111; 5 U. S. C. 151 (a)), is hereby amended to read as follows:

"There shall be in the Department of State in addition to the Secretary of State an Under Secretary of State, three Deputy Under Secretaries of State, and 10 Assistant Secretaries of State."

SEC. 2. Section 2 of said act is hereby amended to read as follows:

"The Secretary of State and the officers referred to in section 1 of this act, as amended, shall be appointed by the President, by and with the advice and consent of the Senate. The Counselor of the Department of State and the legal adviser who are required to be appointed by the President, by and with the advice and consent of the Senate, shall rank equally with and shall receive the same salary as the Assistant Secretaries of State. Any such officer holding office at the time the provisions of this act, as amended, become effective shall not be required to be reappointed by reason of the enactment of this act, as amended. Unless otherwise provided for by law, the rate of basic compensation of the Deputy Under Secretaries of State shall be the same as that of Assistant Secretaries of State."

SEC. 3. The President may initially fill two of the Deputy Under Secretary positions established in section 1 of this act by appointing, without further advice and consent of the Senate, the two Deputy Under Secretaries of State who, on the date of the enactment of this act, held that designation pursuant to authority contained in section 2 of the act of May 26, 1949 (63 Stat. 111).

SEC. 4. Section 412 of the Foreign Service Act of 1946 (60 Stat. 999), as amended (hereinafter referred to as "such act"), is amended by striking the first sentence of said section and by inserting in lieu thereof the following: "There shall be eight classes of Foreign Service officers, including the classes of career ambassador and of career minister. The per annum salary of a career ambassador shall be the same as that for an Assistant Secretary of State."

SEC. 5. Section 501 (a) of such act is amended by adding the phrase "career ambassadors and" immediately following the word "including."

SEC. 6. Section 502 (a) of such act is amended by inserting the phrase "class of career ambassador and" immediately following the phrase "qualified for appointment to the", and by adding the following sentence at the end of said subsection: "No person shall be appointed into the class of career ambassador who has not (1) served for at least 15 years in a position of responsibility in a Government agency, or agencies, including at least 3 years as a career minister; (2) rendered exceptionally distinguished service to the Government; and (3) met such other requirements as the Secretary shall prescribe."

SEC. 7. Section 518 of such act is amended by inserting the words "career ambassador or" immediately following the phrase "to the class of."

SEC. 8. Section 631 of such act is amended by inserting the words "a career ambassador or" immediately after the words "who is."

SEC. 9. Section 632 of such act is amended by inserting the words "a career ambassador or" immediately following the words "who is not."

SEC. 10. (a) Section 811 (a) of such act is amended by striking out "811. (a)" and inserting "811." in lieu thereof and by striking out the phrase "of all participants" and inserting in lieu thereof the words "received by each participant."

(b) Section 811 (b) of such act is hereby repealed.

SEC. 11. Section 821 (a) of such act is amended by striking the phrase ", not exceeding $13,500 per annum," and "5 years next preceding the date of his retirement" and inserting the phrase "highest 5 consecutive years of service, for which full contributions have been made to the fund," immediately preceding the phrase "multiplied by."

Approved August 5, 1955.

Mr. MONRONEY. Mr. President, there is pending before the Committee on Public Works, Senate Joint Resolution 123, a measure for the preservation of Rock Creek Park which I introduced for myself and for Senators NEUBERGER, HUMPHREY, KUCHEL, and MALONE. This measure is similar to Senate Joint Resolution 36 of the 84th Congress on which the Interior Committee held exhaustive hearings.

It is my hope that the Public Works Committee will be able to act on this measure early in the next session of the Congress. Meanwhile, I ask that there be included as a part of my remarks the text of a press release pertinent to the subject matter of Senate Joint Resolution 123, be printed at this point in the RECORD.

There being no objection, the text was ordered to be printed in the RECORD, as follows:

Commerce Secretary and Commissioners' President Oppose Rock Creek Route for U. S. 240

Secretary of the Interior Fred A. Seaton has received assurance of the full support of the Interior Department's position opposing the extension of United States Route 240 through Rock Creek Park from Secretary of Commerce Sinclair Weeks and Commissioner Robert E. McLaughlin, President, Board of Commissioners of the District of Columbia, the Department of the Interior announced today.

In a letter addressed to Secretary Seaton, Secretary of Commerce Sinclair Weeks states: "A top-level meeting of highway officials of Maryland and the District of Columbia was held at the Statler Hotel on Friday, July 19. Mr. Robert O. Bonnell, chairman of the Maryland State Roads Commission, Gen. Thomas A. Lane, Engineer Commissioner of the District, Mr. J. N. Robertson, Director of the District Department of Highways and members of his staff, were present. All disclaimed any thoughts of bringing United States Route 240 Interstate Highway through Rock Creek Park. I am as pleased, as I am sure you are, at these assurances for protecting the character of Rock Creek Park." The Bureau of Public Roads, which acts for the Federal Government in the planning and construction of interstate highway systems, is an agency of the Department of Commerce.

In a similar letter to Secretary Seaton, Commissioner McLaughlin emphasized his opposition to the extension of United States Route 240 through Rock Creek Park, saying: "This park is unique. Its value to the Capital City is inestimable. We should all work to save its beauty and integrity."

Secretary Seaton, who previously has stated unequivocal opposition to the use of Rock Creek Park as a location for United States Route 240, expressed his gratification at the cooperation being extended by the Federal, Maryland, and District of Columbia highway authorities in their support of the Department of the Interior's stand for the preservation of Rock Creek Park.

THE PROBLEMS OF THE FARMERS OF WISCONSIN

Mr. WILEY. Mr. President, I ask unanimous consent that the final edition of the RECORD contain a statement which I am preparing on the subject of the problems facing the farmers of my State.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATOR WILEY'S ACTIVITIES DURING THE 1ST SESSION OF THE 85TH CONGRESS

Mr. WILEY. Mr. President, I ask unanimous consent that the final edition of the RECORD contain a statement which I am preparing with regard to the legislative measures which I have introduced, and other activities on my part during the 1st session of the 85th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

FLORIDA'S TIES WITH LATIN AMERICA

Mr. HOLLAND. Mr. President, I have before me the text of an address which I delivered at the annual banquet of the Miami Springs-Hialeah Chamber of Commerce on July 13, 1957, on the subject Florida's Ties With Latin America. I believe this address should be printed in the body of the RECORD, inasmuch as it relates directly to our strong ties with Latin America. It discusses the cogent reasons why we should include Latin American nations and Latin American peoples, all of whom are our friends, in the foreign-aid program.

Therefore I ask unanimous consent to have the address entitled "Florida's Ties With Latin America," which I delivered at the annual banquet of the Miami Springs-Hialeah Chamber of Commerce on Saturday, July 13, 1957, printed in the body of the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Florida's Ties With Latin America

From the discovery of Florida by Ponce de Leon in 1513 to the founding of St. Augustine, our Nation's oldest continuously existing city, by the Spanish in 1565, and on down through the centuries to this very day, the romantic history of our great State has been plainly marked by the Latin influence.

Throughout the length and breadth of Florida our place names reflect our Spanish background. To illustrate, the Perdido River forms our westernmost boundary—the St. Mary's the northernmost. From there down the east coast and up the west, Florida is bounded by cities, passes, bays, keys, and islands whose Latin names remind us of our Latin background—for just a few I mention Fernandina, St. Augustine, Anastasia, Boca Raton, Key Vaca, Tortugas, Marco, Punta Rassa, Boca Grande, Anna Maria, St. Marks, St. Joseph, and Santa Rosa.

The oustanding landmark of the Spanish influence in North America is, of course, our ancient city of St. Augustine whose approaching 400th anniversary in 1965 will afford to all Florida a wonderful opportunity to renew and strengthen the closeness of our historic ties with the people of Latin America and of Spain.

A glance at a map shows clearly that metropolitan Miami is near the geographic and population centers of the Western Hemisphere. It is the nearest point of contact by established transportation pattern, between the United States and Latin America. The map also shows that Miami lies due north of the Panama Canal, and that a line dropped straight south from this area will, contrary to the common conception, run west of almost all of the South American continent, which fans out south and southeasterly from Florida, while the rest of the United States and Canada lie mainly to the north and northwest of us. Therefore, we find the Miami area standing squarely in the geographic center of the great populations of the United States and Canada on the one hand, and the equally large population of Latin America on the other.

The enormous increase in airtravel in recent years has brought us and our Latin American neighbors even closer together, and has made our nearest neighbor, Cuba, only minutes away. Such rapidity of communication has brought about an unprecedented familiarity with each other's lands, customs, and people and has generated a new era of social, cultural, and commercial intercourse.

For many years, first in Key West and later in Tampa, the seat of our great cigar industry, there has been a heavy concentration of Latin American citizens—Floridians of whom we are proud. Miami, too, has its own large numbers of splendid Latin American citizens who have joined you here—many of them outstanding persons in the business world whose varied interests extend to banking, sugar, livestock, hotels, housing, sports, and many other phases of our commercial and industrial life. The same is true in lesser degree in other cities and town throughout Florida. In general, Latin American family names are almost as frequently found as Smith or Johnson.

Furthermore, our personal ties with Latin America, aside from the historical, geographic, and commercial connections, are almost as easy and natural as are our personal ties with close neighbors, next to whom we have dwelt and grown up in the normal course of family and community life. Your goodwill missions to Latin America from this area and similar missions from Tampa have done much to cement the highly cordial social relations which now prevail—and to add materially to the development of closer business contacts which are helpful both to them and to us. I shall continue to hope for the creation right here in Miami, of the proposed Inter-American Cultural and Trade Center, as the hub around which our friendly relations of every sort with Latin America may came to an impressive focus.

All of the Americas are known as nations of people with a common zeal for freedom and independence. As we in this Nation fought for our own right to self-government, the nations of Latin America likewise. with great determination, sacrifice and suffering threw off the yoke of foreign oppression and established for themselves national lives of their own choice and direction.

Even though the United States has historically been the strongest military power in the Western Hemisphere, the people of Latin America have not the slightest cause for concern because of our nearness—no fear whatever of invasion or of being taken over by our country.

We meticulously kept our word to help Cuba obtain freedom and independence. After the Spanish-American War, and in 1907 when we were again in Cuba, many urged that we annex the island or at least establish a protectorate. President Theodore Roosevelt emphatically rejected such proposals, stating in his famous letter to his Secretary of War, William Howard Taft that, and I quote his unforgettable words:

"Our business is to establish peace and order on a satisfactory basis, start the new government, and then leave the island. I will not even consider the plan of a protectorate, on any plan which would imply our breaking our explicit promise. The good faith of the United States is a mighty valuable asset and must not be impaired."

This is ordinary decency, applied to international relations, and it has been the cardinal principle of United States foreign policy with countries and peoples over whom we may have acquired temporary control in order to keep the peace and establish stability.

In times past the United States on several occasions assumed the self-appointed role of keeper of the peace in its effort to insure the stability of the governments of a number of our southern neighbors. The ill-will which this course of action generated is only now disappearing. The sole purpose of that action was our sincere desire to help those countries to insure their own permanence and stability. I believe that fact is now well understood throughout Latin America.

For today, in the Organization of American States, to which we belong and which we support unreservedly, the hemispheric police power is vested where it should be, that is, in all of the 21 republics which make up that splendid organization. Maintaining peace in the Americas is now a joint regional responsibility, in full accord with the U. N. Charter.

The Organization of American States is the community structure within which the 21 American republics have worked to make this hemisphere a better and safer home for all our peoples. It is strongly established and has on more than one occasion in recent years demonstrated its ability to find solutions for urgent problems which the individual countries involved could not find.

The population of Latin America is expanding more rapidly than that of any other major area of the world today. We in Florida know something of the stringencies of such a situation. Such a vast upsurge in population demands the rapid development of the natural resources, industry, and commerce of those countries. To help meet this requirement we are assisting them in many practical ways.

There is nothing particularly sensational about our programs of cooperation in the development of our sister republics. The inter-American community is a close-knit organization characterized by mutual faith and partnership. That this understanding pervades our relations with Latin America may be the reason why the headlines of our newspapers are seldom concerned with these relationships. This apparent lack of editorial concern can be, and has been misconstrued sometimes as a lack of sympathy, or even as disinterest. I am sure that it is neither. It is rather that in the fast moving and turbulent world of today we in the Americas live in such an intimate and peaceful relationship as to seldom call for sensational news treatment.

In this period of their rapid growth we are making a real and useful contribution to the efforts of our sister republics to build stronger national economies, to raise the standards of living of their people. We, too, have sectors of our own people who are living on substandard levels. It is important to every one of our nations that these underprivileged groups be given an opportunity to help themselves to house, clothe, and feed themselves better, to provide better opportunity and higher health standards for their children.

The people of the United States, as investors, are playing an important part in the economic development of Latin America. We have private direct investments there totaling over $7 billion which are increasing at the rate of $500 million a year. This is of great mutual benefit. Earnings on these investments are rewarding to the investors, and they also provide payrolls for thousands of Latin American employees. Substantial sums also go to pay local taxes. These private investments will continue to increase where conditions are favorable and where stable national governments exist.

The contribution made by our private citizens is complemented by our Government through Export-Import Bank loans which in the past 4 years totaled well over $1 billion for Latin American projects; by our technical assistance programs, by emergency grant aid in three instances, and by our sale to them of surplus agricultural commodities which are paid for in the currencies of the purchasing countries.

Just 2 weeks ago the new International Finance Corporation, an offspring of the World Bank, which is supported by contributions from 50 nations, made its first loan to a West German-owned electrical equipment plant in Brazil. This will spur Brazilian power development and sustain a more rapid industrial growth. Many other projects of helpful nature will undoubtedly spring from this same source.

Members of our Florida Congressional delegation have worked diligently toward the advancement of warm, friendly relations with Latin America, and for the advancement of our programs of cooperation with our sister republics. My distinguished colleague, your own GEORGE SMATHERS, has made a specialty of this activity and his extensive contacts with and effective assistance on many Latin American problems has been outstanding in the Senate. Likewise, good work has been done in this same field by your able Congressman DANTE FASCELL, who, among many other activities, represented our Government at Managua at the recent inauguration of the younger Somoza to succeed his father as president of Nicaragua. As a member of the House Foreign Affairs Committee his major assignment is to the Subcommittee on Inter-American Affairs.

Senator SMATHERS and Congressman FASCELL were prime movers in the successful effort last year to repeal the excise tax on travel to the Caribbean area which tax had not only deterred tourism in that important nearby area but also had produced some natural resentment by those friends of ours who were adversely affected.

There are many other areas of cooperation between us and our Latin American friends which are helpful both to them and to us.

That they are productive of worthwhile results can best be shown from a brief report on some of my personal observations during the five official visits to nearby Latin American Nations which I have been privileged to make as a representative of the people of the United States.

I went to Mexico in 1951 as a member of the Senate Agriculture Committee and at the urgent invitation of the Mexican Government which was concerned over several outbreaks of violence which had occurred in the affected areas, to look into our joint campaign with that country to eradicate the foot-and-mouth disease among cattle and other livestock and to give assurance of our vital interest and our willingness to see the project to completion. I found there real appreciation of our efforts and much progress being made on that most serious problem. You know, of course, that eradication was completed, and that our own money, men and scientific know-how all made great contributions to that success.

I returned to Mexico in 1952 as a representative of the United States Congress at a special session of the Pan-American Highway Congress. On every hand I noticed the kindly feeling of the Mexicans and other Latin American participants.

On both trips to Mexico I found at our Embassy and various other places numerous evidences of our cooperation with Mexico on worthwhile objectives. For instance, Dr. Baker and Dr. Stone, who were two of the principal scientists of our Department of Agriculture in the field of Entomology, had a very valuable joint operation underway with various Mexican scientists at Mexico City and also in the field, which was doing experimental work with the blackfly and the Mexican fruitfly, both of which are pests for citrus fruit and other important fruits. Already this work has proved of great value both to Mexico and ourselves. Likewise, I heard of important cooperative work in the fields of public health and education which was underway not only in Mexico but in all the other areas of Latin America which I have visited since that time.

In 1954, I went to Caracas as an official observer to the third Pan-American Highway Congress where, as was stated so kindly by your President in his introduction, I received an award for my work on the development of the Inter-American Highway. In that beautiful Venezuelan city I observed many evidences of the tremendous boom they were enjoying from American development of their oil and mineral resources.

In 1955 I was in all of the Central American countries as a member of the United States delegation to attend the dedication of two new links on the Inter-American Highway, one on the Nicaragua-Costa Rica border, which had been closed due to the bloody fighting that had taken place there only a few months before, and the other in Guatemala, marking the completion of the first project of the then new Castilla Armas administration which had unseated the Communist, Arbenz. The first ceremony was but a few yards away from the bullet-ridden remains of the Costa Rican Customs House where nine men had been killed in the border fighting. What a contrast it was to see the large number of cars lined up in each direction on the new highway awaiting the official opening before beginning a new era of travel and communication between the two countries. Results like this surely justify our interest in the establishment of modern communication facilities and our payment of two-thirds of the cost of the 1,600 miles of highway in Central America. The other 1,600 miles of the highway—that in Mexico—has been completed by the Mexicans at their own expense.

In Nicaragua I found the United States Corps of Army Engineers mapping by helicopter difficult and uncharted terrain. I was most happy to fly with two young officers from Jacksonville who were piloting the helicopters from which we inspected the work on the Rama road, which will give the first modern access in that country from the Caribbean to the Pacific.

In Costa Rica I found Dr. W. G. Kirk, a Floridian, director of our range cattle experiment station, on assignment from our State board of control to aid them. With him was a veterinarian to help the local livestock people, sent by the State livestock sanitary board to teach new animal husbandry practices to the Costa Ricans. Our Dr. Harold Mowrer, former head of our experiment station, was employed there as principal official adviser on agriculture in Costa Rica.

Later in 1955 I went to Panama in pursuance of my duties as chairman of the Subcommittee on Appropriations which handles Panama Canal matters. Aside from the great benefit the Panamanians derive from the operation of the canal, we now will undertake to build a high-level bridge over the Pacific end of the canal, which we are committed to do under our latest treaty with them. This bridge will be of great value both to the Panamanians and to us, and will be the final link of the Inter-American Highway.

In each of these countries I found many other evidences of progress and real constructive help accomplished through our cooperation. Also I found the greatest possible interest on the part of the Latin American people in our country and our people. The friendliest of attitudes toward us was abundantly displayed everywhere.

The completion of the Inter-American Highway to the Panama Canal, and the improvement of travel and hotel facilities along the way will undoubtedly attract in the future a large portion of the thousands of Americans who annually travel abroad. In riding by car over a considerable portion of the highway I observed many things of interest to be seen there, active volcanoes, fascinating terrain of rugged beauty; numerous birds and animals and much colorful vegetation that are strange to North American eyes. Besides all these the natural pride of American people in the Panama Canal, one of our greatest achievements in the fields of engineering and public health, will lure many of our people there.

It is well known to all of your here that plans are underway for linking Florida with the Inter-American Highway by the existing ferry service from Key West to Cuba, the Cuban highways to a port near Cape San Antonio, and a second ferry across the 110 miles of the Yucatan Channel to Yucatan. The Mexicans are building the several hundred miles of road required to complete the junction with the Inter-American Highway. This will provide a fabulous loop for tourism.

The economic and political stability of a number of our sister Republics depends upon their continued access to United States markets for the goods they produce. The industries that produce these products are usually basic in the various countries. They represent the livelihood of thousands of people. They produce a substantial part, at times the majority of the Government tax income.

Coffee occupies a unique position in inter-American trade. It is by far the most important commodity in our trade relations with the other American Republics. It, therefore, has great significance in our relations with the coffee-producing countries and in economic, social, and political conditions within those countries.

Twice, as a member of the Senate Committee on Agriculture, I have participated in conferences on coffee problems with representatives of Brazil, Colombia, and other Latin American countries, which resulted successfully in easing tensions and the renewal of cordial and uninterrupted trade. I found them delightful gentlemen, but well informed on every aspect of the coffee trade, and properly aggressive in the advancement of the interests of their people.

Sugar is vital to the stability of the Cuban economy. Aside from our normal commercial intercourse we have made Cuba our preferred supplier of sugar. Also we receive heavy imports of their fruits and vegetables and a large portion of their tobacco crop finds its way to Tampa, where more clear Habana cigars are manufactured than are made in Habana itself. Bananas are a major crop in several countries, particularly in Central America.

Venezuela earns 95 percent of its foreign exchange through the sale of petroleum products, about 40 percent of which are sold to us. These conditions can be extended to include the importance of copper to Chile, tin to Bolivia, lumber to Honduras, Guatemala, Mexico, and other similar examples.

The greatest opportunity for mutual benefit for the people of this hemisphere is through economic development of Latin America and the expansion of inter-American trade. In this, however, we must bear in mind that trade is always a two-way proposition. We cannot only sell our manufactured goods and other products—we must also buy, and the channels of trade must be kept reasonably open so that trade may flow in both directions. Live and let live, give and take, must be our motto and our practice.

The fields in which private enterprise and initiative can expand and develop the Latin American economic opportunities are indeed challenging and it would be difficult to overstate the importance of these economic possibilities to the people of our country and the other American Republics. While the governments of the hemisphere can make and are making many contributions toward this development, the course which our countries will follow in this mutually beneficial undertaking will be determined mainly by the attitude of the people themselves.

Sixteen years ago, in my inaugural address as Governor of Florida, I referred to Florida as "this index finger of North America which points southward to the lands whose future is so intimately linked with ours." That concept was sound then—it is just as sound today. With each passing year it becomes increasingly important that much of our time, our attention, our planning, and our sympathetic understanding shall be given to those ways and means by which this hemisphere can be developed more uniformly and on a basis which shall always be joint and mutual.

The people of Florida and of every State in the United States have reason to have faith in and friendship for our fellow Americans, our allies with whom we share this new world, as they—our Latin American neighbors—are entitled to have faith in us. United in this faith, we peoples of the Americas have an obligation to work together with each other in bringing to the rest of the world a shining example in this hemisphere of how peace, justice, material wellbeing, and spiritual progress can exist on this earth.

UNEMPLOYMENT

Mr. CLARK. Mr. President, I desire to call to the attention of the Members of the Senate some recent developments in the unemployment picture which emphasizes again the importance of passing the area redevelopment bill, S. 964, which the eminent senior Senator from Illinois [Mr. DOUGLAS] has introduced with a number of other Senators, including myself, as cosponsors.

The Bureau of Employment Security has announced that seven more areas in the United States have been added to the list of those with substantial unemployment—which is defined as over 6 percent of the labor force. Two areas have been removed from the list, making a net increase of five. One of the areas added is Erie, in my State of Pennsylvania. Two other major areas, one of them Altoona, Pa., have been added to the list of those with unemployment over 9 percent; while one has been removed.

In looking at the statistics which show that the Nation as a whole has a moderately high level of employment and a high level of production and income, we must always keep in mind the fact that our prosperity is uneven and that localized depressions can exist and have existed over long periods of time in the midst of general prosperity. These communities are doing everything they can to lift themselves up by their own bootstraps, but they have exhausted their local resources and desperately need Federal assistance.

I ask unanimous consent to insert in the RECORD as part of my remarks the following excerpts from the Area Classification Summary in the July 1957 edition of the Bimonthly Summary of Labor Market Developments in Major Areas, published by the Bureau of Employment Security, with an explanatory note, which shows that the problem of severe localized unemployment is still with us and getting worse.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPT A

AREAS CHANGED FROM C TO D

Detroit, Mich.: Unemployment reaches substantial levels as auto payrolls continue to edge downward during the late spring. Joblessness still below year-ago levels, however, despite recent rise. Little overall improvement expected until after changeover to 1958 models gets under way.

Erie, Pa.: Reductions in electrical, nonelectrical machinery (air conditioners), primary metals and railroad equipment boost unemployment to substantial proportions. Cutbacks in nonelectrical machinery scheduled to continue to early autumn. Joblessness likely to remain high to year end.

Knoxville, Tenn.: Employment downtrend, under way since turn of year, boosts unemployment to substantial levels. Recent losses heaviest in primary metals (aluminum), instruments; completion of Government contracts cuts apparel. Unemployment expected to remain near current levels through early autumn.

AREAS CHANGED FROM D TO E

Flint, Mich.: Sharp rise in area's already substantial labor surplus results from continuing layoffs in dominant autos and in auto-related electrical machinery and fabricated metals. Joblessness now double early spring level. Further, temporary layoffs expected during auto model changeover period.

Altoona, Pa.: Unemployment, already high in early spring, shows further rise as area's dominant railroad-equipment industry cuts local payrolls. Joblessness now about two-fifths above year-ago mark. Additional curtailments scheduled in railroad equipment, with very little improvement likely in other industries.

AREAS CHANGED FROM E TO D

Terre Haute, Ind.: Gains in electrical equipment and supplies, construction, pace recent employment uptrend. Rise in latter industry spurred by work on large new brass plant. Unemployment, although still substantial, almost one-fourth below year-ago level. Further improvement expected to early autumn, with principal gain likely in construction; some factory increases also scheduled.

SMALLER AREAS—DELETION FROM LABOR SURPLUS LIST

Lexington, Ky.: Joblessness drops to moderate proportion as new industrial growth spurs sizable payroll advances. Metals and machinery group nearly doubles its workforce over the year; construction and service also score substantial increases. Scheduled additional hires for several new manufacturing plants, pickups in construction, farm and trade presage further improvement in area situation to early autumn.

Richlands-Bluefield, Va.: Sizable expansion in key coal mining hires at new furniture plant lead over-the-year employment uptrend. Unemployment now one-third below year-ago levels. Further job gains in prospect to September; staffing of new apparel plant, increases in electrical machinery due to spearhead rise.

SMALLER AREAS—ADDITIONS TO SUBSTANTIAL LABOR SURPLUS LIST

Bay City, Mich.: Sizable cutbacks in auto parts manufacturing and shipbuilding primarily responsible for recent unemployment increases; losses in fabricated metals, foundries and machinery also contribute. Some plants operating on reduced work-week schedules. No basic improvement in area situation is expected over the next few months, although food processing, building materials, construction, and trade may rise seasonally.

Rutherfordton-Forest City, N. C.: Area's substantial unemployment due principally to long-term weakness in dominant textile industry. Construction, trade, service payrolls also down since year ago; joblessness up one-fourth since last December. Further unemployment rise averted by outmigration, out-commuting, and withdrawals from labor force. Only minor changes anticipated over next few months.

Portsmouth-Chillicothe, Ohio: Recent shutdown of large local shoe factory boosts joblessness above substantial levels. Primary metals, railroad transportoation, construction, trade and coal mining among other important industries reporting payroll losses since year ago. Light hiring in paper, atomic energy provides only partial offset to these declines. Little prospect for significant change during the next few months.

Springfield, Ill.: Sizable layoffs in important nonelectrical machinery, smaller over-the-year losses in electrical machinery, food processing cut factory employment to 7-year low; boost unemployment to substantial level. Joblessness now some 70 percent above year-ago level. Little basic improvement likely in next few months; factory employment may dip further.

EXCERPT B

AREAS OF "SUBSTANTIAL LABOR SURPLUS"—JULY 1957

Major areas

Indiana: Evansville, Terre Haute.
Massachusetts: Fall River, Lawrence, Lowell.
Michigan: Detroit, Flint, Grand Rapids, Muskegon.
New Jersey: Atlantic City.
North Carolina: Asheville, Durham.
Pennsylvania: Altoona, Erie, Johnstown.
Scranton, Wilkes-Barre—Hazleton.
Puerto Rico: Mayaguez, Ponce, San Juan.
Rhode Island: Providence.
Tennessee: Knoxville.
West Virginia: Charleston.
Wisconsin: Kenosha.

Smaller areas

Alabama: Jasper.
Connecticut: Danielson.
Illinois: Canton, Harrisburg, Herrin-Murphysboro-West Frankfort, Litchfield, Mount Carmel-Olney, Mount Vernon, Springfield.
Indiana: Michigan City-La Porte, Muncie, Richmond, Vincennes.
Kansas: Coffeyville-Independence-Parsons, Pittsburg.
Kentucky: Corbin, Frankfort, Hazard, Madisonville, Middlesboro-Harlan, Morehead-Grayson, Owensboro, Paintsville-Prestonsburg, Pikeville-Williamson.
Maine: Biddeford-Sanford.
Maryland: Cumberland.
Massachusetts: North Adams.
Michigan: Bay City, Iron Mountain, Monroe, Port Huron.
New Jersey: Bridgeton, Long Branch.
North Carolina: Fayetteville, Kinston, Mount Airy, Rocky Mount, Rutherfordton-Forest City, Shelby-Kings Mountain, Waynesville.
Ohio: Portsmouth-Chillicothe, Springfield.
Oklahoma: McAlester.
Pennsylvania: Berwick-Bloomsburg, Clearfield-Dubois, Lewistown, Lock Haven, Pottsville, Sunbury-Shamokin-Mt. Carmel, Uniontown-Connellsville.
Rhode Island: Newport.
Tennessee: LaFollette-Jellico-Tazewell.
Texas: Texarkana.
Virginia: Big Stone Gap-Appalachia, Radford-Pulaski.
West Virginia: Beckley, Fairmont, Logan, Point Pleasant-Gallipolis, Ronceverte-White Sulphur Springs, Welch.

(NOTE.—Group E includes areas with unemployment from 9 to 11.9 percent; Group D from 6 to 8.9 percent; Group C from 3 to 5.9 percent. The "substantial labor surplus" list includes all areas with unemployment over 6 percent. Excerpt A shows what is happening in the areas which have been reclassified. Excerpt B lists all of the areas of substantial labor surplus in the country.)

THE FREDRIC R. MANN AUDITORIUM AT TEL AVIV, ISRAEL

Mr. CLARK. Mr. President, on October 2, in Tel Aviv, Israel, there will be dedicated a new home for the Israel Philharmonic Orchestra. It will be called the Fredric R. Mann Auditorium.

The name it bears is that of an old friend and associate, a Philadelphia business and civic leader and patron of the arts. Its opening is the fruition of a dream born some 6 years ago in the City of Brotherly Love. Fredric R. Mann is the city representative and director of commerce of the city of Philadelphia, and president of the Robin Hood Dell. Each summer, the Friends of the Dell, headed by Mr. Mann, join with the city's Department of Recreation in presenting a free summer series of concerts featuring the Robin Hood Dell Symphony—substantially the famous Philadelphia Orchestra—and great stars of the concert world in the sylvan setting of Robin Hood Dell in Philadelphia's famed Fairmount Park. These concerts are attended annually by almost half a million Philadelphians. I am happy to note that they were made a free service to the people of Philadelphia while I was mayor of that city and while Mr. Mann was commissioner of recreation.

In 1951 the Israel Philharmonic Orchestra made a goodwill tour of the United States as a means of showing the people of this country the cultural attainments of an infant State born 3 years before. They played at the Academy of Music in Philadelphia and in their tour of that historic city visited the Robin Hood Dell. They told Mr. Mann that throughout Israel there was no concert hall adequate for performing before the music-hungry people of that country. The Israel Philharmonic is composed of the greatest musicians of Europe, most of whom were rescued from the Hitler terror that drove them from their countries and exterminated so many of their people.

This need for a concert hall fell upon the ears of a man whose love for music is almost an obsession. He is chairman of the board of the America-Israel Cultural Foundation, an agency dedicated to the cultural interchange between the two countries. Through that agency, he rallied his friends and gave generously of his own funds and raised the money to build this home which will be one of the finest music structures anywhere in the world.

On Wednesday evening, October 2, the Fredric R. Mann Auditorium will formally be given to the people of Israel with a concert featuring some of the greatest musical stars that America has to offer: Leonard Bernstein, America's great young composer-conductor; Artur Rubinstein, the distinguished pianist; Isaac Stern, the world-renowned violin virtuoso: and Gregor Piatigorsky, the world's premier cellist. Coming from all over the world will be the great names of music and government. A large delegation of Americans will be present as guests of the Prime Minister of Israel, the Honorable David Ben Gurion.

As a Pennsylvanian and a Philadelphian, I take great pride in the fact that Fredric Mann will be so singly honored in the new city in the age-old land of the Bible. His name, engraved on this hall, will stand as a reminder of the friendship between the people of the United States and the heroic people of the world's newest democracy.

REPORT OF ACTIVITIES OF THE COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. BIBLE. Mr. President, on behalf of the distinguished, and I may say revered, Senator from the State of West Virginia [Mr. NEELY] chairman of the Committee on the District of Columbia, I am most pleased to present to the Senate a report of the activity of that committee during the 1st session of the 85th Congress.

The Committee on the District of Columbia is somewhat unique among Senate committees in that to it are brought a great variety of problems and a broad gamut of legislative proposals. It acts not only as a Senate committee on problems of national import, but in addition as the equivalent of the upper house of a State legislature and as a city council. Due to the many conflicting interests that stem from the fact that the city of Washington is the National Capital, and a voteless National Capital without representative self-government, these duties must necessarily devolve upon us. Service upon the District of Columbia Committee is, however, a most rewarding assignment in that it enables a Senator so chosen an admirable opportunity to learn at firsthand of the many pressing problems that the Capital shares with the other great metropolitan areas of our country. It serves as an excellent discipline to a Senator in the difficult art of mastering with speed and accuracy many detailed and technical aspects of modern municipal management, and it provides an insight into some of the problems faced in every State by State authorities.

These are the reasons Mr. President, which motivate those of us who are fortunate enough to be selected to serve on the committee to attempt to carry on our assignment to the best of our ability. It is for these reasons, Mr. President, that we are proud of the record that the committee makes in the field of constructive legislation.

Mr. President, I ask unanimous consent that the report I submit herewith be printed in the body of the RECORD at the conclusion of my remarks. It consists of a summary statement of committee activity and a statistical table of committee action on matters referred to it for consideration.

In connection with this activity report, Mr. President, I should like to draw the attention of the Senate to one overall statistic. The committee had referred to it in this session 105 matters. These matters included Senate bills, House acts, resolutions from both bodies, and nominations. I submit that for the committee to have given active consideration to all but 33 of these matters is a commendable record.

I should also like to point out that 10 of the 33 matters to which no active consideration has as yet been given were received by the committee subsequent to August 1 of this year.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT OF ACTIVITIES OF THE COMMITTEE ON THE DISTRICT OF COLUMBIA, 85TH CONGRESS, 1ST SESSION, AUGUST 30, 1957

The Committee on the District of Columbia received for consideration in the 85th Congress, 1st session, the following:

Senate bills	71
House bills	25
Senate resolutions	2
Senate joint resolution	1
Senate concurrent resolution	1
House concurrent resolution	1
Nominations	4
Grand total	105

Hearings were held by subcommittees on 38 Senate bills and 11 House bills. The full committee held hearings on four nominations, all of which were favorably reported by the committee.

The full committee met nine times.

Of the 23 Senate bills reported to the Senate, 18 were passed by the Senate and four were indefinitely postponed and companion House bills were considered and passed in lieu thereof. One Senate bill was recommitted and a companion House bill was reported in lieu thereof. Of the 14 House bills reported to the Senate, 13 were passed by the Senate. One House concurrent resolution has been approved by both bodies.

As of this date, one House bill is pending on the Senate Calendar.

Conference committees were appointed on two bills, and Senate conferees have been appointed on one bill. Three conference committee meetings were held. The Senate acted favorably on the three conference reports.

In addition to the foregoing, extensive hearings were conducted on the problems of hungry children in the District of Columbia, home-rule proposals for the District of Columbia, Potomac River crossings, Sibley Memorial Hospital site, and police and firemen retirement legislation. Two subcommittee field trips of an investigatory nature were made in addition to the formal hearings.

The following is a statistical summary of committee action:

Number of bills, acts, resolutions, and nominations referred to committee	105
Number of bills, acts, resolutions, and nominations reported to Senate	42
Number of bills, acts, and resolutions in process (hearings held or other action taken)	9
Number of bills, acts, and resolutions disposed of through consolidation with other Senate bills or House acts	18
Number of bills, acts, and resolutions indefinitely postponed within committee	3
Number of bills, acts, and resolutions awaiting initial action	[1] 33

[1] Of this number, six Senate and four House bills were received by the committee subsequent to Aug. 2, 1957.

The following is a list, by title and number, of all bills and acts passed by the Senate. Those that became law are indicated by the public or private law number.

S. 78, to provide for the maintenance and operation of the bridge to be constructed over the Potomac River from Jones Point, Va., to Maryland.

S. 105, to exempt from taxation certain property of the National Association of Colored Women's Clubs, Inc., in the District of Columbia.

S. 768, to designate the east 14th Street highway bridge over the Potomac River at 14 Street in the District of Columbia as the Rochambeau Memorial Bridge. Public Law 85–76.

S. 944, to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

S. 969, to prescribe the weight to be given to evidence of alcohol in the blood or urine of persons tried in the District of Columbia for operating vehicles while under the influence of intoxicating liquor.

S. 1040, to amend the acts known as the "Life Insurance Act," approved June 19, 1934, and the Fire and Casualty Act, approved October 9, 1940.

S. 1264, to exempt from taxation certain property of the National Trust for Historic Preservation in the United States in the District of Columbia. Public Law 85–80.

S. 1269, to amend the act entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes," approved May 1, 1906, as amended.

S. 1576, to exempt the sale of materials for certain war memorials in the District of Columbia from the District of Columbia Sales Tax Act. Public Law 85–82.

S. 1586, to eliminate the financial limitation on real and personal estate holdings of the American Historical Association and to exempt from taxation certain property of such association in the District of Columbia. Public Law 85–83.

S. 1708, to amend the act entitled "An act relating to children born out of wedlock," approved January 11, 1951.

S. 1764, to amend the District of Columbia Public School Food Services Act.

S. 1841, to authorize the District of Columbia Board of Education to employ retired teachers as substitute teachers in the public schools of the District of Columbia.

S. 1842, to amend the act entitled "An act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes," approved February 4, 1925.

S. 1849, to provide for more effective administration of public assistance in the District of Columbia; to make certain relatives responsible for support of needy persons, and for other purposes.

S. 1906, authorizing the conferring of appropriate degrees by the District of Columbia Teachers College on those persons who have met the requirements for such degrees, and for other purposes.

S. 1908, to amend the District of Columbia Hospital Center Act in order to extend the time and increase the authorization for appropriations for the purposes of such act, and to provide that grants under such act may be made to certain organizations organized to construct and operate hospital facilities in the District of Columbia.

S. 2438, to amend the District of Columbia Business Corporation Act. (At the White House.)

H. R. 192, to provide that members of the Board of Education of the District of Columbia may be removed for cause. Public Law 85–119.

H. R. 1937, to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes. (At the White House.)

H. R. 2018, to permit any State of the United States or any political subdivision of any such State to purchase from the District of Columbia Reformatory at Lorton, Va., gun mountings and carriages for guns for use at historic sites and for museum display purposes. Public Law 85–45.

H. R. 3400, to provide full and fair disclosure of the character of charitable, benevolent, patriotic, or other solicitations in the District of Columbia, and for other purposes. Public Law 85–87.

H. R. 4813, to extend the life of the District of Columbia Auditorium Commission, and for other purposes.

H. R. 4932, to amend the act of July 11, 1947, to increase the maximum rate of compensation which the director of the Metropolitan Police force band may be paid. Public Law 85–129.

H. R. 6258, to amend the act entitled "An act to provide additional revenue for the District of Columbia, and for other purposes," approved August 17, 1937, as amended. (At the White House.)

H. R. 6306, to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two 4-lane bridges to replace the existing 14th Street or highway bridge across the Potomac River, and for other purposes."

H. R. 6454, to amend the act for the retirement of public-school teachers in the District of Columbia, and for other purposes. Public Law 85–46.

H. R. 6508, to modify the Code of Law for the District of Columbia to provide for a uniform succession of real and personal property in case of intestacy, to abolish dower and curtesy, and to grant unto a surviving spouse a statutory share in the other's real estate owned at time of death, and for other purposes. (At the White House.)

H. R. 6517, to provide for the retirement of officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, and of certain officers and members of the United States Secret Service, and for other purposes. Public Law 85–157.

H. R. 7249, to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia. Public Law 85–94.

H. R. 7467, to amend the act of March 3, 1901, with respect to the citizenship and residence qualifications of the directors or trustees of certain companies in the District of Columbia. (At the White House.)

H. R. 7825, to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation, in the District of Columbia. (At the White House.)

H. R. 7835, to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia and for other purposes. Public Law 85–73.

H. R. 8256, to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social security benefits and to provide additional exemptions for age and blindness, and to exempt from personal property taxation in the District of Columbia, boats used solely for pleasure purposes, and for other purposes. (At the White House.)

H. R. 8918, to further amend the act of August 7, 1946 (60 Stat. 896), as amended by the act of October 25, 1951 (65 Stat. 657), to provide for the exchange of lands of the United States as a site for the new Sibley Memorial Hospital; to provide for the transfer of the property of the Hahnemann Hospital of the District of Columbia, formerly the National Homeopathic Association, a corporation organized under the laws of the District of Columbia, to the Lucy Webb Hayes National Training School for Deaconesses and Missionaries, including Sibley Memorial Hospital, and for other purposes. (At the White House.)

The following is a list of nominations confirmed by the Senate:

Catherine B. Kelly, of Maryland, to be associate judge of the municipal court for the District of Columbia for a term of 10 years, vice Nadine Lane Gallagher, term expired.

Orman W. Ketcham, of Maryland, to be judge of the juvenile court for the District of Columbia for a term of 6 years, vice Edith H. Cockrill, term expired.

Andrew Parker, of the District of Columbia, to be a member of the District of Columbia Redevelopment Land Agency for the term expiring March 3, 1962. (Reappointment.)

John Lewis Smith, Junior, of the District of Columbia, to be associate judge of the municipal court for the District of Columbia for the term of 10 years, vice Frank Hammett Myers, appointed to the domestic relations branch.

THE TUNGSTEN MINING INDUSTRY

Mr. BIBLE. Mr. President, many times during the past session I have called the attention of the Senate to the critical situation of the mining industry of the West. My colleagues will remember that during this session we passed a bill to provide $30 million for the American tungsten mining industry, only to see that item struck from the appropriation bill in the House of Representatives.

It seems ironical to me that we on one hand give nearly the same amount of money to assist a mining industry in a foreign nation, when we fail to consider the needs of our own mining industry. This is just one specific instance; I am sure there are many more. I sincerely hope the Congress and executive department of this Nation will awaken to the disastrous policy we are now following before it is too late.

Production of tungsten, as well as other minerals, has practically ceased in Nevada. The tungsten industry now has fewer than 100 employees in my own State. Many miners are out of work. In all fairness I ask the question: "Is it good policy to let our American miners' breadbaskets go empty while we take our tax dollars and build a mining industry in a foreign country?" An industry which will, and which does, import cheaply mined minerals to our American shores to compete with our own labor. Somewhere we must draw the line.

I should like to call attention to the last two paragraphs of an editorial which was published recently in one of Nevada's leading newspapers, the Nevada State Journal.

The editorial calls attention to the 16-page supplement inserted by the Government of Korea in the August 11 issue of the New York Times. It points out one line in this supplement which says: "Korea will spend 29.8 millions of American dollars for rebuilding Korean mining industry." Photos show that many of these are tungsten mines.

I ask unanimous consent that the editorial be printed in the Record at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Nevada State Journal of August 25, 1957]

Which Should Come First, the Far West or Far East?

While the tungsten, copper, and lead-zinc mines in Nevada, and throughout the West, wallow in the doldrums, the United States House of Representatives sailed along last week toward adjournment, seemingly oblivious of the plight of thousands of miners thrown out of work and the imminent danger of a complete shutdown of the industry producing these vitally needed metals.

The lower House of Congress en masse, of course, is not really unaware of the critical mining situation. It only appears to be so. Walter S. Baring, Nevada's Representative in the House, for instance, made it plain to his colleagues that the tungsten mines would close without a Federal purchase plan. Many other Members of the lower House have done the same, and both of Nevada's Senators, too, have continually hammered the point.

But the House, composed mainly of easteners to whom the Far West is only a place "out there," are concerned not with where metals are produced, nor the "at home" economic repercussions resulting therefrom. The vast majority, if they have given the metals market any thought at all, only seek to make certain the product is on hand. Where the tungsten, lead and zinc or copper comes from does not concern them. Of if they are one whit worried about it they prefer the mining be done in Latin America or the Orient, fearing protection for this lifeblood industry of the Western United States will disrupt public relations abroad.

The United States Senate must be exempted specifically from this dereliction, having given mining more than adequate support. Other divisions of Government, however, are in the same category as the lower House of Congress, as well as some individuals whose sole reason for throttling down the industry is personal gain.

In the latter category is a man named Phillip McKenna, head of Kennemetal, Inc., the parent company of the Nevada Scheelite, which closed when the Federal tungsten purchase program was discontinued. Mr. McKenna was not worried about that development, though, because he stood to gain much more by the discontinuance than through this comparatively small Nevada industry. Representative Baring, in a letter to this newspaper last spring, said McKenna was the one man responsible for the House Appropriations Committee's turning down the tungsten subsidy.

The committee chairman relied almost solely on McKenna's testimony. And McKenna said the purchase program was unnecessary. McKenna is principally a fabricator, not a producer. When tungsten purchases were discontinued, 110,000 units were then scheduled for sale on the open market, forcing the price down under distress selling. It was estimated by the Nevada Congressman that McKenna, buying under this situation, would stand to gain about $30,000 a month. But the lower House listened, and the subsidy died.

It is all very well to harangue about free trade and open competition, but the Government is now engaged in a policy, as far as metal is concerned at least, in which money is loaned to foreign nations to put our own workers out of work and our own businessmen out of business.

An excellent illustration of the truth of such an assertion is that found in the New York Times of Sunday, August 11. Included in the issue is a 16-page advertisement inserted by the Government of Korea, which explained in the main how a generous American Government was helping rebuild that nation. Among the statistics was one sentence pointing out that Korea will spend 29.8 millions of American dollars for rebuilding Korean mining and industry. The advertisement, in itself a very costly piece of propaganda, was dotted with photos of Korean tungsten properties, all of which are being reactivated with that 29.8 million dollars—almost the exact sum which would have kept our own tungsten mines going for the fiscal year, and kept American miners employed.

Giving succor to downtrodden nations cannot be too highly commended. But if the Congressmen and others who consider themselves international philanthropists will turn their eyes, for just a little while, to the Western United States they might become persuaded that their own countrymen are in need of an even break too, at least once in a while.

CLOTURE IN THE SENATE

Mr. JAVITS. Mr. President, I wish to read into the Record this morning a statement issued by six Senators, as follows:

Joint Statement

We have felt right along that the threat of a filibuster was overhanging the debate and influencing the Senate's action on the civil-rights bill. Also, we have seen a sample of what the filibuster means to civil-rights measures and how it can block the public business in such critical times. We wish to state therefore that this demonstration strengthens our determination to work for reasonable amendments to rule XXII to make it more practical to invoke cloture in appropriate situations. In this way discussion may finally be brought to a close after full and fair debate, not obstruction, and we may perform our constitutional duty to vote on the issue. We propose to forward vigorously the efforts to attain that objective.

CLIFFORD P. CASE, *New Jersey.*
IRVING M. IVES, *New York.*
JACOB K. JAVITS, *New York.*
THOMAS H. KUCHEL, *California.*
CHARLES E. POTTER, *Michigan.*
EDWARD J. THYE, *Minnesota.*

Mr. President, for the information of the Senate I wish to state that the subcommittee on which I had the honor to serve with the junior Senator from Georgia [Mr. TALMADGE] has concluded its hearings, and the proceedings are being printed. During the recess I expect that each of us will file a report. I look forward with real expectation that early in the next session of Congress some action will be taken on the subject upon which a number of resolutions are pending, and upon which we have had a very important case history made.

USED CAR DEALERS IN THE DISTRICT OF COLUMBIA

Mr. MONRONEY. Mr. President, the attention of the Subcommittee on Automobile Marketing Practices has been called to what appears to be improper practices by some used-car dealers in the District of Columbia, by which they have succeeded in making collection agents of the armed services on installment sales of used automobiles to servicemen—all directly contrary to armed services regulations. I respectfully request that the Secretary of Defense make a thorough investigation of this matter, with the view of making necessary revisions in the regulations relating to allotments by servicemen.

Armed services regulations limit the purposes for which an allotment may be registered by a serviceman, but quite properly provide that allotments from their pay may be made to savings institutions. Certainly, we will all commend this method of encouraging thrift among members of the Armed Forces.

However, it now comes to the attention of the Subcommittee that these provisions of the armed services regulations are being exploited by some unscrupulous used-car dealers in the District of Columbia. These dealers have persuaded members of the armed services to arrange for monthly payments on used automobiles by allotting part of their pay to an unlicensed saving institution. The used-car dealer then arranges for the serviceman to open a joint account with the dealer—joint only in the sense that the serviceman puts the money in and the dealer promptly takes the money out.

Several examples of this practice have come to our attention.

I would like to submit for the RECORD at this point, a letter to the Pittsburgh Sun Telegraph from the mother of a 23-year-old Army private stationed at Fort Benning. This young man contracted with a District of Columbia used car dealer to pay $75 a month for a 1953 used car. His monthly pay is $80. The car payments were to be deducted by the Army from his pay as an allotment. Incidentally, the finance rate was nearly 40 percent simple interest on the unpaid balance. This soldier paid $400 down and then the car was repossessed from his mother's yard without warning although the car was left locked while the boy was on furlough in Pittsburgh.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the letter from the serviceman's mother.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 14, 1957.

SUN-TELEGRAPH PAPER:

I read your paper every day especially the part where people speak their minds. I have never had an occasion to write a letter to that column but I do enjoy it, and I think I have a very good reason to write one now. It may help some soldier boy that has a little money saved up and is thinking of buying a car in Washington, D. C. Here is a racket right in your Capital that is doing a great business with our boys. Their ads in Army papers about the wonderful buys they can get—for Army personnel only—no others can buy them. They even pay the fare from any place in United States to the District of Columbia, if some poor kid happens to be in the market for a car and calls on one of the dealers when he sees their ad.

Now this is no hearsay or lies because it happened to my son who is stationed in Fort Benning, Ga. On June 28 he was one of the unlucky ones to read about the wonderful deal he could get on cars in the District of Columbia. So he called a dealer and they made a deal with him to fly to the District of Columbia, all expenses paid, and on June 29 he bought a car.

My kid is not very smart about cars as he is only 23 years old and the only thing he could see was the red upholstery and a speaker in the rear. Now this car is a 1953 Olds and he paid $1,500 for it and paid $400 cash of which he had been saving for a long time to buy a car.

He brought the car home on leave. His Dad took one look at it and knew it was worth no more than the $400 cash money he paid for it. No brakes, power steering gone, power brakes worn thin. So he got in touch with the dealer. Nothing was done. My son couldn't even drive it back to camp, he had to go by bus. He wrote after he was back in camp and told the finance company that he wouldn't pay another cent until they either changed the car or fixed this one.

By the way, the payments run the kid $75 a month which he was supposed to make out of an allotment of his pay to the finance company. He makes $80 a month.

Now this all happened on June 29. Yesterday (August 13) I was away and the car was locked when I left. I came home last night, no car. The finance company towed it away. Now he has no car and is out $400.

So do you blame me for exposing a racket like this? Are they so money hungry in the District of Columbia that our boys in the United States Army have to be made suckers out of? They only sell cars to Army kids because they know no other person would fall for a line like that. If there is any way at all I am going to get his $400 back.

Oh yes, I forgot to mention that he is stationed in Georgia and has been there since December and will be there for quite a long time but the car salesman gave him a break on his license. He had them issued from Virginia. He told my kid he would do that because there was no sales tax on licenses from there. Some joke, isn't it? Isn't there some protection of any kind to the kids in the service from a racket like this? Thank you.

P. S.—If you print this letter, sign it a mother of a soldier. I can't use my name as I am employed as a State worker.

Mr. MONRONEY. Mr. President, last month there came to my attention a similar situation in which a 19-year-old Air Force private stationed at Griffiss Air Force Base in Rome, N. Y., was lured into the clutches of a District of Columbia used-car dealer under the most shameful circumstances. This young man was promised that the expenses of his trip from his base would be deducted from the cost of the car. As finally signed the contract carried interest of more than 35 percent. The car broke down four times at a cost of $113.45 on the way home.

Responsible people tell us that these practices are creating a real problem to the Armed Forces because of the effect which it has on the morale of servicemen and their families when they fall into the hands of some of these loan companies and are subjected to the harassment to which they resort. Furthermore, the armed services are being forced to devote a great deal of time and money to maintain accounting facilities to handle these allotments, which are in fact nothing but disguised automobile payments.

Mr. President, I ask unanimous consent that a letter from the Military District of Washington be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HEADQUARTERS,
MILITARY DISTRICT
OF WASHINGTON,
Washington, D. C., August 13, 1957.

Subject: Usury and fraud complaints.

1. There has been an increased number of complaints received from service personnel regarding fraudulent sales on the part of car dealers in the District of Columbia area. These normally are cases of misrepresentation and unscrupulous business dealings on the part of the car dealer which often result in economic loss to the serviceman as well as additional administrative work for the services.

2. The absence of usury or small-loan laws in the District of Columbia makes it desirable that detailed accounts of such activities or places be assembled if effective preventive and remedial measures are to be undertaken. The marshaling of complaints will permit a determination at the proper time whether the current practices of certain automobile dealers justify and require appropriate action under AR 600–10 in order to safeguard the welfare of the military personnel.

3. The Armed Services Police, the action agency for the Washington Armed Services Disciplinary Control Board, has been designated as the office of record for all service cases involving sales frauds or the unreasonable exploitation of the serviceman by elements of the civil economy. Commanders will refer all such cases coming to their attention of the armed services police for appropriate action.

For the commander:

T. M. KOBAYASHI,
Lieutenant Colonel, Adjutant General's Corps, Assistant Adjutant General.

Mr. MONRONEY. Mr. President, I want to make it clear that I do not criticize the Army, Navy, or Air Force because some of our young servicemen get stung by "new-car-itis" and trapped in the web of usury. This happens to millions of civilians as well as Army people because of the total lack of any regulation on time sales except in the handful of enlightened States that have dealt with this problem and have recognized that people who buy merchandise on time need the same kind of protection as those who borrow money under small-loan laws.

Nor do I blame the services for unwittingly allowing themselves to become agents for automobile finance companies. This came about as the result of an Armed Forces regulation designed to encourage thrift by allowing servicemen to allot part of their pay to legitimate savings institutions.

As with most regulations the smart operators just figured a way around it. The automobile finance companies have the allotment made out to a local unlicensed savings institution which turns it over to the finance company.

However, now that this racket has been called to the attention of both the military departments and this subcommittee, I am today requesting that the Secretary of Defense make a thorough investigation of the methods used and the extent of this practice and report his findings to this body upon our return in January. I want to assure the Secretary of Defense that he may expect the fullest cooperation of the subcommittee members and its staff.

DEVELOPMENT OF NATION'S WATER RESOURCES

Mr. JOHNSON of Texas. Mr. President, high on the list of constructive accomplishments of this session of Congress is the action taken to develop our Nation's water resources.

We have authorized and made appropriations for the construction of flood control and water conservation projects of the utmost importance.

We have approved reclamation projects that will pay for themselves in the increased productivity they will make possible.

We have made further progress in the development of our inland waterways, which are a vastly significant factor in our economy.

We have authorized river basin surveys that will lay the foundation for the water development projects of tomorrow.

Mr. President, I am frank to say I feel a personal pride in these accomplishments. The pride is personal, because to me the water problem is deeply personal.

Nowhere does that problem loom larger than in my own State of Texas.

In Texas we are 25 years behind other States in the development of our water resources. Action taken during this session of Congress, when combined with action being taken by the State government of Texas, will take us a long way toward an adequate solution of our water problem. The groundwork has been laid for Texas to catch up with other States.

When the President signed the public works appropriation bill enacted by the Congress, he said he did so with reluctance because it contained projects not approved by the Bureau of the Budget.

Mr. President, I am glad we added those projects.

The Congress has consistently refused to give the President the item veto power. Why should we permit an executive agency, the Budget Bureau, to exercise such power?

The Congress has the clearcut responsibility for developing and carrying out an adequate water program for the Nation. We have met that responsibility during this session, and I congratulate my colleagues for their refusal to allow themselves to be bound by policies that are both restrictive and repressive.

Mr. President——

The VICE PRESIDENT. The Senator from Texas.

THE ACCOMPLISHMENTS OF CONGRESS DURING THE 1ST SESSION OF THE 85TH CONGRESS

Mr. JOHNSON of Texas. Mr. President, we are approaching the closing hours of the 1st session of the 85th Congress.

Adjournment sine die always touches off a vast wave of speculation. Some analysts pore over the record with a fine tooth comb. Others write their summaries off the nearest wall.

All this in an effort to judge the merits of the work of the Congress.

Usually, the analyses are based upon some kind of predetermined list of bills. The Congress is considered successful if it passes a high percentage of bills on the list; a failure if the percentage is low.

Personally, I have always been skeptical of the value of such judgments. It is possible to measure the percentage of bills passed on such a basis. But just how can the value of the measures on the list be determined?

It is not completely out of the question for those who make the list to pad them with legislation of a certain variety. I cannot avoid the suspicion that this is something that may be done even by Presidents—of both parties.

Sometimes recommendations are made with an air that suggests somebody's tongue is in somebody's cheek. For example, this year the President recommended tax relief for small business but did not send us a bill providing for that relief.

Members of the majority party introduced several bills along those lines. But the Secretary of the Treasury testified against each one of those Democratic bills. The result was an inability to get together, and no tax relief for small business.

It is possible to give Congress a low box score by sending it legislative recommendations made up like a laundry list. It is possible to give Congress a high box score by making the original list low and compact. Either way, the box score has little meaning.

Another way to find a standard for judgment of a Congress is to use as the basis the amount of controversy which was created. Again, I have strong doubts as to the value of this standard.

There have been many controversies, in my experience, which have generated considerable heat, but little power. Other actions of historic importance have created hardly a ripple—because there was little controversy.

Recently, a national publication scoffed at the inclusion of a poultry-inspection bill on a list of important measures passed by Congress. It is, of course, simple to succumb to the temptation to make a wisecrack about a chicken-feed bill.

But I wonder whether the housewife—who must worry about the health and welfare of her family—would consider this measure unimportant. How much does it mean to her to know that the food which her family is getting has been inspected for purity by competent Federal inspectors? And how many housewives are there in this country?

Mr. President, it seems to me that both the tests I have described previously are inadequate. It also seems to me that there are very clear tests which give a true picture of whether a Congress has performed well.

Has it met the real problems of our times?

Has it passed legislation that our people need?

Has it resolved—rather than created—controversies?

Has it rejected unwise proposals, as well as accepted wise proposals?

On the basis of those tests, the 1st session of the 85th Congress can go to the American people. And I believe its record will meet with the approval of the people.

Had this Congress passed no other measure, its passage of the voting-rights bill would entitle it to a place in history.

I realize that honorable men disagree over the merits of the measure. But no one can argue that it is meaningless. And no one can avoid the fact that it is the first such measure passed by Congress in 82 years.

During four generations, this controversy has divided our people and inflamed passions; and there was no action—just more fuel to pour on the flames of hatred.

Mr. President, no one pretends that the problem has been solved. But the mere fact of action is a long step toward an ultimate solution.

And when we have acted strongly to protect voting rights, that step is a long one indeed. The voting-rights bill means that we are passing from the stage of partisan oratory into reasonable consideration.

There is never any legitimate fear of measures which men consider in the light of reason.

There were other actions of this Congress, however, which can be considered historic, without abusing that too-much-used word.

One was the Middle East doctrine, sent to this Congress in the opening days of the session. I believe we can all be frank to admit that in its original form, it could not have been approved.

But a need existed for action. There was a vacuum to be filled. The Senate departed from a longstanding custom of either accepting—in toto—or rejecting—in toto—an executive recommendation.

Instead, we worked with the executive department to produce a measure which bore the stamp of both branches of our Government. The result was a joint product of which all Americans can jointly be proud.

The responsibility for this doctrine—whether for good or for bad—must be shared by both branches of our Government. And since the fundamental need of our country was unity, this is far to be preferred to partisan advantage.

Another far-reaching step was the approval of the International Atomic Energy Treaty. It is perhaps unfortunate that we did not stage the debate on it in a boxing arena. Had there been blood on the floor, the Nation might have been forcefully reminded that we were taking one of the most important steps in foreign policy in many years.

This treaty promises to convert the atom from an instrument of war to an implement of peace. Furthermore, it is the only step that has been taken toward international control of the atom since atomic power was unleashed.

Mr. President, we have had speeches, plans, and debates. But the only positive step—under adequate safeguards—has been the negotiation of the treaty and its approval by the Senate.

This measure did not wind up in blazing heat, simply because careful and prudent men studied it from every angle, in advance. There was little controversy—but that was due to the fact that every aspect had been thought out in advance. The committee, under the distinguished chairmanship of the senior Senator from Rhode Island [Mr. Green], had done a thorough, an adequate, and a remarkable job, along with the Joint Committee on Atomic Energy and along with the distinguished minority leader and other Members who are interested in the problem of world relations and the future of mankind.

In the long view of history, this treaty may turn out to be a turning point in the affairs of mankind.

In the field of mutual security, another forward step was taken. The emphasis was shifted from direct grants—giveaways—to substantial and respectable loans.

I do not think the shift in emphasis was sufficient. But I recognize that the legislative process requires accommodation. We do not all get all we want. But then it is probably best for the country that no one point of view can dominate.

In the course of this debate, we found it possible to make substantial savings.

The original request from the President amounted to $4,400 million. The President voluntarily reduced the request by $500 million; and in passing the authorization bill, the Congress dropped it another $500 million.

The final appropriation was $2,768,760,000—a 37 percent reduction from the original request.

Another significant aspect of this Congress was that it met the demand of our people for economy.

At the beginning of this year, the President sent us a recordbreaking budget for peacetime—$71,800 million. That budget was accompanied by a warning from the Secretary of the Treasury that it must be cut, to avoid a hair-curling depression.

That warning stirred our people deeply. Congress went to work. We searched the budget dollar by dollar, comma by comma, line by line.

Some parts of it could not be touched. We must pay the interest on the national debt; and if it costs as much to refinance the last part of it as it did to refinance the first part of it, under this administration, the cost will ultimately be $11 billion in interest, instead of $7 billion in interest.

We must meet the solemn obligations of our Government to our veterans. We cannot repudiate contracts made in good faith.

But from the part of the budget which was subject to the control of reasonable men, we took $5,927,495,584—a reduction of 9.1 percent.

I have heard the argument that this does not represent real savings because some of it might not effect spending this year. Those arguments are not very impressive.

The reductions represent savings somewhere along the line. And no amount of debate over the technicalities of accounting can conceal that fact.

We kept the faith with our people. And we kept it without cutting down on such vital services as health research and water conservation.

The list of constructive measures approved by this Senate can be continued indefinitely. They may not all be as dramatic as some which have been cited. But they were solid, substantial achievements.

We passed an immigration bill—not one that went as far as I think we should go, but one that still provides genuine relief.

We passed an Agricultural Trade Development Act—another far-reaching step which benefits both our domestic economy and our foreign policy.

We passed the Niagara River power bill, and increased the borrowing authority of the St. Lawrence Seaway Corporation.

We authorized a TVA expansion program and an Atomic Energy Commission construction program.

Mr. President, at the conclusion of these remarks, I shall place in the Record a list of a number of the public bills the Senate has passed at the first session of this Congress. And I shall also place in the Record a statistical summary of our activities, if I may have permission to do so.

The PRESIDING OFFICER (Mr. Cotton in the chair). Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I do not believe that such a summary is an adequate basis for judging the merits of a Congress. But, Mr. President, it is a basis for determining the effort that went into a Congress.

And I assure my colleagues that the figures compare favorably with those of any other Congress in recent years.

I shall also add a complete breakdown of the bills which have been passed.

But it is not my purpose today to go into details. We have plenty of time for such an analysis in the future.

For the present, I merely wish to thank all my colleagues—on both sides of the aisle—for the cooperation and patience which made this record possible. It is one of which all of us can be proud.

There are some who will be disappointed because of the things we did not pass.

But some of the proposals were—in our collective judgment—unwise. Some could be postponed—and postponement does not mean death.

The Congress of the United States has existed for nearly 170 years. Our Union will not collapse because we do not pass upon every conceivable proposal in one session.

There will be another session and other sessions and Congresses beyond that. I expect our form of government will endure—and the Congress will endure with it.

The President need not be disappointed. He submitted 155 recommendations.

The Senate has already passed more than half of them, and others are still on the calendar.

I ask unanimous consent to have printed in the Record in connection with my remarks a table in connection with those recommendations.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Exhibit 1

Legislative recommendations submitted by the President, 85th Congress, 1st session, as of August 29, 1957

Total number of recommendations submitted	155
Action completed	67
Passed Senate	11
Passed House	4
Reported to calendars (Senate 7—House 6)	13
Hearings in progress or completed, still in committee	21
No legislation introduced in Senate	17
No action to date	15
Tabled by committee	1
Withdrawn	1
Rejected	5

Mr. JOHNSON of Texas. I seriously doubt whether the President really knows and understands how many days and how many long hours members of both parties that make up this Congress have spent in hard, arduous, and difficult work. I hope that after the Congress shall have adjourned the President will have an opportunity, in the quiet of his home, to study the actual facts of what the Congress has done. He will find the record of this session of Congress was as fine as any he can recall, and that it passed more substantial bills than were passed even in the first session of his administration.

Mr. President, this session acted responsibly. This session acted courageously. This session acted constructively. I give full and complete credit for the part they played in this action to the distinguished, able, and wise minority leader [Mr. Knowland] and the

Senators who have followed his leadership on the other side of the aisle.

Of course, I am grateful to the Democrats who have participated in formulating the majority program.

We can leave it to the historians to determine the rank of this Congress in history. For the present I think it is sufficient to say it was a job well done.

Individuals may have been disappointed. But the country was not disappointed, as was demonstrated in Wisconsin earlier this week. And when the adjournment bells ring, the record of this Democratic session I think will compare with any.

PRINTING AS A SENATE DOCUMENT LEGISLATIVE RECORD OF 1ST SESSION OF 85TH CONGRESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a statement and accompanying legislative review of the legislative record of the 1st session of the 85th Congress be printed in today's RECORD, and that the same material be printed as a Senate document.

The PRESIDING OFFICER. Is there objection?

There being no objection, the statement and review were ordered to be printed in the RECORD, as follows:

SUMMARY OF THE LEGISLATIVE RECORD, 85TH CONGRESS, 1ST SESSION, JANUARY 3, 1957, TO AUGUST 30, 1957

Statement by the Honorable LYNDON B. JOHNSON, United States Senator from TEXAS, together with digests of legislation passed by the Senate

DIGEST OF LEGISLATION PASSED BY THE SENATE OF THE UNITED STATES DURING THE 1ST SESSION OF THE 85TH CONGRESS (CONVENED JANUARY 3, 1957, ADJOURNED AUGUST 30, 1957)

Agriculture

Agricultural Trade Development Act

S. 1314:

This measure extends to June 30, 1958, the Agricultural Trade Development and Assistance Act passed in 1954 to expand international trade between the United States and friendly nations; to promote the economic stability of American agriculture; to make maximum efficient use of surplus agricultural commodities; and to facilitate the expansion of foreign trade.

This extension provided for increasing to $4 billion (from $3 billion) the authorization for sale of farm surpluses to friendly countries for their currencies; and for increasing to $800 million (from $500 million) the authorization for foreign relief grants.

Provision was also made for bartering transactions with European satellites on a selective basis, to permit us to furnish commodities quickly to distressed peoples in satellite countries under circumstances such as those existing during the Hungarian revolt. The act, however, specifically prohibits barter with Russia, Red China, or any area controlled by the Chinese Communists. It also prohibits sales of surpluses to Red satellites for the currency of those nations.

Public Law 128, approved August 13, 1957.

Drought—Deferred Grazing Program

H. R. 2367:

This act requires the Secretary of Agriculture to set up a deferred grazing program to provide aid to drought-stricken areas. It establishes a 5-year Federal program and provides payment to farmers and ranchers in designated disaster counties who withhold their livestock, either partly or completely, from grazing lands for less than 1 year, at rates equal to the fair rental value of the land during periods of adequate rainfall.

This measure is effective only in counties in which native rangeland grazing is a substantial factor in agricultural production, and then only if a limitation of grazing is necessary to reestablish or conserve grass for grazing. The program provides for limited use as well as nonuse and, in these cases, partial use will mean lower Federal payments.

Payments would not be made under the program if livestock were shifted from the deferred areas to other lands if the shift results in overgrazing in the nondeferred areas. Payment to any person for deferred grazing on land in any county, or on land in more than one county if operated as a single unit, is limited to $5,000 for any one year.

Public Law 25, approved April 25, 1957.

Poultry Inspection

S. 1747:

This measure, a Hoover Commission recommendation, provides for compulsory poultry inspection, maintenance of sanitary poultry processing and practices, and correct and informative labeling of poultry and poultry products. The act in effect extends to poultry products the same safeguards which apply to meat and meat products. The inspection provision relates to all poultry and poultry products processed for sale in interstate commerce or in designated major consuming areas. Poultry, as defined in this measure, is restricted to domesticated birds and does not include commercially produced game birds. A consuming area can be designated for regulation only if the volume of poultry or products marketed is such as to affect, burden, or obstruct the movement of inspected poultry in interstate commerce, and then only after public hearing.

Authorizes the Secretary of Agriculture to exempt from specific provisions of the measure poultry producers who sell directly to household consumers; retail dealers who cut up poultry products; any person where inspection is impracticable; and persons slaughtering in accordance with religious dietary laws.

Provides penalties for violations. Compulsory features effective January 1, 1959.

Public Law 172, approved August 28, 1957.

Agricultural Conservation Program—Extension

H. R. 1045:

This act extends to December 31, 1962, a democratic program established in 1936 which authorized the Secretary of Agriculture to administer as a Federal program the soil conservation payments to farmers who carry out certain specified conservation practices.

The ACP program has become established as one of the soundest elements of our agricultural program and its operation as a direct Federal program administered by the Secretary of Agriculture (rather than as a State administered program) meets with almost universal approval.

Passed House April 15, 1957.

Passed Senate July 8, 1957.

Plant Pest Eradication

S. 1442:

This measure grants to the Department of Agriculture additional authority to cooperate with the States and localities in an effort to control, eradicate, and prevent the spread of pest and plant diseases by specifically including insect pests, plant diseases, and nematodes, such as the imported fire ant, soybean cyst nematode, witchweed and others.

Public Law 36, approved May 23, 1957.

Wheat Producers—Liability

S. 959:

This measure exempts up to 30 acres from marketing penalties those who produce wheat in excess of their quotas if the entire crop is used for feed, seed, or food on the farm where grown. It covers the 1958 and future crop years.

Farmers who obtain exemptions from marketing penalties are permitted to qualify for payments under the acreage reserve and conservation reserve program.

Public Law 203, approved August 28, 1957.

Wheat Acreage Allotments

S. 606:

This measure permits a redistribution of wheat acreage lost to any Federal project or to any governmental unit having the right of eminent domain. Any farm which has a 4-year rotation system will not lose wheat acres by reason of not planting once every 3 years as is the case at present. Wheat is placed in the same position as other basic commodities by establishing that there will not be an increase in acreage history for wheat farmers who overseed their allotted acres.

Passed Senate, June 24, 1957.

Peanut Marketing Quota

H. R. 6570:

Exempts green peanuts from the acreage allotments and marketing quotas if they are marketed for consumption as boiled peanuts, which will increase the production of a commodity now in short supply.

This measure recognizes that peanuts for boiling are an entirely different commodity from other peanuts and should not be included in the programs designed to regulate the production of peanuts for conventional use.

This exemption will be effective for the 1957, 1958, and 1959 crops.

Public Law 127, approved August 13, 1957.

Tobacco—Marketing Quotas

H. R. 7259:

This measure treats Virginia fire-cured tobacco, type 21, as a separate kind of tobacco for marketing quota purposes, and limits price support for fire-cured, dark air-cured, and Virginia sun-cured tobacco to an amount not greater than the higher of the 1957 support level or 90 percent of parity.

Price supports for these tobaccos are now fixed at a percentage of the burley loan rate. This provision would eliminate any future increases in support levels for the tobacco's concerned arising out of increases in the 10-year moving average price of burley tobacco.

Public Law 92, approved July 10, 1957.

Puerto Rican Crop Insurance

H. R. 632:

This measure provides standby authority for the Federal Crop Insurance Corporation to reinsure the crop insurance on Puerto Rican coffee if private insurance should become unavailable.

Public Law 111, approved July 23, 1957.

Long Staple Cotton—Stockpile

House Joint Resolution 172:

This resolution provides for the transfer to and sale by the Commodity Credit Corporation of 50,000 bales of extra long staple cotton, not in the stockpile.

Extra long staple cotton is in short supply due, in part, to Egypt's decision to sell a substantial portion of its crop to Russia. Producers of this cotton feel that a short supply will so increase the market price that textile millers and consumers will substitute other fabrics for extra long staple cotton.

Public Law 96, approved July 10, 1957.

Durum Wheat Allotments

S. 323:

As a further inducement to the durum wheat growers of Montana, North Dakota, South Dakota, and California, this legislation extends section 334 (e) of the Agriculture Adjustment Act to the 1957 durum wheat crop. In 1954 durum wheat was in such short supply that Congress authorized additional acreage allotments to those farmers of Montana, North Dakota, and South Dakota who were willing to plant durum wheat. In 1956, at the time Congress extended the durum wheat program, California was added as a participant. Due to a present temporary surplus, this legislation increases the 1957 allotments by only one acre of durum (now two) for each acre of the original allotment devoted to durum, and limits the increase for any farm to 60 acres. It also limits the extent to which farmers receiving increased allotments may participate in the wheat acreage reserve. No part of the increase, nor that part of the original allotment on which the increase is based, may be put in the acreage reserve.

Public Law 13, approved April 2, 1957.

Desert Land Entries on Disconnected Tracts

S. 359:

Amends the Desert Lands Act removing the requirement that a 320-acre tract acquired by a desert-land entryman be an undivided unit. This will permit entry on disconnected tracts provided the aggregate acreage does not exceed 320 acres and provided the various tracts, when taken together, are reasonably compact in form.

This measure, in essence, will allow the development of scattered tracts too small for proper exploitation, but which are close enough to be farmed as a unit.

Passed Senate May 8, 1957.

Farm Income Data

S. 405:

Directs the Secretary of Agriculture to collect, annually, farm income data by economic class of farm. This information will supply important data on low-income farms as an aid to Congress in drafting agricultural legislation.

Passed Senate May 8, 1957.

Peanut Statistics

S. 609:

Removes a statutory requirement for reports from owners or operators of peanut picking or threshing machines. These reports were originally required from owners of threshing and picking machines for hire, in order to give a complete picture of the total amount of peanuts picked and threshed.

At present most peanut farmers own their threshing machines, and the reports of those who rent the machines are of no substantial value to the Department of Agriculture.

Public Law 105, approved July 17, 1957.

Extra Long Staple Cotton

S. 812:

This measure provides that the level of price support for 1957 and succeeding crops of extra long staple cotton be the same as for the 1956 crop which, in effect, freezes the parity price at 75 percent.

Public Law 28, approved April 25, 1957.

Experimental Work

S. 1034:

This measure authorizes the Secretary of Agriculture to convey the Midwest Claypan Experiment Station in Missouri, to the University of Missouri, for joint use by the Department of Agriculture and the State of Missouri in a cooperative effort to increase agricultural experimental work.

Public Law 59, approved June 27, 1957.

Feed Grain Study

Senate Resolution 125:

As requested by Congress on May 8, 1957, the Secretary of Agriculture conducted a study of possible methods of improving the feed grain program which could be effective, as far as posible, with the 1958 crop. The Secretary made his report of the study and recommendations to the Senate on July 15, 1957.

Surplus Cotton—Sale

S. 314:

This measure is designed to assist the United States cotton textile industry in regaining its equitable share of the world market by requiring the Secretary of Agriculture to sell not less than 750,000 bales of surplus cotton to domestic textile mills annually for 5 years, beginning with the current fiscal year. Prices would be such as to enable domestic mills to return to the cotton product export level maintained between 1947 to 1952. The cotton may be used only for the manufacture of products for export.

Sale in the United States of products of cotton sold under this act would be punishable by fine of up to $5,000 and imprisonment up to 5 years.

Passed Senate August 26, 1957.

Unused Acreage Allotments

H. R. 8030:

This measure eliminates the requirement that notice of intention not to plant the full acreage allotment must be filed with the county committee in order for the farmer to receive credit for future allotment purposes under the Agricultural Adjustment Act. It does not change the provision, however, that the full allotment need not be planted in order to preserve the allotment history for the farm, but merely eliminates the requirement that the farmer must notify the county committee of his intention not to plant his whole allotment. This will relieve the county committee of handling and recording these notices.

The exemption period during which acreage not planted will still be counted for history purposes is limited to the period 1957 to 1959.

Public Law 266, approved September 2, 1957.

Appropriations

Title	Budget estimates	House passed	Senate passed	Public law	Increase or decrease
1957 APPROPRIATIONS					
SUPPLEMENTAL					
Urgent deficiency, 1957	($357,067,500)	($335,090,000)	($351,026,500)		
2d urgent deficiency, 1957	55,945,000	48,990,000	49,861,000	$49,861,000	−$6,084,000
Urgent deficiency, 1957	(352,067,500)	(335,090,000)	(344,230,840)		
Urgent deficiencies, 1957	327,000,000	320,000,000	320,090,000	320,090,000	−6,910,000
3d supplemental	181,699,320	79,840,788	142,342,045	85,669,925	−96,029,395
1958 APPROPRIATIONS					
SUPPLEMENTAL					
Post Office Supplemental, 1958	149,500,000	133,000,000	133,000,000	133,000,000	−16,500,000
Temporary, 1958					
REGULAR					
Agriculture	3,965,446,617	3,692,889,757	3,668,972,157	3,666,543,757	−298,902,860
Commerce	871,513,000	653,685,060	613,584,290	597,790,225	−273,722,775
Defense	36,128,000,000	33,562,725,000	34,534,229,000	33,759,850,000	−2,368,150,000
District of Columbia	25,504,450	22,504,450	23,004,450	22,504,450	−3,000,000
General Government	20,921,870	16,021,370	16,010,370	16,010,370	−4,911,500
Independent offices	5,923,195,000	5,385,201,700	5,378,594,800	5,373,877,800	−549,317,200
Interior	515,189,700	454,395,700	457,152,600	456,189,600	−59,000,100
Labor-Health, Education, and Welfare	2,981,277,581	2,846,831,581	2,885,290,781	2,871,182,781	−110,094,800
Legislative	108,271,443	78,370,285	104,844,660	104,844,660	−3,426,783
Mutual security	3,386,860,000	2,524,760,000	3,025,660,000	2,768,760,000	−618,100,000
Public works	876,453,000	814,813,023	884,151,323	858,094,323	−18,358,677
State, Justice, Judiciary	665,649,802	563,799,793	563,085,293	562,891,293	−102,758,509
Treasury-Post Office	3,965,291,000	3,884,927,000	3,884,927,000	3,884,927,000	−80,364,000
Additional Post Office, 1958	149,500,000	133,000,000	133,000,000	133,000,000	−16,500,000
Supplemental, 1958	1,973,767,827	1,581,590,587	1,824,001,547	1,734,011,947	−239,755,880
Atomic Energy Commission	2,491,625,000	2,299,718,500	2,323,632,500	2,323,632,500	−167,992,500
Total	64,048,466,290	58,515,233,806	60,320,140,771	59,134,110,706	−4,914,355,584

−$4,914,355,584 or 7.7 percent represents the savings made during this session of Congress for fiscal 1958. The budget requests submitted by the President totaled $64,048,466,290.

Budget Estimates—Improved Procedure

S. 434:

This measure, a Hoover Commission recommendation, provides for an improved method of submitting budget estimates to Congress by the executive branch. The objective of the proposal is that the executive agencies present their budget estimates for a fiscal year on the basis of expenditures to be made or accrued that fiscal year only. In appropriating on this basis, the appropriations committees will grant authority for each fiscal year for expenditures actually to be made or accrued during that fiscal year only—and not for expenditures to be made in future fiscal years, as is done at the present. Authority, however, is given the Appropriations Committees to permit agencies to enter into contracts in advance of appropriations for forward planning of long lead-time programs in subsequent fiscal years.

Passed Senate June 5, 1957.

Joint Committee on the Budget

S. 1585:

This measure, a Hoover Commission recommendation, creates a Joint Committee on the Budget, composed of 7 Senate Appropriations Committee members, and 7 House Appropriations Committee members.

This commmittee will make continuing studies of the Federal budget, and of the anticipated expenditures of Federal agencies during the coming years, and will report this information to the Appropriations Committees.

It will recommend, to the appropriate standing committees of Congress, such changes in existing laws as may effect greater efficiency and economy in Government.

It will also study the original authorizations for appropriations, with a view toward eliminating those authorizations no longer considered necessary; and it will examine the amounts and nature of unused appropriated funds, and of moneys appropriated for expenditure in subsequent fiscal years.

Requires the inclusion in any authorization bill of an estimate of the first 5-year cost of the authorized program.

Passed Senate April 4, 1957.

District of Columbia

Police-Firemen Retirement

H. R. 6517:

This measure provides a new retirement system for District of Columbia Police and Firemen, for Park Police, White House Police, and certain Secret Service members.

Benefits under this act are substantially similar to those available to persons engaged in hazardous occupations under the Civil Service Retirement Act Amendments of 1956 and the Federal Employees Compensation Act.

Credit is allowed for prior Federal and District government service in computing total police or fire department service for pension eligibility. Credit is also allowed for military service unless the military service was subject to social-security deductions.

Deducts from each member's basic salary a 6½-percent contribution to be deposited to the credit of the District in the Treasury. Any member separated from his department, except for retirement, will receive a refund.

Provides for medical and hospital service for any member who becomes temporarily disabled by injury received or disease contracted in the performance of duty.

Provides non-service-connected disability benefits of 2 percent of the basic salary at the time of retirement after 5 years' service as a policeman or fireman, with a maximum limitation of 70 percent.

Provides for disability benefits for service-connected injuries or diseases from a present permissible maximum of 50 percent to a minimum of 66⅔ percent with a maximum of 70 percent. Provides that the minimum age at which a policeman or fireman may be eligible to retire after 20 years service is 50.

Provides increased survivor annuities to widows, dependent widowers, and children of members or former members.

Public Law 157, approved August 21, 1957.

Schoolteachers' Retirement

H. R. 6454:

Amends the act for the retirement of District of Columbia schoolteachers, in order to give them substantially the same benefits as are now available to employees of the Federal and District Governments under the Civil Service Retirement Act.

The effect of this measure is to increase annuities for school employees and widows about 25 percent, and for surviving children from about 50 to 100 percent. Employee's contribution rate is increased from 6 to 6½ percent.

Optional retirement at 62 is permitted after 5, rather than 15 years of service; the reduction factor for retirement before 60, is changed from 3 percent to 1 percent for each year the retiree is under 60, and to 2 percent for each year the retiree is under 55.

Annuities are to be based on the following scale: 1½ percent for the first 5 years of service, 1¾ percent for the next 5 years, and 2 percent for the remainder, multiplied by the years of service.

The benefit provisions are to be retroactive to October 1, 1956. Increased contributions from employees will take effect on the 1st day of the 2d month following enactment.

Public Law 46, approved June 4, 1957.

Solicitations

H. R. 3400:

This act provides for a system of registration in the District of persons and organizations soliciting contributions for charitable purposes.

By requiring charitable solicitors to register with the Commission, to carry identification, and by limiting the period in which contributions may be solicited, the measure seeks to provide protection for the public from unscrupulous solicitors.

The Red Cross and religious organizations are exempt from the provisions.

Public Law 87, approved July 10, 1957.

National Cultural Center—Commission

H. R. 4813:

In 1955, Congress created a Federal commission to formulate plans for construction in the District of Columbia of a civic auditorium, including an Inaugural Hall of Presidents, and a music, fine arts, and a mass-communications center. This measure extends the life of the Commission and changes its name from the District of Columbia Auditorium Commission to a Commission for a National Cultural Center. The Commission will be continued in existence until the National Cultural Center has been completed.

In Conference.

District of Columbia Stadium

H. R. 1937:

This measure authorizes the District of Columbia Armory Board to construct and maintain a stadium with a seating capacity of 50,000.

The overall cost is not to exceed $6 million.

The Board is authorized to issue 30-year tax-exempt bonds, secured by a mortgage on the stadium. The bonds may be redeemed before maturity at not to exceed 105 percent of face value and accrued interest, or refinanced by the issue of refunding bonds.

The Secretary of the Interior is directed to acquire suitable land (total land affected is estimated to about 180 acres) in the area known as the East Capitol Street site.

Approval of this act permits the Armory Board to apply to the Housing and Home Finance Agency for an advance of $35,000 to cover the preliminary planning and survey of the proposed stadium.

Public Law 300, approved September 7, 1957.

District of Columbia Board of Education

H. R. 192:

Amends the act of June 20, 1906, to authorize judges of the District of Columbia district courts to remove any member of the District of Columbia Board of Education for adequate cause affecting his character and efficiency as a member.

Members of the Board are, under present law, appointed for terms of 3 years. There is no provision for removal for cause.

Proceedings would be initiated by a verified complaint filed by the United States attorney for the District of Columbia.

Public Law 119, approved August 2, 1957.

Property—Uniform Succession Law

H. R. 6508:

This act modifies the Code of Law for the District of Columbia to provide for the uniform succession of real and personal property in case of intestacy, to abolish dower and curtesy, and to grant to the surviving spouse a statutory share in the other's real estate owned at time of death.

A similar law is now in existence in all except three States of the Union.

Public Law 244, approved August 31, 1957.

H. R. 7249:

This measure creates a new civil remedy for the District of Columbia whereby a person entitled to receive support, who is not in the District, may bring an action in the place where he or she is, and may have the claim litigated in the District of the person owing the duty of support.

Public Law 94, approved July 10, 1957.

Hospital Center—Increased Authorization

H. R. 7835:

This measure increases the authorization for the District of Columbia Hospital Center to $36,710,000 from $35 million, and extends the period of the authorization from June 30, 1957, to June 30, 1958.

Public Law 73, approved June 29, 1957.

Hospital Center—Additional Increase

S. 1908:

This measure provides that grants under the District of Columbia Hospital Center Act may be made to certain groups organized to construct and operate hospitals in the District, including the Greater Southeast Community Hospital Foundation, Inc., organized to construct a hospital in southeast Washington.

It amends the existing ratio for participation in hospital grants by providing that the District contribute 15 percent and the Federal Government 35 percent, to be matched by private funds.

Increases the authorization for appropriations under the act by $3 million, or from $36,710,000 to $39,710,000.

Passed Senate August 8, 1957.

Substitute Teachers

S. 1841:

This measure authorizes the District of Columbia Board of Education to employ retired teachers as substitute teachers.

Difficulty has been experienced by the schools in maintaining a sufficient list of substitute teachers in the District. An average of 131 substitute teachers are used daily in the District of Columbia public schools.

The act provides that the retirement annuities of such substitute teachers will not be interrupted by becoming employed in this capacity.

Passed Senate August 5, 1957.

School Attendance

S. 1842:

Amends the act of February 4, 1925, to provide that all children below the age of 18 (and not merely those between 3 and 18) be listed in the District of Columbia school census.

Provides that a census shall be taken as often as the Superintendent of Schools and the Board of Education feel that it is desirable, instead of annually, as now required.

Passed Senate May 22, 1957.

District of Columbia Teacher's College—Degrees

S. 1906:

Authorizes the District of Columbia Board of Education to make rules and regulations for the establishment of a graduate program at the District of Columbia Teachers College, and to prescribe the terms and conditions for admission to the college and for graduation.

The graduate program is desired in order that undergraduate students may remain at the college and earn the postgraduate degrees required of teachers in the District of Columbia public school system.

Passed Senate May 22, 1957.

Alcohol Tests

S. 969:

This measure establishes certain statutory presumptions to be given to a chemical analysis of the amount of alcohol in the blood or urine of any person tried for the offense of operating a motor vehicle while under the influence of liquor.

It will permit the District of Columbia government to dispense with the service of an expert witness who, under present practice, must interpret the results of a chemical analysis on trial. There is only one such expert witness available in the District and, frequently, trials must be delayed because of his absence from the city.

Passed Senate June 26, 1957.

Passed House August 26, 1957.

Bridges—Potomac River

H. R. 6306:

Amends the act of July 16, 1946, to increase to $16 million (from $7 million) the authorized appropriations for two bridges across the Potomac River at 14th Street.

Approximately all of the $7 million has been spent on the one completed bridge, and the second bridge carrying southbound traffic and replacing the present southbound will cost $9,200,000.

Passed House April 8, 1957.

Passed Senate June 26, 1957.

Woodrow Wilson Memorial Bridge

S. 78:

This measure provides that a bridge authorized (in 1954) to be constructed over the Potomac River from Jones Point, Va., to Maryland, be maintained and operated by and at the expense of the States of Maryland, Virginia, and the District of Columbia. The 1954 act provided for maintenance and operation by the States of Virginia and Maryland only.

Passed Senate March 29, 1957.

Revenue Act

H. R. 6258:

Amends the District of Columbia Revenue Act to reduce the license fee for a small trailer from a minimum of $12 and a maximum of $28 to a minimum of $8 and a maximum of $12. This is designed to relieve the inequity by which a small trailer used to transport personal belongings is frequently taxed at a rate comparable to that of a small automobile.

Designates a flat fee of $5 for any ancient automobile (manufactured before 1930) owned solely as a collector's item and not used in general transportation.

Public Law 273, approved September 2, 1957.

American Historical Association

S. 1586:

Removes the $500,000 limitation on real and personal property which may be owned by the American Historical Association, and exempts from the District of Columbia property tax a lot occupied by the association. The $500,000 limitation was set in 1889 when Congress approved the charter of the association. Inflation has rendered this limitation impractical; currently the association owns stock valued at $650,000, and real estate valued at $40,000.

Public Law 83, approved July 3, 1957.

War Memorials

S. 1576:

Exempts from the District of Columbia sales tax, materials which will be permanently embodied in any war memorial to be erected on the public grounds of the United States. This affects only materials sold after Jan. 1, 1957.

Under the present law no provision is made for exemption from this tax on sales between two nonexempt parties because the transaction takes place on Government ground, or because the property involved may be located on Government ground.

Public Law 82, approved July 3, 1957.

National Trust for Historic Preservation

S. 1264:

Exempts from District of Columbia taxation Decatur House which is owned by the National Trust for Historic Preservation in the United States. Decatur House is an educational museum. The trust is a charitable nonprofit corporation chartered by the act of October 26, 1949.

Public Law 80, approved July 3, 1957.

National Association of Colored Women's Clubs

S. 105:

Exempts from the District of Columbia property tax the home of the National Association of Colored Women's Clubs, Inc.

The association, founded in 1896, is a charitable organization, and is dependent almost entirely upon its membership for operating funds.

Passed Senate May 22, 1957.

Rochambeau Memorial Bridge

S. 768:

This measure designates the East 14th Street highway bridge over the Potomac River from a point near 14th Street in the District of Columbia, to a point in Virginia, as the Rochambeau Memorial Bridge.

Public Law 76, approved July 1, 1957.

Potomac River Tunnel

S. 944:

This measure authorizes the Secretary of the Interior to construct a four-lane tunnel under the Potomac River north of Memorial Bridge and south of, or under Theodore Roosevelt Memorial Island, at a cost of approximately $25.5 million. This tunnel is in lieu of the bridge authorized by the act of August 30, 1954.

Passed Senate July 3, 1957.

U. S. S. "Enterprise"—National Shrine

Senate Joint Resolution 96:

This resolution authorizes establishment of the U. S. S. *Enterprise* in the Nation's Capital as a memorial museum.

A group of officers, headed by Fleet Adm. William F. Halsey, have raised funds and furnished assurances that there will be sufficient funds for the maintenance and administration of the vessel as a museum in the public interest.

Public Law 218, approved August 29, 1957.

B'nai B'rith Henry Monsky Foundation

H. R. 7825:

This measure exempts from taxation the national headquarters of B'nai B'rith located in the District of Columbia. This property contains a library, museum, and exhibit hall of the history of Jews and Judaism in the United States and is open daily to the public without charge.

Tax exemptons of this same nature are now granted to various veterans' organizations, American Red Cross, General Federation of Womens' Clubs, National Society of Colonial Dames, DAR's, YMCA, and YWCA.

Public Law 220, approved August 28, 1957.

District of Columbia Public Assistance

S. 1849:

This measure incorporates into 1 act all 5 of the public-assistance programs administered in the District of Columbia.

At present only three of these programs (aid to dependent children, aid to the aged, and aid to the blind) are covered by substantive legislation. The remainder (aid to the disabled and general public assistance) exist by virtue of language contained in the annual appropriation acts.

This act will provide for more uniform requirements and procedures for determining eligibility for public assistance, and the amount of assistance granted in terms of the needs of the recipient.

Passed Senate August 23, 1957.

District of Columbia Public School Food Services Act

S. 1764:

This measure authorizes payment from appropriated funds of the cost of free lunches provided for children in the District schools whose case come within any of the following circumstances:

1. Children of families receiving public assistance.
2. Children of large families of low or reduced incomes.
3. Children suffering from malnutrition who may be referred by the school nurse or by the school doctor.

Passed Senate August 23, 1957.

Income and Franchise Taxes

H. R. 8256:

This measure amends the District of Columbia Income and Franchise Tax Act of 1947 and certain provisions of law pertaining to taxation of personal property in the District:

1. To exclude from gross income for individual income-tax purposes insurance benefit payments received by a taxpayer under the Social Security Act.
2. To add to the exemptions to which a taxpayer is entitled, $500 for taxpayers and their spouses when those individuals have reached 65; and $500 will be allowed to taxpayers and their spouses who are blind.
3. To change existing exemption allowed a head of a family or a married person living with husband or wife. Under present law, a husband and wife living together receive one personal exemption of $2,000 but, if they make separate returns, the personal exemption may be taken by either or divided between them. Under this measure, the exemption of $2,000 would be retained but, if the husband or wife, makes separate returns, the personal exemption of $2,000 shall be divided equally between them.
4. To exclude from gross income for individual tax purposes amounts received as a pension, annuity, or similar allowance for personal injuries or sickness resulting from active service in the armed forces of any country or in the Coast and Geodetic Survey or the Public Health Service to the extent such amounts are excluded from gross income under the Internal Revenue Code of 1954.
5. To increase the maximum amount allowed to taxpayers who elect to take an optional standard deduction, rather than to itemize their deductions, from the present $500 to $1,000.
6. To limit taxpayers using a tax table to persons whose income from specified sources does not exceed $5,000. Present law is $10,000.
7. To eliminate, from personal-property taxation, boats used solely for pleasure purposes.
8. To exempt from licensing tax, under certain circumstances, individuals who engage in a trade, business, or profession, but whose gross receipts during a calendar year are less than $5,000.

Public Law 281, approved September 4, 1957.

DISTRICT OF COLUMBIA STUDY COMMITTEE

House Concurrent Resolution 172:

This resolution establishes a joint committee of six members selected from the membership of the two Committees on the District of Columbia of the Congress to make a study of any and all matters pertaining to the District of Columbia and its metropolitan area.

The study will include problems created by the tremendous growth of this area, housing conditions, taxes, traffic, water, health, and educational problems.

The committee is to report its findings by January 31, 1958.

Amending Life and Fire and Casualty Insurance Acts

S. 1040:

This measure corrects a situation arising from a recent decision of the United States court of appeals in the case of *Atlantic Insurance Agency, Inc., a Corporation, et al.,* v. *Albert F. Jordan, Superintendent of Insurance,* and brings related sections of law applicable to the business of life insurance into conformity with corresponding sections applicable to the business of fire and casualty insurance.

It also deals with related problems pertaining to issuing and revoking insurance licenses. It permits the Department of Insurance of the District of Columbia to continue to protect the public by issuing or revoking licenses in accordance with standards previously established by Congress.

The provisions which would be added to the insurance acts by these amendments are comparable to provisions usually found in State laws.

Provides the Superintendent with the power to act in cases where insurance companies or persons, who apply for license renewals, are found to be persons having a criminal or otherwise unsavory background; the Superintendent may in such an instance refuse to renew certain licenses.

Passed Senate August 26, 1957.

New Sibley Memorial Hospital

H. R. 8918:

This measure authorizes GSA to exchange, at fair market value, land now occupied by the Hahnemann Hospital for land on the Dalecarlia Reservoir tract (12 acres). Provides for the orderly dissolution of the Hahnemann Hospital and its merger with the Sibley Memorial Hospital. Permits the lien that was attached to the Hahnemann Hospital land to be transferred to the new Sibley Memorial Hospital which will be constructed on the Dalecarlia site and consolidated with the lien to be established as the result of this new construction.

Extends to other hospitals constructed under the Hospital Center Act the privilege of transferring to their new sites any liens in favor of the United States against the lands such hospitals formerly occupied.

Public Law 285, approved September 4, 1957.

Federal employees

Employee Training

S. 385:

This measure, in recognition of the Hoover recommendations as well as Congress' own interest, authorizes the training of Federal employees at public or private facilities. Training is an essential element in all personnel programs so Congress, for the first time, has passed legislation to—

Provide general statutory authority for employee training required to further Federal programs;

Make it possible for all agencies to use whatever facilities can best and most economically serve their training needs;

Provide the President a management tool essential to efficient operation of the departments and agencies;

Establish a central point of responsibility for and control of employee training programs; and

Consolidate a variety of existing training authorities of limited scope and applicability.

The Government departments are enthusiastic in support of the measure and have agreed that the small cost could be absorbed by each agency and department.

Passed Senate April 12, 1957.

Civil Service Retirement

S. 601:

This legislation amends Public Law 854, 84th Congress, to make prospective (from October 1, 1956) the requirement that interest be paid on a refund of retirement payments during the entire period of an employee's separation from Federal service.

Under Public Law 854, an employee who receives a refund of his retirement payments on leaving Federal service, and who later reenters Federal service, must repay the refund with interest if he is to obtain credit for his prior years of service. This interest extends for the entire period of the employee's separation from Federal service; under previous law, no interest on this period was charged. To remove any inequities, this measure provides that the law will be applicable only to separations occurring after October 1, 1956.

Public Law 65, approved June 29, 1957.

Disbursing Officer—Postal Department

S. 916:

Permits the assistant disbursing officer of the Post Office Department, or any official designated by the Postmaster General, to continue the accounts and issue checks in the name of the disbursing officer, when that officer dies, resigns, or is otherwise separated from office.

This measure would permit such authority to extend to the last day of the second month following the death, or resignation, of the disbursing officer.

The estate of the disbursing officer is protected from liability arising from the activity of the acting officer, and the acting officer is held responsible.

Passed May 22, 1957.

Lighthouse Service—Retirement Increase

S. 235:

Increases to $75 (now $50) a month the benefits payable to unremarried widows for former Lighthouse Service employees in an effort to bring their annuity more in line with the increased cost of living.

Passed Senate March 8, 1957.

Wage-Board Employees

S. 25:

This measure requires that whenever an increase in compensation is granted to wage-board employees in accordance with local prevailing rates, the increase is to become effective not later than the beginning of the first pay period beginning on or after 30 days following the date on which a wage survey was ordered.

In effect, this will make wage increases retroactive, to some extent, in order that the employees concerned will not be forced to wait several months after comparable wages have increased before receiving a similar increase.

Passed Senate August 22, 1957.

Unscheduled Overtime Duty

S. 1901:

This measure requires the payment of overtime at the usual rate of time and one-half to fire fighters and other standby employees for irregular and unscheduled overtime duty in proportion to the amount they are required to perform.

Passed Senate August 5, 1957.

Security Program

S. 1411:

This measure amends the act of August 26, 1950, which established procedure for the Federal employees security program. The act now provides that in all cases arising under it the officer or employee concerned who is accused of security violations must be suspended without pay before he may be given a hearing.

This amendment makes suspension a discretionary matter. The head of the executive agency concerned may determine that the national security does not require suspension of the employee prior to his hearing, or he may transfer the employee to a nonsensitive position.

Passed Senate August 8, 1957.

Group Life Act—Expenses

S. 1740:

Authorizes the Civil Service Commission to draw on the employees' life-insurance fund for expenses incurred in assuming the assets and liabilities of nine employees' beneficial associations.

The 1954 Employees Group Life Insurance Act was amended in 1955 to permit the Commission to assume the assets and liabilities of approximately 25 benevolent associations, which the act virtually drove out of business. This was done to assure the continuation and protection of insurance policies held by both former and present employees.

The Commission has taken over 16 associations with some 50,000 policyholders; the assets and liabilities of 9 more associations, with 90,000 policyholders, remain to be assumed.

Since the Commission under the amendment of 1955 has only until August 17, 1957, to complete the assumption of the remaining companies, and as it has no funds remaining with which to assume these companies, this bill makes available the reserve fund for the purpose of completing the assumption of the beneficial associations.

Passed Senate June 3, 1957.

Presidential Appointees

S. 1903:

This measure amends the Administrative Expenses Act of 1946, which provides for the payment of transportation expenses to Federal employees and their immediate families serving abroad when they travel to and from their domestic residences on leave or prior to a new tour of duty.

The 1946 act inadvertently failed to cover certain officers or employees appointed by the President and confirmed by the Senate to serve a term fixed by law. This amendment includes such persons and their immediate families among those eligible for travel benefits.

Passed Senate August 9, 1957.

Federal Highway Employees—Expenses

S. 1941:

This measure authorizes the Bureau of Public Roads to pay transportation and subsistence to temporary employees on direct Federal highway projects. It had been the Bureau's policy to pay the cost of transportation of these employees from point of hire to project location and return, as well as subsistence cost, or a per diem allowance, during the period of project assignment on the basis of an employment contract. A recent decision of the Comptroller General, however, precludes the payment of transportation and subsistence expenses to temporary employees on the basis of an employment contract and holds that such allowance should be paid as wages.

Public Law 143, approved August 14, 1957.

War-Risk Hazard—Detention Benefits

H. R. 6523:

Extends for 1 year, to July 1, 1958, compensation benefits for employees of the United States or of contractors with the United States for injury or death resulting from a war-risk hazard. Extends for the same period workmen's compensation benefits to Federal civilian employees who suffer injury or death during a period of detention by an enemy force.

Public Law 71, approved June 29, 1957.

Armed Forces—Medical Career Opportunities

H. R. 2460:

This measure is designed to make a regular military career more attractive to nurses and medical specialists of the Army, Navy, and Air Force.

It raises by one grade the career expectancy of the average nurse so that over the course of a career she may expect to become a major or a lieutenant commander and to be retired in this grade. It also expands the number of allowable lieutenant colonels and authorizes a few permanent colonels to provide further incentives for a career as a nurse or a medical specialist.

Initiates a new system of compulsory retirement for nurses who complete specified years of service. This system conforms generally to the provisions covering retirement of women members of the Armed Forces who are not nurses or medical specialists and it follows principles that control compulsory retirement of male officers.

Public Law 155, approved August 21, 1957.

Marine Employees

S. 1412:

Exempts the marine employees of the Departments of the Army and Navy from the Performance Rating Act of 1950. Most of the employees concerned are with the Military Sea Transportation Service. Turnover in this Service is very high and, in most cases, employees must be rated on the strength of their performance in 15- to 45-day tours of duty. This permits no adequate assessment of their proficiency and results in unnecessary burdens being placed on their rating officers.

Public Law 101, approved July 11, 1957.

Coast Guard—Warrant Officers

S. 1489:

This measure corrects an oversight in the Warrant Officer Act of 1954. Its primary purpose is to restore to warrant officers of the Coast Guard the right, which they had prior to the 1954 act, to be retired in the highest grade in which they have satisfactorily served with corresponding retired pay.

Public Law 144, approved August 14, 1957.

Panama Canal Ship Pilots—Retirement

S. 821:

This measure authorizes the optional retirement of any ship pilot in the Panama Canal Zone who has attained the age of 55 and completed 20 years' service, 15 of which must have been as a pilot.

Passed Senate August 9, 1957.

Women's Army Auxiliary Corps

S. 2305:

This measure provides that service in the Women's Army Auxiliary Corps (WAAC) shall be credited to any person who subsequently served on active duty in any of the Armed Forces.

Passed Senate August 20, 1957.

Merchant Marine Officers

S. 1728:

This measure provides assistance to State and Territorial maritime academies or colleges by:

1. Authorizing the Department of Commerce to make contracts for annual payments with each academy or college for periods up to 4 years, but keeping the actual appropriations on an annual basis.
2. Providing an increase in the level of assistance up to $75,000 a year, or $25,000 if the institution does not meet the requirement regarding admission of out-of-State students.
3. Providing subsistence allowances for cadets at a rate not in excess of $600 per academic year per student.
4. Authorizing the Secretary of Commerce to loan and keep in repair suitable vessels for training purposes.

Passed Senate August 26, 1957.

United States Commissioners—Fees

H. R. 4191:

This measure increases for the first time since 1946 the fees of United States commissioners by approximately 4.4 percent.

Public Law 276, approved September 2, 1957.

Air Force Employees

H. R. 3028:

This measure validates payments totaling about $440,000 to approximately 1,500 female members and former members of the Air Force whose husbands were also members of the uniformed services.

Public Law 272, approved September 2, 1957.

Commissioned Services—Losses in Pay

H. R. 293:

This measure authorizes settlement for certain inequitable losses in pay sustained by officers of the commissioned services under the emergency economy legislation.

These payments were denied because of the application and interpretation of section 201 of the Economy Act of 1932. The act was applied so as to bar increases in pay as a result of promotions. These officers not only failed to receive the increased pay of the higher rank to which they were promoted, but were actually compelled to continue under the pay scale of their old rank, together with a 15-percent reduction of the old pay scale.

Total number of persons affected by this measure is approximately 2,381.

Public Law 255, approved September 2, 1957.

Classified Pay Increase

H. R. 2462:

This measure provides an across-the-board increase of 11 percent, effective at the beginning of the first pay period starting after September 1, 1957, for employees in the executive, legislative, and judicial branches of the Government including court reporters for Federal district counts and for the secretaries and law clerks of Federal judges. The average increase will amount to $515 a year.

The following limitations were imposed:

1. No salary will be increased by more than $1,000 a year.
2. No salary will be increased to above $16,000 a year.
3. No increase for those presently receiving $16,000 or more a year.

Pocket veto, September 7, 1957.

Postal Pay Increase

H. R. 2474:

This measure provides an increase of $546 a year for employees in the field service of the Post Office Department, including rural carriers, and a 12-percent increase for fourth-class postmasters.

Pocket veto, September 7, 1957.

Emergency Officers' Retired Benefits

S. 1732:

This act permits persons receiving retired pay on the emergency officers' retired list, who served satisfactorily in World War II for 6 months or more as a commissioned officer of one of the Armed Forces in a higher grade than that held on the emergency officers' retired list, to be advanced to the higher grade and to have his retired pay computed on the basis of the higher grade.

Passed Senate August 20, 1957.

Hazardous Duty Pay

H. R. 7914:

This measure amends the Career Compensation Act of 1949, by adding a new category of personnel for hazardous-duty pay. This new category consists of military personnel who serve as human test subjects in thermal stress experiments. For those who qualify, the rate of pay will be $110 a month for officers and $55 a month for enlisted personnel, which is comparable to that now paid for parachute jumping, experimental diving, and low-pressure chamber observing.

The services, however, will expose only volunteer test subjects who are engaged in field test or research under laboratory supervision.

Public Law 208, approved August 28, 1957.

Naval Academy Instructors—Retirement

H. R. 5832:

Increases the retirement annuities of 25 persons (22 former civilian instructors at Annapolis and 3 widows) to the same degree as is now provided for similar retirees.

Naval Academy instructors retiring after October 1, 1956, receive the benefits of the Civil Service Retirement Act. This measure will include the 22 instructors and 3 widows of instructors, who retired prior to this date, under the civil service retirement program.

Public Law 40, approved May 31, 1957.

Finance, commerce, industry

Tax Extension—Excise and Corporate

H. R. 4090:

This measure provides for an extension of the present corporate income tax rate at 52 percent, and the existing rates of certain excises for 15 months, or until July 1, 1958. The rates of these taxes would otherwise have been reduced on April 1, 1957—the corporate rate to 47 percent; the excise taxes subject to reduction were those on alcoholic beverages, cigarettes, automobiles, and automobile parts and accessories.

The extension of these rates for the past 4 years has been required in order to maintain the level of defense spending necessary to insure an adequate defense.

Public Law 12, approved March 29, 1957.

Metal Scrap

H. R. 5686:

Extends to June 30, 1958, the existing suspension of duties and import taxes on metal scrap. Suspension applies to scrap iron and steel, aluminum, magnesium, nickel, but not to lead or zinc scrap.

Public Law 27, approved April 25, 1957.

Small Business—Loan Authority

S. 637:

Increases by $80 million, or from $150 million to $230 million, the business loan authorization of the Small Business Administration. This increase is an emergency measure designed to keep the Small Business Administration in a position to make loans at its present rate and under its present policy until the end of the fiscal year.

Public Law 4, approved February 11, 1957.

Small Business—Extension

S. 2504:

Extends the Small Business Administration from July 31, 1957, to July 31, 1958, and increases its business loan revolving fund by $75 million, or from $230 million to $305 million. This increase automatically raises the SBA's total authorization from $455 million to $530 million.

Small Business Administration, since 1953, has made some 7,000 loans, totaling approximately $350 million. These loans have been to aid small businesses, to supply technical and managerial advice to small businesses throughout the country, and to lend aid in disaster areas.

This present act is intended only as a stopgap measure to keep the Small Business Administration operating until consideration can be given to a House-passed measure providing for a permanent agency.

Public Law 120, approved August 3, 1957.

Financial Institutions Act of 1957

S. 1451:

This measure provides for a revision and modification of all the Federal laws governing banks, savings and loan associations, and credit unions.

It permits banks, upon approval by Comptroller of Currency, to issue preferred stock which, in effect, makes it easier for them to obtain necessary capital.

It simplifies and makes uniform bank reports.

It permits banks to modernize lending policies by making loans on frozen foods, dairy cattle, consumer installment paper, construction loans and working capital loans where the chief security is general credit instead of a mortgage on real property.

It strengthens conflict-of-interest provisions by authorizing agencies to regulate job acceptance by former employees with institutions supervised by them.

It requires disclosure of bank stock ownership.

It requires annual audit of the Federal Reserve Board and examination of Federal Reserve banks with reports to Banking and Currency Committees of Senate and House.

It restricts establishment of branches by Federal savings and loan associations to States where that privilege is given to State savings and loan associations and mutual savings banks.

It provides for regulation of savings and loan holding companies.

It requires annual audit of credit unions if there is evidence that such audits are needed.

It makes cumulative voting for directors of banks permissive instead of mandatory.

It provides for regulation of bank mergers by bank supervisory agencies.

It permits Federal Deposit Insurance Corporation to deal with small insolvencies by acting as conservator instead of requiring that banks in this condition be placed in receivership or have their assets taken over by another bank.

Passed Senate March 21, 1957.

Securities Act—Exemption

S. 2299:

This measure increases from $300,000 to $500,000 the permissive limit for issuing securities under regulations of the Securities and Exchange Commission.

Under existing law the Securities Exchange Commission may exempt any class of securities if it finds that because of the small amount involved, enforcement of the act is not necessary in the public interest and for the protection of investors.

The permissive increase in this measure, while available to any issuer, is most useful to small businesses seeking a relatively small amount of capital by floating securities.

Passed Senate June 26, 1957.

Securities Exchange—Registration

S. 2520:

This measure increases the registration fee charged against national securities exchanges, and payable to the Securities and Exchange Commission on March 15 of every year, from 2 cents per $1,000 worth of transactions to 5 cents per $1,000.

Includes over-the-counter transactions among those for which a fee is chargeable, and provides that the same 5-cents-per-$1,000 rate will be charged against covered transactions sold by a registered broker-dealer. Seven hundred eighty-five thousand two hundred and fourteen dollars was collected last year in fees from national securities exchanges, all of which goes into the Treasury's general fund.

The fee charged against over-the-counter transactions will fall when the actual transfer of ownership occurs, from the underwriter to the purchaser, unless the underwriter retains a portion of the shares unsold; then the fee would be payable on transfer from the issuer to the underwriter. Only one fee attaches to an issuer-underwriter-broker-purchaser transaction.

Passed Senate August 8, 1957.

Internal Revenue Code, Amendment

H. R. 232:

This measure provides that a taxpayer, who receives or accrues an award in a civil action for breach of contract or breach of trust duty or relationship, may spread the amount over the period during which it would have been received (excludes the breach) if this results in a lesser tax than would otherwise be the case.

It also allows all credits or deductions the taxpayer would have received had he received the income in the absence of a breach.

This act further provides that certificates for 5-year amortization can be issued after August 22, 1957, only for new or specialized defense facilities, and for research and development facilities for defense. The authority to issue rapid amortization certificates is terminated after December 31, 1959. This provision will prevent any future extension of the program to investments with only indirect defense connections or to investments of an ordinary character even though defense-connected.

Public Law 165, approved August 26, 1957.

Tanning Extracts and Coconut Oil—Duty-Free

H. R. 2842:

Provides for a suspension of duty for a 3-year period on imports of tanning material extracts and coconut oil.

Public Law 235, approved August 30, 1957.

Commercial Samples—Import

H. R. 5924:

To implement an International Convention on importing commercial samples and advertising matter ratified in 1956, this measure provides duty-free entry for catalogs, price lists, and trade notices relating to sale or rental of foreign goods or services to United States residents.

Certain samples to be used in the United States only for soliciting orders for products of foreign countries may enter duty-free. These samples, however, must be valued at less than $1 each, or have been mutilated in such a way as to leave them useful only as samples. Motion-picture advertising films will be permitted duty-free entry under bond.

Public Law 211, approved August 28, 1957.

Gifts From Servicemen—Free Import

H. R. 6304:

This measure extends to July 1, 1959, the present privilege accorded to servicemen stationed abroad to send to the United States duty free, bona fide gifts up to $50 in value.

Public Law 30, approved May 14, 1957.

Savings Bonds—Interest Rate Increase

H. R. 5520:

This measure increases to 3.26 percent (from 3 percent) the maximum annual interest rate on savings bonds and savings certificates issued on or after February 1, 1957, and held to maturity. The interest rate will be compounded semiannually.

Public Law 17, approved April 20, 1957.

Furlough Travel Tax Exemption

H. R. 7954:

Under present law a 10-percent excise tax is levied on transportation. The Congress, in 1950, voted an exemption from this tax for personnel of the United States Army, Air Force, Navy, Marine Corps, and Coast Guard, including authorized cadets and midshipmen, traveling in uniform at their own expense while on official leave, furlough, or pass, if they are traveling on round-trip tickets sold to them under special tariffs providing for fares of not more than 2.025 cents per mile.

To continue the effectiveness of this exemption after July 1, 1957, this measure sets the mileage rate limit on fares eligible for the exemption at 2.5 cents per mile.

Public Law 74, approved June 29, 1957.

AEC Indemnity Act

H. R. 7383:

This measure provides for Federal indemnity against atomic reactor hazards for protection of the public. Briefly the act provides:

As a condition for a reactor license, the AEC will require the licensee to take out and maintain financial protection. Each such licensee is also required to maintain an indemnity contract with the Federal Government, by which the Government will indemnify the licensee up to $500 million, including damages and costs of investigating and settling claims. This $500 million is the maximum amount the Government will be required to pay in connection with any nuclear incident.

Both the financial protection and indemnification by the Government are to be made for the benefit of any person who might be found liable for a reactor incident, both contractors and subcontractors.

AEC is authorized to use this indemnification procedure with its own contractors and subcontractors. Should the damages in any instance exceed the amount of the financial protection, together with the $500 million sum, the Commission, or any person interested, can apply to the district court having jurisdiction in bankruptcy over the site of the nuclear incident and have the available funds prorated among all those to whom liability is owed.

The Commission is required to make full reports to the Joint Committee whenever there is a nuclear incident which might require use of this act.

The Reactor Safeguards Committee is made statutory, and is required to pass on applications for reactor licenses which, by their nature, are hazardous.

Statutory protection is provided for property of indemnified persons which may be damaged because of a runaway reactor—the property which is located away from the reactor. Up to this time, this type property has not been covered by the liability insurance policies.

Public Law 256, approved September 2, 1957.

Casein—Duty Free

H. R. 38:

This measure suspends, until March 31, 1960, the import duty on casein or lactarene and mixtures of which casein or lactarene is the component material.

Public Law 257, approved September 2, 1957.

Foreign relations

Middle East Resolution

House Joint Resolution 117:

The Congress, on March 7, 1957, completed action on the President's request of January 5, 1957, urging immediate consideration of a proposal to authorize the use of troops in the Middle East to assist any nation attacked by Communist forces requesting such aid, and to authorize the use of mutual security funds without regard to existing limitations. The urgency was based upon the critical situation in the Middle East which erupted in August of 1956 with the seizure of the Suez Canal by Egypt.

Congress, within 2 months, sent to the President House Joint Resolution 117, which differed somewhat from the proposal as originally presented. A major area of difference was that the Congress substituted, for the troop authorization, a statement that the United States is prepared to use its Armed Forces if the President deems it necessary, and if consistent with its treaty obligations and Constitution. The resolution further provides:

Authority for the President to cooperate with any nation in the Middle East desiring assistance in developing its economic strength. Authority for the President to undertake, in the Middle East, military assistance programs with any nation desiring such assistance. Authority for the President to use during the remainder of 1957, for economic and military assistance wherever he believes necessary in the Middle East, up to $200 million from funds already appropriated.

That the President should continue United Nations multilateral support in the Middle East.

That the President, twice yearly, report to Congress any actions taken under this resolution.

That the joint resolution will expire whenever the President determines the authority granted is no longer necessary, or by concurrent action of Congress.

Public Law 7, approved March 9, 1957.

International Atomic Energy Agency

Executive I:

The Senate, by a vote of 67 to 19, ratified Executive I, 85th Congress, 1st session, on June 18, 1957, the statute of the International Atomic Energy Agency signed at New York City by the United States and 79 other nations.

The purpose of this treaty is to establish an International Atomic Energy Agency charged with responsibility for advancing the peaceful uses of atomic energy, and for developing methods for its application to industry, agriculture, and medicine for the benefit and general welfare of mankind through a cooperative effort. The treaty authorizes the Agency to assist in research, to make provision for services and materials needed for such research, to act as an intermediary to secure performance of services and the supply of material and facilities by one member to another, to foster the exchange of scientific and technical information, and to establish and administer safeguards to prevent misuse of materials for military purposes.

Activities of the Agency are to be conducted in accordance with the principles and purposes of the United Nations. Annual reports on the Agency's activities must be submitted to the General Assembly of the United Nations, to the Security Council, and to the Economic and Social Council.

A 23-member Board of Governors is established as the principal policymaking body of the Agency.

The treaty provides that a general conference, consisting of representatives of all members, meet in regular annual session, or in special sessions if convened by the Director General at the request of the Board or a majority of the members.

Members may make available to the Agency any quantity of special fissionable materials they believe advisable, and under such terms as they and the Agency agree to. The Agency, in accepting these materials, must assume responsibility for safeguards against weather hazards, unauthorized removal, damage or destruction, including sabotage, and forcible seizure.

Cost to the United States for participation in the Agency will be approximately 33⅓ percent of the administrative expenses which, in the first year, will be in the neighborhood of two to two and one-half million dollars.

The United States was the 22d nation to ratify the 80-nation "atoms for peace" Agency on July 29, 1957. This action of the United States actually brought the International Atomic Energy Agency into being. Britain and Russia had already signed, and 3 of the 5 major powers were needed before the International Atomic Energy Agency could begin operation.

International Atomic Energy Agency—United States Participation

H. R. 8992:

This act implements the International Atomic Energy Agency Treaty ratified by the Senate on June 18, 1957, by authorizing the President to appoint and the Senate to confirm representatives and deputies of the United States to the International Atomic Energy Agency. The President is required to report once a year to the Congress on the Agency's activities and on American representation.

The United States is authorized to pay its share of the annual budget which will be about one-third or approximately two to two and a half million dollars.

In order to encourage Federal employees to go with the Agency, they are given 3 years protection on civil service retirement, life insurance, and reinstatement rights in their positions.

Provides that uranium distributed abroad by the Atomic Energy Commission through the Agency must be paid for at no less than the charges established for domestic use; however, an exception is made for materials to be used in research and medical therapy.

The measure requires that the Commission obtain approval for the contribution of materials to the International Atomic Energy Agency above and beyond the President's offer of 5,000 kilograms of uranium 235.

Public Law 177, approved August 28, 1957.

Mutual Security Authorization of 1957

S. 2130:

This measure authorizes an appropriation of $3,367,083,000 for the mutual security program. This amount represents a reduction of $477,560,000 below the budget request as modified.

Authorizations are as follows:

Military assistance, $1,600,000,000 for fiscal 1958.

Defense support, $750 million for fiscal 1958.

Development loan fund, $625 million in fiscal 1959 in addition to an authorization for a current appropriation of $500 million—neither authorization is subject to fiscal year limitation and both will remain available until expended.

Technical cooperation:

Bilateral, $151,900,000 to be available until expended.

Multilateral:

United Nations, $15,500,000.

Organization of American States, $1,500,000.

Other programs:

Special assistance, $250 million.

Latin American economic development, $25 million.

Joint control area, $11,500,000.

U. N. refugee fund, $2,233,000.

Escapee program, $5,500,000.

U. N. children's fund, $11 million.

Ocean freight on voluntary relief shipments, $2,200,000.

Battle Act administration, $2,200,000.

ICA administration, $32,750,000.

Atoms for peace, $7 billion.

This measure authorizes a program of malaria eradication. It divides foreign aid into two categories—defense assistance including related economic support, and economic development assistance. The economic development assistance is placed on a repayable basis through the establishment of the development loan fund.

The development loan fund is established within the International Cooperation Administration on a loan basis. The basic purpose of the fund is to assist, on a basis of self-help and mutual cooperation, the efforts of free peoples to develop their economic resources and to increase their productive capacities.

Public Law 141, approved August 14, 1957.

Export-Import Bank Act—Extension

H. R. 4136:

Extends for a period of 5 years from June 30, 1958, to June 30, 1963, the time within which the Export-Import Bank of Washington may make loans.

As a general rule, the bank extends credit to finance only purchases of materials and equipment produced or manufactured in the United States and of technical services of United States firms and individuals which carries into effect one of its chief purposes—to facilitate United States exports.

Public Law 55, approved June 17, 1957.

Hungary-U. N. Consideration

House Concurrent Resolution 204:

The Senate unanimously adopted this resolution expressing as the sense of Congress that the United States Government should take urgent steps to recommend reconvening of the United Nations General Assembly now to seek immediate consideration and adoption of the report of the United Nations Special Committee on the Problem of Hungary. In order to advance the objectives of the United Nations, the representatives should join actively in seeking the most effective way of dealing with the Soviet Union to prevent further acts of aggression and to seek practical redress of the wrongs committed in violation of the principles of the U. N.

In dealing with the broader question of other captive nations, the resolution declares the United States should implement policies in cooperation with the U. N. and the peoples of the Free World that will guarantee the freedom and independence of the captive nations so that the Hungarian tragedy should not be repeated elsewhere in the world.

Following the Hungarian revolt the United Nations General Assembly adopted a resolution establishing the special committee, composed of representatives of Australia, Ceylon, Denmark, Tunisia, and Uruguay. The special committee was to investigate, take testimony, collect evidence, and present a report of its findings.

The principal conclusion of the report, made public on June 20, 1957, and adopted unanimously by the Senate as the preamble of House Concurrent Resolution 204 reads: "That which took place in Hungary in the latter part of 1956 was a spontaneous national uprising caused by long-standing grievances engendered by the oppressive way of life under Communist rule and by the state of captivity of Hungary under control of the Union of Soviet Socialist Republics."

Since the next regular meeting of the General Assembly will not take place until September, Congress adopted this resolution to urge the reconvening of the General Assembly now to seek adoption of the special committee's findings.

Anglo-American Financial Agreement

Senate Joint Resolution 72:

Approves the signature by the Secretary of the Treasury to an agreement amending the Anglo-American Financial Agreement of 1945. The amendment allows postponement until December 31, 2001, of any 7 of the annual British payments of $138.4 million toward principal and interest on loans from the United States.

The Anglo-American Financial Agreement was signed on December 6, 1945, and was approved by Congress on July 15, 1946. The agreement, authorizing the 50-year loan to the United Kingdom of $3,750 million at 2 percent interest, contained certain waiver provisions. Repayment was to be made in equal annual installments of about $119,336,250, covering both principal and interest, beginning December 31, 1951. A settlement of lend-lease and surplus-property obligations amounting to approximately $650 million on the same terms was also made in the 1945 agreement, with annual installments of about $19 million. The total annual installment of principal and interest is $138.4 million. To date the United Kingdom has paid $384.4 million in principal and $424.6 million in interest, representing payment in full of installments due in 1951–55, and the principal installment for 1956.

This amendment merely replaces the interest waiver provisions to which they were entitled under the agreement and authorizes the United Kingdom to postpone payments until the year 2001 if so desired in an effort to get their economy on a sounder footing.

Public Law 21, approved April 20, 1957.

Financial Assistance Loans

S. 747:

This measure permits the Secretary of State, with the approval of the Comptroller General, to evaluate and cancel, in whole or part, certain claims of the Government against citizens of the United States growing out of personal loans and other advances made to them in emergency situations abroad.

The United States has made loans for many years to Americans abroad, helping them to return to America, and to survive in wartime. In the latter case, gross inequities were perpetrated by enemy countries in setting artificial exchange rates on American money.

Since the beginning of this operation about 150,000 loans have been made totaling some $12 million; of this total $7.5 million has been repaid.

Passed Senate August 5, 1957.

International Labor Organizations—Contributions

Senate Joint Resolution 73:

This resolution increases the ceiling on the United States annual contribution to the International Labor Organization from $1,750,000 to $2 million.

The budget of the International Labor Organization has been gradually increasing over the years as the workload of the Organization increased, due to some extent to a shift in the emphasis of its work toward research, studies, and technical services.

Passed Senate June 27, 1957.

International Claims Settlement Act—Amendment

S. 979:

This measure amends the International Claims Settlement Act of 1949 by extending the time limit for filing claims against the Governments of Bulgaria, Hungary, Rumania, Italy, and the U. S. S. R., until the date of enactment of this act.

It provides for the reduction of any awards, recoverable under the act, by an amount equal to the tax benefits a claimant may have obtained in a prior tax year from writing off war losses upon which his award is based; however, no award may be reduced to less than $5,000 by the tax benefit.

Passed Senate August 5, 1957.

Denmark—Ship Payment

S. 2448:

Authorizes $5,296,302 as a final settlement of the claims of Danish shipowners whose vessels were requisitioned by the United States Government in 1941. During the early days of World War II, 40 vessels of Danish ownership were lying in United States ports. With the aid of the Danish Minister the United States requisitioned these ships—24 of which were later lost at sea. Settlement for 35 of the ships was made some years ago. This serves as a compromise settlement for the remaining vessels.

Passed Senate July 3, 1957.

Interparliamentary Union—Increased Contributions

S. 2515:

This act increases the ceiling on United States contributions to the Interparliamentary Union from $15,000 to $18,000.

All member nations are contributing an amount in Swiss francs equal to 150 percent of their 1931 contribution and, making allowance for the interim devaluation of the dollar, $18,000 represents a 150 percent increase over the 1931 United States contribution.

Passed Senate August 5, 1957.

Executive Agreements—Transmission to Senate

S. 603:

This measure amends the United States Code to require the Secretary of State to transmit to the Senate the text of any international agreement, other than a treaty, to which the United States is a party as soon as practicable after such agreement has entered into force with respect to the United States but in no event later than 60 days after execution.

In cases where the President has reason to believe that public disclosure would be prejudicial to the national security, the agreement is to be transmitted to the Committee on Foreign Relations in a cloak of secrecy to be removed only by the President.

Supporters of this measure feel that it will provide the basis for keeping the Senate informed on a variety of matters dealt with by executive agreements and which have, in the past, escaped its attention.

Passed Senate June 27, 1957.

Implementing Treaty With Panama

H. R. 6709:

To implement the 1955 Treaty of Mutual Understanding and Cooperation between the United States and the Republic of Panama, this measure authorizes the Secretary of State to convey to Panama, free of cost, all title and interest held by the United States in various lands and improvements in the Canal Zone.

Public Law 223, approved August 30, 1957.

Geneva Conventions—Red Cross

S. 1779:

This measure amends title 18, United States Code, to provide criminal penalties for the violation of certain misuses of Red Cross insignia.

Provides a punishment of $250, or 6 months imprisonment, for the unlawful use of the Red Cross emblem, or any colorable emblem thereof. The use of "PW," "PG," or "IC" during wartime, in a manner recognizable from the air, and for any purpose other than to designate prisoner of war or internment camps, is prohibited.

Exception to the prohibition against use of the Red Cross emblem is provided for the Red Cross itself, for hospitals and ambulances, and for "the same purpose and for the same class of goods as was lawful on the date of enactment of this title."

Passed Senate August 5, 1957.

Metallurgical Congress

House Joint Resolution 404:

This resolution provides for Congressional and Presidential recognition and endorsement of the Second World Metallurgical Congress, to be held in Chicago, Ill., November 2 to 8, 1957, sponsored by the Metallurgical Congress and the American Society for Metals.

The Congress, which will be attended by metal scientists and engineers from all parts of the world, is primarily for an exchange of scientific and technical information directed toward improving and expanding the world's metallurgical resources.

Public Law 247, approved August 31, 1957.

Naval Vessel Transfer

H. R. 6952:

Authorizes the President to sell 3 destroyers and 1 submarine to the Government of Venezuela, and to extend the period of the loan of 2 submarines to the Government of the Netherlands. The loan of the 2 submarines to the Netherlands was authorized by the act of July 11, 1952, and would have expired early in 1958.

Public Law 220, approved August 29, 1957.

Canal Zone—Employment

S. 1850:

Implements the treaty agreed to by the United States and Panama in 1955, by providing (a) a system of classification and pay for all positions in the Canal Zone without regard to nationality; this plan will result in increased payroll costs of $1,213,000; (b) that a minimum of 2,900 out of 3,500 positions currently held by United States citizens should be reserved for the employment of United States citizens for reasons of security; (c) that United States and Panamanian employees will receive the same base rates for the same positions, with, however, the United States employee receiving a tax allowance and the usual zone differential; (d) that the general provisions of the Civil Service Retirement Act shall be uniformly applicable to United States citizen and noncitizen employees in the Canal Zone. This provision brings under the act some 7,942 regular full-time employees and about 800 part-time employees, heretofore excluded.

Passed Senate August 5, 1957.

North Pacific Fisheries

S. 2212:

This measure extends Federal responsibility for fishing conservation regulations from the present southern limit of 54 degrees, 40 minutes, to as far south as 48 degrees, 30 minutes.

The authorization is necessary in order to comply with the terms of the North Pacific Fisheries Convention of 1952.

Fishing interests are concerned over the sudden expansion of salmon fisheries, on the high seas off the coasts of Washington, British Columbia, and Alaska. It was feared that if this high seas net fishing was not quickly brought under control, the Pacific salmon fisheries would be seriously endangered.

Public Law 114, approved July 24, 1957.

Spain—NATO Membership

House Concurrent Resolution 115:

This resolution, as adopted unanimously by both Houses, expresses the sense of Congress that the Department of State should continue to use its good offices toward the end of achieving participation by Spain in the North Atlantic Treaty and as a member of the North Atlantic Treaty Organization.

Adopted by the House March 20, and by the Senate April 12, 1957.

United Nations Emergency Force

Senate Resolution 15:

The Senate unanimously adopted this resolution favoring the establishment of a permanent United Nations force similar in character to the United Nations emergency force in the Middle East.

The purpose of the resolution is to emphasize the need of a permanent force and to urge a continuation of work within the United States Government and in the United Nations to assist in keeping peace in the world.

Adopted August 8, 1957.

International Council of Scientific Unions

Senate Joint Resolution 85:

This resolution increases the United States contributions to the International Council of Scientific Unions and associated unions from $9,000 to $65,000.

The Council is composed of such international unions as Pure and Applied Physics, Astronomical, Geographical, Mathematical, Radio, and Biochemistry. Member nations contribute both to the Council and to the associated unions.

The objectives of the Council are scientific. It coordinates and facilitates the work of associated unions to foster international cooperation and to direct international scientific activity. The Council sponsored and organized the International Geophysical Year which began on July 1, 1957.

Passed Senate August 5, 1957.

Buffalo and Fort Erie Public Bridge Authority

House Joint Resolution 342:

Grants the consent of Congress to a compact between the State of New York and the Government of Canada, which provides for the continued existence of the Buffalo and Fort Erie Public Bridge Authority and for the operation of Peace Bridge over the Niagara River between Buffalo and Fort Erie, Ontario.

In effect the compact approved by this resolution restores the situation at Peace Bridge to its previous status before the New York State law of 1955 created the Niagara Frontier Port Authority and gave it responsibility for Peace Bridge.

Public Law 145, approved August 14, 1957.

Assistant Secretary—African Affairs

S. 1832:

This act provides for the appointment of one additional Assistant Secretary of State to be designated as the Assistant Secretary for African Affairs. This new post will enable the Department to give more attention to relations between the United States and Africa and to give appropriate recognition to the growing importance of Africa in world affairs.

Passed Senate April 12, 1957.

General Government

RFC—Abolished

Reorganization Plan No. 1:

This plan, a Hoover Commission recommendation which became effective June 30, 1957, abolished the Reconstruction Finance

Corporation and transferred its functions to other agencies.

Functions relating to those programs which provided assistance to States, municipalities, and other public agencies in financing various public projects, were transferred to Housing and Home Finance Administration.

Functions relating to liquidation matters arising from national defense, war, and reconversion activities, as well as the liquidation of Small War Plants Corporation, were transferred to General Services Administration.

The plan transfers to the Small Business Administration all of the remaining disaster loan functions and all matters arising out of financial-assistance programs to business enterprises except those relating to assistance to railroads, financial institutions, and insurance companies.

The remaining functions such as business loans with outstanding principal balances in excess of $250,000, and financial assistance to railroad companies, financial institutions, and insurance companies were transferred to the Secretary of the Treasury.

Reorganization Plans—Extension

S. 1791:

This measure, a Hoover Commission recommendation, extends to June 1, 1959, the termination date for the submission of reorganization plans to Congress. This measure carries on an established policy of Congress, in delegating to the President authority to reorganize the executive branch of the Government. The President submits the plans to Congress which become law unless disapproved by a majority of the membership of either House within 60 calendar days following the date of submission.

Public Law 286, approved September 4, 1957.

Witnesses—Statements

S. 2377:

Amends chapter 223, entitled "Witnesses and Evidence" of title 18, United States Code, by adding a new section 3500, to be entitled "Demands for Production of Statements and Reports of Witnesses." The purpose of this amendment is to clarify the principle of law in the United States Supreme Court's decision of June 3, 1957, in the case of *Clinton E. Jencks, petitioner* v. *United States of America*, and to implement that principle by establishing an orderly procedure to regulate the demand for, and production of, statements and reports of witnesses in Government files.

This measure provides that the only statements subject to production under this section are written statements previously made by the witness which are in the possession of the United States, signed by the witness or otherwise adopted or approved by him, and any transcriptions or recordings of oral statements made by the witness to a Federal law officer, relating to the subject matter of the witness' testimony. Such statements and reports shall be produced only after the Government witness has testified on direct examination during the trial. If the entire contents of the statements or reports relate to the subject matter of the witness' testimony, the court shall order them delivered direct to the defendant for his examination and use. If, however, the United States claims that the statement or report ordered to be produced contain matter which does not relate to the subject matter of the testimony of the witness, the court shall order the United States to deliver only for the court's inspection.

Upon delivery to the court, the court is authorized to remove any portions not relating to the testimony of the witness and then deliver the statement or report direct to the defendant for his use. In the event any portion is withheld from the defendant, the entire text is to be preserved by the United States and, on appeal, it shall be made available to the appellate court for the purpose of determining the correctness of the ruling of the trial judge. Should the United States fail to comply with a court order to deliver to the defendant such statements or reports, or portions thereof, the court shall strike from the record the testimony of the witness and the trial court shall proceed, or declare a mistrial, or take such other action as the court believes appropriate.

(The issue in the Jencks case involved the procedure under which a defendant may inspect a statement of a Government witness in order to impeach the credibility of the witness. Jencks was charged with having filed in 1950 a sworn affidavit with the National Labor Relations Board declaring that he was not a member of the Communist Party. Subsequently he was indicted under title 18, United States Code, which makes the willful filing of a false statement a crime punishable by a fine of $5,000 or imprisonment for not more than 5 years, or both. The case centered around whether it was necessary for the defendant to establish inconsistency between the testimony of the witness and the statement, before the statement was made available to the defense. The court held that numerous lower court cases, holding that inconsistency was necessary, were wrong and that statements which relate to the testimony of the witnesses must be made available to the defense without requiring the defense to establish an inconsistency.)

Public Law 269, approved September 2, 1957.

Former Presidents—Recognition

S. 607:

In recognition of the great public service given to this country by our Presidents, a service which does not cease when out of office, the Congress has enacted legislation providing former Presidents with a $25,000-a-year allowance, an office staff paid on the basis of a sum not to exceed the allotment to a Senator from the least populous State of the Union, a suitable office space in a Federal building, the franking privilege, and a pension of $10,000 a year for the widow of any former President.

Passed Senate February 4, 1957.

Land Disposal—Aliens

H. R. 8929:

This act authorizes the International Boundary and Water Commission, United States and Mexico, to dispose of any surplus lands to aliens as well as to citizens of the United States.

The Commission was established to carry out flood control, conservation, sanitation, and other projects on the international boundary between the United States and Mexico. Under existing law, the Secretary of State is authorized to dispose of any land acquired in connection with these projects to citizens of the United States when the land is no longer needed. Other Government agencies, such as General Services Administration and the Bureau of Reclamation, may dispose of surplus lands under authority which does not distinguish between citizens and aliens.

Public Law 210, approved August 28, 1957.

Military Public Land Withdrawals

H. R. 5538:

This measure provides for the acquisition and use of public lands for defense purposes. Except for certain public land already in use by the various branches of the military services, all withdrawals, reservations, or restrictions for defense purposes of more than 5,000 acres will require congressional approval.

The act also provides:

1. For a determination, at local level, for congressional consideration of the resources impact of the proposed withdrawal.

2. For clarification of the conflict between States, Territories, and military commanders with respect to game management and enforcement of game laws on the military reservations.

3. That the Federal Property and Administrative Services Act of 1949 shall be amended to clarify operations under that act with respect to the disposition of the mineral estate in withdrawn or reserved public lands and to redefine the responsibilities of the Secretary of the Interior with respect to excess reserved or withdrawn public land.

4. For a revision of the mineral leasing laws which would clarify the laws relating to leasing mineral and oil lands withdrawn or reserved for use of defense agencies.

Passed House April 11, 1957.

Passed Senate August 20, 1957.

Roster of Senior Judges

H. R. 3818:

This act provides for the maintenance of a roster of retired judges of the United States courts to be known as the roster of senior judges and from which assignment for special judicial duty may be made by the Chief Justice of the United States.

It is provided, however, that no retired judge denominated as a senior judge may be assigned to perform judicial duties in any court except upon presenting a certificate by the chief judge of the court to which he is assigned that there is a necessity for his services.

Public Law 219, approved August 29, 1957.

Mineral Interests

S. 268:

This measure authorizes the Secretary of the Army to return, to former owners, mineral interests underlying the Arkabutla, Sardis, Enid, and Grenada Reservoir projects in Mississippi, when he determines that (a) exploration for, or exploitation of, such mineral interests will not interfere with the development and operations of the projects; and that (b) return of the mineral interests will be in the public interest.

The return is conditioned upon the payment of the fair market value of the mineral interests, as determined by the Secretary. These lands were acquired in fee simple, without consideration of mineral interests, and before the Army adopted its policy of acquiring only flowage easements, where possible, instead of fee simple title.

Former owners must apply for return of the interests within 3 years of the enactment of this act.

Public Law 245, approved August 31, 1957.

Desert-Land Entrymen—Loans

S. 1002:

This measure permits the Secretary of Agriculture to make loans to desert-land entrymen, in the same way that loans are made to homestead entrymen, and prior to the issuance of a patent to a desert-land entryman.

Under present law, a desert-land entryman does not receive a patent to his land until he has made improvements on it, generally consisting of irrigation facilities. During the period before he receives his patent, his claim is virtually worthless for mortgage purposes. Consequently FHA and other Federal loan agencies have been unable to extend loans for improvement purposes.

Passed Senate April 12, 1957.

Passed House July 29, 1957.

Washington State—Federal Property

S. 1574:

This legislation provides for the disposal of certain real property in the towns of Grand Coulee and Coulee Dam, Washington.

The town of Coulee Dam is almost wholly federally owned, having been built to house workers on Grand Coulee Dam. Because its property is tax-exempt, the town has been unable to grow and has remained a substantial Federal liability. The purpose of this measure, so far as it relates to Coulee Dam, is to turn over its development to private enterprise and to permit the town to be incorporated under the laws of the State of Washington.

The town of Grand Coulee, which is largely privately owned, has been hampered because of Federal restrictions regarding rights-of-way and public utilities. This act transfers the operation and ownership of any federally owned municipal-type property and facilities to the town of Grand Coulee.

Residential and other properties are to be sold by the Secretary of the Interior at fair market value, giving priority to occupants. The Secretary is authorized to accept a downpayment and to extend time on property purchased, if private finances and FHA loans are not available to priority purchasers. The terms will be similar to those available under the National Housing Act.

The Secretary is authorized to assist Coulee Dam in becoming an independent municipality by a grant of up to $80,000, and by a contribution to a sewage-treatment plant of up to $130,000.

Public Law 240, approved August 30, 1957.

Wyoming State Capitol Buildings

S. 1396:

Broadens the scope of the land-grant provision in the Act of Admission of the State of Wyoming, passed in 1890. This provision gave Wyoming 50 sections of unappropriated public lands to be used in financing the erection of public buildings at the State capitol.

A 1956 Wyoming Supreme Court decision held that the revenues derived from this grant could not be used for the reconstruction and renovation of the State capitol buildings, but only for the erection of such buildings.

This measure corrects the restrictive language of the 1890 act by including reconstruction, renovation, and repair among the permissible purposes for which land-grant revenues may be used.

Public Law 97, approved July 11, 1957.

Additional Judges

H. R. 110:

This measure authorizes the President, under specified conditions, to appoint an additional judge of court when an incumbent judge is unable to discharge officially all the duties of his office by reason of permanent mental or physical disability, and the appointment of an additional judge is necessary for the efficient operation of business.

Applies to all judges who are appointed to hold office during good behavior, including not only circuit and district judges but also judges of special courts such as the Court of Claims, Customs Court, the Court of Customs and Patent Appeals, who are eligible to retire on account of permanent disability as well as those eligible on account of age and length of service.

Public Law 261, approved September 2, 1957.

Nevada—Industrial Development

S. 1568:

Permits the Colorado River Commission of Nevada, acting for and in behalf of the States of Nevada, to purchase 126,775 acres of land from the Federal Government. This land lies 25 miles southeast of Las Vegas and is desired by the Commission for the purpose of encouraging industrial development.

The conveyance is to be made at fair market value as determined by the Secretary of the Interior. The State is given a 5-year option to purchase the land in segments of 10,000 acres.

The Department of the Interior advised that this land was not included in any proposed plans for development by the Federal Government. Nevada plans an extensive program of development, including farming, urban and suburban construction.

Passed Senate May 8, 1957.

Census Activities

S. 1631:

This measure amends the census laws to provide greater procedural facility and accuracy.

One of the most important changes is in the agricultural census regulations. This census would be made in October of a "9" year instead of in April of an "0" year. By taking the census at the end of a harvest season, a more reasonable estimate of farm labor could be had than in the spring, when many thousands of laborers have moved to other areas.

Geographical differences are removed, so that all types of censuses may be taken during the same period in all of the United States and in the Territories and possessions.

Public Law 207, approved August 28, 1957.

Lease-Purchase Act Amendment

S. 2261:

This measure amends and extends the Public Buildings Purchase Contract Act and the Post Office Department Property Act, of 1954. It extends the period for approving projects for approximately 3 years, or until June 30, 1960, and recommends changes in the funding and financial aspects of the acts to alleviate problems encountered in carrying out the program. This measure also provides greater flexibility and permits the program to proceed in a more organized manner, in order to provide the much-needed space for carrying out the many functions of the Federal Government.

Passed Senate July 3, 1957.

Altar of the Nation

House Concurrent Resolution 91:

Expresses the sense of Congress that the Altar of the Nation, a memorial built by the parents of an airman killed in World War II, has been dedicated to the glory of God as a memorial to all American war dead.

The altar is located in the Cathedral of the Pines, Rindge, N. H. It is supported by unsolicited contributions.

House adopted March 19, 1957; Senate adopted May 8, 1957.

Vinson Memorial

House Joint Resolution 279:

To memorialize the late Chief Justice Fred M. Vinson, the Congress has authorized the marshal of the Supreme Court to procure an oil portrait and marble bust of him to be placed in the United States Supreme Court Building.

Public Law 20, approved April 20, 1957.

Presidential Papers

H. R. 7813:

Provides for organizing, indexing, and microfilming the major collections of Presidential papers now in the Library of Congress.

The purpose is to preserve these invaluable papers, now in various locations in the Library and in the main unbound, by the production of a master negative and copies made from the negative.

Public Law 147, approved August 16, 1957.

Housing

Housing Act of 1957

H. R. 6659:

This measure provides for a $1.740-billion housing program with numerous liberalizing changes in an effort to ease the tight-money market which has been threatening the building industry for months. Following are the major changes:

Downpayment: Decreases the minimum downpayment under FHA-sales housing and urban-renewal-housing programs to 3 percent of first $10,000, 15 percent of next $6,000, and 30 percent of excess. In establishing the lower downpayments, the FHA Commissioner must determine they are in the public interest, taking into account the national economy and conditions in the building industry and availability of GI loans.

Elderly persons program: Increases from $8,100 to $8,400 maximum mortgage amount per family unit for FHA elevator structures for elderly persons. Makes clear that single persons as well as families are eligible for occupancy.

Rental housing: Permits the high-cost-area allowance ($1,000 per room) to be applicable without regard to the number of rooms in the unit in FHA's rental-housing program.

FNMA

Increases by $650 million FNMA's total borrowing authority under its secondary-market operations.

Increases to $2.25 billion (now $1.35 billion) the maximum amount of FNMA's secondary-market-operation obligations which the Secretary of the Treasury may acquire.

Requires FNMA to purchase special-assistance mortgages at par until August 7, 1958; limits to a maximum of 1½ percent FNMA's fees and charges on special-assistance mortgages.

Increases to $450 million (from $200 million) the amount of purchases and commitments of special-assistance mortgages subject to the discretion of the President.

Cooperative housing: Increases to $200 million (from $100 million) the special-assistance revolving funds for the purchase of FHA cooperative-housing mortgages. Reserves $50 million for consumer cooperatives. Increases the present limitation of $10 million on outstanding commitments per State to $20 million, of which $5 million is reserved for consumer cooperatives.

Urban renewal and slum clearance: Increases the present $900-million capital-grant contract authorization by $350 million; establishes an alternate formula for computing Federal capital grants—three-fourths of a reduced net project cost instead of two-thirds of present net project cost—and provides that the city may elect which formula to use. Increases from 10 percent to 12½ percent the proportion of urban-renewal capital-grant authorization that can be allocated to one State. Permits the Urban Renewal Administrator to establish maximum payments for moving expenses up to $100 without requiring proof of the actual costs by individuals and families. Increases the maximum relocation payments to business concerns from $2,000 to $2,500.

Public housing: Increases income exemptions for admission to and continued occupancy of public housing.

Military housing: Extends this program for 1 year, to June 30, 1959. Increases military-housing revolving funds to $450 million (from $200 million) and earmarks up to 7.5 percent of the fund for mortgages insured under section 809, which relates to sales housing for essential civilians at military research and development centers.

College housing: Increases the college-housing loan authorization to $925 million, which includes $25 million for loans to hospitals for housing student nurses or interns.

Voluntary home-mortgage-credit program: Extends this program to July 31, 1959.

Farm-housing research: Provides for a 2-year program of farm-housing research and authorizes $300,000 for grants in each of fiscal 1958 and 1959.

Discount control: Requires the FHA Commissioner and the VA Administrator to issue regulations relating to control of discounts on Government-supported mortgages.

Urban planning grants: Authorizes HHFA to make urban planning grants to official Government planning agencies for areas threatened with rapid urbanization by the establishment or expansion of Federal installations.

Public Law 104, approved July 12, 1957.

FNMA—Authorization Increase

House Joint Resolution 209:

This measure provides immediate assistance on an interim basis, through the secondary market operation of Federal National Mortgage Agency, in relieving the shortage of funds for home loans. The secondary market facilities of FNMA provide an essential backstop to the private secondary market for FHA-insured and VA-guaranteed home mortgage loans. FNMA's supplemental role in the secondary market for these VA and FHA loans is of particular importance during this present period when the shortage of private funds for loans is so acute.

Under this legislation, FNMA's capitalization is increased by $50 million to approximately $159 million which, in turn, raises the borrowing authority by $500 million or to $1.6 billion. The amount of FNMA secondary-market obligations which the Treasury may acquire is increased by $350 million or to a maximum of more than 10 percent of the funds available. FNMA's authorization for the purchase of cooperative mortgages is increased by $50 million or to a total of $100 million, and the per-State dollar limit on outstanding commitments is increased from $5 million to $10 million.

Public Law 10, approved March 27, 1957.

FNMA—Increased Authorization

S. 1679:

Increases by $50 million the present special assistance authorization of $200 million available to the Federal National Mortgage Association to purchase military housing mortgages and selected home mortgages. The selected home mortgages, which originated under special housing programs, are those designed to provide housing of acceptable standards at full economic costs for those who are unable to obtain adequate housing under established home financing programs.

This additional authorization was felt to be necessary as a means of retarding or stopping a decline in mortgage lending and home-building activities which threaten materially the stability of a high-level national economy.

Passed Senate March 29, 1957.

Immigration and naturalization

Immigration—liberalization

S. 2792:

This measure is designed to relieve certain hardship conditions existing in present immigration laws by:

1. Permitting for a 2-year period, through June 30, 1959, unlimited entry of alien orphans under 14 years of age, whether legitimate or illegitimate, who have been adopted by United States citizens or who are coming to the United States to be adopted; however, not more than two such special nonquota visas may be issued to orphans adopted by any one United States citizen unless it is to prevent separation of brothers and sisters.

2. Granting first preference status to the spouses and children who are "following to join" one who has been admitted under a preference quota for special skills.

3. Vesting discretionary authority in the Attorney General to waive criminal and immoral grounds of exclusion in behalf of certain spouses and children or parents of United States citizens and aliens otherwise admissible for permanent residence.

4. Permitting the Attorney General, after consultation with the Surgeon General of the Public Health Service, to admit the spouses, children, or parents of United States citizens or aliens otherwise admissible for permanent residence who are afflicted with tuberculosis, however, cases must be reported to Congress and no visa shall issue after June 30, 1959.

5. Authorizing permanent status for specialists who have misrepresented their nationality or place of birth to avoid repatriation to Communist-controlled countries; also permits a similar adjustment in hardship cases of spouses, parents, or children of United States citizens or lawful resident aliens, who have procured or sought to procure visas or entry into the United States by fraud or misrepresentation.

6. Granting to the Secretary of State and Attorney General discretionary authority to waive fingerprinting requirements for aliens seeking to enter the United States temporarily as nonimmigrants.

7. Authorizing the Attorney General to adjust to that of permanent residence the status of certain highly skilled specialists who are in the United States temporarily and whose services have been determined to be urgently needed in the United States; however, the alien must have been physically present in the United States on July 1, 1957. Spouses and children of these specialists who were in the United States on July 1, 1957, may have their status similarly adjusted.

8. Removing mortgages on quotas of certain countries imposed under the Displaced Persons Act effective July 1, 1957. It is estimated that lifting these mortgages will result in approximately 8,000 quota numbers being made available each year, particularly in countries such as Latvia, Lithuania, Estonia, and others whose quotas were heavily mortgaged.

9. Providing for naturalization of certain adopted children of United States citizens employed abroad.

10. Permitting the adjustment of status of certain diplomats and semidiplomats who have been granted political asylum.

11. Providing that approximately 18,000 nonquota visas which were authorized under the Refugee Relief Act of 1953 but which remained unused when that act expired in December of 1956 would be available to bona fide refugee-escapees who have fled because of persecution on account of race, religion, or political opinion. These nonquota visas would be available for refugees throughout the world, including refugees from Egypt and North Africa, those located in Spain, the NATO countries, Austria, and the Far East. Under this provision, Egyptian refugees who are in Western Europe could enter the United States.

12. Providing that a period of less than 12 months overseas residence by a child admitted for permanent residence shall not constitute a break in United States residence for purposes of naturalization.

Public Law 316, approved September 11, 1957.

National Defense

Military Construction Act of 1957

H. R. 8240:

This measure authorizes military construction projects at home and abroad, classified and unclassified, amounting to $1,232,495,000, which is a reduction of approximately 30 percent from the budget request.

New authorization granted for each military department is as follows:

Army:	
Inside continental United States	$115, 624, 000
Outside continental United States	34, 477, 000
Classified	143, 002, 000
Total	293, 103, 000
Navy:	
Inside continental United States	230, 356, 000
Outside continental United States	48, 199, 000
Classified	59, 056, 000
Total	337, 611, 000
Air Force:	
Inside continental United States	394, 076, 000
Outside continental United States	160, 705, 000
Classified	47, 000, 000
Total	601, 781, 000
Grand total	1, 232, 495, 000

Installations provided for by this new authorization include replacement of irreparable facilities, chapels, community and recreational facilities, housing, and key-service schools.

This measure also provides that members of the Armed Forces, the Coast Guard, Geodetic Survey, and Public Health Service who occupy substantial quarters (where adequate quarters are not available) on a rental basis will do so without losing their basic allowances for quarters. In other words, this personnel will receive their quarters' allowance and from it, pay the necessary rent.

Public Law 241, approved August 30, 1957.

AEC—Office Building

S. 1918:

Increases to $13,300,000 (from $10 million) the authorization for the AEC office building in the District of Columbia.

The increase will provide for the construction of an additional wing on the building for headquarters personnel as well as military and civilian personnel assigned from other agencies.

Public Law 107, approved July 17, 1957.

Atomic Power Program—Congressional Review

S. 2243:

This measure provides for more extensive congressional review of the AEC atomic power program. For some time there has been concern over the extent and scope of review which the Joint Committee and the Congress should give each year to the AEC budget, particularly as to the civilian atomic-power program.

Congress felt that all Government financed experimental reactors, except very small ones, should be authorized as facilities, and also that cooperative arrangements wherein AEC provides Government funds for assistance to industry in the development and construction of reactors, should be scrutinized more closely.

To carry out this intent, AEC is required to obtain congressional authorization before using its appropriations for Government atomic plants, other than military or small experimental reactors. AEC is also required to submit to the committee any proposed price schedule for the purchase of plutonium produced as a byproduct in atomic reactors.

Public Law 79, approved July 3, 1957.

AEC Authorization

H. R. 8996:

This measure authorizes an overall total of $352,145,000 for the Atomic Energy Commission. Of this amount $222,230,000 is for new projects under the AEC's regular plant and facility authorization. $129,915,000 is for AEC research assistance to private and public power groups for construction of atomic powerplants; with an estimated $149,915,000 upper limit for this total program which includes waiver of use charges for private projects. Of the funds included in the $129 million figure, $40 million have already been authorized as construction items which include plants and facilities relating to the production of special nuclear materials, the manufacture of atomic weapons for physical research, biology and medicine, training education and information, AEC communities and general plant projects.

$58 million of the $222 million authorization is to cover the design of 1 large prototype reactor, design and construction of 1 intermediate size prototype reactor, and 1 small experimental reactor.

Public Law 162, approved August 21, 1957.

Aliens—Enlistment

S. 2420:

This measure extends for 2 years the authority for enlistment of aliens in the Regular Army, and suspends the prohibition against peacetime enlistment of nondeclarant aliens. The suspension is retroactive to June 30, 1955.

The act of June 30, 1950 authorized the Secretary of Army to accept enlistments or reenlistments in the Regular Army for 5-year periods of not more than 12,500 unmarried male aliens between the ages of 18 and 35. This suspension has made it possible to procure valuable enlistees for the Regular Army from among the displaced alien populations in Western Europe. Their native fluency in foreign languages and their knowledge of both the geography and peoples of their homeland provide the Army with a resource of talent that is difficult to find in native Americans. High standards have been set for enlistment under this program and, accordingly, only those aliens who were regarded as having the potential to become officers and noncommissioned officers have been accepted for enlistment.

Public Law 116, approved July 24, 1957.

Atomic Energy—Cooperation With Berlin

H. R. 5866:

Includes Berlin (the United States, British, and French sectors) as an area in which the Atomic Energy Commission is authorized to undertake agreements regarding international cooperation in nonmilitary applications of atomic energy.

Under the Atomic Energy Act of 1954, an agreement for cooperation relating to the construction and operation of a reactor can only be entered into with another nation. It has been found desirable as part of the international program of the United States to enter into an agreement with West Berlin so that a reactor could be built in that city; however, because of the status of West Berlin as an occupied city and because West Germany is not one of the occupying powers, an agreement for cooperation with West Germany could not be entered into without an amendment to the 1954 act.

It is believed that the erection of a United States reactor in West Berlin will do much to offset any psychological advantage that might be derived from the new research center being established in East Germany through the aid of the Soviet Union. West Berlin is providing all necessary funds for the reactor.

Public Law 14, approved April 12, 1957.

Specialists—Military Training

H. R. 6548:

Extends to July 1, 1959, the President's authority to issue special calls for physicians, dentists, and other allied specialists to meet the needs of the Armed Forces.

This measure reenacts a provision of the existing doctor draft law relating only to physicians and dentists which requires that where these persons meet the qualifications for Reserve commissions in the military departments and where there is a need for their services they will be permitted to volunteer for a period of active duty for not less than 24 months.

Provides that physicians and dentists may be appointed or promoted under Presidential regulations to a rank commensurate with their professional education and ability. Persons in the medical or dental categories may be used in a professional capacity in an enlisted grade if they refuse to accept or fail to qualify for a commission.

Public Law 62, approved June 27, 1957.

Troop Ceiling—Suspension

H. R. 7143:

This measure continues to July 1, 1959 (from July 31, 1957), the suspension of ceilings on the authorized personnel strengths of the Armed Forces.

In 1950 Congress enacted a measure establishing the authorized strength at slightly more than 2 million. In 1951, because of Korea, it was necessary to amend the 1950 act and suspend the ceiling, imposing a secondary ceiling of 5 million on the active-duty personnel strength of the Armed Forces during the period that the permanent personnel strength limitations are suspended. This secondary ceiling will remain in effect during this extension.

Public Law 63, approved June 27, 1957.

Air Force Academy

H. R. 8531:

This measure provides for an interim system of appointments to the Air Force Academy on the Military Academy system, but on an annual, rather than a cumulative basis for the 4-year period beginning with class of July 1959. It will allow one appointment each year for each Member of Congress, including Delegates and the Resident Commissioner of Puerto Rico. In addition, each Member will be authorized to appoint 10 alternates.

During the 4-year period only qualified alternates nominated by Members of Congress including the Territorial Delegates and the Resident Commissioner of Puerto Rico may be nominated for appointment.

Authorized appointments from 1959 through 1962 will be as follows:

Each United States Senator: 1 cadet a year.

Each United States Representative: 1 cadet a year.

Each Delegate in Congress: 1 cadet a year.

Puerto Rican Resident Commissioner: 1 cadet a year.

District of Columbia Commissioner: 2 cadets in 1959 and 1961, 1 in 1960 and 1962.

Governor of Canal Zone: 1 cadet each 2 years.

President of United States: 22 in 1959, 1960, and 1961; 23 in 1962.

Vice President: 1 in 1959, 1960, and 1961.

Secretary of Air Force: 10 a year from honor graduates of honor military or naval schools; 10 a year from the sons of deceased veterans; 45 cadets a year from enlisted members of Army and Air Force, 23 from Regular Army and Regular Air Force in 1959 and 1961, and 22 in 1960 and 1962; 22 from members of Reserve components of Army and Air Force in 1959 and 1961, and 23 in 1960 and 1962.

Public Law 182, approved August 28, 1957.

Missing Persons Act

H. R. 5807:

This measure makes permanent the Missing Persons Act. The original act, approved in 1942, remained in effect until 1947. It was reactivated by the Selective Service Act of 1948 and has been extended for periods of 1 year by several subsequent enactments. Instead of another 1-year extension, this measure makes the act permanent.

Because of the size of the Armed Forces, the stationing of our troops in many foreign countries, and the extensive utilization of aircraft, the Congress is making this act permanent. Under this act the heads of executive departments are authorized to continue to credit the pay accounts of persons within the scope of the statute who are missing, missing in action, interned, captured, or in a similar status. If allotments to dependents are not in effect when the person is placed in a missing category, the head of the department can initiate an allotment to provide for the dependents.

New language has been added to the original act, directing that entitlement to pay and allowances shall not be denied to any member of the Philippine Scouts who was captured in the Philippine Islands by the enemy during World War II solely on the ground that the member was paroled or permitted to return to his home prior to the termination of Japanese occupation of the Philippine Islands.

Public Law 217, approved August 29, 1957.

Reserves—Facilities

H. R. 7697:

This measure authorizes an additional $80 million for the acquisition, construction, and expansion of facilities for the several Reserve components of the Armed Forces; and clarifies existing law to specifically include bachelor-type housing for officers and enlisted men for so-called permanent party or station keepers, including necessary messing facilities for this personnel. Necessity for this type facility usually occurs at the naval aviation training stations of the Reserves.

Public Law 215, approved August 29, 1957.

National Advisory Committee for Aeronautics—Construction

H. R. 3377:

This measure authorizes construction, installation of equipment, and acquisition of land at installations of the National Advisory Committee for Aeronautics.

The purpose of the committee is to assess the current stage of development of aircraft, both civil and military; to anticipate the research needs of aeronautics; to build the scientific staff and unique research facilities required for these research needs; and to acquire the needed new knowledge as rapidly as the national interest requires.

Facilities needed and authorized by this measure:

New facilities for hypersonic research:	
3.5-foot hypersonic tunnel (Ames)	$11,731,000
High-speed leg for the unitary plan tunnel (Langley)	750,000
Hypersonic physics test area (Langley)	1,987,900
Hypersonic helium blowdown tunnel (Langley)	796,600
Rocker systems research facility (Lewis)	5,700,000
Subtotal	20,965,500
Expansion of facilities for nuclear research:	
Modifications to the component research facility for nuclear propulsion (Lewis)	5,655,000
Modernization of research facilities:	
Expansion of the propulsion systems laboratory (Lewis)	5,800,000
Bypass air system for the unitary plan tunnel (Ames)	100,000
Boundary-layer removal for the 14-foot transonic tunnel (Ames)	4,435,000
Flow improvement in the unitary plan tunnel (Ames)	255,000
Modification of the 26-inch transonic tunnel (Langley)	346,400
Subtotal	10,936,400
Modernization of supporting technical facilities:	
Data reduction center (Langley)	3,067,200
Modernization of instrumentation (Wallops)	2,560,000
Improved air supply for the internal flow laboratory (Langley)	858,000
Subtotal	6,485,200
General plant and utility improvements:	
Land acquisition (Lewis)	300,000
Central heating system for the east area (Langley)	209,100
West area approach road (Langley)	148,800
Taxi strip	750,000
Subtotal	1,407,900
Total, fiscal year 1958 program	45,450,000

Public Law 253, approved September 2, 1957.

Natural resources

Hells Canyon Dam

S. 555:

This measure authorizes continuation of full comprehensive development of the Columbia River and its tributaries to prevent the wasteful underdevelopment of the greatest and most economic dam site remaining undeveloped in the United States. The major feature, the high Hells Canyon Dam, is the only method ever proposed to harness the enormous potential of the middle Snake River for maximum multipurpose use in the national interest. It also authorizes construction of the Scriver Creek power facilities of the Payette unit of the Mountain Home reclamation project in Idaho.

The dam, when completed, will provide flood control through regulation of the middle reach of the Snake River for the protection of lives and property ravaged by flood resulting from inadequate upstream storage facilities. It will benefit farmers from the

Midwest to the Pacific coast by providing the only available source of low-cost power for the production of less expensive phosphate fertilizers from the phosphate bed of southeast Idaho and Utah, which contain nearly two-thirds of the Nation's phosphate resources. It will assist the economic growth of the Pacific Northwest, including Idaho, by providing power for continuing industrial growth. It will aid the growth of irrigation in the agricultural economy of southern Idaho by providing financial aid for future irrigation projects.

The dam is to be 722 feet high; length 1,733 feet; total capacity of the reservoir will be 4,400,000 acre-feet; and ultimate power capacity will be 1,250,000 kilowatts. Total construction cost will be approximately $489,540,000. Eighty-five percent of this cost will be repaid with interest by the power users of the Pacific Northwest. The primary assistance provided by the Federal Government is the temporary use of its credit.

Passed Senate June 21, 1957 by a vote of 45 to 38.

Fryingpan-Arkansas Project, Colorado

S. 60:

This measure authorizes the construction, operation, and maintenance by the Secretary of Interior of the Fryingpan-Arkansas project, Colorado. The project is designed to import water from the Colorado River Basin to the Arkansas River Basin and to regulate flows in the latter basin so they can be used to greater advantage than under existing operational practices. It will furnish a partial supply of water to approximately 322,000 acres of land; will supplement a number of expanding municipalities in the Arkansas River Valley; will generate approximately 470 million kilowatt-hours of salable electric energy annually; and will provide flood control, recreation, fish, and wildlife protection.

It is estimated that the construction cost will be $159,287,000; however, a total of $139,905,000 is reimbursable.

Passed Senate June 27, 1957.

Omnibus Rivers and Harbors and Flood Control

S. 497:

This measure authorizes $1,540,840,000 for river and harbor, beach-erosion control, and flood control totaling 102 projects as follows:

Rivers and harbors:	
Navigation projects (36)	$102,997,000
Beach-erosion projects (8)	5,290,000
Eradication of water-hyacinths	$5,063,000
Upper Fox River, Wis	300,000
Calumet-Sag project, Illinois	9,884,000
Illinois and Mississippi Canal	2,000,000
Total	125,534,000
Flood control:	
New projects (46); project modifications (12)	386,261,000
Increased basin authorization (13)	633,300,000
Lower Mississippi River Basin	145,745,000
Oroville Dam, Calif	50,000,000
Missouri River Basin, Department of Interior	200,000,000
Total	1,415,306,000
Grand total	1,540,840,000

A new feature in the bill was section 205 declaring that Congress recognizes the responsibilities of local entities in developing water supplies, and that Congress should participate and cooperate in such development. The effect of this section is (1) to permit the Federal agencies to incorporate storage in reservoirs for low-flow augmentation under certain conditions; (2) to provide for inclusion of planned storage in Federal reservoir projects; and (3) to provide for reimbursement to the United States when a contract is made for the use of water.

A similar measure was pocket vetoed August 10, 1956.

Passed Senate, March 28, 1957.

Columbia Basin Project—Modifications

S. 1482:

This measure modifies the acreage limitation in the Columbia Basin Project Act to meet the changing agricultural and economic conditions and, at the same time, to reaffirm the major objectives of the Columbia Basin reclamation project, the largest single irrigation development ever undertaken in the United States or elsewhere.

Removes the limitation that water may be delivered to only 1 farm unit in the ownership of an individual family, and permits delivery to more than 1 farm unit held by any individual, corporation, or joint-stock association provided the total irrigable area held does not exceed 160 acres.

Permits water to be delivered to more than 1 farm unit held by the members of a family provided the total irrigable area held by all members of the family does not exceed 320 acres. Thus the members of a family may not receive water for more than 320 acres through the device of placing additional units in the names of minor children as is permitted by the interpretations of the reclamation law applying to reclamation projects generally. Water may be delivered whether the units held by members of the family stand in the name of one or more of the members of the family, or whether the land is the separate property of the husband or the wife or the community property of both under the community property laws of the State of Washington.

Ultimately the Columbia Basin project is to include 1,029,000 acres of irrigable land and, at present, nearly one-third of the facilities have been constructed.

Public Law 264, approved September 2, 1957.

TVA—Bonds

S. 1869:

This measure authorizes the Tennessee Valley Authority to issue and sell revenue bonds, up to an aggregate of $750 million outstanding at any one time, to assist in financing its power program. Proceeds of these bonds may be used for construction, acquisition, enlargement, improvement, or replacement of any plant or other facility used or to be used for the generation or transmission of electric power, or in connection with lease-purchase transactions.

This legislation does not change the basic administrative premise of the TVA Act. The TVA Board will continue to be held fully responsible by the Congress for the results of its operations, and will have corresponding administrative authority in the discharge of this responsibility. The actions of the Board will be subject to annual review by the Congress.

TVA is required to apply power proceeds, during each successive 5-year period, either to reduce its capital obligations or to reinvest in power facilities in an amount not less than the amount of depreciation accruals plus net proceeds realized from the sale of any power facilities. This provision protects the investment of both the Government and the bondholders.

Passed Senate August 9, 1957.

Niagara Power Development Act of 1957

H. R. 8643:

This measure authorizes the development of hydroelectric power on the Niagara River at Niagara Falls, N. Y., by the New York Power Authority under the terms of the United States-Canadian Treaty of 1950. The multipurpose project is to be financed by the State of New York without aid from the Federal Government.

The Federal Power Commission is directed to issue a license to the power authority requiring that 50 percent of the power developed at Niagara Falls be made available at the lowest rates reasonably possible to public bodies and nonprofit organizations within economic transmission distance. If the power, subject to the preference clause, is sold to utility companies, this measure requires that flexible arrangements be made to withdraw, on reasonable notice and fair terms, enough power to meet the reasonably foreseeable needs of the preference customers.

Provides also that a reasonable portion of the power subject to the preference provisions be made available to neighboring States within reasonable economic transmission distance, in an amount not to exceed 20 percent of the power subject to the preference clause.

The New York Power Authority contemplates a project with a total installed capacity of 2,190,000 kilowatts, at an estimated construction cost of $532 million.

Public Law 159, approved August 21, 1957.

Yellowtail Dam and Reservoir

Senate Joint Resolution 12:

This joint resolution provides for the transfer of right-of-way of approximately 7,000 acres of land for Yellowtail Dam and Reservoir and a settlement of $5 million to the Crow Indian Tribe as an outright purchase of the land, and for Federal benefits derived therefrom.

This measure removes the one remaining obstacle to the development of this multipurpose project in Montana and Wyoming. The project is designed to provide power in an area where power demands exceed production; it will bring arid lands under irrigation; and it will provide flood control as well as recreational benefits.

Passed Senate April 16, 1957.

Natural Conservation Anniversary Commission

Senate Joint Resolution 35:

This resolution provides for the establishment of a commission to arrange for the observance and commemoration of the 50th anniversary of the first conference of State governors on conservation in the United States and, generally, promote a realization among citizens of the importance of protecting and conserving our natural resources.

The Commission will include representatives of the executive and legislative branches, and is to expand itself to 35 members by the appointment of 15 representatives of groups interested in conservation and 10 citizens at large from private life.

The conference of governors called by the late President Theodore Roosevelt in 1908 was the first official Federal recognition of conservation—the protection and wise use of all our resources to achieve optimum values for all the people of the Nation—as a broad national problem involving all citizens and all levels of government.

Passed Senate February 4, 1957.

Passed House August 28, 1957.

Pecos River Basin, N. Mex. and Tex.

Senate Joint Resolution 39:

This joint resolution authorizes the construction of water-conservation projects to provide for a more adequate water supply for irrigation in the Pecos River Basin, in New Mexico and Texas.

The purpose of the projects is to salvage greatly needed irrigation-water supplies in the Pecos River for the existing reclamation project at Carlsbad, and the Red Bluffs project in Texas, as well as other irrigated lands in both States. In addition, an important feature is to alleviate salinity conditions in the Malaga Bend area in New Mexico, which will make available for irrigation purposes additional supplies of water in that section.

The principal works of the project are:

(1) A channel to convey flows of the Pecos River below Alamogordo Dam in New Mexico through the delta at the head of McMillan Reservoir of the Carlsbad reclamation project, a levee and cleared floodway through the delta, and spur drains leading from the delta;

(2) Works for the alleviation of salinity in the Malaga Bend area of the Pecos River drain in New Mexico.

Passed Senate March 29, 1957.

San Angelo Federal Reclamation Project, Tex.

S. 42:

This measure provides for the construction of the San Angelo project, a multiple-purpose water resource development in the Concho River Basin in central Texas, located in Tom Green County.

The project is to provide additional storage capacity in the Concho River system for irrigation, municipal water supply, flood control, recreation, and fish and wildlife benefits.

Principal features of the project include the Twin Buttes Dam and Reservoir with a maximum capacity of 810,000 acre-feet to span both Middle and South Concho Rivers. The controlled storage will be approximately 600,000 acre-feet. Of the total capacity, 150,000 acre-feet will be allocated to conservation; 430,000 acre-feet to flood control, 214,000 to surcharge capacity, and 16,000 for other purposes. Operations of the existing San Angelo and Nasworthy Dams and Reservoirs will be coordinated with the Twin Buttes facility. The irrigation system will include a main canal, laterals and drainage works to serve 10,000 acres of highly productive land.

Cost allocations are as follows:

	Nonreimbursable	Reimbursable	Total
Municipal supply	0	$6,100,000	$6,100,000
Irrigation	0	9,900,000	9,900,000
Flood control	$10,500,000	0	10,500,000
Recreation	60,000	0	60,000
Fish and wildlife	3,440,000	0	3,440,000
Total	14,000,000	16,000,000	30,000,000

Public Law 152, approved August 16, 1957.

St. Lawrence Seaway—Increase Borrowing Authority

H. R. 5728:

This measure, to make possible the completion of the St. Lawrence Seaway, increases the borrowing authority of the Seaway Development Corporation to $140 million (from $105 million) and authorizes the deferment of interest. Deferred interest is to be compounded after June 30, 1960.

Expands the powers of the corporation to include the provision of services and facilities necessary in the operation and maintenance of the seaway, and the ownership and operation of a toll bridge company in conjunction with the St. Lawrence Seaway Authority of Canada, or its designee.

The increased costs provided for in this act are attributable in part to general price increases, in part to basic planning and design changes, and in part to additional construction.

Public Law 108, approved July 17, 1957.

Amendatory Repayment Contracts

H. R. 5492:

This measure extends to December 31, 1960, the discretionary authority of the Secretary of Interior to enter into amendatory repayment contracts under the Federal reclamation laws. This authority was first given the Secretary in the Reclamation Project Act of 1939. It has been extended, first by the act of March 6, 1952, and then by the act of August 31, 1954.

The Congress has given the Secretary this authority to grant relief to irrigation districts in special hardship cases. With this extension, the Secretary can adjust the original terms to permit a longer period of repayment by deferring the repayments due to the Government.

Public Law 156, approved August 21, 1957.

Phosphate Development

S. 334:

Removes the present restrictions that no individual, corporation, or association may lease more than 5,120 acres of phosphate-bearing lands on the public domain in any one State.

The measure does not affect the present provision that not more than 10,240 acres of phosphate lands on the public domain may be leased to any individual, corporation, or association; it merely removes the present restriction by which the State line serves as a barrier to the effective development of phosphate reserves.

Public Law 122, approved August 13, 1957.

Irrigation Systems

S. 413:

This measure authorizes the Secretary of Interior to transfer title to distribution systems of Federal reclamation projects to local water users' organizations provided (1) the organization representing the water users concerned requests the transfer; and (2) the Secretary determines that the water users or the organization have completed repayment of all construction and other charges, with the exception of operation and maintenance charges not yet due.

Passed Senate May 16, 1957.

Outdoor Recreation Resources—Study

S. 846:

Establishes a National Outdoor Recreation Resources Review Commission to study the outdoor recreation resources of the public lands.

The Commission is to be composed of 15 members, including 8 congressional members, and will report by December 31, 1959 on outdoor recreation requirements indicated for 1976 and 2000 together with the recommendations of the Commission on meeting those requirements.

Passed Senate June 26, 1957.

Missouri River Basin

S. 977:

This measure exempts approximately 21,300 acres of farmland in the East Bench unit of the Missouri River Basin project from the 160-acre limitation per farm set by the Federal reclamation laws.

This exemption will permit establishment of irrigated farms of adequate size to provide suitable family livelihood, and to meet the costs of water service pursuant to contract with the United States. The East Bench unit is an area of moderate income-producing potential and the standard 160-acre limitation is not sufficient for a family to make a living. Irrigation farming experience in the area has demonstrated that family-type farms will be successful only with combination livestock and feed-hay production. Because of the relatively short growing season at the project elevation of over 5,000 feet, and because of soil conditions, crop yields require somewhat more than 160 acres for family-sized operations. The exemption applies solely to the East Bench unit.

Public Law 112, approved July 24, 1957.

Little Missouri River Compact

S. 1556:

This act grants the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact for the apportionment of the waters of the Little Missouri River and its tributaries.

The compact will undertake to apportion the waters of the Little Missouri and its tributaries in a fair and equitable manner so as to assure maximum beneficial use of the limited supply in the area.

Public Law 184, approved August 28, 1957.

Coal Development

S. 2069:

To promote the development of coal on the public domain, this act will permit individuals, associations, or corporations to hold an additional 10,240 (present limitation is 5,120) acres of public lands if the Secretary of the Interior finds that the increased acreage is necessary for an economic business operation in distressed power areas.

Passed Senate July 8, 1957.

Rio Grande Rehabilitation Project

S. 2120:

Authorizes the Secretary of Interior to proceed with the rehabilitation of the irrigation and drainage works of the Mercedes division of the lower Rio Grande rehabilitation project.

This project serves about 68,000 acres of richly diversified farmland. It was constructed in 1905–21, and is in a state of deterioration owing to its age. The plan for rehabilitation, submitted by the Interior Department, involves work on pumping stations, canals, and storage basins.

The authorized cost of the plan is $10,100,000, which is entirely repayable over a 40-year period. The excess-lands provision of the Small Reclamation Projects Act of 1956 applies to holdings of more than 160 acres, so far as interest is concerned. No water will be delivered for the production of basic agricultural commodities for a period of 10 years.

The benefit-cost ratio is 2 to 1.

Passed Senate August 9, 1957.

Virgin Islands National Park

S. 2183:

This measure amends the act establishing the Virgin Islands National Park by removing the limitations on expenditure of funds for the capital improvement of the park (now $60,000) and for annual operating expenses (now $30,000).

These limitations have placed severe and uneconomic restrictions on the development of an adequate national park in the Virgin Islands.

Passed Senate August 5, 1957.

Burns Creek Project

S. 2757:

This measure authorizes the Federal construction of a reregulating reservoir and other works at Burns Creek in the upper Snake River Valley, Idaho.

Burns Creek Dam will be located about 30 miles below Palisades and will be a rolled earth-filled dam 170 feet above stream bed. Reservoir capacity will be 234,000 acre-feet, of which 117,000 acre-feet will be inactive capacity for powerhead, recreation, and fish conservation, 100,000 acre-feet will be used as long-term holdover irrigation storage, and 17,000 acre-feet will be available for pondage.

It is estimated that the project complete with a 90,000-kilowatt powerplant will cost $44,240,000.

Passed Senate August 20, 1957.

Emergency Flood-Control Work

S. 2228:

This measure amends section 5 of the Flood Control Act of 1941, to clarify the extent and nature of the work that may be done by the Corps of Engineers.

This act, in effect, is a composite, with additions, of several other laws on the books. It provides a $15 million emergency fund which may be used for preflood planning and supply, emergency repair and strengthening of flood-control works threatened by floodwaters, flood fighting and rescue, restoration of destroyed flood-control works, and removal of debris from waterways.

Passed Senate August 5, 1957.

Shoshone Project, Wyoming

House Joint Resolution 287:

This measure authorizes the Bureau of Reclamation to continue to deliver water to the Heart Mountain division, Shoshone Federal reclamation project, during the 1957 and 1958 seasons.

Federal reclamation law prohibits the delivery of water for land irrigation unless a repayment contract is executed. An exception is made for the development period which, in the Heart Mountain division, was set at 10 years (1946–56). This period having expired, this act is necessary to continue deliveries.

Public Law 33, approved May 16, 1957.

Small Reclamation Projects—Amendment

H. R. 2146:

Amends the Small Reclamation Projects Act of 1956 to meet certain objections to the act raised by the President in his message of approval dated August 6, 1956.

The original act provided that no contract might be executed between the Secretary of the Interior and State or local agencies, by which Federal loans or grants are made to the cost of reclamation projects begun by such agencies, until the expiration of 60 days after submission of the contract to the Congress. The President felt that this provision violated the constitutional doctrine of separation of powers.

The act is amended to read that—

(a) The Secretary will transmit to the Congress his finding that a small reclamation project constitutes a reasonable risk and is financially feasible;

(b) No appropriation for financial participation in the project will be made prior to the expiration of 60 calendar days, exclusive of adjournments in excess of 3 days, following the Secretary's submission of findings; and

(c) No appropriation will be made if either the Senate or House Interior Committee disapproves the project, and so notifies the proper Appropriations Committee.

If a project is disapproved, authorization and appropriation for Federal participation will follow the ordinary processes in the Congress.

Public Law 47, approved June 5, 1957.

Chief Joseph Project—Washington

S. 1031:

This measure authorizes Federal construction of four units of the Great Wenatchee Division, Chief Joseph project, in Washington State.

The 4 units authorized are Howard Flat, Brays Landing, East and Moses Coulee, which encompasses an irrigable acreage of 8,661 acres. Approximately 1,440 of this acreage is now irrigated.

It is estimated that the cost of construction will be approximately $10,279,800, of which $10,185,000 is allocated to irrigation and reimbursable to the Federal Government over a 50-year repayment period.

Passed Senate August 10, 1957.

Mineral Lands—Alaska

H. R. 3477:

This measure amends the act of October 20, 1914, to provide that 90 percent of the net profits, bonuses, royalties, and rentals, realized from the operation of Government coal mines in Alaska, shall go to Alaska for disposition by the Territorial legislature, and that 10 percent shall go to the Treasury of the United States to the credit of miscellaneous receipts. Under present law, this money goes first to the United States to reimburse the Federal Government for railroad construction expenditures, and second to the Alaska fund for education and public relief. In practice the Alaska fund gets none of the money.

Amends the Mineral Leasing Act of 1920, which determines the disposition of sales, bonuses, and royalties of minerals on the public lands, to provide that 52½ percent of the money received under that act will go to the Territory for disposition by the Territorial legislature. The Territory would continue to receive 37½ percent for the support of roads and educational institutions. The other States and Territories operate under a provision of the act which pays in 52½ percent of their public land mineral-leasing revenues to the reclamation fund. The reclamation laws have not been extended to Alaska.

Public Law 88, Approved July 10, 1957

Unpatented Mining Claims

H. R. 4748:

Extends to July 1, 1958, the time during which annual assessment work may be performed on unpatented mining claims based on the discovery of uraniferous lignite.

This extension will permit Atomic Energy Commission to continue its studies in an effort to develop an economic process for the recovery of uranium from the lignites. Extensive investigations are also being conducted by private organizations for the same purpose.

Public Law 68, approved June 29, 1957.

Merrimack River Flood-Control Compact

H. R. 6092:

Grants the consent of Congress to the Merrimack River flood-control compact entered into between the States of Massachusetts and New Hampshire, creating the Merrimack River Valley Flood Control Commission.

The compact will provide effective cooperation between the States in matters relating to flood-control and water-resources utilization in the Merrimack River Basin and have the effect of facilitating construction of many of the urgently needed flood-control projects.

Approval of the compact does not make the United States a party to it, nor does it require the appropriation of any Federal funds.

Public Law 23, approved April 23, 1957.

Bear River Compact

S. 1086:

This measure grants the consent and approval of Congress to the Bear River compact entered into by the States of Idaho, Utah, and Wyoming.

Bear River and its tributaries now supply irrigation water for approximately a half-million acres of land; however, nearly a million acre-feet of water a year still flows into Great Salt Lake where it becomes salty and evaporates.

This compact, which allocates the available water among these States, will make possible the developments of this million acre-feet for beneficial purposes in this semiarid area.

Passed Senate August 12, 1957.

Mirage Flats Irrigation District, Nebraska

H. R. 5679:

This act authorizes the Secretary of the Interior to amend the existing repayment contract with the Mirage Flats Irrigation District, Nebraska, to take care of a current deficit by extending the repayment period by an additional year.

It also permits the present schedule of required annual payments to be supplemented by applying a variable payment formula.

Public Law 160, approved August 21, 1957.

Kendrick Project, Wyoming

S. 1996:

This act authorizes an amendatory repayment contract to be executed with the Casper-Alcova Irrigation District, the water-user organization on the Kendrick project in Wyoming.

In 1935, Casper-Alcova, by contract, agreed to repay $2.8 million in 80 semiannual installments on the reimbursable irrigation portion of the Kendrick project. The remainder was to be returned to the Treasury from net power revenues.

The project was planned primarily to ease the unemployment situation in Casper in the 1930's.

Experience has shown the land will not produce sufficient for the irrigation district to repay at the rate established in the original contract.

This act extends the repayment period and lowers the repayment to approximately 4 percent of the irrigation investment cost.

Public Law 283, approved September 4, 1957.

National Science Foundation—Weather Study

S. 86:

Authorizes the National Science Foundation to undertake a study and research program in the field of weather modification, including methods of increasing rainfall, suppressing hail, windstorms and lightning.

Passed Senate August 5, 1957.

Whitney Dam and Reservoir

H. R. 2580:

This act authorizes an allocation of 50,000 acre-feet of storage capacity in the Whitney Dam and Reservoir in Texas to provide water for domestic and industrial purposes. It also authorizes the Secretary of the Army to enter into agreements with local interests for reimbursement to the Federal Government for the costs of the water supply storage and other related costs.

Public Law 230, approved August 30, 1957.

Alaska Tidelands

H. R. 6760:

This act grants to the Territory of Alaska title to certain tidelands, filled lands, and submerged lands lying offshore of townsites in the Territory. The lands to be granted are those lying to the seaward of the meander line as it was established in the past by Government survey or, if there is no such surveyed meander line, to the seaward of the present line of mean high tide; and the grant extends only to the pierhead line.

The pierhead line is a line parallel to the line of mean low tide which will enclose within the granted area all stationary man-made structures which were occupying or supported by submerged lands as of February, 1, 1957.

Retains in the United States all of the Federal rights and servitudes which apply to similar areas of the United States, and retains the Federal right of first refusal to purchase natural resources which may be required for national defense.

Public Law 303, approved September 7, 1957.

Narragansett Bay Area

S. 1726:

This act authorizes the Federal construction of Fox Point barrier on the Providence River, for protection of Providence, R. I., against hurricane tidal floods. It is estimated that the cost to the Federal Government will be approximately $16,180,000. The Fox Point barrier will provide protection for the city of Providence where 35 percent of the total hurricane damages occur.

The barrier will be approximately 1,100 feet long across the Providence River at Fox Point to a grade of about 22.5 feet above mean sea level with accessory pump, sluices, cooling-water inlet facilities, and seawalls at each end with stop-long structures.

Passed Senate August 23, 1957.

Social Welfare

Civil Rights

H. R. 6127:

The Senate, on August 7, passed a civil-rights measure, the first, in 82 years, to be acted on by both Houses.

This measure establishes a six-member bipartisan executive Commission on Civil Rights to be appointed by the President and confirmed by the Senate. The Commission is authorized to investigate written allegations that citizens are being deprived of their right to vote. Any evidence or testimony which may tend to defame, degrade, or incriminate a person must be received in executive session; and any person releasing such testimony, without the consent of the Commission, will be fined up to $1,000, or imprisioned for 1 year. The Commission may not issue any subpena which would require the presence of the party subpenaed at a hearing to be held outside of the party's own State. The Commission is required to submit interim reports to the President and to Congress, and a final report of its activities not later than 2 years from date of enactment.

The President is authorized to appoint, subject to Senate confirmation, an additional Assistant Attorney General in the Department of Justice to handle civil-rights matters.

Extends the jurisdiction of the district courts to include any civil action begun to recover damages or to secure equitable or other relief under any act of Congress providing for the protection of civil rights, including the right to vote.

Repealed an 1866 reconstruction statute giving President power to use troops to enforce existing civil-rights law.

Prohibits attempts to intimidate, threaten, or coerce persons from voting in general or primary elections for Federal offices. Authorizes the Attorney General to seek an injunction if an individual is deprived or about to be deprived of his right to vote. Provides that the district courts shall have jurisdiction over such proceedings without regard to whether the party aggrieved has exhausted administrative or other remedies. Any person cited for an alleged contempt under this act shall be defended by counsel and permitted to produce witnesses.

Provides that any person, corporation, or association willfully disobeying or obstructing any order, rule, decree or command of any United States or District of Columbia court issued under this act may be prosecuted for criminal contempt, and places the fine under these proceedings at not more than $1,000 or 6 months in jail. In any criminal contempt proceedings, the judge may proceed upon his discretion with or without a jury, but if he proceeds without a jury and imposes upon conviction a sentence in excess of $300 or 45 days in prison, a new trial with a jury must be accorded upon demand. Contempts committed in the presence of the court or so near as to obstruct the administration of justice or by an officer of the court are excepted.

Retains the right of the courts to act without a jury in civil-contempt cases to secure compliance with or to prevent obstruction of a court order as distinguished from punishment for violations of an order.

Establishes uniform standards for qualifications of Federal jurors by providing that any United States citizen over 21 who has resided in the judicial district is competent to serve as a grand or petit juror unless: (1) he has been convicted of a crime and his civil rights have not been restored; (2) he is unable to read, write, speak, and understand the English language; (3) he is incapable either physically or mentally to render efficient jury service.

Public Law 315, approved September 9, 1957.

Vocational Rehabilitation Act

S. 1971:

Extends to 3 years (from 2) the time for training doctors under the Vocational Rehabilitation Act. The 2-year limitation as provided for in the 1954 act has proved unrealistic as a training period for physicians in the field of physical medicine and rehabilitation. These physicians are the key people in the rehabilitation program and to become thoroughly proficient in this field a minimum of 3 years of specialized training is required, after a doctor of medicine degree has been earned.

Public Law 198, approved August 28, 1957.

National Mental Health Week

Senate Joint Resolution 70:

In recognition of the progress being made in one of the Nation's health problems—mental illness—the Congress adopted unanimously a joint resolution requesting the President to proclaim as National Mental Health Week, April 28 through May 4, 1957.

This year the slogan for Mental Health Week is: "The mentally ill can come back—help them." This appeal is made to the entire Nation and calls for participation by all citizens.

Public Law 18, approved April 20, 1957.

Aid to the Blind

H. R. 3035:

This measure continues to June 30, 1959, the authority for Federal contributions for aid to the blind in the States of Pennsylvania and Missouri pending approval of their plans by the Secretary of HEW.

Under the Social Security Amendments of 1950, it is required that all State plans for aid to the blind be approved by the Secretary of HEW and that such plans conform to certain standard requirements. All but the above two States have complied with the requirement, and this extension is merely to permit the Federal Government and the States of Pennsylvania and Missouri to negotiate.

Public Law 26, approved April 25, 1957.

Books in Braille

S. 2434:

This measure removes the present $1,125,000 limitation on the amount which may be annually appropriated for expenditure to provide Library of Congress materials for the use of the blind, and removes the $200,000 limitation on amounts which may be spent annually for books in braille.

The act provides that such sums as may be necessary may be spent for these purposes, in order to enable the Library of Congress to maintain an effective program for blind readers.

Public Law 308, approved September 7, 1957.

Medical Care—Payments

H. R. 7238:

This measure amends the public assistance provisions of the Social Security Act to provide for a more effective distribution of Federal funds for medical and other remedial care.

Under this act, the State has the option of continuing to receive its Federal matching vendor payments for medical care under the provisions of the 1950 act in effect prior to July 1, 1957, which established individual maximums on money payments for medical care; or the State may receive its Federal funds under the separate matching provisions of the 1956 amendments which became effective July 1, 1957.

Under the 1950 act, Federal financial participation in State expenditures for old-age assistance, aid to the blind, aid to dependent children, and aid to the permanently and totally disabled has been available for unrestricted money payments to needy recipients and for payments made directly to suppliers of medical care on behalf of these recipients. The Federal Government has not participated, however, in that part of the total assistance to an individual, including both the money payment to the individual and any medical care vendor payments made on his behalf for any month, which exceeded a specified maximum. Under the provisions of the 1956 amendments this maximum has been $60 in all of the programs except aid to dependent children.

The 1956 amendments, effective July 1, 1957, provided for separate matching of vendor payments for medical care and excluded vendor payments for medical care from the formulas applicable with respect to unrestricted money payments made to the recipients. Under these separate matching provisions the total amount of vendor payments for medical care in which the Federal Government will participate is $6 times the number of adult recipients and $3 times the number of child recipients. The Federal Government's share within these limits is one-half; therefore, under the 1956 amendments, no State may receive in Federal funds more than an average of $3 per adult recipient and $1.50 per child recipient with respect to its vendor medical-care payments.

Under this act, the State may make its choice of formula once a year or less frequently, as it desires.

Public Law 110, approved July 17, 1957.

Social Security—Disability Applications

H. R. 6191:

Amends title II of the Social Security Act to extend for 1 year (through June 30, 1958) the time within which disabled workers may file applications permitting the period of disability to be established as early as the actual onset of their illness.

Under present law, if an application is filed after June 30, 1957, the period of disability that is established cannot begin earlier than 1 year before the application is filed.

This measure also extends, from July 1, 1957, through June 30, 1958, the time within which application may be made for a freeze of an individual's social security earnings record. Under a 1954 provision the earnings record can be frozen in the case of a disabled worker, so that his inability to work during a period of disablement does not result in a reduction in, or loss of, his old-age, survivors, and disability insurance rights. Because the provision is relatively new, many people qualified to make such an application did not do so, and this act will grant them a further opportunity to apply.

Public Law 109, approved July 17, 1957.

School Construction—Wake Island

H. R. 7540:

Extends the defense-impacted school construction provisions of Public Law 815, 81st Congress, and Public Law 949, 84th Congress, to Wake Island.

The island was not originally included within recipients of Public Law 815 aid because it had a sufficient school, however it was destroyed in a hurricane, and a new one is urgently needed.

It is estimated that a 3-room schoolhouse capable of caring for the anticipated 70 elementary school-age children will cost $110,000.

Upward of 90 percent of the island's employees are directly employed by the United States.

Public Law 161, approved August 21, 1957.

Indians—Hospital Facilities

H. R. 8053:

Authorizes the Surgeon General to grant financial assistance to public or other nonprofit agencies for the construction of community hospitals serving Indians, where he finds that this method would be more effective than direct Federal assistance to such construction.

No additional funds are authorized by the legislation, but an additional means is provided for constructing hospitals which will provide care for both Indians and non-Indians. The amount of assistance the Surgeon General may provide, in cooperation with other public funds, may not exceed the amount necessary to insure care for the Indians in the community.

Public Law 151, approved August 16, 1957.

Klamath Tribe Indians

S. 469:

Primary purpose of this measure is to delay the sales of tribal timberlands belonging to the Klamath Indians (Oregon) until Congress has had an opportunity to determine whether all or any part of the lands should be acquired by the Federal or State Government for public conservation purposes, or whether other alternative steps may be needed to protect the economy and to preserve good conservation practices in the region. Extends the final termination date from August 13, 1958, to August 13, 1960, and provides for Federal payment of the costs of termination up to a maximum of $550,000.

In addition this measure makes several technical amendments to the present law such as permitting the withdrawal of minors and incompetents from the tribe; specifies that an opportunity to elect to withdraw shall be afforded only after the apprisal of tribal assets are approved by the Secretary; gives the Indians who stay in the tribe the same rights as those who withdraw to purchase any tribal land that is offered for sale; and makes it clear that the provisions for terminating restrictions on individually owned Indian land apply both to allotted and to purchased land.

Public Law 132, approved August 14, 1957.

Navaho and Hopi Indian Lands

S. 692:

Described in the Executive order of December 16, 1892, for the Indians entitled to this acreage, and authorizes adjudication of conflicting claims of the Navaho and Hopi by a three-judge district court.

The Executive order of 1882 set aside the land for the use of the Hopi and other Indians as designated by the Secretary of Interior. At present the land is completely surrounded by Navaho territory and the Navahos claim right of entry.

The court's order will determine the part to be exclusively Hopi and the part to be exclusively Navaho. The tribal members are authorized to sell, buy, or exchange land where litigation displaced members of either tribe, the sales to be subject to approval of Secretary of Interior.

Passed Senate May 8, 1957.

Indian Lands

S. 998:

Amends the act of June 4, 1953, which authorized the Secretary of the Interior to convey lands and improvements, formerly used for Federal Indian school purposes, to local governments, when the lands and improvements are no longer needed for Indian school purposes.

Under the 1953 act the Secretary could declare a forfeiture of such conveyance if (a) the consent of the beneficial owners, the Indians, had not been obtained; or if (b) the property was not used for public purposes; or if (c) it was not made available to Indians on a nondiscriminatory basis; and if any one of these conditions had been breached for at least a year.

This amendment would grant the Indians the right to go into Federal court to demand forfeiture themselves, if the above conditions have been breached for at least a year. In effect, the amendment provides a more complete protection of Indian interests.

Public Law 31, approved May 16, 1957.

Osage Indian Tribal Government

S. 1417:

Extends the tribal government of the Osage Indians from January 1, 1959, to January 1, 1984.

The principal function of the tribal government is to participate with the Secretary of Interior in the execution of mineral leases covering the minerals that were reserved to the tribe. Those minerals are reserved and held in trust by the United States until April 8, 1983. Accordingly the life of the tribal government should be extended until that date in order for the tribe to continue to participate in leasing the minerals.

Public Law 192, approved August 28, 1957.

Colorado River Indian Reservation

S. 2161:

This measure extends to August 14, 1959, the act of August 14, 1955, which granted the Secretary of the Interior authority to lease unassigned lands in the Colorado River Indian Reservation for periods of 25 years. The Secretary was given this authority only for a 2-year period; it was thought that by the expiration of that time separate legislation would have been enacted settling the controversy over ownership of the lands. During the 2-year period, revenues received from leases on the northern reserve were to be expended for the benefit of tribal members on the northern reserve; revenues from the southern reserve were to go to the development of lands in the southern reserve.

The Indians of the reservation have not been able to agree on the ownership of the lands, and have taken the controversy to the Indian Claims Commission. No results are expected in the case by the expiration of the original period, and tribal members have requested an extension of the Secretary's authority.

Passed Senate June 26, 1957.

Bureau of Indian Affairs—Educational Leave

H. R. 3837:

This act extends to teachers in schools operated by the Bureau of Indian Affairs, in addition to annual leave, a period not in excess of 30 working days a year or 60 working days in every alternate year, for attendance at educational meetings and summer school.

Public Law 89, approved July 10, 1957.

Indians—Control of Livestock

H. R. 3836:

Section 1157 of title 18 originally prohibited the sale of livestock issued to or purchased in trust for Indians by the United States, without the consent of the superintendent or other person in charge of the tribe. The section was amended to restrict its applicability to livestock acquired with loans from a Federal revolving fund or tribal loan fund, and to livestock loans repayable in kind; it was also made inapplicable when the loan was repaid. The purchaser of Indian livestock was given the burden of determining whether it is subject to an unpaid loan.

The Bureau of Indian Affairs has in practice obtained chattel mortgages on its livestock loans, instead of relying on the trust status of the property or on section 1157. The section is, therefore, no longer needed, and it imposes an undue burden on purchasers of Indian livestock. Its repeal will permit livestock buyers to deal with Indians in the same manner as they deal with non-Indian owners.

Public Law 86, approved July 10, 1957.

Cherokee Indians—Tribal Roll

H. R. 4830:

This measure authorizes a revision of the roll of the Eastern Band of Cherokee Indians in North Carolina.

In an act of June 4, 1924, provision was made for the preparation of the final disposition of the affairs of the Eastern Band of Cherokees. Among the provisions of the 1924 act was one stating that no person born after that date would be entitled to enrollment. By an act of March 4, 1931, the earlier act was amended to provide that that roll should be a final roll of these Indians only for the purposes of showing the membership of the band as it existed on June 4, 1924.

During the past 24 years many of the enrolled members are deceased and many Cherokees have been born but, since the roll is closed there is no authority to remove names, nor to add those who can meet the membership requirements for enrollment. This measure will permit such enrollment.

Public Law 154, approved August 21, 1957.

Social Security Retirement System

H. R. 8755:

This measure makes applicable to all interstate instrumentalities the provision of present law which permits specified States to divide a retirement system into two parts and provide social-security coverage for the part consisting of the positions of those employees who desire coverage.

This act also provides that an agreement or modification extending OASI coverage to services performed in the employ of any State or any interstate instrumentality may be made effective as early as January 1, 1956, if the coverage agreement or modification is entered into prior to 1960.

Optional coverage is extended to policemen and firemen in the States of Alabama, Georgia, New York, and Tennessee.

Public Law 226, approved August 30, 1957.

Social Security Act Amendment

H. R. 8753:

This measure amends the Social Security Act to include the States of California, Connecticut, Rhode Island, and Minnesota under the provision of present law which permits specified States to divide a retirement system into two parts and provide social-security coverage for the part consisting of those employees who desire to come under social-security coverage and the other group to be comprised of those who do not want to come into the OASI system.

In order to assure sufficient time for the four States to make arrangements for covering employees, this measure provides a 2-year extension of the time within which a retroactive coverage agreement may be entered into.

Public Law 227, approved August 30, 1957.

Social Security Coverage—State and Local Employees

H. R. 8821:

This measure amends the Social Security Act to expedite the completion of an old-age and survivors insurance coverage referendum in conjunction with the special provision of the Social Security Amendments of 1956 which permits certain specified States to divide a retirement system for purposes of extending old-age and survivors insurance coverage to those members of the system who desire coverage.

Under present law, after a retirement system in any of the specified States has been divided between those members who desire old-age and survivors insurance coverage and those who do not, a referendum must be conducted among the members who indicated a desire for coverage before their coverage could be effected. This measure permits the specified States to provide this coverage without a subsequent coverage referendum for those retirement system members desiring coverage, provided certain safeguards, similar to those applying under the existing referendum provisions, were followed in the process of dividing the system into the two parts.

Public Law 229, approved August 30, 1957.

Social Security Benefits—Alien Survivors

H. R. 1944:

This measure amends the Social Security Act to make inapplicable, in the case of the survivors of certain members of the Armed Forces, the provisions which presently prevent the payment of benefits to aliens who are outside the United States.

The existing law includes a provision which suspends the payments of old-age and survivors insurance benefits to any individual not a citizen or national of the United States who first becomes eligible for benefits after December 1956, if such person remains out of the country for 6 consecutive months. Payment of benefits will not be suspended, however, if either (1) he is a citizen of a foreign country which has in effect a social insurance or pension system of general application which would permit benefit payments to United States citizens in the event they left the foreign country without regard to the duration of their absence; or (2) he has 40 quarters of coverage (10 years); or (3) he has resided in the United States for 10 years; or (4) he is serving outside the country in the Armed Forces of the United States; or (5) application of the provision would violate a treaty obligation of the United States.

This amendment allows the benefits to be paid to the survivors of individuals who die while on active duty or inactive duty training as members of a uniformed service, as the result of a disease or injury which the Veterans' Administration determines was incurred or aggravated in line of active duty; or an injury which was incurred or aggravated in line of duty while on inactive duty training and the individual was honorably discharged or released. This provision is retroactive to January 1, 1957.

Public Law 238, approved August 30, 1957.

Social-Security Coverage—Ministers

H. R. 8892:

This measure amends the Internal Revenue Code of 1954 to extend for 2 years, through April 15, 1959, the time within which ministers, including certain members of religious orders and Christian Science practitioners, may file waiver certificates to elect coverage under the old-age, survivors, and disability insurance program as self-employed persons.

Each minister who files a waiver certificate during the extended period would be covered under old-age, survivors, and disability insurance for each year, beginning with his first taxable year ending after 1955, in which he had net earnings from self-employment of $400 or more, provided some part of this amount is from his duties as a minister.

Public Law 239, approved August 30, 1957.

Condemned Imports

H. R. 6456:

This measure provides that foods, drugs, cosmetics, or devices which have been imported from foreign countries and entered through customs into the United States, if subsequently seized under domestic provisions of the law as violative of the Food, Drug, and Cosmetic Act, may, under certain conditions, be reexported.

Public Law 250, approved August 31, 1957.

Education—Mentally Retarded Children

S. 395:

This measure authorizes the Commissioner of Education to make grants to public or other nonprofit institutions of higher learning to assist them in providing training of professional personnel to conduct research in, or conduct training of teachers in, fields related to education of mentally retarded children.

These grants may be used to assist in covering the cost of training courses or study for such personnel and for establishing and maintaining fellowships.

These grants may also be made to State educational agencies to assist them in establishing and maintaining fellowships or traineeships for training personnel.

Passed Senate August 20, 1957.

Fair Labor Standards Act in Overseas Areas

H. R. 7467.

This measure excludes from any possible coverage of the Fair Labor Standards Act work performed by employees in a workplace within a foreign country (such as employees on overseas military bases and establishments or in an airline or steamship ticket office in a foreign port) by limiting the coverage of the act to those who perform work within a State of the United States, the District of Columbia, Alaska, Hawaii, Puerto Rico, the Virgin Islands, outer Continental Shelf lands, American Samoa, Guam, Wake Island, and the Canal Zone.

It also eliminates the possibility of retroactive liability under the act for work performed in the past on either the overseas bases or on Guam, Wake Island, or in the Canal Zone.

Public Law 199, approved August 28, 1957.

National Junior Achievement Week

House Concurrent Resolution 73:

In recognition of junior achievers and their volunteer adult advisers, the Congress unanimously approved a resolution requesting the President to issue a proclamation designating the week of January 27, 1957 through February 2, 1957, as National Junior Achievement Week, and urging all citizens to salute these young people by participating in ceremonies honoring this group.

Interested American youth, through Junior Achievement, Inc., are greatly assisted in setting up and operating their own small-scale business enterprises which, ultimately, better prepares them in assuming the responsibilities of community leadership.

Senate and House adopted January 17, 1957.

Jurors—Use of Certified Mail

H. R. 3367:

This measure authorizes the use of certified mail as well as registered mail for summoning jurors for service in Federal courts.

Certified mail insures delivery of a letter, furnishes proof of its delivery, and is less than one-half as expensive as registered mail.

Public Law 259, approved September 2, 1957.

Loan Service of Captioned Films for the Deaf

S. 1889:

This measure establishes in the Department of Health, Education, and Welfare a loan service of captioned films for the deaf and severely hard of hearing. The service is designed to bring to deaf persons understanding and appreciation of those films which play such an important part in the general and cultural advancement of hearing persons. It will provide enriched educational and cultural experiences through which deaf persons can be brought into better touch with the realities of their environment.

These captioned films will be distributed through State schools for the deaf and other agencies designated as regional centers for distribution purposes.

Passed Senate August 23, 1957.

School Construction in Federally Affected Areas

H. R. 8679:

This measure provides a 1-year extension of the programs of financial assistance in the construction of schools in areas affected by Federal activities, under the provisions of Public Law 815, 81st Congress.

Under existing law, funds may be provided to local school districts only for children living on Federal property on June 30, 1958. Because of the delay in the various housing programs and to avoid severe hardships, it is necessary to enact this 1-year extension beyond June 30, 1958.

Public Law 267, approved September 2, 1957.

Union Financial Reports

Senate Joint Resolution 94:

This measure authorizes public disclosure of financial reports and statements filed with the Secretary of Labor under section 9 (f) and (g) of the National Labor Relations Act.

Under this section information relating to the financial statements and the constitutions and bylaws of labor organizations must be filed with the Secretary of Labor, in the form prescribed by him, and kept up to date annually before those organizations can avail themselves of the procedures of the National Labor Relations Board. These reports must show all of the filing unions' receipts; assets and liabilities as of the end of the fiscal year; and disbursements made during the fiscal year.

Passed Senate August 23, 1957.

Civil Copyright Actions

H. R. 277:

This measure provides a uniform statute of limitations of 3 years for civil actions relating to copyrights.

Under existing law in copyright cases, the courts apply the law of the State in which the litigation is brought with respect to the limitation on commencement of action. This leads to a diversity of statutes of limitations. Some courts have applied the State statute of limitations pertaining to torts to civil suits brought under the copyright statutes; other courts have applied the statutes pertaining to conversions, injuries to personal rights, injuries to property rights, trover, etc.

This legislation takes effect 1 year following enactment. It applies not only to prospective claims but retrospective to prior claims, whether or not barred on the effective date by previously existing law in the State in which the Federal court is located.

Public Law 313, approved September 7, 1957.

Transportation and Communications

Airways Modernization Board

S. 1856:

This measure establishes an Airways Modernization Board of three members; a chairman, appointed by the President and approved by the Senate, the Secretary of Defense and the Secretary of Commerce.

It will be the duty of the board to develop, test, and evaluate systems and devices to meet the need for efficient control of air traffic, except for those needs of military agencies which are peculiar to air warfare and primarily under military cognizance.

The Board will function until June 30, 1960.

Public Law 133, approved August 14, 1957.

Motor Vehicles

S. 375:

This measure amends the Interstate Commerce Act to provide that any mortgage, conditional sales agreement, or bailment of a motor vehicle to a carrier subject to ICC regulations shall, when filed in the State where the purchaser of the vehicle is domiciled, be enforceable in other States as if the mortgage or sales agreement had been filed in such other State.

The purpose is to alleviate the conditions arising out of conflicting State statutes regarding the validity of vehicle mortgages and conditional sales agreements. Since an agreement valid under the laws of one State may be invalid in another State, or the time of its validity may have expired in another State, banks and lending agencies are reluctant to finance the purchase of trucks. This act provides a kind of universal validity to the original agreement.

Passed Senate August 5, 1957.

Common Carriers—Government Contracts

S. 377:

This measures amends section 22 of the Interstate Commerce Act under which the United States is allowed free or reduced rates for carriage, storage, or handling of property, and transportation of persons or property at free or reduced rates.

This amendment provides that offers, or tenders, to the Government under section 22 by carriers subject to the Interstate Commerce Act shall be conclusively presumed to be lawful and not subject to attack 2 years after date of acceptance by a properly authorized official of the United States. Such arrangements may be canceled or terminated only upon 90 days' written notice.

Passed Senate August 8, 1957.

Great Lakes Shipyards

S. 534:

Amends the Merchant Marine Act of 1936, to include Great Lakes shipyards among those eligible to bid for construction and remodeling of vessels under the act. The act provides that when the Secretary of Commerce finds that implementation of the national maritime policy so requires, he is authorized to have new vessels constructed, and old vessels rehabilitated, "in domestic yards, on the Atlantic Gulf and Pacific coasts." This measure amends the language to read "in shipyards of the continental United States," thereby including the Great Lakes shipyards.

Public Law 191, approved August 28, 1957.

Canadian Vessels—Alaska

S. 886:

Extends for another year (until June 30, 1958) a waiver of the statutory requirement that vessels of the United States registry be used in passenger or freight transportation between the United States and Alaska.

Permits Canadian-flag vessels to carry passengers and freight between Hyder, Alaska, and other ports in southeastern Alaska, or the continental United States, and passengers only between southeastern Alaska and foreign ports.

The waiver is necessary because the Alaska Steamship Co., an American concern, has suspended those operations described in the waiver, leaving the southeastern Alaska ports without available American transportation.

Public Law 103, approved July 11, 1957.

Common Carriers—Rates for Circuitous Routes

S. 937:

This measure allows railroads and other carriers under part I of the Interstate Commerce Act, and water carriers under part III of the act, to establish rates over circuitous routes, regardless of length, so as to meet competition of the same type over direct routes, without first filing requests for relief from the ICC.

These carriers are permitted to act without applying to the ICC because no substantial benefits to regulatory control have accrued in this area to offset the expenditure of time and money involved in the application. Regulatory control is still assured, as it is in the case of other rate establishments, by the availability of the complaint procedure before the ICC. During the year ending October 31, 1956, 1,573 applications for circuitous-route rates were made, and only 87 denied.

Public Law 99, approved July 11, 1957.

Common Carriers—Rates

S. 939:

This measure amends section 22 of the Interstate Commerce Act which permits the United States Government and State or municipal governments free or reduced rates from carriers subject to the Interstate Commerce Act for carriage, storage, or handling property; this section also allows the United States Government transportation of persons at free or reduced rates.

This measure provides that quotations or tenders by carriers to the Government must be submitted to the ICC and be open to public inspection. If, however, such inspection might involve national security it would not be permitted.

Public Law 246, approved August 31, 1957.

Contract Motor Carriers—Rates

S. 943:

This measure requires motor vehicle contract carriers, subject to the Interstate Commerce Act, to file with the Commission the actual rates which they maintain and charge for transportation services, rather than their actual minimum rates and charges as presently required by the ICC.

The present system of filing the lowest rates and charges places the common carriers, on whom the vast majority of shippers rely, especially the small shippers, at a distinct competitive disadvantage because they are unable to determine whether the minimum rate filed is the rate charged to all shippers for the same service.

This measure, in effect, will establish quality in rate publication since a rate can be changed only upon 30 days' notice. Those carriers, however, who are not in competition with common carriers by serving only one shipper (and have served him for at least a year) are relieved from filing at all. This provides relief and also gives greater stability to contract carriers.

Public Law 124, approved August 13, 1957.

Freight Forwarder Permit

S. 1383:

This measure amends the Interstate Commerce Act to change the requirements for obtaining a freight forwarder permit.

Extends to freight forwarder applicants the present power of the Interstate Commerce Commission to deny permits solely on the ground of existing adequate facilities which now apply only to motor and water carrier applicants.

Public Law 176, approved August 28, 1957.

Contract Motor Carriers

S. 1384:

This measure revises the definition of "contract carrier" to read, "one who conducts its business other than as a common carrier and under continuing contracts with one person or a limited number of persons for the furnishing of transportation services through the assignment of motor vehicles for a continuing period for the exclusive use of each person served, or for the furnishing of transportation services designed to meet the distinct need of each individual customer."

Under the present definition contract carriers are permitted to acquire virtually unlimited contracts, and are actually performing common carrier service.

This act provides that, with certain exceptions, no person shall engage in any for-hire transportation business by motor vehicle in interstate commerce without a certificate or permit from the ICC.

Provides that, upon its own motion or upon the complaint of an interested party, the ICC may institute proceedings to determine whether or not a contract carrier is actually operating within the definition of "contract carrier"; if it is determined that he is not, the ICC may revoke his permit and issue him a common carrier certificate.

Public Law 163, approved August 22, 1957.

Contract Carriers—Antitrust Laws

S. 1385:

This measure amends section 11 of the Clayton Act to give the ICC authority under the section over contract carriers, as well as common carriers.

The effect of the act is to transfer from the Federal Trade Commission to the ICC authority to enforce compliance with sections 2, 3, 7, and 8 of the Clayton Act, in respect to contract carriers. These sections deal with the acquisition by one corporation of stock in another corporation where the effect would be to substantially lessen competition. The ICC, under section 5 of the Interstate Commerce Act, presently has jurisdiction where common control is established over two or more contract carriers. This will complete ICC's jurisdiction in the contract carrier field.

Passed Senate August 5, 1957.

ICC—Power Brakes

S. 1386:

This measure provides that the rules, standards, and regulations of the Association of American Railroads, governing the inspection and maintenance of power or train brakes, shall be adopted and put into effect by the Interstate Commerce Commission.

Provision is made for amendment of these rules after hearings before the ICC.

Administration of the rules by the ICC was proposed as important to better safety conditions on American railroads.

Passed Senate August 13, 1957.

CAB—Foreign Air Commerce

S. 1423:

This measure amends the Civil Aeronautics Act of 1938 by withdrawing from the President the power to review CAB certifications in foreign air transportation matters. In effect, this limits the President's power in overruling the Board's decisions in foreign air matters to those cases involving United States foreign policy and national defense.

This amendment will relieve the President of the burden of examining and passing upon complex economic matters which logically should be the responsibility of the Civil Aeronautics Board.

Passed Senate April 4, 1957.

Common Carriers—Charter Service

S. 1459:

This measure requires future applicants, for common carrier authority to transport passengers by motor vehicle in interstate commerce, to show a need for transporting special or charter parties, instead of obtaining charter transportation rights upon showing only a need for transportation over a regular route.

At the present time the right to transport charter parties is gained as an incident to a regular route authorization. In many instances it appears that regular route authorization by the ICC is sought only as a device to perform charter service from or to points in the regular route area.

Inasmuch as the regular existing bus lines are experiencing great difficulties in maintaining their financial security, it is felt that the lucrative charter business should be preserved for those lines, and extended only where a need for charter service can be demonstrated.

Passed Senate June 27, 1957.

Motor Carriers—Operating Rights

S. 1461:

This measure amends the Interstate Commerce Act to make motor carrier operating authorities subject to suspension, change, or revocation for willful failure to comply with any rule or regulation lawfully promulgated by the Interstate Commerce Commission. It also serves to make the revocation procedure for motor carriers conform to the procedure applicable to freight forwarders.

It further provides that the Commission may, upon reasonable notice, suspend motor carrier operating authorities for failure to comply with insurance regulations issued by the Commission.

Passed Senate July 3, 1957.

Medals of Honor—Motor Vehicle Disasters

S. 1463:

Authorizes the President to issue medals of honor to persons who, by extreme daring, endanger their own lives in saving, or endeavoring to save, victims of an accident or disaster on the public roads.

Similar authority is in effect for persons performing courageous acts in connection with train wrecks.

Public Law 50, approved June 13, 1957.

Air Cargo Carriers Certification

S. 1474:

Amends the Civil Aeronautics Act to provide for permanent certification by the Civil Aeronautics Board of domestic all-cargo (including mail) services which have been operated continuously since November 15, 1956, under temporary certificates. Mail carriage under the permanent certificate will continue to be on a nonsubsidy basis.

The four carriers affected are: AAXICO, Inc. (American Air Export Import Co.); the Flying Tiger Line, Inc.; Riddle Airlines, Inc.; Slick Airways, Inc.

Two of these airlines, Slick and the Riddle Line, have been operating for 11 years on temporary certificates. This measure is designed to provide stability and permanence which will permit them to plan and develop their service.

Passed Senate May 1, 1957.

United States Vessels—High Seas

S. 1483:

This measure amends a 1954 act relating to the rights of United States vessels on the high seas and in the territorial waters of foreign countries.

The 1954 act authorizes the Secretary of State to reimburse American fishing vessels for fines paid to foreign nations which were illegally levied and contrary to international law, when they were seized on the high seas. The majority of the seizures occurred on the west coast of South America, some of them 200 miles out in the Pacific, and involved American tuna boats fishing in the South Pacific.

This amendment provides that in addition to the fines, the fishing boat owners shall be reimbursed by the Secretary of Treasury for their losses, including reasonable expenses for fishing gear, equipment, and catch resulting from such seizure, if certified by the Secretary of State. The amendment also requires the Secretary of State to take action to collect authorized claims from the foreign governments.

Passed Senate August 9, 1957.

Explosives—Transportation

S. 1491:

Amends the Transportation of Explosives Act, to bring certain provisions up to date, and to provide more careful controls of the transportation of dangerous materials.

Includes radioactive materials, and etiologic agents (live viruses, bacteria, etc.) within the purview of the act, thereby conferring on the ICC the power of regulating their shipment.

Provides the same punishment for violation of the act by private carriers as by common carriers.

Extends the ICC's regulatory authority under the act to shipments in intrastate commerce, where the carrier is engaged in interstate commerce or where his vehicles will be commingled with interstate traffic. The shipper who tenders such articles to an interstate carrier must comply with the packing and marking provisions of the act, whether or not the particular shipment is to move across State lines.

Prohibits the transportation of nitroglycerin by either common or private carriers except under such regulations as ICC may prescribe.

Changes the punitive requirements of the act, to provide that any person "being aware that the ICC has formulated regulations for the safe transportation of explosives and other dangerous materials," and who violates such regulations shall be subject to the act's penalties. Thus absolute liability is not imposed, but a higher standard of care is established than the former requirement that one must "knowledgeably violate such regulations" in order to be punished.

Passed Senate May 9, 1957.

Bankruptcy Act Amendment—Aircraft

S. 2205:

This measure places beyond the jurisdiction of the court, under certain conditions, the title of any owner to specified property relating to aircraft leased, subleased, or conditionally sold to any air carrier. It will permit holders of leases, or conditional sales contracts on such aircraft property a specific statutory protection or immunity from chapter X similar to that now accorded to rolling-stock equipment of railroads but not accorded to holders of leases or conditional sales contracts on other property.

This amendment, in brief, will make it possible for certificated air carriers, like railroads, to obtain equipment trust financing.

Passed Senate August 26, 1957.

Postal Laws—Penal Provisions

H. R. 4193:

This measure adjusts the penal provisions of the postal laws by:

1. Providing the death penalty or life imprisonment where death results from mailing nonmailable articles such as explosives.
2. Increasing the present penalty from 10 to 20 years where nonmailable matter is mailed with intent to kill or injure another or injure the mails or other property but where death does not result.
3. Reducing the penalty from 2 years to 1 year (from a felony to a misdemeanor) for mailing anything declared nonmailable.

Public Law 268, approved September 2, 1957.

Railroads—Safety Violations

S. 1492:

Increases the amount of penalty fines for violation of certain statutes administered by the ICC. The statutes involved are:

The Safety Appliance Act: This act requires the use of power brakes, automatic couplers, etc., on railroad trains. The fine is increased from $100 to $250.

The Hours of Service Act: This act prohibits railroads from keeping employees on duty for such periods of time as would cause serious impairment of their reflexes and alertness. The fine is increased from $100 to $200.

The Locomotive Inspection Act: This act requires periodic inspection of bad reports concerning operating locomotives. The fine is increased from $100 to $250.

Sections 222 (a) and 222 (c) of the Interstate Commerce Act: These sections deal with motor carrier safety regulations, and with the giving of rebates by motor carriers, and other unlawful practices. Fines are increased from $100 for the first offense and $500 for subsequent offenses, to $500 for the first offense and not more than $2,000 for subsequent offenses.

Public Law 135, approved August 14, 1957.

CAB, Members—Tenure

S. 1718:

Amends the Civil Aeronautics Act to provide that the term of office of members of the CAB will expire on March 31 instead of December 31 of each year, and that the members hold office until their successor is appointed and qualified—but not beyond a period of 120 days.

This measure will assist CAB in avoiding situations where the Board is at less than its full statutory strength during the period between the time a member's term expires and the time his successor is confirmed and takes his oath of office.

Passed Senate June 26, 1957.

Freight Vessels—Alaska-Washington

S. 1798:

This measure amends existing law to permit merchants of southeastern Alaska to form associations or groups for the purpose of acquiring vessels (not to exceed 150 gross tons) to transfer merchandise owned by any one or more of them to the following places: To or from places within the inland waters of southeastern Alaska and Prince Rupert, British Columbia; to or from places within the inland waters in the State of Washington; and from all places located within inland waters of southeastern Alaska to places within inland waters of the State of Washington via sheltered waters.

This amendment was considered necessary since most of these merchants are small-business men unable to finance shipments in large quantities; and the communities themselves are towns built on stilts over the water or on the sides of mountains, where there are no warehousing facilities or cold-storage facilities, hence these short-hauls and small tonnage will prove best for their economic situations.

Passed Senate August 5, 1957.

Vessel Inspection

S. 1866:

Postpones the effective date of Public Law 519, 84th Congress, until at least January 1, 1959. Public Law 519 requires the inspection and certification of certain vessels carrying passengers. Coast Guard regulations are to be issued relating to the design, construction, and repair of these vessels. The law responded to a series of sinkings resulting from improper construction and maintenance of passenger vessels.

The Coast Guard issued proposed regulations between June and October 1956, and shipowners and builders were invited to make comments on the regulations. A revised body of regulations was issued on March 15, 1957; comments were invited by April 15.

This extension was found to be necessary when many shipowners and builders felt they had insufficient opportunity to examine the proposed regulations, and to prepare replies, before the cutoff date.

Public Law 210, approved August 28, 1957.

Air Carriers—Private Loans

S. 2229:

The purpose of this measure is to provide loans for the purchase of suitable aircraft to replace the old DC–3's used by local, feeder, and short-haul airlines. The airlines covered are 21 local airline carriers, 2 Alaskan lines that are intra- and inter-Alaskan and United States service, 2 in the Caribbean, and 3 helicopter carriers.

Authorizes the United States to guarantee a lender against loss of principal or interest on any aircraft-purchase loan made to any 1 of the 28 eligible carriers, if the loan has CAB approval. The guaranty may not be for more than the unpaid interest and 90 percent of the unpaid principal of any loan, or for more than 90 percent of the purchase price of the aircraft, including spare parts. The guaranty may run for no more than 10 years and cannot exceed $5 million per carrier. In order to guarantee a loan, the Civil Aeronautics Board must find that the carrier is unable to obtain the necessary funds for the purchase of aircraft on reasonable terms, and the loans can be made only for the purchase of suitable-type aircraft.

This measure will enable the feeder- and short-haul-type carrier to purchase equipment that will result in an economical and profitable operation and will encourage the development of a suitable aircraft designed for that purpose.

Public Law 307, approved September 7, 1957.

Surveying Ships

S. 2250:

This measure amends the act of August 5, 1955, to increase the limit of cost for the construction of 2 surveying ships for the Coast and Geodetic Survey, from $3,700,000 to $6,793,243 for each ship. The increase is needed solely to meet the increased cost of shipbuilding and adjustments of estimates.

The 1955 act authorized the construction of these two 2,500-ton vessels as part of a replacement program begun in 1938, but halted by the war after two vessels were constructed. The new vessels are to be placed in service in Alaska, where work is under way for the Defense Department.

Public Law 115, approved July 24, 1957.

Federal Services to Steamship Companies

H. R. 2797:

Authorizes the Department of Defense to furnish stevedoring and terminal services to commercial shipping companies who are carrying Department of Defense cargoes.

Under present practice the companies deposit, in advance of docking, funds for paying stevedoring services which the Department furnishes at Government piers. These services are taken as part of the company's costs in transporting Government cargoes, and are considered in arriving at rate schedules.

In some instances ships are delayed, and arrive at Navy piers during weekends, after provision has been made for weekday arrivals. Weekend work is paid at overtime rates. The advance deposit, figured at regular rates, proves insufficient to pay for the required weekend work, and further service must cease pending the opening of the steamship company's administrative office on Monday.

The bill would allow the Department to offer stevedoring services without an advance from the company, and would permit payments for such services to be reimbursed to the appropriation or fund initially charged.

Public Law 44, approved June 1, 1957.

Motor Carrier Securities

H. R. 3625:

This measure amends the Interstate Commerce Act to prevent the use, by motor carriers, of arbitrary par values in issuing capital stock as a means of evading the jurisdiction of the ICC over the issuance of such securities.

The ICC assumes regulatory control over stock issues where the par value of the securities to be issued, together with the par value of the securities then outstanding, exceeds $1 million. In the case of no-par stock, the fair market value of the stock on the date of its issue determines the amounts of the issue.

This act assigns a value to par value stock of par value, or fair market price on the date of issue.

Public Law 309, approved September 7, 1957.

Railroad Stock—Modification Plans

H. R. 2775:

This measure makes changes in the regulations by which the ICC may approve any plan of a railroad to modify or alter its shares of stock.

Presently, 75 percent of the holders of outstanding stock must assent to the modification. A proviso makes those shares held by the railroad, or by any person controlling the railroad, not outstanding shares whose holders may give their assent to the modification. This results in the necessity of obtaining 75 percent assent from the holders of the remaining outstanding shares, and hence deposits in the control of a very small minority the power to deny the modification plan.

The act provides that the holders of any class of shares, whether or not in the control of the railroad or of one who controls the railroad, may vote their assent to a stock modification.

The ICC is also permitted to prescribe rules for railroads in requesting assent; at present such requests must be filed with the ICC.

Public Law 150, approved August 16, 1957.

Alaska International Rail and Highway Commission

H. R. 4271:

The purpose of this measure is to provide that the Delegate from Alaska in the House of Representatives may be a member of the Alaska International Rail and Highway Commission. The Commission was created by Congress in 1956 to study the economic and military advantages of additional highway and rail-transportation facilities between the United States and Alaska.

The earlier legislation contemplated that the Delegate from Alaska would be a member, however, since technically the Delegate is not a Member of Congress and the resolution provided that 5 Members of Congress make up a part of the 12-member Commission, this amendment is necessary.

Public Law 16, approved April 20, 1957.

Degaussing Equipment—Private Ships

H. R. 4285:

Authorizes the Navy to sell degaussing equipment (electrical and magnetic devices used to detect magnetic mines) to owners of private vessels of United States registry.

Degaussing equipment was aboard many ships purchased from the Government by private owners after the war. Several owners decided to keep the equipment in operating condition. To do this, spare parts are necessary, and can be obtained only from Navy stores.

In order to protect the existing fleet, and to have fully equipped vessels in operation in case of war, this measure would permit the Navy to sell degaussing equipment to private owners at prices which reflect their replacement cost to the Navy, the proceeds to go to the current fund concerned.

Public Law 43, approved May 31, 1957.

Air Carriers—United States and Alaska

H. R. 4520:

This measure provides for the permanent certification of three United States-Alaska carriers. To qualify, these carriers must make application to CAB within 120 days from the date of enactment of this legislation, and show that on January 1, 1957, and until the date of enactment, they were continuously operating under a temporary certificate of public convenience and necessity.

This act will enable each of the carriers to provide air service more economically, efficiently, and satisfactorily, and will aid in the development of Alaska.

Public Law 166, approved August 26, 1957.

Treaties

Pink Salmon—Protocol

Executive C:

The Senate unanimously ratified Executive C, 85th Congress, 1st session, a protocol between the United States and Canada to the 1930 convention for the protection, preservation, and extension of the sockeye salmon fisheries in the Fraser River system.

The principal purpose of the protocol is to institute a program for the conservation of pink salmon in the Fraser River system, coordinate with that which has been in effect for sockeye salmon since the 1930 convention.

The International Pacific Salmon Fisheries Commission, established by the 1930 convention and composed of 3 United States and 3 Canadian members, is responsible for regulating the seasons, the removal or bypassing of obstructions to the river ascent, the natural history and spawning-ground conditions, and the improvement of conditions of the area concerned with sockeye salmon. The Commission will now assume a similar responsibility for protecting pink salmon.

Ratified.

Northwest Atlantic Fisheries—Protocol

Executive F:

The Senate unanimously ratified Executive F, 85th Congress, 1st session, a protocol to the International Convention for the Northwest Atlantic Fisheries, signed at Washington under date of February 8, 1949; the protocol was signed at Washington under date of June 25, 1956, for the United States and nine other organizations.

Purpose of the protocol is to permit the Commission, established by the 1949 convention for the Northwest Atlantic Fisheries, to hold its annual meeting elsewhere than in North America, as now required by article II, paragraph 5, of the convention. Inasmuch as 8 of the 10 parties to the convention are not North American countries, attendance at the annual meeting has imposed a disproportionate burden and expense upon the other governments. Ratification of the protocol corrects the inequity.

Austrian Bonds

Executive H:

The Senate unanimously ratified Executive H, 85th Congress, 1st session, an agreement and protocol between the United States and Austria, signed in Washington on November 21, 1956.

The agreement and protocol creates a procedure under which holders of certain dollar bonds, issued by the Government of Austria prior to the Second World War, may establish the validity of their bonds. The necessity for validation arose from the fact that a great many bonds which had been acquired by the issuing authority for eventual retirement were looted by Soviet military forces after the occupation of Austria. Because of such seizures, quantities of these bonds are believed to have come into the hands of individuals who may seek either to negotiate them or to claim payment from the issuing authorities. By the terms of the bond indentures, these retired bonds could only be canceled by the trustees or paying agents in the United States. This procedure was found impracticable by the disruption of transportation facilities during the war. Since they could not be canceled as paid in Austria, they appear, on their face, as valid securities. From this arose the possibility that the issuing authority might be compelled to make a double payment on the bonds. To protect itself against this contingency, the Austrian Government published the numbers of the looted bonds, declaring them to be invalid under Austria law of December 15, 1953. No payments are being made by the issuers to any holders of bonds, including those owned by residents of the United States, pending a solution of the problem.

This agreement permits bondholders, who believe their securities to have been erroneously included on the lists published by Austria, to present their claims within a reasonable period of time to an American-Austrian tribunal sitting in New York City. Should the tribunal find against the bondholder, he may have the question considered by a United States district court. In the event of a decision by that court favorable to the bondholder, he will be given valid bonds in exchange for those erroneously listed. Entire cost of implementing the procedure will be paid by the Austrian Government. Legal expenses of holders whose bonds are validated will be reimbursed on the basis of 10 percent of the face value of the bonds.

Korea—Treaty of Friendship

Executive D:

The Senate, on August 8, 1957, ratified, by a unanimous vote, the Treaty of Friendship between the United States and Korea, together with a protocol signed at Seoul on November 28, 1956.

The objective of the treaty is to protect the personal security, rights, and property of Americans in Korea, to facilitate their travel and business activities, and emphasizes certain measures designed to promote private investment by United States citizens in Korea.

The two governments (United States and Korea) agree to provide, within its territories to citizens and corporations of the other country, treatment no less favorable than it accords to its own citizens and corporations relating to (1) entry, travel, and residence; (2) basic personal freedoms; (3) property rights guaranty; (4) conduct and control of business enterprises; (5) taxation; (6) exchange restrictions; (7) import and export of goods; and (8) navigation.

The treaty enters into force 1 month after the day of exchange of ratifications and continues in force for 10 years and indefinitely thereafter, subject to termination on 1-year's written notice by either government to the other government.

Inter-American Cultural Relations

Executive C:

The Senate, on August 8, 1957, unanimously ratified the Convention for the Promotion of Inter-American Cultural Relations, signed at Caracas March 28, 1954, by the United States and all of the American Republics except Costa Rica, which signed the instrument on June 16, 1954.

The objective of the convention is to promote the exchange of graduate students, teachers, professors, specialists, and others of equivalent qualifications among the American Republics, to foster a greater understanding of the peoples and institutions of countries belonging to the Organization of American States.

The convention contemplates awarding annual exchange fellowships by each government, and makes provision for allocating the expenses for study and travel between the host country, the nominating country, and the recipient of the award.

This convention, formulated at the 10th International Conference of American States at Caracas, is a revision of the Buenos Aires convention of 1936 and will replace that convention for the states which adopt it.

Austria, Tax Convention

Executive J:

The Senate, on August 8, 1957, unanimously ratified this convention with the Republic of Austria, signed October 25, 1956, relating to income taxes.

The purpose of the convention is to prevent American citizens, living in Austria, from being taxed by both the United States and Austria on profits made abroad. The convention is reciprocal.

This convention is similar to income-tax conventions previously ratified with Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Ireland, Italy, the Netherlands, New Zealand, Norway, Sweden, Switzerland, the Union of South Africa, and the United Kingdom.

The provisions of this convention, as to the United States, apply only to Federal income tax; they do not apply to taxes imposed by the various States, the District of Columbia, or the Territories or possessions of the United States. As to Austria, the convention applies only to national taxes, such as income tax, corporation tax, and housing reconstruction and family allowance contribution.

The convention adopts the principle of permanent establishment. Under this principle an enterprise of one of the contracting states will not be subject to tax by the other on its business profits unless it has a permanent establishment in the other state. The major differences in this convention and those with other countries are: (1) Motion picture film rentals are expressly excluded from the reciprocal exemption of royalties; in the case of film rentals, the tax is reduced to 50 percent of the statutory rate of tax on these rentals, with the maximum tax not exceeding 10 percent. Most of the other tax treaties provide a complete exemption from film rentals. (2) No prohibition against profits being attributed to a mere purchase; hence, an American enterprise making purchases in Austria and sales in the United States may still be subject to double tax. (3) Exempts salaries received by professional or business trainees from their foreign employers, if the period of training does not exceed 1 year and the annual salary does not exceed $10,000.

Convention enters into force on January 1 of the calendar year in which the exchange of instruments of ratification takes place.

Canada, Tax Convention

Executive B:

The Senate, on August 8, 1957, unanimously ratified this convention with Canada, signed on August 8, 1956, further modifying and supplementing the income-tax convention and protocol of March 4, 1942, as modified by the supplementary convention of June 12, 1950.

This modification extends the application of the double-taxation principle on a reciprocal basis to income derived from trucking, and to income from personal services received by employees of the Canadian branch of an American enterprise. The convention also reduces the tax on dividends paid by a subsidiary corporation to a parent corporation from 15 to 5 percent where certain stockownership conditions are met.

Japan, Tax Convention

Executive K:

The Senate, on August 8, 1957, unanimously ratified a protocol with Japan, signed March 23, 1957, supplementing the convention of April 16, 1954, relating to taxes on income.

This protocol supplements the convention now in effect. It contains only one substantive article which provides that the Export-Import Bank of Japan will be exempt from tax by the United States on interest on loans or investments received by the bank from sources within the United States. Reciprocally, the Export-Import Bank of Washington will be exempt from tax by Japan on interest or loans or investments received by the bank from sources within Japan.

International Sugar—Protocol

Executive L:

The Senate, on August 8, 1957, unanimously ratified a protocol to the International Sugar Agreement of 1953, dated at London December 1, 1956.

The protocol permits a revision of the quotas among exporting countries who are parties to the 1953 agreement, provides greater flexibility in their adjustment to changing market conditions, and revises the price objectives of the agreement. Under the protocol the participating countries will seek to keep the world price of sugar in a range of 3.15 to 4 cents a pound as compared to 3.25 to 4.35 cents a pound in the original agreement. World prices are presently in excess of 6 cents a pound, and the agreement is on a standby basis.

The protocol has no significant effect on the obligations which the United States assumed under the International Agreement of 1953, which is in effect until December 31, 1958. The import, distribution, and price of sugar in this country is governed by the provisions of the Sugar Act of 1948. This protocol is of particular interest to countries exporting substantial amounts of sugar, such as the Caribbean area.

International Convention for Safety at Sea

Executive M:

The Senate, on August 8, 1957, unanimously ratified this amendment to the International Convention for the Safety of Life at Sea which entered into force November 19, 1952. The amendment was recommended by the President on July 1, 1957.

The convention of 1952 establishes uniform principles and rules for the promotion of maritime safety. The convention provides that amendments to it, proposed by any party, may be circulated to the others and, if unanimously accepted, shall become part of the convention. The United Kingdom proposed this amendment to permit the use of inflatable liferafts on vessels as an alternative to the conventional buoyant apparatus and noninflatable liferafts, the only types now permitted under the convention. Approximately 30 nations have agreed to the amendment.

North Pacific Fur Seals—Interim Convention

Executive J:

The Senate, on August 8, 1957, unanimously ratified this Interim Convention for the Conservation of North Pacific Fur Seals signed at Washington February 9, 1957, on behalf of the Governments of Canada, Japan, the Soviet Union, and the United States.

This interim convention, to be in effect for 6 years, has a dual purpose: (1) to continue the prohibition now being observed by the four signatory governments relating to pelagic sealing—which is hunting fur seals on the open seas as distinguished from taking seals on land; and (2) to provide a joint research program designed to accumulate sufficient factual data to prepare the groundwork for a permanent arrangement among the parties to conserve the valuable fur seal herds of the North Pacific Ocean.

Under the terms of the convention, the parties will establish the North Pacific Fur Seal Commission to be composed of one member from each party. The Commission will be charged with the responsibility for formulating and coordinating research programs, for studying the data obtained from the programs, and for recommending appropriate measures to the parties on the basis of the findings.

The convention will enter into force on the date of the deposit of the fourth instrument of ratification.

International Whaling Convention, Protocol

Executive E:

The Senate, on August 8, 1957, unanimously ratified a protocol to the International Convention for the Regulation of Whaling signed at Washington December 2, 1946; the protocol was signed at Washington on behalf of the United States and 16 other governments November 16, 1956.

The purpose of the protocol is to vest in the International Whaling Commission additional powers so that it may effectively deal with problems not anticipated at the time of convention negotiations. The protocol provides (1) that the convention embrace the helicopter within the scope of whale-catching devices for regulation by the Commission; (2) a more effective system for enforcing whaling regulations; and (3) for an international inspection system.

The protocol will enter into force when all the parties to the 1946 convention have deposited ratifications or have given notice of adherence.

Veterans

Pensions—Non-Service-Connected Disabilities

S. 2080:

This measure excludes from computation as annual income for purposes of non-service-connected disability or death pension payments of veterans' bonus paid by a State, Territory, possession, or Commonwealth of the United States, or the District of Columbia, to persons who have served in the Armed Forces of the United States, and to their widows and children.

Prior to this act, payments of pensions for non-service-connected disability could not be paid to veterans or widows and children of deceased veterans of World War I, World War II, and the Korean conflict where the annual income exceeds $1,400 if unmarried, or $2,700 if married or with minor children.

These non-service-connected disability pensions range from $66.15 to $78.75 a month. A rate of $135.45 a month is authorized for persons who need or require the regular aid and attendance of another person.

Public Law 311, approved September 7, 1957.

Service-Connected Disability

H. R. 52:

This measure provides increases in the service-connected disability compensation and dependency allowances for veterans suffering from disabilities incurred in or aggravated by service in one of the branches of the Armed Forces. It applies to all war and peacetime veterans.

In general, these increases will amount to 10 percent. The rate for total disability, however, would be increased from $181 to $225 monthly, or approximately 24 percent.

The range is as follows: 10 percent disability, from $17 to $19; 20 percent disability, from $33 to $36; 30 percent disability, from $50 to $55; 40 percent disability, from $66 to $73; 50 percent disability, from $91 to $100; 60 percent disability, from $100 to $120; 70 percent disability, from $127 to $140; 80 percent disability, from $145 to $160; 90 percent disability, from $163 to $179; total disability, from $181 to $225.

Public Law 168, approved August 27, 1957.

Pensions

H. R. 71:

This measure provides that an individual who has been imprisoned in a Federal, State, or local penal institution for a felony or a misdemeanor, and who is receiving a non-service-connected pension under public or private laws administered by the Veterans' Administration, will be denied the pension beginning on the 61st day of imprisonment and for the balance of his incarceration.

Provision is made, however, for the Veterans' Administration to apportion and pay to the veteran's wife and children the pension which the veteran would have been eligible to receive had he not been incarcerated.

Disability compensation and retirement pay are not affected by this legislation.

Public Law 24, approved April 25, 1957.

Veterans' Benefits Act of 1957

H. R. 53:

This measure, a Hoover Commission recommendation, simplifies and makes more uniform certain laws administered by the Veterans' Administration by incorporating into a single act the subject matter of the extensive body of existing legislation authorizing and governing payment of compensation for service-connected disability or death to persons who served in the military, naval, or air force of the United States during wartime, armed conflict, or peacetime service, and to their widows, children and dependent parents.

It provides a similar consolidation of laws relating to pension, hospitalization, medical and domiciliary care, and burial benefits. It consolidates into one act all the administrative provisions relating to these benefits, as well as those common to all benefits administered by the Veterans' Administration. It incorporates the provisions of existing law relating to the ancillary benefits of financial assistance for specially adopted housing and automobiles for disabled veterans. It repeals all obsolete substance and executed matter.

Public Law 56, approved June 17, 1957.

Housing—Direct Loans

H. R. 4602:

Raises the maximum amount in which direct loans for veterans' rural housing may be made, from $10,000 to $13,500.

The VA is authorized to make these direct loans in rural or small town areas where there is a housing credit shortage—that is, where the veteran is unable to get a private loan at an interest rate not in excess of the guaranteed loan rate (4½ percent).

Interest rate on the direct loan will be 4½ percent.

Authorizes additional funds for the program of $50 million.

The expiration date of the program is moved from June 30, 1958, to July 25, 1958, to coincide with the ending of the guaranteed home loan program for World War II veterans.

Pocket veto September 2, 1957.

Prisoner of War Claims

S. 883:

Extends from August 1, 1955, to August 1, 1956, the time during which former prisoners of war may file claims for benefits.

Public Law 615 of the 83d Congress gave Korean war prisoners an opportunity to file benefit claims in the same manner as was provided for World War II prisoners. The cutoff date was August 1, 1955. Subsequent to that time upwards of 50 claims were filed. By extending the period until August 1, 1956, these claims will be in line for favorable action.

Passed Senate August 5, 1957.

Coast Guard Retirement

S. 1446:

Grants certain retirement benefits to veterans of the Coast Guard Reserve. Until 1949 members of the Coast Guard Reserve were afforded no voluntary retirement benefits; in that year they were brought under the same provisions as those governing members of the Naval Reserve.

This bill extends retirement benefits to those Coast Guard reservists who were honorably discharged from the Reserve between February 18, 1941, and January 1, 1949, and who had completed at least 30 years of service in the Armed Forces (exclusive of active duty for training) or at least 20 years of service, the last 10 of which fell within the 11-year period immediately prior to his discharge from the Reserve.

Public Law 149, approved August 16, 1956.

Lighthouse Service—Pensions

S. 236:

This legislation gives former Lighthouse Service employees the same right, as now enjoyed by many civil-service employees, to waive all or any part of their retirement pay. Under present law, lighthouse veterans with incomes of more than $2,700 yearly in retirement pay may not receive a non-service-connected pension. This measure permits these veterans to receive the pensions by waiving that portion of their pay which exceeds $2,700.

Public Law 142, approved August 14, 1957.

Missing Persons Act—Extension

S. 2449:

This law extends the effectiveness of the Missing Persons Act from July 1, 1957, to April 1, 1958. The Missing Persons Act provides authority for the heads of executive departments to continue to credit the pay accounts of persons within the scope of the statute who are missing, missing in action, interned, captured, or in a similar status, and to initiate, continue, or modify allotments to dependents of persons who are in a missing status.

Public Law 121, approved August 7, 1957.

VA Benefits—Widow Eligibility

H. R. 3658:

This measure provides a new eligibility requirement for payment of non-service-connected death pensions or service-connected death compensation for widows of veterans, and is applicable to all wars. If the legal widow was not married to the veteran within the delimiting married date, under existing law, she would, nevertheless, be eligible for pension if she met one of the following requirements: (1) was married to the veterans for 5 years or more, or (2) for any period if a child was born of the marriage. Similar provisions are now in effect for widows who draw compensation for service-connected death cases.

Permits a claimant to receive a pension even though there was a legal impediment to her marriage if she entered into the marriage in good faith.

Public Law 209, approved August 28, 1957.

Veterans' Education Appeals Board—Termination

H. R. 8076:

This measure provides for the termination of the Veterans' Education Appeals Board, which was established to review certain determinations and actions of the Veterans' Administration in connection with education and training for World War II veterans.

In recent years the number of disputes that have arisen between the schools and the Veterans' Administration over the operation of the Servicemen's Readjustment Act has diminished, and it is believed that the few remaining disputes which might arise can be handled expeditiously by the courts.

The measure also provides for the transfer of the Board's records to the National Archives and Records Service of GSA.

The Board will be terminated 60 days after enactment of this measure.

Public Law 200, approved August 28, 1957.

Education Benefits—Extension

S. 166:

The purpose of this legislation is to restore educational and vocational training benefits to veterans whose rights have been denied by reason of an improper type of discharge, where the discharge is subsequently corrected or modified by competent authority. Similar relief has already been granted disabled veterans.

To remedy inequities resulting from fixed statutory delimiting dates or deadlines for commencement and completion of training, this measure creates exceptions to the delimiting dates and deadlines for the initiation of training under the programs so that veterans with corrected discharge may participate. World War II veterans, within the permitted class, would be granted an additional 4 years beyond the date of correction of discharge. Korean veterans, within the permitted class, would be allowed to initiate a program within 3 years after date of correction of discharge.

Passed Senate August 20, 1957.

Mustering-Out Payments—Time Extension

S. 1698:

This measure extends the time for Korean veterans to file claims for mustering-out pay under the Veterans Readjustment Assistance Act of 1952. Title V of the act provides mustering-out payments for veterans of the Korean conflict in amounts of $100, $200, or $300, depending upon length and type of service. Under provisions of title V, applications were required to be filed within 2 years after enactment which, in effect, set July 16, 1954, as the cutoff date.

Veterans discharged before the enactment of title V have encountered problems—first, that of learning about their rights, and second, that of making formal application within the time limit. For this reason the cutoff date was extended to July 16, 1956.

It has been determined that there are approximately 1,000 outstanding claims so this measure extends the period to July 16, 1959.

Passed Senate August 20, 1957.

AUTHORIZATION FOR INSERTIONS IN RECORD FOLLOWING ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that Senators may be permitted to make insertions in the RECORD following the adjournment of Congress until the last edition authorized by the Joint Committee on Printing is published; but this order shall not apply to any subject matter which may have occurred or to any speech delivered subsequent to the adjournment of Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

ACTIONS ON RECOMMENDATIONS BY EXECUTIVE DEPARTMENT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed at this place in the Record various letters I have received from chairmen of standing committees with regard to the recommendations made by the executive department, the action taken on those recommendations, and the action contemplated on those which have not yet been acted upon.

There being no objection, the letters were ordered to be printed in the Record, as follows:

United States Senate,
Committee on Foreign Relations,
August 26, 1957.

The Honorable Lyndon B. Johnson,
The Majority Leader,
United States Senate.

Dear Lyndon: This will acknowledge your letter of August 22, referring to the President's press conference remarks of August 21 about the record of Congress.

You enclosed a list of all Presidential recommendations in fields over which the Foreign Relations Committee has jurisdiction. There are 22 items on this list. Congress has completed favorable action on 18 of these items as follows:

1. Approve Middle East doctrine: Public Law 7; approved March 9, 1957.
2. Authorize United States participation in International Atomic Energy Agency: Ratified, June 18, 1957.
3. Extend, revise, and clarify the mutual security program: Public Law 141; approved August 14, 1957.
4. Ratify protocol to International Convention for Northwest Atlantic Fisheries: Ratified, May 13, 1957.
5. Ratify protocol between United States and Austria, double taxation: Ratified, August 8, 1957.
6. Ratify convention between United States and Canada, income tax: Ratified, August 8, 1957.
7. Ratify treaty of friendship with Korea: Ratified, August 8, 1957.
8. Ratify protocol to international whaling convention: Ratified, August 8, 1957.
9. Ratify agreement with Austria regarding Austrian bond issue: Ratified, July 2, 1957.
10. Ratify interim convention on North Pacific fur seals: Ratified, August 8, 1957.
11. Ratify treaty of friendship with Haiti: Executive H (84th Cong., 1st sess.). Withdrawn August 7, 1957.
12. Ratify convention for protection of inter-American cultural relations: Ratified, August 8, 1957.
13. Ratify protocol with Japan to avoid double taxation: Ratified, August 8, 1957.
14. Ratify protocol amending International Sugar Agreement: Ratified, August 8, 1957.
15. Ratify amendment to International Convention for Safety of Life at Sea: Ratified, August 8, 1957.
16. Avoid unfair tax duplication on business overseas: Handled by tax treaties.
17. Authorize $35 million increased borrowing authority for St. Lawrence Seaway Authority: Public Law 108, approved July 17, 1957.
18. Ratify protocol between United States and Canada to protect sockeye salmon: Ratified, June 6, 1957.

The four items which are still pending are:

The radio broadcasting agreement between the United States and Mexico: This agreement was referred on June 4 to a subcommittee consisting of Senator Fulbright, chairman, and Senators Mansfield, Morse, Knowland, and Aiken. The subcommitee held a public hearing July 11 but has not yet reported to the full committee.

The International Plant Protection Convention: The full committee held a public hearing on this convention March 19, 1957. The commitee was not satisfied with the case made for ratification of the convention by representatives of the executive branch and referred the matter to Senator Aiken as a subcommittee of one to obtain additional information. Senator Aiken has not yet reported back to the full committee.

Tax convention between the United States and Pakistan: This is erroneously shown on your list as having been ratified August 8. The convention was referred to the committee July 12, 1957. On July 30, the committee held a public hearing on the convention and ordered it favorably reported. Before the report was filed, the committee held a further public hearing August 9, and on August 13 it reconsidered its previous action and decided to postpone further consideration of the convention, pending receipt of certain additional information from the Departments of State and the Treasury. This information was requested by me in letters to the Secretary of State and the Secretary of the Treasury August 22. When it is received the committee will give further consideration to the convention.

Establishment of a career service for overseas officers of the United States Information Agency: A similar bill was passed by the Senate in the 84th Congress, but was not acted on by the House. In view of the heavy workload of the Committee on Foreign Relations, it seems more productive for the committee to devote its limited time to measures which stand some chance of passage than to pass this bill again.

To sum up the above, there were 22 cases sent to the committee. Eighteen of these have been disposed of. Only four remain, which have not been disposed of for the respective reasons stated above, and nothing would be gained by calling an extra meeting of the committee now.

I am at a loss to understand the basis of the President's statement that he was tremendously disappointed in the record of Congress.

The record plainly indicates that the recommendations of the President receive serious—and in most cases, sympathetic—consideration from the Committee on Foreign Relations.

Sincerely yours,
Theodore Francis Green,
Chairman.

United States Senate,
Committee on Banking and Currency,
August 26, 1957.

Hon. Lyndon B. Johnson,
United States Senate,
Washington, D. C.

Dear Lyndon: This is in reply to your letter of August 22, 1957, requesting a compilation of the actions of the Committee on Banking and Currency on legislative recommendations made by the President in the first session of the 85th Congress.

As noted on the list attached to your letter, of the 19 Presidential recommendations, this committee has acted upon all but No. 18—legislation concerning a program for area redevelopment. Of the recommendations acted upon (18 out of 19), the action in all but 2 was in accord with or exceeded the request of the President. The two exceptions are the actions on the President's requests to increase interest rates on college housing loans and on direct housing loans made by the Veterans' Administration.

Both the committee and the Senate expressed themselves in opposition to an increased interest rate on college housing loans. The Congress modified the interest rate on VA direct housing loans to enable this rate to automatically follow the rate established for housing loans guaranteed by the Veterans' Administration. The guaranty loan program is under the jurisdiction of the Committee on Labor and Public Welfare in the Senate, and as noted in your letter, an increase in the guaranteed loan interest rate was decisively defeated in the House of Representatives.

In the field of area redevelopment, the President's program is expressed by the bill S. 1433. Additional bills in this field are S. 104 (Dirksen), S. 964 (Douglas), and S. 1854 (Flanders). These bills were referred to the Subcommittee on Production and Stabilization which held extensive hearings. The subcommittee took no action on any of the bills.

Area redevelopment legislation involves substantial issues. The administration strongly opposed a number of features in S. 964, the Douglas bill, which provided additional assistance over and above the limited assistance provided in the administration bill; for example, the provision for loans to rural areas suffering from substantial unemployement, the provision for loans and grants for public facilities to redevelopment areas, and the provision for payments to persons being trained or retrained to undertake new types of employment.

Because of the extremely complex nature of these proposals and the substantial unresolved issues, the committee was unable to complete action during the 1st session of the 85th Congress and will continue its consideration of these bills in the next session.

Sincerely yours,
J. W. Fulbright,
Chairman.

United States Senate,
Committee on the
District of Columbia,
August 27, 1957.

Hon. Lyndon B. Johnson,
Office of the Democratic Leader,
United States Senate,
Washington, D. C.

Dear Lyndon: Please let me acknowledge your letter and enclosure of August 22, 1957, addressed to the chairman of the committee, pertaining to suggestions made by the President in legislative fields over which this committee has jurisdiction.

Presidential recommendation No. 1: To establish benefits for workers temporarily disabled from nonoccupational causes.

No bill has been submitted or referred to this committee to carry out this recommendation.

Presidential recommendation No. 2: Provide home rule for District of Columbia.

Home rule legislation for the District of Columbia is a hardy legislative perennial. Bills seeking to extend home rule to the District have passed the Senate three times, in 1949, 1952, and in 1955. The House of Representatives has not seen fit to accept legislation dealing with true home rule up to this point. Two bills on the subject, S. 1289 and S. 1846, were introduced this session on February 19 and April 10, 1957, respectively. Planning sessions with District officials and authorities in the field of municipal administration were held in preparation for the 6 days of public hearings that have been held. As a result of the testimony that has been already taken, it has been deemed advisable to continue working on these proposals between the sessions and it is planned that the hearings will be concluded early in the second session. The committee is confident that, as in the past, a true home rule bill will receive the sanction of the Senate.

Presidential recommendation No. 3: Improve the unemployment insurance law.

S. 1214, to amend the District of Columbia Unemployment Compensation Act, as amended, is presently pending before the Subcommittee on Public Health, Education, Welfare, and Safety. The bill was introduced on February 14, 1957, and on February 15, 1957, the Board of Commissioners for the District of Columbia were requested to provide the committee with recommendations and suggestions.

The Commissioners, through the Corporation Counsel, have advised the committee that it is their understanding that the Department of Labor has under current consideration a comprehensive review of the subject matter of the bill with the end in view of preparing draft legislation on the subject which will permit a model-law bill to be submitted to the Congress. Under these circumstances the Commissioners have been reluctant to forward a report to the committee until they can include within it the draft revision as suggested by the Department of Labor.

The Committee on the District of Columbia, conscious of its responsibility to the people of the National Capital, and conscious also of the impact of District legislation when it is used as a model for the States, believe that the Commissioners are fully justified in their position and will await the conclusion of the present study before proceeding to active consideration of the bill.

You may also be interested in the attached report of activities of this committee, 85th Congress, 1st session.

Cordially,

ALAN BIBLE.

UNITED STATES SENATE,
COMMITTEE ON GOVERNMENT OPERATIONS,
August 27, 1957.

Hon. LYNDON B. JOHNSON,
Office of the Democratic Leader, United States Senate, Washington, D. C.

DEAR SENATOR JOHNSON: In response to your letter of August 22, 1957, I submit herewith the following report relative to the eight designated Presidential recommendations for legislative action which are set forth in the attachment to your communication as coming within the jurisdiction of this committee.

The committee has not considered bills covering recommendations Nos. 1 and 4, as covered by H. R. 8332 relating to fiscal and budgetary controls, which is pending before the House of Representatives, since no comparable bill was introduced in the Senate.

S. 931 (No. 2), to provide for the reorganization of the safety functions of the Federal Government, was reported by this committee on June 5, 1957, and is presently pending on the Senate Calendar (Order No. 415).

The committee has a number of bills authorizing payments in lieu of taxes to local governments in areas where recent Federal acquisition of commercial and industrial type properties create financial difficulties (No. 3), but, in view of opposition that has arisen on the part of some of the minority members, no final action has been taken on any of these bills. It is understood these members of the committee will consult with representatives of the Bureau of the Budget during the recess period relative to amending the committee bill, S. 967, in order to enable the committee to report a measure in the next session of Congress.

S. 434, providing for the submission of budget estimates on an annual accrued expenditure basis (No. 5), was reported by this committee and passed the Senate on June 5, 1957. The bill is presently pending before the House of Representatives.

The bill (S. 1791) to extend the reorganization act to June 1, 1959 (No. 6), passed the Senate on June 5, 1957, and was amended in the House of Representatives. The conferees of the House and Senate are scheduled to meet on Thursday morning, August 28, to consider the House amendment, which was objected to by the President.

Reorganization Plan No. 1, abolishing the RFC (No. 7), became effective on June 30, 1957, as indicated in your summary.

The bill (S. 2752) to modify and improve the procedure for submitting to the Attorney General certain proposed surplus property disposals for his advice as to whether they would be inconsistent with the antitrust laws (No. 8), was introduced in the Senate by request of the Administrator of General Services on August 10, 1957. Although there appears to be no objection to the bill, and it is pending on the active agenda of the committee, no opportunity has been afforded to give it consideration. There appears to be no particular urgency in this matter, and the committee proposes to defer action until the next session of Congress.

Trusting this information will conform to your requirements, I am,

Sincerely yours,

JOHN L. MCCLELLAN,
Chairman.

UNITED STATES SENATE,
COMMITTEE ON FINANCE,
August 27, 1957.

Hon. LYNDON B. JOHNSON,
United States Senate.

MY DEAR LYNDON: In response to your letter of August 22, I enclose you a memorandum from the clerk of the Senate Finance Committee.

With kindest regards, I am

Faithfully yours,

HARRY F. BYRD.

UNITED STATES SENATE,
COMMITTEE ON FINANCE,
August 26, 1957.

SENATOR BYRD: The only Senate bills under the jurisdiction of the Senate Finance Committee on the President's recommended list for enactment are S. 150, S. 348, S. 349, S. 351, S. 352, S. 1563, and S. 1820.

S. 150, S. 348, S. 349, S. 351, and S. 352 were all proposed as amendments to the corporate and excise rate extension bill, H. R. 4090. Hearings were held on the bill and amendments.

In regard to S. 150, Secretary of the Treasury Humphrey made the following remarks on page 60 of the hearings:

"About 80 percent of small-business firms are proprietorships and partnerships and are not taxed as corporations. This amendment provides tax relief for only 15 percent of small-business concerns which are organized as corporations.

"Special tax relief of the sort contemplated by S. 150 therefore directly discriminates against the overwhelming majority of small businesses which are not conducted as corporations, and most importantly, discriminates against individual taxpayers generally.

"In view of the very high rates now in effect, it would be unfortunate to increase the relative tax burden on such a large group of taxpayers as would be done by S. 150, especially for the benefit of such a comparatively small favored few."

In regard to S. 352, Secretary of the Treasury Humphrey testified on page 60 of the hearings as follows:

"S. 352, which is Mr. Sparkman's proposal, would make the corporate tax generally progressive, starting at 5 percent on the first $5,000 of income and rising by 5 and 10 percent steps to 55 percent on income over $100,000.

"There is no justification for a progressive corporate tax. The analogy with the progressive individual income tax is not correct.

"Smaller and medium sized corporations may be, and in fact often are, owned by a few individuals each of whom has a sizable individual income, while the larger corporations are most likely to be owned by a great many individuals, large numbers of whom have quite modest incomes.

"The most recent figures on the ownership of companies listed on the New York Stock Exchange show that two-thirds of the 8,000,630-odd shareowners of listed securities have incomes of less than $7,500 a year. Almost 38 percent of all shareowners have incomes of less than $5,000 a year.

"The effect of a progressive corporate tax thus in many respects would be altogether unfair in that it would indirectly impose a disproportionately large tax burden on the small investors who buy stock in large companies."

All of these amendments were given serious consideration by the committee in a subsequent executive session. Amendments incorporating the context of S. 150 and S. 352 were rejected by the Finance Committee. Action on amendments containing the context of S. 348, S. 349, and S. 351 was referred for further study.

S. 1563 would permit a taxpayer carrying on a trade or business in the conduct of which 10 or less persons are engaged to elect to take a standard deduction, in lieu of itemized deductions, for expenses attributable to such trade or business. Departmental reports were requested from the Bureau of the Budget and the Department of the Treasury on March 19, 1957, but have not been received thus far. Under the Constitution we cannot initiate action on this tax bill.

S. 1820 would provide for deduction from taxable income of investments in depreciable assets or inventory during taxable year up to 20 percent of net income, or $30,000, whichever is lower. Applies to individuals, proprietorships, partnerships, and self-employed persons, as well as corporations. It also permits installment payment of estate taxes over a 10-year period. Departmental reports were requested from the Bureau of the Budget and the Department of the Treasury on April 9, 1957, but have not been received thus far. The committee cannot initiate action on this tax bill.

The only House-passed bill before the Finance Committee which was on the President's recommended list for enactment was H. R. 8888 which broadens the coverage under the unemployment compensation system by (1) extending the Federal Unemployment Tax Act to employees (a) of certain Federal instrumentalities neither wholly nor partially owned by the United States, now exempted by reason of a general tax exemption, (b) on American aircraft while outside the United States, (c) of organizations operated primarily for carrying on a trade or business for profit even though all the profits are payable to certain nonprofit organizations, and (2) by extending the program of unemployment compensation for Federal employees to employees of partially owned Federal instrumentalities. This bill was received too late for adequate hearings and full consideration by the committee.

UNITED STATES SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
August 27, 1957.

Hon. LYNDON B. JOHNSON,
Majority Leader, United States Senate, Washington, D. C.

DEAR SENATOR JOHNSON: I am pleased to reply to your letter of the 22d regarding action by the Interior Committee on that part of the President's program coming within our jurisdiction. My pleasure derives from the fact that we have done so well.

It will be noted that of the measures listed, 80 percent have been the subject of favorable action by the committee.

The Fryingpan-Arkansas measure, S. 60, is at a stalemate in the House Interior Committee as a result of the opposition of certain Republican members to irrigation and reclamation in general, and narrow partisanship with respect to Hells Canyon in particular.

The Small Projects Act amendments are public law.

The long-range minerals policy, so-called, was not presented to the committee until June 4 of this year after a full 3 years or more of promises that its submission was imminent. It had been released to the press several days before I was able to get a copy, despite direct appeal to the Secretary of the Interior.

What was presented was not worthy of the name "policy". It is not a program, but rather a hodge-podge of pious sentiments and wishful thinking. It had realistic suggestions for only two minerals, lead and zinc. Very intensive efforts were made to implement these recommendations before the Senate Finance Committee, since the administration declined to support them with any enthusiasm before the House Ways and Means Committee. However, even when success appeared within our grasp with the Finance Committee, the administration characteristically hedged and backed away, with the result that the measure that was reported is wholly ineffective and does not have the support of any substantial segment of the mining industry.

In the Interior Committee, we held a hearing promptly on the other parts of the minerals program, but its weakness and defects are so great that we have been unable to do anything with it in the brief time between its unveiling and the end of this session of Congress.

As to statehood for Alaska and Hawaii, the committee held extensive hearings and labored long and earnestly over the administration's proposal, new this year, for a sort of never-never land north and west of the Yukon in Alaska. We came up with workable legislative provisions, I believe. The measures were ordered reported on July 30, but at the request of the ranking minority member, we have delayed the filing of the report to give him opportunity to prepare his minority views. The new deadline for filing, with or without the minority report, is Thursday, August 29.

In summary, then, the Interior Committee has taken favorable action on a full 80 percent of that part of the President's program that was before it, and is still trying to bring meaning and realism to the remaining 20 percent.

Sincerely yours,

JAMES E. MURRAY, *Chairman.*

UNITED STATES SENATE,
COMMITTEE ON INTERSTATE
AND FOREIGN COMMERCE,
August 27, 1957.

LEGISLATIVE RECOMMENDATIONS OF THE PRESIDENT WHICH FALL WITHIN THE PURVIEW OF THE SENATE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

The recommendations, action taken thereon, and the present status of each recommendation may be summarized as follows:

1. Implementation of treaty and agreement with Panama: The requested implementing legislation was promptly introduced and considered by the committee; it passed both Houses and has been on the President's desk since August 22 awaiting his signature.

2. Establishment of an Airways Modernization Board: The requested legislation to establish this Board was introduced promptly, expeditiously considered by the committee and both Houses, and has been enacted into law (Public Law 85–133).

3. Exemption of gas producers from public-utility-type regulations: There has been no action on this recommendation for the simple reason that to date the President has not submitted a draft of legislation to carry out his recommendation.

4. Authorize Federal payments to non-Federal owners of water resources projects when Federal power developments benefit from projects: There has been no action on this recommendation for the reason that the President, so far, has failed to submit draft legislation to implement it, and the chairman of the committee is opposed to it. (Similar legislation was introduced in the Republican-controlled 83d Congress and died in committee.)

5. Strengthen transportation system by revising Federal rate-making procedures and regulatory policies: Legislation to effectuate this recommendation has been introduced (S. 1457) and referred to the Surface Transportation Subcommittee. Action has not been completed on S. 1457 for the simple reason that this proposal makes sweeping changes in our transportation regulatory laws, many of which are extremely controversial. It is vigorously opposed by the trucking industry, by substantial segments of the other modes of transportation and by the Interstate Commerce Commission itself. In addition, the committee held hearings on 26 legislative proposals submitted by the Interstate Commerce Commission and has acted upon 14 of them. These encompass much that is contained in S. 1457.

**UNITED STATES SENATE,
COMMITTEE ON POST
OFFICE AND CIVIL SERVICE,
*August 27, 1957.***

**Hon. LYNDON B. JOHNSON,
*Office of the Democratic Leader,
United States Senate,
Washington, D. C.***

DEAR LYNDON: Thank you for your letter of August 22 regarding the legislation recommended by the President which is presently pending before our committee.

I have attached a chart which shows the present status of the five measures before our committee and believe it will be of assistance to you in compiling the record of this Congress.

Sincerely yours,

OLIN D. JOHNSTON.

Post Office and Civil Service Committee

Presidential recommendations (85th, 1st)	Status	Committee comment
1. Authorize Government employees' training program outside as well as within the employing agency (B, 1956).	S. 385 passed Senate on Apr. 12.	
2. Establish system of voluntary health and medical insurance for civilian employees and their dependents (B).	S. 2339, S. 2357	Studies and hearings not completed.
3. Discontinue Postal Savings System (in accord)	S. 1394	Do.
4. Increase postal rates to place postal service on pay-as-you-go basis (B).	H. R. 5836, passed House Aug. 13.	Do.
5. Reimburse Post Office for services it is required to perform free or at reduced rates (B).	S. 2128	Do.

UNITED STATES SENATE,
COMMITTEE ON PUBLIC WORKS,
August 27, 1957.

Hon. LYNDON JOHNSON,
*United States Senate,
Washington, D. C.*

DEAR SENATOR JOHNSON: Reference is made to your letter dated August 22, 1957, relative to action on the Presidential recommendations by the Committee on Public Works.

Comments on the items listed in the enclosures to your letter are as follows:

1. S. 2623, authorize official residence for the Vice President. No action anticipated at this session.

2. S. 2688, Authorize construction of and funds for new Executive Office for the President. No action anticipated at this session.

3. Authorize Niagara Falls power project. Public Law 85–159.

4. Authorize Oroville Reservoir as partnership project. Included in S. 497. Passed Senate, reported out by House Committee, now on House Calendar.

5. Authorize development of Bruces Eddy Reservoir as partnership project. Included in S. 497 as it passed Senate. Deleted by House Committee from S. 497 now on House Calendar.

6. Authorize sale of $750 million in revenue bonds to finance new steam-generating facilities by TVA. S. 1869 passed Senate. House Committee reported out. H. R. 4266 now on House Calendar.

7. Rivers and harbors flood control omnibus bill S. 497 passed Senate with some projects included that had not been approved by Bureau of the Budget. House deleted some projects in Senate bill and added others before reporting bill. Now on House Calendar.

8. S. 963, provide for control of outdoor advertising in areas adjacent to interstate system of highways. Reported to full committee by subcommittee, but defeated by full committee.

Sincerely,

DENNIS CHAVEZ,
Chairman.

THE WORK OF THE SESSION—EXPRESSION OF APPRECIATION

Mr. KNOWLAND. Mr. President, the close of every session of Congress is always an occasion of reflection for me, as I am certain it is for all of my colleagues.

With Federal legislation now touching every citizen's life and interests, the adjournment of a session turns a page in our Nation's history.

We have been in session 8 months. A sense of duty of things to be accomplished kept us on the job through a long summer. Those who know the pressing pace of a workday in Congress realize that we have labored long and hard. We have struggled with many of the Nation's problems. We are the first to concede that we have not achieved all that is expected of us.

We have acted upon some of the President's recommendations, but consideration of the greater part of his program has been postponed until next year. I feel confident, however, that we have done much spadework in this first session which should lead to a further record of accomplishment in the second half of this Congress.

It is not my purpose to discuss the achievements of this session at this time. I will today offer a detailed appraisal of our record, and it will be a Senate document available to all who are interested.

My purpose now is a more personal one. I know the entire Senate joins me in tribute to our presiding officers, the distinguished Vice President, RICHARD NIXON, and the President pro tempore, our colleague, CARL HAYDEN, of Arizona.

I take this occasion also to speak of my good friend across the aisle, the majority leader, LYNDON JOHNSON, and his good right arm, MIKE MANSFIELD. Lyndon's patience, fairness, and superb skill in this session rank him among the outstanding leaders of the legislative process in our history. Although he and I differ at times, we have worked well in harness to help pull the legislative load. I am sure my colleagues agree with me that one cannot help but like LYNDON JOHNSON. His talents command our respect.

I know this session has been a trying one for the Senate staff officials and for

the Official Reporters who record our proceedings. It takes a lot of work behind the scenes to operate a session of Congress. Without the help of these officials I doubt if we Senators could carry it through.

The prayers of our Chaplain, the Reverend Frederick Brown Harris, are always an inspiration. Quite often, I feel sure, they work more than a spiritual influence on what we do here. Without these influences on our minds and hearts, our good Dr. George Calver would have a tough time keeping us fit for the fray. All of us are in constant debt to these two understanding and capable men who so ideally complement each other.

This whole Chamber joins with me, I know, in paying tribute to our venerated Parliamentarian, Charley Watkins, and to his able assistant, Floyd Riddick, for their patient and impartial assistance, often under trying conditions. They are members of an able staff, headed by Secretary of the Senate Felton Johnston, and including Emery Frazier, Ed Hickey, Edward Mansur, Lewis Bailey, and a score of assistants who keep the complicated machinery of the Senate in good repair and working smoothly. In the many problems we present to them, we know we can go to them without any partisan worries whatever.

Not the least among those whose help is indispensable are Legislative Counsel John Simms, Charles Boots, and a capable corps of legal counsel. And once again I have the honor of paying tribute to James W. Murphy and his corps of able reporters who work miracles in capturing our vagrant words and rendering them respectable to posterity. We also owe a debt to Frank Brodie, CONGRESSIONAL RECORD clerk, and Fred Green, who produces the Daily Digest.

I wish also to thank, for service diligently and faithfully performed on behalf of all Senators, the superintendents of the press, radio-TV, periodical, and press photographers' galleries, Joe Wills, Bob Hough, Bill Perry, and Bill Forsythe. Another who has served us expertly and devotedly in the communications field is Bob Coar, director of the Senate recording studio.

My thanks go out, too, to our very able Sergeant at Arms, Joe Duke, and his corps of deputies, including the Capitol police, who watch over our safety and comfort while they guide hundreds of thousands of visitors from all parts of the Nation to these galleries.

I want all these officials, and those behind them—Theron Marshall and his staff in the Document Room, Dick Hupman and the staff of the Library, Bob Brenkworth and his assistants in the Disbursing Office, John (Buck) Chambers, our superintendent of the Service Department, and other aids—down to the last messenger and page boy—to know that I am grateful to them for their helpful advice and service. I know the entire Senate is grateful to them.

Most, if not all, of us soon will owe a heavy debt to our good friend, George Stewart, Architect of the Capitol, for the fine new building we hope to occupy before another session passes.

Ours is a party system, but some of my colleagues must have heard the rumor—which I cannot in good faith deny—that in California I have enjoyed the warm rays of friendship from both ends of the political spectrum. So it is in perfect propriety for me to cross the aisle in this Chamber to say that I have enjoyed the courtesy and cooperation of Robert Baker, secretary for the majority, and his assistant, Jessop McDonell, and Gerry Siegel, the able assistant of the majority leader, with whom I come in contact on numerous occasions.

At the same time I think I speak the deep appreciation of all Members on my side of the aisle for the devoted and competent service we have received from our own minority secretary, Mark Trice, and his capable assistants, Bill Reed, Bill Brownrigg, and the Republican cloakroom assistants, Russ Call, Lee Lovett, and Bill Martin. We could not carry on our work half so well without them.

I have said that my purpose on this occasion was personal. I am sure, then, I will have the indulgence of this body for a public recognition of my wise and capable personal assistant, Oliver Dompierre. Dom, as we call him, has had more than a score of years of service to Members both in the House and Senate. He first came here, I believe, with the late great Arthur Vandenberg of the State of Michigan. He later served with Homer Ferguson. I was fortunate enough to get him to be my assistant as first the majority and later the minority leader of the Senate. Any and all of these Members would gladly support me in a testimonial to his capabilities and devoted service.

In the deeply regrettable absence, because of illness, of our good friend STYLES BRIDGES, who is not only an able leader but is my close personal friend, I have had the full service of the staff of the Republican policy committee. This staff, under the cooperative direction of Senator BRIDGES and our good friend and colleague, LEVERETT SALTONSTALL, chairman of the Republican conference, serves all Republican Members of the Senate. They do not need me to tell them of the valuable services they receive from this staff.

Headed by the capable and energetic Lloyd Jones, secretary and staff director of the policy committee, and his administrative assistant, Winnie Sanborn, this staff renders indispensable services on the entire range of legislative functions and interests. George H. E. Smith, who originally established these services under our late colleague, the distinguished Senator Robert A. Taft, continues to serve the committee in the capacity of consultant.

Another professional member of the staff is David Kammerman, the very able counsel of our calendar committee. I want particularly at this time to pay tribute to Dave Kammerman and to the Senators who serve on the calendar committee, for without their work this legislative body would not function as well as it does. Professional staff member Arthur Burgess, a former Associated Press correspondent, is doing a first-rate job of preparing a weekly information report for all Republican Senators. Other professional staff members, George Leighton, Thomas MacCaulty, Charles Lombard, and Zane Thurston, are each responsible for important phases of policy committee operations.

And I am glad to report that we have very capable women on this staff. Mrs. Alyce Thompson has given invaluable assistance to our colleague, LEVERETT SALTONSTALL, in connection with the defense and mutual security bills. Cordelia Makarius is a versatile writer, and Attorney Peggy Kletchka is responsible for the very important digest of public laws which our policy committee, alone of all agencies in the Capitol, prepares as a Senate document. In keeping track of the progress of all bills, House and Senate, and all legislative requests of the President, Miss Jeannie Gilcrest renders constant and valuable service to all Republican Senators. The policy committee office also has a very efficient staff of secretaries, Rita Peine, Colleen Carroll, Doris Shakeshaft, and Betty Murphy.

In closing, I wish to pay a special tribute to EVERETT DIRKSEN, Republican whip, whose energy and persuasive skill is attested by the high degree of harmony and unity Republican Members of the Senate have achieved on controversial issues during this session. He worked to compose our differences. He strengthened our leadership. He has been a close and able assistant to me.

My colleagues, this is our first session of Congress without benefit of the brilliant intellect, wit, and charm of our beloved friend, former Senator from Colorado, Eugene Millikin. He was compelled to retire from this body to conserve his failing health. If I may be permitted to have the word go out of this Chamber, I want Gene to know how much we miss his pungent humor and wise counsel. I want him to know that Members on both sides of the aisle have spoken of him often and in salutary terms; and we all heartily wish that he is free from pain and enjoying a well-deserved rest.

Mr. President, when we act here on matters of national and international interest we are less conscious of party lines than we are during the heat of political campaigns. Our deepest desire is to make those decisions which serve the best interests of our country. Only occasionally does bitter partisan spirit break out, but even then it is buttressed by our sincere convictions, according to our principles, of what is good for the Nation.

This is what the Founding Fathers hoped the Senate would do. Those who have studied the proceedings of the Constitutional Convention and the Federalist Papers know that the Fathers planned it this way. And so long as we serve the Nation in the spirit of what is best for all our people, America will remain strong and free.

Mr. President——

The PRESIDING OFFICER. The Senator from California.

REPUBLICAN REVIEW OF THE 1ST SESSION, 85TH CONGRESS

Mr. KNOWLAND. Mr. President, customarily both the majority leader and the minority leader make statements concerning the record of Congress at the close of each session. After insertion into the CONGRESSIONAL RECORD, these statements are then printed as Senate documents.

Accordingly, I ask unanimous consent that the minority statement be now printed in the CONGRESSIONAL RECORD. Further, I ask unanimous consent to have printed as a Senate document following adjournment this statement with necessary revisions and corrections, together with an appendix of laws and treaties of general interest.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement is as follows:

REPUBLICAN REVIEW OF THE 1ST SESSION, 85TH CONGRESS

It has been the custom for many years for the majority and minority leaders to appraise the record at the close of each session of Congress. The fact that we have two such reports instead of one stems from our two-party system. While our two parties have many similarities in the broad goals we seek, we differ considerably in the methods we propose to attain them. The system reflects these differences—particularly in Congress where each party tries to translate its beliefs and programs into specific legislation. From this it follows that our parties will hold different views about the achievements of each session of Congress.

Measures of international and national importance, proposed by President Eisenhower, were enacted in this session. The two parties in both Houses of the Congress share credit for these. However, the list of major bills—underscore major—on which action was not completed or on which there was little or no action at all is long.

The Democratic leadership will contend that this was a hard-working Congress, that it was in session for more days and hours than were some previous Congresses in a single year, and that it processed a heavy volume of legislation.

Of course, the Congress worked hard and long. Of course, the number of bills passed ran into the hundreds. These claims can be made for every Congress of modern times.

But the people do not judge a Congress on how long it labored or on the sheer volume of its output. They judge, and properly so, on the results in terms of legislation enacted which meet the needs of the Nation.

This was the first session of Congress to follow the reelection of the Republican administration of President Eisenhower by an overwhelming majority. By this expression of confidence in a Republican President and administration at the polls last November, the people had a right to expect that a substantial part of the President's recommendations to Congress would receive favorable consideration. President Eisenhower submitted some 200 proposals in this session. For the most part they were major in character, and designed to deal with problems requiring legislative action if the public interest were not to suffer.

To be sure, Congress is not expected to rubberstamp all recommendations coming from the President or the executive branch. Congress is a coordinate branch of Government, not an arm of the executive. It has functions and powers of its own. Under the Constitution it is charged with the duty of legislating according to its own judgment of what is in the best interests of the Nation.

Nevertheless, we cannot live up to our full responsibilities if we fail to act upon a substantial part of the matters laid before us by the President whose information about the Nation's needs is often broader than our own. And the record of the first session of this Congress, under Democratic control, is that it enacted only a part of the President's proposals into law, and not always in keeping with his recommendations. For that matter, the Democrats, having control of the Congress and all of the legislative committees, passed but little legislation which fulfills the platform pledges of their own party.

The President gave his own appraisal of this record at a news conference last August 21 when he said he was tremendously disappointed that so many of his recommendations had not been acted on, and not even hearings held on some.

MAJOR LEGISLATION

Legislation of significant national interest enacted in this session was as follows:

Foreign policy

In the field of foreign policy the Middle East resolution and provision for United States participation in the International Atomic Energy Agency were the most important developments of this session.

Middle East Resolution

The Middle East resolution authorizes the President to assist Middle East nations upon their request to defend themselves against armed aggression or threat of aggression from any country controlled by international communism. It also authorized the President to use up to $200 million from prior mutual security appropriations for economic and military assistance in the Middle East area.

Atoms for Peace

The statute of the International Atomic Energy Agency, a treaty signed by the United States and 79 other nations, grew out of President Eisenhower's historic atoms-for-peace proposal at the United Nations in December 1953. The Senate approved this treaty and joined with the House in passing an act for United States participation in the agency.

Anglo-American Treaty of 1945 Revised

By joint resolution, Congress also approved an amendment to the Anglo-American Financial Agreement of 1945 permitting deferred payments on the British loan.

Domestic affairs

An Economy-Minded Congress

This was an economy-minded Congress and that attitude was reflected in the appropriation bills and other legislation. The President last January submitted an expenditure budget for fiscal year 1958 of $71.8 billion. As the session advanced, however, he made revisions downward in this estimate and also in his original estimate of $73.3 billion in new obligational authority for fiscal 1958. Members of both parties joined in reducing requests for new appropriations by close to $5 billion.

Civil Rights

After prolonged consideration, Congress enacted a civil-rights measure which promises some progress in the long struggle for equality and elimination of race and color discriminations in American life.

Immigration

During the closing days of the session, Congress enacted a bill of limited scope in the field of immigration, in place of the comprehensive program of the President calling for revision of the McCarran-Walter Act, including its national origins system, and for permanent residence of Hungarian freedom fighters now in the United States.

The bill affects an estimated 60,000 aliens. It is directed principally to providing relief in hardship cases involving relatives of United States citizens or permanent United States residents, and reviving over 18,000 visas that had expired last year with the Refugee Relief Act.

Taxes—Public Works—Housing

Congress also extended existing rates on corporate income taxes and certain excise taxes until July 1, 1958. It enacted a new housing law and provided for an extensive program of public works and reclamation projects.

Small Business Administration

The Small Business Administration established in 1953 by the Republican 83d Congress was continued for another year and its lending authority increased.

Atomic Energy

An atomic energy bill was passed authorizing Federal Government participation in a number of atomic energy projects, including authority for the AEC to build reactors for five municipal power groups and rural electric cooperatives.

Niagara Power

The Federal Power Commission was authorized to permit the New York State Power Authority to develop the American share of Niagara River power under the Canadian-American Treaty of 1950.

Armed Forces

The suspension of the limits on the size of the Armed Forces, and provisions for the induction of doctors, dentists, and other specialists into the Armed Forces, were continued until July 1, 1959.

Veterans

Congress consolidated into one act the laws relating to veterans' compensation, pensions, service-connected disability, hospitalization, and burial benefits. Also, it approved a 10-percent increase in service-connected disability compensation payments.

MAJOR LEGISLATION NOT ENACTED OR POSTPONED TO 1958

Among important measures recommended by the President which failed of enactment in this session were Hawaii and Alaska statehood, legislation permitting TVA to issue and sell its own revenue bonds, an increase in postal rates, the Fryingpan-Arkansas project, emergency corn bill, appropriations for flood insurance, extension of the minimum-wage law to additional workers, amendments to the Taft-Hartley Act, Federal aid for school construction, certain efficiency-in-government proposals of the Hoover Commission submitted by the President, the program for the lease-purchase of post office and other Federal buildings, tax relief and other measures for the aid of small business, aid to economically depressed areas, provisions for United States participation in the Organization for Trade Cooperation, and regulation of lobbying and campaign funds and expenditures.

Section-by-section details on the record of Congress during this session follow:

Foreign affairs

In the period from August 1956 to August 1957, the world witnessed dramatic events in the Middle East and Hungary. Everywhere freedom was under either direct or covert assault by the insidious forces of international communism. The United States reacted boldly to fulfill her obligations under the United Nations Charter and under her treaties with friendly nations.

Middle East Doctrine

During the Middle East crisis last January, President Eisenhower asked Congress for authority to use American Armed Forces for maintaining the independence of any Middle East nation which requested help from us under threat of Communist aggression. In addition, he requested authority to use $200 million from prior mutual security appropriations for assistance in the area.

The urgently needed resolution was delayed in the Senate for almost 2 months because some Democrats insisted upon an investigation into the conduct of our Middle East policy. On March 5, the Eisenhower doctrine finally passed the Senate by a vote of 72 to 19, with 15 Democrats and only 4 Republicans voting against it.

The President was given substantially what he asked for. With this authority he took firm action, including a rapid movement of the Sixth Fleet in support of the Jordanian Government when it was threatened by Communist aggression.

The policy investigation continued into July, but produced no committee recommendations or criticisms.

Atoms for Peace

Another significant accomplishment of this session of Congress was the approval of the Statute of the International Atomic Energy Agency, a treaty signed by the United States and 79 other nations. The statute grew out of President Eisenhower's historic atoms-for-peace proposal at the United Nations in December 1953.

This Agency is designed to advance peaceful uses of atomic energy and its application to industry, agriculture, and medicine.

The Agency will administer a pool of basic nuclear fuels for use in research and power reactors. It is expected to take a leading part in the exchange of information on peaceful uses of atomic energy, exchange and training of scientists and experts, and the holding of international scientific meetings.

Recommending treaty approval, the Senate Foreign Relations Committee declared this "is one of the most important instruments to be passed upon by the Senate in recent years. It is a treaty which could have far-reaching consequences for humanity, in hastening the development of peaceful uses of atomic energy for the benefit of our own Nation and for people everywhere." At the suggestion of the minority leader, **WILLIAM F. KNOWLAND**, and Senator **BOURKE HICKENLOOPER**, the following understanding was approved in the instrument of ratification: "(1) Any amendment to the statute shall be submitted to the Senate for its advice and consent, as in the case of the statute itself; and (2) the United States will not remain a member of the Agency in the event of an amendment to the statute being adopted to which the Senate by a formal vote shall refuse its advice and consent."

After the Senate gave its approval to the statute, Congress subsequently passed an enabling act for the treaty which provides that the United States is not obligated to provide fissionable material for Agency projects. Our contributions will be voluntary, paid for by the Agency, and made available when the safeguard system is put in effect.

In the participation act, Senator **BRICKER'S** amendment protecting the authority of Congress to pass upon sales of nuclear fuels to the International Agency was approved.

Congress Condemns Soviet Repression in Hungary

Senate Republicans and Democrats joined in condemning Russia for barbaric action and brutal forms of armed subjugation during the revolt of the Hungarian freedom fighters. Approving House Concurrent Resolution 35, the Congress asked that the President's representatives to the United Nations work to prevent further repressive action and to seek all practical redress of the wrong which grew out of Soviet Russia's infamous attack on Hungary.

Mutual Security

Collective security has become vital to the Free World's resistance to Communist aggression. The Congress has consistently recognized the importance of our mutual security pacts by appropriating money to provide our allies with military hardware and economic assistance. This aid has permitted anti-Communist nations to maintain armed forces which their economies would not otherwise sustain and has permitted us to reduce the size of our draft call.

The Mutual Security Act of 1957 contains two important innovations. First, economic aid, which up to now has consisted largely of gifts, is placed on a repayable basis through the creation of a development loan fund. Second, the definition of defense support has been tightened to preclude the use of these dollars for any other purpose than to help friendly countries keep a maximum amount of men under arms.

Last January, President Eisenhower transmitted a mutual security program for fiscal year 1958 of $4.4 billion. Subsequent estimates and legislation revised this figure downward, so that the President finally requested an appropriation for new funds of $3.386 billion plus a reappropriation of $614 million that had not been spent.

After the Senate and House versions of the mutual security appropriation had been reconciled, the amount finally approved was $3.435 billion, including reappropriation of $667 million.

Treaties

By joint resolution Congress approved an amendment to the Anglo-American Financial Agreement of 1945 to provide a more flexible formula for repayment of the $3.750 million loan when the United Kingdom is confronted with a financial emergency.

The Senate also gave its advice and consent to a number of treaties concerning fisheries, commerce, navigation, double taxation, and cultural affairs.

National defense

The 85th Congress devoted continuing attention to the Nation's defenses. Legislative committees held many hearings as part of their responsibility to assure the American people military strength suited to the needs of the times.

These times present difficult problems involving careful judgment while the Nation makes the changeover from conventional to nuclear defenses.

As the latest electronic and atomic weapons and equipment are brought into operational use, we must be careful not to deplete our strength-in-being to the point where it endangers our security before we have the newer, more powerful devices in hand. We must not diminish our combat strength on the mere hope of getting something that may only be on the drawing board.

In other words, because of the military threat posed by world Communism, we must continue to maintain conventional forces as we phase in advanced weapons, so that we preserve or increase our deterrent power compared with the strength of a potential enemy.

Such defense forces cannot be bought at bargain rates. New equipment entering the inventory is expensive, not only because of rising prices but also because of the very complexity of the equipment.

The Defense Department has already experienced a sharp rise in spending as a result of these factors. In the last half of fiscal year 1957, defense spending, projected on a yearly basis, was at a rate of $40 billion-plus. This is higher than the $38 billion yearly level the administration estimates the Nation can sustain over the next several years without upsetting the Government's fiscal applecart.

This situation has compelled a reassessment of the many components of our total defense strength. To bring military spending down while maintaining combat strength, the Defense Department has already taken a number of steps. Other measures are under consideration.

Headquarters personnel in Washington have been reduced. The authorized force levels of the Army, Navy, Marine Corps, and Air Force were lowered by 100,000 to a revised authorized total strength of 2,700,000. Part of the military manpower cutback was possible because we have been able to withdraw troops from Japan; part from a reduction of overhead personnel in Europe.

Our vast overseas base network is under review to determine whether, in light of today's military capabilities, any of them can be closed. Our military missions abroad are being reduced.

Overtime pay by military contractors has been curtailed and progress payments limited in an effort to hold down costs. Production of certain aircraft and ships has been stretched out somewhat. Operations and maintenance and other overhead activities are being tightened.

All these moves are designed to maintain adequate defense at a cost of about $38 billion a year. We must continue to find ways and means of providing for our national security within the Nation's ability to pay.

Probably the most important enactment of this Congress on defense was the military appropriations bill. To carry on the activities of the Army, Navy, Air Force, and Department of Defense, this Congress approved a total of $33,759,850,000 in new funds, reappropriated $10 million and permitted transfer of $590 million from various Armed Forces stock and industrial funds to the military personnel accounts of the Army and Navy.

In addition, this Congress provided $1,475,000,000 for military construction of airplane hangars, guided missile facilities, shore installations, and other necessary facilities.

New funds granted by the Congress for the regular military departments exclusive of military construction were $2.4 billion lower than the President's January budget request of $36,128,000,000—but this statement by itself is misleading.

As a matter of fact, the administration was able to scale down its request in the subsequent months and in mid-July presented a revised Defense Department budget totaling $34,391,980,000. Congress reduced this by $632,130,000.

Other enactments by this Congress in the field of defense include a law granting the President authority to issue special draft calls for physicians, dentists, and like specialists who are otherwise liable for induction under the regular draft (Public Law 85–62); and an act suspending for another 2 years the legal ceiling of some 2 million men on United States active duty in the Armed Forces (Public Law 85–63).

Finance and Taxation

Budget

For the third consecutive year the administration presented a balanced budget to the Congress. In fiscal year 1956, the surplus totaled $1.626 billion; in 1957, $1.645 billion, and in 1958, the surplus estimated is $1.8 billion.

Surpluses actually realized were applied to the Federal debt.

In January the President presented his requests for $73.3 billion in new obligational authority and his spending plans totaling $71.8 billion for the year ending June 30, 1958. At that time, the President indicated he would welcome the help of Congress in finding ways and means to reduce the size of the budget.

The entire Republican delegation in both House and Senate responded by formally approving resolutions pledging efforts to reduce Federal spending.

Among the recommendations for economy adopted by the Senate Republican conference was a proposal that legislative committees of the Senate include in all reports on bills approved for Senate action a statement of the estimated initial and projected cost of any activity requiring Federal spending. With Republican sponsorship this proposal was introduced as a Senate resolution and was later reported to the Senate by unanimous vote of the Rules and Administration Committee.

Meanwhile, President Eisenhower ordered all Government agencies to undertake a continuing look to see where savings could be made. From time to time, the President proposed savings in his 1958 budget which would neither hurt our defense strength nor jeopardize essential Government functions.

Congress, too, in its review of budget requests pruned various items in an effort toward economy and efficiency. Out of the total $64 billion in 1958 appropriation requests considered, Congress approved $59 billion-plus, a reduction of almost $5 billion.

The battle to hold Government spending within the limits of Government income is never ending. On the eve of the 1958 fiscal year, all agency heads were informed of the President's request that commitments, obligations, and expenditures be kept at or below the level for 1957 to the extent feasible.

Other steps to improve the budget system and to assist in controlling Government expenditures were taken in the Congress. The Senate passed a bill to provide that estimates for proposed appropriations of executive agencies, shall, where appropriate, be determined on an annual accrued expenditure basis. To provide expert staff facilities and detailed technical information for the Appropriations Committees of Congress, a bill was passed by the Senate creating a Joint Committee on the Budget. Neither bill has received House action.

Fiscal and Monetary Inquiry

In his state of the Union address, January 10, 1957, President Eisenhower called upon Congress to create a commission of able and qualified citizens to conduct a broad inquiry into the Nation's financial system.

Congress did not enact this suggestion, however, nor did it approve Republican Congressional proposals to set up a bipartisan commission composed of Members of Congress and Presidential appointees from civilian life.

Instead, the Subcommittee on Fiscal Policy of the Joint Economic Committee conducted hearings in June on the economic outlook and budget developments particularly as related to fiscal years 1957 and 1958. And the Senate Finance Committee on June 18 undertook an inquiry into the financial condition of the United States.

The occasion for the study, according to the chairman, was the "existing credit and interest situation and, more important, inflation which has started again with its ominous threat to fiscal solvency, sound money, and individual welfare."

As of August 19, when the committee recessed subject to call of the Chair, the committee had heard three witnesses: George M. Humphrey, then Secretary of the Treasury; W. Randolph Burgess, Under Secretary of the Treasury; and William McChesney Martin, Jr., Chairman of the Board of Governors, Federal Reserve System.

From the testimony it is clear the goal of the administration has been to avoid sharp ups and downs in the economy—to do whatever was prudent to curb inflation and to prevent deflation.

Administration Aims for Stability

Among the policies adopted were those ending budget deficits, applying budget surpluses to reducing the Federal debt, reducing Government spending, holding down the bank-held debt, reducing the floating debt, selling more E and H savings bonds, encouraging individual savings, and keeping the Federal Reserve independent from the Treasury.

Republican Administration's Economic Achievements

Secretary Humphrey summarized the achievements resulting from the administration's policies in his lead-off testimony:

Federal debt proportionately lower: "When we took office in 1953, the Federal debt was equal to 89 percent of our national income—in December 1956, it was 79 percent.

"For the fiscal year 1953, budget expenditures were $74.3 billion, and for the year 1957, they are estimated at $68.9 billion, and $71.8 billion for 1958."

Budget deficits ended: "For the fiscal year 1953, the budget resulted in a deficit of $9.4 billion—for 1957, it will result in a surplus."

Cost-of-living increase held to narrow margin: "From 1939 through 1952, the cost of living increased an average of 7 percent a year—for the past 4 years, the average increase has been only six-tenths of 1 percent."

Employment and wages increased: "In the past 4 years, civilian employment has risen 6 percent, average weekly earnings of production workers in manufacturing have risen 18 percent, and, after allowance for the 2.4-percent increase in consumer prices which occurred between 1952 and 1956, the gain in workers' earnings, after taxes, amounted to about $10 per week, or more than 15 percent."

Individual incomes higher: "Personal income of individuals has risen every year, from $272 billion in 1952, to $325 billon in 1956, a gain of 20 percent, and an estimated $340 billion for 1957."

Labor receives larger share of national income: "Labor income has not only risen in dollars, it has increased from 67.2 percent of national income in 1952, to 69.8 percent in 1956 (while corporate profits declined from 12.7 percent of national income, to 11.9 percent)."

More housing and home ownership: "The 5 million dwelling units that were constructed exceeded the number built in any previous 4-year period and substantially enlarged the housing stock available to the American people. * * * A growing proportion of our homes were owner-occupied—60 percent in 1956, compared with 55 percent in 1950."

Administration Employs General Fiscal and Monetary Policies Instead of Direct Wage, Price, and Other Controls

Despite clamor from some sources, the administration has refused to impose direct wage and price controls, relying instead on general fiscal and monetary restraints.

In its report of June 26, the Joint Economic Subcommittee states "public policies to cope with increases in the price level must take the form of general fiscal and monetary restraints on the expansion of total spending.

"It is recognized that the burden of such restraints may not be evenly distributed throughout the economy. The burden of inflation, however, is far more inequitably distributed.

"The alternative to general fiscal and credit controls is some form of direct Government control over wage and price determination.

"The use of this type of control would produce results as bad, if not worse, than the inflation against which it would be directed, and should be avoided."

The Federal Reserve Chairman pointed out in his testimony before the Finance Committee that in the current inflation the demand for borrowed funds is outrunning the supply of financial savings. "In such circumstances," he said, "interest rates are bound to rise."

Higher interest rates benefit savers as well as lenders and, in fact, are an incentive to save. Mr. Martin emphasized we need more savings by individuals and less Government spending to help bring the supply of money in line with demand.

Congress itself took action to raise interest rates of United States savings bonds and certificates by increasing the maximum rate to 3.26 percent, compounded semiannually (Public Law 85–17).

Export-Import Bank Lending Powers Extended 5 Years

Among other legislation enacted by the Congress in the field of finance, was the 5-year extension of lending authority of the Export-Import Bank, which serves to facilitate United States export and import trade with other countries (Public Law 85–55).

Banking Law Revision Postponed

The Senate passed a measure designed to overhaul the Nation's banking laws. Known as the Financial Institutions Act of 1957, the bill did not come to the House floor before Congress adjourned.

Taxes

The 85th Congress and the administration were agreed no general income-tax cuts should be made this year. President Eisenhower expressed himself on July 15, as follows:

"It now appears that the excess of income over disbursements in the fiscal year 1958 will be so small that no action should be taken by the Congress at this time which will involve any substantial tax reduction for anyone.

"In the economic conditions that prevail currently and can be expected during the next fiscal year, all the income which the present tax laws provide should be reserved in order to maintain the balance between income and outgo as now estimated and to make modest reductions in our national debt.

* * * * *

"I earnestly look forward to reductions in tax rates for all taxpayers as soon as that becomes possible."

To prevent a deficit of some half-billion dollars to the Treasury, Congress found it necessary to extend to July 1, 1958, the 52 percent corporate income-tax rate and existing excise taxes on such items as alcoholic beverages, cigarettes, automobiles, and auto parts and accessories (Public Law 85–12).

Tax Writeoff Law Amended

Congress also took action on the rapid tax amortization feature of Federal law. Designed to stimulate building of defense facilities, the 5-year fast writeoff has resulted in an estimated net postponement of $5 billion in Federal tax revenue over the period 1950–60, at an interest cost to the Government of about $3 billion.

First enacted during World War II, reenacted during the Korean war and continued thereafter, the law was amended by this Congress to restrict issuance of rapid tax amortization certificates to new or specialized defense facilities and to research and development facilities for defense. As enacted, the new provisions (Public Law 85–165) are similar to policies the administration had already adopted. By law, authority for the program terminates December 31, 1959.

Civil rights

This session of Congress will go down in history for its achievement in civil-rights legislation. This was the leadership furnished by Republican Members and a small band of Democrats to bring a meaningful civil-rights bill to the floor of the Senate and to keep it there until the Senate voted final passage. Without this determined effort there would have been no civil-rights bill at this session.

First Civil-Rights Bill Enacted in 82 Years

Only those who realize that not a single bill dealing with color and racial discrimination has been passed by the Congress in 82 years can appreciate the passage of a bill in this session.

If we look only at the last 25 years, the measure of our achievement is remarkable. In that period Democrats controlled Congress 21 years and Republicans 4. In that period hundreds of bills were filed to deal with problems of racial discrimination. All but a few of these bills were buried in committees. None was enacted into law.

Since 1933 the House passed civil-rights bills nine times. There were seven times when these House-passed bills reached the Senate Calendar, and there were five times when Senate bills on civil rights also reached the Senate Calendar. The Senate took up and debated four of the nine House-passed bills and one of the five Senate bills.

None of these civil-rights measures ever got to the point of Senate passage. The bills and the debates came to nothing because of threatened filibuster, or actual filibuster, or because they were left to die on the calendar at the close of the Congress.

In the light of this experience it seemed impossible to break this dismal legislative record on civil rights. The Senate Judiciary Committee in the 84th and 85th Congresses, under Democratic chairmanship, continued to be the graveyard for civil-rights measures.

Only a determined Republican effort could possibly alter the situation, and it could only succeed with some Democratic help, because Republicans were in the minority in both Houses of Congress. The effort was made and how it succeeded is a story worth telling.

House Passes Administration Bill

After many months of delay in the House where every known device was used in committees and on the floor to obstruct and cripple the bill, the House passed a civil-rights bill, H. R. 6127, by a vote of 286 to 126, and sent it to the Senate. Republicans furnished the great majority of votes, 168, for the bill as compared with only 19 against. Democrats split almost evenly with 118 for the bill and 107 against it. As passed by the House the civil-rights bill included substantially the main recommendations made by the Republican administration.

Republican Leader Assures Senate Consideration by Rare Proceeding

Aware that the House bill could be referred to the Senate Judiciary Committee and buried there, the Senate Republican leader used a rare parliamentary procedure permissible under rule XIV to carry the House bill directly to the Senate Calendar. The vote accomplishing this result was 45 to 39, with Republicans furnishing 34 of the 45 votes, while 34 Democrats and five Republicans voted against the procedure.

No heavy opposition developed to the minority leader's subsequent motion to take up the bill which carried 71 to 18. All 18 of the negative votes were cast by Democrats.

A second attempt to refer the bill to the Judiciary Committee with instructions to report back in 7 days was defeated 54 to 35, with only four Republicans voting for the motion to refer.

Historic Debate Alters Administration Bill

The debate that followed was historic and in the finest traditions of the Senate. Members who strongly held opposing convictions debated them searchingly in the spirit of sincerity, fairness, and tolerance. This had much to do with the alterations the Senate made in the House bill.

By vote of 90 to 0, the Knowland-Humphrey amendment repealed section 1989 (42 U. S. C. 1993), a provision dating back to the post-Civil War reconstruction era, which might have been construed to authorize enforcement of civil rights by Federal troops.

Restriction of Voting Rights

One of the major alterations on the bill was the elimination of a section in part III which would have extended enforcement powers beyond the protection of voting rights to a variety of civil rights. An amendment narrowing the scope of the bill to the protection of voting rights only was one of the significant compromises in the debate and was approved 52 to 38.

Jury Trial Provided

The other major alteration involved the provision of jury trial in cases of criminal contempt. Members in the Senate of both parties were deeply concerned that the injunctive proceedings permitted by the bill would result in enforcing the right to vote by a sacrifice of the right of trial by jury in cases of criminal contempt. Serious questions of constitutionality as well as denial of fundamental, historic rights were raised.

To resolve these questions an amendment was offered providing different remedies in civil and criminal contempt in all Federal cases. The power of the court, sitting without a jury, to secure compliance with its orders in cases of civil contempt was retained. But where the purpose of the court is to punish for violations of court orders, as in criminal contempt, the amendment specified a jury trial. The amendment applied these distinctions and proceedings not only to voting rights cases, but to all Federal cases involving injunctions.

Reflecting sincere differences of opinion which cut across and obliterated party lines, the amendment was adopted 51 to 42.

After making several other less important changes in the House bill, the Senate passed it 72 to 18, all 18 being Democrats.

At this point both the House and Senate had passed civil rights bills, but the House version contained no jury trial provision, while the Senate version provided for jury trials in all Federal criminal contempt cases, not just voting rights cases.

When the Senate sent its bill to the House a deadlock ensued over conflicting requests made to the House Committee on Rules, through which the bill had to clear. A Republican request asked that the House and Senate differences be reconciled through a conference committee. A Democratic request asked that jury trial provisions similar to those in the Senate bill be accepted by the House, but that they apply only in voting rights cases.

A compromise was necessary to force a meeting of the Rules Committee, whose Democratic chairman refused to act, and to bring to the floor of the House a bill that could become law.

Such a compromise was offered by the Republican leadership of the House who proposed that jury trial rights be provided in criminal contempt cases growing out of voting rights incidents only where the penalty to be imposed is a fine of more than $300 or imprisonment of more than 90 days.

A bipartisan modification of this Republican compromise offer was worked out and the civil-rights bill moved toward passage in both Houses.

The vote on final passage in the Senate was 60 to 15.

Provisions of New Civil Rights Law

What did we get and is it a step forward? The bill as sent to the President provides for several things of great value in dealing with civil-rights cases. This is what it does:

It establishes in the executive branch a six-member bipartisan Commission on Civil Rights, with subpena powers, to investigate alleged deprivation of voting rights because of color, race, religion, or national origin; to study legal developments constituting denial of equal protection of the laws; and to appraise Federal laws and policies regarding equal protection of the laws. The Commission is directed to make a final report to the President and to Congress within 2 years.

It provides for an additional Assistant Attorney General.

It makes interference with the right to vote in Federal elections actionable at the discretion of the Attorney General under injunctive proceedings in United States district courts, which will have jurisdiction without regard to whether other lawful remedies have been exhausted.

It permits Federal judges to issue injunctions or other orders to protect the right to vote. It maintains the courts' power through civil contempt proceedings, without a jury, to secure compliance with, as distinguished from punishment for violations of, such orders.

It says that in criminal contempt cases, involving punishment for willful disobedience of court orders in voting rights cases, the defendant may be tried with or without a jury. It says that if in such a trial without a jury the judge imposes a fine greater than $300 or a jail term longer than 45 days, the defendant can demand and get a new trial before a jury.

It also sets qualifications for Federal jurors independent of State laws, stating that any 21-year-old citizen who has resided one year within the judicial district is competent to serve as a juror, unless he is illiterate, a criminal, or physically or mentally incapable.

These are substantial steps forward in protecting rights. Many people who know the difficult problems involved in civil-rights cases, would say that this is about as far as we can go at this time.

National economy

As Republicans we are proud of the continuing prosperity of the Nation, with more people working than ever before and at the highest wages in our history. The policies and operations of the Republican administration have not been perfect, but they have kept us at peace with the world in stormy times and they have greatly advanced the welfare of our people at home. Completed figures for the period 1952–56 point up the remarkable progress we have made.

The gross national product—the aggregate of goods and services produced—increased from $345.4 billion to $414.7 billion. Although some of this increase was accounted for by higher prices, it reflects a substantially enlarged national output of goods and services. Disposable personal income, which is what we have to spend after taxes, increased from $243 billion to $287.2 billion. Although this income was shared among a greater number of individuals, it shows a per capita rise from $1,548 in 1952 to $1,708 in 1956.

Industrial plant and equipment increased by an investment of $35.1 billion in 1956 compared to $26.5 billion in 1952. Over the same period our civilian labor force grew from 62 million to 67.5 million. Income from wages, salaries, and related payments increased from $195.1 billion to $241.4 billion. The longtime decline in farm income was finally checked in 1956 and began to improve.

Every year since 1952 saw well over a million housing starts which reached a peak of 1,328,900 in 1955. The number of homes owned by their occupants increased from 22,200,000 to 25,300,000. Families owning automobiles have increased from 31 million to 37 million. Life insurance protection, which is a measure of the security of our people, shows an increase in policyholders from 88 million to 106 million. In our foreign trade, merchandise exports in 1956 totaled $17.3 billion compared to $13.3 billion in 1952.

Prosperity Continues Into 1957

This remarkable peacetime prosperity continued into the first half of 1957. By the second quarter of the year, gross national product reached an annual rate of $433.5 billion. Investment in plant and equipment increased to an annual rate of $37.3 billion. Disposable personal income in 1956 prices reached an annual rate of $291.3 billion. Salaries, wages, and other compensation reached $253.6 billion. For the first half of 1957, realized net farm income was at a rate of approximately $12½ billion—2½ percent higher than in the first half of 1956. In the second quarter of 1957, consumer expenditures rose to an annual rate of $277.8 billion compared with $265 billion for the same period in 1956, and $218.3 billion in 1952. While housing starts dropped to an annual rate of 970,000 in June 1957, construction expenditures as a whole are higher than ever before, running at an annual rate of $47.3 billion.

Legislation Pertaining to Business

A few items of legislation pertaining to business were passed, and several more, some of an urgent character, were put aside. The highlights of Congressional performance or the lack thereof in this field are as follows:

Small Business Administration extended

The Small Business Administration, established in 1953 by the Republican 83d Congress to advise and assist all types of business concerns, was continued for another year to July 31, 1958. Its busines loan fund was first increased in February 1957 by $80 million to a total of $230 million, and by the extension act from $230 million to $305 million. This raised the total authorization of the agency from $455 million to $530 million. An effort to make the Small Business Administration a permanent agency did not succeed this year, but there are indications in both Houses of Congress that it will next year.

Proposed tax relief for small business

President Eisenhower asked that Congress give early consideration to changes in tax laws which would help small business but with only minimum loss of revenue. He stated that any changes involving substantial loss of revenue should be considered at a later time when a general tax reduction is possible. No action was taken in this session on the President's recommendations, which were:

That business be given the right to utilize, for purchases of used property not exceeding $50,000 in any one year, the formulas of accelerated depreciation that were made available to purchasers of new property by the Internal Revenue Code of 1954.

That corporations with, say, 10 or fewer stockholders be given the option of being taxed as if they were partnerships.

That the taxpayer be given the option of paying the estate tax over a period of up to 10 years in cases where the estate consists largely of investments in closely held business concerns.

To permit an original investor in small business the right to deduct from his income, up to some maximum amount prescribed by Congress, a loss, if any, realized on a stock investment in such business.

Other small business recommendations

The Congress also took no action in this session on other recommendations by President Eisenhower to protect and foster the initiative of the small-business man. In order that small business may have a better opportunity to secure adequate financing, he proposed that issues of securities up to $500,000 be exempted from the regular registration provisions of the Securities Act of 1933. He proposed, too, that Congress enact legislation providing for notification to the Federal Government of proposed business mergers, and amend the procedural provisions of the antitrust laws to facilitate their enforcement. Another proposal was that wage reporting by employers for purposes of social security records and income tax withholding be simplified.

Patent Office Fees

A bill intended to carry out the President's request for an adjustment of Patent Office fees to make the Office more nearly self-supporting was reported by the House Judiciary Committee August 1, but was not taken up in the House.

Area Redevelopment Program

Despite continuing high levels of employment and income, pockets of unemployment persist in some communities. To provide loans and other aids to economically depressed areas, the President again this year sought legislation for an area redevelopment program. There was no action, however, in either House of Congress.

Transportation

Fulfilling a special request of the President, Congress approved the Airways Modernization Act of 1957, first legislative step toward creation of a single system of aviation facilities capable of meeting the needs of civil and military aviation.

The new law creates an interim Airways Modernization Board as a forerunner of a permanent independent Federal Aviation Agency into which will be consolidated all the essential management functions necessary to support the common needs of the military and civil aviation of the United States.

Another new measure, also in the air transportation field, deserves special mention among a number of transportation bills passed by this Congress. This bill allows the Government to guarantee loans to a limited number of small air carriers and helicopter lines to help them buy better aircraft and improve the economy of their operations. This in turn, is expected to reduce or eliminate present Government subsidy payments to these so-called feeder lines.

Agriculture

In the field of agriculture, our problems continued to be those of surplus and price, not problems of shortage and hunger.

The two most important legislative acts to lower surpluses and control production in order to protect farmers' income were extension of the Agricultural Trade Development and Assistance Act of 1954, and continuance of the full soil-bank program—the latter only after the Democratic-controlled House reversed its vote to kill the acreage reserve part of the program.

Trade Development and Assistance Act Continued

Congress fulfilled a Presidential request when it authorized a 1-year, $1.3 billion expansion of Agricultural Trade Development and Assistance Act that permits barter for strategic materials, but not sales, of surplus farm crops to Iron Curtain countries. This highly successful program was extended to June 30, 1958. Authorization for sales of American farm surpluses for foreign currencies was raised from $3 billion to $4 billion, and gifts to needy nations from $500 million to $800 million. The new provision permitting barter with European satellite countries, but not with Russia or any area dominated by Communist China, is designed to contain and minimize international communism while adding to America's supply of strategic materials. Another new provision permits up to 25 percent of the foreign currencies received in surplus sales to be loaned to American or foreign companies to promote expanded markets for American products. These and other provisions show that the act is both an effective domestic surplus disposal law and a sound foreign relations program.

Soil Bank Program Continued

Continuation of the administration's soil-bank program was provided under the Agriculture Department and Farm Credit Administration appropriations bill. For a time there appeared a serious danger that the soil-bank program, which seeks to hold production more nearly in line with consumption while protecting farmers' income and guarding future productivity of America's soil, would be severely—perhaps disastrously—curtailed. This happened when the Democratic-controlled House voted 192 to 187 to kill the acreage reserve part of the program. Of those Representatives who voted to kill the acreage reserve, 154 were Democrats and 38 were Republicans. Opposed to the ill-advised move were 141 Republicans and 46 Democrats. Fortunately for America's farmers, the House later reversed its position on the soil bank when it approved a Senate-House compromise agriculture appropriations bill.

Agriculture Appropriations

This agriculture appropriations law provides about $299 million less than the President's revised request, but puts almost three and two-thirds billion dollars into the Nation's far-reaching farm program.

Congress failed to protect the best interest of the Nation's corngrowers when Democratic majorities in both the House and the Senate defeated several Republican-sponsored bills designed to head off overproduction by setting more realistic acreage restrictions and encouraging participation in the soil bank.

Wheat and Livestock Growers Aided

On the other hand, Congress did act in the best interest of another segment of American farmers—those who plant no more than 30 acres of wheat and use all the wheat they grow right on their own farms. Fulfilling a Presidential request, Congress exempted such wheatgrowers from marketing quotas and penalties. Similarly, Congress authorized payments to livestock growers in severe drought areas for withholding their acreage from grazing until it can be restored to productivity. This new deferred grazing program fulfills another specific request of the President.

Increased acreage allotments for Durum wheatgrowers also were provided by this Congress, and an important new law providing compulsory Government inspection of poultry and poultry products was passed.

Housing

The Congress passed a number of housing bills, based on administration requests, but President Eisenhower observed when signing the omnibus housing bill on July 15 that it contained a number of serious defects.

The omnibus measure, authorizing $1.99 billion, permitted lower down payments on FHA-insured home loans as the administration requested. However, the President pointed out that the total of authorizations for all programs was nearly double that requested by the Republican administration.

The new law permits a reduction in FHA down payments on FHA-insured home mortgages by as much as $1,000 on a $16,000 home, and small wage earners now can purchase a $10,000 home for as little as $300 down.

The administration ordered the new down payment schedule soon after the law was signed, but in order to attract more construction money so more homes would be built it raised interest rates one-quarter of 1 percent.

The omnibus bill also provides authorizations for urban renewal or slum clearance grants to cities, new lending authority for a secondary market for home mortgages, and funds for certain military and cooperative housing mortgages. The measure needed no provision for more public housing facilities as present law provides for 35,000 units in each of the next 2 years.

In other legislation, the Veterans' Administration guaranteed home mortgage program was continued and $200 million was added to the $825 million previously authorized for the VA's direct loan program in rural areas. Additional military housing was also authorized and provided for in other laws.

The Congress also appropriated $150,000 for a special study of farm housing.

Resource development—Public works

Republican policy in this session of Congress on the development of natural resources and public works continued to be based, wherever feasible, on the partnership concept—with responsibilities and costs shared among the Federal Government, the States, municipalities, and individuals.

Some Republican-supported proposals met congressional approval; others were either delayed, defeated, or postponed; but all either saved, or would have saved the money of taxpayers while improving our public works and conserving our natural resources.

Cooperative Action Saves the Money of Taxpayers

The Congress enacted a law authorizing and directing the Federal Power Commission to issue a license for construction by the State of New York of a public power project on the Niagara River near Niagara Falls. State construction will save between $500 million and $650 million of Federal Treasury funds. The Niagara project measure provides a public power preference clause, a guaranty for supply of power to a private utility destroyed by a landslide, and up to 20 percent of the preference power for nearby States.

The administration's proposal for issuance by the Tennessee Valley Authority of revenue bonds to finance additional facilities was designed to save the Treasury another $500 million while keeping TVA operations under Congressional control and within their present geographical area. Included in President Eisenhower's budget request was a recommendation for a $30 million authorization for construction of new TVA steam plant units. This was to be financed under the revenue bond plan. However, funds for these new units were included in the 1958 supplemental appropriation bill when the Congress delayed passage of the bond plan.

Fifty Million Dollars Saved in California Partnership Project

The Republican-supported $100 million Oroville Dam and Reservoir project on the Feather River was authorized by Congress to be a partnership project between the Federal Government and the State of California with a saving of about $50 million through State participation.

Congressional consideration of a big public power project in the Pacific Northwest was made unnecessary when the Federal Power Commission granted a partnership franchise for the Rocky Reach Power Dam on the Columbia River. This permitted a public power body in a Washington State county to join with an aluminum company to build the project, with a consequent saving to the United States Treasury of the $225.8 million cost of the dam.

Still another type of partnership project in another section of the Nation was approved by Congress. The San Angelo Irrigation-Municipal Water project in Texas was authorized as a partnership plan involving the Federal Government, farmers, and the residents of the city of San Angelo. The citizens voted to pay $6.7 million of the $32.3 million cost of the irrigation project in exchange for city water.

No action was taken on legislation proposed by the administration and introduced in the House for a partnership plan involving the Trinity River Dam project. The Congress appropriated $25 million for the $747 million Central Valley project. Included in this appropriation was $17 million to continue construction of the Trinity River Dam.

Taxpayers Saved an Estimated $500 Million on Hells Canyon Dam

The action of the House Committee on Interior and Insular Affairs in voting down legislation for construction of a Federal dam in Hells Canyon on the Snake River between Idaho and Oregon saved taxpayers an estimated $500 million. The effect of this action also was to uphold the Federal Power Commission's granting of a license for a three-dam private development of the river's power potential in that area.

Production of power from the three, privately built dams will almost equal that of the proposed Federal dam. More important, power from the private development program will be coming on the line next year, 5 to 7 years before power could be produced by a single, higher Federal dam.

Democratic Congresses in the Past Defeated Hells Canyon Dam

Proposals for Federal construction of one big dam previously had been defeated by the Democratic-controlled Senate in 1950, by a Democratic-controlled House Committee in 1952, and in 1956 the Democratic-controlled Senate rejected the Federal plan while at the same time the Democratic-controlled House Rules Committee killed the bill.

The Federal Power Commission held the longest hearings in its history for such a project. After awarding the license to the private company the FPC was upheld by the Supreme Court when the Court declined to review a lower-court decision supporting the FPC. Federal public-power advocates had appealed the lower-court decision.

Yet, despite this background the issue was brought up again by the Democratic leadership in the Congress at this session. The Senate passed the bill by a vote of 45 to 38 for a Federal Hells Canyon Dam, but then a Democratic-controlled House subcommittee, and next the full Democratic-controlled House Interior Committee, killed not only the Senate bill but also a similar House bill.

Some Democratic Senators Noted as Changing Their Votes in Past Year

Senate passage of the Federal Hells Canyon bill was obtained when certain Democratic Senators, who in past years were recorded as voting against the measure, changed their votes in this session. Significantly related to this was the fact that shortly after, the House-approved civil-rights bill came up in the Senate.

At the time the Hells Canyon bill was being considered by the House Interior Committee, President Eisenhower said:

"It is inconceivable to me that serious consideration is being given in some quarters to stopping this [private] development, depriving the Northwest of power which is badly needed now, and throwing an additional burden on the already heavily burdened taxpayers of the Nation."

Tax Writeoff Was Subsidy Issue

A tax writeoff was a subsidiary issue of the Hells Canyon controversy. Supporters of the public power project raised a hue and cry against the granting of a tax writeoff to the private company which would have enabled the company to pay less taxes in the first 5 years but make up for it in later years. The writeoff was legally granted—under a law originally placed on the statute books by Democratic administrations. Thousands of other tax writeoffs previously had been granted to hundreds of firms throughout the country, but one for the company engaged in private development of Hells Canyon was lustily disputed by advocates of a Hells Canyon public power project. The company later rejected the writeoff and that ended the matter.

Fryingpan-Arkansas Power Project Remains in House Committee

Republicans strongly backed Congressional authorization of Federal construction of the important $155 million Fryingpan-Arkansas power and irrigation project in Colorado. This was a type of project which it was felt only the Federal Government could handle. The Republican administration did not hesitate to recommend it. The Senate approved, but no action was taken in the House.

The President proposed Congressional authorization on a partnership basis of the $44 million Bruces Eddy power and flood-control project on the Clearwater River in Idaho. It remained in committee. The Congress also did not act upon legislation which would have authorized Federal construction of the $80 million Auburn unit of the American River division of the Central Valley project, but additional engineering reports may speed action next year.

One and One-Half Billion Dollar Rivers, Harbors, and Flood Control Authorization Bill Held Up

The bill to authorize funds for possible Congressional appropriation for rivers and harbors was passed by the Senate but held up in the House until next year. Total authorizations ran to $1.5 billion, but strong objections were registered that full engineering surveys on some of the proposed projects had not been received. Also, it was pointed out that some $8 billion of previously authorized projects still await appropriations for either a start or completion.

Public Works Appropriations for Projects in Every State

The public works appropriation bill provided $858.9 million to carry on the conservation of our natural resources of every nature. The measure carried $449 million for 323 named locks, dams, channels, harbors, dredging and deepening of harbors, levees, reservoirs, drainage systems, dikes, bridges, breakwaters, and seawalls in every State and in Alaska and Hawaii.

Reclamation and irrigation projects received $116.7 million plus $20.1 million in carryover funds. The administration made it clear to all that its reclamation program was geared to taking areas out of a one-crop economy, permitting diversification and shifting away from crops in surplus.

Fish and Wildlife Resources

The administration was partly successful in obtaining an expansion of its program to conserve fish and wildlife resources. Expenditures were increased by Congress for fishery research to aid commercial fishermen and plant operators who face stiff competition from foreign sources of supply. The newly established Republican-sponsored fisheries loan fund received additional authorizations. Additional measures for conservation were taken, and the Bureau of Sport Fisheries and Wildlife received funds to aid in the administration's conservation and restoration program.

Mining and Minerals Legislation

Republicans submitted broad basic research programs designed to develop instruments, equipment, and methods for more efficient mining and substantially higher recovery of ore and coal. The recommended tariff protection for lead and zinc industries did not pass, but the administration's program for conservation and development of mineral resources received additional Congressional appropriations.

Recreational Resources Important to Growing Population

It was officially estimated this year that some 80 million visitors would be visiting our national parks each year by 1966. With this in view, legislation passed the Senate for establishment of a National Outdoor Recreation Resources Review Commission. This was needed for the administration's two major 10-year development programs, called Mission 66 and Operation Outdoors, under the National Park Service and the Forest Service, respectively.

Forestry Resources Program of Immense Scope

The Government is responsible for a forestry program of a scope that is little realized, administering more than 161 million acres of forest and woodlands—all outside the National Forests which contain 46 million more acres of commercial-type forest lands and 115 million acres of noncommercial woodlands. For this the administration succeeded in obtaining an expanded reforestation program, an enlarged forest fire suppression program, and additional forest trails, roads, and other improvements.

Weather Control and Saline Water Experiments

A Republican proposal for weather modification experiments, including cloud seeding and other possible weather control methods, passed the Senate but still awaits action in the House. The Congress approved the administration's enlarged program for research and pilot-plant operations for converting saline water into fresh water for municipal, industrial, and agricultural uses.

Lease-Purchase and Flood Insurance Programs

Two important programs failed to be continued by Congress in this past session. The lease-purchase program was designed to have private firms use their own money to build needed post offices and other Federal office buildings and lease them to the Government. After a period of years, ownership of the buildings would revert to the Government. The Government pays rent for many years for many buildings without ever owning them. Construction of all needed post offices is not within budget limitations, but use of rent money for eventual ownership was considered a way to obtain more buildings. Continuance of this program was not approved although Congressional committees had approved lease-purchase contracts for 98 combined post office-courthouse-custom house structures and 48 post offices.

The Federal Flood Insurance Program, designed to help areas which might be badly damaged by hurricanes and other disasters, was authorized a year ago but money for the program was not approved although private insurance firms testified they were unable to participate alone in such a large-scale insurance program.

Atomic energy: at home and abroad

The Congress in this session dealt with nuclear energy developments of great significance.

Guidelines for United States in Atomic Matters

On a world basis, the guidelines for United States action were set forth by the President's 1953 atoms-for-peace plans. (See Foreign Affairs section.)

On a national basis, the guidelines were set forth by the Republican-sponsored revisions of 1954 in the original Atomic Energy Act. These revisions eliminated Government monopoly, except for national defense, and for the first time permitted individuals, public, and private groups to explore, develop, experiment, construct, and finance atomic facilities for the peacetime use of our citizens in the fields of power, biology, medicine, agriculture, commerce, and industry. Partnership between groups, public or private, or in partnership with the Federal Government, also was permitted.

Atomic Energy Appropriations for National Defense

The Congress provided in the 1958 Atomic Energy Appropriation bill a total of $2.32 billion, of which more than half was for the weapons and raw materials program. Funds also were provided for naval and air atomic propulsion plants, test sites, various experimental programs, and other defense projects, most of them of a classified nature.

Atomic Energy Appropriations for the Welfare of Our Citizens

The Congress provided, in the same appropriation measure, money to continue construction of the 22,000 horsepower, nuclear-powered passenger-cargo merchant ship and funds for a joint Commerce Department-Atomic Energy Commission program aimed at development of atomic powerplants for commercially competitive merchant ships.

The estimated $400 million program to stimulate production by purchase of uranium concentrate milled from raw ore was continued. This involved 12 uranium mills operating within the United States, all but one privately constructed at a total cost of nearly $75 million. Funds for purchase of the concentrate from either other mills, nearing construction at a cost to private investors of about $40 million, also were approved.

Funds were appropriated for the AEC's technical training program in colleges and universities all over the country; money also was made available for biological and medical research and experiments, and research into the use of atomic energy for conserving food without refrigeration.

Authorized Appropriations for National Defense

In the measure to authorize the Congress to make appropriations for approved projects, the Congress allowed $222.23 million for national defense purposes in addition to projects and funds authorized in previous years.

Among the new authorizations were: $8 million for an aircraft nuclear propulsion ground test plant in Idaho; funds for a naval destroyer reactor development plant; $8.5 million for a new type boiling reactor plant; $17.5 million for a liquid metal fuel reactor; $2.1 million for the start of an AEC development plant at Livermore, Calif.; $7.9 million more for the Eniwetok Proving Ground; and funds for various projects at Los Alamos, N. Mex., Sandia Base, N. Mex., Hanford, Wash., Nevada and Idaho test sites or stations, and AEC facilities extending from points in South Carolina to California.

Authorized Appropriations for the Welfare of Our Citizens

The same authorization bill also carried $149.91 million. This, for the most part, was for what the bill termed a cooperative power reactor demonstration program. Some Members of Congress declared on the Senate floor that this program, not requested by the AEC or the administration, was not a demonstration program but the beginning of a Federal atomic public-power program. The administration favored a program of partnership with local public power groups, cooperatives, or cooperatives formed by companies willing to invest large sums of money. As compromised, the bill provides for contracts between the AEC and cooperative or public bodies. Such contracts must be submitted to the Congressional Joint Atomic Energy Committee with a 45-day waiting period before becoming effective. Also, authorized appropriations "* * * shall be * * * for research and development purposes." The money authorized is only for a start of such projects. The reactors would be constructed, operated, and maintained by the Government, but steam would be sold to the cooperatives or public bodies to use in generating and then selling electricity. The bill also authorized two other types of reactors, with appropriations to be used for design work.

President Eisenhower, in signing the authorization measure August 21, indirectly warned of the economic dangers of atomic public power. He said:

"While I am not opposed to such projects as studies by the Commission I wish to make it clear that I will oppose the expenditure of public money for the construction and operation by the Government of any large-scale power reactor, or any prototype thereof, unless private enterprise has first received reasonable opportunity to bear or share the cost."

Another nuclear bill of the session, as approved by Congress, provided authorization of up to $500 million of Government insurance to private reactor builders against atomic accidents. The Government would take over insurance risks where private firms left off. This measure was designed to stimulate large-scale financing by private industry of reactor plants which industry might hesitate to undertake because of either tremendous insurance costs or lack of such insurance in the market.

Labor

In his annual budget message the President requested Congressional action in five specific areas with respect to labor. He asked for (1) extension of the minimum-wage law to additional workers; (2) clarification and strengthening of the Federal eight-hour law; (3) approval of equal pay for equal work; (4) enactment of a new program providing grants to States to promote occupation safety; and (5) statutory requirement for the Federal registration of private pension and welfare funds. None of these requests received favorable consideration this year.

In addition, there was no action on proposed changes in the Taft-Hartley Act affecting the building and construction industry recommended this year by the Eisenhower administration. This legislation, approved by both management and labor, provides that the National Labor Relations Board may certify unions in the building and construction industry as exclusive bargaining representatives without a prior election; that employers may contribute to apprenticeship and training trust funds in the building and construction industry which are jointly administered by the employer and the unions; and that multiemployer groups, such as employer associations, may engage in collective bargaining to the same extent as individual employers in the industry.

Labor Rackets Investigation

Republicans fully cooperated in setting up a Select Senate Committee on Improper Activities in the Labor and Management Field. Examination of witnesses to date has uncovered flagrant misuse of labor union funds by some labor leaders for their self-enrichment and for political purposes; instances of tieups between certain labor leaders and racketeers; the setting up of "paper" unions as a device to shake down employers; and labor boss control of unions without proper accounting to rank-and-file members and without rank-and-file members having a voice in union affairs. Corrective legislation is expected to be proposed by the select committee at the next session of Congress.

Union Reports To Be Made Public

One helpful item of legislation which did pass was recommended by the Secretary of Labor and provided affirmative authority to make public the financial reports filed by labor unions with the Department of Labor under the Taft-Hartley Act.

Health, education, and welfare

Federal Aid for School Construction

The question of Federal aid for school construction was a controversial one in this session, as before. The President proposed an emergency program providing for Federal aid over a period of 4 years at the rate of $325 million per year, with authorization of $750 million over the same period for Federal purchase of school bonds in cases where school districts could not market them at reasonable interest rates. The President's plan would have channeled aid to the neediest areas.

A compromise measure was reported from the House Education and Labor Committee. It called for $1½ billion in Federal funds for new schools over a 5-year period plus $900 million to aid in the selling of local and State bond issues. It provided that half of the Federal grant funds would be distributed on the basis of school-age population, and the other half on a need basis.

Before the House acted on the bill itself, it adopted, by a 136 to 105 teller vote, an amendment to prohibit the use of Federal funds in any school district operating segregated schools in violation of the Supreme Court's integration ruling.

The legislation was then defeated when the House, by a vote of 208 yeas to 203 nays, struck out the enactment clause.

Debate in the House cut across party lines in both instances on the basic issues involved. These included such factors as whether it has been adequately shown that the problem cannot be handled at the local or State level, having in mind (1) that State and local responsibility for education has been traditional; and (2) that relative financial ability of the States as compared with that of the Federal Government (in view of the national debt) to undertake such a program; and whether such participation can be provided with adequate safeguards against ultimate Federal control of education.

The issue was complicated, in addition, by House adoption (with strong Republican support) of the antisegregration amendment. The House rejection of this legislation, coupled with failure of the Senate to act at all, reflects the fact that there is continued and traditionally strong grassroots opposition, both Democratic and Republican, to a program of Federal aid to education, despite its support from the White House.

Federal Assistance to Schools in Special Areas Continued

Congress, however, did continue the program of Federal assistance to school districts, for school operation and construction, in areas affected by Federal activities.

An increase was voted, too, in grants for rural library services.

No Actions Taken on Other Major Proposals

In Public Law 813 of the 84th Congress, Federal funds were authorized to assist the States in establishing committees on education beyond high school, as recommended by the President's committee on this subject, but no appropriation was made. The President sought an appropriation again this year for this purpose, but no money was provided.

Little or no progress was made in this session on other major legislative proposals of President Eisenhower in the health, education, and welfare field. These included the program of Federal grants-in-aid to combat juvenile delinquency, grants for the construction of medical and dental schools for training facilities, and legislation making it possible for small insurance companies and nonprofit associations to pool their resources in order that a greater number of people in the Nation may be able to obtain the benefits of voluntary health insurance.

The Senate passed a bill to encourage expansion of teaching and research in the education of mentally retarded children through grants to nonprofit institutions of higher learning and to State educational agencies. This awaits House action, however.

Nothing was done except for House committee hearings on an administration request for legislation requiring advance testing of chemicals to be used in foods to assure their safety for human consumption. Another administration proposal not acted upon in this session was a bill to create a 21-member temporary Presidential study commission on problems of the blind. The study outlined by the Department of Health, Education, and Welfare covers such areas as prevention of blindness and restoration of sight, utilization of limited sight, and employment opportunities for the blind.

Funds Voted To Combat Asiatic Flu

Funds were appropriated in response to a Presidential request to enable the Public Health Service to be prepared for any large-scale outbreak of Asiatic flu. Congress also authorized the transfer of $2 million of Public Health funds for use against any large epidemic of the disease which the Surgeon General has warned "is a very definite possibility."

Social Security

The extended coverage of those under social security has brought to more than 73 million the number of persons now under the system. This year saw the passing of the 10-million mark in those receiving benefits. Nine out of ten mothers and their children are protected by social security in the event the breadwinner dies. Congress, in Public Law 85–109, extended to July 1, 1958, the time for disabled persons to file applications to preserve their rights to old-age, survivors, and disability insurance. The same law permits veterans with service-connected disability to receive both social-security and veterans' benefits.

Immigration

Late in the session the Congress enacted a bobtail version of the President's immigration program which would benefit about 60,000 aliens.

Described by Senator WATKINS, Republican, of Utah, as a quarter loaf, the bill ignores such basic requests in the President's program as those for the up-dating of the census date of the national origins quota system in the McCarran-Walter Act, authority to transfer unused quotas under that system, and provision for permanent residence to over 27,000 Hungarian escapees who have been paroled into the United States under existing provisions of law.

Among other things the bill as passed would:

(a) Eliminate the mortgages which were placed on quotas under prior legislation;

(b) Revive over 18,000 visas that expired last December with the Refugee Relief Act, of which approximately 14,000 would be available to refugees from Communist territory or from the Middle East; authorize for a 2-year period the entry of an unlimited number of adopted children;

(c) Provide relief in certain hardship cases involving children, spouses, or parents of United States citizens or permanent United States residents;

(d) Give nonquota status to certain preference quota immigrants (including skilled specialists) for whom petitions have been approved by the Attorney General prior to July 1, 1957;

(e) Validate the entry of certain aliens who misrepresented the fact that they came from behind the Iron Curtain in order to avoid forcible repatriation; and

(f) Give the Government authority to waive the requirement of fingerprinting of nonimmigrant aliens on a reciprocal basis, to waive grounds of exclusion of certain aliens because they committed crimes involving moral turpitude or because they are suffering from tuberculosis, and to adjust the status of certain skilled specialists and their families.

Veterans

Veterans' Disability Allowances Increased

The only action thus far taken by the 85th Congress on major legislation directly affecting veterans—exclusive of housing benefits mentioned in another part of this report—is the passage of H. R. 52 and H. R. 53. H. R. 52 is an act which increases the basic rates of compensation for service-connected disability and allowances for dependents of disabled veterans. The increase is 10 percent where the disability ranges between 10 and 90 percent, and about 24 percent for total disability. In addition, the act provides that statutory awards for certain specific disabilities shall be increased 10 percent.

Veterans' Laws Codified

H. R. 53 consolidates into one act certain laws administered by the Veterans' Administration on compensation, pensions, administration, hospitalization, and burial benefits.

Government administration

Improvement of Government became an issue in the 1st session of the 85th Congress in the form of much needed legislation concerning the Supreme Court's Jencks case decision, Presidential disability, and enactment of the Hoover Commission's recommendations.

Jencks Case Legislation

The Supreme Court's decision in the Jencks case resulted in a number of criminal court actions being terminated because the FBI and other agencies refused to permit defendants to go on indiscriminate fishing expeditions into Government files. By dropping these cases, the Government was seeking to protect its intelligence sources, methods of operation, and the identity of informers. In subversive and narcotic cases, informers are often very important to law enforcement agencies, and their protection is therefore a necessity.

Some trial judges, whether correctly or not, began interpreting broadly the Supreme Court's decision in the Jencks case with the result that some alleged criminals went free. Congress felt that remedial legislation was needed to provide methods for safeguarding both the rights of the public and the security of Government files.

With this in mind, bills were introduced in the Senate making Federal judges responsible for deciding what information is pertinent to the defense in the impeachment of witnesses. As a guaranty against trial judge error, appellate courts under this legislation receive Government files in the event of an appeal. The higher court then decides whether or not the lower court was correct in determining what information should be granted the defense and what should be withheld on grounds of national security.

The final bill, combining features of Senate and House versions, attempts to protect both the rights of individuals and the sanctity of Government files.

Presidential Disability

Presidential disability became a much discussed issue as a result of President Eisenhower's heart attack and subsequent ileitis operation.

The Constitution provides that the Vice President shall become President when the latter is removed from office, dies, resigns, or when he is unable to discharge his duties. In the last instance, neither the Constitution nor Federal statutes provide methods or standards for determining Presidential disability. Accordingly, a situation could arise in which a President was so ill or injured that he would not be able to inform anyone that he was incapable of performing his duties. In this set of circumstances, the United

States might well find itself without a President during a moment of crisis. As a remedy, President Eisenhower last March suggested a constitutional amendment granting the Cabinet authority to determine when a President is unable to perform his duties. Several resolutions intended to cope with this problem were introduced in both Houses, but the Congress took no action.

Hoover Commission Proposals

President Eisenhower asked the Congress to enact legislation placing Government accounts on an annual accrued expenditure basis so as to eliminate carryovers of large funds and give Congress an annual look at long-range expenditures. In addition, he asked for discontinuance of the outmoded postal savings system, provisions for training Federal workers, an authorization to release the armed services from having to clear real estate transactions with the Senate and House Armed Services Committees, and finally, extension of the Reorganization Act of 1949.

Congress enacted only one of the President's efficiency-in-Government proposals, namely, an extension of the Reorganization Act of 1949.

Overcrowded Courts

The administration asked for, but did not get, an increase in the number of Federal judgeships sorely needed to cope with overcrowded dockets.

The administration also asked for, but did not get, legislation to provide voluntary retirement for judges at the age of 70, or to relieve them of certain administrative duties at that age.

Statehood and District of Columbia Home Rule

In their 1956 platforms, both the Republican and Democratic Parties went on record as advocating statehood for Alaska and Hawaii and home rule for the District of Columbia. President Eisenhower has called for enacting these three suffrage proposals into law. Despite the support of the President and the avowed remarks by each party's convention, the Democratic-controlled 85th Congress took no action giving residents of these three places the right to have a voice in the Federal Government when taxed by it.

Post Office Deficits

Several times this year President Eisenhower requested higher postal rates to offset mounting Post Office Department deficits. Expert testimony in the House and Senate proved that these deficits will increase next year unless postal rates are increased.

Legislation was passed in the House providing for rate increases so that an additional $500 million of revenue would be provided. Unfortunately, this measure, which would have put the Post Office on a more nearly pay-as-you-go basis, was not acted upon in the Senate.

Federal employee legislation

Employee Pay Bills Passed

Despite the President's position against any general pay raises for Federal employees this year on grounds of economy, Congress passed two separate measures providing pay increases for postal and classified Federal employees.

One measure provided a flat $546 increase, averaging 12½ percent, for approximately 524,000 postal employees at an estimated cost, including effect on fringe benefits, of $317,500,000 per year.

The other measure provided an 11 percent increase for about 1 million executive, departmental, judicial, and legislative employees at an estimated cost of $532 million per year, including effect on fringe benefits. Individual salary increases were limited to not over $1,000 with the present $ 6,000 maximum annual salary (the top figure for classified employees) being retained.

Administration opposed to pay increases now

The administration had stated on several occasions its opposition to general pay increases at this time. The President, in a letter June 14, 1957, to Representative TOM MURRAY, Democratic chairman of the House Post Office and Civil Service Committee, expressed the views of the administration in this way:

"Recent actions of the Congress and the executive branch have demonstrated the Government's continuing concern for proper and just compensation for its workers and have benefited those workers in a number of ways. These include low-cost group life insurance, more liberal retirement and survivorship provisions, uniform allowances, and unemployment compensation. Administration-sponsored legislation is now pending to establish a voluntary health and medical insurance program and to authorize the training of Government employees outside as well as within the employing agencies. As all of us know, the present difficulty in harnessing the Federal budget is attributable in part to increased personnel costs. Incidentally, it was only 2 years ago that general pay increases were approved.

"In view of the tax, budgetary, and economic implications, and in view of my several appeals this year to private citizens to observe restraint in everything that could add to the inflationary pressures on our economy, I cannot at this time, in keeping this the national interest, recommend enactment of legislation for pay increases for postal workers which, as you point out, would lead to a pay increase throughout the Federal Government."

Most Congressional observers anticipate a Presidential veto of these pay bills.

Administration's Legislative Requests Fail of Enactment

Five legislative requests which were made by the administration on behalf of Government employees and an improved Federal civil service received no consideration.

The President's 1958 budget message to Congress again requested legislation to establish a system of voluntary health and medical insurance for civilian employees. Also requested in the budget message was a provision that Government employees be trained outside as well as within the employing agency; that better safety measures be provided in Federal agencies; and that each Federal agency bear the cost of accident compensation benefits paid its employees.

Although bills were introduced for each of these administration requests, none of the 4 was enacted into law in the first session of the 85th Congress. Similarly, no action was taken by the Congress with respect to the President's request, in his state of the Union message, to establish a career service for overseas foreign service officers of the United States Information Agency. The President stated this legislation was necessary so that the USIA would be better able to cope with its new and greater responsibilities throughout the world.

Administration Improvements in Civil Service

As part of the administration's continuing program to better working conditions and to increase efficiency of Federal employees, the President, in his budget message for 1957, announced that plans were to be put into effect to renovate and improve Government buildings, and to provide additional office space for overcrowded Government workers. Also, Government agencies were directed by the President to renew their efforts to hold to a minimum any increase in Government personnel.

Prudent management of Government personnel has resulted during the past 4 years in a reduction of approximately 240,000 in the civilian work force. For the month of June 1957, civilian employment of the Federal Government was 2,416,044. Although this figure represented an increase in personnel between May and June 1957 in all three branches of the Government, the increase was less than half the increase reported between May and June 1956.

Campaign funds and lobbying

Congress enacted no legislation in this session on the subjects of lobbying and Federal election campaign funds and expenditures although the urgent need for more effective laws has been pointed out by many committees over several years. Two Senate committees made extended studies in this field over the last 2 years; and although a bill was reported from the Subcommittee on Privileges and Elections of the Senate Rules Committee, Congress as a whole has postponed action for another year.

Mr. AIKEN. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield to my good friend, the Senator from Vermont.

Mr. AIKEN. I should like to pay tribute to the employees who have made it possible for the Members of the Senate to do as good a job as they have done in the past session, but we ought not forget the Capitol telephone operators. Even though at times they find us when we think we are safely hidden away somewhere, that is compensated for by the fact that they also find the people we are looking for when we do not have much of an idea where to look for them. I think the ability of the telephone operators of the Capitol to get their man equals, if it does not excel, that of the Royal Canadian Mounted Police.

Mr. KNOWLAND. I quite agree with the distinguished Senator from Vermont. I would, of course, like to add—and I know I can speak on behalf of all Members of the Senate on both sides of the aisle—that while my remarks today were directed primarily to those who operate the Senate in its entirety, or on the majority or minority side, I am sure we also would want to pay tribute to our individual staffs as Senators, because without the burdens they carry and the long hours they toil it would not be possible for any Senator to continue to perform his public duties and have the tremendous volume of work and mail and other details taken care of. It is a loyal service which we receive from each of our personal staffs.

REPORT BY THE ARCHITECT OF THE CAPITOL RELATIVE TO CHANGES IN THE CAPITOL BUILDING

Mr. KNOWLAND. Mr. President, I ask unanimous consent that there be printed in the body of the RECORD the report rendered by Mr. J. George Stewart, Architect of the Capitol, to the Commission relative to changes in the Capitol, which report has been made available.

The PRESIDING OFFICER. Without objection, it is so ordered.

The report is as follows:

ARCHITECT OF THE CAPITOL,
Washington, D. C., August 1957.

Hon. SAM RAYBURN,
Chairman, Commission for Extension of the United States Capitol, Washington, D. C.

MY DEAR MR. CHAIRMAN: I respectfully submit herewith, report of the Architect of the

Capitol on preliminary plans and estimates of cost for the extension of the United States Capitol, authorized by Public Laws 242 and 406, 84th Congress.

For the convenience of the Commission, I have broken my report down into five parts, as follows:

Part I gives the legislative and related background of the project, detailing, for purposes of record, the authorization of the project; the scope of the project, limitation of cost, and appropriations to date: actions taken at previous meeting of the Commission for Extension of the United States Capitol; directives issued by the Commission to date: actions taken by the Architect of the Capitol under directives, to date; and a financial statement of expenditures and obligations incurred to June 30, 1957.

Part II is subdivided into four sections. Section 1 gives an account of preliminary investigations, surveys and studies conducted, to date, with respect to assembling and developing of basic architectural and engineering data; topographic survey made of the Capitol Grounds; detailed measurements taken and measured drawings made of the central portion of the Capitol; detailed survey made of present space usage and present and future space requirements for functions which must operate within the Capitol in serving the Congress; structural survey and examination made of the Capitol dome; analysis made of the Aquia Creek sandstone facing the walls of the east and west central portion of the Capitol; and examination made of the foundations of the Capitol and subsoil conditions.

Section 2 of Part II presents to the Commission the changes and improvements recommended to be made in carrying out the extension of the Capitol project. This section of the report is presented in considerable detail in order that the Commission members may have before them a comprehensive picture of the changes and improvements recommended. In accordance with the Commission's instruction to the Archtect of the Capitol at meeting of March 26, 1956, the preliminary plans and estimates of cost have been developed in such a manner that each of the components parts of the proposed program is presented with its own description and own preliminary estimate of cost.

Section 3 of Part II presents a consolidated table of the estimated costs of the proposed changes and improvements.

Section 4 of Part II contains the recommendations and comments of the Architect of the Capitol, concurred in by the Associate Architects and Engineers and by the Advisory Group of Architects.

Part III of the report presents three schedules—one showing the proposed staging of the construction work; one showing the proposed schedule of obligations; and one showing the proposed schedule of expenditures.

Part IV of the report presents the views of the Associate Architects and Advisory Group of Architects with respect to the possibilities for further future expansion, after changes and improvements authroized by Public Laws 242 and 406, 84th Congress, have been accomplished. This part has been included in the record for possible future guidance.

Part V of the report is captioned "Conclusions" and presents those matters on which the Architect of the Capitol requires the direction of the Commission with respect to the proposals contained in this report.

Respectfully yours,

J. George Stewart,
Architect of the Capitol.

Part I

SECTION 1. AUTHORIZATION FOR EXTENSION OF THE CAPITOL PROJECT

Congress, by Act of August 5, 1955, Public Law 242, 84th Congress, as amended by Public Law 406, 84th Congress, authorized the extension of the Capitol project, as follows:

"The Architect of the Capitol is hereby authorized, under the direction of a Commission for Extension of the United States Capitol, to be composed of the President of the Senate, the Speaker of the House of Representatives, the minority leader of the Senate, the minority leader of the House of Representatives, and the Architect of the Capitol, to provide for the extension, reconstruction, and replacement of the central portion of the United States Capitol in substantial accordance with scheme B of the architectural plan submitted by a joint commission of Congress and reported to Congress on March 3, 1905 (House Doc. No. 385, 58th Cong.), but with such modifications and additions, including provisions for restaurant facilities, and such other facilities in the Capitol Grounds, together with utilities, equipment, approaches, and other appurtenant or necessary items, as may be approved by said Commission, and for such purposes there is hereby appropriated $5 million, to remain available until expended, and there are hereby authorized to be appropriated such additional sums as may be determined by said Commission to be required for the purposes hereof: *Provided*, That the Architect of the Capitol under the direction of said Commission and without regard to the provisions of section 3709 of the Revised Statutes, as amended, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this Act and to obligate the additional sums herein authorized prior to the actual appropriation therof."

SECTION 2. SCOPE OF PROJECT, LIMITATION OF COST, APPROPRIATIONS TO DATE

The legislation governing this project, as indicated, provides that all work in connection with the project shall be performed under the direction of a Commission to be composed of the President of the Senate, the Speaker of the House of Representatives, the minority leader of the Senate, the minority leader of the House of Representatives, and the Architect of the Capitol.

The authorizing legislation not only provides for extension of the Capitol under the direction of this Commission, but also provides for the construction of such other additions and facilities in the Capitol Grounds as may be approved by such Commission, such as an underground garage, security vaults, and underground transportation system; provides the Architect of the Capitol with the necessary contract authority to carry out any plans and construction approved by the Commission, in such total amount as the Commission may approve; permits selective competition in the performance of any part of the work deemed necessary by the Commission to be contracted in such manner, in the best interest of the Government.

The authorizing legislation provides an initial appropriation of $5 million for the project; authorizes the appropriation of such additional sums as may be determined by the Commission to be required for the project; and authorizes the obligation of such additional sums prior to the actual appropriation thereof.

In addition to the $5 million appropriated in the authorization act, an appropriation of $12 million was provided in the Legislative Branch Appropriation Act, 1957.

Under the legislation, it is therefore necessary for the Commission to determine the scope and limit of cost of the project.

SECTION 3. PREVIOUS MEETING OF COMMISSION FOR EXTENSION OF THE CAPITOL

On March 26, 1956, the Commission for Extension of the United States Capitol held its first meeting. At that meeting, the Architect of the Capitol was authorized to proceed with the development of preliminary plans and estimates of cost for the project and to report back to the Commission his findings and recommendations. The Commission agreed that the preliminary plans and estimates of cost should be developed in such a manner that the Commission would be in a position to approve the program, either in whole or in part, in view of the fact that the language of the Authorization Act was broad enough to embrace not only the extension of the east front, but also such other additions and facilities as underground security vaults, underground garage and underground transportation systems.

At that meeting, the Commission selected Arthur Brown, Jr., architect of San Francisco, John F. Harbeson, architect of Philadelphia, and Henry R. Shepley, architect of Boston, as a consulting and advisory group to assist the Architect of the Capitol in determining the proper architectural treatment of the east front of the Capitol and other necessary changes to be made on the exterior and interior of the building.

The Commission also selected Roscoe DeWitt and Fred L. Hardison of Dallas, Tex.; Alfred Easton Poor and Albert Homer Swanke of New York City; and Jesse M. Shelton and Alan G. Stanford of Robert & Co. Associates, Atlanta, Ga., as the Associate Architects and Engineers for the extension of the Capitol and other improvements and changes authorized by the act of August 5, 1955, as amended.

The Architect of the Capitol was authorized to enter into contracts for these services.

The Commission agreed to issue directives to the Architect of the Capitol, from time to time during the life of the project, providing him with the necessary authority to carry out actions agreed upon at meetings of the Commission, and authorized the Speaker of the House and the minority leader of the Senate to sign the directives on behalf of the Commission.

It was further agreed that in preparing the directive covering actions approved at the March 26, 1956, meeting, the Architect of the Capitol should include therein authorization not only for the employment of architects and engineers, but also for the incurring of the necessary obligations and expenditures for such items as surveys, test borings, test pits, blueprints, personal and other services, and administrative expenses and contingencies.

SECTION 4. DIRECTIVES OF THE COMMISSION

Directive of Commission issued prior to meeting of March 26, 1956

August 5, 1955.

Mr. J. George Stewart,
Architect of the Capitol.

Dear Mr. Stewart: Pursuant to the provisions of the Legislative Appropriation Act, 1956, providing for the extension of the Capitol under the direction of the Commission for Extension of the United States Capitol created by that act, you are hereby authorized during the adjournment of the 1st session of the 84th Congress to incur obligations and make expenditures, not to exceed $50,000, for preliminary surveys and studies, including test borings and other exploratory engineering work, for the extension of the Capitol project authorized by such act.

Richard Nixon,
President of the Senate.
William F. Knowland,
Minority Leader of the Senate.
Sam Rayburn,
Speaker of the House of Representatives.
Joseph W. Martin, Jr.,
Minority Leader of the House of Representatives.
J. George Stewart,
Architect of the Capitol.

Directive of Commission issued pursuant to meeting of March 26, 1956

JULY 24, 1956.

Mr. J. GEORGE STEWART,
Architect of the Capitol.

DEAR MR. STEWART: Pursuant to the provisions of Public Law 242, 84th Congress, as amended by Public Law 406, 84th Congress, and pursuant to action taken by the Commission for the Extension of the United States Capitol at meeting, March 26, 1956—

1. The following professional service contracts entered into by the Architect of the Capitol are hereby approved:

Contract, dated June 11, 1956, with Seelye, Stevenson, Value & Knecht, consulting engineers, of New York City, N. Y., for a complete structural engineering study and survey of the Dome of the United States Capitol Building, including a complete inspection of the existing construction, examination of available drawings and computation of stresses in the various members, with a view to determining the strength and safety of the Dome, and submission of a comprehensive report describing the exact conditions disclosed by the survey and study and including an opinion as to the safety of the construction and recommendations as to measures, if any, to improve its stability.

Contract, dated July 10, 1956, with Roscoe DeWitt and Fred L. Hardison, architects of Dallas, Tex.; Alfred Easton Poor and Albert Homer Swanke, architects of New York City, N. Y.; and Jesse M. Shelton and Alan G. Stanford, architect and engineer of Atlanta, Ga., for furnishing the necessary architectural and engineering srevices for the Extension of the Capitol and other improvements and changes authorized by Public Law 242, 84th Congress, as amended by Public Law 406, 84th Congress, except such changes and improvements as relate to landscape treatment of the Capitol grounds, soil test borings, underpinning of the United States Capitol Building, and transportation equipment.

Contract dated July 11, 1956, with John F. Harbeson, architect of Philadelphia, Pa.; Henry R. Shepley, architect of Boston, Mass.; and Arthur Brown, Jr., architect of San Francisco, Calif., for furnishing services as a consulting and advisory group to assist the Architect of the Capitol in determining the proper architectural treatment of the exterior of the United States Capitol Building and changes to be made to the interior of such building, and such other consulting and advisory services as may be required with respect to the landscape treatment of the Capitol Grounds and the development of the project as a whole.

2. Authority is granted the Architect of the Capitol to enter into additional professional service contracts, as follows:

Contract or contracts for professional services for the landscape treatment of the Capitol Grounds.

Contract for professional services for underpinning the Capitol Building.

Contract for professional services for soil test borings.

3. Authority is also granted you to enter into such other contracts, incur such other obligations, and make such other expenditures as may be necessary, preliminary to the letting of the main construction and equipment contracts, including expenditures for test borings, advertising, blueprints, surveys, personal and other services, and other miscellaneous administrative expenses, and any other necessary items; also to supplement your organization to such extent as you may deem necessary for the proper direction and administration of the extension of the Capitol project.

This directive is issued by the undersigned, pursuant to authority granted the undersigned by the Commission for the Extension of the United States Capitol at meeting, March 26, 1956, to so act on behalf of the Commission.

SAM RAYBURN,
Speaker of the House of Representatives, Chairman of the Commission for the Extension of the United States Capitol.

WILLIAM F. KNOWLAND,
Minority Leader of the Senate, Member of the Commission for the Extension of the United States Capitol.

SECTION 5. ACTIONS TAKEN BY THE ARCHITECT OF THE CAPITOL UNDER DIRECTIVES OF COMMISSION

In accordance with instructions contained in directives of the Commission for Extension of the United States Capitol, the Architect of the Capitol has entered into the following contracts and incurred the following obligations:

Contract (June 11, 1956) with Seelye, Stevenson, Value, and Knecht, consulting engineers of New York City, for a complete structural engineering study and survey of the dome of the Capitol, and submission of a comprehensive report describing the exact conditions disclosed by the survey, including an opinion as to the safety of the construction and recommendations as to measures, if any, to improve its stability.

Contract (July 10, 1956) with Roscoe DeWitt and Fred L. Hardison, architects, of Dallas, Tex.; Alfred Easton Poor and Albert Homer Swanke, architects, of New York City; Jesse M. Shelton and Alan G. Stanford, architect and engineer, of Atlanta, Ga.; for furnishing the necessary architectural and engineering services for the extension of the Capitol and other authorized changes and improvements, except such changes and improvements as relate to landscape treatment of the grounds, soil-test borings, underpinning of the United States Capitol, and transportation equipment.

Contract (July 11, 1956) with John F. Harbeson, architect, of Philadelphia, Pa.; Henry R. Shepley, architect, of Boston, Mass.; and Arthur Brown, Jr., architect, of San Francisco, for furnishing services as a consulting and advisory group to assist the Architect of the Capitol in determining the proper architectural treatment of the exterior of the United States Capitol and changes to be made to the interior of the building, and such other consulting and advisory services as may be required.

Contract (September 4, 1956) with Wheelwright, Stevenson, and Langran, landscape architects, of Philadelphia, Pa., for the landscape architectural and engineering services for the redesign of the Capitol Grounds occasioned by the extension, reconstruction, and replacement of the central portion of the Capitol.

Contract (September 5, 1956) with Moran, Proctor, Mueser, and Rutledge, consulting engineers, of New York City, for furnishing all engineering services necessary for the preparation of plans and specifications for borings and test pits required for the extension of the Capitol project; services required to make all tests necessary to determine soil-bearing values, settlement analysis, lateral earth pressures; and for furnishing and submitting to the Architect of the Capitol analyses, evaluations and results of such tests and all necessary reports and recommendations with respect to foundations for proposed structures and underpinning of existing structures.

Contract (September 12, 1956) with Gilmore D. Clarke, consulting engineer and landscape architect of New York City, for consulting landscape architectural and engineering services for the redesign of the Capitol Grounds occasioned by the extension, reconstruction and replacement of the central portion of the Capitol.

Contract (December 6, 1956) with Raymond Concrete Pile Co., for furnishing the labor, equipment and materials for making test borings and test pits in and adjacent to the Capitol in accordance with plans and specifications prepared by Moran, Proctor, Mueser & Rutledge.

Contract (July 2, 1957) with Seelye, Stevenson, Value and Knecht, consulting engineers of New York City, for the preparation of plans and specifications for repairs to improve the stability of the Dome.

Administrative Expenses and Contingencies:

SECTION 6. FINANCIAL STATEMENT

Appropriated to date__________ $17,000,000

Expended and obligated to June 30, 1957

	Expended	Outstanding obligations
Architectural and engineering services	$95,625	$1,194,375
Consulting and advisory architectural services	15,000	105,000
Landscape architectural and engineering services	9,000	336,000
Consulting and advisory landscape architectural and engineering services	--------	40,000
Engineering services, structural survey and study of the capitol dome	22,975	--------
Engineering services, test borings and foundation analyses	50,000	20,000
Test borings and test pits	138,872	57,596
Topographic survey of Capitol Grounds	9,650	--------
Miscellaneous tests, surveys, and studies	4,197	--------
Administrative expenses and contingencies	63,136	--------
Total	408,455	1,752,971

Total expended and obligated to June 30, 1957__________ —$2,161,426
Unobligated balance, July 1, 1977__________ 14,838,574

PART II

SECTION 1. PRELIMINARY INVESTIGATIONS, SURVEYS, AND STUDIES

Immediately after the adjournment of Congress in 1955, the Architect of the Capitol began assembling and developing the extensive basic data necessary for the preparation of preliminary plans for the extension of the Capitol.

All engineering and architectural data available were assembled from the files of the Architect of the Capitol, the National Archives, the Treasury Department, the War Department, and the Library of Congress.

Topographic survey of Capitol grounds

In the spring and summer of 1956, at the request of the Architect of the Capitol, a complete, coordinated, topographic survey was made of the Capitol grounds, as they exist today, by the Surveyor's Office of the District of Columbia. This information was necessary in developing studies for underground utilities, underground structures, and landscaping.

Measured drawings

Detailed measurements of the central portion of the Capitol were taken by the associate architects and engineers and measured drawings were prepared. This was necessary for the purpose of developing accurate information with respect to room sizes, wall thicknesses, elevations of floors, and other items, which information was not recorded on the drawings available in the office of the Architect of the Capitol.

Space survey

The associate architects also made a detailed survey of present space usage and present and future space requirements for functions which must operate within the Capitol in serving the Congress. This information was necessary as a criterion for the orderly development of preliminary plans in accordance with space and usage requirements.

The study made by the associate architects developed the need for 139,250 additional square feet of floor space to accommodate present needs, with some allowance for future growth. Of the 139,250 additional square feet of space required, 33,318 square feet represent additional space for restaurants. The present Senate and House restaurant facilities occupy 22,162 square feet of floor space.

The shortage of office and committee space was found to be acute, particularly in areas close to the House and Senate Chambers, as was also the shortage of space for House and Senate Document Room use.

Inspection of the dome

Before proceeding with plans for the extension of the east front, the Architect of the Capitol considered it essential to have a thorough investigation made of the physical condition and strength of the dome and its supporting structure. The last inspection of the Capitol dome had been made by Thomas W. Marshall, civil engineer, in 1933.

On June 11, 1956, a contract was entered into with Seelye, Stevenson, Value & Knecht for furnishing all engineering services necessary for a complete structural engineering study and survey of the dome of the Capitol and submitting to the Architect of the Capitol a report describing the exact conditions disclosed, including an opinion as to the safety of the structure and recommendations as to measures to improve its stability.

Before work was started under this contract, Allyn Cox, the artist who had previously completed the rotunda frieze, was requested to submit a report to the Architect of the Capitol with respect to the condition of the fresco in the canopy of the dome. Mr. Cox reported that the fresco appears to be in a good state of preservation, but that this can only be finally determined by an inspection made at close range from a scaffold.

Seelye, Stevenson, Value & Knecht, upon completion of their inspection of the Capitol dome, reported that it was basically safe, but recommended that certain repairs and improvements be made. Their report is on file in the architect's office.

Analysis of sandstone

During the summer of 1956, in order to determine the exact condition of the deteriorating sandstone in the exterior walls of the central portion of the Capitol, nine sample core borings were taken from selected spots in the walls and submitted to the National Bureau of Standards for petrographic and chemical analysis. The results of their studies revealed a wide range in the quality of the stone. Only 3 of the 9 samples could be regarded as good quality stone; the other 6 ranged from medium to poor.

Because of the general deterioration of the sandstone, the Bureau of Standards recommended either the removal of the exterior surface of the stone and a continuation of frequent painting or, preferably, since it would be less costly over a period of years, the refacing of the present walls with durable stone. Their report is on file in the Architect's office.

Examination of foundations and subsoil

There was very little information available on the foundations of the Capitol and the subsoil conditions on Capitol Hill. In view of this, in September of 1956, the Architect of the Capitol engaged the firm of Moran, Proctor, Mueser & Rutledge, consulting engineers, to conduct an investigation of subsoil conditions in the old area of the Capitol Grounds, and at the building and in the areas immediately adjacent thereto. The engineers were also asked to investigate the foundations of the building and the possibility of underpinning any part of the Capitol if it should be required in carrying out proposed extensions.

Moran, Proctor, Mueser & Rutledge reported that the bearing capacity of underlying strata was satisfactory, that the structural condition of the foundations was basically sound, and that it would be practical and safe to do any underpinning of the Capitol which might be required. Their report is on file in the Architect's office.

SECTION 2. PROPOSED CHANGES AND IMPROVEMENTS

1. Scheme B: Extension of east central front of Capitol, architectural plan, 1905, House Document 385, 58th Congress:

Extension of the east central portion of the Capitol, approximately 32 feet 6 inches, and construction of new extension in marble—in substantial accordance with scheme B of the 1905 architectural plan—authorized by Public Laws 242 and 406, 84th Congress: $10,100,000.

Congress, in enacting Public Law 242, 84th Congress, as amended by Public Law 406, 84th Congress, approved the adoption of scheme B of the architectural plan developed by Carrere and Hastings in 1904 and submitted to Congress by Joint Commission of Congress in 1905, House Document 385, 58th Congress. This scheme provides for extending the eastern central portion of the Capitol approximately 32 feet 6 inches to the east and construction of the new extension in marble to harmonize with the Senate and House wings. This scheme having been approved by Congress, it became the duty of the Architect of the Capitol, the advisory architects, and the associate architects and engineers to study the most effective way of accomplishing the proposed extension.

Scheme B, as recommended by the Architect of the Capitol, the advisory architects, and the associate architects and engineers, provides for the extension of the east central front of the Capitol approximately 32 feet 6 inches and preserves the architectural details of the building as they now exist. It is proposed to reproduce in marble, in substantially the same detail, all present architectural features of the central portion, such as cornices, pilasters, columns, bases, pedestals, and pediments. Marble will be selected of a color and texture to harmonize with the Senate and House wings. Extension of the east front of the Capitol will eliminate the necessity of removing the sandstone facing from the east walls of the Capitol and refacing the walls with marble. Granite will be used for base course and steps.

The adoption of scheme B will provide 44,930 square feet of additional primary and secondary space, not counting space used for circulation and mechanical equipment.

It provides for additional restaurant facilities seating 115 persons in the House, and a like number in the Senate, but provides no additional restaurant facilities for employees or visitors. Existing House restaurant facilities provide accommodations for 353 persons and existing Senate restaurant facilities provide accommodations for 269 persons.

If scheme B only is adopted, unbroken private circulation from end to end of the building cannot be provided for Members of Congress except on the gallery floor.

Under Scheme B, it is estimated that the following additional, or comparable, accommodations can be obtained: 54 office rooms, 8 rooms for House and Senate document room use, 2 dining rooms (1 House, 1 Senate), 9 storage rooms.

2. Refacing west front of Capitol: Architectural plan, 1905, House Document 385, 58th Congress:

Removal of sandstone facing from the west central portion of the Capitol between the House and Senate wings, and replacing the sandstone facing with marble—in substantial accordance with the 1905 architectural plan—authorized by Public Laws 242 and 406, 84th Congress, $4,065,000.

The architectural plan submitted to Congress in 1905 in House Document 385, 58th Congress, included, in addition to scheme B, the removal of the sandstone facing from the west central portion of the Capitol between the House and Senate wings and replacing of the sandstone facing with marble.

The deterioration of the sandstone on both the east and west fronts has progressed to a point where pieces of stone now drop off with the paint, as the paint scales off. The deterioration each year is becoming progressively worse.

Should the Commission decide to approve extension of the west central portion of the Capitol, as hereinafter proposed in this report, then the only portion of the west front which would have to be refaced with marble is the central section between the original north and south wings. Refacing of the original north and south wings with marble should be done only if such wings are not eventually to be extended. Because of the deteriorated condition of the sandstone on the west front, a decision with respect to its replacement is necessary.

If only the central section between the original north and south wings is refaced with marble at this time, the estimated cost of $4,065,000 would be reduced to $1,595,000.

ADDITIONS TO AND MODIFICATIONS OF 1905 ARCHITECTURAL PLAN—TO BE EFFECTED AT THE EAST SIDE OF THE CAPITOL—AUTHORIZED BY PUBLIC LAWS 242 AND 406, 84TH CONGRESS

3. Transportation terminals at the Capitol for the new Senate and House Office Buildings subway: $4,025,000.

Under funds provided for the additional Senate Office Building, a new subway and underground transportation system are about to be constructed between the Senate Office Buildings and the Capitol. This work is being performed under the direction of the Senate Office Building Commission.

Under funds provided for the additional House Office Building project, new subways and underground transportation systems are to be constructed in the next several years between the three House Office Buildings and the Capitol. This work will be performed under the direction of the House Office Building Commission.

New terminals for these subways will have to be constructed in or adjacent to the Capitol and this work must be done under extension of the Capitol project funds.

The estimated cost of the proposed terminals is $4,025,000—of which, $1,900,000 are for the Senate terminal and $2,125,000 are for the House terminal.

4. Four-level, underground garage, providing parking accommodations for approximately 1,900 automobiles—to be constructed under the east plaza; also, vehicular tunnels providing entrance and exit to the garage from the north, south, and west: $41,970,000.

The serious problem of insufficient parking space and inadequate service facilities can best be solved by taking advantage of space underground. The architects recommend that the present use of the Capitol plaza as a parking lot, which mars the beauty of the eastern approach, be discontinued and that the plaza be replaced with landscaping suitable to the grandeur of the building.

There is an urgent need for adequate and modern service facilities. For more than 75 years, the Capitol has depended on two small sidewalk lifts at the east front of the Capitol for the conveyance of supplies, materials, and equipment into the building. The continued use of these service facilities is unsatisfactory from the standpoint of adequacy and efficiency.

It is recommended that a four-level underground garage, providing parking accommodations for approximately 1,900 cars be constructed under the East Plaza. It is also recommended that vehicular tunnels be provided, affording entry and exit to the garage from the north, south, and west.

With respect to the vehicular tunnels, it is proposed that a two-lane, one-way traffic tunnel enter the garage from the southwest to the second level down on the south end and exit to the northwest on the north end; that a two-lane, two-way traffic tunnel enter from D Street NE., under Delaware Avenue, to the north end of the third level down; and that a two-lane, two-way traffic tunnel, originating at D Street SE., under New Jersey Avenue SE., enter the garage at the south end of the third level down.

All three tunnels would serve as entrances and exits for automobiles of Members of Congress and their employees. Visitors' automobiles and taxi traffic would be restricted to the west tunnel, and service traffic would be restricted to the north and south tunnels.

If it should be desired by the Commission to provide an entrance and exit to the garage from the east, a two-lane, two-way tunnel can be constructed under East Capitol Street, entering the east end of the garage on the first level down, at an additional cost of $6 million.

Construction of this garage will not only eliminate parking on the Plaza and in other areas of the old Capitol grounds, but will eliminate the sidewalk lifts and provide in lieu thereof adequate modern and efficient underground service facilities.

Should it be desired not to construct the easterly portion of the garage, reducing parking accommodations from 1,900 to 1,100 cars, the estimated cost of the garage would be reduced by $8,243,000—or from $41,970,000 to $33,727,000.

5. Pedestrian tunnels connecting the Capitol with the Supreme Court Building and the Library of Congress buildings, $960,000.

It is proposed that pedestrian tunnels be constructed from the underground garage to the Supreme Court Building and the Library of Congress buildings in order to provide underground access to those buildings from the Capitol.

6. Scheme C: Includes scheme B and additions to and modifications of the 1905 architectural plan—to be effected at both the east and west sides of the Capitol.

Total, 1905 architectural plan modified to include additional improvements at the east side of the Capitol, $61,120,000.

Deduct the cost of the following work included under Item 2. 1905 Architectural Plan, not required under scheme C: Under scheme C, due to proposed extensions on the west side, the sandstone facing will not have to be removed from any part of the west central portion of the Capitol and replaced with marble, except the west wall of the portion of the central building located between the original north and south wings.

For work omitted under scheme C: Deduct $2,470,000.

Total: $58,650,000.

Extension of the basement story of the west central portion of the Capitol across the courtyards to the west terrace structure; also partial extension of the west terrace structure and relocation of west steps and approaches.

Extension of the original north and south wings of the west central portion of the Capitol and extension of the House and Senate connections—by erection of additions to these portions of the central structure, from the first floor to the attic floor, inclusive; also enlargement of the west portico—the new structures to be constructed of marble: $16,625,000.

Total, 1905 architectural plan modified to include additional improvements at both the east and west sides of the Capitol: $75,275,000.

General description, scheme C

In view of the fact that the extension of the east central front under scheme B will provide only 44,930 square feet of additional space out of a total of 139,250 square feet of additional space required, the associate architects studied the advisability of making extensions on the west side of the Capitol to provide the additional needed space.

There have been no additions to the Capitol since construction of the terraces in 1884–1892. With the vast growth that has occurred in the Nation, the National Capital, and the work of the Congress since that time, adequate relief from existing deficiencies in office, committee, and other facilities cannot be provided simply through the extension of the east front.

It is proposed to extend the basement story of the west central portion of the Capitol, across the courtyards, to the west terrace structure. It is also proposed to partially extend the west terrace structure and to relocate the west steps and approaches. It is further proposed to extend the original north and south wings of the west central portion of the Capitol, and the House and Senate connections, by erection of additions to these portions of the central structure, from the first floor to the attic floor, inclusive; also, to enlarge the west portico.

The new extensions would be constructed of marble on a base of granite, in keeping with the Senate and House wings.

As the west central section between the original north and south wings would be retained in its present location, from the first floor level up, the present sandstone facing of this portion of the building would be replaced with marble.

The proposed additions to the original north and south wings will not extend westward beyond the undisturbed central portion between the wings.

Extension of the west front will provide the following or comparable additional space: 55 office rooms and 8 committee rooms with anterooms (or in lieu thereof, 79 office rooms), 2 document rooms, 7 storage rooms, increased accommodations for the Senate Library, increased accommodations for the Senate and House restaurants.

Scheme C provides not only additional office, committee, and other related space, but also provides private unbroken circulation on each floor, from end to end of the building, for Members of Congress; more efficient underground service to the building and the kitchens; and a satisfactory solution to the problem of mechanical transportation to the floors of the House and Senate Chambers.

Under scheme C, it is proposed to install in the west side of the Capitol, 2 elevators and an ascending and descending escalator in the extended Senate connection; 2 elevators and an ascending and descending escalator in the extended House connection; and 2 elevators and an ascending and descending escalator in the central portion west of the rotunda. In addition, 2 service elevators are to be provided—1 for the House and 1 for the Senate.

Restaurant facilities, scheme C

Under scheme C, it is proposed to relocate the House and Senate restaurant facilities to the west terrace; and to provide, in lieu of present accommodations, Senate restaurant dining facilities with seating accommodations for 330 persons; House restaurant dining facilities with 440 seating accommodations; and joint restaurant facilities for 535 employees and visitors—a grand total seating accommodation for 1,305 persons. This compares with present total seating accommodations for 622 persons.

The new restaurant facilities will be provided by relocating the west central steps from their present position to a position on the axis of the House and Senate connections and by extending to the line of the relocated steps the central marble section of the terrace, already provided with windows, and relocating the restaurant in this part of the terrace structure. Relocation of the restaurant in this section of the terrace will provide diners with an outlook over the Mall.

Recapitulation, scheme C

A summary of proposed additional accommodations to be provided on the east and west sides of the Capitol under scheme C follows:

Additional accommodations	East	West	Total
Office rooms	54	55	[1] 109
Committee rooms with anterooms		8	[1] 8
Document rooms (House and Senate)	10		10
Storage rooms	9	7	16
Dining rooms:			
Senate facilities, seating accommodations for 330 persons.			
House facilities, seating accommodations for 440 persons.			
Joint facilities for employees and visitors, seating accommodations for 535 persons.			
Increased accommodations for Senate Library.			

[1] If the 8 committee rooms with anterooms are eliminated, a total of 133 office rooms can be provided.

The interior arrangements proposed are subject to further study and the subdivisions are indicated merely as a possible guide to the use of the space. The architects realize that assignment of space in the Capitol can only be accomplished by the Congress through its officers and committees. When a final scheme is decided upon, the architects would expect to work very closely with the Commission of Congress in charge of the project and the Architect of the Capitol, in order to arrive at the best subdivision of the interior space to fulfill the requirements of the Senate, the House, and the public.

ADDITIONS TO AND MODIFICATIONS OF 1905 ARCHITECTURAL PLAN—TO BE EFFECTED AT THE EAST SIDE OF THE CAPITOL—AUTHORIZED BY PUBLIC LAWS 242 AND 406, 84TH CONGRESS—FOR WHICH ESTIMATES OF COSTS ARE NOT PRESENTLY AVAILABLE

1. Communications center

Studies have been made providing for the construction of an underground vault, adjacent to the Capitol and under the east central steps extended, to serve as a communications center for Capitol Hill, with sufficient space for present and anticipated future needs. In planning the east front improvements, space has been reserved for such a vault, but plans and estimates of cost have not been sufficiently developed to submit to the Commission at this time.

This vault, if not required for use as a communications center, could be effectively used for storage purposes by the House and Senate.

2. Underpinning

The contemplated extensions of the Capitol have been so planned as to minimize the disturbance of existing foundations. The project will have to be studied further before requirements for underpinning can be ascertained. Underpinning will necessarily be affected to some extent by the staging and manner of performance of the construction work.

3. Landscape treatment of the Capitol Grounds

Since a decision with respect to a particular scheme for the landscape treatment of the grounds is not imperative at this time, it is proposed to submit to the Commission at a later date, plans for the landscape treatment of the grounds, after they have been agreed upon by the Architect of the Capitol, the landscape architects, and the advisory group of architects.

Two preliminary studies have been developed by the landscape architects for the landscape treatment of the Capitol Grounds to effect a redesign of the grounds made necessary by the proposed extension of the east front of the Capitol. It is estimated that either of these redesigns would cost approximately $5 million.

The preliminary studies propose the construction of a large paved plaza to the east of the building, extending from the north side of the Senate wing to the south side of the House wing, with a fountain or fountains as a feature of the plaza. It is proposed that this new plaza area be restricted to pedestrian traffic. It will be so designed, however, that on emergency or other occasions, the weight of vehicular traffic may be sustained and access by fire apparatus and other emergency equipment will be possible. The plans for the new plaza provide for the preservation of the historic trees in the Capitol Grounds.

4. Repairs to Capitol dome

As a result of the survey and examination of the Capitol dome made by the engineering firm of Seelye, Stevenson, Value & Knecht, under contract of June 11, 1956, repairs to improve the stability of the Capitol dome have been recommended.

Plans and specifications for such repairs are now being prepared by Seelye, Stevenson, Value & Knecht under contract of July 2, 1957.

It is proposed to erect interior scaffolding to inspect the Brumidi fresco painting in the eye of the dome; to remove the copper covering from above the painting and to examine the condition of the plaster and iron frame structure containing the painting; and to make any repairs found necessary.

In addition to other necessary interior and exterior repairs, it is proposed to scaffold the exterior of the dome and to remove the rib covering from the upper exterior portion of the dome; to examine the ironwork beneath the rib covering and to make repairs to such ironwork as may be found necessary.

This work may cost in the neighborhood of $300,000, due largely to the costliness of the exterior and interior scaffolding of the dome required for these repairs.

This work should be coordinated with other east front improvements proposed under the extension of the Capitol project.

5. Replacement of lighting fixtures and wiring in existing Capitol Building

Under funds allowed in the Second Supplemental Appropriation Act, 1955, a survey and study were made of the existing illumination of the Capitol Building, by Willard W. Thompson, lighting consultant, under contract of May 23, 1955, with a view to improving the illumination of the Capitol.

The findings made under this report should now be coordinated with the lighting and power requirements of the proposed extensions of the Capitol; also, with the plans for converting the Capitol from 25-cycle alternating and direct current to 60-cycle alternating current under the Capitol Power Plant changes and improvements projects.

It is proposed to have such further studies made under the extension of the Capitol program; and when coordinated preliminary plans and estimates of cost are completed, recommendations will be submitted to the Extension of the Capitol Commission for improving the illumination of the lighting of the Capitol through replacement of existing lighting fixtures and wiring with properly designed fixtures.

SECTION 3. CONSOLIDATED TABLE OF ESTIMATED COSTS OF PROPOSED CHANGES AND IMPROVEMENTS

1. Scheme B, extension of east central front of Capitol, architectural plan, 1905, House Document 385, 58th Congress:

Extension of the east central portion of the Capitol, approximately 32 feet 6 inches, and construction of new extension in marble—in substantial accordance with scheme B of the 1905 architectural plan—authorized by Public Laws 242 and 406, 84th Congress: $10,100,000.

2. Refacing west front of Capitol, architectural plan, 1905, House Document 385, 58th Congress:

Removal of sandstone facing from the west central portion of the Capitol between the House and Senate wings, and replacing the sandstone facing with marble—in substantial accordance with the 1905 architectural plan—authorized by Public Laws 242 and 406, 84th Congress: $4,065,000.

Total, substantial effectuation of 1905 architectural plan: $14,165,000.

ADDITIONS TO AND MODIFICATIONS OF 1905 ARCHITECTURAL PLAN—TO BE EFFECTED AT THE EAST SIDE OF THE CAPITOL—AUTHORIZED BY PUBLIC LAWS 242 AND 406, 84TH CONGRESS

3. Transportation terminals at the Capitol for the new Senate and House Office Buildings subways: $4,025,000.

Total: $18,190,000.

4. Four-level underground garage, providing parking accommodations for approximately 1,900 automobiles—to be constructed under the east plaza; also, vehicular tunnels providing entrance and exit to the garage from the north, south, and west: $41,970,000.[1] [2]

Total: $60,160,000.

5. Pedestrian tunnels connecting the Capitol with the Supreme Court Building and the Library of Congress Buildings: $960,000.

Total, 1905 architectural plan modified to include additional improvements at the east side of the Capitol: $61,120,000.[3] [4]

6. Scheme C: Includes scheme B and additions to and modifications of the 1905 architectural plan—to be effected at both the east and west sides of the Capitol.

Brought forward: Total, 1905 architectural plan modified to include additional improvements at the east side of the Capitol: $61,120,000.

Deduct the cost of the following work included under item 2—1905 architectural plan—not required under scheme C:

Under scheme C, due to proposed extensions on the west side, the sandstone facing will not have to be removed from any part of the west central portion of the Capitol and replaced with marble, except the west wall of the portion of the central building located between the original north and south wings.

For work omitted under scheme C, deduct: $2,470,000.

Total: $58,650,000.

Extension of the basement story of the west central portion of the Capitol across the courtyards to the west terrace structure; also partial extension of the west terrace structure and relocation of west steps and approaches.

Extension of the original north and south wings of the west central portion of the Capitol and extension of the House and Senate connections—by erection of additions to these portions of the central structure, from the first floor to the attic floor, inclusive; also enlargement of the west portico—the new structures to be constructed of marble: $16,625,000.

Total, 1905 architectural plan modified to include additional improvements at both the east and west sides of the Capitol: $75,275,000.[3] [4]

SECTION 4. RECOMMENDATIONS AND COMMENTS

The Architect of the Capitol, in submitting to the Commission the foregoing proposals of the associate architects for the accomplishment of the extension of the Capitol project, recommends the adoption of scheme C, embracing all improvements proposed for both the east and west sides of the Capitol, at an estimated cost of $75,275,000 on the basis of preliminary plans completed to date.

The Architect of the Capitol also recommends approval, as an integral part of the project, of the items of underground vault for communications center, underpinning of the Capitol, landscape treatment of the Capitol Grounds, repairs to the Capitol dome, and replacement of lighting fixtures and wiring in the existing Capitol Building, including additional fees, administrative and contingent expenses, for which preliminary plans and estimates of cost have not yet been completed—expected to bring the total estimated cost of the project to $110 million.

This recommendation is concurred in by the associate architects and by the advisory group of architects. Mr. Arthur Brown, Jr., a member of the advisory group, died July 7, 1957, but concurred in these recommendations before his death.

Thomas U. Walter, the fourth Architect of the Capitol, who designed and supervised the construction of the Senate and House Wings and the present cast iron dome, strongly urged the extension of the central portion of the Capitol eastward in 1863. Since that time, such extension has been recommended by every Architect of the Capitol who has succeeded Mr. Walter; also, by consulting architects retained to study and report upon the problem.

The present Architect of the Capitol feels that he may aptly express his opinion with respect to the proposed extension in these words, uttered by Speaker Joe Cannon in ad-

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[1] If the easterly portion of the four-level underground garage is not constructed, reducing parking accommodations from 1,900 to 1,100 automobiles, deduct $8,243,000 from the $41,970,000 estimated cost of the garage and vehicular tunnels.

[2] If additional vehicular tunnel is constructed, providing entrance and exit to garage from the east, add $6,000,000 to the $41,970,000 estimated cost of the garage and vehicular tunnels.

[3] In addition to the total of $75,275,000 proposed to be obligated, an amount of $2,161,426 has already been obligated for architectural, engineering, and consulting services, administrative expenses, test borings and test pits.

[4] The total of $75,275,000 proposed to be obligated, does not include the following items for which preliminary plans and estimates of cost have not yet been fully developed, which are expected to bring the total estimated cost of the project to $110,000,000: Underground vault for communications center (alternate use: House and Senate storage); underpinning of Capitol; landscape treatment of Capitol grounds; repairs to Capitol dome; replacement of lighting fixtures and wiring in existing Capitol building; additional architectural, engineering and consultant fees, dependent upon the scope of the project approved; miscellaneous administrative expenses and contingencies until completion of project.

NOTE.—No plans and estimates of cost are presently available with respect to a large storage vault proposed to be constructed under the east plaza, in addition to the above improvements, and accordingly no amount has been included for this item in the grand total estimated project cost of $110,000,000. The most estimates used in this report are preliminary estimates, based on preliminary drawings and on such information as now available concerning existing building and site conditions and on prices as of April 1957, and are subject to further adjustment upon completion of contract drawings and specifications developed in accordance with approved scope of project and approved sequence and staging of construction work.

dessing the House of Representatives on February 10, 1903:

"The intelligent and patriotic and industrious service by every Congress for two years, well equipped from every standpoint and with every aid, would more than save the cost of the Capitol extension. * * * So it is really economy instead of extravagance."

When the Architect of the Capitol engaged the services of the advisory group of architects and of the associate architects and engineers, he emphasized that the individual thinking of each architect and engineer was needed in studying the most effective manner in which to accomplish the proposed extension of the Capitol as directed by the Congress, and that there would be no restrictions imposed on their approach in attaining such accomplishment.

The recommendations of the associate architects and engineers and of the advisory group of architects, as submitted in this report, represent the coordination, development and refinement of the thinking of the various architects and engineers, attained through collaboration, study and conference over a long period. Their recommendations represent the work of men dedicated to the preservation of the architectural dignity and majesty of the United States Capitol, while carrying out their commission to accomplish authorized changes and improvements in a manner to serve effectively the needs of the Congress, now and in the future.

The architects and engineers formulated their plans with a view to providing improvements that would directly benefit the membership of the House and the Senate with respect to their space needs, and particularly with a view to supplying space shortage needs in areas close to the House and Senate Chambers.

Perhaps the sentiment of the architects and engineers may be expressed in the words of Dr. Charles Moore, in his introduction to Glenn Brown's History of the United States Capitol:

"Historically the Capitol at Washington is the most important structure in the United States. Other buildings, such as the Old South Church in Boston and Independence Hall in Philadelphia, are connected with important episodes in the history of this country. The Capitol is unique in that it both typifies the beginning and also marks the growth of the Nation. Like the great Gothic cathedrals of Europe, its surpassing merit is not its completeness, but its aspirations. Like them, too, the Capitol is not a creation, but a growth, and its highest value lies in the fact that it never was, and it never will be, finished."

The architects and engineers have all given their time and interests, wholeheartedly, to this project; have worked as a team; and have striven through their combined efforts to attain the best possible results in the interest of the Congress and the Nation.

The Architect of the Capitol highly commends to the Commission the work of the Associate Architects and Engineers, the Advisory Group of Architects, the Landscape Architects, and of all others engaged in connection with this project; and, in expressing appreciation of their work, commends them as an outstanding group of professional men.

In recommending these improvements, the Architect of the Capitol is confident that when the proposed extensions of the Capitol are completed, the dome of the Capitol, which has for so many years served as a symbol of freedom throughout the world, will be, as it always has been, the dominant and inspiring feature of this great building.

PART III

SECTION 1.—*Proposed schedule for staging of construction work, east and west sides of Capitol*

	Propose to let contract	Propose to complete work		Propose to let contract	Propose to complete work
Marble and granite quarrying, cutting, and carving.	January 1958	January 1961.	Pedestrian tunnels: Connecting Capitol with Library of Congress Buildings and Supreme Court Building.	June 1960	June 1961.
Underground garage:			East front extension:		
Relocation of utilities	April 1958	November 1958.	Substructure	January 1959	January 1960.
Excavation and foundation	November 1958	November 1959.	Superstructure	January 1960	January 1962.
Structure (4 levels)	December 1959	May 1961.	West front extension:		
Vehicular tunnels:			Substructure	July 1959	July 1960.
North and south tunnels	April 1958	April 1959.	Superstructure	February 1961	July 1963.
West tunnel	May 1960	May 1961.	West terrace extensions and relocating west steps.	July 1959	October 1960.
Transportation terminals:			Alterations within Capitol Building, including attic changes, basement level changes, House and Senate connections.	October 1961	December 1962.
Senate subway	January 1959	January 1960.			
House subways	July 1960	July 1961.			

NOTE.—Conversion of electrical lighting and power systems and other electrical equipment in the Capitol Building from 25-cycle alternating and direct current to 60-cycle alternating current—under Capitol Power Plant changes and improvements project—expected to start in September 1958 and to be completed in 1960.

NOTE.—Proposed schedule to be presented at a later date for those previously indicated items for which preliminary plans and estimates of cost have not yet been completed.

SECTION 2.—*Proposed schedule of obligations, construction work, east and west sides of Capitol*

Obligations	Fiscal year 1958	Fiscal year 1959	Fiscal year 1960	Fiscal year 1961	Fiscal year 1962
Marble and granite quarrying, cutting, carving	$4,967,000	--------	--------	--------	--------
Underground garage:					
Relocation of utilities	800,000	--------	--------	--------	--------
Excavation and foundation	--------	$7,500,000	--------	--------	--------
Structure (4 levels)	--------	--------	$20,930,000	--------	--------
Vehicular tunnels:					
North and south tunnels	9,290,000	--------	--------	--------	--------
West tunnel	--------	--------	3,450,000	--------	--------
Transportation terminals:					
Senate Subway	--------	1,900,000	--------	--------	--------
House Subways	--------	--------	--------	$2,125,000	--------
Pedestrian tunnels: Connecting Capitol with Library of Congress Buildings and Supreme Court Building	--------	--------	960,000	--------	--------
East front extension:					
Substructure	--------	$1,417,400	--------	--------	--------
Superstructure	--------	--------	$6,087,600	--------	--------
West front extension:					
Substructure	--------	--------	1,449,200	--------	--------
Superstructure	--------	--------	--------	$7,462,000	--------
West terrace extensions and relocating west steps	--------	--------	3,652,000	--------	--------
Alterations within Capitol Building (including attic changes); and basement level changes, House and Senate connections	--------	--------	--------	--------	$3,284,800
Total obligations	15,057,000	10,817,400	36,528,800	9,587,000	3,284,800
Grand total obligations, fiscal years 1958 to 1962, inclusive	--------	--------	--------	--------	75,275,000

NOTE.—Obligations are predicated on preliminary estimates of cost based on preliminary drawings completed to date and on other information now available concerning the existing building and site conditions, and on prices as of April 1957.

No obligations are included for those previously indicated items for which preliminary plans and estimates of cost have not been completed, estimated to increase the total obligations from $75,275,000 to $110,000,000.

SECTION 3.—*Proposed schedule of expenditures, construction work, east and west sides of Capitol*

	Fiscal year 1958	Fiscal year 1959	Fiscal year 1960	Fiscal year 1961	Fiscal year 1962	Fiscal year 1963	Total
Marble and granite quarrying, cutting, carving	$1,000,000	$1,250,000	$1,500,000	$1,217,000	--------	--------	$4,967,000
Underground garage:							
Relocation of utilities	300,000	500,000	--------	--------	--------	--------	800,000
Excavation and foundation	--------	3,000,000	4,500,000	--------	--------	--------	7,500,000
Structure (4 levels)	--------	--------	6,900,000	14,030,000	--------	--------	20,930,000
Vehicular tunnels:							
North and south tunnels	3,000,000	6,290,000	--------	--------	--------	--------	9,290,000
West tunnel	--------	--------	--------	3,450,000	--------	--------	3,450,000

SECTION 3.—*Proposed schedule of expenditures, construction work, east and west sides of Capitol*—Continued

	Fiscal year 1958	Fiscal year 1959	Fiscal year 1960	Fiscal year 1961	Fiscal year 1962	Fiscal year 1963	Total
Transportation terminals:							
Senate subway		950, 000	950, 000				1, 900, 000
House subways				2, 125, 000			2, 125, 000
Pedestrian tunnels:							
Connecting Capitol with Library of Congress buildings and Supreme Court Building				960, 000			960, 000
East front extension:							
Substructure		717, 400	700, 000				1, 417, 400
Superstructure			1, 500, 000	2, 595, 900	$1, 991, 700		6, 087, 600
West front extension:							
Substructure			362, 300	1, 086, 900			1, 449, 200
Superstructure				2, 823, 500	3, 080, 700	$1, 557, 800	7, 462, 000
West terrace extensions and relocating west steps			2, 435, 000	1, 217, 000			3, 652, 000
Alterations within Capitol Building (including attic changes); and basement level changes, House and Senate connections					1, 642, 400	1, 642, 400	3, 284, 800
Total	4, 300, 000	12, 707, 400	18, 847, 300	29, 505, 300	6, 714, 800	3, 200, 200	75, 275, 000

NOTE.—Additional expenditures required for architectural and engineering consultant services, administrative and contingent expenses.

PART IV

SECTION 1. POSSIBILITIES FOR FURTHER FUTURE EXPANSION, AFTER CHANGES AND IMPROVEMENTS AUTHORIZED BY PUBLIC LAWS 242 AND 406, 84TH CONGRESS, HAVE BEEN ACCOMPLISHED

Recognizing that in the years to come further extensions of the Capitol may be necessary to meet future needs of the Congress, the associate architects and engineers and the advisory group, at the request of the Architect of the Capitol, have planned the changes and improvements authorized by Public Law 242 and Public Law 406, 84th Congress, in such a manner as to permit such future extensions.

Just as the first Architect of the Capitol in 1793 could not foresee the growth of the Capitol that would be necessary in the next 60 years; and Thomas U. Walter, during the Civil War, could not foresee that in the next 100 years, despite the removal of the Supreme Court, the Library of Congress and the congressional offices from the Capitol, more space would be desperately needed; even so in 1957 the associate architects cannot foresee all the needs of the next 100 years. The present extensions have been planned so that future architects are not prevented from extending the Capitol in a logical manner to meet the needs of future generations and in a manner to preserve its architectural dignity.

The associate architects suggest the following as possible solutions to future needs for expansion:

1. Extension of the present Senate and House wings to the east a distance approximately equal to eastward extension of the east front.[1]

2. Wings extended north from the north portico of the Senate wing, and south from the south portico of the House wing.[1]

3. An extension north and south of the present terrace on the east side.

4. An extension northwest and southwest of the present terrace on the west side.

5. The addition of a lower level in the present terrace by changing the grade to permit windows.

The advisory group of architects strongly recommends that, when further extensions of the Capitol become necessary in the future, such extensions be accomplished by extending the Senate and House wings eastward, approximately the same distance as the east central front is extended—as such extension, in their judgment, will result in a contribution to the beauty and dignity of the Capitol.

PART V

CONCLUSIONS

The Architect of the Capitol has now proceeded with work under the extension of the Capitol project as far as he may feasibly do so without further direction from the Commission for the Extension of the Capitol.

The Architect of the Capitol therefore respectfully requests the decision of the Commission with respect to the following:

1. Approval of program, criteria, and scope of project.

2. Approval of preliminary plans and estimates of cost.

3. Authorization for the Architect of the Capitol to direct the associate architects and Engineers to proceed with the preparation of contract drawings and specifications in substantial accordance with the preliminary plans.

4. Authorization for the Architect of the Capitol to enter into such contracts as may be necessary for the accomplishment of the construction work—such contracts to be on a cost-plus-a-fixed-fee basis, selective bidding basis, or open competitive bidding basis—dependent upon which type of contract will best serve the interests of the Government in the performance of the particular work involved.

5. The extent to which the Commission wishes the Architect of the Capitol to confer with members of the Commission in the letting of construction contracts.

6. Approval of the staging of the work, in general, as proposed.

7. Approval of proposed obligations and expenditures.

8. Approval of use of $110 million as the present estimated total cost of the project—for purposes of the 1959 budget, which requires a total projected cost to be shown.

9. Authorization to request an additional appropriation of $5 million for the fiscal year in the 1959 budget.

10. Approval of marble to be used in the east and west extensions.

11. Disposition of the old Aquia Creek sandstone to be removed from the east and west central fronts.

12. Authorization to proceed with the work of repairs to the dome—both interior and exterior.

13. Authorization to continue with the development of preliminary plans and estimates of cost for the proposed communications center, landscape treatment of the Capitol Grounds, and replacement of lighting fixtures and other items required for the improved illumination of the Capitol.

14. Authorization to prepare a directive, or directives, for the signatures of Speaker RAYBURN and Senate Minority Leader KNOWLAND, on behalf of the Commission, as agreed to at meeting of the Commission on March 26, 1956, to carry out decisions reached with respect to present report.

15. Issuance of press releases—also, release of present report to the press.

As indicated to the Commission in this report, the estimates of cost are preliminary estimates of cost based on preliminary drawings completed to date and on such other information as now available concerning existing building and site conditions, and on prices as of April 1957, and are subject to further adjustment upon completion of contract drawings and specifications developed in accordance with the approved scope of the project and the approved sequence and staging of construction work.

In this connection, it may be stated that the improvements have been so programed as to permit the holding of the 1961 inaugural ceremonies at the west front of the Capitol, should such ceremonies be desired to be held at the Capitol for the next inauguration.

Staging of the construction work constitutes a major problem, in view of the fact that the proposed construction work must be performed while the building continues to be occupied, that functions now operating in the building must continue to operate in the Capitol, that adequate means of access to the building must be maintained at all times, that provision must be made for delivery of supplies, materials, and equipment to the building, that traffic to and from the Capitol must be regulated, and that emergency vehicles must have ready access to the building at all times.

Performance of the proposed construction work at the Capitol does not present the simple solution that exists in cases where activities and functions may be transferred, temporarily, in whole or part, to other quarters—such as in the case of the remodeling of the White House.

The staging of the work has been so planned that contracts for the construction work would be let progressively during the next 5 years as contract drawings and specifications for the various parts of the project are completed; performance of the construction work would extend over a period of the next 6 or 7 years, and expenditures for construction work would be prorated accordingly over a similar period. Appropriations would be requested, based on expenditures proposed during such 7-year period. The work, as programed, will require an additional appropriation of $5 million to be requested in the 1959 budget.

JAMES W. MURPHY AND THE CORPS OF OFFICIAL REPORTERS OF DEBATES OF THE SENATE

Mr. STENNIS. Mr. President, during the course of my official duties as chairman of the Legislative Subcommittee on Appropriations, I had occasion to examine into and learn more, in particular,

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[1] These extensions individually or in combination would make possible an enlargement of the present Senate and House Chambers and adjacent supporting space.

about the marvelous work of the Official Reporters of debates of the Senate. I was so greatly impressed with their very fine record of service, the volume of their work, their devoted attention to their professional duties, and their professional pride that I determined to make special note of their work and make some comments on it in the Senate.

Without going into detail, these gentlemen, headed by our esteemed Chief Reporter, Hon. James W. Murphy, render us a service which is partly unnoticed. However, it is extremely important and far reaching. Their service is of the very highest quality.

It was a special pleasure to our subcommittee to hear, from the lips of Mr. Murphy, the very fine outline which he presented relating to the work of the Official Reporters' Office. He submitted a modest request for some small increases in the salaries of the Official Reporters of debates, not including himself.

I have never seen a finer example of professional pride, professional honor, and a consuming desire to serve in his profession those by whom he is employed than was manifested in the heart-to-heart talk with Mr. Murphy.

I also know that he was reflecting the sentiments, the ideals, the responsibilities, and the oldtime sense of personal pride in their work of the other reporters on the staff.

They not only do a marvelous quality of work, but the volume of it in the course of the year is astonishing. The number of hours of service required of them is almost double the time required by the service performed by comparable officers in the House of Representatives—and they are a very fine group, indeed. Not only does their service require them to be on duty for many hours, but at times the continuity of that service is not broken for days on end. They work day and night, day after day. I wish to commend them highly.

I believe I speak the sentiments of all Senators, especially those who have come in close contact with the corps of reporters, and who have some conception of the total of the services which they render. I emphasize again their very high personal quality, their professional skill, and their effort.

TRIBUTE TO SENATOR KNOWLAND, MINORITY LEADER

Mr. DIRKSEN. Mr. President, some years ago a father sent a letter to the president of a girls' college in the East, making application for the enrollment of his charming daughter. In due course he forwarded the application blank. There was a line in the application blank which raised this question: "Is your daughter a good leader?"

When the father filled out the blank, he wrote: "I do not know whether my daughter is a good leader, but I know she is a good follower."

It was not very long before the father received a letter from the president of the college in which he said: "We are delighted to have your daughter as a student in this college. In going over all the applications for enrollment in the new class, we find that we are to have 299 leaders and 1 follower." [Laughter.]

I think of that anecdote often in terms of the responsibilities of the majority leader, and particularly the minority leader, who is, in truth and fact, the administration's spokesman on this floor, and the diversity of interests with which those leaders must be familiar.

It is indeed a difficult thing for the minority leader always to summon and command the maximum vote for a given administration policy. I am satisfied that in his experience there are moments of frustration. We have our individual viewpoints, our problems at home, our convictions on policies, our differences of opinion. Such moments afford a real test of leadership.

By that standard, the Senator from California has been, in every sense, one of the great leaders who have graced this body. His integrity and character have impressed themselves upon the membership of the Senate, upon the staff, and upon all those who are a part of the senatorial family. He has had a constant appreciation of the views and problems of those for whom he speaks as leader of the minority. His boundless energy has always caused me to be somewhat envious. I thought I was endowed with a reasonable amount of physical energy. However, I have never encountered his superior in the stamina and the vigor which he brings to his job. He is skilled and resourceful in the best sense of the word. He is competent and able and has the broad perspective of a true leader. The discharge of his responsibilities requires him to endure long hours of service and to make many sacrifices.

I think I speak the sentiments of all Senators on this side of the aisle, as well as all those on the other side of the aisle, when I say that we salute and pay tribute to a great and indomitable minority leader for the magnificent, able, and sturdy job he has done in carrying the flag for this administration, and for his matchless courage in asserting those deep convictions which are prompted by but one interest, and that is the present and future well-being of this Republic.

Mr. THYE. Mr. President, I wish to join the distinguished Senator from Illinois [Mr. DIRKSEN] in his words of commendation of the minority leader.

I am a few years older than is the Senator from California, but I stand in awe of his wisdom and ability. He has devoted many hours to the tasks involved in serving the Republican Party in this capacity. He has devoted himself to his duty winter and summer, spring and fall. He was able to be present at the wedding of his charming daughter, but he denied himself the pleasure of attending the many receptions and parties given in her honor, in order to be present on the floor of the Senate to look after the affairs of our beloved Nation.

I commend him for the fine service he has rendered as minority leader of the Republican Party.

Mr. JAVITS. Mr. President, as the newest Member on the Republican side, I had a rare opportunity to observe our minority leader in action in connection with the consideration of the civil-rights bill, a historic development in this Chamber.

In addition to paying tribute to the minority leader, I should like to state a few facts. I have participated in many negotiating conferences; but never, in all my experience, professionally, as a State official, as a Member of Congress, and as a trial lawyer, have I seen conferences so full of drama and real tension as the Republican conferences which dealt with the particular problem of the civil-rights bill.

A man less honorable or less fully accepted as possessing complete integrity would have found every one of those conferences breaking up in complete discord and confusion. However, because of the great respect which the minority leader commands from Members on this side of the aisle, as well as those on the other side of the aisle, whether they agree with him or not, it was possible to keep the conferences together, and, what is even more remarkable, to arrive at a result. I think this is a signal achievement of the first order.

Second, the handling of the civil-rights measure on the floor of the Senate required the kind of fortitude which the minority leader showed, and the kind of stick-to-it-iveness which he exhibited in getting the bill on the calendar and finally having action upon it completed.

Often the situation seemed hopeless and frustrating. Often the minority leader took what would have been to a lesser man crushing defeats. I think our reverse in connection with part III was a very serious defeat. The fact that the bill as it passed the Senate did not contain that part, although the House version included it, would have made a lesser man quit; but not the minority leader.

The profound integrity of the minority leader and the great degree of fortitude exhibited by him command my deep respect and sincere affection.

Mr. WILEY. Mr. President, on Rochambeau's monument opposite the White House, there is engraved a quotation:

> We have been contemporaries and fellow laborers in the cause of liberty and we have lived together as brothers should do, in harmonious friendship.

There is a quotation taken from a letter written by George Washington to Rochambeau.

I was a veteran in the Senate when BILL KNOWLAND came along. Now he is a veteran, and I am a youngster. Of course he has had all the worries and fears and doubts. I remember when he came to the Senate. I can still see him: he was a little slenderer than he is now, and full of vim and energy, and radiating the sunshine of the west coast. He brought with him his delightful wife.

Through the years, sitting here as I have been, watching the interchange—the play, if you please—between these two men, the majority leader and the minority leader, I have been kept young by observing them in their efforts to forward the business of the Senate, and by noting how they get along in spite of conflict of interest at times. Yes, I agree that BILL KNOWLAND is a great "guy," a man who has control of himself. That is probably the test of whether a man grows through the years. I have seen the blood flush to his temples and I have heard his tongue say nothing; until he cooled off, and then it was a calm voice that spoke.

I have seen him make the Republican Senators one group in furthering effective programs; I have heard him in caucus meetings, always clear. I know that the President has had the benefit of his wise judgment.

What more can be said, except that he is a good fellow? We know that up ahead there is great adventure for him, because he has the mentality that balances facts. He is not a lawyer, and yet in many respects he is a better lawyer than some of us who practice law, because he can see the issue and apply the legal principles involved.

Now, just a word about the majority leader. He has intrigued me. As I say, I have sat back and watched these two contemporaries, fellow laborers in the cause of liberty. I am glad to know that the majority leader has recovered his health. As I say, I have been intrigued by the way he can whip his group into line, and he does a grand job. I am happy that I can call both of these distinguished commoners of America my friends.

Mr. AIKEN. Mr. President, apropos the remarks of the Senator from Wisconsin, I must admit that after one all-night session and another one running until 1 o'clock in the morning, I feel more like a contemporary of Rochambeau than of BILL KNOWLAND. [Laughter.]

Nevertheless, I still have enough energy left to say that this has been one of the most satisfactory sessions of the Senate in which I have been privileged to sit—and I believe this in my ninth Congress in which I have served. Although the length of the session has disturbed some of us, I believe its accomplishments have justified the extra weeks.

I, too, should like to say that the satisfactory results of the session have been due largely to the splendid and determined efforts of the minority leader, Senator KNOWLAND.

I have seldom seen such astute handling of legislation as has been displayed by the majority leader, the Senator from Texas [Mr. JOHNSON], particularly in the last major bit of legislation, the civil-rights bill. I do not know of any session of which I have been a Member when there have been fewer unkind words spoken by Members of the Senate. I hope the example we have set this year will continue not only through next year, but into the future.

Mr. ALLOTT. Mr. President, I wish to associate myself with the remarks of my colleagues this morning with respect to the leadership of the Senate. I believe it would be improper to mention one without mentioning the other, because the leadership has been outstanding on both sides of the aisle.

I particularly wish to pay my tribute to Senator KNOWLAND, who has guided the Republican side of the Senate through a very difficult session of Congress. I am sure that all the things which a leader does are not appreciated. I am sure that they are not rewarded.

I want to say to you, Bill, that in the hearts of all your colleagues on this side of the aisle we know you have done a wonderful job, and that at least this once we want to thank you for your devotion to it.

Mr. BIBLE. Mr. President, before I suggest the absence of a quorum, I wish to associate myself with all the wonderful things that have been said about the leadership on both sides of the aisle. I had the distinct privilege during the fall of having my State of Nevada honored by the presence of both the majority and minority leaders. In Nevada we think a great deal of both of them. The Vice President of the United States and the minority leader, both from my sister State of California, showed the rare good judgment in picking for their helpmates, their wives, two Nevada girls. That is a real tribute to their respective sagacity.

Mr. KNOWLAND. I should like to say that they both happened to have been born in the same town in Nevada.

Mr. BIBLE. That is correct. They were both born in Ely, Nev.

Mr. WILEY. And both wanted to emigrate. [Laughter.]

Mr. BIBLE. I am sure both want to come back to Nevada. After these tributes to the able leadership on both sides of the aisle—and I know it has been strong and excellent leadership—I now suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that further proceedings under the call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED INCREASE IN POSTAL RATES

Mr. COOPER. Mr. President, I ask unanimous consent that there be printed in the RECORD a statement I have prepared regarding proposed postal-increase legislation recommended by the President and the Postmaster General.

The PRESIDING OFFICER (Mr. STENNIS in the chair). Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

The Senate is faced with a grave responsibility and has an obligation to consider immediately the postal rate-increase legislation recommended by President Eisenhower and Postmaster General Summerfield.

I am informed that about 12 congressional committees are engaged in investigating the Post Office Department. While I am sure that their objective is to be helpful and to make suggestions for the improvement of the postal service, I submit that the greatest need of the postal service of our Nation is a modernized postal-rate structure.

Recently I have received much correspondence criticizing the so-called subsidy which is received by individuals using third-class mail. Doubtless some of this mail is desirable to maintain our economy because it encourages business. However, much of this third-class mail has been characterized as mail not used for or desired by the recipient. For the reason that third-class mailers enjoy a subsidy of about $250 million annually, I believe a reasonable postal-rate increase as proposed by the Postmaster General is not only desirable but necessary. Correspondence I have received indicates that the taxpayers do not wish to support this subsidy for the users of third-class mail, many of whom are enjoying today the greatest prosperity and the highest profits they have ever received.

A cent increase for individual mailings of third-class mail or an increase of 1 cent over a year period for bulk mailings of third-class mail is fair and reasonable. This modest increase will produce about $112 million in additional postal revenues.

THE SMALL BUSINESS ADMINISTRATION AND THE FLOOD CRISIS IN KENTUCKY

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement of the work of the Small Business Administration during the flood crisis in Kentucky.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Flood waters during the period January 29-31, 1957, ravaged eastern Kentucky. There was some loss of life, and property losses ran into the millions. Government as well as private forces promptly moved to mobilize for reconstruction purposes.

The Small Business Administration moved immediately to make available, directly and in cooperation with banks, disaster loans for rehabilitation of losses sustained, whether real or personal, to business and the individual home owner. Mr. James G. Garwick, Regional Director of the Cleveland, Ohio office, James C. Daniels, Manager of the Louisville branch office, and Mr. Anton Dick, Coordinator of Disaster Loan Activities, Washington, D. C., office made a number of personal visits into the stricken areas, to ascertain the extent of needed financial assistance. Mr. John A. Pucel, Disaster Loan Specialist of the Cleveland regional office collaborating with Mr. Anton Dick, arranged all details for opening of field offices in strategic and convenient locations. Field offices were opened in Pikeville, Hazard, and Barbourville, Ky., on or about February 11, 1957. A suboffice was also opened in Prestonburg, Ky.

Mr. Garwick, Mr. Dick, and Mr. Pucel conferred with the leading bankers in Louisville and Lexington, Ky. and solicited their aid in furnishing qualified bank credit personnel, on a rotation basis, to assist in the rehabilitation program. Meetings were also held in the field with the bankers in the affected areas for the purpose of explaining in detail the disaster loan participation program from the Washington level as well as the regional office level, and with few exceptions the banks cooperated wholeheartedly. Qualified credit men were made available from the banks in Louisville and Lexington to serve in the field offices and the banks in the affected areas not only participated but also made and disbursed rehabilitation loans in most instances at a 3 percent interest rate, under the rules and regulations of Small Business Administration.

Mr. Ralph Fontaine, Secretary of the Kentucky Bankers Association, Louisville, Ky., worked closely with Mr. Dick and Mr. Pucel and he not only arranged all of the meetings with the bankers, but also participated in all such meetings, both in the Louisville area and strategic locations in the disaster areas. American Red Cross officials attended some of these meetings. His untiring efforts substantially contributed to the success of the program in that through mutual cooperation and understanding it was possible for Small Business Administration to close the offices at Hazard and Barbourville within 60 days and the Pikeville office within 90 days, with any unfinished business to be processed through the Louisville and Cleveland offices. Mr. Dick and Mr. Pucel orientated the bank credit personnel in the processing of direct and participation loans, under the rules and regulations of Small Business Administration.

In summary, the rehabilitation of the disaster areas was effected expeditiously and with tremendous success, which could not have been possible without the full and wholehearted cooperation of the banking industry through the good offices of Mr. Fontaine of the Kentucky Bankers Association, evidenced by the fact that the banks in the disaster areas made about 464 loans or commitments for the aggregate of approximately $4 million and Small Business Administration accepted around 380 applications for direct loans involving approximately $2,500,000, making an overall total of around 844 cases involving approximately $6,500,000.

The outstanding success of the rehabilitation program conclusively presents a classic example of what can be accomplished when Government and private industry fully cooperate and join forces on the basis of mutual understanding and trust.

I particularly pay tribute to the Small Business Administration.

THE TOBACCO PRODUCTION AND PRICE PROGRAM

Mr. COOPER. Mr. President, I had intended to speak on the subject of tobacco production and the support and price program for tobacco, but because the session is drawing to a close I shall not do so. However, I ask unanimous consent that my prepared address on tobacco production be printed in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE TOBACCO PROGRAM: WHY IT IS NEEDED—HOW IT IS WORKING

The welfare of my State, which is an agricultural State, rests very largely on the productivity and economic well-being of her farmers. Most of these farmers raise tobacco—for Kentucky is one of the great tobacco States, and supplies high-quality burley, as well as dark-fired and dark air-cured tobaccos, to the entire world. The price of tobacco is a matter of vital concern to some 200,000 rural Kentucky families, because it directly affects their income, their standard of living, and their future opportunities.

That price is determined, not alone by the well-established demand for quality cigarette tobaccos, but also by the effective operation of the production control, or marketing quota, program for tobacco—through which growers cooperate with their Department of Agriculture to maintain a balanced supply in line with that demand. The necessity of keeping supply and demand in balance, in order to avoid ruinous price fluctuations, is generally recognized—as is the function of Government in providing for farmers the legislative and administrative means to do this job.

In maintaining stable supplies through production control—when this course is chosen by two-thirds of the farmers—our tobacco program also appropriately provides for price supports in order to safeguard individual farmers against unnecessary loss. This is not a subsidy. I want to make that clear from the outset. It is not a special benefit or a giveaway. Price support is simply a tool—in the case of tobacco, it is a loan which is repaid—in our production-control kit. In this tobacco production-adjustment program, price support does two things: First, it makes possible the adjustments in the total supply, which are achieved over several crop years, by stabilizing prices during the period in which these adjustments are being made. Second, it extends equal price protection to all farmers contributing to the production-control effort.

While the tobacco price-support and production-control program is in several respects similar to our programs for the other basic commodities, it is in many respects unique, in its design, operation and results. And although the tobacco program has been an outstanding success among all our farm programs, I believe it is neither well understood nor as widely appreciated at least in areas of the United States which do not produce tobacco, as it deserves to be.

For example, it has been said on the floor of the Senate that under this program the growing of tobacco is subsidized by the Government, and by taxpayers. A number of people may be under that mistaken impression, for I have also seen it expressed in newspapers and magazines. On the other hand, I understand that officials of the Department of Agriculture have sometimes been criticized because their other price-support or production-control efforts are not as successful as the tobacco program. That may not be entirely fair either, because each commodity is different and has its own special problems; what works for one may not work at all for another. Even in the Department of Agriculture, however, the merits of the tobacco program occasionally seem to be overlooked, or may not always be fully appreciated.

I hope we can bring about a better understanding of this program, and obtain for it the broader appreciation it deserves—not only among tobaccomen, but among all who are interested in farm problems, programs, and policies. I hope that I can contribute something to that understanding by describing today some of the basic reasons why a separate and distinct program is required for tobacco, and by showing how our present program makes good use of those characteristics which set tobacco apart, in a class by itself.

Although I will discuss the program in the light of the most recent proposal to eliminate fixed 90 percent support for tobacco, the facts I expect to point out may apply with equal force to questions which may arise in the future, as they have in the past.

DISCRETIONARY PRICE SUPPORT HAS BEEN PROPOSED FOR TOBACCO

The Secretary of Agriculture recently recommended to the Congress a new approach to the farm problem. He said that production control is impractical, and that present laws governing acreage allotments and price supports are obsolete. He asked for major changes in the different price-support programs for the six basic farm commodities—corn, wheat, cotton, tobacco, peanuts, and rice.

These price-support programs, of course, play a central role in our efforts to protect, stabilize, and increase farm income so that farmers may share more fully in, and contribute more effectively to, the general prosperity and economic welfare of our country. They deal, however, with a wide variety of complex problems, many of which have proved difficult to solve, and which, therefore, are the subject of continuing attention and effort by the Congress, the executive branch, and by those most concerned—the farmers themselves.

After appearing before both the Senate and the House Committees on Agriculture, Secretary Benson laid his specific legislative recommendation on this subject before the chairman of the House committee on May 28. I am expressing my views at this time on this matter, as it affects tobacco growers, because I am convinced that that proposal would, if adopted, seriously threaten or destroy our tobacco program.

The official departmental proposal is primarily a request for much greater, and discretionary, flexibility—from 0 to 90 percent, or as a second choice, from 60 to 90 percent of parity—in the price-support levels of the basic crops already under flexible support formulas. Now, I have the highest respect for the Secretary of Agriculture, in his integrity in seeking overall solutions which will be fair and helpful to farmers, and which will benefit the country as a whole. I realize that he is faced with serious problems of continuing surplus production in some of the commodities for which strict production controls may not be desirable or practical—a responsibility which Congress, and agriculture itself, shares.

Included also in the Department's request, however, was tobacco—which has a distinct program of its own, for reasons I believe I can show are sound, and which is not a flexible-support crop. As far as tobacco farmers are concerned, the idea of abandoning 90 percent support is a drastic proposal which is not justified by today's needs or by the performance record of that program.

I see no reason to compound the farm problem by opening the door to controversy over abandoning a program which has proved workable, effective, popular, economical, and fair to all segments of the industry and to the nation as a whole.

TOBACCO PROGRAM—AND TOBACCO ITSELF—IS IN A CLASS BY ITSELF

In supporting this view, I will not take time to review the history and development of the tobacco program, although that history is most enlightening and offers us many lessons which we can study with profit today. It is enough to say that our present program rests squarely on that long history—which goes back 50 years to the days of the Night Riders in Kentucky, and over 300 years to the first crop control measures in the New World, taken at a time when severe depression in the tobacco areas already walked hand-in-hand with overproduction. (In 1639 the province of Virginia enacted a tobacco production-adjustment law.)

The tobacco program is distinctive not only in its historical origins, which proved in violence the need for production and marketing controls long before such measures were adopted generally. It is also distinctive in the justifiable confidence which growers have placed in their program, and in the diligence they have exercised to keep that program sound. It is distinctive today as the one program with fixed supports, at 90 percent of parity, and established by law, and which, through effective production controls has made that support level work—to the advantage of growers, the Federal Government, and the taxpayer.

This is not to imply that tobacco has won a favored position to which it is not fully entitled, or at the expense of other commodities. That is not true. On the contrary, while billions have been spent in honest efforts to solve the problems of other commodities, and those of a lagging farm economy in general, the tobacco farmer has held the line and stuck to his program of balancing supply with demand.

Neither do I infer that this program is well suited to other commodities. They have their own characteristics and particular problems. The only question involved here is whether or not a large group of over three-quarters of a million farmers, working together, are entitled to the help and assistance of their Government in carrying out and administering the program of their choice so long as they keep that program on a reasonably sound and equitable basis. My answer to this question is that their performance in good faith entitles tobacco growers to the continuation of their present program.

We have this distinct tobacco program today simply because the production, marketing, and consumption of tobacco itself is in many ways unique. It therefore requires a different price-support and production-control program.

I would like to discuss now those characteristics which make tobacco different—which both require a separate program for it, and make that program workable. This fact has received too little attention: that the unique nature of tobacco not only creates special problems, but has also given us the solution to those problems. This coin has two sides. When we turn over the challenge we find opportunity—an opportunity which tobacco growers seized years ago, and which must not be arbitrarily taken from them.

1. PRODUCTION DIFFERENCES

First, as to its production, tobacco is a high-labor crop. It requires some 410 man-hours of labor to raise an acre of Burley. That compares to approximately 81 man-hours for an acre of cotton, 11 man-hours for corn, and 4 for wheat—where, of course, a man may produce 100 times as many acres.

Most of this labor is hard, back-breaking toil. It takes a full year to produce an acre of Burley tobacco. In fact, because seedbeds are often burned in the fall, before the crop is sold, the tobacco farmer's year is said to be 13 months long.

The seedbed must be prepared in January or February. The young plants, so carefully nurtured under canvas, have to be transplanted when the ground warms up. In the summer months, the tobacco must be cultivated several times, wormed by hand or sprayed, topped, suckered, and perhaps primed. Then it is cut, hung in the barn, cured, stripped, sorted into grades, and tied in hands. Finally it is sold—just about in time for the farmer to go back and start to work on his next crop.

Each of these jobs is a hand operation. Each requires skilled management. Successful tobacco culture, in fact, is an art which can only be acquired through years of experience.

At every step of the way, the tobacco grower is beset by disease, pests, and capricious weather. Having learned at last how to control to some extent the additional vagaries of his markets, the tobacco farmer feels that a reasonably stable price structure is indispensable to his efforts, and is his just due.

In terms of his special need for effective price supports, this high labor requirement means that when the 4 or 5 baskets of burley produced on an acre of our tobacco land are set out for sale on the warehouse floor, a year of the farmer's toil, hope, and fears is sold at auction. Typically, tobacco is this farmer's major cash crop—his primary source of income. Our growers must depend, then, to an unusual degree on their price-support program.

The mutual dependence of growers on their tobacco program has, however, served to encourage and develop that spirit of cooperation and sense of responsibility which contribute so much to the success of this plan. In its practical operation, tobacco growers, and representatives of the trade as well, join together to resolve their problems in a way that is fair to all, and that is in the best interests of their industry and its individual members.

Second, tobacco production is not mechanized. For example, no machine has been developed to harvest the delicate tobacco leaves—which are as perishable as green garden vegetables until they are cured.

Because tobacco culture is unsuited to mechanization, we know that the second acre of tobacco costs the farmer nearly as much to raise as the first. For many crops, it may be true that production per farm worker has doubled in the last 15 years—thus creating a new dimension in farm policy in these areas. Contrary to this general trend, however, and because of increased quality requirements, raising an acre of tobacco requires more labor today than it did 15 years ago.

TABLE I.—*Labor used in production of field crops*

	1940–44	1955	Percent change
Tobacco:	*Hours*	*Hours*	
Man-hours per acre	436.0	494.0	+13
Man-hours per 100 pounds	42.0	34.0	−19
Cotton:			
Man-hours per acre	99.0	81.0	−18
Man-hours per bale	182.0	93.0	−49
Wheat:			
Man-hours per acre	7.4	4.3	−42
Man-hours per 100 bushels	43.0	22.0	−49
Corn:			
Man-hours per acre	25.6	11.4	−55
Man-hours per 100 bushels	80.0	28.0	−65

Source: Agricultural Research Service, USDA, June 1957.

The belief that the "technological revolution" in agriculture as a whole makes possible, through increased mechanization, sufficiently lower costs on added units of production to more than offset a lower market price does not fit the case of tobacco. Nearly every grower would like to increase his tobacco acreage, of course—but not when he knows that the price he receives would drop, while his hours of labor and cost of production would increase proportionately.

This basic difference in production methods, which sets tobacco apart from the trend in much of agriculture, does, however, simplify the issue as to what is a proper level of price support for this crop. There is little question about the level of prices required to assure tobacco farmers a fair return for their labor. Tobacco farmers, large and small, are generally agreed that 90 percent of parity provides them a decent minimum wage floor (although less than hourly rates for common labor), and that a lower support price would simply mean more work for less pay.

Third, tobacco is an intensive crop. For this reason, it is well-suited to our small family farms, in hilly country and on soils where other crops may do poorly, as well as on superlative soil such as we have in the Bluegrass area of Kentucky.

The average size Burley allotment in my State last year was 1.37 acres. However, that acre-and-a-third produced over a ton of high-quality cigarette tobacco—worth $1,400 to the Kentucky farmer who sold it on last December's market. That typical Kentucky patch of tobacco, in fact, produced Burley for 2 million cigarettes, or 10,000 cartons.

Only 2 percent of all Burley allotments are larger than 5 acres; 90 percent are smaller than 2 acres; and one-fourth are half an acre or less.

TABLE II.—*1957 burley tobacco allotments*

[Distribution by size, cumulative percentages]

	Kentucky	United States
	Percent	*Percent*
0.3 acre and under	9.3	12.8
0.5 acre and under	19.6	26.8
0.7 acre and under	49.6	63.6
1 acre and under	60.7	73.6
2 acres and under	82.6	90.0
5 acres and under	96.7	98.2
	Acres	*Acres*
Average allotment	1.37	1.08

Source: Tobacco Division, Commodity Stabilization Service, USDA, April 1957.

Because high value of production is associated with these small plots, however, and because our present program works, hundreds of thousands of modest family-type farms are able to depend on their tobacco allotment as a main source of their income. For example, 300,939 farmers have Burley allotments this year, of which 146,611 are in Kentucky. Including dark-fired and dark air-cured tobacco as well as Burley, there are 174,579 tobacco allotments in Kentucky.

The continued welfare of Kentucky agriculture rests, then, to a large degree, on maintaining our present tobacco price-support program. Most of the rural families in my State own small farms, and have few alternative sources of income. These farms, which must be cultivated intensively wherever possible, do not have the broad fields of level, tillable acreage suited to large-scale crop production with heavy equipment and self-propelled machinery. Tobacco is their main cash crop. In fact, at least 3 out of 4 farms in my State raise tobacco, and some 200,000 rural Kentucky families count on their tobacco crop for a substantial or major portion of their income.

I know many of these families, and have talked to hundred of these farmers. These are the men who know tobacco best—and who produce the world's finest tobacco. I do not believe they will agree that it is worth less than parity, or that their years of experience and months of toil should be sold cheaper.

In terms of workable production controls, however, this intensive land use means that tobacco can well afford the strict measurement and compliance checking we now have, the cost of which is less than one-fourth of 1 percent of the crop's value. Small allotments having a high dollar value of production make accurate measurement practical and economical. So again we find reasons in the nature of tobacco culture itself which justify a distinctive production-control and price-support program.

Fourth, tobacco is a highly specialized regional crop. Burley and flue-cured tobacco—the major cigarette types—accounted for 90 percent of last year's billion-dollar tobacco crop. Kentucky produced two-thirds (66.2 percent) of the Burley, North Carolina two-thirds (67.6 percent) of the flue-cured tobacco.

In my own State, tobacco is a quarter-billion-dollar crop, and produces 43 percent of Kentucky's cash income from farm products sold. In the great bright-leaf State of North Carolina, over half the farm income comes from tobacco. Nine States raise most of our tobacco, and within those States there are highly concentrated areas specializing in the various qualities of tobacco, of which there are 26 distinct domestic types and 1,446 grades.

TABLE III.—*Farmers' cash receipts from tobacco*

[Latest 5-year average; percentage of total for 9 leading States; percentage tobacco contributes to State's cash receipts from sales of farm products]

	Tobacco receipts	Percentage of United States	Percentage of all farm products sold
	Millions		
North Carolina	$491	42.8	52.7
Kentucky	230	20.1	42.4
South Carolina	92	8.0	26.1
Virginia	83	7.2	18.0
Tennessee	73	6.4	15.4
Georgia	66	5.8	10.3
Connecticut	23	2.0	13.4
Maryland	19	1.7	7.6
Florida	22	1.9	3.8
Other tobacco States	48	4.1	1.2
United States	1,147	100.0	3.7

Source: Agricultural Marketing Service, USDA, June 1957.

This regional concentration is a natural historical consequence of tobacco's peculiar dependence on soils and climate. Identical seed planted in adjoining counties may produce two different types of tobacco. Each year's weather may turn out a markedly different tobacco crop in the same area. Under identical weather conditions, variations in soil from farm to neighbor's farm result in noticeably different qualities. Moreover, each stalk of burley tobacco produces several grades from tips (until recently worth least) to trash (customarily worth much more)—and I have not mentioned differences resulting from cultural and curing practices.

The full array of tobacco types and qualities, which the interplay of a great many cultural, climatic, and management influences produces, is highly important to our tobacco trade and to our modern tobacco industry. It marks a difference in product and in production which makes clear, I believe, tobacco's need for a special program of its own. Local specialization makes possible this broad spectrum of products—from heavy "black" tobaccos, which are hickory-smoked like Kentucky hams, to the mild, bright golden, "Virginia" leaf.

This local specialization, moreover, contributes greatly to the effectiveness of our tobacco program. Perhaps in no other crop would rigid allotments based on historical production be more justifiable, nor could historical production patterns be continued more equitably.

I do not say that our tobacco program allows complete freedom of enterprise, but the equity of historically based production patterns is well-established and widely accepted. Tobacco producers do feel that this program, in which they join together in a cooperative effort to comply with the law of supply and demand, provides them essential freedom in the marketplace to sell their product for what it is worth.

2. MARKETING DIFFERENCES

Marketing differences which require a separate and distinct price-support and production-control program for tobacco, and which also make the present program workable, are perhaps even more significant than the production differences.

My fifth point, therefore, is that all our farmers' tobacco is channeled exclusively through central markets. None is kept on farms. Each selling season farmers must take the entire crop of cigarette tobacco to the auction warehouses—scene of the familiar "tobacco chant."

Our system of cooperative marketing for tobacco was developed after years of trial and error and travail. It works well. It seeks to provide uniform sales conditions, to insure that buyers are available for all the tobacco offered, and that farmers are protected from sharp seasonal fluctuations in price—through the option which each may exercise of selling at the price bid or else having his baskets of tobacco delivered to the "pool" under the price-support program.

This auction warehouse system, operating in conjunction with the pools, is the central mechanism around which our successful tobacco program is organized. It offers distinct advantages in the price support operations of that program. For example, it makes possible a firm floor, not only supporting the tobacco crop as a whole, but under each farmer's individual lots of tobacco.

Under this plan, it has not been necessary for the Government to purchase large surpluses, as with some other crops. The plan is also fair to the farmer, in that he is the direct beneficiary of the price-support effort—receiving immediately 90 percent of parity in cash, and a dividend on any amount over that for which the tobacco is later sold. This whole operation is so sensible, in fact, that it is handled without loss by the farmers' marketing cooperatives under contract with the Commodity Credit Corporation.

Our central marketing system also makes practical and workable the realistic production controls required for no-loss operation of 90 percent supports, because it permits accurate identification of the source of all tobacco sold. In addition, it makes conveniently available the data for accurate market reports on the amounts and prices of the various graders sold.

The sixth difference which sets tobacco apart, and requires a separate program for it, is the limited field of buyers for this crop. As I pointed out when I sponsored the amendment first establishing in law 90 percent of parity as a separate provision for tobacco, the major buyers competing for the tobacco offered by three-quarters of a million farmers can be counted on the fingers of both hands. Six companies produce 99 percent of the cigarettes, and three of these account for 73 percent.

TABLE IV.—*Cigarette output by companies, 1956*

	Billions of cigarettes	Percent of total
American Tobacco	128.9	30.1
R. J. Reynolds	113.5	26.5
Liggett & Myers	68.4	16.0
Brown & Williamson	50.0	11.7
Philip Morris	39.7	9.3
P. Lorillard	22.8	5.3
All others	5.1	1.1
Estimated output	428.4	100.0

Source: Harry M. Wooten report, Printers' Ink, Dec. 28, 1956.

This is a situation unique in agricultural marketing as far as I know. Usually less than half a dozen major buyers are represented on any auction floor. These buyers can scarcely fail to be familiar with each other's needs and practices. A farmer who trucked his crop of tobacco 50 miles to the warehouse was at the mercy of buyers before the protection offered by this fixed support floor was inaugurated.

I consider my speech on this subject, made in the Senate on June 17, 1948, still to be a correct statement. That was during the debate on the long-range agricultural program, which required a change from fixed 90 percent supports to flexible supports down to 60 percent of parity on all basic commodities, including tobacco. At that time the Senate adopted my amendment preserving 90 percent support for tobacco, it was written into the law, and this separate provision for tobacco has been retained through every change made in our farm programs since that time. I quote from that speech:

"It is my contention, and one which I believe is supported by the facts, that the unusual conditions under which tobacco is produced and marketed, when coupled with the usually limited field of buyers, operate to give a dominant bargaining position to the buyers and to deprive the producer of tobacco of a free market, in the sense that a market is enjoyed by the producers of other agricultural commodities. In this limited market, the buyer pays a price which is not necessarily or always related to the law of supply and demand, but is fixed by the maximum amount the buyers must pay to get the tobacco, which in reality is the support price. For this reason the support price should remain fixed at 90 percent of parity."

As I pointed out 9 years ago, and I quote: "The tobacco farmer must take his crop to the place where the representatives of the great tobacco manufacturers will come to buy his crop. Unless the representatives are there, the tobacco farmer cannot sell his tobacco. The farmer who has spent a year in back-breaking toil to produce a crop of tobacco, which is his cash crop and his principal source of income, knows that he must sell his tobacco to one of the few buyers, or else lose his year's labor. Can it be doubted that the buyers know that the farmer must sell or lose the work of a year?"

At that time, I offered the opinion, "which is one shared by my constituents, who know every phase of tobacco growing, buying, and selling, that the Federal Government offers through its parity and support-price program the only substantial assurance the tobacco growers have that they will receive a reasonable price for their product."

A seventh distinction, which operates to make our tobacco loan program among the most effective of farm price-support efforts, relates to the excellent storage qualities of tobacco. Cured tobacco, redried and compressed into 1,000-pound hogsheads, is virtually nonperishable, thus reducing the risk of holding loan stocks several years for improved markets. In fact, tobacco increases in value as it is aged. This enhanced value in itself often covers storage and interest charges on loan stocks held for up to 2 to 4 years.

Without a fixed level of support, on the other hand, this very storability would operate to the farmers' disadvantage—as it did for the 100 years when 1 year of good prices was followed by 2 or 3 years of starvation prices. In the absence of a strong support program, tobacco farmers are placed in double jeopardy; first, from lower prices caused by a year of unexpected abundance, and second, from reduced production or lower prices in later years as these hogsheads are moved from storage into trade. Producers of perishable crops, at least, are exposed to economic loss only once, and need make but a single adjustment.

It may be argued that flexible supports are desirable for semiperishable commodities, where old stocks must be moved or spoil, or where adjustments must reflect current consumption at all times. But in tobacco, the very possibility of lowering supports could tend to depress prices. Progressively lowered support prices would, of course, soon destroy the tobacco program, and would result in huge losses in the process.

3. CONSUMPTION DIFFERENCES

An eighth and very important consideration is that there are no alternative uses for our tobacco. Most farm products have a number of uses, and can compete in a wide variety of markets at different price levels; many in fact must take into account these changing relationships. Again it may be argued in the case of some other crops that flexible supports will enable these commodities to seek out alternative uses and markets, or will encourage industrial utilization of farm products. Tobacco has no such opportunity.

This lack of alternative uses for tobacco clearly shows the need for controlling production and supplies in line with the demand for cigarette tobaccos. Burley and flue-cured growers know that they are completely dependent on this single-use market, that at best they can profitably sell only as much tobacco as we smoke.

On the other hand, the limited use for tobacco provides a much clearer picture of the demand-supply situation than most commodities enjoy. The question of how much tobacco is needed can be argued within relatively close limits, and is understood by farmers. They can then support, and do support, a program which meets these realities, and which gives each of them a fair share of the market at a fair price. So once more a special problem in tobacco contributes to the practical workability of our present program.

My ninth point concerns the relatively inelastic consumer demand for tobacco. Agricultural economists have shown, and it is historically true, that the price farmers receive for their leaf bears little or no relation to that consumer demand. The supply of tobacco, of course, almost wholly determines prices farmers receive, and realistic recognition of this fact has led growers to acceptance of progressively more effective production controls.

Burley consumption, in turn, may depend on a number of factors, but the price paid to the farmer is not a major one—because his percentage of the retail sales price is so small. These two facts taken together—that consumer demand plays a minor role in determining the farmer's price, and that his price scarcely affects consumption of tobacco—make an effective, stable price-support program essential if tobacco growers are to share equitably in the fruit of their labor. In addition, they remove from economic controversy the desirability of 90-percent support for this commodity.

I would like to point out here why the price farmers get for their tobacco has little or no effect on domestic sales of cigarettes. In a pound of manufactured tobacco, worth $3.45 at retail last year, Federal and State excise taxes account for $1.37, or 40 percent; manufacturing and distribution margins are $1.53 or 44 percent, and the farmers' end is 55 cents or 16 percent. For the tobacco in a 25-cent pack of cigarettes, the farmer receives about 3½ cents. Therefore, a 10 percent drop in farmers' prices would save only 3 mills on the cost of a pack of cigarettes.

I believe American consumers are willing and able to pay the farmer this very reasonable price for his tobacco. I might add that whereas farmers generally receive 40 percent of the consumer dollar—and we are concerned about such a low share—tobacco farmers receive less than half that.

As I understand the reasoning behind the Secretary's present proposals for all the basic crops, a lower support price is supposed to stimulate increased consumption and sales so that the price drop will be offset, or more than offset, by an increase in farmers' sales, and therefore an increase in their gross income or net income. This may be true in the case of other farm commodities, and I know that in manufacturing, for example, the greatly increased sales volume which may result from small reductions in price has played a very important part in our economic development.

However, because the consumer demand for tobacco is relatively inelastic in the first place, and because prices paid farmers are scarcely reflected in the retail price of cigarettes in the second place, I do not believe that the Secretary's argument would apply in the case of tobacco.

It is true that "production times price equals income," but the experience of tobacco growers is that small increases in production can cause sharp decreases in price, and in their income—and that prices continue to fall far faster than any increase in poundage sold can possibly make up.

HOW THE TOBACCO PROGRAM HAS WORKED FOR THE GOVERNMENT

A 10th difference is that, alone among our different price-support operations for nonperishable commodities, the tobacco program does not result in burdensome Government-owned stocks. As a matter of fact, the Commodity Credit Corporation does not now own a pound of tobacco—and has not had a pound of cigarette tobacco in its inventory since World War II, when it helped supply our allies. CCC neither has to buy tobacco in the open market, nor under purchase agreements—nor has it been necessary for CCC to take title to any loan tobacco in recent years. In other words, tobacco is not subsidized. The tobacco price-support program has, in fact, made several million dollars in interest profits on CCC loans.

This remarkable record must be credited to the farmers who have made the sacrifices necessary to keep their part of the bargain in this program. The Government can do no less than to keep its part of the bargain and maintain 90 percent support prices so long as growers continue to demonstrate their willingness to keep this program sound.

The distinctive machinery for this efficient and economical program is to be found in the operations and responsibilities of the tobacco "pools," or grower cooperatives, which undertake to sell loan stocks of tobacco at a profit to the farmer over the 90 percent rate, and which over the long run have succeeded in doing so. These pools may not be wholly perfect, but they are a very important part of a system which has dealt with difficult problems with outstanding success. Several of them predate our Government programs by a number of years, and their experience and influence are generally recognized.

Our tobacco loan program actually operates just as the name implies it should. It is expected that the tobacco held as the security for those loans will be advantageously merchandised at private sale, and that the money advanced will then be repaid to the Government in full. It has worked this way with conspicuous success. In the 11 years since the war, for example, CCC has loaned $1½ billion to the tobacco pools to cover the amounts advanced to farmers. Nearly a billion dollars of that has been repaid by these pools, with interest, and the remainder is secured by current stocks of tobacco. I submit that this is an outstanding record for any Government loan program, particularly on a farm commodity.

TABLE V.—*CCC postwar commodity loans*

[Net cash outlay to farmers under price-support program, fiscal years 1947 through 1957]

	Amount loaned	Amount repaid	Percentage repaid to date	Purchases
	Millions	*Millions*		*Millions*
All commodities	$19,718.1	$6,065.8	30.8	$6,179.3
Wheat	5,940.4	1,387.8	23.4	442.4
Cotton	5,410.3	1,802.3	33.3	67.7
Corn	3,644.5	653.1	17.9	534.1
Tobacco	1,526.9	945.3	61.9	1.6

Source: Commodity Credit Corporation, USDA.

I will not take time to mention here a number of less striking differences in the operation of our tobacco program and the legislation which governs it, except to say that tobacco farmers, their leaders, and their representatives in Congress, have generally resisted a number of special or fringe benefits enjoyed by other commodities. They have done so for the sole reason that they did not want in any way to jeopardize their right and claim to fixed 90 percent supports.

A final difference between tobacco and other farm commodities is that it is the only one on which excise taxes are imposed. While the operation of our price-support program for tobacco has not cost the Government anything, tobacco has brought immense revenues to local, State, and Federal Governments. This fact alone merits the continuation of a tobacco program which insures stable prices and balance supplies.

Each year Federal and State excise-tax receipts from tobacco far exceed farmers' cash receipts for tobacco, as the chart from the cover of the March Tobacco Situation shows. The Federal excise tax on tobacco returned $1,639 million dollars to the Government last year. States received $513 million from their own excise taxes. Municipalities benefited by substantial sums. In addition, import duties on tobacco amounted to $19 million last year. While not levied with a view toward aiding farmers, these considerations ought to at least obtain for tobacco farmers a sympathetic attitude toward their problems and needs.

These annual receipts of over $2 billion in Federal and State revenues from the growers' efforts are about double the return to the growers themselves. That relationship is well illustrated by the blue stamp of a rather glum DeWitt Clinton which seals every pack of cigarettes. The stamp is worth 8 cents to Uncle Sam. The grower gets 3½ cents for the tobacco within.

This high revenue-producing capacity and special contribution sets tobacco apart, in a separate class by itself. As my distinguished colleague, the senior Senator from Florida, stated on this floor 2 years ago: "It is a highly important matter to the Federal Government, therefore, that tobacco growers shall prosper, and that there shall be a sustained abundant level of tobacco production as free as possible from either overproduction or underproduction."

It may be pertinent to point out here that the Federal tax alone produced by tobacco since 1932 ($25 billion) would pay twice over for the entire cost to the United States of the farm price-support and farm-income stabilization programs, broadly interpreted, for all commodities, basic and nonbasic, in the last 25 years. This includes CCC nonrecourse loan, purchase and payment programs; the National Wool Act; the International Wheat Agreement; donations of commodities to other nations; Public Law 480 sales for foreign currencies; school-lunch and other welfare distribution; the Sugar Act; Federal Crop Insurance; acreage allotment payments under the ACP from 1937 to 1944; parity payments under the AA Act of 1938; and the programs under the triple A of 1933.

HOW THE TOBACCO PROGRAM HAS WORKED FOR TAXPAYERS

In commenting for a moment on how the present tobacco program has worked for taxpayers and consumers, I would like to refer to the figures accompanying the Secretary's well-known letter of May 2 to Senator ELLENDER, Chairman of the Senate Committee on Agriculture. It was the substance of this letter which Secretary Benson shortly thereafter embodied in his legislative proposals for tobacco as well as the other basic crops, and which he sent to the House Committee on Agriculture on May 28.

These figures indicate that in the last 25 years, through June 30, 1956, "the net realized cost of programs primarily for the stabilization of farm prices and farm income" was $11.8 billion. Tobacco's share of that amount was $105.3 million, according to the table on page 7—or less than 1 percent of the total, charged to the Nation's fourth largest field crop produced by 11 percent of her farms. It is a modest figure when compared to the others on that page, and in saying this I do not imply that the other commodities and other farmers do not fully deserve the help we have tried to give them.

I would like to point out, moreover, that the great bulk of this money was spent for soil conserving activities in the thirties. Only the figure 3 to the right of the decimal in this $105.3 million amount reflects CCC losses on tobacco price-support operations. That was the cumulative figure, over all the years of the tobacco programs, through June 1956. Since that time the loss has been reduced as of May 31 of this year to only $10,924—or eliminated for all practical purposes. Furthermore, interest income on CCC loans is not shown in this table—possibly because tobacco is the only commodity which produces an interest profit. Since 1948 and before, therefore, the entire tobacco price-support program has operated without loss—winning for it an especially unique place in our farm price-support operations.

I believe this analysis shows how well the tobacco program has served taxpayers as well as farmers, and will continue to serve them in the future. All our people, in cities and towns as well as on farms, may well consider it the most successful of all our farm programs—in their own and their neighbor's interest.

One other point in the Department's May 2 statement calls for comment. That is, that about two-thirds of all producers are at the minimum (allotment for burley) and thus sealed off from any visible relationship between the level of their price support and the size of their allotment. That is not true. As I have shown, in table II, only one-fourth of the burley allotments are at the minimum of 0.5 acre or under.

Cost of farm programs

[In millions of dollars]

Commodity	Net realized cost of programs primarily for the stabilization of farm prices and farm incomes: Fiscal years 1932-56	Net realized cost of programs primarily for the stabilization of farm prices and farm incomes: Fiscal year 1956
Basic commodities:		
Corn	1,451.7	132.4
Cotton	1,692.3	89.4
Peanuts	177.0	10.5
Rice	84.2	54.9
Tobacco	105.3	3.5
Wheat	2,943.0	530 1
Total basic	6,453.5	820.8
Designated nonbasic commodities:		
Butter	746.1	264.8
Cheese	259.2	116.8
Milk [1]	518.7	167.7
Total dairy	1,524.0	549.3
Potatoes	643.4	5.0
Wool	113.0	7.3
Other	15.0	.5
Total designated nonbasic	2,295.4	562.1
Other nonbasic commodities:		
Eggs	331.5	.1
Flaxseed and linseed oil	153.8	7.7
Sugar	[2] 336.5	[2] 24.0
Remaining nonbasic commodities	2,225.9	381.2
Total nonbasic commodities	2,374.6	365.0
Total, all commodities	11,123.5	1,747.9
Unallocable costs	630.2	188.2
Realized cost	11,753.7	1,936.1

[1] Includes school-lunch and special school-milk program.

[2] Credit.

Finally, I would like to review what our tobacco program has meant to farmers.

HOW THE TOBACCO PROGRAM HAS WORKED FOR FARMERS

Perhaps the most eloquent testimony on what farmers think of their tobacco program is found in the referendum votes. In the elections held since 1948, burley and flue-cured growers have consistently cast ballots approving marketing quotas by between 95 and 98 percent. Their interest in these elections is real, because the tobacco program is vital to their welfare.

In April 1955, for example, 74 percent of the eligible burley voters came out to vote. That was the year our growers were faced with the hard decision to cut their allotments by 25 percent, reduce minimum allotments from 0.7 to 0.5 acre, increase the penalty on excess or red card tobacco from 50 percent to 75 percent, and close the door to establishing allotment history by growing penalty tobacco. The vote was in favor of the program—by 96 percent. That is quite a plurality and quite a turnout at the polls for any election. In all the history of our farm programs, I can think of no more dramatic demonstration than this of the willingness of a group of farmers to make the sacrifices which are sometimes necessary to keep their program sound.

A brief glance at the dollar-and-cent figures on farm prices and income over the years will show what this program has meant to tobacco farmers in pocketbook terms. At the turn of the century Kentucky farmers could sell their tobacco for only 4 cents a pound. Farmers were desperate—literally up in arms—but began then to organize for the long search for a solution to their problems. In 1910–14, a stable period for agriculture generally, Burley was worth 9 cents, and the crop brought farmers barely $20 million. Conditions had not improved a great deal by 1930–34, when representatives of growers began working with the Department of Agriculture on what was to evolve into the present tobacco program. Fifteen years later, 1945–49, burley prices were 3⅓ times higher—and the crop was worth 6 times as much to farmers—a quarter of a billion dollars instead of $40 million. Even in terms of constant-value dollars, burley prices had nearly doubled, and larger but controlled crops tripled farmers' purchasing power from their burley.

These gains have been maintained and improved under peacetime operation of the postwar tobacco program. Last year, the burley crop sold for the highest prices on record—averaging 63.5 cents a pound for a crop which returned $322 million to farmers. Farmers are selling their 1957 flue-cured crop in the Carolinas today, and marketing has been finished in the Georgia-Florida belt. This crop, too, is bringing record prices—a dramatic change from the situation last year when flue-cured supplies threatened to get out of hand, and which must be credited to a realistic cut in allotments, prompt measures to eliminate less desirable varieties, and participation in the soil bank. Burley growers, who cure their crop more slowly by natural air drying and maket it later in the year, are looking forward to another favorable selling season on their 1957 crop, now being housed in their big tobacco barns.

I think this record of increased crop values and better tobacco prices clearly shows what our tobacco program, using the tools of 90 percent support and production control to match, has meant, and can continue to mean, to our farmer families.

TABLE VI.—*Burley tobacco prices and crop values*

[United States season average price and value of production, 5-year averages from 1910]

	Price per pound: Actual	Price per pound: Purchasing power	Crop value, millions: Actual	Crop value, millions: Purchasing power
	Cents	*Cents*	*Millions*	*Millions*
1910–14	9.7	24.4	$20.2	$60.5
1915–19	23.5	38.1	65.7	113.4
1920–24	20.4	31.7	55.7	85.8
1925–29	21.9	33.9	57.8	89.4
1930–34	12.8	25.9	41.5	83.4
1935–39	22.2	41.3	67.0	133.3
1940–44	35.4	56.7	148.3	232.4
1945–49	43.8	47.9	247.3	271.5
1950–54	50.6	45.7	303.4	273.2
1955	58.6	52.3	275.2	245.7
1956	63.5	55.7	321.8	282.3

Source: Agricultural Marketing Service, USDA, June 1957. Cols. 3 and 5 adjusted to "real" prices and values by using 1947–49 index of prices paid by farmers for commodities, services, interest, taxes, and wage rates equals 100.

CONCLUSION

I do not say tobacco farmers have no problems today. We do have some problems in tobacco—as in all other phases of agriculture with which I am familiar. We need to maintain and increase our export sales—which account for 6 percent of the burley market, and a larger portion of the market for other tobaccos. Increasing yields per acre may make production adjustment through acreage control more difficult as new varieties and cultural methods are adopted. The shift to filter cigarettes is changing consumption patterns, and new manufacturing methods are beginning to be used.

But these are all problems which can be handled, and should be handled, within the framework of our present program—using the successful techniques already developed where these are applicable, and taking full advantage of the hard lessons of the past. In the past we have been able to meet problems at least as serious as these, within this framework. There is no need now to tear down the house built so painstakingly over many years.

I do not say that the tobacco program is perfect. Minor modifications in it have been made from time to time—without disturbing the foundation of 90 percent support on which it is erected—and may need to be made in the future. I do not say that it operates without a certain pulling and hauling at times. This is inevitable where a variety of interests are involved, and wherever earnest efforts are made to realistically limit production so that farmers may obtain fair prices without subsidies. My colleagues and my friends know that I have helped work out these problems on many occasions.

I do say that tobacco farmers have learned how to work with and through the elemental forces of supply and demand, instead of being crushed by these forces. They have shown that by controlling production to match the demand they can achieve stabilized prices at an acceptable level without Government subsidy. They have made 90 percent of parity supports work—without loss to either growers or taxpayers.

In view of the latest proposal to Congress to abandon 90 percent support for tobacco, it seemed to me appropriate and timely to lay the facts in this matter before the Senate. It may well be that the Department of Agriculture, in drawing up a general, or blanket recommendation for all the basic commodities, simply failed to take into account the special nature and particular needs of tobacco—or the specific advantages offered by the present tobacco program. If that is the case, as I believe it to be, I trust the Department will not press its recommendation as applied to tobacco. In any event, I have no fear that the Congress would adopt such a proposal—which would threaten the livelihood of three-quarters of a million farm families.

I oppose lowering supports for tobacco. I am confident that my colleagues from the tobacco States take the same position, and will join me in opposing any move to destroy the present tobacco program. Furthermore, I believe it is plain to anyone who understands the problem that our tobacco program needs to be continued.

My purpose here today was to analyze the specific nature of this problem, to set out the basic reasons which require a distinct and separate price-support and production-control program for tobacco, and to show how the unique character of tobacco production, marketing, and consumption also contributes to making our present program effective and workable. It seemed to me worthwhile to enumerate those characteristics and the consequences which must follow from them, and I hope this appraisal will prove helpful.

Thanks to the joint efforts over many years of a great many conscientious and devoted people, and to the active cooperation of tobacco farmers everywhere, the tobacco program has been conspicuously successful. I believe it is a basically sound, helpful, and essential part of our total farm program today. I believe it can continue to serve faithfully and well the burley growers of my State, the rural economy of the South, and hence the general welfare of our country—

and do so without placing an undue burden on the Federal Government or the taxpayer.

In closing, I feel I can do no better than to quote the President's Agricultural Message to the Congress of January 11, 1954. President Eisenhower said at that time that "each farm crop has its own problems, and these problems require specific treatment." And in regard to tobacco, the President stated: "Tobacco farmers have demonstrated their ability to hold production in line with demand at the supported price without loss to the Government. The relatively small acreage of tobacco and the limited areas to which it is adapted have made production control easier than for other crops. The level of support to cooperators is 90 percent of the parity price in any year in which marketing quotas are in effect. It is recommended that the tobacco program be continued in its present form."

I believe those conclusions are still valid, and that that recommendation is as sound today as it was three and a half years ago.

FOOTNOTE ON TITO

Mr. KUCHEL. Mr. President, when the proposal was made early this year that Tito of Yugoslavia be invited to visit America, I expressed the view that such a visit would be a mistake. My feelings were stated in a telegram which I sent to the Monitor of San Francisco. I ask unanimous consent that that telegram be set forth in the RECORD at this point in my remarks.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

JANUARY 26, 1957.

Mr. JOHN O'CONNOR,
Managing Editor, The Monitor,
San Francisco, Calif.:

I respectfully reject the suggestion that Marshal Tito of Yugoslavia be invited to visit the United States. The good intentions of such an invitation would be lost before an avalanche of disapproval which our own people would express, and before a world-wide wondering which such a visit would evoke. The unparalleled exigencies of this era in world affairs may require us to enter into arrangements with countries, some of whose policies we abhor. But that is far, far different from extending an invitation to a dictator to visit us. After all, it was less than a year ago that Tito visited Moscow amid great professions of friendship and "shoulder to shoulder" comradeship in future war.

The people and the Government of the United States are dedicated to the cause of freedom. That is the principle on which we came into being. We oppose slavery. That is the reason we oppose with all our strength the evils of Communism, International Communism, or any other kind. If Yugoslavia is independent of Russia, all well and good. I do not believe a visit here by Tito would materially aid the fight against Communism. To the contrary, in my view, it would be misinterpreted to our detriment, both at home and abroad.

I have heretofore communicated by views to the Department of State.

Kind regards.

THOMAS H. KUCHEL,
United States Senator.

Mr. KUCHEL. Mr. President, I have before me two news articles issued by the Religious News Service, sponsored by the National Conference of Christians and Jews, on this subject. They detail the indefatigable labor of a Catholic priest in a one-man crusade against a Tito visit. The priest is Rev. Father Dr. Joseph F. Thorning, pastor, educator, and writer of distinction. The article pays tribute to Father Thorning, and I ask consent that they be set forth in full.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

A PRIEST CONDUCTS ONE-MAN CRUSADE AGAINST TITO VISIT

WASHINGTON, D. C., January 16, 1957.—A Catholic priest has been conducting a tireless, one-man crusade against the proposal that the United States of America invite President Josip Broz-Tito of Yugoslavia to make a State visit to this country.

The Reverend Father Dr. Joseph F. Thorning reported that he personally interviewed all but 2 of the 96 Members of the United States Senate and gave them material documenting the crimes of Mr. Tito and the suppression of religious liberty for all in Tito's Yugoslavia.

Father Thorning, who is also professor of international relations in the Catholic University of Chile, a pontifical institution, is pastor of three churches in Maryland: St. Joseph's on historic Carrollton Manor; St. Ignatius Loyola, Urbana; and St. James, Point of Rocks. Dr. Thorning also serves as an associate editor of the national magazine, World Affairs, a periodical published in Washington, D. C.

The "Padre of the Americas," as he is called in the United States Capitol because of the prayers he offers every year on April 14, Pan American Day, emphasized that he was protesting against the proposed visit by Mr. Tito as "a human being and an individual United States citizen," and not as a representative of any religious or secular organization.

"I think that a large body of American citizens of all religious faiths will be deeply offended, if we extend our national hospitality to an accomplice of the butchers of Budapest," Dr. Thorning declared.

A specialist on inter-American affairs, who has been invited to undertake several special diplomatic missions for the United States Government, the most recent for the inauguration of President Juscelino Kubitschek of Brazil; the "Padre of the Americas" is scheduled to leave soon for South America, where he has been invited to deliver a series of lectures on international relations at the Catholic University of Chile, Santiago de Chile. The last-mentioned invitation was extended to Father Thorning by His Excellency, The Most Reverend Alfredo Silva Santiago, archbishop of Concepcion and rector magnifico of the university.

WASHINGTON, D. C., February 4, 1957.—A Catholic foreign affairs specialist said here that indefinite postponement of a proposed visit to the United States by President Josip Broz-Tito of Yugoslavia represents a "glorious religious victory" that will encourage and hearten believers of all faiths who reside behind the Iron Curtain.

The Reverend Father Doctor Joseph F. Thorning, who is also Professor of International Relations in the Catholic University of Chile, a Pontificial Institution, declared that members of all faiths in Tito's Yugoslavia would get a "moral uplift" and "new hope" as a result of the news that a cold reception would have awaited "a tyrant and the murderous persecutor of religion" in the United States Capitol.

The priest is pastor of St. Joseph's historic church Carrollton Manor, Frederick County, Md., and an associate editor of the national magazine, "World Affairs," published in Washington, D. C. Dr. Thorning conducted a one-man crusade against the visit of the Yugoslav president, interviewing every United States Senator and many Congressmen, recommending that they express their opposition to such a visit, publicly, and in the light of the national honor and interests of the United States of America.

Father Thorning pointed out that speeches and many other statements made on the floor of the United States Senate and House of Representatives made it overwhelmingly evident that a huge majority of members of all religious beliefs were expressing open, vigorous opposition to a visit that would place the United States in the position of compromising its moral and ethical principles by extending official hospitality to Mr. Tito. The indefinite postponement of the suggested visit seems to have confirmed Dr. Thorning's judgment and his actions, speeches, articles, book reviews and other public statements on this issue.

THE DOMESTIC MINING INDUSTRY

Mr. BIBLE. Mr. President, I have been waiting with a great deal of apprehension to see what, if anything, might be done by this Congress to assist the domestic mining industry. Up to this closing day very little has been done.

It has always seemed incongruous to me that while we are spending millions for defense, we have neglected to keep our domestic mining industry healthy. Our defense chain is only as strong as its weakest link, and to date the weakest link has been the sad state of our domestic mining industry. With our imports cut off in time of war, as has been done in the past, and a sick mining industry to provide the needed minerals and metals for a war effort, we are defeating our own purpose.

It is high time that not only our industry leaders but our administration and legislative bodies recognize the drastic need of a strong domestic mining industry.

Something must be done to correct a condition that has been allowed to exist too long, the flooding of our markets with cheap foreign-produced minerals and metals to the detriment of our domestic industry.

The question might be asked as to why these mines are closing all over the country. The answer is simple. First let me say it is not because ore reserves have become exhausted or not because there is no need for the minerals and metals produced. These mines were closed primarily and basically because they cannot produce metal in competition with ores produced by cheap labor in foreign mines. Minerals produced in foreign countries, oftentimes under near slave labor conditions, have flooded our domestic markets to such an extent that the accompanying price drop has forced domestic producers out of business.

A recent article in the Wall Street Journal telling of the cutbacks in the production of one of the country's largest zinc producers, the New Jersey Zinc Co., gives as a reason the "uncontrolled flood of foreign imports," and further quotes company officials as saying:

> The excess imports have driven the price down from 13½ to 10 cents a pound within the past 60 days. There can be no improvement in the situation and further production curtailments in the zinc mining and smelting industry are bound to occur unless the United States Government adopts some means of controlling the exploitation of the domestic market by foreign producers.

The article goes on to tell of other closings and cutbacks in the industry.

The situation is serious. When we talk of the mining industry we are not talking of the old prospector and his burro made so popular by western movies and TV classics. We are talking of investments of millions of dollars employing thousands of persons. In May of this year there were 112,200 persons employed by the metal mining industry. This does not include nonmetallic mining which employed 117,800 and is also affected to some degree by competition from foreign sources. Two hundred and thirty thousand persons in this country employed in the mining industry and that does not include those employed in smelters and refineries. The jobs of these people and the welfare of their families and the communities in which they live are in jeopardy. It is time that something was done.

This situation the American mining industry finds itself in at this time is not new. It is one that has been present for the last score of years with the exception of war created years of demand. Since the time the executive branch of our Government adopted a policy of mollifying and even aiding the production of foreign mines and metals and at the same time refusing to give some protective relief to domestic industries the mining industry has been in trouble. This situation worsened when the State Department agreed to the terms of the General Agreement on Tariff and Trade, popularly referred to as GATT, at a conference held in Geneva in 1947. This agreement, though never approved by Congress, has extended the policy allowing excessive importation of cheap foreign minerals to flood our markets, resulting in the undermining and ruination of our domestic industry.

I want to read an excerpt from a speech by the late Senator Pat McCarran. As many of my colleagues well remember, Senator McCarran was one of the greatest advocates the domestic mining industry this country ever had. This speech delivered on this floor July 8, 1949, over 8 years ago, could be given today with very few changes. I read from it:

> The metal-mining industry of the West is today in a state of distress. A great many mines are already shut down and more are going down every day. This is true in Montana, Idaho, Utah, Nevada, California, Colorado, New Mexico, and Arizona, the zinc fields of Missouri, Oklahoma, and Kansas, and the copper country of Michigan. Present high costs of labor, materials, and other operating charges have run into a declining market with copper now at 17 cents, lead 12 cents, zinc 9 cents, and Tungsten ore and concentrates quoted today at $1.15 per pound, with no market.
>
> Already foreign metals and ores produced by low-paid labor from far richer deposits than we possess are entering the United States. Our domestic industry upon which we must depend is in a desperate condition. Our national defense stockpiles are totally insufficient for the protection of this country. Through unfortunately mistaken policies of the past we have reduced entirely too much the import duties which were designed to meet, in a measure at least, the difference between the wages and productive ability of American workmen and those of peon and coolie labor of foreign lands.

As you see, Mr. President, those words delivered 8 years ago told of a problem that existed then and exists today. The only exception being in the price quoted for copper, the prices mentioned for lead, zinc, and tungsten are remarkably close to those currently being quoted, and at the rate the price of copper is dropping, the price quoted will not be too far off.

What has happened in the intervening time to correct this problem? The statement of Mr. Otto Herres, chairman of the National Lead and Zinc Committee before a subcommittee of the Committee on Ways and Means of the House of Representatives, sets forth in detail the steps taken by industry and Government in an attempt to correct the problem with only temporary success. Let me give a brief résumé of his statement. At the termination of the Korean war the markets of the United States were flooded with excess imports of lead and zinc at prices below the cost of American production. A national committee made up of members of the lead-zinc industry appealed to Congress for assistance in the emergency. The Ways and Means Committee approved provisions for the relief of the industry but the legislative relief was opposed by high officials of the administration who recommended relief through following the escape-clause procedure before the Tariff Commission.

The Tariff Commission investigated and determined that the domestic industry had been seriously injured by the flood of imports of lead and zinc. Recommendations were made to the President that relief be given to the mining industry, but because of State Department opposition the President, instead of following the advice of the experienced Tariff Commission, established instead a stockpile program for the lead-zinc industry. While the stockpile program gave temporary relief it did not solve the basic problem of stopping the excessive imports of cheap-produced foreign metals. I ask unanimous consent that the entire statement of Mr. Otto Herres be printed in the RECORD at this point in my remarks.

Lead and zinc—like steel, petroleum, and building materials—are basic commodities, the ample supply of which contribute to the remarkable growth of the American economy. It is not surprising, therefore, that consumption of these metals has grown.

Prior to World War II, zinc consumption averaged less than 500,000 tons. Consumption in 1956 is estimated by the Bureau of Mines at 988,000 tons. More than 40 percent of zinc consumed is used in galvanizing steel products and a like amount is consumed in die castings which are so important to the automobile and other durable goods industries.

Consumption of lead in the United States has grown in a like manner.

From an annual average of 612,000 tons in the late thirties, the use of lead has increased to 1,250,000 tons. Approximately one-third of lead consumption is accounted for by the manufacture of storage batteries. Fifteen percent is consumed in tetraethyl motor fuels. Substantial tonnages are required by the electrical, pigment, and metal products industries.

American producers have independently tried to maintain the market at a high level and have curtailed production voluntarily in an effort to balance the market. These voluntary curtailments of domestic production have not been successful because foreign producers have loaded the market with more and more low-cost materials.

From 1946 to 1955, the world production of lead increased 45 percent while domestic production increased only 10 percent. At the present time foreign producers are shipping 28 percent more lead into this country than the total production of the United States producers.

During the same period, the world production of zinc has increased 56 percent while United States production has declined 15 percent. At the present time imports of zinc are 43 percent in excess of the total United States production.

Much thought has been given by industry and Government experts as to the best answer to the problem. Many solutions have been advanced, but few have been tried. While the need of some long term or permanent plan is apparent to industry and Government experts, only stopgap measures or measures designed to give temporary relief have been used.

The fact that some long term or permanent plan is necessary to stabilize the industry is fundamental. The mining industry is big business. To make a mine produce successfully and profitably it is necessary to invest large sums of money, oftentimes millions must be spent before 1 dollar's worth of ore is produced. It only makes sense that a company will not invest millions if there is a chance they will not be able to sell their product when produced or the price will be forced so low that they are unable to produce at a profit for their investors. Past experience has shown that direct subsidy programs are unpopular and short lived, that premium-price plans or other forms of bonus plans are not satisfactory and only act as stopgap measures. What the industry wants and needs is security over a long period of time. There must be assurance that there will be adequate protection from foreign producers to insure that a market will be available 5 or 10 years after the start of large-scale operations.

Huge investments necessary to such a project will not be made if they cannot be amortized. Domestic producers will be willing to invest large sums in exploration and development so as to produce the minerals and metals so necessary to our economy, only if such a long-range plan is in effect.

Let me say at this point that domestic producers do not want something for nothing. They are perfectly willing to meet any competition as long as the ground rules of production are the same. They do not want protection or a guaranty so as to protect themselves from other domestic producers. What they do need and want is protection against the flood of competitive metals and minerals produced by low-paid labor under conditions that would not be allowed to exist in this country. Until they get this needed protection the domestic mining industry will continue to be unstable and sick.

Nearly 3 years ago the Department of Interior, with the approval of the President, promised the Congress a remedy for the ills of the mining industry. Two years ago on August 14, 1955, the President said, in a message to Congress:

> I am conscious of the desirability of developing a long-range minerals program for the United States to assure an adequate mobilization base and to preserve a sound mineral economy. The advisory committee on minerals policy so advised and the Office of Minerals Mobilization has been established in the Department of the Interior to determine and recommend such a program.

The President also said in the same document:

> The interest of the domestic minerals industry will be better served by proceeding with the careful development of a long-range minerals program than by approving a stopgap measure extending substantial Government aid to only a segment of the industry.

So, 2 years ago the executive branch of our Government had determined that a long-range plan was not only advisable but necessary to the well-being of the mining industry.

No one expected the long-range plan to come into being overnight, but as time went on and the troubles of the mining industry became more and more severe, there developed a doubt if such a program would ever take place and if it was ever to be put into effect it would come too late.

Finally, on May 24 of this year, the Secretary of the Interior, Mr. Seaton, announced the long-range mineral plan had been formulated. When the plan itself was revealed to Congress and explained, it was met with mixed emotions. The plan was not a plan for the entire industry and in no way could it be called a cure-all. It considered only the welfare of the lead-zinc industry and did not take into consideration the protection of the producers of other strategic and critical minerals and metals so necessary to our economy.

The plan did, and this is a point I want to emphasize, take the first step in a long time in the right direction. It has long been agreed by industry and Government experts that the only workable long-range plan must embody some method to protect domestic industry from foreign producers. Whether the method to be used be import quotas, tariffs, or a form of import taxes, was immaterial as long as it provided the needed protection.

The plan as presented by the Department of the Interior, with the consent of the administration, recommended that certain excise taxes be placed on the importation of lead and zinc. At the hearings of the Senate Interior and Insular Affairs Committee, at which the plan was presented on June 4 of this year, Secretary Seaton was asked directly by members of the committee whether or not the State Department concurred with the proposed plan. Secretary Seaton replied that the plan had complete administration support.

Since that time the State Department, in a report to the Senate Finance Committee, stated directly that they favored the enactment of the legislation introduced to implement the lead-zinc excise taxes.

Mr. President, I do not have to tell you that this is the first time in many lean years that the State Department has conceded that our domestic mining industry, one of the most important segments of our economy, not only might need but deserves a little consideration over foreign producers. This I feel is a real step forward and one that might prove to be the turning point in curing the ills that have weakened this vital industry for so long.

The Nation cannot afford to swell the ranks of the unemployed with thousands of jobless miners, smeltermen, and other allied workers. Neither can it afford the severe consequences to defense and the economy resulting from the destructive effects of closing down many mines unable to operate within the present price and market structure. A mine is unlike a store. Once production halts and pumps are removed, a mine usually floods. Often it is lost to further production forever. At a minimum, it costs huge sums of money and a considerable length of time, sometimes years, before a mine can be placed back in operation. It certainly is dangerous folly to treat in this manner an industry producing strategic materials.

During the intervening months before we reconvene on January 7, I trust that further concrete headway is made before the Tariff Commission and the executive branch. Failing this, our duty is that when we return in 4 months to take the proper legislative action.

TRANSOCEAN AIRLINES

Mr. KNOWLAND. Mr. President, I ask unanimous consent that there may be printed in the body of the RECORD a statement I have prepared concerning the Transocean Airlines.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KNOWLAND

I have just finished reading the brief filed by Transocean Airlines on July 31 with the Civil Aeronautics Board in the irregular carrier investigation, in which proceeding Transocean is seeking a limited certificate to permit it to provide supplemental cargo and passenger air services. There is no Government subsidy whatsoever involved in the Transocean supplemental operations.

Transocean maintains its principal offices in my home city of Oakland, Calif. Since its organization in 1946, Transocean and its affiliates have become an integral and most important part of the business, civic and social community in the San Francisco-Oakland Bay area. We in the bay area and California are proud indeed of the public interest achievements of Transocean, and its affiliates, and its more than 5,000 employees throughout the world.

Through the years, I have personally become familiar with the operations and remarkable achievements of the Transocean organization. Orvis Nelson is rightly a legend among pilots and aeronautical people the world over; his leadership of the Transocean family is a truly great saga in this newest, fastest media of transportation which is such a potentially powerful vehicle for peace and the achievement and maintenance of the fellowship of all men everywhere.

I am aware, too, of the contributions which Transocean and its affiliates have made and are making to the national interest of the United States in some of the key areas of the world. These include not only the vital Middle East areas but the Pacific area between California and the Orient which the Civil Aeronautics Board in the recently decided reopened trans-Pacific certificate renewal case characterized as being one of the strongest international routes in the world and stronger than any American flag international route outside the Pan American World Airways system.

My one disappointment in the Transocean situation has been the failure of the Civil Aeronautics Board to grant Transocean a certificate in order to provide the stability needed to formulate and properly carry through long-range operational and financial plans. I am hopeful that the Civil Aeronautics Board in the irregular carrier investigation will grant Transocean an appropriate certificate; a type and form of authorization which, in my opinion, it richly deserves and merits. Certification is a step vital to the airline at this time but it is only the first step. The CAB irregular carrier investigation appears to be limiting its attention to domestic and overseas flying and paying little or no attention to operational authority to foreign countries. It is in this area of the foreign carriage of passengers and cargo that Transocean has made its most significant contributions and toward which authority it has concentrated its efforts.

Transocean first applied to the Civil Aeronautics Board during the summer of 1946 for a certificate that would authorize nonscheduled operations on a worldwide basis. The Board never acted upon this application but finally incorporated it into the large irregular carrier investigation.

After all these years indications are that Transocean will be severely limited in the international authority it may receive, if any, from this investigation. I feel very strongly that in addition to domestic and overseas authority Transocean should be authorized to provide supplemental air service in foreign air transportation if it is to make its full contribution to the national interest.

Perhaps the introduction of appropriate legislation looking toward the legislative certification of Transocean may be necessary. There is ample precedent for such legislative relief. In fact, the domestic trunklines and Pan American World Airways were certificated under the grandfather provisions of the Civil Aeronautics Act of 1938. The local service carriers were permanently certificated legislatively in 1955 (Public Law 38, H. R. 2225); and the intra-Alaskan and intra-Hawaiian carriers in 1956 (Public Law 741, S. 3163). This present Congress just recently passed and forwarded to the President legislation authorizing permanent certification of the United States-Alaskan carriers (S. 1873). Unlike Transocean, all of these carriers, except the all-cargo carriers, have been the beneficiaries of substantial Government subsidies over the years.

I believe in permitting the various administrative agencies ample leeway to carry out the intent and purposes of Congress in the discharge of their delegated statutory obligations. Therefore, I have refrained up to now from introducing legislation to certificate Transocean for limited-type supplemental air services. Nonetheless I must, in good conscience, say to my colleagues that I am finding it increasingly difficult to continue to refrain from sponsoring such legislation. I hope that the Civil Aeronautics Board will issue an appropriate certificate to

Transocean in the pending irregular carrier investigation, which certificate I believe unreservedly that Transocean fully warrants, merits, and deserves.

In order that my colleagues may have some knowledge of the contributions which Transocean and its affiliates have made and are making to the national defense and of the persistent, though as yet unsuccessful efforts, which Transocean has made over the years to be certificated by the Civil Aeronautics Board, I ask unanimous consent to have Appendix A and Appendix B from the brief of July 31, 1957, filed by Transocean Air Lines in the irregular carrier investigation printed immediately following my remarks.

Mr. KNOWLAND. Mr. President, in connection with my statement, I ask that there be printed in the RECORD also appendix A and appendix B of the brief to the Civil Aeronautics Board on behalf of Transocean Air Lines.

There being no objection, the appendixes were ordered to be printed in the RECORD, as follows:

APPENDIX A

MAJOR AERONAUTICAL SERVICE ON BEHALF OF THE GOVERNMENT OF THE UNITED STATES

1946

Air Transport Command; California-Hawaii round trips; volume, 2 per day; duration, 11 months.

1947

United States Navy and Civil Aeronautics Administration; operation landing aids experiment station, Arcata, Calif.; duration, 3 years.

United States Army; military dependents Seattle-Tokyo; volume, 750.

United States Army engineers; civilian defense workers; United States-Pacific bases; volume, 25,000 to 30,000.

1948

United States Army; military dependents Germany-United States; volume, 2,700.

United States Army; military dependents Seattle-Tokyo; volume, 700.

International Refugee Organization of United Nations; war refugees from Munich to Caracas, Venezuela; volume, 25,000.

United States Air Force; Berlin airlift support, United States-Europe; volume 100 transatlantic flights.

United States Air Force; Berlin airlift support; United States-Europe; volume, 11 Air Force bomber groups.

United States Air Force supervision; aircraft ferry, United States-China; volume, 158 C-46 aircraft.

International Refugee Organization; evacuees from Shanghai; volume, 13,000.

1949

United States Navy; cargo flights, Seattle-Adak; volume, weekly; duration: 2 years.

Military and Transport Service; cargo flights, California-Orient; volume, weekly; duration: 1 year.

1950

United States Navy; airlift and bush living in Alaska, Petroleum No. 4 project; duration, 2 years.

United States Air Force; airlift California-Tokyo (Korean airlift); volume, 25 to 35 flights per month; termination, February 1954.

1951

United States Army; movement of domestic military personnel; duration, continuing.

United States Navy and Interior Department; scheduled passenger, cargo, and mail flights in the trust territories; duration, continuing.

Military and Transport Service: en route service to military transport aircraft at Wake Island; duration, continuing.

1952

United States Navy; modification and overhaul of C-46 aircraft.

State Department; spraying and dusting activities in 21 Middle East countries; duration, continuing.

1953

United States Army; military dependents across the Pacific; volume, 360.

United States Army; transportation of military dependents Europe-United States; volume, 3,400; duration, 2 months.

1954

United States Army; transportation of military dependents Europe-United States; volume, 3,000; duration, January, February.

Completed 43 months of Korean airlift; volume, 17,750,489 aircraft miles, 92,035 aircraft hours, 13.7 hours average daily aircraft utilization.

United States Army; transportation of military dependents between Europe and United States; volume, 306 flights; duration, 6 months.

United States Air Force; miscellaneous flights between the United States and Tokyo.

1948

United States Air Force; overhaul C-54 aircraft by wholly owned subsidiary; volume, 555 aircraft; duration, 4 years by successive contracts.

1953

United States Air Force; overhaul T-33 jet trainers by wholly owned subsidiary; volume, 516 aircraft; duration, 1 year.

1954-57

Continuing large-scale operations in air transportation and overhaul and maintenance in domestic and international fields for the military departments.

Classified operations including the transportation of nuclear material and airlift to secret bases are not included in the foregoing.

APPENDIX B

LIST AND DESCRIPTION OF CAB APPLICATIONS OF TRANSOCEAN AIR LINES

Docket No. 2379: June 1946 application for special services. No action and application terminated upon institution of proceedings in Large Irregular Investigation, Docket No. 5132.

Docket No. 2537 et al.: Pacific Northwest-Hawaii Case. Application for scheduled services denied.

Docket No. 3041 et al.: Transatlantic Cargo Case. Application for transatlantic cargo service denied.

Docket No. 3041 et al.: Reopened Transatlantic Cargo Case. Application of Seaboard & Western granted, and Transocean's application denied.

Docket No. 5582 et al.: West Coast-Hawaii Case. Transocean's application denied.

Docket No. 5031 et al.: Transpacific Certificate Renewal Case. Examiner recommended temporary certificate to Transocean for carriage of persons and property only in the transpacific area; but the Board by a 3 to 2 vote did not adopt the examiner's recommendation. Thereafter, the Board, by a split of 2 to 2 vote, denied Transocean's reconsideration petition, despite a concession of error in original opinion, and without retransmitting to the President in light of such error, although one member urged that such retransmittal be made.

Docket No. 5132 et al.: Irregular Carrier Investigation. Granted supplemental authority of persons and property in domestic and overseas air transportation but denied supplemental authority for carriage of persons in foreign air transportation on a limited basis. The acquisition of the latter authority has been the 10-year quest of Transocean.

Docket No. 7300: Application for exemption for authority to engage in transportation of persons and property (charter and special services) between points in the United States and between points in the United States and overseas and foreign points. No action by CAB.

In the Transpacific Certificate Renewal Case it should be noted that the adverse decision of the CAB and the President was on the basis of an adverse 3 to 2 vote within the CAB. Two members of the Board filed a vigorous dissenting opinion urging that the Board and the President adopt the examiner's recommendation. It is of further interest that when the decision was affirmed by the President, one of the majority, Hon. Oswald Ryan, had failed of reappointment to the Board. Transocean petitioned for reconsideration of the adverse decision but was turned down by a 2 to 2 vote of the Board and without the Board sending the matter to the President, despite the fact that the two adverse members conceded in the reconsideration order that certain errors had been made in the original majority decision in which the examiner's recommendation for certification of Transocean failed of adoption by one vote.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1791) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9302) making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes, and that the House had receded from its disagreement to the amendment of the Senate numbered 15 to the bill, and concurred therein.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H. R. 230. An act to require the Secretary of the Army to convey to the county of Los Angeles, Calif., all right, title, and interest of the United States in and to certain portions of a tract of land heretofore conditionally conveyed to such county;

H. R. 2075. An act for the relief of Albert Heinze;

H. R. 2654. An act for the relief of Martin Wunderlich Co.;

H. R. 2904. An act for the relief of the Knox Corporation of Thomson, Ga.;

H. R. 3370. An act to amend section 1871 of title 28, United States Code, to increase the mileage and subsistence allowances of grand and petit jurors;

H. R. 3468. An act for the relief of J. A. Ross & Co.;

H. R. 6127. An act to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States;

H. R. 7536. An act to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941;

H. R. 8256. An act to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social security benefits and to provide additional exemptions for age and blindness, and to exempt from personal property taxation in the District of Columbia boats used solely for pleasure purposes, and for other purposes;

H. R. 8508. An act to provide that there shall be two county committees elected under the Soil Conservation and Domestic Allotment Act for certain counties;

H. R. 8928. An act to amend the act of June 9, 1880, entitled "An Act to grant to the corporate authorities of the city of Council Bluffs, in the State of Iowa, for public uses, a certain lake or bayou situated near said city;

H. R. 8994. An act to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes;

H. R. 9406. An act to amend the act of June 23, 1949, as amended, to provide that telephone and telegraph services furnished Members of the House of Representatives shall be computed on a biennial rather than an annual basis; and

H. J. Res. 374. Joint resolution for the relief of certain aliens.

LEASING OF SPACE FOR FEDERAL AGENCIES

The PRESIDING OFFICER (Mr. STENNIS in the chair). The hour of 11 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill, S. 2533, to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to lease space for Federal agencies for periods not exceeding 15 years, and for other purposes.

CIVIL RIGHTS

Mr. RUSSELL. Mr. President, H. R. 6127, masquerading under the false title of an act to secure and protect civil rights, has now passed the Congress and has been messaged to the President. Its legislative history is written. It will doubtless be signed into law. Any legislation motivated by politics rather than principle is bad. Seldom has any single piece of legislation been the object of so much political bidding in the effort to gain the votes of a minority bloc group. Both political parties, as such, and numerous individual Members of both Houses of Congress worked at the auction. Several aspirants for the Presidency vied for the most conspicuous place in the picture.

I have the conviction that the great mass of the American people are sick and tired of the frauds that are sought to be perpetrated for political purposes in the sacred name of civil rights. The fact that this legislation was able to generate so much support is classic proof of an observation once made by Elihu Root that "a Member of Congress feels that an organized minority will punish where an unorganized majority will not protect." Mr. Root might well have gone further and stated that politicians in the executive branch of the Government, where this measure was conceived, are wholly sensitive to the truth of this maxim.

If it were intended to apply this law equally and fairly to all cases of coercion and intimidation in voting, to ballot stuffing and election rigging in each of the 48 States, one might find some excuse for it even though it is an unconstitutional intrusion of Federal power into matters reserved to the State by a written Constitution. It was so shot through with politics that its sponsors did not even pretend to be concerned about fraudulent elections and coercion in voting throughout the Nation. There was no pretense even that the bill was not aimed solely at the Southern States. It was undoubtedly enacted to curry favor with the National Colored People's Association and kindred groups, and largely in response to their threats of political reprisal.

This law will be administered by a politically minded Attorney General. There can be little doubt that he will be constantly pressed by the Vice President of the United States to apply the great powers of the law in the Southern States, at such places and in such time and manner as the NAACP, of which the Vice President is the most distinguished member, may demand.

The threat of this vicious legislation will be used to intimidate honest officials of State and local governments who are earnestly endeavoring to discharge their duties under their oaths of office and the laws of their respective States.

It is entirely likely that the application of this law will result in forcing the registration of a large number of Negro citizens who, in fact, cannot meet the qualifications prescribed for all electors under the laws of the State in which they live. It is a thoroughly bad bill, and places dangerous powers in the hands of those who are to administer it without much comforting proof of their responsibility and fairness.

Mr. President, several Senators among the little group of 18 who organized early in the year to fight the misnamed civil-rights bill have requested that I make a statement in regard to the criticisms leveled at southern Senators for not undertaking to filibuster H. R. 6127 to death. At the outset, I think it should be said that a number of Senate bills in this field, including one identical with the original H. R. 6127, with 39 of 96 Senators as authors, were introduced in the Senate at the beginning of this session of Congress. Those bills were the subject of extended hearings by the Committee on the Judiciary of the Senate. All of them are still in that committee. Not one of them ever reached the floor of the Senate.

H. R. 6127 passed the House of Representatives on June 18, despite the valiant opposition of most of the Representatives from the Southern States, who were aided by a small number of Representatives from other sections who courageously rose above the miasma of politics to defend constitutional government. When the bill was messaged to the Senate from the House, a combination of Senators from both parties joined hands to prevent the bill from being referred to the Judiciary Committee, which was the proper course under the rules. Through a strained and devious application of the rules of the Senate they succeeded in their purpose. Our group of 18 Senators who were opposed on principle to every part of the bill—we were 18 of the entire membership of 96—were confronted with the necessity of making grave decisions in planning our opposition to the measure.

Few, if any, of the 18 were strangers to the filibuster. A majority had been through many bone-wearying legislative struggles on similar proposed legislation. We had not, however, previously been faced with such a vicious and far-reaching bill under such difficult conditions.

There is a mistaken impression, widely held, that a filibuster in the Senate is a comparatively easy method whereby a few determined men can prevent the passage of almost any proposed legislation, if they are willing to talk. Even Senators sometimes refer to the right of unlimited debate in the Senate. Unfortunately for our country, no such right has existed since 1917.

As a matter of fact, Mr. President, the Senate does have a previous-question rule which has been in effect for 40 years. It is a little slower in the process of strangulation than the rule in the House of Representatives, but it can be equally effective in bringing a bill to a vote.

At any time they may wish to do so, 16 Senators may file a petition to end debate in the Senate. Under our rule, a Senator who may have the floor and may be addressing the Senate, can be interrupted in the course of his remarks at any time, so that the petition may be filed. The most notable difference between the gag rule of the House of Representatives and that which obtains in the Senate lies in the fact that the Senate rule requires a two-thirds vote of all of the Senators, in order to gag the Senate, whereas in the House of Representatives a majority of those voting can cut off debate.

Several careful canvasses by our group revealed that we did not have as many as 32 Senators who would stand firmly against the application of cloture or gag rule, so as to enable us to talk the bill to death.

The 18 southern Senators were confronted with a hard choice. From a purely political point of view, it would have been the easy course for the 18 of us to have planted our feet in concrete and to have announced that we would filibuster to the death against the bill. We could have proclaimed that we had died defending the barricades, and thereby undoubtedly have won great plaudits from most of our constituents for our heroic, last-ditch resistance. But, Mr. President, there is little doubt that this course would have resulted in having the Senate pass the vicious bill in the original form in which it came to us from the House. As sensible men experienced in the Senate, we knew that the easy course was sure to lead to defeat for us and to an unparalleled disaster to the States we strive to represent.

We are fully cognizant of the fact that our people have become accustomed to expect filibusters in circumstances such as those in which we found ourselves, and that the adoption of any other course in a desperate effort to strip the bill of its most vicious provisions was likely to be misunderstood by the unthinking. The stakes were great. They involved the preservation of the social order and way of life of several of the Southern States.

We, therefore, Mr. President, pursued a policy of appeal to reason, rather than to launch a futile talkathon. Our speeches on the motion to take up the bill were designed for a maximum of length to appeal to the sense of fair play and justice of our colleagues and, beyond them, to the masses of the fair-minded American people, and to do this without bringing on a gag which would have cut off our exposure of the vicious character of the original House bill.

The bill had been sailing under false colors. In two speeches in June on the majority procedure to bypass the Judiciary Committee, I stressed the fact that supporters of the bill were referring to it as a voting bill, while planning to use it to mix the races in the public schools of the South, even at the point of Federal bayonets. This drastic course was clearly authorized in part III.

Later, on July 2, just before the motion was made to take up the bill, I again addressed the Senate. I attempted to point out the iniquitous powers over our people vested by part III of the bill. I demonstrated—so clearly that it was never refuted—that part III of the bill was cunningly designed to use the whole power of the Federal Government to destroy the separation of the races in the South on which our way of life is based.

In opposing the bill, the members of our devoted little band did not reckon the cost in hours of sweat and toil. We used every means at our command, including television and radio appearances, to enlist public sympathy outside the South.

When it is considered that there were only 18 out of 96 Senators, all of us suspect because we were from the South, who were willing at the outset to wage an all-out fight on this bill, I think that I can, in all modesty, say for myself and my associates that the legislative history of the Senate does not reveal as great a victory by so few Senators as the one we attained.

Of course, Mr. President, it would have been manifestly impossible for our group to have made any progress whatever, in amending the bill, had it not been for the fact that brave and fairminded Senators from other areas, when the facts were presented to them, rallied to the cause of constitutional government. They rose above the political pressures to which they were subjected from day to day as they walked about this Capitol. And the performance of the Senate upon that bill, under the pressures that were being applied on the principal amendments that were adopted by the Senate, is enough to restore the faith of any doubting American anywhere in the vitality of the legislative system and of our American Government.

I will not resort, Mr. President, to the calling of names, but there are men in this body who had nothing to gain and a great deal to lose politically who, when they were convinced of the correctness of our position, took in stride the threats of political reprisal that were hurled, shook them off, and rose to vote their views as to the right course of action in the national interest.

We have heard of acts of great courage that had been displayed in this body in years gone by. We have heard of the dramatic role of Senator Ross, of Kansas, who, undertaking to preserve the division of powers, voted against the impeachment of President Andrew Johnson, when he knew that action would seal his political doom, if it did not in fact endanger his very physical life.

For years I have read the stories of old about men of courage rising in the Senate of the United States, placing the title of an office that they highly prized upon the tables of chance in order that they might do that which their consciences dictated. That spirit is not dead in the Senate. We saw it displayed during the fight on this bill time and time again here on the floor of the Senate. For my part, at the conclusion of the Senate action on this bill I was more proud of the fact that I had been permitted to serve in this body and associate with those courageous Senators than I had been at any other time in my career.

Part III, aimed at striking down the separation of the races in our hospitals, schools, in hotels, at swimming pools, and at all places of public entertainment was stricken from the bill. The Senate then proceeded to write into the bill an amendment guaranteeing the right of a jury trial for any person charged with criminal contempt in the Federal district courts.

There had been much confusion, Mr. President, as to whether or not it were appropriate to provide a jury trial in cases of criminal contempt arising under injunctive process. There were many digressions and excursions, into the realm of fancy, to divert attention from that constitutional principle, which is one of the primary rights upon which all Americans must rely for the preservation of their liberties. When the United States Senate understood that issue, the Senate rose to the occasion and declared for the right of every American to face a jury of his peers when charged with criminal contempt.

Other amendments adopted in the Senate prohibited the use of volunteer workers from the National Colored Peoples' Association and kindred groups by the Commission established under part I, and required Senate confirmation of the Executive Director of that Commission. The Director will, of course, be its principal officer. These amendments were certain to play a great part in its operations and in the making of its report.

When we had arrived at this particular stage of the proceedings in the Senate I happened to learn that a determined effort would be made to revive some of the provisions of part III that had been stricken from the bill. The new amendment appeared harmless on its face, but if it had been adopted it would have placed the stamp of Congressional approval on the erroneous, if not infamous, decision of the Supreme Court requiring the mixing of the children in the public schools without regard to the wishes of the parents of either race. We, therefore, quickly closed the bill to amendment in order to assure that none of the victories that we had gained would be snatched from us.

The bill was then returned to the House for action on the Senate amendments. I shall not indulge in any recriminations in attempting to fix the responsibility for the great weakening of the Senate jury trial amendment in that body. I am not given to criticism or questioning the motives of men who are bound by the same oath that binds me. I shall content myself by saying that if a few leaders from the Southern States in the House of Representatives had been willing to accept the Senate jury trial amendment, applied only to H. R. 6127, they could have had the Senate amendment at any time over a period of about 10 days.

The bill was returned to the Senate from the House of Representatives with two amendments, one of which greatly weakened the jury trial amendment that the Senate had adopted after exhaustive discussion.

The bill has now passed beyond the jurisdiction of the Congress, and I can now say that I and at least 16 of our original 18 lived—every second and every day that these amendments were pending in the Senate—in mortal fear of an attempt to revise some part of part III that would approve the race-mixing decision of the Supreme Court of May 1954.

If we had conducted an all-out filibuster against the House amendments, as many people not familiar with the legislative situation demanded, we would have invited ultimate disaster in the form of amendments reopening in some way part III, that we had stricken from the bill. Under the rules of the Senate, amendments to the two amendments of the House were in order and could have been offered by any Senator at any time. We simply did not have the votes to successfully protect a filibuster. We therefore had nothing to gain and everything to lose by launching one. Under the conditions we faced, if I had undertaken a filibuster for personal political aggrandizement and in response to demands that were made upon me, I would have forever reproached myself for being guilty of a form of treason against the people of the South.

Mr. President, if there is any one subject relating to the Senate and Senate procedure with which I am familiar it is the knowledge I have acquired about filibusters. It was my high privilege to serve as leader of a group of southern Senators who, week after week, fought the effort to change the rules of the Senate in order to gag Senators from sovereign States easily and readily.

I was honored to serve in the same position in opposing several other politically motivated bills aimed directly at the Southern States, including the original FEPC bill. Many other members of our group have been in the Senate for years and participated in these historic struggles.

There was not a man among us who was not willing to speak against this iniquitous bill until he dropped in his tracks. We would have done so, but for the conviction, growing out of our knowledge of the Senate and the experience of many years in this body, that a filibuster was certain to make a bad bill infinitely worse.

We knew that it could cause us to lose all of our hard-gained victories in striking out the provisions of the bill which would have authorized the Attorney General to use every ounce of the vast power of this great Government of ours to destroy the system of the separation of the races in the South.

Our group held numerous meetings and the wisdom of launching a filibuster was often discussed. All members of the group were living with the problem from day to day, defending the things dearest to our hearts while under heavy fire. At no time did any member of our group declare in any of our meetings that it was his belief that a filibuster was advisable, much less that one could be successfully waged. The contrary view was expressed on innumerable occasions.

Part IV, the voting section, as I have said, is likely to be abused in its application. If it is, Mr. President, ways can be finally found, when the heat and political pressure of the moment have passed, to recapture control of our local governments. We will do so, and handle our elections, and we will deal fairly with all men of all races, permitting and guaranteeing the sacred right of suffrage. But, Mr. President, there is no power on earth which can restore a great civilization that has been weakened and destroyed by miscegenation and amalgamation of the blood of two different races of almost equal numbers.

When the decision in the Brown case was handed down by the Supreme Court, I immediately issued a statement denouncing the decision and charged that it could well result in the destruction of public education in several of our States. I repeated that statement on the floor of the Senate at the first opportunity.

If the bill had passed the Senate as it came to us from the House, Georgia and several other Southern States would have been presented with two of the hardest alternatives ever confronting any people. One of two things would have surely happened. Either Federal political officials with every power of the Federal Government behind them would have succeeded in mixing the races in the schools—or the public schools would have been closed. Mr. President, in other lands throughout a long period of history great peoples and great civilizations have tried the first course. Miscegenation has been the inevitable result. Under the original bill, many of our people may have gone to their death resisting Federal bayonets or have wasted away in Federal concentration camps for seeking to keep their children in schools attended only by their own kind.

I pray God that we may never be confronted with this hard choice. If my people are ever confronted with it, I hope that they will have the fortitude to close the public schools of Georgia and tell the Federal minions to do their worst. I say this fully aware of the magnitude of the disaster visited upon a people forced to close their system of public schools to educate their youth. A public school system is the most important of all of the functions of State government and I recognize that fact, but I make this statement with the knowledge gained from history that the eventual amalgamation of the races would be an even greater tragedy. We would find a way eventually to open the schools, but it would never be possible to restore the purity of either race if their blood be ever mixed.

Our southern forebears managed to live through the ordeal of the reconstruction period. Disenfranchised and helpless, they saw cunning politicians acting under color of Federal law abuse all State processes, particularly the elective process, and manipulate the vote of our Negro people. It was indeed the Tragic Era.

Most of the public offices throughout the Southern States were occupied by Negroes. These officials were in turn controlled by thieving carpetbaggers and scallywags.

The courage and genius of our forebears enabled them to survive this trying experience and to emerge from it with our social order intact, though our economy was destroyed.

I would not be honest if I did not tell the southern people that they are in for difficult times. The order of the Reconstruction Period will be completely reversed, for the employees of Mr. Brownell, who will make political forays into the South, will be directed by the political leaders of the NAACP. Instead of white carpetbaggers directing Negro officials, Negro political leaders will direct the carpetbagger attorneys of the Department of Justice.

I can only urge our people to display the same courage, devotion, and patience that enabled our forebears to survive the years of reconstruction. The great extremes of that period finally sickened the people of the United States outside the South. If the politically dictated persecution which may await us is severe it will eventually outrage the sense of decency inherent in the masses of the American people of today. There is no doubt in my mind that we will be able to find allies in the cause of constitutional government which will enable us to shake off the talons of predatory Federal politicians, if the abuses which result from political enforcement of the voting section of the law are too flagrant.

As I have said, the bill is bad, but consider how much worse it would have been if we had not been able to eliminate part III from the bill. If that vast, yea, limitless power had been vested in a political Federal appointee, he could have moved simultaneously against every school board of trustees in every Southern State. At the same time, he could have brought thousands of lawsuits at the expense of the American taxpayer and supported by the full power of the Federal Government to break down every scintilla of separation of the races in every walk of life in every public place.

If the original part III had been applied so as to bring about the social intermingling of the races from the kindergarten to the grave, southern civilization would have been destroyed beyond hope of redemption. This was the supreme tragedy we sought above all else to avert.

If permitted a personal word, Mr. President, I may say that I have been accustomed to hard work all of my life, but never have I put as much effort in any single endeavor as I exerted in seeking to strike the most vicious provisions from H. R. 6127.

There were few nights over a period of 8 or 9 weeks when I had more than 4 hours' sleep. Many midnight hours were spent in legal research and study of the bill, the numerous amendments proposed, and the deceptive statements of our adversaries. I undertook to the limit of my ability to present facts and plead the cause of the South at every opportunity. Whether on the floor of the Senate, or conferring with the President of the United States, or on radio or television, I sought to get our case before the country. The same statement could be made with respect to every other member of our group. Not a member of our group of 18 spared himself in any degree and each and every one of them made a great contribution to the victories we were able to gain.

In years gone by, it has been a source of pride to me that our group was able to defeat bills of this nature when they were forced to the consideration of the Senate. In the case of H. R. 6127, we were from the outset faced with greater odds than ever before.

I do not have the power of expression which would permit me to pay adequate tribute to those who came to our relief when abuse was heaped upon us as we presented the facts and exposed the implications of the issue.

With a few brave exceptions, we were confronted in the beginning with overwhelming numbers of both the Republican and Democratic Parties outside the South and it took courage of the highest order for many of those Senators to change positions publicly taken before they knew the facts.

It has saddened me to lose any part of the victories that we gained on the jury trial amendment, but the fact that we were able to confine the Federal invasion of the South to the field of voting and keep the withering hand of the Federal Government out of our schools and social order is to me, as I look back over the years, the sweetest victory of my 25 years as a Senator from the State of Georgia.

Most of my public life has been dedicated to the preservation of the separate systems for the races on which the life of Georgia and the South is based. If my position is misunderstood or twisted for political purposes, I would consider the loss of my seat in the Senate as a cheap price to pay for the conviction in my heart, mind, and soul that God was kind enough to vouchsafe to me and those associated with me, the strength and the understanding to follow the wisest course in meeting the great danger posed by this legislation.

I have lived a full life and through the generosity of the people of my State have enjoyed every honor they could bestow. I like to think that I would gladly part with what remains of that life if this would guarantee the preservation of a civilization of two races of unmixed blood in the land I love.

Mr. LONG. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. LONG. I congratulate the Senator from Georgia upon the very fine statement he has made, and inform him publicly that it has been a great honor to serve under his leadership in the fight to preserve the rights not only of the Southern States, but of all the States, and all our people. The Senator's views reflect the almost unanimous views of southern Senators.

The question will be asked of many of us when we return home why we did not engage in a filibuster. I wish to make it clear for the RECORD that so far as the junior Senator from Louisiana is concerned, I personally raised the issue of an organized filibuster by the southern Senators, recognizing that gag rule would undoubtedly be applied to us, and that the bill would pass under a cloture rule.

When I raised the issue, the view was expressed by several Senators, including the junior Senator from South Carolina [Mr. THURMOND] that an organized filibuster would be a mistake. It was unanimously agreed that such would not be the wiser course. It was left to each Senator to make a speech of such length as he saw fit, but not to engage in an organized filibuster.

I am proud to associate myself with the collective judgment of all southern Senators who made this fight. We shall continue to do our best in the future.

I ask unanimous consent that statements made by various other Senators be printed at this point in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

[Senator ROBERTSON of Virginia, August 23, 1957, CONGRESSIONAL RECORD]

Mr. ROBERTSON of Virginia. If a sufficient number of Members of this body see this issue, as I do, as a matter of principle, the bill will not be accepted in its present form.

But, if a sufficient number of Members of the Senate are not willing to block passage now, I frankly doubt our ability to win a majority by forcing the Senate to remain in session for an extended period.

As a realist I recognize also the fact that if we now antagonize those allies who helped us to eliminate some of the worst features of this bill, they may not continue to stand with us against those forces which would destroy the character of the Senate as a deliberative body by limiting debate in order to obtain more prompt action on radical reform measures.

The bill before us, as I said at the outset, is an evil one, and I hope will be rejected. The record is clear that I have never wavered in my opposition to it.

[Senator ELLENDER, August 29, 1957, CONGRESSIONAL RECORD]

Mr. ELLENDER. Mr. President, this morning I was aroused to come to the Senate at 10 o'clock to make the short speech I have to deliver. I have been sitting in my place now for 11 hours and 45 minutes awaiting my opportunity. While I am on my feet I wish to compliment the distinguished junior Senator from South Carolina [Mr. THURMOND] for his great feat of endurance. I know what an ordeal he went through. I wish to say that I held title of the longest filibuster for about 2 or 3 years until another idiot, in the person of the senior Senator from Oregon [Mr. MORSE] beat my record. [Laughter.]

But there is one record I hold which I do not believe anyone will ever exceed. It was established about a year after I became a Member of the Senate over 19 years ago, and I was successful in holding the floor for 6 successive days by unanimous consent, and speaking from 6 to 8 hours. So I know the ordeal through which my good friend from South Carolina went in the 24 hours he spoke.

* * * * *

I am going to vote against this so-called compromise, and I urge all my colleagues to do likewise. My only regret is that the pressure for adjournment is so great that those of us who seriously, conscientiously, and for good cause oppose this bill cannot obtain sufficient time to discuss it in detail—to lay its faults bare before the bar of public opinion.

I have on my desk in my office a speech covering over 1,500 pages. I had planned to make it should the necessity arise. I think the occasion for its delivery has arrived, and I am ready and willing to begin delivering it. However, I am a realist, Mr. President. I have discussed this matter with a number of my colleagues and it is obvious that proponents of the bill, as it has been compromised, are so numerous that they are able, and also willing and anxious, to choke off debate by invoking cloture at the earliest moment. Under the circumstances, it would be a futile gesture to attempt to obtain sufficient time to properly present the ugly picture of this bill to the American people.

I warn those who have been hypnotized by the legislative snake charmers who advocate this alleged compromise that they are making a bed of thorns for themselves. I urge all Senators to vote against the bill.

[Senator TALMADGE, August 29, 1957, CONGRESSIONAL RECORD]

Mr. TALMADGE. Mr. President, H. R. 6127 was passed by the House of Representatives and reached the floor of the United States Senate without any significant change from the iniquitous version submitted to Congress by Attorney General Brownell.

As taken up initially by the Senate, it was a force bill of the rankest order. It would have conferred upon the Attorney General of the United States unlimited power to harass, intimidate, and control the thoughts and actions of all Americans in all areas of human conduct. It would have empowered the President of the United States—or the Attorney General acting for him—to use the full armed might of the Nation to force integration of the races in every facet of life, public and private, in the South. It would have repealed the constitutional right of trial by jury.

Seventeen determined southern Senators—with all odds against them—set out to do what their counterparts in the House of Representatives were unable to do: To eliminate the more vicious provisions of this monstrous legislation. The success of their skillful, courageous efforts and the effectiveness of their persuasive, dignified arguments speak for themselves.

The measure as the Senate returned it to the House of Representatives was an emaciated shadow of its former brute self.

The Senate version struck out those provisions which would have restored bayonet rule and authorized the use of the Army, Navy, and Marine Corps to force racial integration in the South.

The Senate version eliminated those provisions which would have given the Attorney General dictatorial powers to regiment the thoughts and actions of the American people.

The Senate version contained an ironclad guaranty that the constitutional right of trial by jury would be respected and upheld in all cases of criminal contempt arising under it.

The success of the southern Senators in pyramiding their 17 votes to win these herculean victories for constitutional government and individual liberty was beyond their fondest original expectation. As repugnant as are the remaining provisions to constitutional principle and States rights, it nevertheless had to be admitted, even by advocates of the measure, that southern Senators gained far more than they lost.

It had been hoped that the House of Representatives would sustain the full gains made by the Senate.

Unfortunately, however—through a so-called compromise which compromises at best principle and at worst the Constitution of the United States—the jury-trial guaranty was sacrificed.

After only an hour's delay, the House returned the bill to the Senate.

The problem then confronting southern Senators was how best to protect the interests of their constituents.

Certain Members of the House of Representatives presumed to advocate that we conduct a filibuster against the bill.

I do not know why these men arrogated unto themselves greater wisdom than the combined intellect of 16 southern Senators. It could not possibly be because they were more successful in eliminating the more vicious and iniquitous provisions of the bill.

To be sure, the fact that a grandstand of long-winded speeches would be immediately popular with our constituents—who, like us, are unalterably opposed to this bill in any form—was not lost upon us.

But reason dictated that, in determining our course of action, we should measure the gains we had made against the potential losses.

The facts we had to face were these:

First. It would be impossible for 17 Senators to conduct a filibuster until the convening of the 86th Congress in January 1959. Debate in the Senate can be limited by 64 votes, and with 79 Members of the Senate favoring a civil-rights bill, there exist 15 votes more than the number necessary to impose gag rule at will.

Second. There is pending in a subcommittee of the Rules Committee of which I am chairman seven different resolutions—Senate Resolutions 17, 19, 21, 28, 29, 30, and 32—to liberalize the provisions of Senate rule XXII, under which debate in the Senate can be limited. Those resolutions contain an aggregate of 54 signatures—5 more than necessary to pass any one of them.

As chairman of that subcommittee, I have been successful in my insistence upon full hearings on, and thorough study of, these resolutions before any action is taken on them. Because of the present complexion of the Rules Committee, it is well known that any filibuster attempt would result in the reporting of one or more of these pending resolutions and the imposition of a much stronger cloture rule, which would further limit the ability of individual Senators to protect their constituents.

Third. The majority of the Members of the Senate—by at least 3 to 1—favors a stronger bill than the one presently under consideration. This is evidenced by the fact that, in voting on amendments to parts III and IV of the bill, 12 to 15 Senators voted with the South on one amendment, only to vote against it on the other.

There is considerable sentiment on the part of the President and the majority of the Members of both Houses of Congress to add a new section III to this bill which would empower the Attorney General, without jury trial, to force complete integration of our society. During the course of prolonged debate, such action still could be taken.

Fourth. Next year is a Congressional election year. Both the Democratic and Republican Parties—aided and abetted by the White House and the Vice President—undoubtedly will demand next January that this same Congress pass a much stronger civil-rights bill, probably with FEPC provisions. These efforts will again require determined opposition on the part of southern Senators, and our success will depend in large measure upon the good will of Senators from other areas of our country.

Should we destroy what good will remains among independent Senators of this Congress, the passage of new, radical civil-rights legislation, with FEPC provisions, will be a foregone conclusion.

For these reasons, it was the unanimous opinion of the 16 dedicated southern Senators that no organized filibuster against the Brownell bill be conducted on the floor of the Senate.

Speaking for myself, Mr. President, I have represented, and will continue to represent, my constituents and our beloved State of Georgia to the best of my ability and according to the dictates of my conscience.

I have never compromised principle, and I never will.

But I declare to this Senate, the Nation, and the world, Mr. President, that neither will I allow those who are uninformed as to the facts and circumstances to stampede me into acts which I am convinced would, in the long run, wreak unspeakable havoc upon my people.

And it is to them, Mr. President, that I leave the judgment of my decision and action.

Mr. LONG. Finally, Mr. President, I ask unanimous consent that the statement of the Republican leader of the Senate be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. KNOWLAND. Mr. President, during the course of this debate, I have differed on numerous occasions with the distinguished junior Senator from Georgia [Mr. TALMADGE]. He has thought that this approach to the pending bill was wrong, and I have thought that it was right. I respect him for his opinions, and I believe he respects me and those who have differed with him for our opinions.

Anyone who knows the Senate of the United States is aware of the fact that the overwhelming majority of the Senate desires to pass a voting rights bill. There can be no question that had the majority desired to do so, cloture could have been invoked to pass the bill in its present form, with votes to spare.

As one who has served in the Senate for over 12 years, I honor the Senate of the United States and its great tradition. One of these traditions is that of free debate.

During the entire debate up until yesterday, the discussion was both germane and helpful. Up until then, the debate had contributed to the working out of amendments and modification of the bill, some very substantial in character.

Because of the high standard of the general debate, the majority properly decided neither to circulate a cloture petition nor to attempt to invoke cloture. Had the Senate been blocked by dilatory tactics and obstructionism in debate, we would have had no other choice. That this condition did not come about is due to the restraint and the statesmanship of the opponents of the proposed legislation and to the reasonableness and the moderation of the proponents.

It has been a hard fight. I hope it leaves no scars that cannot be quickly healed.

We honor and we respect our colleagues from the South who have made an honorable and a determined fight against heavy odds. Their fight resulted in substantial amendments to the bill as it came to the Senate from the House of Representatives. I hope and believe that the Commission that will be appointed by the President of the United States under this bill will be a fair and moderate one in its approach to the great problems involved.

I make this final plea tonight particularly addressed to our colleagues from the South. Let no gulf divide us. Let us close ranks as Americans and try for just solutions to our common problems.

Mr. STENNIS. Mr. President, I wish to express my profound thanks, as a fellow Senator and as an American, to the Senator from Georgia [Mr. RUSSELL] for his fine, unselfish leadership in the handling of this particular piece of legislation. I pay special tribute to his skill, patience, and foresight. The qualities which he has exemplified constitute highlights among senatorial records of all time.

He discharged his responsibilities with the greatest of distinction. The fine prestige which he enjoys among every one of his colleagues and throughout the Nation lent great weight to the cause for which he spoke. He is an able constitutional lawyer, with a highly trained mind. He is an experienced legislator and parliamentarian. All those qualities added weight to his efforts. He has rendered a great service not only to the South but to the Nation. I am sure we all feel a great debt of gratitude to him, above all, for his devoted selflessness, his magnificent courage, his wise counsel, and his great knowledge. He has been a source of strength to all of us—not merely those of us from the South. He has lent strength to this body and to the Nation. My people are among those who are his grateful and everlasting debtors. It is my privilege and honor to speak for them.

Mr. RUSSELL. Mr. President, I deeply appreciate the kind words of the Senator from Mississippi. I know better than anyone else that I do not deserve the measure of credit he accords to me. This was a joint effort. I served as chairman of the group, but the leadership was joint. The group was so small that we could all be leaders.

Mr. JOHNSON of Texas. Mr. President, I followed the well chosen words of the Senator from Mississippi very carefully as he uttered them. I do not know that I have ever heard a more accurate or more beautiful tribute paid to any colleague in the Senate. I could spend days and nights attempting to emulate the Senator from Mississippi and yet not be able to do it. Therefore I should like the RECORD to show that the sentiments he has expressed are entertained by the senior Senator from Texas. They are expressive of the very high regard and the very great respect and affection that so many people, including the President of the United States, have expressed for the senior Senator from Georgia. But for him, there would have been passed by the Senate a far-reaching, a vicious, and an unworkable piece of legislation.

Mr. RUSSELL. I may say that I am very much overwhelmed by these expressions. It would be impossible for me to have my affection for the Senator from Texas to be increased. I enjoy our relationship as one of the things that I prize most highly in this life. The Senator from Texas knows better than anyone else that I am not in fact entitled to the statement he has made.

Without the brilliant leadership displayed by the senior Senator from Texas, it would have been impossible to secure adoption of the jury trial amendment.

I am always somewhat uncomfortable when I am being praised for something I do not deserve. I say to the Senator from Texas, in the words, I believe, of Horace: "It is sweet to be praised by those who are themselves praised."

Mr. HILL. Mr. President, I wish to express my appreciation to the distinguished senior Senator from Georgia [Mr. RUSSELL] for the very able, wise, devoted, and inspiring leadership which he gave to our southern group of Senators. The action of our group was the action that came out of conferences in which members of the group sat around the table together and talked over and weighed the different situations, and exchanged their thoughts and ideas most carefully, and canvassed and surveyed all the different possibilities.

We acted after we had made the most painstaking, careful, and thorough examination of the facts and of the practical polical situation which confronted us.

The people of the South could not have had a leader with greater fidelity to them than the Senator from Georgia.

The Senator from Georgia, with great personal sacrifice, tireless effort, and inexhaustible work, rendered a consecrated service to the cause of the people of the South, and a consecrated service to the cause of the entire Nation.

Mr. HOLLAND. Mr. President, I wish to say that every word that has been spoken so eloquently by the distinguished Senator from Mississippi [Mr. STENNIS] and by the distinguished Senators from Texas [Mr. JOHNSON] and Alabama [Mr. HILL] strikes a completely responsive chord in my heart.

Not only the South, but the whole Nation is greatly indebted to the distinguished senior Senator from Georgia. I have never been prouder to be numbered among his close friends and associates than I am right now.

In following his leadership, gladly and devotedly, and in cooperating with others who felt the same way about following that leadership in the long debate, we found him, as a leader, brilliant, resourceful, courageous, indefatigable, selfless, and and always inspiring. I shall always be proud to have marched under his leadership.

Mr. President, in addition to that I wish to say two other things. I have never felt in any previous debates which we have had on somewhat similar subjects as this a greater conviction that Senators from other parts of the Nation have an understanding of our peculiar problems, and sympathy for them, and a willingness to go just as far as their great consciences would permit them to go in helping us to meet what are really no small problems in the Southland.

I believe they have shown a clear understanding of the nature of those problems, and a great sympathy and patience with the necessarily slow pace of the solution of some of those problems, and the finest patriotic willingness to join, even to the extent of casting votes which for them were very difficult, in seeing that fairness and justice and kind solutions be employed to meet those problems.

There is one more comment that I believe is due. I believe this is the first time since I have been in the Senate that the press, radio, and the various other channels of communication and information have been so fair and so just, both in depicting what transpired on the floor of the Senate and in seeking to analyze and understand the problems which have heretofore not been understood well in other parts of our Nation.

Mr. President, when such a spirit as that prevails not only on the floor of the Senate but in the press and kindred bodies, and, as my correspondence shows me, generally throughout the Nation in the hearts of good people, I feel that we are getting closer and closer to sane and sound solutions, which are just and which are lawful and which still preserve some of the finest values which I believe prevail in all of America—values in southern life—which not only are held dear by us, but I think are held dear by citizens throughout our great Nation.

Mr. FULBRIGHT. Mr. President, I find it very difficult to say more than the Senator from Mississippi [Mr. STENNIS] has said about the senior Senator from Georgia. I cannot refrain, however, from saying that while it is true many Senators participated in the conferences, I believe the final decision, in which real wisdom and judgment was involved, was made by the senior Senator from Georgia. I cannot emphasize that statement too strongly.

When I look back, I know that the senior Senator from Georgia has made a decision which will mean a great deal, not only to the South, but to the Nation as a whole. Therefore I cannot endorse too strongly what has been said about him. He has evidenced the highest form of statesmanship through the handling of this troublesome and controversial subject.

I cannot refrain from paying tribute also to the junior Senator from Georgia [Mr. TALMADGE] for his statement last evening before the Senate voted on the bill. I was extremely pleased and encouraged by his statement, and I feel that the whole performance bodes well for the future.

I have a feeling that the passage of the legislation, displeasing as it is to me, for many reasons which I will not repeat now, has aroused an understanding in other parts of the country, and it may possibly be the beginning of a new era of understanding, and a lessening of the bitter controversy that has plagued us in the Senate ever since I have been a Member of it.

When I look back and consider how much time Senators, with great talents and energy, such as possessed by the Senator from Georgia and other Senators, have devoted to this matter, and how much could have been accomplished if all of it had been devoted to much more constructive efforts, I feel sad indeed.

However, that is the other side of the coin. While I dislike the bill which has been passed, on the other hand, I believe it may free some of our best minds to follow other lines which may be more profitable and valuable for the Nation as a whole.

I believe that, perhaps, out of this fight on what is in a sense a compromise, a spirit of understanding and cooperation may come, which will be most beneficial to the whole country, and I certainly think both the Senator from Georgia and the Senator from Texas deserve the greatest praise and the gratitude of the country.

Mr. YOUNG. Mr. President, I wish to join in the well-deserved tribute to the distinguished Senator from Georgia. He has made a great contribution not only to the South, but to the entire Nation in the handling of the civil-rights legislation. I shudder to think what would have been the result had the Senate passed the civil-rights bill that came to us from the House. It is true that probably under limitation of debate the Senate could have passed on that legislation in 2 days, as the House did. We chose to take 2 months, and we chose to retain the right of unlimited speech here in the Senate. I think the history of the enactment of this legislation has proved that retention of freedom of speech is of overriding importance. We can enact fair and just legislation and still retain freedom of speech. I have always believed in the freedom of speech in the Senate, with no limitation of time, and I shall never vote for cloture. I believe the history of the enactment of this legislation has proved the correctness of that position.

Mr. BYRD. Mr. President, I wish to associate myself with what has been said by my colleagues in the Senate with respect to the senior Senator from Georgia [Mr. RUSSELL]. He has served only a few months longer than I have in the United States Senate. I have observed his great contributions during this long period for the good of our country; but in the last few months he has rendered outstanding service to the South and to the entire United States in his leadership by determining what was best to be done with respect to one of the most vexatious problems which has ever confronted the Senate. He has given brilliant and wise leadership.

I wish to express my complete confidence in him as the leader of the southern Senators, and I am in full agreement with all he has done. While the bill which was passed last night does not meet with my approval, I think we could have gotten a far worse bill had it not been for the outstanding leadership which was displayed.

I believe title III would have been destructive of the most fundamental principles of our Government. It would have deprived us of the right of trial by jury. It would have made a modern Ceasar of the Attorney General of the United States, as I said in a speech to the Senate. He could have injected himself into legal matters throughout the country. I wish to express my deep appreciation to both the senior Senator from Georgia [Mr. RUSSELL] and the junior Senator from Georgia [Mr. TALMADGE] for the capacity for leadership they have shown in meeting the problem that confronted us.

Mr. EASTLAND. Mr. President, I desire to associate myself with the statements made by my colleague [Mr. STENNIS] and the other southern Senators relative to the distinguished senior Senator from the State of Georgia [Mr. RUSSELL]. I have been honored to serve under his leadership, and I do not believe any group at any time has had an abler, more resourceful, more responsible leadership than the Senator from Georgia has given the southern people.

Mr. President, I do not believe the people of the South and the people of the country for generations will be indebted to any man more than they are indebted to the distinguished senior Senator from Georgia for the outstanding work he has performed in their behalf. All the American people are indebted to him because he has upheld and protected the Constitution of the United States and our system of government. The distinguished Senator from Georgia has my complete confidence, and I certainly wish the RECORD to show that I am in complete agreement with every decision he has made. I know it has been for the best interest of our country and for the best interest of the southern people.

Mr. CASE of South Dakota. Mr. President, I wish to say a word at this time as one who is in somewhat of an objective position. I do not add my words with respect to the work of the senior Senator from Georgia as one who knew intimately or was concerned directly with the problems which confront our friends from the Southern States. I speak as one who lives at some distance from the South in a section which is without some of the problems which we know face the South. I add my words of tribute to the senior Senator from Georgia as one who believes he made a contribution to the country as a whole in helping us to arrive at legislation which does not carry any vindictiveness and which does not contain any language which would give an opportunity for extreme demonstration. I am sure it was not really the intent of those sponsoring the legislation to enact a statute that would hold opportunities for revenge or vindictiveness.

I believe that by the modification of part III of the bill and by the adoption of an amendment which provides for jury trial in aggravated cases of criminal contempt a real contribution was made to sound legislation. The Senator from Georgia made a distinct contribution in that regard. I voted with him on two occasions, which was an expression of my sentiments.

I feel that the total result is a tribute to the legislative process. As I said last night, without the iron will of the distinguished senior Senator from California [Mr. KNOWLAND], the Senate never would have considered the bill. Without the restraint exercised by the senior Senator from Georgia [Mr. RUSSELL], we would perhaps still be debating the bill, and goodness knows for how long. As it is, we have good legislation and I think it is a credit to all who had a part in its enactment.

Mr. ROBERTSON. Mr. President, I desire to join my colleagues who have expressed appreciation for the leadership of the senior Senator from Georgia [Mr. RUSSELL]. I have been privileged to serve in this distinguished body with three grand men from Georgia—Walter George, RICHARD RUSSELL, and HERMAN TALMADGE. The late Senator George has gone to his last reward, leaving his name written high on the famous eternal scroll, and the two present Senators from Georgia are carrying on in the same high tradition.

Last night the junior Senator from Georgia [Mr. TALMADGE] made one of the best speeches of the session—short but effective—explaining why the southern Senators had decided not to conduct a filibuster against a bill which was distasteful to them. Those who were present or those who read the RECORD this morning will recall that following the speech, the distinguished minority leader, who is not given to boasting, said that if a filibuster had been undertaken, cloture could have been invoked.

The senior Senator from Georgia, with whom I have been privileged to serve now for more than 10 years, and whom I have had the privilege of knowing for more than 25 years, knows the high esteem in which I hold him and the warm affection I have for him. He knows I campaigned for his nomination for the Presidency in 1952, and would gladly do so again.

At this moment we are particularly grateful for the high type of leadership he gave us on one of the most difficult, one of the most controversial bills which has been before the Senate in modern years.

Many things could be said at this time, but we know the time for adjournment is pressing upon us. Therefore, I desired merely to add my voice to the voices of the other southern Senators, in order that everyone in the United States may know that we have appreciated the leadership of the senior Senator from Georgia and that we were behind him 100 percent in the decisions he made during that period, in which we won some notable victories in changing the bill as to the form in which it came from the House.

Mr. RUSSELL. Mr. President, if the possession of friends is the greatest asset that a man can have, and the statements which have been made reveal such friendship, then I must be richer than Croesus. I can only think that my friends look at me through glasses of friendship. It makes me very humble to hear the undeserved words that have been spoken about me. There is no superlative in the English language for saying "Thank you," so, in all humility, all I can say to each and every one of my colleagues is "Thank you."

NOMINATION OF ARNOLD R. JONES

Mr. KNOWLAND. Mr. President, on this, the terminal day of this session, there is certain unfinished business in the United States Senate, some of it extremely important. One such matter I want to mention specifically to the Senate at this time.

The Rivers and Harbors Subcommittee of the Public Works Committee has been holding extensive hearings on the nomination of Arnold R. Jones to be a Director of the Tennessee Valley Authority. Yesterday, at the close of the seventh day of the hearings, it was announced that another witness would be heard at 10 o'clock this morning. I am now advised that the acting chairman of the subcommittee has indefinitely postponed the hearing, this without giving the nominee any opportunity to answer the many unsupported charges made against him and without action by the subcommittee or the full committee on the nomination.

It is my understanding that for several days the committee has been ready to vote favorably on this nomination, but that a small group has been prolonging the hearings to avoid a vote. Now this cancellation of hearings without action on this last day of the session leaves the Tennessee Valley without a legally functioning Board of Directors and leaves the record of hearings filled with unsupported and misleading allegations.

Mr. President, no Member of this body more earnestly believes in adequate deliberation on matters of public policy than I do. Nor do I yield to any Senator in insisting more than I on holding adequate and thorough inquiries by the duly constituted committees of the Senate into the fitness of nominations for high governmental positions.

In this instance, however, I submit to the Senate that the processes of the Senate committee system has been used in order to frustrate the will of the majority of a committee, and, I believe, a majority of the Senate. This is playing politically fast and loose with one of the major instrumentalities of the United States Government.

No charge levelled against Mr. Jones has been supported in fact.

Mr. Jones has not failed to answer honestly and forthrightly any question asked of him.

No evidence has been submitted to justify any charge that, if his nomination is confirmed, Mr. Jones would fail to discharge the public trust properly and in keeping with the letter and intent of the law, as a Director of the Tennessee Valley Authority.

There is evidence, on the other hand, that, for reasons which transcend Mr. Jones, and which do not pertain to his fitness for this office in any way, the opportunity to confirm his nomination is being withheld from the Senate.

Mr. President, as one Member of the Senate, speaking personally, and as minority leader of the Senate, speaking officially, I raise my voice in protest and in deep regret that this type of procedure should have been permitted by the majority of the Senate to proceed for as long as it has, and with the unfortunate impact on the public interest which it is bound to have.

Mr. CASE of South Dakota. Mr. President, as the ranking minority member of the Subcommittee on Rivers and Harbors, of the Committee on Public Works—that subcommitte conducted these hearings—I wish to say that I believe the words of the distinguished minority leader are well justified.

The vacancy in the directorship of the Tennessee Valley Authority Board came on May 17. The President of the United States did not act hastily. The nomination is an important one; and he sent the nomination of Mr. Jones to the Senate on the 1st day of July—within 6 weeks of the development of the vacancy, during which period there had to be investigations of possible appointees.

That nomination rested with the committee from the 1st day of July until a little more than a week ago, when hearings on it were commenced. That is to say, the nomination was before the committee for almost 2 months, before hearings were held.

In the interim, on the 7th of August, a second vacancy occurred on the Board of the Tennessee Valley Authority, by reason of the death of Mr. Paty.

The result was that the Board of Directors of the Tennessee Valley Authority was left with only one member.

The basic Tennessee Valley Authority Act provides that the action of the Board shall not be impaired, provided there are 2 members of the Board; and the act provides that 2 members shall constitute a quorum.

The net result is that today the Board of the Tennessee Valley Authority has only one member; so today there is not a quorum of the Board.

The validity of any contract entered into by the Tennessee Valley Authority while there is only one member of its Board would be subject to question. If the House had acted on the bill the Senate passed—I refer to the bill to give the TVA authority to issue bonds—the validity of the bonds certainly could be questioned if they were issued by the Board when it had only one member.

The tactics which have been followed were, I believe, a disservice to the Tennessee Valley Authority. I believe that the people of the Tennessee Valley have been misled by certain groups who took it upon themselves to try to sandbag the nomination of an outstanding man.

Mr. Arnold R. Jones, who was nominated by the President, is a man of great experience in fiscal analysis and in governmental policy; and, of course, his entire life has been spent in that type of activity. In my judgment, he would make the best qualified man the Tennessee Valley Authority Board has ever had in the field of fiscal management, as applied to a Government activity. His record at Kansas State College and his record in the Bureau of the Budget have been records of competency and honesty.

I do not know what course may now be followed, either by Mr. Jones or by the President, with respect to an interim appointment.

But, Mr. President, in any event, I personally deplore the tactics which were pursued, and which were encouraged, I believe, by groups who have betrayed the people of the Tennessee Valley, who are entitled to have a competent man, such as Mr. Jones, named to the Board, so it may function properly.

Mr. SCHOEPPEL. Mr. President, will the Senator from Colorado yield to me?

Mr. ALLOTT. I yield.

Mr. SCHOEPPEL. Mr. President, I wish to say that I commend the minority leader and the Senator from South Dakota [Mr. Case] for their remarks.

It so happens that Mr. Jones is from my State of Kansas. I have had the privilege of serving with Mr. Jones in official positions in my State for a number of years. It has been my good fortune to know him over a period of almost 20 years or more.

I know he is a competent man. I know he is a fair man. I know he is an eminently qualified man for this responsible position.

I regret exceedingly the situation and the position in which we find ourselves at this time, namely, that the committee and the Senate were deprived of the opportunity to vote on the confirmation of his nomination as director of TVA.

I am not a member of the committee, and I respect committee procedures, committee activities, and committee considerations, but I feel that if this nomination had been submitted to the committee a majority of the members would have voted favorably for him.

I have attended practically all the meetings of the committee at which Mr. Jones was called on to testify and at which he was present; and I believe that in fairness to the Tennessee Valley and certainly in fairness to the nominee, Mr. Arnold Jones, who is from my State, he deserved at least the consideration by the committee of passing on his nomination before this session of Congress closed.

But, Mr. President, I wish to say that those who are interested in the Tennessee Valley, those who are interested in governmental procedures in a responsible way, I am sure have misjudged Mr. Arnold Jones; and by this type of procedure they are delaying the carrying out of some very useful lawful procedures which should have been carried out.

Mr. KUCHEL. Mr. President, the administration of the Tennessee Valley Authority is lodged in a three-man Board of Directors. The statute is clear. A majority of two members of the Board of Directors is necessary in order to have the Board of Directors determine the policy to be followed, and to carry out the multitudinous responsibilities of that great American governmental enterprise.

The failure of the Senate to have an opportunity to sit in judgment on the nomination made by the President of the United States effectively frustrates the administration of the Tennessee Valley Authority.

I have been a Member of the Senate Committee on Public Works. I have sat through all the hearings held on the President's nomination of Arnold Jones. What my colleagues have said unquestionably is true: A bipartisan majority of that committee was ready, days ago, to vote to approve and report the nomination of Mr. Jones, so it might be considered by the Senate.

It is regrettable that that was not done; and it is regrettable from the standpoint of the best interests of the TVA.

I have tried to help the Tennessee Valley Authority. I have done it as a United States Senator, as a member of the committee which has had to do with the problems of that agency. I am glad to say to you, Mr. President, that I helped draft, in committee, the proposed legislation which the Senate passed, a few days ago, giving new bond-issuing authority to the agency. So I speak as a Republican who has been interested in the TVA.

I can only repeat what my senior colleague [Mr. Knowland] has said, namely, that it is regrettable that the Senate of the United States has not had an opportunity to have before it what unquestionably would have come before it, if the Committee on Public Works had been given an opportunity to vote on it, namely, a recommendation on the part of the committee that the Senate concur in the nomination made by the President.

I can make other comments. I shall not, in the interest of time. I merely wish to say I associate myself with what the Senator from California has said.

Mr. KNOWLAND. I thank the Senator.

Mr. COTTON. Mr. President, as another member of the Committee on Public Works, I wish to take a moment to add a word to the statements which have been made by my colleagues, senior members of that committee. It became increasingly clear, as the hearings continued in the Public Works Committee, that time was going to be consumed in hearing many witnesses and in long examinations of Mr. Jones until it would be too late in this session for the committee to act. It became increasingly clear that if the committee were permitted to act without hearing witnesses, important witnesses who had a right to appear and deserved the courtesy, the committee would have been definitely in favor of the confirmation of the nomination of Mr. Jones as a Director of TVA.

I say this because I have lived with TVA for many years in the other body of Congress as a member of the Appropriations Committee. I have spoken on the floor very recently in connection with amendments limiting TVA geographically. I want to make it specifically clear here, as I did in committee, as one member of the committee, that I listened with the greatest care to the examination of Mr. Jones. Even though I do not live in that area of the country, and sometimes have favored limiting TVA, I would not be a party to moving in a Trojan horse on TVA or voting to confirm the nomination, on the floor of the Senate or in committee, of any man who would not conscientiously work for the welfare of the Tennessee Valley Authority and who could not conscientiously take the oath.

After days of interrogation, Mr. Jones came out of that hearing foursquare, and I think there was no member of the committee who was not honestly convinced of Mr. Jones' complete integrity and of his devotion to public service, as shown through the years of service in his office. He was candid, frank, and truthful. He leaned over backwards to give the members of the committee and other distinguished Members of this body who interrogated him completely frank and fair answers.

I think the Record should show that the majority of the Committee on Public Works, if given an opportunity this minute, would recommend the confirmation of the nomination. I wanted to add that word to what other Senators have said.

THE UNITED STATES PUBLIC HEALTH SERVICE VERSUS ASIATIC INFLUENZA

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the Record a statement by the Senator from Michigan [Mr. Potter] on a matter dealing with the United States Public Health Service.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Potter

Before this session of Congress adjourns, I should like to direct the attention of the Senate to efforts of the Public Health Service to protect Americans against an epidemic of influenza. A new lype of flu, sweeping across vast areas of the world, is making its appearance in the United States.

The manner in which the Surgeon General Leroy E. Burney and his staff are coping with a mammoth threat is distinguished by initiative, speed, and imagination. It is a symbol of dynamic leadership in guarding the health of each and every one of our people, as exemplified by the Eisenhower administration.

My own special responsibilities in the fields of health, education, and welfare, as a member of the Senate Appropriations Committee, provide an opportunity to observe closely the record of the Public Health Service since the first inkling of a threatened flu epidemic reached it.

Just 4 months ago the Service learned that a flu outbreak in Hong Kong had spread through Cambodia, Laos, Pakistan, Vietnam, and India, leaping across the Pacific to the Philippines and Indonesia.

With airplanes and ships bringing exposed individuals into United States ports every day, the Public Health Service immediately realized the implications of contagion.

A technical team sped to Hong Kong to isolate and analyze the new strain of influenza virus. It was discovered to be a type against which the American people have no immunity. Worse yet, no protective vaccines had previously been developed.

The story of what could happen in the United States, as projected by the medical staff at Public Health Service, is gloomy: As many as 33 million people in this country could come down with the disease, resulting in approximately 66,000 deaths. While the

Asiatic type of flu is not serious, it does produce casualties, and Public Health experts are keenly aware that if the virulence increases, mortalities will zoom.

The effect on groups and communities could be quite serious. Here is what Surgeon General Burney has to say:

"Entire groups could be incapacitated for perhaps a week at a time, with tremendous consequences on health services, on vital channels of transportation and communication, on other necessary local services, and on the local economy. It is important, therefore, that consideration be given to early vaccination of key groups."

By late May—roughly a month after it had received word of the epidemics abroad—the Public Health Service had initiated the development of experimental vaccines at six licensed pharmaceutical houses.

As of today, a scientific miracle is efficiently under way. Hundreds of thousands of cc's of protective vaccine are in production with a goal of 60 million cc's by next February. Distribution plans are being worked out. A vast public-education program is in process.

The Public Health Service, in short, takes the position that while it is impossible at this time to predict the size, extent, or severity of an influenza epidemic, it is their responsibility to develop a program of maximum possible protection.

I was proud, as a member of the Senate Appropriations Committee, to be instrumental in granting $800,000 in supplemental funds for this great work and to approve a contingent transfer of $2 million from the President's disaster-relief funds, to be used only if needed.

We are indeed fortunate that the physical well-being of our citizens—the most precious asset this Nation has—is in the custody of a magnificent team of professionals in the Public Health Service.

FREEDOM SHRINE

Mr. ALLOTT. Mr. President, a few nights ago, on August 28, an editorial appeared in the Washington Star with respect to the freedom shrine, which contained some very inaccurate statements that should be corrected. Inasmuch as the editorial uses the name of the senior Senator from Colorado, I feel compelled to discuss it, to talk about it, and to correct the record before the Congress adjourns. I do not intend to engage in any calumny or anything of that sort, because the concept of the freedom shrine is so great and so magnificent and so inspirational that any words of that sort would only detract from the great dignity and respect to which this whole movement is entitled.

I ask unanimous consent, Mr. President, that the editorial may be printed in its entirety at this point in my remarks, in order that the Record may be clear.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Second Look Advisable

> Speaker Rayburn was right in his stand against any last-minute effort to railroad the controversial "freedom wall" bill through the House. And Representative Sheppard of California was right in contending that Congress should know more about the proposed shrine before authorizing its construction near Arlington Cemetery. A careful second look at this legislation should be taken before final action.
>
> The belated move to stampede Congress into approving legislation for the 500-foot-long, 250-foot-wide, 90-foot-high shrine to American freedoms has left the public with little detailed information about the project. The Senate and House Interior Committees reported the bill favorably without holding any public hearings, although the legislation will affect long-time plans for the development of the Washington area. And the Senate, before voting in favor of the bill last week, was misinformed as to actions taken by the National Capital Planning Commission and the Fine Arts Commission on the Freedom Wall design. Senator Allott, a member of the sponsoring group, in urging approval, said: "After lengthy considerations running into 3 years, the Fine Arts Commission formally approved the freedom shrine plan which we have selected. It was also approved by the National Capital Planning Commission, after extensive studies and hearings." Senator Allott was mistaken as to what the two Commissions approved, however. Spokesmen for both agencies say that approval was given only to the general concept of a freedom shrine—not to any particular design, including the wall plan. It was the understanding of both Commissions, officials have advised the Star, that specific designs would be presented later for approval.
>
> The whole history of the freedom monument project has been a curious one. Apparently originated by the Freedoms Foundation of Valley Forge, Pa., the shrine idea was pushed through Congress in 1954 without benefit of advice from either the Planning Commission or the Fine Arts Commission. Neither Commission, we learn, was consulted about the proposal to put the monument on the so-called Nevius tract, acquired by the Federal Government to prevent private development there. Congress, ignoring the basic McMillan plan for keeping that area clear of structures, in deference to the neighboring national cemetery, presented both Commissions with a mandate to abandon that plan in favor of the freedom monument. It is understood that at that time the Fine Arts Commission protested to the Budget Bureau the bypassing of the Commission by Congress—which created the agency to advise it on such matters.
>
> But, favored with the blessing of President Eisenhower, who contributed the first dime toward a $23.9 million private subscription fund to finance the project, and by the cooperation of Gen. Omar Bradley, chairman of the fund-raising committee, the sponsors of the undertaking have had remarkable success in obtaining Congressional and Executive support. However, we do not think that an impressive list of backers, headed by the President, is any justification for approving a proposal of such magnitude without careful study and competent advice. We hope the freedom wall project will be the subject of adequate public hearings at the next session of Congress, at which there will be full disclosure of detailed plans for the shrine and full discussion of its effects, good or bad, on the long-range development of the National Capital.

Mr. ALLOTT. This matter involves the freedom shrine, the National Monument Commission, and the Freedom Foundation of Valley Forge.

The National Monument Commission was created by Public Law 742 of the 83d Congress. Pursuant to that law, the Vice President of the United States appointed the distinguished Senator from Oregon [Mr. Neuberger] and me to serve upon the Commission. We have continued to serve upon the Commission to this date.

One of the provisions of that law, which set aside what is known as the Nevius tract, directly west of the Lincoln Memorial, for the purposes of establishing a freedom shrine, was that the Commission should perfect designs and concepts of such a shrine and submit them for approval to the Department of the Interior, to the National Capital Planning Commission, and to the Commission of Fine Arts.

When that was completed, a bill was offered, in June of this year, to authorize the construction of this great concept of freedom. The concept itself is to have, in one place in America, spelled out in simple statements and simple language, the great ideas of freedom which have been created in this country, so that we will have an edifice which truly represents and would truly be a shrine of freedom.

This idea did not originate in Congress. It did not originate with the Freedom Foundation of Valley Forge, as the editorial says. The idea originated with a group of Georgia people about 7 years ago. Those people raised $275,000 to promote the idea of the creation of a freedom shrine in Georgia. They found that the idea met with such great approval and such great response that it had to be expanded from its original concept.

Mr. NEUBERGER. Mr. President, will the Senator yield at that point?

Mr. ALLOTT. I am happy to yield to the Senator from Oregon.

Mr. NEUBERGER. I first wish to say that I certainly want to compliment the distinguished senior Senator from Colorado, not only for his specific interest in this project, but for his service on the National Monument Commission, which oversees these various historic shrines that perpetuate the great traditions of our country.

Since the Senator has mentioned the public-spirited attitude of the people in Georgia, I wonder if I can assist in clarifying a point, which perhaps the Senator had in mind bringing out. Is it not true that the people in Georgia have made a great sacrifice, because they recognize that great and historic though their own State is, it perhaps might not be quite as appropriate a place for this great edifice perpetuating our historic legacy of freedom as would be the vicinity of the National Capital of the United States?

Mr. ALLOTT. The Senator is completely correct on that point.

Mr. NEUBERGER. And they also recognized that even though Georgia is on a great many arteries of travel, the National Capital of our country draws still more people from all over the United States and all over the world.

Mr. ALLOTT. That is correct.

Mr. NEUBERGER. Therefore, they felt that they were honoring the area of the District of Columbia by voluntarily agreeing or voluntarily deciding that the great freedom shrine, which they had originated in the form of an idea, should not be placed in Georgia, but should be situated in the area of the National Capital.

To a degree some of the people in the area of the National Capital to say the least have not been too hospitable, when they themselves are honored by having this locality chosen as the site for this great shrine.

Mr. ALLOTT. I think the remarks of the Senator are completely accurate.

Mr. NEUBERGER. I have one further question I should like to ask the Senator from Colorado.

Is it not true that this freedom shrine or this temple of democracy or Parthenon of democracy, however we want to describe it, would be the work of people from all over the United States? The school children would contribute their pennies. Public-spirited citizens of an eleemosynary nature would perhaps leave larger legacies, and so on. The shrine would represent the sum total of the interest and generosity of the people all the way from the Puget Sound to the State of Maine, so far as contributions are concerned.

Mr. ALLOTT. The Senator is correct. I intended to go into that little matter a little later, but that is the concept. This will be a shrine contributed by the schoolchildren and by the people of America, and not built from the appropriations provided by Congress.

Mr. NEUBERGER. In conclusion, I wish to associate myself with the remarks of the Senator from Colorado in answering the misleading editorial of the Washington Star and in defending and upholding this very worthwhile undertaking.

Mr. ALLOTT. I appreciate very much the contribution and help which my good friend, the Senator from Oregon, has given in this matter.

People in Georgia had raised $275,000 and utilized that money to develop the drawings, designs, and concepts for the Monument to Freedom. They found, as the Senator from Oregon has said, that it was simply too large a concept to be located in any single area, and that the logical location was the National Capital. That accounts for their getting together with the Freedom Foundation of Valley Forge and joining forces with them. They contributed all their work, labor, and effort to a joint undertaking which was then carried on under the Freedom Foundation of Valley Forge, and which resulted in Public Law 742 of the 83d Congress, setting out the site and creating the National Monument Commission to develop the monument.

I do not want to quarrel with the writer of this editorial about the words he uses. I think he uses words which are intended to inflame the reader, or to slant the article against the national monument. For instance, not only in this editorial but in the two articles which appear in that same paper the term "freedom wall" has been used. It is not a wall. Whoever used that term did so inadvisedly, and apparently in an attempt to cast some reflection upon the greatness of the design which has been created.

A great many of the most prominent historians in this country have participated in this project, as have some 200 judges of the State supreme courts.

This project grew out of the effort of a great many people. It is not the product of the efforts of the Senator from Oregon [Mr. NEUBERGER] or myself. Our part in it is a very, very minor one.

When the bill was introduced—and I want to make the record particularly clear on this matter—it went to the Committee on Interior and Insular Affair, of which both the Senator from Oregon and I are members. It was put on the calendar of the Senate Committee on Interior and Insular Affairs in the regular way. I wish to make the record completely clear and keep it straight on that point. There was no particular publicity about the matter, but the bill was put on the calendar exactly as hundreds of other bills are put on the calendar for consideration by the committee.

Reports of the Department of Interior were requested and received.

On the day the committee considered it, I requested Dr. Kenneth Wells, of the Freedom Foundation, at Valley Forge, and Mr. Harry Thompson, who is secretary of the Commission, and also an official of the National Capital Parks Service of the Department of the Interior, to appear, and to bring with him the pictures, plans, and plats of the entire concept, for the edification of the committee.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. NEUBERGER. As I recall, the drawings, plans, maps, and landscape charts to which the Senator from Colorado has referred were placed on the wall and on stands around the meeting room of the Senate Committee on Interior and Insular Affairs, so that members of the committee could have a graphic understanding of just what was contemplated.

Mr. ALLOTT. The Senator is correct. They were placed mostly at the north end of the room.

The committee did not choose to hear Dr. Wells or Mr. Thompson. I made a statement that morning, and I believe the Senator from Oregon also made a statement. The committee having received a favorable report from the Department of the Interior, reported the bill favorably to the Senate, where it was unanimously approved.

Now, I should like to return briefly to the editorial, from which I read:

> And the Senate, before voting in favor of the bill last week, was misinformed as to actions taken by the National Capital Planning Commission and the Fine Arts Commission on the freedom wall design. Senator ALLOTT, a member of the sponsoring group, in urging approval, said:
>
> "After lengthy considerations running into 3 years, the Fine Arts Commission formally approved the freedom shrine plan which we have selected."

I can construe this editorial in only one way, and that is that the writer of the editorial intended to convey the idea that I was misleading the Senate and the people of Washington. To this I must take definite exception.

I wish to read, as a denial of the editorial, the official action of the National Capital Planning Commission, taken from its own minutes. I read from the minutes of the National Capital Planning Commission for April 5, 1957:

> The motion unanimously carried approving the concepts, design and location of the Freedoms Shrine Monument as developed by the National Monument Commission in accordance with the provisions of Public Law 742 with the understanding that the site plan, when further developed, shall be referred to the Planning Commission for approval.

In a conversation with Mr. John Nolen, Jr., Director of the National Capital Planning Commission, he said that the action taken was specifically with the intent of giving the required clearance for the National Monument Commission to proceed to obtain Congressional authorization, and that, so far as the Commission was concerned, the project was cleared for construction. He stated that the Planning Commission had approved the general nature and design of the monument.

Yesterday I spoke to Mr. Wilson, of the Fine Arts Commission. I hold in my hand a transcript of that conversation, which was taken down with his knowledge and consent. Let me read it to the Senate:

> Senator ALLOTT. This was brought up by an act of Congress to meet your approval. Does it, or does it not? If not, you should have appeared before the Interior Committee when the bills were introduced and we could have——
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> Mr. WILSON. That was a long time ago—before I was here.
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> Senator ALLOTT. I am referring to the meetings held last summer
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> Mr. WILSON. We did approve the general conception of the design.
>
> Senator ALLOTT. You feel that you gave the approval necessary under the act of Congress?
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> Mr. WILSON. Yes. We gave all the approval that was necessary for the work to proceed.

Mr. Elliot, of my staff, said:

> Have you seen the statement the Senator made?
>
> Mr. WILSON. I saw what was quoted in the editorial here.
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> Mr. ELLIOT. Do you feel the Senator misled the committee?
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> Mr. WILSON. I would say the Senator's statement and the action taken by the Commission on Fine Arts were identical.
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> Senator ALLOTT. Thank you very much, Mr. Wilson. That takes care of it for us. I just wanted to get the matter cleared up for all of our sakes. It is important for the integrity of the Fine Arts Commission as well as for the National Capital Planning Commission.

Mr. President, I have only a few remarks in closing. This is a great and worthy concept, and a great and worthy movement. I hope that those who, for their own reasons—whatever they may be—oppose this project will realize that this movement has been the joint work of hundreds of people up to this time. I hope they will realize that this has one of the most lofty ideals behind it that the human mind could conceive. The proposal is to place in one spot, near our National Capital, this monument to the essentials of our freedom, together with the instruments in history showing how those freedoms were created in the United States.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. NEUBERGER. I commend the Senator from Colorado for clarifying the record with respect to this great undertaking. I think we have some example of the unselfish attitude of the people engaged in this movement when we realize that Dr. Kenneth D. Wells, to whom the Senator from Colorado has referred, worked on this project vigorously in the Capitol Building with many of us during the week when he suffered a minor heart attack. He did so against the advice and counsel of his own physician. This is only one example of the type of selfless service which has entered into the undertaking.

The Senator from Colorado quoted from the editorial in the Evening Star, which referred rather slurringly to this project as "The Wall."

It seems to me this is an example of the absurd arguments which have been raised. After all, every great temple of government in our country, whether it be the Lincoln Memorial, the Jefferson Memorial, or any of the great halls of Government, including that of the Treasury Department, the Interior Department, or the Agriculture Department could be called the wall by someone who wished to ridicule one of those buildings.

Mr. ALLOTT. The Senator is entirely correct.

Mr. NEUBERGER. The Senator from Colorado has set the record straight with respect to this undertaking. It is my hope that the House of Representatives will pass the bill authorizing this great patriotic project, and that it will go to the President.

Mr. ALLOTT. I thank the Senator from Oregon for his great contribution.

In conclusion, I invite the attention of Senators to the list of names of a few men who have unselfishly contributed of their time and money for years in furthering this project. The board of governors of the National Freedom Shrine Foundation, under the chairmanship of Spencer T. Olin, includes Vice Chairman Charles F. Palmer of Atlanta, Ga., and Don Belding of Los Angeles, Calif. Dr. Kenneth D. Wells has accepted the presidency of the National Freedom Shrine Foundation. A remarkable staff of distinguished citizens, withdrawn from their usual duties to serve the Nation, are immediately prepared to start this task. The national board of commissioners and governors will be drawn from such people as Gen. Lucius D. Clay, Dr. John Krout, provost of Columbia University; the Very Reverend Theodore Hesburg, president of the University of Notre Dame; Dr. Fred Fagg, president of the University of Southern California; Arthur Hays Sulzberger, Dr. Milton S. Eisenhower, Mr. Y. Frank Freeman, Mr. John L. Lewis, Mr. Fred Maytag II; Mr. Robert V. Fleming, Mr. Sid Richardson, Dr. Horace Mann Bond, Chief Justice Carl V. Weygandt, past chairman of the Association of Chief Justices of State Supreme Courts; Mr. George Meany, Mr. Paul Manship, Mr. Horace Albright, Dr. Raymond Allen, chancellor of U. C. L. A.; our own Senate Chaplain, Frederick Brown Harris, the recently retired chairman of the Joint Chiefs of Staff, Adm. Arthur W. Radford, and great numbers of others who have put their interest and time and support behind this great concept.

Therefore, this is not the work of any small group of people. I believe more than anyone else Judge Learned Hand expressed the hopes of all of us when he said:

> We hope by a fitting portrayal of outstanding instances in which those who have gone before us staked all upon the eventual justification of that belief, that we shall fortify our own acceptance of the risks at which they did not flinch. For, make no mistake, the battle is not won, nor will it ever be won. Each generation must decide how far it will seek refuge in eternal and immutable verities rather than grope its way through the tangle of human passions and human credulity. It is our hope that these walls by their beauty and splendor will reaffirm in those who visit them the faith of their predecessors, and inspire them with a resolve not to prove truant to their example.

Mr. President, I ask unanimous consent that Public Law 742 of the 83d Congress and the text of S. 2363 may be printed at this point in the RECORD, as a part of my remarks, as well as a letter dated August 29, 1957 from Mr. Harry T. Thompson, assistant to the Director of the National Capital Parks Service dealing with this matter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Public Law 742, 83d Cong., ch. 1160, 2d sess.]

H. R. 6455

An act to create a National Monument Commission, and for other purposes

Be it enacted, etc., That there is hereby created a National Monument Commission. Said Commission shall be composed of four Senators from the Senate of the United States to be appointed by the Vice President of the United States, four Representatives of the House of Representatives of the United States to be appointed by the Speaker of that House, and four eminent citizens of the United States to be appointed by the President of the United States. The Commission shall be bipartisan and the terms of the first Commissioners shall be for one, two, three, and four years and subsequently shall be four years. Vacancies in the Commission shall be filled by the respective designator who appointed the original member. Members shall serve until their respective successors are appointed. The President shall, at the time of appointment, designate one of the members appointed by him to serve as Chairman.

SEC. 2. It shall be the function of said Commission to secure plans and designs for a useful monument to the Nation symbolizing to the United States and the world, the ideals of a democracy as embodied in the five freedoms, speech, religion, press, assembly, and petition, sanctified by the Bill of Rights adopted by Congress in 1789 and later ratified by the States. Such plans shall be approved by the Secretary of the Interior, the National Capital Planning Commission, and the Commission of Fine Arts, and thereafter submitted to Congress for legislative authorization.

SEC. 3. Said monument shall be located on federally owned land within the George Washington Memorial Parkway adjoining the north boundary of Arlington National Cemetery west of Arlington Ridge Road and south of Arlington Boulevard on the heights overlooking the Potomac River. The monument, upon its completion, shall be administered by the Secretary of the Interior through the National Park Service, Department of the Interior.

SEC. 4. Said monument shall serve as an international shrine and a continuing memorial to the principles of the five freedoms and to all peoples and nations who have contributed to the establishment, promotion, and defense of those principles in the preservation of democracy throughout the world. It may include an appropriate structure or structures to house cultural displays and exhibits or symbolic features of national and international significance designed to accomplish the objectives of section 2 of this act.

SEC. 5. (a) Said Commission may establish rules and regulations governing its actions in carrying out the purposes of this act.

(b) The Commission members appointed from the Congress shall serve without additional compensation. Commission members appointed from private life shall receive $50 per diem when engaged in the performance of Commission duties. All Commission members shall receive reimbursement for necessary traveling and subsistence expenses incurred by them in the performance of Commission duties.

(c) The Commission is authorized to accept and utilize services of voluntary and uncompensated personnel and to pay any such personnel necessary traveling and subsistence expenses when engaged in the work of the Commission.

(d) Within the limits of its appropriations, the Commission is authorized to appoint such personnel, without regard to the civil-service laws and the Classification Act of 1923, as amended, to procure such printing and binding, and to make such expenditures as, in its discretion, it deems necessary.

(e) The Commission is authorized to request and secure the advice or assistance of any Federal agency. Any Federal agency furnishing advice or assistance to the Commission may expend its own funds for this purpose, with or without reimbursement from the Commission as may be agreed upon between the Commission and the agency.

(f) The Commission shall report annually to the President and Congress its progress and recommendations pertaining to such a memorial. Upon the conclusion of its work, the Commission shall promptly submit a final report.

(g) Thirty days after the submission of its final report the Commission shall cease to exist.

SEC. 6. There are hereby authorized to be appropriated such sums as may be necessary for the expenses of the Commission.

[Approved August 31, 1954.]

[S. 2363, 85th Cong., 1st sess.]

A bill to authorize the erection of a national monument symbolizing the ideals of democracy

Be it enacted, etc., That (a) the Secretary of the Interior is hereby authorized to grant authority to the National Freedom Shrine Foundation, a corporation organized under the laws of the District of Columbia, to erect a national monument as contemplated by the act of August 31, 1954 (68 Stat. 1029), in accordance with plans and designs approved by the National Monument Commission, the National Capital Planning Commission, the Secretary of the Interior, and the National Commission of Fine Arts, and in accordance with all the provisions of such act. The United States shall bear no expense with respect to the erection of such monument.

(b) In the event the construction of such monument has not begun within 5 years from the date of the enactment of this act, the authority granted herein shall terminate and be of no further force or effect.

DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, D. C., August 29, 1957.
Senator GORDON ALLOTT,
United States Senate,
Washington, D. C.

DEAR SENATOR ALLOTT: I have just had an opportunity to check a transcript of the hearings held before the Senate Committee on Interior and Insular Affairs on August 22, 1957, at which time consideration was given to S. 2363, a bill to authorize the erection of a national monument symbolizing the ideals of democracy. I have also reviewed an editorial appearing in the Washington Evening Star of Wednesday, August 28, in which an attempt is made to mislead the public into believing that statements which you made before the committee are not entirely factual.

Since I was present at meetings of both the National Commission of Fine Arts and the National Capital Planning Commission earlier this year, I wish you to know that your statement before the committee was entirely correct when you indicated that, "After lengthy considerations running into 3 years, the Fine Arts Commission formally approved the freedom shrine plan which we have selected. It was also approved by the National Capital Planning Commission, after extensive studies and hearings." The following is an exact quotation from the minutes of the National Capital Planning Commission of April 5, 1957, appearing as item 14 on page 12 of the minutes of that meeting:

"Mr. Thompson informed the Commission that since its last meeting the National Monument Commission had met and approved the concept and design of the proposed monument and had made a full presentation to the Commission of the Fine Arts. He presented a preliminary plan for the Arlington Ridge Road site (NCPC plan file No. 1.9-382). After further discussion, the Commission took the following action:

"Motion unanimously carried approving the concept, design, and location of the Freedoms Shrine Monument, as developed by the National Monument Commission in accordance with the provisions of Public Law 742 with the understanding that the site plan, when further developed, shall be referred to the National Capital Planning Commission for approval."

Having served as a member of the Coordinating Committee of the Planning Commission and as an alternate member of the National Capital Planning Commission, there is no question whatsoever in my mind that the plans presented by the National Monument Commission to that agency were approved in the full sense; that the concept, the general design, and the location as indicated by Public Law 742 were approved by the National Capital Planning Commission. Furthermore, I have consulted directly with officials of the National Commission of Fine Arts subsequent to the hearings and the publication of the editorial above referred to. I have been repeatedly assured that your statement before the Interior and Insular Affairs Committee was entirely correct. I have also been repeatedly assured that the National Commission of Fine Arts did approve the concept and design of the national monument which was developed and presented by numerous drawings, elevation sketches, and perspective drawings by the National Monument Commission. I understand that this action will be confirmed to you by the National Commission of Fine Arts.

There can be no doubt that the National Monument Commission, the National Capital Planning Commission, the National Commission of Fine Arts, and the Secretary of the Interior all have approved the concept, the design, and the general location for the proposed national monument referred to in S. 2363.

Sincerely yours,
HARRY T. THOMPSON,
Assistant to the Director.

EXECUTIVE SESSION—CONFIRMATION OF POSTMASTER NOMINATIONS

Mr. JOHNSON of Texas. Mr. President, I have some nominations from the Committee on Post Office and Civil Service dealing with three postmasters. I ask that those nominations be now considered. I therefore move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. The clerk will state the nominations.

The Chief Clerk read the nominations of Victor Wray Irby, Hoyt G. Whitney, and Burl J. Faulkner, to be postmasters.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and agreed to en bloc.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 1582) for the relief of Helen Demouchikous, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the following concurrent resolutions of the Senate:

S. Con. Res. 45. Concurrent resolution authorizing the printing of additional copies of the hearings on the mutual-security program for the fiscal year 1958 for the use of the Committee on Foreign Relations; and

S. Con. Res. 47. Concurrent resolution to print additional copies of part 1 and subsequent parts of hearings entitled "Investigation of the Financial Condition of the United States," held by the Committee on Finance during the 85th Congress, 1st session.

The message further announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 229. Concurrent resolution providing that the two Houses of Congress shall adjourn on Friday, August 30, 1957, sine die; and

H. Con. Res. 230. Concurrent resolution authorizing the signatures on enrolled bills notwithstanding the sine die adjournment of the two Houses.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 9302) making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes, and it was signed by the Vice President.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

CALL OF THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I wish to appeal as strongly and persuasively as I can to all Senators to permit the Senate have a call of the measures on the calendar which must be sent to the House in the hope that the House can take some action on them.

With respect to explanations and discussions and conversations, I should like to say that we will be in session for some time today, and we will be able to accommodate every Senator. The first thing that we would like to do is to try to act on the noncontroversial bills on the calendar. If Senators will reserve their discussion until we have completed the call of the calendar, in the interest of orderly procedure, I shall be very grateful to them for their cooperation.

MEASURES PASSED OVER

The PRESIDING OFFICER (Mr. BIBLE in the chair). Without objection, the calendar will be called. The clerk will state the first measure of the calendar.

Mr. CLARK. Mr. President, I ask unanimous consent that all calendar numbers prior to calendar No. 415 go over.

The PRESIDING OFFICER. Is there objection? Without objection, all calendar numbers prior to No. 415 will be passed over.

The bills and resolutions passed over are as follows:

Calendar No. 11, Senate Concurrent Resolution 2, to create a joint Congressional committee to make a full and complete study and investigation of all matters connected with the election, succession, and duties of the President and Vice President;

Calendar No. 69, Senate Resolution 24, to amend rule XIV of the Standing Rules of the Senate;

Calendar No. 131, Senate Concurrent Resolution 20, authorizing an investigation by the Federal Trade Commission into the activities and practices of companies engaged in the production, distribution, or sale of newsprint in interstate commerce;

Calendar No. 192, S. 495, to authorize the acquisition of the remaining property in square 725 in the District of Columbia and the construction thereon of additional facilities for the United States Senate;

Calendar No. 193, S. 728, to authorize the acquisition of the remaining property in squares 725 and 724 in the District of Columbia for the purpose of extension of the site of the additional office building for the United States Senate;

Calendar No. 249, S. 1164, to make the evaluation of recreational benefits resulting from the construction of any flood control, navigation, or reclamation project an integral part of project planning, and for other purposes; and

Calendar No. 264, S. 1639, to provide for the suspension of the vesting of alien property and the liquidation of vested property, under the Trading With the Enemy Act.

The PRESIDING OFFICER. The clerk will state the next measure in order.

BILLS PASSED OVER

The bill (S. 931) to provide for the reorganization of the safety functions of the Federal Government, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

Mr. CLARK. Mr. President, I ask unanimous consent that all calendar numbers from 441 to 780, both inclusive, be passed over.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The bills and resolutions passed over are as follows:

Calendar No. 441, Senate Concurrent Resolution 28, to print a compilation of materials relating to the development of the water resources of the Columbia River and its tributaries.

Calendar No. 482, S. 98, to provide for the establishment and operation of a mining and metallurgical research establishment in the State of Minnesota.

Calendar No. 585, S. 2150, to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes.

Calendar No. 706, S. 1356, to amend the antitrust laws by vesting in the Federal Trade Commission jurisdiction to prevent monopolistic acts by certain persons engaged in commerce in meat and meat products, and for other purposes.

Calendar No. 709, S. 2127, to amend section 3 (d) of the Federal Employees' Group Life Insurance Act of 1954 relating to the reduction in amounts of insurance of persons over the age of 65.

Calendar No. 716, S. 27, to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department.

Calendar No. 722, S. 1168, to amend the Securities and Exchange Act, as amended.

Calendar No. 726, Senate Resolution 118, to amend rule XXVI so as to require committee reports proposing legislation or ratification of treaties, involving expenditure of public funds, to show the estimated costs thereof.

Calendar No. 727, S. 72, to increase annuities payable to certain annuitants from the civil service retirement and disability fund, and for other purposes.

Calendar No. 740, S. 734, to revise the basic compensation schedules of the Classification Act of 1949, as amended, and for other purposes.

Calendar No. 780, H. R. 6282, for the relief of the former shareholders and debenture note holders of the Goshen Veneer Co., an Indiana corporation.

APPOINTMENT OF DISTRICT JUDGE FOR THE DISTRICT OF KANSAS

The bill (S. 264) to provide for the appointment of a district judge for the district of Kansas was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That the President shall appoint, by and with the advice and consent of the Senate, an additional district judge for the district of Kansas. In order that the table contained in section 133 of title 28 of the United States Code will reflect the change made by this act in the number of judgeships for the district of Kansas, such table is amended to read as follows with respect to such district:

"Districts	Judges
* * * *	*
"Kansas	3
* * * *	*."

APPOINTMENT OF DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND

The bill (S. 697) to provide for the appointment of a district judge for the district of Maryland was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That the President shall appoint, by and with the advice and consent of the Senate, an additional district judge for the district of Maryland. In order that the table contained in section 133 of table 28 of the United States Code will reflect the change made by this act in the number of judgeships for the district of Maryland, such table is amended to read as follows with respect to such district:

"Districts	Judges
* * * *	*
"Maryland	3
* * * *	*."

APPOINTMENT OF DISTRICT JUDGE FOR THE EASTERN, MIDDLE, AND WESTERN DISTRICTS OF NORTH CAROLINA

The bill (S. 2700) to provide for the appointment of a district judge for the eastern, middle, and western districts of North Carolina was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President shall appoint, by and with the advice and consent of the Senate, one additional district judge for the eastern, middle, and western districts of North Carolina. In order that the table contained in section 133 of title 28 of the United States Code will reflect the changes made by this act in the number of judgeships for the eastern, middle, and western districts of North Carolina, such table is amended to read as follows with respect to such districts:

"Districts	Judges
* * * *	*
"North Carolina:	
* * * *	*
"Eastern, middle, and western	1
* * * *	*."

APPOINTMENT OF DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

The bill (S. 2701) to provide for the appointment of an additional district judge for the southern district of Mississippi was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President shall appoint, by and with the advice and consent of the Senate an additional district judge for the southern district of Mississippi. In order that the table contained in section 133 of title 28 of the United States Code will reflect the change made by this act in the number of judgeships for the southern district of Mississippi, such table is amended to read as follows with respect to such district:

"Districts	Judges
* * * *	*
Mississippi:	
* * * *	*
Southern	2
* * * *	*."

PERMANENT JUDGESHIP FOR THE DISTRICT OF UTAH

The bill (S. 2702) to make permanent the temporary judgeship for the district of Utah was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the existing district judgeship for the district of Utah, created by paragraph (6) of section 2 (b) of the act entitled "An act to provide for the appointment of additional circuit and district judges, and for other purposes," approved February 10, 1954 (68 Stat. 1011), shall be a permanent judgeship, and the present incumbent of said judgeship shall henceforth hold his office under section 133 of title 28 of the United States Code as amended by this act. Paragraph (6) of section 2 (b) of the act approved February 10, 1954, is hereby repealed. In order that the table contained in section 133 of title 28 of the United States Code will reflect the changes made by this act in the number of permanent district judgeships for the district of Utah, such table is amended to read as follows with respect to such district:

"Districts	Judges
* * * *	*
Utah	2
* * * *	*."

REDISTRICTING OF THE JUDICIAL DISTRICT OF NORTH DAKOTA

The bill (S. 2703) to provide for the redistricting of the judicial district of North Dakota, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That (a) section 114 of title 28, United States Code, is amended to read as follows:

"§ 114. North Dakota

"North Dakota is divided into two judicial districts, to be known as the eastern and western districts of North Dakota.

"EASTERN DISTRICT

"(a) The eastern district comprises two divisions.

"(1) The northern division comprises the counties of Benson, Bottineau, Cavalier, Grand Forks, McHenry, Nelson, Pembina, Pierce, Ramsey, Rolette, Towner, Traill, and Walsh.

"Court for the northern division shall be held at Devils Lake and Grand Forks.

"(2) The southern division comprises the counties of Barnes, Cass, Dickey, Eddy, Foster, Griggs, La Moure, Ransom, Richland, Sargent, Sheridan, Steele, Stutsman, and Wells.

"Court for the southern division shall be held at Fargo and Jamestown.

"WESTERN DISTRICT

"(b) The western district comprises two divisions.

"(1) The northern division comprises the counties of Burke, Divide, McKenzie, Mountrail, Renville, Ward, and Williams.

"Court for the northern division shall be held at Minot and Williston.

"(2) The southern division comprises the counties of Adams, Billings, Bowman, Burleigh, Dunn, Emmons, Golden Valley, Grant, Hettinger, Kidder, Logan, McIntosh, McLean, Mercer, Morton, Oliver, Sioux, Slope, and Stark.

"Court for the southern division shall be held at Bismarck and Dickinson."

(b) One of the district judges for the district of North Dakota holding office immediately prior to the effective date of this section shall, on and after such date, be the district judge for the eastern district of North Dakota, and the other district judge for the district of North Dakota holding office immediately prior to the effective date of this section shall, on and after such date, be the district judge for the western district of North Dakota. The assignment of such judges to the respective districts shall be made by the Judicial Council of the Eighth Circuit upon the basis of an agreement between such judges or, in the event of their failure to reach such agreement, upon such other basis as may be determined by the Judicial Council of the Eighth Circuit. The district attorney for the district of North Dakota holding office immediately prior to the effective date of this act shall, during the remainder of his present term of office, be district attorney for the western district of North Dakota. The marshal for the district of North Dakota holding office immediately prior to the effective date of this act shall, during the remainder of his present term of office, be the United States marshal for the eastern district of North Dakota.

APPOINTMENT OF CIRCUIT JUDGE FOR THE SEVENTH DISTRICT AND DISTRICT JUDGES FOR THE NORTHERN DISTRICT OF ILLINOIS

The Senate proceeded to consider the bill (S. 116) to provide for the appointment of an additional circuit judge for the seventh circuit, and for the appointment of additional district judges for the northern district of Illinois which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That the President shall appoint, by and with the advice and consent of the Senate, two additional district judges for the northern district of Illinois. In order that the table contained in section 133 of title 28 of the United States Code will reflect the change made by this act in the number of judgeships for the northern district of Illinois, such table is amended to read as follows with respect to such district:

"Districts	Judges
* * * * *	
Illinois:	
* * * * *	
Northern	10
* * * * *".	

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for the appointment of additional district judges for the northern district of Illinois."

APPOINTMENT OF DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF TENNESSEE

The Senate proceeded to consider the bill (S. 430) to provide for the appointment of a district judge for the middle district of Tennessee, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That the President shall appoint, by and with the advice and consent of the Senate, 1 additional district judge for the eastern district of Tennessee, 1 additional district judge for the middle district of Tenneessee, and 1 additional district judge for the western district of Tennessee. In order that the table contained in section 133 of title 28 of the United States Code will reflect the change made by this act in the number of judgeships for the eastern district of Tennessee, the middle district of Tennessee, and the western district of Tennessee, such table is amended to read as follows with respect to such districts: •

"Districts	Judges
* * * * *	
Tennessee:	
Eastern	3
Middle	2
Western	2
* * * * *".	

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for the appointment of additional district judges for the eastern district of Tennessee, the middle district of Tennessee, and the western district of Tennessee."

RIGHTS OF VESSELS OF THE UNITED STATES IN TERRITORIAL WATERS OF FOREIGN COUNTRIES

The bill (S. 1483) to amend the act of August 27, 1954, relating to the rights of vessels of the United States on the high seas and in the territorial waters of foreign countries was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

TARIFF TREATMENT OF ISTLE OR TAMPICO FIBER

The bill (H. R. 7096) to amend paragraph 1684 of the Tariff Act of 1930 with respect to istle or Tampico fiber was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. TALMADGE. Mr. President, over by request.

Mr. BEALL. Mr. President, will the Senator withhold his objection for the moment?

Mr. TALMADGE. I do.

Mr. BEALL. I understood that the objections had been withdrawn.

Mr. TALMADGE. Mr. President, I am now informed by the junior Senator from Texas that he has withdrawn his objection. If so, I have no objection.

Mr. KUCHEL. I wonder whether, in the interest of accommodating the distinguished minority leader it would be agreeable to the Senator from Maryland to let the bill go to the foot of the calendar. I see a note to call my distinguished colleague when the bill is called up.

Mr. BEALL. Mr. President, I am informed that the Senator from California [Mr. KNOWLAND] has withdrawn his objection.

The PRESIDING OFFICER. Is there objection to the present consideration of Calendar No. 882, H. R. 7096.

Mr. KUCHEL. Mr. President, does the Chair refer to Calendar No. 882?

The PRESIDING OFFICER. Yes.

Mr. BEALL. That is correct.

Mr. KUCHEL. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Finance with an amendment on page 1, after line 8, to insert:

SEC 2. The amendments made by the first section of this act shall apply only in the case of articles entered for consumption, or withdrawn from warehouse for consumption, during the three-year period beginning on the day following the date of the enactment of this act.

SEC. 3. (a) Except as provided in section 4 of this act, no tariff or customs duty shall apply with respect to a beta-ray spectrometer, complete, consisting of a magnet unit, motor-generator set, and control rack, which is entered or withdrawn from warehouse for consumption by Stanford University, Stanford, California, for use at such university in connection with research for the Office of Naval Research and the Alfred P. Sloan Foundation, Inc., New York, N. Y.

(b) Subsection (a) shall apply whether such beta-ray spectrometer is entered, or withdrawn from warehouse, for consumption before, on, or after the date of the enactment of this act. If the liquidation of such entry or withdrawal has become final, such entry or withdrawal may be reliquidated and the appropriate refund of duty may be made.

SEC. 4. Section 3 of this act shall apply only so long as title to the beta-ray spectrometer entered or withdrawn free of duty under such section is vested in Stanford University. In the event that title to such spectrometer becomes vested in any other person after such entry or withdrawal, such spectrometer shall become subject to all duties imposed thereon by the revenue laws in force on the date on which such title becomes so vested. Such duties shall be assessed according to the appraised value on the date on which such title becomes so vested, with due allowance made for depreciation from handling and use.

Mr. BEALL. Mr. President, I offer an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to insert the following new section:

SEC. 5. (a) Section 201 of the Tariff Act of 1930 is amended by adding at the end thereof the following new paragraph:

"Par. 1822. Yarns, wholly or in chief value of wool, dyed and cut into uniform lengths not exceeding 3 inches, in immediate packages or containers not exceeding 6 ounces in weight, including the weight of the immediate package or container."

(b) The amendment made by this section shall apply only in the case of articles entered for consumption, or withdrawn from warehouse for consumption, on and after the day following the date of enactment of this act.

Mr. BYRD. Mr. President, I should like to say that the amendment has been considered by the Committee on Finance, and the committee has approved it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maryland [Mr. BEALL] to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended.

The amendment, as amended, was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act to amend paragraph 1684 of the Tariff Act of 1930 with respect to istle or Tampico fiber, to admit free of duty a beta-ray spectrometer for use at Stanford University, Stanford, Calif., and for other purposes."

APPOINTMENT OF ADDITIONAL DISTRICT JUDGE, SOUTHERN DISTRICT OF FLORIDA

The bill (S. 324) to provide for the appointment of an additional district judge for the southern district of Florida was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President shall appoint, by and with the advice and consent of the Senate, an additional district judge for the southern district of Florida. In order that the table contained in section 133 of title 28 of the United States Code will reflect the change made by this act in the number of judgeships for the southern district of Florida, such table is amended to read as follows with respect to such district:

"Districts Judges

* * * * *

"Florida:

* * * * *

"Southern ---------------------- 5

* * * * *."

APPOINTMENT OF TWO ADDITIONAL DISTRICT JUDGES, DISTRICT OF CONNECTICUT

The bill (S. 472) to provide for the appointment of two additional district judges for the district of Connecticut was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President shall appoint, by and with the advice and consent of the Senate, two additional district judges for the district of Connecticut. In order that the table contained in section 133 of title 28 of the United States Code will reflect the change made by this act in the number of judgeships for the district of Connecticut, such table is amended to read as follows with respect to such district:

"Districts Judges

* * * * *

"Connecticut ---------------------- 4

* * * * *."

APPOINTMENT OF DISTRICT JUDGE, DISTRICT OF COLORADO

The bill (S. 1060) to provide for the appointment of a district judge for the District of Colorado was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President shall appoint, by and with the advice and consent of the Senate, an additional district judge for the district of Colorado. In order that the table contained in section 133 of title 28 of the United States Code will reflect the change made by this act in the number of judgeships for the district of Colorado, such table is amended to read as follows with respect to such district:

"Districts Judges

* * * * *

"Colorado ---------------------- 3

* * * * *".

APPOINTMENT OF DISTRICT JUDGE, DISTRICT OF NEVADA

The bill (S. 2714) to provide for the appointment of a district judge for the district of Nevada was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President shall appoint, by and with the advice and consent of the Senate, an additional district judge for the district of Nevada. In order that the table contained in section 133 of title 28 of the United States Code will reflect the change made by this act in the number of judgeships for the district of Nevada, such table is amended to read as follows with respect to such district:

"Districts Judges

* * * * *

"Nevada ---------------------- 2

* * * * *".

The PRESIDING OFFICER. Before the Senate proceeds to the next measure on the calendar, the Presiding Officer, without objection, will insert at the conclusion of the passage of Calendar No. 1001, S. 2714, a statement concerning the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BIBLE

I am most gratified at the action of this body in passing the bill which my colleague [Mr. MALONE] and I introduced (S. 2714), to provide for the appointment of an additional district judge for the district of Nevada. I wish at this time to express my appreciation both to the members of the Committee on the Judiciary for their expeditious action and to the Members of this body for their favorable consideration of this legislation to grant to my State this greatly needed district judgeship. I also wish to thank the chairman of the Subcommittee on Improvements in Judiciary Machinery of the Committee on the Judiciary [Mr. JOHNSTON of South Carolina] for his courteous reception when I testified in behalf of this measure at the hearings on the omnibus judgeship bill. The subcommittee chairman did a masterful job and because of the thorough hearings conducted by him and the careful consideration given this matter, the full committee was able to act promptly on the bill. The able chairman of the committee [Mr. EASTLAND] is to be commended for his splendid work in connection with the consideration of the various judgeship measures as well as other matters reported from that committee.

The merits of this legislation cannot be questioned. Ample justification for this district judgeship appear in previous reports of the Judiciary Committee and in the hearings on S. 420 of the 85th Congress. A brief resume of the legislative history and the pressing need for a second district judgeship for the State of Nevada is as follows:

The district of Nevada has been the subject of hearings during the 84th and 85th Congresses. By Public Law 294 of the 83d Congress, a temporary judgeship was authorized, so that when this temporary judgeship was filled, the district of Nevada had two district judges until the retirement of one of the judges early in 1957. When the Committee on the Judiciary reported favorably on S. 1256 of the 84th Congress, there was included a provision to make permanent the then existing temporary judgeship for the district of Nevada, but since the retirement of one of the judges in that district, this can no longer be accomplished.

In its report on S. 1256 of the 84th Congress, the Judiciary Committee reaffirmed its position as set forth in the report on S. 2910 of the 83d Congress that each State having only one judge should be provided with an additional judge.

The hearings in the 85th Congress indicate the necessity for the restoration of a second judgeship in the district of Nevada. As stated by the committee in its report on this bill, the creation of this judgeship is amply justified.

I intend to press for the passage of this legislation by the House of Representatives, and it is my fervent hope that I will be able to secure for the people of my State a second United States district judge in the next session of the Congress.

APPOINTMENT OF TWO ADDITIONAL DISTRICT JUDGES, EASTERN DISTRICT OF PENNSYLVANIA

The bill (S. 2747) to provide for the appointment of two additional district judges for the eastern district of Pennsylvania was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President shall appoint, by and with the advice and consent of the Senate, two additional district judges for the eastern district of Pennsylvania. In order that the table contained in section 133 of title 28 of the United States Code will reflect the change made by this act in the number of judgeships for the eastern district of Pennsylvania, such table is amended to read as follows with respect to such district:

"Districts	Judges
* * * * *	
"Pennsylvania:	
"Eastern	10
* * * * *".	

APPOINTMENT OF DISTRICT JUDGE FOR THE EASTERN AND WESTERN DISTRICTS, SOUTH CAROLINA

The bill (S. 2773) to provide for the appointment of a district judge for the eastern and western districts of South Carolina was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President shall appoint, by and with the advice and consent of the Senate, an additional district judge for the eastern and western districts of South Carolina. In order that the table contained in section 133 of title 28 of the United States Code will reflect the change made by this act in the number of judgeships for the eastern and western districts of South Carolina, such table is amended to read as follows with respect to such districts:

"Districts	Judges
* * * * *	
"South Carolina:	
* * * * *	
Eastern and western	2
* * * * *"	

APPOINTMENT OF TEMPORARY CIRCUIT JUDGE AND A DISTRICT JUDGE, NORTHERN AND SOUTHERN DISTRICTS OF IOWA

The bill (S. 2799) to provide for a temporary circuit judgeship for the eighth circuit, and for the appointment of a district judge for the northern and southern districts of Iowa, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President shall appoint, by and with the advice and consent of the Senate, one additional circuit judge for the eighth circuit. The first vacancy occurring in the office of circuit judge in said circuit shall not be filled.

SEC. 2. The President shall appoint, by and with the advice and consent of the Senate, an additional district judge for the northern and southern districts of Iowa. In order that the table contained in section 133 of title 28 of the United States Code will reflect the change made by this act in the number of judgeships for the district of Iowa, such table is amended to read as follows with respect to such district:

"Districts	Judges
"Iowa:	
* * * * *	
"Northern and southern	1
"* * * * *	

BILLS PASSED OVER

The bill (H. R. 2486) to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program was announced as next in order.

Mr. TALMADGE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 984) conferring jurisdiction on the court of claims to make certain findings with respect to the amount of compensation to which certain independent ore producers are equitably entitled for uranium supplied by them to the United States during the period May 1, 1943, to August 5, 1945, and to provide for payment of the amounts so determined, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. TALMADGE. Over by request.

The PRESIDING OFFICER. The bill will be passed over.

UNMANUFACTURED MICA FILMS AND SPLITTINGS

The bill (H. R. 6894) to amend the Tariff Act of 1930 as it relates to unmanufactured mica films and splittings, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

CONTRIBUTION BY STATE GOVERNMENTS TO COST OF FEED OR SEED FURNISHED FARMERS IN DISASTER AREAS

The bill (S. 304) to provide for a specific contribution by State governments to the cost of feed or seed furnished to farmers, ranchers, or stockmen in disaster areas, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding any other provision of law, no feed for livestock or seed for planting shall be furnished to farmers, ranchers, or stockmen pursuant to Public Law 875, 81st Congress (42 U. S. C. 1955 and the following); Public Law 115, 83d Congress, 1st session; Public Law 357, 83d Congress, 2d session; Public Law 480, 83d Congress, 2d session; or pursuant to any other law as a disaster relief measure, unless, in addition to such administrative costs as may be assumed by the State, the State in which such feed or seed is furnished agrees to contribute such percentage, not less than 25 nor more than 50, as the Secretary of Agriculture shall determine to be equitable of that part of the cost, including transportation, of such feed or seed which is not paid for by the recipients thereof.

CONVEYANCE OF CERTAIN LANDS TO THE CHARLOTTE RUDLAND DANSIE ASSOCIATION

The bill (S. 2230) to authorize the Secretary of the Interior to convey certain lands to the Charlotte Rudland Dansie Association was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CLARK. Mr. President, over by request.

Mr. WATKINS. Mr. President, will the Senator withhold his objection for a moment? I understand the objection has been withdrawn.

Mr. CLARK. Mr. President, I withdraw my objection. I thank the Senator from Utah for calling my attention to that fact.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to convey by patent, without monetary consideration therefor, the south half northeast quarter southwest quarter southeast quarter northeast quarter, section 21, township 27 north, range 102 west, sixth principal meridian, Wyoming, to the Charlotte Rudland Dansie Association for maintenance as a memorial grave site.

SEC. 2. The patent issued pursuant to section 1 of this act shall contain a reservation to the United States of all mineral deposits in the lands and of the right to mine and remove the same under applicable laws, regulations to be established by the Secretary, and terms and conditions which shall not be inconsistent with the use of the lands as a memorial grave site.

SEC. 3. If at any time after issuance of patent under section 1 of this act the Charlotte Rudland Dansie Association or its successor attempts to transfer title to or control over the lands to another without the consent of the Secretary or the lands are devoted to a use other than as a grave-site memorial to Charlotte Rudland Dansie or the association or its successor shall after due notice from the Secretary, fail to maintain the site in a manner which the Secretary deems fitting and proper, title to the lands shall revert to the United States.

Mr. WATKINS subsequently said: Mr. President, I ask unanimous consent that a statement prepared by the staff of the Senior Senator from Oregon [Mr. MORSE] be printed at the time of the consideration of Calendar No. 1087, S. 2230.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2230

This bill has an excellent objective—the preservation of the memory of a great pioneer, Charlotte Rudland Dansie, who made one of the early journeys west with the Mormons to settle in the Salt Lake Valley.

This bill would authorize the conveyance of 1¼ acres of land surrounding the grave of this pioneer woman.

When the bill first came up on the call of the calendar, I sought information from the report which would clear up any problem concerning the applicability of the so-called Morse formula. The report did not supply the requisite information.

Since that time, my good friend, the senior Senator from Utah, has supplied me with further information, and I have checked with the Department of the Interior and have ascertained that the property has a value of approximately $20.

The case is one that calls for payment of fair appraised market value, but the difficulty is that the Government would spend more in determining that value through appraisal than would be realized through payment of fair market value.

Under those circumstances and in view of the purpose of the bill, I find no objection under the Morse formula.

INVESTIGATION OF JUVENILE DELINQUENCY IN THE UNITED STATES

The resolution (S. Res. 191) amending Senate Resolution 52, 85th Congress, authorizing an investigation of juvenile delinquency in the United States, was considered and agreed to, as follows:

Resolved, That section 4 of Senate Resolution 52, 85th Congress, 1st session, authorizing an investigation of juvenile delinquency in the United States, agreed to on January 30, 1957, is amended by striking out "$50,000" and inserting in lieu thereof "$60,000."

BILL PASSED OVER

The bill (H. R. 7785) to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia was announced as next in order.

Mr. TALMADGE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

COMMISSION TO COMMEMORATE THE 100TH ANNIVERSARY OF THE CIVIL WAR

The Senate proceeded to consider the joint resolution (H. J. Res. 253) to establish a Commission to commemorate the 100th anniversary of the Civil War, and for other purposes, which had been reported from the Committee on the Judiciary with amendments on page 2, line 7, after the word "of", to strike out "eighteen" and insert "twenty-five"; in line 12, after the numeral "(2)", to strike out "Six" and insert "Four", and on page 3, at the beginning of line 6, to strike out "(a)" and insert "(6)".

Mr. TALMADGE. Mr. President, before action is taken on that joint resolution, I ask that a statement prepared by the senior Senator from Mississippi [Mr. EASTLAND] be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

CIVIL WAR CENTENNIAL COMMISSION TO CELEBRATE THE 100TH ANNIVERSARY OF THE CIVIL WAR—STATEMENT BY SENATOR EASTLAND

Mr. President, at its meeting of August 20, 1957, the Committee on the Judiciary ordered reported House Joint Resolution 253, to establish a Commission to commemorate the 100th anniversary of the Civil War. When the committee took this action, there were pending before the committee two Senate resolutions which would establish similar Civil War centennial commissions—Senate Joint Resolution 46, sponsored by Mr. BRICKER, of Ohio, Mr. ROBERTSON, of Virginia, Mr. MARTIN, of Pennsylvania, and Mr. THURMOND, of South Carolina, and Senate Joint Resolution 83, to establish a Commission to celebrate the 100th anniversary of the Civil War, introduced by Mr. SALTONSTALL, of Massachusetts, Mr. GOLDWATER, of Arizona, and myself.

The committee acted on the House resolution, rather than acting on a similar Senate resolution, due to the fact that the House resolution had just been received from the other body, and, in order to expedite action and to facilitate the establishment of the Commission, the committee deemed it proper to report House Joint Resolution 253. I do want the record to show, however, that the Members of the Senate who sponsored these two Senate resolutions were most actively interested in assuring that there be established a Civil War centennial commission in order that there may be a proper observance of this period of our history. They were completely in accord with the action taken by the committee in reporting the House resolution, in order that the Commission may commence its activities as soon as possible.

The resolution, as amended, provides for a 25-member commission to be known as the Civil War Centennial Commission. The members of the Commission are to serve without compensation but are to be furnished transportation and reimbursement not to exceed $20 per diem while engaged in official duties relating to the Commission. The Commission is authorized and encouraged to cooperate with State, civil, patriotic, hereditary and historic groups, and with institutions of learning in order to make this commemoration of the 100th anniversary of the Civil War as meaningful as possible.

This legislation would authorize the appropriation of funds of not to exceed $100,000 for the expenses of the Commission.

This centennial observance will be the occasion for nationwide commemoration. The establishment of the Commission, which is intended to be national in scope, will encourage and develop public knowledge of and interest in the history of the Civil War.

The committee believes that this is a very meritorious resolution and, accordingly, recommends favorable consideration of House Joint Resolution 253, as amended.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

CONVEYANCE OF CERTAIN LANDS TO MIDDLE TENNESSEE COUNCIL, BOY SCOUTS

The Senate proceeded to consider the bill (S. 2531) to authorize the conveyance of certain lands within Old Hickory lock and dam project, Tennessee, to Middle Tennessee Council, Boy Scouts, which had been reported from the Committee on Public Works with an amendment on page 1, after the enacting clause, to strike out:

"That subject to section 2 and without monetary consideration, the Secretary of the Army is authorized and directed to convey to the Middle Tennessee Council, Inc., Boy Scouts of America, all right, title, and interest of the United States in and to the following lands within the Old Hickory lock and dam project:

"Two certain parcels of land situate on the waters of Spencer Creek and the Cumberland River, in the Fourth Civil District of Wilson County, Tenn., containing in aggregate 525.80 acres, more or less, and more particularly described as follows:

"PARCEL 1

"Beginning at a corner common to lands now or formerly owned by Zac Burford and others and the lands of the United States, said corner being in a line of lands now or formerly owned by Henry Louis Bloodworth and Frank W. Bloodworth; thence, with the division line between the United States and said Burford as follows: south, 03 degrees 00 minutes west 635 feet, south 8 degrees 30 minutes west 680 feet, north 76 degrees 00 minutes west 690 feet, south 01 degree 00 minutes east 390 feet, south 80 degrees 00 minutes east 1,300 feet, and south 04 degrees 00 minutes west 1,690 feet to a corner of lands now or formerly owned by Will Walker and others; thence, with the division line between the United States and said Walker south 04 degrees 00 minutes west 985 feet to a point in a line of lands now or formerly owned by Hughlette Katherine Purnell; thence, with the division line between the United States and said Purnell north 87 degrees 00 minutes west 960 feet; thence, leaving Purnell's line, through the lands of the United States north 87 degrees 00 minutes west 120 feet to a point in the 451 foot contour line above mean sea level; thence continuing through the lands of the United States, following the 451 foot contour line as it meanders in a general westerly, northerly, and easterly direction along the northeasterly shore line of the Spencer Creek Embayment, upstream along the easterly shore line of Cumberland River, a distance of 20,200 feet, more or less, to a point in the north line of the lands of said Bloodworth; thence with the division line between said Bloodworth and the United States south 58 degree 00 minutes west 1,425 feet, to the point of beginning, containing 367.6 acres, more or less.

"PARCEL 2

"Beginning at a corner common to lands now or formerly owned by C. E. and Louise Tubbs Northern and the lands of the United States, said corner being in a line of lands now or formerly owned by Hughlette Katherine Purnell; thence, with the division line between said Purnell and the United States north 03 degrees 00 minutes east 1,240 feet to a corner of lands now or formerly owned by Will Walker and others; thence, with the division line between said Walker and the United States as follows: North 03 degrees 00 minutes east 500 feet, south 79 degrees 30 minutes east 1,085 feet, north 190 feet and north 78 degrees 00 minutes west 170 feet to a corner of lands now or formerly owned by Zac Burford and others; thence, with the division line between said Burford and the United States as follows: North 26 degrees 00 minutes west 670 feet and south 88 degrees 00 minutes east 110 feet to a corner of lands now or formerly owned by D. E. and Janie Greer Bloodworth, said corner being in the center of a road; thence with the division line between said Bloodworth and the United States along the center of said road south 88 degrees 00 minutes east 640 feet to a corner of lands now or formerly owned by F. W. Bloodworth and wife; thence, with the division line between said F. W. Bloodworth and wife and the United States and continuing along the center of said road south 88 degrees 00 minutes east at 585 feet passing a corner of said Bloodworth, continuing in all 640 feet to a corner of lands now or formerly owned by Henry and Susie Tyree; thence, leaving said road along the division line between said Tyree and the subject owner as follows: South 05 degrees 00 minutes west 280 feet, north 64 degrees 00 minutes east 125 feet, south 04 degrees 00 minutes east 160 feet, south 57 degrees 00 minutes west 210 feet, south 18 degrees 00 minutes west 410 feet, north 89 degrees 00 minutes east 340 feet and south 42 degrees 30 minutes east 335 feet to a corner of lands now or formerly owned by Lula Mae Davis; thence, with the division line between said Davis and the United States as follows: North 70 degrees 00 minutes east 315 feet and south 01 degree 00 minutes east 155 feet to a corner of lands now or formerly owned by Talmadge and Novella Collier; thence, with the division line between said Collier and the United States as follows: South 01 degree 00 minutes east 50 feet, south 73 degrees 00 minutes west 350 feet, north 85 degrees 00 minutes west 215 feet, south 12 degrees 00 minutes west 310 feet, south 88 degrees 00 minutes east 250 feet, north 50 degrees 00 minutes east 260 feet, south 41 degrees 30 minutes east 235 feet, south 88 degrees 00 minutes east 90 feet and south 05 degrees 00 minutes east 90 feet to a corner of lands now or formerly owned by Dwight Manners; thence, with the division line between said Manners and the United States south 45 degrees 00 minutes west 350 feet to a corner of lands now or formerly owned by D. E. and Janie Greer Bloodworth; thence, with the division line between said Bloodworth and the United States as follows: South 10 degrees 30 minutes west 150 feet, north 72 degrees 00 minutes east 250 feet, south 50 degrees 00 minutes east 250 feet, and south 15 degrees 30 minutes west 285 feet to a point in a line of lands now or formerly owned by O. A. Purnell; thence, with the division line between said Purnell and the United States as follows: North 84 degrees 00 minutes west 100 feet, south 1,280 feet, north 86 degrees 00 minutes east 345 feet and south 05 degrees 00 minutes east 215 feet to a corner of lands now or formerly owned by H. B. Manners, in the center of a road; thence, leaving said road with the division line between said Manners and the United States as follows: South 86 degrees 25 minutes west 450.4 feet, south 36 degrees 06 minutes west 318 feet, north 73 degrees 21 minutes west 151.4 feet, south 35 degrees 57 minutes west 249.7 feet, north 09 degrees 07 minutes west 504 feet and north 84 degrees 48 minutes west 80 feet to a corner of said Northern in the center of a road; thence, leaving said road with the division line between said Northern and the United States as follows: North 05 degrees 00 minutes east 350 feet, south 51 degrees 00 minutes west 290 feet, north 38 degrees 30 minutes west 265 feet, north 03 degrees 00 minutes east 215 feet, south 35 degrees 30 minutes east 240 feet, north 45 degrees 30 minutes east 225 feet, north 08 degrees 30 minutes west 540 feet, south 25 degrees 00 minutes west 460 feet, north 30 degrees 00 minutes west 630 feet, north 72 degrees 00 minutes west 645 feet, north 08 degrees 00 minutes east 81.6 feet, and west 933 feet, to the point of beginning, containing 158.2 acres, more or less.

The above described parcels of land are a part of the same lands, the fee title to which was vested in the United States by reason of the following deeds of record in the Office of the Register of Wilson County, Tenn., and/or by the filing of declaration of takings in civil actions pending in the United States District Court for the Middle District of Tennessee, Nashville Division, namely:

"Tract numbered	Vendor	Date of deed and/or declarations of takings	Deed book	Page	Declarations of takings numbered	Civil action numbered
	PARCEL 1					
G-703	E. L. Gaston, trustee, and others	October 28, 1953			1	1723
G-707	Mildred Armstrong and others	October 28, 1953			1	1723
G-708	Jim Bailey and wife	June 17, 1953	137	580		
G-709	William O. Barry	January 15, 1954	138	680		
G-723-1 (part)	Katherine H. Purnell	June 1, 1953	137	482		
Lock and dam number 4 (part):						
(a)	James Harvey Davis and others	January 3, 1894	52	163		(1)
(b)	Samuel Howerth and others	January 3, 1894	52	159		(2)
	PARCEL 2					
G-713	Zac Burford and others	March 24, 1954			1	1837
G-716	Hargrove Jenkins and wife	September 4, 1953	138	197		
G-717	Willie Thompson and others	October 28, 1953			1	1723
G-718	Henry Tyree and wife	June 30, 1953	137	640		
G-719	Lula Mae Davis and others	May 12, 1954			1	1862
G-720-1-2	Talmadge Collier and wife	May 21, 1953	137	428		
G-721	Dwight Manners and wife	July 11, 1953	137	680		
G-722	D. E. Bloodworth and wife	July 7, 1953	137	696		
G-725	C. E. Northern and wife	May 20, 1953	137	419		
G-726	O. A. Purnell and wife	July 24, 1953	138	36		
G-731-2	Dwight Manners and others	July 6, 1954			2	1723

"[1] Judgment numbered 851.

"[2] Judgment numbered 850."

And insert:

"That the Secretary of the Army is authorized and directed to convey to the Middle Tennessee Council, Inc., Boy Scouts of America, without monetary consideration therefor, but subject to the conditions of this act, the area or areas he determines to be available for conveyance within the 609.2 acres of land leased to the said Boy Scouts Council at the Old Hickory lock and dam, Cumberland River, Tenn., under lease granted July 12, 1955, numbered DA-40-058-CIVENG-56-8."

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Army is authorized and directed to convey to the Middle Tennessee Council, Inc., Boy Scouts of America, without monetary consideration therefor, but subject to the conditions of this act, the area or areas he determines to be available for conveyance within the 609.2 acres of land leased to the said Boy Scouts Council at the Old Hickory lock and dam, Cumberland River, Tenn., under lease granted July 12, 1955, numbered DA-40-058-CIVENG-56-8.

SEC. 2. Title to property authorized to be conveyed by this act shall revert to the United States, which shall have the right of immediate entry thereon, if the Middle Tennessee Council, Inc., Boy Scouts of America—

(1) has not commenced the development of such property for recreation and camping purposes within the 3-year period beginning on the date of enactment of this act; or

(2) shall ever cease to use such property for recreation and camping purposes.

SEC. 3. The Secretary of the Army is authorized to grant to the Middle Tennessee Council, Inc., Boy Scouts of America, such rights-of-way for public access and utility lines across any property of the United States as may be necessary to facilitate the development and use of the property conveyed under authority of this act for recreation and camping purposes.

SEC. 4. The conveyance of the property herein authorized shall be subject to the right to flood due to the fluctuation of the water level of the Old Hickory lock and dam project and to such other conditions, reservations, and restrictions as the Secretary of the Army may determine to be necessary for the management and operation of said Old Hickory lock and dam project.

SEC. 5. The cost of any surveys necessary as an incident of the conveyance authorized herein shall be borne by the Middle Tennessee Council, Inc., Boy Scouts of America.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

APPOINTMENT OF DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS

The bill (S. 1224) to provide for the appointment of a district judge for the district of Massachusetts was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President shall appoint, by and with the advice and consent of the Senate, an additional district judge for the district of Massachusetts. In order that the table contained in section 133 of title 28 of the United States Code will reflect the change made by this act in the number of judgeships for the district of Massachusetts, such table is amended to read as follows with respect to such district:

"Districts	Judges
* * *	* *
Massachusetts	6
* * *	* *."

APPOINTMENT OF ADDITIONAL JUDGES FOR OHIO—BILL PASSED OVER

The bill (S. 2832) a bill to provide for the appointment of one additional district judge for the northern district of Ohio and one additional district judge for the southern district of Ohio, was announced as next in order.

Mr. TALMADGE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

Mr. LAUSCHE subsequently said: I objected to the consideration of Calendar No. 1120, Senate bill 2832, because it was my understanding it included three judges. I was certain that an additional judge was needed in the northern district of Ohio. I was certain that a new judge was not needed in the southern district, because the calendar is current, the bill as originally introduced contemplated the appointment of three judges. The bill now pending before the Senate has eliminated one, and if passed will authorize the appointment of two. I am therefore withdrawing my objection.

The PRESIDING OFFICER. Without objection, the RECORD will so show.

Mr. JOHNSON of Texas. I thank the Senator from Ohio very much.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill (S. 2832) to provide for the appointment of one additional district judge for the northern district of Ohio, and one additional district judge for the southern district of Ohio was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President shall appoint, by and with the advice and consent of the Senate, one additional district judge for the northern district of Ohio and one additional district judge for the southern district of Ohio. In order that the table contained in section 133 of title 28 of the United States Code will reflect the changes made by this act in the number of judgeships for the northern and southern districts of Ohio, such table is amended to read as follows with respect to such districts:

"Districts	Judges
* * * * *	
"Ohio:	
Northern	6
Southern	4"

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KUCHEL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, I should like to make a motion, with respect to all the bills dealing with the judgeships. I move that the vote by which they were passed be reconsidered.

Mr. KUCHEL. Mr. President, does that include the judgeship bills we have not yet come to?

Mr. JOHNSON of Texas. No. We would not reconsider action on bills we have not taken up.

Mr. KUCHEL. I wanted to point out there are a couple more. I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

Mr. KUCHEL. I move to lay the motion of the Senator from Texas on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

CONVEYANCE OF CERTAIN LANDS TO BOY SCOUTS—BILL PASSED TO THE FOOT OF THE CALENDAR

The bill (H. R. 8576) to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes was announced as next in order.

Mr. CLARK. Mr. President, I ask unanimous consent that that bill go to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to consider order of business 1145, House bill 8576.

There being no objection, the Senate proceeded to consider the bill (H. R. 8576) to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes.

Mr. JOHNSON of Texas. Mr. President, I submit an amendment on behalf of my colleague, the senior Senator from Oregon [Mr. MORSE]. All Members of this body are familiar with the tireless work of the senior Senator from Oregon as watchdog for the Treasury, particularly in connection with land-conveyance matters. The Senator desired to offer this amendment. It was not acceptable to the author of the bill or to the committee. The Senator from Oregon is necessarily away from the Chamber. All Members, I believe, are generally familiar with the views of the Senator from Oregon on the Morse formula. So I send to the desk amendments in his behalf, and ask that the clerk state them, and that the Members give consideration to them.

The PRESIDING OFFICER. The amendments will be stated.

The LEGISLATIVE CLERK. On the first page, lines 5 and 6, strike out "without monetary consideration therefor, but."

On page 2, line 2, after the period insert the following:

Such conveyance shall be conditional upon payment being made for the land conveyed in an amount equal to the fair market value of such land as determined by the Secretary of the Army after appraisal.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Texas [Mr. JOHNSON] on behalf of the Senator from Oregon [Mr. MORSE].

The amendments were rejected.

The PRESIDING OFFICER. The question now is on the third reading of the bill.

The bill (H. R. 8576) was ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move to lay on the table the motion to reconsider the vote by which the bill was passed.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Without objection, Senate bill 2531 will be indefinitely postponed.

BILL PASSED OVER

The bill (H. R. 7168) to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will go over, by request.

MICHELE NIRO

The bill (S. 781) for the relief of Michele Niro was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purposes of the Immigration and Nationality Act, Michele Niro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MICHAEL JAMES BOLGER

The bill (S. 1403) for the relief of Michael James Bolger was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Michael James Bolger shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

C–L ELECTRIC CO.

The bill (S. 1600) for the relief of the C–L Electric Co. was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the C–L Electric Co., of 410 South Main Street, Pocatello, Idaho, the sum of $45,852.06, in full satisfaction of its claim against the United States for reimbursement of losses sustained by it under contract numbered 14–06–D–152 entered into on June 27, 1952, with the Bureau of Reclamation for the construction of the Lovell-Yellowtail 155 kilovolt transmission line, Missouri Basin project, such contract having been terminated on August 26, 1953, because of the failure of the Congress to appropriate funds for the carrying out of such contract subsequent to June 30, 1953: *Provided,* That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

LINTON SEYMOUR YOUNG

The bill (S. 1606) for the relief of Linton Seymour Young was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Linton Seymour Young shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee.

JULIA SLIWINSKA

The Senate proceeded to consider the bill (S. 452) for the relief of Julia

Sliwinska, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause, and insert:

"That, notwithstanding the provisions of section 212 (a) (6) of the Immigration and Nationality Act, Julia Sliwinska may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act under which such controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act: *And provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CLAIM OF MRS. WALTER E. VON KALINOWSKI

The Senate proceeded to consider the bill (S. 573) conferring jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon a certain claim of Mrs. Walter E. von Kalinowski, which had been reported from the Committee on the Judiciary with an amendment on page 2, after line 2, to insert a new section, as follows:

SEC. 2. The provisions of sections 1492 and 2509 of title 28, United States Code, shall be applicable to this act.

So as to make the bill read:

Be it enacted, etc., That, notwithstanding any statute of limitations or lapse of time or any limitation upon the jurisdiction of the United States Court of Claims to hear, determine, and render judgment on claims against the United States, jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment upon the claim of Mrs. Walter E. von Kalinowski. Suit upon such claim may be instituted by Mrs. Walter E. von Kalinowski at any time within 3 years after the date of enactment of this act.

SEC. 2. The provisions of sections 1492 and 2509 of title 28, United States Code, shall be applicable to this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LUDWIK ABRAMSKI

The Senate proceeded to consider the bill (S. 1208) for the relief of Ludwik Abramski, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause, and insert:

That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Ludwik Abramski may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act and upon compliance with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *And provided further*, That this exemption shall apply only to ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HEINZ AUGUST SCHWARZ

The Senate proceeded to consider the bill (S. 1287) for the relief of Heinz August Schwarz, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 11, after the word "available", to insert a colon and "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Heinz August Schwarz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANZ HEHN

The Senate proceeded to consider the bill (S. 1359) for the relief of Franz Hehn, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause, and insert:

That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Franz Hehn may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WINIFRED C. LYDICK

The Senate proceeded to consider the bill (S. 1562) for the relief of Winifred C. Lydick which had been reported from the Committee on the Judiciary with an amendment on page 1, line 6, after the word "of" to strike out "$9,500" and insert "$2,500", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Winifred C. Lydick, of Oklahoma City, Okla., the sum of $2,500. Such sum shall be in full satisfaction of the claim of the said Winifred C. Lydick against the United States for compensation for permanent personal injuries and pain and suffering sustained by her as the result of an accident, occurring on April 14, 1955, on the island of Okinawa, in which a United States Army vehicle struck the automobile in which the said Winifred C. Lydick was a passenger: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARTHA A. McDERMOTT STOTHARD

The Senate proceeded to consider the bill (S. 1480) for the relief of Martha A. McDermott Stothard, which had been reported from the Committee on the Judiciary with amendments on page 1, line 3, after the word "sections", to strike out "18 to 20" and insert "15 to 20"; in line 5, after "5 U. S. C.", to strike out "768" and insert "765–"; in line 9, after the word "injury" to insert "alleged to have been", and on page 2, line 5, after the word "benefits", to insert "except hospital and medical expenses actually incurred", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of sections 15 to 20, inclusive, of the Federal Employees' Compensation Act, as amended (5 U. S. C. 765–770), the Secretary of Labor is authorized (1) to consider any claim filed within 1 year after the date of enactment of this act by Martha A. McDermott Stothard, of Aurora, Colo., for compensation for disability resulting from an injury alleged to have been sustained by her in 1945 while performing services as an employee of the Department of the Army, Fitzsimons Army Hospital, Denver, Colo., and (2) to award to the said Martha A. McDermott Stothard any compensation to which she would have been entitled had such claim been filed within the time and in the manner provided by such sections. No benefits, except hospital and medical expenses actually incurred, shall accrue under this act for any period prior to the date of its enactment.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DORENE I. FAST

The Senate proceeded to consider the bill (S. 1543) for the relief of Dorene I. Fast, which had been reported from the Committee on the Judiciary with an amendment in line 7, after the word "Act", to insert a colon and "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act", so as to make the bill read:

> *Be it enacted, etc.*, That, notwithstanding the provisions of paragraph (4) of section 212 (a) of the Immigration and Nationality Act, Dorene I. Fast may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE H. MEYER SONS AND OTHERS

The bill (H. R. 1411) for the relief of George H. Meyer Sons, Brauer & Co., Joseph McSweeney & Sons, Inc., C. L. Tomlinson, Jr., and Richmond Livestock Co., Inc., was considered, ordered to a third reading, read the third time, and passed.

MRS. JENNIE MAURELLO

The bill (H. R. 1474) for the relief of Mrs. Jennie Maurello was considered, ordered to a third reading, read the third time, and passed.

HOMER CAZAMIAS

The bill (H. R. 1502) for the relief of Homer Cazamias was considered, ordered to a third reading, read the third time, and passed.

GILBERT B. MAR

The bill (H. R. 1677) for the relief of Gilbert B. Mar was considered, ordered to a third reading, read the third time, and passed.

FILOMENA AND EMIL FERRARA

The bill (H. R. 4174) for the relief of Filomena and Emil Ferrara was considered, ordered to a third reading, read the third time, and passed.

MME. HENRIETTE BUAILLON AND STANLEY JAMES CARPENTER

The bill (H. R. 7014) for the relief of Madame Henriette Buaillon and Stanley James Carpenter was considered, ordered to a third reading, read the third time, and passed.

VIRGINIA RAY POTTS

The bill (H. R. 8374) for the relief of Virginia Ray Potts was considered, ordered to a third reading, read the third time, and passed.

MRS. HANNAH MAE POWELL

The bill (H. R. 1419) for the relief of Mrs. Hannah Mae Powell was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. KUCHEL. Mr. President, may we have an explanation of the bill?

Mr. CLARK. Mr. President, this bill, as amended, would pay to the claimant the sum of $11,197.95 for refund of income taxes and other expenses sustained as a result of the actions of the Collector of Internal Revenue of Philadelphia, Pa., in the years 1937, 1941, and 1942.

The claimant was for a number of years engaged in the business of distributing, under her own label, certain cosmetic preparations—ointment and shampoo. In 1933, a new excise tax was placed on manufacturers of cosmetics.

It appears that the ointment distributed by the claimant was purchased from the manufacturer in 50-pound cans, and that the manufacturer's excise tax was paid by the manufacturer and added to the sales price. The shampoo also was purchased in wholesale lots, but was not subject to the tax.

The claimant's sole function in connection with these products was to transfer the ointment from 50-pound cans to small glass jars, added labels, and assemble the products into lots ready for retail sale. Inasmuch as no ingredient was ever added by her, she took the position that she was not a manufacturer and did not make the information returns required of manufacturers of cosmetics. Four years after the effective date of the act, agents of the Internal Revenue Bureau advised the claimant that she was the manufacturer of this ointment and was subject to the tax. Upon the basis of a return prepared by the agents, which the claimant refused to sign, the tax—plus penalties and interest—was assessed against her. Subsequently, the collector proceeded to impound her bank account, attach her automobile and all her merchandise, including that on consignment in the hands of third parties, and padlock her office and warehouse.

Two separate levies were made, in the amounts of $4,718.44 and $20,240; but, inasmuch as the latter amount had been arrived at without differentiating between sales of soap—not taxable—and without taking into account freight charges, consignees' commissions, and so forth, this assessment was reduced to $3,399.40.

Shortly after the first levy, the claimant was allowed to reenter and resume business in her place of business, but found her supplies and equipment to be unsanitary and unfit for sales purposes and, therefore, a total loss. According to an affidavit executed by the claimant, losses resulting from the return of consigned goods—practically all of which had been damaged to the extent that they were entirely worthless—storage, transfer, rental, and other charges amounted to approximately $25,000. Further, her credit standing, built up over many years, was destroyed.

The claimant subsequently filed suit to contest the manufacturer's excise tax levied against her. The court found that this tax had been improperly levied, and ordered that judgment be entered in her favor in the sum of $5,753.30, together with interest and costs.

The claimant later filed suit for damages against the collector, for damages suffered by her, but was unsuccessful in the prosecution of this suit.

The committee is of the opinion that, although there is no legal basis for the claim, inasmuch as the tax assessed and the levies made pursuant thereto were improper, and in view of the fact that she suffered serious financial losses therefrom, she should, in consideration of the equities involved, receive some recompense for her losses. The bill, as referred to this committee, provided for the payment of $24,932.39, but, after careful consideration of all the evidence before it, the committee has concluded that the sum of $11,197.95 would be a fair and reasonable award, and has amended the bill accordingly.

Mr. WATKINS. Mr. President, as a member of the Judiciary Committee, I was appointed a subcommittee of one to hold the hearing on this matter. I heard the facts at great length and very substantially, as the Senator from Pennsylvania has just pointed out in the course of the statement he has made.

I believe there are sufficient equities in the matter to justify allowance of the claim, and I have recommended that it be allowed in full.

Mr. CLARK. Mr. President, I thank the Senator from Utah for his consideration of this matter, which involves a resident of Philadelphia.

Mr. KUCHEL. Mr. President, all I wish to state is that if I had a recording which had been recorded at the high speed which has been demonstrated by the acting majority leader, the junior Senator from Pennsylvania [Mr. CLARK], as he has proceeded in connection with this matter, with most commendable zeal—I refer to the speed with which he read the statement regarding it, and if I were to play such a recording on my child's hi-fi set, I would turn down the speed control a little. [Laughter.]

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 1419) for the relief of Mrs. Hannah Mae Powell, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 7, after the word "of," to strike out "$24,932.39" and insert "$11,197.95."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

BENEDICT M. KORDUS

The Senate proceeded to consider the bill (H. R. 1883) for the relief of Benedict M. Kordus, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 2, after the word "act", to strike out "in excess of 10 percent thereof."

Mr. TALMADGE. Mr. President, I ask unanimous consent that a statement in regard to this bill be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

BENEDICT M. KORDUS—STATEMENT OF SENATOR TALMADGE

This bill proposes to pay to Benedict M. Kordus, of Milwaukee, Wis., the sum of $6,476.06 in full settlement of all claims against the United States for the payment of the amounts of the disability compensation withheld from Matthew T. Kordus, a veteran of the First World War.

The applicable law pertaining to veterans' disability compensation provides that when a veteran is hospitalized in a veterans' hospital his compensation is to be paid until the first day of the seventh calendar month. After that time, payments shall not exceed $30 a month and the amounts withheld are to be paid to specified individuals in the event of the death of the veteran while a patient. Among the classes of persons who may take are brothers and sisters. The claimant, Benedict M. Kordus, was abandoned by his mother at the home of his uncle when he was 3 days old. The uncle raised the claimant with his other children and in all ways both the uncle and his children treated the claimant as though he were a son and brother. The claimant was raised in the family, which included as one of the brothers the said Matthew T. Kordus, veteran of World War I. When Matthew Kordus became disabled due to his service-connected disability, the claimant took him into his home for a long period of time until it became necessary that Matthew Kordus be hospitalized in a Veterans' Administration hospital. The claimant and his wife cared for Matthew during the period that he was in their home and after he was hospitalized the claimant visited him regularly in the hospital. When Matthew died while still in the hospital, the claimant paid for his funeral expenses. The claimant also paid for the funeral expenses of a sister of Matthew when she predeceased Matthew. Matthew regarded the claimant as his brother and, in fact, on his insurance policy identified the claimant as his brother. After Matthew died, the claimant filed a claim with the Veterans' Administration for amounts withheld from the disability compensation of Matthew Kordus. This claim was denied for the reason that the claimant was not a brother of the whole or the halfblood of the veteran and that he was not adopted by the parents of the veteran and, therefore, did not qualify by law. The records indicate that there are no other claimants to the sums withheld.

The Veterans' Administration is opposed to the enactment of this bill.

The bill has been amended to delete attorney's fees.

The committee feels that in view of the fact that the two cousins were raised as brothers and in view of the close relationship that existed between them after they reached maturity and in view of the services rendered the deceased by the claimant prior to his death, and particularly in view of the fact that the claimant is the only person known who might apply for the amounts withheld, that the claimant should be entitled to recover the amounts withheld, in payment for moneys and services the claimant furnished the decedent prior to his death. Furthermore, the committee feels that in view of the peculiar circumstances in this case, that this bill would not present an undesirable precedent with respect to such payments. Accordingly, the committee recommends that this bill, as amended, be favorably considered.

BENEDICT M. KORDUS—STATEMENT OF SENATOR EASTLAND

This bill proposes to pay to Benedict M. Kordus, of Milwaukee, Wis., the sum of $6,476.06 in full settlement of all claims against the United States for the payment of the amounts of the disability compensation withheld from Matthew T. Kordus, a veteran of the First World War.

The applicable law pertaining to veterans' disability compensation provides that when a veteran is hospitalized in a veterans' hospital his compensation is to be paid until the first day of the seventh calendar month. After that time, payments shall not exceed $30 a month and the amounts withheld are to be paid to specified individuals in the event of the death of the veteran while a patient. Among the classes of persons who may take are brothers and sisters. The claimant, Benedict M. Kordus, was abandoned by his mother at the home of his uncle when he was 3 days old. The uncle raised the claimant with his other children and in all ways both the uncle and his children treated the claimant as though he were a son and brother. The claimant was raised in the family, which included as one of the brothers the said Matthew T. Kordus, veteran of World War I. When Matthew Kordus became disabled due to his service-connected disability, the claimant took him into his home for a long period of time until it became necessary that Matthew Kordus be hospitalized in a Veterans' Administration hospital. The claimant and his wife cared for Matthew during the period that he was in their home and after he was hospitalized the claimant visited him regularly in the hospital. When Matthew died while still in the hospital the claimant paid for his funeral expenses. The claimant also paid for the funeral expenses of a sister of Matthew when she predeceased Matthew. Matthew regarded the claimant as his brother and, in fact, on his insurance policy indentified the claimant as his brother. After Matthew died, the claimant filed a claim with the Veterans' Administration for amounts withheld from the disability compensation of Matthew Kordus. This claim was denied for the reason that the claimant was not a brother of the whole or the half blood of the veteran and that he was not adopted by the parents of the veteran and, therefore, did not qualify by law. The records indicate that there are no other claimants to the sums withheld.

The Veterans' Administration is opposed to the enactment of this bill.

The bill has been amended to delete attorney's fees.

The committee feels that in view of the fact that the two cousins were raised as brothers and in view of the close relationship that existed between them after they reached maturity and in view of the services rendered the deceased by the claimant prior to his death, and particularly in view of the fact that the claimant is the only person known who might apply for the amounts withheld, that the claimant should be entitled to recover the amounts withheld in payment for moneys and services the claimant furnished the decedent prior to his death. Furthermore, the committee feels that, in view of the peculiar circumstances in this case, this bill would not present an undesirable precedent with respect to such payments. Accordingly, the committee recommends that this bill, as amended, be favorably considered.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

LOUIS S. LEVENSON

The Senate proceeded to consider the bill (H. R. 4544) for the relief of Louis S. Levenson which had been reported from the Committee on the Judiciary with an amendment on page 1, line 5, after the word "of", to strike out "$1,500" and insert "$750."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

CLARA M. BRIGGS

The Senate proceeded to consider the bill (H. R. 5719) for the relief of Clara M. Briggs, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 3, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

RAMON TAVAREZ

The Senate proceeded to consider the bill (H. R. 4335) for the relief of Ramon Tavarez, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 5, after the word "of", to strike out "$25,000" and insert "$12,950", and on page 2, line 4, after the word "act", to strike out "in excess of 10 percent thereof."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 5822) to amend section 406 (b) of the Civil Aeronautics Act of 1938 with respect to the reinvestment by air carriers of the proceeds from the sale or other disposition of certain operating property and equipment was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LAUSCHE. What disposition has been made of Calendar 1178, H. R. 5822?

Mr. BIBLE. House bill 5822 has gone over by request.

LEASING OF SPACE FOR FEDERAL AGENCIES

The Senate proceeded to consider the bill (S. 2533) to amend the Federal Property and Administrative Services Act of 1949, to authorize the Administrator of General Services to lease space for Federal agencies for periods not exceeding 15 years, and for other purposes, which had been reported from the Committee on Government Operations, with amendments, on page 2, after line 7, to strike out:

(2) For the purposes of paragraph (1) of this subsection, the Administrator is authorized to acquire real property by purchase, condemnation, lease, donation, or otherwise, to improve (including demolition) federally owned property, and to dispose of such acquired and federally owned property upon such terms as he may determine to be in the best interest of the United States.

In line 15, to change the subsection number from "(3)" to "(2)", and in line 25, to change the subsection number from "(4)" to "(3)", so as to make the bill read:

Be it enacted, etc., That section 210 of the Federal Property and Administrative Services Act of 1949, as amended (40 U. S. C. 490), is amended by adding at the end thereof the following new subsection:

"(h) (1) The Administrator is authorized to enter into lease agreements with any person, copartnership, corporation, or other public or private entity, which do not bind the Government for periods in excess of 15 years for each such lease agreement, on such terms as he deems to be in the interest of the United States and necessary for the accommodation of Federal agencies in buildings and improvements which are in existence or to be erected by the lessor for such purposes and to assign and reassign space therein to Federal agencies.

"(2) If the unexpired portion of any lease of space to the Government is determined by the Administrator to be surplus property and the property is thereafter disposed of by sublease by the Administrator, the Administrator is authorized, notwithstanding section 204 (a), to deposit rental received in the buildings management fund (40 U. S. C. 490 (f)) and defray from the fund any costs necessary to provide services to the Government's lessee and to pay the rent not otherwise provided for on the lease of the space to the Government.

"(3) Lease agreements in excess of 5 years entered into under paragraph (1) of this subsection shall not be subject to the 25 percent limitation of section 322 of the act of June 30, 1932 (47 Stat. 412, as amended (40 U. S. C. 278a).)

SEC. 2. The following laws are repealed: Act of March 2, 1913 (37 Stat. 718 (paragraph on leasing storage space)), as amended by section 6 of the act of June 14, 1946 (60 Stat. 258; 40 U. S. C. 36); section 407, act of June 16, 1949 (63 Stat. 199, as amended; 40 U. S. C. 37a); and the first sentence of amended section 3 of the act of August 27, 1935 (60 Stat. 257; 40 U. S. C. 304c).

Mr. ELLENDER. Mr. President, may we have an explanation of the bill?

The **PRESIDING OFFICER.** An explanation is requested.

Mr. TALMADGE. Mr. President, the bill is designed to expand the existing authority of the Administrator to procure space by lease for the accommodation of Federal agencies by authorizing execution of leases for such purposes in buildings or improvements which are in existence or to be erected by lessors for periods not in excess of 15 years.

Mr. ELLENDER. Are the buildings to be erected for that special purpose?

Mr. TALMADGE. I am sure that would be the intention. In order to get space in cities where space is not now available, a contractor or investor probably would be happy to invest money in a building if he thought he could lease space for 15 years and amortize the cost of the building, but he would not do so if he had to lease the space for a short term.

The **PRESIDING OFFICER.** The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MR. AND MRS. CHARLES H. PAGE

The bill (H. R. 1315) for the relief of Mr. and Mrs. Charles H. Page, was considered, ordered to a third reading, read the third time, and passed.

G. H. LITTS

The bill (H. R. 4351) for the relief of G. H. Litts was considered, ordered to a third reading, read the third time, and passed.

MEASURES PASSED OVER

The joint resolution (S. J. Res. 80) proposing an amendment to the Constitution of the United States relative to equal rights for men and women was announced as next in order.

Mr. CLARK. Over, by request. This is not calendar business.

The **PRESIDING OFFICER.** The joint resolution will be passed over.

The bill (H. R. 1804) for the relief of Robert B. Cooper was announced as next in order.

Mr. TALMADGE. Over.

The **PRESIDING OFFICER.** The bill will be passed over.

The resolution (S. Res. 148) to prescribe procedures and contents for reports to the Senate by executive agencies with respect to proposed projects for conservation and development of land and water resources was announced as next in order.

Mr. PURTELL. Over, by request.

The **PRESIDING OFFICER.** The resolution will be passed over.

SALE OF LAND IN OTTAWA COUNTY, MICH.

The bill (H. R. 7900) to permit the Secretary of Agriculture to sell to individuals land in Ottawa County, Mich., which was acquired pursuant to the provisions of title III of the Bankhead-Jones Farm Tenant Act was considered, ordered to a third reading, read the third time, and passed.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed in the RECORD an explanation of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

EXPLANATION OF H. R. 7900

This bill will authorize the Secretary of Agriculture to sell certain lands to the highest responsible bidder at not less than the fair market price. The lands concerned are approximately 6,200 acres of land in Ottawa County, Mich., which were acquired under the submarginal land retirement program during the 1930's. They were purchased by the Government for a very nominal amount. The land is now needed for rural residential purposes because of the expansion of population in the nearby cities of Grand Haven, Holland, and Grand Rapids.

There is nothing mandatory about the bill. The Secretary is authorized to sell such land "as he determines is not needed for public purposes and is suitable for private ownership."

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I should like to inform all Members of the Senate that at the conclusion of the calendar call some bills will be taken up by motion. I am anxious to accommodate each Senator, so if there is any particular bill that a Senator is interested in that he thinks we should consider before a sine die adjournment, I hope he will contact me, or Mr. Siegel, or some member of my staff who will be here at the table. We will attempt to arrange an orderly method for considering all the bills. I thank my colleagues.

COMMITTEE SERVICE

Mr. JOHNSON of Texas. Mr. President, while I have the floor, if my colleagues will permit me, I send to the desk an order and ask for its immediate consideration.

The **PRESIDING OFFICER.** The clerk will state the order.

Mr. JOHNSON of Texas. Mr. President, I will say, for the benefit of my colleagues and the press, this is an order assigning committees to the newly elected Democratic Senator from Wisconsin [Mr. PROXMIRE].

The legislative clerk read as follows:

Ordered, That the Senator from Oklahoma [Mr. MONRONEY] is hereby excused from further duty with the Select Committee on Small Business, and the Senator from Wisconsin [Mr. PROXMIRE] is hereby assigned to service with such committee.

Ordered further, That the Senator from Ohio [Mr. LAUSCHE] is hereby excused from further service with the Committee on Banking and Currency, and the Senator from Wisconsin [Mr. PROXMIRE] is hereby assigned to service on such committee.

Ordered further, That the Senator from Pennsylvania [Mr. CLARK] is hereby excused from further service with the Committee on Post Office and Civil Service, and the Senator from Wisconsin [Mr. PROXMIRE] is hereby assigned to service with such committee.

Mr. JOHNSON of Texas. Mr. President, before action is taken on the order, I send to the desk and ask to have read 3 letters from 3 distinguished Senators, all of whom have the confidence and respect of their colleagues, but I should like to observe that I have never known 3 Senators to be more unselfish or more considerate of the problems of their leader.

The **PRESIDING OFFICER.** The letters will be read.

The legislative clerk read as follows:

AUGUST 30, 1957.

HON. LYNDON B. JOHNSON,
United States Senate, Washington, D. C.

DEAR LYNDON: I have been informed that it will be necessary for existing committee assignments to be given up by Democratic Members of the Senate so that Senator PROXMIRE can receive the standing committee assignments to which he is entitled.

Accordingly, I tender herewith my resignation from the Committee on Banking and Currency so that this assignment may be available to the new Wisconsin Senator.

Sincerely,

FRANK J. LAUSCHE.
United States Senator.

AUGUST 30, 1957.

Hon. LYNDON B. JOHNSON,
United States Senate, Washington, D. C.

DEAR LYNDON: I understand that under the rule governing the division of committee seats between the majority and the minority, it becomes necessary for existing Democratic Senators to give up committee posts in order to furnish assignments to the new Senator from Wisconsin, BILL PROXMIRE.

Accordingly, I tender my resignation from the Committee on Post Office and Civil Service.

Sincerely,

JOSEPH S. CLARK,
United States Senator.

AUGUST 30, 1957.

Hon. LYNDON B. JOHNSON,
United States Senate, Washington, D. C.

DEAR LYNDON: In order to provide an assignment for the new Senator from Wisconsin, Mr. PROXMIRE, I herewith tender my resignation from the Select Committee on Small Business.

Sincerely,

A. S. MIKE MONRONEY,
United States Senator.

Mr. JOHNSON of Texas. Mr. President, before action is taken, I should like to point out to my friends of the majority and the minority a provision of rule XXV, which appears on page 43 of the Standing Rules of the Senate. The Democratic majority in the Senate increased from 49 to 50. The Republican minority decreased from 47 to 46. But, according to this rule, the Democrats lost two committee seats. The rule provides that, if there are 49 in the majority and 47 in the minority, we would have 16 third-committee assignments; but if that number steps up to 50 in the majority, as it did in this case, and 46 in the minority, we would have only 14.

That is a quirk in the rules. I guess a few weeks ago someone would have said, "We won the battle and lost the war." We won the election and lost two committee seats. That is a little unusual. However, because of the unselfishness and because of the consideration demonstrated by the Senator from Ohio [Mr. LAUSCHE], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from Pennsylvania [Mr. CLARK], we have been able to assign to our new colleague this morning, as a result of the unanimous action of the Democratic steering committee, of which I have the honor to be the chairman, with each member participating, a seat on three excellent committees.

I had hoped it might be possible to assign the distinguished Senator a place on the Committee on Agriculture and Forestry, because of his great interest in agriculture and because he comes from an important agricultural State. There is no vacancy on that committee at the present time. The Senator will be considered for any vacancies that may occur.

In the meantime, I shall ask the distinguished Senator from Louisiana [Mr. ELLENDER] to be constantly aware of the interest of the Senator from Wisconsin [Mr. PROXMIRE] in farm problems. I know the Senator is willing to utilize his constructive efforts in helping us solve the problems relating to agriculture.

Mr. President, may we have the order acted upon?

The PRESIDING OFFICER. Is there objection to the order presented by the Senator from Texas? Without objection, the order is entered.

Mr. MANSFIELD. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I think this is another indication of a sense of responsibility not only on the part of the majority leader but on the part of the Democratic Members of the Senate.

Frankly, I am a little surprised; because, while riding to the Capitol with the Senator from Wisconsin [Mr. PROXMIRE] night before last from the airport, I was under the impression that he might be able, after a great deal of effort, to be seated on two committees. However, I come to the Chamber this afternoon and I find he has been given three excellent committee assignments.

I listened to the majority leader this morning talk about the accomplishments of this session of Congress. I should like to emphasize the fact that we shall be, when we adjourn later in the day, half way through the present Congress. I think the sense of responsibility which has marked the Democratic Party during the past 4 years and 8 months has been carried down to the present day and is in large part responsible for the fact that we have a Senator from Wisconsin for the first time in almost 30 years. I think the activities of this body under the leadership of the outstanding majority leader, the Senator from Texas [Mr. JOHNSON], have had their impact upon the people throughout the country.

For example, because of the policies carried out by all sections of the Democratic Party represented in this Chamber, a victory in Wisconsin occurred, and we hope in the future this trend will continue. This is nothing new. This trend has been in evidence since the beginning of 1953. I think it is a trbute to the majority leader, for the fine leadership he has displayed, for the sagacity he has demonstrated, and for the gift he has for bringing various elements of the Democratic Party together.

Of course we have our differences, but we can and do overcome those differences and alleviate them. Out of that process comes good legislation, as has been indicated in recent weeks.

Mr. President, I would hazard a guess that the number of bills which a Congress passes is not of importance. What is of importance is the quality of the measures which are reported, passed, and sent to the President.

I also point out that, on the basis of what has been said, the majority leader has indicated that at least half of the President's recommendations numbering on the order of 150, have been considered in the 1st session of the 85th Congress. Every recommendation of any merit which the President sends to Congress will receive the most serious consideration of this Democratic-controlled body. That has been the policy during the past 4 years and 8 months, and it will be the policy in the future.

Mr. President, I was surprised to read on the ticker tape this morning a statement by Secretary of Agriculture Benson, who evidently is the Republican's secret weapon, to the effect that his farm policies had no effect on the vote in Wisconsin. I think the Secretary is mistaken, because in my part of the country, to the west of Wisconsin, in the Rocky Mountain-Great Plains area, in the last election the policies of Mr. Benson did help the Democrats and did, in my opinion, hurt the Republicans.

We are extremely glad to have a man of the ability of the Senator from Wisconsin [Mr. PROXMIRE] with us. We know he will work extremely well under the leadership of the senior Senator from Texas. We know he won a victory on the basis of a hard campaign, good issues, and because he had right in his corner. We feel that he likewise will add to the responsibility which this Congress, under Democratic control, has exhibited during the last 4½ years.

Mr. JOHNSON of Texas. Mr. President, I yield the floor so that my friends, the Senator from Louisiana [Mr. ELLENDER] and the Senator from Minnesota [Mr. HUMPHREY] may be recognized.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota [Mr. HUMPHREY] is recognized.

Mr. HUMPHREY. Mr. President, I want to join with the Senator from Montana [Mr. MANSFIELD] in commending our new friend, new colleague, and distinguished Senator from Wisconsin [Mr. PROXMIRE] for his committee assignments. It is a great privilege to serve on one committee in the Senate, and it is an unusual privilege to serve on three. I am sure I speak what is in the heart of the junior Senator from Wisconsin, when I extend thanks and appreciation to our three colleagues who have so unselfishly stepped aside and given up committee posts in order to permit the Senator from Wisconsin to have important committee assignments. The Senator from Wisconsin will have the opportunity to serve his constituency on one of the greatest committees in the Senate, the Committee on Banking and Currency. It has jurisdiction over so many problems that the Senator discussed, in his campaign, such as the problems of the Eisenhower inflation, the high interest rates, and the tight-money policy, housing, and small business. The Senator from Wisconsin is intimately acquainted with these matters, and apparently the people of his State understand them, because they responded to his appeal.

I have served for 8 years as a member of the Senate Select Committee on Small Business. I can assure the Senator from Wisconsin that the opportunity to serve on the Select Committee on Small Business is a unique privilege. I welcome the Senator to the ranks of the committee. He will find that there is a growing interest on the Main Streets of America in the work of the Senate Committee on Small Business, and he will find also—as he did find, since he is a living demonstration of it—that the independent businessmen of America are beginning to look to the Democratic Party for leadership and protection.

The Senator will also serve on the important Post Office and Civil Service Committee. Other Senators, I am sure, will make comment upon that. I only desire to add the thought that to be a friend of the civil-service employees and the postal workers is an opportunity and a responsibility. The Senator from Wisconsin has proved himself to be that kind of a friend—a friend of the workingman, of the farmer, and of the businessman.

I wish to commend the majority leader for what I like to call the "Johnson doctrine" of assigning new Senators to serve upon at least one major and important committee. I do not want to tell the other side of the aisle how to run its business, because that is a Republican problem, but I will say that on the Democratic side of the aisle since the majority leader, the senior Senator from Texas, has been at the helm we have seen to it that every Senator has been given one or more important committee assignments. Believe me, this means something to the people back home, as well as to the Senator who receives such an assignment.

I desire to conclude, Mr. President, by stating that I could not help but note that my esteemed friend, the Senator from Montana [Mr. MANSFIELD] mentioned the name of Mr. Benson. Mr. Benson is a very well known name in the Halls of Congress. It is a well-known name in the great plains and prairies of the West and Midwest. Mr. Benson may disavow any connection with the Wisconsin election, but I think at some time later on we will hear again from the people of Wisconsin as to how effective Mr. Benson's policies are.

I want the RECORD to note this, if my colleagues will bear with me. I have been trying to get Secretary Ezra Taft Benson to appear before a Senate subcommittee for 3 weeks. I want Senators all to know that we almost succeeded yesterday, because last evening he was in the front row in the family gallery with his delightful and lovable family. He has a wonderful family. He was there. He almost got to the committee.

I am of the opinion that the Secretary of Agriculture thinks he is going to outwait the junior Senator from Minnesota, because he indicated to me that after Labor Day he might be available for a committee hearing. Well, Ezra, I want to tell you something: I am staying in Washington until after Labor Day, because I am so fond of the Secretary of Agriculture that I want to have a chance to visit with him on the matter of how he is reorganizing the Rural Electrification Administration.

If the distinguished junior Senator from Wisconsin plans to remain in the city until after Labor Day, I will say to him that an experience he will never forget is in the offing for him—the opportunity to meet the Secretary of Agriculture, the man who has driven down agricultural prices, who has literally taken money away from the farmers of Wisconsin and Minnesota, particularly our dairy farmers.

I welcome the junior Senator from Wisconsin to this privilege of visiting with the Secretary of Agriculture. That is the word which the Secretary used. He said he wanted to visit with me. I welcome the junior Senator from Wisconsin to that experience.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. FREAR. Mr. President, I wish to pay tribute to the majority leader for the policy he has followed since his inauguration into that office. Senators on this side of the aisle, even though we hold many divergent views, have been inspired by the leadership of our majority leader. He has led us to a championship race which was climaxed in Wisconsin only a day or two ago. Wisconsin has sent to the Senate a man who, I know, will be a worker. If he is not, he should not want three committee assignments. The majority leader took a look at this man and said, "There is a worker"; and he gave him three committee assignments.

He gave him one very good committee assignment, to the Committee on Banking and Currency. The junior Senator from Wisconsin is a worker. He will fit nicely into that committee. I know that he is a bit disappointed that he cannot serve on the Committee on Agriculture and Forestry at this time. That is another fine, hard-working committee.

Service on the Committee on Banking and Currency will be an experience for the junior Senator from Wisconsin that he will always cherish. It is a tribute to the State of Wisconsin that he should be placed on that committee.

The majority leader has been tireless in all his efforts. He has been fearless. As was said a little while ago by the Senator from Minnesota, he is a man who has followed the precepts and principles which he expounded at the beginning of 1953.

Mr. DOUGLAS. Mr. President, as a member of the Committee on Banking and Currency, I wish to congratulate that committee upon the accession to its membership of the junior Senator from Wisconsin [Mr. PROXMIRE]. I have served on the committee for 9 years. It is one of the most important committees of this body, dealing with a wide variety of subjects.

We are very sorry to lose the junior Senator from Ohio [Mr. LAUSCHE], who has been a tower of strength, and whose integrity and sincerity have impressed us all. We are very happy to have the junior Senator from Wisconsin among us. He is extremely well qualified for membership on the Committee on Banking and Currency. Some years ago he served a period of time in the canyons of Wall Street.

In that connection, I am reminded of a couple of lines from a poem by Rudyard Kipling, written many years ago. It was very widely quoted at the time:

> If you can talk with crowds and keep your virtue,
> Or walk with kings—nor lose the common touch.

The junior Senator from Wisconsin has been talking with crowds in Wisconsin for 6 years, and has retained his virtue. He has never made promises which he did not keep; and he has spoken out when frequently it seemed to be to his political disadvantage.

As I have said, for a brief period of time he walked with the kings of Wall Street, at the lower end of Manhattan Island, but he did not lose the common touch as he walked with them. He obeyed the injunction of the Master, who said that we should be as wise as serpents and as harmless as doves.

The junior Senator from Wisconsin has acquired a knowledge of the financial world, but he will use that knowledge for the benefit of the people.

Mr. ELLENDER. Mr. President, as a member of the Democratic steering committee I was very happy to join the majority leader in making these three committee assignments, and I compliment the three distinguished Senators who gave up their assignments in order to enable the junior Senator from Wisconsin to accept three important committee assignments.

I only regret that the distinguished junior Senator from Wisconsin will not be able to serve at this time on the Committee on Agriculture and Forestry. As chairman of that committee it is my hope that when January comes the committee will go into detail with respect to one of the important segments of our farming problem, a segment which needs assistance. I refer to the dairy industry.

I take this opportunity of inviting my good friend, the junior Senator from Wisconsin, to study the problem from now until January, and give us the benefit of his views when we meet, in order to attempt to solve the problems facing the farmer.

Mr. YARBOROUGH. Mr. President, yesterday I placed in the CONGRESSIONAL RECORD certain statements with respect to the new Senator from Wisconsin. I should like to repeat a few of them, to show that the confidence of the majority leader was well placed when he chose these three important committee assignments for the junior Senator from Wisconsin.

In the statement which I had printed in the RECORD yesterday I said:

> BILL PROXMIRE is a man seasoned in combat, undismayed by reverses, enlightened by education, blessed by a charming wife, endowed by nature with a keen intellect, vigorous in action, strong in mind and body, and dedicated to the public good. Such a combination in one man carried with it the elements of victory, and were, in my opinion, the biggest single factor in BILL PROXMIRE's victory in Wisconsin.

I think he has shown that he is worthy of the three committee assignments.

Mr. NEUBERGER. Mr. President, flattering words come easily on the floor of the Senate, I have found. However, one of the highest tributes which our colleagues could show to the outstanding record of the new Senator from Wisconsin is the fact that three illustrious Democratic Senators in the Senate have voluntarily relinquished their seats on important committees so that the new Senator from Wisconsin could serve in a capacity for which his great experience and ability qualify him.

Mr. PROXMIRE. Mr. President, I am very much aware of the cardinal rule that a freshman Senator, a new Senator, should not address the Senate very soon after he becomes a Member of the Senate. However, I cannot let this moment pass without expressing on behalf of the people of Wisconsin our gratitude for the fine thing the majority leader has done for us. The Johnson doctrine is something for which I believe the people of Wisconsin must be very grateful. I know how unusual it is for a new member of any legislative body to be given this kind of consideration. I think that it is a recognition of the extremely important problems which are facing the people of Wisconsin. I wish to thank our distinguished and great majority leader for having done this. I am sure the people of Wisconsin are very grateful for it.

I also wish to say that the three selfless men who stepped down from important committees in behalf of the people of Wisconsin so that they could be represented on these vitally important committees deserve special thanks. They are the junior Senator from Ohio [Mr. LAUSCHE], the junior Senator from Pennsylvania [Mr. CLARK], and the junior Senator from Oklahoma [Mr. MONRONEY]. I am sure the people of Wisconsin are extremely grateful. I might say also to the senior Senator from Louisiana [Mr. ELLENDER] that we are looking forward at some time in the future to representation on his very, very important committee, because the dairy farmers of Wisconsin feel very deeply that their cause must be pleaded as vigorously as possible.

I wish to thank all my colleagues for their very generous and extremely flattering, if undeserved, comments with respect to me personally, and to thank them in behalf of my State.

Mr. JOHNSON of Texas. Will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. JOHNSON of Texas. Mr. President, I appreciate the Senator's very fine statement.

Mr. KEFAUVER. Mr. President, I am sure that in the experience of all the Members of the Senate, we have known of no action similar to that taken in the assignment of the junior Senator from Wisconsin [Mr. PROXMIRE] to important Senate committees.

Of course, at the beginning of a session of Congress, after there may have been to some extent a turnover in the membership of the Senate, and when a considerable number of vacancies may exist on Senate committees, in the case of the representation on either one side of the aisle or the other, new Members of the Senate may secure assignments to important committees.

However, I am certain that if historians will search the records of the United States Congress, they will not find another instance in which a Senator who has commenced his service during the middle of a Congress—as has the distinguished junior Senator from Wisconsin—has been assigned to committees of the importance of those to which the junior Senator from Wisconsin has been assigned, or any other instance in which such great sacrifices have been made on the part of Senators of one particular party, to enable a new Senator to have such important assignments.

Let me say that I have had the privilege of being in Wisconsin; and I realize the great importance, both to the dairy farmers of Wisconsin and to all the other people of Wisconsin, of having the distinguished junior Senator from Wisconsin serve on the Senate Committee on Agriculture and Forestry. I join him in expressing the hope that whenever a vacancy occurs in the membership of that committee he will be considered for appointment to it; and I am sure he will be.

In the meantime, in the case of the committees to which the junior Senator from Wisconsin has now been appointed, he is immediately in a position to perform outstanding and most valuable service, as a Member of the Senate and as a member of those committees, for the people of his State. I congratulate him.

Mr. MAGNUSON. Mr. President, I wish to take this opportunity to state that I share most wholeheartedly the sentiments which have been expressed this afternoon by so many of the Members of the Senate about the distinguished junior Senator from Wisconsin [Mr. PROXMIRE].

RECOMMENDATION OF APPOINTMENT OF SENATOR PROXMIRE TO DELEGATION TO VISIT THE GERMAN BUNDESTAG

Mr. JOHNSON of Texas. Mr. President, I should like to inform the distinguished junior Senator from Wisconsin [Mr. PROXMIRE] that the majority leader has been requested by the German Government to suggest two Members of the United States Senate, from the majority party, to visit the German Bundestag sometime between October 1 and December 1, 1957.

I wish to inform the distinguished Senator from Wisconsin and, through him, the people of his State and the other Members of the Senate, that I shall recommend to the Vice President the appointment of the distinguished junior Senator from Wisconsin [Mr. PROXMIRE] as one of the members of that delegation. I expect to recommend a senior Senator and a junior Senator; and I want the distinguished junior Senator from Wisconsin to know that he will be one of the delegation of four Senators, representing the United States Senate at that German meeting.

FOREIGN OIL IMPORTATIONS

Mr. YARBOROUGH. Mr. President, the increasing flood of foreign oil and the worsening economy of the oil-producing States due to this flood of foreign oil, has resulted in curtailed drilling, decreased oil runs, shut in oil wells, lower income, lower tax collections, increased unemployment in the oil-producing States, increased mortgage foreclosures, loss of properties through foreclosures, loss of sales of oil-well equipment, and a general business and economic recession in the oil-producing areas of the Southwest.

The United States Treasury is not receiving tax money on foreign oil production to replace revenues lost on reduced domestic oil production, because the American oil companies operating in Saudi Arabia are allergic to American income taxes and have devised means of dodging them. And the oil importers register their oil tankers, which bring this foreign oil to American shores, in foreign corporations that pay no income taxes. Those operating the bulk of these oil tankers that bring this foreign oil to this country are building up huge profits in the United States which are convertible into gold and on which no taxes are paid.

So it is easy to see why the President's plan for voluntary restriction of oil imports by voluntary action of the importing companies is not working satisfactorily. Several oil companies have announced that they would not abide by the administration's request for voluntary action.

The time for action has come. The big importing companies have turned their backs on the President of the United States and on our domestic economy. I request that the President of the United States protect the domestic economy of the United States by putting into effect compulsory controls on oil imports. Nothing else will work, simply because the big importers are too greedy to heed the plight of our domestic oil-producing States. Our domestic economy is imperiled by oil imports; the President's special six-man Cabinet Committee has already found that. Now is the time to stop that peril. Act now, Mr. President. Act for the American people.

ORDER OF BUSINESS

Mr. PURTELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PURTELL. Am I correct in understanding that the Senate is engaged in the call of the calendar?

The PRESIDING OFFICER. The Senator is correct.

Mr. PURTELL. Am I correct in understanding that there are only about six more bills on the calendar, which could be disposed of very quickly?

The PRESIDING OFFICER. The Senator is approximately correct.

Mr. PURTELL. I thank the Chair.

EXCHANGE OF CERTAIN LAND IN THE STATE OF MISSOURI

The bill (H. R. 580) to authorize the exchange of certain land in the State of Missouri was announced as next in order.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have a statement in explanation of H. R. 580 printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ELLENDER

The State of Missouri owns approximately 5,500 acres of lands within the boundaries of the Clark and Mark Twain National Forests which were granted to the State by the United States pursuant to the provisions of the Morrill Act approved July 2, 1862. These lands, which are held for the benefit of the University of Missouri, are intermingled with national forest lands. The State desires to consolidate its holdings and the Department of Agriculture desires to consolidate the national forest lands. Such consolidations will make each group of lands more useful and easier to administer. Federal and State legislation is necessary to authorize the State to exchange the Morrill Act lands and this bill will constitute the Federal consent to such exchange.

PRINTING OF REPORT OF 38TH BIENNIAL MEETING OF THE CONVENTION OF INSTRUCTORS OF THE DEAF

The resolution (S. Res. 194) to print the report of the proceedings of the 38th biennial meeting of the Convention of the Instructors of the Deaf was considered, and agreed to, as follows:

Resolved, That the report of the proceedings of the 38th biennial meeting of the Convention of American Instructors of the Deaf, held at Knoxville, Tenn., June 23-28, 1957, be printed with illustrations, as a Senate document.

PROPOSED INVESTIGATION OF PRODUCTION, DISTRIBUTION, AND SALE OF NEWSPRINT IN INTERSTATE COMMERCE

Mr. MAGNUSON. Mr. President, because this is probably the last day of the present session, I wish to make a statement on behalf of myself and the junior Senator from Washington.

I should like to take advantage of the opportunity on the call of the calendar to speak with respect to Calendar No. 131, Senate Concurrent Resolution 20, authorizing the Federal Trade Commission to make an investigation in relation to newsprint, the possibility of price-fixing in newsprint, and the possibility of violation of antitrust and monopoly laws.

Within the next few months there may again be a rise in the price of newsprint. Some months ago—and this is no coincidence—when one company raised its price for newsprint by $5 a ton, all the other producers did likewise.

We are dependent to a great extent for our supplies of newsprint—I think probably 82 percent of it—on foreign countries, mainly Canada. Our publishers have had a difficult time in being able to maintain publishing schedules and meeting costs and estimates. Every time they do, the newsprint producers, mainly those controlled in Canada, raise their prices.

The supply has been short. Fortunately in the last few months it has loosened up a little. The purpose of the resolution was to suggest to the Federal Trade Commission—as has been done by the committee on perhaps six other occasions, and on one of which occasions newsprint producers were indicted for violation of the antitrust laws, and on other occasions were severely reprimanded for price fixing—to look into the situation again. I do not suggest that such practices are now being followed in the United States.

I do suggest that the practices in Canada are such that, if they were carried on in the United States they would be in violation of our antitrust laws. I mean a civilian violation, not a criminal violation.

The only purpose of the resolution is to have the Federal Trade Commission undertake a continuing study of the possibility of such a situation being in existence. It is a very serious problem in relation to newsprint, which is one of the most valuable commodities in the whole Free World.

The Senator from Louisiana [Mr. ELLENDER] on occasions has objected to consideration of such a resolution, on the ground that the Federal Trade Commission can do it anyway. That is true, but sometimes, in order to get the Commission to do things, Congress must give it a slight push. That is the only purpose. I understand the Senator from Louisiana still objects, but I wish to ask him so that the record may be clear, whether, even though he objects, on the ground that the Federal Trade Commission can do this job anyway, he is in sympathy with the purpose of the resolution.

Mr. ELLENDER. As the Senator has said, I have opposed this kind of resolution for the simple reason that the Commission has ample authority to do the jobs without the resolution. I express the hope that the Commission will take action and look into this important situation. There is no reason why the resolution should be adopted, because I consider it absolutely unnecessary.

Mr. MAGNUSON. I thank the Senator.

APPOINTMENT OF ADDITIONAL JUDGES FOR COURT OF APPEALS FOR CERTAIN COURTS IN THE SOUTHERN AND EASTERN DISTRICTS OF NEW YORK

The bill (S. 2864) to provide for the appointment of additional judges for the court of appeals of the second circuit and district courts for the southern and eastern districts of New York was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President shall appoint, by and with the advice and consent of the Senate, an additional circuit judge for the second circuit. In order that the table contained in section 44 (a) of title 28 of the United States Code will reflect the change made by this section in the number of circuit judgeships for the second circuit, such table is amended to read as follows with respect to said circuit:

"Circuits: Number of judges

* * * * *

Second 7

* * * * *".

SEC. 2. The President shall appoint, by and with the advice and consent of the Senate, one additional district judge for the southern district of New York and one additional district judge for the eastern district of New York. In order that the table contained in section 133 of title 28 will reflect the changes made by this section in the number of judgeships for the southern and eastern districts of New York, such table is amended to read as follows with respect to said districts:

"Districts: Judges

* * * * *

New York:

* * * * *

Southern 19

Eastern 7

* * * * *".

Mr. IVES. Mr. President, I move that the Senate reconsider the vote by which S. 2864 was passed.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The **PRESIDING OFFICER**. The question is on agreeing to the motion of the junior Senator from New York.

The motion to lay on the table was agreed to.

Mr. JAVITS. Mr. President, I ask unanimous consent that the senior Senator from New York and I may be permitted to insert in the RECORD the pertinent portions of the hearings before the Judiciary Committee concerning the need for additional judges in the second circuit and in the southern and eastern districts of New York.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

THE JUDICIAL BUSINESS OF THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

As originally enacted, the Judicial Code of 1911 provided for 4 circuit judgeships for the second circuit (36 Stat. 1131). The number was raised to 5 by the act of February 28, 1929 (45 Stat. 1346) and to 6 by the act of May 31, 1938 (52 Stat. 584). The number of judgeships has remained the same since that time. The jurisdictional area of the circuit covers the States of Connecticut, New York, and Vermont which, according to the 1950 census, had a combined population of 17,215,219. Court is held in New York City.

From 1941 to 1950 there was a declining trend in the cases filed in this court. For the next 4 years the number stabilized in the vicinity of 350 cases a year, but during the fiscal year 1955 there was an increase of almost 60 percent over the previous fiscal year, resulting in an increase in pending cases from 154 on June 30, 1954, to 282 on the same date a year later. During the fiscal year 1956 there was some reduction in the number of cases commenced. The number of cases terminated continued to increase however and pending cases were reduced by 18. The figures were: cases commenced 462, cases terminated 480, and cases pending at the end of the fiscal year, 264. In the first half of the fiscal year 1957 covering the period from July 1 to December 31, 1956, the upward trend has been resumed with filings greater than those in the first half of the record fiscal year 1955.

The flow of cases in the first half of the fiscal years 1955, 1956, and 1957 in this court have been as follows:

	Pending at beginning of half-year period	Filed July 1, to Dec. 31	Terminated July 1, to Dec. 31	Pending at end of half-year period
July 1 to Dec. 31, 1954	154	275	142	287
July 1 to Dec. 31, 1955	282	224	174	332
July 1 to Dec. 31, 1956	264	281	183	362

In the first half of the fiscal year, which includes the summer vacation, it is natural for terminations to be less than cases filed, but a warning signal is given when the pending load continually mounts as it is doing in this circuit.

The figures for the past 16½ years are given in table I, attached.

Almost one-half of the cases commenced in the Court of Appeals for the Second Circuit are appeals from the United States District Court for the Southern District of New York, and the number of these filed annually averaged about 170 cases from 1950 to 1954, but increased to 270 in the fiscal year 1955, and was 251 in 1956. Appeals from the other district courts have also increased. The following table shows the source of appeals for the last 7 years:

Source of appeals and original proceedings commenced in the U. S. Court of Appeals for the 2d circuit during the fiscal years 1950 to 1956

Source of appeal	Fiscal year						
	1950	1951	1952	1953	1954	1955	1956
Total appeals	318	361	350	352	366	581	462
Connecticut	16	11	15	17	22	33	21
New York, northern	7	5	10	12	10	31	15
New York, eastern	34	49	33	43	39	76	65
New York, southern	186	177	165	167	159	270	251
New York, western	15	11	7	19	19	28	15
Vermont	4	2	2	3	3	8	6
The Tax Court of the United States	32	54	57	43	52	69	51
National Labor Relations Board	18	31	35	29	45	36	20
All other boards and commissions	5	12	12	12	7	16	10
Original proceedings	1	9	14	7	10	14	8

From 1950 to 1956 total appeals have increased by 45 percent and appeals from the courts by 42 percent. During the first half of the fiscal year 1957 the trend is again up.

For the last 6 years the number of appeals commenced per judgeship in the second circuit has averaged 69 compared to the national average per judgeship in the same period of 50.

The caseload per judgeship for each circuit since 1941 is shown in table 2, attached. The number of cases filed per judgeship in 1954, 1955, 1956, and the first half of 1957 was as follows:

Cases commenced per judgeship

	Fiscal year			
	1954	1955	1956	1st half of 1957
All circuits	51	54	53	27
District of Columbia	52	49	60	24
1st	35	51	42	18
2d	61	97	77	47
3d	36	44	39	20
4th	70	67	70	37
5th	73	75	73	37
6th	51	53	52	28
7th	50	48	49	24
8th	33	37	34	13
9th	57	43	43	25
10th	42	48	48	23

In the fiscal year 1954, the second circuit caseload per judge of 61 was exceeded only by the fourth and fifth circuits and was 20 percent over the national average of 51. In the fiscal year 1955, the second circuit stood first with an average caseload per judge of 97, almost 80 percent above the national average of 54. Again, in 1956, the second circuit was first with 77 cases filed per judge compared with the national average of 53, and, once again, in the first half of the fiscal year 1957, it had the largest number of cases filed per judge, with a caseload 74 percent above the national average and 10 cases per judge more than in any other circuit.

The median from docketing to disposition for this circuit compared with the median for all circuits since 1942 is shown in table 3, attached.

In spite of the heavy load, including many cases of great importance, the circuit has kept up its excellent record of prompt disposition of appeals. With the recent death of Circuit Judge Jerome Frank, the court now has an added handicap until the vacancy is filled, particularly since Judge Frank was known for the speed and facility with which his able opinions were written.

The following table shows the caseload per judge in other circuits in the fiscal year preceding that in which Congress created additional judgeships. In all but one instance this followed a recommendation by the Judicial Conference of the United States.

Additional circuit judgeships created by Congress since 1939 with the caseload per judge of the circuit in which the judgeship was recommended during the year preceding the action by Congress

Circuit	Number of additional judgeships	Date of act	Caseload per judge of cases filed during preceding fiscal year
6th	1	May 24, 1940	60
8th	2	do	63
5th	1	Dec. 14, 1942	77
2d	1	Dec. 7, 1944	55
District of Columbia	3	Aug. 3, 1949	77
3d	1	do	42
7th	1	do	55
10th	1	do	54
5th	1	Feb. 10, 1954	80
9th	2	do	64

The 1955 caseload of 97 cases commenced per judge in the second circuit is larger than that of any other circuit where the creation of judgeships was recommended, and the 1956 caseload of 77 cases per judge is equal to that of the fifth and District of Columbia circuits, when additional judgeships were created for those circuits.

The Judicial Conference of the United States on March 24, 1955, in response to a request from the judicial council of the second circuit, recommended the creation of one additional circuit judgeship for this court.

At a meeting in January 1957 the circuit council of the circuit voted to recommend 2 additional circuit judges for this court instead of 1. The reason for this is the current increase in the business of the court, which seems to be in line with the long-term trend, the greatly augmented strain under which the court has been working during the last 2 years, and the growing number of trials and, thus, potential appeals in the district courts of the circuit.

The following table compares the cases per judge filed in the circuit in 1956 with the average for all circuits, and then on the basis of 7 judges for the second circuit court, the total for all circuits including the 2 judgeships recommended by the Judicial Conference (1 for the second circuit and 1 for the fourth) and finally on the basis of 8 judges for the second circuit court and for the national average the present number of judgeships plus 2 for the second circuit and 1 for the fourth.

	2d circuit—Number of—		All circuits—Number of—	
	Judgeships	Cases	Judgeships	Cases
1956	6	77	68	53
1956: On the basis of the judgeships recommended by the Judicial Conference	7	66	70	51
1956: On the basis of the judgeships recommended by the Judicial Conference plus an additional judgeship for the 2d circuit	8	58	71	51

It will be observed that with 8 judges, based on the 1956 cases filed, the second circuit caseload per judge is well above the national average and, as will be seen from table 2, would be above the caseload in 7 of the other circuits.

The recommendation of the second circuit council for an eighth judge for this court will be considered by the Judicial Conference of the United States when it meets on March 14 and 15, 1957.

Respectfully submitted.

WILL SHAFROTH,
Chief, Division of Procedural Studies and Statistics, Administrative Office of the United States Courts.

FEBRUARY 5, 1957.

TABLE 1—*Second circuit*

Fiscal year	Filed	Terminated	Pending	Terminations after hearing	Terminations per judgeship after hearing
1941	533	548	142	408	68
1942	501	471	172	363	61
1943	499	504	167	338	56
1944	595	547	215	349	58
1945	466	520	161	380	63
1946	425	450	136	296	49
1947	378	386	128	269	45
1948	381	378	131	287	48
1949	344	351	124	270	45
1950	318	355	87	292	49
1951	361	319	129	268	45
1952	350	349	130	286	48
1953	352	359	113	296	49
1954	366	325	154	264	44
1955	581	453	282	349	58
1956	462	480	264	369	62
1957 (1st half)	281	183	362		

Table 2.—*Cases commenced per judgeship in the United States Courts of appeals during fiscal years 1941–56, by circuit, including 1st half of fiscal year 1957*

NUMBER OF CASES COMMENCED

Circuit	1941	1942	1943	1944	1945	1946	1947	1948	1949
Total all circuits	56	57	53	53	46	45	44	47	51
District of Columbia	46	58	45	47	47	49	44	58	77
1st	29	33	40	35	28	25	33	26	25
2d	80	84	83	99	78	71	63	64	57
3d	57	58	71	55	50	33	44	48	42
4th	53	46	52	49	41	36	43	49	56
5th	81	77	58	59	55	50	54	66	76
6th	54	47	46	41	34	39	35	38	36
7th	68	65	57	56	48	52	56	46	55
8th	47	40	44	36	30	39	23	27	29
9th	42	48	42	49	38	41	45	41	46
10th	47	62	47	48	55	45	40	49	54

Circuit	1950	1951	1952	1953	1954	1955	1956	1st half of 1957
Total all circuits	44	46	47	50	51	54	53	27
District of Columbia	48	44	48	47	52	49	60	24
1st	22	27	27	28	35	51	42	18
2d	53	60	58	59	61	97	77	47
3d	34	39	40	42	36	44	39	20
4th	65	58	58	56	70	67	70	37
5th	68	70	75	80	73	75	73	37
6th	40	38	38	51	51	53	52	28
7th	46	39	34	43	50	48	49	24
8th	26	32	34	33	33	37	34	13
9th	45	58	63	64	57	43	43	25
10th	32	39	38	32	42	48	48	23

Table 3.—*Median time interval in months from docketing to final disposition of cases heard or submitted, fiscal years 1942–56*

Fiscal year	2d circuit	All circuits
1942	3.9	7.7
1943	3.3	6.5
1944	4.5	6.5
1945	4.3	7.0
1946	3.7	6.8
1947	3.8	6.9
1948	3.5	6.3
1949	3.6	7.1
1950	3.3	7.1
1951	3.3	6.7
1952	3.9	7.3
1953	4.3	7.0
1954	4.6	7.1
1955	5.1	7.3
1956	6.6	7.4

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

There are six judgeships provided for the United States District Court for the eastern district of New York, which has headquarters at Brooklyn. The jurisdiction of the court embraces Staten Island and Long Island and, concurrent with the southern district, the waters within Bronx and New York counties. The Judicial Code of 1911 provided 2 judgeships for the district; a third judgeship was authorized as temporary in 1922; 2 more judgeships were provided in 1929, and in 1935 the temporary judgeship created in 1922 was made permanent and a sixth judgeship was added. There has been no increase in judgepower for the district in more than 20 years.

The civil business of the court has not increased materially since the prewar period as shown in table 1, attached, and in the postwar period the number of filings has been remarkably steady. A slight decrease in business during the war years was followed by a sharp rise in civil filings in 1945, 1946, and 1947 as the result of a large volume of price- and rent-control litigation. Since then the 1,383 civil cases filed in 1948 and the 1,384 filed in 1955 have been the years with the peak loads. In the fiscal year 1956 there were 1,185 civil cases commenced, compared with 1,272 in 1941, the last year before World War II.

During the war years, 1 and often 2 judges from this district sat regularly in the southern district of New York, but the docket conditions in Brooklyn have prevented this in recent years. Since 1945, the pending civil cases in the eastern district have increased rapidly. In 1947, the figure was 2,200, where it remained for about 3 years, and, in 1951, increased to 2,400. At the end of the fiscal year 1956 there were 2,588 civil cases pending in the district, including 1,801 private civil cases. The condition of the dockets appears from the following table, showing the number of cases pending on the trial calendars of the court in the last 10 years:

Cases pending on the civil and admiralty trial calendars, eastern district of New York

	Total	admiralty	Civil	
			Non-jury	Jury
December 1946	303	240	6	57
June 1947	419	244	114	61
June 1948	712	309	152	251
June 1949	908	432	135	341
June 1950	1,053	503	254	296
June 1951	1,149	518	241	390
June 1952	1,299	485	274	540
June 1953	1,299	454	319	526
June 1954	1,491	405	417	669
June 1955	1,607	366	453	738
June 1956	1,625	286	532	807
January 1957	1,476	254	544	678

A reduction in civil cases pending on the calendars in the first 7 months of the current fiscal year is the result of a successful calendar call which has cleared away some deadwood and has resulted in the settlement of other suits. However, a great deal remains to be done, if the arrearages are to be cleared away within a reasonable period.

For many years the median time intervals for the disposition of civil cases terminated after trial in the southern district were the longest in the country, but in 1956 the southern district was replaced by the eastern district as the court with the longest delays. Many factors including the practices of the bar enter into the delay of litigation, but the median time figures take into account these factors in all districts. The median interval of 41.0 months from filing to disposition of the 160 cases terminated after trial in the eastern district of New York in 1956 was 2⅔ times as long as the national median of 15.4 months and the median time interval of 38.6 months between issue and trial for these same cases in 1956 was 3¾ times as long as the national median of 10.3 months. Eleven years ago the majority of cases were being reached for trial in the eastern district in a little more than 6 months from the joinder of issue and were being disposed of within 15 months of the date of filing. Complete information on the time intervals for the intervening years from 1945 to 1956 is given in table 4, attached.

The accumulation of civil cases in this court at a time when the volume of litigation has not been increasing is unusual and has been caused in part by a significant change in the character of the litigation handled. In the first half of the 1940–50 decade the private civil caseload consisted mostly of admiralty litigation, which on the average is not time consuming, although the cases tend to remain on the dockets for a long time due to the unavailability of witnesses who are at sea. But around 1946 a decline in admiralty litigation set in, while other types of time consuming private litigation began to increase.

In 1947 the Federal Tort Claims Act began to produce litigation against the Government which is significant in any consideration of the workload of this court because of the many Government installations on Long Island including the Brooklyn Navy Yard. The amount of money in controversy in some of these cases is often not large, but where the Government contests the claims, considerable work is required on the part of the court.

A comparison of the number of certain types of cases filed immediately after the war with the number presently being handled is revealing. For example in 1945 there were 45 Employers' Liability Act cases filed in Brooklyn compared with 76 in 1956. Inasmuch as the Tort Claims Act did not exist in 1945, there were no such cases in that year, but there were 63 in 1956. Patent litigation has been and remains very heavy in the district. In 1956 there were 8 such cases commenced per judgeship compared with the national average of 3. The diversity caseload is below average, but the negligent-personal-injury suits under this jurisdiction in 1956 numbered 59 per judgeship compared with the national average of 50 per judge. These large caseloads contrast with the decline in private admiralty litigation from 312 cases filed in 1945 to 78 in 1956.

The effect on the work of the district of the increasing volume of these time-consuming types of cases is evident from the number now pending on the dockets. On June 30, 1956, there were 36 Federal Tort Claims Act cases pending per judge in the eastern district compared with the national average of 8; there were 16 patent suits pending per judge compared with the national average of 5; and finally there were 95 diversity negligent-personal-injury suits, other than those arising out of motor-vehicle accidents, pending per judge compared with a national average of 21. Other details concerning the types and the age of the pending cases may be found in table 7, attached.

The criminal caseload for the district has doubled in the last 5 years (see table 2), but is still somewhat below the average per judge nationally. Criminal cases receive priority and the dockets of the districts are reasonably current, although the number of cases pending at the end of the year has also been increasing for the last 5 fiscal years.

The recommendations of the Judicial Conference of the United States for additional judgeships are designed to provide sufficient judicial manpower to enable the courts to reach a condition where civil cases may be reached for trial within 6 months of filing. In order that this goal may be achieved in the eastern district of New York the conference has recommended that two additional judgeships be created for this district.

A recent drive by the court to clear the deadwood from the civil docket and try to settle some of the cases which have been pending for some time had brought about a reduction of 129 cases in the calendar between June 30, 1956, and January 31, 1957. However, there were still a very large number of cases on the dockets. Complete statistical tables showing the judicial business of the district for the last 16 fiscal years are attached.

Respectfully submitted.

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FEBRUARY 12, 1957.

EASTERN DISTRICT OF NEW YORK

TABLE 1.—*Civil cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

TOTAL CIVIL CASES

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941	1,272	1,109	1,223	1947	1,721	1,412	2,243	1952	1,167	1,272	2,307
1942	1,062	1,176	1,109	1948	1,383	1,435	2,191	1953	1,251	1,073	2,485
1943	987	1,099	997	1949	1,346	1,381	2,156	1954	1,180	1,174	2,491
1944	1,007	897	1,107	1950	1,198	1,237	2,117	1955	1,384	1,111	2,764
1945	2,263	1,955	1,415	1951	1,266	971	2,412	1956	1,185	1,361	2,588
1946	2,054	1,535	1,934								

PRIVATE CIVIL CASES

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941	724	627	790	1947	735	554	955	1952	677	789	1,560
1942	647	704	733	1948	862	530	1,287	1953	741	644	1,657
1943	559	671	621	1949	733	613	1,407	1954	684	588	1,653
1944	490	474	637	1950	658	644	1,421	1955	729	617	1,765
1945	538	479	696	1951	808	557	1,672	1956	691	655	1,801
1946	545	467	774								

TABLE 2.—*United States civil cases and criminal cases commenced and terminated, by fiscal year, and pending at the end of each year beginning with 1941*

UNITED STATES CIVIL CASES (UNITED STATES A PARTY)

[Price and rent control cases are in parentheses [1]]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941	548	482	433	1947	986 (615)	858	1,288	1953	510 (41)	429	828
1942	415	472	376	1948	521 (173)	905	904	1954	496	486	838
1943	428 (12)	428	376	1949	613 (259)	768	749	1955	655	494	999
1944	517 (166)	423	470	1950	540 (171)	593	696	1956	494	706	787
1945	1,725 (1,228)	1,476	719	1951	458 (0)	414	740				
1946	1,509 (1,111)	1,068	1,160	1952	490 (38)	483	747				

CRIMINAL CASES

[Cases transferred are not included in "Commenced" and "Terminated" columns]

Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30	Fiscal year	Commenced	Terminated	Pending June 30
1941	259	288	134	1947	366	422	151	1953	237	241	101
1942	344	260	218	1948	338	393	107	1954	358	289	180
1943	556	515	259	1949	333	341	106	1955	408	404	189
1944	722	724	257	1950	266	298	84	1956	488	483	209
1945	526	554	229	1951	251	265	76				
1946	543	570	202	1952	230	231	93				

[1] Price and rent control cases are separately listed from 1943 to 1953. In many of these years they constituted a large proportion of all civil cases commenced, although they required on the average a relatively small proportion of court time per case for disposition. They are included in the figure which they follow.

TABLE 3.—*Cases commenced per judgeship*

Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) [2]		Fiscal year	Number of judgeships	Total civil cases		Private civil cases		Criminal cases (less immigration) [2]	
		New York, eastern	National average [1]	New York, eastern	National average [1]	New York, eastern	National average [1]			New York, eastern	National average [1]	New York, eastern	National average [1]	New York, eastern	National average [1]
1941	6	212	164	121	82	43	153	1949	6	224	238	122	121	55	123
1942	6	177	168	108	77	57	161	1950	6	200	222	110	113	44	116
1943	6	165	158	93	58	88	174	1951	6	211	204	135	111	41	106
1944	6	168	169	82	56	115	184	1952	6	195	236	113	126	38	112
1945	6	377	295	90	57	86	176	1953	6	209	261	124	146	39	114
1946	6	342	321	91	70	89	142	1954	6	197	210	114	127	57	103
1947	6	287	271	123	109	60	134	1955	6	231	212	122	128	66	104
1948	6	231	205	144	117	56	123	1956	6	198	225	115	135	77	102

[1] This column includes 86 districts for 1949 and thereafter; 84 districts before 1949.

[2] Immigration cases have been eliminated from this table because they occur in volume in only 5 districts on the Mexican border and because the average judicial time per case for their disposition is small.

TABLE 4.—*Time elapsing in civil cases tried* [1]

Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial		Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial		Fiscal year	Number of cases tried	Median interval in months from filing to disposition		Median interval in months from issue to trial	
		New York, eastern	National median	New York, eastern	National median			New York, eastern	National median	New York, eastern	National median			New York, eastern	National median	New York, eastern	National median
1945	16	14.8	9.0	6.3	5.3	1949	170	21.8	10.4	13.5	5.9	1953	98	32.6	12.4	28.5	7.4
1946	98	18.0	8.9	8.6	5.0	1950	173	21.4	11.2	17.9	6.7	1954	108	39.5	13.5	34.2	8.1
1947	98	17.3	9.0	7.9	5.1	1951	130	15.7	12.2	20.0	7.3	1955	86	45.1	14.6	39.4	9.1
1948	133	17.3	9.9	9.4	5.8	1952	126	26.4	12.1	17.2	7.0	1956	160	41.0	16.4	38.6	10.3

[1] The median time interval in months is computed for the civil cases in which a trial was held, which were terminated during the year, excluding land condemnation, habeas corpus, and forfeiture proceedings. No median interval is shown for the years 1945 through 1952 where less than 25 cases were terminated after trial. For the year 1953 and subsequent years, where there were less than 25 cases terminated after trial, a median is listed with an asterisk (*) on the basis of the number of cases terminated after trial for the last 2 years, provided there were 25 such cases for the 2 years.

Table 5.—*Cases commenced per judgeship in this district and in 86 districts by nature of suit, fiscal year 1956*

	New York, eastern	86 districts
Civil cases:		
Total cases	198	225
United States cases	82	90
Private cases	115	135
United States cases:		
United States plaintiff	54	73
Land condemnation	1	4
Fair Labor Standards Act	6	2
Other enforcement suits	2	2
Food and Drug Act	6	4
Liquor laws	--------	2
Other forfeitures and penalties	2	5
Negotiable instruments	10	25
Other contracts	17	21
Other United States plaintiff	9	8
Civil cases—Continued		
United States cases—Continued		
United States defendant	28	18
Enjoin Federal agencies	7	3
Habeas corpus	2	3
Tort Claims Act	11	4
Tax suits	4	5
Other United States defendant	5	3
Private cases:		
Federal question	38	33
Copyright	2	1
Employers' Liability Act	13	6
Fair Labor Standards Act	--------	1
Habeas corpus	--------	3
Jones Act	6	10
Civil cases—Continued		
Private cases—Continued		
Federal question—Con.	2	2
Miller Act	8	3
Patent	7	7
Other Federal question		
	64	90
Diversity of citizenship		
	4	15
Insurance	10	16
Other contracts	--------	3
Real property		
Personal injury (motor	12	33
vehicle)	37	17
Personal injury (other)	1	5
Other diversity		
	13	11
Admiralty		
	77	102
Criminal cases (less immigration)		

Table 6.—*Civil and criminal trials commenced*

BY FISCAL YEAR

Fiscal year	Total trials commenced	Civil			Criminal		
		Total	Nonjury	Jury	Total	Nonjury	Jury
1951	141	123	62	61	18	2	16
1952	139	117	49	68	22	8	14
1953	114	103	46	57	11	5	6
1954	165	123	72	51	42	10	32
1955	145	107	75	32	38	5	33
1956	197	160	76	84	37	5	32

PER JUDGESHIP

Fiscal year	Number of judgeships	Total trials		Civil		Criminal	
		New York, eastern	National average [1]	New York, eastern	National average [1]	New York, eastern	National average [1]
1951	6	24	39	21	28	3	11
1952	6	23	40	20	27	4	13
1953	6	19	44	17	29	2	15
1954	6	28	40	21	25	7	15
1955	6	24	41	18	26	6	15
1956	6	33	43	27	29	6	14

[1] This column includes 86 districts.

Table 7.—*Civil cases pending on June 30, 1956*

PER JUDGESHIP

Nature of suit	Cases pending per judgeship	
	New York, eastern	National average
Total civil cases	431	236
United States civil cases	131	74
Private civil cases	300	162
United States plaintiff	58	46
Land condemnation	4	14
Antitrust	--------	--------
Other enforcement suits	20	5
Forfeitures and penalties	3	4
Negotiable instruments	7	8
Other contracts	14	9
Other United States plaintiff	11	7
United States defendant	73	27
Tort Claims Act	36	7
Tax suits	9	8
Other United States defendant	29	13
Federal question	89	44
Antitrust	1	2
Copyright	3	1
Federal Employers' Liability Act	32	8
Jones Act	18	16
Patent	16	5
Other Federal question	19	11
Diversity of citizenship	157	98
Insurance	6	11
Other contracts	19	20
Real property	--------	3
Personal injury (motor vehicle)	34	34
Personal injury (other)	95	21
Other diversity	3	9
Admiralty	54	20

AGE

Jurisdiction	Total pending	Age of civil cases pending						
		Less than 6 months	6 months to 1 year	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 years and over
Total civil cases	2,588	467	381	653	410	303	129	245
United States civil	787	167	90	169	119	95	19	108
United States plaintiff	348	85	37	67	50	28	11	70
United States defendant	439	82	53	102	69	67	28	38
Private civil	1,801	300	291	484	291	208	90	137
Federal question	535	101	95	162	88	47	15	27
Diversity	942	180	160	274	156	82	33	57
Admiralty	324	19	36	48	47	79	42	53

THE JUDICIAL BUSINESS OF THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

The United States District Court for the Southern District of New York is the largest trial court in the Federal judicial system in number of judges and of big cases and it is located in the greatest commercial and industrial center in the world. Its 18 judges handle a very great percentage of all antitrust litigation and a large share of the patent, copyright and trademark cases as well as time-consuming criminal prosecutions of national and international importance. New York is the largest port in the Nation and in the last few years about 40 percent of the admiralty and maritime litigation in the Federal courts has been filed in the southern district. The business of the court has multiplied in the last half century and from time to time additional judgeships have been added. The 4 judges provided for the district by the judicial code of 1911 were raised to 6 in 1922, to 9 in 1929, to 11 in 1936, to 12 in 1938, to 16 in 1949, and finally to 18 in 1954. Court is held only in New York City.

The history of this court from the end of World War II to 1955 can be described only in terms of excessive caseloads, large numbers of protracted cases, a continual accumulation of arrearages, and mounting delay. The judicial assistance provided to meet the situation has been neither timely nor adequate to meet the ever-increasing business and until recently the trial dockets have been very congested. In 1941 and through the war years when there were 13 judgeships for the district (including 1 temporary position which expired in 1943), the pending civil cases fluctuated between 3,500 and 4,500, but by the end of 1945 increased to 5,800. Two years later the pending civil cases surged upward by 70 percent to 10,100, which prompted the Judicial Conference of the United States in 1947 to recommend 2 additional judgeships and to ask that the expired temporary position be reestablished. When the pending caseload increased another 800 cases in the ensuing 12 months, the Judicial Conference requested 4 additional judgeships for the district and these positions were provided in the omnibus judgeship bill passed in 1949.

Still the civil backlog piled up and delay increased. On June 30, 1950, the pending civil caseload reached 11,134 and it became clear that the extra judge-power provided was inadequate to overcome the enormous arrearages. The pending civil cases in this district alone were more than one-fifth of the number in all district courts. In September of that year the Judicial Conference of the United States recommended 5 more judgeships for the district, including 2 on a temporary basis. By the end of the fiscal year 1953 the arrearages had reached 11,768 civil cases including 9,385 private civil cases and in addition delays in criminal cases were being felt and the pending criminal caseload topped 1,000 for the first time in almost 10 years.

In 1954, 2 of the 5 judgeships recommended by the Judicial Conference were created. The Conference immediately renewed its request for the other three judges and supplemented this in 1956 by a recommendation for a fourth new judgeship. The purpose of these Conference recommendations is to provide sufficient judicial manpower to enable the courts to eliminate arrearages and reach a point where the average civil case can be reached for trial within 6 months of the date of filing.

Although there has been some improvement in the docket conditions in the southern district of New York recently, additional help is needed if the goal of the Conference is to be achieved within a reasonable time. The backlog of 8,205 civil cases on June 30, 1956, was more than twice the 4,087 civil cases pending on June 30, 1941. But 2 years ago the delays in the district were so bad that many cases being disposed of by trial had been pending on the dockets more than 4 years and had been awaiting trial more than 3 years. The median interval from filing to disposition of cases terminated after trial in 1955 was 45.9 months and the median from issue to trial was 34.8 months. And even with such delays the judges were often without cases to try due to recurring calendar breakdowns. At that time the court appointed a committee of judges to investigate what steps may be taken to improve the condition of the calendars. Drastic changes in the calendaring practices were devised and the court embarked upon a program designed to provide firmness and stability to these calendars. The calendars for the first time were put in the charge of the judges. A year ago last fall a call of the entire civil calendar consisting of 5,700 cases was completed with startling results. By the end of the court year the calendared cases were reduced to 1,800 and the number of cases pending on the dockets decreased from 10,334 to 8,205, a gain of more than 2,000 cases. A continuation of the same practices in the current court year has reduced the size of the calendar to 767 cases as of December 31, 1956, although the total number of civil cases on the dockets on the same date remained at a level of 8,500.

Principal efforts of the court until recently have been to dispose of cases on the calendars and this has greatly reduced the number of cases ready for trial. Now older cases on the dockets which have not yet been calendared have been called and counsel have been asked to report the status of these cases. This will bring some cases to the trial dockets and will also result in settlements and dismissals. The cases which are not calendared all constitute potential trials and if the litigants are to receive prompt attention, the court must exercise some measure of control over them, which is now being done.

The details of the new calendaring system are set forth in an article by Judge Irving Kaufman which appeared in the December 1956 issue of the Journal of the American Judicature Society. A copy of that article is attached to this statement.

The achievements of the court are encouraging. They have been made possible in part through the able assistance of three retired judges of the court and the services of visiting judges from other districts. This has proven to be a very desirable expedient, but it cannot be relied upon as a substitute for permanent judgeships. Retired judges cannot maintain an unslacked pace and visiting judges are often difficult to secure. The four judgeships recommended by the conference are needed and Judge Kaufman views the necessity for them as follows:

"I will not detail the need for additional judicial manpower. Suffice to say, part I has demonstrated that there are a sufficient number of hard-core triable cases well in excess of the number our present quota of judges can handle, and if our calendars are to be maintained in their present current status, the implementation of the Judicial Conference's recommendations for new judgeships is a necessary first step."

Notwithstanding the improved calendar situation the accumulated backlog of civil cases is enormous. As of June 30, 1956, the 8,205 pending civil cases amounted to 456 per judgeship or almost twice the national average of 236 civil cases pending per judgeship. With 8 percent of the judges in all the 86 districts having solely Federal jurisdiction, the backlog of private litigation in the district was 18 percent of the national total. As of June 30, 1956, 44 percent of all pending private admiralty cases, more than one-half of all Jones Act suits involving injury to seamen, one-third of all copyright cases, one-fourth of all Government civil antitrust suits, and about one-fifth of all private antitrust suits were on the dockets in the district. The Government civil antitrust suits were 15 in number and these actions together with the 4 criminal antitrust prosecutions pending on July 15, 1956, are listed in appendix A. The number of time-consuming private antitrust suits pending in the district at that time numbered 100. Further details concerning the age and composition of the pending civil cases are given in table 7.

The court in the southern district of New York serves New York City exclusive of Staten and Long Islands, and to a certain extent serves also the entire New York-northeastern New Jersey area which in 1950 had a population of almost 13 million. New York is the financial capital of the world and the Nation's largest port. Complicated commercial litigation and important criminal cases tend to gravitate to this region and in the last 3 years the southern district has had 22 trials which have required 20 or more actual trial days not including the time spent in the preparation of the case and the writing of opinions.

Long trials in this district which have attracted much public attention in recent years have included the important Smith Act case, *U. S.* v. *Dennis et al.*, tried by Judge Medina which took 168 trial days; the Investment Bankers antitrust case, *U. S.* v. *Morgan*, which required 309 trial days, also tried by Judge Medina (he was occupied with the case for 3 years); *U. S.* v. *Flynn*, also a Communist case, tried by Judge Dimock for 154 trial days; *Ferguson* v. *Ford*, a multimillion-dollar suit against the Ford Motor Co. tried by Judge Noonan for 120 trial days and finally settled; and *U. S.* v. *Imperial Chemical Industries*, tried by Judge Ryan for 56 days.

The trial time in these cases is only a small part of the time they require of the judge and this is particularly true of the antitrust cases. The number of exhibits, depositions, and documents in this type of proceeding is almost unbelievable. For example in the Alcoa case, there were 15,000 pages of record; in the National Lead case, 1,400 exhibits and 5,000 pages of record; in Imperial Chemical Industries, 3,700 exhibits; and in the Investment Bankers case, 10,600 exhibits. *Ferguson* v. *Ford* contained 27,000 exhibits and 10,000 pages of record and the trial was never concluded. When the case was settled the plaintiff had not yet completed his direct case.

The Judicial Conference Committee on Procedure in Antitrust and Other Protracted Cases has recommended in its report adopted by the Conference in 1951 that cases of this type should be assigned to a judge from their inception and that the judge to whom such a case is assigned "should be relieved of all other duties from the commencement of the trial until his judgment is pronounced." This has frequently been impossible in this court. There were 5 cases tried in 1956 which required 20 days or more:

Civil cases: *Universe Tankships, Inc.* v. *Bethlehem Steel*, 43 trial days, contract action. *Banking & Trading Corp.* v. *R. F. C.*, 20 trial days, contract action.

Criminal cases: *U. S.* v. *Klein*, 77 trial days, tax fraud. *U. S.* v. *Kiame*, 33 trial days, tax fraud. *U. S.* v. *Allied Stevedoring Corp.*, 31 trial days, tax fraud.

Another long Smith Act case, *U. S.* v. *Trachtenberg*, tried by Judge Bicks, was commenced during the fiscal year and completed shortly after the close of the year, requiring 59 trial days.

The large backlog of potentially long and complicated cases as well as the number being filed is an important factor in the Judicial Conference recommendation for four additional judgeships. But help is needed also to handle the large caseloads of more or less routine litigation. Four judgeships would increase the judicial staff by 22 percent, but would not reduce the average caseload per judgeship in the district to a point below the national average. On the basis of the 5,033 civil cases filed in the court during the fiscal year 1956 the effect would have been to reduce the average incoming caseload in the district from 280 cases per judge to 229, which is 4 cases more than the average per judgeship nationally of 225 in 1956 and considerably in excess of the caseload of 196 civil cases per judge, if all the judgeships recommended by the Conference had existed. Again on the basis of the 1956 filings the 4 extra judges would have reduced the caseload of incoming private civil cases from 226 to 185 per judge, which is 50 cases more than the average that year of 135 private civil cases commenced per judgeship nationally and 68 cases more than the national average per judgeship on the basis of the 262 judgeships including 34 recommended by the Conference in the 86 districts having purely Federal jurisdiction.

In the first half of the fiscal year 1957 there has been a decided upsurge in civil filings to 2,775, or 500 civil cases more than the number filed during a like period of the preceding fiscal year. All of this increase has occurred in the time-consuming private civil cases. A comparison of the civil cases, private civil cases, and criminal cases commenced and terminated in the district in the first half of the fiscal years 1956 and 1957 (July 1–December 31) appears in the following table:

Cases commenced and terminated

TOTAL CIVIL CASES

Fiscal year	Commenced	Terminated	Pending at end of half-year period
6 months of 1956	2,284	3,379	9,239
6 months of 1957	2,775	2,475	8,505

PRIVATE CIVIL CASES

Fiscal year	Commenced	Terminated	Pending at end of half-year period
6 months of 1956	1,791	2,725	7,529
6 months of 1957	2,292	2,001	7,053

CRIMINAL CASES

Fiscal year	Commenced	Terminated	Pending at end of half-year period
6 months of 1956	434	510	629
6 months of 1957	426	511	435

The criminal caseload in the district is not heavy numerically and the dockets are reasonably current because of the priority to which they are entitled and receive. However, criminal cases are a factor to be considered in the workload of the district because of the many protracted trials, which in past years have included celebrated Smith Act and sedition trials, tax-evasion cases, and criminal antitrust suits.

Complete statistical tables showing the judicial business of the district in the last 16 fiscal years are attached.

Respectfully submitted.

JOSEPH F. SPANIOL, Jr.,
Attorney, Division of Procedural Studies and Statistics, Administrative Office of the United States Courts.

FEBRUARY 18, 1957.

CREATION OF NEW JUDICIAL DISTRICT IN CALIFORNIA

The Senate proceeded to consider the bill (S. 2840) to create a new and separate judicial district in California and to create a new division for the northern district of said State which had been reported from the Committee on the Judiciary, with an amendment on page 2, line 15, after the word "Park" to insert the words "Mariposa, except Yosemite National Park," so as to make the bill read:

Be it enacted, etc., That section 84 (a) of title 28 of the United States Code is hereby amended as follows:

(1) By amending the first sentence thereof so as to read: "The northern district comprises three divisions."

(2) By amending the second subparagraph thereof to read as follows:

"(2) The southern division comprises the counties of Marin, Monterey, San Benito, San Francisco, San Mateo, Santa Clara, and Santa Cruz. Court for the southern division shall be held at San Francisco."

(3) By adding at the end thereof a new subparagraph as follows:

"(3) The eastern division comprises the counties of Alameda and Contra Costa. Court for the eastern division shall be held at the county seat of Alameda County."

SEC. 2. That section 84 of title 28 of the United States Code is amended by striking out subsection (b) and inserting in lieu thereof the following:

"CENTRAL DISTRICT

"(b) The central district comprises two divisions.

"(1) The northern division comprises the counties of Fresno, Inyo, Kern, Kings, Madera, except Yosemite National Park, Mariposa, except Yosemite National Park, Merced, and Tulare.

"Court for the northern division shall be held at Fresno.

"(2) The southern division comprises the counties of Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura.

"Court for the southern division shall be held at Los Angeles.

"SOUTHERN DISTRICT

"(c) The southern district comprises the counties of Imperial and San Diego.

"Court for the southern district shall be held at San Diego."

SEC. 3. Section 133 of title 28, United States Code, is amended by striking out

"California:
"Northern........................ 7
"Southern........................ 11"

and inserting in lieu thereof the following:

"California:
"Northern........................ 7
"Central........................ 9
"Southern........................ 2"

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. IVES. Mr. President, I move that the Senate reconsider the vote by which S. 2840 was passed.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the junior Senator from California.

The motion to lay on the table was agreed to.

COMMEMORATION OF THE 100TH ANNIVERSARY OF THE ADMISSION OF THE STATE OF OREGON INTO THE UNION

The joint resolution (S. J. Res. 131) authorizing the President to issue a proclamation calling upon the people of the United States to commemorate with appropriate ceremonies the 100th anniversary of the admission of the State of Oregon into the Union was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the President of the United States is authorized and requested to issue, on or before February 14, 1959 (the 100th anniversary of the date on which the State of Oregon was admitted into the Union), a proclamation calling upon the people of the United States to commemorate with appropriate ceremonies the 100th anniversary of the admission of Oregon into the Union.

REMOVAL OF LIMITATON ON USE OF CERTAIN PROPERTY CONVEYED TO THE CITY OF AUSTIN, TEX., BY THE UNITED STATES

The bill (H. R. 7964) to remove the limitation on the use of certain real property heretofore conveyed to the city of Austin, Tex., by the United States was considered, ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas subsequently said: I move to reconsider the vote by which House bill 7964, Order of Business No. 1195, was passed.

Mr. McNAMARA. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. That completes the call of the calendar.

ROMA H. SELLERS

The Senate proceeded to consider the bill (S. 1714) for the relief of Roma H. Sellers, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 6, after the words "sum of", to strike out "$25,000" and insert "$12,500", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Roma H. Sellers, of Preston, Miss., the sum of $12,500. The payment of such sum shall be in full satisfaction of all her claims against the United States for compensation for permanent personal injuries and pain and suffering sustained by her, and for reimbursement of hospital, medical, and other expenses incurred by her, as a result of the improper administering of an anesthetic in the course of an operation performed on her January 7, 1955, by United States Air Force doctors at the Nazareth Hospital, Mineral Wells, Texas: *Provided,* That no part of the amount appropriated in this Act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STATEHOOD FOR ALASKA

The bill (S. 49) to provide for the admission of Alaska into the Union was announced as next in order.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the bill?

Mr. **CLARK**. With deep regret, I ask that the bill go over.

Mr. **MAGNUSON**. Mr. President, before the session closes, I should like to say that the Senator from Washington is fully cognizant that there are many practical, legislative, and other reasons why the bill must go over. I know the Senator from Pennsylvania is not opposed to the bill. I hope, however, that statehood for Hawaii and for Alaska will be one of the first orders of business when Congress reconvenes in January. All of us have been vitally interested in this matter. I think all the hearings have been held that are necessary. All the facts are in. It has been discussed pro and con by the committees, Members of the Senate, and Members of the House. I think it is time the Congress faced up to a decision on the matter. I appreciate the reasons given now for passing the bill over, but I hope that next January the leadership on both sides of the aisle, the two political parties having pledged themselves solemnly at many conventions that they are for statehood for Hawaii and Alaska, will face up to a decision on this issue by a yea-and-nay vote in the United States Senate.

The **PRESIDING OFFICER**. Objection being heard, the bill will be passed over.

BILL PASSED OVER

The bill (S. 50) to provide for the admission of the State of Hawaii into the Union, was announced as next in order.

Mr. **TALMADGE**. Over.

The **PRESIDING OFFICER**. Objection being heard, the bill will be passed over.

That completes the call of the calendar.

THE PRESIDENT'S BUDGET

Mr. **BYRD**. Mr. President, when Congress met in January, the President requested the highest peacetime budget in history. For the current fiscal year he asked for $73,300,000,000 in appropriations—including other new expenditure authorizations—and estimated expenditures at $71,800,000,000.

From the grassroots, the people let their dissatisfaction be known in no uncertain terms. As Congress adjourns, the President's original appropriation budget, exclusive of the postal deficit, according to calculations by the staff of the Joint Committee on Reduction of Nonessential Federal Expenditures, has been cut $6,500,000,000 to a total of $66,800,000,000.

I ask unanimous consent that the table be inserted in the Record as a part of my remarks.

There being no objection, the table was ordered to be printed in the Record, as follows:

[Rounded to billions of dollars]

Category	President's January budget	Reductions	Enacted to date
National security:			
Military functions	38.5	3.1	35.4
Stockpiling and defense production	.1	.1	--------
Atomic energy	2.5	.2	2.3
Subtotal	41.1	3.4	37.7
Foreign aid and international affairs:			
Mutual security:			
Military assistance	2.4	1.1	1.3
Economic assistance	2.0	.6	1.4
Subtotal, MSA	4.4	1.6	2.8
Other	.5	.1	.4
Subtotal	4.9	1.7	3.2
Domestic-civilian	27.3	1.4	25.9
Total	73.3	6.5	66.8

Mr. **BYRD**. In my March analysis of the President's budget, I concluded appropriations could and should be reduced by at least $6.5 billion, and expenditures by $5 billion to $7 billion. While the figures above will have to be adjusted because Congress failed to increase postal rates, I am pleased at the proximity of the appropriation reductions, and I believe determined executive control over spending agency activities can result in substantial expenditure reduction.

The President must exercise his authority to hold down expenditures, because reduction in current new appropriations does not affect the availability of balances carried over from prior years. These unexpended balances now total $70 billion. This carryover combined with new appropriations makes approximately $137 billion available in expenditure authorization for Federal agencies.

With expenditures authorized in such an amount, the debt ceiling is the most effective expenditure curb remaining with Congress in the current situation. The terrible Federal debt is now bumping the $275 billion statutory ceiling. To prevent deficit financing, along with other reasons, as chairman of the Senate Finance Committee, I shall oppose any increase in the debt limit short of dire national emergency after the President has exhausted all practicable means of spending control.

The President would be keeping faith with demand by the American public if he would require reduction in expenditures this year equal to the reduction in new spending authority, or more. The people have demonstrated their ability to translate their will into Federal action, and they can render themselves and their country good and patriotic service if, at this time, they will:

First. Communicate with the President and the Bureau of the Budget, demanding (a) further reductions in expenditures in the current fiscal year, and (b) reduction in new appropriations and expenditures in the budget, now in preparation, for delivery to Congress by the President in January; and

Second. Demand of their representatives in Congress continuing support of reductions in both expenditures and new appropriations.

The reaction in Washington to public demand last spring for budget reduction was unprecedented, especially in view of the President's opposition in many areas. The Appropriations Committees of Congress, in particular, are to be commended for their constructive work.

The committees achieved even greater reductions in appropriations under their jurisdiction than show in overall figures. Committee cuts were partially offset by increases in authority to spend out of the debt, which bypass appropriation control. The President asked for $1.3 billion in this kind of expenditure authority, and the Congress enacted $2.3 billion. Practically all of this increase was in Federal housing programs, the Federal National Mortgage Association in particular.

I hope the President will avoid a postal deficit and control expenditures in a manner to require the minimum of supplemental appropriations and get the budget to a level where we can begin to consider reduction in debt and taxes.

The people of this Nation are carrying a terrible burden of both debt and taxes. They deserve reduction in both. This requires expenditure reduction first. Appropriations have been cut. Expenditure reduction, under existing fiscal procedures, lies largely with the President.

FACILITATION OF CONDUCT OF FISHING OPERATIONS IN ALASKA

Mr. **MAGNUSON**. Mr. President, on August 20, the Senate passed, and sent to the House of Representatives, a bill relating to the fishery operations in Alaska. That bill was Senate bill 2349.

Two days later—on August 22—the House of Representatives passed an identical measure, House bill 9280; and that bill has been sent to the Senate.

Of course, the House of Representatives usually passes a companion Senate bill, in case it has previously been passed by the Senate. I do not know why that procedure was not followed in this case.

Mr. President, it is most important that this House bill be acted on at this time, in view of the fact that the fishing season is now under way. I am told that the committee action on this measure was unanimous. It may be that an oversight occurred somewhere along the line.

At any rate, House bill 9280 has now been sent to the Senate. Since the Congress is about to adjourn, and inasmuch as the fishing season is under way, and inasmuch as the two bills are identical, I ask that the Chair lay House bill 9280 before the Senate.

The **PRESIDING OFFICER** laid before the Senate the bill (H. R. 9280) to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes, which was read twice by its title.

Mr. **MAGNUSON**. Mr. President, I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate proceeded to consider the bill.

Mr. MAGNUSON. Mr. President, I ask that the bill be passed.

The **PRESIDING OFFICER.** If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 9280) was ordered to a third reading, read the third time, and passed.

EXTENSION OF REORGANIZATION ACT OF 1949—CONFERENCE REPORT

Mr. HUMPHREY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1791) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER.** The report will be read, for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The **PRESIDING OFFICER.** Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HUMPHREY. Mr. President, I move that the Senate agree to the report.

The motion was agreed to.

Mr. HUMPHREY. Mr. President, I have a brief statement which I should like to have printed in the RECORD, in order to explain the provisions of the conference report. I ask unanimous consent that the statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY

The House of Representatives amended the bill to eliminate a present provision in the Reorganization Act requiring that, before a reorganization plan submitted to the Congress can be disapproved, a resolution of disapproval must be adopted "by the affirmative vote of a majority of the authorized membership of that House." The effect of the amendment is to require that a reorganization plan submitted by the President will take effect within 60 days after its submission, unless, before the expiration of such time, a resolution of disapproval has been passed by a simple majority of those present and voting in either the House or the Senate.

This amendment accords with the position taken by the Committee on Government Operations and by the Senate when the act was originally approved in 1949. At that time all exemptions of agencies from application of the act contained in prior reorganization acts were removed. It was the position of the Senate, in removing these exemptions and granting far wider powers to the President in submitting reorganization plans than previous acts had authorized, that a simple resolution of disapproval by either the House or the Senate would be sufficient to reject or disapprove any reorganization plans submitted by the President. This view was reiterated by the Committee on Government Operations when it reported the pending bill on May 29, 1957 (S. Rept. No. 386).

The provision repealed by the House amendment was originally inserted in the Reorganization Act of 1949 at the insistence of the House conferees, after the Senate conferees had unanimously supported retention of a provision for rejection of a plan by a simple majority vote of either House. The House amendment therefore conforms to the position taken by the Senate when the act was originally approved. I move that the Senate concur in the House amendments.

LEGISLATIVE WORK OF THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE, 1ST SESSION, 85TH CONGRESS

Mr. HILL. Mr. President, as the 1st session of this 85th Congress draws to its close, it may be useful to review briefly some of the legislative work undertaken this year by the committee of which I have the honor to be chairman, the Committee on Labor and Public Welfare, so that Senators will be informed of the progress being made on several important measures which are likely to come before this body for consideration next year.

During this first session, our committee's members have devoted themselves primarily to essential preparatory research, hearings, and discussions on four major public questions embodied in bills pending before it:

First, how shall the integrity of billions of dollars' worth of employee welfare and pension plans be protected?

Second, should veterans of peacetime military service receive GI benefits, or readjustment assistance; and, if so, of what kind?

Third, should minimum-wage protection be extended to additional millions of employees not now covered under the Fair Labor Standards Act?

Fourth, how can retirement pensions and unemployment insurance for railway workers be improved without overburdening either the employees or the carriers; and, even more important, how can the long-term actuarial stability of the railroad retirement fund be maintained?

Three standing subcommittees and one special subcommittee of the Committee on Labor and Public Welfare have conducted lengthy public hearings and held numerous executive discussions on the many problems raised by these major questions. The printed record of the hearings on these four topics will be available during the recess for all who may be interested in examining and evaluating it.

In addition to the many hours and days which have been devoted to studying these four major legislative questions, the committee has also taken action on a number of other measures, including several strongly recommended by the administration, which did not require such extensive deliberation, but which will, when enacted into law, be of great benefit to various groups of our people. Of those reported by the committee and approved by the Senate, I shall enumerate only a few:

We have initiated a new program of research and training of teachers for the million and one-half unfortunate children in this country who are mentally retarded or emotionally disturbed, and who, we believe, can be measurably helped to live more useful and happier lives. This legislation was highly recommended by the Department of Health, Education, and Welfare.

We have approved a bill to establish a library of films bearing captions like those of the old-fashioned silent movies. This library will be available to institutions, schools, or associations for deaf persons, for whom the advent of the sound film has meant a great loss in ability to understand and learn from moving pictures.

We reported a bill which, by restricting the application of the wage-hour law in foreign overseas bases, will relieve our Government of a potential liability for claims estimated at one-half a billion dollars. Approval of this measure was strongly urged by the Department of Defense. The bill also will result in raising the minimum wage in the American overseas areas of Guam and the Canal Zone to the $1-an-hour minimum required since 1956 for other American workers by the Fair Labor Standards Act.

The committee reported a resolution, strongly recommended by the Department of Labor, which requires the Secretary of Labor to make available to the public and the press the financial reports of labor unions, which now are merely filed with him under the Taft-Hartley Act.

We approved one additional year's extension of the Federal program to provide financial assistance for school construction in areas of the country suffering a heavy impact from Federal activities, such as defense installations and the like.

The committee has also reported a bill extending the provisions of the Vocational Rehabilitation Act under which private rehabilitation agencies may use for another year previously granted Federal funds, to help carry on their humanitarian work.

Of course, Mr. President, many other minor bills and numerous nominations were reported to the Senate. Among the important nominations ordered reported to the Senate, for confirmation, were those of James T. O'Connell, to be Under Secretary of Labor; Leroy E. Burney, to be Surgeon General; Lawrence G. Derthick, to be Commissioner of Education; Howard W. Habermeyer, to be a member of the Railroad Retirement Board; Joseph A. Jenkins, to be a member of the National Labor Relations Board; Jerome D. Fenton, to be General Counsel of the National Labor Relations Board; Katherine Brownell Oettinger, to be Chief of the Children's Bureau; Dr. Alan T. Waterman, to be Director of the National Science Foundation; Robert O. Boyd, to be a member of the National Mediation Board; James Gilhooley, to be Assistant Secretary of Labor; and 10 eminent persons, to be members of the Board of Regents of the new National Library of Medicine.

Mr. President, the members of the committee take great satisfaction from the fact that the Senate in its wisdom has given its approval to every bill, every resolution, and every nomination reported this session from the Committee on Labor and Public Welfare. The Calendar of the Senate, so far as this committee is concerned, has been cleared.

I wish to compliment all the members of the committee, both Republican and Democratic, for the earnest and faithful service they have performed in this session; and especially do I thank them for the splendid cooperation and unfailing courtesy they have shown me, as their chairman. The ranking majority member and distinguished former chairman of the committee, the senior Senator from Montana [Mr. MURRAY], has been, as always, a stanch friend of the people in whose behalf our committee seeks to legislate, and has been of unflagging assistance to his successor as chairman of the committee. The ranking minority member of the committee, the distinguished Senator from New Jersey [Mr. SMITH] has been, as always, a delightful and cooperative associate in our common efforts to guide the committee's business.

It should be pointed out, Mr. President, that four members of the Senate Labor Committee this year have been called upon to serve on another specially created committee dealing with matters affecting the labor movement; I refer to the Select Committee To Investigate Improper Activities in Labor-Management Relations, generally known as the McClellan Committee. These four were Senators KENNEDY, MCNAMARA, IVES, and GOLDWATER. They have carried on their work in that investigation, in addition to the responsibilities they have borne in our committee.

I wish also to pay tribute to the chairman and members of the subcommittees of our committee for the care, diligence, and thoughtful attention they have given the major legislative proposals which were referred to their respective units for appropriate consideration and action.

I should like to mention particularly the work of the four subcommittees which carried the greatest burden this year:

A special seven-man Subcommittee on Welfare and Pension Plans Legislation was established this year, under the able chairmanship of Senator JOHN KENNEDY, to consider proposals designed to protect the millions of working people for whose benefit many billions of dollars have been, and are being, invested in pension and welfare programs. After extensive hearings and careful executive consideration, the special subcommittee on Monday of this week ordered reported to the full committee a bill requiring registration, reporting, and disclosure of these plans. Further consideration awaits the reconvening of Congress in January. Meanwhile, Senators will be able to study the record and reflect on the provisions of this highly important proposal relating to a vast and growing problem. Besides the chairman, the subcommittee is composed of Senators MURRAY, MCNAMARA, MORSE, IVES, PURTELL, and ALLOTT. They are to be congratulated on their accomplishment.

Our Subcommittee on Veterans' Affairs, under the chairmanship of the distinguished Senator from South Carolina, STROM THURMOND, has made a profound study of the problems arising from the fact that, for the first time in American history, our young men are subject to compulsory military service in peacetime. While the subcommittee has carefully assembled almost all the information it will need to enable it to decide what type of readjustment assistance, if any, should be granted peacetime veterans, it has wisely determined to withhold further action until January, so that the Members can appraise the effects of the recent reduction in both our Armed Forces and in the call-ups under the draft. With this later information before it, the subcommittee will be in a position to act forthwith in this important area. Besides the chairman, the subcommittee members are Senators KENNEDY, GOLDWATER, COOPER, and myself.

The Subcommittee on Labor, also under Senator KENNEDY's chairmanship, has completed an exhaustive series of hearings on proposals to extend coverage of the Fair Labor Standards Act to millions of additional employees, and has reported a bill to the full committee. This subcommittee, in addition to its chairman, is composed of Senators NEELY, MCNAMARA, MORSE, IVES, GOLDWATER, and PURTELL. The full committee has discussed the minimum-wage bill during several executive meetings, and essential groundwork has been laid for decisions in this controversial matter next year.

The Subcommittee on Railroad Retirement, under the capable leadership of its chairman, Senator WAYNE MORSE, has compiled an excellent record of hearings on a number of proposals to improve the laws governing pensions and unemployment insurance for railway labor. This record, which will be before the committee next January, will be of great value in clarifying the issues so as to permit early resolution of several complex problems and to assure the financial soundness of the railroad retirement fund. Besides the chairman, the subcommittee is composed of Senators KENNEDY, THURMOND, COOPER, and ALLOTT.

It goes without saying, Mr. President, that the achievements of a Congress are not to be measured until adjournment sine die at the end of its second session. What can be measured at the end of the first session is the progress being made.

A committee which has before it major controversial legislation is following good legislative procedure when it devotes the bulk of its attention during the first session to searching out and assembling all pertinent facts about the problems involved, holding public hearings to obtain the views of all interested parties, and examining in detail the various issues raised and the alternatives posed. Once this essential preparatory work has been done, the committee can then proceed, in the second session, to bring to the Senate floor bills which are the product of mature deliberation and which are grounded on careful, thorough, and, at times, exhaustive study and analysis.

During the first session of the present Congress, the Senate Committee on Labor and Public Welfare has made substantial and noteworthy progress toward the resolution of many difficult problems on which there is deep division of opinion, and on the proper solution of which may depend the security and well-being of many millions of our citizens. When the vital preparatory work has been done in the manner in which subcommittees of our committee have done it this session, the Senate can be assured that important proposed legislation reported to it by the committee at the next session will be sound, reasonable, and workable—proposed legislation which will, I believe, contribute still further to the progress of our Nation.

CONVEYANCE OF CERTAIN LANDS TO CITY OF WARNER ROBINS, GA.—REPORT OF A COMMITTEE

Mr. RUSSELL. Mr. President, from the Committee on Armed Services, I wish to report favorably without amendment H. R. 7972, and I submit a report (No. 1165) thereon, a small land bill which authorizes the Secretary of the Air Force to convey to the city of Warner Robins, Ga., title to two parcels of land aggregating 5.78 acres with any improvements.

This land has an estimated valuation of approximately $35,000, and the bill provides that the city of Warner Robins will pay the fair market value of the property.

The bill does no violence to the Morse formula, and is in complete accord therewith.

The Department of the Air Force has stated that it has no further use for this property, and the Department of Defense and the Bureau of the Budget have indicated to the committee that they have no objection.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the bill.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 7972) to provide for the conveyance to the city of Warner Robins, Ga., of certain lands and any improvements located thereon in such city.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

DELAY OF DATES FOR SUBMISSION OF PLAN FOR CONTROL OF PROPERTY OF MENOMINEE TRIBE

Mr. NEUBERGER. Mr. President, I ask the Chair to lay before the Senate the message from the House of Representatives on H. R. 6322, a bill to amend the Menominee Termination Act of 1954.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives, announcing its disagreement to the amendment of the Senate to the bill (H. R. 6322) to provide that the dates for submission of plan for future control of property and transfer of the property of the Menominee Tribe shall be delayed, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. NEUBERGER. Mr. President, I move that the Senate insist upon its amendment to H. R. 6322, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon.

The motion was agreed to; and the Chair appointed Mr. NEUBERGER, Mr. CHURCH, and Mr. WATKINS conferees on the part of the Senate.

Mr. NEUBERGER. Mr. President, in connection with the action just taken by the Senate in appointing conferees on H. R. 6322, I should like to make a short statement.

On August 28, the House disagreed to the Senate amendments to this bill and requested a conference. Yesterday morning my staff informed the House Members that we would name our conferees early on August 29 and be willing to meet that afternoon at any convenient hour. Shortly thereafter, I was advised that, even though the Senate conferees were named, there would be no meeting to work out our differences on this legislation. I want the RECORD to be very clear that the Senate conferees were ready to meet, and that a definite hour was set, but that the House Members did not desire to confer with us. Therefore, the responsibility for failing to have the bill enacted must lie with our colleagues in the other body. I make this statement for the benefit of the sponsor of the bill and the Menominee Indians of Wisconsin.

Mr. President, in conclusion, I should like to present for printing in the RECORD a very justifiable and a very fair letter, dated today, which I have just received from the distinguished junior Senator from Wisconsin, who has only recently been sworn in as a Member of this body and assigned to this committee, and ask unanimous consent that the letter of the junior Senator from Wisconsin [Mr. PROXMIRE] to me be printed in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
August 30, 1957.

Hon. RICHARD L. NEUBERGER,
Chairman, Subcommittee on Indian Affairs, United States Senate, Washington, D. C.

DEAR SENATOR NEUBERGER: Within the past few days the Senate has passed and sent back to the House, with amendments, H. R. 6322, a bill to amend the Menominee Termination Act of 1954.

As passed by the Senate, this bill provides that the tribe shall have 1 additional year within which to submit its plan for the future operation of tribal assets, and extends the final termination date to December 31, 1960. The bill further provides that the tribe shall assume one-half of the total costs of preparing for termination.

The House Interior Committee in passing H. R. 6322 recommended an extension to 1959 for the submission of the tribal plan, and that the final termination date be set at June 30, 1961. No reference was made in the House bill with respect to the Indians paying any of the costs of termination.

The House has disagreed to the Senate amendments and requested a conference on the Menominee bill. I would like to take this opportunity to urge that the Senate conferees reconsider the Senate's language with respect to payment by the tribe of half of the termination cost, and the language extending the terminal date to December 31, 1960. The 84th Congress enacted legislation which relieved the tribe of the burden of paying any of the costs of termination. To change that arrangement at this time seems to me to be a clear breach of faith with the Menominee Tribe. The various groups within the State of Wisconsin who have been aiding the Indians in making studies, investigations, and reports with respect to future management of the tribe have suggested that it will be necessary for the State legislature to consider legislation to permit the continued sustained yield operation of the tribal forced lands under favorable economic conditions. This action cannot be taken in less than 4 years, and therefore an extension of the final termination date to June 1961 is mandatory.

The Menominee termination program will mean a drastic transition for these people. The very least that we in the Congress can do, I think, is to afford them sufficient time to make proper plans to permit this transition with the least possible difficulty.

With kindest regards.

Sincerely yours,

WILLIAM PROXMIRE,
United States Senator.

AUTOMOBILE WORKERS' PROPOSAL TO REDUCE PRICE OF NEW CARS

Mr. DOUGLAS. Mr. President, some days ago the president of the United Automobile Workers, AFL–CIO, Mr. Walter Reuther, addressed a very able proposal to the presidents of the major automobile companies, in which he urged that they decrease the prices of their new cars by $100 on the coming models, and that in return the United Automobile Workers would be willing to consider the modification of the wage demands they would otherwise make upon those companies. I regret very much the heads of the automobile companies rather summarily dismissed the suggestion of Mr. Reuther, which I think was deserving of careful consideration.

I ask unanimous consent, Mr. President, that the telegram which Mr. Reuther addressed to the President of the United States on August 27, 1957, on this matter, be printed in the body of the RECORD at this point in my remarks.

It will be noticed that Mr. Reuther suggested that the Government institute a study and bring that study to an early conclusion by getting the facts on the proposal, to enable both the companies and the public to judge more fully about the merits of the idea.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

The Honorable DWIGHT D. EISENHOWER,
President of the United States, The White House, Washington, D. C.

DEAR MR. PRESIDENT: I was encouraged to learn from your press conference of August 21, 1957, that you had assigned to your economic advisers for study, my request that you intervene on behalf of the American people in an attempt to persuade the three major automobile producers to consider favorably the UAW offer to join in a cooperative effort to dampen the fires of inflation.

Dr. Gabriel Hauge of your staff has written me that you regard the sentiments expressed in my letter "as a hopeful augury that a sense of civic responsibility will prevail in the future negotiations between labor and management."

Moreover, Dr. Hauge emphasized your hope "that all parties will enter into and conduct their collective-bargaining negotiations with a keen awareness that the public as well as the parties have an interest in the agreement they reach."

However, over the past few days, as you know, the three firms have arbitrarily rejected our offer. We in the UAW were deeply disturbed by their summary refusal to agree to this economically sound and socially responsible proposal which was made in complete good faith. We are certain that millions of Americans who have been pressed to the wall by constantly rising prices, share with us our disappointment at this rejection.

Despite the rejection by the corporations of our reasonable proposal for a $100 price reduction on 1958 models, we in the UAW are determined to continue our efforts to reverse the inflationary trend. We shall continue to seek ways by which labor and management can voluntarily join together in the discharge of their responsibilities to all of the American people.

Meanwhile, however, we should like to call to your attention the fact that the time for effective action for contributing to the reversal of the inflationary trend in the automotive industry is fast running out.

We are rapidly approaching the time when the automobile manufacturers are expected to announce higher prices on their new models, thus adding another significant upward spin to the inflationary spiral.

It would therefore be highly desirable to expedite the promised study of the UAW proposal. This study could be greatly facilitated and brought to an early conclusion by obtaining the facts from the parties directly concerned in the proposal; namely, our union and the major automobile corporations.

We are convinced that a meeting, called in the very near future by your economic advisers with the heads of these automobile companies and representatives of our union, would provide the basic information on which our proposal should be evaluated and would further show clearly that it is a socially responsible and practical way for free labor and management to exercise the economic statesmanship you have advocated.

While the auto companies have rejected our offer to join in a common fight against inflation, they would be compelled to give very serious consideration to any such recommendation you might make, particularly when that recommendation was made on the basis of a thorough and impartial examination of all the facts by your economic counselors.

You may, of course, count on the full and unqualified support and cooperation of the UAW in obtaining, whether through the means suggested above or by any other means, all of the data required by those to whom you have entrusted the study of this matter.

On behalf of the American consumers, we urge your prompt and sympathetic consideration.

Sincerely yours,

WALTER P. REUTHER,
President, International Union, UAW.

SENATOR NEUBERGER'S FIGHT FOR CIVIL RIGHTS

Mr. DOUGLAS. Mr. President, the Oregon papers of yesterday, August 29, 1957, carried the following alleged quotation from our respected Senate colleague, the senior Senator from Oregon [Mr. MORSE], to the following effect:

> DICK NEUBERGER was one of the Democratic liberals sucked in on the civil-rights bill hoax and sham. * * * Dixiecrat Senators are laughing up their sleeves at the strategy they have engineered.

I feel quite confident that this is a misquotation by the press of whatever the Senator from Oregon may have said on his way to his daughter's wedding. I assert this confidently because I know that the statement as printed is incorrect and, from my long acquaintance with the Senator from Oregon [Mr. MORSE], I know that he would never knowingly make an untrue statement. I have always found the Senator from Oregon [Mr. MORSE] to be extremely careful of the truth and most generous in his appreciation of his colleagues.

In these days of instantaneous communication, an incorrectly reported interview can, however, go around the world before the truth has time to put on its boots. In the event that some people may have been taken in by this obviously garbled statement, I should like to set the record straight.

No man in the country is more sincerely devoted to civil rights than the junior Senator from Oregon [Mr. NEUBERGER]. He has fought for this cause as a private citizen, then as a member of the Oregon Legislature, and finally, ever since he came to the Senate in 1955, he has been a tower of strength for us in this battle.

He joined with our nonpartisan group in seeing that if H. R. 6127—the civil-rights bill—were referred to the Senate Judiciary Committee, as some desired, it would almost inevitably have been buried there, as a similar bill had been buried last year and as an identical bill had been buried there for 6 months this year. A filibuster inside the committee which would almost certainly have been carried on, would have smothered the bill.

The Senator from Oregon [Mr. NEUBERGER] was a leading member of our nonpartisan coalition which, without regard to party or political fortune, finally forced the civil-rights bill onto the floor of the Senate so that we could act, and made it the order of business. This was done over the opposition of the southern group of Senators. I do not question the right of those Senators to oppose—or their sincerity. The junior Senator from Oregon fought with all his strength to retain part III in the bill and to prevent the voting rights section from being crippled. On every rollcall his vote was in direct opposition to that of the southern bloc.

In view of this record it becomes apparent that the senior Senator from Oregon [Mr. MORSE] was indeed misquoted. Since this is the final day of the session and the Senator from Oregon [Mr. MORSE] is unavoidably detained in Oregon, I think it is important that a correct statement be made here.

Mr. HUMPHREY. Mr. President, will the Senator yield to me?

Mr. DOUGLAS. I am glad to yield to the Senator from Minnesota.

Mr. HUMPHREY. I wish to associate myself fully with every word the Senator from Illinois has stated. I have listened attentively. I, too, was very disturbed when I read the alleged comment concerning our distinguished friend and colleague, the junior Senator from Oregon [Mr. NEUBERGER].

I wish to add that I do not consider under any circumstances the civil-rights bill which was adopted is a sham or a hoax. It did not go nearly so far as the Senator from Minnesota would have liked, but in the legislative process we understand that we do not always have our way, and that in a representative body sometimes—and most frequently—compromise is one of the attributes or one of the facts of legislation.

To speak specifically about the junior Senator from Oregon, he has unquestioned integrity in whatever he does. His dedication to the cause of civil liberties and civil rights is excelled by no one. His efforts in trying to obtain an effective civil rights measure are known by the Members of the Senate, by the press, and I believe by the public. The junior Senator from Oregon has conducted himself in the debate on civil rights in a manner which pays tribute to himself and to his State.

I want to say, since this matter has been brought to our attention, that it has been a joy and a pleasure to work with the junior Senator from Oregon. He, as is true of the Senator from Illinois—and I include both in this statement—has been a tower of courage and strength in a very difficult period of our legislative history. The people who are deeply concerned about the fulfillment of the promises and commitments of the Constitution, particularly as they relate to the right to vote, owe a great deal to the junior Senator from Oregon and a great deal to the senior Senator from Illinois. I am happy to have been associated with them in what I believe was a very historic and important development in the Congress of the United States.

Mr. DOUGLAS. I thank the Senator from Minnesota. I, too, regard the bill in its final form as a step forward, although a modest one. I am very glad that the Senator from Minnesota, who has been one of the leaders in this battle for well over a decade, who has played such an important part in this victory, recognizes, as we all do, the sterling contribution of the junior Senator from Oregon.

I personally am confident that the senior Senator from Oregon [Mr. MORSE] never made the statement which is alleged.

Mr. HUMPHREY. I join in that expression.

SGT. DONALD D. COLEMAN

Mr. JOHNSON of Texas. Mr. President, I ask the Chair to lay before the Senate the message from the House of Representatives amending S. 1007, a bill for the relief of Sgt. Donald D. Coleman.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1007) for the relief of Sgt. Donald D. Coleman, which was, on page 1, line 7, strike out "$15,000" and insert "$8,000."

Mr. JOHNSON of Texas. Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

DELFINA CINCO DE LOPEZ

Mr. JOHNSON of Texas. Mr. President, I ask the Chair to lay before the Senate the message from the House of Representatives amending S. 1636, a bill for the relief of Delfina Cinco de Lopez.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1636) for the relief of Delfina Cinco de Lopez, which was, in line 3, after "of" insert "subsection (a) of section 201 and."

Mr. MANSFIELD. Mr. President, on August 20, 1957, the Senate passed S. 1636, to enable a native and citizen of Mexico to qualify for a nonquota visa as a native of an independent country of the Western Hemisphere, notwithstanding the fact that he is indigenous to a country within the Asia-Pacific triangle. On August 29, 1957, the House of Representatives passed S. 1636, with an amendment which is technical in nature and does not change the intent of the bill.

I move that the Senate concur in the House amendment to S. 1636.

The PRESIDING OFFICER (Mr. SYMINGTON in the chair). The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

HIGHWAY TREE BELTS

Mr. HUMPHREY. Mr. President, a fine suggestion has been advanced by a Member of the other House, from Minnesota, to which I should like to call the attention of the Senate.

Representative JOHN BLATNIK, of Minnesota, an outstanding legislator from Minnesota's northlands and famous Iron Range area, has suggested a gigantic reforestation program involving the planting of a belt of trees alongside the hundreds of thousands of miles of new highways and roads being built under the Federal Aid to Highways Act of 1956. I am sure the suggestion will appeal to everyone interested in natural scenic beauty. Representative BLATNIK is a member of the House Subcommittee on Public Roads, and he has been developing details for this plan with officials of the United States Forest Service and the Bureau of Public Roads.

Mr. President, I ask unanimous consent to have printed in the RECORD a news release from Representative BLATNIK describing this project.

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

> Congressman JOHN A. BLATNIK, Democrat-Farm-Labor, of Minnesota, urged today that the Nation embark on a "gigantic reforestation program by planting a belt of trees alongside the hundreds of thousands of miles

of new highways and roads being built under the Federal Aid Highway Act of 1956."

After a preliminary meeting with officials of the United States Forest Service and Bureau of Public Roads, BLATNIK said he will ask these agencies "to formulate a highway tree-planting program to foster highway beautification, conservation, and youth opportunity." The Minnesota legislator, a member of the House Subcommittee on Public Roads, said that he would prepare a bill for introduction next session and call for hearings on this proposal some time next year.

After his meeting with Federal officials, BLATNIK said that "although there are many complex details yet to be worked out, I think we are on the right track. My proposal calls for a greatly expanded tree-planting program along the Nation's highways. This would increase the scenic value of the actual road structure, act as a windbreak and snow fence, thereby cutting down greatly on maintenance costs, since snow removal is a high cost factor in highway maintenance, contribute to soil conservation, add substantial acreage of new reforested areas and give wholesome part-time employment in the outdoors to hundreds of thousands of young people."

BLATNIK said he could foresee no problem in reforesting land along Federal, State, county, and other such public lands adjacent to highways. "Furthermore, existing Federal laws could be amended to permit planting on private land such as pasture land and marginal farm lands," he added.

"Under this highway tree-planting program," BLATNIK said, "I think we could add at least 100,000 square miles of reforested acreage to the Nation's forestry acreage. That's an area equal to all of Minnesota and the northern one-third of Iowa combined. This could be the largest tree-planting program ever undertaken."

BLATNIK pointed out that in addition to the scenic, economic, and conservation benefits of his proposal, "it would be an excellent means to provide an opportunity for young men to work during summer vacations in the good healthy outdoors. Overhead costs would be low, since these young men could work near their home communities and not need to live in camps as in the old CCC days. They could earn while they learn about conservation and outdoor living which is becoming more and more prevalent as leisure time increases in the United States. Instead of hanging around street corners, our young men will be able to get out during the day in a healthy and productive atmosphere, making a real contribution to the betterment of their community. It will give their vacation period purpose and direction, something that is too often lacking today and which is a direct cause of juvenile delinquency. It will also provide many jobs for otherwise unemployed high-school and college boys on summer vacation."

Mr. HUMPHREY. Mr. President, since this announcement by Congressman BLATNIK, one of my Minnesota constituents, Ed Roster, of Northfield, has written adding to the suggestion.

Mr. Roster suggests the possibility of mobilizing Boy Scout tree nurseries on pieces of public land around the country to provide seedlings for such a gigantic reforestation.

Mr. President, I ask unanimous consent to have printed in the RECORD some excerpts from Mr. Roster's letter.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Forepart of July I was at Many Point Lake, Ponsford. My grandson was in scout camp. I went to the campsite in densely wooded area and noticed a giant hard maple. Under and around it, perhaps 80 to 100 feet diameter, hundreds of little maples were growing from seed this spring. Perhaps 1 in 100 of these seedling will have a chance to grow up in the location where they sprouted because of the crowded tree population. Perhaps this same situation may be found in hundreds of other locations.

It occurred to me that if a tree nursing and planting activity could be set up as a scout activity that this sort of a program would be of immense benefit to the generations to follow and it would be making good use of some of the generous gifts of mother nature. And, some of today's Scouts will contribute to industry and recreation for their grand and great grandchildren in that they have nursed along and reared types of trees that are more useful as well as more ornamental than the boxelder, willow, poplar, and the useless brush that flourishes along with weeds on many hundreds of acres throughout the south and west portions of our State.

There are corners and slices along highways, abandoned roads, and railroad right-of-ways, and a lot of river bottom. Perhaps much of this, as well as a lot of privately owned land might be given gratis to an organization like the Scouts.

Then, too, if an activity of this sort were properly directed it would make room for 10 times as many boys to get into Scout activities and maybe there would not be so many young hoodlums and youthful gangsters.

And, the youngsters having learned some of the fundamentals, may upon attaining maturity, want to engage in tree farming as their life work. Undoubtedly, the time will come when pulpwood trees will have to be planted to maintain an adequate supply for the ever-increasing need.

Perhaps the Fedral Government would go along on this, too, with something along the line of the conservation camps that were set up back in F. D. R. times. The Scouts with their organization could easily carry on and encourage a nationwide exchange both on ideas as well as varieties that are adaptable to other areas.

THE FUTURE OF DISARMAMENT

Mr. HUMPHREY. Mr. President, another phase in the 12-year attempt to achieve a disarmament agreement appears to be moving rapidly to an unsuccessful conclusion. In the early weeks of the London meeting of the United Nations Disarmament Subcommittee, we held cautious hope that it would produce the agreement by which some beginning toward the control and reduction of armaments would be made. More recently, however, the actions of the Soviet Union in the Disarmament Subcommittee, as well as in other areas of foreign policy, have greatly reduced even this guarded optimism.

It seems clear that for the time being the Soviets have no intention of using the disarmament talks for anything but propaganda. They have immediately and bluntly rejected the entire, carefully formulated, working paper submitted by the Western nations. Any sincerity of purpose would have dictated the most careful study of this document. If the Soviets had any real desire to attain disarmament they would have scrutinized every word, as we do the Soviet proposals, to find any new area of agreement, any slight change of position.

The United States has made concessions in its proposals in an effort to reach an agreement. We have extended our proposal of a 10-month suspension of nuclear weapons tests from a period of 10 months to a period of 2 years, which was the minimum demand of the Soviet Union. The Soviet Union, however, has refused to make similar necessary concessions which would move both parties closer to a common middle ground.

On the matter of aerial inspection, where we insist some kind of beginning be made, even if it is only a small beginning, the Soviets have offered only the obviously unacceptable proposal of inspection of all the United States west of the Mississippi in return for inspection of Soviet territory comprised mainly of Siberia and other relatively unimportant territory. They have continued to call for an immediate unconditional cessation of nuclear weapons tests without giving any consideration to the measures suggested by the West which, coupled with a test suspension, could make a significant beginning toward the control of nuclear weapons.

It is not only the words of Mr. Zorin, the Soviet delegate in the London meetings, which give rise to the belief that Soviet intransigence once again threatens to increase international tension and hinder any progress toward arms control. Equal proof is offered in the boastful Soviet statement on the successful testing of an intercontinental ballistic missile. The tests were made several weeks ago. Announcement of the tests, however, was deferred until this week when, it was believed, the best propaganda mileage could be obtained.

Mr. President, all of us who have studied the disarmament problem carefully have kept in mind the additional complications which would arise once an accurate intercontinental ballistic missile was in production. We have hoped that the disarmament negotiations could move fast enough to be able successfully to control the development of these missiles before enough could be manufactured and hidden for an eventual surprise attack.

Mr. President, I digress to point out that in the hearings in Boston, Mass., about a year ago, scientists from the Massachusetts Institute of Technology warned the Government of the United States that if the Soviet Union got the advantage over us in the development of the intercontinental ballistic missile and was able to produce any number of them, and had time to hide them and to build launching platforms underground, which could be camouflaged, and therefore would not be subject to detection, our country would be in mortal peril.

Any Senator who will look into the CONGRESSIONAL RECORD for purposes of study will find that the Subcommittee on Disarmament has repeatedly warned the executive branch of this Government, the Congress, and the American people that the race in the field of missiles could well spell the difference between successful disarmament negotiations or none at all.

I think it is quite interesting to note that the Soviet Union became more intransigent than ever during the past few weeks, when the development of the missile, as now revealed, was an evident fact.

The Western proposals have called for the establishment of an international committee to study an inspection system which would make it possible to insure that all objects entering outer space would be used exclusively for peaceful purposes. It appears that Soviet development of missiles is not yet so far advanced that such a system could not be effectively established. However, instead of agreeing to this preliminary step, the Soviets have tried to scare the peoples of the world with boasts about their intercontinental missile.

Apparently the opportunities for constructive achievement in London are rapidly dwindling. Unless sincere negotiation is resumed, the time has come to transfer the case to a larger forum, the United Nations. There the United States should reoffer its proposals and reemphasize the reasoning behind them. We should expose the Soviet position, their refusal to make a beginning on inspection, and their oversimplification of the question of controlling nuclear weapons tests. There we can mobilize world opinion which is already strongly in favor of making a beginning toward the control of armaments. We could make another attempt to convince the Soviet Union of the folly of resuming the cold war and of the mutual advantages of ending the arms race in a safeguarded manner.

Even though the London talks may end in failure to obtain even a small first-step agreement on disarmament, we cannot afford to resign ourselves simply to a renewed arms race at the level of intercontinental missiles and antimissile missiles. Our present apparent failure may seem more discouraging than hitherto, because we recently came nearer to agreement than in any of the previous 12 years of negotiating. We must remember that under the best of conditions the establishment of an arms control system will require many years.

Moreover, Mr. President, we should not forget that there have been several advances made at London which represent distinct steps forward. For example, we have reached agreement with our allies on both the general approach to and on specific proposals for disarmament. We can now move with a greater strength of unity in this field than we have previously enjoyed. I hope we will use that strength to convince the Soviet Union that the entire world will have real security only when there are safe controls over all weapons of terror, including the new weapons of which they are boasting.

Mr. President, in concluding my remarks, I would like to ask unanimous consent for the inclusion at this point in the RECORD of the following material: The text of the Western disarmament proposals made public yesterday as printed in the New York Times this morning; an editorial entitled "Cold War: New Chapter," which appeared in this morning's Washington Post; an article by Stewart Alsop in the same paper entitled "Reds Zoom Ahead in Missile Race"; and an article in the same paper by Chalmers M. Roberts entitled "Reaction to Soviet Arms Stand."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times of August 30, 1957]

TEXTS OF THE WEST'S DISARMAMENT PROPOSALS AND A STATEMENT ISSUED BY UNITED STATES

(WASHINGTON, August 29.—Following are the texts of the United States-British-French-Canadian disarmament proposals, under the title "Working Paper—Proposals for Partial Measures of Disarmament," and of a statement by the United States Government expressing hope that the Soviet Union will accept the plan, as made public here today.)

WORKING PAPER

I. The limitation and reduction of armed forces and armaments

A. Within 1 year from the entry into force of the convention, the following states will restrict or reduce their armed forces respectively to the maximum limits indicated below: France, 750,000; United Kingdom, 750,000; Soviet Union, 2½ million; United States 2½ million.

The definition of the armed forces will be annexed to the convention.

B. During this same period, these states will place in storage depots, within their own territories, and under the supervision of an international control organization, specific quantities of designated types of armaments to be agreed upon and set forth in lists annexed to the convention.

C. The relation of other states to the convention, including the agreed levels of their armed forces, will be determined later.

D. The states listed in paragraph I–A will be prepared to negotiate on a further limitation of their armed forces and armaments upon condition that:

1. Compliance with the provisions of the convention has been verified to their satisfaction.
2. There has been progress toward the solution of political issues.
3. Other essential states have become parties to the convention and have accepted levels for their armed forces and armaments, fixed in relation to the limits set out in paragraphs A and B above.

E. Upon the conditions cited above, negotiations could be undertaken by France, the Soviet Union, the United Kingdom, and the United States on a further limitation of their armed forces, which would involve agreed reductions for the United States and the Soviet Union to not less than 2,100,000 men each. The levels of other essential states would be specified at the same time through negotiations with them.

F. Thereafter, and subject to the same conditions, negotiations could be undertaken on further limitations to not less than 1,700,000 men each for the United States and the Soviet Union. The levels of other essential states would be specified at the same time through negotiations with them.

G. Upon the conditions cited in paragraph D above, these states will also be prepared to negotiate on further limitations of armaments. The calculation of any such armament limitations will be in agreed relation to the armed forces determined in paragraphs E and F, above, and will be completed prior to the application of the further limitations in armed forces. The parties must be satisfied before such further limitations of armaments are undertaken and at all times thereafter that the armaments at the disposal of any party to the convention do not exceed the quantities thus allowed in each category.

H. No measures for the reduction and limitation of armed forces and armaments beyond those provided for in paragraphs A and B, above, will be put into effect until the system of control is appropriately expanded and is able to verify such measures.

II. Military expenditures

In order to assist in verifying compliance with the provisions of paragraph I, and looking forward to the reductions of military expenditures, France, the Soviet Union, the United Kingdom, and the United States agree to make available to the international control organization information about their military budgets and expenditures for the year preceding entry of the convention into force and for each year thereafter. The categories of information to be supplied will be agreed in advance and annexed to the convention.

III. Nuclear weapons

Each party assumes an obligation not to use nuclear weapons if an armed attack has not placed the party in a situation of individual or collective self-defense.

IV. The control of fissionable material

A. The parties to the convention further undertake:

1. That all future production of fissionable materials will be used at home or abroad, under international supervision, exclusively for nonweapons purposes, including stockpiling, beginning 1 month after the international board of control described in paragraph VIII has certified that the installation of an effective inspection system to verify the commitment has been completed.
2. That they will cooperate in the prompt installation and in the maintenance of such an inspection system.
3. That for the purpose of accomplishing the above undertakings, the five governments represented on the [United Nations Disarmament] subcommittee will appoint a group of technical experts to meet as soon as possible to design the required inspection system, and to submit a progress report for their approval within the first 10 months after the entry into force of the convention.

B. The parties which are producers of fissionable material for weapons purposes at the time of cessation of production for weapons purposes undertake to provide, under international supervision, for equitable transfers, in successive increments, of fissionable material for previous production to nonweapons purposes, at home or abroad, including stockpiling; and, in this connection:

1. To fix the specific rates of quantities of fissionable materials of comparable analysis to be transferred by each of them, and
2. To commence such transfers at agreed dates and in agreed quantities at the fixed ratios following the cutoff date for production of fissionable materials for weapons purposes.

C. From the date of the cessation of production of fissionable material for weapons purposes provided in paragraph IV, A–1:

1. Each party undertakes not to transfer out of its control any nuclear weapons, or to accept transfer to it of such weapons, except where, under arrangements between transferor and transferee, their use will be in conformity with paragraph III.
2. Each party undertakes not otherwise to transfer out of its control any fissionable material or to accept transfer to it of such material, except for nonweapons purposes.

V. Nuclear weapons testing

A. All parties to the convention undertake to refrain from conducting nuclear test explosions for a period of 12 months from the date of entry into force of the convention, provided that agreement has been reached on the installation and maintenance of the necessary controls, including inspection posts with scientific instruments, located within the territories of the Soviet Union, the United Kingdom, the United States, the area of the Pacific Ocean, and at such other places as may be necessary, with the consent of the governments concerned.

B. A group of technical experts appointed by the five governments represented on the subcommittee will meet as soon as possible to design the inspection system to verify the suspension of testing.

C. Upon termination of the 12 months period, the parties will be free to conduct tests unless they have agreed to continue the suspension for a further period under effective international inspection.

D. If the inspection system referred to in paragraph V, A is operating to the satisfaction of each party concerned and if progress satisfactory to each party concerned is being achieved in the preparation of an inspection system for the cessation of the production of fissionable material for weapons purposes agreed to under paragraph IV, A-1 above, all parties to the convention undertake to refrain from conducting nuclear test explosions for a further period of 12 months. Such an extension will be made only with the understanding that testing may, at the discretion of each party, be conducted 24 months after the entry into force of the convention if the inspection system for the cessation of production for weapons purposes has not been installed to the satisfaction of each party concerned before the end of the 24 months and if the cessation of production for weapons purposes has not been put into effect.

E. If tests are resumed, each party undertakes to announce and register in advance the dates of each series and the range of total energy to be released therein; to provide for limited observation of them; and to limit the amount of radioactive material to be released into the atmosphere.

VI. The control of objects entering outer space

All parties to the convention agree that within 3 months after the entry into effect of the convention they will cooperate in the establishment of a technical committee to study the design of an inspection system which would make it possible to assure that the sending of objects through outer space will be exclusively for peaceful and scientific purposes.

VII. Safeguards against the possibility of surprise attack

A. From the entry into force of the convention the parties concerned will cooperate in the establishment and maintenance of systems of inspection to safeguard against the possibility of surprise attack.

B. The establishment of such systems will be subject to agreement on the details of its installation, maintenance and operation. It is proposed as a matter of urgency that a working group of experts appointed by the five governments represented on the subcommittee be set up at once to examine the technical problems and to report their conclusions, which could form the basis for an annex to the agreement.

C. With regard to inspection in the Western Hemisphere and in the Soviet Union, the Governments of Canada, France, the United Kingdom and the United States propose the following:

1. That all the territory of the continental United States, all Alaska including the Aleutian Islands, all the territory of Canada and all the territory of the Soviet Union will be open to inspection.

2. If the Government of the Soviet Union rejects this broad proposal, to which is related the proposal for inspection in Europe, referred to in paragraph D below, the Governments of Canada, France, the United Kingdom and the United States (with the consent of the Governments of Denmark and Norway) propose that:

All the territory north of the Arctic Circle of the Soviet Union, Canada, the United States (Alaska), Denmark (Greenland) and Norway; all the territory of Canada, the United States and the Soviet Union west of 140 degrees west longitude, east of 160 degrees east longitude and north of 50 degrees north latitude; all the remainder of Alaska; all the remainder of the Kamchatka Peninsula, and all of the Aleutian and Kurile Islands will be open to inspection.

D. With regard to inspection in Europe, provided there is commitment on the part of the Soviet Union to one of the two foregoing proposals, the Governments of Canada, France, the United Kingdom and the United States, with the concurrence in principle of their European allies and in continuing consultation with them, subject to the indispensable consent of the countries concerned and to any mutually agreed exceptions, propose that an area including all of Europe, bounded in the south by latitude 40 degrees north and in the west by 10 degrees west longitude and in the east by 60 degrees east longitude will be open to inspection.

E. If the Government of the Soviet Union rejects this broad proposal, then, under the same proviso expressed above, a more limited zone of inspection in Europe could be discussed but only on the understanding that this would include a significant part of the territory of the Soviet Union, as well as the other countries of Eastern Europe.

F. The system of inspection to guard against surprise attack will include in all cases aerial inspection, with ground observation posts at principal ports, railway junctions, main highways and important airfields, etc., as agreed. There would also, as agreed, be mobile ground teams with specifically defined authority.

G. Ground posts may be established by agreement at points in the territories of the states concerned without being restricted to the limits of the zone described in paragraphs C 1 and 2, but the areas open to ground inspection will not be less than the areas of aerial inspection. The mobility of ground inspection would be specifically defined in the agreement with, in all cases, the concurrence of the countries directly concerned. There would also be all necessary means of communication.

H. Within 3 months of the entry into force of the convention, the parties will provide to the board of control inventories of their fixed military installations, and numbers and locations of their military forces and designated armaments, including the means of delivering nuclear weapons armaments, including the means of delivering nuclear weapons located within an agreed inspection zone or zones, and within such additional area or areas as may be agreed.

I. Any initial system of inspection designed to safeguard against the possibility of surprise attack may be extended by agreement of all concerned to the end that ultimately the system will deal with the danger of surprise attack from anywhere.

VIII. The International Control Organization

A. All the obligations contained in the convention will be conditional upon the continued operation of an effective international control and inspection system to verify compliance with its terms by all parties.

B. All the control and inspection services described in the convention and those which may be created in the course of its implementation will be within the framework of an international control organization established under the aegis of the Security Council, which will include, as its executive organ, a board of control in which the affirmative vote of the representatives of the governments represented on the subcommittee and of such other parties as may be agreed will be required for important decisions.

C. All parties to the convention undertake to make available information freely and currently to the board of control to assist it in verifying compliance with the obligations of the convention and in categories which will be set forth in an annex to it.

D. The functions of the international control organization will be expanded by agreement between the parties concerned as the measures provided for in the convention are progressively applied.

E. Other matters relating to the organization will be defined in annexes to the convention. These matters will include the duties which the organization is to carry out, the method by which it shall function, its composition, its relationship to the General Assembly and the Security Council of the United Nations, its voting procedures, its working conditions, jurisdiction, immunities and prerogatives.

IX. Movement of armaments

In addition to other rights and responsibilities, the board of control will have authority to study a system for regulating the export and import of designated armaments.

X. Suspension of the convention

A. Each party will have the right to suspend its obligations, partially or completely, by written notice to the international control organization, in the event of an important violation by another party, or other action by any state which so prejudices the security of the notifying party as to require partial or complete suspension.

B. At its option a party may give advance notice of intention to suspend its obligations, in order to afford opportunity for correction of the violations or prejudicial action.

XI

This working paper is offered for negotiation on the understanding that its provisions are inseparable. Failure to fulfill any of the provisions of the convention would create a situation calling for examination at the request of any party.

UNITED STATES STATEMENT

The proposal which Canada, France, the United Kingdom and the United States laid before the London Disarmament Subcommittee today is a practical, workable plan for a start on world disarmament.

While it was formally advanced by these four nations as members of the subcommittee, it bears also the approval of Italy, Belgium, Luxembourg, Iceland, The Netherlands, West Germany, Norway, Denmark, Greece, and Turkey.

In addition, continuous consultation was carried out with numerous other nations in order that their views might be incorporated in the proposals to the maximum possible extent. And special consideration was given to the proposals submitted by other governments to the United Nations and sent to the subcommittee by the General Assembly.

The proposal now awaits the acceptance of the Soviet Union.

With ratification of the agreement, followed by honest observance, this plan would:

1. Stop all nuclear bomb testing.
2. Bring a halt in production of nuclear bomb materials.
3. Start a reduction in nuclear bomb stockpiles.
4. Reduce the dangers of surprise attack through warning systems.
5. Start reductions in armed forces and armaments.

The Western Allies themselves have accomplished a major task in forging the plan. It involves major concessions by every one of them.

The Western Allies earnestly hope the Soviet Union will give full consideration to this far-reaching proposal. Soviet acceptance will enable a start to be made toward removing the terrible dangers of nuclear war that hang over the whole world.

[From the Washington Post of Friday, August 30, 1957]

Cold War: New Chapter

Plainly the Soviet Union has decided upon a speedup of the cold war, and the most sinister aspect is in the attempt to isolate the United States from its Free World friends and allies. The timing of the announcement of the Russian intercontinental missile (which the United States Government had known about for perhaps 2 months), the virtual turndown almost immediately afterward of the Western plan on disarmament, the Russian machinations in Syria, the stiffened attitude against concessions in the satellites—all of these factors point to the same conclusion.

It is a plausible inference that Mr. Khrushchev has been experiencing so much trouble in consolidating his power at home that he must make a show of strength abroad. The harder Soviet line thus can be a combination of diversion from internal difficulties and appeasement of the more rigid factions, notably the army, that hold a mortgage on Mr. Khrushchev. Perhaps the change also stems from a psychological compulsion to assert Soviet equality or superiority. Many visitors to Moscow report that the Russians suffer from an almost morbid fear that they may be considered weak or backward. The Soviet muscle-flexing with the ICBM may in part be a sort of offset to the occasional unfortunate braggadocio by American military men about how Russia could be pulverized by weapons from this country or overseas bases.

The Western position at the arms-control talks in London probably had little or nothing to do with this change. The Soviet delegate, Mr. Zorin, has accused the West and particularly the United States of trying to make propaganda out of the talks—which is precisely what the Soviet Union has been doing. Seemingly the Russians have concluded that there is almost no chance of agreement at London even on suspension of nuclear weapons tests, and hence they are not even listening to Western proposals. Modifications in these proposals have come late, but they have gone a long way toward meeting Soviet objections. The Russians, however, evidently expect at least a temporary breakdown. They may, indeed, have intended their ICBM announcement to improve their bargaining position at future meetings.

None of this is an indication that Russia is bent on war. On the contrary, Mr. Khrushchev and Marshal Zhukov appear to have comprehended the awful possibility of mutual nuclear annihilation. What they seem to have decided is that for the moment there would be no gain in accommodation with the West. They have set out vigorously to take advantage of Western weaknesses and to pursue their objectives through intimidation, indirect aggression, and other means short of all-out war.

This sort of wedge driving always holds a danger for the West, and no doubt Russia hopes that her possession of the ICBM will sap the confidence of other countries in alliances with the United States. On this point there is some ground for satisfaction in the progress of missile defense and the availability of intermediate-range missiles. As Marquis Childs relates today, the United States has learned of not 1 but 6 Soviet long-range missile tests. Whether or not this information should have been made public earlier, the fact that it was obtained is significant. It testifies to the prowess of American intelligence, and it may well indicate further that the United States has perfected long-range radar that can detect the reentry of ballistic missiles into the earth's atmosphere. This, in company with the work on the antimissile missile, is very hopeful.

What must be avoided in the new stage of the cold war is any tendency toward isolationism in the American response. It is, of course, essential to produce an American intercontinental missile as soon as possible as part of the overall military deterrent. But the ICBM is essentially an isolationist weapon, and it ought not to be emphasized to the detriment of other missiles and rounded military capability. One immediate counter to the Soviet ICBM, for example, is the ability to fire intermediate-range missiles from the overseas bases which Russia condemns so loudly. There are two lessons here. One is that this country's alliances have become more, not less important. The other is that the confusion over service prerogatives in intermediate-range missile development and production ought to be ended forthwith.

The new Soviet cold war tactic will succeed only if we and our allies fail to move together. What is imperative is recognition that the Soviet Union is employing a combination of military, political, and economic techniques all over the world to achieve its ends. The West requires no less an integration of its own strategy, and wise use of economic and political power is just as necessary an element as additions to military power.

[From the Washington Post and Times Herald of August 30, 1957]

Reds Zoom Ahead in Missile Race

(By Stewart Alsop)

Is the Soviet model of an intercontinental ballistic missile truly operational? That is, is it a weapon capable of being used in war, rather than a mere prototype? And, if it is operational, is it sufficiently advanced for the Soviets to freeze on the model, as is their invariable custom when they are satisfied with a weapon, and proceed to mass-produce it?

Behind the bland mask of complacency which the Eisenhower administration has assumed for public purposes, these are the key questions which the Government's intelligence experts and policymakers are anxiously asking. They are quite genuinely life-and-death questions. They cannot be answered with assurance. Yet they tell a lot about the real meaning of the latest Soviet ICBM test.

For the first thing to understand about the Soviet test is that it was not something new or unexpected.

The American Government has been aware of Soviet progress throughout, though the administration has chosen to conceal it from the American people. The details of how the Government has known are of course properly secret. But certain obvious facts are public property—that radar is a line-of-sight instrument of theoretically unlimited range; and that ballistic missiles reach an altitude of hundreds of miles at the highest point in their trajectory, and are thus subject to radar detection at great range.

The Soviets' first prototype test of their ICBM was roughly comparable to the Air Force test of the American Atlas ICBM in April, with the difference that the Atlas test failed while the Soviet test succeeded. As this reporter pointed out in reporting the Soviet test: "There is a long, difficult road to travel between the first test firing of a prototype missile and the achievement of an operational weapons system."

How far have the Soviets now traveled along that road? Part of the answer, at least, is suggested by a comparison between the Soviet claims for their ICBM model and the known characteristics of Atlas, which is at the present stage in no sense a weapon for use in war, but a research test vehicle.

The Soviets claim their model is a "multistage ballistic rocket," whereas the Atlas model unsuccessfully fired last spring consisted only of the huge initial-stage rocket. The Soviet model is "intercontinental," and the "results obtained show that it is possible to direct rockets to any part of the world." The Atlas model fired last spring was designed to fly only about 3,000 miles. Finally, "the rocket landed in the target area," whereas the Atlas test prototype was not expected or designed to achieve any degree of accuracy.

The Soviet claims for their model are certainly vague, and designedly so. But in the past, Soviet claims have tended actually to understate Soviet achievements in the air-atomic field. Some experts, noting this fact, believe on the basis of the Soviet claims and other evidence, that the Soviets already have an operational weapon ready for mass production.

Others believe, or hope, that more tests must be made, and more time must elapse, before the Soviets can go into quantity production.

"I had thought they were about a year ahead of us," one expert has remarked, "but now it looks more like 2 years." Despite the official complacency, it is well to understand what it could mean if this estimate is correct. For suppose the Soviets achieve a fully operational ICBM system 2 years before this country achieves a comparable system.

They will then be able to threaten, not only American cities, but the system of Strategic Air Force bases, whose location is well known, with instant destruction. They could thus threaten to weaken decisively, or even eliminate entirely, the American retaliatory power which is the only real shield of the Free World. No one can predict whether in such circumstances the Soviets might actually launch a surprise attack. But it is not hard to predict that the Soviets would take every advantage of the obvious opportunity to blackmail the United States into accepting a super-Munich.

In these circumstances, it is simply incomprehensible that the Eisenhower administration has chosen to tell the American people not to worry, and that everything is going to be all right.

[From the Washington Post and Times Herald of August 30, 1957]

Policy Puzzle—Reaction to Soviet Arms Stand

(By Chalmers M. Roberts)

Official Washington's attitude toward the Kremlin's new turn to a tough line is one of puzzlement. The reaction is to batten the hatches. The local crystal balls are far too fuzzy to predict the outcome.

The simple and generally acknowledged fact is that, for whatever reasons, the Soviet Union has decided to break off what looked like serious negotiations on the limitation of armaments. On top of this the Soviets are indulging in muscle flexing—the claim of the first successful intercontinental ballistic missile test and the use of jet airlines to fly their delegates here for the United Nations meeting next month. The high degree of Soviet involvement in Syria fits the general tough pattern in foreign relations.

How far it will go is just as much a puzzle as why the switch was made. Some American officials are awaiting the Soviet reply to an American offer to sit down in October to discuss exchanges of students, among other matters. If the Soviets cut off the exchanges, things may really get rough, these officials figure.

And yet, try as they will, American officials can figure out no reason for any change in the basic calculation which they believe dominates Soviet policy: That the risk of all-out nuclear war is too dangerous to take and therefore the East-West political temperature must be kept reasonably low.

Some speculate that perhaps the Kremlin sees so much unilateral disarmament in the United States, under budget ceiling pressures, that it reasons it need not sacrifice anything.

But the most plausible thesis heard within the Government runs like this: When Nikita Khruschchev purged his Kremlin rivals at the end of June it was inevitable that he would adopt a stand-still policy, meaning no agreement with the West, no change in any satellite. This meant a breaking off of the London arms talks which is now taking place. The muscle flexing is an added item to show that Khrushchev can be just as tough with the West as any of his purged opponents, but without their risk of war.

The heart of this thesis is that Khrushchev is faced with a mass of domestic problems, some of them impinging on foreign policy. He is granting the demands of Marshal Georgi Zhukov and the military, whose support in the purge was vital if not decisive, that there be no military retreat in the satellites or no arms agreement which would weaken the Soviets in relation to the United States—a sort of Soviet version of the Radford-Strauss line in Washington.

Khrushchev's visits to Czechoslovakia and East Germany trumpeted the line of no changes in the satellites. We know now with reasonable certainty that Zhukov himself opposed Gomulkaism in Poland and long ago urged a show trial of the Poznan rioters, only to be overruled. Presumably, Zhukov recalled this at the time he sent the Red Army into Hungary—and perhaps at the time he struck a bargain with Khrushchev, if so he did, at the time of the Kremlin purge.

Probably, too, the now evident beginnings of a rehabilitation of Red Army officers slaughtered in Stalin's great purge is a payoff to the military, however dangerous it may be on Khrushchev personally to open up the Pandora's box of the crimes of the mid-1930's.

At home, Khrushchev appears far from secure and the Government line often sounds defensive. The purged Malenkov is assailed again and again, smeared with crimes of which he may be guiltless in order to destroy him as a potential rival since Khrushchev fears to kill him. And Khrushchev today is outpromising the relatively popular Malenkov (once the apostle of giving the Soviet consumer a break). And the Khrushchev promises will be hard to make good, American officials are convinced.

Since nobody here knows how far the turn of events will go the only response is to batten the hatches against Soviet propaganda barrages and the accompanying muscle flexing. The United States now assuredly will take a tougher position at the U. N. on the Hungarian issue next month than it might have while there was a chance of an arms agreement. Right now it is sounding out other nations on how many votes can be had for how tough a resolution condemnatory of the Soviet action in Hungary.

On disarmament it hurriedly put forward the long-delayed Western package. And President Eisenhower speaks of a Soviet rejection condemning humanity to an indefinite future of immeasurable danger.

Yet, as far as the eye can see, nothing has yet occurred to alter the basic East-West balance. It may be altered before long, however, by the ICBMs, by Soviet gains in the Middle East, by the encroaching Communist gains in Indonesia or by now unforeseen events in some other place.

The unanswered question today is how long Khrushchev & Co. will play the tougher line in foreign policy and whether they will risk heating up the cold war to a degree where it might explode.

GOVERNMENT EMPLOYEES

Mr. HUMPHREY. Mr. President, the Senate on Tuesday, August 27, quite properly demonstrated its appreciation for the loyal and faithful civil servants of our Government by overwhelmingly approving a badly needed and long-deserved upward pay adjustment for men and women in the classified service.

It is regrettable to note that this constructive action is already being written off as in vain, because of repeated hints that the President would veto the measure. I sincerely hope that is not so. I hope the President of the United States fully realizes the extent to which effective, efficient Government hinges upon the career people required to carry out its functions.

Before the President acts adversely on this pay raise measure for all Government employees, I hope he pauses to consider, in all fairness, the cooperation the Congress has given him in meeting his requests for additional top level positions in our Government, and increased compensation for such positions at the Presidential appointment level.

I also hope he will take into consideration the reduction in his budget requests by over $5 billion.

Requests of this administration for a greatly expanded number of top level positions, and increased compensation for these posts, have been granted by the Congress in deference to the President's judgment that such higher salaries were needed to attract the kind of people he wanted to serve in our Government.

I just want to comment, Mr. President, that the same reasoning certainly applies right down the line to the lowest-paid worker in our Government. If we want good, conscientious career employees at every level, we must be prepared to pay them decent wages. If we want to avoid the costly waste of excessive turnover and training of new help, we would be far better off to take proper care of the people who have served us faithfully.

Mr. President, at my request the Legislative Reference Service of the Library of Congress has compiled a record of the top level positions established since January 1953, and those whose compensation has been substantially increased since that date.

Mr. President, I ask unanimous consent that this study be printed at this point in the RECORD, and urge its careful review in connection with the decision the White House must soon make on fair play for the rest of our Government employees.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TOP LEVEL POSITIONS ESTABLISHED SINCE JANUARY 1953 AND THOSE WHOSE COMPENSATION HAS BEEN SUBSTANTIALLY INCREASED SINCE THAT DATE

(By Margaret Fennell, American Law Division)

PART I—POSITIONS ESTABLISHED

Department of Agriculture: Assistant Secretaries [1] (2 additional), $20,000,[2] Reorganization Plan No. 2 of 1953 (67 Stat 633, sec. 2).

Department of Agriculture: General Counsel,[1], $19,000, act of July 31, 1956 (70 Stat. 742, sec. 301, 739, sec. 106 (b) (9)).

Department of the Air Force: Assistant Secretaries,[1] (two additional), $20,000, act of August 3, 1954 (68 Stat. 649, sec. 3).

Department of the Army: Assistant Secretaries [1] (two additional), $20,000, act of August 3, 1954 (68 Stat. 649, sec. 1).

Budget Bureau: Assistant Directors, three (two provided for under act of July 31, 1953 (67 Stat. 299), plus 1 under joint resolution of August 1, 1956 (70 Stat. 887); $15,000, act of July 31, 1953 (67 Stat. 299), increased to $20,000, act of July 31, 1956 (70 Stat. 737, sec. 106 (a) (9)).

Central Intelligence Agency (under National Security Council): Deputy Director,[1] $14,000 (under former set-up by act of October 15, 1949, 63 Stat. 881, sec. 6), new position fixed at $20,500, act of July 31, 1956 (70 Stat. 737, sec. 105 (26)).

Department of Commerce: Assistant Secretary,[1] (one additional); $20,000, act of July 2, 1954 (68 Stat. 430, sec. 304).

Department of Commerce: Federal Highway Administrator in Bureau of Public Roads,[1] $20,000, act of August 3, 1956 (70 Stat. 990).

Department of Defense: Assistant Secretaries,[1] (six additional), $20,000, Reorganization Plan No. 6 of 1953 [2] (67 Stat. 638, sec. 3).

Department of Defense: General Counsel,[1] $15,000,[2] Reorganization Plan No. 6 of 1953 (67 Stat. 639, sec. 4), increased to $19,000, act of July 31, 1956 (70 Stat. 739, sec. 106 (a) (9)).

Office of Defense Mobilization: Director,[1] $22,500, Reorganization Plan No. 3 of 1953 [2] (67 Stat. 634, sec. 1 (b)).

Office of Defense Mobilization: Deputy Director,[1] $17,500, Reorganization Plan No. 3 of 1953 [2] (67 Stat. 634, sec. 1 (c)), increased to $20,500, act of July 31, 1956 (70 Stat. 737, sec. 105 (27)).

Export-Import Bank of Washington (as independent agency of United States): President,[1] $17,500, act of August 9, 1954 (68 Stat. 677), increased to $21,000, act of July 31, 1956 (70 Stat. 736, sec. 104 (a) (11)).

Export-Import Bank of Washington: First Vice President,[1] $16,000, act of August 9, 1954 (68 Stat. 677), increased to $20,500, act of July 31, 1956 (70 Stat. 737, sec. 105 (31)).

Foreign Claims Settlement Commission: $15,000, Chairman,[1] $15,000, Members [1] Reorganization Plan No. 1 of 1954 [2] (68 Stat. 1279), increased to $20,500, Chairman,[1] $20,000, Members,[1] act of July 31, 1956 (70 Stat. 737, sec. 105 (10), 738, sec. 106 (a) (45)).

Department of Health, Education, and Welfare: Secretary,[1] $22,500, Reorganization Plan No. 1 of 1953 [2] (67 Stat. 631), increased to $25,000, act of July 31, 1956 (70 Stat. 736, sec. 102 (10)).

Department of Health, Education, and Welfare: Under Secretary,[1] $17,500, Reorganization Plan No. 1 of 1953 [2] (67 Stat. 631), increased to $21,000, act of July 31, 1956 (70 Stat. 737, sec. 104 (a) (20)).

Department of Health, Education, and Welfare: Assistant Secretaries (two),[1] $15,000, Reorganization Plan No. 1 of 1953 [2] (67 Stat. 631), increased to $20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (14)).

Department of Health, Education, and Welfare: Special Assistant to the Secretary (Health and Medical Affairs),[1] $15,000, Reorganization Plan No. 1 of 1953 [2] (67 Stat. 631), increased to $20,000, act of July 31, 1956 (70 Stat. 138, sec. 106 (a) (41)).

Department of Health, Education, and Welfare: General Counsel,[1] $19,000, act of July 31, 1956 (70 Stat. 742, sec. 301 (a), 739, sec. 106 (b) (9)).

International Cooperation Administration: Six offices,[1] $16,000 (for 2), $15,000 (for 4), Reorganization Plan No. 7 of 1953,[2] section

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1 (d) (67 Stat. 640), increased to $19,000 (for all 6), act of July 31, 1956 (70 Stat. 740, sec. 111).

Post Office Department: Assistant Postmaster General (additional),[1] $15,000, act of July 20, 1953 (67 Stat. 183), increased to $20,000, act of July 31, 1956 (70 Stat. 737, sec. 106 (a) (10)).

Post Office Department: General Counsel,[1] $19,000, act of July 31, 1956 (70 Stat. 742, sec. 301 (a), 739, sec. 106 (b) (9)).

Saint Lawrence Seaway Development Corporation: $17,500, Administrator,[1] $16,000, Deputy Administrator,[1] act of May 13, 1954 (68 Stat. 93, sec. 2 (a) (b)), increased to $20,000, Administrator,[1] $17,500, Deputy Administrator,[1] act of July 31, 1956 (70 Stat. 737, sec. 106 (a), (6), 739, sec. 107 (a) (19)).

Small Business Administration: Administrator,[1] $17,500, act of July 30, 1953 (67 Stat. 233, sec. 204 (c)), increased to $20,000, act of July 31, 1956 (70 Stat. 737, sec. 106 (a) (5)).

State Department: Deputy Under Secretaries of State (three),[1] $15,000, act of August 5, 1955 (69 Stat. 536), increased to $20,500, act of July 31, 1956 (70 Stat. 737, sec. 105 (29)).

Treasury Department: Under Secretary of the Treasury for Monetary Affairs,[1] $17,500, act of July 22, 1954 (68 Stat. 496), increased to $21,000, act of July 31, 1956 (70 Stat. 736, sec. 104 (a) (13)).

Treasury Department: Assistant Secretary (additional),[1] $15,000, act of July 22, 1954 (68 Stat. 496, sec. 4), increased to $20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (18)).

United States Information Agency: $17,500, Director,[1] $16,000, Deputy Director,[1] Reorganization Plan No. 8 of 1953 [2] (67 Stat. 642), increased to $21,000, Director,[1] $20,500, Deputy Director,[1] act of July 31, 1956 (70 Stat. 736, sec. 104 (a) (9), 737, sec. 105 (28)).

PART II—POSITIONS WHOSE COMPENSATION HAS BEEN SUBSTANTIALLY INCREASED SINCE JANUARY 1953 (OTHER THAN POSITIONS ESTABLISHED SINCE JANUARY 1953, WHICH APPEAR IN PART I)

Changes have been made in the compensation provided for the following positions:

Vice President of the United States from $30,000 (under 1949 act) to $35,000 (in 1955).

Speaker of the House of Representatives from $30,000 (1949) to $35,000 (1955).

Senators and Representatives from $12,500 (plus $2,500 expense allowance) under 1946 act) to $22,500 (1955).

United States Supreme Court: Chief Justice from $25,500 (1946) to $35,500 (1955), Associate Justices from $25,000 (1946) to $35,000 (1955).

Executive Departments: Heads from $22,500 (1949) to $25,000 (1956), Under Secretaries, Deputy Secretaries, and Assistant Secretaries from salaries ranging from $15,000 to $20,000 (1949) to $20,000 to $22,500 (in 1956).

Department of Agriculture: Rural Electrification Administrator,[1] $15,000, act of October 15, 1949 [1] (63 Stat. 881, sec. 5 (a)), increased to $20,000, act of July 31, 1956 (70 Stat. 737, sec. 106 (a) (4)).

Architect of the Capitol: $15,000, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to $19,000, act of July 31, 1956 (70 Stat. 739, sec. 106 (b) (1)).

Atomic Energy Commission: Chairman of the Military Liaison Committee,[1] $15,000, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to $20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (23)).

Budget Bureau: Director, $17,500, act of October 15, 1949 (63 Stat. 880, sec. 3), increased to $22,500, act of July 31, 1956 (70 Stat. 736, sec. 103 (a) (1)).

Budget Bureau: Deputy Director (formerly Assistant Director), $16,000, act of October 15, 1949 (63 Stat. 880, sec. 4), increased to $20,500, act of July 31, 1956 (70 Stat. 105 (25)).

Central Intelligence Agency: Director,[1] $16,000, act of October 15, 1949 (63 Stat. 880, sec. 4), increased to $21,000, act of July 31, 1956 (70 Stat. 736, sec. 104 (a) (2)).

Civil Aeronautics Administrator [1] (in Department of Commerce), $15,000, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to $20,000, act of July 31, 1956 (70 Stat. 737, sec. 102 (a) (2)).

Civil Aeronautics Board: $15,000, Chairman; [1] $15,000, members,[1] act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to $20,500, Chairman; [1] $20,000, members,[1] act of July 31, 1956 (70 Stat. 737, sec. 105 (1), 738, sec. 106 (45)).

Civil Service Commission: $16,000, Chairman; [1] $15,000, members,[1] act of October 15, 1949 (63 Stat. 880, sec. 4, 881, sec. 5 (a)), increased to $20,500, Chairman; [1] $20,000, members,[1] act of July 31, 1956 (70 Stat. 737, sec. 105 (2), 738, sec. 106 (a) (45)).

Department of Commerce: General Counsel,[1] $15,000, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to $19,000, act of July 31, 1956 (70 Stat. 739, sec. 106 (b) (9)).

Comptroller General of the United States [1] (in G. A. O.): $17,500, Comptroller, $16,000, Assistant Comptroller, act of October 15, 1949 (63 Stat. 880, secs. 3, 4), increased to $22,500, Comptroller, $20,500, Assistant Comptroller, act of July 31, 1956 (70 Stat. 736, sec. 103 (a) (2), 737, sec. 105 (22)).

Comptroller of the Currency [1] (Treasury Department): $16,000, act of October 15, 1949 (63 Stat. 880, sec. 4), increased to $20,500, act of July 31, 1956 (70 Stat. 737, sec. 105 (4)).

Export-Import Bank of Washington: Board of Directors [1] (3 appointive members): $15,000, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to $20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (45)).

Federal Civil Defense: $17,500, Administrator,[1] $16,000, Deputy Administrator,[1] act of January 12, 1951 (64 Stat. 1247, sec. 101), increased to $21,000, Administrator, $20,500, Deputy Administrator,[1] act of July 31, 1956 (70 Stat. 736, sec. 104 (a) (4), 737, sec. 105 (23)).

Federal Communications Commission: $15,000, Chairman,[1] $15,000, members,[1] act of October 15, 1949 (63 Stat. 880, sec. 5 (a)), increased to $20,500, Chairman,[1] $20,000, members,[1] act of July 31, 1956 (70 Stat. 737, sec. 105 (4), 738, sec. 106 (a) (45)).

Federal Deposit Insurance Corporation: Board of Directors, $16,000, Chairman,[1] $16,000, members,[1] act of October 15, 1949 (63 Stat. 880, sec. 4), increased to $20,500, Chairman,[1] $20,000, members,[1] act of July 31, 1956 (70 Stat. 737, sec. 105 (5), 738, sec. 106 (a) (45)).

Federal Home Loan Bank Board: $15,000, Chairman,[1] $15,000, members,[1] act of August 10, 1948 (62 Stat. 1283, sec. 501 (a)), increased to $20,500, Chairman,[1] $20,000, members,[1] act of July 31, 1956 (70 Stat. 737, sec. 105 (11), 738, sec. 106 (a) (45)).

Federal Mediation and Conciliation Service: Director,[1] $16,000, act of October 15, 1949 (63 Stat. 880, sec. 4), increased to $20,500, act of July 31, 1956 (70 Stat. 737, sec. 105 (30)).

Federal Power Commission: $15,000, Chairman,[1] $15,000, members,[1] act of October 15, 1949 (63 Stat. 880, sec. 5 (a)), increased to $20,500, Chairman,[1] $20,000, members,[1] act of July 31, 1956 (70 Stat. 737, sec. 105 (7), 738, sec. 106 (a) (45)).

Federal Reserve System, Board of Governors: $16,000, Chairman,[1] $16,000, members,[1] act of October 15, 1949 (63 Stat. 880, sec. 4), increased to $20,500, Chairman,[1] $20,000, members,[1] act of July 31, 1956 (70 Stat. 737, sec. 105 (8), 738, sec. 106 (a) (45)).

Federal Trade Commission: $15,000, Chairman,[1] $15,000, members,[1] act of October 15, 1949 (63 Stat. 880, sec. 5 (a)), increased to $20,500, Chairman,[1] $20,000, members,[1] act of July 31, 1956 (70 Stat. 737, sec. 105 (9), 738, sec. 106 (a) (45)).

General Services Administrator: [1] $17,500, act of October 15, 1949 (63 Stat. 880, sec. 3), increased to $21,000, act of July 31, 1956 (70 Stat. 736, sec. 104 (a) (5)).

Housing: Administrator of Housing and Home Finance Agency,[1] $17,500, act of October 15, 1949 (63 Stat. 880, sec. 3), increased to $21,000, act of July 31, 1956 (70 Stat. 736, sec. 104 (a) (6)).

Housing: Commissioner, Federal Housing Administration,[1] $15,000, act of August 10, 1948 (62 Stat. 1283, sec. 501 (a)), increased to $20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (25)).

Housing: Commissioner, Public Housing Administration,[1] $15,000, act of August 10, 1948 (62 Stat. 1283, sec. 501 (a)), increased to $20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (26)).

Interstate Commerce Commission: $15,000, Chairman,[1] $15,000, Members,[1] act of October 15, 1949 (63 Stat. 880, sec. 5 (a)), increased to $20,500, Chairman,[1] $20,000, Members,[1] act of July 31, 1956 (70 Stat. 737, sec. 105 (12), 738, sec. 106 (a) (45)).

Department of Labor: Administrator of the Wage and Hour and Public Contracts Division,[1] $15,000, act of October 26, 1949 (63 Stat. 911, sec. 4), increased to $20,000, act of July 31, 1956 (70 Stat. 737, sec. 106 (a) (7)).

Librarian of Congress: [1] $15,000, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to $20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (38)).

Department of Justice: Assistant Attorneys General,[1] $15,000, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to $20,000, act of March 2, 1955 (69 Stat. 10, sec. 3 (c)).

Department of Justice: Deputy Attorney General [1] (formerly Assistant to the Attorney General), $17,500, act of October 15, 1949 (63 Stat. 880, sec. 3), increased to $21,000, act of March 2, 1955 (69 Stat. 10, sec. 3 (a)).

Department of Justice: Solicitor General,[1] $17,500, act of October 15, 1949 (63 Stat. 880, sec. 3), increased to $20,500, act of March 2, 1955 (69 Stat. 10, sec. 3 (b)).

National Labor Relations Board: $15,000, Chairman,[1] $15,000, members,[1] act of October 15, 1949 (63 Stat. 880, sec. 5 (a)), increased to $20,500, Chairman,[1] $20,000, members,[1] act of July 31, 1956 (70 Stat. 737, sec. 105 (13, 738, sec. 106 (a) (45)).

National Labor Relations Board: General Counsel,[1] $15,000, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to $20,500, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (37)).

National Mediation Board (Railroads): $15,000, Chairman,[1] $15,000, members,[1] act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to $20,500, Chairman,[1] $20,000, members,[1] act of July 31, 1956 (70 Stat. 737, sec. 105 (a) (14), 738, sec. 106 (a) (45)).

National Science Foundation: Director,[1] $15,000, act of May 10, 1950 (64 Stat. 151, sec. 5), increased to $20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (34)).

Post Office Department: Assistant Postmasters General (four),[1] $15,000, Reorganization Plan No. 3 of 1949 [2] (63 Stat. 1066, sec. 3), increased to $20,000, act of July 31, 1956 (70 Stat. 737, sec. 106 (a) (10)).

Public Printer: [1] $15,000, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to $20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (40)).

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Railroad Retirement Board: $15,000, Chairman,[1] $15,000, members,[1] act of October 15, 1949 (63 Stat. 881, sec. 5 (a), increased to $20,500, Chairman,[1] $20,000, members,[1] act of July 31, 1956 (70 Stat. 737, sec. 105 (15), 738, sec. 106 (a) (45)).

Renegotiation Board: $17,500, Chairman,[1] $15,000, members,[1] act of March 23, 1951 (65 Stat. 19, sec. 107), increased to $20,500, Chairman,[1] $20,000, members,[1] act of July 31, 1956 (70 Stat. 737, sec. 105 (16), 738, sec. 106 (a) (45)).

Rural Electrification Administrator. See Department of Agriculture.

Securities and Exchange Commission: $15,000, Chairman,[1] $15,000, members,[1] act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to $20,500, Chairman,[1] $20,000, members,[1] act of July 31, 1956 (70 Stat. 737, sec. 105 (17), 738, sec. 106 (a) (45)).

Selective Service Director: [1] $14,000, act of October 15, 1949 (63 Stat. 881, sec. 6 (a)), increased to $20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (35)).

Solicitor General. See Department of Justice.

State Department: Assistant Secretaries (10),[1] $15,000, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to $20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (17)).

State Department: Counselor,[1] $15,000, act of August 5, 1955 (69 Stat. 536), increased to $20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (28)).

State Department: Legal adviser,[1] $15,000, act of August 5, 1955 (69 Stat. 536), increased to $20,000, act of July 31, 1956 (70 Stat. 738, sec. 106 (a) (17)).

Subversive Activities Control Board: $15,000, Chairman,[1] $15,000, members,[1] act of July 12, 1952 (66 Stat. 590), increased to $20,500, Chairman,[1] $20,000, members,[1] act of July 31, 1956 (70 Stat. 737, sec. 105 (18), 739, sec. 106 (a) (45)).

Tariff Commission: $15,000, Chairman,[1] $15,000, members,[1] act of October 15, 1949 (63 Stat. 880, sec. 5 (a)), increased to $20,500, Chairman,[1] $20,000, members,[1] act of July 31, 1956 (70 Stat. 737, sec. 105 (20), 739, sec. 106 (a) (45)).

Tax Court of the United States [1] (formerly Board of Tax Appeals): $15,000, act of August 16, 1954 (68A Stat. 879, sec. 7443), increased to $22,500, act of March 2, 1955 (69 Stat. 10, sec. 1 (h)).

Tennessee Valley Authority: Board of Directors,[1] $15,000, Chairman, $15,000, members, act of October 15, 1949 (63 Stat. 881, sec. 5 (a)), increased to $20,500, Chairman, $20,000, members, act of July 31, 1956 (70 Stat. 737, sec. 105 (19), 739, sec. 106 (a) (45)).

Administrator of Veterans' Affairs: [1] $17,500, act of October 15, 1949 (63 Stat. 880, sec. 3), increased to $21,000, act of July 31, 1956 (70 Stat. 736, sec. 104 (a) (17)). [Provision now included in act of June 17, 1957 (71 Stat. 91, sec. 210 (a))].

Mr. HUMPHREY. Mr. President, I should like to have the President of the United States be as generous with the civil-service workers of our Government as he has been with the top Cabinet and executive officers of the Government. Despite all the boasts of the administration as to its business like attitude toward the Government, and the "great savings" it has made for the American people—and I put the words "great savings" in quotation marks—it will be noted that the Library of Congress in a very factual and objective study has brought to our attention that there are literally dozens of assistant secretaries and administrators and bureau chiefs and deputy secretaries and deputy assistant secretaries, and what have you, who have been added to the Federal payroll. In fact, I have in my hand several pages of the report of the number of new executive officials who have been added to the executive branch of the Government.

One of the great accomplishments of the Eisenhower administration has been the increase of the public payroll, particularly in the higher levels of appointment. I hope the President, in reviewing the statement—or a member of his White House staff, perhaps—will exercise the same generosity with respect to the civil servants that has been exercised for the palace guard.

CLAIMS FOR SURPLUS FEED GRAINS AGAINST COMMODITY CREDIT CORPORATION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar 1064, H. R. 2486.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 2486) to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Agriculture and Forestry with an amendment on page 2, line 7, after the word "than", to strike out "12 months from the date the purchase order was issued to the farmer" and insert "1 month from the expiration date of the purchase order issued to the farmer."

Mr. JOHNSON of Texas. Mr. President, the bill now before the Senate, H. R. 2486, is similar to a bill I introduced in the Senate earlier this year. This legislation is designed to bring relief to ranchers and feed dealers who in carrying out the emergency drought feed program in 1954, 1955, and 1956, found it necessary for deliveries of feed to be made outside of the then legal delivery periods.

In order to prevent hardship on the very people who the emergency drought feed law was intended to benefit, it is necessary that the actual delivery dates, made without any intention of violating the law, be legalized. The House passed the bill extending the time period for 12 months. The Senate Agriculture Committee reported the bill with an amendment restricting the additional period to 1 month from the expiration date of purchase orders.

The Department of Agriculture and the people concerned in the several States have furnished concrete evidence that a 1-month extension period will not take care of all of the cases of delivery outside the proper time periods. I have discussed this matter with the senior Senator from Delaware [Mr. WILLIAMS] and he has indicated a willingness to amend the bill to extend the period to 6 months.

Even this extension may not cover all of the cases. In extending the delivery period for 6 months, it is not our intention to foreclose further legislative action by the Congress.

The very able Senator from Delaware has assured me that if this does not cover the cases, he is willing to sit down and go over the matter in an attempt to evolve a fair and equitable solution. Those of us who know the Senator from Delaware fully understand that that would be done.

The late deliveries involved in this program resulted from a lack of storage facilities on the part of the farmers. The feed dealers accommodated the farmers by keeping their feed until such time as they were able to use it. In some cases, this period of time extended on into many months.

I believe it would be wise for Congress to act now in extending the delivery time period for 6 months, while at the same time making it clear that we do not wish the Department of Agriculture to demand refunds in the delivery cases not covered by this legislation.

I urge the Senate to accept the amendment that I now offer and approve the bill so that the House can act upon it at the earliest possible moment.

I send the amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 8, it is proposed to strike out "1 month" and insert in lieu thereof "6 months."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended.

The amendment as amended was agreed to.

Mr. ALLOTT. I did not object to the amendment. However, I wish to make a short statement with respect to it. The bill before us is the same bill which was introduced by me and referred to the Committee on Agriculture and Forestry. I wish to repeat and emphasize what the majority leader has said. It is a very critical situation with which we are confronted. The period of 6 months is a necessity if we are going to get any action. Only 15 percent of these accounts have been audited, and they must have the same action if the people involved are to get any relief.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

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Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the junior Senator from California.

The motion to lay on the table was agreed to.

CONTRIBUTIONS BY STATE GOVERNMENTS TO COST OF FEED OR SEED FURNISHED FARMERS, ETC.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 1077, S. 304.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (S. 304) to provide for a specific contribution by State governments to the cost of feed or seed furnished to farmers, ranchers, or stockmen in disaster areas, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. WILLIAMS. Mr. President, the bill would condition Federal feed and seed disaster relief in any State upon contribution by the State of between 25 and 50 percent of that part of the cost of the feed and seed not paid for by the recipients. Such State participation should result in more economical operation, better use of funds, and more equitable distribution of assistance. The bill would carry out the President's recommendations of March 5 for keeping administration of these programs close to the local people and for greater State and local participation.

The President in his 1957 message to Congress endorsed this legislation.

The Committee on Appropriations of the House in its report on the urgent deficiency appropriation bill on February 1, 1957, likewise endorsed this proposal.

The Secretary of Agriculture, in a letter dated August 23, 1957, urges the prompt enactment of this bill, not only in the interest of economy, but states that "the Department of Agriculture feels strongly that participation by the States in the cost of drought relief is necessary if sound management of the assistance program is to be obtained."

The American Farm Bureau has likewise endorsed the principal of State participation as embodied in S. 304.

As a part of my remarks, I ask unanimous consent to have incorporated in the Record a letter dated August 23, 1957, signed by Secretary Benson, and a second letter under the same date signed by Mr. Matt Triggs, assistant legislative director of the American Farm Bureau, both urging the enactment of S. 304.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Department of Agriculture,
Washington, D. C., August 23, 1957.
Hon. John J. Williams,
United States Senate.

Dear Senator Williams: This is in reply to your request of August 22 for our comments on S. 304, a bill to provide for a specific contribution by State governments to the cost of feed or seed furnished to farmers, ranchers, or stockmen in disaster areas, and for other purposes.

The bill proposes that no feed for livestock or seed for planting shall be furnished to farmers, ranchers, or stockmen under existing disaster relief legislation unless, in addition to administrative costs that may be assumed by the State, the State agrees to contribute not less than 25 percent or more than 50 percent, as the Secretary of Agriculture shall determine to be equitable, of the cost of such feed or seed which is not paid by the recipient thereof.

On the basis of its experience with the administration of drought-relief programs the Department of Agriculture feels strongly that participation by the States in the cost of drought relief is necessary if sound management of the assistance program is to be obtained. The President, in his message to Congress on March 5, 1957, called to the attention of the Congress two general conclusions:

"The first is that administration of emergency disaster programs must be kept close to the local people;

"The second is that State and local governments should assume a greater part in alleviating human distress and hardships and in meeting other local needs in times of disaster, calling on the Federal Government only to supplement their own resources."

The Committee on Appropriations of the House, in its report on the urgent deficiency appropriation bill, 1957, on February 1, 1957 (Rept. No. 24) stated:

"At the time this emergency program was adopted by Congress, it was intended that the States would participate substantially in a financial way. It appears, however, that amounts advanced by States to date have been very small—hardly enough to cover the cost of handling their contributions. The committee feels that steps should be taken to correct this situation. Accordingly, it recommends that, as soon as present contracts have been honored, the Secretary require that the governor or appropriate authority in each State participating in the program should commit the State to assume at least 25 percent of the cost."

State participation in the operation and management of a feed-assistance program at the State and local level would result in more economical operation, better use of funds, and more equitable distribution of assistance.

The Department endorsed the enactment of such legislation in its letter of March 5 to the President of the Senate and its letter of March 15 to the chairman of the Senate Committee on Agriculture and Forestry.

We recommend passage of the bill.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,
E. T. Benson, *Secretary.*

American Farm Bureau Federation,
Washington D. C., August 23, 1957.
Hon. John J. Williams,
United States Senate,
Washington, D. C.

Dear Senator Williams: S. 304, to provide for a specific contribution by State governments to the costs of feed or seed furnished to farmers in disaster areas, has been reported to the Senate by the Senate Agriculture Committee.

This letter is to urge you to use your influence in getting the principles of this bill passed by the Senate this session if at all possible.

Droughts, floods, and other disasters occur in some areas each year. The national policy that emergency assistance should be provided in extreme cases has been well established.

At our last annual meeting consideration was given to the policy issues raised by this program. The delegates representing the member State farm bureaus were strong in their belief that there was need to improve the administration of this program by the development of permanent, uniform procedures. More specifically, the view was expressed that administration of the program would be improved and abuses minimized if the responsible participation of State governments was obtained by providing for some degree of financial contribution by the States toward the cost of such emergency assistance.

Very sincerely,
Matt Triggs,
Assistant Legislative Director.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding any other provision of law, no feed for livestock or seed for planting shall be furnished to farmers, ranchers, or stockmen pursuant to Public Law 875, 81st Congress (42 U. S. C. 1955 and the following); Public Law 115, 83d Congress, 1st session; Public Law 357, 83d Congress, 2d session; Public Law 480, 83d Congress, 2d session; or pursuant to any other law as a disaster relief measure, unless, in addition to such administrative costs as may be assumed by the State, the State in which such feed or seed is furnished agrees to contribute such percentage, not less than 25 nor more than 50, as the Secretary of Agriculture shall determine to be equitable of that part of the cost, including transportation, of such feed or seed which is not paid for by the recipients thereof.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. WILLIAMS. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Delaware.

The motion to lay on the table was agreed to.

AMENDMENT OF CIVIL AERONAUTICS ACT OF 1938

Mr. JOHNSON of Texas. Mr. President, I wish to announce that I shall ask to make a bill the unfinished business, but that I do not propose to take any action on it at this session of Congress.

I have discussed the matter a number of times with the very able and very thorough Senator from Ohio [Mr. Lausche], a distinguished member of the Committee on Interstate and Foreign Commerce.

Great demand has been made on the leadership to schedule the bill for consideration.

In view of the far-reaching implications involved, and in view of the very logical and persuasive statements made by the Senator from Ohio, I believe the bill will require more discussion than we are able to give to it and also adjourn sine die today.

Therefore, I shall make it the unfinished business, but no action will be taken on it until we come back next January.

Mr. LAUSCHE. I subscribe fully to the suggestion made by the distinguished Senator from Texas. This bill deals with allowing commercial airline companies to retain capital gains without having them credited to their subsidies. The Civil Aeronautics Board is now conducting an investigation pertaining to the very subject about which this bill contemplates action, and the study being made by the Civil Aeronautics Board will provide information for the Senate to be used next January that will make much simpler a disposition of the bill. I am glad to hear that the Senator from Texas is making it the first order of business for January, at which time we shall discuss it.

Mr. JOHNSON of Texas. I thank the Senator. I move that the Senate proceed to consider Calendar Order No. 1178, H. R. 5822. I would like the staff to inform the Senator from Illinois [Mr. Douglas] that I shall move to take the bill up, so as to make it the unfinished business, but it will not be considered until January.

The PRESIDING OFFICER. The clerk will state the bill by title.

The Legislative Clerk. A bill (H. R. 5822) to amend section 406 (b) of the Civil Aeronautics Act of 1938 with respect to the reinvestment by air carriers of the proceeds from the sale or other disposition of certain operating property and equipment.

The PRESIDING OFFICER. The question is on the motion of the Senator from Texas.

The motion was agreed to.

WILLIAM G. LIAS

Mr. WILLIAMS. Mr. President, I ask unanimous consent to have printed in the body of the Record a brief address I have prepared.

There being no objection, the address was ordered to be printed in the Record, as follows:

On October 17, 1951, I called to the attention of the Senate the fact that Mr. William G. Lias, a racketeer in West Virginia, owed the Government over $2 million in taxes, having been delinquent for a number of years and yet as of that date the Treasury Department had not even filed liens against his property.

During the years while his tax obligation was accumulating Mr. Lias had been allowed by the Treasury Department to give away to his family sizable portions of his assets and the Treasury Department had recognized the validity of these gifts by acceptance of his payments of gift tax.

They even went so far as to approve some of these gifts on a retroactive basis by allowing him to file and pay retroactively gift tax on assets which had been transferred to members of his family in prior years, during which years his delinquent taxes were accumulating.

This case of how the Treasury Department had been pussyfooting in the handling of the tax claim against this racketeer is fully documented in the Congressional Record, volume 97, part 10, pages 13325–13330.

It was only after this statement that the Treasury Department filed liens on that portion of his property which had not been given away, and action was started through the courts to recover payment. The first step was to place Mr. Lias' assets under a receivership.

On May 10, 1956, I criticized the situation wherein Mr. Lias was being allowed $35,000 a year by the court-appointed receivers to operate his own receivership, and I called attention to the fact that as an assistant to help Mr. Lias the courts had approved the employment of another notorious tax evader, Mr. George Lewis. (Congressional Record, vol. 102, pt. 6, pp. 7902–7903.) Mr. Lias was removed from this lucrative position.

In view of the fact that this case is at last approaching a conclusion, I requested a report from the Department of Justice as to the amount they had thus far collected from Mr. Lias toward payment of his tax liability, and under date of August 7, 1957, I received their report.

This report will be incorporated in the Record in its entirety; however, I quote from pages 5 and 6 thereof which sums up the results:

"On July 11, 1957, the District Director at Parkersburg. W. Va., received $1,566,073.46 to apply on the judgment against Lias. The District Director also received $5,677.57, representing the entire net assets of Zellers, to apply on the judgment against it. In addition, on the same date, the District Director received additional interest on the tax claims against Automatic which, together with prior payments on account, resulted in payments of principal, assessed interest and accrued interest of $216,388.23. Thus, the Government has thus far collected in back taxes from these sources a total of $1,788,139.26. It is estimated that there is sufficient cash on hand to pay approximately $54,000 more which, together with $18,043.44 collected from Mrs. Lias in satisfaction of deficiencies assessed against her, will make a grand total of back taxes collected of approximately $1,860,182.70."

* * * * *

"In addition to the collection of back taxes as set forth above, current taxes have been paid to the United States from inception of the receiverships up to April 30, 1956, in the amount of $2,878,248.91, and it is estimated that final figures will show that about $150,000 more will have been paid in current taxes for the period subsequent to that date."

In view of the dilatory manner in which the tax claim against this racketeer had been handled in earlier years I think the Department of Justice should be commended upon the progress they have made toward collecting the delinquent account from this individual. Also, I am glad to note in the letter that they are not waiving the unpaid balance but are still able to list several possible steps for future action.

In dealing with the average American citizen who, as the result of conditions beyond his control, becomes delinquent in taxes it is expected that the Federal Government should display reasonableness in working out arrangements; however, in dealing with racketeers and members of the underworld there should be no compromise. There is no excuse for the Federal Government's displaying any leniency whatever to this element and certainly they should not be permitted to continue their illegal operations while being carried on the books of the Federal Treasury as tax delinquents.

As one who criticized the laxity of the departments in the early stages of this case I am glad to submit this report along with words of commendation for the results achieved after public attention was focused on this case.

I attach at this point the complete report of the Department of Justice.

United States
Department of Justice,
Office of the Deputy
Attorney General,
Washington, D. C., August 7, 1957.

Hon. John J. Williams,
United States Senate,
Washington, D. C.

Dear Senator Williams: This is with reference to your letter of July 15, 1957, to the Commissioner of Internal Revenue in which you requested that the Commissioner furnish you with a complete report as to the settlement of the Government's tax claim against William G. Lias. As you have been previously advised, the Commissioner, on July 17, 1957, referred your letter to this Department in view of the fact that this Department has been in charge of the litigation concerning Lias' tax liability.

While your letter requests a report as to the settlement of the Government's tax claim against Lias, it is assumed that what you desire is a report on the progress of the litigation, and on the steps taken to satisfy Lias' tax indebtedness. There has been no settlement or compromise of any part of the liability which the Government has asserted against Lias. The litigation has not been finally concluded as yet but the following is a summary of its more important aspects up to the present time.

You will recall that some years ago William G. Lias was indicted for evading his Federal income taxes for the years 1942 to 1945, inclusive, but a trial held before District Judge Harry E. Watkins, northern district of West Virginia, resulted in a jury verdict of acquittal on July 2, 1949. The Commissioner then asserted additional civil tax liability against Lias for the years 1942 to 1947, inclusive, as well as against Automatic Cigarette Sales Corp. (Automatic) and Zellers Steak House Inc. (Zellers), corporations in which it was believed that Lias had an interest. Lias, Automatic, and Zellers petitioned the Tax Court of the United States for a redetermination of the proposed deficiencies.

On October 18, 1951, the Commissioner made jeopardy assessments against Lias and the two corporations. On December 2, 1951, in order to prevent possible dissipation of the property out of which the asserted deficiencies, if sustained by the courts, would be satisfied, the Government brought a proceeding before Judge Watkins for (a) foreclosure of the tax liens, (b) appointment of receivers for Lias and the two taxpayer corporations, and (c) appointment of receivers for several corporations which owed no taxes but in which it was believed Lias owned an interest. The latter corporations were Laconia, Inc., Wheeling Downs Racing Association, and Wheeling Downs, Inc. In a decision reported (103 F. Supp. 341), Judge Watkins, on February 22, 1952, approved appointment of receivers for Lias and the various corporations. On appeal, the decision was affirmed by the fourth circuit in a per curiam opinion reported (196 F. 2d 90).

It was immediately determined that one of Lias' principal assets was his interest in Wheeling Downs, Inc., a corporation which owned a racetrack located on an island in the Ohio River near Wheeling, W. Va., and leased it to Wheeling Downs Racing Association to conduct horseraces. His other known assets consisted of stock in the various corporations named above. The receiver for Wheeling Downs Racing Association recognized that the litigation would in all probability not be concluded for some time, and if the track were to be prevented from deteriorating to a small fraction of its value and if the valuable racing dates allocated to it by the West Virginia Racing Commission were to be preserved, it would be necessary for him to operate the track. Accordingly, the receiver petitioned Judge Watkins for permission to hold a racing meet in the summer of 1952. Unable to find an experienced manager to operate the track, the receiver petitioned the court for permission to engage Lias as general manager. Among the reasons given to the court by the receiver for the necessity of hiring Lias were (a) he was well qualified to run a track, having done so successfully since 1945; (b) by experience he was particularly qualified to cope with the special problems of this track (the most serious of which is flooding); (c) he had a competent organization which, because employment at a racetrack is of a seasonal nature, is usually difficult to obtain; and (d) it was not believed feasible to hire another competent manager (particularly after the season had commenced) since the necessity of obtaining the court's permission prior to each meet precluded hiring any such person except upon a meet-to-meet basis.

By order dated July 18, 1952, Judge Watkins approved the meet and the hiring of Lias as general manager, his compensation being left entirely to the discretion of the court. Subsequent meets, with Lias as general manager, have been approved from time to time by Judge Watkins who has, at all times, found the continued employment of Lias as general manager to be in the best interests of the receivership.

In 1953, the question of Lias' compensation was presented to the court, and in an opinion reported (113 F. Supp. 502), Judge Watkins approved compensation of $35,000 for the first year, subject, however, to further consideration of a claim by the United States Government that it had a lien upon all compensation paid to Lias. A reading of that opinion will amply demonstrate the reasoning of Judge Watkins in approving operation of the track and in setting Lias' compensation. The following excerpts from that opinion indicate the court's attitude (pp. 502–503):

"The receiver reported to the court that the prior manager of the track, William G. Lias, had refused to serve as manager of the track for the scheduled spring meeting beginning in April 1952, and that without the services of Lias, he did not believe he could profitably operate the track. The April 1952 meet was canceled.

"Later Lias changed his attitude and agreed to serve as manager of the track under the receiver. He asked to be employed at the same yearly compensation which he had received for the year ending April 30, 1951, prior to the receivership when he was paid $60,000 for his services. He was employed as manager of the track with the understanding that he would be allowed such compensation as the court deemed fair and reasonable. * * *

"He has served as general manager of the racetrack since July 18, 1952. Two racing meets were thereafter held in 1952, one in the summer and another in the fall. A total of $16,930,270 was handled during these 2 meets. The races were attended by 288,587 persons. The State of West Virginia received over $700,000 from the 2 meets. Over $500,000 was realized in profits to the receivership before deduction of current Federal income taxes and compensation to the receiver and general manager. The meets were the most successful, both in attendance and in profits, in the history of the track. A third meet was held in May 1953. Although handicapped by rain and competition from a nearby track, profits of $119,000 were realized, before payment of Federal income taxes and compensation to the receiver and general manager."

* * * * *

"There is evidence to the effect that the general manager of another racetrack received $60,000 per year and the manager of another track is paid $75,000 per year. This type of employment is highly skilled and technical.

"The receiver has stated that he is doubtful whether he could have successfully operated the track without the services of Lias and his experienced staff of assistants. * * *

"It is my opinion that the sum of $35,000 should now be allowed to William G. Lias as payment on account for his services, up to and including April 30, 1953."

At a later date the question of a possible lien of the United States upon Lias' salary (left open in the above opinion) was presented to the court, and an order was entered that the $35,000 allowed to him by the court should be distributed as follows: $15,000 to the Director of Internal Revenue to apply on Lias' current taxes; $10,000 to be paid to Lias' personal receiver to apply on the taxes alleged to be due for past years; and the remaining $10,000 to be paid to Lias. This arrangement whereby all but $10,000 of the $35,000 salary is set aside for the benefit of the United States was continued from year to year until 1956 when racing operations were suspended. The receiver has held the stock of the corporation and Lias has not received any dividends during the receivership.

At a hearing before the Tax Court, which consumed nearly a month and the transcript of which covered approximately 7,150 pages, the deficiencies asserted by the Commission against Lias personally were sustained. The decision is reported in volume 24, Tax Court Reports, page 280, and on appeal by Lias the fourth circuit affirmed. (See 235 F. 2d 879 (August 3, 1955).) Lias then petitioned the Supreme Court of the United States for a writ of certiorari which was denied on April 22, 1957. (See 353 U. S. 935.) Zellers' tax liability was determined by stipulation before the Tax Court. The deficiency asserted against Automatic was sustained by the Tax Court in a decision not officially reported (docket No. 26151, decided January 26, 1955), and that decision was affirmed by the fourth circuit in an opinion reported in volume 234, Federal Reporter, second series, at page 825; certiorari was denied by the Supreme Court on December 17, 1956. (See 352 U. S. 951.) As a result of the above-described litigation, deficiencies were determined as follows: Lias, $2,487,543.87; Automatic, $176,466.42; and Zellers, $37,543.53. The deficiency against Lias included tax, penalties (including the 50-percent fraud penalty), and assessed interest; no penalties were assessed against Automatic or Zellers.

After the court of appeals affirmed the Tax Court's decision in Lias' personal tax case, Judge Watkins, by order dated November 30, 1956, ordered the track closed and practically all employees, including Lias, discharged. On December 1, 1956, the track employees, except for an accountant and 4 watchmen, were discharged, and on December 3, 1956, the track was closed. On the receiver's recommendation, Judge Watkins, by order dated December 30, 1956, directed that the 1957 30-day spring meet not be held.

After denial on April 22, 1957, of Lias' petition for certiorari in his personal tax case, the Government on May 1, 1957, petitioned the district court to enforce its liens and for an order of sale of the track. By order dated May 13, 1957, Judge Watkins gave judgment for the Government against Lias in the amount set out above and held that its liens were prior, valid, and subsisting against all of his properties. By order of the same date, the track was directed to be sold at public sale for cash on June 12, 1957, after advertisement as fixed and determined by the court.

The sale was advertised once a week for 4 successive weeks in the Wheeling Intelligencer and the Wheeling News-Register. In addition, advertisements were inserted for 3 successive weeks in the Wall Street Journal, the Morning Telegraph, and the Daily Racing Form, and public notices were posted in accordance with State law.

The conduct of the sale, the events leading up to confirmation of the Hazel Park Racing Association, Inc., as purchaser of the track for $1,780,000, and the reasoning of the court in the premises are fully set forth in the opinion of Judge Watkins of July 9, 1957, a copy of which is annexed.

On July 11, 1957, the district director at Parkersburg, W. Va., received $1,566,073.46 to apply on the judgment against Lias. The district director also received $5,677.57, representing the entire net assets of Zellers, to apply on the judgment against it. In addition, on the same date, the district director received additional interest on the tax claims against Automatic which, together with prior payments on account, resulted in payments of principal, assessed interest and accrued interest of $216,388.23. Thus, the Government has thus far collected in back taxes from these sources a total of $1,788,139.26. It is estimated that there is sufficient cash on hand to pay approximately $54,000 more which, together with $18,043.44 collected from Mrs. Lias in satisfaction of deficiencies assessed against her, will make a grand total of back taxes collected of approximately $1,860,182.70.

The funds applied to the judgment against Lias arose principally from the collection of accounts and notes receivable for which Lias' receiver asserted claims against Wheeling Downs, Inc., and from Lias' stock interest in that corporation and in Wheeling Downs Racing Association and Laconia, Inc. Lias' interest in each of these corporations had been determined by the district court by order dated March 8, 1954, pursuant to stipulation of the parties, to be approximately 60 percent, which is substantially the same basis as that upon which the assessments had originally been made. These corporations, as well as Automatic and Zellers, have all been liquidated.

In addition to the collection of back taxes as set forth above, current taxes have been paid to the United States from inception of the receiverships up to April 30, 1956, in the amount of $2,878,248.91, and it is estimated that final figures will show that about $150,000 more will have been paid in current taxes for the period subsequent to that date. The receiverships have also benefited the State of West Virginia and the city of Wheeling, the former having collected $3,716,874.96 in current taxes and the latter $112,403.59 for the period.

A few matters still remain outstanding before this phase of the Lias tax matters can be finally concluded. The Tananbaum group (described in the annexed opinion of Judge Watkins) has indicated that it will not appeal the court's refusal to entertain an additional upset bid on behalf of Yonkers but there are several minor matters such as a claim for an additional receiver's commission which will be decided next fall.

As appears from the foregoing, even after application of all available assets to Lias' tax liability, there still remains a substantial unsatisfied indebtedness. The Internal Revenue Service has conducted exhaustive investigations in an effort to locate additional assets. Two bank accounts containing about $17,000 have been located in Canada, and there are some indications that they may belong to Lias. Mrs. Lias, however, claims that the accounts belong to her, and it is expected that the question of ownership will be determined by the court next fall. In any event, the uncollected portion of the deficiencies against Lias have now been reduced to judgment and any other assets of his which the Internal Revenue Service may discover during the life of the judgment can be applied against it.

If the foregoing summary is not sufficient for your purposes or if you have any questions on any particular phase of the various receiverships, we shall be glad to furnish more details on request.

Sincerely,

William P. Rogers,
Deputy Attorney General.

POPULATION GROWTH AND RECLAMATION

Mr. WATKINS. Mr. President, the August 9, 1957, issue of U. S. News & World Report features an article entitled

"Where Will United States Put 60 Million More People?" This is a most provocative article and I commend it to your reading and serious consideration. It focuses attention on many problems associated with our booming population, estimated to total 227 million in 1975.

We think of Munich and the beginning of World War II as only yesterday. May I remind you that this date, so clearly stamped in the memory of each of us, was only 18 years ago. The date 1975 is only 18 years in the future. Many in this illustrious body will be dealing with the problems of 1975 and as they cast shadows on the problems of the year 2000.

Let me give you a few brief highlights as taken from the article in U. S. News & World Report. The farm population which now stands at 22 million will decline to about 15 million. This means that only 7 percent of our population will be providing the food and fiber needs for the other 93 percent. Today approximately 13 percent of our population lives on the farm. The major portion of the population gain will be in the suburban areas surrounding the large cities. In general, the shift of population will be westward. Almost 18 million of the increase will be in the 11 States west of the Rockies; another 15 million will be added to the Southern States; 14 million in the Midwest and 13 million in the East.

Percentagewise Nevada will increase by about 96 percent; Arizona will be second with an increase of almost 94 percent, and California third with a net increase of 91 percent. Numerically California will add the greatest number of inhabitants; its increase will exceed 12 million. New York will increase more than 4½ million; Texas almost 3½ million; Michigan and Ohio will add more than 3 million each; Illinois more than 2½ million and Pennsylvania almost 2½ million. In all, 21 States will increase from about 1 million to 12 million each. The remaining States will increase in varying numbers up to almost 1 million each.

The article points out that direction in the flow of population will be influenced by climate and by the availability of water. While we can do little, if anything, about climate, we should recognize now the tremendous impact of the potential population gains upon water needs. Other problems emphasized in this article are the future needs for schools, streets, sewer, and highway construction. The number of students in elementary and high schools is estimated to increase from 38 million to 56 million, resulting in a need for 600,000 additional classrooms. Residential and industrial construction should develop in proportion to other requirements.

Only a few decades ago we used approximately 95 gallons of water per person per day. Today this rate of use has increased to 145 gallons per day. We may well expect the average use to reach 200 gallons per day when we consider the rate at which we build homes with two or more bathrooms, install air conditioners, garbage disposals, automatic washing machines and other equipment which uses water at greater and greater amounts.

The article concludes with a rather complacent statement that while we can expect 60 million more mouths to feed in 1975 and while we are losing about 1 million acres of farmland each year to housing, industrial development, highways, airports and other uses, that the past record of the American farmers would indicate that future needs can be met relatively easily. The 7 percent of our population which will be residing on farms will need to produce at least one-third more milk, 40 percent more truck garden crops, 50 percent more beef and 40 percent more pork. These future needs should raise the red flag of alarm to each of us, particularly when we know that the land available for crop production has changed but little in the last 4 decades. The amount of new land brought into production is being offset by losses to highways, airports, industrial expansion and urbanization. For reasons of easy construction the highway and other expansions take place in the level areas, the land best suited to agriculture. We cannot long continue this practice if we are to meet our needs in 1975.

I am told that in 1920 we had about 5.6 acres of equivalent cropland for each inhabitant. This measurement assumes a productive value below cropland for grazing areas in open pasture and woodland pasture. Today we have the equivalent of 3.7 acres of cropland available for each person. In 1975 based on the forecast of the Department of Agriculture of the amount of land available for crop and pasture we will have only 2.7 acres. As I view the situation we will be hard pressed by 1975 to meet the needs of our booming population. The figures and conditions which I have recited are related to a population of about 227 million in 1975. As we look back on earlier population forecasts we find they have consistently been conservative. The Bureau of the Census forecast in 1946, for example, based on assumptions of medium mortality, medium fertility and no net immigration between 1945 and 2000 indicated the population in 1955 to be just under 150 million. We passed that mark 5 years earlier. That same forecast showed for 1975 a population of 162.3 million. We have long since passed that mark. This 1946 forecast also showed the population in year 2000 to be 163.3 million. We have already exceeded that estimate by 8 million. The point I wish to make is that the present estimate and the conditions related in U. S. News & World Report, also may be conservative. Assuming that the article gives a fair appraisal of what we may expect in 1975, may I suggest that we focus our attention on the period following 1975. The year 2000 is only 43 years away. Should we plan to meet the conditions of the immediate future or should we look ahead to the days of our children and grandchildren? Our present rate of population gains seems to indicate a total population in the United States in year 2000 of three hundred million or more inhabitants. That figure is approximately double our population of 1950.

Even if we tried we would be unable to visualize the many changes that are inherent in our Nation's growth. However, I believe the article in the U. S. News & World Report is correct in the appraisal that our population growth will be influenced by climate and availability of water. Water, or rather the lack of it, has been a continuing problem in the arid West. The eastern seaboard area is now feeling the effects of drought. Pastures are dry and the farmers must either feed or sell their livestock. Everyone concerned with the production, processing and handling of the products of the farm will be affected. In recent years irrigation, a necessity in the arid West, is being resorted to each year on more and more farms in the eastern humid areas to provide moisture during periods of deficient rainfall in order to stabilize production at a high level. I am reminded of a statement made by Assistant Secretary of Agriculture Ervin L. Peterson about 2 years ago regarding the significance of adequate moisture for crop production in the East.

Mr. Peterson stated:

> As the use of improved seed, as increased amounts of fertilizer are applied, as better growing practices are applied, the need for water goes up. For example, reports indicate that at Blacksburg, Va., rainfall during the past 56 years has been adequate to produce 25 bushels of corn per acre every year except 2. This same rainfall would have been adequate to produce 75 bushels per acre only about half of those years. Yet as a result of application of known methods of farming to growing corn, 75 bushels per acre is a potential production figure at Blacksburg if water is available. This example repeats itself in some form throughout the country. Thus water supply and not fertilizer or lack of knowledge is an important limiting factor to any significant increase in food production which will ultimately be required by a growing nation.

Also, as the eastern population zooms to new heights water will become a greater and greater problem for municipal and industrial needs. Water-resource developments started today in the East, and in the West offer a means of meeting our needs tomorrow.

I was heartened by a statement a few days ago by our distinguished majority leader, Senator JOHNSON of Texas, that he has brought together the Bureau of Reclamation and the Corps of Engineers in a water-resource-development program for the State of Texas. Not only am I pleased that these two great organizations will be working hand in hand in meeting the problems of drought and flood in the great State of Texas, but also that my distinguished colleague has stated so clearly the need for a water-resource program for attaining full economic development of his State. May I add that such is the case in my State, Utah, and in every State of the Union as well. This you have heard me say many times.

Fully recognizing the need for water-resource developments in Texas and elsewhere I cannot refrain from calling attention to an item of paramount importance. With each proposal for a water-resource development that includes irrigation the hue and cry go up that the project will add to our overflowing granaries—that the Congress in approving a project will be spending money to produce crops and more money to buy them. This argument of reclamation and the crop surplus was answered in a straightforward factual analysis by one of the economists of the Bureau of Reclamation in a paper presented at the annual convention of the Western Farm Economics Association, Las Cruces, N. Mex., July 15, 1957.

The paper referred to emphasizes that the production from reclamation projects is largely forage and feed grains and specialty food crops. Four principal commodities—corn, wheat, cotton, and tobacco, which comprise 87 percent of all commodities under loan and inventory by the Commodity Credit Corporation, are analyzed. Tobacco is not grown on reclamation projects; corn and wheat production aggregates less than four-tenths of 1 percent and 2 percent, respectively, of the United States production. It is shown that where dry-land wheat areas are put in irrigation the acreage actually planted to wheat is less, resulting in fewer actual bushels of wheat from each 100 acres. With respect to cotton the paper shows production on reclamation projects to be only about 6 percent of United States production. This crop is moving westward because of high yields and efficiency of production. Altogether about three-fourths of the irrigated acreage in reclamation projects produce forage and grain crops that are fed locally. Another and equally important aspect of the production from irrigated lands of the West, including reclamation projects, is the large contribution to our supply of fruits, vegetables, nuts, and specialty crops. It is shown that the irrigated West produces, for example, virtually all of our apricots, almonds, walnuts, filberts, dates, lemons, figs, prunes, mustard, olives, and garlic and a major portion of a long list of other vegetables and fruits which we enjoy during the winter months when large areas of our country lie dormant. Not only do these water resource projects render a great service to our standard of living and everyday enjoyment but they have essentially no effect on the farm surplus.

May I suggest also that the development or extension of a basic resource creates new opportunities. In the West two or more families are provided with the means of livelihood in the service trades and industries in the nearby towns for each farming opportunity created. Furthermore, the water developed initially for agriculture remains permanently available for future industrial and municipal uses. Thus water resource developments will help to fill the impending void in many segments of our economy. Again I recommend for your thoughtful consideration the feature article in the August 9, 1957, issue of U. S. News & World Report and the paper presented at the Western Farm Economics Association meeting regarding Federal reclamation and the crop surplus problem.

APPOINTMENTS IN THE AIR FORCE

Mrs. SMITH of Maine. Mr. President, I had intended to deliver a full-scale speech on a matter I consider to be of importance to expose misrepresentations compounded by subsequent misrepresentations. The truth is too sacred to be permitted to be dealt with loosely.

Because the adjournment is coming sooner than the heretofore set Saturday date, and apparently will come within a few hours and because I do not wish to delay unduly the adjournment time, instead of taking the time of the Senate to make my speech, I ask unanimous consent that my statement be placed in the body of the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

In the controversy over the Air Force Reserve general nominations, I felt that the matter had been completed and closed when the Committee on Armed Services withheld approval of 2 nominees and reported out favorably 9 nominees. I had no desire to prolong the controversy as there are important matters to be attended in the rush of these closing days.

But a member of the committee who opposed me in this matter took the position that I had an obligation to make my statement to the committee public and have it printed. I complied with his feeling and desire and so inserted my statement in the Congressional Record. Compliance with his feeling apparently has caused embarrassment to Lieutenant General O'Donnell, who issued a statement to the press. He is reported by the press to have stated that he did not seek to change "one iota" of his basic testimony. I now place his statement in the Record:

"STATEMENT BY GENERAL O'DONNELL RELATIVE TO SENATOR MARGARET CHASE SMITH'S STATEMENT IN THE CONGRESSIONAL RECORD

"Senator Smith has made a very serious charge against me—that of giving extensive false testimony and of making repeated misrepresentations before the Senate Armed Forces Committee. The implication is that I deliberately falsified my testimony with the intent to deceive the committee. This allegation and its attendant implications are wrong.

"In my capacity as Deputy Chief of Staff, Personnel, on the Air Staff of the United States Air Force, it is my duty and responsibility to give testimony to the Armed Forces Committee of the Senate in support of nominations of this kind. It is not within my province to select individuals for nomination to general officer rank or to any other rank. This is accomplished by action of a selection board composed of general officers. The Air Force applauded the selections of the board and forwarded them to the President with approval of the Chief of Staff, the Secretary of the Air Force, and the Secretary of Defense. The board at no time was under any pressure or compulsion to either include or exclude any individual by name for promotion, and arrived at its findings completely independently.

"The questioning of the committee covered not only the promotion list under consideration, but also the full gamut of Reserve affairs. When the committee sent me the verbatim transcript of the hearings with instructions to correct it, I did just that. (This, by the way, is customary procedure.)

"I had no prepared statement for the committee, because I could not anticipate the scope of the hearings. I gave opinions and answered questions to the best of my ability and knowledge at that time, with no intention ever of misrepresenting the facts or of giving false testimony. Much of the discussion centered upon opinions as to Air Force policy. I found myself in frequent disagreement with Senator Smith in this area.

"The real issue, it appears to me, is the criteria for promotion to general officer in the Reserve. Senator Smith puts great weight on current participation, longevity, and active-duty training. The Air Force agrees that these are important, but it puts greater weight upon past performance and future potential, with emphasis on the latter. Every officer on the list then under consideration had participated in Reserve activities to the extent required by law in order to be eligible for consideration for promotion. These selections, made upon a best qualified basis, included consideration not only of participation, but also of past performance and of future potential in the event of national emergency.

"Naturally, I do not relish being publicly and wrongly accused of untruthfulness, falsification, and misrepresentation by the distinguished Senator from Maine. I am at a loss to understand her action and am shocked at the harsh language of her assertion."

Mrs. Smith of Maine. Whether this statement of his is true or not I will leave to the judgment of the American people on the basis of the facts I shall subsequently reveal in the following analysis.

Before I deliver that analysis, I shall read portions of his statement and make comments.

STATEMENT BY GENERAL O'DONNELL

"Senator Smith has made a very serious charge against me—that of giving extensive false testimony and of making repeated misrepresentations before the Senate Armed Services Committee. The implication is that I deliberately falsified my testimony with the intent to deceive the committee. This allegation and its attendant implications are wrong."

MY COMMENT

This statement raises two questions. First, whether the testimony itself was false, and second, whether it was deliberately made false with intention to deceive. I merely stated that General O'Donnell gave false testimony with respect to certain nominations. There was no statement with respect to the reasons or intent as to why the testimony was not true.

The last sentence of the above statement may be considered true if both the allegation and the implications are considered, since of course there is no way of knowing the intent of the untrue statements. The last sentence is not true if it is confined only to the question of whether certain of the statements were in fact false.

STATEMENT BY GENERAL O'DONNELL

"The questioning of the committee covered not only the promotion list under consideration, but also the full gamut of Reserve affairs. When the committee sent me the verbatim transcript of the hearings with instructions to correct it, I did just that. (This, by the way, is customary procedure.)"

MY COMMENT

With regard to the question of whether the entire gamut of Reserve affairs was discussed, it could be said that there were no matters covered which should not have been within the knowledge of General O'Donnell. The fact that the overwhelming portion of the questions were based on information already furnished by the Air Force is later pointed out.

The verbatim transcript was furnished informally to the Air Force for correction in the customary manner. The custom of the committee has always been to limit the changes to those of an editorial nature, such as punctuation and improvement of grammar, and also to permit the insertion of additional information. It has never been customary to permit complete changes in answers to be made by the witness in the transcript. Due to the serious changes made by General O'Donnell the hearing was printed verbatim in its original form with an Air Force letter of correction also added at the end of the hearing.

STATEMENT BY GENERAL O'DONNELL

"I had no prepared statement for the commitee, because I could not anticipate the scope of the hearings. I gave opinions and answered questions to the best of my ability and knowledge at that time, with no intention ever of misrepresenting the facts or of giving false testimony. Much of the discussion centered upon opinions as to Air Force policy. I found myself in frequent disagreement with Senator SMITH in this area."

MY COMMENT

The overwhelming portion of the questions was based on information already furnished to the committee by the Air Force prior to the hearing which was held May 2, 1957. On February 25, 1957, the committee received the nomination list together with the records of service on each officer. These records covered the history of all military service by date, location, promotion record, their pilot rating, and awards and decorations. (Contained in printed hearing, pages 1-16.)

On March 20, I requested the chairman to obtain additional detailed information relating to the number of points earned by the nominees. (This information was furnished by the Air Force on April 3, 1957, and is contained in the printed hearing, pages 18-25.)

In addition, the Air Force was given informally 31 questions relating to the entire gamut of Air Force Reserve matters, including details on the nominees. The answers to these questions were prepared by the Air Force and given to the committee and me a number of days prior to the hearing of May 2.

In view of all the advance information it cannot be said that there was any atempt to take General O'Donnell by surprise with respect to the questions raised during the hearing.

STATEMENT BY GENERAL O'DONNELL

"The real issue, it appears to me, is the criteria for promotion to general officer in the Reserve. Senator SMITH puts great weight on current participation, longevity, and active duty training. The Air Force agrees that these are important, but it puts greater weight upon past performance and future potential, with emphasis on the latter. Every officer on the list then under consideration had participated in Reserve activities to the extent required by law in order to be eligible for consideration for promotion. These selections, made upon a best-qualified basis, included consideration not only of participation, but also of past performance and of future potential in the event of national emergency."

MY COMMENT

The points raised in the statement were also discussed only generally in the hearing. It would be true to say that the Air Force has not furnished a precise list of the criteria and the relative weight given to each factor with respect to the basis for promotions to Reserve general. Since the Air Force states that no one attempted to influence the board and since the board gave no reasons for its selections it would be difficult to know just on what basis the board did select the officers who were nominated.

Mr. President, for over a decade I have fought the fight for reservists. No one in Congress has fought more for reservists than I have. No one has introduced more Reserve legislation than I have. And because I have fought for reservists I have incurred the enmity of some of the Regular brass in the Pentagon. I unhesitatingly accept that price of enmity.

In a world that has been, and continues to be, threatened with war, it has been my belief that the only way that Americans can maintain the necessary national defense without ultimately bankrupting the economy of our country, and thus permitting the Communists to take over without firing a shot, is through the maintenance of the largest possible and best trained Reserve.

The average well-trained reservist costs the American taxpayer only one-seventh to one-tenth what a Regular does. Yet, in past wars, over 90 percent of the fighting in defense of our country has been carried by the non-Regular citizen soldiers.

It is only common sense—taxpayers' dollars and cents common sense—to maintain the best possible Reserve for the defense of our country and for discouraging Communist Russia from attacking us. That is the core of the importance of the reservists to all Americans—and that is why I have been constantly fighting for reservists, for better Reserve programs, for more equitable treatment of reservists—to attract the best to the Reserve and to keep the best in the Reserve.

I have been amazed at the "couldn't care less" attitude of some key Regular generals who control such vital policies as those on personnel with respect to the Reserves. I have been shocked at their lack of knowledge about matters with which they have a serious responsibility—a lack of knowledge which clearly results from their "couldn't care less" attitude about the Reserve.

The most recent example of this was forcefully exhibited and displayed in the recent inquiry and hearings of the Senate Armed Services Committee on the nominations of 8 Air Force reservists for brigadier general rank in the Air Force Reserve and 3 Air Force reservists for major general in the Air Force Reserve.

Representatives of the Air Force at the hearings made serious misrepresentations about the Reserve and the nominations to the committee. They displayed a shocking lack of knowledge about the Reserve and the records of the nominees. Even in written answers and material furnished by the Air Force there are glaring inaccuracies and contradictions.

Retention in the Reserve, and promotion in the Reserve, is regulated according to the provisions of the Reserve Officer Personnel Act of 1954 and the 1955 amendments to that act. As the principal Senate sponsor of this legislation, I have a keen desire to see that the intent, as well as the letter, of this law is carried out and that the will of the Congress is not thwarted and nullified.

Inquiry into the Air Force Reserve general nominations and the hearing on those nominations exposed certain facts that raise serious question as to whether the Air Force is complying with the letter of the law. The most lenient observation that can be made of the Air Force record as exposed by the hearing is that the Air Force is skating on the thinnest of ice in the justifications of minimums that it gave in apology and defense of several of the nominations.

I think it is clear from the hearing record that the Air Force has not been complying with the intent of the law—for one of the very purposes of ROPA was to eliminate from the Reserve those reservists who were not active in the Reserve and who did not train to keep themselves proficient and of the best effectiveness if and when our country should be attacked. This is only honest realism—for we want and need a real Reserve instead of merely a paper Reserve in which we merely are kidding ourselves if the reservists on whom we depend are not trained and proficient.

It is sharply surprising to discover the striking inactivity record of several of the nominees since the end of World War II. Yet, instead of being removed from the Reserve because of such inactivity, lack of training and proficiency, several of these nominees of records of inactivity for many years are being rewarded with promotion to the ranks of 1- and 2-star generals. It appears that the ROPA law is being administered by the Air Force in reverse to the objective of the law and the clear intent of Congress.

For as far as these nominees are concerned, participation in the Reserve is minimized instead of emphasized. In fact, it would not be inaccurate to characterize the Air Force policy in this respect as one of deemphasis—with training being held in comparative derogation when matched against success in big business and the movies.

There seems to be an almost contempt for point participation, which is the very foundation of the development and maintenance of the proficiency of the individual reservist. For the best measure we have for knowing whether an officer is trained is his participation in training duty. If there are officers who do not complete the required training or need not do so, then by definition there is no requirement for them in the Active Reserve.

Yet, General O'Donnell, Air Force Deputy Chief of Staff for Personnel, told the committee that in his opinion one of the nominees need not put in 1 training period for the next 5 years and would still be best qualified to command a Strategic Air Force. What kind of blind thinking is this in these days when we are quickly shifting from man-piloted strategic bombers to robot-guided missiles? To what extent can an apologetic defense and attempted justification of a nomination be carried? Surely the maintenance of realism in the national air defense of our country is more important than conveniently adjusting the national air defense to justify the inactivity of one of the nominees and to meet his convenience for the acquisition of a star.

This is dangerous thinking that holds active participation in such low regard and derogation. It is bad enough, but it is even more shocking when such thinking goes to such extremes as to cast aspersions on the motives of loyal reservists for keeping up steady training participation—when a reservist is to be condemned for steady training participation to make himself proficient for the defense of his country, for your defense, for my defense, and for the defense of more than 170 million Americans.

But the thinking on the part of some influential, powerful, and responsible people has reached this radical extreme of derogation of loyally participating reservists. Such thinking was openly and vigorously expressed in the committee hearings on these nominations.

I call your attention to page 49 of the committee hearing where it was charged that point-participating reservists participate just to get the money so they can eat—that their primary interest was that they wanted more money. They are characterized in this extreme thinking as constant protesters primarily seeking more money—and they are held in derogation while some who participate relatively few days in a year are praised in highest esteem when compared to the loyal, steady participating reservists.

I shall now turn to specific, individual nominees. First, let me say that some of the nominees have most admirable records—the kind of records of Reserve training that you would expect of any reservist nominated for general rank. Clearly the best nominee record of Reserve participation is that of Brig. Gen. T. B. Herndon, who is nominated for the rank of major general. Ever since the end of World War II, General Herndon has faithfully put in his time in Reserve training. He is the only one of the 11 nominees who has such a Reserve training and participation record.

Col. J. O. Bradshaw has an excellent record that is second only to that of General Herndon on Reserve training and participation.

General Smith and Colonels Larson, De Brier, and Stiles have honorable and admirable war records, but their Reserve training records do not match such records as that of General Herndon.

General Henebry and Colonels Montgomery, Alison, Potts, and Stewart have excellent war records but there are gaps in their Reserve training records—and the gaps in the records of Colonels Montgomery, Stewart, and Alison are striking—no Reserve training or participation by Colonel Montgomery for over 15½ months after he was commissioned in the Reserve—only 9 days for Colonel Stewart in an 11-year period—only 6 days for Colonel Alison in a 9-year period. General Henebry failed to perform in his 1957 retention year required participation in his training category A. General Smith had to make a photofinish to meet the requirements of his training category D in his 1957 retention year.

Without question, a good war record is an excellent criterion for selection for general rank. But there is a limitation as to how controlling it can be as a substitute for nonparticipation in the Reserve. This was acknowledged by General O'Donnell, the Personnel Chief, when he stated at page 63 of the committee hearing:

"No; I wouldn't say not participate, and that is why we have the minimum participation. They can't go resting on their laurels. What they did between 1941 and 1945 becomes less and less significant as time goes on."

COL. JOHN B. MONTGOMERY

Col. John B. Montgomery is 1 of the 8 Reserve colonels nominated for the rank of brigadier general in the Air Force Reserve. For the detailed facts in his case, your attention is invited to pages 33 through 42 of the committee hearing record.

The facts in the case of Colonel Montgomery are disturbing because they raise some question and suspicion as to the use that the Air Force is making of the Air Force Reserve in his instance. Such question and suspicion arise from the circumstances surrounding the resignation of Colonel Montgomery from the Regular Air Force when he was a major general and his obtaining through the Reserve what was refused him on his application for retirement as a Regular officer—and his failure to have any participation or training in the Reserve for over 15½ months after being sworn into the Reserve.

The very uniqueness of the Montgomery case and the inequity that accrues to the special benefit of Colonel Montgomery was admitted by none less than the Deputy Chief of Staff for Personnel at pages 37 and 39 of the committee hearing record. At page 39, General O'Donnell acknowledged:

"I have been in the personnel business for 4 years over there, and that is the first time an action like this has been taken, and I don't anticipate any in the future because of this."

Briefly, the pertinent facts of the Montgomery case are:

(1) Because he was offered a higher paying position with the American Airlines as vice president in charge of maintenance and found his pay as a major general in the Regular Air Force to be inadequate to meet his financial commitments to his family, Montgomery applied on May 10, 1955, for voluntary retirement as a major general in the Regular Air Force.

(2) The Air Force rejected his application for retirement in his temporary grade of major general and instead offered to retire him in his permanent grade of colonel.

(3) Montgomery then rejected the offer of retirement in his permanent grade of colonel and elected to resign completely from the Air Force thereby losing all of his retirement rights, which included more than 50 percent of the base pay of a colonel.

(4) But the day immediately following his resignation from the Air Force, Montgomery was sworn in the Air Force Reserve as a colonel—and thereupon under the provisions of title II of the Reserve Retirement Act gained (a) back all of the retirement rights he had lost the day before upon resignation—and (b) more than what he would have been permitted in the Regular Air Force, in that he would accrue retirement benefits at the same rate as an officer who remains on active duty in the Regular Air Force. Thus, through the Reserve he got what he couldn't get as a Regular—(a) being able to apply for retirement at any time as a major general instead of just a colonel, (b) getting a full year's retirement credit just as though he were on active duty 365 days a year by putting in as little as 15 days a year in the Reserve—and the opportunity to build his retirement pay up to the very maximum—75 percent of the base pay of a major general, and (c) at the same time hold down a much better paying civilian job.

(5) Having accomplished this, Montgomery did not participate in the Reserve for over 15½ months—did not put in a single period of training in the Reserve.

(6) He will be required as a category D trainee to put in the very minimum of time in the future and no extensive participation in the Reserve will be required of him.

The defense offered in this case reveals some very interesting contradictions. First, the personnel chief flatly stated at the hearing that I was incorrect in stating that after Colonel Montgomery resigned, had he not been appointed in the Reserve component, he would not be eligible for any future retirement benefits of any kind.

General O'Donnell made it a special point to challenge me on this and to accuse me of being incorrect for he interrupted a statement that I was making. I invite your attention to page 34 of the hearing record. Then later the Air Force admitted that my statement was correct and accurate and not incorrect as General O'Donnell had charged. For this retraction I invite your attention to page 79 of the hearing record.

Second, defenders of this matter represented at the committee hearing that Montgomery made a great financial sacrifice in resigning from the Regular Air Force and then being sworn in the Air Force Reserve. On this I invite your attention to pages 36, 41, and 42 of the hearing record. In fact, the Deputy Chief of Staff for Personnel stated at page 36 about Montgomery: "He is taking a terrific financial sacrifice." Yet, in almost the same breath they say that Montgomery had to leave the Regular Air Force to be better off financially and to be able to meet his financial obligations to his family. On this I invite your attention to pages 36 and 41 of the hearing record.

The defenders make much of the fact that Montgomery did not retire as a Regular colonel and start receiving his retirement pay as a Regular colonel but instead did forego getting that retirement pay by going into the Reserve. In this, they attribute to him a personal financial sacrifice prompted by his desire to be active in the Reserve—even though he went for over 15½ months before doing anything in the Reserve and even though he has been placed in one of the least-active Reserve training categories—category D.

Let us examine this claim of financial sacrifice a little more closely. In the first place, Montgomery left the Regular Air Force to better himself financially—to get a higher paying job with American Airlines and later go with General Electric. I do not know what his salary was with American Airlines or what his salary is with General Electric. I have been told that his salary with American Airlines was much greater than his major general salary and that he is receiving a higher salary than that with General Electric.

Had Montgomery retired as a colonel in the Regular Air Force, he would have received retired pay of $376.74 a month, or $4,520.88 a year. Now just how much of this could he have actually realized after taxes when it is added to his salary with American Airlines or General Electric? Probably as little as half of it.

Instead Montgomery elected to resign, forego retired pay as a Regular Air Force retired colonel, and be placed in the Reserve—under which arrangement he would defer receiving any retired pay until he could get a higher percentage, 75 percent as compared to 55 percent, and on a higher base pay, major general as compared to colonel, and at a time when taxes would not take such a bite out of his retired pay.

Instead Montgomery elected to wait until later when he would be able to receive 30-year-service retired pay for a major general of $807.30 a month or $9,687.60 a year (instead of $376.74 a month or $4,520.88 a year as a retired colonel). If Montgomery fully retires at that time and is not working for General Electric or any other concern and receiving no income from them, at the present tax rates, he would have to pay only a fraction of what he would have on the retired pay of a colonel on top of his salary with American Airlines or General Electric.

Defenders of the Montgomery case interestingly make a vigorous claim that Montgomery went into the Air Force Reserve because of alleged devotion to the service—on this I invite your attention to pages 34, 37, and 39—and that defense was even carried to the point of claiming that Montgomery would rather stay in the service through being in the Reserve than to receive money (see p. 41) and that Montgomery deliberately planned to resign instead of retire so as to avoid taking retirement money from the Government (see p. 42).

In other words, in this attempt to picture Montgomery as being so devoted to the service, claims are made that Montgomery (1) did not want to retire, and (2) that he resigned and went into the Reserve to save the Government money. The ridiculousness and the sophistry of these claims is exposed by the official records and the facts in the Montgomery case.

Make no mistake about it, Montgomery wanted to retire as a major general instead of going into the Air Force Reserve.

Make no mistake about it, Montgomery wanted the retired pay of a major general in 1955—instead of wanting to avoid receiving retired pay from the Government and so desiring to make a financial sacrifice by going into the Reserve.

Make no mistake about it, Montgomery did not originally plan to deliberately resign instead of retire.

That this is the real Montgomery story is officially recorded in the Air Force records. For those records show that Montgomery himself applied on May 10, 1955, for retirement as a major general in the Regular Air Force. The records show that his application was disapproved.

Thus, the official record shows that Montgomery did try to get the retired pay of a major general—that he did not attempt to stay in the service and avoid leaving it by retirement—that he did not deliberately elect to make a financial sacrifice so that he could stay in the service—that he did not deliberately attempt to save the Government money—that he did not originally deliberately resign instead of retire so he could stay in the service and save the Government from paying him retired pay—that he did not do these things for the purposes and reasons claimed by his defenders.

Instead the official records of the Air Force reveal that when Montgomery's application for retirement as a major general in the Regular Air Force was rejected and instead he was offered retirement in his permanent grade of colonel, that then and only then did Montgomery elect to resign instead of retire and go into the Air Force Reserve.

It does not take a mind reader to see that Montgomery's first concern and attempt was to get retired as a major general and not any concern with staying in the service through the Reserve or trying to save his Government any money. Even the Deputy Chief of Staff for Personnel admits that Montgomery because of pride was not willing to retire as a colonel but wanted to retain his rank as a major general (see p. 34).

It is clear that the only way that he could do this was by being put in the Reserve, for under Title II of the Reserve Retirement Act he was entitled to retire in the rank of major general instead of colonel.

It was clear that he could get through this Reserve clause device as much as 30 years' credit and maximum 75 percent retired pay with very little additional effort in the Reserve instead of the only 20 years retired pay of a mere colonel in the Regular Air Force.

It was clear that he could make a much better tax saving through this device.

Again we have an illustration of the shockingly distorted thinking on the part of some on these nominations. How can the defenders of the Montgomery nomination really have the temerity to make the obviously ridiculous claims that they do?

But how about the Reserve record of Colonel Montgomery? That record shows that Montgomery did not participate in the Reserve until after over 15½ months after he was commissioned in the Reserve. Is that a record of having his heart in the Reserve as the General O'Donnell, the personnel chief, claimed at page 37 of the hearing record?

He finally got around to a 15-day training tour in October 1956—not long before the news that a general promotion board would meet. And he has not done any Reserve training since that time. In other words, he has earned only 15 points in the Reserve in over 2 years.

And what is expected of him in the future? Very little in spite of the fact that his mobilization assignment is that of deputy commander of the 8th Force of the Strategic Air Command. For he has been placed in training category D, one of the least active of Reserve training categories which requires only a 15-day training tour in each year.

In fact, the Deputy Chief of Staff for Personnel seemed quite emphatic on this, for at page 35 of the hearing record, he stated: "He [Montgomery] could not go to any drill for the next 5 years and still be outstandingly qualified to move into the job for which he has a mobilization assignment out in SAC."

What kind of thinking is this when 5 years from now in the rapid changing character of our Air Force—of the Strategic Air Command—when we are shifting from man-piloted B-52's to mechanically piloted guided missiles—when in 5 years from now it is obvious that the Strategic Air Command will be radically different from what it is now and what it was in 1955 when Montgomery resigned from the Air Force?

One final note about the strange contradictory and distorted defense made by the Air Force of the Montgomery nomination. The Air Force, through its Secretary of the Air Force and its Deputy Chief of Staff for Personnel, glaringly contradicted itself in its special defense of the Montgomery nomination.

In written answers submitted to the committee, the Air Force, through the office of the Deputy Chief of Staff for Personnel, represented to the committee that all 8 nominees for the rank of brigadier general were considered to be so equally best qualified that it was impossible to select only a 5 best from the 8 and thus unable to comply with the original instructions given to the selection board to select only 5 colonels for promotion to brigadier general—so impossible that the board requested and received amendment of the instructions to permit the selection of 8 instead of 5.

Thus, the Air Force in its written answer at page 69 of the hearing record represented that all 8 nominees were equally best qualified and none of the 8 were superior to the other 7. The Deputy Chief of Staff for Personnel when asked about this written answer reaffirmed, at page 66, that answer. He also stated, at page 63: "* * * we permitted them to name 8 instead of 5, because they said they were all so closely alined * * *."

Yet, in making a special defense of the Montgomery nomination, the then Air Force Secretary Quarles wrote me that Montgomery was selected as 1 of the 5 best and that he was not in the additional 3. Secretary Quarles wrote me (see p. 66): "Colonel Montgomery was not 1 of these additional 3, in that he had already been selected in the first 5 as being outstandingly qualified."

When confronted with this contradiction, the Air Force rationalization and attempted explanation was just as illogical and unconvincing as the other strange, contradictory, and distorted defense made in other aspects of the Montgomery nomination, which I have previously outlined. In a written explanation the Air Force said that the discrepancy was caused by the use of the word "selection" and drew a distinction between ballot and selection, saying:

"The apparent discrepancy in Secretary Quarles' letter and General O'Donnell's testimony is caused by the use of the word 'selection' by Secretary Quarles. Selections are technically not completed until the board adjourns. The board voted unanimously on the first ballot that General Montgomery should be one of those officers selected for promotion. Consequently, it is believed that Secretary Quarles meant that if the list was restricted to 5, General Montgomery would have been 1 of these 5." (See p. 67 of the hearing record.)

The Air Force explanation misses the point, unintentionally or otherwise. The point is that on the one hand General O'Donnell, the Deputy Chief of Staff for Personnel, represented that all 8 nominees were considered so equally best qualified that the selection board could not narrow the selection down to 5 as it had been instructed to and was forced to ask that the instructions be amended to permit the selection of 8—while on the other hand, Air Force Secretary Quarles, in the special defense of the Montgomery nomination, stated clearly that all 8 were not considered equally best qualified but that Montgomery was considered to be in the best 5 and therefore better than the additional 3 selected.

In fact, the O'Donnell rationalization and attempted explanation itself further contradicts the original written answer given by General O'Donnell's office that all 8 were found to be equally best qualified—for in the O'Donnell attempted explanation it is admitted that all eight were not considered to be equally best qualified and that Montgomery was considered better qualified than others of the nominees.

Analysis of the Montgomery case, as presented by the Air Force to the committee, reveals a pattern of disregard for truth, disregard for accuracy, and disregard for encouragement of active participation in the Air Force Reserve—a pattern you will see abundantly and repeatedly displayed as I reveal the true and pertinent facts in the cases of others in this list of nominees.

In addition to the facts of the Montgomery case which I have set forth, there is an equally serious question as to whether the Reserve retirement laws will not be used in the Montgomery case in the manner in which this legislation was never intended. Montgomery will eventually retire as a major general under title II, Public Law 810, and will receive a full year's credit for each year in the Reserve for retirement pay purposes. I would like to emphasize that title II of this statute does not require the completion of any retirement points in order to be credited with the full year's retirement credit.

The provisions which are usually referred to as the Reserve Retirement Act are contained in title III, not title II, of Public Law 810. Under title III, reservists receive an equivalent of about one-seventh of a full year in terms of retirement pay for each year of retirement participation. In order to receive this modest credit, a reservist must be credited with at least 50 points for a year's participation. Montgomery, therefore, is receiving a full year's credit even though he is not required to participate by law even to the extent of the reservists who will receive only one-seventh of a year's credit under title III.

There is also another aspect of the Montgomery case which in my opinion might constitute a breach of trust with the Committee on Armed Services. General O'Donnell indicated that the Air Force refused to permit Montgomery to retire since the Air Force had verbally agreed with the committee that the temporary generals would be required to serve 30 years before retirements would be approved. Since Montgomery preferred a Reserve commission in lieu of being retired as a colonel, and since he will eventually receive the retirement pay of a major general, there is in my mind a serious question as to whether his appointment as a reservist did in this way violate the spirit of the requirement of the 30 years of active service.

COL. JAMES M. STEWART

Col. James M. Stewart is 1 of the 8 Reserve colonels nominated for the rank of brigadier general in the Air Force Reserve. For detailed facts in his case, your attention is invited to pages 42 through 49 of the committee hearing record.

The question in the case of Colonel Stewart is his record of inactivity in the Reserve for so many years—a record of only 9 days of Reserve service in a period of 11 years—no Reserve activity or service in 1946, 1947, 1948, 1949, 1950, 1951, 1953, 1954, and 1955. In fact, Colonel Stewart's record of inactivity became such that as recently as 1955, and apparently less than 2 years ago, he was put in the Inactive Reserve.

From the end of World War II until about a year ago in July 1956, Colonel Stewart did only 9 days of Reserve duty. That was in 1952. The nature of that duty is recorded as with Psychological Warfare Division of the Air Force in Washington. The Air Force has furnished no further information on the nature and character of that duty.

From the end of World War II Colonel Stewart did not perform a 15-day training tour until a year ago in July 1956. Through the fiscal year 1957, Colonel Stewart performed only 4 inactive duty training periods.

Such is the past record of Colonel Stewart. Now what is expected and required of him on participation in the Air Force Reserve in the future? Not much more than his rate of very limited participation in the past. For he has been placed in one of the least active training categories of the Air Force Reserve. He has been placed in a training category "D", which has as its only requirement the performance of a 15-day tour of active duty each year and absolutely nothing else.

This low activity training category for Colonel Stewart is puzzling and disturbing in view of the fact that the mobilization assignment given to him is that of deputy director of operations of the Strategic Air Command. That is a highly important and strategic assignment in the defense of our country—for the backbone of our present defense and our military might is the combination of our Strategic Air Command plus the atomic-hydrogen bombs. And the very heart of the Strategic Air Command is the Operations Division.

In other words, mobilization assignment given to Colonel Stewart is the deputy or that of the No. 2 commander of the very heart of our national defense. Yet, Colonel Stewart is put in one of the least active training categories of only 15 days required a year.

Does that make sense? Does it require, or even permit, Colonel Stewart to develop and maintain a proficiency for him to be able to handle such a tremendously important assignment if war comes? Or can it be the case that the Air Force has no intention of Colonel Stewart holding down the position of Deputy Director of Operations of the Strategic Air Command if war comes?

Honest realism indicates a negative answer to the first of two questions—and a positive answer to the last question.

Now let us take a look at the justification given by the Air Force for the training category it designates as training category D. The justification given by the Air Force at pages 54 and 71 of the hearing record is: "These individuals are considered proficient in their AF specialty by virtue of their recent release from active military service or maintain their proficiency through their normal civilian pursuits."

How do either of these bases apply to Colonel Stewart? He was released from active military service in September 1945. That is not a "recent release" by any stretch of the imagination, however convenient or wishful, unless you consider something that happened 10 or 12 years past to be recent.

Nineteen hundred and forty-five is not recent in terms of the status of the Air Force and its operations. There have been tremendous changes in the Air Force since 1945. In fact, the United States Air Force and the Department of the Air Force did not exist at the time of Colonel Stewart's release from active military service. In fact, the Strategic Air Command was not in existence and did not come into existence until after Colonel Stewart was released from active military service. In fact, since that time the B–29 has been replaced by the B–36 and the B–36 replaced by the B–52. In fact, since that time propeller-driven aircraft have been replaced in the Air Force by jet-powered, propellerless aircraft. In fact, now the next step appears to be the transition from piloted aircraft to ballistic missiles.

No, 1945, the year of Colonel Stewart's release from active military service is not a recent year—either in terms of time or in terms of changes and developments.

But perhaps the other basis for training category D properly applies to Colonel Stewart. What is that other basis? "Maintain their proficiency through their normal civilian pursuits" is the other basis. What is the normal civilian pursuit of Colonel Stewart? In other words, how does he make his living? Is it as an airline pilot or executive? No. Is it in the aircraft industry? No.

Of course, you and I know, so do millions of his fans and admirers, that Col. James Stewart's normal civilian pursuit is that of motion-picture actor. I leave it to your judgment as to whether Colonel Stewart can maintain through the making of motion pictures an adequate proficiency for the position of Deputy Director of Operations of the Strategic Air Command. The inescapable answer is "No."

Inferences were made at the committee hearing that Colonel Stewart should not be barred from being made a general in the Air Force Reserve because he is "a moving-picture star" (see pp. 43 and 49). No one has ever suggested that he should be barred because he is a motion-picture actor. But he should not be made a general merely because he is a motion-picture actor.

In fact, I have not made any derogatory reference to his motion-picture status. I did not suggest that factor as an issue. It was the Air Force defenders of the Stewart nomination who brought that in as an issue at the hearing.

More than that, it was the Air Force itself that officially and inescapably brought that factor into consideration by the very wording of the language on training category D—the training category of Colonel Stewart—by the selection of the criterion of "normal civilian pursuits" as applied to measuring the proficiency of an individual reservist in relation to his specific mobilization assignment.

Yes, the Air Force itself brought this factor into consideration—the application of Colonel Stewart's normal civilian pursuit of motion picture actor to his proficiency and relative need of activity, or inactivity as this case is, on his mobilization assignment of Deputy Director of Operations of the Strategic Air Command.

Do you believe that Colonel Stewart's work as a motion picture actor makes him so proficient for being Deputy Director of Operations of the Strategic Air Command that he does not have to train 48 periods a year or 24 periods a year like other reservists whose normal civilian pursuits are not related to their mobilization assignments? Do you believe that there is real justification for requiring of Colonel Stewart only one-fourth or one-half of training required of other reservists?

With interest I have read publicity evolving from the committee's consideration of the Stewart nomination. Much of that publicity has been misleading in attempting to give the impression that Colonel Stewart has been quite active in the Reserve and that he is outstandingly proficient as a pilot.

There are three pilot ratings for pilots in the Air Force. The highest is command pilot. The second highest is senior pilot. The lowest is pilot.

There are many active Air Force Reserve colonels who have the highest pilot rating of command pilot. Now for as important a mobilization assignment as Deputy Director of Operations of the Strategic Air Command, I would think that the Air Force would assign a reservist with the highest pilot rating of command pilot—and if not that, with the rating of senior pilot.

But it did not. For Colonel Stewart's rating is neither that of command pilot or senior pilot—but instead that of pilot, the lowest of the three pilot ratings.

At the hearing, General O'Donnell, the Deputy Chief of Staff for Personnel betrayed a shocking lack of knowledge on this very important point. I asked him in connection with Colonel Stewart's mobilization assignment and nomination if it wasn't a fact that the overwhelming number of rated Air Force Reserve general officers were either command pilots or senior pilots. Eagerly and without the slightest hesitancy or qualification, General O'Donnell answered categorically and flatly and with emphasis, "Oh, no. Definitely not."

I then asked him to furnish a list of all rated Air Force Reserve general officers, together with their ratings. When he subsequently furnished such a list, he also sought to have his answer for the printed copy of of the hearing changed from "Oh, no. Definitely not" to an opposite answer of "Yes." I invite your attention to pages 45 and 80 of the hearing record.

General O'Donnell's defense of the Stewart nomination was either so eager that he made a deliberate misrepresentation to the committee on a vital point—or he was so indifferent that he had made no effort to do his homework for the hearing and make it a point to be informed on a personnel matter on which he, as Deputy Chief of Staff for Personnel, should be informed and on which he was assigned by the Air Force the responsibility of being the Air Force representative at the hearing for the specific purpose of answering the questions of the committee. For after all, the committee did not ask for him to testify, it was the Air Force who designated him.

It is abundantly clear why General O'Donnell sought to change his false answer—for in the list that I requested, it was revealed that of the 21 rated Air Force Reserve general pilots, 18 are listed as command pilots or senior pilots and only 3 with the lowest pilot rating of pilot like Colonel Stewart. That is a ratio of 6 to 1—which I believe could reasonably be characterized as an overwhelming ratio as I so characterized it in my question to which General O'Donnell gave a false answer. On this I invite your attention to pages 45 and 46 of the hearing record.

Even then in his written answer and list subsequently submitted, General O'Donnell continued to give erroneous and inaccurate information to the committee. For he listed as one of the three pilots, Brig. Gen. Robert J. Smith—and this was in direct contradiction with information which he had earlier submitted to the committee in which he represented General Smith to be a command pilot. For this contradiction and further example of repeated sloppiness and inaccuracy of the Air Force in representations and information that it submits to the committee, I invite your attention to pages 6 and 46 of the hearing record.

It appears that the more accurate of these two representations is the earlier one at page 6 which represents General Smith to be a command pilot. That then makes the division 19 to 2 or a ratio of 9½ to 1, and an even more overwhelming ratio substantiating the observation that I made to which General O'Donnell gave a false answer.

Tone of the misleading information and misrepresentations made by representatives of the Air Force to the newspapers about the Stewart nomination was revealed in an item in the March 23, 1957, issue of the Air Force Times which stated:

"Action by Senator MARGARET CHASE SMITH, Republican, of Maine, in temporarily blocking Reserve general promotions of 11 Air Force officers has stirred up considerable comment here. At question, it seems, is whether the officers have participated enough to warrant stars. Film star Jimmy Stewart, up for one star, is on the list. Insiders, citing his long record of participation and strong support of USAF, are decidedly unhappy over the holdup. The full list of names was published in Air Force Times for March 2."

Now I call your attention to that part of the item which states: "Insiders, citing his long record of participation * * *" and I recall your attention to the fact that in an 11-year period from September 1945 to July last year, Colonel Stewart participated only 9 days in Reserve activity. I ask you if that is a long record of participation or a long record of nonparticipation. It is just another example of the reverse thinking and the strange, contradictory, and distorted defense made by the Air Force on these nominations. Actually it constituted nothing less than a misrepresentation of Colonel Stewart's record on participation in the Reserve.

In keeping with this false publicity given to the newspapers on the Stewart nomination, an article in the Washington Daily News of April 4, 1957, reported that an official of the Air Force Association stated with respect to Colonel Stewart:

"He trains actively with the Reserve every year." When asked about this at the hearing, the Air Force Personnel Chief branded this as a false statement as he said, "That is not a true statement." On this I invite your attention to page 44 of the hearing record.

In the same newspaper article, the unidentified Air Force Association official is further quoted as saying about Colonel Stewart:

"He's had 18 hours as first pilot of a B–52." When asked if this statement was true, the Air Force Personnel Chief said, "I don't know, but my answer would be, 'No.' I don't see how he could be the first pilot of a B–52." On this I invite your attention to page 45 of the hearing record.

In the same newspaper article, the unidentified Air Force Association official was quoted as saying that Colonel Stewart could fly a B–52 anywhere in the world. When asked about this statement, the Air Force Personnel Chief not only admitted that Colonel Stewart could not be in command of a B–52—but what is even more important and significant in relation to Colonel Stewart's mobilization assignment as Deputy Director of Operations of the Strategic Air Command—the Air Force Personnel Chief admitted that Colonel Stewart is not current on any Air Force aircraft and that Colonel Stewart is not fully qualified on any military aircraft. On this I invite your attention to page 45 of the hearing record.

In the same newspaper article, Colonel Stewart himself is quoted as saying with respect to his nomination:

"I didn't even know I was up for brigadier. I read it in the papers."

When asked about this, the Air Force Personnel Chief admitted that Colonel Stewart had received an official telegram from the Deputy Chief of Staff for Personnel notifying him of his nomination. The Air Force Personnel Chief termed the newspaper item inaccurate and said that worldwide notice was given on December 14, 1956, through various newspapers and other news media that all Air Force reservists who had served 1 year as a colonel would be considered for promotion to brigadier general and that thus Stewart was put on notice. On this I invite your attention to pages 46 and 68 of the hearing record.

Thus, the hearing established that false stories had been carried in the newspapers making misrepresentations that (1) Colonel Stewart had a long record of participation in the Air Force Reserve when just the opposite was the case as he had a long record of nonparticipation; (2) that he trained actively with the Reserve every year when just the opposite was the case as he did not start such training until less than a year before the date of the article and had not performed a 15-day training tour for 11 years from the end of World War II until July 1956; (3) that he was first pilot of a B–52 when just the opposite was the case as he not only was not the first pilot of a B–52 but he was not even current or qualified on any military aircraft; and (4) that Colonel Stewart had had no notice or knowledge that he was being considered for promotion to brigadier general, when as a matter of fact he had been put on notice by the worldwide announcement made 72 days prior to announcement of the nominations and when he had received an official telegram of notification from the Deputy Chief of Staff for Personnel.

While this pattern and design of misrepresentations is disturbing on the test of truth alone, the significance of it is not limited to the factor of veracity. Perhaps even more significant in the revelation of the misrepresentations is the revelation of the facts that Colonel Stewart did not possess the record and proficiencies that were claimed for him in connection with his qualifications for his mobilization assignment as Deputy Director of Operations of the Strategic Air Command on which was based and justified his nomination to brigadier general.

As in the Montgomery case, again the Air Force pattern of disregard for truth, disregard for accuracy, and disregard for encouragement of active participation in the Air Force Reserve is again abundantly and repeatedly displayed in the Stewart case.

COL. JOHN R. ALISON

Col. John R. Alison is one of the eight Reserve colonels nominated for the rank of brigadier general in the Air Force Reserve. For the detailed facts in his case, your attention is invited to pages 49 through 53 of the committee hearing record.

Like Colonel Stewart, the question in the case of Colonel Alison is the record of inactivity in the Reserve for so many years—a record of only 6 days of Reserve service in a period of 9 years—a record of no Reserve activity in 1947, 1948, 1949, 1950, 1951, and 1952—and with only 3 points earned in 1953 and only 3 points earned in 1954.

Colonel Alison was almost completely inactive until he was given command of a Reserve reconnaissance wing in May of 1955. He did not work up to or earn that wing command through activity and participation in the Reserve. Instead it was the opposite as he demonstrated no willingness to become active in the Reserve until he was given a Reserve assignment that carried the authorization of the rank of brigadier general. This is hardly an example for the Air Force to exhibit to boost the morale of reservists who for years participate and train actively in the hopes of being rewarded with promotion from within the organization.

At page 52 of the hearing record in response to the request of Senator Stennis for a list of all nominees who have served more than the minimum requirements, the Air Force listed Colonel Alison as being one of the "officers who are up for promotion [who] have had more than the minimum 15 days' active duty per year since 1954."

This is a misrepresentation and untruthful for the record on Alison submitted by the Air Force on pages 14 and 24 of the hearing record show that Alison had no 15-day active duty in 1954 and the first half of 1955 and that Alison earned only 3 points in 1954 and no points in the first half of 1955.

Again as in the cases of Colonel Montgomery and Colonel Stewart, here in the case of Colonel Alison we see the Air Force pattern of disregard for truth, disregard for accuracy, and disregard for encouragement of active participation in the Air Force Reserve abundantly and repeatedly displayed.

BRIG. GEN. ROBERT J. SMITH

Brig. Gen. Robert J. Smith is one of the three Reserve brigadier generals nominated for the rank of major general in the Air Force Reserve. For detailed facts in his case, your attention is invited to pages 5, 20, and 27 through 33 of the committee hearing record.

Based on information furnished by the Air Force to the committee, it does not appear that General Smith has had a consistently active participation in the Air Force Reserve since 1950. The information furnished and brought out at the hearing reveals that at the time of the hearing:

(1) He had not performed a 15-day tour of duty since fiscal year 1950 although that is the only requirement of the training category D in which he has been placed;

(2) He earned only 1 point in 1951—did not earn any points in 1952—only 12 points in 1953—only 18 points in 1955—only 23 points in 1956—and only 10 points in the first half of fiscal 1957;

(3) No considerable Reserve activity or participation is expected of him in the future, since he has been assigned a training category D, one of the least-active training categories;

(4) At the time of the hearing he had taken no training at all in any of his three mobilization assignments since 1951—or for over 6 years, which prompts me to make the inquiring observation of what is the purpose of a mobilization assignment if you do not train in it?; and

(5) His last three mobilization assignments have been on positions occupied by colonels while he has been a brigadier general and is now nominated for promotion to major general.

General Smith is in training category D in which reservists participate in no inactive duty training but are required to perform a 15-day tour of active dutv each year. Yet at the time of the hearing (May 2, 1957) he had not performed a 15-day tour of active duty since 1950.

General O'Donnell, personnel chief, in answer to a question put by Senator Stennis stated that a 2 weeks' tour is the minimum requirement (see p. 51 of the hearing record). In answer to questions put to him by Chairman Russell, General O'Donnell stated that those who did not do the 2 weeks' duty would be dropped from the rolls and in answer to Chairman Russell's question of "They are dropped from the rolls?" General O'Donnell said, "Yes." (See pp. 53 and 59 of the hearing record.) Yet, General Smith, in spite of the fact that at the time of the hearing he had not performed a 2 weeks' tour since 1950, had not been dropped from the rolls.

Apparently the committee's investigation and holdup on these Reserve general nominations has had some beneficial effect in this case of General Smith, for the first time since 1950—for the first time in 7 years—General Smith has performed a 15-day tour of active-duty training.

However, the last-minute timing of that Reserve participation on the part of General Smith is most revealing in its implications. He did not comply with this training category D requirement until the very last possible time—he just barely got under the wire in a photofinish on compliance with Reserve training regulations.

He performed that required duty in the period June 16 through June 30 of this year. His deadline for starting such compliance was June 16 and for ending it was June 30. Had he started in 1 day later, he would have been in default and subject to being dropped from the rolls according to testimony given by General O'Donnell.

Yet, had the committee automatically rubber-stamped these nominations when they came up in February and not taken a position that the Air Force comply with the law and enforce its regulations on Reserve training and participation—and had General Smith failed to make his photofinish—we would have had the situation of the committee approving of the promotion of a reservist to major general who shortly thereafter had been dropped from the rolls for failure to participate and comply with the Reserve training regulations.

The Smith promotion nomination for promotion to major general was submitted to the committee on February 25, 1957—the hearing was on May 2, 1957. At neither of these times had General Smith fully complied with the requirements of his low training category D. The holdup on committee action on these nominations has been because of the training deficiencies of the nominees.

If it has served no other purpose, it is clear that the committee's holdup of these nominations until after the end of fiscal year 1957 was apparently convincing to some of the nominees, who finally met the requirements before fiscal year 1957 expired, that the committee meant business and would insist upon the nominees meeting the minimum 15-day active duty tour even if the Air Force didn't so insist.

It will be interesting to see if these nominees with such poor participation and training records and who so tardily begin to meet this requirement, will continue to do so once they have gotten their promotions or if they will lapse back again into their previous deficient and inactive records on training participation.

It is of further interest that only after the challenge was made on the training participation records of the nominees was a record of all 11 nominees doing a 15-day tour achieved—that fiscal 1957 is the first year in which all nominees complied with this requirement.

At page 28 of the hearing record, General O'Donnell made a direct and unequivocal misrepresentation to the committee in stating that General Smith had done a 15-day tour in 1956 and had served from December 10 to December 31, in 1956. When it was called to his attention that the record of information furnished to the committee by General O'Donnell's office on General Smith did not support his assertion, General O'Donnell again repeated his misrepresentation.

The truth is that General Smith did not serve at any time during the period of December 10 to December 31, 1956.

So that there may not be the slightest question about the direct and unequivocal misrepresentation that General O'Donnell not only made, but even repeated, when his attention was called to the fact that the information his office had submitted was at variance with his misrepresentation, I quote the hearing record on this.

"Senator Smith. * * * Since General Smith has had no 15-day tour since 1950, and has earned only a nominal number of points for other years, what is the basis of his promotion to major general?

"General O'Donnell. Senator Smith, he met the minimum requirements for retention, year of 1956, in serving from the 10th to the 31st of December. * * *

"Senator Smith. I do not see that it does, in this record, but of course you know.

"General O'Donnell. To December 31, 1956."

Later General O'Donnell attempted to change his testimony to strike his false answer and misrepresentation on this point. He was not permitted to change his false testimony but instead permitted to have the Air Force file a letter of correction of his false testimony in the appendix of the hearing record at page 79.

And as a final note on the misrepresentations made by the Air Force in the General Smith case, attention is invited to the glaring contradiction in the written information submitted by General O'Donnell to the committee.

At page 45 of the hearing record, when General O'Donnell, in answering my question about the overwhelming number of rated Reserve general officers being command pilots or senior pilots instead of the lowest rating of pilot like Colonel Stewart had, denied that was true with the emphatic statement of "Oh, no. Definitely not" (which incidentally was another direct misrepresentation in itself and which General O'Donnell later sought to have stricken from the printed record). I then asked General O'Donnell to furnish the committee with a list of all rated Reserve general officers by name and by rating. He later did and in that list he submitted, General Smith was listed as one of the small number of three rated Reserve Air Force generals with the lowest pilot rating of pilot. I invite your attention to page 46 of the hearing record.

Yet, on February 25, 1957, when the nominations were sent to the Senate, General O'Donnell sent information on each nominee and in the printed information on General Smith it was stated that General Smith was a command pilot. I call your attention to page 6 of the hearing record.

Now just which pilot rating does General Smith have—the lowest rating of pilot or the highest rating of command pilot? To say the least, this is another example of the shocking carelessness of General O'Donnell and his office with the truth and with accuracy in these cases.

But it is in character and in the Air Force pattern of disregard for truth, disregard for accuracy, and disregard for encouragement of active participation in the Air Force Reserve as previously exhibited in the résumé of the records in the Montgomery case, the Stewart case, and the Alison case.

BRIG. GEN. JOHN P. HENEBRY

Brig. Gen. John P. Henebry is one of the three Reserve generals nominated for the rank of major general in the Air Force Reserve. For detailed facts in his case, your attention is invited to pages 4, 19, 57, and 59 of the committee hearing record.

General Henebry failed to perform a 15-day tour of active duty in fiscal years 1953, 1954, and 1956.

General Henebry has a training category A assignment, which, according to Air Force representations made to the committee at pages 53 and 71 of the hearing record, requires personnel assigned to this category "to perform 48 inactive duty training periods annually and to perform a 15-day tour of active duty."

Of these two training category A requirements, General Henebry complied with only one in fiscal 1957—and that he did very belatedly and, like General Smith, almost too late—and only after these nominations had been held up by the committee because of the training record deficiencies of the nominees.

The nominations have been before the committee since February 25, 1957, and the committee hearing was on May 2, 1957. General Henebry's retention year ended June 30, 1957. He didn't perform his required 15-day tour of active duty until June 9 through June 23, 1957—just a week before the deadline—and 4 months after his nomination had been held up in committee because of his noncompliance with the requirements of training category A—and 7 weeks after the committee's hearing on May 2, 1957.

While General Henebry thus did finally and belatedly comply with one requirement of his training category A, nevertheless he failed to comply with the other requirement of that category—performing 48 inactive duty training periods annually.

He not only failed to perform 48 inactive duty training periods in his retention year 1957 (which is also the fiscal year 1957) but his record on this requirement was actually zero on this training category A requirement as he did not perform any inactive duty training period in his 1957 retention year. In fact, in all of that year he earned only 26 points altogether, all of which was active duty, including 15 points for his belated 15-day active duty tour.

General O'Donnell testified that no waivers had been granted to any of the nominees (see p. 60 of the hearing record) and that all nominees had met the minimum requirements (see p. 59 of the hearing record).

Obviously, General O'Donnell gave false testimony and made serious misrepresentations as to General Henebry's record and participation—for General Henebry obviously failed to meet the minimum rules and yet General O'Donnell says that none of the nominees were granted waivers and all nominees met the minimum rules. He made these answers at points in the hearing record when Senator Symington spoke specifically about General Henebry.

General O'Donnell at the hearing misrepresented that General Henebry had had more than the 15 days' active duty per year since 1954 (see p. 52 of the hearing record) when the truth was that as of the time of this representation to the committee General Henebry had not performed 15 days' active duty in his then current retention year. Again, as in the Montgomery case, Stewart case, the Alison case, and the Smith case, there is repeated the Air Force pattern of disregard for truth, disregard for accuracy, and disregard for encouragement of active participation in the Air Force Reserve.

COLS. DANIEL DE BRIER, RAMSAY D. POTTS, JR., AND KENNETH STILES

Cols. Daniel DeBrier, Ramsay D. Potts, Jr., and Kenneth Stiles are 3 of the 8 Reserve colonels nominated for the rank of brigadier general in the Air Force Reserve. For detailed facts in their cases see pages 9, 12, 15, 22, 23, 25, and 57 through 60 of the committee hearing record.

These reservists have considerably better participation and training records than the nominees I have previously discussed. But Colonel Potts did not perform a 2-week duty tour in 1951, 1953, 1954, and 1955—a total of 4 years. Colonel DeBrier did not perform a 2-week duty tour in 1953, 1954, 1955, and 1956—a total of 4 years. Colonel Stiles did not perform a 2-week duty tour in 1951, 1952, and 1955—a total of 3 years.

But according to an International News Service article dated March 16, 1957:

"The Air Force said none of the officers could have been nominated if they had not served 2 weeks of active duty each year."

According to this statement attributed to the Air Force, these Reserve colonels would not be eligible for nomination.

Not until I confronted General O'Donnell with this newspaper article was there any Air Force refutation of this statement. In other words, the Air Force for 47 days after the publication of this statement permitted it to stand unchallenged and permitted the newspaper reading public to be misled in this respect. And it did not correct it until I confronted General O'Donnell with the statement.

There was another inaccurate impression created in that article about these nominations as the article said at another point:

"However, the Air Force and the Reserve Officers Association said all 11 men nominated for major general and brigadier general are fully qualified and active."

Now in sharp contrast to the Air Force's failure for 47 days (and not until I confronted General O'Donnell with it) to refute the statement in the article that the Air Force had said that none of the officers could have been nominated if they had not served 2 weeks of active duty each year, the very morning that this INS article appeared in the papers the national president of the Reserve Officers Association called my office and repudiated the statement in the article attributed to the Reserve Officers Association.

In sharp contrast to the attitude and policy of the Air Force to permit a false impression to be given to the reading public and failure to refute such a false representation until its hand was called on this matter, the national president of the Reserve Officers Association immediately, and on his own initiative, acted to refute the misrepresentation attributed to the Reserve Officers Association. He followed up with a letter to me officially repudiating the false representation attributed to the Reserve Officers Association. On this I invite your attention to that letter at pages 17 and 18 of the committee hearing record.

Again as in the Montgomery case, the Stewart case, the Alison case, the Smith case, and the Henebry case, there is repeated the Air Force pattern of disregard for truth, disregard for accuracy, and disregard for encouragement of active participation in the Air Force Reserve. The only difference is that the degree in the DeBrier, Potts, and Stiles cases is somewhat less.

COL. JESS LARSON

Col. Jess Larson is one of the eight Reserve colonels nominated for the rank of brigadier general in the Air Force Reserve. For detailed facts in his case see pages 6, 20, and 54 through 57.

Colonel Larson has a good record of Air Force Reserve participation beginning in 1953 up to the present time. However, he did not join the Air Force Reserve until August 1952. In the short space of 4½ years he is nominated for promotion to brigadier general.

The Air Force represented to the committee that Colonel Larson had a training assignment in training category A. On this I invite your attention to page 20 of the hearing record.

Since the Air Force at pages 53 and 71 of the hearing record made the following statement about membership in training category A:

"Training category A: Air Reserve wings rated mobilization assignees, separate units such as AACS squadrons, navigation training squadrons are identified with this training category," and since Colonel Larson had the mobilization assignment of Director of Legislation and Liaison, Office, Secretary of the Air Force, and was not a rated mobilization assignee or in any of the units or groups ascribed to training category A, I asked Air Force representatives at the hearing how Colonel Larson could have a training category A assignment.

I never got a satisfactory answer at the hearing. There was no attempt on the part of the Air Force representatives at the hearing to deny that Colonel Larson had a training category A assignment or to admit that the information given was incorrect.

To the contrary, Air Force representatives left the committee with the impression that Colonel Larson did in fact have a training category A assignment. And what is more the Air Force was perfectly willing to permit that erroneous impression stand and the misrepresentation to remain uncorrected.

For it was not until after I made an issue of getting at the truth on this point by writing a letter to the chairman of the committee on May 17, 1957, asking for the Air Force to clear up the matter, that the Air Force finally did admit that it had submitted incorrect information to the committee and that Colonel Larson did not have a training category A assignment but rather that he had a training category B assignment. And the Air Force did not make this correction until 22 days after the hearing. On this see page 56 of the hearing record.

What training category Colonel Larson had was not of any immense importance in this matter. What is significant is that the Air Force was willing to let the committee remain misled until I called the hand of the Air Force on this point. It illustrates again the disregard of the Air Force for giving the committee the truth and accurate information—an indication of a calloused indifference to the committee's request for accurate information.

The frantic extent to which the Air Force has gone to defend these nominations was sharply illustrated by the observations of an Air Force defender at pages 56 and 57 of the hearing record. The Air Force defender argued that the Air Force is constantly criticized in some quarters for its lack of logistic ability—and that the Larson nomination was justified because Colonel Larson is an expert on logistics.

Well, even granting that these assertions are true, what relevancy do they have to the Larson nomination? Obviously none—for Colonel Larson does not have a mobilization assignment in the field of logistics—and the promotions to brigadier general are keyed to the very mobilization assignments these nominees have.

Instead Colonel Larson has the mobilization assignment of Director of Legislation and Liaison of the Air Force which is not a part of the logistics command and has nothing to do with logistics. How ridiculous can the Air Force defenders of these nominations make themselves in attempting to pull irrelevant smokescreens over the real issues in these nominations? To what extent will they go?

Again as in the Montgomery case, the Stewart case, the Alison case, the Smith case, the Henebry case, the DeBrier case, the Potts case, and the Stiles case, there is repeated the Air Force pattern of disregard for truth, disregard for accuracy, and disregard for encouragement for long active participation in the Air Force Reserve. The degree is somewhat less. But this time something new has been added—and that something new is the disregard for honest logic.

SELECTION BOARDS

Analysis of the representations made by the Air Force through General O'Donnell and his office with respect to the selection boards that selected these nominees for promotion to the ranks of brigadier general and major general reveals a confused, contradictory and disturbing situation.

The Air Force represents at some points in the hearing record that there were 2 separate boards—1 for brigadier general and 1 for major general. On this see pages 64 and 68 of the hearing record. Yet at other points in the hearing record the Air Force definitely gives the impression that only one board sat on all these promotions. On this see pages 62, 63 and 81.

For example at page 63 of the hearing record, General O'Donnell stated:

"After the board was in session, the chairman came to me and said that they were having a great deal of difficulty in breaking down—they got their 3 major generals all right, but they were in real straits for selecting the 5 best out of 8 that they had narrowed the field down to, and they asked for permission to have their quotas changed."

This statement of General O'Donnell speaks in terms of one board making the selections for both major generals and brigadier generals.

More than that, it represents that the 3 major generals were selected prior to the granting of the authority to select 8 instead of 5 brigadier generals. Yet, the Air Force at pages 64 and 68 represented that the major general board did not sit until after the brigadier general board completed its work and that "The boards were not in session concurrently at any time."

Perhaps there were two boards and perhaps they were not in session concurrently, but they had common membership in some instances as admitted by General O'Donnell at page 27 of the hearing record. And the two boards apparently had the same president or chairman as indicated by General O'Donnell's answer on page 63 quoted above.

Common membership on two boards whereby some brigadier generals, who sit in the morning on a brigadier general selection board with major generals, are up for consideration from promotion to major general that afternoon by some of the major generals they sat with that morning—such common membership arrangement in my opinion does not make for a proper selection process. Yet, this was the case in this instance.

In fact the Air Force reports that the brigadier general board was composed of 6 members—3 regulars and 3 reservists and that the major general board was composed of 5 members—4 regulars and 1 reservist. There was a common member composition of the 2 boards in 4 officers, as the 3 regulars that served on the brigadier general board also served on the major general board and 1 of the 3 reserve officers that served on the brigadier general board also served on the major general board. The officer that served as president of the brigadier general board also served as president of the major general board. Two of the Reserve brigadier generals serving on the brigadier general board stepped out when the major general board met and considered them among others for promotion to major general. The major general board was not a 6-man board like the brigadier general board since only 1 officer—a Regular—was added to the 4 officers, who had served on the brigadier general board, to make up the law-required composition of 5 members.

BRIGADIER GENERAL SELECTION BOARD

The official duty of this board was to consider fully the 1,969 Reserve colonels eligible for promotion to brigadier general. Yet, this board was in session only 1½ days—January 22, 1957 and the morning of January 23, 1957. On the basis of an 8-hour working day, the board members then had on the average only 22 seconds to review the record of each one of the eligible 1,969 Reserve colonels—hardly enough time for an objective review and evaluation. Your attention to these facts is invited to page 64 of the hearing record.

In answer to my question about how it was originally decided that only 5 Reserve colonels would be selected for promotion to brigadier general and only 3 Reserve brigadier generals for promotion to major general, General O'Donnell stated that the Air Force Reserve is not up to strength or close to it with the filling of the number of Air Force Reserve general positions authorized by the law because (1) to do so would "stifle and stagnate promotion" and (2) that the promotion policy on the Reserve generals followed the promotion policy on the Regular generals.

General O'Donnell said specifically at page 63:

"What we try to do is, we try to handle the Reserves the same way we do the Regulars, and we try to make it possible each year—we missed last year—each year we hope to have an increment promoted, and we don't promote everybody all at once because it would stifle and stagnate promotion from then on. For instance, we are entitled by law to have three-hundred-and-thirty-odd Regular generals, and we have only 156. We space them over the years."

Both the logic and the accuracy of this statement of General O'Donnell is subject to serious question and challenge. For the Army Reserve is kept up to authorized Reserve general strength or close to it—and if the Army does it for its reservists why doesn't the Air Force do it for its reservists? Why does the Air Force ask Congress to authorize 157 Air Force Reserve general positions and then proceed to fill only 78 of those authorized positions—to fill less than one-half of what the Air Force itself asked for on authorized Reserve general positions?

Written information furnished to the committee by General O'Donnell on February 25, 1957, on the filling of the authorized Air Force Reserve general positions and on May 29, 1957, on the filling of authorized Air Force Regular general positions contradicts the above-quoted statement of General O'Donnell at the hearing on May 2, 1957.

The written information submitted by General O'Donnell to the committee on May 29, 1957, on Air Force Regular general positions is that there are 446 Air Force Regular general positions authorized by law and that of this the Senate Armed Services Committee has set a limitation of 425; that of this number, 411 of these positions have been filled; in other words, that the Air Force has filled 411 of the 425 Air Force Regular general positions permitted by the

Senate committee limitation, thus leaving only 14 vacancies unfilled out of the 425 positions. Ten of the 425 positions are filled by Reserve generals on extended active duty. This is hardly the same record of filling only 156 out of some three-hundred-and-thirty-odd Air Force Regular general positions as represented by General O'Donnell at the hearing. It is glaringly contradictory.

Before you accept the hearing statement of General O'Donnell that the Air Force applies to Reserve general promotions the same policy that it applies to Regular general promotions, just make a statistical comparison of the official, written information submitted to the committee by General O'Donnell on February 25, 1957, and May 29, 1957.

That information shows the following facts and numbers on general officer positions in the Air Force divided between regulars and reservists:

	Number authorized limitation	Number assigned	Number unfilled	Percentage unfilled
Regulars	[1] 415	[2] 401	14	3½
Reserves	157	78	79	51

[1] 425 minus 10 reservists.

[2] 411 minus 10 reservists.

In other words, the cold and factual statistics refute General O'Donnell's misrepresentation at the hearing to the committee—for these statistics show that the Air Force fills up practically all of its authorized Regular general spots with a high 96½ percent assignment record and a low vacancy record of only 3½ percent—whereas in sharp contrast, these statistics expose the fact that the Air Force fills up less than one-half of the Reserve general positions authorization and has a vacancy rate of 51 percent. In other words the Reserve general vacancy rate percentagewise to the Regular general vacancy rate is a rate of 15 to 1—15 times as great.

In the face of these undisputed statistics, how can General O'Donnell represent that the Air Force policy on Reserve general selections and assignments follow the same policy set for Regular generals? How can he, or the Air Force, in the face of these statistics deny that the real truth is just the opposite of what General O'Donnell represented at the hearing to the committee? How can he, or the Air Force, in the face of these statistics, deny that there is a double standard applied by the Air Force to regulars and reservists that discriminates against the reservists with the policy being to fill practically all of the Regular general authorized spots and in direct contrast to fill less than half of the Reserve general authorized spots?

This is just another illustration in this Air Force pattern of representing its position with respect to the Reserve of being favorable when the cold facts show that it is not.

Another disturbing facet about the brigadier general selection board is the contradictory statements made by Secretary of the Air Force Quarles and General O'Donnell on just how the board arrived at its selection of the eight Reserve colonel nominees for promotion to brigadier general. I previously outlined this in the discussion of the Montgomery case.

In that résumé, I revealed how on the one hand it was represented to the committee by General O'Donnell and his office that all eight Reserve colonel nominees were considered so "equally best qualified" and "so closely alined" that the board could not select any 5 best of the 8 and had to ask that the instructions be amended to permit the selection of all 8—while on the other hand, in his special defense of the Montgomery nomination, Secretary of the Air Force Quarles wrote that a "first 5" were selected and that Montgomery was in the "first 5" and not in the "additional 3." So that no one less than the then Secretary of the Air Force stated that the board did find a "first 5" best over the "additional 3" and thus that all 8 were not found "equally best qualified" as represented by General O'Donnell.

Again we have another illustration of the Air Force pattern of disregard for accuracy.

MAJOR GENERAL SELECTION BOARD

The Air Force has informed the committee that the composition of the major general selection board was 4 Regular officers and 1 Reserve officer. This composition raises a serious question as to the legality of this board for section 203 (b) of the Reserve Officer Personnel Act states:

"At least 50 percent of the members of any selection board appointed under the provisions of this act shall, to the extent practicable, be Reserve officers."

The major general selection board was 20 percent composed of Reserve officers—1 out of 5. Thus, this selection board would clearly be illegal and its acts voided and without any authority and standing were it not for the escape clause of "to the extent practicable."

And as is to be expected in this continuing Air Force pattern of finding loopholes, of stressing minimum compliance with the law and regulations, and of failure to encourage participation in the Air Force Reserve—in this instance of sitting on a major general selection board—the Air Force falls back on this loophole in the law and on this escape clause.

Actually, in this loophole-strategy-device pattern, the Air Force could have had the major general selection board composed of all Regular officers and no Reserve officers and still have technically squeezed through the loophole in the law. This would certainly violate the spirit of the law and the intent of Congress even though technically complying with the letter of the law through a loophole.

That is, in principle, what did happen in this case for the difference of a selection board composed of five Regulars and no Reserves is only a difference in slight degree from the actual selection board composition of 4 Regulars and 1 Reserve. Neither meets the 50 percent standard which would dictate at least 3 Reserve officers on the board—and the actual composition of the board was nearer a zero percent of Reserve officers than a 50 percent.

As the principal Senate sponsor of the Reserve Officer Personnel Act of 1954, I know what the real intent of this section 203 (b) was. It was to insure that the Reserve officers themselves would have at least one-half of the voice on their own promotions instead of those promotions being completely dominated and controlled by the Regular officers.

And when I say Reserve officers having a voice, I mean an independent voice—the kind of independence of the reservist whose daily peacetime occupation is a civilian occupation or pursuit—and not a Reserve officer who has been on extended active duty for so long that his identity has become more associated with the regulars than with the reservists.

Yet the sole Reserve officer—the only Reserve officer—serving on this major general selection board was a Reserve officer who has been on extended active duty for over 6 years now—and regardless of his fine record—whose daily contacts for these several years has unbrokenly been more constantly with Regular officers and with Regular thinking on Reserve matters than with reservists engaged in civilian occupations.

The Air Force resorted to the loophole clause and assigned only one Reserve officer to the major general selection board since apparently there were no other Reserve major generals available to serve on the board.

Frankly, I am not impressed with this reason. For such a condition—such a paucity and rarity of Reserve major generals—is the fault of no one but the Air Force itself. For the Air Force had filled only 17 of the 77 authorized Reserve major general positions that Congress has given to it. In other words, at the time that this major general selection board met there were 60 unfilled Reserve major general positions as contrasted to only 17 filled Reserve major general positions.

If the Air Force would fill a respectable number of these 60 unfilled Reserve major general positions, it could easily have 3 Reserve major generals serving on major general selection boards. No, the scarcity of Reserve major generals to serve on this board is an Air Force created scarcity—and apparently for its own convenience and for continued dominance of the Reserve selection board by Regular officers, contrary to the letter and intent of the law.

In the attempted explanation of unavailability of Reserve major generals to sit on this board, the Air Force reported that one Reserve major general had informed the Air Force he was unavailable to sit on the board. That, in itself, is disturbing—for the major general selection board sat only one-half of 1 day—only in the afternoon of 1 day.

Just how interested and active in the Air Force Reserve is a Reserve major general who won't sit for one-half day, for one afternoon on a selection board? Just how much is he contributing to the Air Force Reserve by such an attitude of unavailability? Regardless of how much an admirable war record he may have, what is his real value to the Air Force and the Air Force Reserve by such an attitude of unavailability for such a short time? In fact, this raises a question of just how active has this particular service-declining Reserve major general been since the end of World War II in the Reserve?

Another reason why I am not impressed with the Air Force not having the composition of the major general selection board comply with the intent, at least, of the law, is that if there were not enough Reserve major generals available to sit on the board at that time, then why have the board sit at that time? Why not set a time when enough Reserve major generals are available to sit to make the composition of the board comply with both the intent and the letter of the law? Why not set such a time if the Air Force is not going to require from its Reserve major generals such needed and important participation in the Air Force Reserve as sitting on a selection board to enable the Air Force to comply with the law without having to resort to loopholes?

Again as has been illustrated repeatedly and abundantly heretofore in the cases and the examples set forth, we see clearly exhibited and displayed a continuing Air Force pattern of disregard for encouragement for active participation in the Reserve and a disregard for complying with the spirit of the law—but instead an emphasis on squeezing through the loopholes and doing only the bare minimum requirements.

MISREPRESENTATIONS MADE CONCERNING NOMINEES

One of the most disturbing things about these nominations is the heavy preponderance of misrepresentations made in connection with these nominations. In all of the 17 years that I have served in Congress, I have never seen the truth treated so lightly as in the defense of these nominations—I have never seen such a display of disregard for accuracy and the truth.

In the presentation that I have already made I have documented at least 23 instances of false and untruthful representations about these nominees, their records, and the manner in which they were selected.

Five of these misrepresentations were attributed to sources outside the Air Force. The responsibility for the 18 other misrepresentations and false statements is that of the Air Force itself—16 of which are attributable to the Air Force Deputy Chief of Staff for Personnel, Lt. Gen. Emmett O'Donnell, Jr.

This is not a matter to be taken lightly. It is a grave matter which raises the very serious question and consideration of whether, in the interest of encouraging and inducing more truthful testimony and accurate answers and information to questions asked by the Senate Armed Services Committee and its members, it will be necessary in the future for the committee to place General O'Donnell under oath before interrogating him.

The printed record clearly documents these misrepresentations and falsehoods. What the printed record does not reveal is the attempt made by General O'Donnell to do a sweeping and extensive rewriting of his public hearing testimony.

That transcript is 104 pages in length. Of those 104 pages, General O'Donnell made statements and gave answers on 83 pages.

Now of the 83 pages on which General O'Donnell gave answers and made statements, he sought to change his answers and statements on 62 pages. In other words, he sought to change his answers and testimony on about three-fourths of the pages on which his answers and statements appear, and in this attempt of his he left unchanged only about one-fourth or 21 pages.

If that is not literally a wholesale rewriting of one's testimony, I don't know what is.

Of the 62 pages on which General O'Donnell sought to change his answers, 43 pages are on answers to questions that I asked him. In contrast, there were only six pages on which he gave answers to me that he did not attempt to change. In other words, he changed his answers to me at the rate of more than 6 of every 7 pages.

On all three of the pages on which Senator Barrett questioned General O'Donnell with respect to the financial aspects of Colonel Montgomery's attempted retirement and later resignation from the Regular Air Force and his appointment in the Reserve, General O'Donnell sought to change his answers.

On 5 of the 6 pages on which he gave answers to questions asked by Senator STENNIS, General O'Donnell sought to change his answers.

In response to the more sympathetic questions of Senator SYMINGTON, General O'Donnell's rate of attempted rewriting of his testimony is not nearly so high as in these previously mentioned instances. For on 12 of the 21 pages on which General O'Donnell gave answers to Senator SYMINGTON's questions, General O'Donnell sought no changes.

I opposed permitting General O'Donnell to make such a sweeping rewriting of his public testimony. I notified the chairman of the committee that I felt that the integrity of the committee would be better served by General O'Donnell submitting a letter of changes and extensions to be placed in the hearing record and to let the original transcript stand in its true, pure and unadulterated form.

General O'Donnell was then notified that his attempted sweeping rewriting of his testimony was not acceptable to the committee, and that instead he should submit such changes and extensions he desired in the form of a letter.

General O'Donnell then drastically scaled down the rate of his requested changes and extensions in his testimony from that on 62 pages that he sought in the official reporter's transcript to only 11 pages as listed in the Air Force letter of correction appearing in the appendix of the committee hearing record at pages 79, 80, and 81. Quite a scaling down to only a fraction of the attempted sweeping rewriting he first sought before being denied by the committee.

There were only two other changes in the Air Force letter of correction with respect to the testimony of the other Air Force witness who had relatively little participation at the hearing and played a comparatively very minor role.

The most charitable characterization that I can ascribe to General O'Donnell's testimony and appearance before the committee is to conclude that he was not very well informed on the matters on which he was interrogated, and that he apparently made no effort to get himself informed and prepared to answer questions and to provide the committee with accurate information.

Since he was selected by the Air Force to be its principal representative at the hearing and its spokesman to answer the questions and was not the selection of the committee, I would suggest to the Air Force that in the future it require its official spokesmen appearing at hearings of the committee to do their homework before coming before the committee. The hearing record makes it abundantly clear that General O'Donnell did not see fit to do the committee the courtesy of doing his homework. In his failure to do so, he not only exhibited lack of respect for the committee but he pointedly let the Air Force down in his role as its representative and spokesman.

EFFECT OF NOMINATIONS ON MORALE OF AIR FORCE RESERVISTS

At the committee hearing, defenders of these nominations contended that the selection of these very nominees was beneficial to the morale of Air Force reservists. See pages 32, 33, and 43 of the committee hearing record. In fact, they characterized these nominations and selections as inspirational (see pp. 49 and 50 of the hearing record) and the type to draw a good many people to the Reserves (see p. 43 of the hearing record).

Perhaps these defenders are right. I do not question the war records and the characters of the nominees. What I do question is their degree of activity in the Reserve—or more accurately put, their inactivity in the Reserve. I do not think that their inactivity has been such as to be an example for all reservists to follow—for if it were we surely would have a woefully inactive Air Force Reserve. Nor do I think that their records of inactivity are inspirational to thousands of Air Force Reservists, or that the selection of them for general rank on the basis of such records has served as an inspiration to all Air Force Reservists, particularly the really active Reservists, or that their selections have boosted the morale of the membership of the Air Force.

Certainly the mail and oral expressions which I have received on these selections has not indicated any real basis for these claims by the defenders of the nominations. To the contrary, the overwhelming expression which I have received has been just the opposite of what the defenders of these nominations claim.

Some past national presidents of the Reserve Officers Association and the Air Reserve Association have criticized these selections very vigorously. They have fully supported the holdup and investigation on the nominations. I shall not name them, because to do so would subject them to the vindictive, retaliatory punitive action that the Air Force would probably take against them.

I have had Regular Air Force generals—both one star and two star—express to me their resentment and criticism of the Montgomery nomination, in view of his leaving the Regular Air Force and then being able to get through the Reserve just as much retirement pay as they who faithfully stay on the job every day in the Regular Air Force for 30 years, while Montgomery leaves the Air Force for a high paying civilian job. I have been told by nongeneral officers who served under Montgomery of the bad effect which his resignation had on the morale and recruiting program of the service. I will not name these men because I know that to do so would destroy their careers in the Air Force simply because they expressed their honest reactions.

To those who claim that these nominations and selections of Air Force reservists with such inactive records is good for the morale of the Air Force Reserve, I quote from a few of the communications I have received on this matter. These communications include letters and telegrams from Maine to California—from all over the continental United States—yes, even a cablegram from outside the continental United States—from Reserve wing commanders, from Reserve squadron commanders, from persons inside the Department of the Air Force, from persons who have served under some of the nominees, and from others.

Here are a few of the expressions:

From the commander of an Air Reserve squadron: "The reason I write is not because I am objective about this. I with most of my officers who have done more than what was required am being dropped from a half decent program when 11 officers some of whom have done a hell of a lot less are being elevated to or in general rank. We would like to know if they are going to be required to meet any criteria after they are promoted and what such requirements will be. It is heartening to know that someone will make an effort to inquire into the ground rules and raise the question as to their observance. Many officers share my feeling so please accept our thanks for what must appear at times as a thankless job."

From the commander of an Air Reserve wing: "Congratulations on your stand blocking promotions of Reserve Air Force generals. It is time someone recognizes the flagrant violations against more deserving officers."

From inside the Department of the Air Force in an official envelope of the Air Force: "The enclosed clipping announcing the public hearing of these promotions has reestablished my faith in the responsibilities of the Senate Armed Services Committee. More important were your personal efforts in writing to Chairman RUSSELL your contentions relative to these promotions. This action by you, in the final analysis, will bestow honorable credit to you in discharging the trust of your high office and prove to be of unestimable service to the primary mission of our Nation's military establishment."

From a California Air Force Reserve colonel: "As I understand the situation, you have been particularly concerned with the promotion of * * * a Reserve colonel, due to lack of active participation. I would venture a guess that several hundred Air Force Reserve colonels have been similarly concerned due to the fact that as actively participating and dedicated Reserve officers we have continuously and conscientiously contributed a goodly portion of our 25 to 30 or more years of military service with at least an occasional thought that a few might ultimately earn a promotion. This then raises a question as to whether the momentary publicity which would result from * * * promotion would offset the effect on morale of several hundred Reserve colonels each of whom in turn could influence hundreds and possibly thousands of other active Reserve officers."

From a retired Air Force Reserve colonel in Maine: "* * * if movie actors, Wall Street brokers and lawyers and others of big business or social prominence are the only officers promoted to brigadier general from the Reserves, the Reserves will not last very long.

"Instead of equable distribution of promotions of Reserve colonels to brigadier general spread over the country, the nominations seem to be of people like * * * and others in like categories, one of their principal qualifications apparently being the publicity and glamour they bring to the particular service. Obviously their eminence in the eyes of the general public is helpful and is a factor to be considered. However, I think you are very right when you ask about the nominees being truly active reservists."

From a Texas Air Force Reserve colonel: "I am a full colonel in the Air Force Reserve. I have no intention of degrading anyone but it does make me sick at my stomach to see how things can be twisted and bent in order that a few friends of some people can be promoted when they have not done what is required of them. Read ROPA and see."

From Chicago: "I wish to commend you on holding up appointments for Reserve generals in the Air Force. The morale of the Regular Air Force is at stake."

From a Tennessee reservist: "* * * Colonel * * * may have been an inspiration for the enlistment of many Reserve recruits, but the proposed promotion and other promotions which have been made on a comparable basis made many Reserve officers resign or request placement on the retired list."

From an Air Force Reserve colonel in New Jersey: "You are to be commended most highly for investigating the sorry records of those who were nominated recently for a general rank in the Reserves. I am sure every conscientious, hard-working colonel joins me in thanking you for your stand. * * * It is a great morale booster, and a great pleasure to all qualified Reserve officers."

From a Massachusetts Air Force reservist: "All of us men and women in the Reserve forces want to congratulate you on your great stand against outright promotions for inactive reservists who, at present, are in the limelight for promotion to general."

From a Pennsylvania reservist: "Read your question. Think it's great. What about Ted Williams. The Marine Corps twice had his most productive years interrupted by the armed services. If they are going to make a general out of * * * why don't they make a major general out of Ted Williams."

From the president of a leading midwestern college: "Speaking as the commanding officer of a Navy electronics unit and also as the president of a State college where several thousand boys have belonged to Reserve units since 1945, I wish to thank you for your courage in opposing such promotions. * * * Many reservists have faced serious hardship, loss of vacation time, and financial difficulty in order to continue in military Reserve units in this country. It will indeed be bad for the morale of these boys to know that men like * * * no matter how attractive or glamorous or capable they may be, who have not spent this training time may be promoted."

I will not disclose the residence of the writer of the next letter I quote for he could be in that manner too easily identified out of a group of 44 for retaliatory and punitive action for expressing agreement with my stand and disagreement with the position of the Air Force. Suffice it to say about this writer's pedigree that the Air Force felt that he was important enough to select him to send him to the Air Force Command and Staff College.

"As a Ready Reserve colonel, I recently completed the 2-week Reserve officers indoctrination course at the Command and Staff College at Maxwell Air Force Base, Ala. In the class were 44 full colonels, so naturally there was much discussion about the recent nominations to brigadier general which you have so ably brought before the Armed Services Committee for investigation. I assure you that all 44 colonels admire your stand on this matter."

CONCLUSIONS

The individuals and personalities involved in these nominations are not at issue here. It is their records of inactivity that are at issue. Rewarding inactivity with promotion to general rank involves a question of principle not of personalities.

Perhaps the Air Force has a better case than its uninformed defenders have presented. That could easily be the case when the principal spokesman of the Air Force displayed such an amazing lack of knowledge about the Air Force Reserve and these nominations which the Air Force sent him up to the Senate committee to defend.

It could easily be the case when another leading defender, at the very outset of his defense of these Reserve nominations revealed his ignorance on Reserve matters by calling the first nominee on the list "a Regular officer" and by referring to this particular reservist as having "a fairly distinguished record as a regular officer" although the reservist had never been a Regular. On this I invite your attention to page 32 of the committee hearing record.

Black cannot be made white. A reservist is not a Regular any more than inactivity in the Reserve can be pictured to be great activity.

Yet, we have the principal spokesman for the Air Force saying at page 29 of the hearing record that no training in one's mobilization assignment is realistic training and then 4 pages later on page 33 of the record saying that the Air Force is enjoined by the law to base its promotions on mobilization requirements.

Black cannot be made white. Yet we have the principal spokesman for the Air Force at page 40 giving contradictory answers to two successive questions by saying first that the Air Force lost when General Montgomery shifted to the Reserve and that "it would be much better to have General Montgomery on active duty than to have him on Reserve status"—and then immediately following that up with the contradictory statement that he would say that General Montgomery's service would be just as great by staying in the Reserve as it would be by staying in the Regular Establishment. How can it be both ways, General O'Donnell? How can it be better for Montgomery to be in the Regular Air Force than in the Reserve—and still be just as great by being in the Reserve?

Black cannot be made white. Yet we have the principal spokesman for the Air Force saying at page 36 of the hearing record that Montgomery took a "terriffic financial sacrifice" by resigning from the Regular Air Force and going into the Reserve—and 6 pages later at page 42 saying that Montgomery "never would have resigned unless he cared nothing about the money at all."

Black cannot be made white. Yet we have the principal spokesman for the Air Force saying at page 40 of the record that Montgomery, who has the least active Reserve record of all 11 nominees, is a great come-on to the Reserves.

Black cannot be made white. Yet in almost the same breath in which the Air Force representatives defend the nominations for general ranks of some reservists with very inactive records, they indicate that 45,000 to 50,000 Reserve officers have been removed from the Air Force Reserve for inactivity in the last 3 or 4 years. I commend the Air Force for initiating a policy that requires participation as a condition for remaining in the Reserve. At the same time, I condemn a double-standard application of this policy whereby some of the nominees have apparently been permitted to remain in the Reserve despite little or no Reserve participation. On this I invite your attention to pages 44 and 51 of the hearing record.

With such contradictory Air Force statements and testimony as I have cited to you—together with the documented misrepresentations made by the Air Force—in these cases, it is extremely difficult to determine just what is the actual policy, position, and attitude of the Air Force on selection of Reserve generals and on required active participation in the Air Force Reserve.

One is forced to guess—and it would appear that the Air Force policy and position is best set forth at page 67 of the hearing record where General O'Donnell described the Air Force position as being one of getting men of national repuation.

Perhaps that is a better criterion than active participation or realistic training in the Reserve. I don't think so. But even assuming that it is, the Air Force should get rid of its double standard on promotions—whereby it kicks out 45,000 to 50,000 Reserve officers from the Air Force Reserve for lack of active training and participation in the Reserve and still promotes to general rank some Reserve officers with woefully inactive records—whereby it requires active participation in the Reserve up to the rank of colonel and, on the other hand, drops that basis on general officer rank and substitutes for it a policy of minimizing participation and emphasizing as primary requirements for promotion to general rank, glamor and big business connection.

Whatever is to be the policy and the basic ground rules, the Air Force should drop this dishonest double standard system. The Air Force should stop fooling reservists who are loyally participating in Reserve training and activity—who are working hard to develop and maintain their proficiency for defending our country, if and when war comes. Prime examples of this are the Air Reserve wing commanders who work hard throughout the year to keep their Reserve wings in shape.

If realism proves training participation and point earning to be outmoded and unrealistic—and dictates that it be replaced by similarity of civilian occupation to mobilization assignment—then the Air Force should be honest enough to make necessary changes and inform all reservists of those changes.

The real point is that all Air Force reservists should be informed fully and should not be misled. If active participation, such as inactive training and annual 15-day active duty training, is not to have a major bearing on promotion but instead is to be overshadowed, if not disregarded, in favor of the business activity record of a reservist, then the Air Force should so inform all reservists instead of misleading them.

For then the really active, hard-working, loyally participating reservists would have an opportunity to stop and drop participation in the Air Force Reserve and instead use that valuable time working in the aviation industry or in motion pictures toward earning promotion in the Air Force Reserve.

If "national reputation" is to be a prerequisite to becoming a general in the Air Force Reserve—if general nominations and selections in the Air Force Reserve are to be for the purpose of attracting publicity to the Air Force—if the Air Force Reserve is to be a "back door" medium through which a Regular Air Force general can leave the Air Force for a high-paying civilian job and still continue to accrue retirement benefits at the same rate as a Regular officer who remains on active duty—then the Air Force should tell not only all Air Force reservists but also all young men who are considering joining the Air Force Reserve. It should be honest enough to tell them so that they will not be misled and have any illusions that some day they might become a general in the Air Force Reserve through constant, loyal training participation in the Reserve.

The hearing and inquiry on this matter does not reflect credit upon the Air Force. I would hope that the Air Force has learned some lessons from it.

I would hope that the Air Force has learned from the hearing and the committee inquiry into this matter that it must start presenting truthful information and honest reports to Congress instead of making misrepresentations, inaccurate statements.

I would hope that the Air Force has learned a lesson to send up informed representatives who will speak the truth—who are well informed and know what they are talking about—or who will get themselves informed instead of treating Congressional inquiries lightly with a brushoff—representatives who will at least do their "home work" before appearing before a Senate committee to defend Air Force actions and to answer questions about those Air Force actions.

I must give General O'Donnell, the principal Air Force spokesman in this matter, credit for truthfulness and accuracy at one point in the hearing. In fact, I think that he was more truthful, accurate, and to the point than he would want to admit—that he brilliantly and succinctly stated the actual Air Force position and dubious record on this matter (which I have documented in detail and at length)—when he said at page 38 of the committee hearing record: "* * * it is a very difficult thing to explain here. I am not very good at explaining."

Truer words were never spoken. More appropriate words were never said. "It is a very difficult thing to explain" because there is no reasonable, honorable, and logical explanation of this matter by the Air Force. And, obviously, General O'Donnell was not very good at explaining.

IMMIGRATION LEGISLATION

Mr. **KENNEDY**. Mr. President, I ask unanimous consent to have printed in the RECORD an article by Donald R. Larrabee on the immigration bill which appeared in the Quincy Patriot Ledger, as well as several telegrams which I have received on this legislation.

I am very proud to have played a role in the passage of this bill. It marks a major step forward in our attempts to enact more liberal immigration legislation. The bill represents a realistic approach which will have untold and lasting benefits for our country for the some 60,000 to 70,000 who are directly affected by it. We have taken action and moved forward in an area where there has been no major progress since passage of the Immigration Act in 1952.

My heart is glad for the thousands of American citizens who will now be able under the terms of this bill to be reunited with their families from whom they have been separated because of the workings of our immigration law. Among these are some 33,000 Greeks, Italians, and persons of other nationalities. I am likewise pleased that persons chargeable to the quotas of Lithuania, Estonia, Latvia, and other countries, whose quotas had been heavily mortgaged by the Displaced Persons Act and other laws, will now be able to move more freely under the provisions of this bill which lift the mortgages imposed on these quotas. I rejoice with those of our citizens who have adopted alien children who will be permitted, under the terms of this legislation, to join their adoptive parents in the United States—truly the opportunity which we have given to these youngsters who are the victims of war and its aftermath justifies all of our work on this bill. We can also be proud that, by the passage of this legislation, we have opened new vistas and extended that precious element of hope to refugees from communism and other forms of tyranny, including that most worthy group of refugees who have recently fled from the Middle East.

Mr. President, in summary I think that the Congress can close this session with a deep sense of satisfaction that, having enacted this major piece of immigration legislation, it has restored hope to the hopeless, strengthened and supported family life, and ameliorated some of the harsh provisions of our immigration law. Truly, this Congress has made a major step forward in the perfection of our immigration policy. Much remains to be done in this area and I pledge my strength to the attainment of more far-reaching adjustments in our immigration policy in future years.

STORY BEHIND A BILL—SENATOR KENNEDY AND IMMIGRATION

(By Donald R. Larrabee)

WASHINGTON.—Any Congress, in the windup of a session, provides a case study in the ability of its Members to face up to political realities. Most legislation contains an element of compromise, but when time is running out on a Congress, the compromise must be carefully calculated or the result is a big nothing. This is the real story of the emergency immigration bill which will reach the President's desk before adjournment.

POLITICAL REALITY

The immigration measure bears the imprint of Senator JOHN F. KENNEDY (Democrat) of Massachusetts who saw the political reality that a broader and stronger bill would never clear Congress. KENNEDY talked with enough of his colleagues to know what changes in existing law could be passed without controversy or acrimony in the short time left. He drew provisions here and there from pending bills, pieced them together in a proposal that had the blessing of the leadership on both sides of the Capitol.

The final work was a far cry from what KENNEDY himself had proposed earlier in the year. It didn't begin to go to the heart of what many Senators believe are the critical weaknesses in our immigration policies. It ignored many of the major changes requested by President Eisenhower, but it also ignored such controversial proposals as the revision of the 33-year-old national origins quota system. If the latter had been included, KENNEDY would not have had the support of key House and Senate leaders on immigration legislation. What remained, when KENNEDY completed his draft, was a bill to deal with urgent, hardship cases.

Other Senators, with immigration bills of their own, quickly fell in line behind KENNEDY. None of them were happy to forego action on basic liberalizing changes in the law, but they knew this was all they could get passed so late in the session. They remembered that the Senate hastily passed a broader bill at the last session, only to see it die in the House because that body's immigration leader, Representative WALTER (Democrat of Pennsylvania) had not been consulted.

Thus, support for KENNEDY came from Senate floor leaders JOHNSON and KNOWLAND; Senator WATKINS, Republican, of Utah, who was sponsoring the administration's bill; Senator DIRKSEN, Republican, of Illinois, who had a slightly different version; and several Democrats, like Senator PASTORE, Democrat, of Rhode Island, who favor a wholesale alteration of our immigration statutes. PASTORE said the Kennedy bill didn't measure up to his hopes, but it was an affirmative step. Added PASTORE: "It may be termed a compromise; but, indeed, it is not a surrender." The Rhode Islander, another political realist, declared: "We can accept it, as practical people, in the closing hours of this session, as an accomplishment, whereas otherwise we might be left with no advance at all."

The Kennedy bill, on which House action is expected early this week, will let in about 60,000 more persons in various categories. Among these will be 18,000 refugee-escapees from the Middle East and from Communist-dominated countries. It erases "mortgages" carried over from the Displaced Persons Act which have had the effect of holding down quotas.

A little-noticed provision of the Kennedy measure would provide relief in the situation where a foreign diplomat presently in this country cannot or does not choose to return home. The need was brought to the attention of Congress in the case of Wellington Koo, former Chinese Ambassador to the United States, who could not return to his own country and became, in fact, a man without status of any kind.

RELIEF PROVISIONS

President Eisenhower asked for about 20 technical amendments to the basic law—and he will get about 7. He asked for permanent legislation to deal with the orphan problem and the Kennedy bill provides a 2-year program. But, Mr. Eisenhower is going to get the waiver of existing mortgages on quotas and a portion of his request designed to relieve Congress of much of the burden of considering private immigration bills. In addition, he will receive relief provisions for skilled specialists and relatives and the provision for 18,000 refugee-escapees.

A major deficiency in the Kennedy bill—one proposed by the President and advocated by many Senators—would have given permanent status to 27,000 Hungarian "parolees" who came here last winter. When these people arrived, there was widespread public sympathy that they should be given a chance to become candidates for citizenship. This is a major piece of unfinished business on which Congress will surely go to work in January, judging from the Senate debate on the Kennedy bill.

NEW YORK, N. Y., *August 29, 1957.*

Senator KENNEDY,
The Senate, Washington, D. C.:

Congratulations enactment S. 2792 which I believe represents most important step forward in refugee immigration field in recognition of our foreign policy leadership requirements and the humanitarian need of refugees.

ELEANOR ROOSEVELT.

NEW YORK, N. Y., *August 29, 1957.*

Senator JOHN KENNEDY,
United States Senate,
Washington, D. C.:

Please accept our most sincere gratitude and appreciation for your leadership and tireless efforts on behalf of those who have escaped Communist oppression. We know the bill passed yesterday was strongest measure possible at this time, and that its passage could not have been achieved without your initiative and dedication.

ANGIER BIDDLE DUKE,
International Rescue Committee.

BOSTON, MASS., *August 29, 1957.*

Senator JOHN F. KENNEDY,
Washington, D. C.:

Congratulations on your victory for the immigration bill presented by you. As president of American Committee on Italian Migration of Boston I am very grateful for consideration that you have for our Italian colleagues of Italy. Wishing you further success.

Sincerely yours,

Mrs. Daniel Rufo.

New York, N. Y., *August 29, 1957.*

Senator John F. Kennedy,

Senate Chamber, Washington, D. C.:

We appreciate that the refugee legislation adopted today was due greatly to your sympathetic efforts. This stopgap measure will give homes and future to many thousands homeless and destitute people. Congratulations.

James P. Rice.

Executive Director, United HIAS Service.

New York, N. Y., *August 28, 1957.*

Senator John F. Kennedy,

United States Senate,

Washington, D C.:

Sincere congratulations to you on your fine leadership in getting the refugee bill passed. This constitutes a real help to thousands of worthy people of vital concern to our country and to our churches whose aim always is to express Christian brotherhood and to give aid to the oppressed.

Roland Elliott,

Director, Immigration Services, Church World Service.

Washington, D. C., *August 28, 1957.*

Senator John F. Kennedy,

Senate Office Building,

Washington, D. C.:

Kindly accept our hearty congratulations on passage today in Congress of your well-tempered proposals effecting much-needed changes in current immigration procedures. Most certainly you and your associates in Congress can take justifiable pride in this splendid accomplishment. The happiness that will accrue to the many thousands of beneficiaries, separated spouses and children, orphans, the refugees, and others will justify your fine statesmanship. We of the department of immigration of the National Catholic Welfare Conference are edified and deeply grateful. You have our cordial personal best wishes.

Bruce M. Mohler.

Washington, D. C., *August 29, 1957.*

Senator John Kennedy,

Senate Office Building,

Washington, D. C.:

Congratulations on the passage of your bill which will give new hope to so many thousands of refugees.

Father Frederick McGuire, C. M.,

Mission Secretariat.

ECONOMIC CONDITIONS IN MASSACHUSETTS

Mr. KENNEDY. Mr. President, I have addressed the Senate on several occasions, calling the attention of this body to what I consider to be a very serious problem, namely, the fact that many communities throughout the Nation do not share in the general prosperity and that unemployment in many of these communities is on the rise. I have suggested that the administration has taken far too sanguine a view of these serious problems and has been notably restrained in acting to ameliorate the serious economic crisis in which many of these communities find themselves.

One of the communities to which I have given attention in my own State is Fall River, Mass. As this session of Congress draws to a close, I should like to summarize the results of my efforts to assist this community in solving some of its economic problems. Frankly, Mr. President, I have been deeply disappointed that despite my very vigorous efforts on behalf of this and many other communities in Massachusetts, the employment situation in these communities has not materially changed since this time last year.

I have made every legitimate effort to acquaint manufacturers and other businessmen in these communities with the procedures for obtaining Government contracts, and by and large these businessmen have responded with enthusiasm and intelligence. However, despite our very best efforts, little Government business has gone into Fall River and the other communities which have been so hard hit economically for reasons quite beyond the control of the local citizenry. To some degree, this lack of success in channeling Government procurement into these areas has been due to the restrictions imposed by law, but I am not entirely convinced that within these restrictions a good deal more could not have been done by administrative action. To the extent that this is true, I believe that the administration has been derelict in its responsibility to many hard-pressed communities throughout our country.

I am happy to say that, through the combined efforts of the local community and my office, we have been able to obtain a planning grant from the Community Facilities Administration to enable Fall River to complete plans for the improvement of its industrial water supply. When this work is finished it should provide a sound and long-term basis for industrialization of this community, and I am extremely hopeful that the provision of adequate quantities of clean water will form an incentive to businesses to locate in this fine community with its large pool of skilled manpower.

I have been disappointed that the Area Redevelopment Act, of which I am a co-sponsor, has not been acted upon during this session of Congress. I believe that if this legislation were on the books we would have a positive program which would be of great assistance to economically depressed areas throughout our country. As far as I am concerned, this is high priority legislation for the next session of Congress.

Finally, Mr. President, I again wish to stress to the Senate the fact that these economically hard-hit communities are subject to the inflationary pressures which beset the whole country. Under these conditions they are in a sense placed in double economic jeopardy. Wages and employment are down and yet the prices of food, rent and other necessities are skyrocketing, with apparently little or no control being placed on them by the Government. The situation is serious and we dare not ignore it much longer.

THE CIVIL-RIGHTS BILL

Mr. COOPER. Mr. President, last night the Senate in approving the conference report on H. R. 6127, the civil-rights bill, took a historic step toward showing to all of our citizens their constitutional right of voting. I am very glad that I had the opportunity to vote for this bill and to support it during its stages of development in the Senate of the United States. I hope that it will mark the beginning of a new era in the confirmation of the equal rights of all the peoples of the United States. There were many in this body and in the House of Representatives who played an important part in the development and passage of this important measure, but I do want to pay a tribute to the ability of our distinguished minority leader, Senator William F. Knowland of California and his indomitable will and determination that a civil-rights bill should be enacted. I think it should always be remembered that it was his affirmative and positive determination to secure action that in the end brought about the passage of the civil-rights bill in the Senate.

THE ADMINISTRATION'S FISCAL POLICIES

Mr. MAGNUSON. Mr. President, during this session, many of us have expressed deep concern over the effect on our economy of the fiscal policies of this administration, as initiated and implemented by ex-Secretary of the Treasury George Humphrey. We have contended that the Humphrey tight-money policy is throttling business—particularly small business. We have expressed the fear that the administration, in its obsession to stop inflation, could produce an Eisenhower depression.

The very thing we feared has happened in some sections of the country. I would like to insert as a part of my remarks some recent letters I have received from the State of Washington indicating the detrimental effects of high interest rates on two important segments of our economy.

Also, I am including from the Economist, Britain's highly influential financial journal, excerpts from an article entitled, "Mr. Humphrey's Failure." This article appeared in the Economist on August 3.

Aberdeen, Wash., *August 13, 1957.*

Warren G. Magnuson,

Senate Office Building,

Washington, D. C.

Dear Sir: We here in the heart of the lumbering industry have seen logging operations, sawmills, plywood plants and pulp mills all closing down recently. As each one of these parts of the industry close down, either indefinite or forever, company officials in every operation have blamed it on the "soft lumber market."

I wonder if you could tell me what is the matter with the lumber market, what can be done about it and what you as a Senator from a lumbering State are going to try to do about it?

Hoping to hear from you soon, I remain

Sincerely yours,

Mahlon Chestnut,

Recording secretary, International Woodworkers of America, Local No. 23–2.

[From the Economist of August 3, 1957]

Mr. Humphrey's Failure

Mr. George Humphrey left the Treasury last week in blaze of disappointment. He had three objectives when he came to Washington four and one-half years ago and all three are still to be achieved.

His latest borrowing will add $250 million a year to the public debt's cost. This is the final proof of Mr. Humphrey's failure.

PORTLAND, OREG., *August 25, 1957.*

WARREN MAGNUSON,
United States Senate.

SIR: I have been traveling your State for 15 years. At the present, I am at the Olympic for our showing of late fall and holiday apparel. Never in all these years have so many merchants complained about business conditions.

We read, day in and day out of fantastic corporation profits and read also of the healthy state of the banking industy.

I suspect the high interest rates accounts for the slow business recession.

May I, as one small individual of the traveling fraternity, suggest you and your fellow Senators do something, and quick, for the small merchant and manufacturer.

Thank you.

E. C. MCLACHLAN.

ALOHA, OREG., *August 23, 1957.*

Senator WARREN MAGNUSON.

SIR: We are here at an Apparel Market Week.

There is no business, and nothing but complaints from the smaller merchant.

Why can't something be done about this "hard money" policy and these 6 percent and 7 percent interest rates?

The only ones making a living are the bankers.

CARL PETERS.

SENATOR MATTHEW M. NEELY

Mr. MANSFIELD. Mr. President, we have all been aware of the travail through which the distinguished Senator from West Virginia [Mr. NEELY] has been going this year. He has on occasion shown himself to be a Senator of extraordinary attainment.

I have in my hand a letter which was written to our colleague, the senior Senator from West Virginia, by the Senator from Illinois [Mr. DOUGLAS]. It is such a good and such a sweet letter that I think it ought to be made a part of the RECORD. I ask unanimous consent that it be incorporated in the RECORD at this point in my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter is as follows:

UNITED STATES SENATE,
Washington, D. C., August 26, 1957.

Hon. MATTHEW M. NEELY,
U. S. Senate.

DEAR MATT: Work is slackening up here a bit, and one has a little chance for reflection and thought.

I have been thinking what a marvelous career you have had—State legislator, lawyer, Congressman, Senator, Governor, Congressman again, and Senator again, and all the time a terrific battler for the people. You have been afraid of no one and have pushed in to issues which the timid have shunned. Always your heart has been warm and brave. You have been, and are, a real tribune of the people.

In the history of the United States Senate, there have been all too few of that kind, and so I want to greet you and salute you.

My warmest best wishes.

Faithfully yours,

PAUL H. DOUGLAS.

AUTHORIZATION TO SECRETARY OF THE SENATE TO RECEIVE MESSAGES FROM THE HOUSE OF REPRESENTATIVES AFTER SINE DIE ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, I submit an order which I ask to have agreed to.

The PRESIDING OFFICER. The order will be read.

The order was read and agreed to, as follows:

Ordered, That notwithstanding the sine die adjournment of the present session of the Congress, the Secretary be, and he is hereby, authorized to receive messages from the House of Representatives after the sine die adjournment.

AUTHORIZATION TO PRESIDENT OF THE SENATE TO MAKE APPOINTMENTS

Mr. JOHNSON of Texas. Mr. President, I submit another order which I ask to have agreed to.

The PRESIDING OFFICER. The order will be read.

The order was read and agreed to, as follows:

Ordered, That notwithstanding the final adjournment of the present session of the Congress, the President of the Senate be, and he is hereby, authorized to make appointments to commissions or committees authorized by law, by concurrent action of the two Houses, or by order of the Senate.

TENDER OF THANKS OF THE SENATE TO THE VICE PRESIDENT

Mr. JOHNSON of Texas. Mr. President, I submit a resolution which I send to the desk and ask to have stated; and I request unanimous consent for its immediate consideration.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The resolution will be read.

The resolution (S. Res. 202) was read, as follows:

Resolved, That the thanks of the Senate are hereby tendered to the Honorable RICHARD M. NIXON, Vice President of the United States and President of the Senate, for the courteous, dignified, and impartial manner in which he has presided over its deliberations during the 1st session of the 85th Congress.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

TENDER OF THANKS OF THE SENATE TO THE PRESIDENT PRO TEMPORE

Mr. KUCHEL. Mr. President, I submit a resolution which I send to the desk and ask to have stated; and I request unanimous consent for the immediate consideration of the resolution.

The PRESIDING OFFICER. The resolution will be stated.

The resolution (S. Res. 203) was read, as follows:

Resolved, That the thanks of the Senate are hereby tendered to the Honorable CARL HAYDEN, President pro tempore of the Senate, for the courteous, dignified, and impartial manner in which he has presided over its deliberations during the 1st session of the 85th Congress.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

PERSONAL STATEMENT BY SENATOR JOHNSON OF TEXAS

Mr. JOHNSON of Texas. Mr. President, very shortly the adjournment bells will signal the end of the first session of the 85th Congress.

It has been a good session, one that was constructive and contributed to the welfare and the unity of the American people.

I have already reviewed the accomplishments of this session. But there is another statement I would like to make, a statement based on a personal note.

Like every Member, I have a deep affection and a reverance for the institution of the United States Senate. That affection and that reverence rest upon many things, and one of the most important is my close personal tie to everyone who is associated with the Senate.

Mr. President, it would be impossible for me to list all of the people to whom a personal acknowledgment should be made. There are 96 who stand on this floor and who vote and who get the headlines, sometimes good and sometimes bad. Sometimes they even are mentioned in newspaper columns.

But behind those 96 are large numbers of faithful employees who work day and night, with neither overtime pay nor glory as compensation. Mr. President, I want every single one of them to know of the deep debt that the Senate owes to them; and I am only sorry that limitations of space prevent my listing them individually by name.

This is a body which in many respects is unusual. It is a place where men can feel deeply on opposite sides of emotional and controversial questions and still be the firmest of friends.

I list among the closest of my friends the minority leader, the distinguished Senator from California [Mr. KNOWLAND]. We have stood on opposite sides of the political fence on many basic issues. There have been times when we may have been even a little short with each other.

But, Mr. President, I believe our personal friendship is as strong as the friendship between any two men anywhere. And when we agree, we have no hesitancy in marching together, without regard to partisan labels.

He is a man of honor, a man of integrity, and a man of justice; and even though it is difficult for me to concede the need for a Republican Party [laughter], I will unhesitantly say that no party could have a finer man for its leader.

Mr. President, I regret that Senator KNOWLAND cannot be with us as we conclude this session. I am delighted that he has asked our very able and understanding friend, his junior colleague [Mr. KUCHEL] to sit in his seat and to wear his honors. All of us have great respect and affection for Senator KUCHEL.

Mr. President, in this Senate, I have a strong right arm. It rests in the person of the junior Senator from Montana [Mr. MANSFIELD]—a scholar, a statesman, a diplomat, and a man of unflagging courage. His steadying influence makes all of us a little more certain and a little more confident in the things we are doing.

On the other side of the aisle, the minority leader is ably served by the skillful and genial Senator from Illinois EVERETT DIRKSEN. Those of us in my party recognize him as a formidable, but always fair and just, opponent.

The Republican policy committee chairman, STYLES BRIDGES, is a man of tremendous ability and warmth. I have been proud to call him my good friend for many years. We have labored together in this body on many matters, vigorously and harmoniously. All of my colleagues, I am certain, join me in wishing him a restful adjournment period. We have missed him these past weeks, and will eagerly anticipate and look forward to his return in January.

I should like to make particular mention of a colleague on the other side of the aisle with whom I have served through the years. He is the tall, very gentle, very courageous Yankee from Massachusetts—LEVERETT SALTONSTALL.

He is a statesman, and he is my friend, and no man is more understanding and more ready to be cooperative.

We have as President pro tempore a man who spans a vital stage of America's history. That man is the senior Senator from Arizona, CARL HAYDEN, the only Member who entered the Congress as his State entered the Union.

CARL HAYDEN is one of the most skillful, one of the most able, and one of the most loyal legislators of our time. This Congress could not have rolled up its truly amazing record in economy this year without his help.

There are other Members whom I should like to mention. Every one of them, without exception, is close to my heart; and I do not feel that I stand as an enemy to anyone on either side of the aisle.

I am particularly grateful to the great and experienced men who chair out 15 standing Senate committees. To each of them, I—as the majority leader—am deeply indebted, as are we all.

Only those of us who fully understand and appreciate the importance of the committee system in our legislative branch of Government can truly appreciate the monumental work of these fine public officials.

To all of you I say: my thanks for your cooperation; my everlasting gratitude for your generosity and your friendship.

A man in the position I hold must rely on the assistance of many people. None who serves me and my party does a better job than my trusted and beloved friend, Earle Clements. As executive director of our senatorial campaign committee, Earle is a stalwart of good counsel and always good judgment. His value to the Democratic majority in the Senate is simply impossible to overstate.

One of the keys to this Senate rests in the person of our beloved Secretary Felton M. ("Skeeter") Johnston. For 28 years he has been associated with this body, and today he may well be considered our 97th Senator. He is a wise man, a kindly man, and a man who understands the great difficulties under which we labor, and who does much to ease our burdens.

The secretary to the majority is the most tireless and indefatigable man on this floor. Bobby Baker is a young man who already has gone much further in life than many others of far greater years. And, Mr. President, it is my personal opinion that he is just getting started.

There is a very simple formula that explains Bobby's success. He gives of himself unsparingly, and without regard to what he will get in return. He usually gets from me some perhaps intemperate words, for which I am sorry the next morning. But, Mr. President, his first thought is always of those of us he serves. And everyone of us knows that we can call upon him at any hour of the day or the night, and he will not be found wanting. He is a man who truly serves his country, and I consider him one of my most trusted, most loyal, and most competent friends.

Bobby and the Senate are ably assisted on the floor by Jay McDoncll, the assistant to the secretary for the majority; the young men in our cloakroom: Joe Stewart, Dick Darling, and Jim Daniel; and all of our eager and helpful young page boys on both sides of the aisle.

Mr. President, a man who looks after us, who guards us, and who is responsible for a great deal of the Capitol responsibilities, is a very genial, a very able, and a very effective Arizonian. His name is Joseph Duke, and he is our Sergeant at Arms. Joe Duke knows how highly I think of him, and in what high regard he is held by all the Members. He is a "can-do" man, and our country is fortunate to have him serving us during this period.

Mr. President, there are so many other officials who keep the wheels of legislation rolling smoothly. To name them is to call the roll of men who have served their country selflessly and well.

For example, one of Joe Duke's assistants is Charley Jones, the head Doorkeeper, and his tactful staff, including Richard Reidel, who has been the personal friend of hundreds of Senators for many years.

Under the direction of the Secretary of the Senate are: Emery L. Frazier, the Chief Clerk of the Senate, who sits there in front of us all day, and many times into the night.

Charles L. Watkins, the Parliamentarian, who was serving the Senate when I was a very small boy.

Floyd M. Riddick, our Assistant Parliamentarian.

No body has two more able parliamentarians counseling them each day than does the Senate of the United States.

Edward J. Hickey, the journal clerk, who frequently says to me, "Stop, look, and listen. Just a moment, please."

Edward E. Mansur, Jr., the legislative clerk, who can get a quorum or not get one, depending on the needs of the Senate and the country.

Lewis W. Bailey, the executive clerk in charge of nominations; William H. Wannall, our printing clerk and his capable assistant, Thomas N. Gay; J. Fred McClerkin and Harold G. Ast, our bill clerks; Paul McBride, the enrolling clerk and, at this time, I want to say farewell to my good friend Harvey E. Carrell who, for 15 years, has served as technical assistant to the enrolling clerk and is now retiring. We appreciate his devoted service and wish him well. To show you how valuable his services are, just a few minutes ago we had him standing by to get a bill enrolled on a moment's notice.

Harry C. Burke, the clerk of enrolled bills; James L. Johnson, the registration clerk and his fine and capable assistant George F. Thompson who was formerly our financial clerk; and Vernon Talbertt, the Senate's chief messenger.

Robert A. Brenkworth, the financial clerk and his capable assistant, William A. Ridgely, who manage to keep straight our accounting system. Theron W. Marshall, Superintendent of the Senate Document Room and his fine assistant, John T. Waggoner; Andrew J. Kramer, as keeper of the stationery does his best to keep us supplied, while Richard D. Hupman and his capable staff refresh our memories with Library knowledge. To keep us abreast of what we did yesterday and plan to do tomorrow, we rely upon Frederick H. Green and Dwight B. Galt, Jr. of the Daily Digest. John T. Chambers, superintendent of our service department, is another of the many whose presence is indirectly felt in the legislative field. And may I take another moment to say thanks and bless you to each and every one of the telephone operators who render the same type service as every other employee on Capitol Hill.

I do not intend to forget the minority employees. I have found J. Mark Trice, Oliver J. Dompierre, Bill Reed, Bill Brownrigg and their colleagues to be men with whom cooperation is possible in the interests of efficiency and good legislation, and the country, to which they are devoted.

There are a group of men for whom the lights burn late at night after the rest of us have left. They are probably the ablest staff of Official Reporters in the world, headed by James W. Murphy and John D. Rhodes.

The performance of these men is truly amazing. Day after day they put together a verbatim account of our proceedings—a verbatim account upon which the world relies for its knowledge of the workings of the United States Senate. Supreme Court decisions depend upon the accuracy of their work. Reputations can be made or unmade by a slip of their pen.

I wish to call the roll of this highly skilled group:

Francis J. Attig, Herbert N. Budlong, Nicholas J. Cinciotta, Charles J. Drescher, Elmer L. Koons, Joseph A. Koons, R. Thomas Loftus, Gregor MacPherson, Paul J. Plant, Willard W. Pruett, Julian R. Serles, Perry B. Smith, Wilbur T. Smith, Placidino Zagami.

There is another group of men to whom tribute should be paid. They are the police who protect us and who guard the Capitol.

We have our own Chief Robert C. Pearce with his very efficient staff and in addition there is the highly competent detail from the Metropolitan Police Department headed by a warmhearted Irishman, Capt. Michael Dowd.

I wish I could call the roll further. If I have missed anyone it is simply because there are only so many pages in the Record, and only so much time my colleagues will indulge me.

I would like to end by expressing my deep thanks to two of the members of the Senate Democratic policy committee: George E. Reedy, the staff director, and Gerald W. Siegel, the general counsel. These men, who serve me most directly, in truth serve the entire majority membership of, and the entire Senate itself.

George Reedy is not often seen on the Senate floor. But his excellent advice, superior analytical ability and judgment are constantly felt in my work.

Gerry Siegel is often on the floor. He has kept track of the bills and I think every Member of the Senate will agree he has made a contribution to the work of this session.

I know of no more promising young lawyer than Gerry Siegel. I predict he is destined to go far.

To both George and Gerry, and all the extremely able people who work with them on the policy committee staff, such as the very able lawyers, Solis Horwitz and Harry McPherson, who often assist me on the floor, I express my deepest gratitude.

In closing, I can only say that within a few hours, I hope, I will be headed for Texas. I am going to my ranch on the banks of the Pedernales, where I will lie in the sun and enjoy the peace and quiet of the central Texas hill country.

Before I leave I want to express to all the newspapermen and those in the radio and television gallery my thanks for their cooperation and for the understanding and justice they have shown, particularly the wire service people, including Jack Bell, bureau chief of the Associated Press in the Senate, Raymond Lahr, bureau chief of the United Press Associations in the Senate, Bill Theis, head of the INS, and Rose McKee, correspondent for International News Service, one of my favorite ladies.

Mr. President, I am going home, where it will be restful and relaxing, but my thoughts will be with my colleagues and with those who have made it possible for me to carry on, in some fashion, the responsibilities I have attempted to shoulder.

I hope they realize that my thoughts will be with all of them. I hope I can see them—many of them—during the fall recess. I extend to one and all a cordial invitation to visit me in Texas.

Mr. LONG. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I want to say to my beloved friend from Louisiana that, as usual, he has been patient and understanding. His friendship has meant a great deal to me. He always is a tower of strength to me.

Mr. LONG. Of course, the Senator from Texas knows his feelings are completely reciprocated. I have the highest affection and respect for him.

NOTIFICATION TO THE PRESIDENT OF THE UNITED STATES

Mr. JOHNSON of Texas. Mr. President, I submit a resolution, and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read, for the information of the Senate.

The resolution (S. Res. 201) was read and agreed to, as follows:

> *Resolved*, That a committee of two Senators be appointed by the Presiding Officer to join a similar committee of the House of Representatives to notify the President of the United States that the two Houses have completed the business of the session and are ready to adjourn unless he has some further communication to make to them.

The PRESIDING OFFICER. In accordance with the resolution, the Chair appoints the Senator from Texas [Mr. Johnson] and the Senator from California [Mr. Kuchel] the committee to notify the President.

AUTHORIZATION TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

The PRESIDING OFFICER. There is at the desk a concurrent resolution from the House, which the clerk will read.

The legislative clerk read House Concurrent Resolution 230, as follows:

> *Resolved by the House of Representatives (the Senate concurring)*, That notwithstanding the sine die adjournment of the two Houses, the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

COMMENDATION OF MINORITY AND MAJORITY LEADERS

Mr. KUCHEL. Mr. President, all of my colleagues on this side of the aisle, I know, would want me to make a very brief response to the generous words which the majority leader of the Senate has just uttered. My statement will be brief.

The Republicans in the Senate have been most proud to rally around the minority leader, whose friendship I have cherished for very many years. This is the end of the fifth session of the Senate of which I have been a Member, and I can understand the heartfelt respect which Senators have for their colleagues, as years of their service go by in their membership in this House of Congress.

I want to say as we leave on this occasion that the Republicans wish to pay their respects to the majority leader. All of us can testify that even when the debate has been heated and when the lines of cleavage have been drawn, especially lines of cleavage between the two parties, all of us have been most proud of the manner in which the majority leader of the Senate of the United States has conducted the business of this great body.

One further thought occurs to me, and then I shall conclude. This has probably been reiterated many times before. The line which divides the Democrats from the Republicans does not divide a mutuality of respect, patriotism, and dedicated desire to serve our country.

SECRETARY BENSON AND THE FARM POLICY

Mr. HUMPHREY. Mr. President, in the light of the comments by the Secretary of Agriculture relating to the election in Wisconsin and his feeling that the farm policies of the Republican administration had no effect on that election, I ask unanimous consent to have printed in the Record a statement of the Wisconsin Farmers Union in connection with the special Wisconsin Senate election.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Wisconsin Farmers Union in Connection With Special Wisconsin Senate Election

Agricultural Secretary Ezra Benson and the Eisenhower administration farm planners risk all-out farmer rebellion aimed at the Republican Party in 1958 if they continue their downward farm price-support policies. This is shown in results from the farm areas in the Tuesday Wisconsin special Senate election. The election of William Proxmire to the United States Senate should serve notice on Mr. Benson that his farm policy has been completely repudiated in Wisconsin.

The victory of Proxmire over former Gov. Walter Kohler, a Benson supporter, in the special election is clear indication of the lack of faith which farmers place in the Benson-Eisenhower farm program. In rural precinct after rural precinct across Wisconsin, farmers went to the polls to protest the disastrous Benson farm-price policies by voting for Proxmire. Wisconsin's new United States Senator, who has been promised a seat on the key Senate Agricultural Committee, became an anti-Benson symbol to farmers in his State.

Farmers all over the United States can gain new confidence from the results of the Wisconsin special election—new confidence in knowing that Secretary Benson will have to think twice about his intended plans to reduce farm price supports, all the way down to zero, if necessary. And Wisconsin dairy farmers can thank themselves for the Proxmire victory when the time comes next year for Secretary Benson to follow through his predicted support cut in dairy products. Considering the heavy Proxmire vote in the farm area, Benson wouldn't dare put through another reduction in dairy farmer income next spring.

The Farmers Union is confident that, in Bill Proxmire, the dairy farmers of Wisconsin and the Nation will have their most effective Senate spokesman, from his vantage point on the vital Senate Agricultural Committee. By sending a proven friend of agriculture to the United States Senate, where he can serve farmers on this important committee, the Wisconsin farmers have won for themselves a tremendous victory.

William Proxmire's election has thrown a monkey wrench into the calculate Benson steamroller, aimed at the liquidation of America's family farmers.

A sample of the manner in which Proxmire swept through the farm areas of Wisconsin is shown in this township breakdown for strictly rural precincts in Eau Claire County.

	Kohler	Proxmire
Bridge Creek	48	108
Brunswick	57	118
Clear Creek	25	92
Drammen	26	103
Fairchild (T)	17	26
Lincoln	22	108
Ludington	26	101
Otter Creek	24	63
Pl. Valley	54	122
Seymour	103	335
Union	113	306
Washington	180	309
Wilson	13	66
Rural precinct total	772	1,870

(Proxmire carried Eau Claire County, 7,816 to 5,323, winning the city of Eau Claire by a 5,395 to 4,122 margin.)

Proxmire carried every county in the Ninth Congressional District in western Wisconsin. This is the district which sent Representative Lester Johnson to Congress in a special election 4 years ago. Johnson became the first Democrat to win election in this district, and has been reelected in two successive elections on a program based on continued opposition to the farm policies of the Eisenhower administration. Johnson's district contains the strongest activity of Farmers Union membership in Wisconsin.

The breakdown for this district:

County	Kohler	Proxmire
Barron	2,276	2,804
Buffalo	919	1,314
Chippewa	3,136	5,450
Clark	2,228	3,744
Dunn	1,944	2,420
Eau Claire	5,323	7,816
Jackson	1,038	1,883
Pepin	392	548
Pierce	1,621	1,733
St. Croix	2,457	2,768
Trempealeau	1,624	2,426

The new Wisconsin United States Senator's margin of victory was 116,000 votes, out of a total of about 780,000 cast. Approximately one-third of Wisconsin's eligible voters turned out to give victory to Proxmire, the first Democratic Senator from Wisconsin in 25 years.

The victor carried populous Milwaukee County by about 50,000 votes. In all, Proxmire beat out Kohler in 56 of the State's 71 counties. The near-final tally from the State's 3,361 precincts gives Proxmire 435,000 votes; Kohler, 318,000; independent Howard Boyle, 20,000; independent Douglas Wheaton, 2,000; Mrs. Georgia Cozzini, independent, 700.

Mr. HUMPHREY. Mr. President, I also ask unanimous consent to have printed in the Record a news story from the Washington Star of yesterday which brought to the attention of the people of this area the fact that the Secretary of Agriculture found the time to attend the Fairfax County Fair, in Virginia, although he is unable to find the time to appear before a Senate subcommittee, despite repeated requests by the chairman of that subcommittee.

There being no objection, the article was ordered to be printed in the Record, as follows:

Benson Surprise Visitor at Fairfax County Fair

Secretary of Agriculture Benson paid an unexpected visit to the Northern Virginia Fair and Industrial Exposition in Fairfax County yesterday.

Mr. Benson, who has been a county-fair fan since his own farming days, toured the dairy, produce, home arts, and commercial exhibits. He spent an hour at the fairgrounds, located on route 50 at Pender, several miles west of the town of Fairfax.

EMBASSY AIDS ATTEND

Other visitors yesterday included representatives from the embassies of Ireland, Burma, Canada, Saudi Arabia, Sweden, and Libya.

In the Jersey cattle classes judged at the fair yesterday George Noland, of Calverton, Va., showed grand champion, junior and senior champion, females. In Jersey bull classes Jack Fogle, of Manassas, showed grand champion, junior, senior, and reserve champion.

In Guernsey classes, 4–H and open, Charles Landis, of Manassas, won grand, junior, senior, and reserve championships. In Holstein classes, open and 4–H, Bill Harrison, of Herndon, showed champion female, senior champion female, grand champion, and reserve champion female.

FAUQUIER COUNTY WINS

Fauquier County beat Prince William County with a county herd of Jerseys. A Fairfax County herd of Holsteins had no competition. In poultry judging, top winners who showed 30 breeds were Delbert O'Meara, Hall O'Meara, and Jack Fogle. Top market birds were shown by Larrie and Karen Blair.

Rosalind Virginia Farrar, 12-year-old daughter of Mr. and Mrs. Larston D. Farrar, of route 5, Fairfax, won 4 prizes in the baking department, in the 4–H class. She won second prize for toll-house cookies, third prize for biscuits, and third prize for earrings in the handicraft division.

Last year Rosalind won second prizes for cake and biscuits at the fair. She is a student at the Navy School in Fairfax County.

COMMENDATION OF MAJORITY LEADER

Mr. NEUBERGER. Mr. President, I should like to have the attention of the majority leader for 1 minute, which is as long a time as I shall impose upon the Senate.

As the Senate makes ready to adjourn sine die, I happen to be the only Member on the floor who helps represent the Pacific Northwest. I think I speak for all my colleagues of both parties from that region when I thank the majority leader for the unselfish interest and the lack of provincialism which has impelled him to take such a broad and generous approach toward many of the problems of our area. I want him and the constituents he represents to know that we reciprocate by trying to understand the problems of the great State he represents.

In conclusion, I may say to the Senator, he has worked hard—I think too hard. I think he has subjected himself, his constitution, and his nervous system to cruel and inhuman punishment. I hope he will be able to enjoy a complete rest at home and that his health and that of his family will be of the best.

Mr. JOHNSON of Texas. I thank my friends, the Senator from California and the Senator from Oregon, in particular, for their generous statements. I assure the Senator that Monday morning I am going out dove hunting.

REPORT OF NOTIFICATION COMMITTEE

Mr. JOHNSON of Texas and Mr. KUCHEL, the committee appointed on the part of the Senate to wait upon the President of the United States, appeared in the center aisle, and Mr. Johnson of Texas said:

Mr. President, the committee appointed to wait upon the President has notified the President of the United States that the Congress is about to adjourn sine die until January 7, next year, and asked him if he had any messages to communicate to the Senate.

I think it is fair to say, Mr. President, that we are all anxious to return to our homes and to conclude this very arduous session, but I do not think anybody is going to be more pleased that it has come to an end than the President of the United States. He said the only message he desired to communicate to us was that he wished for us the best of health and happiness and hoped that our work between now and the time we reassembled would be fruitful and productive and in the Nation's interest.

Mr. President, I yield to my friend, the acting minority leader [Mr. Kuchel], so that he may make any observations he cares to make, since he was on the committee and talked to the President with me.

Mr. KUCHEL. Mr. President, I must say I felt quite honored to accompany the majority leader as a member of the committee of two to inform the President that the Senate was ready to adjourn sine die, and the implications which the majority leader put into words as to the President's views with respect to that coming event I am in a position to concur with most heartily.

There is nothing from the executive branch by way of messages, except those of good cheer, good luck, and Godspeed.

I thank my friend.

THE TIGHT MONEY POLICY IS ECONOMICALLY UNSOUND AND SOCIALLY UNJUST

Mr. LONG. Mr. President, for more than 2 months the Senate Committee on Finance has been investigating the fiscal and monetary condition of the United States Government and the soundness of the American economy. Close attention is being given to the tight-money policy and rising interest rates, and their effect upon almost every aspect of public finance, business activity, employment, and national well-being. The investigation will continue into the next session.

Although this inquiry is still in its early stages, now is a logical time to review the results thus far accomplished. The two most important agencies of

Government concerned with the subject matter of the inquiry have completed their very extensive presentations. The three witnesses thus far heard—the recent Secretary of the Treasury George M. Humphrey, the Under Secretary of the Treasury W. Randolph Burgess, and the Chairman of the Federal Reserve Board William M. Martin—have been courteous and cooperative.

The have confirmed what all of us already knew—that they are men of wide experience and exceptional competence. Whether the policies which they have persistently advocated and vigorously pursued are good or bad—and whether the continuance or profound alteration of these policies is essential to our economic safety and progress—will be the subject matter of my remarks today.

MONETARY AND CREDIT POLICIES VITALLY AFFECT EVERYONE

There is an unfortunate tendency in some quarters to regard problems of monetary and credit management as too complex for understanding by the average citizen, or even by Members of the Congress who are not specialists in this subject. This is a most dangerous tendency in a democracy, for the people and the Congress must make the ultimate decisions.

The problems confronting the Federal Reserve Board and the Treasury, their method of dealing with these problems, and the consequences of their actions, can and must be made plain to those of us who are not experts, but who nonetheless are intelligent and responsible.

Monetary and credit policies directly affect every level of Government. At the Federal level, these policies affect our ability to reduce unnecessary expenditures, to balance the Federal budget, to afford vital programs, and to achieve a financial posture where much-needed tax reduction becomes practicable.

At State and local levels of government, these same policies affect the ability to obtain sufficient credit on reasonable terms for essential public services; and this problem is doubly acute, when the Federal Government carries so heavy a national defense burden that it must properly look to the State and local governments to finance and carry additional domestic burdens.

These monetary and credit policies, by their direct effect upon the costs of government at all levels, also affect virtually every taxpayer, and consequently affect the overwhelming majority of all American families.

Indirectly but even more importantly, these monetary and credit policies vitally affect the performance of the whole American economy. They affect the price level, the levels of production and employment, the rate of economic growth, and the standard of living.

They affect the degree of economic opportunity afforded to the small as well as the large, the weak as well as the strong. They affect not only the degree of economic stability and progress, but also the degree of economic justice or injustice.

THE ECONOMIC PHILOSOPHY UNDERLYING THE TIGHT MONEY POLICY

Before getting into the details of all of these effects, I want to stress one point which is to my mind controlling.

There is a deep cleavage between the views of the Treasury and the Federal Reserve Board on one hand, and my views on the other. It reflects a difference of fundamental economic philosophy—a difference which has persisted throughout our history as a Nation, and particularly during the current century.

The difference is between those who believe in an economy of scarcity, and those who believe in an economy of abundance; between those who feel that we must still have occasional recessions or depressions, and those who feel that we have the brains and the tools to move forward without substantial interruption. It is a difference between those who feel that social injustice is the price we must pay for economic progress, and those who feel that social justice and economic progress are one and inseparable.

THE TIGHT MONEY POLICY MUST NOT BE TREATED AS A NARROW PARTISAN ISSUE

Issues of this character should not be treated in a partisan or political way, except in the broad sense that political and party responsibility are an essential part of our American system, particularly in dealing with national policies which must be guided by legislation. We are all politically answerable to the people. Consequently, I do not approach the problem of monetary and credit policies in a narrowly political or partisan spirit.

Certainly, the outstanding magazine Business Week, cannot be regarded as a partisan or ultraliberal political journal. But almost nowhere can be found so consistent and vigorous a challenge to the tight money policy and rising interest rates, as has appeared in this magazine during recent months.

On July 27, 1957, Business Week, on page 168, had this to say:

> Certainly, the evidence to date suggests that, though monetary policy has slowed down economic expansion, it has not impeded the climb of wages and prices. It is also clear that excessive demand, which is regarded as the traditional stimulus of inflation, is not the main cause of the pressure now being felt. * * * There is growing doubt that this unorthodox type of inflation can be successfully defeated by the orthodox weapons of fiscal and monetary policy. * * * A sizable body of opinion, both here and abroad, feels that dependence on orthodox policies, if pressed too far, might halt inflation only by inducing deflation.

Now, let us turn to a more precise examination of the issues before us.

WHAT IS THE TIGHT MONEY POLICY IN A NUTSHELL?

First of all, what is the tight money policy in a nutshell? Here is a concise though oversimplified answer. It is a policy of expanding the supply of money and credit less rapidly than the American economy demands. This policy is founded primarily upon the belief that the current restraints upon the growth of the privately held supply of money and credit are desirable to restrain inflation.

The Federal Reserve Board is the key force in this process of restraint, not because it controls the entire supply of money and credit but rather because it controls enough of the money and credit supply at crucial points to determine within limits the rate at which this supply grows. The Federal Reserve Board exercises this power of restraint through the rediscount rate, through determining the amount of Government securities which may be held by member banks of the Federal Reserve System as a base for the expansion of bank credit, and in a variety of other ways.

The policy of monetary and credit restraint causes interest rates to rise, for precisely the same reason that a restraint upon any supply in relationship to demand exerts an upward pressure upon prices. It is entirely academic and fruitless to examine whether the Federal Reserve Board has wanted interest rates to rise, or has merely taken a course of action which necessarily has permitted interest rates to rise.

It is correct to state, however, that spokesmen for the Federal Reserve Board have not hesitated to defend rising interest rates as desirable under current economic conditions. It is therefore only fair to conclude that the restraint of money and credit availability which has resulted in the upward movement of interest rates has been the purpose of the Federal Reserve Board.

The Treasury is also involved in this whole process, because the extent to which the Federal Reserve System acquires Government securities has a direct bearing upon the limits of the expansion of bank credit, and because the degree to which the Federal Reserve System supports or does not support Government issues, by buying them, affects the whole financing program of the Government and the costs at which such financing is undertaken. It affects the whole management of the national debt.

Technically, the Federal Reserve Board is independent of the Treasury. But it has usually been true, and it should always be true, that the views and the purposes of the Treasury and those of the Federal Reserve Board interact upon each other. It is really not important to determine the extent of interaction at this time.

The views of spokesmen for Treasury and Federal Reserve, as expressed before the finance committee, were for most important purposes, indistinguishable. Each might have presented the testimony of the other.

EXTENT TO WHICH TIGHT MONEY POLICY IS INCREASING THE INTEREST BURDEN

The aspect of rising interests rates which is easiest to examine with exactitude is the effect upon the cost of Government at all levels. So I shall deal with this first. The year 1950 is used as the base, because new monetary and credit policies initiated an upward movement of interest rates in 1951 which has continued until now at an accelerated rate with some undulations.

Compared with 1950, the computed annual interest rate on the national public debt as a whole had risen by more than 24½ percent by July 1957. By June 1957, compared with 1950, the interest rate on United States Government 3 to 5 year issues had risen by more than 151 percent, and on 9 to 12 month issues by more than 181 percent.

Naturally, the interest rate on Federal obligations is the base from which other interest rates are largely determined. Comparing June 1957 with 1950, the interest rates on State and local general obligations advanced more than 88 percent; the interest rate on corporate bonds advanced more than 45 percent; and the bank rates on short-term business loans of all sizes in 19 large cities advanced almost 63 percent.

It is not possible to now provide the Senate with the increased interest rates paid by small business, homeowners, farmers, and consumer purchasers of goods on credit. Although the Treasury has been asked for detailed information on this subject since early April, it has failed thus far to provide the Finance Committee with comprehensive information on these matters. The Treasury has told us that it did not have the information available.

An effort by the Treasury to obtain this information would be very slight, compared with the magnitude and the cost of rising interest rates, and compared with the economic consequences of rising interest rates. I simply fail to comprehend a degree of irresponsibility which insists upon remaining substantially in the dark on this whole matter. It would appear that the architects of the tight-money, high-interest policy wish to keep the public as much in the dark as possible regarding the costs and consequences of their work.

Yet we do know enough, from the facts which I have just cited, to make approximate calculations of the direct cost of rising interest rates.

The Treasury has admitted that higher interest rates have already resulted in an increased annual interest burden upon the Treasury of more than a billion and a quarter dollars each year.

Taking into account State and local governments, and taking into account also private indebtedness, it appears that the increased annual cost of higher interest rates throughout the Nation is by now in the neighborhood of $4 billion.

The accumulated cost of these higher interest rates, over the years since the trend commenced in earnest, is in the neighborhood of $8 billion.

If all debts private and public were now refinanced at current interest rates, the increased annual costs due to higher interest rates would conservatively be in the neighborhood of $15 billion.

This is not an unfair figure to use, because it is based on current interest rates on new financing, while in fact interest rates are still rising, and day by day we have additional examples of refinancing of private and public obligations at higher interest levels.

I shall not indulge in speculation as to what the increased annual interest burdens would be within a very few [illegible] if interest rates continue to rise at their current pace. The figure would be astronomical.

Instead, let us use the conservative $15 billion figure which I have just stated.

This comes to an average of about $300 for every family in the United States and consequently represents enough money to reduce the taxes of every American family at all levels of government by an average of $300. It represents a great deal more than half of our total Federal expenditures for all purposes other than major national security items.

It represents about 1½ times as much money as would be needed annually to double the social security old age insurance payments as well as the public welfare old age assistance payments to every recipient of these benefits in the United States. It represents enough money to replace a million and a half slum homes with decent housing every year.

It is five times more than the funds necessary to finance our ambitious interstate highway program at its peak. Can we tolerate the prospect of such an increased annual interest burden within a few years, when it is claimed that we do not have the resources to meet the great and growing needs of our people for tax reduction, better housing, improved social security, and a multitude of other things?

WHO GETS HELPED AND WHO GETS HURT DIRECTLY BY RISING INTEREST RATES?

I wish to read a truly fantastic statement, with respect to this increasing interest burden, made by the Under Secretary of the Treasury. On page 1447 of volume 15 of the stenographer's transcript of the Finance Committee hearings on Monday, July 29, Mr. Burgess said this:

> The money used to pay the interest is collected from many people in taxes, and the money is paid out again partly to the same people and partly to others. I think it is fair to say that about as many people benefit directly or indirectly from these interest payments as are hurt by them.

The then Secretary of the Treasury, Mr. Humphrey, said practically the same thing.

This amounts to saying that, because every loan represents both a borrower and a lender, changes in interest rates make no difference to the people as a whole. This is just as ridiculous as to say that, at a given level of national income, it makes no difference how the income is distributed; or to say that, at a given level of taxation, it makes no difference how the tax burden is distributed.

The statistics of the Federal Reserve Board indicate that in early 1957, 25 percent of all consumer units in the United States had no savings; 55 percent had no savings or had savings below $500; and 77 percent had no savings or had savings below $2,000. Only 10 percent had savings of $5,000 and over. Can the Treasury really believe that the benefits of rising interest rates flow to these 77 percent of our families, even relative to the size of their incomes, in the same way that they benefit wealthy families who obviously have big savings?

In 1955, more than 8¼ million multiple- and single-person families in the United States had incomes below $2,000 and about 22 million had incomes below $4,000. These families are the same families who have practically no savings or very little, and most of them certainly do not engage in money-lending on any substantial scale. Can the Treasury really believe that these more than 22 million families, coming to more than 40 percent of the population of the United States, benefit from rising interest rates, even relative to the size of their incomes, to the same extent as families with incomes of $50,000 or $100,000 a year?

In 1955, 12 percent of all farm-operator families in the United States had incomes under $1,000, 37 percent had incomes under $2,000, and 72 percent had incomes under $4,000. How much do these families benefit by rising interest rates?

In 1955, about 19 percent of all multiple-person families with heads aged 65 and over, and 61½ percent of all unrelated individuals aged 65 and over, had total money incomes below $1,000; 44 percent of these multiple-person families and 86½ percent of these unrelated individuals had money incomes under $2,000. What savings do these people have, and what money-lending activities are they engaged in, and how do they benefit by rising interest rates?

The Treasury tells us that the social-security trust funds benefit from rising interest rates. But if this be so, the expansion of these trust funds adds nothing to the incomes or the benefits being received by our senior citizens. Nobody but a certain type of banker could look at what is happening to the trust funds, instead of looking at what is happening to the families.

I notice also from statistics for 1955 that the percentage of employed men earning less than $2,000 in money income was more than 67 percent for those engaged in personal services; more than 26 percent of those engaged in retail trade; 23 percent of those engaged in professional and retail services. Even in manufacturing, the figure was more than 12.7 percent.

The situation among employed women is very much worse. Does the Treasury really believe that these people benefit by rising interest rates, in the sense that they get their fair share of rising interest payments?

I have roughly calculated that families with more than $15,000 drawing interest on net balance benefit from rising interest rates, but that families below this level are hurt on net balance. Generally speaking, the lower their incomes, the more they are hurt. This is for the very simple reason that all families do not have the same amount of savings relative to their incomes; the higher income people save a larger percentage of their incomes, and the lower-income people save a smaller percentage.

The confusion which exists in these matters is to the advantage of the proponents and beneficiaries of high interest rates. For example, the interest rate on United States Government series E-bonds has recently been increased by one-fourth of 1 percent. Thus, a family with $5,000 in such bonds in the event of their exchange for new bonds, gains $12.50 in interest each year.

Yet, on the other hand, that same family may be living in a $20,000 house and paying 1 percent more interest on the mortgage because of higher interest payments. On a level payment plan, the annual additional interest payment would be about $130 greater on a 20-year mortgage. Thus on net balance, the family might think it was breaking nearly even, when it was in fact losing $117.50 a year.

The meaning of all these statistics is that rising interest rates, looked at without regard to other factors, constitute an unconscionable redistribution of income in a grossly regressive direction.

Rising interest rates do more than rob Peter to pay Paul; they do rob a thousand Peters to enrich one Paul. Rising interest rates also take money away from school districts, and pay it out to coupon clippers.

Rising interest rates take money away from roads and hospitals, and pay it out to those who live in the most luxurious style. They take money away from farmers, and pay it out to investment bankers.

I shall deal later on with the fallacious argument that rising interest rates help all the people by curbing inflation.

At this point, it is well to distinguish between the nature of interest income and the nature of other income, such as wages. Interest income is merely a transfer payment. It does not increase the net income of the Nation in any respect. It is a shift of income from borrowers to lenders, which does not in and of itself increase the wealth of our people as a whole. When interest is increased unreasonably, it has the effect of reducing the net income of the many, while greatly enlarging the net income of the wealthy few.

This operation does not reflect itself directly in the per capita income of the Nation, because the average per capita income remains the same. It is only the final distribution of income that has been changed. This has somewhat the effect of a share-the-wealth program operating in reverse.

THE TIGHT MONEY POLICY RATIONS CREDIT IN THE WRONG DIRECTION

The current tightening of credit, which is the cause of rising interest rates, is having an equally perverse effect. The biggest businesses can still get all the credit they want, and the cost of interest to them is less than 1 percent of their total costs of doing business. Thus, the tight money policy hardly affects them much one way or the other directly.

Also, the biggest corporations can avoid the problem of tight credit and rising interest rates entirely, by financing larger portions of their investment programs out of retained earnings, and by lifting their prices to enlarge these earnings, which they have been doing for some time. They can also shift any rising interest rate costs which they incur to the consumer through price increases. Whichever alternative they select, rising interest rates are in themselves inflationary, just like other rising costs.

A very powerful inflationary factor is the ability of major industries to impose price increases, against which the public is defenseless. A good illustration exists in the recent increases in the price of steel, when all steel companies increased their prices simultaneously, despite the fact that the industry was using its plants at well below 90 percent of capacity. The public had no opportunity to purchase from any company which had not increased its prices.

A few months previously, the major oil companies had advanced the price of crude oil. Now we are told that the automobile manufacturers are preparing to advance the prices of the new models of their cars. These price increases might in some cases be partially justified because of increases in the cost of labor and materials. None of them can be completely justified on that basis, however.

I am not here condemning management or labor. In the main, I believe that increased profits and wages should be related directly to increased production and productivity. In the long run, that is the only way the public as a whole will benefit. If we are looking at the overall picture, any other increase in income is a mere delusion.

It is agreed by all that the increase in investment in new plant and equipment by the big concerns, has contributed more than anything else to the inflation which is occurring at the present time. It is agreed that high interest rates have had little effect on the decisions of these major industries to increase plant expansion. Also, a great many of our major manufacturing corporations collect more interest than they pay out on an annual basis.

On the other hand, depreciation amounts to about 10 percent of industrial expenses, and taxes take more than 50 percent of corporate profits. When the administration recommended and the Congress adopted measures in 1954 to permit a larger amount of depreciation to be taken on expenditures for plant and equipment during the first few years of their life, both the administration and Congress joined hands in contributing mightily to the investment boom, which all witnesses tell us is the largest single factor causing the inflation which exists today.

Now, if the administration or the Congress wishes to retard the excessive investment in plant and equipment, it would be far preferable to repeal the accelerated depreciation provisions which were enacted in 1954, rather than to pursue a high interest rate policy which penalizes the masses of our people, and fails utterly to retard capital expansion. Frankly, I do not believe that either such repeal or rising interest rates are necessary or desirable, but I would prefer the former to the latter if confronted with the necessity of making a decision.

In sharp contrast to big business, the small-business man usually cannot increase his prices. Moreover, he finds that he cannot get the credit he needs to finance his inventories or to undertake the capital improvements which are essential to put him on a basis of competitive efficiency with giant business. Higher cost credit hurts him even if he gets it, because interest is a larger part of his total business costs than in the case of giant industry, and he has less financial resources in any event.

The farmer is tremendously dependent upon credit, and he cannot shift higher costs to anybody.

A 1-percent rise in interest rates, which has no appreciable impact upon giant industry, increases by about 10 percent the total payments of a homeowner during the life of his mortgage. I ask unanimous consent to have inserted at this point in my remarks a table to illustrate this situation.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Effects of the increase of 1 percent (i. e., from 4 percent to 5 percent) on interest payments for mortgages of various principal amounts and maturities

Principal	Term (years)	Interest rate (percent)	Monthly payment to principal and interest	Total interest payment
$10,000	20	5	$66.00	$5,838.19
$10,000	20	4	60.60	4,543.28
Difference			5.40	1,294.91
Percent increase in monthly payments				8.9
$10,000	25	5	$58.50	$7,525.55
$10,000	25	4	52.80	5,831.51
Difference			5.70	1,694.04
Percent increase in monthly payments				10.8
$10,000	30	5	$53.70	$9,317.20
$10,000	30	4	47.80	7,167.42
Difference			5.90	2,149.78
Percent increase in monthly payments				12.4

Mr. LONG. Mr. President, new rental housing will also carry this 10 percent increase in cost, which will be passed on to the tenant. This causes inflation, in the form of higher costs for home ownership or rental. Moreover, the tightening of credit, and the rising interest rates, caused investment in residential nonfarm construction to decline by 11.6 percent from 1955 to 1956, measured in uniform 1956 dollars.

The rate of nonfarm housing starts has been moving severely downward since the end of 1954, and in recent months has been averaging an annual rate about 400 thousand below 1955. This low rate of residential construction, related to new family formation, and related to the amount of substandard housing, is obviously another example of the inflationary effect of the tight money policy and rising interest rates.

The unorganized worker cannot shift to anybody else the higher cost of living which results from higher interest rates. In the case of organized workers with cost-of-living contracts, the higher interest rates add to the cost of living, and are therefore inflationary.

They result in immediate pay raises to meet the higher cost of living. These pay raises cause management to raise the price of the product.

The ordinary consumer, who buys an automobile, a lawnmower, a refrigerator, or a television set, must pay for the cost of rising interest rates out of his own pocket.

Because of these higher costs, he must borrow more to make ends meet. The higher interest rates further increase his cost of buying the product, which is another illustration of the inflationary effects of rising interest rates.

In short, the tight credit policy, and the consequent increase in interest rates, is providing relatively more credit and relatively more income for those who already have plenty, and providing relatively less credit and relatively less income for those who already have too little.

THE TIGHT MONEY POLICY RATIONS NATIONAL INCOME IN THE WRONG DIRECTION

The best illustration of these trends is the relative trends in personal income. I shall depict all of these trends in uniform 1956 dollars.

During the 5½ years from the beginning of 1953 to the middle of 1957, personal interest income and dividend income have been growing at average annual rates almost twice as fast as wages and salaries. They have been growing about 8 times as fast as the income of unincorporated small businesses and professional people.

Meanwhile, farm operators' net income has been collapsing at an average annual rate of about 5 percent. During the most recent year and a half, dividends and personal interest income have been growing more than 60 percent faster than wages and salaries, while unincorporated small businesses and professional people have registered no income growth whatsoever.

Farm operators' net income has continued to decline at an average annual rate of almost 3½ percent. This is indeed a process of feeding the fat and starving the lean.

Mr. President, I do not claim that the policy of tight money and rising interest rates is solely responsible for all of these socially unjust and economically dangerous trends. But it bears an important share in this responsibility.

It bears a share which the Federal Reserve Board and the Treasury can do something about, while they alone may be able to do very little about some of the other causes of these highly unfavorable trends. Moreover, the policy of tight money and rising interest rates is but one startling manifestation of an entire economic philosophy which I have already described in general terms.

Other examples of the same philosophy have been embodied in the Government's attitude, until very recently, toward rapid tax amortization; the Government's attitude toward the redistribution of the tax burden in a regressive direction; the Government's attitude toward the awarding of defense contracts; the Government's resistance to fair expansion of social security; and above all the Government's entire farm program from top to bottom.

THE TIGHT MONEY POLICY IS ECONOMICALLY UNSOUND

Thus far, Mr. President, I have been discussing the social iniquities and economic injustice of the tight money policy and rising interest rates. But I said at the outset that economic injustice in a country like the United States is inconsistent with economic soundness or economic progress.

So let us now examine how the maldistributions in income, generated by the tight money policy and similar policies, have already created an unbalanced economic structure in its entirety. We have not yet reached the point where a depression is just around the corner. But we have certainly reached the point where a lot of warning signals are being flashed.

I suppose that there is no proposition more generally accepted by the American people, and by the experts also, than the proposition that the formula for economic stability is to keep production and consumption in fairly good balance. If we try to consume more than we can produce, inflation must result.

If we try to produce more than we can consume, recession or depression must ultimately result. Those who have studied most carefully the history of the great depression, have now concluded that its primary cause was not the stock market crash and the financial crisis.

These events were only the symptoms and the breakthrough. The primary cause was the failure of consumption to keep up with our growing productive capabilities. Consumption did not keep up, because the incomes of the bulk of consumers did not keep up with the incomes available for investment in productive facilities and for speculation.

For a number of years, we deferred the payoff by a rapid expansion of credit and installment buying, and by making loans overseas to enable other countries to buy our products. But while the payoff was delayed, it could not be avoided.

We are once again witnessing, as I have already reviewed, a growth in the incomes of investors and speculators much more rapid than the growth in income of the wage and salary people who are most of our consumers. The incomes and consuming power of the more than 21 million people in our farm population have been forced deliberately and cruelly downward. In consequence, investment in the means of production has been advancing far ahead of consumption.

Comparing the annual rates in the second quarter of 1957 with those in the second quarter of 1956, all measured in uniform 1956 dollars, investment in producers durable equipment has grown by 9.6 percent, while consumer expenditures have grown by only 1.7 percent. It is this trend during the past year, continuing during the first half of this year, which led the distinguished economist Sumner Slichter very recently to send a letter to the New York Times, stating his view that our No. 1 economic problem now is to expand consumption, so that our rate of real economic progress may be elevated to desirable levels.

Perhaps the most amazing thing about the testimony of the Chairman of the Federal Reserve Board, was his failure to appreciate the nature of this most serious problem. He argued, in fact, that consumers should be induced to spend still less and to save more, in order that these savings might be available to finance the investment boom which is already far out of hand relative to consumption.

The two spokesmen for the Treasury were almost as wrong on this subject as Chairman Martin. Treasury Secretary Humphrey and Under Secretary Burgess admitted that the investment boom is moving too fast, and that consumption is not moving fast enough. But they nonetheless advocated an increase in consumer savings.

Yet it is elementary, under current conditions, that an increase in consumer savings must result in less production and more unemployment unless these savings are absorbed in investment. Why should we have this shift from consumption to investment, when investment is already too high relative to consumption?

None of the three Government witnesses could appreciate the very simple fact that the tight-money policy and rising interest rates are not restraining excessive investment, while they are seriously retarding our already inadequate consumption.

We do not have to rely entirely upon forecasts to determine the consequences of this growing imbalance between investment and consumption. A large amount of the evidence is already here. All of the Government witnesses admitted that our economy needs to expand at a rate of between 3 and 4 percent in a year—and I think still more—in order to absorb a growing labor force, and to absorb improvements in technology and productivity.

This is how the standard of living moves ahead. Even 5 percent is not an overly rapid rate of growth.

Japan is expanding at 15 percent, Russia at 12 percent, West Germany at 6 percent.

But our average annual economic expansion, measuring our total national product in uniform 1956 dollars, has fallen from 4 percent during the period from the beginning of 1949 to date, to 3.1 percent for the period from the beginning of 1953 to date, to 2.7 percent for the period from the beginning of 1956 to date, and to only 2.6 percent when the first half of 1957 is compared on an annual basis with the first half of 1956. Keeping in mind that our population is increasing by 1.5 percent each year, our per capita gain is about 1 percent.

The trends in industrial production make the current situation even clearer. The industrial production index, during the most recent months, has been considerably lower than at the beginning of this year, still further below the levels of the last quarter of 1956, and hardly above the levels of a year ago.

As the economy is being forced into a state of virtual stagnation, excess productive capacities or surpluses of goods are almost everywhere. Most of our basic industries have moved down to within a range of 80 percent of full capacity operations, when they should be around 95 percent or, in any event, above 90 percent.

Unemployment during the first half of 1957, measured as a percent of the civilian labor force, was more than 50 percent higher than in 1952 or 1953. It was about 8 percent higher than in 1956.

Moreover, these figures on unemployment do not take account of temporary layoffs. They do not take account of the inefficient utilization of the labor supply, resulting from insufficient markets to keep plants running efficiently.

Now I want to say just a word about productivity, or output per man-hour worked. In grouping and grasping around for some logical explanation of the current inflation, the Government witnesses tried to tell the Finance Committee that the inflation is occurring because the rate of productivity growth is falling.

They told us that labor costs have been rising faster than productivity, and that this has made it necessary for prices to rise. But the Government spokesman who introduced this fallacious point beat a hasty retreat when I read to him the Government statistics on productivity increases.

These increases have been sufficiently large to result, in the absence of adequate consumer buying, in the vast increases of unused plant capacities and of unemployment which I have just mentioned. The figures do show that the rate of productivity growth has slowed down somewhat.

But the only reasonable explanation of this is the inefficiency of operations which results from inadequate markets to stimulate full operations. There can certainly be no technological reasons for the slowdown in productivity growth, when we have been witnessing this tremendous boom in new machinery and tools, combined with an increase in labor skills.

In short, the tight money policy itself, by holding back economic growth, is holding back productivity gains—and thus contributing to inflation.

THE ABANDONMENT OF A FULL EMPLOYMENT POLICY

In the full face of these economic developments, one might have expected the Government witnesses to question the tight money policy, which even these witnesses conceded has contributed to the slowdown of economic expansion, to the ominous rise in unused productive capacity, and to the serious growth in unemployment. Instead, all three of these witnesses seemed to feel that these unfavorable developments were in fact favorable. None of them would admit categorically that he liked rising unemployment, but they all insisted that unemployment now is not too high, and that in fact we now have full employment.

This viewpoint brought home to me a realization that the Treasury and the Federal Reserve Board define "full employment" in a very different way from my definition—and I believe very different from the purposes of the Employment Act of 1946. I define "full employment" as a maximum opportunity for all of our people to obtain jobs in accord with their capabilities.

I define "full employment" as maximum utilization of our factories and our farms, to turn out an ever-increasing abundance of goods, and to raise the standards of living of all the people accordingly. The Treasury and the Federal Reserve Board apparently define "full employment" as the amount of unused plant and unemployment which they believe to be necessary to maintain a stable price level.

If a good case could be made to the effect that the amount of idle resources we now have were necessary to maintain a stable price level, something might be said on both sides of the question as to whether a stable price level is more desirable than full employment and a high rate of economic growth.

It is unnecessary for me to go into this interesting question. The entire case of the Treasury and the Federal Reserve Board vanishes because of this: The facts reveal clearly that the low rate of economic growth and the rising amount of economic slack, during the past year and a half, has been accompanied by much more price inflation than the higher rate of economic growth, and the much lesser degree of economic slack, during preceding years all the way back to the end of World War II.

Again and again, members of the Finance Committee challenged the Government witnesses to explain why full employment in peacetime has not been inflationary, and why the forced departure from full employment during the past year and a half or longer has been so extraordinarily inflationary.

Chairman Martin made a feeble attempt at explanation. He conceded that we should have a larger volume of economic activity, a faster rate of economic growth, and a larger volume of consumption. But he argued that we should have these things at a lower price level, and that we should not expect to have them until we achieve a lower price level.

This is an indirect way of conceding my point, to the effect that we have plenty of productive capacity now to produce much more goods and services for the benefit of the American people. But since we now have excess productive capacity relative to demand, why are prices still rising?

I could not obtain from any of the Government witnesses even an attempt to answer the question. So I will attempt to supply an answer of my own.

We now have rising prices because of the restrictionist economic philosophy, which the tight money policy represents. We now have rising prices, not because we have full utilization of our plants and manpower, but rather because we do not have full utilization. Full production is the fundamental cure for inflation in peacetime, and it is the best answer to inflation even in wartime.

Some of our administered-price semimonopolistic giant industries, in the absence of an adequate expansion of sales, have been raising their prices in order to obtain the funds which they think they need. I do not believe personally that they have needed so much funds.

If the economy were expanding at a full employment rate, they would obtain these amounts of funds through more sales, without inflating their prices so much or at all.

This is not a theoretical argument; it is supported by the fact that we are now witnessing a price inflation, in a retarded economy, enormously greater than the price increases that we had in a full employment economy.

The source of the error on the part of the Treasury and the Federal Reserve Board is that they are confusing the wartime and reconversion inflation with the current inflation. Those inflations, especially in wartime, were caused by necessary overemployment of our plants and manpower, accompanied by available purchasing power far in excess of our total productive capacities.

Restraints upon the money supply and many inducements to consumers to enlarge their savings, were entirely appropriate under such circumstances. Even then, we did not attempt to cut back on general production and employment. We had the vision to foresee that the expansion of production would do more than any other one thing to reduce the inflationary pressures.

But today, the situation is entirely different. We have underemployment, underconsumption, and underproduction. Yet the Treasury and the Federal Reserve Board are applying their restraints to force all of these factors still lower. This is not a solution; it is a dangerous mistake based upon a dangerous confusion.

Instead of pursuing this dangerous course, we should be stimulating consumption until it catches up with our productive powers. We should be avoiding the current policies which feed the investment boom, until consumption catches up. Once this fundamental balance is reestablished, we can move ahead confidently, with full employment of both plant and manpower. This should always be the prime objective of national economic policy.

THE TIGHT MONEY POLICY IS IN ITSELF INFLATIONARY

In order to accomplish these fundamental purposes, we must recognize that an excess restriction of the money supply is an economic evil, no less than it is a social injustice. This excessive restriction, now in effect, hurts the economy and feeds inflation at one and the same time.

I have already given some specific examples of why it feeds inflation. So let us now look at the overall picture.

The crux of the matter is whether or not increases in interest rates really are a deterrent to inflation. If it cannot be demonstrated clearly that they are, then these increases have no justification whatsoever.

The fact is that the initial effect of increases in interest rates is the same as the initial effect of an increase in other costs. This initial effect is to push prices upward, and higher prices are the very essence of inflation. Since prices are still rising all along the line, this is evidence that the increases in interest rates are still continuing to be inflationary.

It is no answer to say that rising interest rates will no longer be inflationary, when future increases in prices deter purchases at the new price level. To say this is just like saying that inflationary price increases are anti-inflationary because, when the price increases continue for long enough, they produce a reaction which leads to a recession. One of the strongest arguments against rising interest rates is that they are, indeed, contributing to an inflation which could lead to a recession.

The analysis would be different, if we were now suffering from the wartime type of inflation, with consumer purchasing power far in excess of the available supply of goods. In that case, it would be desirable to restrain consumer purchases by desirable means, such as the encouragement of savings. Even so, it would not be desirable to restrain consumer purchases by rising interest costs and rising prices, which take goods away from low-income consumers, without taking goods away from those who have limitless money to spend.

The economic situation today is entirely different. The reason for the great price rises today is not an excess of purchasing power, or a shortage of production of consumer goods. The prices are rising, despite unused productive capabilities and an insufficiently utilized labor supply. The shortage today is a shortage of purchasing power by consumers, and this shortage is intensified by the inflationary price increases, to which rising interest rates contribute.

Furthermore, to let this inflationary process go on, only hurts the Nation's prosperity and retards the desirable growth of the economy, by adding to the deficiency of consumer purchasing power, and by adding to the already existing surpluses in the form of unemployed labor and unused productive capacity.

Thus the shortage which is contributing to inflation today is not a shortage of labor or of plant, but rather a shortage of purchasing power, including money and credit. The tight money policy adds to this shortage, and therefore adds to inflation. The proof of this is to be found in the fact that we now have inflation with a very tight money supply, while we had much less inflation in earlier years with a more adequate money supply.

During those years since World War II, excepting the reconversion and Korean war years, when we had reasonably full employment, a reasonable rate of economic growth, and comparatively little price inflation, the privately held supply of money and credit was expanding at an average annual rate close to 3⅓ percent.

During the year and a half since the beginning of 1956, we have had neither reasonably full employment, nor a reasonable rate of economic growth, but extraordinary price inflation. During this latter period, the privately held money supply has been expanding at an average annual rate of only 2.7 percent, or almost one-third less than the desirable rate.

Let us look at the price side of the picture, and this brings us to the crux of the whole matter.

The tight money policy and rising interest rates are not restraining, but rather are accelerating, price inflation. During the first half of 1957, compared with the first half of 1956, consumer prices have averaged 3.6 percent higher, wholesale prices 3.4 percent higher, and industrial prices 3.5 percent higher.

This might be called the annual rate of price advance which is currently in process. During the whole period from 1953 to date, the average annual expansion of the money supply was much greater than during the past year. The average annual rate of real economic progress was much greater.

We were much closer to full employment of plant and manpower, the average annual increase of consumer prices was only one-fourth as great, the average annual increase in wholesale prices was less than 30 percent as great, and the average annual increases in industrial prices was only about one-third as great, as the price increases during the most recent year from the first half of 1956 to the first half of 1957.

In the absence of explanations which have not been forthcoming, what better demonstration could there be that the tight money policy and rising interest rates are accomplishing at one and the same time the double purpose of endangering the economy and feeding price inflation? The Treasury and the Federal Reserve Board have made no attempt to answer this question. They have not even looked at this problem.

NO CASE HAS BEEN MADE FOR THE TIGHT MONEY POLICY

In summation, just what kind of case have the Treasury and the Federal Reserve Board made? They have failed to explain the current inflation. Their attempts to explain it on grounds of extreme prosperity, excessive overall demand, and other classic explanations, do not fit the plain facts as they are. The current inflation has not been due to an economy suffering from overprosperity, but rather to an economy suffering from underprosperity.

It has not been due to strains upon our productive capacities. It has not been due to an excessive money supply and excessive purchasing power. It has been due, rather, to a bad distribution of an inadequate money supply and inadequate purchasing power, so that some have had too much money and credit and excessive incomes and prices, while others have had far too little of all of these things.

The current inflation has been due to a restrictionist economic philosophy and an unjust social philosophy, of which the tight money policy and rising interest rates are prime examples.

In a final desperate effort to offer some rational explanation, the Treasury and the Federal Reserve Board have sought to fix the blame for inflation upon those who work for wages. They have claimed that excessive wage increases have forced prices upward.

I do not pretend to be enough of an expert to analyze all of the variations in the wage structure. Yet how can wages in general have been too high, when consumption in general has been much too low, and when wage earners are our most numerous consumers? How can wages in general have been too high, when big industry has been earning enough profits to lift their investment and productive facilities far out of line on the high side with the consuming power of the people?

Only a few years ago, many of the people who now claim that wages are too high were claiming that farm income was too high, even though at its peak farm income never yielded to our farm people a per capita income much better than half that of the population as a whole. Many of these same people are still pursuing policies which are driving farm income still lower.

For the good of our whole economy, including farmers, I for one am thankful that this kind of economic philosophy has not yet been more efficiently applied to the wage earners of America. If this kind of economic philosophy persists, I predict that the wage earner in due course will feel its full impact even as he did after 1929.

PLANNING A RECESSION TO CURE INFLATION

If this seems like an overstatement, let us examine the only morsel of hope or comfort proffered by the Treasury and the Federal Reserve Board. They tell us that their current restrictionary policies are only beginning to take hold. They tell us these policies will be successful in containing inflation when we descend from the current level of prosperity, which Secretary Humphrey several times called extreme, to a lower level of prosperity.

Chairman Martin tried to assure us that he was not in favor of an economic recession. But the so-called adjustments which he described as essential to the restoration of price stability would, in fact, be an economic recession. There is a growing body of informed observers, to some of whom I referred earlier in my remarks, who now admit that the tight money policy and rising interest rates provide no answer whatsoever to the problems of inflation, except by bringing on an economic recession.

I reject totally and completely this brand of economic philosophy. An economic recession for the country as a whole would drive our farmers from poverty to destitution.

It would drive our small-business men from a precarious existence to bankruptcy.

It would drive additional millions of workers into unemployment.

It would automatically create huge deficits in the Federal budget, and make us even less able than we now seem to be to meet the needs of our growing population for essential public services.

It would perilously weaken our position in world affairs.

Clearly, we must find some better answer than a planned recession.

Even if the tight money policy and rising interest rates were not driving us toward an economic recession, they are nonetheless depriving us of the blessings of a full economy.

Right now, we are producing goods and services at an annual rate of at least $25 billion less than if we had a full economy. This comes close to $500 on the average, for every American family.

If we continue at the present restricted rate of progress for another few years, we could lose $100 billion or more in the goods and services which a full economy can produce for the benefit of the people.

Today, I shall detail only the first step of the full program required to get us back on the right course.

We should abandon the tight money policy. This policy is playing havoc with the management of the national debt; inflating Government costs; preventing full production and full employment; jeopardizing our economic stability; fanning general inflationary forces; fleecing the taxpayer; preventing the construction of necessary homes, schools, and other public improvements; penalizing farmers, small-business men, and ordinary consumers; and taking billions of dollars out of the pockets of our people, for the unjust enrichment of the few.

No case whatsoever has been made for the continuance of this tight money policy. All of the forces of fact and logic are against it. We must get rid of it before it is too late.

Mr. President, I have prepared some tabulations which support and greatly amplify the facts which I have presented. All these tabulations are based on official Government statistics; but they also include some factual computations of my own—for example, percentage computations of rates of price increases, rates of growth, and so forth. However, these factual computations merely translate the official Government statistics into their equivalents.

I have made the essential features of these computations available to the spokesmen for the Government, during the course of the hearings before the Senate Finance Committee. There has been no challenge of the factual accuracy of these computations. Of course, the interpretations I have placed upon the facts are my own, as must always be the case.

I ask unanimous consent that these tabulations be printed at this point in the RECORD, as the concluding part of my statement.

There being no objection, the tabulations were ordered to be printed in the RECORD, as follows:

1. Various interest charges, 1950–57

[Averages for listed periods in percent per annum]

Period	Money market rates: U. S. Government securities (taxable)		Bond and stock yields			Computed annual interest rate on public debt	Bank rates on short-term business loans, 19 large cities (all size loans)
			State and local government bonds		Corporate bonds (total)		
	9- to 12-month issues	3- to 5-year issues	General obligations	Revenue bonds			
1950	1.26	1.50	1.94	2.34	2.86	[1] 2.200	2.7
1951	1.73	1.93	1.99	2.29	3.08	[1] 2.270	3.1
1952	1.81	2.13	2.22	2.45	3.19	2.330	3.5
1953	2.07	2.57	2.82	3.02	3.43	2.414	3.7
1954	.92	1.82	2.46	2.81	3.16	2.342	3.6
1955	1.89	2.50	2.57	2.85	3.25	2.370	3.7
1956	2.83	3.12	2.94	3.26	3.57	2.580	4.2
1955—March	1.49	2.30	2.49	2.80	3.20	2.334	3.54
June	1.71	2.42	2.49	2.80	3.23	2.351	3.56
September	2.14	2.72	2.70	2.92	3.31	2.402	3.77
December	2.56	2.83	2.70	2.97	3.33	2.490	3.93
1956—March	2.43	2.83	2.67	2.95	3.30	2.533	3.93
June	2.69	2.87	2.71	3.02	3.46	2.576	4.14
September	3.17	3.43	3.06	3.50	3.75	2.614	4.35
December	3.33	3.65	3.57	3.95	3.99	2.671	4.38
1957—January	3.17	3.40	3.51	3.92	4.04	2.683	(2)
February	3.23	3.33	3.29	3.75	3.99	2.719	(2)
March	3.35	3.38	3.36	----------	3.97	2.726	4.38
April	3.41	3.48	3.35	----------	3.96	2.725	(2)
May	3.37	3.60	3.48	----------	4.02	2.746	(2)
June	3.55	3.77	3.65	----------	4.15	2.730	4.40
July	----------	----------	----------	----------	----------	2.742	(2)

[1] June figures (not yearly average).
[2] Not available.

Source: Federal Reserve bulletins and Treasury bulletins.

2. Sources of data on distribution of consumer savings and on income distribution:

The data on consumer savings are based upon the 1957 Survey of Consumer Finances by the Federal Reserve Board.

The data on general income distribution and on distribution of income among farm families are based on the statistics of the National Income Section, Office of Business Economics, Department of Commerce.

The data on the incomes of the aged are based on the statistics of the Bureau of the Census.

The data on low pay in various areas are based on a sample survey of the Bureau of the Census.

3. The relative rates of growth in various components of national income are computed by (a) obtaining the absolute figures in current dollars from the Economic Report of the President and Economic Indicators, (b) transforming these to uniform dollars by using the same deflator methods used in the President's Economic Report to deflate consumer expenditures, and (c) calculating the percentage rates of growth accordingly.

The following tabulation results:

	Percent change		
	1953–57 [1]		1956–57 [2] Annual rate
	Total change	Annual rate	
Wages and salaries	13.0	3.3	2.7
Farm operators' net income	−17.5	−5.0	−3.4
Business and prof. propr. income	2.9	.8	0
Dividends	24.5	6.0	5.1
Personal interest income	26.6	6.5	3.7

[1] Through 1st half of 1957 (at annual rate).
[2] Assuming growth (in constant dollars) from 2d half of 1956 to 1st half of 1957 continues through 2d half of 1957.

4. Relative growth rates in consumption, investment in producers' durable equipment, and investment in nonfarm residential construction. This data is derived by (a) obtaining the absolute figures from the Economic Report of the President and Economic Indicators, (b) deflating these to a uniform 1956 price level, and (c) calculating the percentage changes accordingly. This yields the following results:

Annual growth rates in uniform 1956 dollars

	Personal consumption expenditures	Investment in producers' durable equipment	Investment in residential nonfarm construction
	Percent	*Percent*	*Percent*
1955–56	3.3	11.1	−11.6
2d quarter 1956–2d quarter 1957	1.7	9.6	(1)
1956–57 [2]	2.3	7.9	(1)

[1] Not available.
[2] Annual growth rate, assuming 2d half of 1957 grows at same rate as 1st half of 1957.

5. Trends and relative trends in key sectors of the United States economy, 1932–57

Year	Consumer prices [1] (1947–49=100)		Wholesale prices [2] (1947–49=100)		Industrial prices [3] (1947–49=100)		Gross national product [4] (billions of 1956 dollars)		Industrial production index [5] (1947–49=100)	
	Index	Percent change over previous year	Index	Percent change over previous year	Index	Percent change over previous year	GNP	Percent change over previous year	Industrial production	Percent change over previous year
1932	58.4	----------	42.1	----------	50.2	----------	133.5	----------	31	----------
1933	55.3	−5.3	42.8	+1.7	50.9	+1.4	130.1	−2.5	37	+19.4
1934	57.2	+3.4	48.7	+13.8	56.0	+10.0	143.6	+10.4	40	+8.1
1935	58.7	+2.6	52.0	+6.8	55.7	−.5	158.5	+10.4	47	+17.5
1936	59.3	+1.0	52.5	+1.0	56.9	+2.2	179.5	+13.2	56	+19.1
1937	61.4	+3.5	56.1	+6.9	61.0	+7.2	190.2	+6.0	61	+8.9
1938	60.3	−1.8	51.1	−8.9	58.4	−4.3	181.5	−4.6	48	−21.3
1939	59.4	−1.5	50.1	−2.0	58.1	−.5	196.2	+8.1	58	+20.8
1940	59.9	+.8	51.1	+2.0	59.4	+2.2	213.7	+8.9	67	+15.5

See footnotes at end of table.

5. *Trends and relative trends in key sectors of the United States economy, 1932–57*—Continued

Year	Consumer prices [1] (1947–49=100)		Wholesale prices [2] (1947–49=100)		Industrial prices [3] (1947–49=100)		Gross national product [4] (billions of 1956 dollars)		Industrial production index [5] (1947–49=100)	
	Index	Percent change over previous year	Index	Percent change over previous year	Index	Percent change over previous year	GNP	Percent change over previous year	Industrial production	Percent change over previous year
1941	62.9	+5.0	56.8	+11.2	63.7	+7.2	247.2	+15.7	87	+29.9
1942	69.7	+10.8	64.2	+13.0	68.3	+7.2	278.7	+12.7	106	+21.8
1943	74.0	+6.2	67.0	+4.4	69.3	+1.5	309.6	+11.1	127	+19.8
1944	75.2	+1.6	67.6	+.9	70.4	+1.6	332.6	+7.4	125	−1.6
1945	76.9	+2.3	68.8	+1.8	71.3	+1.3	325.7	−2.1	107	−14.4
1946	83.4	+8.5	78.7	+14.4	78.3	+9.8	290.6	−10.8	90	−15.9
1947	95.5	+14.5	96.4	+22.5	95.3	+21.7	289.6	−.3	100	+11.1
1948	102.8	+7.6	104.4	+8.3	103.4	+8.5	302.7	+4.5	104	+4.0
1949	101.8	−1.0	99.2	−5.0	101.3	−2.0	301.8	−.3	97	−6.7
1950	102.8	+1.0	103.1	+3.9	105.0	+3.6	329.9	+9.3	112	+15.5
1951	111.0	+8.0	114.8	+11.3	115.9	+10.4	354.2	+7.4	120	+7.1
1952	113.5	+2.3	111.6	−2.8	113.2	−2.3	366.6	+3.5	124	+3.3
1953	114.4	+.8	110.1	−1.3	114.0	+.7	381.6	+4.1	134	+8.1
1954	114.8	+.3	110.3	+.2	114.5	+.4	376.2	−1.4	125	−6.7
1955	114.5	−.3	110.7	+.4	117.0	+2.2	403.4	+7.2	139	+11.2
1956	116.2	+1.5	114.3	+3.3	122.2	+4.4	414.7	+2.8	143	+2.9
1956	[11] 115.1		[11] 113.2		[11] 121.1		411.9		[11] 142	
1957	[11] 119.2	+3.6	[11] 117.1	+3.4	[11] 125.3	+3.5	[11] 422.6	+2.6	[11] 144	+1.4

Year	Total civilian employment [6] (millions)		Unemployment as percent of civilian labor force [7]	Privately held money supply [8] (billions of dollars)		Federal expenditures [9] (billions of 1956 dollars) fiscal year		Federal surplus or deficit (billions of 1956 dollars) fiscal years [10]
	Number	Percent change over previous year		Supply (at end of year)	Percent change over previous year	Expenditures	Percent change over previous year	
1932	38.940		23.6	44.9				
1933	38.760	−.5	24.9	41.5	−7.6	12.2	+3.4	−6.9
1934	40.890	+5.5	21.7	46.3	+11.6	17.1	+40.2	−9.2
1935	42.260	+3.4	20.1	51.3	+10.8	15.6	−8.8	−6.7
1936	44.410	+5.1	16.9	56.4	+9.9	19.4	+24.4	−10.0
1937	46.300	+4.3	14.3	55.8	−1.1	17.1	−11.9	−6.2
1938	44.220	−4.5	19.0	58.1	+4.1	15.4	−9.9	−2.7
1939	45.750	+3.5	17.2	63.3	+9.0	20.2	+31.2	−8.9
1940	47.520	+3.9	14.6	70.0	+10.6	20.5	+1.5	−8.8
1941	50.350	+6.0	9.9	76.3	+9.0	27.8	+35.6	−13.0
1942	53.750	+6.8	4.7	91.3	+19.6	61.9	+122.7	−39.1
1943	54.470	+1.3	1.9	112.4	+23.1	134.2	+116.8	−97.0
1944	53.960	−.9	1.2	130.2	+15.8	158.2	+17.9	−85.5
1945	52.820	−2.1	1.9	150.8	+15.8	165.3	+4.5	−90.6
1946	55.250	+4.6	3.9	164.0	+8.8	92.4	−44.1	−31.7
1947	58.027	+5.0	3.6	170.0	+3.6	51.9	−43.8	+1.1
1948	59.378	+2.3	3.4	169.1	−.5	42.1	−18.9	+10.7
1949	58.710	−1.1	5.5	169.8	+.4	49.2	+16.9	−2.2
1950	59.957	+2.1	5.0	176.9	+4.2	47.6	−3.3	−3.7
1951	61.005	+1.8	3.0	186.0	+5.1	49.6	+4.2	+3.9
1952	61.293	+.5	2.7	194.8	+4.7	70.0	+41.1	−4.3
1953	62.213	+1.5	2.5	200.9	+3.1	80.7	+15.3	−10.2
1954	61.238	−1.6	5.0	209.7	+4.4	73.6	−8.8	−3.4
1955	63.193	+3.2	4.0	216.6	+3.3	68.0	−7.6	−4.4
1956	64.979	+2.8	3.8	222.0	+2.5	67.6	−.6	+1.6
1956	[11] 64.036			[12] 212.1				
1957	[11] 64.534	.8	[11] 4.1	[12] 218.6	+3.1	68.8	+1.8	+1.6

[1] Consumer Price Index, 1932–54: 1955 Supplement to Economic Indicators, p. 49. 1955–57 data: Economic Indicators, August 1957, p. 23.

[2] Wholesale Price Index, 1932–54: 1955 Supplement to Economic Indicators, p. 51. 1955–57 data: Economic Indicators, August 1957, p. 24.

[3] Industrial Price Index, 1932–54: 1955 Supplement to Economic Indicators, p. 51. 1955–57 data: Economic Indicators, August 1957, p. 24.

[4] GNP in 1956 prices, 1932–56 Economic Report of the President, January 1957, p. 124. 1957 data in current prices, Economic Indicators, August 1957, p. 2.

[5] Total Industrial Production Index 1932–56, Economic Report of President, January 1957, p. 152. 1957 data: Economic Indicators, August 1957, p. 16.

[6] Employment 1932–56, Economic Report of President, January 1957, p. 140. Data for 1957: Economic Indicators, August 1957, p. 11.

[7] Data 1932–56, Economic Report of President, January 1957, p. 140. Data for 1957, Economic Indicators, August 1957, p. 11.

[8] 1932–56 data, Economic Report of the President, January 1957, p. 165, col. 2. 1957 data, Economic Indicators, August 1957, p. 26, col. 3.

[9] Conventional budget. Basic data in current dollars, Bureau of the Budget data. Table adjusts to 1956 dollars by using same deflator that President's Economic Report uses to deflate Federal outlays for goods and services.

[10] Same as note 9.

[11] 1st half.

[12] 1st 5 months.

6. *Annual averages, for various periods, of yearly trends depicted in (5) above*

	Annual average percentage change over previous year [1]								Annual average	
	Consumer prices [2]	Wholesale prices [2]	Industrial prices [2]	GNP (billions of 1956 dollars) [3]	Industrial production [2]	Total civilian employment [2]	Privately held money supply (billions of dollars) [2]	Federal expenditures (fiscal years) (billions of 1956 dollars) [4]	Unemployment as percent of civilian labor force [2]	Federal surplus or deficit (fiscal years) (billions of 1956 dollars) [4]
1. 1933 to date, inclusive	+3.0	+4.5	+3.9	+5.0	+7.3	+2.2	+7.0	+13.0	+8.7	−17.0
2. 1933 to date, inclusive, excluding years 1940 to 1945, inclusive	+2.5	+4.1	+4.0	+3.7	+5.8	+2.1	+4.2	+1.1	+9.7	−4.8
3. 1933 to date, inclusive, excluding years 1940 to 1948, inclusive	+1.1	+2.0	+2.2	+4.8	+7.0	+1.7	+4.3	+8.2	+10.8	−4.5
4. 1933 to date, inclusive, excluding years 1940 to 1948, inclusive, and 1951	+.6	+1.4	+1.7	+4.7	+7.0	+1.7	+4.2	+8.4	+11.4	−5.0
5. 1933 to 1952, inclusive	+3.5	+5.3	+4.3	+5.4	+8.1	+2.3	+7.9	+16.0	+9.8	−20.5
6. 1933 to 1952, inclusive, excluding years 1940 to 1945, inclusive	+3.1	+5.1	+4.7	+3.9	+6.5	+2.3	+4.5	+1.5	+11.5	−5.5

[1] In computing the various annual averages through 1957, the year 1957 is weighted according to the part of the year included in the data.

hrough June 1957.

[3] Data through 2d quarter 1957.

[4] Data through fiscal year 1957.

6. Annual averages, for various periods, of yearly trends depicted in (5) above—Continued

	Annual average percentage change over previous year [1]								Annual average	
	Consumer prices [2]	Wholesale prices [2]	Industrial prices [2]	GNP (billions of 1956 dollars) [3]	Industrial production [2]	Total civilian employment [2]	Privately held money supply (billions of dollars)[2]	Federal expenditures (fiscal years) (billions of 1956 dollars)[4]	Unemployment as percent of civilian labor force [2]	Federal surplus or deficit (fiscal years) (billions of 1956 dollars)[4]
7. 1933 to 1952, inclusive, excluding years 1940 to 1948, inclusive	+1.1	+2.4	+2.3	+5.5	+8.3	+1.8	+4.7	+11.6	+13.7	−5.2
8. 1933 to 1952, inclusive, excluding years 1940 to 1948, inclusive, and 1951	+.4	+1.5	+1.5	+5.4	+8.5	+1.8	+4.6	+12.3	+14.7	−6.1
9. 1933 to 1939, inclusive	+.3	+2.8	+2.2	+5.9	+10.4	+2.4	+5.2	+9.8	+19.2	−7.2
10. 1940 to 1945, inclusive	+4.5	+5.6	+3.5	+9.0	+11.8	+2.5	+15.7	+49.8	+5.7	−55.7
11. 1940 to 1948, inclusive	+6.4	+8.7	+6.8	+5.2	+7.8	+3.0	+11.8	+21.4	+5.0	−39.3
12. 1946 to 1948, inclusive	+10.2	+15.1	+13.3	−2.2	−.3	+4.0	+4.0	−35.6	+3.6	−6.6
13. 1949 to date, inclusive	+1.7	+1.4	+2.3	+4.0	+4.1	+1.1	+3.4	+6.8	+3.9	−2.3
14. 1949 to date, inclusive, excluding 1951	+.9	+.1	+1.2	+3.5	+3.8	+1.0	+3.3	+7.2	+4.1	−3.1
15. 1949 to 1952, inclusive	+2.6	+1.9	+2.4	+5.0	+4.8	+.8	+3.6	+14.7	+4.1	−1.6
16. 1949 to 1952, inclusive, excluding 1951	+.8	−1.3	−.2	+4.2	+4.0	+.5	+3.1	+18.2	+4.4	−3.4
17. 1949 to 1953, inclusive	+2.2	+1.2	+2.1	+4.8	+5.5	+.9	+3.5	+14.8	+3.7	−3.3
18. 1949 to 1953, inclusive, excluding 1951	+.8	−1.3	0	+4.2	+5.1	+.7	+3.1	+17.5	+3.9	−5.1
19. 1949 to 1955, inclusive	+1.6	+1.0	+1.9	+4.3	+4.5	+.9	+3.6	+8.3	+4.0	−3.5
20. 1949 to 1955, inclusive, excluding 1951	+.5	−.8	+.4	+3.7	+4.1	+.8	+3.4	+8.9	+4.1	−4.7
21. 1953 to date, inclusive	+.9	+1.0	+2.1	+3.1	+3.6	+1.4	+3.3	−.2	+3.9	−2.9
22. 1954 to date, inclusive	+.9	+1.6	+2.5	+2.8	+2.3	+1.4	+3.4	−4.6	+4.2	−1.1
23. 1956 to date, inclusive	+2.2	+3.3	+4.1	+2.7	+2.4	+2.1	+2.7	+.2	+3.9	+1.7

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had insisted upon its disagreement to the amendment of the Senate to the bill (H. R. 4544) for the relief of Louis S. Levenson; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FORRESTER, Mr. DONOHUE, and Mr. BURDICK were appointed managers on the part of the House at the conference.

The message also announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H. R. 1419. An act for the relief of Mrs. Hannah Mae Powell;

H. R. 1883. An act for the relief of Benedict M. Kordus;

H. R. 2486. An act to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible feed grains on ineligible dates in connection with purchase orders under its emergency feed program; and

H. R. 5719. An act for the relief of Clara M. Briggs.

The message further announced that the House had severally agreed to the amendments of the Senate to the following bills and joint resolution of the House:

H. R. 4335. An act for the relief of Ramon Tavarez;

H. R. 7096. An act to amend paragraph 1684 of the Tariff Act of 1930 with respect to istle or Tampico fiber; and

H. J. Res. 253. Joint resolution to establish a commission to commemorate the one hundredth anniversary of the Civil War, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 281. An act for the relief of Jaffa Kam;

S. 684. An act for the relief of Ilse Striegan Bacon;

S. 880. An act for the relief of Necmettin Congiz;

S. 882. An act for the relief of Pauline Ethel Angus;

S. 1049. An act for the relief of Mrs. Ahsapet Gamityan;

S. 1271. An act for the relief of Daniel Alcide Charlebois;

S. 1321. An act for the relief of Junko Matsuoka Eckrich;

S. 1456. An act for the relief of Refugio Guerrero-Monje;

S. 1467. An act for the relief of Itsumi Kasahara;

S. 1635. An act for the relief of Maria Tailioura Boisot;

S. 1835. An act for the relief of Maria Domenica Ricci;

S. 1921. An act for the relief of Maria Goldet;

S. 1972. An act for the relief of Letizia Maria Arini;

S. 2028. An act for the relief of Sherwood Lloyd Pierce;

S. 2041. An act for the relief of Sala Weissbard;

S. 2204. An act for the relief of Margaret E. Culloty;

S. 2413. An act to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district;

S. 2792. An act to amend the Immigration and Nationality Act, and for other purposes;

H. R. 9282. An act to provide additional office space in home districts of Congressmen, Delegates, and Resident Commissioners; and

H. J. Res. 453. Joint resolution to establish that the 2d regular session of the 85th Congress convene at noon on Tuesday, January 7, 1958.

Mr. LONG. Mr. President, at this time, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. THURMOND in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECORD OF SENATE ACTIVITY DURING 1ST SESSIONS OF 82D, 83D, 84TH, AND 85TH CONGRESSES

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD a compilation showing the record of Senate activity in the 1st sessions of the 82d, 83d, 84th, and 85th Congresses.

I point out that, as of 3 o'clock today, we have passed more than 1,200 measures during this session of Congress. Two hundred and thirty-four public laws are the result of the bills we have passed. Some 150 or 175 measures are now on the President's desk awaiting his action. I expect that the session will produce in the neighborhood of from 350 to 400 public laws.

The public laws enacted in the 1st session of the 82d Congress numbered 255; in the 1st session of the 83d Congress, 288; and in the 1st session of the 84th Congress, 390.

The Senate has confirmed 43,810 Executive nominations.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Senate activity

	82d Cong., 1st sess. (Jan. 3–Oct. 20)	83d Cong., 1st sess. (Jan. 3–Aug. 3)	84th Cong., 1st sess. (Jan. 3–Aug. 2)	85th Cong., 1st sess. (Jan. 3–Aug. 30)
Days in session	172	125	105	143
Hours in session	996:46	763:35	559:41	860:19
Total measures passed by Senate	1,060	848	1,325	1,200
Senate bills	411	342	574	617
House bills	429	320	566	335
Senate joint resolutions	14	22	22	22

Senate activity—Continued

	82d Cong., 1st sess. (Jan. 3–Oct. 20)	83d Cong., 1st sess. (Jan. 3–Aug. 3)	84th Cong., 1st sess. (Jan. 3–Aug. 2)	85th Cong., 1st sess. (Jan. 3–Aug. 30)
Total measures passed by Senate—Continued				
House joint resolutions	29	21	20	54
Senate concurrent resolutions	23	25	25	24
House concurrent resolutions	19	14	21	27
Senate resolutions	135	104	97	121
Public laws	255	288	390	234
Confirmations	26,069	23,420	39,897	43,810

SINE DIE ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, if I may, I should like to have the Chair lay before the Senate the sine die resolution. After we act on that, I have a brief statement.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair) laid before the Senate the concurrent resolution (H. Con. Res. 229) which was considered by unanimous consent and agreed to as follows:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress shall adjourn on Friday, August 30, 1957, and that when they adjourn on said day, they stand adjourned sine die.

ADJOURNMENT SINE DIE

Mr. JOHNSON of Texas. Mr. President, before some other Senator comes forward with a speech, while I am still in the good graces of a friend like Bill White, whom I told last night I would guarantee to get away from here by Saturday night, and before Tony Vaccaro, Bob Albright, Warren Duffee, Bill Knighton, Al Spivak, and the other boys looking at us from the Press Gallery, let something drop on us, in accordance with the terms of House Concurrent Resolution 229, I now move that the Senate stand adjourned sine die.

The motion was agreed to; and (at 4 o'clock and 22 minutes p. m.) the Senate adjourned sine die.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 30, 1957:

POSTMASTERS

FLORIDA

Victor Wray Irby, Zolfo Springs.

MISSISSIPPI

Burl J. Faulkner, Vicksburg.

MONTANA

John W. Loughnane, Belgrade.

OHIO

Hoyt G. Whitney, Sunbury.

OKLAHOMA

R. Ray Heath, Stillwater.

REPORT ENTITLED "TEXTILE PROCUREMENT IN THE MILITARY SERVICES" (S. REPT. NO. 1166)

Under authority of the order of the Senate of August 29, 1957,

Mr. McCLELLAN, from the Committee on Government Operations, on September 6, 1957, submitted a report prepared by the Permanent Subcommittee on Investigations, entitled "Textile Procurement in the Military Services," which was ordered to be printed.

REPORT ENTITLED "CONTROL AND REDUCTION OF ARMAMENTS" (S. REPT. NO. 1167)

Under authority of the order of the Senate of August 28, 1957,

Mr. HUMPHREY, from the Committee on Foreign Relations, pursuant to Senate Resolution 93, Senate Resolution 185, and Senate Resolution 286, 84th Congress, and extended by Senate Resolution 61, Senate Resolution 151, and Senate Resolution 192, 85th Congress, submitted, on September 6, 1957, a report prepared by the Subcommittee on Disarmament, entitled "Control and Reduction of Armaments," which was ordered to be printed.

REPORT ENTITLED "DAYTIME RADIO STATIONS" (S. REPT. NO. 1168)

Under authority of the order of the Senate of August 15, 1957,

Mr. MORSE, from the Select Committee on Small Business, on September 11, 1957, submitted a report entitled "Daytime Radio Stations," which was ordered to be printed.

REPORT ENTITLED "SUMMARY OF ACTIVITIES" BY COMMITTEE ON BANKING AND CURRENCY (S. REPT. NO. 1169)

Pursuant to the order of the Senate of August 29, 1957,

Mr. FULBRIGHT, from the Committee on Banking and Currency, on September 19, 1957, submitted a report of that committee entitled "Summary of Activities," which was ordered to be printed.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED AFTER SINE DIE ADJOURNMENT

Pursuant to House Concurrent Resolution 230, agreed to August 30, 1957, the President pro tempore, on August 31, 1957, signed the following enrolled bills and joint resolution, which had previously been signed by the Speaker of the House of Representatives:

S. 1007. An act for the relief of Sgt. Donald D. Coleman;

S. 1636. An act for the relief of Delfina Cinco de Lopez;

S. 1791. An act to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959;

S. 1996. An act to approve the contract negotiated with the Casper-Alcova Irrigation project, to authorize its execution, and for other purposes;

S. 2377. An act to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses;

H. R. 580. An act to authorize the exchange of certain land in the State of Missouri;

H. R. 1315. An act for the relief of Mr. and Mrs. Charles H. Page;

H. R. 1411. An act for the relief of George H. Meyer Sons, Brauer & Co., Joseph McSweeney & Sons, Inc., C. L. Tomlinson, Jr., and Richmond Livestock Co., Inc.;

H. R. 1419. An act for the relief of Mrs. Hannah Mae Powell;

H. R. 1474. An act for the relief of Mrs. Jennie Maurello;

H. R. 1502. An act for the relief of Homer Cazamias;

H. R. 1677. An act for the relief of Gilbert B. Mar;

H. R. 1883. An act for the relief of Benedict M. Kordus;

H. R. 2486. An act to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program;

H. R. 4174. An act for the relief of Filomena and Emil Ferrara;

H. R. 4335. An act for the relief of Ramon Tavarez;

H. R. 4351. An act for the relief of G. H. Litts;

H. R. 5719. An act for the relief of Clara M. Briggs;

H. R. 7014. An act for the relief of Madame Henriette Buaillon and Stanley James Carpenter;

H. R. 7096. An act to amend paragraph 1684 of the Tariff Act of 1930 with respect to istle or Tampico fiber, to admit free of duty a beta-ray spectrometer for use at Stanford University, Stanford, Calif., and for other purposes;

H. R. 7900. An act to permit the Secretary of Agriculture to sell to individuals land in Ottawa County, Mich., which was acquired pursuant to the provisions of title III of the Bankhead-Jones Farm Tenant Act;

H. R. 7964. An act to remove the limitation on the use of certain real property heretofore conveyed to the city of Austin, Tex., by the United States;

H. R. 7972. An act to provide for the conveyance to the city of Warner Robins, Ga., of certain lands and any improvements located thereon in such city;

H. R. 8374. An act for the relief of Virginia Ray Potts;

H. R. 8576. An act to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes;

H. R. 9280. An act to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes; and

H. J. Res. 253. Joint resolution to establish a commission to commemorate the 100th anniversary of the Civil War, and for other purposes.

ENROLLED BILLS PRESENTED AFTER SINE DIE ADJOURNMENT

The Secretary of the Senate presented to the President of the United States on August 31, 1957, the following enrolled bills:

S. 281. An act for the relief of Jaffa Kam;

S. 684. An act for the relief of Ilse Striegan Bacon;

S. 880. An act for the relief of Necmettin Cengiz;

S. 882. An act for the relief of Pauline Ethel Angus;

S. 1007. An act for the relief of Sgt. Donald D. Coleman;

S. 1049. An act for the relief of Mrs. Ahsapet Gamityan;

S. 1271. An act for the relief of Daniel Alcide Charlebois;

S. 1321. An act for the relief of Junko Matsuoka Eckrich;

S. 1456. An act for the relief of Refugio Guerrero-Monje;

S. 1467. An act for the relief of Itsumi Kasahara;

S. 1635. An act for the relief of Maria Talloura Boisot;

S. 1636. An act for the relief of Delfina Cinco de Lopez;

S. 1791. An act to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959;

S. 1835. An act for the relief of Maria Domenica Ricci;

S. 1921. An act for the relief of Maria Goldet;

S. 1972. An act for the relief of Letizia Maria Arini;

S. 1996. An act to approve the contract negotiated with the Casper-Alcova irrigation project, to authorize its execution, and for other purposes;

S. 2028. An act for the relief of Sherwood Lloyd Pierce;

S. 2041. An act for the relief of Sala Weissbard;

S. 2204. An act for the relief of Margaret E. Culloty;

S. 2377. An act to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses;

S. 2413. An act to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district; and

S. 2792. An act to amend the Immigration and Nationality Act, and for other purposes.

APPROVAL OF SENATE BILLS AND JOINT RESOLUTIONS AFTER SINE DIE ADJOURNMENT

The President of the United States, subsequent to sine die adjournment of the Senate, notified the Secretary of the Senate that, on the following dates, he had approved and signed the following bills and joint resolutions:

On August 28, 1957:

S. 364. An act for the relief of the village of Wauneta, Nebr.;

S. 959. An act to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes;

S. 999. An act authorizing the Secretary of the Interior to convey certain land to the State of North Dakota for the use and benefit of the North Dakota State School of Science;

S. 1631. An act to amend certain sections of title 13 of the United States Code, entitled "Census"; and

S. 1866. An act to amend the act entitled "An act to require the inspection and certification of certain vessels carrying passengers," approved May 10, 1956, in order to provide adequate time for the formulation and consideration of rules and regulations to be prescribed under such act.

On August 29, 1957:

S. 336. An act for the relief of Angela Ferrini;

S. 465. An act for the relief of Maria Concetta Di Turi;

S. 976. An act for the relief of Charles A. Sidawi;

S. 1685. An act for the relief of Sic Gun Chau (Tse) and Hing Man Chau;

S. 1736. An act for the relief of Rosa Sigl; and

S. J. Res. 96. Joint resolution to authorize establishment of the U. S. S. *Enterprise* (CV-6) in the Nation's Capital as a memorial museum.

On August 30, 1957:

S. 397. An act for the relief of Willem Woeras;

S. 398. An act for the relief of Benjamin Wachtfogel;

S. 441. An act for the relief of Jose Ramirez-Moreno;

S. 463. An act for the relief of Pedro Ampo;

S. 485. An act for the relief of Luigi Lino Turel;

S. 499. An act for the relief of Daniela Renata Patricia Zei;

S. 562. An act for the relief of Hideko Takiguchi Pulaski;

S. 567. An act for the relief of Vida Djenich;

S. 660. An act for the relief of Ursula Rosa Pazdro;

S. 662. An act for the relief of Howard I. Buchbinder;

S. 796. An act for the relief of Zacharoula Papoulia Matsa;

S. 1308. An act for the relief of Carmen Jeanne Launois Johnson;

S. 1387. An act for the relief of Rebecca Jean Lundy (Helen Choy);

S. 1496. An act for the relief of Nicoleta P. Pantelakis;

S. 1574. An act to provide for the disposal of certain Federal property in the Coulee Dam and Grand Coulee areas, to provide assistance in the establishment of a municipality incorporated under the laws of Washington, and for other purposes;

S. 1767. An act for the relief of Eileen Sheila Dhanda;

S. 1783. An act for the relief of Randolph Stephan Walker;

S. 1804. An act for the relief of Marjeta Winkle Brown;

S. 1848. An act for the relief of Michelle Patricia Hill (Patricia Adachi);

S. 1896. An act for the relief of Maria West;

S. 1902. An act for the relief of Bella Rodriguez Ternoir;

S. 2165. An act for the relief of Gertrud Mezger;

S. 2431. An act granting the consent of Congress to the Klamath River Basin compact between the States of California and Oregon, and for related purposes; and

S. 2460. An act to authorize the transfer of certain housing projects to the city of Decatur, Ill., or to the Decatur Housing Authority.

On August 31, 1957:

S. 268. An act to provide that the United States shall return to the former owners certain mineral interests in lands acquired for the Arkabutla, Sardis, Enid, and Grenada Reservoirs, Miss.;

S. 939. An act to amend section 22 of the Interstate Commerce Act, as amended;

S. 1290. An act for the relief of Lee-Ana Roberts;

S. 1293. An act for the relief of Elthanlahu (Eton) Yellin;

S. 1306. An act for the relief of Pao-Wei Yung;

S. 1307. An act for the relief of Toribia Basterrechea (Arrola);

S. 1421. An act for the relief of Ansis Luiz Darzins;

S. 1815. An act for the relief of Nicholas Dilles;

S. 1817. An act for the relief of John Panagiotou;

S. 1838. An act for the relief of Charles Douglas;

S. 1910. An act for the relief of Salvatore Salerno;

S. 1962. An act to authorize the Secretary of Agriculture to convey a certain tract of land owned by the United States to the Perkins Chapel Methodist Church, Bowie, Md.;

S. 2003. An act for the relief of Jozice Matana Koulis and Davorko Matana Koulis;

S. 2095. An act for the relief of Vaclav Uhlik, Marta Uhlik, Vaclav Uhlik, Jr., and Eva Uhlik; and

S. 2603. An act to amend the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 3, 1896.

On September 2, 1957:

S. 524. An act for the relief of Robert F. Gross;

S. 1035. An act for the relief of Alice Eirl Schaer (Mi On Lee);

S. 1050. An act for the relief of Hrygory (Harry) Mydlak;

S. 1167. An act for the relief of John Nicholas Christodoulias;

S. 1335. An act for the relief of Sandra Ann Scott;

S. 1370. An act for the relief of Wanda Wawrzyczek;

S. 1482. An act to amend certain provisions of the Columbia Basin Project Act, and for other purposes;

S. 2063. An act for the relief of Guy H. Davant;

S. 2377. An act to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses;

S. 2438. An act to amend the District of Columbia Business Corporation Act; and

S. 2500. An act to make uniform the termination date for the use of official franks by former Members of Congress, and for other purposes.

On September 4, 1957:

S. 281. An act for the relief of Jaffa Kam;

S. 684. An act for the relief of Ilse Striegan Bacon;

S. 807. An act for the relief of Jackson School Township, Indiana;

S. 880. An act for the relief of Necmettin Cengiz;

S. 882. An act for the relief of Pauline Ethel Angus;

S. 1049. An act for the relief of Mrs. Ahsapet Gamityan;

S. 1153. An act for the relief of Zdenka Sneler;

S. 1175. An act for the relief of Helene Cordery Hall;

S. 1241. An act for the relief of Edward Martin Hinsberger;

S. 1271. An act for the relief of Daniel Alcide Charlebois;

S. 1321. An act for the relief of Junko Matsuoka Eckrich;

S. 1456. An act for the relief of Refugio Guerrero-Monje;

S. 1467. An act for the relief of Itsumi Kasahara;

S. 1520. An act to amend an act entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways, and for other purposes";

S. 1635. An act for the relief of Maria Talloura Boisot;

S. 1636. An act for the relief of Delfina Cinco de Lopez;

S. 1645. An act to authorize the Secretary of the Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road-widening purposes;

S. 1791. An act to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959;

S. 1835. An act for the relief of Maria Domenica Ricci;

S. 1921. An act for the relief of Maria Goldet;

S. 1972. An act for the relief of Letizia Maria Arini;

S. 1996. An act to approve the contract negotiated with the Casper-Alcova irrigation district, to authorize its execution, and for other purposes;

S. 2028. An act for the relief of Sherwood Lloyd Pierce;

S. 2041. An act for the relief of Sala Weissbard;

S. 2204. An act for the relief of Margaret E. Culloty; and

S. J. Res. 18. Joint resolution to authorize and request the President to issue a proclamation in connection with the centennial of the birth of Theodore Roosevelt.

On September 7, 1957:

S. 1007. An act for the relief of Sgt. Donald D. Coleman;

S. 2080. An act relating to the computation of income for the purpose of payment of death benefits to parents or pension for non-service-connected disability or death in certain cases;

S. 2229. An act to provide for Government guaranty of private loans to certain air carriers for purchase of modern aircraft and equipment, to foster the development and use of modern transport aircraft by such carriers, and for other purposes;

S. 2413. An act to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district; and

S. 2434. An act to amend the act entitled "An act to provide books for the adult blind."

On September 11, 1957:

S. 2792. An act to amend the Immigration and Nationality Act, and for other purposes.

HOUSE OF REPRESENTATIVES

FRIDAY, AUGUST 30, 1957

The House met at 10 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Eternal and ever-blessed God, we thank Thee for the high and holy privilege we have had during this session of the Congress of daily walking and working together in the service of our God, our country, and humanity.

We pray that, as we look back upon the yesterdays, may we feel that we have tried to blend our wills with Thine in the great task of establishing a nobler social order.

May we have joy of knowing that we have sought to affirm and champion courageously whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, and whatsoever things are of good report.

Grant that when the hour of adjournment comes and we leave this Chamber, may we commend and commit one another and all, who are near and dear unto us, to Thy love and care.

May the Lord bless us and keep us; may the Lord make His face to shine upon us and be gracious unto us; may the Lord lift upon us the light of His countenance and give us peace. Amen.

The SPEAKER. The Clerk will read the Journal of the last day's proceedings.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 218]

Alger
Allen, Calif.
Anfuso
Barden
Beamer
Belcher
Bennett, Mich.
Bentley
Berry
Blatnik
Bolton
Boykin
Bray
Brooks, La.
Buckley
Cannon
Cederberg
Chiperfield
Clevenger
Coad
Coffin
Cole
Coudert
Cunningham, Iowa
Dawson, Ill.
Dellay
Dempsey
Denton
Dies
Diggs
Dorn, N. Y.
Doyle
Fascell
Flood
Fogarty
Gavin
George
Gordon
Grant
Green, Oreg.
Gregory
Griffiths
Gwinn
Halleck
Harden
Harvey
Hays, Ohio
Hiestand
Hill
Hillings
Hoffman
Holifield
Holt
Holtzman
Horan
Jackson
Johnson
Kearney
Kilburn
Kirwan
Kluczynski
Krueger
Landrum
Lanham
LeCompte
Lesinski
Lipscomb
Loser
McConnell
McDonough
Mailliard
Mason
Miller, Calif.
Morgan
Nicholson
Norblad
Osmers
Pilcher
Pillion
Powell
Preston
Rains
Reece, Tenn.
Riehlman
Rivers
Robsion, Ky.
Roosevelt
Sadlak
Scott, Pa.
Scrivner
Sheehan
Sikes
Siler
Simpson, Ill.
Smith, Calif.
Smith, Kans.
Taylor
Teague, Calif.
Thompson, N. J.
Udall
Vinson
Vursell
Walter
Wharton
Wier
Williams, N. Y.
Withrow
Young
Younger

The SPEAKER. On this rollcall 321 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills, a joint resolution, and concurrent resolutions of the House of the following titles:

H. R. 230. An act to require the Secretary of the Army to convey to the county of Los Angeles, Calif., all right, title, and interest of the United States in and to certain portions of a tract of land heretofore conditionally conveyed to such county;

H. R. 2654. An act for the relief of the Martin Wunderlich Co.

H. R. 3370. An act to amend section 1871 of title 28, United States Code, to increase the mileage and subsistence allowances of grand and petit jurors;

H. R. 7536. An act to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941;

H. R. 8508. An act to provide that there shall be two county committees elected under the Soil Conservation and Domestic Allotment Act for certain counties;

H. R. 8928. An act to amend the act of June 9, 1880, entitled "An act to grant to the corporate authorities of the city of Council Bluffs, in the State of Iowa, for public uses, a certain lake or bayou situated near said city";

H. R. 8994. An act to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes;

H. R. 9282. An act to provide additional office space in home districts of Congressmen, Delegates, and Resident Commissioners;

H. R. 9406. An act to amend the act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a biennial rather than an annual basis;

H. J. Res. 453. Joint resolution establishing that the 2d regular session of the 85th Congress convene at noon on Tuesday, January 7, 1958;

H. Con. Res. 176. Concurrent resolution authorizing the printing as a House document of certain material relating to the Central Valley project of California, and providing for additional copies; and

H. Con. Res. 188. Concurrent resolution authorizing the printing as a House document of the document entitled "Congress and the Monopoly Problem: 56 Years of Antitrust Development, 1900–1956."

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 77. An act to establish the Chesapeake and Ohio Canal National Historical Park and to provide for the administration and maintenance of a parkway, in the State of Maryland, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills and concurrent resolutions of the Senate of the following titles:

S. 1049. An act for the relief of Mrs. Ahsapet Gamityan;

S. 1271. An act for the relief of Daniel Alcide Charlebois;

S. 1321. An act for the relief of Junko Matsuoka Eckrich;

S. 1972. An act for the relief of Letizia Maria Arini;

S. 1996. An act to approve the contract negotiated with the Casper-Alcova Irrigation District, to authorize its execution, to provide that the excess-land provisions of the Federal reclamation laws shall not apply to the lands of the Kendrick project, Wyoming, and for other purposes;

S. 2792. An act to amend the Immigration and Nationality Act, and for other purposes;

S. Con. Res. 40. Concurrent resolution favoring the suspension of deportation in the cases of certain aliens; and

S. Con. Res. 41. Concurrent resolution favoring the suspension of deportation in the case of certain aliens.

The message also announced that the Senate agrees to the amendment of the House to Senate amendment No. 1 to the concurrent resolution (H. Con. Res. 172) entitled "Concurrent resolution to establish a joint Congressional committee to investigate matters pertaining to the growth and expansion of the District of Columbia and its metropolitan area."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9302) entitled "An act making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes."

The message also announced that the Senate further insists on its amendment No. 15 to the above-entitled bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2377) entitled "An act to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses."

EXTENSION OF REORGANIZATION ACT OF 1949

Mr. BROOKS of Texas submitted the following conference report and statement on the bill (S. 1791) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959:

CONFERENCE REPORT (H. REPT. No. 1270)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1791) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same.

WILLIAM L. DAWSON,
EARL CHUDOFF,
JACK BROOKS,
JOHN E. MOSS, Jr.,
CLARENCE J. BROWN,
ROBERT H. MICHEL,
Managers on the Part of the House.

HUBERT H. HUMPHREY,
STUART SYMINGTON,
RALPH W. YARBOROUGH,
MARGARET CHASE SMITH,
HOMER E. CAPEHART,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1791) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate bill amends subsection (b) of section 5 of the Reorganization Act of 1949, as amended, by striking out "June 1, 1957", and inserting in lieu thereof "June 1, 1959", thus extending the application of that act to reorganization plans transmitted to Congress before June 1, 1959. The House amendment also extends the application of the Reorganization Act of 1949 to June 1, 1959. In addition the House amendment adds a new section to the bill which would strike out of subsection (a) of section 6 of such act the words: ", by the affirmative vote of a majority of the authorized membership of that House,". This amendment would enable either House to prevent any reorganization plan which it disapproved from becoming effective by adopting, by a simple majority of those present and voting, a resolution stating in substance that that House does not favor the reorganization plan. The Senate recedes.

WILLIAM L. DAWSON,
EARL CHUDOFF,
JACK BROOKS,
JOHN E. MOSS, Jr.,
CLARENCE J. BROWN,
ROBERT M. MICHEL,
Managers on the Part of the House.

Mr. BROOKS of Texas. Mr. Speaker, I call up the conference report on the bill S. 1791, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Texas. I yield.

Mr. BROWN of Ohio. I would like to say to the House on the part of the minority that while the minority did not favor certain provisions of this bill, to wit, the arrangement whereby a simple majority could object to a reorganization plan, in order to get legislation through the Congress in this session of the Congress, we agreed to the conference report and to the bill, as amended, and expect to support it.

Mr. BROOKS of Texas. I thank the gentleman.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AMENDING CHAPTER 223, TITLE 18, UNITED STATES CODE

Mr. CELLER submitted the following conference report and statement on the bill (S. 2377) an act to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses:

CONFERENCE REPORT (H. REPT. No. 1271)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That chapter 223 of title 18, United States Code, is amended by adding a new section 3500 which shall read as follows:

" '§ 3500. Demands for production of statements and reports of witnesses.

" '(a) In any criminal prosecution brought by the United States, no statement or report in the possession of the United States which was made by a Government witness or prospective Government witness (other than the defendant) to an agent of the Government shall be the subject of subpena, discovery, or inspection until said witness has testified on direct examination in the trial of the case.

" '(b) After a witness called by the United States has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce any statement (as hereinafter defined) of the witness in the possession of the United States which relates to the subject matter as to which the witness has testified. If the entire contents of any such statement relate to the subject matter of the testimony of the witness, the court shall order it to be delivered directly to the defendant for his examination and use.

" '(c) If the United States claims that any statement ordered to be produced under this section contains matter which does not relate to the subject matter of the testimony of the witness, the court shall order the United States to deliver such statement for the inspection of the court in camera. Upon such delivery the court shall excise the portions of such statement which do not relate to the subject matter of the testimony of the witness. With such material excised, the court shall then direct delivery of such statement to the defendant for his use. If, pursuant to such procedure, any portion of such statement is withheld from the defendant and the defendant objects to such withholding, and the trial is continued to an adjudication of the guilt of the defendant, the entire text of such statement shall be preserved by the United States and, in the event the defendant appeals, shall be made available to the appellate court for the purpose of determining the correctness of the ruling of the trial judge. Whenever any statement is delivered to a defendant pursuant to this section, the court in its discretion, upon application of said defendant, may recess proceedings in the trial for such time as it may determine to be reasonably required for the examination of such statement by said defendant and his preparation for its use in the trial.

" '(d) If the United States elects not to comply with an order of the court under paragraph (b) or (c) hereof to deliver to the defendant any such statement, or such portion thereof as the court may direct, the court shall strike from the record the testimony of the witness, and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared.

"'(e) The term 'statement', as used in subsections (b), (c), and (d) of this section in relation to any witness called by the United States, means—

"'(1) a written statement made by said witness and signed or otherwise adopted or approved by him; or

"'(2) a stenographic, mechanical, electrical, or other recording, or a transcription thereof, which is a substantially verbatim recital of an oral statement made by said witness to an agent of the Government and recorded contemporaneously with the making of such oral statement.'

"The analysis of such chapter is amended by adding at the end thereof the following:

"'3500. Demands for production of statements and reports of witnesses.'"

And the House agree to the same.

Emanuel Celler,
E. E. Willis,
Jack Brooks,
Kenneth B. Keating,
Laurence Curtis,
Managers on the Part of the House.
Joseph C. O'Mahoney,
James O. Eastland,
Everett M. Dirksen,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely: The substantive provisions of the bills as passed by the respective Houses of Congress are substantially similar, except in the following respects:

The House bill (H. R. 7915) provided that no statement or report of any prospective witness or person other than a defendant which is in the possession of the United States should be the subject of subpena, discovery or inspection, except as specifically provided in the bill, any rule of court or procedure to the contrary notwithstanding.

The Senate bill (S. 2377) provided that no statement or report of a Government witness or prospective witness other than the defendant, made to an agent of the Government which is in the possession of the United States should be the subject of subpena or inspection, except if provided in the Federal Rules of Criminal Procedure or as specifically provided in the bill.

The changes agreed upon by the conferees, (1) eliminate specific reference to the Federal Rules of Criminal Procedure; (2) limit the types of statements and reports which come under the provisions of the bill to statements of Government witnesses or prospective witnesses, other than the defendant, made to an agent of the Government; and (3) make it abundantly clear that no such statement need be produced until said witness has testified on direct examination in the trial.

Another difference discussed by the conferees concerned the provisions of the Senate bill, which extended the types of statements covered by the bill to include "transcriptions or records of oral statements" made by the witness to an agent of the Government. To remove any doubt as to the kinds of statements affected by the bill as agreed to by the conferees, a new paragraph "e" was added to the proposed section 3500 of title 18 of the United States Code expressly defining the term "statement."

It is believed that the provisions of the bill as agreed to by the conferees are in line with the standard enunciated by Judge George H. Moore of the eastern district of Missouri in a Finding of Fact and Conclusion of Law filed June 18, 1957 in *U. S. v. Anderson et al.*, which is set forth at page 15940 of the daily Congressional Record of August 26, 1957.

Emanuel Celler,
E. E. Willis,
Jack Brooks,
Kenneth B. Keating,
Laurence Curtis,
Managers on the Part of the House.

Mr. CELLER. Mr. Speaker, I call up the conference report on the bill (S. 2377), an act to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

Mr. CELLER. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, we have arrived at a position on this bill, the so-called FBI files bill (S. 2377), that we hope will do the least violence to the principles of good law enforcement and the rights of the defendants. Not all questions have been answered in the compromise arrived at. We have sought to strike a balance. In the giving and taking of the deliberative processes there has been some advance and some retreat among the conferees. It is a fairly workable bill.

I wish to say—and not in passing—that it is most unfortunate that so much emotion was engendered, obscuring the need for the calmest kind of scrutiny which legislation of this kind should have received, since it touches fundamentally on constitutional protection. However, there has been a meeting of the minds, and while, I repeat, it is not the most perfect solution, it represents a reasonable approach.

I realize, Mr. Speaker, that there may be a constitutional block to this legislation. The Supreme Court in the *Jencks* case (353 U. S. 657) held that the defense in a criminal prosecution is entitled initially to inspect the Government witness' statements and reports. It further stated that it disapproved the practice of producing Government documents to the trial judge for his determination of relevancy and materiality before giving those documents or portions thereof to the defense for its examination and use. In so holding the court stated that "justice required no less." This, of course, might be construed to mean "due process requires no less."

The proposed legislation is not designed to touch in any way the decision of the Supreme Court insofar as due process is concerned. It seeks only to set up a procedural device for the setting of standards of interpretation for safeguarding the needless disclosure of confidential information in Government files and, at the same time, assuring defendants access to the material in those files pertinent to the testimony of the Government witness. In doing this we are not seeking to nullify or curb the Federal Rules of Criminal Procedure. We are simply attempting to provide a procedural process. In doing so, this procedure concerns itself with and limits itself to those kinds of statements—to those of Government witnesses or prospective Government witnesses made to agents of the Government and no other kinds of statements, documents, and so forth.

I wish to state that when the bills were introduced I was deeply concerned, for I felt morally certain that they went far beyond the ruling of the Jencks case and would substantially reduce, if they did not entirely cut off, the right of defendants in criminal proceedings to discovery and inspection of reports, statements, and documents in the possession of the Government, as provided for in the Federal rules of criminal procedure.

The Senate bill, before it was approved, was redrawn and redrawn again in an effort to eliminate this serious difficulty. Finally, it was completely rewritten before it was approved by the Senate. When the House bill was debated on the floor, I sought to amend it by substituting the language of the finally approved version of the Senate bill since it no longer contained the controversial provision which, in my opinion, would have abrogated the Federal rules of criminal procedure.

Mr. Speaker, I am happy to state that the amendment which the House now has before it is for all practical purposes the language and substance of the Senate bill—it is substantially the language which I sought when I offered my amendment on the floor of the House on August 28.

I want to say to those Members who voted for the substitute which I offered in Committee of the Whole that this conference report practically embodies that substitute, and they, in good conscience, can vote for this conference report.

I yield 3 minutes to the gentleman from New York [Mr. Keating].

Mr. KEATING. Mr. Speaker, I think the House should know that I differ markedly and emphatically with the last statement of the chairman of the committee, that this bill represents in any way the position of the 55 Members of the House who voted for the substitution of the weak Senate bill. It rather confirms and fortifies the position of the 161 Members who voted for the stronger House bill.

There were two points of difference between the Senate and House versions. Those who were here and heard the debate will remember there were two points in difference in the bill. The Senate yielded to the House on both points in effect. The first was, will the defendants have the right to inspect statements of witnesses before they go into the courtroom. There was fear that there was language in section (a) of the Senate bill which would imply the right of defendants to get such evidence before they ever got into the courtroom. The wording here not only does not recognize that they might have such a right, but positively and definitely says they shall not have that right. Section (a) of the bill is even stronger than the House bill which we considered and for which an overwhelming majority of this body voted.

The second question was, what shall be produced in court. The House bill had said, "Written statements which were signed or adopted or approved by a witness." The Senate had added these words, "Records of oral statements made by a witness to an agent of the Government," thereby opening up the FBI files almost as wide as all outdoors. The Senate yielded on this issue also. The conferees provided that the only statements a defendant could see, and then only in the courtroom were those actually signed or formally approved by the witness or a stenographic verbatim recital of a statement made by a witness which is recorded contemporaneously with the making of such oral statement. In other words, only those statements need be produced in court by the Government which could be shown in court to impeach the credibility of the witness.

This is an excellent bill. It is a stronger and better bill than passed the House, and it indicates again that firmness pays. If we had accepted the bill as it passed the other body or if we had accepted the substitute offered in this body by the gentleman from New York [Mr. CELLER] we would not have done the job we set out to do. We would not have given the protection to the confidential files of the FBI and our other investigative agencies to which they were entitled and which is required for the safety and security of our Nation. By adopting the House position on the two points in issue, we have now afforded the protection advocated by the Attorney General and the dedicated Director of the FBI. The loophole has been closed which might have prevented many criminals and enemies of our country from being brought to book. I enthusiastically commend this conference report for your favorable consideration.

Mr. YATES. Mr. Speaker, I shall vote for this conference report. I voted against H. R. 7915 when it was before the House a few days ago, because it was a bad bill. However, most of its defects have been corrected by the conferees and I shall give it my approval.

I believe the decision of the United States Supreme Court in the Jencks case was correct. The Department of Justice is in accord with this view, as it should be, for our system of justice guarantees that persons faced with deprivation of life or liberty have the right to a fair trial. The right to a fair trial includes the opportunity to show that witnesses are lying, and the decision in the Jencks case goes no further than this.

As United States District Judge Bryan stated a few days ago about the Jencks case:

> The Supreme Court case enunciates a simple, fair, and quite limited rule. It holds that where the prosecution places a witness on the stand the defense is entitled to inspect statements or reports in the Government's possession concerning the subject matter of such witness' testimony, for the purpose of determining whether they can be used to impeach his credibility. This applies whether the witness be a Federal agent, informer, or a member of the general public.

Although the Department of Justice has affirmed that the principle of the Jencks decision is sound, it has requested this legislation because of misconstructions and misinterpretations of the decision made by lower courts, which it says has resulted in the unwarranted dismissal of the defendants on trial. As a result of such action, the decision itself, even though correct, has been made the springboard for the charges that the opinion throws open the FBI files to members of the Communist Party, that the Supreme Court has subverted our national security, that our national police system has been brought to a standstill. This is a gross exaggeration. The decision itself did nothing more than reaffirm one of the bases for fair trial procedure in the system of American justice.

One would think that the ordinary appellate procedure of the courts would correct judicial mistakes, and to clarify the situation, but perhaps the quickest way to do it was through legislation. But certainly, the bill which was presented to the House a few days ago, H. R. 7915, confused rather than clarified the picture. It was far worse than no bill at all. It was hasty and far reaching, distorting the Federal Rules of Criminal Procedure without hearings, without the recommendation of the Judicial Conference, without due regard to the possible impact the bill might have on orderly court procedure. It was based on the concurring opinion of two Justices, rather than on the majority opinion, and because of this it might very well have been unconstitutional. The protection of the Nation's security with appropriate respect for the legal rights of defendants is always a delicate problem which can be solved only through careful and painstaking analysis. H. R. 7915 was a poor effort.

This conference report, however, brings many drastic and beneficial changes in that bill. It embodies and clarifies the Jencks decision by giving recognition to the majority opinion, the concurring opinion, and even the protest of the dissenting opinion. It protects the rights of defendants as well as the Nation's security. Reports made to the Government by witnesses called to testify at the trial are made available to the defendant where such reports contain no material which is extraneous to the issues of the trial. Where such reports contain outside material which is irrelevant to the particular issues, such reports must be submitted to the court for deletion of irrelevant material before the report is made available to the defendant. I would assume that the majority in the Jencks decision favored this procedure. I cannot believe that the majority Justices favored turning over reports to the defendant where the reports contained material completely irrelevant and inappropriate to the issues in the particular case, particularly where such irrelevant material might be prejudicial to the national security.

The conference report seeks to correct the aspect of the Jencks decision which requires automatic dismissal of the action in the event the Government refuses to produce the records requested by the defense. In this respect it seems to me the decision goes too far inasmuch as absolute dismissal may be too severe a penalty. The Government should be given the opportunity to prove its case if it can do so by using other evidence than the witness or the report which the defense seeks. Perhaps this alternative was implicit in the Jencks decision. If so, it should have been made more specific. At any rate I am not sure the conference achieved the result they sought in this instance and I believe this portion of the bill will need additional attention.

In view of the excellent changes made by the conference committee, I shall vote for the bill.

Mr. MULTER. Mr. Speaker, when this bill was before the House on August 27, I voted against it on final passage because I believed it to be a very bad bill which ran counter to the fundamental principles of American jurisprudence.

The bill reported to us now by the conferees is a much different bill and certainly a much better one. At the same time, I am convinced that if this bill were called up at a time other than in the last hours of the session and without the hysterical pressures from a press that has been misinformed by our Attorney General, a much different result would obtain.

The bill in its present form contains a provision which still gives the prosecuting attorney the right to withhold a statement made by a witness whose testimony has been offered to court and jury by that same prosecuting officer. There can be no good reason offered in law or in logic for such procedure.

The fact that the court by this bill is given the discretion to strike a witness' testimony in the event his contradictory statement is not produced by the prosecuting attorney is not a sufficient safeguard of defendants' rights and is contrary to fair and honorable court procedure.

This is a good place to call the attention of our colleagues to much of the misinformation that has been spread abroad about recent Supreme Court decisions. In that connection, I am pleased to include in my remarks the following article written by Alan F. Westin, a member of the District of Columbia bar and assistant professor of government at Cornell University. Mr. Westin spent the last year as a visiting faculty member at Yale Law School; and he has written a biography of the first Justice John Marshall Harlan. Mr. Westin's article follows:

THE SUPREME COURT DECISIONS—THE NEW BALANCE ON CIVIL LIBERTIES

(By Alan F. Westin)

The United States Supreme Court Building in Washington stands alongside a gray structure housing the national headquarters of the Methodist Church; together, the two buildings overlook the site of the United States Congress, as though in architectural rendition of Bracton's famous comment that government should be "under God and the law." If Bracton could have attended the Court's recent decision Mondays, strolled across Capitol Plaza to hear the Congressional reactions, and leafed through the flood of articles which have debated the Court's spring fashion, the good Briton would probably have noted that living under "the law" was as ennobling and embroiling an adventure today as in 13th century England.

As every reader knows by now, the cause of this latest controversy over the operations of our system of judicial review was a series of assertive Supreme Court rulings issued during the months of May and June. What the Justices decided was:

In the case of two applicants for admission to the practice of law, held (6 to 3) that bar examiners may not draw an inference of bad moral character from an applicant's refusal, on first amendment grounds, to answer questions about his political affiliations (*Konigsberg* v. *California*); and in the second case, held (9 to 0) that it was a denial of due process to bar a qualified applicant because of his pre-1941 membership in the Communist Party, his use of aliases to escape anti-Semitic employer policies, and previous arrests on political charges (*Schware* v. *New Mexico*).

In an antitrust prosecution of Du Pont for violating the Clayton Act, held (4 to 2) that Du Pont's purchase of a 23-percent-stock interest in General Motors in 1917–19 and a supplier contract between the two companies was a "vertical" stock acquisition forbidden by section 7 as tending to create a monopoly. This was considered subject to divestiture despite 40 years of inaction toward the transaction by the Federal Trade Commission and the Justice Department (*U. S.* v. *E. I. DuPont de Nemours & Co.*).

In the prosecution of a Mine, Mill, and Smelter Union official for falsifying a Taft-Hartley non-Communist oath, held (7 to 1) that the defendant was entitled to see prior statements made about his alleged Communist connections to the FBI by testifying witnesses Harvey Matusow and J. W. Ford (*U. S.* v. *Jencks*).

In the contempt prosecution of a UAW official for refusing to give the House Committee on Un-American Activities the names of persons he once knew as Communists but now believed to have left the party, held (6 to 1) that a witness cannot be punished for contempt when the questions put to him were wide-ranging inquiries not pertinent to a properly defined legislative investigation (*U. S.* v. *Watkins*).

In the conviction of 14 west coast Communist leaders under the Smith Act, held (6-1) that the conspiracy-to-organize section of the Smith Act could apply only to the act of organizing the party in 1945 and not to organizational maintenance since that date, thereby foreclosing indictments on the organize count after 1948, when the 3-year statute of limitations had run. The Court also ruled that, in failing to instruct the jury as to the difference between advocating the overthrow of the Government as abstract doctrine and advocating this concept [illegible]tion to be taken, the trial judge had ignored a vital distinction between tolerated words and punishable incitement. The Court dismissed the cases against 5 defendants because the Government's evidence could not make out a case of advocacy; for the remaining 9, the Court ordered a new trial under the proper charge to the jury. (*United States* v. *Yates et al.*).

In reviewing John Stewart Service's discharge from the State Department in 1951, held (8–0) that Secretary Dean Acheson's overruling of findings in Service's favor by a Department loyalty board and the Deputy Under Secretary for Loyalty Review violated State Department regulations then in force, since those gave Acheson review authority only when a board finding favorable to an employee was overturned by the Deputy (*Service* v. *Dulles*).

In the New Hampshire contempt conviction of Marxist Paul Sweezy, held (6–2) that questions put to Sweezy about guest lectures he delivered at the University of New Hampshire and about his knowledge of Progressive Party leaders were invasions of academic freedom and political expression which the Court would not assume the legislature had intended its attorney general to ask under the State Subversive Activities Investigation Act (*Sweezy* v. *New Hampshire*).

When one adds to this list of cases which excited public controversy the other important rulings of the 1957 term—opinions dealing with speedy arraignment before a magistrate, injunctions against peaceful labor picketing, arbitration under section 301 of the Taft-Hartley Act, the status of professional football under Federal antitrust laws, State legislative control of obscenity, military trials abroad for civilian dependents of servicemen, the diversity of citizenship needed to bring stockholders' suits in the United States courts, the validity of the all-white clause of the Girard Orphan's School Trust in Philadelphia, and the right of Japan to try Army Specialist William Girard—the past term emerges as one distinguished for the range and number of large problems dealt with and the frequency with which the Court asserted a positive role in their resolution.

This range and number of cases—something not entirely within the Justices' control—helps in part to explain the high volume of criticism leveled at the Court. In most years some group is likely to be offended by a particular ruling; in 1957 a remarkably large number of vocal and powerful groups had their pet oxen gored by the Court's holdings: the business community, the FBI and the Justice Department, the State attorneys general, the American Bar Association, most Congressmen, the patriotic societies, and many anti-Communists. In fact the deep southerners found that they were no longer thundering alone against the usurpations of the Supreme Court; now, they were part of a very large crowd.

Of course, the entire Nation was not disgruntled and there were some voices of support for the Justices—speeches by members of the House Judiciary Committee such as EMANUEL CELLER and KENNETH KEATING, happy articles in the liberal weeklies, and a bit of puzzled but soldierly defense from the President. Yet the dominant reaction was critical, whether in the form of soft clucking from the Time-Life sages, bitter outcries from David Lawrence, or impeachment bills from angry Congressmen.

The first thing to notice about this reaction is that a good bit of the furor stems from newspaper reports which misread the decisions and commentators who compounded the misconceptions. For example, contrary to general impressions:

The Court did not say in the Jencks case that reports of FBI operatives and confidential informants or the entire dossier relating to an accused individual or group had to be disclosed. What the Court said was that reports given to the Government had to be made available to the defense (1) in criminal trials, (2) when the reporting person was now testifying in open court for the Government, and (3) when the report, described specifically by the defense, related to the events which formed the basis of the prosecution. The recent scissoring of an FBI report in the trial of John Kasper in Tennessee illustrates the practical nature of the Jencks rule.

The Court did not hold that suspected Federal employes are immune from dismissal on loyalty or security grounds by the heads of their agencies. In the Service case, as in the previous Peters ruling, the Court based its reversal of dismissal on the failure of executive officials to comply with their own rules, not on any constitutional ground. If Service were a suspected Foreign Service officer today, he could be found to be a security risk by Secretary Dulles and dismissed, without violating any doctrine of the Supreme Court as to the Eisenhower program.

The Court did not declare in the Yates case that we should instruct juries that the Communist party is operating as a debating society or following parliamentary means. Justice John Marshall Harlan's discussion of the advocacy issue was directed at the necessity to apply the same charge today as given in the Dennis case convictions of the Communist national leaders: one which emphasized that advocacy directed "to stirring people to action" was the offense covered by the Smith Act. To the extent that prosecution of second-string leaders and members might be supported only by reading into evidence Marxist revolutionary classics and instructions by Soviet teachers in 1924, plus proof of American party adherence to such doctrine, convictions would not be proper. To the extent that the evidence showed a conspiracy to advocate action, Justice Harlan made it clear that re-convictions of nine of the defendants would be left untouched.

Other misconceptions of the 1957 rulings might be noted, but these should be sufficient to indicate that the Justices have been damned as much for what they did not do as for what they did. This is not to suggest that what the Court has done is to issue a series of mild sermonettes or that the debate has really been about straw men. The announcement by Representative FRANCIS WALTER that the House Un-American Activities Committee is changing its name to the House Internal Security Committee, presumably with a change in the Committee's mandate from concern with propaganda to a focus on security, shows that the Court's rulings have already had concrete effect.

More significantly, anyone comparing the 1957 civil liberty cases with the deferential ratification of Government antisubversive action which was the majority rule in the late 1940's, or the cautious reassertion of citizen rights through insistence on procedural niceties which was the majority's technique in the early 1950's, can see that the present Court has chosen to strike a new balance. To be more precise, the Court has put into legal terms the new balance on the issue of internal security which emerged after the McCarthy censure and has heretofore been registered largely by intangible (though powerful) developments—a bad press for the radical anti-Communists, a distaste for extremist prescriptions on the part of "center" public opinion, a bland unconcern by the administration for new Communist-hunting weapons. (In one sense, the Court's rulings were a welcome event for the radical right, since it gave this group its first opportunity in 3 profitless years to lash out at a solid target.)

To the extent that critical reactions really represent a dissent from the post-McCarthy approach to internal security, I can only disagree with the protest by saying amen to the Court's decisions and expressing my conviction that nothing essential to the ideological battle with communism or effective antisubversive efforts has been taken away by these cases. What this article deals with are the attacks which have taken the form of charges against the Court for specifically judicial misconduct, and it is that to which I will proceed.

First, it has been said that the Court encroached on the rights of Congress, the Executive, and the States in a manner which went beyond the Court's proper role, with the Watkins case as perhaps the prime example. What this argument overlooks is that the Watkins case was not simply a question of Congressional prerogative but also involved the integrity of the judicial process. As Justice Felix Frankfurter's concurring opinion put this idea:

"By [passing the act of 1857] * * * making the Federal judiciary the affirmative agency for enforcing the authority that underlies the Congressional power to punish for contempt, Congress necessarily brings into play the specific provisions of the Constitution relating to the prosecution of offenses and those implied restrictions under which courts function."

In other words, Congress might imprison Watkins under its power as a legislature to punish contempt. But when it provides for court trial of the contempt, as it did, and enacted a standard of pertinency, as it did, Congress cannot define the due process of law in terms of administrative convenience, as has been done in loyalty hearings and organization testing by the Attorney General. What must be satisfied in the courts is that form of fair procedure which has evolved since colonial days and is within the special competence of the judiciary to administer. With differing emphases, this seems to me to be applicable in the Jencks and Yates cases, and in the Mallory decision dealing with speedy arraignment.

Of course, the underlying question of whether the Court went beyond its proper role is a larger issue which will depend on one's conception of the proper place for the judiciary in the American system of government. Those who sincerely believe in pure majority rule and distrust an appointive judiciary have a right to protest against the Court's most recent assertion of its right to a positive role in the shaping of constitutional policy. What deserves notice in the 1957 situation is that the critics who have been charging usurpation and invoking the traditional rhetoric of the Jeffersonians and Progressives are actually the conservative and right-of-center groups, who have traditionally defended the philosophy of judicial review. It is the liberals, fresh from last generation's fight agains the "nine old men," who are voicing the language of "second sober thought" and "constitutional limitation." Of such ideological reverses is the realpolitik of American democracy made.

A second charge is that the 1957 rulings were careless and fuzzy products, opinions which failed to provide the precision of reasoning and adequate rules of conduct which should come from the Nation's High Court. This criticism seems to me quite valid with respect to several of the cases and has been the subject of much head-shaking in law school faculties. In the Sweezy ruling, for example, Chief Justice Earl Warren embarked on a discourse about academic freedom and political expression (in the course of which he plainly misstated what the New Hampshire Supreme Court said on this point), but he pulled up short of placing his decision on such a tangible first amendment ground. Instead, ignoring without comment the fact that the State supreme court found the questions put to Sweezy to be those the legislators wanted put, the Chief Justice declared that he could not find a clear intent on the part of the legislature to compel questions which would infringe first amendment rights. Therefore, he must treat the attorney general as acting without legislative authority and hold the contempt conviction invalid. For single-mindedness of purpose to the exclusion of reality, the Sweezy opinion has a certain superlative ring about it.

In the Jencks case, Justice William J. Brennan's opinion never explains the theory on which defendants are allowed to see prior reports made to the Government. Is this because these are public property? Because they might impeach a witness? Or because defendant makes a charge of inconsistency, although he need not lay a foundation of proof to support this? Nor was it clearly explained whether, once the reports were shown to the defendant, it was up to him or to the judge to determine how much of the report could go into evidence and be considered by the jury.

In the Watkins ruling, so many dicta embroidered Chief Justice Warren's opinion that Justice Frankfurter, concurring, felt compelled to write: "I deem it important to state what I understand to be the Court's holding." Only by restating a precise ground could Frankfurter feel able to vote with the majority.

To be sure, few rulings of the Supreme Court, or any agency of Government, emerge with machine-tooled perfection or provide flawless blueprints of future situations which may arise under a new rule. The special feature of some of the 1957 cases may be that the kind of opinion written in the Sweezy and Watkins cases may become something of a signature of the present Chief Justice. His tendency to write as though he were still issuing veto messages as governor of California rather than composing judicial opinions was noticed by most students of constitutional law as early as the segregation cases of 1954, when citation of social-science evidence was mishandled in the opinion. Three years later, the Chief Justice's faulty execution of essentially sound and politically delicate rulings is still evident and serves to mar Warren's impressive achievements as a unifier of the Court and a symbol of constitutional dignity beyond the capacity of the past chief to represent.

Finally, a third criticism of the Court is that it has been relying on sociology and policy rather than law and precedent. This seems to me to deserve a short evaluation: Nonsense. Those who voice this protest either mistake the scholarly apparatus of citations to nonlegal materials for the legal syllogism which decided the case, or else deny the Court's right to weigh conflicting policy interests left vague under the Constitution, thereby challenging the essential feature of our judicial tradition since the days of that archweigher of interests, John Marshall. To take two illustrations: Who would be playing sociologist and who lawyer in the Jencks case—the Justices, applying Anglo-Saxon rules of trial practice so as to provide a witness with essential documents with which to impeach accusing witnesses, or the Jencks critics, whose contention rests on the bold hypothesis that unless due process is denied the FBI may not be able to round up as many informants, which might have a bad effect on the course of criminal prosecutions? Or, in the Service case, which group is closer to the legal traditions—the Justices, laying the action of Government administrators alongside their own regulations to see whether these have been followed, or critics who desire a different result in this case, which could only rest on a theory that the dictates of cold warfare or some principle of higher justice required the Court to ratify an unauthorized act?

Apart from their rightness or wrongness and the quality of their reasoning, what the 1957 civil liberty cases indicate is the emergence of a new alinement of forces within the Supreme Court. In the nonunanimous cases discussed in this article (with the exception of the Yates case, in which Justice Brennan did not sit), the majority contained a four-man phalanx made up of Warren, Hugo Black, William O. Douglas, and Brennan. To make up a Court, this foursome was able to win to its side Frankfurter and Harold Burton in the Jencks case, Frankfurter and Harlan in Watkins and in Sweezy, Frankfurter, Harlan, and Burton with the three in the Yates case, Burton and Charles Whittaker in Konigsberg, and all four of these concurring Justices in the Service decision. (In all except Service, where he did not participate, Justice Tom Clark was in dissent.) What this suggests is that the kind of internal security case which came before the Court this term—essentially a situation where the outer limits of antisubversive action were involved—produced an agreement upon result between the liberal activist forces of Black and Warren and the constitutional equilibrium position of Frankfurter and Harlan, with the philosophy of the latter retained in several concurrences which stated alternative grounds of decision.

Interestingly enough, not all of the cases were situations where the Frankfurter-Harlan group took a narrow ground of decision and the Black-Warren faction adopted a large substantive interpretation. In the Sweezy case, it was Justices Frankfurter and Harlan who relied on the first amendment and the foursome which chose a technical construction of the intention of the State legislature to avoid a constitutional issue. That Justices Black and Douglas, always the first to insist upon a first amendment analysis, should have held aloof from the Frankfurter concurrence seems particularly ironic. The explanation may be that Black and Douglas have had such amazing success in winning first the Chief Justice and then Justice Brennan to the position they had been maintaining in isolation since 1948 that they felt it would be politic to support the Chief Justice's narrow stand in the Sweezy case. After all, there is still the new Justice, Whittaker, who did not participate in most of the cases, to be won. If the force of Black's argument and Warren's personality can bind the new Justice to the foursome, there will be a standing majority of liberal activists.

Such is the charge and countercharge, the rhetoric, logic and internal politics of which constitutional battle is composed in the United States. If Bracton had been here to observe this latest skirmish, he might note sadly that these great clashes between judge and sovereign are now waged only on this side of the Atlantic.

Mr. CURTIS of Massachusetts. Mr. Speaker, this bill is a stronger bill than either the House or the Senate versions which preceded it.

Its purpose is to protect Government files as a result of the decision of the Supreme Court in the Jencks case and to clarify the situation arising from that decision.

In the Jencks case the Supreme Court ruled that after a Government witness had testified, the defendant had the right to inspect previous statements made by that witness and in the possession of the Government. This decision was based on the rule of evidence that a defendant can impeach the veracity of a witness by questioning him on prior inconsistent statements, and has certain rights to see such statements. It went somewhat further than previous decisions in stressing the rights of the defendant.

Prompt action by the Congress was essential because some of the lower Federal courts were running wild as a result of the Jencks decision. They had permitted accused persons to rummage through Government files, and in one case even to inspect transcripts of grand jury hearings.

The bill just passed by Congress limits the effects of this decision. It makes it clear that the defendant has no right under the Jencks ruling to see a prior statement of a Government witness until such witness has testified, and not under any pretrial procedures. It limits the statements which can be inspected to those which relate to the subject matter of the testimony of the witness, and it further limits them to a written statement made by the witness—or adopted by him—or to an oral statement made by the witness to an agent of the Government and recorded contemporaneously.

If the Government contends that the prior statement does not relate to the subject matter testified to by the witness, the statement is submitted to the trial judge in chambers without being shown to the defendant, and he can excise portions of the statement which do not have such relevancy.

This bill should be helpful in clarifying the situation, but I regret that it was necessary for the Congress to act with some haste. I believe that it would have been extremely helpful to have had available the result of the mature study of the Jencks decision which will undoubtedly be made by law schools, bar associations, and other legal authorities.

I believe that as a result of further study it may be possible to devise even more effective provisions to protect secret Government files. Perhaps more discretion could be allowed to the trial judge. In the Jencks case the Supreme Court was giving its interpretation of the law, and did not base its rulings on constitutional requirements. If so, it is entirely within the province of the Congress to change the existing law, so long as the new procedure which it establishes does not violate due process of law.

Mr. CELLER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

Mr. YATES. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken and there were—yeas 315, not voting 117, as follows:

[Roll No. 219]

YEAS—315

Abernethy
Adair
Addonizio
Albert
Alexander
Allen, Ill.
Andersen, H. Carl
Andresen, August H.
Andrews
Arends
Ashley
Ashmore
Aspinall
Auchincloss
Avery
Ayres
Baker
Baldwin
Baring
Bass, N. H.
Bass, Tenn.
Bates
Baumhart
Becker
Beckworth
Bennett, Fla.
Betts
Blatnik
Blitch
Boggs
Boland
Bolling
Bonner
Bosch
Bow
Boykin
Boyle
Breeding
Brooks, Tex.
Broomfield
Brown, Ga.
Brown, Mo.
Brown, Ohio
Brownson
Broyhill
Budge
Burdick
Burleson
Bush
Byrd
Byrne, Ill.
Byrne, Pa.
Byrnes, Wis.
Canfield
Carnahan
Carrigg
Celler
Chamberlain
Chelf
Chenoweth
Christopher
Chudoff
Church
Clark
Collier
Colmer
Cooley
Cooper
Corbett
Cramer
Cretella
Cunningham, Nebr.
Curtin
Curtis, Mass.
Curtis, Mo.
Dague
Davis, Ga.
Davis, Tenn.
Dawson, Ill.
Dawson, Utah
Delaney
Dennison
Derounian
Devereux
Dingell
Dixon
Dollinger
Donohue
Dooley
Dorn, S. C.
Dowdy
Durham
Dwyer
Eberharter
Edmondson
Elliott
Engle
Evins
Fallon
Farbstein
Feighan
Fenton
Fino
Fisher
Flynt
Forand
Ford
Forrester
Fountain
Frazier
Frelinghuysen
Friedel
Fulton
Garmatz
Gary
Gathings
Granahan
Grant
Gray
Gregory
Griffin
Gross
Gubser
Hagen
Hale
Haley
Hardy
Harris
Harrison, Nebr.
Harrison, Va.
Haskell
Hays, Ark.
Healey
Hebert
Hemphill
Henderson
Herlong
Heselton
Hess
Hoeven
Holland
Holmes
Hosmer
Huddleston
Hull
Hyde
Ikard
James
Jarman
Jenkins
Jennings
Jensen
Johansen
Jonas
Jones, Ala.
Jones, Mo.
Judd
Karsten
Kean
Kearns
Keating
Kee
Keeney
Kelley, Pa.
Kelly, N. Y.
Kilday
Kilgore
King
Kitchin
Knox
Knutson
Laird
Lane
Lankford
Latham
Lennon
Long
McCarthy
McCormack
McCulloch
McFall
McGovern
McGregor
McIntire
McIntosh
McMillan
McVey
Macdonald
Machrowicz
Mack, Wash.
Madden
Magnuson
Mahon
Marshall
Martin
Matthews
May
Meader
Merrow
Metcalf
Michel
Miller, Md.
Miller, Nebr.
Miller, N. Y.
Mills
Minshall
Montoya
Moore
Morano
Morris
Morrison
Moulder
Multer
Mumma
Murray
Natcher
Neal
Nimtz
Norrell
O'Brien, Ill.
O'Brien, N. Y.
O'Hara, Ill.
O'Hara, Minn.
O'Konski
Ostertag
Passman
Patman
Patterson
Pelly
Perkins
Pfost
Philbin
Poage
Poff
Polk
Porter
Price
Prouty
Rabaut
Radwan
Ray
Reed
Rees, Kans.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riley
Roberts
Robeson, Va.
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Mass.
Rogers, Tex.
Rutherford
Santangelo
St. George
Saund
Saylor
Schenck
Scherer
Schwengel
Scott, N. C.
Scudder
Seely-Brown
Selden
Shelley
Sheppard
Shuford
Sieminski
Simpson, Pa.
Sisk
Smith, Miss.
Smith, Va.
Smith, Wis.
Spence
Springer
Staggers
Stauffer
Steed
Sullivan
Taber
Talle
Teller
Tewes
Thomas
Thompson, La.
Thomson, Wyo.
Thornberry
Tollefson
Trimble
Tuck
Ullman
Utt
Van Pelt
Van Zandt
Vorys
Wainwright
Watts
Weaver
Westland
Whitener
Whitten
Widnall
Wigglesworth
Williams, Miss.
Willis
Wilson, Calif.
Wilson, Ind.
Winstead
Wolverton
Wright
Yates
Zablocki
Zelenko

NOT VOTING—117

Abbitt
Alger
Allen, Calif.
Anderson, Mont.
Anfuso
Bailey
Barden
Barrett
Beamer
Belcher
Bennett, Mich.
Bentley
Berry
Bolton
Bray
Brooks, La.
Buckley
Cannon
Cederberg
Chiperfield
Clevenger
Coad
Coffin
Cole
Coudert
Cunningham, Iowa
Dellay
Dempsey
Denton
Dies
Diggs
Dorn, N. Y.
Doyle
Fascell
Flood
Fogarty
Gavin
George
Gordon
Green, Oreg.
Green, Pa.
Griffiths
Gwinn
Halleck
Harden
Harvey
Hays, Ohio
Hiestand
Hill
Hillings
Hoffman
Holifield
Holt
Holtzman
Horan
Jackson
Johnson
Kearney
Keogh
Kilburn
Kirwan
Kluczynski
Krueger
Landrum
Lanham
LeCompte
Lesinski
Lipscomb
Loser
McConnell
McDonough
Mack, Ill.
Mailliard
Mason
Miller, Calif.
Morgan
Moss
Nicholson
Norblad
O'Neill
Osmers
Pilcher
Pillion
Powell
Preston
Rains
Reece, Tenn.
Riehlman
Rivers
Robsion, Ky.
Rooney
Roosevelt
Sadlak
Scott, Pa.
Scrivner
Sheehan
Sikes
Siler
Simpson, Ill.
Smith, Calif.
Smith, Kans.
Taylor
Teague, Calif.
Teague, Tex.
Thompson, N. J.
Thompson, Tex.
Udall
Vanik
Vinson
Vursell
Walter
Wharton
Wier
Williams, N. Y.
Withrow
Young
Younger

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Walter with Mr. Taylor.
Mr. Keogh with Mr. Hiestand.
Mr. Anfuso with Mr. Dellay.
Mr. Roosevelt with Mr. Dorn of New York.
Mr. Miller of California with Mr. Gavin.
Mr. Moss with Mr. George.
Mr. O'Neill with Mr. Alger.
Mr. Young with Mr. Allen of California.
Mr. Dempsey with Mr. Beamer.
Mr. Hays of Ohio with Mr. Kearney.
Mr. Powell with Mr. Mason.
Mr. Preston with Mr. Mailliard.
Mr. Vinson with Mr. McDonough.
Mr. Pilcher with Mr. LeCompte.
Mr. Lanham with Mr. Bray.
Mr. Fogarty with Mrs. Bolton.
Mr. Gordon with Mr. Cederberg.
Mr. Fascell with Mr. Bentley.
Mr. Flood with Mr. Kilburn.
Mr. Doyle with Mr. Krueger.
Mr. Dies with Mr. Vursell.
Mr. Coad with Mr. Younger.
Mr. Coffin with Mr. Siler.
Mr. Kirwan with Mr. Sheehan.
Mr. Kluczynski with Mr. Riehlman.
Mr. Sikes with Mrs. Harden.
Mr. Holtzman with Mr. Hillings.
Mr. Barrett with Mr. Hoffman.
Mr. Brooks of Louisiana with Mr. Sadlak.
Mr. Buckley with Mr. Scrivner.
Mr. Rains with Mr. Jackson.
Mr. Udall with Mr. Horan.
Mr. Vanik with Mr. Scott of Pennsylvania.
Mr. Rivers with Mr. Coudert.
Mrs. Griffiths with Mr. Clevenger.
Mrs. Green of Oregon with Mr. Harvey.
Mr. Holifield with Mr. Chiperfield.
Mr. Bailey with Mr. Cunningham of Iowa.
Mr. Barden with Mr. Gwinn.
Mr. Anderson of Montana with Mr Lipscomb.
Mr. Johnson with Mr. Norblad.
Mr. Lesinski with Mr. Osmers.
Mr. Loser with Mr. Reece of Tennessee.
Mr. Mack of Illinois with Mr. Bennett of Michigan.
Mr. Morgan with Mr. Smith of California.
Mr. Diggs with Mr. Simpson of Illinois.
Mr. Wier with Mr. Teague of California.
Mr. Thompson of New Jersey with Mr. Robsion of Kentucky.
Mr. Thompson of Texas with Mr. Withrow.
Mr. Teague of Texas with Mr. Cole.
Mr. Cannon with Mr. Pillion.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks on the conference report just agreed to and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

MUTUAL SECURITY APPROPRIATION BILL, 1958

Mr. PASSMAN. Mr. Speaker, I call up the conference report on the bill (H. R. 9302) making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1268)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9302) making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 6, 7, 8, 9, 10, 13, 14, 16, 19, 20, 21, and 22.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 11 and 12, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,340,000,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert ", to remain available until December 31, 1958"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert "until December 31, 1958"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment, insert "within the United States not heretofore authorized by the Congress"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"SEC. 106. Except for the appropriations entitled 'Special assistance, general authorization' and 'Development loan fund', not more than 20 per centum of any appropriation item made available by this Act shall be obligated and/or reserved during the last month of availability.

And the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 15.

OTTO E. PASSMAN,
J. VAUGHAN GARY,
JOHN J. ROONEY,
HENDERSON LANHAM,
WILLIAM H. NATCHER,
WINFIELD K. DENTON,
HARRY R. SHEPPARD,
JOHN TABER,
R. B. WIGGLESWORTH,
GERALD R. FORD, JR.,
EDWARD T. MILLER,
Managers on the Part of the House.

CARL HAYDEN,
RICHARD B. RUSSELL,
DENNIS CHAVEZ,
ALLEN J. ELLENDER,
LISTER HILL,
LEVERETT SALTONSTALL
(except as to No. 19),
WILLIAM H. KNOWLAND
(except as to No. 19),
EVERETT J. THYE,
EVERETT M. DIRKSEN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9302) making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

MUTUAL SECURITY

Funds appropriated to the President

Military Assistance

Amendment No. 1: Deletes Senate proposal authorizing the purchase of passenger motor vehicles for replacement only.

Amendment No. 2: Appropriates $1,340,000,000 instead of $1,250,000,000 as proposed by the House and $1,475,000,000 as proposed by the Senate.

Amendments Nos. 3 and 4: Insert language making military assistance appropriations available until December 31, 1958.

Defense Support

Amendment No. 5: Appropriates $689,000,000 as proposed by the Senate instead of $585,000,000 as proposed by the House.

Amendment No. 6: Deletes Senate language making the defense support appropriation available until expended.

Amendment No. 7: Provides $40,000,000 for Spain as proposed by the House instead of $35,000,000 as proposed by the Senate.

Development Loan Fund

Amendment No. 8: Appropriates $300,000,000 as proposed by the House instead of $400,000,000 as proposed by the Senate.

Technical Cooperation

Amendment No. 9: Appropriates $113,000,000 for technical cooperation under section 304 as proposed by the House instead of $114,900,000 as proposed by the Senate.

Amendment No. 10: Deletes Senate language making the appropriation for technical cooperation under section 304 available until expended.

Amendment No. 11: Deletes House language restricting the United States contribution to the United Nations technical assistance program for the calendar year 1958 to 33.33 per centum.

Other Programs

Amendment No. 12: Appropriates $225,000,000 for special assistance authorized by section 400 (a) as proposed by the Senate instead of $175,000,000 as proposed by the House. The conferees are agreed that not less than $20,000,000 of this appropriation shall be for Latin America.

Amendment No. 13: Provides not less than $10,000,000 for Guatemala as proposed by the House instead of $7,500,000 as proposed by the Senate.

Amendment No. 14: Deletes Senate language appropriating $20,000,000 for special assistance in Latin America.

Amendment No. 15: Reported in disagreement.

Department of State

Amendment No. 16: Deletes Senate language authorizing transfer of funds to other appropriations of the Department of State.

General Provisions

Amendment No. 17: Restores House language relative to use of appropriations for publicity and propaganda purposes with perfecting language of the Senate.

Amendment No. 18: Restores House language restricting the obligation and reservation of funds with perfecting language.

Amendment No. 19: Restores House language prohibiting the use of funds to carry out the purposes of the first sentence of section 400 (c) of the Mutual Security Act of 1954, as amended.

Amendments Nos. 20, 21 and 22: Restore section numbers as carried in House bill.

OTTO E. PASSMAN,
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JOHN J. ROONEY,
HENDERSON LANHAM,
WILLIAM H. NATCHER,
WINFIELD K. DENTON,
HARRY R. SHEPPARD,
JOHN TABER,
R. B. WIGGLESWORTH,
GERALD R. FORD, JR.,
EDWARD T. MILLER,
Managers on the Part of the House.

Mr. PASSMAN. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, the statements I shall make this morning will have no bearing on the action on the bill before us, but the information might make it less difficult for the membership to more clearly understand the mutual-security bill next year. I trust the membership will not take offense at this statement, but in reality this is a combination bill you are considering this morning—it is the mutual security-civil rights appropriation bill for fiscal year 1958. A great many of you know exactly what I am implying. There is nothing I can do about this, however, so I will rest my case in that respect with this reference to a regrettable situation.

Mr. Speaker, we are all anxious to go home. One of the saddest things for me about adjournment of the House is the parting with members of the Subcommittee on Appropriations which handles this bill. I have never worked with a more loyal, distinguished, and understanding group of men in my life and, of course, that observation applies to the Members on either side of the aisle. We tried to do the very best job possible, and the few times that we disagreed, we did so without being disagreeable. It may not be in order here, Mr. Speaker, but at this point I am going to pay my respects to the very able clerk who helped to handle this bill. I doubt if there is any man in Washington who understands the mutual-security appropriation bills, past, and present, better than the gentleman who is assigned to this committee, Mr. Jay Howe. I am most grateful to him for the help he gave to the committee in trying to arrive at a determination of what the figures actually represent.

I should like to direct to the attention of the committee the fact that even before we have adopted the final conference report on the mutual-security appropriation bill for fiscal year 1958, officials in the administration are already in disagreement as to what the bill should provide next year. I refer to a newspaper report of this morning, stating:

> DISPUTE SEEN OVER FUTURE FOREIGN AID
>
> A dispute is reported developing within the Eisenhower administration over the size of next year's foreign-aid program.

The Director of the Budget has indicated that there should be a ceiling next year of $3½ billion. I would say that the Director of the Bureau of the Budget is going to be in the administration's guardhouse if he insists on maintaining his point. I know how far they will go to have their way on this bill, whether or not the justifications warrant such a request.

For the benefit of the record on this bill, which is now before you, there was a blind authorization request of $4,400,000,000 at the beginning of the year. This subcommittee brought witnesses down prior to the time that we received a budget request. They were somewhat belligerent, but we wanted to know something about how they arrived at the figure of $4,400,000,000, a figure which they finally admitted—almost in these words—they had obtained out of the air. Now, however, to abbreviate that matter, the bill that you will pass on today is approximately $1 billion below the original authorization.

Mr. LONG. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. LONG. Mr. Speaker, I am unalterably opposed to foreign aid and have been throughout my entire tenure in the Congress. I am unalterably opposed to giving money to Tito who, in my humble opinion, is one of the greatest enemies of democracy this world has even known. This atheistic, hypocritical man in some manner has pulled the wool over the eyes of our people and confused them to the point where we are willing to send our taxpayers' hard-earned dollars to him in order, if he so wishes, to join the Russians in a war against the United States and utilize the very money and material to murder our American boys. To me this parallels our action prior to World War II when we sent millions of tons of scrap iron to Japan, only to have it fired back at us at Pearl Harbor.

I am unalterably opposed to the continuation of the program which gives millions of dollars to Communists and enemies of America when right here under the Capitol dome in Washington, D. C., it has been clearly established by one of the investigating committees that there are 50,000 underfed, undernourished, and poorly housed children in our own capital. We find ourselves in the closing days of the Congress voting a giveaway program for almost $3½ billion, which is a quarter of a billion dollars higher than the figure originally passed by the House. In my honest judgment, we certainly would have been better off to use this quarter of a billion dollars which was raised above the original House figure in strengthening our defense program. We are placed in a very ridiculous position in that our defense appropriation was reduced by over $2 billion which has forced the curtailment of the guided-missile program. Several plants have been forced to either close down entirely or to substantially reduce their personnel. For example, the North American Aviation Company of Los Angeles laid off 8,000 employees, due to this defense appropriation cut. It certainly does not help matters for Russia to announce her success in the testing of a 5,000-mile guided missile and over the period of the last 6 months the success of other tests with guided missiles of a 5,000- and 6,000-mile range.

Not only have the tests proven successful in Russia, but in addition there is the announcement that these missiles are being produced on a mass scale. Here in America, we have not had a test of guided missiles of over 1,500 miles range. To illustrate the slowness of the guided-missile program, only a few days ago, there was an announcement of a test on a guided missile of 1,500 miles range called Jupiter. We were testing 1,500-mile guided missiles 2 years ago and have not yet gone into mass production of this comparatively short-range missile known as the Jupiter.

While it may be true that we had no knowledge prior to the recent test in Russia of the 5,000-mile long-range guided missiles, which knowledge reached us after the defense appropriations were passed, we now find ourselves in the ridiculous position of having cut the defense measure to the bone and seriously curtailed our guided-missile program while at the same time we are increasing the foreign-aid giveaway program to our doubtful friends from $3,200,000,000 to $3,450,000,000.

In my opinion our taxpaying citizens would certainly appreciate our actions more if this Congress had taken $2 billion of this foreign-aid money and applied it on our guided-missile program to keep this vital phase of our defense on an up-to-date and effective basis. This would still leave the foreign-aid giveaway program $1,450,000,000, which I feel is exactly that sum too much. The democratic Free World would be in a far better position if we would proceed sensibly in protecting ourselves from our common enemy—the Russians.

We have been living in a dream world by hanging on the concept that living here in America is in the superlative. Most of us have been under false impression that our guided-missile program is far advanced of Russia and now comes the rude awakening and we find ourselves not on an equal basis with Russia, but rather lagging far behind in this highly important phase of defense.

Since Russia has developed the 5,000-mile-long-range missile and established its effectiveness by tests, and at the same time, we have reduced our defense program by $2 billion, it appears to me that it is a question of our being dollarwise and defense foolish.

In my judgment, President Eisenhower and his advisers have fallen far short in their obligation to protect the interest of our American people in our guided-missile interests. I pray to God that with this recent announcement of Russia's success in the guided-missile field, we will go ahead with our defense program in an effective and efficient manner regardless of cost and development of the all important guided-missile program to a point second to none. If it takes supplemental appropriations, then I say let us appropriate the money because we cannot afford to fall behind on our defense. Next year, let us use a little more commonsense, even if we offend lobbies and cut the foreign aid program to the bone, which is exactly what should be done. We have gone far beyond the call of duty and beyond even the remotest obligation in placing these foreign recipient nations on their feet and it is high time to act with sound judgment and take care of our own defense rather than to continue pouring the taxpayers' hard-earned dollars down the drain.

Mr. PASSMAN. May I conclude my statement, and then I shall be pleased to yield.

First, there is an authorization request, which may actually be any figure. Later, after the bill comes down, there is an authorization bill, and then the figure becomes a budget estimate. Subsequent to that the appropriation bill is handled, and we reduce the amount of the authorization bill. Then we receive the revised budget estimate. Next the authorizing bill goes to the Senate and certain adjustments are made before it comes back to the House with a different figure. The same procedure occurs with the appropriation bill. So the situation is really confusing, even to a certified public accountant or mathematician.

I hope you will listen to these figures which I am about to present and will keep the record on your desk so that, when we handle the bill next year, there will be no misunderstanding about the committee having some knowledge of the requirements.

The President's authorization request was for $4.4 billion. The bill before you calls for approximately $3.4 billion, which is $1 billion below the amount the President said would be required for the program of foreign aid.

In the program that you now have for mutual security, beginning with fiscal 1958, $5,602,000,000 is provided in the military phase of the bill. There is a total of $3,361,760,000 in other programs, making an overall aggregate of $8,963,760,000, or, in round figures, $9 billion available for expenditure in the mutual security program for fiscal 1958. This sum does not include funds under Public Law 480 or any other laws whereby there are foreign-aid programs.

In fiscal year 1956, the first year in which it was my privilege to handle this bill, we reduced the appropriation below the budget by $584,666,750.

In fiscal 1957, my second year as chairman of the subcommittee handling the bill, we reduced the appropriation below the budget estimate by $1,004,505,000.

Now, this third year, we have reduced the appropriation bill below the budget estimate by $565,650,000.

During the 3 years it has been my privilege to serve as chairman of the subcommittee, we have reduced the money by an aggregate of $2,214,821,750 below the budget estimates.

After the House worked on this bill, it went to the other side, where a lot of money was added. In several instances we were asked to yield from our stand as a gesture to the prestige of the other body. It is just that simple. In fiscal 1956 we reduced the amount of money put in by the other body by $523,866,750. In fiscal 1957 we reduced the money put in by the other body by $344,350,000. This year we reduced the amount of money put in by the other body by $256,900,000, or a total reduction in conference below what the other body put in of $1,125,116,750 for the 3 years.

This committee is either right or wrong. The fact as to which will be established after the administration works on this year's appropriation for the first 6 months of fiscal 1958.

I am on record, and I have no intention whatsoever of retracting or failing to go through with my commitments, that if there are not unobligated funds from this bill at the time when they request the appropriation for next year, then I am going to submit my resignation as a member of this particular subcommittee to the distinguished gentleman from Missouri [Mr. CANNON].

Claims to the contrary notwithstanding, there is money in this bill which will not be needed, and it should not be included. But, what are you going to do when the leadership in the other body is stacked so solidly against you? You are either going to recede on certain items or you are not going to have a conference report.

Mr. Speaker, I hope that I have not offended any of my friends on the Appropriations Committee, whether it be this subcommittee or the full committee; and this hope applies likewise with reference to the Members of the House. I try to know something about this bill, and I think that the past record is evidence enough to convince all of you that we have not damaged the foreign-aid program by any of the appropriations reductions.

Those of you who are going home and expect to spend restless nights concerned about the amount of money we have taken out of this program, let me suggest that you not buy any tranquilizer pills, but that you go home, go to bed, and get some rest. There is ample money in this bill to carry out the President's program, whether he knows it or not.

Mr. WILLIAMS of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. I want to take this opportunity to congratulate the distinguished gentleman from Louisiana and the members of his subcommittee for the work he has done in holding down this international giveaway program. I am so thoroughly convinced that the action the gentleman and his committee had taken was the right one that I had prepared and was ready to offer today a motion to recommit this bill to conference with instructions to continue opposition to the Senate amendments. As the gentleman knows, of course, my move apparently was anticipated and the Senate kept the bill, and a motion to recommit is not now in order.

The gentleman made a remarkable introductory statement in his address, that this bill should be referred to as the civil-rights mutual-aid bill.

Mr. PASSMAN. I meant it to be both facetious and thought provoking.

Mr. WILLIAMS of Mississippi. I think perhaps it goes a little deeper than that. I have heard rumors, and certainly the facts would tend to bear this out, the developments of recent days, that the fate of this legislation was tied directly at the fate of the civil-rights bill; that the trade was made by which one Republican Member joined with the Democratic Members in petitioning for a meeting of the Rules Committee which could not otherwise have been had. Will the gentleman elaborate by telling us what he knows about that?

Mr. PASSMAN. I would not say that the gentleman is entirely mistaken. I think, however, the question can be better answered if the distinguished gentleman from Mississippi would consult the Washington newspapers beginning with a date right after the House passed the appropriation bill and continuing up to the time the Senate passed the bill. I think if he does this that the gentleman's questions will be answered.

I thank the gentleman from Mississippi. I now yield to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. This conference report does provide almost a quarter of a million dollars increase over the bill as it was approved by a tremendous majority in this House. Is that not true?

Mr. PASSMAN. May I answer the gentleman this way: That about 2 weeks ago the House and the other body passed authorizing legislation. The bill under consideration here is $565,650,000 below the amount the Congress authorized.

I present here for the RECORD a tabulation which outlines the program in detail:

Mutual security program, fiscal year 1958

[In thousands]

	Appropriation, 1957	1958 authorization				1958 appropriation				Final appropriation compared with—			
		Request	Senate	House	Conference	Estimate	House	Senate	Conference	1957 appropriation	1958 estimate	House	Senate
MUTUAL DEFENSE ASSISTANCE													
Military assistance:													
Appropriation	$2,017,500	$1,900,000	[1]$1,800,000	$1,500,000	$1,600,000	$1,600,000	$1,250,000	$1,475,000	$1,340,000	−$677,500	−$260,000	+$90,000	−$135,000
Unobligated and unreserved balance	195,500	(2)	(2)	(2)	(2)	538,800	538,800	538,800	538,800	+343,300			
Total, military assistance	2,213,000	1,900,000	1,800,000	1,500,000	1,600,000	2,138,800	1,788,800	2,013,800	1,878,800	−334,200	−260,000	+90,000	−135,000
Defense support:													
Appropriation	1,161,700	900,000	[3] 800,000	600,000	750,000	750,000	585,000	689,000	689,000	−472,700	−61,000	+104,000	
Unobligated balance							36,000	36,000	36,000	+36,000	+36,000		
Total, defense support	1,161,700	900,000	800,000	600,000	750,000	750,000	621,000	725,000	725,000	−436,700	−25,000	+104,000	
Total, mutual defense assistance	3,374,700	2,800,000	2,600,000	2,100,000	2,350,000	2,888,800	2,409,800	2,738,800	2,603,000	−770,900	−285,000	+194,000	−135,000
ECONOMIC AND TECHNICAL COOPERATION													
Development assistance:													
Appropriation	250,000									−250,000			
Unobligated balance		(2)	(2)	(2)	(2)	52,000	52,000	52,000	52,000	+52,000			
Total, development assistance	250,000					52,000	52,000	52,000	52,000	−198,000			
Development loan fund		500,000	[4] 500,000	500,000	[5] 500,000	500,000	300,000	400,000	300,000	+300,000	−200,000		−100,000

[1] Also authorized $1,500,000,000 for fiscal year 1959.

[2] Unobligated balances authorized to be continued available.

[3] Also authorized $710,000,000 for fiscal year 1959.

[4] Also authorized additional $750,000,000 borrowing authority for each of fiscal years 1959 and 1960.

[5] In addition, $625,000,000 authorized in fiscal year 1959 on no-year basis.

Mutual security program, fiscal year 1958—Continued

[In thousands]

	Appropriation, 1957	1958 authorization				1958 appropriation				Final appropriation compared with—			
		Request	Senate	House	Conference	Estimate	House	Senate	Conference	1957 appropriation	1958 estimate	House	Senate
ECONOMIC AND TECHNICAL COOPERATION—Continued													
Technical cooperation:													
General authorization:													
Appropriation	$135,000	$151,900	$151,900	$151,900	[6] $151,900	$151,900	$113,000	$114,900	$113,000	−$22,000	−$38,900	--------	−$1,900
Unobligated balance	--------	--------	--------	--------	--------	--------	12,000	12,000	12,000	+12,000	+12,000	--------	--------
Total, general authorization	135,000	151,900	151,900	15,9000	151,900	151,900	125,000	126,900	125,000	−10,000	−26,900	--------	−1,900
United Nations program	15,500	15,500	15,500	15,500	15,500	15,500	15,500	15,500	15,500	--------	--------	--------	--------
Organization of American States	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	--------	--------	--------	--------
Total, technical cooperation	152,000	168,900	168,900	168,900	168,900	168,900	142,000	143,900	142,000	−10,000	−26,900	--------	−1,900
Total, economic and technical cooperation	402,000	668,900	668,900	668,900	668,900	720,900	494,000	595,900	494,000	+92,000	−226,900	--------	−101,900
OTHER PROGRAMS													
Special assistance, general authorization	--------	300,000	250,000	250,000	250,000	250,000	175,000	225,000	225,000	+225,000	−25,000	+$50,000	--------
Special assistance, Latin America	--------	--------	25,000	25,000	25,000	25,000	--------	20,000	--------	--------	−25,000	--------	−20,000
Special Presidential fund	100,000	--------	--------	--------	--------	--------	--------	--------	--------	−100,000	--------	--------	--------
Joint control areas	12,200	11,500	11,500	11,500	11,500	11,500	11,500	11,500	11,500	−700	--------	--------	--------
Intergovernmental Committee for European Migration	12,500	(7)	(7)	(7)	(7)	12,500	12,500	12,500	12,500	--------	--------	--------	--------
United Nations refugee fund	1,900	2,233	2,233	2,233	2,233	2,233	2,233	2,233	2,233	+333	--------	--------	--------
Escapee program	6,000	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500	−500	--------	--------	--------
United Nations Relief and Works Agency: Unobligated balance	45,300	(2)	(2)	(2)	(2)	23,800	23,800	23,800	23,800	−21,500	--------	--------	--------
United Nations childrens' fund	10,000	11,000	11,000	11,000	11,000	11,000	11,000	11,000	11,000	+1,000	--------	--------	--------
North Atlantic Treaty Organization	--------	(7)	(7)	(7)	(7)	2,700	1,500	1,500	1,500	+1,500	−1,200	--------	--------
Ocean freight	2,500	2,200	2,200	2,200	2,200	2,200	2,200	2,200	2,200	−300	--------	--------	--------
Control Act expenses	1,175	1,300	1,000	1,000	1,000	1,000	1,000	1,000	1,000	−175	--------	--------	--------
Administrative expenses:													
International Cooperation Administration	29,018	35,000	33,000	32,500	32,750	32,750	32,750	32,750	32,750	+3,732	--------	--------	--------
State Department	4,577	(7)	(7)	(7)	(7)	4,577	4,577	4,577	4,577	--------	--------	--------	--------
Atoms for Peace:													
Appropriation	5,500	7,000	7,000	7,000	7,000	7,000	--------	--------	--------	−5,500	−7,000	--------	--------
Unobligated balance	--------	--------	--------	--------	--------	--------	4,450	4,450	4,450	+4,450	+4,450	--------	--------
Total, Atoms for Peace	5,500	7,000	7,000	7,000	7,000	7,000	4,450	4,450	4,450	−1,050	−2,550	--------	--------
Total, other programs	230,670	375,733	348,433	347,933	348,183	391,760	288,010	358,010	338,010	+107,340	−53,750	+50,000	−20,000
Total, mutual security:													
Appropriation	3,766,570	3,844,633	3,617,333	3,116,833	3,367,083	3,386,860	2,524,760	3,025,660	2,768,760	−997,810	−618,100	+244,000	−256,900
Unobligated balances	240,800	614,600	614,600	614,600	614,600	614,600	667,050	667,050	667,050	+426,250	+52,450	--------	--------
Total	4,007,370	4,459,233	4,231,933	3,731,433	3,981,683	4,001,460	3,191,810	3,692,710	3,435,810	−571,560	−565,650	+244,000	−256,900
Add continuing authorizations	--------	19,777	19,777	19,777	19,777	--------	--------	--------	--------	--------	--------	--------	--------
Comparable totals	--------	4,479,010	4,251,710	3,751,210	4,001,460	--------	--------	--------	--------	--------	--------	--------	--------

[2] Unobligated balances authorized to be continued available.

[6] Authorized to remain available until expended.

[7] Continuing authorizations already in law: For ICEM and NATO, unlimited; for State Department administrative expenses, not to exceed $7,000,000 per annum.

The bill before the House is $366,900,000 below what the other body appropriated; it is $244 million above what the House passed a few days ago. So, in conference, we protected the prestige of the House by getting better than a 50–50 split.

Mr. GROSS. You protected it, but it cost $244 million or almost a quarter of a billion dollars.

Mr. PASSMAN. At least we authorized that much more money than the House bill called for.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Michigan.

Mr. FORD. Is it not true that this figure is about $400 million less than the original House version of the authorizing legislation?

Mr. PASSMAN. Well, I covered that in the beginning. For the 3 years it is over 2 billion dollars less than the original authorization requests. Of course, every year we reduce this substantially below what the authorizing legislation calls for. It is a billion less than the President requested at the beginning of the year. The figure the gentleman mentioned with respect to being below the authorization request is correct.

Mr. FORD. It should be said also that it is $561 million less than the final authorization bill and $400 million less than the original House version of the authorizing legislation.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Virginia.

Mr. GARY. The fact is that the figure as presented to the House today is a billion and a half dollars less than the President suggested in his state of the Union message.

Mr. PASSMAN. That is correct. It keeps working down a half billion dollars at a time. If we were to stay in session until October, in all probability there would be another revised estimate.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Florida.

Mr. HALEY. I want to say to the gentleman and to his committee that they have done a fine job in a very bad situation. I just hope that the gentleman and the House will take into consideration in another year the proposition of bringing this bill before us, so that the House will have ample opportunity or time to work its will on a bill of this kind. I think it is a terrible situation where you bring a bill in during the closing moments of the session, when everybody is wanting to get home, carrying appropriations of this kind, where the House is practically forced to take this bill.

I am against the bill, I am against foreign aid or foreign giveaway, I have never voted for it and I do not intend to vote for this conference report.

Mr. PASSMAN. I thank the gentleman.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Texas.

Mr. MAHON. I wish to join in commending the gentleman from Louisiana and the members of his subcommittee for the work that they have done this year on the foreign aid or mutual security bill. I voted against the authorizing legislation when it was presented because I thought it was too high, not because I do not believe in some forms of foreign aid. Foreign aid properly administered has meant a great deal and will mean a great deal, but I feel that the program should be tapered off more decidedly.

As I read the figures, when we have approved this bill, the total reduction in the President's appropriation budget by the Congress for this year will have been $5 048,000,000?

Mr. PASSMAN. That is my understanding. The gentleman is speaking of the overall reduction by the House of the President's budget. The amount we have reduced it exceeds $5 billion, according to the information given to me.

Mr. MAHON. A Member said to me this morning "I have a lot of defense industry in my district and there are some cut-backs in defense work." He said, "I think I did the right thing when I voted to reduce the defense budget, following the leadership of the Appropriations Committee, but I want to be sure I was correct in that vote."

I think it might be well to point out that the Defense Department had last year available for expenditure a total in excess of 74 billion dollars. It spent $38.4 billion. This year, the current year, the Department of Defense has available to it for expenditure $70.8 billion.

It developed during the closing months of the last fiscal year that the Department of Defense which had predicted through a total expenditure last year of $36 billion—was in error to the extent of in excess of $2 billion. And in the closing months of the last fiscal year defense spending was at the rate of $40 billion-plus. It is obvious that if this upward spiral of defense spending continued it would be necessary to raise the debt ceiling and make many other adjustments. So the Defense Department this year, while it has available to it a total of $70 billion-plus, appropriated for this year and in previous years for expenditure, is not spending much of this money available to it by reason of the fiscal situation. The Defense Department this year could keep all the factories humming, all the men employed and all the men in the service and spend $40 billion or $43 billion this year. That much would be available for expenditure by reason of the action of the Congress this year and in previous years.

We have approved these programs. We have given them the money. But the Defense Department, for what it considers good reasons, as well as the administration, have said, "We do not want to spend this money which the Congress has given because we do not want to exceed the speed of spending as estimated by the Bureau of the Budget." There are two sides to that question.

So I should like to assure everyone that the Defense Department cutbacks have not been the result of actions of the Congress on the defense bill but have been the result of the action of the administration to keep defense spending at $38 billion this fiscal year.

Mr. Speaker, I shall present in my extension of remarks a letter from the Comptroller of the Defense Department verifying the statement which I have made; and also in my extension of remarks in the Appendix of the RECORD I shall further pinpoint this problem which may be troubling some people by reason of headlines as to defense cutbacks.

I think we cannot consider defense as merely the Department of Defense appropriations. I think this bill, the mutual-security bill, has a relationship to it. I am voting for this bill. I know it is unpopular but I consider that at least certain parts of it are important elements in the defense picture. I would say that there is much room for improvement of the aid program. I am supporting the gentleman from Louisiana [Mr. PASSMAN] in voting for this bill and I thank him for yielding to me at this time.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I am very glad to yield to the distinguished gentleman from Virginia, who trained me; and if I have done a poor job, blame him.

Mr. GARY. Mr. Speaker, I would be delighted to share as trainer some of the credit which the gentleman from Louisiana deserves for his excellent handling of this bill but I fear the pupil has surpassed his instructor. Although there have been substantial cuts in this bill, I am convinced that the amounts in the original House bill were ample to sustain an adequate foreign-aid program for the next year. Therefore, as we lawyers would say, since that was an adequate amount a fortiori, the amount recommended today is more than adequate for the program.

I do not believe the program will suffer because of our cuts. I agree with the gentleman that they will probably come back next year with an unobligated balance, as they did this year. But this is the best the House conferees could do, and I hope it will be the pleasure of the House to accept this report. In my opinion, the time has come when we must begin to cut down on this foreign-aid spending and give some consideration to the high tax burden that our own people are paying in this country.

Mr. PASSMAN. Speaking of the latter amount, the amount the House allowed, the gentleman is referring to what I refer to as a combination bill, mutual security and civil rights.

Mr. SMITH of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. SMITH of Wisconsin. Will the chairman advise the House as to whether or not in his opinion the amount included in this bill now is sufficient to operate the program the coming year? I raise that question for the reason that the press this morning carries a report to the effect that it has been suggested in the other body that it may be necessary to return in January and ask for a supplemental appropriation for foreign aid. I should like to have that matter cleared up.

Mr. PASSMAN. I do not think there will be any special session and I do not think there will be any request for any supplemental appropriation in January. I am sure if the gentleman has observed all the loose talk in the newspapers about how many times we have ruined this program, he can discount that statement 100 percent.

Mr. SMITH of Wisconsin. The gentleman believes there is adequate money in the bill?

Mr. PASSMAN. I think there is more than adequate money, as I stated to the gentleman from Virginia and stated in my remarks earlier.

Mr. Speaker, the following are the figures for military assistance and mutual security:

Military assistance—Analysis as certified by the Department

Appropriations:	
1956 appropriation, new funds	$1,022,200,000
1956 reappropriation	33,900,000
Total	1,056,100,000
1957 appropriation, new funds	2,017,500,000
1957 reappropriation	195,500,000
Total	2,213,000,000
1958 appropriation, new funds	1,340,000,000
1958 reappropriation	538,800,000
Total	1,878,800,000
Obligations:	
1956, total	848,920,000
1957, total	1,674,200,000
1958 (same as 1957 according to Brundage), total	1,674,200,000
Expenditures:	
1956, total	2,572,000,000
1957, total	2,319,000,000
1958 (estimated, see p 404, House hearings), total	2,200,000,000
Military only:	
Obligated and reserve carryover	3,723,200,000
1958 reappropriation	538,800,000
1958 new funds approved by House	1,340,000,000
Total	5,602,000,000
Total available for expenditure and obligation fiscal 1958:	
Total military	5,602,000,000
Total nonmilitary	3,361,760,000
Grand total available for expenditure and obligation	8,963,760,000

Mutual security appropriation bill

Fiscal year 1956:	
Budget estimates	$3,350,541,750
House bill	2,701,275,000
Senate bill	3,289,741,750
Conference	2,765,875,000
Below budget estimate	−584,666,750
Above House	64,600,000
Below Senate	−523,866,750
Fiscal year 1957:	
Budget estimates	5,071,875,000
House bill	3,665,920,000
Senate bill	4,351,720,000
Conference	4,007,370,000
Below budget estimate	−1,064,505,000
Above House	341,450,000
Below Senate	−344,350,000
Fiscal year 1958:	
Budget estimates	4,001,460,000
House bill	3,191,810,000
Senate bill	3,692,710,000
Conference	3,435,810,000
Below budget estimate	−565,650,000
Above House	244,000,000
Below Senate	−256,900,000

Mutual security—3-year record

Appropriation below budget estimate:	
Fiscal 1956	$584,666,750
Fiscal 1957	1,064,505,000
Fiscal 1958	565,650,000
Total	2,214,821,750
Reduction in appropriations below Senate appropriations:	
Fiscal 1956	523,866,750
Fiscal 1957	344,350,000
Fiscal 1958	256,900,000
Total	1,125,116,750

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield whatever time he may require to the ranking minority member of the committee, the distinguished former chairman of the committee, the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, this bill comes here with no additions to the House figures with three exceptions: $90 million on military assistance, $50 million on special assistance, which is under the control of the President, and has pretty well been worked out, and an item of $104 million for defense support.

The gentleman from Louisiana in his dealing with the Senate conferees, has demonstrated that he is a master horse trader. The House ought to be pretty well satisfied with this conference report. I do not want anybody to get the idea that the Congress has reduced the availability of funds by $5 billion. As a matter of fact, there is deductible from that figure $1,115,000,000 on account of the housing bill that was passed and that was brought in here by the Committee on Banking and Currency, $105 million by the bill that was brought in here from the Committee on Interstate and Foreign Commerce to provide guaranteed loans to small airlines, and $1.3 billion that was made up of the transfer of funds that had been placed in stock funds in the different military services. So that there is about $2.5 billion that is really what the Congress did save. The appropriation bills show $3.6 billion, but the other bills reduce the savings to about $2.5 billion.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. MAHON. From the standpoint of the appropriation requests which were submitted, the statement has been made, and I believe it is correct, that the appropriations budget was cut in excess of $5 billion.

Mr. TABER. That is correct except for the transfer of funds item which runs about $1,300,000,000. But the $1,300,000,000 cuts it down to about $3,800,000,000 and the other $1,200,000,000 cuts it down to $2,500,000,000.

Mr. MAHON. I do not know how much has been transferred in connection with all appropriation bills approved by this Congress. However, I do know that transfers in connection with the defense bill only amounted to $590 million. Is it not true that the funds through transfers from prior years' appropriations cut down the overall of availability to the Government for expenditure during the fiscal year, and is it not true that in the housing bill, which was not an appropriation request before the Committee on Appropriations, these funds are not in the same category as appropriations and generally the funds authorized will not be spent in total. And is it not true that we cut the budget far in excess of $5 billion because we are not including in that figure the nearly $1 billion reduction in the foreign-aid request from the original estimate which was in the January budget, and we are not including in that the $450 million in funds for the school-construction bill which we defeated, but for which funds were in the January budget. These funds were submitted in the January budget but never came to the Appropriations Committee because the authorizations were reduced or defeated. So it is definitely true that the overall budget was cut far in excess of $5 billion.

Mr. TABER. I doubt it. I do not think it is possible.

Mr. Speaker, I am submitting herewith tables showing the estimates considered by the House for appropriations and the laws which were eventually adopted, and indicating whether or not the appropriations in each case were increased or decreased, and to what extent.

The figures submitted show a reduction of $5,048,378,979 in appropriations and taking nothing but that into consideration. The total appropriations are $59,589,731,631, but in considering that we have failed to show that $7.5 billion of permanent and annual appropriations will raise the total of the availability of funds to the Government to $67,089,731,631, for which the Appropriations Committee has been responsible.

Items exceeding budget estimates in the housing bill are the appropriations made by the Banking and Currency Committee which ran to $1,990,000,000, as against the budget estimate of $875 million, an increase of $1,115,000,000. Also there was added by the Congress without any budget estimate $105 million by the bill to provide for guaranteed loans to small airlines, so that the total availability created by Congress is $61,684,731,631.

Compared with the $65,513,110,618, this is a decrease below the budget estimates of $3,828,378,979, a total for which the Congress can claim credit in reductions.

A part of the $2.3 billion which was set up as a saving on the military appropriations, or $1.3 billion, was the result of transfer of funds which were already in the hands of the armed services, and is an item which will not be effective at all in saving money, but it will reduce the unexpended balances.

If you subtract the $1.3 billion from the $3,828,378,979, you get a net saving of about $2,528,378,979 so that the approximately $2.5 billion item is all that the Congress itself can say it reduced the executive demands.

To the total availability of $61,684,731,631 we must add the $7.5 billion of permanent appropriations, making a total availability of $69,184,731,631.

The cut of $2,528,378,979 in appropriations will not be entirely reflected in the spending in the fiscal year 1958, but I would say that at least $1.2 billion would be about the decrease in spending.

Perhaps the most significant feature of the Congressional action is that it will reduce to a certain extent the unobligated and unexpended balances carried forward by the different agencies of the Government, and the cuts should be reflected probably more in the fiscal year 1959 spending than in the 1958 spending.

There was a difference of approximately $3 billion resulting from items not yet submitted to the Congress by the President, and this probably was due somewhat to the failure of legislation to be adopted and somewhat to the fact that the economy wave brought about the reduction of some of the items.

I can only say that I believe it is absolutely necessary that we keep the appropriations down next year so that we will be able to enforce more savings in the spending.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and include a table prepared by me in connection with appropriations.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The following table shows the progress of the various bills by item:

Comparison of estimates and appropriations, 85th Cong., 1st sess.

[Fiscal year 1958]

Department or establishment	Estimates considered by House	Public law	Increase (+) or decrease (−), appropriation compared with House estimate
Department of Agriculture and Farm Credit Administration	$3,965,446,617	$3,666,543,757	−$298,902,860
Department of Commerce and related agencies:			
Department of Commerce	803,790,000	536,607,225	−267,182,775
Panama Canal	17,648,000	16,765,600	−882,400
Independent agencies	50,075,000	44,417,400	−5,657,600
Total	871,513,000	597,790,225	−273,722,775
Department of Defense:			
Office of Secretary of Defense	$17,175,000	$16,350,000	−$825,000
Interservice activities	687,825,000	682,375,000	−5,450,000
Department of the Army	8,465,000,000	7,264,550,000	−1,200,450,000
Department of the Navy	10,487,000,000	9,866,355,000	−620,645,000
Department of the Air Force	16,471,000,000	15,930,220,000	−540,780,000
Total	36,128,000,000	33,759,850,000	−2,368,150,000
District of Columbia	(207,349,900)	(193,676,480)	(−13,828,320)
Federal payment	25,504,450	22,504,450	−3,000,000

Comparison of estimates and appropriations, 85th Cong., 1st sess.—Continued

[Fiscal year 1958]

Department or establishment	Estimates considered by House	Public law	Increase (+) or decrease (−), appropriation compared with House estimate
General Government matters	$20, 921, 870	$16, 010, 370	−$4, 911, 500
Independent offices	5, 923, 195, 000	5, 373, 877, 800	−549, 317, 200
Department of the Interior and related agencies:			
Department of the Interior	373, 460, 000	326, 015, 900	−47, 444, 100
Forest Service	126, 186, 000	119, 216, 000	−6, 970, 000
Related agencies	$15, 543, 700	$10, 957, 700	−$4, 586, 000
Total	515, 189, 700	456, 189, 600	−59, 000, 100
Departments of Labor, and Health, Education, and Welfare:			
Department of Labor	384, 678, 000	353, 817, 600	−30, 860, 400
Department of Health, Education, and Welfare	2, 582, 114, 581	2, 503, 130, 381	−78, 984, 200
Related agencies	14, 485, 000	14, 234, 800	−250, 200
Total	2, 981, 277, 581	2, 871, 182, 781	−110, 094, 800
Legislative branch	80, 678, 628	[1] 104, 814, 660	[1] −3, 426, 783
Public works:			
Department of the Interior:			
Power Administrations	38, 236, 000	35, 087, 000	−3, 149, 000
Bureau of Reclamation	199, 312, 000	179, 974, 223	−19, 337, 777
Civil functions, Army	638, 905, 000	643, 033, 100	+4, 128, 100
Total	876, 453, 000	858, 094, 323	−18, 358, 677
Departments of State and Justice, the Judiciary, and related agencies:			
Department of State	$227, 714, 552	$189, 024, 243	−$38, 690, 309
Department of Justice	234, 655, 000	226, 705, 000	−7, 875, 000
The Judiciary	40, 780, 250	38, 562, 050	−2, 293, 200
United States Information Agency	144, 000, 000	96, 200, 000	−47, 800, 000
Funds appropriated to the President	18, 500, 000	12, 400, 000	−6, 100, 000
Total	665, 649, 802	562, 891, 293	−102, 758, 509
Treasury-Post Office:			
Treasury Department	713, 831, 000	691, 467, 000	−22, 364, 000
Post Office Department	3, 250, 000, 000	3, 192, 000, 000	−58, 000, 000
Tax Court of the United States	1, 460, 000	1, 460, 000	
Total	3, 965, 291, 000	3, 884, 927, 000	−80, 364, 000
Atomic Energy	2, 491, 625, 000	2, 323, 632, 500	−167, 992, 500
The Supplemental	[2] 1, 973, 767, 827	1, 734, 011, 947	−239, 755, 880
Mutual Security	3, 386, 860, 000	2, 768, 760, 000	−618, 100, 000
Supplemental, Post Office	149, 500, 000	133, 000, 000	−16, 500, 000
Cumulative totals	63, 907, 854, 615	59, 134, 110, 706	−4, 914, 355, 584
Supplemental and deficiency	589, 644, 320	455, 620, 925	−134, 023, 395
Total	64, 494, 927, 778	59, 589, 731, 631	−5, 048, 378, 979

[1] With Senate estimate added in, total estimate considered was $108,271,443; became law as listed above, with decrease as listed above.

[2] Final estimate as considered by Senate.

Mr. PASSMAN. Mr. Speaker, I yield such time as he may require to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Speaker, I simply want to state that as far as I am personally concerned, I am supporting this report not because I believe it will be adequate, but because it is the best obtainable settlement from every standpoint under existing circumstances.

As has been pointed out, the original request by the President in terms of new money was for $4.400 billion. Subsequently this was reduced to $3.886 billion in the light of balances estimated to be unobligated at the close of the fiscal year.

Seventy-five percent of the total request was for the purpose of national defense—for military aid to enable our allies to play their part in our defense and the defense of the Free World.

The conference report recommends an appropriation of $2.768 billion plus unobligated balances, or $1 billion less than the revised request of the President.

The request for military assistance for NATO and other allies is reduced from $1.900 billion to $1.340 billion, a reduction of $560 million.

The request for defense support, primarily to enable Turkey, Pakistan, Vietnam, Taiwan, and Korea to maintain existing forces, is reduced from $900 million to $689 million, a reduction of $211 million.

In other words, the total for national defense purposes is reduced by $771 million.

The Congress this year in the name of economy has slashed the request for our own military forces by $2.400 billion on paper, or about $1 billion in terms of real cuts. It is now proposed to slash the requests of our allies' military forces by $771 million.

This means a total reduction in the two bills in the field of national defense of about $1,700 million, with a corresponding reduction in military power.

The reductions have been effected in spite of the opposition of the President of the United States with his vast and successful military experience; they have been effected in spite of the opposition of Admiral Radford, who has just retired as an outstanding Chief of the Joint Chiefs of Staff; they have been effected despite the opposition of the Secretary of State.

In my opinion, Mr. Chairman, we are taking a risk which is unwarranted at this time.

I hope I am wrong.

Under present world conditions, particularly those in the Near East, I do not care to share in the responsibility for such drastic cuts.

Should trouble come tomorrow, next week, or in the months ahead as the result of the action taken, the record will of course show where the responsibility lies.

I have always stood for economy, but I am not for economy at the expense of national defense, and I am not for economy which, in my opinion, plays directly into the hands of the Kremlin.

A powerful America with powerful allies has compelled the Kremlin, for the time being, at least, to abandon its policy of military aggression.

A powerful America with powerful allies is vital to us all in terms of national defense and world peace.

Mr. PASSMAN. Mr. Speaker, I yield one-third of a minute to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Speaker, as a member of the conference committee on the mutual security appropriation bill for fiscal year 1958 I wish to point out that this compromise is the very best, from the point of view of the President's program, that could be achieved under the circumstances. Personally I favored increased amounts in two categories. First, there should have been a greater total for military assistance. I would have supported the Senate figure of $1,475,000,000 which is still considerably less than what the President requested for our national security. Second, there should have been an increase in the funds for the development loan fund. I sincerely hope the $300 million will be adequate to initiate the program but if not the administration should not hesitate to request a supplemental in the second session of this Congress.

In closing I trust the ICA officials will make maximum effective use of the funds available. If this is done I feel confident the Congress will be more sympathetic to the program in the future and in addition more results will be achieved with less dollars.

Mr. PASSMAN. Mr. Speaker, I yield one-third of a minute to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, with a quarter of a billion dollars added to this bill, it seems to me that the breakfast at the White House on Monday morning between the President and one of the most publicized Democrats in the country was a very expensive breakfast for the taxpayers of this country.

Mr. PASSMAN. The gentleman is correct.

Mr. Speaker, I yield one-third minute to the gentleman from Georgia [Mr. FLYNT].

Mr. FLYNT. Mr. Speaker, I wish to congratulate the gentleman from Louisiana on his fine handling of this bill. He was successful in reducing it when it was first before this body by $862 million from the amount requested by the President. The gentleman from Louisiana successfully resisted many efforts to restore that cut to approximately the figure requested by the President.

The present conference report figure, while it unfortunately is $244 million more than the amount originally passed by the House, is nevertheless $257 million less than the amount by which the other body passed this same bill.

I wish that this House had the opportunity to vote on a motion to recommit this bill to the conference committee because I am confident that an overwhelming number of the House of Representatives would vote to sustain the original position and the original figure by which the House of Representatives passed this bill. I wish it were possible for the House to have another rollcall vote on either a motion to recommit or any other motion which would have the effect of restoring the House figure which is $244 million less than the conference report and $501 million less than the figure passed by the other body and recommended and approved by the other body.

On the adoption of this conference report the gentleman from Georgia proposes to vote "no," and shall so vote.

Mr. GROSS. Mr. Speaker, before us in this foreign handout bill we have indisputable proof that the breakfast at the White House last Monday morning, apparently enjoyed by the President and one of the country's most publicized Democrats, will be a costly one for the taxpayers of this Nation.

Apparently that breakfast is going to play a major part in a further raid upon the taxpayers of somewhere in the neighborhood of a quarter of a billion dollars. If I understand the situation correctly, that is approximately the increase insisted upon and obtained by the free spenders in the other body over the figure voted by the House only 2 weeks ago.

And remember that it was only 2 weeks ago that members of the Appropriations Committee stated on the floor of the House, and their statements were never successfully challenged, that there is already enough money in the foreign aid pipeline to carry the program at the present rate of spending until at least January 1959.

Where is it proposed to obtain the additional $3 billion that is here scheduled to be shoveled out to an assortment of foreigners, many of whom are skilled in the art of glorified blackmail?

It is almost impossible for me to believe that the Democrat leadership will support legislation to spend more billions on foreigners, then adjourn Congress and get out of town, leaving American postal workers hanging on the limb of a promised veto of their pay increase.

I wonder if the President and his Democrat breakfast guest of last Monday, when they agreed that $600 million should be added to this bill for the foreigners, discussed the possibility of a special session of Congress this fall to raise the Federal debt ceiling above the present $275 billion? Or did the President and his distinguished guest perhaps agree that a substantial part of the increased foreign aid spending could be obtained from repeal of the 27½ percent depletion allowance for the oil barons of this country?

I say to you that if the Federal debt limit must be raised let it be for the purpose of maintaining our own internal economy and welfare. Much too long have the citizens of this Republic carried the burdens of foreign governments and peoples—most of whom are unwilling to assume their responsibilities.

This conference report ought to be rejected; the House ought to stand firm on its previous position, and the tax revenues of this country used in behalf of Americans.

Mr. BYRD. Mr. Speaker, the people of America feel, as I do, that a certain amount of foreign aid is justified. They do not feel that all foreign aid should be terminated at this time, but they are of the opinion that there should be a tapering off. There are certain countries which will stand with us when the chips are down. These are Turkey, Pakistan, Iran, Iraq, Thailand, Formosa, Korea, Israel, Greece, Lebanon, and a few others. I believe that we should continue to give some aid to countries that can be depended upon to stand firm against the Communists. I do not believe, however, that we should continue to have aid programs in approximately 60 countries of the world, and I think that there is no better time than the present to begin cutting the cloth to fit the pattern. The House passed an appropriation bill for foreign aid a few days ago amounting to about $2.5 billion. This was ample, and considering the billions that are in the pipeline, I think that we could very well keep the programs going without appropriating any money this year, but certainly $2.5 billion is enough. Consequently, I am opposed to yielding an additional $244 million as agreed upon in conference.

The summer has already been ruined and we may as well ruin the autumn, so I urge this House to vote down the previous question and insist upon the figure contained in the bill passed by the House recently.

The American people are getting tired of handing out moneys needlessly, and in some cases foolishly, as when we contribute to the economies of countries like India and Yugoslavia, countries which will either be neutral or opposed to us if we should have to go to war with the Soviets or the Red Chinese.

Mr. Speaker, the House of Representatives is closer to the people than the Senate by virtue of its members being elected every 2 years. It, therefore, more accurately reflects the changes of popular opinion and judgment than does the membership in the Senate. The House is more representative of the people than is the Senate, because the House representation is based upon population rather than upon State equality. The House remains more truly the people's branch of the Government. The House should assert itself in competition with the Senate when questions of revenue and appropriations are in dispute, and the House should insist that it be given a greater voice in foreign affairs. Now is the time for the House to insist upon a more reasonable and rational appropriation for foreign aid. With billions of dollars in the pipeline, with inflation in an upward spiral, with the American people groaning under the burden of taxes, I urge the House to reject this report and insist upon a figure more consistent with its earlier position.

Mr. JUDD. Mr. Speaker, during this debate several Members have emphasized with satisfaction how much has been cut from the President's request for funds for mutual security. I want to speak for the many Members who believe these reductions are too deep and we want to register our dissatisfaction. I only hope that they will not prove to have been exceedingly costly, instead of an economy.

All during these months of discussion, I have remembered a day, Thursday, August 18, 1949, when a bipartisan amendment was proposed jointly by the then Congressman from Connecticut, Hon. John Lodge, and our esteemed colleague, Hon. FRANCIS E. WALTER, of Pennsylvania, to provide authority and funds to give military aid to those resisting Communist aggression in China and in areas around China. The Communists were gaining in China, but there still was a chance their complete victory could be prevented—or at least their advance into surrounding areas.

During the debate, I said:

> We are not trying in this bill to throw money away. We simply recognize that Communist conquest of China is a mortal peril to all Asia; and conquest of Asia constitutes a mortal peril to Europe and to the United States. I cannot accept responsibility for not making every possible effort myself and authorizing the President and the Secretary of State and our Armed Forces to make within reason every possible effort to accomplish this end.

Again:

> I do not know that this program will succeed. But I know that if we do not adopt some such program we cannot succeed. Therefore, I must urge the only course which offers some hope.

Again:

> We have tried to end the war with the Communists, but we have not really tried to win the war. I wish we had learned earlier what the Chinese knew all along—that the only way to end a war with Communists—anywhere—is to win it. Surely we dare not delay longer.

Further:

> Mr. Chairman, this amendment does not compel the administration to do anything if it wants to take the responsibility of doing nothing. But it gives it authority and funds to go ahead in China and southeast Asia if it wants to.

Still further:

> If we let China go down completely, how are we going to hold Korea? How are we going to hold Japan unless we spend endless millions of American dollars to feed and support them? How are we going to hold the Philippines? How are we going to hold Indochina, Siam, and Malaya? If we do not use those forces in China which have proved they can and will fight, a million men still in arms, somewhat demoralized now because they see so little hope, but still in the field—if we do not give them moral support, with enough equipment and supplies to carry on relatively small guerrilla operations, and American sparkplugs to help and encourage and advise, then we assume a responsibility which, before God and my country and my children, I am unwilling to accept.

A majority was willing to accept the responsibility and the amendment was defeated. Those who voted against it explained that they were saving money. But it did not save money. It was a major factor in discouraging our friends in Asia and encouraging our enemies. It helped embolden the Communists to start the wars in Korea and Vietnam—and for every million dollars saved, the ultimate cost to our people was a hundred millions, not to mention the 33,000 lives and 100,000 other casualties. And the cost of that vote in 1949 still piles up today.

Mr. Speaker, I devoutly hope that my friend from Louisiana [Mr. PASSMAN] is right in his predictions that this bill provides plenty of funds—and that I am wrong. But I am not willing to take that chance now, any more than I was in 1949. I observe that some Members today seem anxious to shift to his shoulders responsibility for their votes, just in case things should go against us in the world picture. I want to do all I can to prevent anything going wrong. I think that is the greatest service I can render to my people, and the way to save them most money in the end.

Mr. Speaker, I hope the Russians will not conclude from the actions of the House this year on mutual security that the American people are softening in their willingness to assist as best we can all who are resisting Communist expansion of every form and kind. The increased Communist truculence at the London Disarmament Conference and their boldness in the Middle East make one suspect they have already drawn such a conclusion.

It is also to be hoped that those being assisted under this program do not have their confidence in us shaken by our reductions—although I fear that such a reaction may become apparent in the months ahead. Actually Americans are not softening or weakening in their opposition to communism; it is just that too many have been lulled into a premature sense of security or have become so anxious to cut down governmental expenditures right now that they are running the grave risk of having to spend a great deal more later.

If, for example, these reductions should require substantial demobilization and resulting demoralization in Korea, it would become necessary to send back larger United States forces. Similar reactions might very easily develop elsewhere—and spread like an epidemic. If so, we will wind up by increasing our own defense budget by at least a billion dollars for every $500 million we save in the mutual security appropriations—and get far less national security and economic stability in the process.

Devoutly I hope this estimate is wrong. But the world picture, as I see it, does not permit me to take so reckless a gamble.

Mr. PASSMAN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

Mr. LONG. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 194, nays 122, answered "present" 1, not voting 115, as follows:

[Roll No. 220]

YEAS—194

Addonizio
Albert
Arends
Ashley
Auchincloss
Avery
Ayres
Baker
Baldwin
Bass, N. H.
Bates
Baumhart
Becker
Beckworth
Blatnik
Boggs
Boland
Bolling
Boyle
Brooks, Tex.
Broomfield
Broyhill
Bush
Byrne, Pa.
Byrnes, Wis.
Canfield
Carrigg
Celler
Chamberlain
Chenoweth
Christopher
Chudoff
Clark
Cooper
Corbett
Cramer
Cretella
Curtin
Curtis, Mass.
Dague
Davis, Tenn.
Dawson, Ill.
Delaney
Dennison
Derounian
Devereux
Dingell
Dixon
Dollinger
Donohue
Dooley
Durham
Dwyer
Eberharter
Elliott
Engle
Evins
Fallon
Farbstein
Feighan
Fenton
Fino
Forand
Ford
Fountain
Frazier
Frelinghuysen
Friedel
Fulton
Garmatz
Gary
Gathings
Granahan
Green, Pa.
Gregory
Griffin
Gubser
Hagen
Hale
Hardy
Harris
Haskell
Hays, Ark.
Healey
Hébert
Heselton
Hess
Holland
Holmes
Hosmer
Huddleston
Hyde
James
Jenkins
Jones, Ala.
Jones, Mo.
Judd
Karsten
Kean
Kearns
Keating
Kee
Kelley, Pa.
Kelly, N. Y.
Kilday
King
Knutson
Lane
Lankford
Latham
McCarthy
McCormack
McFall
McGovern
McIntosh
Macdonald
Machrowicz
Madden
Magnuson
Mahon
Marshall
Martin
Matthews
May
Meader
Merrow
Metcalf
Miller, Md.
Miller, N. Y.
Morano
Multer
Mumma
Natcher
Neal
O'Brien, Ill.
O'Brien, N. Y.
O'Hara, Ill.
Ostertag
Passman
Patterson
Pelly
Perkins
Pfost
Philbin
Porter
Price
Prouty
Rabaut
Radwan
Ray
Reuss
Rhodes, Pa.
Roberts
Rodino
Rogers, Mass.
Santangelo
St. George
Saund
Schenck
Schwengel
Scudder
Seely-Brown
Selden
Shelley
Sheppard
Sieminski
Simpson, Pa.
Sisk
Smith, Miss.
Spence
Springer
Staggers
Stauffer
Sullivan
Taber
Teller
Tewes
Thornberry
Tollefson
Trimble
Ullman
Van Zandt
Vorys
Wainwright
Watts
Westland
Widnall
Wigglesworth
Wilson, Calif.
Wolverton
Wright
Yates
Zablocki
Zelenko

NAYS—122

Abernethy
Adair
Alexander
Allen, Ill.
Andersen, H. Carl
Andresen, August H.
Andrews
Ashmore
Aspinall
Bailey
Baring
Bass, Tenn.
Bennett, Fla.
Betts
Blitch
Bonner
Bosch
Bow
Boykin
Breeding
Brown, Ga.
Brown, Mo.
Brown, Ohio
Brownson
Budge
Burdick
Burleson
Byrd
Byrne, Ill.
Chelf
Church
Collier
Colmer
Cooley
Cunningham, Nebr.
Curtis, Mo.
Davis, Ga.
Dawson, Utah
Dorn, S. C.
Dowdy
Edmondson
Fisher
Flynt
Forrester
Grant
Gray
Gross
Haley
Harrison, Nebr.
Harrison, Va.
Hemphill
Henderson
Herlong
Hoeven
Hull
Ikard
Jarman
Jennings
Jensen
Johansen
Jonas
Keeney
Kilgore
Kitchin
Knox
Laird
Lennon
Long
McCulloch
McGregor
McIntire
McMillan
McVey
Mack, Wash.
Michel
Miller, Nebr.
Mills
Minshall
Montoya
Moore
Morris
Morrison
Moulder
Murray
Nimtz
Norrell
O'Hara, Minn.
O'Konski
Patman
Poff
Polk
Reed
Rees, Kans.
Rhodes, Ariz.
Riley
Robeson, Va.
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rutherford
Saylor
Scherer
Scott, N. C.
Shuford
Smith, Va.
Smith, Wis.
Steed
Talle
Teague, Tex.
Thomas
Thompson, La.
Thomson, Wyo.
Tuck
Utt
Van Pelt
Weaver
Whitener
Whitten
Williams, Miss.
Willis
Wilson, Ind.
Winstead

ANSWERED "PRESENT"—1

Poage

NOT VOTING—115

Abbitt
Alger
Allen, Calif.
Anderson, Mont.
Anfuso
Barden
Barrett
Beamer
Belcher
Bennett, Mich.
Bentley
Berry
Bolton
Bray
Brooks, La.
Buckley
Cannon
Carnahan
Cederberg
Chiperfield
Clevenger
Coad
Coffin
Cole
Coudert
Cunningham, Iowa
Dellay
Dempsey
Denton
Dies
Diggs
Dorn, N. Y.
Doyle
Fascell
Flood
Fogarty
Gavin
George
Gordon
Green, Oreg.
Griffiths
Gwinn
Halleck
Harden
Harvey
Hays, Ohio
Hiestand
Hill
Hillings
Hoffman
Holifield
Holt
Holtzman
Horan
Jackson
Johnson
Kearney
Keogh
Kilburn
Kirwan
Kluczynski
Krueger
Landrum
Lanham
LeCompte
Lesinski
Lipscomb
Loser
McConnell
McDonough
Mack, Ill.
Mailliard
Mason
Miller, Calif.
Morgan
Moss
Nicholson
Norblad
O'Neill
Osmers
Pilcher
Pillion
Powell
Preston
Rains
Reece, Tenn.
Riehlman
Rivers
Robsion, Ky.
Rooney
Roosevelt
Sadlak
Scott, Pa.
Scrivner
Sheehan
Sikes
Siler
Simpson, Ill.
Smith, Calif.
Smith, Kans.
Taylor
Teague, Calif.
Thompson, N. J.
Thompson, Tex.
Udall
Vanik
Vinson
Vursell
Walter
Wharton
Wier
Williams, N. Y.
Withrow
Young
Younger

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Johnson of Wisconsin for, with Mr. Poage against.

Mr. Holifield for, with Mr. Hoffman against.

Mr. Younger for, with Mr. Barden against.

Mr. Denton for, with Mr. Beamer against.

Mr. Flood for, with Mr. Sikes against.

Mr. Keogh for, with Mr. Preston against.

Mr. Walter for, with Mr. Dempsey against.

Mr. Holtzman for, with Mr. Pilcher against.

Mr. Lanham for, with Mr. Dies against.

Mr. Vinson for, with Mr. Brooks of Louisiana against.

Mrs. Bolton for, with Mr. Mason against.

Mr. Allen of California for, with Mr. Krueger against.

Mr. Buckley for, with Mr. Hiestand against.

Mr. Anfuso for, with Mr. McDonough against.

Mr. Jackson for, with Mr. Siler against.

Mr. Hillings for, with Mr. Scrivner against.

Mr. Vursell for, with Mr. Harvey against.

Mrs. Griffiths for, with Mr. Kluczynski against.

Mr. Sadlak for, with Mr. Withrow against.

Mr. Horan for, with Mr. Kearney against.

Mr. Taylor for, with Mr. Alger against.

Mrs. Harden for, with Mr. Bentley against.

Mr. Hays of Ohio for, with Mr. Reece of Tennessee against.

Mr. Chiperfield for, with Mr. Cederberg against.

Mr. Cunningham of Iowa for, with Mr. Smith of California against.

Mr. Rooney for, with Mr. Clevenger against.
Mr. Gordon for, with Mr. Bray against.
Mr. Mailliard for, with Mr. Simpson of Louisiana against.
Mr. Coudert for, with Mr. Gavin against.
Mr. Riehlman for, with Mr. Lipscomb against.
Mr. Osmers for, with Mr. Bennett of Michigan against.
Mr. Teague of California for, with Mr. Wharton against.
Mr. Fogarty for, with Mr. Berry against.
Mr. Barrett for, with Mr. Nicholson against.
Mr. Roosevelt for, with Mr. Gwinn against.
Mr. Miller of California for, with Mr. Landrum against.
Mr. Raines for, with Mr. Belcher against.
Mr. Udall for, with Mr. Sheehan against.
Mr. Kirwan for, with Mr. Abbitt against.
Mr. Scott of Pennsylvania for, with Mr. Young against.

Until further notice:

Mr. Morgan with Mr. Kilburn.
Mr. O'Neil with Mr. Smith of Kansas.
Mr. Powell with Mr. George.
Mr. Moss with Mr. Cole.
Mr. Coad with Mr. McConnell.
Mr. Coffin with Mr. LeCompte.
Mr. Carnahan with Mr. Norblad.
Mr. Anderson of Montana with Mr. Pillion.
Mr. Rivers with Mr. Robsion of Kentucky.
Mr. Thompson of New Jersey with Mr. Williams of New York.
Mr. Fascell with Mr. Dorn of New York.
Mr. Loser with Mr. Dellay.

Mr. POAGE. Mr. Speaker, I have a live pair with the gentleman from Wisconsin [Mr. JOHNSON]. If he were present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 15: On page 4, line 1, insert "which shall remain available until September 30, 1958."

Mr. PASSMAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment, and pending that I yield 2 minutes to the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Speaker, here we are in the closing hours of this session of the Congress and the most urgent business before us is the approval of this measure to appropriate additional billions of dollars for foreign aid. It is bad enough to see these vast sums of American tax dollars going overseas to help other nations with no end apparently in sight, but it is even worse to me personally when I think of the economic needs of our own basic industry—American agriculture—and of our farm people and note that not one significant and constructive farm measure has been enacted at this session.

Who is to blame for this flagrant neglect of our most serious domestic problem? On whose shoulders will 5 million farm families place the responsibility for failure to recognize and meet their most pressing problem? To whom will the business and working people, such as the farm implement manufacturers and dealers, look for the reason for lost sales in rural America?

In my judgment, the failure to act is chargeable both to the Democratic majority of this Congress and to the administration which has kept in office a Secretary of Agriculture who is not in sympathy with price-support programs and whose only solution for farm problems seems to be the lowering of farm commodity prices.

The Democratic leadership in Congress is responsible because it has had a good working majority and could have passed constructive farm legislation any time it was of a mind to do so. It cannot be said that this failure to act was due to the lack of understanding of the problems or a lack of ideas for their solution. Witnesses from the great farm organizations, many farmers themselves, and numerous Members of Congress made appearances before the House Committee on Agriculture to bear witness as to the gravity of the need and to propose constructive legislation. In addition, many able Congressmen saw their bills languish before the committee with no positive action. I personally made two appearance before that great committee to urge action on several critical problems and we are still waiting for answers.

I want to be fair as I always try to be, and that requires me to say that it is my considered judgment that the other major contributing factor to this stalemate in farm programs is the retention in office of a Secretary of Agriculture whose basic philosophy is opposed to the type of agricultural price supports we feel we must have. Again, I say that there has been no need for this as I personally have repeatedly urged his replacement and I know that many others have done likewise. It cannot be said that he is indispensable because there are available men, like our distinguished former colleague, the Honorable Clifford Hope, of Kansas, who could almost overnight reverse this deplorable trend in our farm economy if they were given the office and authority of Secretary of Agriculture.

Mr. Speaker, it was not my purpose in rising today to merely criticize others for their failure to act on these basic domestic problems of agriculture. I want to do more than that in these closing hours. It is my hope, Mr. Speaker, that every Member of the House will give this matter some serious thought in the months ahead and come back in January resolved to do something constructive in the way of legislative action.

We have experienced some unfortunate sectional differences during this session. I have not been party to them, but I recognize that they do exist. We have seen partisan politics enter into the farm program, and we all deplore that. We have seen one commodity pitted against the other in the legislative arena, and that must never happen again.

Let us come back next January firm in our determination to set aside partisan, sectional, and any other differences we may have and dedicate ourselves to the enactment of constructive farm legislation. Let us hope that we will at that time have a new Secretary of Agriculture in whom we can place our confidence and who will cooperate with us in our efforts to reach this common objective. Above all else, come what may, let us try to do something worth while early next year for the farmers of America.

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I regret I cannot go along with the sponsors of this legislation to provide additional billions for foreign aid, also described as mutual aid. I realize there are some items in this bill that are laudable, but we are required to vote for or against all the items in this legislation in one package. My vote on this bill may be regarded as a protest vote.

Among other things, I hardly see why American people should pay for hydroelectric plants and other manufacturing concerns in other countries. Furthermore billions of American tax dollars are handed to the rulers of the countries we attempt to assist. These funds are used by the heads of these countries, in many instances, as they see fit and not for those who really need it. On this subject I would remind you that between 6 and 7 billion dollars of funds already appropriated are in the pipeline and not yet really used. I am informed in addition to that almost a billion dollars heretofore appropriated and not spent will be reappropriated as a part of this legislation.

We ought to be reminded, too, that defense money in this bill is for war materials for other countries. This Congress has, in addition thereto, appropriated this year about $36 billion for defenses of our country.

I think when funds are permitted to pile up, as they seem to under this and other legislation, there is bound to be a lot of waste. That should not occur.

Mr. Speaker, the debt of our country is $276 billion. It is $20 billion more than the combined debt of 84 countries of the world. It looks now as if there will be little reduction in our debt this year. That means little, if any, relief for the taxpayers of our country next year.

I suggest those in charge of the administration of these funds go slow and withhold their expenditure until funds already on hand are expended, then make sure there is real need of the use of these funds.

It would help a lot if the Appropriations Committee of this House would require a strict account of the expenditures and furnish the House with an itemized statement and account with respect to the use of these funds.

Mr. PELLY. Mr. Speaker, the compromise on the differences between the House and Senate on the mutual security appropriation is not going to satisfy either those who support this program for our national security or those who oppose any or all aid to other friendly nations.

Here, it seems to me, is a clear issue. We necessarily cannot represent the viewpoint of the majority of our constituents. By that I mean, there is plenty of information available to Members of Congress which supports the necessity of adequate funds in the interest of national security, yet these facts are not generally available to the public. Therefore, it seems to me, we have the obligation of voting for restoration of funds even though public opinion at home does not fully support such action. After all, the testimony given at hearings on the mutual security bill was definite. For example, after retiring as Chairman of the Joint Chiefs of Staff, Admiral Radford at such a hearing returned and restated his unequivocal support of this program as an essential part of our defense. He reiterated as a retired citizen what officially he had said previously, and he knew the facts. Now I know the American people do not see the mutual security program entirely in the light of defense which many of us do, but that is the light in which Admiral Radford testified.

The voting in Congress indicates, I am sure, that the viewpoint of constituents is a strong influence on us. But today we must vote our own consciences and not as it is politically expedient to vote. The security of the Nation is at stake. So I must personally stand up on this issue and be counted with those who support this unpopular but nevertheless what I believe to be essential program. It is one that will deter war and Communist aggression. I accept the position that defense needs have become so expensive, it is economy to build up the means of self-defense of other friendly peoples abroad rather than to try and maintain major mobilization at home to the point of virtual national bankruptcy.

One new aspect, important since the Army leadership in Syria was taken over recently by the Communists, is now linked with this bill. We have, as I understand, 14 allies chiefly in the Middle and Far East whose military strength depends on it. The five countries, Korea, free China, Vietnam, Pakistan, and Turkey, by our assistance have 2,100,000 men under arms. These countries are under Communist pressure from without and from within. By treaties, approved by the Senate, we have said the security of the United States would be in jeopardy if Communist aggression succeeds against any of these. Therefore, we have a vital interest in the ability of each country to stand and defend its own integrity.

As legislators, let us not dodge our responsibility. This is waging peace. This mutual security, if adequate, will prevent war. As such we must provide sufficient funds for the program.

So, Mr. Speaker, I am impelled to support the maximum restoration of funds in the conference report on the mutual security bill.

Mr. PASSMAN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that all Members be granted permission to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

COMMITTEE TO NOTIFY THE PRESIDENT

Mr. McCORMACK. Mr. Speaker, I offer a resolution.

The Clerk read as follows:

House Resolution 414

Resolved, That a committee of two Members be appointed by the House to join a similar committee appointed by the Senate, to wait upon the President of the United States and inform him that the two Houses have completed their business of the session and are ready to adjourn, unless the President has some other communication to make to them.

The resolution was agreed to.

The SPEAKER. The Chair appoints as members of the committee on the part of the House the gentleman from Massachusetts [Mr. McCORMACK] and the gentleman from Massachusetts [Mr. MARTIN].

DISTRICT OF COLUMBIA

The SPEAKER. Pursuant to the provisions of House Concurrent Resolution 172, 85th Congress, the Chair appoints as members of the Joint Congressional Committee To Investigate Matters Pertaining to the Growth and Expansion of the District of Columbia and Its Metropolitan Area the following Members on the part of the House: Mr. MCMILLAN, of South Carolina; Mr. SMITH of Virginia; and Mr. HYDE, of Maryland.

VOTING AND ATTENDANCE RECORD, REPRESENTATIVE CHARLES A. BOYLE, 12TH DISTRICT, ILLINOIS, 85TH CONGRESS, 1ST SESSION

Mr. BOYLE. Mr. Speaker, I ask unanimous consent to insert my voting record in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BOYLE. Mr. Speaker, my voting and attendance record of the 85th Congress, 1st session, follows:

Voting and attendance record, Representative CHARLES A. BOYLE, *12th District, Illinois, 85th Cong., 1st sess.*

Roll-call No.	Date	Measure, question, and result	Vote
	1957		
1	Jan. 3	Call by States	Present.
2	Jan. 3	Election of Speaker. (RAYBURN 227, MARTIN 199, "present" 2)	RAYBURN.
3	Jan. 29	Call of the House	Present.
4	Jan. 29	H. Res. 123, a resolution providing for the consideration of H. J. Res. 117, to authorize the President to undertake economic and military cooperation with nations in the general area of the Middle East in order to assist in the strengthening and defense of their independence. On ordering previous question. (Passed 226 to 146.)	Yea.
5	Jan. 30	H. J. Res. 117, a joint resolution to authorize the President to undertake economic and military cooperation with nations in the general area of the Middle East in order to assist in the strengthening and defense of their independence. On passage. (Passed 355 to 61.)	Yea.
6	Feb. 5	H. R. 4249, a bill making appropriations for the fiscal year ending June 30, 1957, and for other purposes. On Lanham amendment. (Social Security Administration.) (Grants to States, $15,728,000 for State and local administration.) (Passed 205 to 168, "present" 1.)	Yea.
7	Feb. 6	H. R. 2367. A bill to establish a deferred grazing program as part of the relief available to drought-stricken areas under Public Law 875, 81st Cong., and for other purposes. On passage. (Passed 270 to 109, "present" 2.)	Yea.
8	Feb. 19	Call of the House	Present.
9	Feb. 20	Call of the House	Present.
10	Feb. 27	Call of the House	Present.
11	Feb. 27	Call of the House	Present.
12	Mar. 5	Call of the House	Present.
13	Mar. 6	Call of the House	Present.
14	Mar. 7	Call of the House	Present.
15	Mar. 7	H. Res. 188, a resolution agreeing to the Senate amendments to H. J. Res. 117. On agreeing to resolution. (Passed 350 to 60.)	Yea.
16	Mar. 12	Call of the House	Present.
17	Mar. 12	H. Res. 192, a resolution providing for the consideration of H. Res. 190, a resolution requesting the President for certain information pertaining to the 1958 budget. On agreeing to resolution. (Passed 219 to 185, "present" 1.)	Yea.
18	Mar. 12	H. Res. 190, a resolution requesting the President for certain information pertaining to the 1958 budget. On motion to recommit with instructions. (Failed 185 to 214.)	Nay.
19	Mar. 12	H. Res. 190, a resolution requesting the President for certain information pertaining to the 1958 budget. On agreeing to resolution. (Passed 220 to 178.)	Yea.
20	Mar. 13	Call in Committee	Present.
21	Mar. 13	Call of the House	Present.
22	Mar. 13	H. R. 4901, bill to establish a minimum acreage allotment for corn, to provide acreage reserve programs for diverted acres and for feed grains, and for other purposes. On motion to recommit. (Failed 168 to 237, "present" 1.)	Yea.
23	Mar. 13	H. R. 4901, a bill to establish a minimum acreage allotment for corn, to provide acreage reserve programs for diverted acres and for feed grains, and for other purposes. On passage. (Failed 188 to 217.)	Nay.
24	Mar. 14	Call of the House	Present.
25	Mar. 14	Call in Committee	Present.

Voting and attendance record, Representative Charles A. Boyle, *12th District, Illinois, 85th Cong., 1st sess.*—Continued

Roll-call No.	Date	Measure, question, and result	Vote
	1957		
26	Mar. 20	Call of the House	Present.
27	Mar. 21	Call of the House	Present.
28	Mar. 25	Call of the House	Present.
29	Mar. 26	Call of the House	Present.
30	Mar. 27	Call of the House	Present.
31	Mar. 27	H. Res. 85, a resolution authorizing the Committee on Banking and Currency to conduct studies and investigations, and to make inquiries, relating to the operation of the monetary and credit structure of the United States. On agreeing to resolution. (Failed 174 to 225, "present" 2.)	Yea.
32	Mar. 28	Call of the House	Present.
33	Mar. 29	Call of the House	Present.
34	Apr. 1	Call of the House	Present.
35	Apr. 2	Call of the House	Present.
36	Apr. 3	Call of the House	Present.
37	Apr. 4	H. R. 6287, a bill making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1958, and for other purposes. On Budge of Idaho amendment. (Labor, Office of Secretary. Reduces $30,000.) (Passed 286 to 126.)	Nay.
38	Apr. 4	H. R. 6287, a bill making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes. On Budge of Idaho amendment. (Labor, Office of Solicitor. Reduces $204,000.) (Passed 241 to 171.)	Nay.
39	Apr. 4	H. R. 6287, a bill making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes. On Budge of Idaho amendment. (Labor, Bureau of Labor Standards. Reduces $46,300.) (Passed 246 to 169.)	Yea.
40	Apr. 4	H. R. 6287, a bill making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes. On Budge, of Idaho, amendment. (Labor, Bureau of Veterans' Reemployment Rights. Reduces $136,000.) (Failed 137 to 275.)	Nay.
41	Apr. 4	H. R. 6287, a bill making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes. On Smith of Virginia amendment. (Labor, Bureau of Employment Security. Reduces $442,000.) (Passed 214 to 205.)	Nay.
42	Apr. 4	H. R. 6287, a bill making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes. On Byrnes of Wisconsin amendment, as amended by Burleson of Texas. (Labor, grants to States for unemployment compensation, etc. Reduces $12,186,000.) (Passed 220 to 200.)	Yea.
43	Apr. 4	H. R. 6287, a bill making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes. On Flynt of Georgia amendment. (Labor, unemployment compensation for Federal employees. Reduces $1,500,000.) (Passed 253 to 167.)	Yea.
44	Apr. 4	H. R. 6287, a bill making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes. On H. Carl Andersen amendment. (Labor, Mexican farm labor program. Reduces $263,800.) (Passed 342 to 77.)	Yea.
45	Apr. 4	H. R. 6287, a bill making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes. On Murray of Tennessee amendment. (Labor. Bureau of Labor Statistics. Reduces $346,000.) (Passed 217 to 202.)	Yea.
46	Apr. 4	H. R. 6287, a bill making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes. On Blitch of Georgia amendment, as amended by Andersen of Minnesota. (Labor, Women's Bureau. Reduces $31,000.) (Failed 206 to 210.)	Nay.
47	Apr. 4	H. R. 6287, a bill making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes. On Hébert of Louisiana amendment. (Labor, Wage and Hour Division. Reduces $288,000.) (Passed 214 to 205.)	Nay.
48	Apr. 4	H. R. 6287, a bill making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes. On Jonas of North Carolina amendment. (HEW, Food and Drug Administration. Reduces $1,327,000.) (Failed 130 to 285.)	Nay.
49	Apr. 4	H. R. 6287, a bill making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes. On Dorn of South Carolina amendment. (HEW, Office of Education. Reduces $1,482,000.) (Failed 206 to 207.)	Yea.
50	Apr. 4	H. R. 6287, a bill making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes. On Fisher of Texas amendment. (HEW, Public Health Service grants for waste treatment works construction. Deletes total appropriations and language, $50 million.) (Failed 185 to 231.)	Nay.
51	Apr. 8	Call of the House	Present.
52	Apr. 8	H. R. 6306, a bill to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct 2 four-lane bridges to replace the existing 14th St. or highway bridge across the Potomac River, and for other purposes. On passage. (Passed 190 to 131.)	Nay.
53	Apr. 8	Call in Committee	Present.
54	Apr. 8	Call of the House	Present.
55	Apr. 9	Call of the House	Present.
56	Apr. 9	Call of the House	Present.
57	Apr. 10	Call of the House	Present.
58	Apr. 10	Call of the House	Present.
59	Apr. 10	S. J. Res. 72, a joint resolution to implement further the act of July 15, 1946, by approving the signature by the Secretary of the Treasury of an agreement amending the Anglo-American Financial Agreement of Dec. 6, 1945. On passage. (Passed 218 to 167.)	Yea.
60	Apr. 11	H. Res. 191, a resolution to amend H. Res. 152, 85th Cong., agreed to Feb. 7, 1957. On agreeing to resolution. (Passed 225 to 143.)	Nay.
61	Apr. 15	Call of the House	Present.
62	Apr. 16	Call in Committee	Present.
63	Apr. 17	Call of the House	Present.
64	Apr. 17	H. R. 6871, a bill making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1958, and for other purposes. On Gross amendment. (International organizations and conferences.) (Failed 167 to 205.)	Yea.
65	May 7	Call of the House	Present.
66	May 8	Call of the House	Present.
67	May 9	Call of the House	Present.
68	May 13	Call of the House	Present.
69	May 13	Call of the House	Present.
70	May 13	Call of the House	Present.
71	May 14	Call of the House	Present.
72	May 14	Call of the House	Present.
73	May 15	Call of the House	Present.
74	May 15	H. R. 7441, a bill making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes. On Harrison of Virginia amendment. (Acreage-reserve-soil bank.) (Passed 192 to 187.)	Yea.
75	May 21	Call of the House	Present.
76	May 22	Call of the House	Present.
77	May 22	H. R. 7599, a bill making appropriation for the legislative branch for the fiscal year ending June 30, 1958, and for other purposes. On motion to recommit with instructions (strike out $7,500,000, New House Office Bldg.). (Failed 176 to 206.)	Nay.
78	May 22	H. R. 7599, a bill making appropriations for the legislative branch for the fiscal year ending June 30, 1958, and for other purposes. On passage. (Passed 279 to 93.)	Yea.
79	May 22	H. Res. 254, a resolution providing for the consideration of H. R. 2, a bill to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test, on a 3-year basis, the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes. On agreeing to resolution. (Passed 267 to 102.)	Yea.
80	May 22	H. R. 2, a bill to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test, on a 3-year basis, the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes. On motion to recommit. (Failed 143 to 225.)	Nay.
81	May 22	H. R. 2, a bill to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test, on a 3-year basis, the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes. On passage. (Passed 222 to 144.)	Yea.
82	May 23	Call in Committee	Present.
83	May 23	H. R. 985, a bill to provide that chief judges of circuits and district courts shall cease to serve as such upon reaching the age of 70. On motion to recommit. (Failed 47 to 293.)	Nay.
84	May 24	Call of the House	Present.
85	May 24	Call in Committee	Present.
86	May 24	Call in Committee	Present.

Voting and attendance record, Representative CHARLES A. BOYLE, *12th District, Illinois, 85th Cong., 1st sess.*—Continued

Roll-call No.	Date	Measure, question, and result	Vote
	1957		
87	May 27	Call of the House	Absent.
88	May 27	Call in Committee	Present.
89	May 28	Call of the House	Present.
90	May 29	Call of the House	Present.
91	May 29	H. R. 7665, a bill making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes. On motion to recommit with instructions. (Failed 151 to 242.)	Nay.
92	May 29	H. R. 7665, a bill making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes. On passage. (Passed 394 to 1.)	Yea.
93	June 3	Call of the House	Present.
94	June 4	Call of the House	Present.
95	June 5	Call of the House	Present.
96	June 5	H. Res. 259, a resolution providing for the consideration of H. R. 6127, a bill to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States. On agreeing to resolution. (Passed 291 to 117.)	Yea.
97	June 6	Call of the House	Present.
98	June 6	Call in Committee	Present.
99	June 6	Call in Committee	Present.
100	June 7	Call of the House	Present.
101	June 7	Call in Committee	Present.
102	June 7	Call in Committee	Present.
103	June 7	Call in Committee	Present.
104	June 10	Call of the House	Present.
105	June 10	Call in Committee	Present.
106	June 10	Call in Committee	Present.
107	June 11	Call of the House	Present.
108	June 13	Call of the House	Present.
109	June 14	Call of the House	Present.
110	June 17	Call of the House	Present.
111	June 18	Call of the House	Present.
112	June 18	H. R. 6127, a bill to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States. On motion to recommit with instructions. (Trial by jury.) (Failed 158 to 251, "present" 6.)	Nay.
113	June 18	H. R. 6127, a bill to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States. On passage. (Passed 286 to 126, "present" 2.)	Yea.
114	June 18	Call of the House	Present.
115	June 18	H. R. 7221, a bill making supplemental appropriations for the fiscal year ending June 30 1957, and for other purposes. Conference report. On motion to recede from its disagreement to Senate amendment No. 15 (Federal flood insurance). (Failed 186 to 218.)	Nay.
116	June 19	Call of the House	Present.
117	June 20	Call of the House	Present.
118	June 21	Call of the House	Present.
119	June 21	H. R. 6974, Agriculture Trade Development Act. On passage. (Passed 334 to 7.)	Yea.
120	June 24	Call of the House	Present.
121	June 25	Call of the House	Present.
122	June 25	H. R. 7963, a bill to amend the Small Business Act of 1953. On passage. (Passed 392 to 2.)	Yea.
123	June 26	Call of the House	Present.
124	June 26	H. R. 6287, a bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1958. On the conference report. On motion to recommit. (Failed 73 to 321.)	Nay.
125	June 27	Call of the House	Present.
126	June 27	Call of the House	Present.
127	June 27	S. 1428, a bill to authorize furniture and furnishings for the additional office building for the U. S. Senate. On motion to recommit. (Failed 135 to 231.)	Nay.
128	June 27	S. 1429, a bill authorizing the enlargement and remodeling of Senators' suites and structural, mechanical, and other changes and improvements in the existing Senate Office Bldg., to provide improved accommodations for the U. S. Senate. On motion to recommit. (Failed 148 to 216.)	Nay.
129	July 1	Call in Committee	Present.
130	July 1	Call in Committee	Present.
131	July 1	Call in Committee	Present.
132	July 8	Call of the House	Absent.
133	July 8	Call of the House	Absent.
134	July 9	Call of the House	Absent.
135	July 9	Call of the House	Absent.
136	July 10	H. R. 8240, a bill authorizing construction for the military departments. The question is on the amendment. (Failed 183 to 230.)	Yea.
137	July 10	H. R. 7390, a bill to amend the Administrative Expenses Act of 1946, and for other purposes. On the motion to recommit. (Failed 183 to 225.)	Nay.
138	July 10	H. R. 8340, a bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959. On the motion to recommit. (Failed 44 to 336.)	Nay.
139	July 11	Call of the House	Present.
140	July 11	Call of the House	Present.
141	July 12	Call of the House	Present.
142	July 12	H. R. 72, to amend sec. 21 of the World War Veterans Act of 1924, to provide for the disposition of certain benefits which are unpaid at the death of the intended beneficiary. On motion to recommit. (Passed 191 to 161.)	Yea.
143	July 15	Call of the House	Present.
144	July 16	Call of the House	Present.
145	July 16	Call of the House	Present.
146	July 17	Call of the House	Present.
147	July 19	Call of the House	Present.
148	July 19	S. 2130, to amend the Mutual Security Act of 1954, as amended. The question is on the motion to recommit. (Failed 181 to 227.)	Nay.
149	July 19	S. 2130, to amend the Mutual Security Act of 1954, as amended. The question is on passage. (Passed 254 to 154.)	Yea.
150	July 22	Call of the House	Absent.[1]
151	July 23	H. R. 2474, to increase the rates of basic salary of employees in the postal field service. The question is on passage. (Passed 151 to 38.)	Yea.
152	July 24	Call of the House	Present.
153	July 25	Call of the House	Present.
154	July 25	H. R. 1, to authorize Federal assistance to the States and local communities in financing an expanded program of school construction so as to eliminate the national shortage of classrooms. The question is on the recommendation that the enacting clause be stricken out. (Passed 208 to 203.)	Nay.
155	July 29	Call of the House	Present.
156	July 30	Call of the House	Present.
157	July 30	Call of the House	Present.
158	July 31	Call of the House	Present.
159	July 31	S. 1856, to provide for the development and modernization of the natural system of navigation and traffic-control facilities to serve present and future needs of civil and military aviation, and for other purposes. (Passed 375 to 17.)	Yea.
160	July 31	Call of the House	Present.
161	July 31	H. R. 2174, to provide for the construction by the Secretary of the Interior of the San Angelo Federal reclamation project, Texas, and for other purposes. On the question to recommit. (Failed 189 to 202.)	Yea.
162	July 31	H. R. 2 174, to provide for the construction by the Secretary of the Interior of the San Angelo Federal reclamation project, Texas, and for other purposes. On passage. (Passed 201 to 190.)	Nay.
163	Aug. 1	Call of the House	Present.
164	Aug. 1	H. R. 8643, to authorize the construction of certain works of improvement in the Niagara River for power, and for other purposes. On passage. (Passed 313 to 75.)	Yea.
165	Aug. 1	Call of the House	Present.
166	Aug. 1	H. R. 6763, to amend the act of Aug. 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes." The question is on the motion to resolve into Committee of the Whole for consideration thereof. (Passed 296 to 76.)	Yea.
167	Aug. 1	H. R. 6763, to amend the act of Aug. 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes." The question is on striking enactment clause. (Failed 175 to 194.)	Nay.
168	Aug. 2	Call of the House	Present.

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[1] Attending Congressman Bowler's funeral.

Voting and attendance record, Representative Charles A. Boyle, *12th District, Illinois, 85th Cong., 1st sess.*—Continued

Roll-call No.	Date	Measure, question, and result	Vote
169	1957 Aug. 2	H. R. 6763, act to authorize and direct the construction of bridges over the Potomac River and for other purposes. Question is on the motion to resolve into Committee of the Whole for consideration thereof. (Passed 275 to 59.)	Yea.
170	Aug. 2	H. R. 6763, to amend the act of Aug. 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River and for other purposes." The question is on the Hoffman amendment to change 4-lane tunnel to 6-lane bridge with span. (Passed 225 to 107.)	Yea.
171	Aug. 5	H. R. 6709, to implement a treaty and agreement with the Republic of Panama, and for other purposes. Question is: Will the House suspend the rules and pass the bill. On passage. (Passed 279 to 91.)	Yea.
172	Aug. 5	Call of the House	Present.
173	Aug. 6	Call of the House	Present.
174	Aug. 7	Call of the House	Present.
175	Aug. 7	H. R. 9131, supplemental appropriation bill, 1958. Question is on a motion to recommit the bill with instructions to report same back to the House forthwith with the following amendment: On p. 16, line 20, strike out "$13,317,000" and insert "$3,533,000." Motion to recommit rejected. (Failed 158 to 244.)	Nay.
176	Aug. 7	H. R. 9131, making supplemental appropriations for fiscal year 1958. Question is on passage. (Passed 330 to 75.)	Yea.
177	Aug. 7	Call of the House	Present.
178	Aug. 7	H. R. 7244, amending Packers and Stockyards Act. A resolution to permit deductions for a self-help meat-promotion program. Question is on the resolution. (Failed 175 to 216.)	Nay.
179	Aug. 8	Call of the House	Present.
180	Aug. 8	H. R. 4813, extending the life of Commission for a National Cultural Center and for other purposes. On conference report. On motion to recommit. (Failed 115 to 284.)	Yea.
181	Aug. 8	Call of the House	Present.
182	Aug. 8	H. R. 8992, International Atomic Energy Committee. To provide for the appointment of United States representatives in the organs of the International Atomic Energy Agency and to make other provisions with respect to United States participation in that Agency. Question is on passage. (Passed voice vote.)	Yea.
183	Aug. 9	Call of the House	Present.
184	Aug. 9	H. R. 8996, to authorize appropriations for the Atomic Energy Commission in accordance with sec. 261 of the Atomic Energy Act of 1954, as amended. Question is on amendment to strike out "project 58-b-8, a production reactor, $3,000,000." (Failed 197 to 201.)	Nay.
185	Aug. 9	H. R. 8996, to authorize appropriations for the Atomic Energy Commission in accordance with sec. 261 of the Atomic Energy Act of 1954, as amended. Question is on amendment to strike out "project 58-3-14, power reactor, $40,000,000" and "project 58-3-15, plutonium reactor, $15,000,000." (Passed 211 to 188.)	Nay.
186	Aug. 9	H. R. 8996, to authorize appropriations for the Atomic Energy Commission in accordance with sec. 261 of the Atomic Energy Act of 1954 as amended. Question is on amendment to strike out sec. 111 and substitute the sum of $132,621,000 in lieu of $129,915,000. (Passed 213 to 185.)	Nay.
187	Aug. 9	H. R. 8996, to authorize appropriations for the AEC in accordance with sec. 261 of the Atomic Energy Act of 1954. As amended. Question is on passage. (Passed 382 to 14.)	Yea.
188	Aug. 9	H. R. 2462, to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes. Question is on motion to recommit. (Failed 70 to 319.)	Nay.
189	Aug. 9	H. R. 2462, to adjust the rates of basic compensation of certain officers and employees of the Federal Government. Question is on passage. (Passed 329 to 58.)	Yea.
190	Aug. 13	Call of the House	Present.
191	Aug. 13	H. R. 8090, public works appropriations, making appropriations for civil functions administered by the Department of Army and certain agencies of the Department of Interior for fiscal year 1958. Question is on motion for House to recede and concur in the Senate amendment. (Failed 23 to 363.)	Nay.
192	Aug. 13	H. R. 5836, post rate readjustment. To readjust postal rates and to establish a congressional policy for the determination of postal rates. Question is on passage. (Passed 256 to 129.)	Nay.
193	Aug. 14	Call of the House	Present.
194	Aug. 14	S. 2130, Mutual Security Act of 1957. The question is on the conference report. (Conference report agreed to, 226 to 163.) Bill cleared for Presidential action.	Yea.
195	Aug. 14	S. 1383, amending sec. 410, Interstate Commerce Act, to change the requirements for obtaining a freight forwarder permit. The question is on passage. Bill cleared for Presidential action. (Passed, 178 to 177.)	Nay.
196	Aug. 15	Call of the House	Present.
197	Aug. 15	H. R. 9302, a bill making appropriations for mutual security for fiscal year ending June 30, 1958. The question is on the motion to recommit. (Motion rejected 129 to 254.)	Nay.
198	Aug. 15	H. R. 9302, a bill making appropriations for mutual security for fiscal year ending June 30, 1958. The question is on passage. (Passed 252 to 130.)	Yea.
199	Aug. 19	H. R. 7993, to provide for Government guaranty of private loans to certain air carriers for purchase of aircraft and other equipment, and for other purposes. On passage. (Passed 242 to 94.)	Yea.
200	Aug. 20	H. R. 1937, stadium in the District of Columbia. Question is on conference report. (Conference report rejected 134 to 234)	Nay.
201	Aug. 20	S. 1520, to amend an act entitled "An act to provide for disposal of federally owned property at obsolescent canalized waterways and for other purposes." Question is on motion to recommit. (Rejected 135 to 232.)	Nay.
202	Aug. 21	H. R. 9131, supplemental appropriation bill, 1958. Question is on motion to recede and concur in Senate Amendment No. 6. (Rejected 125 to 233.)	Nay.
203	Aug. 21	H. R. 9131, supplemental appropriation bill, 1958. Question is, Will the House recede from its disagreement to the amendment of Senate No. 54? (Rejected 140 to 216.)	Yea.
204	Aug. 21	H. R. 9379, a bill making appropriations for the Atomic Energy Commission for the fiscal year ending June 30, 1958, and for other purposes. The question is on Cole amendment to restore $30,000,000 to AEC. (Amendment agreed to 214 to 135.)	Nay.
205	Aug. 22	H. Con. Res. 17, authorizing the printing of additional copies of H. Doc. No. 232 (84th Cong., H. Rept. 1231). Question is on resolution. (Passed 183 to 129.)	Yea.
206	Aug. 23	Call of the House	Present.
207	Aug. 23	H. R. 9131, supplemental appropriations bill, 1958. A motion to recede and concur on amendment No. 54. Question is on motion. (Passed 166 to 121.)	Yea.
208	Aug. 23	H. R. 9131, supplemental appropriations bill, 1958. A motion on an amendment reducing the figure from $475,000 to $425,000 for Columbia River project. (Passed 165 to 120.)	Yea.
209	Aug. 23	S. 2229, air carrier loans providing for Government guaranty of private loans to certain carriers for purchase of aircraft and equipment. Question is on conference report. (Passed 203 to 77.)	Yea.
210	Aug. 23	H. Res. 407, contempt citation citing Louis Earl Hartman for contempt of House of Representatives by refusing to answer questions before the Committee on Un-American Activities. Question is on resolution. (Passed 276 to 0.)	Yea.
211	Aug. 23	H. Res. 407, contempt citation citing Bernard Silber for contempt of House of Representatives by refusing to answer questions before the Committee on Un-American Activities. Question is on resolution. (Passed 261 to 0.)	Yea.
212	Aug. 27	Call of the House	Present.
213	Aug. 27	H. Res. 410, providing for the disposition of the Senate amendments to H. R. 6127, the civil-rights bill. On ordering previous question. (Passed 274 to 101.)	Yea.
214	Aug. 27	H. Res. 410, providing for the disposition of the Senate amendments to H. R. 6127, the civil-rights bill. Question is on the resolution. (Passed 279 to 97.)	Yea.
215	Aug. 27	H. R. 7915, FBI files. To amend ch. 223, title 18, U. S. C., to provide for the production of statements and reports of witnesses. Question is on passage. (Passed 351 to 17.)	Yea.
216	Aug. 28	Call of the House	Present.
217	Aug. 28	S. 2792, immigration. To amend the Immigration and Nationality Act so as to facilitate the entry into the United States of certain adopted children and other relatives of United States citizens (hardship cases). (Passed 293 to 58.)	Yea.
218	Aug. 30	Call of the House	Present.
219	Aug. 30	H. R. 7915, FBI files. Adoption of conference report. (Passed 314 to 0.)	Yea.
220	Aug. 30	S. 2130, mutual security bill. Adoption of conference report	Yea.

FEDERAL-STATE-LOCAL RELATIONSHIPS: AN APPRAISAL BY THE AMERICAN MUNICIPAL ASSOCIATION

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, the Intergovernmental Relations Subcommittee of the House Government Operations Committee has been holding hearings on the difficult problems of relationships among the Federal, State, and local governments. Under the able chairmanship of our colleague, the Honorable L. H. Fountain, the subcommittee has heard a number of excellent witnesses. The statement by one of them, Mr. Patrick Healy, Jr., executive director of the

American Municipal Association, on July 30, 1957, seemed to me of such value that I have asked permission to insert it in the CONGRESSIONAL RECORD as follows:

STATEMENT OF PATRICK HEALY, JR., EXECUTIVE DIRECTOR, AMERICAN MUNICIPAL ASSOCIATION

I am Patrick Healy, Jr., executive director of the American Municipal Association. This is a voluntary association of cities and State leagues of municipalities, representing a total membership of 12,530 incorporated municipal governments in 46 States, Alaska, Puerto Rico, and the District of Columbia. Our headquarters is here in Washington, and we maintain a branch office at 1313 East 60th Street, Chicago, for research and technical service.

I have held this position for slightly more than 3 years. Before that I was chairman of the Utah State Tax Commission for nearly 4½ years and was engaged in private business in the State of Utah following a period of 4 years active duty with the United States Navy during World War II. Before the war, I was executive director of the North Carolina League of Municipalities for 8 years, and before that I was field representative for the League of Virginia Municipalities.

It is appropriate that these hearings should be held about the same time that so-called Federal-State Task Force has been appointed by the President and by the Governors' Conference to examine Federal-State relationships and make recommendations as to proper governmental functions and division of revenue sources.

"Agitation for fiscal readjustment between the components of the Federal system is neither recent nor novel. It recurs with every significant expansion in governmental activity and, in one form or another, has been a continuing problem since the formation of the republic."

That statement appears on page 91 of the report of the Commission on Intergovernmental Relations. An even more significant statement appears on page 102: "Much of the present concern over intergovernmental relations stems from the fiscal difficulties of local, as distinguished from State, governments."

We sincerely hope that your subcommittee as well as the Federal-State Task Force will arrive at the same conclusion, namely, that the real difficulties in intergovernmental relations today are the fiscal difficulties of local governments, as distinguished from State governments.

The reasons for these local government fiscal difficulties are very effectively described by the Commission on Intergovernmental Relations as being due to self-imposed restrictions of States through State constitutions, statutes, and practices which limit their ability to render State aid to local governments and also to the limitations on the actions of local government by State controls.

These self-imposed restrictions at the State level and State controls on local government in my personal opinion will never be removed to permit discontinuance of Federal-aid programs. The two basic reasons for that statement are, first, the interstate and intercommunity competition which limits the taxing freedom of State and local governments and, second, the unwillingness of State legislatures to provide solutions to the problem of urban governments and metropolitan areas. The result will be an increase in demand for direct Federal-local relationships and Federal grants-in-aid.

The big domestic problems of government today are the result of the urbanization of the United States. While the Commission strongly suggests that reapportionment of the State legislatures to reflect fair representation of urban population will largely solve the legislative neglect of urban problems, it is our observation based on actual experience of the State leagues of municipalities that reapportionment is definitely not the cure-all for urban ills at the State level.

In fact, in many States the cities appear to get a more favorable consideration of their problems from legislators residing in small towns and rural areas than they do from some living in larger cities. In other States, however, reapportionment would be a distinct advantage in helping to solve urban problems. In either case, however, reapportionment would provide only a partial solution.

In my personal opinion, a more realistic approach would be to provide for State legislators of equal competence to national legislators, being paid adequate salaries to work full time at the job in annual sessions with adequate personal staffs and adequate committee staffs.

Now to turn to the specific questions presented by your subcommittee:

1. (a) What is your appraisal of the impact to date of the recommendations of the Commission on Intergovernmental Relations (the "Kestnbaum Commission") on: (1) The Congress, (2) the executive branch of the Federal Government, (3) the State legislatures, and (4) the executive branch of State governments.

To date, we do not believe that the recommendations of the Commission on Intergovernmental Relations have had any significant impact on the Congress of the United States.

We have the feeling that the lack of Congressional activity in this area has been due largely to the fact that any substantive action on the report depends on collateral activity on the part of the State governments themselves.

The lack of a broad objective and comprehensive plan for implementation of the Commission's recommendations has, we believe, rightfully deterred the Congress from acting unilaterally to achieve the broad goals set forth by the Commission.

We have the impression that the Commission's recommendations have made a slightly greater impression on the executive branch of the Federal Government. This is evidenced by the fact that the President has seen fit to set up a special assistant in the Executive Office of the President to serve as the President's chief aid and adviser on State and local relationships. The President's recent speech before the governors' conference seems to provide additional evidence that the executive branch is seriously interested in achieving some of the recommendations of the Commission on Intergovernmental Relations.

The failure of the Executive or the Congress to offer even a modest payments-in-lieu-of-taxes program is an example of the lack of impact of the Kestnbaum Commission recommendations.

With regard to the impact on the several State legislatures and the executive branches of the State governments, our general impression is that the recommendations of the Commission on Intergovernmental Relations have not significantly stirred State governments into action along the various lines suggested by the Commission's report.

(b) Do you generally favor implementation of the Commission's recommendations?

The American Municipal Association has endorsed the guiding philosophy of government of the Kestnbaum Commission on Intergovernmental Relations which states that we should: "leave to private initiative all the functions that citizens can perform privately; use the level of government closest to the community for all public functions it can handle; utilize cooperative intergovernmental arrangements where appropriate to attain economical performance and popular approval; reserve national action for residual participation where State and local governments are not fully adequate; and for the continuing responsibilities that only the National Government can undertake."

In favoring the broad implementation of the committee's recommendations, we would, however, like to point out that this stand does not necessarily mean unqualified endorsement of all of the recommendations contained in the Commission's report. Rather, we feel that coordinated efforts on the part of the Federal, State, and local governments to achieve implementation will probably result in some revision of the desirability and effectiveness of the recommendations themselves. Only an attempt at a practical adaptation of the principles of government and federalism contained in the report will disclose the actual value of it as a theoretical framework within which to plan on a continuing basis.

(c) If yes, what approaches can you suggest for achieving better follow-through on Commission recommendations?

In order to achieve better follow-through on Commission recommendations, this association in 1954, recommended that a "permanent National Commission on all phases of Federal, State, and local relationships be created. The Commission should be created pursuant to an act of Congress. The members should be true representatives of each level of Government. The Commission should have the type of membership which will give it the greatest possible national prestige. In a Federal Government the most difficult questions arise between the types of government. Some clarification is necessary. It can be accomplished best by a National Commission on Federal, State, and local government relations. Few activities are more urgent or more important as a means of proving that a democratic Federal Government can work effectively and harmoniously."

You might say that the Kestnbaum Commission was the answer to this recommendation, but what we mean here is a continuing commission.

(d) Are you opposed to any specific recommendations of the Commission?

While we do not oppose any specific recommendations of the Commission, we do feel that entirely too much stress was placed in the report on maintaining a chain of command through the States for all Federal aid or grant programs. We do feel that there is considerable merit to a direct Federal-local, that is city, relationship, and we are, by and large, satisfied with this relationship on the basis of going Federal-aid programs.

Without going into specifics, we do not see the need for the interposing of State governments between existing Federal-local relationships for programs such as airport construction, urban renewal, etc. We should like to point out that nominal State control is established over all of these programs by way of State enabling legislation which permits the city to take advantage of Federal assistance programs.

Without such State enabling legislation, no city may take or receive Federal assistance unless, of course, the State has permitted the community sufficient home rule to accept Federal aid without specific State enabling legislation.

As a second area of mild opposition to the general conclusions of the report, we feel that the Commission, in concentrating on the goal of governmental decentralization, neglected to emphasize the importance of continuing certain vital, Federal programs with vigor until such time as State and local governments are willing, able, and prepared to take them over—specifically airports, urban renewal, and water pollution control.

2. (a) Do you agree or disagree with the view that the growth of Federal programs in fields traditionally considered State responsibilities has been due in large measure to the failure of the States to meet pressing public needs? Please explain?

We must agree in a large part with the view that the growth of Federal programs in fields traditionally considered State responsibilities has been due in large measure to the failure of the States to meet pressing public needs.

As the report itself points out, many of our States have built-in constitutional limitations which by their very nature prevent the State from engaging in extensive aid programs demanded by the public.

The report also makes reference to State neglect of the reapportionment problem and, while we agree that this may be an important reason for its neglect of urban problems in some States, we do not feel that reapportionment per se constitutes one of the major reasons the States have neglected to handle problems developing in our urban areas.

The report also points out the need for more flexibility in legislative matters on the part of State governments, and we would concur in their general conclusions as to the inadequacies of many State constitutions.

Again, we would certainly agree with the Commission's conclusion that few States have an adequate executive branch headed by a governor who can be held generally accountable for executing and administering the laws of the States. We believe it of fundamental importance that responsibility for State functions should be focused on the executive in order to achieve a unity of command and consistency of action within the State administration.

(b) If you agree with this view, what are the barriers to effective and responsive State Government and how can they be removed?

Probably the principal barrier to effective and responsive State government is the State legislature itself. Since State legislators are traditionally stormed by all manner of pressure groups and more frequently than not respond to such pressures, maintenance of the status quo becomes the rule.

Certainly, considerably more needs to be done in selling the voter on the virtues of good, effective, and responsive State government. An educational program of large size and long duration will certainly be needed if we are to ever get the average voter interested enough in his State government to want to do something about improving it.

3. In relation to existing Federal grant-in-aid programs, is the principal of sharing administrative responsibility with State and local governments, sound, or is allocation of complete responsibility for a program to a single level of government preferable?

We take the position that the allocation of complete responsibility for a program to a single level of government is frequently preferable to sharing responsibility with the State and local government. As was pointed out above, local participation in Federal aid programs is contingent upon the State passing the necessary enabling legislation. Through this sort of legislation the State retains all the control it needs to assure itself that the program is being handled properly by the local governments.

The interposition of a State administrative agency, say in the case of the urban renewal program, would serve no useful purpose. This is especially true in those States where only 1 or 2 large metropolitan areas exist and are interested in participating in the program. Adding a State administrative unit would tend to slow the progress of the program down, inasmuch as it would require an additional way station in the processing of the activity and would certainly add unjustified administrative cost to the entire operation.

4. If Federal grants were discontinued with the simultaneous discontinuance of an equal amount of Federal taxation (by vacating certain tax fields or reducing tax rates), would the States be able and willing to raise sufficient revenues to support the existing federally aided programs?

We do not believe that, if Federal grants were discontinued, with the simultaneous discontinuance of an equal amount of Federal taxation, all of the States would be able or willing to raise sufficient revenues to support existing Federal aid programs.

In our opinion, Federal relinquishment of tax fields or reductions in tax rates applied across the board to all States would at best get a very limited response. It seems clear that in areas such as urban renewal, housing, airports, pollution control, etc., the national interest would hardly be served unless the Federal Government were completely assured that a large proportion of States involved would assume these functions and carry them out effectively and vigorously. The Federal Government cannot, under any circumstances, afford to relinquish programs vital to the future of the Nation unless and until it is completely assured that the State governments are ready and willing and completely able to assume the responsibilities for these programs.

5. Which, if any, of the present grant programs would you like to see completely a State (and/or local) responsibility in exchange for enlarged taxing capacity?

We know of no existing present grant program of specific value and interest to municipalities which we would like to see completely a State responsibility in exchange for enlarged taxing capacity.

6. If you favor exclusive State responsibility for some grant programs, which tax areas, or portions thereof, now occupied by the Federal Government should be relinquished to the States?

The answer to No. 5 is "No," and so we have no answer to No. 6.

7. Are there any existing programs that the States might terminate if the Federal Government were to stop making grants and vacate certain tax fields?

Certain existing programs would be terminated in most States if the Federal Government were to stop making grants even though it vacated certain tax fields. It is extremely unlikely, for example, that the acceleration of control of water pollution by the present program of Federal grants to municipalities for construction of sewage disposal plants would be continued. Neither is it likely that States would participate with cities in construction and improvement of airports, and there would be little likelihood of continuing the development of a national airport plan.

The highway program would probably be seriously jeopardized, and it is certainly doubtful that the goal of an Interstate System including urban connections would ever be achieved.

Urban renewal would come to a complete halt. This is true simply because the abandonment of any tax area by the Federal Government cannot be correlated with the initiation or continuance of any specific functional program on the part of the State.

The national interest and the public interest would suffer if the Federal Government were arbitrarily to abandon any program in which it is now engaged, this in spite of the fact that it might at the same time vacate compensatory tax fields.

8. (a) If Federal grants now made directly to local government were terminated (e. g., slum clearance and urban renewal, public housing, airport construction), would State governments be likely to assume any additional responsibility for these activities?

In our opinion there is no question that it would be extremely unlikely for the State governments to assume any additional responsibility for slum clearance and urban renewal, public housing, airport construction, etc., if the Federal grants now made directly to local governments were terminated by the Federal Government.

(b) Could the municipalities finance these programs alone from local revenue sources now available to them? If not, it is likely that cities would be offered either State aid or enlarged taxing powers to continue these activities in the event that Federal grants as well as some Federal taxes are discontinued?

Municipal governments could not finance these programs alone from local revenue sources now available to them. Further, we do not believe that the localities have any untapped sources of income to take up the slack which would be created by Federal abandonment.

We seriously doubt that the cities would be offered either State aid or enlarged taxing powers to continue these activities in the event the Federal Government compensates the discontinuance of the grant program by relinquishing some of its taxing powers.

The pace at which municipal expenditures are rising and the frequency with which the bond market is being resorted to demonstrate that cities are making bold efforts to settle their financial needs without recourse to aid from the States or the Federal Government. Certain city projects are of such a massive nature and so interlocked with national interests that they defy settlement solely by local means.

9. (a) Would you favor some type of tax-sharing arrangement whereby the Federal Government would continue to occupy the major tax fields but turn back to the States some percentage of collections for general governmental purpose?

(b) If such an arrangement were adopted, should the payment to each State be made strictly in accordance wth Federal tax collections within that State or should State fiscal need be taken into account?

(c) As a practical matter, do you believe that all or most Federal tax collections can be equitably allocated to their State of origin? Please explain.

In the absence of specific national municipal policy, we are inclined to go along with the conclusions of the Commission on the matter of tax-sharing arrangements.

We agree with the Commission that if a system of direct subsidies were developed there would be little assurance that the funds would be used to meet all the needs thought necessary in the national interest. Such a program would not preclude other pressures for national programs for specific objectives.

The result would probably be, as the Committee points out, "a piling of conditional grants on top of subsidies * * *, or enlargement of the field of direct national provision of services, or both."

We believe that Federal leadership in these programs is mandatory if States and localities are to take an active role in their accomplishment. We further believe that the focusing of the vast resources and skills of the Federal Government on specific problem areas makes an aid program based strictly on functional lines the most desirable one. It is the responsibility of the Federal Government to stimulate, to set performance standards, to provide financial assistance, and to evaluate, leaving the carrying out of a program to State and local government.

We welcome the kind of analysis and study the Commission has carried out as a timely and necessary reevaluation of the effectiveness of the various levels in our governmental system. However, while we judge the Commission's published report as an exemplary piece of work, we do not fully share its apparent view that existing Federal grant and air programs have in some way tended to vitiate the Nation's democratic processes. Neither do we feel that the existence of such programs poses any threat to those democratic processes, nor do they in our opinion jeopardize the future stability of our Federal system.

As representatives of the Nation's cities—those units of government closest to the people themselves—we share the view expressed in the Federalist Paper No. 46 (attributed to Madison) published in the New York Packet on Tuesday, January 29, 1788, and feel it would be appropriate to close this statement with a quote from that paper:

> "The Federal and State Governments are in fact but different agents and trustees of the people, constituted with different powers, and designed for different purposes. The adversaries of the Constitution seem to have lost sight of the people altogether in their reasonings on this subject; and to have viewed these different establishments, not only as mutual rivals and enemies, but as uncontrolled by any common superior in their efforts to usurp the authorities of each other. These gentlemen must here be reminded of their error. They must be told that the ultimate authority, wherever the derivative may be found, resides in the people alone, and that it will not depend merely on the comparative ambition or address of the different governments, whether either, or which of them, will be able to enlarge its sphere of jurisdiction at the expense of the other. Truth, no less than decency, requires that the event in every case should be supposed to depend on the sentiments and sanction of their common constituents."

Thank you very much, Mr. Chairman.

PERSONAL ANNOUNCEMENT

Mr. CARNAHAN. Mr. Speaker, I was unavoidably absent from the Chamber on rollcall No. 220 on the passage of the mutual security conference report. Had I been present, I would have voted "yea."

REPORT OF COMMITTEE APPOINTED TO NOTIFY THE PRESIDENT

Mr. McCORMACK. Mr. Speaker, your committee appointed to join a committee of the Senate to inform the President that the Congress is ready to adjourn, and to ask him if he has any further communications to make to the Congress, has performed that duty. The President has directed us to say that he has no further communication to make to the Congress.

ADJOURNMENT SINE DIE

Mr. McCORMACK. Mr. Speaker, I offer a House concurrent resolution (H. Con. Res. 229) and ask for its immediate consideration.

The Clerk read as follows:

> *Resolved by the House of Representatives (the Senate concurring),* That the two Houses of Congress shall adjourn on Friday, August 30, 1957, and that when they adjourn on said day, they stand adjourned sine die.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

FINAL ADJOURNMENT

Mr. GROSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, the House has just approved a bill providing some $3 billion in new money from the United States Treasury for spending for the benefit of people all over the world. Yet we are told the financial situation in this country is such that it is impossible to pay postal workers a salary increase; that the President will veto legislation now on his desk for that purpose for the reason that the money is not available.

The Democrat leadership of the House and Senate supports this foreign spending and it ought now to evidence the same interest in postal workers by holding Congress in session until a veto or approval is forthcoming. If a veto, it should be overridden.

I want the Record to show that I voted against final adjournment of the House for the reason that to quit work now is to shirk a prime responsibility to our own people.

AUTHORIZING THE SPEAKER OF THE HOUSE AND THE PRESIDENT OF THE SENATE TO SIGN ENROLLED BILLS

Mr. McCORMACK. Mr. Speaker, I offer a House concurrent resolution (H. Con. Res. 230) and ask for its immediate consideration.

The Clerk read as follows:

> *Resolved by the House of Representatives (the Senate concurring),* That notwithstanding the sine die adjournment of the two Houses, the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

PRINTING OF REPORTS OF COMPTROLLER GENERAL OF THE UNITED STATES

Mr. McCORMACK. Mr. Speaker, I offer a resolution (H. Res. 415) and ask for its immediate consideration.

The Clerk read as follows:

> *Resolved,* That, notwithstanding the sine die adjournment of the House, reports of the Comptroller General of the United States made to the Congress pursuant to the Government Corporation Control Act (31 U. S. C. 841 et seq.), shall be printed during such adjournment as House documents of the 2d session of the 85th Congress.

The resolution was agreed to.

MESSAGES FROM THE SENATE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that notwithstanding the sine die adjournment of the House, the Clerk be authorized to receive messages from the Senate.

The SPEAKER. Is there objection?

There was no objection.

ACCEPTING RESIGNATIONS AND APPOINTING COMMISSIONS, BOARDS AND COMMITTEES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the 1st session of the 85th Congress, the Speaker be authorized to accept resignations and to appoint commissions, boards, and committees authorized by law or by the House.

The SPEAKER. Is there objection?

There was no objection.

REPORTS FILED BY COMMITTEES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that reports filed with the Clerk following the sine die adjournment by committees authorized by the House to conduct investigations, may be printed by the Clerk as reports of the 85th Congress.

The SPEAKER. Is there objection?

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that all Members of the House shall have the privilege, until the last edition authorized by the Joint Committee on Printing is published, to extend and revise their own remarks in the Congressional Record on more than one subject, if they so desire, and may also include therein such short quotations as may be necessary to explain or complete such extensions of remarks; but this order shall not apply to any subject matter which may have occurred, or to any speech delivered, subsequent to the adjournment of Congress.

The SPEAKER. Is there objection?

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, and I shall not object, when is the last date of publication of the Record?

Mr. McCORMACK. It is usually 10 days. It will be around September 19.

The SPEAKER. Is there objection?

There was no objection.

REPORTS OF CHAIRMEN OF STANDING COMMITTEES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the chairmen of all the standing committees and subcommittees of the House may extend their remarks up to and including the publication of the last Record and to include a summary of the work of their committees; also that the ranking minority member of such standing committee or any subcommittee may have the same permission to extend their remarks and to include a summary, if they desire, from their angle, separately from that of the chairman.

The SPEAKER. Is there objection?

There was no objection.

PAPERS AND DOCUMENTS IN POSSESSION OF THE HOUSE

Mr. McCORMACK. Mr. Speaker, I offer a resolution (H. Res. 416) and ask for its immediate consideration.

The Clerk read as follows:

> Whereas, by the privileges of this House no evidence of a documentary character under the control and in the possession of the

House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession except by its permission: Therefore be it

Resolved, That when it appears by the order of any court of the United States or a judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice or before any judge or such legal officer, for the promotion of justice, this House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

Resolved, That during any recess or adjournment of the 85th Congress, when a subpena or other order for the production or disclosure of information is by the due process of any court of the United States served upon the Clerk of the House of Representatives, or any officer or employee of the House, directing appearance as a witness before the said court at any time and the production of certain and sundry papers in the possession and under the control of the House of Representatives, that the Clerk of the House, or any such officer or employee of the House, be authorized to appear before said court at the place and time named in any such subpena or order, but no papers or documents in the possession or under the control of the House of Representatives shall be produced in response thereto; and be it further

Resolved, That when any said court determines upon the materiality and the relevancy of the papers or documents called for in the subpena or other order, then said court, through any of its officers or agents shall have full permission to attend with all proper parties to the proceedings before said court and at a place under the orders and control of the House of Representatives and take copies of the said documents or papers and the Clerk of the House is authorized to supply certified copies of such documents that the court has found to be material and relevant, except that under no circumstances shall any minutes or transcripts of executive sessions, or any evidence of witnesses in respect thereto be disclosed or copied, nor shall the possession of said documents and papers by the said Clerk of the House be disturbed or removed from their place of file or custody under said Clerk; and be it further

Resolved, That a copy of these resolutions be transmitted by the Clerk of the House to any of said courts whenever such writs of subpena or other orders are issued and served as aforesaid.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CORRECTION OF JOURNAL OF JUNE 17, 1957

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Journal of June 17, 1957, which erroneously shows the so-called Whitener amendment as having been adopted as following line 24, page 8, be corrected to properly reflect the action taken by the House and show that such amendment was adopted as subsection (e) of section 131, and inserted immediately following line 13, page 12, of the reported bill (H. R. 6127).

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

STATEMENT OF APPRECIATION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, the present session has been a long one, but a fruitful one in the legislative history of our country. It has passed legislation of a historic nature. The members of the committees and in the House have worked hard and diligently. We can leave here with a feeling of having done a great job.

When we come back in January for the 2d session of the 85th Congress we are prepared to make and will go forward to making the 85th Congress an outstanding one.

The membership of the House, Republicans and Democrats, have been most considerate and kind to me; they have been most tolerant of my human weaknesses.

I express my thanks to the minority leader, the gentleman from Massachusetts [Mr. MARTIN], who has always been most understanding and cooperative.

As majority leader I express the sentiments of Speaker RAYBURN and congratulate you on the excellent record made in this session. I thank you for your tolerant and understanding appreciation. As we adjourn, Speaker RAYBURN and I extend to you and your loved ones best wishes for a most pleasant vacation, which you richly deserve.

HELEN DEMOUCHIKOUS

Mr. CHELF. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1582) for the relief of Helen Demouchikous, which was objected to on the Private Calendar by the gentleman from Kansas [Mr. AVERY]. I understand the gentleman from Kansas has since withdrawn his objection.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Helen Demouchikous shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 17, 1948, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Add the following new section:

"SEC. 2. For the purposes of the Immigration and Nationality Act, Lien-fu Lo, also known as Luke Lo, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title of the bill was amended to read: "An act for the relief of Helen Demouchikous and Lien-fu Lo, also known as Luke Lo."

A motion to reconsider was laid on the table.

ADDITIONAL COPIES OF HEARINGS ENTITLED "INVESTIGATION OF THE FINANCIAL CONDITION OF THE UNITED STATES"

Mr. BURLESON. Mr. Speaker, I ask for the immediate consideration of Senate Concurrent Resolution 47.

The Clerk read the Senate concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on Finance 3,000 additional copies of part 1 of the hearings entitled "Investigation of the Financial Condition of the United States," and 5,000 additional copies of part 2 and subsequent parts of said hearings held by that committee during the 85th Congress, 1st session.

The Senate concurrent resolution was concurred in and a motion to reconsider was laid on the table.

ADDITIONAL COPIES OF CERTAIN HEARINGS BEFORE COMMITTEE ON FOREIGN RELATIONS, UNITED STATES SENATE

Mr. BURLESON. Mr. Speaker, I ask for the immediate consideration of Senate Concurrent Resolution 45.

The Clerk read the Senate concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on Foreign Relations, United States Senate, 1,000 additional copies of parts 1 and 2 of the hearings held by that committee during the current session on the mutual-security program for fiscal year 1958.

The Senate concurrent resolution was concurred in and a motion to reconsider was laid on the table.

CONGRESS ACTS AT LAST ON SUPREME COURT DECISIONS

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, at last Congress has risen to the challenge, has asserted itself within its constitutional field and enacted one bill, the FBI file bill, to overcome a Supreme Court decision that had wreaked havoc with our law-enforcement and investigative processes over the last few months.

Having introduced H. R. 8388, along with many of my colleagues, calling for reasonable and well-considered action in protecting the FBI files, while at the same time guaranteeing unto the defendant all the rights to which he is entitled, I am proud that Congress has answered the challenge with this corrective legislation.

It is significant to me that Congress, through the Judiciary Committee of the House, has appointed a subcommittee to investigate certain other Supreme Court decisions rendered during the October term and, as the ranking minority member of that subcommittee, I believe a sound, constructive job will be done in other instances where legislative relief is needed—as was done in the FBI files case. As a matter of fact, I felt that the work of this subcommittee was of such significance that I asked that hearings be held during the recess—and this has been agreed to—and hearings have been scheduled.

The subcommittee will look into, including but not exclusive to, the following cases: the Yates case that weakened the Smith Antisubversive Act by limiting the definition of "organize" as it relates to the Communist Party, and by condoning so long as that teaching does not "incite to action" the teaching of the overthrow of the Government of the United States; the Mallory case that resulted in the release of a confessed Negro rapist because he was held for 6½ hours between his "apprehension" and his "arraignment" and which places in jeopardy our police enforcement and investigative processes.

The Watkins case that left Congress' investigative authority completely up in the air by giving rise for the first time to a "right of silence" under the first amendment, which is now commonly pleaded, almost as commonly as the fifth amendment, and which is filled with such vague dicta that Congress is left apparently without a yardstick by which it can transact its future investigative function.

The series of cases dealing with State statutes and State law enforcement such as in the Konigsberg, Theard, and Schware cases, cases dealing a blow to the authority of the State to regulate bar admittance requirements and grounds for expulsion because of Communist leanings or activities, as in the Sweezy case, involving the State's authority to investigate through State legislative committees into communism and communistic activities, and as in the Nelson case, dealing with Federal preemption of State statutes and more specifically with antisedition legislation as well as other legislation.

Legislative action in some of these instances in my opinion is essential and I have introduced bills on many of these cases.

I also include the wording of S. 2377 as amended and as passed by the Congress on the FBI files matter, considering it a sound approach and a strong bill:

Be it enacted, etc., That chapter 223 of title 18, United States Code, is amended by adding a new section 3500 which shall read as follows:

"§ 3500. Demands for production of statements and reports of witnesses

"(a) In any criminal prosecution brought by the United States, no statement or report in the possession of the United States which was made by a Government witness or prospective Government witness (other than the defendant) to an agent of the Government shall be the subject of subpena, discovery, or inspection until said witness has testified on direct examination in the trial of the case.

"(b) After a witness called by the United States has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce any statement (as hereinafter defined) of the witness in the possession of the United States which relates to the subject matter as to which the witness has testified. If the entire contents of any such statement relate to the subject matter of the testimony of the witness, the court shall order it to be delivered directly to the defendant for his examination and use.

"(c) If the United States claims that any statement ordered to be produced under this section contains matter which does not relate to the subject matter of the testimony of the witness, the court shall order the United States to deliver such statement for the inspection of the court in camera. Upon such delivery the court shall excise the portions of said statement which do not relate to the subject matter of the testimony of the witness. With such material excised, the court shall then direct delivery of such statement to the defendant for his use. If pursuant to such procedure, any portion of such statement is withheld from the defendant, and the defendant objects to such withholding, and the trial is continued to an adjudication of the guilt of the defendant, the entire text of such statement shall be preserved by the United States and, in the event the defendant appeals, shall be made available to the appellate court for the purpose of determining the correctness of the ruling of the trial judge. Whenever any statement is delivered to a defendant pursuant to this section, the court in its discretion, upon application of said defendant, may recess proceedings in the trial for such time as it may determine to be reasonably required for the examination of such statement by said defendant and his preparation for its use in the trial.

"(d) If the United States elects not to comply with an order of the court under paragraph (b) or (c) hereof to deliver to the defendant any statement, or such portion thereof as the court may direct, the court shall strike from the record the testimony of the witness, and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared.

"(e) The term 'statement,' as used in subsections (b), (c), and (d) of this section in relation to any witness called by the United States, means—

"(1) a written statement made by the witness and signed or otherwise adopted or approved by him; or

"(2) a stenographic, mechanical, electrical, or other recording, or a transcription thereof, which is a substantially verbatim recital of an oral statement made by said witness to an agent of the Government, and recorded contemporaneously with the making of such oral statement."

The analysis of such chapter is amended by adding at the end thereof the following:

"3500. Demands for production of statements and reports of witnesses."

For the information of my colleagues I include a statement of the resolution of my subcommittee to indicate its investigative authority:

Resolution to establish a special subcommittee of the Committee on the Judiciary

Resolved, That a special subcommittee, consisting of five members of the Committee on the Judiciary, be constituted and authorized as a matter of the highest urgency to conduct an inquiry, take evidence, and make findings and recommendations, legislative or otherwise, to this committee at the earliest practicable date, with reference to those questions raised by decisions of the Supreme Court, handed down at the last session of the Court, which affect (1) the power of Congress to investigate, (2) Federal laws relating to subversive activities, and (3) the enforcement of Federal criminal laws.

INTERNATIONAL GEOPHYSICAL YEAR

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, I wish to briefly refer to and call to your attention and for the information of the Congress and the people throughout the country, what I believe to be one of the most important and outstanding programs with far-reaching consequences that will mean so much to us in the future years ahead. Whether we like it or not, we live in an age and era marked by the most fantastic phenomena which will undoubtedly determine the future course of human existence.

July 1, this year, marked the formal beginning of an 18-month, worldwide scientific program that is without parallel in history—the International Geophysical Year.

Of fundamental and continuing interest to us all is the problem of our physical environment. The factors which make up this environment control many aspects of our physical life such as our food, our clothing, our domiciles, our travels, our communications systems, and, in some cases, our very lives.

To cope with these perplexing and often violent factors we must know more about them, their basic nature, how they operate, how they affect each other, and, perhaps more importantly, how we can circumvent the unfavorable results and amplify the beneficial ones.

The field of knowledge most directly concerned with these conditions is known as geophysics. As the name implies, it deals with the physics of the earth and its atmosphere and the space in the immediate vicinity of this atmosphere. A very important aspect of the problem is the sun itself. The sun is the principal source of all energy that reaches the earth and, therefore, is an important factor in most, if not all, of the physical phenomena which are included under the broad head of geophysics.

Over 70 years ago a young German lieutenant, named Karl Weyprecht, in considering problems on weather and the earth's magnetic field in the Arctic, recognized the importance of obtaining observations of these physical factors over as large a portion of the Arctic area as possible and within a relatively short time interval. His proposal that a concerted effort be made to measure certain geophysical phenomena was the basis for a period of special observations which has since been referred to as the first polar year. Some 10 nations, including the United States, participated in this undertaking during the period 1882–83. The gains in knowledge in the fields of meteorology and geomagnetism fully justified Lieutenant Weyprecht's judgment.

Fifty years later, 1932–33, a second polar year was instigated and this time the United States and some 30-odd other countries took part in the program. Again the Arctic regions received the principal effort, although there were some stations established in the Southern Hemisphere. Out of this period came a better understanding of the ionosphere and its effect on radio communications, a recognition of the importance of areometeorological observations in weather-prediction processes, and an increased knowledge of characteristics and variations of such things as the earth's magnetic field, cosmic rays, and aurora.

In 1950, a group of American scientists met informally at the home of one of them in Silver Spring, Md., to greet Prof. Sydney Chapman of England, one of the world's leading geophysicists. Out of this very informal evening discussion came a suggestion from Dr. L. V. Berkner that a third polar year be organized during the 1957–58 period in order to take full advantage of the tremendous advances that had been made in scientific instrumentation during the preceding decade. A second impelling reason for such an interval was the realization that further progress in a number of fields of geophysics was becoming more and more dependent on the availability of synoptic data which could only be gotten through such a concerted effort.

Dr. Berkner's proposal to have a third polar year only 25 years after the second was accepted by the International Council of Scientific Unions, a nongovernmental international organization concerned with the basic sciences. His suggestion was expanded to include not only the polar regions but the rest of the world as well, and the undertaking was then renamed the International Geophysical Year.

The International Council of Scientific Unions approached the various national scientific groups which cooperate with the Council, and invited them to set up within their own countries special committee to draw up suitable plans for projects to be undertaken during the International Geophysical Year. In the United States the National Academy of Sciences accepted the invitation and organized in 1953 a special committee for the International Geophysical Year under the chairmanship of Dr. Joseph Kaplan, the well-known physicist from the University of California at Los Angeles. Through the activities of this committee and its various technical panels a comprehensive program of geophysical projects within the United States, its possessions, and those regions in which it has traditionally had an interest was drawn up and made a part of the overall worldwide program for the International Geophysical Year.

In order to provide for the funding of the special stations and observations which would be required by the United States during the International Geophysical Year, the National Academy of Sciences invited the National Science Foundation to seek Government support. The National Science Foundation, with the aid of the United States National Committee for the International Geophysical Year prepared budget proposals and over a period of 2 years obtained Federal appropriations in the amount of $39 million.

The world program is now being actively supported by 64 nations. An impressive array of projects in all fields of geophysics has been agreed to. Thousands of scientists are participating and hundreds of observing stations will be manned. All data acquired will be made available to the world for the common goods.

The International Geophysical Year has intensity, scope, and duration unique in the scientific ventures of mankind. It is intense in the number of closely spaced observations that will be made of many phenomena; its scope embraces most geophysical disciplines and covers the whole globe; and the total period will allow studies to be made of seasonal and other long-period variations of the phenomena. Beyond this, observations of very slowly changing phenomena and events will form a base for comparison with measurements made during future epochs.

All of the major fields of geophysics are covered in the world program and the United States is taking a major and active part in all of these disciplines. Special American stations have been established in the Arctic, the Antarctic, and regions of the equatorial Atlantic and Pacific Oceans. These, of course, are in addition to the regularly established observation points normally operated by such agencies as the Weather Bureau, the National Bureau of Standards, the Coast and Geodetic Survey, and others.

A number of projects and stations of the United States IGY program have been set up on a cooperative basis with the scientific groups of neighboring countries, particularly with Canada and the Latin American countries. This spirit of voluntary cooperation has enhanced regional efforts in the Americas and in the oceanic waters of the Western Hemisphere by insuring higher coordination of the scientists involved and by guaranteeing complete coverage of the regions.

A cooperative effort of the highest importance to the United States program, and therefore also to the world program, is the operation of a chain of stations running from pole to pole along the longitudinal line of 75° to 80° west. This chain is of great importance in making coordinated observations in meteorology and upper atmospheric phenomena which will yield a profile of such events, their relations in the two hemispheres and at the two poles, and their behavior at the equator.

In addition, the United States has taken a leading part in the development and utilization of certain tools which are essential to obtaining physical data in the high atmosphere and ionosphere. I refer to the upper atmosphere sounding rockets and the proposed scientific earth satellite. I emphasize that both of these devices are in the minds of scientists tools of the trade, although the earth satellite has caught the public imagination and fancy to the point where it is sometimes thought of as the principal IGY effort on the part of the United States.

What now are some of the problems that the IGY will examine and what are the possible benefits that one can expect to obtain if they are successfully solved?

In general, any practical application of knowledge depends on the development of certain basic scientific facts and theories which, at the time, may not appear to lead directly to any material benefits. Nevertheless, the information that is developed as the result of such studies may eventually prove of inestimable value in very practical ways. For example, as a result of observations taken during the First Polar Year, the existence of what has been called the auroral zone was verified in the Arctic. This is roughly an annular ring-shaped region, offset from the northern geographical pole, over which the maximum number of aurora are observed during any extended period of time. At first this appeared to be of academic interest only. However, with the subsequent development of radio communication, the auroral zone became of intense practical interest, since the physical phenomena that are associated with auroral displays also cause serious disruption in radio circuits. With increased knowledge of the factors which govern the auroral zone and the formation of aurora itself, methods of circumventing these disadvantages have been developed. Even now we are actively exploring special techniques which will increase the reliability of radio communication circuits in polar and subpolar regions. This example and others which could be cited prove the value of basic information as a first step to the realization of practical gains.

There are in addition certain direct problems which are being explored during the IGY which should benefit our Nation in the immediate future. One of these is again the communications problem. As we learn more about the characteristics and behavior of the ionized regions in the high atmosphere upon which all radio communications depend, we should be able to improve the reliability and usefulness of such communication circuits.

In the field of long-range weather prediction, a clearer understanding of certain processes in the atmosphere, at the air-ocean boundary surface, and in the oceans themselves should assist us in providing more reliable predictions over longer intervals of time. This means that we shall have greater warning, and hence more time to prepare to meet such violent meteorological events as hurricanes, droughts, or tornadoes in order to minimize their effects. The resulting savings of life and property will amply justify the whole effort going into the IGY.

These studies in the polar and subpolar regions leading to greater reliability of radio communication, to better weather information, and to greater knowledge of how to cope with living conditions, all will offer a significant contribution to the development and expansion of intercontinental air transportation via the shorter "great circle" routes over both polar regions. Already one airline has pioneered and is operating a direct Europe-Tokyo route over the North Pole and the time is not far distant when direct flight becomes feasible between Australia and South America and Europe via the south polar regions.

Our studies of processes, currents, and water transport phenomena in the oceans will provide several other direct benefits. The need for having this kind of information in connection with commercial fisheries is self-evident. In addition, the great ocean depths may eventually provide a partial solution to the problem of waste disposal for the atomic powerplants if it can be proved that the water in such depths only comes to the surface after many tens or even hundreds of years. This is a factor which is suspected, but to date has not been confirmed.

Time does not permit a detailed account of many other problems which the IGY observations may help us to solve. Our experience in the first and second polar years convinces us that out of this tremendous international scientific undertaking known as the international geophysical year will eventually come many direct benefits to the human race. The United States is in a particularly favorable position to benefit from this enterprise because of our advanced state of scientific and technological development and the resources and facilities at our disposal.

The immediate product of the IGY will be an immense amount of geophysical data. These data, representing the observations made by the scientists of all participating national groups, will be placed in three world-data centers, one of which will be in the United States. All three centers will have complete sets of all data and will make it available to all scientists and scientific institutions in the world. A decade or more may be required to extract all the value from the IGY observations, and scientists of this generation and the next will be conducting further research made possible by the data of the IGY. From such research will come the contributions to the welfare of mankind.

Aside from gains in scientific knowledge, certainly the very pattern itself established during the IGY of 64 nations working toward a common goal also warrants careful study as a venture in international cooperation. There has never been a coordinated undertaking of this magnitude in the past, but we can perhaps look forward to continuing further efforts based on our experience during this momentous period.

LEADERSHIP OF HON. JOSEPH W. MARTIN, JR., IN THE CIVIL-RIGHTS BILL

Mr. CURTIS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachustts?

There was no objection.

Mr. CURTIS of Massachusetts. Mr. Speaker, I desire to pay deserved tribute to the forceful leadership of Congressman JOSEPH W. MARTIN, JR. of Massachusetts, which resulted in the final and successful compromise of the civil-rights bill.

Now that the first civil-rights bill in over 80 years has been passed, it is proper to call attention to the importance of the final stand in the House against the weakening Senate amendments, which resulted at last in a compromise which greatly strengthened the bill.

The adoption of this final compromise was largely due to the courageous and untiring leadership of Congressman MARTIN. He stood firm as a rock in favor of a stronger bill when the odds appeared against him, and finally prevailed—a truely remarkable achievement.

The final compromise not only strengthened the protection of civil rights, but protected the courts from a provision which weakened their power to enforce their own decrees.

Traditionally, the courts had power to enforce their decrees by holding violators in contempt without jury trials. Senate amendments seriously limited that power in contempt cases classed as criminal—not only in civil-rights cases, but in other proceedings for injunctions.

There was strong pressure on the House to accept this Senate amendment, if limited to civil-rights cases. But Congressman MARTIN insisted on a further limitation restoring the traditional power to the courts to enforce their own decrees except in cases where the penalty for violation of the decrees would be major.

Great credit is also due all others responsible for this compromise, and to the House Members who stood firm under the leadership of Congressman MARTIN in favor of it.

DONATION OF FOREIGN EXCESS PROPERTY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include a memorandum.

The SPEAKER. Is there objection to the request of the gentleman from Massachustts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I have noted with pleasure the memorandum of July 8, 1957, from Assistant Secretary of Defense, Supply and Logistics, Perkins McGuire, to the defense agencies on the subject of "Foreign Excess Donations."

This instruction makes it possible for certain meritorious organizations and charitable and nonprofit institutions to receive foreign excess property under specified conditions and circumstances.

It had come to my attention that our executive departments, principally the Army, Navy, and Air Force, often have excess property such as medical and dental supplies in foreign lands which would be of great value to various organizations and charitable institutions.

Existing law permits the donation of such property in certain cases but there had never been adequate implementing instructions to the owning agencies until the recent authorization was issued for the Department of Defense.

The Subcommittee on Donable Property, Committee on Government Operations, of which I am the chairman and Congressmen JOHN E. MOSS, of California, and EDWIN H. MAY, JR., of Connecticut are members, have worked closely with interested agencies and the office of Hon. Perkins McGuire, Assistant Secretary of Defense, with regard to this procedure.

I am positive that this important and far-sighted step will do much to help worthwhile institutions and organizations in foreign lands and to build good relationships between our Government and foreign peoples with no cost to the American taxpayer. The memorandum follows:

MEMORANDUM FOR THE ASSISTANT SECRETARY OF THE ARMY (LOGISTICS), ASSISTANT SECRETARY OF THE NAVY (MATERIAL), ASSISTANT SECRETARY OF THE AIR FORCE (MATERIEL)—SUBJECT, FOREIGN EXCESS DONATIONS

Section 402 of the Federal Property and Administrative Services Act of 1949 as amended authorizes the donation of certain foreign excess personal property. To assure that this donation authority is uniformly exercised by the military departments it is requested that the current armed service regulations on this subject be reviewed and, if necessary, amended in conformity with the following policy.

Foreign excess personal property which has no commercial value or the estimated cost of care and handling of which would exceed the estimated proceeds from its sale is authorized to be donated to:

1. Any organization, institution, or agency of the United States Government, any State or local government thereof;
2. Any organization, institution, or agency of any friendly foreign government or local subdivision thereof;
3. Any nongovernment charitable and nonprofit organization, institution, or agency of the United States or any friendly foreign country which operates health or educational activities in a foreign country;

Provided, however, That preference shall be given to Government organizations, institutions, and agencies of the United States and to nongovernment organizations, institutions, and agencies whose headquarters are located in the United States or whose operating funds are raised chiefly in the United States.

It is requested that the above policy be placed into effect promptly. Two copies of implementing orders should be sent to this office following issuance.

PERKINS MCGUIRE,
Assistant Secretary of Defense (Supply and Logistics).

THE LATE HONORABLE HERMAN P. KOPPLEMANN

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the

House and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Massachustts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, the death of our former colleague, Herman P. Kopplemann, of Connecticut is a sad loss to his many friends. I am deeply grieved at his passing. I numbered him among my valued friends.

The life of Herman Kopplemann is like an Horatio Alger story.

Born in Odessa, Russia, he came to the United States as a child. Throughout his entire life his love of America was manifested on innumerable occasions.

As a young man, in 1904, at the age of 24 years, he was honored by election to the city council of Hartford, Conn., in which body he served in 1911 as its president. He also served in both branches of the Connecticut Legislature.

The people of his congressional district, recognizing his ability and his character, elected him as a Member of the National House of Representatives, serving in the 73d, 74th, and 75th Congresses, and again in the 77th and 79th Congresses.

The Democratic leadership and Committee on Committees recognized his fine qualifications by assigning him to the important Committee on Banking and Currency and later to the important Committee on Appropriations.

In addition to a successful career in elective office, Herman Kopplemann was a successful businessman.

Herman Kopplemann was a sound progressive. He loyally supported the legislative program of the great humanitarian, Franklin D. Roosevelt.

I know from talks I had from time to time when Herman Kopplemann's name came up that President Roosevelt had a very high regard for him.

Herman Kopplemann was also a good man. Possessed of nobility of mind and character he always extended a helping hand to others. There are many thousands of persons who are happier today because of Herman Kopplemann and his consideration of and his kindness to them.

During his years of service in the Congress he was one of the most popular and best-liked Members. He always had a smile on his face—always complimenting others—never criticizing. He always had a good word for others.

Herman Kopplemann was a people's Representative. He not only introduced and had enacted into law important bills in the interest of the people, but he ably supported many other important pieces of legislation.

Herman Kopplemann has left his favorable imprint upon the legislative history of our country.

To Mrs. Kopplemann and the loved ones my close and valued friend, Herman Kopplemann, left behind, I extend my profound sympathy in their bereavement.

THE 1ST SESSION OF THE 85TH CONGRESS

The **SPEAKER** pro tempore. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I think a good many of us here today would ask that this Congress, trying as it has been, be extended for a time in order to pass certain legislation. I for one realize that probably no good would come of it. The Members are pretty thoroughly exhausted with the terrific strain of this last session of Congress. It is the greatest strain I have ever known in my 33 legislative years and my 44 years in Washington. I think it is greater than ever before even during wartime, because while we are not actually fighting, we are in a cold war, and during a war there is a tremendous urge to work for unity in order to win the war.

Mr. Speaker, I should like to thank the Members of the House that have been so helpful to me, Speaker RAYBURN; the majority leader, Mr. McCORMACK, and our minority leader and great friend and advisor, former Speaker MARTIN, the floor leaders, the whips, and all the others, from my heart for what they have done to help. The help with respect to the Merrimack Valley has been invaluable to us because for years we could get no assistance.

Mr. KEATING. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from New York.

Mr. KEATING. I think that the services the gentlewoman has performed for this Nation during the almost a third of a century she has been a Member of this House are deserving of the highest praise and recognition by those who serve with her. She is always pleasant, and it is a great pleasure to work with the gentlewoman and feel that she is working with us. Her great concern for the veterans and those less fortunate is well known to every veteran in the land.

Mrs. ROGERS of Massachusetts. I thank the gentleman very much and congratulate him upon his very great victories in this session of Congress. Able and fearless, he gets results.

Mr. Speaker, may I repeat that I hope the Murphy Army Hospital for service men and women and their families in Massachusetts will be kept open, because we need it. The Asiatic flu is spreading to this country, and many people are coming down with it. We need every bed we can secure.

Mr. Speaker, I should like to thank everybody here, the personnel, the little pages that are so willing and so fleet of foot, the telephone operators who get our calls through for us and often save lives by so doing, the clerks, the press, the reporters, the doorkeepers, and our courteous and fine police and guards, and everybody connected with the running of the Capitol. I am deeply grateful to them all.

Mr. McCORMACK. Mr. Speaker, will the gentlewoman yield?

Mr. ROGERS of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I join the gentlewoman from Massachusetts in what she has said in relation to the Murphy Army Hospital. I hope it will be kept open. In fact, the entire Massachusetts delegation in the House, Republicans and Democrats, are in favor of its being kept open, and the money for it has been appropriated.

I also join the gentleman from New York in the compliment he gave the gentlewoman from Massachusetts [Mrs. ROGERS]. We in Massachusetts do not consider her a Republican, we consider her Mrs. ROGERS.

Mrs. ROGERS of Massachusetts. I thank the gentleman very, very much. So far as the Murphy General Hospital is concerned, I am told the families of the men as well as the men have to go 450 miles away even for a mother to have her baby. You can see how vital it is for the future of the country to have the Murphy hospital kept.

Mr. LAIRD. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I gladly yield to the gentleman from Wisconsin.

Mr. LAIRD. I would like to commend my good friend, the gentlewoman from Massachusetts, on her statement in regard to the employees of the House. I think they have been most efficient and most helpful to all of us during this first session of the 85th Congress.

Mrs. ROGERS of Massachusetts. We appreciate the great telephone center here at the Capitol with its splendid operators who take our impatient and important telephone calls. Also the Clerk of the House, the able Parliamentarian, the timekeeper of speeches and the RECORD clerks, the Doorkeeper, Mr. Miller and our Republican Assistant Doorkeeper: I thank the gentleman for mentioning that. I would like to have inserted in the RECORD the names of everyone who serves us in any capacity here in the Capitol. I realize that this Congress has caused heartaches which I hope will be eased and problems to be solved.

There have been many disappointments with the victories. Things have happened that are hard to take. As the old Quaker said, "Everybody is a little queer but thee and me and even thee sometimes is a little queer." And sometimes when we do not secure our legislation, we think "thee is a little queer."

But we praise the fine character of the men and women Members of this Congress—the greatest legislative body in the world. There is no politics in the friendships of the Congress.

FARM LEGISLATION

The **SPEAKER**. Under previous order of the House, the gentleman from Missouri [Mr. CHRISTOPHER] is recognized for 15 minutes.

Mr. CHRISTOPHER. Mr. Speaker, I only want to say to that farmer's friend from Minnesota, Mr. H. CARL ANDERSEN, who spoke about the farm situation very recently here, he is one of the men who worked for and fought for and voted for one of the best pieces of farm legislation that has been brought to the floor of this House in a number of years. I am of the opinion that, perhaps, the reason the Democrats are so discouraged about bringing up good farm legislation is that no matter how good it is, if it is administered by a Secretary of Agriculture who does not believe in the legislation and who seeks to sabotage it no matter how good it is, it will not be effective. I just want to remind the Members of the House that the piece of legislation I refer to, which the gentleman from Minnesota and many others of us worked so hard for is H. R. 12. It was vetoed by a member of the Eisenhower-Benson team—President Eisenhower himself. That discouraged me and I think it discouraged a lot of other Members also.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CHRISTOPHER. I yield.

Mr. McCORMACK. With all due respect to my friend the gentleman from Minnesota [Mr. H. CARL ANDERSEN] and I agree with what the gentleman from Missouri said about the gentleman from Minnesota, but when the gentleman from Minnesota tried to blame both parties, of course, that is not tenable because we put a really effective bill through the House and it was vetoed. Of course, we know and everybody knows that any Democratic legislation which is opposed by Secretary Benson and President Eisenhower is going to be vetoed. They have done it before and we know that he would do it in the future. The responsibility rests clearly upon the Republican administration, President Eisenhower and Secretary Benson for the farm situation that exists.

Mr. CHRISTOPHER. That is true but I want to make it very plain that I admire the gentleman from Minnesota for the stand he took because it is so difficult being a Republican.

Mr. McCORMACK. And so do I and I said that, but when it comes to the responsibility of the parties that is where I disagree.

Mr. CHRISTOPHER. I agree with the gentleman from Massachusetts wholeheartedly. When the gentleman from Minnesota [Mr. ANDERSON] voted for H. R. 12 only 20 other Republicans voted with him, so, while he was right, the vast majority of his party were wrong. I invite any Member of the House, who is interested in some figures that I consider startling, to examine the extension of my remarks which I will put in the RECORD today. They deal with income taxes paid by farmers from 1932 to the present time and with the income of farmers.

I have tried to serve on this floor without becoming a nuisance.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. CHRISTOPHER. I yield.

Mr. HOSMER. I would not like the RECORD to close without at least indicating that all that the gentleman says in a laudatory fashion respecting H. R. 12 has been subject to considerable debate. I think there is considerable question with respect to how that legislation might have been received.

Mr. CHRISTOPHER. I wish I had time to tell the gentleman from California just what that legislation was and how effective it had been from 1933 to 1952, because it is exactly what we had over most of those 20 years.

Mr. HOSMER. I would remind the gentleman that in the nonfarming areas of this country there is considerable explaining that he would have to do in order to convince the consumer portion of our population that they are not in effect subsidizing the agricultural producers of the Nation.

Mr. CHRISTOPHER. I suggest to the gentleman that he go into the cities and try to explain to them why it is that food is so much higher now than it was when the farmer was receiving 100 percent of parity instead of 80 percent that he is getting now. If he can do that, he is some explainer.

Mr. GUBSER. Mr. Speaker, will the gentleman yield?

Mr. CHRISTOPHER. I yield.

Mr. GUBSER. Throughout my entire life until I came to Congress my daily bread came from the farm. I am proud to say that today I am an active farmer. I represent one of the richest farm areas in the United States. I may say to you that almost unanimously the farmers in my area, including myself, are opposed to the give-away piece of legislation for the benefit of farmers alone. We feel we are independent operators. We want to hold up our heads and make our way without the Government doing it for us. We as farmers oppose H. R. 12.

Mr. CHRISTOPHER. The Democratic Party has never passed, in all the 20 years, from the inauguration of Franklin D. Roosevelt up to the present Administration, a piece of give-away legislation. Every dollar that the Federal Government has expended on farm programs over the 20 years of Democratic rule from 1932 to 1952 came back into the Treasury of the United States and brought another dollar with it in the form of income taxes paid by agriculture that never could have been paid had the income of farmers remained where it was in 1932. There is no one within the sound of my voice who can deny that.

Mr. MORRIS. Mr. Speaker, will the gentleman yield?

Mr. CHRISTOPHER. I yield.

Mr. MORRIS. I have the impression from talking to people that people are paying more for food today and the farmer is getting less for it.

Mr. CHRISTOPHER. That is true.

Mr. MORRIS. In other words, the farmer gets less under this Administration. I understand there was an election the other day in Wisconsin.

Mr. CHRISTOPHER. I heard about that.

Now I might just as well give you a few figures, since I have stirred up a hornet's nest. In 1932 the farmers paid only $5 million in income taxes. By 1947 they multiplied that $5 million by 217 and paid $1,085 million income tax. By 1952 they had multiplied that $5 million by 273 and paid $1,365 million in income taxes.

By 1955 after only 2 years of Ike and Ezra that had fallen to a thousand and seventy-five million, $1,075,000,000. Over the last 3 years, from 1952 to 1955, it has gone down by $290 million a year. So the Treasury gets nicked, the farmer gets nicked, the consumer gets nicked; under the Eisenhower-Benson program nobody wins.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. CHRISTOPHER. I yield.

Mr. JENSEN. The gentleman knows, of course, that he and I have seen eye to eye on farm legislation, and I think the gentleman is right; so the thinking of the gentleman is right, I must be right. But I am quite astonished when the gentleman stands on the floor of the House and attempts to put the blame on the Republican Party for this great increase in taxes which the farmer and the rest of us must pay.

Mr. CHRISTOPHER. I am not blaming the Republican Party for the increase in taxes. I am praising the Democratic farm programs for making it possible for the farmer to have a net income to pay taxes on.

Mr. JENSEN. The gentleman has given that impression.

Mr. CHRISTOPHER. The gentleman has misunderstood me entirely.

Mr. JENSEN. The gentleman has given that impression.

Mr. CHRISTOPHER. I did not intend to give that impression.

Mr. JENSEN. As news goes out over the country and the gentleman's speech is read, everybody will get that impression.

Mr. CHRISTOPHER. I do not believe they would if they understood the situation.

Mr. JENSEN. No, they would not, if they would just stop to realize that because of all these wars they must pay more taxes. Certainly the gentleman is not going to accuse and blame the Republican Party for getting us into those wars.

Mr. CHRISTOPHER. Farmers paid only $5 million in income tax in 1932 because the per capita income of farm people from farming at that time was only $91.

I will say to the gentleman from Iowa that he missed my point entirely. Democratic farm programs made the farmer able to pay an income tax, and he paid it as he should have.

But under Republican administrations he pays less and less income tax because his net income gets less and less. It has always been that way and it is so today.

Mr. JENSEN. I think the gentleman will agree with me when I say the farmers of America should be complimented no end. They did a good job during the war; they always have done a good job. Word went out from Washington—it was not just a word, it was a command: Produce. Produce. Produce. They did, and they did that great job of production with 3 million young farmers in the service of the United States all over this world.

Today the American people are spending less than 26 percent of their income for food. The rest of the world at this very minute is spending over 65 percent of their income, on an average, for food. We talk about the high cost of living in America; we had better reflect for a moment how well off we are in America because of this unduly low-cost food we have.

It is true the American farmer gets only 40 cents out of every dollar we spend for food. The reason is that every step between the growing of the food by the farmer and its purchase by the ultimate consumer has increased in cost—transportation, labor, taxes—everything has gone up.

Mr. CHRISTOPHER. Do not forget interest, now; let us have that too.

Mr. JENSEN. Interest; that is right, that is right; and let us remind the folks also that nobody in the retail food business is getting rich overnight these days with the terrific cost of doing business. They are holding their prices down as much as they possibly can in competition, and the competition is tough. Let us not be too hard on these folks. They must charge these prices for the food the American people consume, yet it is still the cheapest food in the world.

Mr. CHRISTOPHER. But those same people were processing and distributing the food when the farmer was receiving 100 percent of parity, and food was cheaper then than it is now. There is a dead Ethiopian in the woodpile somewhere if we could unearth him.

Mr. JENSEN. The whole blame, of course, should not be placed upon the Republican Party. The gentleman comes from the Middle West.

You know, both committees of Congress, both agricultural committees of Congress, are controlled by the southerners. They have the great majority on those committees and they do not care much about the hog, cattle, or grain farmer. That has been shown in every act that those committees have performed for many, many years.

Mr. CHRISTOPHER. Mr. Speaker, I have never taken 10 minutes' or 15 minutes' time on the floor of the House that 1, 4, or 6 Republicans have not come down to the well of the House and attempted to use up every minute of my time. You are still running true to form. I can stand here and yield for an hour to the Republicans. They either do not want to hear me talk or they do not like to hear the truth, because they come down here and take up my time.

Mr. JENSEN. We want to straighten the gentleman out.

Mr. CHRISTOPHER. I refuse to yield any further.

Mr. JENSEN. Will the gentleman let me make one further statement?

Mr. CHRISTOPHER. Yes.

Mr. JENSEN. I would not have asked the gentleman to yield, but, when he took the floor, he said, "I have 15 minutes, but I think 1 minute will do."

Mr. CHRISTOPHER. The gentleman from Iowa either does not want to see the point or simply refuses to, I have no way of knowing which, but the facts are that in 1933 the average per capita net income for farmers from farming was an unbelievable $91, but 20 years later, in 1952, because of commodity loans, price supports, and other farm programs, the per capita net farm income had become $675.

Of course, when farm people had a net farm income of only $91 on the average they paid very little income taxes because they had practically nothing to tax, but as Democratic farm programs increased their earning power it was reflected in the taxes paid into the Federal Treasury.

Income taxes are tied directly to net income, and that is the reason farmers paid only $5 million in income taxes in 1932, but $1,365 million in 1952. Between 1952 and the beginning of 1957, the American farmers' net income was $20 billion less than it would have been had their prices remained at 100 percent of parity as prices had been for the 11 years preceding 1952. Under Democratic programs that began in 1933, conceived by farm experts under the able leadership of that great President, Franklin D. Roosevelt, the parity ratio stood at 58 percent. By 1942 that ratio was raised to 105 percent and remained above 100 percent until the Eisenhower-Benson team took over in 1953.

Those were the same Democratic programs that we sought to extend in H. R. 12—the programs that had lifted the farmers out of the depths of the depression, raised their parity ratio from 58 percent to more than 100, and kept prices there for 11 consecutive years at no net cost whatever to the Federal Treasury because as farmers' incomes were raised, so their income taxes came up automatically.

Since the beginning of the Eisenhower-Benson era, farmers have seen their parity ratio sink from 100 to 80 percent. They have lost $12 billion in net income, $3.7 billion in inventory value of livestock on American farms and ranches, and the Treasury has lost $290 million per year in agricultural income taxes as compared to what farmers were paying in 1952.

The period of 1943 to 1947 is considered by the Department of Labor as the base period for establishing the cost-of-living index, and the average of those 3 years equals 100. The cost-of-living index now stands more than 20 percent above the cost of living of the base period. During the base period farm prices were at or above 100 percent of parity.

The average working family in the United States spends 45 percent of the budget for food, and although farmers are receiving only 80 percent of parity, food is costing the consumers more than when farmers received 100 percent of parity.

Now here are a few facts from my home State of Missouri—farm products produced in Missouri were worth $96.9 million less in 1956 than they were in 1947, 1948, and 1949, averaged. There are 114 counties in the State and the $96.9 million loss in farm purchasing power divided by the number of counties in the State reveals that farmers in each county had $850,000 less income in 1956 under Eisenhower and Benson than they had in each of the years 1947, 1948, 1949, under President Truman and Secretary Brannon.

The Department of Commerce reports that farmers spend 70 percent of their income for material and supplies, retail; therefore, it is evident that the merchants, businessmen, and professional people in each Missouri county found their customers who resided on farms with more than one-half million less to spend with them each year than they would have had, had farm prices remained where they were under Truman and Brannan.

We all realize that conditions are bad and getting worse, but the question arises "What are we going to do about it?" I would say that the State of Wisconsin had set a noble example last Tuesday for the people of the United States to follow.

A Democratic administration has always meant reasonable interest rates, adequate credit, parity prices for farm products, and a Government of all the people, by all the people in the interest of all the people.

A Republican administration has always meant high interest rates, tight credit, stock market bursting through the ceiling, disaster farm prices, tax cuts and fast writeoffs for the supremely rich and giant corporations, and it would seem from what happened in Wisconsin that even Republicans in that rock-ribbed Republican State who have not sent a Democratic Senator to Washington since Franklin Roosevelt defeated Herbert Hoover in 1932, are beginning to realize these facts and have voted accordingly. The great Democratic victory in Wisconsin is an indication of other great Democratic victories to come in 1958 and 1960. "Now learn a parable of the fig tree; when his branch is yet tender, and putteth forth leaves, ye know that summer is nigh."

The SPEAKER. The time of the gentleman from Missouri has expired.

RECESS

The SPEAKER. The Chair declares the House to be in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 46 minutes p. m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 3 o'clock and 35 minutes p. m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed without amendment bills and concurrent resolutions of the House of the following titles:

H. R. 580. An act to authorize the exchange of certain land in the State of Missouri;

H. R. 1315. An act for the relief of Mr. and Mrs. Charles H. Page;

H. R. 1411. An act for the relief of George H. Meyer Sons, Brauer & Co., Joseph McSweeney & Sons, Inc., C. L. Tomlinson, Jr., and Richmond Livestock Co., Inc.;

H. R. 1474. An act for the relief of Mrs. Jennie Maurello;

H. R. 1502. An act for the relief of Homer Cazamias;

H. R. 1677. An act for the relief of Gilbert B. Mar;

H. R. 4174. An act for the relief of Filomena and Emil Ferrara;

H. R. 4351. An act for the relief of G. H. Litts;

H. R. 7014. An act for the relief of Madame Henriette Buaillon and Stanley James Carpenter;

H. R. 7900. An act to permit the Secretary of Agriculture to sell to individuals land in Ottawa County, Mich., which was acquired pursuant to the provisions of title III of the Bankhead-Jones Farm Tenant Act;

H. R. 7964. An act to remove the limitation on the use of certain real property heretofore conveyed to the city of Austin, Texas, by the United States;

H. R. 7972. An act to provide for the conveyance to the city of Warner Robins, Ga., of certain lands and any improvements located thereon in such city;

H. R. 8374. An act for the relief of Virginia Ray Potts;

H. R. 8576. An act to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council Inc., Boy Scouts of America, for recreation and camping purposes;

H. R. 9280. An act to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes;

H. Con. Res. 229. Concurrent resolution providing the two Houses of Congress shall adjourn on Friday, August 30, 1957, sine die; and

H. Con. Res. 230. Concurrent resolution authorizing the signatures on enrolled bills notwithstanding the sine die adjournment of the two Houses.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 1419. An act for the relief of Mrs. Hannah Mae Powell;

H. R. 1883. An act for the relief of Benedict M. Kordus;

H. R. 2486. An act to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program;

H. R. 4335. An act for the relief of Ramon Tavarez;

H. R. 4544. An act for the relief of Louis S. Levenson;

H. R. 5719. An act for the relief of Clara M. Briggs;

H. R. 7096. An act to amend paragraph 1684 of the Tariff Act of 1930 with respect to istle or Tampico fiber; and

H. J. Res. 253. Joint resolution to establish a commission to commemorate the 100th anniversary of the Civil War, and for other purposes.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 116. An act to provide for the appointment of additional district judges for the northern district of Illinois;

S. 264. An act to provide for the appointment of a district judge for the district of Kansas;

S. 304. An act to provide for a specific contribution by State governments to the cost of feed or seed furnished to farmers, ranchers, or stockmen in disaster areas, and for other purposes;

S. 324. An act to provide for the appointment of an additional district judge for the southern district of Florida;

S. 430. An act to provide for the appointment of a district judge for the middle district of Tennessee;

S. 452. An act for the relief of Julia Sliwinska;

S. 472. An act to provide for the appointment of two additional district judges for the district of Connecticut;

S. 573. An act conferring jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon a certain claim of Mrs. Walter E. von Kalinowski;

S. 697. An act to provide for the appointment of a district judge for the district of Maryland;

S. 781. An act for the relief of Michele Niro;

S. 1060. An act to provide for the appointment of a district judge for the district of Colorado;

S. 1208. An act for the relief of Ludwik Abramski;

S. 1224. An act to provide for the appointment of a district judge for the district of Massachusetts;

S. 1237. An act for the relief of Heinz August Schwarz;

S. 1359. An act for the relief of Franz Hehn;

S. 1403. An act for the relief of Michael James Bolger;

S. 1480. An act for the relief of Martha A. McDermott Stothard;

S. 1543. An act for the relief of Dorene I. Fast;

S. 1562. An act for the relief of Winifred C. Lydick;

S. 1600. An act for the relief of the C-L Electric Co.;

S. 1606. An act for the relief of Linton Seymour Young;

S. 1714. An act for the relief of Roma H. Sellers;

S. 2230. An act to authorize the Secretary of the Interior to convey certain lands to the Charlotte Rudland Dansie Association;

S. 2533. An act to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to lease space for Federal agencies for periods not exceeding 15 years, and for other purposes;

S. 2700. An act to provide for the appointment of a district judge for the eastern, middle, and western districts of North Carolina;

S. 2701. An act to provide for the appointment of an additional district judge for the southern district of Mississippi;

S. 2702. An act to make permanent the temporary judgeship for the district of Utah;

S. 2703. An act to provide for the redistricting of the judicial district of North Dakota, and for other purposes;

S. 2714. An act to provide for the appointment of a district judge for the district of Nevada;

S. 2747. An act to provide for the appointment of two additional district judges for the eastern district of Pennsylvania;

S. 2773. An act to provide for the appointment of a district judge for the eastern and western districts of South Carolina;

S. 2799. An act to provide for a circuit judgeship for the 8th circuit, and for the appointment of a district judge for the northern and southern districts of Iowa;

S. 2832. An act to provide for the appointment of one additional district judge for the northern district of Ohio and one additional district judge for the southern district of Ohio;

S. 2840. An act to create a new and separate judicial district in California and to create a new division for the northern district in said State;

S. 2864. An act to provide for the appointment of additional judges for the court of appeals for the second circuit and the district courts for the southern and eastern districts of New York; and

S. J. Res. 131. Joint resolution authorizing the President to issue a proclamation calling upon the people of the United States to commemorate with appropriate ceremonies the 100th anniversary of the admission of the State of Oregon into the Union.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1007. An act for the relief of Sgt. Donald L. Coleman; and

S. 1636. An act for the relief of Delfina Cinco de Lopez.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 6322) entitled "An act to provide that the dates for submission of plan for future control of property and transfer of the property of the Menominee Tribe shall be delayed," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. NEUBERGER, Mr. CHURCH, and Mr. WATKINS to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1791) entitled "An act to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmited to the Congress at any time before June 1, 1959."

COMMODITY CREDIT

Mr. POAGE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2486) to authorize the Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill, and the Senate amendment as follows:

Page 2, lines 7 and 8, strike out "12 months from the date the purchase order was issued to the farmer" and insert "6 months from the expiration date of the purchase order issued to the farmer."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. KEATING. Mr. Speaker, reserving the right to object, the minority leader indicated to me that there would be no new business brought up in the way of concurrence in Senate amendments.

The SPEAKER. The Chair believes the gentleman is mistaken.

The minority leader told the Chair when he left that he would object to any Senate bill being brought up that had not been acted on by the House committee. That is as far as he went with me.

Mr. KEATING. The Speaker may be entirely correct; I may have misunderstood him. May I ask whether this has been acted upon by the House committee?

Mr. POAGE. Certainly. It was acted on by the House committee by unanimous vote of the House committee and unanimous vote of the House.

Mr. KEATING. Has the amendment made by the Senate received the approval of the House Committee on Agriculture?

Mr. POAGE. No, the amendment has not. The amendment simply reduces the period of the House bill from 1 year down to 6 months.

Mr. SMITH of Wisconsin. Mr. Speaker, I object.

The SPEAKER. The Chair understood that this was cleared with the gentleman from Iowa.

Mr. POAGE. I did confer with the gentleman from Iowa less than 30 minutes ago, and he agreed that it was perfectly all right to bring it up.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

The SPEAKER. Unless the gentleman from Wisconsin [Mr. SMITH] takes different action, there is nothing to yield to.

Objection is heard.

TARIFF TREATMENT OF ISTLE OR TAMPICO FIBER

Mr. COOPER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7096) to amend paragraph 1684 of the Tariff Act of 1930 with respect to istle or Tampico fiber, with Senate amendments thereto, and concur in the Senate amendments.

The bill was introduced by the gentleman from Ohio [Mr. JENKINS]. I am simply making this request in his behalf.

The Clerk read the title of the Senate bill.

The Clerk read the Senate amendments as follows:

After line 8, insert:

"SEC. 2. The amendments made by the first section of this act shall apply only in the case of articles entered for consumption, or withdrawn from warehouse for consumption, during the 3-year period beginning on the day following the date of the enactment of this act."

After line 8, insert:

"SEC. 3. (a) Except as provided in section 4 of this act, no tariff or customs duty shall apply with respect to a beta-ray spectrometer, complete, consisting of a magnet unit, motor-generator set, and control rack, which is entered or withdrawn from warehouse for consumption by Stanford University, Stanford, Calif., for use at such university in connection with research for the Office of Naval Research and the Alfred P. Sloan Foundation, Inc., New York, N. Y.

"(b) Subsecion (a) shall apply whether such beta-ray spectrometer is entered, or withdrawn from warehouse, for consumption before, on, or after the date of the enactment of this act. If the liquidation of such entry or withdrawal has become final, such entry or withdrawal may be reliquidated and the appropriate refund of duty may be made."

After line 8, insert:

"SEC. 4. Section 3 of this act shall apply only so long as title to the beta-ray spectrometer entered or withdrawn free of duty under such section is vested in Standford University. In the event that title to such spectrometer becomes vested in any other person after such entry or withdrawal, such spectrometer shall become subject to all duties imposed thereon by the revenue laws in force on the date on which such title becomes so vested. Such duties shall be assessed according to the appraised value on the date on which such title becomes so vested, with due allowance made for depreciation from handling and use.

"SEC. 5. (a) Section 201 of the Tariff Act of 1930 is amended by adding at the end thereof the following new paragraph:

"'PAR. 1822. Yarns, wholly or in chief value of wool, dyed and cut into uniform lengths not exceeding 3 inches, in immediate packages or containers not exceeding 6 ounces in weight, including the weight of the immediate package or container.'

"(b) The amendment made by this section shall apply only in the case of articles entered for consumption, or withdrawn from warehouse for consumption, on and after the day following the date of enactment of this act."

Amend the title so as to read: "An act to amend paragraph 1684 of the Tariff Act of 1930 with respect to istle or Tampico fiber, to admit free of duty a beta-ray spectrometer for use at Stanford University, Stanford, Calif., and for other purposes."

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and immediately following my remarks that the gentleman from New York [Mr. REED] may extend his remarks on this bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, in the form in which H. R. 7096 passed the House of Representatives, it would have transferred dressed or manufactured istle or Tampico from the dutiable to the free list of the Tariff Act of 1930.

The Senate has added three substantive amendments to the bill, which I will briefly describe as follows:

First, the Senate adopted an amendment limiting the free importation of istle or Tampico fiber to a period of 3 years rather than transferring it to the duty-free list. The Senate Finance Committee report stated that this amendment was adopted so that there might be a testing period and to provide for future Congressional scrutiny. The report further stated that the 3-year limitation was adopted without prejudice in the event further extensions are deemed advisable.

Second, the bill was amended so as to provide for the free importation of a beta-ray spectrometer for the use of Stanford University in the field of research. The Senate Finance Committee report stated that, inasmuch as the study and research of ultrashort rays is valuable to the health and scientific advancement to the country as a whole, and inasmuch as a part of this research is provided for by grants and contributions, that free importation might be provided for in this case. The Committee on Ways and Means had bills pending before it on this subject.

Third, a Senate amendment would permit duty-free importation of certain dyed wool yarn cut in uniform lengths not to exceed 3 inches and wrapped in individual packages not to exceed 6 ounces in weight. These yarns are specially designed for use in making hand-hooked rugs which are essentially produced by individuals either for personal use or for gifts and it is understood that these yarns are often used by invalids and other shut-ins in the manufacture of such rugs. These yarns are presently classifiable under the catchall provisions of the Tariff Act for "manufactures, wholly or in chief value of wool, not specially provided for." The Senate Finance Committee report stated that no opposition from industry has been made known to this amendment, and that domestic woolgrowers and manufacturers of wool products agree that the purpose of the amendment is good and have no objection to its adoption.

Our distinguished colleague on the Committee on Ways and Means, the Honorable EUGENE J. MCCARTHY, has introduced a bill on this subject on which favorable reports were received from the departments concerned by the Committee on Ways and Means.

It is my understanding that this particular amendment will be of value to handicapped persons and to veterans and others who not only find hand weaving excellent therapy but also because it will provide them with some occupation and recreation which they might not otherwise enjoy.

Mr. REED. Mr. Speaker, I have concurred in the request made by the distinguished chairman of the Committee on Ways and Means, the gentleman from Tennessee [Mr. COOPER] that the House agree to the Senate amendments to H. R. 7096. This legislation as it passed the House had as its purpose the transfer of dressed or manufactured istle or Tampico from the dutiable to the free list for tariff purposes. The Senate amendments to this legislation would provide for a 3-year suspension of the duty on istle or Tampico instead of transferring this article to the free list.

In addition, the Senate amended the bill to provide for the free importation of a beta-ray spectrometer for the use by Stanford University.

Another Senate amendment would permit duty-free importation of certain wool yarn used in making hand-hooked rugs.

I have supported the House action in approving this legislation as amended by the Senate.

ESTABLISHMENT OF COMMISSION TO COMMEMORATE HUNDREDTH ANNIVERSARY OF CIVIL WAR

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent, on behalf of the distinguished gentleman from Virginia [Mr. TUCK], to take from the Speaker's table the resolution (H. J. Res. 253) to establish a commission to commemorate the 100th anniversary of the Civil War, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments, as follows:

Page 2, line 7, strike out "eighteen" and insert "twenty-five."

Page 2, line 12, strike out "six" and insert "four."

Page 3, line 6, strike out "(a)" and insert "(6)."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

MRS. HANNAH MAE POWELL

The SPEAKER. The Chair recognizes the gentleman from Massachusetts [Mr. LANE].

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1419) for the relief of Mrs. Hannah Mae Powell, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 3, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

BENEDICT M. KORDUS

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1883) for the relief of Benedict M. Kordus, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 1, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

RAMON TAVAREZ

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4335) for the relief of Ramon Tavarez, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, strike out "$25,000" and insert "$12,950."

Page 2, lines 3 and 4, strike out "in excess of 10 per centum thereof."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

CLARA M. BRIGGS

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5719) for the relief of Clara M. Briggs, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 3, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

LOUIS S. LEVENSON

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4544) for the relief of Louis S. Levenson, with a Senate amendment thereto, disagree to the amendment of the Senate and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts? [After a pause]. The Chair hears none and appoints the following conferees: Messrs. FORRESTER, DONOHUE, and BURDICK.

SOCIAL SECURITY AMENDMENTS OF 1958

The SPEAKER. Under previous order of the House, the gentleman from Rhode Island [Mr. FORAND] is recognized for 30 minutes.

Mr. FORAND. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and include certain tables.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FORAND. Mr. Speaker, on August 27, I introduced a bill to increase the benefits payable under the Federal old-age, survivors, and disability insurance program and to provide insurance against the costs of hospital, nursing home, and surgical service for persons eligible for old-age and survivors insurance benefits. My purpose in introducing the measure this week was to permit my colleagues in the Congress and individuals and groups to give the proposals thorough study in the period before the opening of the next session of Congress in January.

To facilitate such thorough study I am now presenting material which further explains the contents of H. R. 9467 and gives some of the reasons for its introduction.

I am gratified that President George Meany of the AFL–CIO has endorsed my proposed amendments as necessary, sound and enlightened. As he points out, the AFL–CIO has long urged many of these proposals.

Other important groups and many individuals have also indicated their interest in higher cash benefits and in insurance provisions to cover hospital costs and other health benefits for OASI beneficiaries. The American Public Welfare Association, for example, in its 1957 Federal legislative objectives states:

> Study should be given to ways of meeting the medical and hospital care costs of old-age, survivors, and disability insurance beneficiaries through the insurance program.

Evidence on the need for higher cash benefits and for better methods of meeting medical costs of the aged is steadily accumulating. Early in the next session I hope to present an analysis of such evidence based on the current situation and the latest available studies.

The proposed amendments relating to health benefits for OASI beneficiaries deserve special attention. I shall welcome information and comments that might make them still more effective. They are based on much recent experience under private and public programs but their present details are not necessarily the best that can be drafted or the final ones that I shall support.

While this bill would bring substantial improvements to many millions of Americans, its provisions are modest. They have been limited deliberately to facilitate enactment of this much-needed measure in 1958. They deal with social insurance only. My proposals for improvements in public assistance are dealt with in a separate bill introduced earlier this session.

Some have asked why H. R. 9467 does not provide broader protection for the aged and others, for example, through paying for more days of hospital care in 1 year. All such proposals for liberalization, some of which appear in bills introduced by other Members, will undoubtedly be considered by the House Ways and Means Committee and can be judged in the light of their merits and with due consideration to their probable cost.

GENERAL SUMMARY

H. R. 9467 would increase cash monthly benefits about 10 percent on the average through a liberalized benefit formula for future beneficiaries and through a table to raise benefits for persons now on the rolls. A single individual or a family unit now receiving benefits would receive at least $5 more each month. In addition, the principle of relating benefits to earnings would be reapplied by increasing the earnings ceiling for contribution and benefit purposes from $4,200 to $6,000 a year. This would partly offset the lag of benefits behind earnings levels and would help to finance other improvements.

For a person with average monthly earnings of $200 the new primary insurance amount would be $85.80 instead of $78.50. With a $6,000 wage base ceiling, the maximum individual benefit would become $151.80 instead of $108.50.

Cellings on family benefits would be adapted to these changes by increasing the lowest family maximum to $55—instead of $50—and the highest to $305—instead of $200. Even at the new maximum, however, family benefits would equal only 61 percent of average monthly earnings.

Through another dropout provision on calculation of benefits, one additional year in which a person had no earnings or low earnings could be omitted for each 7 years in which he worked in covered employment. These dropout years would be in addition to the 5 years that may now be dropped. Thus persons covered from 1937 could by 1958 drop 3 additional years.

This change would result in the new earnings base being reflected in benefits of persons retiring in the near future. Otherwise persons would be paying contributions on earnings up to $6,000 with too little immediate return.

The new program of health benefits would cover the cost of certain hospital, nursing home, and surgical services for persons receiving old-age and survivors insurance benefits and for persons who would be eligible for OASI benefits if they applied. This new type of program would be paid for through contributions to the OASI Trust Fund. It is appropriate that this additional needed protection should be provided within the framework of the national system firmly established as the American way of providing workers and their families with protection against the hazards of income loss due to old age, disability or death.

This health program would be of great assistance to aged persons and to widowed mothers of young children who now have great difficulty obtaining private insurance and are too often overwhelmed by the expense of illness. They would be entitled to 60 days of hospital care and to subsequent skilled nursing home care, up to a combined total of 120 days in a 12-month period. The cost of their surgical care would also be covered, with free choice of qualified doctors. Much suffering would be avoided, and hospitals and public and private assistance agencies would be relieved of a substantial burden.

According to the best available estimates, this bill would add about 1 percent of payrolls to present level premium costs. Contribution rates for employer and employee would therefore be increased by one-half percent each in 1959, and the self-employed would pay three-fourths percent more on their incomes up to $6,000. The increase in contributions now scheduled for 1960 would be postponed to 1961.

These proposals are discussed in more detail in the following sections under three main heads:

First. Health benefits for OASI beneficiaries.

Second. Improved cash benefits.

Third. Financing.

1. HEALTH BENEFITS FOR OASI BENEFICIARIES

The purpose of this new type of program, set forth in section 106 of H. R. 9467, is to provide aged persons and their dependents insured under old-age and survivors insurance and the survivors of deceased persons so insured, with insurance protection against the cost of hospitalization, subsequent skilled nursing home care, and surgical services; to achieve such insurance protection within the framework of the national system of old-age and survivors insurance; and to assure adequate and prompt payments to the physicians, hospitals, and nursing homes for services rendered to these individuals, utilizing the cooperation of voluntary nonprofit health associations when such cooperation will contribute to efficient and economical operation.

The program is proposed because, one, the present old-age and survivors insurance benefits are inadequate to meet the needs of insured aged persons and their dependents, and of the survivors of deceased insured persons, who require hospitalization and skilled nursing home care; two, many of them are not able to obtain, to continue, or to pay for private insurance against the cost of such care which is more expensive for such individuals than employed groups; three, many of them are forced to apply for public assistance to meet hospitalization, surgical, and nursing home costs; four, many hospitals are constantly confronted with serious financial difficulties resulting from unpaid services furnished to these individuals; and five, it is in the interest of the general welfare for financial burdens resulting from the hospital, nursing home, and surgical services required by these individuals to be relieved through old-age and survivors insurance rather than through expenditures financed from general tax revenues.

Through relying on the insurance program, the bill would work in the direction preferred by the Congress.

ELIGIBILITY FOR INSURANCE

The bill provides for the payment of certain hospital, nursing home, and surgical costs for persons receiving old-age or survivors insurance benefits and for persons who would be eligible for such benefits if they applied. Twelve or thirteeen million persons would thus receive the protection of such payments in the first year.

Whether or not they retired, men would be protected at age 65 if they had made sufficient contributions in covered employment or self-employment. Women would similarly be eligible at age 62 without having to take the actuarial reduction in benefits provided in present law. We have deliberately included persons who have not yet retired for several reasons. It is undesirable that aged persons should feel they have to stop working to receive the benefits of this program since their services will still prove constructive and since retirement may bring undesirable consequences. For the self-employed, retirement cannot be properly planned when illness has struck, so that a requirement that they retire before receiving these health benefits would involve great difficulties.

DURATION OF SERVICES COVERED

Up to 120 days of combined hospital and skilled nursing home services could be paid for in a 12-month period, but not more than 60 of these days could be days of hospital service.

HOSPITAL SERVICES

Hospital services which would be paid for include the services, drugs, appliances, and medical care ordinarily furnished by the hospital to its bed patients. The insurance would cover semiprivate accommodations if available unless other accommodations are required for medical reasons—in short, those services ordinarily provided in plans such as the Blue Cross. Such services would be covered when provided by a licensed hospital which had entered into an agreement with the Secretary except that the costs would not be paid for care in: any tuberculosis or mental hospital; any Federal hospital, or any other hospital for hospital services which it is obligated by contract with the United States to furnish at the expense of the United States; or any hospital furnishing services at public expense, except when a person receiving such services must meet a means test.

NURSING HOME SERVICES

Nursing home services which would be paid for include the skilled nursing care, related medical and personal services and accompanying bed and board provided by a licensed nursing home which is operated in connection with a hospital or in which a person licensed to practice medicine or surgery in the State prescribes or directs the nursing care and medical services provided. Services provided by a nursing home would be covered by the insurance provided by the bill only if the individual has been transferred to the nursing home from the hospital on a doctor's certification that the services are necessary for an illness or condition connected with that for which the hospital was treating him.

SURGICAL SERVICES

Surgical services which would be paid for include those provided in a hospital and which are certified as necessary by a licensed physician. Oral surgery would be included when provided in a hospital and certified as necessary by a licensed physician or dentist. Surgical services provided in the outpatient department of a hospital or in a doctor's office would be included in case of an emergency or for minor surgery.

MEDICAL AND HOSPITAL SERVICES UNDER WORKMEN'S COMPENSATION

Payment would not be made under these provisions for services required by reason of any injury, disease, or disability on account of which such services are being received or paid for under a workmen's compensation law or plan of the United States or of any State.

AGREEMENTS WITH HOSPITALS, NURSING HOMES, AND PROVIDERS OF SURGICAL SERVICES

Any hospital—other than a tuberculosis or mental hospital—or qualified nursing home licensed pursuant to the law of the State in which it is located would be eligible to enter into an agreement for payment from the Federal Old-Age and Survivors Insurance Trust Fund for the cost of hospital or nursing home services furnished to qualified individuals in accordance with the provisions of this bill. Each agreement would cover hospital services to be included and the basis for payment. The Secretary of Health, Education, and Welfare would enter into agreements with qualified providers of surgical services, either individually or with any association or organization authorized by the surgeons, physicians, or dentists to act on their behalf. These agreements would provide that the rate of payment agreed on would constitute full payment for services.

NO CONTROL OVER INSTITUTIONS OR PHYSICIANS

Nothing in the provisions of the bill or in agreements with hospitals, nursing homes, or physicians shall be construed to give the Secretary of Health, Education, and Welfare supervision or control over, first, the practice of medicine or the manner in which medical services are provided; second, the details of administration or operation of hospitals or nursing homes; or third, the selection, tenure, or compensation of hospital or nursing home personnel.

FREE CHOICE BY PATIENT

A person who qualifies for hospitalization, nursing-home services, or surgical services could select any qualified hospital or nursing home which has entered into an agreement and which admits him, provided he has been referred by a physician licensed by the State in which he resides or in which the hospital or nursing home is located. A person eligible for surgical services could freely select the surgeon of his choice, provided that the surgeon must be certified by the American Board of Surgery or must be a member of the American College of Surgeons (except in cases of emergency where the life of the patient would be endangered by delay or in cases where certification is not feasible for other reasons). This exception would make it possible for surgical services to be covered in rural areas where the types of surgeons mentioned are not available. In cases of oral surgery an eligible person could select a duly licensed dentist.

PAYMENT TO HOSPITALS AND NURSING HOMES

Methods of determining payments to hospitals and nursing homes would be similar to those already developed in connection with many private insurance plans and certain Government programs.

The amount of the payments to any hospital or nursing home would be determined on the basis of the reasonable cost incurred by the hospital or nursing home for all bed patients, or, when use of such a basis is impractical for the hospital or nursing home or inequitable to the institution or to the Federal Old-Age and Survivors Insurance Trust Fund, on a reasonably equivalent basis which takes account of pertinent factors with respect to the services furnished to those persons for whom payment is made in accordance with the provisions of the bill.

PAYMENTS TO PHYSICIANS AND DENTISTS

The rates of payments to physicians and dentists would be set forth in the agreements, and such payments made would constitute full payment for the surgical services provided.

UTILIZATION OF PRIVATE NONPROFIT ORGANIZATIONS

To the extent that satisfactory agreements can be made and to the extent that the Secretary of Health, Education, and Welfare determines that the effective and economical administration of these provisions will be furthered, the bill provides that the Secretary may utilize the services of private nonprofit organizations which represent qualified providers of hospital, nursing home, or surgical services or which operate voluntary insurance plans under which agreements, similar to those provided by these provisions, are made with hospitals, nursing homes, and physicians for paying for the costs of services. The services of these organizations would be specifically limited.

ADMINISTRATION BY SECRETARY OF HEALTH, EDUCATION, AND WELFARE

The program is to be administered by the Secretary of the Department of Health, Education, and Welfare. The OASDI system would use its existing recordkeeping system to certify eligibility to issue insurance cards, and the like. The Secretary would prescribe regulations under which the provisions of the program would be carried out.

ADVISORY COUNCIL

The Secretary would consult with a National Advisory Health Council. This Council would consist of the Commissioner of Social Security and eight members appointed by the Secretary. Four of the appointed members would be persons who are outstanding in fields pertaining to hospital and health activities and four would be appointed to represent the consumers of hospital, nursing home, and surgical services and be familiar with the need for such services by eligible groups.

EFFECTIVE DATE

The bill provides that payment for hospital, nursing home, or surgical services, in accordance with these provisions, would be made for such services which are furnished on and after the first day of the 12th calendar month after the month in which this act is enacted.

2. IMPROVED CASH BENEFITS

The nature of the changes in cash benefits has already been outlined in the general summary of the bill. Specific changes that would be received by future beneficiaries are shown on tables 1 and 2.

The increases for future beneficiaries shown in the tables are accompanied by amendments raising benefits for persons now on the rolls and providing for additional years of dropout.

The major changes, with reasons for them, are further described below.

INCREASE IN THE EARNINGS FORMULA

For years after 1958 wages and self-employment income up to $6,000 would be used in calculating benefits and contributions. The limitation in present law for years after 1954 is $4,200.

One of the basic principles of OASI has been to relate benefit amounts to past earnings so as to reward greater output, foster individual incentives, and permit beneficiaries to continue to live at something like the levels to which they were accustomed. The original earnings ceiling of $3,000 was as high as the full earnings of 97 percent of all workers in covered employment when the program was getting started. Now the corresponding figure, even with the ceiling of $4,200, is only 72 percent. For men with earnings in four quarters, the lag is more striking. Only 2 out of 5 will earn less than $4,200 in 1958 and 1 out of 4 will earn $6,000 or more. Thus for a majority of men who are regularly employed, the present ceiling puts a dead stop to further benefit increases no matter how much their earnings rise.

The present maximum benefit of $108.50 is 31 percent of average monthly earnings of $350. The person with $500 average monthly earnings can receive at most 21.7 percent as his primary insurance amount.

TABLE 1. *Illustrative monthly benefit amounts under present law and as proposed in H. R. 9467*

Average monthly earnings [1]	Primary insurance amount		Proposed primary insurance amount as percent of average monthly earnings
	Present	Proposed [2]	
EARNINGS LEVELS AFFECTED BY NEW MINIMUM			
$50	$30.00	$35.00	70.0
EARNINGS LEVELS AFFECTED ONLY BY NEW BENEFIT FORMULA			
$100	$55.00	$60.00	60.0
$125	63.50	69.30	55.4
$150	68.50	74.80	49.9
$200	78.50	85.80	42.9
$250	88.50	96.80	38.7
$300	98.50	107.80	35.9
$350	108.50	118.80	33.9
EARNINGS LEVELS ABOVE PRESENT CEILING			
$400	$108.50	$129.80	32.5
$450	108.50	140.80	31.3
$500	108.50	151.80	30.4

[1] After 1950 and "dropping out" years of low (or no) earnings as now provided and as proposed.

[2] For future beneficiaries, based on new formula of 60 percent of first $110, plus 22 percent of the remainder up to $500 a month, with a minimum $5 increase.

TABLE 2. *Proposed changes in family benefits for future beneficiaries*

Average monthly earnings [1]	Aged couple [2] or widow and 1 child		Widow and 2 children	
	Present	Proposed	Present	Proposed
$50	$45.00	$52.50	$50.20	$55.20
$100	82.60	90.00	82.60	90.00
$150	102.80	112.20	120.00	[3] 120.00
$200	117.80	128.70	157.10	[3] 160.00
$250	132.80	145.20	177.20	193.60
$300	147.80	161.70	197.10	215.60
$350	162.80	178.20	200.00	237.60
$400	162.80	194.70	200.00	259.60
$450	162.80	211.20	200.00	281.60
$500	162.80	227.70	200.00	305.00

[1] After 1950 and "dropping out" years of low (or no) earnings as now provided and as proposed.

[2] Both aged 65 or over; benefits less in cases where wives are aged 62–64.

[3] As limited by the present maximum of 80 percent of average monthly earnings.

NEW BENEFITS FORMULA

The new benefit formula would be 60 percent of the first $110 of average monthly earnings plus 22 percent of the next $390, with provision of a minimum primary insurance amount of $35. The formula now is 55 percent of the first

$110 of average monthly earnings plus 20 percent for the next $240.

The proposed change, directed at increasing benefits 10 percent on the average, follows earlier provisions in giving larger percentage increases at the lowest levels. For persons with $100 to $350 of average monthly earnings, benefits would be increased from 9.1 percent to 9.5 percent. At the highest levels, the new earnings ceiling of $6,000, in combination with the formula, would yield larger increases reflecting increased contributions.

MAXIMUM FAMILY BENEFITS

The ceiling on the amount payable to a family would be adapted to the above changes by increasing the lowest family maximum to $55—instead of $50—and the highest to $305—instead of $200.

This change follows existing precedents for putting limits on the benefits that one family can receive on the basis of a single earnings record no matter how many persons in the family are entitled to benefits.

With various exceptions resulting from increases provided in 1954 and earlier for beneficiaries already on the rolls, 4 main limits are imposed at present, becoming progressively less generous in relation to average monthly earnings as such earnings rise:

A. For persons with very low average monthly earnings, family benefits are not reduced below $50 a month.

B. For average monthly earnings up to $110, family benefits are limited to 1½ times the individual's primary insurance amount. Under the present formula, families in this group may receive up to 82½ percent of average monthly earnings—55 percent times 1½ equals 82½ percent.

C. For the next highest group, with earnings up to $250 a month, the applicable limit is 80 percent of average monthly earnings, so that the effective maximum rises from $108 for average monthly earnings of $135 up to $200 for average monthly earnings of $250.

D. Above $250, no further increase in family maximums is permitted—the flat $200 limit applies no matter how high the earnings. As a result, at the present top figure of $350 for average monthly earnings, the maximum for a family is only 57 percent of that amount.

The proposed increase in the earnings ceiling to $6,000 requires a substantial increase in the top maximum of $200 in order that persons with high levels of earnings may have the protection of family benefit totals that are not too low in relation to earnings and contributions. The proposed figure of $305 is equal to 2 times the maximum primary insurance amount, rounded to the nearest $5. This ratio is comparable to actual ratios enacted in the past—1.88 in 1950, 1.99 in 1952, 1.84 in 1954. The new figure of $305 would permit maximum family benefits equal to 61 percent of average monthly earnings at the $500 level.

In view of the objective of increasing benefits 10 percent on the average, with a $5 guaranteed increase, it seems reasonable to raise the ceiling for families at the lowest levels by $5, making it $55 a month.

The bill would not specify any changes in the basic provisions for maximums effective in steps B and C described above. The increase in the primary insurance amount provided under the new formula for persons with earnings up to $110 would automatically raise the family maximum applicable to them—step B.

SPECIAL PROVISIONS FOR PEOPLE NOW ON THE BENEFIT ROLLS

Included in the bill is a table of new benefit values to be used to increase the benefit amounts of people on the benefit rolls when the bill becomes effective. The table guarantees an increase of at least $5 over the primary insurance amount computed under the provisions of the law now in effect.

The increases in the primary insurance amount would range from a minimum of $5 at the lower levels to a maximum of $10.30 for persons receiving the present maximum benefit of $108.50. Other provisions assure that each family unit receives at least a $5 increase in benefits even though they are already affected by the limitation of family benefits to 80 percent of average monthly earnings. A similar provision was enacted in 1954.

DROPPING OUT ADDITIONAL YEARS OF LOW EARNINGS

The present law provides that up to 5 years of low earnings may be omitted in computing the average monthly earnings on which the benefit amount is based if the omission results in a higher benefit. The bill authorizes dropping 1 additional year of low earnings from the benfit computation for each 7 years—28 quarters of coverage—that a person has worked in covered employment or self-employment.

This change would make the $6,000 earnings ceiling fully effective for benefit purposes in the near future. Persons covered from 1937 could by 1959 drop 3 years in addition to the present 5.

Unless the effect of the new $6,000 ceiling were stepped up in this way or by some like device, no person reaching retirement age before 1997 could draw the new maximum primary insurance amount. For persons reaching retirement age in 1963, the actual maximum obtainable would be only 90.6 percent of the theoretical maximum, $151.80.

The dropout proposal follows patterns already enacted by Congress. For persons attaining retirement age in 1955–58, average monthly earnings are computed on the basis of the best 2 years, using the privilege of dropping out 5 years. The proposal of additional years of dropout would continue this 2-year basis through 1961 for persons covered each year after 1936. Such persons could then attain the new maximum in 1961, assuming the $6,000 ceiling becomes effective for 1959. Persons first covered in 1951 or later would have to wait longer but not as long as if no additional dropout were permitted.

It is reasonable to relate dropout to years of coverage since the latter reflect total contributions.

EFFECTIVE DATES

The provisions relating to benefit amounts would generally be effective for the months following the second month after enactment of the bill, and the higher earnings base would be effective for years after 1958.

3. FINANCING

The bill provides for increases in contribution rates to finance the improvements. According to the best available estimates, the improvements averaged over a long period of time, in the usual manner, would equal about 1 percent of payrolls on an intermediate cost assumption. Starting in 1959, contributions would therefore be increased by one-half percent each for employers and employees and three-fourths percent for the self-employed. The increase scheduled for 1960 would be postponed 1 year.

The new schedule would be:

Contribution for employers and employees

Calendar years:	*Contribution rate for each (percent)*
1959 to 1960, inclusive	2¾
1961 to 1964, inclusive	3¼
1965 to 1969, inclusive	3¾
1970 to 1974, inclusive	4¼
1975 and after	4¾

Contribution rate for self-employed persons

For taxable years beginning after—	*Contribution rate (percent)*
Dec. 31, 1958, and before Jan. 1, 1961	4⅛
Dec. 31, 1960, and before Jan. 1, 1965	4⅞
Dec. 31, 1964, and before Jan. 1, 1970	5⅝
Dec. 31, 1969, and before Jan. 1, 1975	6⅜
Dec. 31, 1974	7⅛

CONFORMING CHANGES

The bill also includes changes in the Internal Revenue Code to conform the code with the increase in the earnings base to $6,000, and an amendment to the Railroad Retirement Act to update references in that act to the Social Security Act so as to include the amendments that would be made by this bill.

These proposals represent my attempt to meet the areas of greatest need, and I commend the bill for study to my esteemed colleagues in the Congress. I trust that during the period when Congress is not in session, the many groups and individuals who have expressed interest in such improvements will likewise study my proposals and send me their comments.

POSTAL INCREASE AND FEDERAL WORKERS PAY BILLS

Mr. **CANFIELD**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. **CANFIELD**. Mr. Speaker, I do not think we of the Congress are being very fair or courageous in sending to the President 2 days before adjournment the postal and other Federal workers pay bills.

In my judgment the need for these measures were well documented before Congressional committees and both the House and Senate passed the bills by preponderating, yes, overwhelming, votes.

Should we not be willing to stand up and be counted if the Chief Executive disagrees?

And it is timely also to insist that we are not exactly playing cricket in saying to the American people we just cannot pass a realistic postal rate bill this year—we are going to compel the Post Office Department to continue to operate on 1932 rates with 1957 costs. This means a loss of more than $6 billion dollars in the last 12 years.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Mr. Speaker, as a member of the Committee on Post Office and Civil Service of the House, I would like to commend the statement made by the gentleman from New Jersey, and to associate myself with him.

IS THE HOUSE A RUBBERSTAMP?

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. McCARTHY. Mr. Speaker, the New York Times of August 11, 1957, contained an article entitled "Is the House a Rubberstamp?" The article was written by Mr. Allen Drury, identified as a member of the Times Capitol Hill staff. Mr. Drury's approach to his topic is somewhat indirect. He does not in the article itself take full responsibility.

"It is said," he writes, "that the House is letting the innumerable demands of its constituents bog it down." Who says so? Members of the House? Members of the press covering the House of Representatives? Senators? Members of the press covering the Senate? "The idea is getting about," says Mr. Drury, "that the House is not carrying its weight in the present era of American Government." Getting about where? In the Senate? In the Press Gallery? In the Press Club? Mr. Drury does not say.

To pick a few random adjectives used by Mr. Drury, or by the "they" who are saying "it" in his report, "the House is sloppy, cursory in debate, buck passing, political, and fearful. Its Members are cantankerous, arbitrary, and supine." The House is characterized as manifesting an air of "conspicuous desuetude," and most of the ideas brought before the House come from a few minds, says Mr. Drury, and some of them are very tired.

The Senate in contrast is described in Mr. Drury's article as "responsible, sober, careful, a shield, and a coverup for the House. Senate proceedings, as distinguished from those in the House, are intelligent, and Senators, as distinguished from House Members, generally have guts." I might suggest that having read the Citadel, a rather visionary picture of the Senate of the United States painted by another Times reporter, Mr. William S. White, Mr. Drury is attempting to set off that picture in bolder relief, and trying to make the vision of Mr. White a reality—as some Senators are said to be trying to be what Mr. White said they are, and trying to make the Senate what Mr. White said it is.

What does the House have to say for itself? Its "stanch and outraged defenders"—Mr. Drury's language—demand "Don't we work expeditiously? Don't we ship legislation through in double time?" and then, says Mr. Drury, "they rattle off the standard figures on so many bills introduced, so many considered, so many passed, with an arch intimation that the gentlemen in what they always refer to as the other body are lagging far behind and are in every way inferior as spokesmen for 'the people.'" What, I ask the Times staffman, are these standard figures? Who has made them standard? What responsible Members of the House seriously use these statistics? And what of the arch intimation?

"House Members," says Mr. Drury, "are easily elected." Has Mr. Drury ever run for the House or participated in a campaign? "The House is made up of persons whose qualifications equip them perhaps," says Mr. Drury, "to be good businessmen or leaders of fraternal organizations, but do not equip them for the more sophisticated and thoughtful business of participating in national government." What is the significance of the "perhaps"? Is it that they may not even be qualified as good businessmen or as leaders of fraternal organizations? Biographies show that the background of Senators is essentially the same as that of House Members, and Mr. Drury should note that over one-third of the Members of the Senate were formerly Members of the House of Representatives. Let him explain the mysterious alchemy which transforms these men, incompetent and inadequate on the average while in the House, into able Senators. Or if there is not transformation, he should indicate the selective process which picks the able Members of the House and gets them elected to the Senate.

Members of the House are, according to Mr. Drury, under pressure from endless demands of an insatiable constituency, and under this pressure their values go "skew-gee"—whenever or whatever that may be. It should be noted that the same persons who are constituents of House Members are also constituents of Members of the Senate, and that the usual practice of a constituent in seeking help from a Member of Congress is to write to both his Representative and his Senator. As a result of this practice, a Senator from a State having 9 Congressional districts is likely to receive 9 demands for every 1 received by Members of the House of Representatives from that State.

"The civil rights bill roared through the House with a whoop and a holler under tight parliamentary restrictions," says Mr. Drury. In fact, House debate on the civil-rights bill lasted nearly 3 weeks, as even a cursory look at the CONGRESSIONAL RECORD would have shown to the Times reporter, and the bill was considered under an open rule allowing any germane amendment.

The foreign aid bill, intelligently trimmed in the Senate, was shredded to ribbons in the House, says Mr. Drury. What were the differences between the two bills? They were such that the conference report involves a compromise about halfway between the "intelligently trimmed" Senate bill and the "shredded to ribbons" House approved bill. This, I suppose, leaves the President with a bill which could properly be described in the language of Mr. Drury as "intelligently shredded," or, as a variation, "trimmed to ribbons," or better, "intelligently shredded to trimmed ribbons."

Mr. Drury speaks of the exaggerated power of the House Rules Committee. This is a great fiction and one which should be known to a Washington correspondent.

Mr. Drury singles out the field of appropriations for special note. "All very well," he says, with reference to the irresponsibility he attributes to the House, but what of appropriations for which the sole initial responsibility rests in the House of Representatives. The implication is clearly that the House of Representatives is irresponsible in this field also. I suggest that Mr. Drury make a careful study of the proceedings of the Appropriations Committee of the House of Representatives in this session of Congress, or in any other, and contrast its work with that of the Senate Appropriations Committee. Let him report which committee was most thorough, most attentive. Let him produce any Senator who has as much knowledge of what is in an appropriations bill as does the chairman of the Appropriations Committee, the gentleman from Missouri [Mr. CANNON], or the ranking Republican on the committee, the gentleman from New York [Mr. TABER]. Let Mr. Drury explain why through the years the Senate votes consistently for more money than is provided in the House bills, especially when the appropriations are for special projects in public works. Why, for example, in the period from 1940 to 1955 has the Senate approved expenditures of over $500 million more than the House recommended for the Department of the Interior, and increases of more than $600 million above the House figures for civil functions projects of the Army engineers?

Let the Times reporter follow the hearings and committee work of the Ways and Means Committee on tax or tariff questions and contrast that work with the work of the Senate Finance Committee, or compare the work of the Armed Services Committee of the House and of the Interstate and Foreign Commerce Committee of the House with comparable committees in the Senate, for example.

The effectiveness of the House of Representatives, its organization and procedures, and the power relationship of the House and the Senate, as well as with the executive branch of the Government—all of these are important questions, deserving continuous study, but this study should be more objective and more informed than that given by the New York Times writer.

In the 167 years since the adoption of the Constitution there have been many changes in the Government of the United States, but certainly one of the most significant of these changes has been that of the shift in the power relationship of the House of Representatives and the Senate. While upper or second legislative bodies in other countries have declined in importance, some disappearing altogether, and others surviving as little more than symbols, the Senate of the United States has grown in power and in authority.

The first great impetus to an increase in Senate power arose out of the controversy leading up to the Civil War. After the war the Senate assumed more and more initiative in the introduction of legislation and became bolder in insisting on Senate modifications of legislation.

As governmental activities have expanded, the power of the Senate to confirm appointments both in the judiciary and in the executive offices has become increasingly important.

Similarly in the area of foreign affairs the Senate's power has increased as foreign policy has become more significant in our national life.

Along with the advantages derived from these historical changes, the Senate has had the help of a number of institutional advantages. The 6-year term in the Senate, plus the experience of its Members, and its continuity as a body, give it a stability and strength lacking in the House of Representatives. On a purely arithmetical basis, a Senator's vote on a legislative proposal is worth approximately four times that of the vote of a House Member. Senate rules and practices regarding committee assignments multiply this power. House Members are permitted to serve on only one major committee—Senators may serve on more than one. House committees usually have from 2 to 3 times as many members as do Senate committees. The importance of a single vote in a Senate committee of 15 is really more than twice as important as a single vote in a House committee of 30 members.

The House has undoubtedly limited its effectiveness somewhat by its own rules. Great debates today are the Senate debates. Debate in the House was effectively limited by rules changes brought about under Speaker Tom Reed in the last decade of the 19th century. These changes did prevent obstruction and delay in the general legislative process, but at the same time practically destroyed effective House debate. As a result, public interest, at least as reflected in the press, is generally concentrated not on what is said in House debate, but rather on the outcome of the vote.

The important consideration is not the feelings of House Members, but rather that of the consequences for the country of the predominance of the Senate. The fact that the Senate generally proposes to spend more money than does the House, or that it has gained power while the House has been losing it, need not in itself be disturbing. If the Senate is a truly representative body, and it is operating effectively and responsibly as the dominant body, it should perhaps be allowed to continue in its position of power. If, on the other hand, the Senate is not truly representative, if it is not as effective or fully responsible as it should be, there is reason for concern. If a case can be made for the system of legislative checks and balances, with the Senate acting principally as a check on the House of Representatives, if it is desirable to have some specialization and differentiation of function between the House and the Senate, then the problem of distribution of power is a matter of concern to the citizens of the United States. Mr. William Shannon has stated in an article in Commonweal that under our system the Government drifts whenever the Senate is in the ascendancy, since, he argues, the Senate is composed of State ambassadors who advocate local and regional interests, and is not properly constituted to frame a national program. If this is true, there is genuine cause for alarm.

Obviously the Senate is not as representative as is the House. Although there is need for more even apportionment of Congressional districts, representation in the House of Representatives is still much closer to popular representation than it is in the Senate, where the millions of citizens of the State of New York and the fewer than 200,000 citizens of the State of Nevada are equally represented by 2 Senators. The House remains more truly the people's branch of the Government. Moreover, since all House Members are elected every 2 years, membership in that body more accurately reflects changes in popular opinion and judgment than does membership in the Senate, in which in every term of Congress some two-thirds of the Members have been carried over from previous elections.

The increase in the power of the Senate has disturbed the system of checks and balances, which was reasonably conceived, and has tended to destroy differentiation of function between the House and Senate. There is evidence that the Senate is trying to do too many things to do all effectively—to formulate and review foreign policy, to check on the executive appointments, both before and after they are made, to check on the administration continuously, to cover the whole field of legislation, and to look after the needs of a statewide constituency. These are tasks of such difficulty and complexity that one should not reasonably expect 96 Senators to adequately and thoroughly perform them all.

The consequences of the seniority system can be much more serious in the Senate than in the House, where larger membership makes control by committee chairmen more difficult, and where respect for the office and jurisdiction of the chairmen is not as great as it is in the Senate. Senators are generally responsive to all, or nearly all, local and special interests of their States. House Members are directly responsive only to those in their respective districts.

A strong President, providing leadership to the country and strengthening the House of Representatives, can stand against the Senate. To do so, however, the President usually must have dramatic issues and critical conditions, as in the case of war or domestic disturbance comparable to the great depression. Only under exceptional conditions can the President play this role. Neither a weak President with great issues, nor a strong one without great issues can stand successfully against the irresponsibly exercised strength of the Senate.

The principal defense of the House to the loss of its power in relation to the Senate has been, in recent years, the strength of its leadership. A man like Speaker SAM RAYBURN, backed by committee chairmen and Members of the House, has successfully stood against the Senate, but, as a matter of fact, strong House leadership has consistently been more successful in opposition to executive proposals than it has been to those of the Senate.

The House should assert itself in competition with the Senate in the field of general legislation, but more particularly when questions of revenue and of appropriations are in dispute. The House should insist that it be given more voice in foreign affairs. The Senate should be encouraged to give special attention to Government service and to assume the responsibility for the effective and efficient administration of Government affairs, and for the quality and conduct of both civil service and appointed personnel. Responsibility for service to constituents might also be concentrated in the Senate to avoid competitive efforts in this area and to eliminate the expense of these multiple undertakings.

House rules should be changed in order to allow House Members to sit on more than one major committee and to allow more liberal debate, with the possibility of great debates again in the House of Representatives. House Members, too, should become more active in national party activities and should insist on their greater recognition in national conventions.

There is need for better organization in the House of Representatives, for greater party cohesion and party responsibility and a greater sense of the unity, integrity, and function of the House, and of a greater will on the part of its Members to stand as a body, on a bipartisan basis when necessary, against either the Senate or the executive branch of the Government.

If the House is in fact to decidedly predominate as James Madison stated it should when the Constitution was being drafted, institutional strengthening of the House of Representatives is needed, rather than superficial changes and appeals for greater individual determination, responsibility, and attention to duty as suggested by the Times writer.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from New York.

Mr. KEATING. Mr. Speaker, I was greatly disturbed also by this article. I think that this body on many occasions has shown its responsibility and in many instances in this very Congress we have cleared up matters which were the result of ill-considered legislation in the other body. If the gentleman is meeting this article by rebuttal, in my opinion he is to be highly commended. It may very well be that some of the things he has said may not be in agreement with what I may say, but in so far as he takes issue with the conclusions in this article, I concur entirely.

Specifically this article referred to the civil rights bill. My distinguished chairman, the gentleman from New York [Mr. CELLER], in the proposal he made after the action taken in the other body greatly improved the situation. The bill that was passed over there with the jury trial amendment covering everything under the sun was ridiculous on its face and produced patently absurd results. While I do not agree with my chairman about giving in at that point and accepting a weak and watered down measure, yet he did at least in his proposal limit the bill to the protection of voting rights only. That represented at least a responsible approach to the legislative problem before us.

The other body has just today passed some bills with reference to judgeships, many of which, and I am sure the chairman will agree with me, were not considered sound by the House Committee on the Judiciary. We consider these bills on their merits in our committee and do not send to this House for action bills which have not received the approval of the Judicial Conference.

Mr. Speaker, so that my position regarding Mr. Drury's article will be unmistakably clear, I append at this point my letter to the editor of the New York Times, dated August 20.

Mr. McCARTHY. I intended my statement to be in the nature of a rebuttal.

AUGUST 20, 1957.

SUNDAY EDITOR (MAGAZINE),
New York Times,
New York, N. Y.

DEAR SIR: Allen Drury's provocative article, Is the House a Rubber Stamp? reflects a real challenge by one of Washington's most able journalists. Perhaps he intended it to raise the hackles of House Members. If so, he has succeeded admirably.

There are, of course, great failings and weaknesses in any legislative body, and we who serve in it would be the first to admit the House is no exception. It is significant, in this connection, to note that in recent years important steps have been taken to strengthen the solid marrow of the House, the committee system, where the real work of this body is performed. As a result of this streamlining process only a very few Members serve on more than one committee.

The result has been that each Member can become an expert in the business of the committee on which he serves, and can personally devote more time and energy to the problems which come before it. In the Senate, on the other hand, the plethora of committees spread among the 96 Senators results in each having to serve on at least two and often more committees. The necessary dilution of the Senator's attention means that a premium is placed on the work of aids and committee staffs, rather than on the personal work of the Senator, and also often leads to committee decisions made solely on the basis of senatorial courtesy rather than on the merits of a particular matter.

What this all means is that House committees, with few exceptions, do the real spadework below the surface which makes possible expeditious handling of measures on the floor of the House. With less fanfare, but greater perceptiveness, House committees in innumerable cases have made the really deep studies necessary to responsible legislation, while the Senate has either given the matter a cursory examination, or merely sat back and waited to see what the House would do.

Because our committee system does function so well, in most cases, House action on the floor can often be effectively carried out with a minimum of debate. In saying this, I am mindful of the fact that some committee chairmen do exercise undue influence on matters under their consideration, and do occasionally stifle the "free flow of opinion," as Mr. Drury puts it. But I would emphasize that such procedures are definitely the exception rather than the rule. Broadly speaking, the committees of the House are carefully carrying out their functions—that of winnowing out ideas and bills and attempting to come up with the best possible measure upon which the entire membership can work its will. It does not appear to me that the Senate committees come close to living up to the standards set by their brethren in the House.

As for debate on the floor of the House, Mr. Drury refers to the cute limitations and gimmicks which subject the membership to the will of the party leaders. Although there is some truth to this allegation, it is equally true that with an unwieldy forum of 435 Members, some curbs must be placed on the discussion. After all, the Senate, for all its famed debates, has far fewer Members—there are roughly $4\frac{1}{2}$ times as many Members of the House—and can thus afford the luxury (which we would surely relish) of talking at great length on the floor on important questions involving legislation.

The important point—which Mr. Drury largely ignores—is that the House committee system, when it operates as it should (and usually it does) smoothes the way for floor discussion and prevents the needless talkathons which have so often become a Senate trademark. If there is less talking in the House on individual bills, it is thus because less legitimate talk is necessary after the thorough work and report of the committee which handled the bill are made public.

It is not completely true, as the article hints, that the House prefers to pass the buck to the Senate on controversial legislation, and thus does a slipshod job of considering individual bills, secure in the knowledge the Senate will correct any shortcomings. A case in point, which has been largely misinterpreted by the press, is the civil rights bill.

The completeness of the House consideration of the civil rights bill is attested to by the fact that a virtually identical bill was subjected to 3 days of hearings by a House Judiciary Subcommittee, 4 days of full Judiciary Committee consideration, 3 days of hearings by the Rules Committee, and finally, 5 days of debate on the floor of the House in the 84th Congress. And this year, there were 9 days of hearings before a House Judiciary Subcommittee, 6 days of full committee consideration, 9 days of hearings by the Rules Committee, and 9 days of floor debate on the measure before it finally went to the Senate.

Even a quick glance at the records of these proceedings would reveal that the great majority of the talking was done by opponents of the measure. They had free and full opportunity to exploit any shortcomings they felt inhered in the bill. Every conceivable argument, pro and con, was brought to light during this full consideration.

As an active participant in all phases of the House debate, I can state unequivocally that every argument which has since been advanced in the Senate, was first debated in the House. The debate in the Senate, though perhaps more fully covered by the press, was no more sober and careful, no more reasoned and cogent and deliberate than that carried on in the House.

The House debate on the jury-trial amendment was far from cursory, as Mr. Drury and others would lead one to believe. It was so complete and emphatic, that the House—with a will—rejected the novel innovation of the jury trial where it has never before existed. But in the Senate, a flood of words and misguided pressures resulted in the passage of a sweeping revision of our general criminal contempt laws, without hearings or proper investigation of any sort.

It puts the Senate in the ridiculous position of wrecking numerous vital Federal laws and hamstringing the operation of a fistful of Government agencies, as well as taking even the baby teeth out of the moderate House right-to-vote protection. It now appears the House—as it has had to do in many other cases—must show the Senate the errors of its impetuous ways and correct this incredible jury-trial bobble.

And as to the House bending to the popular thing to do on the civil rights bill, the statement is true to the extent that the will of the majority of the people seemed to be to pass a meaningful bill to help citizens who are being deprived of their constitutional rights. But it is not true that by keeping the bill strong, the House was waving like a reed in the wind of popular opinion. Rather, it was the Senate, as exemplified by accepting this ridiculous form of jury-trial amendment which was swayed by momentary and misguided outside pressures to stray far from the accepted and traditional concepts of the powers of our courts to enforce their orders.

One final word as to the nature and caliber of the membership of the House. I have never, in my various contacts with adults in all walks of life, encountered a group of men and women more dedicated to their work, more determined to do a good job for their constituents and for their country, than Members of the House of Representatives. I do not think Members of Congress should be criticized simply because the pressures of their responsibilities prevent them from taking an active role in every phase of the Congressional legislative program. They are doing the very best they can, within the limitations of staff allotments and the extent of the time they have available. To criticize their backgrounds or their abilities is indirectly to criticize the districts which they represent. For surely, there is no finer cross section, no finer reflection of the thinking and opinion of each section of our land, than the membership of the House of Representatives.

This accurate mirroring of the tides of public opinion is, after all, a principal role foreseen by our Founding Fathers for this body. I am firmly convinced the House of Representatives today is fully and intelligently carrying out that vital function in the American system of government.

Very sincerely yours,
KENNETH B. KEATING.

CLAIMS ON DELIVERIES OF ELIGIBLE SURPLUS FEED GRAINS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2486) to authorize the Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

> Page 2, lines 7 and 8, strike out "12 months from the date the purchase order was issued to the farmer" and insert "six months from the expiration date of the purchase order issued to the farmer."

The SPEAKER. The Chair will state that the reason for recognizing Members from the Committee on Agriculture is that the gentleman from Wisconsin [Mr. SMITH] said that he would withdraw his objection.

Is there objection to the request of the gentleman from Oklahoma?

Mr. KEATING. Mr. Speaker, reserving the right to object, I am not familiar with the provisions of this bill myself. I hesitate to approve it unless there are members of the Committee on Agriculture on this side who are present.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield to the gentleman.

Mr. GROSS. I was present on the floor before the session was resumed during the recess. The gentleman from Texas [Mr. POAGE] and the gentleman from Texas [Mr. FISHER] came to the gentleman from Iowa [Mr. HOEVEN], a member of the Committee on Agriculture of the minority party, and secured his approval of the bill.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield to me?

Mr. KEATING. I yield to the gentleman.

Mr. BROWN of Ohio. Mr. Speaker, I happened to be present at that time and heard the conversation.

The SPEAKER. If the gentleman from New York desires an explanation of the bill, I am sure that will be made.

Mr. KEATING. Mr. Speaker, I think it would be well to have an explanation of the bill.

Mr. ALBERT. This is a bill which has been voted out of the House Committee on Agriculture unanimously and was approved by the House without a dissenting vote. The only thing that has happened to this bill in the Senate is that the time period for taking advantage of it has been reduced from 1 year to 6 months. It is simply a limiting amendment narrowing down the provisions of the bill. There is no objection that I know of to the bill in the Committee on Agriculture and, as I have stated, it has been cleared. I would suggest to the gentleman that we are getting a more limited bill than the House originally agreed to.

Mr. KEATING. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

IS THE SOCIAL SECURITY DISABILITY PROGRAM ADMINISTERED PROPERLY?

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, a year has passed since the Congress approved the Social Security Act Amendments of 1956, giving new hope, and new encouragement, to thousands of our disabled wage earners.

This month, around 100,000 disabled workers received their first checks under the new provision of the law. To them, and to their families, these benefits mean protection against hardships and privations.

SPONSORED LEGISLATION

I am very happy to see these developments. For a number of years, I have worked for the passage of legislation to establish this special protection for disabled workers. I was among the first sponsors of this amendment to the Social Security Act in the 84th Congress.

Even though the law approved in 1956 did not go as far as the improvements suggested in my bill, it represented a step in the right direction. I proposed that disability benefits be extended to all totally and permanently disabled workers regardless of age. As approved by Congress, the law stated that the worker has to be at least 50 years of age to qualify for such payments. In that respect, the law is much less liberal than my original proposal.

BENEFITS GIVEN TO A FEW

While I am pleased that our workers are finally receiving some measure of the protection that they well deserve, there is one aspect of this situation which concerns me greatly; namely, that only 100,000 workers have been declared eligible for disability benefits by the Social Security Administration to date.

This number is very small in relation to the number of workers who were engaged in social-security-covered employment, and who became seriously disabled.

Last September, for instance, Commissioner Schottland of the Social Security Administration wrote that "disability insurance payments could be payable for July 1957 to 400,000 individuals." By the time the President's budget message was published in January of this year, that estimate dropped to 380,000 people. And now the Social Security Administration tells us that they expect to have only 275,000 persons on the disability benefit rolls by the end of the first year of the program.

This is a very disconcerting situation. Only 100,000—or one-fourth of the estimated number of persons who should be eligible to receive disability benefits—are actually receiving these payments.

REASONS FOR RESTRICTED BENEFITS

How can we explain this situation? On the basis of my personal experience with numerous disabled workers who applied for disability benefits, I would say that the reason for this state of affairs is this:

In the first place, some disabled workers have either failed to apply for disability benefits, or failed to prove their case. That is, they may not have submitted the required evidence of their disability to the Social Security Administration.

The second reason is more serious—and demands our earnest attention.

I believe that so few disabled workers have actually qualified for disability benefits because the Social Security Administration has been using a yardstick to measure the extent of an applicant's disability which is contrary to the intent of Congress.

"DISABILITY" DEFINED

The law defines the term "disability" as "inability to engage in any substantial gainful activity by reason of any physical or mental impairment."

Our courts have defined and explained similar clauses in other laws and contracts. Court decisions have repeatedly held that a person need not be on his back, bedridden, unable to move, in order to receive total disability benefits.

On the contrary, the courts have ruled that as long as a person was unable to follow "substantial gainful employment," he could be considered for disability benefits.

What exactly do we mean by "substantial gainful employment"?

Here, again, we can look for guidance to past court decisions.

In general, the courts have held that "substantial gainful employment" has to have these elements:

In the first place, it must involve the performance of a substantial amount of work.

Second, that work must assure the person performing it a fair and decent living, related to his station.

And, third, that the employment or self-employment must be fairly regular.

In other words, unless these three elements were present, the worker may not be engaged in "substantial gainful employment."

This is what the courts have held in the past. They held that a person could be totally disabled if he was unable to do a reasonable amount of work, with a reasonable amount of regularity, and thereby earn a decent living.

SOCIAL SECURITY VIEW

Now let us compare the attitude of the Social Security Administration in administering the new disability benefits program with the precedents established by our courts.

In a 29-page pamphlet issued by the agency, entitled, "If You Are Disabled," there is this statement:

> To qualify for disability benefits, you must have a disability which is so severe that it prevents you from doing any kind of work.

This is not what the Congress had in mind when it passed the law. Congress did not say that you must be unable to do any kind of work before you could qualify for disability benefits. It clearly said that you could not be engaged in a substantial gainful activity.

There is a tremendous difference between "substantial gainful activity" and "any kind of work." I have already pointed out how our courts have defined the former. As far as the latter is concerned, the Social Security Administration seems to feel that if a paralyzed worker is able to sell pencils on the corner from an invalid's chair, he is not eligible for disability benefits because, after all, he is doing some kind of work. And the agency's book says that as long as you can do any kind of work you are not disabled.

This is a strange and a harsh interpretation of the law. Congress did not intend disability benefits to be restricted only to the totally helpless, bedridden workers. They were intended for all of the insured workers who lost the capacity to provide adequately for their families and for themselves because of physical or mental disabilities.

AN ENCOURAGING CHANGE

I was happy to note that in a recent press release the Social Security Administration changed its position, and outlined a more accurate interpretation of the law.

In contrast with the official booklet which I mentioned earlier, the press release states that—

> To be found "disabled" under the social security law, a worker must have a disability which, in the words of the law, makes him unable to "engage in any substantial gainful activity." In general, "substantial gainful activity" means the performance of a substantial amount of work with reasonable regularity in employment or self-employment.

The press release further stressed the fact that—

> A person does not have to be completely helpless to qualify under the social security disability provisions. Consideration is given to all of the facts in the individual's situation, both medical and nonmedical.

This is a far cry from the Social Security Administration's original instructions that a person could not become eligible for disability benefits if he was able to do "any kind of work."

GREATER HOPE FOR MANY

I hope that the above press release will mark the beginning of proper interpretation of the law by the Social Security Administration.

The disability benefits program can bring new hope into the lives of many families which have been touched by the tragedy of physical or mental disability. That was the reason why the law was enacted. Let us see that this intent is carried out—that it is not frustrated by improper administration of the law.

A CORRECTION

Mr. MULTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, during the course of the debate on the civil rights bill in this House on June 7, 1957, our distinguished colleague from Mississippi [Mr. ABERNETHY] made reference to one Israel Cohen as "a leading Communist in England" and referred to what purported to be a publication in 1912, authored by said Israel Cohen entitled "A Racial Program for the 20th Century."

I have caused extensive research to be made in the matter. The result of that research shows the following:

First. There was no Communist Party in 1912.

Second. No publication can be found under the title "A Racial Program for the 20th Century" authored by an Israel Cohen or anyone else.

Third. No record of a Communist in England by the name of Israel Cohen has been brought to light.

An Israel Cohen has been located who was born in England in 1879. He is listed in the British Who's Who. He never wrote or published any such treatise under that name or any other name, which said or intimated any of the things quoted as reported on page 8559 of the CONGRESSIONAL RECORD of June 7, 1957.

The British Museum Catalog of Printed Books contains no reference to any such work nor do any of the catalogs published in Britain during 1911 to 1915, inclusive.

Our own Library of Congress has no record of any such publication.

The very context of the quotation indicates that it could not possibly have been written in 1912. As I have already indicated, there was no Communist Party in 1912 anywhere in the world. The words "Communist Party" did not come into use until after World War I, and the term "guilt complex" used in the quotation is of much more recent vintage.

I am hopeful that if anyone should find fit to quote from page 8559 of the RECORD of June 7, 1957, he will not fail to quote this item side by side with any such quotation.

Permit me, Mr. Speaker, to emphasize that nothing I have said impugns in any way the fairness, good faith, or motives of our distinguished colleague the gentleman from Mississippi [Mr. ABERNETHY]. Unfortunately, the reference and quotation he used had appeared in print in this country. Investigation since that publication, however, shows them to be a concoction not based on fact.

CONGRESSIONAL ACTION ON APPROPRIATION ESTIMATES, 85TH CONGRESS, 1ST SESSION

Mr. BUDGE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD by including a tabulation of Congressional action on appropriation estimates, 85th Congress, 1st session, under date of August 29, 1957.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

(The matter referred to is as follows:)

Congressional action on appropriation estimates, 85th Cong., 1st sess.

Appropriation bill	Estimates	Passed by House	Passed by Senate	Conference agreement	Reduction		
					Amount, latest action	Percent	
						House bill	Latest action
1. Bills for 1958:							
Treasury-Post Office	$3,965,291,000	$3,884,927,000	$3,881,927,000	$3,884,927,000	$80,364,000	2.0	2.0
Interior	515,189,700	454,395,700	457,152,600	456,189,600	59,000,100	11.8	11.5
General Government matters	20,921,870	16,021,370	16,010,370	16,010,370	4,911,500	23.4	23.5
Independent Offices	5,923,195,000	5,385,201,700	5,378,594,800	5,373,877,800	549,317,200	9.0	9.3
Labor-HEW	2,981,277,581	2,846,831,581	2,885,290,781	2,871,182,781	110,094,800	4.5	3.7
District of Columbia (Federal part)	25,504,450	22,504,450	23,004,450	22,504,450	3,000,000	11.8	11.8
Commerce	871,513,000	653,685,060	613,584,290	597,790,225	273,722,775	25.0	31.4
State, Justice, Judiciary	665,649,802	563,799,793	563,085,293	562,891,293	102,758,509	15.3	15.4
Agriculture	3,965,446,617	3,692,889,757	3,668,972,157	3,666,543,757	298,902,860	6.9	7.5
Legislative	108,271,443	78,370,285	104,844,660	104,844,660	3,426,783	2.8	3.2
Defense	36,128,000,000	33,562,725,000	34,534,229,000	33,759,850,000	2,368,150,000	7.1	6.6
Public Works	876,453,000	814,813,023	884,151,323	858,094,323	18,358,677	7.0	2.1
Supplemental (Post Office)	149,500,000	133,000,000	133,000,000	133,000,000	16,500,000	11.0	11.0
Supplemental, 1958	1,973,767,827	1,581,590,587	1,824,001,547	1,734,011,947	239,755,880	15.0	12.1
Mutual security	3,386,860,000	2,524,760,000	3,025,660,000	2,768,760,000	618,100,000	25.4	18.2
Atomic energy	2,491,625,000	2,299,718,500	2,323,632,500	2,323,632,500	167,992,500	7.7	6.7
A. Cumulative totals:							
House	63,907,854,615	58,515,233,806	----------	----------	5,392,620,809	8.4	8.4
Senate	64,048,466,290	----------	60,320,140,771	----------	3,728,325,519	------	5.8
Conference	64,048,466,290	----------	----------	59,134,110,706	4,914,355,584	------	7.7
2. Supplemental and deficiency, 1957: Total	589,644,320	463,920,788	512,293,045	455,620,925	134,023,395	20.9	22.7
3. Cumulative totals for session:							
House	64,494,927,778	58,979,154,594	----------	----------	5,515,773,184	8.6	8.6
Senate	64,638,110,610	----------	60,832,433,816	----------	3,805,676,794	------	5.9
Conference	64,638,110,610	----------	----------	59,589,731,631	5,048,378,979	------	7.8

BEST WISHES TO DWIGHT D. EISENHOWER

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, as we come to the close of this tremendously difficult session of Congress, I believe in the heart of every man and woman in this Chamber there is a feeling of sympathy for and understanding of our great President, Dwight D. Eisenhower, for the many cares and responsibilities he has had during this last year. He has overcome tremendous illness himself. He has had the great anxiety of a seriously ill wife, his most gallant and beloved soldier, Mamie Eisenhower. We owe him a deep debt because he has kept us out of war but he has had the responsibilities of the cold war, the responsibilities of the welfare of the people of the country.

I hope, Mr. Speaker—and I am sure I am joined by all of the Members on both sides of the aisle, whether they agree with him politically or with his philosophy—that he will get some sort of relaxation and cessation from the terrible strain he has been under during the last year. We know what the strain has meant to us and we can imagine what it has meant to him. Our thoughts and prayers will be with the President and Mrs. Eisenhower.

A WORD OF APPRECIATION TO THE MEMBERS OF THE HOUSE

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, as we come to the close of the first session of the 85th Congress I beg leave to express some sentiments of appreciation to the Members of this distinguished legislative body.

As one who is completing the first year of legislative work on the national level I have a sincere sense of gratitude to those who have made this service so pleasant. The constant desire of those in position of leadership to assist new Members of this body is one of the most impressive facets of the Congress.

It is my hope that I have measured up to the responsibilities and opportunities of the high honor which is mine in serving as the representative of the people of the 11th District of North Carolina. It is certain that I have had the full cooperation of my colleagues in my efforts to serve. It is my earnest wish to each of my colleagues that the recess will be of an enjoyable and fruitful nature. I shall look forward to the resumption of our association in January 1958.

May the blessings of Almighty God be with each of you during the months of recess.

LEGISLATION PROVIDING PAY INCREASES FOR POSTAL AND CLASSIFIED EMPLOYEES

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I have today introduced legislation providing a general pay increase in salaries of postal employees and classified employees, the legislation to become effective in January 1958.

I have taken this action because, in my judgment, the pay increase legislation which originated in the House and was approved by the Congress is faced with almost certain veto by the President. In addition, the introduction of these bills at this time will enable the executive branch to study them carefully and furnish the Committee on Post Office and Civil Service with a report promptly next January.

The bills I have submitted provide for a 6-percent increase designed to offset the increased cost of living since the last pay adjustment in 1955.

With respect to postal employees, this also means that nearly 300,000 carriers and clerks will receive an average increase of approximately $250 annually. The Postmaster General is also granted authority to raise the entrance rates by from 2.3 percent to 10 percent in addition to the 6-percent basic increase when it is determined that in any area the Post Office Department is having difficulty recruiting qualified employees.

I believe the proposal is fair. As I have just suggested, our experience during this session has demonstrated that the requests and demands included in the bills that passed the House and the other body will not become law.

Under the legislation I have proposed, no salary will be increased above the present ceiling of $16,000 annually. For all classified Federal employees the bill provides a 6-percent increase which would benefit 960,000 classified employees, as well as employees in other branches of government, including 12,500 in Foreign Service and 24,000 in the medical, surgical, and dental service of the Veterans' Administration.

It seems to me that it is in the best interest of all Federal employees to consider pay legislation that has a chance of being enacted into law. I feel that the bills I have submitted are fair. They will, of course, be subject to amendments by the committee and by Members of the House.

FIRST SESSION OF THE 85TH CONGRESS

The SPEAKER. Members of the House, after a long and arduous session of the Congress, we are coming to a close. I want to thank the Members of the House, all of them, for the uniform kindnesses and courtesies they have extended to me throughout this nearly 8 months. Your cooperation, your good will, and your courtesy to me have made a position that at best is a very arduous and a very onerous one much more tolerable and much more enjoyable.

It is a high privilege for any American citizen to have the opportunity of serving in the popular branch of the greatest legislative body on earth. It has been that from the beginning of our Government.

I want to say this, that all may know. As you know, I have been here, as things go, a long time. I am in my 45th year as a Member of the House of Representatives. People who remember a few of the towering peaks, the giant oaks, that used to serve in this Chamber think only of them and not of the hundreds of others who have served. Many of them say that the ability and the courage of the Members of the House of Representatives have deteriorated. That just is not so, because during my forty-odd years here I know the intelligence, the devotion, and the ability of the Members of this House of Representatives are as high, if not higher, than I have known in all my service here. So it has been a pleasure to work with you, as it always is.

I have been a lucky man all my life. The people down in the heart of Texas took me up half a century ago and elected me to office, and they have been electing me to office ever since. I came here with a high ambition, and the Members of this House of Representatives have also given me everything I have ever asked for, all and more than I could barely hope for. From the depths of a grateful heart I thank you.

You deserve a holiday, and I wish you a peaceful and a happy one.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. CHRISTOPHER, for 15 minutes, and to revise and extend his remarks.

Mr. O'HARA of Illinois, for 15 minutes today, and to revise and extend his remarks.

Mr. FORAND, for 30 minutes, and to revise and extend his remarks.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. JENNINGS in two instances and to include a report.

Mr. COOPER and to include a statement on the record and accomplishments of the Committee on Ways and Means, 1st session, 85th Congress.

Mr. HARRIS and to include a statement on the record and accomplishments of the Committee on Interstate and Foreign Commerce, 1st session, 85th Congress.

Mr. MAHON in two instances and to include certain extraneous matter.

Mr. Boland and to include extraneous matter.

Mr. Albert and to include a message from Hon. John W. McCormack appearing in the current newsletter of the nationality division of the Democratic National Committee.

Mr. Vanik (at the request of Mr. Albert) and to include extraneous matter.

Mr. Rhodes of Pennsylvania and to include extraneous matter.

Mr. Dingell and to include extraneous matter.

Mr. Hays of Arkansas in two instances and to include extraneous matter.

Mr. Reuss and to include extraneous matter.

Mr. Friedel and to include extraneous matter.

Mr. Teague of Texas in three instances and to include extraneous matter.

Mr. Multer and to include extraneous matter.

Mr. Zablocki and to include extraneous matter.

Mr. Donohue and to include extraneous matter.

Mr. Van Zandt and to include extraneous matter.

Mr. Brownson and to include extraneous matter.

Mr. Bray (at the request of Mr. Brownson) and to include extraneous matter.

Mr. Wolverton in five instances and to include extraneous matter.

Mr. Avery and to include extraneous matter.

Mr. Bass of New Hampshire and to include extraneous matter.

Mr. Bow in two instances and to include extraneous matter.

Mr. Moore and to include extraneous matter.

Mr. Henderson (at the request of Mr. McGregor) and to include extraneous matter.

Mr. McGregor and to include extraneous matter.

Mr. Patman (at the request of Mr. McCormack) in three instances and to include extraneous matter.

Mr. Byrnes of Wisconsin and to include extraneous matter.

Mrs. Frost and to include extraneous matter.

Mr. Harris in two instances; on the International Geophysical Year and on the present status of railroad retirement and unemployment insurance.

Mr. Neal in three instances.

Mr. McCormack and to include extraneous matter.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 77. An act to establish the Chesapeake and Ohio Canal National Historical Park and to provide for the administration and maintenance of a parkway, in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 230. An act to require the Secretary of the Army to convey to the county of Los Angeles, Calif., all right, title, and interest of the United States in and to certain portions of a tract of land heretofore conditionally conveyed to such county;

H. R. 2075. An act for the relief of Albert Heinze;

H. R. 2654. An act for the relief of Martin Wunderlich Co.;

H. R. 2904. An act for the relief of the Knox Corp., of Thomson, Ga.;

H. R. 3370. An act to amend section 1871 of title 28, United States Code, to increase the mileage and subsistence allowances of grand and petit jurors;

H. R. 3468. An act for the relief of J. A. Ross & Co.;

H. R. 6127. An act to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States;

H. R. 7536. An act to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941;

H. R. 8256. An act to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social security benefits and to provide additional exemptions for age and blindness, and to exempt from personal property taxation in the District of Columbia boats used solely for pleasure purposes, and for other purposes;

H. R. 8508. An act to provide that there shall be two county committees elected under the Soil Conservation and Domestic Allotment Act for certain counties;

H. R. 8928. An act to amend the act of June 9, 1880, entitled "An act to grant the corporate authorities of the city of Council Bluffs, in the State of Iowa, for public uses, a certain lake or bayou situated near said city";

H. R. 8994. An act to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes;

H. R. 9282. An act to provide additional office space in home districts of Congressmen, Delegates, and Resident Commissioners;

H. R. 9302. An act making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes;

H. R. 9406. An act to amend the act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a biennial rather than an annual basis;

H. J. Res. 374. Joint resolution for the relief of certain aliens; and

H. J. Res. 453. Joint resolution establishing that the second regular session of the 85th Congress convene at noon on Tuesday, January 7, 1958.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 281. An act for the relief of Jaffa Kam;

S. 684. An act for the relief of Ilse Striegan Bacon;

S. 880. An act for the relief of Necmettin Cengiz;

S. 882. An act for the relief of Pauline Ethel Angus;

S. 1049. An act for the relief of Mrs. Ahsapet Gamityan;

S. 1271. An act for the relief of Daniel Alcide Charlebois;

S. 1321. An act for the relief of Junko Matsuoka Eckrich;

S. 1456. An act for the relief of Refugio Guerrero-Monje;

S. 1467. An act for the relief of Itsumi Kasahara;

S. 1635. An act for the relief of Maria Talioura Boisot;

S. 1835. An act for the relief of Maria Domenica Ricci;

S. 1921. An act for the relief of Maria Goldet;

S. 1972. An act for the relief of Letizia Maria Arini;

S. 1996. An act to approve the contract negotiated with the Casper-Alcova irrigation project, to authorize its execution, and for other purposes;

S. 2028. An act for the relief of Sherwood Lloyd Pierce;

S. 2041. An act for the relief of Sala Weissbard;

S. 2204. An act for the relief of Margaret E. Culloty;

S. 2377. An act to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses;

S. 2413. An act to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district; and

S. 2792. An act to amend the Immigration and Nationality Act, and for other purposes.

ADJOURNMENT

Mr. BOYLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 57 minutes p. m.), pursuant to House Concurrent Resolution 229, the first session of the 85th Congress adjourned sine die.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1180. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Annual Report of the Federal Deposit Insurance Corporation for the year ended December 31, 1956, pursuant to the Federal Deposit Insurance Act; to the Committee on Banking and Currency.

1181. A letter from the Comptroller General of the United States, transmitting a report on the examination of the military assistance program during fiscal year 1957; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BROOKS of Texas: Committee of conference. S. 1791. An act to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959 (Rept. No. 1270). Ordered to be printed.

Mr. CELLER: Committee of conference. S. 2377. An act to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses (Rept. No. 1271). Ordered to be printed.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. Report pursuant to section 136?, the Legislative Reorganization Act of 1946 pertaining to air transportation development and airspace use problems; without amendment (Rept. No. 1272). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURLESON: Committee on House Administration. Senate Concurrent Resolution 47. Concurrent resolution to print additional copies of part 1 and subsequent parts of hearings entitled "Investigation of the Financial Condition of the United States," held by the Committee on Finance during the 85th Congress, 1st session; without amendment (Rept. No. 1273). Ordered to be printed.

Mr. BURLESON: Committee on House Administration. Senate Concurrent Resolution 45. Concurrent resolution authorizing the printing of additional copies of the hearings on the mutual security program for fiscal year 1958 for the use of the Committee on Foreign Relations; without amendment (Rept. No. 1274). Ordered to be printed.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. Report pursuant to House Resolution 99 pertaining to automobile seat belts; without amendment (Rept. No. 1275). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOSCH:

H. R. 9570. A bill to preserve for certain periods the amounts of insurance of certain employees under the Federal Employees' Group Life Insurance Act of 1954; to the Committee on Post Office and Civil Service.

By Mr. BROWNSON:

H. R. 9571. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide for making payments in lieu of taxes with respect to certain industrial manufacturing plants owned by the United States; to the Committee on Government Operations.

By Mr. CARRIGG:

H. R. 9572. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

H. R. 9573. A bill to amend the Internal Revenue Code of 1954 to increase the depletion allowance for coal and lignite; to the Committee on Ways and Means.

By Mr. DEROUNIAN:

H. R. 9574. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide for making payments in lieu of taxes with respect to certain industrial manufacturing plants owned by the United States; to the Committee on Government Operations.

By Mr. DONOHUE:

H. R. 9575. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide for making payments in lieu of taxes with respect to certain industrial manufacturing plants owned by the United States; to the Committee on Government Operations.

By Mr. DORN of New York:

H. R. 9576. A bill to authorize the construction and sale by the Federal Maritime Board of a superliner passenger vessel equivalent to the steamship *United States;* to the Committee on Merchant Marine and Fisheries.

By Mr. ELLIOTT:

H. R. 9577. A bill to establish a program of financial aid to students in higher education, and for other purposes; to the Committee on Education and Labor.

H. R. 9578. A bill to encourage expansion of teaching and research in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies; to the Committee on Education and Labor.

H. R. 9579. A bill to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf; to the Committee on Education and Labor.

By Mr. FENTON:

H. R. 9580. A bill to amend the Internal Revenue Code of 1954 to increase the depletion allowance for coal and lignite; to the Committee on Ways and Means.

By Mr. HYDE:

H. R. 9581. A bill to permit the use of appropriated funds in purchasing land in connection with the Antietam battlefield site; to the Committee on Interior and Insular Affairs.

By Mr. KEARNS:

H. R. 9582. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide for making payments in lieu of taxes with respect to certain industrial manufacturing plants owned by the United States; to the Committee on Government Operations.

By Mr. LANE:

H. R. 9583. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide for making payments in lieu of taxes with respect to certain industrial manufacturing plants owned by the United States; to the Committee on Government Operations.

By Mr. MACDONALD:

H. R. 9584. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide for making payments in lieu of taxes with respect to certain industrial manufacturing plants owned by the United States; to the Committee on Government Operations.

By Mr. MILLER of New York:

H. R. 9585. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide for making payments in lieu of taxes with respect to certain industrial manufacturing plants owned by the United States; to the Committee on Government Operations.

By Mr. NIMTZ:

H. R. 9586. A bill to increase from $600 to $750 the personal income-tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. O'HARA of Illinois:

H. R. 9587. A bill to authorize the Attorney General of the United States to adjust the status of certain aliens to that of persons admitted for permanent residence; to the Committee on the Judiciary.

By Mr. REED:

H. R. 9588. A bill to amend the Internal Revenue Code of 1954 to impose import taxes on certain handtools, and for other purposes; to the Committee on Ways and Means.

By Mr. REES of Kansas:

H. R. 9589. A bill to increase the rates of basic compensation of certain employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

H. R. 9590. A bill to increase the rates of basic compensation of officers and employees in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. SULLIVAN:

H. R. 9591. A bill to provide for the establishment of a special $18,500,000 7-year program of Federal scholarship and fellowship grants to individuals, and a $2,500,000 program of grants to public and nonprofit institutions of higher education, to encourage and expand the training of teachers for the education of exceptional children; to the Committee on Education and Labor.

By Mr. TALLE:

H. R. 9592. A bill to amend section 22 of the Agricultural Adjustment Act, as amended; to the Committee on Agriculture.

By Mr. VAN ZANDT:

H. R. 9593. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

H. R. 9594. A bill to amend the Internal Revenue Code of 1954 to increase the depletion allowance for coal and lignite; to the Committee on Ways and Means.

By Mr. WIDNALL:

H. R. 9595. A bill to amend the Legislative Appropriation Act, 1956, to eliminate the requirement that the extension, reconstruction, and replacement of the central portion of the United States Capitol be in substantial accord with scheme B of the architectural plan of March 3, 1905; to the Committee on Public Works.

By Mr. WILSON of California:

H. R. 9596. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide for making payments in lieu of taxes with respect to certain industrial manufacturing plants owned by the United States; to the Committee on Government Operations.

By Mr. WOLVERTON:

H. R. 9597. A bill to provide for the increase, modernization, and stockpiling of railroad equipment in order to meet the needs of the commerce of the United States, of the postal service, and of the national defense; to create and establish a public agency with powers to carry out the provisions of this act; and for other purposes; to the Committee on Ways and Means.

By Mr. BURNS of Hawaii:

H. R. 9598. A bill to approve chapter 99A of the Revised Laws of Hawaii 1955, section 99A to 99A-15, inclusive, act 255, Session Laws of Hawaii 1957, relating to mineral rights in the Territory of Hawaii; to the Committee on Interior and Insular Affairs.

By Mr. LAIRD:

H. R. 9599. A bill to amend the Internal Revenue Code of 1954 to provide a 30 percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education and high schools; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOSCH:

H. R. 9600. A bill for the relief of Mrs. Katherine M. Sheehan; to the Committee on the Judiciary.

By Mr. BROWNSON:

H. R. 9601. A bill for the relief of Lily Yuk-Wah Ho; to the Committee on the Judiciary.

By Mr. CELLER:

H. R. 9602. A bill for the relief of Ng You Chung; to the Committee on the Judiciary.

By Mr. SANTANGELO:

H. R. 9603. A bill for the relief of Jeanine Gray; to the Committee on the Judiciary.

By Mr. STAGGERS:

H. R. 9604. A bill for the relief of Luna Maria Pennacchia and her children; to the Committee on the Judiciary.

By Mr. VANIK:

H. R. 9605. A bill for the relief of Basil L. Lagopoulos; to the Committee on the Judiciary.

By Mr. VAN PELT:

H. R. 9606. A bill for the relief of Henry and Edna Robinson; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 9607. A bill for the relief of Thomas Q. Beesley; to the Committee on the Judiciary.

By Mr. WESTLAND:

H. H. 9608. A bill for the relief of Dorman William Whittom; to the Committee on the Judiciary.

By Mr. WIDNALL:

H. R. 9609. A bill for the relief of Mr. and Mrs. Harry J. Coyne; to the Committee on the Judiciary.

APPOINTMENTS BY THE SPEAKER AFTER SINE DIE ADJOURNMENT

The SPEAKER, pursuant to the provisions of Public Law 85–262, 85th Congress, and the order of the House of August 30, 1957, empowering him to appoint commissions, boards, and committees authorized by law or by the House, did, on September 3, 1957, appoint as members of the Lincoln Sesquicentennial Commission the following members on the part of the House to serve with himself: Mr. CHELF, of Kentucky; Mr. DENTON, of Indiana; Mr. MACK of Illinois; Mr. ALLEN of Illinois; Mr. ROBSION of Kentucky; and Mr. NIMTZ, of Indiana.

BILLS AND JOINT RESOLUTION ENROLLED AFTER SINE DIE ADJOURNMENT

Mr. BURLESON, from the Committee on House Administration, reported that on August 31, 1957, that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles:

H. R. 580. An act to authorize the exchange of certain land in the State of Missouri;

H. R. 1315. An act for the relief of Mr. and Mrs. Charles H. Page;

H. R. 1411. An act for the relief of George H. Meyer Sons; Brauer & Co.; Joseph McSweeney & Sons, Inc.; C. L. Tomlinson, Jr.; and Richmond Livestock Co., Inc.;

H. R. 1419. An act for the relief of Mrs. Hannah Mae Powell;

H. R. 1474. An act for the relief of Mrs. Jennie Maurello;

H. R. 1502. An act for the relief of Homer Cazamias;

H. R. 1677. An act for the relief of Gilbert B. Mar;

H. R. 1883. An act for the relief of Benedict M. Kordus;

H. R. 2486. An act to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program;

H. R. 4174. An act for the relief of Filomena and Emil Ferrara;

H. R. 4335. An act for the relief of Ramon Tavarez;

H. R. 4351. An act for the relief of G. H. Litts;

H. R. 5719. An act for the relief of Clara M. Briggs;

H. R. 7014. An act for the relief of Madame Henriette Buaillon, and Stanley James Carpenter;

H. R. 7096. An act to amend paragraph 1684 of the Tariff Act of 1930 with respect to istle or Tampico fiber, to admit free of duty a beta-ray spectrometer for use at Stanford University, Stanford, Calif., and for other purposes;

H. R. 7900. An act to permit the Secretary of Agriculture to sell to individuals land in Ottawa County, Mich., which was acquired pursuant to the provisions of title III of the Bankhead-Jones Farm Tenant Act;

H. R. 7964. An act to remove the limitation on the use of certain real property heretofore conveyed to the city of Austin, Tex., by the United States;

H. R. 7972. An act to provide for the conveyance to the city of Warner Robins, Ga., of certain lands and any improvements located thereon in such city;

H. R. 8374. An act for the relief of Virginia Ray Potts;

H. R. 8576. An act to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes;

H. R. 9280. An act to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources, hereof, and for other purposes; and

H. J. Res. 253. Joint resolution to establish a commission to commemorate the 100th anniversary of the Civil War, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED AFTER SINE DIE ADJOURNMENT

Pursuant to the authority granted the Speaker by House Concurrent Resolution 230, 85th Congress, he did, on August 31, 1957, sign enrolled bills and a joint resolution of the following titles:

H. R. 580. An act to authorize the exchange of certain land in the State of Missouri;

H. R. 1315. An act for the relief of Mr. and Mrs. Charles H. Page;

H. R. 1411. An act for the relief of George H. Meyer Sons, Brauer & Co., Joseph McSweeney & Sons, Inc., C. L. Tomlinson, Jr., and Richmond Livestock Co., Inc.;

H. R. 1419. An act for the relief of Mrs. Hannah Mae Powell;

H. R. 1474. An act for the relief of Mrs. Jennie Maurello;

H. R. 1502. An act for the relief of Homer Cazamias;

H. R. 1677. An act for the relief of Gilbert B. Mar;

H. R. 1883. An act for the relief of Benedict M. Kordus;

H. R. 2486. An act to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase order under its emergency feed program;

H. R. 4174. An act for the relief of Filomena and Emil Ferrara;

H. R. 4335. An act for the relief of Ramon Tavarez;

H. R. 4351. An act for the relief of G. H. Litts;

H. R. 5719. An act for the relief of Clara M. Briggs;

H. R. 7014. An act for the relief of Madam Henriette Buaillon and Stanley James Carpenter;

H. R. 7096. An act to amend paragraph 1684 of the Tariff Act of 1930 with respect to istle or Tampico fiber, to admit free of duty a beta-ray spectrometer for use at Stanford University, Stanford, Calif., and for other purposes;

H. R. 7900. An act to permit the Secretary of Agriculture to sell to individuals land in Ottawa County, Mich., which was acquired pursuant to the provisions of title III of the Bankhead-Jones Farm Tenant Act;

H. R. 7964. An act to remove the limitation on the use of certain real property heretofore conveyed to the city of Austin, Tex., by the United States;

H. R. 7972. An act to provide for the conveyance to the city of Warner Robins, Ga., of certain lands and any improvements located thereon in such city;

H. R. 8374. An act for the relief of Virginia Ray Potts;

H. R. 8576. An act to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes;

H. R. 9280. An act to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes; and

H. J. Res. 253. Joint resolution to establish a commission to commemorate the 100th anniversary of the Civil War, and for other purposes.

SENATE ENROLLED BILLS SIGNED AFTER SINE DIE ADJOURNMENT

Pursuant to the authority granted the Speaker by House Concurrent Resolution 230, 85th Congress, he did, on August 31, 1957, sign enrolled bills of the Senate of the following titles:

S. 1007. An act for the relief of Sgt. Donald D. Coleman;

S. 1636. An act for the relief of Delfina Cinco de Lopez; and

S. 1791. An act to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT AFTER SINE DIE ADJOURNMENT

Mr. BURLESON, from the Committee on House Administration, subsequent to the sine die adjournment of the Congress, reported that, on the following dates, that committee had presented to the President, for his approval, bills and joint resolutions of the House of the following titles:

On August 30, 1957:

H. R. 230. An act to require the Secretary of the Army to convey to the county of Los Angeles, Calif., all right, title, and interest of the United States in and to certain portions of a tract of land heretofore conditionally conveyed to such county;

H. R. 2075. An act for the relief of Albert A. Heinze;

H. R. 2654. An act for the relief of Martin Wunderlich Co.;

H. R. 2904. An act for the relief of the Knox Corp., of Thomson, Ga.;

H. R. 3028. An act to provide for the relief of certain female members of the Air Force, and for other purposes;

H. R. 3370. An act to amend section 1871 of title 28, United States Code, to increase the mileage and subsistence allowances of grand and petit jurors;

H. R. 3468. An act for the relief of J. A. Ross & Co.;

H. R. 3625. An act to amend section 214 of the Interstate Commerce Act, as amended, to prevent the use of arbitrary stock par values to evade Interstate Commerce Commission jurisdiction;

H. R. 3940. An act to grant certain lands to the Territory of Alaska;

H. R. 6127. An act to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States;

H. R. 6258. An act to amend the act entitled "An act to provide additional revenue for the District of Columbia, and for other purposes," approved August 17, 1937, as amended;

H. R. 6562. An act relating to the N½ sec. 33, T. 28 S., R. 56 E., Copper River meridian, Alaska;

H. R. 6760. An act to grant to the Territory of Alaska title to certain lands beneath tidal waters, and for other purposes;

H. R. 7536. An act to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941;

H. R. 8030. An act to amend the Agricultural Adjustment Act of 1938 with respect to acreage history;

H. R. 8256. An act to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social-security benefits and to provide additional exemptions for age and blindness, and to exempt from personal property taxation in the District of Columbia boats used solely for pleasure purposes, and for other purposes;

H. R. 8508. An act to provide that there shall be two county committees elected under the Soil Conservation and Domestic Allotment Act for certain counties;

H. R. 8918. An act to further amend the act of August 7, 1946 (60 Stat. 896), as amended by the act of October 25, 1951 (65 Stat. 657), to provide for the exchange of lands of the United States as a site for the new Sibley Memorial Hospital; to provide for the transfer of the property of the Hahnemann Hospital of the District of Columbia, formerly the National Homeopathic Association, a corporation organized under the laws of the District of Columbia, to the Lucy Webb Hayes National Training School for Deaconesses and Missionaries, including Sibley Memorial Hospital, a corporation organized under the laws of the District of Columbia, and for other purposes;

H. R. 8928. An act to amend the act of June 9, 1880, entitled "An act to grant to the corporate authorities of the city of Council Bluffs, in the State of Iowa, for public uses, a certain lake or bayou situated near said city";

H. R. 8994. An act to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes;

H. R. 9302. An act making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes;

H. R. 9406. An act to amend the act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a biennial rather than an annual basis; and

H. J. Res. 374. Joint resolution for the relief of certain aliens.

On August 31, 1957:

H. R. 580. An act to authorize the exchange of certain land in the State of Missouri;

H. R. 1315. An act for the relief of Mr. and Mrs. Charles H. Page;

H. R. 1411. An act for the relief of George H. Meyer Sons, Brauer & Co., Joseph McSweeney & Sons, Inc., C. L. Tomlinson, Jr., and Richmond Livestock Co., Inc.;

H. R. 1419. An act for the relief of Mrs. Hannah Mae Powell;

H. R. 1474. An act for the relief of Mrs. Jennie Maurello;

H. R. 1502. An act for the relief of Homer Cazamias;

H. R. 1677. An act for the relief of Gilbert B. Mar;

H. R. 1883. An act for the relief of Benedict M. Kordus;

H. R. 2486. An act to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program;

H. R. 4174. An act for the relief of Filomena and Emil Ferrara;

H. R. 4335. An act for the relief of Ramon Tavarez;

H. R. 4351. An act for the relief of G. H. Litts;

H. R. 5719. An act for the relief of Clara M. Briggs;

H. R. 7014. An act for the relief of Madame Henriette Buaillon and Stanley James Carpenter;

H. R. 7096. An act to amend paragraph 1684 of the Tariff Act of 1930 with respect to istle or Tampico fiber, to admit free of duty a beta-ray spectrometer for use at Stanford University, Stanford, Calif., and for other purposes;

H. R. 7900. An act to permit the Secretary of Agriculture to sell to individuals land in Ottawa County, Mich., which was acquired pursuant to the provisions of title III of the Bankhead-Jones Farm Tenant Act;

H. R. 7964. An act to remove the limitation on the use of certain real property heretofore conveyed to the city of Austin, Tex., by the United States;

H. R. 7972. An act to provide for the conveyance to the city of Warner Robins, Ga., of certain lands and any improvements located thereon in such city;

H. R. 8374. An act for the relief of Virginia Ray Potts;

H. R. 8576. An act to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes;

H. R. 9280. An act to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes;

H. R. 9282. An act to provide additional office space in home districts of Congressmen, Delegates, and Resident Commissioners;

H. J. Res. 253. Joint resolution to establish a commission to commemorate the 100th anniversary of the Civil War, and for other purposes; and

H. J. Res. 453. Joint resolution establishing that the 2d regular session of the 85th Congress convene at noon on Tuesday, January 7, 1958.

ENROLLED BILLS AND JOINT RESOLUTIONS APPROVED AFTER SINE DIE ADJOURNMENT

The President of the United States subsequent to the sine die adjournment of the Congress, notified the Clerk of the House that, on the following dates, he had approved and signed bills and joint resolutions of the House of the following titles:

On August 29, 1957:

H. R. 1558. An act for the relief of Phillis Guyadeen;

H. R. 3280. An act for the relief of Mrs. Grace C. Hill;

H. R. 3583. An act for the relief of Chandler R. Scott;

H. R. 3818. An act to provide for the maintenance of a roster of retired judges available for special judicial duty and for their assignment to such duty by the Chief Justice of the United States;

H. R. 4240. An act for the relief of Cornelia S. Roberts;

H. R. 5807. An act to amend further and make permanent the Missing Persons Act, as amended;

H. R. 5851. An act for the relief of the legal guardian of Mrs. Mattie Jane Lawson;

H. R. 6952. An act to authorize the transfer of naval vessels to friendly foreign countries;

H. R. 7697. An act to provide additional facilities necessary for the administration and training of units of the Reserve components of the Armed Forces of the United States;

H. J. Res. 354. Joint resolution to authorize the designation of October 19, 1957, as National Olympic Day; and

H. J. Res. 411. Joint resolution for the relief of certain aliens.

On August 30, 1957:

H. R. 1636. An act for the relief of George D. LaMont;

H. R. 1741. An act for the relief of Ikuko Morooka Mahoney;

H. R. 1868. An act for the relief of Daniel Adamson;

H. R. 1944. An act to amend title II of the Social Security Act so as to make inapplicable, in the case of the survivors of certain members of the Armed Forces, the provisions which presently prevent the payment of benefits to aliens who are outside the United States;

H. R. 2580. An act to increase the storage capacity of the Whitney Dam and Reservoir and to make available 50,000 acre-feet of water from the reservoir for domestic and industrial use;

H. R. 2842. An act to amend the Tariff Act of 1930 to provide for the temporary free importation of certain tanning extracts, and to amend the Internal Revenue Code of 1954 to suspend temporarily the tax on the processing of coconut oil;

H. R. 4098. An act to provide for the conveyance to the State of California a portion of the property known as Veterans' Administration Center Reservation, Los Angeles, Calif., to be used for National Guard purposes;

H. R. 4230. An act for the relief of W. C. Shepherd, trading as W. C. Shepherd Co.;

H. R. 4854. An act for the relief of Victoria Galea;

H. R. 5894. An act to amend the laws relating to the endorsement of masters on vessel documents and to provide certain additional penalties for failure to exhibit vessel documents or other papers when required by enforcement officers;

H. R. 6363. An act to amend the act of May 24, 1928, providing for a bridge across Bear Creek at or near Lovel Point, Baltimore County, Md., to provide for the construction of another bridge, and for other purposes;

H. R. 6709. An act to implement a treaty and agreement with the Republic of Panama, and for other purposes;

H. R. 7458. An act to amend the Fair Labor Standards Act of 1938, as amended, to restrict its application in certain overseas areas, and for other purposes;

H R. 7864. An act to amend the act of May 4, 1956 (70 Stat. 130), relating to the establishment of public recreational facilities in Alaska;

H. R. 8126. An act to amend section 16 (c) of the Revised Organic Act of the Virgin Islands;

H. R. 8240. An act to authorize certain construction at military installations, and for other purposes;

H. R. 8284. An act for the relief of Innocenza Guarascio;

H. R. 8646. An act to amend the Alaska Public Works Act (63 Stat. 627; 48 U. S. C. 486 ff.) to clarify the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works;

H. R. 8753. An act to amend title II of the Social Security Act to include California, Connecticut, Minnesota, and Rhode Island among the States which are permitted to divide their retirement systems into two parts so as to obtain social-security coverage, under State agreements, for only those State and local employees who desire such coverage;

H. R. 8755. An act to amend title II of the Social Security Act to permit any instrumentality of two or more States to obtain social-security coverage, under its agreement, separately for those of its employees who are covered by a retirement system and who desire such coverage, to include Alabama, Georgia, New York, and Tennessee among the States which may obtain social-security coverage for policemen and firemen in positions covered by a retirement system on the same basis as other State and local employees, and to extend the period during which State agreements for social-security coverage of State and local employees may be made retroactive;

H. R. 8821. An act to amend title II of the Social Security Act to facilitate the provision of social-security coverage for State and local employees under certain retirement systems;

H. R. 8892. An act to amend the Internal Revenue Code of 1954 to extend the time within which a minister may elect coverage as a self-employed individual for social-security purposes and to permit such a minister to include, for social-security purposes, the value of meals and lodging furnished him for the convenience of his employer and the rental value of the parsonage furnished to him, and for other purposes;

H. J. Res. 338. Joint resolution for the relief of certain aliens;

H. J. Res. 340. Joint resolution to facilitate the admission into the United States of certain aliens;

H. J. Res. 370. Joint resolution to extend the time limit for the Secretary of Commerce to sell certain war-built vessels for utilization on essential trade routes 3 and 4;

H. J. Res. 373. Joint resolution to facilitate the admission into the United States of certain aliens;

H. J. Res. 392. Joint resolution for the relief of certain aliens;

H. J. Res. 408. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the St. Lawrence Seaway celebration to be held in Chicago, Ill., from January 1, 1959, to December 31, 1959; and

H. J. Res. 409. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

On August 31, 1957:

H. R. 1214. An act to authorize the President to award the Medal of Honor to the unknown American who lost his life while serving overseas in the Armed Forces of the United States during the Korean conflict;

H. R. 1318. An act for the relief of Thomas P. Quigley;

H. R. 1394. An act to authorize the sale of certain keys in the State of Florida by the Secretary of the Interior;

H. R. 2938. An act for the relief of Cooperative for American Remittances to Everywhere, Inc.;

H. R. 3877. An act to validate a patent issued to Carl E. Robinson, of Anchor Point, Alaska, for certain land in Alaska, and for other purposes;

H. R. 6456. An act to amend section 304 (d) of the Federal Food, Drug, and Cosmetic Act, with respect to the disposition of certain imported articles which have been seized and condemned;

H. R. 6508. An act to modify the Code of Law for the District of Columbia to provide for a uniform succession of real and personal property in case of intestacy, to abolish dower and curtesy, and to grant unto a surviving spouse a statutory share in the other's real estate owned at time of death, and for other purposes;

H. R. 7384. An act for the relief of the town of Medicine Lake, Mont.;

H. R. 9023. An act to amend the act of October 31, 1949, to extend until June 30, 1960, the authority of the Surgeon General to make certain payments to Bernalillo County, N. Mex., for furnishing hospital care to certain Indians;

H. J. Res. 230. Joint resolution to suspend the application of certain Federal laws with respect to personnel employed by the House Committee on Ways and Means in connection with the investigations ordered by House Resolution 104, 85th Congress;

H. J. Res. 313. Joint resolution designating the week of November 22–28, 1957, as National Farm-City Week;

H. J. Res. 368. Joint resolution for the relief of certain aliens; and

H. J. Res. 404. Joint resolution providing for the recognition and endorsement of the Second World Metallurgical Congress.

On September 2, 1957:

H. R. 38. An act to amend the Tariff Act of 1930 to provide for the temporary free importation of casein;

H. R. 110. An act to amend section 372 of title 28, United States Code;

H. R. 293. An act to authorize settlement for certain inequitable losses in pay sustained by officers of the commissioned services under the emergency economy legislation, and for other purposes;

H. R. 499. An act to direct the Secretary of the Navy or his designee to convey a 2,477.43-acre tract of land, avigation, and sewer easements in Tarrant and Wise Counties, Tex., situated about 20 miles northwest of the city of Fort Worth, Tex., to the State of Texas;

H. R. 896. An act to amend title 10, United States Code, to authorize the Secretary of the Army to furnish heraldic services;

H. R. 1324. An act for the relief of Westfeldt Bros.;

H. R. 3028. An act to provide for the relief of certain female members of the Air Force, and for other purposes;

H. R. 3367. An act to amend section 1867 of title 28 of the United States Code to authorize the use of certified mail in summoning jurors;

H. R. 3377. An act to promote the national defense by authorizing the construction of aeronautical research facilities and the acquisition of land by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research;

H. R. 3940. An act to grant certain lands to the Territory of Alaska;

H. R. 4144. An act to provide that the commanding general of the militia of the District of Columbia shall hold the rank of brigadier general or major general;

H. R. 4191. An act to amend section 633 of title 28, United States Code, prescribing fees of United States commissioners;

H. R. 4193. An act to amend section 1716 of title 18, United States Code, so as to conform to the act of July 14, 1956 (70 Stat. 538–540);

H. R. 4336. An act for the relief of the First National Bank of Birmingham, Ala.;

H. R. 4609. An act to further amend the act entitled "An act to authorize the conveyance of a portion of the United States military reservation at Fort Schuyler, N. Y., to the State of New York for use as a maritime school, and for other purposes," approved September 5, 1950, as amended;

H. R. 5061. An act for the relief of Harry V. Shoop, Frederick J. Richardson, Joseph D. Rosenlieb, Joseph E. P. McCann, and Junior K. Schoolcraft;

H. R. 5810. An act to provide reimbursement to the tribal council of the Cheyenne River Sioux Reservation in accordance with the act of September 3, 1954;

H. R. 5811. An act to amend subdivision b of section 14—Discharges, when granted—of the Bankruptcy Act, as amended, and subdivision b of section 58—Notices—the Bankruptcy Act, as amended;

H. R. 5920. An act for the relief of Pedro Gonzales;

H. R. 6172. An act for the relief of Thomas F. Milton;

H. R. 6258. An act to amend the act entitled "An act to provide additional revenue for the District of Columbia, and for other purposes," approved August 17, 1937, as amended;

H. R. 6562. An act relating to the N½ sec. 33, T. 28 S., R. 56 E., Copper River meridian, Alaska;

H. R. 7383. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes;

H. R. 8030. An act to amend the Agricultural Adjustment Act of 1938 with respect to acreage history;

H. R. 8508. An act to provide that there shall be two county committees elected under the Soil Conservation and Domestic Allotment Act for certain counties;

H. R. 8679. An act to provide a 1-year extension of the programs of financial assistance in the construction of schools in areas affected by Federal activities under the provisions of Public Law 815, 81st Congress;

H. J. Res. 351. Joint resolution to establish a Lincoln Sesquicentennial Commission;

H. J. Res. 387. Joint resolution for the relief of certain spouses and minor children of citizens of the United States; and

H. J. Res. 430. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

On September 3, 1957:

H. R. 9302. An act making appropriations for mutual security for the fiscal year ending June 30, 1958, and for other purposes.

On September 4, 1957:

H. R. 230. An act to require the Secretary of the Army to convey to the county of Los Angeles, Calif., all right, title, and interest of the United States in and to certain portions of a tract of land heretofore conditionally conveyed to such county;

H. R. 580. An act to authorize the exchange of certain land in the State of Missouri;

H. R. 1502. An act for the relief of Homer Cazamias;

H. R. 1677. An act for the relief of Gilbert B. Mar;

H. R. 2075. An act for the relief of Albert A. Heinze;

H. R. 2136. An act to amend section 124 (c) of title 28 of the United States Code so as to transfer Shelby County from the Beaumont to the Tyler division of the eastern district of Texas;

H. R. 2654. An act for the relief of Martin Wunderlich Co.;

H. R. 4174. An act for the relief of Filomena and Emil Ferrara;

H. R. 4351. An act for the relief of G. H. Litts;

H. R. 6868. An act for the relief of the estate of Agnes Moulton Cannon and for the relief of Clifton L. Cannon, Sr.;

H. R. 7096. An act to amend paragraph 1684 of the Tariff Act of 1930 with respect to istle or Tampico fiber, to admit free of duty a beta-ray spectrometer for use at Stanford University, Stanford, Calif., and for other purposes;

H. R. 7636. An act to provide for the conveyance to the State of Florida of a certain tract of land in such State owned by the United States;

H. R. 7671. An act to amend section 116 of chapter X of the Federal Bankruptcy Act, to make certain equipment trust provisions applicable to aircraft and aircraft equipment of air carriers;

H. R. 7972. An act to provide for the conveyance to the city of Warner Robins, Ga., of certain lands and any improvements located thereon in such city;

H. R. 8256. An act to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social-security benefits and to provide additional exemptions for age and blindness, and to exempt from personal-property taxation in the District of Columbia boats used solely for pleasure purposes, and for other purposes;

H. R. 8374. An act for the relief of Virginia Ray Potts;

H. R. 8918. An act to further amend the act of August 7, 1946 (60 Stat. 896), as amended by the act of October 25, 1951 (65 Stat. 657), to provide for the exchange of lands of the United States as a site for the new Sibley Memorial Hospital; to provide for the transfer of the property of the Hahnemann Hospital of the District of Columbia, formerly the National Homeopathic Association, a corporation organized under the laws of the District of Columbia, to the Lucy Webb Hayes National Training School for Deaconesses and Missionaries including Sibley Memorial Hospital, a corporation organized under the laws of the District of Columbia, and for other purposes;

H. R. 8994. An act to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes;

H. R. 9280. An act to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes;

H. R. 9406. An act to amend the act of June 23, 1949, as amended, to provide that telephone and telegraph service furnished Members of the House of Representatives shall be computed on a biennial rather than an annual basis;

H. J. Res. 374. Joint resolution for the relief of certain aliens; and

H. J. Res. 453. Joint resolution establishing that the 2d regular session of the 85th Congress convene at noon on Tuesday, January 7, 1958.

On September 7, 1957:

H. R. 277. An act to amend title 17 of the United States Code, entitled "Copyrights," to provide for a statute of limitations with respect to civil actions;

H. R. 1411. An act for the relief of George H. Meyer Sons, Brauer & Co., Joseph McSweeney & Sons, Inc., C. L. Tomlinson, Jr., and Richmond Livestock Co., Inc.;

H. R. 1474. An act for the relief of Mrs. Jennie Maurello;

H. R. 1883. An act for the relief of Benedict M. Kordus;

H. R. 1937. An act to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia, and for other purposes;

H. R. 2486. An act to authorize Commodity Credit Corporation to grant relief with respect to claims arising out of deliveries of eligible surplus feed grains on ineligible dates in connection with purchase orders under its emergency feed program;

H. R. 3370. An act to amend section 1871 of title 28, United States Code, to increase the mileage and subsistence allowances of grand and petit jurors;

H. R. 3468. An act for the relief of J. A. Ross & Co.;

H. R. 3625. An act to amend section 214 of the Interstate Commerce Act, as amended, to prevent the use of arbitrary stock par values to evade Interstate Commerce Commission jurisdiction;

H. R. 4335. An act for the relief of Ramon Tavarez;

H. R. 4992. An act for the relief of Michael D. Ovens ;

H. R. 5719. An act for the relief of Clara M. Briggs;

H. R. 6760. An act to grant to the Territory of Alaska title to certain lands beneath tidal waters, and for other purposes;

H. R. 7014. An act for the relief of Mme. Henriette Buaillon and Stanley James Carpenter;

H. R. 7536. An act to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941;

H. R. 7654. An act for the relief of Richard M. Taylor and Lydia Taylor;

H. R. 7900. An act to permit the Secretary of Agriculture to sell to individuals land in Ottawa County, Mich., which was acquired pursuant to the provisions of title III of the Bankhead-Jones Farm Tenant Act;

H. R. 7964. An act to remove the limitation on the use of certain real property heretofore conveyed to the city of Austin, Tex., by the United States;

H. R. 8576. An act to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes;

H. R. 8928. An act to amend the act of June 9, 1880, entitled "An act to grant to the corporate authorities of the city of Council Bluffs, in the State of Iowa, for public uses, a certain lake or bayou situated near said city";

H. R. 9282. An act to provide additional office space in home districts of Congressmen, Delegates, and Resident Commissioners; and

H. J. Res. 253. Joint resolution to establish a commission to commemorate the 100th anniversary of the Civil War, and for other purposes.

On September 9, 1957:

H. R. 6127. An act to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

HOUSE BILLS DISAPPROVED AFTER SINE DIE ADJOURNMENT

The message further announced that the President had disapproved the following bills of the House; his reasons for such actions are as follows:

STATE OF WASHINGTON, HIGHWAY PAYMENT

H. H. 2224: I am withholding approval of H. R. 2224, directing the payment of $581,721.91 to the State of Washington as full satisfaction of a claim against the United States for the cost of replacing and relocating a 28-mile portion of secondary Highway 11-A which was condemned and taken by the United States in 1943 as part of the Hanford atomic energy project.

The claim involved in the bill has been thoroughly litigated and its payment denied by judicial determination. The statements in House Report No. 401, 85th Congress, on H. R. 2224, concerning the basis of the court decisions appear to be in error. Both the United States District Court for the Eastern District of Washington and the United States Court of Appeals for the Ninth Circuit found that there was in 1943 no necessity for replacing the road since there were adequate substitutes available. They held that the State was therefore not entitled to compensation. Certiorari was denied.

No equitable reason for overruling the decision of the courts has been advanced. This is not an instance in which a strict application of the law of eminent domain renders a claim noncompensable or in which denial of the claim will cause undue hardship and suffering to the condemnee because of peculiar circumstances. The doctrine requiring payment only when a substitute highway is necessary is based on the consideration that there is no money loss when it is unnecessary to replace the road. As a matter of fact, there is a saving of expense to the State in that the burden of maintaining a road has been removed. Enactment of this bill would encourage the reopening of other similar claims which the courts have denied.

The State is now constructing a new road across a portion of the Hanford project. The findings of the courts indicate that any need which this road may serve as a substitute for Highway 11-A must have been created by developments since 1943 and not by the Government's taking of a portion of Highway 11-A. Furthermore, the Atomic Energy Commission has contracted to give the State an easement over Commission-owned lands for such a highway. The Department of the Army has constructed 14 miles of this road to serve its own needs. While the State has reimbursed the Department for the extra expense involved in constructing the road to meet State specifications, the contribution of the Department has resulted in substantial savings to the State. No equitable reason has been established to justify further Federal contributions to the cost of this road.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 2, 1957*.

DIRECT LOANS, VETERANS HOUSING

H. R. 4602: I am withholding approval of H. R. 4602, which would extend and expand the direct-loan program for housing for veterans in rural areas and small cities and towns.

The Veterans' Administration direct-loan program was established for the purpose of granting to veterans for whom guaranteed loans were not readily available an equal opportunity to receive the homeownership benefits of the Servicemen's Readjustment Act. The terms and conditions of these direct loans were intended to conform as closely as possible to the guaranteed loans. Since the direct-loan program was established, in 1950, approximately $700 million in funds have been disbursed.

In recent months a steadily expanding economy with continued strong demand for available investment funds has resulted in a general rise in the interest-rate structure. Because of the higher yields available on other forms of investment, the flow of investment funds into VA-guaranteed mortgages has been drastically reduced. To correct this situation, this administration strongly urged the Congress to increase the maximum interest rate on VA-guaranteed mortgages from 4½ to 5 percent. No action was taken on this recommendation and, as a result, eligible veterans are finding guaranteed mortgages almost impossible to obtain. It is still within the power of Congress, however, to stimulate the flow of private investment funds into VA-guaranteed mortgages by adjustment of the maximum interest rate.

What the proposed legislation seeks to do is to make substantial amounts of additional mortgage funds available by providing for direct Government loans at interest rates well below the current market. These funds are to be made available only to a limited number of veterans—namely, those in rural areas and small cities and towns. I cannot approve a program that has such a potential inflationary effect upon the economy or that is so discriminatory. There is no justifiable reason for making loans at interest rates below the current market available to some veterans and denying them to others.

Help to veterans in the field of housing can be met most effectively with programs available to all our citizens, veterans and nonveterans alike, through the coordinated activities of the Housing and Home Finance Agency. The recent liberalization of loan terms under the FHA mortgage-insurance program should make this program available to a far wider segment of the population, thus stimulating private home-building activity to meet the growing needs.

It is my considered judgment that the above-mentioned deficiencies of H. R. 4602 are of a magnitude and importance which preclude my approval of the bill.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 2, 1957.*

MR. AND MRS. C. H. PAGE

H. R. 1315: I have withheld my approval from H. R. 1315, a bill for the relief of Mr. and Mrs. Charles H. Page.

H. R. 1315 would pay the sum of $14,430.88 to Mr. and Mrs. Charles H. Page in connection with the wrongful death of their son who was a member of the Armed Forces.

On the night of July 4, 1954, the decedent, Pfc. Charles H. Page, Jr., was a member of a motorized patrol at Killeen Army Base, Killeen, Tex. As the patrol approached a classified area after dark it was properly halted and challenged by a posted walking sentry. The decedent identified the patrol, whereupon the sentry requested that the dome light inside the vehicle be turned on. The patrol had twice passed the same sentry earlier that evening after the fall of darkness and had been allowed to proceed after the sentry had been informed that the light did not work. But, this time, on again being informed that the light did not work, the sentry directed the decedent to dismount and be recognized. The latter refused, calling out to inquire if the sentry did not recognize his voice and, at the same time, directing the driver of the vehicle to proceed. The sentry ordered the vehicle to halt and then fired, fatally wounding the decedent.

The decedent was survived by his parents who are the beneficiaries of this bill. The parents were paid a death gratuity of $569.22 and are currently in receipt of monthly benefits from the decedent's free $10,000 indemnity. In addition, upon a showing of dependency, they could qualify for regular monthly payments under the Social Security Act and under laws administered by the Veterans' Administration. The award proposed in H. R. 1315 is additive to the foregoing benefits.

I cannot see my way clear to approve this bill. The Federal Government has provided a costly, comprehensive, and orderly system of benefits for survivors of members of the Armed Forces who die in service. As long as the death is service connected, these benefits are payable regardless of the cause, whether it be in combat or as the result of a tragic incident like the present one. As I have previously noted, the parents here have already received, and presently are continuing to receive, substantial benefits on account of their son's death. On a showing of dependency they could qualify for additional benefits.

H. R. 1315 would add to the benefits, to which the parents have heretofore or may hereafter become entitled, a further award in the amount of $14,430.88. To make such an award in this case would establish a most undesirable precedent with respect to other cases involving service-connected deaths. If this bill were approved, it would be difficult to deny similar awards to the survivors of other servicemen who die under a wide variety of circumstances. To follow such a course would, in my opinion, jeopardize the entire structure of benefits which has been built up for the protection of servicemen's survivors.

I am constrained, therefore, to withhold my approval from H. R. 1315.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 7, 1957.*

MRS. HANNAH MAE POWELL

H. R. 1419: I have withheld my approval of H. R. 1419 entitled "An act for the relief of Mrs. Hannah Mae Powell."

The bill would authorize and direct the Secretary of the Treasury to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Hannah Mae Powell, 1950 East Lehigh Avenue, Philadelphia, Pa., the sum of $11,197.95 in full settlement of all claims of said Mrs. Hannah Mae Powell for refund of excise taxes and other expenses sustained as a result of the actions of the collector of internal revenue of Philadelphia, Pa., in the years 1937, 1941, and 1942.

An examination by the Treasury Department of the facts in this case discloses that Mrs. Hannah Mae Powell has recovered by court action all taxes assessed and collected from her which were in dispute—plus interest—except $464.76 which was barred by the expiration of the statutory period of limitations. These taxes which were in dispute were manufacturers' excise taxes.

After a recovery of the taxes, Mrs. Hannah Mae Powell instituted a damage suit against the former collector, both individually and as collector of internal revenue of Philadelphia, Pa. The district court rendered a judgment in favor of the former collector and denied damages to Mrs. Hannah Mae Powell. This judgment was later upheld by the court of appeals.

The bill, therefore, would give to Mrs. Hannah Mae Powell the sum of $11,197.95 as damages which were denied to her by the Federal district court and the court of appeals. The court of appeals in affirming the decision of the lower court stated (*Powell* v. *Rothensies* (C. A. 3d, 1950), 183 F. 2d 774, 775):

> The evidence offered by the plaintiff herself conclusively establishes that at the time of the levy and seizure in question there were outstanding in the hands of the defendant 2 unpaid assessments against the plaintiff for manufacturer's excise taxes and that the warrant for distraint under which the levy and seizure were made was expressly based upon these 2 outstanding assessments, which with interest and penalty then amounted to $4,718.44. Under these circumstances it was within the scope of the defendant's ministerial duty to make the levy and collection here in controversy and he cannot be held answerable in damages for so doing. The trial judge, therefore, rightly directed a verdict for the defendant.

It would thus appear that the damages sustained by Mrs. Powell resulted from her failure to satisfy two unpaid assessments and that, in collecting the unpaid assessments, the former collector of internal revenue was acting within the scope of his ministerial duties.

H. R. 1419 would have a discriminatory effect, as it would afford to Mrs. Powell relief which had been denied her by the Federal Courts and which would be denied all others in similar circumstances who do not have the benefit of special legislation. Furthermore, H. R. 1419 would create an undesirable precedent by allowing damages to be collected from the United States under these circumstances.

Under the circumstances, therefore, I am constrained to withhold my approval of the bill.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 7, 1957.*

PACIFIC CUSTOMS BROKERAGE CO.

H. R. 1591: I am withholding approval of H. R. 1591, a bill for the relief of the Pacific Customs Brokerage Co., of Detroit, Mich.

The proposed legislation would provide for the payment of $29,502.55 to the beneficiary in full settlement of all claims against the United States arising out of an erroneous classification of baler twine which was imported at Detroit, Mich., between May 5, 1950, and February 16, 1951. The collector of customs liquidated these entries at the rate of 15 percent ad valorem, the rate applicable under paragraph 1005 (b) of the Tariff Act of 1930, as modified, in accordance with established and uniform practice for merchandise of this type. The importer failed to protest this ruling within 60 days after liquidation of the entry.

About a year after the entries had been liquidated, the Customs Court, in connection with the importation made by another importer, decided that similar merchandise was entitled to entry free of duty under paragraph 1622 of the Tariff Act. This decision was later affirmed by the Court of Customs and Patent Appeals. This interpretation of the law had no effect on the classification of the merchandise in H. R. 1591, since that duty determination had been made and had become final and binding.

The Congress has established a regular procedure for importers to contest the rate of duty and obtain a judicial determination by the Customs Court of the correct rate. This judicial review is obtained by filing a protest to the collector's decision within 60 days after it is made. No protest was filed by the Pacific Customs Brokerage Co. The Congress, in section 514 of the Tariff Act, has provided that if such a protest is not made within 60 days, the decision of the collector is final and conclusive upon the importer and all other persons, including the United States. This provision, like other statutes of limitations, is desirable to permit the final disposition of cases in an orderly manner.

The importer had a legal means to contest the classification decision but failed to do so within the terms of the statute. To grant relief in this situation would be inequitable and would discriminate against the hundreds of other importers who have paid duty based upon a construction of the law which the courts have subsequently decided would be erroneous.

For these reasons, I return the bill without my approval.

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, *September 7, 1957.*

PHILIP COOPERMAN, ARON SHRIRO, AND SAMUEL STACKMAN

H. R. 1733: I am withholding my approval of H. R. 1733, for the relief of Philip Cooperman, Aron Shriro, and Samuel Stackman.

The bill would provide that, for the purpose of determining the individual liability for income taxes for the taxable year 1951 of Philip Cooperman, Aron Shriro, and Samuel Stackman, the elections of said Philip Cooperman, Aron Shriro, and Samuel Stackman, sole stockholders of Queens Syndicate, Inc., which was liquidated pursuant to a plan of complete liquidation adopted on the first day of September 1951, to have the benefits of section 112 (b) (7) (A) of the Internal Revenue Code of 1939 would be considered to have been filed within 30 days after the date of adoption of such plan. The bill states that the benefits of section 112 (b) (7) were denied to the stockholders because the mailing of the elections was delayed, without negligence or fault on the part of the stockholders, until after the 30th day following the adoption of the plan of complete liquidation.

Section 112 (b) (7) provides a special rule in the case of certain complete liquidations of domestic corporations occurring within 1 calendar month for the treatment of gain on the shares of stock owned by qualified electing stockholders. The effect of this section is to permit deferral of tax upon unrealized appreciation in the value of the property distributed in liquidation. An election to be governed by section 112 (b) (7) must be filed by the shareholder or by the liquidating corporation with the Commissioner of Internal Revenue on or before midnight of the 30th day after adoption of the plan of liquidation. Essentially, H. R. 1733 would waive this requirement for the named taxpayers.

The records of the Treasury Department disclose that it was not involved in the untimely filing by these taxpayers of the elections. These records show that on September 1, 1951, Queens Syndicate, Inc., adopted a plan of complete liquidation. On November 18, 1951, elections on Form 964, signed by the electing shareholders, were received by the Office of the District Director of Internal Revenue, Brooklyn, N. Y. Accordingly, the filing of the elections was delayed for more than 6 weeks after the 30-day period prescribed by law for the filing of such elections.

The granting of special relief in this case would constitute an unfair discrimination against other taxpayers similarly situated and would create an undesirable precedent which might encourage other taxpayers to seek relief in the same manner.

Under the circumstances, therefore, I am constrained to withhold my approval of the bill.

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, *September 7, 1957.*

FEDERAL EMPLOYEE SALARY INCREASES

H. R. 2462 and H. R. 2474: I am withholding approval of H. R. 2462 and H. R. 2474, bills providing increases in salary rates scheduled under the Classification Act of 1949, as amended, and the Postal Field Service Compensation Act of 1955, as amended, and providing salary increases for other Federal employees.

H. R. 2462 would increase salaries, under the Classification Act, by about 11 percent, and would make the increases applicable to all except the most responsible jobs. H. R. 2474 would increase salaries in the Postal Field Service by $546. The increases would range downward from about 19 percent for the less responsible jobs to about 3.5 percent for the most responsible jobs.

I cannot approve these bills because, first, they are not justified by considerations of equity; second, they would materially accentuate existing disparities in the pay scales; third, they would increase total Federal expenditures so as to make large supplemental appropriations necessary; fourth, they would increase the rate of Federal expenditure so as to require in all probability an increase in the statutory debt limit; and fifth, they would contribute unnecessarily to existing and incipient inflationary pressures in our national economy.

First. The claims that the increases provided for in these bills are justified by increases in the cost of living have not been sustained. From July of 1951, the effective date of the 1951 pay increases, to March of 1955, the effective date of the 1955 pay increases, the cost of living increased by slightly more than 3 percent. Yet the 1955 pay increases amounted to an average of about 8 percent for postal employees and about 7.5 percent for classified employees. Since March of 1955 the cost of living has gone up a little over 5½ percent, or a total increase since July of 1951 of about 8.9 percent. Against this increase of 8.9 percent in the cost of living, approval of these bills would result in there having been granted since 1951 to postal employees increases in pay averaging about 20.6 percent and to classified employees increases in pay averaging about 18.5 percent. During this same period, fringe benefits have grown substantially—low-cost life insurance, unemployment compensation, liberalized retirement, and survivor benefits. By no standards do the equities of the situation justify the increases provided for in these bills.

Second. Federal employees have the right to expect fair and equitable wage treatment in relation to each other and in relation to employees in private business. These bills disregard that fundamental principle. Both would widen existing pay discrepancies within the Federal establishment and aggravate existing inequities, and it has not been demonstrated that generally the present conditions of Federal employment are out of line with those of the millions of other citizens working in private industry.

Third, in the absence of any compelling justification on the merits, great weight must be given to the serious fiscal and economic implications of these bills. The bills would increase annual expenditures by about $850 million for increased base pay and increased benefits computed on base pay. To meet these increased costs, either drastic curtailment of postal services and programs covered by the Classification Act, or large supplemental appropriations would be necessary, notwithstanding our firm efforts to operate these Federal programs within existing resources.

Fourth, the bills, by increasing the rate of Federal expenditures in relation to receipts, would press the public debt upward to a point so dangerously close to the statutory debt limit that an increase in the limit would appear unavoidable. The undesirable economic consequences of such action are apparent.

Fifth, these increased expenditures and the threat of increased public debt which they pose would have the effect of adding to the upward pressures on the prices of things Americans buy. I am firmly convinced that our people want orderly economic growth with reasonable price stability. The attainment of this goal lays heavy obligations upon us all. Of the Federal Government it demands fiscal integrity, however hard the choices such a course may impose. There can be no doubt, moreover, that the health of our economy and the defense of the dollar require economic statesmanship of employers and workers, public and private alike, in determining how much we as a nation pay ourselves for the work we do. Government cannot in good conscience ask private business and labor leadership to negotiate wage adjustments with full regard to the whole Nation's interest in price stability while at the same time approving the enactment of these wholesale salary-increase bills.

My decision to withhold approval of these bills is made with firm belief that the Government's salary position must support recruitment and retention of able employees in the thousands of different occupations essential to our Federal operations. An inquiry into the need for adjustments in the structure of executive branch pay systems has been undertaken at my direction. In the event this inquiry demonstrates the need for logical, fair, and discriminating adjustment, recommendations for appropriate action will be made early in the next session of the Congress.

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, *September 7, 1957.*

KNOX CORPORATION

H. R. 2904: I have withheld my approval from H. R. 2904, for the relief of the Knox Corp., of Thomson, Ga., for the reason that it provides for a return by

the Government of fees to a private corporation which had been properly paid pursuant to a valid contract. In this case, there were fees of $7,809 paid by the Knox Corp. in connection with commitments by the Federal National Mortgage Association to purchase mortgages on housing to be constructed in the future. The housing was not constructed. However, the Government was not responsible in any way for the failure to construct such housing. Accordingly, the commitments were terminated and the commitment fees were retained by the Federal National Mortgage Association. This action was in accordance with the express terms of the contract and with the established procedure. There is no proper basis upon which an exception can be made in this case. Approval of this special relief bill would establish a highly undesirable precedent and result in unwarranted costs to the Government.

EXTENSIONS OF REMARKS

Address by Senator Lister Hill, of Alabama, at Dedication of Alben W. Barkley Room, Mary I. King Library, University of Kentucky

EXTENSION OF REMARKS

OF

HON. LISTER HILL

OF ALABAMA

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. HILL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address which I delivered on May 27, 1957, at the dedication of the Alben W. Barkley room in the Mary I. King Library at the University of Kentucky.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY THE HONORABLE LISTER HILL, UNITED STATES SENATOR FROM ALABAMA, AT THE DEDICATION OF THE ALBEN W. BARKLEY ROOM, MARY I. KING LIBRARY, UNIVERSITY OF KENTUCKY, MAY 27, 1957

How fitting it is that we should dedicate this room in your beautiful library of the University of Kentucky as the Alben W. Barkley room, and place here for our benefit and for the benefit of those who come after us the papers, letters, and memorials of Alben Barkley.

Alben Barkley was my cherished friend, and for 6 years as Democratic whip of the Senate it was my privilege to serve as his assistant when he was majority leader of the Senate.

How well I remember the many times we worked together. I recall the many times we had lunch in the office of the Secretary of the Senate, and planned our strategy, our work to be taken up in the Senate.

Alben Barkley worked hard; he always worked hard. But he knew how to relax. And he could relax those with him. With his stories and his humor, Alben Barkley could relax the mind and refresh the spirit. It was good to be with him.

His fund of stories was inexhaustible. They flowed like the refreshing waters of one of your fine Kentucky springs. Alben Barkley had a story for each situation. And always there was an underlying wisdom in his stories. They were founded in his folklore.

The great thing about Alben Barkley was his love of everything around him. He loved Kentucky, her history, her traditions, and her people. He was proud that he was her son, and his first loyalty was to her people—his people. He was flesh of their flesh and bone of their bone. Their strength was his strength.

In his papers and letters is written so much of the history of our country, of the epic story of America. As I said this morning, Alben Barkley's life overlapped four historic periods in the development of our Nation.

First, America's coming of age with Woodrow Wilson, when a people became conscious of their destiny and their leadership in the family of nations;

Second, the days of the great depression which demonstrated that in time of domestic crisis a vigorous, determined Government can act to protect the people from stagnation and despair and needless suffering;

Third, were the years of World War II and after, when America used her might to beat down the totalitarian enemies of the Free World and then to hold back those who sought world domination by infiltration and subversion and cold war;

And finally, he lived into the age of nuclear energy, of flight faster than sound, of man's first tentative thrust into outer space with the building of the earth satellite.

And, as I said this morning, Alben Barkley was at home in all these times. He retained always the resilience of youth, the zest for new things, the willingness to try uncharted paths. He looked always to the future.

Those who come here will find not only the written words, the revealing facts, the interesting and delightful stories and anecdotes, the discussion of great issues and the events of history, but more than this—they will be challenged and inspired by the shining example of the life and character and services of Alben Barkley.

This great Kentuckian stands today beside the immortal Henry Clay who by his heroic efforts to save our country from fratricidal war sacrificed his bright chances to be President; beside the martyred Lincoln who admonished us to have courage, for only brave men and women can preserve freedom and the blessings of freedom.

Alben Barkley was majority leader of the Senate longer than any man in American history. In his autobiography he tells us that when he was first elected majority leader in the extremely close contest between him and another great American, the late Pat Harrison, of Mississippi, he solicited no votes. Alben Barkley did not solicit votes. Alben Barkley led men by the force of his genius. He led them by the example of his life, by the influence of his character and his courage, by his devotion to principle and his steadfast adherence to his convictions, and by his discerning and masterful presentation of the issues.

He was the militant leader, the captain of teamwork, with rare capacity to persuade and cooperate with men, without abandonment of principle, leading them in the vital service of our country and of humanity.

Alben Barkley was a partisan—a partisan for his friends, a partisan for his party, a partisan for the convictions he held and the things he believed to be right. He was a partisan in the cause of the people. But he bore no malice. There was no vanity in him; there was no retribution in his spirit; there was no littleness in this man.

In the heart and soul of Alben Barkley there were so tempered the elements of tolerance, patience, and sympathy that he drew to him the ungrudging regard and affection of all who came within the radius of his genial influence. Always his life brought home to us the admonition of the Master to His disciples: "That ye love one another, as I have loved you, that ye also love one another."

It was in an hour of joy and zest that Alben Barkley passed out of the company of living men. For nothing pleased him more than to stand before his fellow men, to speak to them, to expound the gospel of the Democratic Party which he loved so well, and to proclaim the faith by which he lived. We know how powerful, how persuasive, how compelling was his logic and his eloquence, how withering his sarcasm, how devastating his wit—all combining to make him the Nation's foremost political orator. Who that heard him can ever forget his memorable speech in the late evening at the 1948 Democratic convention in Philadelphia—the speech that lifted the discouraged and disheartened delegates, moved and inspired them, and sent them forth with fire and resolution to win the victory. After the speech there was no longer any question as to who would be the convention's nominee for Vice President. All eyes and all hearts had turned to Alben Barkley.

Vice Presidents have come and gone, many of them, but we have had only one so outstanding in personality, in leadership, and in service to our country, so strong in the appreciation and affection of the American people as to become "Mr. Veep."

Alben Barkley as a young man attended for a short time Thomas Jefferson's university, the University of Virginia. There he breathed deep the air of Jefferson's philosophy. There he found and nurtured his spiritual kinship with the author of the Declaration of Independence. There he became the disciple and the prophet of Jeffersonian democracy.

Alben Barkley recognized that great forces were at work in America and that great changes were taking place. He knew that when a nation grows rich and powerful it can become careless and forget its ideals. He worked always for the preservation and the perfecting of American democracy. He fought against special privilege, monopoly, the mastery of the many by the few. He fought to keep wide the door of economic opportunity, to redress social wrongs, to correct political abuses. He was on the side of the underprivileged and less fortunate—the little folks. He sought to break down the barriers of bigotry and intolerance and hatred. He taught the brotherhood of man. He was the champion of the people—a mighty warrior for peace for ourselves and for all nations.

As a Member of the House of Representatives and as the majority leader of the Senate, Alben Barkley gave leadership—more than any man in the history of the American Congress—to legislation for the advancement of economic strength and social gains for the American people, for human welfare and equal justice for all.

In the closing words of his autobiography Alben Barkley declares:

"I believe there are certain things which are still crying for accomplishment in this country. I shall continue to raise my voice for them."

And then he concludes:

"I should like to live to see every American family living in a comfortable home, and every American child born and reared in an atmosphere sufficiently wholesome to guarantee an even chance for health and intellectual and moral development consonant with the responsibilities of American citizenship. I should like to live to see the world at peace, where the inventive genius of man would be utilized to improve the conditions of life throughout the world. I should like to live to see the pledge of every nation respected by every other nation because it was made in good faith and observed to the letter."

It is not surprising that the last words to fall from the lips of such a man were the words: "I would rather be a servant in the house of the Lord than sit in the seats of the mighty." Alben Barkley sat in the seats of the mighty, and he served nobly and well in the house of the Lord.

So long as America shall stand, the example of the life and character and services of Alben Barkley will be remembered—will challenge and inspire men and women to carry on, to fight for the ideals and the principles that have made our America great. It can be said of Alben Barkley, as it was said of that other native son of Kentucky, that towering figure, Abraham Lincoln:

"He held his place—
Held the long purpose like a growing tree
Held on through blame and faltered not at praise
And when he fell in whirlwind, he went down
As when a lordly cedar, green with boughs,
Goes down with a great shout upon the hills
And leaves a lonesome place against the sky."

Congressman Moore To Visit Citizens in Each County in First District of West Virginia

EXTENSION OF REMARKS

OF

HON. ARCH A. MOORE, JR.

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. MOORE. Mr. Speaker, it is my belief that a Congressman should be in his district to confer with his constituents and assist with problems whenever official duties do not require his presence in Washington. Accordingly, during the session, I have returned to my district each weekend to consult with my constituents and attend to their needs. In all, I have made over 100 speeches and personal appearances in the district during the past 8 months.

Upon the adjournment of Congress, I plan to return home and be available for conferences with the residents of the First Congressional District either at the courthouse or post office in each county seat. Following is the schedule I have arranged:

Monday, September 16, Hancock County: 9 a. m. to 12, courthouse, New Cumberland; 2 p. m. to 6 p. m., post office building, Weirton.

Tuesday, September 17, Brooke County: 9 a. m. to 6 p. m., courthouse, Wellsburg.

Wednesday, September 18, Ohio County: 9 a. m. to 6 p. m., post office, Wheeling.

Thursday, September 19, Marshall County: 9 a. m. to 6 p. m., courthouse, Moundsville.

Friday, September 20, Wetzel County: 9 a. m. to 12, courthouse, New Martinsville; 2 p. m. to 6 p. m., town hall, Hundred.

Monday, September 23, Marion County: 9 a. m. to 6 p. m., courthouse, Fairmont.

Tuesday, September 24, Taylor County: 9 a. m. to 6 p. m., post office, Grafton.

No appointment will be necessary for anyone who desires to come by on any of these dates and discuss any problem or give me an opinion on governmental matters. In addition to the above schedule, I will maintain a district congressional office throughout the year in the Mercantile Bank Building in Moundsville, and will always welcome visits from the people in the First Congressional District.

Women's Increasingly Important Role in American Life

EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. WILEY. Mr. President, as we all know, women in the United States are assuming an increasingly important role in the affairs of our Nation.

As I have had occasion to point out several times in the RECORD, women are commendably performing tasks in every walk of American life—in public office, teaching, law, science, the arts, sports, and almost every other field.

This fact might be noted, too, on this the final day of the first session of the 85th Congress: Since the first woman was elected to Congress in 1916, they have made tremendous strides in taking on important roles in municipal, county, State, and Federal Governments.

In our overall economy, the 22 million women in the working force today, also, obviously are a great contribution.

Let no one erroneously assume, however, that women, in becoming members of the Nation's working force, have become automatons—without feeling—in this technological age. To the contrary, the wife and mother is still the center of our homes—the basic foundation of American life and the American family.

However, a great many of the ladies are doing a tremendous job of combining constructive, creative careers outside the home, with homemaking.

I request unanimous consent to have printed in the CONGRESSIONAL RECORD, a further brief statement on the increasingly important role of women in Wisconsin and American public life, including a list of Wisconsin women in State administration.

There being no objection, the statement and list were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

Especially noteworthy is the role which women are occupying in public service.

For example, now, there are nearly 576,000 in the Federal service. There are 16 women—a Senator and 15 Congresswomen—in the 1st session of the 85th Congress. In 1957, a total of 321 women are serving in State and Territorial legislatures—an alltime high.

In addition, at least 10,000 women have been elected to municipal office, and 18,000 to county office.

Too, women are coming closer to the 50 percent mark in the number of postmasters. Back in 1786, the first two women were appointed postmistresses. Now there are about 15,600 women postmasters out of a total of 37,400 in the United States.

WOMEN IN JUDICIAL SERVICE

Recognition of women jurists throughout the United States and its territories is increasing steadily. Nineteen hundred and fifty-seven finds as many as 114 women lawyers serving as justices in Federal, State, county, and municipal courts throughout the United States. They are prominent also on the bench of circuit courts, probate, domestic relations, criminal district courts, and in Federal courts of appeal, tax, and customs.

WISCONSIN WOMEN IN PUBLIC SERVICE

In my own State of Wisconsin, women have established an especially fine record of playing important roles in public service.

There follows now a list of some of these prominent women in State administration. Although far from complete, this list illustrates a cross section of the many, many women in public service in Wisconsin.

WISCONSIN WOMEN IN STATE ADMINISTRATION

Director, Governor's commission on human rights, Mrs. Rebecca C. Barton.

Secretary, free library commission, Janice Kee.

Director of nursing education, department of nurses, Adele G. Stahl.

Members, food standards advisory committee, department of agriculture, Mary Agnes Bergin, Dr. Flora Hanning, Dr. Anne Marshall.

Member, fine arts commission, Mrs. D. B. Dana.

Member, grain and warehouse commission, Mrs. Lillian Crandall.

Members, Governor's commission on human rights, Mrs. Ernest H. Anderson, Mrs. Melvin Brown, Mrs. Harry Hamilton, Mrs. Harmon Hull, Mrs. William M. O'Donnell, Mrs. Louis A. Weisfeldt.

Members, free library commission, Hilda Cavanaugh, Ella M. Veslok, Mrs. Jean Wulling.

Members, State board of nursing, Ruth Coe, Sylvia Haubrich, Janet Jennings, Evelyn Mercer, Sister M. Regula.

Member, board of personnel, Mrs. Jane Harvey.

Members, board of public welfare, Mrs. C. R. Beck, Mrs. H. L. Garner, Mrs. Karl Kleinpell.

Member, joint committee on county institution standards, Ellen Hempstreet.

Member, State radio council, Lulu Radlund.

Member, State retirement fund board of trustees, Margaret L. Clash.

Member, board of regents of State colleges, Mary M. Walter, Mrs. Anita V. Webster.

Regent of the University of Wisconsin, Mrs. Helen C. Laird.

Member, State board of vocational and adult education, Mrs. Erna Cartwright.

Members, cosmetology examining board, Mrs. Nora Dalton, Mrs. Lelia Raynes, Mrs. Charlotte Toellner.

Members, advisory hospital council, Mrs. Otto Falk, Mrs. John Ramsey, Alice Topzant.

Members, committee of examiners for nurses, department of nurses, Helen Brunclik, Alice D. Schmitt, Sister M. Concepta, Sister St. Barbara, Adele Stahl (ex officio).

Members, nursing home advisory committee, board of health, Sister M. Clarine, Margarget Healy, Mrs. Frances Jellen, Mrs. Mollie Rahr, Theda L. Waterman.

Members, committee of examiners for trained practical nurses, Sister M. Aquin, Marie Arnold, Mrs. Florence Byrne, Mrs. Gertrude Neuman, Mrs. Ethel F. Straw, Adele G. Stahl (ex officio).

Member, certification committee for public health nurses, Ruth C. Adams.

Director, maternal and child health section, department of health, Dr. Amy Hunter.

Chief, research division, State historical society, Alice E. Smith.

Administrative assistant, fair employment practice division, industrial commission, Virginia Huebner.

Executve secretary, State judicial council, Mrs. Marygold Melli.

Administrator, traveling library and extension, free library commission, Mrs. Orrilla T. Blackshear.

Superintendent, Wisconsin home for women, department of public welfare, Mrs. Marcia Simpson.

Assistant reviser of statutes, Mrs. Dolores T. Thimke.

Administrative assistant, department of taxation, Jan Ahern.

Director, Library School, University of Wisconsin, Rachel Schenk.

Associate head and director, School of Nursing, University of Wisconsin, Margery J. McLachlan.

Lewis E. Hoffman

EXTENSION OF REMARKS

OF

HON. FRANK A. BARRETT

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. BARRETT. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement relative to an old friend of mine, Lewis E. Hoffman, who served the United States in an official capacity, first in the Bureau of Land Management, and earlier in the General Land Office, for a period of 44 years.

He is a dedicated public servant, and I am sorry he has reached an age at which it is necessary for him to retire from the Government service.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BARRETT

On August 1 of this year, the Federal Government lost an extremely able, and extremely dedicated, public servant in the retirement of Lewis E. Hoffman from the Department of the Interior. For nearly 44 years, Lew Hoffman has been associated with the Bureau of Land Management and its predecessor agencies dealing with the public domain of the United States, and at the time of his retirement was its chief minerals staff officer. He will practice law in Washington.

Mr. Hoffman is widely recognized throughout the minerals industry as perhaps the topmost authority in the United States on the oil and gas leasing laws. His book Oil and Gas Leasing on the Public Domain, has been a "bible" of the oil and gas industry since its original publication in 1951, and this year he brought out a revised edition to cover new developments in oil and gas leasing, including the laws and regulations covering submerged lands, among other things.

Lew Hoffman has appeared before the committees of Congress many, many times, and has always proved a most competent, and most cooperative witness. In addition, he was always available to any Member of the Senate or the House for private consultation on legislative and administrative matters affecting the development of the mineral resources of the public domain.

His Federal Government service dates back to 1913 when he was with the old Patent Office, then a bureau in the Department of the Interior and 7 months later he began his life work in public lands and their mineral development. He served in the American Expeditionary Forces in World War I, and then, upon the passage of the Mineral Leasing Act on February 25, 1920, he was designated by the Commissioner of the General Land Office to organize a division to administer the oil and gas provisions of that act. The task was a tremendous one as the change from the right to prospect for oil and gas, from making mining locations under the United States mining laws to the issuance of permits and leases under the Mineral Leasing Act was a revolutionary departure from the then existing practice and procedure.

On September 9, 1943, the Secretary of the Interior awarded Mr. Hoffman a meritorious promotion for "the interest and initiative you have shown in improving work methods within the Minerals Division which have resulted in more efficient management with a noticeable improvement in the morale of the employees under your supervision. I am glad that it is possible to give this evidence of the Department's appreciation of this service."

In 1953 Mr. Hoffman was appointed chairman of a task force of the President's Cabinet Committee for the establishment of a national policy relating to the production and utilization of minerals and metals. The task force was established to effect a comprehensive review of legislation, Executive orders, directives, and other components of the existing Federal mineral policy. The task force report received the highest praise from officials of the Department.

I am certain that all of Mr. Hoffman's host of friends on both sides of the aisle join me in wishing Lew Hoffman good fortune in the years that lie ahead.

Congressional Action on the President's Budget

EXTENSION OF REMARKS

OF

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. MAHON. Mr. Speaker, with respect to the overall budget, which was submitted to Congress by the President in January of this year, I wish to make the following observations.

It must be understood that there are two kinds of budgets—an appropriation budget and an expenditure budget. Also the Treasury may be obligated to spend money through legislative acts of Congress not handled by the Appropriations Committee. Typical examples of this are public and military housing. Another example are funds for the big highway construction program.

We reduced the President's appropriation budget for fiscal year 1958 in the sum of $4,914,355,584. In addition, we reduced deficiency budget requests which were presented to Congress during this session by the sum of $134,023,395. These deficiency requests were for the fiscal year ending June 30, 1957. The total budget reductions during this session of Congress have therefore been $5,048,378,979. A portion of these reductions are accounted for by transfers of funds appropriated in prior years and transferred for obligation or expenditure in fiscal year 1958. In the defense budget such transfers in the sum of $590 million were made. This was the chief transfer but there were one or two others which were relatively minor and which I do not have at hand for inclusion at this point. It must be remembered, however, that in transferring these funds we have reduced the overall authority of the Government to obligate and spend money.

While it is true that the appropriation budget was reduced by $5,048,378,979, larger reductions can be appropriately claimed. The specific requests in such instances did not come before the Appropriations Committee. A good example of this is the school construction bill. The President included in the budget a request of $450 million for the school construction program, but the request never came before the Appropriations Committee officially because the school construction authorization bill was defeated by Congress. Another case in point is the mutual security bill, in the budget of the President submitted in January which included for appropriations the sum of $4.4 billion for the mutual security program. Although the President withdrew a part of this estimate, Congress also failed to authorize the amount officially requested, therefore, the amount which came before the Appropriations Committee was approximately $1 billion less than the January budget estimated. This $1 billion figure could be appropriately claimed as a reduction in the President's January budget. But the President himself was responsible for withdrawing his request for one-half of the latter sum. Another case in point is military construction.

I would now like to make reference to items requested in the budget which would grant authority to agencies to withdraw money from the Treasury without action of the Appropriations Committees, in other words without direct appropriations. For example, Congress exceeded the President's request for obligating authority for the housing program this year to the extent of about $1.1 billion. But the authority to guarantee housing loans, Commodity Credit Corporation loans and programs of that type are vastly different from regular direct appropriations granting authority to expend money which will not be repaid or recovered. Many of these loan programs represent very little ultimate loss to the Treasury, and this sort of obligational authority, and it is obligational authority, should not be considered in the same light as direct appropriations.

Mr. Speaker, these references have been very brief. As I said in the House earlier today the Gentleman from Missouri, Mr. CANNON, the Chairman of the House Appropriations Committee is preparing a very detailed statement in regard to the 1958 budget which appears elsewhere in the RECORD.

Resolution by Members of the Massachusetts Delegation To Continue the Operation of Murphy Army General Hospital in the Best National Security and Economic Interest

EXTENSION OF REMARKS

OF

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. DONOHUE. Mr. Speaker, I am pleased to include a resolution adopted and signed by Members of the Massachusetts delegation in the House, and transmitted to the Secretary of the Army, requesting his reconsideration and recall of a recent order to completely deactivate this Army general hospital by January 1, 1958.

As revealed by the resolution, it is the combined and conscientious conviction of these Members that a proper and reasonable evaluation of all the factors involved clearly demonstrate it would be in the best national security and economic interest to keep this hospital operating, at least at its current level.

The resolution also reminds the Secretary that such was the express intent of the House when the Mililtary Appropriations Act of 1958 was considered by this body on July 24, 1957.

The resolution follows:

RESOLUTION BY MASSACHUSETTS DELEGATION MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES PETITIONING DEFENSE DEPARTMENT TO CONTINUE CURRENT OPERATION OF MURPHY ARMY GENERAL HOSPITAL AT WALTHAM, MASS., IN THE NATIONAL AND MILITARY INTEREST

Whereas Murphy General Hospital in origination and intention, for the emergencies of war or national pestilence was designed as a vital unit of the military-hospital network required to adequately fulfill the military obligation; and

Whereas the catastrophes of war and pestilence currently threaten the national security; and

Whereas this general hospital is the only such hospital within the New England area and has been competently serving the whole population of that entire region; and

Whereas incalculable hardship would be inevitably visited upon wide segments of the military personnel and dependents through travel and financial expense, following any deactivation; and

Whereas Murphy General Hospital is ideally accessible by train, plane, and automobile as well as being advantageously located adjacent to one of the greatest and most renowned medical centers of the world; and

Whereas the New England area is among the very highest, if not the highest, potential military recruitment sections of the country; and

Whereas the comparative cost of military hospital care and private hospital care under the so-called Military Dependents Assistance Act demonstrates the economic advantage of treating military dependents at military hospitals; and

Whereas the financial condition and atmosphere of the Nation make it imperative for this Government to exercise the greatest diligence in the expenditure of the American taxpayers' money; and

Whereas the buildings and grounds of Murphy Army General Hospital are in excellent condition; and

Whereas it is conservatively estimated that any planned replacement of Murphy General Hospital would require the expenditure of five times more than the original cost of Murphy General Hospital; and

Whereas one of the highest legal and moral obligations of the Military Establishment is to do everything within reason to maintain and heighten the patriotic morale of military personnel and their dependents and increase the attractiveness of a military career; and

Whereas it is manifestly against the best and wisest national interest to project a dangerous and dubious gamble with military morale and career incentives: Now, therefore, be it

Resolved, That the undersigned members of the Massachusetts delegation in the United States House of Representatives do hereby respectfully petition the Secretary of the Army, and other concerned officials of the Defense Department, to conscientiously reconsider and recall the outstanding directive that Murphy General Hospital be completely deactivated as of January 1, 1958; and be it further

Resolved, That the undersigned do hereby express their most sincere convictions that such rescinding action would be in accord with the expressed intent of the United States House of Representatives as well as the best interest of this Nation.

Signed August 29, 1957.

JOHN W. MCCORMACK, HAROLD D. DONOHUE, PHILIP J. PHILBIN, THOMAS J. LANE, EDWARD P. BOLAND, THOMAS P. O'NEILL, TORBERT H. MACDONALD, JOSEPH W. MARTIN, EDITH NOURSE ROGERS, RICHARD B. WIGGLESWORTH, WILLIAM H. BATES, LAURENCE CURTIS, DONALD W. NICHOLSON, *Members of Congress.*

Passenger Ships for Trans-Pacific Trade

EXTENSION OF REMARKS

OF

HON. HERBERT C. BONNER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. BONNER. Mr. Speaker, the United States House of Representatives has a long and proud tradition of careful and thoughtful attention to the merchant marine problems of the United States. It has, as my colleagues all know, a committee primarily charged with the responsibility for this phase of our national policy.

Largely as a result of this close attention from this body, it has been possible over the decades to maintain a merchant marine, with all its allied industries and activities, which has provided indispensable strength to the Armed Forces and the commerce of the United States.

As part of its continuing close study of the merchant-marine problems of our country, your committee has, over the years, developed a program of constantly reviewing the effectiveness of our shipbuilding and ship-replacement program with Government departments and private operators. As a result, the House has been able, in past years, to anticipate the needs of the country in times of crisis and to correct abuses and mistakes which may have crept into the merchant-marine program immediately upon their discovery.

A critical problem now appears to exist in one phase of the merchant marine which strongly affects our competitive position with other merchant marines and even more strongly affects our readiness to provide for troop transport needs of the armed services. Your committee will study this problem and will be holding hearings on it as soon as possible.

The problem arises in connection with the ability of private steamship companies to replace their large passenger ships. A large passenger ship is a highly specialized piece of equipment, designed for a particular use and of value only in the particular trade for which it is designed.

To provide a balanced fleet which will include all necessary types of ships for our foreign commerce and national defense, the Federal Maritime Board requires replacement of vessels as they reach a life of 20 years and become, thereby, obsolete for the purposes of commerce and defense.

In accordance with the Merchant Marine Act of 1936, the Federal Maritime Board has required the United States Line to enter into a contract for the replacement of the steamship *America*, which is reaching its obsolescence point, and has equally required the American President Lines to enter into a contract to build a new large passenger vessel to operate between the Pacific coast and Far Eastern ports. Both of these operators have undertaken, in good faith, to comply with the requirement of the Government and to construct the replacement vessel. They have both found that, under the current high costs and high interest rate economy, construction of replacement vessels under the present Federal Government policy is so prohibitive in expense as to be practically impossible.

On August 19 I introduced legislation which would authorize construction of a new passenger ship for the trans-Atlantic trade. On August 23 I introduced a bill to provide for construction of a new fast passenger ship for the trans-Pacific trade. The bill would authorize a 26-knot ship with a capacity of 1,400 passengers to be built by the United States and sold to the operator with a Government contract to serve on that route, the American President Lines.

The American merchant marine in the Pacific Ocean is in serious need of new passenger-ship construction. The entire American-flag passenger-ship fleet in the Pacific, including service to the Orient, to Hawaii, to New Zealand and Australia and around the world, includes only 10 vessels of an average age of 15 years, a designed speed of 20½ knots or less and a total passenger capacity of less than 5,000.

If we are to hold our place in the face of the growing Japanese merchant fleet in the Pacific and if we are to provide ships which can serve effectively in time of emergency as troop transports, we must proceed with the building of this passenger liner for the trans-Pacific service.

Recently the Secretary of the Navy appeared before our committee and testified that 89 percent of the United States troop-lift potential is in vessels of 15½ to 20 knots speed and is thereby deficient for the requirements which an emergency will place upon it.

The bill which I have introduced does three things:

First. It recognizes that the sound national policy of the United States calls for construction of a large, fast passenger ship for the Pacific trade.

Second. It follows the provisions of the Merchant Marine Act of 1936 which has so successfully dealt with the major merchant marine problems of the country in the last 20 years.

Third. It specifies a method of financing this construction which is sound and economical both for the Government and the operator of the vessel.

Proposal Covering Creation of Governmental Agency for Financing Railroad Equipment

EXTENSION OF REMARKS

OF

HON. CHARLES A. WOLVERTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. WOLVERTON. Mr. Speaker, the following is a summary of legislation I have introduced at this time so that it may have consideration and study prior to the next session of Congress.

PLAN

First. A new Government agency shall be created, to be known as the Railway Equipment Agency, or with some similar nomenclature, with initial capital of $500 million, with the understanding that more will be advanced by the Government from time to time as may be needed.

Second. The railroads shall have the right to apply to this equipment Agency for long-term net leases for such new equipment as they may desire. The exact length of such leases shall be on the same basis for all companies, but shall be varied in term, taking into consideration the true economic life of the type of equipment in question. For example, diesels probably should be leased for 15 years and freight cars for 20 years, and passenger equipment perhaps on a 10-year basis.

Third. The basic rental shall be determined in accordance with the following principles:

(a) During the term of the lease, the rental shall be sufficient to completely amortize the cost of the equipment, less the estimated scrap value of the equipment at present-day prices.

(b) The interest factor shall be one-fourth of 1 percent above the estimated cost of money to the Agency for the length of period involved.

(c) Interest shall be calculated on the declining balance with respect to that portion of the cost which is amortized, and on a straight line basis with respect to the portion that is not amortized, that is, estimated scrap value.

(d) The rental shall be absolutely net and all repairs of whatsoever nature shall be made by the leasing railroad.

Fourth. The Agency shall have the right to borrow up to four times its capital; in other words, up to 80 percent of the cost of the equipment. At the end of the lease for any equipment, the governmental body having control over the stockpiling of strategic materials for national defense purposes shall have the option of purchasing any equipment it desires from the transportation agency at the fair value of the equipment, to be determined at that time. Any equipment not thus purchased for stockpiling for defense purposes shall be sold for scrap by the transportation agency, with the proceeds recaptured by the transportation agency.

Fifth. Any lessee, subject to the approval of the equipment Agency, may assign its lease to any other railroad in the event it no longer has a demand for the equipment, but in no event shall the new lessee receive a lease other than for the balance of the period remaining to the original lessee. Also, in the event that any lessee defaults under the terms of its lease, the equipment Agency may recapture the equipment and re-lease it to another railroad for the remaining balance of the term, but in no event for a longer period.

Sixth. In the event there are more applications for equipment than can be handled expeditiously—this is particularly likely to be true not only at the outset but in the event of emergencies or in periods of an upsurge in traffic—the principle of allocation shall apply.

ADVANTAGE OF PLAN

A. From the standpoint of the Government:

First. The plan as outlined will not cost the Government anything, as contrasted to the subsidies handed out to other segments of the transportation industry. In addition, it is probable that the one-fourth-of-1-percent-interest differential, plus the differential between the current estimated scrap value and the ultimate scrap value or proceeds realized from sale to the Government stockpiling agency, should be sufficient to pay the costs of administration, give the Government a return on its funds, and ultimately the return of its initial capital.

Second. The Government will be assured that the railroad industry will be maintained in first-class condition, prepared for any emergency, and with adequate capacity.

Third. The Government will have an opportunity to stockpile a substantial amount of equipment against a war emergency at a relatively low cost.

Fourth. The Government will be assured of protection of the capacity of the railway-equipment industry, so vital in the event of an emergency.

Fifth. Maintenance of the physical condition of the railroads at a high level will serve as a stimulant to the peacetime economy and should bring in additional revenues in the form of income.

B. From the standpoint of the railroad industry:

First. It should be possible for the railroad industry to put its entire plant in first-class condition without damaging its credit. This is true not only with respect to rolling stock but road as well, since funds thus released from the equipment budget will be available for modernization of yards, signal control, and the roadway generally.

Second. Such a program should make it possible for the industry to expand its capacity, thus insuring its participation in the expanding economy and stimulating the latter by providing a modern, efficient, low-cost transportation system to serve its needs properly, and also further aiding the economy through its increased purchases, and on a more regularized basis, from the whole railroad-equipment industry.

Third. With a modernized efficient plant, the industry should operate more efficiently, thereby keeping costs of transportation at the lowest practicable level and at the same time earning greater profits.

Fourth. As a result of the Government agency placing the orders for much of the equipment, a far greater degree of standardization of equipment should be possible, thus reducing the overall cost of equipment and thus holding down the cost of transportation.

Fifth. Through the program outlined, the railway equipment industry should be able to put its production on much more of a mass-production basis, expand its capacity and strengthen its position.

Sixth. If the Government finds itself in the position of leasing equipment to the railroads, then obviously, because of its financial stake in the railroad industry, it will naturally have an interest in the railroads' welfare.

Seventh. This plan embodies the principle of the user paying full cost for Government services rendered. Therefore, if it goes through, it should strikingly point up by comparison the fact that certain other segments of the transportation industry are not paying their way.

Eighth. By virtue of the fact that the proposed lease arrangement would be with a Government agency rather than a private corporation, all tax questions are automatically resolved. The lease arrangement would provide what is tantamount to realistic depreciation geared to the actual economic life of the equipment. Of course in this connection we would get the depreciation in the form of tax deductible rental.

Ninth. An additional objection to the present pattern of leasing equipment from a private corporation is that it is costly by reason of the loss of the residual value. Under this plan the railroad at least gets credit for the estimated scrap value of the equipment.

C. From the standpoint of the public:

First. The public in general, both individually and through industries, will thus be assured of the finest in low-cost mass transportation at the lowest possible cost.

Second. This is adopting one hundred percent the Eisenhower administration policy that industry should pay as it goes for services rendered by the Government.

Overall, the simplicity of the plan itself has much to recommend it, together with one other important fact, namely, that it is possible to work it out on a completely voluntary basis. It is not necessary for all railroads in the industry to approve of the plan or to participate in it, but it would be available to all, and over a period of time it would appear almost a certainty that the industry as a whole would utilize it.

Railway Equipment Agency—Schedule of rentals

[Interest factor, 3¾ percent plus ¼ percent (4 percent)]

Type of equipment	Cost of equipment	Present-day scrap value [1]	Cost to be amortized	Term of lease (years)	Annual return on scrap value	Annual amortization	Annual rental due under lease	Total rental due under lease
Freight cars	$70,000,000	$10,300,000	$59,700,000	20	$412,000	$4,341,243	$4,753,243	$95,064,860
Diesels	20,000,000	700,000	19,300,000	15	28,000	1,713,117	1,741,117	26,116,755
Passenger cars	10,000,000	325,000	9,675,000	10	13,000	1,175,456	1,188,456	11,884,560
Total	100,000,000							133,066,175
Annual rental:								
1st to 10th year							7,682,816	
11th to 15th year							6,494,360	
16th to 29th year							4,753,243	

[1] Government would be the beneficiary of difference between present-day scrap value and value at the end of the lease.

UNIT RENTAL

Type of equipment	Unit cost	Present-day scrap value	Cost to be amortized	Term of lease (years)	Annual return on scrap value	Annual amortization	Annual rental due under lease	Rental	
								Monthly	Daily
Freight cars	$8,500	$1,250	$7,250	20	$50	$527.20	$577.20	$48.10	$1.6
Diesels	200,000	7,000	193,000	15	280	17,131.16	17,411.16	1,450.93	48.37
Passenger cars	140,000	4,500	135,500	10	180	16,462.46	16,642.46	1,386.87	46.23

One Step Forward

EXTENSION OF REMARKS

OF

HON. HERMAN P. EBERHARTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. EBERHARTER. Mr. Speaker, two days ago this House took favorable action on one of the most significant pieces of legislation to come before it in many years—the Civil Rights Act of 1957. For the first time since the Reconstruction Era, concrete action has been taken to implement the rights provided for in the 14th and 15th amendments to the Constitution, and to guarantee that they will not be denied to persons because of race, color, or creed.

I am indeed proud to have been able to vote for this legislation, for it represents a great milestone of progress, and it is action which I have always fought to obtain.

The passage of this measure was not an easy task to accomplish. It has been a long and arduous fight and one which has been constantly uphill. It is a source of great satisfaction to finally see the fruition of our labors.

I am sorry to say that the bill as finally passed by the House contained a number of amendments which I personally did not want to see included, and which I had originally opposed when the bill first came before the House for consideration.

Most important of these amendments was the one providing for a trial by jury in contempt cases. I was adamantly opposed to the adoption of such an amendment for I felt that it would unnecessarily weaken the bill, and also that there was no precedent whatsoever for providing for a trial by jury in criminal contempt cases.

Nevertheless the Senate chose to add a jury trial amendment to the bill, and it was even more unfortunate than the original one proposed in the House, for it provided for jury trials in all criminal contempt cases arising under this act or any other act. This was obviously an ill-considered move, for it would have brought about preposterous results. It would have made completely ineffectual the emergency provisions of our labor laws. Furthermore, there is no machinery even set up for trials by jury in the appeals courts and the Supreme Court.

Obviously this was unacceptable. Consequently there was proposed an amendment to limit jury trials to those contempt cases arising under this act.

A jury trial amendment of any type was difficult for me to accept, as it was for many of my colleagues; but a compromise was necessary and this was the least objectionable compromise.

The bill in its final form represented concessions from both sides. Neither side has won—neither side has lost. But from this compromise will come a gain for a segment of our society, which has been far too long denied the rights guaranteed by our Constitution.

The Civil Rights Act of 1957 has made it crystal clear that the restrictions on the right to vote because of color, race, or creed are not to be tolerated. This is a most important step, but it is only a step. We have a long way yet to go in meeting the need for legislation in this field. But we have made a start—for the first time—and we shall now renew with increased vigor our efforts to provide complete equality for all our citizens.

We must not assume either that the passage of this bill will automatically accomplish its objective. It will only be successful if it is vigorously administered by the Department of Justice, and the proposed Civil Rights Commission, and of equal importance, if there is cooperation on the part of all sections of our great country in upholding the principles set forth in this measure. To me it is a shameful thing that there have been threats made by some persons that efforts will be made in the South to frustrate the administration of this new act, and that local enforcement officers will refuse to cooperate with Federal officials relative to this measure. I sincerely trust that this will not be the case.

For this is a measure which every American should stand behind and be proud to support. Although it was enacted substantially for the benefit of a minority group, it will not only benefit the Negroes in our country—it will benefit all Americans because it is a step toward the full enjoyment of the democratic privileges we hold so dear.

Hallmarks of the Opposition

EXTENSION OF REMARKS

OF

HON. CHARLES O. PORTER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. PORTER. Mr. Speaker, misinformation, misunderstanding, and a persistent refusal to debate the issues on the floor of the House continue to be the hallmarks of the opposition offered my view on Latin America by the senior and distinguished gentleman from Tennessee [Mr. REECE] and several other Members.

In the RECORD, pages 15711-15712, for August 22, 1957, the gentleman takes me to task for violating the historical secrecy of the grand jury because the New York Times for August 22, 1957, carried a story about my appearance before the grand jury investigating the Murphy-Galindez cases.

If the gentleman had bothered to check with my office or with the Department of Justice, he would have learned that the Department had informed me that I was at liberty to make any statements I desired about my appearance before the grand jury. I consulted them in advance and I disclosed nothing that would in any way interfere with assignment of the grand jury and the duties of the Justice Department lawyers.

The gentleman takes exception to my suggestions that the grand jury indict Trujillo and invite the Dominican Ambassador to appear just as I did. The gentleman's implication that I recommended subpenaing the Ambassador is unwarranted. Just as I was invited to appear so could Ambassador de Moya be invited. His appearance would give the jury an opportunity to hear Trujillo's leading apologist and if the jury chooses to consider indicting Trujillo, this seems only fair.

As for the gentleman's shock over my suggestion that Trujillo be indicted for the murder of Gerry Murphy, I note the gentleman does not discuss Trujillo's guilt or innocence. The point he raises is that of the propriety of a Member of this body suggesting American legal action against the sovereign of an allied country.

Does not the gentleman know that we are talking about the Dominican Republic? That its president is Hector Trujillo and that it has a legislative body that makes its laws? This fellow, Rafael Trujillo, is only the top general but there is no constitutional basis for calling him the sovereign, and we are, right now, talking about the legal situation; are we not?

American grand juries have often issued indictments where we did not at the time have jurisdiction over the person indicted. If Rafael Trujillo wants this matter settled, let him submit himself to our jurisdiction for the kind of fair trial he could never get in a country like his own.

Whether or not he ever does come within the reach of our legal process is beside the point so far as the grand jury is concerned. Their job is to determine whether any crimes have been committed and to bring indictments against the person or persons they believe, on the basis of evidence, to be responsible.

That he is actually the dictator of an "allied" nation gives him no immunity from indictment. Does the gentleman believe the grand jury owes Trujillo some sort of courtesy to the degree that the grand jury should overlook the overwhelming evidence against him? Perhaps the gentleman would have the grand jury consult the State Department for permission to do its sworn duty?

The principles of international law cited by the gentleman from Tennessee are fine—in their place. They do not apply here.

In conclusion, the gentleman should know, as he could have learned very easily, that I was invited by the grand jury to appear before them. I did in no manner solicit the invitation although I was happy to appear. They wanted my opinion and the basis for it. I told them, as I have said publicly for many months, that Rafael Trujillo was criminally responsible for the murder of my constituent, Gerry Murphy, and that the evidence was already largely established by the FBI and has appeared in notes from our State Department to the so-called Dominican Republic.

But the gentleman, I recall, apparently does not care to discuss the evidence. He prefers to say there is none and to confine himself to matters of "propriety" where, I regret to say, his factual premises are false and his legal principles inapplicable.

It is my hope, perhaps a vain one, that the opposition to my views about our Latin American policy will see fit, in the second session of the 85th Congress, to take the trouble to inform itself and to debate these important issues on the floor of the House in keeping with the great tradition of this most eminent of all deliberative assemblies.

Legislation Resulting From the Banking and Currency Committee's Illinois Investigation

EXTENSION OF REMARKS

OF

HON. PAUL H. DOUGLAS

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a transcript of my regular radio-television report of August 24, 1957, with Robert A. Wallace, staff director of the Senate Banking and Currency Committee. The subject of the report was a review of legislation resulting from the Banking Committee's Illinois investigation last fall.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

Senator DOUGLAS. We have with us Mr. Robert Wallace, the staff director of the Senate Banking and Currency Committee.

Now, Bob, you directed the Senate Banking Committee's Illinois investigation of the Hodge scandal and found out that the Illinois State Auditor, Orville Hodge, had stolen some $2½ million from State funds. As a result of that investigation, we have passed some legislation in the Senate which is now before the House. Before we get into the specifics of handling State and local funds would you summarize briefly what our Senate bill provides and why?

Mr. WALLACE. Well, Paul, as a result of the Hodge investigation the Senate passed the bill you mentioned making some basic technical changes in our banking laws. These changes will make our bank deposits safer, when they are insured by the Federal Deposit Insurance Corporation, and protect us all from unsound banking practices. They will guard us against abuse of authority by Federal officials. They will make it impossible for anyone to own a large block of a bank's stock secretly, as in the case of Orville Hodge's secret ownership of stock in the Elmwood Park Bank.

Senator DOUGLAS. What about the abuses which occur when public officials such as State and local treasurers shake down banks for contributions because they have money on deposit there? And what about abuses where banks give money to these officials in return for interest-free deposits of State and local government funds?

Mr. WALLACE. I think one of the most important reforms to come from our Hodge investigation is the provision in the Senate bill which would prohibit payoffs by bankers to public officials who have the power to grant or withhold favors to a bank.

Senator DOUGLAS. That formerly was true of national banks, and our bill would apply it not merely to national banks but also to State banks that are in the Federal Reserve System or are insured in the FDIC.

Mr. WALLACE. Yes, but we went beyond that. Our reform would prohibit not only banks from making gifts to these public officials but it would also make it illegal for the bankers themselves to do it.

Senator DOUGLAS. That is very necessary, because we ought to control the left-hand pocket as well as the right-hand pocket.

Mr. WALLACE. Yes. We found that the two banks involved in our investigation were up to their ears in politics. The millions of dollars of State and county money had to be kept somewhere, and these banks found they could get the use of it at bargain interest rates, or even free, when they made contributions for the benefit of State and county treasurers and public administrators.

One public official deposited a million dollars of publicly controlled money in one of the banks in an interest-free account, which means that the bank got free use of the million dollars. The bank could turn around and loan that money out for 6 percent. That meant an extra $60,000 earnings every year for the bank. The main stockholder in the bank, Mr. Leon Marcus, who has since been murdered, gave $4,600 to this public official for his personal or political use. He swore he paid this money in order to get these deposits. That is the type of thing that the Senate bill would outlaw.

Senator DOUGLAS. Let me ask you this—don't you think a much larger proportion of the public funds which are deposited in banks should bear interest?

Mr. WALLACE. They certainly should. We found in our investigation that the State treasurer of Illinois controls over $200 million of State funds deposited in banks over the State. The interest payments amounted to $1,500,000, less than 1 percent. Proper management of this money ought to bring in at least 3 percent at a minimum. That would mean an extra $3 million to Illinois taxpayers on these deposits alone.

Senator DOUGLAS. Now, this is true not merely of State funds, but of county funds, too, is it not?

Mr. WALLACE. Yes, that is true of county funds, too.

It seems that all through the history of the Illinois offices of State treasurer, county treasurer, and public administrator, the handling of taxpayers' money and other publicly controlled funds has been sloppy and slipshod. We can legislate against shakedowns and payoffs, but unless we citizens of Illinois get more interested in how our money is handled, we are going to lose millions of dollars. These millions could help reduce taxes, or build schools, or any number of things. But this money certainly should not be permitted to slip through the fingers of our public officials and go to people who don't need it, especially on the basis of gifts to the public officials who allocate it.

Senator Douglas. And, in some municipalities, though I believe not in Chicago, city funds are also involved.

Mr. Wallace. Yes, city funds. Then there are the other funds such as the proceeds from the sale of toll road bonds, school bonds, and other trust funds. The Illinois State treasurer manages over a billion dollars of our money.

Senator Douglas. I understand on the Illinois toll bond issues, we are paying interest before the money is being used, and that we are losing around $17 million a year.

Mr. Wallace. That was the $400 million issue and they haven't started using all of it yet. Normally such huge bond issues are issued as the money is needed, saving a great deal in interest charges.

This problem of management of our tax money is truly serious. During the Hodge investigation, we found that there were over 500 banks in which State treasurers would deposit money. I went through case after case where State deposits in a particular bank had been increased, saying to different State treasurers who had allocated such funds "Now why did you increase this bank's deposits?" The answer would be, "Well, Joe Smith, this friend of mine, has a hand in that bank, and I wanted to do old Joe a favor." Now that is a bad way to manage the public funds of Illinois taxpayers and it is terribly wasteful.

Senator Douglas. The Senate bill, if passed by the House, will help, but you think what is needed is a greater sense of responsibility by depositing officials and by the general public and by the bankers themselves. Is that correct?

Mr. Wallace. Absolutely. But let me make one point clear in this regard. I talked to a lot of bankers, too. I think most bankers would favor outlawing gifts which smack of payoffs. At the moment, some politician can come around and demand that the bankers give contributions and it amounts to a shakedown. In fact, it smells of bribery. Now if the Senate bill goes through the House and becomes law, it will protect the bankers from these unscrupulous politicians who come around demanding money.

Senator Douglas. Well, Bob, I think you did a fine piece of work in that investigation, and your results bore fruit in the Senate bill. Now I hope that the people of Illinois may become concerned about this matter and move on their end to clean up the situation. Thank you very much, Bob.

New Horizons for Agriculture

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Friday, August 30, 1957

Mr. HUMPHREY. Mr. President, because it was necessary for me to remain in Washington, Tuesday, August 27, to vote on important legislation, I was compelled to cancel a scheduled address before the annual convention of the American Soybean Association, meeting jointly with the National Soybean Processors Association.

Because it contains a message I feel needs to be emphasized, Mr. President, I ask unanimous consent to have printed in the Record the text of the address I had prepared for delivery to the Nation's soybean producers.

There being no objection, the address was ordered to be printed in the Record, as follows:

New Horizons for American Agriculture

(Address by Senator Hubert H. Humphrey, of Minnesota, before the 37th annual convention of the American Soybean Association, Hotel Leamington, Minneapolis, Minn., August 27, 1957)

It is indeed a pleasure for me to have this opportunity to meet with the American Soybean Association. You represent a dramatic and still unfolding chapter in our country's agricultural history.

We in Minnesota are proud to be hosts to this national convention, because soybean production is now a well-established hundred-million-dollar crop to farmers in our State. In addition, the annual soybean crop in Minnesota is providing hundreds of thousands of man-hours of employment in the marketing, transportation, and processing fields. I am pleased to know that the National Soybean Processors Association is holding its convention simultaneously with the American Soybean Association, as the close working relationships between soybean processors and soybean producers has been one of the healthy factors in successful advancement of your industry. You need to work together. You have much in common. Your destinies are linked together. Too often that fact is overlooked.

Soybeans have become a billion-dollar crop in the United States. This commodity represents a vitally important segment of our agricultural economy.

Perhaps nowhere has the rapid rise in soybean production been more graphically exemplified than right here in Minnesota, where soybean acreage has grown from 2,000 acres in 1934 to 2.8 million acres planted this year. In other words, the acreage devoted to soybeans in Minnesota has increased 1,400 times in 24 years. Minnesota has now risen to be the second most important soybean producing State in the Nation, second only to Illinois. Last year, we produced 12 percent of the total national output. And I want to serve notice on our friends in Illinois: we do not stand still in Minnesota. Our soybean producing area is still growing. Our increase in total soybean acreage has resulted from increases in both the number of producers growing soybeans, and the number of acres planted per farm. In 1934, only 4 percent of the Minnesota farmers planted soybeans. This grew to 10 percent by 1944, 20 percent by 1949, and approximately 40 percent by 1956. It will be higher this year and next. Already, soybeans provide 1 out of every 4 dollars of cash income from the sale of crops in Minnesota.

You cannot look into the dramatic story of soybean production in Minnesota without wanting to pay deserved tribute to such men of vision as R. E. Hodgson, superintendent of the Southeast Experiment Station in Waseca, who began working with soybean crops in the early 1920's, and John Evans of Montevideo, who was a real pioneer in the growing of soybeans in Minnesota, as early as 1917. Of course, there are many, many others who occupied a vital role in development of this great agricultural industry.

This $100 million Minnesota crop represents an outstanding success in the large scale introduction of a new cash crop into the well established cropping systems of our State. It reflects great credit on the coordinated efforts of our farmers, merchandisers, experiment stations, technicians, processors, machinery manufacturers, and many other groups. Minnesota is proud of this contribution to the Nation's well-being, for that is what our expansion of soybean production has been.

Because it relates to a theme I wish to develop later, I think it is fair to say that the greatest spur to this vast expansion of soybean acreage, in Minnesota and elsewhere, was patriotic response of our farmers to Government requests to help meet our own Nation's food and fiber needs.

Soybean acreage in Minnesota and in the Nation was relatively small until the start of World War II. Prior to the war, we were net importers of edible oils. When some offshore sources were shut off, the Government called for an expansion in soybean acreage. You producers met that demand, just as you have historically met every demand for our Nation's needs.

It is well for the public to remember that. It is sometimes too easy for urban residents to forget how dependent they are upon the Nation's farmers—and how well our dwindling farm population has always provided abundantly for the needs of all our people.

The experience gained in producing the crop required to meet the Nation's needs in time of emergency was the basis for the further expansion in the postwar period.

Today, instead of a net importer, we are the world's greatest exporters of edible oils and soybeans.

It took courage, and vision, for you in the soybean producing and processing industry to keep your sights on the future, instead of retreating to standards of the past. You have shown that courage and vision, and it is paying off. You are going to need more of it, in order to prove to some skeptics that agriculture and agricultural thinking does not have to be geared to the past.

At a time when most spokesmen for agriculture were talking about cutting back production, about adjusting backward from wartime peaks, about trimming our sails to prewar standards, you soybean producers proved you could not only hold your wartime gains, but could still move ahead. You did it by working together toward seeking out and capturing new markets. You did it by keeping your eyes on the lookout for new and broader horizons, instead of retreating to the past.

Of course, you had a unique commodity to work with—a commodity combining two of the world's greatest nutritional needs: edible oils, and protein.

In a real sense, therefore, your markets are worldwide and expanding, limited only by your own imagination and enterprise in going after them—and by the living standards of the world.

We are investing huge foreign aid funds in trying to raise living standards in underdeveloped areas of the world—and your potential markets improve as those living standards improve. Meanwhile, it is important that eating habits be cultivated as part of your market development.

For that purpose, I am convinced that even relief feeding operations making use of both oil and protein are important to the future of your industry. The demand for both is virtually unlimited. Every voluntary agency working in this field has appealed for our Government to find ways to make more fats and oils available, and I have seen in my own observations that they are needed for balanced diets.

I am sure many of you are also aware of the wonderful work being done by the Meals for Millions Foundation, seeking to fight starvation in the world by providing high protein diet supplements financed entirely by voluntary donations—a penny-a-meal project that is worthy of your support. I hope your organization will get behind such efforts, as part of your market development work.

Domestically, your markets have been divided between production of a high value protein animal feed, soybean meal, and a versatile human food ingredient, soybean oil.

As producers, it has been to your own self-interest to seek a greater share of your return from the oil ingredient of your beans. It has also been to the best interest of your fellow farmers, as it is farmers themselves who buy the soybean meal in one form or another.

The soybean meal pouring out of our great processing plants is the foundation stone of the mixed feed industry as we know it today. Eighty-eight percent of the farmers in Minnesota buy at least part of their feed. Many of you soybean producers also buy mixed feed for your cattle, hogs, or chickens.

With your soybean production, you are helping to provide yourselves and others with highly desirable feed ingredients. And the more you develop substantial outlets for your oil, the more you can afford to encourage an expanded livestock economy by making a high value protein feed available at reasonable prices for yourself and others.

There are other sound reasons, from the standpoint of balance in the overall picture of American agriculture, to continue encouraging the shift that has been underway to soybean production.

Additional acres going into soybeans mean fewer acres in other commodities with which we face greater problems.

In Minnesota, for example, while soybean acreage increased from 767,000 acres in 1949 to 2.6 million acres in 1956, the acreage of feed grains and wheat was reduced by 1.5 million acres in 1956 compared with the total in 1949.

I know the question that must be arising in the minds of some. If we continue to encourage this shift, are we just setting the stage for transferring the surplus problem of some of these other commodities onto the shoulders of soybean producers?

Let me just say this—it does not have to happen, and I do not think it will. With the vision and enterprise shown by the soybean industry in its research and market development program, with the kind of cooperation that has been maintained between soybean producers and processors, with the vast backlog of need that exists in the world for both the oil and protein ingredients of your product, a bright vista of future opportunity still exists for the soybean industry.

Whether or not you achieve the full potential of that future opportunity, however, will depend upon the sympathetic understanding, and the vision or lack of vision, of your Government. Make no mistake about it: Regardless of what farm legislation is on the statute books, Government attitude and policy—and the attitude and policies of those making vital administrative decisions within Government—have now and will continue to have a profound effect upon your economic opportunity.

To the extent that your Government has the foresight to look deeply into the future, and work hand-in-hand with you and with the private trade toward creating a helpful economic climate for your continued expansion, there is no reason why the future should not be bright for soybean producers.

But to the extent that your Government is timid and blind, afraid to lift its eyes to new horizons, unimaginative in planning ahead, and unwilling to take full advantage of the experience and guidance of the private trade, your path could become a rocky one.

It is not my intention tonight to engage in a controversial discussion of farm legislation, as important as that may be. Time would not permit fully developing the justifiable case for greater economic protection for agriculture as being truly in the public's interest.

But I do express serious concern, without partisanship, over some of the administration attitudes toward whatever legislation exists.

I am convinced that much of the depressed plight of American agriculture today is directly traceable to administrative decisions and policies within the Department of Agriculture, regardless of what laws are on the books. Timid, fumbling, bungling, shortsighted decisions that deprive you of fair income, and at the same time take more out of the pockets of other taxpayers, characterizes the farm policy of the administration.

And, I might add, more and more people are coming to the same conclusion—people with years of valuable experience in the handling of farm commodities, and people to whom this administration would normally look for all-out support.

I am equally convinced that the present Secretary of Agriculture has at his disposal ample authority, in way of legislative and economic tools to bolster or depress farm prices and farm income almost at will.

Let me give you some examples.

While giving lipservice to the free market the Commodity Credit Corporation (the CCC) has made it impossible for any semblance of a free market to operate on many of our commodities. It has dumped corn to undersell the free market, in competition with the growers, driving prices down below the support levels so that in turn more corn must be taken over by the Government. By its own sales policies it has forced more and more of the grain business to go through Government hands, rather than less and less as it should be.

You have been more fortunate in soybeans, but you too are to a great extent at the mercy of Department of Agriculture administrative decisions. Until the recent takeover, CCC had not lost any money in supporting the price of soybeans. As a matter of fact, the Government's operations to bolster soybean prices had resulted in a $4 million profit.

With a little courage and foresight, the Department of Agriculture could have avoided any takeover of beans from producers this year. Just a few more export sales of oil at the right time would have bolstered the free market sufficiently to attract beans out of growers' hands and into the private trade. Producers' prices would have been bolstered and the Government takeover limited.

Timing is of the essence. Too often the CCC has withdrawn from export operations just before harvest season, moving back in to bolster the market only after most of the beans are out of producers' hands and owned by speculators.

This year is no exception. We need export commitments soon, to bolster the market while beans are in the hands of the producers. I hope our friends here from the Department of Agriculture will heed that advice.

Now, don't misunderstand me. The soybean industry has some good friends in the Department of Agriculture. Some of them are here with you, like Gwynn Garnett and Martin Sorkin. Yet, I am sure even they would concede privately that they are often overruled by men of lesser knowledge and understanding in the hierarchy of agricultural bureaucracy. Your task as organized producers is to insist that the interests of growers comes foremost in the highest decision making levels of the Department. Fortunately, you have had the support of the processors as well in urging the Department of Agriculture to give more attention to the proper timing of its export commitments, for maximum beneficial effect on the market before beans are all acquired by speculators.

Perhaps I have talked too much tonight about soybeans—and I know you have plenty of experts meeting with you far more familiar than I could hope to be with your own particular problems. But if I have devoted considerable time to discussing your own commodity, it is primarily because your soybean industry is symbolic of the major points I want to make tonight—points that concern all agriculture, and the entire Nation's attitude toward agriculture.

Your own growth is the result largely of response to the Nation's needs in one period of emergency, and your future is closely interwoven with another emergency—the entire Free World's struggle for survival.

That same thing is true about most of American agriculture.

Your destiny cannot be determined by you alone, in a period when survival of freedom in the world must transcend even the most pressing domestic problems.

That is also true about the rest of American agriculture.

Its destiny is linked inseparably with our struggle against the cunning, imperialistic forces of communism threatening to engulf the world—and with the degree of recognition we receive as to the vital importance of agriculture's role in that struggle.

You have had the vision and enterprise to seek new horizons for your markets rather than be satisfied with the past, and all agriculture needs to raise its sights to the broader concept of meeting the needs of the world in which we live, under conditions that exist in the world today.

But if agriculture needs to broaden its horizons, even more so is that need evident in the highest levels of our Government.

If, in fact, that need is recognized at some levels within the Department of Agriculture today, it is not being adequately reflected in its current policies—nor is it being aggressively pursued and championed beyond the realm of the Department of Agriculture into the State Department, the National Security Council, and the White House.

The greatest hope for American agriculture today rests in building markets abroad, both for the present and for the future.

The greatest hope for strengthening the bonds linking our allies of the Free World in an all-out stand against the onward march of communism is solidifying our economic and cultural ties.

These two objectives are too interlocked for either to be considered alone.

As a result, agriculture's future rests to a great degree upon the extent to which we recognize its vital role in international trade, and make wiser use of our abundance to supply the needs of other people who might otherwise be compelled by necessity or naivete to turn to the Soviet orbit for food and fiber to survive.

We as a nation are blind indeed if we are willing to rest our hopes entirely upon guns, planes, and bombs.

As vital as adequate defense forces remain for our protection, all they can buy us is time. How we use that time is up to us—but our fate hangs in the balance.

Russia is making shrewd use of its time. The cunning rulers in the Kremlin have shifted at least for a time, from military warfare to economic warfare—and are making more progress with trade than they were able to achieve with guns. They have moved their tentacles into country after country, in part or in whole, under the guise of economic agreements and expanded foreign trade operations.

Make no mistake about it: countries becoming more and more dependent upon the Iron Curtain area of the world for food or manufactured goods are enmeshed more and more into the Soviet web, and slowly but surely are being weaned away from the remnants of the Free World.

The greatest weakness that has confronted Russia in this calculated economic penetration of neutral areas has been its own shortage of food and fiber. Yet Russia has been shrewd enough to recognize that fact, and has given top priority to expanding its food output. Not for its own people, but as an economic weapon in a world which above all else must have food.

What have we been doing, in this same period? We have been asking our farm people to lower their sights, to trim their sails, to cut their production to pre-war standards. We have been told downward adjustment is necessary. We have been guided into looking backward, instead of looking ahead.

Regretfully, the highest policymakers in our Government fail to appreciate the greatest weapon for peace in our hands—our abundance of food and fiber, and our potential to produce in still greater abundance.

We are going into a fight for our lives, with one hand tied behind our backs. We are failing to mobilize and fully use our greatest asset.

Timidity and hesitancy still lead our Government officials to look upon our food export programs as merely emergency surplus disposal legislation—a way to get out of a domestic problem, instead of the most effective way at our command of building economic ties for the future.

Remember one thing: the instinct for human survival is stronger than any conviction about ideology. People are going to eat. If we don't fill the food needs of the world, Russia will set out to fill them. She has already chartered her course in that direction.

The country upon which the greater part of the world is dependent for food, fiber, and other trade will eventually wield the balance of power in the world. We are losing, today, on this economic front.

What good is it for us to build bigger H-bombs, if we let the rest of the world become slowly linked to the Iron Curtain countries by economic and trade policies?

Where in this Government today do you see full realization of that fact?

Where do you see any aggressive leadership toward assuming the role we Americans are best equipped to fill in the current ideological struggle—best equipped by productive resources and humanitarian instincts?

We are far from a militaristic people, yet we seem to rest too much of our hope on weapons.

Are we ready to choose the battlefield as our best grounds to meet Soviet Russia? Remember, Russia is outdoing us in the training of scientists and engineers. Remember, Russia has H-bombs, too. Remember, Russia has less respect for human life than we do, and might more readily welcome a military showdown.

The real material advantage we have over Russia today is our abundance of food. All of us would rather see it put to good use, rather than just be piled up in storage. And we Americans are naturally traders and merchandisers; the role of finding ways to feed the world fits us a lot more naturally than the role of warriors.

Why, then, are we hesitant about challenging Russia on the economic front? Why shouldn't we, instead of Russia, be aggressively seeking to become the world's supplier of the material wants of less-developed countries?

I will give you my conclusions.

First, we are blinded by the almighty dollar. It has become almost a fetish for timid Government officials to worry about doing business anywhere in the world for anything but American dollars.

My friends, let me remind you of something: we are in a struggle for international survival of freedom, not just haggling about the price of a cow over the fence with a neighbor on the back 40.

We are spending billions of good, hard American dollars for weapons, dollars you pay for in taxes—and dollars that can never do any constructive good in the world after they have been turned into tanks and H-bombs. If the international situation is serious enough to justify such vast defense expenditures—and our military leaders assure us it is—we are certainly silly to be quibbling over the loss of a few American dollars through the export sale of farm products for foreign currencies.

If we expect to compete with Russia for international trade in the world of today, we must be ready to trade in whatever currencies are available. We cannot hoard all the dollars ourselves, then be willing to sell or trade only for dollars that others do not have.

It is something like being in a poker game, and getting all the chips back in the hands of the dealer. The rest may decide to go on playing with matches or buttons. If we want to stay in the game, we will have to find ways to adapt to matches or buttons too.

We are in the international game to the finish, whether we like it or not. If we insist on sitting on the sidelines as spectators, we have no right to complain about the outcome. But if we want to protect and strengthen our ties with other freedom loving people, we are going to have to trade with them—whether it is for lire, pesos, pounds, francs, or marks.

It is not as though we did not have good uses for foreign currencies. We are engaged in Government operations all over the world. We have defense bases all over the world. We have private American business interests all over the world. We certainly can use constructively the foreign currencies we obtain through sale of our farm products abroad—and official records of our Government prove it.

But there is still a second reason why we are failing to meet the Soviet challenge on the economic front.

It is the timidity of our Government officials, and their lack of vision, imagination, and daring. They fail to understand what a powerful force for fredom our abundance of food and fiber could be, both in economic relationships and as humanitarian evidence of our concern for hungry people everywhere.

To most of the officials in our Government at Washington today, our food abundance is just some kind of a domestic headache they would like to wish away. They simply fail to appreciate what an asset it really is. Perhaps the greatest disservice done to our country—not just to farm people, but to our entire country—has been the propaganda role of the Secretary of Agriculture in creating the impression that there is something bad about having more than enough food to go around. Apparently, to try to win a political argument, Secretary Benson stands guilty of bringing American agriculture in disrepute.

Far more is at stake than any political argument over farm policy. Our country's entire future is involved. Instead of criticizing farmers, the American people should be thanking God for our abundance, and insisting upon its wise use as a weapon of freedom, a potent force for peace.

Instead of quibbling about his personal philosophy on farm legislation Secretary Benson should have the courage to stand up to the President and the rest of the Cabinet and defend our farmers as being one segment of our economy fully prepared to serve our country in this emergency.

We need a Secretary of Agriculture today who can convince the President, the Secretary of State, and the National Security Council of the great asset you farm people have put at the country's disposal—and one who will fight to see that our abundance is fully used internationally to turn the tide for freedom.

We need a Secretary of Agriculture who will stand up and tell the truth to the American people—that every cent invested in protecting our farm producers is an investment in our Nation's security, just as much as the money spent for tanks and guns.

We need a Secretary of Agriculture with the vision to realize that whatever costs are involved in aggressively seeking out and gaining foreign markets for farm products today not only serves the best interest of our international relations, but actually is a sound investment toward building future markets for American farmers in the years of peace we seek ahead.

I have not come to these conclusions lightly. Many of you know that I spent a month overseas this year to see for myself whether real opportunities existed for the kind of food utilization I have long envisioned. I have talked with our military commanders abroad. I have talked with our diplomatic representatives. I have talked with highest officials of other governments. I have talked with American businessmen abroad. I have talked with our churchworkers and representatives of CARE carrying on such a valuable people-to-people relief work abroad.

On every hand the answer was the same. It is a national disgrace that our country fails to realize the potential asset it has in an abundance of food and fiber, in the midst of a world of hunger and need.

Since my return, I have devoted long hours to conducting weeks of hearings before the Senate Committee on Agriculture into operations of Public Law 480, under which our farm export programs are conducted. From witness after witness before our committee, from every agency of our Government and from producers as well as the private trade, the evidence has been conclusively the same.

Yet our Secretary of Agriculture, as late as last week, reiterated his belief that Public Law 480 was just emergency surplus disposal legislation. The same view has been echoed by spokesmen in the White House.

They fail to lift their eyes, to the broader horizons involved. They lack the comprehension that even you farm people have that food can be a greater asset than guns, at a time when peace of the world is at stake.

They lack the vision that your own American Soybean Association has displayed, in gearing your goals to the future.

We can argue forever about farm policy, but we can have little basis for agreement as to what legislation is needed until we first arrive at some appreciation of the role American agriculture can and should play in our international relations.

We cannot solve problems of the present, based on thinking of the past.

We cannot adequately meet challenges of the future, guided only by standards of even the present.

We cannot solve agriculture's problems by thinking of agriculture as just an isolated, minority segment of our economy. We must have a broader view, and realize that we are no longer confronted just with a problem of surpluses and depressed farm income. We must fully realize that our agriculture can and should be an integral part of winning freedom in the world. In that context, we need abundant production as a vital part of our defense arsenal, and we can certainly afford, in the Nation's interests, seeing that our producers are properly and fairly regarded for fulfilling our Nation's needs.

We urgently need to lift our eyes, and raise our sights. We need to broaden our concepts. We need to look for new horizons and we need to be thankful that America's farmers have always been ready to fulfill our Nation's needs, however they may be neglected and abused between national awakenings to our dependence upon them.

We need such a national awakening today.

My personal crusade has been to stir such an awakening, such a realization of the real importance of our abundance of food and fiber. Your help is needed. Between now and the first of the year, every effort should be made to get our country's top policymakers to take a more serious look at the role our food abundance can play in bolstering the Free World and strengthening our economic and trade ties all over the globe.

When Congress reconvenes in January, it is my intention to submit a series of recommendations for improvement and expansion of Public Law 480 along those lines. You can rest assured we are going to ask for more than just a 1-year extension of this authority. We are going to ask that it be recognized as a foreign-trade policy of our Government, not just as a tool for getting rid of surpluses.

Let me leave you with another thought. In time of war, we recognized the importance of food and fiber went far beyond just farm people. We created a War Food Administration, to mobilize our food resources for victory. Perhaps today, in time of a shaky and uncertain peace in the world, it is time to think about a similar role for a special "Peace Food Administrator" to guide more effective use of our food resources for another victory.

It is just as important to mobilize and use our resources for winning on the trade and economic front today, as it was to help win on the battlefront a few years ago. It is even more important to use our food abundance as a constructive force for peace on the humanitarian front, in the ideological struggle now dividing the world.

If we fail to get the leadership we need in that direction from the Department of Agriculture, we must turn to the White House. If we fail to gain the full understanding we need anywhere in the executive branch, Congress itself must intervene and show the way.

I urge your support in that effort. For only then can you and others in agriculture reach the new horizons that beckon from all over the world.

Address by Hon. Lister Hill, of Alabama, Before the Alabama Library Association

EXTENSION OF REMARKS

OF

HON. LISTER HILL

OF ALABAMA

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. HILL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address which I delivered on April 12, 1957, before the Alabama Library Association, at Tuscaloosa, Ala.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF SENATOR LISTER HILL BEFORE THE ALABAMA LIBRARY ASSOCIATION, TUSCALOOSA, ALA., APRIL 12, 1957

Mr. Chairman, librarians, trustees, and friends, I am honored and happy to be with you, who know so much about the past and present, to discuss with you the library of the future. It is altogether fitting that our theme, the library of the future, be considered at this trustees luncheon, for I know that all librarians will agree that without a firm reliance on the interest, the support, the sacrifice and the leadership of the trustees of our libraries, we could not hopefully contemplate the library of the future or have and cherish the blessings that flow from the library of today. We congratulate you and thank you, our library trustees, for your selfless devotion to the cause of enriching the lives of our people by giving of your time and your efforts to bring knowledge and culture to our towns and cities, to our rural communities and to the very hearthstone of our homes throughout the land.

We live in an era so remarkable for its contrasts that we can talk of the library of the future—which is now actually in the making—at the very time when, in many parts of the United States, the library of the present is nonexistent. While I speak about the library of tomorrow I am just as interested in the librarian of today.

Of all the varied impacts on man's progress by the forces that have influenced it—religion, education, politics, war, and man's quest for peace and freedom—the institution that contributed mightily and affirmatively along with the others, and received the minimum of the plaudits of history, is the library. The library seems to have assigned to itself the role of doing its job and saying nothing about it.

Emerson said: "Meek young men grow up in libraries"—but I think Emerson was wrong. We cannot read the library bill of rights adopted by the Council of the American Library Association in Atlantic City in 1948 without being impressed with the courage and forthrightness of the American librarian.

This document is important not only for that which is in it, but more significantly for that which is not in it. We might have anticipated that librarians were demanding their rights; that librarians were raising justifiable protests against the indifference of a society that ignored their services and paid them poorly. Instead they were putting themselves, their reputations, their means of livelihood, at stake for the basic American freedoms: Freedom of speech, freedom from censorship of books, freedom of thought, freedom from cultural suppression, freedom to use libraries for purposes of assembly. The document was in its way like a pronouncement from Mount Sinai or an echo of the Continental Congress.

Some of the figures on library systems in the United States must sound distressing to a proud American presented with the administration's budget for 1958 totalling $71.8 billion. As chairman of the Senate Committee on Labor, Health, Education, and Welfare I cannot begin to tell you of my astonishment at certain data on the public library in America. I found myself obliged to report in connection with my then proposed Library Services Act, that of the 7,500 public-library systems in the Nation, 60 percent have less than $4,000 per year for operating expenses; 15 States have available for library services less than 50 cents per capita annually; 15 States have available for this purpose less than $1; 15 States have available less than $1.50; and only 3 States have available $1.50 or more annually. Recent studies by the American Library Association conclude that $3 in annual per capita expenditure is necessary for minimum library services, and not a single State has thus far even approached this figure.

The people and our democracy suffer from this wholly inadequate support. Librarians suffer, especially those in the lower range of library administration and those in charge of the smaller and inadequate libraries.

We must raise the level of the librarian's salary from its present rank among the lowest in all employed groups in America to a level in keeping with the librarian's professional responsibilities. Counted into the budget scheme in estimating salaries, should be the 5 years of formal education beyond high school called for by your profession. The salary should reflect moreover, the constant necessity in this fast-moving age for keeping informed on library changes and developments. It should reflect also the increasingly difficult task of making the initial salary high enough to attract professional people who meet your progressively higher standards. In 1956 there were 12 jobs for every graduate of a library school.

The hour demands that we give the librarian a salary which will enable him to enjoy a good standard of living, to permit recreation and travel, continued study and educational growth, and provide security in old age. We must recognize the essential worth and dignity of the librarian and assure full opportunity to take part in the life of the community.

How can simple justice be more elementary than this.

Why should a librarian be expected to take anything less?

It is evident that libraries—like our schools—raise the level of democracy by educating, by inspiring democracy's thinking and developing its leadership. History convinces us that the library is not only a highly desirable supplement to the school, but often a substitute for it. The galaxy of the world's great men contains the portraits of many whose formal schooling was extremely meager, but whose scholarship was profound because their education came from books somehow made available to them. Benjamin Franklin, one of the wisest and most versatile of all Americans, had little formal education. John Marshall, who took the skeleton of the Constitution of the United States and clothed it with flesh and blood, had less than a year of formal schooling. Of what university was Shakespeare a graduate? Lincoln's school was mostly a handful of books, and Thomas A. Edison went to school less than 3 months. Could it not then be said that the library, in one form or another, public or private, pathetically small or larger and prouder, made possible the contributions of these giants of history? And how many thousands, how many millions whose collective contribution to life and progress is immense, but who individually were less noted, have in the same way contributed to the fruits of man's progress?

Education such as the library affords constitutes the bread and wine of life for a democracy. It is thus that we were appalled at the spectacle of 27 million Americans in a population of 168 million without public library services and 53 million people with inadequate library services. So much of this cultural deprivation of so many Americans occurs in the rural areas. Here there are either no libraries at all or only the most inadequate library service. In the Congress, therefore, we passed what we are proud to call the Library Services Act.

This act, which I sponsored for 10 years before it was finally passed by the 84th Congress in the spring of 1956 will bring books and learning to the 27 million Americans. Under the terms of the act, Congress authorized $7½ million to be appropriated in each of the next 5 years beginning in 1956–57, on a matching basis, to the States. The administration of the act will conform, as you know, with State and local conditions. Funds are to be granted based on the rural population of the State as compared to the rural population of the United States. And the money is matched by the State on the basis of the per capita income of the State as compared to the national per capita income.

The State, of course, determines its personnel, books, and materials, without interference from the Federal Government. The State plan is administered under the authority of the State library agency, and in my judgment, the autonomy of the States in the matter of library policy is complete.

The act follows a well-established formula in general Federal-State relationships. There is one aspect that is new: The establishment of library facilities where they were formerly lacking so that no American can ever again be said to have been kept out of the reach of books, the culture they bring, and the self-improvement they inspire.

A democracy like ours in its own enlightened self-interest should do no less.

I share your gratification over the fact that the Office of Education approved the

Alabama State library plan on March 15 last and the funds for Alabama were made available as of March 1.

Alabama, we learned from the December 1956 Library Journal, proposes to use the funds to be made available under the act (1) to strengthen the State public library service division; (2) to make development grants to already established regional libraries; and (3) to provide establishment grants to new regional libraries, bringing together present smaller units and unserved areas.

Alabama will be a principal beneficiary of the Library Services Act, for in addition to the educational and cultural enrichment that it will bring to our State, the act will provide a powerful and persuasive inducement to new industries, new jobs and, therefore, a higher standard of living for our people. We know that when new industries consider locating in Alabama, they almost invariably inquire of the facilities and services available with respect to schools, churches and libraries—which, as you see, makes you a part of a vital triumvirate. When the 1,131,000 citizens of Alabama, who now have no free public library service, are emancipated from the darkness which the dearth of books imposes, we can then envision the day when Alabama shall no longer be only a part of the Nation's new economic frontier, but rather an economic fountainhead for the Nation.

All that I have discussed with you up to this moment constitutes the public library of today that is the foundation of the public library of the future. Those of us who have examined the fantastically new electronic library equipment see nothing in it, I am sure, that is frightening in any way, or threatening to the future status of the librarian. If anything, these basically mechanical devices, marvelous as they are, represent only the bringing of a type of automation into library service, and in my judgment, they add scope and opportunity to the librarian as well as to the library. Before and after the drudgery is done by the machines there are still the imagination, the memory, the skills and aptitudes of the creative librarian which no machine can ever replace. And as the machines amplify the services of the library they draw within the orbit of the librarian a new set of demands from veteran library users on the one hand, and a whole new library audience on the other. That is the history of the machine since man first conceived the uses of the wheel.

The library of the future will not be an isolated collection of books. It will, on the contrary, be a unit in a great network. Any book in any library anywhere will be available to the most remote reader in the farthermost ends of the country. The system of communicating the book will probably be electronic, so that the microreader will be the instrument by which the student, using a microfilm, will peruse the book, document, or monograph.

The library of the future will make a very special response to the increasing demands of science and technology. New-found knowledge may be quickly disseminated to special activities and assimilated to avoid duplication of the original effort. Many of the electronic devices are in the laboratory stage so far, but their practical use is certainly in the offing. We know it is quite possible to get a full bibliography by IBM. The book ejector by the same process may soon furnish the reader in an instant with a whole armful of the books pertinent to his needs. The revered storehouse of man's knowledge that has made the great libraries of all time so precious since the days of ancient Alexandria is now enormously multiplied. It has been estimated that with modern methods and devices all the 10 million or more volumes in the Library of Congress can now be stored on microfilm in an average-size reading room. The value of our scientific advances for preserving the chronicle of civilization is beyond any price estimate.

We can now envision the day when we have rare manuscripts, for example, projected to the ends of the earth by telegraphic facsimile machines; when the library of today, emerging into the library of the future, is capable of distributing musical and dramatic recordings, as well as books; when the library becomes more and more a community meeting place for cultural pursuits, where recorded performances, on film or tape, are made available for groups, clubs, and societies.

It seems to me almost impossible that we can misread the facts or fail to see the results of our experiments. If they show anything it is that a new horizon is opening up for the librarian in the library of the future. The challenge and the opportunities seem to be almost unlimited. The values for civilization and for man's cultural progress are significant in a sense that has never prevailed before. New dimensions in the diffusion of our convictions, our faith, our literature, our knowledge, are presented us. With these instruments how can democracy fail? In this enrichment of life, in this strengthening of democracy, one of the key figures is inevitably the librarian. The librarian is the mentor, the guide, the custodian, the teacher, in many instances the inspiration, at the heart of the modern public library in the modern community, urban or rural. We may know that this highly skilled, distinctly professional and strategic guardian of our culture will measure up fully to his opportunity in the future as he certainly has in the past. On this cultural front the safety of American democracy is assured the American people and the Free World.

We can look forward with high hopes to the day when ignorance and every form of tyranny over the mind of man shall be supplanted by the knowledge and culture that come with books and the wisdom and understanding that come with knowledge and culture. I salute you, librarians and trustees, as you build the library of the future and render your mighty service to your fellow man and to generations yet unborn—the beneficiaries of the priceless legacy that you will preserve.

Senator Morse's Statement Opposing S. 2377

EXTENSION OF REMARKS
OF

HON. ESTES KEFAUVER

OF TENNESSEE
IN THE SENATE OF THE UNITED STATES
Friday, August 30, 1957

Mr. KEFAUVER. Mr. President, I voted against S. 2377. It was not possible for Senator MORSE to be present. He opposed the bill and wanted the statement of his position in the RECORD. I ask permission to insert this very thoughtful reason as to why Senator MORSE, had he been present, would also have voted in opposition to S. 2377.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR WAYNE MORSE, DEMOCRAT, OF OREGON, ON S. 2377, THE SO-CALLED JENCKS BILL

I wish the RECORD to show my opposition to the final version of S. 2377 as agreed upon in conference and approved by the Senate.

From the first I have maintained that a measure dealing with basic rights of due process, embodied in a decision of the Supreme Court, required more deliberate consideration in committee and by the bench and bar than S. 2377 received.

The bill as drafted by the Department of Justice and reported to the Senate was a poor bill which undercut the Supreme Court's decision and imperiled other rights heretofore protected by the courts. After many revisions, the bill was greatly improved in the Senate.

The two rollcall votes in the Senate defeated attempts to deprive defendants of rights protected by the Supreme Court's decision and to impair other decisions interpreting the Federal Rules of Criminal Procedure. The ground gained in the Senate was lost in conference.

I regret the Senate's hasty action in approving the conference version.

Committee on Interstate and Foreign Commerce Activity Report

EXTENSION OF REMARKS
OF

HON. OREN HARRIS

OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 30, 1957

Mr. HARRIS. Mr. Speaker, pursuant to section 136 of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, and House Resolution 99, as amended, 85th Congress, I should like to submit a statement of the activity of the Committee on Interstate and Foreign Commerce for the 85th Congress, 1st session.

The committee has had an extraordinarily large number of bills referred to it during this session and has held lengthy hearings on various and sundry bills to amend the Interstate Commerce Act, Railroad Retirement, Unemployment Insurance, and Taxing Acts, and amendments to the Natural Gas Act. Following lengthy hearings on these and many other bills, the committee held extensive executive sessions and was able to clear some of these extraordinarily important legislative proposals during this session.

The committee had referred to it 71 bills to amend the Railroad Retirement and Unemployment Insurance and Taxing Acts. Extensive hearings were held by the committee on these bills. The bill, H. R. 4353, which I introduced on February 5, 1957, was sponsored by the Railway Labor Executives' Association, and received the attention of the committee. Many of the bills before the committee contained provisions incorporated in this proposed bill. It is a "package" bill involving consideration of not only further adjustments to the act, but consideration of the amendments passed in the last Congress, as well as the tax-exempt features on contributions by employees for income-tax purposes. Due to the overall "package" approach and involvements, further consideration was postponed until the next session of Congress.

Incorporated in the bill, H. R. 8525, which was approved by the committee and which is now pending on the House Union Calendar, were amendments to the Natural Gas Act to exempt producers of natural gas from regulations under the act as public utilities; and to provide for a new method of regulating the price at which natural gas is sold under producer contracts.

In the field of aviation, a bill to establish an Airways Modernization Board to develop, modify, test, and evaluate systems, procedures, facilities, and devices to meet the needs for safe and efficient navigation and traffic was enacted.

The President also signed a bill to authorize permanent certification for certain air carriers operating between the United States and Alaska.

A bill providing for Government guaranty of private loans to certain air carriers for purchase of aircraft and equipment cleared both Houses of the Congress and is awaiting Presidential action.

Another aviation measure relating to the reinvestment by air carriers of the proceeds from the sale and other disposition of certain operating property and equipment, was approved by the House.

To implement the legislative recommendations contained in the 70th Annual Report of the Interstate Commerce Commission, 24 bills to amend the Interstate Commerce and related acts were introduced and referred to this committee. The following recommendations were enacted into law:

Recommendation No. 2, amending section 4 of the Interstate Commerce Act dealing with the long- and short-haul provision.

Recommendation No. 6, revising the definition of a contract motor carrier under section 203 (a) (15) of the Interstate Commerce Act.

Recommendation No. 7, amending section 20b of the Interstate Commerce Act, relating to stock modification plans.

Recommendation No. 15, amending section 218 (a) of the Interstate Commerce Act, requiring contract motor carriers to file actual rates.

Recommendation No. 19, changing the requirements for obtaining freight forwarder permits.

Recommendation No. 23, increasing penalties for safety violations under the Interstate Commerce Act.

Recommendation No. 26, amending the Medals of Honor Act.

Recommendation No. 3, dealing with shipments of Government property under section 22 of the Interstate Commerce Act, has been approved by both Houses and has been sent to the White House.

Recommendation No. 14, amending section 214 of the Interstate Commerce Act, concerning arbitrary stock par values, passed the House and Senate.

Recommendation No. 24, to authorize the Interstate Commerce Commission to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of power or train brakes, has passed the Senate and a companion measure has been reported from this committee and is now awaiting action by the House.

A bill to amend the Interstate Commerce Act to provide for the preservation of competitive through-routes for rail carriers, has been approved by the House and is presently pending before the Senate Committee on Interstate and Foreign Commerce.

In the field of public health, bills providing for the construction of sanitary facilities for the Elko Indians in Nevada, and to assist in the construction of community hospitals which will serve Indians and non-Indians, were enacted into law.

Another proposal extending the authority of the Surgeon General to make certain payments to Bernalillo County, N. Mex., for furnishing hospital care to certain Indians, has been approved by both the House and Senate.

After extensive public hearings and executive consideration, a bill to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products (Textile Fiber Products Identification Act) was reported from this committee and approved by the House.

An amendment to section 304 (d) of the Federal Food and Drug Act, with respect to the disposition of certain imported articles which have been seized and condemned, was approved by both Houses of the Congress.

A bill to declare a portion of Back Cove at Portland, Maine, to be nonnavigable water of the United States, also passed both Houses and was signed by the President.

The detailed activity report follows:

ACTIVITY REPORT OF THE HOUSE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, 85TH CONGRESS, 1ST SESSION

BILLS REPORTED

The committee has considered and reported favorably the following bills:

H. R. 469. To prohibit misbranding and false advertising of fiber content of textile fiber products. Report No. 986, by Mr. Mack, August 5, 1957. Passed House, August 14, 1957.

H. R. 3233. To amend section 22 of Interstate Commerce Act (transportation services for Government, reduced rates). Report No. 677, by Mr. Harris, July 1, 1957. S. 939 passed House, amended, in lieu, July 30, 1957.

H. R. 3625. To amend section 214 of Interstate Commerce Act (motor carriers, capital stock). Report No. 391, by Mr. Harris, May 7, 1957. Passed House, May 20, 1957.

H. R. 3775. To amend section 20b of Interstate Commerce Act (railroads, stockholders assent to modification or alteration). Report No. 440, by Mr. Harris, May 13, 1957. Approved August 16, 1957, Public Law 85–150.

H. R. 4511. To declare certain portion of Back Cove at Portland, Maine, nonnavigable. Report No. 388, by Mr. Harris, May 6, 1957. Approved August 13, 1957, Public Law 85–126.

H. R. 4520. Permanent certification for air carriers operating between the United States and Alaska. Report No. 610, by Mr. Harris, June 24, 1957. Approved August 26, 1957, Public Law 85–166.

H. R. 5124. Authorizes Interstate Commerce Commission to prescribe rules and regulations for installation and maintenance of power or train brakes. Report No. 1205, by Mr. Staggers, August 20, 1957.

H. R. 5328. To amend the Medals of Honor Act. Report No. 392, by Mr. Harris, May 7, 1957. Approved June 13, 1957, Public Law 85–50.

H. R. 5384. To amend Interstate Commerce Act (preservation of competitive through routes for rail carriers). Report No. 878, by Mr. Harris, July 25, 1957. Passed House, August 19, 1957.

H. R. 5822. To amend section 406 (b) of Civil Aeronautics Act (air carriers, reinvestment of gains). Report No. 980, by Mr. Flynt, August 2, 1957. Passed House, August 14, 1957.

H. R. 5953. Construction of water and sewer facilities for Elko Indian colony, Nevada. Report No. 554, by Mr. Williams, June 13, 1957. Approved August 14, 1957, Public Law 85–137.

H. R. 6456. To amend Federal Food, Drug, and Cosmetic Act (reexportation of imported articles seized and condemned). Report No. 933, by Mr. Williams, July 30, 1957. Passed House, August 5, 1957.

H. R. 7993. Government guaranty of loans to certain air carriers for purchase of aircraft and equipment. Report No. 981, by Mr. Rogers, August 2, 1957. S. 2229 passed House, amended, in lieu, August 19, 1957.

H. R. 8053. To authorize funds to assist in construction of community hospitals for Indians. Report No. 574, by Mr. Williams, June 17, 1957. Approved August 16, 1957, Public Law 85–151.

H. R. 8525. To amend Natural Gas Act (exempt producers from utility-type regulation). Report No. 837, by Mr. Harris, July 19, 1957.

H. R. 8825. To amend section 203 (a) of Interstate Commerce Act (to revise definition of contract carrier by motor vehicle). Report No. 970, by Mr. Harris, August 2, 1957. S. 1384 passed House in lieu, August 14, 1957. S. 1384 approved August 22, 1957, Public Law 85–163.

H. R. 9023. Payment for hospital care for certain Indians to Bernalillo County, N. Mex. Report No. 1052, by Mr. Williams, August 13, 1957. Passed House, August 14, 1957.

S. 1492. Increase penalties for violations of safety standards administered by Interstate Commerce Commission. Report No. 877, by Mr. Harris, July 25, 1957. Approved August 14, 1957, Public Law 85–135.

S. 937. To amend section 4 of Interstate Commerce Act (publication of rates). Report No. 577, by Mr. Harris, June 19, 1957. Approved July 11, 1957, Public Law 85–99.

S. 1856. Airways Modernization Act of 1957. Report No. 836, by Mr. Harris, July 19, 1957. Approved August 14, 1957, Public Law 85–133.

S. 943. To amend section 218 (a) of Interstate Commerce Act (publication of actual rates for transportation charges). Report No. 895, by Mr. Harris, July 29, 1957. Approved August 13, 1957, Public Law 85–124.

S. 1383. To amend section 410 of Interstate Commerce Act (freight forwarders). Report No. 880, by Mr. Harris, July 25, 1957. Approved August 28, 1957, Public Law 85–176.

NUMBER OF PUBLIC HEARINGS

The committee held public hearings as follows: Entire committee, 75; subcommittees, 74.

Hours of sitting (public hearings): Entire committee, 181½; subcommittees, 152½.

Executive sessions: Entire committee, 32; subcommittees, 14.

Hours of sitting (executive sessions): Entire committee, 58; subcommittees, 14½.

Printed pages of public hearings, 4,214.

Unprinted pages of public hearings, 1,500.

In addition to the above, the committee filed 5 reports and published 2 committee prints, as follows:

House Report No. 314, Petroleum Survey—1957 Outlook—Oil Lift to Europe—Price Increases: The committee early in the first session of this Congress again engaged itself in a comprehensive survey of the Nation's petroleum sources. Accordingly, the committee compiled for the information of the House the results of its study of the recent diversion of petroleum to Europe caused by the closing of the Suez Canal and the shutting down of the Iraq pipelines, and the circumstances attending increases of crude oil prices in the United States. The committee shall continue to keep abreast of the petroleum situation and report its further observations and comments at subsequent dates.

House Report No. 474, A Report on the Organization and Financing and Participation of the United States in International Health Programs: Inasmuch as the committee has legislative jurisdiction in the field of public health, its responsibilities frequently touch upon international health programs in different parts of the world, including the operation of the World Health Organization, as well as health and quarantine problems affecting international air commerce. House Report No. 474 is a summary of the findings developed in hearings held by the committee in the 84th Congress, for the purpose of compiling a résumé of what the United States Government currently is doing in the field of international health.

House Report No. 573, Pulp, Paper, and Board Supply-Demand: Pursuant to the existing authority of the committee, to investigate and study the current and prospective consumption of newsprint and other papers, production and supply of such materials, and possibilities of additional production through use of alternate source materials, the committee last year requested the Department of Commerce to prepare a survey of the competitive demand for these products. The report was submitted by the Department early this year and the committee believed this comprehensive analysis of the subject should be made available for the information and use of the Members of the House. The committee shall continue its close study of the newsprint and paper and pulp supply-demand situation and shall report periodically to the House its findings.

House Report No. 1275, Automobile Seat Belts: The Special Subcommittee on Traffic Safety established in the 84th Congress, to study the increasing number of traffic deaths and injuries and ways of setting up a long-range program to reduce these highway tragedies, undertook in this first session a study of the crashworthiness of automobile seat belts. A vast amount of testimony was taken in public hearings from experts in the field. As a result of these hearings and a study of the testimony presented, the subcommittee concluded that the use of automobile seat belts would lessen the degree of potential injury to those involved in traffic accidents, and the subcommittee's findings and conclusions have been set forth in House Report No. 1275.

House Report No. 1272, Air Transportation Development and Airspace Use Problems: In executing its legislative jurisdiction in the field of civil aviation policy, the committee has given special attention to airspace use problems and the continued orderly development of air transportation. In connection with its study of these aspects of the subject, it made a thorough investigation, in conjunction with the Federal regulatory agencies administering aviation legislation, of two civil aviation accidents—one the crash of a jet fighter plane and a civil passenger transport on January 31, 1957, in the Los Angeles area, and the other the crash of an airliner on February 1, 1957, following takeoff from La Guardia Airport, New York. In the course of the committee's study, attention was drawn to the expansion of the Government's Military Air Transport Service and its effect on the sound development of civil aviation. The committee plans to make a study of this particular aspect of the problem.

Transportation policy (committee print): As a result of a study of transport policy and organization, made by an advisory committee established by the President in 1954, there were introduced in the House and referred to the committee in the 84th Congress two identical legislative proposals embodying the recommendations of the Presidential Advisory Committee on transport policy and organization. Extensive hearings were held on these proposals in the 84th Congress, comprising 1,860 printed pages of testimony. Due to the complex nature of the proposals, and the vast amount of information submitted at the hearings, the committee undertook to digest, analyze, and index the testimony, with the thought that such a synopsis would prove useful to the Members of the House in further consideration of transportation legislation.

Medical school inquiry (committee print): Consistent with its legislative responsibilty in the field of public health, the committee made an extensive study into the problem of the adequacy of schools of medicine, dentistry, osteopathy, and public health to meet the needs of the constantly increasing number of applicants for admission to the country's medical schools. Since the 81st Congress, legislation has been introduced designed to assist medical schools, and at different times some bills have received active consideration by the Congress. Realizing the increasing importance of the need for additional educational facilities in the field of medicine and related sciences, the committee compiled for the convenience and use of the Members of the House the factual data it gathered on existing medical school facilities.

A Message from Hon. John W. McCormack, Member of Congress, Majority Leader, United States House of Representatives

EXTENSION OF REMARKS

OF

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. ALBERT. Mr. Speaker, I desire to extend my remarks by including in the Congressional Record a message from the distinguished majority leader, Honorable John W. McCormack, which appears in the current Newsletter of the nationalities division of the Democratic National Committee:

A Message From Hon. John W. McCormack, Member of Congress, Majority Leader, United States House of Representatives

The enormous role which Americans of many diverse national heritages play in making our country great must be obvious to anyone who sits in Congress. During my 30 years of service in the House, I have known and worked with elected Representatives whose parentage brought to the United States the best from almost every corner of the globe.

Among our Democratic Members of Congress today there are Representatives whose families came within the last generation or two from Italy, Spain, Ireland, Poland, France, Germany, Austria, Belgium, Switzerland, Czechoslovakia, Yugoslavia, Norway, Sweden, and India. Among them are the chairmen of several of our most important committees.

The fact that these men have shown such qualities of statesmanship and patriotism as to cause their neighbors to elect them to our highest legislative body is by itself proof of the great contribution which immigrants have made to the United States.

Based on my observations, I wish to praise the work of the nationalities division of the Democratic National Committee. It is both important and necessary. The division helps Americans of recent parentage abroad to take a more active part in affairs of government, and thus to be better citizens. It helps all of us toward better understanding of our neighbors, and a fuller knowledge of each other's heritage. It stands for the Democratic Party's deep interest in the welfare of every man and women in the United States, and it represents the American spirit at its best.

Attempt To Capture and Control TVA by Budget Bureau Threatens Independence of This Great Agency of Our Government

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. EVINS. Mr. Speaker, in connection with the nomination by the President of Mr. Arnold R. Jones, Deputy Director of the Budget Bureau, to a vacancy on the Board of the TVA, I recently appeared before the Senate Public Works Committee to express the concern of my constituents about this appointment. In my view there is an issue involved in this matter which goes beyond the TVA and should concern every Member of Congress—an issue of attempting to control by the Executive our independent agencies—which are arms of the Congress. To bring this issue to the attention of my colleagues I ask unanimous consent to have reproduced in the Record a portion of the transcript of the hearings before that committee. My statement follows:

Statement of the Honorable Joe L. Evins, United States Congressman, Fourth District, Tennessee

Thank you, Mr. Chairman, and may I say that I am complimented by your generous remarks and those of my own Senator—Senator Gore, of Tennessee. I want to say with regard to Mr. Jones, who is here with us before the committee, that I have had the pleasure of meeting him, and following meeting Mr. Jones some time back, I sent him a copy of a statement which I had made in the Congress on the TVA. I don't think it was any outstanding statement, but at least it expressed my point of view. My statement has been called an answer to some of the charges of misrepresentation made against the TVA, the continuing tirade of misrepresentation.

I said, "If you become our TVA Director, I want you to know of the point of view of the people in the valley."

Mr. Jones very courteously responded to my letter and said, "Thank you for providing me with another point of view on TVA. I am interested in all points of view."

I appreciated his letter, but the fact that he would say "another point of view" would indicate to me that he had certainly a point of view other than that of the TVA. It is well that he should have all points of view. That letter was not intended for any later use, but it does indicate to me he has been indoctrinated with an anti-TVA point of view.

It seems that in the Budget Bureau he has one point of view, and I was able in some limited measure to provide him with another. I hope that if he does become our TVA Chairman down there, he will be guided by this other point of view and some of the things that have been brought out in this hearing before this great committee by the known friends of TVA.

Mr. Chairman, I have always been reluctant to appear before a committee of the Senate concerned with the confirmation of Presidential appointees. I have been through three of these nominations. I am compelled to do so on this occasion because this appointment is of tremendous importance to the people whom I represent. They are not able to come here and express their opinions, and as their Representative I feel dutybound to speak in their behalf.

The Fourth District of Tennessee, as Senator GORE has indicated, is a great district. It consists of 23 of the 95 counties in Tennessee. It was formerly two Congressional Districts. It is entirely dependent upon TVA for its source of power supply. I do not have the actual count, but I believe at least 10 percent of the 150 municipalities and REA co-ops which obtain their power from TVA are within the district I represent, or partially in it—more than 10 percent of the 150.

I cannot overestimate the importance of the TVA to the people I have the honor to represent. You would have to experience with us the difference which nearly 25 years with TVA has made in our lives to really appreciate how we feel about it.

I would say, too, that to us the TVA is not just a utility, it is a symbol of our progress. To us the TVA is not an agency in Knoxville, it is a partnership in which everyone in the valley participates. If we obtain our power from the REA co-ops, we feel that we own a share of it. If we obtain our power from the municipal system, we own the municipal system—the people in the valley.

But this has been a rather peculiar one-sided partnership. Although our investment is more than 25 percent in total investments, and although the people of the district I represent, and the people of the 7-State area are completely dependent upon TVA for its source of power supply, they have no voice in the policies of the TVA. Only through a representative of the people can the voice of the people be heard. Indeed, many of late have come to feel that they have little or no voice at all; they feel that the office of the Budget Bureau has become the policymaker for TVA. And I might add, they feel that it has been a destructive one; that the Budget Bureau and not the TVA or not even the Congress has become the policymaker for our region. That is the feeling of our people.

Gentlemen, we are all aware of the powers of the Budget Bureau, its growing and ever increasing powers. It is a matter, Senator, in which the entire Congress is concerned. This power can be doubly painful and destructure to a people when the power of the Bureau is so great that it can affect the lives and well-being of 5 million people.

Policies of the TVA are supposed to be determined by its Board of Directors, whose members are chosen by the President and confirmed by the Senate. The TVA Act does not require the Board of Directors to consult with the Budget Bureau in making its decisions, but for the past 5 years the Bureau has been attempting to control policy. The past 5 years have been the hardest in the 24-year life of the TVA.

Why do I say this? Mr. Chairman and members of this great committee, I think I can prove that to you. Here are some of the facts of the enmity and hostility of the TVA emanating from the Budget Bureau.

As I indicated earlier I received a letter from Mr. Jones in which he expressed appreciation for another point of view. This indicated that the Budget Bureau is indoctrinated with a different point of view from the TVA philosophy.

The members of the Appropriations Committee of the House on which I serve—and we know that hearsay evidence is not legally acceptable, Mr. Chairman, but it has its probative if not evidentiary value—the clerks who deal with the Corps of Engineers and who deal with the Bureau of Reclamation, and with public works projects, the staff who are in daily contact with them on all of these great public works projects throughout the country—in the Northwest, in California and elsewhere—said to me that Mr. Jones is prejudiced against TVA. I said, "Why do you say that?" They said, "The Budget Bureau is prejudiced against all public power projects." You know that. It has been demonstrated.

I want to point out that I called upon the President, President Eisenhower, in the early part of his administration. This was in connection with the reappointment of Mr. Gordon Clapp. Mr. Gordon Clapp as a young man was an able public official. He was a splendid administrator. He was dedicated and devoted to the TVA. He was a young man interested in the career service, not a politician. He had grown up in the TVA. Some 15 or 20 Members, Senators or Representatives, went to see the President and to urge upon him the reappointment of Mr. Clapp. Although this man was dedicated to the philosophy of the TVA and everyone recognized that he was a fine administrator; he was thrown overboard and another man appointed in his place.

That was the President's privilege, but he did not reappoint a career man dedicated to the TVA.

The last major addition, Mr. Chairman, to the power capacity of TVA came in the latter days of the Truman administration. That was the so-called New Johnsonville addition. It was recommended by the President, former President Truman, and approved.

The next major addition was proposed in the early days of President Eisenhower's administration, and that was the so-called Fulton addition. The Board of the TVA unanimously recommended the Fulton addition, but the Budget Bureau opposed it. That was fought out twice in the Congress and twice defeated. The Congress did not adopt it, but certainly the Budget Bureau was opposed to it, and although the Board recommended, the Budget Bureau refused to recommend the Fulton addition.

So I say that the last major addition to the TVA system was in the latter days of the Truman administration, and there have been no major additions since that time.

This committee is all too familiar with the Dixon-Yates scheme that was hatched in the nest of the Budget Bureau. I believe it was conceived in iniquity to weaken and subvert TVA to the private power interests, to their great financial gain.

You are familiar with the connection of the First Boston Corp. with this plan and that the private utilities would have profited under this scheme. This committee is familiar with what was disclosed about this scheme by committees of the Senate. Both Senator HILL and Senator KEFAUVER had a great part in disclosing the presence in the Budget Bureau of one Adolph Wenzel and his conflict of interest. He was a paid consultant of the First Boston Corp., and he was consulting on TVA. He was brought in by the late Mr. Rowland Hughes, the former Director of the Budget Bureau.

Not only these acts, Mr. Chairman, of the appropriation for the Fulton plant being denied, TVA's growth therefore limited, the Dixon-Yates sabotage plan advanced, but I should cite that in the past 5 years, as I have said, there have been no major starts. Furthermore, the Budget Bureau has cut and reduced TVA's Board of Directors recommendation for appropriations for its other activities.

The Budget Bureau opposed the use of the corporate funds by the TVA. We of the Congress and friends of the TVA in both the House and the Senate have won for the TVA the right to use surplus corporate funds after it has paid its statutory obligations into the Treasury, and as to accumulated funds, the Congress reaffirmed their right to use these funds, but the Budget Bureau opposed the use of these surplus funds.

The Budget Bureau has recommended most stringent self-financing plans. The distinguished chairman of this committee, Senator KERR, knows full well the Budget Bureau's plans for self-financing and opposition to his own work of constructive legislation in this field.

The Budget Bureau has been the agency, I repeat, that has been trying and largely succeeding in setting the policy for the past 5 years for the TVA, writing its ticket, if you please, where it could go. It has gone nowhere. Its progress has been very limited. It has been virtually halted. And what progress has been made has been over opposition and with restrictions.

Gentlemen, the Budget Bureau has been like a coach to the TVA, a coach tying weights and chains around a great youth, shall we say, a track star.

I repeat, in summary, that the Budget Bureau has cut appropriations for the TVA, it has opposed the use of corporate funds, it has hatched the Dixon-Yates scheme, it has tried to impose restrictive self-financing plans, and at every turn and at every step the Budget Bureau has opposed the TVA. This to my mind, Mr. Chairman, is crystal clear; a blind man could see it.

I cite this history of the past 5 years as the hardest years in TVA's history. I express the concern of the people I have the honor to represent against Mr. Jones, who comes as a ranking member, a ranking star of the Budget Bureau, as its deputy director. Their apprehensions and fears are that Mr. Jones will continue the policies of the Budget Bureau for he has been an official of the Bureau.

I should point out one further factor with regard to corporate financing. The TVA Board proposed the plan a few years ago to build plants with accumulated profits, and this is significant: The action of the Board was unanimous in its decision. That was since Chairman Vogel has been a member. But the Budget Bureau vetoed this proposal and substituted its own plan and authorization for one generator to be paid for from the sale of bonds which TVA could obtain after the authority was passed.

In other words, they saw a need, the unanimous Board, for additional capacity. The Budget Bureau rejected that plan and said, "You can have one addition, provided you get self-financing passed through the Congress," knowing the self-financing bill was having difficult sledding in the Congress.

This is an important fact: Although Chairman Vogel, as you may have heard, was for this before the Board, when the Budget Bureau proposed the other plan, he immediately retracted his previous position and voted to go down the line with the Budget Bureau. Fortunately the two other Directors stuck with their determination, and with the approval of the 84th Congress they went ahead with these additional units.

About 3 years ago the President had the opportunity to fill a vacancy on the TVA Board about which you have heard a great deal. He filled it with Mr. Vogel instead of reappointing Mr. Clapp. At that time Mr. Vogel appeared before this committee in this very room and professed his belief in the TVA. I was told that there could not have been a stronger advocate than Mr. Vogel. He not only believed in the TVA Act, he believed in the yardstick, he was enthusiastic about its flood control and navigation function. He assured the committee that he would act independently. He went further. He said that he would more or less consult with the people of the Valley and determine how they felt about things, for the President said he wanted things worked out as the people in the area wanted them that way. He said he would do the best job he could to serve the people and serve them well.

Disillusioned, the people of the Valley have made plain their feelings before this committee.

I have heard Mr. Vogel before the Appropriations Committee of the House, and it is most strange to observe his position of wanting to be for the TVA and still follow the philosophy of the Budget Bureau. Here is a minor example, Mr. Chairman.

There was a little item in their appropriation for some small markers up in the bayous and bays of the lakes. Mr. Vogel said, "Gentlemen, I am opposed to this. My colleagues are for it. I want to cut it out." Someone said, "Mr. Chairman, why are you against it? You know people can get lost on these lakes and lives can be lost. Why are you opposing a little appropriation to put markers up to tell the direction?" He said, "It is an expensive matter and the Corps of Engineers does not have this authority, and I don't see why we shouldn't follow the Corps of Engineers' practice."

That was his reason for opposition to it. It illustrates his difficulty, in doing what the Budget Bureau wants him to do, rather than going along with the philosophy of the TVA.

Here is another experience with the TVA and the Budget Bureau shortly after Mr. Vogel came to the TVA, they submitted its plan for self-financing. Although originally all three members of the Board agreed to it unanimously, the Budget Bureau made certain suggestions for changes, which are well known to this committee. Mr. Vogel didn't go along with his colleagues on the Board. He went along with the Budget Bureau. His position on this, as expressed before this committee, has been somewhat similar to that of Mr. Jones. He said "he thought the TVA could live with the Budget Bureau recommendations." In any event, the committee is aware that as late as April 29, Mr. Jones signed a letter to the Budget Bureau along these same lines. The recommendations in that letter would have given the President and the Budget Bureau and the Secretary of the Treasury more and more control over the TVA.

Mr. Chairman, this grasp for more and and more power, more and more control by the Budget Bureau, is an alarming thing. I am sure that you gentlemen can appreciate, and do appreciate, the apprehensions of the people concerning this new nominee of the Board to the TVA Board, largely because of the fact that he has been an official of the Budget Bureau. Nothing personal against Mr. Jones, but it is the Budget Bureau that the people have great concern about.

The Budget Bureau has from the beginning of this administration led the fight against TVA. They are concerned, naturally, can any good come out of the Budget Bureau? I agree with what the chairman said earlier. We know that someone said, can any good come out of Nazareth, and certainly some good did come out of Nazareth. But people are apprehensive. That good cannot come out of the Budget Bureau for TVA. This is the question which this great committee must decide.

Remember, gentlemen, that the future of 5 million people will be affected by the course that you men determine, and yet these 5 million people are dependent upon you for your decision. This is why, as I say, although I am reluctant to appear before this committee concerned with the confirmation of a Presidential appointee, I feel it would be a dereliction of my duty if I did not.

As I pointed out, there is a statutory requirement concerning the qualifications of the TVA Board Director. In this respect the appointment differs from that of others you consider.

I was certainly astonished to learn that a few days ago Mr. Jones testified that the President had never made any attempt, so far as Mr. Jones was aware, to determine his point of view on the TVA, and thus to determine whether Mr. Jones did in fact meet the statutory requirements.

Senator Kerr. May I ask you a question there? Knowing the attitude of the President about the TVA, would you rather risk the actions of a man appointed by the President that the President didn't know what he would do, than the actions of a man with reference to whom the President had talked to and did know what he would do?

Mr. Evins. Mr. Chairman, I have followed some of the hearings of this committee. There has been a general statement that the President has directed this: The President has advised that this be done. I think the Budget Bureau has been telling the President what to do. I won't put the blame entirely on the President of the United States. I think the Budget Bureau formulates the policy; they go in to the President and say, "Mr. President, this is it," and he says, "All right, boys, take it." The President I don't think has any enmity. How could he when he twice came to our State and carried it, once, and made strong statements for the TVA.

Senator Kerr. Is he making as strong statements for the TVA as he did for 90 percent of parity for the farmers?

Mr. Evins. Mr. Chairman, he came to Memphis and there was a tremendous crowd there. He said that TVA is a great experiment in agricultural development and conservation. He praised it. When he flew over to Knoxville some of our colleagues flew with him, Congressman Howard Baker, I believe—and I do not wish to misquote my Republican colleague—he said, "Mr. President, you made a strong statement. You didn't make it strong enough. Make a strong statement in Knoxville." There he said: "My friends, I pledge to you under my administration TVA will be maintained at maximum efficiency." He didn't just praise it as a conservation bill.

Senator Kerr. He praised the farmers at Brookings, S. Dak. He said, "I guarantee you 90 percent of parity, and we will work for 100 percent of parity."

Mr. Evins. Mr. Chairman, that emphasizes what I said before. The Presidency is a great assignment, the greatest job in the world, and he must have lieutenants and assistants around him. I don't think the President is directing it. I reverse the situation and say the Budget Bureau has been formulating the policy, laying it before the President, and selling him, and the President has been taking it. I don't think the President has really had any enmity, although he did, after being irked one day, refer to TVA as creeping socialism.

Senator Kerr. He referred to the expansion of TVA as creeping socialism.

Mr. Evins. I don't think that is a very endearing term, Mr. Chairman.

Senator Kerr. Do you think he knew what kind of a term it was? In view of your great tolerance that you have professed here for him, after criticizing the situation because he hadn't talked with this man, I would feel that in justice to him you should be fairly certain in your mind that he knew even what was said as to its meaning, before you became too critical of him.

The Senator quoted from his press conference the other day, after he had been in office something over 4 years, and after he had made his second appointment to the Board of Directors, that in view of the requirement that it be a bipartisan Board, that he thought the next one would have to be a Democrat. Do you know of any requirement in the law that there has to be one Republican on that Board?

Mr. Evins. On many of our independent boards——

Senator Kerr. Or one Democrat?

Mr. Evins (continuing). The law provides that they shall be bipartisan, not more than 1, 2, or 3 of the same political party. That does not apply with respect to the TVA.

Senator Kerr. That is my impression. I was telling you that the Senator from Alabama quoted the President at a press conference as indicating that it was his information or opinion that there was such a requirement with reference to TVA, and that he would, therefore, on the next appointment, have to appoint a Democrat.

Mr. Evins. Mr. Chairman, he wouldn't have to appoint a Democrat, and our people would be satisfied with a Republican if he appointed one on the Board who believed in TVA and who would be its champion. That is what we want in the valley. We want an individual who is on the Board who champions the TVA and who believes in it sincerely with heart and conscience, regardless of partisanship or politics.

Senator Gore. Or where he comes from.

Senator Kerr. The point of the remark of the Senator from Oklahoma was calling your attention to the fact that after 4 years in office and making 2 appointments to the Board of Directors, of which the total is 3, that the President still didn't know that it wasn't a requirement that there be a bipartisan board.

Mr. Evins. I think that affirms our statement, Mr. Chairman, that the President is being improperly advised; that he is not being given all the facts.

Senator Kerr. In that situation apparently he was given some that weren't. I mean apparently he had all of them and then some more.

Go ahead.

Mr. Evins. The President is not directing. The Budget Bureau is directing. It is the reverse, in my humble judgment.

Senator Kerr. In other words, you think there is more of the Budget Bureau thinking in what the President does than there is of the President's thinking in what the Budget Bureau does?

Mr. Evins. Yes, Mr. Chairman; but I cannot reconcile how the President can be so strong against TVA and at the same time he recommended the upper Colorado River storage project.

Senator Kerr. You can't understand that?

Mr. Evins. I voted for it.

Senator Kerr. You can't understand it?

Mr. Evins. He wanted the upper Colorado project. He said this is what I believe in, developing the whole river valley.

Senator Kerr. You can't understand that?

Mr. Evins. I can't understand the inconsistency. I can't reconcile his being for that and opposed to TVA.

Senator Kerr. You are assuming, of course, that he recognized the need existed? You are going to get yourself into the same shape as the Senator from Oklahoma got himself into a few days ago when he told the truth about what he thought about what was in the President's mind, if you are not careful. And I hope that you will do as I did, consider it deliberately before you get out onto that platform.

Mr. Evins. Mr. Chairman, if I could be as esteemed and as great as the distinguished chairman and the able Senator from Oklahoma, I would consider it an achievement and an accomplishment.

Senator Kerr. That gives me great comfort, because it overcomes some of the re-

marks that have been made that were not entirely consistent with it.

Senator Gore. Overcomes or balances?

Senator **Kerr.** Overcomes.

Go ahead.

Mr. Evins. I placed in the record some time back—to some people—this forum can be a sort of education. They seem to think that TVA is the only public power project in the Nation.

What of the great Columbia River development, the great Missouri River development, and the Pick-Sloan plan which calls for 200 dams, 6 multipurpose dams on the Missouri River—6 of them, 6 major multipurpose dams on the Missouri River and 200 other dams. The Pick-Sloan plan called for an expenditure of $5 billion.

The TVA has been successful. It is most successful in its conservation, in its flood control, in its fertilizer program of bringing reduced fertilizer to the farmers. Its power operation is paying out. I think its main opposition is its success. Yet I can't reconcile the hostility to the TVA.

The great St. Lawrence Seaway development, when that project came to the Appropriations Committee, with which you are all familiar, they said, "There is nothing controversial here; let's approve it." I said, "Let's talk about it a few minutes, Mr. Chairman. What do you propose to do here?"

"Well, we are going to build a 25-foot channel for 200 miles; another, 500 miles."

"How many power units do you have there at present?"

"Well, there are 5—2 on the American side, owned by private industry, 3 on the Canadian side, owned by the Canadian Government. Five existing power units on the St. Lawrence."

"What do you propose to build there?"

"Thirty-two power units in addition, 16 on the American side, 16 on the Canadian side."

To build 32 additional power units on the St. Lawrence Seaway, and the great conservative Chicago Tribune, a paper that opposes everything as socialism, came out with an editorial and said this will be a great development, it will make Chicago the greatest city in the world in 25 years.

One man on the committee from Illinois said no, in less than 10 years. So they voted the St. Lawrence Seaway development. And the upper Colorado project. But TVA is bad, and I cannot reconcile it and our people can't understand it. We want a member of the Board there, Mr. Jones or whoever it may be, who believes in TVA. That is our appeal.

There is one other matter I would like to address myself to, and that is that I feel strongly the need and necessity of so-called independent agencies to be kept independent, free of executive control.

Since our country was adopted, there has been a tremendous trend toward centralizing power and centralizing of power in the Chief Executive and under his direction in the Bureau of the Budget.

The Congress should reverse this trend, the continued increase of power in the Bureau.

I served on the Independent Offices Subcommittee on Appropriations and a few years ago I served as chairman of a subcommittee of the House Small Business Committee, that looked into the problems of the increasing executive power over our independent agencies. These hearings are published and the findings were somewhat startling.

These agencies, as we all know, are supposed to be arms of the Congress. The Constitution gave the Congress the power to regulate commerce. The Congress, in turn, delegated this power to the independent commissions. There has been a shifting of that power over the years, since the establishment of the Interstate Commerce Commission.

We had an illustration a few weeks back—not a few weeks but a few months back—of the chairman testifying that these independent agencies have been quasi-legislative arms of the Congress and quasi-judicial, but he said in his speech, they are shifting, they are now becoming quasi-executive.

That is a situation with which the Congress must be concerned, this constant shifting and centralization of power into the hands of the executive.

May I point out that the President was able to mobilize a combination of some of these independent agencies, AEC, SEC, and FPC, to try to put over the Dixon-Yates deal, to use them all.

In other words, he was able to use them in an attempt to change the TVA without the necessity of going to Congress for legislative action. The process by which Congress granted control of these agencies began with the requirement that these agencies go to the Bureau of the Budget for approval of their budget. That is where it started.

Previous to that they came to the Appropriations Committee of Congress. Furthermore, it gradually developed that these agencies had to obtain the Bureau of the Budget's approval before they could submit proposals for legislation and inquiries for information that they needed. They controlled the type of questionnaire they could send out.

During the war this was necessary in order to cut down on duplication on requests sent out to the industry. Now we know the Bureau of the Budget is using that to control the various agencies.

Finally, by failing to veto one of the Hoover Commission's recommendations, the Congress gave the President the authority to appoint and to remove members of the Commission, to designate the Chairman, and the Chairman the authority to become the administrative officer with right to control the staff, control the appropriated funds, and control the workload. The result is that, at the moment, the Congress now stands in a sort of second- or third-hand role in authority over the independent agencies which were created as arms of Congress. You gentlemen are all too familiar with that.

I want to point out that the House this year has, as you know, passed legislation to set up a special committee on Congressional oversight, to examine more thoroughly the results of the operation of our independent agencies, who are supposed to be deputies of the Congress. This oversight committee is now getting organized.

We witnessed in the past 5 years, I repeat, a similar but thus far unsuccessful attempt by the Executive to capture control of the TVA. I understand, as one of my colleagues has pointed out, that you spent 2 years in writing and passing legislation which gave TVA power to raise bonds, to maintain its independence of the Executive.

They always talk about bureaucracy in Washington; why don't you decentralize? TVA is an example of decentralized government, operating in the field. But now even that is bad to some; if it is not one thing it is another that they work against.

I believe it was pointed out that if the new Board turns out to be willing to submit to the Bureau of the Budget, you will be surrendering the fruits of your labor on the self-financing legislation. Even if we are not concerned about the TVA, I am concerned about the drifting of our independent agencies to Executive control.

We cannot afford to surrender more, Mr. Chairman. Sometime, somewhere, we in the Congress must put a stop to the continued encroachment of the Executive on constitutional and executive duties and responsibilities, and the recognized worst offender of them all is the Bureau of the Budget. They are determining appropriations, they are writing legislation, they are issuing orders and edicts.

I think, when the Congress passes legislation, when the Congress speaks, the Bureau of the Budget should be responsive to it. What good will it have done to legislate on the TVA or any other independent agency if, through appointments, the Executive achieved control of these agencies and directs their policies?

I wish most strongly, Mr. Chairman, that you and members of the committee would weigh these circumstances which I have attempted to point out. The importance of our regulatory and independent agencies remaining as arms of the Congress and their independence is very important.

Secondly, Mr. Chairman, can a man with Budget Bureau service and the indoctrination Mr. Jones has had as Deputy Director of the Bureau of the Budget, truly and in fact, divorce and disassociate himself from the influences of his work and his association over the years with the Bureau of the Budget which, as I pointed out, has been the principal architect of the destruction of the TVA?

I say, gentlemen, that human nature being what it is, that he cannot. I would hope that he could. But old soldiers remember their previous battles. I think they remember the techniques of their warfare.

I make this appeal not against Mr. Jones personally but for and on behalf of and in the interest of the people whom I am honored to represent. To do otherwise would be a dereliction of my duties.

Thank you, gentlemen.

William E. Borah

EXTENSION OF REMARKS

OF

HON. HENRY DWORSHAK

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. DWORSHAK. Mr. President, the Borah Foundation Committee and the Borah Commission are sponsoring appropriate activities in recognition of the 50th anniversary of the beginning of the late William E. Borah's United States senatorial service.

In order to recall some of the significant achievements of Senator Borah's outstanding service, I requested the Legislative Reference Service of the Library of Congress to prepare a political review of his renowned senatorial career.

I ask unanimous consent to have this statement inserted in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

WILLIAM E. BORAH

William E. Borah was born on a farm near Fairfield, Ill., on June 29, 1865. He attended the common schools of Wayne County, Ill., and Southern Illinois Academy at Enfield. He was graduated from the University of Kansas at Lawrence in 1889, studied law, was admitted to the bar in 1890, and commenced practice in Lyons, Kans. In the following year he moved to Boise, Idaho, and devoted his time exclusively to the practice of his profession. He was an unsuccessful candidate for election as a silver Republican in 1896 to the 55th Congress and an unsuccessful candidate for election as United States Senator in 1903. Mr. Borah was a member of the Republican National Committee from 1908 to 1912 and a delegate to the Republican National Convention in

1912 which nominated William Howard Taft for the Presidency.

He was first elected as a Republican to the United States Senate in 1907, 50 years ago this year. Senator Borah won reelection in 1913, 1918, 1924, 1930, and 1936, serving from March 4, 1907 until his death on January 19, 1940. He was an unsuccessful candidate for the Republican presidential nomination in 1936.

In 1895, he married Miss Mamie McConnell, daughter of Governor McConnell, whom he served at one time as secretary.

He early attained renown in the practice of law, participating in some of the most sensational criminal trials of the period as a State prosecutor. These included the prosecution in 1899 of a labor leader, Paul Corcoran, for alleged complicity in dynamite outrages and murder in the Coeur d'Alene mining area in northern Idaho, and in 1905 the prosecution of William D. Haywood and other leaders of the Western Federation of Miners for the murder of former Gov. Frank Steinenberg, of Idaho.

He was opposed by Clarence Darrow, attorney for the defense in the Haywood trial. After the Haywood trials, Mr. Darrow described Mr. Borah as the ablest man he had ever contended against.

Following his defeat by a caucus-approved candidate in the Idaho Legislature in 1903 for the senatorship, he stumped the State reiterating that "King Caucus must go." Four years later, he carried his candidacy to the voters with such great effect that a majority of those elected to the legislature were pledged to vote for him for Senator.

To sum up the activities of Senator Borah in Congress, it is said, would have been to write a general summary of the political history of the United States for a third of a century, for no important matter came up in Congress without his having something to do with it.

Mr. Borah played a prominent role in the submission by Congress of the constitutional amendments providing for the popular election of Senators, the income tax, and prohibition. He was a constant advocate of a corrupt practice act to regulate campaign practices. He had a prominent part in the movements to unseat Senators Stephenson, of Wisconsin; Lorimer, of Illinois; and Newberry, of Michigan. He was the author of the resolution directing inquiry into the preconvention campaign expenditures of 1920. He sponsored the bills creating the Department of Labor in 1913 and the Children's Bureau.

Despite his lifelong habit of political independence, Senator Borah never opposed the election of the presidential nominee of his party except on one occasion. This was in 1896, when as a young man of 31 he ran for Representative on the Republican ticket while supporting William Jennings Bryan, the Democratic presidential nominee, on the free silver issue.

Mr. Borah believed strongly in the two-party system and was opposed to attempts to form a third major party. He said on many occasions that he preferred to make his fight within the Republican Party. When Theodore Roosevelt sought the Presidential nomination in 1912, Senator Borah acted as one of his floor managers in the Republican Convention. He declined, however, to follow Roosevelt into the Progressive, or "Bull Moose," Party. In 1924, he supported the candidacy of Calvin Coolidge, although he himself received the endorsement for reelection of the Independents under Senator La Follette. He declined, however, to accept the Republican Vice Presidential nomination in 1924. He vigorously supported the Republican candidacy of Herbert Hoover in 1928.

Criticized as an "isolationist," Senator Borah was strongly for world peace and the reduction of armaments. He opposed with equal vigor anything that smacked of entangling alliances with European powers. His leadership in the fight against the entrance of the United States into the League of Nations and the World Court focused wide attention on him. He was one of those who insisted that European nations should pay their World War I debts to the United States.

He opposed American military occupation of Nicaragua, Haiti, and Santo Domingo, bitterly fought reciprocity with Canada, and urged free tolls for American ships in the Panama Canal.

Senator Borah was perhaps best known for his leadership in the successful fight against the entrance of the United States into the League of Nations and for his part in bringing about the Washington conference for the limitation of armaments in 1922. His speech of November 19, 1919, opposing the Versailles Treaty was widely regarded as ranking in its impact with the greatest forensic efforts ever delivered in the Senate. The Washington Arms Conference of 1921 was brought about to a great degree by the insistence of Senator Borah. Although he did not approve of the four-power treaty that resulted, Senator Borah regarded the naval limitation treaty that grew out of the conference as a promising step toward world peace. He also advocated an economic conference to supplement the work of the armament discussions.

Senator Borah strongly supported economy in Government as a means of lifting the burden of taxation resulting from World War I. He opposed high tariff schedules and the soldiers' bonus. He once refused to accept a rise in salary voted by Congress until he had been reelected, holding that he had not been chosen for a position paying a higher salary.

He opposed President Hoover in 1931 for the administration's failure to provide what he considered adequate drought relief in 21 western States.

Although opposed to most of President Roosevelt's New Deal measures, Senator Borah approved the reduction in the gold content of the dollar, which Congress, on the recommendation of the President, put into effect in June 1933.

Senator Borah opposed the NRA codes, which he charged tended to encourage monopoly, to which he had been opposed for years. He opposed President Roosevelt's attempt to pack the Supreme Court in 1937. He criticized waste in the distribution of relief funds and helped bring about a senatorial investigation of Federal relief.

During 1936, Senator Borah was a candidate for the Republican Presidential nomination. He warned the members of his party that it was doomed to defeat unless it accepted new leadership. He openly began his campaign for the election of favorable delegates in February, selecting as his principal issue the question of economic concentration. He was successful in the Wisconsin and Nebraska primaries, but met defeat in New York and other key States. In the 1936 election, he was reelected to the Senate for his sixth term by his greatest vote, polling 126,000 voted to 54,500 for his Democratic opponent, on the same day that President Roosevelt won the electoral vote of Idaho and 45 other States.

He was one of the supporters of the investigation made into the structure of the American economy by the Temporary National Economic Committee. In 1938 he left his party in voting to increase the WPA appropriation. He was repeatedly criticized for his objection to the Wagner antilynching bill, which he opposed on constitutional grounds. He gave support to the southern Senators who opposed it during the prolonged filibuster that defeated the bill. He was strongly opposed to any attempt at invoking cloture. He felt that free debate had killed many bad pieces of legislation.

Senator Borah opposed the power of the President to negotiate reciprocal-trade agreements and the third term.

He was the leader of a bloc of Senators who bitterly opposed repeal of the Neutrality Act in 1939. He believed that repeal was the opening wedge to American participation in World War II.

Of him it was said, "he represents so many points of view that everybody agrees with him sometimes and nobody agrees with him all the time."

"Pride in the position he attained as both a national and international figure," stated the New York Times at his death in 1940, "caused the voters of Idaho to reelect him successively, even though he frequently was at odds with the leadership of his party both National and State."

Let's Look at the Record

EXTENSION OF REMARKS

OF

HON. CHARLES O. PORTER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. PORTER. Mr. Speaker, the gentleman from Tennessee [Mr. REECE] has the audacity to state in the RECORD—pages 16549-16550—August 29, 1957, that I have not given sufficient replies to questions he has asked me July 19 and August 9, 1957.

I invite any Member or other reader of the RECORD to read our respective statements and judge for himself.

I also point out that I have been very willing to debate these matters on the floor of the House, or elsewhere, whereas the intrepid gentleman from Tennessee confines his ill-informed sniping to insertions in the RECORD. I venture to hope he will eventually consent to pose his questions to me personally on the floor of this House, or elsewhere.

For the benefit of those who have not the time or facilities or disposition to read the previous exchanges, let me make these brief comments on the questions the gentleman lists in his August 29, 1957, insertion.

I adhere to my position that dictators should be overthrown and that I, along with most Americans, favor their being toppled by a revolution to bring justice and mercy back into government, peaceful revolution if possible.

As for what the Costa Rican newspapers reported, if the gentleman objects to any story I will be glad to confirm or deny its accuracy. But I see no point in burdening the RECORD with these clippings. However, the gentleman, or any other person, may see these clippings in my office. I never have refused anyone access, contrary to the gentleman's assertion.

The matter of the trip expenses paid by the Colombian newspaper, El Tiempo, and by the Costa Rican Government has been fully explained and justified in these pages. The Library of Congress has approved every aspect. We have a favorable official legal opinion. I have not, it is true, asked the Attorney General. Why does not the gentleman do this? It is time he consulted some lawyer on this question.

As for the military advantages of the dictator-run countries in Latin America, I am most willing to debate this issue with the gentleman. The real issue is what policies are most effective in fighting international communism in Latin America.

I do not intend to embarrass any employees of the State Department by disclosing which of them favor an end to the "be soft to Latin American dictators" policy of Secretary Dulles and President Eisenhower.

As for the enthusiastic reception I received in Costa Rica, I point out to the gentleman that this was prior to my origination and introduction of an amendment to cut off aid to Nicaragua and other Latin American dictatorships.

As for the defeat (171 to 4) of the amendment in the House, I believe it was largely because it had had no committee hearings. I expect a better result next time.

If the gentleman cared to investigate even cursorily, he would find that I have consulted often with members of the House Foreign Affairs Committee and the State Department, and I shall continue to do so.

I have not been silent in the face of these questions, contrary to the gentleman's astounding assertion. It is the gentleman who shuns debate and ignores and neglects the most elementary factfinding.

I repeat my request that the gentleman agree to debate these issues in person, on the floor or elsewhere. Let us have an end to his timid hit-and-run unilateral insertions in the RECORD.

Battle of the Budget in Defense Program

EXTENSION OF REMARKS

OF

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. MAHON. Mr. Speaker, the battle of the budget has been the highlight of this session of Congress. The appropriations budget which was submitted by the President in January has been reduced by $5 billion. The defense budget, a part of the overall total budget, has been reduced by $2.6 billion. The President, himself, scaled down the defense budget as submitted in January in the sum of $558 million. This does not have reference to recent cutbacks.

The gentleman from Missouri [Mr. CANNON], chairman of the Appropriations Committee, will insert in the RECORD a statement as to the complete budget reduction. I wish to submit a few facts and observations which relate to the defense budget.

There have been many statements reported in the press in recent weeks about cutbacks, stretchouts, and other modifications by the Defense Department in the military program. I should like to try to put the picture in focus. Generally speaking, the slowdowns and modifications have no relation to the reductions made in the defense budget this year by Congress. In connection with these remarks, I shall insert in the RECORD a letter from the Controller of the Defense Department which confirms this assertion.

First I should like to discuss the situation in very broad terms.

Last year the Department of Defense had available to it for expenditure for all purposes including military public works, $74.7 billion. Of this amount $36.2 billion was appropriated by Congress last year, the remaining funds having been carried over from appropriations of previous years. The carryover funds were for such things as ships, aircraft, ballistic missiles, and other long-lead-time items. It was not anticipated, of course, that the Defense Department would spend last year the total sum of $74.7 billion available to it. Vast sums would remain unexpended for previously financed long-range defense items.

For the current fiscal year the Defense Department has available to it for expenditure about $70.8 billion, of which amount $35.9 billion is in new appropriations. However, in this latter sum is $590 million which is not actually a new appropriation, but represents transfers from unneeded funds from previous years to new categories for obligation or expenditure this year.

Out of a total availability of $74.7 billion last year the Department expended $38.4 billion. Out of a total availability of $70.8 billion this year the Defense Department expects to expend $38 billion.

It will be noted that the available funds were greater last year. The Committee on Appropriations realizes that large carryover sums are required but it feels that these sums have been too large and the committee has been hammering away in an effort to reduce these carryover funds. It has been particularly interested in reducing the amount of unobligated carryover funds though it agrees that substantial unobligated carryover funds are necessary under the financial plan of the Defense Department.

Now Congress cut defense appropriation requests for the current 1958 fiscal year by $2.6 billion, yet the total availability for obligation and expenditure remains very great.

The newspapers have carried many stories in recent days of announcements from the Pentagon of cutbacks in personnel and the slowing down of many programs. What does this mean? Does this mean that reductions in the defense budget by Congress is responsible for these cutbacks? The answer is "No."

Here are the significant facts that relate to the cutbacks in the defense programs. Defense spending last year amounted to $38.4 billion. However, during the latter part of the fiscal year defense spending was at the rate of $40.2 billion annually. The previous estimate of the Department and the Budget Bureau had been that defense spending for last year would be $36 billion.

It became apparent to the Defense Department a few months ago that if defense spending took its natural course during this fiscal year, it would range between $40 billion and $42 billion. Abundant funds are in the hands of the Defense Department to finance a defense program this year in the sum of $42 billion, or much more, out of a total availability of $70.8 billion.

Congress did not fix an annual expenditure figure for the Defense Department. This matter is left to the President, the Bureau of the Budget, and the Defense Department. The rate of defense spending is heavily influenced by the rate that aircraft and other expensive defense equipment is delivered and paid for by the Government. Congress approves programs and provides the funds to finance them to completion over periods which extend in long lead time hardware to 2 or 3 years.

The executive branch of the Government concluded that if it did not curb defense spending from funds available to it, spending would be far in excess of $40 billion this year. This would throw the fiscal plans of the administration out of order and make it necessary to sponsor an increase in the national debt ceiling.

In view of these difficulties, the administration decided to hold in reserve vast sums which might otherwise be spent on the defense program this year in order to hold defense spending for the year at $38 billion, somewhat less than last year.

That, in brief, is the story which needs to be understood. I do not point out the story to be critical but merely to make the facts clear.

The Congress this year took a close look at unexpended and unobligated balances in the Defense Department and concluded that it could wisely and safely make reductions in new money appropriations. It is now crystal clear that Congress did the right thing in cutting the defense budget. To have done otherwise would have just added to unneeded funds available to the Department.

The object of Congressional cuts in the defense budget was twofold. They were made to compel more economy and efficiency, better management of money and manpower in the defense program. They were made to bring down the annual unobligated and unexpended funds to more realistic levels. They were made in many instances to deduct amounts requested in the budget in January which the Department advised in July it would not need.

Had the administration realized in January when the budget was submitted that a big cutback would be necessary in order to hold spending in line with previous plans and estimates, the President would have, no doubt, submitted a much-reduced budget. In January the Defense Department was completely unaware that the spending rate would be $2.4 billion higher in fiscal year 1957 than anticipated.

It is true that if Congress continued indefinitely to appropriate about $36 billion for the Defense Department, as it did for this year, defense spending would have to come down to about that annual average figure, but Congress placed no limitation whatever on necessary defense spending for this year or for future years. We were only dealing with appropriations for the fiscal year 1958, the year which began July 1, 1957.

The administration is undertaking a $38 billion defense spending program this year and has plenty of funds for that program and more. Admittedly, as pointed out, if we should continue a $36 billion appropriation from year to year, the spending rate would eventually have to come down to the $36 billion level. But Congress has made no such demand. Yet I would add that if wisely spent, $36 billion ought to buy a fairly adequate defense program. However, the budget for next year will no doubt be considerably above that level.

Mr. Speaker, I have given, generally, the highlights of defense financing for fiscal year 1958. Having given this broad outline a more detailed statement is submitted for those interested in greater detail.

THE DEFENSE BUDGET FOR 1958

The struggle with the defense budget for fiscal year 1958, particularly since the House acted in May on that budget, has been attended with much confusion. There have been many statements and many changes in program. I think it is important that Members of the House understand what has transpired in connection with this budget that started out last January as a bare minimum requirement for the defense needs of the Nation. On January 30, the Secretary of Defense, a very able and devoted official, told the Subcommittee on the Department of Defense Appropriations:

> I cannot foresee, at this time, any justification for a reduction in the Military Establishment, not in the total annual military expenditures of the Department of Defense below the present level, short of a drastic improvement in the international situation. With prudent management, neither do I foresee the need for any important increases in these forces or their costs short of a war.

The next day, on January 31, the Secretary of Defense said:

> I think the budget is just about right. I am willing to take any of you on and argue, if you want to take a dollar off or put a dollar on. Do not do it. We have worked awfully hard on this budget. We think it is about right.

Now that general feeling in connection with the Department of Defense budget for fiscal year 1958 was reflected throughout the hearings by the top civilian officials of the Department and the respective services. We were assured all along the line that the requested budget was a minimum required for the defense needs of the Nation. No doubt, all of these people were absolutely sincere and expressed their honest convictions in support of what they thought at the time was a minimum requirement.

At this point I wish to insert a brief table showing by service the budget appropriation and expenditure estimates for the Department of Defense as presented in January compared with final appropriations and the latest revised expenditure estimates recently announced.

1958 budget, Department of Defense

[In millions of dollars]

	Appropriations			Expenditure estimate		
	Request	Enacted	Change	January estimate	Present estimate	Change
Office of the Secretary of Defense	$705.0	$698.7	−$6.3	$704.0	$750.0	+$46.0
Department of the Army	8,539.0	7,319.6	−1,219.4	9,130.0	8,950.0	−180.0
Department of the Navy	10,517.1	9,866.4	−650.7	10,347.0	10,400.0	+53.0
Department of the Air Force	16,481.0	15,930.2	−550.8	17,472.0	17,900.0	+428.0
Proposed for later transmission	2,257.9	[1] 1,480.5	[2] −777.4	347.0	([3])	−347.0
Total	38,500.0	35,295.4	[2] −3,204.6	38,000.0	38,000.0	

[1] Includes $5,500,000 for Office of Secretary of Defense, $365,000,000 for Department of the Army, $265,000,000 for Department of the Navy, and $900,000,000 for Department of the Air Force.

[2] Reflects $558,200,000 not submitted in the final official appropriation request. Actual congressional reduction was $219,200,000 in items not transmitted with the regular budget and $2,646,100,000 in all budget requests.

[3] Distributed to estimates above.

The President's budget indicated that total appropriation requests for the Department of Defense for the fiscal year 1958 would be $38,500,000,000. Within this figure was $2,257,000,000 for military public works and other military programs which were not submitted as a part of the original budget except on the basis of a single line estimate—just the figures were given. The budget submitted in January also included an estimate of $38 billion for expenditures. It will be noted that we are referring to two types of budgets, the appropriation budget and the expenditure budget.

Now, let us see what happened to that budget submitted in January. I omit for the present military public works and refer to the remainder, $36,128,000,000. After nearly 4 months of hearings and analytical review, on May 21, 1957, the Appropriations Committee of the House reported a bill dealing with the President's January defense budget, excluding military public works. On the basis of the committee review of these requests in what is known as the regular Department of Defense budget, the requests for appropriation were reduced by $2,586,775,000 to $33,541,225,000. With one minor addition not specifically a part of the defense budget the House approved the amounts recommended for the Department of Defense as they were proposed by the committee. By way of explaining what the committee had done I think it would be well to review again at this point a statement in the committee report beginning on page 7, as follows:

REDUCTIONS IN BUDGET

The inescapable conclusion is that so long as present world conditions prevail, a defense program calling for high level expenditures, without costly peaks and valleys, will have to be continued.

The total amount of the estimate $36,193,000,000, contained in the President's budget included $65 million for military construction, Army and Navy reserve forces. This amount is deleted from the bill and comparative tabulations for the reason that the amount requested exceeded the still outstanding authority. It is understood that a bill to increase and extend this authority is now under consideration. The committee will subsequently consider this item on the basis of authority made available.

The budget estimate is reduced by $2,586,775,000, and the recommended appropriation of $33,541,225,000 is $1,157,298,000 below the amount appropriated for 1957. Of this total reduction in new obligational and expenditure authority, the amount of $1,996,775,000 represents a direct reduction in the defense budget, and $590 million is a reduction in funds appropriated in prior years, but currently available to the Department for obligation and expenditure under stock and industrial fund operations. This surplus cash is recommended for transfer to items of appropriation contained in the accompanying bill, and, accordingly, is added to the amount of $33,541,225,000, resulting in total obligational authority for items in the bill of $34,131,225,000, or a net reduction of $1,996,775,000 in the budget estimates.

Although the above amount of $590 million is recommended for transfer to the regularly budgeted items which were considered by the committee it should not be regarded as a paper cut. It is a reduction in that amount in total obligational and expenditure authority requested by the Department for fiscal year 1958. In explanation, it should be stated that these funds, differing from directly appropriated funds only as to purpose and methods by which they are administered, are just as much a part of the Department's financial resources as all other funds which, on the books on the Treasury, are credited to the Department of Defense.

With respect to the direct reduction of $1,996,775,000 in the budget request, two specific amounts, which are parts of this total, should be mentioned.

The first is the reduction of $516 million in the Army request for procurement and production. The President, in his recent message to the House of Representatives on possible reductions in the Federal budget, suggested that this amount, which is estimated to remain unobligated as of June 30, 1958, could be considered for deletions. As of March 31, the amount available to the Army for procurement and production during 1957 is $3,421,366,000. Obligations against this amount through March 31 total $884,522,000. Fiscal year 1958 obligations are estimated at $1.5 billion. This would indicate that the Army will not only have adequate financing for this item through fiscal year 1958, but that a sizable unobligated balance will remain even with this large reduction in the budgeted amount of $583 million.

The second item is the amount of $126,741,000 which is deleted from the total request on the assumption that the Federal Republic of Germany will continue to render goods and services in the equivalent amount rendered during 1957. It is understood that negotiations on the extent of German Republic contributions are now in progress. The delay experienced in building up the military forces of the West German Republic necessitates continued heavy burdens in that area by our military.

Certain items of reduction in requested new authority are based on additional recoupments, in both 1957 and 1958, resulting from price redeterminations and announced stretchouts of certain programs. Increased unobligated balances over amounts estimated when the 1957 bill was considered, and on the basis of which certain appropriations

> were recommended for 1957; made further reductions possible.
>
> In effecting these reductions, the committee was particularly cautious in seeking not in the slightest to jeopardize the projected increase in military striking power, in particular, or the national security, in general. It is convinced that even when the more or less uncontrollable cost increases of $576 million in 1958 over 1957, subsequently shown, are included, the total of over $45 billion in carryover and new obligational authority is fully adequate for continuation of the planned buildup of our defense establishment.

Note that the excerpts above from the report refer to the regular defense appropriation bill and do not include military public works which are included generally in these remarks as a part of the overall Department of Defense program. Note also that the excerpt from the committee report does not represent the final version of the legislation.

At about the time that the Appropriations Committee was preparing its recommendations on the Department of Defense appropriation bill, the Department had discovered that expenditures by the Department of Defense, particularly the Air Force and Navy, for fiscal year 1957, were running substantially above the estimates contained in the President's budget submitted in January. I will insert a brief tabulation at this point showing the estimated expenditures for fiscal year 1957 as reflected in the President's January budget submission for the fiscal year 1958 and the expenditures as they have recently been reported after the close of that fiscal year.

1957 expenditures—Department of Defense

[In millions of dollars]

	Actual		
	1957 expenditures as estimated in 1958 budget submitted January 1957	1957 expenditures as reported August 1957	Changes from January 1957 estimates
Office of Secretary of Defense	$650.0	$610.0	−$40.0
Department of the Army	8,580.0	9,021.0	+441.0
Department of the Navy	9,730.0	10,391.0	+661.0
Department of the Air Force	16,890.0	18,347.0	+1,457.0
Proposed for later transmission	150.0	(1)	−150.0
Total	36,000.0	38,369.0	+2,369.0

(1) Distributed to amounts above.

As stated before, in April or May the Department of Defense discovered that expenditures for fiscal year 1957 were running at a much higher rate than had been previously estimated. It was realized at that time that, if expenditures were not reduced and brought under control, the surplus estimated in the President's budget for 1958 may become a deficit. As a result of this the Secretary of Defense issued an order on May 22 freezing $500 million of funds currently available to the three services. This $500 million was made up of $100 million for the Army, $150 million for the Navy, and $250 million for the Air Force. This action came as a considerable surprise because on about the same day the Department of Defense was telling the Senate Appropriations Committee that reductions of the magnitude made by the House in defense appropriations requests would amount to gambling unwisely with the security of the Nation. Clearly, the Defense Department spokesmen were in error, as disclosed by subsequent events.

Now this was, undoubtedly, a period of great confusion and uncertainty, in regard to the true financial needs of the Department of Defense for the fiscal year 1958. Expenditures at that time were running at a rate that indicated that expenditures for fiscal year 1958 would be in excess of $40.2 billion, much higher than the President had estimated in January.

The problem presented to Congress as to what determination should be made with respect to the defense budget was most difficult. For months the Defense Subcommittee of the House Appropriations Committee labored with the problem. The controlling factors with the committee were, first, how can we make reductions that will have the effect of compelling better management and more economy in the operations of the far-flung activities of the Department of Defense. Arbitrary cuts would not get the job done. A painstaking job of pinpointing the soft spots was required. A second consideration which we had was how can we safely reduce the carryover funds to more manageable proportions.

It was testified by departmental witnesses that a carryover of approximately $2 billion less than the carryover from 1956 to 1957 would have no adverse affect on military operations.

Of course, members of the House Appropriations Committee generally were pleased when the House upheld the position of the committee in making the reductions proposed in defense appropriations requests.

Various officials and citizens generally had offered suggestions as to how savings could be accomplished in defense spending. The United States Chamber of Commerce which represents both little business and big business and which has, of course, through many of its individual members a direct stake in defense contracts and defense spending, urged, through its spokesmen, much more drastic cuts in the defense budget than the members of the Appropriations Committee were willing to make. The United States Chamber of Commerce made quite an exhaustive study of the whole problem and made a lengthy presentation to the House and Senate Appropriations Committees.

The suggestions of the United States Chamber of Commerce were most helpful to the committee. Of course, much of the detailed information available to the committee was not available to representatives of the chamber. Consequently, the committee action did not follow the pattern of the chamber's recommendations. A spokesman of the chamber, in appearing before the Senate Appropriations Committee, was kind enough to make the following reference to the work of the House on the defense appropriation bill:

> Now, may I speak for just a moment about the House bill, merely because in our opinion the job done by the House this year, we feel, is one of the most sound and thorough jobs of analysis that has been given the defense budget certainly in this generation. We think the approach was objective and penetrating, and we cannot commend too highly the hours of time spent and the results of that effort which have come out of the House Committee in the bill before you.

The fact that the task of Congress was not easy is evident from a review of what had transpired before. The Committee had been assured that the Defense budget was an austere budget. The Congress had been challenged to find ways to reduce the budget and in March the House of Representatives passed House Resolution 190 requesting the administration to advise the House where substantial reductions could be made in the President's budget request. On April 18 the President responded with a communication to the Speaker which included two items related to the Department of Defense. One stated that by delaying less urgent projects new spending authority for military public works could be reduced by $200 million. The other said that the House may wish to give attention to an additional item of $516 million requested for Army procurement and production. This was not listed as a specific item proposed for reduction but was merely indicated as a possibility, saying that, "such action would of course increase by $516 million the large amount that will have to be authorized for Army procurement and production in fiscal year 1959." We had already pinpointed this $516 million item as unnecessary for inclusion in the 1958 budget.

Now this $716 million didn't give the committee much to work on from a total request indicated in the budget as $38,500,000,000. Nevertheless the committee continued its efforts to find additional items for reduction, items that in no important way seriously affected the defense posture or the security of the nation.

In connection with military construction the administration also went to work and found additional areas where reductions could reasonably be made. As a matter of fact the administration, instead of requesting $2,257,900,000 for military public works and other military programs as proposed in the President's January budget for later transmission, actually submitted a total request of only $1,699,700,000 including $34,200,000 for the United States scientific satellite program. Consequently the administration's request for such items was reduced not $200 million as indicated in the President's communication of April 18 in response to the House Resolution 190, but was rather reduced $558,200,000. This reduced request was finalized, of course, some time after it was determined that defense spending would far exceed what had previously been estimated in the President's budget. It admittedly was an attempt to hold spending in line. This request was subsequently reduced by the Congress by approximately an additional $200 million.

Now I would like to get back to the discussion of Congressional action on the regular Defense appropriation requests contained in the President's budget submitted in January. As pointed out above the House had reduced the President's budget request for these items from $36,128,000,000 by some $2.5 billion to $33,562,725,000. In acting on the bill about the 1st of July the Senate restored a net of $971,504,000 to the amount approved for appropriation by the House. In conference this restoration was reduced to $197,125,000, so that the final appropriation bill approved by the Congress was $2,368,150,000 below the President's budget request.

During the Senate-House conference on the bill, or just prior thereto, the Defense Department advised that there was to be a 100,000 reduction in military manpower which conferees should consider in arriving at the necessary appropriations. This altered the picture quite decidedly.

All told the Congress has reduced the appropriation requests for the Department of Defense for the fiscal year 1958 by approximately $2,600,000,000. The Congress has made this much reduction in appropriation requests and yet the estimate for Defense expenditures for fiscal year 1958 have still remained at $38 billion or the same figure as estimated in the President's budget submitted in January. How is this possible? The natural question is, Were the reductions made by the Congress merely ineffective paper cuts in their effect on the United States Treasury? The answer is, "No." There is considerable complexity, but simply stated it can be said that every reduction made by the Congress reduced the amount of money that was or would be available for expenditure by the Department of Defense either during fiscal year 1958 or in subsequent years. Of course, some of the reductions were effected by transferring old available funds to take care of new obligational requirements and some of the reductions were made in procurement funds where the expenditures would only be made as the items to be procured were produced in subsequent years. Nevertheless the reductions made by the Congress would have had a substantial effect on the rate of expenditure for the fiscal year 1958 and these reductions would have had a substantial effect had the estimates contained in the President's budget been valid in the first place.

As previously pointed out, however, even with the Congressional cuts in the budget, ample funds were available to the Defense Department, more than $70 billion, from which the expenditure rate could soar far above the $38 billion spending estimate in the President's budget for the current fiscal year. The administration determined to hold defense spending for the current fiscal year to the budget figure of $38 billion, and it set to work to do it. On May 22 a first step was taken in this process. A memorandum freezing $500 million of 1957 funds was issued. This action was followed by a series of orders reducing or curtailing defense procurement programs. None of these administrative actions was the direct result of Congressional reductions in the defense appropriations requests. I am sure that I do not have a complete list; however, the major portion of this series of orders to date are as follows:

March 12: Memorandum to Service Secretaries directing a 12 percent reduction in military and civilian personnel in the Washington, D. C., area.

May 22: Memorandum to Service Secretaries freezing $500 million of the 1957 funds available for major procurement and production, research and development, and military construction. This memorandum also directed the military departments to submit a detailed plan by June 12 showing how they propose to stay within the $38 billion 1958 expenditure estimate.

June 19: Department of Defense directive to effect an immediate, continuing, and sharp curtailment in use of overtime in the performance of all kinds and types of Department of Defense procurement contracts, including production, research and development, and construction.

June 26: Announcement by the Department of the Navy curtailing the development and procurement of the W2V–1 long range early warning aircraft and the **A4D–3**, an improved carrier attack model.

June 28: Classified letter from the Director of the Bureau of the Budget to all Federal agencies, including the Department of Defense, requesting that all agencies in the executive branch keep the rates of commitments, obligations, and expenditures for fiscal year 1958 at or below the level for the fiscal year 1957, to the extent feasible. The letter directed that (1) as a general rule, requests for apportionment and allotments of funds shall be based upon holding obligations to absolute minimum levels; (2) in the case of those appropriations that are for major capital outlay and development—construction, procurement, research, etc.—the requests for apportionment and the allotments should reflect the postponement of a significant part of the obligations planned in the budget for 1958.

June 28: Memorandum from Secretary of Defense to Service Secretaries stating that pending apportionment of funds for fiscal year 1958, obligations may be made for only essential operating expenses on an austere basis and that no obligations or commitments for procurement and construction should be made without specific approval by the Secretary of Defense.

July 11: Announcement by the Air Force that as a result of a review of current projects which might be modified or canceled in the light of present and anticipated budget and expenditure levels, the further development of the Navaho missile was being discontinued.

July 1: Letter from Assistant Secretary of Defense, Properties, and Installations listing military installations and activities which have been programed for deactivation during the period beginning July 1 and ending December 31, 1957.

July 16: Memorandum to Service Secretaries directing a 100,000 reduction in military personnel made up of 50,000 Army, 25,000 Navy and Marine Corps, and 25,000 Air Force.

July 26: Announcement by the Department of the Air Force of planned production stretchouts in Century series fighter aircraft.

August 5: Announcement by the Department of the Navy of plans for inactivation of 60 ships now operating in the Pacific and Atlantic fleets as necessary adjustments within the operating forces to permit the most effective employment of personnel and funds which will be available to the Navy during fiscal year 1958.

August 6: Memorandum from the Secretary of Defense to the three services freezing civilian employment and directing that to accomplish the expenditure objectives for fiscal year 1958 civilian force levels must be reduced.

August 12: Announcement by the Department of the Air Force that it was taking steps to cut back its payroll expenditures for civilian personnel by approximately 5 percent by the end of October, and stating that at the same time it is requesting contractors, except for ballistic missile work, to make corresponding cuts in expenditures.

August 13: Directive issued by the Secretary of Defense reducing established percentages for progress payments for new procurement effected on and after September 1, 1957.

August 14: Announcement by the Department of the Navy that it was taking action to reduce the number of civilian employees by approximately 18,000, the majority by October 31, 1957, and the balance spread over the remainder of the current fiscal year.

August 15: Announcement by the Military Sea Transportation Service of plans to inactivate 15 MSTS tankers made possible by the anticipated decrease in military petroleum shipments resulting from Department of Defense economy measures.

August 16: Announcement by the Department of the Navy stating plans to discontinue male recruit training at the Naval Training Center, Bainbridge, Md., as a necessary adjustment to permit the most effective employment of personnel and funds during fiscal year 1958.

August 20: Announcement by Marine Corps suspending the enlistment of men under the 2-by-6 program as a reduction in the recruiting program necessary to meet the lower strength requirement recently ordered by the Secretary of Defense.

August 21: Announcement by the Department of the Air Force of the cancellation of the development of the XF–103 all-weather interceptor aircraft.

August 21: Announcement by the Department of the Navy that it was making certain changes in the future production rates of a large number of new model aircraft and missiles as a result of increasing costs, technological advances and budgetary limitations.

August 23: Announcement by the Department of the Army regarding reductions in civilian personnel and in Army activities, installations and units consistent with the 50,000 reduction in Army military strengths to be effective January 1, 1958, and the limitation on Army expenditures for fiscal year 1958.

To get a proper perspective on the Defense spending problem, it is important to review what happened in fiscal year 1957. Looking over the monthly expenditure rates it is evident that spending began to build up as early as last November. And while the President's budget estimate submitted in January included an expenditure estimate of $36 billion for the Department of Defense for fiscal year 1957, actual expenditures turned out to be approximately $38,400,000,000 or $2,400,000,000 greater than was estimated in January. At the end of June 1957 the Air Force alone was spending at a rate of $18.9 billion or $19 billion a year compared with the amount estimated for the fiscal year 1958 of approximately $17,600,000,000 in the President's January budget. For all the services the expenditure rate was running over $2.25 billion higher than the $38 billion estimated in the President's January budget. Thus it became necessary for the administration to curtail this expenditure rate substantially or face an actual deficit in the budget expenditures for fiscal year 1958. While the Congress had reduced appropriation requests by nearly $2,600,000,000 these reductions were such that they would largely affect expenditures in subsequent years. The direct effect on expenditures for fiscal year 1958 would probably have been in the area of $400 million to $500 million as a maximum. Therefore the administration was faced with the necessity of further reducing the expenditure rate by approximately $2 billion and has proceeded to do so by administrative action resulting in the series of orders and announcements listed above.

It has been recently stated that the programing efforts of the Department of Defense aimed toward curtailing expenditures in fiscal year 1958 are fairly well complete. I believe that this is so. However, should costs continue to rise and if expenditures in future years are not to exceed a $38 billion ceiling, the outlook is for further reductions in the defense program such as the much discussed additional 200,000 reduction in military personnel ceilings. While Congress has succeeded in holding appropriations approximately $2.6 billion below the President's January estimate or at slightly less than $36 billion, it is to be assumed that if a $38 billion spending level is to continue year after year it will require a higher level of appropriations in 1959, or in years immediately following. Along this line I would like to include as a part of the RECORD a letter from the Assistant Secretary of Defense, Comptroller, dated August 14, 1957, as follows:

> ASSISTANT SECRETARY OF DEFENSE,
> *Washington, D. C.*
>
> Hon. GEORGE H. MAHON,
> *Chairman, Department of Defense Subcommittee, House Committee on Appropriations.*
>
> DEAR MR. CHAIRMAN: This is in response to your inquiry concerning the effect on the defense program of Congressional action on the fiscal year 1958 defense budget request.
>
> The adjustments required in the programs of the Department of Defense for fiscal year 1958 are essentially those necessary to hold expenditures for the current fiscal year to $38 billion, the expenditure estimate contained in the President's budget submitted to the Congress in January.
>
> It is possible that when the final program decisions for the current fiscal year have been made, we may find that Congressional action on the Department's requests for new obligational authority for that year may affect certain programs in a minor way. Conversely, we may later find that in a few instances a small amount of the new obligational authority provided by the Congress for fiscal year 1958 in the annual appropriation accounts cannot be utilized effectively. All the funds provided in the no-year accounts, in my judgment, can be properly and advantageously utilized in reestablishing the long lead time programs on a fully funded basis.
>
> The real problem posed by the action of Congress on the 1958 budget is that the appropriation of slightly less than $36 billion, including transfers, in support of a current program of $38 billion requires the utilization of essentially all of the carry-over obligational authority which might otherwise have been available as a credit against the fiscal year 1959 request. While this action does not materially affect defense programs in 1958—it will require a budget request for 1959 of at least $38 billion to support a continuing program of this magnitude. This will create a psychological problem inasmuch as it will appear to the public as a substantial increase in the defense budget, whereas in fact the level of the program would in that case remain the same.
>
> Sincerely yours,
> W. J. MCNEIL.

The question arises, has the Defense Department done great injury to our defense effort, by arbitrarily withholding funds from expenditure and stretching out and cutting back defense programs in order to hold defense spending this year at $38 billion? Admittedly, this is a very serious action. It is difficult at the moment to evaluate the full effects of the slowdowns and cutbacks. We all hope that important ground will not be lost in the battle to maintain sufficient military strength.

Undoubtedly we are still very strong militarily. On this point I would like to cite a statement recently made by Adm. Arleigh Burke, Chief of Naval Operations, and a member of the Joint Chiefs of Staff. He said:

> We have the military power to destroy the Soviet Union today, not just by one means but by several means, not just by one weapon but by many weapons, not just from one direction but from many directions. The Soviet Union knows this.

The United States, of course, does not want war. Our capacity for destruction of a potential enemy is very great. But there is another side to the coin. The capacity of the potential enemy to hurt us is also very great. As has been said before, there is no real alternative to peace. The chief objective of our defense program is not to fight a war but to prevent war.

A Threat to the Coal Industry

EXTENSION OF REMARKS

OF

HON. W. PAT JENNINGS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. JENNINGS. Mr. Speaker, last week the Special Subcommittee on Coal Reserves reported on its findings after 15 months of study. The recommendations of this subcommittee were of particular interest to the coal-producing region of Virginia, for it was here that one phase of the study was conducted.

At my request, the Subcommittee on Coal Research held hearings at Abingdon, Va. It was my privilege to testify at this hearing and to arrange for the appearance of representatives of coal management, of the United Mine Workers of America, and of transportation officials as well as executives of large consuming industries.

Mr. Speaker, it is not my intention to review the report of the Special Subcommittee on Coal Research at this time, except as it may pertain to the overall fuels situation in this country. With the approach of adjournment, I feel impelled to protest attempts to import natural gas into this country when such vast amounts of bituminous coal, anthracite, and lignite, as well as domestic oil and gas, are available. To this extent I am pleased at the opportunity of quoting the special subcommittee's report and recommendations.

The subcommittee observes that the estimated recoverable coal reserves of the continental United States are of such magnitude that they would last for 1,900 years or more at the present rate of coal consumption. It points out that this enormous quantity would be sufficient to cover an area the size of the Commonwealth of Virginia with a solid layer of unbroken coal approximately 41 feet thick.

Virginia, home of the first commercial mine in the western hemisphere, has produced more than 600 million tons of coal since that first mine went into operation in 1745. Despite this vast output, however, there are still more than 5 billion tons of recoverable coal remaining, or 8 times more than the total amount extracted in the past two centuries.

Coal is an important business in the western portion of the Commonwealth of Virginia. It also has an important bearing on the economy of most of the other areas of our State. The millions of tons of coal that roll each year from the mines of Virginia and West Virginia into the great docks of Hampton Roads find employment for thousands of railroad workers throughout the length of the State. Last year 42,197,191 tons went through Hampton Roads en route to Europe and the rest of the world, with additional tonnages tranferred there for water shipment to New York and New England.

Virginia is also an important consumer of bituminous coal. In addition to that which is used for home heating, more than 3,993,000 tons were consumed in our electric-generating stations in 1956. I should like to mention parenthetically that steam-electric powerplants in Virginia in 1956 had a total installed capacity of 1,587,900 kilowatts. Another 483,000 kilowatts of capacity will be available in plants now under construction that will be completed in 1957. For 1958 another 770,000 kilowatts will be available with 160,000 to be added in 1959 and a like amount in 1960. Thus the capacity of steam-electric generating stations is scheduled to double in less than 5 years, as contrasted with an estimated increase of about 50 percent for the country as a whole in the same period. These figures were compiled under the direction of William L. Kurtz, of the National Coal Association's department of coal economics, and were published this week. Other important customers include the chemical industry, the cement industry, textile mills, and a variety of other industrial and manufacturing plants.

I concur with this appraisal of the coal industry's position as reported by the subcommittee on coal research:

> The development of this great resource and revival of this industry should be a national undertaking of the highest priority.

Mr. Speaker, it is my hope that the major recommendations of the subcommittee will be adopted through legislation by Congress early next year. It is a most important assignment, for it will be a contribution to the welfare of the entire Nation as well as to coal-producing regions. Meanwhile, any program to bring in foreign fuels in direct competition to the coal industry would be a direct contradiction to the program recommended by the subcommittee.

We do not need foreign gas in our Midwestern States any more than we need foreign peanuts in Virginia or anywhere else in America. I have been disturbed at the suggestion that the Federal Power Commission allow Canadian gas to enter the fuel markets of this coal-rich Nation. I know that any time a foreign fuel usurps coal's markets anywhere east of the Mississippi River, the impact will eventually extend right into the homes of my constituents. Whenever there is excess coal production, the entire industry suffers. Even if that were not the case, however, opening domestic fuel markets to an alien product would certainly be unfair to members of the United Mine Workers of America in the affected areas. For that reason I am hoping that my colleagues from all sections of the country will join in denouncing the plan to put Americans out of work. It is a matter now before the Federal Power Commission, and I trust that the decision of that Government agency will dispose of the case to the satisfaction of our workers. Meanwhile it is a matter which requires the close attention of all Members of Congress.

New Jersey Should Be Considered as a Farm Drought Area

EXTENSION OF REMARKS

OF

HON. CHARLES A. WOLVERTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. WOLVERTON. Mr. Speaker, my attention has been called to the disastrous results that have followed the drought during the past summer in the State of New Jersey. The farmers of New Jersey have suffered great losses which justify the recognition of that fact by the Federal Government. Too frequently the farmers of New Jersey are overlooked in the application of remedial legislation that has been enacted by Congress that would be helpful to farmers. It is time more considerate attention was given to our New Jersey farmers.

As an indication of the need that exists I herewith include as part of my remarks a resolution that was passed by the Senate of the State of New Jersey. It reads as follows:

> Whereas the State of New Jersey has been visited with one of the most disastrous droughts which has occurred in many years; and
>
> Whereas the farmers of the State have suffered and will continue to suffer tremendous losses by reason of damage to their crops occasioned thereby; and
>
> Whereas the President of the United States has been requested to determine that the State is a disaster area, so that Federal aid may be made available to those suffering damage by reason of the drought and said request has been denied: Now, therefore, be it
>
> *Resolved by the New Jersey Senate,* That:
>
> 1. The President of the United States is hereby respectfully requested to reconsider his determination that the farming areas of this State do not constitute disaster areas and to determine them as such disaster areas in order that Federal aid may be available to those persons who would be entitled thereto as a result of such determination.
>
> 2. The secretary of the senate is hereby directed to forward a copy of this resolution, duly signed by the president and attested by the secretary, to the President of the United States and to each of the United States Senators, and each Member of the House of Representatives, from New Jersey.
>
> ALBERT MCCARY,
> *President of the Senate.*
>
> Attest:
>
> HENRY H. PATTERSON,
> *Secretary of the Senate.*

To further emphasize the need that exists I include as part of my remarks a telegram which I have received from Hon. Charles W. Sandman, Jr., State senator of New Jersey representing the county of Cape May. His telegram reads as follows:

> CAPE MAY, N. J., *August 13, 1957.*
>
> Hon. CHARLES A. WOLVERTON,
> *House Office Building,*
> *Washington, D. C.:*
>
> Due to the vacancy in the Third Congressional District caused by the death of the late T. Millet Hand I have been asked by a delegation of farmers of Cape May County, N. J., to urgently request reconsideration of the negative drought-disaster decision as it affects New Jersey and particularly Cape May County. This county is the smallest county, agriculturally, in the State and now shows crop losses estimated in excess of $1 million and increasing daily. Corn and hay crop total losses. Pastures beyond repair. Farmers feeding winter feeds. Irrigation ponds dry. Rivers used for irrigation now salt and unusable. Lack of feed grains forcing liquidation of livestock. General economic conditions endangered by lack of farm income as it affects local businesses. Farmers unable to settle current indebtedness and unable to borrow for the coming crop year. Only extreme severity of condition and desire to obtain relief for the farmers in this county necessitates this direct appeal.
>
> Respectfully,
>
> CHARLES W. SANDMAN, Jr.,
> *State Senator, New Jersey.*

In answer to this telegram I addressed a reply to Senator Sandman reading as follows:

> WASHINGTON, D. C., *August 14, 1957.*
>
> Senator CHARLES W. SANDMAN, Jr.,
> *Cape May, N. J.:*
>
> Telegram received. Regret exceedingly previous action taken by administration in not designating New Jersey as drought area. However, Department of Agriculture advises me Acting Secretary of Agriculture Morse has authorized making production emergency loans pursuant to section 2 (a) of Public Law 38, as amended, to eligible farmers in all counties of New Jersey because of damages and loss to crops and pastures resulting from drought conditions. I am mailing you leaflet outlining requirements for participation. Farmers desiring further information about loan or other types of assistance should get in touch with Farmers Home Administration office serving their county.
>
> CHARLES A. WOLVERTON,
> *Member of Congress.*

The Record and Accomplishments of the Committee on Ways and Means During the 1st Session of the 85th Congress

EXTENSION OF REMARKS

OF

HON. JERE COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. COOPER. Mr. Speaker, it has been my custom since I have been chairman of the Committee on Ways and Means to place in the RECORD a brief report near the end of each session on the work and accomplishments of the Committee on Ways and Means during the session of Congress for the information of Members of Congress and the interested public.

The survey which I have just completed on the work of the committee this session provides ample evidence of the diligent and conscientious attention to duty of all members of the committee. I wish to take this opportunity to again commend them for their hard work, their devotion of long hours and days and weeks to our committee activity. I would like to express my grateful appreciation to my distinguished colleagues on the committee who have served so ably and so conscientiously on the committee during this session. I should also like to take this opportunity to state that as members of the committee they have initiated and acted upon legislation which is greatly in the public interest and of tremendous assistance to the citizens of our country.

This legislative activity has covered nearly every major field of the committee's broad jurisdiction. While some of the bills receiving favorable action by the committee were what might be termed minor bills, a number of measures properly fall within the category of major legislation. At a later point in this report I shall give a brief summary and description of the action of the committee in each of the areas of its jurisdiction. I shall also, at a later point, indicate the activity of the three subcommittees which the committee reestablished at the beginning of this Congress.

This session of the 85th Congress has been a period of intensive activity by the Committee on Ways and Means. The legislation which has been favorably acted upon by the committee is sound, responsible, and beneficial to the American people. The committee has, with determination and conscientiousness, applied itself to the exceptionally heavy workload before it and has made great progress in the interest of all our citizens. Due to the vital importance of matters falling within the jurisdiction of the Committee on Ways and Means, to the economy and well-being of our Nation, it is particularly necessary that this committee exercise the utmost care and thought to screening the many proposals referred to it so that those measures selected for favorable consideration will be ones which are in the public interest and which benefit all Americans. I can truthfully say that the record of the committee during this session has been an outstanding one. As an individual member of the committee, I voted against some of the matters which were nevertheless ordered reported by a majority of the committee. This is the way our committee system works.

As I shall point out in more detail later in this report, the committee has taken action on a broad front. It has favorably reported, and the House has passed, the first technical revision of our excise tax structure since 1932, when many of our present excise taxes were first adopted. It has favorably reported a major bill the purpose of which is to correct unintended benefits and hardships and thus close many actual and potential loopholes in our income and estate tax laws. It has favorably reported a bill which has now become public law which make it possible for our citizens to receive a higher interest return on their investments in United States Savings bonds. It has protected the fiscal integrity of the Government by extending, on the request of the administration, certain excise and corporate tax rates until June 30, 1958. It has favorably acted on amendments to the Antidumping Act. It has taken favorable action on a variety of social security measures affording further benefits to our citizens. It has acted to empower the Government to further control the manufacture of narcotic drugs. And it has acted on a broad variety of other measures.

But equally important as the matters on which the committee has taken final action are the studies which are underway looking toward major action next session. The three subcommittees of the committee have been hard at work on agendas which they have developed and the groundwork which has been laid through their continuing careful studies will be basic to action to be taken by the full committee in the forthcoming session.

In my past reports of this nature I have taken occasion to point out the constantly increasing workload of the Committee on Ways and Means. In the survey I have just completed, it is obvious to me that this pattern of increasing activity in the areas of jurisdiction of the Committee on Ways and Means has continued on a sharply ascending curve which attests to the importance of the matters which we handle and to the vital relationship of our legislative activities to the welfare of our country. In this report I shall shortly present statistics to show that more public bills have been referred to the Committee on Ways and Means during this session of the Congress than have been introduced and referred to us in any single previous session in the committee's history. At the end of the 84th Congress I pointed out that some 1,324 bills had been introduced and referred to the committee for consideration, which was the largest number ever referred to us up to that time. During the 1st session of the 85th Congress, which is just drawing to a close, a total of 1,538 bills have been referred to us for consideration. Thus, it can be seen that more bills were referred to the committee during the 1st session of the 85th Congress than during both sessions of the 84th Congress. These 1,538 public bills cover every area of our jurisdiction and every facet of our activity. This is between 3 and 4 times the number of bills which were referred to the committee during the 2d session of the 84th Congress, and approximately twice the number of bills which were referred to the committee in the 1st session of the 84th Congress. Of course, it is generally true that more bills are introduced during the first session of the Congress than during the second session. However, to repeat, the total of 1,538 bills which were referred to the committee during this 1st session of the 85th Congress represents more bills than were referred to the Committee during both sessions of the 84th Congress, or for that matter, any previous Congress.

I will set forth below a comparative table which I have had prepared showing the number of bills introduced and referred to the committee for the past decade. It can readily be seen from this table how vastly the work of this committee has grown during that period. For example, 10 years ago, during the 1st session of the 80th Congress—1947—a total of 407 bills were introduced and referred to the committee, which represents only approximately one-fourth of the total of 1,538 bills which were introduced and referred to the committee during this session of the 85th Congress. Six years ago, during the 1st session of the 82d Congress—1951—some 433 bills were referred to the committee, again only about one-fourth the number referred this year.

The following table shows statistics in this regard for the past 10 years:

TABLE I

85TH CONG.

1ST SESS., 1957

	House bills	House joint resolutions	House concurrent resolutions	House resolutions
Number introduced and referred	1,517	15	1	4
Number reported	50	------	------	------
Number passed by House	42	------	------	------
Number enacted into law	21	------	------	------

84TH CONG.

1ST SESS., 1955

	House bills	House joint resolutions	House concurrent resolutions	House resolutions
Number introduced and referred	835	7	0	4
Number reported	62	------	------	------
Number passed by House	57	------	------	------
Number enacted into law	49	------	------	------

TABLE I—Continued

2D SESS., 1956

Number introduced and referred	466	5	0	4
Number reported	36	1	------	1
Number passed by House	32	1	------	------
Number enacted into law	21	1	------	------

83D CONGRESS

1ST SESS., 1953

Number introduced and referred	880	8	2	2
Number reported	34	1	------	------
Number passed by House	30	1	------	------
Number enacted into law	23	1	------	------

2D SESS., 1954

Number introduced and referred	330	5	2	0
Number reported	14	3	------	------
Number passed by House	14	3	2	------
Number enacted into law	12	3	------	------

82D CONG.

1ST SESS., 1951

Number introduced and referred	433	11	7	1
Number reported	32	4	------	------
Number passed by House	31	4	------	------
Number enacted into law	26	4	------	------

2D SESS., 1952

Number introduced and referred	277	3	2	0
Number reported	26	3	------	------
Number passed by House	22	2	------	------
Number enacted into law	19	2	------	------

81ST CONG.

1ST SESS., 1949

Number introduced and referred	567	14	0	4
Number reported	17	7	------	------
Number passed by House	17	7	------	------
Number enacted into law	15	6	------	------

2D SESS., 1950

Number introduced and referred	228	15	16	2
Number reported	22	9	------	------
Number passed by House	19	9	------	------
Number enacted into law	16	6	------	------

80TH CONG.

1ST SESS., 1947

Number introduced and referred	407	8	3	6
Number reported	25	4	------	------
Number passed by House	25	4	------	------
Number enacted into law	18	4	------	------

2D SESS., 1948

	House bills	House joint resolutions	House concurrent resolutions	House resolutions
Number introduced and referred	236	12	1	3
Number reported	27	5	1	------
Number passed by House	26	6	1	------
Number enacted into law	17	6	------	------

At the beginning of this session of the Congress, the committee acted to re-establish three subcommittees covering three of the major areas of the committee's jurisdiction. These subcommittees and the membership of each follow: Subcommittee on Internal Revenue Taxation, under the chairmanship of the Honorable **Wilbur D. Mills**, with the following membership: **Noble J. Gregory**, **Thomas J. O'Brien**, **Frank Ikard**, **Richard M. Simpson**, **Robert W. Kean**, and **Howard H. Baker**; Subcommittee on Excise Taxes, under the chairmanship of the Honorable **Aime J. Forand**, with the following membership: **Herman P. Eberharter**, **Eugene J. Keogh**, **Frank M. Karsten**, **A. S. Herlong, Jr.**, **Thomas A. Jenkins**, **Noah M. Mason**, and **Hal Holmes**; and the Subcommittee on Foreign Trade Policy, under the chairmanship of the Honorable **Hale Boggs**, with the following membership: **Cecil R. King**, **Burr P. Harrison**, **Eugene J. McCarthy**, **Thaddeus M. Machrowicz**, **Daniel A. Reed**, **John W. Byrnes**, **Antoni N. Sadlak**, and **Thomas B. Curtis**.

I. STATUS OF LEGISLATION 1ST SESSION, 85TH CONGRESS

During the first session of this Congress, the committee has favorably reported to the House of Representatives a total of 48 bills, of which 43 have been passed by the House. Of the 43 which have been passed by the House, a total of 21 has passed the Senate, and a total of 21 has been signed into public law. As may be seen from table I, more bills were reported during this session than in any previous session during the past 10 years, with the exception of the 1st session of the 84th Congress.

The follwing table shows the status of legislation on which the committee has acted favorably during the session just completed, broken down into categories of tax bills, social-security bills, and tariff bills:

TABLE II

	Social security	Tariff	Tax	Total
Bills reported to House	11	13	26	50
Bills passed House	10	11	22	43
Bills reported to Senate	8	10	4	22
Bills passed Senate	8	9	4	21
Bills enacted into law [1]	8	9	4	21

[1] This figure includes 10 bills awaiting the President's signature.

The full committee met 61 times in executive session and in addition conducted public hearings on 5 different subjects for a period of some 8 days, receiving testimony from some 119 different witnesses, plus the statements received from many other individuals and organizations for the record. In this connection, it is important to point out here that groundwork for much of our legislative activity this session was laid in public hearings conducted by our three subcommittees last fall. Those hearings, of course, were not covered in my report at the end of last session and properly should be included here. During these hearings, which lasted a total of 36 days, some 356 witnesses were heard, in addition to many additional statements submitted for the record. Data concerning the public hearings of the full committee and the subcommittees follows:

TABLE III.—*Public hearings of Committee on Ways and Means and subcommittees thereof*

	Date	Number of witnesses
Committee on Ways and Means:		
Tax Rate Extension Act of 1957, H. R. 4090, H. R. 4091.	Feb. 6, 1957	2
Maximum interest rate permitted on United States savings bonds, H. R. 4734, H. R. 4735.	Feb. 21, 1957	4
Amend certain provisions of the Antidumping Act, 1921, to provide for greater certainty, speed, and efficiency in the enforcement thereof, and for other purposes, H. R. 6006, H. R. 6007.	July 29-31, 1957	9
Sliding scale import excise tax on lead and zinc, H. R. 8257, H. R. 8265, H. R. 8303, H. R. 8307, H. R. 8328, and H. R. 8464.	Aug. 1-2, 1957	70
Provide for Federal agencies to withhold city income taxes of Federal employees, H. R. 6745.	Aug. 27, 1957	14
Subcommittee on Internal Revenue taxation:		
Requirement that taxpayers establish a reserve for past depreciation in connection with a changeover from a retirement method of depreciation to some other method.	Apr. 12, 1957	5
Technical amendments to the Internal Revenue Code.	Nov. 19-28, 1956	57
Subcommittee on Excise Taxes: On excise taxes.	Nov. 26-30, 1956 Dec. 3-10, 1956	198
Subcommittee on Foreign Trade Policy: On administration and operation of customs and tariff laws and the trade agreements program.	Sept. 17-28, 1956 Oct. 2, 1956	96

Overseas conferences: The subcommittee also conducted overseas studies and conferences and received statements and views from a large number of witnesses which have been published as vol. 4 of the hearings containing some 373 pages.

Moreover, the three subcommittees of the committee met in executive session approximately 38 times during the session.

II. BRIEF DESCRIPTION OF LEGISLATIVE ACTIVITY

A. Tax legislation:

During the first session of this Congress the Committee on Ways and Means took favorable action on 26 bills, the purpose of which was to amend the Internal Revenue Code in various respects. Many of these bills made important changes in our tax structure, and three of these bills constituted major legislation. Of these 3, 1 has been signed into public law, 1 has passed the House of Representatives and is presently pending before the Senate Finance Committee, and 1 is pending on the House Calendar. Of the 22 bills which might be labeled minor bills, 2 have been signed into public law, 19 have passed the House, and 3 are pending on the House Calendar.

A brief description of the three major bills in the tax field follows.

A major tax bill, which has been favorably acted upon by the committee and which has passed the House of Representatives and is now before the Senate Committee on Finance, is H. R. 7125 entitled "Excise Tax Technical Changes Act of 1957." While this bill, as indicated by its title, is a technical one and does not make any major changes with regard to excise tax rates, it contains the first overall technical revision of the general excise tax provisions since 1932, the year when a great many of these provisions were first adopted. Its title does not truly indicate the vast amount of time and work which went into the bill's preparation, consideration, and reporting by the Committee on Ways and Means. In order that the true nature of the work involved may be indicated, the bill itself consisted of some 430 pages, and the committee report accompanying the bill consisted of approximately 212 pages. This bill represents the culmination of over 2 years of intensive work both by the full committee and by the Subcommittee on Excise Taxes, formerly the Subcommittee on Excise Tax, Technical, and Administrative Problems.

In addition to numerous changes in virtually all classes of the miscellaneous excise taxes, the provisions of the code relating to the communications and documentary stamp taxes and the important credit and refund provisions have been entirely rewritten by title I of the bill. Title II of the bill is concerned with the provisions of the code relating to the taxes on distilled spirits, wines, beer, tobacco products, and firearms. The bill provides a general technical revision of the distilled spirit provisions and also the occupational tax provisions relating to wholesale and retail dealers in alcoholic beverages. Title I of the bill, as indicated above, contains the first general technical revision of the excise tax provisions which has been attempted since the time when most of those provisions were first incorporated in the Internal Revenue Code. The extensive and intensive work which went into the preparation of final drafting and approval of this bill by the committee can be indicated also by the fact that extended public hearings were held on the subjects covered by the bill for a period of approximately 2 weeks in October 1955 and also again in January and March of 1956, incorporating over 1,000 pages of testimony and statements in three volumes. Several interim reports were prepared and considered by the subcommittee and given careful and complete consideration by the full Committee on Ways and Means prior to final action on provisions of the bill. The bill was reported by the committee on May 24, 1957, and passed the House of Representatives on June 20, 1957. It represents a major revision of the technical excise tax provisions of the code.

A second major tax bill favorably reported by the Committee on Ways and Means was H. R. 8381 entitled "Technical Amendments Act of 1957." This bill represents a major step in the elimination of substantive unintended benefits and hardships in the existing income, estate, and gift tax provisions, and also removes many technical errors and ambiguities in the tax statutes. The bill contains 81 sections. While in terms of the number of changes most of the bill deals with the correction of inadvertent errors in the internal revenue laws, the bill contains considerably more significant provisions which are concerned with "unintended benefits" and "unintended hardships" which relate to problems of revenue significance which have developed over a considerable period of time. This bill represents the culmination of intensive work by the Subcommittee on Internal Revenue Taxation, by the full Committee on Ways and Means and by the staffs. Active work toward the bill was begun in July of 1956 when the Subcommittee on Internal Revenue Taxation was established to review existing income, estate and gift tax provisions and to determine the substantive unintended benefits and hardships and technical problems needing correction. That subcommittee held public hearings in November of 1956 which cover over 500 pages of testimony and statements received from various individuals and organizations interested in these matters. In addition, as indicated, both the subcommittee and the full Committee on Ways and Means spent many days in executive session studying these various problems before reporting H. R. 8381. The bill was reported by the committee on July 9, 1957, and is presently pending on the House Calendar.

A third tax bill which can properly be considered a major bill from the standpoint of the general revenues was H. R. 4090 entitled "Tax Rate Extension Act of 1957." This bill, as reported by the Committee on Ways and Means provided for a one-year extension of the present corporate income tax rate and existing rates of certain excise taxes. In the form in which the bill passed the Senate, a 15-month extension of these tax rates was provided for, and in that form the bill was agreed to by the House of Representatives and signed into law by the President.

The extension of these tax rates concerned was requested by the Secretary of the Treasury in behalf of the administration and was agreed to because of their effect on the Federal budget in the fiscal year 1958. It was estimated that, had the rates not been extended, there would have been a deficit in the fiscal year 1958 of about $500 million. It was estimated that the total full-year effect under the bill as passed by the House would be $2,975 million. The bill was favorably reported by the Committee on Ways and Means on February 7, 1957, passed the House on March 14, 1957, passed the Senate on March 27, 1957, and signed by the President on March 29, 1957.

Two additional tax measures which received favorable action by the Committee on Ways and Means deserve particular mention here. These bills are now pending before the Senate Committee on Finance. The first of these, H. R. 8865, relating to the administration of certain collected taxes, was designed to secure greater compliance with present law on the part of employers and others in paying over to the Government trust fund withheld tax moneys such as income, social security and retailers taxes. It provides, generally speaking, for penalties to insure that employers who withhold income, or social security taxes or who collect excise taxes shall pay such moneys into the Treasury. The committee was advised that, as of December 31, 1956, the delinquent withheld income and social security taxes alone amounted to $279 million. This legislation was designed to prevent this from further occurring.

The second tax bill which also deserves special mention, in addition to the major bills, is H. R. 8216, a bill to amend the Internal Revenue Code to prevent unjust enrichment by precluding refunds of alcohol and tobacco taxes to persons who have not borne the ultimate burden of the tax. This legislation limits refunds to cases where claimants bore the ultimate burden or repaid the amount of the tax to the person who bore the ultimate burden. Claims already filed, including refunds of these taxes, amount to $830 million.

In addition to the above major bills and bills deserving of special mention, the committee also took favorable action on 19 miscellaneous bills of lesser importance relating to taxes. These miscellaneous bills covered a variety of different subjects too lengthy to outline here. Details as to these and all other bills referred to the committee can be found in the legislative calendar of the committee.

B. Fiscal legislation:

In the field of general fiscal legislation, other than taxes, the Committee on Ways and Means took favorable action on one bill, H. R. 5520, which properly can be classified as major legislation. As reported by the committee and in the form in which it passed the House of Representatives, this bill would have increased the maximum permissible interest rate on savings bonds—and savings certificates—held to maturity from 3 percent to 3½ percent a year, compounded semiannually. It would have authorized the Secretary of the Treasury, in his discretion, to increase the yield on savings bonds and savings certificates bearing issue dates of February 1, 1957, or later, and it would also have authorized the Secretary, in his discretion, to increase the maximum interest rate on series E savings bonds, maturing on February 1, 1957, or later which the holder retained for an extension period of not more than 10 years beyond their maturity dates. The Senate amended this bill so as to provide discretionary authority to the Secretary to raise the interest rate on these bonds to 3.26 percent in lieu of the 3½ percent authority contained in the House bill, and the bill in this form was agreed to by the House and approved by the President April 20, 1957.

This legislation is quite important to the millions of individuals who purchase and hold series E savings bonds, since it will permit the Secretary of the Treasury to increase the interest rate payable to these millions of individuals on this important type of savings, if he deems this advisable. This legislation was designed to further encourage investment in these bonds by our individual citizens. The importance of this authority, which can be exercised by the Treasury, in affording our citizens increased interest on this class of investment is underscored by the generally rising interest rates on other comparable forms of investment. This legislation will permit our individual citizens to continue to participate in this vitally important savings program at a rate of interest more commensurate with that which is paid on such other forms of similar investment.

C. Narcotics legislation:

The Committee on Ways and Means also took favorable action during this session of the Congress on a bill, H. R. 9028, covering another important area of the committee's jurisdiction, namely, the field of control of narcotic drugs. While this legislation is technically tax legislation, or constitutes an amendment to the Internal Revenue Code, from a substantive point of view it appropriately can be considered to be an additional different field of jurisdiction. This legislation was designed to give full effect to treaty obligations of the United States to limit exclusively to medical and scientific purposes the manufacture of narcotic drugs and to require that such manufacture be restricted to persons and premises that have been licensed for the purpose. It is also designed to amend the Narcotic Drugs Import and Export Act to bring the regulation of exports in conformity with current treaty obligations, and to permit the importation and exportation of certain narcotic drugs for scientific research purposes. This action of the committee during this session thus further supplements the important action taken by the committee and the Congress during the last session with regard to control of the illicit trafficking in drugs and the prevention of insidious and heinous crimes resulting from the use of such drugs. This legislation is considered therefore to be quite important in protecting the welfare of our citizens and in promoting the general interest. It is now pending before the Senate Committee on Finance.

D. Social-security legislation:

One of the most important major fields of jurisdiction of the Committee on Ways and Means is that relating to our national social security laws. As may be recalled, during the second session of the 84th Congress the Social Security Act amendments of 1956 were finally enacted by Congress and approved by the President. During this first session of the 85th Congress, the committee did not act on a major social security bill comparable to the Social Security Act amendments of 1956 but it did take action on a variety of lesser, but nonetheless important, bills in this area of its jurisdiction. The action which the committee took on these miscellaneous bills in the field of social security will afford benefits to a very large number of our citizens who, because of certain provisions in existing law, would not have been able to receive such benefits. For example, a large number of ministers had not availed themselves, for one reason or another, of the privilege which was extended to them of electing, by April 15, 1957, to come under the act as a self-employed individual. A number of other ministers had been mistakenly enrolled along with lay employees in certain church schools and similar organizations and were faced with the prospect of losing their social security coverage. The committee acted, in H. R. 8892, to afford these ministers a further opportunity to elect coverage and to insure that all those who desire coverage might obtain it. Another bill, H. R. 6191, extended the time in which the disability freeze provisions of the act could be made retroactive, which should be of material benefit to those of our citizens who have been unfortunate enough to become disabled. In this same bill the committee also took favorable action on a provision which eliminated from present law the so-called dual disability provision as it related to disability-insurance benefits insofar as veterans who were receiving service-connected disability compensation from the Veterans' Administration are concerned. This change in the law will permit veterans to draw both social security and veterans' disability benefits.

As indicated above, there were a variety of these miscellaneous bills, a total of 11, too numerous to outline here, which will be of very material benefit to our citizens. All of these social-security bills are now law or are awaiting signature by the President.

E. Customs and tariff legislation:

The Committee on Ways and Means has taken action on a number of bills with respect to customs and tariff matters. One bill of particular interest and which deserves mention here is H. R. 6006, the purpose of which is to amend the Antidumping Act of 1921 so as to provide for greater certainty, speed, and efficiency in the enforcement of that act. This legislation was based upon the report made to the Congress by the Treasury Department in accordance with section 5 of the Customs Simplification Act of 1956. The three principal features of this legislation are as follows:

First, it amends provisions of the act relative to the assessment of dumping duties to correct possible situations which may arise where sales at less than fair value and injury are found but where no duties can be collected; second, it amends certain definitions contained in the act so as to bring them into conformity with new definitions included in the Customs Simplification Act of 1956; and third, it provides for mandatory public notice when there is reason to believe or suspect sales of imported merchandise at dumping prices, and mandatory public notice by the Treasury Department and the Tariff Commission of their decision in dumping cases along with reasons therefor. This legislation embodies all the amendments which the Treasury Department was prepared to recommend to the committee at this time. However, the committee recognizes that many interested individuals and organizations have urged more basic amendments to the Antidumping Act, and the committee is continuing to study this act, along with other matters in this general field, with respect to the desirability and advisability for further legislation. This bill is now pending before the Senate Committee on Finance.

Another bill in the customs and tariff field which deserves some particular mention here is H. R. 6304, the purpose of which, as acted upon by the committee and as it passed the House of Representatives, was to make permanent the existing privilege of free importation of gifts from the members of the Armed Forces of the United States on duty abroad. The Senate amended this bill so as to extend this privilege for an additional 2-year period, and in that form is was agreed to by the House of Representatives and approved by the President. This legislation should be of particular interest to the members of the Armed Forces abroad in that, from a morale standpoint, it is extremely important to a serviceman on such duty to be able to send small gifts and souvenirs from the region in which he is serving to his family and friends in this country.

The Committee on Ways and Means acted favorably on a total of 13 bills in the field of customs and tariff matters and, although the majority of these bills properly could be classified as minor bills, they do provide benefits and helpful assistance to our citizens and our industries.

F. Studies and program for second session:

As I have indicated above, the Committee on Ways and Means and its subcommittees have under way studies and investigations which should be of material assistance in the further consideration of important legislation during the next session of this Congress. Due to the nature of the public bills falling within the jurisdiction of this committee, it is particularly necessary and advisable that the committee act with the utmost thoughtfulness and caution. The relationship of tax legislation, fiscal legislation, social-security legislation, and customs and tariff legislation to the economy of our Nation and the well-being of our citizens is obvious, and the committee has always taken cognizance of this fact. It could not act precipitously on legislation of this kind. I emphasize these matters because it underscores and gives emphasis to the significant studies which are under way particularly by the three subcommittees of the committee.

I have already announced that the Committee on Ways and Means, beginning next January 7, will conduct general revenue revision hearings. During the course of those hearings the committee will receive the views and comments of individuals and organizations with respect to our revenue system. In the meantime, the Subcommittee on Excise Taxes is continuing its work toward further technical and administrative changes, and, even more important, is making a study of our Federal excise tax structure and rates.

Statement Concerning the Activities of the Committee on Merchant Marine and Fisheries, House of Representatives, 1st Session, 85th Congress

EXTENSION OF REMARKS

OF

HON. HERBERT C. BONNER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. BONNER. Mr. Speaker, I submit the following report of activities of the Committee on Merchant Marine and Fisheries, of which I am chairman, for the 1st session of the 85th Congress. The report is brief, but I expect that, in accordance with past customs, a full and complete account of committee activities will be submitted at the close of the Congress next year.

During the year, a great part of the time of the committee was devoted to basic studies of matters within the jurisdiction of the committee, preliminary to consideration of specific legislation during the second session. Some of the problems under consideration involved safety legislation for small pleasure boats, and late in the session bills were introduced for action next year. As a part of its work in this field and in furtherance of its aim to report a simple and effective means of control for the over 4 million small boats in the country which are presently unregulated, the committee distributed to the governors and attorneys general of the States and Territories copies of the bills with a request for their cooperation in achieving a workable uniform law for State and Federal cooperation in the field of boating safety. In addition, the Council of State Governments has placed this subject on the agenda for its next meeting in Washington on September 5 and 6, 1957.

In a related field, the committee considered 18 bills involving Public Law 519, of the 84th Congress, which extended Coast Guard jurisdiction over boats for hire which carry six or more persons. The law, as originally enacted, would have subjected such boats to regulation on January 1, 1958, but a number of Members of Congress were of the opinion that the date did not provide sufficient time for understanding of and compliance with Coast Guard regulations. After study and hearing, the committee concluded that additional time should be afforded, and accordingly reported a bill extending the deadline to June 1, 1958. That bill is now awaiting action by the President.

In the field of merchant marine activity, the committee placed emphasis on its studies of basic problems, rather than immediate legislation. Probably the most serious problem confronting the merchant marine is the possibility of a diminution in its importance in the field of national defense. New strategic concepts, with their emphasis on air power and missiles and the belief that any future war will be of very short duration, have induced the belief in some quarters that the supply problems of the past, which could only be met by the merchant marine, will not exist. In an effort to determine whether such ideas had any support among those charged with the responsibility for the safety of our Nation, the committee called the Secretary of the Navy and the Secretary of Commerce to testify regarding the attitude of the administration. Their testimony, together with that of the many other witnesses who appeared, is presently under study by the committee, and will be the subject of a separate report to the House.

Primarily, as a result of the work of the committee in the previous Congress, substantial progress can be reported in the modernization of our merchant marine. As a result of the encouragement of the committee, the Maritime Administration revised its policy on operating subsidy contracts to increase their duration to 20 years. This was necessary to provide assurance of continued subsidy to the operators who were faced with the necessity of replacing their aging fleets with new ships at great cost. One company, Lykes Bros. Steamship Co., has entered into a contract to build 53 ships at a cost of half a billion dollars. Another, States Steamship Co., has undertaken the obligation of building 13 ships at a cost of $150 million. On Wednesday of this week Grace Line launched the Steamship *Santa Rosa* to replace a 25-year-old combination vessel of the same name. Another similar vessel is presently under construction, and these two constitute the start of a $286 million construction program to include 9 passenger-cargo vessels and 15 freighters. In addition, the Maritime Administration is in the process of soliciting bids and awarding contracts for over 15 ships for operation on essential trade routes.

The encouragement and the work of the committee over the past few years is reflected not only in the future prospect of a completely new and modern merchant marine under the American flag, but in the present activity in our shipyards. Only a short time ago the committee became aware of the dangerously low rate of activity in the shipyards, with the resulting low employment and the loss of shipbuilding skills so necessary to the welfare of our country in wartime. There was evidence of deterioration of our tramp fleet, with no prospect of replacement of its aging ships because of the lack of prospect of continued business and the consequent inability to secure financing of new construction. Ships were being laid up for lack of cargo because of foreign competition by newer ships at lower rates. Extended hearings produced a record in which representatives of Government, labor, ship operators, and investment experts contributed their ideas.

Ultimately, the situation was attacked on two fronts. The first involved assurance of more cargo for American ships. This was accomplished by requiring the shipment of not less than one-half of cargoes in which the United States Government had an interest on American ships—the so-called 50-50 law. While previous separate bills had contained such a provision, there had been no permanent requirement, and thus no assurance of future business. As a result of this law, some degree of stability is guaranteed American-flag ships.

The other goal—that of securing new construction to protect our defense stake in the shipyards and to keep us competitive in the field of ocean trading—was achieved through a combination of administrative action and legislation. As to the former, the Maritime Administration tightened its rules covering transfers of ships to foreign flags by instituting a requirement that for each transfer, equivalent ships must be built in American yards for operation under the American flag. By this action, shipowners were able to secure a part of the capital necessary to build new ships, shipyards received much needed business, and assurance was secured that our fleet would contain new ships designed to meet the needs of our commerce and defense.

The other problem urgently requiring action was the ever recurring need for financing of new construction. In the United States, ocean shipping has never been regarded as a prime investment. With the cost of new ships far above their present ones, shipowners were not in a position to think about securing financing of replacements. After long study, the committee evolved the bills which amended the Merchant Marine Act to provide for Government guaranty of private mortgages on ships, and has continued its activities to amend the basic legislation as experience required. The effect of this approach was, for the first time, to make ships attractive as investments for private capital. The result has been a substantial contribution to present shipbuilding activity, and a prospect of future expansion of our American-flag fleet.

For some time the committee has been concerned over the failure of the United States to keep abreast of other maritime nations in the field of passenger vessels. Such vessels have been vital as troop carriers, and they are essential to maintain American-flag service during peacetime. In an effort to meet the need for such vessels to some degree, bills have been introduced by the chairman and other members of the committee to authorize the construction of a ship similar to the steamship *United States*, to replace the steamship *America*, and a new 1,400 passenger vessel for operation in the Pacific. Hearings on both of these will be scheduled early in the next session, and early action by the committee is assured.

The collision of the motor vessel *Stockholm* and the steamship *Andrea Doria* off Nantucket Island on the night of July 25, 1956, and the sinking of the latter with a loss of 50 lives, focused the attention of the world on the subject of safety of life at sea. Pursuant to authority granted by the House, the committee undertook a staff investigation by a group of experts of the collision to determine what lessons could be learned and applied to minimize the consequences of such happenings in the future. The result of their study was embodied in House Report No. 2969, 84th Congress, which recommended certain actions by various agencies of the Government. To determine what progress had been made in carrying out the recommendations contained in the report, a hearing was held late in this session to receive progress reports. As a result of this hearing a report—House Report No. 1179—was made by this committee, with recommendations that prompt steps be taken to secure international action to consider the necessity for raising standards of safety.

Another matter that was the subject of extended hearings by the committee was that of utilization of private terminal facilities by the Armed Forces to a greater degree than at present. Although the bill which gave rise to the hearings was not acted on, it is expected that further action will be taken in the course of the next session.

Within the sphere of its jurisdiction over fisheries and wildlife, the activity of the committee ranged from consideration and action upon bills affecting control over the salmon fisheries in the Northwest and Alaska, to protection of commercial fishermen in the Caribbean Sea and Pacific Ocean. The necessity for action in the latter field arose from the fact that there is no international agreement as to the offshore limits of territorial waters, and the distances claimed range from 3 miles by the United States to 200 miles claimed by Peru. United States fishermen conducting their activities in waters claimed by some maritime nations have been subjected to seizure of equipment, detention, fines and, in two cases at least, bodily injury from shots fired in the course of seizure. In 1954, Public Law 680 was enacted, which authorized the State Department to reimburse fishermen for fines illegally collected by foreign nations. However, the losses suffered were considerably greater than the fines, and legislation was introduced to include reimbursement for these items. As a result of hearings, a bill was reported to provide reimbursement for loss of fishing gear and personal injury to citizen crew members.

In the field of migratory wildfowl, there has been criticism for a number of years over the disposition of proceeds of duck stamp sales. At the time of the enactment of the original legislation requiring the purchase of stamps by hunters, it was believed that the proceeds of the sales would be devoted chiefly to the acquisition of badly needed additional wildfowl refuge lands. However, over the course of years, the Department of the Interior has utilized by far the greater portion of money derived from that source for other purposes, and the acquisition program has suffered. In an attempt to correct the situation, a number of bills were introduced and considered by the committee which would earmark the proceeds of the duck stamps for refuge acquisition. During the course of hearings, bills were introduced to meet objections made by those interested in the problem, and at present the committee has before it a bill believed to implement the original purpose of the early legislation which has the endorsement of a large proportion of the sportsmen of the country, and on which final action will be taken early in the next session.

Early in this session the committee received a graphic illustration of the problem of inflation facing the country. During the 84th Congress Public Law 251 was enacted which authorized the construction of two new vessels for the Coast and Geodetic Survey at a cost of $3,700,000 each. When bids for their construction were received, it appeared that an additional $300,000 per vessel would be required, and the necessary authorization bill was reported by the committee and subsequently enacted into law.

In the field of activity touching the Panama Canal, the committee was confronted with the necessity of acting on legislation to implement the new treaty made with the Republic of Panama in 1955, covering the transfer of some $24 million of land and buildings to be transferred to the Republic, and the necessary authorization of expense for replacement of transferred facilities within the Canal Zone. Authorization of the transfer was favorably reported by the committee, but some of the remaining problems of the impact of the treaty upon the Panama Canal Co. remain to be considered during the next session.

Present calculations indicate that the Panama Canal will be utilized to its fullest capacity not later than 12 to 15 years hence. In view of the time required to locate, plan and construct additional facilities, the committee is undertaking to recruit a staff of experts in the engineering and transportation fields to evaluate existing data to determine the proper location, type and extent of additional means for transit between the Atlantic and Pacific Oceans in the region of Central America. It is planned that the result of their efforts will be reported to the House for its guidance in considering necessary legislation to augment the present canal facilities.

In addition to the work of the staff, a number of subcommittees plan to engage in studies of matters within their jurisdiction in preparation for action on legislation during the next session of this Congress.

During the 84th Congress, legislation was enacted to effect a reorganization of the Fish and Wildlife Service of the Department of the Interior to establish an assistant secretaryship within the Department and to separate the commercial fisheries jurisdiction from that of sport fisheries and wildlife. During the present session it appeared that the reorganized Service planned very considerable increases in the number of regional offices and personnel theretofore existing. The committee has been studying the situation for the purpose of seeing that the personnel increase was kept at a minimum, consistent with the proper functioning of the Fish and Wildlife Service, and plans to continue its work in this field during the recess. In this connection, the chairman has agreed with the Assistant Secretary of the Interior for Fisheries and Wildlife that there will be no increases in personnel and no vacancies will be filled until the committee has had opportunity at the beginning of the second session to hear from responsible officials as to the need for any increase.

Let's Look at the Record

EXTENSION OF REMARKS

OF

HON. JOHN H. RAY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. RAY. Mr. Speaker, in recent weeks we have heard and read many criticisms of certain decisions of the Supreme Court, and even of the Court itself and its members. Some of those criticisms have been careful and thoughtful; others have been hasty and intemperate. Most reflect dissatisfaction and concern over the results of the decisions. Only a few rest upon an analysis of the issues, the law and the facts which were before the Court and upon which its decision in each case was based.

There are 13 decisions subsequent to the school segregation case—1954—about which Members of this House have been especially critical.

Six of those decisions must be attributed to ommissions or defective action on the part of Congress. Another, the Jencks case, involved unwise tactics by the prosecution in a criminal case in a Federal court—and two, Kremen and Zucca, involved improper actions of two bureaus of the Department of Justice.

Among the six are the Stevens case, the Watkins case and the Mallory case. In the Stevens case the Court found that certain laws enacted by Congress established a Congressional intent to occupy the field of prosecution for acts in violation of the Federal antisedition law and, therefore, that violation of that law could not be prosecuted by a State in its courts. Corrective legislation—H. R. 3—has been introduced and is pending before our Judiciary Committee. A similar bill was reported favorably by the Judiciary Committee last year but was not acted upon by the Rules Committee.

The Watkins case merely held that we had not extended to the House Un-American Activities Committee the authority to carry on some of the investigations that committee had undertaken. It is well recognized and has long been established that a delegation of legislative authority must state a clear and definite rule or principle within which the agency can act. Here again the remedy is clear and it is in our hands.

The Mallory case construed one of the rules of procedure in Federal courts. That decision relied upon and followed the Dennison case decided 6 years ago. Congress has had ample time to bring about a change in the rule of procedure.

The Jencks case is quite different from the three just mentioned. Here the Court applied another long-established rule that if a prosecutor relies upon the testimony of a witness who had made an earlier report on the facts about which he testified, that report must be made available to the defense, or in the alternative, the testimony of that witness must be stricken from the record.

The Jencks, Kremen, and Zucca results can be avoided in the future by adequate action in the department concerned.

The other four—Slochower, Schware, Konigsberg, and Sweezy—involve whether or not State and local laws and administration were in conflict with the Constitution of the United States. Remedial action if desired lies with State and local authorities.

I submit that we in Congress should not try to hold the Supreme Court responsible for results due to our own shortcomings in legislating or to the actions of officials in the administration. And it must be kept in mind that as time goes on without our taking remedial action, it is the Congress and not the Court which has the responsibility for continuing in effect the law as found by the Court.

Report to the People of the Eighth Congressional District of Wisconsin—XI

EXTENSION OF REMARKS

OF

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. BYRNES of Wisconsin. Mr. Speaker, under leave to extend my remarks, I include a report to the people of the Eighth Congressional District of Wisconsin on my voting and attendance record for the first session of the 85th Congress.

No attempt has been made to include votes on all of the numerous bills, motions, and amendments. The report does include all rollcall votes and all quorum calls. The purpose of this report is to collect in one place and in concise form information which is scattered through some 15,000 pages of the CONGRESSIONAL RECORD.

The descriptions of the bills and the amendments or motions as contained in the report are for the purposes of identification only; no attempt is made to describe the legislation completely or to elaborate upon the issues involved. I believe this word of caution is advisable in view of the fact that the descriptions used are, for the most part, taken from the official titles of the bills which unfortunately do not always reflect the nature or true purpose of the legislation. Upon request, I will be pleased to furnish more complete information concerning any particular bill, as well as a summary of the issues involved and the reasons for my vote.

The furnishing of this report continues a service I began in the 1st session of the 80th Congress. This is the 11th report of my voting and attendance record. These 11 reports show how I voted on 1,532 questions in the House of Representatives. Based on quorum calls and the record votes, they also show an attendance record of 95 percent.

Voting and attendance record, Representative JOHN W. BYRNES, *8th District, Wisconsin (85th Cong., 1st sess.)*

Roll-call No.	Date 1957	Measure, question, and result	Vote
1	Jan. 3	Call of the House	Present.
2	Jan. 3	Election of Speaker	MARTIN.
3	Jan. 29	Quorum call	Present.
		H. Res. 123, providing for the consideration of H. J. Res. 117, authorizing the President to undertake economic and military cooperation with nations in the general area of the Middle East:	
4	Jan. 29	On ordering the previous question. (Passed 262 to 146)	Yea.
		H. J. Res. 117, authorizing the President to undertake economic and military cooperation with nations in the general area of the Middle East:	
5	Jan. 30	On passage. (Passed 355 to 61)	Yea.
		H. R. 4249, making a deficiency appropriation for the fiscal year 1957:	
6	Feb. 5	On amendment placing a $15,728,000 limitation on amount to be spent for State and local administration of public assistance grants. (Passed 206 to 167.)	Yea.
		H. R. 2367, providing for payment to ranchers for deferred grazing as part of relief available to drought-stricken areas of the Southwest:	
7	Feb. 6	On passage. (Passed 270 to 108)	Nay.
8	Feb. 19	Quorum call	Present.
9	Feb. 20	Quorum call	Present.
10	Feb. 27	Quorum call	Present.
11	Feb. 27	Quorum call	Present.
12	Mar. 5	Quorum call	Present.
13	Mar. 6	Quorum call	Present.
14	Mar. 7	Quorum call	Present.
		H. Res. 188, providing for House agreement to Senate amendments to H. J. Res. 117, authorizing the President to undertake economic and military cooperation with nations in the general area of the Middle East:	
15	Mar. 7	On passage. (Passed 350 to 60)	Yea.
16	Mar. 12	Quorum call	Present.
		H. Res. 190, requesting the President to indicate where substantial reductions in the 1958 budget may best be made:	
17	Mar. 12	On passage of H. Res. 192, providing for consideration of H. Res. 190. (Passed 219 to 185)	Nay.
18	Mar. 12	On motion to recommit and substitute resolution commending President for requesting departments to review budget requests to determine where cuts can be made and requesting President make information received available to the House of Representatives. (Rejected 185 to 214).	Yea.
19	Mar. 12	On passage. (Passed 219 to 178)	Nay.
20	Mar. 13	Quorum call	Present.
21	Mar. 13	Quorum call	Present.
		H. R. 4901, establishing a minimum acreage allotment for corn:	
22	Mar. 13	On motion to recommit. (Rejected 168 to 237)	Nay.
23	Mar. 13	On passage. (Defeated 188 to 217)	Yea.
24	Mar. 14	Quorum call	Present.
25	Mar. 14	Quorum call	Present.
26	Mar. 20	Quorum call	Present.
27	Mar. 21	Quorum call	Present.
28	Mar. 25	Quorum call	Present.
29	Mar. 26	Quorum call	Present.
30	Mar. 27	Quorum call	Present.
		H. Res. 85, authorizing the Committee on Banking and Currency to conduct studies and investigations, and to make inquiries relating to operation of the monetary and credit structure of the United States:	
31	Mar. 27	On passage. (Defeated 174 to 225)	Nay.
32	Mar. 28	Quorum call	Present.
33	Mar. 29	Quorum call	Present.
34	Apr. 1	Quorum call	Present.
35	Apr. 2	Quorum call	Present.
36	Apr. 3	Quorum call	Present.
		H. R. 6287, making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for fiscal year 1958:	
37	Apr. 4	On amendment to reduce by $30,000 the appropriation for three new positions in the Department of Labor to handle international labor affairs in South America and the Near East. (Passed 286 to 126.)	Yea.
38	Apr. 4	On amendment to reduce by $204,000 the appropriation for new positions in the Office of the Solicitor, Department of Labor. (Passed 241 to 171.)	Yea.
39	Apr. 4	On amendment to reduce by $46,300 the appropriation for new positions in the Bureau of Labor Standards, Department of Labor. (Passed 246 to 169.)	Yea.
40	Apr. 4	On amendment to reduce by $136,000 the appropriation for new positions in the Bureau of Veterans' Reemployment Rights. (Passed 137 to 275.)	Yea.
41	Apr. 4	On amendment to reduce by $412,000 the appropriation for new positions in the Bureau of Employment Security, Department of Labor. (Passed 214 to 206.)	Yea.
42	Apr. 4	On amendment to reduce by $12,186,000 funds for grants to States for unemployment compensation, thus eliminating an increase requested by Bureau of Budget over departmental request and eliminating contingency funds. (Passed 220 to 199.)	Yea.
43	Apr. 4	On amendment to reduce by $1,500,000 funds for unemployment compensation for Federal employees and provide same amount used in 1957. (Passed 253 to 167.)	Yea.
44	Apr. 4	On amendment to reduce by $263,800 the appropriation for new positions in the Mexican farm labor program. (Passed 342 to 167)	Yea.
45	Apr. 4	On amendment to reduce by $346,000 the appropriation for new positions in the Bureau of Labor Statistics. (Passed 217 to 201)	Yea.
46	Apr. 4	On amendment to reduce by $31,000 the appropriation for new positions in the Women's Bureau. (Rejected 206 to 209)	Yea.
47	Apr. 4	On amendment to reduce by $288,000 the appropriation for new positions in the Wage and Hour Division, Department of Labor. (Passed 214 to 205.)	Yea.
48	Apr. 4	On amendment to reduce by $1,327,000 the increase in funds for expansion of the Food and Drug Administration. (Rejected 130 to 285).	Yea.
49	Apr. 4	On amendment to reduce by $1,482,000 the appropriation for new positions in the Office of Education. (Rejected 206 to 207.)	Yea.
50	Apr. 4	On amendment to delete language providing $50,000,000 to municipalities for waste treatment works construction. (Rejected 185 to 231).	Yea.
51	Apr. 8	Quorum call	Present.
		H. R. 6306, increasing the authorized cost for construction of four-lane bridge to replace the existing 14th Street bridge across the Potomac River:	
52	Apr. 8	On passage. (Passed 190 to 131)	Yea.
53	Apr. 8	Quorum call	Present.
54	Apr. 8	Quorum call	Present.
55	Apr. 9	Quorum call	Present.
56	Apr. 9	Quorum call	Present.
57	Apr. 10	Quorum call	Present.
58	Apr. 10	Quorum call	Present.
		S. J. Res. 72, approving an agreement amending the Anglo-American Financial Agreement of Dec. 6, 1945, relative to deferment of certain interest payments:	
59	Apr. 10	On passage. (Passed 218 to 167)	Yea.
		H. Res. 191, providing $350,000 (in lieu of $100,000) for purpose of investigating studies by House Committee on Interstate and Foreign Commerce:	
60	Apr. 11	On passage. (Passed 225 to 143)	Nay.
61	Apr. 15	Quorum call	Present.
62	Apr. 16	Quorum call	Present.
63	Apr. 17	Quorum call	Present.
		H. R. 6871, making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for fiscal year 1958:	
64	Apr. 17	On amendment to reduce by $7,039,958 the appropriation for the United States share of the cost of international organizations of which we are a member. (Rejected 166 to 205)	Nay.
65	May 7	Quorum call	Absent.
66	May 8	Quorum call	Present.
67	May 9	Quorum call	Present.
68	May 13	Quorum call	Present.
69	May 13	Quorum call	Present.
70	May 13	Quorum call	Present.
71	May 14	Quorum call	Present.
72	May 14	Quorum call	Present.
73	May 15	Quorum call	Present.
		H. R. 7441, making appropriations for the Department of Agriculture and Farm Credit Administration for fiscal year 1958:	
74	May 15	On amendment to suspend operation of the soil-bank program at the end of fiscal year 1957 and to delete provision for $500,000,000 for the 1958 program. (Passed 192 to 187.)	Nay.

Voting and attendance record, Representative JOHN W. BYRNES, *8th District, Wisconsin (85th Cong., 1st sess.)*—Continued

Roll-call No.	Date 1957	Measure, question, and result	Vote
75	May 21	Quorum call	Present.
76	May 22	Quorum call	Present.
		H. R. 7599, making appropriations for the legislative branch for fiscal year 1958:	
77	May 22	On motion to recommit with instructions to delete $7,500,000 for construction of an additional House Office Building. (Rejected 176 to 206.)	Yea.
78	May 22	On passage. (Passed 278 to 93)	Nay.
		H. R. 2, authorizing the State of Illinois and the Sanitary District of Chicago to divert additional water from Lake Michigan into the Illinois Waterway:	
79	May 22	On passage of H. Res. 254, providing for consideration of H. R. 2. (Passed 267 to 102)	Nay.
80	May 22	On motion to recommit until the bilateral discussions between the United States and the Dominion of Canada with respect to the further diversion of water from Lake Michigan have been concluded. (Rejected 143 to 224.)	Yea.
81	May 22	On passage. (Passed 222 to 143)	Nay.
82	May 23	Quorum call	Present.
		H. R. 985, providing that chief judges of circuit and district courts shall cease to serve as such upon reaching the age of 75:	
83	May 23	On motion to recommit. (Rejected 47 to 293)	Nay.
84	May 24	Quorum call	Present.
85	May 24	Quorum call	Present.
86	May 24	Quorum call	Present.
87	May 27	Quorum call	Present.
88	May 27	Quorum call	Present.
89	May 28	Quorum call	Present.
90	May 29	Quorum call	Present.
		H. R. 7665, making appropriations for the Department of Defense for fiscal year 1958:	
91	May 29	On motion to recommit with instructions to restore $313 million of the committee cut of $2,586,775,000. (Rejected 151 to 242)	Yea.
92	May 29	On passage. (Passed 394 to 1)	Yea.
93	June 3	Quorum call	Present.
94	June 4	Quorum call	Present.
95	June 5	Quorum call	Present.
		H. Res. 259, providing for the consideration of H. R. 6127, providing means of further securing and protecting the civil rights of persons within the jurisdiction of the United States:	
96	June 5	On passage. (Passed 290 to 117)	Yea.
97	June 6	Quorum call	Present.
98	June 6	Quorum call	Present.
99	June 6	Quorum call	Present.
100	June 7	Quorum call	Absent.
101	June 7	Quorum call	Absent.
102	June 7	Quorum call	Absent.
103	June 7	Quorum call	Absent.
104	June 10	Quorum call	Present.
105	June 10	Quorum call	Present.
106	June 10	Quorum call	Absent.
107	June 11	Quorum call	Present.
108	June 13	Quorum call	Present.
109	June 14	Quorum call	Present.
110	June 17	Quorum call	Present.
111	June 18	Quorum call	Present.
		H. R. 6127, providing means of further securing and protecting the civil rights of persons within the jurisdiction of the United States:	
112	June 18	On motion to recommit with instructions to add provision for jury trial in contempt proceedings. (Rejected 158 to 251)	Nay.
113	June 18	On passage. (Passed 286 to 126)	Yea.
114	June 18	Quorum call	Present.
		H. R. 7221, making supplemental appropriations for 1957:	
115	June 18	On motion to agree to Senate amendment providing $14,000,000 for initiation of Federal flood-insurance program. (Rejected 186 to 218)	Nay.
116	June 19	Quorum call	Present.
117	June 20	Quorum call	Present.
118	June 21	Quorum call	Present.
		H. R. 6974, extending for 1 year the Agricultural Trade Development and Assistance Act of 1954:	
119	June 21	On passage. (Passed 341 to 7)	Yea.
120	June 24	Quorum call	Present.
121	June 25	Quorum call	Present.
		H. R. 7963, amending the Small Business Act of 1953, making the Small Business Administration a permanent agency:	
122	June 25	On passage. (Passed 392 to 2)	Yea.
123	June 26	Quorum call	Present.
		H. R. 6287, making appropriations for the Department of Health, Education, and Welfare, and related agencies, for fiscal year 1958:	
124	June 26	On motion to recommit the conference report. (Rejected 73 to 321)	Not voting.[1]
125	June 27	Quorum call	Present.
126	June 27	Quorum call	Present.
		S. 1428, authorizing furniture and furnishings for the additional office building for the U. S. Senate:	
127	June 27	On motion to recommit with instructions that the House Public Works Committee insert specific cost figures. (Rejected 135 to 231)	Nay.
		S. 1429, authorizing the enlargement and remodeling of Senators' suites, and other changes and improvements in the existing Senate Office Building:	
128	June 27	On motion to recommit with instructions that the House Public Works Committee insert specific cost figures. (Rejected 148 to 216)	Yea.
129	July 1	Quorum call	Present.
130	July 1	Quorum call	Present.
131	July 1	Quorum call	Present.
132	July 8	Quorum call	Present.
133	July 8	Quorum call	Present.
134	July 9	Quorum call	Present.
135	July 9	Quorum call	Present.
		H. R. 8240, authorizing certain construction at military installations:	
136	July 10	On amendment deleting from bill section requiring Congressional review of action by Defense Department to eliminate activities competing with small businesses. (Rejected 183 to 230.)	Yea.
		H. R. 7390, providing for limitation and regulation of the use of advisory committees within the executive branch:	
137	July 10	On motion to recommit to the Committee on Government Operations with instructions to receive further testimony from the Department of Defense and the Post Office Department. (Rejected 183 to 225.)	Yea.
		H. R. 8364, further amending the Reorganization Act of 1949, so that such act will apply to reorganization plans transmitted to Congress at any time before July 1, 1959:	
138	July 10	On motion to recommit. (Rejected 44 to 336.)	Nay.
139	July 11	Quorum call	Present.
140	July 11	Quorum call	Present.
141	July 12	Quorum call	Present.
		H. R. 72, amending the World War Veterans' Act of 1924 to restrict the transfer of estates of incompetent veterans derived from compensation and pensions:	
142	July 12	On motion to recommit. (Passed 191 to 161)	Nay.
143	July 15	Quorum call	Present.
144	July 16	Quorum call	Present.
145	July 16	Quorum call	Present.
146	July 17	Quorum call	Present.
147	July 19	Quorum call	Present.
		S. 2130, the Mutual Security Act of 1957:	
148	July 19	On motion to recommit to delete provisions creating the development loan fund. (Rejected 181 to 227)	Nay.
149	July 19	On passage. (Passed 254 to 154)	Yea.
150	July 22	Quorum call	Present.
		H. R. 2474, providing for a $546 increase in basic salary of employees in the postal field service:	
151	July 23	On passage. (Passed 379 to 38)	Nay.
152	July 23	Quorum call	Present.
153	July 25	Quorum call	Present.

[1] Absent. Would have voted "nay" if present.

Voting and attendance record, Representative JOHN W. BYRNES, *8th District, Wisconsin (85th Cong., 1st sess.)*—Continued

Roll-call No.	Date 1957	Measure, question, and result	Vote
		H. R. 1, providing for Federal assistance to States for school construction:	
154	July 25	On motion to strike the enacting clause (and prevent further consideration of the bill). (Passed 208 to 203)	Nay.
155	July 29	Quorum call	Present.
156	July 30	Quorum call	Present.
157	July 30	Quorum call	Present.
158	July 31	Quorum call	Present.
		S. 1856, establishing the Airways Modernization Board to provide for the development and modernization of navigation and traffic-control facilities:	
159	July 31	On passage. (Passed 375 to 17)	Yea.
160	July 31	Quorum call	Present.
		H. R. 2147, providing for the construction of the San Angelo Federal reclamation project, Texas:	
161	July 31	On motion to recommit. (Rejected 189 to 202)	Yea.
162	July 31	On passage. (Passed 201-190)	Nay.
163	Aug. 1	Quorum call	Present.
		H. R. 8643, authorizing the public construction of certain works of improvement in the Niagara River for power, and for other purposes:	
164	Aug. 1	On passage. (Passed 313 to 75)	Nay.
165	Aug. 1	Quorum call	Present.
		H. R. 6763, providing for the construction of a four-lane tunnel under the Potomac River in the vicinity of Constitution Ave. in lieu of a bridge previously authorized:	
166	Aug. 1	On motion to consider the bill. (Passed 296 to 76)	Nay.
167	Aug. 1	On motion to strike enacting clause (and prevent further consideration of the bill.) (Rejected 175 to 194)	Yea.
168	Aug. 2	Quorum call	Present.
		H. R. 6763 (continued from Aug. 1):	
169	Aug. 2	On motion to consider the bill. (Passed 275 to 59)	Nay.
170	Aug. 2	On amendment changing the bill to provide for a six-lane bridge in lieu of a tunnel. (Passed 225 to 107)	Yea.
		H. R. 6709, implementing a treaty and agreement with the Republic of Panama:	
171	Aug. 5	On motion to suspend the rules and pass the bill. (Passed 279 to 91)	Yea.
172	Aug. 5	Quorum call	Present.
173	Aug. 6	Quorum call	Present.
174	Aug. 7	Quorum call	Present.
		H. R. 9131, making supplemental appropriations for fiscal year 1958:	
175	Aug. 7	On motion to recommit with instructions to reduce appropriation of new funds for TVA by $9,784,000. (Rejected 158 to 244)	Yea.
176	Aug. 7	On passage. (Passed 330 to 75)	Nay.
177	Aug. 7	Quorum call	Present.
		H. Res. 362, providing for the consideration of H. R. 7244, amending the Packers and Stockyards Act of 1921, permitting deductions for a self-help meat promotion program:	
178	Aug. 7	On passage. (Defeated 175 to 216)	Yea.
179	Aug. 8	Quorum call	Present.
		H. R. 4813, extending the life of the District of Columbia Auditorium Commission:	
180	Aug. 8	On adoption of conference report authorizing the acquisition of certain land for a District auditorium-cultural center. (Rejected 115 to 284.)	Nay.
181	Aug. 8	Quorum call	Present.
		H. R. 8992, providing for United States participation in the organs of the International Atomic Energy Agency:	
182	Aug. 8	On motion to delete provision for Congressional control over distribution of nuclear material and deleting authorization for matching of material with other members. (Passed 298 to 100.)	Yea.
183	Aug. 9	Quorum call	Present.
		H. R. 8996, authorizing appropriation for the Atomic Energy Commission:	
184	Aug. 9	On amendment deleting $3,000,000 for design and construction estimates of a plutonium reactor. (Rejected 197 to 201)	Yea.
185	Aug. 9	On amendment deleting $55,000,000 for construction by the Commission of a natural uranium and a plutonium recycle reactor. (Passed 211 to 188.)	Yea.
186	Aug. 9	On amendment revising cooperative power reactor demonstration program and deleting provision for Government ownership and operation of generating plants. (Passed 213 to 185.)	Yea.
187	Aug. 9	On passage. (Passed 382 to 14)	Yea.
		H. R. 2462, providing an 11 percent across-the-board salary increase for classified Federal employees:	
188	Aug. 9	On motion to recommit. (Rejected 70 to 319)	Yea.
189	Aug. 9	On passage. (Passed 329 to 58)	Nay.
190	Aug. 13	Quorum call	Present.
		H. R. 8090, making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior for fiscal year 1958 (conference report):	
191	Aug. 13	On motion to agree to Senate amendment earmarking $500,000 for preparing plans for Bruces Eddy project on Clearwater River, Idaho. (Rejected 23 to 363).	Nay.
		H. R. 5836, increasing certain postal rates:	
192	Aug. 13	On passage. (Passed 256 to 129)	Yea.
193	Aug. 14	Quorum call	Present.
		S. 2130, the Mutual Security Act of 1957:	
194	Aug. 14	On adoption of conference report increasing amount authorized by House by $250,000,000 and extending development loan fund to 1960. (Adopted 226 to 163).	Nay.
		S. 1383, amending the Interstate Commerce Act to change the requirements for obtaining a freight forwarder permit:	
195	Aug. 14	On passage. (Passed 177 to 176)	Yea.
196	Aug. 15	Quorum call	Present.
		H. R. 9302, making appropriations for mutual security for fiscal year 1958:	
197	Aug. 15	On motion to recommit with instructions to increase various items by $715,000,000. (Rejected 129 to 254)	Nay.
198	Aug. 15	On passage. (Passed 252 to 130)	Yea.
		H. R. 7993, providing for Government guaranty of private loans to certain air carriers:	
199	Aug. 19	On motion to suspend the rules and pass the bill. (Passed 242 to 94)	Nay.
		H. R. 1937, authorizing the construction, maintenance, and operation by the District of Columbia Armory Board of a stadium in the District of Columbia:	
200	Aug. 20	On adoption of conference report. (Rejected 134 to 234)	Yea.
		S. 1520, providing for the disposal of dam on Little Kanawha River in West Virginia (conference report)	
201	Aug. 20	On motion to recommit to conference with instructions to insist on House provision limiting Federal contribution to $50,000 as recommended by Corps of Engineers instead of $112,000 as provided in report. (Rejected 135 to 232).	Yea.
		H. R. 9131, making supplemental appropriations for the fiscal year 1958 (conference report):	
202	Aug. 21	On motion to recede and concur in Senate amendment striking out funds for construction of an additional airport in or near Washington, D. C. (Rejected 125 to 233).	Nay.
203	Aug. 21	On motion to agree to Senate amendment providing an additional $475,000 for the Columbia River project. (Rejected 140 to 216)	Nay.
		H. R. 9379, making appropriations for the Atomic Energy Commission for fiscal year 1958:	
204	Aug. 21	On amendment restoring $30,000,000 for industry cooperative program. (Passed 214 to 135)	Yea.
		H. Con. Res. 176, authorizing the printing of 500,000 additional copies of an illustrated booklet on the Capitol at cost of $95,000:	
205	Aug. 22	On passage. (Passed 183 to 129)	Nay.
206	Aug. 23	Quorum call	Present.
		H. R. 9131, making supplemental appropriations for the fiscal year 1958 (conference report):	
207	Aug. 23	On motion to recede from disagreement on Senate amendment providing an additional $475,000 for the Columbia River project. (Passed 166 to 121).	Nay.
208	Aug. 23	On motion to agree to amendment providing for $425,000 for Columbia River project. (Passed 165 to 120)	Nay.
		S. 2229, providing for Government guaranty of private loans to certain air carriers:	
209	Aug. 23	On adoption of conference report. (Adopted 203 to 77)	Nay.
		H. Res. 407, citing Louis Earl Hartman for contempt of the House of Representatives by his refusal to answer questions before the Committee on Un-American Activities:	
210	Aug. 23	On passage. (Passed 276 to 0)	Yea.
		H. Res. 409, citing Bernard Silber for contempt of the House of Representatives by his refusal to answer questions before the Committee on Un-American Activities:	
211	Aug. 23	On passage. (Passed 261 to 0)	Yea.
212	Aug. 27	Quorum call	Present.
		H. Res. 410, providing for House agreement to Senate amendments to H. R. 6127 (civil-rights bill) with a further amendment limiting jury trials in criminal contempt proceedings:	
213	Aug. 27	On ordering the previous question. (Passed 274 to 101)	Yea.
214	Aug. 27	On passage. (Passed 279 to 97)	Yea.

Voting and attendance record, Representative JOHN W. BYRNES, 8th District, Wisconsin (85th Cong., 1st sess.)—Continued

Roll-call No.	Date 1957	Measure, question, and result	Vote
		H. R. 7915, clarifying the Supreme Court decision in the Jencks case which opened FBI files to perusal of defendants under certain circumstances in Federal court cases:	
215	Aug. 27	On passage. (Passed 351 to 17)	Yea.
216	Aug. 28	Quorum call	Present.
		S. 2792, amending the immigration laws so as to facilitate the entry into the United States of certain adopted children and other relatives of United States citizens:	
217	Aug. 28	On motion to suspend the rules and pass the bill. (Passed 293 to 58)	Yea.
218	Aug. 30	Quorum call	Present.
219	Aug. 30	H. R. 7915, clarifying the Supreme Court decision in the Jencks case which opened FBI files to perusal of defendants under certain circumstances in Federal court cases: On adoption of the conference report. (Adopted 315 to 0)	Yea.
220	Aug. 30	H. R. 9032, making appropriations for mutual security for fiscal year 1958: On adoption of the conference report. (Adopted 194 to 122)	Yea.

AN EXPLANATION OF TERMS

Of necessity the report contains parliamentary and legislative terms with which the reader may not be familiar. An explanation of some of these terms may, therefore, be helpful:

A. A quorum call consists of a calling of the roll of Members to determine whether or not a quorum—a majority of Members—is present. No business may be conducted when it is found that a quorum is not present.

B. Recommittal: Generally, on all important bills, a motion to recommit the bill to a committee, with or without instructions, is voted upon by the House before it votes upon passage of the bill. If such a motion is adopted, it means that the bill will be changed, delayed, or even killed. However, when a motion to recommit is accompanied by instructions, the vote generally indicates whether the Member is in favor of or opposed to the change in the legislation proposed by the instructions and does not necessarily indicate his position on the bill as a whole. A motion to recommit with instructions, if adopted, does not kill the bill.

C. The type of bill can be determined by the letters which precede its number. All bills that originate in the House are designated by an H; those that originate in the Senate by an S. There are four main types:

First. H. R. (S.) designates a bill which, when passed by both Houses in identical form and signed by the President, becomes law.

Second. H. J. Res. (S. J. Res.) designates a joint resolution which must pass both Houses and be signed by the President before becoming law. It is generally used for continuing the life of an existing law, or in submitting to the States a constitutional amendment, in which case it does not require the signature of the President but must be passed by a two-thirds majority of both Houses.

Third. H. Con. Res. (S. Con. Res.) designates a concurrent resolution. To become effective it must be passed by both the House and Senate but does not require the President's signature. It is used to take joint action which is purely within the jurisdiction of Congress. Many emergency laws carry the provision that they may be terminated by concurrent resolution, thus eliminating the possibility of a Presidental veto.

Fourth. H. Res. (S. Res.) designates a simple resolution of either body. It does not require approval by the other body nor the signature of the President. It is used to deal with matters that concern one House only, such as changing rules, creating special committees, and so forth.

D. Rule: Important bills, after approval of the committee concerned, go to the House Committee on Rules where a rule, in the form of a House resolution (H. Res.), is granted covering the time allowed for debate, consideration of amendments, and other parliamentary questions.

E. Conference: Representatives from both Houses of Congress meet in conference to work out differences existing in the legislation as passed by the two bodies. Upon conclusion of their conference, a report is submitted to each House setting forth the agreements reached. Each House then must act by way of adopting or rejecting the report in whole or in part.

F. Ordering the previous question: A motion to order the previous question, if adopted, shuts off further debate on the question before the House and prevents further amendments to such proposition.

G. A bill may pass, or be defeated, by one of the following kind of votes:

First. Voice vote: The Speaker first asks all in favor to say "aye" then those opposed to say "nay." If there is no question as to the result, this is sufficient.

Second. Division: If the result of the voice vote is in doubt, the Speaker asks those in favor to stand, then those opposed to stand. He counts in each instance and announces the result. If he is in doubt, or if demand is made by one-fifth of a quorum, then—

Third. Tellers are ordered. A Member on each side of the question is appointed as teller, and they take their places at each side of the center aisle. Those in favor walk through and are counted. Those opposed do likewise. The result settles most questions, but any Member, supported by one-fifth of a quorum, can ask for a rollcall. This privilege is guaranteed by the Constitution.

Fourth. Rollcalls place each Member on record on the particular measure involved. Each Member's name is called and his vote recorded. Rollcalls constitute the official voting record of the House.

The outcome of rollcall votes is indicated in parentheses in the record above, and the actual vote is shown—the yeas first and the nays last.

Report to the People of the Second District of New Hampshire

EXTENSION OF REMARKS

OF

HON. PERKINS BASS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. BASS of New Hampshire. Mr. Speaker, the first session of the 85th Congress has adjourned and we are now able to appraise its accomplishments and their effect on the Nation and the Second Congressional District in New Hampshire which I am privileged to represent in Congress. This has been an unusual session, for although it followed within weeks the sweeping reelection victory of President Eisenhower, the Congress has been led by the opposing party, and for the first time a President has served under a two-term constitutional limitation.

FOREIGN AFFAIRS

The drive of international communism for world domination continues unabated, and with the memory of the brutal Hungarian suppression last fall and the decline of western European influence in the Middle East, international considerations have dominated much of the work and thinking of the Congress. Programs of economic and military foreign aid for our allies, and a continued high level of expenditures for national defense were closely examined and approved under increasing inflationary pressure and world tension. Early in this session, the Congress wisely supported the Eisenhower doctrine—a program of support for our friends in the vital Middle East.

SPENDING

During fiscal year 1957 we again enjoyed a balanced budget, and a resulting small surplus which was applied to debt reduction. Through stringent economies mostly on domestic spending, the Congress, working with the administration, has been able to reduce by more than $4 billion the original budget estimates for 1958. I supported many reductions consistent with national security in the belief that in a period of inflation the Government should make every effort to postpone or cut back on all but the most essential expenses. Reducing appropriations is one of two effective means of decreasing the cost of Government. The second, a more positive approach, is to increase efficiency, and in this respect I introduced five bills which implement the most important recommendations of the Hoover Commission. They speak for themselves. First, Government shall not engage in business-type operations that compete with private enterprise; second, have the budget presented annually on the basis of accrued expenditures so that the Congress will have closer control over actual spending; third, have the military services use each other's vacant storage space to prevent duplicated facilities; fourth, permit a more business-like distribution of Government surpluses; and, fifth, create a civilian-managed agency to administer common supply and service activities for the armed services.

TAXES

I am hopeful that next year we will have a sufficient budget surplus through continued Government economies and reductions in spending to permit substantial tax relief to the income taxpayer and to small business.

SMALL BUSINESS

During the year the important Banking and Currency Committee on which I serve enacted several measures of importance to our economy. Before this committee come matters pertaining to small business which forms the backbone of our New Hampshire economy. This session we enacted legislation to extend the life of the Small Business Administration for 1 year, and have increased the SBA's authorization for loans which will be used to aid smaller businesses. Next year we hope to take action that will establish the SBA as a permanent agency to carry on its work, and soon the people of New Hampshire will see an office of the SBA opened in Concord to deal with their special problems.

Also before this committee come questions in regard to housing. I am happy to say that just recently the FHA announced it is liberalizing downpayment requirements for purchasing a home, thus making the dream of home ownership a reality for many families.

POULTRY CRISIS

As New Hampshire is a rural state, we are naturally interested in agriculture, particularly the poultry farmer who accounts for roughly one-half of our agricultural income. And today the poultry industry is sick. In view of this critical situation, I have worked in close cooperation with the Department of Agriculture to formulate a plan that would help restore the poultry industry to its once healthy State without Government controls or interference. To accomplish this purpose, I introduced a 7-point program calling for increased Government purchasing of eggs and broilers for the armed services and other Government agencies; restriction on Government credit agencies dealing with poultry expansion; increased domestic and foreign consumption of eggs and broilers; and a clear-the-air investigation of integration by the Justice Department's Antitrust Division.

INTERNAL SECURITY

Congress wisely enacted legislation requested by the administration which restricts the use of FBI files by criminals and subversives without violating their constitutional rights. This law was necessary to clear up doubts which had arisen from a recent decision of the Supreme Court on the question of FBI files.

CIVIL RIGHTS

The Congress enacted a moderate civil-rights bill—one which we hope will insure that the Negro will vote in increasing numbers in every part of the country, and that through this power of the ballot, they will enjoy increasing civil rights in other fields. Although this is not a real issue in New Hampshire, it is very controversial in other parts of the country, and has dominated the latter part of this session.

CATHEDRAL OF THE PINES

Senator BRIDGES and I were fortunate and honored to have sponsored and worked for the passage of a resolution of the Congress recognizing the dedication of the famous Altar of the Nation located at the Cathedral of the Pines in Rindge, N. H., as a memorial to all American war dead.

SUMMARY

Except for civil rights, relatively little legislation of importance was passed at this session, other than the necessary routine business of providing funds to run our Government. This was partly, but not entirely due to a divided Republican administration and Democratic Congress. We can hope in the second session of the 85th Congress that sound legislation will be enacted covering many areas of direct concern to us in New Hampshire.

During the recess, I intend to conduct office hours in some 60 cities and larger towns in every county of the Second District. I hope that as many of you as possible will stop by during office hours in your area to see me and discuss your problems.

I Am an American Day

EXTENSION OF REMARKS

OF

HON. EMMET F. BYRNE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. BYRNE of Illinois. Mr. Speaker, as we come to a cessation of activities of the first session of the 85th Congress, I would like to have consent to insert a few remarks about Chicago's observance of I Am an American Day on September 15. Our beloved President Eisenhower has proclaimed Citizenship Day. The two occasions will be observed simultaneously in Chicago.

I was born and raised in Chicago and I know how keenly we feel the responsibility of being an American and I say too, that we are dedicated to preserving America. In becoming a new citizen, it is important to understand fully what it means to be an American and what it took to make America. I have long looked upon American citizenship as a priceless heritage.

Americans are comprised of many creeds and many colors. In this composite there is a very basic ingredient which is the source of our greatness. I refer to the love and recognition of God Almighty. As I have listened to the deliberations on mutual security, I am convinced that the greatest certitude we can have for mutual security among nations is a rededication to the principle of Peace on Earth, Good Will to Men.

In my opinion, we cannot be true Americans without loving God, working for peace and praying that our efforts to safeguard the liberties given us by our Constitution and the Almighty will continue to be blessed.

When Chicagoans gather together on September 15 to give thanks and thought to being Americans, I will be among them. Many will be new citizens and many will be natural-born citizens. Each has a responsibility to the other. I am proud indeed that nearly 250,000 men of the Holy Name Society of the Roman Catholic archdiocese are joining with other civic, patriotic, fraternal, business, and labor organizations in Chicago to observe I Am an American Day. Each of us is an integral part of our beloved country.

United States Steel Increased Cost of Steel $250 Million To Match Wage Increase of $94 Million

EXTENSION OF REMARKS

OF

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. PRICE. Mr. Speaker, a number of us have watched with interest as the great steel companies have insisted that their recent $6-a-ton price increase was forced upon them by additional wage costs. This was on top of two earlier price jumps within a year. For one, I have also read with interest an editorial in the NAM News, a publication of the National Association of Manufacturers, stating that the question of steel prices has nothing to do with "social responsibility or social irresponsibility."

Let us concede that the manufacturer in America is not supposed to take into account the question of social responsibility. He is supposed to price his products, instead, only in regard to feasibility—that is, in accordance with what he can get away with in the marketplace. This, in any case, is the thesis of the NAM News.

But, if we concede that this is true, two other very important issues are raised.

The first is whether, if steel producers deny any social responsibility for prices and inflation, why do they try to justify the increases by blaming them on wage rises.

The wage increases won by workers last year, in direct wage payments and in fringe benefits, amounted to 20 cents an hour. The increases won this year, under the same contracts, totaled about 15½ cents an hour.

The 1956 wage increase cost United States Steel an estimated $94 million, if it is assumed that no part was matched by increased productivity, which is contrary to experience.

But Big Steel raised its prices last year an average of $8.50 a ton, calculated to produce about $250 million in additional revenue. And this year, to pay for a 15½-cent wage increase, Big Steel has jumped its prices another $10 a ton, in two jumps, calculated to add at least another $300 million in revenue.

Big Steel will make more money, before and after taxes, by raising its prices and blaming wage rates, than it made in 1956 and 1955 and 1954.

The pattern is the same in other giant industries. Ford and General Motors complained in 1955 that they would have to raise prices in 1956 to balance wage increases of 20 cents an hour. But in 1955—before prices were raised but after the wage increase—GM earned $1.41 after taxes for each of its 400,000 employees for each man-hour worked. Ford made $1.47 per man-hour after taxes.

There is some skullduggery going on.

There was once a Member of the Congress who worshiped Wall Street so fervently that he insisted that his colleagues should listen to the bloodless voice of the markets, to the calculations of businessmen who would have laughed at the idea of social responsibility.

But that was two generations ago. I do not think that the Congress today is willing to surrender its own prerogatives and the interests of the people to the bloodless voice of anybody or to the blatant declaration of irresponsibility proclaimed by the NAM News.

The giant corporations are raising prices far beyond what seems necessary to match wage increases, but they are blaming workers and unions for the price increases.

On the other hand, the spokesman of the NAM contemptuously says that the giant corporations are not supposed to have any sense of social responsibility.

I suggest that this attitude is two-faced and dishonest and—more important—defiant of democracy. If the world of the giant corporations is so irresponsible, then it is the duty of the Congress to impose upon that world some sense of reality.

Ramon Magsaysay, Champion of Liberty

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. TEAGUE. Mr. Speaker, Saturday, August 31, is the anniversary of the late president of the Philippines, Ramon Magsaysay.

Mr. Magsaysay came to Washington shortly after I became a member of this body and it was during his stay here that I became acquainted with him and gained the privilege of having him as a personal friend. Throughout the past 10 years I viewed with interest his leadership of his country and the role he played in world affairs.

Although he is no longer with us, his memory will stand as a living memorial to his people and the rest of the free peoples throughout the world. It is only befitting that our country on the anniversary of his birth honor him as the first to be placed in the "champions of liberty" series of postage stamps.

The Sea War in Korea: A Remarkable Book

EXTENSION OF REMARKS

OF

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. FULTON. Mr. Speaker, as the first session of the 85th Congress draws to a close there is ever greater concern in the minds of the Members of Congress over the American position of leadership in the field of foreign policy. The recent announcement by the Soviet Union of the successful firing of an intercontinental ballistic missile has caused some in this country to make quick and possibly intemperate remarks about Free World security. If there ever was a time for men in posts of leadership to weigh their words with care and maturity—that time is now.

Although this session of the Congress is over, it does not mean that the work of the membership has ended. Before reconvening in January 1958, each and every Member will give considerable of his time and energy to the problems of foreign policy and the military security of this country and the free people of the world.

Despite statements that may be issued from the Kremlin from time to time, Americans can be reassured that this Nation continues as the greatest military power on the globe. In order to exercise moral leadership in international affairs in behalf not only of the 170 million citizens of this country, but also for those millions in the satellite areas who yearn for the eventual day of freedom, it is important that the United States preserve its military strength. And it is equally important that strength be in appropriate balance to meet the variety of tests which may be forced upon us, considering our worldwide United States security bases that must be safeguarded.

Comdr. Frank Manson is now head of plans and policies analysis in the Office of the Chief of Naval Operations, and has been a special assistant to Adm. Robert Carney and Adm. Arleigh Burke. He has played an important part in documenting the story of the Pacific war in the official battle report series.

America has long recognized that, despite the heavy costs, it must continue to maintain a balanced military power in union with its Free World allies. No single-weapon system is sufficient to meet the many types of threats to our United States security. No single weapon is adequate to implement all facets of American international policy. America and its allies must ever be prepared to meet the newly arising threats quickly and effectively—on land, on the sea, and in the air. The cost of a balanced military posture will never be low. There is no bargain basement price tag on security. But, when told the facts, I am confident the American people are willing—yes, eager—to pay the economic price for genuine security. The American people will likewise demand that the President and the Congress provide that kind of military strength which is so necessary to an enlightened and just foreign policy in this troubled world.

It is with this thought in mind that I bring to the attention of the Congress—and to the attention of the American people—this story of The Sea War in Korea, which so graphically portrays the interlacing of foreign policy and balanced military forces. This is the real story of the Korean sea war, and every intelligent United States citizen will find it extremely interesting and informative, as it is based on actual war firsthand documents and official sources. The top military commanders, including General MacArthur, have been consulted on the preparation of this inspiring volume.

Congratulations to the authors, the United States Naval Institute, and the good United States Navy for a job well done.

As a member of the Foreign Affairs Committee of the House of Representatives it is a real privilege to recommend to my colleagues the recent book documenting and evaluating the application of free world military power in restraint of aggression. This fine volume is entitled "The Sea War in Korea." The book is published by the United States Naval Institute. It is written by Comdr. Malcolm W. Cagle, United States Navy, and Comdr. Frank A. Manson, United States Navy, and is a highly professional and readable translation of that story into language which every citizen can understand. Those of us in the Congress who must make responsible decisions about the defense budget each fiscal year should never forget that the strong justification of our Military Establishment is to implement American foreign policy based on power and justice. Our United States Military Establishment must always be of such nature and balance that it can appropriately support our entire foreign policy and not just a part, through weakness.

The authors of The Sea War in Korea are peculiarly and remarkably qualified to write the story of that conflict. Comdr. Malcolm Cagle, a native of Tennessee, has a distinguished record as a naval flyer in World War II, and holds the Navy Cross for bravery. He has occupied important positions in the Pentagon and is now beginning graduate study at the National War College following duty as special assistant to the Secretaries of the Navy, Charles Thomas, and Thomas Gates. Although primarily a seagoing man, he has found time to write extensively in the past and has received repeated recognition for his literary talents.

Comdr. Frank Manson, served aboard the famous destroyer *Laffey* that was hit by seven kamikaze planes in the Pacific in World War II, and served in many capacities with distinction in the United States Navy in both the Atlantic and the Pacific theaters.

Why Arkansas Needs Federal Aid for School Construction

EXTENSION OF REMARKS

OF

HON. BROOKS HAYS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. HAYS of Arkansas. Mr. Speaker, there has been much discussion about the pros and cons of Federal aid for school construction in Arkansas, and I should like to give my reasons for supporting the legislation proposed to the House this session. The newspapers in my district have taken different positions on this issue and I appreciate the encouragement given me by some of them. I do not mean to disparage the arguments made by those newspapers opposed to Federal aid, however, but rather would like to point out to them why I believe Arkansas would benefit from the kind of program which was defeated in the House by the narrow margin of 203 to 208. And, Mr. Speaker, many other States are confronted by similar conditions. In a recent editorial, John F. Wells, of the Arkansas Recorder, published an open letter asking my colleague Mr. TRIMBLE and myself some pertinent questions about this issue. Under leave to extend my remarks, I include this editorial and my answers, which were also published in the Recorder, as follows:

A LETTER TO TWO CONGRESSMEN

AUGUST 2, 1957.

Hon. JIM TRIMBLE,
Hon. BROOKS HAYS,
House Office Building,
Washington, D. C.

GENTLEMEN: We note that, with resultant applause from the Arkansas Gazette in which the Recorder cannot join, you voted for the amended (to penalize districts with segregated schools) Federal aid for education bill.

It is a foot-in-the-door proposal, as we see it, with the National Government offering school districts money, collected in the first instance from the people and returned to them after great chunks have been carved out for the support of bureaucracy.

Because we are fond of both of you personally, we want to give you ample opportunity to convince us, and others who may share our antipathy for the Federal aid legislation, that you are right and we are wrong.

Would you mind answering these questions?

1. Which school districts—identify them—in all the counties where the taxpayers vote for you biennially are in need of the Federal construction money that the defeated bill would have provided?

2. Who in your respective districts has urged passage of the bill? (We don't ask you to supply names of individuals, but would appreciate your listing organizations.)

3. What organizations in your respective districts are on record as opposed to the legislation?

4. What would be the source of the Federal money? Are current tax revenues adequate to provide it?

5. Would not such an appropriation tend to be inflationary?

It is not our purpose to heckle you. We do not question your sincerity, and we don't want to be in the attitude of criticizing without opening our columns to you for a full and frank discussion from your points of view.

Respectfully,
The ARKANSAS RECORDER.

AUGUST 8, 1957.

Mr. JOHN F. WELLS,
Arkansas Recorder, Little Rock, Ark.

DEAR JOHN: I appreciate your giving me an opportunity to present my reasons for supporting Federal aid for school construction. I am sorry that you cannot agree with me that this is a necessary program to provide for the adequate education of our children. It is designed as a temporary crash program to help the States provide about 170,000 additional classrooms, the present deficit. No Federal controls are involved in this effort to aid the States to meet their primary responsibility for public education. I cannot agree with you that it is a foot-in-the-door proposal to gain Federal domination, because all the necessary safeguards against such a possibility were written into the bill and, in any event, the whole program terminates in 5 years. As for the State of Arkansas paying for this assistance with its own Federal tax money, you might be interested to know that Arkansas would get much more money back than it paid into the Federal Treasury and has everything to gain financially from this assistance—Arkansas would contribute about $1,500,000 of the $300 million spent yearly and get back $5,292,000. This expenditure is also in the national interest because the rest of the country has a vital stake in the education of Arkansas citizens, many of whom will spend their adult lives in other parts of the country.

The vote you criticize was against a motion to strike the enacting clause, a move that would have killed every chance for Federal assistance for school construction. Adoption of that motion denied the House the opportunity of voting on the pending amendment offered by Congressman AYRES to replace the Kelley bill with the administration proposal. The Ayres amendment would have killed the nonsegregation amendment. Thus my vote was designed to enable the House to approve the Ayres substitute.

As for your specific questions, I should like to answer them briefly as follows:

1. Just about every county in my district and most of the counties of the State need money to build additional classrooms. The State is taxing the people to the limit and no further burdens should be imposed until some Federal contribution is made.

2 and 3. While several organizations have contacted me who are either for or against the legislation, the letters I have received from individuals lead me to believe that an overwhelming majority of the people in the district are for Federal aid for school construction.

4. As I have already pointed out, the Federal revenues from taxes that Arkansas would pay for this school aid are much less than the money Arkansas would receive. Current national tax revenues are more than adequate to meet the cost of this program, which was included in the President's budget, a budget that envisages a $3 billion or $4 billion surplus. I have been aware all along of my duty to the taxpayers of other States and have opposed the spray-gun type of distribution of Federal funds. I was one of only nine Democrats who supported the need formula in the last Congress similar to the Ayres amendment mentioned above.

5. This appropriation would be no more inflationary than current Federal expenditures for roads, housing, social security, or any other Federal grant program.

Thanks for your invitation to submit this statement, and I hope you will find the information useful in your continued analysis of this problem.

Sincerely yours,
BROOKS HAYS.

Report of Annual Courthouse Conferences

EXTENSION OF REMARKS

OF

HON. J. HARRY McGREGOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. McGREGOR. Mr. Speaker, following our usual custom, on Monday, August 12, we started our annual courthouse meetings in each of the seven counties of our district. We completed the tour on Saturday, August 24. As you will recall, Mr. Speaker, these dates were set up many months ago after a conference with you and the leaders. We all felt at that time that Congress would have adjourned; however, I recognize that circumstances beyond your control altered these plans. I regret that I did not get to attend all of the meetings in each of the seven counties, but those meetings at which I was unable to be present, were handled by Mrs. McGregor and my secretaries. I felt it my duty to return to Washington when controversial legislation on which I was not recorded, was brought before the Congress for consideration. Even in the face of flying back and forth, I missed several of the courthouse meetings and missed several rollcalls, more than I have missed, I believe, since the first of the year.

During the district tour we personally interviewed about 417 people and during the evening and public meetings, approximately 1,685 were in attendance. I was highly pleased with the results of these meetings since it afforded me an opportunity to become better acquainted with the people and problems of the district. In many instances we could be of service in explaining legislation and to give careful study to the personal problems presented to us. Many of the cases brought to our attention had to do with:

First. Veterans benefits and claims, the coverage of the new laws relative to those who have worn the uniform of our country.

Second. Immigration, the possibility of new laws.

Third. Farm problems, including acreage allotments, and the requirements and benefits of soil bank participation.

Fourth. Highways, many county and township officials and citizens were interested in the highway legislation and how it affected county and township roads.

Fifth. Flood control, one of the problems of our district was the flooding of roads below some of the dams that were constructed for flood control.

Sixth. Social security, many were interviewed relative to their benefits under this law.

Seventh. Mail service, numerous requests for extensions of rural routes were received confirming the reintroduction of my bill this session.

Mr. Speaker, I find that the people of the 17th Ohio District are greatly disturbed by several issues and may I put them in the following categories:

(A) Inflation: They are worried about the decreasing purchasing power of the dollar, living costs and the price of the products they buy are rising. Many savings accounts are being depleted. Even though taxes and unnecessary expenditures have been decreased, many are finding it most difficult to pay their taxes and are asking all of us to do everything within our power to reduce all expenses except where absolutely necessary and essential so that a tax reduction may be made. The philosophy of placing a penalty on initiative and thrift should be discontinued.

(B) Communism: Many question the continuous increase in the cost of our defense program and defense against communism. They feel that those in command of the military are not careful with the taxpayer's money nor efficient in the handling of the problems given to them. There is too much delay, too much redtape, too much jealousy between the branches of military organizations, and it is too costly.

(C) Labor: People are worried relative to the apparent activities of racketeers among various organizations. In this regard some of our national union officials seem to have been squandering the money the rank-and-file laboring man has been paying to them each month. Many are demanding more stringent labor laws, even to the extent of right-to-work laws. People are objecting to having to pay a union fee, then working just a few weeks and being laid off and their place filled by another worker.

(D) Business: Many are worried about various enterprises placing them under the jurisdiction of big business; or, they find themselves in the category that their product cannot be produced in competition with so-called big business with enormous production lines.

(E) Farm program: I honestly believe that the majority of the people of our district want to do away with the alleged farm control program. They recognize the enormous cost and are of the opinion that most of the Federal laws are benefiting the large one-crop farmer and give very little consideration to the rotation farmer. Great dissatisfaction prevails relative to acreage allotments and penalties imposed thereon. Many feel that all farmers should be entitled to vote on the crop referendum. They also feel the farmers should be allowed to raise the necessary crops for feed and seed purposes on their farms.

(F) Social security: Many of our people are confused by the various interpretations of the social-security law, such as eligibility for benefits, et cetera.

(G) Highways: All of our people want good highways and are willing to pay for them. They do want, however, the rights of a property owner to be considered. The property owner should be entitled to a fair value for his property. The road contractor should receive a fair profit for his endeavors. Certainly, the highway user is entitled to a good road for his dollar spent.

(H) Mail delivery: Our people were very appreciative of our introduction of a bill that would grant mail service to all wherever practicable. They were happy to learn that the legislation has been endorsed by the Post Office Department and hope that Congress will take definite action when it reconvenes.

Mr. Speaker, it was a real privilege and honor for me to meet personally and discuss many problems with the people. I am happy to have been afforded the opportunity to have been present and to present my capable office staff who so very efficiently took care of these meetings when it was necessary for me to absent myself and return to Washington to vote on important legislation before the Congress.

Salute to Sam Pryor, America's Goodwill Ambassador

EXTENSION OF REMARKS

OF

HON. JAMES T. PATTERSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. PATTERSON. Mr. Speaker, as the 1st session of the 85th Congress draws to a close, it occurs to me that one of the most valuable and enduring influences toward better understanding and cooperation in this troubled world is the good will engendered through association of individuals in various countries. And I think that it is worthy of mention that one of our most distinguished fellow-citizens, Mr. Samuel F. Pryor, Jr., is one of the finest of these unofficial good will ambassadors for the United States. His wide range of interests, both personal and business, has taken him to many parts of the world on missions of good will. He is one of the few American business executives licensed to pilot his own plane and despite the fact that he is entitled to travel aboard the luxury airliners of Pan American World Airways, he prefers to pilot his own plane on many of his global travels.

As a very young man, Mr. Pryor served in destroyer flotilla duty in the United States Navy from 1917 to 1919. Later he was a second lieutenant in the United States Marine Corps Reserve from 1926 to 1940.

Mr. Pryor graduated from Yale in 1921 with a bachelor of philosophy degree. He also holds an honorary doctor of laws degree from Marietta College. While a student at Yale he was the intercollegiate boxing champion. In the years immediately following graduation, Mr. Pryor conducted big game safaris in various parts of the world.

Now vice president, assistant to the president, member of the executive committee and member of the board of directors of Pan American World Airways, Inc., Samuel F. Pryor, Jr., began his business career in 1922 as district sales manager for Remington Arms. He became assistant to the president of American Brake Shoe Co. and vice president of its subsidiary, Southern Wheel Co., in 1925. He joined Pan American in 1941 and is one of the most versatile and brilliant members of its present outstanding executive staff. Included in his business activities are positions as director and member of the executive and finance committee of Hertz Corp., director of Howe Sound Co., director of the Greenwich, Conn., Trust Co., chairman of the executive committee and director of the Vanadium Corporation of America, and chairman of the board of directors for Philpryor Corp., and for the Middle East American Oil Co.

While Mr. Pryor's business interests are many and varied, they do not constitute his entire field of activity. This father of a family of 5 children, and proud grandpa to 6 grandchildren is keenly interested in community, family, and civic affairs and finds time for active participation in many areas. He is a director of the Boys' Club of America. He is also a captain in the historic Connecticut Governor's Footguard.

Active participation in local and national civic affairs has included serving as Republican national committeeman for Connecticut in 1938, vice chairman of the Republican National Committee, chairman of the arrangements committee, and director of the eastern campaign headquarters for the campaign of Willkie for United States President in 1940. Mr. Pryor resigned as vice chairman and committeeman in 1941.

During World War II, Mr. Pryor directed the airlines' airport development program, locating 50 airfields, seaplane and lighter-than-air bases in South America and Africa. Successful location of these air operations bases made possible the effective air operations which were a most important factor in the successful campaigns of the United States and its allies against the enemy. In recognition of this outstanding contribution to the Nation, President Truman awarded the Medal of Merit to Mr. Pryor on April 15, 1946.

A singular honor, of which he is most proud, came to Mr. Pryor when Pope Pius XII awarded him the medal of a knight commander of the Order of St. Sylvester, at the Vatican on April 22, 1950. Mr. Pryor is one of the few non-Catholics to be thus honored in recognition of his moral excellence and his achievements which encourage others to good works. The award is only made to those who have made outstanding contributions and who are of such stature in the world that they serve as guide and inspiration to others.

Of all these and many other achievements not detailed here, we salute Samuel F. Pryor, Jr., business and civic leader; man of vision and ability, highly esteemed in farflung places; goodwill ambassador without portfolio; and outstanding citizen.

National Grange Headquarters Should Not Be Destroyed

EXTENSION OF REMARKS

OF

HON. JAMES G. POLK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. POLK. Mr. Speaker, before Congress adjourns I want to express my views in opposition to the proposal of the administration to condemn and tear down the National Headquarters Building of the National Grange here in Washington.

This building, which is a modern 8-story office building, was purchased by the National Grange in 1941. It occupies a ground space of 50 feet by 70 feet on Jackson Place and is surrounded on the west and the north by the historic Decatur House.

The money for the purchase of this property was raised through activities carried on by the more than 7,000 local subordinate granges throughout the Nation. Many of these local granges are located in the Sixth District of Ohio and I have received numerous protests from grange members about this proposal by the administration.

It is rumored that if the Grange Building is condemned and torn down the space it now occupies will be used as a lawn between the Decatur House and the proposed new office building to house the swelling White House staff of the President. As was well stated on yesterday by the gentlewoman from Idaho [Mrs. GRACIE PFOST]:

> It is generally estimated that the Federal Government will have to pay $500,000 for the Grange property if it is acquired by the General Services Administration by condemnation. Add to this the cost of clearing the site and putting it in grass, and you will have the most expensive lawn in America.

I have an open mind on the question of the need for additional office space for the President. Likewise, if additional Presidential office space is needed, I have an open mind on the question as to whether it be located on Jackson Place, as now proposed.

However, I am firmly convinced that it is not necessary to destroy the Grange Headquarters Building for this purpose. The land occupied by the Grange Building lies north of the area that would be used for the proposed new executive office building.

I agree that a nice lawn between the proposed new office building and the so-called Decatur House might be desirable, if a vacant space for this lawn was available, but certainly it is not economical or sound business for the Government to condemn and tear down a modern 8-story office building in order to provide a 50-by-70-foot grass plot. To this I am unalterably opposed. I shall use every effort at my command to defeat this proposal.

Mr. Herschel D. Newsom, master of the National Grange, has written me about this problem. His letter to me and my reply are as follows:

NATIONAL GRANGE,
Washington, D. C., August 1, 1957.

Hon. JAMES G. POLK,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN POLK: The Grange needs your help to preserve its national headquarters building.

Early this year the Government instituted eminent domain proceedings and by a declaration of taking filed therein took title to our building. In addition it took all remaining privately owned property in this block—except the Decatur House on one corner. It is proposed to tear down the buildings on the land which has been taken to erect thereon a structure known as Federal office building No. 7.

Actually, the Grange property is only a relatively small rectangle—50 feet by 70 feet—and is surrounded on both the west and the north by the Decatur House. Thus, the two buildings together form but a single rectangle, the larger part of which (Decatur House) will remain intact. Because of its unique juxtaposition with Decatur House, the destruction of our headquarters building is entirely unnecessary to permit the erection of a Federal office building. The attached plat shows the properties involved.

In addition to the offices of the National Grange itself, our building houses the National Council of Farmer Cooperatives, the American Institute of Cooperation, National Agricultural Research, Inc., Farm Roads Foundation, and Washington offices for more than 30 farm publications. Thus there can be no question that the building is presently serving a very important and worthwhile public purpose in the interest of agriculture and the American farmer.

The National Grange purchased this property in 1941 with funds which had been raised for the purpose through activities carried on by the more than 7,000 local subordinate Granges throughout the Nation. These activities included the serving of lunches and dinners, apron sales, penny suppers, amateur plays, and many more. Thus Granges and Grange members across America have their nickels and dollars invested in their national headquarters building.

The location of this building is important to Grange members, and they are proud of the fact that their work and contributions have provided a symbolical national home for farm families within a block of the White House, even as are located the headquarters buildings of the AFL-CIO and the United States Chamber of Commerce. All of us will appreciate your help in preserving our building for us.

If S. 2261 just reported by the Public Works Committee were to be amended as follows this objective would be accomplished:

Page 9, line 17, insert a colon in lieu of the period and add the following:

"*Provided, however*, That no portion of lot 816, square 167, in the District of Columbia (the headquarters of the National Grange of the Patrons of Husbandry) shall be acquired for or used for any such project, and the Administrator is directed to withdraw the declaration of taking of said lot heretofore filed by him in the United States District Court for the District of Columbia and to take such other action as may be necessary to restore title to said lot to the National Grange of the Patrons of Husbandry."

This proposed amendment is consistent with the action taken by the Congress earlier this session when in an effort to preserve the Grange Building, it approved a provision in the Independent Offices Appropriation Act prohibiting the use of funds during the fiscal year 1958 for Federal office building No. 7.

We shall be very grateful for your support.

Respectfully yours,

HERSCHEL D. NEWSOM, *Master.*

AUGUST 30, 1957.

Hon. HERSCHEL D. NEWSOM,
Master, the National Grange,
Washington, D. C.

DEAR MR. NEWSOM: You may be assured that I shall use every effort at my command to help preserve the National Grange headquarters building at its present location.

On June 27 when the conference report on the independent offices appropriations bill, H. R. 6070, was considered in the House of Representatives I was glad to vote for Senate amendment No. 11, prohibiting the use of funds during fiscal year 1958 in connection with Federal Office Building No. 7 on square 167 in the District of Columbia.

I am also glad to tell you that I approve and will support your suggested amendment on page 9, line 17, of S. 2261, an act to amend and extend the Public Buildings Purchase Contract Act of 1954.

This bill probably will be considered at the next session of Congress.

You have well stated how unnecessary and uneconomical is the proposal to destroy your headquarters building.

I have talked with many members of Congress about this issue and I believe that in the next session of Congress those of us who are supporting you in your valiant fight to preserve your headquarters building, will be able to squelch, once and for all, this silly proposal.

Most sincerely,

JAMES G. POLK.

James P. Wesberry

EXTENSION OF REMARKS

OF

HON. BROOKS HAYS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. HAYS of Arkansas. Mr. Speaker, I have read with appreciation the remarks of the gentleman from California [Mr. DOYLE] which appear on pages 14805-14809 of the CONGRESSIONAL RECORD and paying tribute to the chaplains of the Senate and House. Our colleague, the gentleman from California [Mr. DOYLE] has rendered a helpful service in assembling and publishing this information. The list of chaplains of the House from the beginning of the Congress includes only the regularly elected chaplains. Mr. Speaker, I would like to add this footnote with reference to the fine service rendered by one of the acting chaplains during the illness of the beloved chaplain James Shera Montgomery. I refer to the chaplaincy in 1949 of James P. Wesberry, pastor of Morningside Baptist Church, Atlanta, Ga. In his brief service as acting chaplain Dr. Wesberry endeared himself to the Members and formed lasting friendships here.

His inspiring prayers were published as House Document 344 of the 81st Congress.

The Veterans' Education Appeals Board Has Finished Its Job

EXTENSION OF REMARKS
OF
HON. OLIN E. TEAGUE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 30, 1957

Mr. TEAGUE of Texas. Mr. Speaker, the 85th Congress has enacted Public Law 85-200 terminating the Veterans' Education Appeals Board which was created on July 13, 1950, by Public Law 610, 81st Congress. On September 12, 1950, President Truman appointed the three members of the Board, the Honorable C. M. Thompson, Chairman, Hon. E. L. Earpin, member, and Hon. J. Z. Miller III, member.

These gentlemen have now completed the monumental task which confronted them in 1950. They have rendered decisions on 531 cases. The guidelines laid down by these decisions served to improve the administrative procedures of the veterans' education and training program under Public Law 346, 78th Congress. The cases considered by the Veterans' Education Appeals Board involved $200 million in claims. The policies laid down by their decision affected the entire veterans' education and training program for World War II veterans which has involved $17 billion total expenditure, about $5 billion of which was for tuition payments to educational institutions.

A review of the history of this Board brings out an important lesson in governmental operation. The veterans' education and training program for World War II veterans created an unprecedented relationship between the Federal Government and practically all of the public and private educational institutions of the Nation. It became necessary for the Federal Government, through the Veterans' Administration, to enter into contracts for reimbursement for the training of veterans. There were no precedents to follow and a great deal of misunderstanding, dissatisfaction, and abuse grew out of the contractual procedures which were followed.

The controversies had become so intense by 1950 that it became necessary for the Congress of the United States to create a separate and independent Board to consider and settle the controversies which had arisen between educational institutions and the Veterans' Administration. Prior to the creation of the Board, an educational institution finding itself in disagreement with the Veterans' Administration had no clear avenue of appeal. The Veterans' Administration found refuge in an earlier act of the Congress giving the Administrator finality of decision and the educational institutions involved found it impossible to seek review by the Court except under the most limited circumstances. The American tradition of Government is not served when an agency serves as its own prosecutor, jury and judge, and there was continual dissatisfaction since the contending educational institutions had no source of appeal to the Administrator's decision. The Veterans' Education Appeals Board was created to provide such an appeal. It removed contractual controversies from a political atmosphere since it was inevitable that educational institutions feeling that they had not obtained fair consideration would turn to Members of Congress for assistance.

The Veterans' Education Appeals Board has now come to the end of its program and has been discontinued at its own request. The Members of the Board labored long and tirelessly in a field beset with the most exasperating complications. They have done a good job and have rendered an outstanding service to the veterans of the Nation. I worked on the legislation which created the Board and have followed their activities closely throughout their existence. I am pleased to have this opportunity to express my sincere appreciation and admiration for accomplishments of the Veterans' Education Appeals Board.

Congressman Dollinger's Annual Report

EXTENSION OF REMARKS
OF
HON. ISIDORE DOLLINGER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 30, 1957

Mr. DOLLINGER. Mr. Speaker, following is my report to the people of the 23d District of New York on the first session of the 85th Congress.

Early in 1957, the President announced his legislative program, which was very impressive. In fact, his recommendations were a continuance of Democratic programs established under Democratic administrations, and therefore had the support of Democratic Members of Congress. Although the Democrats did all in their power to push action on vitally needed legislation, the President's lack of leadership, failure to gain support of his own party, failure to wield his authority and give administration backing to important measures, have wreaked havoc. His record of achievement is a sorry one. Out of 16 major recommendations, only a few have been enacted into law, and the legislation passed only because of support of the Democrats; on many major issues members of his own party refused to stand behind him.

The President's following proposals, all important to the majority of our people, have not been touched upon so far, due to his apathy and indifference: Extend the minimum wage to more workers; special Federal assistance to cut unemployment in distressed areas of the United States; extend and perfect the social-security system; overhaul and improve the Taft-Hartley Act; legislation to control monopolistic mergers; Federal assistance for hospital construction with special reference to low-cost care of chronic cases and needs of older persons; increased Federal aid for medical care of the needy and to help build facilities to train more physicians and scientists; expansion of voluntary health insurance through Federal reinsurance and pooling arrangements; immediate statehood of Hawaii and Alaska; extend and liberalize the Refugee Relief Act. These may be called "sins of omission." Let us examine the record and we shall see that the Republicans have continued to carry out their policy of helping the moneyed interests and disregarding the needs and general welfare of the average citizen.

REPUBLICAN GIVEAWAYS CONTINUE

The natural gas bill, which would cost consumers $800 million annually, is backed by the President and is being pushed by gas and oil interests. I voted against the measure in committee, and my efforts and all those opposed have succeeded in preventing a final vote up to this time. However, strong efforts will be exerted early in the next session to enact this legislation. I shall continue to fight against passage of this vicious bill.

The President used his great influence to help retain the Hells Canyon power site for the Idaho Power Co., another victory for private power interests, which will mean higher prices for consumers.

The administration has been urging passage of a bill providing for the return of seized German war assets to German nationals. In effect, this would mean return of property seized during World War II to the German war lords who were responsible for the atrocities committed against humanity. I am opposed to this giveaway, and will do all in my power to prevent the return of such seized property.

After years of battling private power interests, which wished to grab Niagara power and which had the blessing of the Republicans, we finally succeeded in passing a bill which provides for development by the power authority under New York State law. This will protect consumers.

CIVIL RIGHTS

Passage of the civil-rights bill marked a great day in the legislative history of our country, and I was deeply gratified to have the opportunity, after years of unrelenting work in behalf of civil rights, to cast my vote in favor of the legislation. When we consider that this is the first time in more than 80 years that civil-rights legislation has been passed, its importance cannot be measured.

Admittedly, the Civil Rights Act of 1957 is not the strong bill which passed the House—and even that was not strong enough to right all prevailing evils of discrimination and I was not satisfied with it. It is far from ideal; it does not meet all present needs and provides fewer remedies than the American people as a whole would have wished. However, it was expedient to accept a compromise; it was wise to accept the best that we could get rather than have no bill at all and let even a small victory escape us. Now we have a starting point: now we can continue to build until every last vestige of discrimination is wiped out and true freedom enjoyed by all.

At least, on its face, the Civil Rights Act carries a significant new approach to enforcement of Negro voting rights—rights guaranteed by our Constitution since passage of the 14th and 15th amendments in 1868 and 1870. Such guaranties have meant very little or nothing in the face of threats, obstacles, and numerous cruel and blatantly illegal methods used to prevent Negroes from voting. Action by the Federal Government to enforce these constitutionally guaranteed rights has been a dire necessity for more than half a century.

At last, we are over the first hurdle; we have had a showdown on the issue of civil rights. Those sincerely interested in justice and equality for all have succeeded in getting favorable Congressional action on a civil-rights bill.

IMMIGRATION

The McCarran-Walter Immigration Act with its shocking inequities still remains on our statute books, despite all attempts to rewrite the law to make it conform with our American ideals and principles and our professed desire to help the oppressed peoples of the world, who look to us for shelter.

The immigration bill recently passed is a mere drop in the bucket; it does not touch the most glaring hardships or unfair provisions in existing law. Chief of the inequities is the national origins quota system using the 1920 population census as a basis for setting quotas. This provision was deliberately intended to discriminate among aliens on the basis of race and nationality. Unused visas for northern European countries, where the quotas are large, average 250,000 a year. If 1950 were used as a base year, it would raise the annual admissions total by about 65,000; it would reallocate unused national quotas—of countries like England—to small-quota countries, where the demand for admission to the United States is greater.

The new bill also failed to give resident status to 28,000 Hungarian refugees who now have a stateless status here; it failed to end present discrimination against naturalized citizens. It does admit orphans adopted by Americans overseas; it does help reunite families which were split when one member or more immigrated; it does provide for waiving fingerprint requirements for certain foreign visitors; it does permit more than 60,000 aliens to enter this country on a hardship basis.

I shall not rest until the harsh and antiquated McCarran-Walter Act of 1952 has been repealed or completely rewritten to meet the pressing need for a more humane and sensible immigration policy.

REPUBLICANS SCUTTLE IMPORTANT BILLS

The Republicans again killed the school-construction bill. There is a lamentable lack of adequate schools throughout our country; our children are forced to attend overcrowded schools; schoolhouses in many areas are run down and in dangerous states of disrepair. The future of our country depends upon the education and training we give our youth. Defeat of the bill cheated our children of benefits that are justly theirs and our Nation will suffer as a result of this unwise action on the part of those who voted against the legislation.

Eisenhower said he wanted a Federal school-construction bill; yet he never raised his voice when the measure was being considered. This is another instance of failure on his part to be well-informed and to assert his leadership.

Tax relief was promised us, but the administration has bitterly fought every effort to lower income taxes. At the same time, loopholes in the present law have made it possible for Big Business to profit by tremendous tax writeoffs. The average taxpayer, because of record-breaking high living costs, can barely exist, but the industrialists wax fat on huge profits and tax exemptions.

Wages have not kept pace with increasing living costs. I introduced a bill to increase the minimum wage to $1.25 per hour. Stiff opposition on the part of the Republicans has prevented action on this legislation.

The administration vigorously opposed pay increases for postal workers and classified employees. In spite of the President's threat to veto the measures, the Senate and House passed pay increase bills. I was pleased to have the opportunity to vote in favor of the sorely needed pay increases.

Social security should be liberalized and extended, but Democratic efforts to get action on legislation to increase benefits have failed because of lack of cooperation on the part of the administration.

Housing continues to be a major problem. Legislation passed during this session is helpful to the building industry and to those financially able to own their own homes, but the greatest need is for more federally aided housing projects to house those in low-income and middle-income brackets. The Republicans have cut the number of housing units at every opportunity and, so far, the Democrats have been unable to increase the number to the figure provided in the original Democratic housing program.

The mistrust generated by Secretary Dulles and lack of faith in our President and Secretary of State to wage a successful fight in matters of foreign policy increase daily as we watch the United States losing ground in the Middle East and as the Soviet Union accomplishes one successful coup after the other. There has been no decisive action on the part of the administration to achieve peace and therefore Israel remains vulnerable to attack by her enemies. Until the 9-year Arab-Israeli deadlock is broken there can be no real peace in the world. I, of course, shall continue my efforts in behalf of Israel and try to help her at every opportunity.

MISCELLANEOUS ISSUES

In view of ever-increasing living costs and the fact that wage increases have not kept pace to meet them my efforts to help consumers have continued. I introduced, among others, bills to help veterans and their dependents; for tax relief to annuitants; to increase personal income-tax exemptions; to repeal excise taxes; to end discrimination against older workers.

BRONX CONGRESSIONAL OFFICE

Just a reminder that my Congressional office at 938 Simpson Street, Bronx, is open daily. My constituents are welcome to call there and to take up any problems they may have. I also urge them to write me so that I may have the benefit of their views regarding legislation. I also invite them to call at my office, 1723 House Office Building, when they visit Washington.

The Tobacco Program Must Not Be Disturbed

EXTENSION OF REMARKS

OF

HON. WILL E. NEAL

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. NEAL. Mr. Speaker, the Agriculture Department's inability to control surpluses of basic farm crops under the high price support program has provoked the Secretary to ask Congressional authority to adopt requisite application of the flexible price principle.

It is apparent that even with limited acreage allotments, basic commodities continue to pile up surpluses when farmers resort to improved methods of cultivation.

As evidence that the Secretary, acting under existing laws, has been unsuccessful in reducing the enormous surpluses bought and stored at Government expense, he told the committees of the Senate and House that a new approach must be found. He said that production control is impractical, and that present laws governing acreage allotments and price supports are obsolete. He asked for major changes in the different price support programs for the six basic farm commodities—corn, wheat, cotton, tobacco, peanuts, and rice.

While it is true that approximately $8 billion are presently tied up in surpluses, I would remind our readers that of all the support programs, tobacco is the only one that has operated without cost to the Government or to the taxpayers.

Tobacco is unique in that growers, sales agencies, and manufacturers have cooperated fully with the Commodity Credit Corporation in their well-regulated program to maintain production in line with demand. In so doing, tobacco growers have consistently been favored with 90 percent parity prices without involving the Government with any part of the losses sustained over the Government price-support programs.

In all fairness, whatever the Secretary of Agriculture or the Congress does to solve the problems with which agriculture is beset, we must not interfere with the successful operation of the 90 percent support of tobacco. As long as growers are willing, as they have been in the past, to conform to reductions of their allotments for the sake of a guaranteed living price for their effort, this program should not be disturbed.

For the most part, tobacco is grown on small family farms. It is a personalized crop requiring 436 man-hours per acre. Technology has no place in its cultivation. It is the only cash crop that can return needed income to small farms in hilly country. Sixty and seven-tenths percent is grown on allotments of one acre and under. It requires 12 months to prepare soil, to seed, transplant, cultivate, harvest, and prepare for market.

There are approximately 4,000 tobacco allotments in my district. To disturb their source of assured annual income would be disastrous. Growers will accept reduced allotments when they are convinced it is necessary for the successful operation of the tobacco program.

I realize the Secretary of Agriculture is hard pressed for a solution of the farm problems. Since nothing short of balancing supplies with demand offers much hope of eliminating the surplus problem, his appeal to Congress for some approach other than supports is understandable.

But tobacco is different from any of the basic commodities. It stores well and improves with age. The average stock in storage is about 3 years—just enough to take care of possible crop failures. The tobacco program guaranteeing 90 percent parity to the farmer has cost the Government nothing. It is a workable program, highly profitable to the grower, and should not be disturbed.

In the President's message to the Congress January 11, 1954, he said:

> Each farm crop has its own problems and these problems require specific treatment.

He said further:

> Tobacco farmers have demonstrated their ability to hold production in line with demand at the supported price without loss to the Government. The relatively small acreage of tobacco and the limited acres to which it is adapted have made production control easier than for any other crops. The level of support to cooperators is 90 percent of the parity price in any year in which marketing quotas are in effect. It is recommended that the tobacco program be continued in present form.

Please, Mr. Secretary, do not disturb the tobacco parity program as long as it is working successfully.

The Civil-Rights Bill

EXTENSION OF REMARKS

OF

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. VANIK. Mr. Speaker, I join with many of my colleagues in appreciation of the fact that the first civil-rights bill in 82 years now goes to the President's desk for likely approval.

While this legislation is not perfect in many respects, it represents the best law which could be passed at this time. The test of this legislation will not be in the convictions or imprisonment which it may produce. The test will be in the civil-rights violations it may discourage. It is to be hoped that the mandate of this legislation will fix itself clearly in the mind of every citizen to the end that he will not impair or interfere with the voting rights or civil liberties of his fellow men.

If the spirit of this legislation is wholeheartedly accepted by the American people everywhere, no further legislation may be required. Our hope is that true tolerance will become habit and custom throughout the American scene.

Compulsory Inspection of Poultry

EXTENSION OF REMARKS

OF

HON. RICHARD L. NEUBERGER

OF OREGON

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. NEUBERGER. Mr. President, I ask consent to include in the RECORD my statement telling of the role of leadership played by members and officials of a labor union in bringing to reality a bill for compulsory inspection of poultry which was passed by Congress in the latter days of the session.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

COMPULSORY INSPECTION OF POULTRY

(Statement by Senator NEUBERGER)

I believe it is extremely important that the American people know the background of this legislation. They must know that this consumer-protective and health-protective legislation will go on the statute books in large part because of the work of a labor union.

Today, much attention is given the few racketeers who have infiltrated the labor movement or the very labor leaders whose actions have violated the law. That is why, Mr. President, I would bring to your attention the great public service work of the Amalgamated Meat Cutters and Butcher Workmen of North America (AFL–CIO) for the enactment of the compulsory poultry inspection legislation.

At a conference in 1946, representatives of poultry processing workers discussed ways of dealing with the double problem of (1) infections and other forms of disease transmitted from poultry to workers, and (2) the filthy and diseased poultry some processors marketed. Some delegates suggested compulsory poultry inspection legislation as the answer. The conference adopted this idea and urged legislation for it.

The idea of a campaign for such legislation slowly developed in the union. The meatcutters union, especially its poultry workers locals, from time to time urged Congress to enact compulsory poultry inspection legislation.

Some public-health experts had similar ideas. They, too, had intimate knowledge of the need for a compulsory poultry inspection law. Some public-health pioneers were among the first to call for this legislation.

About 3 years ago, the meatcutters union stepped up its campaign for compulsory poultry inspection. It publicized startling facts about the need for this type of regulation. It obtained sworn affidavits from poultry workers describing the terrible abuses against health and sanitation practiced by the backward parts of the poultry industry.

It delved into public-health reports to show the extremely high rate of food poisoning cases due to poultry and poultry products. It proved through Bureau of Labor Statistics reports that the industry had an excessively high rate of industrial injury. It painstakingly researched and brought to Congressional attention the psittacosis epidemics and other outbreaks due to diseased poultry which have erupted in areas throughout the country, including Oregon.

The meatcutters union did not do this to hurt the industry. On the contrary, its aim was to secure the quick enactment of legislation, which it knew was as important to the welfare of the industry as to consumers and poultry workers.

The hard work of the meatcutters union for this legislation received the highest praise from a Congressional committee studying the need for compulsory poultry inspection. In June 1956, the Subcommittee on Legislation Affecting the Food and Drug Administration of the Senate Committee on Labor and Public Welfare reported to the Senate:

"We wish to express our appreciation to the Amalgamated Meatcutters and Butcher Workmen of North America (AFL-CIO) for the excellent, definitive, and thoroughly documented exposé of conditions in the poultry processing industry under the department's voluntary inspection program which was given this subcommittee by this trade union's representatives. * * * We are grateful to the union and believe the American people will share that gratitude."

Public health organizations also worked hard to convince Congress of the need to enact compulsory poultry inspection legislation. Such groups as the Association of Food and Drug Officials of the United States, Association of State Public Health Veterinarians, Conference of Public Health Veterinarians, United States Livestock Sanitary Association, Association of State and Territorial Health Officers, American Nurses Association, and the American Veterinary Medical Association have aided Congress with their expert knowledge and support. They deserve the highest praise possible for their public service efforts on behalf of this legislation.

Once the facts concerning the need for poultry inspection became known other great organizations took part in the campaign. These include the General Federation of Women's Clubs, National Farmers Union, American Association of University Women, Young Women's Christian Association, Housewives United, National Consumers League. These organizations continuously fight on the behalf of consumers.

The overwhelming majority of the poultry industry, too, proclaimed the need for compulsory poultry inspection. I have disagreed with most of the industry groups concerning this legislation, for I have felt that the bills they backed were weak and could not do the job. I believe that the industry leaders made a serious error in not backing the strongest bill possible because such legislation, it seems to me, would have been foremost in their interest. But I must congratulate these men because the majority of the poultry industry leaders did not blindly fight this legislation, as did the heads of other industries when regulatory laws were considered. This is to the great credit of the poultry industry.

Mr. President, I believe it is unnecessary to go through the campaign for compulsory poultry inspection in detail. Congress has had legislation concerning poultry inspection before it for 3 years. The first bills, introduced by the distinguished Senator from Illinois [Mr. DOUGLAS] and in the other House by the able gentleman from Illinois [Mr. PRICE], called for an investigation by Congress of the need for this legislation.

In the beginning of the 1st session of the 85th Congress the distinguished Senator from Montana [Mr. MURRAY] introduced the first actual poultry inspection bill. From that bill developed all the other measures on this subject, some of which were excellent, some extremely weak. I take great pleasure in having been a sponsor and having worked for S. 1128 in this session.

Altogether five Congressional hearings, three in the Senate and two in the House, have been held on this legislation. Few pieces of legislation have been so thoroughly considered in committee. And no fewer than five final votes have been taken in both Houses on poultry inspection bills.

Mr. President, the legislation which we have finally enacted on this subject is a compromise measure. Many of us in the Senate would have liked a stronger bill. But we hope and expect that the bill enacted will adequately protect the consumer and poultry worker and will aid the poultry industry to expand. I consider its enactment an excellent step forward in consumer-protective and health-protective legislation.

The American people should know that always in the forefront, leading the fight for this greatly needed legislation marched the Amalgamated Meat Cutters and Butcher Workmen of North America—AFL–CIO. I believe the American people owe this labor union a debt of gratitude.

I want to congratulate the officers of this fine organization, President Earl W. Jimerson, and Secretary-Treasurer Patrick E. Gorman, its other officers and members for their great service to the public. The untiring efforts of this union to protect the consumer and the poultry worker with this legislation is a true example of the work of American labor.

Foreign Monopoly

EXTENSION OF REMARKS

OF

HON. LEE METCALF

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. METCALF. Mr. Speaker, I have just finished reading a special report by the Attorney General outlining results of a study of the competitive problems of the nickel industry in relation to the Defense Production Act.

This is an interesting report. The Attorney General has found out, as some of us have been maintaining all along, that the International Nickel Company of Canada, Ltd.—INCO—is a ruthless monopoly; that it is a foreign concern, and hence not subject to our antitrust laws, and yet this administration has permitted it to assume the job of allocating a material vital to defense and to nondefense industries.

This report raises as many questions as it answers.

Why did the Attorney General not get around to INCO earlier? You will recall that the Senate Preparedness Subcommittee, in Document No. 4, 82d Congress, reported that INCO, which produces over 85 percent of the Free World's nickel, was one of the most formidable monopolies the subcommittee has found.

The report shows that someone must allocate the existing nickel supply. Because the Government is a nickel producer and helps create the shortage, it would seem logical that the Government might allocate the supply. Instead, this administration has allowed a foreign monopoly, which they now denounce, to allocate the supply. This makes me wonder about the legal status of INCO's entitlement system.

I also wonder if it is fair that the production and distribution of INCO competitors be reported, directly or indirectly, to INCO for consideration in making these entitlements.

And, should the Government, which now recognizes INCO's monopoly and previous unfair practices, permit INCO to allocate NICARO nickel?

Mr. Speaker, I started asking questions about nickel last year after I read that the Interior Department was developing a mineral lease with INCO for lands in the Superior National Forest in Minnesota. According to the most recent information I have, that lease has not been executed and there is no plan to approve it at present.

This brings up two more questions:

First. Since INCO is a monopoly according to the Attorney General, would he approve leasing the Minnesota Forest Service property to them?

Second. If not, how long will it be before someone else gets a chance to lease the property and help break the monopoly?

Progress Against Status of Forces

EXTENSION OF REMARKS

OF

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. BOW. Mr. Speaker, as another session of Congress ends, we can report considerable progress in the fight against the status of forces treaties and important improvement in the situation of servicemen subjected to foreign courts.

The Pentagon was shaken by the extent of official and public indignation when we first brought the status of forces issue to light during debate on the Selective Service Act 2 years ago.

The Pentagon attitude of apathy and indifference has undergone remarkable change. Commanders in the field were alerted to their obligations to protect accused servicemen to the fullest possible extent. Studies of the criminal codes of the foreign nations were expediated so that for the first time the officials of the State and Defense Departments knew what kind of justice our men could expect to receive.

Prison conditions have improved greatly. In Japan, as the result of the publicity we have given the issue, all American prisoners have been transferred to a single prison which is more modern than others though still lacking in many facilities Americans consider essential.

Better interpreters have been employed since we began to fight these treaties, and the Congress has enacted legislation to pay attorney fees for GI's who fall into the hands of foreign courts. Men with legal training are now being assigned as observers, and their reports are being brought into Washington for review.

In some cases appeals are being urged. Some diplomatic interest has been evidenced.

In the Girard case, solely because of the public interest aroused, the assistant judge advocate general has been sent to aid the defense.

One of the American civilians, former national commander of the American Legion, Alvin Owsley, who is in Japan for the Girard case, has inspected Yokosuka prison and reports that conditions are reasonably satisfactory.

All of these developments, alleviating the conditions under which our men are held and helping them to secure better treatment in foreign courts, have come about directly as a result of our demands for modification of the Status of Forces Treaty and related agreements. It is a tremendous change from the attitude of indifference we found 2 years ago.

More important, the public and Congress have been aroused. House Joint Resolution 16 has been reported by Foreign Affairs. The Armed Services Committee has also reported legislation. Though our indignation makes it difficult to be patient, we can count this as real progress toward eventual modification of the treaties themselves. No legislative battle is easy. This one, against such formidable opponents, has been particularly difficult. I think we have come a long way toward eventual success.

Summary of Legislation Considered by the Committee on Banking and Currency of the House of Representatives, 85th Congress, 1st Session

EXTENSION OF REMARKS

OF

HON. BRENT SPENCE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. SPENCE. Mr. Speaker, legislation considered by the House Committee on Banking and Currency during the 1st session of the 85th Congress may be classified into three categories: Housing, small business, and finance. In the first two fields, the committee acted on emergency legislation early in the session to provide urgently needed assistance to housing and small business. Later the committee considered a comprehensive housing bill which was enacted as the Housing Act of 1957. A complete revision of the Small Business Act was reported by the committee and passed the House. Although this bill was not acted upon by the Senate at this session—instead, a temporary extension of the Small Business Act was enacted—action is expected early in the second session.

In the third category, finance, the committee reported out a bill regulating savings and loan holding companies, which passed the House but had not been acted upon by the Senate when the session closed. Another committee bill extending the Export-Import Bank was enacted into law. As the session ended, the committee was engaged in extensive hearings on a revision of the Federal laws relating to banks, savings and loan associations, and credit unions. These and other bills acted upon by the committee are discussed below under the three headings, "Housing," "Small Business," and "Finance."

HOUSING

INTERIM AUTHORIZATION FOR FEDERAL NATIONAL MORTGAGE ASSOCIATION

PUBLIC LAW 85-10—HOUSE REPORT 51

HOUSE JOINT RESOLUTION 209

As the mortgage market tightened in late 1956, offerings of FHA and VA mortgages for purchase by FNMA under its secondary market operations sharply increased, with the result that FNMA had neared the limit of its funds in early 1957. In response to urgent requests for action to permit FNMA to borrow more funds for its secondary market operations, the committee on February 7 reported out a joint resolution increasing this authority by $500 million. This was a stopgap measure, designed to meet FNMA's immediate needs, pending more deliberate consideration of long-term needs. It passed the House on February 20, and passed the Senate with amendments on March 12. On March 14, the House agreed to the Senate amendments, and the resolution was signed by the President on March 27, as Public Law 85-10.

As enacted, the measure included, in addition to the $500 million increase for secondary market operations, an increase of $50 million for FNMA's special assistance purchases of cooperative housing mortgages and a technical amendment concerning limits on FHA insured mortgages on multifamily projects in urban renewal areas.

Under FNMA's Charter Act, it may borrow up to 10 times its capital and surplus to obtain funds for its secondary market operations; in early 1957, this worked out at about $1.1 billion. The resolution increased FNMA's capital stock held by the Treasury by $50 million; under the 10-to-1 formula this resulted in an increase of $500 million in borrowing authority, raising the limit to $1.6 billion. While most of FNMA's borrowing takes the form of obligations sold to the general public, it also has authority, subject to the overall 10-to-1 limit, to borrow from the Treasury; an increase of $350 million—to $1,350 million—was made in this authority. In return for the stock it received in FNMA, Treasury canceled $50 million of FNMA notes it held. These amounts were raised again later in the session by the Housing Act of 1957, discussed below.

Section 305 (e) of the National Housing Act authorizes FNMA to purchase cooperative housing mortgages insured by FHA under section 213 of that act. Public Law 85-10 raised the maximum amount of these mortgages which FNMA may hold under section 203 (e) by $50 million—from $50 million to $100 million—and correspondingly increased the limit per State from $5 million to $10 million. These amounts were raised again later in the session by the Housing Act of 1957, discussed below.

Section 3 of Public Law 85-10 makes a technical change in the method of computing the maximum amounts for FHA-insured mortgages on multifamily housing projects in urban renewal areas under section 220 of the National Housing Act. Under section 220, FHA may increase the mortgage limit by $1,000 per room in high-cost areas; the technical amendment makes it clear that this increase is allowable for projects which average less than 4 rooms per family unit.

EXTENSION OF VOLUNTARY HOME MORTGAGE CREDIT PROGRAM

PUBLIC LAW 85-66—NO HOUSE REPORT

SENATE JOINT RESOLUTION 115

The general housing bill (H. R. 6659, discussed below) as reported by the committee contained a provision extending the life of the voluntary home mortgage credit program, which was due to expire June 30, 1957. This program facilitates the flow of private funds for housing credit into remote areas and small communities. Requests for home loans are referred by VHMCP personnel to those lenders considered most able and willing to approve such loans. When it became apparent that action on H. R. 6659 could not be completed by June 30, the Senate and House on June 27 passed Senate Joint Resolution 115, extending the program through August 15, 1957. The measure was signed by the President on June 29.

HOUSING ACT OF 1957

PUBLIC LAW 85-104—HOUSE REPORTS 313 AND 659

H. R. 6659

At the time it acted on the stopgap FNMA resolution, the committee requested its Subcommittee on Housing to begin hearings on longer range solutions to serious problems in the housing field. The committee foresaw that in the prevailing tight money market it would be increasingly difficult for prospective home buyers to obtain financing on terms they could afford. The veterans' home loan program, which financed about 30 percent of housing starts in 1956, was falling off sharply as lenders turned to other investments with yields higher than the 4½ percent limit fixed by statute on GI loans. To meet the needs of the sizable group of home buyers who can afford only modest downpayments, legislation was clearly needed.

After receiving the subcommittee's recommendations, the committee on April 8 reported to the House H. R. 6659, designed to restore a sound home-building industry and to achieve other important objectives in the field of housing. After undergoing considerable modification in the House and Senate and in conference, this bill was approved by the President on July 12, becoming the Housing Act of 1957.

As approved, the Housing Act of 1957 contains six titles modifying housing programs under existing law.

Title I of the new act deals with FHA insurance programs.

Title II relates to the operations of the Federal National Mortgage Association.

Title III concerns the slum clearance and urban renewal programs.

Title IV deals with the low-rent public housing program and provides for the disposition of several federally owned war housing projects.

Title V extends and amends the military housing program and also amends the purchase price formula used in the acquisition of Wherry projects through negotiation.

Title VI continues and expands the college housing program, continues the voluntary home mortgage credit program, establishes a new 2-year program of farm housing research, provides for the exchange of data with foreign nations relating to housing and urban planning and development, directs the FHA Commissioner and the Administrator of Veterans' Affairs to set reasonable ceilings on discounts permitted in connection with Government-insured or guaranteed loans, and expands the authority of the Housing and Home Finance Agency to make urban planning grants.

TITLE I. FHA INSURANCE PROGRAMS

The new act increases the permissible maximum loan-to-value ratios on mortgages insured by FHA under its regular sales housing program, thereby permitting lower downpayments for home buyers. As amended, the maximum amount of a mortgage which may be insured by FHA under section 203 may not exceed 97 percent of the first $10,000 of appraised value of property, plus 85 percent of the next $6,000 of appraised value, and 70 percent of such value in excess of $16,000. Existing dollar ceilings—for example, $20,000 in the case of a 1- or 2-family home—were unchanged.

Prior to this amendment the maximum loan-to-value ratios were 95 percent of the first $9,000 of value and 75 percent of the appraised value in excess of $9,000—except that the President could increase the figure of $9,000 to $10,000.

Where the mortgagor is not the occupant of section 203 housing—as in the case of a builder-mortgagor—the mortgage continues to be limited to a maximum of 85 percent of the mortgage amount available for owner-occupants.

The new act also lowers downpayments for section 203 (i), which is designed to encourage low-cost housing in suburban and outlying areas. The minimum downpayment is reduced from 5 to 3 percent.

The law also increases the permissible maximum mortgage under section 203 (i) from $6,650 to $8,000.

The law also lowers the downpayments for urban renewal sales housing under section 220, to conform to the minimum downpayments permitted under the section 203 program.

The section 222 servicemen's mortgage insurance program is also modified so as to permit downpayments lower than 5 percent wherever such lower downpayments would be permitted under the revised downpayment schedule for FHA's section 203 program.

The new law required the FHA Commissioner, before putting the lower downpayments into effect, to make a finding that such action is in the public interest, taking into consideration possible effects on the economy and also the availability or lack of credit for GI loans guaranteed by the Veterans' Administration. On August 6, 1957, the lower downpayments permitted by the new act for the various FHA programs were made effective by regulation.

Other provisions realting to the FHA insurance programs: The act amends the FHA title I home improvement loan program to make payments of loss to the lender incontestable after 2 years from the date the claim was certified for payment, in the absence of fraud or misrepresentation, unless the Government demands repayment within the 2-year period.

The section 207 mental housing program is amended to permit a high cost area allowance of $1,000 per room regardless of the number of rooms per unit.

The program for rental housing for elderly persons under section 207 is amended to permit a maximum mortgage of up to $8,400 per unit for elevator-type projects. The act also makes it clear that units in section 207 projects for the elderly can be designed for and occupied by single elderly persons.

The act also amends the National Housing Act to require that in cases where replacement cost instead of value is used as a basis for mortgage insurance, the FHA shall furnish the applicant with its estimate of replacement cost instead of the estimate of value which it furnishes to the buyer in other cases.

Title I also contains a number of technical provisions relating to debentures, insurance premiums, transfer of moneys among FHA insurance funds, and other phases of FHA operations. It also repeals two obsolete provisions.

TITLE II. FEDERAL NATIONAL MORTGAGE ASSOCIATION

SECONDARY MARKET OPERATIONS

The law amends the provision governing the amount of FNMA stock which a mortgage seller must purchase under FNMA's regular secondary market operations. Under prior law FNMA could increase without limit the amount of the required stock purchase, the only restriction being that it could not be less than 1 percent of the mortgage amount. The new act establishes the maximum stock purchase requirement at 2 percent and retains the minimum of 1 percent.

The new act provides additional funds for FNMA's regular secondary market operation. By increasing FNMA's capitalization by $65 million, FNMA's borrowing authority is increased by $650 million, since under the law FNMA may borrow up to 10 times its capital and surplus. The increased borrowing authority brings FNMA's total mortgage purchase authority to approximately $2.25 billion. A corresponding increase is made in the amount of FNMA obligations which may be purchased by the United States Treasury.

FNMA special assistance functions: Under its special assistance program FNMA provides financing support on favorable terms for especially deserving FHA programs such as military housing, urban renewal housing, and cooperative housing.

The new act requires that until August 8, 1958, FNMA purchases of mortgages under its special assistance functions must be at par. Under prior law FNMA was required to purchase at 99 or more.

With respect to the fees and charges which FNMA may make in connection with special assistance mortgages, the new act places a limit of 1½ percent of the unpaid principal amount. Not more than half of such fees and charges may be collected at the time of commitment. Previous law contained no limit on such fees and charges.

The new act increases the authorization for FNMA purchases of mortgages designated by the President for special assistance. The new authorization of $450 million for the purchase of whole mortgages supplants the previous authorizations of (1) $200 million for the purchase of whole mortgages, and (2) $100 million for the purchase of 20 percent immediate participations in mortgages. The President has designated as eligible for special assistance, mortgages covering disaster housing, housing in Guam and Alaska, Wherry military housing, housing for the elderly, and urban renewal housing.

Additional FNMA support for cooperative housing is provided by an increase from $100 million to $200 million in the authority of FNMA to purchase FHA section 213 cooperative housing mortgages under its special assistance functions. The former $10 million limitation on outstanding purchases per State is increased to $20 million. Under the amendment $50 million of the total authorization is reserved for cooperatives certified by the Federal Housing Commissioner to be consumer cooperatives. Of the commitments in any one State, not more than $15 million may be outstanding at any time for cooperatives which are not consumer cooperatives.

The authorization for FNMA purchases of FHA title VIII military housing mortgages is increased from $200 million to $450 million, of which 7.5 percent is reserved for purchases of mortgages insured under section 809. Section 809 mortgages finance sales housing for essential civilians at military research and development centers.

TITLE III. SLUM CLEARANCE AND URBAN RENEWAL

The authority of the Housing and Home Finance Agency to make capital grants under the title I program for slum clearance and urban renewal is increased by $350 million. Under this program the Federal Government makes grants to local communities up to two-thirds of the cost of slum clearance and urban renewal projects.

The new act also provides an alternative formula for calculating the Federal capital grants, the use of which is optional with the community. In place of the two-thirds Federal to one-third local grant formula for a project, the local public agency can have, if it so elects, the benefit of a three-fourths Federal to one-fourth local grant formula, if the community bears all expenses of planning, surveys, legal services, and administrative costs. In effect, under the alternative formula, the Federal Government pays a higher percentage of a reduced project cost, and it is expected that the Federal share of the total costs will be approximately the same under either formula. The purpose of the alternative formula is to make it possible to eliminate review and discussion at the Federal level of survey and planning costs and project administrative costs.

The new act also increases from 10 percent to 12½ percent the proportion of the capital grant authorization available to any one State.

In order to relieve both the local public agencies and the Federal Government of a considerable burden of paperwork, the new act authorizes the Housing and Home Finance Administrator to permit local public agencies to make relocation payments in fixed amounts (not exceeding the present $100 limit) to individuals and families without the necessity of investigating the actual costs incurred in each case.

The maximum allowance for paying the relocation expenses of individual businesses displaced by slum-clearance operations is raised from $2,000 to $2,500.

The definition of "urban renewal plan" is amended to permit a local community to indicate in a submission separate from the urban renewal plan, the relationship between the urban renewal plan and the overall local planning objectives. The previous definition required that this relationship be indicated in the urban renewal plan itself.

Another amendment extends to slum clearance projects under the 1949 act a provision—previously applicable only to urban renewal projects under the 1954 act—whereby the estimated costs of facilities offered as noncash grants-in-aid can be deemed actual costs for certain purposes. This avoids delay and resulting expense in winding up an urban renewal project where the facilities offered as noncash grants-in-aid are still under construction and the actual costs thereof cannot be known until completion.

The new act also provides that, where the local housing agency is also acting as the local public agency for the purposes of slum clearance and urban renewal, the local housing agency may include in its administration building sufficient facilities for the administration of its slum clearance and urban renewal functions. In such cases an economic rent shall be charged for such facilities as are used for urban renewal functions. The rent shall be paid from funds derived from sources other than low-rent public housing projects administered by the local housing agency.

TITLE IV. PUBLIC HOUSING

Low-rent housing: The new act permits certain exemptions from income for the purpose of determining eligibility for both initial and continued occupancy. The amendment permits families seeking admission to public housing an exemption from their annual income of $100 for each minor—other than the head of the family and his spouse—and each adult dependent member of the family with no income, and up to $600 of the income of each member of the family other than the principal wage earner. For continued occupancy exemptions are permitted of either $100 or all or part of the income of each minor in the family—other than the head of the family and his spouse—and $100 for each adult dependent member having no income, and up to $600 of the income of any other member of the family other than the principal wage earner. Exemptions under prior law were—for admission, $100 for each minor; and for continued occupancy, $100 for each minor or all or any part of the income of each minor.

The permissible cost limits of low-rent public housing are raised from $1,750 to $2,000 per room for regular units, and from $2,250 to $2,500 per room for units for elderly persons.

Another amendment requires that every contract for Federal assistance to low-rent public housing projects shall require that the plans, drawings, and specifications follow the principle of modular measure in every case deemed feasible by the local housing agency.

Disposition of war housing projects: The new act contains the following provisions affecting the disposition of war housing projects: First, it extends until December 1, 1957, the time in which war houing project Conn-6029 may be sold to the Housing Authority of Wethersfield, Conn., pursuant to the provisions of the Housing Act of 1954; second, it directs the Housing and Home Finance Administrator to dispose of housing project Nev-26021, to the Housing Authority of Las Vegas, Nev.; third, it directs the Housing and Home Finance Administrator to convey two Lanham war housing projects, LA-16011 and LA-16012, to the State of Louisiana; fourth, it directs the Administrator to sell to the city of Layton, Utah, a war housing project known as Verdeland Park—Utah-42015.

TITLE V. MILITARY HOUSING

The title VIII military housing program is extended by the new act for 1 additional year, through June 30, 1959.

The new act makes the statutory maximum average of $16,500 per family unit for housing under the title VIII program applicable to each project rather than each mortgage. Since financing for a large project generally requires separate mortgages for the various areas of the project, and the mortgages in some of these areas may range somewhat higher than the $16,500 family-unit average limitation—although the family-unit average of all project mortgages does not exceed that limit—this section permits greater flexibility in project planning and financing.

The new act changes the formula used in determining the purchase price of Wherry Act housing acquired by the military services through negotiation. It substitutes for the allowance for physical depreciation previously included in determining such price, an allowance representing the estimated cost of repairs and replacements necessary to restore the property to sound physical condition.

TITLE VI. MISCELLANEOUS

College housing loan program: The new act increases the college housing loan authorization by $175 million—from $750 million to $925 million.

Eligibility under the program is extended to include: First, any public or nonprofit hospital operating a school of nursing beyond the level of high school, or approved for internships by recognized authority; and second, any agency, public authority, or other instrumentality of any State established to provide or finance housing or other educational facilities for students or faculty of any nonprofit public educational institution offering at least a 2-year program acceptable for full credit toward a baccalaureate degree.

A $25-million ceiling is placed on the amount of loans which may be outstanding to hospitals for housing for nurses and interns.

Voluntary home mortgage credit program: The voluntary home mortgage credit program is extended by the new act until July 31, 1959. Under previous law the program would have expired on August 15, 1957.

Farm housing research: The act authorizes a new program of farm housing research designed to assist in the improvement of farm housing by developing data and information on, first, the adequacy of existing farm housing; second, farm housing needs; third, problems in purchasing, constructing, or improving farm housing; fourth, the interrelation of farm housing problems and problems of urban and suburban housing; and fifth, any other matters bearing upon adequate farm housing.

The research, study, and analysis must be conducted by land-grant colleges financed with grants made to them by the Housing and Home Finance Administrator.

The Administrator's authority to make grants to land-grant colleges expires June 30, 1959, and the total amount of such grants cannot exceed $300,000 during either of the fiscal years ending June 30, 1958, and June 30, 1959. Appropriations are authorized to be made to carry out the program.

Exchange of data: The Housing and Home Finance Administrator is directed to exchange data relating to housing and urban planning and development with other nations where the exchange is deemed by him to be beneficial to the programs of the Housing and Home Finance Agency.

Discount control: Under the new act the Federal Housing Commissioner and the Administrator of Veterans' Affairs are directed to fix reasonable limits on the charges, fees, and discounts imposed upon the builder, seller, or purchaser, in connection with the financing of the construction or sale of housing covered by an FHA or VA mortgage. Such limits may vary in accordance with the terms of the mortgage, the geographical area of the housing, and such other pertinent factors as the Commissioner or Administrator deems advisable. No loan may be insured or guaranteed by the Federal Housing Commissioner or the Veterans' Administrator unless the lender certifies that no charge, fee, or discount has been imposed by it in excess of the limits prescribed by the agency concerned.

Urban planning grants: The new act extends eligibility for section 701 planning grants to, first, official governmental planning agencies for areas threatened with rapid urbanization as a result of the establishment of rapid and substantial expansion of a Federal installation, and, second, State planning agencies, to be used for the provision of planning assistance to such areas.

SALE OF HOUSING PROJECTS IN ALEXANDRIA, LA.

HOUSE REPORT 220

H. R. 5603

This bill, providing for the conveyance of two Lanham Act projects to the State of Louisiana, was reported by the committee on March 25, and passed the House on April 1. The Senate did not act on this bill, but it did include substantially the same provisions as an amendment to the general housing bill, and the proposal was enacted into law as section 402 (c) of the Housing Act of 1957, discused above.

SALE OF HOUSING PROJECTS IN DECATUR, ILL.

PUBLIC LAW 85-234—NO HOUSE REPORT

S. 2460

This act provides for the conveyance of 2 Lanham Act projects in Decatur, Ill., to the city of Decatur or its housing authority, for $260,000, on condition that the projects will be demolished within 5 years. The bill pased the Senate on August 21; passed the House August 23; and was approved by the President.

SMALL BUSINESS

SMALL BUSINESS LOAN AUTHORITY

PUBLIC LAW 85-4—HOUSE REPORT 3

S. 637

The first hearing of the committee during 1957 was held January 23, on legislation to increase the Small Busines Administration's authority to make loans to small businesses. At the close of 1956, SBA's outstanding business loans and commitments had reached $137 million, just $13 million short of the statutory limit of $150 million then in effect. Since applications for such loans were being approved at the rate of about $13 million a month, prompt action was required to prevent a sudden interruption in SBA's lending program. Accordingly, the committee on January 28 reported out H. R. 3109, which provided for an increase of $80 million in the business loan authorization; this was the amount estimated to be sufficient to permit operations through July 31, 1957, the expiration date then provided in the statute. On January 29, the Senate pased S. 637, providing for an increase of $65 million. On January 31, the House passed S. 637, with an amendment substituting the provisions of H. R. 3109. The Senate agreed to the House amendment the following day, and on February 11 the bill became Public Law 85-4. As enacted, it raised SBA's business loan authority by $80 million, from $150 million to $230 million.

REVISION OF SMALL BUSINESS ACT

HOUSE REPORT 555

H. R. 7963

Under the Small Business Act of 1953, as in effect at the beginning of the 85th Congress, the Small Business Administration was scheduled to expire on July 31, 1957. On May 14, 1957, the committee began hearings on legislation to extend this expiration date and revise the Small Business Act, as a result of which the committee on June 13 reported to the House a bill, H. R. 7963, which completely rewrites the Small Business Act, making various changes in the interest of promoting a more vigorous and efficient program of assistance to small business. The bill passed the House on June 25.

The principal changes embodied in H. R. 7963 are: First, to make the Small Business Administration a permanent agency; second, to increase the authorization for loans to small business; third, to provide for a more equitable share of Government procurement for small business by requiring a new definition of small business for procurement purposes; fourth, to reduce the interest rate on direct SBA business loans and on SBA's share of such loans made in participation with private lenders and to eliminate the ceiling on the interest rate on the private lender's share; and fifth, to replace the Loan Policy Board with a National Small Business Advisory Board.

At the close of the 1st session of the 85th Congress, H. R. 7963 was pending before the Committee on Banking and Currency of the Senate, where action is expected early in the second session.

EXTENSION OF SMALL BUSINESS ACT

PUBLIC LAW 85-120—NO HOUSE REPORT

S. 2504

When it became apparent that the Senate could not act on H. R. 7963, discussed above, in the first session, the Senate enacted S. 2504, a bill extending the Small Business Act for 1 year, through July 31, 1958, and increasing its authority to make loans to small business by $75 million, to $305 million. The House passed the bill on August 2, and it became law on August 3, effective retroactively, as of July 31.

FINANCE

EXTENSION OF EXPORT-IMPORT BANK ACT

PUBLIC LAW 85-55—HOUSE REPORT 221

H. R. 4136

Following a precedent established in 1945 and continued in 1951, the committee acted early in the 85th Congress to extend the life of the Export-Import Bank for 5 years, through June 30, 1963. This extension was provided for in H. R. 4136, reported by the committee on March 25. The bill passed the House on April 9 and the Senate on June 5, and became law on June 17.

The Export-Import Bank is an agency of the United States established in 1934 to assist in the financing of exports and imports between the United States and foreign countries. Most credits of the bank finance the export of United States manufactured or agricultural products, or services. To a limited extent imports into the United States are also financed but generally financing from commercial banks and other private sources is available for this purpose. A provision of the charter of the bank expresses the intent of Congress that the bank should encourage and not compete with private capital and throughout the years the relationship between the bank and private lenders has been most harmonious.

All of the $1 billion authorized in outstanding capital stock of the bank is owned by the United States Treasury. The bank is authorized to borrow funds from the Treasury up to a maximum amount of $4 billion outstanding at any 1 time.

Over the 23-year period ending December 31, 1956, the bank had financed sales of United States products and services in 68 countries of the world. Over this period loans disbursed totaled $5,277 million. Of these, $2,641 million had been repaid leaving outstanding $2,636 million of loans. In addition, the bank had undisbursed commitments of $1,553 million. Over this 23-year period gross earnings aggregated $777.5 million while interest and dividends paid to the United States Treasury totaled $328.9 million. After payment of all operating expenses and losses charged off, a reserve of $435.1 million has been accumulated by the bank. The Treasury as owner of all the capital stock of the bank is the beneficial owner of the accumulated undisbursed reserve.

The bank has an outstanding record of successful operation. Total losses charged off approximate only $500,000. As of December 31, 1956, installments of principal past due totaled approximately $9.3 million. These have not been declared in default or charged off against the bank's earned reserves of $435.1 million because of the expectation of eventual repayment. Even if past due principal amounts are added to losses actually charged off, the ratio to aggregate loan disbursements of $5,277 million is less than one-fifth of 1 percent.

Many of the development projects abroad for which the bank assists in the financing of export of American goods and services for these projects, require considerable time for completion. In order that the development of projects of this type may proceed on an even flow basis the committee has deemed it wise to act well in advance of the scheduled expiration date of the bank's lending authority. The 5-year extensions of the agency allow operations to proceed without interruption but at the same time automatically bring the agency up for review by the committee at periodic intervals.

REGULATION OF SAVINGS AND LOAN HOLDING COMPANIES

HOUSE REPORT 178

H. R. 4135

In 1955 the committee reported out a bill, H. R. 6627, designed to regulate holding companies in the field of commercial banking. It was subsequently enacted into law and became the Bank Holding Company Act of 1956. Shortly after the committee had reported that bill a new holding company was formed in the savings and loan field. In view of the potential problems that could develop from a holding company movement in the savings and loan field the committee decided to take action before these problems assumed the complex status that had been encountered in dealing with the holding company problem in the commercial banking field. Accordingly, the committee on March 1, 1957, reported H. R. 4135, to protect against the encroachment of holding companies in the savings and loan field. The bill passed the House on March 21. Although the Senate did not act on this measure during the first session, title VI of the Senate-passed Financial Institutions Act of 1957 contains substantially similar provisions.

Savings and loan associations are community institutions devoted to encouraging thrift and home ownership. Typically they are managed by local people and are mutual institutions. At the end of 1956 there were over 6,000 savings and loan associations in the United States with combined assets of over $43 billion. These institutions held slightly over 34 percent of the mortgaged debt on the nonfarm homes of the country. Although most of the associations are mutual institutions, the laws of 14 States permit the organization of permanent stock associations. The stock associations account for approximately 6.6 percent of the number and 10.5 percent of the assets of all savings and loan associations operating in the United States.

While there are several ways a holding company might gain control of a savings and loan association, the simplest way is by buying a controlling interest in the permanent stock of a stock association. This has been the method used in all instances which have come to the committee's attention.

H. R. 4135 as reported by the committee and passed by the House prohibits any holding company from acquiring control of two or more savings and loan associations if the savings accounts in the associations are insured by the Federal Savings and Loan Insurance Corporation. The bill also denies FSLIC insurance to any uninsured savings and loan association if it is controlled by a holding company which also controls an insured savings and loan association. The bill prohibits any insured savings and loan association controlled by a holding company from making any loan to the holding company or any of its subsidiaries. The bill does not have any retroactive effect as it would not require an existing holding company—and there are only a few—to divest itself of an insured association it now controls. However, it does prohibit an existing holding company from acquiring control of any additional insured association after enactment of the act.

FINANCIAL INSTITUTIONS ACT

H. R. 7026 AND S. 1451

On July 15, the committee opened hearings on H. R. 7026 and S. 1451. These bills rewrite the Federal laws relating to banks, savings and loan associations, and credit unions. In addition to eliminating obsolete provisions of law and rearranging other provisions in more logical order, the bills embody numerous substantive changes in these laws. Hearings continued for 5 weeks, and were then suspended due to the impending adjournment of Congress. They are scheduled to reopen early in the second session.

Accomplishments of Present Session of Congress

EXTENSION OF REMARKS

OF

HON. WILL E. NEAL

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. NEAL. Mr. Speaker, among the accomplishments of the present session of Congress is the fact that the legislative branch has been stubbornly reestablishing its position of equality with the executive arm of the Government. I do not mean to say that this has been a recalcitrant Congress, but it has been one in which party lines have been fairly well ignored in considering requests from the White House.

For instance, we gave the President what he wanted in the way of a Mideast doctrine, and it has apparently paid off. His bold plan for that area of the world was questioned at length, but the fact remains that the interests of the Free World have been immeasurably bolstered in a critical area.

When you consider the recent heat of the civil-rights debate, you can see again that, unlike the New Deal and the Fair Deal, when a President sends his views to Capitol Hill it is not always with the certainty that they will be accepted with alacrity.

The President is an intensely popular man, but he is a man who accepts the idea wholeheartedly that our system of Government is composed of three branches—the legislative, executive, and judicial. They are, as the President has admitted, fundamental and their rights and constitutional duties cannot be tampered with.

The Republican Members of Congress have consistently tried to limit appropriations to last year's expenditures and to date few new programs have been approved involving any large and continuing outlay of money. It is true that even with these economies, the budget involves a great deal of money, but, eventually only time will tell whether we have been wise or foolish.

It must not be forgotten that we live in a turbulent, unsafe, and totally insecure world. And, frankly, it takes insurance payments to live in that kind of a world. In the past we have carried this insurance on the basis of short-term endowment rates, thereby depleting our capital structure. It is time we converted this plan to long-range term rates consistent with the stabilization of our national currency and our monetary standard.

It would not be wise for this country to temper its present hard look at communism as personified by Khrushchev and Bulganin. Communism is still tyranny, no matter how you regard it.

After I served in the 83d Congress, I took occasion to visit Asia. In Afghanistan, India, and other places in the Far East, I saw the fertile soil in which the false Communist seed is sown with such prolific repercussions. It simply boils down to this, the Communist bosses preach an almost religious doctrine of political resignation. The people are exhorted to be apathetic in everything except their devotion to the regime.

Our aim, therefore, should be to fight it with everything we have, provided always we do not overlook the fact that only by remaining solvent and united can we hope to prevent creeping socialism and Communist infiltration. Every public servant entrusted with financial administration should resolve each day that Lenin's prophecy shall not come true.

So, too, must we face head-on the spending inflationary trends. This is a terrific subject, one that is worldwide in scope. People everywhere are demanding more things. Their demand for goods is beyond the capacity of the world's productive machinery. We have decolonialized a great many people and given them an opportunity to demonstrate their political maturity. At the same time, even at a faster rate than their political development, they are rapidly advancing in their economic growth. This can continue only as long as they maintain stable currency.

The old established currencies of the world have skidded down to unbelievable lows of value. The French franc is well below the value, in terms of American currency, of the old American continental dollar. America must set the pattern by stabilizing our dollar; then others may be expected to follow.

As to what to do about this situation, I personally favor a revision of our tax laws so that private investors may have more money in their pockets with which to increase our productive capacity and help alleviate a condition which is not confined to the United States alone, but to the world at large. Here in America labor and industry must cease vying with each other for higher wages and automatic price increases. The consuming public, heretofore the innocent victims, deserves a break which, if not soon forthcoming, will resort to boycott methods in self-defense.

We have balanced our budget and made a sizable reduction in Federal spending. Let us make this program a yearly habit and, as the night follows the day, the purchasing power of the dollar will move toward normal.

New Vessel Essential to Pacific Trade

EXTENSION OF REMARKS

OF

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. BOW. Mr. Speaker, the members of the Appropriations Committee of this body devote perhaps the largest part of their attention during the Congressional session to an effort to ascertain and insure the economic soundness of the programs of governmental expenditure which are brought to them for action and recommendation.

In the years in which I have been in Congress and the prior years with which I am familiar, going back to 1936, no area of appropriation requested of the Congress has produced a sounder investment of the public funds than the appropriations for merchant ship construction. These appropriations have enabled the Government to carry out the national policy of promoting our foreign and domestic commerce and providing indispensable military and naval auxiliaries in time of war. As part of a sound commercial private enterprise, the moneys appropriated for merchant ships which have been covered by ship mortgages have in every case been paid back by the ship operator in accordance with the repayment schedule of the mortgage.

Thus, when our Nation faces a need for replacement of our existing merchant fleet, members of the Appropriations Committee and Members of the House as a whole can take pride in a program which has brought a return of all of the money lent to the steamship operators.

As the Members of this body know, our merchant vessel fleet will be able to serve the twin purposes of foreign trade and national defense only if it is kept modern by regular replacements of units which grow old and out of date. Today we are facing an important replacement problem in a limited portion of our merchant fleet. I speak of the large passenger vessels which provide essential troop transports in time of national emergency. The American President Lines, which operates the passenger vessels used in the transpacific trade, is required under terms of its contract with the Government to build a replacement passenger ship next year. To be of maximum value for purposes of defense and commerce in the Pacific, it should be of about 26 knots and should carry 1,400 passengers. In order to facilitate this essential vessel construction, I have joined with Congressman SHELLEY in introducing a bill authorizing the United States to construct such a vessel and sell it to the American President Lines in strict accordance and compliance with the terms of the Merchant Marine Act of 1936.

Budget Reform

EXTENSION OF REMARKS

OF

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. LIPSCOMB. Mr. Speaker, it is becoming increasingly clear that there exist serious deficiencies in the Congressional review of the budget and in the methods and procedures of making appropriations in support of the Federal Government. These problems are by no means new. Budget and fiscal processes and procedures of Government have been the subject of continual and controversial discussion during the past decade. However, the increasing high cost of Government, amply demonstrated in the fiscal 1958 budget, has magnified the seriousness of the problems to alarming proportions and has emphasized the pressing need for immediate reform in this area of Government.

The Constitution grants to Congress exclusive power over the public purse. It does this by providing that no money may be drawn from the Treasury except in consequence of appropriations made by law. However, the control over the public purse thus vested by the Constitution has become eroded over the years, until today in many areas only an empty shell still remains in Congress. The power to enact the annual appropriations measures amounts to, in many ways, but an empty remain of the constitutional grant.

The planning of Federal expenditures and the adoption of a Federal budget is highly technical business. Members of Congress can attest to this, for they have the disconcerting experience of receiving the telephone-book-size budget document each year, containing technical budgetary and fiscal terms and hundreds of pages of figures, which successfully challenges practically everyone to become educated as to its meaning and full significance. I believe it is a near-unanimous experience among Members of Congress, in the last analysis, to accept as personally understandable only the barest highlights of the budget, for lack of the means and the time to delve into it any further.

There is much evidence that the procedures and methods employed by Congress to review and authorize the Federal budget in the past are simply not adequate to meet the demands imposed by today's Government. While the executive branch has increased manyfold in size and complexity, Congress has grimly tried to keep pace with the limited means at its disposal.

For example, while the Federal budget is in preparation, revision, and rerevision over a period of 18 months or so, Congress must act on it after having had a chance to study it over a period of only several months. And, at that, in checking money requests, we must rely almost totally on the testimony, data, and so forth, presented by those who made up the budget in the first place. And, needless to say, the size of the machinery Congress possesses to perform its fiscal chores is small indeed when compared with that of the executive branch.

The result is that only a once-overlightly treatment can be given to such items as overall fiscal planning, program evaluation, budget surplus and deficits, Federal spending levels, the problem of carryover balances of appropriations, the need for improvements in agency accounting systems, and a host of related problems. It means that over the years Congressional control over the public purse has been precariously diminished.

I wish to make clear at this point that my remarks are not intended to be critical in any way of the Appropriations Committee, for I believe it does excellent work. The situation in which we find ourselves is in spite of the efforts of the Appropriations Committee.

Various possible solutions to solve our fiscal problems have been tried in the past. Principal among these were the use of the legislative budget as provided for in the Legislative Reorganization Act of 1946, and the omnibus appropriation bill. The purpose of the legislative budget was to place a legislative ceiling on expenditures as a framework in which to consider the various appropriation bills. This procedure never really got off the ground, and no attempt to use it has been made in the last several Congresses. The omnibus appropriations bill method has also been used. Under that method, the Congress considers the whole Federal spending program at one time and in one bill.

An indication of the mounting alarm and the belief that improvements in our fiscal procedures and policies must be forthcoming is the fact that many bills proposing reforms of one kind or another are before Congress for consideration. I am setting forth a list of various types of proposals that have been made. It is quite evident from a study of these diverse proposals that there are many ideas as to how best to approach the problem. However, they all have one thing in common, and that is that they have been born of the realization that improvements of some sort must be made. Included in bills before Congress are the following types of legislative proposals:

(a) To require that appropriations be determined on an annual accrued expenditure basis.

(b) To amend the Constitution to require Congress to stay in session each year until it has produced a balanced budget.

(c) Proposes that the budget shall include each year a special analysis of certain long-term construction and development projects.

(d) To amend the Constitution to provide that the Federal expenditures shall not exeed Federal revenues, except in time of war or grave national emergency.

(e) To enact a Public Debt Reduction Act to lower gradually and systematically the ceiling of the national debt.

(f) To direct the Comptroller General to make investigations with respect to all agencies in the executive branch and to report the results to the respective Congressional appropriation committees to enable the latter to give adequate consideration to the items relating to such agencies contained in the budget. Upon request, the Comptroller General would be authorized to make a special expenditure analysis of particular agencies.

(g) To provide that in any year a budget surplus occurs, one-half shall be applied as tax credits against individual income taxes.

(h) To create in the legislative branch an office of the United States budget; to prepare for Congress at the beginning of each session the budget, a budget report, summary data, and supporting details.

(i) To provide penalties for violations of the requirement of apportionment of certain appropriations to avoid the necessity for deficiency or supplemental appropriations.

(j) To provide that all appropriations for each fiscal year would be consolidated in one general appropriation bill, and would require that such act contain provisions limiting expenditures.

(k) To direct the President to include in the budget a sum not less than $2 billion to be applied toward reduction of the national debt.

(l) To create a Commission on Budget and Tax Policy authorized to make a thorough and comprehensive study of proposals before Congress, and otherwise the purpose of which is to limit the power of Congress to tax or appropriate or the power of the President to expend moneys or to contract indebtedness.

(m) To amend the Constitution to provide for balancing of the budget when presented to Congress, except in time of war.

(n) To require that bills and resolutions authorizing appropriations reported by committees of Congress be accompanied by an estimate of the probable cost of the legislation.

In addition, the House early in the session saw fit to pass a resolution requesting the President to inform it how cuts in the budget could best be made.

It is not only the Congress that is calling for reforms in our budgeting and appropriations procedures. The President and the heads of our fiscal departments have repeatedly made suggestions for improvements in this area. The Hoover Commission has called for reforms. Newspapers and magazines have shown active interest and concern, as have taxpayers throughout the country.

To alleviate the situation, 32 other Members and myself on July 18 introduced identical House resolutions, House Resolutions 325 through 357, proposing the creation of a select committee to study the whole field of fiscal organization and procedures in Congress. Subsequently two additional identical resolutions, House Resolutions 381 and 396, were introduced. It is the purpose of the resolution to provide a means for the House to conduct a penetrating self-analysis with a view toward arriving at a comprehensive, well-designed program to enable Congress to perform its constitutional responsibilities more effectively.

The resolution would create in the House of Representatives a 10-member Select Committee on Fiscal Organization and Procedures of the Congress who would be appointed by the Speaker. Since the committee is to be strictly a nonpartisan body, the resolution provides for equal representation from both the majority and minority parties, by specifying that no more than five committee members shall be members of the majority party. One of the committee members would be selected by the Speaker to serve as chairman. Because of the nature of the study to be undertaken, it was deemed both advisable and necessary that the chairman and ranking minority member of the Committee on Appropriations be included as committee members, and the bill so provides.

The task of the committee would be to conduct a full and complete study of the fiscal and budgetary organization and operations of Congress with a view toward recommending improvements for the purpose of strengthening Congressional control over the public purse. The resolution does not specifically limit the scope of the study, but directs the committee to give particular attention to the following: First, the existing fiscal machinery and appropriations procedures of Congress; second, present methods of controlling public expenditures; third, alleged defects of present budgetary practices; and, fourth, proposed reforms in budgetary procedures.

The committee would be authorized to sit and act within the United States while Congress is in session, during recesses, and during periods of adjournment. It would have power to hold hearings, would possess subpena power to require the attendance of witnesses and the production of records, papers, and other materials. The committee would be empowered to employ experts, consultants, technicians, clerks, and stenographic help, and also would have authority to recruit on a loan basis, experts, consultants, and technicians from the executive branch of the Government.

The committee would submit to the House a report of its findings and recommendations as soon as practicable during the 85th Congress. No definite date is specified because until the study is actually under way it is difficult to determine the magnitude of the undertaking with sufficient accuracy so as to make it possible to set a realistic reporting date. Then too, what would be a proper reporting time would depend in part on the nature of the recommendations made as a result of the study. I am confident however that the study could be expedited sufficiently so that the Congress would have the benefit of the information and recommendations during the 2d session of the 85th Congress.

Unfortunately, hearings have not been held on the resolution in the Rules Committee, and inasmuch as the 1st session of the 85th Congress will soon come to an end, it is apparent that this most important measure will not be enacted this session.

Mr. Speaker, I believe it is through a basic, all-inclusive approach as proposed in this resolution where all the ills and possible remedies may be explored that effective and worthwhile improvements may be brought about. For that reason, I strongly urge favorable action in the Rules Committee and in the House on this resolution as a first order of business when we reconvene next January so that this important work may be started without delay.

Report on the 1st Session of the 85th Congress

EXTENSION OF REMARKS
OF

HON. LUDWIG TELLER

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 30, 1957

Mr. TELLER. Mr. Speaker, a substantial record of achievement was made by the 1st session of the 85th Congress, but much unfinished business remains for action during the 2d session which will convene January 7, 1958. Here are some of the main issues we faced in the session just concluded, and how we dealt with them:

CIVIL RIGHTS: PROTECTING THE INDIVIDUAL'S CONSTITUTIONAL RIGHTS

Our 1957 session of Congress will forever be remembered for its accomplishment in enacting a civil-rights law protecting the right to vote of all persons regardless of race, color, or creed—the first such national law to be enacted since Civil War Reconstruction days. Though aimed primarily at the South, its protection is nationwide. It establishes a Federal commission with subpena power to investigate facts as a basis for additional protective legislation; it creates a new civil-rights division in the Office of the Attorney General, and authorizes injunction proceedings to restrain violations of voting rights. I am proud to have voted for this law. Denial of the right to vote cannot be countenanced—and should be punished—if the Bill of Rights in our national Constitution is to be given full meaning.

For the South, civil rights is a passionate issue. The Republican Party embraced it with unaccustomed enthusiasm, believing that the Negro vote would go Republican—a belief which is not shared by most experts in race relations who are aware of the solid economic basis underlying the Negro's affection for the Democratic Party. This politically inspired motive on the part of the Republicans should be borne in mind, for while we are thankful for the votes of the Republicans, we have a right to question their sincerity on a national basis in view of their long-standing opposition to the Democratic Party's program for a national FEPC to outlaw racial and religious discrimination in employment.

The Supreme Court of the United States has played a curiously changing role in the history of our country. In the early days of our Nation that Court cemented the Federal Union and established the Court's right to protect individuals against arbitrary and unconstitutional actions by the executive and legislative branches of Government. The Supreme Court had some bad days, particularly for some time prior to and during the early 1930's, when it declared unconstitutional a good deal of desirable social legislation, such as laws which prescribed minimum wages or maximum hours of employment.

Now, again, the Supreme Court has become the guardian of individual liberties. In the recently decided Watkins case the Court enlarged the rights of individuals when their conduct is inquired into by a roving Congressional investigating body. In the Jencks case, a defendant in a criminal case was guaranteed the right to examine inconsistent statements previously made to the Government by prosecution witnesses. In the Mallory case the Court held that a person charged with a crime has a right to speedy arraignment—he may not be unreasonably detained solely to obtain a confession. These are decisions which underscore the reasons for our national greatness, for they are sinews of protection for individual rights which our Constitution guarantees.

The Eisenhower administration sought during the past session to override these decisions by Congressional enactments, but in the main failed to accomplish its unwise objective. A law to protect FBI files was passed, but it modified—it did not overrule—the right of a defendant to examine relevant Government files for inconsistency.

INFLATION

Combating inflation is a top-drawer Congressional responsibility. Little was done in the Congress during the 1957 session to meet this responsibility. Juggling interest rates and making credit harder to get are not enough, and may be wrong approaches because they hurt small and medium-sized business enterprise. An overall program is necessary, dealing with such things as monopoly price policies, the possibilities of union-management cooperation in wage-setting practices, installment selling, and a searching investigation of banking procedures. The coming 1958 session of Congress should give specific attention to the effects of inflationary forces. The wellsprings of these forces are complicated, to be sure, but their ruinous effects are plain for everyone to see and feel.

PROTECTING SMALL AND MEDIUM-SIZED BUSINESS

We are in the midst of a vast wave of business mergers which, if allowed to go unchecked, will continue to undermine the existence of an independent middle class in this country.

Nothing was done so far in the 85th Congress to stop this merger movement, or even to slow it down. Nor was anything done to limit the size of corporate giants which are normally monopolistic and at all events prevent small- and medium-sized business concerns from entering the particular industry.

Protecting and encouraging the small-business concern requires action on many additional fronts. The Small Business Administration was extended for 1 year during the session just concluded. In the 1958 session it is my hope that this Government body will be made a permanent agency, that its powers will be enlarged, and that the delaying redtape which now hamstrings it will be materially reduced.

It is plain, moreover, that our corporate income tax structure needs overhauling so as to reduce the tax rate for the smaller corporations. And in the field of military procurement, where today big business has a virtual monopoly of Government contracts, a program is needed to increase the small-business man's share. All these things are unfinished business of the 1957 session which requires action in the forthcoming 1958 session of Congress.

INTERNATIONAL RELATIONS

In pro-Soviet Syria we are now harveting the fruit of the Eisenhower-Dulles so-called Arab policy in the Mideast. By welching on a promise to provide millions of dollars for Egypt to build its Aswan Dam, a promise which Dulles should never have made, Dulles provided

Nasser with a pretext for seizing the strategic Suez Canal. Then Dulles humiliated our great allies Great Britain and France when they sought to right Nasser's illegal seizure, and at all events failed to grasp the opportunity at that time to work out an overall settlement of the resulting crisis, including a peace treaty between the Arabs and our only dependable ally in the Middle East—Israel.

No wonder, then, that the Democrats in Congress viewed with suspicion the Eisenhower-Dulles foreign-aid program—a program which has failed to halt the advance of the international gangster conspiracy known as communism.

I have seen, and heard in action on the floor of the House of Representatives, the spokesmen for isolationist Republicanism from Midwestern United States. This—together with the Eisenhower-Dulles unwillingness to take the Democrats into their confidence—is a drag on our national ability to work out an effective bipartisan policy for our international affairs.

The need for such a policy is urgent. International communism is stronger, not weaker, than it was when Mr. Eisenhower took over the executive reins of government. In far-off Indonesia and Afghanistan the Communist cause has recently been gaining additional adherents. Free Europe openly expresses its distrust of Dulles. We need to stand united and respected before the world if our alliances with freedom-loving countries are to have the effect which our dedication and our foreign-aid outlay fully justify.

FEDERAL AID FOR LOCAL SCHOOL CONSTRUCTION

A major shortcoming of the session was the defeat of the Kelley bill, a temporary program for Federal aid to local school construction. The sum of $1.5 billion, or $300 million annually for 5 years, would be provided to aid school construction by the States. Three main things contributed to the defeat of the bill: First, the failure of Mr. Eisenhower to give it more than lukewarm support, of a kind which almost was a signal that he had no objection to its defeat; second, the opposition of Republican stalwarts in Congress, witness the fact that among those who voted against it were Halleck, of Indiana, assistant Republican leader; Arends, of Illinois, Republican whip; Allen, of Illinois, ranking Republican on the Rules Committee; third, failure of leaders in the field of education to explain the need for the bill and the provisions of the bill, and to marshal public opinion in support of it. I received only 4 communications on the subject, 2 of them favoring and 2 opposed to it.

The program of Federal aid for local school construction is not one of largess or Federal charity or random spending. It is a temporary program aimed largely at those States which have no State education agencies and leave school construction to local communities. Its purpose is to compel these States to follow the example of New York, and provide State programs for school construction in those poorer communities which have insufficient real estate to float school bonds. The Northern States have to bear a disproportionate share in providing boys for military service because so many of the boys from Southern States are rejected for illiteracy, and the Armed Forces spend about $300 million annually in an effort to educate the illiterate. Persons who are justifiably concerned about the mounting Federal budget ought to give consideration to these facts. Education is a national problem, a national responsibility.

But more facts need to be known and publicized regarding the extent of the local school shortage, and more effort needs to be exerted to explain these facts to the public and the need for the Federal program. As a member of the House Committee on Education and Labor, I spent long hours during the 1957 session in helping to work out the bill which was favorably reported by our committee to the Congress. I shall do all I can in the 1958 session, believing as I do that the program is urgent, to help in enactment of a Federal program of aid for local school construction.

OUR UNFAIR IMMIGRATION LAWS

The McCarran-Walter immigration law should be repealed. Its quota system is unfair to southern Europeans and refugees from other areas, because the law is based on a 1924 immigration ratio which has long outlived its usefulness. Its infamous national origins feature chains a person to the country where he or she was born, whatever his or her citizenship or circumstances may be at the time immigration to our country is sought. It contains arbitrary provisions which discriminate between native-born and naturalized citizens.

My bill to repeal this evil law, similar to bills introduced by other Democratic Congressmen, died in committee. I must frankly state that a number of otherwise liberal Democrats in Congress are halfhearted in their professed desire to repeal this law.

All we could hope to do under the circumstances was to help as many people as we could by amending the law. I cannot say that even this was adequately done. Why, for example, should not Christian and Jewish refugees from the Middle East and elsewhere be given the same hospitable reception as was accorded the escapees from Hungary? We did, however, amend the law somewhat so as to admit about 60,000 additional persons, particularly for the purpose of reuniting families. Further liberalization of the McCarran-Walter immigration law should be made a priority item for the 1958 session of Congress.

THE BUDGET; GOVERNMENT ECONOMY; TAX REDUCTION

The Democratic-controlled Congress shaved billions of dollars from the budget requests of the Eisenhower administration. Economy was a watchword of the 1st session of the 85th Congress. But economy is a relative thing, and is defined in different ways depending upon one's views regarding the responsibilities of the Federal Government and the items which come under the head of savings. By voting to abolish fast tax writeoffs for industry groups represented by high-powered lobbyists, for example, I helped to save billions of dollars for the Government. Therefore, I believe that my vote favoring long-delayed salary increases for postal employees and other Federal employees, particularly since such increases help efficiency by reducing employment turnover, is not an antieconomy vote.

The time has come, however, to think seriously about our huge and ever-mounting budget, and the burdensome taxes which it imposes upon all people. Part of the budget increase is, of course, due to the mounting population. Most of it is due to defense and foreign aid. These items of the budget must be faced up to if we are to remain strong and free, and help in maintaining peace in the world.

There remains, nevertheless, room for substantial economizing. The Cordiner report on the armed services, for example, shows that several billion dollars can be saved by a recasting of pay scales designed to keep skilled personnel in the Armed Forces, where now they leave for private industry and thereby require the Government to go to the expense of training their replacements. Many of the carefully prepared Hoover Commission reports ought to be adopted, because they show that billions of dollars can be saved by more efficient Government budget and purchasing and operational practices. A study is now being made by the House Committee on Interstate and Foreign Commerce, designed to prove that the States can take over many of the activities now engaged in by the Federal Government.

These are huge possibilities for economizing, thereby saving money which can provide a basis for a tax cut and at the same time leave funds for protecting and improving the health, welfare, and education of our people.

Meeting the Crisis in Agriculture

EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the Congressional Record a statement by me on the agricultural situation and its effect on the American farmer.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR WILEY

MEETING THE CRISIS IN AGRICULTURE

Today, the American farmer is facing a critical income problem.

Our farm folks, by and large, are finding it increasingly difficult to make a fair living for themselves and their families. Too many farmers—especially the small-family type—are finding it necessary to sell out. Why? Because they don't find it worthwhile to work long, hard days for a minimum of return.

In Wisconsin, the picture is similar to the situation across the Nation. Our current total of around 170,000 farms is unfortunately diminishing at a rate of about 3,500 annually. The number of small farmers—who often find that they can hardly survive at today's low prices for his products—is diminishing. The large farmer is getting larger.

YOUNGSTERS LEAVING FARMS

A great number of fine young folks, too, find it necessary to seek off-the-farm jobs—part time or full time. The prospect of making family-size farming a really successful career is growing dimmer and dimmer. For example, consider the present average rate of cash income of only 30 to 50 cents per hour received by Wisconsin dairy operators. That is not much to look forward to, especially for aspiring young Americans.

DAIRY PLANTS CLOSING

We must face the fact, too, that not only farms, but many other businesses closely related to farming and dairying are being forced to the wall. For instance, a regrettable number of creameries have "Out of business" signs in their windows. Far too many of our cheese factories—many of them family operated for years—are closing their doors. In addition, in villages and towns, hardwaremen, lumbermen, implement dealers—and others dependent upon the buying power of these farmers—are finding themselves squeezed along with the farmer.

FARMERS ARE "HARD HIT" BY INFLATION AND HIGH INTEREST RATES

Rising costs due to inflation have hit the farmer tremendously hard. To pay rising costs, he has to produce more milk, vegetables for canning, beef, and other products. As a result, a glut on the market all too often forces prices—now too low—to an even lower level.

The "upping" of interest rates, too, hits the farmer in his "thin" pocketbook. Since almost all farmers are creditors, for short-term production loans, high interest rates cut particularly deep into their incomes. At the same time, they are provided no relief from high costs of labor and of manufactured products and supplies. Thus, the farmer now finds himself caught in a kind of "double squeeze."

NO SIMPLE ANSWER

This is indefinitely a bad situation.

What are we going to do about it? We have got to roll up our sleeves and resolve these problems. The job is tough. There is no "pat" answer. We recognize that because agriculture is so complex, any solution will not be simple. However, we must find a solution—both in the interests of agriculture, and of our whole economy.

PROGRAMS TO ASSIST FARMERS

Currently, a number of farm-related programs have been designed and put into effect to assist individual farmers. While these programs do not make up for loss of income, they do help in a great many ways. For example, the following programs are in action:

The surplus disposal program has made reserves of surplus farm products—including milk, cheese, peas, and other items produced in Wisconsin—available for school lunches, disaster relief, and other noncommercial market uses.

The program attacking brucellosis to cut cattle losses is meeting with success. Happily, my own Badger State has now been certified free of brucellosis.

The Rural Electrification Administration has helped rural electric and telephone systems to meet growing demands for their services by our farm folks.

The expanded extension service program in the Nation—and especially in Wisconsin—is doing a fine job of assisting education programs, farm and marketing adjustment, and just plain know-how and advice.

The rural redevelopment program is expanding in a great many States, including Wisconsin, which has two pilot counties—Sawyer and Price.

An expanded Soil Conservation Service is providing soil and watershed conservation assistance.

These, and a number of other assistance programs, are working to help the farmer.

THE SOIL BANK

According to estimates, American farmers will receive more than $732 million in soil-bank payments this year. This will serve to bolster our farm income, as well as to carry out soil-bank objectives of reducing surpluses and protecting the soil. The 85th Congress clamped a $3,000 cut on the amount a producer could receive in any year. This stops the unfortunate practice of providing the large corporation farmer with hundreds of thousands of Federal dollars. As we know, the smaller, family-type farmer is the one who needs greatest assistance.

In Wisconsin, participation is increasing under the soil bank. According to estimates, payments to Badger farmers will amount to over $10 million this year.

NEED TO MODERNIZE PARITY

There still remains a great deal of controversy over the best level of parity—the fairest price—support levels for farm commodities.

As we know, attempts have been made to change and modernize the parity formula. To my way of thinking, the very definition of "parity" is obsolete and unfair to the dairyman.

But, regardless of the formula, the farmer is basically concerned with the amount of goods that he himself can buy with income from the products he sells. Currently, prices he receives are too low to offset costs and get a reasonable profit—or, in some cases, any profit at all.

For example, in terms of buying power, the present level of parity, as now defined, is $3.25 per hundredweight (a very modest price-support level—for manufacturing milk). This means only about 7 cents per quart. That is much too low. At this price, the farmer simply cannot pay the high costs of operation, equipment, and labor.

For many months, I have pointed this out to the Secretary of Agriculture, and urged that the price-support level be raised at least 25 cents—to $3.50. Permissible under the present law, such an administrative increase would help give milk prices to the farmer a much-needed boost. But even such a parity level is a long way away from an adequate profit for the farmer. A changed definition of parity in the light of modern conditions is also essential.

FARMER-CONSUMER RELATIONSHIP

In planning for a healthy agriculture, of course, the farmer-consumer relationship is important. The farmer must get a good price for products; at the same time, we can't afford to price these products out of reach of the consumer's pocketbook.

Regrettably, the price spread between what the farmer gets for his commodity, and what it sells in the city for, is often too great. This does not necessarily mean that our so-called middleman is making unfair profits. However, it does point out that the farmer is at a disadvantage in bargaining—that is, he must buy his machinery and equipment at a high retail price. At the same time, he must sell his milk, beef, corn, pork, eggs, and other products at low wholesale prices. Then they go through a long chain of distribution, while the price to the ultimate consumer is being raised.

If the farmer is to survive, this farm-to-market spread must be reduced, or at least shared, to a greater degree, by the farmer.

FINE WORK OF CO-OPS

Meanwhile, fortunately, our cooperatives are making a tremendous contribution toward helping the farmer get a larger share of the market price of his products.

These cooperatives carry on work in the important fields including production, marketing, purchasing, financing, insurance, and public service. The cooperatives have been, and continue to be, of invaluable service to our farmers. Wherever possible, co-op programs should be strengthened and expanded.

WILEY DAIRY BILL NEEDED TO STIMULATE RESEARCH

Today, one of the greatest needs of agriculture is more research. That is why, for example, I introduced specific research legislation in the interests of dairying. The enactment of the Wiley bill providing for a dairy research center at Madison would be a tremendous help to our dairy farmers. This would aid to—

Achieve more efficient methods of dairy farm operation;

Promote sales and distribution of dairy products;

Step up consumption;

Explore the possibility of the greater industrial and other uses of milk byproducts; and

Fulfill other needs of this vital industry.

INCREASED CONSUMPTION OF DAIRY PRODUCTS

To best help the Wisconsin dairy farmer, we must, of course, attempt to increase consumption of our healthful dairy products. If we can get millions of folks to drink another glass of milk, eat another slice of cheese, and consume a little more butter and other products—this would get rid of our price-depressing surplus, and result in a better market for the farmer.

Our teen-agers drink too little milk, and so do our old folks. Consumption must be boosted, among these and other groups.

SALES AND PROMOTION

To get increased consumption, of course, we must step up and expand our sales and promotion programs. Since 85 percent of Wisconsin milk is sold outside the State, we must more effectively spread the news of the healthful qualities of dairy foods across the Nation.

SOCIAL SECURITY NECESSARY

In these times when the farmer is suffering from an economic squeeze, the opportunity to retire under social security is, indeed, important. All of our farm folks—whether a tenant, owner, or laborer—are now eligible.

As a matter of fact, thousands of farmers across the country—many of whom would normally continue to operate their farms—are retiring. Why? Because of the tragic fact that retirement benefits—though very modest—often exceed the income now received from farm operation. This is sometimes true in Wisconsin, as in almost every other State in the Nation. It is another bit of evidence of the great need for a better program for agriculture.

Liberalized social security for elderly farmers past 65 and for their widows or wives past 62 is nevertheless essential.

CHALLENGES IN OTHER FIELDS

There are, of course, challenges in a number of other fields. For example, we need improved programs:

To fulfill our labor needs at harvest seasons;

To protect our home industry against unfair competition from imports—especially of commodities in surplus such as butter oil, cheese, and other products; and

To ease Federal tax burdens to the extent that the Nation's budget will permit.

CONCLUSION

Finally, let me point out that Uncle Sam alone cannot do all these things.

As we recognize, it is impossible to legislate prosperity. However, the Government can, and should, continue to help wherever possible, to speed the economic recovery of the farmer.

The job, of course, is to provide our farm folks with a sound and proportionate share of the national income. By so doing, it will benefit, not only the farmer, but strengthen the whole economy.

Lending Policy of the Rural Electrification Administration

EXTENSION OF REMARKS

OF

HON. GORDON ALLOTT

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. ALLOTT. Mr. President, there has been considerable discussion lately regarding the lending policy of the Rural Electrification Administration. I am sure that a great many of my constituents will be interested in the letter which the Secretary of Agriculture wrote recently to the junior Senator from Minnesota [Mr. HUMPHREY], in his capacity as chairman of the Subcommittee on Reorganization of the Committee on Government Operations.

I ask unanimous consent that the letter and a summary thereof be printed in the CONGRESSIONAL RECORD.

There being no objection, the letter and summary were ordered to be printed in the RECORD, as follows:

UNITED STATES DEPARTMENT
OF AGRICULTURE,
Washington, D. C., August 30, 1957.

Hon. HUBERT H. HUMPHREY,
Chairman, Subcommittee on Reorganization, Committee on Government Operations, United States Senate.

DEAR SENATOR HUMPHREY: I have carefully considered your further letter of August 22, 1957, about the questions you have raised concerning the rumored changes in the lending policy of the Rural Electrification Administration.

These questions were also discussed in Mr. Morse's letter to you of August 9 and my letter of August 20. Substantially the same questions were raised during my press conference of August 20. A transcript of that portion of the press conference which includes my answers regarding REA was inserted in the CONGRESSIONAL RECORD of August 21 by Senator MORTON.

In both the letters and the press conference I have pointed out that there has been no reorganization of REA. The request to Mr. Hamil that he consult or discuss with the Director of Agricultural Credit Services applications for loans over $500,000 has not curtailed his authority for final approval on those loans. This action was taken in view of the record volume of applications for REA loans and the many complex problems which have arisen in the administration of that program due to population shifts, increased costs of equipment, machinery and labor, and an increasing demand for more electric current for both farm and nonfarm use.

The changing character of the Nation's countryside is having a marked effect on the territory and electric service requirements of many REA borrowers. City people are moving to the country and building homes. Industry is locating in suburban and rural areas. The REA service territories are losing a good bit of their rural traits. About half of their revenue comes from farm service and the remaining half from nonfarm residences, commercial, and miscellaneous services.

The increasing demand for electric power throughout the country is reflected in constantly increasing demands for REA loans to provide needed facilities. REA loan approvals are keeping pace with this trend as shown by the following table:

Loans approved during year

Fiscal year:	
1952	$165,758,731
1953	164,972,662
1954	167,104,100
1955	167,530,430
1956	189,804,800
1957	300,461,514

The request of Mr. Scott to Mr. Hamil that he be given a chance to review the applications for the loans in question was completely compatible with my testimony on Reorganization Plan No. 2. It is in line with the legal authority which exists in the basic law, in the reorganization plan, and in the public notices with respect to that plan which were published in the Federal Register in 1953 and 1954.

In my colloquy with you in the hearings on the reorganization plan held on May 18, 1953, 83d Congress, 1st session, at page 169, you asked whether it was my intention "to leave the REA pretty much as an autonomous organization."

I replied as follows:

"Certainly I do not have in mind weakening the service which REA is rendering. I think it is very essential, and I do feel that we have selected a good man to help it, and he will be given a pretty free hand, I am sure. But if we have in mind any major changes, certainly we would want to consult with the Congress before we took such steps, because I know there is a very wide interest in that agency, probably as much as in almost any other agency in the Department."

The requirement that these applications be reviewed by the Director of Agricultural Credit Services does not weaken the service which the agency was created by Congress to render. It was not a major change either in policy or in organization. It was not a transfer or an abolition of a function. The authority of the Secretary of Agriculture to make that request of an agency head under his supervision and direction, including REA, existed even before the reorganization plan of 1953 was approved.

REA was created as an independent agency of the Government by the Rural Electrification Act of 1936 (7 U. S. C. 901, 914). Section 1 of the act provided that all of the administration's powers would be exercised by an Administrator. However, that section was substantially modified by section 5 of President Roosevelt's Reorganization Plan No. 11 of 1939 (5 U. S. C., p. 125), which transferred REA and its functions and activities to the Department of Agriculture and provided that such functions and activities "shall be administered in that Department by the Administrator of the Rural Electrification Administration under the general direction and supervision of the Secretary of Agriculture."

It appears that in 1944 a question arose about the making of allotments as required by the act. The Department took the position, with the full legal approval of its solicitor, that the Secretary's duty to supervise and direct the activities of REA not only permitted him to approve the allotments but made it his duty to do so if desirable for the proper operation of the program.

This conclusion was based on decisions of the courts, notably *Knight* v. *United States Land Association* (142 U. S. 161), and the decision of the Comptroller General, volume 19, Comptroller General Decisions, page 400. In the Knight case the Supreme Court concluded that the words "direction and supervision" are synonymous with the word "control" and impart broad powers including the power to initiate, guide, superintend, manage, rule, review, notify, and overrule.

In that case the Court was construing words directing the Commissioner of the General Land Office to perform certain functions "under the direction of the Secretary of the Interior." The Court said that the words under discussion are an expression of the power of the Secretary to supervise and control the extensive operations of the land department and then quoted with approval the statement of the Secretary of the Interior as follows:

"The statute in placing the whole business of the Department under the supervision of the Secretary invest him with authority to review, reverse, amend, annul, or affirm all proceedings in the Department."

See also *Orchard* v. *Alexander* (157 U. S. 372 (1895)); *Cameron* v. *United States* (252 U. S. 450, 460 (1920)); and *West* v. *Standard Oil Company* (278 U. S. 200, 220 (1929)).

State court decisions also follow this rule. They have held that the term connote a power to superintend generally together with the incidental authority to regulate and control. *Vantongeren* v. *Heffernan et al.* (5 Dak. 180, 38 N. W. 52 (1888)); *State ex rel. Board of Transportation* v. *Fremont, E. & M. V. R. Co.* (22 Neb. 313, 35 N. W. 118 (1887)).

The courts apparently do not distinguish between phrases using the word "general" with "direction and supervision" from those where the word "general" is not used. See *Great Northern Railway Company* v. *Snohomish County* (93 Pac. 924 (Wash. 1908)).

This conclusion with respect to the Secretary's authority over the Rural Electrification Administration Administrator followed the policy determination of the Department reached in early 1940 in connection with the transfer of the Farm Credit Administration to this Department to be "administered in such Department under the general direction and supervision of the Secretary of Agriculture." The Comptroller General in 19 Comptroller General 400 said:

"Consequently the Farm Credit Administration must be regarded as no longer an independent agency but as an agency within the Department of Agriculture and under the general direction and supervision of the Secretary of Agriculture * * * there would appear to be no authority under existing law for the effecting of such a transfer of authority and responsibility as would amount to a restoration of the Farm Credit Administration to its former status 'an autonomous Federal agency.'"

It seems clear therefore that the request that the Rural Electrification Administrator review certain loans with the Director of Agricultural Credit Services is not the exercise of new authority vested in me by Reorganization Plan No. 2 of 1953. Moreover, it is a step which is well within the information given to the Congress and the public at the time Reorganization Plan No. 2 of 1953 was presented, approved, and made effective.

The Administrator of the Farmers Home Administration is not only requested to discuss major loan problems with the Director of Agricultural Credit Services, but the law requires that all special livestock loans over $50,000 must be approved by the Secretary of Agriculture because of the major problems involved.

Soon after I became Secretary of Agriculture, I alined the agencies of the Department into major groups, each group to report to me through designated officials of the Department. During the Senate hearings on Reorganization Plan No. 2, I furnished and there was included in the hearings two charts showing the organization of the Department effective January 21, 1953, and as amended March 10, 1953. The January 21 chart shows the Farm Credit Administration, the Farmers Home Administration, and the Rural Electrification Administration grouped under "Agricultural credit" and that these agencies are to report through the head of that group. The March 10 chart shows substantially the same arrangement (pp. 142 and 144, hearings before the Subcommittee on Reorganization of the Committee on Government Operations, United States Senate, on Reorganization Plan No. 2 of 1953 and S. Res. 100 disapproving Reorganization Plan No. 2, 1953, May 12, 13, and 18, 1953 (other references to hearings contained in this letter are to hearings before this subcommittee)).

By Secretary's memorandum 1320, dated January 21, 1953, all employees of the Department were advised that "agency and office heads within each group will report to their respective group head. * * * The Secretary and the Under Secretary meeting jointly with the major group heads and the Solicitor will consider matters of policy determination and long-range planning. * * * This organizational arrangement will make possible closer coordination of related activities and will centralize responsibility for consideration and determination of operating problems and other matters requiring departmental attention within each group." A copy of this memorandum was furnished the subcommittee and appears in the hearings at pages 140–141.

As you are aware, Reorganization Plan No. 2 of 1953 transferred to the Secretary of Agriculture all of the functions of the heads of the agencies with which it dealt, including REA. However, on August 28, 1953, I issued, and there was published in the Federal Register of that date (18 F. R. 5155), a delegation to each Assistant Secretary and to the Director of Agricultural Credit Services the authority to exercise general direction and supervision over the agencies of the department designated in such delegation. The delegation also provides that nothing therein shall "preclude the Secretary of Agriculture from exercising any of the powers and functions or from performing any of the duties herein conferred."

This was implemented by Secretary's memorandum 1320, supplement 2, dated September 18, 1953, which directed the agencies of the Department to report to designated Assistant Secretaries or, in the case of the agencies grouped under Agriculture Credit Services to report to the director. This was in line with my delegation of August 28, 1953.

On October 13, 1953, my office issued a press release outlining a proposed reorganization of the Department to which was attached an announcement of intention to reorganize and a chart showing the Rural Electrification Administration grouped with other agencies under Agricultural Credit, under an Assistant to the Secretary, under the Secretary. (The Office of Assistant to the Secretary in Charge of Agricultural Credit is now known as the "Director of Agricultural Credit Service.")

The assignment of functions to the agencies under the reorganization plan was published in the Federal Register for January 6, 1954 (19 F. R. 74). Among other things this assignment provides:

"No delegation or authorization prescribed in this document shall preclude the Secretary from exercising any of the powers or functions or from performing any of the duties conferred herein and any such delegation or authorization is subject at all times to withdrawal or amendment by the Secretary. No delegation or authorization prescribed in this document shall preclude the exercise of any delegation or authorization otherwise provided to the Under Secretary, Assistant Secretaries, Administrative Assistant Secretary, or assistant to the Secretary for Agricultural Credit, or to the staff agencies as provided in section 112 hereof. * * * The head of each agency (1) will maintain close working relationships with the officer to whom he reports, (2) will keep him advised with respect to major problems and developments, and (3) will discuss with him proposed action involving major policy questions or other important considerations or questions, including matters involving relationships with other agencies of this Department, other Federal agencies, or other governmental or private organizations or groups."

I hope these comments answer the questions you have raised regarding any reported recent reorganization or major policy change in REA.

In your letter of August 22 you assign as one reason for the proposed hearing the necessity of this Department providing the Congress with its official position on any proposed changes in the policy of the agency which are contrary to the intent of the Congress. We, of course, would not initiate any changes which are contrary to the intent of Congress and we would be the first to suggest, as required by the reorganization plan, that we discuss with the Congress any major changes proposed to take effect in the future.

In these circumstances, there would be no information we could give in the proposed hearing which has not heretofore been given in previous letters, the press conference of which you have a transcript, or in this reply.

I know you will give careful consideration to the additional information about the working arrangements we have with regard to REA and the legal and administrative justification for them that I have pointed out in this letter.

After you have had a chance to study this communication it would be most helpful if you would let me know if there are any procedures or policies being followed by the Department in the REA loan program with which you do not agree.

Sincerely yours,

E. T. Benson,
Secretary.

Summary of Attached Letter

1. Senator Humphrey's questions have been discussed in previous letters of the Secretary and the Under Secretary, and in the Secretary's press conference of August 20. (See excerpts from press conference at pp. 15469–15470, Congressional Record of August 21, 1957.)

2. The request of the Director of Agricultural Credit Services to review loan applications of over $500,000 has not changed the REA Administrator's authority to decide whether the loan will be made.

3. The request for review was made because of the growing complexities of the REA program and the record volume of loans.

4. The request was not a major change in organization, policy, or functions.

(Note.—Major changes in organization or functions require "appropriate advance publice notice." See 5 U. S. C., supp. IV, 511; sec. 4 (b) of plan No. 2 of 1953.)

5. The request is not contrary to the Secretary's testimony on plan No. 2.

6. President Roosevelt's Reorganization Plan No. 2 of 1939 gave the Secretary "general direction and supervision" of REA and the courts have held that these words are synonymous with "control." See also volume 19, Comptroller General Decisions, page 400.

7. In 1944 the Secretary of Agriculture exercised the authority given by the 1939 plan to approve certain allotments under the REA Act.

8. The FHA Administrator discusses major problems with the Director of Agricultural Credit Services; certain loans must by law be approved by the Secretary.

9. Reorganization Plan No. 2 of 1953 transferred all of the authority of the REA Administrator to the Secretary.

10. The notices or reorganization under plan No. 2 published in the Federal Register, and the delegations and redelegations of authority made under it stated that the Administrator of REA would function subject to the "general direction and supervision of the Secretary."

11. The Secretary will give advance notice of any major changes proposed to be made under plan No. 2 required by the plan.

12. The Senator is asked to inform the Secretary of any REA loan policies or procedures with which he disagrees.

Urges Stronger GOP Leadership in 1958

EXTENSION OF REMARKS

OF

HON. CLEVELAND M. BAILEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. BAILEY. Mr. Speaker, under leave to extend my remarks in the Congressional Record, may I call attention to the leadership on the other side of the aisle that the 2d session of the 85th Congress be prepared to meet the issues facing the Nation and to act promptly on legislation that concerns the general welfare.

I very humbly suggest to the gentleman from Massachusetts [Mr. Martin] and his able lieutenants that they have it in their power to enable us to do our job next year and to adjourn by the statutory date.

One of the reasons why it has been necessary for this Congress to remain in session has been, in my opinion, the vacillation on important issues in the White House beginning with the budget and ending with the civil-rights bill. We have seen a series of statements and pleas on the part of the President and his spokesmen that force us to revise the old "off again—on again, Finnegan" metaphor as obsolete and ineffective. Normally here in the Congress we can meet and resolve the great issues on a basis of Democratic and Republican position as the springboard. Normally we look to the President as setting the position for his party.

That has been true for as long as I can remember. There was never any doubt in the minds of any that when Presidents Roosevelt and Truman spoke that was the Democratic position. When President Eisenhower speaks, about all we can conclude is that what he says is the position of the individual who last had his ear before he spoke.

It has gotten so that we may remain confident that if we do not like the Eisenhower position we can just wait 5 minutes, and, like the weather, it will change.

So, my suggestion to the gentleman from Massachusetts and his able lieutenants is that they come here in January prepared in a series of special orders to give us the Republican position on these major problems and that the membership of the Congress consider these as the real Republican position so that we may proceed to the important business of legislation, and debate these matters from that standpoint.

Mr. Speaker, I want to make it perfectly clear that I am not suggesting to my good friends that they seize the leadership of the Republican Party; I am merely suggesting that they step in and fill a void. The President has abdicated this leadership, and since the Republican Party is in charge of the administration, it is to the best interest of the country to have someone within that party fill this void. We shall then know where we are and we will not have to stand by and see our friends across the aisle embarrassed when the White House, in one of its sudden about-faces, pulls the rug from under them. I think they should weave the rug upon which they shall stand.

Statement by Hon. John W. McCormack, of Massachusetts

EXTENSION OF REMARKS

OF

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. McCORMACK. Mr. Speaker, under permission to extend my own remarks in the RECORD, I include a statement recently made by me to the press and the radio.

I make the further observation that if President Eisenhower and the present administration become firm and remain consistent in the foreign policy which the President and the administration establish, it will receive stronger support from the Congress and the American people.

The statement follows:

STATEMENT BY CONGRESSMAN JOHN W. McCORMACK, DEMOCRAT, MASSACHUSETTS, MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES

I consider it highly inadvisable as the price for letting American newspapermen into Red China that we allow Red Chinese spies, under the guise of being newspapermen, to enter the United States. The situation is embarrassing enough for us without capitulating to the Red Chinese this form of tribute.

As a matter of fact, there are many who felt it unwise to permit American correspondents to enter into Red China. Such action gives them a superior status and a privilege that no other American possesses. As citizens they are not superior to others. But, more important, we remember that not so many years ago, when some American correspondents went into the then Communist part of China, they told the American people that Mao and his kind were not Communists, but were progressives seeking agrarian reforms through democratic means.

At that time, those correspondents certainly "brainwashed" the American people. I shall assume that they did not intend to do so, but they helped the Chinese Reds immeasurably many times more effectively than the Red Chinese could have helped themselves.

For President Eisenhower and the State Department to make this kind of a deal and let a group of Chinese newspapermen, who, we know, are nothing but spies, come into our country is indefensible. It would be a crime against our national interest.

Everyone knows that such Chinese Reds would be spies. They would operate with clever threats and other means upon the loyal American Chinese. They would also have an adverse effect upon anti-Communist Chinese in other lands.

Instead of weak and vacillating actions, President Eisenhower and the present administration had better get firm, and instead of wavering, be consistent.

Our Government should definitely state, and stand by it, that spies from Red China under the guise of newspapermen will not be admitted into the United States.

Statement by Senator Wiley on His Activities During 1st Session of 85th Congress

EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement on my activities during the 1st session of the 85th Congress.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

In what fields was our senior Senator, ALEXANDER WILEY, active during the 1st session of the 85th Congress?

What legislation did he introduce?

What happened to this legislation?

On what other general matters has he been striving for the interests of Wisconsin and the Nation?

These are some questions which the people of our State have a right to ask.

And they are questions which I am more than pleased to answer.

DOZENS OF BILLS OFFERED BY SENATOR WILEY

During the 1st session, which began in January and which concluded on August 30, I was pleased to introduce dozens of bills affecting our State and Nation.

Some of these bills, I introduced solely as an individual Senator. Others, I cosponsored with other Senators.

I am glad to say that some of these bills were successfully enacted into public law. Others are still pending in Senate committees.

SENATE RECEIVES THOUSANDS OF BILLS

This is what usually happens considering the mass of Congressional legislation.

All told, some 3,000 bills were introduced in 1957 by the 96 Senators. Naturally, only a fraction of the 3,000 bills were actually acted upon in the first session, and for that matter, will be acted upon even in the second session.

When the Senate reconvenes next year, I will, however, be active in advancing as many as possible of the delayed bills which are still pending in committees.

MANY OTHER ACTIVITIES OF SENATOR WILEY

Of course, a Senator's activities are by no means confined merely to introducing bills.

As my readers know, it is my privilege to serve as senior Republican member on the Senate Foreign Relations and Senate Judiciary Committees.

On those committees, I work on a vast amount of legislation in domestic and foreign affairs.

TWO HUNDRED TO THREE HUNDRED LETTERS PER DAY FROM HOME

In addition, in each day's mail from Wisconsin, comes an average of from 200 to 300 letters, postal cards, and telegrams.

These cover matters affecting individual constituents throughout our State, as well as individual communities.

I am always happy to act upon this correspondence and to fulfill individual and public needs.

It would not be possible to list all of the many subjects about which folks write. But I might say that my Wisconsin correspondence includes everything from the problems of Wisconsin men in the Armed Forces to the pension needs of elderly citizens, veterans' claims, National Guard and reservists' problems, river and habor projects, passports for Wisconsin travelers overseas, loan applications by Wisconsin small companies to the Small Business Administration, problems of State agencies in Madison in connection with Federal agencies, city, and county problems, and a vast variety of other issues.

SENATOR WILEY'S TWOFOLD AIMS

My aim always is twofold:

(a) To seek justice and equity for the individual.

(b) To seek fulfillment of community needs.

Consider item (b). What does serving our States, communities, and areas really mean? Well, take the field of transportation. Serving Badger transportation needs means securing still better roads for Wisconsin, more modern airports and frequent airplane service, adequate railroad service, expanded port development.

HOW ELSE WISCONSIN IS SERVED

Serving Wisconsin, too, means promoting Wisconsin's tourist industry (which brings in $400 million in income per year), advancing the cause of conservation (fish and wildlife), helping to attract new industries to Wisconsin so as to help increase employment and payrolls.

Serving Wisconsin, too, means helping to boost consumption of dairy products—the eating and drinking of 17 billion pounds of milk produced by our State's dairy farmers each year.

YOUR SENATOR FIGHTS BAD BILLS

"Serving our State" means fighting for good legislation and opposing bad legislation.

Thus, during 1957, I battled successfully against such evil bills as:

(a) The natural gas rate increase bill—which would raise the cost of fuel used in your home and office (400,000 Wisconsinites depend on natural gas).

(b) The Chicago water steal bill which would lower Great Lakes shipping capacity.

Both of these dangerous bills still face us. Both must be continually combated.

So, too, I fought to help bring in Canadian natural gas to our State, so as to lower fuel costs and increase fuel supply. I battled against those who are trying to sabotage the import of much-needed Canadian gas.

THE WILEY-SPONSORED BILLS

But, now, let's turn to the Wiley bills as such, bills which I personally sponsored or cosponsored.

ST. LAWRENCE SEAWAY

I'm delighted to say that H. R. 5728 was successfully enacted as Public Law 85-108, so as to permit completion of the Great Lakes-St. Lawrence Seaway.

I had personally cosponsored the companion bill, S. 1174. This legislation eased seaway financial burdens by broadening the borrowing authority of the Seaway Development Corporation and authorizing the deferment of interest payments on borrowing. This particular bill was a natural followup on the Wiley seaway law itself, Public Law 358, 83d Congress, which achieved victory for the seaway after Wisconsin's 30-year battle.

CIVIL RIGHTS

One of the great landmark actions of the 85th Congress, 1st session, was the enactment of a civil-rights bill for the first time in 82 years. Naturally, I was pleased to vote for the final version of this bill, H. R. 6127, even though amendments had unfortunately weakened it.

Early in the session, I had been pleased to cosponsor one version of this bill in the form of S. 83, as offered principally by Senator **Dirksen**.

ADVANCING WORLD PEACE

World peace—that is our greatest single goal.

I was happy to concentrate, therefore, on this foremost of all goals in this session, just as I have done in previous sessions.

And so, I cosponsored the famous Eisenhower doctrine resolution. It has helped assure peace for the troubled Middle East.

With Senator **Green**, chairman of the Foreign Relations Committee, I specifically cosponsored Senate Joint Resolution 19. It authorized the President to undertake economic and military cooperation with nations in the Middle East in order to assist in the strengthening and defense of their independence against Communist aggression.

Our resolution was overwhelmingly approved by both Houses.

Another crucial bill which I cosponsored with Senator **Green**, our committee chairman, was S. 2130, the 1958 mutual security bill.

This bill, too, was successfully enacted into public law, thereby continuing worldwide cooperation against the Communist menace.

PROTECTING FBI FILES

Another landmark of the 1st session was enactment of the bill to protect the integrity of FBI files against Communist fishing expeditions.

This bill prevents Red snooping for material, while at the same time assuring defendants the right to necessary relevant information.

With Senator **O'Mahoney** as sponsor, I had cosponsored an earlier version of this bill, S. 2377. It amended chapter 223, title 18, United States Code, to provide for the production of relevant statements and reports of witnesses.

BYRD ANTARCTIC COMMISSION BILL

One of the bills of which I am deeply proud is the Byrd Antarctic Commission bill, S. 2189. I had introduced this bill, with 22 cosponsors.

I believe that if this bill is enacted, it will become one of the great milestones of the 85th Congress. Its purpose is to help America protect its national interest in that vast region of the globe. Thus far only about 1 percent of the Antarctic has been explored.

It was a pleasure for me recently to be present at a hearing held before the House of Representatives Interior Committee on a companion version to the Wiley bill.

I earnestly hope that this Byrd Antarctic Commission, to be named for the late, great Rear Adm. Richard E. Byrd, will be successfully established next year.

TAX REFORM

One of the most important bills which I introduced was S. 769. Its purpose is to establish a Hoover-style Federal Tax Commission. Such a Commission would make a top-to-bottom review of the whole tax structure of the United States—income taxes, nuisance excise taxes, corporate taxes, etc. Fourteen Senators joined with me in cosponsoring this bill. Only through a comprehensive survey such a Commission could make will we ever get lasting and thorough reform of our hodge-podge tax system.

IMMIGRATION REFORM

At long last, the bottleneck in reform of our immigration laws has begun to be remedied. President Eisenhower's suggestions for changes have been followed—but only in small part so far. Nevertheless a beginning was made.

Earlier this year I was happy to cosponsor with Senator **Dirksen** the Eisenhower bill for amendment of the McCarran-Walter law, in the form of S. 1006.

MISCELLANEOUS BILLS

For purposes of brevity, let us now just look down an outline list of additional legislation which I sponsored or cosponsored.

FARM BILLS COSPONSORED

S. 2408, milk consumption (Senator **Thye** sponsor), to authorize a special milk program for veterans and the Armed Forces, and an accelerated brucellosis eradication program.

S. 1680, cranberries (Senator **Saltonstall** sponsor), to amend the Agricultural Marketing Agreement Act of 1937, as amended, to include cranberries for canning or freezing.

S. 2306, research (Senator **Curtis** sponsor), to provide for the increased use of agricultural products for industrial purposes.

S. 1699, dairy studies, to provide for the establishment of a dairy research laboratory. (This bill, like the three preceding bills, went to the Agriculture Committee.)

This particular Wiley bill is one for which I have been striving for many years, as my readers may recall.

SCHOOL AND TEACHER AID BILLS COSPONSORED

S. 1298, area vocational aid (Senator **Hill** sponsor), to assist States in providing needed area vocational education programs. (Labor and Public Welfare Committee.)

S. 889, school building (Senator **Smith** of New Jersey sponsor), to authorize a 4-year emergency program of Federal assistance to States and communities to enable them to increase public elementary and secondary school construction. (Labor and Public Welfare Committee.)

The House, unfortunately, defeated the companion version to this bill.

S. 1640, teachers' tax deductions, to amend the Internal Revenue Code of 1954 so as to allow a teacher to deduct from gross income up to $600 a year of necessary expenses incurred by him to further his or her education. (Finance Committee.)

SMALL BUSINESS

S. 11, equality of opportunity (Senator **Kefauver** sponsor), to amend the vital Robinson-Patman Act by protecting small business against a current loophole in the antimonopoly laws.

We succeeded in reporting this important bill favorably from the Senate Judiciary Subcommittee, but it became bottled up in the full committee, unfortunately.

S. 150, small business tax relief (Senator **Fulbright** sponsor), to amend the Internal Revenue Code of 1954 so as to adjust corporate normal tax and surtax rates, thereby giving a much needed break for small business (Finance Committee).

CONSERVATION

S. 555, Hells Canyon (Senator **Morse** sponsor), to advance conservation and electricity production by authorizing the construction, operation, and maintenance of the Federal Hells Canyon Dam on the Snake River between Idaho and Oregon.

The Senate passed this bill, which I cosponsored, but the House unfortunately killed it.

S. 1176, wilderness system (Senator **Humphrey** sponsor), to establish a wilderness preservation system so as to protect our outdoor heritage (Interior and Insular Affairs Committee).

AID TO MUNICIPALITIES

S. 967, payments in lieu (Senator **Humphrey** sponsor), to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property (Government Operations Committee).

ANTIJUVENILE DELINQUENCY

S. 1455, juvenile delinquency grants to strengthen and improve State and local programs to combat and control juvenile delinquency. (Labor and Public Welfare Committee).

As a member of the Senate Juvenile Delinquency Subcommittee I am naturally especially interested in cutting down the staggering toll of crime among young people. More than 1 million youngsters are getting in trouble with the law each year, unfortunately.

ELECTION PARTICIPATION

S. 1406, political contribution deductions to encourage mass participation in election financing by allowing individuals to deduct for Federal income-tax purposes $50 of political contributions made each year to candidates for elective Federal offices (Finance Committee).

GREAT LAKES REGION

S. 1416, Lake States compact (Senator **McNamara**), granting Congress' consent to a Great Lakes Basin compact.

MENOMINEE INDIANS

S. 2131 (Senator **Watkins** cosponsor), to delay for 2 necessary years the date for submission of plan for future control of property and transfer of the trust property of the Menominee Tribe (Interior and Insular Affairs Committee).

Unfortunately, this bill failed of passage because of a parliamentary tieup in the last hours of the Senate session.

BOOST FOR OLDSTERS

S. 1688, fair break on pensions, to amend section 203 of the Social Security Act to increase the amount of earnings (from $1,200 to $1,800) which elderly individuals are permitted to earn without suffering deductions from their benefits. (Finance Committee.)

MISCELLANEOUS BILLS

Were space to permit, I could list literally dozens of other bills which I have offered.

These include bills to strengthen our patent system, budgetary reform, tariff legislation, foreign policy, and many others.

Before introducing each of these bills, I test them by this standard: "Does the bill serve the public interest?"

Serving you, the people, is always my goal. Some bills may involve only a relative handful of people. Other bills involve all 170 million American people. But always, legislation must definitely serve some worthwhile need or goal on behalf of America.

YOUR REACTIONS INVITED

I hope that my readers have found this report rewarding.

I cordially invite any questions which you may have in mind, after reading through this report.

It is not intended as a complete statement of what I have sought to achieve during the months of January through August 1957. But it does perhaps give you an inkling as to some of my varied activities.

In order to make it complete, I would have had, for example, to list the literally hundreds of issues which I voted upon on the

Senate floor. I would have had to list the innumerable official phone calls to Federal agencies and to folks back home on their problems, the many talks with visiting constituents, and with correspondents of press, radio, and television, the committee hearings participated in, as well as other endeavors.

But I think that this report, however limited, does give you an idea of what your senior Senator has been striving for in the direction of prosperity and justice in America and a just and lasting peace in the world.

National Television Week

EXTENSION OF REMARKS

OF

HON. ELIZABETH KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mrs. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following copy of Keenotes:

KEENOTES

(By Representative ELIZABETH KEE)

A letter from Mr. Thad H. Brown, vice president for television, National Association of Radio and Television Broadcasters, invites me to join with the rest of the country in a salute to the American system of television broadcasting as part of National Television Week, which is being observed September 8 through 14, this year.

I am very happy to do so and herewith add my own thanks to the many men and women who daily contribute so much to our enjoyment of the entertainment, and our profit from the wealth of information, which this modern miracle of American engineering and scientific skills has brought into our homes.

A fact sheet thoughtfully provided by the national association gives some truly impressive statistics about the television industry which—it is hard to believe—is only a little more than 10 years old. In this brief span, 40 million families have invested the substantial sum of $17 billion in TV receivers. About 90 percent of the public has been brought within range of at least one of TV's 479 existing stations and some 75 percent have a choice of four or more channels from which to select programs of education, information, and entertainment.

Each year, we are told, an estimated $200 million worth of free time is allocated to public-service programs; and broadcasters, last year, supported more than 115 major national public-service campaigns. Brief mentions on sponsored programs of worthy public-service causes have become a common practice. Through the service of local television stations—which is frequently contributed—effective support has been raised to meet many community needs, such as the construction of a new hospital or library, for example; while other free services warn of bad road conditions, traffic congestion, and other local emergencies.

To this list of noteworthy accomplishments, the national association might well have added another solid achievement of the TV industry in the national interest. Although still in its infancy, this fast-growing industry has created new employment—both direct and indirect—for hundreds of thousands of men and women throughout the country. Directly, there are the jobs connected with the manufacture, sales, and service of TV sets—the planning, production, and televising of TV programs. And then there are all the jobs created by the demand for those byproducts of TV viewing which include everything from TV packaged suppers to snack tables and revolving chairs.

Somewhat disconcerting, however, if not downright alarming, is another statistic furnished by the National Association of Radio and Television Broadcasters. American families, it is declared, "have come to spend more than 5 hours a day viewing the average set—more time than is spent in any other single activity except working and sleeping." At this rate, the potential of this new medium of mass communication to influence the lives and thoughts of the American people is unbounded. In the wrong hands, it could be used as a terrible weapon of propaganda to wreak immeasurable havoc upon the social, political, and economic life of the Nation.

Indeed, one cannot remain entirely unaware of the faint odor of oil and other special interests in some of the programs sponsored by big business which attempt to show the vast benefits which the American people derive from the importation of foreign products—say, crude and residual fuel oil, for instance—in exchange for our own exports. This is true, of course, only to the extent that our domestic industries do not suffer. In such instances, the public should be able to hear both sides of the story and I have long felt that West Virginia's coal, chemicals, glass, and pottery industries could do with a little television promoting on their own account.

Actually, I have been a little amused that the National Association of Radio and Television Broadcasters is not above a little propagandizing on its own part. In the fact sheet, which presumably went to all Members of Congress, it is stated: "Television has grown and thrived under the free American system. With a minimum of Government regulation, it has shown itself to be responsive and responsible to the American people." Even a Member of Congress can take a hint, you know.

On the whole, however, those who control and direct the television networks—from major network to local station—have, I feel, proved themselves fully alert to their great responsibility as a major source of information for the American public. In the televising of such important events the Kefauver committee's investigation of organized crime in 1951, the Army-McCarthy hearings in 1954, the Republican and Democratic National Conventions in 1956, and the present Senate racketeering investigation, the industry has rendered a great public service.

So despite singing commercials—with sincere thanks to our many fine commentators, too numerous to mention here, who accurately report events upon the national and international scenes—and in grateful acknowledgement of the many pleasant hours (but, by no means, five per day) which I have spent before my television set—I am more than pleased to join with the rest of the country in this salute to our American system of television broadcasting and those who make it work, during this National Television Week.

Statement by Senator Thurmond

EXTENSION OF REMARKS

OF

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. THURMOND. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement I have prepared.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR STROM THURMOND

In view of remarks made on the floor of the Senate today, and later amended to appear in the CONGRESSIONAL RECORD, by Senator LONG, of Louisiana, I feel that it is necessary for me to issue a statement.

I want to review briefly the course of events which led to my extended speech in the Senate on Wednesday and Thursday.

At the final caucus of the southern Senators on Saturday, August 24, it was generally agreed that an organized extended debate would not be held. However, it was also agreed that each Senator was on his own to oppose the bill as best he could. From the beginning, I made up my mind that it was my duty to oppose the bill strongly. Last weekend I prepared an address from the material I had been assembling for a long time, although I still had not decided how long I would speak.

After further consideration of the so-called civil-rights bill and the compromise proposed by the House, I came to the conclusion that I should make a long speech against the bill. Also, I came to the conclusion that further consideration should be given to the question of whether organized extended debate should be conducted by the southern Senators.

When I arrived at this latter conclusion on Wednesday, I went to Senator RUSSELL's office and told him that I planned to make a long speech and suggested that he call the southern Senators into session again to consider the advisability of an organized effort. Senator RUSSELL stated that if a majority of the southern Senators requested him to do so, he would call them back for another caucus, but, that in lieu of such requests, he would not call another caucus in view of the previous understanding on Saturday that each Senator would follow his own course.

Status of Soil-Conservation and Flood-Prevention Projects

EXTENSION OF REMARKS

OF

HON. W. R. POAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. POAGE. Mr. Speaker, the 1st session of the 85th Congress has come to an end with some eight flood-prevention watershed projects which have been approved by the Department of Agriculture and still undelivered to the Speaker. The law places primary responsibility for the consideration of these flood-prevention projects on the Secretary of Agriculture but the delay in handling these projects is not the fault of the Department of Agriculture nor the Secretary. These are projects that have been approved by the Department of Agriculture. They are projects every one of which filed its original application more than 2 years ago. They are projects which should have been submitted to the Congress at the session which is now adjourned.

The law provides that after the Secretary of Agriculture and the interested local organization have agreed on a plan for works of improvement—that is, after the Secretary has approved a work plan—that it shall be transferred for interagency review. In other words, it shall be reviewed by the other agencies of government which may be concerned, depending on its cost, and so forth. Most of these projects are reviewed by the Corps of Army Engineers, many by the Bureau of Reclamation, and so forth. The law does not authorize these related agencies to either approve or disapprove projects but only to review and comment. They are then sent to the Bureau of the Budget which again has only reviewing authority and which is charged with transmitting the projects to the Congress. The law says:

> The views and recommendations of the Secretary of the Interior, and the Secretary of the Army, if received by the Secretary of Agriculture prior to the expiration of the above 30-day period, shall accompany the plan transmitted by the Secretary of Agriculture to the Congress through the President.

This review is merely that there may be an orderly record of all such projects. Surely, it is not necessary for one arm of the executive branch—the Bureau of the Budget—to exercise a veto power over another arm of the same executive—the Department of Agriculture. Under the law, these projects may not be held for review more than 30 days but some of them were referred for such interagency review nearly 6 months ago. A list of the projects and the dates on which they were received and transmitted is included herewith:

Watershed	Application received in Washington	Planning assistance authorized	Work plan received in Washington	Transmitted for interagency review	Transmitted to Bureau of the Budget	Transmitted to Congress
Abbotts Creek, N. C.	Jan. 4, 1955	Mar. 18, 1955	Feb. 20, 1957	Mar. 25, 1957	June 5, 1957	----------
Big Sandy, Colo.	Dec. 27, 1954	Aug. 25, 1955	May 31, 1957	June 6, 1957	Aug. 2, 1957	----------
Deep Creek, N. C.	June 9, 1955	July 18, 1955	May 21, 1957	May 27, 1957	July 31, 1957	----------
Elm River, N. Dak.	Feb. 7, 1955	Apr. 15, 1595	Feb. 25, 1957	Mar. 14, 1957	May 28, 1957	----------
High Pine Creek, Ala.	Apr. 11, 1955	do	Apr. 22, 1957	Apr. 26, 1957	July 3, 1957	----------
Knob Creek, Tex.	Aug. 16, 1955	May 14, 1956	May 28, 1957	May 31, 1957	July 22, 1957	----------
Swan Buffalo Creek, N. Dak.	Feb. 7, 1955	Apr. 15, 1955	Mar. 8, 1957	Apr. 3, 1957	May 28, 1957	----------
York Creek, Tex.	Aug. 16, 1955	Oct. 1, 1956	June 10, 1957	June 14, 1957	Aug. 2, 1957	----------

I do not know why all of these projects have been held in express violation of the intent of Congress. The Agriculture Committee made a formal request of the Bureau of the Budget to give us the detailed reasons for the delay of each of these projects. We have been unable to secure the desired information. The Bureau of the Budget has seen fit to simply tell us that they were retained for further study. We had requested that the projects be transmitted before the adjournment of Congress in order that congressional approval which is required by the law might be forthcoming. Our requests have been ignored.

Since it has been impossible to get a specific statement we have naturally resorted to speculation and to rumor. The reports that reach our committee are to the effect that at least some of these projects are being held up because the Bureau of the Budget feels that there should be substantial local contribution on the cost of the construction of the necessary works of improvement. The law was specifically changed by Congress just last year to eliminate the necessity of farmer contribution to the cost to the needed water detention structures. The Bureau of the Budget may not feel that this congressional action was wise, but it is the law, and I must confess that I am somewhat astonished that it should be thus ignored.

In an effort to justify some assessment of the farmers, it has been suggested that at least some of these projects, including Knob Creek in Texas, are actually drainage projects and that the problem is one of drainage for which there should be local payments. To suggest that it is necessary to drain an area which never has any excess water except immediately after a flood, seems to me to be straining a point beyond reason. I can see absolutely nothing to this whole procedure except a clear-cut determination to write a new set of rules for flood prevention projects. The law confines the rulemaking power of the Executive to rules needed "to carry out the purposes of this act and to assure coordination of the work authorized by the act." I think Congress, not the Bureau of the Budget, has the right to establish the rules of eligibility and of referral. Congress has established these rules, and among such rules it seems to me that Congress established was one which was at least intended to require the Bureau of the Budget to transmit the proposed work plan to the Congress within a period of 30 days. This, in most cases, the Bureau has not done. It is true that there are probably 2 of the projects which were only held 29 days prior to adjournment of Congress.

I realize that this program is new. I realize that the law is not absolutely clear. I realize that the Bureau of the Budget is confronted with many difficult problems. I do not want to be unfair to anyone but I do want the people who are so vitally interested in the development of these projects to understand just why they are being held up. I want them to know that the Agriculture Committee has passed upon every project that has been submitted to it and has done so without delay. I hope that the Bureau of the Budget will see fit to forward these projects to the Congress on the first day of the next session. I know that if it does that the Agriculture Committee will act promptly. If it does not, I know of no course for us to pursue except to attempt new legislation which will remove the existing roadblocks which have been thrown up in the path of the development of these projects.

Discussion of Intergovernmental Relations From the Viewpoint of the Municipality

EXTENSION OF REMARKS
OF
HON. HENRY S. REUSS
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Friday, August 30, 1957

Mr. REUSS. Mr. Speaker, recently I inserted in the Record a copy of the statement of Patrick Healy, Jr., executive director of the American Municipal Association, before the Intergovernmental Relations Subcommittee of the House Government Operations Committee on July 30, 1957. Following Mr. Healy's prepared statement, there were some interesting colloquies between Mr. Healy and members of the subcommittee. Under leave to extend my remarks, I include them as follows:

Mr. Fountain. Thank you, Mr. Healy, for an excellent statement.

Mrs. Dwyer.

Mrs. Dwyer. Yes, Mr. Chairman. I was quite interested in what you had to say, sir, on sewage disposal plants and water pollution being a national problem. Why then do municipalities on a State level fight air pollution even on a State level and claim it is a municipal problem when pollution of air knows no boundary lines? Why is their position so different in that field? For instance, the State League of Municipalities in the State of New Jersey opposed a provision or proposal by the State legislature that we have State laws on air pollution.

The League of Municipalities opposed that and said it was a municipal problem. I mean, I can see a similarity between water pollution and air pollution.

Mr. Healy. I am not prepared to answer why the people of New Jersey took that position. I do know that in other States it is considered a State problem, and an interstate problem.

In California, for example, where the problem is particularly acute in some areas, they have asked for expanded Federal research into air pollution control, and they welcome some outside assistance.

Mrs. Dwyer. Would your association then feel that it now was a Federal problem rather than a State problem? I mean, have you taken any position on that as you have on water pollution of streams?

Mr. Healy. Yes, we have. I can't put my finger on it right now, but we have asked for the Federal Government to continue the policies of Federal responsibility for research and technical services, financial assistance to States and municipalities and enforcement of interstate pollution controls.

Mrs. Dwyer. Sir, were you interested at all in the first interstate pact that was made on the study of air pollution beween New York and New Jersey?

Mr. Healy. No; we did not participate in that.

Mrs. Dwyer. Your league was opposed to it actually in both States.

Mr. Healy. I see.

Mrs. Dwyer. That is why I wondered on your water pollution how far you have come along in anything on air pollution as well as water pollution.

Mr. Healy. Our position so far has been mainly to recommend Federal participation in research and technical assistance in air pollution, but in the case of water pollution, we have gone further and recommended and the Congress has seen fit to adopt the principle of Federal aid for construction of sewage-treatment plants.

Mrs. DWYER. In the city of Elizabeth we built our own sewage-disposal plants, and in the city of Plainfield, which is a much wealthier city in my own district they waited until they got a Federal grant, so I am not so sure that that always works on an incentive basis, because sometimes towns that are not as financially able go ahead and do the job that needs to be done for the town without waiting for Federal grants.

There is just one more question I would like to ask. Do you agree with the mayor who was here this morning from Milwaukee, that the Federal Government is in a better position as it concerns collecting taxes; that it is in a financially better position than the States to do the job of civil defense? For instance, he also mentioned school construction.

Would you agree with that when we know that the Federal debt today is almost $274 billion and the money really comes from the States, plus the fact that in school construction it was, I think, brought out that actually there are only seven States that were in real need of moneys for school construction? That is an involved question. Do you follow my reasoning?

Mr. HEALY. I think I see what you are getting at. Our American Municipal Association has taken no stand on the matter of Federal aid for school construction, but I think Mayor Zeidler this morning, in referring to the superior ability of the Federal Government's tax resources was referring to the interstate character of industry today, the fact that a corporation, while it might be located with its home office in a State that has extra-favorable laws, has farflung operations throughout the country or over several States, and that the individual States left to obtain tax revenues from those corporations are not likely to achieve the same success that the Federal Government can.

I think that is more what he was referring to, and as a former State taxman myself, I can agree with that, that it is in that field of taxation that the Federal Government has more resources, is better able to finance government than the States are.

Mrs. DWYER. Do you feel it is because the Federal Government has grabbed those resources from the States where they rightfully belonged?

Mr. HEALY. Well, not entirely. I think, as I pointed out in this testimony, that you have a situation of interstate competition too, and whereas a State may find that it is very desirable to undertake certain governmental services, it may not be willing to finance those services by imposing taxes which they feel might discourage industry from locating in that State, and you have got that continuing process going on to discourage States from assuming their obligations to the public.

Mrs. DWYER. In other words, what you are saying is it is to the benefit of the States to allow the Federal Government to do urban development and slum clearance and sewage disposal plants and civilian defense because on a State level their responsibility is to keep their tax rate down low enough to keep industry within the State and keep the people on the local level happy by thinking their tax rate is not high. Are the States not keeping it low by going to the Federal Government, which is so far away that the people don't realize what the taxes really are?

Mr. HEALY. Well, you can apply that same line of reasoning within the State in State aid for school districts, for example. You could say well, let each school district raise its own money, so the people in that district will know what they are paying for. But they don't do that. Most States now have State aid for schools, and in some cases they have State aid for other activities of local government.

I don't think it is an attempt to try to fool the people into thinking they are getting something for nothing. I think it is an equalization program and recognizing the fact that the State is better able to raise revenue than the local school district is.

Mrs. DWYER. In other words, then your philosophy would be, or would it be—correct me if I am wrong—that the equalization such as we have on the State school aid formula would carry on in the Federal Government for other programs as well that equalize the 48 States on moneys going into the States for urban clearance, and so forth.

Mr. HEALY. I am not advocating it as a means of an equalization program that the Federal Government continue to participate in urban renewal. We advocate that as a means of stimulating urban renewal, as a means of providing Federal leadership which, incidentally, results in about $5 of private capital being spent for every $1 of Government money. It is a terrific program to stimulate private initiative and private action in rebuilding the cities.

For example, in your State of Connecticut, Congressman MAY, New Haven has taken the leadership in this program. This is a stimulating type of action that Federal aid results in.

Also it is a financial participation that we feel would not be there if the cities had to do it alone or if they had to depend on State governments.

We are not suggesting that it is an equalization program. It is just the fiscal facts of life in local government.

Mrs. DWYER. I agree with you on the air program that it has been a very fine thing for the cities of America. I was trying to draw you out what your philosophy was as far as your association is concerned.

Thank you all, Mr. Chairman.

Mr. FOUNTAIN. Mr. MAY.

Mr. MAY. I would like to compliment Mr. Healy on his statement and to perhaps get at the solution to these problems, as I tried to do earlier today.

You say that a lot of your answers to the problem lie in better State legislatures, legislators, more pay, but you have to sell the voters on the virtues of good State government, effectiveness and responsiveness of the State government.

Does your association have any promotional ideas or plans to help do that in the various States as a group?

I know in Connecticut they raised the pay, I think, $100 of the legislators last time. But next door in Massachusetts they work a little longer and they get paid five times as much. There is a great conflict going on in Iowa right now. Perhaps your association is doing something about it throughout the country.

Mr. HEALY. We are not. This is just a personal opinion of mine, as I pointed out here. The association has not undertaken any program to improve, you might say, the caliber of State legislatures.

Mr. MAY. That might be a little difficult. As I look at it, as the two former legislators mentioned this morning, they recognized the problem when they were there. We need everybody in the act.

Mr. FOUNTAIN. You have to put yourself in the position to try to improve your bosses and how they operate.

Mr. HEALY. That is right.

Mr. MAY. Along with the chamber of commerce this morning—maybe they are able to get into more areas than yours—it seems to me we are going to need the support of all kinds of organizations and associations in the country to get some conclusions that will be implemented.

Mr. HEALY. I think our association will give some study to this problem. We discussed it very informally among some of the representatives of the leagues of municipalities this last week and there is quite a bit of interest in this.

When I see both the State legislatures and the Congress in operation, what appeals to me is what a comparison there is. Congress does such a terrific job in the consideration and the passing of legislation that I do not know why the same kind of a job cannot be done at the State level.

Maybe the answer, as I have suggested here, is making it a full-time job. Maybe we should have smaller legislatures and make it full time, like Congress is, professional legislators with adequate staffs and adequate committee staffs and and have a continuing session every year.

City councils do that. They do not have staffs and they are not paid, but they are a continuing body that meets once a week year around. I do not know why the State legislature has to meet only once every 2 years for 60 days.

Mr. MAY. It would seem that the great powers they have over the local governments and with the increased populations and problems and the current discussion of the State programs that ought to be undertaken perhaps by States that they have a long way to go to keep up with the other areas of government.

Mr. HEALY. Yes.

Mr. MAY. Something should be done.

Mr. HEALY. That is right. It is going to take quite an educational program to ever put anything like that over. People's first reaction is "my God, they are in session too long now."

Mrs. DWYER. That is right.

Mr. FOUNTAIN. That is usually the attitudes of the governors.

Mr. HEALY. But actually and seriously the State legislature, I think, is the key to the strengthening of this whole State government process and local governments, therefore.

If the Chamber of Commerce of the United States would take on a project like that to improve the legislative processes, I think they might have a very constructive program. They are the leaders in local businesses and to a large extent have a lot of influence on public opinion. That is the kind of a program they ought to try to get behind instead of arbitrarily wanting to cut out all Federal aid and cut out Federal taxes and leave these things to the State. They do not stop to consider how the States are going to handle them if they have them back again.

Mr. FOUNTAIN. I think we all appreciate the viewpoint of the municipalities as expressed by you, Mr. Healy.

Has your group in any of its meetings ever embarked upon the highly controversial question as to whether or not the Federal Government by virtue of aid in various fields may ultimately get control and as a result of control and continued centralization of power in Washington, because of the inherent dangers in too much centralization might ultimately lead to dictatorship?

Mr. HEALY. We have not considered it from that particular angle.

Mr. FOUNTAIN. I mention that because as we have these discussions, on all of these Federal-aid programs, the significant arguments—and I know I make them myself quite often—are that Federal aid ultimately leads to Federal control and Federal aid will eventually force local governments and people to rely too largely upon that aid and that as a result of Federal control eventually everybody will have to look to Washington and, of course, Washington everyone knows now is a city of bureaucracies. In fact, the other day we were told during the debate on one piece of legislation that the Federal Government has approximately 35,000 advisory committees, allegedly advising somebody in Washington as to how it ought to operate and what it ought to do. That is the reason I asked that question. That seems to be the thing that worries States-righters, so to speak, and there is merit to their position. Then, of course, we in Congress after we have been here a while learn to appreciate the position of those who cannot agree completely with the view of the so-called States-righters because we realize that there are State responsibilities which many times the people in the States are unwilling to accept or simply cannot accept because of fiscal difficulties which you have described.

Mr. HEALY. Well, our association in 1948 and 1949 and 1950-51 adopted various statements on home rule, and one of those statements adopted in 1949 reads as follows:

"The administration of elections, schools, and police must always remain within the control of the States and local governments. Democratic government cannot easily be overthrown by a highly centralized government as long as the elections are local, the educational system under State and local control, and the police are primarily under local jurisdiction. Municipal officials pledge their efforts to retain control in fact as well as in theory under these three important activities."

A lot of thought went into that statement and reflects our position that as long as you retain local control of elections, of education, and of police, we do not fear centralization and too much power in Central Government from Federal-aid programs.

Mr. FOUNTAIN. So long as you do not have Federal control.

Mr. HEALY. That is right.

Mr. FOUNTAIN. With Federal control, it is realistically argued, a few people controlling the reins of Government and the pursestrings could do away with elections, the police forces, and local authorities; is that not right?

Mr. HEALY. That is right, if they have the police.

Mr. FOUNTAIN. That is what happened in Germany and in Japan. That has been the history of dictatorship. There is the continued centralization of power in the hands of a few people, the gradual abolition of rights and privileges of people on the local scene and, eventually, abolition of the right to vote and various other privileges.

Mr. HEALY. That is right.

Mr. FOUNTAIN. No other questions.

Thank you very much.

Mr. Naughton.

Mr. NAUGHTON. Mr. Healy, you made reference to the Federal-State task force that has been appointed by the President and the Governors Conference to examine Federal-State relationships. Is there any representation on that body of the local governments below the State level?

Mr. HEALY. No, sir; there is not at the present time. The task force idea was presented to the governors by the President. The governors accepted it in a resolution and have appointed, I think, 10 of their number to their part of it and the President has made his appointments, but there is no representative of local government on the task force. Our president of the American Municipal Association, who is Mayor Ben West, of Nashville, Tenn., wrote to the president of the Governors Conference on July 11, Gov. William G. Stratton, of Illinois, calling attention to the President's talk at Williamsburg and the task force proposal and if you will permit me, Mr. Chairman, I might read part of that letter.

Mr. FOUNTAIN. You may do so.

Mr. HEALY. "In addition to pointing out that the needs of the Nation's citizens are glaringly evident, the President made it clear that unless action is prompt and effective, urban problems will soon almost defy solution.

"You will recall that in defining the problem and acknowledging the need for prompt and remedial action, the President raised the formidable question as to which level of the government, the city, the county, the State or the Federal Government has the basic responsibility to act. He also pointed out that if all levels must merge their efforts in order to handle the problem effectively, some basis must be established whereby the roles of the specific levels of government can be defined.

"In view of the President's emphasis on urban problems and specific references to current Federal programs effecting the Nation's cities, we assume the work of the task force will be directed largely to an analysis of necessary governmental activities in urban areas. On this basis we feel that participation in the task force by persons directly representing municipal interests would prove of great value to it in conducting the sort of study the President outlined. We are perforce most interested in the task force idea and are anxious to participate in its work actively. We should like to have you know that we stand ready to provide whatever assistance we can in furthering the efforts of the task force to conduct a successful and objective reappraisal of the responsibilities and resources of our local, State, and Federal Government."

By letter dated July 23, Governor Stratton answered our President as follows:

"DEAR MAYOR WEST: This will acknowledge your letter of July 11, informing me of your interest in the President's task-force proposal.

"I have noted your comments with reference to the many pressing urban problems now facing America's cities and I appreciate your thoughtfulness in calling my attention to your desire to actively participate in furthering the work of the task force.

"Sincerely,

"WILLIAM G. STRATTON,
"Governor."

That is typical of the way the cities have been treated. Of course, this may just be an acknowledgement. We hope that the Governor's Conference will call some direct representation of cities into their deliberations.

Mr. FOUNTAIN. I was looking for Mr. MICHEL. I thought he might be able to do something about that.

Mr. NAUGHTON. Mr. Healy, do you know if there is any representation of the legislative branch of State government on this task force?

Mr. HEALY. Well, on the task force itself there is not. They are all governors or Federal officials.

Mr. NAUGHTON. The task force is made up of executive officials from the Federal level and the State level. Since their recommendations, if they are to achieve any great changes or improvements, ultimately must be passed upon by the legislative branch at the State and Federal level, would you have any comment upon whether something might be done to achieve closer coordination with the legislative branch of Government during this study, rather than just presenting the results after its conclusion?

Mr. HEALY. I would hesitate to suggest how that task force should be composed. We have made a suggestion here that urban interests be represented. So far we have not made any impression and I doubt if we would want to suggest anything else in connection with the task force.

Mr. NAUGHTON. I was interested in finding out whether you personally felt there might be value in achieving better coordination and if you had any ideas as to how this might be done?

Mr. HEALY. It would seem that there would be considerable value in having representatives of State legislatures in on the ground floor of the deliberations of that task force, because as you have pointed out, they are the ones that are going to have to pass the laws. My observation has been that many times very well-meaning governors who are men of great stature and broad vision have good ideas which they present to State legislatures that are not adopted, and just as a matter of practical politics it would seem expedient to bring the legislatures into the task force.

Mr. NAUGHTON. Would the last comment apply equally at the Federal level?

Mr. HEALY. I would think so.

Mr. NAUGHTON. Just one other thing.

I think you quoted the philosophy from the Kestnbaum report that the level of government closest to the community should be used in approaching these problems, which need solving. Is it your feeling that the municipality, which I think you characterized as the level of government that is closest to the community, is presently handicapped in solving these problems by restrictions which have either been imposed by or not removed by the States under which the municipalities are organized?

Mr. HEALY. What was the last part of that question?

Mr. NAUGHTON. I wanted to know if it was your feeling that the municipalities, as the level of government closest to the community, have been handicapped in solving these problems because of restrictions that have either been imposed by the States or have not been removed by the States?

Mr. HEALY. Well, actually you mean the Federal programs, Federal aid programs.

Mr. NAUGHTON. Either in connection with Federal aid programs or in solving problems of a general nature.

Mr. HEALY. We feel, as I pointed out, that the present arrangements are quite satisfactory in such programs as Federal aid to airports and urban renewal, where you have a direct Federal-city relationship, and that nothing can be gained by imposing a State channel there, through which Federal aid must pass. Likewise, on all affairs of an urban character, we take the position that the cities are best able to administer local programs without interference from the State. We have quite a strong home-rule statement here that is our guide in this policy and if you care to, I would be glad to read it to you or put it in the record.

Mr. FOUNTAIN. You may leave it with us and we will be glad to include it in the record.

(The document as referred to is as follows:)

"HOME RULE

"1. The rights of home rule should be extended to all American cities. Within the framework of broad constitutional grants and broad statutory grants and limitations, the incorporated municipalities should have the right to adopt and amend their own charters and to pass all other local laws consistent with their powers and not inconsistent with the State constitution and State statutes. The basic right of all people in a democratic society is to govern themselves as long as they can do so without infringing on the rights of others. The extension of home rule would provide a more democratic government in the United States. At the same time, greater responsibility would be fixed on those persons most directly responsible for the conduct of those affairs in government which most directly affect the lives of its citizens. We therefore resolve:

"1-1. The people of an incorporated city should have the right to handle their own affairs under a constitutional grant of power from the State. Home rule would permit cities to amend their own charters by action of the local electors, to choose the activities they wish to perform, and to raise their revenue as they see fit. They should be free to choose their own form of government, not merely to operate a government given them by the State. They should have the right to decide for themselves what services they require, without asking State permission for each new undertaking. They should have authority to raise revenues from any local sources, without being required to beg for funds to pay for the services they need. The municipalities should not be required to support State projects, pay for State services, or carry financial burdens imposed on them by the State (1948).

"1-2. The principle of municipal independence carries with it the obligation of cities to face their own problems, to meet their own responsibilities, to finance their own enterprises within the limits of local resources, and consistent with practical economic and social factors (1948, 1949, 1950, 1951).

"1-3. Local government in the United States should be autonomous so far as practical and consistent with public welfare. While the Federal Government and governments of the several States may invoke their broad powers and greater financial resources to make possible some local government services, still these powers and finances should be delegated for the purpose of administration to the municipal authorities, in a manner consistent with responsible local self-government (1948, 1949, 1950, 1951).

"1-4. The American Municipal Association believes in and will work for effective governmental and administrative organization and practices in municipalities, seeking to preserve the representative character of municipal government, and to assure the people a high standard of municipal service, to the end that the greatest public benefit may result from the use of public funds. While no municipality can have complete autonomy, the cities should have the maximum local authority consistent with their position as constituent elements in a sovereign State (1948, 1949, 1950, 1951).

"1-5. The American Municipal Association maintains that efficient and economical municipal government can best be attained if the citizens of cities have both the power and the duty to require their chosen representatives to constantly seek the best methods of operating municipal activities, without being hamstrung either as to organization or financing by arbitrary restrictions in State constitutions or statutes (1954).

"1-6. The administration of elections, schools, and police must always remain within the control of the State and local governments. Democratic government cannot easily be overthrown by a highly centralized government as long as the elections are local, the educational system under State and local control, and the police are primarily under local jurisdiction. Municipal officials pledge their efforts to retain control in fact as well as in theory under these three important activities (1949).

"1-7. The AMA supports the national franchise and local home rule consistent with the provisions of the United States Constitution for the District of Columbia (1956)."

Mr. Fountain. Mr. Healy, you are familiar with the fact—I refer again to North Carolina—that there we have an Advisory Budget Commission which meets continuously and compiles its report, which the Governor usually signs, and makes its recommendations to the State legislature.

I think both the chairmen of the appropriations committees and of the finance committees of the house and senate are on that commission.

I make that preface to this question. If the subcommittee were to seek the viewpoint of the State legislatures, on the basis of your experience with them and your knowledge of the setups in various States, what particular individuals would be the best point of contact for this subcommittee?

Mr. Healy. I believe most State legislatures have a committee on local government. I would think that the chairman and one or two of that committee should be on.

Mr. Fountain. Are you referring to the local government commission?

Mr. Healy. No, a committee of the legislature.

Mr. Fountain. It is called the Committee on Cities and Towns in any State?

Mr. Healy. They have different names for it. That is what I mean. Another committee would be the appropriations committee chairman. Another one would be the tax-raising committee.

Mr. Fountain. The finance committee.

Mr. Healy. Finance. Finally the chairman of the committee on highways. I think those are committees that most city problems come before and their chairmen should be pretty well familiar with some of the problems.

Mr. Fountain. Of course, the chairmen of the appropriations committee could well serve a useful capacity insofar as the State government is concerned as well as the municipal government.

Mr. Healy. That is right.

Mr. Fountain. Any more questions? Thank you very much.

Mr. Healy. Thank you, sir.

Mr. Fountain. Mr. Bernard Hillenbrand. It looks like we are getting a cross section of the various governments in our country.

Report to the People

EXTENSION OF REMARKS

OF

HON. GRACIE PFOST

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mrs. PFOST. Mr. Speaker, once more at the close of a session, I am making a report to the people of the First Congressional District of Idaho.

In my opinion, the Democratic-controlled 85th Congress has proved itself responsible, temperate, and in tune with the times. By every means of communication at their command, the people let the Congress know they wanted present levels of Government spending cut. That is what the Congress did. The President's budget requests were slashed by more than $5 billion. I hope this forecasts a tax cut for the people next session.

Aside from its economy record, the 1st session of the 85th Congress will be known for two solid achievements—it passed the first civil-rights bill since the Civil War, and it enacted legislation providing for full United States participation in the International Atomic Energy Agency, which will put the atoms-for-peace program into operation.

THE BATTLE OF THE BUDGET

The civil rights and budget battles overshadowed all else. The budget fireworks began when the President submitted the largest peacetime spending program in history. There followed a sensation-packed drama in which the President first embraced, and then denied, again rejected, and then supported the budget which bore his name, only to virtually repudiate it in the end. It was a tragic example of what happens when Executive leadership is lacking.

FOR THE PEOPLE'S BENEFIT

The controversy surrounding civil rights held up legislative action on many other proposals. An important bill that got through will lower downpayments on FHA-insured loans, but because the administration's hard-money policy continues to increase interest rates, little improvement has yet been felt in the ailing housing market, or in the allied western lumber industry.

Immigration restrictions were eased so that many fine Idaho families may now have an opportunity to adopt orphans from abroad and bring them into their homes. Consumers got a break through the passage of a poultry inspection bill which will put fresher and better products on the market.

THE FORGOTTEN FARMER

This year's output of farm legislation was the smallest since the depression. Bills were passed extending the soil bank for 1 year, and allowing farmers to produce up to 30 acres of wheat for feed without penalty. Funds were also increased for swapping surplus commodities for foreign currencies.

Little was done to keep America's family-sized farms in operation. In spite of Secretary Benson's predictions that farmers would make more under this administration's farm policies, net farm income has dropped 27 percent during the past 5 years, and farm mortgage debt is at its highest point since 1921. The administration steeled itself against any attempts to enact a new farm program.

THE MINING INDUSTRY

Accomplishments for the mining industry are also disappointing. The industry did not like the administration's lead-zinc bill, and the administration did not like the industry's bill, and the House Ways and Means Committee did not like either. Then the President pulled the rug out from under the Congress by implying at a press conference that he had been misled in sending the peril-point lead-zinc program to Congress, and suggested that the proper and preferable route was for the lead-zinc industry to file an application with the Tariff Commission for relief under the escape clause. This procedure has been there all of the time. Why did not the administration recommend using it 6 months ago, instead of allowing the lead-zinc situation to deteriorate while the Congress struggled with a bill the White House did not really believe in.

LEGISLATION FOR THE WEST

Several bills of special interest to the West were considered this session. A bill prohibiting the military services from withdrawing more than 5,000 acres of public-domain land without Congressional approval passed both the House and the Senate, and is ready for final approval next session. A measure I sponsored to prohibit futures trading in onions, which has almost unanimous support of the onion industry, is pending on the House Calendar. Hearings were held on bills providing for an overall study by a special commission on how to make best use of the Nation's great outdoor recreation resources.

HELLS CANYON NOT DEAD

The Hells Canyon bill passed the Senate, but White House pressure and private power company lobbying kept it from being reported out of the House Interior and Insular Affairs Committee. There will be further consideration of the Senate-passed bill on February 1, 1958.

Full and proper development of the Middle Snake is now a critical issue. A group of western Congressmen and Senators have asked the Federal Power Commission to withhold granting licenses to the Pacific Northwest Power Co. to build low dams at Pleasant Valley and Mountain Sheep until studies on the proper development of the Middle Snake are completed. If the people of Idaho and the Pacific Northwest are to receive full benefits from the rushing waters of the Snake River, there must be adequate storage in the Middle Snake area.

FOR CIVIL-SERVICE RETIREES

As chairman of the House Retirement Subcommittee, I put in many long hours working on a measure which would require no appropriated funds but would increase pensions for retired civil-service employees. They are having a hard time paying today's prices on yesterday's pensions. This bill passed both my subcommittee and the full Post Office and Civil Service Committee, and is ready for further action as soon as the new session convenes.

The wheels were set in motion to find out why the cost of living has continued to rise each month under this administration. At least three Congressional committees have begun studies of the hard-money policy and other inflationary pressures in our economy. Out of these hearings may come recommendations for legislation which will help the American family stretch its budget.

President Eisenhower has indicated he is disappointed with the performance of the 1st session of the 85th Congress. In reply I can only say—the Democrats in Congress are disappointed that the President did not put up a stronger fight for programs he said he wanted. In many cases, a statement of support from the White House at the right time would have pushed a bill through.

This Congress worked long and hard, and despite the fact that the White House remained aloof on most controversial measures, the record written is a good and substantial one.

Record of 85th Congress, 1st Session

EXTENSION OF REMARKS

OF

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. PRICE. Mr. Speaker, the 1st session of the 85th Congress has ended with a record that contains many disappointments but out of which I think most Members can feel some sense of achievement.

The 85th Democratic-controlled Congress was an economy-minded Congress. Its principal achievement was the reduction of President Eisenhower's requests and the Bureau of the Budget estimate for appropriations for fiscal year 1958 by $5,048,378,979. I supported this reduction recommended by the Appropriations Committee and adopted by the Congress. I opposed all meat-ax attempts to go beyond committee action in reducing requests for appropriations. Many of the most important programs of the Government would have suffered by such meat-ax approaches.

The House Appropriations Committee gave thorough study to each item in the budget and accomplished a record for economy, seldom equaled in our legislative process. The House committee actually reduced budget requests by $5,515,773,184, but some restorations in the Senate resulted in adjustments in conference, with the House position in the main being preserved, so that the final cut by the Congress in President Eisenhower's funds request was $5,048,378,979. This figure I supported.

This was one of the longest sessions of a peacetime Congress, opening on January 3 and closing its work August 30. There were more rollcalls and quorum calls—220 of them—than in any other Congress since the start of the Korean war. I did not miss a single quorum call or rollcall during the session.

During the session, I secured passage of 5 public bills, including 2 which were regarded as part of the President's legislative program, and 3 private bills.

It has been—for the third straight year—a Democratic Congress serving with President Eisenhower, a Republican. Once again it is fair to point out, I think, that the result has not been the "political cold war" the President once predicted from such a division of party power.

In the House of Representatives, on the contrary, the point can be made that most Democrats cooperated wholeheartedly with the President to advance legislation that he said he wanted. For example, the civil-rights bill we passed was taken, lock, stock, and barrel, from the administration proposals. It fell into trouble in the Senate, but this trouble was not partisan trouble but rather sectional.

In the House again, in an effort to save the Federal-aid-to-schools bill, we Democrats agreed on the floor to abandon our own beliefs and convictions on the proper distribution of Federal school funds and accept the Eisenhower proposals. Our offer failed, and the bill was killed; but 57 percent of Democrats voted to save the program and only 41 percent of the President's own Republicans voted with us.

There is no evidence of "political cold war" in that record.

Neither was there "political cold war" in the scrutiny of foreign policy. I myself sponsored the bill authorizing our country to participate in the "atoms for peace" international plan that President Eisenhower recommended. It was not strange for Democrats to support this type of program, for the late Senator Brien McMahon, Democrat, of Connecticut, and I cosponsored the original resolution many years ago that called on the executive department for leadership in the field. The point is that we did not desert our principles merely because they were adopted and recommended by a Republican President whose party might claim the credit.

When the President presented the Eisenhower doctrine for the Middle East, with what seemed to be a demand for authorization for war in the Mediterranean at his choice at some future time, many of us were disturbed, but we supported the President to present a united front to the world.

Nevertheless, although some changes were made in the resolution, the Democratic Congress gave bipartisan and nonpartisan support to the Eisenhower doctrine.

There were some factors that made responsible action by the Congress this year very difficult. One was the violence and persistence of the so-called economy drive. A second, I think we Democrats may fairly say, was what seemed to be extraordinary vacillation in the White House.

The vacillation was noticeable even in regard to the President's $71.8 billion budget. Before this budget was submitted to the Congress, it had been sharply attacked by Secretary of the Treasury, Humphrey, in a background briefing for reporters.

A tremendous wave of letters poured into the Congress that seemed to reflect some grassroots protests against spending. Many of these letters were inspired by organizations, but they were properly heeded by Members of the House who have a responsibility to their own constituents. And the White House never seemed able to make up its mind. The President demanded restoration of Defense Department and foreign aid money cut by the House, but then dropped his requests after the Senate had fought hard to support him—led, I may say, by Senate Democrats. At a crucial moment the President's own Budget Director undercut work in Congress by seeming to endorse attacks on the President's budget proposals.

My own attitude toward the budget was to support all Appropriations Committee efforts at economy—to trim fat and waste and to postpone projects that could be postponed—but to refuse to adopt the meat-ax approach of simply slashing at random. And I see no virtue in trying to deceive the voters by making cuts that are really spurious—eliminating funds for services already obligated, for example, when everyone in the House knows that next year the money will have to be restored in deficiency and supplemental appropriation bills.

Our country has very large obligations for the defense and preservation of freedom in a dangerous world, and the price tag is not cheap. We have subcommittees on appropriations that very carefully study the requests of the various departments and are experienced and skillful at proposing the elimination of waste. These subcommittees are the ones that suggest wise money cuts, and the reports of the subcommittees I supported. The meat-ax approach is not wise and I could not accept it.

There are other examples of what seemed White House vacillation, entirely apart from the budget, that made it difficult for the first session of the 85th Congress to function effectively. One was on the school-aid bill, mentioned above. So far as I can tell, no Republican leader took the trouble to tell the President at the decisive moment that we Democrats had accepted in toto his bill. At least, he did not himself take the trouble to make a few telephone calls to fellow Republicans and tell them that he wanted action. The bill failed by a mere 3 votes on the first rollcall; a shift of 2 votes would have changed the result, and it is inconceivable that the President could not personally have won 2 votes from among the 59 percent of the Republicans who, in the absence of such an appeal, voted against him.

The civil-rights bill revealed a comparable absence of effective Presidential leadership. In the House we gave him exactly the bill he said he wanted. But when it reached the Senate, President Eisenhower seem to begin debating with himself in public. He said in a news conference he was surprised to find certain things in the bill that he did not understand. The result was that he yielded the initiative on the measure to its enemies, and all the waverers began to jump down on the compromise side. The President's performance very seriously damaged what his administration originally insisted it wanted.

The record of 5 years suggests that the President is never really very effective when he announces that he is for something. He may say he is for it, but he seldom carries through. But when he is against something, such as river-valley development or a program to help our still distressed farmers, then the White House is tremendously effective. It fights as one man, and the Republicans respond. But when Mr. Eisenhower says he is for something, he seldom if ever makes the fight necessary to persuade the Republicans he means it.

My own work this session has been divided, as usual, between the legislation all members must consider for the welfare of the country and the particular interests of the district and people I have the honor to represent.

On January 5, 1957—the opening day of the session—I was elected as chairman of the Democratic caucus for the 85th Congress. In that capacity I nominated the gentleman from Texas, SAM RAYBURN, for his eighth term as Speaker of the House; announced the selection of the gentleman from Massachusetts, Representative JOHN McCORMACK, as majority leader; and I was appointed, along with McCORMACK and the gentleman from Massachusetts, Minority Leader JOSEPH MARTIN, to notify the President that the House was organized and ready to do business.

Most people know that much of the work of the Congress is done through committees. I serve on both the Committee on Armed Services, which has jurisdiction over our defense system, and the Joint Congressional Committee on Atomic Energy, which was created as a Congressional supervisor of the Atomic Energy Commission.

There has not been a day during the session, except for brief recesses, when I have not attended at least one—and sometimes two—meetings of subcommittees or committees working in the atomic energy and armed services fields.

For example, many people became interested in our Status of Forces Agreement regarding trials of our servicemen abroad, and the full Armed Services Committee held extensive hearings which I attended.

From the Atomic Energy Subcommittee on Agreements on Cooperation, of which I am a member, we reported out the bill authorizing American participation in the atoms for peace International Atomic Energy Agency. This bill permits the United States to furnish fissionable material for nuclear power reactors in other countries and was necessary to give effect to Senate ratification of the treaty creating the IAEA.

I am equally interested in fostering the speedy development of nuclear powerplants in our country; indeed, it is vital that the United States shall not be outstripped by other major nations in developing this new source of electric power. Presidential hostility has made it impossible to pass the Gore-Holifield bill, instructing the Atomic Energy Commission to build experimental reactors so that the general public may have the benefit of their enormous $17 billion investment in the atom. But there is a program of private investment, and this can be encouraged by proper Government action. So I sponsored a bill, passed by both Houses, providing that the Government will assume liability over and above private insurance coverage for reactor hazards.

In the absence of such Government assurances, private industry and insurance were reluctant to move swiftly. This bill encourages private industry to go ahead, offers protection to the public financially and also writes in certain reactor safety standards that must be accepted.

I must report frankly that I am still concerned about our slowness in pushing for nuclear power. The pressurized water reactor at Shippingport, Pa., largely financed by the Government and based on development work by a team headed by Adm. Hyman Rickover, will soon be in operation. There will be great publicity next January when nuclear power actually moves into the electricity lines of the Pittsburgh area.

But we need to work on other kinds of reactors—particularly a gas-cooled type that uses natural instead of enriched uranium. Forty percent of all TVA electricity is now being used to enrich uranium, and the development of a gas-cooled natural-uranium reactor would be a great step forward toward production of nuclear power at an economic level.

The Atomic Energy Committee, of course, is also concerned with national defense. The Subcommittee on Research and Development has been given credit—correctly, I think—for saving a program of experimental work toward nuclear propulsion of aircraft.

There were unmistakable signs, many months ago, that the administration was lengthening its target dates in an economy move. I had no objection to a cutback in production plans for an airframe for nuclear craft, but there was serious danger that the whole project would suffer from the reduction of Air Force funds for research and development. The subcommittee's providing produced reassurances from Donald A. Quarles, then Secretary of the Air Force, that every effort would be made to pursue the program vigorously.

The joint committee also created a special subcommittee, of which I was a member, to conduct full-scale hearings on the problems of radioactive fallout from nuclear weapons tests.

We heard scores of experts in the field of fallout, the spread of radioactive particles in the atmosphere and on the earth, and the potential effects on human beings, animals, and vegetation. What we had previously was a welter of uncoordinated information, and the subcommittee report—released just a short time ago—sought to summarize the available facts in a coherent and comprehensive form. We did not get the final answers, of course, but the report should prove very useful to intelligent discussion of the problems by the public.

In another field, one other major public bill was passed in which I have long been interested—the bill establishing Federal inspection and Federal health standards in the marketing of poultry.

I introduced the first resolution in the House calling for an investigation of slaughterhouse and processing plants in the poultry industry after I became aware that very sick chickens were being foisted on the public and that the Government possessed no power to protect the public. Now we have a new system providing for Federal inspection, prohibiting the movement in interstate commerce of poultry or poultry products from diseased, unwholesome or adulterated chickens and turkeys. We have had compulsory meat inspection, for the protection of the public health, for many years. Now we have protection of the public health through inspection of poultry.

I sponsored again, in this session, a bill to grant Federal assistance to areas of chronic and persistent unemployment. Despite the general levels of prosperity, the country is pockmarked with numerous areas where worked-out mines or other troubles have given rise to low incomes, lack of economic opportunity, and genuine depression. There should be Federal aid for these areas, to help them through loans, grants, and counsel, to get back on their feet. I am sorry that administration opposition has made enactment of the bill I sponsored, comparable to the bill sponsored in the Senate by our own Senator PAUL H. DOUGLAS, Democrat, of Illinois, impossible.

Naturally I voted for the pay raise for postal workers—and I helped force the bill to the floor, against administration opposition, by petition discharging the committee that had bottled up the measure. I do not consider it right that Uncle Sam should be a bad employer, that he should deny postal workers and civil-service workers the pay increases needed to keep them from suffering from rising living costs. In its best days, the Government has taken the viewpoint that it has a special example to be a good employer, to set an example to private industry, and that is what it should be today.

I regret the failure of the school-aid bill, regret the troubles surrounding the civil-rights bill in the Senate, and can merely repeat that stronger Presidential leadership would have produced better results.

I opposed the natural-gas bill, which would both raise prices to our users of gas and damage the southern Illinois coal industry by allowing a high-profit group of giant oil companies to charge all the traffic will bear. There was sufficient opposition among House Members to keep this bill from being considered in the first session of the Congress.

I sponsored one other bill that is, I think, of more than strictly local interest. This is a measure to incorporate a new veterans' organization, called Veterans of World War I of the United States of America.

This organization, sought by veterans who served from April 5, 1917, and July 2, 1921, would allow perpetuation of the comradeship of those who fought in a war more than a generation past. They have interests in common because of age and memories, and they have a proper concern for celebrating the splendid battle names that ring in their history.

The Defense Department—it informed me in May—has plans well advanced for the return to this country of unknown servicemen of the Korean war and of World War II. Their remains will be ceremonially interred in Arlington National Cemetery.

This is pursuant to two bills that I sponsored in previous sessions of Congress. The remains will be placed in crypts near the sarcophagus of the Unknown Soldier of World War I, in ground already a place of sanctity for Americans, but there will be no change in the present sarcophagus or in its famous inscription, "Here rests in honored glory an American soldier known but to God."

One of the major interests of southern Illinois and of St. Clair and Madison Counties in particular is the question of flood control.

The House this year approved several projects: $97,000 for planning a flood wall at Alton, $550,000 for work on the Wood River levees, and $800,000 for additional levee work in the East Side Levee and Sanitary District.

The House Public Works Committee authorized $40,000 for a small-boat harbor at Alton.

I am sponsor of three bills or resolutions that, in the long run, I hope, will get Federal flood protection that our people seriously need.

One is the bill, which I have sponsored in other sessions also, to get the basic Mississippi River flood-control program modified so as to allow the Kaskaskia project at New Athens, Ill., to be included.

Another is a bill to modify the existing Mississippi River project so as to allow construction of a dam at Chain of Rocks.

The third is a resolution calling for a thorough review of earlier flood-control projects in regard to southern Illinois.

I do not believe that these earlier projects are adequate to meet the needs of our people. The situation has changed sharply since the 75th Congress, 10 years ago, when the comprehensive plan for the Ohio and lower Mississippi Rivers was published. I have asked for new review and survey from the Board of Engineers for Rivers and Harbors, covering both the 75th Congress document and all other applicable reports.

Specifically, I requested the House Committee on Public Works to ask the engineers for a review of all programs with "particular reference to all streams in St. Clair and Madison Counties" that flow into the Kaskaskia and Mississippi "with a view to providing improvements."

The Committee on Public Works promptly sent this resolution to the Army Corps of Engineers for a preliminary report on the feasibility of such a survey and review. The Corps of Engineers has agreed that it is feasible and that the survey should be made, and the committee has approved my resolution. This is the first essential step to getting a better flood-control program worked out along comprehensive lines.

Taking account of the feeling of many of our people that they suffer from remoteness in the processes and availability of Federal court, I also introduced a bill to redefine the area under the jurisdiction of the United States District Court for Southern Illinois. Under my bill the southern district would cover 23 of the southern Illinois counties, including Madison County, and court would be held in Alton, Quincy, and Springfield.

The Record of the 85th Congress

EXTENSION OF REMARKS

OF

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. ZABLOCKI. Mr. Speaker, in accordance with a policy which I have followed since first elected to the 81st Congress as a Member of the House of Representatives, I submit to the people of the Fourth District a report on the major legislative actions of the 85th Congress.

THE 85TH CONGRESS

The 1st session of the 85th Congress has come to a close. We can now look back and appraise its achievements, as well as its failures.

The 85th Congress met and continued in session during a period of trial and crisis. On the international scene we have witnessed several upheavals in the Communist realm. Still we have made no apparent progress toward a secure and lasting peace. The Communist threat has not vanished. Red penetration into the Middle East, Southeast Asia, and other areas has continued. By crushing the rebellion in Hungary and going unpunished, the Soviets reasserted their supremacy over the captive nations. Further, aided by the bungling and inaction on the part of our administration, they managed to gain an important foothold in the Middle East. In spite of the disarmament talks in London, we seem to be no closer to peace than we were a year ago.

On the legislative front, foreign affairs legislation fared poorly. The first session was marked by, first, a signal lack of new approaches to the solution of world problems; and second, growing discord between the majority in Congress and the Chief Executive. Both can be traced to the lack of Presidential leadership.

Extensive studies conducted during the past year pointed to the need for a new approach to foreign policy problems. Virtually none have been forthcoming from the administration. The $4 billion foreign aid bill proposed by the President did not help the situation; it was padded, arrived late, and was not actively championed by the President until too late. Congress cut into it deeply, appropriating little over $3 billion in new funds. Other bills in this field either failed to clear the committee stage, or ran into stiff opposition on the floor of the House.

With respect to domestic legislation, the picture was more encouraging. Faced with a recordbreaking $72 billion budget proposed by President Eisenhower, Congress spent much of the session trying to trim it to the bone, and made encouraging progress. The budget was cut by $4.9 billion.

A detailed report on legislative actions—and on my votes on the various bills—is tabulated with this report. It outlines all major legislative actions, including the passage of reorganization legislation, the Housing Act, civil rights, and other measures.

There were, however, three important areas which needed—but failed to receive—special attention:

First. Inflation, aided by high Federal spending, continued to spiral. The cost of living is still on the upswing. Ever-increasing interest rates, pushed up by deliberate Government action, are fattening the purses of big investors but place a heavy burden on the average wage earner. The cost of home mortgages, business loans, auto and other consumer borrowing has gone up. Even the cost of servicing our national debt has jumped $1 billion a year. This comes out of our pockets.

Second. The average taxpayer and the small-business man are hard pressed. Federal tax revenues are at an alltime peacetime high. Together with high interest rates resulting from the tight-money policy, they spell trouble for the average taxpayer and the small-business man. While large corporations are reporting record profits, small-business earnings dropped sharply. The number of bankruptcies has increased. On top of high taxes and the tight-money policy, the administration, first, has been bypassing small business in Government procurement; and second, reneged on a tax cut recommended by a special Presidential Commission.

Third. The farm problem has not been solved, even though the cost of running the Agriculture Department has gone up under Mr. Benson from $1 billion in 1952 to $4 billion a year under current rate of spending.

Voting record of Representative CLEMENT J. ZABLOCKI, *85th Cong., 1st sess.*

Stand	Issue	Status
	INTERNATIONAL AFFAIRS	
Opposed	Resolution giving President standing authority to use United States Armed Forces in the Middle East	Became law.
Voted for	Mutual security program for collective defense	Became law.
Opposed	Postponement of interest payments on the British loan	Became law.
Voted for	United States membership in the International Atomic Energy Agency	Became law.
Voted for	Revision of our immigration laws, special visas for orphans	Became law.
Voted for	Review and revision of the Status of Forces Agreement	Pending.
Voted for	Resolution demanding accounting for the 450 American servicemen reportedly held prisoners of war by the Communists	Approved.
	GOVERNMENTAL REORGANIZATION	
Voted for	Extension and simplification of Government reorganization	Became law.
Favored	Improved method for submitting Federal budget estimates	Passed Senate.
Favored	Strengthening of the anticorrupt practices Federal election law	Pending.
Voted for	The Civil Rights Act of 1957	Became law.
Voted for	Salary increases for postal and other Federal employees	Vetoed.
Favored	Establishment of the Airways Modernization Board to assure safe, efficient navigation system for civilian and military planes.	Became law.
	NATIONAL DEFENSE AND INTERNAL SECURITY	
Voted for	$34,000,000,000 appropriation for the Department of Defense	Became law.
Voted for	Revision of doctors', dentists', and specialists' draft law	Became law.
Voted for	Improvement of the Federal Civil Defense Act	Passed House.
Voted for	$45,000,000 construction and equipment program for aeronautics research	Became law.
Voted for	Protection of FBI files against undue exposure	Became law.
	NATIONAL ECONOMY	
Favored	Ending the issuance of rapid tax writeoff certificates	Became law.
Voted for	Reduction of cabaret tax from 20 percent to 10 percent	Passed House.
Voted for	Strengthening of the Small Business Administration	Became law.
Opposed	Increase of postal rates, particularly first class	Passed House.
Voted for	Increase in borrowing power for Federal National Mortgage Association	Became law.
Opposed	Higher interest rates on U. S. Government bonds	Became law.
Voted for	Congressional investigation of "tight-money" policy	Defeated.
	VETERANS AND SERVICEMEN	
Voted for	Increasing rates of compensation for disabled veterans	Became law.
Voted for	Increasing and extending veterans' home loan program	Became law.
Voted for	Consolidation and simplification of laws on veterans' benefits	Became law.
Voted for	Increasing pensions of widows of Spanish-American War veterans	Passed House.
Voted for	Liberalization of requirements for veterans' widows' benefits	Became law.
Voted for	Reemployment rights for National Guard men	Passed House.
	SOCIAL SECURITY, HEALTH AND WELFARE	
Voted for	The Housing Act of 1957	Became law.
Voted for	To extend time for disabled persons to file for social security	Became law.
Favored	Improved annuities under the Civil Service Retirement Act	Pending.
Favored	Voluntary social security coverage for policemen and firemen	Pending.
Voted for	Federal aid for school construction	Defeated.
	AGRICULTURE AND NATURAL RESOURCES	
Voted for	Authority to sell, barter or donate United States surplus farm commodities abroad in support of our foreign policy	Became law.
Voted for	Compulsory inspection of poultry in interstate commerce	Became law.
Opposed	Exemption of natural gas producers from Federal regulation	Pending.
Favored	Establishment of humane methods in slaughter of meat animals	Pending.
Voted for	Extension of our national soil conservation program	Became law.
Voted for	Limited extension of the soil bank program	Defeated.
Voted for	Increased borrowing authority and powers of St. Lawrence Seaway Corporation	Became law.

Rollcall record	Total number of rollcalls and quorum calls	Rollcalls	Not voting	Quorum calls	Absent [1]
85th Cong., 1st sess.	220	100	15	120	14

[1] Absence on quorum call does not necessarily mean a legislative day's absence.

An Economy-Mandated Congress

EXTENSION OF REMARKS

OF

HON. EARL WILSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. WILSON of Indiana. Mr. Speaker, with the close of the 1st session of the 85th Congress, we who are Members of this body can agree on one fact, at least—that we were mandated by the American people to reduce Federal spending, balance the budget and otherwise get the Government's financial affairs in order. Everyone knows, or should know, that we are in a life-and-death struggle with Public Enemy No. 1—inflation. People are worried, scared, and they look to Washington for protection and relief.

In analyzing my own record in this and previous Congresses, Mr. Speaker, I am proud that I have consistently sought economy in government. As a member of our Appropriations Committee, I have been strong in demands for drastic cuts in departmental budgets, particularly the multi-billion-dollar Defense Department. I cannot, for the life of me, see why it is necessary for our military forces to spend some $40 billion a year even though the maintenance of defenses, with the consequent easing of war hazards, is very expensive.

My Ninth Congressional District in Indiana is comprised of 14 counties with a population total of some 260,000. It is a typical grassroots section where people are thrifty, realistic, and aware of the fact that money does not grow on trees. Early in this session they let me know of their firm determination against $72 billion Federal budgets and doubtful giveaway programs to foreign powers.

The mandate of Indiana people was so strong that I joined with my Indiana colleagues in late February, 1957, in signing a declaration of economy in Government which stated, in part:

> The Indiana Republican delegation in the House of Representatives, after careful study and evaluation, has unanimously agreed that a reduction of the $72 billion budget will be in the best interests of the people of the United States. It was further agreed that every proposed reduction in the budget, which does not curtail essential services or endanger the security of our country, will be supported.

I know, Mr. Speaker, that I have consistently followed that declaration of policy. In fact, my record of economy votes was noted in the Congressional Quarterly as being the highest in the State of Indiana and among the highest in the entire Nation.

Despite the demands of my committee work, I was present on this floor to cast my vote on virtually all of the 100 rollcalls of the session just closing.

As an example of my economy policies, I would mention the various appropriation bills on which this chamber acted, after these measures had cleared the committee on which I serve. I helped in two places to get these appropriations reduced—in committee and on this floor.

For fiscal 1958 the various appropriation bills sought a total of $64,048,466,290. When they passed the House they had been reduced to $58,515,233,806. After Senate and conference clearance they totaled $59,134,110,706. These totals do not reflect certain other costs which the Nation's taxpayers are called upon to assume. One huge item is the fixed charge of approximately $7,400,000,000, which represents interest on our public debt, now exceeding $270 billion.

I had great misgivings about the amounts requested in these appropriation bills. In every instance where there appeared a possibility of voting for responsible reductions, I did so. In one of the appropriation bills, 14 amendments were voted upon with an aim of effecting reductions. I am proud to have been one of those who voted in favor of each of those 14 amendments.

The Congressional Quarterly tabulations for 26 so-called economy bills through July 28 showed that I had favored 22 of them for a percentage of 81. This is among the most consistent records held by any Member of Congress.

In analyzing the record of this Congressional session, we find that relatively few major bits of legislation were acted upon. Of more than 13,000 measures introduced, only about 250 emerged with House and Senate approval. Much remains to be done next year. Little was done about veterans' legislation, and I am particularly anxious that Congress consider problems of World War I veterans. They truly are the forgotten men of this century's American wars. Giving them some help where it is needed would be sound economy and entirely justified.

It is also noteworthy that taxpayers of America received no relief during the first session. No substantial tax reductions were enacted, and few were given the courtesy of consideration. Yet the tax revenues under existing laws increased from $68,165,000,000 in fiscal 1956 to $70,989,000,000 in fiscal 1957 because of the economic growth of the Nation.

The Mutual Security Act, or foreign aid bill, was reduced to a $3 billion figure from the $4.4 billion sought. I opposed this bill because I know our people, already suffering from oppressive taxation and ruinous inflation, strongly doubt the wisdom or fairness of spreading money abroad with the abandonment so evident in the past. Foreign aid, as we are doing it, should be thoroughly scrutinized and reevaluated. That is the temper of the American public.

It is my determination, Mr. Speaker, to press vigorously for economy in government for as long as I remain in Congress. It is an urgent necessity if we are to stem the rapid drift toward inflation. Ever since we deserted the philosophy of those who framed our Constitution, which limited our powers to tax ourselves, this Nation has known little about the blessings of economy.

I have long advocated a full-scale reform of our national tax structure. Whether the 16th amendment, which provides for the levying of an income tax of unlimited amounts according to the whims of Congress, was a proper step is indeed gravely doubtful.

When we come back to Washington for the second session of this Congress, I hope every Member on this floor will remember that he carries a mandate from his constituency. It is a mandate as strong as any ever declared by the American people. They want a return to commonsense, economical Government. That is our job for 1958.

So-Called Right-to-Work Laws Are Anti-Union-Security Laws

EXTENSION OF REMARKS

OF

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. PRICE. Mr. Speaker, there are now 17 States which have, under the authority of section 14 (b) of the Taft-Hartley Act, so-called State right-to-work laws. President Eisenhower's Secretary of Labor, Mr. Mitchell, has repeatedly said that these State laws are wrong in principle, but I call your attention to the fact that he has never asked us to repeal the Federal law that tolerates them. Secretary Mitchell talks a good line about what he suggests are the pro-labor policies of this administration. He is never able to deliver the goods; he can not count on support either from his President or the leadership of his party in Congress.

The right-to-work label on these State laws is a complete misnomer. They guarantee to no one the right to work. They guarantee no single human being a job. Accurately described, they are simply anti-union-security laws. They are designed to make union organization more difficult and to jeopardize the security of established unions by saying that no kind of collective bargaining contract can contain a union-shop or maintenance-of-membership clause.

They are, therefore, antiunion laws. They are intended to block and frustrate union operations.

As a member of the Democratic Party, it is a source of satisfaction to me to observe that the only State which in recent years has repealed a mislabeled "right to work" law was the Democratic State of Louisiana. Louisiana repealed its statute this year. But in 1955, Utah, under a Republican State administration, adopted one of these outmoded statutes and the Republican Governor, the Honorable Bracken Lee, signed it. In Kansas in 1955, a Republican legislature passed such a law, and when the Republican Governor vetoed it he was sharply attacked by his party.

Mr. Speaker, I suggest that we look at the economic facts of our industrial society. Labor organization has been a positive good to us. The process of collective bargaining may once have been a rather simple one. Today it involves expert studies of productivity—the output per man-hour, the value of new machinery, and the profits to be shared from new technological processes—as well as discussions of equity and simple justice.

The economists who serve the labor unions are as well trained, technically, and as honest—if not so well paid—as those who serve great industry. They know how to talk in terms of the value of purchasing power—mass purchasing power by millions of worker consumers—in undergirding our economy.

Collective bargaining and unions have helped build our mass purchasing power. They furnish the market that lets steel executives plan enormous expansions of capacity. The consumer market is among the most significant factors that Government fiscal agencies must consider in their mysterious manipulations of credit and fiscal policy. Union wages, to a considerable degree, form a bulwark of purchasing power.

The so-called right-to-work laws of the States do not embody any concept of State responsibility for economic prosperity, for the right of hard-working people, in general, to have a decent place in the scheme of things.

The Federal Government has a very specific obligation to maintain what we call prosperity. When here in Congress we adopted the Employment Act of 1946, we said that employment or unemployment were issues for the Federal Government to consider. We said, in fact, that the maintenance of maximum employment was a direct concern of the Federal Government.

The 17 States that continue right-to-work laws, so-called, have made no comparable acknowledgement of their own. They have not said they will use Government processes to see that willing workers have decently paying jobs. They have not said they recognize a responsibility for prosperity in their own Commonwealths.

The States could not say such things, of course. Our economic system is interstate and national, and only the National Government can really do anything about trying to promote conditions under which people have a right to work—that is, prosperity and jobs.

What the 17 States have done, in their mislabeled right-to-work laws, is to pretend they were interested in jobs, but to adopt, in fact, an antiunion attitude.

It is significant, Mr. Speaker, that here in Congress we have never passed any law saying that unions could not negotiate, through the normal processes of collective bargaining, a union-shop clause in contracts.

Why have we not done so? The simple fact is that it would be contrary to our consciences, to what we know of practical industrial relations and the value of free, strong unions. It was a shabby thing that we did in 1947—to say that we would not pass an anti-union-security law ourselves, but that we would, through section 14 (b) of the Taft-Hartley Act, give the more antiunion States a Federal license to pass such laws on their own.

I consider it significant that no State in which industrial relations between management and strong unions has an established tradition has ever considered seriously a so-called right-to-work law.

The States which have passed these laws are those in which industry and industrialized society are relatively new.

My suggestion is that they would benefit greatly—that they would avoid many of the mistakes made decades ago by others of us—if they would heed the voices of experience.

In an industrialized society—a capitalism that is also democratic—strong, free trade unions are inevitable and an affirmative good.

Pass a law to restrict unions and you achieve nothing except an intensified drive on the part of unions to overturn the law. Give the unions respect and good standing, and the American citizens who are members will take care of their own self-discipline. Never in American history has an antiunion law, or an antiunion decision of the Supreme Court, stood the test of time. But in times of genuine crisis the leaders of unions have shown that they recognize their responsibility as citizens of our whole democracy.

The best way to cure the evil of the so-called right-to-work laws in the remaining 17 States is for us to repeal section 14 (b) of the Taft-Hartley Act that makes them legally tolerable.

Mr. Speaker, Secretary Mitchell has not asked us to repeal this section. President Eisenhower has not asked us to repeal the section. President Eisenhower, in fact, has refused to back up his subordinate, Mitchell, in saying that the States should repeal the laws on their own.

The record shows that the laws are wrong, that they go contrary to American experience. The record also shows we in the Congress have had no help—not little help, but no help—either from the President or his Labor Secretary in moving toward overriding the State laws as apparently they need to be overridden.

Legislative Record of the 1st Session of the 85th Congress

EXTENSION OF REMARKS

OF

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. McCORMACK. Mr. Speaker, the 1st session of the 85th Congress has been a successful one, and in the legislative history of our country it has been a historic one.

For the passage of the civil-rights bill—right to vote—is an event that will forever mark this Congress as one of historic significance. The importance of this event, the first time in over 80 years, is further emphasized by the fact that this bill was passed by a Democratic controlled Congress. And yet, only a few years ago, when the Republicans controlled the 83d Congress, with President Eisenhower then, as now, in the White House, such legislation was not even reported out of the Republican-controlled committees of either branch. In the language of the legislator, in the 83d Congress, civil-rights legislation was killed in committee.

In making my statement as majority leader on the accomplishments of the first session of this Congress, I could rest my case on the statement that I have made that the past session has been a successful one, and in the legislative history of our country, a historic one in the passage alone of this bill.

Another history-making event was the passage of the Middle East resolution. It is rare in our history that an entire Congress, never mind one of its sessions, is faced with two such historic events and handles them in a successful manner.

The importance of these two events from the angle of legislative history cannot be denied or minimized.

After his election last January, and on the opening day of the Congress, Speaker RAYBURN delivered to the Members of the House of Representatives a brief but expressive address in acknowledgment of his election as Speaker of the 85th Congress.

I quote a part of Speaker RAYBURN's remarks because they are worth our reconsideration today—months later—as a standard for evaluating the work accomplished during those long months. The Speaker said, referring to Congress:

> This is the highest theater that anyone plays in upon this earth today. I must refer again to the tremenedous and at times appalling responsibility that falls upon the shoulders of each and every one of us. We must so act in the days to come that we will merit the confidence and the faith not only of our own people but of the people of the whole world, because your country and mine has been challenged to take the leadership of the Free World. If we do not with courage and judgment accept that leadership, then the world will be a place in which good men and women will be unhappy.

He concluded:

> This is no time for acrimony. This is a time of dedication for every human being that lives within the confines of the United States of America. Therefore, I look forward to a session that will be fruitful, that will be serviceable not only to us but to the other people of the earth.

The Speaker's simple but practical statement of his test of the success of the newly assembled House of Representatives by implication makes of less importance many other tests which are being applied today as the session closes. The President, majority and minority Members of the Senate and House, authors of newspaper editorials and special columns, TV and radio commentators, and the representatives of numerous special interest groups and geographical areas, are expressing widely different views, largely because they have set up as basis for their judgments so many different criteria of successful Congressional achievement. Some persons measure our work in terms of the number of Presidential recommendations we enacted into law or defeated. President Eisenhower himself during the closing days of the session expressed disappointment that more of his proposals had not been adopted, but others have judged that in the light of all surrounding circumstances Congress did rather well by the administration's program. The record shows that President Eisenhower received generous treatment, particularly with a large segment in a number of cases, a majority of his own party voting against him.

To try to summarize all these evaluations of the record of the 1st session of the 85th Congress presents a difficult task. During the past few days I have been reading a large sample of these analyses, ranging from the strongly partisan to the more objective, and I quote a part of an editorial in the New York Times which stated, in part:

> The first session of the Democratic 85th Congress has left a record sure to frustrate all those analysts who demand verdicts of precision. No such clear-cut summation is possible on the facts. This session has rejected some of the President's proposals; but some presidential defeats, as, for example, in the death of the school-aid bill, were caused largely by members of his own party, and were compounded by his own occasional lack of enthusiastic leadership. The session has adopted some Presidential proposals intact; others it has adopted and then basically redesigned to suit Democratic purposes. * * * The political climate in general, indeed, has been good. There has been a total absence of irresponsible and merely punitive Congressional investigatory action. The President and the Congress have moved together, each in decent regard for the rights and privileges of the great separate constitutional house which the other occupies.

On the last day of the session Senate Majority Leader JOHNSON said:

> Mr. President, this session acted responsibly. This session acted courageously. This session acted constructively. We can

leave it to the historians to determine the rank of this Congress in history. For the present I think it is sufficient to say it was a job well done. Individuals may have been disappointed. But the country was not disappointed, as was demonstrated in Wisconsin earlier this week. And when the adjournment bells ring, the record of this Democratic session I think will compare with any.

It is apparent that Speaker RAYBURN and Senate Majority Leader JOHNSON have, in substance, said the same thing. Speaker RAYBURN's emphasis on the responsibility of the Congress for "a session that will be fruitful, that will be serviceable not only to us but to the other people of the earth," is matched by Senator JOHNSON's emphatic statement that "This session acted responsibly—courageously—constructively." This is not merely a partisan defense of a record, but the statements of these two leaders represent the consensus of the views of objective-minded persons, in and out of Congress.

For myself, I subscribe wholeheartedly both to Speaker RAYBURN's test of successful Congressional action and to Senator JOHNSON's conclusion that Congress has met this test in the session which has just ended.

President Eisenhower's expressed disappointment in the record of Congress is difficult to understand. It seems to be a personal and hasty reaction rather than a conclusion justified by the facts. Every President in modern times has had a list of measures which constituted the legislative program of his administration, and it is right and proper in our system of government that he should work to get every item enacted into law. But no President has ever achieved that aim—not even Presidents supported by large majorities of their own parties in both Houses of Congress. Probably their disappointment has been just as great as President Eisenhower's. But in most cases they have worked harder, more skillfully, and more consistently than he has done to get his program enacted, and their disappointment may have been tempered by the realization that at least they had not failed by default. President Eisenhower, furthermore, appears to be rather naive in his belief that he could get immediate action on all of the recommendations he submitted during the first session of the present Congress, some of them highly controversial, and many minor in nature. Normally, the first session of a Congress starts out with a large program of its own and administration measures, and it takes about 3 months to organize and get started. Some of these receive final action during the first session, but always a very large number—many of which may have been passed by only one House or given hearings before committees—remain on the calendar for disposition in the second session. True to form, a very considerable number of administration measures was enacted in the past session, a few were defeated, and many remain to be acted on next year. If the President understood this, or were reasonably patient, he would direct his attention to getting Congressional action on the remainder of his program, rather than complaining against Congress for not having disposed of his entire program during the first half of its normal working period. He might work to have more of the members of his own party support his recommendations. Furthermore, the President should realize that there is no particular reason to believe that his program of legislation is so perfectly prepared that agreement with it is inevitable. Most legislative proposals in their original form are extremely complex and their impact cannot be fully appreciated. Such matters as foreign aid, for example, require the joint consideration of the administration and the Congress, and the final legislative measure may be—and frequently is—a combination of the original views of these elements, plus modifications which develop during the process of consideration. A few of President Eisenhower's recommendations, after submission to such joint consideration, were defeated during the past session; some were enacted in almost their original form; others were amended before passage; others have yet to be given that thorough consideration which Congress is obliged to accord them if it is to be responsible to its obligations. President Eisenhower must realize and expect that his proposals to Congress—proposals of major importance because of their source—need thorough consideration and that the Congress is working with him, and not against him, in the effort to enact legislation which is in the best interests of all our people. If the Congress were to be merely a machine for processing into the form of statutes every recommendation from the President, we would not be the Congress of the United States as our duties are prescribed by the Constitution and as they are accepted to be under our form of government.

Particular interest has been attracted to the record of the present Congress because of the divided control in our Government. The record of the past session shows that instead of a stalemate resulting, that the Democratic-controlled Congress has cooperated with President Eisenhower in the most understanding and effective manner. An examination of rollcall votes shows that on many of his recommendations and budget estimates President Eisenhower received more support from the Democratic Members than from Republican Members.

This record of action for the national interests of our country, and for the best interests of our people will continue in the second session of this Congress, for the Democratic Party is not a party of blind opposition.

The policy of the Democratic Party is to constructively support, constructively propose, and when in opposition to a measure, to constructively oppose.

The Democratic Party, even at times when the opposition was playing partisan politics, has steadfastly adhered to bipartisan action.

In the world of today it is important that bipartisan action continue, and that understanding relationships between the two great political parties and the leaders thereof exist. For of paramount importance to all Americans is the United States of America and its national interest.

And in establishing bipartisanship and national unity so necessary to meet the problems of the present emergency, President Eisenhower must play his part. In attaining this important and necessary objective the President is a leading figure. The making of unwise or emotional statements by the President, particularly when they vary from the facts, such as his statement of being "keenly disappointed" with the record of the first session of this Congress, is not consistent with such leadership.

The reply of Speaker RAYBURN to that statement is not only pertinent, but expressive and justified. I quote the Speaker, "When I operate with a man I always like to know where he stands today and where he stands tomorrow."

In the best interests of our country, and for a future world of peace, bipartisan policy and action is as necessary today as any time in the history of our country.

There is a strong feeling among our people, which feeling I have, as well as many other Members of Congress, that our position internationally is not as secure as it was 2 or more years ago. It is not too late for this situation to change, but it calls for firm and consistent leadership on the part of President Eisenhower.

The quicker we get back to the basic policy of peace through strength the better it will be for our country and for the Free World.

In addition to the civil-rights bill and the Middle East resolution which I have already referred to, I call attention to some of the important measures enacted during the past session.

Another bill of great importance that required months of hearings and consideration is the International Atomic Energy Agency Participation Act. The President considered this to be a recommendation of great importance in carrying out of foreign policy and in making progress toward ultimate peace.

As Chairman DURHAM, Democrat, of the Joint Committee on Atomic Energy, well said on this measure:

> By participating in this Agency, the United States has an opportunity to demonstrate to all nations of the world our leadership and interest in the field of atomic energy, our technical accomplishments, and our willingness to help other countries to apply the best use of the atom. The Agency also provides a real means and method of developing an effective international control system to divert fissionable materials from weapons to peaceful purposes, and to emphasize the best use of atomic energy.

Another important bill passed is the Atomic Energy Indemnity Act, designed to encourage private industry to develop atomic energy in this country.

One of the significant results of the past session was the action taken on President Eisenhower's budget message, the largest peacetime budget in the history of our country.

While different opinions have been expressed as to reductions made by the Congress, it is generally recognized and understood that the reductions are in excess of $5 billion. In itself, this is a remarkable achievement.

In addition to the passage of the various appropriation bills, among which were many controversial items, and the foreign assistance—mutual aid—authorization bill, and later the foreign assistance appropriation bill, many other bills of importance were passed, such as:

Extension of the Agricultural Trade Development and Assistance Act of 1954.

Amendment of the Small Business Act of 1953, improving that act in the interests of small and independent businesses and particularly the establishing of the Small Business Administration on a permanent basis.

Extension of the Reorganization Act of 1949.

Amendment of the Airways Modification Act of 1953, and the establishment of the Airways Modification Board.

Amendment of the Immigration and Naturalization Act. While this particular bill does not go as far as some would like, it represents a marked step forward, and will bring humane and beneficial results to about 60,000 persons and orphans each year.

Establishment of a deferred grazing program. The rolcall vote of the passage of this bill is an interesting one, for 192 Democrats voted for its passage, with 9 against. On the other hand, 78 Republicans voted for its passage, but 100 Republicans voted against it.

The House resolution requesting the President to furnish information on the results of the survey conducted by him and the executive agencies as to where the President's original budget estimates could be reduced. The passage of this resolution was a matter of great concern to the American people. If complied with by the President, it represented cooperative action with the Congress as intended by the Constitution.

On this rollcall 210 Democrats voted for the resolution, with only 3 Democrats against it. On the other hand, only 10 Republicans voted for the resolution, and 175 Republicans voted against it.

Amendment of the Anglo-American Agreement. This was a major recommendation of President Eisenhower. If it failed to pass it could have had serious adverse results in the field of foreign affairs. President Eisenhower was very much concerned about this bill and its passage. The rollcall vote is very interesting. On this measure, strongly urged by President Eisenhower, 133 Democrats voted for it with 68 Democrats against its passage. On the other hand, only 85 Republicans voted for its passage and 99 Republicans against it.

This clearly illustrates the division within the Republican Party, and which has shown itself on a number of other votes during the past session. And with this division, the record of the past session under Democratic control is all the more remarkable.

Appropriation of adequate funds for the Tennessee Valley Authority. On the rollcall vote to reduce the apropriation, 219 Democrats voted against this amendment, and 2 for the reduction. On the other hand, 156 Republicans voted for the reduction and only 25 against it. A vote for the reduction of funds for the TVA was not in the best interests of the people of the area of the country served by this great activity.

The bill authorizing the Federal Power Commission to issue a license to New York Power Authority for the construction of a power project at Niagara Falls.

A bill to restrict the use of the Federal Bureau of Investigation files by defendents in criminal cases. The passage of this bill was a matter of vital importance.

Extension of the excise and corporate taxes.

The Housing Act, more liberal than the one recommended by President Eisenhower.

Adequate appropriations for medical research. This action on the part of the Congress is a matter of paramount importance to all the people of he United States. The amount appropriated was larger than that requested by President Eisenhower. While all Members are entitled to credit, a special commendation is due in the progress made by the Federal Government in the field of medical research to the gentleman from Rhode Island [Mr. FOGARTY] and the Senator from Alabama [Mr. HILL].

The pay raise bill for postal employees, which, unfortunately has been pocket-vetoed by the President.

The pay raise bill for other classified employees, which, unfortunately has also been pocket-vetoed by the President.

In connection with these two bills, it is my firm opinion that pay raise legislation for the postal and other classified employees will go into effect next year. One thing is certain, the Democratic-controlled Congress which passed these bills in the last session will make every effort to do so in the coming session. The pay raises carried in the bills were justified. The action of President Eisenhower in vetoing these bills is most difficult to understand, and is justifiably subject to criticism.

There are some measures and appropriations which failed to pass, which deserve comment.

Much has been said and written about the school-construction bill. The bill reported out of the House committee represented a reasonable compromise between Democratic and Republican views on such legislation. The President stated that he would sign the bill as reported out of committee. While under debate in the Committee of the Whole, a motion was made by a Republican Member which, if adopted, would have made the bill conform to the President's original recommendations. The Democratic Members in charge of the bill stated they would support this amendment. However, before this vote could be taken in the Committee of the Whole, the motion to "strike out enacting clause" was made, and it carried.

The bill then came before the House of Representatives for consideration on whether or not the enacting clause would be stricken out. To strike out the enacting clause meant to kill the bill.

The rollcall vote on this question is very interesting. It shows that 97 Democrats voted in favor of striking out the enacting clause, but 126 Democrats voted against such action. On the Republican side, the vote was 111 Republicans to strike out the enacting clause—which meant to kill the bill—and only 77 Republicans voted against it. The enacting clause was stricken out by a vote of 208 to 203.

This is another illustration of what I have said in the House of Representatives that the President goes one way, and the majority of his party in the House goes the other way.

The House resolution for a Subcommittee on Banking and Currency to study national and credit policy came up for action in the House. This was a very important resolution in the interests of the average American. It was defeated. The vote of this resolution is also very interesting, for 172 Democrats voted for it, 38 Democrats against it; and on the Republican side, only 2 Republicans voted for it, with 187 Republicans voting against this important resolution.

An appropriation for $14 million to start the Federal insurance program, which Congress had voted in 1956, and which was the minimum amount necessary to keep this necessary program alive. This appropriation was defeated by a vote of 218 to 186. It was a part of a larger amount recommended by President Eisenhower. On this vote 127 Democrats voted to keep the program alive, and 89 Democrats voted against it. On the Republican side only 59 Republicans voted for this appropriation and 129 Republicans voted against it.

There are measures that will be acted upon in the second session of this Congress, such as statehood for Alaska, which has been reported out of committee, and I am confident that statehood for Hawaii will also be reported out of committee and acted upon.

If the President and Republican leadership can persuade 50 percent of the Republican Members of the House to vote for these bills, they will pass during the next session.

There are other measures such as wider minimum wage coverage that can be enacted into law during the next session if some Republicans, both in committee and the House of Representatives, will support such legislation.

The Hells Canyon bill has been vigorously opposed by President Eisenhower and his administration. This is most unfortunate and contrary to the best interests of the people of the area affected. It is also an advisable project for our country to develop. On the vote in committee, not a Republican voted in favor of this bill. In committee it was defeated by a few votes. Every member in committee who voted for this bill was a Democrat, and all Republican members on this committee voted against it. The Republican Party and each Republican member have their responsibility for this and for votes on other measures.

Continuing until July 1, 1959, suspension of 2,000,500 statutory limitation on personnel strength of Armed Forces.

Extending until July 30, 1958, the President's authority to expedite defense contracts under title II of the first War Powers Act of 1941.

Authorizing $1.2 billion program of construction at installations and bases of Armed Forces here and abroad, which includes $51 million for new housing facilities.

Assuring adequate medical treatment for those in the Armed Forces by legislation inducting doctors, dentists, and allied specialist categories into the Armed Forces, as needed, with Reserve commissions; and ending special doctor-dentist draft.

Increasing by $150 million authorization for acquisition of housing and nursing facilities for Reserve components of the Armed Forces.

Authorizing $44.7 million construction and equipment program for research facilities of National Advisory Committee for Aeronautics.

House resolution condemning Communist China's failure to account for 450 American prisoners of war taken in Korea.

House concurrent resolution declaring the sense of Congress that Spain should be admitted to membership in NATO.

House concurrent resolution expressing the sense of the Congress that the President and United States delegates to the U. N. General Assembly seek adoption of report of its Committee on the Hungarian Revolution and work for measures to bring about freedom of captive nations.

Extending operating authority of Export-Import Bank for 5 years to June 30, 1963.

Authorizing agreements for construction of atomic reactors in Berlin, West Germany.

Establishing Airways Modernization Board to assure safe, efficient navigation system for all civilian and military planes.

Requiring the Atomic Energy Commission to obtain specific authorization of Congress for civilian power project appropriations.

Limiting issuance of tax-amortization certificates for fast writeoff of new defense plants; ends program December 31, 1959.

Increasing borrowing power of FNMA by $0.5 billion to $1.6 billion to help ease mortgage—money market.

Permitting Great Lakes shipyards to compete for construction or reconditioning of United States merchant ships.

Providing for Government guaranty of private loans to certain air carriers for equipment purchase.

Increasing the rates of compensation for service-connected disabilities and for dependency allowances.

Extending home-loan and loan-guaranty programs for World War II veterans to July 25, 1959.

Increasing maximum of loans; and otherwise encourages new construction in rural and smalltown areas.

Providing career incentives for nurses and medical specialists of the armed services.

Consolidating into a single act and simplifying the laws governing compensation, pensions, burial benefits, hospitalization, and administration by Veterans' Administration.

Extension to June 30, 1958, the Agricultural Trade Development and Assistance Act.

Providing for deferred grazing and protein feed program in drought areas.

Providing for compulsory inspection of poultry and poultry products.

Promoting of development of phosphate production under public domain.

Providing for construction of San Angelo reclamation project, Texas.

Extending to June 30, 1959, aid to school districts affected by Federal activities.

Extending to July 1, 1958, time for disabled persons to file applications to preserve their rights to old-age, survivors and disability insurance; permitting veterans with service-connected disability to receive both social-security and VA benefits.

Providing for Federal indemnity against atomic-reactor hazards for protection of public.

Increasing penalties for violations of Interstate Commerce Commission safety laws and regulations.

Facilitating coverage under Social Security Act of employees of various States and local governments.

There are many other bills I could mention that have passed or will pass in the second session of this Congress, but I have mentioned enough to evaluate the past session in terms of constructive and successful service to our country and to our people.

But those that I have mentioned will place the 1st session of the 85th Congress in the legislative annals of our country as not only a successful one but as a historical one. For certainly in the passage of the civil-rights bill—right to vote—and the Middle East resolution alone, the first session of this Congress has made history.

The success of a Congress, or a session thereof, is judged by what it has done affirmatively, but also by preventing the passage of legislation that is not in the best interests of our people.

It will be remembered that the 83d Republican-controlled Congress is remembered for what has properly been termed its giveaways to certain special interests.

In the 84th Democratic-controlled Congress this was stopped. There was no more giveaway legislation passed by this Congress.

Among the achievements, little noted, of the 1st session of the 85th Congress, is, like during the 84th Congress, there has been no giveaway legislation passed. There will be none passed in the coming second session of this Congress.

The life and action of a Congress, or one of its sessions, are a part of the life and action of our Government during the same period. Many of the important actions or inactions are nonlegislative, but are made administratively by the administration in control of the executive branch of Government, at present the Republican Party, under the administration and leadership of President Eisenhower.

There are matters of important concern to our people, such as inflation; high cost of living; high interest rates; the plight of the farmer, with the consumer paying more and the farmer receiving less for farm products; the plight of small and independent businesses, the increasing bankruptcies among them that are all traceable to and which are the responsibility of the President and the executive branch and not of the Congress.

It is a well-known fact, for example, that our Government is paying the highest interest that has been paid in years, and this means higher interest in all fields of activity in the borrowing of money.

It is a well-known fact that President Eisenhower and Secretary of Agriculture Ezra Benson are bitterly opposed to Democratic measures to lighten the load of the farmer and to enable our farming community to obtain its fair and proper share of the national income. For a depressed agriculture is not healthy for our national economy.

And in connection with these situations, the responsibility rests on President Eisenhower and not on the Congress. There are millions of Americans—and this feeling is growing—who are "keenly disappointed" with the record of President Eisenhower and his administration.

I express my thanks for the many courtesies and considerations the Members have given to me personally and as majority leader during the past session.

I wish for each of my colleagues and your loved ones every happiness, as well as a most restful adjournment.

You can meet your constituents with the knowledge that the first session of the 85th Congress was not only fruitful but, above all, historical.

I am looking forward to seeing and meeting with you next January and in serving with you during the second session of this Congress. I am looking forward to our carrying out the bipartisan relationship, particularly in the field of foreign affairs, as in the past session, which is so necessary in meeting the problems that might confront our country in the days that lie ahead.

Summary of Veterans' Legislation Reported, 85th Congress, 1st Session

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. TEAGUE of Texas. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following summary of veterans' legislation reported during the 1st session of the 85th Congress:

LAWS ENACTED

Public Law 85-24: Provides that pension under public or private laws administered by the Veterans' Administration shall not be paid to an individual who has been imprisoned in a Federal, State, or local penal institution as a result of conviction for a felony or misdemeanor for any part of the period beginning on the 61st day after his imprisonment and ending when the imprisonment ends. Apportionment of pension may be made to dependents under certain conditions.

Public Law 85–56: Incorporates into a single act the subject matter of the extensive body of existing legislation authorizing and governing the payment of compensation for service-connected disability or death to persons who served in the Armed Forces of the United States during a period of war, armed conflict, or peacetime service, and to their widows, children, and dependent parents. Provides the same sort of consolidation of the laws relating to pension, hospitalization, medical and domiciliary care, and burial benefits. Consolidates into one act all the administrative provisions relating to these benefits, as well as those common to all benefits administered by the Veterans' Administration. Also incorporates the provisions of existing law relating to the ancillary benefits of financial assistance for specially adapted housing and automobiles for certain disabled veterans. Repeals those provisions of law relating to such benefits which are obsolete, executed, or restated in substance in the bill.

Public Law 85–168: Effective October 1, 1957, increases rates of compensation for service-connected disabilities as indicated on the following table of wartime rates:

	Prior Law [1]	Public Law 85–168
(a) 10 percent disability	$17	$19
(b) 20 percent disability	33	36
(c) 30 percent disability	50	55
(d) 40 percent disability	66	73
(e) 50 percent disability	91	100
(f) 60 percent disability	109	120
(g) 70 percent disability	127	140
(h) 80 percent disability	145	160
(i) 90 percent disability	163	179
(j) Total disability	181	225
(k) Anatomical loss, or loss of use of a creative organ, or 1 foot, or 1 hand, or blindness of 1 eye, having only light perception, rates (a) to (f) increased monthly by	47	47
Anatomical loss, or loss of use of a creative organ, or 1 foot, or 1 hand, or blindness of 1 eye, having only light perception, in addition to requirement for any of rates in (l) to (n), rate increased monthly for each loss or loss of use by	47	[2] 47
(l) Anatomical loss, or loss of use of both hands, or both feet, or 1 hand and 1 foot, or blind both eyes with 5/200 visual acuity or less, or is permanently bedridden or so helpless as to be in need of regular aid and attendance, monthly compensation	279	309
(m) Anatomical loss, or loss of use of 2 extremities at a level, or with complications, preventing natural elbow or knee action with prosthesis in place, or suffered blindness in both eyes, rendering him so helpless as to be in need of regular aid and attendance, monthly compensation	$329	$359
(n) Anatomical loss of 2 extremities so near shoulder or hip as to prevent use of prosthetic appliance, or suffered anatomical loss of both eyes, monthly compensation	371	401
(o) Suffered disability under conditions which would entitle him to 2 or more rates in (l) to (n), no condition being considered twice, or suffered total deafness in combinations with total blindness with 5/200 visual acuity or less, monthly compensation	420	450
(p) In event disabled person's service-incurred disabilities exceed requirements for any of rates prescribed, Administrator, in his discretion, may allow next higher rate, or intermediate rate, but in no event in excess of	420	450
(q) Minimum rate for arrested tuberculosis	67	67

[1] Peacetime rates are 80 percent of wartime rates.

[2] But in no event to exceed $450.

Additional disability compensation because of dependents [1]

	Wife, no child	Wife, 1 child	Wife, 2 children	Wife, 3 or more children	No wife, 1 child	No wife, 2 children	No wife, 3 or more children	Dependent parent or parents
Service on or after June 27, 1950	$21.00 *23.00*	$35.00 *39.00*	$45.50 *50.00*	$56.00 *62.00*	$14.00 *15.00*	$24.50 *27.00*	$35.00 *39.00*	$17.50(1) *19.00* 35.00(2) *38.00*
World War II								
World War I								
Spanish-American War, Philippine Insurrection, Boxer Rebellion								
Civil War								
Indian wars								
Peacetime service (under combat or extrahazardous conditions)								
Regular peacetime service	16.80 *18.00*	28.00 *31.00*	36.40 *40.00*	44.80 *50.00*	11.20 *12.00*	19.60 *22.00*	28.00 *31.00*	14.00(1) *15.00* 28.00(2) *30.00*

[1] Above rates are for 100-percent disability. If and while rated partially disabled, but not less than 50 percent, additional compensation is authorized in an amount having the same ratio to the amount specified in the applicable table, above, as the degree of disability bears to the total disability; e. g., war service-connected disability of 50 percent, compensation rate, $100. If veteran has a wife, his compensation is increased as follows: $100+$11.50=$111.50.

NOTE.—Rates in italics as in Public Law 85–168.

Public Law 85–171: Permits forwarding of all types of Veterans' Administration benefit checks where the person has moved and left a forwarding address instead of the prior requirement of returning the check to the Veterans' Administration.

Public Law 85–194: Increases from $10 to $25 the maximum amount that may be paid by VA for shipping charges on personal property of deceased veterans who die on VA property.

Public Law 85–200: Terminates, 60 days after enactment, the operation of the Veterans' Education Appeals Board and transfers its records to Archives.

Public Law 85–209: Section 1 provides a uniform alternative marriage date requirement for widows applying for pension or compensation. It provides that a widow who does not otherwise meet the applicable delimiting marriage dates as presently existing in the law be eligible for pension or for compensation if she was married to the veteran for 5 or more years or for any period of time if children were born as a result of the marriage. Section 2 permits women to receive pension, compensation, or other gratuitous benefits based on the service of a veteran even though there was a legal impediment to her marriage to the veteran which she entered into without any knowledge of such legal impediment, if other requirements are satisfied.

Public Law 85–311: This law excludes from computation as annual income in determining eligibility for non-service-connected disability or death pension as well as service-connected death compensation or dependency or indemnity compensation for parents, any payment of veterans' bonus by a State, Territory, possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico, based on service in the Armed Forces of the United States and their widows and children.

BILLS PASSED BY THE HOUSE AND PENDING IN SENATE COMMITTEES

Finance Committee

H. R. 76: Provides that the statutory award rate of $47 for service-connected disability shall be awarded in the case of each loss—for example, the loss or loss of use of the hand, foot, or an eye, or creative organ. The present law provides for only one such award of $47 in addition to the award under the basic compensation structure.

H. R. 358: Increases to $75 monthly the rate of pension payable to widows of Spanish-American War veterans—present rates are $54.18 and $67.73, the latter rate applying if the widow was the wife of the veteran during his service.

H. R. 1264: Provides that when the veteran is in the hospital for tuberculosis he shall be eligible for payment of a non-service-connected disability pension based on the presumption that he is totally disabled. The present regulation permits payment only after 6 months has elapsed. For most other diseases for which the veteran may be hospitalized, pension is payable immediately upon a finding of total disability without the elapsing of any particular period of time.

House Joint Resolution 73: The purpose of this resolution is to provide service pension under the conditions and at the rate prescribed by the laws reenacted by Public No. 269, 74th Congress, August 13, 1935, as now or hereafter amended, for any person who served in the Armed Forces of the United States in the Moro Province, including Mindanao, or in the islands of Leyte and Samar, after July 4, 1902, and prior to the first day following the last armed engagement between such armed forces and inhabitants of the Philippine Islands in the province or island in which he served, and who was honorably discharged from the enlistment in which such service occurred, and to the surviving unremarried widow, child, or children of such person. No pension would be paid for service after December 31, 1913. The pension rates currently payable to veterans

and their dependents under the mentioned laws are as indicated in the following table:

Type of benefit	90 days' or more service; or less if discharged for disability incurred in service in line of duty	70 to 89 days' service
A. Veterans' benefits:		
Age 62 or more, or 10 percent or more disabled	$101.59	$67.73
Helpless or blind or so nearly helpless or blind as to require regular aid and attendance	135.45	88.04
B. Dependents' benefits:		
Widows	54.18	(1)
Wife during service	67.73	(1)
Additional for each child	8.13	(1)
Children, no widow:		
1 child	62.31	(1)
Each additional child	8.13	(1)

[1] No provision.

Labor and Public Welfare

H. R. 7251: This bill amends the definition of the term "State" as set forth in the Veterans Readjustment Assistance Act of 1952, Public Law 550, 82d Congress (GI bill of rights for Korean veterans), and the War Orphans' Educational Assistance Act of 1956, Public Law 634, 84th Congress, in order to make clear that the benefits of those acts may be given to persons pursuing a course of education and training in the Panama Canal Zone. It also authorizes training under Public Law 634 in the Republic of the Philippines.

H. R. 6908: Authorizes modification and extension of the program of grants-in-aid to the Republic of the Philippines for hospitalization of certain veterans, to restore eligibility for hospital and medical care to certain veterans of the Armed Forces of the United States residing in the Philippines. The bill would—

1. Permit use of Veterans' Memorial Hospital for cases other than those involving service-connected disabilities.

2. Permit treatment of service-connected veterans on out-patient basis.

3. Extend period of assistance from December 31, 1959 to June 30, 1963.

4. Place overall ceiling of $2 million on expenditures for this purpose in any 1 year.

5. Grants hospitalization to American veterans residing in the Philippines on a permanent or temporary basis and outpatient care to service-connected American veterans.

BILLS PASSED BY THE SENATE AND PENDING IN HOUSE COMMITTEE ON VETERANS' AFFAIRS

S. 166: Extends for a period of 2 years the laws granting educational and training benefits to veterans of World War II who were prevented from entering or completing such training within the prescribed time because such person had not met the nature of discharge requirements of the Servicemen's Readjustment Act prior to a change, correction, or modification of a discharge or dismissal, or the correction of a military or naval record.

S. 1698: Extends the time for filing claims for mustering-out payments under the Veterans' Readjustment Assistance Act of 1952 to July 16, 1958 (now July 16, 1956).

REPORTED AND PENDING ON HOUSE CALENDARS

Union Calendar

H. R. 5930: Amends the War Orphans' Educational Assistance Act of 1956 to provide educational assistance thereunder to the children of veterans who are permanently and totally disabled from wartime service-connected disabilities. Grants educational assistance on the same basis as provided by the War Orphans' Educational Assistance Act of 1956, Public Law 634, 84th Congress. That law is limited to the children of individuals who died from an injury incurred in, or aggravated by, service in the Armed Forces during World War I, World War II or Korea. Funds for operation of program to be obtained from assets accruing to Government from Trading With the Enemy Act.

H. R. 6719: Provides adjustments in organization and salary structure of the Department of Medicine and Surgery in the Veterans' Administration, as indicated in the table below:

	Present salary	H. R. 6719 (sec. 1)
Chief Medical Director	$17,800	$19,500
Deputy Chief Medical Director	16,800	18,500
Assistant Chief Medical Director	(8) 15,800	(8) 17,500
Director of Service	(20)$13,225–14,300	(20) 16,000
Director, Nursing Service	11,610	12,690
Deputy Director, Nursing Service	10,320	(1)
Chief Dietitian	10,320	12,690
Chief Pharmacist	10,320	12,690
Chief Physical Therapist	10,320	(1)
Chief Occupational Therapist	10,320	(1)

[1] No change.

Grade	Present salary		H. R. 6719 (secs. 2 and 3)	
	Nonspecialist	Specialist (25 percent)	Nonspecialist	Specialist (10 percent)
Physicians and dentists:				
Chief	$11,610–$12,685	$13,760	$13,015–$14,200	$14,316–$15,620
Senior	10,320– 11,395	$12,900– 13,760	11,820– 12,700	13,002– 13,970
Intermediate	8,990– 10,065	11,238– 12,581	10,300– 11,500	11,330– 12,650
Full	7,570– 8,645	9,403– 10,806	8,950– 9,950	9,845– 10,945
Associate	6,390– 7,465		7,650– 8,650	
Junior	5,915– 6,720		7,000– 7,400	
Nurses:				
Assistant director	$7,570–$8,645		$8,010–$9,300	
Senior	6,390– 7,465		6,505– 7,795	
Full	5,440– 6,250		(1)	
Associate	4,730– 5,590		(1)	
Junior	4,025– 4,885		(1)	

[1] No change.

	Present salary	H. R. 6719 (sec. 4)
Lay managers:		
GS-16	$12,900–$13,760	$13,015–$14,200
GS-15	11,610– 12,690	13,015– 14,200
GS-14	10,320– 11,395	13,015– 14,200
GS-13	8,990– 10,065	13,015– 14,200

Also places optometrists on the professional level in the Department of Medicine and Surgery.

VETOED

H. R. 4602:

1. Extended direct and World War II guaranteed loan programs to July 25, 1959.

2. Repealed section 512 of the Servicemen's Readjustment Act, the present direct loan program, and substitutes a new section, establishing a new policy.

3. Congressional intent as to declaration of direct loan areas was expressed to include small cities, towns, and rural areas. Thirty thousand population was used as a guideline where the town is not part of the metropolitan area of a big city. VA could declare larger towns as eligible areas on the basis of a historical shortage of mortgage funds.

4. Authorized an additional $150 million for the period July 1, 1957, to June 30, 1958; and provided that the Administrator may recover, until July 25, 1958, the $60 million he failed to draw prior to June 30, 1956.

5. Increased the maximum amount of direct loans from $10,000 to $13,500.

6. Provided for an advance commitment to a builder for a reservation of direct loan funds upon the payment of a commitment fee of 2 percent of the amount of the funds reserved. The commitment to be valid for not over 3 months and subject to extension if the builder is active and has contracted with an eligible veteran. This provision would have provided a means under which builders could obtain financing for new construction in small cities, towns, and rural areas.

7. Provided that the Administrator should commence processing the direct-loan application of the veteran without delay, submitting the information to the voluntary home mortgage credit program and giving that agency 20 days to find a lender. Also gave the Administrator the authority to transfer the commitment fee paid by the builder to the private lender who purchases the loan from the VA.

8. Provided that the Administrator could make construction advances to the veteran and builder during construction, thereby eliminating the necessity of the builder obtaining a construction loan.

9. Provided discretionary authority to the Administrator to exempt new construction under this section from the subdivision and land-planning requirements. Permitted the building of homes in keeping with the area in which they are located, thereby eliminating the Veterans' Administration's present demands that a builder, building in a country town, must pave the streets, install curbs and gutters in front of the house, that being the only place in the town in which that type of improvement is done. The bill did not permit any deviations from the Veterans' Administration minimum construction requirements.

10. Included a technical correction requested by Veterans' Administration with reference to the guaranteeing of automatic loans.

NOTE.—The Committee on Veterans' Affairs has reported 5 bills (4 enacted into law) which convey land either to the Veterans' Administration or from the Veterans' Administration to certain municipalities, etc.

Veterans' Administration appropriations

(Fiscal year ending June 30, 1958)

PUBLIC LAW 85–69, APPROVED JUNE 29, 1957

General operating expenses	$161,374,000
Medical administration and miscellaneous operating expenses	21,763,400
Inpatient care	702,000,000
Outpatient care	79,000,000
Maintenance and operation of supply depots	1,790,000
Compensation and pensions	2,826,250,000
Readjustment benefits	784,047,000
Military and naval insurance	4,275,000
Hospital and domiciliary facilities	42,500,000
Major alterations, improvements, and repairs	2,028,000
National service life insurance	7,600,000

Veterans' Administration appropriations—Continued

Servicemen's indemnities	$29,877,500
Grants to the Republic of the Philippines	1,500,000
Service disabled veterans insurance fund	1,500,000
Automobiles and other conveyances for disabled veterans	
Total	$4,665,504,900

Summary of committee action

	Congress					
	80th	81st	82d	83d	84th	85th, 1st sess.
Bills and resolutions referred	498	619	436	402	537	348
Hearings	60	64	50	46	71	29
Hearings, printed pages	3,596	2,355	2,562	5,337	4,271	2,297
Executive sessions	49	34	27	55	37	16
Bills reported	60	44	36	36	48	24
Bills on House Calendar	16	1		14	1	3
Pending in Senate committees	6	16	14	2	17	7
Bills on Senate Calendar		1	1	2		
Recommitted		1	1			1
Bills vetoed	1	2	4			1
Bills passed over veto		1	2			
Laws enacted	36	24	22	25	30	12

VETERANS IN AMERICA

Population of veterans

America's population of living veterans is more than 22,600,000.

Seventy percent, or more than 15,300,000, served in World War II. They average 38 years of age.

More than 5 million—average age 28—served during the Korean conflict period. Approximately 900,000 of them are "double duty" veterans, serving both in World War II and the Korean conflict.

Less than 3 million—average age 63—served in World War I.

Spanish-American War veterans, average age 80, number 55,000. Another hundred or so oldtimers, in their 80's and 90's, served in the Indian wars.

The Nation's veterans, together with their families, make up more than 40 percent of the total population of the United States.

MEDICINE

VA operates 173 hospitals for the care of ill and disabled veterans. On any average day, VA's patient load approaches 115,000. During an average year, VA admits nearly half a million veterans to its hospitals.

Admissions are under a priority system.

First call goes to veterans with service-connected conditions. Generally, the service-connected can get admitted immediately.

And next, if beds are available, come veterans with non-service-connected ailments who are unable to pay for private hospitalization. In addition to signing a statement of inability to pay, they also must submit a statement of their assets and liabilities.

INSURANCE

Nearly 6 million veterans today hold GI insurance policies valued at nearly $44 billion. The breakdown:

Nearly 5 million World War II veterans hold $35.7 billion of national service life insurance; 640,000 Korea veterans hold $6.6 billion of special nonconvertible, nonparticipating GI term insurance; 24,000 disabled Korea veterans have $239 million of term and permanent insurance available just to them; 300,000 World War I veterans hold $1.6 billion of United States Government life insurance.

GI LOANS

Eligibility: Any person who served in the armed services at any time on or after September 16, 1940, and prior to July 26, 1947, or on or after June 27, 1950, and prior to February 1, 1955, discharged under conditions other than dishonorable after active service of 90 days or more or because of disability incurred in line of duty is eligible. Generally loans must be made prior to July 26, 1958, for World War II veterans; veterans of Korea have until January 31, 1965. Widows of deceased veterans whose death was due to service may also qualify.

Amounts: Non-real-estate loans up to $2,000 and real-estate loans in certain cases up to $7,500, or a prorated portion thereof, or loans of both types or combinations thereof, may be guaranteed with interest at not more than 4½ percent per annum, repayable in not more than 30 years, except in the case of farm realty, which may run for 40 years. (Maturity on non-real-estate loan may not exceed 10 years.) If the proceeds of the loan are to be used for the acquisition of residential property, the amount guaranteed may be 60 percent of the loan but not over $7,500. Banks or other lending institutions make the loans, with the Government guaranteeing 50 or 60 percent of the loan, but in no case to exceed the above amounts. Under certain conditions, Veterans' Administration is authorized to lend, until June 30, 1958, up to $10,000 directly to the veteran when private sources are not available.

EDUCATION

More than 10 million veterans so far have trained under these 4 programs. That's four times the total enrollments in every college and university in the United States of America.

Of the 10 million total—

More than 7,800,000—one-half of all World War II veterans—trained under the World War II GI bill. Of them, nearly 50 percent went to schools below the college level (such as trade and technical schools); more than 25 percent studied in college, and the rest trained on the job and on the farm.

Another 1,800,000—2 out of every 5 Korea veterans—trained under the Korean GI bill. Their numbers will grow (the program doesn't end until 1965).

A new trend has developed under the Korean GI bill. Fewer veterans have attended schools below the college level (less than 40 percent), and more have gone to college (more than 50 percent). Enrollments in on-the-job and on-the-farm courses account for the balance.

Another 612,000 disabled World War II veterans and 48,000 disabled Korea veterans have received vocational rehabilitation training. Some 40 percent have trained for top-level jobs in professional and managerial fields.

It has helped raise the educational level of veterans to better than 4 years of high school, whereas the level of nonveteran males, same age group, is but 2 years of high school. "Your every voter, as surely as your chief magistrate, exercises a public trust," said Grover Cleveland. Through more education, veterans have become better prepared to exercise this public trust.

It has helped build up America's reservoirs of trained manpower, so urgently needed for our Nation's strength and well-being. This country has gained immeasurably from the 500,000 engineers, 250,000 school teachers, 170,000 doctors, dentists, and nurses, and 115,000 scientists who learned their skills under the GI bill.

Work of the Committee on Foreign Affairs

EXTENSION OF REMARKS

OF

HON. THOMAS S. GORDON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. GORDON. Mr. Speaker, during the 1st session of the 85th Congress, the Committee on Foreign Affairs made significant contributions to the international relations of the United States. As a result of the critical political situation which exists in the world, the committee devoted much time to a searching review and examination of the foreign-policy problems which face this Nation today. Constant attention and a thorough consideration was given to all matters which have come before us in this session.

The security of our country has been enhanced by the coordination of defense measures, which has contributed materially toward the defense of the American Continent by the promotion of close collaboration with the military forces of the American Republics. In other areas of the Free World, our mutual allies have acted affirmatively in deterring the progress of international communism.

As chairman of the Committee on Foreign Affairs, I wish to express my sincere appreciation to all members on the committee for their wholehearted cooperation and assistance. The committee, operating on a bipartisan basis, has contributed to the strength and unity which represents the United States to the governments of the world.

Measures of international and national importance were given thorough consideration and were enacted in this session. The committee acted responsibly, courageously, and constructively on all matters pertaining to our foreign-policy problems.

It is very gratifying that our Nation is making such a sincere effort to help solve the economic and political problems which confront the peoples of Spain, Poland, and Latin America. Strong democratic governments will emerge with the improvement in the economic standards in these countries.

Our extension of aid to Poland during these trying days under a new regime is a step in the right direction for the Polish Government to pursue its own independent course. The $48 million worth of goods that we will ship to Polish ports, plus the $46 million more in surplus agricultural commodities, may loosen the Kremlin's hold on Poland to such a degree that the Communist empire will be seriously weakened. The renewal of trade with Poland will certainly give us a clearer understanding of Poland's unfortunate current position and the hope of her eventual freedom with our reasonable assistance.

Spain today is an important link in our mutual-defense system. Spain's present defense agreements with the United States provide assurance for continued military and naval operations in Western Europe and the Mediterranean area. Consequently, the adequate defense of Spain assures the protection of our vital bases located there which are of importance to United States security interests. We are fortunate in having Spain a mutual partner in the fight against international communism. It is conceivable that Spain has much to offer to the international organizations that are dedicated to the free people of the world. Every effort should be made to invite Spain for membership in the North Atlantic Treaty Organization.

Our Nation applauds the efforts that are being made in the American Republics to deal with the menace of communism. The peoples of Latin America have recognized the dangers of communism and have successfully combated this scourge by preserving democratic governments. In the uncertain and troubled world of today the future security of the United States may well depend upon maintaining a solid front in the defense of the American Continent. It is, therefore, important that we should continue to exert every effort in the direction of our foreign policy toward Latin America to promote cordial relations with the Republics of this hemisphere, not only by military leadership in our fight against international communism but in economic and cultural activities as well.

A summary of the legislative measures on which the committee completed its action during this session follows:

Statistical record, Committee on Foreign Affairs, 85th Cong., 1st sess.

Number of consultative committees	8
Number of ad hoc subcommittees	2
Number of conference committees	2
Number of meetings of conference committees	4
Number of bills and joint resolutions referred to the committee	126
(Of this number 61 are duplicates.)	
Number of simple and concurrent resolutions referred to committee	146
(Of this number 103 are duplicates.)	
Number of bills and joint resolutions considered by the committee	33
Number of bills and joint resolutions reported favorably	12
Number of bills and joint resolutions favorably reported by committee and passed by House	10
Number of bills and joint resolutions enacted into law	10
Number of simple and concurrent resolutions considered by committee	18
Number of simple and concurrent resolutions reported and acted upon by the House	7
Number of hearings (open and executive)	161
Number of pages of printed hearings	3,176
Number of pages of reports	796
Number of witnesses	338
Number of witnesses appearances before committee	399
Number of meetings with Rules Committee	6
Number of committee reports:	
Reports on legislation	14
Minority reports on legislation	2
Conference reports	2
Special reports	7
Total	25
Number of messages from the President and executive communications referred to the committee	19
Number of House documents referred to the committee	17
Number of memorials and petitions referred to the committee	65
Number of reports requested from Government departments and agencies on legislation referred to the committee	61
Approximate number of pages in CONGRESSIONAL RECORD of House consideration on bills and resolutions reported by the committee	458
Number of Members sponsoring measures referred to the committee	151

Time spent in sessions: By committee: Executive, 86 hours, 46 minutes; open, 49 hours, 34 minutes. By subcommittees: Executive, 63 hours, 52 minutes; open, 57 hours, 14 minutes. Total, 256 hours, 46 minutes.

Approximate total authorization in measures considered by committee and passed by House and enacted into law, $3,367,083,000.

(By way of comparison, the money involved in public bills before the committee during the 73d Cong. was $102,000.)

MEASURES ENACTED INTO LAW

MUTUAL SECURITY ACT OF 1957

This act extended the mutual security program for another year, authorizing a total of $3,367,083,000 as a result of the conference on the disagreeing votes of the two Houses. The above figure represents a reduction of $250,250,000 from the Senate figure of $3,617,333,000 and an increase of $250,250,000 above the House authorization of $3,116,833,000. In reporting this bill the committee was aware that the United States is confronted with serious problems in the field of foreign affairs and that satisfactory solutions to many of these problems have not yet been found; approved August 14, 1957, Public Law 85-141.

MIDDLE EAST DOCTRINE

The purpose of the resolution is to authorize the President to undertake economic and military cooperation with nations in the general area of the Middle East in order to assist in the strengthening and defense of their independence.

Three primary objectives are accomplished by the resolution:

First, it puts the Soviet Union on notice that the United States intends to use its Armed Forces if necessary to secure and protect any nation or group of nations of the Middle East requesting such aid against overt armed aggression from any nation controlled by international communism.

Second, the resolution by its scope and spirit, as well as by its language, is intended to make clear to the governments and the people of the Middle East the attitude and the policy of the United States toward them. The policy of the United States toward the area and its readiness to provide assistance contemplates no infringement of the sovereignty of any nation.

Third, the resolution removes certain restrictions on the use of mutual security funds by the President which are contained in existing law. A sum not to exceed $200 million may be used for the purpose of furnishing economic and military assistance pursuant to the provisions of section 401 (a) of the Mutual Security Act of 1954, as amended, and without regard to section 105 of the Mutual Security Appropriation Act, 1957.

The maintenance of international peace and security, insofar as the foreign policy of the United States is concerned, has involved all three objectives. To utilize one is not to exclude the others. This is the impulse behind the language contained in section 2 of the resolution respecting employment by the President of the United States of the Armed Forces of the United States in the general area of the Middle East consonant with the treaty obligations of the United States and with the Constitution of the United States; approved March 9, 1957, Public Law 85-7.

AMENDMENT OF ANGLO-AMERICAN FINANCIAL AGREEMENT

The bill amends the Anglo-American Financial Agreement and provides that the United Kingdom will give up all rights to claim a waiver of interest under the original agreement. In return the United States agrees that the United Kingdom may postpone a maximum of seven payments of interest and principal beginning with the interest payment due on December 31, 1956.

This resolution does not involve a determination by the Congress as to whether or not the United States should waive or postpone its collection of any current or future interest payments on the British loan of 1946. The decision of the Congress on this basic issue was made in 1946 when it ratified the Anglo-American financial agreement of December 6, 1945.

This resolution is necessitated by the fact that the complex formula for determining whether or not the borrower is entitled to a waiver of interest does not work satisfactorily because of changes which have occurred during the last 12 years. It would defeat the purpose of the waiver clause if long negotiations accompanied by a certain amount of controversy became necessary whenever the United Kingdom is confronted by a financial crisis; approved May 31, 1957, Public Law 85-21.

CONVEYANCE OF CERTAIN LAND IN TEXAS

The bill authorizes the Secretary of State to take the necessary action to make possible an exchange of land now held by two school districts in Texas for other land more suitable for school purposes; approved May 31, 1957, Public Law 85-42.

SURRENDER TREE SITE, SANTIAGO, CUBA

This bill provides for the transfer of responsibility for the care and maintenance of the Surrender Tree site in

Santiago, Cuba, from the Department of the Army to the American Battle Monuments Commission. This memorial marks the spot at which the preliminary surrender of the Spaniards occurred on July 17, 1898; approved August 13, 1957, Public Law 85-125.

CORREGIDOR-BATAAN MEMORIAL COMMISSION

The bill enables the Corregidor-Bataan Memorial Commission to waive certain legislative restrictions so as to permit the employment of an individual, retired military person, to serve as an Executive Director of the Commission. Similarly, it will permit the employment of a small number of clerical workers without regard to the provisions of the Classification Act of 1949; approved August 28, 1957, Public Law 85-179.

DISPOSAL OF CERTAIN LANDS TO ALIENS

The bill amends the act of August 27, 1935, as amended, by deleting the present restriction that the Secretary of State may only lease or dispose of certain lands to citizens of the United States. The bill permits the disposal of lands and interests in lands by the Secretary of State to aliens; approved August 28, 1957, Public Law 85-201.

BUFFALO AND FORT ERIE PUBLIC BRIDGE AUTHORITY

The resolution provides for the continuation of the Buffalo and Fort Erie Public Bridge Authority with power to maintain and operate the highway bridge over the Niagara River between Buffalo, N. Y., and Fort Erie, Ontario, Canada. Similarly, this resolution repeals the resolution approved July 27, 1956 (Public Law 824, 84th Cong.), which granted the State of New York authority to negotiate and enter into an agreement or compact with the Government of Canada for the establishment of the Niagara Frontier Port Authority to take over the operation, control, and maintenance of the bridge and provided for the termination of the corporate existence of the Buffalo and Fort Erie Public Bridge Authority; approved August 14, 1957, Public Law 85-145.

SECOND WORLD METALLURGICAL CONGRESS

The resolution provides for an official welcome by the Congress to the overseas metal scientists who will attend the World Metallurgical Congress sponsored by the American Society for Metals to be held in Chicago, Ill., on November 2 to 8, 1957; approved August 31, 1957, Public Law 85-247.

ST. LAWRENCE SEAWAY CELEBRATION

The resolution authorizes the President to invite the States of the Union and foreign countries to participate in the St. Lawrence Seaway celebration to be held in Chicago, Ill., from January 1, 1959, to December 31, 1959.

The year 1959 will mark the opening of the St. Lawrence Seaway to deep-draft vessels, thereby permitting the uninterrupted shipment of goods from all ports in the world to all ports along the Great Lakes; approved August 30, 1957, Public Law 85-228.

CONCURRENT AND HOUSE RESOLUTIONS ADOPTED

MEMBERSHIP OF SPAIN IN NORTH ATLANTIC TREATY ORGANIZATION, HOUSE CONCURRENT RESOLUTION 115

The resolution expresses the sense of Congress that the President take all proper and necessary steps to bring about an invitation to Spain to become a party to the North Atlantic Treaty and a member of the North Atlantic Treaty Organization.

Passed House March 20, 1957, unanimous-consent proceedings; passed Senate April 12, 1957.

URGING AFFIRMATIVE ACTION BY THE UNITED NATIONS ON THE PROBLEM OF HUNGARY, HOUSE CONCURRENT RESOLUTION 204

The purpose of this resolution is to request the immediate reconvening of the General Assembly of the United Nations to consider the report of the United Nations Special Committee on the Problem of Hungary on the brutal action of the Soviet Union in Hungary. The text of the resolution is expanded to deal with other captive nations in Eastern Europe so that the Hungarian tragedy shall not be repeated elsewhere in the world.

Passed House, June 26, 1957, unanimous-consent proceedings; passed Senate, amended, June 26, 1957; conference report adopted in Senate and in House, August 6, 1957.

EXTENDING GREETINGS TO GHANA, HOUSE RESOLUTION 185

The resolution conveys the greetings of Congress to the Legislative Assembly of Ghana on the occasion of the independence of that state, March 6, 1957. Further, it reaffirms the friendship of the United States for the people of Ghana.

Passed House March 6, 1957, unanimous-consent proceedings, without reference to committee.

CONDOLENCES ON THE DEATH OF PRESIDENT RAMÓN MAGSAYSAY, OF THE REPUBLIC OF THE PHILIPPINES, HOUSE RESOLUTION 201

The resolution expresses the condolences of Congress to the people of the Republic of the Philippines in the loss of their beloved President, His Excellency Ramón Magsaysay.

Passed House March 18, 1957, unanimous-consent proceedings, without reference to committee.

PAN-AMERICAN DAY CELEBRATION, HOUSE RESOLUTION 203

The resolution designates Monday, April 15, 1957, for the celebration of Pan-American Day, at which time it is the custom of the legislative bodies of the various Republics to exchange greetings and expressions of cordial friendship.

Passed House March 18, 1957, unanimous-consent proceedings, without reference to committee.

UNACCOUNTED AMERICAN PRISONERS OF WAR TAKEN BY THE COMMUNISTS, HOUSE RESOLUTION 292

The resolution urges the President to continue his efforts for the return of, or a satisfactory accounting for, the 450 American prisoners of war taken by the Communists during the Korean conflict.

Passed House July 9, 1957, unanimous-consent proceedings.

CONDOLENCES ON THE DEATH OF PRESIDENT CARLOS CASTILLO ARMAS OF THE REPUBLIC OF GUATEMALA, HOUSE RESOLUTION 379

The resolution expresses the condolences of Congress to the Government of the Republic of Guatemala in the loss of their President, Carlos Castillo Armas.

Passed House July 29, 1957, unanimous-consent proceedings, without reference to committee.

MEASURES PASSED BY HOUSE BUT NOT FINALLY ACTED UPON IN SENATE

AUTHORIZING AMBASSADOR HENRY CABOT LODGE AND CERTAIN MEMBERS OF THE HOUSE OF REPRESENTATIVES TO ACCEPT AWARD TENDERED BY THE GOVERNMENT OF THE REPUBLIC OF ITALY, H. R. 8582

This bill authorizes Ambassador Henry Cabot Lodge, Hon. William A. Barrett, Representative from the State of Pennsylvania, and Hon. James G. Fulton, Representative from the State of Pennsylvania, to accept and wear the award of the Order Al Merito della Repubblica Italiana, tendered by the Government of the Republic of Italy.

Passed House, July 12, 1957, unanimous-consent proceedings, without committee action.

AUTHORIZING HON. VICTOR L. ANFUSO, MEMBER OF THE HOUSE OF REPRESENTATIVES, TO ACCEPT AWARDS TENDERED BY THE REPUBLICS OF ITALY AND CUBA, H. R. 8734

This bill authorizes Hon. VICTOR L. ANFUSO, Representative from the State of New York, to accept and wear the awards of commander of the Order of Merit of the Italian Republic, and commander of the National Order of Merit "Carlos Manuel de Cespedes," Cuba, tendered by the Republics of Italy and Cuba.

Passed House, July 16, 1957, unanimous-consent proceedings, without reference to committee.

MEASURES REPORTED BUT NOT FAVORABLY ACTED UPON IN THE HOUSE

PAYMENT TO THE GOVERNMENT OF DENMARK, S. 2448

This bill authorizes an appropriation of $5,296,302 to the $35,432,350 already paid to the Danish shipowners for the 40 Danish ships that were requisitioned by the United States in 1941.

The additional payment is necessitated by the fact that the procedures followed when the ships were first requisitioned established a legal situation under which the owners of the vessels could not receive full compensation in the terms of the original understanding between the Danish Ambassador and the Department of State.

Reported to House, July 30, 1957.

STATUS OF FORCES AGREEMENTS, HOUSE JOINT RESOLUTION 16

This resolution provides for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries.

Reported to House, July 1, 1957; hearing by Rules Committee on request for rule, July 2 and 10, 1957.

The Van Zandt Bill, H. R. 6975, Is a Compromise Measure Which Will Provide Aid to Labor Surplus Areas in a Reasonable and Realistic Manner, Thus Solving a Vexing Problem That Has Been Permitted To Become a Political Football at the Expense of the Misery and Heartaches of the Unemployed

EXTENSION OF REMARKS
OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 30, 1957

Mr. VAN ZANDT. Mr. Speaker, on the eve of the adjournment of the 1st session of the 85th Congress, it is regretted that during the 8-month session no progress has been made in having distressed area legislation enacted.

This inactivity on the part of Congress is inexcusable since both major political parties are on record in giving recognition in their 1956 party platforms to the urgent need for Federal aid to areas having persistent and substantial unemployment.

Although the need for Federal aid to labor surplus areas is readily apparent, it is impossible to understand the action of the democratically controlled 85th Congress in pigeonholing distressed area legislation.

A subcommittee of the Senate Banking and Currency Committee held hearings on distressed area legislation last March, at which time I testified to the urgent need for Federal aid to labor surplus areas. To date, the subcommittee has not submitted its recommendations to the Senate Banking and Currency Committee.

As far as the House of Representatives is concerned, I am informed that there are over 40 bills pending before the committee, including the 2 bills I introduced on the subject—one of which is H. R. 6975, which is designed as a realistic approach to the solving of the perplexing problem. Despite the interest manifested, no action was taken nor scheduled by the committee on distressed area legislation during this session of Congress. Meanwhile, unemployment conditions in distressed areas have become gradually worse each month since the convening of Congress on January 3, 1957. It is a serious indictment of the 85th Congress that this important legislation has been sidetracked and virtually ignored during this session.

Can it be true that the failure to enact distressed area legislation is deliberate since this is not an election year? If so, the Democratic leadership is guilty of playing politics with the misery of the unemployed by withholding action on such vital legislation until 1958. It is recalled that in 1956 Democrats made distressed area legislation a major campaign issue. One would expect, therefore, that since the Democrats are in control of both branches of Congress—and likewise, all Congressional committees—they would redeem their oft-repeated pledge to get action on distressed area legislation as soon as the 85th Congress convened.

Since it is an accepted fact that actions speak louder than words, the wailing and beating of breasts by Democrats in the 1956 campaign with respect to providing aid for distressed areas is, in the face of the facts, nothing more than campaign oratory at its worst. This being true, we can expect another torrent of tear-jerking statements from Democratic candidates next year, in the hope of affecting the outcome of the Congressional elections in 1958.

Mr. Speaker, since the 83d Congress, when I first introduced legislation to aid distressed areas, I have witnessed the clumsy and ineffective manner in which the subject has been handled. This is to be regretted sincerely because, as President Eisenhower pointed out in his state of the Union message, and in other public utterances, we have pockets of unemployment throughout the Nation despite the general prosperity of the country as a whole.

As a result of President Eisenhower's pronouncement, the administration version of a bill was introduced in the 84th Congress. In addition to reintroducing my own bill from the 83d Congress, I also introduced a bill incorporating the views of the Eisenhower administration.

Meanwhile, the Democrats sponsored bills in the Senate and House of Representatives known respectively as the Douglas and Spence bills. It was evident from the action taken on the Senate bill in the 84th Congress, when it was approved in the Senate by a 2-to-1 vote, that there is intense interest and a compelling need for distressed area legislation. Unfortunately, the conflicting versions of the bill approved by the House Committee on Banking and Currency and the Senate-approved bill resulted in no action on the legislation in the House before the adjournment of the 84th Congress. The conflict developed over a difference of opinion regarding some administrative details and a few substantive matters with regard to the execution of the program.

This year, with the history of the fate of the Senate bill fresh in the memories of all interested Members of Congress, it was expected that a new start would be made in finding a practical solution to the legislative stalemate encountered in the 84th Congress.

Recalling the rosy promises of the Democrats during the 1956 campaign, it was regarded as a certainty that the democratically controlled 85th Congress would lose no time in making good its avowed promise to enact the legislation speedily. As previously stated, the record of the House of Representatives during the 1st session of the 85th Congress, which shows no action taken or scheduled on distressed area legislation, is a sorrowful reminder of how soon glib campaign statements are forgotten. In view of the lack of action on distressed area legislation, they can only be interpreted in their true light—as purely "window dressing" and mere campaign oratory.

Regardless of the attempt to find a readymade excuse for delaying action during this session on distressed-area legislation, the grim fact is that unemployment conditions in these affected areas are steadily growing more acute. This is confirmed by the July 1957 Summary of Labor Market Developments in Major Areas, issued by the United States Department of Labor.

The summary discloses that 11 States and Puerto Rico have several areas of "substantial labor surplus." They are plagued with unemployment to such an extent that they are classified as major areas with unemployment ranging from 9 to 11.9 percent. In addition to the 11 States with major areas of substantial labor surplus, there are 20 other States, classified as smaller areas, in which unemployment is equally acute. In other words, there are 31 States that are adversely affected by the gaunt specter of unemployment.

In discussing unemployment I know whereof I speak, because a major portion of my Congressional District in Pennsylvania has been classified since 1949, save for a short period during the Korean war, as an area having a substantial labor surplus. At various times during the period from 1949 to the present unemployment was over 18 percent in the Altoona, Pa., area, which is one of the major labor-surplus areas in the Nation. At the present time unemployment in the Altoona area is over 9 percent. For years unemployment in the DuBois-Clearfield area in my Congressional District has exceeded 6 percent.

As a matter of fact, in Pennsylvania we have the following areas that have been classified for years as having a "substantial labor surplus": Altoona, Erie, Johnstown, Berwick, Bloomsburg, Clearfield, DuBois, Lewistown, Lock Haven, Pottsville, Sunbury, Shamokin, Mount Carmel, Uniontown, and Connellsville. These labor-surplus areas in the great Keystone State are joined by scores of areas in the other 30 States where unemployment is a persistent and chronic economic malady.

Mr. Speaker, it is time to face the grim fact that a compromise bill—as exemplified by my bill, H. R. 6975—is the only practical solution to the legislative deadlock facing distressed-area legislation.

It is abundantly clear that, due to the failure of the 84th Congress to resolve its differences in the Senate and House versions of distressed-area legislation and to the listless attitude of the 1st session of the 85th Congress in trying to effect a compromise, we face 1958 without enactment of this important legislation. In good conscience we simply cannot continue to ignore this distressing situation any longer.

We owe it to the distressed areas in 31 States and Puerto Rico to stop squabbling over details and to unite our efforts in approving a reasonable, yet realistic, program to ease the pangs of unemployment that are a blight on the economy of an otherwise prosperous Nation.

I am not interested in who gets the credit, nor do I have pride of authorship in recommending a careful study of my compromise bill, H. R. 6975. I think it is an accepted fact that the differences in the administration bill, the Douglas bill, and the Spence bill appear insurmountable. Meanwhile, Congress is stymied in its efforts to carry out the desire expressed by President Eisenhower that "we must deal with the pockets of chronic unemployment that here and there mar the Nation's general industrial prosperity." To achieve this goal, my compromise bill, H. R. 6975—which is a revised version of similar bills on the subject introduced by me in Congress since 1953—incorporates the best provisions of the proposals of the administration bill as well as the best that can be found in the bills introduced by Senator DOUGLAS and Representative SPENCE.

In arriving at a fair and reasonable compromise, I found that in some instances the administration bill fell short of providing adequately to meet the needs of chronically distressed areas. On the other hand, the Douglas and Spence bills provide too liberal assistance to areas whose economic decline is of recent duration. I took into consideration the fact that normally such communities have sufficient resources and are not in need of the variety of programs offered in these bills. In other words, I came to the conclusion that a fair compromise can be effected by providing different types of aid to labor surplus areas based upon the duration and levels of unemployment.

Therefore, my compromise bill, H. R. 6975, would reduce the cost of the program and yet leave sufficient funds for communities which meet the most rigid tests of chronic unemployment and economic distress. In short, my bill would assure that the neediest communities would get aid. At the same time, by establishing limits on some of the aid provided in the Douglas and Spence bills, it would be possible to reduce the overall cost of these programs. Although my bill would greatly decrease the cost of the Douglas bill, and liberalize the provisions of the administration bill, it would still provide essentially the same benefits—such as grants for technical assistance, loans and participations, grants for public facilities, vocational training, and retraining subsistence payments.

My bill, H. R. 6975, would also amend section 207 (a) of the Small Business Act of 1953 by empowering the Small Business Administration to make loans to local private nonprofit organizations—including industrial foundations, development corporations, and similar groups—formed to assist, develop, and expand the economy of areas of substantial and persistent unemployment, but only where the purpose of the loan was to enable such organizations to provide supplementary assistance to one or more small-business concerns in such area—and only after such concerns had qualified for loans from the Small Business Administration.

I am convinced that a thoughtful study of my bill, H. R. 6975, will reveal it as a practical and reasonable approach in ending the legislative bickering which has nullified all efforts to enact distressed area legislation. This is especially true when you consider the cost of the various bills.

The administration bill, S. 1433, is considered as a conservative approach and will cost about $55 million. The Douglas bill, S. 964, represents an ultraliberal approach to the subject and would cost in excess of $325 million. By comparison, my compromise bill, H. R. 6975, would cost in the neighborhood of $200 million and would extend Federal aid to labor surplus areas in a reasonable, yet realistic, manner.

Mr. Speaker, I have been zealous in my efforts since 1953 in sponsoring distressed area legislation in Congress, and I know I am joined by my colleagues in my reluctance to see the misery of unemployment become a political football. We are about to adjourn this session of Congress with little or no success in attaining the common objective of enacting a program to aid areas certified by the United States Department of Labor as areas of substantial labor surplus. It is my sincere hope that we recognize the futility of endless bickering and legislative stalemates which have hovered over distressed area legislation for the past 5 years.

As previously stated, I have no pride of authorship in urging consideration of H. R. 6975 as an acceptable compromise in the field of distressed area legislation.

Therefore, I earnestly beseech that we unite in support of the compromise bill, H. R. 6975, because I honestly feel it provides the means of leading us out of the legislative wilderness of delay and despair in which distressed area legislation has needlessly floundered the past 5 years.

Capitol Cloakroom

EXTENSION OF REMARKS

OF

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. McCORMACK. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following broadcast:

CAPITOL CLOAKROOM, AS BROADCAST OVER THE CBS RADIO NETWORK

Mr. BANCROFT. Congressman McCORMACK, why is President Eisenhower disappointed in Congress?

Mr. CHURCH. Is legislation needed to help labor clean house, sir?

Mr. DOWNS. Representative McCORMACK, does the Wisconsin election mean a Democrat in the White House in 1960?

Mr. BANCROFT. Well, Congressman McCORMACK, welcome to Capitol Cloakroom. A veteran of 29 years in the House, you are the Democratic leader on the floor and therefore in a good position to appraise the session of Congress which has just ended.

Now, President Eisenhower told us at a news conference that he was disappointed in the record of Congress.

Why do you think he was?

Mr. McCORMACK. Well, when President Eisenhower made that statement he was talking, in my opinion, as a Republican politician and not as the President, or one objectively evaluating what this session of Congress has done.

I think the President was—is somewhat peeved at the fact that his own party in Congress has deserted him. On many of the rollcalls on bills that the President recommended, we find from 50 to 70 percent of his own party in the House of Representatives voting against him. And, of course, some of the President's close advisers who pretty much keep themselves on the job to advise the President, probably realize that they had to have some diversionary statement because the record of this Congress clearly contradicts what the President said.

Mr. BANCROFT. Well, you think this has been a good, productive Congress?

Mr. McCORMACK. It has been an outstanding Congress, a most fruitful Congress; and, furthermore, since President Eisenhower made that statement, there has been a large number of important bills which have passed both branches of Congress.

Mr. CHURCH. Pinpoint a couple of the reasons why you think this was an extraordinarily successful session.

Mr. McCORMACK. Well, the volume of work done by the Congress is far greater than was done in the 83d Congress, which is a fair comparison, because the 83d Congress was a Republican-controlled Congress.

The importance of the legislation that we have passed through this Congress during this session: For example, we started out with the Mideast doctrine of President Eisenhower's which would have been unnecessary if he had given the right kind of leadership at the time of the Suez trouble when it first started, but, nevertheless, due to his uncertain and confused leadership, we had to step in and fill the vacuum in the Middle East to create an influence that had been destroyed when Britain and France influence in that wide area and that important area of the world was destroyed, mainly, in part, by actions on the part of President Eisenhower and the present administration. And we had to step in to assert an influence there of the Western World. We are the only country who could do it; and if the right kind of leadership was given to the country and to the free world at the outset of the Suez Canal problem and controversy and difficulty, there would have been no necessity for that; but the Democratic Congress rose to the heights and recognized that water had gone over the dam that was unnecessary; we passed the resolution.

Mr. BANCROFT. Well, Senator——

Mr. McCORMACK. Now, only a few days ago we passed another historic bill known as the civil-rights bill, which is really the right-to-vote bill, and might be termed the right to register, because you can't vote until you register, and this is to remove difficulties and obstacles, unnecessary obstacles, against all Americans, without regard to race, color, or creed, registering, but with particular emphasis at that time upon our Americans of the colored race.

Mr. BANCROFT. I wanted to ask before we left foreign aid—I mean foreign policy: You say that Democratic-controlled Congress did approve the Mid-East doctrine, but were you supporting the President's Congress when you knocked a billion dollars off his foreign-aid request?

Mr. McCORMACK. Oh, when you talk about knocking a billion dollars, as a matter of fact, it is more than a billion dollars, Mr. Bancroft.

He recommended about $4.9 billion and what went through is about three-billion-seven-hundred-and-some-odd-million dollars, but there is about $600 million more which was reappropriated from previous years' appropriations.

Mr. BANCROFT. Well, my question still stands. Is that supporting his foreign policy?

Mr. McCORMACK. Certainly it—we gave him plenty of money in which to carry on.

Mr. BANCROFT. Well, let me put it another way——

Mr. McCORMACK. Last year when he made a recommendation, you will remember, there was a billion-dollar cut and the President complained, and yet when the fiscal year was over, there was still $500 million that was not used, so we appropriated $500 million more than was necessary.

Mr. Downs. Well, McCormack, it seems to me that what is involved here in the—in these postpolitical sessions and assessment is that the Democratic Congress and the administration are both going to be contesting who did what for whom.

Now, you say that the Eisenhower doctrine, which was unnecessary because of, or arose because of lack of leadership, yet it is called the Eisenhower doctrine and was passed by the Democratic Congress which then takes or is attempting to take credit for it.

That is paradox, isn't it?

Mr. McCormack. Well, Mr. Downs, I think that my statement is clearly consistent.

If, when the Suez Canal trouble started, when Nasser stepped in there and took it over in violation of an international agreement, this administration had devised the sound and affirmative policies that it was capable of, and if when the British and French moved in, in Suez, we had not pulled the rug out from under them and cooperated with the Soviet Union and the United Nations in doing so, thereby destroying the influence of Britain and France in the Middle East, and it was a great influence, there would have been no necessity for the Eisenhower doctrine, which took place, which we passed 4 months later, but the influence being destroyed, we had to step in there.

Mr. Church. Even so, even so, what happened to the unanimity? There was unanimity in the House when you voted on the doctrine, and that unanimity seems to have gone out the window. It went out the window very shortly thereafter, as witness the cuts in the foreign-aid structure.

Mr. McCormack. Well, no, the cuts——

Mr. Church. What happened?

Mr. McCormack. The cuts in the foreign aid have absolutely nothing to do with the—with the Eisenhower Mid-East doctrine. The reductions in the foreign aid are the best judgment of Congressional committees as to what amount of money would be—we would be justified in appropriating during the present fiscal year, in connection with foreign aid or mutual assistance. It amounts, in direct appropriations and indirect appropriations, to about $3,400,000,000. It is the feeling of Congress that that is adequate, and if it is not adequate the President can meet that situation next January by submitting to Congress a supplemental budget.

Now what we Democrats, and I am speaking for myself, would like to see the President do, is to be more consistent in his leadership, to be more firm in his leadership, not to be vascillating.

I don't like to pick up the paper, and I am sure other Americans do not, and see Zorayin browbeating us, the United States, using scornful language toward us and then the President of the United States making a conciliatory statement.

Mr. Church. What would you do about it, sir?

Mr. McCormack. I would use firm language. I would let them know that the United States is a powerful nation. I would let them know that the United States is not—is not going to permit country after country to be internally subverted and taken over by Communist forces and become subject to the Communist satellite. I would have, in the case of Hungary, taken affirmative action at the right time.

Mr. Church. Action, did you say, or words?

Mr. McCormack. Exactly. We could have taken plenty of action there before the Nagy regime was overthrown by the Kremlin stepping in and putting Kadar and his gang again in control of Hungary.

Mr. Bancroft. Well, Congressman McCormack, do you think that just words, no matter how sharp, would have stopped all that; or would you be in favor of sending troops in to do it? How far would you go in order to stop this thing?

Mr. McCormack. We don't have to send troops there. There are plenty of things we can do in order to—because the only language that the Communists appreciate and understand is the language of strength. Above all, we should keep our Armed Forces maintained at the highest level necessary, consistent with world conditions.

We have seen a hundred thousand reduction in manpower in the Army, already; we see another hundred thousand going, being underway. We see the reductions in our Air Force. We see the reductions in our Navy. The world sees that.

We are having disarmament talks in London, and we have had for months, and we are trying to have the Soviet Union agree to reduce their armed forces and—why should they, because we are reducing ours unilaterally? We are eliminating the, what you might call the negotiable fat, by reducing our own Armed Forces, instead of trying to use that as a trading point for the purpose of having the Soviet Union reduce its armed forces.

Mr. Downs. But, Mr. McCormack, the Democratic Party, to get back to the whole outlook on foreign aid, and which is part of our mutual-security system, the Democratic Party in the past has been the one that has been for the large appropriations to beef up the armed forces of our allies. Now comes a Republican administration, the Democrats are on the other side of the fence talking about reducing it, and you did reduce the foreign-aid bills, which is part of the mutual-defense system.

Mr. McCormack. No; I don't think—I don't think the evidence justifies that statement.

Take the vote today on the passage, on the agreeing to the conference report on the mutual-assistance appropriation bill. The vote was 107 Democrats for, 70 against; 87 Republicans for, 52 against.

That means there were 52 Republicans who voted among those who voted today against one penny being appropriated for foreign aid.

Mr. Bancroft. And 70 Democrats.

Mr. McCormack. Exactly. But there were 107 Democrats, still, who voted for the passage of the bill, and there were only 87 members of the President's own party, and he is in control, he is in the White House.

So I think—now when, back several years ago, the necessity for larger appropriations were greater than they are today because most of the countries of Europe, from an economic angle, were in very bad condition and it was necessary to help rebuild them economically in order to rebuild them from—from the angle of moral, from the moral angle—and from the angle of defense.

Now, that has been pretty well taken care of so that so far as Europe is concerned, there is no necessity of appropriations for economic aid. The economic aid now goes in certain countries of Southeast Asia, the Philippines, South Korea, and Formosa, the principal amount being military aid.

Mr. Bancroft. Well, Congressman McCormack, I wonder if we can get back to Congress here, and the day-to-day problems.

You are a leader of the majority party in the House. You have just completed a session, the first session in our history in which the President in the White House is forbidden by law to run for reelection. Do you think that has had any effect and if so, what effect, on the workings between——

Mr. McCormack. No question——

Mr. Bancroft. Between the White House and the Congress?

Mr. McCormack. No question about it in my mind, Mr. Bancroft. It is commonsense that when a man is starting his second term, and it is known that he cannot succeed himself because of the constitutional restriction, that immediately within his own party processes get under way in connection with controlling the next convention, within the Democratic Party and within the Republican Party there are different groupings, some affiliated with one another, some who are not, and there is the fight for control and power.

I opposed that amendment and one of the main reasons I opposed it was, it is the first, it is the only provision in the Constitution which is a limitation on the right of the individual American citizen.

Every other prohibition in the Constitution is against Government to protect the individual.

Furthermore, I opposed it because I felt it would be dangerous to put a 2-year—two-term restriction into our Constitution because, suppose 3 years, suppose sometime in the future our country is at war, and the President of the United States is finishing his second term. Is there anyone who thinks that a campaign would be for the best interests of our country, if we are fighting for our very preservation, and we had a man in the White House who was probably doing a wonderful job?

Mr. Bancroft. Are you going to try to repeal it now?

Mr. McCormack. I shall vote for its repeal, if it comes up.

I regret the day that the amendment was put on, and it was a slap at Franklin D. Roosevelt while he was buried at Hyde Park—that is what put all that over.

Mr. Downs. Well, Mr. McCormack, you talked about the achievements of this Congress; what about the things that——

Mr. McCormack. And might I say they didn't dare do it while he was alive.

Mr. Downs. Well, what——

Mr. Bancroft. Well, the Republicans weren't in control while he was alive, were they?

Mr. McCormack. Well, it wasn't purely or wholly Republican votes that did it, Mr. Bancroft. There were quite a few Democratic votes, too.

Mr. Downs. What about the things that Congress did not do, such as school aid and the rest of it, and what political effect is that going to have?

Mr. McCormack. Well, the school aid, Mr. Downs, as you know, the Republicans overwhelmingly voted against the bill, to strike out the enacting clause which killed the bill. The Democratic vote was overwhelmingly in favor of keeping the bill alive.

The vote was 208 to 203. Two of the Republican leaders in the House voted to kill the bill. If only three, a shift of only three votes, the bill would have been saved and we would have gone back to the Committee of the Whole.

The President was not even kept informed as to what the legislative situation was at the time, even if they could have gotten in touch with the President. I don't know whether they could or not. I don't know where he was at the time, whether in the White House or elsewhere.

But the Republican leadership had plenty of time to call the President. They didn't do it, and if they did and went back among their Members, they could have easily shifted three or four more votes and saved the bill.

So, while both Democrats and Republicans voted to kill the bill, the Republicans overwhelmingly voted to kill it; the Democrats overwhelmingly voted to save the bill, but unfortunately the combination of the large Republican vote to kill the bill, and the Democratic vote that voted that way, was enough to kill the bill by five votes.

Mr. Bancroft. Well, Mr. McCormack, are you not—the Democrats are in control of this Congress. Are you not trying to take the credit for the Democrats for the good things in that Congress and yet blame it on the Republicans who don't control Congress for what you regard as the bad things about this Congress?

Mr. McCormack. No, Mr. Bancroft. Each and every individual Member of Congress, elected by the people of his district, whether Republican or Democrat, and they've got to take their own responsibility for their own vote, and there are two political parties and both parties must take their responsibility, but when the President of the United States makes a recommendation, or says he is satisfied with the bill, as he did in the case of school construction, and a majority, a clear majority of his own party votes against him, I think it's fair to comment upon it, particularly when a clear majority of the Democrats vote for the bill.

Mr. Church. Well just for the record, was there anything, Mr. McCormack, that was wrong in this 1st session of the 85th Congress that was the fault of the Democratic Party?

Mr. McCormack. Well, we had a lot of difficulties.

A few weeks ago they didn't think we were going to get a bill to meet the Jencks decision; well, we knew we were.

A few weeks ago they didn't think we would get an immigration bill through, it's not as far I would like to see it go, but it's going to do an awful lot of good. We got it through.

A few weeks ago they didn't think we were going to get through the right-to-vote bill, known as the civil-rights bill, but it's through, and it will be law.

There are some things that we haven't done that I would like to see done, but there's another session of this Congress, Mr. Church, and you and I know, from your experience in Washington, and my experience, that the President's recommendations are not put through, all put through the first session of a Congress, it's a Congress.

Furthermore, every recommendation made by the President is not correct. We have done a lot in stopping some of his recommendations going through that would be harmful, to the best interests of the people of our country.

Mr. Bancroft. Well, Mr. McCormack, this is Labor Day as you know, and I believe the platform of your party, for quite a few years now, has promised some changes in the Taft-Hartley Act.

When is that, what could you tell us on this Labor Day about the chances of that?

Mr. McCormack. I would think that in the next session of Congress, that there is an excellent chance of some amendments being put through that will remove several of the inequitable provisions of the existing law.

Mr. Church. What about—what about the business of, as you hear today, labor cleaning house? Do you think there is any legislation necessary there, Mr. McCormack? I know that's a subject pretty close to your heart.

Mr. McCormack. The great majority of labor, and I'm talking about the leaders of labor, are just like the great majority of businessmen, the great majority of bankers, financiers, or any other field of activity—good, honorable men.

But, unfortunately, there is a small percentage of them, like there in past years, and there are probably today in other walks of activity who are unscrupulous. I think, directly addressing myself to it, that the McClellan committee has done a very fine job in exposing the violations of trust that have taken place by some, but we should not indict all leaders of labor for that small percentage.

However, the evidence clearly shows that something must be done to protect those trust funds and I favor legislation that will do that. But I do not, I will not favor legislation that will be punitive in nature and repressive against labor, because as you know there are certain forces in this country who are antilabor and they will try to capitalize the present situation to put through, not legislation to meet the problem of—of the—proper protection of these trust funds, but who would try to put through legislation that would be detrimental to labor, in other words, antilabor.

Mr. Bancroft. So this is——

Mr. McCormack. So, answering your question first, something should be done in connection with the trust funds. I can confine my answer to that. I don't think anyone, any honorable person wants directly antilabor legislation.

Mr. Bancroft. Well, you think this will be done in the session starting in January——

Mr. McCormack. I have every confidence that proper legislation will be passed. The one thing we have got to watch is that certain powerful elements in this country do not use the hysteria to put through antilabor legislation.

Mr. Bancroft. Well, you have quite a few things here left for the session starting in January——

Mr. McCormack. Oh, yes.

Mr. Bancroft. And that will be an election year, as you know.

Mr. McCormack. Yes.

Mr. Bancroft. Do you think Congress will be able to deal with things in an election year——

Mr. McCormack. Oh, yes——

Mr. Bancroft. Which it was unable to deal with in this nonelection year?

Mr. McCormack. Oh, yes, we Democrats have a habit of doing things.

Mr. Bancroft. You think you can legislate better when you are under the voters' guns than when you are not?

Mr. McCormack. No, no. I wouldn't say that, Mr. Bancroft, although, as you know, this is big league politics down here.

Mr. Bancroft. Well, you have been in it a long time.

Mr. Downs. Well, speaking of elections, there was an election out in Wisconsin the other day they made you Democrats very happy. What do you think this portends toward 1960 in the presidential election?

Mr. McCormack. I would say, Mr. Downs, that if anyone was to say that that was not an important election and the results very important, would be far reaching, would be one who has closed his eyes to the facts.

It was an amazing election, the first, for the Democrat to win is amazing; second, to win by the votes he did. It's fair to assume that Wisconsin, geographically located where it is, that that feeling of the people of Wisconsin as evidenced by the election results, must exist in adjoining States to Wisconsin.

To me it's a clear indication of repudiation of the leadership of President Eisenhower. I think foreign affairs entered into it, his uncertain, vascillating leadership. The feeling of fear in the minds of the American people that we are on the defensive throughout the world, and that it's due to lack of affirmative policy and consistent policy and action on the part of President Eisenhower and the present Republican administration.

And we must remember that under our Constitution the President is the sole repository in the field of foreign affairs.

Mr. Church. Well, Mr. McCormack, how do you——

Mr. McCormack. Second, might I say, not to talk longer, Mr. Church, I think the domestic questions, the farm questions, I think inflation, I think related to inflation, the economic aspect was the high interest rate, all of those played an important part, also.

Mr. Church. I just wondered how you accounted for the fact that Mr. Proxmire was defeated three times in a gubernatorial race in Wisconsin by the same man that lost to him in this senatorial race.

Wouldn't it seem to you that it was because of a completely split-up Republican Party in the State, rather than what you suggest?

Mr. McCormack. No, I don't—in a State like Wisconsin, it would be impossible for it to be for that cause alone. There must have been—what were the factors that caused the split party? What were the factors that caused people who ordinarily voted Republican and who did in the past, not on this year, on this occasion? I don't think it was any intraparty split that could account for that. It might account for some votes, and that exists in every election where there are—some disgruntled Republicans against a Republican candidate and some disgruntled Democrats against a Democratic candidate.

Mr. Bancroft. Well, Mr.——

Mr. McCormack. But they are usually not enough to affect an election, and certainly in Wisconsin that wouldn't bring about that tremendous result.

Mr. Bancroft. Well, Mr. McCormack, let's see if we can project this Wisconsin thing a little bit.

Now, there is an election coming up in New Jersey this fall, and if Governor Meyner wins there, do you think this is all adding up to a big Democratic trend that will be reflected in the Congressional elections in 1958?

Mr. McCormack. Mr. Bancroft, I have seen a big Democratic trend for the last 2 years.

To begin with, in 1956 the Democratic trend was there. It was true that President Eisenhower won by over 9,500,000 votes, but was a personal victory, because when we got to the political level between the two political parties, the Democrats—Democratic candidates for Congress—got more votes than the Republicans.

If the people, in voting for President Eisenhower for reelection, had meant that that was a manifestation against the Democratic Party, we wouldn't have had more than 160 Democrats in the House of Representatives. Instead, there was 234, I think, elected to the House, and a Democratic Senate.

So that in 1956 it was there, the trend was there. Mr. Eisenhower's personal popularity was able to save the situation for himself.

Furthermore——

Mr. Bancroft. And yet you would be in favor of repealing the law that forbids him from running again?

Mr. McCormack. I would vote for it, it isn't a question of forbidding Mr. Eisenhower, I was against, and I am still against the two-term prohibition for the reasons which I previously stated.

Mr. Bancroft. Yes; I know.

Mr. McCormack. First, it's an invasion on the right of the American citizen. The only limitation in the Constitution against the right of an American, an individual American; and second, the potential danger to our country that it could constitute.

Mr. Bancroft. Well, Mr. McCormack——

Mr. Downs. Mr. McCormack, speaking of individual rights and the rest of it and splits in the Republican Party, what has happened since the Thurmond filibuster, the civil-rights passage of this right-to-vote bill, what has happened to the split in the Democratic Party?

Mr. McCormack. Mr. Downs, despite the split in the Democratic Party, it's the first time in the history of the country that a bill was reported out of a committee, was last year, it was a Democratic-controlled committee and it passed the House but it didn't get through the Senate.

The second time legislation of this kind ever came out of a committee was in the 85th Congress, this Congress, a Democratic-controlled committee. It was passed by Democratic-controlled Congresses.

Now, I think as a result of the passage of the bill, the tensions within the Democratic Party will subside. You mark my words, gentlemen, I have been chairman of the platform committee on three out of the last four occasions. I think I know something about it. I have lived it, preserving unity in the Democratic Party in the different conventions when each time, in 1944, 1952, and 1956 when I was chairman, there were threatened walkouts. I think I know from actual experience what the situation is, and we are not—the tension is not going to be there, there will be no more threatened walkouts in Democratic conventions.

Mr. Bancroft. Well, I wonder if I could——

Mr. McCormack. And as the result of the tension subsiding, Mr. Bancroft, and Mr. Downs, and Mr. Church, unity becomes stronger and in the House we are not going to have this constant threat of a small group from the South compelled to make coalition with the great majority of the Republicans.

Mr. Bancroft. I would like to ask just one very simple question: Do you think a Democrat is going to win the Presidency in 1960, and if so which one?

Mr. McCormack. First, my first answer is "Yes"; the second one, there are, we have a dozen good candidates.

Mr. Bancroft. Well, I guess that's the best way——

Mr. McCormack. Might I say John Kennedy, of Massachusetts is one of the outstanding ones.

Mr. Bancroft. Thanks, thank you very, very much, Congressman McCormack.

The Archbishop Speaks Forth to the Critics of His Country

EXTENSION OF REMARKS

OF

HON. GARDNER R. WITHROW

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. WITHROW. Mr. Speaker, under leave to extend my remarks in the Record, I include herewith correspondence with the Archbishop of the Dominican Republic.

The churches of the world have always given people those things which even democracy does not always produce—truth, peace, faith, and hope.

When free people finally win the war against a Godless communism, the victory will belong to those religious faiths which defied communism to the end in the name of Christianity and humanity.

During the inflammatory criticism of the Dominican Republic in this first session, it was charged General Trujillo had encouraged communism at one time. It was inconceivable to me that a country estimated at more than 98 percent Roman Catholic could be guilty of this.

I wrote a letter to His Excellency, the Archbishop of the Dominican Republic, and I have had an answer which I am submitting for the information of the House. There is not one word of truth in the charge. Since I have never known an archbishop who feared either the truth or any layman of any type, I am satisfied His Excellency speaks without restraint, independently, and in absolute truth as only he would know it from a long and intimate association which would not be possible for any of us to experience.

The matter-of-fact tone and reporting of His Excellency is proof enough for me that the charges against the Dominican Republic are not supportable, but most certainly prejudicial and made without regard to the governmental concepts of the Latin Americas. I think His Excellency puts it well when he says the propaganda going on in the United States stems from those who are in disagreement with the Dominican regime on law and order.

I have long felt we cannot make the world over in the image of America and Americans. We have expended over $60 billion in American taxes on our efforts something along this line, and we are worse off in the world today for it.

The fault lies not only in our money, but perhaps more in ourselves. We expect praise for our generosity, but we give none; we want credit, but we will not pay credit to those who aline themselves with us; we expect homage and eternal alliance, but we will not stand firm and long.

Some of these days we are going to have to pay tribute to the Catholic churches and the stronger governments for our victory over communism. Conditions today are such that it is more profitable, more safe, and decidedly more expedient and easy to be a neutral power than to be an open and avowed enemy of communism. Those rulers and nations who played the appeasement and neutral roles with Hitler are dead and dying. I cannot repeat too often my own strong conviction that we should credit and encourage those strong chiefs of state who risk their lives, their fortunes, their family futures, and their own place in history, on the side of Christianity and democracy.

The Congress can get more headlines, more mail, and more admiring glances out of the mirror, with investigation of labor racketeers and others than we can get in a solid piece of positive legislation such as social security and a humanitarian viewpoint for the older people or the workingman. There are no headlines in the cost of living rises, or in high taxes. It is the prosecutions which get the headlines. It has remained for the defense to preserve and assure a sense of balance regardless of the pressures at the time.

Therefore, if I have come to the defense of a friend of the United States without qualification, perhaps in the end the jury of people will find I have contributed a small part to our stronger union against communism. The exchange of correspondence follows:

August 20, 1957.

Your Excellency the Archbishop Ricardo Pittini,
Ciudad Trujillo, Dominican Republic.

Your Excellency: I am requesting your opinion and comment on a matter which is of considerable consequence here in the United States and which pertains to a subject on which you would be most qualified to speak.

In your opinion:

1. Is the Government and those in authority in the Dominican Republic anti-Communist and has it ever encouraged communism?

2. Would you classify the Government as different from that of other Latin American countries? It has been charged that the Government is a dictatorship.

3. Are the people oppressed by the Government? Would your opinion be that the peoples of the Dominican Republic enjoy substantially the same freedoms which are had by people in other Latin American countries?

The Dominican Republic is under severe criticism in the United States by political exiles, and by one Member of Congress, along with some segments of the press. I have serious doubts about these charges and therefore seek Your Excellency's opinion. I am sure it will be very helpful to us.

Would it be asking too much to have a reply at your very earliest convenience?

Sincerely,

Gardner R. Withrow,
Member of Congress, United States of America.

[Translation (Spanish)]

Ciudad Trujillo Dominican Republic,
August 30, 1957.

Hon. Gardner R. Withrow,
Member of the House of Representatives of the United States of America, Washington.

Dear Mr. Withrow: It gives me pleasure to reply to your kind letter of this August 20, in which you ask my opinion about the stand of this country's Government on communism and about the differences which possibly exist between the Dominican Government and those of the other countries of Latin America in matters concerning the exercise of individual liberties.

Because of my duties as head of the Catholic Church in the Dominican Republic, I can tell you in regard to the first question that the Government and authorities of this country are absolutely anti-Communist, and they enforce, in the strictest possible manner, the stipulations of the law of the National Congress of October 20, 1936, which authorizes a prison term of 3 months to 2 years and a fine of $50 (Dominican currency) to $500 for every Communist or anarchist activity and every doctrine contrary to public morality, such as is practiced traditionally in all civilized nations.

The anti-Communist activity of the Dominican Government is very sincere and definite, manifested not only by the repressing of activities of that nature on Dominican territory, but also by giving wide and definite protection to whatever tends to strengthen the population of this country, the traditional norms of life and the principles of Christian morality. With this goal, Dominican authorities have given to the Catholic Church resolute protection without, of course, diminishing the constitutional principles of religious liberty which constitutes one of the essential norms of Dominican life.

In matters concerning the democratic or dictatorial character of the Dominican Government, compared with the other governments of Latin America, I can tell you with absolute frankness that the Dominican Republic is one country where the citizen enjoys complete liberty with the sole obligation of obeying laws scrupulously and of abstaining from all activity illegally directed against the security of the state. All legal activities can be exercised with as much freedom as in the United States, the citizen develops his spirit of initiative without fear of the slightest coercion on the part of the authorities. The Government is based upon the firm belief in authority, and order is jealously kept, a fact which has permitted the country to progress enormously without the menace of civil disturbances and without the typical disquiet of any kind of social anarchy.

I do not believe that any difference exists between the Dominican Government, from the point of view of the exercise of the principle of authority and the more liberal governments of Latin America, except that laws in the Dominican Republic are strictly obeyed and public order reaches a higher level of solidarity than in any other Latin American country in the hemisphere.

The propaganda being directed against the Dominican Republic abroad evidently is biased and emanates from elements disaffected with the regime of order, peace, and strict enforcement of the laws which exist in this country and which can be justly judged as one of the most disciplined and progressive in the world.

My best regards to you.

Ricardo Pittini,
Archbishop of Santo Domingo.

"After Living 16 Weeks in Cleveland as a Visitor From Vienna to the International Youth Leaders Exchange Program, I See the United States in Another Way: America Now Has a Face for Me and I Must Say I Like This Face"

EXTENSION OF REMARKS
OF

HON. FRANCES P. BOLTON

OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, August 30, 1957

Mrs. BOLTON. Mr. Speaker, the citizens of my hometown, Cleveland, Ohio, have just completed another unique contribution toward good will among nations. They are just not satisfied with merely studying or talking about foreign affairs; they believe the most effective diplomacy between nations must be carried on by the people themselves.

Thus, they sponsored last year, and have repeated this year, the evergrowing international youth leaders exchange program.

In 1956 this program involved 25 leaders of youth groups and youth organizations from Western Germany. This experiment was so successful that it was not only repeated, but extended this year to include 52 youth leaders from 8 European countries. Austria was represented by 3 youth leaders; Belgium by 1; Finland sent 4, and France 6. Two came from Italy; 26 from Germany; 7 visited with us from the Netherlands, and 3 came from faraway Norway.

What impressed me most about this program was the fact that it was not just operated by our Government, but was initiated and sponsored by a group of Cleveland citizens who voluntarily got together to make this program possible. This group, headed by Kenyon C. Bolton, president of the Cleveland Council on World Affairs, included educators, businessmen, religious leaders—men and women from all walks of life and representing all religious, political, and racial groups.

The administration of the program was in the hands of one of Cleveland's most prominent Red Feather agencies, the Neighborhood Settlement Association of Cleveland. Henry B. Ollendorff, its executive director, acted as the coordinator of the program and was ably assisted by Miss Elizabeth H. Brown, the executive secretary of the project.

Although initiated and sponsored by Clevelanders, the project was a truly cooperative one. Our own Government through the International Educational Exchange Service of our State Department, contributed overseas travel grants for 38 participants, as well as a small cash grant and a great deal of help and advice. The foreign governments made possible the overseas travel of 14 of the visitors and contributed a total of $7,700 directly. Even the foreign visitors contributed directly to the program through 10 weeks of summer work in Cleveland social agencies and children's camps, without receiving any salary. The Cleveland foundation pioneered, as usual, with a grant of $3,200. The social agencies of Cleveland in which the visitors worked during the summer, made available to the program the amount of salaries which they would otherwise have paid for this summer work, totaling $10,500. The Cleveland citizens themselves responded to an appeal by Mr. Walter K. Bailey, president of the Warner & Swasey Co., and voluntarily gave to the program a total of $12,500 in hundreds of individual contributions ranging from $2 to the Cleveland Rotary Club's $1,000.

Thus, it can truly be said that this was a cooperative enterprise of citizens, governments, and foreign visitors.

The other unique feature of this program was its combination of study and work, of giving and receiving, of learning and teaching.

The foreign youth leaders arrived in Cleveland on May 1. During the first 6 weeks they stayed in private homes as the guests of Cleveland families. Each one stayed in a home for 2 weeks, and this made it possible for them to see American family life as members of families in three different settings. One hundred and fifty-six Cleveland families volunteered eagerly to serve as host families, and they included all social, religious, and racial groups in this metropolitan city.

Many of my constituents have told me how much their visitors have contributed to the broadening of their families' and their children's horizons; how they went to school with their children and told about their countries; how eager they were to learn about everything that comprises the American way of life; and how heartbreaking it was to let them go to another family after 2 weeks.

These first 6 weeks were filled with many hours of study. This period included a course on American group-work methods in the School of Applied Social Sciences of Western Reserve University, taught by Prof. Margaret Hartford. The course was followed by visits to dozens of social agencies, settlement houses, children's institutions, the juvenile court, factories, but also theaters and musical events. On 12 different occasions they met for discussions with leading Cleveland citizens on specific phases of American life, labor, industry, religion, voluntary citizen participation, and welfare work. There was never enough time for social engagements.

During the following 10 weeks, each one of our visitors worked in one of the institutions he had before visited, as a camp counselor, or a social worker, in a settlement house, a children's camp, a Scout organization, or a children's institution. They led groups of American children, working, playing, and living with them and their American fellow counselors.

When the group left Cleveland, 400 of their new friends gathered at Hiram House Camp to bid them farewell. Many of the visitors tried to say what they felt, but nobody could really express it. The leader of the Finnish group put it this way:

> We are sure that, as the years go by, our sense of the past will have one fixed dividing point: "before or after I was in America."

A young social worker from Vienna put it movingly in these words:

> After 16 weeks' experience, I see the United States in another way: America now has a face for me * * * and I must say, I like this face.

Before leaving for their home countries, I had the pleasure of welcoming the group in Washington. They visited the White House and the Capitol, and I can well understand why Clevelanders insist that this program be continued and extended for many years. Not only are these young people ambassadors of good will, but they are representatives of Europe's youth who have to come to know this country of ours as it is, and as it wants to be. At the same time they have enriched the philosophy and the work of Cleveland's agencies by working with our own young people.

This has been an exchange program in every sense of the term.

The West German Government has already responded to last year's program by inviting eight Cleveland youth leaders to come to Germany during the summer of 1958. Other such invitations will follow. Cleveland can certainly be proud of the leadership they are assuming in diplomacy—people-to-people diplomacy.

Report to My Constituents in the Sixth Congressional District of Maryland

EXTENSION OF REMARKS
OF

HON. DeWITT S. HYDE

OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Friday, August 30, 1957

Mr. HYDE. Mr. Speaker, as United States Representative for the Sixth Congressional District of Maryland, I would like to publish in the Congressional Record my voting record for the 1st session of the 85th Congress.

Voting record of Representative DeWitt S. Hyde, 6th District, Maryland (85th Cong., 1st sess.)

Date	Measure	Vote
Jan. 29	H. Res. 123, providing for consideration of H. J. Res. 117, to authorize the President to undertake economic and military cooperation with nations in area of Middle East to assist in the strengthening and defense of their independence. (Approved 262 to 164.)	Yea.
Jan. 30	H. J. Res. 117, to authorize the President to undertake economic and military cooperation with nations in area of Middle East to assist in the strengthening and defense of their independence. (Passed 355 to 61.)	Yea.
Feb. 5	H. R. 4249, making appropriations for fiscal year ending June 30, 1957. On amendment for grants to States for State and local administration. (Passed 205 to 168.)	Absent.
Feb. 6	H. R. 2367, to establish a deferred grazing program as part of the relief for drought-stricken areas. (Passed 270 to 109)	Absent.
Mar. 7	H. Res. 188, a resolution agreeing to the Senate amendments to H. J. Res. 117. (Passed 350 to 60)	Yea.
Mar. 12	H. Res. 192, providing for consideration of H. Res. 190, resolution to return the budget to the President. On agreement to the resolution. (Agreed 219 to 185.)	Nay.
Mar. 12	H. Res. 190, resolution to return the budget to the President. On motion to recommit. (Failed 185 to 214)	Yea.
Mar. 12	H. Res. 190, resolution to return the budget to the President. On agreeing to resolution. (Agreed 220 to 178)	Nay.
Mar. 13	H. R. 4901, to establish a minimum acreage allotment for corn, to provide acreage reserve programs for diverted acres and other purposes. On motion to recommit. (Failed 168 to 237.)	Nay.
Mar. 13	H. R. 4901, to establish a minimum acreage allotment for corn, to provide acreage reserve programs for diverted acres and for other purposes. On passage. (Failed 188 to 217.)	Yea.
Mar. 27	H. Res. 85, authorizing the Committee on Banking and Currency to conduct studies relating to the operation of the monetary and credit structure of the United States. On agreeing to resolution. (Failed 174 to 225.)	Nay.
Apr. 4	H. R. 6287, appropriations for Departments of Labor and Health, Education, and Welfare for fiscal 1958. On amendment reducing by $30,000 Office of Secretary, Labor. (Passed 286 to 126.)	Yea.
Apr. 4	H. R. 6287, appropriations for Departments of Labor and Health, Education, and Welfare for fiscal 1958. On amendment reducing by $204,000 Office of Solicitor, Labor. (Passed 241 to 171.)	Yea.
Apr. 4	H. R. 6287, appropriations for Departments of Labor and Health, Education, and Welfare for fiscal 1958. On amendment reducing by $46,300 Bureau of Labor Standards. (Passed 246 to 169.)	Nay.
Apr. 4	H. R. 6287, appropriations for Departments of Labor and Health, Education, and Welfare for fiscal 1958. On amendment reducing by $136,000 Bureau of Reemployment Rights, Labor. (Failed 137 to 275.)	Nay.
Apr. 4	H. R. 6287, appropriations for Departments of Labor and Health, Education, and Welfare for fiscal 1958. On amendment reducing by $442,000 Bureau of Employment Security. (Passed 214 to 205.)	Yea.
Apr. 4	H. R. 6287, appropriations for Departments of Labor and Health, Education, and Welfare for fiscal 1958. On amendment reducing by $12,186,000 grants to States for unemployment compensation, Labor. (Passed 220 to 200.)	Yea.
Apr. 4	H. R. 6287, appropriations for Departments of Labor and Health, Education, and Welfare for fiscal 1958. On amendment reducing by $1,500,000 unemployment compensation for Federal employees, Labor. (Passed 253 to 167.)	Yea.
Apr. 4	H. R. 6287, appropriations for Departments of Labor and Health, Education, and Welfare for fiscal 1958. On amendment reducing by $263,800 Mexican farm labor program, Labor. (Passed 342 to 77.)	Yea.
Apr. 4	H. R. 6287, appropriations for Departments of Labor and Health, Education, and Welfare for fiscal 1958. On amendment reducing by $346,000 Bureau of Labor Statistics. (Passed 217 to 202.)	Nay.
Apr. 4	H. R. 6287, appropriations for Departments of Labor and Health, Education, and Welfare for fiscal 1958. On amendment reducing by $31,000 Women's Bureau, Labor. (Failed 206 to 210.)	Yea.
Apr. 4	H. R. 6287, appropriations for Departments of Labor and Health, Education, and Welfare for fiscal 1958. On amendment reducing by $288,000 for Wage and Hour Division, Labor. (Passed 214 to 205.)	Nay.
Apr. 4	H. R. 6287, appropriations for Departments of Labor and Health, Education, and Welfare for fiscal 1958. On amendment reducing by $1,327,000 Food and Drug Administration, HEW. (Failed 130 to 285.)	Yea.
Apr. 4	H. R. 6287, appropriations for Departments of Labor and Health, Education, and Welfare for fiscal 1958. On amendment reducing by $1,482,000 Office of Education, HEW. (Failed 206 to 207.)	Nay.
Apr. 4	H. R. 6287, appropriations for Departments of Labor and Health, Education, and Welfare for fiscal 1958. On amendment to delete total appropriation of $50,000,000 for waste treatment works construction, HEW. (Failed 185 to 231.)	Nay.
Apr. 8	H. R. 6306, amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two 4-lane bridges to replace existing 14th Street or Highway Bridge across Potomac River." (Passed 190 to 131.)	Yea.
Apr. 10	S. J. Res. 72, to implement further the act of July 15, 1946, by approving the signature of the Secretary of the Treasury of an agreement amending the Anglo-American Financial Agreement of Dec. 6, 1945. (Passed 218 to 167.)	Yea.
Apr. 11	H. Res. 191, to amend H. Res. 152, 85th Cong. (Passed 225 to 143)	Nay.
Apr. 17	H. R. 6871, appropriations for Departments of State and Justice, the Judiciary and related agencies for fiscal 1958. On amendment on international organizations and conferences. (Failed 167 to 205.)	Nay.
May 15	H. R. 7441, appropriations for Department of Agriculture and Farm Credit Administration for fiscal 1958. On amendment to suspend soil-bank program. (Passed 192 to 187.)	Nay.
May 22	H. R. 7599, appropriations for legislative branch for fiscal 1958. On motion to recommit with instructions to strike out $7,500,000, New House Office Building. (Failed 176 to 206.)	Nay.
May 22	H. R. 7599, appropriations for legislative branch for fiscal 1958. On passage. (Passed 279 to 93)	Yea.
May 22	H. Res 254, resolution providing for consideration of H. R. 2, to authorize the State of Illinois and District of Greater Chicago to test the effect of increasing diversion of water from Lake Michigan. On agreeing to resolution. (Agreed 267 to 102.)	Yea.
May 22	H. R. 2, authorizing the State of Illinois and district of Greater Chicago to test the effect of increasing diversion of water from Lake Michigan. On motion to recommit. (Failed 143 to 225.)	Absent.
May 22	H. R. 2, authorizing the State of Illinois and district of Greater Chicago to test the effect of increasing diversion of water from Lake Michigan. On passage. (Passed 222 to 144.)	Absent.
May 23	H. R. 985, to provide that chief judges of circuit and district courts shall cease to serve as such upon reaching the age of 70. On motion to recommit. (Failed 47 to 293.)	Nay.
May 29	H. R. 7665, appropriations for Department of Defense for fiscal 1958. On motion to recommit with instructions to restore $313,000,000. (Failed 151 to 242.)	Yea.
May 29	H. R. 7665, appropriations for Department of Defense for fiscal 1958. On passage. (Passed 394 to 1)	Yea.
June 5	H. Res. 259, resolution providing for consideration of H. R. 6127, the civil-rights bill. On agreeing to resolution. (Agreed 291 to 117)	Yea.
June 18	H. R. 6127, to provide means of further securing and protecting the civil rights of persons within jurisdiction of the United States. On motion to recommit with instructions to provide for trial by jury. (Failed 158 to 251.)	Yea.
June 18	H. R. 6127, to provide means to further securing and protecting the civil rights of persons within the jurisdiction of the United States. On passage. (Passed 286 to 126.)	Yea.
June 18	H. R. 7221, supplemental appropriations for fiscal year ending June 30, 1957. Conference report. On motion to recede from its disagreement to Senate amendment on Federal flood insurance. (Failed 186 to 218.)	Nay.
June 21	H. R. 6974, to extend the Agricultural Trade Development and Assistance Act of 1954. (Passed 345 to 7)	Yea.
June 25	H. R. 7963, to amend the Small Business Act of 1953. (Passed 393 to 2)	Absent.
June 26	H. R. 6287, appropriations for the Departments of Labor and Health, Education and Welfare for fiscal 1958. On conference report. Motion to recommit. (Failed 73 to 321.)	Nay.
June 27	S. 1428, to authorize furniture and furnishings for the additional Senate Office Building. On motion to recommit with instructions to give specific cost figures. (Failed 135 to 232.)	Yea.
June 27	S. 1429, authorizing the enlargement and remodeling of Senators' suites and other improvements in existing Senate Office Building. On motion to recommit for specific figures. (Failed 148 to 216.)	Nay.
July 10	H. R. 8240, to authorize certain construction at military installations. On amendment to strike sec. 411. (Failed 183 to 230)	Nay.
July 10	H. R. 7390, to amend the Administrative Expenses Act of 1946. On motion to recommit. (Failed 183 to 225)	Nay.
July 10	H. R. 8364, to further amend the Reorganization Act of 1949 so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959. On motion to recommit. (Failed 46 to 338.)	Nay.
July 12	H. R. 72, to amend sec. 21 of the World War Veterans' Act of 1924, to provide for disposition of unpaid benefits at death of intended beneficiary. On motion to recommit. (Recommitted 191 to 161.)	Yea.
July 19	S. 2130, to amend the Mutual Security Act of 1954. On motion to recommit. (Failed 181 to 227)	Nay.
July 19	S. 2130, to amend the Mutual Security Act of 1954. On passage. (Passed 254 to 154)	Yea.
July 23	H. R. 2474, to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department. On passage. (Passed 379 to 38.)	Yea.
July 25	H. R. 1, to authorize Federal assistance to States and local communities for school construction. On motion to strike out the enacting clause. (Approved 208 to 203.)	Yea.
July 31	S. 1856, to provide for development and modernization of the national system of navigation and traffic control to serve needs of civil and military aviation. On passage. (Passed 375 to 17.)	Yea.
July 31	H. R. 2147, to provide for construction by Secretary of Interior of reclamation project in Texas. On motion to recommit. (Failed 189 to 202)	Yea
July 31	H. R. 2147, to provide for construction by Secretary of Interior of reclamation project in Texas. On passage. (Passed 201 to 190)	Nay.
Aug. 1	H. R. 8643, to authorize construction of certain works of improvement in the Niagara River for power, etc. On passage. (Passed 313 to 75)	Yea.
Aug. 1	H. R. 6763, to amend the act to authorize and direct the construction of bridges over the Potomac River. On motion to go into committee. (Approved 297 to 76.)	Yea.
Aug. 1	H. R. 6763, to amend the act to authorize and direct the construction of bridges over the Potomac River. On motion to strike out the enacting clause. (Failed 175 to 194.)	Nay.
Aug. 2	H. R. 6763, to amend the act to authorize and direct the construction of bridges over the Potomac River. On motion to go into committee. (Approved 275 to 59.)	Yea.
Aug. 2	H. R. 6763, to amend the act to authorize and direct the construction of bridges over the Potomac River. On amendment to change tunnel to bridge. (Passed 226 to 109.)	Nay.

Voting record of Representative DEWITT *S.* HYDE, *6th District, Maryland (85th Cong., 1st sess.)*—Continued

Date	Measure	Vote
Aug. 5	H. R. 6709, to implement a treaty and agreement with the Republic of Panama. On motion to suspend rules and pass. (Passed 279 to 91)	Yea.
Aug. 7	H. R. 9131, supplemental appropriations for fiscal 1958. On motion to recommit to reduce funds TVA. (Failed 158 to 244)	Yea.
Aug. 7	H. R. 9131, supplemental appropriations for fiscal 1958. On passage. (Passed 330 to 75)	Yea.
Aug. 7	H. Res. 362, resolution providing for consideration of H. R. 7244, a bill amending the Packers and Stockyards Act to permit deductions for a self-help meat promotion program. On resolution. (Failed 175 to 216.)	Nay.
Aug. 8	H. R. 4813, to extend the life of the District of Columbia Auditorium Commission and selection of site for auditorium. On adoption of conference report. (Failed 115 to 284.)	Nay.
Aug. 8	H. R. 8992, to provide for appointment of representatives of the United States in the organs of the International Atomic Energy Agency and to make provisions with respect to participation of the United States in the Agency. On amendment. (Passed 298 to 100.)	Yea.
Aug. 9	H. R. 8996, to authorize appropriations for the Atomic Energy Commission in accordance with sec. 261 of Atomic Energy Act of 1954. On amendment to strike Government production of reactor. (Failed 197 to 201.)	Yea.
Aug. 9	H. R. 8996, to authorize appropriations for the Atomic Energy Commission. On amendment to strike 2 items. (Approved 211 to 188)	Yea.
Aug. 9	H. R. 8996, to authorize appropriations for the Atomic Energy Commission. On amendment to substitute language sec. 111. (Approved 213 to 185)	Yea.
Aug. 9	H. R. 8996, to authorize appropriations for the Atomic Energy Commission. On passage. (Passed 383 to 14)	Yea.
Aug. 9	H. R. 2462, to adjust rates of basic compensation of Federal employees. On motion to recommit. (Failed 70 to 319)	Nay.
Aug. 9	H. R. 2462, to adjust rates of basic compensation of Federal employees. On passage. (Passed 329 to 58)	Yea.
Aug. 13	H. R. 8090, appropriations for civil functions. Conference report. On motion to recede and concur in Senate amendment on Bruces Eddy project. (Failed 23 to 363.)	Nay.
Aug. 13	H. R. 5836, to readjust postal rates and establish a congressional policy for determination of postal rates. On passage. (Passed 256 to 129)	Yea.
Aug. 14	S. 2130, to amend the Mutual Security Act of 1954. On adoption of conference report. (Approved 226 to 163)	Yea.
Aug. 14	S. 1383, to amend sec. 410 of the Interstate Commerce Act, to change the requirements for obtaining a freight forwarder permit. On passage. (Passed 177 to 176.)	Yea.
Aug. 15	H. R. 9302, appropriations for mutual security for fiscal 1958. On motion to recommit to restore funds for military assistance, defense support, and development loan fund. (Failed 129 to 254.)	Yea.
Aug. 15	H. R. 9302, appropriations for mutual security for fiscal 1958. On passage. (Passed 252 to 130)	Yea.
Aug. 19	H. R. 7993, to provide for guaranty of private loans to air carriers for purchase of aircraft and equipment. On motion to suspend rules and pass. (Passed 242 to 94.)	Yea.
Aug. 20	H. R. 1937, to authorize the construction, maintenance, and operation by the Armory Board of the District of Columbia of a stadium in the District of Columbia. On adoption of conference report. (Failed 135 to 234.)	Yea.
Aug. 20	S. 1520, to amend act entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways." Conference report. On motion to recommit. (Failed 137 to 232.)	Nay.
Aug. 21	H. R. 9131, supplemental appropriations for fiscal 1958. On motion to recede and concur in Senate amendment for funds for airport. (Failed 125 to 233)	Yea.
Aug. 21	H. R. 9131, supplemental appropriations for fiscal 1958. On motion to recede from its disagreement to Senate amendment on Rathbun Dam. (Failed 141 to 216.)	Nay.
Aug. 21	H. R. 9379, appropriations for the Atomic Energy Commission for fiscal 1958. On amendment to restore funds for industry cooperative program. (Passed 214 to 135.)	Yea.
Aug. 22	H. Con. Res. 17, to authorize the printing of additional copies of H. Doc. No. 232. (Approved 183 to 129)	Yea.
Aug. 23	H. R. 9131, supplemental appropriations for fiscal 1958. Conference report. On motion to recede from its disagreement to Senate amendment on Rathbun Dam. (Approved 166 to 121.)	Nay.
Aug. 23	H. R. 9131, supplemental appropriations for fiscal 1958. Conference report. On motion to recede and concur in Senate amendment which would reduce funds for dredging Columbia River. (Approved 165 to 120.)	Nay.
Aug. 23	S. 2229, to provide for guaranty of private loans to air carriers for purchase of aircraft and equipment. On conference report. (Approved 203 to 77)	Yea.
Aug. 23	H. Res. 407, resolution certifying the report of the Committee on Un-American Activities as to the refusal of Louis Earl Hartman to answer questions before subcommittee. On agreeing to resolution. (Agreed 276 to 0.)	Yea.
Aug. 23	H. Res. 409, resolution certifying the report of the Committee on Un-American Activities as to the refusal of Bernard Silber to answer questions before subcommittee. On agreeing to resolution. (Agreed 263 to 0.)	Yea.
Aug. 27	H. Res. 410, resolution providing for the disposition of the Senate amendments to the bill, H. R. 6127, civil rights. On ordering previous question. (Approved 274 to 101.)	Yea.
Aug. 27	H. Res. 410, resolution providing for the disposition of the Senate amendments to the bill, H. R. 6127, civil rights. On agreeing to resolution. (Agreed 279 to 97.)	Yea.
Aug. 27	H. R. 7915, to amend sec. 1733 o. title 28, United States Code, regarding FBI files. On passage. (Passed 351 to 17)	Yea.
Aug. 27	S. 2792, to amend the Immigration and Nationality Act. On passage. (Passed 295 to 58)	Yea.
Aug. 30	S. 2377, to amend ch. 223, title 18, United States Code, regarding FBI files. On conference report. (Approved 315 to 0)	Yea.
Aug. 30	H. R. 9302, appropriations for mutual security for fiscal 1958. On adoption of conference report. (Approved 194 to 122)	Yea.

The 85th Congress

EXTENSION OF REMARKS
OF
HON. WILL E. NEAL
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. NEAL. Mr. Speaker, the observation has been made by one of my distinguished colleagues that in the ensuing second session of the 85th Congress the Eisenhower administration should adopt a policy, hold fast to it, and hew to the line.

This, I submit, is specious reasoning. In all logic there is no foundation for such a position by the opposition.

There is, in the English parliamentary system, a label styled "His Majesty's loyal opposition." Suffice to say, we cannot, in conscience, apply such a term to the gentlemen and gentlewomen who sit across the aisle.

It is my thought that much of the confusion of the first session of this Congress was deliberately engineered, promoted, and fostered by that opposition.

When the Eisenhower administration came before the session with reasonable and productive proposals, we witnessed, day after day, the process of obstruction at work.

A mismated political marriage between northern Democrats and the southern wing of the party, held together only through necessity born of mutual dependence, saw to it that a debate on civil rights, prolonged and unbearably lengthy, effectively blocked the passage of vital measures.

While the Congress devoted thousands of words on hundreds of pages in this RECORD, and spawned innumerable headlines on civil rights, nothing was done. The Members of this House recall well the month we spent while a handful of Democrat Senators monotonously ground out manifold hours in underlining the basic fact that the opposition party is a hybrid agglomeration of organizations whose basic philosophies are as far apart as the Tropic of Cancer and the Tropic of Capricorn.

For instance, in the North there is the Americans for Democratic Action. This is a liberal group whose aim it is to equalize all of our citizens to a general standard of mediocrity. In essence, the ADA is the counterpart of the British Socialist Party which brought proud Albion from the rank of first-rate world power to a present position well below the top.

In the South, the antithesis of the ADA exists. There we have a conservative group, well exemplified by some of my warmest friends in this House, men and women for whom I hold the deepest respect and affection. They, I submit, Mr. Speaker, are in strange company when they consort and accompany the darlings of the ADA when legislation is under consideration here.

In every administration, there are some things, inevitably, which are indefensible to Members of the House and Senate.

I would recall, for the benefit of my colleague who asked that the next session see a definite set of Republican standards adopted, that it was his own beloved Franklin D. Roosevelt who, in 1937, attempted to stultify the Supreme Court and reduce it to an atrophied branch of government through his packing plan.

At that time, the members of his own party left him, and defeated that plan by a great majority, the fires of the struggle blazing so hotly that his own majority leader, the late, and I may add without partisanship, great Alben Barkley threatening to resign in the face of Mr. Roosevelt's capricious, audacious, and dangerous demand.

Members of the opposition control this Congress. Because of that inescapable fact, the fact that a majority of 233 Democrats has faced a 200-member Republican delegation, the administration has had, from time to time, to improvise and cut its cloth on a moment's notice.

If there has been any vacillation, any confusion, any inability upon the part of this Congress to be about the public's business, the fault becomes the fault of the Democratic Party.

On the score of economy, I would like to say, Mr. Speaker, that this Democrat controlled Congress attempted to compel more than $2.7 billion in present and future expenses not provided for in the original budget.

I submit, Mr. Speaker, that there has been no lack of a policy downtown. They have been in the position of men with their backs to the wall, taking calculated risks, absorbing political punishment daily, trying to do a constructive job in the face of opposition devoted solely to the ideal of obstructionism.

And for what gain do members of the opposition pursue this course?

The answer returns clearly and unmistakably—control of the White House in 1960.

Report to My Constituents in the 14th Congressional District of New Jersey on My First Session in Congress

EXTENSION OF REMARKS

OF

HON. VINCENT J. DELLAY

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. DELLAY. Mr. Speaker, at the close of the 1st session of the 85th Congress I am making a report to the people I represented in this Congress of its activity and achievements. This was one of the longest sessions of a peacetime Congress, opening on January 3 and closing its work August 30. There were more rollcalls and quorum calls—220 of them—than in any other Congress since the start of the Korean war.

CONGRESSIONAL ACTION ON THE BUDGET

We who are Members of this body agree on one fact—we were mandated by the American people to reduce Federal spending, balance the budget, and otherwise get the Government's financial affairs in order. By every means of communication at their command, the people let the Congress know they wanted present levels of Government spending cut. That is what Congress did. It must be understood that there are two kinds of budgets—an appropriation budget and an expenditure budget. We reduced the President's appropriation budget for fiscal year 1958 in the sum of $4,914,355,584. In addition, we reduced deficiency budget requests which were presented to Congress during this session by the sum of $134,023,395. These deficiency requests were for the fiscal year ending June 30, 1957. The total budget reductions during this session of Congress have therefore been $5,048,378,979. I supported this reduction recommended by the Appropriations Committee and adopted by the Congress. My attitude toward the budget was to support all Appropriations Committee efforts at economy—to trim fat and waste and to postpone projects that could be postponed—but to refuse to adopt the meat-ax approach of simply slashing at random.

SALARY INCREASES FOR POSTAL AND OTHER FEDERAL EMPLOYEES JUSTIFIED

Because of these substantial savings in the budget I feel that my votes and efforts to bring about long-delayed salary increases for postal and other Federal employees are justified and not antieconomical, especially since such increases would help efficiency by reducing employment turnover.

CIVIL RIGHTS: PROTECTING THE CONSTITUTIONAL RIGHTS OF INDIVIDUALS

The 1957 session of Congress will forever be remembered for its accomplishment in enacting a civil-rights law protecting the right to vote of all persons, regardless of race, color, or creed—the first such national law to be enacted since Civil War Reconstruction days. It establishes a Federal commission with subpena power to investigate facts as a basis for additional protective legislation; it creates a new Civil Rights Division in the Office of the Attorney General, and authorizes injunction proceedings to restrain violations of voting rights. Denial of the right to vote cannot be countenanced—and should be punished—if the Bill of Rights in our National Constitution is to be given full meaning. I am very proud that this was one of the achievements of my first Congress.

FBI FILES

I voted for and am glad to report that the legislation was enacted to safeguard and protect the files of the FBI.

FURTHER ECONOMY POSSIBLE THROUGH CORDINER REPORT, HOOVER COMMISSION REPORTS, AND SEPARATION OF FEDERAL AND STATE TAXATION PROVIDING BASIS TAX CUT

On June 7, 1957, I introduced H. R. 7990, a bill embracing the provisions of the Cordiner Report on the Armed Services. This bill would result in several billion dollars being saved by a recasting of pay scales designed to keep skilled personnel in the Armed Forces, where now they leave for private industry and thereby require the Government to go to the expense of training their replacements. Many of the carefully prepared Hoover Commission reports ought to be adopted, because they show that billions of dollars can be saved by more efficient Government budget and purchasing and operational practices. I was delighted at President Eisenhower's proposal to the governors at their Williamsburg conference in June that there be set up a Federal-State task force to reallocate the functions and revenues of the two levels of government. As many of you will recall, I made repeated mention of this necessity as an economy measured during my campaign for election to the Congress. In fact, a study is now being made by the House Committee on Interstate and Foreign Commerce designed to prove that the States can take over many of the activities now engaged in by the Federal Government. These are huge possibilities for economizing, and I am hopeful that many will be put into effect during the next session of Congress, thus providing a basis for a tax cut and, at the same time, leave funds for protecting and improving the health, welfare, and education of our people.

SOME IMMIGRATION LIBERALIZATION ENACTED

On June 25, 1957, I introduced H. R. 8358, to facilitate the entry into the United States of certain adopted children and relatives of citizens and legally registered aliens. A bill identical to this one was adopted by Congress and is now a public law. State Department officials estimated the revision will open the door to 62,556 additional immigrants. These are expected to include 4,000 orphans adopted by American citizens, 14,556 refugees from Iron Curtain countries and 36,000 persons who will be granted special nonquota status. This will result in reuniting many fine families in my district, but will not give as much relief as I had anticipated would be coming out of this Congress. I have also introduced H. R. 7991 and other immigration bills which are much broader in scope. I am confident that these will be favorably considered in the next session of the 85th Congress.

PROTECTING SMALL- AND MEDIUM-SIZED BUSINESS

The Small Business Administration was extended for 1 year during the session just concluded. In the 1958 session it is my hope that this Government body will be made a permanent agency, that its powers will be enlarged, and that the delaying redtape which now hamstrings it will be materially reduced. Protecting and encouraging the small-business concern requires action on many fronts. Our corporate income tax structure needs overhauling so as to reduce the tax rate for the smaller corporations. And in the field of military procurement, where today big business has a virtual monopoly of Government contracts, a program is needed to increase the small-business man's share. All of these things require action in the forthcoming 1958 session of Congress.

LEGISLATIVE ASSISTANCE TO OUR SENIOR CITIZENS AND SOCIAL SECURITY AMENDMENTS

I have long felt the need for better care of our senior citizens. They are having a hard time paying today's prices on yesterday's pensions. I have introduced H. R. 3963, a bill to increase civil-service retirement annuities and H. R. 6793, to prohibit discrimination in employment against individuals on account of their age, and worked hard for their enactment. I also introduced H. R. 9203, to broaden the coverage and extend certain benefits under the Social Security Act. Among other things this bill would increase ultimate benefits for those who continue to work after age 65 by 1 percent a year delayed retirement benefit. It would also increase maximum monthly payments to a retired individual from $108.50 to $118.50 and for a married couple from $162.80 to $177.25, without increasing contributory tax rates.

MEDICAL EXPENSES DEDUCTION FROM INCOME TAX

On May 8, 1957, I introduced H. R. 7347, to eliminate the provision which presently restricts the deduction for medical expenses to those exceeding 3 percent of gross income. If this bill were enacted it would be possible to deduct the total amount of medical expenses from gross income. It is my feeling that this would give tax relief where it is sorely needed among lower income families. I will continue to press for action on this vital measure.

BAD CONDUCT DISCHARGES REVIEW

On June 27, 1957, I introduced H. R. 8412, which would authorize the appropriate military review boards to consider and take into account the good conduct, habits, character, activities, and rehabilitation of an individual in civilian life who has been discharged or dismissed from any of the Armed Forces not less than 3 years previous, or any of the discharges other than honorable—except by sentence of a general court martial. The military authorities maintain that existing statutes do not now authorize such consideration and such rehabilitation in civilian life is not now recognized as legal or appropriate grounds by the military boards for correction of discharge or dismissals. If enacted, it would erase the stigma and employment handicap in many worthy cases. Many of these discharges are given to teen-agers when under great stress or strain and without due consideration of results.

FEDERAL AID FOR LOCAL SCHOOL CONSTRUCTION

A temporary program for Federal aid to local school construction was considered by the House but was defeated when several Members attempted to add a crippling amendment regarding integration to this worthwhile legislation. Federal aid for local school construction is not one of Federal charity or random spending. It is a temporary program aimed largely at those States which have no State education agencies and leaves school construction to local communities. Its purpose is to compel these States to provide State programs for school construction in those poorer communities which have insufficient real estate to float school bonds. The northern States have to bear a disproportionate share in providing boys for military service because so many of the boys from southern States are rejected for illiteracy, and the Armed Forces spend about $30 million in an effort to educate the illiterate. Education is a national problem, a national responsibility. I shall do all I can in the 1958 session, believing as I do that the program is urgent, to help in enactment of a Federal program of aid for local school construction.

FHA-INSURED LOANS

An important bill that was enacted will lower downpayments on FHA-insured loans, but because the hard-money policy continues to increase interest rates, little improvement has yet been felt in the ailing housing market.

PROTECTION OF PUBLIC THROUGH POULTRY INSPECTION AND OPPOSITION TO NATURAL GAS BILL

Consumers received a break through the passage of a poultry inspection bill which will put fresher and better products on the market. We have had compulsory meat inspection, for the protection of the public health, for many years. Now we also have protection through inspection of poultry.

There was sufficient opposition among House Members to keep this bill from being considered in the first session of Congress.

TITO OF YUGOSLAVIA

I was one of the Members of Congress who signed the petition to keep Tito from visiting the United States this spring. As a result of this petition the State Department rescinded the invitation.

VETERANS AND SERVICEMEN

Laws were enacted increasing rates of compensation for disabled veterans, increasing and extending veterans' home loan program, consolidation and simplification of laws on veterans' benefits and liberalization of requirements for veterans' widows' benefits. I supported these measures.

MEMBER OF MERCHANT MARINE AND FISHERIES COMMITTEE

I cannot end this report without reference to the committee upon which I serve—the Merchant Marine and Fisheries. It was at my request that I was assigned to this committee. I felt that because of the physical makeup of my district with its waterfront problems, this is where I could do the most good. It has been a happy experience to see the way the committee has worked so diligently as a group, and I am proud and privileged to be a member. I am sure it has given me a keener insight into the problems of our waterfront and has made me more capable of coping with them.

Questionnaire Submitted to the People of the 12th Congressional District of New York

EXTENSION OF REMARKS

OF

HON. FRANCIS E. DORN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. DORN of New York. Mr. Speaker, each year it has been my custom to submit to the people of the 12th Congressional District of New York, whom I have the honor to serve, a questionnaire setting forth various questions which will be considered by the Congress of the United States in its deliberations.

I appreciate the fine response to the questionnaire and am gratified to say that the people of the 12th Congressional District of New York are intensely interested in their Government and are willing to take time to participate in it by expressing their opinions and advice to their Representative in the Congress.

The following is the questionnaire and the results in percentages:

	Percent		
	Yes	No	No opinion
1. To promote the cause of world peace, President Eisenhower has said he believes it may be necessary for him to meet from time to time with foreign heads of state with whom he may not always agree. Do you favor such meetings between the President and foreign leaders?	84	14	2
2. Do you approve of President Eisenhower's general foreign policy?	52	43	5
Do you favor—			
(a) Continuing foreign military aid?	51	44	5
(b) Continuing foreign economic aid?	51	45	4
3. Do you approve of Congress authorizing the admission of a greater number of immigrants from all countries?	42	52	6
4. Do you approve the sale of farm surpluses to Communist nations?	32	63	5
5. Do you favor reduction of the Federal debt before reducing taxes?	64	34	2
6. Do you approve Federal legislation to ease the supply of housing credit, including greater Federal support of the mortgage market?	58	39	3
7. Do you approve the Federal Government's encouragement of more liberal credit and lower interest rates for small business?	83	15	2
8. Do you approve controls by the Federal Government of rents, wages, and prices in peacetime?	47	51	2
9. The administration has proposed extending the present $1 an hour Federal minimum wage to groups not presently covered, mainly retail and service employees. Do you favor this proposal?	84	15	1
10. Do you favor requiring registration of pension and welfare funds of labor unions and disclosure of financial transactions involving them?	91	06	3
11. To put the Post Office Department on a pay-as-you-go basis, do you favor increasing postage rates, including a boost in the 1st-class mail from 3 to 4 cents, as proposed by the administration?	69	29	2
12. Do you approve direct Federal grants to States for education?	60	38	2
13. Do you favor Federal plans for reinsuring privately run voluntary hospitalization and surgical insurance?	52	46	2
14. Do you favor further reduction in the age at which persons shall be eligible for social security?	62	36	2
15. Do you favor the enactment of a strong civil rights program to enforce the voting rights of all citizens?	80	18	2

The response to the questionnaire by thousands of residents of our district has been of great assistance to me in carrying out their wishes. Many persons who answered the questions also submitted comments on other issues and suggestions for solutions to some of the problems of the day.

They are the people who elected me to represent them in the Congress of the United States. If there is any way in which I can be of service to them I hope they will not hesitate to call upon me. During recess both my Washington and Brooklyn offices remain open. I have a competent staff and my services and theirs are available to my constituents. I want them to know that even when Congress is not in session I am on the job.

Making Living Easier for the Housewife

EXTENSION OF REMARKS

OF

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. AYRES. Mr. Speaker, American industry is to be credited with most of the laborsaving ideas and appliances that have given the housewife her freedom from drudgery and added hours of leisure time to enjoy her family.

The Bon-Ami Co. has come up with an idea in this connection which I believe will be of interest to all Members of the

House. Bon Ami is sending a representative to every major city in the country this fall to lecture before women's groups on how to make living easier for the housewife. It is a good-will program of helpful hints.

A great deal of preparation and research have been done to make the lectures worth while and interesting and I hope that many thousands of American mothers will have the opportunity of attending.

Annual Report to Constituents by Hon. Stuyvesant Wainwright, of New York

EXTENSION OF REMARKS

OF

HON. STUYVESANT WAINWRIGHT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. WAINWRIGHT. Mr. Speaker, this is my fifth annual report to my friends and constituents of Suffolk and Nassau Counties on Long Island.

As you are interested in what your Congressman does to earn his salary, please take a few minutes to read my personal accounting to you. As the taxpayer, homeowner, voter, and citizen, you are the "boss." As your Congressman, I am the employee. Our Government exists for service and protection alone. This is fundamental to the Republic. Should we breach this trust, the Government must change.

Actually, only a nominal percentage of congressional time is spent in floor debate and voting. The major portion is divided between two fields: committee work and personal service. However, it is well to review, briefly, the accomplishments—or lack of accomplishments—of this first session of the 85th Congress. The guide for legislation is set by the President of the United States in his state of the Union message delivered in early January. This year President Eisenhower laid principal stress on the rights and dignity of the individual, saying:

> "We have much reason to be proud of the progress our people are making in mutual understanding—the chief buttress of human and civil rights. Steadily we are moving closer to the goal of fair and equal treatment of citizens without regard to race or color. But, unhappily, much remains to be done."

Here we find the principal battleground of the first session. Unhappily, due to the efforts of a small band of men from a particular section of the land, this wonderful goal has been partially frustrated. It could never have happened if these men had not had support from the leaders of their political party. Partisanship nearly destroyed the objective.

The second great battle was over the Presidential budget. A figure of $72 billion was presented to the Congress. It was reduced to approximately $66 billion. Actual spending will be less. I supported the reductions recommended by the various congressional committees except in military preparedness and defense, especially in the missile field. The Republic must be vigilant and strong. The Communist empire is searching constantly for a weakness in our armor. Acute economy in this field would be false and wicked.

Your Congressman participated in two major debates: One, to raise postal salaries; and the other, to put the Federal Government in the field of education at the grassroots. It became obvious early in the session that postal employees should have a cost-of-living wage increase. However, the postal unions demanded an increase of 12 percent, across the board. The President made it clear that he would veto such a measure. Consequently I fought for—and voted for—a 5-percent increase. I opposed the larger amount, believing it would be an hypocrisy to try for an amount certain of eventual defeat.

The grave question as to whether the Federal Government should dip down into each and every school district of the Nation constituted the second major issue. I opposed the measure on the grounds that no State indicated inability to handle its own school problem; the truly needy States would get but a small handout, while the rich States would get the lion's share; the classroom deficit across the Nation had been reduced from 400,000 to less than 80,000 in 2 years without Federal interference; and, finally, it appeared to me unwise to risk placing the control of our school system in the hands of the Federal Government.

Little significant legislation was passed at this session. It is rather difficult to blame the President, for the Congress is and should be an independent body. At the present time, and for the past 3 years, it has been controlled by the Democratic Party. Naturally, it would not be enthusiastically inclined to act quickly and favorably on legislation recommended by a Republican President. The prospects for an improvement of this situation in 1958 are rather poor: The Congressional elections will be just around the corner.

Of a more personal nature, each week I have written a report to keep you current and familiar with the Washington work. The important weekly papers have presented this column regularly as a fine public service. So, too, have Suffolk's radio stations broadcast each Sunday my program from the Nation's Capital. All work of proper representation must be based on understanding and knowledge of the views of the persons represented. Therefore, each year I have sent out a poll to obtain the benefit of your thinking on the key issues of the day. Of equal importance is personal contact. Regular office meetings were held in my Huntington office and at Wainscott. They will continue to be held on a weekly basis through the fall until the next session of Congress convenes. Phone Hamilton 7–9400 for a personal appointment.

Nearly 100 young men took examinations for the service Academies: Annapolis, West Point, the Air Force, and Kings Point Merchant Marine. Nine nominations were made, all based on the abilities of the young men. In the 5 years I have served in Congress no man named to an Academy has failed. Each nominee has been a distinct credit to his community, Long Island, and his country. I shall continue this nonpartisan, nonpolitical method of selection.

This year the Senate confirmed 10 of our recommendations for postmaster; 8 more acting postmasters have been installed. City delivery has either been installed or improved for Bayport, Farmingdale, South Farmingdale, Oakdale, Wyandanch, Halesite, and East Brentwood. Rural free delivery routes have been established or extended for Ridge, Hampton Bays, and Bohemia. A route is under consideration for Wading River. The existing facilities have been improved in Brookhaven, Eastport, Farmingdale, and Lindenhurst. With the vast growth of our area it is essential that the postal facilities stay abreast of the increase.

The economic stability of our area is crucial. In my reports for 1954, 1955, and 1956 I predicted continued full employment and prosperity. This has proved highly accurate despite the fact that it was the most criticized statement in the reports. Unfortunately, I am not quite as optimistic for 1958. Stocks and supplies are at an alltime high. The housing industry has fallen off 25 percent. Military contracts have been cut back. A readjustment period is in progress rather than an overall economic recession. To counter this I recommended the reduction of downpayments on Federal housing. The Defense Department has been asked repeatedly to protect Long Island's extraordinary pool of skilled workers in the aircraft and allied industries by giving us our fair share of Federal contracts. I believe that 1958 should be a period for consolidation rather than large-scale expansion.

The necessity of preserving our natural heritage at Fire Island in the form of a national park has been a subject of constant conferences with the Department of the Interior. A citizens' committee was established which has done an extraordinary job. The economy drive kept the project out of the Federal budget, but it is hoped that it will be restored next year.

Long Island's housing industry, with the cooperation of the Long Island Home Builders Institute and the Federal Housing Administration, has made giant strides to provide better homes for our many new residents. This is a constant and continuing process.

Many minor projects were effected or instituted, such as an Army engineers' study of the harbor facilities at Port Jefferson and Sag Harbor; a foghorn at the Montauk breakwater; a radio beacon at Shinnecock Inlet has been promised; improved military housing at the Suffolk Airbase; attracting commercial use of MacArthur Airport; dredging of shoal areas in the Great South Bay Channel; farm group conferences, with special reference to disposing of potato surpluses; several hundred individual immigration cases; the expediting of innumerable passport applications, and the processing of nearly a thousand military cases, either hardship discharges or transfers or veterans' service matters.

In addition, I introduced legislation to keep former enemy assets from being turned over to Italy, Germany, and Japan—H. R. 7318. These funds constituted the only reparations ever received from these nations who declared war on us. They must be used as reparations for those who have legitimate claims against these governments. I introduced many other bills, such as H. R. 498, to provide a permanent home for the Vice President of the United States; H. R. 4842, to provide control of advertising on federally owned or controlled lands; House Concurrent Resolution 168, calling for the creation of a permanent United Nations police force, and H. R. 4532 and H. R. 7144, bills dealing with quality requirements for inspection, certification, and labeling of Irish potatoes.

It has been an honor and pleasure to be of service to you and to my country for another year. Your patience and tolerance where we have disagreed and your understanding where we have been unable to solve your problem completely are especially appreciated. Your comments, advice, and suggestions are always welcome.

Nigeria Looks Toward Independence

EXTENSION OF REMARKS
OF

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mrs. BOLTON. Mr. Speaker, under leave to extend my remarks in the RECORD, I should like to call the attention of the House to a very significant event. Monday the 2d of September will mark a major step in Nigeria's resolute march toward independence. On that day the Honorable Abubakar Tafawa Balewa will take office as the first Prime Minister of the Nigerian Federation, and then convene the opening session of Nigeria's all-African Cabinet.

Mr. Balewa's appointment implements the decision of the Nigerian Constitutional Conference, held in London earlier this year, to grant a considerable measure of internal self-government to the Federation. The selection of Mr. Balewa, formerly Minister of Transport, as Prime Minister assures Nigerians a capable and dedicated leader, a man who is firmly committed to independence for his country in 1960. He is well prepared by temperament and training to form a national government, whose immediate task will be to coordinate the policies of the three regions and the cameroons.

In recent years, Mr. Speaker, there has been an ever-increasing sentiment within Nigeria for national independence. Conferences were held in 1953 and 1954 in London and Lagos, respectively, to determine the character of the Federal constitution, and to consider the question of self-government. Earlier this year the three regional premiers agreed upon 1959 as the target date for independence, and a resolution to that effect was passed unanimously by the house of representatives on March 26. With this background the London conference convened May 23 with nearly 100 delegates and advisers from Nigeria and Great Britain to "review the constitution and examine the question of self-government."

In commenting on this proposal, Mr. Lennox-Boyd stated that it would be very difficult for Her Majesty's Government to draw a blank check in favor of independence in 1959, as it was presently impossible to foretell what the structure of Nigeria would be by 1959. Two regions—the east and the west—were only just launching out on regional self-government, while the third and largest—the north—did not want independence until 1959. Consequently, Nigeria as a whole had not yet been in a position to feel the strain of regional self-government, and the British wanted some idea as to how that strain would be taken before finally settling the issue of independence. Furthermore, the conference had only just agreed to establish a commission to look into the position of minorities, and there was a possibility that recommendations of this commission might lead to the establishment of further states in Nigeria. While he expressed concern lest Nigeria move too quickly into an independence for which she might not be prepared, Mr. Lennox-Boyd alined himself squarely behind eventual self-government.

The decision of the conference to grant immediate self-government to the eastern and western regions, but to defer until 1960 setting a firm date for federal independence, indicates considerable qualities of statesmanship on the part of Nigerian leaders. Although disappointing to those who sought a fixed date for national independence, the decision will provide opportunity for exercising nearly complete self-government within regional spheres, and limited self-government within the Federation.

As regard the legislature, the conference recommended that a house of representatives and a senate be created. The senate would be coequal with the house, and be comprised of 12 members from each region and the southern Cameroons, 4 representatives from Lagos, 4 special members appointed by the Governor-General, members of the Council of Ministers who are also members of the house, and the President, if elected from outside the senate. It was agreed that the present house should run its full course; thereafter, it would consist of 320 members, elected on the basis of one member for approximately each 100,000 of the present population. Members of the house would be elected by universal adult suffrage in the eastern and western regions and the southern Cameroons, and by adult male suffrage in the northern region. The franchise in the northern region is to be reviewed from time to time.

The problem of minorities in each region was given considerable attention by the conference. A minorities commission was set up to go in detail into the fears of minorities, and to consider how these could best be met. The conference took a strong position against splitting up Nigeria into further states, but the commission was given authority to recommend the creation of additional states if no other solution seems practicable.

The decisions taken by the constitutional conference will do much to strengthen Nigeria's preparations for full self-government, and provide much of the transitional machinery that is so essential to establishing a viable constitutional and administrative structure. Much credit is due the British who are unselfishly devoting themselves to training Nigerians for the assumption of governmental responsibilities.

A land of some 30 million people, Nigeria is confronted with many problems as she moves toward independence. Yet I am confident that these problems will be surmounted, and Nigeria will prove herself equal to the responsibilities that lie ahead.

To Prime Minister Balewa and his compatriots may I offer heartiest congratulations, and assurances that we stand ever ready to assist him and his country to a responsible and durable independence.

Report of Congresswoman Coya Knutson to the 9th Congressional District of Minnesota on the 1st Session, 85th Congress

EXTENSION OF REMARKS
OF

HON. COYA KNUTSON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mrs. KNUTSON. Mr. Speaker, this report will cover two groups of issues: national issues and matters of purely local or district interest and need. These are of equal importance in the sense that a sound and healthy national economy is the background and foundation of a sound and healthy local economy. A good national farm program and a healthy farm economy are essential to a good farm situation in the Ninth District. The opposite is equally true. If there is a weak spot in the national economy—as in the depressed farm income—the effect is felt not only in the Farm Belt but throughout the entire national economy. For this reason, the obligations of a Representative to the country as a whole are as great as to the congressional district he represents. The job of the Representative is to act with the greatest care, diligence, and judgment in the best interests of the country and in the best interests of the constituents whom he represents. These two interests are almost never at odds with each other.

APPROPRIATIONS

In the national picture, the most important issue is undoubtedly the problem of appropriations. The temper of the country since midsummer of 1956 has been one of complacency, and a feeling almost of normalcy—with a few notable exceptions—has prevailed throughout the country. Unquestionably, this atmosphere was largely responsible for the economy wave, the demand for across-the-board cuts in Federal expenditures which swept over the entire country. Congressmen felt the impact heavily and the greatest single influence in the consideration of the President's budget for the executive agencies was this tidal wave of grassroots demand for economy.

These executive agencies include the Department of Health, Education, and Welfare, with its Office of Education, its Public Health Service which protects the health of the citizens against epidemics and scourges such as polio and Asian flu, the research in the fields of cancer, heart disease, mental health, neurological diseases and blindness, infectious diseases, arthritic, and metabolic diseases and dentistry, carried on by the National Institutes of Health; its Social Security Administration which assists the States in the administration of the program, old-age and survivors insurance; the Children's Bureau which provides the know-how in assisting the States in their problems of juvenile delinquency, training of nurses and technicians for the care of retarded children, and many other important State-administered children's programs; the Department of Labor with its Bureau of Employees Compensation, including disability and unemployment compensation, its apprenticeship and training section, and its Division of Prices and Cost of Living, among others; the Commerce Department with its Bureau of Standards, its Bureau of the Census, the Coast and Geodetic Survey, the Civil Aeronautics Board and Administration, the Bureau of Public Roads, and others; the Justice Department with its FBI, its Immigration and Naturalization Service; the Interior Department with its Bureau of Reclamation and its Bureau of Indian Affairs and others; the Treasury Department with the Coast Guard, the Internal Revenue Service, the Bureau of Customs, and all the financial operations of the Government; the Post Office Department; and so on and on through the Government, all the executive agencies, independent offices, and commissions.

Of the requested amount of over $73 billion in new appropriations, cuts of an estimated $4.9 billion were made. Of this total, the administration agreed to about half, although there was considerable disagreement within the administration itself and the various Cabinet officers of the administration, on the majority of the fiscal issues.

Each of these appropriations required minute study but the result was invariably the same—reduced budgets—many of them in essential functions and services, many of them with far-reaching and widespread effects. While there is probably no one who would question the principle that economy is a good thing wherever possible, there are obviously certain dangers inherent in economy for economy's sake. Carried to its logical conclusion, this theory could end up with the elimination of whole programs, good or bad according to one's view—and even of the Government itself. This is absurd, of course. But so is the thoughtless and indiscriminate slashing of essential Government programs and services. There are a number of such programs over which there should never have been any disagreement—programs which are essential to the Nation's health, or to its security, or to the normal conduct of its business and its agriculture.

These are programs which are of equal importance to citizens in my district and to the citizens of the southernmost districts of Florida and California. These are the programs over which there could be no possible quarrel on grounds of regional interests. Yet, because of the weight of the economy pressure wave, we had to spend valuable hours on the floor of the House when we should have been in committee conducting our studies or in our offices tending to our districts' business. We had to have rollcall after rollcall—14 in 1 day, estimated at 40 minutes each—in an effort to persuade our colleagues of the differences between cutting an appropriation where such a cut could be made with continued efficiency of the operation, and cutting an appropriation merely for the sake of cutting where the country's vital interests required the full requested amount. Just simply swinging the appropriations meat cleaver resulted in the elimination or drastic curtailment of some pretty essential services, not only to my own district, but the country as a whole.

There were some threats to essential programs which fortunately we were able to fight off by just simply digging in our heels and refusing to give in on. One of these was the sewage disposal aid to the States. Pressure to knock out the grants, which are the heart of the water pollution control program, was spearheaded by the United States Chamber of Commerce, the National Association of Manufacturers, and trade associations representing certain polluting industries. The attack was mounted under the guise of economy. Conservationists in Congress were able to turn back this powerful attack on the year-old water pollution control program when, by a rollcall vote of 231 to 185, the House reversed a previous decision to eliminate the grants to stimulate the building of sewage-treatment plants.

Here is the perfect example of the parallel of national and local interests. I don't think anyone will question the need of our doing our utmost to halt the frightful and rapidly increasing pollution of our national streams and rivers which provide the water with which we bathe our babies and cook our food. Even the most economy minded States-righter will agree: First, that this is not an issue of State versus Government control—since, what good would it do if one State did something about water pollution and the next State, geographically speaking, through which a particular river flowed, did nothing; and second, that the increasing pollution, if unchecked, will have a devastating effect upon the health of our citizens. Manifestly, this is the perfect marriage of national and local interests. In my own district, any number of our cities have or will have sewage disposal problems—Fergus Falls, among them. I am glad to say that we can now see some hope for a solution of this problem.

In such an atmosphere as was created by this economy drive, there were, unfortunately, many measures of regional interest as well which "fell between the slats" and were eliminated altogether. Some of these affected my own district. The elimination of funds for provision of improved facilities for customs offices on our borders was accomplished despite our best efforts. In some cases such cuts were made because of lack of regional interest, as for example, eastern Members' disinterest in western Members' border problems, and southerners' in northerners' problems.

Other deep cuts were made in budgets of agencies such as the Weather Bureau, the importance of which is better known in such areas as Minnesota, where the forces of nature are alternately threat or boon, and where provision must be made in accordance with long-range forecasting. City constituents may be merely inconvenienced by faulty weather reporting. The farmer is not so fortunate.

ADMINISTRATION'S MONEY POLICY—TAXES

The work on appropriations is one of the most important functions of the House of Representatives provided in the Constitution. It requires the most conscientious and continuous study on the part of every Member. It is also one of the most interesting functions because it is here that we have an opportunity to study the vast functioning of our Government in all its relations to our people and to the world. It is here, also, that we find out exactly what the administration's policies are and how they are operating.

One of the interesting things about these fiscal matters is that the figures approved by Congress in the various appropriations measures do not include the permanent and indefinite appropriations of moneys to pay interest on public debt, interest on various trust funds and so forth. These amounted in fiscal year 1956 to nearly $7 billion. In short, Congress has no control over these outlays whatsoever. The Government must pay interest to the purchasers of its bonds from the sale of which the Treasury pays the costs of operating the Government. These purchasers are, principally, the large national banks, insurance companies and the Federal Reserve Board. On account of the hard money, high interest policy of this administration, and the inflation which these policies feed, this cost to the Government for money to pay for its operations has increased from 1952 to 1957 by approximately $5 per capita—roughly $850 million per year or over a 3-year period, more than $2 billion.

This huge sum alone would cover the appropriations for fiscal year 1958 for any one of the following Departments or Agencies—for combinations of a number of them: Commerce, $537 million; Agriculture, $1.59 billion; Interior, $456 million; Labor, $354 million; Treasury, $691 million; State, $189 million; Justice, $227 million; United States Information Agency, $96 million; all public works, $858 million—or any number of the independent offices and commissions put together. (These figures are approximate.)

The enormity of this loss of taxpayers' hard-earned money due to inflation can be better appreciated by comparison with other benefits which might have been purchased. With this $850 million per year, we could have met three-fifths of the cost of the proposed Federal aid for school construction; we could have paid 95 percent of the cost of an adequate slum-clearance and urban-renewal program—estimated at $900 million by the United States mayors' conference; we could have met the total cost of the drought-relief programs from 1954 to 1957 and still have close to $400 million to spend on needed soil- and water-conservation programs in the stricken areas; we could have built the high Hells Canyon Dam and had close to $500 million left over.

We are all, as individuals, keenly aware of the effects of the inflation and the hard money, high interest rate policies on our own pocketbooks. Since January 1953, the cost of living, according to the Consumer Price Index, has risen a full 6.1 percent; food—except for seasonal variations—generally up 3.8 percent; clothing up 1.8 percent; mortgage interest up 30 percent; local water rates up 35 percent; transportation up 20 percent, in many areas much more; rent up 12 percent. There are but a few of the increases in our basic expenditures. As I mentioned in the Capital Chat of August 29, the interest rates on Federal Housing Administration-insured loans have been increased by Administration order 16⅔ percent in just 8 months.

In addition, according to the former Secretary of the Treasury, George Humphrey, "State and municipal financing has increased by $18.8 billion in the past 4 years." This means that in February 1957, State and local governments had to pay 69.6 percent more in interest to carry their debts than in 1952. I leave it to you to think what your State and local governments could have done for you with that money.

Besides the effect on individual pocketbooks and on State and municipal financing, the exact figures of this increased cost to the Government of its own operations on account of the administration's fiscal policies were certainly an eye opener. It would be an interesting speculation to figure for this period, 1953–57, the excess funds Congress has had to appropriate for Government operation on account of the lower purchasing value of the dollar. Probably well within this vast sum lies the amount of money which might have gone for a substantial tax reduction for everyone—not just for the corporations and for individuals above the 42 percent income-tax bracket.

FOREIGN AID AND TECHNICAL ASSISTANCE

Our stature in the eyes of the world is dependent upon our international relations. The main part that the Congress plays in the conduct of foreign affairs, is in the approval of appropriations, and certain personnel. In the process, of course, we must examine the work of the various executive agencies which are engaged in the day-to-day conduct of these affairs with all other nations. Parallel and supplementary to the military and diplomatic negotiations, these operations include the contributions of know-how and personnel to the various specialized agencies of the United Nations: Among others, the World Health Organization, Food and Agriculture Organization, and the United Nations Education, Scientific, and Cultural Organization; the independent international service agencies, International Monetary Fund and World Bank, the Intergovernmental Committee for European Migration, and others.

Technical assistance is furnished in most of these areas to help other countries, principally the underdeveloped countries, to help themselves, to build up their native skills to productive levels, to eliminate the tremendous starvation areas of the world, and to build strong economies, widely based educational systems and democratic institutions. These agencies and those of our citizens who are engaged in this worthy work, are quietly making friends for us all over the world, in helping to eradicate the dreadful diseases bred of poverty and lack of sanitation—and by ignorance. These devoted and dedicated people are the 20th century missionaries of democracy and they are sent wherever they are needed. They are building the only effective and lasting barrier against the spread of the atheistic communism which breeds upon poverty, ignorance, suspicion, hate, and despair.

Despite the pressures of the economy wave, most of the little amount needed for this great democratic effort was saved. It amounts to only about one-seventh of the noncongressionally controlled interest payments paid out by the Government for fiscal year 1956, mentioned above. It is only about one one-hundredth of the yearly cost of World War II, not including the entire atomic bomb development project and the collateral "shooting war" expenditures, such as transportation of troops, hospitalization, veterans' benefits, and war claims. But the effect of this worldwide missionary work is inestimable in the cause of peace and in counteracting with the people, the threat to liberties throughout the world.

ORPHAN BILL

Important in this people-to-people relationship, is the question of immigration—particularly of orphans being sought for adoption by American couples. Next to the economy mail, and mail in support of Hells Canyon, one of the subjects about which the next greatest number of constituents has written is the adoption and immigration of orphans. I am happy to be able to report that through the combined efforts of like-minded Members, this legislation has been passed by the Congress. The language of the so-called orphan bill was incorporated in the omnibus refugee bill, which also made certain other desired changes to provide for the reuniting of families, and so forth. Adoption by proxy will be permitted, the age limit is raised to 14 and no restrictions were added except for the cutoff date of June 30, 1959. This is indeed good news for these American couples who have asked Congress to help them share their abundance and their way of life with young orphaned refugees.

SIGNIFICANT SETBACKS AND FAILURES: LOST RIVER AND RUFFY BROOK, SCHOOL CONSTRUCTION

An important failure—although temporary—is the public works omnibus rivers and harbors bill, which among others, includes authorization for the Lost River and Ruffy Brook flood-control projects. As you will remember, the omnibus rivers and harbors bill of 1956—which also included the Lost River and Ruffy Brook projects—was vetoed by the President last year. There has been a real attempt this year to avoid another veto by eliminating several projects which, beside the purely political purpose, caused the veto last year. A number of these projects were eliminated. However, certain of those which came within this category, were not eliminated and reports have been requested on these from the Corps of Engineers.

These reports are not expected to be filed with the committee until this fall. If reported on favorably by a branch of the administration, there would be no reason for a Presidential veto. However, if the bill had been passed before the engineers' report was received, that alone might have provided an excuse for a Presidential veto. Members of the committee felt that rather than risk a veto of these important projects again, with very poor prospect of overriding, it would be better to hold the bill over until next year. If this bill had been passed, vetoed and the Congress had been unable to override, Congress would not have had another chance to consider these projects again until the 86th Congress convenes January of 1959. These projects in different parts of the country, for flood control, channel dredging, and other improvements of rivers and harbors required for the continued flow of commerce and the protection of those along their banks, are too important to waste again as political ammunition. We cannot waste an additional year. Unfortunately, for all our great need, we must consider the stark political realities of the situation.

A most unfortunate failure of legislation passage for lack of support by the President for his own bill, is the ill-fated, critically needed school-construction measure. The campaign to meet the growing crisis of classroom shortages has been stymied once more. A shift of three votes would have saved the bill. On January 28, 1957, the President told the Congress that classroom shortages are our most critical education problem—and he might have added that for lack of trained engineers, scientists, and other skilled persons in this highly technological age, we might very well lose the race against time in our cold war with the Russians. The proposal of the committee was a bill, H. R. 1, for $300 million a year for 5 years, compromising the distribution formula to allot half of the money to the States on the basis of need—the administration proposal—and half according to school population. In addition, the bill provided for $750 million to purchase school construction bonds and $150 million in advances to school financing agencies. In a last-minute effort to save the program, the Democrats threw their weight behind a proposal to substitute the original administration plan for the committee bill. They fought a delaying action, hoping that a White House call would line up the necessary support—but the call never came.

SUMMARY OF FARM SITUATION AND LEGISLATION

Of deepest concern to my district is the farm program and related legislation. There is very little I can add to what you already know. The facts are evident to you, to the consumer and to the country at large. Net farm income during the past 5 years has fallen 27 percent as a result of the administration's farm policy. Interest costs per acre have risen 67 percent since 1951 and taxes 33 percent. Since June 30, 1953, Commodity Credit Corporation stocks have more than doubled. In the same period, losses for supporting crops under this administration have been nearly three times more than the costs of its over two decades of existence. Early estimates of farm mortgage debt indicate that this figure will reach the highest point in 1957, since 1921—a huge total of $9,902,000,000. A further tragic estimate is the loss to the Nation annually of 100,000 farms—family farms.

In a February 12 press release, you may recall, I protested the steady downbeat on sliding scale parity price cuts. This downbeat is entirely consistent with the whole Republican program of the past 3 years which was interrupted during the election year. There is no question that price cuts in supports are intended to be lower than the market price and consequently of no value to the farmer. The drop in barley prices from June election-year prices of $1.02 to 94 cents, oats from 65 cents to 60 cents, rye from $1.27 to $1.15, sorghums from $1.97 to $1.83 a hundredweight, less freight costs, cuts the very threads out of the family farmer's net income. Not only is this a loss to the farmers but it is a $50,400,000 direct loss to the United States through the Commodity Credit Corporation, in the drop of prices that affect these commodities, the downbeat of prices is designed to confuse the consumer and abrogate the farmer's land tenure. There has been no cutback in farmer production on account of sliding-scale parity. The present cut in parity, subtracted from last year's election-year prices, means a loss of $57 million to farmers on oats, a $29 million loss to farmers on barley, a $3 million loss on rye, and a $17 million loss on grain sorghums.

As for legislation, we have a new compulsory poultry inspection law, a durum bonus acreage program extension for 1 year, a law making permanent the ACP, and the extension of Public Law 480 for disposal of surplus commodities abroad. There is in addition a new law to permit farmers to produce up to 30 acres of wheat for feed without penalty instead of the previous limit of 15 acres. And that is about that. Among the important measures we were not able to get through were the potato bill and the prohibition of futures trading on onions, although this year we were able to get the onions bill at least out of committee and ready for floor action.

Add to this summary, rumors of administration's efforts in the next session to get rid of Public Law 480 altogether, and Secretary Benson's request for authority to eliminate all price supports and return to the uncontrolled chaos of the 1930's, which would result in far greater farm production than ever known before. Last spring, in the hearings before the Agriculture Committee, Secretary Benson, who bases his recommendations on the idea that lower prices will naturally reduce production and thereby eliminate surpluses, made the amazing statement that he knew of no competent authority to indicate to the contrary. I was able to produce figures from his own Department's agriculture statistics of 1955, indicating that in some 30 cases—that is, over half the time in certain commodities—this theory has been proved wrong. In these 30 cases, lower support prices had increased production and higher support prices had decreased production. In other words, Secretary Benson is basing his recommendations on an idea that works only about 50 percent of the time. That is not good enough for Congress—or for the farmers.

Next session, armed with materials and testimony gathered in hearings this fall—and an election year—we will be prepared for the knockdown and dragout fight with Mr. Benson.

The Family Farm Subcommittee and the Consumer Study Subcommittee will be making investigations in the field this fall, following their preparatory hearings here in Washington during the session. These are the only two committees which will be working on agriculture during the period between the first and second sessions of this Congress. The family farm hearings will be held for the purpose of securing testimony on actual experiences of family farmers in order to develop a sound farm legislative program. One of the sites chosen for these important hearings is Fergus Falls, Minn., and one of the considerations in choosing this particular city was its location in Otter Tail County, which has the largest number of family farms of any county in the State of Minnesota, and is one of the top 20 counties in the number of family-operated farms in the Nation. Much may be learned from the farm families of this area on the shaping of Government policy to strengthen the basic family system of agriculture.

The Consumer Study Subcommittee, whose schedule is not yet firmly set, will continue with its study of food price trends and will probably hold its hearings principally in cities and food-processing centers.

MISCELLANEOUS NATIONAL ISSUES

Natural-gas legislation: Some 20 million consumers have more to fear from the latest version of the natural-gas bill than from the one vetoed during the 84th Congress on grounds of arrogant lobbying by oil interests. That earlier bill would have frankly and openly amended the Natural Gas Act of 1938 to free the field sales of natural gas to interstate pipelines from Federal regulations, thus permitting big producers to raise field prices to levels at just about all the traffic would bear. The new bill will do exactly the same thing by a camouflaged pretense at continued regulation of producer prices. By use of elaborate legalisms, a reasonable-market-value formula is devised which actually directs the Federal Power Commission to regulate on the basis of a general increase of producer prices in line with the rising market value of gas—all of which is to be arrived at by private arm's-length bargaining. The implications of such a bill are astounding. Through the concerted efforts of a small group of Representatives, the consumer interest in holding the line on natural-gas prices has been protected, and the bill held over until next year. The consumers of America, who stood to lose about $800 million annually out of their pockets to the already economically overfed oil-and-gas industry, can breathe a sigh of relief—but only until next session. The need for continued vigilance was never more clear, and my district can be assured of my continued opposition to this bad legislation.

Rural electrification: Riding on the outcome of the fight over REA are power costs to farmers served by REA co-ops and much more. REA's defenders are under fire from two fronts: the administration money managers who favor upping interest rates on new REA loans—now fixed by law at 2 percent—to no less than what the Treasury pays on its long-term debts—roughly 4 percent—and private power interests which plan an all-out effort to prevent further expansion by the co-ops.

Fish and game, duck stamp: In 1934, when ducks faced extinction, Congress passed the Duck Stamp Act. Duck hunters were to buy a Federal duck stamp for $1, with the proceeds going to buy and develop more land for the national waterfowl refuge system. The money was not coming in fast enough to do the huge job which sportsmen figured needed doing. So they came to Congress in 1949, asking that the price of the duck stamp be doubled. Congress went along.

Four years later, 1953, the money was rolling in. There were funds for a greatly expanded refuge acquisition and development program. It never got off the ground, because the new administration picked the duck hunters' pockets and used the money for current operating expenses of the Fish and Wildlife Service. This is one of the many means by which this administration has presented a balanced budget to the public. Even the Post Office Department got into the act. In 1954, the price which that Department charged for printing and distributing the stamps was almost five times what it was in 1953—for about the same number of stamps.

Once again it is proposed that Congress increase the fee. The preferred alternative is the Democratic proposal to earmark 65 percent of the receipts from the present $2 fee for the purchase, administration, maintenance, and development of refuges. Hearings on this last bill revealed that sale of duck stamps grossed almost $5 million last year. In the past 20 years, duck stamps have brought in nearly $50 million. Of that, only $4.5 million has been spent for land—the rest has gone for operating expenses in the past 4 years of the Fish and Wildlife Service. Another example of the need for vigilance.

Retirement security measures: Only relatively minor bills dealing with social security were considered by the 85th Congress during the 1st session. Public Law 109—H. R. 6191—extends until July 1, 1958, the time for disabled persons to file applications for disability freeze to preserve their rights to old-age, survivors, and disability insurance. An important section of this law prohibits deductions from social-security disability benefits of the service-connected disability compensation paid to veterans. This will permit a totally disabled veteran to receive the full amounts of both payments without any reduction.

Several bills authorizing various States to combine retirement systems with social security were enacted. Another bill, H. R. 1944, liberalized regulations relating to the payment of social-security benefits to alien survivors of certain members of the armed services. H. R. 8892 extends for 2 years the time within which a minister may elect coverage as a self-employed individual for social-security purposes.

LOCAL ISSUES

H. R. 8508, the two ASC county committee bill—Public Law 85-278: I introduced a bill to prevent the consolidation of the two ASC county committees which have been serving the large counties of Otter Tail and Polk in the Ninth District. These are 2 of the counties of the 4 in the United States which would have been affected by a recent ruling of the General Accounting Office that no county shall have more than 1 ASC committee and that those which have 2 must consolidate these 2 by the end of September. These 2 counties are in the group of 20 largest counties in the country and a much smaller group of large counties principally engaged in farming. The system of two ASC county committees grew out of a need for them—to give adequate service to the farmers in these widespread areas.

Despite the fact that this bill is noncontroversial—no one is injured by its passage—only local interests are involved and there is nothing but advantage to be gained by its passage, yet this bill encountered one of the peculiar obstacles, by coincidence, which sometimes befalls a bill in the legislative process. When the bill reached the Senate, it passed favorably through the subcommittee to the Committee on Agriculture and was reported favorably to the Senate for action on a calendar which is similar to the House's Consent Calendar. There, quite by coincidence, this bill at the time was the only bill having to do with agriculture and was picked by a Senator seeking to secure passage of a very important piece of watershed legislation by the customary method of attaching it as an amendment to another measure. When we on the House side got wind of this, we were perturbed because there was a deadline for passage of the ASC committee bill, and none, or at least no known deadline requirement for the watershed legislation. To this there was the added possibility of a Presidential veto of the bill in amended form. This we just could not risk, important as the watershed legislation might have been.

The minute we found out in a routine check with the Senate bill clerk, that this bill had been objected to—that is, put over for further debate on account of the proposed amendment, we immediately got in touch with Senator HUMPHREY and he, in turn, immediately went to work in the Senate to eliminate the amendment and secure passage of the bill without amendments. But for Senator HUMPHREY's valuable assistance in the Senate in giving the bill the final push without crippling amendment, this important deadline bill might have been lost. The bill was now gone to the President for signature and there is not any reason whatever for a veto. By the time this report goes to press, undoubtedly H. R. 8508 will be law.

In conclusion, I would like to discuss the ways in which your Representative can be of service to you, other than as a Member of Congress engaged in the legislative process. The additional services, largely advisory and representative of your interests with the various executive agencies and commissions, such as the Farmers' Home Administration, Defense Department, Social Security Administration and so forth, are limited to requests. Frequently, however, the very fact of expressed interest or protest on the part of the elected Representative is sufficient to make these agencies reconsider a hasty or an improper decision.

Warroad customs curtailment: An example of such a reaction is a reversal of its decision to curtail customs service in Warroad on the part of the Customs Bureau of the Treasury Department. As a result of vigorous protest based upon the potential damage to commerce and international interchange in the Warroad area, the threatened permanent curtailment of the service between the hours of 9 p. m. and midnight on Sundays and holidays, was removed and the service was restored in full.

Personal problems: Other and more common examples are the frequently successful solutions to personal problems which range all the way from compassionate transfers or hardship discharges for hard-pressed service people and their families, to pressing for improved loan servicing of our farmers by FHA.

Egg prices: A third type of service is the campaign to draw public attention to a given problem, such as the low egg prices, and in this a continuous flow of letters from you is of considerable assistance to your Representative. In the egg crusade as an example of this part of a Representative's work, there are several steps to be taken. The first, of course, is continuous letter protest to the offending agency—in this case, the Department of Agriculture. Immediately after the convening of Congress last January, I began this phase by writing letters to the Secretary of Agriculture, asking that he do something about the depression-low egg prices by support and by buying eggs. Receiving no satisfactory reply, other letters went to the Secretary, and still receiving no satisfaction, it appeared that national attention should be called to the problem. Here is where your good letters came into the picture. After July 1, as the second phase of the campaign, I started a series of insertions of your letters on low egg prices and the cost-price squeeze in the CONGRESSIONAL RECORD. This was followed by the third phase, a floor speech in the House. This speech was picked up by the international wire services because of the buildup and through them was given a play in newspapers all over the country.

This is about the only way your Representative can influence the policies and operations of the administration—by securing the pressure of widespread public protest. In order to enlist the aid of an aroused public, attention must be focused on the problem. This is exactly what happened on the egg crusade and it has worked. The Secretary of Agriculture has begun to buy eggs in sufficient quantity to have an effect on the price—and prices to the farmer are going up, little by little.

Evaluation of the first session: Well, the first session of the 85th Congress is over. It was a Congress which might best be described as moderate—a balanced Congress. This is perfectly understandable because there were many instances of crossing party lines in different groupings, which was in turn, undoubtedly, the result of changing political patterns all over the country. The whole country is in a period of political transition. In many ways we who would have liked to see more vigorous and more liberal action on important issues had a feeling of frustration; however, much groundwork for constructive legislation in the second session has been laid.

I stayed until the last horn blew and the session was over August 30 with a rush of last-minute business. Many of my colleagues had been unable to stay the full term for personal reasons; sometimes in the last week or two it had been difficult to find a quorum in Washington. And, now that the Congressional children are back home and ready to go to school—in their overcrowded classrooms—their parents can finally take a few days vacation.

Increase Annuities for Retired Federal Employees

EXTENSION OF REMARKS

OF

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. BOLAND. Mr. Speaker, I am very disappointed that action will not be taken by Congress in this session to increase the annuities of Federal employees who have retired after a record of devoted service to their Government. Many of these annuitants are elderly and they did not benefit from the liberalized retirement law which went into effect on October 1, 1956. I introduced a bill this year, H. R. 4085, which would have corrected this disparity between the annuities received by those who retired under the new liberalized law, and those who had retired prior to enactment of the law. My bill would have increased the annuity for these elderly persons, many of whom now require constant medical attention, by 25 percent. That increase is not large when you remember that many of these annuitants retired from Government when salaries were small in terms of today's dollars, and that 40 percent receive less than $100 a month. It seems to me that there is an obligation upon Congress to increase the annuities of these retired people who are facing the heavy burden of increased living costs on fixed incomes. I sincerely hope that this legislation will be one of the first items of business in the next session of Congress in January.

Address Delivered by Congressman Charles A. Wolverton at the 80th Anniversary of Camden Lodge, Brotherhood of Firemen and Enginemen, on Saturday, April 13, 1957, at Camden, N. J.

EXTENSION OF REMARKS

OF

HON. CHARLES A. WOLVERTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. WOLVERTON. Mr. Speaker, it was my privilege to address the membership of the Camden Lodge of Firemen and Enginemen on the 80th anniversary of the Camden Lodge held at Camden, N. J., on Saturday, April 13, 1957. In accordance with the unanimous consent granted to me by the House, I herewith include in my remarks the address I delivered on the above occasion. It is as follows:

Thank you, Mr. Chairman, ladies and gentlemen. I appreciate very much this opportunity to renew acquaintances with so many of my old friends. As you know, I have had a very pleasant relationship with your organization and your members that goes back a little bit longer than we might like to recall. This has been a fine association and I am proud to be invited here to talk with you on the occasion of your 80th birthday.

It is especially gratifying to address a meeting of the Brotherhood of Locomotive Firemen and Enginemen, in the light of the situation that we find in Washington today. The revelations of the Senate Committee on Improper Activities in the Field of Labor-Management Relations causes me to be even more respectful of a fine organization such as yours.

The revelations of the McClellan committee are indeed sobering. The leadership of the AFL–CIO is to be congratulated for the firm steps that they have taken to meet this challenge. I am sure that this challenge will be more than adequately met by the railroad brotherhoods. Your history has been a noble one and I am certain that your organizations will continue to remain as strong as ever.

I think it fitting that we discuss at least briefly some of the things that we are attempting to do in this Congress in which you are interested. I have introduced, along with Mr. Harris, of Arkansas, the chairman of our committee, H. R. 4353 and H. R. 4354. These bills, similar in every respect are known as the Harris-Wolverton bills. They are being strongly supported by all of the railway labor organizations. Mr. Harris and I introduced the bills after careful consideration and working with the leaders of your brotherhoods and others, as well as experts from the Railroad Retirement Board.

The objectives of our present legislation are threefold. First of all, we propose to increase by 10 percent the monthly checks of everyone covered by the Railroad Retirement Act. We intend that this increase be provided for widows—dependent children—old-age annuitants—pensioners—and those drawing spouse's benefits.

In considering improving benefits in the Railroad Retirement Act, Congress is constantly faced with requests from railroad people for assistance. Retired employees and their families throughout the Nation appeal to us time and again for assistance in meeting their problems. The plight of the widows and helpless children is indeed pitiful. Every day I receive letters from people who are trying to get by on incomes as small as $45 and $50 a month. I sometimes wonder how they keep body and soul together on these meager amounts. It is for this reason that we are determined that these senior citizens must be given relief.

With each succeeding month, the cost of living figures seem to go up. This means that all of the necessary staples of life increase in cost to those who live on fixed amounts. We all know that any time we increase benefits under the Railroad Retirement Act, we must necessarily provide the money. On the other hand, I am sure that you will all agree with me that our responsibility to these retired employees is so great that we must increase these benefits.

Secondly, our legislation provides for adequate financing to make sure that the railroad retirement system continues in a sound position. As you know, we adopted in the last Congress a bill which increased benefits by approximately 10 percent. Because of the legislative situation at that time, we were not able to provide the necessary financing for this increase. We are, therefore, in a position of being required to meet that obligation at this time.

We all know that increased taxes is not a pleasant subject to discuss. I have heard it said that no man in public life ought to go before a group of his constituents and talk about the need for increasing taxes. I am sure that our friendship is such that you would want me to talk frankly with you about this matter. In order to pay for the benefits we voted last year in Congress, we must have more income into the system. In order to pay for the benefits that we want to make now, we need more money. Therefore, it will be necessary to increase the tax rate and the tax base of railroad employees. On the other hand, the leaders of your brotherhood are asking Congress to exempt the amounts that you contribute into the railroad retirement system from income-tax coverage. The effect of both of these programs will be to increase your railroad retirement taxes, on the one hand, and to reduce your personal taxes, on the other hand. After it is all over, you will be contributing just about the same amount into the railroad retirement system that you now pay.

Thirdly, our legislation provides for substantial improvements in the Railroad Unemployment Insurance Act. Probably no organization in the railroad field is more concerned with this problem than your brotherhood. You are faced with the extremely serious effects of automation and technical progress. This is a matter which all of you are deeply concerned with. As you know, there have been thousands and thousands of railroad firemen and enginemen who have lost their jobs in the last 15 years as a result of the dieselization program. Other forms of automation, such as calculating machines—automatic message transmitters—and electronic remote-control of switching facilities, are having a similar effect on other types of employment in your great industry.

It is for these reasons that I have been deeply concerned with doing something to soften the impact of these changes on the people who work on the railroads. The most regrettable phase of this problem is that, in a great many instances, the people who are losing their jobs because of these changes are considered too old for employment in other industries—at the same time they are not old enough to retire under railroad retirement.

We have provided in our bill for extended unemployment insurance coverage for persons who are affected by these changes. I am not sure that the proposals in our bill are perfect, nor am I positive that the periods of time that we allow for extended benefits are exactly what is needed. I am sure, however, that we have a responsibility to these long-time employees on the railroads who are finding themselves thrown out of work after devoting a lifetime to the industry. We must make some kind of an arrangement that is fair to everyone to cover this most serious problem.

As you know, the cost of the Railroad Unemployment Insurance System is paid for by the railroad companies. Therefore, the increased taxes that will be required as a result of these improvements in unemployment insurance will not affect the employees. Many years ago, when the Unemployment Insurance Act was passed, we established the tax rate at 3 percent of covered payroll. After a few years it developed, however, that it was possible to reduce the tax rate substantially below 3 percent. Our present bill simply provides that that tax rate go up again to 4 percent in consideration of the needs of these lifetime railroad employees who are being put out into the streets.

In connection with the Harris-Wolverton bills on railroad retirement, H. R. 4353 and H. R. 4354, there is pending before the Ways and Means Committee of the House another bill in which you are interested. This is H. R. 5551 by Mr. McCarthy of Minnesota. This bill would remove the tax on a tax which you now pay on the amounts that you are forced to contribute to the railroad retirement system. There are some who have described this proposal as being an effort to force the Federal Government to pay for the railroad retirement system. I do not believe that this is the case. It is a simple matter of eliminating a tax on a tax now being paid by railroad people. This is not a fair means of taxation. It is wrong in principle to regard as income, money taken out of your pay checks for taxes. You never see this money, nor do you use it. Every time that we pass a bill in Congress that increases the retirement benefits of people who are already retired, you who are now working are performing a social service. I believe that this ought to be recognized by the Government and that this tax on a tax should be eliminated.

In addition to the railroad-retirement matters that I have been discussing, your industry is faced with many other serious problems. The competitive position of the railroads in comparison with trucking and other forms of transportation is of great importance. There is a constant shifting of the freight haulage from the railroads to trucks. One of the reasons that the trucking industry has been able to get a larger share of this business is because it has been able to provide faster and more efficient service. The railroad industry must constantly search for ways of improving its service to the public. Faster through-freight service and more efficient methods of handling small shipments must be devised by your industry.

On the other hand, we in public life must be careful to make sure that your industry is not harmed by unfair competition. As you know, the railroad industry is pretty thoroughly regulated with regard to equipment safety and rate structure. On the other hand, it is generally known that the trucking industry is not nearly so well regulated. Undoubtedly this has contributed to the ability of the trucks to take over more freight business. To the extent that the trucking industry is getting business by using unsafe operating methods, we must make corrections.

We cannot afford to permit giant trucks to race up and down the Nation's highways with inadequate brakes, inadequate lights, inadequate weight limits, and overworked drivers. These are conditions that we have found in alarming proportion in the trucking industry. In my judgment, they have contributed heavily to the death tolls on our highways. We now have before our committee a bill which will correct some of these problems.

The history of World War II reveals that the railroad industry made a very important contribution. You will recall that at the time the war started in 1941 the railroad industry was in not too healthy a condition. The competition of the trucking industry was beginning to be felt and many, many railroads were in poor financial condition. The result was that the equipment of the railroads was not in the best condition. Despite this, however, when our country suddenly shifted to all-out war, the railroads assumed a staggering burden. All of the old equipment that had been laying on sidings for many years was pressed into service and almost overnight the railroad industry doubled its volume of business. Millions of troops were transported throughout the country for training in newly built military bases. Billions of tons of military equipment was moved rapidly and with very little loss. Everyone agrees that the railroad industry met the challenge of World War II in magnificent fashion.

I am wondering whether or not this industry is now in a position to meet the challenge of a new war should one develop. I am concerned with the failure of the Government and the railroads to provide an adequate pool of standby equipment for use in emergencies. I believe that extra freight cars, passenger cars, and locomotives ought to be distributed around the country strategically in case of an emergency. For example, if the great Altoona works of the Pennsylvania Railroad were to be destroyed in a bomb attack, we ought to have reserve supplies of equipment in other sections of the country. No matter what kind of an emergency we get into in the future, we will need the railroads and we will need railroad equipment. I hope that all of us can keep this problem in mind and do what is necessary to improve our ability to meet this situation.

Another problem that we are dealing with in Congress is a condition of employment in your particular craft or service. We are now considering legislation which will provide for more adequate power brakes on railroad locomotives. Studies of a long series of railroad accidents convince me that it is possible to improve railroad safety by insisting upon adequate power brake equipment. Only yesterday I had a visit with your president, Mr. H. E. Gilbert, and your vice president and national legislative representative, Mr. A. M. Lampley, about this bill. I am working closely with them in promoting this legislation.

The railroad industry has a long and a rich history. It was your industry that tied the Pacific coast to the Atlantic seaboard so many years ago. These lifelines of steel that went across mountains, rivers, and prairies provided the initial circulatory system for the great economic health that our Nation has grown to know. The great agricultural Middle West had its start and its development by the railroad builders of the 1800's. The mineral development of the Rocky Mountain area was encouraged and developed after the railroads had broken the trails. Golden California was only an isolated tropical paradise until the railroads made it possible to ship citrus fruits and other California products to the eastern markets.

There is still pioneering that the railroad industry is capable of doing. There are many things that you can do to further improve the welfare of our Nation. For example, in the congested Eastern States, the problem of commuting from a sprawling suburb to metropolitan centers has become increasingly difficult. No matter how many superhighways and turnpikes we build, they seem to be outmoded and overcrowded before they are completed. In my opinion, in the years to come we will have to return to the use of railroad facilities, perhaps of the monorail type, in commuting. We now have 170 million population in our great country. At the rate we are going, we are not too far away from owning and operating one or more automobiles for each family of these 170 million people. Obviously, when that day comes our streets, parking lots, and highways are just not going to be able to take care of the load. It is because of this that I am sure that in the next 20 or 30 years the railroads will again resume their very important function of moving large numbers of people over safe, private rights-of-way in the congested metropolitan areas.

The so-called piggyback freight service is, in my opinion, in its infancy. I am certain that in the future, this principle of mass movement of trucks on railroad freight cars will increase in great proportion. There are many other areas in which the railroad industry can meet the challenge of the times and I want to assure you that as always I shall be doing all that I can as a Member of Congress in dealing with the problems of your industry to make sure that your jobs are secure, your retirement is protected, and that your industry is healthy. Thank you.

Accomplishments of the Senate Committee on Interior and Insular Affairs, 85th Congress, 1st Session

EXTENSION OF REMARKS

OF

HON. JAMES E. MURRAY

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. MURRAY. Mr. President, I desire to submit for the RECORD a statement on the activities of the Committee on Interior and Insular Affairs, of which I have the honor to be chairman, during the 1st session of the 85th Congress.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The Senate Interior and Insular Affairs Committee approved 80 percent of the President's program coming within its jurisdiction during the first session of the 85th Congress. One Presidential recommendation is already law. Additionally, the committee approved scores of other bills, dozens of which are already law. Some of these are of major importance and benefit.

Here follows committee action on the five Presidential recommendations:

1. Legislation amending the Small Reclamation Projects Act of 1956, to restrict Congressional committee veto power over contracts, is now Public Law 47.

2. Authorization of the Fryingpan-Arkansas project was approved by the Senate June 27. The bill (S. 60) is at a stalemate in the House Interior Committee as a result of the opposition of certain Republican members to irrigation and reclamation in general and narrow partisanship with respect to Hells Canyon in particular.

3 and 4. Bills providing statehood for Alaska and Hawaii were favorably reported and are on the Senate Calendar.

5. The so-called long-range minerals program was not presented to the committee until June 4, several days after it had been released to the press and a full 3 years after the administration began promising that its submission was imminent. It contained realistic suggestions for only two minerals—lead and zinc. The Senate Finance Committee considered portions of the recommendations. The administration hedged and backed away from its own proposals. The Interior Committee promptly conducted hearings on other parts of the minerals program. Their weakness and defects were too great to permit reporting of a bill during the brief time between the unveiling of the recommendations and the end of the session.

In addition to the above-mentioned action on the President's program, the Interior Committee reported the following 16 major legislative proposals, 8 of which are now law:

1. S. 846: Provides for establishment of a National Outdoor Recreation Resources Review Commission to study the outdoor recreation resources of the public lands and other land and water areas of the United States. Passed Senate.

2. Senate Joint Resolution 35: Provides for observance and commemoration of the 50th anniversary of the 1st conference of State governors for the protection, in the public interest, of the natural resources of the United States. In Senate-House conference.

3. S. 42: Provides for construction of San Angelo Federal reclamation project, Texas. Public Law 152.

4. S. 555: To authorize construction of a high Hells Canyon Dam. Passed Senate.

5. S. 1031: Authorizes construction of four units of the greater Wenatchee division, Chief Joseph project, Washington. Passed Senate.

6. Senate Joint Resolution 12: Provides for transfer of right-of-way for Yellowtail Dam, Mont., and payment to Crow Indians. Passed Senate. Companion measure reported to House.

7. S. 334: Increases acreage of phosphate leases or permits on public domain which persons may hold in any one State. Public Law 122.

8. S. 677: Permits States of North Dakota, South Dakota, Montana, and Washington to use certain public lands granted them for construction, reconstruction, repair, renovation, etc., of public buildings in their capitals. Public Law 6.

9. H. R. 5538: Provides that withdrawals, reservations, or restrictions of more than 5,000 acres of public lands for certain military purposes shall not become effective until approved by act of Congress; and directs that hunting, fishing, and trapping at military installations or facilities be in accordance with fish and game laws of State or Territory where located. In conference.

10. S. 1556: Grants consent of Congress to States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact for the apportionment of the waters of the Little Missouri River and its tributaries. Public Law 184.

11. S. 2069: Promotes development of coal on public domain by permitting individuals,

associations, or corporations to hold an additional 10,240 (present limitation is 5,120) acres of public lands if the Secretary of the Interior finds that the increased acreage is necessary for an economic business operation. Passed Senate.

12. S. 1086: Grants consent and approval of Congress to the Bear River compact entered into by States of Idaho, Utah, and Wyoming. Passed Senate.

13. S. 1996: Authorizes amendatory repayment contract to be executed with Casper-Alcova Irrigation District, the water-user organization on the Kendrick project in Wyoming. Public Law 283.

14. S. 1396: Broadens scope of land-grant provision in Act of Admission of the State of Wyoming. Public Law 97.

15. S. 1894: Amends law with respect to recoupment of funds expended in cooperation with school board of Klamath County, Oreg., because of attendance of Indian children. Public Law 72.

16. S. 977: Suspends and modifies application of excess-land provisions of the Federal reclamation laws to lands in East Bench unit of Missouri River Basin project. Public Law 112.

17. Senate Resolution 148: Requesting executive agencies to supply certain information in connection with water conservation and other public-works projects with a view to improving procedures in the consideration for authorization of new projects. On Senate Calendar for action in second session.

18. S. 2757: Authorizing Burns Creek project on upper Snake River in Idaho. Passed Senate.

19. S. 1426: Extending time in which Secretary of the Interior may enter into amendatory repayment contracts on reclamation projects. Senate substituted H. R. 5492 for S. 1426 having same purpose. Public Law 85-156.

20. S. 42: Authorizing San Angelo project, Texas. Public Law 85-152.

21. S. 2120: Authorizing rehabilitation of Mercedes division, Rio Grande rehabilitation project, Texas. Passed Senate.

22. Senate Joint Resolution 39: Authorizing certain water conservation projects and providing more adequate supply of irrigation water in Pecos River Basin, Tex.-N. Mex. Passed Senate.

23. Senate Joint Resolution 35: Providing for observance and commemoration of the 50th anniversary of the first conference of State governors for the protection, in the public interest, of the natural resources of the United States. Passed both Houses, but still in conference.

24. S. 77: Establishing the Chesapeake and Ohio National Historical Park, and providing for a scenic parkway. Reported to Senate.

25. S. 342: Implementing the 10-year mission 66 program for the national parks. Reported to Senate.

26. H. R. 5538: Limiting military withdrawals of public lands to not more than 5,000 acres without the consent of Congress. House has not yet concurred in Senate amendments.

27. S. 2363: Authorizing creation of national shrine symbolizing ideals of democracy to be paid for by public contributions. Passed Senate.

S. 2536: Granting to Alaska title to "tidelands" out to pierhead line in Alaskan municipalities. House bill, as amended by Senate, enacted as Public Law 85-303.

In addition, the Senate Interior Committee approved many other bills of considerable and perhaps even greater importance to particular sections of the country and Territories or to Indian tribes.

I believe the committee can take pride in its accomplishments during this first session. As chairman of the committee, I take this opportunity to extend my thanks to all members of the committee, of both parties, for their diligence and effort which has enabled me to present this record of accomplishment.

I desire to express my appreciation particularly to the chairmen of the subcommittees for their cooperation and the efficient and effective manner in which they handled measures referred to them. They are as follows:

Senator **Richard L. Neuberger**, chairman, Indian Affairs.

Senator **Clinton P. Anderson**, chairman, Irrigation and Reclamation.

Senator **Joseph C. O'Mahoney**, chairman, Public Lands.

Senator **Henry M. Jackson**, chairman, Territories and Insular Affairs.

I am chairman of the Subcommittee on Minerals, Materials, and Fuels.

Pay Raises for Postal and Other Classified Workers

EXTENSION OF REMARKS

OF

HON. WILLIAM E. PROXMIRE

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. PROXMIRE. Mr. President, as a member of the Post Office and Civil Service Committee, I feel very strongly the urgent necessity of increasing the pay of postal and other Federal classified workers to keep pace with the rapidly rising cost of living. I believe that the President is callous and thoughtless in his apparent belief that the workers are now receiving adequate compensation. In the coming session of Congress I will fully support a bill to grant these workers a decent living wage.

One of my first acts as a Member of the Senate was to send a telegram to President Eisenhower urging him to sign the pay-raise bills passed by the first session of the 85th Congress.

Mr. President, I ask unanimous consent to have printed in the Congressional Record the message I directed to the President.

There being no objection, the message was ordered to be printed in the Record, as follows:

The Honorable Dwight D. Eisenhower,
President of the United States,
The White House, Washington, D. C.

Dear Mr. President: I most strongly urge you to sign the bills granting long overdue pay raises to postal and other classified Government workers. I am deeply concerned about the failure of salaries for Government workers to keep pace with the rapidly rising cost of living. The necessity for such an increase was a major issue in my campaign. In view of the large majority by which my policies were endorsed by the voters of Wisconsin, it is clear that the people of my State realize that a fair increase is justified and necessary.

Please do not let these Government workers down.

Sincerely,

William Proxmire,
United States Senator.

Voting and Attendance Record of Hon. Gerald R. Ford, Jr., of Michigan

EXTENSION OF REMARKS

OF

HON. GERALD R. FORD, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. FORD. Mr. Speaker, under leave to extend my remarks, I include a report of my voting and attendance record during the first session of the 85th Congress.

The record includes all rollcall votes and all quorum calls. The description of bills is for the purpose of identification only; no attempt has been made to describe the bills completely or to elaborate upon the issues involved.

The purpose of this report is to collect in one place information which is scattered through thousands of pages of the Record. I want to be able to provide any interested constituent with a simple compilation of my voting and attendance record.

It will be noted that out of a total of 220 rollcalls I missed on only 7 occasions for an attendance record of 97 percent. The footnotes at the end of the compilation will indicate the reason for the absences and how I would have voted if present.

The report follows:

Voting and attendance record, Representative Gerald R. Ford, Jr., *5th District of Michigan, 85th Cong., 1st sess.*

No.	Date	Measure, question, and result	Vote
	1957		
1	Jan. 3	Quorum call	Present.
2	Jan. 3	Election of Speaker. (Rayburn 227, Martin 199.)	Martin.
3	Jan. 29	Quorum call	Absent[1]
4	Jan. 29	H. Res. 123, to conclude debate on this resolution which provided for consideration of H. J. Res. 117. (Passed 262 to 146)	Absent[2]
5	Jan. 30	H. J. Res. 117, to authorize the President to undertake economic and military cooperation with nations in the Middle East. (Passed 355 to 61.)	Absent[3]
6	Feb. 5	H. R. 4249, to amend a supplemental appropriations bill to place a limit of $15,728,000 on amount to be spent for State and local administration of public assistance grants. (Passed 206 to 167.)	Yes.
7	Feb. 6	H. R. 2367, to establish a deferred grazing program and protein-feed program as part of relief available to drought-stricken areas and for other purposes. (Passed 270 to 108.)	No.
8	Feb. 19	Quorum call	Present.
9	Feb. 27	Quorum call	Present.
10	Feb. 27	Quorum call	Present.

[1] Hospitalized.

[2] Hospitalized. If present, would have voted "yea."

[3] Hospitalized. If present, would have voted "yea."

Voting and attendance record, Representative GERALD *R.* FORD, JR., *5th District of Michigan, 85th Cong., 1st sess.*—Continued

No.	Date	Measure, question, and result	Vote
	1957		
11	Feb. 27	Quorum call	Present.
12	Mar. 5	Quorum call	Present.
13	Mar. 6	Quorum call	Present.
14	Mar. 7	Quorum call	Present.
15	Mar. 7	H. Res. 188, agreeing to Senate amendments to H. J. Res. 117 to authorize the President to undertake economic and military cooperation with nations in Middle East. (Passed 350 to 60.)	Yes.
16	Mar. 12	Quorum call	Present.
17	Mar. 12	H. Res. 192, a rule to take up for discussion H. Res. 190 requesting the President to suggest reductions in the budget for fiscal 1958. (Passed 219 to 185.)	No.
18	Mar. 12	H. Res. 190, to recommit the resolution and to substitute therefor a commendation to the President for his decision to request each Department to recommend where budget cuts could be made. (Defeated 185 to 214.)	Yes.
19	Mar. 12	H. Res. 190, to pass resolution requesting the President to suggest where reductions may be made in budget for 1958. (Passed 219 to 178)	No.
20	Mar. 13	Quorum call	Present.
21	Mar. 13	Quorum call	Present.
22	Mar. 13	H. R. 4901, to recommit the amended bill to committee. (Defeated 168 to 237)	No.
23	Mar. 13	H. R. 4901, to pass the bill which had been changed by the adoption of the Harrison amendment providing for a 1-year program and giving commercial corn farmers a choice of programs. (Defeated 188 to 217.)	Yes.
24	Mar. 14	Quorum call	Present.
25	Mar. 14	Quorum call	Present.
26	Mar. 20	Quorum call	Present.
27	Mar. 21	Quorum call	Present.
28	Mar. 25	Quorum call	Present.
29	Mar. 26	Quorum call	Present.
30	Mar. 27	Quorum call	Present.
31	Mar. 27	H. Res. 85, to authorize Committee on Banking and Currency to investigate the monetary and credit structure of the United States. (Defeated 174 to 225.)	No.
32	Mar. 28	Quorum call	Present.
33	Mar. 29	Quorum call	Present.
34	Apr. 1	Quorum call	Absent.[4]
35	Apr. 2	Quorum call	Present.
36	Apr. 3	Quorum call	Present.
37	Apr. 4	H. R. 6287 (appropriations for Departments of Labor, and of Health, Education, and Welfare), to cut $30,000 from salaries and expenses of Office of Secretary of Labor. (Passed 286 to 126.)	Yes.
38	Apr. 4	H. R. 6287, to cut $204,000 from salaries and expenses of Office of Solicitor, Department of Labor. (Passed 241 to 171)	Yes.
39	Apr. 4	H. R. 6287, to cut $46,300 from salaries and expenses of Bureau of Labor Standards. (Passed 246 to 169)	Yes.
40	Apr. 4	H. R. 6287, to cut $136,000 from funds provided for Bureau of Veterans Reemployment Rights. (Defeated 137 to 275)	Yes.
41	Apr. 4	H. R. 6287, to cut $442,000 from funds for grants to States for unemployment compensation, etc. (Passed 220 to 200)	Yes.
42	Apr. 4	H. R. 6287, to cut $12,186,000 from funds for grants to States for unemployment compensation, etc. (Passed 220 to 200)	Yes.
43	Apr. 4	H. R. 6287, to cut $1,500,000 from unemployment compensation for Federal employees. (Passed 253 to 167)	Yes.
44	Apr. 4	H. R. 6287, to cut $236,800 from salaries and expenses of the Mexican farm labor program. (Passed 342 to 77)	Yes.
45	Apr. 4	H. R. 6287, to cut $346,800 from salaries and expenses of Bureau of Labor Statistics. (Passed 217 to 204)	Yes.
46	Apr. 4	H. R. 6287, to cut $31,000 from funds for Women's Bureau. (Defeated 206 to 210)	Yes.
47	Apr. 4	H. R. 6287, to cut $288,000 from salaries and expenses of the Wage and Hour Division. (Passed 214 to 205)	Yes.
48	Apr. 4	H. R. 6287, to reduce by $1,327,000 the funds of the Food and Drug Administration. (Defeated 130 to 285)	No.
49	Apr. 4	H. R. 6287, to cut $1,482,000 from Office of Education. (Defeated 206 to 207)	No.
50	Apr. 4	H. R. 6287, to eliminate provision for $50,000,000 for grants to States for waste treatment construction. (Defeated 185 to 231)	Yes.
51	Apr. 8	Quorum call	Present.
52	Apr. 8	H. R. 6306, to authorize construction of bridge to replace present 14th Street Bridge over Potomac. (Passed 190 to 131)	Yes.
53	Apr. 8	Quorum call	Present.
54	Apr. 8	Quorum call	Present.
55	Apr. 9	Quorum call	Present.
56	Apr. 9	Quorum call	Present.
57	Apr. 10	Quorum call	Present.
58	Apr. 10	Quorum call	Present.
59	Apr. 10	S. J. Res. 72, to approve an agreement amending the Anglo-American Financial Agreement of 1945 relative to deferment of certain interest payments. (Passed 218 to 167.)	Yes.
60	Apr. 11	H. Res. 191, to increase from $100,000 to $350,000 funds for investigative studies by House Committee on Interstate and Foreign Commerce. (Passed 225 to 145.)	No.
61	Apr. 15	Quorum call	Present.
62	Apr. 16	Quorum call	Present.
63	Apr. 17	Quorum call	Present.
64	Apr. 17	H. R. 6871, to make a further reduction of $7,030,958 in the appropriation for contributions to international organizations. (Defeated 166 to 205.)	No.
65	May 7	Quorum call	Present.
66	May 8	Quorum call	Present.
67	May 9	Quorum call	Present.
68	May 13	Quorum call	Present.
69	May 13	Quorum call	Present.
70	May 13	Quorum call	Present.
71	May 14	Quorum call	Present.
72	May 14	Quorum call	Present.
73	May 15	Quorum call	Present.
74	May 15	H. R. 7441, to adopt an amendment suspending operation of the "acreage reserve" aspect of the soil-bank program on June 30, 1957, and deleting a provision of $500,000,000 for the 1958 program. (Passed 192 to 187.)	No.
75	May 21	Quorum call	Present.
76	May 22	Quorum call	Present.
77	May 22	H. R. 7599, to recommit the bill in order to eliminate an appropriation of $7,500,000 for the construction of a third House Office Building. (Defeated 176 to 206.)	Yes.
78	May 22	H. R. 7599, to approve the legislative appropriations bill totaling $78,470,285. (Passed 278 to 93)	No.
79	May 22	H. Res. 254, to adopt a rule providing for the consideration of H. R. 2, the Lake Michigan water diversion bill. (Passed 267 to 102)	No.
80	May 22	H. R. 2, to recommit the bill to Committee on Public Works until the discussions between United States and Canada on further diversion of water from Lake Michigan have been concluded. (Defeated 143 to 224.)	Yes.
81	May 22	H. R. 2, to adopt the bill authorizing a test on a 3-year basis the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway. (Passed 222 to 143.)	No.
82	May 23	Quorum call	Present.
83	May 23	H. R. 985, to recommit to committee the bill providing that chief judges of circuit and district courts shall cease to serve as such upon reaching age 75. (Defeated 47 to 293.)	No.
84	May 24	Quorum call	Present.
85	May 24	Quorum call	Present.
86	May 24	Quorum call	Present.
87	May 27	Quorum call	Present.
88	May 27	Quorum call	Present.
89	May 28	Quorum call	Present.
90	May 29	Quorum call	Present.
91	May 29	H. R. 7665, to recommit to committee the Department of Defense appropriation bill in order to restore $313,000,000 of the committee reduction. (Defeated 151 to 242.)	Yes.
92	May 29	H. R. 7665, to adopt the Department of Defense appropriation bill of $33,500,000,000. (Passed 394 to 1)	Yes.
93	June 3	Quorum call	Present.
94	June 4	Quorum call	Present.
95	June 5	Quorum call	Present.
96	June 6	H. Res. 259, to adopt an open rule providing for 4 days of debate on H. R. 6127, a "civil rights" bill. (Passed 290 to 117)	Yes.
97	June 6	Quorum call	Present.
98	June 6	Quorum call	Present.
99	June 6	Quorum call	Present.
100	June 7	Quorum call	Present.
101	June 7	Quorum call	Present.
102	June 7	Quorum call	Present.
103	June 7	Quorum call	Present.

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[4] In Grand Rapids to keep speaking appointment.

Voting and attendance record, Representative GERALD *R.* FORD, JR., *5th District of Michigan, 85th Cong., 1st sess.*—Continued

No.	Date	Measure, question, and result	Vote
	1957		
104	June 10	Quorum call	Present.
105	June 10	Quorum call	Absent.[4]
106	June 10	Quorum call	Absent.[4]
107	June 11	Quorum call	Present.
108	June 13	Quorum call	Present.
109	June 14	Quorum call	Present.
110	June 17	Quorum call	Present.
111	June 18	Quorum call	Present.
112	June 18	H. R. 6127, to recommit to committee the civil-rights bill in order to amend the bill to provide for a jury trial for those accused of violating an injunction or restraining orders issues under this act. (Defeated 158 to 251.)	No.
113	June 18	H. R. 6127, to pass the bill which would provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States. (Passed 286 to 126.)	Yes.
114	June 18	Quorum call	Present.
115	June 18	H. R. 7221, to accept a Senate amendment providing for $14,000,000 for initiation of a Federal flood-insurance program. (Defeated 186 to 218.)	No.
116	June 19	Quorum call	Present.
117	June 20	Quorum call	Present.
118	June 21	Quorum call	Present.
119	June 21	H. R. 6974, to extend for 1 year the Agricultural Trade Development and Assistance Act of 1954. (Passed 344 to 7)	Yes.
120	June 24	Quorum call	Present.
121	June 25	Quorum call	Present.
122	June 25	H. R. 7963, to make the Small Business Administration a permanent agency, to increase the authorization for loans to small business, and to reduce the interest rate on loans. (Passed 392 to 2.)	Yes.
123	June 26	Quorum call	Present.
124	June 26	H. R. 6287, to recommit to conference committee the Department of Labor and Health, Education, and Welfare appropriation bill for a change involving the highway trust fund. (Defeated 73 to 321.)	No.
125	June 27	Quorum call	Present.
126	June 27	Quorum call	Present.
127	June 27	S. 1428, to recommit to committee the bill to authorize furniture and furnishings for the new Senate Office Building. (Defeated 135 to 231)	No.
128	June 27	S. 1429, to recommit to committee the bill authorizing enlargement and remodeling of present Senate Office Building in order to obtain specific cost figures. (Defeated 148 to 216.)	Yes.
129	July 1	Quorum call	Present.
130	July 1	Quorum call	Present.
131	July 1	Quorum call	Present.
132	July 8	Quorum call	Present.
133	July 8	Quorum call	Present.
134	July 9	Quorum call	Present.
135	July 9	Quorum call	Present.
136	July 10	H. R. 8240, to amend the bill authorizing certain construction at military installations by deleting sec. 411 which would require Congress to review attempts of Department of Defense to eliminate its Government-owned business operations. (Defeated 183 to 230.)	Yes.
137	July 10	H. R. 7390, to recommit to committee this bill concerning the use of advisory committees in the Government, in order to receive further testimony from the Post Office and Defense Departments. (Defeated 183 to 225.)	Yes.
138	July 10	H. R. 8364, to recommit to committee the bill making certain amendments to the Reorganization Act of 1949. (Defeated 44 to 336)	No.
139	July 11	Quorum call	Present.
140	July 11	Quorum call	Present.
141	July 12	Quorum call	Present.
142	July 12	H. R. 72, to recommit the bill which would amend the World War Veterans Act of 1924 to provide for the disposition of certain benefits which are unpaid at the death of the intended beneficiary to the committee for further study. (Passed 191 to 161.)	No.
143	July 15	Quorum call	Present.
144	July 16	Quorum call	Present.
145	July 16	Quorum call	Present.
146	July 17	Quorum call	Present.
147	July 17	Quorum call	Present.
148	July 19	S. 2130, to recommit to committee the Mutual Security Act for the purpose of deleting the provisions creating the development loan funds. (Defeated 181 to 227.)	No.
149	July 19	S. 2130, to adopt the Mutual Security Act of 1957. (Passed 254 to 154)	Yes.
150	July 22	Quorum call	Present.
151	July 23	H. R. 2474, to increase the basic salary of employees in the postal field service by a flat $546. (Passed 379 to 38)	No.
152	July 23	Quorum call	Present.
153	July 25	Quorum call	Present.
154	July 25	H. R. 1, to strike the enacting clause from the School Construction Assistance Act of 1957. (Passed 208 to 203)	No.
155	July 29	Quorum call	Absent.[5]
156	July 30	Quorum call	Present.
157	July 30	Quorum call	Present.
158	July 31	Quorum call	Present.
159	July 31	S. 1856, to approve the Airways Modernization Act of 1957. (Passed 375 to 17)	Yes.
160	July 31	Quorum call	Present.
161	July 31	H. R. 2147, to recommit to committee the bill authorizing the San Angelo Federal reclamation project. (Defeated 189 to 202)	Yes.
162	July 31	H. R. 2147, to approve the authorization of the San Angelo (Texas) Federal reclamation project. (Passed 201 to 190)	No.
163	Aug. 1	Quorum call	Present.
164	Aug. 1	H. R. 8643, to authorize the construction of certain works of improvement in the Niagara River for power, and for other purposes. (Passed 313 to 75.)	Yes.
165	Aug. 1	Quorum Call	Present.
166	Aug. 1	H. Res. 375, to take up for debate H. R. 6767, a bill to authorize construction of a tunnel under the Potomac River. (Passed 296 to 76)	Yes.
167	Aug. 1	H. R. 6767, to strike the enacting clause from the bill providing for a tunnel under the Potomac. (Defeated 175 to 194)	No.
168	Aug. 2	Quorum call	Present.
169	Aug. 2	H. R. 6767, to continue discussion of the bill authorizing a tunnel under the Potomac. (Passed 275 to 59)	Yes.
170	Aug. 2	H. R. 6767, to amend the bill to provide for a 6-lane bridge with a baseule span. (Passed 225 to 107)	Yes.
171	Aug. 5	H. R. 6709, to implement a treaty and agreement with the Republic of Panama, amended. (Passed 280 to 91)	Yes.
172	Aug. 5	Quorum call	Present.
173	Aug. 6	Quorum call	Present.
174	Aug. 7	Quorum call	Present.
175	Aug. 7	H. R. 9131, recommittal motion designed to reduce the TVA funds by $9,784,000. (Defeated 158 to 244)	Yes.
176	Aug. 7	H. R. 9131, making supplemental appropriations for fiscal year 1958. (Passed 330 to 75)	Yes.
177	Aug. 7	Quorum call	Present.
178	Aug. 7	H. R. 362, on open rule providing for the consideration of 1 hour of debate on H. R. 7244, amending the Packers and Stockyard Act of 1921 to permit deductions for a self-help meat-promotion program. (Defeated 175 to 216.)	No.
179	Aug. 8	Quorum call	Present.
180	Aug. 8	H. R. 4813, to accept conference report on bill to extend the life of the District of Columbia Auditorium Center. (Defeated 115 to 284)	No.
181	Aug. 8	Quorum call	Present.
182	Aug. 8	H. R. 8992, to adopt amendment to delete language providing for Congressional authority over distribution of special nuclear materials and authorizing the matching of nuclear material of the other members of the Agency by the United States. (Passed 298 to 100.)	Yes.
183	Aug. 9	Quorum call	Present.
184	Aug. 9	H. R. 8996, to accept Patterson amendment to bill authorizing appropriations for Atomic Energy Commission in accordance with sec. 261 of the Atomic Energy Act of 1954, as amended. (Defeated 197 to 201.)	Yes.
185	Aug. 9	H. R. 8996, to authorize appropriations for Atomic Energy Commission in accordance with sec. 261 of the Atomic Energy Act of 1954, as amended. (Passed 382 to 14.)	Yes.
186	Aug. 9	H. R. 8996, to accept amendment to bill to authorize appropriations for the Atomic Energy Commission in accordance with sec. 261 of Atomic Energy Act of 1954, as amended. (Passed 213 to 185.)	Yes.
187	Aug. 9	H. R. 8996, to authorize appropriations for the Atomic Energy Commission in accordance with sec. 261 of the Atomic Energy Act of 1954, as amended. (Passed 382 to 14.)	Yes.
188	Aug. 8	H. R. 2462, to recommit to committee the bill to adjust the rates of basic compensation of certain officers and employees of Federal Government. (Defeated 70 to 319.)	Yes.
189	Aug. 9	H. R. 2462, to adopt a committee amendment to Federal pay-increase bill that supplied new text providing an 11-percent increase with a $1,000 limitation. (Passed 329 to 58.)	No.
190	Aug. 13	Quorum call	Present.

[4] Fulfilling a longstanding speaking engagement.

[5] Attending funeral of Mark Foote.

Voting and attendance record, Representative G*ERALD* *R.* F*ORD*, *J*R., *5th District of Michigan, 85th Cong., 1st sess.*—Continued

No.	Date	Measure, question, and result	Vote
191	1957 Aug. 13	H. R. 8090 (public works appropriations), to adopt motion to recede and concur in Senate amendment No. 3 relating to preparation of plans for Bruces Eddy project on Clearwater River, Idaho. (Defeated 23 to 363.)	No.
192	Aug. 13	H. R. 5836, to readjust postal rates and to establish a Congressional policy for the determination of postal rates. (Passed 256 to 129)	Yes.
193	Aug. 14	Quorum call	Present.
194	Aug. 14	S. 2130, to adopt the conference report on Mutual Security Act of 1957 and clear bill for Presidential action. (Passed 226 to 163)	Yes.
195	Aug. 14	S. 1383, to amend sec. 410 of the Interstate Commerce Act to change the requirements for obtaining a freight forwarder permit. (Passed 177 to 176.)	No.
196	Aug. 15	Quorum call	Present.
197	Aug. 15	H. R. 9302, to adopt motion to recommit the bill for restoration of committee cuts in funds for military assistance, defense, support, and development loan fund. (Defeated 129 to 254.)	Yes.
198	Aug. 15	H. R. 9302, to make appropriations for mutual security for fiscal year 1958. (Passed 252 to 130)	Yes.
199	Aug. 19	S. 2229, to pass bill amended to contain the text of H. R. 7993, to provide for Government guaranty of private loans to certain air carriers. (Passed 242 to 94.)	No.
200	Aug. 20	H. R. 1937, to accept conference report on bill to authorize the construction, maintenance, and operation by the District of Columbia Armory Board of a stadium in the District of Columbia. (Defeated 134 to 234.)	Yes.
201	Aug. 20	S. 1520, to recommit act to amend an act which provides for disposal of federally owned property at obsolescent canalized waterways. (Defeated 135 to 232.)	Yes.
202	Aug. 21	H. R. 9131, on motion to recede and concur in Senate amendment No. 6 (Burke Airport) to bill making supplemental appropriations for fiscal year ending June 1958. (Defeated 125 to 233.)	No.
203	Aug. 21	H. R. 9131, on motion to recede from its disagreement to Senate amendment No. 54 (Columbia River; Rathbun Dam) relating to an additional $475,000 for general construction under civil functions Department of Defense. (Defeated 140 to 216.)	No.
204	Aug. 21	H. R. 9379, to adopt Cole amendment to restore $30,000,000 for industry cooperative program of Atomic Energy Commission. (Passed 214 to 135.)	Yes.
205	Aug. 22	H. Con. Res. 17, to adopt resolution authorizing the printing of additional copies of H. Doc. No. 232 (84th Cong.). (Passed 183 to 129)	No.
206	Aug. 23	Quorum call	Present.
207	Aug. 23	H. R. 9131, on motion to recede on amendment No. 54 (Rathbun Dam) to bill making supplemental appropriations for fiscal 1958. (Passed 166 to 121.)	No.
208	Aug. 23	H. R. 9131, to concur in a Senate amendment providing for a supplemental appropriation of $425,000 for the Rathbun Dam project on Columbia River. (Passed 165 to 120.)	No.
209	Aug. 23	S. 2229, to adopt conference report providing for Government guaranty of private loans to certain air carriers for purchase of aircraft and equipment. (Passed 203 to 77.)	No.
210	Aug. 23	H. Res. 407, citing Louis Earl Hartman for contempt of the House of Representatives by his refusal to answer questions before the Committee on Un-American Activities. (Passed 276 to 0.)	Yes.
211	Aug. 23	H. Res. 409, citing Bernard Silber for contempt of the House of Representatives by his refusal to answer questions before the Committee on Un-American Activities. (Passed 261 to 0.)	Yes.
212	Aug. 27	Quorum call	Present.
213	Aug. 27	H. Res. 410, on ordering previous question on resolution providing for disposition of Senate amendments on H. R. 6127 (the civil rights bill). (Passed 274 to 101.)	Yes.
214	Aug. 27	H. Res. 410, to agree to resolution providing for disposition of Senate amendments to H. R. 6127 (civil rights bill). (Passed 279 to 97)	Yes.
215	Aug. 27	H. R. 7915, to adopt committee amendment to amend ch. 223, title 18, United States Code, to provide for production of statements and reports of witnesses (FBI files). (Passed 351 to 17.)	Yes.
216	Aug. 28	Quorum call	Present.
217	Aug. 28	S. 2792, to amend Immigration and Nationality Act to facilitate entry into the United States of certain adopted children and other relatives of United States citizens. (Passed 293 to 58.)	Yes.
218	Aug. 30	Quorum call	Present.
219	Aug. 30	S. 2377, to amend ch. 223, title 18, United States Code, to provide for the production of statements and reports of witnesses (FBI files). (Passed 315 to 0.)	Yes.
220	Aug. 30	H. R. 9302, to make appropriations for mutual security for fiscal year, 1958. (Passed 194 to 122)	Yes.

Report on Major Legislation of the 85th Congress

EXTENSION OF REMARKS

OF

HON. W. PAT JENNINGS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. JENNINGS. Mr. Speaker, the first session of the 85th Congress ends today. I have prepared, for my constituents in the Ninth District of Virginia, a brief report on the major legislative actions of the session. I have stressed those actions of particular interest to the people of my district.

No attempt has been made in this report to cover all of the activities of the session. Neither do I try to assess the accomplishments of the Congress, preferring to wait until the second session has been completed and action taken on much important pending legislation. The work of this first session, however, is more than adequate to insure this Congress an appropriate niche in history—perhaps as one of the most responsible ever to serve the people of this Nation.

AGRICULTURE LEGISLATION

I have served as a member of the House Committee on Agriculture again in this Congress, having first been assigned to this committee in the 84th Congress. Since farming is of great importance in the Ninth District, service on this committee enables me to give close consideration to all agriculture legislation passed by the Congress.

The unwillingness of the Secretary of Agriculture to approve the bills referred to him for a report has limited, to a major degree, the agriculture legislation of this session. The committee's records show that the Members of the House concerned with the well-being of agriculture in the Nation have introduced more than 500 bills. After careful study, the bills considered most worthy of action were sent to the Secretary for consideration. He approved only 16 of the 125 bills submitted. He disapproved or proposed substantial changes in all others or did not express an opinion. We know from experience that unless the Secretary indicates to the President that he approves a bill, it is doomed to a veto—as the major farm bill passed in the last Congress was vetoed.

The farmers of this Nation, despite optimistic statements from Secretary of Agriculture Ezra T. Benson, are still in trouble. Prices are high on things purchased for the farm; prices have not improved on products sold from the farm. I hope that in the second session we will have more favorable comments from the Secretary on legislative proposals designed to bring a fair share of the Nation's prosperity to our farmers.

The Agriculture Committee has taken final action on more than 270 of the bills introduced in this session. The committee, with its 18 subcommittees, has conducted 176 hearings and study sessions and some are also planned during the recess.

Among the major agriculture actions of the session were: A 1-year, $1.3 billion extension of the Agricultural Trade and Development Assistance Act, under which our surplus farm commodities are disposed of at home and abroad; the approval of a deferred grazing program, providing assistance to the farmers in drought areas; establishment of a compulsory Federal poultry-inspection system to insure sanitary practices and correct labeling of poultry and poultry products; an improved program of control and eradication of plant pests, including a new threat to farmers, the imported fire ant; a change in law to exempt—for 1958 and later crops—up to 30 acres of wheat from marketing penalties when the entire crop is used on the farm where raised; and authority provided for a continuation of the agricultural conservation program—ACP.

Preliminary investigation and hearings on legislation referred to the Agriculture Committee are often done by one of its subcommittees. I am a member of the Subcommittees on Tobacco, Wheat, Livestock and Feed Grains, Research and Extension, Family Farms, and Consumers Study. These have been active in the first session. For example, the Consumers Study Subcommittee has undertaken a broad investigation into the reasons for increased food prices during a time of declining farm income. The Family Farms Subcommittee, which held a field hearing in the Ninth District last year at my invitation, will continue its work on ways and means to improve farm programs for the benefit of the small farm.

BUDGET REDUCTIONS

This has been an economy-minded Congress, effecting substantial cuts in the $71.8 billion recordbreaking peacetime budget for fiscal year 1958 announced by the President last January. When the final vote was taken on the appropriations bills, the budget had been reduced enough to give serious consideration to a tax cut next year.

Estimates of the budget cuts range from $4.9 billion, as tabulated by the House Appropriations Committee, to $6.5 billion totaled by the Joint Committee on Reduction of Nonessential Expenditures. Whatever be the final figure, it is sufficient to illustrate the deep concern of the Congress over the proposal to increase Government spending.

I have voted for a majority of these budget cuts, including the billion-dollar reduction in foreign-aid funds. In some instances I did not vote for reduced funds because it was apparent they would have to be provided at some later date or essential Government services curtailed.

INTERNATIONAL AFFAIRS

The major actions in this important legislative field were the passage of the Middle East resolution to authorize economic and military cooperation with Middle East nations threatened by aggression; authority for the United States to participate in the International Atomic Energy Agency; and a much milder immigration bill than proposed by the administration.

A continuation of foreign-aid was approved, but plans to make it a permanent operation in some respects were curtailed and the funds requested for fiscal year 1958 reduced. When the authorization and appropriation bills were finally agreed upon, the $4.4 billion proposed in the budget estimates had been cut by a billion dollars. This action, in my opinion, will insure a more responsible and efficient administration of the foreign-aid operations.

VETERANS' LEGISLATION

We extended and improved the veterans direct home loan program to provide more opportunity for veterans seeking home loans in rural areas and small towns to secure financing, which has become more difficult under current tight money policies. Service-connected disability compensation payments were increased by an average of 10 percent with the degree of disability determining the amount of the increase. For example, a 10 percent disability monthly payment was raised from $17 to $19 while a total disability payment was increased from $181 to $225. Also, various veterans laws were consolidated into one volume and a House-passed bill to raise pensions for Spanish-American War widows is awaiting Senate action.

FINANCE, COMMERCE, INDUSTRY

The approval of tax legislation included extension of the present corporate income tax rate of 52 percent and the existing rate of certain excise taxes, and the curtailment of the authority to issue fast tax writeoff certificates for new plants. The House passed the first overall technical revision of the excise tax laws since 1932 and the bill is pending in the Senate. No income tax reduction bill was approved, but hearings on such legislation have now been scheduled for next January.

The Small Business Administration, which provides technical and managerial advice and credit to small business, was extended for a year and its loan funds increased. The Senate is expected to approve a House-passed bill next session to make this a permanent agency.

The Senate approved, and the House will probably do so next session, a revision and modification of all the Federal laws governing banks, savings and loan associations, and credit unions.

Also, interest rates payable on savings bonds were increased from 3 to 3¼ percent.

CIVIL-RIGHTS BILL

I opposed the passage of the so-called civil-rights bill, which occupied more time in the Congress this session than any other single piece of legislation. As passed, this measure empowers the Attorney General to use Federal injunctions to prevent alleged interference with voting rights, creates a Civil Rights Commission to investigate complaints and determine whether additional legislation should be recommended, and establishes a new section in the Justice Department, headed by an Assistant Attorney General, to be concerned with civil rights. An amendment to provide jury trials in criminal contempt cases growing out of this bill was added in the Senate and later modified by House-Senate agreement. The changes made during consideration of this bill made it less vicious to the sections of the country at which it was aimed than the original bill proposed by the administration.

IMPORTANT MISCELLANEOUS

Passage of a $1.9 billion housing bill, which included lower downpayments on FHA-insured homes, was the major piece of housing legislation of the first session. Funds were also provided for urban development and slum clearance.

The bill to begin a 5-year, $1.5 billion program of Federal aid to the States for school construction was killed in the House after an amendment was adopted to prevent the use of these funds in any State with segregated schools. Extended to June 30, 1959, however, was the assistance now provided school districts affected by Federal activities in their areas.

Pay raises were approved for postal and other Federal workers, but a veto is expected by the President. If action to disapprove these bills is taken by the President, further legislation will be required in the second session to increase pay for Government employees.

A bill to protect the files of the FBI was passed after it became apparent that a uniform procedure was needed for the production in court of statements by Government witnesses.

Also, an Airways Modernization Board was approved to assure a safe, efficient navigation system for all civilian and military aircraft.

SOCIAL SECURITY

Although we have not considered social-security amendments comparable to those of 1956, which reduced the retirement age for women and provided disability benefits at age 50, we have passed bills to make important technical and other changes in the program. The filing time for ministers to secure coverage under social security as self-employed individuals was extended for 2 years. Also, a bill was passed to insure further protection for the disabled by extending the time in which the disability freeze provisions of the Social Security Act could be made retroactive, and to allow a veteran to receive both his service-connected disability compensation and any social-security disability benefits to which he may be entitled.

FLOOD PROTECTION

Included in the public-works appropriation bill for flood control in several areas of the Nation was an initial allocation of $100,000 in planning funds for the proposed Pound River flood-control reservoir in Dickenson County. I will seek further planning funds for this project in the second session, in addition to authorization and planning funds for any other flood-protection dams found feasible under a survey now nearing completion by the Corps of Engineers. Since the flood in the Ninth District earlier this year, I have been exploring every possibility for flood control, such as local protection projects and reservoirs.

COAL RESEARCH

A special Subcommittee on Coal Research, established in the 84th Congress, has now concluded a 15-month study of the coal industry, its problems and needs. Broad recommendations for a greatly expanded program of coal research and development to insure a greater degree of stability for the industry and its workers have been made by the subcommittee. I intend to introduce legislation in the second session to carry out certain of the subcommittee's major recommendations. Coal production in Virginia is concentrated in the Ninth District and is the primary industry in several counties. Therefore, I have supported this subcommittee's work at every opportunity, including the arranging of a field hearing in Abingdon last spring to receive testimony from representatives of the industry in Virginia.

JENNINGS BILLS

I have introduced several bills in the first session and expect consideration of them by the appropriate committees of the Congress in the next session.

Two of my bills pertain to social security changes. The first would lower the retirement age for men to 62 as was done for women last year. The second would provide that a child shall be considered the adopted child of a deceased individual where adoption proceedings were commenced before such individual's death and are subsequently completed by the surviving spouse.

Pending before the Committee on Government Operations is my bill to authorize the donation of surplus Government property to community organizations, such as lifesaving crews and volunteer fire departments.

In the field of agriculture, I have introduced a bill to establish an Agricultural Research and Development Board to begin a research program to find new and increased industrial uses for agriculture products. Early this year I introduced legislation to improve the soil bank, especially to allow more participation by corn and wheat raisers outside the so-called commercial production areas of the Nation. Hearings were held and a bill similar to mine favorably reported. However, the House turned the bill down after amendments were added on the floor. Hearings have also been held on an amendment I have proposed for the soil bank to make grazing lands eligible for inclusion in this program.

Pending in the Agriculture Committee is my bill to establish an acreage-poundage quota system for burley tobacco. This bill would also increase allotments by at least 5 percent and provide adequate export tobacco.

As I stated, hearings will begin in the House Ways and Means Committee next January on tax legislation. I have two bills pending before the committee to increase personal exemptions from $600 to $800 and to allow a taxpayer an additional exemption for college students.

CUMBERLAND GAP PARK

Appropriated in this session were funds for the Cumberland Gap National Historical Park, which is being established on the Virginia-Kentucky-Tennessee border. Included in the appropriation, in addition to regular maintenance funds, was $325,000 for the construction of roads and trails, and $322,000 to construct buildings and utilities. Lee County residents have been very much interested in the development of this park on the county's border.

NEXT SESSION ACTIVITY

Among the major bills likely to be taken up at the second session are the postage rate increase bill, which was passed by the House; the natural gas bill, reported by the House Interstate and Foreign Commerce Committee; the TVA bond financing bill, which has passed the Senate; an extension or replacement with a direct appropriation plan, of the Lease-Purchase Act, under which Government buildings are awaiting construction; aid to areas of the Nation with excessive unemployment; trade and tariff bills; and the usual appropriation measures.

Both my district office in Marion, Va., and my Washington office will remain open, as usual, during the recess to serve the people of the district.

Review of the First Session

EXTENSION OF REMARKS

OF

HON. CLEVELAND M. BAILEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. BAILEY. Mr. Speaker, as the first session of the 85th Congress closes, we can, I believe, look back upon it and its accomplishments with a degree of pride.

It is true that it had some disappointing features, but that could be said of each of its 84 predecessors.

The late adjournment date is evidence that it was a hard-working Congress.

The enactment of the civil-rights bill was an example of the American legislative process functioning in the highest order. In our deliberations the Congress sought and discovered the areas within which it could come to an agreement and concentrated upon those issues. While it is true that the bill, as enacted, may have disappointed some—and I will admit that I would have personally preferred the extension of the jury-trial processes to include all cases of criminal contempt—I firmly believe that we have strengthened the right of all citizens to vote and we have buttressed our judicial system.

On the debit side I was keenly disappointed when the President backed away from the school-construction program which was defeated in the House by the narrowest of margins.

I was also disappointed that various proposals to protect some of our domestic industries were not reported by committees and enacted by the Congress.

I think we can all be proud of the economies made in President Eisenhower's swollen budget. I trust we may be able to follow through in the next session with some tax relief for all the people.

It is good to realize that while we were curtailing Federal expenses, we provided sufficient funds to enable the continuation of some programs vital to the people.

Some examples of these include the provision of sufficient money to enable Hill-Burton grants to several hospitals in the Third Congressional District of West Virginia; to give continued life to the lease-purchase program which, if efficiently administered by the executive branch, will enable the construction of a research building for the Bureau of Mines in Mount Hope, W. Va.; the authorization of channel improvement work at Elizabeth, W. Va.; and for the orderly advance of the Sutton Dam.

Headlines Cannot Hide Labor's Great Work

EXTENSION OF REMARKS

OF

HON. PAUL H. DOUGLAS

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the Congressional Record excerpts as printed in a recent issue of the Machinist from a timely radio interview given by the able and conscientious Senator from Massachusetts [Mr. Kennedy] on the work of the Senate committee investigating improper activities in the labor-management field and on the constructive record of American labor.

There has been a welter of unfavorable and unfair publicity recently directed at labor generally. It is heartening, therefore, to have one who has sifted the evidence carefully, as Senator Kennedy has, present this well-balanced and thoughtful analysis of the abuses revealed on the part of a tiny fraction of labor leaders, the means of clearing them up, and the many positive contributions of labor to American life.

Senator Kennedy's warnings against shotgun legislation against all labor are timely. The complicity of businessmen in the abuses is also noted. He properly points out the responsibility of rank-and-file union members, employers, local government officials, and the public generally for helping to improve present conditions.

I hope many Members of Congress and citizens generally will study this helpful and informative interview.

There being no objection, the excerpts of the radio interview were ordered to be printed in the Record, as follows:

HEADLINES CAN'T HIDE LABOR'S GREAT WORK

Mr. Hamilton. Senator Kennedy, do you believe that the labor movement will benefit or suffer from these hearings?

Senator Kennedy. Well, I think the long-range objectives of our hearings, of course, should be, and I believe are, to help the labor movement. And I'm confident the trade-union movement as a whole will, in the long run, recognize that this investigation has been beneficial.

That certainly has been the position that the leadership of the AFL–CIO under George Meany has taken. They've given wonderful cooperation to our committee. They've taken steps with us to oust these corrupt officials. They have taken what I consider to be the most significant and admirable step in the history of the American trade-union movement by adopting an excellent hard-hitting set of ethical practices codes.

I don't think any other group in the country at any time in our history has gone so far as the labor movement has in setting up standards, fiduciary trusteeship standards, for labor-union officials.

And I think that it's an appropriate time, in considering where we're going in this investigation, for all of us in the Congress, particularly we in the Senate who serve on that committee, to remember that there is no basis for any general denunciation of labor based on these hearings.

There are, roughly, half a million local union officials in this country, another half a million business agents, lawyers, and other paid officials, and another 750,000 shop stewards and others employed in serving the labor movement. Of these nearly 2 million labor leaders, our committee has neither investigated nor received complaints about more than the tiniest fraction—considerably less than one one-hundredth of 1 percent.

The union movement, like any other part of American life—including political life—has its share of wrongdoers and corruption. When we hear about bankers who embezzle funds or financiers who use money entrusted to them in order to further their own interests, or politicians who betray the public trust, we don't condemn all bankers and all financiers and all politicians. So I hope the American people will keep a perspective about this investigation. It's a job that needs to be done, but it's a job that should be considered in the light of the great contribution that labor has made.

Mr. Conn. Senator Kennedy, you're highly regarded as a friend of organized labor. I would like to ask you whether you feel that there are others in addition to Congress who have, perhaps, the primary responsibility to help clean up this situation?

Senator KENNEDY. Very definitely. And I say that with well over 11 years in the Congress, over 6 years in the House and 5 in the Senate of being a member of the Labor Committee, I'm aware of what we can do and I'm aware of what we cannot do. And I think that this problem is not one for the Congress alone, or really even primarily.

First, I think that local union members have the most important responsibility of all to police their own operations and provide their own safeguards. They must attend their union meetings, insist upon their rights, review carefully the use of their dues, select wisely the leaders whom they will entrust with their union's good name and authority, and purge those leaders (however popular or powerful) who fail to live up to that trust.

When they do that, of course, it makes it easy for those of us who are friends of labor to say that there is no need for any repressive legislation; that labor itself is doing the job. And I think that's the theory that's activated the ethical practices committee of the AFL–CIO.

Of course it is true that in some of these cases we've looked into, it's not been the fault of the rank and file. These mobsters don't gain control through honest ballots and can't be ousted through honest ballots. In fact, under some union trusteeships, no ballots are ever cast. Officials are appointed from the outside and remain in office indefinitely.

And then I think it's important to realize that employers and businessmen also have a major responsibility in this field. We've seen cases where employers engaged in collusive deals with some of these racketeers to prevent unions from coming in, or in order to have a sweetheart contract in which an abnormally low wage is paid.

I think it's a shocking fact that so many employers, large and small, have collaborated in and benefited from these labor racketeering practices; obtaining monopolies for themselves and forcing their competitors in some cases out of business. I think these businessmen, too, must perform their civic responsibilities before this cancer of racketeering can be eliminated from our economic system.

And then, of course, local government has an important responsibility. Most of the things we've investigated have been against the law locally. If the local laws are administered effectively, then there's no need for overriding Federal laws.

And then I think, of course, the general public has the greatest responsibility of all to insist on the highest ethical standards by businessmen, by labor leaders, and by public officials.

Mr. HAMILTON. Senator KENNEDY, you're chairman of the permanent Labor Legislation Subcommittee, and I believe this committee will have the final responsibility for considering and sending to the Senate floor all the legislative proposals that may result from the McClellan hearings.

Well, now I wonder is there not a danger that some Members of Congress, including perhaps even some members of the investigation committee, will seek to use these hearings to justify unduly restrictive antilabor legislation.

Senator KENNEDY. Well, I think that there's obviously that danger that these hearings will be used for that purpose. I think there's a danger of injuring honest union leaders and members with legislation that's fired in a shotgun fashion to get rid of some racketeers, but, nevertheless, also limits the honest union activity of responsible union leaders.

For example, I don't see anything that we've looked into that justifies the passing of a national right-to-work law under which Congress would not permit employers and employees to bargain for a union shop, regardless of whether State law permits them to do so or not.

Nor has anything been disclosed by our investigation to justify the necessity of placing unions fully under the antitrust laws, as though union membership were a commodity bought and sold on the market. Union collusion with employers in order to restrain trade to obtain a monopoly, of course, is already covered by those laws.

Nor have the hearings disclosed any necessity of denying the right of union members to contribute voluntarily to candidates of their choice, Republicans or Democrats, since it's apparent that the racketeers have other means of obtaining their goals.

Mr. CONN. To sum it up, Senator KENNEDY, how do you think the reputation of the labor movement in general is emerging from this investigation? Isn't there a danger here, too, that some of the enemies of labor will seek to use these hearings to tarnish the whole labor movement and the leadership?

Senator KENNEDY. Yes, I think there is that danger, of course, against which responsible officials in the labor movement and in the Government and in the press and the general public must be on guard. These hearings have brought some sensational headlines, which some people will read as representing the whole picture. Others make sweeping statements generalizing from a few bad examples in order to prove their previous prejudices against the whole labor movement.

Moreover, these are sometimes complex matters, and there will inevitably be some who see extortion in every proper union attempt to bargain with employers, some who see conspiracies in every labor-union boycott permissible under the law and traditional in our history.

But these people don't belong in the labor movement and I think that we're helping the labor movement get rid of them. So this is a difficult period for the labor movement; but, of course, labor and the public and all of us will be much better off when these people who don't belong in the labor movement are thrown out.

After all, the labor movement has made a great contribution to the country, and its many members. It has raised the standard of living, brought beneficial legislation and the 40-hour week and all the rest of these things. And I think it's important that that movement continue, that it be free and honest and responsible; and I'm hopeful that this investigation will serve as a right arm to those great many hundreds of thousands of responsible union leaders who only want to serve their membership and advance the reasonable and responsible interests of the labor movement as a whole.

Doubletalk

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. MULTER. Mr. Speaker, this has been a most unusual legislative year. It started with much promise. The 1956 election had returned the people's hero to the Presidency with an unheard of popular vote.

At the same time, they showed their confidence in the Democratic Party by continuing it in control of both Houses of Congress.

Obviously, the American people agreed that control of the 84th Congress by the Democrats under a Republican President was indeed good for our country.

With the 1st session of the 85th Congress behind us, I believe we can demonstrate that the country would have been better off under a Democratic President. I, for one, am certain we would have had more real leadership and much less doubletalk.

Under our system of government we have a right to look to our President for leadership. Our Constitution requires him to send an annual message to Congress on the state of the Union. Traditionally, our Presidents have interpreted that to mean that they are required to submit a legislative program to the Congress.

Never before in our history have we experienced such a lack of leadership by the President, coupled with so much doubletalk.

Absenteeism is bad enough, of and in itself, in high places. Vacillation and indecision are much, much worse. I will concede that few persons reading the President's messages to the Congress can disagree with the fine, high-principled generalities contained therein. But, by the same token, his campaign speeches in 1952 and again in 1956 were in the same vein.

But what are the specifics? What about the implementation of these fine principles?

Some of the President's supporters, even some of the members of his Cabinet, have been brash enough to label his campaign addresses as merely campaign promises. But his messages to the Congress were not campaign speeches.

It is all well and good for our Republican friends to say, "Oh, this is a Democratic Congress, the Democrats are in control. They can pass any legislation they want to."

Such statements, too, are mere doubletalk. The hard, practical facts of political life are that, in a Congress where the majority party does not have an overwhelming majority in both Houses, neither party can pass legislation without the cooperation of at least some members of the other party.

Wise Congressional leadership avoids bringing to the floor of the Congress legislation that the leadership knows will be opposed by enough members of the opposition party to defeat the bills.

In all those spheres of activity where our party platforms are in agreement, the President should have been in a position to deliver enough Republican votes to offset the defections in Democratic ranks, so as to give the people of the country a working majority in the Congress.

Permit me now to document my case with some specifics.

PARTY PLATFORMS AGREE, BUT THE PRESIDENT IGNORES THEM

Both parties agree that the minimum wage laws should have wider application; that distressed labor areas require Government aid; that the Taft-Hartley law requires amendment; that all Federal employees and, more particularly, the postal employees, are entitled to increased compensation. In most of these instances the President talked gently and fairly but in generalities. As to the Federal employees and postal employees he spoke specifically. He said they were underpaid. He said they were entitled to increased wages.

In none of these instances, except as to the increase of salaries for Government employees, were we able to enact any legislation, because the President and his appointed officers in the executive departments not only refused to help but actually opposed Congressional action.

As to the increases of salaries for Government employees, the President signed the bill which gave those in the highest brackets, big increases and more pay.

As to the little fellows, the civil-service employees, the career employees, the post office workers, he sent word to us that if we dared so legislate he would veto the bills. Unfortunately, we couldn't get the bills to him in time to override a veto. As of today—the last day of this session—it seems certain that the President will veto these bills which do only what he said was fair and just; that is, to give to the little fellow, the civil-service worker and the post-office employee, a cost-of-living increase.

BIG BUSINESS GETS BIGGER AND SMALL BUSINESS GOES TO THE WALL

Other spheres of activity where we got the same kind of doubletalk involved monopolies, trusts, and big business. The mergers continue. Big business gets bigger. Their profits grow. The small-business man goes into bankruptcy. The big-business man gets more and bigger tax cuts by way of fast writeoffs and obsolescence and depletion allowances and Government giveaways, and the little fellow gets the tax bills.

The President is still advocating a natural gas bill. One day he advocated an amendment to that bill, to protect the consumer, and the next day he said he would take the bill without the amendment.

He opposes the development of public power and tries to give the natural resources of the country to the big utilities. By his appointment to various Government agencies and commissions, he does all within his power to destroy TVA, rural electrification, and the other important Government agencies.

HUMAN RIGHTS ARE FORGOTTEN

He says he is for statehood for Alaska and Hawaii but will not lift a finger to bring that about. He says he is for liberalization of our immigration laws and, instead of trying to liberalize them, he condones the action of his State Department and his Attorney General in keeping out immigrants clearly entitled to entry into this country under existing law.

The civil-rights muddle in the Congress was as much his doing as that of anyone else. He did not know from press conference to press conference what was in the bill labeled "the Eisenhower bill." It is surprising that we got a bill at all under the circumstances. Time will demonstrate, in my opinion, that the bill will accomplish very little except to give him and some of his supporters an excuse for new campaign doubletalk. And all the time, the demagogs will continue to rabble-rouse.

He talked big about Federal aid to education. When it came to a showdown in the House, the bill was lost on a very close vote. It could have been won if the President had made three telephone calls. He could have telephoned one of his erstwhile campaign supporters who left the Democratic Party to urge the people to reelect Mr. Eisenhower and who was absent on the day this important bill was defeated. The other 2 calls could surely have changed 2 opposition votes into 2 votes for the bill. These were not just two votes of Republican members of the House. These two men are the President's leaders of his party in the House. The three Members of the House referred to, Mr. Speaker, go unnamed as a matter of traditional Congressional courtesy. The record vote discloses who they are.

FOREIGN AFFAIRS CONTINUE TO BE BUNGLED AFFAIRS

The muddle in foreign affairs is the direct responsibility of the President and his Secretary of State. Those matters of maladministration have no direct bearing upon the legislative function of the Congress. I therefore make no further mention of them here, particularly since that subject alone would require much more time than I can devote today, and my remarks pertain merely to the legislative program.

Those who are interested may read my statements before the House Foreign Affairs Committee and on the floor of the House on this vital subject.

Suffice it to say, I foretold precisely what to expect with reference to the Middle East, including the recent events in Egypt and Syria. Although I did not pretend to set forth any time table, the sequence of events was exactly as I predicted.

The so-called Eisenhower doctrine is preventing the spread of communism and sovietism exactly nowhere.

THE HIGH COST OF EVERYTHING

The increase of interest rates on Government and private debt is the direct responsibility of the President and his Secretary of the Treasury. They have increased the cost of living of every man, woman, and child in the country by increasing the expense of operation of every business enterprise in the country.

The increase in cost of Government is staggering. At the same time, while telling us that the people should save more money and spend less, the President and his Secretary of the Treasury keep the interest rates on Government savings bonds under other interest rates, destroying the incentive of our citizens to save.

He insists that mortgage interest rates be raised and because Congress refuses to increase the interest rates on veterans' mortgages, he threatens to veto the extension of the GI mortgage bill.

I, and many of our colleagues, have been urging that the veterans are entitled to direct loans from the Government. This would not be using Government money but would be using their own life-insurance funds.

Banks, trust companies, life-insurance companies, pension funds, all invest their money in real-estate mortgages. But some shortsighted people urge that the veterans' life-insurance funds should be invested only in low-interest Government bonds instead of in 4-percent veterans' mortgages.

We could not prevail upon our colleagues to go that far. The bill we sent to the President, which he now threatens to veto, merely extends existing law, permitting veterans to get mortgages in those areas of the country where FHA is not operating and for reasons mainly of convenience, cannot or will not operate.

The President glibly talks about controlling inflation and urges voluntary restraint by labor and business to keep costs down.

Then he ridicules labor's promise to forego wage increases if big business will lower prices.

At the same time, he permits price increases in all Government restaurants serving the very employees whose wages he will not increase. He allows their rents and those of all others in FHA houses to be increased, thus setting the example for increased rents by all landlords.

That is not doubletalk; it is double-dealing.

SOME HOPE FOR SMALL BUSINESS

The House passed a Small Business Administration Act to make that agency permanent and to make it more effective in serving the small-business community of our Nation. Despite the fact that the President has not talked out in favor of this bill, we hope that in the next session of Congress, the Senate will pass the House version of that bill.

By that time, too, I hope we will have a good bill ready to give the small-business men some sorely needed tax relief.

FUNNY FIGURES MAKE PHONY BUDGETS

The worst example of doubletalk on the part of the administration, however, came with reference to the budget and the request for appropriations for defense, for foreign aid, and for operation of the Government.

In this field, too, no one knew where the President or his appointees stood from one day to the next. All sorts of ridiculous claims were submitted to the Congress for exaggerated sums. Probing by alert members of the Appropriations Committees showed how farcical some of these claims were.

Despite the disclosure of tremendous waste of money and property during the last 5 years, heads of the departments, aided and abetted by the President, came forth again urging more money than they needed and more money than they could spend.

After the money was appropriated and the bills approved into law by the President, he then directed the heads of various departments not to spend the sums appropriated.

I will refer to only two of the many instances of this heinous maladministration.

The United States Public Health Service has indicated its need for funds to prevent a yellow fever epidemic threatening the United States. The money was appropriated. The bill was signed. The Budget Bureau, under the direction of the President, has directed the department not to expend those moneys, the sole purpose of which was to control the disease.

This is the Government that is conservative where property is concerned and liberal where human values are concerned. That is not my language. That is the modern Republicanism of President Eisenhower.

One more instance of the same kind. After the appropriation for the Defense Department had been approved into law by signature of the President, he then directed that the money not be spent. Mind you, this is the very appropriation request, which when cut by the Congress, was declared by the President to be insufficient for our national security. Now he says to his department heads that they may not spend as much money as was appropriated.

Practically all of the Members of Congress from metropolitan New York attended a conference with Navy Department officials, urging them not to release skilled career employees. It was admitted that if these men were discharged their skills and services would probably be forever lost to the Government. It was further conceded that the full sum necessary to keep these men employed for the next year had been appropriated and that the men were being dismissed solely in order to come within the President's directive to spend less money than had been appropriated. The question of national defense and security was subordinated to the demand to save a few paltry dollars.

WASTE AND CORRUPTION

Congressional committees continue to uncover waste and corruption in every department of Government. At another time, I will discourse at length upon this subject, which continues to be ignored by our President, except on those occasions when he awards a medal or a certificate of merit to the head of the department whose misconduct is exposed.

All of these facts are borne out by the record.

Congressman John D. Dingell Reports to the People of the 15th District of Michigan

EXTENSION OF REMARKS

OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. DINGELL. Mr. Speaker, it is my practice to report as often as possible to my people. Accordingly, I offer this report to my people on the first session of the 85th Congress.

The distinguished minority leader of the Senate, the Honorable WILLIAM KNOWLAND, said:

> The Congress worked hard and long. Of course, the number of bills passed ran into the hundreds.

Our own distinguished majority leader in the House, the Honorable JOHN W. MCCORMACK said:

> One of the greatest Congresses this country has ever had.

I am certain that when history has judged this session we will find that this has been one of the great Congresses.

Last session I served my people on the Public Works Committee and on the Merchant Marine and Fisheries Committee. Since the legislative work on the road bill, the St. Lawrence Seaway, and projects of especial interest to my people have by and large been completed my service was no longer so valuable on the Public Works Committee. For that reason I changed from the Committee on Public Works to the Committee on Interstate and Foreign Commerce at the beginning of this session in order to oppose the gas consumers gouge bill.

I maintain two offices to serve the people of my district, one in Washington, and the other in Detroit at 7310 Grand River Avenue staffed by my able assistant, Mr. Charles S. Brown, and my Detroit secretary, Mrs. Theresa Tabin.

BILLS INTRODUCED

This is a short summary of the major bills I introduced.

SOCIAL SECURITY

Mr. Speaker, I devoted much time to improvement and extension of the Social Security Act to more classes of people with better benefits commensurate with the needs of our retirees. I introduced the following bills on this subject:

H. R. 4765, a bill guaranteeing up to 60 days free hospitalization each year to those eligible for social security benefits, including retirees, widows and dependent children.

H. R. 7669, a bill to raise the amount of annual earnings taken into account in computing benefits under the Social Security Act from $4,200 to $6,200. This bill would more adequately cover our social security retirees, raise the maximum benefit for a retired worker from $108.50 per month to around $140 per month. Under this bill widows who now receive a maximum of $81.40 would be entitled to benefits of over $100 a month. Combined family benefit of a retired husband and wife would be increased from $162.80 to around $200 a month.

This bill would not increase social security taxes for workers earning less than $4,200. The maximum increase to the employer and employee will amount to about $3.75 a month but will apply only to workers earning between $4,200 and $6,200 a year.

H. R. 5737, a bill to reduce the retirement age for men to 60 and for women to 55. The purpose of this bill is to permit our citizens to have the opportunity to receive the advantage of a more realistic retirement age where they desire to retire, or where forced to for health reasons, or because of inability to obtain jobs.

H. R. 6948, the humanitarian old-age rights bill, which I cosponsored with a number of other liberal Members of Congress. This bill establishes for the first time clear legislative intent by Congress that public assistance shall be administered promptly and humanely with due regard for preservation of family life. The bill requires that old-age assistance recipients shall receive benefits at the same age as old-age beneficiaries under title 2 of the Social Security Act. It permits earnings of up to $50 a month by aged and handicapped on public assistance instead of the present $30 a month. It also permits parents of needy children, and needy children thmeselves, to earn up to $30 a month to supplement their assistance checks without reduction in aid. This bill will permit recipients of old-age assistance to own a home of assessed value, less all encumbrances, of up to $5,000 free from imposition of lien as well as household furnishings and an insurance or burial policy up to $500. It would eliminate the practice of enforcing collections from relatives of recipients of old-age assistance. This bill also prohibits publishing of names of recipients of old-age assistance in the so-called pauper lists, and provides that the value of United States surplus food made available shall not be deducted from the recipient's aid.

CIVIL RIGHTS

I am proud to say that I was the author of the first bills introduced this session guaranteeing equal rights to all of our citizens. Those bills are:

H. R. 140, a comprehensive civil rights bill aimed at outlawing discrimination in employment, political participation, travel and accommodations; as well as protection of citizens from lynching; and to establish a civil rights division in the Department of Justice for the protection of the rights of all citizens. This included creation of a joint Congressional Committee on Civil Rights, the outlawing of poll tax in the several States, and other things.

H. R. 141, which was purely an anti-poll-tax bill aimed at outlawing the poll tax in the various States as a prerequisite to voting in a Federal election.

H. R. 142, a bill aimed at the creation of a Civil Rights Division in the Department of Justice to protect the rights of all American citizens.

H. R. 143, a statute outlawing lynching and offering Federal protection to all citizens from lynch mobs and lynch law.

H. R. 144, a bill aimed at outlawing discrimination in employment because of race, color, religion, national origin or ancestry. This bill was a vigorous compulsory Federal fair employment practices bill.

Some of the features of these bills are included in the Civil Rights Act passed by this Congress.

HEALTH INSURANCE

I was cosponsor of H. R. 3764, a bill to provide a program of national contributory health insurance. This bill provides for a Federal program of contributory health insurance which is sustained by a contribution from an employer and employee into a fund like the social security trust fund. From this fund each citizen will be entitled to full payment of all hospital bills, doctor bills and medication. Thus for the first time the American people are offered a full and complete guaranty of effectual health protection. No longer would health and adequate medical care be the property only of the well-to-do.

URBAN REDEVELOPMENT

This is one of the most pressing problems facing the city of Detroit. As our people know, the city of Detroit is faced by continued obsolescence both of homes and of factories. Many of our fine residential areas are deteriorating into slums through the passage of time, and once thriving industrial areas are lapsing because of changes in factory requirements and needs. To help this problem I introduced two bills:

H. R. 6551, which would authorize the Federal Government to invest up to $1 billion of the social security trust fund, which today totals approximately $22 billion, in bonds or other obligations issued by local public agencies for urban renewal projects.

H. R. 5302, a comprehensive bill to permit Federal cooperation and funds for redevelopment of idle factory areas of the kind we have in Detroit which once employed thousands and thousands of men. This bill would make available to Detroit Federal funds for redeveloping blighted industrial areas for industrial purposes.

TAXATION

During this session, Mr. Speaker, I introduced and worked for three bills to amend the tax laws of this country:

H. R. 7065, providing for a raise in the exemptions for individuals from $600 to $700.

H. R. 7066, which provided for an increase in exemptions from $600 to $800.

I want to make it very clear that these two bills are aimed at benefiting low-income taxpayers and will offer a family of four, earning in the vicinity of $5,000, a tax reduction of about $120 to about $180 per annum. Under these bills a large number of low-income taxpayers will be removed from the rolls, especially those earning under $2,000 a year.

H. R. 2541, a bill to give all corporations with an income of under $525,000 a year a substantial reduction in taxes and offer corporations with incomes larger than that amount increased taxes at a very slight rate. The purpose of this bill was to give tax relief to small business and afford some help in their battle against the economic giants of this country, with no loss of revenue to the Treasury.

IMMIGRATION

Mr. Speaker, during this session, I introduced two bills on the subject of immigration:

The first was H. R. 4908, an omnibus immigration bill to eliminate the inequities and harsh features of our present immigration law. This bill does away with the national origins quota system and substitutes for it a general quota system, based only on the ability of this country to absorb newcomers. It eliminates the type of second-class citizenship which is given our naturalized citizens under existing law.

H. R. 4909, a bill to grant permanent refuge to escapees who came into the United States under the parole provisions of the immigration law. The purpose of this bill is to permit the Hungarian escapees who have entered the United States to become eligible for permanent residence and ultimate citizenship.

THE RECORD OF THE 85TH CONGRESS, 1ST SESSION

THE BUDGET AND APPROPRIATIONS

The first session of the 85th Congress cut the President's $71.8 billion budget to $66.5 billion.

The House actually voted to cut the President's budget by $6.5 billion. A slightly smaller cut results from the fact that the Senate insisted on higher expenditures for certain items.

I insert a breakdown of fiscal 1958 appropriation bills, and the action taken thereon by the Congress.

Congressional action on appropriation estimates, 85th Cong., 1st sess., Aug. 29, 1957

Appropriation bill	Estimates	Passed by House	Passed by Senate	Conference agreement	Reduction		
					Amount, latest action	Percent House bill	Percent latest action
Bills for 1958:							
Treasury-Post Office	$3, 965, 291, 000	$3, 884, 927, 000	$3, 884, 927, 000	$3, 884, 927, 000	$80, 364, 000	2.0	2.0
Interior	515, 189, 700	454, 395, 700	457, 152, 600	456, 189, 600	59, 000, 100	11.8	11.5
General Government matters	20, 921, 870	16, 021, 370	16, 010, 370	16, 010, 370	4, 911, 500	23.4	23.5
Independent Offices	5, 923, 195, 000	5, 385, 201, 700	5, 378, 594, 800	5, 373, 877, 800	549, 317, 200	9.0	9.3
Labor-Health, Education, and Welfare	2, 981, 277, 581	2, 846, 831, 581	2, 885, 290, 781	2, 871, 182, 781	110, 094, 800	4.5	3.7
District of Columbia (Federal payment)	25, 504, 450	22, 504, 450	23, 004, 450	22, 504, 450	3, 000, 000	11.8	11.8
Commerce	871, 513, 000	653, 685, 060	613, 584, 200	597, 790, 225	273, 722, 775	25.0	31.4
State, Justice, Judiciary	665, 649, 802	563, 799, 793	563, 085, 293	562, 891, 293	102, 758, 509	15.3	15.4
Agriculture	3, 965, 446, 617	3, 692, 889, 757	3, 668, 972, 157	3, 666, 543, 757	298, 902, 860	6.9	7.5
Legislative	108, 271, 443	78, 370, 285	104, 844, 660	104, 844, 660	3, 426, 783	2.8	3.2
Defense	36, 128, 000, 000	33, 562, 725, 000	34, 534, 229, 000	33, 759, 850, 000	2, 368, 150, 000	7.1	6.6
Public works	876, 453, 000	814, 813, 023	884, 151, 323	858, 094, 323	18, 358, 677	7.0	2.1
Supplemental (Post Office)	149, 500, 000	133, 000, 000	133, 000, 000	133, 000, 000	16, 500, 000	11.0	11.0
Supplemental, 1958	1, 973, 767, 827	1, 581, 590, 587	1, 824, 001, 547	1, 734, 011, 947	239, 755, 880	15.0	12.1
Mutual security	3, 386, 860, 000	2, 524, 760, 000	3, 025, 660, 000	2, 768, 760, 000	618, 100, 000	25.4	18.2
Atomic energy	2, 491, 625, 000	2, 299, 718, 500	2, 323, 632, 500	2, 323, 632, 500	167, 992, 500	7.7	6.7
(A) Cumulative total:							
House	63, 907, 854, 615	58, 515, 233, 806			5, 392, 620, 809	8.4	8.4
Senate	64, 048, 466, 290		60, 320, 140, 771		3, 728, 325, 519		5.8
Conference	64, 048, 466, 290			59, 134, 110, 706	4, 914, 355, 584		7.7
2. Supplemental and deficiency, 1957: Total	589, 644, 320	463, 920, 788	512, 293, 045	455, 620, 925	134, 023, 395	20.9	22.7
3. Cumulative total for session:							
House	64, 494, 927, 778	58, 979, 154, 594			5, 515, 773, 184	8.6	8.6
Senate	64, 638, 110, 610		60, 832, 433, 816		3, 805, 676, 794		5.9
Conference	64, 638, 110, 610			59, 589, 731, 631	5, 048, 378, 979		7.8

According to an earlier edition of the Congressional Quarterly I voted for economy only 13 percent of the time, but in that 13 percent of the time I voted to cut some $6.5 billion in nonessential items, almost the exact amount cut from the budget by the House of Representatives.

Yet I voted for the full amount of the social-security appropriation; the full amount of the Federal contribution for pollution abatement; the full amount of Federal grants to the States for schools, school lunches, old-age assistance, aid to dependent children; Federal research into cancer, heart disease, and mental illness; and Federal highway construction. I voted for the full amount requested for the Food and Drug Administration to protect the purity of this country's food and drugs, and other essential humanitarian and social programs.

I voted to pare $1.1 billion from the administration's request for $4.4 billion for foreign aid, which has been carelessly administered for the past several years. Waste has been so flagrant as to have been commented on on a number of occasions by House and Senate committees which investigated the program. The amount appropriated is in excess of the amount that the administration can justify. Today $5.5 billion is in the pipeline awaiting expenditure, and the $3.3 billion authorized by Congress gives a total of $8.8 billion available for expenditure. At present rates of expenditure that is enough for about 3 years.

In like manner I voted for reduction in the President's request for defense funds.

The Congressional committee which studied this matter said categorically after long hearings that the amount authorized was adequate for the needs of a sufficient defense for this country.

The President received as much as he was able to spend last year, and more than the amount the administration intends to spend this year.

THE SCHOOL BILL

I voted for the Federal School Construction Act this year, by voting against a motion to kill the enacting clause. The vote on that particular motion was very close, 208 to 203. It broke down into 97 Democrats and 111 Republicans voting to kill the bill and 126 Democrats and 77 Republicans voting against killing the bill. Thus a majority of Democrats voted to save the bill, and a majority of Republicans voted to kill the bill.

It is particularly interesting to note that at the time the bill was killed the Republican assistant minority leader and other prominent leaders on the Republican side were urging that the bill be killed and announcing that they intended to vote against it. The only substantial Republican leader who voted against killing the bill was the minority leader himself. It is also interesting to note that he made no significant effort to save the bill. It is equally important that the people be aware that at the time this bill was killed by Republican Members of the House, a maneuver was on to accept the few precise changes in the bill which the President wanted so as to enact a school bill now.

VETERANS

The House refused to raise interest on Veterans' Administration's direct and guaranteed home loans from 4½ to 5 percent, thus preserving low interest rates for veterans.

This Congress enacted a bill to extend the direct loan and guaranteed loan program for World War II veterans housing to July 25, 1959, and to raise the direct loan maximum from $10,000 to $13,500. Congress also passed H. R. 52, to authorize an increase in pensions for veterans with service-connected disability by approximately 10 percent and included higher increases for completely disabled veterans.

CIVIL RIGHTS

I was one of the backers and sponsors of the first civil-rights bill, H. R. 6127, enacted in over 80 years. This is a good bill, and is a long step toward full equality for all our people. It guarantees the right of all citizens to vote and sets up strong Federal injunctive procedures to protect that right. It creates a Civil Rights Division within the Office of the Attorney General headed by an Assistant Attorney General, charged with enforcement of this and several other existing civil-rights statutes. The bill creates a Commission on Civil Rights empowered to look into civil-rights problems.

THE JURY-TRIAL AMENDMENT

Since there is much confusion over the jury trial amendment, I want to explain what was done on that matter.

Two weakening changes were made in the Senate after we in the House had beaten off all attempts to weaken the bill. The first was striking of section III, which in effect narrowed the bill to a right-to-vote bill.

The second was the so-called jury-trial amendment. Opponents of the bill effectively spread the idea that they were protecting the right to jury trial by that amendment. However, it is long settled law that there is no right to jury trial in cases where civil or criminal contempt is the issue; that is, failure to obey lawful order of a court.

A successful compromise was effected very narrowly limiting the jury-trial amendment and guaranteeing the effectiveness of the courts to enforce the bill. The compromise made a new trial by jury available only in contempt cases when the sentence was more than $300 or 45 days imprisonment. There is no jury trial available in civil contempt proceedings at all.

THE GAS GOUGE BILL

During this session of Congress a bill to exempt gas producers from regulation was introduced and was finally reported by the House Interstate and Foreign Commerce Committee. This bill would guarantee $1 billion a year windfall to all producers of natural gas and to the pipelines who own their own reserves, and would mean a big rise in consumer prices for natural gas. I was among those who fought this bill in committee and before the House Rules Committee. We were able to slow the progress of the bill to such a point that its sponsors deemed it unwise to bring it before the Congress for final vote and passage. As said by Drew Pearson in his column of August 16, 1957:

> The reason for this (defeat of the gas bill) was the effort of some young, vigorous Congressmen, led by MACDONALD, of Boston; JOHN DINGELL, of Detroit; * * * all Democrats, all first- or second-term Congressmen.

PROTECTION OF THE FBI FILES

I voted for the legislation enacted which would protect FBI files from indiscriminate prying by defendants, yet which would offer to any person accused of crime adequate opportunity to secure sufficient entry into pertinent, relevant documents in the possession of the Government, including the FBI, to adequately prepare for his own defense and to cross-examine witnesses.

IMMIGRATION

I also voted in favor of the compromise immigration bill, S. 2792, which passed both the House and Senate. This bill, although substantially less than was embodied in my own immigration bill, was, nevertheless, a good bill. It permits reissuance of 18,656 visas for refugees, and provides for relief for certain classes of child immigrants, tuberculars, and certain classes of wives and dependents presently excludable.

PAY RAISE FOR FEDERAL EMPLOYEES

Postal and classified Federal employees are shamefully underpaid. In order to help these people secure a fair and decent living standard I voted for H. R. 2474, a bill to give a $546 annual increase for each of the 500,000 postal workers, effective September 1, 1957. I also voted for H. R. 2462 to provide an 11-percent increase for Federal white-collar workers. It has been announced that the President will veto both of these bills. In that event I will not only vote for such bills again but will introduce them on the opening day of next year's Congress.

POSTAL RATE INCREASE

I voted against the administration's postal rate increase bill because it continued the several hundred million dollar yearly subsidy to magazines, newspapers, and periodicals at the expense of the individual users of first class and air mail. These last two classes of mail would be raised by up to 33 percent while now paying a profit. Other classes of mail which are losing money would be raised far less than the amount of the present loss to the taxpayer.

I have attempted to follow a good, constructive, liberal program for the benefit of all of the people of my district and of the country. I intend to continue this record as long as my people have me serve them.

Budget Estimates and Appropriations, 85th Congress, 1st Session

EXTENSION OF REMARKS

OF

HON. CLARENCE CANNON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. CANNON. Mr. Speaker, under leave to extend, I include herewith certain tabulations summarizing the work of the 1st session of the 85th Congress on appropriation bills. Comparisons are made with the budget estimates submitted by the President. Numerous pertinent related facts and tabulations are included.

The first tabulation is in the usual stereotyped form by bills, segregated as between deficiencies and supplementals for fiscal year 1957 and the bills for fiscal year 1958. Permanent appropriations—those which recur automatically under substantive law without annual action—are included for purpose of showing a more complete picture; they are, perforce, on an estimated basis at this time.

These summaries are necessarily confined to appropriation bills over which the Committee on Appropriations has original jurisdiction. The President recommended numerous authorities to take money out of the Treasury by means other than direct appropriation. Some legislation has ensued as a result. Other budgetary provisions contingent on passage of legislation recommended but failing of enactment, or differing from the President's budget, will affect final overall budgetary results, definitive tabulation of which is not presently available.

For example, Congress again exceeded the President's request for obligating authority for the housing program—to the extent of about $1.1 billion. This is the principal instance, dollarwise, where this was done. On the other hand, final tabulations will show that Congress reduced the 1958 budget through failure to enact legislation for which contingent provision was made in the budget. Principal examples are the $451 million obligational authority included for the school-construction program which failed of enactment and $477 million cut from the foreign-aid authorization request. Preliminary figures indicate that total new obligating authority written into law for fiscal year 1958, including direct appropriations in the following summary, will be somewhat more than $5 billion below the $73.3 billion recommended in the January budget submission.

The executive branch and the Congress in recent years have tended toward lodging more and more budgetary determinations outside the traditional annual appropriation bill procedure. Substantial amounts of the budget are passed upon or set in legislative bills. Various devices to get money out of the Treasury through the side door and the back door rather than the front door have gained in popularity. Action on these matters is often diffused. They all ought to go through one procedure, one system, under one set of rules, so that the Congress and the country can clearly see the whole picture at any given time or point. Present practices tend to undermine and impair effective determinations on the budget each year.

Comparison of budget estimates and appropriations, 85th Cong., 1st sess.

Department or establishment	Estimates considered by House	Reported to House	Passed House	Estimates considered by Senate	Reported to Senate	Passed Senate	Public Law	Increase (+) or decrease (−), appropriation compared with estimates
I. Fiscal year 1958 acts:								
Department of Agriculture and Farm Credit Administration	$3,965,446,617	$3,692,889,757	$3,692,889,757	$3,965,446,617	$3,668,732,157	$3,668,972,157	$3,666,543,757	−$298,902,860
Department of Commerce and related agencies:								
Department of Commerce	803,790,000	591,387,060	591,387,060	803,790,000	551,890,690	551,890,690	536,607,225	−267,182,775
Panama Canal	17,648,000	16,648,600	16,648,600	17,648,000	16,790,600	16,790,600	16,765,600	−882,400
Independent agencies	50,075,000	45,649,400	45,649,400	50,075,000	44,903,000	44,903,000	44,417,400	−5,657,600
Total	871,513,000	653,685,060	653,685,060	871,513,000	613,584,290	613,584,290	597,790,225	−273,722,775
Department of Defense:								
Office of the Secretary of Defense	17,175,000	16,350,000	16,350,000	17,175,000	16,350,000	16,350,000	16,350,000	−825,000
Interservice activities	687,825,000	682,375,000	682,375,000	687,825,000	682,375,000	682,375,000	682,375,000	−5,450,000
Department of the Army	8,465,000,000	7,239,425,000	7,239,425,000	8,465,000,000	7,397,156,000	7,397,156,000	7,264,550,000	−1,200,450,000
Department of the Navy	10,487,000,000	9,801,355,000	9,801,355,000	10,487,000,000	10,054,255,000	10,054,255,000	9,866,355,000	−620,645,000
Department of the Air Force	16,471,000,000	15,801,720,000	15,823,220,000	16,471,000,000	16,384,093,000	16,384,093,000	15,930,220,000	−540,780,000
Total	36,128,000,000	33,541,225,000	33,562,725,000	36,128,000,000	34,534,229,000	34,534,229,000	33,759,850,000	−2,368,150,000
District of Columbia	(207,249,900)	(192,530,300)	(192,530,300)	(209,504,800)	(197,582,720)	(196,636,850)	(195,676,480)	(−13,828,320)
Federal payment	25,504,450	22,504,450	22,504,450	25,504,450	23,004,450	23,004,450	22,504,450	−3,000,000
General government matters	20,921,870	16,021,370	16,021,370	20,921,870	16,010,370	16,010,370	16,010,370	−4,911,500
Independent offices	5,923,195,000	5,406,201,700	5,385,201,700	5,923,195,000	5,378,224,800	5,378,594,800	5,373,877,800	−549,317,200
Department of the Interior and related agencies:								
Department of the Interior	373,460,000	321,582,000	321,582,000	373,460,000	323,378,900	323,778,900	326,015,900	−47,444,100
Forest Service	126,186,000	118,456,000	118,456,000	126,186,000	118,716,000	119,216,000	119,216,000	−6,970,000
Related agencies	15,543,700	14,357,700	14,357,700	15,543,700	14,157,700	14,157,700	10,957,700	−4,586,000
Total	515,189,700	454,395,700	454,395,700	515,189,700	456,252,600	457,152,600	456,189,600	−59,000,100
Departments of Labor, and Health, Education, and Welfare:								
Department of Labor	384,678,000	364,366,300	349,060,200	384,678,000	354,348,600	354,348,600	353,817,600	−30,860,400
Department of Health, Education, and Welfare	2,582,114,581	2,483,836,581	2,483,536,581	2,582,114,581	2,516,707,381	2,516,707,381	2,503,130,381	−78,984,200
Related agencies	14,485,000	14,300,000	14,234,800	14,485,000	14,234,800	14,234,800	14,234,800	−250,200
Total	2,981,277,581	2,862,502,881	2,846,831,581	2,981,277,581	2,885,290,781	2,885,290,781	2,871,182,781	−110,094,800
Legislative branch	80,678,628	78,470,285	78,370,285	108,271,443	104,844,660	104,844,660	104,844,660	−3,426,783
Mutual security	3,386,860,000	2,524,760,000	2,524,760,000	3,386,860,000	3,025,660,000	3,025,660,000	2,768,760,000	−618,100,000
Public works:								
Department of the Interior:								
Power administrations	38,236,000	32,928,000	32,928,000	38,236,000	35,087,000	35,087,000	35,087,000	−3,149,000
Bureau of Reclamation	199,312,000	174,688,223	174,688,223	199,312,000	183,624,223	183,624,223	179,974,223	−19,337,777
Civil functions, Army	638,905,000	607,196,800	607,196,800	638,905,000	665,440,100	665,440,100	643,033,100	+4,128,100
Total	876,453,000	814,813,023	814,813,023	876,453,000	884,151,323	884,151,323	858,094,323	−18,358,677
Departments of State and Justice, the Judiciary, and related agencies:								
Department of State	227,714,552	180,382,743	180,382,743	227,714,552	193,478,243	193,478,243	189,024,243	−38,690,309
Department of Justice	234,655,000	227,855,000	227,855,000	234,580,000	226,380,000	226,380,000	226,705,000	−7,875,000
The Judiciary	40,780,250	38,562,050	38,562,050	40,855,250	38,637,050	38,637,050	38,562,050	−2,293,200
United States Information Agency	144,000,000	106,100,000	106,100,000	144,000,000	90,200,000	90,200,000	96,200,000	−47,800,000
Funds appropriated to the President	18,500,000	10,900,000	10,900,000	18,500,000	14,390,000	14,390,000	12,400,000	−6,100,000
Total	665,649,802	563,799,793	563,799,793	665,649,802	563,085,293	563,085,293	562,891,293	−102,758,509
Treasury-Post Office:								
Treasury Department	713,831,000	691,467,000	691,467,000	713,831,000	691,467,000	691,467,000	691,467,000	−22,364,000
Post Office Department	3,250,000,000	3,192,000,000	3,192,000,000	3,250,000,000	3,192,000,000	3,192,000,000	3,192,000,000	−58,000,000
Tax Court of the United States	1,460,000	1,460,000	1,460,000	1,460,000	1,460,000	1,460,000	1,460,000	--------------
Total	3,965,291,000	3,884,927,000	3,884,927,000	3,965,291,000	3,884,927,000	3,884,927,000	3,884,927,000	−80,364,000
Post Office supplemental, 1958	149,500,000	133,000,000	133,000,000	149,500,000	133,000,000	133,000,000	133,000,000	−16,500,000
The supplemental, 1958	1,860,748,967	1,581,590,587	1,581,590,587	1,973,767,827	1,820,351,547	1,824,001,547	1,734,011,947	−239,755,880
Atomic Energy Commission, 1958	2,491,625,000	2,269,718,500	2,299,718,500	2,491,625,000	2,323,632,500	2,323,632,500	2,323,632,500	−167,992,500
Subtotal, fiscal year 1958	63,907,854,615	58,500,505,106	58,515,233,806	64,048,466,290	60,314,980,771	60,320,140,771	59,134,110,706	−4,914,355,584

Comparison of budget estimates and appropriations, 85th Cong., 1st sess.—Continued

Department or establishment	Estimates considered by House	Reported to House	Passed House	Estimates considered by Senate	Reported to Senate	Passed Senate	Public Law	Increase (+) or decrease (−), appropriation compared with estimates
II. Deficiency and supplemental acts, fiscal year 1957:								
2d urgent deficiency, 1957	55,100,000	48,990,000	48,990,000	55,945,000	49,861,000	49,861,000	49,861,000	−6,084,000
Additional appropriations, 1957	327,000,000	320,090,000	320,090,000	327,000,000	320,090,000	320,090,000	320,090,000	−6,910,000
3d supplemental, 1957	[1] 204,973,163	[1] 94,840,788	[1] 94,840,788	[1] 206,699,320	142,342,045	142,342,045	85,669,925	−121,029,395
Subtotal, fiscal year 1957 and prior years	[1] 587,073,163	[1] 463,920,788	[1] 463,920,788	[1] 589,644,320	512,293,045	512,293,045	455,620,925	−134,023,395
III. Grand total, session	64,494,927,778	58,964,425,894	58,979,154,594	64,638,110,610	60,827,273,816	60,832,433,816	59,589,731,631	−5,048,378,979
Permanent appropriations, estimate							7,852,813,730	
Grand total, regular annual, supplemental, deficiency and permanent							67,442,545,361	

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[1] Totals include budget estimates originally considered by the House and/or Senate in the urgent deficiency appropriation bill and H. J. Res. 310 which were not enacted.

Summary of Congressional action on "appropriation" estimates, 85th Cong., 1st sess.

Appropriation bill	Estimates	Passed by House	Passed by Senate	Conference agreement	Reduction		
					Amount, latest action	Percent, House bill	Percent, latest action
1. Bills for 1958:							
Treasury-Post Office	$3,965,921,000	$3,884,927,000	$3,884,927,000	$3,884,927,000	$80,364,000	2.0	2.0
Interior	515,189,700	454,395,700	457,152,600	456,189,600	59,000,100	11.8	11.5
General Government matters	20,921,870	16,021,370	16,010,370	16,010,370	4,911,500	23.4	23.5
Independent offices	5,923,195,000	5,385,201,700	5,378,594,800	5,373,877,800	549,317,200	9.0	9.3
Labor-HEW	2,981,277,581	2,846,831,581	2,885,290,781	2,871,182,781	110,094,800	4.5	3.7
District of Columbia (Federal payment)	25,501,450	22,504,450	23,004,450	22,504,450	3,000,000	11.8	11.8
Commerce	871,513,000	653,685,900	613,584,290	597,790,225	273,722,775	25.0	31.4
State, Justice, Judiciary	665,649,802	563,799,793	563,085,293	562,891,293	102,758,509	15.3	15.4
Agriculture	3,965,446,617	3,692,889,757	3,668,972,157	3,666,543,757	298,902,860	6.9	7.5
Legislative	108,271,443	78,370,285	104,844,660	104,844,660	3,426,783	2.8	3.2
Defense	36,128,000,000	33,562,725,000	34,534,220,000	33,759,850,000	2,368,150,000	7.1	6.6
Public Works	876,453,000	814,813,023	884,451,323	858,094,323	18,358,677	7.0	2.1
Supplemental (Post Office)	119,500,000	133,000,000	133,000,000	133,000,000	16,500,000	11.0	11.0
Supplemental, 1958	1,973,767,827	1,581,590,587	1,824,001,547	1,734,011,947	239,755,880	15.0	12.1
Mutual Security	3,386,860,000	2,524,760,000	3,025,660,000	2,768,760,000	618,100,000	25.4	18.2
Atomic Energy	2,491,625,000	2,299,718,500	2,323,632,500	2,323,632,500	167,992,500	7.7	6.7
(A) Cumulative totals:							
House	63,907,854,615	58,515,233,806			5,392,620,809	8.4	8.4
Senate	64,048,466,290		60,320,140,771		3,728,325,519		5.8
Conference	64,048,466,290			59,134,110,706	4,914,355,584		7.7
2. Supplemental and deficiency, 1957:							
Total	589,644,320	463,920,788	512,293,045	455,620,925	134,023,395	20.9	22.7
3. Cumulative totals for session:							
House	64,494,927,778	58,979,154,594			5,515,773,184	8.6	8.6
Senate	64,638,110,610		60,832,433,816		3,805,676,794		5.9
Conference	64,638,110,610			59,589,731,631	5,048,378,979		7.8

APPROPRIATIONS SUMMARY FOR THE SESSION

Budget estimates of appropriations submitted to the House during the session just concluded totaled $64,494,927,778. Against these requests, the Committee on Appropriations recommended $58,964,425,894, a net cut of $5,530,501,884. The House approved a total of $58,979,154,594, a cut of $5,515,773,184, or about 8.6 percent.

Budget estimates considered by the Senate aggregate $64,638,110,610, and bills passed by that body total $60,832,433,816, a reduction of $3,805,676,794, or 5.9 percent.

Final appropriations approved amount to $59,589,731,631, a reduction of $5,048,378,979, or 7.8 percent below budget estimates submitted by the President. As noted, this does not take into account actions outside the appropriations process with respect to 1953 budget recommendations.

These summaries attest to the determination of the House and the Congress to follow with action the declaration of the House on March 12 in resolution 190 that the public interest required "substantial reductions" in the President's recordbreaking 1958 budget. That budget has been substantially reduced. We have delivered on our promise. It should have been reduced even further. And as I shall shortly demonstrate, it has been reduced under the most extraordinary and anomalous cicumstances in memory. The executive branch first repudiated the budget and openly invited Congress to cut it, then failed to point out where it could be effectively reduced. Furthermore, it fought practically every cut made, then turned around and issued a general order to withhold use of substantial sums after they were appropriated.

THE BUDGET FOR 1958—GENERAL SUMMARY

Mr. Speaker, the story of the 1958 budget is in several respects one of the most remarkable within memory. It would consume pages and take hours to recount the details. I shall confine my remarks to a general summary of the budget and subsequent events.

The President submitted his budget for fiscal year 1958 on January 16. Measured in terms of both authority to obligate the Treasury, and proposed expenditures, it is the largest budget ever submitted in time of peace.

It proposed to initiate numerous new programs and to expand and extend others.

It called for spending $71.8 billion—$73.6 billion including the highway trust fund formerly carried in budget totals.

It called for enactment of $73.3 billion in appropriations and other authority to obligate—$76.4 billion including the highway item.

It proposed the highest tax take ever submitted in time of war or peace.

It specifically recommended another extension of Korean wartime tax rates—though the war ended 4 years ago. Otherwise, it would have proposed a deficit instead of a small surplus.

It proposed a public debt $3.1 billion higher after 5 years of the present administration.

It proposed a cumulative 5-year budget deficit of $1.4 billion counting the highway trust fund and $2.2 billion without it.

It proposed a 45-percent increase in nondefense spending over fiscal year 1954—the first full fiscal year of the present administration.

It proposed total spending on a comparable basis within 1 percent of fiscal year 1953, which was a war year—the last fiscal year of the previous administration.

Rather than reducing expenditures, it proposed to continue the unbroken chain of increased spending for the third straight year in time of peace.

Another measurement is to note that it omitted, for the first time in 4 years, pointed comparisons with spending in 1953 and President Truman's last budget, that for 1954. The reason seems obvious: the 1958 budget recommends authority to obligate $4.6 billion more than did the 1954 budget. Suggested 1958 peacetime spending was only 1 percent less than 1953 wartime spending. The budget for 1958 is so excessive that such unfair and unfavorable comparisons are no longer expedient.

The January budget for 1958 called for spending about $3 billion above 1957; between five and six billion dollars more than 1956; and between seven and eight billion dollars more than the year before that.

Finally, in terms of authority to obligate the Treasury—and this is the crux, because an obligation has to be paid—the January budget for 1958 called for $3.2 billion more than 1957; and $13.2 billion more than 1956.

REACTION TO THE BUDGET

Mr. Speaker, this is what the President submitted to us in the same message in which he expressed his "firm belief that tax rates are still too high" but so utterly failed to reduce spending that he was forced to urge another extension of Korean wartime tax rates in order to show a small budget surplus.

This is the message which advises that the Federal budget must contribute to stability of living costs and preservation of the purchasing power of the dollar, but simultaneously proposes higher spending which aggravates and feeds the fires of inflation and further reduces the buying power of the dollar.

This is the record peacetime budget submitted in time of record national income and it misses by billions—$12 billion to be exact—the President's promise in the fall of 1952 of a $60 billion budget. What is more serious, it proposes a steady trend upward, not downward.

Reaction to this excessive and burdensome budget was swift, widespread, and violent. Never has there been such severe condemnation, such deprecation of an Executive budget, by the press and the people generally. Both sides of the aisle repeatedly sounded a serious note of alarm at the size and direction of the President's budget. Taxpayers the length and breath of the land sounded a sustained crescendo of criticism, demanding that Congress cut the budget and reduce spending.

More significantly, we witnessed the unprecedented repudiation of the budget by the President and the key members of his official family who were its chief architects. On the same day it was submitted, Treasury Secretary Humphrey, conceded by all to have the ear of the President on fiscal matters, said in a lengthy statement to the press:

> The cost of living has recently moved up somewhat in spite of monetary measures to restrain it. Governmental expenditures and the number of Government employees are now increasing. This trend should promptly be stopped.

The President approved this statement. He concurred in it. In fact, he cleared the statement before the Secretary gave it out. But he failed to reflect it in his budget as the law clearly requires. The law, written in 1921, specifically instructs the President to send up a budget every year and to include in it such requests for appropriations and spending as are necessary "in his judgment" to run the Government. He has complete freedom to make such recommendations—and only such recommendations—as are in his judgment necessary. He is not directed to include new programs or expand existing programs. He could promptly have stopped this upward trend in his budget recommendations. But he did not. He asked for more than last year, more than any other year in peacetime history. And his recommendations clearly pointed to even higher spending in the future in that he asked for increased authority to commit the Treasury.

Everyone immediately realized the President and his chief fiscal officials had repudiated the 1958 budget. Apparently it did not represent, as the law states, what was necessary "in his judgment." It obviously represented something in excess of that.

Secretary Humphrey went further in his statement:

> I think there are a lot of places in this budget that can be cut.
>
> * * * * *
>
> I think there is some hope you can reduce expenditures all along the line. I would certainly deplore the day that we thought we couldn't ever reduce expenditures of this terrific amount, the terrific tax take we are taking out of this country. If we don't over a long period of time, I will predict that you will have a depression that will curl your hair, because we are just taking too much money out of this economy that we need to make the jobs that you have to have as time goes on.

Coming from one so intimately in touch with the compilation of the budget and so close to the President, these are frank and startling statements. The Secretary especially deplored the ever-increasing trend of higher and higher budgets, more and more spending, repeated extension of near-record tax rates. He insisted that tax cuts were necessary, but should be considered only if the trend of spending was downward, not upward. But the trend is steadily upward, not downward, as I shall demonstrate. The Director of the Budget said he was "fearful" that spending in future years might go even higher. The record of the past 2 years corroborate his fears.

The President originally estimated fiscal 1956 spending at $62.4 billion but wound up spending $66.5 billion—$4.1 billion more. His original fiscal 1957 budget indicated spending of $65.9 billion but the year closed this past June 30 with actual spending of $69.4 billion without the highway trust fund item and $70.3 billion with it—over-runs of $3.5 billion or $4.4 billion, depending on how you want to figure it. In light of these facts—and every figure is documented—and events of the past 6 months, the budget as submitted is undoubtedly bigger than otherwise apparent from official totals.

REVIEW OF THE BUDGET

Alarmed by the 1958 record-breaking budget, its repudiation by the executive branch, and especially since it was apparent the budget did not comply either with the spirit or the letter of the law under which submitted, the Committee on Appropriations immediately invited the Secretary of the Treasury and the Budget Director to come up and discuss the budget with us. We took it for granted they would throw some light on the situation and offer information of assistance in processing the budget and the appropriation bills. We tried for 2 days, but received no concrete suggestions. They repeatedly expressed the hope—a fond hope, I would say—that Congress would make substantial cuts, but they refused to point out where we could cut a single dollar. They further advised that they were planning a concerted effort within the executive branch to cut both 1957 and 1958 spending, but they steadfastly refused to revise the budget pending before us. They proposed to revise it without telling Congress how and where. The Budget Director said:

> I would like to see you cut, but, frankly, I do not quite see where you can do it, either.

He could not see how we could cut the budget, but he already had undertaken to see that the executive branch cut it.

The outcry against the President's budget continued unabated. We were importuned from all sides to reduce it substantially. The Republican conference of the House, representing the entire Republican membership, significantly adopted a formal resolution calling for a "substantial" reduction in the budget of their administration. Rebellion was rampant.

Then came another volley of statements from high officials in the administration, going simultaneously in both directions. In some respects, the mystery of the budget was deepened, but the pronouncements also indicated belated administration recognition of the budget rebellion. Still no assistance in cutting was forthcoming. The departments defended every dollar of the budget in the official committee hearings. They could not—or would not—tell us where they could get along on less money.

On March 6 Secretary Humphrey had this to say:

> It is the size of this budget, even though balanced, that concerns us.

Who is "us," Mr. Speaker? Obviously, this includes the President. The Secretary, therefore, tells us that the President is concerned about the size of his budget—yet he made it big; he made it excessive. With wide discretion and power in his own hands, he could have made it smaller. But he did not.

Echoing his superior, Treasury Under Secretary Burgess on March 11 said:

> But, after all explanations, the budget is still too big for the future best good of the citizens of this country.

Also, on March 11 the Assistant Budget Director and the President's Special Economic Assistant made speeches of similar import. All these statements were critical of the size of the President's budget.

Then in a rather abrupt about-face, statements from the executive branch made it appear that this high budget was the sole doing of the Congress. In a widely publicized speech of March 6, Secretary Humphrey undertook to explain the division of responsibility for making the budget and for approving the budget. He quoted the law but failed to explain its meaning. As I indicated a little while ago, the law directs the President to request only those amounts which are "necessary in his judgment"—his judgment, not the judgment of Congress or anyone else. Speaking of various programs, the Secretary said:

> In these programs, after Congress passes the laws, the Executive has little opportunity to exercise any discretion, but merely administers the program and writes and distributes the checks which the various laws direct.

The import of this statement is that the President is confined to a routine, mechanical, ministerial role. Nothing could be further from the truth. The job of making the budget is his job. And he has a constitutional role in enactment of the laws. He is directed to confine his recommendations to what is "necessary in his judgment." The Congress did not compel him to budget for numerous and costly new programs. He did so voluntarily. He is the special pleader for them. And some of them are for purely local responsibilities, yet he has often urged that the Government should avoid assuming purely local burdens.

And the Secretary signally failed to point out that these laws are submitted for Presidential approval. If he approves, he signs them; if not, he vetoes them. When he signs a bill calling for expenditure of funds, he signifies approbation. He embraces it. And he has the duty not to provide for them in his budget if "in his judgment" he so determines.

So, Mr. Speaker, let no one be misled as to whose budget it is, although I must confess to some difficulty in determining just what budget the President recommended for 1958. That has never been clear.

HOUSE RESOLUTION 190

It was with view to securing some clarification on the firmness of the budget requests that on March 12 the House, faced with the highest budget in peacetime history and uncertain as to the President's support of it, took the unprecedented action of formally soliciting his advice as to how and where he thought substantial reductions could best be made. We were anxious to have all possible up-to-date information available. We needed to have the President tell us whether we had the right budget before us or if changing conditions warranted alterations. The departments were telling us we had the right budget—they were defending every dollar. But they did not seem to be in step with those who drew up the budget.

The Budget Director had said a resurvey was under way by order of the President.

The confusion got worse before it got better. Several agency heads announced through the press that their budgets could be revised. On March 15 the Housing Administrator announced a $200 million reduction in his 1958 budget. The Secretary of Commerce publicly stated that he knew where $50 million could be taken from his budget, but he failed to specify when the Committee on Appropriations asked him to cite line and page number. He indicated he had in mind projects approved by Congress last year which he had not requested—but I do not recall his pointing out that the President had approved the laws containing the projects.

Then on March 26 the President vigorously defended his budget, saying it had been drawn "carefully, intelligently." He took full responsibility for it. He said it was "futile" to talk about cutting the budget "severely."

RESPONSE TO HOUSE RESOLUTION 190

The President responded on April 18 to the request of the House for advice as to where and how the President thought his budget could best be substantially reduced. It was a disappointing message since it offered no suggestions for appreciable budget reductions of a durable character.

Referring to his $71.8 billion spending budget, he flatly told us that no substantial reduction could be made—that to do so, in his words, would "weaken the Nation's defenses, or cut back or eliminate programs now required by law or proposed in the public interest, or both. That forces the conclusion that a multibillion-dollar reduction in 1958 expenditures can be accomplished only at the expense of the national safety and interest."

In other words, Mr. Speaker, the President in effect told us precisely what he told us when he submitted his budget in January. In sum and substance, he advised that the $71.8 billion spending estimate was in the public interest for one reason or the other, or both. That was repetitious—the House was looking for information and clarification.

As to his $73.3 billion obligational budget, involving thousands of budget items, the President suggested reductions in only 7 instances totaling $1.342 billion. They had told us earlier they were resurveying the whole budget, yet only 7 out of thousands of items were included. But there was a qualification. Much of this $1.342 billion was labeled "postponement," "delay," and "adjustment"—not genuine, lasting retrenchment. In fact, after offering the list, the President made this flat and amazing admission:

> Once again I remind the House that less than half of this reduction (this $1.342 billion) in new spending authority can be reflected in reductions in expenditures during the next fiscal year, and even a part of these expenditure reductions will have to be restored in the future.

It is truly a remarkable circumstance that the President would first submit this list—even though it only had 7 items on it—and then immediately discredit its validity by admitting it would have no real effect and that if adopted much of it would have to be restored. The House had every reason to expect more helpful information.

The President concluded his message with this promise:

> All elements of the budget, meanwhile, will remain under searching examination by the executive branch in its continuing effort to find additional savings, large or small, that are possible under existing law. Any additional reductions found possible in new spending authority will be promptly reported in the usual way to the Senate and House of Representatives.

Here the House was given an unequivocal promise that it would be advised promptly of any additional reductions found possible. The entire 1958 budget was still pending in Congress—not a single regular 1958 appropriation bill had then been sent to the President.

The Congress meanwhile continued to process the appropriation bills with the departments defending every dollar. But we made substantial reductions nonetheless. As noted, we have cut the budget estimates of appropriations by the substantial sum of $5,048,378,979. We should have cut deeper.

HOLDING AT OR BELOW THE 1957 RATE

Except for one or two items necessarily resubmitted, based on revised authorization legislation, we heard nothing further from the President as to additional reductions he had found possible in his 1958 budget. He had promised to promptly advise the Congress if and when he did. He had determined on additional cuts but we were not advised. The press obtained and published on July 12 a secret letter issued by the Budget Director in the last days of June to all agencies conveying the President's order to take "positive action" to "keep the rates of commitments, obligations, and expenditures for fiscal year 1958 at or below the level for the fiscal year 1957, to the extent feasible."

By way of emphasis, the order further provided:

> In most cases direct obligations should not rise above the level for the fiscal year 1957.

After listing some allowable exceptions, it went on:

> In the case of those appropriations that are for major capital outlay and development—construction, procurement, research, etc.—the requests for apportionment and the allotments should reflect the postponement of a significant part of the obligations planned in the budget for 1958.

> For all appropriations, however, there should be a critical analysis of all activities, and advantage should be taken of every possibility for reductions; apportionments in all cases should be consistent with "allowable" sums being used in planning the 1959 budget. The sums available in excess of minimum needs will be placed in reserves for contingencies.

We had been told throughout the session that every dollar requested was necessary—that all items had been "critically analyzed" before submission. The President had ordered one resurvey back in January and out of the thousands of budget items, he advised on April 18 of only 7 items we could cut—and as noted earlier—much of this was not of lasting quality. Then, in a secret order, he suddenly directed another resurvey after Congress had adopted several bills and was in the final stages of consideration on the others involving some $44 billion of his total budget. Why did he not hold the 1958 budget to the 1957 level when he sent it up in January? We have insisted all session long that he should have done that. Why did he not advise us, as promised, of this new order when we still had $44 billion of his budget under consideration? Why did they keep insisting on the 1958 budget when they had decided on a policy of cutting back to the 1957 level? Why was not Congress advised that it had obsolete information before it—that the policy had changed?

I am glad the administration is finally evidencing some concern. Spending has been running at such an unbridled rate that unless some effective action is taken we are headed farther down the road to full-blown inflation and possible financial disaster. But if we had been supplied with a budget at the 1957 level, instead of this recordbreaking 1958 budget, we could have made even deeper retrenchment with hope of hastening both tax relief and respectable payment on our staggering national debt.

The Committee on Appropriations promptly called the Budget Director to secure some light on this latest order. Unfortunately, he did not give us any information which would assist in disposing of the $44 billion still pending. He left us completely at sea. He first said he "had no plans"—those are his words—to withhold any of these funds but later advised they would be considered under the secret order along with appropriations already sent to the President.

We inquired specifically about the $34 billion defense bill because we were on the eve of conference with the other body which had raised the House amount by about $1 billion at the insistence of the President. This is the bill on which the President had accused the House of "needlessly gambling" with the national security. This is the principal bill the President had in mind when he advised the House in these words in responding to House Resolution 190:

> I most solemnly advise the House that in these times a cut of any appreciable consequence in current expenditures for national security and related programs would endanger our country and the peace of the world.

This is the bill as to which the President told the press and the Nation on May 22, referring to the item for military personnel strength:

> We had taken the figure of 2.8 million (personnel), as it now stands and, realizing that it was going to be very difficult to stay at that strength, had trimmed the budget down until we thought that it was the bare minimum.

After all these stern warnings, all this information to the contrary, they pulled the rug from under us. On the day before conference with the other body, we received official notice that the President had approved a 100,000-man reduction in military strength—2.8 million men sudden became 2.7 million. With this and other adjustments, we could cut the Senate amount by $142,249,000, they advised. Strange proceedings, Mr. Speaker.

But that is not half the story. When the President "solemnly advised" the House not to make any cut of "appreciable consequence in current expenditures for national security" the Department was running at an annual rate in excess of $40 billion. It actually spent $2.4 billion in excess of the $36 billion estimate for fiscal 1957. When the fiscal year 1958 began it was operating at a rate about $2 billion above the $38 billion estimate for 1958. Spending was completely out of control. They were desperate. Immediate and drastic action was necessary—and they knew it. All the while, right up to the eve of conference, they insisted they must have the budget. Possibly because without it even more drastic cuts would be necessary.

In consequence, almost daily in past weeks administrative orders have been issued to cut defense spending. Among them:

First. Reduction of 100,000 military personnel—with indications of additional cuts;

Second. Cut in number of Reserve drills;

Third. Cut in progress payments to defense contractors;

Fourth. Lay up of Navy ships;

Fifth. Five-percent cut in civilian personnel;

Sixth. Cancellation of major missile program;

Seventh. Cutback in several major procurement programs;

Eighth. Stretchout and slowdown in construction;

Ninth. Closing of installations.

Mr. Speaker, a strong, healthy economy is the wellspring of a strong defense. Without it, we could not long afford a defense adequate to our protection and survival in event of crisis. Substantial reduction in spending and substantial payments on our huge debt are indispensable essentials. These belated cuts ordered by the President should have been made before he asked for too much money, but they are nevertheless welcome. They are long overdue. They are indisputable evidence the administration has let spending get way out of control. In fiscal year 1956, the Government spent $4.1 billions more than its original estimate. In fiscal 1957, it spent $4.4 billion more than its original estimate.

Speaking of uncontrolled defense spending, they over-ran that estimate in fiscal 1957 by $2.4 billion—$38.4 billion as against the estimate of $36 billion. This over-run recalls the intriguing entry in the President's 1956 budget for defense. He estimated total spending at $35.7 billion but to get the total down to an even $34 billion, inserted a discount of $1.7 billion and called it an "unallocated reduction." Not specified. An unknown, said to represent savings to be picked up during the year. I have always suspected this was little more than an 11th hour decision and so inferred at the time. They not only did not save any of the $1.7 billion; they spent it and more besides. This beguiling entry did not show up in the 1957 budget, but they still understated defense spending—not by $1.7 billion, but $2.4 billion.

Mr. Speaker, these belated Presidential orders to cut spending and impound appropriations compel the question: Would the President say he is "needlessly gambling" with the national security in making them? He said the House was. Is he? Of course not, and neither was the House. On the contrary, it could be said to be "needless gambling" to keep on spending more and more and making no significant reduction in the debt.

Yes, Mr. Speaker, when this record-breaking budget was received in January, the administration could not see where it could be cut.

When the Treasury Secretary and the Budget Director came before the committee a week later, they wanted it cut but they said they could not see where it could be cut.

When the President responded to the House in April, he could not see where it could be cut—at least not in a durable, lasting way.

When the House cut the largest appropriation bill, the defense bill, we were accused of "needlessly gambling" with security. The President asked that our action be reversed. Still the budget could not be cut.

But suddenly, Mr. Speaker, on June 28 the secret letter was issued. At last, after many of the bills had been processed and sent to the President, after defending the budget as submitted, at last they could see where the budget could be cut. The general policy is to cut back to the 1957 level, which they should have done in the first place.

But they still would not tell us how this secret order would cut the bills still then pending in Congress. They wanted every dollar appropriated when they knew they were going to turn right around and cut spending. That is what they are doing right now in Defense. And they are doing it in other departments.

THE PUBLIC DEBT

Mr. Speaker, after all these years we still have a colossal national debt. In December 1955 the debt reached its highest point in history. Failure to control spending and make substantial payments on the debt resulted in 3 straight requests from the administration to raise the debt ceiling of $275 billion—twice to $281 billion and once to $278 billion. The executive branch is now engaged in belated, desperate efforts to delay spending in the ensuing months so as to be able to squeeze by within the $275 billion ceiling. Of course, this situation could have been avoided if spending had been controlled. Failure to do so is catching up with them.

The debt situation is summarized in the following table:

The public debt increase during 4 fiscal years of the present administration

[In billions]

	Beginning of year
Fiscal year 1954 (July 1953)	$266.1
Fiscal year 1955 (July 1954)	271.3
Fiscal year 1956 (July 1955)	274.4
Fiscal year 1957 (July 1956)	272.8
Fiscal year 1958 (July 1957)	270.5
Actual increase during last 4 years (July 1953–July 1957)	+4.4

This record of utter failure to hold the public debt at the level reached when the present administration assumed full fiscal responsiblity in July 1953 is in sharp contrast with the 4 preceding years of similar nonwar operation when it was reduced $12 billion, as shown:

The public debt decrease during 4 previous nonwar years

[In billions]

	Beginning of year
Fiscal year 1947 (July 1946)	$269.4
Fiscal year 1948 (July 1947)	258.3
Fiscal year 1949 (July 1948)	252.3
Fiscal year 1950 (July 1949)	252.8
Fiscal year 1951 (July 1950)	257.4
Actual decrease during the 4 years (July 1946–July 1950)	−12.0

These are the facts. They cannot be hidden. And they are distressing. We now owe $4.4 billion more than we did 4 years ago. This is the inevitable result of the succession of record peacetime budgets. Even the Korean wartime taxes still being levied in order to show a budget surplus have not been enough to overtake spiralling Federal expenditures sufficiently to make significant payment on the debt. And, Mr. Speaker, this record of failure is miles away from the promise when President Eisenhower said in 1952:

> Our children deserve a little better of us than to keep hanging bigger and better debts about their necks.

Failure to reduce the debt has contributed to substantially increased cost just to carry it. A significant but often unnoticed expenditure is the inescapable item of interest payments. We now spend as much for interest as we did to run the entire Government only 20 years ago. This item cost $6.4 billion in 1954. In 1957 it cost $7.3 billion. For fiscal 1958 it will undoubtedly exceed the President's estimate of $7.360 billion because recent refundings have been made at a much higher interest rate. We are now having to pay 4 percent on a sizable part of the debt. The average computed interest rate on the debt has consistently increased for several years past, as follows:

Fiscal year	Debt at end of year	Interest cost	Computed interest rate
1952	$259.1	$5.9	2.329
1953	266.1	6.5	2.438
1954	271.3	6.4	2.342
1955	274.4	6.4	2.351
1956	272.8	6.8	2.576
1957	[1] 270.5	[1] 7.3	[1] 2.7

[1] Preliminary.

At the present rate, it will take hundreds of years to pay off the debt. One calculation submitted several months ago shows that if we set about to pay it off by the year 2100—144 years from now—it would entail total payments of $1,205,078,709,686.40. This assumes a 3-percent interest rate which is probably low in light of recent experience, but the figure alone dramatizes the magnitude of the matter.

DEFICITS AND INFLATION

We received many pledges of economy. They assured us they would reduce spending. They said they would reduce the national debt. They would do away with inflation. They would balance the budget.

They have not reduced spending. Spending has been increased—and continues to increase. It increased $2.5 billion between 1954 and 1957. It increased $5.7 billion between 1955 and 1957.

They have not reduced the debt. They have increased the debt—to the tune of $4.4 billion in 4 years.

They have not banished inflation. The official cost-of-living index shows successive increases in each of the past 11 months. It has increased in 15 of the last 16 months. It stands at the highest point in history. The purchasing power of the dollar continues to shrink. Millions of families, especially those with fixed incomes, find it increasingly difficult to provide the necessities of life. Bonds, life insurance, savings accounts, and pensions continue to drop in real value.

And finally, Mr. Speaker, they have not balanced the budget. They are claiming they have. But they have not. They did not balance it—it balanced itself. It just happened—and by a precarious margin at that. It stands as an indisputable fact that the facade of budget surpluses in the fiscal years 1956 and 1957 has not been erected by economy and retrenchment, as I have shown. It is due solely to repeated extension of excessive wartime tax rates and the rising national income. Not a single American family can find any comfort or relief in that because they are still saddled with wartime tax rates. And this excessive spending contributes to their being robbed by unnecessarily high taxes and by inflation. Our taxes are so high that, together with State and local taxes—and, of course, they all come out of the same pocket—nearly 33 percent, one-third, of the national income goes for taxes.

The surplus of $1.6 billion for fiscal 1956 was immediately hailed in an official pronouncement a year ago as a great achievement. In sharp contrast, the tone of the recent announcement of a $1.6 billion surplus for fiscal 1957 was subdued. Possibly the reason can be found in the fact they slipped backward. The surplus was not as large as forecast only 6 months earlier. A recent issue of a national publication carried this story:

> The inside story is that payment was delayed beyond June 30 on more than $500 million worth of armament bills in order to make the 1957 budget year that ended June 30 look better than it actually was. The budget surplus of $1.6 billion otherwise would have been about $1 billion or less.

I had been closely following expenditures in the closing weeks of fiscal 1957. For defense military spending, the daily rate during June averaged $135 million, ranging from a low of $61 million to a high of $487 million, except on the last business day of June, when only $10 million was spent. Furthermore, through July 18—the first 18 days of the new fiscal year—the daily average was up to $164 million.

For the first month of fiscal 1958, budget expenditures exceeded the first month of fiscal 1957 by $800 million. Budget receipts were down $400 million.

This report brings to mind what they did on the last day of the fiscal year 1955, 2 years ago, when they reserved approximately $600 million, or over 21 percent of total reservations made during the whole year under the military assistance program. The effect was to continue the funds available into the following year.

Terming inflation "the most critical economic problem now facing this country," the Chairman of the Federal Reserve Board recently said that larger budget surpluses are essential to stem rising prices. He admonished:

> It is clear that the present situation calls both for a larger budgetary surplus than we have had or have in prospect.

In similar vein, the Under Secretary of the Treasury recently said:

> A more anti-inflationary governmental fiscal policy is desirable. In the present high state of prosperity in this country, the Federal Government should have a larger surplus and should be retiring debt more rapidly.
>
> This is probably the most effective step which could be taken by the Federal Government.

The alarming thing, Mr. Speaker, is that we have no assurance of a larger surplus. Certainly not if needed tax relief is granted. As I indicated, the fiscal 1957 surplus was smaller than earlier forecast. And they are spending more and more. Revised executive estimates of spending and income for the current fiscal year 1958 are not yet available. The original estimate of $1.8 billion surplus will, I assume, be revised. It assumed passage of a postal-rate increase priced at $654 million which was not enacted. Full results of the secret order to hold to the 1957 level are unknown but will also affect the outcome.

In any event, Mr. Speaker, failure to achieve a substantial surplus and failure to make significant payments on the debt is not due to inadequate tax rates or insufficient taxable income. It is due to failure to control and reduce spending. That is an undeniable fact.

The following tabulation summarizes the income and spending record of the last 4 years:

Budget receipts, expenditures, deficit (—) or surplus (+)

[In billions]

	Actual, 1954	Actual, 1955	Actual, 1956	Actual, 1957		4-year totals	
				Budget basis	Including highway trust fund	Budget basis	Including highway trust fund
1. Receipts (net)	$64.7	$60.4	$68.1	$71.0	$72.5	$264.2	$265.7
2. Expenditures (net):							
(a) Major national security	46.9	40.6	40.6	43.2	43.2	171.3	171.3
(b) All other items	20.9	24.0	25.9	26.2	27.1	97.0	97.9
	67.8	64.6	66.5	69.4	70.3	268.3	269.2
3. Deficit or surplus	−3.1	−4.2	+1.6	+1.6	+2.2	−4.1	−3.5

Mr. Speaker, the country is gravely concerned over the steadily increasing cost of government. Throughout the Nation there is a constantly growing demand for reduction in public expenditures. It is confined to no one political party and to no one locality. Everywhere there is a rising clamor for retrenchment to stop the spreading conflagration of runaway inflation, to check the rising cost of living now in its 11th month of consecutive skyrocketing advances, to halt the successive sliding drops in the purchasing power of the dollar, to break the upward trend of taxes and permit the repeal of war taxes in time of peace, and really balance the budget. The budget has not been in actual balance the last 4 years through any act of economy or retrenchment or reduction in public expenditures but, on the contrary, has mounted until it now stands at the extreme high-water mark in the peacetime history of the American Republic.

This nationwide protest was intensified when after a presidential campaign based on promises of economy by both parties, the budget sent to the House in January was found to be in excess of any peacetime budget ever submitted to the Congress. Time has more than justified that protest. The price of food has consistently risen since that time while the farm parity index has lagged behind. Interest rates are higher while the Federal Reserve banks are tightening the supply of money and loans. The Government is faced with a possible decline in Federal revenues. Just the other day, August 19, stock prices on the New York exchange took the steepest drop in the last 2 years. Notwithstanding assurances of economy, the civilian payroll of the executive branch has increased for the third successive year and now exceeds $11 billion, the highest in the fiscal history of the Nation. Fixed incomes, insurance policies, and savings accounts are dwindling in value and frequently the widow finds today they will buy less than half they would have bought when contracted for. There are indications that the statutory ceiling of $275 billion on the national debt is in danger of being breached as the debt today approaches $274 billion. So instead of substantially reducing the debt, as promised in the campaign, it has increased with the inevitable results of more inflation, higher cost of living, further reduction in the buying power of the dollar, continuation of war taxes in time of peace, and serious complications in the national economy, with corporate profits, after taxes, and labor, agriculture, the small-business man, and every dinner table in the Nation penalized accordingly.

The gentleman from New York [Mr. TABER], at one time dubbed "The Meat Ax," today finds himself cast in the unenviable role of defender of big and reckless spending. He and other administration apologists would have us believe that $5 billion is not $5 billion when cut from the budget estimates of appropriations. Many devious and labored excuses have been advanced, and doubtless many more will be advanced to show that the magnificent record made by the Committee on Appropriations and the House and Senate, in cutting the appropriation bills of the session are "phony," "paper cuts," and "bookkeeping maneuvers." But the fact remains that our drive for economy and sane appropriations have turned back the big spenders with a saving of close to 8 percent below the specific appropriation requests from the White House. That means $5 billion and more the taxpayers will not have to turn over to the tax collectors. Of course, the Government will continue to spend money, money appropriated in former Congresses and carried over. But by the same rule, money denied this year in this budget, this session, will be saved the taxpayers in subsequent years. Practically every general appropriation bill carries money, not only for the current year but for next year and the next year as well. Savings of money denied on estimates and budgets for future spending are savings nevertheless of just that much cash left in the taxpayer's pockets. Eventually if not now.

And in addition, the economy sentiment which we created throughout the Congress and the country undoubtedly resulted in voluntary reductions by the administration of large sums in originally planned requests.

I also want to take advantage of the occasion to say to those disgruntled spenders, booted away from the public trough, who sarcastically assert that much of the money we have saved will "be put back next session in supplemental bills" that we now have an antideficiency law with teeth in it, and each department is required to apportion its appropriations by months or quarters. May I caution the departments that we have given them money to run their departments for 12 months, and we expect them to operate on that basis. To give a Government agency a definite amount for the year and let them spend the money in less than a year and come back and tell us their money is gone, and they will have to have a supplemental appropriation is to permit the departments to appropriate. The Constitution places that responsibility on the Congress and not on the departments, and we invite the entire executive branch to cooperate with us in supporting the Constitution. I trust no governmental employees from the Cabinet officers down to the janitors will labor under any misapprehension on that score. We expect to enforce the law.

Of course, there may be emergencies and unforeseen contingencies which rise unexpectedly. The antideficiency law makes provision for these. But they must come within the letter of the law. Congress, exercising its prerogative under the Constitution, has provided the amount of money it deems sufficient for the year. And Congress expects that amount to cover the year's expense of operation. If any governmental agency, in its superior wisdom, decides that it knows more about that than Congress, it is in for a rude awakening. The country is demanding economy, and it is high time someone in Washington gave heed to that very reasonable demand.

In closing may I say that the committee and the House expect to receive the complete budget estimates for fiscal 1959 much more promptly. For a number of years the foreign aid and the defense construction authorization estimates have been so delayed that the legislative committees could not process the authorizations in time to permit the Committee on Appropriations to complete consideration of the appropriation estimates before the beginning of the fiscal year. There is no tenable reason why all these estimates should not be ready in time to permit the Congress to dispose of its appropriations and avoid the inexcusable delay which has kept Members of the Congress in Washington when they should have been in their States and districts and discharging other engagements and commitments which they should have been free to meet.

May I also assure any who entertain any apprehensions in the matter that in making this much needed reduction in the estimates we have left no Government agency without adequate funds to carry them over the Congressional recess. We have cut the fat but not the muscle. As a matter of fact, we could have extracted another $5 billion without material interference with the legitimate functions of Government. That will be our goal in the future.

An Explanation of Provisions Contained in the Natural Gas Bill, Reported by the House Committee on Interstate and Foreign Commerce, That Protects the Consumer and the Public Interest

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EXTENSION OF REMARKS

OF

HON. CHARLES A. WOLVERTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. WOLVERTON. Mr. Speaker, the Committee on Interstate and Foreign Commerce, after long and extensive hearings on the Harris natural gas bill, reported favorably a bill to regulate the production, distribution and sale of natural gas.

In order to give a clear understanding of the purpose and effect of the proposed bill as reported, it is my desire to make a summary explanation, setting forth the salient features of the bill intended to protect consumers in the price to be paid and to provide adequacy of supply.

The underlying conditions that must be considered in arriving at a proper decision as to character of legislation that is necessary and proper with respect to the production, distribution and sale of natural gas are numerous and important. The individual welfare of our people, as well as the economic and industrial welfare of our Nation and its progress, requires careful, sane and thoughtful consideration. To give the subject any less can result in harm that can be disastrous to our welfare.

The basic issues that exist with respect to natural gas legislation are such that they can readily lend themselves to appeals directed to the emotions rather than to reason. Consequently, we have statements being issued in many instances by individuals who have little or no knowledge or understanding of the basic facts, economic conditions and the many technical considerations that enter into and have a bearing on the issues and a correct decision.

It is regrettable that too often untrue, deceptive and misleading statements have been made by some who have improperly sought to create a feeling that all that has been done has been solely and entirely to the benefit of big interests and to the complete detriment of the consumer. For instance, the charge has been made that it will add millions of dollars to the cost of living and that every month the average consumer will be saddled with an extra cost and will mean an increase of gas charges to the consumers of upward of $800 million. There is no reasonable basis upon which any such claim can be justified if the provisions of this bill are properly administered.

The figure of $800 million that is being used is the same that was used against the bill which passed 2 years ago and which was vetoed by President Eisenhower. I fought against the enactment of that bill zealously and aggressively. I sought to have it recommitted to the committee for further study. Failing in that, I voted against its passage by Congress. In fact, I was a leader in the fight against its adoption.

I believed then, and I still believe, that the bill was so obnoxious that if its provisions had been carried out it could have meant in time the loss to consumers totaling $800 million. But, that was under the terms of the bill of 2 years ago. The same thing does not apply to the present bill.

FEDERAL POWER COMMISSION AND STATE UTILITY COMMISSIONS REGULATE PRICE

The present bill is entirely different from the above-mentioned bill. The very purpose of the bill is to provide against any unreasonable price increase. The Federal Power Commission, as the guardian of the public interest, was inaugurated during the Roosevelt administration to prevent unfair treatment of all interested parties. It was given strong regulatory powers to be exercised in the public interest. The pending bill does not seek to interfere with nor curtail such, and, is designed to meet existing conditions.

Of course, no one can say positively that future conditions of an economic character would not arise to affect the price structure, but, the bill is given definite power to regulate prices in the public interest. We are living in a period that the economic conditions are continually causing an increase in living costs. Today, for instance, railroad fares are greatly increased, but we have the Interstate Commerce Commission set up as a regulatory body to make certain that all rates shall be just and reasonable. The Federal Power Commission has been given power under this bill to likewise require that prices of gas to consumers shall be just and reasonable.

Furthermore, under the proposed bill, to insure this, every interested party, even to the humblest citizen and including city and State officials are given the right to oppose and be heard before there is any increase in price.

This is something that did not exist heretofore. It is all for the benefit of the consumer. There can be no increase of the price of gas unless the Federal Power Commission so orders and permits.

Furthermore, it should be realized that not only does the Federal Power Commission have the power to control the price of gas that enters into interstate commerce, but, also the rate that can be charged by the pipelines that convey it from the producing fields to the States where it is to be consumed. And, in addition to this, when the gas reaches the consuming State, New Jersey for instance, then the State utility commission has the power to fix the price that can be charged by the distributing company to the individual consumer.

Thus, from the time the gas leaves the producing State until it enters the homes of individual consumers, or, the furnaces of any industrial user, it is subject to regulations affecting the price to be charged the consumer.

The bill before Congress gives regulatory control to the Federal Power Commission while the gas is subject to Federal jurisdiction, and the State utility commissions have control when it reaches the consuming State. Thus, throughout its entire course the price of the gas is subject to the control of public bodies set up by the Congress and State legislatures to insure a fair and reasonable price. This is all done to protect the consumer and in the public interest. This is as it should be.

And, while I am of the opinion that the present bill does give every reasonable protection to the consumer consistent with our American way, yet, when the bill is under consideration in the Congress if it should appear that any amendment is necessary and proper to strengthen the bill, then such would certainly have my support.

I am anxious to provide the very best protection to the public interest. That was the purpose and intent of the committee in reporting this bill to the Congress.

It would have been unfair and undemocratic for the committee to have gagged Congressional consideration of this important matter by refusing to report a bill. The action of the committee now permits every Member of the House to express their views representing the different sections of the Nation with its differing viewpoints.

ADEQUATE SUPPLY OF GAS NECESSARY

In our consideration of this subject, we also must not overlook the importance and necessity of giving the consumer assurance of an adequate supply of gas. In our present day economy an adequate supply and reasonable price go hand in hand. Each is important to the consumer.

Of course, the consumer is interested in price and the public interest requires that such shall at all times be so regulated that it shall not exceed what is reasonable and fair. To make certain of this, the bill gives the Federal Power Commission the power to fix prices for gas in interstate commerce that is reasonable and just. However, while it is important and appropriate to emphasize a proper price to the consumer, yet, we cannot discount nor should we overlook the fact that it is also important to make certain that the consumer has an adequate supply of gas. Without such the facilities, that are now in use and that have cost millions of dollars, would go for naught and the consequences would be disastrous to consumers.

In considering the question of providing an adequate supply, I ask in all seriousness what happens if the gas producer is not satisfied with the price? What then can happen to the consumer? If the producer does not receive what he considers a fair price for his gas, then he can refuse to sell it in interstate commerce. He can retain it in the well or sell it only within the State where produced and thus avoid Federal regulation.

Under such circumstances, I ask again. What happens if the gas producer is not satisfied with the price? What becomes of the consumer who is depending upon the gas being sold in interstate commerce and thus finally reaching him in his home in a State that does not produce gas? There is no power existing in our

Federal Government under our present system of Government that can compel the producer to sell. This could be done in Russia, but not in America.

The same principle applies here as applies to labor. No worker can be compelled to sell his labor for any price that he does not wish. He can refuse to work. So can the owner of natural-gas wells refuse to sell his gas for a price that he does not consider fair and just.

There is also a further possibility that can happen with results that are disastrous in nonproducing States, if and when the price is not fair and just to the producer. This situation was pointed out to the committee in a statement of the Federal Power Commission, namely:

> The present situation appears to encourage the use of natural gas within the States where produced rather than in the more populous areas where it has the greatest usefulness.

In this connection, we are all aware of the tendency of many industries to remove their plants to Southern and other States where the wage scale and taxes are less than in the North and Northeastern States. Already this tendency has caused many textile mills to move away from present and long-established locations.

This has left many towns dead industrially. Labor unions, CIO and AFL, through their representatives have held many conferences with Members of Congress from the affected areas to find ways and means of stopping this tendency from becoming general. The fact that seasonal conditions make living costs cheaper has also been an influence.

Now, if we add to this a moving of industry because of a more beneficial price structure for natural gas in the producing States, we can readily understand the force of the statement made by the Federal Power Commission, "that without some legislation such as that here proposed domestic and other natural-gas consumers may find themselves facing not only diminishing supply of such gas but the fact that some of the industries upon which the economy of their communities depend may have removed from their midst and gone to the producing areas." This is no idle fear when we realize that Federal jurisdiction does not extend into the producing State and only applies if and when the gas moves in interstate commerce.

And, then there is the further danger pointed out to the committee, "Nor does the present regulation—existing law—appear to encourage further exploration and development which are essential to continued supplies." And, then, the committee very wisely directs attention to the necessity for remedial legislation in these words, "It is certainly not beyond the bounds of reason, therefore, to believe that without some legislation such as that here proposed domestic and other natural-gas consumers may find themselves facing the situations above outlined."

Under the circumstances as outlined by the Federal Power Commission, whose duty it is to study the question from every standpoint and report to Congress, would it not be foolish to cast aside its recommendations and ignore its warnings? The duty of the committee was clear and impelling. It met its obligation by reporting to the Congress what was considered by a majority of the committee as the most effectual way to solve the problem in the public interest.

Therefore, the purpose of the bill, as reported by the committee, in providing that the Federal Power Commission shall have regulatory powers to fix a reasonable price and transportation charges is intended not only to protect the consumer against unreasonable prices, but also to make certain that a fair and reasonable price is made available to the producer as an incentive to supply gas and make explorations for additional gas to meet the ever-growing demand in consuming States.

Thus, the fixing of a fair and reasonable price has its advantages to both parties—the producer and consumer. It thereupon becomes the duty of the Federal Power Commission and the local State utility commission at all times in fixing the price to be paid by the eventual consumer to do so with the thought in mind that the public interest must in all respects be kept paramount.

CAREFUL CONSIDERATION GIVEN BY COMMITTEE

In its effort to solve the important issue involved in this matter, the committee held extensive hearings. Witnesses to the number of 171 appeared and testified or submitted statements for the consideration of the committee. These covered wide and varied interests, including individuals, Federal, State, municipal, and other groups, each expressing their viewpoint and recommendations.

Agencies of government supplied much factual information, as well as conclusions, based upon experience gained in this and other regulatory matters. Altogether this testimony covered 1,742 printed pages. All of this was studied carefully and analyzed. The bill as reported to the Congress for its consideration is the result. Certainly, there could not have been a more careful, conscientious, and sincere effort to reach a proper solution even though there may be differing viewpoints in some particulars.

NECESSITY FOR LEGISLATION

In recent years as a result of decisions made by our Federal courts, many complications have arisen. As a result of this, the Federal Power Commission has requested Congress to rectify and improve the situation so as to make the Natural Gas Act more adaptable to the regulation of gas producers and for the benefit of consumers.

The committee in complying with this respect has had at all times in mind the underlying policy of the Natural Gas Act, reading as follows:

> It is hereby declared that the business of transporting and selling gas for ultimate distribution to the public interest and that Federal regulation in matters relating to the transportation of natural gas and the sale thereof in interstate and foreign commerce is necessary to the public interest.

I actively participated in the adoption of that statement of policy, believing as I do that the public interest is paramount.

FEDERAL POWER COMMISSION APPROVES COMMITTEE BILL

It seems to me that there is great significance and importance to be attached to the fact that the Federal Power Commission has given its approval to the bill as reported by the committee.

This is the Commission that since its inauguration in 1938 has been charged with protecting the public interest in the transportation and distribution of natural gas. This is the Commission that has had the experience of regulating that industry for approximately 20 years. It is to be assumed that the members of the Commission and its talented staff have gained much knowledge of what is necessary and proper for effectual regulation in all the varied phases of the natural-gas industry. It is with this background of experience that it has made its study, presented its recommendations and given its approval to the committee bill.

CONCLUSION

The Federal Power Commission in its report to the Committee on Interstate and Foreign Commerce concerning this legislation has very properly said: "While the public is interested in reasonable rates, it is equally concerned with the continued maintenance of adequate gas service to all of the ultimate consumers who have invested in the aggregate millions of dollars in gas furnaces, stoves, and other gas-using equipment."

Thus, the Commission points out that there must be a dual objective which legislation on the subject should achieve. To accomplish this purpose the Commission set forth five basic considerations that in its opinion were necessary to accomplish this purpose. These recommendations or suggestions have been incorporated in the pending bill. Whereupon, the Commission after a study of the proposed bill has reported to the committee its approval in these words:

> The Commission favors the basic principles and objectives of the bill and believes that such legislation is necessary for practicable, workable, and efficient regulation of gas producers in the national interest. Early enactment is recommended.

In coming to this final decision it is appropriate to emphasize, and it cannot be emphasized too often or too strongly, the importance of having a regulatory law that will not only protect the price to the consumer, which is in itself a very important matter, but will also make certain an adequate supply to the consumer. Each is important and must be given consideration. I remember when—the time was a few years ago—the local distributing company in the Camden, N. J., locality had to refuse any more customers because of the insufficiency of supply. We certainly do not want this to happen again with a resulting disastrous effect on the millions of dollars of gas equipment our people now have and depend upon. Nor do we want to have to resort again to manufactured gas which would be prohibitive in price.

It has been, and will continue to be, my aim to protect in every way that is within my power the public interest in this or any other legislation that comes before the Congress during my membership in that body. This has always been, and will continue to be, my first and only consideration in the performance of my public duty.

Activities of the House Committee on Government Operations

EXTENSION OF REMARKS

OF

HON. JOE M. KILGORE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. KILGORE. Mr. Speaker, I am pleased to present the following interim report on the activities of the Committee on Government Operations in the first 8 months of the 85th Congress.

JURISDICTION

The jurisdiction and duties of the Committee on Government Operations are set forth in rule XI (8) of the House of Representatives as follows:

> All proposed legislation, messages, petitions, memorials, and other matters relating to * * * (a) budget and accounting measures, other than appropriations, and (b) reorganizations in the executive branch of the Government shall be referred to the Committee on Government Operations.
>
> The Committee on Government Operations shall have the duty of—
>
> (1) receiving and examining reports of the Comptroller General of the United States and of submitting such recommendations to the House as it deems necessary or desirable in connection with the subject matter of such reports;
>
> (2) studying the operation of Government activities at all levels with a view to determining its economy and efficiency;
>
> (3) evaluating the effects of laws enacted to reorganize the legislative and executive branches of the Government;
>
> (4) studying intergovernmental relationships between the United States and the States and municipalities and between the United States and international organizations of which the United States is a member.

ORGANIZATION

In order to perform its functions and to carry out its duties as fully and as effectively as possible, the committee, under the leadership of its chairman, the Honorable WILLIAM L. DAWSON, of Illinois, at the beginning of the 84th Congress established seven regular subcommittees having agency and functional jurisdiction similar to corresponding subcommittees of the Committee on Appropriations. These seven regular subcommittees, which cover the entire field of executive expenditures, were continued in the 85th Congress. Their names and chairmen are as follows:

Executive and Legislative Reorganization Subcommittee, Hon. WILLIAM L. DAWSON, chairman.

Military Operations Subcommittee, Hon. CHET HOLIFIELD, chairman.

Intergovernmental Relations Subcommittee, Hon. L. H. FOUNTAIN, chairman.

Public Works and Resources Subcommittee, Hon. EARL CHUDOFF, chairman.

International Operations Subcommittee, Hon. PORTER HARDY, Jr., chairman.

Legal and Monetary Affairs Subcommittee, Hon. JOHN A. BLATNIK, chairman.

General Government Activities Subcommittee, Hon. JACK BROOKS, chairman.

In addition, three special subcommittees were organized to handle special problems. The first two listed are continuing their studies, and the last has almost completed work on the report of its investigations. The special subcommittees and their chairmen are:

Special Donable Property Subcommittee, Hon. JOHN W. McCORMACK, chairman.

Special Government Information Subcommittee, Hon. JOHN E. MOSS, chairman.

Special Subcommittee on Water Resources and Power, Hon. ROBERT E. JONES, chairman.

REPORTS

In the first 8 months of the 85th Congress, the Committee on Government Operations approved and submitted to the Congress 16 reports of an investigative nature. In addition, five committee prints consisting of staff studies or compilations were published. At the close of the first session a considerable number of reports and staff studies were under preparation. These will be considered by the subcommittees and the full committee early in the second session. A substantial number of hearings covering a wide range of subjects have been programed for the recess between sessions.

For convenience the published reports and committee prints are listed here with the name of the originating subcommittee. A more detailed discussion of the material will be found below in the breakdown of the committee's activities by subcommittee. In all cases where the hearings were held the transcripts have been printed.

COMMITTEE REPORTS

First report: No. 10, United States Aid Operations in Iran. Subcommittee on International Operations, Congressman PORTER HARDY, Jr., chairman.

Second report: No. 157, Availability of Information From Federal Departments and Agencies, Progress of Study, July–December 1956. Special Subcommittee on Government Information, Congressman JOHN E. MOSS, chairman.

Third report: No. 213, Private Electric Utilities' Organized Efforts To Influence the Secretary of the Interior, Ebasco Services, Inc., and Rocky Mountain Group. Subcommittee on Public Works and Resources, Congressman EARL CHUDOFF, chairman. Minority report filed.

Fourth report: No. 218, Availability of Power to Public Preference Customers From Central Valley Project, Roosevelt, Calif. Subcommittee on Public Works and Resources, Congressman EARL CHUDOFF, chairman. Minority report filed.

Fifth report: No. 449, Review of the Budget Formulation and Presentation Practices of the International Cooperation Administration. Subcommittee on International Operations, Congressman PORTER HARDY, Jr., chairman.

Sixth report: No. 575, Replies from State and Local Governments to Questionnaire on Intergovernmental Relations. Subcommittee on Intergovernmental Relations, Congressman L. H. FOUNTAIN, chairman.

Seventh report: No. 822, Defense Standardization Program. Subcommittee on Military Operations, Congressman CHET HOLIFIELD, chairman.

Eighth report: No. 839, Status of Civil Defense Legislation. Subcommittee on Military Operations, Congressman CHET HOLIFIELD, chairman. Minority report filed.

Ninth report: No. 840, Operations of the Virgin Islands Government and the Virgin Islands Corporation. Subcommittee on Public Works and Resources, Congressman EARL CHUDOFF, chairman.

Tenth report: No. 958, Military Tank Procurement. Subcommittee on Military Operations, Congressman CHET HOLIFIELD, chairman.

Eleventh report: No. 1166, State Department Public Opinion Polls. Subcommittee on International Operations, Congressman PORTER HARDY, Jr., chairman.

Twelfth report: **No. 1167, Railroad Accounting Procedures—Prescribed by the Interstate Commerce Commission. Subcommittee on Legal and Monetary Affairs, Congressman JOHN A. BLATNIK, chairman.**

Thirteenth report: **No. 1168, Military Clothing Procurement. Subcommittee on Military Operations, Congressman CHET HOLIFIELD, chairman.**

Fourteenth report: **No. 1169, Letter Contracts and Contract Terminations in Military Procurement. Subcommittee on Military Operations, Congressman CHET HOLIFIELD, chairman.**

Fifteenth report: No. 1175, Activities of the Department of Health, Education, and Welfare, Relating to Polio Vaccine. Subcommittee on Intergovernmental Relations, Congressman L. H. FOUNTAIN, chairman.

Sixteenth report: No. 1185, Army-Interior Reservoir Land Acquisition Policy. Subcommittee on Public Works and Resources, Congressman EARL CHUDOFF, chairman. Minority report filed.

COMMITTEE PRINTS

Questionnaire on administrative organization for public information activities.

Economic appraisal of the sugar operations of the Virgin Islands Corporation.

Reorganization by plan and by statute, 1946–56.

The budget process in the Federal Government.

Actions taken by departments and agencies on the lending agencies recommendations of the Hoover Commission.

LEGISLATION

The legislative jurisdiction of the Committee on Government Operations encompasses a wide range of very important governmental operations. It includes all matters relating to budgeting and accounting measures other than appropriations and all matters relating to reorganizations in the executive branch of the Government. In addition, property disposals and matters re-

lating to Federal property and administrative services are referred to the committee. The committee studied a large number of legislative proposals and reported 15 favorably to the House. These are discussed more fully under the subcommittee breakdown below, but those reported are listed here for convenience, with the name of the subcommittee which initially considered them:

H. R. 3028, to provide for the relief of certain female members of the Air Force, and for other purposes. Executive and Legislative Reorganization Subcommittee.

H. R. 4945, providing for the conveyance of certain real property in West Palm Beach, Fla., to the Port of Palm Beach District. General Government Activities Subcommittee.

H. R. 5110, Public Law 85-51, amending the Federal Property and Administrative Services Act of 1949, as amended. General Government Activities Subcommittee.

H. R. 6182, to provide for the conveyance of certain real property of the United States to the former owners thereof. General Government Activities Subcommittee.

H. R. 6900, amending section 206 of the Legislative Reorganization Act of 1946, so as to enable the Comptroller General to make certain examinations of expenditures and more effectively to assist the Appropriations Committees in considering the budget. Executive and Legislative Reorganization Subcommittee.

H. R. 7081, providing for the removal of a cloud on the title to certain real property located in the State of Illinois. General Government Activities Subcommittee.

H. R. 7390, to amend the Administrative Expenses Act of 1946, and for other purposes. Executive and Legislative Reorganization Subcommittee.

H. R. 7964, removing the limitation on the use of certain real property heretofore conveyed to the city of Austin, Tex., by the United States. General Government Activities Subcommittee.

H. R. 8002, to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations. Executive and Legislative Reorganization Subcommittee.

H. R. 8195, to facilitate the payment of Government checks, and for other purposes. Executive and Legislative Reorganization Subcommittee.

H. R. 8364, further amending the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959. Executive and Legislative Reorganization Subcommittee.

H. R. 8795, amending section 507 and subsection 602 (a) of the Federal Property and Administrative Services Act of 1949, as amended. Special Donable Property Subcommittee.

S. 806, Public Law 85-100, authorizing the Administrator of General Services to quitclaim all interest of the United States in and to a certain parcel of land in Indiana to the board of trustees for the Vincennes University, Vincennes, Ind. General Government Activities Subcommittee.

S. 1141, Public Law 85-81, authorizing and directing the Administrator of General Services to donate to the Philippine Republic certain records captured from insurrectors during 1899-1903. General Government Activities Subcommittee.

REORGANIZATION PLAN

Only one reorganization plan was transmitted to the first session of the 85th Congress by the President. This, Reorganization Plan No. 1 of 1957, made a further distribution of the functions and assets of the Reconstruction Finance Corporation and abolished the corporation.

No resolutions of disapproval were introduced in the House and the plan was allowed to take effect after study by the committee staff and consideration by committee members indicated no serious objection to the measure.

STUDY ON ADMINISTRATIVE ORGANIZATION, PROCEDURE AND PRACTICE

A comprehensive study of the administrative organization, procedure and practice of the Federal departments and agencies was commenced at the beginning of the 85th Congress. The committee staff had prepared a searching questionnaire on procedure and practice and asked 42 Federal departments and agencies to respond. The questionnaire was designed to provide an accurate and up-to-date picture of the status of administrative practice and procedural reform within the Federal agencies.

The staff has undertaken thorough and minute analysis of the responses. In addition, preparations have been made for hearings which will throw additional light on the current problems and suggested reforms in administrative procedure. A major product of the study will be making available in a single, authoritative source an evaluation of the effects of earlier proposals for administrative reform and the current status of administrative practice.

In the course of analyzing the responses to the questionnaire and preparing for hearings, the staff has conferred with interested persons and experts in administrative procedure. These include law professors, former and current Government officials, private practitioners, and members of the staff of the Office of Administrative Procedure in the Department of Justice. A succinct and complete report encompassing all phases of the study will be ready by January 1958.

REVIEW OF AUDIT REPORTS BY THE GENERAL ACCOUNTING OFFICE

Pursuant to the duty and responsibility of the Committee on Government Operations as set forth in the rules of the House and by statute, the committee has established a procedure of review and analysis of the audit reports referred to it by the Comptroller General. Upon the direction of the chairman, a program of conferences between members of the committee staff and representatives from the General Accounting Office was established. These conferences were held after the staff had an opportunity to review, analyze, and study the audit reports. Staff conferences and other communications with agency officials were accomplished where it was deemed necessary or desirable to develop more fully the General Accounting Office findings and recommendations, or to assure proper compliance by the agency involved.

During the first 6½ months of this session the staff held conferences with representatives of the General Accounting Office on 20 different occasions discussing a total of 40 audit reports, involving a great many different and varied governmental activities and establishments. A report to the Congress on these audit reports is being prepared.

In addition members of the committee staff have undertaken advance work on a study and investigation of the European branch of the General Accounting Office and its audit reports. A report will be submitted to the Congress upon the completion of that study.

COMPILATION OF LEGISLATIVE ACTION ON THE RECOMMENDATIONS OF THE COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT (HOOVER COMMISSION)

The committee has prepared an up-to-date and simplified compilation of all bills introduced in the House and Senate and of legislative action to carry out the recommendations of the Commission on Organization of the Executive Branch of the Government—Hoover Commission—in the 84th Congress and in the first session of the 85th. This document will be published in the form of a committee print in the very near future.

SUBCOMMITTEE BREAKDOWN

Following is a more detailed description of the committee's activities arranged according to the subcommittees primarily interested in the subject matter involved:

EXECUTIVE AND LEGISLATIVE REORGANIZATION SUBCOMMITTEE, WILLIAM L. DAWSON, CHAIRMAN

First. Legislation: Seventy-four bills were referred to this subcommittee for consideration. Twenty-five dealt with budget and accounting matters. Fourteen proposed the creation of new departments or agencies of the Federal Government. Eleven dealt with Government competition with private enterprise. The other bills involved various matters under the jurisdiction of the subcommittee. All of these measures were carefully studied by the members and the staff and reports were requested and obtained from the various departments affected. Background material of various types was collected from proper outside sources where necessary for the information of the subcommittee and the proper evaluation of the measures.

(a) Improving Federal budgeting and appropriations procedures: After careful study and extensive hearings on all of the bills on this subject which provided a variety of approaches the subcommittee acted favorably on H. R. 8002 and H. R. 6900. Both of these measures were subsequently reported by the full committee with recommendations that they be passed by the House. H. R. 8002 would place Federal budgeting and appropriations on an annual accrued expenditures basis. It was based on a recommendation of the Hoover Commission on Organization of the Executive Branch of the Government and supported by the Bureau of the Budget and the Comptroller General—see printed hearings and House Report No. 572. H. R. 6900 would enable the Comptroller General to make certain examinations of expenditures and more effectively assist the Appropriations Committees in considering the budget. This bill was approved by the Comptroller who recommended an amendment that was accepted by the subcommittee—see printed hearings and House Report No. 567.

(b) Standards for Government advisory committees: During the 84th Congress this subcommittee made an extensive inquiry into the operations of advisory committees to the various departments and agencies—see House Report No. 2894, 84th Congress, 2d session. The subcommittee's recommendations were put in the form of a bill, H. R. 7390, which established certain definite standards for the creation and functioning of such committees. The bill was approved after hearings and passed the House on July 10, 1957—see printed hearings and House Report No. 576.

(c) Validating certain improper payments to female Air Force personnel: At the request of the Department of Defense, Chairman DAWSON introduced and the subcommittee considered a bill, H. R. 3028, to validate certain payments made to female Air Force personnel by the Department of the Air Force and which were subsequently ruled illegal by the Comptroller General. The subcommittee recommended approval of the measure because of (a) the hardship which otherwise would be put on those who received the payments and (b) the expense of recoupment to the United States Government. The bill was reported favorably by the full committee and passed the House—see House Report No. 144. The House subsequently concurred in a Senate amendment designed to further insure that the situation could not arise again—Public Law No. 85-272.

(d) Procedures in the payment of Government checks: At the request of the Secretary of the Treasury, Chairman DAWSON introduced H. R. 8195, a bill to facilitate the payment of Government checks, and for other purposes. This measure, a part of the joint accounting program, will produce economies in both the Treasury Department and the General Accounting Office. It will simplify and improve the accounting methods and procedures incident to the payment of Government checks which are lost, stolen, or destroyed, and related accounting operations now prescribed by law. Upon the subcommittee's recommendation, the bill was reported favorably by the full committee and passed the House—see House Report No. 666.

(e) Extending Reorganization Act of 1949: At the request of the President, the chairman introduced a bill, H. R. 6711, to extend the authority of the President to submit reorganization plans to the Congress. Prior authority expired on June 1, 1957. After hearings and deliberations, the subcommittee recommended that this authority be extended for 2 years and that the Reorganization Act of 1949 be amended to provide that reorganization plans could be disapproved by a simple majority vote of either House rather than by a constitutional majority.

H. R. 8364, a clean bill was reported favorably by the full committee and passed the House—see printed hearings and House Report No. 657. The Senate agreed to the House amendment and the bill became law—Public Law No. 85.

Second. Hoover Commission reports: The subcommittee has continued its study of the reports of the Hoover Commission on Organization of the Executive Branch referred to the Committee on Government Operations by the Speaker of the House. In the committee report on the Hoover report on food and clothing—House Report No. 2013, 84th Congress, 2d session—released on April 18, 1956, the recommendation was made that semiannual reports be made to the Congress by the Secretary of Defense on the integration of supply management. These reports have been referred to this subcommittee and are being studied to see if the intent of Congress is being carried out.

The subcommittee sent a questionnaire to the various departments and agencies affected by the Hoover Commission recommendations on lending agencies for information on what steps had been taken, if any, to put these recommendations into effect. The replies have been put into the form of a committee print and made available to Members of the House.

A similar questionnaire was circulated on the recommendations of the Hoover Report on Transportation. Replies have been received and are being studied.

Third. Budget procedures: The subcommittee has been making an intensive study of budget procedures in the executive branch in connection with the large number of bills before it. A committee print, The Budget Process in the Federal Government, was prepared and made available to the Members of the House.

Fourth. Federal real and personal property inventory report:

In December 1956, the committee issued a committee print entitled "Supplementary Real and Personal Property Inventory Report, Civilian and Military, of the United States Government—Located in the Continental United States, in the Territories, and Overseas, as of July 30, 1956." This report was refined and broadened in scope from an earlier Federal property inventory report—House Report No. 1930, 84th Congress, 2d session—in that it listed a realistic value for public domain lands, heretofore listed on the books of the Government at no value. Public domain lands were appraised by the individual departments and agencies and an estimated present-day value was placed on them. In some instances, estimated present-day values were placed on buildings, structures, and facilities located on these lands, but these values were not included in the overall totals used in the report; rather, they were included merely for information purposes. Acquisition cost figures were used for all Federal realty—exclusive of public domain lands—buildings, structures, and facilities.

Personal property inventory figures of the Federal Government were increased as a result of refinements brought about by improved accounting procedures employed within the Government. The Treasury Department was instrumental in furnishing the committee with refinements in this area. Also, the latest report reflects additional figures in areas of construction-in-progress, leasehold improvements, and real estate collateral acquired.

The committee expects to issue in December of this year another Federal property inventory report, covering real and personal property inventories as of June 30, 1957. The report will be prepared along the same lines and in the same manner as the report issued last year. Further refinements in personalty and realty inventories will be reflected in this year's report, particularly in inventories of the Department of Defense.

Fifth. Reorganization plans: Only one reorganization plan was submitted to the Congress during the first session. This constituted a further liquidation of the Reconstruction Finance Corporation. The subject matter was carefully studied by the staff and members of the subcommittee. No objections were registered to the plan and it was permitted to take effect.

Sixth. Other matters: The subcommittee continued its study of past reorganization plans; advisory committees, w. o. c. personnel practices and management contracts; the curtailment of Government functions and the feasibility of the creation of a Federal Department of Urban Affairs.

Hearings were also held on H. R. 7694, introduced by Congressman McCORMACK, to constitute the General Services Administration a Federal department.

INTERGOVERNMENTAL RELATIONS SUBCOMMITTEE,
L. H. FOUNTAIN, CHAIRMAN

The Committee on Government Operations delegated to its Intergovernmental Relations Subcommittee responsibility for studying intergovernmental relationships between the United States and the States and municipalities. Since July 1955, the subcommittee has also had before it for study the report of the Commission on Intergovernmental Relations—the Kestnbaum Commission; this Commission had been established by Congress in 1953, at the request of the President, to study and clearly define the proper role of the National Government in relation to the States and their political subdivisions. In addition, the subcommittee has been delegated responsibility for studying the operation of the Departments of Agriculture, Labor, and Health, Education, and Welfare and their related agencies at all levels with respect to economy and efficiency. This report on the activities of the subcommittee during the first session of the 85th Congress will, for convenience, separately state the work of the subcommittee in each of these areas of responsibility.

First. Intergovernmental relations:

During the first 7 months of 1957 the subcommittee continued and intensified a comprehensive study of intergovernmental relationships begun in 1955.

From the beginning, the subcommittee's activities in this field have been planned with two objectives in mind: First, to carry out the subcommittee's general responsibility for studying Federal-State-local relationships, and second, to evaluate the recommendations of the Kestnbaum Commission.

In December 1955, each Federal department and agency was asked to provide a detailed description of its programs and activities involving intergovernmental relationships. Each department and agency was also asked to list all recommendations of the Kestnbaum Commission which applied to it, and to describe any action taken to adopt such recommendations. A 776-page staff report on these replies was published in August 1956. A compilation of the recommendations and major statements of the Kestnbaum Commission identifying the Federal agency and program concerned was also prepared at the request of the subcommittee and published in 1956, as was a selected bibliography on intergovernmental relations in the United States.

In 1956, all State governors and a large number of major and county officials were asked to give their views on a series of broad questions relating to Federal programs of an intergovernmental nature. Replies from 42 of the 48 States, from 53 cities, and from 44 counties were received and analyzed in 1956 and early 1957. A 542-page report was prepared by the subcommittee containing the complete replies from all State and local officials and an analysis of the views they expressed; however, this report did not attempt to render any judgment as to the merits of such views.

The Report on Replies from State and Local Governments was unanimously adopted by the Committee on Government Operations on June 13, 1957, as its sixth report to the 85th Congress—House Report No. 575. The subcommittee has filled a large number of requests for this document from Federal, State, and local officials, educators, libraries, and other interested organizations and individuals. These same sources are continuing to send in a substantial number of requests for the subcommittee's earlier documents. The subcommittee is filling these requests, to the extent permitted by its limited supply, and has received a number of letters from recipients commenting on the usefulness of the subcommittee's series of documents on intergovernmental relations.

Much of the subcommittee's time and effort duringg the first session of the 85th Congress was devoted to preparing for a series of nine regional hearings on intergovernmental relations to be held throughout the country in October, November, and December. At these hearings, the subcommittee will seek particularly to obtain evidence bearing on two broad questions: First, whether the existing division of responsibility between the national and other levels of government is satisfactory, and second, whether intergovernmental cooperation can be improved in existing grant-in-aid programs in order to make their operation more efficient and economical. Governors of all 48 States will be invited to testify, as will a number of mayors, county officials, and State legislators.

The subcommittee's series of documents on intergovernmental relations is expected to serve as extremely valuable background material for its regional hearings. Further information useful in planning regional hearings was obtained during 3 days of public hearings in Washington on July 29, 30, and 31. Witnesses at these hearings included Meyer Kestnbaum, who served as chairman of the Commission on Intergovernmental Relations, and Representatives BROOKS HAYS and HAROLD OSTERTAG, former members of that Commission. Other witnesses included representatives of the United States Conference of Mayors, the American Municipal Association, the International City Managers' Association, and the National Association of County Officials. The subcommittee also heard testimony from representatives of the United States Chamber of Commerce, the National Association of Manufacturers, and the AFL–CIO.

Second. Department of Agriculture:

(a) Cheese and butter transactions: As a direct result of the subcommittee's investigation of cheese and butter purchase resale transactions of the Department of Agriculture, a Federal court in Baltimore, Md., on July 3, 1957, ordered three companies to repay more than $252,000 to the taxpayers. The decision was the first in a series of lawsuits filed by the Justice Department; it is expected that other pending actions, if successful, will eventually lead to the recovery of an additional $2 million. The court cases were brought after the Comptroller General, at the request of the subcommittee and on the basis of its investigation, ruled that the 1954 purchase and simultaneous resale of 85 million pounds of cheese and 5 million pounds of butter was unauthorized and improper. The cheese and butter involved was never moved from the warehouses in which it was stored, but the Department of Agriculture paid the owners the difference between the purchase and resale prices.

(b) Wheat storage: On July 22, 23, and 24 the subcommittee held public hearings concerning transactions involving storage of Government-owned wheat by the Burrus Mills Co., of Dallas, Tex. Beginning in 1954, this company stored 37 million bushels of wheat in huge plastic tents at St. Joseph, Mo., and Fort Worth, Tex. As a result of spoilage of a large percentage of this wheat, millions of dollars in claims by the Department of Agriculture's Commodity Credit Corporation are being made against the Burrus Co. Because of the extremely complicated nature of these transactions, the subcommittee's investigation is only partially finished; it is expected that several more months will be required to complete it.

(c) Agricultural drainage: On August 15, the subcommittee held a public hearing concerning drainage activities of the Department of Agriculture in the pothole or wetland areas of North and South Dakota and Minnesota in order to determine whether these activities, as presently carried on, conflict with or are inconsistent with other Federal activities relating to reduction of surpluses in agricultural commodities or wildlife conservation. Testimony was received from witnesses from the Department of Agriculture, the Fish and Wildlife Service of the Department of Interior, and from the director of the Department of Game, Fish, and Parks of the State of South Dakota and the former fish and game commissioner of North Dakota. The subcommittee has not yet made any findings with respect to this matter; however, at the conclusion of the hearings the chairman requested the representatives of the Departments of Interior and Agriculture to meet with each other and, insofar as possible, to resolve their policy differences.

(d) Other agricultural matters: Within the limitations necessarily imposed by the size of its staff and the time available, the subcommittee has conducted a continuing study of many other activities of the Department of Agriculture. The subcommittee has been particularly interested in the operation of the soil bank program and in transactions involving export of surplus agricultural commodities.

Third. Department of Health, Education, and Welfare:

(a) Polio vaccine: On October 11 and 12, 1956, the subcommittee held public hearings concerning expenditure of Federal funds for polio vaccine. Witnesses from the Department of Health, Education, and Welfare, the Public Health Service, and the Justice Department were called to testify. Disclosures at these hearings led to a Federal grand jury investigation, now in progress at Trenton, N. J., of a possible price-fixing conspiracy in the sale of polio vaccine. If such a conspiracy is shown to exist, Federal and State Governments could recover any excessive charges which were paid for polio vaccine as a result of the conspiracy.

On March 21, 1957, an additional public hearing was held at which witnesses from the Public Health Service testified concerning activities relating to assisting State and local governments in the prevention of polio; the supply of, demand for, and distribution of vaccine; and the collection and dissemination of information concerning polio vaccine.

A report on activities of the Department of Health, Education, and Welfare relating to polio vaccine was prepared by the subcommittee and, on August 14, unanimously adopted by the full committee as its 15th report to the 85th Congress—House Report No. 1175. The subcommittee is continuing to study further developments relating to polio vaccine activities of the Department and will hold further hearings and make a further report if necessary.

(b) Other matters: The subcommittee is studying a number of other activities of the Department of Health, Education, and Welfare. It is particularly interested in those activities relating to air pollution control and to Asian influenza.

Fourth. Department of Labor: The subcommittee staff studied activities of the Department of Labor during the first session of the 85th Congress. It is expected that this phase of the subcommittee's work will be expanded during the second session.

PUBLIC WORKS AND RESOURCES SUBCOMMITTEE, HON. EARL CHUDOFF, CHAIRMAN

A. Investigations: A brief outline of the subject matter of the investigations and public hearings in connection therewith follows:

First. The Virgin Islands Government and the Virgin Islands Corporation:

The subcommittee held comprehensive hearings on the operations of the Virgin Islands Government and the Virgin Islands Corporation. These hearings took place in the Virgin Islands during November and December of 1956 and in Washington, D. C., during March and May of 1957. A wide range of problems were investigated and a number of serious deficiencies were uncovered. The subcommittee's findings were adopted by the full committee in its ninth report, entitled "Operations of the Virgin Islands Government and the Virgin Islands Corporation."

The subcommittee looked into the problem of the recurring grave water shortage on the Island of St. Thomas and found that the Interior Department's and the island Governor's approach to solving the problem has been one of delay, indecision, and waste. No new water facilities have been constructed there since 1949.

Among other important findings of the subcommittee are:

(a) Accounting and budget controls have not yet been set up by any of the island Governors, this despite statutory requirements for such controls.

(b) The office of the island's government comptroller suffers from basic organizational flaws which seriously impede its effectiveness.

(c) Major inadequacies exist in local procedures and records affecting taxation and assessment.

(d) The office of the government secretary could, if properly established, provide the key to sound management of the operations of the island's government.

With respect to the Virgin Islands Corporation, the subcommittee's chief findings are:

(a) While the Corporation appears on the verge now of bringing its sugar operations out of the red, a test period of 3 to 5 years should be used to gage the ultimate trend and to determine whether the sugar operations should be disposed of to private industry or closed down altogether.

(b) The Corporation, in effect, subsidizes the rum industry by selling molasses to the distilleries at less than market value.

(c) Certain apparent conflict-of-interest situations exist involving officials of the Corporation.

At the request of the subcommittee chairman, the Commodity Stabilization Service prepared an Economic Appraisal of the Sugar Operations of the Virgin Islands Corporation, which was published as a committee print.

Second. Army-Interior reservoir land-acquisition policy:

The subcommittee held hearings during June and July of 1957 into the matter of the joint-reservoir land-acquisition policy adopted in October of 1953 by the Army and Interior Departments. Under the new policy much of the reservoir area subject to periodic inundation is now acquired as a mere flowage easement instead of the full fee simple interest generally acquired under the previous policy. The subcommittee's findings were adopted by the full committee in its 16th report, entitled "Army-Interior Reservoir Land Acquisition Policy."

The report concluded that the change in policy has not been in the best interest of the Government and the people of the United States. More specifically, it was found that—

(a) Contrary to the claims of the Departments, there is little if any monetary saving to the acquiring agency when it acquires flowage easements instead of fee simple title.

(b) Contrary to the claims of the Departments, there is no overall loss of tax revenue to the local units of government when the Government acquires the fee interest.

(c) There is less flexibility in reservoir operations when much of the land subject to inundation by the reservoir is held by the Government in easement rather than fee.

(d) The need for conservational and recreational use of reservoir lands is skyrocketing. Congress has recognized both uses. Nevertheless, the easement-taking policy markedly restricts such uses.

(e) The policy was adopted despite contrary advice of top officials of the Corps of Engineers.

Third. Morningside Hospital, Portland, Oreg.: As a result of extensive investigations by the staff, the subcommittee will hold hearings in Portland, Oreg., during the week of September 16, 1957, into the operations of the Morningside Hospital in connection with the care and treatment of mental patients committed there from the Territory of Alaska. The major problems to be examined are allegations as to improper care and treatment of mental patients, including the use of patient-labor; the relationships between the Department of the Interior, the Territory of Alaska, and the Sanitarium Company of Portland (which operates the hospital); and the financial aspects of the operating contract between the company and the Government.

Fourth. Alaska native loan program: The subcommittee will hold hearings in Juneau, Alaska, during the week of September 23, 1957, on the operations of the Bureau of Indian Affairs loan program as it affects Alaska native associations and individuals. The loans are authorized by the Wheeler-Howard Act, as amended—title 25, United States Code, sections 470, 473. The subcommittee is primarily concerned with the policy back of the making and administering of loans to native associations for the acquisition and operation of fish canneries and for relending to association members for purchase or repair of fishing boats. This inquiry stems from a memorial of the Alaska Territorial Senate, passed February 15, 1957, and addressed to, among others, the House Committee on Government Operations, which urges the correction of certain alleged practices and attitudes on the part of the Bureau of Indian Affairs in the handling and administration of the loan program.

Fifth. Federal Power Commission's report that utilities have improperly charged propaganda expenses: After formal notification by the chairman of the subcommittee of Recommendation No. 4 of House Report No. 231, 85th Congress, on private electric utilities' organized efforts to influence the Secretary of the Interior—Ebasco Services, Inc., and Rocky Mountain group—the Chairman of the Federal Power Commission reported to the subcommittee on May 17, 1957, that 59 major electric utility companies had improperly accounted for expenditures to publish either one or both of two anti-public-power propaganda booklets. In fact, not one company had properly accounted for the expenditure. In his report, the FPC Chairman held the private- against public-power question to be a political controversy and the propaganda booklets to represent political expenditures not properly chargeable to operating expenses. All future expenditures of similar nature must be excluded from the utility companies' operating expense accounts. Another far-reaching implication of the report is that the many millions of dollars spent by the industry in the past for political propaganda purposes may also have been improper deductions for income-tax purposes.

Sixth. Bonneville Power Administration claim against Alcoa for defective Chukar conductor: In response to a request by the subcommittee, the Comptroller General of the United States investigated allegations that the Aluminum Company of America had furnished defective high-voltage Chukar conductor to the Bonneville Power Administration. Thereafter, a supplemental agreement dated February 6, 1957, was entered into under which the Bonneville Power Administration received a consideration of approximately $330,000 for waiving its claims against the company.

Seventh. Proposed repayment contract with Kings River Conservation District, Pine Flat Dam, Calif.: The subcommittee has continued its study of developments in the Department of the Interior surrounding a proposed repayment contract between the Bureau of Reclamation and the Kings River Conservation District in California. Under the proposed contract it was sought to permit the district, and also any corporation or individual to pay out in not more than 10 years—instead of the normal 40 years—and thereby escape the restrictions of the provisions of law which limit land eligible for project water to a maximum of 160 acres for any one landowner. Investigation had revealed that such a proposed contract had been negotiated in the field with approval of former Secretary of the Interior Douglas McKay and Assistant Secretary Aandahl. After the committee and the subcommittee communicated their interest in the subject to the Department, final approval of the proposed contract in Washington was held up for some 19 months. On July 12, 1957, Secretary of the Interior Fred Seaton announced that he had determined not to approve the proposed contract in its present form because to permit individuals or corporations to escape the 160-acre limitation provisions by prepayment would be contrary to reclamation law.

Eighth. Rural telephone cooperative loan requirements: The subcommittee recently inquired of the Rural Electrification Administration for an explanation as to why equity requirements for telephone loans have been liberalized for commercial borrowers without a corresponding liberalization for rural telephone cooperatives. A subsequent announcement by REA indicates that this discrimination has now been removed.

B. Legislation: The subcommittee had referred to it the following bill:

H. R. 83, to provide for a survey of the production of fertilizer by the Tennessee Valley Authority, and for other purposes.

The committee has received adverse reports from the two of the three Government agencies most immediately concerned, and a partially adverse report from the third. In a letter to the committee dated January 28, 1957, the Comptroller General of the United States stated that he did not recommend favorable consideration of the bill. Likewise, in a letter to the committee dated February 6, 1957, the Chairman of the TVA declared that enactment of the bill would not be in the public interest. The Secretary of Agriculture advised by letter April 11, 1957, that only that portion of the bill be considered at this time which would authorize a Comptroller General's study of the cost of fertilizer production.

INTERNATIONAL OPERATIONS SUBCOMMITTEE, PORTER HARDY, JR., CHAIRMAN

First. United States aid operations in Iran:

The first report approved by the Committee on Government Operations in the 85th Congress was one submitted by this subcommittee. The report, United States Aid Operations in Iran, House Report No. 10, was based on hearings conducted by the subcommittee in the 84th Congress. It analyzes the economy and efficiency with which technical and economic assistance was furnished to Iran in the period 1951 through 1955. A number of serious defects in the formulation and administration of this program are discussed, some of which reflect certain weaknesses in the general handling of the United States aid program. The report includes recommendations designed to strengthen the administration of the program and to prevent recurrence of the defects.

Second. International Cooperation Administration's budget practices:

Beginning in February, the subcommittee conducted an inquiry into the budget formulation and presentation practices of the International Cooperation Administration. Hearings were held on April 4, 5, and 10 to receive testimony from the Director of ICA, the Comptroller General, and members of their staffs. On the basis of these hearings, study of a number of audit reports made by the Comptroller General, and of past studies made by the subcommittee with respect to specific areas—Latin America and Iran—the subcommittee submitted and the full committee approved the report entitled "Review of the Budget Formulation and Presentation Practices of the International Cooperation Administration," House Report No. 449.

This report discusses the existing budget practices of ICA and recommends a number of changes to improve the administration of the program and to provide better information regarding control of appropriations by Congress.

Third. State Department public opinion polls:

In May, the subcommittee initiated an inquiry into the conduct of public opinion polls by the Department of State. Five days of open hearings were held in July. A hearing in executive session on June 21 was subsequently included in the published hearings.

This inquiry resulted in the 11th report of the Committee on Government Operations, entitled "State Department Public Opinion Polls," House Report No. 1166. The report concluded that the polls were illegally financed with funds from the appropriation entitled "Emergencies in the Diplomatic and Consular Service." The report raised serious questions regarding the selection of questions and the validity of the sampling in connection with the polls, and regarding the possibility that violations of law had occurred when the poll results were released.

Fourth. Other investigations:

The subcommittee has been and is currently engaged in an investigation of the operations of certain projects of the foreign aid program in the Middle East and Indochina areas.

The subcommittee has been engaged in a continuing study of the administrative management of the Department of State, with particular emphasis on its personnel and budgetary operations. The subcommittee has made inquiries concerning the implementation of the recommendations contained in its report, No. 1663, 84th Congress, regarding Foreign Service promotions under the Wriston program.

Fifth. Legislation: No legislation was referred to this subcommittee during the first session.

LEGAL AND MONETARY AFFAIRS SUBCOMMITTEE, HON. JOHN A. BLATNIK, CHAIRMAN

First. Interstate Commerce Commission:

The subcommittee investigated charges that ICC-prescribed railroad accounting procedures resulted in overstatement of rail earnings and that the ICC was protecting the investing public by leading them to a shearing. Also at issue were other ICC prescribed accounting practices allegedly at variance with generally accepted accounting principles. Witnesses at the subcommittee hearings included accountants, representatives of the railroad industry, the American Institute of Accountants, New York Stock Exchange, investment analysts from member firms of the New York Stock Exchange, as well as Interstate Commerce Commission officials.

As a result of its investigation, the committee recommended that railroad reports to stockholders conform to generally accepted accounting principles and particularly that savings resulting from tax amortization be incorporated in the body of such reports—not tucked away in footnotes.

The subcommittee also commended the ICC for instituting rulemaking procedures concerning replacement accounting for rail and track structure; rejected a suggestion to transfer jurisdiction over railroad securities from the Interstate Commerce Commission to the Securities and Exchange Commission; recommended that the Civil Service Commission take early action to reappraise the salary structure for critically needed ICC accountants; recommended that the District of Columbia Committee inquire into the failure of the District of Columbia to accord credit to Government experience for accountants' certificates.

Subsequent to the commencement of the subcommittee's hearings, the Interstate Commerce Commission commenced rulemaking procedures on correction of six accounting variances. These corrections are scheduled to become effective as of January 1, 1958.

Rulemaking procedures were also instituted to determine whether replacement or depreciation accounting is more appropriate for track structure.

The subcommittee's report and recommendations are contained in House Report No. 1167, 85th Congress, 1st session.

Second. False and misleading advertising: The subcommittee initiated its investigations into false and misleading advertising with studies of filter-tip cigarettes and weight-reducing remedies. Hearings were held on the above matters, to gage the effectiveness of enforcement actions of the Post Office Department and the Federal Trade Commission in the field of false and misleading advertising. Time did not permit the submission of reports on these matters as hearings were held during late July and in August.

(a) Cigarettes: The subcommittee heard testimony from leading medical and scientific experts on the casual relationship of cigarette smoking and lung cancer, as a background to evaluating advertising claims of filter cigarettes. Experts heard on this phase of the hearings included representatives of the American Cancer Society, the Surgeon General of the United States, the director of the National Cancer Institute, and medical and technical researchers.

On the issue of false and misleading cigarette advertising, the subcommittee heard from representatives of Consumers' Union, Reader's Digest, and the Federal Trade Commission.

The subcommittee's report will be submitted to the full committee at the earliest opportunity.

(b) Weight reducing remedies:

The subcommittee investigated nodiet reducing claims of widely advertised alleged reducing remedies and the effectiveness of enforcement and policing of this advertising by the Post Office Department, Federal Trade Commission, and the Food and Drug Administration.

Testimony was received from leading medical experts on obesity, from the National Better Business Bureau, as well as officials of the above Federal agencies.

The subcommittee's report will be submitted to the full committee at the earliest opportunity.

Third. Legislation:

A report on S. 916—H. R. 4499—has been prepared following subcommittee resolution to report on this bill favorably to the full committee. This report will be presented to the full committee at the earliest opportunity.

This bill would permit continuation of Post Office Department accounts in the name of the deceased, resigned, separated, or discharged disbursing officer for a limited period pending the appointment of a successor.

GENERAL GOVERNMENT ACTIVITIES SUBCOMMITTEE, HON. JACK BROOKS, CHAIRMAN

First. Review of negotiated sales:

The subcommittee reviewed 54 proposed negotiated sales of surplus property set to sell for a total of $7,798,611, largely emanating from the General Services Administration.

(a) Exhaustive examination was made of 14 of these proposed sales, set to sell for a total of $7,071,389, and the proposed prices in five instances were disapproved. It is anticipated that subsequent public auctions of these five properties will bring in a possible $500,000 more than would have the negotiated prices.

(b) A striking example of how persistent vigilance by the subcommittee has resulted in cash gains for the Nation is evident in the case of the so-called Haster property at Garden Grove, Calif. The subcommittee thrice thwarted efforts to sell this surplus land to the former owners for as little as $400 an acre, or as much as $1,800 an acre, and GSA finally sold it at public auction, at the subcommittee's urging, on August 29, 1957, for $5,350 an acre.

The subcommittee stopped proposals to sell the land at negotiated prices of some $1,800 an acre during both the first and second sessions of the 84th Congress, recommending that fair market value be sought via public auction. During the 85th Congress, the subcommittee held a hearing June 18 and 19, 1957, on H. R. 2519, which would have permitted the former owners to buy the tract for as little as $400 an acre, and recommended instead that the GSA go ahead with plans to sell it at public auction. This auction found 59 acres bringing $5,350 each, a total of $315,650. This sum is $209,450 more than the same tract would have brought at the proposed negotiated sale prices.

Second. Legislative matters:

On legislative matters during the session, the subcommittee has had for consideration 55 House bills and 3 Senate bills. All bills were reviewed in detail and hearings were held on 18 of the House bills and 3 of the Senate bills. A major portion of the remaining House bills were determined to be inconsistent with subcommittee views and, after explanation to the authors, were not scheduled for hearings. Of those bills on which hearings were held, the subcommittee reported favorably on 7 of the House bills and 3 of the Senate bills. Study on some recently submitted bills is continuing.

(a) In the case of the proposed negotiated sale of the surplus aircraft facility at Chula Vista, Calif., to the Rohr Aircraft Corp., the subcommittee recommended to the General Services Administration that, contrary to the terms of the proposed sale, the Government receive rentals from the lessee-proposed buyer until the date the sale is consummated—means whereby the revenue in the matter would be increased by at least $130,000 from the rental, whether or not a recommended higher sale price was obtained.

(b) A hearing on the proposed negotiated sale of a communications system at the naval station in Newport, R. I., raised various facets of the question whether a Government agency can lawfully and properly, under the Federal Property and Administrative Services Act of 1949, as amended, report property to the GSA as excess to its needs when, in fact, such property is vital to its operations and is continued to be used after being reported as excess. The subcommittee halted the proposed Newport sale and the Comptroller General has now interpreted the definition of "excess" and "surplus" property, under the aforesaid act, as within the purview of the head of the Federal agency concerned. A positive sales price was not included in the negotiated sale proposal and the subcommittee still has the proposed sale under examination.

Third. Federal Housing Administration:

(a) The subcommittee surveyed leasehold practices of the Honolulu office of the Federal Housing Administration and recommended changes in procedure which may result in a repeated saving to the Government of several hundred thousand dollars a year. The FHA officially welcomed the subcommittee's recommendations, dubbing them very useful, and has made resulting special studies of the situation, leading to a proposed revision in the method of appraising leased fees in Hawaii. The FHA is presently investigating the possibility of immediately putting the new method into actual practice.

(b) Alleged irregularities in the Federal Housing Administration office in Kansas City, Mo., have been investigated extensively with a view to a possible public hearing on the matter when the investigating phase is completed.

Fourth. Metal program:

(a) The subcommittee has continued studies on the expansion, operation, and disposition of the Government-owned nickel plant at Nicaro, Cuba, and has begun to check into the recent GAO audit of the neighboring Cuban-American Nickel Co., subsidiary of Freeport Sulphur Co.

(b) Information and material collected on the procurement of tungsten in California and other Western States has been reviewed and is being evaluated.

MILITARY OPERATIONS SUBCOMMITTEE, HON. CHET HOLIFIELD, CHAIRMAN

First. Subcommittee reports on investigations and studies:

(a) Defense standardization program:

On July 17, 1957, a subcommittee report on the defense standardization program was approved as the seventh report of the Committee on Government Operations, House Report No. 822.

The report was based on hearings held by the subcommittee on cataloging and standardization in the Department of Defense on January 30, 31, and March 12, 1957. Major emphasis was given to standardization because this area has received less attention from the Congress than cataloging and because systematic progress of standardization is much less evident.

The report, which was unanimously approved by the full committee, was submitted to the Department of Defense and other interested Government agencies. It contained 11 recommendations for speeding up the standardization program and for achieving greater economy and efficiency in military supply management. The Department of Defense has acknowledged the basic validity of the subcommittee's findings and recommendations and has promised to give special attention to improvements in defense standardization. The Department of Defense will submit to the subcommittee a report within 6 months showing where improvements will have been made.

The verbatim transcripts of the hearings have been printed and are available for the public.

The General Services Administration, which has standardization responsibilities for civilian government agencies, also has commended the report.

The Bureau of the Budget and the General Accounting Office have likewise studied the report and have promised to give close attention to the defense standardization program.

(b) Status of civil-defense legislation:

On July 22, 1957, the subcommittee's report on the status of civil-defense legislation was approved as the eighth report of the committee, House Report No. 839.

Following the comprehensive investigation of civil defense and the subcommittee report which was approved by the full committee in 1956—House Report No. 2946, 84th Congress, 2d session—legislation was prepared embodying the subcommittee's recommendations on civil defense. All members of the subcommittee and several other Members of Congress introduced identical bills—H. R. 2125 and others.

Continuing its study and investigation of civil defense, the subcommittee held hearings on the proposed new civil defense legislation on February 5, 6, 8, 13, 14, 18, March 5, 6, and 7, 1957.

The verbatim transcripts of the hearings have been printed and are available for the public.

The objectives of the proposed legislation were widely endorsed by national organizations and civic associations interested in civil defense. Numerous minor amendments were suggested. These are the subject of subcommittee staff study. In the meantime the subcommittee decided to make an interim report, as identified above.

The subcommittee also is investigating certain features of Federal Civil Defense Administration management and operations and is studying atomic-weapons test data relating to civil-defense shelters.

(c) Military-tank procurement:

On July 31, 1957, the subcommittee's report entitled "Military Tank Procurement" was unanimously approved as the 10th report of the committee, House Report No. 958.

This report, which reviewed the development of the heavy-tank program and specific procurement contracts, was the subject of hearings in public and executive session on March 21 and 22, 1957.

The verbatim transcripts of the public hearings have been printed and are available for the public.

In view of the complex contractual matters involved, the subcommittee recommended that the General Accounting Office audit the tank procurement under inquiry with specific attention to the matters designated by the subcommittee.

The report has been submitted to the Department of Defense for comment.

(d) Military-clothing procurement:

On August 14, 1957, the subcommittee's report on military-clothing procurement was unanimously approved as the 13th report of the committee, House Report No. 1168.

This report covered military-clothing contracts let by the military agencies to companies owned or controlled by Herman D. Wynn. It examined also the specific contract let to Wynn Enterprises, Inc., headed by the wife of Robert Tripp Ross when he was Assistant Secretary of Defense for Legislative and Public Affairs.

Public hearings were held on April 3, 4, 5, 8, 9, 10, 11, and 12, 1957.

The verbatim transcripts of the hearings have been printed and are available for the public.

The subcommittee made 30 recommendations for improving military procurement in clothing and related fields. The report has been submitted to the Department of Defense and other interested agencies for analysis and comment.

(e) Letter contracts and contract terminations in military procurement:

On August 14, 1957, the subcommittee's report on letter contracts and contract terminations was unanimously approved as the 14th report of the committee, House Report No. 1169.

This report embodied three surveys made by the General Accounting Office at the request of the subcommittee at the conclusion of its investigation, during the 84th Congress, of the Navy procurement of Demon aircraft. The surveys covered the use of letter contracts and the termination of procurement contracts by the three military departments for the fiscal years 1954, 1955, and 1956.

The subcommittee's work in this field has been noted by the House Committee on Appropriations in its own procurement studies. As a result of the subcommittee's earlier investigations into Navy procurement, the Comptroller General has decided to examine letter contracts and contract terminations as a regular part of his defense audit program.

(f) Air Force and Navy rocket launcher procurement:

The report of these matters is being prepared and will be submitted at the next session of Congress.

Public hearings were held February 8, 11, 12; March 26, 27, 28, 29; and April 1, 1957.

The verbatim transcript of the hearings is being published and will be available for the public.

Second. Miscellaneous investigations and studies: The subcommittee conducted numerous inquiries into military procurement and other matters referred to it by Members of Congress. It also conducted followup inquiries into projects which were the subject of investigation and report during the 84th Congress. Some of these projects may be identified as follows:

(a) Surplus property:

The subcommittee staff examined military surplus disposal actions, investigating more closely those which indicate dissipation of valuable Government resources.

In several cases the subcommittee was instrumental in calling attention of the Federal Civil Defense Administration to military surplus items needed for civil-defense purposes which would otherwise be sold for a small fraction of acquisition cost. Use of such surplus property for civil-defense purposes was authorized by Public Law 655 of the 84th Congress. The subcommittee also was instrumental in getting the Department of Defense to change its demilitarization policy which required the scrapping of military goods, such as aircraft, even though they have considerable commercial utility. Many thousands of dollars are being saved the Government by disposal of usable aircraft to commercial outlets.

(b) Followup on Navy jetplane procurement: Following up its investigation and report of Navy procurement of Demon aircraft—84th Congress, 2d session, House Report No. 1891—the subcommittee inquired into recent developments concerning that program. The Navy replied to a detailed list of questions by the subcommittee. The information, which is classified, is under study by the subcommittee staff.

(c) Missile programs: The subcommittee is studying developments in the missile field in connection with its civil-defense inquiries and in terms of competing activities among the military services from the standpoint of economy and efficiency.

Third. Legislative matters:

(a) Civil-defense bills: The following bills relating to civil defense were referred to the subcommittee: H. R. 2125, H. R. 2149, H. R. 2159, H. R. 2213, H. R. 2214, H. R. 2223, H. R. 2239, H. R. 4219, H. R. 4295, H. R. 4415, H. R. 4418, H. R. 6313, H. R. 6467, House Joint Resolution 78, and House Joint Resolution 88. H. R. 2125 and identical bills were the subject of hearings and an interim report, as described in part I.

(b) Other bills: H. R. 84, providing for a survey by the Comptroller General of the operation by the Department of Defense of commissary stores and post exchanges, was referred to the subcommittee. The bill was considered by the subcommittee but was not reported out.

SPECIAL SUBCOMMITTEE ON DONABLE PROPERTY, HON. JOHN W. M'CORMACK, CHAIRMAN

First. Bills referred and investigated—not reported out:

H. R. 242, to amend the Federal Property and Administrative Services Act of 1949 to permit the donation of surplus property to certain community organizations.

H. R. 543, to amend the Federal Property and Administrative Services Act of 1949 to permit the donation and other disposal of property to tax-supported public-recreation agencies.

H. R. 737, to amend the Federal Property and Administrative Services Act of 1949 to permit the disposal of certain surplus property to State defense forces.

H. R. 2504, to provide that Government surplus property may be donated to 4-H Clubs for the construction, equipment, and operation of camps and centers.

H. R. 2552, to amend the Federal Property and Administrative Services Act of 1949 to permit the donation of surplus property to volunteer fire-fighting organizations.

H. R. 3406, to amend the Federal Property and Administrative Services Act of 1949 to permit the donation of surplus property to volunteer fire-fighting organizations.

H. R. 4007, to amend section 203 of the Federal Property and Administrative Services Act of 1949 to permit the disposal of surplus property to publicly owned water districts and publicly owned sewer districts.

H. R. 4107, to amend the Federal Property and Administrative Services Act of 1949 to permit the donation of surplus property to volunteer fire-fighting organizations, volunteer reserve services, squads, and first-aid crews.

H. R. 5448, to amend the Federal Property and Administrative Services Act of 1949 to make rehabilitation facilities and sheltered workshops eligible for donations of surplus real personal property.

H. R. 5451, to amend section 203 of the Federal Property and Administrative Services Act of 1949 to permit the disposal of surplus property to municipalities.

H. R. 5460, to amend section 203 (j) of the Federal Property and Administrative Services Act of 1949 to provide that surplus property which is not used in the donable property program shall be offered for sale to States and political subdivisions thereof.

H. R. 5470, to amend the Federal Property and Administrative Services Act of 1949 to make municipalities eligible for donations of surplus real and personal property.

H. R. 6316, to amend the Federal Property and Administrative Services Act of 1949 to permit the donation of surplus property to volunteer fire-fighting organizations, volunteer reserve services, squads, and first-aid crews.

H. R. 6537, to authorize the disposition of certain obsolete and excess property to the United States Volunteer Life Saving Corps.

H. R. 7067, to amend the Federal Property and Administrative Services Act of 1949 to permit the donation and other disposal of property to tax-supported public recreation agencies.

H. R. 7929, to amend the Federal Property and Administrative Services Act of 1949 to permit the donation of surplus property to volunteer fire-fighting organizations.

The above mentioned bills were carefully studied in conjunction with the interested executive agencies. Each bill would have had added to the list of eligible donees for surplus property and accordingly would have increased the administrative expense for the donable surplus property program and would also have reduced the amount of property available for education, health, and civil defense purposes as provided by Public Law 61 of the 84th Congress, 1st session, and Public Law 655 of the 84th Congress, 2d session.

The responsible executive agencies, namely, the Bureau of the Budget, Department of Health, Education, and Welfare, and the General Services Administration opposed extension of the benefits of the donable act to other donees at the present time. Accordingly, hearings were not held on any of the bills but the matter will be kept under strict surveillance for the next year or so.

Second. Bills referred and investigated—reported out:

H. R. 8795, to amend section 507 and subsection 602 (a) of the Federal Property and Administrative Services Act of 1949, as amended.

This bill would place the Franklin D. Roosevelt Library at Hyde Park, New York, under the provisions of the Presidential Libraries Act. Hearings were held by the subcommittee on July 29, 1957, and the bill was reported to the full committee which approved it on July 31, 1957—see report No. 957. The Senate has not acted on the bill to date.

Third. Donable surplus property program:

The Department of Health, Education, and Welfare reports surplus personal property amounting to $234,862,274 at acquisition cost was allocated to education, health, and civil defense agencies during the fiscal year 1957. Real property valued at $6,729,682, acquisition cost, was likewise transferred to these activities. It is agreed that the program will continue at this volume for some time to come.

Several problems arose in the operation of the donable program during the fiscal year, 1957. Through the cooperation of the interested Federal and State agencies they were satisfactorily resolved to the mutual satisfaction of all parties.

Fourth. Foreign excess property: The subcommittee was also successful in having the Department of Defense issue instructions pursuant to section 402 of the Federal Property and Administrative Services Act of 1949 making foreign excess personal property available for donations to specified agencies. In many instances executive agencies operating in foreign countries have excess property which has no commercial value or the estimated cost of care and handling of which would exceed estimated proceeds from its sale. Such property will be eligible for donation to meritorious organizations.

Fifth. Sale of TBM planes:

Through subcommittee action 87 TBM planes which had been scheduled for sale as scrap were made available as commercial flyable planes. This resulted in a direct saving to the Government of $184,984.87.

In addition 10 TBM planes were transferred to the United States Forest Service for fire-protection purposes and the military regulations dealing with demilitarization were amended to make additional property available for sale for its original utility rather than for scrap purposes.

SPECIAL SUBCOMMITTEE ON GOVERNMENT INFORMATION, HON. JOHN E. MOSS, JR., CHAIRMAN

During 1957, the Special Subcommittee on Government Information has held 9 hearings with 24 witnesses to carry out the instructions from Congressman WILLIAM L. DAWSON, who chartered the subcommittee on June 9, 1955. At that time, Congressman DAWSON instructed the subcommittee to determine the restrictions placed on information from Federal executive and independent agencies and to suggest remedies for the unjustifiable restrictions.

First. Legislation:

(a) In January 1957, bills were introduced as an amendment to title 5, United States Code, section 22, by Congressman JOHN E. MOSS, H. R. 2767; Congressman DANTE B. FASCELL, H. R. 2768; and Congressman WILLIAM L. DAWSON, H. R. 2769. Title 5, United States Code, section 22, is the executive department's basic housekeeping statute which has been twisted into a claim of authority to withhold information from the public. Similar legislation was introduced by Congressman CLARE E. HOFFMAN—H. R. 2810.

On July 22, 1957, the initial hearing on the proposed amendment was held and although each of the 10 executive departments filed statements objecting to the amendment, representatives of only two executive departments attended the hearing. Plans have been made to permit other executive departments to testify and to hear proponents of the legislation.

In addition to the hearing on the proposed amendment, questions were asked of the executive departments by letter and numerous civic organizations were contacted for their opinions on the legislation. Among those organizations supporting the principle set forth in the Dawson-Moss-Fascell bills is the American Society of Newspaper Editors.

(b) Other legislative developments include cooperation with the staff of the Ways and Means Committee of the House to work out legislation opening to the public the applications for tax-exempt status of nonprofit, nonpolitical organizations. Although this legislation was included in a general tax revision bill approved by the committee, there has been no final House action.

(c) A major development affecting the availability of information from the Federal Government was House approval of H. R. 7390, by Congressman DANTE B. FASCELL, a subcommittee member. The report on this bill includes the statement that minutes of meetings of the myriad governmental advisory committees shall be available to the public, subject only to security and other restrictions specifically provided by law.

(d) In April 1957, Congressmen DAWSON, MOSS, and FASCELL introduced legislation to amend the public-information section of the Administrative Procedure Act, removing many of the objectionable phrases which have been misused to refuse information to the public, the Congress, and the press. This legislation has been referred to the House Judiciary Committee. These bills are: H. R. 7172, DAWSON; H. R. 7173, FASCELL; and H. R. 7174, MOSS.

(e) Another important legislative development in the information field was action by both the House and Senate, abolishing the Office of Strategic Information in the Department of Commerce. Funds for this agency—found to be uneconomical and inefficient by the House Government Operations Committee following hearings by the Special Subcommittee on Government Information—were deleted from the Department of Commerce budget by the House and Senate Appropriations Committees.

(f) An important part of the subcommittee's effort during 1957 has been devoted to legislative matters and to a continuation of the study of the Defense Department's information practices and policies.

On March 11 and 12, 1957, the subcommittee held hearings to discuss the report of the so-called Coolidge Committee—the Defense Department's Committee on Classified Information. On April 10, 11, and 12, the subcommittee held hearings to discuss directives which the Defense Department had issued to put into effect some of the Coolidge Committee's recommendations. On July 1 and 8, hearings were held with the public-information chiefs of the Army, Navy, and Air Force. On July 22, the initial hearing was held on the proposed amendment to title 5, United States Code, section 22.

Second. Elimination of restrictions on information: In addition to developments as a result of these hearings, however, the subcommittee has, by letters and staff contacts, followed up a number of complaints against unjustifiable restrictions on information. The following are some of the results of the hearings and of the additional contact work:

(a) The Department of Agriculture revised a regulation which permitted censorship of television films, news releases, and similar information items prepared by private groups through cooperation with the Department. The objectionable features have been deleted from the new regulation.

(b) The Defense Department has made available information about concessionaires' rented space in the Pentagon. Contracts for such space previously were not made public.

(c) The Defense Department revised a verbal classification of a weather broadcast which was available through an unclassified telephone number.

(d) The General Services Administration withdrew a proposed form which all resigning employees would have had to sign, stating they would never divulge administratively controlled information.

(e) The Foreign Claims Settlement Commission also has stopped using a form prohibiting the dissemination of administratively controlled information.

(f) The Defense Department reversed an earlier decision to prohibit reporters from the launching of the first earth satellite.

(g) The Defense Department took action to declassify a roomful of World War II scientific documents at Harvard University's Widener Library.

(h) The Department of Justice declassified portions of a report on trips by border patrol inspectors to rifle and pistol matches and made classified sections of the report available to the appropriate House Government Operations Subcommittee.

(i) The General Services Administration revised an administrative order which restricted contacts by Congressmen, their staffs, and Congressional committees' staffs with GSA employees.

(j) The Treasury Department issued Treasury Decision 5421—August 27, 1957, Federal Register, Document 57-7099—permitting the disclosure of statistical data on exports from United States ports which has been restricted since World War II.

(k) The General Services Administration clarified a regulation on photographic access to Federal buildings so that the Federal district court in Denver, Colo., would not impose restrictions on photographers in public corridors in the Denver Federal Building.

(l) An initial investigation disclosed that many of the so-called leaks by the press of security information cited by the Coolidge Committee came from properly cleared Defense Department statements.

(m) An initial investigation of charges by the Commission on Government Security that the press was guilty of using purloined documents and of frequent unauthorized disclosure indicates that this charge is unsubstantiated and unwarranted.

(n) The Department of Defense has undertaken a general revision of regulations affecting the flow of information from the Department, including a complete rewriting of the Department's regulations on classification of information and eliminating the requirement that all Defense Department information must make a constructive contribution to the primary mission of the Department.

SPECIAL SUBCOMMITTEE ON WATER RESOURCES AND POWER, HON. ROBERT E. JONES, CHAIRMAN

This special subcommittee was established to review the recommendations of the Commission on Organization of the Executive Branch of the Government—Hoover Commission—with respect to water resources and power. During the 84th Congress, the subcommittee held hearings in 15 different cities, compiling a record of over 5,500 pages. The subcommittee completed work on a proposed report as the first session of the 85th Congress closed which it is expected will be presented to the full committee for consideration early in the second session.

A Report to My Constituents

EXTENSION OF REMARKS

OF

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. FRIEDEL. Mr. Speaker, because I have the honor and great privilege of serving the people of the Seventh Congressional District of Maryland, I feel it is only fitting and proper that the voters have an accounting of my record in Congress. I have always believed that a Member should be truly representative of the people who sent him to Washington, and, as such, he should endeavor to do his utmost on their behalf and act on measures that promote and further the best interest of his city, State, and Nation.

Under leave to extend my remarks, I am including a report of my voting record on the major legislative actions taken during the 1st session of the 85th Congress, together with my views on some of the important issues considered this year.

BUDGET AND TAXES

The budget submitted by the President proposed that the Federal Government spend $71.8 billion during the fiscal year beginning July 1, 1957. This is the highest peacetime budget in American history and such a tremendous rate of spending would, unquestionably, add to inflationary pressures in the country's economy. Since I deemed it essential that this huge budget be brought under control, I voted in favor of cutting the requested appropriation for many items which I believed warranted such action.

I favor a reduction in Federal income taxes, and a repeal of all the so-called wartime excise taxes. I have introduced legislation to increase personal exemptions, for income-tax purposes from the present $600 to $800 per person. Federal budgets which require huge taxes naturally consume the savings which are required to finance private industry. Also high tax rates, which take such a large share of income, undermine the incentive to save and invest in normal business enterprises.

ESSENTIAL FEDERAL EXPENDITURES

In attempting to hold Government spending within reasonable bounds, we should not hold back on essential defense programs in the interest of national safety during the present world tension caused by the Russians in their ever-widening spheres of influence. Unfortunately, it is clear that the Communists are bent on world conquest and our Nation must be ready to cope with this growing menace to world peace by having the very best and newest weapons of defense and bolstering and aiding our friends across the seas through mutual security authorizations.

In like manner, we should not hold back on needed civilian programs. The heavy demands now being urged at all levels of government for roads and schools, for instance, are largely the result of failure to keep pace with the growth of the country. I believe in paying Federal and postal employees proper salaries commensurate with the increased cost of living. Such expenditures also help to keep up the general prosperity of America and provide essential facilities and services. Therefore, I favor appropriations for adequate defense to keep our country strong and reasonable appropriations for civilian programs to keep our economy healthy.

CIVIL RIGHTS

I voted in favor of the civil-rights bill, because I do not believe any citizen in the United States should be deprived of his right to vote.

FOREIGN AFFAIRS

As an American, I am unalterably opposed to the admission of Red China as a member of the United Nations, because I believe such action would further the cause of international communism. For the same reason, I am opposed to trading with Red China.

NATURAL-GAS BILL

During the last session of Congress, as well as during the present one, I registered my emphatic protest against the passage of any measure that would exempt the producers of natural gas from Federal control, because the removal of such controls might lead to increased cost to the millions of consumers of gas who use it not only for cooking but also for heating. I shall always continue to be vigilant and oppose legislation which is against the interest of the public at large.

TRAFFIC SAFETY

I take considerable pride in the fact that I was the first Member of the Congress to introduce a resolution calling for the creation of a committee to investigate traffic safety on our Nation's streets and highways, in order to find means to reduce the toll of lives and countless damage caused by traffic accidents. This matter is now under active investigation by the Congress, and it is hoped that it will be productive of results to accomplish the desired end.

BALTIMORE AND MARYLAND

I have endeavored to promote the interest of Baltimore and the State of Maryland at all times, in all matters on the Federal Government level. I am happy to report that the prospects for full utilization of Baltimore's Friendship Airport are brighter than ever before. Although funds have been provided to start construction of another airport in the Baltimore-Washington area, assurances have been given that the Civil Aeronautics Board will divert some of the Washington traffic to Friendship.

Construction of the new Social Security Building at Woodlawn will begin in the near future, as a result of an amendment to an appropriation bill, which was adopted at my request.

Baltimore is America's second largest port, providing employment for hundreds of people, and it is important that its interests be guarded, particularly in view of the fact that it will face formidable competition from the St. Lawrence Seaway project. For this reason, I worked diligently to have legislation enacted permitting 24-hour quarantine service, in the port of Baltimore. I am pleased to report that my efforts were successful and as a result of this legislation, a saving of more than $1 million a year will be realized.

I also supported legislation providing for widening and deepening of the harbor and several other measures which will aid commerce and redound to Baltimore's lasting benefit.

Ever since the Secretary of the Navy announced the closing of the Office of the Supervisor of Shipbuilding and Assistant Industrial Manager, I have exerted every effort to have this order rescinded. Although my efforts did not meet with success, I have received assurance that the employees now working at that installation will be offered comparable positions at Newport News and Portsmouth.

Likewise, I have worked diligently to preserve the Recruit Training Command at Bainbridge, and the Curtis Bay storage facility.

IN GENERAL

At all times I have considered the best interest of my district and the Nation as being paramount, therefore, I have avoided blind partisanship. My rec l clearly reflects that I have supported the President many times when I deemed his recommendations right, such as my affirmative vote for the Middle East resolution. On other occasions when I did not agree with the Chief Executive's recommendations, I did not hesitate to raise my voice in opposition and vote against proposals which I considered contrary to the best interest of the Nation as a whole.

VOTING RECORD

In order that the people of my district may be informed as to how I voted on major legislation which was presented during the past session of Congress, I submit the following detailed record:

Date	Measure, question, and result	Vote
Jan. 30	H. J. Res. 117, authorizing the President to undertake economic and military cooperation with nations in the general area of the Middle East. On passage. (Passed 355 to 61.)	Yea.
Mar. 12	H. Res. 190, requesting the President to indicate where substantial reductions in the 1958 budget may best be made. (Passed 219 to 178)	Yea.
Mar. 27	H. Res. 85, authorizing the Committee on Banking and Currency to conduct studies and investigations, and to make inquiries relating to operation of the monetary and credit structure of the United States. (Defeated 174 to 225.)	Yea.
	H. R. 6287, making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies for fiscal year 1958:	
Apr. 4	On amendment to reduce by $30,000 the appropriation for three new positions in the Department of Labor to handle international labor affairs in South America and the Near East. (Passed 286 to 126.)	Nay.
Apr. 4	On amendment to reduce by $204,000 the appropriation for new positions in the Office of the Solicitor, Department of Labor. (Passed 241 to 171)	Nay.
Apr. 4	On amendment to reduce by $46,300 the appropriation for new positions in the Bureau of Labor Standards, Department of Labor. (Passed 246 to 169.)	Nay.
Apr. 4	On amendment to reduce by $136,000 the appropriation for new positions in the Bureau of Veterans' Reemployment Rights. (Passed 137 to 275)	Nay.
Apr. 4	On amendment to reduce by $442,000 the appropriation for new positions in the Bureau of Employment Security, Department of Labor. (Passed 214 to 206.)	Nay.
Apr. 4	On amendment to reduce by $12,186,000 funds for grants to States for unemployment compensation, thus eliminating an increase requested by Bureau of Budget over departmental request and eliminating contingency funds. (Passed 220 to 199.)	Nay.
Apr. 4	On amendment to reduce by $1,500,000 funds for unemployment compensation for Federal employees and provide same amount used in 1957. (Passed 253 to 167.)	Nay.
Apr. 4	On amendment to reduce by $263,800 the appropriation for new positions in the Mexican farm labor program. (Passed 342 to 167)	Yea.
Apr. 4	On amendment to reduce by $346,000 the appropriation for new positions in the Bureau of Labor Statistics. (Passed 217 to 201)	Nay.
Apr. 4	On amendment to reduce by $31,000 the appropriation for new positions in the Women's Bureau. (Rejected 206 to 209)	Nay.
Apr. 4	On amendment to reduce by $288,000 the appropriation for new positions in the Wage and Hour Division, Department of Labor. (Passed 214 to 205)	Nay.
Apr. 4	On amendment to reduce by $1,327,000 the increase in funds for expansion of the Food and Drug Administration. (Rejected 130 to 285)	Nay.
Apr. 4	On amendment to reduce by $1,182,000 the appropriation for new positions in the Office of Education. (Rejected 206 to 207)	Nay.
Apr. 4	On amendment to delete language providing $50,000,000 to municipalities for waste treatment works construction. (Rejected 185 to 231)	Nay.
May 15	H. R. 7441, making appropriations for the Department of Agriculture and Farm Credit Administration for fiscal year 1958. On amendment to suspend operation of the soil-bank program at the end of fiscal year 1957 and to delete provision for $500,000,000 for the 1958 program. (Passed 192 to 187.)	Yea.
May 22	H. R. 7599, making appropriations for the legislative branch for fiscal year 1958:	
	On motion to recommit with instructions to delete $7,500,000 for construction of an additional House Office Building. (Rejected 176 to 206)	Nay.
	On passage. (Passed 278 to 93)	Yea.
May 29	H. R. 7665, making appropriations for the Department of Defense for fiscal year 1958:	
	On motion to recommit with instructions to restore $313,000,000 of the committee cut of $2,586,775,000. (Rejected 151 to 242)	Nay.
	On passage. (Passed 394 to 1)	Yea.
June 5	H. Res. 259, providing for the consideration of H. R. 6127, providing means of further securing and protecting the civil rights of persons in the jurisdiction of the United States. On passage. (Passed 290 to 117.)	Yea.
June 18	H. R. 6127, providing means of further securing and protecting the civil rights of persons within the jurisdiction of the United States:	
	On motion to recommit with instructions to add provision for jury trial in contempt proceedings. (Rejected 158 to 251)	Nay.
	On passage. (Passed 286 to 126)	Yea.
June 18	H. R. 7221, making supplemental appropriations for 1957. On motion to agree to Senate amendment providing $14,000,000 for initiation of Federal flood-insurance program. (Rejected 186 to 218.)	Nay.
June 25	H. R. 7963, amending the Small Business Act of 1953, making the Small Business Administration a permanent agency. On passage. (Passed 392 to 2)	Yea.
June 26	H. R. 6287, making appropriations for the Department of Health, Education, and Welfare, and related agencies, for fiscal year 1958. On motion to recommit the conference report. (Rejected 73 to 321.)	Nay.
July 10	H. R. 8240, authorizing certain construction at military installations. On amendment deleting from bill section requiring Congressional review of action by Defense Department to eliminate activities competing with small business. (Rejected 183 to 230.)	Nay.
July 10	H. R. 7390, providing for limitation and regulation of the use of advisory committees within the executive branch. On motion to recommit to the Committee on Government Operations with instructions to receive further testimony from the Department of Defense and the Post Office Department. (Rejected 183 to 225.)	Nay.
July 12	H. R. 72, amending the World War Veterans' Act of 1924 to restrict the transfer of estates of incompetent veterans derived from compensation and pensions. On motion to recommit. (Passed 191 to 161.)	Nay.
July 19	S. 2130, the Mutual Security Act of 1957:	
	On motion to recommit to delete provisions creating the development loan fund. (Rejected 181 to 227)	Nay.
	On passage. (Passed 254 to 154)	Yea.
July 23	H. R. 2474, providing for a $546 increase in basic salary of employees in the postal field service. On passage. (Passed 379 to 38)	Yea
July 25	H. R. 1, providing for Federal assistance to States for school construction. On motion to strike the enacting clause (and prevent further consideration of the bill). (Passed 208 to 203.)	Nay
July 31	S. 1856, establishing the Airways Modernization Board to provide for the development and modernization of navigation and traffic-control facilities. On passage. (Passed 375 to 17.)	Yea.
Aug. 7	H. R. 9131, making supplemental appropriations for fiscal year 1958:	
	On motion to recommit with instructions to reduce appropriation of new funds for TVA by $9,784,000. (Rejected 158 to 244)	Nay
	On passage. (Passed 330 to 75)	Yea.
Aug. 7	H. Res. 362, providing for the consideration of H. R. 7244, amending the Packers and Stockyards Act of 1921, permitting deductions for a self-help meat promotion program. On passage. (Defeated 175 to 210.)	Nay
Aug. 9	H. R. 2462, providing an 11 percent across-the-board salary increase for classified Federal employees:	
	On motion to recommit. (Rejected 70 to 319)	Nay.
	On passage. (Passed 329 to 58)	Yea.
Aug. 13	H. R. 5836, increasing certain postal rates. On passage. (Passed 256 to 129)	Yea.
Aug. 14	S. 2130, the Mutual Security Act of 1957. On adoption of conference report increasing amount authorized by House by $250,000,000 and extending development loan fund to 1960. (Adopted 226 to 163.)	Yea
Aug. 14	S. 1384, amending the Interstate Commerce Act to change the requirements for obtaining a freight forwarder permit. On passage. (Passed 177 to 176)	Yea.
Aug. 15	H. R. 9302, making appropriations for mutual security for fiscal year 1958:	
	On motion to recommit with instructions to increase various items by $715,000,000. (Rejected 129 to 254)	Nay
	On passage. (Passed 252 to 130)	Yea.
Aug. 19	H. R. 7993, providing for Government guarantee of private loans to certain air carriers. On motion to suspend the rules and pass the bill. (Passed 242 to 91.)	Yea.
Aug. 21	H. R. 9131, making supplemental appropriations for the fiscal year 1958 (conference report). On motion to recede and concur in Senate amendment striking out funds for construction of an additional airport in or near Washington, D. C. (Rejected 125 to 233.)	Yea.
Aug. 21	H. R. 9379, making appropriations for the Atomic Energy Commission for fiscal year 1958. On amendment restoring $30,000,000 for industry cooperative program. (Passed 214 to 135.)	Yea
Aug. 27	H. Res. 410, providing for House agreement to Senate amendments to H. R. 6127 (civil rights bill) with a further amendment limiting jury trials in criminal contempt proceedings:	
	On ordering the previous question. (Passed 274 to 101)	Yea.
	On passage. (Passed 279 to 97)	Yea.
Aug. 27	H. R. 7915, clarifying the Supreme Court decision in the Jencks case which opened FBI files to perusal of defendants under certain circumstances in Federal court cases. On passage. (Passed 351 to 17.)	Yea.
Aug. 28	S. 2792, amending the immigration laws so as to facilitate the entry into the United States of certain adopted children and other relatives of United States citizens. On motion to suspend the rules and pass the bill. (Passed 293 to 58.)	Yea.

Status of Railroad Retirement and Unemployment Insurance Legislation

EXTENSION OF REMARKS
OF

HON. OREN HARRIS

OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 30, 1957

Mr. HARRIS. Mr. Speaker, many Members of the House have asked me, as chairman of the House Committee on Interstate and Foreign Commerce, about the present status of legislation to amend the Railroad Retirement Act and the Railroad Unemployment Insurance Act pending before this committee. I should, therefore, like to take this opportunity to explain the status of this legislation in some detail.

At the close of the first session of this Congress there were pending before the committee 65 bills to amend the Railroad Retirement Act. Some of these bills, like H. R. 4353 and 20 other bills identical to it, also proposed to amend the Railroad Retirement Tax Act and the Railroad Unemployment Insurance Act. There were only two bills to amend the Railroad Unemployment Insurance Act proper.

The committee proceeded to hold hearings on this legislation very promptly in this session of the Congres. A subcommittee under the chairmanship of Hon. Peter F. Mack, Jr., opened hearings on March 11, 1957, at which time only Members of Congress who had introduced bills on this subject were given the opportunity to testify. Then the entire Committee on Interstate and Foreign Commerce opened public hearings on March 14, 1957, and continued these hearings for 5 additional days in March. More than 50 bills which were pending before the committee at that time were the subject of these hearings.

The committee was confronted with a serious problem right at the outset of the hearings. Most Members of the House will recall that during the closing days of the 2d session of the 84th Congress, legislation was adopted granting generally a 10-percent increase in benefits. It became Public Law 1013, of the 84th Congress. The principal exceptions to this 10-percent increase were those widows, spouses, and survivors who were then receiving benefits under the social security minimum guaranty provisions of the Railroad Retirement Act.

There was no provision made for the financing of the cost of these benefits which amounted to $83 million a year on a net level cost. The Congress was told that enactment of this legislation was an emergency measure and was necessary to help thousands of retired railroad employees, their wives, and the widows of such employees to meet their day-to-day living expenses. The Congress was assured that legislation would be considered promptly during the 1st session of the 85th Congress to finance the cost of these benefits. Representatives of railroad labor organizations also gave firm assurances that they would propose, at the opening of the 85th Congress, a legislative program to assure adequate financing of the railroad retirement system. The President, in a statement accompanying the signing of this bill, S. 3616, stated in part:

> It is imperative that satisfactory legislation for this purpose—to assure adequate financing of the railroad retirement system—be proposed and enacted.

As you know, the railroad retirement system is financed entirely by employee and employer payroll contributions. The employees pay 6¼ percent on taxable compensation up to $350 a month and employers pay an equal amount. Immediately prior to the enactment of Public Law 1013, 84th Congress, an actuarial valuation of the assets and liabilities of the railroad retirement system showed that the net level cost of the system was 14.13 percent of taxable payroll, assuming a level taxable payroll of $5.3 billion annually. That is to say, a combined employer-employee tax rate of 14.13 percent of taxable payroll was required to finance indefinitely the benefits payable under the Railroad Retirement Act as of that time. Since the combined employer-employee tax rate was only 12.5 percent of taxable payroll, there was an indicated deficiency of 1.63 percent of taxable payroll, or $86,390,000 a year on a level cost basis. Enactment of Public Law 1013, 84th Congress, therefore, increased this deficiency to approximately 3.20 percent of taxable payroll, or $169,390,000 a year on a level cost basis. The Committee on Interstate and Foreign Commerce was acutely aware of this fact at the time of the hearings on railroad-retirement legislation in March of this year.

The principal interest during these hearings centered around H. R. 4353 and 18 other bills identical to it which were pending before the committee at that time. These bills were sponsored by all the standard railway-labor organizations. The principal provisions of these bills are as follows:

AMENDMENTS TO THE RAILROAD RETIREMENT ACT

First. Annuities, pensions, and lump-sum payments—other than the residual lump sum—would be increased generally by 10 percent.

Second. The maximum amount of compensation creditable under this act would be increased from $350 to $400 a month.

Third. Women employees having 10 years of service could elect to retire on a reduced annuity at age 62 instead of waiting until age 65. The same privilege is provided for wives of annuitants.

Fourth. The earnings test now applicable to disability annuitants, under which any disability annuitant under age 65 does not receive an annuity for any month in which he is paid more than $100 in earnings, would be modified by the addition of a provision that, if the annuitant's earnings in any calendar year do not exceed $1,200, the annuity otherwise not payable because of his earnings in any month in that year would become payable.

Fifth. The insurance lump sum now payable on the death of an employee only if no annuity is payable, on application, to a survivor, would be payable irrespective of this circumstance, but would be subject to a maximum of $750.

Sixth. The formula for computing the residual lump sum would be amended in conformity with the amendments proposed to the Railroad Retirement Tax Act by increasing the percentage factor applicable to compensation after 1956 to 7½ percent and to 8 percent after 1957, and increasing the maximum amount of compensation for any month to which such factors are applicable from $350 to $400 for any month after June 30, 1957.

AMENDMENTS TO THE RAILROAD RETIREMENT TAX ACT

The tax rate on employees and employers would be increased from 6¼ percent to 7½ percent and the tax would be applicable to $400 instead of $350 of the employee's compensation earned in any month after June 1957. The tax rate would be increased with respect to compensation paid after 1969 by the same number of percentage points by which the then current social-security-tax rate exceed 2¾ percent, which is scheduled to be increased in 1965.

AMENDMENTS TO THE RAILROAD UNEMPLOYMENT INSURANCE ACT

First. A new schedule of daily benefit rates would increase the present daily benefits from 50 cents to $1.70. The alternative rate, which is now 50 percent of the employee's daily rate of pay in his last employment with an employer in the base year, would be increased to 60 percent of such daily rate of pay. The maximum daily benefit rate would be increased from $8.50 to $10.20.

Second. The maximum amount of compensation for a month for which credit would be given and contributions required would be increased from $350 to $400, effective with respect to compensation paid for service rendered in calendar months after June 1957.

Third. The minimum amount of earnings in a base year which would qualify an employee for benefits would be increased from $400 to $500, effective with respect to base years after 1956.

Fourth. An employee with 5 years or more of railroad service who is out of work through no fault of his own and has exhausted current rights to normal unemployment benefits, would receive additional benefits during an extended benefit period. The duration of such extended benefit period would vary in accordance with the length of the employee's previous railroad employment, so that an unemployed man with 20 years or more of service could receive benefits, under special conditions, for as much as 4½ years longer than he might under present law.

Fifth. The maximum number of days of unemployment in the first registration period in a benefit year for which benefits may be paid would be increased from 7 to 10 days, the same as it is now with respect to all subsequent registration periods.

Sixth. Sundays and holidays would be treated the same as other days for unemployment benefit purposes.

Seventh. The additional funds necessary to finance these benefits would be raised by increasing the taxable earnings from $350 to $400 a month and by providing for a tax rate of not less than 2 percent when the balance in the railroad unemployment insurance account is $450 million or more; and this rate would be increased, by steps, to 4 percent when the balance in the account falls below $300 million.

The additional cost of the railroad retirement benefits proposed by H. R. 4353 is estimated at 2.81 percent of taxable payroll or $162 million a year on a level cost basis, assuming a level taxable payroll of $5.75 billion annually, based on the increase in tax rate and tax base proposed by the bill. One-half of this amount would be paid by the railroads and one-half by the railroad employees. The additional revenue for the support of the railroad retirement system, to be derived by increasing the combined employer-employee tax rate from 12.5 percent to 15 percent of taxable payroll, and by increasing the taxable base from $350 to $400 a month, would amount to 5.42 percent of taxable payroll, or $312 million a year on a level cost basis. Hence, the added revenue proposed by the bill would exceed the cost of the additional benefits by 2.61 percent of taxable payroll, or $150 million a year on a level cost basis. Since the actuarial deficiency of the retirement system for the present law would be 2.98 percent of taxable payroll, assuming a level taxable payroll of $5.75 billion annually based on the increase in the tax rate and tax base proposed in H. R. 4353, the enactment of the retirement benefits and tax provisions of this bill would leave the railroad retirement system with an actuarial deficiency of only 0.37 percent of taxable payroll, or approximately $21 million a year on a level cost basis.

The additional cost of unemployment insurance benefits proposed by H. R. 4353, as nearly as can be ascertained, is estimated at $83 million a year on a level cost basis, all of which would be payable by the railroad industry. A witness for the railroad industry stated that the immediate additional cost of the proposed unemployment benefits would be $100 million a year.

However, H. R. 4353 does not embody the complete program of recommendations which the standard railway labor organizations are asking the Congress to pass in the field of railroad retirement benefits. An integral part of this program is a separate bill, H. R. 5551, pending before the Committee on Ways and Means, which provides for the exclusion of employee retirement contributions from gross income for purposes of the employee's income tax and from withholdings at the source. A spokesman for the standard railway labor organizations advised the Committee on Interstate and Foreign Commerce that these organizations would not support H. R. 4353 unless they got favorable action on H. R. 5551. These organizations felt that they could not justify to their membership an increase in the tax rate from 6¼ percent to 7½ percent of taxable payroll, and an increase in the tax base from $350 to $400 a month, unless the employees got some offsetting income-tax relief. Failure to get such relief, this spokesman stated, would mean that these organizations would have to reconsider the whole benefit program. He, however, assured the committee that these organizations would keep the commitment they made last year that they would recommend a program for putting the railroad retirement system on a sound financial basis, irrespective of what happens to the program they are recommending in H. R. 4353.

As I have stated, H. R. 5551 is the complementary part of the program recommended in H. R. 4353. The Committee on Interstate and Foreign Commerce has been waiting to see what action the Committee on Ways and Means might take with respect to H. R. 5551 before proceeding with the further consideration of pending railroad retirement bills. No action was taken on H. R. 5551 at the time the Congress adjourned this year.

The railroads have strongly opposed favorable action on H. R. 4353 principally because of the increased taxes that this bill would impose on the industry. The industry urged favorable action instead on H. R. 6016, which would substantially revise the Railroad Unemployment Insurance Act. Railway labor organizations opposed H. R. 6016.

That is how matters stood at the close of the 1st session of the 85th Congress. The fundamental problem of how to make up the existing deficiency in the railroad retirement account of $169,390,000 annually on a level cost basis remained unresolved. Until this deficit can be made up, it would be imprudent to enact legislation providing for additional retirement and survivor benefits. The Committee on Interstate and Foreign Commerce is unanimously of the opinion that regardless of the desirability of certain proposals for the liberalization of benefits payable under the Railroad Retirement Act, no amendments should be made to this law which would jeopardize the financial soundness of this retirement system. This principle is accepted by all the standard railway labor organizations as well as by railroad management.

In conclusion, I should like to remind my colleagues that benefits payable under the railroad retirement system have improved continuously in recent years, and will continue to improve within the limits of the funds available. When the Railroad Retirement Act was passed in 1937, the maximum retirement annuity was $120 a month. Today the maximum is $184.30, and this maximum is scheduled to rise to $191.90 by January 1967, and to $260.30 by January 1977, without any further changes in the law. The present maximum for a retired employee and his eligible spouse is $238.60, and this maximum is scheduled to rise to $246.20 by January 1967, and to $314.60 by January 1977, without any further changes in the law. Since 1937, the following additional benefits have been provided: Survivor benefits to widows, widowers, parents and children, spouses' benefits, more liberal disability annuities, lowering of the age requirements for survivor benefits from age 65 to age 60; benefits to widowed mothers or wives with disabled children over 18 years of age; repealing the dual benefit restriction on retirement and survivor annuities; increasing the permissible earnings for disability annuitants and for survivors, and so forth. In other words, benefits have been improved wherever possible to the maximum level possible without endangering the financial soundness of the railroad retirement system.

Every member of the Committee on Interstate and Foreign Commerce and every Member of the Congress, I am sure, has every desire to be helpful to retired railroad workers and their families. However, we must also be mindful of our grave responsibilities toward the currently active railroad workers and future railroad workers who will retire many years hence. We must make certain that when they retire the financial status of the railroad retirement system will be sound and that they will receive the benefits accruing to them, their dependents, and survivors. With these objectives in mind, the Committee on Interstate and Foreign Commerce will proceed early during the next session of the Congress to reconsider the retirement and unemployment-insurance bills pending before it, and I am confident that we can make progress in solving some of the problems which I have outlined.

A Report to the People of the Fourth Congressional District of Oregon

EXTENSION OF REMARKS

OF

HON. CHARLES O. PORTER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. PORTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I intend to comment today on the work of the 1st session of the 85th Congress which in some way affects the residents of Oregon's fourth Congressional District.

There are areas in which I believe this Congress could have dealt more effectively.

Certainly the problems of inadequate school construction continue to plague us. Inadequate farm legislation is a monument to a kind man's tragic inability to see that the modern farm family is being cast adrift.

The small-business man, and there are thousands in my district, continues to suffer. He is thwarted by a law which limits to $250,000 the money he may borrow for firm improvements or expansion.

Congressional pressure and lusty howls from citizens did force the President to follow Congressional direction and lower Federal Housing Administration downpayment loans. This will bolster the economy of the fourth district. The Housing Act of 1957 falls far short of the legislation I introduced, which would have decreased interest rates, expanded the lending facilities of the Federal National Mortgage Association and speeded public housing starts previously authorized by Congress.

Statehood bills for Alaska and Hawaii once again failed to reach the floor.

An Alaskan bill was reported favorably from committee, but was bottled up in the Rules Committee. Hawaiian legislation is pending in the Interior and Insular Affairs Territories Subcommittee.

Inequities in our social-security laws have not been corrected. That will be a major problem facing Congress next session.

A postal rate-increase bill passed by the House was held up in the Senate.

The House Post Office and Civil Service Committee, of which I am a member, approved legislation increasing first-class mail to 4 cents, airmail to 7 cents, and the once penny post card to 3 cents. Costs in second- and third-class mail were increased. More than 100 persons testified before the committee during the session.

Like most of the people who write to me, I oppose the suggested increases until thorough study is made. I agree that first-class mail, which is nearly self-sufficient, should not have to bear the burden of second- and third-class mail.

I have introduced legislation—H. R. 7138—which asks that Congressional policy for the determination of postal rates and fees be established. The bill is pending before the Post Office and Civil Service Committee.

WAR, PEACE, AND THE HYDROGEN BOMB

Beyond the boundaries of the fourth district, yet directly affecting every resident, are the problems of war and peace and nuclear energy. Joint Atomic Energy Committee hearings definitely established that no one really knows the good and bad aspects of nuclear testing. Atomic Energy Commission experts disagree with other leading physicists as to fallout hazards. It is difficult for citizen or Congressman to know what to believe.

Early this session Senator NEUBERGER and I introduced identical legislation which would provide for research, study, and prevention and treatment of effects of atomic and nuclear radiation on human health, development, and living conditions. The bill—H. R. 4820 in the House—calls for the establishment of a radiation health institute.

Later I introduced H. R. 8269, which would prohibit further testing by explosion of nuclear devices as long as all other countries refrain. This proposal is supported by such world citizens as Dwight Eisenhower, Adlai Stevenson, and Albert Schweitzer.

MAJOR LEGISLATION

Among the more important issues to face the House this year were the following:

First. The President's Mideast doctrine authorizing him to undertake a program of military and economic cooperation with Middle Eastern nations in order to counteract communism. Agreed to, 355 to 61, January 30, 1957—Democrats, 188 to 35; Republicans, 167 to 26. A yea vote supported the President's position. I voted "yea."

Second. Patman resolution authorizing an investigation of national monetary and credit policies by the House Banking and Currency Committee. Rejected, 174 to 225—Democrats, 172 to 38; Republicans, 2 to 185—March 27, 1957. President opposed resolution by Representative PATMAN, of Texas. I approved the resolution.

Third. Civil-rights bill: Passed the House June 18, 1957, 286 to 126—Democrats, 118 to 107; Republicans, 168 to 19. I voted "yea."

Fourth. Legislation to amend the Small Business Act of 1953 and make the Small Business Administration a permanent agency—H. R. 7963—passed House, 392 to 2, June 25, 1957—Democrats, 205 to 1; Republicans, 187 to 1. I voted "yea."

Fifth. Mutual Security Act of 1957—S. 2130—passed House, 254 to 154, July 19, 1957—Democrats, 135 to 78; Republicans, 119 to 76. I approved passage.

Sixth. Postal pay-increase bill passed House, 379 to 38, on July 23, 1957—Democrats, 217 to 9; Republicans, 162 to 29. I voted for passage. President opposed.

Seventh. School Construction Assistance Act of 1957—H. R. 1—killed when enacting clause struck by vote of 208 to 203—Democrats, 97 to 126; Republicans, 111 to 77. I voted "nay"; that is, against killing bill.

Eighth. Postal Rate Increase Act of 1957—H. R. 5836—raising first-, second-, and third-class mail rates. I opposed passage of bill, which passed, 256 to 129—Democrats, 85 to 125; Republicans, 171 to 4. President supported bill.

SECURITY, NOT WASTE

Before continuing to less-controversial matters, I want to comment on the so-called loyalty-security bill, S. 1411. As passed by the Senate, the legislation was noncontroversial and clarified suspension provisions relative to Government employees. As amended in the House Post Office and Civil Service Committee, it became a threat to every Government worker.

Because Representative HOLIFIELD and I believe this is an attempt, for no good reason, to create a security interest where none exists, we have filed a minority report against the bill as amended. We believe it is an unreasonable attempt to reverse the Supreme Court and is spite legislation. We urge full hearings on it.

BUILDING THE FUTURE

Too many promising students drop out of college or never have an opportunity to further their study because of inadequate finances. A need for Federal study in this field is evident. The question is: Should aid be in the form of self-sustaining loans or as outright gifts based on ability?

My H. R. 6212 would provide for national scholarships for college and university undergraduate study. It is pending before the Education and Labor Special Education Subcommittee. Hearings on this subject are scheduled, including one in Portland this fall. The Soviet Union provides higher education for capable scholars free of charge. This sort of assistance is pushing the Soviets ahead of the United States in such fields as science and engineering.

HELP FOR TODAY

Throughout the world thousands of orphans are neglected, spurned and even disliked by their countrymen. They are children of mixed blood, and the homes they need and seek seem to be waiting in the United States.

I introduced H. R. 3783 on January 28, 1957, which would amend the existing immigration laws and permit entry into the United States of 10,000 orphans who are under 12 years of age. This was identical to legislation originated and introduced by Senator NEUBERGER. Our bills became the basis for a section of the Immigration Subcommittee chairman's bill which passed Congress. In its final form it permits entry of an unlimited number of orphans under age 14 until June 30, 1959. Proxy adoptions are permitted.

FEDERAL-STATE COOPERATION—WATER POLLUTION CONTROL

The Federal Government and individual States join forces in many areas to improve living conditions and boost living standards.

For example, more than $300,000 in Federal assistance went to the cities of Albany, Lebanon, North Bend, and Roseburg in fiscal 1957 under provisions of the Water Pollution Control Act. Congress has appropriated $45 million for fiscal 1958 and Oregon's share is $651,575. Communities interested should contact the Oregon State Board of Health, Portland.

The fourth district's share last fiscal year was $387,241.59 of the State's $1,080,054, distributed as follows:

Albany, $18,060 of $60,200 for sewage-treatment plant.

Lebanon, $13,300.09 of $44,334 for sewage-treatment plant.

North Bend, $5,881.50 of $19,605, raw sewage pump station.

Roseburg, $250,000 of $995,915 for sewage-treatment plant.

Drain, $19,781.40 of $65,938 for treatment plant and outfall sewer.

LIBRARY SERVICES ACT

Another area in Federal aid in rural library development. By July 1, 1958, Oregon will receive $116,941 from the Library Services Act, designed by the 84th Congress in 1956. Fourth district benefits include services of a consultant field worker, bookmobile exhibits in Josephine and Coos Counties and bookmobile sampling and cooperative cataloging in Jackson County. Congress authorized maximum $7,500,000 for each of the 5 years the program is to run. This Congress appropriated $5 million, double the fiscal 1957 amount. Oregon's EDITH GREEN helped draft initial legislation.

HOUSING AND HOME FINANCE AGENCY

Existing housing legislation makes possible urban planning assistance and the urban renewal programs which benefit the district. Under the former at least $10,400 has come to fourth district cities whose planning programs were approved. A lump sum is awarded the State and then used by the University of Oregon's bureau of municipal research to aid in providing planning assistance. Urban planning goals aid smaller cities and help prevent slum conditions. 1957 grants in the district are as follows:

Albany, $3,000, February 21; one pending.

Grants Pass, Medford, North Bend, pending.

Sutherlin, $6,400, February 21.

Sweet Home, $1,000, February 21, one pending.

Eugene-Springfield, continuing project underway, $12,000 application pending.

Urban renewal, a second program, was initiated in the 1949 Housing Act, and provides for city improvement. Springfield has qualified and a sum of $445,757 has been reserved for that city's Third Street project. To date $65,975 approved by URA for preliminaries. Last March 31, the city received $18,900. Communities interested must display initiative and interest. Contact point in region is Housing and Home Finance Agency office: Flood Building, Ninth Floor, 870 Market Street, San Francisco, Mr. M. Justin Herman.

HOUSING LEGISLATION

The new housing legislation contains these major provisions:

First. Authorizes lowering of down payments on FHA-insured home loans to 3 percent on the first $10,000 of appraised value, 15 percent of the next $6,000, and 30 percent of the excess up to a maximum of $20,000 for a 1- or 2-family residence.

Second. Increases Federal National Mortgage Association authority to borrow from the public by $650 million to finance its purchase of FHA and VA-backed mortgages in the secondary market.

Third. Authorizes an additional $360 million in capital grants for slum clearance and urban renewal for 1 fiscal year.

Fourth. Directs the FHA and VA to impose discount controls, but permits them to vary in accordance with mortgage terms, geographical area, and other pertinent factors.

The conference report eliminated Senate proposals to allow over-income tenants to remain in public housing projects and to abolish the workable program requirement for such projects, but it also killed the House-approved amendment restricting future public housing units to those necessary to house families displaced by governmental action.

There are many areas which should be improved. However, there is, in the legislation as approved, considerable hope for the improvement of the slowed-down housing industry.

I believe that my bill, H. R. 4821, prepared after considerable work on the part of many persons, would have been more helpful. I intend to press for its enactment. It contains six major points:

First. Better the field of sales housing mortgage insurance by increasing the maximum mortgage amount to be insured by FHA and to decrease the required down payment. It would boost the mortgage loan insurance provision from the single-family residence maximum of $20,000 to $30,000 and decrease the FHA loan rate from 5 to 4½ percent.

Second. Benefit middle-income housing by replacing present inadequate programs for middle-income housing.

Third. Amend the National Housing Act by authorizing the Commissioner to make direct loans to eligible borrowers up to $10,000.

Fourth. Release for construction as needed 810,000 low-rent public-housing units authorized by Housing Act of 1949.

Fifth. Make direct supplemental veterans' loans available in urban areas as well as rural areas, and make $1 billion available for direct loans to veterans.

Sixth. Use money now in trust funds of SSA by VA through its national service life insurance operation and make money available to eligible borrowers to correct the tight-money problem in home-loan field, create general increase in borrowing for home construction, and a following upsurge in the use of lumber and lumber products.

DISTRICT ECONOMY

Army civil works functions and a big Bureau of Reclamation project will bring $13,062,000 in Federal funds to the Fourth Congressional District in fiscal year 1958.

Each project is aimed at developing the district to a point where maximum usage of natural resources is possible. It should be noted that the nearly $20 million my district receives is a portion of the United States total of $858 million. The following chart provides a summary of appropriations and their use in the district:

Summary—Appropriations, Army civil functions and Bureau of Reclamation

Projects	Cost	Benefit	Status	Amount in administration budget	Engineers state amount usable in fiscal 1958	Recommended by Congressman PORTER	Final appropriation
ARMY CIVIL FUNCTIONS							
A. NOT STARTED							
I. Navigation, channels and harbors:							
Coos-Millicoma River	$487,000	Navigation	Authorized	0	$19,000	$19,000	(1)
Rogue River Harbor, Gold Beach	3,950,000	Provides jetties, channel improvement.	do	$21,000	250,000	250,000	$21,000
II. Flood control, local protection:							
Willamette River Basin, channel improvement, major drainage.	2,480,000	Flood control	do	0	86,000	86,000	(1)
Willamette River Basin, channel cleaning, snagging.	2,480,000	Reduce bank erosion, rectify channel.	do	0	25,000	25,000	(1)
Blue River Reservoir	13,700,000	Flood control	do	100,000	100,000	100,000	100,000
Fall Creek Reservoir	18,800,000	Flood control, irrigation	do	0	150,000	150,000	150,000
Holley Reservoir	12,500,000	Flood control	do	100,000	100,000	100,000	100,000
III. Multiple-purpose projects including power: Green Peter.	58,100,000	Flood control, power	do	225,000	500,000	500,000	225,000
B. CONTINUING PROJECTS							
I. Navigation, channels and harbors: Chetco River small boat channel and jetty.	425,000	Navigation, stabilization of channel.	Over half completed	200,000	200,000	200,000	200,000
II. Flood control, local protection:							
Amazon Creek	1,168,000	Flood control	⅔ completed	446,000	446,000	446,000	446,000
Willamette River bank protection	11,600,000	Flood control, bank protection	52 percent complete	300,000	800,000	800,000	450,000
III. Multiple-purpose projects including power:							
Cougar Reservoir	39,900,000	Power, storage, flood control	Under construction	6,570,000	6,570,000	6,570,000	6,570,000
Hills Creek Reservoir	34,500,000	Power, flood control	do	4,800,000	4,800,000	4,800,000	4,800,000
C. EXAMINATIONS AND SURVEYS							
Rogue River and tributaries survey report	134,900	Flood control, power, irrigation.	Under way	0	44,000	44,000	[2] 40,000
Umpqua Harbor-River	7,000	Navigation	Authorized February 1956.	0	7,000	7,000	[2] 7,000
Coquille River and tributaries	35,000	Flood control	Under way	25,000	25,000	25,000	[2] 25,000
Coquille River resurvey report	3,500	Navigation	Authorized	0	3,500	3,500	[2] 3,500
Umpqua River report	140,600	Flood control	Under way	27,100	27,100	27,100	[2] 27,100
Umpqua River at Winchester Bay	5,000	Navigation	do	2,800	2,800	2,800	[2] 2,800
BUREAU OF RECLAMATION							
CONSTRUCTION AND REHABILITATION							
Rogue River Basin talent division	19,200,000	Flood control, irrigation, power.	Under construction	6,041,000	6,041,000	6,041,000	[2] 6,041,000

[1] No appropriation.

[2] Funds from a general increase with distribution as corps deems necessary.

SUMMARY

It is difficult to describe in the few words available here all of the things that a Congressman does to represent his constituents. One of his biggest, and in many ways most rewarding, jobs is reading and answering the mail from the district, providing information on specific subjects, giving advice on problems involving legislation, smoothing the way in contacts by constituents with Federal agencies, agreeing—and sometimes disagreeing—with correspondents regarding certain bills up for action.

I estimate that my office staff and myself spend at least half of our time answering mail from the seven counties of southwestern Oregon. The office receives between 40 and 60 letters on an average day, most of them from the Fourth District of Oregon, nearly all of them requiring answers, and many of them requiring considerable time and effort to gather the information necessary for an intelligent reply.

It has been my intention to answer every inquiry received from my constituents. I believe that I have accomplished that goal.

It seems to me that the people I represent may be interested in what I consider to have been the major events, the highlights, of the past 8 months of operation of my Washington, D. C., office. Therefore, I am including in the RECORD the following outline report:

MONTHLY HIGHLIGHTS—JANUARY

Congress urged to increase Cougar Dam appropriation to $6,720,000, $150,000 above President's request. United States Corps of Engineers asked to consider $400,000 for flood-control project protecting Oakridge and Willamette City from further flood threats. Legislation introduced to authorize Florence harbor improvement—$1,693,100 to extend north jetty at Siuslaw mouth and deepen channel entrance to 18 feet at bar and provide 16-foot inner channel 200 feet wide. Engineers say not feasible to undertake emergency flood-control works to protect Willamette City from high water on the Middle Fork of Willamette, say Hills Creek Dam will do job 3 years hence. Mysterious disappearance of Gerald Lester Murphy, Eugene, linked with disappearance of famed Basque scholar, Jesus de Galindez, New York City. Eugene Water Board asked to explain publicly future plans for Beaver Marsh. Green Peter Dam listed for only $225,000 in President's budget, Oregon delegation Democrats fight for increase. Engineers budget $21,000 for Rogue River harbor for fiscal 1958 and list Chetco River proposed construction at $200,000. Talent project becomes economy victim, sliced $1 million by Bureau of Budget to $6,041,000.

FEBRUARY

Life magazine says Gerry Murphy piloted plane carrying Professor Galindez to Dominican Republic. I introduce legislation to reinvest portion of yearly profits from national forests in forest maintenance and development. I am named to Post Office and Civil Service Committee and to Subcommittee on Civil Service. Senator NEUBERGER and I introduce National Radiation Health Institute bill. I push for installation of Navy oceanographic installation near Coos Bay. Navy announces it will place installation at Coos Head. Keith Skelton, my district office manager, initiates Congressional clinics. Army engineers approve $200,000 to start improvements on Siuslaw Harbor in work to open port eventually to oceangoing trade. I ask House Appropriation Subcommittee to increase funds for access roads in national forests, ask that $2,664,000 be added; I note that Department of Interior this year has requested full authorized amount for timber access roads in the O. and C. lands under their jurisdiction but that Department of Agriculture did not for national forests. Senators MORSE and NEUBERGER and I term United States Department of Agriculture decision to reduce Three Sisters Wilderness Area by 53,000 acres hasty, point out a wiser decision would have resulted when land use and scientific studies in progress are completed. I join Representatives ULLMAN and GREEN in fight against limitation to public assistance administration funds placed in the urgent deficiency appropriation bill. I introduce housing legislation—described in detail above.

MARCH

Intention of introducing bill to authorize construction of remaining structures proposed in Rogue Basin project announced. Ways and Means Chairman JERE COOPER tells me excise tax on transportation will command our most serious attention. Oregon Democratic delegation works for $500,000 to complete reconstruction engineering and design work on Green Peter Dam project. Sum is more than twice that requested in budget and would speed actual construction by 1 year. I press for appropriations for review survey looking to development of deepwater channel at mouth of Umpqua. Effort to get Port Chicago Navy ammunition supply depot relocated in Coos Bay area nixed by Navy. Legislation introduced to provide 100,000 national scholarships. EWEB indicates continuing interest in Beaver Marsh hydroelectric project. Oregon Representatives and Senators introduce legislation asking for special stamp to honor Oregon's 100th anniversary in 1959. Hawaiian Delegate JOHN BURNS and I propose U. S. S. *Arizona* memorial at Pearl Harbor, funds to be raised by public subscription. I ask Federal Power Commission to cancel EWEB license extension to build Beaver Marsh project on upper McKenzie. Roseburg receives $250,000 Federal grant for pollution control.

APRIL

I demand Postmaster General Summerfield resign on grounds he has acted as a poor businessman and in bad faith in connection with deficiency appropriation request. Conference with United States Department of Agriculture officials on need for aid to Croft Easter-lily bulbgrowers in Curry County where symphylids did $100,000 damage in 1956. Medford receives $48,750 grant-in-aid from Civil Aeronautics Board for municipal airport under 1958 Federal-aid airport program. Grants Pass receives $56,611 under Federal aid airport program. Eugene receives $137,403 under Federal-aid airport program. EWEB withdraws FPC application for preliminary permit to build power features at Cougar Dam. I visit district during Easter recess and attend more than 20 meetings. Introduction of legislation to give Lillie Moore property in Roseburg to Douglas County Historical Society.

MAY

Federal assistance authorized in preparation of works plan on Lynx Hollow watershed near Cottage Grove under authority of Watershed Protection and Flood Prevention Act. I introduce legislation to establish National Outdoor Recreation Resources Review Commission, calling for genuine examination and appraisal of recreation values. I testify before House Small Business Committee, say high interest, tight-credit policies have not helped Oregon economy; point out need to increase loan ceiling of $250,000. National Park Service Director Conrad L. Wirth writes me that recreation survey of McKenzie River headwaters will be made at earliest opportunity "in accordance with your request." Vote against soil-bank program. Testimony before Public Works Committee for increased Green Peter appropriation, pointing out project will prevent annual damages of $1,589,700. Receive special recognition from Jackson County Young Farmers for attempting to obtain adequate recreation, irrigation, and flood-control program in Rogue Basin. Oregon Democratic delegation ask House Appropriations Subcommittee to add $14,118,880 to funds proposed by administration for Oregon water-resources development. National Rivers and Harbors Congress meeting in Washington, D. C., recommends United States Congress speed studies of Rogue River flood-control project and navigation project at Florence. I voice opposition to first-class mail price increases. Press for $19,000 Federal grant to get Coos-Millicoma Rivers dredging project under way; project removed from budget in economy move.

JUNE

I visit on different weekends Puerto Rico, Costa Rica, Colombia in effort to gain further information on Gerald Murphy case and return convinced United States policy in Latin America is ruining United States prestige. Introduce legislation to wipe out all fast tax writeoffs, except for new weapons, retroactive to January 1, 1957. Regretfully decline invitations to visit other Latin American countries opposing dictatorships until after session ends. Receive letter from Regional Forester J. Herbert Stone, Portland, stating that Beaver Marsh project on McKenzie would detract in a substantial way from upper river beauty. I write that public works projects are seed corn rather than pork barrel. House subcommittee does not increase Green Peter funds. Substantial increase in allowable cut in Siuslaw Forest predicted by me. Testimony before public works subcommittee of House Committee on Appropriations to call for $20 million for Army Civil Works and Bureau of Reclamation projects in fourth district. Tentative Rogue bill redrafted; bill calls for construction of Lewis Creek Dam, Reservoir, and powerplant, and so forth, but could be amended if engineers' survey report deems necessary. AFL–CIO requests Congress to initiate full-scale investigation of Galindez-Murphy case and all its ramifications. I move for permanent subcommittees on Federal salaries, pensions, civil-service matters, and postal affairs to spread work of Post Office and Civil Service Committee and reduce control of chairman, lose in 11 to 11 tie vote in committee session. I introduced resolutions requesting study of Canada's family allowance program. Inquiry by me reveals that a nylonlike fiber may be manufactured from lignin, a substance which binds wood fibers in a tree. Harry Holt brings to Washington information regarding need for passage of orphan legislation. Learn Federal grand jury started study of Gerald Murphy case in March.

JULY

Dominican Republic hires New York State attorneys to conduct investigation into death of Dr. Galindez. My amendment banning aid to Latin American dictators overwhelmingly defeated. Coos-Curry Cooperative receives $702,000 REA loan for expansion. Nickel Corporation of America executive praises me for sincere concern with anything which will build up the economy of the area he represents in the national legislature. I ask investigation of Southern Pacific log hauling rates, after terming them discriminatory. Suggest Southern Pacific try diesel car passenger service for 1 year between Eugene and Ashland; Southern Pacific says no. Public works projects in fourth district uncut by Senate Appropriations Committee; Willamette River bank protection increased $150,000; Fall Creek Dam allocated $150,000. Bill introduced to rescind authorization for Waldo Lake tunnel in eastern Lane County to preserve lake in natural state. I inspect prefabrication plant in Lafayette, Ind., learn plant managers need lumber of specified lengths. I suggest Organization of American States investigate disappearances of Murphy and Galindez. Save the McKenzie River Association expresses appreciation for my work on behalf of Beaver Marsh. Rogue River bill introduced, $66 million would be authorized for completion.

AUGUST

Jose Figueres, President of Republic of Costa Rica, writes me about my antidictator stand: "destiny placed you in a position to do a great deal of good for democracy in the American Hemisphere, and fitted you with the appropriate qualifications for the job." Southern Pacific sees no serious boxcar shortage to hamper late summer shipping demands for lumber and harvested grain in western Oregon. Meet the Press has me as guest. Western Congressmen urge more Federal contracts for west coast shipyards. Introduction of legislation to use Railroad Retirement Act funds for investment in FHA mortgages to boost interest for the pension fund and help the building industry. Funds tentatively available for Army engineer surveys for six proposed projects in southwestern Oregon for about $105,000: $40,000 for report on Rogue River and tributaries; $7,000 to complete the Umpqua harbor and river report; $2,500 for Coquille River report to determine advisability of extending north jetty and deepening entrance channel; $27,100 for Umpqua River flood control report; $25,000 to complete flood control survey of Coquille River and tributaries; $2,800 for survey at Salmon Harbor, Winchester Bay. House passes U. S. S. *Arizona* memorial legislation. Subcommittee unanimously okays transfer of part of Lillie Moore property to Douglas County Historical Society; House to act on measure next session. Resolution to authorize survey on feasibility of small boat basin for Siuslaw Harbor delayed until next year. I introduce legislation to save National Grange headquarters.

POST SESSION

In September the President signed orphan legislation into law, vetoed Federal employees' pay raise legislation.

Congressman Tewes Has 100 Percent Voting Record on Legislative Rollcalls

EXTENSION OF REMARKS

OF

HON. DONALD E. TEWES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. TEWES. Mr. Speaker, with the adjournment of the 1st session of the 85th Congress, I have compiled a report to the people I am privileged to represent. Included is my complete voting record on rollcalls and quorum calls. Nothing has been omitted, and I have exercised no censorship of any kind.

At the risk of sacrificing technical accuracy, I have eliminated all parliamentary terms such as recommit and recede from disagreement from the Senate. Instead I have attempted to phrase briefly and impartially the question which was at issue when my vote was cast.

The accompanying tables show that I was present and signified my position on every rollcall for a voting record of 100 percent. I was absent from the Chamber on 3 days when there were quorum calls not involving legislative issues. Including these unavoidable absences, my general attendance for the session was about 97 percent.

Because brief summaries cannot reflect the full significance of each vote, I invite my constituents to write me or contact me personally on any matters on which they desire additional information.

The report follows:

Roll-call No.	Date	Explanation	Vote
1	Jan. 3	Call of the House	Present.
2	Jan. 3	Election of Speaker	MARTIN.
3	Jan. 29	Quorum call	Present.
4	Jan. 29	H. R. 123: Shall the House consider the Middle East resolution under "closed" rule which limits debate? (262 yea to 146)	Nay.
5	Jan. 30	H. J. Res. 117: Shall the President be authorized to undertake military and economic cooperation with nations in the general area of the Middle East? (355 yea to 61.)	Yea.
6	Feb. 5	H. R. 4249: Shall there be a $15,728,000 limit on the amount which States can spend for administration of public assistance grants? (20 yea to 167.)	Yea.
7	Feb. 6	H. R. 2367: Shall ranchers be paid drought relief for deferring grazing? (270 yea to 108)	Nay.
8	Feb. 19	Quorum call	Present.
9	Feb. 20	Quorum call	Present.
10	Feb. 27	Quorum call	Present.
11	Feb. 27	Quorum call	Present.
12	Mar. 5	Quorum call	Present.
13	Mar. 6	Quorum call	Present.
14	Mar. 7	Quorum call	Present.
15	Mar. 7	H. R. 188: Shall the House agree to Senate amendments to the Middle East resolution? (350 yea to 60)	Yea.
16	Mar. 12	Quorum call	Present.
17	Mar. 12	H. R. 192: Shall the House consider a resolution demanding that the President indicate where reductions can be made in the budget? (219 yea to 185.)	Nay.
18	Mar. 12	H. R. 190: Shall a resolution be substituted commending the President for requesting department heads to advise the House on where budget cuts can be made? (214 nay to 185.)	Yea.
19	Mar. 12	H. R. 190: Shall a resolution be passed demanding that the President indicate to the House where reductions can be made in the budget? (219 yea to 178.)	Nay.
20	Mar. 13	Quorum call	Present.
21	Mar. 13	Quorum call	Present.
22	Mar. 13	H. R. 4901: Shall the bill establishing corn acreage allotments be returned to committee for further study? (237 nay to 168)	Nay.
23	Mar. 13	H. R. 4901: Shall the bill which establishes corn acreage allotments be passed? (217 nay to 188)	Yea.
24	Mar. 14	Quorum call	Present.
25	Mar. 14	Quorum call	Present.
26	Mar. 20	Quorum call	Present.
27	Mar. 21	Quorum call	Present.
28	Mar. 25	Quorum call	Present.
29	Mar. 26	Quorum call	Present.
30	Mar. 27	Quorum call	Present.

Roll-call No.	Date	Explanation	Vote
31	Mar. 27	H. R. 85: Shall the House Committee on Banking and Currency make an investigation into the monetary and credit structure of the United States? (225 nay to 174.)	Nay.
32	Mar. 28	Quorum call	Present.
33	Mar. 29	Quorum call	Present.
34	Apr. 1	Quorum call	Present.
35	Apr. 2	Quorum call	Present.
36	Apr. 3	Quorum call	Present.
37	Apr. 4	H. R. 6287: Shall $30,000 be cut from the Labor Department for pests in South America? (286 yea to 126)	Yea.
38	Apr. 4	H. R. 6287: Shall $204,000 be cut from the Solicitors Office in the Labor Department? (241 yea to 171)	Nay.
39	Apr. 4	H. R. 6287: Shall $16,300 be cut from the Bureau of Labor Standards? (246 yea to 169)	Yea.
40	Apr. 4	H. R. 6287: Shall $136,000 be cut from the Bureau of Veterans' Reemployment Rights? (275 yea to 137)	Nay.
41	Apr. 4	H. R. 6287: Shall $142,000 be cut from the Bureau of Employment Security? (214 yea to 206)	Yea.
42	Apr. 4	H. R. 6287: Shall $12,186,000 be cut from the estimate of unemployment grants to States? (220 yea to 190)	Yea.
43	Apr. 4	H. R. 6287: Shall $1,500,000 be cut from the estimate of unemployment contributions for Federal employees? (253 yea to 167)	Yea.
44	Apr. 4	H. R. 6287: Shall $203,800 be cut from the Mexican farm labor program? (342 yea to 167)	Yea.
45	Apr. 4	H. R. 6287: Shall $346,000 be cut from the Bureau of Labor Statistics? (217 yea to 201)	Yea.
46	Apr. 4	H. R. 6287: Shall $31,000 be cut from the Women's Bureau? (209 nay to 206)	Yea.
47	Apr. 4	H. R. 6287: Shall $288,000 be cut from the Wages and Hours Division? (214 yea to 205)	Nay.
48	Apr. 4	H. R. 6287: Shall $1,327,000 be cut from the Food and Drug Administration? (285 nay to 130)	Nay.
49	Apr. 4	H. R. 6287: Shall $1,482,000 be cut from the Office of Education? (207 nay to 206)	Nay.
50	Apr. 4	H. R. 6287: Shall $50,000,000 Federal grants for local sewerage disposal plants be eliminated? (231 nay to 185)	Yea.
51	Apr. 8	Quorum call	Present.
52	Apr. 8	H. R. 6306: Shall the House authorize a new bridge across the Potomac in Washington? (190 yea to 131)	Nay.
53	Apr. 8	Quorum call	Present.
54	Apr. 8	Quorum call	Present.
55	Apr. 9	Quorum call	Present.
56	Apr. 9	Quorum call	Present.
57	Apr. 10	Quorum call	Present.
58	Apr. 10	Quorum call	Present.
59	Apr. 10	S. J. Res. 72: Shall revising amendments to the Anglo-American Financial Agreement of 1945 be approved? (218 yea to 167)	Yea.
60	Apr. 11	H. R. 191: Shall an extra $250,000 be appropriated for investigations by the House Committee on Interstate and Foreign Commerce? (225 yea to 143.)	Nay.
61	Apr. 15	Quorum call	Present.
62	Apr. 16	Quorum call	Present.
63	Apr. 17	Quorum call	Present.
64	Apr. 17	H. R. 6871: Shall $7,039,958 be cut from the United States share of the administrative costs of international organizations of which we are a member? (205 nay to 166.)	Nay.
65	May 7	Quorum call	Absent.
66	May 8	Quorum call	Present.
67	May 9	Quorum call	Present.
68	May 13	Quorum call	Present.
69	May 13	Quorum call	Present.
70	May 13	Quorum call	Present.
71	May 14	Quorum call	Present.
72	May 14	Quorum call	Present.
73	May 15	Quorum call	Present.
74	May 15	H. R. 7441: Shall the soil-bank program be terminated? (192 yea to 187)	Nay.
75	May 21	Quorum call	Present.
76	May 22	Quorum call	Present.
77	May 22	H. R. 7599: Shall the legislative appropriation be returned to committee with instructions to eliminate $7,500,000 for construction of a new House Office Building? (206 nay to 176.)	Yea.
78	May 22	H. R. 7599: Shall the legislative appropriation including $7,500,000 for a new House Office Building be passed? (278 yea to 93)	Nay.
79	May 22	H. R. 254: Shall the House consider the bill allowing Illinois to divert Lake Michigan water? (267 yea to 102)	Nay.
80	May 22	H. R. 2: Shall the bill allowing Illinois to divert Lake Michigan water be returned to committee with instructions to delay action until discussions between Canada and the United States on this matter are completed? (224 nay to 143).	Yea.
81	May 22	H. R. 2: Shall Illinois be allowed to divert Lake Michigan water? (222 yea to 143)	Nay.
82	May 23	Quorum call	Present.
83	May 23	H. R. 985: Shall the bill requiring chief judges of Federal courts to retire at 75 be returned to committee for further study? (293 nay to 47).	Nay.
84	May 24	Quorum call	Present.
85	May 24	Quorum call	Present.
86	May 24	Quorum call	Present.
87	May 27	Quorum call	Present.
88	May 27	Quorum call	Present.
89	May 28	Quorum call	Present.
90	May 29	Quorum call	Present.
91	May 29	H. R. 7665: Shall the Defense Department appropriation bill be returned to committee with instructions to reinsert $313,000,000? (242 nay to 151.)	Yea.
92	May 29	H. R. 7665: Shall the Defense Department appropriation be passed? (394 yea to 1)	Yea.
93	June 3	Quorum call	Present.
94	June 4	Quorum call	Present.
95	June 5	Quorum call	Present.
96	June 5	H. R. 259: Shall the House consider the civil-rights bill? (290 yea to 117)	Yea.
97	June 6	Quorum call	Present.
98	June 6	Quorum call	Present.
99	June 6	Quorum call	Present.
100	June 7	Quorum call	Absent.
101	June 7	Quorum call	Absent.
102	June 7	Quorum call	Absent.
103	June 7	Quorum call	Absent.
104	June 10	Quorum call	Present.
105	June 10	Quorum call	Present.
106	June 10	Quorum call	Present.
107	June 11	Quorum call	Present.
108	June 13	Quorum call	Present.
109	June 14	Quorum call	Present.
110	June 17	Quorum call	Present.
111	June 18	Quorum call	Present.
112	June 12	H. R. 6127: Shall the civil-rights bill be returned to committee with instructions to add the jury-trial amendment? (251 nay to 158)	Nay.
113	June 18	H. R. 6127: Shall the civil-rights bill be passed? (286 yea to 126)	Yea.
114	June 18	Quorum call	Present.
115	June 18	H. R. 7221: Shall the House accept a Senate proposal to provide $14,000,000 for a Federal flood-insurance program? (218 nay to 186)	Nay
116	June 19	Quorum call	Present.
117	June 20	Quorum call	Present.
118	June 21	Quorum call	Present.
119	June 21	H. R. 6974: Shall the Agricultural Trade Development Act providing for foreign sales of surplus agriculture products be extended for 1 year? (344 yea to 7.)	Yea.
120	June 24	Quorum call	Present.
121	June 25	Quorum call	Present.
122	June 25	H. R. 7963: Shall the Small Business Administration be made a permanent agency? (392 yea to 2)	Yea.
123	June 26	Quorum call	Present.
124	June 26	H. R. 6287: Shall the appropriations bill for the Department of Health, Education, and Welfare be returned to committee for further study? (321 nay to 73.)	Nay.
125	June 27	Quorum call	Present.
126	June 27	Quorum call	Present.
127	June 27	S. 1428: Shall the bill authorizing furniture for the new U. S. Senate Office Building be returned to committee with instructions to limit cost? (231 nay to 135.)	Yea.
128	June 27	S. 1429: Shall the bill authorizing remodeling of the old U. S. Senate Office Building be returned to committee with instructions to limit cost? (216 nay to 148.)	Yea.
129	July 1	Quorum call	Present.
130	July 1	Quorum call	Present.
131	July 1	Quorum call	Present.

Roll-call No.	Date	Explanation	Vote
132	July 8	Quorum call	Absent.
133	July 8	Quorum call	Present.
134	July 9	Quorum call	Present.
135	July 9	Quorum call	Present.
136	July 10	H. R. 8240: Shall the Defense Department be authorized to discontinue activities that compete with private business without securing prior Congressional approval? (230 nay to 183.)	Yea.
137	July 10	H. R. 7390: Shall this bill limiting the use of advisory committees by the executive branch be returned to committee for further study? (225 nay to 183.)	Yea.
138	July 10	H. R. 8364: Shall this bill which applies the 1949 Reorganization Act to new reorganization plans of the Government be returned to committee for further study? (336 nay to 44.)	Nay.
139	July 11	Quorum call	Present.
140	July 11	Quorum call	Present.
141	July 12	Quorum call	Present.
142	July 12	H. R. 72: Shall this bill restricting the transfer of the pension funded estates of incompetent veterans to near relatives be returned to committee for further study? (191 yea to 161.)	Nay.
143	July 15	Quorum call	Present.
144	July 16	Quorum call	Present.
145	July 16	Quorum call	Present.
146	July 17	Quorum call	Present.
147	July 19	Quorum call	Present.
148	July 19	S. 2130: Shall the Mutual Security Act be returned to committee with instructions to delete the development loan fund? (227 nay to 181)	Nay.
149	July 19	S. 2130: Shall the Mutual Security Act be passed? (254 yea to 154)	Yea.
150	July 22	Quorum call	Present.
151	July 23	H. R. 2474: Shall the basic salary of postal workers be increased by $546 per year? (379 yea to 38)	Yea.
152	July 23	Quorum call	Present.
153	July 25	Quorum call	Present.
154	July 25	H. R. 1: Shall the House terminate consideration of this bill to provide Federal assistance to States for school construction without opportunity to debate or amend? (208 yea to 203)	Nay.
155	July 29	Quorum call	Present.
156	July 30	Quorum call	Present.
157	July 30	Quorum call	Present.
158	July 31	Quorum call	Present.
159	July 31	S. 1856: Shall a new Airways Modernization Board be established to develop and modernize air navigation and traffic control? (375 yea to 17.)	Yea.
160	July 31	Quorum call	Present.
161	July 31	H. R. 2147: Shall the authorization for a $32,000,000 reclamation project in San Angelo, Tex., be returned to committee for further study? (202 nay to 189.)	Yea.
162	July 31	H. R. 2147: Shall a $32,000,000 reclamation project in San Angelo, Tex., be authorized? (201 yea to 190)	Nay.
163	Aug. 1	Quorum call	Present.
164	Aug. 1	H. R. 8643: Shall construction of power improvements on the Niagara River be authorized? (313 yea to 75)	Yea.
165	Aug. 1	Quorum call	Present.
166	Aug. 1	H. R. 6763: Shall the House consider the bill to authorize a tunnel under the Potomac River? (296 yea to 76)	Yea.
167	Aug. 1	H. R. 6763: Shall the House terminate all further consideration of the bill to authorize a tunnel under the Potomac River? (194 nay to 175)	Yea.
168	Aug. 2	Quorum call	Present.
169	Aug. 2	H. R. 6763: Shall the House consider the bill to authorize a tunnel under the Potomac River? (275 yea to 59)	Yea.
170	Aug. 2	H. R. 6763: Shall the bill be amended to substitute a bridge for a tunnel? (225 yea to 107)	Yea.
171	Aug. 5	H. R. 6709: Shall the House approve the implementation of a treaty with the Republic of Panama? (279 yea to 91)	Yea.
172	Aug. 5	Quorum call	Present.
173	Aug. 6	Quorum call	Present.
174	Aug. 7	Quorum call	Present.
175	Aug. 7	H. R. 9131: Shall the supplemental appropriation be returned to committee with instructions to reduce new TVA funds by $9,784,000? (244 nay to 158.)	Yea.
176	Aug. 7	H. R. 9131: Shall the supplemental appropriation bill be passed? (330 yea to 75)	Yea.
177	Aug. 7	Quorum call	Present.
178	Aug. 7	H. R. 362: Shall the House consider a bill to permit deductions for a self-help meat promotion program? (216 nay to 175)	Yea.
179	Aug. 8	Quorum call	Present.
180	Aug. 8	H. R. 4813: Shall the acquisition of certain land for a District of Columbia auditorium be authorized? (284 nay to 115)	Nay.
181	Aug. 8	Quorum call	Present.
182	Aug. 8	H. R. 8992: Shall the House delete a Senate proposal for Congressional control over distribution of nuclear material in the International Atomic Energy Agency? (298 yea to 100.)	Yea.
183	Aug. 9	Quorum call	Present.
184	Aug. 9	H. R. 8996: Shall $3,000,000 for design estimates on a plutonium reactor be cut? (201 nay to 197)	Yea.
185	Aug. 9	H. R. 8996: Shall $55,000,000 for Government construction of a natural plutonium recycle reactor be cut? (211 yea to 188)	Yea.
186	Aug. 9	H. R. 8996: Shall provisions for Government ownership and operation of atomic-energy generating plants be deleted? (213 yea to 185)	Yea.
187	Aug. 9	H. R. 8996: Shall the House pass the appropriation for the Atomic Energy Commission? (382 yea to 14)	Yea.
188	Aug. 9	H. R. 2462: Shall the bill providing for an 11-percent pay increase for Federal employees be returned to committee for further study? (319 nay to 70.)	Nay.
189	Aug. 9	H. R. 2462: Shall the bill providing for an 11-percent pay increase for Federal employees be passed? (329 yea to 58)	Yea.
190	Aug. 13	Quorum call	Present.
191	Aug. 13	H. R. 8090: Shall the House agree to a Senate amendment which appropriated $500,000 for the Bruces Eddy project in Idaho? (363 nay to 23.)	Nay.
192	Aug. 13	H. R. 5836: Shall postal rates on first, second, and third classes be increased? (256 yea to 129)	Yea.
193	Aug. 14	Quorum call	Present.
194	Aug. 14	S. 2130: Shall the House accept Senate amendments appropriating $250,000,000 additional funds to mutual security? (226 yea to 163)	Yea.
195	Aug. 14	S. 1383: Shall the Interstate Commerce Act be amended to change requirements for obtaining a freight forwarders permit? (177 yea to 176)	Nay.
196	Aug. 15	Quorum call	Present.
197	Aug. 15	H. R. 9302: Shall the appropriation for mutual security be returned to committee with instructions to reinsert $715,000,000? (254 nay to 129.)	Yea.
198	Aug. 15	H. R. 9302: Shall the appropriation for mutual security be passed? (252 yea to 130)	Yea.
199	Aug. 19	H. R. 7993: Shall the Government guarantee private loans of certain airline carriers? (242 yea to 94)	Nay.
200	Aug. 20	H. R. 1937: Shall the District of Columbia be authorized a stadium to be financed with private funds? (234 nay to 134)	Yea.
201	Aug. 20	S. 1520: Shall Federal contribution be limited to $50,000 in the disposal of a dam in West Virginia? (232 nay to 135)	Yea.
202	Aug. 21	H. R. 9131: Shall the House accept Senate amendment striking out funds for a new airport in Washington? (233 nay to 125)	Nay.
203	Aug. 21	H. R. 9131: Shall the House accept a Senate amendment adding $475,000 for the Columbia River project? (216 nay to 140)	Nay.
204	Aug. 21	H. R. 9379 (Atomic Energy Appropriation): Shall House restore $30,000,000 for a program of cooperation with private industry? (214 yea to 135.)	Yea.
205	Aug. 22	H. Con. Res. 176: Shall $95,000 be appropriated for 500,000 copies of an illustrated booklet to be distributed free by Congressmen? (183 yea to 129.)	Nay.
206	Aug. 23	Quorum call	Present.
207	Aug. 23	H. R. 9131: Shall the House accept a Senate amendment adding $475,000 for the Columbia River project? (166 yea to 121)	Nay.
208	Aug. 23	H. R. 9131: Shall the House accept a Senate amendment adding $475,000 for the Columbia River project? (166 yea to 120)	Nay.
209	Aug. 23	S. 2229: Shall the Government guarantee private loans to certain airline carriers? (203 yea to 77)	Nay.
210	Aug. 23	H. R. 407: Shall Louis Hartman be cited for contempt of Congress for refusing to answer questions before the Un-American Activities Committee? (276 yea to 0.)	Yea.
211	Aug. 23	H. R. 409: Shall Bernard Silber be cited for contempt of Congress for refusing to answer questions before the Un-American Activities Committee? (261 yea to 0.)	Yea.
212	Aug. 27	Quorum call	Present.
213	Aug. 27	H. R. 410: Shall the House accept Senate jury-trial amendments to civil-rights bill with further limitations in criminal contempt proceedings? (274 yea to 101.)	Yea.
214	Aug. 27	H. R. 410. Shall the House accept Senate jury-trial amendments to civil-rights bill with further limitations in criminal contempt proceedings? (279 yea to 97.)	Yea.
215	Aug. 27	H. R. 7915: Shall there be legislation clarifying Supreme Court decision in the Jencks case concerning use of FBI files? (351 yea to 17)	Yea
216	Aug. 28	Quorum call	Present.
217	Aug. 28	S. 2792: Shall the immigration laws be amended to facilitate the entry into the United States of certain adopted children and other close relatives of United States citizens? (293 yea to 58.)	Yea.
218	Aug. 30	Quorum call	Present
219	Aug. 30	H. R. 7915: Shall the House accept certain compromise amendments to legislation clarifying the Jencks decision? (315 yea to 0.)	Yea.
220	Aug. 30	H. R. 9302: Shall the House accept the mutual security appropriation compromise agreed upon in a Senate and House conference? (194 yea to 122.)	Yea.

Mutual Security Bill

EXTENSION OF REMARKS

OF

HON. ROBERT B. CHIPERFIELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. **CHIPERFIELD**. Mr. Speaker, during the last several months committees of Congress as well as Congress itself have been looking into the mutual security program in great detail. Their efforts are reflected in the Authorization Act and in the Appropriation Act passed at the end of August. I know that much has been written and spoken on this subject. But I think it timely to highlight some of the major features of the program for this year.

As to the amounts involved, in January the President's budget message referred to a program of $4.4 billion. By the time the Committee on Foreign Affairs began its consideration of the measure last spring that sum had been reduced to $3.8 billion as a result of various savings effected by the administration. As the authorization bill emerged from the Senate it carried a sum of $3.6 billion. The House reduced this to $3.1 billion. The compromise that resulted was an authorization of $3.3 billion. The appropriations made pursuant to this authorization were $2.7 billion. Thus the reduction made by Congress from the President's request was almost 29 percent.

Economic aid has been drastically reduced. Such economic aid as is given now extends only to a few countries in the Near and Far East that need such assistance to support the forces our military authorities believe essential for the Free World's defense.

An innovation in this year's law is the development loan fund. The fund has been established with a capital of $300 million to extend assistance in the form of loans and credits to the underdeveloped nations of the world, particularly the newer governments of Asia and Africa. There is a popular demand in those countries for improved living conditions. No government can remain in power in any of those nations if its people do not believe that it is dedicated to bringing them better living conditions.

Many of those nations know little about the Soviet Union. They believe that the Soviet system has brought great improvement in the standard of living of the people in Russia and in Communist China. At the same time, they regard their national sovereignty and independence as more important than anything else.

Events of the last year have made it clear that the future welfare and security of the United States are bound up to an increasing extent with the nations of Asia and Africa. If, in that period, we can maintain the confidence and respect of these nations, we can expect that the lives of our children will be more peaceful and secure than they are today. On the other hand, if these people believe us to be uninterested in their development, we may expect to live in a world of increasing international tension.

The development loan fund offers the underdeveloped people a reasonable expectation that the United States will extend them assistance if they come forward with feasible plans for their own development. Many of the projects necessary for their economic improvement may take several years to complete. It is important that, if we extend credit to start a project such as land reclamation, we follow through. Otherwise it would be better that we never start it. We want nations to feel confident that if they do their part of the job, they can count on us to carry out our commitments. I think the inclusion of the development loan fund is one of the most far-reaching steps we have taken in our foreign aid program. This is much better than outright grants from which we could expect no return.

The technical cooperation program, originally called point 4, has been continued although at a level below that planned by the administration. Those programs are almost entirely demonstration-type programs designed to impart our skills and information to other peoples in basic fields such as education, public health, agriculture, and public administration. By their very nature they have made a deep impress on many peoples in the underdeveloped countries and have garnered for us an important measure of good will and understanding at the grassroots level.

It is easy to be critical of parts of a program that is global in scope. I have no doubt that there is some waste, some inefficiency, some poor personnel, and some unwise programing. But these defects must always be weighed against the benefits that we Americans derive from a stronger world of free people.

Accomplishments of the Senate Committee on Interstate and Foreign Commerce

EXTENSION OF REMARKS

OF

HON. WARREN G. MAGNUSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. **MAGNUSON**. Mr. President, I ask unanimous consent to include in the CONGRESSIONAL RECORD a report on the accomplishments of the Senate Committee on Interstate and Foreign Commerce of which I am chairman.

There being no objection, the report was ordered and printed in the RECORD, as follows:

Mr. President, I am proud to report to the Senate today that your Committee on Interstate and Foreign Commerce, of which I am chairman, accomplished more business this year than we did in the 1st session of the 84th Congress, with more legislation referred to us, more reported to you, more bills passed by the Senate, and more of our bills signed by the President than in the session 2 years ago.

This year our committee had referred to it 199 Senate and House bills, resolutions, and amendments as compared to 155 such pieces of legislation 2 years ago.

We reported 54 of them to the Senate, of which 52 were passed. This was nine more than was approved in the 1st session of the 84th Congress. House committees reported 10 of the bills to the House and passed a total of 19 Senate bills, since 9 of our approved measures were substituted for House bills when the legislation reached the House floor.

The President signed 30 of our bills this year as compared to twenty-three 2 years ago. Sixteen of our bills remained in the House committee this year as compared to 13 in 1955.

We had 506 routine nominations referred to us in 1957, all of which were approved by us and confirmed by the Senate. We handled 14 major nominations which were approved and confirmed.

Our full committee held 30 days of open hearings this year as compared to 21 days of open hearings in 1955, while our subcommittees held 34 days of open hearings compared to thirty 2 years ago.

Our full committee held 18 executive sessions the same as 2 years ago, but I want to emphasize that all except a very few were short sessions following open hearings to vote upon matters discussed at the open hearings. I recall only three full executive sessions and each of these were called at the request of Government officials.

Our subcommittees held 9 executive sessions the same as 2 years ago.

The tabulation of our record follows:

1st sess. of 84th Cong. as compared to 1st sess. of 85th Cong.

	1955	1957
Number of Senate and House bills, resolutions, and amendments referred to committee	155	199
Number of bills reported by committee (Senate and House)	46	54
Number of bills passed by Senate (Senate and House)	43	52
Number of Senate bills pending in House committees	13	16
Number of Senate bills reported by House committees	20	10
Number of Senate bills passed House	21	19
Number of bills signed by President (Senate and House)	23	30
Number of routine nominations:		
Referred to committee	572	506
Confirmed	545	506
Number of major nominations:		
Referred to committee	14	14
Confirmed	14	14
OPEN HEARINGS		
Number of days of open hearings of full committee	21	30
Communications Subcommittee	2	----
Surface Transportation Subcommittee	4	11
Aviation Subcommittee	13	10
Merchant Marine and Fisheries Subcommittee	7	6
S. 2060 (to improve Standards Bureau fiscal practices)	1	----
Air Agreement Subcommittee	1	----
Freight Car Shortage Subcommittee	2	----
S. 86 (rain making)	------	2
S. 1552 (fish farming)	------	1
Automobile Marketing Subcommittee	------	4
	51	64
EXECUTIVE MEETINGS		
Number of executive meetings of full committee	18	18
Surface Transportation Subcommittee	2	5
Communications Subcommittee	1	----
Aviation Subcommittee	3	2
Merchant Marine and Fisheries Subcommittee	1	----
Auto Marketing Subcommittee	2	----
S. 86	------	1
Operations of Petroleum Industry Subcommittee	------	1
Total	27	27

This record was made possible by the wholehearted cooperation of every one of the 15 members of our committee. Members of both the majority and minority worked shoulder to shoulder to move legislation which was referred to us.

I have appreciated the willing help of the Honorable JOHN W. BRICKER, ranking Republican on our committee, and the willing hard work put in by other minority members.

I want to express my gratitude to the chairman and members of our subcommittees who put in long hours holding public hearings to gather testimony on proposed legislation.

Our Surface Transportation Subcommittee, headed by the Honorable GEORGE A. SMATHERS, held 11 days of hearings on transportation subjects and reported the transportation bills the committee eventually sent to you.

Our Aviation Subcommittee, headed by Hon. A. S. MIKE MONRONEY held 10 days of public hearings and worked long hours preparing such legislation for the committee. My Subcommittee on Merchant Marine and Fisheries put in 6 days on public hearings.

During the year we created a Subcommittee on Foreign Commerce which intends to go thoroughly into the question of the Nation's foreign commerce during the 2d session of the 85th Congress. We also created a special subcommittee which will investigate the operations of the Military Air Transport Service and the Military Sea Transportation Service to determine how their operations affect the operations of our commercial sea and air services.

Mr. President, the work of our committee covered a wide range of important subjects, from establishment of a 3-man Airways Modernization Board which will develop and test plans for safe navigation and traffic control of all civil and military aircraft, to 9 changes in our transportation laws which will have important effect upon the work of the Interstate Commerce Commission.

The Airways Modernization Board is required to submit to Congress by January 1959 a plan for general reorganization of Federal aviation functions, looking to the establishment of an independent aviation authority. The committee looks to this report to lay down the plan for legislation to get away from the hit-and-miss aviation program now followed in the handling of our civilian and military aviation.

The committee also reported favorably S. 1423, a bill to amend the Civil Aeronautics Act by limiting the President's authority to overrule CAB certification decisions involving foreign air transportation. The measure requires that Government agencies permit a greater participation by a representative of domestic airlines in negotiations with foreign governments, and that such a representative be designated as a member of the United States negotiating delegation.

We also reported favorably a bill granting permanent certification to airlines operating in the States-Alaska service. These are the Alaska Airlines, Inc., Pacific Northern Airlines, and 1 of the 2 routes operated to Alaska by Northwest Airlines.

Upon the recommendation of your committee the Congress enacted Public Law 163, which redefines contract carriage under the Interstate Commerce Act. This is considered one of the most important steps taken regarding our interstate traffic laws. This, and the seven other amendments made to the Interstate Commerce Act, did much to meet the Cabinet Committee recommendations for revision of our transportation laws.

We held hearings on many other proposed amendments to the ICC Act and work on those bills will be resumed when Congress returns in January.

One of our aviation bills, S. 1753, to exclude from other income computations in determining subsidy needs the amount of [illegible] gains realized by air carriers from the disposal of obsolete flight equipment was made the pending business when Congress reconvenes in January.

Another bill to aid air carriers to rejuvenate their equipment was S. 2229, a bill to provide Government guaranty of private loans to certain local air carriers, territorial airlines, and certificated helicopter companies. The guaranty would be for 90 percent of the loan and would enable the carriers to replace their obsolete equipment, modernize their fleets in interest of national defense, and increase comfort for the traveling public.

Our Subcommittee on Merchant Marine and Fisheries reported favorably 14 bills that became laws. These included legislation to implement the 1955 treaty with Panama, repeal the 50-50 escapement of salmon in Alaska limitation contained in the White law; authorize construction of vessels in United States shipyards; authorize additional funds for Coast and Geodetic Survey vessels and to postpone for 2 years the Coast Guard regulations appyling to small boats carrying 6 or more passengers for hire.

During the year we held extended hearings on proposals to restrict transfers of vessels from United States registry to foreign registry. We also held hearings on some 20 bills calling for the sale of ships from the national defense reserve fleet to foreign governments or foreign nationals.

Reports on these measures are being prepared and will be taken up by the committee in the 2d session of the 85th Congress.

G. H. (Wad) Williamson

EXTENSION OF REMARKS

OF

HON. RALPH W. YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement prepared by me.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, Erath County, Tex., and the Nation have suffered a great loss in the recent death of G. H. (Wad) Williamson, of Stephenville. His life was one in keeping with the traditions and democratic faith of his pioneer family. His courage and forthright battle against the forces of corruption and vilification which threaten the democratic ideals which he upheld have served and will continue to serve for years to come, as an inspiration to all who believe in the American heritage of freedom.

Wad Williamson served as my campaign manager throughout the cross timbers area of Texas during three long campaigns. His deep devotion to democratic ideals and his outstanding leadership was a responsible factor in the ultimate victory.

Mr. President, the May 17, 1957, issue of the Stephenville Empire-Tribune paid tribute to this great man.

"Mr. Williamson was known for his many deeds of kindness to those in distress. In a quiet way he extended a helping hand to scores of elderly people in Erath County. Frequently he made no charge for his legal service. However, as a prosecutor he was vigorous and unyielding to those who violated the rule of principle and the laws of the State."

In this same paper, 1 week later, the sterling character of Wad Williamson again was reflected in editorial comment:

"The night was never too dark for Wad to come to the relief of one of his friends, regardless of what the circumstances were."

Mr. President, Wad Williamson has left a heritage worthy of guarding because he was courageous and steadfast in fighting for the preservation of that heritage of freedom which was his. I shall always cherish his memory as I did his friendship.

Montana and the REA's

EXTENSION OF REMARKS

OF

HON. MIKE MANSFIELD

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. MANSFIELD. Mr. President, the farms and rural communities of America today enjoy the use of the same modern equipment and conveniences that are enjoyed by urban areas. These include the many necessities and luxuries operated by electric current. In the past 20 years we have witnessed a vast transformation in the mode of rural living due largely to electricity—electricity brought to farms and communities at reasonable rates.

This could have been done only with the cooperation of the Federal Government. The job of bringing electricity to the isolated areas of this Nation has been a tremendous one and the accomplishments have been great. I commend the many rural-electric cooperatives who in cooperation with the Rural Electrification Administration have made all of this possible.

Farm electrification advanced very slowly in the United States during the period after 1882, when the first central generating system went into service, until 1935 when the Rural Electrification Administration was created. In 1944 Congress extended for an indefinite period of time the life of this lending agency.

It is quite important that we distinguish between the REA and the individual rural-electric cooperative. The REA is an arm of the Federal Government empowered to make loans to qualified borrowers, with preference to nonprofit and cooperative organizations and to public bodies. The REA is not in the power business. It does not operate rural-electric facilities and makes no grants or subsidies. Its loans are repaid from the operating revenues of the locally owned, locally managed cooperative, the other partner in this program of rural electrification. The REA serves principally as a banker to the local system and contributes technical advice. The rural cooperative constructs the power lines and other electric facilities to serve persons in rural areas who are without central-station electric service. The loans the cooperatives receive bear a 2-percent interest rate and are repaid over a maximum period of 35 years.

Few farmers were connected to central-station power prior to World War I. The early twenties saw a short-lived spurt in which the progress made in electrical engineering was reflected by a small increase in the number of farms served.

However, only 10.9 percent of all farms in the United States were receiving central-station electric service by 1935. Few power lines had been built beyond the immediate vicinities of cities and towns.

Farmers and farm organizations, chafing at the slow rate of progress, increased their demands for Government action in the field of rural electrification. The result was the establishment of REA, with an action program designed primarily to make electric service available to those farm people who were without electricity.

REA estimated as of June 30, 1956, that approximately 95 percent of the Nation's farms were electrified.

Many of the remaining unelectrified farms are situated in isolated areas, or in areas of relatively low farm income. Consequently, the most difficult part of the rural electrification job remains to be completed. However, the REA program has succeeded in establishing a pattern which eventually can provide virtually every unserved farm in the country with electric service.

Membership in rural electric cooperatives is not confined to farmers. It is open to all people in a rural area who can be reached and who want electric service. More than three-fourths of all consumers on REA-financed cooperative lines are farms. But also included are many thousands of rural nonfarm dwellings, schools, churches, stores, community buildings, and similar facilities. REA borrowers also serve thousands of rural industries and other commercial enterprises. Many of these rural industries themselves are operating on a cooperative plan.

Rural electric cooperatives have proved the most effective instrument for carrying out the REA program because of their advantages as a method of making reasonable cost electric service available to farmers in rural areas. These advantages include:

First, REA-financed cooperatives operate on a nonprofit basis. This enables them to provide electric service at cost to their members.

Second, directors of REA-financed cooperatives are elected because of their known interest in making electric service available to rural people at reasonable rates. They serve without compensation and keep operating expense at the lowest possible level consistent with good service.

Third, members of REA-financed cooperatives also are interested in electric service at reasonable cost. For example, they help reduce operating expense by voluntarily reporting potential causes of service interruptions such as tree limbs touching the lines. Most of them read their own meters, and many make out their own bills.

Fourth, previous experience of farmers with other types of cooperatives helps them to organize and operate rural electric cooperatives on a sound basis with a minimum of effort and expense.

Lines constructed by REA borrowers are built to serve entire areas, including less densely settled sections as well as those of greater population. This is known as area coverage. The test is no longer whether an individual line or section will be self-supporting, but whether the entire system as a whole is feasible. This policy has become increasingly important as the rural electrification job has progressed. Only through area coverage can electric service be extended to many of the more isolated farms, and to others which are remotely situated in pocketed areas far removed from any established source of power.

In every region in the United States rural electric cooperatives have demonstrated that farm electrification, far from constituting an additional cash drain on low-farm incomes, actually brings about a higher real-farm income and better farm living. It brings more business into rural communities. It encourages new local enterprises which come about when low-cost power is available. It stimulates private business, both locally and nationally. Surveys indicate that for every dollar invested in rural power facilities the farmer invests an additional $4.50 in wiring, plumbing, and electrical appliances.

The use of electric power in farm production and processing is constantly expanding. To date about 400 farm uses for electricity have been reported. Electric power on the farm is an economic necessity which can pay its way with handsome profits for the farmer. Guidance is given consumers on REA-financed lines as to which uses are the most efficient and the most profitable in these times of power shortages.

In the State of Montana, at the time REA was established in 1935, only 2,768 farms, or 5.5 percent, were receiving central station electric service. REA estimated as of June 30, 1956, that 28,450 farms, or 86.1 percent of all farms in the State, were served. An estimated 4,600 farms in the State still were without service.

The first REA loan in Montana was approved in May 1936, and the first REA-financed line placed in operation on December 5, 1937, by the Lower Yellowstone Rural Electric Association at Sidney, Mont.

As of September 19, 1957, REA had approved $56,828,109 in loans in the State to 25 borrowers, all of them cooperatives. The loans will enable these borrowers to finance the construction of 28,774 miles of line and other rural electric facilities to serve 41,459 rural consumers. Most of these facilities already are in operation and additional lines are being built.

As of July 1, 1957, REA had advanced $45,915,174 as loans in Montana, and the State's borrowers were operating 27,554 miles of line serving 40,322 farms and other rural consumers.

The average monthly consumption on REA-financed lines in this State increased from 238 kilowatt-hours per farm in 1949 to 501 kilowatt-hours in 1956.

This increase reflects greater use of electrical equipment to save time and labor in performing farm and household tasks to help bring about a more comfortable rural living.

REA's latest debt-service summary, covering all transactions to July 1, 1957, shows that the Montana borrowers have paid $3,854,122 interest on their Government loans, and repaid $5,855,291 of the principal on their Government loans. In addition, they had paid $3,128,118 ahead of schedule—for a total repayment record of $12,837,531.

No payments are overdue.

This is a great record for a great program in a great State. It is my hope that the day is not too far distant when every farm in Montana is electrified.

If the rural areas of Montana are to continue to enjoy the benefits of electric power purchased at reasonable rates there are several things which we must do:

First, we must be assured of an adequate supply of cheap electric power. This is the basis of the entire program. We must fight for equal rights in the purchase of wholesale power from such great projects as Hungry Horse, Canyon Ferry and Fort Peck. Public power and private power development must keep pace with one another.

Second, the preservation of the preference clause as it was written into the Reclamation Act of 1906 is essential to the continued success of the program. The preference clause is not discriminatory in any sense; to the contrary it injects an element of competition in the business of selling electricity.

It is essential that each electric cooperative in Montana and the Nation maintain control of its own electric business. Those of you here in Montana have worked hard to enjoy the benefits of electric service and you must make sure that it is not taken away.

During the recent session of Congress, the one word which would summarize its activities would be "economy." The most dominant issue of the session was inflation. One way is not to increase rates. Higher interest rates help only the bankers. Rates have gone up on various Government loans and there is going to be a concerted effort to double the REA interest rate in the next session of Congress.

The REA program in Montana is paying off with adequate and dependable service, with an orderly and economical construction pattern. We want to continue this pattern of progress. Increased interest rates will place an obstruction in your way. You can be assured that the Montana Congressional delegation will act in the interests of Montana's rural electric cooperatives.

It was a distinct pleasure to work with Senator James E. Murray, Congressmen Lee Metcalf and LeRoy Anderson. We worked together—held periodic conferences—in connection with all matters affecting Montana's welfare and endeavored at all times to work as a unit in furthering the development and best interests of our State.

Mr. President, I ask unanimous consent to have printed in the Congressional Record a tabulation of each Montana electric cooperative, their loans, repayments, the number of consumers served, and the counties in Montana served by each. The time covered is from 1953 to date. I use this period to include the term I have served as a United States Senator from Montana.

There being no objection, the tabulations were ordered to be printed in the Record.

REA electric program in Montana

Borrower	Amount of gross loans, fiscal years—						Repayments						Consumers served as of June 30					Location of facilities by counties
	1953	1954	1955	1956	1947	Total	1953	1954	1955	1956	1957	Total	1953	1954	1955	1956	1957	
Ravalli County Electric Cooperative, Inc., Corvallis, Mont.	$195,000	----------	----------	----------	----------	$195,000	$17,572	$17,572	$18,091	$24,299	$28,951	$106,485	1,005	942	978	974	975	Ravalli.
Sun River Electric Cooperative, Inc., Fairfield, Mont.	----------	----------	$415,000	----------	----------	415,000	77,261	83,958	254,012	91,838	94,706	601,775	2,293	2,334	2,337	2,374	2,395	Cascade, Chouteau, Judith Basin, Lewis and Clark, Pondera, Teton, Toole.
Lower Yellowstone Rural Electric Association, Inc., Sidney, Mont.	385,000	----------	----------	----------	----------	385,000	29,967	85,500	51,624	51,623	67,689	286,403	1,397	1,506	1,512	1,569	1,575	Dawson, Richland, Roosevelt in Montana; McKenzie in North Dakota.
Yellowstone Valley Electric Cooperative, Inc., Huntley, Mont.	270,000	----------	----------	$350,000	----------	620,000	84,177	42,781	119,868	54,868	60,384	362,078	2,305	2,364	2,457	2,531	2,603	Big Horn, Carbon, Musselshell, Stillwater, Yellowstone.
Vigilante Electric Cooperative, Inc., Dillon, Mont.	----------	$440,000	----------	840,000	----------	1,280,000	67,450	65,151	118,369	91,996	110,578	453,544	1,836	1,926	1,935	1,950	1,999	Beaverhead, Broadwater, Deer Lodge, Gallatin, Jefferson, Lewis and Clark, Madison, Silver Bow in Montana; Clark in Idaho.
Missoula Electric Cooperative, Inc., Missoula, Mont.	----------	450,000	----------	327,000	----------	777,000	15,357	27,720	36,958	47,007	50,873	177,915	1,053	1,153	1,163	1,211	1,248	Granite, Mineral, Missoula, Powell, Ravalli.
Flathead Electric Cooperative, Inc., Kalispell, Mont.	780,000	----------	----------	----------	$755,000	1,535,000	32,460	33,342	33,313	67,328	87,651	254,124	1,958	2,539	2,124	2,085	2,272	Flathead, Lincoln.
Fergus Electric Cooperative, Inc., Lewistown, Mont.	145,000	225,000	180,000	----------	----------	550,000	82,786	239,142	98,083	106,675	115,824	642,510	2,413	2,562	2,636	2,685	2,722	Cascade, Chouteau, Fergus, Golden Valley, Judity Basin, Musselshell, Petroleum, Stillwater, Wheatland.
Park Electric Cooperative, Inc., Livingston, Mont.	250,000	----------	295,000	----------	----------	545,000	79,610	40,165	40,164	99,831	44,831	304,604	1,164	1,198	1,158	1,155	1,187	Gallatin, Park, Sweetgrass.
Mid-Yellowstone Electric Cooperative, Inc., Hysham, Mont.	----------	185,000	----------	192,000	----------	377,000	20,125	21,427	25,543	65,747	25,746	158,588	691	717	778	886	916	Big Horn, Custer, Rosebud, Treasure.
Beartooth Electric Cooperative, Inc., Red Lodge, Mont.	----------	----------	----------	----------	----------	----------	52,042	47,697	53,031	53,031	53,031	258,832	1,646	1,664	1,696	1,784	1,805	Carbon, Stillwater, Sweetgrass in Montana; Park in Wyoming.
Big Horn County Electric Cooperative, Inc., Lodge Grass, Mont.	380,000	----------	----------	180,000	204,000	764,000	31,266	41,953	49,619	54,354	54,354	231,546	1,262	1,286	1,327	1,388	1,410	Big Horn in Montana; Sheridan in Wyoming.
Big Flat Electric Cooperative, Inc., Malta, Mont.	----------	280,000	----------	----------	----------	280,000	19,903	21,682	56,682	21,682	71,733	191,682	677	763	871	887	897	Blaine, Phillips, Valley.
Sheridan County Electric Cooperative, Inc., Medicine Lake, Mont.	----------	75,000	----------	----------	1,526,000	1,601,000	41,724	51,956	78,661	121,573	121,573	415,487	1,947	1,990	2,040	2,069	2,074	Daniels, Roosevelt, Sheridan, in Montana; Divide in North Dakota.
Northern Electric Cooperative, Inc., Opheim, Mont.	270,000	----------	108,000	----------	874,000	1,252,000	93,487	64,937	62,936	69,295	71,412	362,067	1,052	1,025	1,050	1,039	1,045	Daniels, Roosevelt. Valley.
Valley County Electric Cooperative, Inc., Glasgow Mont.	----------	----------	----------	----------	319,000	319,000	18,686	33,110	35,861	28,936	41,929	158,522	781	776	807	884	888	Phillips, Roosevelt, Valley.
McCone County Electric Cooperative, Inc., Circle, Mont.	----------	1,120,000	400,000	50,000	770,000	2,340,000	45,341	35,973	86,649	128,442	179,935	476,340	2,174	2,294	2,626	2,792	2,923	Dawson, Garfield, McCone, Petroleum, Prairie, Richland, Roosevelt, Rosebud.
Goldenwest Electric Cooperative, Inc., Wibaux, Mont.	----------	----------	----------	----------	----------	----------	29,154	45,840	50,841	50,637	49,958	226,430	718	736	732	749	736	Dawson, Fallon, Wibaux in Montana; Golden Valley, Slope in North Dakota.
Glacier Electric Cooperative, Inc., Cut Bank, Mont.	----------	1,180,000	----------	----------	----------	1,180,000	32,088	41,712	41,712	79,841	79,839	275,192	2,623	2,753	2,980	3,258	3,424	Flathead, Glacier.
Marias River Electric Cooperative, Inc., Shelby, Mont.	----------	----------	----------	----------	358,000	358,000	58,454	74,279	78,941	84,844	90,746	387,264	2,314	2,400	2,511	2,641	2,746	Liberty, Pondera, Toole.
Hill County Electric Cooperative, Inc., Havre, Mont.	650,000	----------	----------	----------	403,000	1,053,000	17,819	133,225	102,625	117,773	126,014	497,456	1,622	1,715	1,786	1,826	1,865	Blaine, Chouteau, Hill, Liberty.
Tongue River Electric Cooperative, Inc., Ashland, Mont.	----------	75,000	465,000	----------	719,000	1,259,000	3,210	19,513	44,012	89,966	96,086	252,787	846	936	1,249	1,291	1,351	Big Horn, Custer, Dawson, Powder River, Prairie, Rosebud.
Southeast Electric Cooperative, Inc., Ekalaka, Mont.	170,000	433,000	68,000	----------	363,000	1,034,000	0	4,428	158,950	73,470	43,469	280,317	705	1,019	1,043	1,113	1,103	Carter, Fallon in Montana; Harding in South Dakota.
Lincoln Electric Cooperative, Inc., Eureka, Mont.	395,000	----------	530,000	----------	----------	925,000	150	37,823	34,659	77,677	75,535	225,844	566	1,017	1,040	1,107	1,110	Flathead, Lincoln.
Elmo Electric Cooperative Association, Inc., Proctor, Mont.	----------	----------	----------	----------	----------	----------	32,816	33,048	13,895	11,366	12,106	103,231	190	190	190	190	190	Lake, Sanders.
[illegible]	[illegible]	4,463,000	2,461,000	1,939,000	6,201,000	19,944,000	982,906	1,342,934	1,745,129	1,764,099	1,854,956	7,691,023	35,238	37,805	39,026	40,438	[illegible]	

The story of the REA telephone system in Montana since its inception is as follows:

REA rural telephone loans in Montana

Borrower	Fiscal years 1950 through 1957		Miles of line			Number of subscribers			Location of facilities by counties
	Total net loans	Total funds advanced	Existing	To be added	Total	Existing	To be added	Total	
Valley Rural Telephone Cooperative Association, Glasgow, Mont.	$504,000	$309,723	....	397	397	34	729	763	Phillips, Roosevelt, Valley.
Northeastern Montana Telephone Cooperative Association, Scobey, Mont.	1,987,000	1,909,586	51	3,149	3,200	487	2,135	2,622	Daniels, Roosevelt, Sheridan, Valley in Montana; Divide in North Dakota.
Mid-Rivers Telephone Cooperative, Circle, Mont	1,638,000	1,574,341	....	2,042	2,042	224	1,848	2,072	Dawson, Garfield, McCone, Prairie, Richland.
Three Rivers Rural Telephone Co-op, Fairfield, Mont	2,023,000	693,538	1	1,739	1,740	321	2,136	2,457	Cascade, Chouteau, Judith Basin, Lewis and Clark, Pondera, Teton.
Northern Telephone Association, Shelby, Mont	891,000	628,152	....	939	939	111	943	1,054	Glacier, Liberty, Pondera, Toole.
Triangle Telephone Association, Havre, Mont	1,625,000	1,088,778	44	2,074	2,118	522	1,517	2,039	Blaine, Chouteau, Fergus, Hill, Liberty
Blackfoot Telephone Cooperative Association, Missoula, Mont.	536,000	283,150	8	403	411	72	573	645	Lake, Missoula, Powell.
Range Telephone Cooperative, Forsyth, Mont	215,000	163,051	33	329	362	51	264	315	Custer, Powder River, Rosebud.
Project Telephone Co., Worden, Mont	280,000	....	27	82	109	351	285	636	Yellowstone.
Total	9,729,000	6,650,319	164	11,154	11,318	2,173	10,430	12,603	

Nationalized Tin Properties in Bolivia

EXTENSION OF REMARKS

OF

HON. THEODORE FRANCIS GREEN

OF RHODE ISLAND

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. GREEN. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement by me with respect to the nationalized tin properties in Bolivia.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GREEN

Mr. President, for some time I have been concerned with respect to the situation of the nationalized tin properties in Bolivia. At this particular time I would like to call to the attention of my Senate colleagues an exchange of correspondence between myself and the Department of State with respect to our Government's policy toward the present Government of Bolivia:

JUNE 6, 1957.

The SECRETARY OF STATE,
Department of State,
Washington, D. C.

DEAR MR. SECRETARY: With reference to my previous communication of March 13 and subsequent replies from the Department of State on March 19 and April 3, I am writing to request further information in regard to the situation of the nationalized tin properties in Bolivia.

I am particularly interested in knowing if the Department has available any information as to when the Bolivian Government will dispose of the mining properties which were confiscated and nationalized almost 5 years ago. As you know, one of the mining companies whose mines were nationalized is an American firm with many American stockholders. Over the years, more and more Americans have invested in the development of industry abroad, particularly in Latin America. Therefore, I know you will agree that this matter has special significance because the very foundations of our economic free enterprise are endangered when private property is confiscated and not compensated for fairly and properly.

There have been many press reports from Bolivia regarding this problem, but the current facts are unmistakable—namely, that the Bolivians have done little to compensate for the property they have confiscated. According to these press reports, the Bolivians have studiously avoided an agreement as to the value of these nationalized properties, even though they have discussed the matter many times at meetings with interested parties.

I am not writing to discuss whether the Bolivians were wise in confiscating these properties or whether they have been successful in the operation of them. It has been reported that the mining properties have been dissipated and that there is a very serious drop in production. Those factors have been reported by various United States agencies of the Government and also by the Bolivian Government. It is believed, however, that, if the Bolivians have failed in the operation of these properties, there is still no reason for the owners and stockholders of confiscated properties to suffer financially.

As the United States has extended assistance to Bolivia in the form of loans, it does seem that the American taxpayer who is a stockholder in companies located in that country should be entitled to a fair accounting of the operation and value of these properties.

I trust that you can favor me with a complete, detailed report on the matter in question.

Yours sincerely,
THEODORE FRANCIS GREEN.

DEPARTMENT OF STATE,
Washington, D. C., June 21, 1957.

Hon. THEODORE FRANCIS GREEN,
Chairman, Committee on Foreign Relations, United States Senate.

DEAR SENATOR GREEN: I refer to your letter of June 6, 1957, in which you requested further information in regard to the situation of the nationalized tin properties in Bolivia.

The background of this situation and recent significant developments, as well as the views of the Department of State, have already been covered in my letter to Senator George of May 25, 1956, and in my letter to you of April 3, 1957.

Since I last wrote you, the Bolivian Government has continued to make the periodic payments to the former owners of the nationalized mines. These payments are based on percentages of the sales proceeds of minerals extracted from the property. Payments are currently being made to the former mine owners in accordance with the higher rate schedule which was agreed upon in December of last year. According to the latest information available to the Department, the total of payments made to Patino Mines & Enterprises Consolidated, Inc., from 1953 through March 31, 1957, was $1,624,043. The combined total of payments to all the former owners of expropriated mining properties is understood to be slightly over $12 million. Patino Mines & Enterprises Consolidated, Inc., is the only one of the mining companies involved in which it is understood there is any American ownership. Unfortunately, the commission composed of representatives of the Bolivian Government and of the Patino group which was organized for the purpose of establishing the bases of a final settlement has made little progress since the first meeting in March 1957.

The Department heartily concurs in your view that free enterprise is in danger when private property is confiscated and not compensated for, fairly and properly. The Department considers that when United States citizens are deprived of their properties in another country by nationalization or by other governmental acts they should have prompt, adequate, and effective compensation for that property in conformity with international law. The Department and our Embassy at La Paz have continued to urge upon the Government of Bolivia an early resolution of this problem.

United States economic assistance to Bolivia was initiated at a time when there was an imminent threat of economic and political collapse in Bolivia which could adversely affect our interest in this hemisphere. The aid we have extended has been designed to avert this collapse and to make possible a diversified economy stable enough to achieve a self-supporting status. At the end of 1956, the Government of Bolivia, at our urging and with our technical and financial support, embarked upon an economic stabilization program designed to arrest the extreme inflation which had existed and to create conditions conducive to orderly development of the Bolivian economy. Although there are still many problems to be overcome, much progress toward stabilization has been made. Bolivia's ability to effect a final settlement with the former owners of the nationalized mining properties will depend in good part on further progress of the stabilization program.

I can assure you that the need for prompt and adequate compensation for the American stockholders in the company whose mining properties were nationalized by the Government of Bolivia is uppermost in our minds, and the Department is continuing to exert its efforts toward that end.

Sincerely yours,
ROBERT C. HILL,
Assistant Secretary
(For the Secretary of State).

The reasons why I have made this inquiry regarding Bolivia are based upon growing doubts and concern over the policy which we have adopted for dealing with the continuing Bolivian crisis. My study of the situation convinces me that the United

States has acted toward Bolivia as a good neighbor must: First, by nonintervention in the conduct or policy of the Bolivian Government and by respecting that Government's self-determination. This is important because the present national revolutionary movement Government of Bolivia has adopted some practices which may be considered socialistic and which are alien to our concept of government.

Secondly, when Bolivia indicated that it needed massive help, the United States responded to this appeal in the most humanitarian manner. Since 1953 we have expended more than $67 million in loans, grants, and other types of direct aid. My committee and the Senate have been prompt in responding to all of the President's requests for help for Bolivia, and we have passed the legislation which has made this help possible.

Now, let us view this question conversely, or from the viewpoint of whether or not Bolivia has been faithful in discharging its obligations to the United States.

On the basis of the volume and intensity of the criticism which has been leveled at our Government's policy in Bolivia, and which has come from many responsible, respectable sources in the United States and South America, I have become increasingly concerned as to whether the Bolivian Government is justifying our faith in its willingness to satisfy its obligations.

The most important reason for this concern is the fact that Bolivia, which nationalized its large privately owned mining properties in 1952, has thus far not fulfilled its obligation to compensate fully and justly the owners of these properties.

In less tense and troublesome times, this failure of a nation in a democratic bloc to meet an obligation to compensate after it has nationalized properties might be considered a minor problem. But, we are living in perhaps the most revolutionary period in recent history. One of the most disturbing phenomena of our times is the spread of the type of nationalism which believes that the nationalization of private property and the adoption of Socialist economic policy are the basic solutions for all economic ills.

The political philosophy of the United States is firmly rooted in the concept that the individual is entitled to enjoy and hold private property. We, therefore, cannot be indifferent to the growth of this problem.

I believe that the United States through its Government is obliged to take a positive stand on this matter of Bolivia's seizure of its large mines. There is no question that the world is looking to us for guidance in these troubled times and that socialistically inclined politicians in many countries will interpret the actions of the United States for their own purposes if we fail to take a firm stand.

The Department of State has established as a principle that an acceptable compensation is only that compensation which is prompt, adequate, and effective.

The President has established also as a principle that the Government of the United States requires respect for international obligations in all questions of nationalization, whether the financial interests involved are those of our friends or those only of American nationals.

With regard to Bolivia, I believe that it has now been clearly established that the action of the present government has not led to prompt, adequate, and effective compensation, nor has it fulfilled its international obligations with respect to American investors.

As time goes on, and as the United States continues to expend large sums to help the Bolivian Government to support itself, we have been identified more and more openly with the policy of the present Government of Bolivia. This is most unfortunate, because it has led to misinterpretation of United States Government policy with respect to nationalization. The time has come, it seems to me, for clarification of this anomalous situation.

We owe this, not merely to the people of the United States who support Bolivia as taxpayers, but also to our many friends in countries in the Western Hemisphere, in Europe and Asia who look to the United States for clear and intelligent guidance in these troubled times.

When Congress reconvenes I shall propose that my committee look into all the facts with a view to making sound recommendations for the future conduct of our foreign policy toward the Government of Bolivia.

Accomplishments of the House Committee on Interior and Insular Affairs, During 1st Session, 85th Congress

EXTENSION OF REMARKS

OF

HON. CLAIR ENGLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. ENGLE. Mr. Speaker, the House Committee on Interior and Insular Affairs, which I have again been honored to serve as chairman, has established during the 1st session of the 85th Congress just ended what I believe to be an outstanding record of performance of its legislative responsibilities, and I take this opportunity to summarize for my colleagues the major accomplishments of the committee. The achievements of the committee were made possible through the cooperation and diligence of all members of the committee. I especially want to recognize the energy and leadership of the subcommittee chairmen and the continuing cooperation of Dr. Miller, the ranking minority member. I am particularly pleased, too, with the work of the committee staff which has again met a high standard of performance in committee activities and in service to members.

First, I wish to comment briefly on the statistical aspects of the committee's functions; and, second, I want to comment on the legislative activity of the committee, breaking down the legislation under the five categories reflecting the basic jurisdiction of the subcommittees.

STATISTICAL ASPECTS WITH RESPECT TO COMMITTEE'S WORKLOAD AND PERFORMANCE

During the 141 legislative days of the 1st session of the 85th Congress, the Committee on Interior and Insular Affairs of the House convened a total of 157 separate meetings—125 subcommittee meetings and 32 full committee meetings. Of the 572 House and Senate bills, resolutions, joint resolutions, and concurrent resolutions referred to the committee, 257 were disposed of through reporting or tabling. A total of 78 bills or resolutions were reported to the House by the committee, of which 54 were enacted into law, two concurrent resolutions were approved, three bills are pending before conference committees, 12 have passed the House and are pending in the Senate, and seven are pending in the Rules Committee or in the House.

With respect to subcommittee responsibilities, 15 of the 78 bills and resolutions reported by the committee fall into the category of irrigation and reclamation, 18 in Territories and insular affairs, three in mineral resources, 25 in public lands, and 17 in Indian affairs. Of the 315 bills pending before the committee at the end of the session, 23 are Senate-passed bills.

LEGISLATIVE ACTIVITY OF THE COMMITTEE

The Interior and Insular Affairs Committee is responsible for legislative measures, first, providing for maximum development, utilization, disposition, management, and conservation of the natural resources of the United States, its Territories and possessions; second, involving the government and the administration of our Territories and possessions; third, affecting the Indians, Indian tribes, trust lands, and claims of Indians of the United States and Alaska, including Alaska natives. This legislative responsibility is divided among five standing subcommittees and the summary of legislative activity of the committee which follows reflects the basic jurisdiction of such subcommittees.

I. IRRIGATION AND RECLAMATION

The Irrigation and Reclamation Subcommittee, chairmaned by Hon. Wayne N. Aspinall, of Colorado, has jurisdiction over all legislation relating to the Federal reclamation program and over other legislation relating to the development of the Nation's water resources. During the 1st session of the 85th Congress, 115 bills and resolutions were referred to the Irrigation and Reclamation Subcommittee, of which 15 were reported, 43 were tabled, and 57 remain as pending business of the subcommittee. Of the 15 reclamation bills reported by the committee, 12 were enacted into law. Of the three bills not enacted, one is pending in the Senate and two are pending in the House Rules Committee. The legislation enacted into law includes the authorization of one new reclamation project, two amendments to general reclamation law, seven acts relating to specific irrigation districts or projects, and two acts relating to interstate compacts.

NEW PROJECT AUTHORIZED

The new reclamation project authorized—Public Law 85-152; S. 42; H. R. 2147, Fisher—is the San Angelo reclamation project in Texas. This is a $32.2 million multiple-purpose project for irrigation, municipal and industrial water supply, flood control, the protection and enhancement of fish and wildlife, and recreation.

AMENDMENTS TO GENERAL RECLAMATION LAW

The two changes in general reclamation law are an amendment to the Small Reclamation Projects Act—Public Law 85-47; H. R. 2146, Engle—and an amendment to the Reclamation Project Act of 1939 relating to amendatory repayment contracts—Public Law 85-156; H. R. 5492, Rutherford. Enactment of the amendment to the Small Reclamation Projects Act makes it possible for the much-needed small-projects program to get underway. The basic act was enacted in the 84th Congress but the President objected to certain language and the program had not been initiated by the administration. The amendment to the Reclamation Project Act of 1939 continues through December 31, 1960, the authorities given the Secretary of the Interior to enter into amendatory repayment contracts and, more important, makes it possible for the Secretary to continue to grant deferments of construction charges in special hardship cases.

SPECIFIC PROJECT LEGISLATION

Seven measures relating to specific irrigation districts or projects were enacted, including two relating to the Columbia Basin project, three relating to repayment contracts with irrigation districts, one relating to the East Bench unit of the Missouri Basin project, and one relating to the Shoshone reclamation project. The first act—Public Law 85-264; S. 1482; H. R. 4802, MAGNUSON; H. R. 4919, HOLMES—relating to the Columbia Basin project amends the Columbia Basin Project Act by modifying the rigid ownership restrictions, thereby bringing this project more in line with other similar Federal reclamation projects. It permits delivery of water to ownerships of 160 acres in the case of an individual or 320 acres for a family. While modifying the ownership limitation, this amendment does not change the Federal settlement program whereby only one farm unit can be sold to an individual or family. The second act—Public Law 85-240; S. 1574; H. R. 3389, HORAN—relating to the Columbia Basin project provides for disposal of certain Federal property in the vicinity of Grand Coulee Dam and provides assistance in the establishment of the town of Coulee Dam as a municipality incorporated under the laws of the State of Washington.

The acts approving amendatory repayment contracts are Public Law 85-123—H. R. 3071, MILLER of Nebraska—authorizing an amendatory repayment contract with the Northport Irrigation District, Nebraska, Public Law 85-160—H. R. 5679, MILLER of Nebraska—authorizing an amendment to an existing repayment contract with the Mirage Flats Irrigation District, Nebraska, and Public Law 85-283—S. 1996; H. R. 7254, THOMSON of Wyoming—authorizing an amendatory repayment contract with the Casper-Alcova Irrigation District, Wyoming.

The act relating to the East Bench unit of the Missouri River Basin project is Public Law 85-112—S. 977; H. R. 4410, METCALF—which modifies the excess land provisions of Federal reclamation law as they apply to this unit. The act relating to the Shoshone project is Public Law 85-33—House Joint Resolution 287, THOMSON of Wyoming—which authorizes temporary delivery of water to the Heart Mountain division of that project while a long-term repayment contract is being negotiated.

INTERSTATE COMPACTS

The two acts relating to interstate compacts are Public Law 85-222—S. 2431; H. R. 8465, ENGLE; H. R. 8472, ULLMAN—which gives congressional consent to the completed Klamath River compact, and Public Law 85-184—S. 1556; H. R. 5878, KRUEGER—which gives Congressional consent to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact with respect to the waters of the Little Missouri River.

LEGISLATION REPORTED BUT NOT ENACTED

In addition to the measures enacted, the committee reported a bill—H. R. 6940, ENGLE—to supplement general reclamation law by authorizing reimbursement for moving expenses to owners of lands acquired for public-works projects. This bill passed the House and is pending in the Senate. The committee also reported two bills which are pending in the House Rules Committee. One of these—Senate Joint Resolution 39; House Joint Resolution 179, RUTHERFORD—provides for salvaging additional water for irrigation purposes and for salinity reduction in the Pecos River Basin in New Mexico and Texas. The other bill—H. R. 5309, KILGORE—would authorize the Secretary of the Interior to construct, rehabilitate, operate, and maintain the Mercedes rehabilitation project, Texas.

OTHER LEGISLATION CONSIDERED BY THE COMMITTEE

Other legislation considered by the committee but not finally acted upon includes the Hells Canyon, Fryingpan-Arkansas, Greater Wenatchee and Burns Creek reclamation projects.

II. TERRITORIAL AND INSULAR AFFAIRS

The Subcommittee on Territorial and Insular Affairs, chairmaned by Hon. LEO W. O'BRIEN, of New York, is responsible for legislation affecting Alaska, Hawaii, Guam, American Samoa, the Trust Territory of the Pacific Islands, Puerto Rico, and the Virgin Islands, and for exercising a continuing oversight of the administration of these areas by the Department of the Interior.

Of the 101 bills referred to the Subcommittee on Territorial and Insular Affairs, 18 were reported by the committee, 24 were tabled, and 59 remain as pending business before the subcommittee. Of the 18 reported, 10 were enacted into law, six are pending in the Senate, and two in the House.

STATEHOOD LEGISLATION

While statehood for neither Alaska nor Hawaii was approved in the first session, this legislation received major attention in the committee. Alaska statehood legislation—H. R. 7999, O'BRIEN of New York—was reported to the House following 18 days of hearings and is presently pending in the Rules Committee. Three days of hearings were completed on Hawaiian statehood legislation—H. R. 629, ENGLE; H. R. 848, O'BRIEN of New York; H. R. 1243, SAYLOR; H. R. 339, MACK of Washington; H. R. 8739, DELLAY; and H. R. 49, BURNS—but consideration was not completed and the bills remain as pending business in the subcommittee.

REVISION OF ORGANIC ACTS

As usual, a considerable portion of the subcommittee's time was taken up with legislation to revise the various organic acts. Legislation was enacted—Public Law 85-224; H. R. 8126, O'BRIEN of New York—which amends the Virgin Islands Organic Act with respect to the establishment of boards, authorities, or commissions. This act gives the electorate of the Virgin Islands the maximum degree of responsibility, home-rule authority, and self-government consistent with and equal to the demonstrated capacity and willingness of the persons affected.

The committee reported a bill—H. R. 8673, BURNS—which would delete language in the Hawaiian Organic Act requiring semiannual reports covering the executive proceedings of the Territory. Experience over the years has demonstrated that the semiannual reports serve no useful purpose. This bill is pending in the Senate. The committee also reported a bill—H. R. 4215, O'BRIEN of New York—which would amend the Organic Act of Guam by increasing the salary of the district judge. This bill is pending in the House.

ALASKA DEVELOPMENT MEASURES

Consonant with its desire to accelerate resource and economic development of Alaska, the committee approved 12 measures to achieve that purpose. Of these 12 bills, 7 were enacted into law. One act—Public Law 85-11; H. R. 4939, MILLER of Nebraska—conveys a 10-acre tidal flat area, including improvements, to the Territory of Alaska. Two measures relate to the area along the Chilkat River—one of these was enacted—Public Law 85-271; H. R. 6562, BARTLETT. This act enlarges the Klukwan Reservation for the use of the Indians residing thereon, including lease for mining purposes. The other measure—H. R. 6785, BARTLETT—amends existing statutes by permitting mining for gold and other precious minerals in certain parts of the Chilkat River. Another measure enacted—Public Law 85-303; H. R. 6760, BARTLETT—grants the Territory of Alaska title to certain lands beneath tidal waters in or near Juneau, Ketchikan, Cordova, and Valdez.

The committee reported two bills relating to Alaska financial matters, one of which was enacted. The measure enacted—Public Law 85-88; H. R. 3477, BARTLETT—increases the Territory's share of mineral royalties and places the responsibility for the disposition thereof in the Alaska Legislature. The other measure—H. R. 4183, BARTLETT—amends existing municipal corporation or public-utility bonding laws in Alaska. H. R. 4183 is pending in the Senate.

With respect to public recreational facilities in Alaska, legislation was approved—Public Law 85-225; H. R. 7864, BARTLETT—amending the act of May 4, 1956, by providing specific authority for the Secretary to convey public recreational facilities, including lands, to the Territory.

Two bills reported by the committee, passed by the House, and presently pending in the Senate concern mineral deposits in Alaska. One of these—H. R. 4635, BARTLETT—would amend existing statutes by permitting entry on public lands which may contain oil, gas, or coal for homesites, headquarter sites, trade or manufacturing sites, or for a serviceman's additional homestead entry. The other bill—H. R. 8054, BARTLETT—would provide for the leasing of oil and gas deposits in lands beneath inland navigable waters of Alaska.

The committee reported two measures relating to Alaska land grants, one of which was enacted. The measure enacted—Public Law 85–265; H. R. 3940, BARTLETT—grants to the Territory 640 acres of public-school lands in Anchorage. The other bill—H. R. 3358, BARTLETT—supplements the land-grant provisions of the Alaska Mental Health Enabling Act of 1956. This bill is pending in the Senate.

The last of the Alaska development measures enacted into law—Public Law 85–233; H. R. 8646, BARTLETT—amends the Alaska Public Works Act of 1949 to clarify the authority of the Secretary of the Interior to convey to the Territory federally owned land utilized in the construction of public works.

MISCELLANEOUS

Miscellaneous Alaska legislation enacted into law includes one measure—Public Law 85–16; H. R. 4271, ENGLE—providing that the Delegate from Alaska be a member of the Alaska International Rail and Highway Commission, and another measure—Private Law 85–287; H. R. 3877, BARTLETT—clarifying the title of Carl E. Robinson to 160 acres of land at Anchor Point, Alaska.

With respect to Antarctica, hearings were held on 10 bills providing for the creation of the Richard E. Byrd Antarctic Commission which would assemble, catalog, and diffuse knowledge and information with respect to Antarctica. No final action was taken by the committee on this legislation.

III. MINES AND MINING RESOURCES

The Subcommittee on Mines and Mining, chairmaned by Hon. WALTER ROGERS, of Texas, has jurisdiction over mining interests generally, mineral resources of the public lands, mineral-land laws, and claims and entries thereunder, geological survey, mining schools and experimental stations, and petroleum conservation on the public lands, and conservation of the radium supply in the United States.

The committee reported three measures relating to mining and mineral resources which were enacted into law. In addition, hearings were held on several other matters of concern to the mining industry. Also, the Special Subcommittee on Coal Research, chairmaned by Hon. ED EDMONDSON, of Oklahoma, concluded a coal study which was started in the 84th Congress.

MINERAL LEASING ACT AMENDMENTS

One of the measures enacted—Public Law 85–122; S. 334; H. R. 2131, BARING; H. R. 4787, METCALF—amends the Mineral Leasing Act by removing the State acreage limitation—5,120 acres—on Federal phosphate leases. Public Law 85–122 permits the leasing of 10,420 acres of phosphate-bearing lands without regard to State boundaries.

The committee held hearings on additional legislation—H. R. 8204, THOMSON; H. R. 7496, EDMONDSON; H. R. 7497, ALBERT; H. R. 7498, PATMAN—to amend the Mineral Leasing Act but took no final action. This legislation would amend the Mineral Leasing Act so as to, first, increase the basic limitation on the aggregate acreage of coal leases which may be held by one person in any one State to twice the present limitation of 5,120 acres; second, permit the Secretary of the Interior to increase the acreage by an additional 10,240 acres under certain circumstances; and, third, repeal section two (c) of the existing act, thereby putting railroad companies, on the same footing as other companies with respect to coal leases.

TIME EXTENSION FOR ASSESSMENT WORK

One other measure reported by the committee and enacted into law—Public Law 85–68; H. R. 4748, BERRY—extends for one additional year the time during which annual assessment work may be performed on unpatented mining claims based on the discovery of uraniferous lignite.

PRIVATE LEGISLATION

One private measure enacted—Private Law 85–168; H. R. 5341, ASPINALL—directs the Secretary to grant to an individual extensions with respect to certain oil and gas leases.

MULTIPLE-USE MINING LAW

The committee held hearings on the administration and operation of section 5 of the multiple-use mining law, which relates to title uncertainties and surface rights on mining claims. The hearings were printed and contain valuable information for those interested in or affected by section 5 of this act.

DOMESTIC TUNGSTEN PURCHASE PROGRAM

The committee also held hearings to review the matter of appropriations to implement the domestic tungsten, asbestos, fluorspar, and columbium-tantalum purchase program and adopted a resolution urging the House of Representatives to make available in the third supplemental appropriation bill, 1957, $30 million to implement this program. These funds, however, were not appropriated.

COAL STUDY

A special Subcommittee on Coal Research concluded its study on the need and possibilities of a research and development program for the coal industry of the United States. The findings and recommendations of the subcommittee are contained in a 91-page report printed as House Report No. 1263.

IV. PUBLIC LANDS AND NATIONAL PARK SYSTEM

Through the Public Lands Subcommittee, under the chairmanship of Hon. GRACIE PFOST, of Idaho, the Committee on Interior and Insular Affairs has legislative responsibility for utilization, conservation, and development, including entry, easements and grazing thereon, of more than 459 million acres of public lands and associated resources in the United States and Alaska, together with more than 24 million acres embraced within some 180 units of the national park system and nearly 160 million additional acres of land within national forests created from the public domain.

One hundred and ninety-five bills and resolutions were referred to the Public Lands Subcommittee of which 25 bills were reported, 67 were tabled, and 103 remain as pending business of the committee. Of the 25 bills and resolutions reported by the committee, 15 were enacted into law—10 public and five private laws—two concurrent resolutions were approved by Congress, and the remainder await further action either in the House or in the Senate. In addition, hearings were held on several other measures on which no committee action was taken and which are now pending before the subcommittee or the full committee.

NATIONAL PARK SYSTEM AND CEMETERIES

The committee considered several measures relating to the National Park System and national cemeteries, two of which were enacted into law. One of these acts—Public Law 85–5; H. R. 3845, MCCORMACK—extends for one year the time which the Boston National Historic Sites Commission has to complete its work. This Commission is investigating the feasibility of establishing a coordinated program in the vicinity of Boston for preserving historic properties, objects, and buildings. The other act—Public Law 85–41; S. 1274; H. R. 5687, PFOST—amends the act of March 3, 1911, by removing restrictions on the use of 3.58 acres of the Springfield Confederate Cemetery which are excess to its needs.

Eight other measures relating to the National Park System were considered by the committee, 4 of which were reported and are pending either in the House or in the Senate. Legislation to authorize the appropriation of $7,250,000 for development of the Independence National Historical Park—H. R. 1244, SAYLOR; H. R. 694, JAMES; H. R. 1925, BYRNE of Pennsylvania; H. R. 9141, FULTON—was reported by the committee and is pending before the House Rules Committee. The specific bill reported was H. R. 1244—SAYLOR.

H. R. 4115—MURRAY—relating to the Shiloh National Military Park passed the House and is pending in the Senate. This bill would authorize the conveyance to the State of Tennessee of about 202 acres of land at Shiloh Military Park for highway relocation purposes and would assure use for recreational purposes of lands abutting the relocated highways.

H. R. 2170—REECE—would authorize exchange of not more than 200 acres within the Great Smoky National Park for privately owned land within the park. This legislation to facilitate park administration passed the House and is pending in the Senate.

Several bills—H. R. 8290, ASPINALL; H. R. 8301, WESTLAND; H. R. 8296, JONES of Alabama; H. R. 8300, SMITH of Wisconsin—to grant authority to the National Freedom Shrine Foundation to erect a national monument to the five freedoms were considered by the committee and H. R. 8290—ASPINALL—was reported and is pending in the House. The monument would be located in Virginia, just south of the Iwo Jima Monument. Funds for the construction, estimated at about $24 million, would be raised by public subscription.

Other bills relating to national parks which the committee considered but took no final action on are H. R. 5450—BENNETT of Michigan—to authorize the enlargement of the administrative headquarters site for the Isle Royale National Park in Michigan, H. R. 6641—FASCELL—and H. R. 6653—ROGERS of Florida—to fix the boundary of Everglades National Park, Fla., and to authorize the acquisition of land therein, H. R. 4964—MAGNUSON—and H. R. 5421—WESTLAND—to authorize the exchange of approximately 6,609 acres of land adjacent to the Olympic National Park for lands and interest in lands within the boundaries of the park, and H. R. 2549—HOLMES—to authorize the acquisition of an additional 50 acres of land for the Whitman National Monument in Washington.

LAND, TITLE AND RESOURCE CONVEYANCES

Several measures relating to land title and resource conveyances were considered by the committee. Of these, 4 were enacted into public law and 5 into private law. Public Law 85–35—H. R. 2401, BERRY—reconveys to the city of Spearfish, S. Dak., 1 acre of land adjacent to the city's park, which was transferred to the Federal Government in 1936 for expansion of a fish hatchery and is no longer needed. Public Law 85–193—S. 556—directs the Secretary of the Interior to convey to the State of Nevada something less than 2 acres located in the city of Las Vegas for use of the Nevada Fish and Game Commission. Public Law 85–139—S. 1773; H. R. 6519, BARING—validates the conveyance of certain railroad right-of-way land in Reno, Nev., to the State of Nevada to use for hospital purposes. Public Law 85–153—H. R. 3473, UTT—provides for the sale at public auction of about 172 acres of public domain land near Plaster City, Calif., to use as a construction site for a portland cement plant.

The private laws enacted were Private Law 85–57—S. 1352; H. R. 5297, KRUEGER; H. R. 5570, BURDICK—to direct the Secretary to convey a 20-acre tract of acquired lands in Richland County, N. Dak., to the Fairview Cemetery Association, Inc., of Wahpeton, N. Dak.; Private Law 85–208—H. R. 1826, THOMSON of Wyoming—to permit Mr. Bud E. Burnaugh, of Green River, Wyo., because of a land classification error, to purchase a 5-acre tract of public land in Wyoming under the Small Tract Act; Private Law 85–38—S. 1319—renouncing Federal interest in certain lands in Harlowton, Mont., to remove any possible cloud on the title of such lands; Private Law 85–285—H. R. 1394, FASCELL—to authorize and direct the Secretary of the Interior to sell 11 tracts of land aggregating 13.82 acres in the Florida Keys area to individuals who previously purchased the tracts from the State believing that title to the lands was in the State; and Private Law 85–116—H. R. 7522, ENGLE—to authorize the Secretary of the Interior to extend for a 2-year period the right of the McCloud River Lumber Co. to cut and remove certain timber which it owns on a 160-acre tract of land within the Shasta National Forest, Calif.

Two measures relating to land title and resource conveyances were reported by the committee but were not enacted. One of these bills—H. R. 8928, JENSEN—would delete from an 1880 act language imposing certain public use conditions on a title conveyance by the United States to the city of Council Bluffs, Iowa, and thereby remove a cloud on the city's title to about 375 to 400 acres of land. This bill passed the House and is pending in the Senate.

The other measure—S. 1568; H. R. 2393, BARING—has passed both the House and the Senate and is pending in conference committee. This legislation would authorize conveyance, under certain conditions, to the State of Nevada of approximately 126,775 acres of land owned by the United States in southern Nevada. The area is desert in nature but large portions are suitable for agricultural purposes and for homesites and suburban developments, provided water can be made available. It is the State's intention to use a portion of its allotted share of the Colorado River water for development in this area.

PUBLIC LAND CONTROL AND UTILIZATION

One of the most important land and associated resources policy measures in many years is the socalled military land withdrawal legislation—H. R. 5538, ENGLE; H. R. 608, DAWSON of Utah; H. R. 931, SAYLOR; H. R. 1148, JOHNSON; H. R. 3403, METCALF; H. R. 3661, THOMPSON of Wyoming; H. R. 3788, UDALL; H. R. 3799, BARING; H. R. 3860, PFOST; H. R. 5739, DIXON. The committee reported H. R. 5538—ENGLE—and this bill passed both the House and the Senate and is awaiting agreement between the two with respect to Senate amendments. This legislation would accomplish two principal purposes—first, it would require that no single area embracing more than 5,000 acres of public domain lands can be withdrawn for exclusive military use without approval by Congress; second, it would make applicable within all military reservations the hunting and fishing laws of the States or Territories in which such reservations are located.

In addition to the military land withdrawal legislation, the committee has requested a temporary halt to nonmilitary land withdrawals pending an examination of current Federal land and resource use and development policies. This request was formally made to the Secretary of the Interior and to the Secretary of Agriculture on July 29, 1957.

There are several bills—H. R. 3594, ENGLE; H. R. 3592, ASPINALL; H. R. 3593, SAYLOR; H. R. 3595, METCALF; H. R. 3596, RHODES of Arizona; H. R. 4819, PFOST; H. R. 4822, PORTER; H. R. 5238, HAGEN; H. R. 6884 and H. R. 7230, DOYLE—under consideration by the committee which would establish a bipartisan National Outdoor Recreation Resources Review Commission composed of 15 members to study the outdoor recreation resources of the public lands and other land and water areas of the United States. Although some hearings were held on this legislation, the committee's consideration was not completed principally because time was not available. It is expected that the commmittee will return to this legislation next year.

Several bills—H. R. 1960, METCALF; H. R. 500, SAYLOR; H. R. 361, O'HARA of Illinois; H. R. 540, BALDWIN; H. R. 906, REUSS; H. R. 2162, MILLER of California; H. R. 7880, PORTER—are before the committee which would establish a national wilderness preservation system on the public lands of the United States. Three days of hearings were held on this legislation but the hearings were not completed and the committee took no action.

FEDERAL LAND GRANTS TO STATES

Several measures relating to Federal land grants to States were enacted. One of these acts—Public Law 85–180; H. R. 8079, DEMPSEY; H. R. 7705, MONTOYA—deletes certain provisions of the New Mexico-Arizona Enabling Act which restricts the degree of discretion those States may exercise in the establishment, deposit, and investment of funds derived from Federal land grants to them.

Three measures were enacted which broaden the permissive uses of revenues from lands granted to States for public buildings at the capitals of such States to include construction, reconstruction, repair, renovation, and other permanent improvements of such buildings, the acquisition of necessary land for such buildings, furnishings and equipment for such buildings, and the payment of principal and interest on bonds issued for such purpose. They are Public Law 85–6—H. R. 348, METCALF—amending the Enabling Act of the States of North Dakota, South Dakota, Montana, and Washington, Public Law 85–84—S. 1794—amending the Enabling Act for the State of Idaho, and Public Law 85–97—S. 1396; H. R. 7708, THOMSON of Wyoming—amending the Enabling Act for the State of Wyoming. A fourth measure—H. R. 5149, RHODES of Arizona—containing similar provisions but general in nature, passed the House and is pending in the Senate. This bill would apply to any State that has been granted lands for the purpose of erecting certain public buildings at the capital of such State.

RESOLUTIONS

Two concurrent resolutions were approved by the Congress. One of these—House Concurrent Resolution 91, BASS—expresses the sense of Congress that the altar of the Nation, located in the Cathedral of the Pines, Rindge, N. H., has been dedicated to the glory of God as a memorial to all American war dead and is so recognized. The other—Senate Concurrent Resolution 32; House Concurrent Resolution 183, EDMONDSON; House Concurrent Resolution 178, BERRY; House Concurrent Resolution 177, DEMPSEY; House Concurrent Resolution 181, ALBERT; House Concurrent Resolution 182, BELCHER; House Concurrent Resolution 184, MORRIS; House Concurrent Resolution 185, STEED; House Concurrent Resolution 186, JARMAN—gives Congressional recognition to the National Cowboy Hall of Fame and Museum as a memorial to western pioneers.

V. INDIAN AFFAIRS LEGISLATION

The Subcommittee on Indian Affairs, chairmaned by Hon. JAMES A. HALEY, of Florida, has legislative responsibility over matters involving the relationship of the Federal Government with the approximately 435,000 Indians, Aleuts, and Eskimos of the United States and Alaska. Indian landholdings and reservations subject to varying degrees of Federal control total approximately 52 million acres in some 28 States and Alaska.

During the first session, substantial progress was made in the committee's continuing efforts to aid effectively in the management and conservation of Indian human, natural, and economic resources and funds, to assist in improving individual and tribal economic conditions, and to resolve difficulties arising from claims against the United States. Of the 113 bills referred to the Indian Affairs Subcommittee, 17 were reported, 28 were tabled, one is pending in full committee, and 67 remain as pending subcommittee business. Of the 17 bills reported by the committee, 14 were enacted into law, one is pending in conference committee, one is pending in the Senate, and one in the House.

TERMINATION AND READJUSTMENT PROGRAMS

Among the major items of legislation considered by the Subcommittee on Indian Affairs were those relating to the termination of Federal supervision over Indian tribes and the need for assistance in the development of readjustment programs.

One measure enacted—Public Law 85-132; S. 469; H. R. 2471, MILLER of Nebraska; H. R. 2518, ULLMAN—authorizes the appropriation of not more than $550,000 to assist the Klamath Tribe of Indians in preparing for termination of Federal supervision and defers the final termination date for 18 months.

Several bills—H. R. 2824, MOSS; H. R. 6364, ENGLE; H. R. 2838 and H. R. 8072, SISK; H. R. 2576, SCUDDER—relating to California rancherias were considered by the committee. The committee reported H. R. 2824, providing for the distribution of lands, minerals, water rights and improvements on 14 Indian rancherias and reservations in California. The Bureau of Indian Affairs is required to furnish assistance in this program. The legislation is purely permissive and does not impose the program on any of the groups who do not want it. This bill is pending in the Senate.

The committee reported one measure—H. R. 6322, LAIRD—relating to the Menominee Indians of Wisconsin, which is pending in conference committee. This legislation would defer for two years the date for formulating and submitting the Menominee tribal plan for the future management and control of the tribal property after termination. It would also postpone the final termination date for 2½ years.

RESOURCE DEVELOPMENT

Two measures were enacted which will improve Indian land and resource development. One of these—Public Law 85-86; H. R. 3836, HALEY—repeals existing law prohibiting the sale of livestock issued to or purchased in trust for Indians without the consent of the superintendent in charge of the tribe. This law is no longer necessary and it places undue burden upon the purchasers of Indian livestock. The other act—Public Law 85-186; H. R. 7051, ULLMAN; H. R. 3942, BERRY—will stimulate industrial development near certain Indian reservations by authorizing the transfer of certain surplus Federal property at McNary Dam, Oreg., and Pickstown, S. Dak., to Indian tribes.

INDIAN LAND AND PROPERTY CONVEYANCE

As usual, a number of measures concerning Indian land and property conveyance were considered by the committee during the first session. Six such measures were enacted into law. Public Law 85-34—H. R. 676, HEMPHILL—authorizes the city of Rock Hill, S. C., to acquire approximately 49 acres of tribal lands on the Catawba Indian Reservation to serve as a site for a new sewage disposal plant.

Public Law 85-91—H. R. 6692, SCUDDER—terminates Federal supervision over the members of the Coyote Valley Indian Rancheria in California and provides for the transfer of certain Indian lands to the Secretary of the Army in connection with the construction of the Coyote Valley Dam.

Public Law 85-188—H. R. 993, WESTLAND—authorizes the exchange and conveyance of certain land on the Makah Reservation to the Cape Flattery School District in the State of Washington.

Public Law 85-205—S. 999—directs the Secretary of the Interior to convey 70 acres of land to the State of North Dakota for the use of the North Dakota State School of Science, in return for which the school will provide tuition to 10 Indian students each year for the next 10 years.

By enactment of Private Law 85-217—H. R. 1259, SCRIVNER—the United States disclaims its interest in 86 acres of land in Miami County, Kans., and confirms a judgment of the county district court.

Public Law 85-31—S. 998; H. R. 3995, PFOST—amends in certain respects existing law which authorizes the conveyance to local governmental agencies land and improvements used for Federal Indian school purposes after they are no longer needed for that purpose.

EDUCATIONAL MEASURES

Two Indian educational measures were enacted. One of these acts—Public Law 85-89; H. R. 3837, HALEY—permits teachers in Bureau of Indian Affairs schools to take leave for attending educational meetings which are in the interest of the Federal Government. The other act—Public Law 85-72; H. R. 7050, ULLMAN—provides for the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children.

INDIAN RECLAMATION

One Indian reclamation bill was reported by the committee but was not enacted. House Joint Resolution 2—ANDERSON—provides for payment to the Crow Indian Tribe for transfer to the United States of certain tribal lands necessary for the construction of the Yellowtail Dam and Reservoir. This resolution is pending before the House Rules Committee.

MISCELLANEOUS

Miscellaneous Indian legislation enacted includes a measure—Public Law 85-154; H. R. 4830, SHUFORD—authorizing revision of the roll of the Eastern Band of Cherokee Indians, a measure—Public Law 85-195; H. R. 6521, BERRY—authorizing payment of claims to certain Sioux Indians for losses incurred during wars with the United States, and a measure—Public Law 85-192; S. 1417; H. R. 4912, EDMONDSON—extending the tribal government of the Osage Indians for 25 years.

Although not reported, the committee held extensive hearings on H. R. 3789—UDALL—to determine the rights and interests of the Navaho and Hopi Tribes.

Record of the Activities of the Committee on the Judiciary, 1st Session, 85th Congress

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 30, 1957

Mr. CELLER. Mr. Speaker, the concentration of the activities and operations of the Committee on the Judiciary is evidenced not only by the number of bills considered, but by the very nature of the legislation itself. Major legislation enacted into law which came out of this committee includes, among others, the civil rights legislation, which bears the chairman's name, the first revisions in the Immigration and Nationality Act since 1952, the legislation dealing with the production of statements and reports of witnesses arising out of the case of Jencks against United States.

Out of the total of 10,711 bills, joint resolutions, concurrent resolutions, and House resolutions included, 4,181 were referred to the Committee on the Judiciary. Add to that 375 Senate bills referred to this committee and we find that 4,556 were referred to this committee. Thus, 39 percent of all bills and resolutions introduced in the House came before us. Thirty-three bills were enacted into public law. Approximately 2,660 individuals were beneficiaries of private bills and resolutions who, otherwise, would have been inadmissible of permanent residence in this country under the immigration law. Private laws enacted arising out of the work of our subcommittee on claims totaled 105, granting to these people equitable relief for losses sustained.

A list of the special reports issued by this committee during the first session reveals the scope of the operations of this committee in addition to the consideration of the bills routinely referred. A list of these special reports follows:

Antitrust Problems in the Exploitation of Patents.

Judicial Doctrine of Primary Jurisdiction as Applied in Antitrust Suits.

Spanish Sheepherders.

Refugee Relief Act of 1953, as amended.

ICEM and Land Resettlement.

Presidential Inability.

The Television Broadcasting Industry.

Japanese Agricultural Workers.

Airlines.

Problems Relating to a Federal Constitutional Convention.

As stated above 33 public laws resulted from the activities of this committee, and it is to be noted that this list reveals the wide rang of subject matter which comes before this committee. The statistics themselves, of course, do not reveal the intensive nature of the work since the statistics themselves cannot reveal the amount of preparation and deliberation that entered into both favorable and adverse reports of the work before us.

Public bills and resolutions enacted into law

No. of law	Title	No. of bill or resolution
85-32	Requesting the President to designate the 3d Friday of May of each year as National Defense Transportation Day	S. J. Res. 22.
85-60	To implement the convention between the United States of America and Norway, which entered into force on Nov. 9, 1948, for disposition of the claim against the Government of the United States of America asserted by the Government of Norway on behalf of Christoffer Hannevig.	H. J. Res. 185.
85-70	To amend the act of Dec. 2, 1942, and the act of Aug. 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States and for other purposes.	H. R. 3373.
85-71	To amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person.	H. R. 6523.
85-140	For the relief of the Sergeant Bluff Consolidated School District	H. R. 1942.
85-202	To amend sec. 331 of title 28, United States Code, to provide representation of district judges on the Judicial Conference of the United States	H. R. 3819.
85-214	For the relief of the village of Wauneta, Nebr	S. 364.
85-216	To authorize the designation of Oct. 19, 1957, as National Olympic Day	H. J. Res. 354.
85-219	To provide for the maintenance of a roster of retired judges available for special judicial duty and for their assignment to such duty by the Chief Justice of the United States.	H. R. 3818.
85-243	Designating the week of Nov. 22-28, 1957, as National Farm-City Week	H. J. Res. 313.
85-248	For the relief of the town of Medicine Lake, Mont	H. R. 7384.
85-252	To suspend the application of certain Federal laws with respect to personnel employed by the House Committee on Ways and Means in connection with the investigations ordered by H. Res. 104, 85th Cong.	H. J. Res. 230.
85-255	To authorize settlement for certain inequitable losses in pay sustained by officers of the commissioned services under the emergency economy legislation, and for other purposes.	H. R. 293.
85-259	To amend sec. 1867 of title 28 of the United States Code to authorize the use of certified mail in summoning jurors	H. R. 3367.
85-261	To amend sec. 372 of title 28, United States Code (resignation and retirement of judges)	H. R. 110.
85-262	To establish a Lincoln Sesquicentennial Commission	H. J. Res. 351.
85-268	To amend sec. 1716 of title 18, United States Code, so as to conform to the act of July 14, 1956 (70 Stat. 538-540)	H. R. 4193.
85-269	To amend ch. 223, title 18, United States Code, to provide for the production of statements and reports of witnesses	S. 2377.
85-274	To provide reimbursement to the tribal council of the Cheyenne River Sioux Reservation in accordance with the act of Sept. 3, 1954	H. R. 5810.
85-275	To amend subdiv. b of Sec. 14—Discharges, when granted—of the Bankruptcy Act, as amended, and subdiv. b of Sec. 58—Notices—the Bankruptcy Act, as amended.	H. R. 5811.
85-276	To amend sec. 633 of title 28, United States Code, prescribing fees of United States commissioners	H. R. 4191.
85-291	For the relief of Jackson School Township, Ind	S. 807.
85-293	To provide for the conveyance to the State of Florida of a certain tract of land in such State owned by the United States	H. R. 7636.
85-295	To amend sec. 116 of ch. X of the Federal Bankruptcy Act, to make certain equipment trust provisions applicable to aircraft and aircraft equipment of air carriers.	H. R. 7671.
85-297	To authorize and request the President to issue a proclamation in connection with the centennial of the birth of Theodore Roosevelt	S. J. Res. 18.
85-298	To amend sec. 124 (c) of title 28 of the United States Code so as to transfer Shelby County from the Beaumont to the Tyler Division of the eastern district of Texas.	H. R. 2136.
85-299	To amend sec. 1871 of title 28, United States Code, to increase the mileage and subsistence allowances of grand and petit jurors	H. R. 3370.
85-305	To establish a commission to commemorate the 100th anniversary of the Civil War, and for other purposes	H. J. Res. 253.
85-306	To amend the act of Jan. 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941	H. R. 7536.
85-310	To clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of Feb. 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district.	S. 2413.
85-313	To amend title 17 of the United States Code entitled "Copyrights" to provide for a statute of limitations with respect to civil actions	H. R. 277.
85-315	To provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States	H. R. 6127.
85-316	To amend the Immigration and Nationality Act, and for other purposes	S. 2792.

The enactment of this committee's legislation into public and private law does not take into account the work done on some 19 bills now pending before the Senate, a number of bills pending before the House Rules Committee for its consideration. It is for this reason that I attach hereto a detailed account of the work of each of our 5 subcommittees and the 4 special subcommittees set up to consider matters coming within the jurisdiction of the committee, although of singular interest and complexity demanding separate concentrated attention.

Throughout the session this committee, together with the subcommittees, held approximately 190 meetings. Without the unflagging interest and sustained work of the members of this committee and the devotion of its staff, none of this would have been possible.

SUBCOMMITTEE NO. 1: GENERAL JURISDICTION OVER BILLS AS ASSIGNED, SPECIAL JURISDICTION OVER IMMIGRATION AND NATURALIZATION

The principal public legislation considered by Subcommittee No. 1 in this session of the 85th Congress was the bill, H. R. 8123, to facilitate the entry into the United States of certain adopted children, and other relatives of United States citizens, and for other purposes, which was introduced by Representative WALTER on June 13, 1957. The bill was reported by the House Judiciary Committee on August 19, 1957, with amendments, and was placed on the Union Calendar. A Senate bill, S. 2792, described as a companion bill to H. R. 8123, sponsored jointly by Senators KENNEDY, WATKINS, DIRKSEN, PASTORE, LAUSCHE, CLARK, NEUBERGER, JACKSON, and KEFAUVER, passed the Senate on August 21, 1957. The Senate bill, with amendments, was brought up on the House floor, under suspension of rules on August 28, and was approved as amended, becoming Public Law No. 316.

Public hearings were held by a special subcommittee of Subcommittee No. 1, on Japanese temporary workers, on May 15, 1957. A report, with recommendations dealing with the problems involved in the importation of these agricultural laborers, was issued by Subcommittee No. 1 on July 10, 1957—House Report No. 780.

Hearings were also held by Subcommittee No. 1 on May 23, 1957, on the bills: H. R. 1011, by Representative WILSON of California, and H. R. 4452, by Mr. SAUND, on the crossing of the international borders by juveniles.

A careful review was made by the subcommittee of the circumstances and conditions of employment of skilled sheepherders, mainly imported from Spain. House Report No. 67 containing the recommendations of Subcommittee No. 1 was issued on February 14, 1957.

Following the last session of the Intergovernmental Committee for European Migration last October, an intensive study was made of the problems involving land resettlement, specifically the resettlement of European migrants in Latin America. House Report No. 203 was issued by Subcommittee No. 1 on March 18, 1957.

The extent of work of this subcommittee cannot be appreciated without a review of its activity in the area of private legislation. The following table sets this forth:

House bills:	
Private laws:	
Individual bills	30
House bills incorporated in 25 House joint resolutions which became private law	279
Pending in Senate:	
Individual bills	6
Bills incorporated in 5 House joint resolutions	54
Adverse action by Senate: Individual bills deleted from House joint resolutions	22
Recommitted	1
Tabled	288
Deferred	38
Pending before committee	1,794
Total	2,512

House joint resolutions:	
Private laws	28
(Joint resolutions, referred to above, incorporating individual bills: 25)	
(Joint resolutions granting relief to 205 persons who were not subjects of individual bills: 3)	
Pending in Senate	5
Not acted upon	1
Total	34

House concurrent resolutions:	
Confirming the findings of the Attorney General in cases submitted to the Congress under the provisions of sec. 6 of the Refugee Relief Act of 1953, as amended	2
(Of the 1,677 applications considered by the committee, 1,375 were included in the 2 concurrent resolutions; 21 were withdrawn by the Attorney General, 261 were not approved, and 20 were held for further investigation.)	
Confirming the findings of the Attornel General in cases submitted to the Congress under the provisions of sec. 4 of the Displaced Persons Act of 1948, as amended	1
(Of the 92 applications considered, 79 were included in the concurrent resolution; 3 were withdrawn by the Attorney General, 5 were not approved, and 5 were held for further investigation.)	
Not considered	1
Total	4
Senate bills:	
Private laws	160
Awaiting concurrence of the Senate in amendments of the House	3
On House Calendar	1
Tabled	50
Deferred [1]	59
Not acted upon [1]	55
Total	328
Senate concurrent resolutions:	
Confirming the findings of the Attorney General in cases submitted to the Congress under the provisions of the Immigration Act of 1917, as amended, and under the provisions of sec. 244 (a) (5) of the Immigration and Nationality Act	4
(Of the 536 applications considered, 510 were included in the above resolutions; 5 were withdrawn by the Attorney General, 10 were not approved, and 11 were held for further investigation.)	
Withdrawing suspension of deportation cases (pursuant to sec. 246 (a) of the Immigration and Nationality Act	2
Total	6

[1] Action on approximately 75 percent of the bills deferred or pending will be unnecessary, since administrative relief will be available by the enactment of Public Law 85–316.

SUBCOMMITTEE NO. 2—GENERAL JURISDICTION OVER JUDICIARY BILLS, AS ASSIGNED; SPECIAL JURISDICTION OVER CLAIMS

During the first session of the Congress the subcommittee conducted hearings on 16 different days. These covered public as well as private claims measures.

Consideration was given to a total of 327 bills and resolutions.

The subcommittee considered several bills relating to statutory provisions governing claims handled by the Armed Forces. Two of the bills recommended by the Treasury Department and approved by the subcommittee, H. R. 3820 and H. R. 4370, provide for an amendment of title 14, the title of the United States Code relating to the Coast Guard. H. R. 3820 provides for the amendment of section 490 so that the Secretary of the Treasury can have the same authority to settle claims of the military and civilian personnel of the Coast Guard as is now possessed by the Secretaries of the military departments with respect to their personnel. The bill was reported favorably and passed by the House, but no action was taken on it in the Senate prior to adjournment. H. R. 4370 would amend section 645 of title 14 so that its provisions would conform to those of section 2733 of title 10, United States Code, relating to similar claims for damage to property, personal injury, or death which are asserted against the Army, Navy, or Air Force. This bill was also reported favorably and passed by the House but was not acted upon in the Senate.

Another bill relating to claims handled by the military departments, H. R. 1061, was favorably reported by the subcommittee and the committee and was passed by the House. That bill would grant the Secretary of the Army and the Secretary of the Air Force the same authority now possessed by the Secretary of the Navy to settle claims for damage to or the loss of private property. The bill would further expand the authority to include settlement of claims for personal injury and death within the limitations of the new section which would be added to title 10, Armed Forces, of the United States Code. No action was taken on this measure in the Senate.

A number of bills granting relief to States or political subdivisions within States were referred to the subcommittee. Among the bills recommended favorably was H. R. 7636, authorizing the Attorney General to convey a site of land to Florida for use as a State road department shortwave-radio tower upon the payment of a fair value for the land conveyed. This bill became Public Law 85–293. The bill, H. R. 1942, provided for the payment of the amount due the Sergeant Bluff Consolidated School District of Iowa for the tuition of children of Air Force personnel—Public Law 85–140. Another bill favorably recommended was S. 807, to provide payment to the Jackson School Township of Indiana the amount of $193,392, in exchange for the conveyance of the school building and land, which was necessitated by the proximity of the school to an airfield—Public Law 85–291. S. 364, providing for payment of compensation to the village of Wauneta, Nebr., for the demolition of a dam by the United States, was favorably reported and became Public Law 85–214.

The subcommittee also recommended H. R. 4768, to confer jurisdiction on a United States district court to adjudicate a controversy relating to certain lands in San Jacinto County, Tex. That bill passed the House, but no action was taken in the Senate prior to adjournment.

A bill providing for the payment of $581,721.91 to the State of Washington for the replacement of a road previously located on land taken for use by the United States, H. R. 2224, was considered and passed by the Congress, but was the subject of a pocket veto. This is the claim on which hearings were held by the subcommittee in the State of Washington during the 84th Congress.

A bill, H. R. 293, authorized the payment of amounts due certain commissioned officers during the years 1932, 1933, and 1934 for advancement in rank, which were not paid because of an application of the Economy Act of 1932. This bill became Public Law 85–255.

Prior to July 1, 1954, certain officers were placed on active duty with the armed services while they were interns or resident physicians in non-Federal hospitals. These persons received the usual compensation, including meals and living quarters in kind, which normally attached to the positions. The Comptroller General subsequently ruled that these amounts should have been regarded as having been received in behalf of the United States and should be refunded. The situation was not clarified finally until 1953, and the affected individuals were not given clear notice of the situation until that time. The subcommittee made a favorable recommendation as did the committee and the bill was passed by the House; however, no action was taken in the Senate.

The Secretary of the Army recommended a bill which became H. R. 5810, and which provided for the reimbursement to the Tribal Council of the Cheyenne River Sioux Reservation for expenses incurred in negotiations relating to an agreement between the United States and the tribal council. The payment authorized was in accordance with the provisions of the agreement set out in the act of September 3, 1954—68th United States Statutes at Large, page 1191. The bill became Public Law 85–274.

House Joint Resolution 185 authorized the reference to the Court of Claims of a claim asserted against the United States by Norway. This reference was in line with an agreement previously entered into between the two countries providing that the matter, with the consent of Congress, would be referred to that court in the event that it could not be settled by negotiation. This bill became Public Law 85–60.

The settlement of a group of claims arising as the result of the crash of an airplane at Worcester, Mass., on July 18, 1957, would be provided for under the provisions of H. R. 8868. The bill was reported and passed the House, but was not acted upon in the Senate prior to adjournment.

The subcommittee held hearings on several bills which remained pending in the subcommittee at the time of adjournment, and further consideration of such bills is contemplated in the coming session. One of those bills was H. R. 105, which is a bill to cancel certain bonds posted in accordance with the Immigration Act of 1924. Based on the testimony presented at the hearing, a substitute bill was introduced, H. R. 8439, which is presently before the subcommittee. Also, an extensive hearing was held on H. R. 6681, which is a bill to make the Federal tort claim provisions of title 28 of the United States Code the exclusive remedy for persons injured or damaged as the result of accidents involving Government vehicles instead of permitting suit against individual Government drivers. This bill, too, remained pending in the subcommittee at the end of the session.

The following tabulation indicates the workload of this subcommittee in connection with claims against the Government:

Referred to subcommittee:	
Private, House bills	685
Private, House joint resolutions	2
Private, House resolutions	6
Private, Senate bills	30
	723
Public, House bills	51
Public, House joint resolutions	1
Public, House resolutions	1
Public, Senate bills	3
	56
Total	779
Reported to committee:	
Private, House bill	235
Private, House resolutions	3
Private, Senate bills	12
	250
Public, House bills	13
Public, House joint resolution	1
Public, Senate bills	2
	16
Total	266
Private, House bills adversely	41
Public, House bills, adversely	7
	48
Reported to House:	
Private, House bills	224
Private, House resolutions	3
Private, Senate bills	10
	237
Public, House bills	12
Public, House joint resolutions	1
Public, Senate bills	2
	15
Total	252
Passed House:	
Private, House bills	222
Private, House resolutions	3
Private, Senate bills	9
	234
Public, House bills	12
Public, House joint resolutions	1
Public, Senate bills	2
	15
Total	249
Pending in Senate:	
Private, House bills	124
Public, House bills	6
Total	130
Public laws enacted	8
Private laws enacted	105
Bills vetoed:	
Public (H. R. 2224)	1
Private	8
Claims settled administratively	5

Five public bills were referred to Subcommittee No. 2 dealing with such varied subjects as the War Contractors Relief Act, a Commission on the Office of the President, the appellate review of sentences in criminal cases, the law relating to perjury and the provision of an additional remedy for claims arising out of contracts of the United States relating to certain vessels. The subcommittee heard testimony on H. R. 6609, a bill to amend the War Contractors Relief Act and adversely reported it to the full committee.

Number of public bills referred to subcommittee	5
Number of hearings held	1
Number of public bills reported to full committee	1

SUBCOMMITTEE NO. 3—GENERAL JURISDICTION OVER JUDICIARY BILLS AS ASSIGNED—SPECIAL JURISDICTION OVER PATENTS, TRADEMARKS, COPYRIGHTS, AND REVISION OF THE LAWS

During the first session of this Congress 99 bills were referred to the subcommittee. They included such subjects as appellate review, juvenile delinquency, interstate compacts, patents and copyrights, constitutional amendments, and the classification and codification of laws of a general and permanent nature to the United States Code. Some 58 bills were considered by the subcommittee. In connection with this work, hearings were held on 41 bills. In some instances favorable action was taken; in others action has been deferred pending the submission of additional information and Government agency report. There follows a three-part statement pointing up the work of the subcommittee and highlighting some of the particular items of legislation which were processed.

GENERAL LEGISLATION

Because of the great difficulty experienced in recent years by the States with juvenile delinquency, the subcommittee, after hearings, took favorable action on House Joint Resolution 10, granting the consent of Congress to 23 States and the Federal Territories and possessions, to enter into compacts by which they may cooperate for the apprehension, return, and supervision of delinquent juveniles. This legislation is urgently needed, especially where States are seeking to erect and maintain, on a joint and cooperative basis, specialized institutions for the rehabilitation of delinquent juveniles and runaways.

In order to reduce the current heavy workload of the Federal courts and to help in eliminating the great backlog of cases now pending on the court calendars, the subcommittee held hearings on legislation (H. R. 2516 and H. R. 4497—diversity of citizenship) which would increase from $3,000 to $10,000 the monetary jurisdiction of the courts, and which would either eliminate completely corporations from the diversity of citizenship provision of our Federal statutes or restrict their use of the Federal courts by declaring them citizens of those States where they have their principal places of business. Because of the legislation's widespread effect, the subcommittee decided, instead of taking final action at this time, to have the hearings printed and made available for wide distribution so that during the Congressional recess, interested parties may study the material and submit recommendations for the subcommittee's consideration in the next session of Congress.

Recent bomb scares and bomb explosions in public transportation facilities such as railroads, trains, airplanes, and their terminals caused the subcommittee to take early favorable action on H. R. 4193, which makes the mailing of bombs Federal offenses. The bill also makes the giving of false information or "tips" on these matters Federal offenses.

Several identical bills on which the subcommittee postponed final action concern legislation authorizing the President of the United States to veto individual items in appropriation bills. Proponents of the measure were heard and the subcommittee will hear those who would oppose such legislation in order that it may be apprised of all of the arguments before taking action.

Important legislation upon which the subcommittee took favorable action relates to abbreviated records on appeals—H. R. 6788. This bill will permit the several courts of appeal to adopt rules authorizing the abbreviation of the transcript and other parts of the record made before Federal agencies when the orders of those agencies are reviewed by the courts of appeal. In many instances much of the record before such agencies is not relevant to the questions actually raised on appeal. This legislation, in permitting an abbreviated record to be transmitted, should result in substantial savings of time and money to the Government without interfering with appellate rights.

The subcommittee also acted favorably on H. R. 7915 which would authorize Federal courts, after a witness has testified, to require the Government to submit prior statements and records of the witness in its possession for the court's inspection for the purpose of turning relevant material over to defendants who seek to impeach the credibility of the witness. This legislation resulted from the Supreme Court decision in the case of *Jencks* v. *United States* (353 U. S. 657).

The subcommittee approved other matters, such as the use of certified mail for summoning jurors—H. R. 3367—which will result in monetary savings to the Government; peremptory challenges—H. R. 3368—giving to plaintiffs the same advantages which defendants now have; H. R. 7261, bringing the District of Columbia under the Federal probation laws, thereby making the laws uniform throughout the Federal districts; H. R. 7153, consenting to the agreement between the States of Oregon and Washington reestablishing their boundary line along the Columbia River; and H. R. 6789, authorizing interested parties to seek temporary injunctive relief from the orders of administrative agencies on reasonable notice where irreparable harm might result if the agency order became immediately effective.

PATENTS, TRADEMARKS, AND COPYRIGHTS

Favorable action was taken again this year on H. R. 103, which would reward persons, both Government and non-Government employees, who make inventive contributions to the national defense.

The subcommittee also reaffirmed its favorable position and reported H. R. 7151 which raises generally patent and trademark fees. It is estimated that these fee rises will offset the expenses of the Patent Office by 70 percent.

Another measure approved by the subcommittee is H. R. 277 which sets a 3-year statute of limitations on civil copyright actions, thereby establishing a statute of limitations which would be uniform throughout the United States.

The subcommittee took unfavorable action on H. R. 1656, a private patent bill and on a series of bills relating to patent extensions.

Bills referred	99
Bills on which hearings were held	41
Bills favorably reported to full committee	14
Bills reported to House	13
Bills passed House	10
Senate bills processed	0
Bills pending in Senate	6
Bills which became public law	4

REVISION OF THE LAWS

The work of classifying the general public laws to the appropriate title in the United States Code and the general laws of application in the District of Columbia to the District of Columbia Code has been carried on since the beginning of the session. These laws and the balance of the laws enacted at this session will be incorporated into supplement V of the United States Code and into supplement VI of the District of Columbia Code. With respect to the supplement of the District of Columbia Code all the decisions of the courts affecting the Code from August 1, 1956, to July 31, 1957, have been examined and notes have been prepared for insertion under the appropriate sections in the next supplement.

The reading of page proofs on supplement IV of the United States Code and supplement V to the District of Columbia Code was completed early this year and the supplements have been published and distributed.

At the last Congress Public Law 1028 was enacted codifying the laws relating to the armed services and the National Guard. Inasmuch as the bill had been pending in the Congress for more than a year, Public Law 1028 did not contain all the laws on the subject as of the date of enactment—a cutoff date of March 31, 1955, had been decided upon when the bill was reported by the committee during the 1st session of the 84th Congress. During the recess at the end of the 84th Congress and for several months during the present session the law revision staff cooperated with the codification group at the Pentagon in the preparation of a bill and constructive report intended to incorporate in titles 10 and 32 the applicable laws enacted between April 1, 1955, and January 2, 1957. This bill, consisting of almost 200 pages, has passed the House and is now pending in the Committee on the Judiciary in the Senate. In addition the bills to enact into law Title 20: Education; Title 21: Food, Drugs, and Animals, and Title 39: the Postal Service, have been brought up to date as of the beginning of the present session and introduced. We are now awaiting reports from the departments concerned with a view of reporting the bills favorably to the House at the earliest moment.

Work has also progressed on bringing up to date and eliminating changes in substantive law from the bills to enact into law Title 16: Conservation, and Title 43: Public Lands.

With respect to the District of Columbia Code a bill has been prepared by the staff to enact into law part IV consisting of titles 22, 23, and 24. In addition, the services of a publishing corporation have been engaged to assist in the preparation of a bill to enact into law part II consisting of titles 11 to 17.

After the adjournment of the present session work will be continued in conjunction with the West Publishing Co. and the Edward Thompson Co. in preparing copy for the Government Printing Office for supplement V of the United States Code and in reading proofs. Also copy for supplement VI for the District of Columbia Code will be sent to the Government Printing Office and proofs will be read as received.

During the session the staff has continued its cooperation with other committees of the Congress and with numerous Government departments and agencies with regard to the form and style of proposed legislation affecting the United States Code.

SUBCOMMITTEE NO. 4—GENERAL JURISDICTION OVER JUDICIARY BILLS AS ASSIGNED—SPECIAL JURISDICTION OVER BANKRUPTCY AND REORGANIZATION

During the 1st session of the 85th Congress, Subcommittee No. 4 held hearings and reported a number of bills improving the substance and administration of the bankruptcy law. H. R. 106 gives bankruptcy courts jurisdiction to determine the effect of a discharge. At present, with some exceptions, bankruptcy courts are determining only the right to a discharge. This bill was passed by the House and sent on to the Senate. The subcommittee has held comprehensive hearings on H. R. 5195, dealing with the difficult problem of circuity of liens embodied in section 67 (c) of the Bankruptcy Act. To make administration of the bankruptcy system more efficient, H. R. 5811 was favorably reported and passed the House. The bill eliminates one of the notices now required in bankruptcy proceedings and results in a substantial saving of money. Impelled by the reequipment financing problems of the airlines, the subcommittee favorably reported and both House and Senate passed H. R. 7671, making chapter X proceedings inapplicable insofar as they effect title and the right to repossess aircraft and aircraft equipment. In the area of railroad reorganizations, the subcommittee favorably reported H. R. 982, which provides that a former lessor whose properties are being operated under section 77 (c) (6) of the Bankruptcy Act shall have the same right as other carriers to receive a division of revenue accruing from operations over its lines, in accordance with the criteria fixed by section 15 (6) of the Interstate Commerce Act.

General legislation assigned to Subcommittee No. 4 has covered a wide variety of subjects, including over 60 holiday and celebration bills. Among these were bills establishing both a Civil War Centennial Commemoration Commission and a Lincoln Sesquicentennial Commission. In addition, action was taken extending certain temporary legislation. These included war-risk hazard and detention benefits for direct-hire Federal employees and employees of Federal contractors. The subcommittee also favorably reported the extension of title II of the First War Powers Act, enacted into law. H. R. 3370, increasing the mileage and subsistence allowances of Federal jurors, was also passed and has been signed by the President.

Number of public bills referred to subcommittee	117
Number of hearings held	19
Number of public bills reported to full committee	22
Number of reports filed	19
Number of public bills passed House	18
Number of public bills pending in the Senate	4
Number of Senate bills disposed of	2
Number of public bills approved by the President	11

SUBCOMMITTEE NO. 5—GENERAL JURISDICTION OVER JUDICIARY BILLS AS ASSIGNED—SPECIAL JURISDICTION OVER ANTITRUST MATTERS

This subcommittee exercised jurisdiction over a variety of subjects, with specialization over bills concerning antitrust and the Federal judicial system. Under its general jurisdiction, the subcommittee considered several bills relating to the improvement of the Federal judicial system. Among these bills were bills providing for a roster of retired judges, for representation by district judges in the judicial conference of the United States and for the retirement of the chief judges of the circuit and district courts, as chief judges, upon reaching the age of 75. In addition, the subcommittee approved a bill increasing the fees of the United States commissioners. The subcommittee has under consideration additional bills creating a number of new judgeships throughout the entire Federal judiciary as well as bills relating to the organization of the judicial districts and places of holding court.

This subcommittee devoted considerable time to the consideration of approximately 60 bills relating to various civil-rights proposals. It conducted several days of hearings on these bills which constituted over 1,000 printed pages. As a result of its considerations and deliberations of civil-rights bill H. R. 6127 was enacted into law.

During the 1st session of the 85th Congress the subcommittee had referred to it 187 bills—186 being House bills and one being a Senate measure. Hearings were conducted on 68 of these measures. It disposed of 74 bills of which 8 were favorably reported to the House. There were seven bills enacted into public law during the 1st session of the 85th Congress.

Number of bills referred to Subcommittee No. 5	187
Hearings conducted	68
Number of bills reported to the full committee	74
Number of bills reported to the House	8
Number of bills enacted into public law	7

ANTITRUST JURISDICTION

In March, the subcommittee held hearings on three bills, H. R. 264, H. R. 2143, and H. R. 7698, that would require advance notification to antitrust enforcement officials of certain corporate mergers and acquisitions. Based on amendments recommended by the subcommittee and additional amendments adopted by the Judiciary Committee, a new bill, H. R. 7698, was reported by the Judiciary Committee with the recommendation that it be enacted by the House—House Report 486. At the close of the first session, H. R. 7698 was pending in the Rules Committee.

H. R. 7698 provides that when a corporation subject to the Clayton Act acquire the stock or assets of another corporation engaged in commerce, if the combined capital, surplus, and undivided profits of the 2 corporations exceed $10 million, 60 days' advance notification must be given to the Attorney General and to the Federal Trade Commission or other appropriate commission or board. Together with this notice, the corporations must supply specifically enumerated information to the Government, in order to enable a determination to be made of the transaction's probable effect on competition. The bill requires the Government officials vested with jurisdiction to establish procedures for the waiver of all or part of the waiting requirement in appropriate cases or categories of cases. Willful failure to give the notice or to give the information required by the bill subjects the offending corporation to a fine of not less than $5,000 nor more than $50,000 in a civil action brought by the Attorney General.

In addition to the broad exemption for mergers and acquisitions where the combined capital, surplus, and undivided profits of the corporations are $10 million or less, the bill also exempts from its notification and waiting requirements a number of specific types of transactions. Fifteen specific types of transactions are enumerated in H. R. 7698 that are not likely to have substantial antitrust significance and, therefore, are not required to be reported in the interest of effective enforcement in the antitrust statutes.

H. R. 7698 also would amend the Clayton Act to provide the Federal Trade Commission with authority to seek a district court order to prevent and restrain a merger in violation of Clayton Act section 7, pending issuance of a complaint and completion of the Commission's administrative proceeding. This amendment would give the FTC, which has concurrent jurisdiction with the Attorney General to enforce the merger provisions of the Clayton Act, authority similar to that now possessed by the Attorney General to seek a preliminary court injunction to restrain consummation of a merger pending adjudication of its legality.

In June, the Antitrust Subcommittee jointly held hearings with the Subcommittee on Commerce and Finance of the Committee on Interstate and Foreign Commerce on a series of bills designed to vest in the Federal Trade Commission jurisdiction over unfair or monopolistic trade practices in the meatpacking industry. The subcommittees held joint hearings in order to consider conveniently and expeditiously, H. R. 5282, H. R. 5283, H. R. 5454, H. R. 7764, and H. R. 7796 which were referred to the Committee on Interstate and Foreign Commerce and H. R. 7038 and H. R. 7319, which were referred to the Judiciary Committee.

Under existing law, jurisdiction over the trade practices of meatpackers is vested in the Secretary of Agriculture, by virtue of the Packers and Stockyards Act of 1921. That act ousted the Federal Trade Commission of jurisdiction over unfair methods of competition by companies engaged in the meatpacking industry. The bills were introduced to cope with the recent criticisms of the lack of enforcement by the Secretary of Agriculture of his jurisdiction over allegedly unfair and monopolistic practices in the meatpacking industry. It has been contended that for a number of years meatpackers have enjoyed a virtual immunity for their trade practices from supervision by any Federal agency. Further, recent Federal Trade Commission cases disclosed a situation where certain food stores and other elements of the food-distribution industry escaped Federal supervision of their trade practices by the simple expedient of acquiring minority interests in a meatpacking plant.

Because of these criticisms, bills were introduced to amend title II of the Packers and Stockyards Act in a manner to transfer to the Federal Trade Commission responsibility for supervising the unfair and monopolistic practices of companies engaged in the meatpacking industry. At the end of the first session public hearings had been completed and the bills were under consideration by the subcommittees.

In June, July, and August, the Antitrust Subcommittee held hearings on a series of bills that would clarify the applicability of the antitrust laws to organized professional sports enterprises. These bills were introduced in response to recent Supreme Court decisions which have had the effect of placing under antitrust coverage all organized professional sports with the exception of baseball.

In the Toolson case in 1953 the Supreme Court reaffirmed its 1922 ruling that organized baseball is not subject to the antitrust laws. In its decision the Supreme Court signified that baseball in effect is a unique enterprise. By contrast in February 1954 the Supreme Court in the Radovich case held not only that professional football is subject to the antitrust laws but implied that all other professional organized sports, like other interstate businesses, are subject to the antitrust laws. In the Radovich case, the Supreme Court recognized that its ruling, in light of baseball's unique exemption, might be regarded as "unrealistic, inconsistent or illogical." It indicated, however, it would have no doubt as to baseball's coverage under the antitrust laws were it considering this question for the first time upon a clean slate.

In explanation of its position, the Supreme Court said, "The orderly way to eliminate error or discrimination, if any there be, is by legislation and not by court decision. Congressional processes are more accommodative, affording the whole industry hearings and an opportunity to assist in the formulation of new legislation. The resulting product is therefore more likely to protect the industry and the public alike."

Three types of solution to the sports problem were suggested by the bills that were referred to the subcommittee. H. R. 5319 and H. R. 5307 provide that baseball, like other professional sports activities, shall be subject to the antitrust laws. Under these bills, the courts would be permitted to determine upon the facts of each individual case whether or not any particular agreement or trade practice constituted an unreasonable restraint of trade.

Other bills, H. R. 6876, H. R. 6877, and H. R. 8023, include all professional sports under the antitrust laws, with the exception of certain enumerated practices which are specifically exempted. H. R. 8023 also provided that a reserve clause in a player's contract of employment would enjoy an antitrust exemption only if it did not exceed 5 years in duration and if the amount of compensation for the last 2 years were increased by 15 percent each year.

Finally, H. R. 5383 provides a complete antitrust exemption for all professional sports enterprises, as well as for acts in the conduct of such enterprises.

During its extensive hearings, the subcommittee received testimony from representatives of the American and National Baseball Leagues, National Football League, National Hockey League, National Basketball Association, owners of team sports enterprises and from a number of players. At the end of the session, hearings had been completed with respect to professional team sports and the bills were pending before the subcommittee.

INVESTIGATIONS

The subcommittee completed and published two reports that contain the results of its investigations during the 84th Congress of the airlines and television industries.

On June 7, 1957, the subcommittee released its report on the television-broadcasting industry. The record on which the report was based contains the testimony of 58 witnesses and comprises 3,342 pages of transcript.

Among the matters examined into by the report on the basis of this record was the manner in which the Federal Communications Commission has discharged its antitrust responsibilities in important areas of broadcasting; the UHF problem and competitive television; the network programing and time sales with reference to alleged tendency of networks to favor their own programs; network talent contracts; network time sales and discounts; the role of the advertising agency in the sale of TV time; the FCC chain-broadcasting regulations; network affiliation contracts; network ownership of stations and the multiple-ownership rule; network must-buy policy; network time options; the first-call rule; regulation by the FCC of coaxial cable and microwave relay rates and private relay systems; and activities by broadcasters in the field of music. The report was particularly critical of testimony and documentary evidence disclosed in its investigation in which references were made to informal private conferences and discussions between Commissioners of the FCC and representatives of industry, some of whom were directly interested in problems pending before the Commission.

On September 3, 1957, the subcommittee released its report on airlines. In its hearings on the commercial airlines industry, the subcommittee received the testimony of 38 witnesses and compiled a record that includes 3,106 pages.

In its report the subcommittee gave particular attention to the following: The present structure of the airlines industry; analysis of Federal administrative controls with respect to airlines operations; the record of the Civil Aeronautics Board with respect to the antitrust problems involved in competition and entry into commercial aviation; the antitrust implications of the activities of the Air Transport Association and an analysis of its operations; the role of travel agents in civil aviation; the results of the activities of the International Air Transport Association; and a case study of the Pan American World Airways System.

Particular attention was given to ATA, the trade association of the certificated carriers. The close relationship with the Board's responsibilities that has been established by the certificated industry through its trade association provides the means for a result that frequently has been deplored by critics of Government regulation. It is here that there is the greatest danger that the "regulated" may become the "regulators."

On April 3, 1957, the Antitrust Subcommittee initiated a study into the procedures and competitive effects of the consent decree program administered by the Antitrust Division of the Department of Justice. In this study, the subcommittee is seeking to ascertain how effective consent decrees have been in the elimination of conditions that caused the Government to institute its antitrust proceedings, and to restore a competitive climate in the industries concerned.

In addition, the subcommittee in this study is interested in determining the impact of consent decrees upon competitors of the defendants. As part of its study, the staff of the subcommittee has secured relevant information from the Department of Justice and has conducted file examinations of certain companies that are parties to specific consent decrees. During the first session this investigation was in preliminary stages and hearings were not scheduled by the subcommittee.

SPECIAL SUBCOMMITTEE ON THE OPERATION OF SUBMERGED LANDS LEGISLATION

The Special Subcommittee on the Operation of Submerged Lands Legislation was instituted under the authority granted to the Committee on the Judiciary to conduct studies and investigations, including the operation and administration of the Submerged Lands Act and the Outer Continental Shelf Act. The subcommittee is composed of Messrs. **Edwin E. Willis**, chairman, **William M. Tuck**, **James B. Frazier, Jr.**, **Kenneth B. Keating** and **Patrick J. Hillings**.

The purpose of the special subcommittee is to conduct a study and analysis of the problems arising from the operation and administration of those laws. The need for such a study was predicated upon a preliminary survey conducted by the staff of the Committee on the Judiciary as well as other studies conducted by agencies outside of the Government. Such preliminary studies have pointed up many and varied problems arising out of the operation and administration of the existing law. Examples of such problems are the question of double jeopardy in criminal law over violations committed in the area of the Outer Continental Shelf; the peculiar problem of contract law resulting from the drilling and building operations in the same area. Also, there are serious questions of workmen's compensation as well as problems in the field of insurance such as the type of underwriters and of policies. Of course, there are many others.

Therefore, the special subcommittee will undertake the task of gathering sufficient facts and knowledge from the time and experience of operation under the existing laws in order that a conclusion may be reached as to what, if anything, should be done in the way of amendatory legislation to the existing law. It is believed that sufficient time has passed in which to garner experience in the administration and operation of these laws so that whatever improvements may be necessary will be in the best interests of all the parties involved, including the Government of the United States.

The subcommittee held an executive conference with representatives of the various governmental departments concerned with submerged lands legislation.

In the near future the subcommittee will conduct a study of the problem at which time representatives of private industry engaged in operations under this legislation will be heard.

SPECIAL SUBCOMMITTEE ON STUDY OF PRESIDENTIAL INABILITY

The Special Subcommittee on the Study of Presidential Inability is composed of Messrs. **Emanuel Celler**, chairman, **Francis E. Walter**, **Jack B. Brooks**, **Kenneth B. Keating**, and **William M. McCulloch**. It was originally constituted in the 84th Congress. During that time an exhaustive study was made of this subject and hearings held in which the views of eminent political scientists and constitutional lawyers were heard. In addition to these hearings, that subcommittee published a document setting forth replies to a detailed questionnaire on the problem.

This subcommittee in the 1st session of the 85th Congress conducted a hearing on the problem at which time the Attorney General testified. The subcommittee also published a document which was an analysis of the replies to the questionnaire and hearing held on the subject during the 84th Congress. The subcommittee had referred to it several bills relating to the subject. After considerable deliberation and consideration, the subcommittee reported four bills, House Joint Resolution 293, House Joint Resolution 295, H. R. 6510, and House Joint Resolution 334, to the full committee, where they are pending at the present time.

SPECIAL SUBCOMMITTEE ON ADMINISTRATIVE PROCEDURE

Eleven bills have been referred to the Special Subcommittee on Administrative Procedure. These cover problems such as pay for hearing examiners, legal career service, admission to practice before Federal agencies, and so forth. Several comprehensive bills, notably H. R. 3350, dealing with all of these topics are now before the subcommittee and information and departmental reports are now being compiled and analyzed with a view toward conducting extensive hearings at the beginning of the next session. The subcommittee is composed of **Francis E. Walter**, chairman, **Robert T. Ashmore**, **DeWitt S. Hyde**, and **Russell W. Keeney**.

SPECIAL SUBCOMMITTEE TO STUDY SUPREME COURT DECISIONS

This subcommittee was established by the Judiciary Committee and authorized to conduct an inquiry and make findings and recommendations, legislative or otherwise, with reference to those questions raised by decisions of the Supreme Court, rendered at its last session which affect the power of Congress to investigate Federal laws relating to subversive activities and the enforcement of Federal criminal laws. The subcommittee is composed of Messrs. **Edwin E. Willis**, chairman, **Byron G. Rogers**, **Earl Chudoff**, **William C. Cramer**, and **Arch A. Moore, Jr.**

The subcommittee initiated hearings during the 1st session of the 85th Congress with reference to the particular decision of the Supreme Court in Mallory against the United States, which affects Federal law enforcement. A series of hearings was held on this case and witnesses represented Federal and local law authorities as well as representatives of bar associations.

Further hearings on this and other Supreme Court decisions in these particular fields will be held both during the adjournment period and the second session.

Ten Years of Progress

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. **FOGARTY**. Mr. Speaker, the past 10 years have been 10 years of perhaps the greatest progress against disease that our country has ever seen.

As a recent article said, "You're living in medicine's golden age." It pointed out that new medical knowledge had meant the saving of 1,240,000 lives since World War II. It stressed the fact that "this miracle of medical progress has come largely within the last 10 years."

As I look back over the past decade, I am proud to have had the opportunity to work in Congress, year by year, to provide through Congressional appropriations the share of Federal aid that has helped achieve the progress of these 10 years. This aid has been a major influence in increasing and stepping up our Nation's medical research that has meant the saving of those million and more lives.

This year marked the ninth time that it has been my privilege to present to my colleagues in the House of Representatives, on behalf of our Committee on Appropriations, a bill which represented the consensus of the House and Senate committees on the support for health and medical research to be provided through the Federal Government. The bill represented, at the same time, carefully considered judgments as to the interests of economy. It reflected what was needed to strengthen and speed up just as much as scientifically and humanly possible this year's attack on the many problems of disease and disability.

This year, we believe, will see further medical advances, in which the continuing and new programs to which we have given adequate and needed support will play, as in the past, a vital role.

Let us glance back for a moment into the field of health research achievements to see what may lie ahead in the way of returns on the tax dollars invested.

The decline in death rates since World War II from some of the major illnesses dramatically shows how over a million lives have been saved by modern medicine.

Influenza has gone down over 90 percent in its death rate. I should mention here, and emphasize, too, that there is not only great concern with the threatened invasion of the Asian flu, but there is concerted action under way to set up a great network of protection for the American people.

We in Congress have already acted by appropriating the $800,000 which will be used in providing diagnostic materials to the States and also have authorized an additional $2 million out of the President's reserve fund if an outbreak should occur, which would be used in those areas where needed.

The Public Health Service, American Medical Association, State health authorities, the medical societies, and individual physicians are all alert to the problem and are joined in the nationwide collaborative endeavor against this threat.

To return to the past 10 years of progress, we see the striking fact that once great killers like acute rheumatic fever, tuberculosis, diseases that cause maternal deaths, and appendicitis have had the rate at which they cause death reduced over 70 percent in each case. Syphilis' death rate has been brought down 63 percent, pneumonia's over 40 percent, some kidney disorders 60 percent, and infant death rates have dropped 33 percent. Even high blood pressure, one of the greatest medical problems in terms of numbers afflicted, has seen some decline in death rates in the past few years—and, authorities say, is going to be subject to even better control through new and improved drugs for treatment.

This is what the recent past has brought. What of the work under way today, the challenging and promising new areas of medical research that will pay off increasingly?

The medical research and health programs under way in our State of Rhode Island offer splendid examples of the march of progress and some of its new areas of promise.

As a result of these programs, Rhode Island is taking a place of leadership among the States in the forefront of medical research, modern medical teaching and practice and public health advances.

Our State institutions and organizations, both public and private, and Rhode Island's researchers, medical teachers, physicians, nurses, and allied hospital and health agencies workers of all kinds—these men and women and their institutions are placing our State in this new position of leadership—as well as bringing its people the very best in medical and health benefits.

Supplementing and aiding them, and helping make many of the forward looking programs in Rhode Island possible, is support such as that which we are providing through Congressional appropriations.

For health and medical research and related work in Rhode Island there was provided in fiscal year 1957, which ended June 30, almost $3 million in grants and awards from the programs of the Department of Health, Education, and Welfare. From the Public Health Service's National Institutes of Health, about $1 million aided research, research training, building and equipping of research facilities, and other activities in institutions in our State.

Some $881,000 last year from the Public Health Service's Bureau of State Services helped a variety of public health programs in Rhode Island, such as control of water pollution, tuberculosis, mental illness, heart disease, cancer, and poliomyelitis. Through the Service's Bureau of Medical Services, Rhode Island in fiscal year 1957 had available for medical facilities and hospital construction some $788,000. Of this, almost half a million dollars was for hospital construction for needed facilities at the Providence lying-in hospital, the State hospital at Cranston—Howard—and Roger Williams General Hospital at Providence.

Through the Children's Bureau of the Department of Health, Education, and Welfare, our State health department had about $235,000 for services for crippled children and for maternal and child-health activities. Also, from the Department's Office of Vocational Rehabilitation came a research grant of $39,415 to Butler Health Center at Providence to evaluate the effectiveness of rehabilitation programs for both physically and mentally disabled persons.

Speaking of mental illness, which is one of our gravest health problems of today, we can be proud of the progressive work that is being undertaken in Rhode Island on this.

Butler, as well as another institution in Rhode Island, has recently been awarded mental-health project grants by the Surgeon General of the Public Health Service. The Emma Pendleton Home, a children's psychiatric hospital, is using the mental-health project-grants funds to study a special group program for acting-out children. This study will shed light on the effectiveness and application of group work to special diagnostic categories of disturbed children. This project, begun in August of this year, will extend over a 4-year period.

Butler Health Center, which recently opened an inpatient unit, the fourth of its major programs, has been awarded two mental-health project grants. One of these projects has been set up to investigate the nature of attitudes, interactions, and activities by the patients and personnel, which help recovery of chronically ill psychotic patients. This project will continue, according to present plans, over a 3-year period.

The other research program at the Butler Mental Health Center supported by a mental health project grant is one essentially designed to discover and test effective alternatives to the conventional inpatient psychiatric treatment. Through the operation of a new kind of outpatient department, a day hospital and a hospitalization program for emergency services to patients in periods of intense panic, the Butler Health Center hopes to do pioneering work in treatment and care of the mentally ill. Present plans for this project cover a 3-year period.

Grants have also been made to Rhode Island institutions to participate in the large scale evaluations of the tranquilizing drugs—that have been so useful in mental illness and other conditions, but that need a great deal of study before we understand just how they act and produce their effects. This kind of study will lead to even greater eventual usefulness on the part of these drugs which affect the central nervous system. Indeed, the whole knowledge of the brain and its chemistry—an area our scientists say that they need much more information on before it is fully understood—is being opened up tremendously through new investigations today.

In the field of cancer research, Rhode Island institutions are participating in the vast new endeavor that has been implemented through National Institutes of Health grants to screen all chemical compounds that might have possible use in the treatment of cancer.

Moreover, in the field of cancer control, Rhode Island is actively engaged in a new program aimed at cancer of the uterus, the second largest cause of death from cancer among women, which claims the lives of nearly 15,000 American women each year. Now a test, known as the cytologic test, makes possible the early detection of this type of cancer.

Unfortunately uterine cancer, which is highly curable in its earliest stage, presents no detectable symptoms until the disease reaches a stage when cure is more difficult. By means of the cytologic test, women with a suspicion of uterine cancer can learn about its presence long before they ordinarily would. Numerous investigators and clinicians believe that, if widely used, this test could reduce mortality by as much as 75 percent.

The test is completely painless and usually takes less than 5 minutes. The technique consists simply in taking samples of vaginal fluid which contains cells shed by the internal organs of the body. Microscopic examination of slides made from these samples enables trained laboratory workers to distinguish cells which are suspected of being cancerous from those that appear to be normal. Scientists recommend that women take the test once a year to be sure that they do not have uterine cancer.

In collaboration with the Rhode Island Medical Society and Rhode Island Society of Pathologists, the Rhode Island State Department of Health is, for the second year, making the cytologic test available to women over 20 in the State. The project, which was aided by a grant of $70,000 from the National Cancer Institute in 1956, is receiving additional assistance this year in the form of a $100,000 grant from the same source.

The program is being conducted through hospitals, private practitioners, and State-sponsored cancer-detection centers, and is endorsed by the Rhode Island Medical Society and the Rhode Island Society of Pathologists.

The Rhode Island cytology program is one of several which were recently established in this country after the effectiveness of the technique as a case-finding procedure was successfully demonstrated in Memphis, Tenn. The Memphis project, now in its fifth year, led to the discovery of about 800 cases of uterine cancer among 108,000 women who were examined for the first time.

Half these 800 cases were found in the very earliest stages, and most of these were entirely unsuspected. Many of the 400 cases of advanced cancer were also unsuspected.

The first year of the Rhode Island project was spent in tooling up and training technicians to examine slide tubes as a part of the test. Since operations were started, 10,000 women have been screened as of September 1. Carcinomas in situ proved by biopsy totaled 51. These are the tumors that this program is designed to discover, because they can be cured in the early stage. There were also 13 other cancers of the uterus diagnosed which were somewhat more advanced but not dangerously so. This is a total of 64 early cancers of the uterus discovered and proved so far by this cytology laboratory. In 14 other cases, biopsies have been requested and will be done soon.

There are between 225,000 and 250,000 women over 20 in Rhode Island. It is hoped that the project will eventually make it possible for 50,000 a year to take this test. For the great majority, it will mean peace of mind and relief from needless worry. For those who have uterine cancer, it will mean the discovery of their disease at a time when cure is most probable. In my opinion, this is one of the best run programs in the country.

Rhode Island is playing a key role in another project which has a direct bearing on the health and well-being of millions of Americans. I refer to the recently launched nationwide investigation directed to studying and evaluating the factors which are believed to bring on such diseases as cerebral palsy and mental retardation—disorders which are often due to damage to the brain of an infant before, during, or shortly after birth.

This investigation is being coordinated by the National Institute of Neurological Diseases and Blindness in Bethesda, Md. Eleven medical schools and hospitals—in key communities throughout the Nation—are working with the Institute. Among these is our own Brown University in Providence.

I have had occasion to hear testimony on this nationwide study from medical men in position to know a good deal about cerebral palsy and related disorders. It is my feeling that this study—which may go on for a decade or longer—may bring the effective treatment and prevention of such disorders a generation or more closer to achievement.

What are some of the causative factors which the project will be evaluating? Well, there are many. Among these are such factors as lack of oxygen, brain injuries, infections occurring during pregnancy, and the so-called Rh factor which is actually a blood incompatibility between mother and child. Heredity, which is believed to play only a minor role in cerebral palsy and mental retardation, will also be evaluated.

Brown University, I am pleased to say, was among the first institutions to join in this important study and its program is well under way. The university's initial grant—a grant covering the last fiscal year—was for just short of $100,000—$97,633.

I might say here that Providence is truly blessed in terms of its fitness for this kind of project. Brown University, which has an unusually fine department of biology, is working closely with the Providence Lying-In Hospital on one hand and the Meeting Street School on the other.

Providence Hospital is one of the largest lying-in hospitals in the country and the Meeting Street School is a unique semicustodial institution for cerebral palsied children. Thus, we have a coordinated approach to the research problem posed in which the onset and impact of cerebral palsy can be studied and evaluated through pregnancy, birth, and the early years of life.

Dr. Glidden Brooks, director of the project, brings to the study not only years of research experience but a number of major contributions to our knowledge of cerebral palsy and related disorders.

Why is this collaborative program—in which Brown University and its associated organizations are playing a key role—of such importance?

One answer, of course, lies in its humanitarian aspects—in the promise it holds for the development of effective treatments and preventive techniques for coping with cerebral palsy, mental retardation, and related disorders. But the problem can also be sketched in terms of statistics—statistics of vital concern to all of us.

Today, there are an estimated 500,000 people in the United States who have cerebral palsy traceable to brain damage occurring in the year or so surrounding birth. There are an estimated 4,500,000 Americans with mental retardation, about one-third of them children. There are thousands of others with related disorders—thousands who stand to be benefited by the results of the study.

Clearly, then, the severity and scope of the problem cannot be questioned.

Eventually, it is expected that about 15 medical schools and hospitals will be collaborating with the National Institute of Neurological Diseases and Blindness and about 8,000 cases will be coming under investigation each year. Whenever possible, the mother will be studied through the entire period of pregnancy. Infants showing signs of neurological stress or brain damage at birth will be closely observed. They will be given detailed psychological and neurological tests. Normal infants will serve as controls to provide an adequate basis for comparison with those who show stress.

This broad-gaged investigation may go on for a decade or even longer. But, as I have said, its implications for future and present generations are considerable. It is among the most hopeful and most comprehensive studies in the medical field that the Congress has been called upon to consider during my service in Washington.

Turning to another field of disease, rheumatic fever, Rhode Island also offers a splendid example of how researchers, physicians, health workers, school authorities, and others team up to apply new medical knowledge through their alertness and cooperative action.

As knowledge about rheumatic fever developed, Rhode Island was one of the first States to develop and carry on a good, sound program against this killer and crippler that strikes hardest at children and that does its damage through causing rheumatic heart disease.

The Rhode Island rheumatic-fever program, as long as 10 years ago, was selected as the subject of an educational film because our State exemplified how community resources could be brought to bear on this disease. The film was made with the sponsorship of the United States Children's Bureau, whose funds have aided the rheumatic-fever program along with our own private and public funds in our State. Shown widely throughout the country, this fine educational motion picture, called We See Them Through, is still being used, I understand, for health-education purposes.

With this background, we can understand why, early this year when there seemed to be a good deal more scarlet fever showing up than there ought to be, our people in Rhode Island were in a position to do something about it. With cooperative programs already well grounded in the heart as in other fields, they, of course, were alert to and acting against rheumatic fever through these programs. Therefore, they would merely need to see what new or intensified action was necessary. There were meetings of the groups, and the medical society, State and city health departments, school authorities, and heart association joined forces to take any desirable and necessary action.

The United States Public Health Service was invited to cooperate and a team of epidemiologists of the Service came to Providence and aided in studying the how, when, where, and why of the scarlet fever cases.

The situation, it was decided, needed an action program to prevent first attacks of rheumatic fever by treating or preventing scarlet fever in the areas where it had shown up heavily. Moreover, with measures to do this established along with other measures to strengthen the general rheumatic fever program, the data that could be gathered and the techniques that could be studied offered a vital research opportunity, which the Public Health Service assisted in starting and carrying on.

I understand that the intensified activity has been very successful and that our people, particularly our children, have been well protected through the physicians' and community's efforts. Alertness averted what might have been a grave situation. The combined forces of medicine, voluntary and official health agencies, school authorities, and parents and the people generally showed how activities could be intensified when needed. The research experiment has not been completed, but I am told by the Public Health Service that the splendid cooperation of the people in Rhode Island made possible gathering of important data which will be of value in the nationwide heart program.

Another first in Rhode Island of which we are very proud is the special clinic that was organized jointly by the Our Lady of Fatima Hospital, the State Committee on Aging, and the Federal Office of Vocational Rehabilitation, at an annual cost of $40,000—$30,000 provided by Congress and $10,000 by Our Lady of Fatima Hospital.

Its purpose is to demonstrate the extent to which vocational rehabilitation for older workers can be achieved through an intensive program of diagnostic, evaluation and rehabilitation services. These services are primarily for workers 45 to 65 years of age, who are eligible for the OAIS disability freeze program and for other persons in the same age category identified by the State rehabilitation agency as persons whose readjustment can be only effected by the clinic's total, coordinated and intensive program of restorative services.

The operation of the clinic involves the participation of multiple professions including rehabilitation counselor, social worker, doctors, nurse, therapists and an employment specialist. The clinic got under way in the middle of 1956 and has since provided services for over 100 older disabled persons. These persons had a variety of handicaps including cerebral vascular accidents, arthritis, multiple sclerosis and other orthopedic involvements.

The last report of the clinic reveals that 21 of these persons had been rehabilitated into employment. National statistics indicate that less than 10 percent of this age group is restored by the official State Vocational Rehabilitation Agencies throughout the country. The 25 percent rate of rehabilitation in the Our Lady of Fatima Clinic documents the efficacy of this special program.

As a result of its accomplishment the Federal Office of Vocational Rehabilitation chose the Our Lady of Fatima Clinic as a selected demonstration project in vocational rehabilitation and recommended State rehabilitation agencies throughout the country to help in organizing similar clinics in their communities with Federal grants coming from the demonstration appropriation.

The clinic is now in its second year of operation and will continue through a third year.

With these examples of current progress in our fine State of Rhode Island, let me turn now to a glimpse of what may lie ahead for us as a result of the medical research and public health measures that the people want and that we in Congress are aiding through providing supportive funds.

I think—and my opinion is based upon the best thinking of the many authorities in medical and scientific field with whom I am in constant touch—that the foreseeable future will bring even greater gains.

The past 10 years' advances have exceeded those of the previous half century. I think it likely that the next 10 years' gains will surpass those of the past decade.

Why? Because, in almost every one of the great disease fields that cause most of the death and disability each year in the United States, there has been a tremendous opening up of new and promising avenues of research where just a few years ago there seemed to exist only blind alleys.

Hardening of the arteries is an outstanding example. Instead of previous, complete darkness, and little research interest and few researchers working on this disease whose consequence is 400,000 or more deaths each year, there is today a burgeoning of research. Already many, many new clues have been turned up, and some of the causative factors are being intensively researched and being broken down into firm specifics. We may well look for treatments and preventives of real effectiveness in the coming years.

Cancer, another stubborn and difficult enemy, may yield, at least in part, within a reasonable time. It would require a volume to list the many pathways of new knowledge that are being charted today. To mention one effort, being implemented on a scale and with an intensity never before seen in history, there is the great search for chemotherapeutic agents, drugs, that may be effective. This is highly promising—as are, indeed, other avenues of approach, such as the new one that involves the possibility of training viruses to attack cancer without harming the host.

In the field of mental illness, that affects so many in our Nation today, we may see very exciting developments. As I mentioned earlier, the tranquilizing drugs and others that act upon the central nervous system are already bringing benefits, but the most encouraging thing about them is the new roads that they will open up into understanding. A broad-scale program is just getting under way, for example, in psychopharmacotherapy that will mean both basic and clinical studies of a wide range and great magnitude.

The answer to the riddles of brain chemistry, an outstanding medical research authority has very recently said, may well come by 1967. Predicting tremendous strides in the next 10 years, he feels that we are on the threshold of great discoveries. These, he says, could mean that many mental illnesses could prove to be chemically remediable.

These are only a few examples of the many cheering and promising new developments, yet they serve to show why I feel so strongly that the past 10 years of progress are but a prelude of greater things to come.

This is why, too, I believe that the work we do in Congress to increase and speed up medical research is work that my own constituents desire me to do and at the same time a real fulfilling of my responsibilities to the whole electorate of the country, who look to Congress to establish and maintain programs that will protect and better their health and welfare.

Activities of the Committee on Un-American Activities During the 1st Session of the 85th Congress

EXTENSION OF REMARKS

OF

HON. FRANCIS E. WALTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. WALTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following report on the activities of the Committee on Un-American Activities during the 1st session of the 85th Congress:

REPORT BY CHAIRMAN FRANCIS E. WALTER ON THE ACTIVITIES OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES DURING THE 1ST SESSION OF THE 85TH CONGRESS

Through hearings and investigations conducted in key cities across the United States, the Committee on Un-American Activities thus far in 1957 has uncovered significant new aspects of the operation of the Communist conspiracy.

Paradoxically, the committee has found that at the very moment the Communist Party itself claims that its formal organization is disintegrating, the Communist apparatus has, in fact, been able to record some of its most important accomplishments.

The results of the committee's inquiries have shown that despite the brutal chronicle of communism in this country and abroad, and the Kremlin's patent goal of world enslavement, a great number of Americans still maintain allegiance to the program of conspiracy of international communism.

One major focus of the committee's work was Communist propaganda—material imported from overseas, and newspapers and other literature published by the Communist-controlled foreign-language press and Communist publishing houses in the United States.

Public hearings were held in Washington, D. C., New York, Chicago, and New Orleans, as a continuation of the committee's propaganda hearings conducted last year in Washington, D. C., Philadelphia, and San Francisco.

In New York the committee called before it 28 witnesses from foreign-language publications, periodicals, publishing firms, and book stores. During these hearings, Irving Fishman, Deputy Director of Customs in New York City, testified that 6,947,000 pieces of Communist propaganda were imported into the United States last year as bulk mail; this, he added, does not include Communist propaganda imported via first-class mail or diplomatic pouches.

In Chicago the committee heard 9 witnesses, among them the editors and business manager of the Lithuanian daily Vilnis, whose circulation of 32,000 makes it even larger than the Daily Worker. The hearings in both New York and Chicago provided further proof that the Communist-dominated foreign-language press constitutes the Kremlin's most important propaganda pipeline to nationality and minority groups in the United States.

In order to present to the American people a complete picture of the international Communist conspiracy, the committee this year extended its series of consultations with experts who have had firsthand contact with the global program of the Kremlin. Together their testimony confirms that the operations of the Communist apparatus in the United States comprise only one segment of a worldwide complex of subversion and treachery.

In one of these consultations, Dr. Frederick Charles Schwarz, executive director of the Christian Anti-Communist Crusade, predicted that international communism will achieve its goal of world domination within the next 16 years if its present rate of expansion continues unabated.

In another, three experts warned that trade with the Soviet Union and other Communist nations is a one-way street that can lead only to the ultimate destruction of United States economy.

Reviewing the Communist threat in the Far East, Kuo-Shuen Chang, a former Singapore newspaper editor, reported that Communist labor-union and student organizations, backed by combat-trained guerrillas, are preparing to seize control of Singapore and Malaya in the vacuum created by termination of the British rule there.

Another witness, Dr. August Rei, former President of Estonia, revealed that the Soviet Union has now converted the conquered Baltic States of Estonia, Latvia, and Lithuania into a vast staging area for a future world war. Dr. Rei and two Hungarian officials who fled after the revolution was crushed last fall, presented an appalling description of Soviet terror.

Dr. Rei testified that more than 170,000 of a total Estonian population of 1,200,000 had fallen victim to Soviet murder and deportation after the seizure of his country by the Kremlin.

The two leaders of the Hungarian revolution, Janos Jorvath and Sandor Kiss, reported that Hungary is now in the grip of a reign of terror imposed by the Red army and the reconstituted Hungarian security troops. Significantly, all of the witnesses who testified on international communism urged severance of diplomatic relations with the Kremlin and the satellite governments.

The Committee on Un-American Activities this year also inaugurated publication of biographies of leaders of the Soviet Union and international communism. Those released thus far have dealt with Nikita Khrushchev and Nikolai Bulganin, Marshals Georgi Zhukov and Ivan Konev of the Soviet Union; and Mao Tse-tung and Chou En-lai of Red China. The information contained in these biographies demonstrates beyond any doubt the hopelessness of attempting to negotiate with the leaders of international communism as if they were men of good faith.

Distribution of the staff consultations with experts on international communism and the biographies has been made throughout the country. The response that they have occasioned indicates that they have helped fill a need in the knowledge of the American people about the true nature of international communism.

Another need was filled with the publication by the committee of an extensive report on Communist Political Subversion—the campaign to destroy the security programs of the United States Government. The report resulted from hearings held by the committee in key cities across the United States, during which the committee heard dozens of witnesses and compiled thousands of documents dealing with the Communist program. The testimony and committee documents have been published in two massive volumes reflecting one of the most exhaustive inquiries ever made by a Congressional committee into any aspect of communism.

The committee found that a prodigious campaign of political subversion, clandestinely directed by a nationwide apparatus of Communist agents, menaces the entire security system of the United States. The essence of this campaign, the committee found, is the perversion of our democratic process of Government. If it continues unabated, it promises the Kremlin a degree of success that never could have been achieved by the classic means of force and violence.

The chief targets of the Communist Party in its political subversion campaign, the committee found, are the Walter-McCarran Immigration and Nationality Act, the Internal Security Act, the Smith Act and, indeed, all other legislative and executive actions aimed against the Kremlin's operations in the United States.

The Committee on Un-American Activities found that the Communist Party has succeeded in establishing over 200 organizations to execute this campaign of political subversion. While these individual organizations claim to be independent and autonomous, the committee found that they are in fact, controlled in every instance by the Communist Party. Through these organizations the Communist Party has been able to subject both major political parties, State legislatures, and the Congress to an impact of letters, petitions, and personal appeals, all of which are designed to fabricate the impression that a popular sentiment exists for enfeebling the safeguards presently established by our immigration and security systems.

To cope successfully with aspects of the Communist apparatus not treated adequately in current laws, the Committee on Un-American Activities formulated and presented to the Congress proposals for legislation coordinating all individual recommendations that have been made in this field. Together they would greatly strengthen the Government's hand in dealing with all manifestations of Communist activity.

While it was impossible for the Congress to consider the legislation in the few days that remained of the session after it was introduced, it is hoped that action can be taken as soon as possible when Congress reconvenes.

One of the most acute problems presented by the Communist conspiracy continues to be that of espionage. Through testimony obtained from Boris Morros, the American counterspy whose work for over more than a decade has resulted in the exposure of nine key Soviet spies, the committee has been able to obtain connection links which it hopes will enable it to trace the pattern of Soviet espionage in yet undivulged areas.

United States and India

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 30, 1957

Mr. CELLER. Mr. Speaker, to have a friend, you have to be one. At this juncture in world affairs, we certainly need friends and we especially need them in Asia. An opportunity will soon present itself whereby we can extend the hand of real friendship to India. India is seeking a loan of $1 billion from the western democracies for the next 3 years and it is contemplated that the United States Government will be asked to contribute one-half thereof, or $500 million. The remainder may come from Britain and further loans from the International Bank for Reconstruction and Development as well as from private sources. India has been receiving about $60 million a year in United States foreign aid. Fifty million of this is for economic development but mostly on a loan basis. Ten million thereof is in the nature of technical assistance.

India has inaugurated a second 5-year plan, and if this aid is not given, the same will have to be cut drastically or unfortunately abandoned. Most essential projects in its second 5-year plan of industrialization would have to be postponed for many years, or even abandoned. This second 5-year plan has already run into difficulties. The amount of outside financing needed by the Indian Government and private enterprises proved larger than the original plan's estimates. As a result of the import of capital goods required by the plan, India's foreign-exchange reserves have dwindled by some $435 million in 1956–57. It is now certain that the total balance-of-payment deficit during the 5-year plan will be much higher than the original estimate of $830 million. These loans are essential or the plan may go a-glimmering.

Premier Nehru has stressed India's economy as being fundamentally sound and that there is great potential wealth in India. He stresses that the present foreign-exchange difficulties have been brought about by heavy investments in wealth-producing goods and not by the importation of luxuries. India is most anxious to raise the standard of living of her teeming millions. For this the second 5-year plan is most necessary.

Toward the end of September, Indian Finance Minister T. T. Krishnamachari will come to Washington, to attend a board meeting of the International Monetary Fund. At that time, he will discuss the matters of loans with the Secretary of State, if not with President Eisenhower. It is interesting to note that Secretary Dulles has stated that the United States would give sympathetic consideration to any Indian request for economic assistance.

I personally cherish the hope that the Congress will not unduly interfere with efforts to effectuate a substantial loan to India.

I hope, too, that India and her representatives will not try to pressurize the administration by saying that if we do not make the loan, they will go to Moscow for it. I am quite sure that argument will not wash. Frankly, it is a baseless argument and should fall on deaf ears. I do not think that Moscow could or would make a loan of such magnitude without imposing conditions that would stultify India.

India has made considerable industrial progress latterly. There has been a minimum increase of 30 percent in production in all sections of Indian industry. Beyond that, the rate of capital formations in India have been rather rapid. When India obtained her independence, there was a notable dearth of engineering industries. This has all been changed. For example, almost 95 percent of all component parts of bicycles used in India are of native manufacture. India is making rapid strides in the production of automobiles. India mined 30 million tons of coal annually at the time she achieved independence. The figures today are around 44 million. In 1947 she produced 860,000 tons of steel. In the current year, the production is 1,340,000 tons. In 1947 she produced 1,400,000 tons of cement. Current production is 6,100,000 tons. Many more figures could be presented to indicate the great strides made in India's production.

There are many in this country who deplore the so-called nonalinement foreign policy maintained by India. They claim India must make a choice between the two power blocs. I personally would prefer to have India aline herself with the West. But there is an old adage attributed to our own Indians: "Let me not pass judgment on my brother before I have walked 6 months in his moccasins." Perhaps we should try and see this situation through Indian eyes, especially in the light of her geographical location, with her vast common border with Red China, and the other factors which make her hesitate to come over emphatically to our side. Also, I am a bit intolerant of those who say "If you are not with us, you are against us." I am confident that India is not against us. On the contrary, I would estimate that India's attitude toward us is one of benevolent neutrality. I say this despite some intemperate remarks registered by representatives of India at the United Nations and elsewhere.

Beyond all this, remember that India asks for a loan and not a handout. India has vast resources. With hard work and increased productivity, the loan will be paid on the due dates. India might well follow the hard toil that is being put forth by the Germans. It was their industry, perseverance, and hard labor that pulled West Germany out of her economic difficulties. Be it remembered, also, that India's basic economy is capitalistic, although in many instances that economy is controlled due to local conditions.

I am well aware also that the attitude of Krishna Menon, chief delegate of India to the United Nations at the last session, was hardly to our liking, particularly when he said that the Hungarian revolt was an internal affair. It is even difficult to understand an Associated Press dispatch out of New Delhi dated as late as September 9, which reads as follows:

> Prime Minister Nehru said today, "Condemnation of the Soviet Union for suppressing the Hungarian revolt would only make the situation worse."

I am in utter disaccord, and I am sure the Western democracies are in disaccord, with Mr. Nehru when he so cavalierly says that we should not condemn the Soviet Union. Also, it was a sad commentary when India abstained on the Hungarian resolution of the United Nations.

Frankly, it is expressions of this character which makes it very difficult for the well-wishers of India in the United States to be helpful to her. Both Premier Nehru and his dynamic Defense Minister and Chief Delegate to the United Nations, V. K. Krishna Menon, might well leave unsaid some of their unjustified criticisms against the United States and mute their unjustified yet favorable comments of Soviet Russia.

In any event, I do indeed hope that the administration will look with kindly eye upon the application which India may make for this loan. Without this loan, the prime targets of India's 5-year plan will not be reached. Then, the Government of India might have to resort increasingly to centralization and regimentation of her economy and a regimented economy might tend toward gradual elimination of political and individual freedom. Communism would beckon and might take hold.

It is possible, with the help of the United States and other Western democracies, to participate in the underwriting and guaranteeing of the success of Indian development. We dare not allow Indian efforts to fail. If there is economic failure or—worse still—collapse in India, the failure or collapse would spread throughout south Asia. We cannot, dare not, permit such a catastrophe. If we fail to help, the day will surely and bitterly come when we will reproach ourselves.

Coal Research Subcommittee Publishes Excellent Report

EXTENSION OF REMARKS

OF

HON. ELIZABETH KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mrs. KEE. Mr. Speaker, the Coal Research Subcommittee is to be congratulated for the excellent report just published. We West Virginians have been vitally interested in activities and studies conducted by this group over the past 15 months, for we recognize that from these findings can come new opportunities and new hopes for families in mining communities. I spoke in support of the resolution to establish the Coal Research Subcommittee when Congressman SAYLOR introduced it in the 84th Congress. In the next session of Congress beginning in January I shall make every effort to bring about passage of legislation to implement these recommendations.

Meanwhile, Mr. Speaker, a number of the subcommittee's recommendations can be carried out without waiting for Congress to reconvene if the administration is willing to view the overall energy panorama with objectivity rather than to proceed with policies that are detrimental to the best interests of the Nation and to the welfare of the coal industry. In the first place, the White House should take immediate steps to correct a situation that is described thusly on page 42 of the subcommittee report: "Government agencies disregard fuels cost."

The very first case history in the report in support of this accusation relates to the new Air Force Academy, whose boilers are scheduled to use natural gas despite an abundance of coal within the immediate area. I submit that, even if gas supplies were at the moment available at costs below those at which coal can be delivered, it is incumbent upon the Department of Defense to use the more plentiful solid fuel. This observation is inspired by figures published by the United States Bureau of Mines and the Geological Survey which show that coal accounts for well over 90 percent of our total mineral fuels resources, as compared to less than 1 percent for natural gas; furthermore, the Federal Government has repeatedly acknowledged that coal should be utilized wherever feasible in preference to our depleting supplies of oil and natural gas.

The Department of Defense itself has from time to time recommended that all military facilities choose coal over oil and natural gas not only to conserve the scarce energy resources but also to preclude shortages in an emergency.

Other Government installations listed in the Coal Research Subcommittee report as currently burning gas or oil when coal is the logical fuel include the Philadelphia Naval Shipyard, the naval ordnance plant at Louisville, Ky., Bainbridge, Md., Naval Training Center, the new Army hospital at Fort Dix, N. J., the

Social Security Building at Baltimore, and a number of other Government bases within close proximity of coal-producing areas.

The administration need not wait until January to correct these abuses. If the White House is aware of the contents of the subcommittee report, then it should act quickly in implementation of the recommendations. If the report has been withheld from the President, responsible administration officials are obligated to send a copy to Newport immediately.

Elsewhere the subcommittee reviews the havoc wrought in coal communities by imports of residual oil. The administration, through a series of investigations by Cabinet members and others close to the White House, has accumulated tons of evidence in proof that excessive imports are counter to the public welfare. Again, it is the responsibility of the administration to substitute action for delay and procrastination if the coal industry is to improve its economy and at the same time get in position to accelerate its production to the levels that would be required under emergency conditions.

Gas imports is another subject covered by the subcommittee. At this very moment hearings are in progress before the Federal Power Commission on applications to pipe Canadian gas into markets now being served by bituminous coal. Unless these applications are rejected, the coal industry will be further victimized by irrational Government policies that subordinate the interests of American citizens to those of international fuel profiteers.

The following paragraphs, which appear on pages 41 and 42 of the subcommittee report, speak for themselves. A word from the administration would be sufficient to include remedial provisions in the gas legislation that is to be considered when Congress reconvenes; meanwhile, the Federal Power Commission should exercise its general authority by restraining gas transmission companies from further usurpation of coal markets through exploitation of loopholes in the Natural Gas Act.

> Coal has been driven out of the market in many areas by the practice of interstate pipeline companies of selling gas to certain consumers and distributors at below cost plus a fair proportion of fixed charges. Prospective consumers are induced to turn to the use of natural gas through contract proposals calling for the delivery of interruptible gas at extremely low, unrealistic rates. Subsequently, as the demand increases for the higher priced, firm contract (uninterruptible) gas, the supply of interruptible gas is reduced. Sooner or later those who have installed gas-burning equipment on the strength of the below-cost gas rates dangled before them must either contract to purchase a firm supply of gas at higher rates or turn to the use of a lower priced fuel—which would entail considerable cost and inconvenience if the standby fuel-burning facilities are not designed for the use of the cheaper fuel. In the meantime, the pipeline companies have captured additional customers and have inflicted considerable damage on the competitive fuels industries.
>
> The President's Advisory Committee on Energy Supplies and Resources Policy noted that sales either for resale or direct consumption below actual cost plus a fair proportion of fixed charges which drive out competing fuels constitute unfair competition and are inimical to a sound fuels economy and recommended that appropriate action be taken that will prohibit such sales. The subcommittee also notes that the Office of Defense Mobilization is on record as favoring legislation which would amend the Natural Gas Act of 1938 so as to prohibit below-cost sales of natural gas. Until such legislation is enacted, natural gas will continue to be sold at below-cost rates wherever and to the extent such practice serves the purpose of some interstate pipeline companies. The impact of such sales will continue to be felt by the coal industry already weakened by such practices.

Mr. Speaker, the case for coal will be determined when legislation to carry out the recommendations of the subcommittee is presented in January. Meanwhile, many of the inequitable policies which redound to the disadvantage of the industry can and should be corrected by the administration without delay.

Report to Constituents on Work of the 85th Congress

EXTENSION OF REMARKS

OF

HON. A. L. MILLER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. MILLER of Nebraska. Mr. Speaker, it has been my practice for the 15 years I have been a Member of Congress to make a yearly report to the people I represent. I want them to know how I voted and to have my views on all public questions. It is their right and it is my responsibility.

NEWSPAPER AND RADIO REPORT EACH WEEK

In my humble opinion, it is the duty of every Member of Congress to keep in close touch with the people that he represents, to know their wishes and keep them informed of pending legislation. I have tried to do this each year by writing a weekly newsletter which goes to approximately 90 newspapers and 14 radio stations, and a number of interested individuals in the district.

I tape a weekly radio program entitled "What's Happening in the Nation's Capital." This program has been carried over the years by all of the radio stations in the district. There has been an occasional TV film. The newspapers and radio and TV stations have been most kind to use these efforts of mine as a public service. I deeply appreciate their help in bringing these reports to the people.

VISIT TO 38 COUNTIES AND 100 TOWNS IN THE DISTRICT

I make it a practice when Congress is in session to stay here on the job. In doing so I have missed out on many invitations to attend various meetings in Nebraska. By staying on the job I have kept one of the best voting records in Congress, in the upper 5 percent.

When Congress is not in session, I make it a practice to be out in the district talking with people at county fairs, service clubs, church groups, farm meetings, and similar gatherings.

In off-election years I hold Government clinics in each of the 38 courthouses for the purpose of discussing problems of Government with my constituents.

LEADERSHIP BY CONGRESS AND THE PRESIDENT

This Nation is entering the fifth year of a world at peace, a period that began with the ending of the Korean war in 1953. It seems to me that we have progressed, day by day, to a more permanent, enduring, and solid structure for conducting our world affairs. It is to be hoped that the disarmament conference will bear good fruits.

This Nation and the world have advanced far in the production of death-dealing weapons. The guided missile is about to take the place of the airplane. The atomic age has burst upon us and if used properly could promise a better world with better living conditions.

The budget has been balanced for the third straight time. Deficit spending has become a thing of the past. Corruption in Government has been held at a minimum. The Communists no longer hold positions of responsibility. Our leadership in world affairs has been firmed. This Nation no longer jumps from crisis to crisis. We have demonstrated a sincere desire for peace by positive, constructive acts and deeds. We can be thankful we do live in a world of peace. Tense though it may be, it has given us a prayerful respite from the slaughter and destruction of two major wars.

If this Nation continues to enjoy wise political, economic, and spiritual leadership, we can rise to new heights of position and power in this world.

BUDGET

One of the greatest roars of protest in the history of the Nation began to batter at the ears of Congress after the President announced his budget for the 1958 fiscal year. It was the largest peacetime budget in history.

I wrote the President and made a protest about the enormous budget and the growth of Federal Government. I pointed out that with proper management we could cut $8 to $10 billion from the budget without injuring a single vital, necessary function of government. I suggested:

First. Adopt all of the Hoover Commission recommendations.

Second. Cut down on foreign economic aid.

Third. Trim the payroll by 10 percent. Stop hiring to fill vacancies.

Fourth. Stop new matching and grant-in-aid programs.

The administration did adopt some of the suggestions and it looks like there will be a savings of around $5 billion of the original proposed budget of $71.8 billion.

I have had hundreds of letters from Nebraska protesting the budget. They were indignant letters. They were detailed and sound in their reasoning. I am mighty glad of the response.

I consider myself a conservative-moderate Republican. I believe in spending when the money goes for the current and future needs of a growing American economy.

I have not been able to go along with the administration on Federal aid to education, increased spending for foreign aid, and additional spending for new welfare programs. I cannot and will not be a rubber stamp.

SCHOOL CONSTRUCTION

For several years I have announced my opposition to Federal aid to education. I have worked and voted against such aid. I have done so because I believe these problems should be left to the people in the local communities. I want no big government in Washington controlling our county and State school systems. As a former teacher in a rural school, it is my conviction that communities should build, operate, and maintain their schools at the local level and without Federal interference.

FOREIGN AID

In the past 10 years, the American taxpayer has been called upon to send more than $65 billion to some 70 countries around the world. I have long been opposed to foreign aid with the exception of food, medicine, clothing, and technical help for needy people. It seems to me we have wasted billions of dollars in the past few years trying to buy friends that cannot be bought. I voted against foreign aid.

HELLS CANYON

Of course, you heard the rumbling over the Hells Canyon issue. Here was a case where proponents of Federal power wanted to spend half a billion dollars of Federal money to construct a high dam over the Snake River out in the Northwest at the very same place where a private power company is already building a series of three dams to accomplish the very same purpose.

The private company has spent about $58 million. The Federal power people wanted to bury this construction and start over. As a matter of fact the production of power would be nearly the same, whichever plan was used.

Nebraska's public power is entirely different from Federal power. We elect our own directors; our electric energy is not controlled from Washington. We do have good local control. I have supported 98 percent of public-power projects in other States.

At the same time I am a firm believer in the free enterprise on which this Nation was founded. It is my steadfast conviction that the Government should not do for the people what the people are able to do for themselves.

There is room in our country for both private and public power—it should not become a political football.

SUPREME COURT

Decisions made by the Supreme Court during the past year have been very disturbing to me. Of course, the one which hit the Nation with the greatest impact was the Girard case, the young soldier who was turned over for trial to the Japanese after he killed a woman.

The case drew a lot of protest. Few tried to argue that Girard was innocent but all demanded that he be tried by an American court-martial. The status of forces agreements came in for a great deal of criticism. I am sure some more effective legislation is needed than we have now.

The Supreme Court also freed a confessed rapist on the technical ground that he had been held too long before arraignment. This man walks the streets of Washington today. There were other cases where Communists were turned loose on technical grounds.

Perhaps the worst of all was in the case where the Court in effect opened up the secret files of the FBI and thus weakened the powers of law enforcement. Some corrective legislation was passed in the final days of the session.

IRRIGATION AND FLOOD CONTROL

We had a severe setback this past session when the Ainsworth and Farwell irrigation districts were denied starting funds. Recognized as two of the best projects in the Missouri River Basin, the projects were denied because of a poor presentation of the facts by the Department of the Interior and the fact that the Nebraska Legislature had passed a misinterpreted resolution against grants-in-aid projects.

These latter projects have no relation to irrigation or reclamation, but opponents made hay with the resolution.

The Democratic leadership effectively prevented the omnibus rivers and harbors bill from coming to the floor. The Gering Valley flood-control project was a valued item in this bill, but too many unsound, unauthorized projects had been included. We tried hard to get a clean bill introduced, leaving out the unapproved items. The leadership prevented this. Of course, we will try again next year.

Sufficient funds were granted this year by Congress for the completion of the Sargent Irrigation District. Funds also were approved for the completion of Glendo Dam, which will provide more power for Nebraska, Wyoming, and Colorado. We were successful in getting adjusted contracts for the Northport Irrigation District and the Mirage Flats Irrigation District.

The 230-kilovolt line from Fort Randall to Grand Island is still an uncertainty. The Appropriations Committee refused to consider it. I believe we would be better off if the power interests in Nebraska joined together, borrowed the money from REA, and built it themselves. Three years ago we could have had the line, but at that time some of the power interests were against it. They thought a 115-kilovolt line would do the job. They refused to look into the future.

FARM PROGRAM

The farm program is in somewhat of a mess. There are many differences between the cotton, tobacco, wheat, and corn farmers and the individuals living in the city.

The best news for Nebraska, however, is that the drought seems to have been broken. There was a good small-grain crop, the best hay and alfalfa crop we have ever had. It is good news to know that the price of hogs and cattle is satisfactory. In general, over the Nation agriculture seems in a better position than it was a year ago. The farm income is up 7 percent in the last year. New discoveries in better feeds, better fertilizer, and better farming methods have helped cure an agriculture that had been quite sick.

Next year I hope there is good sound farm legislation. I believe that discoveries can be made that will find ways and means of using surplus agriculture products for industrial uses. The Commission inquiring into further industrial uses of grains and other farm crops has made its report, which calls for more research in finding new methods of using surplus crops. I feel sure that American scientists will discover these new methods that will tie industry and agriculture closer together.

PEACE AND TAXES

The world has been at peace, I think, partly because we have spent a great deal of money in a sound defense program. Of course, this has caused taxes to remain high. About two-thirds of the tax dollar goes to maintain the peace and to pay for past wars. Recent military manpower cuts indicate a speeding up as we change to more modern methods of war. The national defense is being streamlined to meet the requirements of the nuclear age.

CIVIL RIGHTS

The civil-rights issue occasioned many days of debate in the Senate. This is the question of protecting the Negro and his voting rights. It seems to me that in the last discussion there was more politics than there should have been. The issue has little effect in Nebraska. I supported the administration for a good bill which, in revised form, went to the White House after the Senate's one-man filibuster ended.

THE PRESIDENT AND CONGRESS

This Congress has proved one of the most frustrating, difficult, and inconclusive that I can remember in my 15 years as a Member of the House of Representatives.

The Congress has been more productive of political maneuvering than of constructive legislation. There has been much partisan bickering. There has been too much logrolling and vote trading.

The vacillation comes about because of the different political complexions of the President and the Congress. When the Chief Executive is of one political complexion and the Congress another, legislation becomes extremely difficult. There have been too many roadblocks thrown in front of good legislation.

The President has shown restraint in dealing with Congress. There are times when he seems to have had poor advice.

The President said he was bitterly disappointed with the results of this Congress. He made some 203 recommendations but less than half of them were approved.

It seems to me that in all legislation there is some good and some bad. I have often wished it were possible to vote for the 70 percent that might be good and reject the balance in any bill. That is not possible.

I have always felt that legislation should be considered on its merits. I have supported those measures which I thought were right. If my conscience told me a measure was wrong, I have withheld my support.

Many controversial bills which should have come to the floor at this session were bypassed by the Democrat-controlled Congress and will have to wait until next year for action. I am not satisfied with the record we made. I believe we could have done better with a Republican President and a Republican Congress.

It has been a great privilege and a great responsibility to represent the people who live in the Fourth District for with every privilege comes responsibility.

As long as I am a Member of Congress I shall try to discharge my responsibility to the very best of my ability.

Good Labor-Management Relations

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to call attention to an outstanding example of good labor and management relationship. In these days when the press is filled with the accounts of wrongdoings of a few union officers and members, the public is inclined to attribute all the wrongs of labor and management relations to organized labor. Unfortunately, the sensationalism of a widely publicized investigation often obscures the vast amount of good things that go on as a matter of routine day by day and which are the product of enlightened work of progressive union labor leaders and their counterparts in management.

Such an example is the progressive activities of the electrical industry in New York City. There, almost 15 years ago, labor and management decided to join together in a team to work out their own problems. Labor wanted employment opportunities, job security, and a measure of security in old age and in event of disaster. Management sought a high level of production, responsibility in its dealings with labor, and all of those conditions that make it possible to produce to the satisfaction of the public. This team was called the Joint Industry Board of the Electrical Industry and it was formed on April 1, 1943. Ten members from management and 10 out of labor comprised this team of members of Local No. 3 of the International Brotherhood of Electrical Workers and the Electrical Contracting Industry in New York City.

This team had three purposes:

First. To find ways and means to expand harmony between management and labor.

Second. To work out plans for increasing the services of electrical contractors to the public.

Third. To develop new tools and methods of installation to increase production and cut costs.

Suffice to say that in the intervening time the team has more than justified the faith in the plan of such industry leaders as Harry Van Arsdale, of the union, and Harry F. Fischbach and A. Lincoln Bush, of the electrical contractors.

The public is getting the benefit of the widest use of all types of labor-saving tools and methods and production is very high. The worker has obtained the benefit of a high hourly wage, plus medical, pension, and educational benefits and apprenticeship and training which is a pace setter for the entire construction industry.

I am pleased to note that these good things have, indeed, been given some measure of recognition. The September 3, 1957, issue of Look magazine has a picture story of this fine relationship which comes from effective union leadership. It is entitled "What Should a Union Be?" The January 1956 issue of Reader's Digest contains another excellent article on this relationship entitled "The Union That Gives More to the Boss," by Lester Velie.

This team has produced many unusual but effective methods to achieve better labor-management relations. For example, members of the union themselves have stepped up production by eliminating incompetence on the job. This was accomplished by the setting up of a union school and through the elimination by union members themselves of loafing on the job. The ancient practice of featherbedding has been eliminated. Union members have invented various tools and methods raising the production throughout the industry. Union members are assured of efficient administration within their union and through financial reports rendered at their monthly meetings at which attendance is almost a matter of compulsion.

A joint union-employer hiring office was established. Members of the union have obtained pensions, free dental care and medical checkups, and were the first in the building trade to receive paid vacations.

A joint management-union committee administers the welfare system in the industry, thus the employers now plan with the union instead of fighting a welfare system.

This same team has produced low-cost apartments for members of local No. 3. A convalescent home has been established for union members. One of the most recent progressive steps has been the establishment of scholarships for the children of union members.

Thus, this combination of labor and management has established a remarkable welfare program which provides not only lifetime protection against illness, accidents, and unemployment, but a substantial retirement income after the age of 65.

The funds that provide these benefits throughout the industry are amply protected by sound fiscal requirements and management.

It is, indeed, a point of personal satisfaction for me to call attention to this outstanding example of progressive labor-management relationship, for one of the founders and leaders of this program is a personal friend of long standing, Harry F. Fischbach, a man for whom I have the highest regard and who typifies by his industrial and personal life a true leader, a great leader in a progressive industry.

Record of Committee on Public Works in the 85th Congress, 1st Session

EXTENSION OF REMARKS

OF

HON. CHARLES A. BUCKLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. BUCKLEY. Mr. Speaker, under leave granted to extend my remarks, I include the following summary of public-works legislation reported by the Committee on Public Works during the 1st session of the 85th Congress:

LAWS ENACTED

Public Law 85-3: Extends time for report of President's Advisory Commission on Presidential Office Space.

Public Law 85-23: Gives consent of Congress to Merrimack River flood-control compact entered into between the States of Massachusetts and New Hampshire creating the Merrimack River Valley Flood Control Commission and defining its powers and functions relating to approval of flood-control projects constructed by the United States.

Public Laws 85-85, 85-93, and 85-95: Provides for remodeling the existing Senate Office Building, increases the limit of cost on the new Senate Office Building, and authorizes furnishings for the new building.

Public Law 85-106: Extends the times for commencing and completing the toll bridge over the Rainy River at or near Baudette, Minn.

Public Law 85-108: Increases the borrowing authority and clarifies the general powers of the St. Lawrence Seaway Development Corporation.

Public Law 85-113: Reenacts authorization for the highway bridge over the Pigeon River below High Falls, Minn.

Public Law 85-130: Conveys lands at McNary lock and dam project, Oregon and Washington, to the port of Walla Walla, Wash.

Public Law 85-138: Designates the lake created by the Jim Woodruff Dam, Apalachicola River, Ga., as Lake Seminole.

Public Law 85-143: Authorizes payment by Bureau of Public Roads of transportation and subsistence costs to temporary employees on direct Federal highway projects.

Public Law 85-146: Authorizes municipal water supply from Lake Texoma for the city of Sherman, Tex.

Public Law 85–148: Extends period for amortization of indebtedness of bridge over the Missouri River near Rulo, Nebr.

Public Law 85–159: Authorizes the construction of a hydroelectric power project on the Niagara River at Niagara Falls, N. Y., which would utilize all of the United States share of the amount of water in the Niagara River made available for power redevelopment under the terms of a treaty between the United States and Canada entered into in 1950. Such development is to be accomplished by authorizing and directing the Federal Power Commission to issue a license, pursuant to the provisions of the Federal Power Act, to the New York State Power Authority, an instrumentality of the State of New York. The State power authority would finance, construct, and operate the project, including the United States share, under the 1950 treaty, of the cost of remedial works without aid or assistance from the Federal Government. Provision is made for inclusion in the license of specific conditions relating to the disposition of project power. This law affords an acceptable basis for the long-delayed development of a great natural resource.

Public Law 85–169: Transfers ownership to Allegany County, Md., of a bridge loaned by the Bureau of Public Roads.

Public Law 85–178: Conveys Bunker Hill Island in Lake Cumberland near Burnside, Ky., to the Commonwealth of Kentucky.

Public Law 85–221: Authorizes an additional bridge across Bear Creek at or near Lovel Point, Baltimore County, Md., and collection of tolls.

Public Law 85–230: Increases the storage capacity of the Whitney Dam and Reservoir, Tex.

Public Law 85–242: Amends the act of June 3, 1896, to provide for construction of new terminal facilities between 17th Street on the south shore of Gowanus Creek and Fort Hamilton, N. Y.

Public Law 85–245: Returns to former owners certain mineral interests in lands acquired for Arkabutla, Sardis, Enid, and Grenada Reservoirs, Miss.

Public Law 85–294: Authorizes expenditure of Federal funds to reconstruct lock and dam No. 3 on Little Kanawha River, West Virginia.

BILLS PASSED BY THE HOUSE AND PENDING IN THE SENATE COMMITTEE

H. R. 2: Authorizes the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test, on a 3-year basis, the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes.

H. R. 2548: Authorizes payment for losses sustained by owners of wells in the vicinity of the construction area of the New Cumberland Dam project by reason of the lowering of the level of water in such wells as a result of the construction of New Cumberland Dam project.

H. R. 3770: Renames the Strawn Dam and Reservoir project in the State of Kansas as the John Redmond Dam and Reservoir.

H. R. 4260: Authorizes the Chief of Engineers to publish information pamphlets, maps, brochures, and other material.

H. R. 4683: Authorizes adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the Lake Greeson Reservoir, Narrows Dam.

H. R. 6660: Provides that the lock and dam referred to as the Tuscaloosa lock and dam on the Black Warrior River, Ala., shall hereafter be known and designated as the William Bacon Oliver lock and dam.

H. R. 6701: Grants the consent of Congress to the Tennessee River Basin water pollution control compact.

H. R. 8576: Authorizes the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes.

H. J. Res. 382: Grants the consent and approval of Congress to an amendment of the agreement between the States of Vermont and New York relating to the creation of the Lake Champlain Bridge Commission.

BILLS PASSED BY THE SENATE AND PENDING IN THE HOUSE COMMITTEE ON PUBLIC WORKS

S. 1003: Provides for adjustments in the lands or interests therein acquired for the Albeni Falls Reservoir project, Idaho, by the reconveyance of certain lands or interests therein to the former owners thereof.

S. 1587: Authorizes the construction of protective measures in the city of New Bedford and the town of Fairhaven, Mass., to afford hurricane tidal flood protection for New Bedford, Fairhaven, and Acushnet, Mass.

S. 1726: Authorizes certain construction for the protection of the Narragansett Bay area against hurricane tidal flooding.

S. 1785: Designates the reservoir located above Heart-Butte Dam in Grant County, N. Dak., as Lake Tschida.

S. 1869: Amends the Tennessee Valley Authority Act of 1933, as amended.

S. 2108: Amends the Public Buildings Act of 1949, to authorize the Administrator of General Services to name, rename, or otherwise designate any building under the custody and control of the General Services Administration.

S. 2109: Amends an act extending the authorized taking area for public building construction under the Public Buildings Act of 1926, as amended, to exclude therefrom the area within E and F Streets and 19th Street and Virginia Avenue NW., in the District of Columbia.

S. 2228: Amends section 5 of the Flood Control Act of August 18, 1941, as amended, pertaining to emergency flood-control work.

S. 2676: Authorizes the Secretary of the Army to make a survey of a water route from Albany, N. Y., into Lake Champlain, N. Y. and Vt., with ultimate connection with the St. Lawrence River.

REPORTED AND PENDING ON HOUSE CALENDARS

S. 497: Authorizes construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, beach erosion, and other purposes. This is the omnibus bill of 1957 and is divided into two parts: Title I, river and harbor projects—navigation and beach erosion control—and title II, flood-control projects. There are four general types of authorization in the bill: First, individual project authorizations or modifications of existing authorizations; second, increases in river basin monetary authorizations; third, matters of general legislation not pertaining to specific projects; and fourth, surveys.

S. 2261: Authorizes construction of Federal buildings by direct appropriation and repeal of lease-purchase program. Primary purposes of the bill, as amended by the committee, are as follows:

First. To authorize appropriations totaling $1,500 million for the 5-year period ending July 1, 1962;

Second. To authorize for construction by direct appropriation all building projects previously approved under the lease-purchase program by the Committees on Public Works of the Senate and the House of Representatives, with the exception of certain projects within the District of Columbia and one project at Rock Island, Ill.

Third. To amend the act of May 25, 1926—which is the basic authority for direct appropriation construction—to provide that before appropriations shall be made for direct construction in the future, a prospectus of each proposed project will have to be submitted and approved by the Committees on Public Works of the Senate and the House of Representatives in order to insure the equitable distribution of projects throughout the United States with due regard for the comparative urgency of need for such projects.

Fourth. To repeal those sections of Public Law 519, 83d Congress, which authorized the Administrator of General Services and the Postmaster General to enter into lease-purchase agreements for periods ranging from 10 to 25 years for acquisition of real property.

H. R. 4266: Amends the Tennessee Valley Authority Act of 1933, as amended, to authorize TVA to issue and sell revenue bonds to finance needed additions to its power system. Such bonds would not be obligations of, nor guaranteed by the United States. The principal of, and the interest on, such bonds would be payable solely from TVA's power revenues, and TVA would be directed to charge rates for power sufficient to cover debt service on the bonds as well as other expenses and payments for which provision is made under the bill. Proceeds of the bonds could be used for construction, acquisition, enlargement, improvement, or replacement of any plant or other facility used for the generation or transmission of electric power or in connection with lease-purchase transactions.

H. R. 7870: Amends the act of July 1, 1955, to authorize an additional $10 million for the completion of the Inter-American Highway.

SURVEY RESOLUTIONS

In addition to the bills considered and acted upon by the committee, a number of river and harbor and flood-control resolutions proposed by individual Members of Congress, which require only committee action, were approved. These resolutions authorized review survey studies by the Corps of Engineers, Department of the Army, that will ultimately result in project reports submitted to Congress if the projects are found feasible and are approved by the Board of Engineers for Rivers and Harbors, the Chief of Engineers, and the Secretary of the Army.

GENERAL ACTIVITIES

The committee had 447 bills for consideration during the 1st session of the 85th Congress dealing with such subjects as navigation improvements, flood control, water pollution, beach erosion, highways, public buildings, land conveyances, and water supplies. The committee gave particular study and attention to the needs of every section of the country in reporting the omnibus river and harbor and flood-control bill of 1957 and in acting upon survey resolutions pertaining to civil-works projects, especially with respect to flood-control remedial works necessary as a result of the last three major flood disasters—the hurricanes and floods of 1955, which left such a widespread path of destruction through the New England and Middle Atlantic States, the unprecedented rainfall and floods in California and adjacent States during the Christmas holidays of 1955, and the floods throughout the Southwest United States during May and early June of this year. In this last instance the committee appointed a special subcommittee which made an exhaustive, on-the-ground inspection, the results of which are contained in a report made by the subcommittee on June 29—The Southwest Flood of 1957, Committee Publication No. 85-4.

In all of these accomplishments I have had the active cooperation and valuable aid of all committee members. I pay special tribute to Representatives GEORGE H. FALLON, CLIFFORD DAVIS, JOHN A. BLATNIK, and ROBERT E. JONES, who served as chairmen of the subcommittees. I want to give credit, too, to our efficient and hard-working staff. The committee is fortunate in having capable and experienced staff members and I commend them for a job well done.

Federal Expenditures in Montana

EXTENSION OF REMARKS
OF

HON. MIKE MANSFIELD

OF MONTANA
IN THE SENATE OF THE UNITED STATES
Friday, August 30, 1957

Mr. MANSFIELD. Mr. President, economy was the theme of the first session of the 85th Congress and the budget submitted to Congress by President Eisenhower for the operation of the Federal Government in fiscal year 1958 was reduced by nearly $5 billion in funds appropriated by Congress.

However, estimated Federal spending in Montana was increased by an additional $11,197,134 for fiscal year 1958. Appropriations totaling $220,909,849 have been programed for Montana for the 12-month period which began on July 1 of this year. In fiscal year 1957 the Federal Government spent $209,712,715 in Montana. These annual appropriations continue to be the largest single source of income to the State.

Federal income and excise taxes collected in Montana for fiscal year 1956 was in the amount of $128,991,000. On the basis of the above figures Federal expenditures in the State will be at the rate of approximately $1.71 for every $1 collected in Montana.

The Agriculture Department contributed the most to the State and the Commerce Department and the Defense Department are the next two largest sources of Federal moneys.

These appropriations do not include public works projects such as Helena Valley, the second powerplant at Fort Peck and others as portions of these are repayable.

It was a distinct pleasure to work with Senator JAMES E. MURRAY, Congressmen LEE METCALF, and LEROY ANDERSON. We worked together—held periodic conferences—in connection with all matters affecting Montana's welfare and endeavored at all times to work as a unit in furthering the development and best interests of our State.

I ask unanimous consent to include in the CONGRESSIONAL RECORD a table of the major Federal departments and agencies who programed funds in Montana.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Federal expenditures in State of Montana by departments

Departments	Fiscal year 1957	Fiscal year 1958	Increase (+) or decrease (−)
Commerce: Census Bureau, Weather Bureau, Coast and Geodetic Survey, Bureau of Public Roads, Civil Aeronautics Administration	$35,505,173	$44,194,235	+$8,689,062
(Highway program)	(31,915,857)	(40,297,442)	(+8,381,585)
Treasury: Bureau of Customs, Internal Revenue and Savings Bonds Division	1,169,405	1,234,896	+65,491
Labor: Bureau of Labor Statistics, Wage and Hour Division, employees compensation, apprenticeship and training, employment security	2,024,771	2,008,674	−16,097
Post Office	7,840,000	8,133,000	+293,000
Justice: Legal activities, Immigration and Naturalization Service	557,647	645,000	+87,353
General Services Administration: Government buildings and services, minerals purchase programs	6,887,060	7,212,516	+325,456
Veterans' Administration: General administration, medical and hospital services, benefit payments	14,634,166	14,634,166	
Defense: Departments of the Army, Navy, and Air Force	32,260,000	31,854,000	−406,000
Interior: Bonneville Power Administration, Bureau of Land Management, Bureau of Indian Affairs, Bureau of Reclamation, Geological Survey, Bureau of Mines, National Park Service, Bureau of Sport Fisheries and Wildlife	$14,480,392	$17,971,256	$+3,490,864
Health, Education, and Welfare: American Printing House for the Blind, Office of Education, Vocational Rehabilitation, Public Health Service, and Social Security Administration	8,861,571	9,704,805	+843,234
Agriculture: Agricultural Research Service, Extension Service, Forest Service, Soil Conservation Service, Conservation Program Service, Marketing Service,[1] soil-bank program, Commodity Stabilization Service, Commodity Credit Corporation, Federal Crop Insurance Corporation,[2] REA, FHA, Office of General Counsel	85,492,720	83,317,391	−2,175,329
Total	209,712,715	220,909,849	+11,197,134

[1] Since it is not practicable to estimate in advance the availability or demand for surplus commodities, the estimate for 1958 is not included.

[2] Since it is not practicable to estimate the amount of crop insurance indemnity payments in advance an estimate for 1958 is not included. Estimate premium income is as follows: 1957, $1,429,511; 1958, $1,500,000.

Magazines Get Cheap Postal Rates

EXTENSION OF REMARKS
OF

HON. WILLIAM LANGER

OF NORTH DAKOTA
IN THE SENATE OF THE UNITED STATES
Friday, August 30, 1957

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement prepared by me on the postal rates for magazines.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, for many years, the publishers of Life magazine have been getting away with murder on postal rates. In 1947 and 1948 when I was chairman of the Post Office and Civil Service Committee they offered to increase their rates 10 percent for 3 consecutive years. This was refused because the record showed that they should pay a great deal more. Some of these magazines charged as much as $40,000 a page for advertising.

That they are making a terrific amount of money is shown by the following report on Time and Life magazines to the stockholders on January 16, 1957:

"The most important thing about the year is that 1956 was the best year that Time, Inc., and its magazines ever enjoyed. We estimate our net profit for the year 1956 at approximately $6.75 per share (exclusive of the capital gains on the liquidation of our Houston Oil Co. stock) as compared with $4.72 per share in 1955. * * * A historical footnote to our special letter of 19 years ago: We believe that the level of earnings attained by Life in 1956 has never been equaled by any other magazine in the history of publishing. * * * In early December we announced jointly with Rockefeller Center, Inc., our proposed joint venture for the construction of a new 47-story building adjacent to the Center which will house our future operations and provide several of the country's largest corporations with what we believe will be the finest office space available in New York City for the coming years."

The raising of postal rates to these magazines has been far, far, far too long delayed. The taxpayers are stuck millions of dollars a year to pay these postal rates for these magazines, and there isn't any earthly reason why they should not pay their way as does any other business.

I hope that when we meet in January it will be the first order of business on the part of the Committee on Post Office and Civil Service to get these rates adjusted and save the taxpayers some money.

Statement on Majority Report, Judiciary Antitrust Subcommittee No. 5, Regarding Regulated Airlines

EXTENSION OF REMARKS

OF

HON. OREN HARRIS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. HARRIS. Mr. Speaker, for years our Committee on Interstate and Foreign Commerce has given careful and constant attention to the problems of aviation. The act of 1938 was a most carefully prepared legislative program for the development of aviation to meet the needs of our country.

The act contains a declaration of Congressional policy which authorizes, directs, and charges the Civil Aeronautics Board with the responsibility of (a) the encouragement and development of an air transportation system properly adapted to the present and future needs of the foreign and domestic commerce of the United States, of the Postal Service, and of the national defense; (b) the regulation of air transportation in such manner as to recognize and preserve the inherent advantages of, assure the highest degree of safety in, and foster sound economic conditions in, such transportation, and to improve the relations between, and coordinate transportation by air carriers, as being in the public interest and in accordance with public convenience and necessity.

During these 20 years, tremendous developments in the field of aviation have resulted.

We have experienced progress in this field of transportation almost beyond comprehension. We have seen our commercial aviation program exceed the progress of most any other field in history. We have watched the dawn of a new age with jets, electronic devices, in air navigation aids, unmatched by anything in our experience. This progress and development has resulted under the act of 1938, providing regulatory procedure for commercial aviation attributing to the national defense and in cooperation with communication, advancement as a necessary entity to this program.

With the transition which our committee has followed closely in these past few years, we have observed some highly complicated and difficult problems. Mistakes have been made and, no doubt, there have been errors of judgment. With such fantastic developments in this field, trial and error process is necessary. Millions and millions of dollars of the taxpayers have gone into this development which has provided us with the difference between victory and defeat in the recent wars and perhaps our own preservation instead of destruction.

Even so in this regulatory field, close scrutiny is necessary by the regulatory agencies and with added consideration of any legislative changes to meet this fast-moving program. I would like to call attention to the recent report of our Committee on Interstate and Foreign Commerce filed with the House, House Report No. 1272, on some of these problems and the approaches being made to them. We shall continue to give the multiplicity of problems our closest and careful consideration to meet these ever-developing problems.

And, because, Mr. Speaker, of the intricacies involved in the development of this service in our transportation requirements and the monopolistic features which accompany any regulated industry, antitrust considerations cannot be overlooked if the public is to be adequately protected.

In consideration of this important problem, I am constrained to refer to the report of the Antitrust Subcommittee—Subcommittee No. 5—of the great Committee on the Judiciary, issued on April 5, 1957. This report was apparently issued to the Committee on the Judiciary by the subcommittee but was not submitted as a House report.

In view of the responsibilities of the committee on antitrust problems, and particularly the overlapping considerations of our own Committee on Interstate and Foreign Commerce, I have read the report with much interest.

This report is the result of extensive hearings of the subcommittee during the 84th Congress. It purports to be a rather full and complete inquiry, which, in my opinion, goes far beyond the monopolistic features and antitrust considerations. It is for this reason that I feel constrained to make these comments about it.

In many respects, the report contains constructive considerations, proper and appropriate within its jurisdiction. In other respects, the committe has gone, in my opinion, beyond its scope, and it is with some of these considerations which I feel constrained to take exceptions.

I cannot agree with the majority report concerning the subcommittee's investigation of commercial air transport. There is much in the voluminous report restating fundamental antitrust principles with which I am, of course, in agreement. Where I must depart from the complete report, however, is in regard to numerous conclusions and voluminous detail which I do not find fully supported by the record compiled in the subcommittee's hearing, or which are characterized by a one-sidedness failing accurately or fairly to reflect the whole record.

A comprehensive record consisting of four volumes compiled from that subcommittee's hearings was published and available for study by interested Members of the Congress for more than 6 months. From my own interest in the future welfare of this Nation's commercial air transport systems, I was not only shocked and surprised at the majority's report, purporting to be drawn from that record, but in my opinion from reading the hearings and from my personal knowledge of the facts, the report was issued in substantial disregard for the actual record, and exceeded the authorized purposes for the subcommittee's concerning itself with the aviation field.

I firmly believe in the essential policies and purposes of our antitrust laws to prevent monopoly, restraint of trade, and unfair or deceptive competitive practices to which the subcommittee should properly give its attention under its jurisdiction. Such policies and purposes should be applied to regulated industries to the maximum extent, with exceptions permissible only where other controlling public and national interest considerations are paramount. Where deficiencies in the effectiveness of antitrust policies are found to exist either in the regulatory statute or in its administration by the agency responsible, appropriate corrective measures should be taken. If the statute is deficient from an antitrust standpoint, legislation is in order. If not the statute but its administration by the agency charged with the responsibility therefor has been inadequate, remedial legislation or other guidance by the Congress are among the available remedies.

From the subcommittee's investigation of commercial air transport, apparently no major or glaring deficiencies in the regulatory statutes as such appear to have been developed. The Civil Aeronautics Act of 1938, by specific provisions in sections 2, 403, 404, 408, 409, 411, 412, 1002 (d) and (e) and 1107, among others, makes basic antitrust principles specifically applicable to commercial air transportation.

Furthermore, in view of the original developmental and promotional as well as regulatory purposes of that act, and the grant of grandfather certification by direction of the Congress to airline entities and route patterns as they existed at the time of enactment of such act, irrespective of whatever early Government policies may have accounted for their origins, development, and existence by that time, I find no record support or legitimate purpose for the subcommittee's now undertaking, retrospectively at such late date, to criticize phenomena in the early origins of this industry antedating the Civil Aeronautics Act. Much of the historic discussion seems to stem

from sources foreign to this subcommittee's record. For example, alleged secret meetings and spoils conferences involving the Post Office Department during some time prior to enactment of the Civil Aeronautics Act were not matters covered in the subcommittee's hearings. If they were to be of sufficient concern to require review by this subcommittee, appropriate hearings would first be in order. Otherwise conclusions in this report drawn in reliance upon outside sources seems to me not appropriate. I assume it to be a fair observation that all elements of the airline industry have endeavored to stimulate support for their particular interests in both the executive and legislative branches of the Government. However, I do not believe this record adequate for concluding that such efforts are an outstanding characteristic of the airline industry in comparison with other types of American businesses, even many of them which are not regulated industries.

Whether the activities permitted or countenanced by the Civil Aeronautics Board in its administration of the regulatory statute thereafter, however, have been in accord with the intent of Congress is quite another matter. It is this subject, insofar as of antitrust import, to which concern of the House Judiciary Subcommittee properly may be directed. The comparatively recent origin of the air transport industry and phenomena which have accompanied it in what is still a developmental stage are circumstances which would lead me to oppose recommendations at this time for any precipitous action. It is my belief that the report proposed from the subcommittee's inquiry has given inadequate attention to at least three important factors:

First. The report does not adequately analyze or treat the extent to which interplay of congressionally directed policies and purposes set forth in the regulatory statute properly may have required relegation of some antitrust concepts in specific instances to positions of inferior importance. As I read the Civil Aeronautics Act, and as it appears to have been interpreted by the Civil Aeronautics Board and the courts, antitrust principles are included in public interest concepts along with a variety of others, the relative importance of which in a given situation has been entrusted for determination by the Civil Aeronautics Board subject to review by higher authority. The report, however, fails to consider as I think it should, whatever weight the Civil Aeronautics Board properly may have given to other policies and purposes necessary for promotion and development of a sound air transportation industry in the interests of best serving the foreign and domestic commerce, the Postal Service and the national defense of the United States.

Nor does the report consider the importance of continuously decreasing cost to the American taxpayer through reduction of subsidies. For example, the proposed report implies that absence of competition, consummation of mergers, establishment of uniform standards under Civil Aeronautics Board approved machinery and other cooperative working arrangements among airlines must be condemned per se. This, to me, represents a rather superficial concern with only one criterion of public interest as defined in the Civil Aeronautics Act. From the record of the subcommittee's hearings, I am not in position to reach firm convictions as to the adequacy of the Civil Aeronautics Board's exercise of its responsibilities in all situations. However, I feel that the conclusions drawn in the report are unjust and perhaps unfounded, unless examination is undertaken of other reasons for which the Government has countenanced such activities and arrangements within the overall regulatory pattern prescribed for air transportation.

Second. The report contains characterizations in considerable detail and some conclusions which are of a derogatory nature from an antitrust standpoint. I am unable to find adequate support for many of them in the record of the subcommittee's hearings, and others I find specifically disproved by the record.

Third. Numerous items commented on in the report appear to me to constitute irrelevancies going beyond the subject of appropriate concern by the subcommittee and prejudicial to the agencies, organizations or companies to which they are related. Similarly, the report is deficient in failing to mention or properly evaluate countervailing evidence weighing upon a variety of disputed issues.

In the interests of brevity, I do not propose in this statement to deal with each detail concerning which my views of the record are in agreement with or dissent from the report.

I do not find record support in these hearings to the effect that the basic techniques of regulatory bodies are necessarily anticompetitive in nature.

As respects Government regulation of air transportation, I am in full accord with the principle that where actions taken pursuant to administrative approval receive specific exemption from prosecution under the antitrust laws, regulatory officials must still make an independent determination as to what weight is to be given to competitive standards in promulgating regulations or approving industry accords. The same is and should be true in licensing under the Civil Aeronautics Act.

The intended role of competition is, in my opinion, adequately covered in the Civil Aeronautics Act, the very terms of which clearly illustrate that Congress has combined conflicting economic policies and has required the Civil Aeronautics Board to exercise its authority so as to accommodate all such policies, determining whichever must be regarded as paramount in weighing the public interest in any given situation under the Board's jurisdiction.

It is for these reasons, together with the scope of the subcommittee's record that I regard generic criticism of other statutes and agencies administering them as irrelevant to and not a proper subject for discussion in this report.

In the subcommittee's discussion of the role of competition in air transportation over the years since enactment of the Civil Aeronautics Act, I must register firm objection to detailed reference to and quotations from those identified with only one side of a contention, and summary dismissal of extensive presentations, analyses, and record data on the other side. The weight and importance of this evidence are, in my opinion, understated merely by commenting: "These allegations were vigorously contested by the representatives from the certified air carriers who also testified at the hearing." The report, I feel, is deficient in not setting forth and weighing the reasons, argument, and data submitted in such vigorous contest. It is from such examples as this that I find a basic onesidedness reflected throughout the entire report.

I infer from the report the definite implication that failure by the Civil Aeronautics Board earlier to authorize new competitive air services automatically must be viewed as a disservice to the public interest. I do not believe such implications sustainable in disregard of whatever other considerations and circumstances may have contributed to the Board's various decisions. The Board's decisions are also guided by desire to avoid uneconomic duplication of or multiple service in markets of limited traffic opportunity and consequently avoiding adverse effect on Government subsidy requirements. Certainly I am not, nor do I believe the subcommittee was upon that record, in any position to reach conclusions as to overall propriety of route patterns established by the Board unless the subcommittee were to undertake more critical analysis of the stated reasons for the Board's actions and the detailed record upon which a particular decision by the Board was reached. This the report does not do. The record before the subcommittee explains, but the report does not mention, the Board's efforts to transform the operations of certain grandfather carriers from their original character of subsidized local and feeder services into self-sufficient trunk line operations. An alternate choice for the Board would have been to forever confine such pioneer grandfather carriers to their original subsidized status and open up the more lucrative long-haul markets to newcomers. Whether in retrospect the Board's choice in any such instance provided the greater protection of the public interest, I am not prepared to say, but from the record I do not believe that the subcommittee is entitled to arbitrary acceptance of the adverse view.

In my opinion the discussions devoted to the Air Transport Association, the International Air Transport Association, carrier relationships with those entrusted with dealing with the public as their authorized agents, and the extent of Civil Aeronautics Board control over such matters, are characterized by a onesidedness not representing a fair evaluation of the whole record.

Upon the basis of the record, I am unable to fully agree with the manner and detail in which the report deals with

Pan American World Airways, Inc. I do not believe that the report accurately analyzes the intensely competitive atmosphere in which international air services are now operated or the competitive positions of carriers operating in those fields.

Moreover, by adopting the technique of accepting as fact a variety of accusations made in years past against Pan American by its competitors, and failing to give weight to the testimony and other evidence submitted by Pan American, the report, in my opinion, leaves misleading impressions.

No weight is given to a statement submitted by Pan American calling the subcommittee's attention to the fact that a collection of attacks against Pan American accumulated over the years, long since had been examined into and thoroughly aired in adversary proceedings before the Civil Aeronautics Board. This is borne out by the North Atlantic Route Transfer case in which the Civil Aeronautics Board's assistant chief examiner weighed the full record on many of these matters in 1949, and found:

> These charges lose much of their significance and color when the testimony is read * * *.
>
> There are some incidents * * * where the acts of Pan American * * * can hardly be described as gracious to their competitors. For that matter, it is a rare matter to find any airline extending itself to welcome competition in its territory, so Pan American's attitude on that point is not unusual. However, the testimony does show that there were two sides to most of the controversies and incidents and it does not prove the charges, many of which have been made on numerous occasions * * *.
>
> * * * there is no occasion for considering the imposition of conditions (upon the North Atlantic route transfer) unless it should be concluded that the transaction as presented will not be consistent with the public interest, but will result in creating a monopoly or monopolies and thereby restrain competition and jeopardize another air carrier not a party to the purchase. On the basis of the evidence of record and the contentions and arguments of the parties, and all the foregoing considerations, the examiner cannot so find.

I cannot find that any new evidence was presented before the subcommittee to support any reason or basis for disputing the correctness of the above findings.

It is for these reasons that I do not feel that Pan American World Airways, Inc., has received the judicious treatment in the report that it or any other responsible business enterprise or private citizen should receive.

I would assume, and the Congress should expect, that the Civil Aeronautics Board will continue to regard consideration of antitrust policies as essential to its guardianship of the public interest in the maintenance and further development of sound United States-flag air-transport systems. However, I do not believe that the character of the majority report of the Judiciary Subcommittee makes any substantial contribution toward those ends; yet, I think it has done a great disservice to the elements of the airline industry with which it chose to deal.

St. Benedict's Abbey in Atchison, Kans., Celebrates 100th Anniversary

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EXTENSION OF REMARKS

OF

HON. WILLIAM H. AVERY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. AVERY. Mr. Speaker, during the month of August the St. Benedict's Abbey in Atchison, Kans., celebrated its 100th anniversary. Today the Abbey has more than 165 monks but it had only 2 when established at Doniphan, Kans., near Atchison, in April 1857.

In the early 1870's, the struggling monastery fought for its very existence because of drought, grasshopper plagues, and loans at 12 percent. The Benedictine monks overcame the obstacles and today operate St. Benedict's, a college of arts and sciences for more than 600 men, and Maur Hill High School for 210 students.

The combination of financial circumstances that almost terminated the history of St. Benedict's Abbey in the 1870's included the depression after the panic in 1873, the Kansas grasshopper plagues in 1874 and the following years, and debts that the monks incurred in maintaining a frontier college and a crops of priest-missionaries who rode many circuits tending the spiritual needs of settlers.

The Atchison Daily Globe newspaper on August 11, presented a special St. Benedict's centennial section. Among the many excellent articles was the following concerning the work of the monks:

> The Atchison monks have given a century of service to God in working with people of the Middle West. Their story begins on the steamboat landing at Doniphan, Kansas Territory, in April 1857, when two monks of St. Vincent's Abbey, Latrobe, Pa., arrived to open a priory there. They were the Reverend Augustine Wirth, O. S. B., the prior, and a seminarian ready to be ordained, the Reverend Casimir Seitz, O. S. B. Another Benedictine had been in Doniphan the year before—the Reverend Henry Lemke, O. S. B. He had built the first Catholic church there and had begged his abbot at Latrobe to open a priory there.
>
> The Benedictine monks on the frontier served the settlers in two ways, as missionaries and as teachers. In 1857 Prior Augustine opened a school at Doniphan. In October 1859, less than a year after he had removed the priory to Atchison, 6 miles south on the Missouri River, he opened St. Benedict's College.
>
> But the small band of Kansas monks made their biggest contribution in the frontier years by a saddle apostolate — the settlers. Quickly they developed three missionary circuits: the first a chain of stations in Atchison and Doniphan counties, the second a string of towns upwards along the Missouri River into Nebraska Territory, and the third a line of Catholic settlements on or near the road to Fort Kearney and the West.
>
> An early superior of the Atchison Benedictines became bishop of the old Leavenworth diocese. He was the Reverend Louis Mary Fink, O. S. B., who after 2 years as prior in Atchison was named by Pope Pius IX in 1870 to be coadjutor to Bishop John Baptist Miege, S. J., Vicar Apostolic of the Kansas Vicariate. Bishop Fink succeeded Miege when the latter resigned in 1874.
>
> In April 1876, St. Benedict's priory at Atchison was raised to the status of an abbey by papal act, and in September the monks elected a Benedictine of Latrobe, the Reverend Innocent Wolf, O. S. B., as their first abbot. He held office until a second abbot, the Reverend Martin Veth, O. S. B., was elected November 10, 1921. The present—the third—abbot of St. Benedict's, the Right Reverend Cuthbert McDonald, O. S. B., was elected July 6, 1943, to succeed Abbot Veth, then in his last illness.

Abbott Cuthbert carries out his many duties in a most commendable manner. He is dedicated to the service of God. He manages the business affairs of the monastic community and the college with professional efficiency. So far in his 14 years as superior, two residence halls, and a new abbey church have been constructed. Abbott Cuthbert and the fathers of the abbey are to be commended on the pioneering and progress which has been recorded. They can point with pride to their courageous heritage.

Four special dates in August marked the official observance of the founding of the monastery. All of the events took place in the new abbey church. The official opening of the St. Benedict's centennial year was coordinated with the first religious ceremony in the new church.

On August 11, the Benedictines set aside the day as Atchison Day, so that their many friends in Atchison and the Atchison populace could see the new church. On that day, Father Abbott Cuthbert McDonald blessed the church and sang a pontifical high Mass with Archbishop Edward Hunkler, Kansas City, Kans., preaching the sermon. Some 4,000 persons visited the church during the blessing ceremony and for the tours following.

On August 16, over 500 Catholic Sisters from northeast Kansas and 5 bordering States formed the choir at a mass sung by Abbott Cuthbert and were then dinner guests of the abbey in the college gymnasium.

On August 28, 30 Benedictine and Trappist abbots from the United States and Canada consecrated—simultaneously—30 minor altars of the new abbey church. Each abbot had some 5 or 6 assistants, which meant that approximately 180 persons were involved in the religious ceremony.

This is believed to be the largest multiple-altar consecration ceremony in the history of the Roman Catholic Church in North America.

On the following day, August 29, the apostolic delegate to the United States, the Most Reverend Amleto G. Cicognani, Washington, D. C., celebrated a pontifical high Mass which culminated the opening centennial activities. This day was set aside for out-of-town guests. An overflow crowd of former Atchison residents, relatives of monks, and graduates of St. Benedict's College attended.

My congratulations and best wishes to the reverend fathers of St. Benedict's. Through the years they have clearly demonstrated their faith in God and the future of America.

A Report to the People of Berks County

EXTENSION OF REMARKS

OF

HON. GEORGE M. RHODES

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. RHODES of Pennsylvania. Mr. Speaker, as has been my custom in years past, I take this opportunity of reporting to my constituents, the people of Berks County, the 14th Congressional District of Pennsylvania.

PURPOSE OF REPORT

This report deals with the work and the record of the first session of the 85th Congress. It summarizes my activities during the past year and the position I have taken on important issues in the Congress.

During the session, I have made weekly radio reports and have written a report for the weekly newspapers of Berks County. This printed report supplements the weekly radio broadcasts and news columns so that all citizens of Berks County may have the opportunity to know my legislative record and the record of the Congress as a whole.

REPRESENTATION

As a Representative of the people of Berks County in the Congress, I have made every effort to serve to the best of my ability. The views of every person who has written me on legislative issues have been afforded full consideration. Individual problems of constituents have been promptly handled. Every possible effort has been made to be of assistance to those persons who have come to my office for information, advice, or service. Again in the first session of the 85th Congress, I was present for every rollcall vote.

READING OFFICE

My office in the Reading Post Office Building has been open 6 days a week for the convenience of constituents who have problems or who wish to present their views and suggestions. I have spent every other weekend in Reading during the session and have fulfilled numerous appointments with constituents who called at my office.

WASHINGTON VISITS

An increased number of school groups, religious organizations, women's clubs, Boy and Girl Scout groups have come to Washington this year and visited me in the Capitol. With the help of Mrs. Rhodes, I have tried to make these visits interesting, educational, and enjoyable.

COMMITTEE WORK

During the 35th Congress I have served on the Interstate and Foreign Commerce Committee and the Committee on House Administration. The Commerce Committee has wide jurisdiction over matters pertaining to transportation, communications, health, science, and research. I am also a member of the Health and Science Subcommittee. Last February I served as chairman of a special committee which was named to represent the Commerce Committee at a meeting of deans and directors of schools of public health, held in San Juan, P. R.

My views on pending legislation were presented to other committees of the House and Senate on such subjects as railroad retirement, postal rates, assistance to the handicapped, civil-service retirement, postal pay, and tax exemption on nonprofit community swimming pool associations.

BILLS INTRODUCED

I have sponsored legislation to raise income-tax exemptions to $800, establish a Bureau of Older Persons, reduce the retirement age under social security, establish an agency to assist the handicapped, reduce small-business tax rates, stabilize employment in the textile industry, and to increase railroad retirement benefits. Other bills I have introduced would curb arbitrary cancellation of health, accident, and hospitalization insurance, prohibit destruction of the National Grange headquarters, grant tax deductions to handicapped persons, provide grants to schools of public health, liberalize public-assistance provisions of the Social Security Act, and limit subsidies paid to second-class mail users.

CONGRESSIONAL DEBATE

I have taken part in important debates on the floor of the House on such issues as postal rates, public-health funds, pension increases for Spanish-American War widows, exemption of nonprofit swimming-pool groups from Federal excise taxes, and providing additional wheat-acreage allotments for feed grain use on the farm.

CONSERVATIVE COALITION

A coalition of Republicans and southern Democrats was again a dominant force in the 85th Congress. This coalition succeeded in blocking or weakening many important measures which minority liberal Members of Congress considered essential.

LEGISLATIVE RECORD OF THE 85TH CONGRESS

The 85th Congress took an important step forward in enacting civil-rights legislation but failed to act favorably or to act at all on other important issues necessary to meet successfully the challenge of automation, abundance, and surpluses.

The average citizen did not properly share in the prosperity created by increased production, scientific and technical advances. Those of us who wanted to channel some of this prosperity to aged, retired, disabled, and handicapped citizens were in a minority.

Listed below are some of the important proposals which came before the 85th Congress.

COST OF LIVING—HARD MONEY POLICIES

The cost of living has gone up each month during the past year to a new record high. Inflation is particularly hard on retired persons and others living on fixed incomes since it reduces the amount of goods and services which they can afford. The American dollar today is worth less than ever before in our history.

The administration's monetary and fiscal policies have not stopped inflation. Many Members of Congress and recognized economic experts have been critical of these policies as the cause of the inflationary trend. The national debt has risen by $8 billion during the past 4 years; the Federal budget is the largest single peace time budget in our history. Interest rates which the Government must pay are now at their highest level since the depression years of the 1930's. In Federal taxes alone this costs the people an additional billion dollars a year. This has also raised interest rates on private borrowing to a similar record high, making it difficult for small businesses to expand, increasing costs of home-buying, automobile financing, and other consumer time-purchasing transactions. It has also increased costs of local governments in the issuance of bonds to finance new schools, streets, sewers, and other public improvements.

TAX REDUCTION

No tax cut was considered in the first session. But next January the House Ways and Means Committee will begin consideration of ways to reduce income taxes. Among the plans to be considered is my proposal to increase the exemption for taxpayers and dependents from $600 to $800. This would give substantial tax savings to the great majority of American taxpayers in the low and middle income brackets. It would put additional purchasing power into the hands of people and will contribute substantially to business activity and economic progress.

RETIREMENT LEGISLATION

Bills to increase benefits under the Railroad Retirement and Civil Service Retirement Acts made progress this year, but did not receive final approval before adjournment. Hearings were held on both measures, at which time I presented statements in support of an increase in benefits needed to offset the rising cost of living. There is a strong possibility that this legislation, which has my support, will be favorably acted on early in the next session.

SOCIAL SECURITY

Congress did nothing in this important field, despite the fact that rising costs cut the living level of retired persons receiving social-security benefits. At the end of 1956 more than 9 million persons in the United States were receiving old-age and survivors' insurance benefits. Over 18,000 of these persons reside in Berks County.

More than 73 million American wage earners are now covered. If death should take the family breadwinner, the mothers and children of 9 out of 10 families would be eligible for survivors' benefits.

Under amendments enacted last year, totally disabled individuals are now eligible for full benefits at age 50. However, rigid interpretation of the new disability provisions has denied many thousands of Americans of these benefits.

Much remains to be done to make the social-security program fully adequate in meeting the needs of our retired and disabled folks. The rising cost of living makes an increase in the benefits an urgent necessity. The retirement age for both men and women should be lowered to age 62 and 60, respectively. Disability benefits should be paid immediately upon disability, regardless of age. I am sponsoring legislation to make these improvements in the law.

Congress enacted a law to extend for another year the time limits for disabled persons to file applications for disability freeze to preserve their rights to old-age, survivors', and disability insurance.

LIBERAL DEMOCRATIC PROGRAM

I joined a group of northern and western liberal Democratic Members of Congress in offering a positive legislative program to meet the needs and challenges of our modern civilization.

Our program calls for tax reform, improved social security, aid to small business, strengthening of the antitrust laws, school construction, civil rights, improved utilization and conservation of our natural resources, a positive foreign policy, an adequate and modern national defense, expanded health and research, public-works projects, and an improved and realistic farm program.

All of these objectives cannot be achieved in one session or in one Congress. They are the types of programs which we feel are necessary to the long-range welfare of the American people. Progress on some of these measures has been made during the past session. On others, we have received setbacks. Considering the conservative makeup of the present Congress, I feel that our progress has been encouraging.

We will continue to work for this type of liberal and progressive program.

FARM LEGISLATION

Many farmers are being caught in the squeeze between rising living costs and declining farm income. They have not shared well in the Nation's increased production and wealth.

A bill which will benefit Berks farmers had my active support. It permits farmers to grow up to 30 acres of wheat for feed, without being subject to penalty under the acreage-allotment program. The new law was backed by Berks farm organizations.

Congress increased funds for the farm surplus disposal program, under which we trade our farm commodities for foreign currencies. These, in turn, are used to purchase strategic materials and to bolster their economies.

A limitation of $3,000 was placed on soil-bank acreage reserve payments, while conservation reserve payments were limited to $5,000 per farm unit. These limitations were enacted as a result of abuses of soil-bank payments among large corporation farms in the West. One such farm received $209,000 for not planting crops last year. The new law corrects this unwarranted situation.

CIVIL RIGHTS

For the first time in 82 years a civil-rights bill has been passed by Congress. It is a compromise measure, designed to protect the voting rights of all citizens. It also establishes a Commission on Civil Rights and a Civil Rights Section in the Justice Department. The measure is an important step forward on civil rights; it received my full support.

VETERANS

Legislation was enacted to increase by an average of 10 percent the rates of compensation for veterans suffering service-connected disabilities. Allowances for dependents of these veterans were also increased. This meritorious bill had my full support.

I spoke and voted for a House-passed bill to increase the pensions of Spanish-American War widows to $75 a month; the Senate failed to act on the measure this year. No action has yet been taken on World War I widows' pension legislation. Legislation to incorporate the Veterans of World War I made progress in the Judiciary Committee and is expected to come before the House next session.

An amendment to the Social Security Act permits disabled veterans to draw both service-connected disability compensation from the VA and social-security disability benefits without any reduction.

CONSERVATION

Conservationists in Congress turned back a powerful attack on the water pollution control program. Under the guise of economy, funds to provide grants to States to build sewage-treatment plants were first eliminated from the appropriation bill. They were finally restored on a rollcall vote. I voted for the grants, which are needed to control pollution to safeguard the public health and prevent destruction of fish in our rivers and streams.

GOVERNMENT FISCAL PROBE

The Senate Finance Committee began an extensive investigation of the administration's monetary and fiscal policies, including such problems as hard money, high interest rates, inflation, the public debt, and the budget.

It has already been disclosed that these policies had benefited big speculators and financial interests and seriously hurt small business, farmers, retired folks, professional and industrial workers.

POSTAL RATE INCREASE

The House passed the bill increasing first-class postal rates from 3 to 4 cents and making increases in second- and third-class rates. My amendment to limit publisher's subsidies to $100,000 for any one year was adopted by the House. I feel that it is unfair to require the average citizen to pay more for his letter postage unless subsidies to big magazine publishers, which now amount to as much as $9½ million a year for one publication, are substantially reduced.

This legislation is now in the Senate committee where it will be considered next session.

NATURAL GAS

A bill to exempt producers of natural gas from effective Federal regulation is again before the Congress. Vetoed last year after oil lobbyists attempted to bribe a Senator, the bill was again pushed through committee. Final action was put off until next session. I am opposed to the bill, because it is special-interest legislation which would cost the American gas-consuming public hundreds of millions of dollars in higher gas rates.

HOUSING

Increased grants for slum clearance and urban-renewal programs were authorized by Congress in the 1957 Housing Act. The Walnut Street redevelopment and parking project in Reading was approved by Federal housing officials during the year.

Downpayment requirements on FHA-insured homes were lowered after much administration reluctance. FHA interest rates were raised again, costing home buyers many additional millions of dollars a year.

The new housing measure failed to provide for special housing for elderly folks, a program for which I have been working.

LABOR-MANAGEMENT RACKETEERING PROBE

A special Senate subcommittee has conducted lengthy hearings on improper activities in the labor-management field. The AFL–CIO has moved to expel labor leaders whose actions have been contrary to the best interests of their membership. The hearings will continue in the next session.

Legislation to require more strict regulation of union welfare funds has been considered by various Congressional committees but no final action was taken in the first session.

SCHOOL CONSTRUCTION

Legislation to provide Federal assistance to States in building school classrooms to meet critical shortages was blocked in the House by a coalition of Republicans and southern Democrats by a narrow margin of 5 votes.

Although the President said he favored school-construction legislation, he gave it little positive support in the crucial stages. Three of his top four House leaders voted to kill the school bill, along with 108 other Republicans; I joined 125 other Democrats in voting for the school bill. The fate of school-construction legislation in the next session is now in doubt.

ATOMIC ENERGY AND POWER DEVELOPMENT

Congress provided funds for the construction of three atomic-power reactors by the Atomic Energy Commission.

The Niagara River project was approved by Congress authorizing the construction of a hydroelectric power project by the New York State Power Authority. Power generated will be divided between private utilities and municipally owned public utilities and cooperatives. Pennsylvania and other nearby States will share 10 percent of the power.

NONPROFIT SWIMMING POOLS

My bill to exempt dues and fees paid to nonprofit community swimming pools from the 20-percent Federal excise tax has passed the House as part of a broad excise-tax-revision measure. These pools serve a useful purpose in the community in providing healthy recreational facilities for children and young people.

Repeal of the tax would stimulate the growth of these nonprofit pool organizations throughout the country. The Senate is expected to act on my proposal in the next session.

DISTRESSED LABOR AREAS

Senate hearings were held on legislation to provide assistance to areas of our country suffering from chronic unemployment and severe economic distress. No action was taken in the House committee. I strongly favor this legislation and will continue to work for its enactment in the next session.

HEALTH AND HANDICAPPED

Funds for medical research were increased by the 85th Congress, assuring a continuation of the fight against heart disease, cancer, mental illness and other major diseases. Vocational rehabilitation programs to assist mentally retarded children, the blind, deaf, and other handicapped individuals were also extended. Legislation to assist in the training of job placement personnel to assist handicapped persons made progress in committee.

As a member of the Health and Science Subcommittee, I introduced and worked for legislation to improve our public health facilities and to help the handicapped achieve a happier and more productive way of life.

Our subcommittee held hearings on the potential dangers to the public from the use of untested chemical additives in food and other products. Legislation to require more extensive testing before these additives are approved by the Food and Drug Administration is pending before our group.

FOREIGN POLICY

Congress approved President Eisenhower's request for a Middle Eastern doctrine to discourage further Communist aggression. Some $200 million in military and economic aid funds for Middle Eastern countries was approved by Congress. Yet the Soviet threat continues to grow in that part of the world.

Congress ratified United States membership in the International Atomic Energy Agency to promote the peaceful uses of atomic energy for the good of mankind.

The mutual-security program was extended by Congress after reducing the administration's original fund request. A long-term economic loan program was authorized, along with funds for military aid, direct economic aid, and technical assistance programs.

In disarmament talks between the United States, Britain, France, and Russia, efforts have been made to limit the production of nuclear and hydrogen weapons. No tangible results of disarmament conferences have yet been forthcoming.

GOVERNMENT FISCAL POLICIES

President Eisenhower submitted to Congress the largest peacetime budget in our history. Congress cut the budget by over $5 billion, while, in the meantime, the administration instructed all Government agencies to hold fiscal 1958 expenditures to the fiscal 1957 levels.

Administration leaders themselves differed sharply over the size and necessity of recommended programs. I voted for reductions of the budget in areas where it was clear that the public welfare was not endangered. I opposed drastic cuts in the fields of public health, research, education, and other programs essential to the well-being of our people.

DEFENSE PROCUREMENT POLICIES

Procurement policies of the Defense Department have continued to favor large companies over their small-business competitors. Over 90 percent of defense contracts have been awarded without competitive bidding, contrary to sound public policy. The small-business share of defense prime contracts has now dropped to a record low.

MONTHLY NEWSLETTER

During the next session it is my plan to issue a newsletter summarizing Congressional activity each month. If you would be interested in receiving this newsletter, write your name and address on a post card and mail it to me at 1640 House Office Building, Washington 25, D. C.

AVAILABLE FOR MEETINGS

In a brief report such as this it is not possible to discuss in detail the issues before Congress. I welcome the opportunity to appear before any group in Berks County to speak and answer questions on the work of this session. Contact my Reading office with any such requests or on any other matter in which you may be interested.

A Report to the People on the 1st Session of the 85th Congress

EXTENSION OF REMARKS

OF

HON. ALFRED E. SANTANGELO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. SANTANGELO. Mr. Speaker, as the first year of the 85th Congress comes to a close, I wish to report to the people whom I am privileged to represent in the 18th Congressional District of New York. This first session, which lasted from January 3, 1957, to August 30, 1957, was the longest in the last 25 years. Much has been accomplished, much has been left undone, and analysts who demand clear-cut verdicts will be disappointed.

The major drives of this session were to economize, to reduce expenditures without impairing our defenses, and to forge a civil-rights bill. The major legislation dealt with civil rights, the mutual-security program, the revision of the immigration law, postal rate and pay increases, pay increases for classified employees, aid to stimulate private housing, aid to school construction, the Middle East doctrine, the protection of the FBI files, and, of course, the money appropriations to run the governmental agencies.

This session has rejected some of the President's proposals, but some of the Presidential defeats, as, for example, in the death of the school-aid bill, were caused largely by members of his own party and were compounded by his occasional lack of enthusiastic leadership. While everybody seemed to like Ike, no one knew for certain what Ike liked. Perhaps, the President's lack of influence with his party rests with the fact that under the Constitution this is his last term. Of necessity, therefore, the President had to appeal to bipartisan support to offset the alliance between southern Democratic conservatives and Republicans. This bipartisan support prevented the runaway economy movement and held the cuts to $5 billion where, in the beginning, it appeared that the total reduction might run about $10 billion.

As a first-term Congressman, I have taken a keen interest in the debate and, on many occasions, participated.

CIVIL RIGHTS

The civil rights legislation which was considered and passed was arrived at after many skirmishes and compromises. The results did not fully satisfy those who demanded a strong civil rights bill nor did the final measure please those who sought to limit the measure. Here was an issue, harsh, passionate and highly explosive. Never have I heard greater and more inspiring oratory on any subject matter. This issue divided the Democratic Party. On this basic civil-rights bill, the President neither wholly won nor wholly lost. The Deep South, the anti-civil-rights section of the country, was not totally defeated or victorious.

After 87 years the Congress finally enacted a measure affecting civil rights. The measure which finally passed protected only the right to vote and had these features: First, created a Federal Civil Rights Commission; second, established a Civil Rights Division within the Department of Justice; third, gave formidable new powers to the Federal Government to protect a single but basic civil right to vote—that is to say, Federal prosecutors are empowered to obtain injunctions with or without the consent of the victim against actual or threatened interference with the right to vote; fourth, gave to the judge in minor instances the discretion to proceed without a jury, but it also gave to the defendant charged with criminal contempt, a procedure whereby he could obtain a jury trial after conviction by a judge for criminal contempt, but imposed a possible increased jail sentence or fine if he selected a trial by jury and was found guilty.

The absolute right to a trial by jury, which was sought as an amendment to the original bill, was defeated in the House, but was passed by the Senate and finally compromised in the final bill.

I was happy to participate in the debate on this bill affecting human rights and the right to vote. I voted for the final bill and against the amendment in the House which would require a jury trial when a defendant was in contempt of court.

MIDDLE EAST DOCTRINE AND FOREIGN AID

The first great issue to confront Congress was the Middle East crisis. The President on January 5, asked the Senate and House to support him in an unusual enterprise, a joint Executive-Congressional proclamation pledging this country to use its military forces to keep peace in the Middle East. He also requested unrestricted authority to spend up to $200 million in already appropriated foreign-aid funds for special projects in the Middle East. This program would assist those countries that were or might become friends of the democracies.

This approach heralded and signaled a turning point in the President's foreign policy relationship with Congress. Heretofore, Congress had responded quickly, but not this year. After lengthy and bitter debate, which many Congressmen questioned the wisdom and effectiveness of the Eisenhower doctrine, the House approved the resolution. The Senate refused to follow blindly and after 2 months' debate, fixed the ultimate responsibility on the President directly. The Senate refused the President's request for unconditional authorization to use troops as he might see fit and instead proclaimed that the United States was prepared to act militarily if the President should deem it necessary. The House concurred in this resolution 355 to 61 with 188 Democrats, including myself, and 167 Republicans for the measure.

FOREIGN AID

The foreign aid policy received severe scrutiny and cold reappraisal by an economy-minded Congress. The struggle proceeded on two legislative courses. First, on the matter of policy, called authorization, and second, on the matter of money appropriations. The President requested authority to grant long-term economic assistance. The House cut down the Senate authorization of 3 years to 2 years. The House appropriation bill slashed deeply into the estimated funds and provided $2,524,760,000. The House spokesman resisted Presidential and Senate pressures and demonstrated that sufficient funds were still available from former appropriations. The House measure cut 25.4 percent from the estimates. The Senate, at the importunities of the President, sought to increase the appropriation. The final measure was $2,768,760,000 and 18.2 percent cut from the estimates. The outcome was a modified defeat for the administration, but not so severe a defeat as seemed certain from the belligerent atmosphere of the House whose Members were listening to the demands of their voters to reduce governmental spending. I voted for the foreign-aid bill with the reductions. Congress, therefore, cut foreign aid by $1 billion and cut from the defense appropriations for the Army, Navy, and Air Force, $2,368,150,000 out of approximately $36,128,000,000. It was the considered judgment that too much fat was in the estimates for defense and that billions of dollars from last year's appropriations were neither spent nor obligated and were still available for defense spending.

POSTAL RATES AND PAY INCREASES

After lengthy hearings by the Post Office and Civil Service Committee, a postal rate increase was approved, subsequently passed by the House, and not acted upon by the Senate. When the chairman refused to call hearings for postal pay raises, a petition was circulated, discharging the committee from further consideration and bringing the pay raise bill to the floor without committee approval. The required 218 signatures were obtained and brought about action by the Post Office Committee to hold hearings. After full hearings an increase of $546 across the board was recommended. The administration opposed the modest increases as inflationary, while it did nothing about rising prices of steel with its concomitant rise of prices of basic commodities, such as refrigerators, stoves, and other articles using steel. Classified employees also clamored for justifiable pay increases, and the Post Office Committee approved a 12-percent increase. I was privileged as a member of the Post Office Committee to fight for pay increases for our postal employees and classified governmental workers who cannot bargain or strike. I participated actively in the debate for decent wages to permit our governmental servants to work in dignity and not labor in debt.

SCHOOL AID

A major disappointment was the defeat of the school construction bill by a close margin of five votes. The House considered a $1½ billion authorization for construction over a period of 5 years as a starter, but because of lack of Republican support, the motion by a southern conservative Democrat to strike out the enacting clause, that is to say to kill the bill, was approved. Among those who voted to kill this bill were ranking Republicans. Despite the importunities of the Secretary of Health, Education, and Welfare, Marion Folsom, to the President to call Republicans to support the bill, no help came from the White House. One hundred and eleven Republicans and ninety-seven Democrats voted to kill the bill. Despite the Republican platform advocating aid for school construction, this bill was defeated.

In summary, I wish to point out those bills which I supported and which I opposed. I voted for the Mid-East doctrine in the original and in its final form. I supported foreign aid with the cuts. I supported Federal aid to school construction, the protection of civil rights, and the right to vote. I opposed the jury trial amendment to the civil rights bill which would have made impossible the enforcement of the legislation. I voted for aid to small business and aid to private housing. I supported the immigration law which passed the House at the close of the session, which bill, while not completely satisfactory, was a step in the right direction. I voted against postal rate increases because of the unfair provisions against the users of first-class mail while favoring the users of the second class and junk mail. I voted for postal pay and classified employee increases. I voted for the bill for the protection of FBI files from indiscriminate inspection and at the same time would permit a defendant the right to inspect statements by a Government witness if the court determined it would not prejudice the safety of the United States.

Last year while running for Congress, the voters of my district, in response to a questionnaire circulated by me, indicated their viewpoints and preferences. I have voted my conscience with the knowledge of what my contituents desired. It was an honor and a privilege to be a Member of the House of Representatives.

Despite the enforced absence from my five young children, family, and wife, this session was enlightening, stimulating, and pleasant. Many of my burdens and difficulties were eased by an extremely efficient staff in Washington and New York and by the House employees who were always ready to assist and help.

Awarding of Television Station Franchises Important to the Public

EXTENSION OF REMARKS

OF

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. BRAY. Mr. Speaker, the granting of television station franchises is of great interest not only to the broadcasting industry but also to the general public. The developments which precede such decisions are sometimes lost sight of because they often stretch over a long period of time. The allocations in Indianapolis over a 4-year period can be summed up in the following résumé:

In 1953 there were 6 applicants for the 2 VHF television channels which had been designated for Indianapolis. The applicants for channel 8 were:

First. Crosley Broadcasting Corp.
Second. Television Indianapolis, Inc.
Third. Universal Broadcasting, Inc.

The applicants for channel 13 were:

First. Indianapolis Broadcasting, Inc.
Second. Midwest TV Corp.
Third. WIBC, Inc.

Of the six applicants all but the Crosley Broadcasting Corp. were composed of or dominated by local Indiana people.

Late in 1953 Crosley withdrew its application for channel 8 and applied for channel 13. After the Crosley withdrawal, Television Indianapolis, Inc., dropped its application, which left Universal as the only applicant for channel 8, and this grant was made in December 1953. Subsequent to the withdrawal of Television Indianapolis, Inc., and prior to the grant to Universal, there was a reorganization of Universal Broadcasting, Inc., in which many of the stockholders of Television, Indianapolis, Inc., were brought into Universal.

It is perhaps understandable that some of the stockholders of Television Indianapolis, Inc., would think it wise to drop their application and later to obtain stock in Universal Broadcasting, Inc. It is more difficult to understand why Crosley would drop out of a race with 2 other applicants to enter a race with 3 applicants, each of which was a completely local organization. Playing this long shot proved successful, however, for in

March 1957 the FCC, by a 4–3 vote, awarded channel 13 to Crosley.

The awarding of these franchises throughout the country deserves the continued scrutiny of us all. They are not only valuable properties, they are factors of vital importance to the public interest.

Organized Labor Continues Fight To Advance Health of Children

EXTENSION OF REMARKS
OF

HON. WAYNE MORSE

OF OREGON
IN THE SENATE OF THE UNITED STATES
Friday, August 30, 1957

Mr. MORSE. Mr. President, in the midst of all the furor in our newspapers and other mediums of public communication over the few members in the ranks of organized labor whose actions have been subject to inquiry and judicial action, I should like to call the attention of the Senate to the pioneer work now being done by a much larger and more responsible segment of organized labor in the fight against a terrible and mysterious killer of children which medical science has labeled "cystic fibrosis."

The William Green Memorial Fund committee raised over a million and a quarter dollars to endow philanthropic works as memorials to the late president of the American Federation of Labor, who served with distinction as the head of that great organization from 1924 until his death in 1952 without one single voice ever having been raised to question his honesty and integrity. This memorial fund came from a "head tax" of 1½ cents a member a month for a year—18 cents a member in 1 year if you please—contributed by the international unions. This demonstrates graphically what a great force for good organized labor has been, is at the present time, and will continue to be in the future.

One ordinary rank-and-file member of organized labor here in Washington lost his 9-year-old daughter to this mysterious killer, which is being fought on a national scale by the National Cystic Fibrosis Research Foundation in Philadelphia. He joined the local chapter of the research organization and interested himself in the chapter's work. Last year he made application for a grant from the Green Memorial Foundation to establish a CF clinic to give the extra care to other parents' children that his child did not have. George Meany and the other labor leaders who administer the William Green Memorial fund granted his request and endowed a clinic for cystic fibrosis victims at Children's Hospital in Washington, D. C., with $25,000 which was, incidentally, $5,000 more than he had requested.

There is now operating, at Children's Hospital, the William Green Children's Clinic; conceived, planned, endowed, and supported by organized labor. I have been informed that it is believed to be the first such endowed clinic ever established especially for the diagnosis and treatment of cystic fibrosis.

This disease, which is hereditary, attacks the children with malfunctions of the digestive and respiratory systems, I have been told. While some progress has been made in the past 10 years, including some research at the National Institutes of Health, much still remains to be accomplished to control this disease which medical experts have declared kills more children than any other chronic disease.

I believe that organized labor, which has a magnificent record of service for children, should receive full recognition for this additional piece of good work. It is really pioneering; it is spearheading the assault on this very real danger to the lives of our babies and young children in the Nation; cystic fibrosis.

It is for this reason that I ask to have inserted in the RECORD the action taken by the Washington, D. C., Central Labor Union as it expressed its appreciation for the help which the national AFL–CIO is giving to this great humanitarian work.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

> *Resolved*, That we express our appreciation to our parent body, the AFL–CIO, for its encouragement and material help in assisting research and treatment intended to wipe out this scourge of children, cystic fibrosis. This action of our parent body is in line with the services for the health and well-being of all children which has characterized our labor movement from its inception. It is, in a sense, a memorial to those children who have given their lives, we trust not in vain, in order to focus the attention of good men everywhere on this mysterious and merciless killer. We commend the AFL–CIO and urge that similar support be given this movement by State and local federations of labor throughout the Nation.
>
> WASHINGRON CENTRAL LABOR UNION,
> C. F. PRELLER, *President*.
> F. H. MCGUIGAN, *Secretary*.

Foreign Trade and Foreign Policy

EXTENSION OF REMARKS
OF

HON. THEODORE FRANCIS GREEN

OF RHODE ISLAND
IN THE SENATE OF THE UNITED STATES
Friday, August 30, 1957

Mr. GREEN. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address I delivered before the Foreign Trade Club of the Greater Providence Chamber of Commerce.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

> Mr. Chairman, members of the Foreign Trade Club of the Greater Providence Chamber of Commerce, and guests, it is a pleasure for me to be with you here this evening and to be given this opportunity of speaking to you, especially on matters which are of particular interest to your group.
>
> Thomas Macaulay once said: "Man is so inconsistent a creature that it is impossible to reason from his belief to his conduct, or from one part of his belief to another." As evidence of the accuracy of Mr. Macaulay's observation, I offer the following lively example:
>
> Some years ago a public-opinion poll showed that a substantial majority of the people of this country favored the reciprocal trade agreements program. A second poll, conducted at about the same time, revealed that a majority was against lowering tariff barriers to imports of foreign products.
>
> To you people interested in international trade, I need hardly point out that these two polls reflect at least some slight inconsistency in the attitudes of the people of the United States. As a writer, Mr. Macaulay might dismiss this inconsistency with a wave of his pen. A Senator is not in the same situation. He exists, along with ministers and psychiatrists and judges, not only because man is frequently inconsistent with himself but also because there are substantial inconsistencies among men. The Senator's job is largely to understand these inconsistencies and to do what he can to reconcile them through legislation.
>
> The inconsistency in public attitudes toward foreign trade, as reflected in the two polls I mentioned, is the one to which I want to direct your attention tonight. There is little point in ignoring this inconsistency. There is much to be said for recognizing that it exists. There is much more to be said for seeking to deal with it through foreign policy as well as in other ways.
>
> If we examine the implications of the two polls, I believe we find that they add up to this: The people of the United States generally believe that foreign trade is a good and helpful thing for this country. At the same time, many of them have reservations about one aspect of it—imports. They may even approve of that aspect in the abstract, but they are, not infrequently, downright suspicious of it in the specific case. They are suspicious of imports as something which may hurt them or even the country as a whole.
>
> Those of you who are especially interested in this matter will fully appreciate the fact that a foreign trade cannot flourish without both exports and imports. We cannot dismiss the inconsistency to which I referred, however, as merely an attitude of the uninitiated. Some of you who are jewelry manufacturers or textile producers may well share it.
>
> Rather than dismiss it, I believe we ought to try to see what lies beneath the inconsistency. What are the realities of foreign trade which tend to produce it? Why do we both love and hate this trade at the same time?
>
> We can begin, I believe, by noting that foreign trade, as a general proposition, is a good and helpful thing for the country, and most of us recognize it as such. The reasons for this attitude relate directly to the well-being of the Nation. They are to be found on both the export and import sides of the foreign-trade coin.
>
> On the import side, this Nation is consuming various raw materials at a fantastic rate in order to maintain our present high standard of living. Ten percent of these materials now come from abroad, and conservative estimates indicate that this percentage will double by 1975.
>
> Ten percent may not appear to be a very significant proportion of our total raw material requirements. However, if we divide this total into its components, we find that our dependency on imports of certain strategic commodities is very great indeed. At the present time, for example, we import 50 percent or more of our total needs in chromite, tin, manganese, tungsten, wool, cobalt, and bauxite. By 1975, it may well be that copper, lead, and zinc will be added to this list and iron ore will not be far behind.
>
> In addition to these strategic items, we import substantial amounts of many other

products which are highly useful in keeping the wheels of our industrialized society turning. We also obtain from abroad thousands of other products which, while they may not be absolutely essential, certainly serve to add a little extra to the comfort of our lives. Few of us here today, for example, failed to set out this morning without coffee from Latin America or tea from India or Ceylon. Some of us, moreover, find pleasure in a work of art imported from the Orient, Europe, or Africa. Others like to move about the streets in a British or German automobile or on an Italian motor scooter, rather than in a streetcar or on foot. Even though I do happen to be a member of this automotive avant-garde, I can understand the sentiments of one who is a member.

The examples I have cited could be multiplied many times. The point I am trying to make, however, should be clear. It is this: Imports are essential to the highly developed economy of the United States, and they are a significant element in the richness and diversity of our daily life. They are also a substantial factor in employment. One conservative estimate I have seen, places the total number which stem directly from the processing, transporting, and distributing of imports at well over a million jobs.

Public awareness of the importance and benefits of imports—in the sense that I have just been discussing them—is growing in this country. That may be one reason why foreign trade, as a general proposition, is looked upon with increasing favor here. So much for imports.

How about exports? Of course, they have long contributed to building a favorable attitude towards our trade abroad. Except in times of temporary shortages at home or when they take the form of foreign aid, there has been little disagreement on the part of the public as to the desirability of expanding the Nation's exports to the maximum possible extent. This attitude has deep historical roots. You will recall that Congress is expressly forbidden by the Constitution any power to levy a tax or duty on exports.

This favorable attitude toward exports also has a very practical modern application. Exports are a major source of profits and employment. We can obtain some idea of the importance of exports to our prosperity if we consider that over 3 million jobs are directly dependent on the export trade. Our export sales abroad are larger than the sales of the automobile industry in this country. Nearly 11 percent of the production of our soft coal industry is sold abroad; and about 5 percent of our output of synthetic textiles. As for major farm products, more than 25 percent of all the wheat, rice, cotton and hops is exported.

Without export markets many businesses in the United States would be forced to close their doors; others would find themselves with severely curtailed profits. We would be confronted with a widespread unemployment problem. Agricultural surpluses would overwhelm us.

As in the case of imports, so is the case of exports. I could cite hundreds of specific examples of their importance to the national economy. There is neither the time nor the need to do that, especially with you people here this evening.

Let me place this importance, however, in a broader perspective. I suppose that if our foreign trade were suddenly stopped completely—both imports and exports—this country would not collapse in an economic sense, although we would suffer a major dislocation. In time, inventive genius might conceivably develop substitutes for essential commodities which are now imported. We might stimulate production of marginal domestic sources of raw materials, at high cost. We might find substitutes for coffee and tea. People now dependent on foreign trade might find other jobs or other businesses.

While we might survive a drastic change of this kind, one thing is certain. The price of survival without foreign trade would be a sharp drop in our standard of living and the elimination of the so-called extras, which have added variety and flavor to our lives.

What would be to us a major dislocation, would be to other free nations an immediate and unmitigated disaster. Foreign trade, profitable to us, is vital to them. That is especially true of the nations of Western Europe. Without trade they would be confronted, not only with a drastic decline in living standards, but even with actual starvation. There do not exist in Western Europe the basic natural resources for decent survival without extensive worldwide trade, including a substantial trade with us. The nations of that region are deficient in fiber, fuels, and raw materials. They can make up these deficiencies only by imports from abroad. They can obtain these imports only in the form of aid or by paying for them with exports of the goods and services of their own advanced economies.

Under the Marshall plan, Western Europe did receive, in effect, a substantial portion of its imports in the form of aid from this country. In recent years, however, the Europeans have paid for these imports out of the products of their industries with their highly skilled services. Such aid as has continued to go to Europe since the Marshall plan terminated has been largely in the form of military equipment to provide for the common defense of the Western World.

The economies of Western Europe are now operating at record levels. The Europeans have reached these levels and are maintaining them largely as a result of a vast expansion in trade with each other, with us and with other free nations. However, in spite of the great increase in their productivity, their trade and their consumption, Western Europe generally has little reserve to meet an economic catastrophe. It can ill afford any recession in trade. That such is the case is illustrated by the effect of the blocking of the Suez Canal last year. This incident was, in effect, an example of a major interference with international trade, not unlike what would happen if imports and exports were drastically curtailed as a result of Government policies on tariffs. It compelled Britain to seek a postponement of payments on the loan which we had made to that country in 1946. In short, without trade there would have to be aid. Had Suez remained closed for any length of time, not only Britain but most of the other nations of Western Europe would have been in deep economic difficulties and would have had to seek our help.

The United Kingdom, and indeed any country worthy to be called free, is not happy when it is forced to seek aid abroad, and it does not please us to have to give it. Yet in this instance, as in others, we were confronted with a choice between economic assistance and economic chaos. We did what I believe most of you would have done. We chose to provide assistance. We did so because the political consequences of not doing so would have been so adverse as to jeopardize this country's vital security interests.

Unless Western Europe remains in economic health, and that, as I have noted, requires an extensive foreign trade—both exports and imports—the whole system of cooperative defense of freedom is threatened. Yet, it is on that system that the security of this Nation ultimately depends. No matter how high and at what cost we build our defenses, the United States can hardly survive as an isolated island of liberty in a sea of totalitarian hostility.

So much, then, for the advantages of foreign trade. It brings this country both economic and political benefits of great magnitude. The favorable disposition of this country towards foreign trade as a general proposition in all probability arises from an awareness of some or all of these benefits.

Why, then, is there still suspicion of import trade on the part of an important segment of this country? Why are Members of Congress so frequently urged by various citizens to do something to curb imports? The reason, I believe, is this. While foreign trade is clearly of benefit to the Nation as a whole, that does not preclude it from working a hardship in specific localities, specific industries and specific classes of workmen within the United States. I need hardly remind you that here in Rhode Island we are not unfamiliar with this phenomenon. We have been, for example, adversely affected by jewelry and textile imports from Japan. I have received numerous letters from citizens of the State dealing with the situation, and needless to say I have made efforts to cope with this problem.

I have done so because it is small comfort to tell a businessman whose firm faces insolvency as a result of foreign competition, that this state of affairs is good for him because it is good for the Nation. I have made these efforts because I do not like to see workmen lose their jobs as a result of this competition.

I suppose if I were callous enough I might tell the workman to get another job and the businessman to get into another line or retire. However, having no desire to do either myself, I do not feel that I can offer such advice with good grace. Furthermore, such advice as to changing jobs or changing lines of business is advice more easily given than followed.

It seems to me that, if a businessman operates his business efficiently and a workman is conscientious and productive, neither ought to be victimized by changes in Government policy or other factors which might tend to bring on a sudden rise in imports. It is all very well to talk about the general benefits of imports, but for some, they are not a benefit at all. Some of our citizens are being asked, in effect, to bear a disproportionate share of the burden of what is admittedly of value to the entire Nation.

If they resent this inequity, it is understandable. If they appeal to their Senator to do something about it, it is certainly understandable. And if their Senator tries to do something about it as I have tried to do in regard to Japanese textile imports, that, too, is or ought to be understandable.

For me to take this attitude does not mean that I am opposed to foreign trade or that I am unaware of the economic and political value of imports as a part of that trade. It means, simply, that I do not believe foreign trade can be measured in this country, any more than in any other country, in purely economic terms. There is a human side to it which should not and must not be ignored.

Certainly our economy is not static. Businesses are constantly coming into or going out of existence; and they frequently alter their lines of production. Workmen shift jobs. Many factors go into this process of economic change, and foreign trade is one of them. I believe it is the duty of government, however, to see to it that change does not come so rapidly as to create major dislocations. It is also a duty of government to see to it that the burdens of change do not fall inequitably on any particular locality or segment of the population. That is particularly the case when change is the result of a Government policy designed to benefit the whole Nation.

So I would suggest to you who are especially interested in foreign trade, that you devote continued study to this problem. It seems to me that clubs like yours may make a great contribution to the expansion of international trade if you offer constructive suggestions on how to cushion the shock of change that is felt in particular industries and areas as a result of a sudden rise in imports. You know, of course, that some devices already exist for this purpose. There is, for example, the so-called peril-point system which calls for action by the President to curb imports in some instances. By diplomacy, we have also induced the Japanese to set up voluntarily quotas on certain textiles which they export to this country. I am not satisfied, however, that existing devices are sufficient. They have certainly not been sufficient insofar as this State of Rhode Island is concerned. If you have any advice on the matter, therefore, I would be delighted to receive it. It seems to me that effective devices for cushioning the changes and equalizing the burdens of foreign trade will do a great deal to stimulate the greater acceptability of this trade—in all its ramifications.

Even more important, however, than devices for easing changes, is an effective foreign policy. If a foreign policy is such as to encourage an expanding volume of trade, its benefits will be spread more broadly within this country and the adjustments and transitions which result from this trade will be made much easier. In this connection, the Marshall plan and the point 4 program of technical cooperation are both examples of highly effective measures of foreign policy. Not only did the Marshall plan save Western Europe in a political sense, it also contributed to a vast increase in our trade with that region over the past decade.

As for the point 4 program which I have seen in operation in all parts of the world, it is laying the groundwork for expanded trade and investment opportunities with respect to the less-developed countries. The effects of this program on trade are already visible in Latin America. In that region, it has helped in many ways to increase productivity. As a result, the Latin Americans are better and more reliable customers for our products than ever before. They, in turn, are able to sell us more of the commodities we need. There is every reason to believe that the point 4 program is proving beneficial in a similar fashion with respect to the Far East. As for Africa, which I visited last year, I believe that the technical cooperation program is likely to provide an important key to this great trading area of the future.

Foreign policy which can stimulate trade can also multiply the problems of foreign trade. An example of this has been the embargo on trade with China. This was a necessary and inevitable measure while the conflict in Korea was in progress. It was continued after the truce was reached in 1953. Whether in the long run it has helped or hurt the Peking government, only time will tell. In any event, a total embargo on trade is still maintained by this country on the China trade. Most allied nations went along with our policy to the extent of enforcing an embargo on strategic goods until a few months ago. But now the embargo has been relaxed by our principal allies except for actual materials of war.

While the application of the embargo was necessary a few years ago from the point of view of national security, the fact remains that it did tend to divert Japanese trade and, to some extent, the trade of European countries from long-established channels on the Chinese mainland. It is logical to assume moreover, that it also had the effect of intensifying the drive of these countries to increase their exports to this country.

To the extent that interference with trade by our Government is essential to the Nation's security, we must and will accept it. This policy, however, should be kept under close and continued scrutiny.

The question is, of course, one which the President and the Secretary of State are better equipped to deal with than I am. They have all the facts, or should have them. They know that one of the foundations of a genuine peace is trade with other nations.

All matters relating to foreign trade will, no doubt, be discussed when the resolution providing for an extension of reciprocal trade is under consideration at the next session of Congress.

I thank you heartily for letting me address you on this subject which is near my heart.

Washington Report

EXTENSION OF REMARKS

OF

HON. ALFRED E. SANTANGELO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. SANTANGELO. Mr. Speaker, the 18th Congressional District of New York which I am privileged to represent has always depended upon its Congressman for leadership, both in Washington and in the community. From January 3, 1957, the day I first took office as Congressman, I have tried to provide leadership to our community. Now that the Congressional session has drawn to a close, may I give you a résumé of the highlights of my community service.

In order to serve the residents of my Congressional District, I have maintained two Congressional offices. One is located at 1484 First Avenue and the other at 208 East 116th Street. My First Avenue office has been open every evening and on Saturdays. It has been staffed by five lawyers and secretarial help. On Saturdays I personally interviewed my constituents and rendered whatever assistance was possible. My 116th Street office is open every Monday and Thursday evening. Two representatives work there and are ready to serve. In both offices during these past 7 months, over 2,500 people have had occasion to ask for advice and assistance. My office has furnished this help without charge and without regard to politics. Our objective has been to help.

In order to better understand the needs of our people, I have called together an advisory council, consisting of various organizations, trade unions, parent-teachers' associations, churches, settlement houses, civil groups, tenant associations, and social and athletic clubs. Once a month, I made an oral report of my legislative work in Washington, my activities in the community, and asked for a discussion of the problems which beset our area. These problems were discussed, and after deliberation, action was taken by myself and the organizations which were cooperating with me.

This procedure has proved helpful. When the New York State Legislature was contemplating an end to rent control, we organized a newspaper and letter campaign to urge the retention of residential rent control. During the legislative rent hearings, I appeared in Albany with a member of my staff to urge the legislature to extend residential rent control. Our newspaper campaign, publicized in the El Diario, the Spanish newspaper, brought in approximately 40,000 letters to the New York State legislative leaders. As you know, public pressure caused a reversal of attitude and caused the legislature to give to tenants much needed protection for an additional 2 years, and I was pleased to play a role in that change of policy.

My advisory council brought to my attention the plight of the east Harlem businessmen and merchants who were being dislocated without adequate compensation and with no provision being made for sufficient stores in new projects. Apart from the legislation which I introduced in Washington providing for payment up to the maximum of $3,000 for expenses to business in relocating, I conferred with the merchants of east Harlem, our city councilman, Mr. Merli, our State assemblyman and senator, and the commissioner of borough works. As a result of our conference, we have brought about the construction of additional stores in the new Benjamin Franklin project between 106th and 108th Streets, and for adequate lighting facilities along Second and First Avenues.

When 400 families were threatened with an eviction in Yorkville with a luxury apartment house, I appeared before the New York City Board of Estimates and pleaded for a halt to this program unless relocation of families was provided for. I am happy to state that because of concerted efforts of an aroused community, this program was abandoned and irreparable harm was avoided.

Just as I fought to protect civil rights on the floor of Congress, I fought in our community to protect the innocent and the elderly men who belonged to social clubs. Several social clubs were being unjustly raided and its members arrested without cause by the police department. My office staff represented successfully these men in the magistrate's court, but I also took preventive action. I took up personally with the police department the matters of these arrests, and after conference and investigation, received assurances that decent social clubs would not be harassed or arrested. Today I am proud to report that a police sergeant participates in my advisory council and offers suggestions for the improvement of community activities.

Our activities have taken all forms. On May 17, we participated in the prayer pilgrimage in Washington to commemorate the third anniversary of the Supreme Court decision which struck down discrimination in public schools. I have organized a committee in the advisory council for the saving of Benjamin Franklin High School, whose continuation is being threatened as a high school. In addition, I obtained from the board of elections the use of Benjamin Franklin High School for the use of permanent personal registration so that the voting public could register more easily and would not be inconvenienced. Furthermore, we called upon, and received from the city of New York, additional funds for East Harlem in order to obtain additional educational and vocational counselors for our area in order that we might give our area the tools for developing a better youth and to provide conditions leading to better citizenship. Newspaper reports have indicated that juvenile delinquency has decreased in East Harlem.

The personal contact which I have enjoyed with these various organizations and with individuals has offered a great opportunity to serve my people. I have been able with the assistance of my staff and volunteers to represent numerous tenants who were being evicted or displaced, to obtain welfare for needy persons, to obtain apartments in low-income projects for families who need housing, to obtain employment from the division of employment and from the post office for people who can work and want to work, to halt deportation of several residents in our area and to facilitate the issuance of visas to persons rightfully entitled to enter America, to prepare and process applications for immigration visas, to secure compassionate transfers for veterans with a serious problem, and to adjust service discharges. The type of assistance which I have given has depended to a large degree upon the complexity of the problem involved. Frequently, my efforts met with a certain degree of success, but even if they were not successful, I have tried to help. These services have been rendered without fee or without regard to politics.

I hope that I shall be of continuous service to my constituents in the years to come.

Economy Versus Spending—Analysis of All Rollcall Votes in the House of Representatives Involving the Expenditure of Federal Funds During the 1st Session of the 85th Congress

EXTENSION OF REMARKS
OF
HON. RICHARD M. SIMPSON
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 30, 1957

Mr. SIMPSON of Pennsylvania. Mr. Speaker, President Eisenhower expected the Congress to effect any possible economy in considering his budget. He never suggested that we approve it without exercising our constitutional responsibilities to examine carefully any proposed expenditure.

If we are to reduce the crushing burden of taxation, further substantial reductions in the budget must be made. The Republican record on rollcalls concerned with economy is good. I have reviewed the 100 record votes during this session of the Congress to see which party really saved money for the American taxpayer. I find that there are 49 of these 100 issues which reflect the position of the Members of the House of Representatives on economy. Immediately following my remarks there is a list of these 49 issues. The votes recorded on these issues have been assembled in a subsequent table. The tabulations speak for themselves.

The Republicans cast 63 percent of all economy votes. The Democrats cast 70.7 percent of all spending votes. The support scores by members of each party show a Republican support score for economy of 68 percent, and an opposition score of 32 percent. The Democratic support score for economy is 34 percent, and the opposition score is 66 percent.

Many will remember the charges hurled at President Eisenhower's budget last January by Democrats. Those who were responsible for committing the Federal Government to long-term spending programs were suddenly going to produce economy for the American taxpayer.

The record has now been completed, and the facts are there for all to read. Once again the record shows that the true advocates of efficient economic government are the Republicans. The Democrats have continued in their traditional role of fostering spending programs which must result in either higher taxes or inflation.

List of record votes involving economy in Government

Record vote No.	Vote for economy position	Description
4	Y	1957 deficiency appropriations (H. R. 4249)—Lanham amendment placing a $15,728,000 limitation on amount to be spent for State and local administration of public-assistance grants. Passed 205 to 168.
5	N	Drought relief (H. R. 2367)—Providing for payment to ranchers for deferred grazing as part of relief available to drought-stricken areas of the Southwest Passage. Passed 270 to 109.
13	Y	1958 appropriations for Departments of Labor, and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $30,000 the appropriation for three new positions in the Department of Labor to handle international labor affairs in South America and the Near East. Passed 286 to 126.
14	Y	1958 appropriations for Departments of Labor, and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $204,000 the appropriation for new positions in the Office of the Solicitor, Department of Labor. Passed 241 to 171.
15	Y	1958 appropriations for Departments of Labor, and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $46,300 the appropriation for new positions in the Bureau of Labor Standards, Department of Labor. Passed 246 to 169.
16	Y	1958 appropriations for Departments of Labor, and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $136,000 the appropriation for new positions in the Bureau of Veterans' Reemployment Rights. Rejected 137 to 275.
17	Y	1958 appropriations for Departments of Labor, and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $442,000 the appropriation for new positions in the Bureau of Employment Security, Department of Labor. Passed 214 to 205.
18	Y	1958 appropriations for Departments of Labor, and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $12,186,000 funds for grants to States for unemployment compensation, thus eliminating an increase requested by Bureau of Budget over departmental request and eliminating contingency funds. Passed 220 to 200.
19	Y	1958 appropriations for Departments of Labor, and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $1,500,000 funds for unemployment compensation for Federal employees and provide same amount used in 1957. Passed 253 to 167.
20	Y	1958 appropriations for Departments of Labor, and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $263,800 the appropriation for new positions in the Mexican farm labor program. Passed 312 to 77.
21	Y	1958 appropriations for Departments of Labor, and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $346,000 the appropriation for new positions in the Bureau of Labor Statistics. Passed 217 to 202.
22	Y	1958 appropriations for Departments of Labor, and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $31,000 the appropriation for new positions in the Women's Bureau. Rejected 206 to 210.
23	Y	1958 appropriations for Departments of Labor, and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $288,000 the appropriation for new positions in the Wage and Hour Division, Department of Labor. Passed 214 to 205.
24	Y	1958 appropriations for Departments of Labor, and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $1,327,000 the increase in funds for expansion of the Food and Drug Administration. Rejected 130 to 285.
25	Y	1958 appropriations for Departments of Labor, and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $1,482,900 the appropriation for new positions in the Office of Education. Rejected 206 to 207.
26	Y	1958 appropriations for Departments of Labor, and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to delete language providing $50 million to municipalities for waste treatment works construction. Rejected 185 to 231.
29	N	Committee expenses (H. Res. 191)—Providing $350,000 (in lieu of $100,000) for purpose of investigating studies by House Committee on Interstate and Foreign Commerce. Passage. Passed 225 to 143.
30	Y	1958 appropriations for the Departments of State, Justice, and Judiciary (H. R. 6871)—Amendment to reduce by $7,039,958 the appropriation for the United States share of the cost of international organizations of which we are a member. Rejected 167 to 205.
31	Y	1958 appropriations for the Department of Agriculture and the Farm Credit Administration (H. R. 7441)—Amendment to suspend operation of the soil-bank program at the end of fiscal year 1957 and to delete provisions for $500 million for the 1958 program. Passed 192 to 187.
32	Y	1958 appropriations for the legislative branch (H. R. 7599)—Motion to recommit with instructions to delete $7,500,000 for construction of an additional House Office Building. Rejected 176 to 206.
38	N	1958 appropriations for the Department of Defense (H. R. 7665)—Motion to recommit with instructions to restore $313 million of the committee cut of $2,586,775,000. Rejected 151 to 242.
43	N	Third supplemental appropriations for 1957 (H. R. 7221)—Motion to agree to Senate amendment providing $14 million for initiation of Federal flood-insurance program. Rejected 186 to 218.
47	Y	Senate Office Building (S. 1428)—Authorizing furniture and furnishings for the additional office building for the U. S. Senate. Motion to recommit with instructions that the House Public Works Committee insert specific cost figures. Rejected 135 to 232.
48	Y	Senate Office Building (S. 1429)—Authorizing the enlargement and remodeling of Senators' suites, and other changes and improvements in the existing Senate Office Building. Motion to recommit with instructions that the House Public Works Committee insert specific cost figures. Rejected 148 to 216.
52	N	Veterans' benefit (H. R. 72)—Amending the World War Veterans' Act of 1924 to restrict the transfer of estates of incompetent veterans derived from compensation and pensions. Motion to recommit. Passed 191 to 161.
55	N	Postal pay increase (H. R. 2474)—Providing for a $546 increase in basic salary of employees in the postal field service. Passage. Passed 379 to 38.
56	Y	School construction (H. R. 1)—Providing for Federal assistance to States for school construction. Motion to strike the enacting clause (and prevent further consideration of the bill). Passed 208 to 203.
58	Y	San Angelo project (H. R. 2147)—Providing for the construction of the San Angelo Federal reclamation project, Texas. Motion to recommit. Rejected 189 to 202.

List of record votes involving economy in Government—Continued

Record vote No.	Vote for economy position	Description
59	N	San Angelo project (H. R. 2147)—Passage. Passed 201 to 190.
66	Y	1958 supplemental appropriations (H. R. 9131)—Motion to recommit with instructions to reduce appropriation of new funds for TVA by $9,784,000. Rejected 158 to 244.
69	N	District of Columbia Auditorium Commission (H. R. 4813)—Extending the life of the District of Columbia Auditorium Commission. Adoption of conference report authorizing the acquisition of certain land for a District auditorium-cultural center. Rejected 115 to 281.
71	Y	Atomic Energy Commission authorization (H. R. 8996)—Amendment deleting $3,000,000 for design and construction estimates of a plutonium reactor. Rejected 197 to 201.
72	Y	Atomic Energy Commission authorization (H. R. 8996)—Amendment deleting $55,000,000 for construction by the Commission of a natural uranium and a plutonium recycle reactor. Passed 211 to 188.
73	Y	Atomic Energy Commission authorization (H. R. 8996)—Amendment revising cooperative power reactor demonstration program and deleting provision for Government ownership and operation of generating plants. Passed 213 to 185.
74	Y	Atomic Energy Commission authorization (H. R. 8996)—Passage. Passed 383 to 14.
75	Y	Federal employees pay raise (H. R. 2462)—Providing an 11 percent across-the-board salary increase for classified Federal employees. Motion to recommit. Rejected 70 to 319.
76	N	Federal employees pay raise (H. R. 2462)—Passage. Passed 329 to 58.
77	N	Public works appropriation (H. R. 8090)—Making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior for fiscal year 1958. (Conference report.) Motion to agree to Senate amendment earmarking $500,000 for preparing plans for Bruces Eddy project on Clearwater River, Idaho. Rejected 23 to 363.
78	Y	Postal rate adjustment (H. R. 5836)—Increasing certain postal rates. Passage. Passed 256 to 129.
81	N	1958 appropriations for mutual security (H. R. 9302)—Motion to recommit with instructions to increase various items by $715,000,000. Rejected 129 to 254.
83	N	Air-carrier loans (H. R. 7993)—Providing for Government guaranty of private loans to certain air carriers. Motion to suspend the rules and pass the bill. Passed 242 to 94.
84	N	District of Columbia Stadium (H. R. 1937)—Authorizing the construction, maintenance, and operation by the District of Columbia Armory Board of a stadium in the District of Columbia. Adoption of conference report. Rejected 135 to 234.
85	Y	West Virginia Dam (S. 1520)—Providing for the disposal of dam on Little Kanawha River in West Virginia (conference report). Motion to recommit to conference with instructions to insist on House provision limiting Federal contribution to $50,000 as recommended by Corps of Engineers instead of $112,000 as provided in report. Rejected 137 to 232.
86	Y	1958 supplemental appropriations (H. R. 9131)—(Conference report.) Motion to recede and concur in Senate amendment striking out funds for construction of an additional airport in or near Washington, D. C. Rejected 125 to 233.
87	N	1958 supplemental appropriations (H. R. 9131)—Motion to agree to Senate amendment providing an additional $475,000 for the Columbia River project. Rejected 141 to 216.
90	N	1958 supplemental appropriations (H. R. 9131) (conference report)—Motion to recede from disagreement on Senate amendment providing an additional $475,000 for the Columbia River project. Passed 166 to 121.
91	Y	1958 supplemental appropriations (H. R. 9131)—Motion to agree to amendment providing for $425,000 for Columbia River project. Passed 165 to 120.
92	N	Air-carrier loans (S. 2229)—Providing for Government guaranty of private loans to certain air carriers. Adoption of conference report. Passed 203 to 77.
100	N	1958 appropriations for mutual security (H. R. 9302)—Adoption of conference report. Passed 194 to 122.

List of record votes involving economy in Government, 85th Cong., 1st sess.

Record vote No.	Vote for economy position	Votes cast			
		For economy		Against economy	
		Republicans	Democrats	Republicans	Democrats
4	Y	153	52	21	147
5	N	100	9	78	192
13	Y	173	113	22	104
14	Y	153	88	42	129
15	Y	139	107	57	112
16	Y	107	30	88	187
17	Y	142	72	55	150
18	Y	156	64	41	159
19	Y	163	90	34	133
20	Y	186	156	10	67
21	Y	134	83	62	140
22	Y	145	61	29	161
23	Y	142	72	55	150
24	Y	99	31	94	191
25	Y	133	73	61	148
26	Y	150	35	45	186
29	N	139	4	40	185
30	Y	100	67	77	128
31	Y	38	154	141	46
32	Y	147	29	34	172
38	N	39	203	140	11
43	N	129	89	59	127
47	Y	118	17	52	180
48	Y	121	27	49	167
52	N	91	67	70	121
55	N	29	9	162	217
56	Y	111	97	77	128
58	Y	135	54	47	155
59	N	147	43	32	169
66	Y	156	2	25	219
69	N	140	141	42	73
71	Y	177	20	6	195
72	Y	176	35	6	182
73	Y	163	50	19	166
74	Y	178	205	3	11
75	Y	50	20	125	194
76	N	46	12	128	201
77	N	159	204	15	8
78	Y	171	85	4	125
81	N	83	171	86	43
83	N	73	21	77	165
84	N	125	109	42	93
85	Y	134	4	37	195
86	Y	92	33	68	165
87	N	122	94	39	102
90	N	98	23	19	147
91	Y	9	156	106	14
92	N	65	12	49	154
100	N	52	70	87	107
Total		5,800	3,406	2,777	6,717

"Why Should Food Spoil While They Hunger?"—Comments on Congresswoman Sullivan's Food Stamp Bill To Distribute Surplus Commodities to Needy Americans

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mrs. SULLIVAN. Mr. Speaker, those Members of the House who voted earlier this year against adding my food stamp bill to help needy Americans to the law for giving away surplus food to people and nations abroad will find their position backed up and supported by Secretary of Agriculture Benson, who apparently believes all Americans are prosperous and well fed.

When asked recently at a news conference whether he had changed at all from his bitter opposition to the Sullivan bill, he said he thought the whole idea unnecessary and extravagant.

He acknowledged that a food stamp plan for distribution of surplus commodities to the needy had worked well in the final years of the great depression prior to World War II, when, he said, "people could not afford to buy good food" but that it was entirely unnecessary now in this period of prosperity and high employment.

Those of our citizens who must get along on public assistance—those who are on aid to dependent children, aid to the blind, aid to the disabled, and so on, as well as those on local relief rolls—will be curious, indeed, to know how they are to afford good food on, say, $50 a month. Mr. Benson does not say.

I am heartsick over the defeat of the food-stamp plan this year, but I certainly intend to keep pressing for it next year. I am encouraged by the support voiced for my plan during the House debate on this issue by the chairman of the House Committee on Agriculture, Mr. COOLEY, and by many other Members concerned for the welfare of the low-income American family.

SHOULD NOT BE PARTISAN ISSUE

As we know, the vote by which my amendment was killed this year was in the Committee of the Whole House on the State of the Union, under procedures by which the names of the individual Members and how they voted were not recorded. Had the legislative situation been such that I could have succeeded in my attempt to obtain a rollcall vote on the issue, I am positive the result would have been different. Very few Members, I believe, would care to be recorded as voting against a proposal to channel some of this vast surplus to people in our own country we know very well are hungry—actually not getting enough to eat.

Although the vote was not recorded, we do find in the CONGRESSIONAL RECORD a reference to the fact that only one Member of the House from the Republican Party—Mr. SAYLOR, of Pennsylvania—defied Secretary Benson and the Eisenhower administration's cruel position on this matter and voted in support of my amendment. I am appreciative of Mr. SAYLOR's courage and help. I know that many residents of his Congressional District have benefited from distribution of some of this surplus food in the past, and thus he knows of the good it can do.

Mr. Speaker, this should not be a partisan issue and I was sorry to see it made into one. Every Republican Member of the House has some people in his district who needs some of this food. Every person on relief, on public assistance of any type, would be eligible for food stamps under my bill and would receive them automatically, with no costly administrative redtape. I hope that next year, when I am assured we will receive an opportunity to go into this plan on its merit rather than as a amendment on other legislation, Republicans as well as Democrats will be found voting for it. Among Democrats, I am pleased to say, my bill has widespread and wholehearted support.

It has also received outstanding support from one of the greatest newspapers in our Nation, the St. Louis Post-Dispatch, and I include now two editorials on my food-stamp plan, H. R. 949, and on the recent developments in connection with it, as follows:

HUNGER IN THE LAND

The inching up of the cost of living may have made some Americans less inclined to boast that "we never had it so good," but in general they are well fed, well clothed, well housed. In general, for there are roughly 6 million persons on relief. (And all the needy are not on the public-assistance rolls.) These people go to bed hungry despite all the food in Government warehouses. Why?

That is the question which Representative LEONOR SULLIVAN, of St. Louis, has been asking in Congress more and more insistently since she first proposed her food-stamp plan in 1954. This has again been sidetracked in the House. This time she offered it as an amendment to the bill which authorizes the distribution of surplus food abroad, and it was narrowly rejected as irrelevant. Now she has carried her appeal to the Senate Committee on Agriculture, asking:

"Perhaps I should not be emotional about this. But I just cannot help being heartsick over the contrast between the food we have and can grow and the hunger we have in our midst—all these hungry people. I mean hungry; I don't mean going without sirloin steak and fresh oranges; I mean hungry. Just try to feed even one person, and pay rent, and keep body and soul together, on $55 a month. We have misery and poverty and hunger, and mountains of spoiling food. Why can't we get this food to those we know need it?"

Mrs. SULLIVAN knows, of course, that some surplus food is being distributed to needy Americans by the Department of Agriculture. But she also knows that this is being done on such an unsatisfactory basis that only 10,366 Missourians have received an occasional sack of flour or beans even though 232,909 Missourians are on the public-aid rolls. She knows that no surplus food has been sent to Arizona, Delaware, Florida, Georgia, Hawaii, Idaho, Montana, Oregon, North Carolina, the Virgin Islands, Washington, and the District of Columbia. She knows, too, that Pennsylvania, which has taken more of this food than other States, is planning to refuse more of it as too expensive.

The chief objection has been to the Department's demand that the receiving States—or their relief agencies—accept shipments and then pay the storage charges until the food is distributed. As part of her food-stamp plan, Mrs. SULLIVAN would have the Department pay these charges at the distribution points, instead of only at the points of origin as it must do under the present law.

This would mean some increase in storage and shipping costs. There also would have to be more processing and packaging since wheat, for example, could be distributed only in the form of flour. It is hard to say how much more expensive this would be than the food surplus program to which the Government now is committed. But granting that food stamps would cost more, is it truly more economical to let food spoil than to pay the cost of getting it to the hungry?

Why, then, is the plan not given at least a trial? Will the Senate force the House to take a second look at a sensible suggestion for reducing the hunger in our land?

SECRETARY BENSON AGAINST FOOD STAMPS

Secretary of Agriculture Ezra Taft Benson has again vetoed a food-stamp plan such as that proposed by Representative LEONOR SULLIVAN, of St. Louis. The Secretary acknowledged that this device for distributing surplus foodstuffs had worked well "when people could not afford to buy good food," but he said there is no need for it in a period of prosperity and high employment.

Such assistance certainly is not needed by the prosperous and the employed. But what of the millions of Americans—and there are literally millions of them—on meager public assistance programs? It is these that Mrs. SULLIVAN has in mind. Prosperity and its accompanying inflation only make life harder for those who are trying to keep body and soul and family together on about $50 a month. Why should food spoil while they hunger?

The food-stamp plan, of course, would add somewhat to the cost of the farm price program since wheat can be used by the needy only in the form of flour. But a nation which taxes itself to keep up the farmer's income might be willing to tax itself just a trifle more to help the distressed. Or does Secretary Benson doubt this? If so, he could say as much instead of intimating that everybody is prosperous.

TEXT OF H. R. 949

Mr. Speaker, the provisions of H. R. 949 for a food stamp plan are as follows:

[85th Cong., 1st sess., in the House of Representatives, January 3, 1957, Mrs. SULLIVAN introduced the following bill; which was referred to the Committee on Agriculture]

H. R. 949

A bill to provide for the establishment of a food stamp plan for the distribution of $1 billion worth of surplus food commodities a year to needy persons and families in the United States

Be it enacted, etc., That in order to promote the general welfare, raise the levels of health and of nourishment for needy persons whose incomes prevent them from enjoying adequate diets, and to remove the specter of want, malnutrition, or hunger in the midst of mountains of surplus food now accumulating under Government ownership in warehouses and other storage facilities, the Secretary of Agriculture (hereinafter referred to as the "Secretary") is hereby authorized and directed to promulgate and put into operation, as quickly as possible, a program to distribute to needy persons in the United States through a food-stamp system a portion of the surpluses of food commodities acquired and being stored by the Federal Government by reason of its price-support operations or other purchase programs.

SEC. 2. In carrying out such program, the Secretary shall—

(1) distribute surplus food made available by the Secretary for distribution under this program only when requested to do so by a State or political subdivision thereof;

(2) issue, or cause to be issued, pursuant to section 3, food stamps redeemable by eligible needy persons for such types and quantities of surplus food as the Secretary shall determine;

(3) distribute surplus food in packaged or other convenient form on the local level at such places as he may determine;

(4) establish standards under which, pursuant to section 3, the welfare authorities of any State or political subdivision thereof may participate in the food-stamp plan for the distribution of surplus foods to the needy;

(5) consult the Secretary of Health, Education, and Welfare, and the Secretary of Labor, in establishing standards for eligibility for surplus foods and in the conduct of the program generally to assure achievement of the goals outlined in the first section of this act; and

(6) make such other rules and regulations as he may deem necessary to carry out the purpose of this act.

SEC. 3. The Secretary shall issue, to each welfare department or equivalent agency of a State or political subdivision requesting the distribution of surplus food under section 2 (1), food stamps for each kind of surplus food to be distributed, in amounts based on the total amount of surplus food to be distributed and on the total number of needy persons in the various States and political subdivisions eligible to receive such food. The food stamps shall be issued by each such welfare department or equivalent agency to needy persons receiving welfare assistance, or in need of welfare assistance but ineligible because of State or local law, and shall be redeemable by such needy persons at local distribution points to be determined by the Secretary under section 2 (3).

SEC. 4. Surplus food distributed under this act shall be in addition to, and not in place of, any welfare assistance (financial or otherwise) granted needy persons by a State or any political subdivision thereof.

SEC. 5. In any one calendar year the Secretary is authorized to distribute surplus food under this act of a value of up to $1 billion, based on the cost to the Federal Government of acquiring, storing, and handling such food.

SEC. 6. The distribution of surplus food to needy persons in the United States under this act shall be in place of distribution to such needy persons under section 32 of the act entitled "An act to amend the Agricultural Adjustment Act, and for other purposes," approved August 24, 1935 (7 U. S. C., sec. 612c), as amended, and section 416 of the Agricultural Act of 1949, as amended: *Provided, however*, That nothing in this act shall affect distribution of surplus food presently provided for in such sections other than to needy persons as defined in section 7 of this act.

SEC. 7. For the purposes of this act, a needy person is anyone receiving welfare assistance (financial or otherwise) from the welfare department or equivalent agency of any State or political subdivision thereof, or who is, in the opinion of such agency or agencies, in need of welfare assistance but is ineligible to receive it because of State or local law.

SEC. 8. The Secretary of Agriculture, in consultation with the Secretary of Health, Education, and Welfare and the Secretary of Labor, shall make a study of, and shall report to Congress within 6 months after the date of enactment of this act, on the feasibility of, the costs of, and the problems involved in, extending the scope of the food stamp plan established by this act to include persons receiving unemployment compensation, receiving old-age and survivors insurance (social security) pensions, and other low-income groups not eligible to receive food stamps under this act by reason of section 7 of this act.

SEC. 9. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act.

The Tobacco Program

EXTENSION OF REMARKS
OF
HON. JOHN SHERMAN COOPER
OF KENTUCKY
IN THE SENATE OF THE UNITED STATES
Friday, August 30, 1957

Mr. COOPER. Mr. President, far-reaching changes in existing farm price-support programs have recently been proposed. These programs, of course, are a central part of our total effort to protect, stabilize, and increase farm income so that farmers may share more fully in, and contribute more effectively to, the general prosperity and economic welfare of our country. Their effectiveness concerns us all, and I do not doubt that new approaches to the farm problem will be widely discussed and considered in the next session of Congress.

In view of the widespread interest in this subject, I have prepared a point-by-point appraisal of the price-support program of greatest interest to the farmers of my State—the tobacco program. In it I discuss some of the achievements of that program, and analyze the reasons why a separate and distinct price-support plan is needed for tobacco. I believe my prepared address on this subject presents basic facts, and that these facts clearly call for the continuation of this program which has been such an outstanding success.

In order to make these facts conveniently available in more concise form, I ask that a brief summary of the full statement setting forth my position on this matter be included in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

HIGHLIGHTS OF SPEECH BY SENATOR JOHN SHERMAN COOPER ON THE TOBACCO PROGRAM

The price of tobacco is a matter of vital concern to some 200,000 rural Kentucky families, because it directly affects their income, their standard of living, and their future opportunities. That price is determined not alone by the well-established demand for quality cigarette tobaccos, but also by the effective operation of the production-control program for tobacco—through which growers cooperate with their Department of Agriculture to maintain a balanced supply in line with that demand. This plan of controlling the supply, so that farmers may realize the benefits of the demand for their tobacco, has proved itself workable, effective, popular, economical, and fair to all segments of the industry and to the Nation as a whole.

The tobacco program is in a class by itself. For example, it is the one program having fixed supports, at 90 percent parity, established by law. Yet, tobacco is not subsidized. Effective production control has made 90 percent support work for tobacco—to the advantage of growers, the Federal Government, and taxpayers. In fact, while billions have been spent in honest efforts to solve the problems of a lagging farm economy in general, the tobacco farmer has stuck to his program of balancing supply with demand.

The only question involved here is whether three-quarters of a million farmers, working together, are entitled to the help and assistance of their Government in carrying out the program of their choice so long as they keep that program sound. My answer is that their performance in good faith entitles tobacco growers to the continuation of their present program. I oppose lowering supports for tobacco.

We have this distinct tobacco program today because the production, marketing, and consumption of tobacco itself is in many ways unique. It therefore requires a different price-support and production-control program. I will describe here 11 of the basic differences which both require a separate program for tobacco and make that program workable.

First, tobacco is a high-labor crop. A full year and 410 man-hours of labor are required to produce an acre of Burley. When 4 or 5 baskets of Burley from that acre are set out on the warehouse floor, a year of the farmer's toil, hope, and fears is sold at auction. Our tobacco growers must depend, then, to an unusual degree on their price-support program.

Second, tobacco production is not mechanized. The technological revolution in agriculture as a whole has scarcely affected tobacco. The second acre costs the farmer nearly as much to raise as the first. It takes more, not less, labor to raise an acre of tobacco today than 15 years ago. Support at 90 percent of parity is needed to provide tobacco farmers a decent minimum-wage floor.

Third, tobacco is an intensive crop. Its high value per acre makes it well suited to our small family farms. The average Burley allotment in Kentucky, although only 1.37 acres, last year produced over a ton of high-quality cigarette tobacco—worth $1,400 to the farmer and enough for 2 million cigarettes.

Hundreds of thousands of farmers owning modest family farms are therefore able to rely on their tobacco allotment as a major source of income. These are the men who know tobacco best—and who produce the world's finest tobacco. I do not believe they will agree that it is worth less than parity, or that their years of experience and months of toil should be sold cheaper.

Fourth, tobacco is a highly specialized, regional crop. Its peculiar dependence on soils and climate makes rigid allotments based on historical production patterns more equitable than for other crops. Tobacco producers feel that this program, in which they join together in a cooperative effort to comply with the law of supply and demand, provides them essential freedom in the market place to sell their product for what it is worth.

Fifth, our cigarette tobacco is sold exclusively through central auction markets. This system, developed after years of trial and error and travail, works well. It makes possible a firm price floor, not only supporting the tobacco crop as a whole, but under each farmer's individual lots of tobacco. The farmer is the direct beneficiary of this support operation—receiving immediately 90 percent of parity in cash. The whole operation is handled without loss by farmers' marketing cooperatives under contract with the Commodity Credit Corporation.

Sixth is the limited field of buyers for tobacco. As I stated in 1948, when the Congress adopted my amendment first establishing in law 90 percent of parity as a separate provision for tobacco, the major buyers competing for the tobacco offered by 750,000 farmers can be counted on the fingers of both hands. "The farmer who has spent a year in back-breaking toil to produce a crop of tobacco, which is his cash crop and his principal source of income, must sell his tobacco to one of the few buyers, or else lose his year's labor. The Federal Government offers through its parity and support-price program the only substantial assurance the tobacco growers have that they will receive a reasonable price for their product."

Seventh is the excellent storage quality of cured tobacco, which, in fact, increases in value as it is aged. Without a fixed level of support, however, this very storability would operate to the farmers' disadvantage—as it did for the hundred years when 1 year of good prices was followed by 2 or 3 years of starvation prices.

Eighth, there are no alternative uses for tobacco. In other crops, flexible supports may be used to seek alternative uses and new markets. Tobacco has no such opportunity. However, the single-use market does give farmers a clear demand-supply picture so they can support, and do support, a program which meets these realities, and which gives each of them a fair share of the market at a fair price.

Ninth is the relatively inelastic consumer demand. Consumer demand plays a minor role in determining the price farmers receive for their leaf. Also, farm price plays a small part in retail price. For the tobacco in a 25-cent pack of cigarettes, the farmer gets only 3½ cents. I believe American consumers are willing and able to pay our farmers this very reasonable price for their tobacco.

Tenth, the tobacco program does not result in burdensome Government-owned stocks. CCC does not own a pound of tobacco. Tobacco is not subsidized. The program has, in fact, made several million dollars in interest profits on CCC loans. This remarkable record must be credited to the farmers who have made the sacrifices necessary to keep their part of the bargain in this program. The Government can do no less than to keep its part of the bargain and maintain 90-percent support prices so long as growers continue to demonstrate their willingness to keep this program sound.

Eleventh, tobacco is the only farm commodity on which excise taxes are imposed. Federal and State revenues from the growers' efforts ($2 billion yearly) are about double the return to the growers themselves. Thus, while operation of our price-support program for tobacco has not cost the Government anything, tobacco has brought immense revenues to local, State and Federal Governments. This fact surely merits continuation of a tobacco program which insures stable prices and balanced supplies.

The most eloquent testimony as to what farmers think of their tobacco program is found in the referendum votes—where the growers have approved burley and flue cured marketing quotas by 95 to 98 percent in all the elections held since 1948. Here is what the tobacco program has meant to farmers in dollars and cents: Burley prices tripled, and the value of the crop to farmers increased six-fold from $40 million to one-quarter billion dollars in the first 15 years of the program. These gains have been improved in recent years, so that last year the burley crop sold for the highest prices on record—averaging 63.5 cents a pound for a crop which brought farmers $322 million. The current flue-cured crop is also bringing record prices.

Thanks to the joint efforts over many years of a great many conscientious and devoted people, and to the active cooperation of tobacco farmers everywhere, the tobacco program has been conspicuously successful. I believe it is a basically sound, helpful and essential part of our total farm program today. I believe it can continue to serve faithfully and well the tobacco growers of my State, the rural economy of the South, and hence the general welfare of our country.

In support of this position, I can do no better than to quote the President's Agricultural Message of 1954. President Eisenhower stated then: "Tobacco farmers have demonstrated their ability to hold production in line with demand at the supported price without loss to the Government. * * *

It is recommended that the tobacco program be continued in its present form."

The record of accomplishments since that time fully justifies the President's faith in our farmers and in this program. No more dramatic demonstration of farmers' willingness and ability to keep their tobacco programs sound could be asked than the substantial production adjustments made by both burley and flue-cured growers in the last 3 years. The President's conclusion, therefore, is still valid. And I believe his recommendation is as sound today as it was 3½ years ago.

The Chairman's Report on Activities of the Select Committee on Small Business of the House of Representatives

EXTENSION OF REMARKS

OF

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. PATMAN. Mr. Speaker, I am presenting at this time the chairman's report covering the activities of the Select Committee on Small Business of the House of Representatives. This committee was created in the 85th Congress by House Resolution 56 agreed to on January 31, 1957.

Pursuant to the provision of that resolution the following Members were appointed to serve thereon: Representative WRIGHT PATMAN, Democrat, of Texas, chairman; Representative JOE L. EVINS, Democrat, of Tennessee; Representative ABRAHAM J. MULTER, Democrat of New York; Representative SIDNEY R. YATES, Democrat of Illinois; Representative TOM STEED, Democrat, of Oklahoma; Representative JAMES ROOSEVELT, Democrat, of California; Representative CHARLES H. BROWN, Democrat, of Missouri; Representative WILLIAM S. HILL, Republican, of Colorado; Representative R. WALTER RIEHLMAN, Republican, of New York; Representative HORACE SEELY-BROWN, Jr., Republican, of Connecticut; Representative WILLIAM M. MCCULLOCH, Republican, of Ohio; Representative TIMOTHY P. SHEEHAN, Republican, of Illinois; and Representative CRAIG HOSMER, Republican, of California.

INTRODUCTION

This is intended to constitute not only a report accounting for the work of your Small Business Committee during the 1st session of the 85th Congress but also a brief summary concerning economic conditions and various activities affecting the small-business community directly and the Nation's economy indirectly.

ECONOMIC HEALTH OF SMALL BUSINESS

The problem of maintaining an economic climate in which small business can survive is ever present. Downward trends in the general health of small business which have been in evidence for the past several years continue, and are disturbing.

In the first 8 months of this year, there were 9,520 business failures—according to Dun & Bradstreet reports—an increase of 8 percent over the same months of last year. Yet business failures last year had set a previous postwar high. If business failures continue throughout the year at the rate established in the first 8 months, this will mean a failure rate of 53.7 failures per each 10,000 firms in operation. This will be the highest failure rate since 1941—when numerous small firms became "war casualties"—and it will be twice the average annual rate—26.9 percent—of the previous 15 years.

The mounting toll of small business failures becomes a warning signal for most serious concern when considered against the backdrop of general business conditions. These conditions are generally regarded as representing a high rate of business growth and a state a general prosperity. In reality, increases in the Nation's output of actual goods and services, during the past few years, have not kept pace with the annual productivity increases of the postwar years. For example, from 1948 through 1952 the gross national product, measured in constant prices, increased at an average rate of 5 percent per year whereas the annual rate of growth from 1952 through 1956 has been at the rate of only 3 percent per year. Nevertheless the national output has continued to increase, with the actual physical volume of goods and services produced in 1956 representing a 12 percent increase over the physical output in 1952. And, in the same period, the population of the country has grown by 16 percent.

The most striking feature of business activity over the past few years, moreover, has been the increasingly large investment in new business capacity. Expenditures for new plants and business equipment of all kinds have risen to unprecedented highs, reflecting an expectation of increasing production in future years—at least on the part of those firms that are able to make the expansions. If the estimate of approximately $37.5 billion to be spent for new capital goods in 1957 proves correct, this will be 5 percent more than was spent last year, and 42 percent more than was spent in 1952.

Furthermore, corporate profits—taking businesses of all sizes together—continue to mount to new highs. In the first quarter of this year corporate profits exceeded the previous alltime high reached last year, and this was true both on before-taxes and after-taxes basis.

MORE ON PROFIT RATES

How then has this general growth of busines affected small business? Has there been a corresponding growth in opportunity for small business to accommodate the Nation's increased population?

Between the end of 1952 and the end of 1956 the total number of business firms in operation increased from 4.2 million to 4.3 million—a rise of only 2 percent to accommodate a population increase of 16 percent, and a physical increase in goods and services of 12 percent. The stunted growth of small business during this period involved a cost of 1,313,500 discontinued businesses and 1,330,220 transeferred businesses, including both mergers and businesses sold to new owners.

What also, it might be asked does the present boom in capital expansion portend for small business in the future?

Since present productive capacity, with a few exceptions, is already substantially in excess of the immediate foreseeable consumer demand, there is a grave question whether the tremendous new investment in productive facilities being made by the giant corporations foreshadows a corresponding outpouring of consumer goods and services, or whether the new capacity being acquired by the larger corporations is not destined—in large part—to replace capacity now in the hands of smaller firms.

MAJOR CAUSES OF SMALL-BUSINESS DECLINE

Undoubtedly there are many factors working toward the diminution of small business in our economic system. Your Small Business Committee has tried, and will continue to try, to discover what the important factors are and point out those which can and should be corrected.

There are several factors, however, which bear with such overwhelming weight on small business that they warrant extraordinary attention.

First, the Federal antitrust and trade regulation laws contain serious weaknesses, permitting trade practices which create artificial advantages to bigness and destroy smaller competitors without respect to technical efficiency or other merits. Foremost among these is the practice of discriminatory pricing which has reemerged since the Supreme Court reinterpreted the Clayton Antitrust Act, as amended, in the Standard Oil—Indiana—case. Your Small Business Committee investigated this matter thoroughly during the 84th Congress and made a full report to the House. In addition, during the present Congress, the House's attention has been called to the need for legislation to plug this loophole in the antitrust laws.

Second, the present Federal tax structure alone could be expected to contribute importantly to the possible elimination of small firms from the business system within not a great many years. Differences between the impact of the individual income tax and the impact of the corporate tax allow the large corporations to retain earnings and accumulate growth capital—with relative ease, whereas there is no commensurate opportunity for proprietorship and partnership firms to retain profits on which to expand. Furthermore, the corporate income tax places a vastly heavier burden on the smaller corporations than it does on the bigger corporations. The tax cuts heavily into the retained earnings of the smaller corporations, since, as a general rule, the forces of competition are present to limit the prices and profits which smaller corporations may take, but little affects the capital accumulation of the bigger corporations which are much more able to shift the tax onto other taxpayers.

These considerations were set out in the committee's final report in the last Congress and, at other times, the attention of the House has been called to the need for tax adjustments which will bring about a more equitable distribution of the tax burden among business firms.

Third, as has long been recognized, there is a problem of small firms gaining adequate access to the sources of capital. On top of this chronic problem, it now appears that to the extent that business firms are being squeezed by the tight money and high-interest policies, small firms are bearing the brunt of these policies. While your Small Business Committee has made no recent recommendations concerning the small-business financing problems, it does have an investigation underway by which it is hoped that at least the sources of this continuing problem will be better identified and understood, with the result that constructive recommendations will be forthcoming.

WORK OF THE COMMITTEE

The interest of your Small Business Committee has pointed primarily at those matters having a direct bearing upon the establishment, growth, and survival of small-business concerns. These matters include problems arising from the financing and the taxing of small-business enterprises as well as studies of business practices and activities of Government in the enforcement of laws relating to business practices, financing, procurement and numerous other matters affecting small business.

CASE WORK OF THE COMMITTEE

In addition to the program of the committee and its subcommittees regarding the studies, investigations, hearings, and reports covering the matters referred to above, the staff of the committee, under the direction of the chairman, from day to day throughout the first session of the 85th Congress carried a heavy work load of case work. The term "case work" is used to identify those problems pertaining to small business which were referred to your Small Business Committee principally by Members of the House. In the handling of each of these day-to-day problems, the committee and its staff operated as a service agency for the Members. In doing so it served as a special link between the Members and parties from whom information was needed. Frequently the needed factual information was secured from agencies of the executive branch of the Government. In other instances it was obtained from offices of large corporations. In each instance your Small Business Committee located the proper source, secured the pertinent data, arranged for appropriate consideration of the small-business concern's problem, and thereafter reported to the interested Member. These matters, as indicated, were quite numerous and some of them involved such knotty problems as to require the members of the staff to devote a substantial part of their time in handling them to completion.

FINANCING PROBLEMS OF SMALL BUSINESS

It goes without question that with each increase in price on the items needed for the operation of small-business concerns the latter are faced with an increasing need of more financial resources in order to carry inventories and to satisfy other needs for working capital, growth, and survival.

When any business concern is faced with a condition of depleted financial resources and his suppliers and the local banks tighten up and refuse to extend him lines of credit, he is indeed in a precarious situation. Small business faced with such difficulties is quite limited in its opportunities to secure financial assistance. Therefore, it is natural for small business concerns to look to and expect from the Federal Government not only sympathy but assistance in such situation. Indeed, to meet that problem Congress enacted Public Law 168 of the 83d Congress in 1953 to establish a Small Business Administration to provide among other things financial assistance to small business. Thereafter, the Small Business Administration was renewed and strengthened by Public Law 268 of the 84th Congress in 1955. In the closing days of the 1st session of the 85th Congress, S. 2504 was passed and approved extending the life of SBA to July 31, 1958. In the meantime, Congress will be considering additional legislation regarding the Small Business Administration and for providing needed financial assistance to small business.

By comparison with its present rate of activity, SBA did much less to provide financial assistance to small business during the period of 1953 and 1954 than it has done in 1956 and 1957. According to a press release from the SBA dated August 28, 1957, it increased its approval for financial assistance during July 1957 to an amount more than double what it had approved for small business during July 1956. The rate of SBA's activity in that respect had more than doubled in 1956 over what it had been during 1954 and 1955. Prior to 1955 a larger proportion of small business concerns applying to the SBA for financial assistance was denied assistance than is the case today. Also the growing need for financial assistance is reflected in the additional activity of the SBA.

The increasing need of financial assistance for small business has been of deep concern to your committee. Consequently, the House Small Business Committee decided to make an investigation into the financing problems of small business. That investigation has been started.

An effort has been made to determine how well private financial institutions are serving small business. We are attempting to get a clear picture on how well the present policies of the Federal Government have served the needs of small business in its efforts to secure financial assistance and whether other policies of the Federal Government have worked against small business satisfying those needs. In that connection, the committee has undertaken factual surveys with the cooperation of life-insurance companies and other segments of the financial community. Efforts are now under way to secure the cooperation of commercial banks in securing data concerning this matter. Also, your committee is watching with interest and giving study to proposals that the Board of Governors of the Federal Reserve System make a study in the field of small-business financing.

In addition to the staff work which has been undertaken under the direction of the chairman concerning the financing problems of small business, the committee has decided to hold hearings on that subject in Washington, D. C., and these hearings will commence before the end of the year. They will be resumed early in the second session of the 85th Congress in January 1958.

It is planned that at the hearings testimony and other evidence will be introduced which will show how well private financial institutions and Government policies are serving small business in its effort to secure needed capital. In addition, the inquiry will cover the extent to which the boards of directors and advisers of the big financial institutions and the big industrial and commercial corporations are interlocked and how these interlocking boards and advisers affect the ability of smaller industrial and commercial companies to obtain financing. Of course, within the purview of that inquiry will be a probing of the policies and practices of such groups in their relation to the flow of capital into and through free and competitive financial markets for the financing of business enterprises.

IRON AND STEEL SCRAP PROBLEMS

Proposals for Government intervention to restrict exports of scrap iron and steel have been the subject of a periodic controversy for several years. Manifestly, such limitations, or the failure to impose such limitations, affect numerous small-business firms, both in the scrap trade and in the metal-using industries, such as the iron and steel foundries and the semi-integrated steel companies.

In addition, the committee has received numerous complaints from members of the scrap trade concerning conditions and practices alleged to be growing up within the industry. These have included complaints of exclusive dealing, or near-exclusive dealing, on the part of foreign scrap-buying cartels with certain favored members of the United States industry; they have included complaints that similar exclusive dealing or near-exclusive dealing has become a common practice of United States steel mills in their purchases of scrap; and they have included a variety of other alleged private trade restrictions which are said to threaten the continued welfare of small firms in the scrap industry.

As a consequence, at the beginning of this session of Congress, the committee undertook the task of making a more thorough investigation and study than had previously been made of this industry for the purpose of trying to reach a resolution of some of the chronic issues and conflicts.

Shortly after the study was begun, the committee's attention was abruptly focused on new problems in the export phase of the industry. On May 6 the Department of Commerce suddenly announced that it was invoking its authority to embargo further exports of heavy melting scrap to three geographic regions of the world which constitute the principal foreign markets for these materials.

The committee held open hearings during the week of May 19, and hearings in executive session during the week of June 16.

Testimony was directed primarily to export problems and to conditions in the export markets about which exporters and dealers were disturbed, although considerable testimony was also heard about problems in the domestic markets.

While the committee has not yet made its findings, certain uncontroverted highlights can be pointed out.

Scrap dealers were disturbed at what seemed a new policy of restricting exports of scrap steel—and were protesting the adoption of such a policy on the grounds (a) that there was insufficient reason for it and (b) that such a policy would be inequitable in view of the fact that there was no proposal to limit exports of either new steel, iron ore, or pig iron. Testimony of officials of the Department of Commerce point out, however, that the United States Government had in fact adopted the policy in question early in the previous year and that restraints on exports of steel scrap in the calendar year 1956 had been effectuated by working out voluntary quotas with the governments, or their buying agencies, representing the three foreign markets in question. The three principal foreign markets are: (a) the United Kingdom, (b) Japan, and (c) the European Coal and Steel Community, which is comprised of the steel industries of France, Western Germany, Italy, Belgium, Luxembourg, and the Netherlands. In each case, purchase of United States scrap for importation to these areas is made through a central buying agency.

An export license from the Department of Commerce is required to ship scrap to most of the other countries of the world, but there has been no quota limitation as to the tonnages which these countries may purchase.

During the calendar year 1956, the Japanese purchasing cartel had made purchases substantially in excess of its voluntary quota for that year. The voluntary quotas for the calendar year 1957 were in controversy on May 6 of this year, although at least one of the foreign purchasers with whom quotas were then being negotiated had already placed orders aggregating the total quantities of scrap which it had received from the United States in the previous year. It was for these reasons—according to Department of Commerce officials—that the Department had reached the decision to limit exports to the tonnages of the previous year—pending an understanding on the 1957 quotas. An additional reason given for this decision and for the Department's intention of working out "voluntary quotas" again for the year 1957 was the fact that the Department was then newly in receipt of a report prepared by the Battelle Memorial Institute at the Department's instigation. The Battelle report appraised the supply-demand outlook for scrap and concluded that there is a "potential shortage" of the heavy melting grades of steel scrap in the United States in the years ahead.

Following the committee's first week of hearings, the Department of Commerce announced that an understanding had been reached with the foreign purchasers as to "voluntary quotas" for the year 1957. These quantities, in general, allow each of the 3 principal foreign purchasers tonnages amounting to approximately 13 percent more than the tonnages which these purchasers actually imported from the United States in the year 1956. These quotas, it might be added, apply only to the heavy melting grades of scrap, as the lighter grades are considered to be in plentiful supply and may be freely exported.

On this point, witnesses representing the foundry industries and the semi-integrated steel companies said that in their operations heavy melting scrap is an essential raw material for which neither iron ore nor pig iron is a substitute, and in many cases new steel is also not a practical substitute. One foundryman testified that he had been forced to raise the price of his products because of a long period of rising prices for scrap.

Scrap exporter witnesses testified that, since lifting of United States export controls at the end of 1953, it had been the practice of the central purchasing agency for the European Coal and Steel Community to purchase all or substantially all of its scrap requirements from the United States on contract with a syndicate of a small group of United States exporters, the group including the dominant factor in the United States market. Some of the most vigorous complaints heard from both exporters and dealers went into this situation.

The attention of the Department of State was called to the transcript of the committee's hearings, and the State Department in turn called attention to the transcript to the High Authority, which is the governing body of the European Coal and Steel Community. Subsequently, the High Authority advised the State Department that it was instructing the OCCF, its purchasing agency, to promulgate "standards and criteria" for a new method of purchasing scrap from the United States, whereby normal "commercial considerations" would determine which and how many United States suppliers might have access to that market.

Finally, on July 11, the High Authority sent a communique to the State Department setting out the standards for a new purchasing procedure. These state that "all scrap dealers of the United States shall be entitled to make offers under the same conditions," and "that when examining the offers the OCCF will take into account (a) prices and other conditions relating to prices, (b) compatability and regularity of quality, (c) date of delivery, and (d) dependability and regularity of shipment." It thus appears the restrictive features which have heretofore obtained in the European market will be removed and that all United States suppliers of "good reputation" will have equal opportunity to compete in the OCCF market.

Several exporter-witnesses made complaints about the purchasing practices of the Japanese cartel, similar to those which have been made about the OCCF. Testimony is to the effect that immediately following removal of the export embargo in 1953, the Japanese cartel first entered into an exclusive supply contract with one United States firm, an arrangement which continued, however, for only approximately 6 months. Since that time the Japanese cartel has widened its "cartel list" of acceptable suppliers to the extent that six United States exporters have contracts or orders from the Japanese. There was testimony, however, to the effect that the practice of limiting orders to six exporters is highly arbitrary, and that other aspects of the cartel's purchasing practices appear to be motivated by other than normal commercial considerations.

Statements from officials of the State Department indicate also that that Department considers that the Japanese cartel's present method of doing business with United States firms falls short of the objectives of United States policy to encourage competitive conditions and practices in foreign markets as this policy has been enunciated in the Mutual Security Act.

In its investigation of the iron and steel scrap industry the committee must necessarily open up for inspection points around which sharp conflicts of commercial advantage or disadvantage revolve. Under these circumstances it is regretable, but perhaps inevitable, that all parties would not be pleased or give enthusaiastic welcome to the committee's investigation. Thus, for example, shortly before the committee's hearings opened, the executive vice president of the Institute of Scrap Iron and Steel—which is the largest trade association of yard dealers and scrap brokers—made a speech which was then published in one of the trade journals in which he described the committee's investigation as an "attack on business" by Members of Congress who have been associated with the New Deal movement.

On the other hand, following the first week of the committee's hearings, the board of directors of the National Federation of Independent Scrap Yard Dealers, Inc., adopted a resolution commending and thanking the committee for its investigation.

In addition, the committee has received, and continues to receive, large numbers of letters from members of the trade commending or approving the committee's investigation.

This resolution and excerpts from many of these letters appear below:

NATIONAL FEDERATION OF INDEPENDENT
SCRAP YARD DEALERS, INC.,
New York, N. Y., June 7, 1957.

Hon. WRIGHT PATMAN,
Select Committee on Small Business,
House Office Building, Washington, D. C.

DEAR CONGRESSMAN PATMAN: I take pleasure in enclosing herewith text of a resolution adopted by the board of directors of the National Federation of Independent Scrap Yard Dealers, Inc., at its meeting in New York City on Monday, June 3, 1957.

It not only expresses the views of the board but, I feel, fairly reflects the attitude of the approximately 4,000 independent scrap yard dealers in the United States.

We have had several meetings with members of your staff. I take this opportunity to state to you the great regard which I have for their work and to note the high level of efficiency and courtesy on which the current study is being conducted, judging from my personal experience.

Very truly yours,

STANLEY ASRAEL,
President.

Resolved, That the board of directors of the National Federation of Independent Scrap Yard Dealers, Inc., at a meeting assembled, extends its thanks to Hon. WRIGHT PATMAN, chairman of the House Small Business Committee, for the splendid work being conducted by the committee and its staff in its trailblazing study of the vital scrap industry, composed for the greatest part, numerically, of small-business men; and be it further

Resolved, That it is the sense of the board of directors of the National Federation of Independent Scrap Yard Dealers, Inc., that the current study fills a sorely needed review of this industry which has too long been regarded as being merely on a standby basis and has been denied proper recognition for the indispensable role which it plays in our national economy as one of the few remaining major noncaptive components of the steel industry.

JUNE 7, 1957.

We note with great pleasure the recent announcement made by the State Department to the effect that the European Coal and Steel Community is planning to take steps to eliminate the monopoly purchasing practices by the Luria Bros. & Co., Inc. We feel that this was a very necessary step, as it will enable the independent scrap dealers in this country to participate in a larger way in the export program to the OCCF countries, as we will now have a free and competitive situation in the export scrap industry, which will be helpful to the United States of America as well as to the OCCF countries.

Once again we want to congratulate you on the wonderful stand you have taken.

* * * * *

I wish to congratulate you and the committee on the very fine and conscientious study which you and your staff has made of the scrap industry.

As a small-business man we are conscious of the fine results. * * * It is very gratifying and we wish to express our appreciation for a job well done.

* * * * *

It is heartening to see the wonderful results you and your committee have attained. * * * We are a relatively small scrap organization, and at times it is very difficult for us to maintain our independence and not become a pawn of others. We have been discriminated against and have found certain markets closed to us, but we will still maintain independence. Again, thank you for your sincere efforts on our behalf.

* * * * *

Congratulations on a job well done. To your, your committee and the staff of your committee, our hats are off and for a very thorough study of the scrap industry. * * *

We as an industry are very grateful to you for accomplishing this worthwhile program.

* * * * *

Our small company has watched with interest the work of yourself and your committee in its study of the scrap industry. A very fine job has been done which is a credit to you and the committee.

The industry is extremely grateful for what you have done for it. We trust that this small measure of appreciation will show you that your efforts have not been wasted.

* * * * *

The recent announcement to the effect that the European Coal and Steel Community is planning to take steps to eliminate restrictive purchase practices of the OCCF was indeed good news to me, as well as to all my colleagues in the scrap export field. I wish to thank you and all the members of your staff for the stand you have taken in this matter.

This growing monopoly situation was bound to have widespread effects upon independent scrap dealers in the United States who, because of location and other economic circumstances, depend upon the export market for a large volume of their business. We believe that the best interests of the Community and the United States are served by a truly free and competitive situation in the scrap-export industry.

We hope that the Select Committee on Small Business will continue the vigilance which it has exhibited in the past to prevent a recurrence of the monopoly situation that has existed.

* * * * *

May we extend to you, and your committee, our congratulations on the study you have made of the scrap industry and the fine results forthcoming therefrom.

Speaking for ourselves, and our friends, in the industry, we express to you and your staff our gratitude.

* * * * *

As one engaged in the humble industry of buying and selling scrap—I want to thank you and your committee for the valuable services rendered the scrap dealers through your untiring efforts in the study of the situation in the scrap industry.

* * * * *

We conduct a small scrap yard operation here in Rochester, N. Y., and are members of the scrap industry.

At this time we would like to pass along to you and your committee congratulations for the wonderful job done on your study of the scrap industry.

* * * * *

It is my pleasure to take this opportunity to congratulate you, your committee and staff on the excellent and revealing study the committee has made of the scrap industry.

* * * * *

Please accept our humble thanks, for the worthwhile program, set up by both you and your committee.

As a small-business man, also a member of the scrap industry, excellent results seem to have been obtained, and we are very grateful.

* * * * *

We wish to congratulate you, your committee, and the staff of your committee on the time, effort, and consideration which you have given to the study of the scrap industry.

Bringing into the open various phases of operation will help to preserve the independence and advancement of the small dealer, collector, and broker in a free and competitive atmosphere.

As a whole the industry is thankful to have a champion such as you have demonstrated and appreciate the accomplishments of your program.

* * * * *

Several days ago I received a press release of the Department of State, which contained information pertinent to the hearings before your committee. * * *

Certainly the information contained in this press release indicates that your committee has accomplished at least part of what it set out to do, and this is, of course, gratifying to us as it must also be to you and the members of your committee.

I would like to take this opportunity to thank you and all of your staff for your firm stand in this matter, and to assure you of my cooperation and that of other members of our industry should the necessity arise in the future.

I sincerely hope that most of the members of your committee are convinced that a real monopoly situation exists in connection with the activities of Luria Bros. Co., Ltd., and that this is not just a case of certain members of an industry requesting governmental aid in a normal competitive situation.

Again please accept my sincere appreciation for your efforts on behalf of our industry.

* * * * *

From our trade papers, we note that the European Coal and Steel Community is planning to take steps which will eliminate the monopoly purchasing practices of a certain group of large brokers in this country. This is certainly a step in the right direction and we know that this was brought about to a large extent by the actions of the United States Department of State and your committee. You realize that we as small independent dealers look at this action selfishly from our point of view. However, the writer feels certain that the well-being of the entire industry, of this country, and that of the OCCF countries will be in much better shape since the independent scrap dealers are enabled to participate in the export program to these countries.

Going still further, and along the same line, we also feel certain than an examination into the competitive situation and to a certain degree restrictive buying practices of several domestic steel mills could be corrected to the betterment of all concerned. I mean to the benefit of the scrap dealer, the scrap broker, the steel mill, and the economy of the country.

May I take this opportunity to thank you for the work which your committee has done in our behalf.

* * * * *

We wish to congratulate and thank you for the recent announcement that the European Coal and Steel Community is planning to take steps to eliminate the monopoly purchasing practices by the Luria group. We feel that this will save the day for the independent scrap dealers in our country.

A free and independent scrap business enabling competing participations in foreign markets will prove helpful to the United States of America as well as to the OCCF countries.

* * * * *

We understand that you, your committee, and the staff which worked with you has made a very thorough study of the scrap industry, which should go far toward promoting an understanding of our complex business.

* * * * *

This is to express my appreciation to you for inviting me to present testimony to your committee last Thursday, June 20, 1957, in connection with its hearings on ferrous scrap.

I am grateful, too, for the courtesy which you and your colleagues extended to me while I was before your committee.

* * * * *

I should like to take this opportunity of congratulating you as chairman of the House Select Committee on Small Business for the accomplishments of that committee with regard to the recent developments in the alleviation of restrictive purchase practices of the OCCF. The feeling of many dealers like myself is that it is a direct result of the efforts of this hard working and fair minded committee and you are to be commended. We can only hope that the hear-

> ings will have the same effect on the domestic scene.
>
> As the daughter of a man who immigrated to this country at the age of 10, I have since childhood been taught that this is truly a democratic country where a person can rise as high as his own capabilities will permit and anyone can be heard by its government. My father is living proof that there are opportunities in this country but I must confess that until last week, I was cynical about having anyone listen to the voice of "the little man."
>
> My appearance before the committee changed my cynicism to admiration and respect. I sincerely appreciate the courtesy of the committee when I gave my statement and feel that the questioning by its members showed interest in and a good knowledge of the scrap industry. Now I not only say, "Thank God for America," but also, "Thank God for those dedicated representatives who give so much of themselves to make sure that it remains a government of, by, and especially for the people."
>
> I wish you continued success in all your endeavors and want to assure you of my wholehearted cooperation at any time.

• • • • • •

> We wish to thank you for your efforts which resulted in the recent announcement to the effect that the European Coal and Steel Community is planning to take steps to eliminate the monopoly purchasing practices by certain groups.
>
> We feel that this will be very beneficial to the independent scrap dealers of this country.

• • • • • •

> As a member of the Institute of Scrap Iron & Steel, Inc., and the National Federation of Independent Scrap Yard Dealers, Inc., permit me to take this opportunity to extend congratulations to you.
>
> Speaking as an individual member, we are very grateful to you and your staff.

• • • • • •

> I noted with great interest the recent State Department announcement that the European Coal and Steel Community is planning steps to eliminate certain practices of the OCCF which have resulted in restraint of normal trade in iron and steel scrap in this country.
>
> The monopolistic situation developed by the OCCF practices resulted in harmful effects on many individual scrap operators in the United States who depend upon the export market for the movement of a large percentage of their materials. I know that you will agree that the best interests of small business firms in this country are served by a free competitive situation, not only in the export trade but also in normal domestic activities. The logical extension of restraining practices would have soon forced the breakup and dissolution of many small firms who have actively served American industry in stress periods of iron and steel scrap requirements.
>
> Our Nation should certainly support the operations of such small-business men and maintain their strength for service during periods of heavy domestic and military need for raw materials.
>
> We trust that the Select Committee on Small Business will continue its unceasing efforts toward furthering a normal flow of iron and steel scrap, and thus prevent a recurrence of any monopolistic practices in the handling of this vital raw material.

• • • • • •

> I want to take a moment to thank and congratulate you, your committee and its staff. * * *
>
> I am a small-business man and a member of the scrap business for many years.

• • • • • •

> I am pleased to submit my congratulations to you, your staff, and your committee for the very extensive and productive study of the scrap-metal industry just completed by your committee. As an owner of a scrap metal firm, a small-business man and a member of the National Federation of Independent Scrap Yard Dealers, I am gratified at the results that you have achieved, and I am certain that my fellow members of the scrap industry will aptly demonstrate their mutual appreciation of the fine work performed by you and your committee.

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ACTIVITIES OF SUBCOMMITTEES

In order to carry out the detailed work connected with a variety of specific investigations agreed upon by the full committee, 6 subcommittees were established and designated as subcommittees, numbered 1 to 6, inclusive.

SUBCOMMITTEE NO. 1

This subcommittee is composed of Hon. JOE L. EVINS, of Tennessee, as chairman; Hon. SIDNEY R. YATES, of Illinois; Hon. CHARLES H. BROWN, of Missouri; Hon. WILLIAM M. MCCULLOCH, of Ohio; and Hon. CRAIG HOSMER, of California.

The matters referred to this subcommittee for study, investigation, and report related to law enforcement and subsidies affecting small business.

This subcommittee has initiated an investigation covering the policies and practices pertaining to Federal research and development contracts, as well as other Federal subsidies and incentives to business, with particular attention to the effect of these Federal activities as they relate to national antitrust policies. The study involves a review of the small business interests in Federal policies pertaining to the acquisition and control of patents on federally financed inventions.

On November 19, 1956, the Attorney General of the United States, in reporting to Congress, made the following pertinent observations regarding this problem. He stated in part:

> The impressive factual indications * * * may point a warning that the total effect of the research and development effort may well tend to increase concentration of economic power. Moreover, that evidence indicates that this tendency toward concentration may be accentuated and not retarded by the administration of Government financing of research and development.
>
> As noted * * * the agencies administering the program have made no adequate compilation of statistical materials in this important area. The few analyses made have not adequately considered the problem of economic concentration.
>
> The vital importance of preserving our economic system makes obvious the need for greater effort in this regard by the administrative agencies concerned. * * * A comprehensive delineation of the exact problem is a necessary first step to its solution. That delineation should include in detail the distribution of federally financed research and development projects among the various size classifications of industry, as well as the exact scope and distribution of other tangible benefits, such as patents and subsequent procurement, which result from participation in these projects.

The study undertaken by the subcommittee has, therefore, seriously considered the concentration of economic power flowing from these policies of the Government and the manner in which they have affected small business.

It is apparent that what happens in research and development might well spell out what will happen to small business in the future.

One of the major purposes of this project is to ascertain why officials and agencies of the Federal Government have adopted policies and procedures in connection with grants and subsidies for research and development programs which provide attractive opportunities for big business but seem to foreclose more and more the opportunities of small business to receive such favors.

In connection with this study, a letter of inquiry was forwarded to 100 representative large and small companies who were recipients of research and development grants from the Federal Government. The companies were requested to submit to the committee a list of all patents secured on inventions derived through research and development grants, awards, or contracts obtained from any agency of the Federal Government. The companies were also requested to submit copies of license agreements executed under each of these patents. Virtually all of the companies have responded thereto, and the staff of the committee is presently evaluating and studying these replies.

The problem is serious in view of the most recent available Department of Defense statistics revealing that small business is receiving less than 5 percent of these grants. It would seem, therefore, that small business is not receiving its fair share and that the Department of Defense apparently has failed to follow congressional intent. An outline of proposed hearings covering this problem of small business is being prepared.

In addition to the foregoing, the subcommittee has been studying problems affecting small business, which involve agencies of the Federal Government and their enforcement of laws designed to protect small business from unfair, predatory, and restrictive trade practices. This study has been prompted by the fact that small-business concerns which have requested Federal agencies to enforce laws prohibiting destructive trade practices have now complained that the Federal agencies in question had failed to act or if they had acted the action had not been taken timely. In addition, it appears that small-business men have complained to the Federal agencies about certain practices which, although made the subject of formal proceedings, those proceedings were concluded without provision for stopping the alleged unlawful practices. Therefore, before this subcommittee completes its study it will review not only the practices covered by the formal complaints issued by the agencies but also those covered by orders and decrees which made disposition of the formal complaints relating to the practices affecting small business. Likewise, the subcommittee is studying the effectiveness of the action taken by the agencies to enforce their orders and decrees for the purpose of determining whether small and independent business is being adequately protected in this regard.

SUBCOMMITTEE NO. 2

This subcommittee is composed of Hon. ABRAHAM J. MULTER, of New York, as chairman; Hon. SIDNEY R. YATES, of Illinois; Hon. TOM STEED, of Oklahoma; Hon. R. WALTER RIEHLMAN, of New York; and Hon. HORACE SEELY-BROWN, Jr., of Connecticut.

The matters referred to this subcommittee for study, investigation, and report related to small-business problems connected with the Small Business Administration and those pertaining to Government procurement, loans, and disposal activities.

During the early days of the first session of this Congress, this subcommittee conducted a searching inquiry into all of the operations of the Small Business Administration in order to disclose the degree of efficiency attained by its staff under current management, the effectiveness of its operations, and the needs for strengthening or improving the basic act. It was the intent and purpose of the subcommittee to develop full and comprehensive information concerning the activities of this Agency and their effect upon the related problems of small business in order that appropriate recommendations thereafter could be made to the Committee on Banking and Currency and the House of Representatives. Eight days of hearings were held during March and April 1957, at which evidence was elicited which proved to be of valuable help to the membership of the House in connection with their ensuing debate regarding the merits of proposed legislation dealing with this Agency.

Turning to other fields, it can be reported that the subcommittee carried out a number of field inspection trips and conferences. Such meetings were held in Los Angeles, Calif., Seattle, Wash., and Hawaii. Basic subjects covered in these field investigations were:

First. Certain problems of small business in the financial assistance field.

Second. Problems of small business in Government procurement.

Third. The operation and efficiency of the Small Business Administration in disaster areas.

In general, the subcommittee found that small business is not receiving its fair share of Government procurement, is not receiving equal or equitable opportunity to compete in Government business, and is being squeezed by the tight-money policies. In the tidal wave disaster area in Hawaii, the subcommittee found that unfortunately the Small Business Administration had not performed its mission in an expeditious manner. However, as a result of the findings and report submitted to the Small Business Administration by the subcommittee covering its investigation in Hawaii, the program was accelerated and the victims of the disaster received assistance somewhat seasonably.

The subcommittee has received reports and has been advised that as a result of these field trips, the Small Business Administration has improved upon its administration of business loans and procurement in the regional areas visited in California and Washington.

In making these field trips it was learned that the small-business man who cannot come to Washington to tell his story to Congress was extremely anxious to voice his opinion on these important problems to the visiting members of the subcommittee, and was definitely grateful for being given the opportunity of doing so.

As a part of its work in studying the problems affecting small business flowing from Federal Government procurement policies, the subcommittee gave special study to a case arising out of Atomic Energy Commission procurement. The case originated as a result of a letter from a small-business man complaining to the committee that it had not received a proper opportunity to compete for furnishing the Atomic Energy Commission with the item in question and that the bid of the successful bidder was neither responsive nor was the bidder responsible. The subcommittee in studying this procurement problem carefully reviewed all information made available to it by the complaining small business concern and the Atomic Energy Commission. The Commission failed to supply the committee with all of the information requested but upon the basis of all of the information that it did receive, the subcommittee concluded that the Atomic Energy Commission was not fair in its treatment of the complaining small business concern. It was found that the Commission had not taken into consideration the sums of money invested by this small-business concern, the establishment of a plant which was more than satisfactory, that it had met all of the requirements of the Commission, that it had never failed in its delivery of goods and had never defaulted at any time on any of its prior contracts with the agency. Nevertheless, the Atomic Energy Commission, in disregard of these factors, made the award to a less qualified bidder. The subcommittee requested that the Atomic Energy Commission, in the handling of similar future procurements, advertised, and set the same aside for small business. The Commission failed to give assurance to the committee that it would accede to that request. Therefore, the subcommittee has recommended that in the future procurements of this kind be by sealed bids and set aside for small business.

SUBCOMMITTEE NO. 3

This subcommittee is composed of Hon. SIDNEY R. YATES, of Illinois, as chairman; Hon. JOE L. EVINS, of Tennessee; Hon. ABRAHAM J. MULTER, of New York; Hon. TIMOTHY P. SHEEHAN, of Illinois; and Hon. R. WALTER RIEHLMAN, of New York.

The matters referred to this subcommittee for study, investigation, and report related to developments arising within the minerals and raw-materials industries which affect small business.

Since January of this year the attention of the subcommittee has been devoted to those situations adversely affecting small business which stem from recurring shortages of certain basic raw and strategic materials, such as aluminum, copper, nickel, steel, and so forth. The facts are that from time to time during the past several years these shortages have arisen, and during these periods of time it is imperative that steps be taken to make sure that small business is permitted to obtain its fair share of the short supply. This is true because the minerals and materials in question in many cases are vital to the continuing operation of the small companies affected.

It appears that the shortages in question arise due to a variety of developments, including accelerated industrial expansion, newly discovered uses for the materials, stockpiling for national defense, and so forth. Evidence and information thus far supplied the subcommittee indicate that our stockpiling programs at times have had an adverse effect upon small- and medium-size manufacturers, fabricators, and processors. There are further indications that our national policy pertaining to our domestic mineral and metal industries is unrealistic and has contributed to a situation causing smaller manufacturers and processors to face a price squeeze on semifabricated and semifinished products.

The subcommittee has agreed that an investigation should be conducted covering the aluminum industry, with particular reference to the stockpiling programs and the overall importance of aluminum on small business. Problems involving the supply and usage of aluminum scrap, insofar as they affect small business, are now being considered. Contracts entered into between the Government and the integrated producers of aluminum respecting the new and expanded facilities will be scrutinized and, in addition, the privileges granted to the producers to place unlimited supplies of basic aluminum in the stockpile will be reviewed.

SUBCOMMITTEE NO. 4

This subcommittee is composed of Hon. TOM STEED, of Oklahoma, as chairman; Hon. ABRAHAM J. MULTER, of New York; Hon. JAMES ROOSEVELT, of California; Hon. HORACE SEELY-BROWN, Jr., of Connecticut; and Hon. CRAIG HOSMER, of California.

The matters referred to this subcommittee for study, investigation, and report related to problems found within the aircraft industry affecting small business.

The aircraft parts industry is largely a small-business industry. It is composed of firms which make a countless variety of parts, pieces, components, instruments, and so forth, which go into the assembled aircraft.

Changes in types of aircraft, as well as other weapons, always produce a severe impact on small contractors. Renegotiation, taxation, and financing are continuing problems. There are other problems of course; for example, at this time the effect of the cutback in the manufacture of military aircraft recently announced by the Department of Defense is expected to pose serious problems for all segments of the aircraft industry, including both the large aircraft companies as well as their smaller subcontractors.

The staff of the subcommittee has been instructed to observe and study the effects that these cutbacks may have on small business within this industry. In the past, when other cutbacks have occcurred, large manufacturers canceled their contracts with many small subcontractors, thereby causing severe hardships, considerable unemployment, and bankruptcies. The subcommittee plans to conduct an investigation and hold hearings during the coming session of Congress covering these problems.

SUBCOMMITTEE NO. 5

This subcommittee is composed of Hon. **James Roosevelt**, of California, as chairman; Hon. **Tom Steed**, of Oklahoma; Hon. **Charles H. Brown**, of Missouri; Hon. **Timothy P. Sheehan**, of Illinois; and Hon. **Craig Hosmer**, of California.

The matters referred to this subcommittee for study, investigation, and report related to distributional problems effecting small business.

This subcommittee received many complaints from distributors of petroleum products concerning alleged coercion and discriminatory practices applied by the major oil companies, as well as the destructive effects of gasoline price wars. Wholesalers, independent refiners, and producers, as well as dealers, voiced their grievances.

It was decided that an investigation of the distribution practices in the petroleum industry should be made. Thereafter hearings were held in Washington on April 10, 11, 12, and 13, 1957, in Denver on April 16, 1957, in Los Angeles on April 24, 25, and 26, 1957, and in Chicago on April 30 and May 1, 1957.

As a result of the investigation and the hearings, the subcommittee issued its interim report—House Report No. 1157—which received the unanimous approval of all the members of the committee.

During the hearings in Chicago, efforts by the major oil companies to dictate retail gasoline prices in the South Bend, Ind., area were disclosed. This led the Department of Justice to initiate a grand jury investigation.

In its report, the subcommittee outlines a further suggested program in regard to the problems still unresolved in the petroleum industry to which attention is being directed at this time.

In addition to all of the foregoing, the subcommittee received a considerable volume of correspondence concerning a variety of problems relating to the distributional field in industries other than the petroleum industry. Generally, these complaints and inquiries constituted reports concerning alleged practices in restraint of trade being applied by manufacturers in a variety of industries. Replies were transmitted to all such parties and wherever possible helpful information supplied. The subcommittee is continuing to devote attention to the matters thusly received with the view in mind of determining whether investigations and hearings should be undertaken.

SUBCOMMITTEE NO. 6

This subcommittee is composed of Hon. **Charles H. Brown** of Missouri, as chairman; Hon. **Joe L. Evins**, of Tennessee; Hon. **James Roosevelt**, of California; Hon. **William M. McCulloch**, of Ohio; and Hon. **Timothy P. Sheehan**, of Illinois.

There was referred to this subcommittee the task of studying, investigating, and reporting upon practices and conditions existing in certain food industries for the purpose of determining whether the facts are as alleged that changed patterns and methods and distribution, coupled with business practices and relationships of a few large concerns, are operating to "ruin the smal operators." Almost immediately the subcommittee announced plans for investigation and hearings regarding the poultry industry. It had received numerous complaints from small poultry hatcheries, processors, dealers, and feed manufacturers to the effect that business practices of their larger competitors and other factors to which reference is made above were destroying the small- and independent-business men in the poultry industry. The investigation led to hearings which were held during May, July, and August 1957.

The testimony and other materials which were made a part of the record during the course of the hearings throw considerable light on the changing patterns and methods of production and distribution in the poultry industry and the concentration of the industry in the hands of large operators, as well as the business practices and the relationships of those operators with one another and their effect upon small business. Copies of the testimony adduced at these hearings have been printed and distributed.

A report dealing with the facts of that record is in the course of preparation and when completed it is expected to contain not only the subcommittee's findings as to the facts but also conclusions and recommendations. The report should be available before the end of 1957.

The problems covered by this investigation are of relatively recent origin and therefore it is fortunate for all concerned that the subcommittee has seen fit to conduct this study at this particular time. So often it develops that information revealing changes or new trends in an industry are brought to light too late to permit corrective measures to be taken seasonably. Not so in this case and accordingly there is reason to believe that highly beneficial results may be expected to flow from the hearings which this subcommittee has conducted. This conclusion is buttressed by the observations of several important members of the industry who thanked the subcommittee for its timely interest in their problems and for the highly objective and constructive fashion in which the proceedings were conducted.

Report to the Voters of the 10th Congressional District of New York

EXTENSION OF REMARKS
OF
HON. EDNA F. KELLY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 30, 1957

Mrs. KELLY of New York. Mr. Speaker, the first session of the 85th Congress is ending. The heated debates, the deliberations, and the controversies are all a picture of the true American scene. Let me remind my readers that on the other side of the world where communism rules, there are no debates, only ultimatums; no opinions, only foreordained plans; and no controversies for fear of liquidation. In controversies over legislation, I have tried to keep in mind the common good and I have voted for the kind of strong America in which my constituents want to live, where the rights of man guaranteed by our Constitution prevail.

The question of the rights of individuals and the sovereignty of nations is a basic issue both nationally and internationally. Much of the legislation considered during this session concerned itself with these principles on which the Government of the United States was founded. In a free democracy, legislation can be enacted to correct the ills and injustices that exist. The accomplishment of these social reforms needs the cooperation of all citizens, particularly in this era when the enemies of freedom use, without compunction, the weapons best known to them—propaganda, insurrection, subversion, infiltration, and intrigue. We must keep this in mind when we consider present-day problems. For the purpose of clarifying the issues, I will separate them into categories of international and national.

With these toughts in mind, I analyzed and voted on legislation. The bills and resolutions which were enacted are embodied in this report to the people of the 10th Congressional District of New York. Due to the strong, constructive leadership of the Speaker of the House, **Sam Rayburn**, and of the majority leader in the Senate, **Lyndon Johnson**, there are accomplishments on the credit side of the ledger of history for the first session of the 85th Congress. Their determination to withstand the vacillating approach and the indecisions of the administration brought to a successful conclusion issues which otherwise would have been shelved.

INTERNATIONAL

The foreign policy of the United States rests upon the foundation formulated under a Democratic administration when the United States reluctantly accepted leadership of the Free World. This involves a duty to keep the Free World united and to cooperate with the nations of the Free World in the fight against the common enemy. This policy is known as collective defense. We must be alert to every situation where a gain can be scored in the fight against international communism.

As long as the Communist threat exists, the United States is interdependent with the free nations of the world. Whether the leaders of international communism call themselves Socialists, national Communists, or international Communists, their objective is the same—to destroy the United States of America, the most powerful Nation standing in the way of their avowed domination of the world. The power of the atom bomb which threatens the annihilation of civilization is held by the most diabolical enemies of freedom the world has ever known—the leaders of the Kremlin.

But, to be effective, this policy of the United States must have consistent leadership to inspire confidence in our intentions and objectives. The Eisenhower administration has not been firm enough nor sufficiently definite. Consequently, the Soviet Union has been able to obtain a propaganda advantage before world opinion It is an admitted fact that the unity of the Free World has been ruptured by the events of the past few years, particularly, the past year.

MUTUAL SECURITY ACT

The backbone of United States foreign policy is the mutual security program which embodies foreign aid. This has proved to be not only useful but also necessary. It is the bulwark against communism and it is a foundation for world stability. It represents the first line of defense of the United States and our share of the cost of collective security. As a great industrial nation, we are dependent on world markets for strategic materials. As a nation blessed with surpluses, humanity demands that we share our goods with the less fortunate.

The United States cannot afford to falter again as we did in the Suez crisis and in the Hungarian crisis last fall. The United States leadership must seek and obtain Free World loyalty and cooperation among members of the entire Free World. Had the United States exerted true leadership last fall, the difficulty between Great Britain, France, and Israel would not have arisen.

The Mutual Security Act is the expressed desire of Congress to bear our responsibility in authorizing and appropriating funds necessary to carry out United States obligations toward the mutual defense of the Free World. The administration of these funds is the duty of the President.

The fact is that the mutual security program has strengthened free Europe. For example, in 1956, when our contribution to the NATO countries amounted to $1.7 billion, our NATO partners in Europe expended for defense, $13 billion or almost 90 percent of their combined defense expenditures. In addition, the nations receiving military assistance from us have spent for defense $5.50 for every dollar that we have put into such assistance.

I question the policy of the Eisenhower administration in the vital area of the Middle East. Lack of action in halting Russian arms to Egypt and Syria in 1955 gave Russia a foothold in the Middle East. While President Eisenhower and Secretary Dulles were in Geneva seeking peace with the Soviet, the Free World was stabbed in the back by the Russian deal in arms with Egypt. A strong policy by President Eisenhower at that time would have borne fruit.

The mutual security program for the fiscal year 1958 has been under Congressional consideration since early last spring. Before that, it had been the target of searching legislative and executive investigations.

The executive branch originally asked for $4.4 billion, which was scaled down to $3.8 billion. The appropriation for defense support for fiscal year 1958 was reduced by $336,700,000 from the previous year. This reduction is justified by the more rigid definition of defense support and the improved economic conditions of some countries that hitherto have received such assistance. The principal shift in emphasis has been to the countries in the Near East and the Far East. More than 80 percent of the sum requested by the executive branch has been planned for use in Greece, Turkey, Iran, Pakistan, Korea, Taiwan, Vietnam, and, more recently, Jordan. New funds for military assistance for fiscal year 1958 were reduced $334,200,000 from the previous year. There is at present in the pipeline $4,380,594,000. In addition, this country holds currencies of other countries in the amount of $2.5 billion resulting from the sales of agricultural commodities. We can draw from these so-called counterpart funds to further mutual security and its objectives.

The mutual-security program makes greater emphasis on loans rather than gifts. No new funds were appropriated for fiscal year 1958, but an unobligated balance of $52 million remains. In lieu of appropriating new funds for development assistance, the development loan fund was created with an appropriation of $300 million for 1 year only. Originally the executive branch requested an appropriation of $500 million for fiscal year 1958 and borrowing authority for $7,500,000 for 1959 and 1960, respectively. I opposed this latter authorization for 1959 and 1960 because this would have been added to the national debt. The bill when passed carried the appropriation for 1 year only.

It is contemplated that the fund will operate on a revolving basis, with the payments and principal on loans being reloaned as they become available. Repayment of loans in foreign currencies will be accepted when necessary to meet the requirements of the program. Such currencies could be reloaned or they might be sold for dollars to United States Government agencies needing such currencies, thus providing dollars for use by the fund.

The details as to how the fund will be administered have not been worked out completely. Information concerning the activities of the fund will be announced soon.

I firmly believe the mutual-security appropriation and the carryover funds give the program more than can be spent in the current fiscal year.

HOUSE JOINT RESOLUTION 117 (ALSO CALLED THE EISENHOWER MIDDLE EAST DOCTRINE)

This was a joint resolution to authorize the President to undertake economic and military cooperation with nations of the Middle East to strengthen the defense of their independence.

The request by the Eisenhower administration for the adoption of this resolution was an admission that a Communist threat to the Free World and the security of the United States existed in the Middle East, Secretary Dulles, in referring to this legislation, stated publicly:

> Congress would have to take responsibility for the risk that the Middle East would be lost in a great and maximum disaster unless it backs the President.

As a matter of fact, the resolution was overdue by at least 2 years. It meant little at this late hour, as events in that area of the world have proved. The time for its adoption and efficient operation was in 1955 when the U. S. S. R. slipped into the Middle East by furnishing arms to Egypt at the very time its perfidious leaders were negotiating with the administration. No policy was formulated. The wait-and-see attitude continued until the situation exploded and action was demanded. A strong policy by President Eisenhower at this time would have borne fruit.

But, what did this resolution seek to do? This can best be explained by quoting section 2:

> The United States will employ the Armed Forces of the United States if invited and the President deems it necessary, if there is an overt act by international communism.

As we well know, an overt act by international communism could well be the start of world war III. The grave defect in this resolution is that it does not deal in any way with subversion, that new look of the U. S. S. R. so well known by the leaders and governments of the Middle East and so stated by the present administration.

At a Foreign Affairs Committee hearing, Secretary of State Dulles said that, although there was Soviet influence in the area, he believed the Eisenhower program would keep international communism from taking control. Congress responded to the President's request by adopting the Eisenhower Middle East doctrine. A mission—headed by former Congressman James P. Richards—was sent to that area to explain this doctrine, but all the mission did was pledge $119 million out of the $200 million authorized to bolster the economies of the countries against the Communist threat. The countries alining with Russia refused to invite the Richards mission for consultation. At this writing, Syria has fallen into the Russian entanglement which Nasser had already embraced. Thus, the weakness of the Eisenhower doctrine has brought the Free World again to the brink which was the fear I had expressed in my questioning of Secretary Dulles during the committee hearings on this doctrine. Following are my questions and the Secretary's replies:

> Mrs. Kelly. Mr. Secretary, since you and the President have stated that this resolution does not deal with the peaceful solution of the critical problems in this area, for example, (1) settlement of international use and operation of the Suez Canal, (2) establishment of a just peace between Israel and the Arab nations, including settlement of a refugee program, and so forth, and since it does not deal with indirect aggression, does not this resolution almost secure the position of the U. S. S. R. in the Middle East rather than displacing her, by almost guaranteeing the status quo, which we are all against?
>
> Secretary Dulles. In my opinion the best way to deal with these problems is for us to undertake the program here, which is not being dealt with by the United Nations at the present time and which could not effectively be dealt with by the United Nations,

and support the United Nations in its dealings with the other problems of the area. It is dealing very actively with the problem of the relations between Israel and its Arab neighbors. As you know, the United Nations has an observation mission watching the borders as to these raids. There is a United Nations mission looking after the refugees. Mr. Hammarskjold, the Secretary General, went on two missions to the area last spring and summer to deal with that problem and to study it. He is dealing with it actively and we are supporting him.

There is the problem of the future of the Suez Canal. That is a problem before the Security Council of the United Nations and it is also being dealt with by the General Assembly, and Mr. Hammarskjold is dealing with that problem.

I believe the best way is for us to support the United Nations in the areas where it is acting and can act effectively, and for us, through this legislation, to deal with areas which the United Nations cannot cover adequately because of the veto power of the Soviet Union in the Security Council and its disregard of the General Assembly as evidenced in the case of Hungary.

Mrs. **Kelly**. Mr. Secretary, you emphasized international communism's breakthrough in this area. Since the U. S. S. R. established herself in the Middle East during these 2 years in Egypt and Syria, and so forth, and since we are not going to deal with this indirect aggression, are we not accepting the establishment of national communism by saying that if those nations accept aid from Russia we will stand by and let them and thereby perhaps establish national communism?

Secretary **Dulles** The Soviet influence, of course, is in the area. It has been there for a long time in fluctuating degrees. But we do not believe international communism has yet gained control of any Middle Eastern state, and this program that we outline is designed to take all the measures which I think are available to prevent that happening; or, if it happens, to be sure it is of very brief duration.

I indicated that I do not think we should attack any country by armed force because we think it has a government controlled by communism. We are not going into the business of using armed force to accomplish that purpose. There are other ways it can be done.

KELLY RESOLUTION ON HUNGARY
(H. CON. RES. 204)

One of the most important resolutions adopted in the 1st session of the 85th Congress was the Kelly resolution on Hungary which was unanimously agreed to by the House and the Senate. This measure expressed the sense of Congress that the President and the United States delegates to the United Nations General Assembly should seek adoption of the report of its Committee on the Hungarian Revolution and work for measures to bring about the freedom of captive nations.

The following recommendations are included in this resolution:

First. Consideration and adoption of the report of the United Nations Special Committee on the Problem of Hungary and other available information on the brutal action of the Soviet Union in Hungary.

Second. Join in seeking the most effective way of dealing with the report of the U. N. special committee in order to advance the objectives of the United Nations regarding the situation in Hungary.

Third. To prevent further repressive action by the Soviet Union and seek all practical redress of the wrong which has been committed in violation of the principles of the United Nations and the elemental requirements of humanity.

Fourth. Implement policies through the United Nations or in cooperation with the peoples of the Free World to work toward the freedom and independence of the captive nations, and to effectively utilize the position of the United States through the proper means, to the end that the Hungarian tragedy shall not be repeated anywhere.

If the United Nations is to be more than a debating society, positive action must be taken on all these recommendations.

HOUSE JOINT RESOLUTION 16 (ON THE STATUS-OF-FORCES AGREEMENTS)

This resolution provides for a revision of the Status of Forces Agreement to remove armed services personnel from criminal jurisdiction of foreign countries.

I voted to bring this resolution to the House floor for action because I felt the rights of our military personnel overseas should be brought to the attention of the United States Senate. While the House of Representatives has no power in the ratification of treaties, it does have a grave responsibility to make known its views so that legislation will be truly representative.

My previous support of the Status of Forces Agreement was based on the assurance that servicemen were under the jurisdiction of the United States in respect to offenses committed on duty. The following is quoted from the statement of the Deputy Under Secretary of State at the hearings on this resolution before the House Committee on Foreign Affairs:

> In the first place, the Status of Forces Agreement provides that the United States servicemen remain under United States jurisdiction with respect to offenses committed while on duty. In other words, foreign governments have voluntarily limited their jurisdiction to criminal offenses occurring while soldiers are off duty, on leave, or a. w. o. l. President Eisenhower once addressed himself to this important feature of the agreement. He said in effect that he believed servicemen deserved special treatment while carrying out their assignments, but that when these servicemen were on leave and were following personal interests they should be subject to the same basic responsibilities as other citizens.

Since the recent decision of the President and the Court to the effect that they have the authority to waive this jurisdiction, I feel a clarification should be made in our agreement and I therefore will support an amendment to prohibit such waiver of the "on duty" clause by our Government.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT EXTENSION

The Agricultural Trade Development and Assistance Act—Public Law 480 of the 83d Congress—authorized the sale of our agricultural surpluses to friendly nations. Public Law 128 of the 85th Congress, 1st session, extended the original act of June 30, 1958, and it increased from $3 billion to $4 billion the amount of surplus commodities for sale and from $500 million to $800 million the amount for relief of needy persons abroad. To date, the cost of this program has been $3 billion for moving $1 billion of agricultural surpluses to nations abroad. To me, this is not only unsound—it is morally wrong. The sale of these surpluses to needy Americans is denied. True, a small portion of our agricultural surpluses is given to school lunch programs and to welfare agencies, but this Agricultural Trade Development and Assistance Act provides for the sale of such surpluses to foreign nations.

In 1954, the Congress adopted my amendment to the original act in limiting the sale of surpluses to friendly nations and prohibiting the sale to the U. S. S. R. and those nations under Soviet domination or controlled by Communist organizations. In 1957 during the consideration of the bill to extend this law, I offered an amendment to continue to prohibit the sale of surpluses to the U. S. S. R. and to those nations under Communist control or Communist organizations unless Congress passed a resolution declaring the nation friendly. I regret to have to report that this amendment was not adopted. The Eisenhower administration believes these surpluses should be sold to nations behind the Iron Curtain.

We must not forget that we are engaged in a sinister cold war with a ruthless, diabolically clever enemy. It will require the full, positive force of the Congress of the United States in conjunction with the executive branch to counteract the Soviet exploitation of our kindness, humanity, decency, adherence to treaties, and adherence to the pledged word. The executive branch desires to retain absolute discretion in determining which nation is friendly. Perhaps it would like to consider Syria a friendly nation. Or North Vietnam. Or North Korea. Or Red China. Recent developments should give us pause for great fear on this score. Surplus agricultural commodities to Red China? Recognition of Red China? Admission of her representatives to represent China in the United Nations?

The issue is really not the Congress versus the executive branch of our Government. The issue here is whether it shall be the executive branch in conjunction with the Congress, or just the executive branch alone making a vital determination.

RELAXATION OF TRADE RESTRICTIONS

A further demonstration of the attitude of the Eisenhower administration toward Communist nations and the satellite countries was the announcement in 1957 that the United States had agreed to relax the curb on trade with Red China.

The Mutual Security Control Act of 1951 prohibits the shipment of strategic material to Communist-dominated countries. The United States, with the Free World allies, has agreed on this principle for many years. The listing of items of trade fall into qualitative and quantitative categories. Since 1953, the Eisenhower administration has agreed to relaxation of the restrictive items on this listing. In 1957, the relaxation extended to about 160 new items for our allies while no relaxation was planned on the United States embargo.

Agreement among free nations on the easing of trade restrictions with Russia and Red China may be the new policy but the fact remains that there is grave danger in easing trade barriers with Communist nations and Communist-controlled nations. European nations have the greatest concentration of industrial production in the world. The U. S. S. R. does not want to destroy this potential. If the U. S. S. R. can achieve business agreements with European powers, it can control the economy of those nations by severing exports and imports at will. It must be remembered that Russia's support of Egypt in the seizure of the Suez Canal proved the dependence of European economy on the importance of the international control of this canal.

Easing of East-West trade could, in the long run, bring economic ruin to Europe and could outweigh the immediate relief to the economy of Europe in the increase of East-West trade at this time. Reducing the East-West trade barriers could be more helpful to the U. S. S. R. at this time by the Free World's relieving the Kremlin of bearing the responsibility for the failure of their Communist economic theories. The failure of the Communist theory is proven by conditions within Russia and within Communist-controlled nations. The Polish and the Hungarian revolutions have proven this fact. The big question for the Free World is: "Butter or guns?" Should the Free World furnish the butter so that the U. S. S. R. can continue the buildup of her guns?

Other enactments international in scope are as follows:

Public Law 21 approves amendment of Anglo-American Financial Agreement of December 6, 1945, to permit deferment of payments on loan to the United Kingdom.

Public Law 55 extends the operating authority of the Export-Import Bank for 5 years to June 30, 1963.

Public Law 27 extends for 1 year, to June 30, 1958, the suspension of duties and import taxes on metal scrap.

Public Law 14 authorizes agreements for construction of atomic reactors in Berlin, West Germany.

Public Law 220 authorizes the sale of 4 and the loan of 45 naval vessels to friendly nations in Europe, Latin America, and the Far East, to facilitate mutual security agreements.

House Concurrent Resolution 115 declares the sense of Congress that Spain should be admitted to membership in NATO.

NATIONAL

The recommendations of the President on domestic issues were marked by the same shifting of position. This, together with the failure of the President and his Cabinet to clarify the position of the administration, caused misunderstanding by Congress of what the President sought to accomplish. Congress was forced to sift from among the various propositions, the ones which would serve the country best.

BUDGET

It was the budget and its presentation that snarled the work of the 85th Congress. The President requested Congress to grant the authority to spend $73.3 billion. Congress responded by appropriating $67.7 billion. This cut of over $5 billion does not include the permanent authorization of $8 billion which represents interest on the national debt. When President Eisenhower took office in 1952, the national debt was $258 billion, the interest on this amount being $5.9 billion. The national debt today is $274 billion with an interest of $8 billion.

Coming hard on the heels of the much publicized economy drive by the Republicans and their cries of extravagance, waste, and mismanagement by the Democrats, the budget request was a shock. It is the largest peacetime budget in the history of our country. The Secretary of the Treasury declared it was too high and requested that Congress reduce it. The President defended the Secretary's stand, thus failing to support his own request. Congress fulfilled its responsibility and reductions were recommended by committees after months of searching study and hearings. The defense budget was reduced by $2.6 billion. Last year, the Department of Defense had available $74.7 billion, of which, $36.2 was a new appropriation by Congress. The carryover funds were for ships, aircraft, and other long lead-time items. The Department of Defense has $70.8 billion for the current fiscal year, of which, $35.9 billion is new appropriation with the exception of $590 million which represents transfers from unneeded funds. Thus, out of the available total of $70.8 billion, the Department of Defense expects to spend about $38 billion.

There have been many news reports in recent months of announcements from the Pentagon concerning cutbacks in personnel and the slowing down of many programs. The reductions in the defense budget are not responsible for these cutbacks. It became apparent to the Defense Department a few months ago that if defense spending took its natural course during this fiscal year, it would range between $40 and $42 billion. Adequate funds are in the hands of the Defense Department to finance a defense program this year in the sum of $42 billion, or more, out of a total availability of $70.8 billion.

DISARMAMENT

On this subject, the administration's attitude has not been firm enough and consequently, the Soviet Union has been able to obtain a propaganda advantage before world opinion. It is felt that basic goals and policies of the United States have been so obscured in a morass of detail, that a clear statement of fundamentals is obviously necessary.

NATIONAL DEFENSE AND INTERNAL SECURITY

Public Law 63 continues to July 1, 1959, suspension of 2,000,500 statutory limitation on personnel strength of Armed Forces.

Public Law 62 provides for induction of doctors, dentists, and allied specialist categories into the Armed Forces, as needed, with Reserve commissions, and it ends the special doctor-dentist draft.

Public Law 116 extends to June 30, 1959, authority for enlistment of aliens in the Regular Army.

Public Law 269 establishes a uniform procedure for production in court of statements by Government witnesses and limits admissibility to such as the court deems relevant. This law is designed to protect the secret files of the Federal Bureau of Investigation against unlimited exploration by attorneys for defendants in criminal trials. It bans pretrial disclosure of the files. After hearing the testimony of the prosecution witnesses, the trial judges must screen the FBI documents and turn over to the defense only those relevant to the testimony.

NATIONAL ECONOMY

Public Law 4 increases the lending authority of the Small Business Administration by $80 million to the total of $455 million.

Public Law 10 increases the borrowing power of the Federal National Mortgage Association by $0.5 billion to $1.6 billion to help ease the mortgage-money market.

Public Law 12 extends to July 1, 1958, the 52 percent corporate income tax and present schedule of excise taxes on alcoholic beverages, cigarettes, automobiles, and parts and accessories.

Public Law 17 authorizes the Secretary of the Treasury to pay nterest up to 3.26 percent on savings bonds.

IMMIGRATION

Public Law 316 represents substantial progress toward a revision of our immigration laws and it exhibits a recognition by the Congress of its responsibilities in the field of legislation. The most important provision in this new law is its effect on those cases which involve family hardship. It allows the admission of about 28,000 alien members of immigrant families and it permits the admission of 2,000 orphans over a 2-year period. The new law calls for a redistribution of 18,656 visas which remained unused at the expiration of the Refugee Relief Act. Fourteen thousand of these will be allocated to refugees from persecution in Communist nations and the general area of the Middle East. It cancels all mortgages on national quotas which were incurred by the Displaced Persons Act and the Refugee Relief Act. Approximately 8,000 people from countries whose quotas were in some cases mortgaged up to the year 2274, can now hope to migrate to America. Other features of the bill are: it will permit to stay here 15,000 people from behind the Iron Curtain who made fraudulent representations about their birthplace for fear of prosecution; it provides for the admission of 840 skilled specialists; it permits the Department of Justice to waive the requirement of fingerprints of nonofficial visitors to the United States; and it gives illegitimate children the same immigration rights as all others.

CIVIL RIGHTS

The civil-rights bill of 1957 is the first legislation of its kind that has been enacted in 82 years. This fact in itself is important although the weakness of this legislation must not be minimized. The original civil-rights bill, sponsored by my colleague, Congressman EMANUEL CELLER, of New York, survived the delaying tactics and other methods of obstruction and was passed by the House of Representatives. It became the 10th civil-rights bill passed by the House in the last 24 years. In the Senate, the main features of the Celler bill were eliminated.

The civil-rights law does not establish a new set of rights. It does create a new procedure whereby the Department of Justice may intervene and the Federal courts may act, to prevent denial of the right to vote. I supported the Celler bill and I voted for the compromise bill when it was finally agreed that we had the choice of the compromise measure or nothing. Despite its weakness, this law is a step ahead in our determination to wipe out discrimination which can have no place in our democracy. It is the first legal attempt to provide the machinery for making the 14th amendment a reality.

Briefly, the civil-rights law provides:

First. For the creation of a special Civil Rights Division within the Department of Justice.

Second. For the creation of a Federal Civil Rights Commission to investigate charges that constitutional rights are being violated. This Commission is to be a bipartisan body of six members appointed by the President and confirmed by the Senate. It will have broad powers to illuminate abuses of civil powers. Ultimately, its objective is to suggest to Congress how the civil-rights laws could be improved. Out of such study may emerge further action by Congress.

Third. For injunctions against interference with the right to vote and any defendant can demand a new trial before a jury if a judge rules him guilty in a criminal case and fines him more than $300 or sentences him to more than 45 days in jail.

VETERANS AND SERVICEMEN

Public Law 168 increases rates of compensation for service-connected disabilities and for dependency allowances.

Public Law 209 liberalizes eligibility standards for widows and veterans.

Public Law 217 makes permanent the Missing Persons Act authorizing continued pay to next of kin for personnel missing in the course of duty.

The bill to extend direct home loan and loan guaranty programs for World War II veterans to July 25, 1959, was vetoed by the President. This bill carried provisions to increase the maximum amount of loans and to encourage new construction in rural and small-town areas.

NATURAL RESOURCES

Public Law 159 authorized $600 million Niagara River power development by the New York Power Authority under Federal license, providing preference to public agencies of 50 percent power. It directs the Federal Power Commission to award a license to the New York State Power Authority to build and operate hydroelectric facilities at Niagara Falls with a capacity of 1.8 billion kilowatts. This is equal to about one-fifth of New York State's present production capacity. The State Power Authority is prepared to start work immediately and plans to finance the project by the sale of revenue bonds. Under the provision of the law, half of the power will be reserved for municipal distribution systems, cooperatives, and other public bodies.

The Niagara Power Cooperative would be guaranteed about 445 million kilowatts of the nonpreference power to replace the Schollkopf plant in Niagara. This plant was destroyed by a rock slide on June 7, 1956.

This authority has been a controversial subject between public and private power for over 6 years. Public power advocates sought priority for all the power while private power advocates fought any firm preference clause. The measure, as enacted, was a compromise acceptable to both public and private advocates, and it will benefit the consumers.

POSTAL RATE INCREASE BILL

The Eisenhower administration recommended a postal rate increase for all classes of mail, including the increase from 3 cents to 4 cents per ounce on first-class mail. I have long felt that the rates for second-, third-, and fourth-class mail should be adjusted before an increase is imposed on first-class mail rates. All of us are aware that the Post Office Department operates at a loss, but the deficit is to be found in second- and third-class mail. In 1956, the second-class mail deficit was $269,210,078 and the third-class mail deficit was $207,305,500. The Government, therefore, is in the position of subsidizing the newspaper and magazine publishers, the mail order firms, and the direct mail advertisers, all of them, profitmaking organizations. As an example, the following list shows but a few of the annual losses sustained by the Government in handling magazines and newspapers:

Publication:	*Loss to Government in 1956*
Life	$9,310,000
Saturday Evening Post	6,087,000
Reader's Digest	4,800,000
Chicago Tribune	1,788,000
New York Times	1,700,000

There are those, however, who contend that the post office is a service to all and that it should not be expected to base its rates entirely on its costs.

This bill was passed by the House late in the session, but action in the Senate has been deferred until the next session of the 85th Congress.

POSTAL PAY RAISE BILL

A bill to raise the salaries of 500,000 postal employees and the bill to increase the salaries of Federal employees were passed by the House and the Senate late in the 1st session of the 85th Congress. In my appeal for this legislation I said, in part:

> Mr. Speaker, I submit that we are dealing with the career employees of the United States Government—the richest and most powerful Government in the world. Many of these career men and women are the principal wage earners of their families. Let us pay them a family wage and not just a living wage.

I regret that the President vetoed this bill. New bills on the subject will be presented in the next session and I feel confident that favorable action will be taken on them.

FEDERAL AID FOR SCHOOL CONSTRUCTION

This bill authorized a 5-year $1.5 billion program of Federal aid to States for school construction. It was defeated in the House of Representatives for many reasons. Many Congressmen believe that the schoolroom shortage is not nationwide and that the States and local communities are handling the problem satisfactorily and that the preservation of our States as vigorous, powerful government units is essential to permanent, individual freedom, and the growth of our national strength. The need for economy was a factor in some cases, but in many more, there was a reasonable fear that a precedent would be set which would be difficult to overrule. President Eisenhower sought to distribute Federal aid on the basis of need. Under the plan sponsored by the Democrats, funds were to be allocated on the basis of school-age population. A compromise measure for an even distribution of funds was found acceptable. The bill which was defeated was one sponsored by Representative AYERS, of Ohio. It called for a distribution of funds according to the Eisenhower formula. Congress did not have the opportunity to vote directly on the bill. The vote by which the measure was defeated was on a motion to strike out the enacting clause. A vote in favor of striking out the enacting clause meant a vote against Federal aid for school construction and a vote against striking out the enacting clause meant a vote in favor of Federal aid for school construction. The final vote was 208 to strike the enacting clause and 205 against such action.

The White House claimed that President Eisenhower was greatly disappointed in the failure of Congress to act favorably on this legislation. Informed observers are of the opinion that it was well within the power of the President to save this issue during the session, particularly since a wire was kept open to him until the last moment.

It is hoped that a school-aid bill of the future will carry a more equitable arrangement affecting New York and that the taxpayers of our State will not have to raise $74,445,000 in order to get $18 million in Federal aid to education.

SOCIAL SECURITY, HEALTH AND WELFARE

Public Law 104 authorizes $1.9 billion for the housing program; it increases the borrowing authority to purchase mortgages; it lowers downpayments on FHA insured homes, and provides $350 million for urban redevelopment and slum clearance for 1 year.

Public Law 109 extends to July 1, 1958, the time for disabled persons to file applications to preserve their rights to old-age, survivors' and disability insurance, and permits veterans with service-connected disabilities to receive both social security and VA benefits.

Public Law 110 revises the formula for computing Federal social-security grants to States for medical and other assistance to provide for more effective distribution.

Public Law 172 provides for compulsory inspection of poultry and poultry products.

CONCLUSION

Any criticism for the lack of accomplishment on the part of the first session of the 85th Congress should be placed where it belongs; not upon the House of Representatives, nor upon the Senate, but on the lack of prior consultation between the administration and Congress.

What could be termed an oblique approach in government has been used instead of the strong and unquavering leadership so necessary. A statement of principle without a followup of legislative correctives is valueless. On many occasions, President Eisenhower has reaffirmed his resolve to remake the Republican Party. The Democratic policies on social welfare and economic reform can point the way for him. I am referring to the Democratic programs of social security, custodianship of natural resources, taxation predicated on ability to pay, protection for small business, and fair employment practices, to name but a few. Under these programs, benefits have been given without concern for race or creed, based only on the need for equity and justice in our social and economic structure.

It has been my privilege and responsibility to serve you for over 7 years. If you desire to write me, may I point out that letters sent to my Washington office receive my immediate attention. My office is open 6 days a week; my address: Edna F. Kelly, Member of Congress, Washington 25, D. C. During adjournment, I am at the Madison Club, 739 Eastern Parkway, Brooklyn, on Monday and Thursday evenings for appointments with my constituents.

Report to the People of New York, Autumn 1957

EXTENSION OF REMARKS

OF

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the Congressional Record my final report of the first session of the 85th Congress to the people of New York.

There being no objection, the report was ordered to be printed in the Record, as follows:

Report to the People of New York, Autumn 1957

This is the final report on the first session of the 85th Congress. It is the second of this Congress intended to keep citizens of our State informed of my activities, of the work of the Senate and the state of the Nation.

PROSPECTS FOR PEACE AND FOREIGN AFFAIRS

The most important phase of foreign policy dominating the world scene is disarmament. Since the 1955 Geneva Conference the United States has been working toward a first-step disarmament agreement with the U. S. S. R. I have worked to have included measures to improve the peace machinery of the United Nations, including an established U. N. police force like that now functioning in the Near East. Our country continues to insist on U. N. inspection and control in some form as essential to any secure plan for disarmament or ending nuclear-weapon tests.

Congress authorized a foreign-aid appropriation of $3,435,810,000. The new Mutual Security Act has as its principal feature a $300 million economic development fund on a loan, rather than a grant, basis; $1.9 billion for military assistance; and $725 million for defense support.

The 900,000 Arab refugees from Palestine remain as the most nettling problem in the Near East; their resettlement is a prerequisite to a permanent, peaceful solution there.

Plans must be accelerated for alternates to the petroleum supply routes in the Middle East on which 70 percent of free Europe's oil supply depends, presently threatened by Communist infiltration and subversion in Syria, Egypt, and Yemen.

If we are to resolve the struggle against communism without war, the foreign-aid program is indispensable to our national security and must be adequate to meet the tremendous task. Our foreign economic policy must emphasize international trade expansion and Congress should approve joining the Organization for Trade Cooperation. The Syrian crisis, the Soviet claims to an intercontinental ballistics missile and developments at the London disarmament conference underline these hard realities.

I sponsored legislation, which passed, calling for a special study by Government and private industry of the barriers to international travel with a view to its increase.

In line with the President's historic 1953 atoms-for-peace proposal, the Senate ratified the treaty for United States participation in the International Atomic Energy Agency. Due safeguards for the national security are included and I opposed efforts to weaken our participation.

I have protested constantly the situation of Americans held prisoner by Communist China contrary to international law.

I introduced a measure to promote the interchange of students with the European Soviet bloc countries to help break down the Iron Curtain and promote people-to-people understanding.

AGRICULTURE

About $3.6 billion was appropriated for the Nation's farm programs for this fiscal year. The soil-bank program, a major effort to reduce farm surpluses without wastefully high Government price supports, has been continued for another 4 years.

I joined in sponsoring the Agricultural Research and Industrial Act of 1957 for the increased use of agricultural products for industrial purposes, a necessity if we are to reduce our vast farm surpluses.

The $50 million Federal flood indemnity insurance program failed of passage. Though the Senate approved $14 million, the House eliminated it. I hope next year we will be successful with this program as we have affected areas in New York.

BUDGET AND TAXES

The 1957 fiscal year was concluded with a surplus of $1.6 billion. This has been applied to reducing our $270.6 billion national debt, the interest on which comprises some 10 percent of the budget.

In appropriations for the current fiscal year Congress cut some $4.9 billion from Presidential requests. I supported budget cuts where I believed they were consistent with the national interest.

The Senate passed S. 434 requiring Federal budget estimates on an annual accrued expenditure basis, a Hoover Commission recommendation. A similar proposal, H. R. 8002, is pending in the House.

Legislation was passed restricting rapid tax amortizations to new or specialized defense and for research and development facilities for defense, in line with recently adopted Administration policy.

Hearings commence January next on legislation to revise the tax structure. It is hoped that the Congress will be able to give relief to small business, those on pensions and individuals of moderate income, where such relief is most needed.

CONSUMERS

Inflation is a major domestic problem and calls for unremitting corrective effort. I am sponsor of the resolution authorizing the Interstate and Foreign Commerce Committee to study consumers' services of the Federal Government and how they may be best utilized for lower living costs. I fought for lower interest rates and lower FHA downpayment requirements to ease the heavy burden imposed upon those who wish to purchase their own homes. As a member of the Small Business Committee, I have been active in efforts to fight against economic monopolies and oligopolies which prove so costly to the consumer. Also, I am sponsor of legislation for a Federal Department of Housing and Urban Affairs.

CIVIL RIGHTS AND CIVIL LIBERTIES

The most significant action this session was the passage of the civil rights bill, the first such legislation enacted in over 80 years. This bill provides (1) a six-member bipartisan Commission on Civil Rights, with subpena power, to study any deprivation of voting rights and to appraise civil rights laws and enforcement; (2) an additional Assistant Attorney General for civil rights enforcement; (3) action at the discretion of the Attorney General for an injunction in the Federal courts to stop interference with the right to vote in Federal elections; (4) that Federal judges may issue orders to safeguard equality in the right to vote under State laws; and (5) for extending to many Negroes in the South the opportunity to serve on a Federal court jury. A compromise provision was adopted permitting a judge in criminal contempt to fine up to $300 or imprison up to 45 days without a jury; in all other criminal contempt actions a jury is required upon request of the defendant.

While the civil-rights bill fails to do all it should to secure equal civil rights, it is an effective step ahead in the key area of voting. It contains a practical, constitutional solution to the jury amendment. I shall continue to seek other civil-rights legislation essential to our people and our times.

The O'Mahoney bill, designed to protect FBI files as a result of the Jencks case, has been enacted into law. I worked with Senator O'Mahoney to insure that the bill would not be unconstitutional, to make clear its purposes to deal with statements or reports made to a Government agent and to make airtight the safeguards against a "fishing expedition" into FBI files.

The Special Subcommittee on Senate Rule XXII, the filibuster rule, of which I am cochairman, held extensive hearings and a report is soon to be forthcoming. Rule XXII should permit full debate but bar filibusters designed solely to block Congressional action. The recent one-man filibuster during the civil-rights debate—the longest on record—emphasized the need for reasonable changes.

Congress passed amendments to the Virgin Islands Organic Act giving its popularly elected legislature greater authority. This is another forward step to full self-government.

SOCIAL SECURITY, EDUCATION, AND HEALTH

By an amendment which I supported, New York State policemen and firemen may now obtain social security coverage on the same basis as other State and local employees after a referendum.

The time for disabled persons to file to preserve old-age, survivors, and disability insurance has been extended to July 1, 1958.

The House of Representatives killed the $1.5 billion Federal aid to school construction measure, thus preventing Senate action. Assistance to school construction in areas of special Federal activities like Army camps, however, was continued for 1 additional year.

I supported passage of authorizing grants to the States to aid nearly 1 million mentally retarded children of school age. Only 15 percent of these are now receiving help. I am working on a proposal for a national health program to give all our citizens an opportunity for medical care through cooperation fostered by the Federal Government within the private economic system.

HOUSING

The fight in which I actively engaged to achieve lower downpayments on FHA home purchases under the new Housing Act was successful. The new law also authorizes $1.99 billion for housing programs of various types, including $965 million for new lending authority for the Federal National Mortgage Association to provide a secondary market for home mortgages; $350 million for urban renewal or slum clearance grants to cities; $250 million for mortgages on housing adjacent to military establishments; $175 million for college housing mortgages; $100 million for cooperative housing mortgages; and $150 million for a special Presidential fund largely for mortgages on housing for the elderly and families displaced by slum clearance.

Instances of flagrant maladministration of Title I slum clearance projects in New York City have been disclosed. I am following closely the investigation of the Federal Housing and Home Financing Agency of the former Manhattantown project, to see that the public is fully apprised of the results and if new legislation is needed.

Housing starts, now at an annual rate of 980,000, are the lowest in 5 years and insufficient to take care of new family formations and necessary home replacements; the subject demands constant attention.

IMMIGRATION

The compromise immigration bill which was overwhelmingly passed permits an estimated additional 60,000 immigrants to come to the United States. The new law provides during the next 2 years for unlimited entry of alien orphans adopted by United States citizens; grants nonquota status to spouses and children of skilled aliens following to join their families; gives the Attorney General discretion to grant visas to aliens previously convicted of minor crimes or afflicted with TB; gives discretion to the Secretary of State and the Attorney General to waive visitors' fingerprinting; authorizes issuance of 18,655 visas, under the expired Refugee Relief Act of 1953, to German expellees, Dutch refugees, refugees in the Far East and persons escaping persecution by the Communists and includes an amendment of mine and others including Egyptian and other escapees from the Middle East. It terminates mortgages placed on immigration quotas by the Displaced Persons Act.

The new law does not regularize the entry on parole of 25,000 Hungarian refugees here as a result of the anti-Communist revolt last fall—a serious omission. In addition, it fails to start modernization of the quota system and elimination of inequities in the present McCarran-Walter immigration law as advocated by the President, a whole host of voluntary organizations and millions of Americans, and contained in legislation of which I am a cosponsor. This is a No. 1 objective for the next session, vital alike to justice at home and our peace leadership abroad.

NATIONAL DEFENSE

The U. S. S. R.'s announcement about its development of an intercontinental ballistic missile (ICBM) and the termination of the London disarmament negotiations without tangible results intensify consideration of our present national defense policy. While we emphasize defense and offense with modern nuclear means we cannot omit means to deal with local Communist aggressions or to contribute our share to U. N. police action.

I have been urging action on the Cordiner Committee report for modernizing the compensation system for our Armed Forces personnel. This is vital to training and retaining the skilled personnel modern defense requires.

I am working with other Senators and the Army to see what can be done to facilitate transfer into a 6-month program of men drafted for 2 years.

I was a cosponsor of the bill to increase Federal help to State maritime academies or colleges, such as Fort Schuyler, which passed the Senate. Also, there was enacted a law to provide career incentives for badly needed nurses and medical specialists in the Armed Forces.

Congress continued reduced travel fares for servicemen on leave, a measure I originally sponsored in the House of Representatives.

LABOR

Disclosures by the McClellan Committee of misuse of union funds, racketeering in labor-management relations and other abuses continue. I am supporting the President's proposal for protective regulation of union welfare funds to help assure honest and effective administration for the benefit of the working people. The Senate passed a bill providing for public disclosure of financial reports and other statements filed with the Department of Labor under the provisions of the National Labor Relations Act. Also, assurances of internal democracy and grievance machinery is vital to the future of industrial statesmanship in trade unions.

The President has appealed to labor and management for self-discipline to hold back inflation. Walter Reuther has suggested his $100 per car price-decrease plan and the motorcar companies have asked for a wage-increase standstill. The problem is clear in any case and I shall support policy declarations and legislation effective to deal with it.

Modernization and improvement in pensions, annuities, benefits, and other factors in the laws governing railroad retirement are past due, considering costs of living and wages today. Hearings have been held on this necessary legislation but further action will wait until means are found to finance the increased expenditure. I supported actively the railway-brake bill, for greater safety, which passed the Senate.

NIAGARA POWER AND NATURAL RESOURCES

A major accomplishment this Congress was the enactment, after a 7-year effort, of legislation, sponsored by Senator IVES, myself, and Representative MILLER, authorizing construction by the New York State Power Authority of the $532 million self-financed power project at Niagara Falls as allowed by the 1950 United States-Canadian Treaty. The law provides fair preferences for power to defense needs, public bodies, nonprofit cooperatives, and neighboring States, while allotting adequate power to replace the loss from the 1956 Schoelkopf disaster, and for the industrial needs and development of the Niagara frontier.

The full development of Niagara power is one of the greatest concepts of economic development in our country. Joined with the St. Lawrence power development it should stimulate tremendous growth in the underdeveloped areas which exist even in New York.

In legislation authorizing Government assistance in the domestic development of atomic energy for peaceful purposes I supported the middle position which finally prevailed. It provides Federal help for research and pilot-plant development, gives electric cooperatives a chance to participate, but encourages commercial development of ultimate production facilities.

I opposed the $500 million Hells Canyon Dam which was to have been financed by the United States as I believed there had to be some finality sometime even in Government. The three-dam privately financed project had been approved by the Federal Power Commission and the courts, after the Senate had rejected the federally constructed dam in 1956 and had proceeded with extensive construction estimated at $50 million. I could not find an adequate justification to flood out this work.

I supported the Fryingpan-Arkansas project as the reclamation and power factors involved indicated Federal development to be the best alternative.

Legislation to limit billboard advertising on highways constructed with Federal aid remains in committee; it is a problem deserving our utmost consideration.

POST OFFICE AND CIVIL SERVICE

In the closing days of the session the Congress passed measures granting an 11-percent pay raise to Federal civil service and a $546 pay raise to postal workers. I worked actively for passage of this long-overdue legislation and urged the President to sign them. Unfortunately a veto seems indicated and we must do our utmost next year, I believe, with better hope of success.

A measure to increase postal rates as an offset against the $527.5 million annual postal deficit passed the House. Hearings are being held in the Senate to afford an opportunity for all points of view to be thoroughly presented. Responsibility demands action in this matter as it does for pay increases.

SMALL BUSINESS

I am now a member of the Senate Select Committee on Small Business and am participating actively in this vital work.

Congress enacted 11th-hour legislation extending the life of the Small Business Administration 1 year and authorizing an additional $75 million for making small-business loans. It is hoped that next year the Small Business Administration will be made permanent, legislation for which I am a cosponsor.

Government contracts set aside for exclusive award to small business increased nearly 50 percent during this fiscal year over the previous year.

VETERANS

Pensions for veterans with service-connected disabilities were increased 10 percent or more. I strongly supported the new provision in the law permitting veterans with a service-connected disability to receive both Veterans' Administration and social-security benefits.

The measure providing an additional $200 million of direct veteran-housing loans by the Government and extending the direct loan and GI mortgage-guaranty programs for a year was passed, but a veto is indicated.

As a member of the Senate Rules Committee, I have been working for the establishment of a standing Veterans' Affairs Committee in the Senate similar to the one in the House.

MATTERS OF SPECIAL INTEREST TO NEW YORK STATE

Bills I had joined in sponsoring were passed to amend limitations imposed by an 1896 law, thus permitting construction of a new shipping terminal in Brooklyn; authorizing a survey of a water route from Albany into Lake Champlain with ultimate connection with the St. Lawrence River; clearing the last obstacle to the construction of the Throggs Neck Bridge; and facilitating creation of a Lake Champlain Bridge Commission by New York and Vermont.

I worked in the Rules Committee, of which I am a member, to report out a measure for strengthening our election campaign expenditure control laws; action is expected next year. I joined in sponsoring a measure providing for an official residence and sufficient allowances for the Vice President.

I joined with Senator IVES in special representations to the Senate seeking to protect the interests of the Seneca Indians of New York (granted them by a 1794 treaty) incident to the flooding of lands in the construction of the Kinzua Dam.

The Senate passed Senator IVES' and my bill for additional Federal circuit and two district-court judges to relieve the overcrowded court dockets in the Metropolitan New York area. I introduced legislation for national recognition of the Baseball Hall of Fame at Cooperstown, N. Y.

I was active in efforts to retain the Veterans' Administration regional office in Brooklyn, to save the Scotia naval installation in Schenectady, to protect employee rights at the Brooklyn Navy Yard, and similar matters of concern to individual citizens.

CONCLUSION

The thousands of letters from New Yorkers I receive weekly show lively citizen interest in Federal Government activities. These communications serve as an invaluable guide in my work here, and I sincerely hope that the people of this State will continue, as they have for over a decade now, to give me their views on matters of national importance.

Report of the Committee on House Administration for the 85th Congress, 1st Session

EXTENSION OF REMARKS

OF

HON. OMAR BURLESON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. BURLESON. Mr. Speaker, the Committee on House Administration, of which I have the honor to be chairman, has had a busy schedule this first session of the 85th Congress with activity in each of the committee's four regular subcommittees plus the work of the Special Subcommittees To Study Federal Printing and Paperwork, the Special Subcommittee on Electrical and Mechanical Office Equipment, and the Special Subcommittee on Parking. A total of 75 bills and resolutions were reported from the committee and passed the House. The carryover of items to the second session is negligible. A breakdown of activity by subcommittee is given below:

SUBCOMMITTEE ON ACCOUNTS, HON. SAMUEL L. FRIEDEL, CHAIRMAN

The Subcommittee on Accounts approved a total of $2,894,500 for studies and investigations to be conducted by committees of the House of Representatives during the 85th Congress. In each case hearings were held by the subcommittee prior to final approval by the full committee. Following is a list of the committees and the amount of funds approved for each:

Committee	Amount requested	Amount approved
Agriculture	$50,000	$50,000
Armed Services	150,000	150,000
Banking and Currency	105,000	105,000
District of Columbia	10,000	7,000
Education and Labor	150,000	125,000
Foreign Affairs	75,000	75,000
Government Operations	627,000	575,000
House Administration	130,000	130,000
Interior and Insular Affairs	60,000	57,500
Interstate and Foreign Commerce	350,000	350,000
Judiciary	200,000	190,000
Merchant Marine and Fisheries	50,000	50,000
Post Office and Civil Service	50,000	50,000
Public Works	125,000	125,000
Small Business	250,000	225,000
Un-American Activities	305,000	305,000
Veterans' Affairs	75,000	75,000
Ways and Means	250,000	250,000
Total	3,012,000	2,894,500

Four resolutions were referred to the Subcommittee on Accounts which would provide supervision and a residence for Congressional pages. Hearings were held by the subcommittee, but action was deferred until the second session. Participating in the hearings were the president of the Parent-Teachers Club of the Capitol Page School, the assistant superintendent of senior high schools in the District of Columbia, the principal of the Capitol Page School, the president of the student council of the Capitol Page School, the Doorkeeper of the House and the authors of the pending legislation. The consensus of the subcommittee members was that there was a definite need for some legislative action which would provide the pages with more supervision, including housing, and better study and recreational facilities.

Legislation was reported by the Subcommittee on Accounts looking to greater efficiency in the administration of Congressional offices. This included:

H. R. 790, allowing Members to be reimbursed for official office expenses incurred outside the District of Columbia. The previous law confined such reimbursement to expenses incurred within the Member's district.

H. R. 9282, increasing from 1 to 2 offices the space authorized for each Member in his home district, and increasing the annual allowance for rental of such office space from $900 to $1,200.

H. R. 9406, authorizing the computing of each Member's telephone and telegraph allowance on a biennial rather than an annual basis.

House Resolution 399, increasing each Member's allowance for special-delivery and airmail postage from $200 per annum, and the postage allowance for standing committees from $80 to $180 per annum.

A hearing was held on H. R. 7683, which would simplify payroll administration in the House by providing that salaries of certain employees of the House, and the clerk-hire allowance of Members, shall consist of aggregate annual amounts rather than basic annual amounts plus additional amounts.

Fifty-five items of legislation were referred to the Subcommittee on Accounts, 37 of which were reported to the full committee for final action.

SUBCOMMITTEE ON ELECTIONS, HON. ROBERT T. ASHMORE, CHAIRMAN

The principal activity of the Subcommittee on Elections centered around contested election cases and a study of proposals to amend the Hatch Act.

In the contested election case of Dolliver against Coad, the subcommittee conducted three hearings and received the direct testimony of both contestant and contestee. It was determined no contest existed by virtue of the fact that no valid notice of intention to contest the election was filed as contemplated by the appropriate statute governing contested election cases. This finding was reported to the full committee and on April 11, 1957, House Resolution 230 passed the House declaring, in effect, no contest existed.

In the contested election case of Carter against LeCompte, two hearings were conducted by the subcommittee to consider side issues related to the contested election, both involving requests by Mr. Carter. The House adjourned prior to the receipt by the subcommittee of all material involved in the case, thus further action has been deferred until the House convenes for the second session of the 85th Congress.

Two hearings were conducted on the bills H. R. 1167 and H. R. 433 which pertain to the Hatch Act. These hearings resulted in the formation of a Special Subcommittee on Elections of the Committee on House Administration which will study the Hatch Act and related laws restricting political activity.

While 32 items of legislation were referred to the Subcommittee on Elections there was an unusually large percentage of identical or similar bills.

SUBCOMMITTEE ON THE LIBRARY AND ENROLLED BILLS, HON. PAUL C. JONES, CHAIRMAN

Thirty-three bills and resolutions were referred to the Subcommittee on the Library and Enrolled Bills, several of which were exact duplicates.

In 5 meetings, the subcommittee took 13 of the measures under consideration, reporting 7 favorably to the full committee. Two of these were laid on table and the Senate bills passed in lieu.

Action was deferred on six bills.

Hearings were held on 3 bills, 2 of which passed and 1 of which failed. The former were House Joint Resolution 233, by Hon. GEORGE MILLER of California, and H. R. 7813, by Hon. JOHN MCCORMACK. The bill upon which action was deferred, after a hearing with several citizens of Newport News and the Peninsula area of Virginia, was H. R. 2574, by Hon. EDWARD ROBESON.

Former President Truman appeared as a witness in support of H. R. 7813; Justice Frankfurter testified in favor of House Joint Resolution 233.

Finally, members of the Library subcommittee who are also members of the Joint Committee of Congress on the Library met with the latter on July 18, 1957, to hear testimony from the Librarian of Congress, Mr. L. Quincy Mumford, and other Library officials, on the matter of codifying the many statutes under which the Library presently functions.

House bills passed:

House Joint Resolution 23—CANNON, appointing Arthur Compton as Smithsonian regent.

House Joint Resolution 202—CANNON, appointing J. N. Brown as Smithsonian regent.

House Joint Resolution 345—KEAN, authorizing extension of Second Division Memorial.

H. R. 7234—JONES of Missouri, fixing responsibility of Library certifying officers.

H. R. 7813—MCCORMACK, microfilming Presidential papers in Library.

House bills laid on table; Senate bills passed in lieu:

House Joint Resolution 233—MILLER of California, Senate Concurrent Resolution 31 passed in lieu: Encouraging historical societies to participate in program of National Historical Publications Commission.

H. R. 8228—THOMPSON of New Jersey, S. 2434 passed in lieu: Removing statutory ceiling on appropriations for books for the blind.

SUBCOMMITTEE ON PRINTING, HON. WAYNE L. HAYS, CHAIRMAN

There were 44 items of legislation referred to the Subcommittee on Printing during the 1st session of the 85th Congress for consideration, 34 from the House and 10 from the Senate. The subcommittee met 7 times and reported 32 of the 44 measures to the Committee on House Administration, all of which passed the House.

Legislation was approved which provided for the printing of additional copies of hearings, reports, and publications in which widespread interest had been indicated. Examples of these items are listed below:

House Concurrent Resolution 17, providing for the printing of additional copies of House Document No. 232 (The Capitol in Story and Pictures), 84th Congress, with emendations.

The Superintendent of Documents sold 40,000 copies of this publication, and has received to date approximately 2,000 requests that could not be filled. The names and addresses of these interested persons have been filed and they will be notified if the publication becomes available.

House Concurrent Resolution 62, requesting the printing of additional copies of House Report No. 2966, dealing with the subjects of price discrimination, the Robinson-Patman Act and the Attorney General's National Committee To Study the Antitrust Laws.

House Concurrent Resolution 82, providing for the printing of additional copies of hearings held on the national highway program. Because of the general interest in this program, additional copies were needed.

House Concurrent Resolution 104, providing for the printing of additional copies of the hearings on excise taxes. This request was made due to the great amount of interest manifested in this subject.

House Concurrent Resolution 215, providing for the printing of additional copies of hearings on The Nature of Radioactive Fallout and Its Effect on Man for the Joint Committee on Atomic Energy. Requests for copies of the hearings are very great due to the widespread interest in the subject.

House Concurrent Resolution 179, providing for the printing of additional copies of report to accompany H. R. 7125, a bill to make technical changes in the Federal excise tax laws.

House Resolution 199, requesting the printing of additional copies of the Synopsis of Benefits Available to Veterans and Their Dependents, prepared by the Committee on Veterans' Affairs, 85th Congress.

House Concurrent Resolution 188, to print as a House document, and additional copies of the document entitled "Congress and the Monopoly Problem, 1900–1956."

House Resolution 97, to print as a House document the document entitled "United States Defense Policies Since World War II."

Senate Concurrent Resolution 22, a request to have printed additional copies of the Internal Security Annual Report for 1956.

Senate Concurrent Resolution 39, providing for the printing of additional copies of a compilation of studies and reports on the foreign-aid program.

Senate Concurrent Resolution 45, authorizing the printing of additional copies of the hearings on the mutual-security program for fiscal year 1958 for the use of the Committee on Foreign Relations.

SPECIAL SUBCOMMITTEE TO STUDY FEDERAL PRINTING AND PAPERWORK, HON. WAYNE L. HAYS, CHAIRMAN

The Subcommittee To Study Federal Printing and Paperwork of the Committee on House Administration, authorized pursuant to House Resolution 128, 85th Congress, continued with its work in a number of phases of the overall study, with emphasis on the following:

First. Survey of libraries designated as depositories of Government publications: As a result of hearings held last year on the sale and distribution of Government publications by the Superintendent of Documents, the subcommittee has completed a comprehensive survey by the medium of detailed questionnaires sent to the 571 depository and some 623 nondepository libraries. The staff had the cooperation of the American Library Association's public document committee, both in the preparation and analysis of these questionnaires, response to which was most gratifying. On the basis of information thus gathered and from intensive research into the subject, a bill has been introduced (H. R. 9186) to revise the laws relating to depository libraries. Hearings have been scheduled to be held in key cities, namely, Chicago, San Francisco, New Orleans, and Boston, on October 7, 10, 14, and 17, respectively, in order to resolve the best thinking on this legislative proposal designed to meet present-day needs.

Second. Procurement and supply of paper for printing, duplicating, and office use in the Federal Government: A study was prepared by the subcommittee staff on this subject, based on data received in reply to inquiries directed to the Government departments and agencies engaged in the purchase and supply of paper for governmental use. The information thus developed constituted the basis for a hearing which was held on May 1 with officials of the General Services Administration and the Government Printing Office in order to amplify the data contained in the staff study. The hearings on this subject, including the staff study, present a picture of overlapping activity and indicate the need for coordinated supply and distribution of commonly used items of paper. Proposed legislation to correct existing conditions which result from outmoded laws is being formulated for presentation to the Congress in the next session.

Third. Government printing facilities—study of wages, hours, and overtime at the Government Printing Office: The data pertaining to wages, hours, and overtime at the Government Printing Office, furnished by the Public Printer at the request of the subcommittee chairman, has been reviewed and analyzed. This data is being studied in relation to the whole subject of Federal printing facilities. Related information, including the procurement of Government printing services from commercial sources, is currently being studied to develop a subject for consideration by the subcommittee during the next session of Congress.

Fourth. International exchange distribution of United States Government publications: The staff is now in the process of obtaining additional information from the United Nations Library, in Geneva, Switzerland, which will assist in the appraisal of existing methods of distributing United States Government publications to other governments. Any needed changes indicated by the information received will be discussed with officials of the Library of Congress and the Smithsonian Institution, who are responsible for this function.

Fifth. Free distribution and sale of identical Government publications: The paradoxical situation which permits many Government publications to be acquired gratuitously, if requested from issuing agencies or from Members of Congress out of quotas available to them, but for a price if ordered from the Superintendent of Documents, is being studied with a view toward the formulation of needed corrective legislation. This condition was cited among several set forth in House Report No. 2945, part II, on the subject of publications management, which the subcommittee issued during the 84th Congress.

SPECIAL SUBCOMMITTEE ON ELECTRICAL AND MECHANICAL OFFICE EQUIPMENT, HON. PAUL C. JONES, CHAIRMAN

The subcommittee through the session viewed demonstrations of the latest developments in the field of office equipment. The list of equipment approved for purchase was revised to remove obsolete equipment and make available newer models of authorized items. Further revisions made available entirely new items which have a practical value in the operation of Congressional offices.

The subcommittee has been in almost daily contact with the office of the Clerk of the House, which officer administers the equipment program, to work out the various problems which continually arise and to seek ways and means to improve the program. The transition from manual to electric equipment has been moving along steadily with the result that few Congressional offices and committees do not have the most modern office equipment available.

PARKING SUBCOMMITTEE, HON. GEORGE S. LONG, CHAIRMAN

The subcommittee has continued the established parking procedures and rules, working to distribute fairly and equitably the available space. The availability of additional parking space in the areas south of the new and old House Office Buildings has greatly alleviated the parking problem for the time being. The subcommittee is continuing its study of the problem particularly with the view toward shortage of space which will develop as work on the third House Office Building proceeds.

Engle Offers New Water Resources Development Plan

EXTENSION OF REMARKS
OF
HON. CLAIR ENGLE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 30, 1957

Mr. ENGLE. Mr. Speaker, water enough for the needs of its growing population is a dominant issue in California. The impasse on our water problems, I believe, stems from trying to divide too little water among too many people. I am advancing a proposal which strikes at the real problem—the financing of additional water development. In a letter to State Assemblyman Carley Porter, I have suggested a new Federal-State relationship for construction of large multiple-purpose projects, where the major cost is for the development of municipal and industrial water. A subcommittee of the House Committee on Interior and Insular Affairs, of which I am chairman, will meet in Los Angeles in November with Mr. Porter's subcommittee of the California Legislature's joint interim committee on State water problems to go into this proposal.

Under leave to extend my remarks, I include the text of my letter to Assemblyman Porter:

COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
HOUSE OF REPRESENTATIVES, U. S.,
Washington, D. C., August 8, 1957.

Hon. CARLEY PORTER,
Chairman, Subcommittee of Joint Interim Committee on State Water Problems, Compton, Calif.

DEAR CARLEY: I am very anxious this fall to hold joint hearings with your subcommittee and a subcommittee of our committee on the financial problems relating to California's State water plan.

Specifically, it is my intention to propose a new Federal-State relationship for the construction of large multiple-purpose projects where the major cost is for the development of municipal and industrial water.

As you are no doubt aware, the Federal Government at the present time constructs projects primarily for irrigation through the Bureau of Reclamation and under the reclamation law. In addition, under the small-projects legislation, of which I am the author, the Federal Government advances interest-free money to public agencies for the construction of small irrigation projects costing not in excess of $10 million. The Watershed Protection Act, through the Department of Agriculture, makes provision for Federal grants and loans for the construction of small upstream conservation projects. With reference to flood control, the Federal Government has historically built on a nonreimbursable basis projects primarily dedicated to flood control.

You are, I am sure, familiar with all of these existing Federal water programs. There is one obvious gap: no provision exists in present Federal law for the Federal Government's participation in projects primarily for the development of industrial and municipal water, which is a field of growing importance in all areas of our Nation. I would venture the guess that the major undeveloped water projects in California will be mainly for industrial and municipal water, rather than for irrigation and flood control. Consequently, I have been studying for some months the introduction of legislation to establish the basis and lay down the principles for Federal cooperation in such water-development projects where the major cost is allocated to industrial and municipal water.

I expect, therefore, to propose the joint financing of Federal-State projects where the major cost is for industrial and municipal water, as follows:

First, that the Federal Government contribute to such projects on a nonreimbursable basis an amount equal to the portion of the project allocated to flood-control benefits. This is a recognition of the traditional responsibility of the Federal Government for flood control and follows the precedent established in H. R. 8677, which, as you know, is the bill I introduced providing for the Federal contribution for the flood-control benefits from the Oroville Dam on the Feather River project. This principle has since been merged in the omnibus public-works bill which passed the House last year and was vetoed (for other reasons) by the President, and is currently embodied in this year's omnibus public-works bill (S. 497) which has passed the Senate and was recently voted out of the House Committee on Public Works. Congress has therefore indicated that this is an acceptable principle for Federal-State cooperation in the building of multiple-purpose projects.

Second, that the Federal Government provide a non-interest-bearing loan for the amount of the project cost allocated to irrigation. This procedure would apply the principles of the 50-year-old reclamation law under which non-interest-bearing money is provided by the Federal Government for the development of irrigation projects. It is an expansion of the principle laid down in the small-projects legislation, but of course in this instance is limited to multiple-purpose projects primarily for industrial and municipal water where irrigation water is developed incidental to the main purpose. It is my feeling that Congress would not approve the advance of non-interest-bearing money for construction by the State of a large project primarily for irrigation, but would insist that such a project be built under the present reclamation law if it is to be financed by the Federal Government. I think it important that the traditional function of the Federal Government in building projects under the reclamation law not be invaded. However, I believe there is a good chance of getting Congress to authorize a non-interest-bearing loan to a State for incidental irrigation features of a major project primarily built for industrial and municipal water.

Third, the Federal Government will require a contract to be executed under which the State would agree that the project should be managed in such a fashion as to produce the benefits for which the Federal contribution is made. This follows the present provision for the Federal contribution for the flood-control benefits on the Oroville Dam. As to irrigation, Congress, I am sure, would require that the non-interest-bearing loan for irrigation be subject to the general provisions of reclamation law. However, I expect to propose with reference to the operation of the 160-acre limitation that the same formula be applied as is set forth in the small-projects legislation, namely, that the non-interest-bearing loan apply only to lands in compliance with the 160- or 320-acre limitation and that excess acreage be required to pay an interest charge on the capital cost of supplying those lands with water.

This proposal is intended to be the basis of establishing under general law the character and extent of Federal participation in projects primarily devoted to the supplying of municipal and industrial water. However, I would like to try it on for size in the State of California which, so far as I know, is the only State capable of major financing of its own projects and with water plans of large magnitude already drawn and planned primarily for supplying municipal and industrial water. I have in mind particularly the possible application of this proposal to the financing of the Feather River project, the Biemond plan for the North Bay Aqueduct, and construction of all or part of the projects planned in the north coastal area on the Klamath, Trinity, and Eel Rivers. However, the priority of projects for construction under the State water plan is a matter that rests with State officials and the legislators. Some projects such as the Auburn project are logical and proper extensions of the Central Valley project and should be reserved for Federal construction as a part of that project.

I am especially anxious that this principle be set in motion to develop new water supplies in California. It appears to me that the impasse on California water problems stems from trying to divide too little water among too many people. Southern California interests understandably do not want to buy a pig in a poke—that is, contribute their money to the construction of northern California projects without assurance that southern California will receive benefits from such development. Northern California, on the other hand, doesn't want to promise water deliveries south of the Tehachapis, which may in the future literally leave northern California high and dry.

You will recall that in 1951 I brought a subcommittee to California which sat jointly with the State water committee for the purpose of studying the water problems in the Central Valley project area. We came to the conclusion then that the developed water supplies in the Central Valley project area were overcommitted. We recommended immediate construction of the Trinity River project, and that project has since been authorized and is under construction. However, the water contribution of the Trinity is specifically dedicated to Central Valley project operation. It is contended, as you know, that the Feather River project will not produce sufficient water to permit water deliveries to southern California with adequate margins of safety for future water demands in the north. At the hearings in 1951, serious legal questions were raised as to whether or not the applications made on the Feather River were in conflict with the applications already assigned to the Bureau of Reclamation for operation of the Central Valley project. (See Central Valley project documents, pp. 683 and 701.) I am informed there are interests in California that are prepared to litigate this matter if water deliveries outside of the Central Valley project area are authorized by the State legislature or by constitutional amendment.

I am not saying which side of this argument is right, but with this state of affairs any strictly legal approach will, in my opinion, wind up in the courts for years. There may or may not be a surplus which is physically and legally exportable, but I am sure that, unless new water supplies are developed, the whole proposition will end up in court, delaying water progress in California for as much as a decade. It seems to me imperative that action be taken now to avoid creating a legal Frankenstein that will paralyze water development. The answer is more water—not litigating over what we have.

The importance of this proposal is that it strikes at the real problem, which is the financing of additional water development. I am advised that your subcommittee has announced that it will investigate the economic and financial feasibility of the State water plan. The foregoing proposal has a direct relationship to that study, and I am therefore suggesting that we arrange this fall for another joint meeting of the State and Congressional legislative committees dealing with this subject matter, similar to the one which was so productive in 1951. I have already in draft form legislation to implement the proposal which I have just outlined and would be glad to submit it at an appropriate time to your subcommittee and staff. If this proposal appears to be attractive to you and to your subcommittee, I will be glad to discuss the matter of such a joint hearing. Your early comment on this proposal and the feasibility of a joint meeting with your subcommittee will be appreciated.

Sincerely yours,

CLAIR ENGLE,
Chairman.

An Increase in the Import Duty on Lead and Zinc Is Unnecessary, Unwise, and Against Our National Interest

EXTENSION OF REMARKS
OF

HON. CHARLES A. WOLVERTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. WOLVERTON. Mr. Speaker, I look with considerable alarm upon the effort that is being made by certain interests to build an import barrier against lead and zinc. I am fearful that the adoption of a policy as now being advocated might result to our national disadvantage, harmful to the economy of friendly nations, without benefit to the producers of these metals in our own Nation, and distinctly detrimental to our national security.

The situation that would be created by the adoption of pending legislation requires that the matter should have careful and serious consideration. Of course, there is naturally a desire to protect our own lead and zinc producers from unfair competition from other countries. But, from such study as I have made, I am not satisfied that any necessity exists at this time for legislation of the kind suggested. In fact, I am inclined to the belief that, in addition to it not being necessary for the protection of our domestic mining industry, it could prove to be highly disadvantageous to our manufacturing industries that use the metals, and also to our own national interest. Thus, praiseworthy though it may be to protect our domestic lead and zinc mining industry, yet, we must be careful that we are not at the same time doing more harm than good.

Aside from the great harm that the adoption of the proposed legislation would have upon the economies of friendly nations in this Western Hemisphere that supply our national needs, both industrial and defense, the fact remains that such a policy is contrary to the defense policy we have sought to build between the nations of North, Central, and South America and ourselves.

The basis of this defense policy has been to strengthen and stabilize the economies of these nations. The result of pending legislation, if adopted, would be to break down all the good that has been accomplished by the neighborly policy of good will and helpfulness to which I have referred.

As an illustration of the injury that could result to the friendly relations existing between this Nation and our neighbors to the North and South of us, permit me to make reference to the favorable reaction that followed the announcement of President Eisenhower in 1954 that import duties on lead and zinc would not be increased. The news was received with a great sense of relief in Mexico and as a proof of good will toward Mexico and the other lead and zinc importing countries. The President of Mexico expressed these sentiments in his annual state of the Union message to the Mexican Congress as follows:

> The decision of President Eisenhower of not authorizing the increase in lead and zinc tariffs has been greatly appreciated by the Government of Mexico and by the Mexican people who derive their livelihood from mining, because it contributed to avoid a new crisis in our mining industry.

Could anything be more impressive? Could anything be said that would more clearly demonstrate the buildup that a continuation of the Eisenhower policy could have in further strengthening the friendly relationship that now exists between Mexico and ourselves? And, by the same token, is it not easy to realize that a discontinuance or curtailment of that policy could create a very unfavorable attitude? The same considerations and reactions prevail with respect to the other nations similarly affected as Mexico.

It is most gratifying to note that this announcement by President Eisenhower was accepted by the exporting nations of lead and zinc in the spirit of mutual understanding. For instance, when President Eisenhower announced he would not increase the import duty on lead and zinc, he expressed the hope that the exporting countries would not take undue advantage of the solution that he gave to the problem confronting the producing countries by unduly increasing their exports to the United States. And, it is particularly gratifying to further note that the Mexican mining industries observed and complied fully with the wishes of President Eisenhower. Zinc exports from that country to the United States were kept in 1956 at the same level as that of 1953 and lead exports were reduced to about 45 percent of the 1953 figure.

Before any precipitous action is taken by increasing the import duties on lead and zinc, it would be well to study carefully the fact that some of the producing countries which would be adversely affected are among our best customers in the purchase of our products. This is particularly true with respect to Mexico. We should not overlook the fact that Mexico is the third highest United States customer in the entire world. In 1956, for example, Mexico bought from this country goods amounting to $831,100,000, and sold to the United States $404,500,000, leaving an unfavorable balance against Mexico of $426,600,000. These figures taken from the United States Department of Commerce publications—FT–950–1 and 950–E—tell a story too important to be ignored when considering legislation of the kind proposed, which, if adopted, could be highly detrimental to our trade relations with a friendly nation.

There can be no doubt that the adoption of a policy that would eliminate, or even curtail, the exportation of Mexican lead or zinc to this country would strike a vital blow at the Mexican mining industry and could greatly harm the economic status of that country. In this connection, it must be borne in mind that the mining industry is one of Mexico's most important industries. Lead and zinc production in Mexico together represent 55 percent of all mining production. Its importance to the economy of that country can be further understood when it is realized that other metals, such as silver, gold, arsenic, bismuth, and cadmium, are obtained as byproducts of lead-zinc operations. The complete lead-zinc group of metals accounts for 90 percent by value of the total mining production of Mexico.

A further understanding of the vital part the mining industry occupies in the total economy of Mexico can be readily seen when we consider the fact that it employs 70,000 workers in Mexico. Each has an average of 4 dependents, which makes 350,000 persons directly affected, plus thousands who work in allied and related industries. Thus, unemployment, whole or partial, would cause considerable hardship to this large number of people. Furthermore, such restrictions could create political and social problems in Mexico. I have used facts, figures, economic and social considerations based on data relating to Mexico. The same could be duplicated with similar illustrations from other nations that would be equally appropriate.

The closing of mines, wholly or in part, the unemployment that would result, reduced railroad traffic, reduced business activity and foreign trade, independently of foreign exchange complications, could cause a slump in the Mexican economy and that of some other producing countries that would be very serious.

There are many additional considerations that could be appropriately offered as objections to a policy that would increase the import duty on these strategic metals. For instance, the United States is not now and cannot be expected to become self-sufficient in the production of lead and zinc. Thus, aside from the purely economic point of view the proposal is also unsound and unwise from the standpoint of our national security. The United States must depend upon imports for approximately one-third of its requirements for lead and zinc. This has been verified by a report issued by the United States Bureau of Mines in 1956. And, in this connection, it is also well to point out that Mexico and Canada are the only foreign sources of supply that are in a position to ship these strategic materials to us by overland transportation. Incidentally, the same is true of shipments of oil. This should also have our serious consideration as a part of our national security and defense.

It is also worthy to note and emphasize, as we consider this question from the national security and defense angle, that during World War II Mexico supplied the United States with approximately 52 percent of its lead imports and 35 percent of its zinc imports, and that Mexico sold to the United States during the war at prices which were lower than those received by the United States producers. And, as evidence of a close association with the purposes and objectives of the United States in World War II the Mexican Government in agreement with our own Government, prohibited the exportation of strategic materials to any country outside the American Continent and to any American countries that had not adopted similar restrictions, and, at the same time, agreed to supply such materials to our country. All of this was done without formal treaty and on a voluntary basis to enable our two nations in fullest cooperation to make a worthwhile contribution in the winning of the war.

The cooperation that existed during the war has continued during the years following the war. Great progress has been made in building strength and power among the nations of this hemisphere by adopting agreements that bind us and these other nations in strong ties of mutual understanding and cooperate defense, based on the principle of "one for all and all for one."

The value of any such inter-American Treaty of Reciprocal Assistance depends upon the individual economic and industrial strength of each. For this Nation to take any action that would weaken the economic strength of any of our copartners in this great undertaking to maintain the peace and security of each would be against our own best interests.

The adoption of a policy that would produce the adverse results that I have sought to show is inherent in the proposal to increase import duties on lead and zinc and is extremely unwise and should be unthinkable.

Republican Money Policies Versus Small Business

EXTENSION OF REMARKS

OF

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. PATMAN. Mr. Speaker, anyone who questions the administration's money and credit policies is promptly labeled an inflationist. Since the first great crusade, our Republican friends have somehow established—at least in their own minds—that they are the party of sound money, while the Democratic Party is the party of inflation.

Actually, the record shows that just the opposite is true. From the very beginning of World War II through the Korean hostilities, the Republican Party, the Republican press, and the Republican Members of the House waged a bitter and highly vocal fight against all of the measures that were adopted in these years to combat inflation. Our Republican friends fought last-ditch battles against price and rent controls, against rationing, and against allocations of production materials and against all of the other measures designed for keeping prices down during the periods of shortages. And at the same time they opposed adequate taxes to sop up purchasing power and to check the rise in the Federal debt.

Indeed, unless my memory of the last two decades is completely faulty, the only policy offered in the name of combating inflation that has received enthusiastic support from the Republican leadership, and from the great majority of Republicans in this body, is the present administration's tight-money and high-interest policy. Certainly, the Republican leadership has not otherwise followed an anti-inflationary course, even since it acquired control of the Government and presumably became responsible. As soon as this administration took office it set about making tax concessions to high-income families and giving all kinds of tax bonuses to the big corporations. And it has created both the framework of Government and the attitude of Government which has been favorable to the repeated big-business price increases which are continually increasing the cost of living.

REPUBLICAN RECORD HAS NOT BEEN ANTI-INFLATIONARY

Our Republican friends' single effort at combating inflation is, to say the least, of doubtful value in restraining inflation. Both logic and experience suggest that the tight-money high-interest policy is causing prices to go up, not down. Curiously enough, however, the tight-money high-interest policy does result in more interest income for the bankers and big investors; and it is resulting in the big industrial corporations gaining greater monopoly control over markets, with less threat of competition from small businesses.

When this administration took office at the beginning of 1953, the cost of living had been almost completely stable for 18 months. Yet the administration immediately embarked upon a high-interest tight-money policy for the purpose of stabilizing prices. The Treasury and the Federal Reserve Board have been coordinating their actions in pursuit of this policy, with increasing dosages of high interest, ever since. It is true that these agencies backed away from the policy in late 1953 and early 1954, after an overzealous application of the policy brought on a business recession, but the country's reprieve was quite brief. Late in 1954, the money managers were on a new spree of raising interest rates, only to find with each increase in interest rates there was a further increase in industrial prices. For many months these mounting industrial prices were not reflected in the cost of living, for the simple reason that the props were being pulled from under farm prices and farm prices were falling correspondingly. But when farm prices finally sank to the new floor, the cost of living index started rising; it has now risen for the 12th consecutive month—to the highest level in history.

Where do we stand now? Interest rates have been raised to the highest level since the bank holiday of 1933, yet the chairman of the Federal Reserve Board is calling for even tighter bank credit, and the Secretary of Agriculture, Mr. Benson, is calling for even lower farm price supports.

Now to question this administration's policies does not mean that the questioner is in favor of inflation. Obviously, there are times when the Federal Government should conduct its affairs so as to counter inflationary forces; there are times when Federal policies should be calculated to counter deflation and depression; and there are times to be neutral.

HOW DO WE HAVE INFLATION WITHOUT SHORTAGES?

The pertinent question today is therefore: Are we in a period when anti-inflationary measures are appropriate? I say, "No," certainly not the kind of measures that are being used for the purpose.

It may be true, as many people say, that some new kind of Government machinery is needed to restrain price increases in those industries where monopoly power has been acquired, and prices can be raised arbitrarily. But this is not a problem that is peculiar to a period of inflation; the monopoly power which can raise prices in times of inflation can be used, and is used, to raise prices also in times of depression.

As for the kind of inflation which comes from shortages of goods, productive capacity or labor—this has long since disappeared. True, the official spokesmen for tight money still think they can see such shortages at work. For more than 18 months now, the chairman of the Federal Reserve has been proclaiming that "too many dollars are chasing too few goods," and the recently retired Secretary of the Treasury, Mr. Humphrey, insisted too, that shortages are at the bottom of the price increases.

Several committees of Congress have been asking where, specifically, are these shortages to be found? Where are there shortages of materials? Where are there shortages of labor? And where are there shortages of plant capacity? The truth is that there are substantial surpluses of both goods and productive capacity in most sectors of the economy, but it is rather difficult to find any place where there is any shortage of either goods or productive resources.

The argument about shortages should have been exploded by now. The chairman of the Federal Reserve System has been invited again and again to point to some specific shortages which he thinks he sees. He has finally agreed that he can point to no specific shortages of any consequence. On August 1 of this year, he finally told the Committee on Banking and Currency of the House that there are today no basic shortages. He said:

> Now the problem today, as I see it, is that we have had a high level of activity for some time, and there are no basic shortages in the economy with the exception of the shortage of savings, but this high level activity is at inflated prices.

Yet, while Chairman Martin has finally agreed that there are no specific shortages, he now maintains that there are shortages in general. He told the Senate Finance Committee, on August 13, that—

> As a nation, we have been trying to spend more than we earn through production.

In other words, we are now being given a theory that the total is bigger than the sum of its parts. With all due respect for Chairman Martin, I say that his thesis is nonsensical.

In such an economic system as ours, it is, of course, possible to purchase more than is produced—for a brief period of time. But such a period of dissavings would come about only when the Nation's store of business goods is being used up faster than it is being replaced. Manufacturer and retailer inventories have been increasing, not decreasing. And new productive equipment is being acquired at a phenomenal rate—an estimated $37 billion per year—which must certainly be greater than the rate at which existing plant and equipment is being worn out or becoming obsolete.

CAN CONSUMERS CREATE BIG-BUSINESS COMPETITION?

Under these circumstances it is both foolish and misleading to say that the Nation is trying to buy more than is being produced. It would be more to the point to recognize that the big-business industries are trying to sell what they produce at higher and higher prices.

But the official explainers seem to prefer to go anywhere and everywhere, except to the point. After many months of being treated to a propaganda line which has strongly suggested that labor has been responsible for the increasing prices, we are now treated to a shift in emphasis which, of all things, blames consumers for the price increases. Faulty diagnosis of the disease will not lead to a cure, but to bad treatment. Thus, as I see it, the President's new call for action, which is to admonish consumers to buy wisely—not to go on a buyers' strike, but to shop around and avoid paying foolish prices—involves the absurd notion that consumers should take on the burden of stimulating competition among the Nation's suppliers, while the administration pursues money and credit policies that bring about a state of competition which gives consumers even less protection.

TIGHT MONEY IS THE WRONG CURE FOR THE WRONG DISEASE

But perhaps I misjudge the balance of inflationary forces at work today. Let us assume for a moment that inflationary forces are in the ascendancy, and let us assume also, despite all of the evidence to the contrary, that the increases in interest rates, which add to the cost of the retailer, the wholesaler, the manufacturer, and the raw materials producer, have not been multiplied and reflected in consumer prices. Let us assume further that the present tendency of big business toward high-price and low-production policies is not encouraged by the tight-money squeeze on consumers and small business. In short, let us assume—contrary to all appearances—that some active measure for combating inflation is actually needed. Making these assumptions, then let us ask what is wrong with the tight-money high-interest method of fighting inflation?

I say that everything is wrong with this method of fighting inflation. It benefits no one but the bankers and the big investors, it has unwholesome effects on the Nation's education and health, and it involves discriminations and distortions in the economic system which will bring about more monopoly control and more high prices.

In the first place the high interest rates—which are claimed to be a necessary part of tight money—are causing the greatest cutback in the very activities which are most needed. These are the activities of building schools, building homes and building hospitals, and building other badly needed State and municipal facilities. The high-interest rates have simply priced out of the market much of the activity of these kinds. It is in these activities that the effect of increased financing costs are most clear; and it is in these activities that the cure is at least no better than the disease.

TIGHT MONEY SQUEEZES SMALL BUSINESS—HELPS BIG BUSINESS

But within the business system itself tight money does make a vital difference. The tight-money policy is rapidly weakening and undermining the position of small business. Yet this policy has little, if any, effect on the volume of capital available to the big corporations; it has not even succeeded—if it were intended to succeed—in dampening the big corporations' recordbreaking capital expansion. In short, the policy affects the big corporations not at all, except to promise them a future of more secure control over markets with less rivalry from small competitors. The reasons for this are not hard to trace.

In the first place, the mechanics of the tight-money policy are to limit the growth of commercial banks' credit. This means that the credit squeeze is put on about the only source of capital available to small firms.

The big corporations can still sell stock, issue bonds, and borrow from the insurance companies and the investment bankers. But these sources of capital are not, as a practical matter, generally open to small firms.

Furthermore, not only has bank credit been limited, but the high-interest policy has caused the big corporations to shift their credit demands on to the commercial banks, and thus to cut into the credit supply which would otherwise be available to small firms. According to the press reports, managers of many of the big corporations are not convinced that the new high-interest rates on bonds and other long-term debentures can be made to stick. Consequently, the big corporations with expansion programs are turning to the commercial banks for temporary financing, hoping to postpone permanent financing until interest rates come down again.

Thus we are told that the banks are in a position of having to ration a limited supply of credit among small and large borrowers—and, of course, there have been some claims from the bankers that they are rationing fairly, and taking care of their small-business customers as a matter of policy. Why would we expect the banks to ration a supply of credit to small borrowers, when the big corporations, the banks' biggest depositors, are demanding the same credit—any more so in a period of tight money than in normal periods of easy money?

The truth of the matter is that the rationing of bank credit is not new or peculiar to periods of tight money. If it were, we would have to find that the bankers have adopted a new way of doing business and acquired new motivations in place of their normal motivations. Actually, the supply of bank credit is never allocated by the price of money. But, as we know, the banks set interest rates and then choose between the applicants at predetermined rates. Bank interest rates then are a matter of convention, determined by current notions of what is proper and ethical and, particularly, by what the Federal Reserve System is willing to agree to.

TIGHT MONEY AND HIGH INTEREST ARE SEPARATE POLICIES

It is for the very reason that there is no direct and necessary connection between the supply of bank credit and interest rates that the Federal money-managers could have tightened bank credit, had they cared to do so, without raising interest rates. This has been clearly recognized by the Federal Reserve System over the years past whenever the System wanted to loosen credit. On these occasions the Federal Reserve did not reduce interest rates, as a means of increasing the credit supply, but it reduced required bank reserves. For example, in July 1953 and again in June of 1954, when the money-managers had a temporary policy of loosening credit, the Federal Reserve did not reduce interest rates, it reduced reserve requirements of its member banks. This meant that each dollar reduction in reserve requirements was a dollar freed for lending; and under our fractional-reserve banking system, it actually meant that the banks could lend up to $6 for each dollar reduction in required reserves.

Since each time the Federal Reserve System wanted to loosen credit, it reduced reserve requirements and thus made more money available, why, we might ask, has it not raised reserve requirements on any of the dozen or so occasions in the past 2 years when it has acted to tighten credit? The record shows that on each of these occasions the Reserve System has either initiated a general rise in interest rates by raising the Reserve banks' discount rate, or it has shown a ready willingness to raise the discount rate immediately after one or two big banks announced a raise in their commercial rates. In either case, the results are the same: all bank rates go up correspondingly with an increase in the discount rate—which demonstrates a remarkable instance of the tail wagging the dog. The Reserve banks' loans, discounts, and advances outstanding—in short the amount of credit on which the discount rate applies—amounts to less than 1 percent of the commercial banks loans outstanding.

The tight-money policy and the high-interest policy would not therefore seem to be directly connected, except for the possibility that our Federal money managers may have felt that the high-interest policy would be fair compensation to the bankers for their accepting the tight-money policy. Or possibly the tight-money policy has been advanced only as an excuse to justify the high-interest policy. These observations are arguable, of course, but certainly the great majority of the banks very much like the net result of the two policies. Indeed, the banking community has taken the lead in demanding and propagandizing for these policies.

TIGHT MONEY HAS THE EFFECT OF REPEALING ANTITRUST LAWS

Under the tight-money policy, the volume of loans outstanding to small business has probably not declined. On the contrary, it is probable that there has been some expansion in the volume.

But those of us who have been especially concerned about a continuing place for small business are not concerned merely with whether the small firms already in business will survive. A proper perspective of the values at stake require that we be concerned also over whether there is a continuing opportunity for new small firms to be created and for small firms to keep pace in the tremendous expansion of business capacity now taking place. It is against the backdrop of the tremendous expansion of business capacity now taking place—all of which requires capital—that we get the import of the tight-money squeeze on small business.

Prof. Kenneth Galbraith, of the Harvard School of Economics, recently caught the import, and he summed it up this way:

> We should recognize that monetary policy as it is now being practiced is a magnificent instrument for promoting centralization. A move at the present time to repeal the antitrust laws would, without doubt, excite considerable opposition. But it might contribute less markedly to industrial concentration than a long continuation of monetary restraints in their present form. These deny to the smaller and weaker firm the funds on which growth or even survival may depend. The large and the strong tend to get them. The consequences must be clear.[1]

Such ideas as these expressed by Professor Galbraith are, of course, quite contrary to the impression that some of the big bankers, and the banker associations have tried to give by the various speeches, reports, and so forth, which they have been circulating. These bankers have been trying to knock down all criticisms of the tight-money policy and hence have felt it necessary to assure the public that big borrowers really are not in any favored position, when it comes to obtaining bank credit, but that the banks are all judiciously dividing up their limited credit so as to give small borrowers at least a proportionate share. Noting these banker statements, Professor Galbraith remarked in the same article, that—

> In recent months commercial bankers have been sensitive about the suggestion that the smaller and weaker borrowers have been losing out. Some have come perilously close to claiming that their least valued clients get their first consideration.

NEW CLAIMS THAT BANKERS FAVOR WEAKEST CUSTOMERS

None of the bankers, to my knowledge, has made any direct or outright claim that they are showing a preference for their least valued and least influential clients. But recently they have found a college professor who makes the claims for them.

Recently I received a letter from the public relations department of the American Bankers Association enclosing a paper titled "Monetary Policy, Tight Money, and Small Business," by Prof. R. G. Thomas, of Purdue University. The publicity man's letter assures me that because of my interest in small business I will be interested in the contents of Professor Thomas' paper, a paper which not only argues a justification for the tight-money policy in general—on the grounds of excessive pressure upon the productive capacity of the country—but concludes that small business has not been "the victim of tight money discrimination to the advantage of the large business firms."

Since I suspect that other Members of the House have received copies of that paper, I would like to take a few moments to point out what seems to me the technical weaknesses in the facts and arguments which led Professor Thomas to conclude that small business has not borne a disproportionate burden of the tight-money policy.

Specifically, the factual basis for the professor's conclusions consists of certain extremely skimpy statistics pertaining to the very small commercial banks and to the very large commercial banks. No reference is made, and no statistic is offered, bearing on the question of whether the banks in the size range between $10 million in deposits and $250 million in deposits have increased or decreased their loans to small business in the tight-money period.

According to a survey made by the Federal Reserve Board of its member banks in October of 1955, banks with between $10 million and $250 million in deposits accounted for 57 percent of all the member bank credit extended to business firms having assets of less than $50,000, and such banks accounted for 56 percent of the credit extended to borrowers having assets of less than $250,000.

Nevertheless the professor draws conclusions about the effects of tight money on the lending of all commercial banks, even though the facts are missing for banks which supply about half of the small-business credit.

SMALL BANKS LEND TO BIG BORROWERS

What about the smaller banks? According to the Federal Reserve survey, member banks having less than $10 million in deposits supply between 26 and 32 percent of the member-bank credit extended to small firms. The professor reasons thusly: Since banks with less than $10 million in deposits usually cannot, as a matter of law, lend more than $100,000 to a single borrower, then—

> Clearly these 11,500 banks must lend mainly to the small, local business firms and even if they wished they could not discriminate in favor of big business against the smaller firms.

That conclusion is clear only because it overlooks certain important facts. First, the legal limit refers only to the amount which a bank can lend to a single borrower; it does not limit the amount which a big borrower can borrow from a number of different banks. It is common practice for big corporations to maintain multiple banking connections, and to split their borrowings among the banks.

Second, it is common practice for the small banks to have their loans made for them by larger, correspondent banks, in which case they usually participate in pool loans to large borrowers. It is by way of indirect payment to the larger banks for service in placing loans that small bankers keep funds on deposit, interest free, with the larger banks.

So much for the facts and the arguments about the smaller banks and the medium-size banks—banks which together supply about 70 to 75 percent of all the small business credit. The statistics cited by Professor Thomas reveal nothing. They do not tell us whether these banks made more or less credit available to small business, in a period of tight money, nor do they indicate whether big firms have obtained more or less credit from these banks.

BIG BANKS LEND TO BIG BORROWERS

What now about the very large banks? For his facts on this subject, Professor Thomas leans on a survey conducted by the American Bankers Association covering 78 of the Nation's largest banks. The survey made comparisons for August 31, 1955 and August 31, 1956, a period when bank credit was being tightened. This survey indicated that the 78 of the Nation's largest banks increased their loans to small business—or at least their business loans in small amounts—in this period of tightening credit. Specifically, the survey indicated that outstanding loans in amounts of less than $50,000 increased by 14 percent within the year, and that outstanding loans in amounts of less than $100,000 also increased by 14 percent.

These facts greatly impressed Professor Thomas and led him to assume that there had been a 14-percent increase in all small business loans, a percentage which he proceeded to compare with a 5.5-percent increase in the gross national product for the same period.

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[1] Are Living Costs Out of Control? by John Kenneth Galbraith, the Atlantic Monthly, February 1957, p. 40.

> A 14-percent increase in the dollar amount of loans to small business during a period of tight money certainly does not appear unreasonably restrictive in the face of an increase of only 5.5 percent in the gross national product for the same period.

As the reports of the House Small Business Committee have pointed out, however, the volume of small business loans extended by the 78 biggest banks is in no sense a measure of whether commercial banks as a whole have extended more or less credit to small business. The 78 top banks in the ABA survey are in no sense typical of the banks from which small firms obtain credit. Among other things, the smaller banks lacked the forevision exercised by the big banks in unloading their Government bonds, before the price drop, thus acquiring added loan funds. Turning again to the Federal Reserve survey, we find that the 97 biggest banks—those having deposits of more than $250 million—accounted for 77 percent of all the business loans outstanding; but they accounted for only 25 percent of the loans outstanding to firms having assets of under $50,000; and they accounted for only 30 percent of the loans outstanding to firms having assets of under $250,000. Clearly the Nation's biggest banks are not the main supply of credit for small firms.

ABA'S STATISTICS OMIT COMPARISONS

How, then, we might ask, did the ABA's 78 very untypical banks' increased lending in small loans compare with their lending in large loans? Did the total business loans of these banks go up more or less than 14 percent between August 1955 and August 1956? Unfortunately, this is a fact that the ABA report neglected to supply, although it is the one easy fact that such a survey is automatically expected to supply.

BIG FIRMS GET CREDIT AND EXPAND

Professor Thomas' paper does, however, make reference to published Federal Reserve data which bears on the subject. These data show that in the same period when small-business loans of the 78 top banks increased 14 percent, total commercial loans made by central Reserve city banks—New York and Chicago—increased by 28 percent, and total commercial loans made by Reserve city banks—49 cities—increased by 18 percent. In light of these facts, Professor Thomas poses the question, "Does this not indicate that the big borrowers in the big cities were under less restraint than were the small borrowers?"

And in answering his question, the professor shifts the grounds of his argument. He observes that "the relatively greater increase in loans to big borrowers by the big city banks does not necessarily mean that these borrowers were not subject to credit restrictions," because "the pressure on large business for loan accommodation was probably greater than on the smaller firms."

And why was the "pressure for loans greater on large firms"? Principally because "many of these firms, with expansion plans under way, found the long-term capital markets unappetizing because of higher interest rates and turned to the big city banks for temporary financing."

In other words, the firms which are expanding most need to raise the most capital—which is what the critics of the tight-money policy have been saying all along, except that we have added two pertinent facts. One, the firms that expand are the firms that can obtain the capital for expansion. Two, while the long-term capital markets may presently seem merely unappetizing to the big corporations, these markets at all times are closed to small firms, so when the big corporations shift their capital demands onto the commercial banks they are taking up the only credit normally available to small business.

COST OF BIG FINANCE POLICIES IS TOO HIGH

Sometimes I think the country is paying too high a cost for having too much big banker and big business control over the Government. When we fight inflationary forces that do not exist, by methods that increase prices, the cost is too high. When we have a high interest policy which flattens the bankers at the expense of sacrificing needed schools, hospitals, and homes, the cost is too high. When we have a tight-money policy that weakens small business, weakens competition, and weakens consumer protection, the cost is too high.

The Recent June Decisions of the Supreme Court

EXTENSION OF REMARKS

OF

HON. WINT SMITH

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. SMITH of Kansas. Mr. Speaker, the recent June decisions of the Supreme Court have caused more comment among all groups of Americans than any other decisions of the Court within the last 50 years.

The hurricane of protests is not confined to just people in right-wing groups, nor to those citizens who write letters to the editor. Neither is this indignation confined to the speeches of—as the liberal press likes to say—hotheaded rural Congressmen, but to bar associations, judicial councils, Federal judges and 3,000 members of the American bar assembled in London—who all speak out openly against these June decisions.

What is the basic cause of all this alarm regarding these decisions? In the opinion of most observers, this outcry is caused by the well-founded belief that for many long years the Congress—and for the last 5 years the Presidency—has been pointing out the necessity of passing laws to curb the inroads of communism at home and to build roadblocks against communism all over the world with United States tax dollars.

This expressed attitude by the Congress and the Presidency can now well be destroyed by these recent decisions.

It is an obvious fact that any government exists to protect the well-being of its whole society. It seems highly significant that our country which has spent billions upon billions within the last 8 years fighting international communism throughout the world and now by these decisions to be told by this Warren Court that communism is no present danger.

Something seems to have happened to the thinking of this Court, because just a few years ago in a Supreme Court decision we find these words: "It"—communism—"is a clear and present danger."

That was the sentiment expressed with regard to the theft of bomb secrets.

It is now frequently asked, "What does the Court mean? If the Communists can destroy nations by subversion and infiltration, why maintain and spend untold billions for military defense?"

I am sure that even the man in the street, far removed from the semantics of legal phrases, full well knows that if our Government goes down he will have nothing to hope for from the communistic system that will take its place. The average American believes that self-preservation should be the first duty of this Government. He does not expect his Government to be so virtuous about theoretical citizens' rights that he, Mr. Average American, will become a mere number in a slave camp or just a corpse.

And, above all else, Mr. Average American is not so naive as to believe that communism is just another shade of political opinion.

There is another belief held by most American citizens which is simply this: The Supreme Court should be just as anxious to protect the Nation itself as to the theoretical rights of Communists who have openly avowed their belief in the forceful overthrow of our Government.

Most of the criticism now directed at the Supreme Court is not at the third branch of our Government, but at the individuals on this bench. Most Americans believe that these men who write decisions on the Supreme Court should not be swayed by pressure groups.

Most assuredly, most citizens did not approve of the Supreme Court Justices going to New York City to testify as to the "sterling and unimpeachable character" of Alger Hiss, who was convicted for perjury for denying he turned over stolen documents to Communist agents.

It might also be well to remember that Alger Hiss in his early years was one of "these bright young law clerks" who help Justices of the Supreme Court in writing decisions.

I am sure it was never intended by the founders of our Government that political expedient politicians should be appointed to the Court instead of men well founded in the law. When mere political expediency creeps into decisions, the whole governmental structure is in danger. These recent Warren Court decisions seem to all point to the fact that anyone whose loyalty to the United States is questioned always receives a favorable decision.

These June decisions on communism were particularly denunciatory of the Committee on Un-American Activities and its investigations. The Court found fault with the resolution creating the

Committee on Un-American Activities in 1938.

Here is a copy of the resolution of Congress creating the committee:

> The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (I) the extent, character, and objects of un-American propaganda activities in the United States; (II) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution; and (III) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

Read it again. Do you have difficulty in determining what this committee was authorized to do or to investigate?

The intent seems to be plain to most citizens, but not the Supreme Court.

Here is what they said in one of their recent decisions:

> It would be difficult to imagine a less explicit authorizing resolution. Who can define the meaning of Un-American?

What is the basic form of government as guaranteed by our Constitution? It would seem that someone on the Court has failed to remember section 4 of article 4, a provision in the Constitution which says:

> The United States shall guarantee to every State in this Union a republican form of government and shall protect each of them against invasion * * * and against domestic violence.

The Court apparently does not recognize the dangers of infiltration, sabotage, the designs of fellow travelers, or the complexities of a modern society. This decision seems to point out that only when armed resistance breaks out would the States or the Federal Government be justified in protecting themselves from the Communist menace that everyone seems to be aware of except the Warren Court.

This decision to me points out most convincingly that the rights of the Congress, the Executive, and the States have been usurped by the Court.

It is all very well to say, "Oh, yes, Congress has the right to investigate for purposes of writing legislation." But the words are a bit hollow sounding in view of the Supreme Court's repeated decisions on communism.

It is all very well for Chief Justice Warren to write about academic freedom and political expression in the classrooms as he did in the Sweezy case, but it is difficult for some to see the difference between a professor lecturing his students on the benefits of communism and another professor's teaching his students the art of secret writing and making microfilm and how to set fires secretly. The basic design in both is to destroy our form of government.

But of course, these new guardians of Communist liberties might see a difference, but it is doubtful.

It will be somewhat difficult for future historians to find the basic reason why the judicial branch of our Government became the chief foe of the anti-Communists in America. To date, these anti-Communist foes, through their decisions, seem to be in the ascendancy; namely, Warren, Frankfurter, Black, and Douglas.

Running through many of these comments on the June decisions is this one question: "Who writes these opinions?"

In the U. S. News & World Report, July 12, 1957, is an article entitled "The Bright Young Men Behind the Bench." This article infers that these law clerks freshly arrived from law schools are influential in the opinions expressed.

Before we start condemning and blaming the faceless and almost nameless clerks, let us examine some records and recall from our memories a few well-known facts. It seems strange that memories can be so short.

Who is the most powerful man on the Court? It is Earl Warren, because he is the Chief Justice. He can wield terrific power, if he so desires.

From the intellectual aspect, many would say Felix Frankfurter holds the reins of power. All informed persons know of Frankfurter's background, training, ancestry, and close associates. One only has to read his decisions since he has been a member of the Court to see through the semantic smokescreen of his judicial decisions.

In looking into the background and writings of Felix Frankfurter, we sometimes find strange words that seemed a bit puzzling at the time they were written.

The Justice said this:

> If facts are changing, law cannot be static. So-called immutable principles must accommodate themselves to the facts of life, for facts are stubborn and will not yield. In truth, what are now deemed immutable principles once themselves grew out of living conditions. (Law and Politics.)

Does that mean, since we have long since passed out of an agricultural economy into an industrial one, that we must now adopt socialistic-communistic principles?

Here are some more direct words written by Justice Frankfurter:

> The history of the Supreme Court is not the history of an abstraction, but the analysis of individuals acting as a court who make decisions and lay down doctrines * * * and sometimes even overrule the decisions of their predecessors, reinterpreting and transmitting their doctrines. (Law and Politics.)

Did the famous liberal Justice have the present decisions in mind when he wrote the foregoing?

Justice Hugo Black's court experience was only as a police judge in an obscure village in Alabama. His decisions reveal through the years no sign of any approach to a basic American problem except that "We can't hunt witches or burn books." He has lived peacefully, bouncing back and forth from one side to the other.

Justice Black on several occasions in the past has upheld the right of Congressional committees to investigate all corporate practices and was severe in his comments that corporations had no right of secrecy nor could they withhold necessary information from a Congressional committee.

Listen to him rave at a corporation:

> There is no power on earth that can tear away the veil behind which powerful and audacious and unscrupulous groups operate, save the sovereign legislative power armed with the right of subpena and search.

A great many people will wonder why the Justice from Alabama won't see any dangers from Moscow's agents and that none of them are powerful, audacious, unscrupulous in their attempt to infiltrate schools, homes, churches, and factories of America with but one ultimate objective in mind—destroy America.

Justice Brennan has no long record on the bench, but before coming to the Supreme Court he was no Judge Medina in his approach to this country's gravest world problem, namely communism.

William O. Douglas, the climber of Asiatic peaks in far-off lands, has never been noted for climbing any American peaks of lofty ideals. He has just been going along for the ride, except for occasional bird walks on obscure trails. He is a westerner who succumbed very easily to the taints and tarnish of the international aspect of all domestic problems.

Let us take a little look into the background of the Chief Justice, Earl Warren. There are perhaps quite a number of people who over the past years have heard Earl Warren say, "We have nothing to fear from communism."

The chief source of Warren's so-called influence is that he assigns the cases to the various justices for the writing of the opinions. It is apparent that the man who writes the opinion makes a lot of difference, because the reasoning behind the decision in many cases is as important as the decision itself. It is well to remember also that Warren assigned himself to write the sociological opinion in the school case in 1954, and in some of the recent Communist cases, Warren wrote the opinion.

Communists and socialists have long recognized socialized medicine as the first step in organizing a totalitarian state. Warren in California always worked for and advocated socialized medicine.

He and CIO bosses and Harry Bridges advocated socialized medicine. Warren in California always advocated an FEPC law.

In 1944 Warren helped Harry Bridges and other CIO leaders defeat a right-to-work law in California. This law would have freed the unions from the despotic rule of labor racketeers.

Warren was against the ruling of the board of regents in California requiring loyalty oaths for professors.

It is reported at the 1950 governors' conference, at which Dean Acheson spoke, only Governor Warren praised Dean Acheson's speech.

During the campaign of 1948, both Time and Newsweek reported that Warren had asked the national campaign managers to soft pedal the issue on communism.

And always remember, the Chief Justice of the Supreme Court, as Governor of California, twice tried unsuccessfully to put over socialized medicine in California.

Justice Holmes once wrote in an opinion:

> The life of the law is not logic but experience.

It is to be hoped that the good Chief Justice will listen to those words and remember law and precedent are fundamental if we are to survive as a Nation.

The Watkins case was one of those decided in the recent so-called June decisions:

> We must condemn the practice of imputing a sinister meaning to the exercise of a person's constitutional rights under the fifth amendment * * *. The privilege against self-incrimination would be reduced to hollow mockery if its exercise could be taken as equivalent either to a confession of guilt or a conclusive assumption of perjury.

Yet let us look back a few years in the Supreme Court decision with regard to the Teapot Dome scandal. This decision is quite different, the Court said:

> Men with honest motives and purposes do not remain silent when their honor is assailed. * * * These gentlemen have the right to remain silent * * * but a court of equity has the right to draw reasonable and proper inferences in the case.

That clearly represents a changed view of the Court. When some barrels of oil were involved, you can use those inferences. But when the decision involves the control of communism in the United States and the protection of this country against the menace of international communism, you must not draw any inferences because a witness refuses to answer questions.

In final analysis it will be most tragic if a majority of the Court continues to follow the Warren, Black, Frankfurter, Douglas line. It may be too much to hope for but "hope springs eternal."

Let us hope that this Supreme Court can again revert to law and precedent rather than expediency and an expanding sociological concept of a planned blueprint society, in which the social engineers are preeminent.

Law and precedent stabilize and give society a permanent base for a complicated society.

These opinions and beliefs are pointed out simply to point up the fact that it is often difficult to throw overboard some firmly ingrained beliefs. And for some—even while sitting on the bench—to again not hear voices in the air of some phony political philosophers of times long past.

These are members of the Court, and their personal past history should be remembered when these June decisions on communism are discussed. It is also to be remembered that these men were not elected—they were appointed.

It has always been assumed that the President and Congress made the basic policies in all matters concerning the welfare of the people of the United States. Hence, these policymaking decisions in regard to the control of communism by the Warren Court came as quite a shock to many people. It was a great shock because most thinking Americans have believed for a long time that their heavy tax load, with American soldiers stationed in 69 countries of the world, 30,000 dead American soldiers in Korea, the continued draft of their own sons and relatives, was all due solely to the dangers of worldwide communism.

Not only does the rank and file American know what communism means, but students of history, both amateur and professional, realize the method used by the Communists and intellectual fellow travelers has always been the Trojan-horse approach. Everyone seems to know of this except the black-robed men on the Warren Court.

There is no other conclusion that can be reached except that this Warren Court has now thrown its protective cloak around the fellow travelers and Communists. The Court is simply blind to the reality of our times.

These decisions grant an absolute immunity and aid to known Communists and fellow travelers. They place individual Communist rights above national security.

Very few people seem to realize that these June decisions of the Warren Court wiped out not only Federal legislation but State legislation. And again the field of States rights was invaded not by the President, not by the Congress, but by the Court.

When you wipe out another States rights concept that States cannot pass their own sedition laws, you just put one more nail in the coffin they are constructing to destroy all States rights.

Jefferson once said:

> There is no danger I apprehend so much as the consolidation of our Government by the noiseless and therefore unalarming instrumentality of the Supreme Court.

We should also remember that ancient Rome existed for 800 years under the classic maxim that the safety of the nation was the supreme law. There are some who seem to think that the Warren Court's attitude toward communism can best be summed up by saying it seems more concerned about protecting the big bad wolf of communism than of Little Red Riding-hood.

Perhaps some will doubt the propriety of a Member of Congress pointing out some of the anticipated effects of these decisions. Justice Clark, a member of this Supreme Court in a dissenting opinion in the Watkins case, put it this way:

> The Court has become the grand inquisitor and supervisor of Congressional investigations.

But why has the Court suddenly become so enamored with its position and why seek so much power? The answer to this question is not hard to find if one only remembers, reads, listens, and looks at the mores of the times. The attitude of the Court and its decisions is nothing more nor less than the natural product of 20 years of New Deal-Fair Deal and now modern republicanism concepts.

These June decisions and others for the past several years clearly show that the Court is listening to the siren voices for the substitution of demagogic political welfare state panaceas instead of "Equal justice under law."

And all history points out the necessity of trying to curb unlimited power. Lord Chatham expressed it this way:

> Unlimited power corrupts the possessor and this I know, that where the law ends, there tyranny begins.

The President can only be elected now to two terms. During his second term he cannot control with the unseen power he has in his first term. As his second term diminishes, his power and political prestige declines.

There are few persons of mature stature and judgment who believe that maybe some of the members of the Supreme Court see an opportunity in this amendment to the Constitution to assume and arrogate to themselves more power.

That it will permit the Court to assume more power because after all the Court in final analysis is the creature of the President. This danger is apparent because this present Warren Court is superliberal, if not radical. Maybe some members think they can assume the cloak of more false liberalism because of the waning power of the Executive in the last years of his final term.

What will be the eventual outcome of these pro-Communist decisions? It seems clear that Congress should take the lead in wiping out these incredible decisions. It is to be hoped that the Judicial Subcommittee appointed to investigate these decisions will come up with the necessary answer.

There is a famous motto cut in the marble canopy in letters 3 feet high above the entrance of the Supreme Court Building, it reads: "Equal justice under law."

The general American public wants the Supreme Court to follow this motto and forget the theory that they should write sociological decisions to achieve their false ideas of social justice for enemies of this Republic.

This Warren Court seemingly is determined to build up the doctrine that the idea of a limited government must give way to the ideal of totalitarianism.

Congress still has the power to change this direction of travel, but it cannot do it by sitting idly by and letting these decisions go unnoticed. Congress has still not been completely captured by the leftwingers and the internationalists.

Congress still controls the purse strings and can create such inferior courts as it deems advisable and designate the duties and procedures of these courts.

Congress has always had and still has the power to curb "a bad court" because the Congress gets its powers from the people and the courts get theirs from the Congress.

The Eisenhower Administration

EXTENSION OF REMARKS

OF

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement prepared by me.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, on August 8, 1957, Senator CAPEHART, of Indiana, offered a report on the 4½-year period of the Eisenhower administration. I wish to reprint portions of this report and then to indicate some of the advancements which Kentucky has enjoyed since the beginning of the 85th Congress.

Mr. CAPEHART said in his report to the Senate:

"Mr. President, I believe the facts show that this Nation is well on the way to an even more enduring peace and to an expanding economy which will assure gainful employment and happy, comfortable living for every family making up the rapidly increasing population of our Nation.

"The way to these achievements is not easy.

"On all counts it is fraught with fatal dangers—suicidal war and/or economic collapse, or both.

"That is why we have a weighty obligation to proceed with a maximum of caution and a minimum of strictly partisan consideration toward the enactment of those laws—the establishment of those policies—most likely to avoid ruinous inflation, international chaos, or economic stalemate.

"Thus, it is obvious that the dominant reason for our phenomenal growth is the fact that we established, developed, and encouraged a private enterprise system under which the tenant farm boy of today can become the farm owner of tomorrow; the factory worker of today can become the factory owner of tomorrow; the poor immigrant boy of today can become the leading citizen of tomorrow; and all of us possess the right to progress in proportion to our own initiative and ability.

"Thus, I say that one of the most important accomplishments of this administration has been to restore confidence in and encourage the development of the basic principle of our greatest asset, the American system of government.

"LABOR HAS BENEFITED

"The national product, national income, and employment are necessarily tied together.

"I mentioned that employment is nearly 67 million, more than 4 million above the same time in 1952.

"Since we are talking about workers, let us see how labor has fared.

"Legislatively speaking, the Republican record shines.

"When Republicans controlled the 83d Congress the following legislation was passed:

"1. Provision for increasing the amount of vocational rehabilitation.

"2. Railroad retirement benefits were increased.

"3. Unemployment insurance was strengthened.

"4. Unemployment insurance was extended to 4 million more employees.

"5. Tax deduction was granted for private pension benefits.

"6. Federal workers were given unemployment compensation and many fringe benefits, including life insurance.

"7. District of Columbia unemployment insurance increased.

"Since that 83d Republican Congress, only two of the administration's 13 recommended labor programs have been approved by the Congress, but those two can be credited to the Republican administration.

"They were:

"1. Increase from $35 to $50 the maximum compensation benefits for longshoremen, District of Columbia residents, and others in Federal jurisdiction.

"2. Regulation of interstate transportation of migratory workers. The other 11, including revision of the Taft-Hartley Act, went by the boards.

"The lack of progress legislatively after the 83d Republican Congress did not prevent the Department from making a sensational record by enforcement of the laws which existed.

"For example:

"Under the Fair Labor Standards Act and the Walsh-Healey Act the Department recovered $1,250,000 in back wages for workers.

"That's half a million dollars more than in the 4 years before Eisenhower.

"A total of $1,443,800 was recovered under the Walsh-Healey Act, 5 times as much as in the previous 4 years.

"Over $833,000 has been recovered for workers under the Davis-Bacon Act, almost 3 times as much as in the previous 3 years.

"Investigations alone prompted the payment of over $7 million in back wages for 88,800 employees in 14 months.

"From 1950 through 1952 one contractor paid $502 fine for failing to pay his workers for overtime under the 8-hour law.

"In 1956 alone, 19 contractors were found guilty of the same offense and paid fines totaling $22,665. For all 4 years the penalties totaled $41,145 as compared with $525 in the previous 4 years.

"Davis-Bacon enforcement cases under Eisenhower Republicans totaled 1,143 in 3 years and 453 more were started in the fourth year as compared to a total of 476 cases in the previous 3 years.

"From 1935 through 1952—17 years—only 4 contracting firms were blacklisted under the Davis-Bacon Act. Since 1953, 50 firms and 64 individuals have been forced to comply with the law.

"The administration before the present Republican administration took 89 enforcement actions under the Walsh-Healey Act. Under this administration the total is 102 with 35 blacklisted contractors compared to the 17 blacklisted by the previous administration.

"Let me tell you what this administration faced with the farm problem, what it has been doing, and what it is doing at the moment toward a solution.

"FARM RECOVERY

"A decline in farm prosperity took place since the Korean war peak of February 1951, but the parity ratio shows that three-fifths of the decline took place prior to this administration.

"The record shows that in February 1951 the parity index was at 113. It was 94 in January 1953 when Mr. Eisenhower became President. It was 86 in December of 1954, 82 in August of 1956, and 84 in July 1957.

"The drop has been halted.

"The decline was halted in 1956 by increasing wheat price supports from $1.81 to $2 per bushel; by increasing corn supports from $1.40 to $1.50 per bushel; corn grown outside acreage allotments was supported at $1.25 per bushel; rice supports went from $4.04 to $4.50 per hundredweight; milk supports went to $3.25 per hundredweight; butterfat was raised from 56.2 cents a pound to 58.2 cents.

"Other actions were taken such as:

"Adoption of the soil bank plan.

"Expansion of the barter plan of farm goods for strategic materials.

"Commodity program strengthening through action on corn, rice, sugar, school-milk programs.

"Rural-development pilot funds.

"Great Plains conservation program.

"More research funds.

"Improved loan programs of Farmers' Home and Farm Credit Administrations.

"Tax refund on farm gasoline.

"RURAL ELECTRIFICATION INCREASED

"In the 4 years of the Republican administration of agricultural programs we find a great deal more to boast about.

"The backlog of REA loans was reduced from $192 million to $90 million by faster processing of applications.

"Four times as many loans for rural telephone facilities were made in the Republican 4 years than in all prior years and as a result those facilities have doubled since 1953.

"There has been added to the services of the Farmers' Home and Farm Credit Administration livestock loans to maintain herds in drought and severe weather areas; emergency loans to aid farmers temporarily unable to get credit; soil- and water-conservation loans to aid farmers in developing water supplies.

"The Farm Credit Administration was reestablished as an independent agency and more than $2½ billion in credit was granted in 1955.

"Disaster loans totaled $231 million; large discounts were allowed on 5½ million tons of surplus feed grains; 461 million pounds of beef and pork were bought to stabilize the market after the drought; erosion damage was met with a $21 million program.

"In the Republican 4 years, 494 million bushels of grain-storage facilities were added; 200 million bushels more were added through guaranteed occupancy arrangements with commercial warehouses; producers used Government loans to construct facilities on farms for 142 million bushels; farmers and warehousemen were permitted to charge off storage-construction costs over a 5-year period for tax purposes; many farmers built additional storage through private financing.

"We go on and on with the progress of the Republican administration in developing a farm program aimed at permanent prosperity.

"SURPLUS DISPOSAL

"The Commodity Credit Corporation disposed of over $6 billion worth of surplus commodities from storage.

"Agricultural attachés abroad were placed under the Department of Agriculture to assist in the trade program.

"Stocks of commodities have been offered for export at competitive prices.

"The program to barter surpluses and sell for foreign currency was expanded.

"Farm exports in fiscal 1957 were the highest in history.

"I have always said that if somebody gives you a lemon, make lemonade out of it. The Republicans were certainly handed a lemon in the surplus commodity problem, and they have done a good job of making lemonade out of it.

"What is the farmer's situation today after 4 years of Republicanism in Government?

"Let's have a look:

"Three-fourths of the Nation's farmers today own their farms.

"Farm tenancy is at an alltime low.

"FARM ASSETS $10 BILLION UP

"Total farm assets are more than $170 billion, nearly $10 billion more than before President Eisenhower took office.

"The farm debt is about 11 percent of the assets, a near alltime low percentage of debt.

"Seven of every 10 farmers have no mortgage debt.

"Four-fifths of those mortgaged are mortgaged for less than 50 percent of market value and half for less than 30 percent of market value.

"The farmer now has social security, something he couldn't get for 19 years.

"FOREIGN POLICY—PEACE

"The Free World, on the other hand, is growing stronger; closer knit.

"Our friendly nations are growing economically stronger: more able to stand on their own feet; more capable of contributing to western defense against communism.

"Mr. President. I submit it is difficult to argue successfully against a foreign policy which has contributed to such a situation in the Free World."

The achievements in my own State are many. I would like to list just a few, which I feel are of outstanding value.

RURAL ELECTRIFICATION ADMINISTRATION

During fiscal 1957, REA approved a total of $18,157,000 in loans to 18 of the 28 active REA electric borrowers in Kentucky. Their plans called for the construction of 925 miles of line to serve an additional 5,136 rural consumers. Five million eight hundred and five thousand dollars of the total amount loaned was obtained by distribution cooperatives. The balance, $12,351,000, went to the Eastern Kentucky Rural Electric Cooperative Corp., in Winchester, for the construction of a 66,000-kilowatt steam-generating plant and transmission facilities. This power-type borrower provides electric power for 16 member distribution cooperatives.

The Rural Electrification Administration, during fiscal 1957, loaned a total of $2,801,000 to 8 active telephone borrowers in Kentucky; there are a total of 16 telephone borrowers in the State. The loan funds will be used for new construction and system improvements to provide improved service to 4,411 additional rural subscribers over 1,011 miles of pole line, 830 of which will be new pole line. At the close of fiscal 1957, Rural Electrification Administration borrowers were providing modern dial service to 16,191 rural subscribers over 8,821 miles of line.

TVA FINANCING

Over the last few years, there has been an increasing reluctance on the part of the Congress to appropriate the tremendous sums needed to increase the power-producing capacity of the Tennessee Valley Authority.

Several bills were introduced this year to authorize TVA revenue bonds. The Senate enacted, and has sent to the House, a bill embodying the main principles of the bill I introduced: limitation on total amount, provision for consultation with the Treasury Department regarding times of issuance, limitation of geographical expansion of TVA, and repayment of the Government's appropriation investment, with interest.

FLOOD CONTROL

The Congress appropriated funds totaling over $40 million for expenditures during fiscal 1958 on flood control and navigation projects benefiting Kentucky. They are as follows:

Examination and survey

Little Sandy River and Tygarts Creek	$30,000
Kentucky River	54,500
Laurel River	19,800
Upper Cumberland	15,000
Cypress Creek	5,000
Clark River	16,100
Lynn Camp Creek	20,000

Advance engineering and design (planning)

Pound Reservoir (Big Sandy)	$140,000
Nolin Reservoir	138,000
No. 2 Barren River Reservoir	50,000
New Richmond lock and dam, Kentucky and Ohio	175,000

Construction

Buckhorn Reservoir	$1,900,000
Rough River Reservoir	3,000,000
Barkley Dam	5,000,000
New Richmond lock and dam	825,000
Catlettsburg floodwall	2,000,000
Greenup locks and dams, Kentucky and Ohio	13,500,000

Construction—Continued

Markland locks and dams, Kentucky and Indiana	$9,500,000
Lock and dam No. 41, Kentucky and Indiana, Louisville	4,000,000

In addition to the four new projects included in the above list (New Richmond lock and dam, Pound Reservoir, upper Cumberland survey, and Lynn Camp Creek survey), a local flood protection project is being commenced by the Corps of Engineers at Prestonburg at a cost of $265,000.

RURAL LIBRARY SERVICES

The rural areas of Kentucky have enjoyed the innumerable advantages of the library services program. Through the appropriations made available by the Congress, and the cooperation of private organizations, the circulation of books in the counties of Kentucky has spread from 2 million in 1953–54 to 6 million books last year.

Kentucky's basic allotment for library services was $40,000, but through the appropriation for fiscal 1958 authorized by this Congress, the share of our State will total $137,929. This more than triples the opportunity of bringing books to thousands of people who live in the remote areas and who are not able to share in the service of city libraries.

AGRICULTURE

A number of the actions of Congress this year are of particular interest to Kentucky farmers. In the field of agriculture as a whole, our problems continue to be those of surplus and price, not of shortage and hunger. The two most important legislative acts to lower surpluses and control production in order to protect farmers' income were extension of the Agricultural Trade Development and Assistance Act of 1954, and continuation of the full soil-bank program.

Congress fulfilled a Presidential request when it authorized a 1-year, $1.3 billion expansion of agricultural trade development and assistance, under Public Law 480 which extends this program to June 30, 1958. Authorization for sales of American farm surpluses for foreign currencies was raised from $3 billion to $4 billion, and for gifts to needy nations from $500 million to $800 million. Under its provisions, $111 million worth of tobacco has been sold to 19 foreign countries, and it is expected that the total will approach 200 million pounds by this time next year—in effect increasing our tobacco exports by one-eighth.

The soil-bank program, which seeks to hold production more nearly in line with consumption while protecting farmers' income and guarding future productivity of America's soil, was continued for 1 year. In addition, the provisions of the conservation reserve, of particular interest to Kentucky farmers, have recently been strengthened administratively by increasing some payment rates and making the tree-planting program more attractive.

The administration's new rural-development program is being continued. Kentucky has three trade areas covering 25 counties in the rural-development program, centered around the pilot counties of Butler, Metcalfe, and Elliott.

The agricultural-conservation program was continued for 1958 on the same basis as in the past. This long-established program, under which farmers receive cost-sharing payments for a number of important conservation practices, was unexpectedly threatened with drastic limitations until Congress encouraged its full continuation.

In a special appropriation near the close of the session, $20 million in emergency agricultural-conservation program funds were made available for rehabilitating farmlands and reestablishing conservation measures on farms damaged by flood and other natural disasters. Fifty-five thousand dollars for this purpose has already been allocated to eastern Kentucky from a previous appropriation, and it is expected that additional amounts will soon be made available.

The Congress passed unanimously a modification of the price-support program for the dark-leaf tobaccos, H. R. 7259. This grower-sponsored measure provides price supports for Kentucky producers of dark-fired and dark air-cured tobacco at the 1957 level, 90 percent of parity, or a percentage of burley parity, whichever is higher. It is already helping to preserve their markets.

An Experiment in the Administration of Adrenalin

EXTENSION OF REMARKS
OF
HON. WAYNE MORSE
OF OREGON
IN THE SENATE OF THE UNITED STATES
Friday, August 30, 1957

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement prepared by me.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, on August 21 I inserted in the CONGRESSIONAL RECORD a leaflet published by the National Humane Association of Chicago entitled "An Experiment Concerning the Administration of Adrenalin to Cats Which Have Been Skinned Alive" (department of physiology, University of Buffalo School of Medicine).

On the same day, prior to inserting this material, I announced on the floor of the Senate:

"I am a little disturbed, Mr. President, about some of the material I have received from representatives of antivivisection groups. They have asked me to put some material in the RECORD, and, by request, I shall do so.

"In doing so, Mr. President, I want to make it clear to the antivivisectionists that I am not an antivivisectionist. I am in favor of humane policies in animal experimentation. In our medical laboratories I have always taken the position that I did not favor the dissection of animals for any useless purpose. * * *

"Mr. President, I ask unanimous consent that there may be printed in the CONGRESSIONAL RECORD certain material sent to me by the antivivisectionist group. I know nothing about the facts, true or alleged, which are set forth in the material, but I think the group referred to is entitled to have this material available for the reading of Senators."

Although the leaflet was inserted with the foregoing precautionary remarks, Prof. Fred R. Griffith, Jr., who was mentioned in the leaflet, objected to the insertion in the CONGRESSIONAL RECORD. Professor Griffith supplied me with a report of the actual experiment involved in this case. I ask that this report, designated as "An Experiment Concerning the Administration of Adrenalin to Cats Which Have Been Skinned Alive." (department of physiology, University of Buffalo School of Medicine) be inserted at the conclusion of my remarks.

I assure Professor Griffith that if he cares to supply appropriate comments in answer to the statements contained in the leaflet of the National Humane Education Association, I shall be pleased to include his comments in the RECORD early in the next session.

The report follows:

"A POSSIBLE ROLE OF THE SKIN IN THE EFFECT OF ADRENALIN ON BODY TEMPERATURE AND RESPIRATORY METABOLISM

"(Reprinted from the American Journal of Physiology, vol. 156, No 1, January 1949)

"(By Charles E. Whitcher and Fred R. Griffith, Jr., from the department of physiology, University of Buffalo School of Medicine., Buffalo, N. Y.)

"Administration of adrenalin in physiological dosage to the intact animal invariably leads to increased respiratory metabolism and body temperature, which appear without discoverable dissent to be accepted as cause and effect, respectively. On the other hand, attempts to demonstrate a calorigenic action on isolated tissues have led to results so contradictory as to be completely inconclusive. In the face of this, the idea suggested itself that the uniformity of result in the intact animal might be due to a simple reversal of sequence: increased body temperature due to cutaneous vasoconstriction might be responsible, at least in part, for the increase in metabolic rate. As will be shown in what follows this appears to be true.

"Procedure

"The experiments were made with fasting cats, anesthetized with dial-urethane (Ciba). Oxygen consumption was measured in a closed-circuit system from which carbon dioxide was removed by soda lime. Body temperature was recorded with a rectal thermometer. Freshly prepared adrenalin hydrochloride (Parke Davis) in saline was injected intravenously for 5 minutes at the rate of 0.004 mg/min/kg. body weight. Oxygen consumption was recorded continuously before, during, and for 25 minutes following the injection. Rectal temperatures were read each minute. Following a normal run, the skin was removed except from the head, feet and tail; all denuded parts were covered with vaseline and cotton. Rectal temperature, which fell during the operation, was brought back to the previous normal with artificial heat; when it and oxygen consumption were stabilized adrenalin was again injected and oxygen consumption and rectal temperature recorded as before.

"Results

"The cats fared well throughout the experimental period. Skinning caused little loss of blood, and had no apparent effect on pulmonary ventilation, blood pressure, pulse rate, or the pressor response to adrenalin. In addition, it seemed to have no effect on normal oxygen consumption, the average for which, in the period preceding injection, was 12.6 in the normal and 12.9 ml/min. in the skinned animals. This small difference probably was related to the slightly unequal rectal temperatures which as a consequence of failure exactly to control body temperature with artificial heat were 38.41 and 39.49° C., respectively.

"Figure I [not printed in the RECORD] shows the average results obtained on 14 animals. Oxygen consumption of the intact animal was increased 7 percent during the 5-minute injection period and 14 percent during the interval 5 to 15 minutes after injection; at the end of the experiment, 25 minutes after injection, it was still 6 percent above the normal. These results gain credence by being almost exact replicas of a previous observation of the effect of the same dosage of adrenalin.[1]

"In the skinned animal oxygen consumption rose only slightly, 4 percent during the 5-minute injection period. The maximum increase, which was only 5 percent, occurred in the 10-minute interval following injection and was followed by a sharp fall to 2 percent below normal 25 minutes after injection.

"As to body temperature, the intact animal showed a rise of 0.03° C. during the 5-minute injection period; this continued to a maximum of 0.11° C. during the first 5 minutes after injection and was still 0.08° C. above normal 25 minutes after injection.

"In contrast, the skinned animal showed an actual fall of temperature, amounting to 0.03° C., during the injection period itself. A maximum rise to only 0.01° C. above normal occurred during the 5 minutes following the injection. This was succeeded by a steady fall, which persisted for the remainder of the experimental period, leading to a temperature of 0.17° C. below the starting normal 25 minutes after injection.

"Discussion

"These results appear to substantiate, at least in part, the hypothesis that cutaneous vasoconstriction in the intact animal by reducing loss of heat through the skin effects a rise of body (rectal) temperature. This, in turn, would be expected to increase the metabolic rate. In the skinned preparation there were no cutaneous vessels to constrict and so to conserve heat. Therefore, if, as seems probable, the vessels in the splanchnic viscera were constricted as normally, the blood supply of the exposed striated muscles would be increased with the possibility of augmented heat loss. This could account for the general reduction, rather than increase, of rectal temperature and oxygen consumption in the skinned animals during and after injection. The source of the small increases which still occurred after skinning are being further studied.

"Summary

"A skinned animal preparation is described which appears to be new and which may be useful in subsequent investigations. In this work the calorigenic response to adrenalin shown by intact cats is found to be reduced after the removal of the skin."

Data Covering the 111 Record Votes During the First Session of the 85th Congress

EXTENSION OF REMARKS

OF

HON. ANDREW F. SCHOEPPEL

OF KANSAS

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. SCHOEPPEL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement prepared by me.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, at the conclusion of the 84th Congress I compiled statistics showing the support President Eisenhower's program had been accorded by the members of our two parties in the United States Senate. Once again I have compiled similar data covering the 111 record votes during the first session of the 85th Congress. A listing of each rollcall follows my remarks.

They have been divided into four groups. Group 1 lists those rollcalls which did not concern the President's program. Group 2 includes rollcalls where a majority of the Senators from each party voted in support of the President. Group 3 lists the seven instances where a majority of the Republican Senators voting were in opposition to President Eisenhower. Group 4 includes the rollcalls where a majority of the Republican Senators supported the President and a majority of the Democrats opposed him.

A careful review of each issue shows that 81 of the 111 issues were concerned with the President's program. On these 81 issues the Republican support score is 82 percent and the opposition score only 18 percent. The Democratic support score is 56 percent; the opposition score is 44 percent. The 81 issues included treaties and other matters on which there was no recorded opposition.

Twenty-seven rollcalls out of the 81, or 33.3 percent, were on issues on which the two parties were divided. A majority of the Republicans supported the President and a majority of the Democrats were recorded in opposition to him. On these 27 issues the Republican support score is 82 percent; the opposition score is 18 percent. What is even more significant, on these issues the Democrats supplied only 22 percent of the support accorded President Eisenhower and 78 percent of all the opposition votes.

On many occasions the President has indicated that he did not want rubberstamp support by Republicans for his program. Republican Senators have discharged their constitutional obligations and have considered each issue on its merits. Nevertheless, the Republicans have supported President Eisenhower on those measures recommended by the President where we were given an opportunity to vote. I say advisedly that there were many issues on which we would have supported the President if we had had an opportunity to do so. Since we are the minority party in this Congress, and the committees are controlled by the Democratic Party, many measures were not reported by committees and placed on the calendar for our consideration.

While our support quite properly has not been unanimous, I find that of the 81 rollcalls there were only seven on which a majority of the Republicans voting did not support the President's program. Incidentally, on 6 of the 7 issues a majority of the Democrats were also recorded in opposition. Thus, it is clearly apparent that the President needs a Republican Congress if he is to achieve his goals.

On June 13 I took exception to a study by the Congressional Quarterly which attempted to record the support accorded the President by the 2 parties based on 7 Senate rollcalls. I stressed the fact that last year my study, based on the entire record, showed that the President's program had been supported by the Republican Members. I was confident that such a review would again show that the Republican Party, as represented in the Senate of the United States, would supply the main support for the President.

Now that the record is complete, we can all let the chips fall where they may. Eighty-one Eisenhower rollcalls, constituting the entire record, furnishes a fair basis for my evaluation.

In my remarks of July 26 I said:

"The difference between my table and the statements by the Congressional Quarterly lie in the fact that I am willing to submit the entire record, including all of the details, to public scrutiny. I do not expect anyone to accept summary figures because I say they are correct" (CONGRESSIONAL RECORD, p. 12853).

I am, accordingly, again including tables which I prepared covering every recorded vote during the first session of the 85th Congress. They are self-explanatory. Anyone can check and audit my figures.

Republican Senators and the President can take pride in our record.

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[1] Griffith, F. R., Jr., F. E. Emery and J. E. Lockwood. American Journal of Physiology, 128: 281, 1940.

Classification of all Senate rollcalls, 85th Cong., 1st sess.

Record vote No.	Eisenhower position	Group	Description
1	....	1	Election of Senator Carl Hayden as President pro tempore of the Senate.
2	....	1	Johnson motion to table Anderson et al. motions re adopting Senate rules.
3	Y	4	Urgent deficiency appropriations, 1957—Knowland amendment to committee amendment re cottonseed feed. Rejected 49 to 32.
4	Y	2	Urgent deficiency appropriations, 1957—Hayden amendment re $30 million for strategic minerals. Passed 64 to 17.
5	....	1	Middle East resolution—O'Mahoney amendment re use of Armed Forces.
6	N	4	Middle East resolution—Modified Russell amendment re military cooperation with nations in Middle East. Rejected 58 to 28.
7	....	1	Middle East resolution—Modified Mansfield amendment re facilities and military assistance to U. N. Emergency force in the Middle East.
8	....	1	Middle East resolution—Morse amendment re notice of prior use of Armed Forces.
9	N	2	Middle East resolution—Modified Curtis amendment re expiration date of resolution. Rejected 58 to 30.
10	Y	2	Middle East resolution—Passage. Passed 72 to 19.
11	....	1	Financial Institutions Act of 1957—Douglas substitute amendment re establishing branches of Federal savings and loan institutions.
12	....	1	Financial Institutions Act of 1957—Douglas amendment re mandatory cumulative voting.
13	....	1	Financial Institutions Act of 1957—O'Mahoney amendment re mergers in violation of law.
14	N	4	Tax Rate Extension Act of 1957—Fulbright substitute amendment re changing corporate normal tax and surtax rates. Rejected 52 to 33.
15	Y	4	River and Harbor and Flood Control Act of 1957—Hruska motion to recommit. Rejected 55 to 27.
16	N	4	River and Harbor and Flood Control Act of 1957—Passage. Passed 42 to 22.
17	Y	2	Brig. Gen. Ralph W. Zwicker—Confirmation as brigadier general in the Regular Army. Confirmed 70 to 2.
18	N	3	Extension of Agricultural Trade Development and Assistance Act of 1954—Knowland amendment to strike sec. 304 of the act re Presidential authority to assist friendly nations. Rejected 54 to 23.
19	Y	4	Establishment of base acreage for 1957 corn—Passage. Defeated 45 to 35.
20	Y	2	Continuing appropriations for fiscal 1957 re deficiency funds pending enactment of the 1st urgent deficiency appropriation—Committee amendment re Federal funds for public assistance. Passed 75 to 0.
21	N	4	Scott McLeod—Motion to recommit nomination as Ambassador to Ireland. Rejected 54 to 22.
22	Y	4	Scott McLeod—Confirmation as Ambassador to Ireland. Confirmed 60 to 20.
23	Y	2	Protocol to the International Convention for the Northwest Atlantic Fisheries (Ex. F, 85th Cong., 1st sess.)—Resolution of ratification. Agreed to 82 to 0.
24	N	3	Appropriations for State, Justice, the Judiciary, and related agencies, 1958—Committee amendment re funds for U. S. Information Agency. Passed 61 to 15.
25	....	1	Appropriations for State, Justice, the Judiciary, and related agencies, 1958—Passage.
26	Y	2	3d supplemental appropriation bill for fiscal 1957—Hayden amendment re additional amount of $30 million for "Acquisition of strategic materials." Passed 61 to 17.
27	Y	4	3d supplemental appropriation bill for fiscal 1957—Williams amendment re 25 percent State contribution for emergency feed and seed assistance. Rejected 51 to 27.
28	....	1	3d supplemental appropriation bill for fiscal 1957—Passage.
29	N	2	Housing Act of 1957—Gore amendment increasing mortgage-purchasing authority of FNMA by $2,250,000,000; prohibiting discounts; and increasing by $250,000,000 the amount of FNMA preferred stock. Rejected 61 to 17.
30	Y	2	Housing Act of 1957—Bricker amendments en bloc reducing authorizations in bill by $1,255,900,000 and limiting urban renewal provisions. Passed 67 to 11.
31	....	1	Appropriations for Departments of State and Justice, the Judiciary, and related agencies—Agreeing to conference report.
32	N	2	Housing Act of 1957—Morse amendment increasing annual authorization for public low-rent housing units from 35,000 to 200,000. Rejected 54 to 20.
33	Y	3	Housing Act of 1957—Bush amendment changing formula for computing interest rates on loans for college housing. Rejected 54 to 16.
34	Y	4	Housing Act of 1957—Bennett amendment to eliminate committee-proposed increase of the cost of urban renewal projects. Passed 38 to 32.
35	Y	2	Housing Act of 1957—Passage. Passed 69 to 1.
36	....	1	Appropriations for Department of Commerce and related agencies for fiscal 1958—Agreeing to conference report.
37	Y	2	Protocol between the United States and Canada to Committee for the Protection of Sockeye Salmon Fisheries—Resolution of ratification. Agreed to 85 to 0.
38	Y	3	Appropriations for the District of Columbia for fiscal 1958—Morse amendment to increase from $20,500,000 to $23,000,000 the Federal payment. Rejected 62 to 23.
39	....	1	Appropriations for the District of Columbia for fiscal 1958—Morse amendment to increase by $440,250 funds for teaching personnel.
40	....	1	Appropriations for the District of Columbia for fiscal 1958—Passage.
41	Y	4	Appropriations for Agriculture Department and Farm Credit Administration—Mundt amendment re annual rental payments. Passed 40 to 38.
42	N	2	Appropriations for Agriculture Department and Farm Credit Administration—Russell amendment reducing the annual authorizations for the conservation reserve program by $100,000,000. Rejected 52 to 26.
43	N	2	Appropriations for Agriculture Department and Farm Credit Administration—Lausche amendment to prevent use of funds re acreage reserve and limit payments to $2,500. Rejected 71 to 7.
44	....	1	Appropriations for Agriculture Department and Farm Credit Administration—Passage.
45	....	1	Independent offices appropriations for fiscal 1958—Passage.
46	....	1	Departments of Labor, and Health, Education, and Welfare appropriations for fiscal 1958—Passage.
47	N	2	Mutual Security Act of 1957 (authorization)—Long amendment eliminating defense support authorization. Rejected 55 to 34.
48	N	4	Mutual Security Act of 1957 (authorization)—Long amendment reducing defense support appropriations by $90,000,000. Rejected 49 to 40.
49	N	2	Mutual Security Act of 1957 (authorization)—Ellender amendment reducing authorized ceiling on military assistance by $500,000,000. Rejected 61 to 26.
50	N	2	Mutual Security Act of 1957 (authorization)—Long amendment reducing military assistance authorization by $100,000,000. Rejected 52 to 33.
51	N	2	Mutual Security Act of 1957 (authorization)—Morse and O'Mahoney amendment eliminating development loan authorizations. Rejected 54 to 32.
52	N	2	Mutual Security Act of 1957 (authorization)—Morse amendment reducing President's discretionary authorization by $150,000,000 plus notice. Rejected 61 to 22.
53	....	1	Mutual Security Act of 1957 (authorization)—O'Mahoney amendment requiring executive departments to keep Congressional committees informed.
54	Y	2	Mutual Security Act of 1957 (authorization)—Passage. Passed 57 to 25.
55	....	1	Resolution of ratification of the statute of the International Atomic Energy Agency—Bricker amendment re availability of special fissionable materials.
56	Y	2	Resolution of ratification of the statute of the International Atomic Energy Agency—Passage of resolution of ratification. Agreed to 67 to 19.
57	N	4	Protection of civil rights of persons—Russell point of order to Knowland's objection to further proceeding after second reading of bill. Overruled 45 to 39.
58	Y	4	Protection of civil rights of persons—Knowland motion to table Dirksen motion to reconsider vote by which Russell point of order was overruled. Agreed to 49 to 36.
59	N	4	Hells Canyon Dam, authorizing construction of—Passage. Passed 45 to 38.
60	....	1	Appropriations for the Interior Department and related agencies for fiscal 1958—Passage.
61	....	1	United Nations consideration of the Hungarian problem—Passage of resolution.
62	Y	2	Resolution of ratification of agreement between the United States and the Republic of Austria re certain bonds of Austrian issue—Passage. Agreed to 78 to 0.
63	N	2	Defense Department appropriations, 1958—Douglas amendment re cut of $971,000,000, but providing $500,000,000 for additional combat units. Rejected 65 to 7.
64	N	2	Defense Department appropriations, 1958—Dworshak amendment re cut of $182,000,000. Rejected 49 to 24.
65	....	1	Defense Department appropriations, 1958—Passage.
66	Y	2	Protection of civil rights of persons—Knowland motion to proceed to consideration of bill. Agreed to 71 to 18.
67	N	4	Protection of civil rights of persons—Morse motion to refer bill to Judiciary Committee with instructions to report it back within 7 days either with or without amendment. Rejected 54 to 35.
68	....	1	Protection of civil rights of persons—Knowland-Humphrey amendment to add language to pt. III of the bill repealing sec. 1989 of the Revised Statutes relating to the power of President to use troops to aid in executing certain existing civil-rights statutes.
69	....	1	Protection of civil rights of persons—Bricker amendment requiring the Attorney General, when directed by the President, to institute civil action for preventive relief in a variety of civil-rights cases.
70	....	1	Protection of civil rights of persons—Cooper amendment authorizing the Attorney General to institute civil action for preventive relief against conspirators who attempt to prevent a governmental body from complying with a court order issued to secure equal protection of the laws.
71	N	4	Protection of civil rights of persons—Anderson-Aiken-Case (South Dakota) amendment to eliminate section of bill which would have authorized the Attorney General to institute civil action for preventive relief in a variety of civil-rights cases. Passed 52 to 38.
72	Y	2	Defense Department appropriations, 1958—Johnson (Texas) motion that Senate proceed to consideration of conference report. Agreed to 89 to 0.
73	N	4	Protection of civil rights of persons—O'Mahoney-Kefauver-Church amendment providing jury trials in proceedings to punish criminal contempts in Federal cases and establishing qualifications of Federal jurors. Passed 51 to 42.
74	N	4	Protection of civil rights of persons—Case (South Dakota) amendment making permissive instead of mandatory the exercise of district court jurisdiction in proceedings protecting the right to vote, without regard to whether administrative remedies have been exhausted. Rejected 47 to 34.
75	Y	2	Protection of civil rights of persons—Passage. Passed 72 to 18.
76	....	1	Public works appropriation bill, 1958—Passage.
77	Y	2	Treaty of Friendship, Commerce, and Navigation between the United States and the Republic of Korea (Ex. D, 85th Cong., 1st sess.)—Passage. Agreed to 86 to 0.
78	Y	2	Protocol amending the International Sugar Agreement of 1953 (Ex. L)—Resolution of ratification. Agreed to 86 to 0.
79	Y	2	Resolution of ratification of Convention for the Promotion of Inter-American Cultural Relations (Ex. C, 84th Cong., 2d sess.)—Passage. Passed 86 to 0.
80	Y	2	Protocol to the International Convention for the Regulation of Whaling (Ex. E, 85th Cong., 1st sess.)—Resolution of ratification. Agreed to 86 to 0.

Classification of all Senate rollcalls, 85th Cong., 1st sess.—Continued

Record vote No.	Eisenhower position	Group	Description
81	Y	2	Ratification of amendment to the International Convention for the Safety of Life at Sea (Ex. M, 85th Cong., 1st sess.)—Passage. Passed 86 to 0.
82	Y	2	Resolution of ratification for Interim Convention on Conservation of North Pacific Fur Seals (Ex. J, 85th Cong., 1st sess.)—Passage. Passed 86 to 0.
83	Y	2	Resolution of ratification for Convention between United States and the Republic of Austria (Ex. A, 85th Cong., 1st sess.)—Passage. Passed 86 to 0.
84	Y	2	Resolution of Ratification for Convention between the United States and Canada (Ex. B, 85th Cong., 1st sess.)—Passage. Passed, 86 to 0.
85	Y	2	Protocol with Japan, supplementing the Convention of Apr. 16, 1954, relating to taxes on income—Resolution of ratification. Agreed to 86 to 0.
86	N	2	Authority for TVA to issue revenue bonds—Goldwater motion to recommit to Committee on Public Works. Rejected 63 to 22.
87	Y	4	Authority for TVA to issue revenue bonds—Saltonstall amendment providing Congressional approval. Rejected 46 to 37.
88	Y	2	Authority for TVA to issue revenue bonds—Case (South Dakota) amendment requiring a repayment of $10,000,000 annually by TVA to the U. S. Treasury to be applied to the reduction of the appropriation investment. Passage 76 to 6.
89	Y	2	Authority for TVA to issue revenue bonds—Passage. Passed 61 to 20.
90	----------	1	Retirement benefits for District of Columbia employees—Williams motion to recommit bill to committee.
91	----------	1	Retirement benefits for District of Columbia employees—Williams motion to recommit bill to committee with instructions to bring retirement benefits in line with those of other employees holding hazardous jobs under the civil service retirement system.
92	----------	1	Retirement benefits for District of Columbia employees—Passage.
93	N	3	Government guaranty of private loans to air carriers—Passage. Passed 72 to 9.
94	----------	1	Niagara River power development—Clark amendment to strike the word "reasonable" from requirement that licensee shall make available a certain portion of project power for use within reasonable economic transmission distance.
95	Y	4	Jerome K. Kuykendall—Confirmation as member of the Federal Power Commission. Confirmed 50 to 25.
96	Y	4	Don Paarlberg—Confirmation as Assistant Secretary of Agriculture. Confirmed 42 to 32.
97	Y	4	Appropriations for Atomic Energy Commission—Dworshak substitute amendment eliminating project 58–e–14 to authorize $500,000 for study and design work for project 58–e–14, natural uranium power reactor prototype. Rejected 40 to 37.
98	Y	4	Appropriations for Atomic Energy Commission—Hickenlooper amendment to eliminate authorization for $40,000,000 for natural uranium power reactor prototype (project 58–e–14) and $15,000,000 for plutonium recycle experimental reactor (project 58–e–15). Rejected 42 to 34.
99	Y	4	Appropriations for Atomic Energy Commission—Hickenlooper substitute amendment to strike out mandatory requirement that Commission contract directly with equipment manufacturers for construction of reactor plant, and with cooperative or public organization for operation of plant and sale of steam; and substitute therefor provision for discretionary power in Commission to contract directly with either supplier or cooperative. Rejected 42 to 34.
100	Y	2	Immigration and Nationality Act, amendment to—Passage. Passed 65 to 4.
101	N	2	Interstate Commerce Commission policy regarding free or reduced rates on Government traffic—Kefauver motion to postpone further consideration of the report until Jan. 30, 1958. Rejected 62 to 19.
102	Y	4	Protection of FBI files—1st Dirksen amendment. Rejected 45 to 30.
103	Y	4	Protection of FBI files—2d Dirksen amendment. Rejected 43 to 37.
104	Y	2	Mutual security appropriations, 1958—Foreign Relations Committee amendment increasing military assistance from $1,250,000,000 to $1,475,000,000. Passed 59 to 28.
105	Y	2	Mutual Security appropriations, 1958—Passage. Passed 62 to 25.
106	N	3	Postal pay increase—Passage. Passed 69 to 17.
107	N	3	Civil service pay increase—Passage. Passed 64 to 22.
108	N	2	Protection of civil rights of persons—Thurmond motion to refer the bill, as amended, to the Committee on the Judiciary. Defeated 66 to 18.
109	Y	2	Protection of civil rights of persons—Passage. Passed 60 to 15.
110	Y	2	Mutual Security appropriations, 1958—Agreeing to conference report. Agreed to 59 to 19.
111	Y	2	Protection of FBI files—Agreeing to conference report. Agreed to 74 to 2.

GROUP 2

TABLE 1.—*Issues included in President's program supported by majority of both parties*

Record vote No.	Eisenhower position	Eisenhower position, vote cast		Opposed to Eisenhower position, vote cast	
		Republicans	Democrats	Republicans	Democrats
4	Y	25	39	15	2
9	N	28	30	17	13
10	Y	42	30	3	16
17	Y	35	35	2	-------
20	Y	40	35	-------	-------
23	Y	42	40	-------	-------
26	Y	22	39	15	2
29	N	41	20	-------	17
30	Y	39	28	2	9
32	N	32	22	3	17
35	Y	32	37	1	-------
37	Y	38	47	-------	-------
42	N	29	23	8	18
43	N	34	37	2	5
47	N	29	26	14	20
49	N	36	25	6	20
50	N	29	23	13	20
51	N	30	24	11	21
52	N	37	24	3	19
54	Y	31	26	8	17
56	Y	32	35	10	9
62	Y	39	39	-------	-------
63	N	38	27	-------	7
64	N	25	24	13	11
66	Y	42	29	-------	18
72	Y	42	47	-------	-------
75	Y	43	29	-------	18
77	Y	42	44	-------	-------
78	Y	42	44	-------	-------
79	Y	42	44	-------	-------
80	Y	42	44	-------	-------
81	Y	42	44	-------	-------
82	Y	42	44	-------	-------
83	Y	42	44	-------	-------
84	Y	42	44	-------	-------
85	Y	42	44	-------	-------
86	N	22	41	21	1
88	Y	41	35	1	5
89	Y	25	36	15	5
100	Y	35	30	-------	4
101	N	36	26	4	15
104	Y	34	25	8	20
105	Y	32	30	10	15
108	N	40	26	-------	18
109	Y	37	23	-------	15
110	Y	29	30	7	12
111	Y	35	39	1	1
Total	----------	1,676	1,577	213	390

GROUP 3

TABLE 2.—*Issues on President's program on which he did not receive support from a majority of the Republicans voting*

Record vote No.	Eisenhower position	Eisenhower position, vote cast		Opposed to Eisenhower position, vote cast	
		Republicans	Democrats	Republicans	Democrats
18	N	19	35	21	2
24	N	14	1	23	38
33	Y	16	-------	16	38
38	Y	6	17	32	30
93	N	6	3	35	37
106	N	14	3	26	43
107	N	17	5	24	40
Total	----------	92	64	177	228

GROUP 4

TABLE 3.—*Issues where majority of Republican Members voted to support President Eisenhower's program and majority of Democratic Members voted in opposition to his program*

Record vote No.	Eisenhower position	Eisenhower position, vote cast		Opposed to Eisenhower position, vote cast	
		Republicans	Democrats	Republicans	Democrats
3	Y	31	1	9	40
6	N	38	20	5	23
14	N	37	15	5	28
15	Y	22	5	18	37
16	N	17	5	14	28
19	Y	20	15	19	26
21	N	39	15	-------	22
22	Y	42	18	-------	20
27	Y	23	4	13	38
34	Y	28	10	5	27
41	Y	36	4	3	35
48	N	28	21	15	25
57	N	34	11	5	34
58	Y	37	12	3	33
59	N	33	5	5	40
67	N	38	16	4	31
71	N	25	13	18	34
73	N	33	9	12	39
74	N	34	13	4	30
87	Y	31	6	11	35
95	Y	36	14	2	23
96	Y	35	7	2	30
97	Y	33	4	3	37
98	Y	32	2	4	38
99	Y	32	2	5	37
102	Y	30	-------	6	39
103	Y	36	1	5	38
Total	----------	860	248	195	867

TABLE 4.—*All Eisenhower rollcalls*

Group No.	Eisenhower position				Opposed to Eisenhower position			
	Republicans		Democrats		Republicans		Democrats	
	Votes cast	Percent	Votes cast	Percent	Votes cast	Percent	Votes cast	Percent
2	1,676	51.5	1,577	48.5	213	35.3	390	64.7
3	92	59.0	64	41.0	177	43.7	228	56.3
4	860	77.6	248	22.4	195	18.4	867	81.6
Total	2,628	58.2	1,889	41.8	585	28.3	1,485	71.7

TABLE 5.—*Republican and Democrat support scores, 85th Cong., 1st sess.*

	Number of rollcalls	Republican				Democratic			
		Support		Opposition		Support		Opposition	
		Votes cast	Percent	Votes cast	Percent	Votes cast	Percent	Votes cast	Percent
All Eisenhower rollcalls	81	2,628	81.8	585	18.2	1,889	56.0	1,485	44.0
Divided issues (group 4)	27	860	81.5	195	18.5	248	22.2	867	77.8

A National Cultural Center Plan for the Mall Area in the Nation's Capital

EXTENSION OF REMARKS

OF

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. THOMPSON of New Jersey. Mr. Speaker, on August 8, 1957, the House voted 2 to 1 against a plan to locate the National Cultural Center in the so-called Foggy Bottom area of the District of Columbia.

Since that time I have been working on a draft bill to provide for the construction of the National Cultural Center in the District of Columbia on part of the land made available for the Smithsonian Gallery of Art.

My bill, on which I completed work recently, directs the Regents of the Smithsonian Institution to utilize so much of that tract of land in the District of Columbia referred to in the first section of the resolution of May 17, 1938—title 20, United States Code, section 76—as is bounded by Fourth Street SW., on the east, Seventh Street SW., on the west, Independence Avenue on the south, and Adams Drive on the north, title to which is in the United States, and shall construct thereon a public building which shall be known as the National Cultural Center. The National Cultural Center shall be under the supervision and control of the Regents.

The Congress for a century has thought of the Mall area between 4th and 14th Streets, and Constitution and Independence Avenues, as the location for cultural activities and buildings devoted to them. The Congress, as a result of this conviction, has placed there the Smithsonian Institution and its branches: the Freer Gallery, the National Gallery of Art, the National Museum, the new Museum of History and Technology, and it authorized the building there of a Smithsonian Gallery of Art.

During the 84th Congress I campaigned to have this administration reverse itself regarding the historic Patent Office Building which had been designed by Robert Mills, one of our country's great architects who designed the Treasury Department Building and the Washington Monument.

This administration seriously recommended to the Congress that the Patent Office Building be razed for a parking lot on the site.

When the administration finally reversed itself as a result of this campaign it tried to take credit for saving the building.

Saved it was, and the plan now is to use it as a great art gallery.

Senator HUBERT H. HUMPHREY, Senator CLINTON P. ANDERSON, and I have sponsored legislation in the 85th Congress which would utilize the building for the century-old National Collection of Fine Arts and a National Portrait Gallery.

These measures, if enacted into law, would leave the Mall site, set aside for the Smithsonian Gallery of Art by the 75th Congress, free for other purposes. In the absence of any better proposal, some of the officials of the Smithsonian Institution have suggested that the Mall site be used for a National Air Museum.

The bill which I have developed provides, instead, that the National Cultural Center be located on the site set apart for a cultural center in 1938. My bill also provides that the National Cultural Center shall be a branch of the Smithsonian Institution in the very same way that the Freer Gallery, the National Gallery of Art, and the National Collection of Fine Arts are branches of that Federal agency.

The Congress in its wisdom has provided a site on the Capitol Grounds for a memorial to the late Senator Robert A. Taft, of Ohio. It has also established a Franklin Delano Roosevelt Memorial Commission to plan a fitting memorial to former President Roosevelt.

President Roosevelt was deeply interested in the fine arts as was proved by the role he played in establishing the National Gallery of Art and the American National Theater and Academy. He has been cited by knowledgeable people as "the most intelligent President about art since Jefferson."

I think it would be fitting to provide that the National Cultural Center shall include a Franklin Delano Roosevelt Memorial Theater in the spirit of the resolution entitled "Joint resolution to establish a commission to formulate plans for a memorial to Franklin Delano Roosevelt," approved August 11, 1955 (69 Stat. 694).

Finally, my bill provides that the Regents of the Smithsonian Institution shall solicit subscriptions, gifts, and bequests of money, securities, and other property of any character whatsoever, for the purpose of constructing, furnishing, equipping, and presenting cultural programs at the National Cultural Center.

The National Cultural Center, under my bill, shall be self-financed.

This is the reason that I am of the opinion that my plan for a National Cultural Center will work.

I include here the text of my bill for the information of my colleagues, in the hope that they will join with me in sponsoring it.

Also, I include an article from the Washington Evening Star which gives some of the background of my plan. Although the article was written in 1955 it seems to me to be very timely in connection with my new measure.

A bill to provide for the construction of a National Cultural Center, to include a Franklin Delano Roosevelt Memorial Theater, in the District of Columbia on part of the land made available for the Smithsonian Gallery of Art, and for other purposes

Be it enacted, etc.—

SHORT TITLE

SECTION 1. This act may be cited as the "National Cultural Center Act."

NATIONAL CULTURAL CENTER

SEC. 2. (a) In order to provide a suitable building for the presentation of music, opera, drama, dance, and poetry which is deserving of recognition as a part of the great heritage of our civilization, and to memorialize our great artists (both living and dead) who have contributed to the advancement of these arts, the regents of the Smithsonian Institution (hereafter in this act referred to as the "regents") shall utilize so much of that tract of land in the District of Columbia referred to in the first section of the resolution of May 17, 1938 (20 U. S. C. 76), as is bounded by Fourth Street SW. on the east, Seventh Street SW. on the west, Independence Avenue on the south, and Adams Drive on the north, title to which is in the United States, and shall construct thereon a public building which shall be known as the National Cultural Center. The National Cultural Center shall be under the supervision and control of the regents.

(b) The National Cultural Center shall include a Franklin Delano Roosevelt Memorial Theater in the spirit of the resolution entitled "Joint resolution to establish a commission to formulate plans for a memorial to Franklin Delano Roosevelt," approved August 11, 1955 (69 Stat. 694).

(c) (1) The regents shall utilize, insofar as possible, the design for a national theater developed by the American National Theater and Academy and presented to President Truman in 1951, as the design for the National Cultural Center. Provision shall be made for parking facilities in the vicinity of the National Cultural Center and for landscaping the grounds surrounding the National Cultural Center. The National Cultural Center shall not include facilities designed specifically for conventions, trade fairs, or commercial exhibits.

(2) The regents shall authorize the preparation of the site referred to in subsection (a) of this section and the construction of the National Cultural Center thereon, including approaches, landscaping, and other related facilities.

(3) The Administrator of General Services shall supervise the preparation of plans and specifications and the actual construction of the National Cultural Center without reimbursement. For such purposes the Administrator of General Services shall make all necessary contracts and may employ such consultants as he may deem necessary.

DUTIES OF THE REGENTS

SEC. 3. In carrying out their duties under this act the regents shall—

(1) present at the National Cultural Center classical and contemporary music, opera, drama, dance, and poetry of the highest type from this and other countries;

(2) establish resident repertory companies in such arts as an activity of the National Cultural Center;

(3) promote public interest in the arts of music, opera, drama, dance, and poetry by publishing a periodical devoted to the activities of the National Cultural Center and by making the programs presented at the National Cultural Center available for dissemination by radio, television, and motion picture;

(4) take such other steps as will, in the judgment of the regents, encourage the study and presentation of such arts in the schools, and as an activity of State and local governments;

(5) solicit subscriptions, gifts, and bequests of moneys, securities, and other property of any character whatsoever, for the purpose of constructing, furnishing, equipping, and presenting programs of such arts at the National Cultural Center;

(6) receive and administer moneys, securities, and other property received pursuant to paragraph (5) of this section; and

(7) consult with the National Cultural Center Commission established by section 5 of this act with respect to the most suitable means of carrying out the duties of the regents under this section.

POWERS OF THE REGENTS

SEC. 4. The regents may for the purposes of this act—

(1) appoint and fix the compensation and duties of a Director of the National Cultural Center;

(2) employ such other personnel to work under the supervision of the Director of the National Cultural Center as they may deem to be necessary for the efficient operation and administration of the National Cultural Center;

(3) sell or exchange such securities and other properties received pursuant to section 3 (5) as they may deem advisable;

(4) invest or reinvest moneys and the proceeds of securities and other properties received pursuant to section 3 (5), in such investments as they may deem advisable;

(5) place moneys, securities, and other property received pursuant to section 3 (5) in such depositories as they may deem suitable for that purpose; and

(6) expend moneys and the proceeds and income from securities and other property received pursuant to section 3 (5) to carry out the purposes of this act.

NATIONAL CULTURAL CENTER COMMISSION

SEC. 5. (a) There is hereby established a National Cultural Center Commission (hereafter in this act referred to as the "Commission"). The Commisison shall consist of—

(1) the Librarian of Congress, the Chairman of the Commission of Fine Arts, the President of the Board of Commissioners of the District of Columbia, and the Chairman of the District of Columbia Recreation Board, who shall be ex officio members of the Commission;

(2) seven persons appointed by the President of the United States;

(3) seven persons appointed by the President of the Senate at least four of whom shall be Members of the United States Senate; and

(4) seven persons appointed by the Speaker of the House of Representatives at least four of whom shall be Members of the United States House of Representatives.

Any vacancy occurring in the Commission among members appointed pursuant to paragraph (2), (3), or (4) shall be filled in the same manner as the original appointment was made.

(b) Persons appointed to the Commission other than Members of the Congress and officers or employees of the United States shall be persons who are recognized for their knowledge of or experience in, or for their interest in one or more of the arts referred to in section 3 (1). In making such appointments the President of the United States, the President of the Senate, and the Speaker of the House of Representatives shall give due consideration to the recommendations for nomination submitted by leading organizations concerned with the arts referred to in section 3 (1) including but not limited to the following national organizations: Actors' Equity Association, American Council on Education, American Council of Learned Societies, American Educational Theater Association, American Federation of Musicians, American Federation of Radio-TV Artists, American Guild of Musical Artists, American Guild of Variety Artists, American National Theater and Academy, Associated Actors and Artists of America, Association of American Colleges, Children's Theater Conference, Council of Living Theater, Dramatists' Guild, General Federation of Women's Clubs, National Association of Concert Managers, National Association of Legitimate Theaters, National Association of Radio and Television Broadcasters, National Association of Schools of Music, National Education Association, National Federation of Music Clubs, National Music Council, Motion Picture Association of America, Inc., Music Educators National Conference, and Screen Actors Guild.

(c) The Commission shall—

(1) advise and consult with the regents with respect to financing the construction of the National Cultural Center;

(2) advise and consult with the regents with respect to the duties of the regents under section 3 of this act; and

(3) assist the regents in carrying out section 3 (5) of this act.

(d) The term of office of each member of the Commission appointed pursuant to paragraph (2), (3), or (4) of subsection (a) shall be for 4 years.

(e) (1) The Commission shall meet at the call of the regents but not less than six times each year.

(2) Members of the Commission shall serve without compensation, but each member of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by him in connection with the work of the Commission.

INTERAGENCY COMMITTEES

SEC. 6. The President is authorized to create such interagency committees as in his judgment may be of assistance to the regents in performing their functions under this act. Such committees shall include individuals having special knowledge and experience in the arts of music, opera, drama, dance, and poetry, as well as individuals whose knowledge and experience in other fields will assist the regents in performing such functions; and may include representatives of each department and agency of the Federal Government which carries on any activities related to any of such arts whether or not such department or agency has any primary concern or responsibility with respect of any of such arts. The provisions of section 214 of the act of May 3, 1945 (31 U. S. C., sec. 691), shall be applicable to any interagency committee created pursuant to this section.

REPEAL PROVISIONS

SEC. 7. The following acts are hereby repealed—

(1) the act entitled "An act to incorporate the National Conservatory of Music of America," approved March 3, 1891 (26 Stat. 1093); and

(2) the act entitled "An act creating a Federal commission to formulate plans for the construction in the District of Columbia of a civic auditorium, including an inaugural hall of Presidents and a music, fine arts, and mass communications center," approved July 1, 1955 (69 Stat. 243).

[From the Washington Sunday Star of September 18, 1955]

FUNDS FOR AUDITORIUM AVAILABLE, OFFICIAL SAYS

(By Francis P. Douglas)

NEW YORK, September 17.—Robert W. Dowling, member of the commission being formed to plan a civic auditorium for the Capital, is confident $15 million can be raised for the project.

This money would be in outright donations. It would make unnecessary planning the financing of the structure on a self-liquidating basis, as directed by Congress.

"If the Federal Government donates the land," he said, "it should do it contingent on the money being raised and it should set a time limit," Mr. Dowling said. "I think there ought to be a 2-year restriction."

He said the money can be raised on a nationwide basis from individuals, the foundations, the theater—"it could raise a great sum through benefit performances"—the moving-picture industry, and other groups.

EXPERIENCED FUND RAISER

Mr. Dowling takes time from business—big business—for an enthusiasm for the theater. And he knows about raising money. He is engaged in the real-estate and building business in New York. He is president and director of the City Investing Co. and a director of Starrett Bros. & Eken, the largest in their fields. He is director of almost a dozen other companies. His interests control the National Theater, the Playhouse, and the Dupont Theater in Washington.

He is chairman of the American National Theater and Academy (ANTA). This is a nonprofit foundation chartered by Congress in 1935 to promote the American theater. It is in charge of this country's international exchange program, which sends American plays like Porgy and Bess overseas.

When the French Government suggested last summer that the United States stage an American Festival of Arts in Paris, the State Department accepted. But there was no money for the project. Mr. Dowling raised the necessary $400,000 through private subscriptions. The American program in Paris included the presentation of Thornton Wilder's Skin of Our Teeth, with a topnotch cast.

INTEREST LONGSTANDING

Mr. Dowling's interest in an auditorium for the Capital is of a number of years' standing. He testified in favor of the bill setting up the Commission to plan a civic auditorium, to include an inaugural hall of the Presidents and a music, fine arts, and mass communications center.

It was natural that the seven members named to the Commission by Speaker RAYBURN should include Mr. Dowling. Vice President NIXON named seven members Friday and announcement of President Eisenhower's seven appointees is expected shortly.

The law specifies that the Commission shall report by next February 1. Mr. Dowling believes that allows plenty of time.

"There is no mystery involved," he said. "It is not like splitting the atom or launching a satellite. An auditorium can be established using the arts and skills already developed."

He suggested that the auditorium should seat 4,000, but said that is something for the Commission to work out. He mentioned it as a fair guess, just as he had mentioned $15 million as "not an exact sum, but a good start."

ACCORDION PLAN FAVORED

Of the auditorium he said:

"I should like to see it built on what I would call the accordion plan—an auditorium seating 4,000 one night and contracting to seat 1,000 the next night, with no vacant seats. It is of enormous importance always to have the room full.

"This accordion plan is entirely practical. It can be accomplished in either of two ways. One is by movable walls. The second is by movable drapes suspended from ceiling tracks.

"In the case of the walls, they could either be raised from the floor or, again, suspended from ceiling tracks.

"The hall should be fitted to the performance. You could have a magnificent chamber music concert but in a big hall the three or more players would be like flies on the distant stage. For a full-scale opera or ballet you would want the entire hall."

NOT JUST THEATER

He dismissed the idea that the auditorium should be for the theater alone. He said it could be used for important meetings of state, for international meetings, and to provide a chamber for the inauguration of Presidents, as the law contemplates.

The building, he said, should also provide facilities for schools of music, the drama and painting and it could become a great center in those fields. This would help in raising money, he pointed out, because some give more quickly to education than to other purposes.

In the auditorium he would like to see 50 boxes, probably more. He explained there should be a presidential box and suggested a box named for each State in which the Governor of the State or the State's representatives would be welcome.

Discussing the need for the building he said many factors are obvious but some are not so obvious.

"When we send abroad an exchange program, exchange is a misnomer if we can't receive something here in return. These have been making friends for our country. But then artists, producers, musicians ask when they can come here."

NO THEATER AVAILABLE

"There is no commercial theater you can book them into in midseason. Every New York theater manager hopes to book his house for a whole season. With the exception of the National in Washington, where you might find a couple of weeks in the winter, there is no other place to play. New York is practically closed.

"You just have to have an adequate house, not only for the theater, but for ballet, opera, concerts—all the performing arts need it."

As far as Mr. Dowling is concerned, the site is an open question. Asked about a site on L'Enfant Plaza in the projected Zeckendorf development of Southwest Washington, Mr. Dowling said a consideration would be what other buildings—assets of national importance—would form the surroundings.

Parking, he said, should be an important consideration in the site selection. "We want this to be a theater of the people," he said, stressing that parking facilities must be available.

Suggestions were made initially that the building should include a big convention hall. Mr. Dowling thought this would be a mistake. It would put Washington in competition with other cities which seek big conventions. He would rather, he explained, keep the building to the field of culture and artistic achievement.

He saw no hurdle in the way of working out an acceptable manner of control. The building might be under the National Park Service, he suggested. Or it might be administered by a board of trustees similar to the board which administers the National Gallery of Art. Someday, he speculated, there might be an American counterpart to the ministers of culture of other countries and the center would be in his department.

Illustrating Mr. Dowling's longtime interest in such a project here is an incident which occurred more than 5 years ago. He and Belvins Davis, producer of Porgy and Bess, came to Washington and proposed a civic auditorium to President Truman.

Qualifying To Vote in Texas

EXTENSION OF REMARKS

OF

HON. RALPH W. YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. YARBOROUGH. Mr. President, a few days ago speaking to a group of Democrats at San Antonio, Tex., I pointed out the necessity for poll-tax payments in Texas, beginning October 1, 1957, in order to qualify to vote in 1958. I request unanimous consent to include my remarks in the CONGRESSIONAL RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

The first job for Democrats right now is getting the Democrats ready to vote in 1958. In a few weeks, on October 1, 1957, to be exact, the poll-tax paying period will open at the county tax collectors offices all over Texas.

Those of us who want democracy to flourish in Texas must work to wipe out the poor record we have had by qualifying ourselves to vote. Too few people in Texas qualify to vote and then vote. Government is everybody's job. You have a stake, a privilege, a duty, and an opportunity.

Why should Texans bother to pay $1.75 this year? Well, the reasons are many. In the cities, there will be city elections and school board elections. There will be important bond elections. They will affect the tax rate of millions of Texas homeowners.

In the rural areas there will be elections on watershed flood prevention districts. There will also be some school elections and some county bond elections. Then there will be the elections of 150 members of the Texas House of Representatives and 15 members of the Texas Senate. Those elections are particularly important to rural people because of the attacks on their REA power program and on their rural roads program.

It is clear that the enemies of rural electric cooperatives have control of the machinery and a majority in the Texas Legislature, and there's just one cure for that—for the 230,000 Texas families who belong to the REA co-ops to pay their poll taxes and be ready to vote next July. Just recently, an attack has been launched on the farm-to-market road program. The enemies of this program were defeated in 1951, when they set out to do away with rural roadbuilding. They said the job was finished, that the farmer was out of the mud. They were defeated, and since that time, more than 12,000 miles of farm-to-market roads have been built in Texas. But school buses still travel thousands of miles of dusty, muddy, unpaved roads.

Now they are back at it again, with the same old song. They say there is no longer any need for paving rural roads, that the money ought to be switched to other uses. The issue will be decided at the polls in July and August of 1958. And it will be decided by the Texans who step up to the tax collector's window and ante up $1.75 for the right to be a practicing citizen in this State of ours. And you must pay that $1.75 by January 31, 1958, to vote to save REA and farm-to-market roads in Texas. A large number of constitutional amendments will be submitted, to the qualified voters in November of next year. Then we have to elect a United States Senator, a governor, a lieutenant governor with power to appoint committees with life or death power over all legislation, a commissioner of agriculture, an attorney general, a land commissioner, a State treasurer, a railroad commissioner, and a comptroller.

But that is not all you get to decide on for the sum of $1.75. We have 22 Congressmen in Texas, and they'll all be up for reelection next year, except 1 who is talking about running for another office.

And then there are the precinct conventions of the Democratic Party, on the fourth Saturday in July of next year. You can't attend those conventions unless you have a poll tax or an exemption certificate for 1957. And here in Texas, the Democratic Party machinery is, as someone said the other day, the machinery of the State Government. Unless real Democrats qualify themselves and take part in those conventions, the party machinery will speak only for the few—perhaps those who have been trying to destroy the Democratic Party before, and who will do it again if we give them the chance. Right now our Democratic Party is headed in Texas by some officers who in 1952 tried to destroy the party, and who came back in 1956 and took charge again. Until the year-in-and-year-out Democrats who can be trusted to be faithful hold the party's top offices in Texas, we can continue to see the same thing happen again.

Let me put in a word of warning right now. The drought and Ezra Benson have driven many Texans off the farms and into the cities. Mama and papa, if they are past 60, have been voting each year in the country without getting exemption certificates But if they've moved to town, to a city of 10,000 or more, they must get a new exemption every year. It broke my heart last spring to talk with dozens of fine Texans who wanted to help us, but hadn't known that they had to get an exemption each year now that they've moved to town.

You must pay your poll tax or get your exemption certificate between October 1, 1957, and January 31, 1958, so that you can vote in all elections and participate in the conventions in 1958.

So pay your poll tax or get your exemption, and get it early so you won't forget. Let's all be citizens in 1958, not just residents of Texas. Government is everybody's job. Hard money and high interest rate aren't accidents. Get ready to vote.

Need for a Protective Tariff Law

EXTENSION OF REMARKS

OF

HON. JOHN E. HENDERSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. HENDERSON. Mr. Speaker, the 1st session of the 85th Congress has concluded its work without having considered legislation bearing directly upon the tariff policies of the Nation. This is a regrettable omission. However, to those of us who believe that Congress should reassert its constitutional powers over tariff policy, it is not proper to conclude that the tariff issue has been ignored.

Legislation has been proposed to offer tariff protection to our domestic industries which are being harmed by competing products of foreign industries in our local markets. Although formal Congressional attention was not given to these bills, there has been, I believe, a significant strengthening of support in the Congress for such bills. One test of this growing awareness that a protective tariff law is needed is obvious when we realize that legislation which would threaten the further lowering of tariffs has also failed to be considered by the 85th Congress. I refer to the proposal that the United States join the international organization known as the Organization for Trade Cooperation.

The passage of the OTC bill has been urged most vigorously in the past 2 years. I believe that the explanation of its failure to be considered lies in the fact that the philosophy of free trade which has dominated Congressional thinking in the past several decades has lost some of its appeal as more and more Members of

Congress have witnessed the economic deterioration in areas they represent because of the application of those free trade principles.

The OTC bill, at first glance seems simple and harmless enough. It would allow this Nation to participate in an organization composed of many nations to administer another international entity known as the General Agreement on Tariffs and Trade. Thus, tariff agreements among all of the participating nations could be decided in this international arena.

I have opposed this bill for several reasons. First, because the Federal Constitution specifically gives to Congress the power to regulate commerce with foreign nations. This power is given in the same clause which makes the Congress solely responsible for taxation. It is unthinkable that the power to tax the American people be delegated by the Congress to the executive branch of our Government or to some international organization. In past years, the tariff power has been delegated to the Tariff Commission, thence to the President, thence to the State Department, and now it is proposed to an organization of nations. The ebbing away of this Congressional power becomes even clearer when we realize that although our Nation's tariffs are being affected by the international conferences of the General Agreement on Tariffs and Trade, this agreement which has such an outward appearance of a treaty has never been ratified by the Congress. Thus, if Congress agrees to our becoming a participating nation in the OTC, it is, at the same time, ratifying the General Agreement on Tariffs and Trade.

I do not believe that in the complex world in which we live today that the United States can isolate itself from the community of nations. We are clearly interdependent in a very large degree for our economic and military security. However, the zeal with which we have given away our economic substance in many programs during the last two decades is alarming. The tariff question is only one aspect of this pellmell race to prove that we can solve all of the world's problems and quicken the time when a halcyon state of social and economic well being for all mankind will be achieved. While this purpose may be a worthy one, we would be better advised to set our goals in more realistic terms and preserve this Nation's strength for the long struggle against our enemies who would reduce us to the roll of peons of the Soviet Union.

In 1955, the extension of the Reciprocal Trade Agreements Act assured the continuation of low tariff policies. Many of us fought against this legislation in the belief that our international trade policy must prevent the further eroding away of many American industries. At the international bargaining table, our representatives have been too anxious to agree to the demands of other nations permitting them to invade American markets with an increasing volume of their products. This was, unfortunately, ignored by the Congress when the reciprocal trade legislation was enacted.

In southeastern Ohio, we know well what low tariff policies can mean to communities whose economies are struck by competition from imported products. There are few areas of the Nation where this problem is so apparent. In our potteries, ceramic tile factories, and coal mines, economic depression in the midst of national prosperity has become an enforced way of life. What this has meant in terms of hardship to communities, families, and individuals in the 15th Congressional District cannot be overstated.

The extension of the Reciprocal Trade Agreement Act authorizing bargaining in Geneva which resulted in even lower tariffs on pottery and tile products. We can predict that even greater damage will result from this unwise action. For instance, under the Geneva negotiations of GATT, the tariff on imported earthen artware would be reduced 15 percent over 3 years with annual 5 percent reductions effective in 1956, 1957, and 1958. Tariffs on chinaware, stoneware, and the great bulk of dutiable tile would also be affected. This is a direct and serious blow at domestic producers and their employees already grievously suffering from the effects earlier of tariff reduction.

I wish to present for the RECORD, some indication of the amount of foreign-produced household pottery items which have been and are now flooding our markets. The following figures, compiled in August 1957 by the United States Tariff Commission, show the generally increasing volume of imports into this country:

Household pottery: United States imports for consumption,[1] by kinds and by principal sources, 1954, 1955, 1956, and January-June 1956 and 1957

[Quantity in dozens of pieces, value in thousands of dollars]

Type and year	United Kingdom	West Germany	Italy	Japan	Other countries	Total
			Quantity			
Earthenware household table and kitchen articles:[4]						
1954	977,000	(3)	155,000	2,462,000	227,000	3,821,000
1955	885,000	(3)	187,000	4,662,000	301,000	6,035,000
1956	874,000	(3)	202,000	6,147,000	312,000	7,535,000
1956 (January-June)	421,000	(3)	81,000	3,118,000	122,000	3,742,000
1957 (January-June)	537,000	(3)	91,000	2,395,000	245,000	3,268,000
			Foreign value			
1954	3,027	(3)	708	1,867	646	6,248
1955	2,811	(3)	868	3,158	795	7,632
1956	2,765	(3)	953	4,326	811	8,855
1956 (January-June)	1,325	(3)	346	2,009	340	4,020
1957 (January-June)	1,672	(3)	347	1,968	440	4,427
			Quantity			
Chinaware household table and kitchen articles:						
1954	434,000	552,000	(3)	5,192,000	89,000	6,267,000
1955	516,000	667,000	(3)	5,714,000	73,000	6,970,000
1956	422,000	655,000	(3)	6,826,000	90,000	7,993,000
1956 (January-June)	183,000	289,000	(3)	3,223,000	33,000	3,728,000
1957 (January-June)	202,000	373,000	(3)	3,288,000	52,000	3,915,000
			Foreign value			
1954	3,010	2,823	(3)	6,986	628	13,447
1955	3,100	3,307	(3)	7,866	605	14,878
1956	2,926	3,120	(3)	9,685	734	16,465
1956 (January-June)	1,342	1,419	(3)	4,577	262	7,600
1957 (January-June)	1,432	1,713	(3)	4,635	365	8,145
			Quantity			
Earthenware and chinaware art and ornamental articles:[4]						
1954	56,000	161,000	173,000	7,693,000	179,000	8,262,000
1955	79,000	216,000	179,000	8,799,000	169,000	9,442,000
1956	65,000	208,000	212,000	11,508,000	227,000	12,220,000
1956 (January-June)	31,000	87,000	84,000	4,924,000	65,000	5,191,000
1957 (January-June)	48,000	125,000	123,000	5,356,000	116,000	5,768,000
			Foreign value			
1954	649	1,285	1,652	8,003	981	12,570
1955	750	1,481	1,643	8,897	1,118	13,889
1956	689	1,595	1,789	11,233	1,222	16,528
1956 (January to June)	312	692	775	4,865	422	7,066
1957 (January to June)	320	840	786	5,882	659	8,487

[1] Preliminary. Beginning Jan. 1, 1954, the Bureau of the Census discontinued complete compilation of import statistics of certain formal entries (or separably classifiable parts of larger entries) valued at $250 or less. Estimates of these omitted imports, based on an officially tabulated monthly sample of the omitted entries, are included in this table; such estimates represent up to 11 percent of the totals shown above.

[2] Includes small amounts of hotel-type table and kitchen articles.

[3] Included in "Other countries" because of the unreliability of the sample o low-valued entries.

[4] Includes small amounts of earthenware and chinaware other than art and ornamental articles.

For ceramic tile, the following figures show the tremendous increase of foreign imports since 1947:

Ceramic floor and wall tile: Imports (total and by principal sources), 1947–56

[Quantity in thousands of square feet; value in thousands of dollars]

Year	Imports for consumption [1]							
	All countries	Mexico	United Kingdom	West Germany [2]	Spain	Italy	Japan	Other countries
	Quantity							
1947	291	101	49	2	(4)	84	----------	59
1948	241	66	48	----------	9	101	(3)	17
1949	424	17	87	(3)	10	185	121	4
1950	1,884	15	1,356	4	3	226	263	17
1951	6,800	235	3,725	123	1,108	494	975	140
1952	4,121	35	1,720	51	640	642	952	81
1953	3,937	26	1,969	194	425	420	819	84
1954	5,358	221	2,105	343	718	373	1,511	87
1955 [4]	16,258	3,445	2,680	385	4,282	640	4,473	353
1956 [4]	23,479	4,495	2,646	88	5,531	1,336	8,885	498
	Foreign value							
1947	89	34	15	1	(4)	22	----------	17
1948	80	20	14	----------	9	28	(5)	9
1949	115	5	42	(5)	4	31	53	7
1950	475	6	317	1	3	48	60	10
1951	1,749	63	1,035	34	250	113	219	35
1952	1,076	12	537	14	142	138	205	28
1953	986	7	598	35	95	91	132	28
1954	1,356	67	661	79	162	89	272	26
1955 [4]	3,910	894	835	106	931	167	870	107
1956 [4]	5,628	1,208	854	25	1,244	341	1,820	136

[1] Beginning in 1954, figures do not include individual importations for immediate consumption that do not amount to more than $250 under a statistical classification.
[2] Includes East Germany prior to 1952.
[3] Less than 500 square feet.
[4] Preliminary.
[5] Less than $500.

Source: Compiled from official statistics of the U. S. Department of Commerce.

What we are witnessing here is a direct challenge to more than the pottery and tile industries. The challenge is to the American standard of living. The prices of these imported products in the domestic market are based upon production costs. I am informed that almost 65 percent of the cost of most pottery items represents the cost of labor. For example, at the prevailing wages of a Japanese pottery worker, his production can be shipped to the United States, undersell the American product, and still produce a fantastic margin of profit for the Japanese pottery producer. The conflict, then, is between the American employee and the foreign worker. The competition is between subsistence or "rice bowl" standards and wages to sustain the decent way of life which has become the standard in this Nation. Unless we revise our tariff regulations in terms of essential human values and competing standards of living, we are by a calculated national policy writing the destruction of any American industry where such forces are brought into play.

This is clearly happening now in the pottery industry. It will become apparent in other of our industries if the past and present trends are not reversed. I can cite the American textile industry as an example where import competition is already causing serious economic dislocations in regions depending upon it for a source of income.

In view of our Nation's unprecedented prosperity, it may seem unusual to express concern in such grave terms. However, I believe we allow our prosperity to obscure the pressing need to come to grips with economic problems carrying serious implications. This is certainly a good example of a national refusal to look around us to understand what is happening. It is long past the time to restudy our tariff policies, admit our past errors, and correct the distress which our trade policy has created. Another opportunity will come early in 1958 when the Reciprocal Trade Agreements Act will be considered again for extension. It is my earnest hope that each Member of Congress will during the next several months study the economy of his own district to understand how existing tariff policies affect the people he represents here. I feel certain, then, that when the battle of our foreign trade policy is joined early next year, the ranks of those opposing a continuation of past policies will number many members who have previously given their support to those policies.

Record of the Committee on Ways and Means in the First Session of the 85th Congress

EXTENSION OF REMARKS

OF

HON. DANIEL A. REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. REED. Mr. Speaker, the distinguished chairman and the entire membership of the Committee on Ways and Means are to be congratulated on their devotion to duty and on the performance of their responsibilities as members of the committee and as Members of the House of Representatives during the first session of the 85th Congress. I would particularly like to extend my congratulations to my esteemed friend and chairman, the gentleman from Tennessee, the Honorable JERE COOPER, for his wise guidance and leadership as chairman of our great committee.

Mr. Speaker, unfortunately the record of the Ways and Means Committee for achievement during this session of Congress has not been matched or anywhere near approached elsewhere in the Congress of the United States. Much of the legislation on which favorable committee action was taken failed to receive the consideration it deserved in the House of Representatives or in the Senate.

This breakdown in the legislative process must be attributed to a failure of the Democrat majority in the Congress to provide the essential guidance and leadership that is so necessary to the accomplishment of an effective legislative program. Such a legislative failure is perhaps inevitable with the Democrat Party in the majority; a party that is sharply divided on legislative issues involving civil rights, a strengthened farm program, and the development of natural resources; a party that is composed of the traditional spenders in Congress who now for political purposes give brazen lipservice to being the proponents of Government economy, while at the same time irresponsibly urging the enactment of legislation to create an ever bigger Federal bureaucracy. The cleavage in the Democrat ranks is made apparent by an examination of the issues and the record. The Democrat from Boston cannot agree with the Democrat from Atlanta on the issue of civil rights. The Democrat from Detroit cannot agree with the Democrat from Nashville on the issue of public power. The Democrat from New York City cannot agree with the Democrat from Minneapolis on the essentials of an effective farm program. Mr. Speaker, the national issues on which the Democrat Party is divided could be enumerated ad infinitum.

Because of this Democrat intraparty strife and division it is little wonder that the first session of the 85th Congress was characterized by a breakdown in Democrat leadership and failure of achievement.

This absence of general accomplishment in the 85th Congress to date causes me to be particularly gratified to be able to report achievement by the Committee on Ways and Means during this period.

In the 85th Congress, 1st session, the Committee on Ways and Means had referred to it a total of 1,517 bills and 20 resolutions. The committee reported 50 bills to the House of Representatives of which 43 were passed by the House. Twenty-two of these bills were favorably reported by the Senate Finance Committee and 21 bills passed the Senate. Since the convening of the 85th Congress the full committee held 8 days of public hearings and received testimony from 119 witnesses. The committee also met 61 times in executive session. In addition the subcommittees of the committee have been active within the areas of their respective jurisdictions.

The legislation acted on by the committee included subject matter covering virtually every major subject within the committee's jurisdiction. With one exception no major legislation on which the committee acted completed the legislative course to become public law. In this connection the committee prepared and reported to the House of Representatives two major tax bills. One of these bills, the Excise Tax Technical Changes Act of 1957, H. R. 7125, was reported by the Committee on Ways and Means on May 24 and passed the House on June 20. Despite the fact that this legislation contained many beneficial changes in our Federal excise-tax structure, the Senate took no action on the legislation. The other somewhat major tax bill was H. R. 8381, the Technical Amendments Act of 1957, to provide significant changes in the income, estate and gift tax provisions of the Internal Revenue Code. This legislation was favorably reported by the committee on July 9, but the Democrat House leadership failed to schedule it for floor consideration in the House of Representatives. The remaining tax bills were of a somewhat minor nature with the exception of H. R. 4090 which provided for a 1-year extension of existing corporate and certain excise-tax rates and which became Public Law 12.

On the subject of tariff and customs legislation, the most significant bill on which action was taken was H. R. 6006 relating to the Antidumping Act of 1921. This legislation which was originally recommended by the Department of the Treasury would make important improvements in the antidumping law to provide more effectively for the enforcement and administration of the act. This bill did not pass the House of Representatives until August 29 so that it was not possible for the Senate to consider the legislation in time for it to become public law this year.

Minor but important changes were made in the Social Security Act including the extension of a coverage option to policemen and firemen in my State of New York and certain other designated States as well as a change in the law so that veterans sustaining a service-connected disability would not be deprived of their benefits under the disability provisions of the old-age and survivors insurance program by virtue of their receiving another Federal disability pension. In addition the coverage option available to ministers under the OASI program was liberalized.

Mr. Speaker, it is regrettable that the list of meritorious legislation that did not become public law is longer than the list of such legislation that was enacted into law. On August 16, 1956, the Republican members of the Committee on Ways and Means called upon the Democrat leadership to promptly enact certain legislation vitally affecting the citizens of our Nation. None of this legislation was enacted into law to the consequent detriment of our citizens.

The first legislative proposal that the Republican Members urged be favorably considered by the Congress pertained to the tariff protection accorded our domestic lead-zinc industry. This legislation would have imposed a sliding scale import tax on lead and zinc imports. Hearings were held by the Committee on Ways and Means but no further legislative action was taken or scheduled by the Democratic majority.

The second legislative matter on which the Republican committee membership urged prompt action on August 16, 1957, pertained to amendments to the Antidumping Act, and I have already described the disposition of that meritorious legislation taken late in the first session of the 85th Congress.

The third legislative matter on which the Republican members concurred in urging prompt action pertained to proposed tax reforms for small business. These tax recommendations constituted a minimum legislative program to improve the applicability of our Federal tax structure to small business. These changes were derived from recommendations made by the President of the United States in a letter to the chairman of the House Committee on Ways and Means dated July 15, 1957. These recommendations are as follows: First, purchasers of used property not exceeding $50,000 in any 1 year should receive the same liberalized depreciation that was made available to purchasers of new property by the Internal Revenue Code of 1954; second, corporations with 10 or fewer stockholders should be given the option of being taxed as a partnership; third, the payment of estate taxes should be allowed in installments over a period of up to 10 years in cases where the estate consists largely of investments in closely held business concerns; and, fourth, an original investor in a small business should be allowed to deduct from income up to some maximum amount prescribed by Congress any loss realized on a stock investment in such business. These tax recommendations were noncontroversial and would have been of significant benefit to our small business community. To the list of unfinished legislative business must be added proposals to extend unemployment compensation coverage to ex-servicemen, to further simplify customs administration, to simplify OASI reporting, and several other important legislative matters.

Mr. Speaker, if in this review of the record of the Committee on Ways and Means in the first session of the 85th Congress, have dealt at greater length with the failure of the Democratic leadership in the Congress than I have with the record of accomplishment achieved by the Ways and Means Committee, it is because of my conviction that despite the best efforts of any legislative committee, such efforts will be for nought in the absence of effective leadership in our two great legislative Chambers. It is essential, if the second session of the 85th Congress is not to duplicate the failure of the first session, that the Democratic leadership cast aside political motivations and machinations and work conscientiously for the strengthening of our Nation and the improvement in the wellbeing of our citizens.

Mr. Speaker, it is my fervent hope that the reconvening of the 85th Congress next January will mark the beginning of a session that will find such productive accomplishment realized.

The Embattled 85th Congress

EXTENSION OF REMARKS
OF
HON. CHARLES B. BROWNSON
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 30, 1957

Mr. BROWNSON. The first session of the Democratic-controlled 85th Congress adjourns today, unwept and unmourned.

The House met for 585 hours on 141 days and enacted 166 public bills on which there were 100 rollcall yea-and-nay votes. Everyone went through all the accepted motions but it was a session of inactivity and frustration, especially for a Republican. For this Congress was different. It was the first Congress since 1848 to be elected in a presidential election year by the party in opposition to the one winning the White House. And it was the first to serve with a President barred by constitutional amendment from seeking another term. Referring to the accomplishments of the first half of the 85th Congress, Democratic leaders are saying:

> It is sufficient to say it was a job well done. (Senator LYNDON JOHNSON, Democrat, of Texas, Senate majority leader, CONGRESSIONAL RECORD, August 30.)
>
> One of the most fruitful I have ever attended. * * * Very impressive. (House Speaker SAM RAYBURN, Democrat of Texas, Washington Post and Times Herald, August 30.)
>
> We can leave here with a feeling of having done a great job. (Representative JOHN W. MCCORMACK, CONGRESSIONAL RECORD, August 30.)
>
> The Congress has made a record of solid legislative accomplishment. (Paul Butler, chairman of the Democratic National Committee, New York Times, August 31.)

High praise for sitting on their hands.

The liberal Democrats came to this session convinced that the Republicans' loss of the Congress was a mandate for them to resurrect every public power, public housing, Federal aid to education and social welfare bill which had been voted down in the past, and pass it in 1957. Early in the session 80 northern Democrats signed a so-called manifesto advocating social legislation which would have added at least $10 billion a year to the budget—this year and every year in the future.

President Eisenhower's $71.8 billion budget shocked the conservative Members of Congress, and, more important, it shocked the American public. The people considered the fact that we must continue to arm with conventional weapons, which will soon be obsolete, while we pour billions into the development of missiles and nuclear arms. They still thought the budget was too high and contained fat which could be eliminated.

From constituents in every walk of life came letters by the thousands. On tablet paper, perfumed note sheets, business stationery, and in telegrams, they protested this high rate of spending tax moneys.

In Congress, we fought the battle of the budget from February, when the first appropriation bill came before us, right up to the last day of the session when I voted against final passage of the foreign-aid appropriations. Up to August 2, the best available figures indicate that House Republicans, as a whole, supported economy 60 percent of the time, while House Democrats have an economy support record less than half that good, 29 percent.

BROWNSON'S ECONOMY VOTING SCORE HIGH

According to Walter Trohan's article in the Chicago Sunday Tribune—August 4, 1957—I supported economy on 22 out of 25 votes. This earns for me an economy support score of 81 percent. This score compares with such widely known economy advocates as Congressman NOAH MASON, Republican, of Illinois, who supported economy 22 times out of 24 for an economy score of 81 percent, the same as mine. Senator HARRY FLOOD BYRD, Democrat, of Virginia, widely recognized advocate of cutting Government spending, supported economy 16 times out of 20 in the Senate for a percentage score of 70 percent. The two Democratic Congressmen from Indiana are each listed as having voted for economy 4 times and against economy 23 times for an economy score of 15 percent.

As your representative, I voted for every budget cut to pass the House, and for many which did not. Had a majority of Congress agreed with all my economy votes, an additional $3,064,584,958 would have been saved over and above the actual $4,914,355,584 Congress succeeded in cutting from the budget. In addition to reducing the 1958 fiscal budget, we also sliced $134,023,395 from 1957 supplemental appropriations.

An ironic sidelight on the budget battle was the role played by the Democrats, traditionally the party of big spending, who desperately tried to parlay the demand for economy into a partisan issue. When public sentiment became too obvious to ignore they were quick to talk economy although they continued to quietly prod behind the scenes for increases in various appropriations, notably in foreign aid. As the taxpayers became more vocal in their demand for budget cuts, the Democrats became increasingly vocal in proclaiming their frugality—this despite the fact that earlier in the session 80 northern Democrats in the House signed the manifesto calling on the President to vastly expand Federal spending programs. Their lack of sincerity is obvious when you compare the overall economy support record of the House Republicans—60 percent, and the House Democrats, 29 percent.

THE NEED FOR H. R. 8002

In the wake of the budget cuts came conflicting pronouncements of the exact amount by which the budget actually was reduced. This annual confusion stems from our present clumsy budgeting procedures involving an obligation budget and expenditures estimates. Congressional appropriations are presently geared to the obligation budget, and Congressional action on the 1958 budget relates to agency obligation budgets totaling $73.3 billion and not to the $71.8 billion that the Executive estimated for expenditures.

One of the greatest disappointments I experienced this year was the stubborn inaction of the Democrat-controlled House on H. R. 8002, a bill implementing Hoover Commission proposals, and designed to modernize Federal budgeting. The bill would increase Congressional control over the annual rate of Federal expenditures by requiring an annual review to be taken by Congress on both existing and proposed programs. It will minimize carryover balances of appropriations given in one year and expended in later years. This annual accrued expenditure method would be applied on a gradual basis to the extent, in such manner, and at times as may be determined by the President.

The legislative history of H. R. 8002 thus far has been stormy. I fought for and voted for the bill in my Government Operations Committee, with the result that it ultimately was placed on the Consent Calendar. There, members of the Democrat-controlled House Appropriations Committee, from less than unselfish motives, successfully blocked it from coming to the floor. Transferred to the general calendar, the bill once again was stalled, this time by being ignored by the Democrat leadership. What the fate of H. R. 8002 will be next year, I hesitate to predict; that there is a crying need for it is a certainty.

FOREIGN AID

Results of the economic portions of the foreign aid program appear so nebulous when considered in proportion to the heavy burden it places on the American taxpayers and the administration of this program is still so loose that I felt compelled to vote against both the original authorization bill and final passage of the appropriation bill. One of my very last legislative acts of the first session was on adjournment day, August 30, when I voted "nay" on the foreign aid conference report appropriating $2,768,760,000. Personal investigations in line with my committee assignments have disillusioned me with the manner in which our tax dollars are being spent abroad, and with the vague justifications brought to Congress to substantiate the need for these funds.

FEDERAL SCHOOL AID

By a shockingly narrow margin of only 5 votes—208 to 203—we managed to defeat the Federal aid to school construction bill. I twice took the floor to speak at length against this inherently dangerous measure, and while relieved that it was defeated, I wish I could be sure that this year's victory was not only temporary. Already two new school aid bills have been introduced in Congress, one in the Senate, the other in the House. Each day's mail brings printed material from organized, professional proponents of Federal school aid. Dues have been doubled by the National Education Association, chief advocate of the program, to make possible a $7 million budget for the coming year. More than $677,000 has been set aside for NEA Federal relations lobbying, to be conducted both in the Capitol and in grassroots areas. I am extremely anxious for the future of State-supported educational systems.

The fact that former NEA Legislative Committeeman Lawrence G. Derthick is still United States Commissioner of Education is not cheering, especially in view of his statement in a recent Newspaper Enterprise syndicated story. Commissioner Derthick told reporters that "the fight for Federal aid to school construction will continue in spite of the defeat of [the] proposal recently suffered in Congress."

My 11th District constituents, who have done a commendable job in providing the finest of educational facilities for their own youngsters, made me proud by supporting wholeheartedly my fight against Federal school aid. In the letters they wrote me, their opposition to this program was in a ratio of 20 to 1.

POSTAL AND CLASSIFIED PAY

Both House and Senate approved pay raises for postal and Federal classified workers, but the Democrat-controlled Senate Post Office and Civil Service Committee delayed reporting the pay bills until so late in the session that passage came right on the heels of adjournment. This move made possible the Presidential pocket veto and prevented Congress from having an opportunity to override that veto if it so chose. The veto was almost inevitable because of the Senate's failure to pass the postal rate increase bill to provide funds for the operation of the Post Office Department, putting the President in the position of having little alternative but to veto the pay bill.

AGRICULTURE

Congress passed legislation calling for compulsory inspection of poultry and poultry products, and extended to June 30, 1958, the Agricultural Trade Development and Assistance Act. It failed to act on a humane slaughter bill, although such legislation has been in effect for many years in European countries, and it also defeated a program to establish a minimum acreage allotment for corn and to provide acreage reserve programs for diverted acres and feed grains.

GOVERNMENTAL REORGANIZATION

At a time when much lip service was being given to economy, one of the greatest failures was a complete lack of Democratic leadership in passing Hoover Commission recommended bills. More than 100 bills implementing these recommendations were introduced this year; only one was passed. H. R. 8364, which extends the Reorganization Act, represents the sum total of Hoover Commission-inspired legislation to be enacted. Among the many other bills introduced on which no action has been taken are several of my own, including H. R. 5808 to severely curtail Federal competition with private enterprise.

An Airways Modernization Board was established to assure safe and efficient navigation systems for all civilian and military planes. Legislation also was passed requiring the Atomic Energy Commission to obtain specific authorization of Congress for civilian power project appropriations. No action was taken on statehood for either Hawaii or Alaska.

INTERNATIONAL AFFAIRS

I was one of a lonely 61 who voted against authorizing the President to undertake economic and military cooperation with nations of the Middle East when that House Joint Resolution 117 was passed through the support of 355 House Members on January 30. This Mideast doctrine cost the United States an estimated $174 million during its first 4 months, March through July. I opposed the measure because in essence it puts the cart before the horse. It starts out with $200 million, then searches for foreign projects to use the funds. That this method does not result in economy or efficiency was fully documented in my committee's report, United States Aid Operations in Iran, issued just a few days before voting on the doctrine in the House.

A much more sensible method is to let countries develop their own projects and bring them to us, together with their justifications, so that we can screen them and sponsor only the worthwhile activities, rather than begging them to find some way of using the funds they have available.

The current tense Syrian situation threatens to involve use of United States troops as well as United States funds. I have not regretted my vote.

Congress—my vote 1 of 167 dissenting in the House—agreed to approve amendment of the Anglo-American Financial Agreement to permit deferment of payments on our loan to the United Kingdom.

The United States became a participant in the International Atomic Energy Agency through an act of Congress, and operating authority of the Import-Export Bank was extended for 5 years. Unfortunately, no executive or legislative action was taken on the matter of the status of forces agreement, or on a bill requiring the Armed Forces not to surrender personnel for criminal trial except in special circumstances, in cases where it is determined that the Armed Forces have primary jurisdiction.

An amendment to the Immigration and Nationality Act was passed which eases restrictions mainly on a temporary basis to deal with hardship cases. It permits the admission of alien orphans under nonquota visas who are under 14 years of age, and who are adopted by United States citizens, this program to run under Congressional scrutiny for 2 years. It authorizes the Attorney General to adjust the status of about 400 skilled specialists now in this country temporarily but whose services have been deemed necessary, and it authorizes him to admit, after consultation with the Surgeon General, the spouses, parents, and minor children of United States citizens or law residents. It also makes available to the Department of State certain unused nonquota immigrant visas which remain unissued to those for whom intended.

While I frown on liberalization of the act to a point where the floodgates would be let down, this minor adjustment, introduced by Congressman FRANCIS WALTER in the House, and author of the act, appeared to me to be good commonsense. Heretofore, time-consuming private bills introduced by individual House and Senate Members have cleared for those who will be covered by the new amendment.

NATIONAL ECONOMY

Lending authority of the Small Business Administration was increased from $375 million to $530 million, and that agency was extended to July 31, 1958. Congress authorized the Secretary of the Treasury to pay up to 3.26 percent on savings bonds. Although the House agreed that the cabaret tax should be reduced from 20 to 10 percent, the Senate did not see fit to act on the measure, nor did it take action on a House-approved bill making numerous technical changes in excise-tax provisions of the Internal Revenue Code. Neither body took action on a House-reported bill making changes in income, estate, and gift-tax provisions of the code.

No legislative action was taken, or appears immediately forthcoming, on the Nation's gravest problem, inflation.

NATIONAL DEFENSE—INTERNAL SECURITY

Congress moved with commendable swiftness to protect Federal classified files and sources. Of the 17 who voted against this legislation to correct the Supreme Court's Jencks decision, not one was a Republican.

H. R. 8850, authorizing deferments in certain cases to raise the standards of the selective service, passed the House but was not reported in the Senate. A Senate-passed bill, bringing all Federal employees under the loyalty-security program, received no House action.

NATURAL RESOURCES

The Democrat majority was sufficient to permit passage of a bill calling for a $382.6 million program for the Atomic Energy Commission, including $21 million for reactors to produce electric power. It also increased from $105 million to $140 million the borrowing authority of the St. Lawrence Seaway Corporation, while deferring its interest payments. At the time I proposed private financing of the St. Lawrence Seaway, I predicted their expense estimates were inaccurate and they would be back for more money before it was completed. It now appears doubtful that operating tolls will ever be sufficient to make a significant return of the taxpayers' investment in this waterway which serves only a small part of the country and benefits a few big businesses.

Authorization of TVA expansion through issuance of up to $750 million in revenue bonds was postponed until next year, at which time I will take the floor to oppose it. Only a stubborn and hard-fought battle by Republicans in the House Public Works Committee prevented the Senate-approved Hells Canyon bill from coming to the House. The Senate passed a bill authorizing construction, operation, and maintenance of a $172-million Fryingpan-Arkansas reclamation project in Colorado, but action in the House was held over until next session.

SOCIAL SECURITY, HEALTH, AND WELFARE

Congress approved a $1.9 billion housing program, which increases FNMA borrowing authority to purchase mortgages, lowers downpayments on FHA-insured homes, and provides $350 million for urban redevelopment and slum clearance for 1 year.

It is interesting to note that the Brownson amendment to the Housing Act of 1955 reduced downpayments on FHA loans to virtually the same level as this new bill. Federal Housing Administration officials never used their discretionary authority under the Brownson amendment.

It favorably reported, but took no action, on annuity increases for retired or disabled civil-service workers, nor did it act on a bill which requires the Secretary of Labor to make available to the public financial and other reports filed by labor unions.

VETERANS AND SERVICEMEN

Rates of compensation for service-connected disabilities and for dependency allowance were increased, and the direct home loan and loan guaranty programs for World War II veterans were extended to July 25, 1959. Widows of Spanish-American War veterans once again were passed by; the House approved a pension increase, the Senate apparently plans to take no action at all.

CIVIL RIGHTS

When it adjourned on August 30, after the longest session since 1951, the 85th Congress had achieved at least one distinction. After months of hearings, debate, political maneuvering and compromise, it passed in its final week, the first civil-rights bill since the Reconstruction days after the Civil War. This bill seeks to protect the individual rights of all our citizens guaranteed by the Constitution, the Bill of Rights and the 13th, 14th, and 15th amendments in those cases where the individual States have shown they are unable or unwilling to do so. Its primary protection is extended to the right of the individual to vote. This Republican inspired measure is the first such legislation enacted in 88 years and is designed to provide the muscle necessary to prevent the 14th and 15th amendments from becoming mere scraps of paper.

Only once, in the Republican 83d Congress, has President Eisenhower been given a cooperative Congress of his own political party. Through that cooperation, $11 billion was slashed from the Truman budget and Federal taxes were cut $7.4 billion a year. In the ensuing years, over $50 billion has been saved the taxpayers as a result of the tax reductions passed by that Republican Congress, and the budget has remained in balance, too.

As your representative I have fought against extravagance, waste, duplication, and big government in committee, on the floor of the House and in the votes I cast for you. Our common objective of economy in government and tax reduction would be nearer were the Republicans in control of Congress with a substantial majority to back them up and with the powerful committee chairmanships in Republican hands. It is a tough fight to buck that segment of the opposition whose only political philosophy is to spend more money to buy more votes to elect more liberal Democrats. You do not effect an honest reduction of taxes that way, either.

Voting record of CHARLES B. BROWNSON *on major legislation of 1st sess., 85th Congress*

House rollcall	Description and result	Date	Brownson vote	Economy position	Eisenhower position
5	H. J. Res. 117—Authorized President to undertake economic and military cooperation with nations in the general area of the Middle East, expenditures not to exceed $200,000,000 from unexpended foreign-aid funds and authorized use of United States Armed Forces if deemed necessary by the President. Passed 355 to 61.	Jan. 30	Nay		Yea.
19	H. Res. 190—Requested President for certain information pertaining to the 1958 budget. Adopted 220 to 178	Mar. 12	Yea	Yea	
23	H. R. 4901—To establish a minimum acreage allotment for corn and to provide acreage reserve programs for diverted acres and feed grains. Defeated 217 to 188.	Mar. 13	Yea		Yea.
	H. R. 6287—Labor and Health-Education-Welfare appropriation. Various amendments to reduce appropriations by—				
37	$30,000—Adopted 286 to 126	Apr. 4	Yea	Yea	
38	$204,000—Adopted 241 to 171	Apr. 4	Yea	Yea	
39	$46,000—Adopted 246 to 169	Apr. 4	Yea	Yea	
40	$136,000—Rejected 275 to 137	Apr. 4	Yea	Yea	
41	$442,000—Adopted 214 to 205	Apr. 4	Yea	Yea	
42	$12,186,000—Adopted 220 to 200	Apr. 4	Yea	Yea	
43	$1,500,000—Adopted 253 to 167	Apr. 4	Yea	Yea	
44	$263,800—Adopted 342 to 77	Apr. 4	Yea	Yea	
45	$346,000—Adopted 217 to 202	Apr. 4	Yea	Yea	
47	$288,000—Adopted 214 to 205	Apr. 4	Yea	Yea	
48	$1,327,000—Rejected 285 to 130	Apr. 4	Yea	Yea	
49	$1,482,000—Rejected 207 to 206	Apr. 4	Yea	Yea	
50	$50,000,000—Rejected 231 to 185	Apr. 4	Yea	Yea	
59	S. J. Res. 72—Approval of an amendment of the Anglo-American financial agreement relative to deferment of certain payments. Passed 218 to 167.	Apr. 10	Nay	Nay	Yea.
64	H. R. 6871—State, Justice, Judiciary appropriation amendment to reduce by $7,039,958 contributions to international organizations. Rejected 205 to 167.	Apr. 17	Yea	Yea	
74	H. R. 7441—Department of Agriculture appropriation. Amendment to suspend operation of soil-bank program at end of fiscal 1957 and to delete provision of $500,000,000 for 1958 program. Adopted 192 to 187.	May 15	Yea	Yea	
77	H. R. 7599—Legislative branch appropriation. Motion to recommit with instructions that appropriation of $7,500,000 for property, construction, and equipment of 3d House Office Bldg. be stricken. Rejected 206 to 176.	May 22	Yea	Yea	
78	On final passage of H. R. 7599 Passed 279 to 93	May 22	Nay	Nay	
91	H. R. 7665—Department of Defense appropriation. Motion to restore $313,000,000 of $2,500,000,000 cut, for Army research and development, naval airpower, Air Force aircraft, and related procurement. Rejected 242 to 151.	May 29	Yea	Nay	Yea.
112	H. R. 6127—Civil rights bill—Motion to recommit to include trial by jury amendment. Rejected 251 to 158	June 18	Nay		Nay.
113	H. R. 6127—Civil rights bill—Final passage. Passed 286 to 126	June 18	Yea		Yea.
115	H. R. 7221—Supplemental appropriation. Motion to recede and concur with Senate amendment 15 to provide $14,000,000 for initiation of Federal flood insurance program. Rejected 218 to 186.	June 18	Nay	Nay	
119	H. R. 6974—To extend for 1 year the Agricultural Trade Development and Assistance Act of 1954. Passed 345 to 7.	June 21	Yea		Yea.
122	H. R. 7963—Small Business Act of 1932, making it a permanent agency, increasing authority for loans to small business, and reducing interest rates on loans. Passed 393 to 2.	June 25	Yea		Yea.
124	H. R. 6287—Motion to recommit Health, Education, Welfare conference report to committee. Defeated 321 to 73.	June 26	Nay	Yea	
127	S. 1428—Senate, furnishings and furniture for new Senate Office Bldg. Motion to recommit with instructions to report bill back specific figures on cost of projects involved. Rejected 232 to 135.	June 27	Yea	Yea	
128	S. 1429—Improvements in present Senate Office Bldg. Motion to recommit with instructions to report bill back with specific figures covering costs. Rejected 216 to 148.	June 27	Yea	Yea	
148	S. 2130—Foreign-aid authorization bill. Motion to recommit. Rejected 227 to 181	July 19	Yea	Yea	Yea.
149	S. 2130—Foreign-aid authorization. Final passage. Passed 254 to 154	July 19	Nay	Nay	Yea.
151	H. R. 2474—Postal pay raise, increasing basic salary of postal workers. Passed 379 to 38	July 23	Yea		Nay.
154	H. R. 1—Federal aid to school construction. Motion to strike out the enacting clause. Agreed to 208 to 203	July 25	Yea	Yea	Nay.
175	H. R. 9131—Supplemental appropriation. Recommittal motion to reduce TVA funds by $9.7 million. Rejected 244 to 158.	Aug. 7	Yea	Yea	
176	H. R. 9131—Supplemental appropriation. Final passage. Passed 330 to 75	Aug. 7	Nay	Nay	
213	H. R. 6127—Civil-rights compromise bill. On ordering previous question. Agreed to 274 to 101	Aug. 27	Yea		Yea.
214	H. R. 6127—Civil rights. On final passage. Passed 279 to 97	Aug. 27	Yea		Yea.
215	H. R. 7915—To protect FBI and other Federal records. Passed 351 to 17	Aug. 27	Yea		Yea.
217	S. 2792—Amending the Immigration and Nationality Act to permit admission of certain aliens. Passed 295 to 58.	Aug. 28	Yea		Yea.
220	H. R. 9302—Foreign-aid appropriation bill. Passed 194 to 122	Aug. 30	Nay	Nay	Yea.

Status of the Old-Age and Survivors Insurance Program

EXTENSION OF REMARKS

OF

HON. DANIEL A. REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. REED. Mr. Speaker, in recent months there has been a number of reports in the press and elsewhere with respect to the actuarial solvency of the old-age and survivors insurance and disability insurance trust funds. For the most part these reports have concerned themselves with the imminence of the so-called cross over whereby annual fund surpluses become deficits as the result of an excess of disbursements over collections.

The old-age and survivors insurance program is an integral part of virtually every American's planning for his retirement security and for the security of his dependents in the event of his untimely death. To millions of American citizens the OASI system constitutes the basic foundation of retirement security and survivorship protection. Because of that fact I believe it appropriate that the Members of Congress and the American people have made available to them the most recent statement of the operation of the OASI trust fund issued by the Board of Trustees and a report of July 23, 1957, by the Department of Health, Education, and Welfare with respect to the financial status of the fund.

Mr. Speaker, because disbursements from the fund closely approximate OASI tax collections, because of the great fiscal implications contained in even modest reforms in the OASI system, and because of the public reliance on a soundly based program of OASI protection, it is extremely important that substantive amendments in the OASI program be carefully considered in public hearing, in executive session, and in debate on the floor before such changes are enacted into law. It was for that reason that at the time of the enactment of the meritorious social security amendments of 1954 during the Republican 83d Congress, careful and deliberate study of the proposed amendments was made by the Congress. In the 83d Congress a group of highly skilled nonpartisan experts made a thorough study of their social security system. As a result of their study, as a result of study by the appropriate departments in the administration, and as a result of study by the Congress, the social security amendments of 1954 were developed. These amendments constituted in my judgment the most important and the most beneficial changes made in the law since the program's inception.

These Republican improvements included the following changes in the law:

First. Coverage was extended to an additional 10.2 million American workers and their families, including farmers, State and local government employees, and self-employed professional individuals;

Second. Monthly benefits were increased for those already on the retirement rolls and an improved benefit formula was provided for those retiring in the future;

Third. Average benefit payments were raised by allowing the dropout of up to 5 years of lowest earnings;

Fourth. Benefit recipients were allowed to earn as much as $1,200 annually without loss of benefits;

Fifth. Benefit rights of individuals were protected during periods of total disability, and other important improvements were made in the law that I shall not take the time to enumerate.

I stress the fact that these improvements were made possible by, and were the result of, thorough and complete consideration of the legislation in public hearings, in executive sessions, and in expert study.

In the Democrat-controlled 84th Congress social-security amendments were again enacted, but unfortunately such amendments did not receive the extensive study that circumstances warranted be given to them. The Republican members of the House Committee on Ways and Means constructively endeavored to have public hearings held on proposed changes to the Social Security Act at the time the Democrat members of the committee undertook to hastily prepare what they hoped would be a politically popular social security bill. This occurred in 1955 during the first session of the 84th Congress, and the Democrat majority used as an excuse for not holding hearings the fact that time remaining in the 1955 session of Congress did not permit a mature consideration of the proposed changes. The Democrats took this position despite the fact that they were proposing a multibillion dollar increase in the cost of the program, despite the fact that they proposed to increase the social security tax burden imposed on the American people, and despite the fact that there were many other meritorious proposals for improving the OASI system that were to be arbitrarily disregarded by the Democrat majority. The soundness of the Republican position on the legislation to the effect that hearings should be held so that the proposed amendments could be perfected and so that a priority could be established to determine the changes that would be most beneficial to the American people was clearly supported by the fact that the Senate took no action on the bill during 1955 and that the legislation did not become public law until August 1, 1956. The Republican Party supported the resulting amendments to the law but pointed out the need for more deliberate consideration of the proposed changes.

It is important to recount this legislative record of Republican responsibility and Democrat political motivation with regard to social-security legislation because of its implications with respect to future improvements in the social-security law that may become possible and may be deemed desirable and necessary. Under existing law the ultimate tax on covered wages is projected to become 9 percent effective in 1975 shared equally by employees and their employers. The self-employment tax would become 6¾ percent at that time. To evaluate the highness of these rates it must be remembered that the tax applicable to wages is a tax on gross wages without allowance for personal exemptions, dependents, or other deductions. The tax on self-employment income is a tax on adjusted gross income and permits only certain business deductions. Consequently, as a percentage of net income, the tax is substantially higher than would be indicated by the actual rates. Mr. Speaker, these facts make it obvious that meritorious improvements in the social-security law which affect millions of Americans must be the subject of the most careful legislative study at such time as they are enacted. Democrat-controlled executive sessions are not enough. The public's stake in a sound social-security program is so great that the Democrat Party cannot responsibly pursue a course of closed-door sessions in the preparation of social-security amendments as they did in 1952 and again in 1954. Such legislation must not be brought up under suspension of the rules in the House of Representatives allowing only 40 minutes of debate in regard to a program that is so vital to the economic security of our great Nation.

As chairman of the House Committee on Ways and Means during the 83d Congress it was my privilege to be the author of the legislation which made sweeping improvements in our social-security program and which became known as the Social Security Amendments of 1954. As chairman of the committee at that time I insisted, with the support of my colleagues on the committee, that public hearings be held on the legislation and that full discussion be had on the subject before further legislative action was taken. It is my hope that further improvements in the law will come about only after such consideration in public session has occurred. As I stated previously I will include two documents relating to the actuarial status of the OASI trust fund for the information of all interested persons at this point in the RECORD:

Statement of operations of the Federal old-age and survivors insurance trust fund during the fiscal year 1956

Total assets of the trust fund, June 30, 1955			$21,141,001,461.71
Receipts, fiscal year 1956:			
Insurance contributions:			
Appropriations	$6,336,804,603.39		
Deposits arising from State agreements	171,565,577.42		
Gross insurance contributions	6,508,370,180.81		
Less payment into the Treasury for taxes subject to refund	66,000,000.00		
Net insurance contributions		$6,442,370,180.81	
Interest and profit:			
On investments	$487,450,075.05		
On amount held in railroad retirement account to credit of trust fund	7,439,000.00		
Total interest		494,889,075.05	
Total receipts		6,937,259,255.86	
Disbursements, fiscal year 1956:			
Benefit payments		5,360,813,247.00	
Administrative expenses:			
Department of Health, Education, and Welfare	$94,892,621.97		
Treasury Department	29,516,077.17		
Preparation for construction of building for Bureau of Old-Age and Survivors' Insurance	61,876.35		
Gross administrative expenses	124,470,575.49		
Less receipts for sale of surplus material, supplies, etc	131,867.92		
Net administrative expenses		124,338,707.57	
Total disbursements		5,485,151,954.57	
Net addition to trust fund			1,452,107,301.29
Total assets of the trust fund, June 30, 1956			22,593,108,763.00

DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE,
SOCIAL SECURITY ADMINISTRATION.
July 23, 1957.

FINANCIAL STATUS OF THE OLD-AGE AND SURVIVORS INSURANCE TRUST FUND

The trustees of the Federal old-age and survivors insurance trust fund, in their report to Congress dated March 1, 1957, state that the old-age and survivors insurance system is in actuarial balance. That is, for the long-range future the system will have sufficient income from contributions, based on the tax schedule now in the law, and from interest earned on investments, to meet all future payments for benefits and administrative expenses. Disbursements will grow, but so too will contribution and interest income.

It was widely recognized when the old-age and survivors insurance program was first established that the number of beneficiaries on the rolls, and hence the amount of benefit payments, would increase steadily for the next 50 or 75 years. This is due not only to the rising number of aged persons in the population but also because in the future a much larger proportion of aged persons is expected to be eligible to receive benefits under the program than at present.

To meet this expected future rise in benefit payments Congress has provided for gradually rising contribution rates. The combined employer-employee contribution rate to finance the retirement and survivor benefits under the program is now 4 percent of the first $4,200 of an employee's anual earnings. The combined rate is scheduled to rise to 5 percent in 1960; to 6 percent in 1965; to 7 percent in 1970; and to 8 percent for 1975 and later years. (Beginning in 1957, an additional one-half percent of taxable earnings is paid into a separate fund—the Federal Disability Insurance Trust Fund—to finance the payment of monthly insurance benefits to disabled workers between the ages of 50 and 65.)

Because of the long-run upward trend in benefit payments the excess of income over disbursements declines each year during the 5-year periods between scheduled tax increases. As a result, it has been recognized that the year-to-year growth in the trust fund would be smallest—the fund might even decline—for a time before each change in rate became effective. However, aggregate income of the fund over many years will exceed aggregate outgo, and thus the long-range trend in the size of the fund will be upward.

CURRENT DEVELOPMENT

1. Trust fund income has exceeded outgo in every year since the program started operations in 1937. As expected, the amount of this excess of income over disbursements—in other words, the net increase in the fund—has been declining for the past several years. Thus during the calendar year 1954 the fund increased by $1,869 million; during 1955, by $1,087 million; during 1956, by $856 million. Estimates now indicate that during calendar year 1957 the trust fund will increase by more than $100 million. The assets of the fund at December 31, 1957, are estimated at $22.6 billion. During 1958 the fund may increase slightly or decrease slightly. (A precise estimate of the direction of movement in 1958 is not possible because a slight variation in estimated income or in estimated disbursements can completely change the close balance that will apparently prevail for that year.) In 1959 it seems quite likely that the fund will decline. Then under the impetus of the rate increase beginning in 1960 the fund will rise substantially during the first 2 or 3 years of the next 5-year period, 1960–64.

2. Although contribution income to the trust fund is in line with and is expected to continue in line with estimates, current benefit expenditures are somewhat higher than was originally estimated. As a result, the temporary halt in the growth of the fund which was foreseen as a part of the general pattern of trust-fund growth has come about somewhat earlier than was expected.

3. Legislation in 1954 and 1956 extended coverage under the program to a number of occupational groups that were formerly excluded. More aged persons have become insured and filed claims for benefits as a result of these extensions of coverage than was originally estimated. Self-employed farmers are a major group among these claimants. Some 375,000 self-employed farm operators filed applications for retirement benefits by June 30, 1957. These higher than expected claims, coming primarily from a backlog of farmers, many of whom were well beyond the minimum retirement age under the program, represent largely a one-time event. The resulting additional benefit payments, although significant from a short-range viewpoint, have virtually no significance in relation to the program's aggregate disbursements over the long-range future and thus have virtually no effect on the financial soundness of the system.

4. A minor element in raising the amount of benefit payments over the short-range future beyond what was expected is a result of the provision, enacted in 1956, which lowered from 65 to 62 the minimum eligibility age for benefits to women. Benefits under this provision first became payable for the month of November 1956.

On November 1, 1956, there were an estimated 1,300,000 women between the ages of 62 and 65 who were eligible for old-age and survivors insurance benefits. Of this total, some 860,000 could draw benefits for November if they filed an application; the remaining 440,000 women were either workingwomen or wives whose husbands were working.

The number of women between 62 and 65 on November 1, 1956, who it was estimated would file applications for benefits before reaching age 65 was 740,000. About 710,000 have actually filed by June 30, 1957. It is estimated that an additional 80,000 such women will file applications before they reach age 65, bringing the total to 790,000, or some 7 percent in excess of the original estimate. However, current experience indicates that the excess over the estimate is the result of claims filed by women workers and wives. (It is not the result of claims filed by widows—who can receive full-rate benefits at age 62.) The higher disbursements arising from these additional claims will have no significant effect on the long-range cost of the system. This is because a woman who elects a retired worker's or a wife's benefit when she is between age 62 and age 65 will receive a reduced benefit both before and after age 65, which is, on an actuarial basis, virtually equivalent to the full-rate benefit that would have been payable at age 65.

CONCLUSION

The earlier-than-expected temporary halt in the anticipated future growth of the trust fund will have no significant effect on the long-run actuarial balance of the system. Moreover, there is nothing in recent experience under the old-age and survivors' insurance program which suggests the need for changes in the present contribution schedule in order to assure the continued financial soundness of the system.

Analysis of All Rollcall Votes in the House of Representatives During the 1st Session of the 85th Congress

EXTENSION OF REMARKS

OF

HON. RICHARD M. SIMPSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. SIMPSON of Pennsylvania. Mr. Speaker, at the end of the 84th Congress I presented a statistical record which portrayed the support accorded President Eisenhower's legislative program by the Members of both parties in the House of Representatives. Once again I have prepared similar tables covering the first session of the 85th Congress.

During this session there were 100 record votes. I have classified these rollcalls into four groups. Group 1 includes 26 issues which are not concerned with the President's program. Group 2 includes 23 issues on the President's program which were supported by a majority of the members of both parties. Group 3 includes 24 issues where a majority of the Republicans voted in opposition to the President's program. Although this looks like a great many rollcalls, I must add that 13 of these rollcalls involved amendments to a single bill, H. R. 6287, the appropriation bill for the Departments of Labor and Health, Education, and Welfare. One of these amendments involved a vote on a $30,000 item. I have no way of weighing rollcalls and hence have included the entire 24 in the group of Eisenhower rollcalls. However, these 13 are hardly representative of support for the President's overall program. Group 4 comprises 27 issues. These are the issues where the parties were clearly divided, a majority of the Republicans voting in support of the President and a majority of the Democrats in opposition to him. It is significant that this is the most numerous group.

Immediately following my remarks I have included the classification of each of the 100 rollcalls together with complete statistics for the Eisenhower rollcalls.

When we consider the entire list of 74 Eisenhower rollcalls, we find that of all the votes cast in support of President Eisenhower's position, Republicans account for 53.8 percent, and Democrats, 46.2 percent. Of all the votes cast in opposition to President Eisenhower's position, the Republicans were responsible for 36.6 percent, and the Democrats for 63.4 percent.

When we compute Republican and Democrat support scores for the entire list of 74 Eisenhower rollcalls, we find a Republican support score of 64.7 percent and an opposition score of only 35.3 percent. The Democrat support score is 47.7 percent, the opposition score, 52.3 percent. Mr. Speaker, let me add that these percentages include the 13 rollcalls already discussed, as well as the 23 issues where a majority of both parties supported the President.

The support score for the 27 issues where the parties were divided is most revealing. The Republican support score was 82.4 percent, and the opposition only 17.6 percent. On the other hand, the Democrat support score for these issues was only 16 percent, and their opposition score 84 percent.

The President needs a Republican 86th Congress so that he may complete the task he has undertaken.

Classification of all House rollcalls, 85th Cong., 1st sess.

Record vote No.	Eisenhower position	Group	Description
1	....	1	Election of Speaker.
2	Y	2	Middle East policy (H. Res. 123)—Providing for the consideration of H. J. Res. 117, authorizing the President to undertake economic and military cooperation with nations in the general area of the Middle East. Passed 262 to 146.
3	Y	2	Middle East policy (H. J. Res. 117)—Authorizing the President to undertake economic and military cooperation with nations in the general area of the Middle East. Passage. Passed 355 to 61.
4	....	1	1957 deficiency appropriations (H. R. 4249)—Lanham amendment placing a $15,728,000 limitation on amount to be spent for State and local administration of public-assistance grants. Passed 205 to 168.
5	N	4	Drought relief (H. R. 2367)—Providing for payment to ranchers for deferred grazing as part of relief available to drought-stricken areas of the Southwest. Passage. Passed 270 to 109.
6	Y	2	Middle East policy (H. Res. 188)—Providing for House agreement to Senate amendments to H. J. Res. 117, authorizing the President to undertake economic and military cooperation with nations in the general area of the Middle East. Passage. Passed 350 to 60.
7	N	4	Budget (H. Res. 190)—Requesting the President to indicate where substantial reductions in the 1958 budget may best be made. Passage of H. Res. 192, providing for consideration of H. Res. 190. Passed 219 to 185.
8	Y	4	Budget (H. Res. 190)—Motion to recommit and substitute resolution commending President for requesting departments to review budget requests to determine where cuts can be made, and requesting the President to make information received available to the House of Representatives. Rejected 185 to 214.

Classification of all House rollcalls, 85th Cong., 1st sess.—Continued

Record vote No.	Eisenhower position	Group	Description
9	N	4	Budget (H. Res. 190)—Passage. Passed 220 to 178.
10	N	4	Corn program (H. R. 4901)—Establishing a minimum acreage allotment for corn. Motion to recommit. Rejected 168 to 237.
11	Y	4	Corn program (H. R. 4901)—Passage. Rejected 188 to 217.
12	N	4	Monetary and credit investigation (H. Res. 85)—Authorizing the Committee on Banking and Currency to conduct studies and investigations, and to make inquiries relating to operation of the monetary and credit structure of the United States. Passage. Rejected 174 to 225.
13	N	3	1958 appropriations for Departments of Labor and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $30,000 the appropriation for 3 new positions in the Department of Labor to handle international labor affairs in South America and the Near East. Passed 286 to 126.
14	N	3	1958 appropriations for Departments of Labor and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $204,000 the appropriation for new positions in the Office of the Solicitor, Department of Labor. Passed 241 to 171.
15	N	3	1958 appropriations for Departments of Labor and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $46,300 the appropriation for new positions in the Bureau of Labor Standards, Department of Labor. Passed 246 to 169.
16	N	3	1958 appropriations for Departments of Labor and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $136,000 the appropriation for new positions in the Bureau of Veterans' Reemployment Rights. Rejected 137 to 275.
17	N	3	1958 appropriations for Departments of Labor and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $442,000 the appropriation for new positions in the Bureau of Employment Security, Department of Labor. Passed 214 to 205.
18	N	3	1958 appropriations for Departments of Labor and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $12,186,000 funds for grants to States for unemployment compensation, thus eliminating an increase requested by Bureau of Budget over departmental request and eliminating contingency funds. Passed 220 to 200.
19	N	3	1958 appropriations for Departments of Labor and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $1,500,000 funds for unemployment compensation for Federal employees and provide same amount used in 1957. Passed 253 to 167.
20	N	3	1958 appropriations for Departments of Labor and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $263,800 the appropriation for new positions in the Mexican farm labor program. Passed 342 to 77.
21	N	3	1958 appropriations for Departments of Labor and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $346,000 the appropriation for new positions in the Bureau of Labor Statistics. Passed 217 to 202.
22	N	3	1958 appropriation for Departments of Labor and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $31,000 the appropriation for new positions in the Women's Bureau. Rejected 206 to 210.
23	N	3	1958 appropriations for Departments of Labor and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $288,000 the appropriation for new positions in the Wage and Hour Division, Department of Labor. Passed 214 to 205.
24	N	3	1958 appropriations for Departments of Labor and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $1,327,000 the increase in funds for expansion of the Food and Drug Administration. Rejected 130 to 285.
25	N	3	1958 appropriations for Departments of Labor and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to reduce by $1,182,000 the appropriation for new positions in the Office of Education. Rejected 206 to 207.
26	Y	4	1958 appropriations for Departments of Labor and Health, Education, and Welfare, and related agencies (H. R. 6287)—Amendment to delete language providing $50 million to municipalities for waste treatment works construction. Rejected 185 to 231.
27	....	1	14th Street Bridge (H. R. 6306)—Increasing the authorized cost of construction of 4-lane bridge to replace the existing 14th Street Bridge across the Potomac River. Passage. Passed 190 to 131.
28	Y	3	British loan (S. J. Res. 72)—Approving an agreement amending the Anglo-American financial agreement of Dec. 6, 1945, relative to deferment of certain interest payments. Passage. Passed 218 to 167.
29	N	4	Committee expenses (H. Res. 191)—Providing $350,000 (in lieu of $100,000) for purpose of investigating studies by House Committee on Interstate and Foreign Commerce. Passage. Passed 225 to 143.
30	N	3	1958 appropriations for the Departments of State, Justice, and Judiciary (H. R. 6871)—Amendment to reduce by $7,039,958 the appropriation for the United States share of the cost of international organizations of which we are a member. Rejected 167 to 205.
31	N	4	1958 appropriations for the Department of Agriculture and the Farm Credit Administration (H. R. 7441)—Amendment to suspend operation of the soil bank program at the end of fiscal year 1957 and to delete provisions for $500,000,000 for the 1958 program. Passed 192 to 187.
32	....	1	1958 appropriations for the legislative branch (H. R. 7599)—Motion to recommit with instructions to delete $7,500,000 for construction of an additional House Office Building. Rejected 176 to 206.
33	....	1	1958 appropriations for the legislative branch (H. R. 7599)—Passage. Passed 279 to 93.
34	N	4	Lake Michigan water diversion (H. R. 2)—Authorizing the State of Illinois and the Sanitary District of Chicago to divert additional water from Lake Michigan into the Illinois Waterway. Passage of H. Res. 254, providing for consideration of H. R. 2. Passed 267 to 102.
35	Y	4	Lake Michigan water diversion (H. R. 2)—Motion to recommit until the bilateral discussions between the United States and the Dominion of Canada with respect to the further diversion of water from Lake Michigan have been concluded. Rejected 143 to 225.
36	N	4	Lake Michigan water diversion (H. R. 2)—Passage. Passed 223 to 144.
37	N	2	Judicial retirement (H. R. 985)—Providing that chief judges of circuit and district courts shall cease to serve as such upon reaching the age of 75. Motion to recommit. Rejected 47 to 293.
38	Y	4	1958 appropriations for the Department of Defense (H. R. 7665)—Motion to recommit with instructions to restore $313,000,000 of the committee cut of $2,586,775,000. Rejected 151 to 242.
39	....	1	1958 appropriations for the Department of Defense (H. R. 7665)—Passage. Passed 394 to 1.
40	Y	2	Rule, civil rights (H. Res. 259)—Providing for the consideration of H. R. 6127, providing means of further securing and protecting the civil rights of persons within the jurisdiction of the United States. Passed 290 to 117.
41	N	4	Civil rights (H. R. 6127)—Providing means of further securing and protecting civil rights of persons within the jurisdiction of the United States. Motion to recommit with instructions to add provision for jury trial in contempt proceedings. Rejected 158 to 251.
42	Y	2	Civil rights (H. R. 6127)—Passage. Passed 286 to 126.
43	Y	3	3d supplemental appropriations for 1957 (H. R. 7221)—Motion to agree to Senate amendment providing $14,000,000 for initiation of Federal flood-insurance program. Rejected 186 to 218.
44	Y	2	Agricultural Trade Development and Assistance Act of 1954 (H. R. 6974)—Extending for 1 year. Passage. Passed 345 to 7.
45	Y	2	Small Business Act (H. R. 7963)—Amending Small Business Act of 1953, making the Small Business Administration a permanent agency. Passed 393 to 2.
46	....	1	1958 appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies (H. R. 6287)—Motion to recommit the conference report. Rejected 73 to 321.
47	....	1	Senate Office Building (S. 1428)—Authorizing furniture and furnishings for the additional office building for the U. S. Senate. Motion to recommit with instructions that the House Public Works Committee insert specific cost figures. Rejected 135 to 232.
48	....	1	Senate Office Building (S. 1429)—Authorizing the enlargement and remodeling of Senators' suites, and other changes and improvements in the existing Senate Office Building. Motion to recommit with instructions that the House Public Works Committee insert specific cost figures. Rejected 148 to 216.
49	Y	4	Military public works bill (H. R. 8240)—Authorizing certain construction at military installations. Amendment deleting from bill section requiring Congressional review of action by Defense Department to eliminate activities competing with small businesses. Rejected 183 to 230.
50	Y	4	Federal advisory committee (H. R. 7390)—Providing for limitation and regulation of the use of advisory committees within the executive branch. Motion to recommit to the Committee on Government Operations with instructions to receive further testimony from the Department of Defense and the Post Office Department. Rejected 182 to 225.
51	N	2	Reorganization Act of 1949, amendment to (H. R. 8364)—Amending so that such act will apply to reorganization plans transmitted to Congress at any time before July 1, 1959. Motion to recommit. Rejected 46 to 338.
52	....	1	Veterans' benefit (H. R. 72)—Amending the World War Veterans' Act of 1924 to restrict the transfer of estates of incompetent veterans derived from compensation and pensions. Motion to recommit. Passed 191 to 161.
53	N	2	Mutual Security Act of 1957 (S. 2130)—Motion to recommit to delete provisions creating the development loan fund. Rejected 181 to 227.
54	Y	2	Mutual Security Act of 1957 (S. 2130)—Passage. Passed 254 to 154.
55	N	3	Postal pay increase (H. R. 2474)—Providing for a $546 increase in basic salary of employees in the postal field service. Passage. Passed 379 to 38.
56	N	3	School construction (H. R. 1)—Providing for Federal assistance to States for school construction. Motion to strike the enacting clause (and prevent further consideration of the bill). Passed 208 to 203.
57	Y	2	Airways modernization (S. 1856)—Establishing the Airways Modernization Board to provide for the development and modernization of navigation and traffic control facilities. Passage. Passed 375 to 17.
58	....	1	San Angelo project (H. R. 2147)—Providing for the construction of the San Angelo Federal reclamation project, Texas. Motion to recommit. Rejected 189 to 202.
59	....	1	San Angelo project (H. R. 2147)—Passage. Passed 201 to 190.
60	Y	2	Niagara power (H. R. 8643)—Authorizing the public construction of certain works of improvement in the Niagara River for power, and for other purposes. Passage. Passed 313 to 75.
61	....	1	District of Columbia tunnel (H. R. 6763)—Providing for the construction of a 4-lane tunnel under the Potomac River in the vicinity of Constitution Ave. in lieu of a bridge previously authorized. Motion to consider the bill. Passed 297 to 76.
62	....	1	District of Columbia tunnel or bridge (H. R. 6763)—Motion to strike enacting clause (and prevent further consideration of the bill). Rejected 175 to 194.
63	....	1	District of Columbia tunnel or bridge (H. R. 6763)—Motion to consider the bill. Passed 275 to 50.
64	....	1	District of Columbia tunnel or bridge (H. R. 6763)—Amendment changing the bill to provide for a 6-lane bridge in lieu of a tunnel. Passed 226 to 109.
65	Y	2	Panama (H. R. 6709)—Implementing a treaty and agreement with the Republic of Panama. Motion to suspend the rules and pass the bill. Passed 279 to 91.
66	N	3	1958 supplemental appropriations (H. R. 9131)—Motion to recommit with instructions to reduce appropriation of new funds for TVA by $9,781,000. Rejected 158 to 244.
67	....	1	1958 supplemental appropriations (H. R. 9131)—Passage. Passed 330 to 75.
68	....	1	Meat-promotion program. Rule (H. Res. 362)—Providing for the consideration of H. R. 7244, amending the Packers and Stockyards Act of 1921, permitting deductions for a self-help meat-promotion program. Passage. Rejected 175 to 216.

Classification of all House rollcall, 85th Cong., 1st sess.—Continued

Record vote No.	Eisenhower position	Group	Description
69	....	1	District of Columbia Auditorium Commission (H. R. 4813)—Extending the life of the District of Columbia Auditorium Commission. Adoption of conference report authorizing the acquisition of certain land for a District auditorium-cultural center. Rejected 115 to 284.
70	Y	2	International Atomic Energy Agency (H. R. 8992)—Providing for United States participation in the organs of the International Atomic Energy Agency. Motion to delete provision for Congressional control over distribution of nuclear material and deleting authorization for matching of material with other members. Passed 298 to 100.
71	Y	4	Atomic Energy Commission authorization (H. R. 8996)—Amendment deleting $3,000,000 for design and construction estimates of a plutonium reactor. Rejected 197 to 201.
72	Y	4	Atomic Energy Commission authorization (H. R. 8996)—Amendment deleting $55,000,000 for construction by the Commission of a natural uranium and a plutonium recycle reactor. Passed 211 to 188.
73	Y	4	Atomic Energy Commission authorization (H. R. 8996)—Amendment revising cooperative power reactor demonstration program and deleting provision for Government ownership and operation of generating plants. Passed 213 to 185.
74	Y	2	Atomic Energy Commission authorization (H. R. 8996)—Passage. Passed 383 to 14.
75	Y	3	Federal employees pay raise (H. R. 2462)—Providing an 11-percent across-the-board salary increase for classified Federal employees. Motion to recommit. Rejected 70 to 319.
76	N	3	Federal employees pay raise (H. R. 2462)—Passage. Passed 329 to 58.
77	....	1	Public works appropriation (H. R. 8090)—Making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior for fiscal year 1958. (Conference report.) Motion to agree to Senate amendment earmarking $500,000 for preparing plans for Bruces Eddy project on Clearwater River, Idaho. Rejected 23 to 363.
78	Y	4	Postal rate adjustment (H. R. 5836)—Increasing certain postal rates. Passage. Passed 256 to 129.
79	Y	2	Mutual Security Act of 1957 (S. 2130)—Adoption of conference report increasing amount authorized by House by $250,000,000 and extending development loan fund to 1960. Passed 226 to 163.
80	....	1	Freight forwarders (S. 1383)—Amending the Interstate Commerce Act to change the requirements for obtaining a freight forwarder permit. Passage. Passed 177 to 176.
81	Y	4	1958 appropriations for mutual security (H. R. 9302)—Motion to recommit with instructions to increase various items by $715,000,000. Rejected 129 to 254.
82	....	1	1958 appropriations for mutual security (H. R. 9302)—Passage. Passed 252 to 130.
83	N	3	Air-carrier loans (H. R. 7993)—Providing for Government guaranty of private loans to certain air carriers. Motion to suspend the rules and pass the bill. Passed 242 to 94.
84	Y	3	District of Columbia Stadium (H. R. 1937)—Authorizing the construction, maintenance, and operation by the District of Columbia Armory Board of a stadium in the District of Columbia. Adoption of conference report. Rejected 135 to 234.
85	....	1	West Virginia Dam (S. 1520)—Providing for the disposal of dam on Little Kanawha River in West Virginia (conference report). Motion to recommit to conference with instructions to insist on House provision limiting Federal contribution to $50,000 as recommended by Corps of Engineers instead of $112,000 as provided in report. Rejected 137 to 232.
86	N	3	1958 supplemental appropriations (H. R. 9131)—(Conference report.) Motion to recede and concur in Senate amendment striking out funds for construction of an additional airport in or near Washington, D. C. Rejected 125 to 233.
87	N	4	1958 supplemental appropriations (H. R. 9131)—Motion to agree to Senate amendment providing an additional $475,000 for the Columbia River project. Rejected 141 to 216.
88	Y	4	1958 appropriations for the Atomic Energy Commission (H. R. 9379)—Amendment restoring $30,000,000 for industry cooperative program. Passed 214 to 135.
89	....	1	H. Con. Res. 176—Authorizing the printing of 500,000 additional copies of an illustrated booklet on the Capitol at cost of $95,000. Passage. Passed 183 to 129.
90	N	4	1958 supplemental appropriations (H. R. 9131)—(Conference report.) Motion to recede from disagreement on Senate amendment providing an additional $475,000 for the Columbia River project. Passed 166 to 121.
91	N	4	1958 supplemental appropriations (H. R. 9131)—Motion to agree to amendment providing for $425,000 for Columbia River project. Passed 165 to 120.
92	N	4	Air-carrier loans (S. 2229)—Providing for Government guaranty of private loans to certain air carriers. Adoption of conference report. Passed 203 to 77.
93	....	1	Contempt citation, Louis Earl Hartman (H. Res. 407)—Citing Louis Earl Hartman for contempt of the House of Representatives by his refusal to answer questions before the Committee on Un-American Activities. Passage. Passed 276 to 0.
94	....	1	Contempt citation, Bernard Silber (H. Res. 409)—Citing Bernard Silber for contempt of the House of Representatives by his refusal to answer questions before the Committee on Un-American Activities. Passage. Passed 263 to 0.
95	Y	2	Civil rights, H. Res. 410 (H. R. 6127)—H. Res. 410, providing for House agreement to Senate amendments to H. R. 6127 (civil-rights bill) with a further amendment limiting jury trials in criminal contempt proceedings. Ordering the previous question. Passed 274 to 101.
96	Y	2	Civil rights, H. Res. 410 (H. R. 6127)—Passage. Passed 279 to 97.
97	Y	2	FBI files (H. R. 7915)—Clarifying the Supreme Court decision in the Jencks case which opened FBI files to perusal of defendants under certain circumstances in Federal court cases. Passed 351 to 17.
98	Y	2	Immigration (S. 2792)—Amending the immigration laws so as to facilitate the entry into the United States of certain adopted children and other relatives of United States citizens. Motion to suspend the rules and pass the bill. Passed 295 to 58.
99	Y	2	FBI files (H. R. 7915)—Adoption of the conference report. Adopted 315 to 0.
100	Y	2	1958 appropriations for mutual security (H. R. 9302)—Adoption of the conference report. Adopted 194 to 122.

TABLE 1

GROUP 2.—*Issues included in President's program supported by majority of both parties*

Record vote No.	Eisenhower position	Eisenhower position, vote cast		Opposed to Eisenhower position, vote cast	
		Republicans	Democrats	Republicans	Democrats
2	Y	144	118	51	95
3	Y	167	188	26	35
6	Y	164	186	27	33
37	N	157	136	3	44
40	Y	178	112	10	107
42	Y	168	118	19	107
44	Y	163	182	6	1
45	Y	188	205	1	1
51	N	174	164	10	36
53	N	117	110	78	103
54	Y	119	135	76	78
57	Y	181	194	1	16
60	Y	116	197	65	10
65	Y	99	180	74	17
70	Y	138	160	47	53
74	Y	178	205	3	11
79	Y	100	126	74	89
95	Y	150	124	15	86
96	Y	151	128	15	82
97	Y	166	185	....	17
98	Y	154	141	9	49
99	Y	139	176	....	....
100	Y	87	107	52	70
Total	....	3,398	3,577	662	1,140

TABLE 2

GROUP 3.—*Issues on President's program on which he did not receive support from a majority of the Republicans voting*

Record vote No.	Eisenhower position	Eisenhower position, vote cast		Opposed to Eisenhower position, vote cast	
		Republicans	Democrats	Republicans	Democrats
13	N	22	104	173	113
14	N	42	129	153	88
15	N	57	112	139	107
16	N	88	187	107	30
17	N	55	150	142	72
18	N	41	159	156	64
19	N	34	133	163	90
20	N	10	67	186	156
21	N	62	140	134	83
22	N	49	161	145	61
23	N	55	150	142	72
24	N	94	191	99	31
25	N	61	146	133	73
28	Y	85	133	99	68
30	N	77	128	100	67
43	Y	59	127	129	89
55	N	29	9	162	217
56	N	77	126	111	97
66	N	25	219	156	2
75	Y	50	20	125	194
76	N	46	12	128	201
83	N	73	21	77	165
84	Y	42	93	125	109
86	N	68	165	92	33
Total	....	1,301	2,882	3,176	2,282

TABLE 3

GROUP 4.—*Issues where majority of Republican Members voted to support President Eisenhower's program and majority of Democratic Members voted in opposition to his program*

Record vote No.	Eisenhower position	Eisenhower position, vote cast		Opposed to Eisenhower position, vote cast	
		Republicans	Democrats	Republicans	Democrats
5	N	100	9	78	192
7	N	183	2	5	214
8	Y	184	1	1	213
9	N	175	3	10	210
10	N	162	75	25	143
11	Y	125	63	61	156
12	N	187	38	2	172
26	Y	150	35	45	186
29	N	139	4	40	185
31	N	141	46	38	154
34	N	93	9	86	181
35	Y	131	12	39	186
36	N	134	10	37	186
38	Y	140	11	39	203
41	N	139	112	45	113
49	Y	167	16	23	207
50	Y	183	....	7	218
71	Y	177	20	6	195
72	Y	176	35	6	182
73	Y	163	50	19	166
78	Y	171	85	4	125
81	Y	86	43	83	171
87	N	122	94	39	102
88	Y	148	66	4	131
90	N	98	23	19	147
91	N	106	14	9	156
92	N	65	12	49	154
Total	....	3,845	888	819	4,648

TABLE 4.—*All Eisenhower rollcalls*

[85th Cong., 1st sess.]

Group No.	Eisenhower position				Opposed to Eisenhower position			
	Republicans		Democrats		Republicans		Democrats	
	Votes cast	Percent	Votes cast	Percent	Votes cast	Percent	Votes cast	Percent
2	3,398	48.7	3,577	51.3	662	36.7	1,140	63.3
3	1,301	31.1	2,882	68.9	3,176	58.2	2,282	41.8
4	3,845	81.2	888	18.8	819	15.0	4,648	85.0
Total	8,544	53.8	7,347	46.2	4,657	36.6	8,070	63.4

TABLE 5.—*Republican and Democrat support scores, 85th Cong., 1st sess.*

	Number of rollcalls	Republican				Democratic			
		Support		Opposition		Support		Opposition	
		Votes cast	Percent	Votes cast	Percent	Votes cast	Percent	Votes cast	Percent
All Eisenhower rollcalls	74	8,544	64.7	4,657	35.3	7,347	47.7	8,070	52.3
Divided issues (group 4)	27	3,845	82.4	819	17.6	888	16.0	4,648	84.0

Average Family Pays "Through the Nose" While Favored Groups Enjoy Income-Tax "Gimmicks"

EXTENSION OF REMARKS

OF

HON. HERMAN P. EBERHARTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. EBERHARTER. Mr. Speaker, every wage earner knows what it is to fill out income tax forms each year, and most of our wage earners pay a heavy proportion of their earnings in these taxes. They do not object to helping to pay their share of the tremendous expenses of government, since we all enjoy precious privileges as citizens of this great country.

But the average wage earner and taxpayer bitterly resents having to pay a disproportionately high income tax in order to make up for the legalized shenanigans practiced by those who enjoy special tax benefits not available to the average family.

And they are perfectly justified in resenting this sort of unfair treatment.

As a member of the Committee on Ways and Means of the House of Representatives, the committee which originates all tax legislation for the Congress, I have always battled for a fair break for the average taxpayer. I make no apologies for the many battles I have waged for this purpose, and I intend to keep up this fight to assure fair tax treatment for all.

Beginning early next January, our committee plans to make a comprehensive review of current tax laws and tax policies to remove those provisions which are unfairly generous to some wealthy taxpayers and to corporations while being unfairly discriminatory against the average family.

Such a study is particularly necessary now to repair the damage to the tax structure—the damage to fairness in the tax structure—caused by the passage in 1954 of a rich man's tax law which had practically nothing in it of help to the average wage earner and the average family.

EVENTS JUSTIFY MY 1954 STATEMENTS

Looking back over the debates in 1954, I find that I made quite a number of speeches on the House floor condemning some of the very provisions of the bill which are now causing Uncle Sam extensive losses in revenue and thus making the average taxpayer pay more than a fair share.

I find, too, that the Eisenhower administration and its chief Congressional spokesmen denied my charges in 1954 and insisted the rich man's tax bill we were then debating would not do the very things that experience now shows it has done to the revenues of this country.

Well, Mr. Speaker, there is perhaps little to be gained in going back through the old issues of the CONGRESSIONAL RECORD to point to chapter and verse in order to prove that what I said would happen has actually occurred. Suffice it to say that the RECORD proves it. Suffice it to say that the American public knows now that it was—yes, swindled, is the word—by that tax bill of 1954.

But while there is perhaps little to be gained in going back over the bygones of that historic debate of 1954 merely in order to prove that Mr. Eisenhower and his Secretary of the Treasury and all of his officials and advisers were responsible for pushing an extremely bad tax law through that Republican Congress of 1954, there is much to be gained in reviewing now the deficiencies of that tax law and correcting them.

That is one reason why I look forward to the investigation by our Committee on Ways and Means next January. We have a tremendous and an urgent task to perform.

DIVIDEND GIVEAWAY SHOULD BE REPEALED

In the meantime, Mr. Speaker, I have personally introduced several pieces of legislation which I hope will form a keystone of the tax-reform bill we eventually vote out of committee for consideration by the House and later by the Senate.

One of these bills of mine would repeal the special tax gimmick which gives wealthy taxpayers with large incomes from common stocks a vast handout—and it is a handout—of your money and mine by permitting them to avoid a fair tax on their incomes from stock dividends.

I do not want to dwell on the fact that the Secretary of the Treasury who was most active and vigorous in insisting that this stock dividend tax gimmick be passed in 1954 has, in his own private capacity as an investor, reaped a great bonanza from this same provision of the tax law.

Mr. Humphrey has made no secret of the fact that he had vast holdings in common stocks while serving in the Treasury, and apparently he was within his legal rights if not his moral rights in doing so. I do not want to dwell either on the fact that firms in which he was a large investor benefited tremendously from policies of this administration which he helped to put into effect.

But I do think it was improper for a man who enjoys great income from common-stock dividends to insist upon—and fight for—and push through into law—a provision of the tax code which allows him special tax treatment on stock dividends of a sort which the average taxpayer does not enjoy on his earned income.

WHY IS WAGE EARNER'S INCOME TREATED DIFFERENTLY?

Is there something particularly sacred about income derived from dividends on common stocks that it should not be taxed to the recipient in the same way a steelworker, or a meatcutter, or a taxi driver, or a white-collar worker, or a salesman, or any other wage earner is taxed on his earnings?

This administration insisted there is such a special virtue in holding common stocks that the stockowners should not have to pay full taxes on their dividends.

My bill would repeal that discriminatory feature of the 1954 law. It would require that income from common-stock dividends be taxed in the same way a wage earner's pay check is taxed. Why not?

Another of my bills introduced in anticipation of our comprehensive review of tax legislation early next year is one which I introduced just today, which carries out a principle for which I have been fighting for the full 3 years since the law was changed in this respect.

I refer to the special depreciation allowance which the present tax law gives to businesses on new plants and equipment.

The average taxpayer does not get much advantage out of the depreciation features of the law. If he uses his car on his job, or if he rents out a house to tenants, then he is familiar with the depreciation provision of the law. This provision allows you to deduct from income each year a certain percentage of the original cost of the property used to produce income.

REGULAR DEPRECIATION FAIR TO ALL

Under the previous law, you were allowed to deduct for depreciation each year only an amount equal to 1 year's estimated proportion of the cost of the investment, based on the average useful life of that piece of property or equipment.

That still holds true on a piece of property or equipment which was built since 1954. But on any plant or other facility built new by a corporation since enactment of the 1954 law, the owners can now deduct a much higher percentage for depreciation in the early years of the life of the plant.

Under the old law, a corporation building a new plant would deduct about 5 percent a year for depreciation—based on an average estimated useful life of the plant of 20 years. The same depreciation allowance would then continue for each of the 20 years until the entire cost of the plant was written off for tax purposes.

Thus, on a $1 million plant, the corporation each year would deduct from its profits one-twentieth of the original cost of the plant and not pay taxes on this part of the profits, and at the end of the 20 years, it would have the plant paid for out of tax-free profits.

That is a good arrangement, and fair to all. It applies to used property even now—and to any plant already built which a corporation might now purchase. And it is the only way the average taxpayer with some income-producing property ever gets any help out of the depreciation allowance.

NEW GIMMICK DOUBLES RATE IN EARLY YEARS

But the new law doubles the rate of depreciation for the early years of a plant's useful life. Instead of 5 percent a year for 20 years, for instance, a new plant can be depreciated at the rate of 10 percent the first year, 9 percent the next, and so on, on a declining scale.

Over the full 20 years of the life of that plant, the depreciation allowance would work out to just about the same under both plans.

But here is what is happening and can happen: Using this special gimmick, many corporations have built new plants, using the latest automation equipment to reduce manpower needs, and have been milking these plants for quick profits under the tax laws. Then they can sell out after reaping the cream through the depreciation allowance, and move elsewhere and build a new plant.

SPUR TO RUNAWAY PLANTS

Needless to say, much of this new plant and equipment goes to the low-wage areas, often to areas where bitterly anti-union local or State laws are in effect to discourage union organization and hold down wage rates. And, needless to say, such runaway plant practices react adversely against established industrial centers such as Pittsburgh where wage rates are fair and labor is able to defend its rights.

Mr. Speaker, we have just recently enacted a law to repeal the so-called rapid amortization program which, under the guise of promoting construction of necessary defense facilities by private enterprise, has cost the Federal Government literally billions of dollars in unfair tax concessions to big business. This wartime law—enacted to serve a wartime purpose—was so badly abused by this administration in handouts to big business that it became a national disgrace. It permitted favored companies to write off plant costs in a very short period of time.

PRINCIPLE THE SAME AS RAPID AMORTIZATION PROGRAM

We have repealed the wartime law for depreciation handouts, but the same principle still exists, although to a less flagrant degree, in the regular tax laws.

That, too, should be repealed. And I have introduced a bill to repeal it.

Let us see how this double-rate depreciation allowance now in effect works out for big corporations. They put aside twice as much of their profits tax free in the early years of a new plant's existence. They enjoy, at the very least, an interest-free loan of this extra money for years, if they hold the plant through the full 20 years. They enjoy a wonderful bonanza if they sell out before then after skimming the cream by huge tax-free extra profits through the depreciation gimmick.

In any event, imagine how nice it would be if you or I could, in effect, borrow huge amounts of money now without paying interest on it. When anybody on the inside in any organization is able to borrow big sums without paying interest, we are all horrified by it, particularly if it happens in a union.

INTEREST RATES EXTREMELY HIGH FOR MOST PEOPLE

But it is happening every day on a vast scale as corporations in effect borrow money from Uncle Sam—without interest—through this special depreciation allowance. Thus they borrow it from you—the taxpayer.

The average home buyer now pays nearly 6 percent interest on his mortgage. GI loans are virtually unobtainable at 4½ percent. FHA loans are up to 5¾ percent, and even then, the builder may have to pay a substantial gray market side payment in order to get a loan at all on a house he is trying to sell FHA.

Installment loans carry very high interest rates now. Automobile loans cost the average citizens dearly, too, in interest.

But big business gets this handout of interest-free loans from the Government merely by taking advantage of the depreciation allowance in the tax laws as passed by the Republican 83d Congress in 1954.

This must end. The law should be made fair to all.

NEW LAW SHOULD REPEAL "GIMMICKS," HELP AVERAGE FAMILY

Therefore, Mr. Speaker, I am looking forward to our hearings and investigations in January, through the Committee on Ways and Means, and I intend to do everything I can to promote the passage of better tax laws.

The average family needs tax relief. It pays through the nose. The revenues which have been lost to the Government as a result of the tax gimmicks for big business and the wealthy stockowner in the 1954 law could more than cover the cost of a substantial and significant tax reduction for everyone.

We have cut Eisenhower's budget and we have taken many other steps to economize on Government costs. The need now is to cut the loopholes out of the tax laws—remove the gravy which goes to the few—repeal the slick gimmicks—and thus put taxpayers on the same basis—put them all on a fair basis.

No true American would deny his Government the necessary funds and revenues to maintain our country's greatness and to do the things which only Government can do.

By the same token, no American should be made a fall guy, to have to pay more than his fair share of the tax burden in order to provide handouts in taxes to friends of the Eisenhower administration and to those who put up the huge campaign contributions to elect this administration.

What is fair is fair. We must make fairness the keystone of new tax legislation.

H. R. 9591 by Mrs. Sullivan—The Exceptional Children Educational Assistance Act

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mrs. SULLIVAN. Mr. Speaker, several days ago, in a special order during proceedings of the House, I outlined a bill which I was preparing to introduce before adjournment designed to stimulate and assist the training of urgently needed teachers for instructing so-called exceptional children—that is, the gifted and also those children with physical, mental, or emotional handicaps. I have today introduced the bill, and it is numbered H. R. 9591.

H. R. 9591, as its title states, is a bill to provide for the establishment of a special $18,500,000 7-year program of Federal scholarship and fellowship grants to individuals, and a $2,500,000 program of grants to public and nonprofit institutions of higher education, to encourage and expand the training of teachers for the education of exceptional children.

The preamble of the bill states:

> The Congress believes that the American promise of equality of opportunity extends to every child within our country, no matter what his gifts, his capacity, or his handicaps, whether he is handicapped by defects of speech, of sight, or of hearing, or crippling disease or condition, whether his adjustment to society is made difficult by emotional or mental disorders, or whether, on

the other hand, he is endowed with outstandingly brilliant gifts of mind and of spirit. All such exceptional children require special educational guidance for development of their total educational potential.

The Congress finds that the educational problems presented by such exceptional children are of national concern, and that there is an acute national shortage of, and urgent national need for, individuals professionally qualified to teach such children, to supervise the teachers of such children, to train such teachers and supervisors, and to conduct research into the problems relating to the education of exceptional children.

While the Congress recognizes that the primary responsibility for meeting these problems lies with the States and local communities, national interest in the training of self-reliant and useful citizens demands that the Federal Government assist and encourage and stimulate the initiation of adequate programs in the States to meet these problems.

Therefore, this act provides, on a temporary, 7-year basis, a program to further the training of teachers, supervisors of teachers, and researchers in special education for exceptional children, and to encourage and assist public and nonprofit institutions of higher education to expand their training work in these fields.

DEFINITION OF "EXCEPTIONAL CHILDREN"

Mr. Speaker, among the definitions carried in H. R. 9591, covering various phases of the program this bill would authorize, is the definition of the children it is specifically intended to help—"exceptional children"—as follows:

> The term "exceptional children" means those children determined in accordance with regulations issued by the Commissioner (United States Commissioner of Education) to present special educational problems, such as (a) children who are unusually intelligent or gifted; (b) children who are mentally retarded; (c) children who are deaf or hard of hearing; (d) children who are blind or have serious visual impairments; (e) children who have serious health problems due to heart disease, epilepsy, or other debilitating conditions; (f) children who suffer from speech impediments; (g) children who are crippled (including those who have cerebral palsy); and (h) children who are maladjusted emotionally and socially, including the institutionalized delinquent.

Under the bill, Mr. Speaker, fellowships or scholarships would be authorized, with such stipends as the Commissioner should determine, totaling $500,000 for the remainder of this current fiscal year ending next June 30; $1,500,000 for the 1959 fiscal year; $2,500,000 for the 1960 fiscal year; and then $3,500,000 a year for fiscal years 1961, 1962, 1963 and 1964, when the temporary 7-year grant program would end. Thus, $18,500,000 would go to individuals for tuition, other scholastic expenses, living expenses and such other stipends as the Commissioner should provide. The idea, as I said in outlining the plan originally, is to make it worthwhile for experienced teachers to go back to college to take this advanced training, without feeling they were making a difficult financial sacrifice.

SECTION ON GRANTS

In addition to the grants to individuals, $2,500,000 would be authorized altogether—not a year, but over the 7 years—for grants to public and nonprofit institutions, making a total of $21 million for the entire program.

The language of this section of the bill on grants, section 5, is as follows:

GRANTS BY THE COMMISSIONER

SEC. 5. (a) The Commissioner is authorized to award scholarships and fellowships, with such stipends as he may determine, to individuals for the purpose of taking advanced training, at institutions selected by the recipients, for stated periods of time, in order to engage in employment as teachers of exceptional children, or to train or supervise teachers in this field, or engage in research in the teaching of exceptional children: *Provided*, That, in his discretion, the Commissioner, in order to accomplish the objectives of this act, may also make these awards for study at the undergraduate level.

(b) The Commissioner is also authorized to make grants to public and nonprofit institutions of higher education to construct, install, improve, or expand specialized facilities and equipment in connection with courses of instruction for persons preparing to engage in employment as teachers of exceptional children, or to train such teachers, or to supervise such teachers, or to engage in research in special education for exceptional children: *Provided*, That the Commissioner, in his discretion, may also make grants to establish specialized courses in this field in such institutions.

(c) The amount of scholarship and fellowship grants made in any fiscal year to residents of a State under section 5 (a) shall not exceed, in the aggregate, an amount which bears the same ratio to the total funds appropriated under authority of section 4 (a) for such fiscal year as the school-age population of such State bears to the total school-age population of all the States.

(d) Payments of grants pursuant to this act may be made by the Commissioner from time to time, on such conditions as the Commissioner may determine, including conditions requiring public and other nonprofit institutions to make such reports, in such form, and containing such information as the Commissioner may from time to time reasonably require to carry out his functions under this act, and conditions requiring compliance with such provisions as the Commissioner may from time to time find necessary to assure the correctness and verification of such reports.

(e) The Commissioner shall consult with an advisory committee as described in section 6 (a) which shall assist him in determining the areas and priorities of need in the award of these grants, and in setting the standards for the granting of such fellowships, scholarships, and grants.

TEXT OF BILL

Mr. Speaker, the full text of H. R. 9591 is as follows:

[85th Cong., 1st sess., in the House of Representatives, August 30, 1957, Mrs. SULLIVAN introduced the following bill; which was referred to the Committee on Education and Labor]

H. R. 9591

A bill to provide for the establishment of a special $18,500,000 7-year program of Federal scholarship and fellowship grants to individuals, and a $2,500,000 program of grants to public and nonprofit institutions of higher education, to encourage and expand the training of teachers for the education of exceptional children

Be it enacted, etc.—

SHORT TITLE

This act may be cited as the "Exceptional Children Educational Assistance Act."

FINDINGS AND PURPOSE OF ACT

SEC. 2. The Congress believes that the American promise of equality of opportunity extends to every child within our country, no matter what his gifts, his capacity or his handicaps, whether he is handicapped by defects of speech, of sight or of hearing, or crippling disease or condition, whether his adjustment to society is made difficult by emotional or mental disorders, or whether, on the other hand, he is endowed with outstandingly brilliant gifts of mind and of spirit. All such exceptional children require special educational guidance for development of their total educational potential.

The Congress finds that the educational problems presented by such exceptional children are of national concern, and that there is an acute national shortage of, and urgent national need for, individuals professionally qualified to teach such children, to supervise the teachers of such children, to train such teachers and supervisors, and to conduct research into the problems relating to the education of exceptional children.

While the Congress recognizes that the primary responsibility for meeting these problems lies with the States and local communities, national interest in the training of self-reliant and useful citizens demands that the Federal Government assist and encourage and stimulate the initiation of adequate programs in the States to meet these problems.

Therefore, this act provides, on a temporary, 7-year basis, a program to further the training of teachers, supervisors of teachers, and researchers in special education for exceptional children, and to encourage and assist public and nonprofit institutions of higher education to expand their training work in these fields.

DEFINITIONS

SEC. 3. As used in this act—

(1) The term "State" means a State, Alaska, Hawaii, the District of Columbia, and the Commonwealth of Puerto Rico;

(2) The term "Commissioner" means the United States Commissioner of Education;

(3) The term "school-age population" means that part of the population which is between the ages of 5 and 17, both inclusive, determined by the Commissioner on the basis of the population between such ages for the most recent year for which satisfactory data are available from the Department of Commerce;

(4) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools in a State, or, if there is no such agency or officer, an agency or officer designated by the governor or by State law;

(5) The term "nonprofit institution" means an institution owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and

(6) The term "exceptional children" means those children determined in accordance with regulations issued by the Commissioner to present special educational problems, such as (a) children who are unusually intelligent or gifted; (b) children who are mentally retarded; (c) children who are deaf or hard of hearing; (d) children who are blind or have serious visual impairments; (e) children who have serious health problems due to heart disease, epilepsy, or other debilitating conditions; (f) children who suffer from speech impediments; (g) children who are crippled (including those who have cerebral palsy); and (h) children who are maladjusted emotionally and socially, including the institutionalized delinquent.

AUTHORIZATION OF APPROPRIATIONS

SEC. 4. (a) There are hereby authorized to be appropriated $500,000 for the fiscal year ending June 30, 1958; $1,500,000 for the fiscal year ending June 30, 1959; $2,500,000 for the fiscal year ending June 30, 1960; $3,500,000 for the fiscal year ending June 30, 1961; $3,500,000 for the fiscal year ending June 30, 1962; $3,500,000 for the fiscal year ending June 30, 1963; and $3,500,000 for the fiscal year ending June 30, 1964; for grants to individuals for scholarships and fellowships in accordance with the provisions of section 5 (a) of this act.

(b) There is also authorized the sum of $2,500,000 to be expended during the existence of this program in the form of grants to public and nonprofit institutions in accordance with the provisions of section 5 (b) of this act.

GRANTS BY THE COMMISSIONER

SEC. 5. (a) The Commissioner is authorized to award scholarships and fellowships, with such stipends as he may determine, to individuals for the purpose of taking advanced training at institutions selected by the recipients, for stated periods of time, in order to engage in employment as teachers of exceptional children, or to train or supervise teachers in this field, or engage in research in the teaching of exceptional children: *Provided*, That, in his discretion, the Commissioner, in order to accomplish the objectives of this act, may also make these awards for study at the undergraduate level.

(b) The Commissioner is also authorized to make grants to public and nonprofit institutions of higher education to construct, install, improve, or expand specialized facilities and equipment in connection with courses of instruction for persons preparing to engage in employment as teachers of exceptional children, or to train such teachers, or to supervise such teachers, or to engage in research in special education for exceptional children: *Provided*, That the Commissioner, in his discretion, may also make grants to establish specialized courses in this field in such institutions.

(c) The amount of scholarship and fellowship grants made in any fiscal year to residents of a State under section 5 (a) shall not exceed, in the aggregate, an amount which bears the same ratio to the total funds appropriated under authority of section 4 (a) for such fiscal year as the school age population of such State bears to the total school age population of all the States.

(d) Payments of grants pursuant to this act may be made by the Commissioner from time to time, on such conditions as the Commissioner may determine, including conditions requiring public and other nonprofit institutions to make such reports, in such form, and containing such information as the Commissioner may from time to time reasonably require to carry out his functions under this act, and conditions requiring compliance with such provisions as the Commissioner may from time to time find necessary to assure the correctness and verification of such reports.

(e) The Commissioner shall consult with an advisory committee as described in section 6 (a) which shall assist him in determining the areas and priorities of need in the award of these grants, and in setting the standards for the granting of such fellowships, scholarships, and grants.

ADVISORY COMMITTEE AND ADVISORY PANELS

SEC. 6. (a) The Commissioner shall appoint an advisory committee of not more than eight persons who shall be conversant with the overall educational needs of exceptional children and who shall assist the Commissioner in developing general policies under this act. The Commissioner shall be ex officio a member of this committee and shall act as chairman thereof.

(b) The Commissioner is also authorized from time to time to establish advisory panels of specialists in special education for any of the categories of exceptional children enumerated in this act. Each such panel shall consist of not less than five persons, who shall meet at the call of the Commissioner.

DELEGATION OF FUNCTIONS

SEC. 7. The Commissioner may delegate to any officer or employee of the Office of Education any of his functions under this act except the making of regulations.

PUBLICIZING AVAILABILITY OF GRANTS

SEC. 8. The Commissioner shall take such steps as are practicable to publicize to the fullest extent possible the availability of fellowships, scholarships, and grants under this act among teachers and prospective teachers, and among all colleges and universities offering accedited courses of study leading to advanced degrees in nursery, kindergarten, elementary, or secondary education.

COOPERATION WITH STATES

SEC. 9. In the administration of this act, the Commissioner shall consult and advise with the various State educational agencies to determine the extent of need for teachers of exceptional children in the respective States and to keep the State educational agencies fully informed of all developments under this program in order to encourage them to establish special programs or special classes for exceptional children. In this connection, the Commissioner shall advise the State educational agencies of the names and home addresses of all individuals from their respective States who have received fellowships, scholarships, or grants for training in the field of education of exceptional children, and the particular field of study each is pursuing, so that the respective State educational agencies can then take appropriate steps to seek to attract such persons to positions in their home States in order to utilize the advanced education and skills which they have acquired under this program: *Provided*, That no individual receiving a scholarship, fellowship, or grant for advanced study under this act shall be required, as a condition of such scholarship or fellowship or grant, to promise to take employment subsequently in any State.

The Honorable George M. Humphrey: Statesman and Patriot

EXTENSION OF REMARKS

OF

HON. DANIEL A. REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. REED. Mr. Speaker, during the period from January 21, 1953, to July 29, 1957, the Honorable George Magoffin Humphrey has rendered to the American people exceptionally outstanding public service.

Mr. George Humphrey took office as Secretary of the Treasury at a time when the fiscal affairs of our Nation had reached a chaotic state. The previous administration had left a Federal debt equal to 89 percent of our annual national income. The previous administration had a planned deficit of $9.4 billion for 1953 and a scheduled deficit of almost $10 billion for 1954. Inflation was unrestrained and had reduced the purchasing power of the dollar from 100 cents in 1939 to 72 cents by 1945 and to 52 cents by 1952. With the advent of the Republican administration in January 1953 and under the aegis of George M. Humphrey as Secretary of the Treasury, deficit financing was first sharply reduced and then entirely eliminated. The budget was balanced for the years 1956 through 1958 which represented the first time since the years 1929 through 1931 that our Nation had had three successive balanced budgets. Federal expenditures were substantially reduced during the time that Secretary Humphrey was in office. This fiscal solvency was achieved despite the granting to the American people of the greatest tax reduction in the history of our Nation—an annual tax saving of approximately $8 billion. These objectives were primarily accomplished during the time that a Republican administration was working with a Republican Congress and I am privileged to say during the time that I was honored to serve as chairman of the Committee on Ways and Means.

The responsible management of our national finances under George M. Humphrey had a far-reaching effect and inspired previously unequaled economic growth in the United States. During the 4½ years Secretary Humphrey held office, employment increased in the United States by almost 4 million jobs so that an average of 65 million of our people were gainfully employed. In the same period average annual family income increased from less than $4,600 to an estimated $5,200. The insidious inflation was substantially retarded so that the cost of living rose an average of only six-tenths of 1 percent per year during his tenure in office as compared with an average increase at the rate of about 7 percent per year for the preceding 13 years. The personal financial security of our American families was markedly enhanced, and business assumed an unprecedented volume of investment in new plant and equipment.

Secretary Humphrey would be the first to acknowledge that considerably more progress must be promptly achieved in reducing Federal expenditures, taxes, and public indebtedness. I am confident that his successor, the Honorable Robert B. Anderson, will prove unrelenting in his endeavors to further the policies of his distinguished predecessor in office. This recitation of facts and statistics establishing the economic well-being and growth of America in the period of Mr. Humphrey's public service could be greatly expanded. A large measure of responsibility for this growth must be attributed to the fiscal policies established by, and the fiscal integrity exemplified by, George Humphrey.

The fiscal policies instituted and pursued by our National Government during Secretary Humphrey's tenure in office diverted us from the path of an encroaching Federal bureaucracy with its inevitable culmination in state socialism and restored us to the traditional American path of free enterprise and individual initiative. It has been free enterprise and individual initiative that have given to America our present-day greatness, and George Humphrey was properly convinced that America's even greater future lay in the same economic philosophy.

After rendering distinguished and selfless public service George Humphrey resigned his position of public trust and returned to private life. Every American citizen has personally benefitted from the fact that George M. Humphrey has served as the Secretary of the Treasury.

At the time of his leaving public office the Republican members of the House Committee on Ways and Means joined in signing a letter addressed to Secretary Humphrey expressing their appreciation for the privilege of being associated with him. Mr. Speaker, I will at this time make that letter a part of my remarks at this place in the RECORD:

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, D. C., July 29, 1957.

The Honorable GEORGE MAGOFFIN HUMPHREY,
The Secretary of the Treasury.

DEAR MR. SECRETARY: The undersigned Republican members of the House Committee on Ways and Means wholeheartedly join in commending your distinguished public service as Secretary of the Treasury during the period from January 21, 1953, to July 29, 1957.

On the advent of your assuming office, other than the quest for peace, no other problem confronted any Cabinet officer with a more urgent challenge to effective action than the task confronting you with respect to the fiscal affairs of our Nation. To the solution of these problems you brought vast measures of patriotism, integrity, and ability. The outstanding results you accomplished stand as an enduring memorial to your dedication to public service. Without endeavoring to set forth in this letter a recitation of these accomplishments, we are confident American history will record your tenure of office as an outstanding era in our Nation's fiscal affairs.

It is inevitable that the wisdom, foresight, and principle that you have lent to your responsibility will endure as an inspiring example to your successors in office.

Sincerely yours,

DANIEL A. REED, New York; THOMAS A. JENKINS, Ohio; RICHARD M. SIMPSON, Pennsylvania; ROBERT W. KEAN, New Jersey; NOAH M. MASON, Illinois; HAL HOLMES, Washington; JOHN W. BYRNES, Wisconsin; ANTONI N. SADLAK, Connecticut; HOWARD H. BAKER, Tennessee; THOMAS B. CURTIS, Missouri.

Record of Votes in the 1st Session of the 85th Congress

EXTENSION OF REMARKS

OF

HON. ANDREW F. SCHOEPPEL

OF KANSAS

IN THE SENATE OF THE UNITED STATES

Friday, August 30, 1957

Mr. SCHOEPPEL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement prepared by me.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, the Congressional Quarterly of August 2 once again published a misleading report. It gives the impression that Democratic Members of the Senate were more concerned with economy than the Republicans. While the economy-support score was 33 percent for each party, the opposition score was 52 percent for the Republicans and 50 percent for the Democrats.

The Congressional Quarterly study was based on their selected group of issues, which they claim reflect the attitude of Senators on economy. It did not include many issues which were of great significance. For example, just prior to completion of this study the Senate had voted for the Hells Canyon program. This vote was not included in the group of issues reflecting attitudes on Government economy, yet it is difficult for me to conceive of a single rollcall which was more important in terms of committing the taxpayers to unnecessary expense.

Now that the record of the first session of the 85th Congress has been completed, I have reviewed the 111 record votes. There were 38 such rollcalls which directly or indirectly affect the expenditure of public funds.

Immediately following these remarks I have listed these issues and the position which represents a vote in favor of economy. My study shows that 63.7 percent of the economy votes were supplied by Republicans. Only 36.3 percent were supplied by the Democrats. On the other hand 62.3 percent of the votes in favor of increased spending were cast by the Democrats, and only 37.7 percent by the Republicans. Once again the whole record completely refutes the Congressional Quarterly study.

A study of these issues clearly shows that the Republican Party has made every effort to reduce Government spending consistent with our platform pledges. We know that needed tax reduction can only result from our continued efforts to reduce the cost of Federal Government programs.

List of record votes involving economy in Government

Record vote No.	Vote for economy position	Description
3	Y	Urgent deficiency appropriations, 1957—Knowland amendment to committee amendment re cottonseed feed. Rejected 49 to 32.
4	N	Urgent deficiency appropriations, 1957—Hayden amendment re $30,000,000 for strategic minerals. Passed 64 to 17.
15	Y	River and Harbor Flood Control Act of 1957—Hruska motion to recommit. Rejected 55 to 27.
16	N	River and Harbor and Flood Control Act of 1957—Passage. Passed 42 to 22.
24	Y	Appropriations for State, Justice, the Judiciary, and related agencies, 1958—Committee amendments re funds for U. S. Information Agency. Passed 61 to 15.
25	N	3d supplemental appropriation bill for fiscal 1957—Hayden amendment re additional amount of $30,000,000 for acquisition of strategic materials. Passed 61 to 17.
27	Y	3d supplemental appropriation bill for fiscal 1957—Williams amendment re 25 percent State contribution for emergency feed and seed assistance. Rejected 51 to 27.
29	N	Housing Act of 1957—Gore amendment increasing mortgage-purchasing authority of FNMA by $2,250,000,000; prohibiting discounts; and increasing by $250,000,000 the amount of FNMA preferred stock. Rejected 61 to 17.
30	Y	Housing Act of 1957—Bricker amendments en bloc reducing authorizations in bill by $1,255,900,000 and limiting urban renewal provisions. Passed 67 to 11.
32	N	Housing Act of 1957—Morse amendment increasing annual authorization for public low-rent housing units from 35,000 to 200,000. Rejected 54 to 30.
33	Y	Housing Act of 1957—Bush amendment changing formula for computing interest rates on loans for college housing. Rejected 54 to 16.
34	Y	Housing Act of 1957—Bennett amendment to eliminate committee-proposed increase of the cost of urban renewal projects. Passed 38 to 32.
38	N	Appropriations for the District of Columbia for fiscal 1958—Morse amendment to increase from $20,500,000 to $23,000,000 the Federal payment. Rejected 62 to 23.
39	N	Appropriations for the District of Columbia for fiscal 1958—Morse amendment to increase by $140,250 funds for teaching personnel. Rejected 57 to 28.
42	Y	Appropriations for Agriculture Department and Farm Credit Administration—Russell amendment reducing the annual authorization for the conservation reserve program by $100,000,000. Rejected 52 to 26.
43	Y	Appropriations for Agriculture Department and Farm Credit Administration—Lausche amendment to prevent use of funds re acreage reserve and limit payments to $2,500. Rejected 71 to 7.
47	Y	Mutual Security Act of 1957 (authorization)—Long amendment eliminating defense support authorization. Rejected 55 to 34.
48	Y	Mutual Security Act of 1957 (authorization)—Long amendment reducing defense support appropriations by $80,000,000. Rejected 49 to 40.
49	Y	Mutual Security Act of 1957 (authorization)—Ellender amendment reducing authorized ceiling on military assistance by $500,000,000. Rejected 61 to 26.
50	Y	Mutual Security Act of 1957 (authorization)—Long amendment reducing military assistance authorization by $100,000,000. Rejected 52 to 33.
51	Y	Mutual Security Act of 1957 (authorization)—Morse and O'Mahoney amendment eliminating development loan authorizations. Rejected 54 to 32.
52	Y	Mutual Security Act of 1957 (authorization)—Morse amendment reducing President's discretionary authorization by $150,000,000 plus notice. Rejected 61 to 22.
59	N	Hells Canyon Dam, authorizing construction of—Passage. Passed 45 to 38.
63	Y	Defense Department Appropriations, 1958—Douglas amendment re cut of $971,000,000, but providing $500,000,000 for additional combat units. Rejected 65 to 7.
64	Y	Defense Department Appropriations, 1958—Dworshak amendment re cut of $182,000,000. Rejected 49 to 24.
86	Y	Authority for TVA to issue revenue bonds—Goldwater motion to recommit to Committee on Public Works. Rejected 63 to 22.
87	Y	Authority for TVA to issue revenue bonds—Saltonstall amendment providing Congressional approval. Rejected 46 to 37.
88	Y	Authority for TVA to issue revenue bonds—Case of South Dakota amendment requiring a repayment of $10,000,000 annually by TVA to the U. S. Treasury to be applied to the reduction of the appropriation investment. Adopted 76 to 6.
89	N	Authority for TVA to issue revenue bonds—Passage. Passed 61 to 20.
90	Y	Retirement benefits for District of Columbia employees—Williams motion to recommit bill to committee. Rejected 47 to 19.
91	Y	Retirement benefits for District of Columbia employees—Williams motion to recommit bill to committee with instructions to bring retirement benefits in line with those of other employees holding hazardous jobs under the civil-service retirement system. Rejected 52 to 30.
92	N	Retirement benefits for District of Columbia employees—Passage. Passed 45 to 19.
93	N	Government guaranty of private loans to air carriers—Passage. Passed 72 to 9.
97	Y	Appropriations for Atomic Energy Commission—Dworshak substitute amendment eliminating project 58-e-14 to authorize $500,000 for study and design work for project 58-e-14, natural uranium power reactor prototype. Rejected 40 to 37.
98	Y	Appropriations for Atomic Energy Commission—Hickenlooper amendment to eliminate authorization for $40,000,000 for natural uranium power reactor prototype (project 58-e-14) and $15,000,000 for plutonium recycle experimental reactor (project 58-e-15). Rejected 42 to 34.
99	Y	Appropriations for Atomic Energy Commission—Hickenlooper substitute amendment to strike out mandatory requirement that Commission contract directly with equipment manufacturers for construction of reactor plant, and with cooperative or public organization for operation of plant and sale of steam; and substitute therefor provision for discretionary power in Commission to contract directly with either supplier or cooperative. Rejected 42 to 34.
104	N	Mutual security appropriations, 1958—Foreign Relations Committee amendment increasing military assistance from $1,250,000,000 to $1,475,000,000. Passed 59 to 28.
106	N	Postal pay increase. Passage. Passed 60 to 17.
107	N	Civil service pay increase. Passage. Passed 64 to 22.

List of record votes involving economy in Government, 85th Cong., 1st sess.

Record vote No.	Vote for economy position	Votes cast			
		For economy		Against economy	
		Republicans	Democrats	Republicans	Democrats
3	Y	31	1	9	40
4	N	15	2	25	39
15	Y	22	5	18	37
16	N	17	5	14	28
24	Y	23	38	14	1
26	N	15	2	22	39
27	Y	23	4	13	38
29	N	41	20	--------	17
30	Y	39	28	2	9
32	N	32	22	3	17
33	Y	16	--------	16	38
34	Y	28	10	5	27
38	N	32	30	6	17
39	N	33	24	7	21
42	Y	8	18	29	33
43	Y	2	5	34	37
47	Y	14	20	29	26
48	Y	15	25	28	21
49	Y	6	20	36	25
50	Y	13	20	29	23
51	Y	11	21	30	24
52	Y	3	19	37	24
59	N	33	5	5	40
63	Y	--------	7	38	27
64	Y	13	11	25	24
86	Y	21	1	22	41
87	Y	31	6	11	35
88	Y	41	35	1	5
89	N	15	5	25	36
90	Y	18	1	13	34
91	Y	26	4	3	29
92	N	18	1	12	33
93	N	6	3	35	37
97	Y	33	4	3	37
98	Y	32	2	4	38
99	Y	32	2	5	37
104	N	8	20	34	25
106	N	14	3	26	43
107	N	17	5	24	40
Total	----------	797	454	692	1,142

Small Business and the Small Business Administration

EXTENSION OF REMARKS
OF

HON. WILLIAM S. HILL

OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Friday, August 30, 1957

Mr. HILL. Mr. Speaker, there is abroad in the land an assertion that the welfare of independent business in this country is a political issue. The accusation has been made and no doubt will be continued to be made that this administration is not doing everything that may possibly be done to foster our free competitive enterprise system. This type of argument is to me without any foundation based on fact.

There are approximately 4½ million business enterprises in the United States. Each of these businesses, no matter how small or how large, is an integral part of the trade and commerce of our country.

The smallest business enterprise is as important within its sphere of activity as is the largest business enterprise. The underlying fear of many is that our largest business enterprises will through the power economically inherent in such enterprises eventually control all trade and commerce in our country.

This is not a fancy or something which we can say "won't happen here," but it is a possibility with which we must now and always reckon.

It was in recognition of these facts of business life that the Sherman antitrust law was enacted. It was in recognition of these facts that the Federal Trade Commission Act, which established the Federal Trade Commission, the Clayton Act, the Robinson-Patman Act, and other regulatory acts of Congress were placed in the body of our antitrust-law structure.

It is not a question of large or small, but the question is, Shall our national policy be that of constantly strengthening our free enterprise system in order that every person who desires to engage in business in these United States has an equal opportunity? Since 1890 the Federal Government, regardless of the party in power, has answered the foregoing question in the affirmative. We must and we shall continue to use every resource at our command to strengthen and maintain the capitalistic system of free enterprise. The Congress of the United States as a coordinate branch of our Government has always played an important part by taking the initiative when danger to our economic well-being was threatened.

The Eisenhower administration by aggressive action has built up a substantial and impressive record of antitrust enforcement. Through the President's Cabinet Committee on Small Business the Small Business Administration and other agencies of our Government, this administration has demonstrated by act and deed its interest and concern in the small and independent enterprises of our Nation. The administration, after full consideration of the Small Business Administration's contribution, recommended that the Small Business Administration be made a permanent agency of our Government. The record is impressive and has been made with a total lack of partisanship.

THE CONGRESS AND SMALL BUSINESS

The Congress has recognized that the basic problem is concerned with the health and welfare of the small business concerns of this country; and were it otherwise, we would have no antitrust laws and the Congress would not have established laws and agencies concerned with the welfare of small business. I think it is worth repeating, as I have stated in former speeches, that the Small Business Administration is the third and most wholesome attempt of the Congress to carry out the ultimate for which we strive. The time, the study, and the labors of the Congress have not quite achieved, however, the desired goal of establishing a permanent agency dedicated to the enhancement of opportunity for small business. This we hope will be achieved during the second session of the 85th Congress. Consequently, there is no political issue involved; it is simply a question of the Congress fulfilling its obligation to small and independent businesses and collaterally to our free competitive enterprise system.

A PERMANENT AGENCY FOR SMALL BUSINESS

During the closing days of this session of Congress, the Members of the House of Representatives overwhelmingly expressed their desire to assist the small business concerns of the Nation by voting 392 to 2 to make the Small Business Administration a permanent agency. This bill will not be acted upon by the Senate before the end of this session, but I am reliably informed that it will be given early consideration when the Congress reconvenes in January. I am confident that the Senate will vote just as overwhelmingly to provide assistance so vital to small business.

I have personally urged such action since the inception of the Small Business Administration in 1953, both on the floor of the House and when testifying before Congressional committees. The majority of my colleagues on the Select Committee on Small Business have joined me in this plea for a permanent small business agency. In our own minds and in the minds of the small-business men across the country there exists no doubt that such an agency is essential to the well-being of our economy.

The reasons for the establishment of the Small Business Administration and for its continuation on a permanent basis are well known to all Members of Congress. More than ever in this era of rapid technological change, of constantly increasing demand for consumer goods and of vast purchases by the Federal Government itself there have been tremendous pressures exerted on the competitive structure of our economy. For 20 years forces have developed which threaten the existence of the small-business man who, as I have said, is the basis of our competitive economy.

Mr. Speaker, I have said that these forces exist and are extremely active, but I have not said that the battle to preserve our economy has been lost. Our business population continues to increase, and profits are being made. Many thousands of small-business men retain the incentive to produce and distribute for civilian and defense markets. They are still willing to take risks, and when given equal opportunity, they are strong and successful competitors.

THE FEDERAL GOVERNMENT AND SMALL BUSINESS

It is extremely important, however, that the Federal Government do everything possible to alleviate the position of small business since the Federal Government itself has been partially responsible for exerting pressure on the competitive position of small business. By responsibility I mean that two wars have resulted in heavy tax burdens, in accelerated depreciation of assets connected with production for defense, in increasing dependence upon a thorough knowledge of technological developments and in Federal Government procurement policies and procedures, in rapidly changing civilian markets, in heavy demands upon the credit sources of our Nation and in a host of other factors. I freely admit, of course, that such responsibility has been in many cases unavoidable. But I also believe that such developments have been detrimental to small business and, particularly, that the Federal Government can and should do something about it.

These areas of difficulty for small business have, as I said, been prevalent for many years and will presumably continue to affect their well-being. I wish to comment briefly at this time on the developments which have taken place in two areas of extreme importance to small business; namely, tax relief and assistance provided through the various programs of the Small Business Administration.

AN EQUITABLE TAX STRUCTURE FOR SMALL BUSINESS

The members of the House Small Business Committee have long advocated that the most important step to be taken by Congress to provide relief for small business so that they may have an equitable opportunity to compete is to reduce their tax burden. To this end the minority members of the Small Business Committee introduced in this session of Congress an omnibus small business tax bill. To date there have been over 20 tax bills introduced, identical to H. R. 5631, which I introduced.

It is our strong feeling that tax adjustments will do much to solve the financing problem of small firms, that the number of mergers will be reduced, that the number of business failures will decline and that small firms will have greater incentive and greater resources with which to compete against the larger members of the business community.

The minority members of the Small Business Committee have also introduduced the administration proposal to provide tax relief to small firms in four particular areas. The bills follow the President's suggestions which are necessarily predicated upon the present budget situation.

I earnestly hope that the Ways and Means Committee of the House will give most serious consideration to the proposals contained in all small business tax bills submitted during the first session of the 85th Congress. It is my understanding that the Ways and Means Committee will commence its tax hearings in the near future.

SUBCOMMITTEE NO. 2 OF THE HOUSE SMALL BUSINESS COMMITTEE

Mr. Speaker, during this session of Congress, Subcommittee No. 2 of the House Small Business Committee, with the Honorable ABRAHAM J. MULTER, of New York, as chairman, investigated in great detail the operations of the Small Business Administration. The Honorable SIDNEY R. YATES, of Illinois, the Honorable TOM STEED, of Oklahoma, the Honorable R. WALTER RIEHLMAN, of New York, and the Honorable HORACE SEELY-BROWN, Jr., of Connecticut, are the other members of this subcommittee. The most thorough examination made by this subcommittee revealed some areas in which improvement could be made in program administration. It showed other areas in which additional legislation was desirable. In its overall operations, however, it was found that a good job was being done and that positive and essential assistance was being rendered to the small firms of our economy. I wish to review briefly the operations of the Small Business Administration.

THE SMALL BUSINESS ADMINISTRATION RECORD

The Small Business Administration was established on July 30, 1953, and, after a brief period of organization and establishing policy, began its financial-assistance program on September 30, 1953.

During the subsequent 4 years, as of July 31, 1957, the agency had approved some 7,398 small-business loans, totaling $341,009,000.

This sum represents credit that this agency of the Federal Government has made available to qualified small firms of all types and in all sections of our country. In every case these firms were unable to obtain private credit. They came to the Government for assistance only as a last resort, and many of these firms would have had very hard going, indeed, had they not been able to get prompt assistance. As my colleagues know, it has always been the desire of Congress, and is so expressed in the Small Business Act, that a borrower first attempt to secure credit from private sources before going to the Small Business Administration.

During the fiscal year just ended, the Small Business Administration approved 3,536 business loans, totaling $159,094,000, nearly double the number of loans approved the previous fiscal year.

It is more than commendable that two-thirds of the Small Business Administration's loan approvals are made in participation with banks. By adhering closely to the policy of cooperating with the banks, the agency helps the individual businessman establish a line of private credit in his home city.

REGIONAL SMALL BUSINESS ADMINISTRATION OFFICES OF PRIME IMPORTANCE

Of importance, also, is the fact that most of the loan applications to the Small Business Administration are now handled entirely by the agency's regional offices, under the guidance and supervision of the Washington officials. For the most part, only the larger loan applications are approved in Washington. Through this policy of delegating responsibility to the regional offices, the agency is able to act on applications for loans with a minimum of paperwork. Our committee has consistently urged such delegation of authority and that every means be utilized to expedite processing of loan applications.

DISASTER LOAN PROGRAM

The Small Business Administration also has the responsibility for making disaster loans to help homeowners and businesses rehabilitate their property when a disaster strikes. While not confined strictly to small business, this program has been of immeasurable assistance to virtually every area in the country.

Here, again, the agency has made an excellent record. On a cumulative basis, through June of this year, the agency had approved 6,149 disaster loans for $66 million. I know we are all familiar with the personal and property losses resulting from hurricanes on the east coast 2 years ago and only recently with the hurricane in Puerto Rico and floods in Kentucky, Virginia, West Virginia, Louisiana, and Texas. All those disasters resulted in heavy losses which the Small Business Administration was able to alleviate through its disaster-loan program.

The Small Business Administration also makes disaster loans to aid firms which suffer economic damage as a result of prolonged drought. So far it has approved 143 drought disaster loans totaling $3 million.

GOVERNMENT CONTRACTS FOR SMALL BUSINESS

Another important activity of the Small Business Administration is that of helping small firms get a fair share of Government contracts.

During the fiscal year ended on June 30, 1957, the Small Business Administration made impressive progress in its programs of having suitable Government purchases set aside for exclusive award to small-business firms. Through cooperative action by the Small Business Administration and the Government purchasing agencies, some 12,000 procurements totaling $744 million were restricted to small firms. Since the beginning of the agency, procurements estimated at more than $1,800,000,000 have been set aside for small-business firms. The amount set aside for small business in fiscal year 1958 is expected to be appreciably higher than it was this past year. Congress has expressed many times its insistence that small business receive a fair share of Government contracts. I feel that the Small Business Administration set-aside program is a most important tool in accomplishing this objective.

The Small Business Administration also provides small firms with procurement counseling. In its counseling service, the Small Business Administration renders assistance to individual small-business owners and managers in determining what products or services their firms can supply to the Government and which agencies and purchasing offices are their prospective customers.

Explanation to the businessman is made concerning how and where they can obtain Government specifications for the particular products or services, and how to have their firms listed on the appropriate bidders lists. They also provide a wide range of other services—advising small firms how they can become registered as planned wartime materiel suppliers, helping them resolve difficulties with Government procurement officers, assisting them in having their products listed on qualified products lists, helping them obtain financing on Government contracts, and informing them of Government purchases for which additional suppliers are needed.

WORK OF SMALL BUSINESS ADMINISTRATION FIELD OFFICES

Field offices of the Small Business Administration handled more than 30,000 cases of procurement-assistance counseling and other case assistance to small firms during fiscal year 1957, as compared to about 21,000 cases during fiscal 1956. In addition, about 10,000 small firms were assisted to bid on specific procurements, compared to about 5,500 during the previous fiscal year.

To help small-business firms obtain subcontracts, Small Business Administration field offices through June 1957 had contacted about 5,000 prime contractors to develop subcontract opportunities and had made over 7,000 referrals. This compares to about 3,100 contacts to develop subcontract opportunities and approximately 3,100 referrals in the entire fiscal year 1956.

When a small-business concern requests assistance in obtaining Government business, Small Business Administration regional offices refer procurement opportunities to the firm until it has had time to obtain listing on the appropriate bidders' lists of Government purchasing installations. More than 51,000 such referrals have been made to assist small-business firms.

SMALL BUSINESS ADMINISTRATION BUSINESS OPPORTUNITY MEETINGS

The Small Business Administration has also sponsored a series of business-opportunity meetings for small firms in many cities throughout the country. These meetings, held in cooperation with other Government agencies, chambers of commerce, and trade associations, provide a means whereby the manufacturer or supplier can learn at firsthand what articles the Government is purchasing that he might supply. During 1956, 21 such meetings were held, and the prospects are that an even larger number of meetings will be held this year.

Estimates indicate that approximately 3,000 small-business owners and managers annually attend these business-opportunity meetings to learn how to do business with the Government.

SMALL BUSINESS ADMINISTRATION CERTIFICATES OF COMPETENCY

From the start of operations in August 1953 through June 30, 1957, the Small Business Administration had issued 317 certificates of competency, covering procurements valued at $38 million. These certificates are issued to aid small firms whose low bid on a Government contract has been rejected on the grounds that the firm lacks the necessary financial and productive capacity. Of course, a certificate is issued by the Small Business Administration only when careful study by the Agency indicates that the firm actually is capable of performing the contract. Once such a certificate is issued, procurement officers are directed under the law to accept it as conclusive, as far as financial and technical requirements of the contract are concerned.

EXAMINATION OF GOVERNMENT PROCUREMENT POLICIES

A Task Force for Review of Government Policies and Procedures, established in line with the recommendation of the President's Cabinet Committee on Small Business, is receiving the full cooperation of the Small Business Administration.

This agency, along with the Bureau of the Budget and General Accounting Office, is making available to the task force specific examples of inequities, inconsistencies, and complexities in Government procurement procedures.

SMALL BUSINESS ADMINISTRATION SPECIAL COURSES IN MANAGEMENT

The Small Business Administration, in cooperation with colleges and universities throughout the country, arranges special courses in administrative management for proprietors of small firms.

Through June of this year more than 8,300 businessmen and women had attended management training courses cosponsored by the Small Business Administration. Since the program began, 264 educational courses have been conducted in cooperation with 100 educational institutions. This last fiscal year the agency cosponsored 109 more courses than in 1956.

THE SMALL BUSINESS ADMINISTRATION PRODUCTS ASSISTANCE PROGRAM

The Small Business Administration also has a products assistance program designed to acquaint small companies with new products and inventions which may be of interest to them in diversifying into additional or alternate products, to assist inventors in finding buyers or producers for their inventions, and to furnish information to small producers about current or newly developed manufacturing methods and processes.

POLICY REVIEW OF SMALL BUSINESS ADMINISTRATION ACTIVITIES

The Small Business Administration programs and policies are constantly under review by the agency's two advisory groups, the National Council of Consultants, and the National Board of Field Advisers. This is a 2-way street, however, for members of the National Council and the National Board of Field Advisers provide the Small Business Administration with their thinking on the problems affecting small business throughout the entire country. The National Council of Consultants will convene in Washington on September 26, 1957, for its sixth meeting, and the Council members have been invited to attend the President's Conference on Technical and Distribution Research for the Benefit of Small Business which begins on September 23 and continues through September 25.

The President's Conference is being held to assist small manufacturers, wholesalers and retailers in the use of modern methods and techniques for developing and improving their products and increasing sales. The conference has been planned and will be conducted primarily by leaders from business, research and education, with the cooperation of the Small Business Administration and the Department of Commerce.

CONCLUSION

In conclusion, I repeat, Mr. Speaker, the House of Representatives voted on June 25, 1957 to make the Small Business Administration a permanent and independent agency. It is imperative that the problems of small firms continue to be attacked through assistance in meeting the need for credit and in supplying information and assistance in areas of Government procurement and production and technical matters. Additionally, the Small Business Administration must continue to serve as a spokesman for small business within the Federal Government itself. The intent of Congress with respect to small business can never be fully carried out unless and until the Small Business Administration achieves the status of permanency.

Capitol Commentary

EXTENSION OF REMARKS

OF

HON. PHIL WEAVER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 30, 1957

Mr. WEAVER. Mr. Speaker, under permission to extend my remarks, I would like to insert in the CONGRESSIONAL RECORD my Capitol Commentary covering the period January through June 27. I send these reports to my constituents in the First District of Nebraska periodically in an effort to keep them informed of what their Congressman is doing.

The commentary follows:

CAPITOL COMMENTARY (JANUARY 28, 1957)

This is the first in a series of newsletters which will come to you during the 1st and 2d sessions of the 85th Congress. The purpose of Capitol Commentary is the same as any newsletter—to bring to your attention important questions of the day that concern you as citizens and taxpayers. An expression from you on these matters is solicited, welcome, and helpful so that, as your Representative, I will know exactly what your viewpoints are and the consensus of thinking of folks back home. Please feel free to drop me a line at 440, Old House Office Building, Washington 25, D. C. When you finish with this newsletter, pass it on to a friend or acquaintance. If you are not presently receiving it, a card with your name and address is all that is necessary for you or a friend to be added to our mailing list or to correct your present listing. Check your local paper for radio and TV schedules concerning reports from your Congressman in Washington.

THE 85TH CONGRESS

On January 3, 1957, the 85th Congress officially convened and its membership took the solemn oath of office as pronounced by the Speaker of the House, SAM RAYBURN, of Texas. This was the eighth time Mr. RAYBURN has taken the oath as Speaker and the 23d time as Member of Congress. Only one other Member has repeated this vow as many times in the history of our country, that being the late Adolph J. Sabath, of Illinois.

It was my privilege to repeat in the Chamber of the House of Representatives this oath for the second time:

"I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

The Honorable CARL VINSON, of Georgia, who entered the same Congress as Mr. RAYBURN, the 63d, but who was elected some months later to fill a vacancy, administered the oath to Mr. RAYBURN. This Congress is unique in the fact that for the second time in the history of the United States we have a President of one party and both Houses of Congress of the opposite party. This previously occurred during the administration of Zachary Taylor as a result of the election of 1848. With the convening of the 31st Congress in January of 1849, both Houses of Congress were controlled by the Democratic Party while the President, Zachary Taylor, was a Whig. Nebraska is one of the six States out of 48 that has an all Republican delegation in the House and Senate; the others are Connecticut, New Hampshire, Vermont, North Dakota, and Utah.

INAUGURATION

Many Nebraskans journeyed to Washington to attend the inaugural ceremonies of Dwight Eisenhower and RICHARD NIXON and to participate in the festivities of this historic occasion. It was a pleasure for me to welcome so many citizens of our State who were here to witness this impressive event including Governor Anderson and the Sidney, Nebr., High School Band. The presence of these young people in the inaugural parade was one of the highlights for all Nebraskans in Washington as well as for those who watched on TV back home. Townspeople of Sidney are deserving of a real pat on the back for their civic pride and interest in making possible this display of Nebraskan youth and talent in our National Capital.

THE PRESIDENT'S STATE OF THE UNION MESSAGE

The President's state of the Union message was a comprehensive and general review of the administration's program. On the domestic front, school construction and civil rights will probably be the most controversial. Concerning Federal aid to education—it has always been my feeling that the people of Nebraska want to handle their school problems in their own way and dislike Federal interference. Our State has developed a fine educational system where we have local control and the people of the First District and other sections of Nebraska have indicated to me on numerous occasions their desire to work these problems out on matters pertaining to education.

A number of proposals that would keep Federal interference at a minimum will undoubtedly came before the Congress. Our neighbor, ERRETT SCRIVNER, of Kansas, has again introduced the so-called Scrivner plan. His bill provides that the collector of internal revenue of each State would remit to the State treasurer each quarter for educational purposes (or school construction) only 1 percent of the personal and corporate income taxes collected during that quarter. As an example, the income and corporate taxes collected from Nebraska for the fiscal year 1956 amounted to $343,254,000. That share which Nebraska would retain under the Scrivner plan would amount to $3,432,540. I agree with Mr. SCRIVNER's statement, "Federal aid is a myth, that the money for any Federal program comes from taxes earned in each State." In the last session of Congress, I supported the Scrivner proposal and will do so again this year if it is before the House.

I was particularly pleased with that part of the President's message which referred to our soil; and to water as rapidly becoming our most precious natural resource. No one could be more aware or conscious of the full meaning of that statement than the people of Nebraska who for years have witnessed the scourge of these two extremes—drought and floods. With that thought in mind, we must be alert to a sound and realistic appraisal and canvas of our irrigation, reclamation, and power potential—not for next year but for the future needs of our State and Nation. It is incumbent upon us to be guided by the tone of the President's words: "Of making the best use of each drop of water from the moment it touches our soil until it reaches the ocean."

PRESIDENT'S BUDGET

Here in Washington, many members of both parties take a dim viewpoint of the budget outlook and consider it anything but a pleasant one. There are very few, I feel, who honestly know where the line should be drawn as to our defense expenditures in this present stage of international unrest. However, I know that many Congressmen and the majority of the people I represent in Nebraska share my viewpoint that foreign-aid spending must be stopped and that our overall budget must be reduced. A percentage cut across the board with the possible exception of the most essential defense items of our security (B-52's, intercontinental ballistic missiles, etc.) might be the proper approach. At least such a proposal would be an answer to the many agencies of Government which apparently cannot and have not realistically appraised their money needs. I am in full agreement with Congressman BEN JENSEN, of Iowa, who has called for open hearings on appropriation matters that come before the various Appropriations subcommittees and the full committee of the House. Such a suggestion, if adopted, would, I feel, through public hearings eliminate much of the fat in this request of some $72 billion, which the people of Nebraska and the other 47 States must pay with their hard-earned tax dollars.

THE MIDDLE EAST RESOLUTION

Very shortly this forthright expression of policy by the President will come before Congress. It is similar in many respects to the Formosa Resolution passed almost unanimously in the beginning days of the 84th Congress—to put the enemy on notice that the Eisenhower foreign policy is "dedicated to a program of confining world communism to the borders it now occupies, and to resisting further Communist aggression in the Free World." I am confident that this policy of firmness and decision, as it was in the case of Formosa, will promote the cause of world peace. However, the foreign-aid aspects of this question are controversial and it is a great disappointment to me that they are completely tied in with the resolution itself. This measure will come before the House under the so-called gag rule. If the rule is adopted and prevails in the consideration of the resolution, then this would preclude any amendments.

COMMITTEE ASSIGNMENTS FOR 85TH CONGRESS

Veterans' Affairs Committee: Subcommittees to be announced.

Interior and Insular Affairs Committee: Subcommittee: Irrigation and Reclamation, Territories, Public Lands.

Consent Calendar: Assisting Republican leadership on Consent Calendar items.

YOUR VIEWPOINTS (FEBRUARY 20, 1957)

In my last newsletter I requested all of you to pass on your comments concerning matters of Government and important questions before the Congress. May I express my thanks and appreciation for this fine response. It is this keen and continuing interest by you that will make for even better government. Effective and direct representation through your elected Representatives who serve you in Washington is contingent upon the thinking of the majority of people back home. Please continue to write me so that I can have the benefit of your counsel and suggestions.

SPENDING IN GOVERNMENT

Of great concern to me, and certainly to those of you at home, is the amount of money requested in the budget for the fiscal year beginning July 1957—nearly $72 billion, the largest in the peacetime history of our country. This is the time we should be getting our own house in order, and I pledge to you a firm determination to continue to oppose and resist vigorously unnecessary spending in Government. There can be a reduction in spending on many fronts without impairing essential items of security for America. Foreign-aid spending and its many ramifications have brought a feeling of dependence by people in other parts of the world upon the initiative and thrift of American citizens.

Just a few days ago I received a letter from Mrs. William Landgraf, whose home is at Elwood, Nebr.; and I would like to quote several sentences from her letter: "My husband and I were missionaries in the southern part of India for many years. We saw the results of continuous material aid—it caused the people to become dependent upon these benefactors and demanded continued aid. It did not teach them self-reliance and desire to help themselves attain what they wanted or needed. Won't this continuous handout do the same to all countries receiving this aid? It is far easier to be careless and wasteful with someone else's money—there is the responsibility of receiving more."

WHO HANDLES THE PURSE STRINGS?

And while we are talking about money and spending in Government, I want to urge all of you to make your views known to the chairman of the House and Senate Appropriations Committees. They and their membership handle the purse strings of the Federal Treasury. CLARENCE CANNON, Democrat, of Missouri, runs the House committee, and CARL HAYDEN, Democrat, of Arizona, is the chairman on the Senate side.

Our President and his Secretary of the Treasury, Mr. Humphrey, have urged the Congress to appraise carefully the budget recommendations of the executive branch, with the hope that further cuts can be made by the Congress in these money requests. Senator BYRD, of Virginia, has been one of the watchful stalwarts in saving your tax dollars, and again this year is working in earnest to effect additional and further savings. Members of both parties are wary of the size of the budget, but the ultimate responsibility as to how much money is spent rests with the Democrats, because, after all, they control both Houses of Congress.

Last week in the initial appropriations measure submitted by the Eisenhower administration action by the House Appropriations Committee and the House itself cut nearly $47 million from this deficiency money bill—from $382 million to $335 million. But the Senate Appropriations Committee then put bck nearly all of the $47 million—one item alone was $30 million for a minerals buying program which was unnecessary and which the House had cut out completely.

PERMANENT STATUS FOR THE SMALL BUSINESS ADMINISTRATION

A few days ago I introduced legislation in the House of Representatives to give the Small Business Administration permanent status. Early in January the House passed a measure to increase the amount of money available for small-business loans. This legislation seeks to increase the Small Business Administration's lending authority by $80 million—from $375 million to $455 million. Following the action of the House, the Senate took steps to approve this increase and passed the measure on January 29. It was signed into law by President Eisenhower on February 11, 1957.

Established under the first year of the Eisenbower administration in 1953, the Small Business Administration came into existence for an interim period expiring on June 30 of this year. This agency grants loans up to $250,000 on terms up to 10 years to small-business people. It is imperative, I feel, that this agency be maintained on a permanent basis, and that these additional funds be made available for loans. My proposal would provide indefinite operations and continued stability of the Small Business Administration. Address any inquiry to the Small Business Administration, Washington, D. C.

AMENDMENT TO THE BANKHEAD-JONES FARM TENANT ACT

On Monday of this week, I introduced a measure in the House to help our farmers refinance their loans with the Farmers' Home Administration. My bill would amend the Bankhead-Jones Farm Tenant Act as amended so that, in addition to real estate, livestock, and farm equipment, a farmer, at the discretion of the Secretary of Agriculture, could list stored agricultural commodities as well as other personal property as assets. Flexibility is necessary in any farm-credit program if we are going to restore our basic industry of agriculture to its rightful place in our overall economy. With extended drought and lower farm prices, we must remove unnecessary credit obstacles if the farmer is to survive. This suggested legislation will permit a farmer applying for a loan with the Farmers' Home Administration to present a financial picture that correctly reflects his total assets and total liabilities and not a onesided picture that overlooks part of his true net worth.

RURAL MAIL ROUTE EXTENSIONS

I have just asked the Post Office Department to review its policy which now requires that three families per mile be benefited before a rural mail route can be extended. Many requests for rural-mail route extensions which have come into this office and to my attention during the past 2 years have been denied by the Post Office Department due to this arbitrary ruling.

In a letter to the Postmaster General, I pointed out that the present law provides that rural-mail delivery shall be extended so as to serve, as nearly as practicable, the entire rural population of the United States, and that the three-family policy was outmoded and discriminated against many rural citizens in less heavily populated areas. Costs of investigations for these extensions by postal authorities would probably more than offset any increase in cost to provide this additional service. It is my contention that the Post Office Department now places too much emphasis on its three-family rule and not enough on other factors. If the Post Office Department does not liberalize this policy, then I plan to introduce and press for enactment of legislation which would remedy this injustice to our farm families.

NATIONAL GUARD

Recently an unnecessary and unfortunate statement about the National Guard was made by the civilian leader of our Armed Forces, Secretary of Defense Wilson. During World War II, my service was with airborne troops overseas and not with the National Guard. However, I know of the splendid overall record of Company B, 134th Infantry, from my hometown of Falls City. The exemplary conduct of this unit in battle bespeaks the record of similar units throughout our State and Nation. I am proud of our National Guard and its contribution to our country in peacetime as well as in war.

The proposal by the National Guard calling for 11 weeks' basic training contains merit. It would solve the present problem of National Guard recruit training because this period of instruction could be accomplished during vacation months at a substantial saving in manpower and dollars. You can be assured that I will give careful consideration to both sides of this question. I intend to support measures in Congress that will keep the National Guard strong so that it will retain its time-honored position in our Defense Establishment.

EMERGENCY LOAN DESIGNATION FOR NEBRASKA

MARCH 29, 1957

The entire State of Nebraska has been designated through June 30 of this year as eligible for emergency loans under Public Law 727 of the 83d Congress. Such loans are based on the need for credit arising from general economic conditions where no other credit is available privately or under regular Farmers Home Administration credit programs. These loans are for the purpose of purchasing items such as feed, seed, fertilizer, etc., considered to be expense items necessary for conducting farming operations. It is expected that the processing of applications for these loans will start the first week in April.

A REVIEW OF THE RECORD

While serving as your Representative, I have conscientiously tried to practice what I preach as far as effecting economy in government. Nothing can be clearer in this respect than my recorded voting record. A brief rundown of some of these votes show where I stand.

Against increasing the salaries of Members of Congress and United States judges and attorneys.

Against increasing the salaries of the judges of various courts in the District of Columbia.

Against extending for 1 year the existing temporary increase in the public debt limit.

Against appropriations for foreign aid and Federal aid to education.

In addition, there have been many other items that I have opposed because they represented waste, duplication, and extravagance in Government. I intend to continue to work and vote against those measures that I do not consider justified or necessary in the conduct of the affairs of our country. Letters from many of you in recent weeks confirm that you wholeheartedly agree with my position.

FOREIGN AID

In recent weeks, I have had many visits with various members of the House Appropriations Committee concerning excessive spending and particularly that phase which I think is the worst of all, continuation of foreign aid. The members of this committee are diligently attempting to reduce every budget request because most of them are too high. This is certainly in evidence by substantial cuts in each appropriation measure that has been considered so far this session by this committee. It is further evidenced by actual cuts of about $140 million made by the House. I was tremendously pleased to find so much unanimity of opinion to meet this challenge and particularly on the subject of foreign aid. It is my impression that this committee may cut upwards of $2 billion from the foreign aid program. I will be in complete agreement with the committee members and the Congress only when all foreign aid is eliminated. Such a gesture would effect an enormous savings with which we could reduce our national debt and then hopefully look forward to necessary and needed tax relief for our citizens. The challenge is ours and we must face up to our responsibilities.

EXTENSION OF THE VETERANS DIRECT LOAN PROGRAM, H. R. 4602

The House this week passed H. R. 4602, a bill to encourage new residential construction for veterans in rural areas and small communities. The maximum amount in which direct loans can be made was raised from $10,000 to $13,500 and the interest rate was maintained at 4½ percent. This bill is to assist veterans in obtaining home loans in those areas where private financing has not been, and in most instances, is not now available.

At the end of 1956 there were about 20 million veterans of World War II and Korea. It is significant to note that of this number about 5 million have secured VA guaranteed or insured loans while some have obtained VA direct loans or conventional loans from private sources. Thus, some 15 million veterans of both Korea and World War II have not used any or part of their loan guaranty entitlement. This is quite revealing when we see that 40 percent of our veterans, who are still eligible for loans, live in 2,700 out of 3,076 counties in the United States which have been designated as in the direct-loan area. The other 60 percent live in the metropolitan areas. A report from our Veterans' Affairs Committee states: "The inequity of opportunity to obtain a home loan in various sections of the country is demonstrated by the fact that 3,234,438 veterans live in 1,635 rural counties where less than 10 percent have obtained a home loan, as compared with 2,857,307 veterans who reside in 126 metropolitan counties where more than 40 percent have obtained home loans." I feel that this constitutes a discrimination of the worst type.

In the consideration of this measure the matter of raising interest rates from 4½ percent to 5 percent came up. The House Veterans' Affairs Committee had previously voted this proposal down. I strongly feel that the veterans' home-loan program is a veterans' program and not a program designed as a basis for supporting the homebuilding industry. In the lengthy hearings that were conducted before our committee, the building and lending groups, in essence, urged that the interest rates be increased from 4½ percent to 5 percent. However, there were no assurances that such an increase would produce any additional money for veteran home loans. It was disclosed also that the life insurance companies had about $900 million in outstanding commitments for home loans with $150 million of this committed for 4½ percent VA loans. Therefore we must consider other factors. An increase of one-half percent interest on a $15,000 loan over a 25-year maturity will add $1,278 to the cost of the veteran's home. Furthermore, the eligibility of a veteran for a VA loan is contingent upon credit standards set up by the monthly home payment for principal, interest, insurance, and taxes. A veteran seeking a $15,000 loan at 4½ percent must have net earnings of $351 a month. If the rate is increased by one-half percent, he is required to have a monthly net earning of $370 a month. It is apparent then that a rate increase of one-half percent will render ineligible many veterans in the lower-income group who are seeking a loan and will saddle them with this additional cost. A desire to protect these veterans played a great part in a determination not to raise the interest rate.

The Wall Street Journal recently carried an article stating that the mortgage market is easing and quoted several banking officials as saying that future increases in interest rates are out and that some of the lenders are now looking for loans. I trust that this is a nationwide trend and, if it is, I believe veterans will be able to continue to obtain mortgage financing at an interest rate of 4½ percent. Nebraska is typical of the Nation. Only 17.4 percent of the World War II veterans in the First District have been successful in getting a VA loan as compared with the national average of 25.2 percent. Nothing was presented to our committee to indicate that an increase in the interest rate would cause mortgage financing to flow into the areas where the least opportunity for the veterans has existed. H. R. 4602 will encourage the construction of homes for veterans removed from the more populous areas and give them the opportunity to own a home.

We must not look to the VA home-loan program as a means of supporting the home building industry. Our objective should be a liberalized FHA program for all prospective home owners. The future of the home building industry is dependent upon the development of a long-range housing program which will provide a reasonable basis for housing credit for all of the people of the Nation. H. R. 5315 which I have introduced is designed to carry out this purpose. I shall continue to seek its enactment since it is my contention that such a program will be necessary if the future of the home building industry so vital to the Nation's general economic health is to be assured.

THE BATTLE OF THE BUDGET (APRIL 29, 1957)

General opposition to the size of the budget along with close scrutiny of appropriation bills has jammed, to some extent, the legislative machinery of Congress. The House so far has acted on eight appropritaion bills for the fiscal year 1958. Cuts have totaled approximately $1,141,000,000. The Senate has not, as yet, acted on any of these bills. And the record will show that the Senate traditionally ups the figures set by the House. For example, for the fiscal year 1957, the budget recommendation was for $60,892,000,000. The House cut this to $58,584,000,000. The Senate then restored not only the $2,308,000,000 cut by the House but added another $367 million to it. With the record that the House has made to date in effecting substantial reductions in expenditures, the burden now rests with the Senate if these economies are to be a reality.

NEBRASKA PRINCESSES COME TO WASHINGTON

Nebraskans in Washington were happy to welcome recently two talented young ladies from the First Congressional District. Miss Jean Dibble of Bennet, Nebr., who represented our State as a princess in the annual Cherry Blossom Festival, and Miss Shari Lewis of Daykin, Nebr., who is the American Dairy Princess for 1957. Congratulations, Jean and Shari; we are proud of you.

THE POST OFFICE DEPARTMENT

The greatest loss today to the Post Office Department is in the handling of second- and third-class mail consisting primarily of newspapers, magazines, and circular material. This deficit must be made up by general appropriations. As a result we are confronted with a postal subsidy in which the costs of handling the mail exceed rates charged for the service. For example, the Post Office Department has made the following estimates of the 1956 postal subsidy for four magazines: Life, $9.5 million; Saturday Evening Post, $6.1 million; Reader's Digest, $4.8 million; and Look magazine, $3.5 million. We must put the Post Office Department on a paying basis so that it can operate in the black. Corrective action, I feel, should be directed primarily at the class of mail causing the deficiency and not at the taxpaying general public.

WEST POINT, ANNAPOLIS, AND AIR FORCE APPOINTMENTS

All young men between the ages of 17 and 22 who want to attend one of our service academies should write to me in care of 440 House Office Building, Washington, D. C. Nominations for classes beginning in 1958 will be made this fall and I am interested in selecting the best qualified young men. A competitive examination will be held in July of this year to assist in this determination. Upon receipt of these letters, I will return an application form and full information on the academies.

UNITED STATES LOAN TO BRITAIN

A few days ago the House considered Senate Joint Resolution 72. Specifically the question was whether we were to postpone the interest and principal payments due the United States from England on a loan made to them in 1946. The facts are briefly this. At the end of World War II, a balance of $622 million was due the United States in settlement of the lend-lease account from World War II. In addition, the Truman administration in 1946 encouraged the making of a new loan to England of some $3¾ billion dollars. Therefore, the total amount of money involved was $622 million left over and due from lend-lease, plus the $3¾ billion of the new loan made in 1946, less six annual payments of $138.4 million paid by England beginning in December of 1951 and continuing through December of 1956. However, no interest was paid on the latter payment of principal. The entire loan was set up for 50 years to come due in the year 2000. It appears that the original loan agreement made with the British during the Truman administration had a number of compassionate features which provided among other things that under certain conditions the British might waive the entire interest payments in any given year. Along in 1953 the British intimated that if we did not renegotiate this loan with them to relax some of its terms, then the alternative would be for them to go to the International Monetary Fund to assert and claim their right of waiver of interest. And by waiving it, it meant writing this interest completely off. It did not mean postponement but it meant complete cancellation and forgiveness of interest due the United States.

In 1953 the English began their negotiations in an effort to take advantage of some of these weak provisions. They continued, however, to make principal and interest payments until December 31 of last year, and on this date they said, "Here is the principal but we claim waiver of the interest." The proposed new agreement presently under consideration by our Government would give the British an extension of 7 years—any 7 they select of the 44 years remaining on the original loan so that they could postpone the interest and principal payments for that year until a year beginning with the year 2001 and on up until the year 2007. So this year, for example, they could postpone principal and interest payments due in December until the year 2001, next year they could postpone it until the year 2002 and so forth with a maximum of seven extensions or until the year 2007—7 years after the year 2000 which was the maturity date of the original loan. I could not support this measure to delay the payment of an honest debt to us. Each year since 1951 and until last year, payments have been made and the British claimed no right for waiving the interest. Principal was paid in 1956, but the interest amount was put in escrow. Now, for reasons of their own choosing, their claim a forgiveness of interest and wish to compel us to renegotiate the original agreement to their advantage. As Representative GROSS of Iowa said, "In other words, we are financing the British backward and forward and now we are asked to fix it so they can go on into eternity refusing to pay their just obligations to this country."

The whole thing boils down to this—it was a poorly and loosely drawn hangover from the Truman-Acheson regime. Loopholes were left at our expense with concessions to the British if they desired to take advantage of them. I wanted no part of delaying a bad one-sided agreement any longer. Under these circumstances I would not responsibly be a part of any such proposition, and particularly in view of the fact that the British have just announced a general tax reduction for their own people—possible because of American dollars.

Here is what we have done for our British friends since 1917. These pertinent figures in the CONGRESSIONAL RECORD were quoted by Representative GAVIN, of Pennsylvania, from the U. S. News & World Report of March 22, 1957. "In 1917 we gave the British as a World War I loan $8 billion. In 1941, RFC loan, $390 million; 1941 to 1945, lend-lease, $22 billion; 1946, postwar loan $3,750,000,000. In 1948 to 1950, Marshall plan grants amounted to $2,400,000,000. In 1948 to 1950, Marshall plan loans amount to $337 million. In 1951 to 1956, defense aid grants of $851 million, and defense aid loans, $48 million. Or total aid from the United States of $37,776,000,000."

Our Government must stop this foolishness of doling out American dollars. We must diligently pursue a course that will bring about reductions in our national debt and tax relief for our citizens.

The House granted the British this extension by a vote of 218 to 167 and my vote was cast against it.

SOIL BANK (MAY 23, 1957)

The soil bank, as of this report, is dead after June 30 this year. An amendment was adopted in the House last week which knocked out $500 million for this program. The Senate must reverse this action for the program to be operative next year.

The soil bank was enacted too late last year to give it a real chance to work and it should have been given a fair test before being so abruptly stopped. Partisan politics played a large part in ending the program with 38 Republicans, mainly from the metropolitan areas, joining 154 Democrats to do the job. This same opposition defeated the recent emergency corn bill. While many programs have been ended by a denial of funds by Congress, and some rightly so, it is not a responsible way to legislate. It is not the responsibility of the Appropriations Committee to evaluate farm matters. That is the function of the House Agriculture Committee which conducts the hearings and makes the studies. Southern Democrats successfully led the attack against the soil bank. Why does the South have so much power in Congress? Congressman ARENDS, of Illinois, has this to say about it—

"The question has been asked why the South should have so much power in Congress. It is simply because the South, largely a one-party (Democratic) section of the country, reelects its Members of Congress, thereby gaining the seniority of committees. It is only after years of service that one, by virtue of his seniority, can become a committee chairman."

A sectional breakdown by residence of the 3 senior members of each party on the 19 committees of the House, lists 38 southerners in these key spots.

FOREIGN AID

Most of you are familiar with my stand on foreign aid. I have consistently voted against this gigantic giveaway. I would like to quote in part a recent letter from a constituent.

"Our giveaway in Europe is gaining us no good will. I know because I have traveled and visited most of the European countries several times in the last 15 years. I have many relatives in Denmark, where three of my cousins wrecked and tore down better barns than I have on my farm here, and built $30,000 and $40,000 fireproof barns (this is my estimated cost if built in this country), completely modern in every way with forced air-conditioning and heating, also running water. When I asked them how come, they stated they were helping their Government to use up the Marshall plan money for that year, so the Government's allotment would not be cut down for next year. Two other cousins built new large silos. None of them really needed help for themselves, but were helping their Government make use of the money. They laughed at us and thought we must be nuts."

This may demonstrate to some extent the lack of appreciation for our tax dollars abroad and why America has lost prestige and has, maybe, fewer friends the world over than we had before this program was started some 10 years ago.

THE DEFENSE BUDGET

The House Appropriations Committee has cut the Defense Department budget by $2½ billion. I intend to scrutinize this reduction very closely when it comes before the House to be certain that only nonessential items have been eliminated so that we will not impair, cripple, or endanger the security and defense of our country and our people.

POSTAL PAY RAISE

Many bills have been introduced in this Congress which would grant a pay raise to postal employees. Representatives of our postal people in Nebraska were in Washington recently to seek Congressional support for this legislation. In order that my position may be made clear on this matter, I am taking this means to express my viewpoints to all of the constituents I represent. First, I am sure all of us are grateful to these faithful and loyal employees of the Government for the services they perform so that our mail quickly and safely reaches our homes and offices. When this matter came up in 1955, the facts then justified a reasonable salary increase, which I supported and which was passed by the Congress and signed into law by the President. It was my feeling at that time, as it is today, that we should be guided by a reasonable yardstick in decisions dealing with parceling out of public funds. On any expenditure we must always consider the cost because it is the taxpayer who ultimately foots the bill; and as you well know, since serving as your Representative, I have consistently supported legislation which would reduce the cost of government.

H. R. 2474 is the bill prominently identified with postal groups seeking a pay raise. This measure would increase the average postal salary about $1,800 a year, or an increase of about 41 percent over the present salary scale. It is estimated that the additional per annum cost of the bill would approximate $1.3 billion for the fiscal year starting July 1, 1957. To make this measure retroactive to January 1 of this year, as provided for in the bill, would add another half billion dollars to its cost. If similar salary increases were granted to other Federal employees and to the military, as has happened in the past, the cumulative cost of this action on the part of Congress in approving this specific legislation could run well over $5 billion a year.

There may be specific cases, particularly in the metropolitan areas, where the rise in the cost of living would warrant adjustments in the pay scale of postal and other Federal workers at this time. If these facts can be substantiated, then upon that basis, I would support an increase, providing it was reasonable and fair. A study is in progress at this time so that appropriate recommendations in this respect can be made. It is my duty as a Member of Congress to study legislation carefully, including committee and departmental reports, and then determine what is fair, not only for the people to be benefited, but for all the citizens I represent in the First District. I do not intend, for political advantage, to favor proposals which, in all probability, will not become law. Adverse reports on postal salary increase bills of the magnitude requested by H. R. 2474 have been received from the Post Office Department and the Bureau of the Budget. The administration itself has expressed opposition to this particular bill because of the excessive cost involved. This would indicate that, even though this legislation were passed by the Congress, it would almost surely be vetoed by the President. In 1955, the President pointed out, "There can be no compromise with the principle of fairness, and any pay legislation must be fair to all to whom it applies. It must be workable administratively and not be excessive in cost." This view expresses my thoughts in this regard.

Many postal employees have requested me to sign a discharge petition which would, in effect, discharge the House Committee on Post Office and Civil Service and the Rules Committee of the House from further consideration of H. R. 2474 and bring it directly to the floor of the House for action. The House operates on a committee system and the members of the various committees study and conduct hearings on numerous proposals with respect to specific legislation. Committee consideration of proposed bills is essential if Members of Congress are to be fully informed. Therefore, I do not think it would be proper or desirable for me to sign a discharge petition on a measure of this scope which, in the final analysis, would bypass this necessary part of our legislative process. There is no assurance that any bill brought to the House floor by this method would retain its original identity and remain intact. Very likely the sponsors of such legislation, by petition, in their effort to secure its passage might be compelled to accept amendments that would be unwise and irresponsible. History will show that this has sometimes been the case. I cannot be a party to any such proposition if I am to do this job right. Only two bills have become law by way of the discharge petition since the rule providing for them was adopted by the 61st Congress almost 50 years ago. As an illustration, from the 80th through the 84th Congress, 84 discharge petitions were filed. Four received the necessary 218 signatures to place the bills on the House Calendar. Two passed the House, but only one passed the Senate and became law.

DOLLARS FOR DEFENSE (JUNE 27, 1957)

The biggest single item today in our budget is the money we spend for the security of America. The cost is very high but it is cheap if we compare dollars with the lives of our sons. Next year's defense spending called for $36 billion. The House sliced $2.5 billion from this request which left it still $1,100,000,000 below the amount appropriated for the current fiscal year ending on June 30. The Senate must still act on this measure. An effort was made in the House to put back some $300 million for aircraft, missiles, research and development, and I supported this proposition. Here in this instance was the exception and not the rule for me, on where economy begins. It is apparent that we must keep pace if we are going to keep the peace. In these critical phases of our defense program, we must stay in a competing position with Soviet Russia and be certain, without doubt, that the security forces of the United States are not impaired, and that we are not letting down our guard. We cannot afford to lag behind in these highly technical and advanced scientific fields or find ourselves lulled into a false sense and feeling of security. No one wants waste, duplication, or extravagance in government, and we must be objective in searching these things out; however, we cannot afford to gamble on needed essential items of defense—particularly aircraft and missiles, when the very freedom of America is at stake.

Let's take a look at some of the costs of these defense items. A B-29 bomber of World War II cost about $600,000. The B-36 of Korea cost $4 million, and now the B-52 which is taking the place of the B-36 will average out at about $8½ million each. Submarines of World War II cost $4.7 million, then the cost went up during the Korean war to about $22 million, and today our nuclear submarines cost between $40 and $60 million. Many of the increases may be attributed to the growing complexity of these and other weapons now being procured, and price and wage boosts which the Defense Department must pay like anyone else for any goods and services that it wants. Prices for petroleum and petroleum products, metals and metal products and machinery have risen significantly during the last several years. In addition to the fuel price increase, modern jet aircraft are more expensive to operate because of increased fuel consumption. For example; one of the new jet engines consumes more fuel in an hour than you use in your car in a year, and the fuel costs of a B-52 for just 1 hour are $330. The cost of overhauling aircraft and other complex equipment is steadily increasing. Today it costs $44,000 to overhaul an Air Force F-102 fighter, more than double the amount it used to cost to overhaul an earlier model. So when we add everything up, we can see that a strong program of defense for our country is expensive, and as one Member of Congress has so many times said, "I would rather err on the side of strength than on the side of weakness," and I might add, "Because then it would be too late."

Congratulations to J. LeRoy Welsh, of Omaha, for his capable leadership as chairman of the five-man bipartisan Commission appointed by the President to study and make recommendations for the increased industrial use of agricultural products. We are determined that the rural citizens of America will come in for a greater share of our national prosperity, and the contributions by him and his associates in this field, will greatly encourage the advancement of this program.

SP3C. WILLIAM S. GIRARD

During the past few weeks I have received numerous wires and letters from citizens of Nebraska protesting the trial of Sp3c. William S. Girard in the Japanese courts. First, may I say that I am in complete agreement with these expressions from home. On the basis of the facts that have been brought to light, Girard should have been tried by Army authorities. When this matter first came up, I went to the Pentagon and discussed the Girard incident personally with the Secretary of the Army, Wilber Brucker. Although the matter was then beyond his jurisdiction and authority, I can honestly say to you that he was in sympathy with my position and had so made known his views to his superiors but his recommendations were overruled. It might be well to review briefly the background of the United States-Japanese treaty adopted in 1953. Under the terms of this agreement the authorities of Japan have the prior right or jurisdiction to try members of the United States Armed Forces for an injury caused to a Japanese national unless—and this is the crux of the argument—such injury is one "arising out of any act or omission done in the performance of official duty." Since the commanding general of Girard's division certified that Girard's action was done in the performance of official duty, it is my feeling that the Army authorities should have jurisdiction over him.

This specific treaty with Japan is not technically a Status of Forces Treaty but in most respects it has the earmarks of one and the end results are the same. Therefore the whole Girard case focuses attention on the Status of Forces Treaty made with the NATO countries which was ratified by the Senate in 1953 by a vote of 72 to 15, and comparable arrangements similarly entered into since then between our Government and other foreign powers. As a Member of Congress, I have opposed this type of agreement which repeals international law followed for more than a century. In the absence of any treaty provisions and according to international law, our soldiers stationed abroad enjoy an immunity from civil and criminal jurisdiction. Yet, under these so-called Status of Forces Treaty arrangements with foreign governments, the United States must surrender to that country and its courts, a soldier who may be charged with violating the criminal laws of that nation. I shall continue to challenge the proponents of such international agreements—of a statuts-of-forces nature—which will permit an American boy who violates the law of a foreign nation to be tried and punished in a foreign court where the violation may have been unintentional, where there may have been no criminal motive, and where the act committed was not criminal under American laws.

From time to time amendments to legislation have been considered on the floor of the House which were designed to insure American boys an American trial if they committed a crime in a foreign country. I have always vigorously supported these amendments and will continue to do so in the interest of justice and equality to members of our Armed Forces. In 1955, Mr. Bow, Republican, of Ohio, and Mr. Budge, Republican, of Idaho, both introduced amendments to repeal portions of the Status of Forces Treaty agreements. The Budge amendment would have prevented any country where the Status of Forces Treaty is in effect from participating in our foreign-aid programs, unless that country waived a claim to try American soldiers in their civil courts and agreed to turn these American soldiers over to the United States authorities to be tried under our principles of justice. The Bow amendment would have restricted the sending of American troops to any nation refusing to comply in similar manner. In my newsletter under date of July 15, 1955, I stated, "Although both measures were rejected, I supported them as did many other Members of the House who believe that an American soldier should not be denied, as would be true in so many cases, a trial by jury."

Representative Poff, Republican, of Virginia, an able lawyer and a member of the House Judiciary Committee, says that advocates of the status of forces treaties argue that these treaties contain a list of nine rules, which guarantee a fair trial in foreign courts. However, according to Mr. Poff, "A close examination of that list discloses that they do not guarantee a public trial, a jury trial, presumption of innocence, freedom from compulsory self-incrimination, freedom from double jeopardy, freedom of worship, speech, press or assembly, or a protection against hearsay evidence, excessive bail or cruel and unusual punishment," and finally, Mr. Poff says, "It is significant to note that in some nations of the world where food is scarce, the penalty for stealing a chicken is the removal of a hand and in nations where the cow is considered holy, a person convicted of killing a cow may receive the death penalty."